DEPARTMENT OF LAW

CITY OF CHICAGO

October 9, 2019

BY EMAIL

RE: *Office of Inspector General's Summary Reports of Investigation re: Laquan McDonald*

Dear Requester:

In response to your request for Office of Inspector General's Summary Reports of Investigation regarding Laquan McDonald, the Department of Law discloses the following reports, pursuant to Section 2-56-110 of the Municipal Code:

> Arturo Becerra, Dora Fontaine, Stephen Franko, Thomas Gaffney, Daniel Gallagher, David March, Joseph McElligott, David McNaughton, Janet Mondragon, Eugene Roy, Daphne Sebastian, Jason Van Dyke, Leticia Velez, Ricardo Viramontes, Joseph Walsh, and Anthony Wojcik.

In your review of these reports, please be advised of the following:

- The Corporation Counsel does not conduct the investigations that are the subject of the SRIs, conduct the analysis reflected by and in the SRIs, draft or approve issuance of the SRIs, or opine on the accuracy of the SRIs.
- The SRIs are not the work product of the Corporation Counsel. If an SRI is disclosed in whole or in part, it is disclosed solely as the work product of the OIG, and the Corporation Counsel makes no representations as to the SRIs' content.
- The Corporation Counsel is unaware of anything that may have occurred during the OIG's investigation that created or may have created, as to any person or entity who provided information in connection with an investigation or was a target or subject of same, any actual or arguable rights or expectation of privacy or confidentiality.
- The Corporation Counsel is also unaware of any other concerns that persons or entities who provided information in connection with an investigation (or were a target or subject of same) may have, or may have shared with the OIG, relating to safety, potential retaliation, or other possible adverse consequences that might result from public disclosure of an SRI.

Thank you for your interest in this matter.

Sincerely,

Mark A. Flessner
Corporation Counsel

Att.

SUMMARY REPORT OF INVESTIGATION
Office of Inspector General Case # 15-0564 (Officer Arturo Becerra)
November 22, 2016

This report consists of a summary of the evidence set out in the attached investigative materials and the Office of Inspector General's (OIG's) analysis of that evidence. An index of the investigative materials is attached.

I. INTRODUCTION

An OIG investigation has established that Arturo Becerra, a police officer for the Chicago Police Department (CPD) who was at the scene when Officer Jason Van Dyke shot Laquan McDonald on October 20, 2014, failed to follow CPD Rules regarding the operation of CPD's in-car video systems. More specifically, and as detailed below, Becerra failed to ensure that his vehicle's in-car video system was capturing audio or video on October 20, 2014, and failed to notify his supervisor that the system was not operating properly. Accordingly, OIG recommends that CPD impose discipline upon Becerra commensurate with the seriousness of his misconduct, his discipline history, and department standards.

II. APPLICABLE RULES, REGULATIONS, AND LAW

A. CPD Rules and Regulations

CPD's Rules and Regulations set out the standards of conduct and duties of sworn members. Article V of the CPD Rules and Regulations, entitled CPD Rules of Conduct (the CPD Rules), sets forth specifically prohibited acts. In pertinent part, the CPD Rules include the following prohibitions:

Rule 6 Disobedience of an order or directive, whether written or oral.

Rule 11 Incompetency or inefficiency in the performance of duty.

B. CPD Special Order S03-05 (effective February 23, 2012 through February 24, 2016)

CPD Special Orders are directives that establish protocols and procedures concerning specific CPD functions, operations, programs, or processes. Special Order S03-05, which was in effect at the time of the shooting, outlines the protocols CPD members are to follow regarding in-car video systems.[1] Section VI of the Special Order provides that at the beginning of their tour of duty, Department members assigned to a CPD vehicle equipped with an in-car video system are to:

(1) visually inspect the in-car video system equipment for damage;

[1] In-car video systems are also referred to as dash cameras or dashcams in this report.

(2) obtain the remote transmitter/audio recorder and ensure it is securely attached to the member's person; and

(3) follow the start-up procedures for the in-car video system as trained and ensure the system is working properly.

The Special Order notes that members are to "immediately notify a supervisor if, at any time, the in-car video system is inoperable, damaged, the equipped vehicle becomes inoperable, or the remote transmitter/audio recorder is missing." During their tour, members are to "audibly and visually record events in accordance with this directive." At the conclusion of a tour of duty, members are to "verify the in-car video system is working properly."

III. ARTURO BECERRA EMPLOYMENT HISTORY

Becerra has worked as a CPD Police Officer since 2010. Becerra is a member of Fraternal Order of Police (FOP) Lodge 7.

IV. SUMMARY OF INVESTIGATION

A. Procedural History of OIG's Investigation

By letter, dated December 8, 2015, Independent Police Review Authority (IPRA) Acting Chief Administrator Sharon Fairley requested that OIG conduct an administrative investigation "to determine whether certain police officers/witnesses made false statements on official reports prepared in connection with [Van Dyke's shooting of McDonald] and/or during the investigation of the incident."[2] IPRA further requested that OIG investigate "whether any of the involved Chicago Police officers committed any other violation(s) of Chicago Police Department rules, policies or procedures in their involvement with the incident, including, but not limited to, whether any officers' conduct may have interfered with or obstructed the appropriate investigation and handling of this matter."

Then, by letter, dated January 13, 2016, CPD Interim Superintendent John J. Escalante requested that OIG conduct an "administrative investigation into any and all allegations of police officer misconduct" arising out of the October 20, 2014 shooting death of McDonald. The Superintendent's request asked OIG to investigate the following allegations: "whether any officer(s) made false statements on official reports submitted in connection with the shooting of Laquan McDonald on October 20, 2014; whether any officer(s) obstructed or interfered with the investigation of this incident, either individually or in collusion with others; and whether any officer(s) committed any violation of Chicago Police Department rules, policies, or orders in connection with their response and/or handling of this matter." Escalante attached to the letter request a copy of Sergeant Sandra Soria's Initiation Report, which raises allegations of

[2] On November 24, 2015, the Cook County State's Attorney charged Van Dyke with a single count of first degree murder in the shooting of McDonald. On December 15, 2015, it subsequently charged him with six counts of murder. OIG has not been involved with any criminal investigation related to the shooting and makes no findings regarding Van Dyke's use of force.

misconduct related to the in-car video systems of the vehicles that were present during the McDonald shooting, and identified that Report as a basis for OIG's administrative investigation.

On March 10, 2016, Kevin Kilmer, Financial Secretary for the FOP, filed a grievance with CPD on behalf of all affected members stating that OIG's attempts to conduct CPD officer interviews violated Article 6 of CPD's Collective Bargaining Agreement (CBA) with the FOP.[3] On March 16, 2016, FOP on behalf of all impacted CPD officers filed a "Complaint for Injunction in Aid of Arbitration" in the Circuit Court of Cook County, asking the court to enjoin OIG from conducting interviews until the grievance was decided in arbitration.[4] The court dismissed the complaint and denied the injunction on March 22, 2016.

OIG's administrative investigation of other CPD employees' actions related to CPD's handling of the McDonald investigation is ongoing. During the course of its investigation, OIG has gathered documents from CPD and IPRA, among other sources, and conducted numerous interviews, including interviews of several CPD personnel who were at or responded to the scene of the shooting and civilian witnesses to the shooting. To date in its ongoing investigation, OIG has recommended disciplinary action against multiple CPD personnel.

B. The Events of October 20, 2014

The following sections detail the shooting of McDonald, as well as the relevant events that occurred directly before and after the shooting.[5]

1. [redacted] and Rudy Barillas's Encounter with McDonald[6]

[redacted] and [redacted] Rudy Barillas, were parking a truck in a lot at 41st Street and Kildare Avenue when [redacted] saw a black male, whom she subsequently identified as McDonald, attempting to steal property from certain vehicles parked in the lot. Barillas told McDonald to leave the lot. McDonald responded by making growling noises. After Barillas again told McDonald to leave the lot, McDonald pulled out a knife and swung it at Barillas. Barillas, who

[3] Section 6.1, Paragraph I of the CBA states, "If the allegation under investigation indicates a recommendation for separation is probable against the Officer, the Officer will be given the statutory administrative proceeding rights, or if the allegation indicates criminal prosecution is probable against the Officer, the Officer will be given the constitutional rights concerning self-incrimination prior to the commencement of interrogation." CPD General Order GO8-01-01, Paragraph K contains similar language.

[4] *Fraternal Order of Police, Chicago Lodge 7 v. City of Chicago*, No. 2016 CH 03726 (Cir. Ct. of Cook County, Ill., Mar. 16, 2016).

[5] On April 22, 2016, OIG obtained maps of the locations that are relevant to the shooting from Google Maps and included those maps in Appendix A. Those maps generally reflect the street layout and location of relevant businesses as they were on the night of October 20, 2014.

[6] The following account of [redacted] and Barillas's encounter with McDonald is taken from the March 16, 2015 case supplementary report (CSR) submitted by CPD Detective David March, which includes the statements that [redacted] and Barillas provided to CPD on October 21, 2014, and October 22, 2014, respectively. OIG 15-0564 003077.

had already called 911, then threw his cell phone at McDonald.[7] McDonald ran from the lot, first northbound on Kildare and then eastbound on 40th Street.

2. Officers Thomas Gaffney and Joseph McElligott's Encounter with McDonald[8]

Officer Thomas Gaffney and his partner Officer Joseph McElligott received a call over the radio that someone had broken into a truck at 4100 South Kildare and were dispatched to the scene.[9] Gaffney was driving, and McElligott was in the passenger seat of their assigned vehicle, 815R.[10] When they arrived at 4100 South Kildare, they saw a Hispanic male and female standing by the gate to the truck yard. The two said that a black male wearing a black shirt, later determined to be McDonald, had been trying to steal the radio out of a semi-truck, and had subsequently headed north toward 40th Street.

Gaffney and McElligott drove north on Kildare, turned right onto 40th Street, and saw McDonald walking east on the south side of 40th Street. McElligott exited the vehicle and commanded McDonald to stop and turn around. Gaffney stayed in the vehicle in case McDonald attempted to flee. McElligott ordered McDonald to take his hands out of his pockets. McDonald, who had been facing McElligott, turned and walked away with one hand still in his pocket. McDonald then turned again and took both of his hands out of his pockets. He had a knife in his right hand. McElligott drew his weapon and told McDonald to drop the knife. McDonald started walking east again, going from the sidewalk to the street and back. McElligott

[7] OEMC recordings reflect that Barillas called 911 at 9:45 p.m. stating that he was holding "a guy right hear [sic] that stolen [sic] the radios" from trucks in a truck yard located at "41st and Kildare." OIG 15-0564 003227.

[8] The following account of Gaffney and McElligott's encounter with McDonald is taken from (1) the audio-recorded statements Gaffney and McElligott provided to IPRA on October 21, 2014, OIG 15-0564 000482-98, 000610-30; and (2) the March 16, 2015 CSR submitted by Detective David March, which includes the statements that Gaffney and McElligott provided to March on the night of the McDonald shooting. OIG 15-0564 003067–69.

[9] OEMC records reflect that Gaffney and McElligott received the call at 9:47 p.m. OIG 15-0564 003691.

[10] Below is a chart identifying the beat numbers and vehicle numbers of the CPD vehicles that were present when McDonald was shot, along with the names of the officers who were assigned to those vehicles. This SRI refers to the below-referenced vehicles by beat number, unless otherwise specified.

Beat #	Vehicle #	Officers
845R	6412	Officer Joseph Walsh (driver), Officer Van Dyke (passenger)
815R	8489	Officer Gaffney (driver), Officer McElligott (passenger and on foot)
813R	8779	Officer Janet Mondragon (driver), Officer Daphne Sebastian (passenger)
822	8765	Officer Becerra (driver), Officer Leticia Velez (passenger)
841R	8948	Officer Ricardo Viramontes (driver), Officer Dora Fontaine (passenger)

followed McDonald on foot, shining his flashlight on him, while Gaffney followed in 815R, parallel to McDonald.

As McDonald approached the intersection of 40th and Keeler, Gaffney reported to dispatch that McDonald was walking away with a knife in his hand.[11] Gaffney and McElligott continued to follow McDonald as he headed east, with McElligott giving McDonald orders to drop his knife and stop. McDonald kept turning around and giving the officers a "weird glaze[d] look." Gaffney IPRA Tr. 11:20.[12]

As McDonald approached the intersection of 40th and Karlov, Gaffney turned his car toward McDonald to direct him down Karlov. Gaffney wanted to keep McDonald away from Pulaski, which was a more populated area. McDonald then swung his arm and popped 815R's right front tire with his knife. McElligott was toward the back of 815R when McDonald popped its tire. After McDonald took a step back from the vehicle, Gaffney pulled up further in front of him to stop him from proceeding to Pulaski. McDonald then hit the right side of 815R's windshield once with the knife in his right hand. The windshield did not break but, according to Gaffney, McDonald hit it as hard as he could. McDonald walked around the front of 815R and continued eastward on 40th Street. After McDonald had walked 10 to 15 feet, another squad car turned off of Pulaski onto 40th Street with its lights on, and McDonald began to sprint. McElligott followed McDonald on foot, and Gaffney followed McDonald in 815R. McDonald ran eastbound through a parking lot of a Burger King located at 40th and Pulaski and then headed southbound on Pulaski. Video footage from several cameras captured McDonald's movements as he reached Pulaski.

3. Summary of the Relevant Video Footage

The below table contains a summary of the relevant video footage of the McDonald shooting, which includes the dashcam videos from 813R, 823R, and 845R, video from the "WNE fire exit" security camera from the Greater Chicago Food Depository, which is bordered by 40th Street to the north, Karlov Avenue to the east, and Keeler Avenue to the west, and the security camera video from the Dunkin' Donuts, located at 4113 South Pulaski Road (the DD Camera).[13]

Time	Event(s) Captured	Source of Video
9:53:17 – 9:54:42	McDonald walks eastbound on the south side sidewalk of 40th Street; a CPD SUV travels east on 40th Street, parallel to McDonald with its front bumper even with	Greater Chicago Food Depository Security Camera

[11] OEMC recordings reflect that, at 9:53 p.m., 815R reported: "We're at 40th and Keeler. This guy uh is walking away from us and he's got a knife in his hand." Approximately 30 seconds later, a dispatcher stated, "815R looking for a taser." *See* OEMC Documents and CDs; *see also* OIG 15-0564 003691, 3228.

[12] OIG 15-0564 000620.

[13] In addition to the videos cited in the summary, OIG obtained video footage from the security camera videos at Burger King and Focal Point, and the dash camera videos from Vehicles 815R and 821R. These videos do not contain footage relevant to this report.

	McDonald; an officer on foot trails directly behind McDonald by the length of the SUV, with his flashlight trained on McDonald.[14]	
9:56:53 – 9:57:01	813R and 845R turn left onto 40th Street from Pulaski.	813R Dashcam
9:57:01– 9:57:09	An unidentified person on 40th Street points the CPD vehicles toward the Burger King parking lot (813R); 845R turns into the parking lot (813R). McDonald runs southeast through the Burger King parking lot out onto Pulaski (845R).	813R Dashcam; 845R Dashcam
9:57:09 – 9:57:20	845R drives over the curb and sidewalk north of Burger King and heads south on Pulaski (845R); 813R turns around, turns right onto 40th Street, and then right again on Pulaski (813R); McDonald runs southbound in the middle of Pulaski and enters the intersection of 41st Street and Pulaski (813R).	813R Dashcam; 845R Dashcam
9:57:20 – 9:57:25	845R, which is facing east/southeast on Pulaski just north of 41st street, turns right behind McDonald and proceeds south on Pulaski on the east side of the street; 845R's passenger door briefly opens and then closes as it passes McDonald on his left; McDonald continues southbound on Pulaski, toward 822, which is stopped in the middle of Pulaski facing north.	813R Dashcam
9:57:25 – 9:57:28	McDonald slows as he approaches 822, touches his hands to his waist, and then, before Walsh and Van Dyke exit 845R and with 822 situated between McDonald and the officers, McDonald extends his right arm fully to his right—the video shows that he has a silver object in his right hand; 845R passes 822 and comes to a stop on the east side of Pulaski, facing south and almost directly south of 822; Van Dyke opens 845R's passenger door.	813R Dashcam
9:57:28 – 9:57:30	McDonald changes course and begins walking southwest on Pulaski, away from 822 and 845R (813R); Van Dyke	813R Dashcam; DD Camera[15]

[14] OIG confirmed the vehicle is 815R and the officer on foot is McElligott by comparing the video with photographs of the officers. OIG 15-0564 003356.

[15] The DD Camera video does not display an embedded timestamp. Therefore, OIG used the timestamp of 813R's video, which generally captured the same events as the DD Camera from a different angle, to establish the timeframe of the events captured by the DD Camera.

	exits the passenger side of 845R with both of his feet in Pulaski's northbound left turn lane, his gun drawn and pointed at McDonald (813R). Walsh exits the driver side of 845R, just east of Pulaski's northbound left turn lane, with his gun drawn, and moves north along the driver side of 845R until he is several feet north of 845R (DD Camera).	
9:57:30 – 9:57:33	McDonald continues to walk southwest, from the middle of Pulaski to the lane markers that divide the west side of the road (or approximately one lane west of where McDonald was prior to changing course) (813R). While McDonald walks southwest, Walsh begins moving sideways in a west/southwest direction, approximately parallel to McDonald, and crosses over the east side of Pulaski's northbound left-turn lane—his gun is pointed at McDonald (813R; DD Camera). Van Dyke takes approximately two steps northwest toward McDonald, with his left foot crossing into Pulaski's yellow-painted median strip—his gun is pointed at McDonald (813R; DD Camera). 822 drives north on Pulaski, away from 845R (813R).	813R Dashcam; DD Camera
9:57:33 – 9:57:36	As McDonald approaches the lane markers on the west side of Pulaski, walking in a southwest direction, he looks to his right and moves his right hand behind his waist, near the right side of his lower back, then brings his hand back to his right side (813R). As McDonald crosses the lane markers on the west side of Pulaski, he looks to his left, and takes a step southbound (813R). Meanwhile, Walsh continues moving west/southwest with his gun pointed at McDonald, ultimately traversing almost the entire width of Pulaski's northbound left-turn lane (813R; DD Camera). Van Dyke takes an additional step west, toward McDonald, putting both of his feet in Pulaski's median strip and placing himself almost directly between McDonald and Walsh (813R; DD Camera). McDonald is then apparently shot and Walsh stops moving and adopts a stance, with his feet more than a shoulder's width apart (813R; DD Camera).	813R Dashcam; DD Camera
9:57:36 – 9:57:54	McDonald spins between 180 and 270 degrees in a clockwise direction and then falls to the ground with the top of his head pointing south on Pulaski, approximately one street lane east of Van Dyke and just south of Van	813R Dashcam; DD Camera

	Dyke (813R). As McDonald falls to the ground, Van Dyke takes another step west toward McDonald, moving his right foot from Pulaski's median strip into the south-bound side of Pulaski; his gun remains pointed at McDonald (813R). Van Dyke subsequently takes an additional step or two south, toward McDonald. Other than those steps, Van Dyke's feet are stationary (DD Camera). After McDonald is on the ground, his legs and feet do not move (813R). McDonald's upper body makes small, intermittent movements as what appear to be puffs of smoke rise from McDonald's body (813R).[16]	
9:57:54 – 9:58:05	An officer approaches McDonald and kicks the knife from his hand. McDonald does not make any noticeable movements.	813R Dashcam
9:58:05-9:58:20	McDonald lies on the ground; no aid is rendered by CPD personnel. 823R, travelling northbound, pulls up on the west side of Pulaski, and stops just south of where McDonald is lying.	813R Dashcam; 823R Dashcam
9:58:20-9:58:57	Several CPD officers walk and stand near McDonald as he lies on the ground; no aid is rendered by CPD personnel.	813R Dashcam;[17] 823R Dashcam
9:58:57-9:59:02	823R begins making a U-turn on Pulaski. A Cook County Sheriff's Police Department (CCSPD) officer puts on blue gloves and walks toward McDonald.[18] McDonald is no longer visible in the video frame.	823R Dashcam

4. CCSPD Officer Accounts of the October 20, 2014 McDonald Shooting[19]

While on patrol on October 20, 2014, CCSPD Officers Adam Murphy and Jeff Pasqua observed several CPD police vehicles pass by them. Both officers decided to follow the CPD vehicles. When they arrived at the scene, several CPD vehicles were already present—Pasqua estimated it was five or six. McDonald was lying on the pavement "gasping for his last breath of air."

[16] OEMC records show that dispatch received notice to send an ambulance to the scene at 9:57:51. OIG 15-0564 003691.

[17] The last time stamp visible on the 813R dashcam video is 9:58:55.

[18] OIG identified the CCSPD officer as Officer Adam Murphy.

[19] The following CCSPD Officer accounts are taken from OIG's June 23, 2016 interview of Jeff Pasqua and its June 24, 2015 interview of Adam Murphy. Pasqua and Murphy are currently CCSPD investigators.

Pasqua OIG Tr. 11:22-23. Meanwhile, the CPD officers were "standing around" and talking to each other. Murphy OIG Tr. 11:1. Murphy noted the CPD officers did not respond to him when he asked if they needed assistance. Murphy stated:

> I see there's blood all over the pavement. [McDonald] was kind of gurgling when he was sitting there. I remember his mouth was going open and closed like he was trying to gasp for air. And I looked for everybody else, and they were kind of standing there. I just started taking my gloves—my rubber gloves out to check for a pulse and to see if I could render aid.

Murphy OIG Tr. 12:18-13:2. He heard someone say an ambulance was en route.[20] Both Officers Murphy and Pasqua recalled then watching McDonald take his final breaths.[21] It was "[m]aybe less than a minute before [McDonald] expired." Murphy OIG Tr. 14:15-16. At no time did any CPD officers attempt to provide aid or comfort McDonald—Murphy stated, "That's why I felt that I needed to go up to him." Murphy OIG Tr. 14:11-12.

After McDonald passed away, Murphy got up from beside him and noticed the shooting officer, who he now knows to be Van Dyke, "pacing back and forth in front of his car." Murphy OIG Tr. 15:7-8. Murphy approached him and told him to sit down and drink water. As he was speaking with Van Dyke, Murphy "heard several officers telling [Van Dyke] to call your union rep, call your union rep." Murphy OIG Tr. 15:16-17.

Murphy and Pasqua departed after approximately ten minutes on the scene when a CPD sergeant told them CPD did not need their assistance. At the time they left, there was "[a] sea of CPD" on scene. Murphy OIG Tr. 38:3; Pasqua OIG Tr. 25:7-8.

C. Becerra's October 20, 2014 Statement Regarding the McDonald Shooting[22]

On March 15, 2015, Detective David March submitted a case supplementary report (CSR) with the R.D. Number HX475653 that contains a summary of CPD's investigation.[23] Lieutenant

[20] In a January 22, 2016 OIG interview, CPD Area North Commander Kevin Duffin stated CPD police officers have a duty to render aid to injured civilians per general orders. Police officers render aid by calling dispatch and requesting that an ambulance be dispatched to the scene. According to Duffin, police officers are not required or expected to provide any more assistance than this. On March 30, 2016, CPD issued General Order G03-06 which requires that the involved member(s) "request medical attention for the injured, and also offer immediate medical aid commensurate with their training, experience, and available equipment."

[21] The Medical Examiner's Case Report states McDonald was pronounced dead "on view" at Mount Sinai Medical Center on October 20, 2014, at 10:42 p.m. OIG 15-0564 015029.

[22] OIG 15-0564 003070.

[23] CPD's investigation in the aftermath of the McDonald shooting was reported under record number HX-475653, and most reports were classified as an investigation into an aggravated assault in which McDonald was the offender. In a few reports, the case was classified as an investigation into a justifiable homicide of which McDonald was the victim. An additional record number was also created and classified as a justifiable homicide, apparently for recordkeeping purposes. In CPD's investigative reports classified under the aggravated assault, CPD personnel drew conclusions about the propriety and lawfulness of Van Dyke's shooting of McDonald. This raises questions about CPD's role in investigating a police-involved shooting in light of IPRA's jurisdiction over the matter.

Anthony Wojcik approved the CSR on March 16, 2015. Included in that CSR is a summary of the statement that March purported to have obtained from Becerra at the scene of the shooting, which states in relevant part:

> [Becerra] stated he was a Chicago Police Officer assigned to the 008th District. He was on duty, in uniform, working on Beat 822. Bacerra [sic] was working with Police Officer Leticia Velez. The two officers were assigned to a marked vehicle. Bacerra [sic] was driving the vehicle and Velez was the passenger.
>
> Officer Bacerra [sic] and his partner responded to the request for assistance made by Beat 815R, regarding a subject who was armed with a knife. Bacerra [sic] was driving northbound on Pulaski Road from 47th Street. As he approached the scene of this incident, at 4112 South Pulaski, he observed a black male subject, now known as Laquan McDonald, in the middle of the street, flailing his arms. As he got closer, Bacerra [sic] observed McDonald to be holding a knife in his right hand. Bacerra [sic] drove past McDonald, with McDonald on the left side of the police vehicle, as Beat 845R drove past Bacerra [sic], on the right side of his vehicle, travelling southbound. As Bacerra [sic] began to make a U-turn, he heard multiple gunshots. He then saw McDonald lying on the ground. Bacerra [sic] did not see who fired the shots.[24]

D. Records and Interviews Concerning 822's In-Car Video System

1. October 20, 2014 Supervisor's Management Log

Sergeant Sean Tully completed and signed a "Supervisor's Management Log," dated October 20, 2014, for the third watch officers under his supervision, which included Becerra and Velez. Under "Personnel and Assignments," the log lists Becerra and Velez's names, as well as their beat (822) and vehicle number (8765). Tully noted that the 822 vehicle had an in-car camera and that the camera was "Operable and Logged On" as of 16:30.[25]

2. Sergeant Becvar's Reports and Interview

On October 21, 2014, CPD Sergeant Lance Becvar submitted a supplementary report for R.D. No. HX475653 concerning his retrieval of video from the in-car video systems of the five CPD vehicles that were on scene when Van Dyke shot McDonald.[26] With respect to the beat 822 vehicle (also referred to as Vehicle 8765), the vehicle Becerra was driving on October 20, 2014, Becvar noted "Not engaged—Officer reported power issue." Becvar also completed a

[24] Detective March completed a General Progress Report (GPR) relating to his interview of Becerra that contains March's handwritten notes of the interview. OIG 15-0564 003250. March's handwritten notes of the interview do not differ in any significant way from the summary of Becerra's statement in the CSR.

[25] With respect to the beat 825 and 849 vehicles, Tully noted that the vehicles' in-car cameras were inoperable and listed a corresponding help desk ticket number for each vehicle's camera.

[26] OIG 15-0564 004991.

corresponding "In Car Camera Video Retrieval Worksheet" regarding his October 20, 2014 video retrieval, in which he made the following notation with respect to 822: "Mics in charging cradles, not sync'd to system."[27]

On July 17, 2015, Becvar sent an email summarizing his findings regarding his October 20, 2014 video retrieval from 822 and the other four CPD vehicles that were on scene when Van Dyke shot McDonald.[28] With respect to 822, Becvar wrote: "System not engaged, officer related no power. There was no open H[elp] D[esk] T[icket] called in on vehicle. MICs not sync'd to system even though they were in the charging cradles."

In a January 27, 2016 OIG interview, Sergeant Becvar stated that when he checked 822's in-car video system on October 20, 2014, it was not engaged and there was no video. In addition, 822's mics were not synced to the system. Becvar had a conversation with Velez that evening, and she related that 822's in-car video system had not been working correctly. Velez told Becvar that the system's power had been going on and off. When asked what could cause the system to have no power, Becvar responded: "Is it an interface problem with the car, is it the CPU has a loose board or power supply, a damaged cable, some tampering, I wish I could answer that." Becvar OIG Tr. 65:13-16. According to Becvar, if 822's in-car video system was not powering up at the beginning of Becerra and Velez's shift, "they should have notified their sergeant," and obtained a help desk ticket. Becvar OIG Tr. 70:16-17. When Becvar returned to the Detective Division from the scene of the shooting, he checked to see if 822 had an open help desk ticket and determined that it did not.[29]

E. OIG Interview of Becerra

On September 14, 2016, pursuant to Section 6.1 of the CBA between CPD and FOP, OIG, through CPD's Bureau of Internal Affairs, served Becerra with a Notification of Interview, Notification of Allegations, and copies of his prior statements, including (1) his October 20, 2014 statement to Detective March, contained in the March 16, 2015 CSR, and (2) Detective March's GPR containing his handwritten notes of his interview of Becerra. In addition, OIG provided Becerra with the dashcam footage from 813R and 845R and the security camera footage from Dunkin' Donuts.[30]

On September 23, 2016, OIG investigators interviewed Becerra under oath after informing him of his administrative advisements orally and in writing. Becerra provided oral and written acknowledgement of the reading of those advisements. The interview was transcribed by a

[27] OIG 15-0564 004992.

[28] OIG 15-0564 000567.

[29] CPD records reflect that no help desk tickets were opened concerning Vehicle 8765's in-car camera system in the 30 days preceding or following Becerra's October 20, 2014 tour of duty.

[30] During his September 23, 2016 interview, Becerra acknowledged that he reviewed those videos in preparation for his interview.

certified court reporter. Becerra was accompanied by his attorney. In summary, Becerra stated as follows.

1. October 20, 2014

As of October 20, 2014, Becerra was assigned to the third watch in the 8th District. The third watch shift begins at 3:30 p.m. and ends at 12:30 a.m.

a) Scene of McDonald Shooting

Becerra was present when Van Dyke shot McDonald. Becerra was driving the 822 vehicle at the time of the shooting, and Velez was in the passenger seat. Velez was Becerra's regular partner and had been so for one or two years.

Prior to the shooting, Becerra and Velez were sitting in 822 at 53rd and St. Louis having lunch when they heard an officer "screaming" over the radio for a taser. Becerra OIG Tr. 16:18. Becerra decided to assist the officer and started driving toward 41st and Pulaski, the location Becerra heard over the radio. Becerra and Velez did not have a taser with them.

Becerra traveled northbound on Pulaski with his lights and sirens on. As Becerra got closer to the scene, he saw McDonald "in the middle of the street." Becerra OIG Tr. 17:16. McDonald was walking "with sort of like a skip." Becerra OIG Tr. 19:6-7. Becerra saw a knife in McDonald's hand and was shocked "that he was actually walking towards" 822. Becerra OIG Tr. 17:22-23. Becerra did not feel "safe and comfortable with the distance" between McDonald and 822. Becerra OIG Tr. 17:24-18:1. Becerra noticed McDonald "started walking away from [822]." Becerra OIG Tr. 18:1-2. Becerra then "proceeded to drive past [McDonald] to make a U-turn." Becerra OIG Tr. 18:2-3. As Becerra was in the middle of making the U-turn, he heard shots being fired.

Becerra stopped 822, exited the vehicle and "saw the officer shooting the—the subject." Becerra OIG Tr. 18:5-6. After the shooting stopped, Becerra stated, he "felt like the situation was under control. Felt better." Becerra OIG Tr. 18:7-8. McDonald was already on the ground when Becerra exited 822. Officers Van Dyke and Walsh were "right in front of [Becerra]." Becerra OIG Tr. 50:10.

Becerra subsequently went to check on Velez and make sure she was okay. Becerra and Velez then got back into 822 and moved the vehicle to make way for other officers. Becerra and Velez then waited for direction from their supervisors. Other than Velez, Becerra did not speak to any of the other officers who were present during the shooting. He did not hear any of the officers describe the shooting.

Becerra initially stated that he did not see any video of the shooting at the scene. He then clarified that while he was on scene, a sergeant, whose name he did not know, called Becerra over to another CPD vehicle, most likely 813R, pointed to its camera, and asked him whether it was Becerra's vehicle that was pictured on screen. Becerra said yes, and the sergeant said:

"'Okay, they want to talk to you at Area.'" Becerra OIG Tr. 32:5-6. The portion of the video Becerra watched did not include the shooting.

b) Area Central

Becerra believed he was at the scene of the shooting for approximately 30 to 60 minutes before heading to Area Central. He and Velez drove to Area Central in the 822 vehicle. Once Becerra and Velez arrived, they sat at a table and waited for instructions. Becerra saw Van Dyke, Walsh, and Mondragon at Area Central, but did not talk to them.

Becerra recalled that, at some point that evening, a detective asked Becerra what he saw, and Becerra gave a statement. Becerra did not know the name of that detective. Becerra initially could not recall whether that conversation took place at the scene or at Area Central, but then clarified that that exchange occurred at one of the tables in Area Central's main area. When asked whether he talked to one detective or multiple detectives, Becerra responded: "[T]here was maybe multiple detectives asking me different types of questions, so I don't know. It wasn't—it wasn't like we were sitting down one on one. I don't know. It was more like a group of plainclothes officers." Becerra OIG Tr. 40:16-21. Velez was in Becerra's "general area" while he was giving his statement. Becerra OIG Tr. 41:11.

c) HX475653 CSR

According to Becerra, the statement attributed to him in the HX475653 CSR was generally accurate. However, Becerra did not recall using the word "flailing," in reference to McDonald's movement of his arms. In addition, with respect to the line "He then saw McDonald lying on the ground," Becerra said that he told the detective: "As I exited my vehicle, then I saw the officer shooting McDonald." Becerra OIG Tr. 49:11-12. Becerra said that portion of his statement was not recorded accurately: "[M]aybe I was rushed or maybe he didn't kind of finish the paragraph, I don't know." Becerra OIG Tr. 49:19-20.

2. Vehicle 822's In-Car Video System

As of October 20, 2014, Becerra was aware of the protocols set forth in S03-05 and had a general understanding of those protocols. Becerra said he usually followed the start-up procedures set forth in S03-05 at the beginning of his tour of duty. When asked whether it was his regular practice to notify his supervisor when his vehicle's in-car video system was not working, Becerra responded: "Yes. But—what usually happens is that the supervisor, he would ask us—there would be sometime during the tour he would check—he checks—check up on us, how are you doing, how are you doing, how is the camera working. And then usually if there was a problem, we would tell him at that particular time." Becerra OIG Tr. 56:22-57:5. According to Becerra, the squad car dashcams were "very temperamental"—"they will work one minute, a few minutes later they won't work." Becerra OIG Tr. 53:19-21.

Becerra was generally assigned to 822 (also known as the 8765 vehicle) around the time of the McDonald shooting. Becerra claimed that the vehicle's camera malfunctioned "every day"—"[i]t would like freeze. The system would freeze for some time." Becerra OIG Tr. 59:9-12.

Becerra claimed that he would tell the sergeant about the system freezes and the sergeant would obtain a ticket number. Becerra generally reported issues "through the computer." Becerra OIG Tr. 66:16.[31]

On October 20, 2014, Velez unsuccessfully attempted to log on to 822's in-car video system at the beginning of Becerra and Velez's tour. They attempted to restart the camera, but it did not reboot. Becerra kept his microphone in its charging dock because the camera was acting up.

Becerra said that he and Velez "didn't really get a chance to report those issues" to their sergeant. Becerra OIG Tr. 61:1-2. Becerra added that "the opportunity didn't arise to like, oh, let's meet up with the sergeant and tell him." Becerra OIG Tr. 61:11-13. Becerra and Velez did not file a help desk ticket on October 20, 2014, with respect to 822's in-car video system.

While Becerra and Velez were at the scene following the shooting, a plainclothes officer came to check on 822's camera. The officer had a keyboard and was trying to log on to 822's camera. Becerra did not recall having a conversation with the officer.

When asked to respond to the allegation that Becerra "failed to ensure the in-car video system for CPD vehicle 8765 was working properly at the beginning of [his] tour of duty" on October 20, 2014, Becerra stated: "Yeah, that's accurate." Becerra OIG Tr. 68:4-10. When asked to respond to the allegation that Becerra "failed to immediately notify a supervisor that the in-car video system for CPD vehicle 8765 was inoperable or damaged" on October 20, 2014, Becerra stated: "Yeah, again, probably accurate." Becerra OIG Tr. 68:12-17. When asked to respond to the allegation that Becerra "failed to audibly record events with CPD vehicle 8765's in-car video system during [his] tour of duty" on October 20, 2014, Becerra stated: "Yeah, accurate." Becerra OIG Tr. 68:19-24.

V. ANALYSIS

OIG's investigation established that Officer Arturo Becerra violated CPD Rule 6 (disobedience of an order, namely S03-05) and Rule 11 (incompetency in the performance of a duty) by failing to visually and audibly record events with his in-car video system and failing to notify his supervisor about the system's inoperability. CPD records establish that 822's in-car video system did not capture video or audio during Becerra's October 20, 2014 tour. Sergeant Lance Becvar, who attempted to recover video from 822's in-car video system, found that the system was not engaged. Becerra said that he and Velez unsuccessfully attempted to log in to 822's in-car video system at the beginning of his October 20, 2014 tour.[32] Becerra admitted, though, that he never contacted his supervisor to obtain a help desk ticket regarding the supposedly malfunctioning system, as required by S03-05. Becerra claimed that he did not have the

[31] OIG requested from OEMC the portable data terminal (PDT) messages sent from the 822 vehicle on October 20, 2014. However, OEMC notified OIG that it only maintained those records for seven days and thus was no longer in possession of the records at the time of OIG's request.

[32] Sergeant Tully's October 20, 2014 Supervisor's Management Log contradicts Becerra's statement as it reflects that 822's system was "operable and logged on" one hour after Becerra's tour started. A lack of evidence regarding the actual mechanical state of the 822 dashcam during Becerra's October 20, 2014 tour, including the absence of October 20, 2014 PDT messages for 822, preclude any finding as to whether Tulley's log was true and accurate.

"opportunity" to report the malfunction during his October 20, 2014 tour, but acknowledged that he had the ability to make such a report through his computer and did not need to have that conversation with his sergeant in person.[33] In addition, McDonald's shooting occurred more than six hours after Becerra's shift began, meaning Becerra had ample time to report 822's inoperative in-car video system.

Becerra's failure to follow CPD's in-car video system protocols prevented CPD from collecting potentially important, objective, technology-based evidence of the McDonald shooting. As a result, investigators are now forced to rely on Becerra's subjective unrecorded oral account of the shooting, Becerra's violation of CPD rules also served to harm the relationship between CPD and the residents it serves. A functioning in-car video system is critical to CPD's efforts to maintain accountability for its officers. That accountability, in turn, fosters the public's trust in CPD. When accountability mechanisms fail, as they did in the present case, where only one of the five CPD vehicles present at the shooting captured video of the actual shooting and none of those vehicles captured audio, the public can lose faith in CPD's commitment to accountability. Thus, as CPD works to rebuild the relationship between its officers and the greater Chicago community, it must ensure that its personnel understand the importance of keeping all aspects of CPD's accountability framework, including in-car video systems, functional.

VI. RECOMMENDATION

OIG recommends that CPD impose discipline upon Becerra commensurate with the seriousness of his misconduct, his discipline history, and department standards.

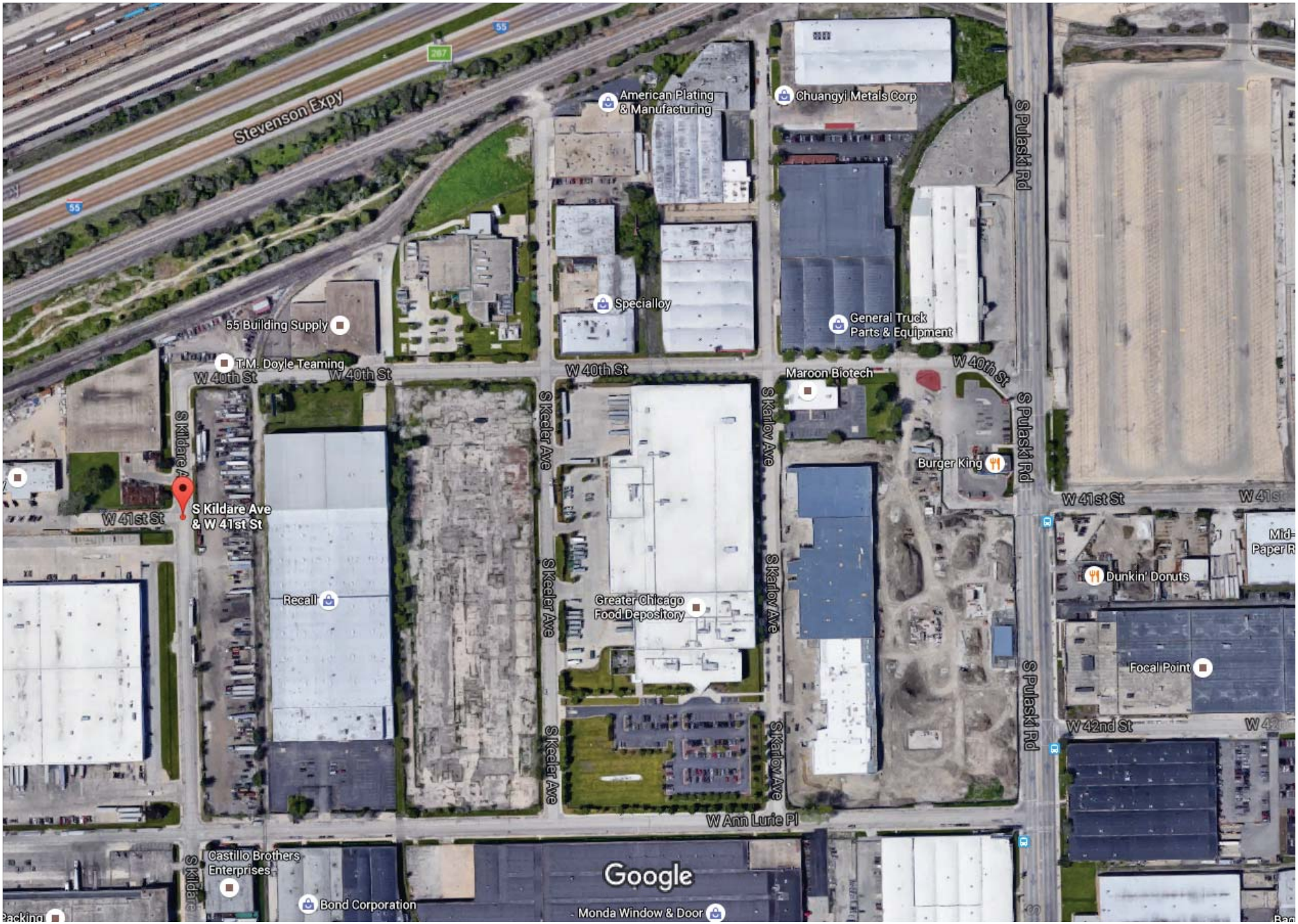
VII. CPD RULE VIOLATIONS

Rule 6 Disobedience of an order or directive, whether written or oral.

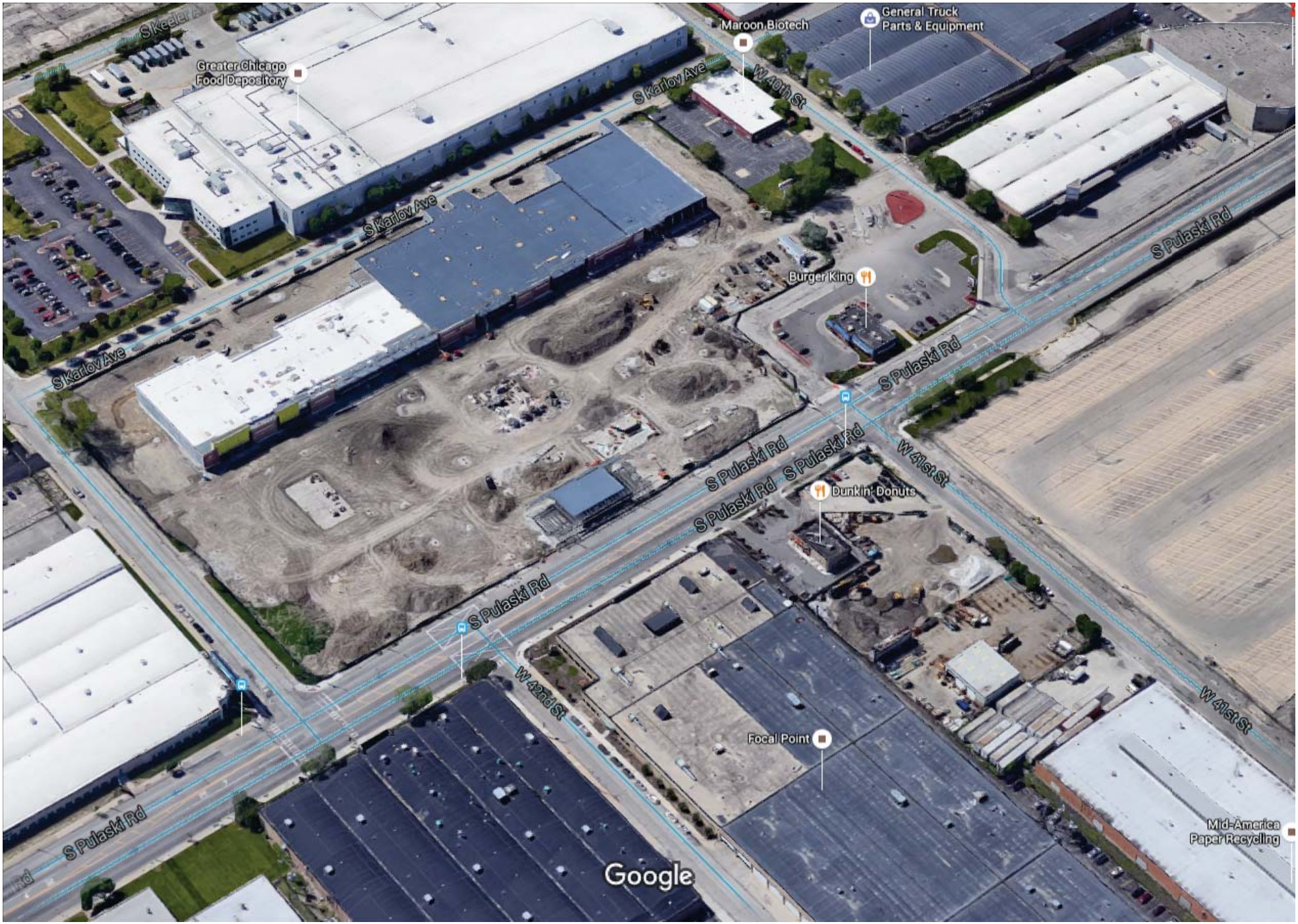
Rule 11 Incompetency or inefficiency in the performance of duty.

[33] Becerra further claimed that 822's camera malfunctioned "every day." Becerra OIG Tr. 59:12. However, CPD records reflect that there were no help desk tickets opened for 822's camera in the thirty days prior to or following the shooting. Thus, the evidence suggests that Becerra repeatedly violated S03-05 by failing to alert his supervisor to what Becerra himself described as his vehicle's constantly malfunctioning camera.

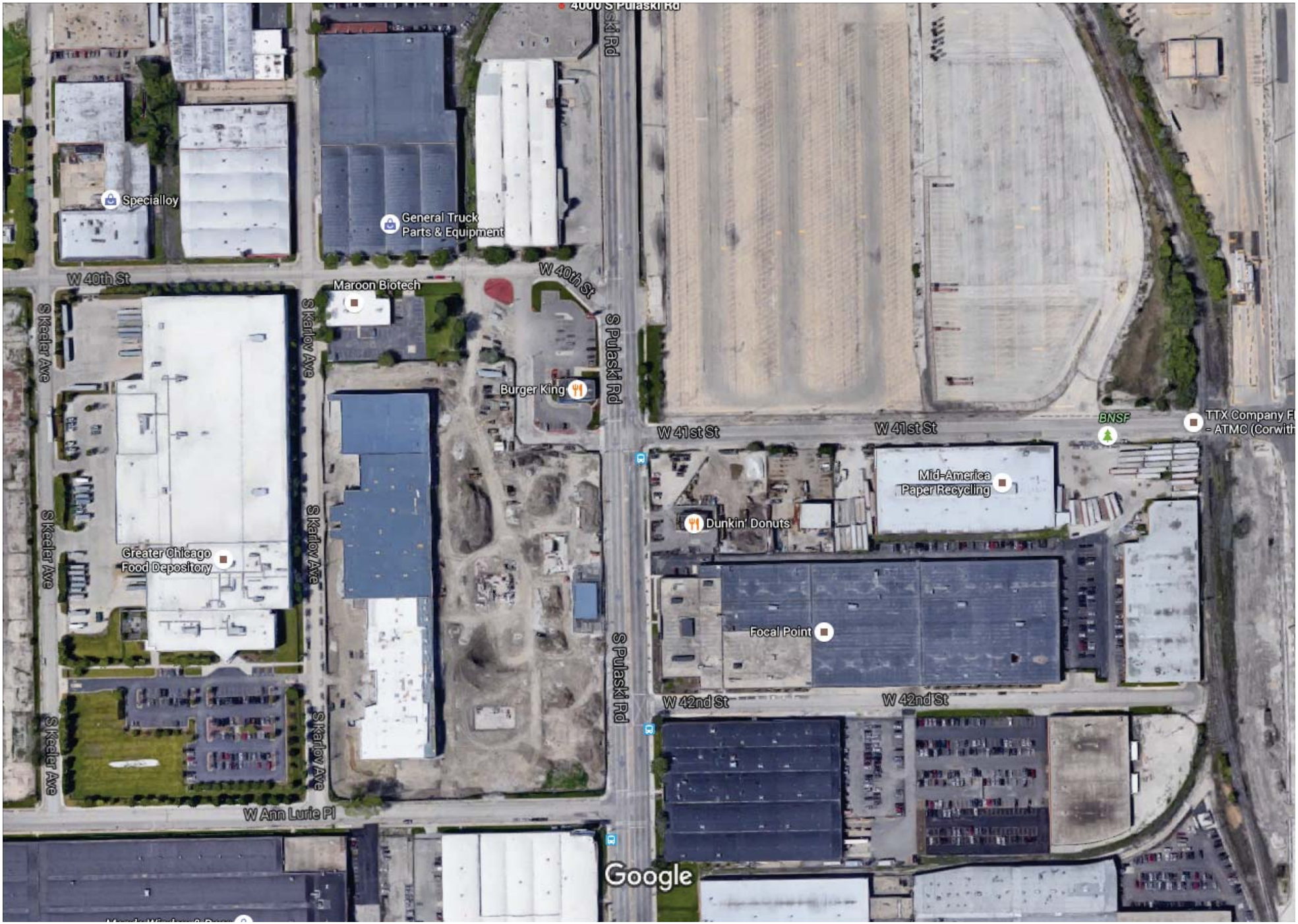
Appendix A



Imagery ©2016 Google, Map data ©2016 Google 200 ft



Imagery ©2016 Google, Map data ©2016 Google 100 ft



Imagery ©2016 Google, Map data ©2016 Google 200 ft

SUMMARY REPORT OF INVESTIGATION
Office of Inspector General Case # 15-0564 (Officer Dora Fontaine)
June 30, 2016

This report consists of a summary of the evidence set out in the attached investigative materials and the Office of Inspector General's (OIG's) analysis of that evidence. An index of the investigative materials is attached.

I. INTRODUCTION

An OIG investigation has established that Dora Fontaine, a police officer for the Chicago Police Department (CPD) who was present when Officer Jason Van Dyke shot Laquan McDonald on October 20, 2014, violated CPD Rules and Regulations during the subsequent CPD investigation.[1] Fontaine was assigned to Beat 841R on October 20, 2014, and arrived at the scene with her partner, Officer Ricardo Viramontes, as Van Dyke was shooting McDonald. As detailed further below, Fontaine made false statements during her subsequent interview with CPD, which served to materially mischaracterize the events leading up to the McDonald shooting, and to thereby bolster a false narrative which might offer justification for the shooting. Accordingly, OIG recommends that CPD discharge Fontaine and refer her for placement on the ineligible for rehire list maintained by the Department of Human Resources.

II. APPLICABLE RULES, REGULATIONS, AND LAW

A. CPD Rules and Regulations

The "Rules and Regulations of the Chicago Police Department" set out the standards of conduct and duties of sworn members, as well as CPD goals. The Rules and Regulations state that sworn members must "conduct themselves at all times in such a manner as will reflect credit upon the Department with emphasis on personal integrity and professional devotion to law enforcement."

Article V of the CPD Rules and Regulations, entitled CPD Rules of Conduct (the CPD Rules), sets forth specifically prohibited acts. In pertinent part, the CPD Rules include the following prohibitions:

Rule 2 Any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department.

---

[1] CPD's investigation in the aftermath of the McDonald shooting was reported under record number HX-475653, and most reports were classified as an investigation into an aggravated assault in which McDonald was the offender. In a few reports, the case was classified as an investigation into a justifiable homicide of which McDonald was the victim. An additional record number was also created and classified as a justifiable homicide, apparently for recordkeeping purposes. In CPD's investigative reports classified under the aggravated assault, CPD personnel drew conclusions about the propriety and lawfulness of Van Dyke's shooting of McDonald. This raises questions about CPD's role in investigating a police-involved shooting in light of IPRA's jurisdiction over the matter.

Rule 3 Any failure to promote the Department's efforts to implement its policy or accomplish its goals.

Rule 14 Making a false report, written or oral.

III. OFFICER FONTAINE'S EMPLOYMENT HISTORY

Fontaine has worked as a CPD Police Officer since October 29, 2001. She is a member of Fraternal Order of Police (FOP) Lodge 7.

IV. SUMMARY OF INVESTIGATION

A. Procedural History of OIG's Investigation

By letter, dated December 8, 2015, Independent Police Review Authority (IPRA) Acting Chief Administrator Sharon Fairley requested that OIG conduct an administrative investigation "to determine whether certain police officers/witnesses made false statements on official reports prepared in connection with [Van Dyke's shooting of McDonald] and/or during the investigation of the incident."[2] IPRA further requested that OIG investigate "whether any of the involved Chicago Police officers committed any other violation(s) of Chicago Police Department rules, policies or procedures in their involvement with the incident, including, but not limited to, whether any officers' conduct may have interfered with or obstructed the appropriate investigation and handling of this matter."

Then, by letter, dated January 13, 2016, CPD Interim Superintendent John J. Escalante requested that OIG conduct an "administrative investigation into any and all allegations of police officer misconduct" arising out of the October 20, 2014 shooting death of McDonald. The Superintendent's request asked OIG to investigate the following allegations: "whether any officer(s) made false statements on official reports submitted in connection with the shooting of Laquan McDonald on October 20, 2014; whether any officer(s) obstructed or interfered with the investigation of this incident, either individually or in collusion with others; and whether any officer(s) committed any violation of Chicago Police Department rules, policies, or orders in connection with their response and/or handling of this matter." Escalante attached to the letter request a copy of Sergeant Sandra Soria's Initiation Report, which raises allegations of misconduct related to the in-car video systems of the vehicles that were present during the McDonald shooting, and identified that Report as a basis for OIG's administrative investigation.

On March 10, 2016, Kevin Kilmer, Financial Secretary for the FOP, on behalf of all affected members, filed a grievance with CPD stating that OIG's attempts to conduct CPD officer

[2] On November 24, 2015, the Cook County State's Attorney charged Van Dyke with a single count of first degree murder in the shooting of McDonald. On December 15, 2015, it subsequently charged him with six counts of murder. OIG has not been involved with any criminal investigation related to the shooting and makes no findings regarding Van Dyke's use of force.

interviews violated Article 6 of CPD's Collective Bargaining Agreement (CBA) with the FOP.[3] On March 16, 2016, FOP on behalf of all impacted CPD officers filed a "Complaint for Injunction in Aid of Arbitration" in the Circuit Court of Cook County, asking the court to enjoin OIG from conducting interviews until the grievance was decided in arbitration.[4] The court dismissed the complaint and denied the injunction on March 22, 2016.

OIG's administrative investigation of other CPD employees' actions related to the McDonald shooting is ongoing. During the course of its investigation, OIG has gathered documents from CPD and IPRA, among other sources, and conducted numerous interviews, including interviews of thirteen CPD personnel who were at or responded to the scene of the shooting and seven civilian witnesses to the shooting. To date in its ongoing investigation, OIG has recommended disciplinary action against multiple CPD personnel, sustaining allegations that they each put forth false a narrative regarding the shooting.

B. The Events of October 20, 2014

The following sections detail the shooting of McDonald, as well as the relevant events that occurred directly before and after the shooting.[5]

1. [redacted] and Rudy Barillas's Encounter with McDonald[6]

[redacted] Rudy Barillas, were parking a truck in a lot at 41st Street and Kildare Avenue when [redacted] saw a black male, whom she subsequently identified as McDonald, attempting to steal property from certain vehicles parked in the lot. Barillas told McDonald to leave the lot. McDonald responded by making growling noises. After Barillas again told McDonald to leave the lot, McDonald pulled out a knife and swung it at Barillas. Barillas, who had already called 911, then threw his cell phone at McDonald.[7] McDonald ran from the lot, first northbound on Kildare and then eastbound on 40th Street.

---

[3] Section 6.1, Paragraph I of the CBA states, "If the allegation under investigation indicates a recommendation for separation is probable against the Officer, the Officer will be given the statutory administrative proceeding rights, or if the allegation indicates criminal prosecution is probable against the Officer, the Officer will be given the constitutional rights concerning self-incrimination prior to the commencement of interrogation." CPD General Order GO8-01-01, Paragraph K contains similar language.

[4] *Fraternal Order of Police, Chicago Lodge 7 v. City of Chicago*, No. 2016 CH 03726 (Cir. Ct. of Cook County, Ill., Mar. 16, 2016).

[5] On April 22, 2016, OIG obtained maps of the locations that are relevant to the shooting from Google Maps and included those maps in Appendix A. Those maps generally reflect the street layout and location of relevant businesses as they were on the night of October 20, 2014.

[6] The following account of [redacted] nd Barillas's encounter with McDonald is taken from the March 16, 2015 case supplementary report (CSR) submitted by CPD Detective David March, which includes the statements that [redacted] and Barillas provided to CPD on October 21, 2014, and October 22, 2014, respectively. OIG 15-0564 003077.

[7] OEMC recordings reflect that Barillas called 911 at 9:45 p.m. stating that he was holding "a guy right hear [sic] that stolen [sic] the radios" from trucks in a truck yard located at "41st and Kildare." OIG 15-0564 003227.

2. Officers Thomas Gaffney and Joseph McElligott's Encounter with McDonald[8]

Officer Thomas Gaffney and his partner Officer Joseph McElligott received a call over the radio that someone had broken into a truck at 4100 South Kildare and were dispatched to the scene.[9] Gaffney was driving, and McElligott was in the passenger seat of their assigned vehicle, 815R.[10] When they arrived at 4100 South Kildare, they saw a Hispanic male and female standing by the gate to the truck yard. The two said that a black male wearing a black shirt, later determined to be McDonald, had been trying to steal the radio out of a semi-truck, and had subsequently headed north toward 40th Street.

Gaffney and McElligott drove north on Kildare, turned right onto 40th Street, and saw McDonald walking east on the south side of 40th Street. McElligott exited the vehicle and commanded McDonald to stop and turn around. Gaffney stayed in the vehicle in case McDonald attempted to flee. McElligott ordered McDonald to take his hands out of his pockets. McDonald, who had been facing McElligott, turned and walked away with one hand still in his pocket. McDonald then turned again and took both of his hands out of his pockets. He had a knife in his right hand. McElligott drew his weapon and told McDonald to drop the knife. McDonald started walking east again, going from the sidewalk to the street and back. McElligott followed McDonald on foot, shining his flashlight on him, while Gaffney followed in 815R, parallel to McDonald.

[8] The following account of Gaffney and McElligott's encounter with McDonald is taken from (1) the audio-recorded statements Gaffney and McElligott provided to IPRA on October 21, 2014; and (2) the March 16, 2015 CSR submitted by Detective David March, which includes the statements that Gaffney and McElligott provided to March on the night of the McDonald shooting. OIG 15-0564 000482-98, 000610-30, 003067–69.

[9] OEMC records reflect that Gaffney and McElligott received the call at 9:47 p.m. OIG 15-0564 003691.

[10] Below is a chart identifying the beat numbers and vehicle numbers of the CPD vehicles that were present when McDonald was shot, along with the names of the officers who were assigned to those vehicles. This SRI refers to the below-referenced vehicles by beat number, unless otherwise specified.

Beat #	Vehicle #	Officers
845R	6412	Officer Joseph Walsh (driver), Officer Van Dyke (passenger)
815R	8489	Officer Gaffney (driver), Officer McElligott (passenger and on foot)
813R	8779	Officer Janet Mondragon (driver), Officer Daphne Sebastian (passenger)
822R	8765	Officer Arturo Becerra (driver), Officer Leticia Velez (passenger)
841R	8948	Officer Viramontes (driver), Officer Fontaine (passenger)

As McDonald approached the intersection of 40th and Keeler, Gaffney reported to dispatch that McDonald was walking away with a knife in his hand.[11] Gaffney and McElligott continued to follow McDonald as he headed east, with McElligott giving McDonald orders to drop his knife and stop. McDonald kept turning around and giving the officers a "weird glaze[d] look." Gaffney IPRA Tr. 11:20.[12]

As McDonald approached the intersection of 40th and Karlov, Gaffney turned his car toward McDonald to direct him down Karlov. Gaffney wanted to keep McDonald away from Pulaski, which was a more populated area. McDonald then swung his arm and popped 815R's right front tire with his knife. McElligott was toward the back of 815R when McDonald popped its tire. After McDonald took a step back from the vehicle, Gaffney pulled up further in front of him to stop him from proceeding to Pulaski. McDonald then hit the right side of 815R's windshield once with the knife in his right hand. The windshield did not break but, according to Gaffney, McDonald hit it as hard as he could. McDonald walked around the front of 815R and continued eastward on 40th Street. After McDonald had walked 10 to 15 feet, another squad car turned off of Pulaski onto 40th Street with its lights on, and McDonald began to sprint. McElligott followed McDonald on foot, and Gaffney followed McDonald in 815R. McDonald ran eastbound through a parking lot of a Burger King located at 40th and Pulaski and then headed southbound on Pulaski. Video footage from several cameras captured McDonald's movements as he reached Pulaski.

3. Summary of the Relevant Video Footage

The below table contains a summary of the relevant video footage of the McDonald shooting, which includes the dashcam videos from 813R, 823R, and 845R, video from the "WNE fire exit" security camera from the Greater Chicago Food Depository, which is bordered by 40th Street to the north, Karlov Avenue to the east, and Keeler Avenue to the west, and the security camera video from the Dunkin' Donuts, located at 4113 South Pulaski Road (the DD Camera).[13]

Time	Event(s) Captured	Source of Video
9:53:17 – 9:54:42	McDonald walks eastbound on the south side sidewalk of 40th Street; a CPD SUV travels east on 40th Street, parallel to McDonald with its front bumper even with McDonald; an officer on foot trails directly behind	Greater Chicago Food Depository Security Camera

[11] OEMC recordings reflect that, at 9:53 p.m., 815R reported: "We're at 40th and Keeler. This guy uh is walking away from us and he's got a knife in his hand." Approximately 30 seconds later, a dispatcher stated, "815R looking for a taser." *See* OEMC Documents and CDs; *see also* OIG 15-0564 003691, 3228.

[12] OIG 15-0564 000620.

[13] In addition to the videos cited in the summary, OIG obtained video footage from the security camera videos at Burger King and Focal Point, and the dash camera videos from Vehicles 815R and 821R. These videos did not contain footage relevant to this report.

	McDonald by the length of the SUV, with his flashlight trained on McDonald.[14]	
9:56:53 – 9:57:01	813R and 845R turn left onto 40th Street from Pulaski.	813R Dashcam
9:57:01– 9:57:09	An unidentified person on 40th Street points the CPD vehicles toward the Burger King parking lot (813R); 845R turns into the parking lot (813R). McDonald runs southeast through the Burger King parking lot out onto Pulaski (845R).	813R Dashcam; 845R Dashcam
9:57:09 – 9:57:20	845R drives over the curb and sidewalk north of Burger King and heads south on Pulaski (845R); 813R turns around, turns right onto 40th Street, and then right again on Pulaski (813R); McDonald runs southbound in the middle of Pulaski and enters the intersection of 41st Street and Pulaski (813R).	813R Dashcam; 845R Dashcam
9:57:20 – 9:57:25	845R, which is facing east/southeast on Pulaski just north of 41st street, turns right behind McDonald and proceeds south on Pulaski on the east side of the street; 845R's passenger door briefly opens and then closes as it passes McDonald on his left; McDonald continues southbound on Pulaski, toward 822R, which is stopped in the middle of Pulaski facing north.	813R Dashcam
9:57:25 – 9:57:28	McDonald slows as he approaches 822R, touches his hands to his waist, and then, before Walsh and Van Dyke exit 845R, extends his right arm fully to his right—the video shows that he has a silver object in his right hand; 845R passes 822R and comes to a stop on the east side of Pulaski, facing south and almost directly south of 822R; Van Dyke opens 845R's passenger door.	813R Dashcam
9:57:28 – 9:57:30	McDonald changes course and begins walking southwest on Pulaski, away from 822R and 845R (813R); Van Dyke exits the passenger side of 845R with both of his feet in	813R Dashcam; DD Camera[15]

[14] OIG confirmed the vehicle is 815R and the officer on foot is McElligott by comparing the video with photographs of the officers. OIG 15-0564 003356.

[15] The DD Camera video does not display an embedded timestamp. Therefore, OIG used the timestamp of 813R's video, which generally captured the same events as the DD Camera from a different angle, to establish the timeframe of the events captured by the DD Camera.

	Pulaski's northbound left turn lane, his gun drawn and pointed at McDonald (813R). Walsh exits the driver side of 845R, just east of Pulaski's northbound left turn lane, with his gun drawn, and moves north along the driver side of 845R until he is several feet north of 845R (DD Camera).	
9:57:30 – 9:57:33	McDonald continues to walk southwest, from the middle of Pulaski to the lane markers that divide the west side of the road (or approximately one lane west of where McDonald was prior to changing course) (813R). While McDonald walks southwest, Walsh begins moving sideways in a west/southwest direction, approximately parallel to McDonald, and crosses over the east side of Pulaski's northbound left-turn lane—his gun is pointed at McDonald (813R; DD Camera). Van Dyke takes approximately two steps northwest toward McDonald, with his left foot crossing into Pulaski's yellow-painted median strip—his gun is pointed at McDonald (813R; DD Camera). 822R drives north on Pulaski, away from 845R (813R). 841R drives north in the middle of Pulaski, toward 845R and stops approximately one car length south of 845R, facing north (813R; DD Camera).	813R Dashcam; DD Camera
9:57:33 – 9:57:36	As McDonald approaches the lane markers on the west side of Pulaski, walking in a southwest direction, he looks to his right and moves his right hand behind his waist, near the right side of his lower back, then brings his hand back to his right side (813R). As McDonald crosses the lane markers on the west side of Pulaski, he looks to his left, and takes a step southbound (813R). Meanwhile, Walsh continues moving west/southwest with his gun pointed at McDonald, ultimately traversing almost the entire width of Pulaski's northbound left-turn lane (813R; DD Camera). Van Dyke takes an additional step west, toward McDonald, putting both of his feet in Pulaski's median strip and placing himself almost directly between McDonald and Walsh (813R; DD Camera). McDonald is then apparently shot, and Walsh stops moving and adopts a stance, with his feet more than a shoulder's width apart	813R Dashcam; 845R Dashcam; DD Camera

	(813R; DD Camera). Viramontes opens 841R's driver's door; Fontaine opens 841R's passenger door (845R).[16]	
9:57:36 – 9:57:54	McDonald spins between 180 and 270 degrees in a clockwise direction and then falls to the ground with the top of his head pointing south on Pulaski, approximately one street lane east of Van Dyke and just south of Van Dyke (813R). As McDonald falls to the ground, Van Dyke takes another step west toward McDonald, moving his right foot from Pulaski's median strip into the south-bound side of Pulaski; his gun remains pointed at McDonald (813R). Van Dyke subsequently takes an additional step or two south, toward McDonald (DD Camera). Other than those steps, Van Dyke's feet are stationary (DD Camera). After McDonald is on the ground, his legs and feet do not move (813R). McDonald's upper body makes small, intermittent movements as what appear to be puffs of smoke rise from McDonald's body (813R). Viramontes exits the driver's door of 841R and stands by the driver's side of the vehicle; Fontaine exits the passenger door of 841R and walks to 845R. (845R)	813R Dashcam; 845R Dashcam; DD Camera
9:57:54 – 9:58:05	An officer approaches McDonald and kicks the knife from his hand. McDonald does not make any noticeable movements.	813R Dashcam
9:58:05- 9:58:20	McDonald lies on the ground; no aid is rendered by CPD personnel. 823R, travelling northbound, pulls up on the west side of Pulaski, and stops just south of where McDonald is lying.	813R Dashcam; 823R Dashcam
9:58:20- 9:58:57	Several CPD officers walk and stand near McDonald as he lies on the ground; no aid is rendered by CPD personnel.	813R Dashcam;[17] 823R Dashcam
9:58:57-	823R begins making a U-turn on Pulaski. A Cook	823R Dashcam

[16] OEMC records show that dispatch received notice to send an ambulance to the scene at 9:57:51. OIG 15-0564 003691.

[17] The last time stamp visible on the 813R dashcam video is 9:58:55.

9:59:02	County Sheriff's Police Department (CCSPD) officer puts on blue gloves and walks toward McDonald.[18] McDonald is no longer visible in the video frame.	

4. CCSPD Officer Accounts of the October 20, 2014 McDonald Shooting[19]

While on patrol on October 20, 2014, CCSPD Officers Adam Murphy and Jeff Pasqua observed several CPD police vehicles pass by them. Both officers decided to follow the CPD vehicles. When they arrived at the scene, several CPD vehicles were already present—Pasqua estimated it was five or six. McDonald was lying on the pavement "gasping for his last breath of air." Pasqua OIG Tr. 11:22-23. Meanwhile, the CPD officers were "standing around" and talking to each other. Murphy OIG Tr. 11:1. Murphy noted the CPD officers did not respond to him when he asked if they needed assistance. Murphy stated:

> I see there's blood all over the pavement. [McDonald] was kind of gurgling when he was sitting there. I remember his mouth was going open and closed like he was trying to gasp for air. And I looked for everybody else, and they were kind of standing there. I just started taking my gloves—my rubber gloves out to check for a pulse and to see if I could render aid.

Murphy OIG Tr. 12:18-13:2. He heard someone say an ambulance was en route. Both Officers Murphy and Pasqua recalled then watching McDonald take his final breaths.[20] It was "[m]aybe less than a minute before [McDonald] expired." Murphy OIG Tr. 14:15-16. At no time did any CPD officers attempt to provide aid or comfort McDonald—Murphy stated, "That's why I felt that I needed to go up to him." Murphy OIG Tr. 14:11-12.

After McDonald passed away, Murphy got up from beside him and noticed the shooting officer, who he now knows to be Van Dyke, "pacing back and forth in front of his car." Murphy OIG Tr. 15:7-8. Murphy approached him and told him to sit down and drink water. As he was speaking with Van Dyke, Murphy "heard several officers telling [Van Dyke] to 'call your union rep, call your union rep.'" Murphy OIG Tr. 15:16-17.

Murphy and Pasqua departed after approximately ten minutes on the scene when a CPD sergeant told them CPD did not need their assistance. At the time they left, there was "[a] sea of CPD" on scene. Murphy OIG Tr. 38:3; Pasqua OIG Tr. 25:7-8.

[18] OIG identified the CCSPD officer as Officer Adam Murphy.

[19] The following CCSPD Officer accounts are taken from OIG's June 23, 2016 interview of Jeff Pasqua and its June 24, 2015 interview of Adam Murphy. Pasqua and Murphy are currently CCSPD investigators.

[20] The Medical Examiner's Case Report states McDonald was pronounced dead "on view" at Mount Sinai Medical Center on October 20, 2014, at 10:42 p.m. OIG 15-0564 015029.

C. Officer Fontaine's October 20, 2014 Statement to Detective David March[21]

On March 15, 2015, Detective David March submitted a case supplementary report (CSR) with the R.D. Number HX475653 that contains a summary of CPD's investigation in the aftermath of the McDonald shooting. Lieutenant Anthony Wojcik approved the CSR on March 16, 2015. Included in that CSR is March's summary of the statement he obtained from Fontaine at the scene of the shooting.[22] The CSR summarizes Fontaine's October 20, 2014 statement in relevant part as follows:

> Fontaine was working with Police Officer Ricardo Viramontes. The two officers were assigned to a marked vehicle. Viramontes was driving the vehicle and Fontaine was the passenger.
>
> The two officers responded to the request for assistance made by Beat 815R, regarding a man with a knife at 41st Street and Pulaski Road. Officer Viramontes drove northbound on Pulaski. When they arrived at the scene of this incident, in front of the Dunkin' Donuts restaurant, Officer Fontaine saw a black male subject, now known as Laquan McDonald, walking southbound in the street, with a knife in his right hand. McDonald was walking sideways, with his body facing east, toward Officers Jason Van Dyke and Joseph Walsh. These two officers were standing in the middle of the street, on the right side of their police vehicle, which was facing southbound. Fontaine heard the officers repeatedly order McDonald to "Drop the knife!" McDonald ignored the verbal direction and instead, raised his right arm toward Officer Van Dyke, as if attacking Van Dyke. At this time Van Dyke fired multiple shots from his handgun, until McDonald fell to the ground and stopped moving his right arm and hand, which still grasped the knife. The gunshots were rapid fire, without pause. Officer Walsh then kicked the knife out of McDonald's hand.

D. OIG's Interviews of Officer Fontaine

1. March 16, 2016 Interview

On February 22, 2016, pursuant to Section 6.1 of the CBA between CPD and FOP, OIG, through CPD's Bureau of Internal Affairs, served Fontaine with a Notification of Interview, Notification of Allegations, and copies of her prior statements, including: (1) her October 20, 2014 statement to March, contained in the March 16, 2015 CSR; and (2) March's GPR containing his handwritten notes of his interview of Fontaine. In addition, OIG provided Fontaine with the dashcam footage from 813R and 845R and the security camera footage from Dunkin' Donuts.

---

[21] OIG 15-0564 003071.

[22] March completed a General Progress Report (GPR) relating to his interview of Fontaine that contains March's handwritten notes of the interview. OIG 15-0564 003252. March's handwritten notes of the interview do not differ in any significant way from his summary of Fontaine's statement in the CSR.

On March 16, 2016, OIG investigators interviewed Fontaine under oath after informing her of her administrative rights orally and in writing. She provided oral and written acknowledgement of the reading of those advisements. The interview was transcribed by a certified court reporter. Fontaine's attorney, Jennifer Russell, was also present for the interview. In summary, Fontaine stated as follows.

As of October 20, 2014, Fontaine was assigned to CPD's 8th District and was working the first watch on Beat 841R. She was under the command of Sergeant Franko, and was partnered with Officer Viramontes. She and Viramontes had been partners for about five years.

a) The Scene of the Shooting

Fontaine and Viramontes were present on October 20, 2014, when Van Dyke shot McDonald. After the shooting, Sergeant Franko directed Fontaine and Viramontes to engage in traffic control. They proceeded southbound on Pulaski to block traffic coming from the north. Franko then assigned Fontaine and Viramontes to write the initial report for the incident. Sergeant Spreyne subsequently ordered Fontaine and Viramontes to accompany McDonald's body to the hospital, but shortly after they left the scene, Spreyne ordered them back to the scene, and they proceeded to complete the report. That report did not contain any substantive narrative of the incident.[23] Fontaine explained, "[M]y role when filling out the case report is you put the date, the time, the beat numbers, and just 'see detective sup.'" Fontaine 3/16/16 OIG Tr. 86:22-87:1. In preparing the report, Fontaine and Viramontes asked officers on the scene for their names and star numbers. Viramontes walked around the scene, while Fontaine spoke to anyone who was near the 841R vehicle.

Fontaine spoke to Detective March at the scene of the shooting. March approached Fontaine while she was in her vehicle working on the case report. She exited the car and spoke with him. March asked her for the RD number of the investigation and which beat cars were on the scene. March also asked where Fontaine and Viramontes had been during the shooting and if she had seen anything. Fontaine told him that she had and provided details regarding the shooting. March had a pen and pad, but Fontaine did not recall him writing anything down. Her conversation with March lasted less than 15 minutes. Fontaine believed that March talked to Viramontes after his conversation with her, but was not sure.

b) Area Central

After completing the case report, Fontaine and Viramontes went to Area Central in 841R, with Viramontes driving. When they arrived at Area Central, they were told to wait in the main room

[23] The Original Case Incident Report Fontaine authored classifies the incident as an "Assault – Aggravated PO: Knife/Cut Instr." Fontaine submitted the Report at 4:32 a.m. on October 21, 2014; Franko approved it at 5:18 a.m. on October 21, 2014. The report lists Gaffney, Van Dyke, and Walsh as victims, and McDonald as the sole offender. In the field titled "Injuries," Fontaine listed Van Dyke and designated him as "Injured by offender." Van Dyke's Officer's Battery Report and Tactical Response Report stated that Van Dyke was not injured. In addition, March's CSR did not report that Van Dyke was injured.

on the second floor for FOP to speak with them. Most of the officers who had been on the scene of the shooting were already there, but, according to Fontaine, Van Dyke was not present. An FOP representative then walked the officers through what would happen at the station that night.

Later, March asked Fontaine to go into a small Area Central office and then showed her video of the McDonald shooting on a computer monitor. There was another person in the room who ran the video, but Fontaine did not know the identity of that person. Fontaine recalled, "[March] was showing me the video and he says, when [McDonald] was walking – he says, 'It looks as if he's turning here.' And I was like, 'Oh, it does.'" Fontaine 3/16/16 OIG Tr. 72:21-24. Fontaine further recalled that March asked, "Oh, is this where he's walking?" Fontaine 3/16/16 OIG Tr. 73:16. Fontaine said that it was, and March asked, "'You see he kind of turns around?'" Fontaine 3/16/16 OIG Tr. 73:17-18. Fontaine agreed that it did look as though McDonald "kind of turns." Fontaine 3/16/16 OIG Tr. 73:20. Fontaine did not recall March taking notes during their interaction. March did not ask her any other questions after showing her the video, and she returned to the main room. In her OIG interview, Fontaine viewed video from 813R's in-car video system and was asked to identify the specific moment at which McDonald "turns," as pointed out by March. She was unable to do so after watching the video several times. However, she agreed that 813R's video was likely the video that March showed her at Area Central.

After she and March watched the video, Fontaine continued to wait at Area Central. She thought that she and Viramontes would be called to give statements to IPRA, but they were not asked to do so. At some point after 6 a.m., Franko released them, they drove back to the 8th District, and went home.

c) Fontaine's Statement to Detective March

Fontaine was asked to review the statements attributed to her in March's CSR and identify any statements she did not make to March. She pointed out the sentence in the CSR which reads, "McDonald ignored the verbal direction, instead raised his right arm toward Officer Van Dyke as if attacking Van Dyke," and said "I don't recall telling [March] that." Fontaine 3/16/16 OIG Tr. 115:19-20. Fontaine said that she did not see McDonald raise his right arm toward Van Dyke. Fontaine did maintain that, when she first saw McDonald, "[H]e was walking southbound swaying the knife and Van Dyke and Walsh were – how should I put it? They were outside their vehicle . . . [a]nd from where I was looking at it on an angle, it looked like he was walking almost toward them." Fontaine 3/16/16 OIG Tr. 118:9-16. When asked whether McDonald had turned toward Van Dyke and Walsh, Fontaine answered, "If you slow it down slow enough, it looks as if he's turning towards them . . . . But I'm not sure. But that's – but I'm not sure if that's because he was shot at that point . . . ." Fontaine 3/16/16 OIG Tr. 121:21-122:7.

With respect to the statement in March's CSR which reads, "McDonald was walking sideways with his body facing east towards Jason Van Dyke and Officer Walsh," Fontaine said she did not know whether she had made that statement to March. Fontaine 3/16/16 OIG Tr. 122:15-22. Fontaine acknowledged making the rest of the statements attributed to her in the CSR during her conversation with March at the scene of the shooting.

Fontaine was asked whether the statements attributed to her in March's CSR were factually accurate. She answered that the statement that McDonald raised his arm as if attacking Van Dyke was not accurate. She believed all other statements in the CSR were accurate, including the statement that McDonald was walking sideways with his body facing east. When asked whether she had related any facts to March which were not included in the CSR, she said she believed she told March that McDonald was "swaying" the knife. Fontaine 3/16/16 OIG Tr. 128:13.

When asked why she did not tell March that Walsh and Van Dyke moved toward McDonald prior to the shooting, Fontaine answered that she had not seen that, because Walsh and Van Dyke were blocked from her view by their vehicle. When asked why she had not told March that McDonald changed the direction in which he was walking prior to being shot, Fontaine answered, "I didn't see that. I didn't see him changing direction." Fontaine 3/16/16 OIG Tr. 133:20-21.

Fontaine declined to stand by the statement attributed to her in the CSR that McDonald raised his right arm toward Van Dyke as if attacking Van Dyke, reiterating, "I never made that statement." Fontaine 3/16/16 OIG Tr. 134:7. Fontaine did stand by her statement to March that the gunshots which Van Dyke fired at McDonald were rapid fire and without pause.

When asked when she first saw March's write-up of her statement, Fontaine said that she saw it "[i]n the newspaper." Fontaine 3/16/16 OIG Tr. 94:10. She did not recall when she saw it.[24]

d) Fontaine's Grand Jury Testimony

Fontaine testified before a grand jury regarding the McDonald shooting, but did not remember specific details about what questions she was asked. When asked what she told the grand jury about the shooting, Fontaine answered, "At this time, watching the video and everything else that's coming about it, it's – honestly, I – it's all mixed up because of the fact that once they showed me the video, certain parts were different than what I stated." Fontaine 3/16/16 OIG Tr. 33:19-23. When asked whether she had related a different version of events to the grand jury than she had to March, Fontaine answered: "The grand jury, I told them what I saw at that point in time, what was – what I remember of the situation. That's what I explained to them at that point in time. At that time, I had – I remember telling March what I saw. And, again, after reviewing everything, it – it kind of differs." Fontaine 3/16/16 OIG Tr. 34:13-19. Asked in what way those versions of events differed, Fontaine answered, "It differs because, by looking at [March's] notes, there's – where he puts that I said he raised his arm as if attacking Van Dyke, I never stated that or I don't recall stating that to him." Fontaine 3/16/16 OIG Tr. 34:21-35:1. Fontaine did not discuss her grand jury testimony with any of the other CPD officers who were on the scene of the McDonald shooting; she "didn't want to talk about it." Fontaine OIG 3/16/16 Tr. 37:15.

[24] March's write up of Fontaine's statement, identifying Fontaine by name, is published in the press as early as December 5, 2015. *See* Tribune Staff, *Laquan McDonald Police Reports Differ Dramatically From Video*, CHICAGO TRIBUNE, Dec. 5, 2015.

1. June 17, 2016 Interview

On June 17, 2016, OIG re-interviewed Fontaine after informing her of her administrative advisements orally and in writing. She provided oral and written acknowledgement of the reading of those advisements. Fontaine refused to be placed under oath. The interview was transcribed by a certified court reporter. Fontaine's attorney, Jennifer Russell, was also present for the interview. In summary, Fontaine stated as follows.

Fontaine reviewed the statements attributed to her in the March 16, 2015 CSR and provided the following responses.

Statement from CSR	Response When Asked to Review
"When [she and Viramontes] arrived at the scene of this incident in front of the Dunkin' Donuts restaurant, Officer Fontaine saw a black male subject, now known as Laquan McDonald, walking southbound down the street with a knife in his hand."	Fontaine affirmed that she made this statement to March and that it was accurate.
"Two officers were standing in the middle of the street on the right side of their police vehicle which was facing southbound."	Fontaine affirmed that she made this statement to March and that it was accurate.
"Fontaine heard the officers repeatedly order McDonald to drop the knife."	When asked whether she made this statement to March, Fontaine answered, "Yes, to the best of my knowledge. Yes." Fontaine 6/17/16 OIG Tr. 26:5. When asked whether the statement was accurate, she said, "Yes." Fontaine 6/17/16 OIG Tr. 26:7.
"McDonald ignored the verbal direction . . ."	When asked whether she told March that McDonald ignored the verbal direction, she said, "Yes, to the best of my recollection. Yes." Fontaine 6/17/16 OIG Tr. 27:8. She also affirmed that that part of the statement was accurate.
"At this time, Van Dyke fired multiple shots from his hand gun	Fontaine affirmed that she made this statement to March and that it was accurate.

until McDonald fell to the ground and stopped moving his arm and hand which still grasped the knife."	

Fontaine reviewed video footage of the shooting during her interview. When asked how she could have heard the officers saying "drop the knife" when she was still in her vehicle,[25] Fontaine answered, "I heard it. I can't tell you how or when, but I heard it." Fontaine 6/17/16 OIG Tr. 35:9-10. Later in the interview, Fontaine was given the opportunity to view the video footage again to clarify her answers on this point, and declined to do so.

Fontaine reviewed the allegations against her as set out in the Notification of Allegations served upon her by OIG, as relating to her statement to March. She responded, in relevant part, to the allegations as follows.

Allegation	**Response When Asked to Review**
It is alleged that, on or about October 20, 2014, you made a false statement during an interview with CPD Detective David March of the Chicago Police Department when, with respect to the McDonald shooting, you stated that you heard Officers Van Dyke and Walsh repeatedly order McDonald to drop the knife."	Fontaine said, "I stand by my statement." Fontaine 6/17/16 OIG Tr. 36:3.
"It is alleged that on or about October 20, 2014, you made a false statement during an interview with CPD Detective David March, with respect to the McDonald shooting, you stated that McDonald ignored Officers Van Dyke and Walsh's directive to drop knife and that Van Dyke then fired multiple shots from his hand gun until McDonald fell to	Fontaine said, "It's not a false statement." Fontaine 6/17/16 OIG Tr. 37:7. She stood by her statement and said there was nothing she wanted to add to the statement.

[25] See summary of video footage, *supra*.

the ground and stopped moving his arm and hand which still grasped the knife."	

E. OIG's Interview of Officer Viramontes

On March 18, 2016, OIG interviewed Fontaine's partner, Viramontes. In relevant part, OIG questioned Viramontes about when, in the sequence of events leading up to the shooting, he and Fontaine arrived at the scene. Viramontes was shown portions of 813R and 845R's dashcam videos and the Dunkin' Donuts security camera. Thereafter, Viramontes was asked whether he arrived to the scene in time to hear Van Dyke repeatedly say "drop the knife." Viramontes stated that he heard Van Dyke give the directive after he, Viramontes, opened his vehicle door. Viramontes claimed that Van Dyke was saying "drop the knife" as he was shooting McDonald. When Viramontes was asked whether he heard Van Dyke say "drop the knife" before he started shooting, Viramontes answered, "I couldn't have, because I was still traveling." Viramontes OIG Tr. 152:8-11.

V. ANALYSIS

OIG's investigation established that Fontaine made false statements in her interview with CPD regarding the McDonald shooting. Fontaine's false statements each served a similar purpose: to materially mischaracterize the events leading up to the McDonald shooting, and to thereby bolster a false narrative which might offer justification for the shooting.[26]

Fontaine's actions, individually and collectively, constitute violations of CPD Rules. Each of Fontaine's false statements constitutes a violation of Rule 14 (making a false report, written or oral). Her false statements also constitute violations of Rule 2 (engaging in any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department), and Rule 3 (failing to promote the Department's efforts to implement its policy and accomplish its goals). An officer who has made false statements in an official investigation has irrevocably tainted not only her credibility, but also the credibility of CPD—and also fails to promote CPD's goal of employing officers with personal integrity and professional devotion to law enforcement. Accordingly, OIG recommends that CPD discharge Fontaine.

Fontaine made two false statements to Detective March on October 20, 2014, regarding the McDonald shooting. Both are clearly contradicted by 813R and 845R's dashcam video, the most objective and reliable evidence of the events that night, and by the testimony of her partner, Viramontes. By making these false statements, Fontaine provided a false narrative concerning the shooting. Specifically:

[26] OIG also examined the issue of Fontaine's compliance with CPD Rules and orders regarding the use of her in-car video system on October 20, 2014. OIG has determined that there is not a sufficient basis to conclude that Fontaine violated those rules or orders.

- Fontaine stated that she heard Van Dyke and Walsh repeatedly order McDonald to "drop the knife."

- Fontaine stated that McDonald ignored Van Dyke's verbal direction to drop the knife before Van Dyke opened fire.

As evidenced by Viramontes's testimony and the video evidence, Fontaine could not have heard Van Dyke order McDonald to "drop the knife" before he began shooting McDonald, and therefore could not have seen McDonald "ignore" the verbal direction. The 813R dashcam establishes that Fontaine was opening the passenger side door of the 841R vehicle as Van Dyke began shooting McDonald.

When interviewed by OIG, Fontaine's partner, Viramontes, admitted he did not hear Van Dyke give the "drop the knife" directive until after he opened his door. Viramontes further admitted that he "couldn't have" heard Van Dyke say "drop the knife" before Van Dyke started firing because Viramontes "was still traveling." Tr. 152:8-11. Viramontes was riding in the same car as Fontaine, and 845R's video shows that Viramontes and Fontaine exited their car at the same time; if Viramontes could not have heard Van Dyke order McDonald to drop the knife before the shooting, then Fontaine could not have either. Viramontes admitted that he could not possibly have heard the officers order McDonald to drop the knife before the shooting. This admission was against his own interest—it required him to acknowledge that he provided false information to March. Viramontes's statement against his own interest is more credible than Fontaine's self-serving and uncorroborated claims that, in spite of the video footage, she did hear the order.

As Fontaine could not have heard Van Dyke order McDonald to "drop the knife" before shooting him, she therefore could not have witnessed McDonald ignore the order before Van Dyke shot him. Thus, by ratifying her statements to March, in spite of video footage undermining them, Fontaine stood by a sequence of events which served to justify Van Dyke's shooting of McDonald, and which Fontaine cannot possibly have witnessed.

In her OIG interview, Fontaine was firm in her position that she did not recall telling March that McDonald raised his arm as if attacking Van Dyke, and that that statement, attributed to her in March's CSR, is not accurate. There is no evidence, however, that Fontaine took any measure, at any time, to correct CPD's investigatory record to reflect this; this is despite the fact that she, by her own admission, saw March's report of her statement in the newspaper.

Fontaine's false statements served to materially mischaracterize the events leading up to the McDonald shooting. In this context, Fontaine's statements can be seen as a deliberate attempt to establish the false narrative that Van Dyke shot an oncoming McDonald in response to McDonald's potentially deadly knife attack. Fontaine was given the opportunity to correct, clarify, or explain her false statements. She was shown video of the shooting which objectively contradicts her statements, and still she stood by them.

VI. RECOMMENDATION

Fontaine's false statements raise significant concerns regarding her credibility and ability to perform her duties as a sworn officer. As a sworn officer, Fontaine's reports are relied upon in criminal legal proceedings and her credibility is therefore critical to her position. An officer who has made false statements in an official investigation has irrevocably tainted her credibility and has wholly disqualified herself from effectively executing core police functions. Based on this conduct she may be the subject of cross-examination in any contested proceedings in which she may appear as a witness, *see* FED. R. EVID. 608(b) ("Specific instances of conduct"), and her conduct and the findings resulting from this investigation would further qualify as impeachment material that should, in principle, be disclosed in any contested proceeding involving the official records or testimony Fontaine generates. *See Giglio v. United States*, 405 U.S. 150 (1972) (requiring disclosure in criminal case of information impeaching of government witness's credibility). Illinois courts have repeatedly noted that "'as the guardians of our laws, police officers are expected to act with integrity, honesty, and trustworthiness'" and have found intentional false or misleading statements by police officers to be sufficient cause for termination. *Rodriguez v. Weis*, 408 Ill. App. 3d 663, 671 (1st Dist. 2011) (quoting *Sindermann v. Civil Service Comm'n*, 275 Ill. App. 3d 917, 928 (2nd Dist. 1995)). OIG therefore recommends that CPD discharge Fontaine and refer her for placement on the ineligible for rehire list maintained by the Department of Human Resources.

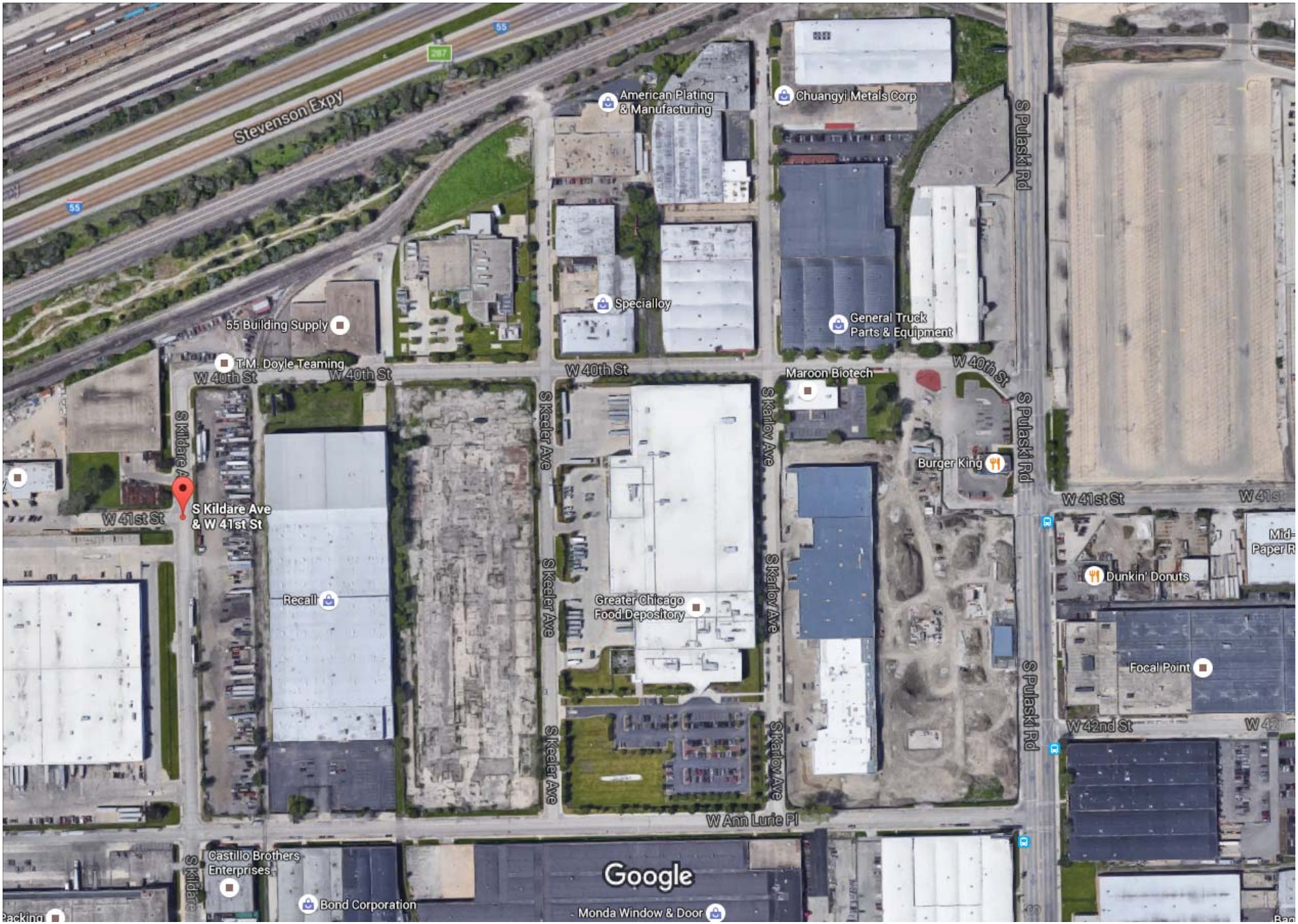
VII. CPD RULE VIOLATIONS

Rule 2 Any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department.

Rule 3 Any failure to promote the Department's efforts to implement its policy or accomplish its goals.

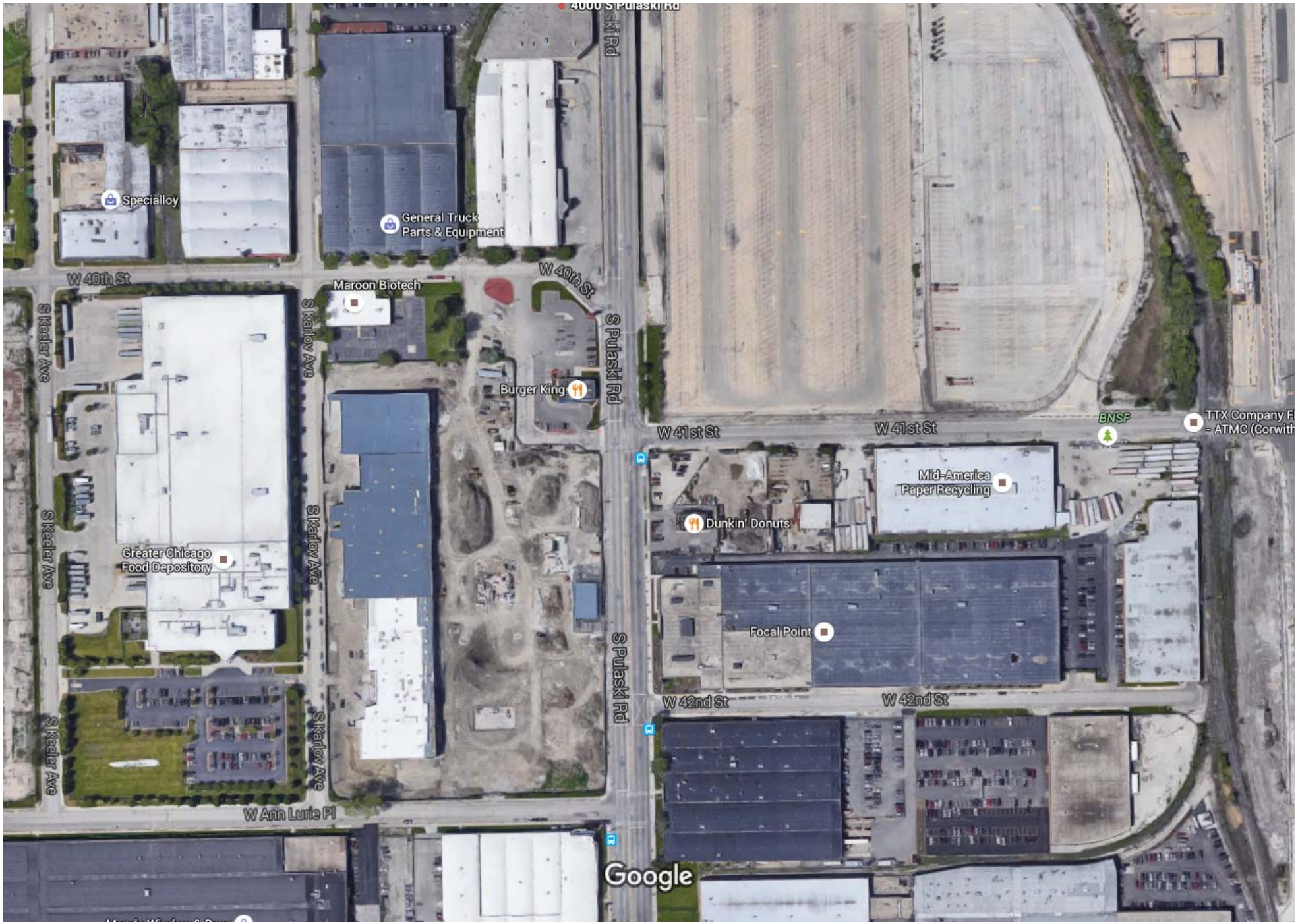
Rule 14 Making a false report, written or oral.

Appendix A


Stevenson Expy
55
287
American Plating & Manufacturing
Chuangyi Metals Corp
S Pulaski Rd
Specialloy
General Truck Parts & Equipment
55 Building Supply
T.M. Doyle Teaming
W 40th St
W 40th St
W 40th St
Maroon Biotech
W 40th St
S Pulaski Rd
S Kildare Ave
S Keeler Ave
S Karlov Ave
Burger King
S Kildare Ave & W 41st St
W 41st St
W 41st St
W 41st
Mid-
Paper R
Recall
Greater Chicago Food Depository
Dunkin' Donuts
Focal Point
S Pulaski Rd
W 42nd St
W 42
W Ann Lurie Pl
Castillo Brothers Enterprises
Google
Bond Corporation
Monda Window & Door
Imagery ©2016 Google, Map data ©2016 Google
200 ft



Imagery ©2016 Google, Map data ©2016 Google 100 ft



Imagery ©2016 Google, Map data ©2016 Google 200 ft

SUMMARY REPORT OF INVESTIGATION
Office of Inspector General Case # 15-0564
(Sergeant Stephen Franko)
August 10, 2016

This report consists of a summary of the evidence set out in the attached investigative materials and the Office of Inspector General's (OIG's) analysis of that evidence. An index of the investigative materials is attached.

I. INTRODUCTION

An OIG investigation established that Stephen Franko, a Chicago Police Department (CPD) Sergeant who supervised officers involved in the events that culminated in Officer Jason Van Dyke's October 20, 2014 shooting of Laquan McDonald, violated CPD Rules and Regulations and CPD Directives when he reviewed and approved false Tactical Response Reports (TRRs) and false Officer's Battery Reports (OBRs) submitted by Officers Van Dyke and Joseph Walsh following the shooting. In addition, Franko approved an Original Case Incident Report that inaccurately stated Van Dyke was injured by McDonald. Finally, Franko failed to take appropriate action when he became aware that the officers under his supervision did not capture audio in their vehicles' in-car video systems. Franko, as a CPD supervisory member, was accountable for the actions of his subordinates, and his failure to correct crucial reports submitted in response to a police-involved shooting and to take appropriate action when deficiencies in the in-car video system were observed brought discredit to the Department. Accordingly, OIG recommends that CPD discharge Franko and refer him for placement on the ineligible for rehire list maintained by the Department of Human Resources.

II. APPLICABLE RULES, REGULATIONS, AND LAW

A. CPD Rules and Regulations

The "Rules and Regulations of the Chicago Police Department" set out the standards of conduct and duties of sworn members, including supervisory members, as well as CPD goals. The Rules and Regulations state that sworn members must "conduct themselves at all times in such a manner as will reflect credit upon the Department with emphasis on personal integrity and professional devotion to law enforcement." Supervisory members "have the responsibility for the performance of all subordinates placed under them" and they "[r]emain accountable for the failure, misconduct or omission by their subordinates."

Article V of the CPD Rules and Regulations, entitled CPD Rules of Conduct (the CPD Rules), sets forth specifically prohibited acts. In pertinent part, the CPD Rules include the following prohibitions:

Rule 2 Any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department.

Rule 3 Any failure to promote the Department's efforts to implement its policy or accomplish its goals.

Rule 6 Disobedience of an order or directive, whether written or oral.

Rule 11 Incompetency or inefficiency in the performance of duty.

Rule 14 Making a false report, written or oral.

B. CPD General Order G03-02-05 (effective October 1, 2002 through October 29, 2014)

CPD General Orders "are directives that establish critical policies directly related to the core values and functions of the Department or the broad organizational policies and key practices relating to those core values." General Order G03-02-05 "identifies incidents which will require the completion of a Tactical Response Report."[1] It states that a TRR is used to document, among other things, all incidents "involving the discharge . . . of a firearm," or "which involve a subject fitting the definition of an assailant whose actions are directed against a Department member." Section III.B. states that supervisors who have been notified of the incident will "review the member's TRR for legibility and completeness and indicate approval of such by signing the appropriate box." It also notes: "The TRR will not substitute for an Officer's Battery Report. Whenever a member is the victim of a murder or any type of a battery or an assault, whether such charges are placed against an offender or not, the supervisor will complete an Officer's Battery Report."

C. CPD Special Order S03-02-01 (effective October 1, 2002 through October 29, 2014)

CPD Special Orders are directives that establish protocols and procedures concerning specific CPD functions, operations, programs, or processes. Special Order S03-02-01 outlines CPD "investigative and reporting procedures in firearm discharge incidents."[2] Section V listing the "Assigned Sergeant's Responsibilities" states that the assigned sergeant must ensure that "an officer other than the involved member has been assigned to conduct the preliminary investigation, prepare the original case incident report, and relay additional information to investigating units." The assigned sergeant must also prepare an OBR and complete the supervisor's section of the TRR.

D. CPD Special Order S03-03-06 (effective January 5, 2014)

Special Order S03-03-06 outlines the responsibilities and duties of field sergeants assigned to district law enforcement. Section II of the Special Order provides that district law enforcement

[1] OIG 15-0564 004065–67.

[2] OIG 15-0564 004071–79.

field sergeants are responsible for "guiding and directing their subordinates, ensuring the achievement of basic and directed patrol on matters affecting their duties and responsibilities" and for "monitoring behavior and performance of subordinates and their adherence to Department policies and procedures and taking appropriate action when deficiencies in performance, uniform, and/or equipment are observed." Section III provides that one of the district field sergeant's basic duties is to "monitor subordinates to ensure the in-car video system is used properly, including . . . verifying that the in-car video systems, including microphones, are operational and subordinates are logged into the system . . . [and] initiating an investigation when notified of damaged, missing, or lost equipment." Another basic duty is to "review and, if appropriate, approve all case reports generated by members under their supervision before the conclusion of their tour of duty." Finally, Section IV provides that one of the district field sergeant's situational duties is to "direct and supervise the investigation" for "events requiring the completion and approval of Tactical Response Reports (TRRs)." It states that field sergeants "will ensure TRRs are properly completed and forwarded for approval . . . ."

E. CPD Special Order S03-05 (effective February 23, 2012 through February 24, 2016)

Special Order S03-05 outlines the protocols CPD members are to follow regarding in-car video systems.[3] Section VI of the Special Order provides that "[t]he sergeant assigned to supervise Department members using Department vehicles equipped with an in-car video system" is to:

> (1) monitor subordinates to ensure the in-car video system is used and that digitally recorded data is properly downloaded.
>
> (2) ensure that the Help Desk is contacted and a ticket number is obtained whenever any member is unable to use the in-car video system or download digitally recorded data due to technical problems.
>
> (3) initiate an investigation when notified of a missing or lost remote transmitter/audio recorder.
>
> (4) document on the Supervisor's Management Log . . . whether each vehicle has an in-car video system and if it is functioning.
>
> . . . .
>
> (6) obtain a complaint register number and order an evidence technician to process the equipment if any damage or malfunction is suspected to have been caused by deliberate (tampering) means.

[3] OIG 15-0564 003934-42. The in-car video systems are also referred to as dash cameras or dashcams in this report.

III. SERGEANT FRANKO'S EMPLOYMENT HISTORY

Franko has been a CPD member since January 18, 1994. Franko was a detective before he became a Sergeant on March 16, 2006. Franko is a member of the Policeman's Benevolent & Protective Association of Illinois, Unit 156-Sergeants (Unit 156-Sergeants).

IV. SUMMARY OF INVESTIGATION

A. Procedural History of OIG's Investigation

By letter, dated December 8, 2015, IPRA Acting Chief Administrator Sharon Fairley requested that OIG conduct an administrative investigation "to determine whether certain police officers/witnesses made false statements on official reports prepared in connection with [Van Dyke's shooting of McDonald] and/or during the investigation of the incident."[4] IPRA further requested that OIG investigate "whether any of the involved Chicago Police officers committed any other violation(s) of Chicago Police Department rules, policies or procedures in their involvement with the incident, including, but not limited to, whether any officers' conduct may have interfered with or obstructed the appropriate investigation and handling of this matter."

Then, by letter, dated January 13, 2016, CPD Interim Superintendent John J. Escalante requested that OIG conduct an "administrative investigation into any and all allegations of police officer misconduct" arising out of the October 20, 2014 shooting death of McDonald. The Superintendent's request asked OIG to investigate the following allegations: "whether any officer(s) made false statements on official reports submitted in connection with the shooting of Laquan McDonald on October 20, 2014; whether any officer(s) obstructed or interfered with the investigation of this incident, either individually or in collusion with others; and whether any officer(s) committed any violation of Chicago Police Department rules, policies, or orders in connection with their response and/or handling of this matter." Escalante attached to the letter request a copy of Sergeant Sandra Soria's Initiation Report, which raises allegations of misconduct related to the in-car video systems of the vehicles that were present during the McDonald shooting, and identified that Report as a basis for OIG's administrative investigation.

On March 10, 2016, Kevin Kilmer (Star # 7518), Financial Secretary for the FOP, filed a grievance with CPD on behalf of all affected members stating that OIG's attempts to conduct CPD officer interviews violated Article 6 of CPD's Collective Bargaining Agreement (CBA) with the FOP.[5] On March 16, 2016, FOP on behalf of all impacted CPD officers filed a

[4] On November 24, 2015, the Cook County State's Attorney charged Van Dyke with a single count of first degree murder in the shooting of McDonald. On December 15, 2015, it subsequently charged him with six counts of murder. OIG has not been involved with any criminal investigation related to the shooting and makes no findings regarding Van Dyke's use of force.

[5] Section 6.1, Paragraph I of the CBA states, "If the allegation under investigation indicates a recommendation for separation is probable against the Officer, the Officer will be given the statutory administrative proceeding rights, or if the allegation indicates criminal prosecution is probable against the Officer, the Officer will be given the constitutional rights concerning self-incrimination prior to the commencement of interrogation." CPD General Order GO8-01-01, Paragraph K contains similar language.

"Complaint for Injunction in Aid of Arbitration" in the Circuit Court of Cook County asking the court to enjoin OIG from conducting interviews until the grievance was decided in arbitration.[6] The court dismissed the complaint and denied the injunction on March 22, 2016.

OIG's administrative investigation of other CPD employees' actions related to CPD's handling of the McDonald shooting is ongoing. During the course of its investigation, OIG has gathered documents from CPD and IPRA, among other sources, and conducted numerous interviews, including interviews of CPD personnel who were at or responded to the scene of the shooting and civilian witnesses to the shooting. To date in its ongoing investigation, OIG has recommended disciplinary action against multiple CPD personnel.

B. The Events of October 20, 2014

The following sections detail Van Dyke's shooting of McDonald, as well as the relevant events that occurred directly before and after the shooting.[7]

1. [redacted] and Rudy Barillas's Encounter with McDonald[8]

[redacted] and [redacted] Rudy Barillas, were parking a truck in a lot at 41st Street and Kildare Avenue when [redacted] saw a black male, whom she subsequently identified as McDonald, attempting to steal property from certain vehicles parked in the lot. Barillas told McDonald to leave the lot. McDonald responded by making growling noises. After Barillas again told McDonald to leave the lot, McDonald pulled out a knife and swung it at Barillas. Barillas, who had already called 911, then threw his cell phone at McDonald.[9] McDonald ran from the lot, first northbound on Kildare and then eastbound on 40th Street.

[6] *Fraternal Order of Police, Chicago Lodge 7 v. City of Chicago*, No. 2016 CH 03726 (Cir. Ct. of Cook County, Ill., Mar. 16, 2016).

[7] On April 22, 2016, OIG obtained maps of the locations that are relevant to the shooting from Google Maps and included those maps in Appendix A. Those maps generally reflect the street layout and location of relevant businesses as they were on the night of October 20, 2014.

[8] The following account of [redacted] and Barillas's encounter with McDonald is taken from the March 16, 2015 case supplementary report (CSR) submitted by CPD Detective David March, which includes the statements that [redacted] and Barillas provided to CPD on October 21, 2014, and October 22, 2014, respectively. OIG 15-0564 003077.

[9] OEMC recordings reflect that Barillas called 911 at 9:45 p.m. stating that he was holding "a guy right hear [sic] that stolen [sic] the radios" from trucks in a truck yard located at "41st and Kildare." OIG 15-0564 003227.

2. Officers Thomas Gaffney and Joseph McElligott's Encounter with McDonald[10]

Officer Thomas Gaffney and his partner Officer Joseph McElligott received a call over the radio that someone had broken into a truck at 4100 South Kildare and were dispatched to the scene.[11] Gaffney was driving and McElligott was in the passenger seat of their assigned vehicle, 815R.[12] When they arrived at 4100 South Kildare, they saw a Hispanic male and female standing by the gate to the truck yard. The two said that a black male wearing a black shirt, later determined to be McDonald, had been trying to steal the radio out of a semi-truck, and had subsequently headed north toward 40th Street.

Gaffney and McElligott drove north on Kildare, turned right onto 40th Street, and saw McDonald walking east on the south side of 40th Street. McElligott exited the vehicle and commanded McDonald to stop and turn around. Gaffney stayed in the vehicle in case McDonald attempted to flee. McElligott ordered McDonald to take his hands out of his pockets. McDonald, who had been facing McElligott, turned and walked away with one hand still in his pocket. McDonald then turned again and took both of his hands out of his pockets. He had a knife in his right hand. McElligott drew his weapon and told McDonald to drop the knife. McDonald started walking east again, going from the sidewalk to the street and back. McElligott followed McDonald on foot, shining his flashlight on him, while Gaffney followed in 815R, parallel to McDonald.

[10] The following account of Gaffney and McElligott's encounter with McDonald is taken from (1) the audio-recorded statements Gaffney and McElligott provided to IPRA on October 21, 2014; and (2) the March 16, 2015 CSR submitted by Detective David March, which includes the statements that Gaffney and McElligott provided to March on the night of the McDonald shooting. OIG 15-0564 000482-98, 000610-30, 003067–69.

[11] OEMC records reflect that Gaffney and McElligott received the call at 9:47 p.m. OIG 15-0564 003691.

[12] Below is a chart identifying the beat numbers and vehicle numbers of the CPD vehicles that were present when McDonald was shot, along with the names of the officers who were assigned to those vehicles. This SRI refers to the below-referenced vehicles by beat number, unless otherwise specified.

Beat #	Vehicle #	Officers
845R	6412	Officer Walsh (driver), Officer Van Dyke (passenger)
815R	8489	Officer Gaffney (driver), Officer McElligott (passenger and on foot)
813R	8779	Officer Janet Mondragon (driver), Officer Daphne Sebastian (passenger)
822	8765	Officer Arturo Becerra (driver), Officer Leticia Velez (passenger)
841R	8948	Officer Ricardo Viramontes (driver), Officer Dora Fontaine (passenger)

As McDonald approached the intersection of 40th and Keeler, Gaffney reported to dispatch that McDonald was walking away with a knife in his hand.[13] Gaffney and McElligott continued to follow McDonald as he headed east, with McElligott giving McDonald orders to drop his knife and stop. McDonald kept turning around and giving the officers a "weird glaze[d] look." Gaffney IPRA Tr. 11:20.[14]

As McDonald approached the intersection of 40th and Karlov, Gaffney turned his car toward McDonald to direct him down Karlov. Gaffney wanted to keep McDonald away from Pulaski, which was a more populated area. McDonald then swung his arm and popped 815R's right front tire with his knife. McElligott was toward the back of 815R when McDonald popped its tire. After McDonald took a step back from the vehicle, Gaffney pulled up further in front of him to stop him from proceeding to Pulaski. McDonald then hit the right side of 815R's windshield once with the knife in his right hand. The windshield did not break but, according to Gaffney, McDonald hit it as hard as he could. McDonald walked around the front of 815R and continued eastward on 40th Street. After McDonald had walked 10 to 15 feet, another squad car turned off of Pulaski onto 40th Street with its lights on, and McDonald began to sprint. McElligott followed McDonald on foot, and Gaffney followed McDonald in 815R. McDonald ran eastbound through a parking lot of a Burger King located at 40th and Pulaski and then headed southbound on Pulaski. Video footage from several cameras captured McDonald's movements as he reached Pulaski.

3. Summary of the Relevant Video Footage

The below table contains a summary of the relevant video footage of the McDonald shooting, which includes the dashcam videos from 813R, 823R, and 845R, video from the "WNE fire exit" security camera from the Greater Chicago Food Depository, which is bordered by 40th Street to the north, Karlov Avenue to the east, and Keeler Avenue to the west, and the security camera video from the Dunkin' Donuts, located at 4113 South Pulaski Road (the DD Camera).[15]

Time	Event(s) Captured	Source of Video
9:53:17 – 9:54:42	McDonald walks eastbound on the south side sidewalk of 40th Street; a CPD SUV travels east on 40th Street, parallel to McDonald with its front bumper even with McDonald; an officer on foot trails directly behind	Greater Chicago Food Depository Security Camera

[13] OEMC recordings reflect that, at 9:53 p.m., 815R reported: "We're at 40th and Keeler. This guy uh is walking away from us and he's got a knife in his hand." Approximately 30 seconds later, a dispatcher stated, "815R looking for a taser." *See* OEMC Documents and CDs; *see also* OIG 15-0564 003691, 3228.

[14] OIG 15-0564 000620.

[15] In addition to the videos cited in the summary, OIG obtained video footage from the security camera videos at Burger King and Focal Point, and the dash camera videos from Vehicles 821R and 815R. These videos do not contain footage relevant to this report.

	McDonald by the length of the SUV, with his flashlight trained on McDonald.[16]	
9:56:53 – 9:57:01	813R and 845R turn left onto 40th Street from Pulaski.	813R Dashcam
9:57:01– 9:57:09	An unidentified person on 40th Street points the CPD vehicles toward the Burger King parking lot (813R); 845R turns into the parking lot (813R). McDonald runs southeast through the Burger King parking lot out onto Pulaski (845R).	813R Dashcam; 845R Dashcam
9:57:09 – 9:57:20	845R drives over the curb and sidewalk north of Burger King and heads south on Pulaski (845R); 813R turns around, turns right onto 40th Street, and then right again on Pulaski (813R); McDonald runs southbound in the middle of Pulaski and enters the intersection of 41st Street and Pulaski (813R).	813R Dashcam; 845R Dashcam
9:57:20 – 9:57:25	845R, which is facing east/southeast on Pulaski just north of 41st street, turns right behind McDonald and proceeds south on Pulaski on the east side of the street; 845R's passenger door briefly opens and then closes as it passes McDonald on his left; McDonald continues southbound on Pulaski, toward 822, which is stopped in the middle of Pulaski facing north.	813R Dashcam
9:57:25 – 9:57:28	McDonald slows as he approaches 822, touches his hands to his waist, and then, before Walsh and Van Dyke exit 845R and with 822 situated between McDonald and the officers, McDonald extends his right arm fully to his right—the video shows that he has a silver object in his right hand; 845R passes 822 and comes to a stop on the east side of Pulaski, facing south and almost directly south of 822; Van Dyke opens 845R's passenger door.	813R Dashcam
9:57:28 – 9:57:30	McDonald changes course and begins walking southwest on Pulaski, away from 822 and 845R (813R); Van Dyke	813R Dashcam; DD Camera[17]

[16] OIG confirmed the vehicle is 815R and the officer on foot is McElligott by comparing the video with photographs of the officers. OIG 15-0564 003356.

[17] The DD Camera video does not display an embedded timestamp. Therefore, OIG used the timestamp of 813R's video, which generally captured the same events as the DD Camera from a different angle, to establish the timeframe of the events captured by the DD Camera.

	exits the passenger side of 845R with both of his feet in Pulaski's northbound left turn lane, his gun drawn and pointed at McDonald (813R). Walsh exits the driver side of 845R, just east of Pulaski's northbound left turn lane, with his gun drawn, and moves north along the driver side of 845R until he is several feet north of 845R (DD Camera).	
9:57:30 – 9:57:33	McDonald continues to walk southwest, from the middle of Pulaski to the lane markers that divide the west side of the road (or approximately one lane west of where McDonald was prior to changing course) (813R). While McDonald walks southwest, Walsh begins moving sideways in a west/southwest direction, approximately parallel to McDonald, and crosses over the east side of Pulaski's northbound left-turn lane—his gun is pointed at McDonald (813R; DD Camera). Van Dyke takes approximately two steps northwest toward McDonald, with his left foot crossing into Pulaski's yellow-painted median strip—his gun is pointed at McDonald (813R; DD Camera). 822 drives north on Pulaski, away from 845R (813R). 841R drives north in the middle of Pulaski, toward 845R and stops just south of 845R, facing north (813R; DD Camera).	813R Dashcam; DD Camera
9:57:33 – 9:57:36	As McDonald approaches the lane markers on the west side of Pulaski, walking in a southwest direction, he looks to his right and moves his right hand behind his waist, near the right side of his lower back, then brings his hand back to his right side (813R). As McDonald crosses the lane markers on the west side of Pulaski, he looks to his left, and takes a step southbound (813R). Meanwhile, Walsh continues moving west/southwest with his gun pointed at McDonald, ultimately traversing almost the entire width of Pulaski's northbound left-turn lane (813R; DD Camera). Van Dyke takes an additional step west, toward McDonald, putting both of his feet in Pulaski's median strip and placing himself almost directly between McDonald and Walsh (813R; DD Camera). McDonald is then apparently shot, and Walsh stops moving and adopts a stance, with his feet more than a shoulder's width apart (813R; DD Camera).	813R Dashcam; DD Camera
9:57:36 –	McDonald spins between 180 and 270 degrees in a	813R Dashcam;

9:57:54	clockwise direction and then falls to the ground with the top of his head pointing south on Pulaski, approximately one street lane east of Van Dyke and just south of Van Dyke (813R). As McDonald falls to the ground, Van Dyke takes another step west toward McDonald, moving his right foot from Pulaski's median strip into the south-bound side of Pulaski—his gun remains pointed at McDonald (813R). Van Dyke subsequently takes an additional step or two south, toward McDonald (DD Camera). Other than those steps, Van Dyke's feet are stationary (DD Camera). After McDonald is on the ground, his legs and feet do not move (813R). McDonald's upper body makes small, intermittent movements as what appear to be puffs of smoke rise from McDonald's body (813R).[18]	DD Camera
9:57:54 – 9:58:05	An officer approaches McDonald and kicks the knife from his hand. McDonald does not make any noticeable movements.	813R Dashcam
9:58:05 – 9:58:20	McDonald lies on the ground; no aid is rendered by CPD personnel. 823R, travelling northbound, pulls up on the west side of Pulaski, and stops just south of where McDonald is lying.	813R Dashcam; 823R Dashcam
9:58:20 – 9:58:57	Several CPD officers walk and stand near McDonald as he lies on the ground; no aid is rendered by CPD personnel.	813R Dashcam;[19] 823R Dashcam
9:58:57 – 9:59:02	823R begins making a U-turn on Pulaski. A Cook County Sheriff's Police Department (CCSPD) officer puts on blue gloves and walks toward McDonald.[20] McDonald is no longer visible in the video frame.	823R Dashcam

[18] OEMC records show that dispatch received notice to send an ambulance to the scene at 9:57:51. OIG 15-0564 003691.

[19] The last time stamp visible on the 813R dashcam video is 9:58:55.

[20] OIG identified the CCSPD officer as Officer Adam Murphy.

4. CCSPD Officer Accounts of the October 20, 2014 McDonald Shooting[21]

While on patrol on October 20, 2014, CCSPD Officers Adam Murphy and Jeff Pasqua observed several CPD police vehicles pass by them. Both officers decided to follow the CPD vehicles. When they arrived at the scene, several CPD vehicles were already present—Pasqua estimated it was five or six. McDonald was lying on the pavement "gasping for his last breath of air." Pasqua OIG Tr. 11:22-23. Meanwhile, the CPD officers were "standing around" and talking to each other. Murphy OIG Tr. 11:1. Murphy noted the CPD officers did not respond to him when he asked if they needed assistance. Murphy stated:

> I see there's blood all over the pavement. [McDonald] was kind of gurgling when he was sitting there. I remember his mouth was going open and closed like he was trying to gasp for air. And I looked for everybody else, and they were kind of standing there. I just started taking my gloves—my rubber gloves out to check for a pulse and to see if I could render aid.

Murphy OIG Tr. 12:18-13:2. He heard someone say an ambulance was en route.[22] Both Officers Murphy and Pasqua recalled then watching McDonald take his final breaths.[23] It was "[m]aybe less than a minute before [McDonald] expired." Murphy OIG Tr. 14:15-16. At no time did any CPD officers attempt to provide aid or comfort McDonald—Murphy stated, "That's why I felt that I needed to go up to him." Murphy OIG Tr. 14:11-12.

After McDonald passed away, Murphy got up from beside him and noticed the shooting officer, who he now knows to be Van Dyke, "pacing back and forth in front of his car." Murphy OIG Tr. 15:7-8. Murphy approached him and told him to sit down and drink water. As he was speaking with Van Dyke, Murphy "heard several officers telling [Van Dyke] call your union rep, call your union rep." Murphy OIG Tr. 15:16-17.

Murphy and Pasqua departed after approximately ten minutes on the scene when a CPD sergeant told them CPD did not need their assistance. At the time they left, there was "[a] sea of CPD" on scene. Murphy OIG Tr. 38:3; Pasqua OIG Tr. 25:7-8.

---

[21] The following CCSPD Officer accounts are taken from OIG's June 23, 2016 interview of Jeff Pasqua and its June 24, 2015 interview of Adam Murphy. Pasqua and Murphy are currently CCSPD investigators.

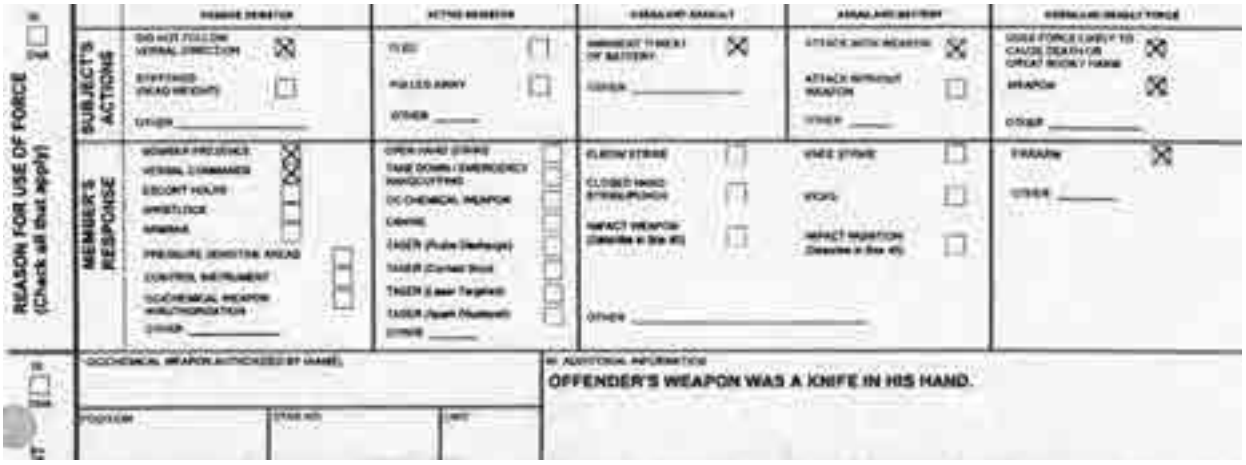
[22] In a January 22, 2016 OIG interview, CPD Area North Commander Kevin Duffin stated CPD police officers have a duty to render aid to injured civilians per general orders. Police officers render aid by calling dispatch and requesting that an ambulance be dispatched to the scene. According to Duffin, police officers are not required or expected to provide any more assistance than this. On March 30, 2016, CPD issued General Order G03-06 which requires that the involved member(s) "request medical attention for the injured, and also offer immediate medical aid commensurate with their training, experience, and available equipment."

[23] The Medical Examiner's Case Report states McDonald was pronounced dead "on view" at Mount Sinai Medical Center on October 20, 2014, at 10:42 p.m. OIG 15-0564 015029.

C. Reports Concerning the McDonald Shooting

1. Tactical Response Reports (TRRs)

On October 21, 2014, at 4:41 a.m. and 5:04 a.m., respectively, Van Dyke and Walsh submitted TRRs with the R.D. Number HX475653 and an Event Number of 1429315878, regarding their October 20, 2014 encounter with McDonald.[24] Under the heading titled "Assailant: Assault," each officer marked the box labeled "Imminent Threat of Battery."[25] Under the heading titled "Assailant: Battery," each officer marked the box labeled "Attack with Weapon." Under the heading titled "Assailant: Deadly Force," each officer marked the boxes labeled "Uses Force Likely to Cause Death or Great Bodily Harm" and "Weapon." Van Dyke specified in the TRR that the "offender's weapon was a knife in his hand." Walsh specified in the TRR that McDonald was "armed with [a] knife."



Franko electronically signed Van Dyke and Walsh's TRRs as the "reviewing supervisor" on October 21, 2014, at 4:44 a.m. and 5:07 a.m., respectively.

2. Officer's Battery Reports (OBR)

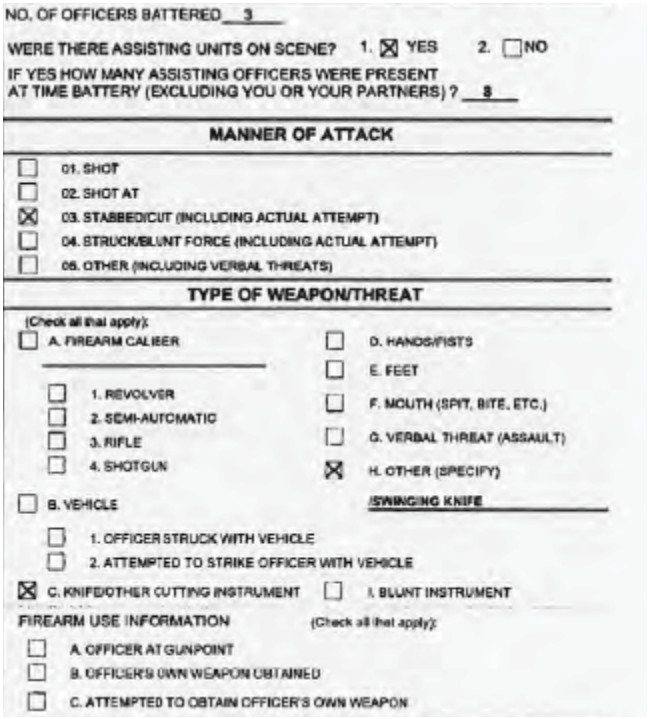
The OBR form states that it is to be completed when "a sworn member is the victim of a murder, aggravated battery, battery, aggravated assault, or assault while performing a police function either on-duty or off-duty."[26] Van Dyke and Walsh each completed and submitted an OBR with

[24] OIG 15-0564 003313–14, 17–18. Gaffney also completed a TRR regarding his encounter with McDonald that is substantially similar to Van Dyke and Walsh's TRRs. *See* OIG 15-0564 003321–22.

[25] Pursuant to the Illinois Criminal Code, a person commits battery when he or she knowingly and without legal justification "(1) causes bodily harm to an individual or (2) makes physical contact of an insulting or provoking nature with an individual." 720 ILL. COMP. STAT. 5/12-3. A person commits assault when he or she, without lawful authority, "knowingly engages in conduct which places another in reasonable apprehension of receiving a battery." 720 ILL. COMP. STAT. 5/12-1.

[26] *See also* Special Order S04-13-01, issued on December 28, 2012, which outlines the procedures to be followed for the preparation of an OBR. Franko told OIG investigators that his electronic signature on the TRR indicates that he

the R.D. Number HX475653 regarding their respective October 20, 2014 encounters with McDonald.[27] Their OBRs are nearly identical. They all state three officers were battered. Under the heading titled "Manner of Attack," each officer marked the box labeled "Stabbed/Cut (Including Actual Attempt)." Under the heading titled "Type of Weapon/Threat," Van Dyke marked the boxes labeled "Knife/Other Cutting Instrument" and "Other/Specify." Walsh only marked "Other/Specify." Both officers specified the type of weapon/threat as a "Swinging Knife."



NO. OF OFFICERS BATTERED 3

WERE THERE ASSISTING UNITS ON SCENE? 1. ☒ YES 2. ☐ NO

IF YES HOW MANY ASSISTING OFFICERS WERE PRESENT AT TIME BATTERY (EXCLUDING YOU OR YOUR PARTNERS)? 8

MANNER OF ATTACK

- ☐ 01. SHOT
- ☐ 02. SHOT AT
- ☒ 03. STABBED/CUT (INCLUDING ACTUAL ATTEMPT)
- ☐ 04. STRUCK/BLUNT FORCE (INCLUDING ACTUAL ATTEMPT)
- ☐ 05. OTHER (INCLUDING VERBAL THREATS)

TYPE OF WEAPON/THREAT

(Check all that apply):

- ☐ A. FIREARM CALIBER
  - ☐ 1. REVOLVER
  - ☐ 2. SEMI-AUTOMATIC
  - ☐ 3. RIFLE
  - ☐ 4. SHOTGUN
- ☐ B. VEHICLE
  - ☐ 1. OFFICER STRUCK WITH VEHICLE
  - ☐ 2. ATTEMPTED TO STRIKE OFFICER WITH VEHICLE
- ☒ C. KNIFE/OTHER CUTTING INSTRUMENT
- ☐ D. HANDS/FISTS
- ☐ E. FEET
- ☐ F. MOUTH (SPIT, BITE, ETC.)
- ☐ G. VERBAL THREAT (ASSAULT)
- ☒ H. OTHER (SPECIFY) SWINGING KNIFE
- ☐ I. BLUNT INSTRUMENT

FIREARM USE INFORMATION (Check all that apply):

- ☐ A. OFFICER AT GUNPOINT
- ☐ B. OFFICER'S OWN WEAPON OBTAINED
- ☐ C. ATTEMPTED TO OBTAIN OFFICER'S OWN WEAPON

3. Original Case Incident Report

On October 21, 2014, at 4:32 a.m., Fontaine submitted an Original Case Incident Report with the R.D. Number HX475653 and an Event Number of 1429315878.[28] The report lists Gaffney, Van Dyke, and Walsh as the "Victims," McDonald as the "Suspect," and classifies the incident as "Assault – Aggravated Po: Knife/Cut Instr." In the section titled "Injuries," Fontaine states that Van Dyke was "Injured by offender." Franko approved the report on October 21, 2014, at 5:18 a.m.

---

reviewed the accompanying OBR as well. Franko explained that OBRs are additional reports that are tied to the TRRs. *See infra* Page 18.

[27] OIG 15-0564 003311–12, 15–16. Gaffney also completed an OBR regarding his encounter with McDonald that is substantially similar to Van Dyke and Walsh's OBRs. *See* OIG 15-0564 003319–20.

[28] OIG 15-0564 003016–19.

D. OIG Interview of Officer Joseph Walsh

On March 8, 2016, OIG investigators interviewed Walsh under oath after informing him of his administrative rights orally and in writing. He provided oral and written acknowledgement of the reading of those advisements. The interview was transcribed by a certified court reporter. Walsh's attorney, Colleen Daly, was also present for the interview. In summary, Walsh stated as follows concerning his interactions with Franko on the night of October 20, 2014, and the morning of October 21, 2014.

Franko was the sergeant "on the street" the night of October 20, 2014. Walsh OIG Tr. 24:15. When Franko first arrived to the scene, he asked Walsh if he discharged his weapon. Franko later transported Walsh and Van Dyke to Area Central. Walsh believed he consulted with Franko when completing his TRR "for the purposes of RD numbers" and "time of occurrence, things like that." Walsh OIG Tr. 89:21-24. He did not recall consulting with Franko regarding any of the other information he inputted into his TRR and OBR. Walsh informed Franko in person when he completed the forms. Walsh explained that Franko told him "when [Walsh] was done, to inform him because he was going to review [the forms]." Walsh OIG Tr. 98:17-18.

E. OIG Interview of Officer Dora Fontaine

On March 16, 2016, OIG investigators interviewed Fontaine under oath after informing her of her administrative rights orally and in writing. She provided oral and written acknowledgement of the reading of those advisements. The interview was transcribed by a certified court reporter. Fontaine's attorney, Jennifer Russell, was also present for the interview. In summary, Fontaine stated as follows concerning her interactions with Franko on the night of October 20, 2014, and the morning of October 21, 2014.

Franko was Fontaine's sergeant on the night of October 20, 2014. When Franko first arrived to the scene, he asked Fontaine and Viramontes to block traffic coming north on Pulaski and assigned them to complete the paperwork for the shooting. The paperwork included a case report that listed the basic details of the incident and the CPD personnel on scene. Fontaine informed Franko once they completed the report.

F. OIG Interview of Officer Joseph McElligott

On May 9, 2016, OIG investigators interviewed McElligott under oath after informing him of his administrative rights orally and in writing. He provided oral and written acknowledgement of the reading of those advisements. The interview was transcribed by a certified court reporter. McElligott's attorney, Jennifer Russell, was present for the interview. In summary, McElligott stated as follows concerning his interactions with Franko on the night of October 20, 2014, and the morning of October 21, 2014.

Franko was McElligott's sergeant on the night of October 20, 2014. McElligott saw Franko speaking with Van Dyke "within minutes" after the shooting. McElligott OIG Tr. 43:5. McElligott did not hear their conversation. Franko was "kind of around" when the detectives

spoke with McElligott and Gaffney on the scene. McElligott OIG Tr. 46:6. At Area Central, Franko, along with certain detectives who McElligott could not identify, told McElligott he did not need to fill out a TRR and OBR and explained: "'Since you were outside and [McDonald] attacked the vehicle while [Gaffney] was in it, not you, you're not a victim. You don't have to fill this out.'" McElligott OIG Tr. 75:23-76:1. He believed Franko instructed Van Dyke, Walsh, and Gaffney to fill out TRRs and OBRs.

G. OIG Interview of Officer Thomas Gaffney

On May 13, 2016, OIG investigators interviewed Gaffney under oath after informing him of his administrative rights orally and in writing. He provided oral and written acknowledgement of the reading of those advisements. The interview was transcribed by a certified court reporter. Gaffney's attorney, William Fahy, was present for the interview. In summary, Gaffney stated as follows concerning his interactions with Franko on the night of October 20, 2014, and the morning of October 21, 2014.

Franko was Gaffney's sergeant on the night of October 20, 2014. Gaffney recalled speaking to Franko on the scene about 15 to 20 minutes after the shooting occurred. He described that conversation as "[j]ust pretty much the basic telling what happened or what our timeline was from what happened to—from the time we got the job to where we ended up." Gaffney OIG Tr. 27:3-6. At Area Central, Franko directed Gaffney to fill out a TRR and an OBR. When asked to describe that conversation, Gaffney said: "I don't remember it in detail, but just like that we had—I had to fill it out, just like minor things that I might have asked what to put type of thing. Got temperature and stuff like that . . . ." Gaffney OIG Tr. 61:6-9. When asked why he stated in the OBR that three officers were battered, Gaffney responded that "they" informed him to "just put three because that's how many reports were being done . . . ." Gaffney OIG Tr. 65:18-19. Gaffney then clarified that it was "probably" Franko who told him to state that three officers were battered. Gaffney OIG Tr. 65:23. Gaffney told Franko when he finished completing the forms. Gaffney added, "[M]y sergeant was still right around me when it was done." Gaffney OIG Tr. 75:3-4.

H. OIG Interview of Deputy Chief David McNaughton

On May 25, 2016, OIG investigators interviewed McNaughton under oath after informing him of his administrative rights orally and in writing. He provided oral and written acknowledgement of the reading of those advisements. The interview was transcribed by a certified court reporter. McNaughton's attorney, Thomas Pleines, was present for the interview. In summary, McNaughton stated as follows concerning his interactions with Franko on the night of October 20, 2014, and the morning of October 21, 2014.

When asked if he was present when Van Dyke, Walsh, or Gaffney filled out their TRRs, McNaughton stated: "I believe they were more the opposite end of the room working with their union reps and their sergeant, and I think it was, yeah, it must have been Sergeant Franko in completing it. You know, one thing we want to make sure we are consistent on the times, the locations and some of those things." McNaughton OIG Tr. 114:2-9. Following a break in the

interview, McNaughton stated: "I really don't know who was sitting next to who and what was happening, you know. If I made a characterization that they—those reps were standing next to them and their sergeant was conversing with them, I am just thinking that that's possibly how this could have played out." McNaughton OIG Tr. 116:18-24.

I. OIG's Interviews of Sergeant Stephen Franko

1. June 13, 2016 Interview

On May 13, 2016, pursuant to Section 6.1 of the CBA between CPD and Unit 156-Sergeants, OIG, through CPD's Bureau of Internal Affairs, served Franko with a Notification of Interview, Notification of Allegations, and copies of TRRs and OBRs. In addition, OIG provided Franko with the dashcam footage from 813R and 845R and the security camera footage from Dunkin' Donuts.

On June 13, 2016, OIG investigators interviewed Franko under oath after informing him of his administrative advisements orally and in writing. He provided oral and written acknowledgement of the reading of those advisements. The interview was transcribed by a certified court reporter. Franko's attorney, Thomas Pleines, was also present for the interview. In summary, Franko stated as follows.

Franko was a Sergeant in the 8th District on October 20, 2014, and was assigned as a street supervisor. Franko explained that a street supervisor is responsible for a set number of vehicles—he provides "guidance" and ensures that officers "are doing their duties correctly on the street." Franko 6/13/16 OIG Tr. 21:24, 22:4-5.

a) Scene of the Shooting

On October 20, 2014, Franko was supervising beats 813R, 815R, and 841R, as well as several other beats. That evening, Franko heard a call over the radio stating 815R was requesting a Taser. As Franko proceeded to the scene, he heard over the radio that shots were fired. When Franko arrived to the scene, he noticed that McDonald was "in the street," and Van Dyke and Walsh were standing next to the passenger side of their vehicle. Franko 6/13/16 OIG Tr. 30:16. Franko approached the officers and asked them if they were ok and what happened. They both responded yes, and Van Dyke stated, "He wouldn't drop the knife." Franko 6/13/16 OIG Tr. 31:5-6. Franko said he ensured medical attention was ordered for McDonald and then went to "secure the scene." Franko 6/13/16 OIG Tr. 31:17. Securing the scene included taping off the area with crime scene tape, marking the shell casings on the ground, and instructing arriving officers to protect the scene. Franko also ensured "somebody was recording all of the units that were coming into the crime scene . . . ." Franko 6/13/16 OIG Tr. 32:5-7. Franko said he then "inquired once again that an ambulance had been ordered to ensure that, you know, Laquan McDonald received proper medical care." Franko 6/13/16 OIG Tr. 32:13-16.

Franko stated this was the first police-involved shooting where "it was my scene and I was in charge of the area." Franko 6/13/16 OIG Tr. 45:1-2. Franko relinquished control of the scene

once a superior officer responded, which was about fifteen minutes after he arrived. He did not remember which superior officer came first, but he remembered seeing Captain Dennis Walsh early at the scene and then Deputy Chief David McNaughton.

Franko spoke with Detective March on the scene—Franko provided March car numbers and officers' names, but they did not get into the "specifics of the actual events that unfolded." Franko 6/13/16 OIG Tr. 46:19. Franko also spoke with McNaughton on the scene. McNaughton told Franko to "stand by in case they needed anything." Franko 6/13/16 OIG Tr. 49:12-13. Franko did not view any video at the scene and no one mentioned seeing video. He recalled that the "in-car camera personnel came to the scene to retrieve video" and that people were surrounding the car that recorded the shooting. Franko 6/13/16 OIG Tr. 50:10-11. Franko assumed they were viewing the video.

When asked if anyone provided him with a narrative of what occurred while he was at the scene, Franko said: "Nobody that was officially part of the investigation or scene. After I was relieved, I took a step back and waited for any instruction or anything from any of the supervisors. The detectives were there. They had the scene, Deputy Chief McNaughton was handling his end of it and other supervisors were there, so I stepped back." Franko 6/13/16 OIG Tr. 54:14-22. Franko was able to "piece together a narrative as to what transpired" from the "information that was out there." Franko 6/13/16 OIG Tr. 55:10-12.

Franko had a discussion at the scene with Captain Walsh, McNaughton, and some detectives, about whether McElligott and Gaffney should fill out TRRs and OBRs. It was decided that Gaffney should fill out the forms because he was driving the vehicle McDonald attacked with a knife, and McElligott did not need to fill out the forms because he was outside of the car. Franko did not know who ultimately made the decision, and said he was just asked for input. Franko was not part of any discussion regarding whether Van Dyke or Walsh should fill out TRRs and OBRs. He did not direct the officers to complete TRRs or OBRs at the scene. When asked how the officers were told to complete the forms, Franko said "[t]hey were given direction to do so by superiors, not me." Franko 6/13/16 OIG Tr. 57:12-13. He later elaborated:

> The discussion mainly was trying to figure out whether or not it was—it was a unique situation because the assault that occurred on the vehicle, did it also place Officer Gaffney in danger of receiving a battery. That was what the discussion was about. Nobody could really remember something like this happening where we could say this is how we should handle it. So the discussion was taking place just kind of figuring out if anyone had any idea which way we should go, any prior instances that we could use, and when I left the discussion, there was still no decision made as far as I knew, and generally that would be something that would be finalized at the area when everybody sat down and, you know, talked, the investigators and the bosses about how this was going to be put to paper."

Franko 6/13/16 OIG Tr. 59:16-60:11.

b) Area Central

At some point after midnight, a supervisor told Franko to go to Area Central. Franko believed he transported Van Dyke to the area. He did not discuss the shooting with Van Dyke—he tried to keep "everything light" and keep Van Dyke "at ease." Franko 6/13/16 OIG Tr. 71:11-12. When they arrived at Area Central, Van Dyke went into a separate office. Franko remained in the Detective Division main area "basically just waiting for someone to ask me to do something." Franko 6/13/16 OIG Tr. 73:11-12.

While at Area Central, Franko saw "parts of" the video showing the McDonald shooting. Franko 6/13/16 OIG Tr. 75:21. Franko said, "It was being played in an area where everybody could kind of see it if you wanted to, and I saw parts of the video." Franko 6/13/16 OIG Tr. 76:4-6. Franko acknowledged that he saw the shooting itself on the video. Franko could not recall who else watched the video.

At some point, McNaughton asked Franko to approve a "General Offense Case Report." Franko 6/13/16 OIG Tr. 73:21-22. According to Franko, the report contained a narrative that simply said, "See Detective Division Supplemental Report"—Franko explained: "Every incident that takes place gets assigned an RD number, so there needed to be an original case report so that Detective Division could then get assigned the case and do follow-up reports based on—supplemental reports based on the original RD number." Franko 6/13/16 OIG Tr. 73:22-23, 74:5-10.

McNaughton also asked Franko to review the TRRs that were in the system. Franko said the OBRs are additional reports that are "tied to" the TRRs and explained: "The OBR is a sub-form of the TRR. So you can't get out of the TRR without going through the OBR, so everything is accepted, and then when you review it and you are complete, it comes out as one report." Franko 6/13/16 OIG Tr. 82:7, 90:13-17. When asked if his electronic signature on the TRR indicates that he reviewed the accompanying OBR as well, Franko said, "Correct." Franko 6/13/16 OIG Tr. 90:18-21. Regarding his review, Franko said:

> My responsibility is to review the document, make sure that the information on the top is accurate as far as the scene and that type of thing. All I do then is I look and see what the officer's actions were as I go through the whole document and review it for legibility and completeness, I would then review it and accept it, and then it goes to a supervisor higher than me for approval.

Franko 6/13/16 OIG Tr. 80:5-14. Franko said that, if he had "obvious knowledge that something was not correct" in the forms, he would address the issue. Franko 6/13/16 OIG Tr. 81:18-19. Franko asserted that he was not part of any discussion at Area Central regarding which officers should fill out the TRRs and OBRs, and only learned who filled them out when he went into the system.

Franko denied assisting or consulting with Walsh regarding his TRRs and OBRs. He did not recall "specifically" providing Walsh with RD numbers or the time of the shooting, and said,

"That would be general information that almost anybody out there could have given at that point." Franko 6/13/16 OIG Tr. 88:4-6. When asked if he knew who instructed Walsh on which boxes to check in the TRR, Franko said: "I don't know who did. He had legal representation and FOP representation with him at all times." Franko 6/13/16 OIG Tr. 85:18-20. When asked if he recalled being within 5 to 10 feet of Walsh as he completed his OBR and TRR, Franko said, "At certain points I might have been within that time frame as I am in the room or walking past, but specifically standing over him assisting him, no." Franko 6/13/16 OIG Tr. 88:10-13. Franko said he saw the video of the shooting before he reviewed Walsh's report, at 5:07 a.m. With respect to his signature on Walsh's TRR, Franko stated: "Those boxes were checked. I reviewed it and did not approve the document." Franko 6/13/16 OIG Tr. 105:24-106:1. Franko believed, at the time he reviewed them, and at the time of his OIG interview, that Walsh's TRR and OBR were accurate.

Franko denied being present when Van Dyke filled out his TRR and OBR, stating, "No, he was at all points surrounded by his FOP representation, so there was no consulting with me on any of this." Franko 6/13/16 OIG Tr. 94:11-13. Franko also denied instructing Van Dyke on how to fill out the forms. Franko said he reviewed and approved Van Dyke's TRR and OBR—he reiterated that he was only reviewing for "legibility and completeness" and it was not his "responsibility to investigate Officer Van Dyke's actions at that moment." Franko 6/13/16 OIG Tr. 96:23-24, 98:11-13. With respect to his signature on Van Dyke's TRR, Franko stated: "I only reviewed. I did not approve anything that night." Franko 6/13/16 OIG Tr. 104:20-21. He said his signature at the bottom of the report did not indicate he approved it, just that he reviewed the document. Franko believed, at the time he reviewed them, and at the time of his OIG interview, that Van Dyke's TRR and OBR were accurate.

Franko denied assisting Gaffney with his TRR and OBR. When asked if he supplied any information that Gaffney subsequently entered into the TRR and OBR, Franko said: "To the best of my knowledge, I did not. If he had asked for any general information that was available to everybody at the time, then I would have supplied that to him." Franko 6/13/16 OIG Tr. 107:4-8.

2. August 2, 2016 Interview

On July 23, 2016, pursuant to Section 6.1 of the CBA between CPD and Unit 156-Sergeants, OIG, through CPD's Bureau of Internal Affairs, served Franko with a Notification of Interview, Notification of Allegations, and a copy of the Original Case Incident Report.

On August 2, 2016, OIG investigators interviewed Franko under oath after informing him of his administrative advisements orally and in writing. He provided oral and written acknowledgement of the reading of those advisements. The interview was transcribed by a certified court reporter. Franko's attorney, Thomas Pleines, was also present for the interview. In summary, Franko stated as follows.

a) Original Case Incident Report

Franko explained that an Original Case Incident Report documents "any incident that occurs on the street" and the first responding unit or assigned unit is usually responsible for preparing it. Franko 8/2/16 OIG Tr. 13:12-13. The sergeant assigned to the responding unit approves the report in most cases. Franko could not recall how Fontaine received the assignment to draft the report. Franko said: "I probably spoke to [Fontaine] early on about some preliminary information; but as the night was going on, I had nothing to do with the investigation, so the next time I would have seen it was when I was ordered to approve the case report." Franko 8/2/16 OIG Tr. 17:23-18:4. Franko acknowledged that he reviewed and approved this report, and that likely occurred at the time the report says he approved it, at 5:18 a.m. When asked if he reviewed and approved the statement that Van Dyke was "injured by offender," Franko stated:

> To be honest with you, I overlooked this. When it was brought to my attention, that was the first time that I saw the box in there.
>
> . . . .
>
> Not being part of the investigation, if I would have seen it, I don't even know if I would have said anything because I don't know if he was or was not injured, and there was nothing at that point for me to question anything to whether or not he was.
>
> . . . .
>
> I did not know [whether or not Van Dyke was injured]. I had a very brief conversation with him when it first occurred; and after that, I really had nothing to do with the investigation. So, you know, if he had turned his ankle, anything else would have happened that would have caused injury to him I was not aware of that night.

Franko 8/2/16 OIG Tr. 22:16-23:10. Franko acknowledged that Van Dyke did not indicate he was injured, and he did not receive any indication from anyone else that Van Dyke was injured. He did not direct Fontaine to include that information in the report and did not know why she included that statement. When asked if he stood by that statement, Franko said, "I can't stand by it because I wasn't part of the investigation." Franko 8/2/16 OIG Tr. 25:8-9. Franko did not notice the language until he was served with the July 23, 2016 Notification of Allegations.

b) Review of 813R Dash-Cam Video

OIG investigators presented Franko with Van Dyke's TRR and OBR and played the dashcam video from 813R. When asked to point out in the video where McDonald attacked Van Dyke with a weapon, Franko stated:

> [T]he night of I had very limited information because I wasn't part of the investigation. The video I did see was just from bits and pieces walking around in the office. I didn't see enough of it to have a strong opinion one way or another, and I relied on the investigators that night to make their determination.
>
> . . . .
>
> The night of, I was provided with the same information everyone else was that Lequan [sic] McDonald was attacking, attempting to stab the officers with the knife. So based on everything that was given to me and that was provided to me through the investigators, that was my impression was that he had a knife, he was attacking—or approaching the officers in a threatening way, which would still be an attack, and Officer Van Dyke fired until, you know, the threat was no more.

Franko 8/2/16 OIG Tr. 34:5-12, 35:17-36:3. However, Franko acknowledged seeing the portion of the video where McDonald "was walking and then when the shooting occurred." Franko 8/2/16 OIG Tr. 24:24-25:1.

Franko stated that his opinion at the time of his OIG interview was that the video does show an "Attack with Weapon." He said the video shows that, at one point, McDonald was approximately one lane away from Van Dyke and continued to move in a way such that Franko considered McDonald to be an "assailant"—specifically, he stated:

> [T]he distance between Van Dyke and the officers, from what I could tell, is probably six feet or less, even though he's walking sideways.
>
> . . . .
>
> He's got a knife in his right hand, and you have Van Dyke with his weapon, looks like it's extended out. It's hard to see with the light, but he's got his weapon in his hand.
>
> . . . .
>
> The way [McDonald is] walking where he's bouncing up and down, not our normal gait. It's the bouncing up and down as he's walking. At that point is he going to bounce left, is he going to bounce right? He's extremely close. Yeah, he's got the weapon out. He's an assailant. He's close enough where if he takes two steps to the left he could be on Van Dyke before Van Dyke even has a chance to do anything about it.

Franko 8/2/16 OIG Tr. 38:14-16, 39:4-8, 39:18-40:3. Franko mentioned that he was taught the "21 foot rule" in the academy, which he described: "[I]f there was an armed offender within 21 feet of us and we did not have our weapon out that there was no way that you could pull that

weapon out, aim it, and fire it in time to stop that offender from attacking us with the knife."[29] Franko 8/2/16 OIG Tr. 41:3-8.

G. Records and Interviews Concerning CPD's In-Car Video Systems

On October 21, 2014, CPD Sergeant Lance Becvar submitted a supplementary report for R.D. Number HX475653 concerning his retrieval of video from the in-car video systems of the five CPD vehicles that were on scene when Van Dyke shot McDonald.[30] In OIG's June 13, 2016 interview with Franko, he confirmed that three of those vehicles—813R, 815R, and 841R—were under his supervision on October 20, 2014. With respect to 813R, the report stated "video recovered"; with respect to 815R it stated "Operational but due to disc error no video recorded"; as to 841R, the report stated "Not examined – Officer reported application error."

Becvar also completed a corresponding "In Car Camera Video Retrieval Worksheet" regarding his October 20, 2014 video retrieval.[31] As to 813R, Becvar stated, "Mics in glove box, batteries inserted upside down, fully op." As to 815R, Becvar stated, "Processing video: extremely large video file." As to 841R, Becvar stated, "HDT No Open HDT."

On July 17, 2015, Becvar sent an email summarizing his findings regarding his October 20, 2014 video retrieval.[32] With respect to the vehicles under Franko's supervision, Becvar stated as follows:

- 813R: "Video Recovered . . . No MICs because they were in the Glove Compartment with the batteries inserted upside down – Disabling them."[33]

- 815R: "System not engaged because a very long video (like hours long) was made previous to this event/incident and the system was processing that video and unable to start another video."

[29] On April 29, 2016, OIG spoke with CPD Deputy Chief Director of Training Keith Calloway. Calloway is familiar with the so-called 21-foot rule, but he stated that it has never been a part of CPD's training process. Calloway characterized the 21-foot rule as junk science as the theory behind it has never been scientifically proven. *See* OIG Investigative Report of Call with Keith Calloway.

[30] OIG 15-0564 004991.

[31] OIG 15-0564 004992.

[32] OIG 15-0564 000567.

[33] This issue served as the basis for initiating C.R. # 1076186 on July 17, 2015. In the memorandum, Sergeant Soria lists the allegations as "inattention to duty – Violation of Special Order S03-05," "Possible tampering with In-Car Camera Mics," and "Improper Use of Equipment." The summary states, in part: "On 17 July 15, Deputy Chief Lewin was informed via Sgt. Lance Becvar's email that on 20 Oct 2014, Veh 8779, 'Video Recovered . . . no mics because they were in the Glove Compartment with the batteries inserted upside down.'" *See supra* Page 4.

- 841R: "System not engaged, officer reported that there was an application error – Mobile Recorder Start-Up corrupted. No Help Desk Ticket Open for this vehicle."

Franko completed and signed a "Supervisor's Management Log," dated October 20, 2014, that corresponded to the shift that began on the evening of October 19, 2014, the day before the shooting.[34] Under "Personnel and Assignments," the log lists the names of Mondragon, Sebastian, Gaffney, McElligott, Fontaine, and Viramontes, as well as their corresponding beat and vehicle numbers. For each of those vehicles, the log has "yes" and "no" boxes to check under "In-Car Camera." The log also has two additional boxes next to the words "In-Car Camera" that state "Operable & Logged On" and "Inoperable (If Inoperable, give Help Desk Ticket #)." With respect to 813R, 815R, and 841R, Franko did not check either the operable or inoperable boxes.

On October 20, 2014 at 9:38 p.m., 815R sent Franko a PDT message stating, "8489 cam working."[35] Franko then messaged 813R and 841R stating "car & camera" at 9:46 p.m. Both cars responded seconds later—813R messaged "8779 working . . . TGIF :)" and 841R messaged "8948 ticket#10668611."[36]

In OIG's January 27, 2016 interview with Becvar, he stated that placing microphone batteries upside down was "a known way to get around . . . the microphones." Becvar OIG Tr. 52:18-19. According to Becvar, it is not proper for officers to keep microphones in their vehicle's glove compartment. Rather, "[t]hey should be with the batteries inserted properly in the charger and . . . [on] the officer once they started their tour." Becvar OIG Tr. 56:2-4. Becvar added, with respect to in-car video systems, "It's up to the district to watch for disciplinary issues." Becvar OIG Tr. 53:3-4.

In their respective OIG interviews, Mondragon and Sebastian, who were assigned to 813R on October 20, 2014, each acknowledged that they did not check the audio function of 813R's in-car video system at the start of their October 20, 2014 tour. Mondragon and Sebastian further acknowledged that at that time, it was not their practice to ever check the audio function of their vehicle's in-car video system at the beginning of their tour. Mondragon OIG Tr. 158:11-159:10; Sebastian OIG Tr. 158:7-24, 166:20-24, 170:23-171:12. Similarly, McElligott and Gaffney, who were assigned to 815R on October 20, 2014, each said that it was not their regular practice at that

[34] OIG 15-0564 000151–52. OIG attempted to obtain Franko's October 21, 2014 supervisor's log before his interview, but CPD informed OIG that the log had been destroyed prior to the commencement of OIG's investigation.

[35] *See* OEMC PDT Messages. OIG 15-0564 000171.

[36] According to records obtained from CPD, the ticket number corresponds to Help Desk Ticket #INCGB0010668611, which was submitted by a Sgt. Jerome Hoffman on October 12, 2014. The ticket was recorded as relating to Vehicle 8984, and having to do with an in-car video issue. The description of the problem states "no power." On November 7, 2014, the Help Desk Ticket was closed. The resolution notes read "no such car number in 8." Accordingly, OIG finds that there is an insufficient basis to conclude that the 841R officers violated CPD Special Order S03-05 by failing to ensure that their in-car video system was working properly on October 20, 2014.

time to check the audio function of their vehicle's in-car video system at the beginning of their tour. McElligott OIG Tr. 125:13-127:11; Gaffney OIG Tr. 92:12-95:6.

In his June 13, 2016 OIG interview, Franko said his responsibility was to "make sure that the cameras were functioning in each of the cars that were assigned to me that evening." Franko 6/13/16 OIG Tr. 119:24-120:2. Franko did this by checking in with his officers—he "would manually be able to observe whether or not the camera was functioning." Franko 6/13/16 OIG Tr. 120:20-21. He also could receive messages from his subordinates if the video was not functioning. When asked how he ensured audio was functioning, Franko said: "[T]here was no way for us to check. The officers if they didn't make a stop the entire tour, I would not know whether or not audio was working correctly on the system." Franko 6/13/16 OIG Tr. 132:17-20. When asked who was ultimately responsible for ensuring that the in-car video systems were properly capturing audio and video, Franko responded, "The officers." Franko 6/13/16 OIG Tr. 148:5. Franko added:

> I can only report on what I know. I do what I need to and check, and if I don't have the information from the officers, then I can't fix things that we don't know about, and then from there, you know, it goes up the system, you know, up the ladder as far as getting things fixed, whether it is through the help desk and the in-car camera people, or I don't know if there is somebody in each district that it is their job to come back and check on the data and the audio.
>
> That wasn't something that I did, but I don't think it just stopped at me. You know, I checked on what I was able to check on by, you know making contact with the officers.

Franko 6/13/16 OIG Tr. 148:9-23.

With respect to the unchecked operable/inoperable boxes on the October 20, 2014 Supervisor's Management Log, Franko admitted: "I just failed to check the box." Franko 6/13/16 OIG Tr. 126:23-24. When asked whether he generally checked those boxes, Franko said: "Generally, I do. There is a lot of times where I miss something, you know, working midnights and not always checking everything. You know, you kind of assume that if there is something missing, one of the three signatures after you is going to catch it and kick it back." Franko 6/13/16 OIG Tr. 155:1-7.[37] Franko acknowledged that he should have checked at least one of the boxes relating to the in-car video system's operability.

Franko was not able to explain why there was no audio in any of the vehicles present at the McDonald shooting. He said: "I don't know for that particular evening what had occurred. I was not notified of anything as far as these particular vehicles, and it was still early in the night, so I don't know if I made contact with the officers or not." Franko 6/13/16 OIG Tr. 136:9-13. When asked what he did when he found out that 815R and 841R did not capture audio or video on October 20, 2014, and 813R did not capture audio, Franko responded: "Well, at this point

[37] The October 20, 2014 Supervisor's Management Log was also signed by a Field Lieutenant, Watch Commander, and District Commander.

with the retrieval worksheet done, and common knowledge to my supervisors, it was left in their hands to follow-up on it from there. It was already reported." Franko 6/13/16 OIG Tr. 154:8-12.

V. ANALYSIS

The OIG investigation established that Franko violated CPD Rules and Regulations and CPD Directives when he reviewed and approved false TRRs and false OBRs submitted by Van Dyke and Walsh regarding the events that culminated in Van Dyke's shooting of McDonald. Franko's endorsement of those false statements served to establish the false narrative that McDonald initiated an attack on Van Dyke and Walsh. In addition, Franko approved an Original Case Incident Report submitted by Fontaine that inaccurately stated Van Dyke was injured by McDonald. Finally, Franko failed to take appropriate action when he became aware that the officers under his supervision did not capture audio in their vehicles' in-car video systems. Throughout Franko's OIG interview, he attempted to deny or minimize his role on the scene and at Area Central. His denial is not credible in light of multiple witnesses stating they believed Franko was involved in the creation of the TRRs and OBRs.

Franko's actions, individually and collectively, constitute violations of CPD Rules and Directives. His review and approval of TRRs and OBRs containing false statements made by Van Dyke and Walsh constitute violations of Rule 14 (making a false report, written or oral). As a CPD supervisory member, Franko is responsible for the performance of those officers, and is ultimately accountable for their "failure, misconduct or omission." *See* Rules and Regulations of the Chicago Police Department, Section IV.B.8. Franko's actions, including his approval of the inaccurate Original Case Incident Report and his failure to take action regarding the in-car camera system audio, also constitute violations of Rule 2 (engaging in any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department), Rule 3 (failing to promote the Department's efforts to implement its policy and accomplish its goals), and Rule 6 (disobedience of an order, namely S03-03-06 and S03-05). A supervisory member who has made, reviewed, or approved false statements in an official investigation has irrevocably tainted not only his credibility, but also the credibility of CPD—and also fails to promote CPD's goal of employing officers with personal integrity and professional devotion to law enforcement. Finally, Franko violated S03-03-06, which specifically lists his responsibilities as a sergeant, when he failed to (1) monitor the behavior and performance of his subordinates, (2) take appropriate action when deficiencies in performance, uniform, and/or equipment were observed, and (3) ensure TRRs were properly completed. By violating these Rules and Directives, Franko further violated Rule 11 (incompetency in the performance of a duty). Accordingly, OIG recommends that CPD discharge Franko and refer him for placement on the ineligible for rehire list maintained by the Department of Human Resources.

1. Franko's Review and Approval of TRRs and OBRs

Van Dyke and Walsh both asserted false narratives of the McDonald shooting in the official CPD reports they submitted regarding their encounter with McDonald. In their TRRs, Van Dyke and Walsh falsely claimed that McDonald (1) used force likely to cause death or great bodily

harm, (2) attacked them with a weapon, and (3) created an imminent threat of battery. In their OBRs, Van Dyke and Walsh falsely claimed that the manner of attack was a stab or a cut (including actual attempt).

As detailed in the Summary of Relevant Video Footage, Section IV.B.3., at no time while Van Dyke and Walsh were out of their vehicle and proximate to McDonald did McDonald attack or swing his knife to cause death or great bodily harm. By the time Van Dyke and Walsh exited their vehicle, McDonald was walking in a southwest direction away from Van Dyke and Walsh, who at all times prior to the shooting were east of McDonald. Thus, at no time during the encounter between McDonald and Walsh and Van Dyke did McDonald advance toward the two officers. Rather, it was the officers who moved northward or west/southwestward, toward McDonald, as he continued to walk in a southwest direction. Further, seconds prior to the shooting, McDonald moved the knife from his right hip to the right side of his lower back, but this modest movement of the knife was not in the direction of Walsh and Van Dyke—Walsh and Van Dyke were in front of McDonald and to his left, and McDonald moved his knife behind his back, not in front of his body.

Franko acknowledged that he saw the relevant portions of the video before reviewing and approving the TRRs and OBRs containing false statements. Thus, he was aware that the statements he was reviewing in the TRRs and OBRs were false. His review and approval of false statements materially served to exaggerate the threat McDonald posed.

Throughout Franko's OIG interview, he attempted to minimize and deny his involvement in the creation of TRRs and OBRs. He denied assisting or consulting with Van Dyke and Walsh regarding their TRRs and OBRs, stressed that he only reviewed the documents for "legibility and completeness," and insisted his role was not to approve the forms, despite his signature on the documents. Franko's attempts to mimimize his role is countered by CPD Special Order S03-03-06 requiring that he "direct and supervise the investigation" for "events requiring the completion and approval of Tactical Response Reports," and that he "ensure TRRs are properly completed and forwarded for approval." Regardless of what importance Franko might ascribe to his role, CPD created a provision in its Special Orders specifically describing his responsibilities otherwise. Franko's denials are also contradicted by witness statements describing Franko's role—Walsh and Gaffney both believed they consulted with Franko regarding their forms, McElligott recalled Franko telling him not to fill out a TRR and OBR, and McNaughton believed Franko assisted the officers in completing the forms.

2. Franko's Review and Approval of the Original Case Incident Report

Franko also violated CPD Rule 11 (incompetency in the performance of a duty) when he negligently approved the Original Case Incident Report, which incorrectly states Van Dyke was "Injured by offender." Franko stated that he overlooked this language. He attempted to offer an excuse that Van Dyke may have been injured, providing the example that Van Dyke could have turned his ankle. However, at no time during Franko's conversation with Van Dyke on the scene and on their drive to Area Central did Van Dyke indicate he was injured, and no other individual told Franko that Van Dyke was injured. As a supervisor, it was Franko's responsibility to ensure

the accuracy of this report. His endorsement of a material, inaccurate statement in a CPD report furthered the false narrative that McDonald initiated an attack on Van Dyke and Walsh. Franko's failure to scrutinize this report before approving it demonstrates incompetency in his duties as a sergeant.

3. Franko's Failure to Ensure Working Audio

Finally, Franko violated CPD Rule 6 (disobedience of an order) and CPD Rule 11 (incompetency in the performance of a duty) by failing to take appropriate action when he became aware that the officers under his supervision did not capture audio in their vehicles' in-car video systems. Specifically, Franko failed to (1) monitor his subordinates to ensure they maintained a practice of using audio, (2) initiate an investigation when notified of a missing or lost remote transmitter/audio recorder, and (3) maintain an accurate Supervisor's Management Log, as required by CPD Special Order S03-05.

The 813R and 815R officers, who were under Franko's supervision on October 20, 2014, all stated that it was not their practice to check the audio function of their in-car camera system prior to the start of their tour, despite it being a requirement in CPD Special Order S03-05. They also acknowledged that the audio component of their vehicle's in-car video systems was not working on October 20, 2014. While Franko acknowledged it was his responsibility to ensure the video systems were working, he once again denied and minimized his role as a supervising sergeant, stating that there was "no way" for him to check audio in the vehicles he supervised. However, the CPD Special Orders put the front-line responsibility for monitoring subordinates to ensure they maintained a regular practice of using audio on the supervising sergeant. Indeed, Franko's subordinates' acknowledgement of a more general practice of not checking the audio function of their in-car camera systems as required by Special Order S03-05 highlights precisely why the responsibility for "monitoring behavior and performance of subordinates and their adherence to Department policies and procedures and taking appropriate action when deficiencies in performance, uniform, and/or equipment are observed" is most critically and expressly placed on field sergeants—CPD's first line supervisors—pursuant to Special Order S03-03-06. The passage of individual instances of noncompliance into routine practice is facilitated by the failure of line supervisors to inhabit their expressly assigned responsibilities, as is suggested by Franko's inaction and attitude toward his duties here.

Further, the CPD Special Orders specifically state it is the sergeant's responsibility to initiate an investigation when notified of missing or lost remote transmitters or audio recorders. When asked what he did when he found out that 815R and 841R did not capture audio or video on October 20, 2014, and 813R did not capture audio, Franko responded: "Well, at this point with the retrieval worksheet done, and common knowledge to my supervisors, it was left in their hands to follow-up on it from there. It was already reported." Franko 6/13/16 OIG Tr. 154:8-12. Franko's attempts to once again evade his responsibilities are unsuccessful in light of CPD Special Orders S03-03-06 and S03-05 specifically stating that it is Franko's duty to initiate an investigation when notified of missing or lost remote transmitters or audio recorders and Becvar's statement that it was "up to the district to watch for disciplinary issues."

In addition, Franko's cavalier attitude toward his supervisory responsibilities is further reflected in his failure to properly complete his October 20, 2014 Supervisor's Management Log. These logs required him to determine, on a daily basis, whether each vehicle under his supervision had an operable in-car video system. Franko acknowledged that he failed to check any of the boxes related to the operability of the 813R, 815R, and 841R vehicles' in-car video systems on the October 20, 2014 Log. When asked about this failure, Franko stated: "There is a lot of times where I miss something, you know, working midnights and not always checking everything. You know, you kind of assume that if there is something missing, one of the three signatures after you is going to catch it and kick it back." Franko 6/13/16 OIG Tr. 155:1-7. Franko's response suggests the operation of a lower standard of care and responsibility for first watch supervisors and that lesser attention to detail is acceptable because someone up the chain can attend to it. It is also reflective of Franko's pervasive substandard attention to duty and of a broader abdication of his supervisory responsibilities throughout the events that culminated in Van Dyke's shooting of McDonald and CPD's investigation of those events.

VI. RECOMMENDATION

Franko's actions raise significant concerns regarding his credibility and ability to perform his duties as a sworn officer and supervisory member. As a sworn officer and supervisory member, Franko's reports are relied upon in criminal legal proceedings and his credibility is therefore critical to his position. A CPD member who has made false statements in an official investigation has irrevocably tainted his credibility and has wholly disqualified himself from effectively executing core police functions. Based on this conduct he may be the subject of cross-examination in any contested proceedings in which he may appear as a witness, *see* FED. R. EVID. 608(b) ("Specific instances of conduct"), and his conduct and the findings resulting from this investigation would further qualify as impeachment material that should, in principle, be disclosed in any contested proceeding involving the official records or testimony Franko generates. *See Giglio v. United States*, 405 U.S. 150 (1972) (requiring disclosure in criminal case of information impeaching of government witness's credibility). Illinois courts have repeatedly noted that "'as the guardians of our laws, police officers are expected to act with integrity, honesty, and trustworthiness'" and have found intentional false or misleading statements by police officers to be sufficient cause for termination. *Rodriguez v. Weis*, 408 Ill. App. 3d 663, 671 (1st Dist. 2011) (quoting *Sindermann v. Civil Service Comm'n*, 275 Ill. App. 3d 917, 928 (2nd Dist. 1995)). OIG therefore recommends that CPD discharge Franko and refer him for placement on the ineligible for rehire list maintained by the Department of Human Resources.

VII. CPD RULE VIOLATIONS

Rule 2 Any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department.

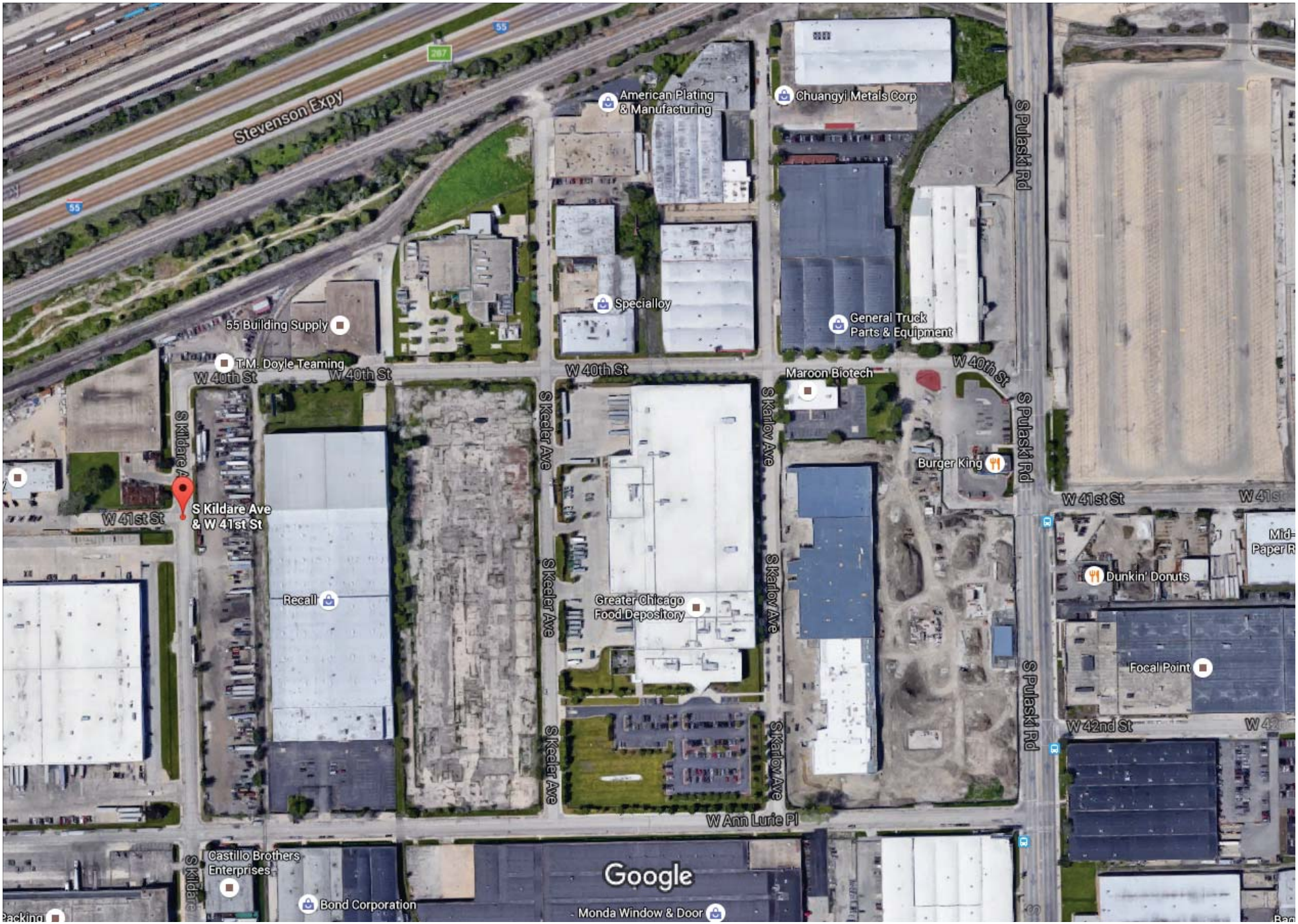
Rule 3 Any failure to promote the Department's efforts to implement its policy or accomplish its goals.

Rule 6 Disobedience of an order or directive, whether written or oral.

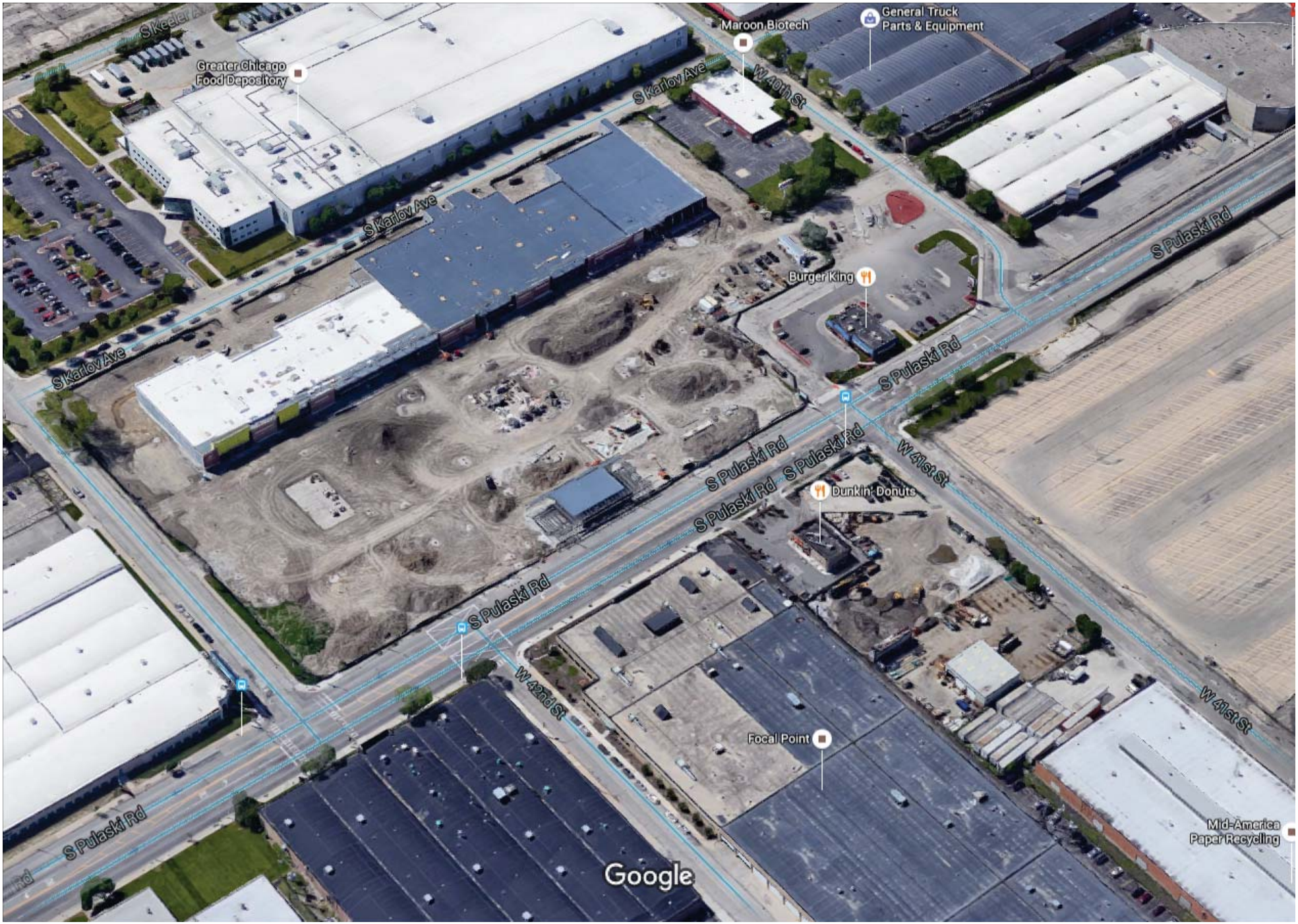
Rule 11 Incompetency or inefficiency in the performance of duty.

Rule 14 Making a false report, written or oral.

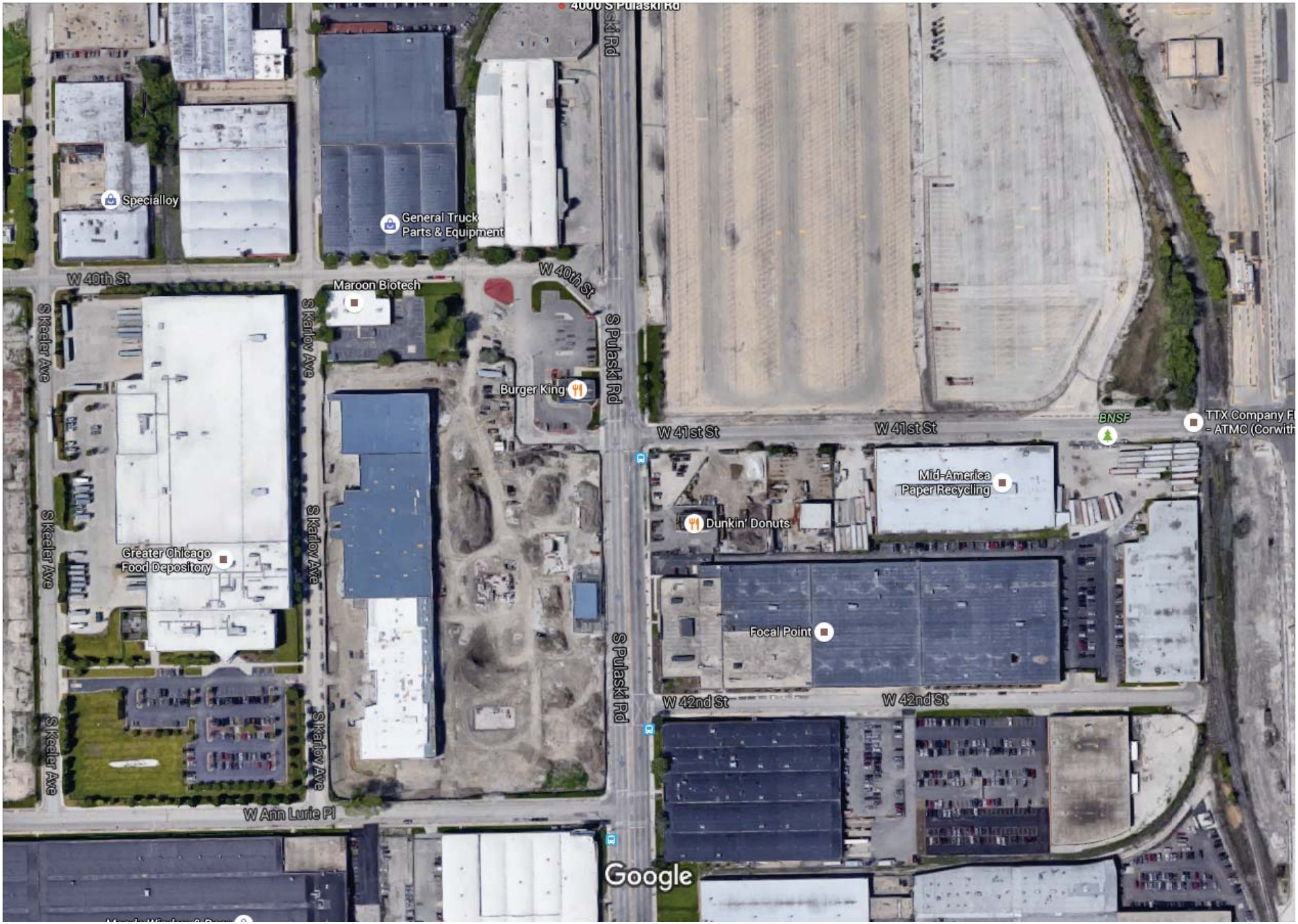
Appendix A



Imagery ©2016 Google, Map data ©2016 Google 200 ft



Imagery ©2016 Google, Map data ©2016 Google 100 ft



Imagery ©2016 Google, Map data ©2016 Google 200 ft

SUMMARY REPORT OF INVESTIGATION
Office of Inspector General Case # 15-0564 (Officer Thomas Gaffney)
November 22, 2016

This report consists of a summary of the evidence set out in the attached investigative materials and the Office of Inspector General's (OIG's) analysis of that evidence. An index of the investigative materials is attached.

I. INTRODUCTION

An OIG investigation has established that Thomas Gaffney, a police officer for the Chicago Police Department (CPD) who was at the scene when Officer Jason Van Dyke shot Laquan McDonald on October 20, 2014, failed to follow CPD Rules regarding the operation of CPD's in-car video systems. More specifically, and as detailed below, Gaffney failed to ensure that his vehicle's in-car video system was capturing audio of the October 20, 2014 shooting. Accordingly, OIG recommends that CPD impose discipline upon Gaffney commensurate with the seriousness of his misconduct, his discipline history, and department standards.

II. APPLICABLE RULES, REGULATIONS, AND LAW

A. CPD Rules and Regulations

CPD's Rules and Regulations set out the standards of conduct and duties of sworn members. Article V of the CPD Rules and Regulations, entitled CPD Rules of Conduct (the CPD Rules), sets forth specifically prohibited acts. In pertinent part, the CPD Rules include the following prohibitions:

Rule 6 Disobedience of an order or directive, whether written or oral.

Rule 11 Incompetency or inefficiency in the performance of duty.

B. CPD Special Order S03-05 (effective February 23, 2012 through February 24, 2016)

CPD Special Orders are directives that establish protocols and procedures concerning specific CPD functions, operations, programs, or processes. Special Order S03-05, which was in effect at the time of the shooting, outlines the protocols CPD members are to follow regarding in-car video systems.[1] Section VI of the Special Order provides that at the beginning of their tour of duty, Department members assigned to a CPD vehicle equipped with an in-car video system are to:

(1) visually inspect the in-car video system equipment for damage;

[1] In-car video systems are also referred to as dash cameras or dashcams in this report.

(2) obtain the remote transmitter/audio recorder and ensure it is securely attached to the member's person; and

(3) follow the start-up procedures for the in-car video system as trained and ensure the system is working properly.

The Special Order notes that members are to "immediately notify a supervisor if, at any time, the in-car video system is inoperable, damaged, the equipped vehicle becomes inoperable, or the remote transmitter/audio recorder is missing." During their tour, members are to "audibly and visually record events in accordance with this directive." At the conclusion of a tour of duty, members are to "verify the in-car video system is working properly."

III. THOMAS GAFFNEY EMPLOYMENT HISTORY

Gaffney has worked as a CPD Police Officer since July 8, 1996. Gaffney is a member of Fraternal Order of Police (FOP) Lodge 7.

IV. SUMMARY OF INVESTIGATION

A. Procedural History of OIG's Investigation

By letter, dated December 8, 2015, Independent Police Review Authority (IPRA) Acting Chief Administrator Sharon Fairley requested that OIG conduct an administrative investigation "to determine whether certain police officers/witnesses made false statements on official reports prepared in connection with [Van Dyke's shooting of McDonald] and/or during the investigation of the incident."[2] IPRA further requested that OIG investigate "whether any of the involved Chicago Police officers committed any other violation(s) of Chicago Police Department rules, policies or procedures in their involvement with the incident, including, but not limited to, whether any officers' conduct may have interfered with or obstructed the appropriate investigation and handling of this matter."

Then, by letter, dated January 13, 2016, CPD Interim Superintendent John J. Escalante requested that OIG conduct an "administrative investigation into any and all allegations of police officer misconduct" arising out of the October 20, 2014 shooting death of McDonald. The Superintendent's request asked OIG to investigate the following allegations: "whether any officer(s) made false statements on official reports submitted in connection with the shooting of Laquan McDonald on October 20, 2014; whether any officer(s) obstructed or interfered with the investigation of this incident, either individually or in collusion with others; and whether any officer(s) committed any violation of Chicago Police Department rules, policies, or orders in connection with their response and/or handling of this matter." Escalante attached to the letter request a copy of Sergeant Sandra Soria's Initiation Report, which raises allegations of

[2] On November 24, 2015, the Cook County State's Attorney charged Van Dyke with a single count of first degree murder in the shooting of McDonald. On December 15, 2015, it subsequently charged him with six counts of murder. OIG has not been involved with any criminal investigation related to the shooting and makes no findings regarding Van Dyke's use of force.

misconduct related to the in-car video systems of the vehicles that were present during the McDonald shooting, and identified that Report as a basis for OIG's administrative investigation.

On March 10, 2016, Kevin Kilmer, Financial Secretary for the FOP, filed a grievance with CPD on behalf of all affected members stating that OIG's attempts to conduct CPD officer interviews violated Article 6 of CPD's Collective Bargaining Agreement (CBA) with the FOP.[3] On March 16, 2016, FOP on behalf of all impacted CPD officers filed a "Complaint for Injunction in Aid of Arbitration" in the Circuit Court of Cook County, asking the court to enjoin OIG from conducting interviews until the grievance was decided in arbitration.[4] The court dismissed the complaint and denied the injunction on March 22, 2016.

OIG's administrative investigation of other CPD employees' actions related to CPD's handling of the McDonald investigation is ongoing. During the course of its investigation, OIG has gathered documents from CPD and IPRA, among other sources, and conducted numerous interviews, including interviews of several CPD personnel who were at or responded to the scene of the shooting and civilian witnesses to the shooting. To date in its ongoing investigation, OIG has recommended disciplinary action against multiple CPD personnel.

B. The Events of October 20, 2014

The following sections detail the shooting of McDonald, as well as the relevant events that occurred directly before and after the shooting.[5]

1. [redacted] and Rudy Barillas's Encounter with McDonald[6]

[redacted] and [redacted] Rudy Barillas, were parking a truck in a lot at 41st Street and Kildare Avenue when [redacted] saw a black male, whom she subsequently identified as McDonald, attempting to steal property from certain vehicles parked in the lot. Barillas told McDonald to leave the lot. McDonald responded by making growling noises. After Barillas again told McDonald to leave the lot, McDonald pulled out a knife and swung it at Barillas. Barillas, who

[3] Section 6.1, Paragraph I of the CBA states, "If the allegation under investigation indicates a recommendation for separation is probable against the Officer, the Officer will be given the statutory administrative proceeding rights, or if the allegation indicates criminal prosecution is probable against the Officer, the Officer will be given the constitutional rights concerning self-incrimination prior to the commencement of interrogation." CPD General Order GO8-01-01, Paragraph K contains similar language.

[4] *Fraternal Order of Police, Chicago Lodge 7 v. City of Chicago*, No. 2016 CH 03726 (Cir. Ct. of Cook County, Ill., Mar. 16, 2016).

[5] On April 22, 2016, OIG obtained maps of the locations that are relevant to the shooting from Google Maps and included those maps in Appendix A. Those maps generally reflect the street layout and location of relevant businesses as they were on the night of October 20, 2014.

[6] The following account of [redacted] and Barillas's encounter with McDonald is taken from the March 16, 2015 case supplementary report (CSR) submitted by CPD Detective David March, which includes the statements that [redacted] and Barillas provided to CPD on October 21, 2014, and October 22, 2014, respectively. OIG 15-0564 003077.

had already called 911, then threw his cell phone at McDonald.[7] McDonald ran from the lot, first northbound on Kildare and then eastbound on 40th Street.

2. Officers Thomas Gaffney and Joseph McElligott's Encounter with McDonald[8]

Gaffney and his partner, Officer Joseph McElligott, received a call over the radio that someone had broken into a truck at 4100 South Kildare and were dispatched to the scene.[9] Gaffney was driving, and McElligott was in the passenger seat of their assigned vehicle, 815R.[10] When they arrived at 4100 South Kildare, they saw a Hispanic male and female standing by the gate to the truck yard. The two said that a black male wearing a black shirt, later determined to be McDonald, had been trying to steal the radio out of a semi-truck, and had subsequently headed north toward 40th Street.

Gaffney and McElligott drove north on Kildare, turned right onto 40th Street, and saw McDonald walking east on the south side of 40th Street. McElligott exited the vehicle and commanded McDonald to stop and turn around. Gaffney stayed in the vehicle in case McDonald attempted to flee. McElligott ordered McDonald to take his hands out of his pockets. McDonald, who had been facing McElligott, turned and walked away with one hand still in his pocket. McDonald then turned again and took both of his hands out of his pockets. He had a knife in his right hand. McElligott drew his weapon and told McDonald to drop the knife. McDonald started walking east again, going from the sidewalk to the street and back. McElligott

[7] OEMC recordings reflect that Barillas called 911 at 9:45 p.m. stating that he was holding "a guy right hear [sic] that stolen [sic] the radios" from trucks in a truck yard located at "41st and Kildare." OIG 15-0564 003227.

[8] The following account of Gaffney and McElligott's encounter with McDonald is taken from (1) the audio-recorded statements Gaffney and McElligott provided to IPRA on October 21, 2014, OIG 15-0564 000482-98, 000610-30; and (2) the March 16, 2015 CSR submitted by Detective David March, which includes the statements that Gaffney and McElligott provided to March on the night of the McDonald shooting. OIG 15-0564 003067–69.

[9] OEMC records reflect that Gaffney and McElligott received the call at 9:47 p.m. OIG 15-0564 003691.

[10] Below is a chart identifying the beat numbers and vehicle numbers of the CPD vehicles that were present when McDonald was shot, along with the names of the officers who were assigned to those vehicles. This SRI refers to the below-referenced vehicles by beat number, unless otherwise specified.

Beat #	Vehicle #	Officers
845R	6412	Officer Joseph Walsh (driver), Officer Van Dyke (passenger)
815R	8489	Officer Gaffney (driver), Officer McElligott (passenger and on foot)
813R	8779	Officer Janet Mondragon (driver), Officer Daphne Sebastian (passenger)
822	8765	Officer Arturo Becerra (driver), Officer Leticia Velez (passenger)
841R	8948	Officer Ricardo Viramontes (driver), Officer Dora Fontaine (passenger)

followed McDonald on foot, shining his flashlight on him, while Gaffney followed in 815R, parallel to McDonald.

As McDonald approached the intersection of 40th and Keeler, Gaffney reported to dispatch that McDonald was walking away with a knife in his hand.[11] Gaffney and McElligott continued to follow McDonald as he headed east, with McElligott giving McDonald orders to drop his knife and stop. McDonald kept turning around and giving the officers a "weird glaze[d] look." Gaffney IPRA Tr. 11:20.[12]

As McDonald approached the intersection of 40th and Karlov, Gaffney turned his car toward McDonald to direct him down Karlov. Gaffney wanted to keep McDonald away from Pulaski, which was a more populated area. McDonald then swung his arm and popped 815R's right front tire with his knife. McElligott was toward the back of 815R when McDonald popped its tire. After McDonald took a step back from the vehicle, Gaffney pulled up further in front of him to stop him from proceeding to Pulaski. McDonald then hit the right side of 815R's windshield once with the knife in his right hand. The windshield did not break but, according to Gaffney, McDonald hit it as hard as he could. McDonald walked around the front of 815R and continued eastward on 40th Street. After McDonald had walked 10 to 15 feet, another squad car turned off of Pulaski onto 40th Street with its lights on, and McDonald began to sprint. McElligott followed McDonald on foot, and Gaffney followed McDonald in 815R. McDonald ran eastbound through a parking lot of a Burger King located at 40th and Pulaski and then headed southbound on Pulaski. Video footage from several cameras captured McDonald's movements as he reached Pulaski.

3. Summary of the Relevant Video Footage

The below table contains a summary of the relevant video footage of the McDonald shooting, which includes the dashcam videos from 813R, 823R, and 845R, video from the "WNE fire exit" security camera from the Greater Chicago Food Depository, which is bordered by 40th Street to the north, Karlov Avenue to the east, and Keeler Avenue to the west, and the security camera video from the Dunkin' Donuts, located at 4113 South Pulaski Road (the DD Camera).[13]

Time	Event(s) Captured	Source of Video
9:53:17 – 9:54:42	McDonald walks eastbound on the south side sidewalk of 40th Street; a CPD SUV travels east on 40th Street, parallel to McDonald with its front bumper even with	Greater Chicago Food Depository Security Camera

[11] OEMC recordings reflect that, at 9:53 p.m., 815R reported: "We're at 40th and Keeler. This guy uh is walking away from us and he's got a knife in his hand." Approximately 30 seconds later, a dispatcher stated, "815R looking for a taser." *See* OEMC Documents and CDs; *see also* OIG 15-0564 003691, 3228.

[12] OIG 15-0564 000620.

[13] In addition to the videos cited in the summary, OIG obtained video footage from the security camera videos at Burger King and Focal Point, and the dash camera videos from Vehicles 815R and 821R. These videos do not contain footage relevant to this report.

	McDonald; an officer on foot trails directly behind McDonald by the length of the SUV, with his flashlight trained on McDonald.[14]	
9:56:53 – 9:57:01	813R and 845R turn left onto 40th Street from Pulaski.	813R Dashcam
9:57:01– 9:57:09	An unidentified person on 40th Street points the CPD vehicles toward the Burger King parking lot (813R); 845R turns into the parking lot (813R). McDonald runs southeast through the Burger King parking lot out onto Pulaski (845R).	813R Dashcam; 845R Dashcam
9:57:09 – 9:57:20	845R drives over the curb and sidewalk north of Burger King and heads south on Pulaski (845R); 813R turns around, turns right onto 40th Street, and then right again on Pulaski (813R); McDonald runs southbound in the middle of Pulaski and enters the intersection of 41st Street and Pulaski (813R).	813R Dashcam; 845R Dashcam
9:57:20 – 9:57:25	845R, which is facing east/southeast on Pulaski just north of 41st street, turns right behind McDonald and proceeds south on Pulaski on the east side of the street; 845R's passenger door briefly opens and then closes as it passes McDonald on his left; McDonald continues southbound on Pulaski, toward 822, which is stopped in the middle of Pulaski facing north.	813R Dashcam
9:57:25 – 9:57:28	McDonald slows as he approaches 822, touches his hands to his waist, and then, before Walsh and Van Dyke exit 845R and with 822 situated between McDonald and the officers, McDonald extends his right arm fully to his right—the video shows that he has a silver object in his right hand; 845R passes 822 and comes to a stop on the east side of Pulaski, facing south and almost directly south of 822; Van Dyke opens 845R's passenger door.	813R Dashcam
9:57:28 – 9:57:30	McDonald changes course and begins walking southwest on Pulaski, away from 822 and 845R (813R); Van Dyke	813R Dashcam; DD Camera[15]

[14] OIG confirmed the vehicle is 815R and McElligott confirmed in his May 8, 2016 OIG interview that he was the officer on foot.

[15] The DD Camera video does not display an embedded timestamp. Therefore, OIG used the timestamp of 813R's video, which generally captured the same events as the DD Camera from a different angle, to establish the timeframe of the events captured by the DD Camera.

	exits the passenger side of 845R with both of his feet in Pulaski's northbound left turn lane, his gun drawn and pointed at McDonald (813R). Walsh exits the driver side of 845R, just east of Pulaski's northbound left turn lane, with his gun drawn, and moves north along the driver side of 845R until he is several feet north of 845R (DD Camera).	
9:57:30 – 9:57:33	McDonald continues to walk southwest, from the middle of Pulaski to the lane markers that divide the west side of the road (or approximately one lane west of where McDonald was prior to changing course) (813R). While McDonald walks southwest, Walsh begins moving sideways in a west/southwest direction, approximately parallel to McDonald, and crosses over the east side of Pulaski's northbound left-turn lane—his gun is pointed at McDonald (813R; DD Camera). Van Dyke takes approximately two steps northwest toward McDonald, with his left foot crossing into Pulaski's yellow-painted median strip—his gun is pointed at McDonald (813R; DD Camera). 822 drives north on Pulaski, away from 845R (813R).	813R Dashcam; DD Camera
9:57:33 – 9:57:36	As McDonald approaches the lane markers on the west side of Pulaski, walking in a southwest direction, he looks to his right and moves his right hand behind his waist, near the right side of his lower back, then brings his hand back to his right side (813R). As McDonald crosses the lane markers on the west side of Pulaski, he looks to his left, and takes a step southbound (813R). Meanwhile, Walsh continues moving west/southwest with his gun pointed at McDonald, ultimately traversing almost the entire width of Pulaski's northbound left-turn lane (813R; DD Camera). Van Dyke takes an additional step west, toward McDonald, putting both of his feet in Pulaski's median strip and placing himself almost directly between McDonald and Walsh (813R; DD Camera). McDonald is then apparently shot and Walsh stops moving and adopts a stance, with his feet more than a shoulder's width apart (813R; DD Camera).	813R Dashcam; DD Camera
9:57:36 – 9:57:54	McDonald spins between 180 and 270 degrees in a clockwise direction and then falls to the ground with the top of his head pointing south on Pulaski, approximately one street lane east of Van Dyke and just south of Van	813R Dashcam; DD Camera

	Dyke (813R). As McDonald falls to the ground, Van Dyke takes another step west toward McDonald, moving his right foot from Pulaski's median strip into the south-bound side of Pulaski; his gun remains pointed at McDonald (813R). Van Dyke subsequently takes an additional step or two south, toward McDonald. Other than those steps, Van Dyke's feet are stationary (DD Camera). After McDonald is on the ground, his legs and feet do not move (813R). McDonald's upper body makes small, intermittent movements as what appear to be puffs of smoke rise from McDonald's body (813R).[16]	
9:57:54 – 9:58:05	An officer approaches McDonald and kicks the knife from his hand. McDonald does not make any noticeable movements.	813R Dashcam
9:58:05-9:58:20	McDonald lies on the ground; no aid is rendered by CPD personnel. 823R, travelling northbound, pulls up on the west side of Pulaski, and stops just south of where McDonald is lying.	813R Dashcam; 823R Dashcam
9:58:20-9:58:57	Several CPD officers walk and stand near McDonald as he lies on the ground; no aid is rendered by CPD personnel.	813R Dashcam;[17] 823R Dashcam
9:58:57-9:59:02	823R begins making a U-turn on Pulaski. A Cook County Sheriff's Police Department (CCSPD) officer puts on blue gloves and walks toward McDonald.[18] McDonald is no longer visible in the video frame.	823R Dashcam

4. CCSPD Officer Accounts of the October 20, 2014 McDonald Shooting[19]

While on patrol on October 20, 2014, CCSPD Officers Adam Murphy and Jeff Pasqua observed several CPD police vehicles pass by them. Both officers decided to follow the CPD vehicles. When they arrived at the scene, several CPD vehicles were already present—Pasqua estimated it was five or six. McDonald was lying on the pavement "gasping for his last breath of air."

[16] OEMC records show that dispatch received notice to send an ambulance to the scene at 9:57:51. OIG 15-0564 003691.

[17] The last time stamp visible on the 813R dashcam video is 9:58:55.

[18] OIG identified the CCSPD officer as Officer Adam Murphy.

[19] The following CCSPD Officer accounts are taken from OIG's June 23, 2016 interview of Jeff Pasqua and its June 24, 2015 interview of Adam Murphy. Pasqua and Murphy are currently CCSPD investigators.

Pasqua OIG Tr. 11:22-23. Meanwhile, the CPD officers were "standing around" and talking to each other. Murphy OIG Tr. 11:1. Murphy noted the CPD officers did not respond to him when he asked if they needed assistance. Murphy stated:

> I see there's blood all over the pavement. [McDonald] was kind of gurgling when he was sitting there. I remember his mouth was going open and closed like he was trying to gasp for air. And I looked for everybody else, and they were kind of standing there. I just started taking my gloves—my rubber gloves out to check for a pulse and to see if I could render aid.

Murphy OIG Tr. 12:18-13:2. He heard someone say an ambulance was en route.[20] Both Officers Murphy and Pasqua recalled then watching McDonald take his final breaths.[21] It was "[m]aybe less than a minute before [McDonald] expired." Murphy OIG Tr. 14:15-16. At no time did any CPD officers attempt to provide aid or comfort McDonald—Murphy stated, "That's why I felt that I needed to go up to him." Murphy OIG Tr. 14:11-12.

After McDonald passed away, Murphy got up from beside him and noticed the shooting officer, who he now knows to be Van Dyke, "pacing back and forth in front of his car." Murphy OIG Tr. 15:7-8. Murphy approached him and told him to sit down and drink water. As he was speaking with Van Dyke, Murphy "heard several officers telling [Van Dyke] to call your union rep, call your union rep." Murphy OIG Tr. 15:16-17.

Murphy and Pasqua departed after approximately ten minutes on the scene when a CPD sergeant told them CPD did not need their assistance. At the time they left, there was "[a] sea of CPD" on scene. Murphy OIG Tr. 38:3; Pasqua OIG Tr. 25:7-8.

A. Gaffney's Statements Regarding the McDonald Shooting

1. October 20, 2014 Statement to Detective David March[22]

On March 15, 2015, Detective David March submitted a case supplementary report (CSR) with the R.D. Number HX475653 that contains a summary of CPD's investigation.[23] Lieutenant

[20] In a January 22, 2016 OIG interview, CPD Area North Commander Kevin Duffin stated CPD police officers have a duty to render aid to injured civilians per general orders. Police officers render aid by calling dispatch and requesting that an ambulance be dispatched to the scene. According to Duffin, police officers are not required or expected to provide any more assistance than this. On March 30, 2016, CPD issued General Order G03-06 which requires that the involved member(s) "request medical attention for the injured, and also offer immediate medical aid commensurate with their training, experience, and available equipment."

[21] The Medical Examiner's Case Report states McDonald was pronounced dead "on view" at Mount Sinai Medical Center on October 20, 2014, at 10:42 p.m. OIG 15-0564 015029.

[22] OIG 15-0564 003067–68.

[23] CPD's investigation in the aftermath of the McDonald shooting was reported under record number HX-475653, and most reports were classified as an investigation into an aggravated assault in which McDonald was the offender. In a few reports, the case was classified as an investigation into a justifiable homicide of which McDonald was the victim. An additional record number was also created and classified as a justifiable homicide, apparently for

Anthony Wojcik approved the CSR on March 16, 2015. Included in that CSR is a summary of the statement that March obtained from Gaffney at the scene of the shooting (referenced in part above in Section IV.B.2). Regarding his observations as McDonald reached Pulaski, Gaffney stated the following:

> As McDonald approached the Burger King restaurant parking lot at 40th Street and Pulaski, assisting police units arrived, approaching westbound on 40th Street from Pulaski. McDonald began to run eastbound through the restaurant parking lot, on the north side of the Burger King building. He ran out onto Pulaski and then turned and ran southbound on Pulaski. Beat 845R pursued McDonald in their police vehicle, eastbound through the parking lot, over the curb at Pulaski, then southbound on Pulaski. Officer Gaffney lost sight of McDonald when he turned southbound on Pulaski.
>
> Because of the flat tire on his vehicle, Officer Gaffney did not drive over the curb. As he drove around onto Pulaski, Officer Gaffney heard multiple gunshots in rapid succession. He did not see who was shooting. When he reached Pulaski, McDonald was lying on the ground.[24]

2. October 21, 2014 Statement to IPRA[25]

On October 21, 2014, at 4:06 a.m., IPRA investigator Brian Killen interviewed Gaffney at Area Central Police Headquarters, located at 5101 South Wentworth, regarding the McDonald shooting.[26] Attorney Dan Herbert and FOP Field Representative Kriston Kato accompanied Gaffney. In summary, regarding his observations as McDonald reached Pulaski, Gaffney stated the following.

As McDonald went east toward Pulaski, Gaffney drove his squad car into the Burger King parking lot. Another squad car turned into the lot before he did. That car followed McDonald and went over the curb in the lot onto Pulaski. Gaffney did not know the beat number of the other car at the time of the incident, but was aware it was 845R at the time of his IPRA interview. Gaffney kept driving toward the end of the lot, but stopped because his tire was flat and he was unable to get over the curb. He turned around his car to get out of the lot from the entrance behind the Burger King. Gaffney started to hear shots before he reached Pulaski. He did not see who fired the shots because a fence blocked his view. Gaffney believed the shooting had stopped by the time he reached Pulaski. When he arrived, McDonald was on the ground.

---

recordkeeping purposes. In CPD's investigative reports classified under the aggravated assault, CPD personnel drew conclusions about the propriety and lawfulness of Van Dyke's shooting of McDonald. This raises questions about CPD's role in investigating a police-involved shooting in light of IPRA's jurisdiction over the matter.

[24] Detective March completed a General Progress Report (GPR) relating to his interview of Gaffney that contains March's handwritten notes of the interview. OIG 15-0564 003244–45. March's handwritten notes of the interview do not differ in any significant way from the summary of Gaffney's statement in the CSR.

[25] OIG 15-0564 000610–30.

[26] *See also supra* Section IV.B.2.

B. Records and Interviews Concerning 815R's In-Car Video System

On October 21, 2014, CPD Sergeant Lance Becvar submitted a supplementary report for R.D. No. HX475653 concerning his retrieval of video from the in-car video systems of the five CPD vehicles that were on scene when Van Dyke shot McDonald.[27] With respect to 815R (also referred to as vehicle 8489), the vehicle Gaffney drove on October 20, 2014, Becvar noted "Operational but due to disc error no video recorded."[28] Becvar also completed a corresponding "In Car Camera Video Retrieval Worksheet" regarding his October 20, 2014 video retrieval, in which he made the following notation with respect to 815R: "Processing video: extremely large video file."[29] On July 17, 2015, Becvar sent an email summarizing his findings regarding his October 20, 2014 video retrieval from 815R and the other four CPD vehicles that were on scene when Van Dyke shot McDonald.[30] With respect to 815R, Becvar wrote as follows: "System not engaged because a very long video (like hours long) was made previous to this event/incident and the system was processing that video and unable to start another video."[31]

The in-car dash camera video recovered from 815R captured footage from 10:03:14 p.m. to 10:04:18 p.m.—after McDonald was shot—and only another squad car with flashing lights is visible.[32] There is no sound on the video. The video does not display notations of "M1" or "M2" reflecting functioning microphones. In a January 27, 2016 OIG interview, Becvar stated that if a vehicle's microphones were synced and functioning, its in-car video display and the recovered video would both show an on-screen "M1" (driver mic) and an "M2" (passenger mic). Becvar's statement is corroborated by the in-car video system user manual, which establishes that officers are able to see "M1" and "M2" displayed on their in-car video system in real time as it is recording if the microphones are properly connected.[33] The user manual further reflects that the in-car video system display contains a "camera preview" that "displays the image as seen through the camera lens. The default image is set as the front facing camera."[34]

---

[27] OIG 15-0564 004991.

[28] OIG 15-0564 004991.

[29] OIG 15-0564 004992.

[30] OIG 15-0564 000567.

[31] OIG attempted to obtain the Supervisor's Management Log from October 21, 2014, but CPD informed OIG that the log had been destroyed prior to the commencement of OIG's investigation. Supervisor Management Logs are completed by shift supervisors, usually a sergeant, and list the personnel and assignments for a shift and whether the in-car camera was operable or inoperable.

[32] On October 20, 2014, at 9:38 p.m., 815R sent Franko a PDT message stating, "8489 cam working." *See* OEMC PDT Messages. OIG 15-0564 000171.

[33] *See* Coban Mobile Recorder User Manual. OIG 15-0564 008973.

[34] OIG 15-0564 008972.

C. OIG Interview of Gaffney

On April 26, 2016, pursuant to Section 6.1 of the CBA between CPD and FOP, OIG, through CPD's Bureau of Internal Affairs, served Gaffney with a Notification of Interview, Notification of Allegations, and copies of his prior statements, including: (1) his October 20, 2014 statement to Detective March, contained in the March 16, 2015 CSR; (2) March's GPR containing his handwritten notes of his interview of Gaffney; and (3) Gaffney's October 21, 2014 statement to IPRA. In addition, OIG provided Gaffney with the dashcam footage from 813R and 845R and the security camera footage from Dunkin' Donuts.

On May 13, 2016, OIG investigators interviewed Gaffney under oath after informing him of his administrative advisements orally and in writing. Gaffney provided oral and written acknowledgement of the reading of those advisements. The interview was transcribed by a certified court reporter. Gaffney's attorney was also present for the interview.

In summary, Gaffney stated as follows. As of October 20, 2014, Gaffney was assigned to CPD's 8th District and was working with McElligott, his regular partner.

1. The Scene of the Shooting

Gaffney said he was in the general area of the McDonald shooting. Gaffney arrived on Pulaski after all the shots had been fired. McDonald was lying on the ground. When asked what he did when he arrived on Pulaski, Gaffney stated, "Obviously everybody was just trying to make sure nobody came near the area, tried to stop cars to make sure the intersection was clear, and people were on their radio asking for an ambulance and telling them what happened, and then I just walked around." Gaffney OIG Tr. 19:15-20. Gaffney found McElligott a couple of minutes after he arrived, and they proceeded to where Gaffney parked their vehicle. Gaffney said they "were just like looking at our vehicle, trying to figure out what happened . . . I didn't see exactly what happened in the intersection or where the shots were fired at, so we were just trying to talk about what had happened, who did what." Gaffney OIG Tr. 21:8-13.

About fifteen to twenty minutes after the shooting, Gaffney gave Sergeant Franko a "timeline" of what happened "from the time we got the job to where we ended up." Gaffney OIG Tr. 27:4-6. At some point, Gaffney and McElligott spoke with detectives. He did not know the names of the detectives at the time. Gaffney stated:

> I know in the beginning there were a couple—two detectives I believe it was that we actually went in their car with because they went back to the original scene where we first encountered the two, male and female Hispanic. We went there and we just showed them this is where we came in contact with [McDonald], and then we drove the whole route from that point to all the way back to where our car finally ended up.

Gaffney OIG Tr. 28:10-18. Gaffney did not recall the detectives taking notes. Later in his interview, Gaffney stated, "We spoke to detectives [at] different parts of the scene. We were talking to them while we were in the car and after we r[o]de in the car, we spoke to more

people." Gaffney OIG Tr. 40:6-9. Gaffney reviewed the statements attributed to him in the March 16, 2015 CSR summarizing his interview with Detective March and said it accurately reflects what he stated to detectives on October 20, 2014.

Gaffney also spoke with several supervisors at the scene, including his captain, Captain Walsh, who helped Gaffney and McElligott change the tire on their vehicle. Gaffney saw part of the video of the shooting at the scene, stating, "I believe it was 13 Roberts car, I just like maybe like—it was on their inside camera. I think it was maybe a five-second little clip that somebody played it back and that was it." Gaffney OIG Tr. 33:22-34:1.

2. Area Central

Gaffney and McElligott drove to Area Central at around 3:00 or 3:30 a.m. He could not recall if they drove their own squad car or another vehicle that was at the scene. The evidence technician might have still been with their squad car taking pictures. When asked if he had any conversations with the officers who witnessed the shooting at Area Central, Gaffney stated, "They had everybody together. . . . [W]e had told everybody . . . what happened from the beginning and how it progressed. . . . [T]hey were all there before we were for probably an hour or two at least before we got there." Gaffney OIG Tr. 58:4-11. Officers Van Dyke and Walsh were present when Gaffney and McElligott relayed their experience.

Gaffney believed they spoke with detectives at Area Central. When asked what kind of questions those detectives were asking, Gaffney stated, "[J]ust pretty much the same thing that they would ask us at the scene, if I remember." Gaffney OIG Tr. 56:20-21. At some point, Franko directed Gaffney to fill out an Officer's Battery Report and a Tactical Response Report. Around 4:00 a.m., Gaffney gave his statement to IPRA. Gaffney believed he and McElligott left Area Central around 9:00 a.m. or 10:00 a.m. because it was light outside.

3. Use of 815R's In-Car Video System

Gaffney had used vehicle 8489 several times before October 20, 2014. On that date, the car had a dashcam system. Gaffney reviewed CPD Special Order S03-05 outlining the protocol for in-car video systems. When asked if he was aware of the rules and protocols set forth in the order, Gaffney said, "I believe so, yes." Gaffney OIG Tr. 80:6. When asked what actions he took on October 20, 2014, with respect to the in-car video system, Gaffney stated, "Pretty much we logged into the—put our PC numbers, our beat number on the little screen, and you just press send, I believe, and it starts up, and once you do that, the screen comes up where you can see through the camera what's in front of you." Gaffney OIG Tr. 83:23-84:3. When asked if he had any explanation as to why the video function in his in-car system did not capture events prior to and during the shooting, Gaffney stated: "No, I don't. Like I said, we logged on and the screen was on, showing the video, camera. Whatever was on the camera, we could see on the little screen. As of we knew, it was working." Gaffney OIG Tr. 87:5-8.

Gaffney said the microphones for the dashcam system were in the "charging spots" on October 20, 2014. Gaffney OIG Tr. 84:23. Gaffney did not believe they synced the microphones to the system, and he was not sure if the audio was functioning correctly. He did not have any

explanation as to why there was no audio captured by their in-car video system on October 20, 2014. When asked if he ensured audio was working at the beginning of his shift, Gaffney said, "I don't believe we did, no." Gaffney OIG Tr. 89:15. When asked if there was a reason why he did not sync the audio that day, Gaffney said, "No, not that I can give, no." Gaffney OIG Tr. 92:17. Gaffney said his normal practice is to leave the microphones in the car. When asked if he knows this is a violation of CPD policy, Gaffney said, "I'm sure it is" and then agreed that he is supposed to wear the microphones on his person. Gaffney OIG Tr. 94:5.

V. ANALYSIS

OIG's investigation established that Gaffney violated CPD Rule 6 (disobedience of an order, namely S03-05) and Rule 11 (incompetency in the performance of a duty) by failing to audibly record events with his in-car video system. Accordingly, OIG recommends that CPD impose discipline upon Gaffney commensurate with the seriousness of his misconduct, his discipline history, and department standards.

As Gaffney acknowledged, CPD did not recover any audio from 815R's in-car video system. Additionally, CPD recovered only one minute of video from 815R's system after the McDonald shooting. With respect to the video, Sergeant Becvar noted that the in-car video system was not engaged due to a disc error while processing a very long video, and there is no evidence that Gaffney knew of the error. Gaffney stated that he was able to log into the in-car video system and view video on the camera at the start of his tour. With respect to the audio, however, Gaffney admitted that he did not attach the microphones to his person. 815R's dashcam video further reflects that Gaffney and McElligott did not connect their microphones to 815R's in-car video system because there is no "M1" or "M2" symbol visible at the top of the video footage from October 20, 2014, as there would have been if the microphones were connected. Thus, the evidence demonstrates that on October 20, 2014, Gaffney failed to follow the in-car video system procedures set forth in S03-05.

Gaffney's failure to follow CPD's in-car video system protocols prevented CPD from collecting potentially important, objective, technology-based evidence of the McDonald shooting. As a result, investigators are now forced to rely on Gaffney's subjective unrecorded oral account of the shooting. Gaffney's violation of CPD rules also served to harm the relationship between CPD and the residents it serves. A functioning in-car video system is critical to CPD's efforts to maintain accountability for its officers. That accountability, in turn, fosters the public's trust in CPD. When accountability mechanisms fail, as they did in the present case, where only one of the five CPD vehicles present at the shooting captured video of the actual shooting and none of those vehicles captured audio, the public can lose faith in CPD's commitment to accountability. Thus, as CPD works to rebuild the relationship between its officers and the greater Chicago community, it must ensure that its personnel understand the importance of keeping all aspects of CPD's accountability framework, including in-car video systems, functional.

VI. RECOMMENDATION

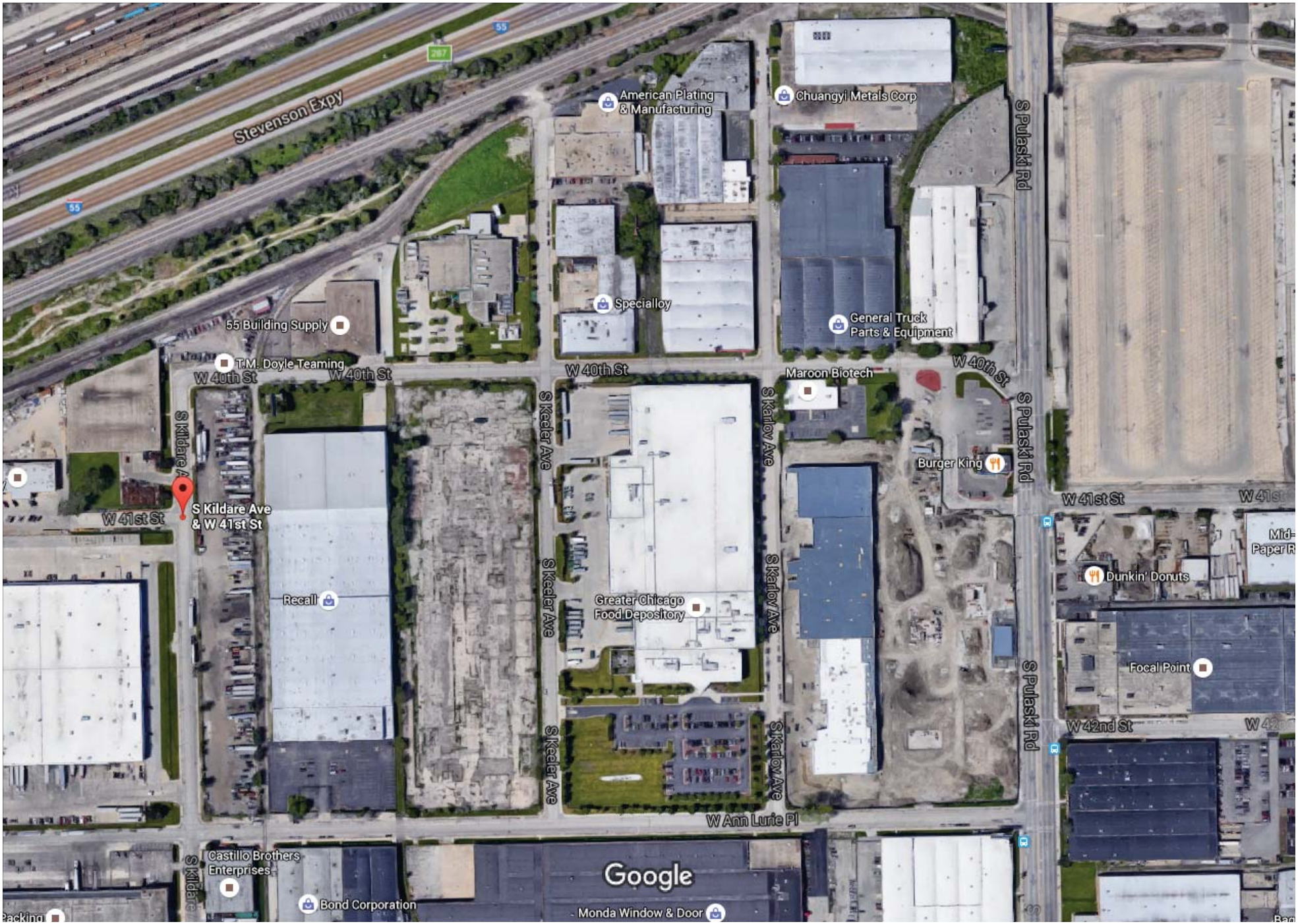
OIG recommends that CPD impose discipline upon Gaffney commensurate with the seriousness of his misconduct, his discipline history, and department standards.

VII. CPD RULE VIOLATIONS

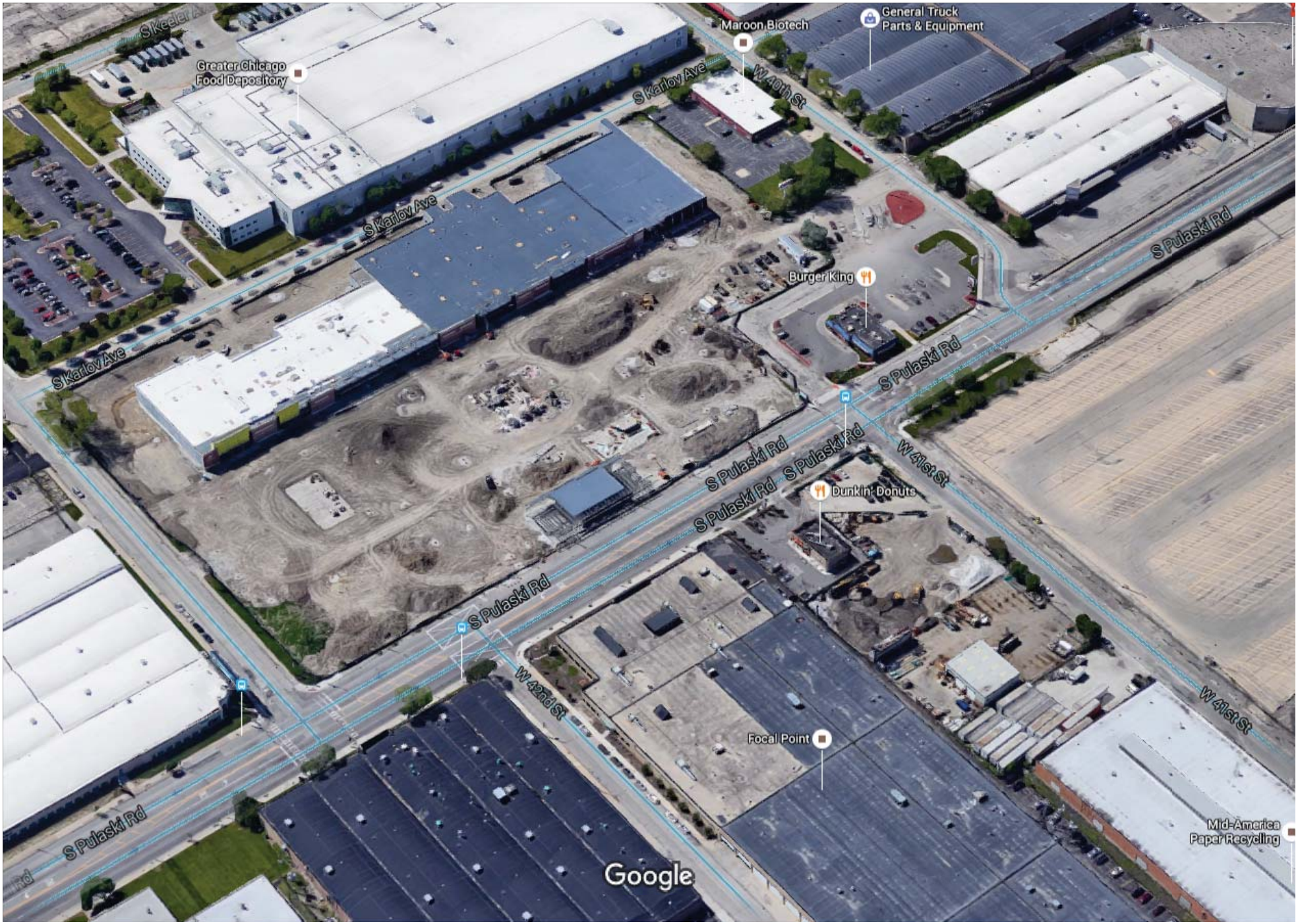
Rule 6 Disobedience of an order or directive, whether written or oral.

Rule 11 Incompetency or inefficiency in the performance of duty.

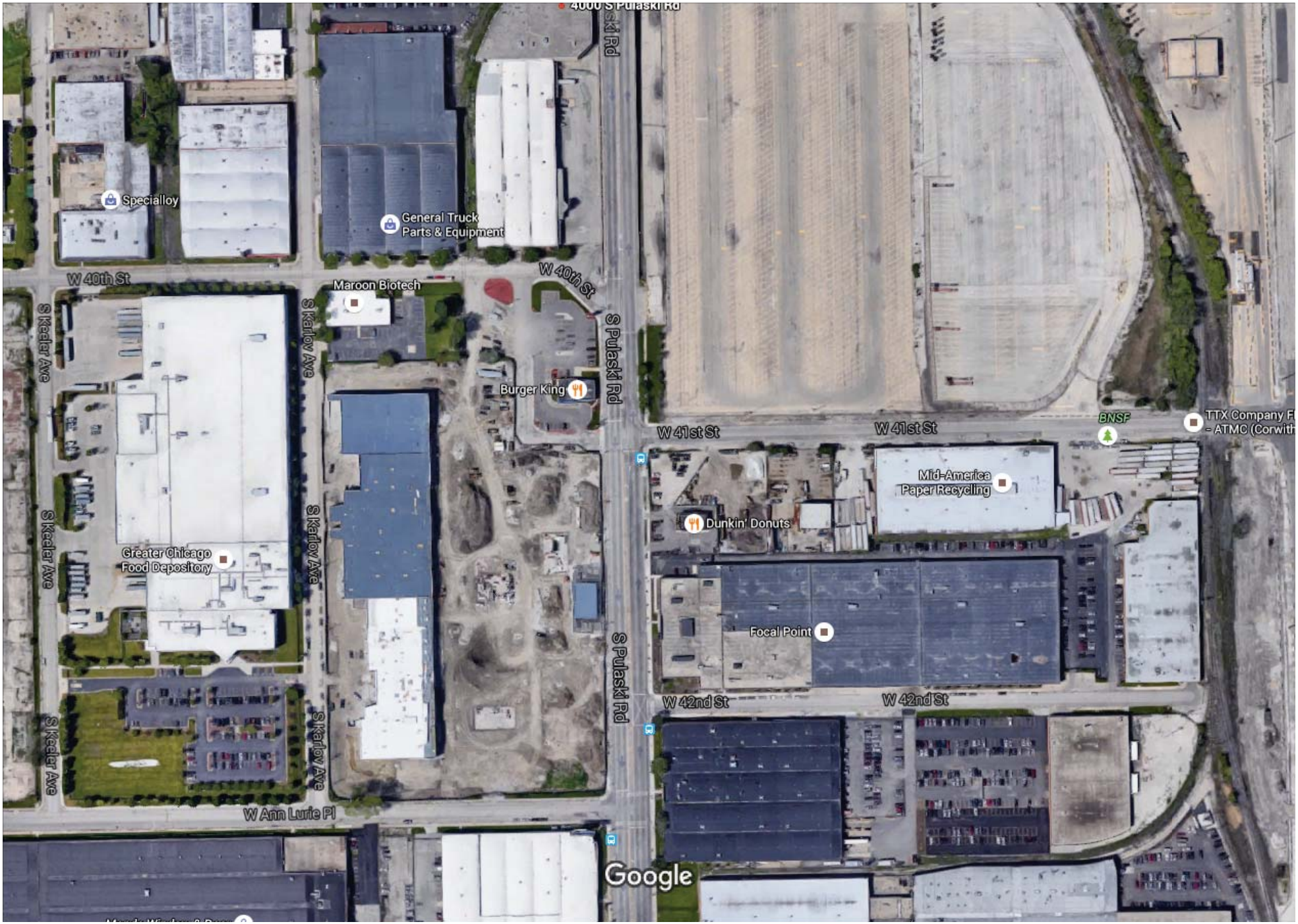
Appendix A



Imagery ©2016 Google, Map data ©2016 Google 200 ft



Imagery ©2016 Google, Map data ©2016 Google 100 ft



Imagery ©2016 Google, Map data ©2016 Google 200 ft

SUMMARY REPORT OF INVESTIGATION
Office of Inspector General Case # 15-0564
(Sergeant Daniel Gallagher)
July 29, 2016

This report consists of a summary of the evidence set out in the attached investigative materials and the Office of Inspector General's (OIG's) analysis of that evidence. An index of the investigative materials is attached.

I. INTRODUCTION

An OIG investigation has established that Daniel Gallagher, a Sergeant with the Chicago Police Department (CPD) who supervised the investigation in the aftermath of the October 20, 2014 shooting of Laquan McDonald by CPD Officer Jason Van Dyke, violated CPD Rules and Regulations during that investigation. As of October 20, 2014, Gallagher was assigned to CPD's Detective Division. As detailed further below, Gallagher made false statements and misleading characterizations in CPD reports related to the shooting, which served to exaggerate the threat McDonald posed. Further, in his failure to ensure that the investigation under his supervision was conducted in a truthful, complete, and objective manner, Gallagher impeded CPD's efforts to achieve its policy and goals, failed to promote CPD's efforts to implement its policy and accomplish its goals, and brought discredit upon CPD. In so doing, Gallagher was incompetent in the performance of his duty. Accordingly, OIG recommends that CPD discharge Gallagher and refer him for placement on the ineligible for rehire list maintained by the Department of Human Resources.

II. APPLICABLE RULES, REGULATIONS, AND LAW

A. CPD Rules and Regulations

The "Rules and Regulations of the Chicago Police Department" set out the standards of conduct and duties of sworn members, including supervisory members, as well as CPD goals. The Rules and Regulations state that sworn members must "conduct themselves at all times in such a manner as will reflect credit upon the Department with emphasis on personal integrity and professional devotion to law enforcement." Supervisory members "have the responsibility for the performance of all subordinates placed under them" and they "[r]emain accountable for the failure, misconduct or omission by their subordinates."

Article V of the CPD Rules and Regulations, entitled CPD Rules of Conduct (the CPD Rules), sets forth specifically prohibited acts. In pertinent part, the CPD Rules include the following prohibitions:

Rule 2 Any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department.

Rule 3 Any failure to promote the Department's efforts to implement its policy or accomplish its goals.

Rule 11 Incompetency or inefficiency in the performance of duty.

Rule 14 Making a false report, written or oral.

III. SERGEANT GALLAGHER'S EMPLOYMENT HISTORY

Gallagher joined CPD in October of 2000 as a police officer. He became a Detective in 2006 and was promoted to Sergeant in 2009. On October 20, 2014, he was a Sergeant in the Detective Division assigned to Area Central, a position he has held from 2012 through the present. Gallagher is a member of the Policeman's Benevolent & Protective Association of Illinois, Unit 156-Sergeants (Unit 156-Sergeants). Detective David March, the primary detective assigned to the McDonald shooting, was under Gallagher's command.

IV. SUMMARY OF INVESTIGATION

A. Procedural History of OIG's Investigation

By letter, dated December 8, 2015, Independent Police Review Authority (IPRA) Acting Chief Administrator Sharon Fairley requested that OIG conduct an administrative investigation "to determine whether certain police officers/witnesses made false statements on official reports prepared in connection with [Van Dyke's shooting of McDonald] and/or during the investigation of the incident."[1] IPRA further requested that OIG investigate "whether any of the involved Chicago Police officers committed any other violation(s) of Chicago Police Department rules, policies or procedures in their involvement with the incident, including, but not limited to, whether any officers' conduct may have interfered with or obstructed the appropriate investigation and handling of this matter."

Then, by letter, dated January 13, 2016, CPD Interim Superintendent John J. Escalante requested that OIG conduct an "administrative investigation into any and all allegations of police officer misconduct" arising out of the October 20, 2014 shooting death of McDonald. The Superintendent's request asked OIG to investigate the following allegations: "whether any officer(s) made false statements on official reports submitted in connection with the shooting of Laquan McDonald on October 20, 2014; whether any officer(s) obstructed or interfered with the investigation of this incident, either individually or in collusion with others; and whether any officer(s) committed any violation of Chicago Police Department rules, policies, or orders in connection with their response and/or handling of this matter." Escalante attached to the letter request a copy of Sergeant Sandra Soria's Initiation Report, which raises allegations of

[1] On November 24, 2015, the Cook County State's Attorney charged Van Dyke with a single count of first degree murder in the shooting of McDonald. On December 15, 2015, it subsequently charged him with six counts of murder. OIG has not been involved with any criminal investigation related to the shooting and makes no findings regarding Van Dyke's use of force.

misconduct related to the in-car video systems of the vehicles that were present during the McDonald shooting, and identified that Report as a basis for OIG's administrative investigation.

On March 10, 2016, Kevin Kilmer, Financial Secretary for the FOP, on behalf of all affected members, filed a grievance with CPD stating that OIG's attempts to conduct CPD officer interviews violated Article 6 of CPD's Collective Bargaining Agreement (CBA) with the FOP.[2] On March 16, 2016, FOP on behalf of all impacted CPD officers filed a "Complaint for Injunction in Aid of Arbitration" in the Circuit Court of Cook County, asking the court to enjoin OIG from conducting interviews until the grievance was decided in arbitration.[3] The court dismissed the complaint and denied the injunction on March 22, 2016.

OIG's administrative investigation of other CPD employees' actions related to the McDonald shooting is ongoing. During the course of its investigation, OIG has gathered documents from CPD and IPRA, among other sources, and conducted numerous interviews, including interviews of several CPD personnel who were at or responded to the scene of the shooting and civilian witnesses to the shooting. To date in its ongoing investigation, OIG has recommended disciplinary action against multiple CPD personnel.

B. The Events of October 20, 2014

The following sections detail the shooting of McDonald, as well as the relevant events that occurred directly before and after the shooting.[4]

1. [redacted] and Rudy Barillas's Encounter with McDonald[5]

[redacted] and [redacted] Rudy Barillas, were parking a truck in a lot at 41st Street and Kildare Avenue when [redacted] saw a black male, whom she subsequently identified as McDonald, attempting to steal property from certain vehicles parked in the lot. Barillas told McDonald to leave the lot. McDonald responded by making growling noises. After Barillas again told McDonald to leave the lot, McDonald pulled out a knife and swung it at Barillas. Barillas, who

[2] Section 6.1, Paragraph I of the CBA states, "If the allegation under investigation indicates a recommendation for separation is probable against the Officer, the Officer will be given the statutory administrative proceeding rights, or if the allegation indicates criminal prosecution is probable against the Officer, the Officer will be given the constitutional rights concerning self-incrimination prior to the commencement of interrogation." CPD General Order GO8-01-01, Paragraph K contains similar language.

[3] *Fraternal Order of Police, Chicago Lodge 7 v. City of Chicago*, No. 2016 CH 03726 (Cir. Ct. of Cook County, Ill., Mar. 16, 2016).

[4] On April 22, 2016, OIG obtained maps of the locations that are relevant to the shooting from Google Maps and included those maps in Appendix A. Those maps generally reflect the street layout and location of relevant businesses as they were on the night of October 20, 2014.

[5] The following account of [redacted] and Barillas's encounter with McDonald is taken from the March 16, 2015 case supplementary report (CSR) submitted by CPD Detective David March, which includes the statements that [redacted] and Barillas provided to CPD on October 21, 2014, and October 22, 2014, respectively. OIG 15-0564 003077.

had already called 911, then threw his cell phone at McDonald.[6] McDonald ran from the lot, first northbound on Kildare and then eastbound on 40th Street.

2. Officers Thomas Gaffney and Joseph McElligott's Encounter with McDonald[7]

Officer Thomas Gaffney and his partner Officer Joseph McElligott received a call over the radio that someone had broken into a truck at 4100 South Kildare and were dispatched to the scene.[8] Gaffney was driving, and McElligott was in the passenger seat of their assigned vehicle, 815R.[9] When they arrived at 4100 South Kildare, they saw a Hispanic male and female standing by the gate to the truck yard. The two said that a black male wearing a black shirt, later determined to be McDonald, had been trying to steal the radio out of a semi-truck, and had subsequently headed north toward 40th Street.

Gaffney and McElligott drove north on Kildare, turned right onto 40th Street, and saw McDonald walking east on the south side of 40th Street. McElligott exited the vehicle and commanded McDonald to stop and turn around. Gaffney stayed in the vehicle in case McDonald attempted to flee. McElligott ordered McDonald to take his hands out of his pockets. McDonald, who had been facing McElligott, turned and walked away with one hand still in his pocket. McDonald then turned again and took both of his hands out of his pockets. He had a knife in his right hand. McElligott drew his weapon and told McDonald to drop the knife.

[6] OEMC recordings reflect that Barillas called 911 at 9:45 p.m. stating that he was holding "a guy right hear [sic] that stolen [sic] the radios" from trucks in a truck yard located at "41st and Kildare." OIG 15-0564 003227.

[7] The following account of Gaffney and McElligott's encounter with McDonald is taken from (1) the audio-recorded statements Gaffney and McElligott provided to IPRA on October 21, 2014, OIG 15-0564 000482-98, 000610-30; and (2) the March 16, 2015 CSR submitted by Detective David March, which includes the statements that Gaffney and McElligott provided to March on the night of the McDonald shooting. OIG 15-0564 003067–69.

[8] OEMC records reflect that Gaffney and McElligott received the call at 9:47 p.m. OIG 15-0564 003691.

[9] Below is a chart identifying the beat numbers and vehicle numbers of the CPD vehicles that were present when McDonald was shot, along with the names of the officers who were assigned to those vehicles. This SRI refers to the below-referenced vehicles by beat number, unless otherwise specified.

Beat #	Vehicle #	Officers
845R	6412	Officer Joseph Walsh (driver), Officer Van Dyke (passenger)
815R	8489	Officer Gaffney (driver), Officer McElligott (passenger and on foot)
813R	8779	Officer Janet Mondragon (driver), Officer Daphne Sebastian (passenger)
822R	8765	Officer Arturo Becerra (driver), Officer Leticia Velez (passenger)
841R	8948	Officer Ricardo Viramontes (driver), Officer Dora Fontaine (passenger)

McDonald started walking east again, going from the sidewalk to the street and back. McElligott followed McDonald on foot, shining his flashlight on him, while Gaffney followed in 815R, parallel to McDonald.

As McDonald approached the intersection of 40th and Keeler, Gaffney reported to dispatch that McDonald was walking away with a knife in his hand.[10] Gaffney and McElligott continued to follow McDonald as he headed east, with McElligott giving McDonald orders to drop his knife and stop. McDonald kept turning around and giving the officers a "weird glaze[d] look." Gaffney IPRA Tr. 11:20.[11]

As McDonald approached the intersection of 40th and Karlov, Gaffney turned his car toward McDonald to direct him down Karlov. Gaffney wanted to keep McDonald away from Pulaski, which was a more populated area. McDonald then swung his arm and popped 815R's right front tire with his knife. McElligott was toward the back of 815R when McDonald popped its tire. After McDonald took a step back from the vehicle, Gaffney pulled up further in front of him to stop him from proceeding to Pulaski. McDonald then hit the right side of 815R's windshield once with the knife in his right hand. The windshield did not break but, according to Gaffney, McDonald hit it as hard as he could. McDonald walked around the front of 815R and continued eastward on 40th Street. After McDonald had walked 10 to 15 feet, another squad car turned off of Pulaski onto 40th Street with its lights on, and McDonald began to sprint. McElligott followed McDonald on foot, and Gaffney followed McDonald in 815R. McDonald ran eastbound through a parking lot of a Burger King located at 40th and Pulaski and then headed southbound on Pulaski. Video footage from several cameras captured McDonald's movements as he reached Pulaski.

3. Summary of the Relevant Video Footage

The below table contains a summary of the relevant video footage of the McDonald shooting, which includes the dashcam videos from 813R (the vehicle in which Mondragon was the driver), 823R, and 845R, video from the "WNE fire exit" security camera from the Greater Chicago Food Depository, which is bordered by 40th Street to the north, Karlov Avenue to the east, and Keeler Avenue to the west, and the security camera video from the Dunkin' Donuts, located at 4113 South Pulaski Road (the DD Camera).[12]

[10] OEMC recordings reflect that, at 9:53 p.m., 815R reported: "We're at 40th and Keeler. This guy uh is walking away from us and he's got a knife in his hand." Approximately 30 seconds later, a dispatcher stated, "815R looking for a taser." *See* OEMC Documents and CDs; *see also* OIG 15-0564 003691, 3228.

[11] OIG 15-0564 000620.

[12] In addition to the videos cited in the summary, OIG obtained video footage from the security camera videos at Burger King and Focal Point, and the dash camera videos from Vehicles 815R and 821R. These videos did not contain footage relevant to this report.

Time	Event(s) Captured	Source of Video
9:53:17 – 9:54:42	McDonald walks eastbound on the south side sidewalk of 40th Street; a CPD SUV travels east on 40th Street, parallel to McDonald with its front bumper even with McDonald; an officer on foot trails directly behind McDonald by the length of the SUV, with his flashlight trained on McDonald.[13]	Greater Chicago Food Depository Security Camera
9:56:53 – 9:57:01	813R and 845R turn left onto 40th Street from Pulaski.	813R Dashcam
9:57:01– 9:57:09	An unidentified person on 40th Street points the CPD vehicles toward the Burger King parking lot (813R); 845R turns into the parking lot (813R). McDonald runs southeast through the Burger King parking lot out onto Pulaski (845R).	813R Dashcam; 845R Dashcam
9:57:09 – 9:57:20	845R drives over the curb and sidewalk north of Burger King and heads south on Pulaski (845R); 813R turns around, turns right onto 40th Street, and then right again on Pulaski (813R); McDonald runs southbound in the middle of Pulaski and enters the intersection of 41st Street and Pulaski (813R).	813R Dashcam; 845R Dashcam
9:57:20 – 9:57:25	845R, which is facing east/southeast on Pulaski just north of 41st street, turns right behind McDonald and proceeds south on Pulaski on the east side of the street; 845R's passenger door briefly opens and then closes as it passes McDonald on his left; McDonald continues southbound on Pulaski, toward 822R, which is stopped in the middle of Pulaski facing north.	813R Dashcam
9:57:25 – 9:57:28	McDonald slows as he approaches 822R, touches his hands to his waist, and then, before Walsh and Van Dyke exit 845R and with 822R situated between McDonald and the officers, McDonald extends his right arm fully to his right—the video shows that he has a silver object in his right hand; 845R passes 822R and comes to a stop on the east side of Pulaski, facing south and almost directly	813R Dashcam

[13] OIG confirmed the vehicle is 815R and the officer on foot is McElligott by comparing the video with photographs of the officers. OIG 15-0564 003356.

	south of 822R; Van Dyke opens 845R's passenger door.	
9:57:28 – 9:57:30	McDonald changes course and begins walking southwest on Pulaski, away from 822R and 845R (813R); Van Dyke exits the passenger side of 845R with both of his feet in Pulaski's northbound left turn lane, his gun drawn and pointed at McDonald (813R). Walsh exits the driver side of 845R, just east of Pulaski's northbound left turn lane, with his gun drawn, and moves north along the driver side of 845R until he is several feet north of 845R (DD Camera).	813R Dashcam; DD Camera[14]
9:57:30 – 9:57:33	McDonald continues to walk southwest, from the middle of Pulaski to the lane markers that divide the west side of the road (or approximately one lane west of where McDonald was prior to changing course) (813R). While McDonald walks southwest, Walsh begins moving sideways in a west/southwest direction, approximately parallel to McDonald, and crosses over the east side of Pulaski's northbound left-turn lane—his gun is pointed at McDonald (813R; DD Camera). Van Dyke takes approximately two steps northwest toward McDonald, with his left foot crossing into Pulaski's yellow-painted median strip—his gun is pointed at McDonald (813R; DD Camera). 822R drives north on Pulaski, away from 845R (813R).	813R Dashcam; DD Camera
9:57:33 – 9:57:36	As McDonald approaches the lane markers on the west side of Pulaski, walking in a southwest direction, he looks to his right and moves his right hand behind his waist, near the right side of his lower back, then brings his hand back to his right side (813R). As McDonald crosses the lane markers on the west side of Pulaski, he looks to his left, and takes a step southbound (813R). Meanwhile, Walsh continues moving west/southwest with his gun pointed at McDonald, ultimately traversing almost the entire width of Pulaski's northbound left-turn lane (813R; DD Camera). Van Dyke takes an additional step west, toward McDonald, putting both of his feet in Pulaski's median strip and placing himself almost directly between McDonald and Walsh (813R; DD Camera). McDonald is	813R Dashcam; DD Camera

[14] The DD Camera video does not display an embedded timestamp. Therefore, OIG used the timestamp of 813R's video, which generally captured the same events as the DD Camera from a different angle, to establish the timeframe of the events captured by the DD Camera.

	then apparently shot and Walsh stops moving and adopts a stance, with his feet more than a shoulder's width apart (813R; DD Camera).	
9:57:36 – 9:57:54	McDonald spins between 180 and 270 degrees in a clockwise direction and then falls to the ground with the top of his head pointing south on Pulaski, approximately one street lane east of Van Dyke and just south of Van Dyke (813R). As McDonald falls to the ground, Van Dyke takes another step west toward McDonald, moving his right foot from Pulaski's median strip into the south-bound side of Pulaski; his gun remains pointed at McDonald (813R). Van Dyke subsequently takes an additional step or two south, toward McDonald. Other than those steps, Van Dyke's feet are stationary (DD Camera). After McDonald is on the ground, his legs and feet do not move (813R). McDonald's upper body makes small, intermittent movements as what appear to be puffs of smoke rise from McDonald's body (813R).[15]	813R Dashcam; DD Camera
9:57:54 – 9:58:05	An officer approaches McDonald and kicks the knife from his hand. McDonald does not make any noticeable movements.	813R Dashcam
9:58:05- 9:58:20	McDonald lies on the ground; no aid is rendered by CPD personnel. 823R, travelling northbound, pulls up on the west side of Pulaski, and stops just south of where McDonald is lying.	813R Dashcam; 823R Dashcam
9:58:20- 9:58:57	Several CPD officers walk and stand near McDonald as he lies on the ground; no aid is rendered by CPD personnel.	813R Dashcam;[16] 823R Dashcam
9:58:57- 9:59:02	823R begins making a U-turn on Pulaski. A Cook County Sheriff's Police Department (CCSPD) officer puts on blue gloves and walks toward McDonald.[17] McDonald is no longer visible in the video frame.	823R Dashcam

[15] OEMC records show that dispatch received notice to send an ambulance to the scene at 9:57:51. OIG 15-0564 003691.

[16] The last time stamp visible on the 813R dashcam video is 9:58:55.

[17] OIG identified the CCSPD officer as Officer Adam Murphy.

4. CCSPD Officer Accounts of the October 20, 2014 McDonald Shooting[18]

While on patrol on October 20, 2014, CCSPD Officers Adam Murphy and Jeff Pasqua observed several CPD police vehicles pass by them. Both officers decided to follow the CPD vehicles. When they arrived at the scene, several CPD vehicles were already present—Pasqua estimated it was five or six. McDonald was lying on the pavement "gasping for his last breath of air." Pasqua OIG Tr. 11:22-23. Meanwhile, the CPD officers were "standing around" and talking to each other. Murphy OIG Tr. 11:1. Murphy noted the CPD officers did not respond to him when he asked if they needed assistance. Murphy stated:

> I see there's blood all over the pavement. [McDonald] was kind of gurgling when he was sitting there. I remember his mouth was going open and closed like he was trying to gasp for air. And I looked for everybody else, and they were kind of standing there. I just started taking my gloves—my rubber gloves out to check for a pulse and to see if I could render aid.

Murphy OIG Tr. 12:18-13:2. He heard someone say an ambulance was en route. Both Officers Murphy and Pasqua recalled then watching McDonald take his final breaths.[19] It was "[m]aybe less than a minute before [McDonald] expired." Murphy OIG Tr. 14:15-16. At no time did any CPD officers attempt to provide aid or comfort McDonald—Murphy stated, "That's why I felt that I needed to go up to him." Murphy OIG Tr. 14:11-12.

After McDonald passed away, Murphy got up from beside him and noticed the shooting officer, who he now knows to be Van Dyke, "pacing back and forth in front of his car." Murphy OIG Tr. 15:7-8. Murphy approached him and told him to sit down and drink water. As he was speaking with Van Dyke, Murphy "heard several officers telling [Van Dyke] to call your union rep, call your union rep." Murphy OIG Tr. 15:16-17.

Murphy and Pasqua departed after approximately ten minutes on the scene when a CPD sergeant told them CPD did not need their assistance. At the time they left, there was "[a] sea of CPD" on scene. Murphy OIG Tr. 38:3; Pasqua OIG Tr. 25:7-8.

[18] The following CCSPD Officer accounts are taken from OIG's June 23, 2016 interview of Jeff Pasqua and its June 24, 2015 interview of Adam Murphy. Pasqua and Murphy are currently CCSPD investigators.

[19] The Medical Examiner's Case Report states McDonald was pronounced dead "on view" at Mount Sinai Medical Center on October 20, 2014, at 10:42 p.m. OIG 15-0564 015029.

C. Sergeant Gallagher's Reports Regarding the McDonald Shooting

1. March 16, 2016 Case Supplementary Report, "Sup ID" 10992767 CASR301 [20]

On March 15, 2015, Detective March submitted a case supplementary report under the R.D. Number HX475653 with "Sup ID" 10992767 CASR301 (the 301 CSR).[21] The report is titled as a "Field Investigation Exc. Cleared Closed (Other Exceptional) Report." It lists the original and last "Offense Classification" as "Assault/Aggravated Po: Knife/Cut Instr.," the "Date of Occurrence" as October 20, 2014, at 9:57 p.m., and the "Address of Occurrence" as 4112 S. Pulaski Rd. Further, it lists Van Dyke, Walsh, Gaffney, and McElligott as the victims, McDonald as the offender, March as the reporting officer and primary detective assigned, and Lieutenant Anthony Wojcik as the approving supervisor. It is signed as the "report of" March, Gallagher, and Wojcik of the "Bureau of Detectives – Area Central. Wojcik approved the CSR on March 16, 2015.

According to March, he, Gallagher, and Wojcik worked together on the report in the days before it was submitted and approved. The three had several in-person meetings to discuss the preparation of the report.[22] In his OIG interview, March stated that he, Gallagher, and Wojcik discussed specific details of the report, including the conclusion that witness accounts of the McDonald shooting were consistent with video footage capturing the events. In OIG's interview of Commander Eugene Roy,[23] Roy explained that the fact that the CSR is signed as the "report of" March, Gallagher, and Wojcik "would mean that they all worked on the report." Roy 7/6/2016 OIG Tr. 192:9-11.

---

[20] OIG 15-0564 003057-79. CPD's investigation in the aftermath of the McDonald shooting was reported under record number HX-475653, and most reports were classified as an investigation into an aggravated assault in which McDonald was the offender. In a few reports, the case was classified as an investigation into a justifiable homicide of which McDonald was the victim. An additional record number was also created and classified as a justifiable homicide. In CPD's investigative reports, CPD personnel drew conclusions about the propriety and lawfulness of Van Dyke's shooting of McDonald. This was in violation of CPD Detective Division Special Order (DDSO) 15-22, which requires that, in reporting on an incident which has been classified as a justifiable homicide, detectives "will not state that the use of deadly force was justified." DDSO 15-22 took effect on January 1, 2015, and, according to materials OIG received from CPD, would have been in effect when the relevant reports in this case were drafted and issued. See OIG 15-0564 009012.

[21] Also on March 15, 2015, March submitted a second CSR with Sup ID 10988891 CSR339. OIG 15-0564 003034–56. This report contains no narrative, but includes, among other information, an inventory of the evidence recovered and an identification of the personnel assigned to the case and the witnesses to the relevant events. According to March, he would have submitted the two CSRs as one report, but it would have been too large for CPD's system. Therefore, March had to break the report into two CSRs. March 4/27/2016 OIG Tr. 94:14-95:21.

[22] *See* March 4/26/2016 OIG Tr. 260-61.

[23] As of October 20, 2014, Roy was Commander of CPD's Area Central Detective Division.

The CSR contains, among other information, summaries of the interviews March conducted of the officers who were present when Van Dyke shot McDonald, as well as summaries of the interviews CPD detectives conducted of civilian witnesses to the events of October 20, 2014.

a) Officer Statement Summaries

(1) Van Dyke

The 301 CSR includes a summary of the statements that Van Dyke provided to March on October 20, 2014, and October 21, 2014, respectively. The following is an excerpt of Van Dyke's October 20, 2014 statement:

> Officer Van Dyke exited the vehicle on the right side and drew his handgun. As Van Dyke stood in the street on Pulaski, facing northbound, toward McDonald, McDonald approached southbound. McDonald was holding the knife in his right hand, in an underhand grip, with the blade pointed forward. He was swinging the knife in an aggressive, exaggerated manner. Van Dyke ordered McDonald to "Drop the knife!" multiple times. McDonald ignored Van Dyke's verbal direction to drop the knife and continued to advance toward Van Dyke.
>
> When McDonald got to within 10 to 15 feet of Officer Van Dyke, McDonald looked toward Van Dyke. McDonald raised the knife across his chest and over his shoulder, pointing the knife at Van Dyke. Van Dyke believed McDonald was attacking Van Dyke with the knife, and attempting to kill Van Dyke. In defense of his life, Van Dyke backpedaled and fired his handgun at McDonald, to stop the attack. McDonald fell to the ground but continued to move and continued to grasp the knife, refusing to let go of it. Van Dyke continued to fire his weapon at McDonald as McDonald was on the ground, as McDonald appeared to be attempting to get up, all the while continuing to point the knife at Van Dyke. The slide on Van Dyke's pistol locked in the rearward position, indicating the weapon was empty. Van Dyke performed a tactical reload of his pistol with a new magazine and then assessed the situation.
>
> McDonald was no longer moving and the threat had been mitigated, so Officer Van Dyke and Officer Walsh approached McDonald. McDonald was still holding the knife in his right hand. Van Dyke continued to order McDonald to "Drop the knife!" Officer Walsh told Van Dyke, "I have this." Van Dyke then used his handgun to cover Walsh as Walsh walked up and forcibly kicked the knife out of McDonald's right hand, thereby eliminating the threat to the officers.[24]

The 301 CSR summarized Van Dyke's October 21, 2014 statement in relevant part as follows:

[24] March completed a General Progress Report (GPR) relating to his October 20, 2014 interview of Van Dyke that contains March's handwritten notes of the interview. OIG 15-0564 003239-41. March's handwritten notes of the interview do not differ in any significant way from the summary of Van Dyke's statement in the CSR.

> [Van Dyke] related the same sequence of events as documented in his original interview at the scene of the incident.[25]
>
> Van Dyke additionally articulated the reasoning behind his decision to use deadly force against the offender in this incident, Laquan McDonald. Van Dyke was aware of the radio transmissions from Officer Thomas Gaffney, on Beat 815R, that McDonald was armed with a knife. Van Dyke was aware that McDonald had attacked the officers on Beat 815R by slashing the tire of their police vehicle.
>
> As he confronted McDonald at 4112 South Pulaski Road, Van Dyke saw that McDonald was in fact, armed with a knife, a deadly weapon. Van Dyke was aware of the widely accepted teaching in law enforcement that an assailant armed with a knife was considered a deadly threat, if within 21 feet, because it was possible for such an assailant to close that distance and attack with the knife before a defensive shot could be fired from a handgun. Van Dyke was also aware of the existence of throwing knives, which can be thrown from a distance, as well as spring loaded knifes, which propel a blade through the air from the knife handle. Van Dyke also said he recalled a previously issued Chicago Police Department bulletin warning of a weapon which appeared to be a knife but which actually was capable of firing a bullet, making it a firearm.[26]

(2) Walsh

The following is an excerpt of Walsh's October 20, 2014 statement[27]:

> As Laquan McDonald ran eastbound through the Burger King parking lot, Walsh used the police vehicle he was driving to block McDonald from entering the restaurant.
>
> As McDonald ran southbound on Pulaski Road, from the Burger King, Walsh pursued McDonald in the police vehicle. Walsh drove southbound in the northbound lanes to get ahead of McDonald, keeping the police vehicle between McDonald and a Dunkin' Donuts restaurant, on the east side of Pulaski. As their vehicle passed McDonald, Officer Van Dyke opened the right front door of their

[25] March's GPR relating to his October 21, 2014 interview of Van Dyke stated: "Same details." The rest of March's handwritten notes of the interview do not differ in any significant way from the summary of Van Dyke's statement in the CSR. OIG 15-0564 003254.

[26] The CSR notes that a search was subsequently conducted for the bulletin Van Dyke referenced and that an "Officer Safety Alert number 2012-OSA0297," issued on December 4, 2012, was located. *See* OIG 15-0564 003074. March wrote that "[i]t was a warning regarding a 'revolver knife' which was capable of firing .22 caliber cartridges."

[27] The first paragraph of the Walsh statement summary states: "Walsh related the same facts as his partner, Officer Jason Van Dyke."

vehicle, to exit the truck and confront McDonald. Walsh, realizing that at this point they were too close to the armed McDonald to safely exit the vehicle, told Van Dyke to wait until they got further ahead of McDonald. Walsh drove further south on Pulaski. He stopped his vehicle south of McDonald and exited the driver's door as Van Dyke exited the right side of the vehicle. Walsh drew his handgun when he exited the vehicle.

Officer Walsh came around the rear of the police vehicle and joined Officer Van Dyke on the right side of the vehicle. Walsh also stood in the street on Pulaski, facing northbound, as McDonald walked southbound toward the officers. Walsh ordered McDonald to "Drop the knife!" multiple times as McDonald approached the officers.

Officer Walsh also backed up, attempting to maintain a safe distance between himself and McDonald. McDonald ignored the verbal direction given by both Walsh and Officer Van Dyke, and continued to advance toward the officers. When McDonald got to within 12 to 15 feet of the officers he swung the knife toward the officers in an aggressive manner. Van Dyke opened fire with his handgun and McDonald fell to the ground. Van Dyke continued firing his weapon at McDonald as McDonald continued moving on the ground, attempting to get up, while still armed with the knife.

When the gunfire stopped and McDonald was not moving anymore, Walsh approached McDonald with Van Dyke. Walsh continued to order McDonald to "Drop the knife!" multiple times, as McDonald was still holding the knife in his right hand. Walsh forcibly kicked the knife out of McDonald's hand and then notified the dispatcher on the police radio that shots had been fired by the police. An ambulance was also requested for McDonald.

As they waited for the ambulance to respond to the scene, Officer Walsh told McDonald to 'hang in there,' and that an ambulance was on the way.

Officer Walsh said he believed McDonald was attacking Walsh and Officer Van Dyke with the knife and attempting to kill them when the shots were fired. Walsh stated he did not fire his handgun because Van Dyke was in the line of fire between Walsh and McDonald. Walsh thought Van Dyke fired eight or nine shots total.[28]

[28] Detective March completed a GPR relating to his interview of Walsh that contains March's handwritten notes of the interview. OIG 15-0564 003242–43. March's handwritten notes of the interview do not differ in any significant way from the summary of Walsh's statement in the CSR.

(3) Fontaine

The 301 CSR includes a summary of Fontaine's October 20, 2014 statement in relevant part as follows:

> Fontaine was working with Police Officer Ricardo Viramontes. The two officers were assigned to a marked vehicle. Viramontes was driving the vehicle and Fontaine was the passenger.
>
> The two officers responded to the request for assistance made by Beat 815R, regarding a man with a knife at 41st Street and Pulaski Road. Officer Viramontes drove northbound on Pulaski. When they arrived at the scene of this incident, in front of the Dunkin' Donuts restaurant, Officer Fontaine saw a black male subject, now known as Laquan McDonald, walking southbound in the street, with a knife in his right hand. McDonald was walking sideways, with his body facing east, toward Officers Jason Van Dyke and Joseph Walsh. These two officers were standing in the middle of the street, on the right side of their police vehicle, which was facing southbound. Fontaine heard the officers repeatedly order McDonald to "Drop the knife!" McDonald ignored the verbal direction and instead, raised his right arm toward Officer Van Dyke, as if attacking Van Dyke. At this time Van Dyke fired multiple shots from his handgun, until McDonald fell to the ground and stopped moving his right arm and hand, which still grasped the knife. The gunshots were rapid fire, without pause. Officer Walsh then kicked the knife out of McDonald's hand.[29]

(4) Viramontes

The 301 CSR includes a summary of Viramontes's October 20, 2014 statement in relevant part as follows:

> [W]hen [Viramontes] exited his police vehicle, at the scene, he observed a black male subject, now known as Laquan McDonald, walking southbound on Pulaski Road, in the middle of the street, holding a knife in his right hand. Viramontes heard Officer Jason Van Dyke repeatedly order McDonald to "Drop the Knife!" McDonald ignored the verbal direction and turned toward Van Dyke and his partner, Officer Joseph Walsh. At this time Van Dyke fired multiple shots from his handgun. McDonald fell to the ground but continued to move, attempting to get back up, with the knife still in his hand. Van Dyke fired his weapon at McDonald continuously, until McDonald was no longer moving.[30]

[29] Detective March completed a GPR relating to his interview of Fontaine that contains March's handwritten notes of the interview. OIG 15-0564 003252. March's handwritten notes of the interview do not differ in any significant way from the summary of Fontaine's statement in the CSR.

[30] Detective March completed a GPR relating to his interview of Viramontes that contains March's handwritten notes of the interview. OIG 15-0564 003253. March's handwritten notes of the interview do not differ in any significant way from the summary of Viramontes's statement in the CSR.

(5) Sebastian

The following is an excerpt of the 301 CSR summary of Sebastian's October 20, 2014 statement:

> Officer Sebastian observed a black male subject, now known as Laquan McDonald, running southeast bound through the parking lot of the Burger King restaurant. Beat 845R pursued McDonald in their police vehicle, through the parking lot, toward Pulaski. Sebastian told Officer Mondragon to drive back out onto Pulaski to assist in the pursuit. McDonald ran out onto Pulaski and continued to run southbound down the middle of the street. Beat 845R pursued McDonald in their vehicle, southbound on Pulaski, followed by Beat 813R. As McDonald ran southbound on Pulaski, Sebastian saw the knife in his right hand. McDonald was waving the knife.
>
> Beat 845R stopped their vehicle ahead of McDonald, between McDonald and the Dunkin' Donuts restaurant on the east side of Pulaski. Officers Joseph Walsh and Jason Van Dyke exited their vehicle and drew their handguns. McDonald turned toward the two officers and continued to wave the knife. Sebastian heard the officers repeatedly order McDonald to "Drop the knife!" McDonald ignored the verbal directions and continued to advance on the officers, waving the knife. Officer Sebastian heard multiple gunshots and McDonald fell to the ground, where he continued to move. Sebastian did not know who fired the shots, which were fired in one continuous group. She then saw Officer Walsh kick the knife out of McDonald's hand.[31]

(6) Mondragon

The 301 CSR includes a summary Mondragon's October 20, 2014 statement in relevant part as follows:

> [Mondragon] stated she was a Chicago Police Officer assigned to the 008th District. Mondragon related the same facts as her partner, Officer Daphne Sebastian.
>
> Officer Mondragon added that as she drove westbound on 40th Street, she saw Officer McElligott running eastbound through the Burger King parking lot. She made a U-Turn and drove back out onto Pulaski Road. Mondragon turned southbound onto Pulaski. She saw Laquan McDonald running southbound on Pulaski, in the middle of the street. As she got closer she could see McDonald was holding a knife in his right hand. He was waving the knife.

---

[31] Detective March completed a GPR relating to his interview of Sebastian that contains March's handwritten notes of the interview. OIG 15-0564 003248. March's handwritten notes of the interview do not differ in any significant way from the summary of Sebastian's statement in the CSR.

> Officer Mondragon saw Officers Joseph Walsh and Jason Van Dyke outside of their police vehicle. She heard the officers repeatedly ordering McDonald to "Drop the knife!" as McDonald got closer and closer to the officers, continuing to wave the knife. As she was placing her vehicle transmission into Park, Mondragon looked down and heard multiple, continuous gunshots, without pause. Mondragon then saw McDonald fall to the ground. Mondragon did not know who fired the shots.[32]

b) The CSR Findings and Conclusions

The CSR includes several findings and conclusions regarding the shooting. Specifically, it states that "[t]he recovered in-car camera video from Beats 845R and 813R was viewed and found to be consistent with the accounts of all of the witnesses." OIG 15-0564 003075. It further states:

> The above to-date investigation determined that Laquan McDonald was an active assailant who, while armed with a dangerous weapon, used force likely to cause death or serious injury to a private citizen when he attached Rudy Barillas; threatened the imminent use of force likely to cause death or serious injury when he incised the tire and stabbed the windshield of a Chicago Police Department vehicle occupied by Officer Thomas Gaffney; and initiated imminent use of force likely to cause death or serious injury when he initiated an attack on Officers Jason Van Dyke and Joseph Walsh. The above investigation concluded that Officer Jason Van Dyke's use of deadly force, the discharging of his duty firearm, was within the bounds of the Chicago Police Department's use of force guidelines, and in conformity with local ordinances and state law.

OIG 15-0564 003078.

2. Major Incident Notification Detail[33]

Gallagher completed a Major Incident Notification Detail (MIN) regarding the McDonald shooting. The MIN is reported under RD #HX475653 and is dated October 21, 2014 at 4:05 a.m. It lists the "Crime/Incident" at issue as an aggravated assault on a police officer with a "Knife/Cut Insr." The MIN names three victims and one offender; the victims are identified as Gaffney, Walsh, and Van Dyke, and the offender as McDonald. Gallagher is identified as the person making the notification, and March as the assigned detective. The narrative portion of the report reads:

[32] Detective March completed a GPR relating to his interview of Mondragon that contains March's handwritten notes of the interview. OIG 15-0564 003249. March's handwritten notes of the interview do not differ in any significant way from the summary of Mondragon's statement in the CSR.

[33] OIG 15-0564 003009-10.

> Beat 815R responded to an OEMC call of a holding an offender who was breaking into trailers at 4100 S. Kildare. Beat 815R arrived on scene and spoke to the complainant who pointed to the offender who had fled on foot. Beat 815R pursued the offender in their marked vehicle to 4000 S. Karlov, at which time the offender who was acting irrational and was armed with a knife, punctured their front passenger tire, and then struck the windshield with his knife. Beat 815R requested a taser and additional units to respond and assist with the apprehension of the offender. Beat 845R responded to 4112 S. Pulaski and observed the offender still armed with a knife walking in traffic. Beat 845R exited their vehicle and ordered the offender to drop his knife. The offender refused all verbal commands and continued to approach the offices while still armed with his knife. Beat 845R fearing for his life discharged his weapon. The offender sustained numerous gun shot [sic] wounds and was transported to Mt. Sinai Hospital where he was subsequently pronounced at 2242 hours.

D. OIG's Interview of Sergeant Gallagher

On May 18, 2016, pursuant to Section 6.1 of the CBA between CPD and Unit 156-Sergeants, OIG, through CPD's Bureau of Internal Affairs, served Gallagher with a Notification of Interview, Notification of Allegations, and copies of several documents, including: (1) the March 16, 2015 CSR for R.D. #HX-475653 with the "Sup ID" of 10992767 CASR301; (2) the March 16, 2015 CSR for R.D. #HX-475653 with the "Sup ID" of 10988891 CASR339; and (3) a Major Incident Notification Detail for Incident Number 73204. In addition, OIG provided Gallagher with the dashcam footage from 813R and 845R and the security camera footage from Dunkin' Donuts.

On June 8, 2016, OIG investigators interviewed Gallagher under oath after informing him of his administrative advisements orally and in writing. He provided oral and written acknowledgment of the reading of those advisements. The interview was transcribed by a certified court reporter. Gallagher's attorney, Thomas Needham, was also present for the interview. In summary, Gallagher stated as follows.

After he was served with OIG's Notification of Allegations and in preparation for the interview, Gallagher spoke with Wojcik[34] and Lieutenant Osvaldo Valdez in order to ensure "that nobody up the chain ever claimed that this was an unjustified shooting or ever had any issues with this particular investigation . . . ." Gallagher OIG Tr. 27:16-20.

1. The Scene of the Shooting

On October 20, 2014, Gallagher was working as the Sergeant of an Area Central Detective Division's homicide team. He received a phone call saying that there had been a police-involved shooting at 4100 S. Pulaski. He assigned the case to March and responded to the scene. As of

[34] Wojcik retired from CPD effective May 16, 2016.

that date, Gallagher had participated in the investigation of between 25 and 35 police-involved shootings.

Once he arrived at the scene of the McDonald shooting, Gallagher assigned a variety of tasks to the detectives under his supervision. March was assigned as the lead investigator to investigate the incident as a police-involved shooting. Gallagher did not personally speak with any of the officers who had been on the scene at the time of the shooting, but March provided him updates regarding the officers' statements. While at the scene, he did see video footage of the shooting from the 813R dashcam. He had several conversations with other CPD supervisors who were at the scene, including Wojcik, Valdez, Sergeant Shawn McGavock, and Roy. Gallagher's conversations with Roy consisted of his providing Roy with updates as new information was gathered. Representatives from IPRA were on the scene, and Gallagher believed that they saw video of the shooting. FOP representatives were on the scene as well.

2. Area Central

Sometime after midnight, Gallagher left the scene of the shooting and went to Area Central. When he arrived, officers were participating in interviews with IPRA. While at Area Central, Gallagher again saw video of the shooting from 813R's dashcam; he believed it was possible that Deputy Chief David McNaughton was present when he watched the video.[35] Gallagher did not speak with anyone about the video. At some point, Gallagher also saw video footage from the Dunkin' Donuts security camera.

Gallagher sat in on a portion of an interview that March conducted of Van Dyke. At the beginning of that interview, Van Dyke began recounting the events surrounding his arrival at the scene of the shooting. Gallagher was then called away and returned sometime later. When he returned, Van Dyke was "discussing the 21-foot rule, his knowledge of different types of knives, the throwing knives and ballistic knives, and then he mentioned the Officer Safety Bulletin that he was aware of a knife that's capable of firing bullets."[36] Gallagher was aware of the so-called "21-foot rule" before October 20, 2014, but had never heard of a knife capable of firing bullets. Gallagher OIG Tr. 82:15-20, 83:10-12. March's interview of Van Dyke occurred before Van Dyke was interviewed by IPRA.

[35] As of October 20, 2014, McNaughton was Deputy Chief of Patrol in CPD's Area Central.

[36] The March 16, 2015 CSR explains the so-called "21-foot rule" as the principle that "an assailant armed with a knife was considered a deadly threat, if within 21 feet, because it was possible for such an assailant to close that distance and attack with the knife before a defensive shot could be fired from a handgun." OIG 15-0564 003074. On April 29, 2016, OIG spoke with CPD Deputy Chief Director of Training Keith Calloway. Calloway is familiar with the so-called "21-foot rule." Calloway characterized the 21-foot rule as "junk science" as the theory behind it has never been scientifically proven, and stated that it has never been part of CPD's training process. *See* OIG Investigative Report of Call with Keith Calloway.

3. CPD's Investigation

Within two or three days of the McDonald shooting, Gallagher learned that Roy was presenting video footage of the shooting at a meeting of high-level CPD personnel. After the meeting, Roy told Gallagher that "there were no issues with it, and the people saw the video, and nobody, all the way up to the superintendent, because any of those people that saw the video have a duty and obligation to pull a CR number if they saw any issues with it."[37] Gallagher OIG Tr. 114:7-12.

Approximately ten days after Van Dyke shot McDonald, Gallagher learned that Van Dyke had been stripped of his police powers.[38] Gallagher contacted IPRA to ask why they had recommended this action and whether they had any additional evidence relevant to the investigation. He eventually spoke with IPRA Chief Administrator Scott Ando, and was told that he would have to contact the office of CPD's Superintendent. Gallagher contacted his chain of command and was told that the recommendation to "strip" Van Dyke had not come from anyone in CPD, but had come from IPRA.

At some point after Van Dyke was stripped of his police powers, there was a second upper-level management meeting which Valdez attended to present on the McDonald shooting. After that meeting, Valdez told Gallagher that "no one had any issues with it." Gallagher OIG Tr. 115:9-10.

Approximately one month later, Gallagher learned that officers who had been on the scene of the McDonald shooting were being called to testify before a grand jury at the Cook County Criminal Courts building at 26th Street and California Avenue. At that point, Gallagher considered his investigation of the shooting "on hold" until "someone from the upper echelon explained specifically what is going on at 26th Street." Gallagher OIG Tr. 98:11-13.

On March 8, 2015, Roy sent an email to Gallagher, Wojcik, Valdez, March, and possibly Detective Richard Hagen, who was also under Gallagher's command, to set up a meeting to "go over this whole case." Gallagher OIG Tr. 98:22. Those who had received the email met, and, the following day, Valdez and Roy met with attorneys from the City of Chicago Law Department. After that meeting, Gallagher and the others were ordered to finalize the reports for the case, because "it sound[ed] like they [were] going to settle this case." Gallagher OIG Tr. 99:19-20. A deadline of two days was initially set and then extended through the following weekend. Gallagher stated the order to finish the reports would have come from Roy. Gallagher considered closing the reports on the case at that point to be "abnormal," because the results of the toxicology tests on McDonald had not yet been reported. Gallagher OIG Tr. 127:8. Therefore, he believed, "the investigation wasn't complete." Gallagher OIG Tr. 127:5.

March was responsible for drafting the CSR on the case. Generally, on a police-involved shooting case, the assigned detective would draft the report, Gallagher would review it and return

[37] A CR number is a tracking number assigned to a CPD disciplinary investigation. *See* CPD General Order G08-01.

[38] Van Dyke was relieved of his police powers on October 29, 2014.

it to the detective with any comments, and then the detective would have the report reviewed by the lieutenant. Gallagher denied drafting any section of the CSR prepared in the aftermath of the McDonald shooting. After March prepared the CSR, Gallagher recalled making grammatical corrections, but did not recall making any substantive changes. At some point, Gallagher learned that Wojcik was planning to draft the conclusion paragraph of the CSR.

4. The March 16, 2015 CSR

Gallagher reviewed the allegations against him as set out in the Notification of Allegations served upon him by OIG, as relating to the March 16, 2016 CSR, which is labelled as the "report of" March, Gallagher, and Wojcik. He responded, in relevant part, to the allegations as follows.

- "[I]t is alleged that the case supplementary report . . . falsely stated that the in-car camera videos recovered from Vehicles 813R and 845R were consistent with the accounts of all the witnesses to the McDonald shooting."

Gallagher responded, stating, "I did not believe that that was part of the draft copy that I reviewed when March typed it and I gave mine back. I don't recall specifically if that sentence was in there. . . . It is possible, but I don't recall." Gallagher OIG Tr. 149:3-11. Gallagher later said that, if that statement had been included in the draft of the report which he reviewed, "would have double checked and made sure that everything was consistent." Gallagher OIG Tr. 157:19-21. Nonetheless, when asked whether he believed it to be an accurate statement that the 813R and 845R videos were consistent with all witness accounts, Gallagher answered that "in general they are consistent." Gallagher OIG Tr. 149:18.

Gallagher then reviewed a number of specific statements attributed to witnesses in the CSR, and OIG investigators asked whether he believed the dashcam videos to be consistent with those statements. Gallagher affirmed his belief that the video is consistent with the statements that "McDonald ignored Van Dyke's verbal direction to drop the knife and continued to advance toward Van Dyke" and that "McDonald raised the knife across his chest and over his shoulder pointing the knife at Van Dyke." Gallagher OIG Tr. 150:7-19.

Gallagher reviewed the statement that "[i]n defense of his life, Van Dyke backpedaled and fired his handgun at McDonald to stop the attack." Gallagher OIG Tr. 150:24-151:2. When asked whether that statement was consistent with the 813R dashcam video, he answered, "Well, the perspective of that is the camera moves out of the – you don't see Van Dyke, so you don't see all of Van Dyke's movements, so depending on the perspective of 813 Robert, it doesn't appear that you see him backpedal on 813 Robert, but then if you look at the Dunkin' Donuts video, he does either backpedal or shuffle, so it is consistent." Gallagher OIG Tr. 151:4-11. Gallagher later said that he "didn't have the opportunity to specifically ask [Van Dyke] what his definition of back pedal was," and acknowledged that, from the Dunkin Donuts video, it appears that Van Dyke could have been moving either south or southeast. Gallagher OIG Tr. 152:8-15.

Gallagher reviewed the statement attributed to Van Dyke that "McDonald fell to the ground but continued to move and continued to grasp the knife, refusing to let go of it. Van Dyke continued

to fire his weapon at McDonald as McDonald was on the ground, as McDonald appeared to be attempting to get back up all the while continuing to point the knife at Van Dyke." Gallagher OIG Tr. 152:17-23. When asked whether that statement was consistent with the 813R dashcam video, Gallagher initially answered, "Yeah, there is nothing to refute that perception." Gallagher OIG Tr. 153:2-3. He went on to say, "[p]erception is reality in these cases. If that's what an officer perceives and that's what he relays, there is nothing in there to refute. There is nothing in the video to refute that." Gallagher OIG Tr. 153:5-9. Gallagher also affirmed his belief that the 813R dashcam video was consistent with the statements attributed to Walsh, that "McDonald ignored the verbal direction given by both Walsh and Van Dyke and continued to advance toward the officers," and that McDonald swung the knife toward the officers in an aggressive manner. Gallagher OIG Tr. 154:18-155:7. Further, Gallagher confirmed his belief that videos of the shooting were consistent with the statements that "Officer Walsh also backed up attempting to maintain a safe distance between himself and McDonald," and that "Van Dyke continued firing his weapon at McDonald as McDonald continued moving on the ground attempting to get up while still armed with the knife." Gallagher OIG Tr. 155:12-156:2.

Gallagher reviewed the CSR statement attributed to Officer Fontaine that "Fontaine heard the officers repeatedly order McDonald to drop the knife. McDonald ignored the verbal direction and instead raised his right arm toward Officer Van Dyke as if attacking Van Dyke." Gallagher OIG Tr. 156:14-18. When asked whether that statement was consistent with videos of the shooting, Gallagher answered, "Yeah, that's her perception and that there is nothing to refute that. That's consistent with the video." Gallagher OIG Tr. 156:21-22.

Gallagher was presented with the statement in the conclusion of the CSR, that McDonald "initiated an attack on Officers Van Dyke and Walsh." Gallagher OIG Tr. 169:9-10. When asked for the basis for that statement, he said, "[McDonald] provoked this incident. If he would have turned around and ran [sic] the other way, there would not have been a shooting. For whatever reason, and obviously we can't ask him, but he chose that route for whatever reason, and then he chooses to turn towards [Van Dyke and Walsh] again . . . ." Gallagher OIG Tr. 169:11-17.

5. Gallagher's Major Incident Notification Detail

Gallagher described this report as an "internal document that basically we do after every shooting or after every major incident." Gallagher OIG Tr. 190:5-7. He explained that the person responsible for preparing the document is to "get it out within hours of the incident and you type a short synopsis of the facts known at the time." Gallagher OIG Tr. 190:8-10. Gallagher prepared the MIN relating to the McDonald shooting either during the night of October 20, 2014, or during the early morning hours of October 21, 2014. When he prepared the document, he had already seen video footage of the McDonald shooting. After Gallagher drafted it, McNaughton reviewed and approved the report.

Gallagher reviewed the allegation against him as set out in the Notification of Allegations served upon him by OIG, regarding the MIN. He responded, in relevant part, to the allegation as follows.

- "It is alleged that you falsely stated in a Major Incident Notification Detail for Incident No. 73204 regarding RD No. HX475653 that McDonald continued to approach officers Walsh and Van Dyke, and that Van Dyke fearing for his life discharged his weapon."

Gallagher called that allegation "completely false." Gallagher OIG Tr. 193:24. When asked whether he stood by the factual accuracy of the statement that McDonald "continued to approach Officers Walsh and Van Dyke," Gallagher said, "[y]es." Gallagher OIG Tr. 194:2-6. Gallagher went on to explain that, in his view, McDonald had taken "between 10 and 12 steps" in the direction of Van Dyke and Walsh before Van Dyke shot him. Gallagher OIG Tr. 194:17.

V. ANALYSIS

OIG's investigation established that Gallagher made false statements and misleading characterizations in CPD reports related to the McDonald shooting. These false statements each served a similar purpose: to materially exaggerate the threat posed by McDonald. In addition, Gallagher's failure to ensure that Detective March conducted a complete, thorough, properly documented, and professional investigation constitutes incompetence in the performance of his duties.

Gallagher's actions, individually and collectively, constitute violations of CPD Rules. Each of Gallagher's false statements, including those in the CSR for which he is a listed as a reporting officer, constitutes a violation of Rule 14 (making a false report, written or oral). His false statements and failure to perform and supervise a thoroughly and properly documented investigation also constitute violations of Rule 2 (engaging in any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department), and Rule 3 (failing to promote the Department's efforts to implement its policy and accomplish its goals). A supervisory member who has made, reviewed, or approved false statements in an official investigation has irrevocably tainted not only his credibility, but also the credibility of CPD—and also fails to promote CPD's goal of employing officers with personal integrity and professional devotion to law enforcement. Gallagher's failure to ensure that the investigation conducted under his command proceeded in an objective and thorough manner further constituted a violation of Rule 11 (incompetency in the performance of a duty). Accordingly, OIG recommends that CPD discharge Gallagher.

A. Gallagher's False Statements in the March 16, 2015 Case Supplementary Report

The March 16, 2015 301 CSR lists Gallagher as a reporting officer and was submitted by March, who was under Gallagher's command as the supervising sergeant. In his OIG interview, Gallagher admitted to having reviewed the CSR. Both March and Roy, in their OIG interviews, make clear that Gallagher was directly involved in the creation of the report. Gallagher is responsible for the content of the CSR; not only was it submitted by a detective under Gallagher's supervision and command, it was submitted as the report of Gallagher, himself. Any

attenuation from the actual creation of the report suggested by Gallagher's supervisory role is belied by the fact that he is listed as an author of the document.

That report includes two false statements. First, it falsely states that the "recovered in-car camera video from Beats 845R and 813R was viewed and found to be consistent with the accounts of all of the witnesses." OIG 15-0564 003075. Second, the CSR contains the false statement that "McDonald initiated the imminent use of force likely to cause death or serious injury when he initiated an attack on Officers Jason Van Dyke and Joseph Walsh." OIG 15-0564 003078.

With respect to the first false statement, that the dashcam videos are consistent with the witness statements, Gallagher asserted that specific statement may not have been in the draft he reviewed. Regardless, Gallagher was directly responsible for ensuring the accuracy of the statement and the report as a whole. March drafted the CSR under Gallagher's direct supervision and command, and the CSR was issued as the "report of" three individuals, Gallagher among them. Even crediting Gallagher's suggestion that he may not have seen that particular sentence, if Gallagher permitted the report to be finalized and issued in his name without knowing what it contained, he was at a basic level incompetent in his duties. Further, in his OIG interview, Gallagher affirmed his belief that the statement at issue was accurate.

OIG investigators presented Gallagher with several individual statements attributed to witnesses in the CSR and asked whether he affirmed the statement that they were consistent with dashcam video footage of the McDonald shooting. In each of the following instances, Gallagher affirmed the conclusion that these statements attributed to witnesses, were consistent with the video footage:

- "McDonald ignored Van Dyke's verbal direction to drop the knife and continued to advance toward Van Dyke." Gallagher OIG Tr. 150:7-9.

- "McDonald raised the knife across his chest and over his shoulder pointing his knife at Van Dyke." Gallagher OIG Tr. 150:17-19.

- "McDonald fell to the ground but continued to move and continued to grasp the knife, refusing to let go of it. Van Dyke continued to fire his weapon at McDonald as McDonald was on the ground, as McDonald appeared to be attempting to get back up all the while continuing to point the knife at Van Dyke." Gallagher OIG Tr. 152:17-23.

- "McDonald ignored the verbal direction given by both Walsh and Van Dyke and continued to advance toward the officers. When McDonald got to within 12 to 15 feet of the officers he swung the knife toward the officers in an aggressive manner." Gallagher OIG Tr. 154:18-155:7.

- "Officer Walsh also backed up attempting to maintain a safe distance between himself and McDonald." Gallagher OIG Tr. 155:12-14.

- "Van Dyke continued firing his weapon at McDonald as McDonald continued moving on the ground attempting to get up while still armed with the knife." Gallagher OIG Tr. 155:20-23.

- "Fontaine heard the officers repeatedly order McDonald to drop the knife. McDonald ignored the verbal direction and instead raised his right arm toward Officer Van Dyke as if attacking Van Dyke." Gallagher OIG Tr. 156:14-18.

In fact, each of these statements is refuted by the dashcam video footage of the shooting. The video footage of the shooting shows that, before Van Dyke shot McDonald, McDonald was walking away from Van Dyke and Walsh and that Walsh and Van Dyke were in fact moving toward McDonald. It shows that McDonald did not raise the knife he was holding over his shoulder, did not swing the knife toward the officers in an "aggressive" manner, nor did he raise his arm toward Van Dyke as if attacking Van Dyke.[39] Further, the video makes clear that, upon being shot and falling to the street, McDonald never moved his legs or lower body. The video only shows McDonald's upper body making small, intermittent movements as what appear to be puffs of smoke rise from his body. Those small movements are demonstrably not suggestive of a person trying to get up or get to his feet.

When presented with the statement that, "[i]n defense of his life, Van Dyke backpedaled and fired his handgun at McDonald to stop the attack," Gallagher acknowledged that the recovered dashcam video does not show this; it cannot, therefore, be consistent with the statement. He initially argued that Van Dyke's "backpedaling" can be seen on the Dunkin' Donuts security footage, but finally stated that even that video does not clearly show in which direction Van Dyke was moving.

Gallagher's second false statement in the CSR, that McDonald "initiated the imminent use of force likely to cause death or serious injury when he initiated an attack on Officers Jason Van Dyke and Joseph Walsh," is similarly belied by the video evidence. As summarized, *supra*, the video footage shows McDonald moving away from Van Dyke and Walsh, and does not show him making any movement toward them which could appropriately be characterized as "initiat[ing] an attack." Notably, during the entire period of time for which Van Dyke and Walsh were outside of their car, McDonald was moving away from them.

B. Gallagher's False Statement in the Major Incident Notification Detail

In Gallagher's MIN regarding the McDonald shooting, he reported that McDonald "refused all verbal commands and continued to approach the officers while still armed with his knife." OIG 15-0564 003010. As described above, video footage of the moments leading up to the shooting make clear that McDonald was not "approaching" Van Dyke and Walsh; rather, McDonald was walking away from the officers as they moved toward him. This false characterization of McDonald's actions serves to exaggerate the threat he posed to Van Dyke and Walsh.

[39] In the March 16, 2016 CSR, this statement is attributed to Officer Fontaine. In her OIG interview, Officer Fontaine denied making this statement, and she herself declined to stand by it as accurate. Fontaine 3/16/2016 OIG Tr. 34:23-35:1; 116:18.

C. Gallagher's Incompetence in the Performance of Duty

Finally, Gallagher's failure to ensure that Detective March conducted a complete, thorough, properly documented, and professional investigation constitutes incompetence in the performance of his duties. March included false material statements and conclusions in the CSR, for which Gallagher is responsible both as March's supervising sergeant and as a named author of the report.

As March's supervisor, Gallagher had an obligation to ensure that March completed a professional and accurate investigation and documented it appropriately. By CPD's Rules and Regulations, Gallagher was responsible for the performance of March as his subordinate, and remained answerable and accountable for the failures and inadequacies of March's performance. As a supervisory member of CPD, Gallagher was under a heightened obligation to further the policy and goals of CPD by ensuring the completion of a truthful, objective investigation.

VI. RECOMMENDATION

The false statements for which Gallagher is responsible, both directly and indirectly, raise significant concerns regarding his credibility and ability to perform his duties as a sworn officer and supervisory member. As a sworn officer and supervisory member, Gallagher's reports are relied upon in criminal legal proceedings and his credibility is therefore critical to his position. An officer who has made false statements in an official investigation has irrevocably tainted his credibility and has wholly disqualified himself from effectively executing core police functions. Based on this conduct he may be the subject of cross-examination in any contested proceedings in which he may appear as a witness, *see* FED. R. EVID. 608(b) ("Specific instances of conduct"), and his conduct and the findings resulting from this investigation would further qualify as impeachment material that should, in principle, be disclosed in any contested proceeding involving the official records or testimony Gallagher generates. *See Giglio v. United States*, 405 U.S. 150 (1972) (requiring disclosure in criminal case of information impeaching of government witness's credibility). Illinois courts have repeatedly noted that "'as the guardians of our laws, police officers are expected to act with integrity, honesty, and trustworthiness'" and have found intentional false or misleading statements by police officers to be sufficient cause for termination. *Rodriguez v. Weis*, 408 Ill. App. 3d 663, 671 (1st Dist. 2011) (quoting *Sindermann v. Civil Service Comm'n*, 275 Ill. App. 3d 917, 928 (2nd Dist. 1995)). Further, in his position as a supervisor, Gallagher had an elevated responsibility to promote CPD's goals and implement its policies; instead, he failed to supervise a complete, thorough, properly documented, and professional investigation in the aftermath of the McDonald shooting, and in so doing he brought discredit upon CPD and was incompetent in the performance of his duties.

OIG therefore recommends that CPD discharge Gallagher and refer him for placement on the ineligible for rehire list maintained by the Department of Human Resources.

VII. CPD RULE VIOLATIONS

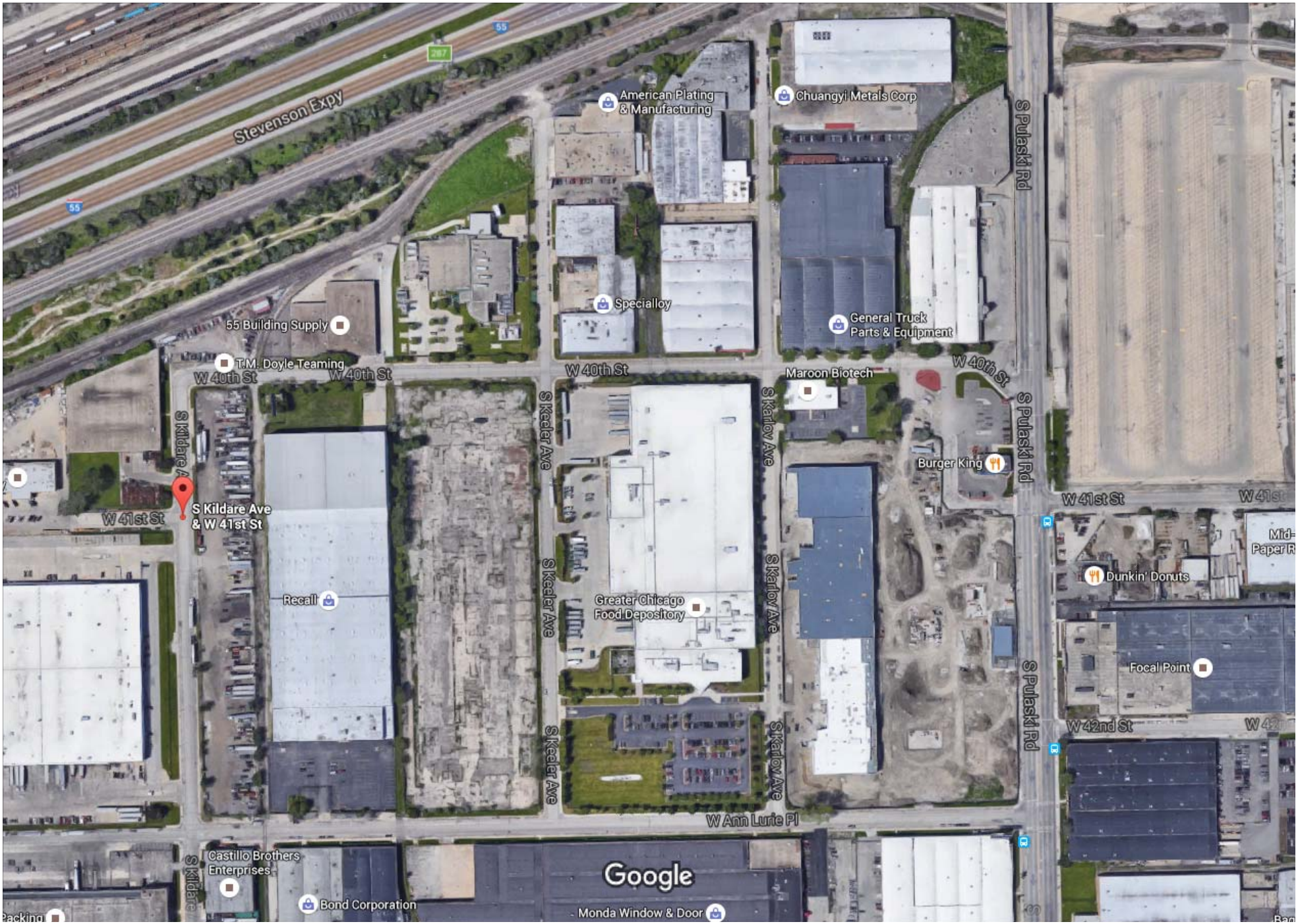
Rule 2 Any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department.

Rule 3 Any failure to promote the Department's efforts to implement its policy or accomplish its goals.

Rule 11 Incompetency or inefficiency in the performance of duty.

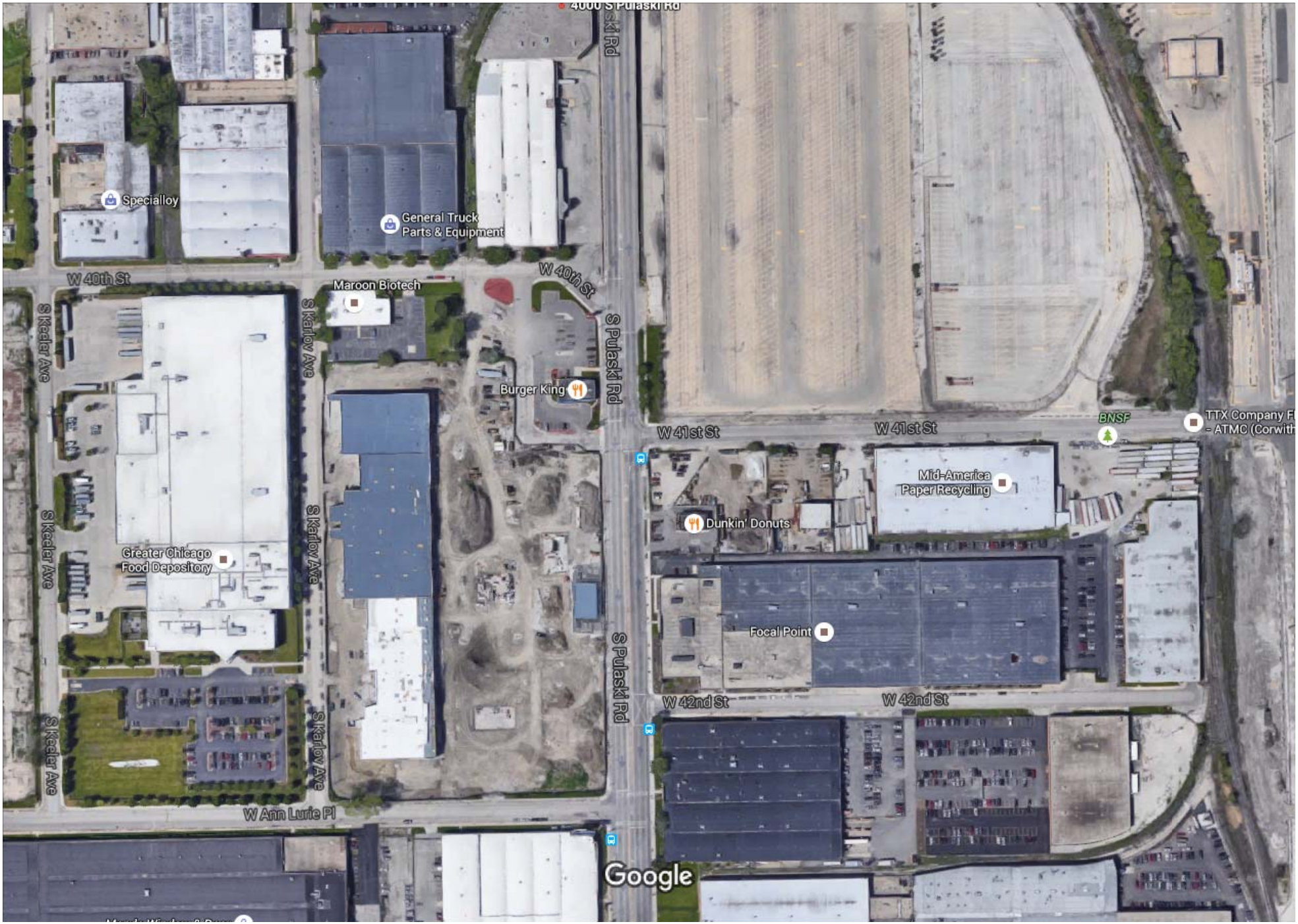
Rule 14 Making a false report, written or oral.

Appendix A


Stevenson Expy
55
287
American Plating & Manufacturing
Chuangyi Metals Corp
S Pulaski Rd
Specialloy
General Truck Parts & Equipment
55 Building Supply
T.M. Doyle Teaming
W 40th St
W 40th St
W 40th St
Maroon Biotech
W 40th St
S Pulaski Rd
S Kildare Ave
S Keeler Ave
S Karlov Ave
Burger King
S Kildare Ave & W 41st St
W 41st St
W 41st St
W 41st
Mid-
Paper R
Recall
Greater Chicago Food Depository
Dunkin' Donuts
Focal Point
S Pulaski Rd
W 42nd St
W 42
W Ann Lurie Pl
Castillo Brothers Enterprises
Google
Bond Corporation
Monda Window & Door
Imagery ©2016 Google, Map data ©2016 Google
200 ft



Imagery ©2016 Google, Map data ©2016 Google 100 ft



Imagery ©2016 Google, Map data ©2016 Google 200 ft

SUMMARY REPORT OF INVESTIGATION
Office of Inspector General Case # 15-0564
(Detective David March)
July 29, 2016

This report consists of a summary of the evidence set out in the attached investigative materials and the Office of Inspector General's (OIG's) analysis of that evidence. An index of the investigative materials is attached.

I. INTRODUCTION

An OIG investigation has established that David March, a Chicago Police Department (CPD) detective who conducted CPD's investigation of the events culminating in Officer Jason Van Dyke's October 20, 2014 shooting of Laquan McDonald, violated CPD Rules and Regulations during that investigation. More specifically, and as detailed further below, March made false material statements and conclusions in the reports he drafted, provided a false material statement to the Cook County Office of Medical Examiner regarding the circumstances of McDonald's death, and failed to properly document his investigative interviews of Van Dyke. Accordingly, OIG recommends that CPD discharge March and refer him for placement on the ineligible for rehire list maintained by the Department of Human Resources.

II. APPLICABLE RULES, REGULATIONS, AND LAW

A. CPD Rules and Regulations

The "Rules and Regulations of the Chicago Police Department" set out the standards of conduct and duties of sworn members, as well as CPD goals. The Rules and Regulations state that sworn members must "conduct themselves at all times in such a manner as will reflect credit upon the Department with emphasis on personal integrity and professional devotion to law enforcement."

Article V of the CPD Rules and Regulations, entitled CPD Rules of Conduct (the CPD Rules), sets forth specifically prohibited acts. In pertinent part, the CPD Rules include the following prohibitions:

Rule 2 Any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department.

Rule 3 Any failure to promote the Department's efforts to implement its policy or accomplish its goals.

Rule 6 Disobedience of an order or directive, whether written or oral.

Rule 11 Incompetency or inefficiency in the performance of duty.

Rule 14 Making a false report, written or oral.

B. CPD Detective Division Special Orders

CPD Special Orders are directives that establish protocols and procedures concerning specific CPD functions, operations, programs, or processes. Addendum 1 to Detective Division Special Order (DDSO) 11-01, titled "Homicides and Sworn Weapon Discharge Incidents," effective from May 9, 2011 to January 1, 2015, states that detectives investigating homicides or weapon discharge incidents involving sworn members will "thoroughly document relevant information discovered during the course of the investigation" and "[r]ecord relevant information initially transcribed on General Progress Reports or other investigative documents to formatted Department reports (e.g. Supplementary Report, General Offense Case Report, etc.)."[1]

Revision a to DDSO 01-01, titled "Violent Crimes Oversight Offices" and effective from October 10, 2002 to November 21, 2014, states that detectives investigating police shootings will, among other tasks:

- "canvass the area in every case to identify, locate and gather witnesses. All canvasses will be documented – including negative results;"
- "arrange for transportation of all witnesses who have pertinent knowledge of the shooting to the appropriate district station or area headquarters, ensuring that they are kept separated until interviewed;"
- "take formal written statements from eyewitnesses, when appropriate;" and
- "take either written or oral statements from other witnesses as circumstances of the investigation dictate."[2]

DDSO 15-22, titled "Justifiable Homicides," outlines the protocols that CPD members in the Bureau of Detectives are to follow regarding justifiable homicides.[3] The order defines a justifiable homicide as either "the killing of a felon by a peace officer in the line of duty," or "the killing of a felon by a private citizen during the commission of a felony."[4] Section III of DDSO

[1] OIG 15-0564 009121-23. DDSO 11-01, titled "Investigative Files," defines "General Progress Report" as follows: "A General Progress Report will be used by all Division members and is designed to standardize the recording of handwritten notes and memoranda including witness or suspect interviews, on-scene canvasses, written inter-watch communications that are investigative and not administrative in nature, or any other written notes generated during the course of an investigation."

[2] OIG 15-0564 009208.

[3] OIG 15-0564 009416-17. According to documents dated April 28, 2016 which OIG received from CPD, DDSO 15-22 remained in effect at least as of that date. DDSO 15-22 took effect on January 1, 2015, and was in place when the relevant CPD reports in this case were issued. See OIG 15-0564 009012.

[4] OIG takes no position on whether the McDonald shooting was appropriately classified as a justifiable homicide, but rather notes that CPD reported the incident as such.

15-22 outlines reporting procedures for justifiable homicides and requires that:

> A. "When an incident is determined to be a justifiable homicide, the assigned detective will obtain a second RD number. The first case will bear the classification of the crime the felon was committing. The second RD number will be for the justifiable homicide. Detectives will not identify a person lawfully entitled to use deadly force as an 'Offender.'
>
> B. The facts detailing the entire investigation will be reported in the justifiable homicide report.
>
> **Note:** The narrative section of the original felony report will state, 'The facts of this case are reported under RD#_____. For complete details, refer to that investigation.'
>
> . . . .
>
> E. Detectives will state in their reports that no charges were placed at this time. They will not state that use of deadly force was justified.

III. DETECTIVE MARCH'S EMPLOYMENT HISTORY

March joined CPD in June of 1982 as a police officer. He became a Detective in 1990. On October 20, 2014, he was a Detective assigned to Area Central, a position he has held from 2012 through the present. March is a member of Fraternal Order of Police (FOP) Lodge 7.

IV. SUMMARY OF INVESTIGATION

A. Procedural History of OIG's Investigation

By letter dated December 8, 2015, IPRA Acting Chief Administrator Sharon Fairley requested that OIG conduct an administrative investigation "to determine whether certain police officers/witnesses made false statements on official reports prepared in connection with [Van Dyke's shooting of McDonald] and/or during the investigation of the incident."[5] IPRA further requested that OIG investigate "whether any of the involved Chicago Police officers committed any other violation(s) of Chicago Police Department rules, policies or procedures in their involvement with the incident, including, but not limited to, whether any officers' conduct may have interfered with or obstructed the appropriate investigation and handling of this matter."

[5] On November 24, 2015, the Cook County State's Attorney charged Van Dyke with a single count of first degree murder in the shooting of McDonald. On December 15, 2015, it subsequently charged him with six counts of murder. OIG has not been involved with any criminal investigation related to the shooting and makes no findings regarding Van Dyke's use of force.

Then, by letter dated January 13, 2016, CPD Interim Superintendent John J. Escalante requested that OIG conduct an "administrative investigation into any and all allegations of police officer misconduct" arising out of the October 20, 2014 shooting death of McDonald. The Superintendent's request asked OIG to investigate the following allegations: "whether any officer(s) made false statements on official reports submitted in connection with the shooting of Laquan McDonald on October 20, 2014; whether any officer(s) obstructed or interfered with the investigation of this incident, either individually or in collusion with others; and whether any officer(s) committed any violation of Chicago Police Department rules, policies, or orders in connection with their response and/or handling of this matter." Escalante attached to the letter request a copy of Sergeant Sandra Soria's Initiation Report, which raises allegations of misconduct related to the in-car video systems of the vehicles that were present during the McDonald shooting, and identified that Report as a basis for OIG's administrative investigation.

On March 10, 2016, Kevin Kilmer, Financial Secretary for the FOP, filed a grievance with CPD on behalf of all affected members, stating that OIG's attempts to conduct CPD officer interviews violated Article 6 of CPD's Collective Bargaining Agreement (CBA) with the FOP.[6] On March 16, 2016, FOP, on behalf of all impacted CPD officers, filed a "Complaint for Injunction in Aid of Arbitration" in the Circuit Court of Cook County asking the court to enjoin OIG from conducting interviews until the grievance was decided in arbitration.[7] The court dismissed the complaint and denied the injunction on March 22, 2016.

OIG's administrative investigation of other CPD employees' actions related to the McDonald shooting is ongoing. During the course of its investigation, OIG has gathered documents from CPD and IPRA, among other sources, and conducted numerous interviews, including interviews of CPD personnel who were at or responded to the scene of the shooting and civilian witnesses to the shooting. To date in its ongoing investigation, OIG has recommended disciplinary action against multiple CPD personnel.

B. The Events of October 20, 2014

The following sections detail the shooting of McDonald, as well as the relevant events that occurred directly before and after the shooting.[8]

---

[6] Section 6.1, Paragraph I of the CBA states, "If the allegation under investigation indicates a recommendation for separation is probable against the Officer, the Officer will be given the statutory administrative proceeding rights, or if the allegation indicates criminal prosecution is probable against the Officer, the Officer will be given the constitutional rights concerning self-incrimination prior to the commencement of interrogation." CPD General Order GO8-01-01, Paragraph K contains similar language.

[7] *Fraternal Order of Police, Chicago Lodge 7 v. City of Chicago*, No. 2016 CH 03726 (Cir. Ct. of Cook County, Ill., Mar. 16, 2016).

[8] On April 22, 2016, OIG obtained maps of the locations that are relevant to the shooting from Google Maps and included those maps in Appendix A. Those maps generally reflect the street layout and location of relevant businesses as they were on the night of October 20, 2014.

1. [redacted] and Barillas' Encounter with McDonald[9]

[redacted] and [redacted] Rudy Barillas were parking a truck in a lot at 41st Street and Kildare Avenue when [redacted] saw a black male, who she subsequently identified as Laquan McDonald, attempting to steal property from certain vehicles parked in the lot. Barillas told McDonald to leave the lot. McDonald responded by making growling noises. After Barillas again told McDonald to leave the lot, McDonald pulled out a knife and swung it at Barillas. Barillas, who had already called 911, then threw his cell phone at McDonald.[10] McDonald ran from the lot, first northbound on Kildare and then eastbound on 40th Street.

2. Officers Gaffney and McElligott's Encounter with McDonald[11]

Officer Thomas Gaffney and his partner Officer Joseph McElligott received a call over the radio that someone had broken into a truck at 4100 South Kildare and were dispatched to the scene.[12] Gaffney was driving and McElligott was in the passenger seat of their assigned vehicle, 815R.[13] When they arrived at 4100 South Kildare, they saw a Hispanic male and female standing by the

[9] The following account of [redacted] and Barillas' encounter with McDonald is taken from the March 16, 2015 case supplementary report (CSR) submitted by CPD Detective David March, which includes the statements that [redacted] and Barillas provided to CPD on October 21, 2014, and October 22, 2014 respectively. OIG 15-0564 003077.

[10] OEMC recordings reflect that Barillas called 911 at 9:45 p.m. stating that he was holding "a guy right hear [sic] that stolen [sic] the radios" from trucks in a truck yard located at "41st and Kildare." OIG 15-0564 003227.

[11] The following account of Gaffney and McElligott's encounter with McDonald is taken from (1) the audio-recorded statements Gaffney and McElligott provided to IPRA on October 21, 2014, OIG 15-0564 000482-98, 000610-30; and (2) the March 16, 2015 CSR submitted by March, which includes the statements that Gaffney and McElligott provided to March on the night of the McDonald shooting. OIG 15-0564 003067–69.

[12] OEMC records reflect that Gaffney and McElligott received the call at 9:47 p.m. OIG 15-0564 003691.

[13] Below is a chart identifying the beat numbers and vehicle numbers of the CPD vehicles that were present when McDonald was shot, along with the names of the officers who were assigned to those vehicles. This SRI refers to the below-referenced vehicles by beat number, unless otherwise specified.

Beat #	Vehicle #	Officers
845R	6412	Officer Walsh (driver), Officer Van Dyke (passenger)
815R	8489	Officer Gaffney (driver), Officer McElligott (passenger and on foot)
813R	8779	Officer Janet Mondragon (driver), Officer Daphne Sebastian (passenger)
822R	8765	Officer Arturo Becerra (driver), Officer Leticia Velez (passenger)
841R	8948	Officer Ricardo Viramontes (driver), Officer Dora Fontaine (passenger)

gate to the truck yard. The two said that a black male wearing a black shirt, later determined to be McDonald, had been trying to steal the radio out of a semi-truck and had subsequently headed north toward 40th Street.

Gaffney and McElligott drove north on Kildare, turned right onto 40th Street, and saw McDonald walking east on the south side of 40th Street. McElligott exited the vehicle and commanded McDonald to stop and turn around. Gaffney stayed in the vehicle in case McDonald attempted to flee. McElligott ordered McDonald to take his hands out of his pockets. McDonald, who had been facing McElligott, turned and walked away with one hand still in his pocket. McDonald then turned again and took both of his hands out of his pockets. He had a knife in his right hand. McElligott drew his weapon and told McDonald to drop the knife. McDonald started walking east again, going from the sidewalk to the street and back. McElligott followed McDonald on foot, shining his flashlight on him, while Gaffney followed in 815R, parallel to McDonald.

As McDonald approached the intersection of 40th and Keeler, Gaffney reported to dispatch that McDonald was walking away with a knife in his hand.[14] Gaffney and McElligott continued to follow McDonald as he headed east, with McElligott giving McDonald orders to drop his knife and stop. McDonald kept turning around and giving the officers a "weird glaze[d] look." Gaffney IPRA Tr. 11:20.[15]

As McDonald approached the intersection of 40th and Karlov, Gaffney turned his car toward McDonald to direct him down Karlov. Gaffney wanted to keep McDonald away from Pulaski, which was a more populated area. McDonald then swung his arm and popped 815R's right front tire with his knife. McElligott was toward the back of 815R when McDonald popped its tire. After McDonald took a step back from the vehicle, Gaffney pulled up further in front of him to stop him from proceeding to Pulaski. McDonald then hit the right side of 815R's windshield once with the knife in his right hand. The windshield did not break, but according to Gaffney, McDonald hit it as hard as he could. McDonald walked around the front of 815R and continued eastward on 40th Street. After McDonald had walked 10 to 15 feet, another squad car turned off of Pulaski onto 40th Street with its lights on, and McDonald began to sprint. McElligott followed McDonald on foot, and Gaffney followed McDonald in 815R. McDonald ran eastbound through the Burger King parking lot at 40th and Pulaski and then headed southbound on Pulaski. Video footage from several cameras captured McDonald's movements once he reached Pulaski.

[14] OEMC recordings reflect that, at 9:53 p.m., 815R reported: "We're at 40th and Keeler. This guy uh is walking away from us and he's got a knife in his hand." Approximately 30 seconds later, a dispatcher stated, "815R looking for a taser." *See* OEMC Documents and CDs; *see also* OIG 15-0564 003691, 3228.

[15] OIG 15-0564 000620.

3. Summary of the Relevant Video Footage

The below table contains a summary of the relevant video footage of the McDonald shooting, which includes the dashcam videos from 813R and 845R, video from the "WNE fire exit" security camera from the Greater Chicago Food Depository, which is bordered by 40th Street to the north, Karlov Avenue to the east, and Keeler Avenue to the west, and the security camera video from the Dunkin' Donuts, located at 4113 South Pulaski Road (the DD Camera).[16]

Time	Event(s) Captured	Source of Video
9:53:17 – 9:54:42	McDonald walks eastbound on the south side sidewalk of 40th Street; a CPD SUV travels east on 40th Street, parallel to McDonald with its front bumper even with McDonald; an officer on foot trails directly behind McDonald by the length of the SUV, with his flashlight trained on McDonald.[17]	Greater Chicago Food Depository Security Camera
9:56:53 – 9:57:01	813R and 845R turn left onto 40th Street from Pulaski.	813R Dashcam
9:57:01– 9:57:09	An unidentified person on 40th Street points the CPD vehicles toward the Burger King parking lot (813R); 845R turns into the parking lot (813R). McDonald runs southeast through the Burger King parking lot out onto Pulaski (845R).	813R Dashcam; 845R Dashcam
9:57:09 – 9:57:20	845R drives over the curb and sidewalk north of Burger King and heads south on Pulaski (845R); 813R turns around, turns right onto 40th Street, and then right again on Pulaski (813R); McDonald runs southbound in the middle of Pulaski and enters the intersection of 41st Street and Pulaski (813R).	813R Dashcam; 845R Dashcam
9:57:20 – 9:57:25	845R, which is facing east/southeast on Pulaski just north of 41st street, turns right behind McDonald and proceeds south on Pulaski on the east side of the street; 845R's passenger door briefly opens and then closes as it passes McDonald on his left; McDonald continues southbound	813R Dashcam

[16] In addition to the videos cited in the summary, OIG obtained video footage from the security camera videos at Burger King and Focal Point, and the dash camera videos from Vehicles 815R and 821R. These videos did not contain footage relevant to this report.

[17] OIG confirmed the vehicle is 815R and the officer on foot is McElligott by comparing the video with photographs of the officers. OIG 15-0564 003356.

	on Pulaski, toward 822R, which is stopped in the middle of Pulaski facing north.	
9:57:25 – 9:57:28	McDonald slows as he approaches 822R, touches his hands to his waist, and then, before Walsh and Van Dyke exit 845R, and with 822R situated between McDonald and the officers, McDonald extends his right arm fully to his right—the video shows that he has a silver object in his right hand; 845R passes 822R and comes to a stop on the east side of Pulaski, facing south and almost directly south of 822R; Van Dyke opens 845R's passenger door.	813R Dashcam
9:57:28 – 9:57:30	McDonald changes course and begins walking southwest on Pulaski, away from 822R and 845R (813R); Van Dyke exits the passenger side of 845R with both of his feet in Pulaski's northbound left turn lane, his gun drawn and pointed at McDonald (813R). Walsh exits the driver side of 845R, just east of Pulaski's northbound left turn lane, with his gun drawn, and moves north along the driver side of 845R until he is several feet north of 845R (DD Camera).	813R Dashcam; DD Camera[18]
9:57:30 – 9:57:33	McDonald continues to walk southwest, from the middle of Pulaski to the lane markers that divide the west side of the road (or approximately one lane west of where McDonald was prior to changing course) (813R). While McDonald walks southwest, Walsh begins moving sideways in a west/southwest direction, approximately parallel to McDonald, and crosses over the east side of Pulaski's northbound left-turn lane—his gun is pointed at McDonald (813R; DD Camera). Van Dyke takes approximately two steps northwest toward McDonald, with his left foot crossing into Pulaski's yellow-painted median strip—his gun is pointed at McDonald (813R; DD Camera). 822R drives north on Pulaski, away from 845R (813R). 841R drives north in the middle of Pulaski, toward 845R and stops just south of 845R, facing north (813R; DD Camera).	813R Dashcam; DD Camera
9:57:33 –	As McDonald approaches the lane markers on the west	813R Dashcam;

[18] The DD Camera video does not display an embedded timestamp. Therefore, OIG used the timestamp of 813R's video, which generally captured the same events as the DD Camera from a different angle, to establish the timeframe of the events captured by the DD Camera.

9:57:36	side of Pulaski, walking in a southwest direction, he looks to his right and moves his right hand behind his waist, near the right side of his lower back, then brings his hand back to his right side (813R). As McDonald crosses the lane markers on the west side of Pulaski, he looks to his left and takes a step southbound (813R). Meanwhile, Walsh continues moving west/southwest with his gun pointed at McDonald, ultimately traversing almost the entire width of Pulaski's northbound left-turn lane (813R; DD Camera). Van Dyke takes an additional step west, toward McDonald, putting both of his feet in Pulaski's median strip and placing himself almost directly between McDonald and Walsh (813R; DD Camera). McDonald is then apparently shot and Walsh stops moving and adopts a stance, with his feet more than a shoulder's width apart (813R; DD Camera).	DD Camera
9:57:36 – 9:57:54	McDonald spins between 180 and 270 degrees in a clockwise direction and then falls to the ground with the top of his head pointing south on Pulaski, approximately one street lane east of Van Dyke and just south of Van Dyke (813R). As McDonald falls to the ground, Van Dyke takes another step west toward McDonald, moving his right foot from Pulaski's median strip into the south-bound side of Pulaski—his gun remains pointed at McDonald (813R). Van Dyke subsequently takes an additional step or two south, toward McDonald (DD Camera). Other than those steps, Van Dyke's feet are stationary (DD Camera). After McDonald is on the ground, his legs and feet do not move (813R). McDonald's upper body makes small, intermittent movements as what appear to be puffs of smoke rise from McDonald's body (813R).[19]	813R Dashcam; DD Camera
9:57:54 – 9:58:05	An officer approaches McDonald and kicks the knife from his hand. McDonald does not make any noticeable movements.	813R Dashcam
9:58:05 – 9:58:20	McDonald lies on the ground; no aid is rendered by CPD personnel. 823R, travelling northbound, pulls up on the west side of Pulaski, and stops just south of where	813R Dashcam; 823R Dashcam

[19] OEMC records show that dispatch received notice to send an ambulance to the scene at 9:57:51. OIG 15-0564 003691.

	McDonald is lying.	
9:58:20 – 9:58:57	Several CPD officers walk and stand near McDonald as he lies on the ground; no aid is rendered by CPD personnel.	813R Dashcam;[20] 823R Dashcam
9:58:57 – 9:59:02	823R begins making a U-turn on Pulaski. A Cook County Sheriff's Police Department (CCSPD) officer puts on blue gloves and walks toward McDonald.[21] McDonald is no longer visible in the video frame.	823R Dashcam

4. CCSPD Officer Accounts of the October 20, 2014 McDonald Shooting[22]

While on patrol on October 20, 2014, CCSPD Officers Adam Murphy and Jeff Pasqua observed several CPD police vehicles pass by them. Both officers decided to follow the CPD vehicles. When they arrived at the scene, several CPD vehicles were already present—Pasqua estimated it was five or six. McDonald was lying on the pavement "gasping for his last breath of air." Pasqua OIG Tr. 11:22-23. Meanwhile, the CPD officers were "standing around" and talking to each other. Murphy OIG Tr. 11:1. Murphy noted the CPD officers did not respond to him when he asked if they needed assistance. Murphy stated:

> I see there's blood all over the pavement. [McDonald] was kind of gurgling when he was sitting there. I remember his mouth was going open and closed like he was trying to gasp for air. And I looked for everybody else, and they were kind of standing there. I just started taking my gloves—my rubber gloves out to check for a pulse and to see if I could render aid.

Murphy OIG Tr. 12:18-13:2. He heard someone say an ambulance was en route. Both Officers Murphy and Pasqua recalled then watching McDonald take his final breaths.[23] It was "[m]aybe less than a minute before [McDonald] expired." Murphy OIG Tr. 14:15-16. At no time did any CPD officers attempt to provide aid or comfort McDonald—Murphy stated, "That's why I felt that I needed to go up to him." Murphy OIG Tr. 14:11-12.

After McDonald passed away, Murphy got up from beside him and noticed the shooting officer, who he now knows to be Van Dyke, "pacing back and forth in front of his car." Murphy OIG

[20] The last time stamp visible on the 813R dashcam video is 9:58:55.

[21] OIG identified the CCSPD officer as Officer Adam Murphy.

[22] The following CCSPD Officer accounts are taken from OIG's June 23, 2016 interview of Jeff Pasqua and its June 24, 2015 interview of Adam Murphy. Pasqua and Murphy are currently CCSPD investigators.

[23] The Medical Examiner's Case Report states McDonald was pronounced dead "on view" at Mount Sinai Medical Center on October 20, 2014, at 10:42 p.m. OIG 15-0564 015029.

Tr. 15:7-8. Murphy approached him and told him to sit down and drink water. As he was speaking with Van Dyke, Murphy "heard several officers telling [Van Dyke] to 'call your union rep, call your union rep.'" Murphy OIG Tr. 15:16-17.

Murphy and Pasqua departed after approximately ten minutes on the scene when a CPD sergeant told them CPD did not need their assistance. At the time they left, there was "[a] sea of CPD" on scene. Murphy OIG Tr. 38:3; Pasqua OIG Tr. 25:7-8.

C. The Cook County Office of Medical Examiner's Case Report and Post-Mortem Examination Report

On October 21, 2014 at 1:30:31 a.m., Cook County Office of Medical Examiner (CCME) Investigator Earl Briggs completed a Case Report concerning the McDonald shooting.[24] The report, identified as ME2014-01071, contains, among other information, background information on McDonald, the "Place of Occurrence/Incident," and the time McDonald was pronounced deceased. The report further contains a "Notification" section, which lists March's name, title, star number, telephone number and beat. Under "Date" and "Time," the notification section states "10/20/14" and "11:51:59 PM." The notification section also lists a "Police Report #" of HX475653. The report was approved by CCME Investigator I Anthony King. The report contains a "Narrative" section, which states in relevant part as follows:

> On 20 October 2014 at 2351 hours Detective March # 20563 of the Chicago Police Department Area Central Detectives Beat # 5121 notified the Forensic Institute the subject Laquan McDonald had expired at Mt. Sinai Hospital after being shot by an on duty Chicago Police Officer.
>
> Detective March related the following: on or about 2156 hours 19 October 2014 Chicago Police 8th District Beat Car 815R responded to 41st and Kildare in reference to a "Citizen Holding a Subject". Upon arrival Beat # 815R was confronted by the subject who threatened the officers with a 4 inch fold knife. The subject fled the scene on foot where at 4112 S. Pulaski the subject was stopped by officers assigned to Beat # 845R. The officers announced their office as "Chicago Police Officers" and ordered the subject to drop the knife. The subject lunged at the officers with the knife. Fearing for their life and attempting to stop the threat one officer (star # 9465) fired sixteen rounds from his duty weapon a Smith & Wesson 9mm handgun striking the subject numerous times. After striking the subject an ambulance was requested by the officers.
>
> Upon arrival of Chicago Fire Department Ambulance # 21 the subject was transported to Mt. Sinai Hospital. Once at Mt. Sinai Hospital emergency room staff were unable to revive the subject and the subject expired at 2242 hours being pronounced by Doctor Titeel. It appears that the subject sustained the following gunshot wounds, four to the chest, six to the right arm, five to the left arm, one to

[24] OIG 15-0564 015028-31.

> the rightside torso, two to the back, one to the right hip, two to the left leg front, two to the left leg rear, 2 to the left thigh and three to the right thigh. At this time since the officer fired sixteen times which of the twenty-six gunshot wounds are entrance or exit wounds.

On January 15, 2015, CCME Assistant Medical Examiner Denika Means completed a Report of Postmortem Examination regarding ME2014-01071.[25] The report lists McDonald's date of death as October 20, 2014 and the "Date Examined" as October 21, 2014 at 8:25 a.m. The report's "Opinion" section states in its entirety as follows: "Based on the case history and autopsy findings, it is my opinion that Laquan McDonald, a 17-year-old black male, died as the result of multiple gunshot wounds."

D. Public Statements Concerning the McDonald Shooting

In the immediate aftermath of the shooting, CPD's Office of News Affairs and FOP Spokesperson Pat Camden each made public statements regarding the shooting. On October 21, 2014, the Office of News Affairs issued a press release titled "Preliminary Statement on Police Involved Shooting – 4100 Block of S. Pulaski.[26] The release described the shooting as follows: "Near the intersection of 4100 S. Pulaski, uniformed officers confronted the armed offender who refused to comply with orders to drop the knife and continued to approach the officers. As a result of this action, the officer discharged his weapon striking the offender."

Camden made his statement to the media at the scene of the shooting. Specifically, an October 21, 2014 Chicago Tribune article titled "Cops: Boy, 17, fatally shot by officer after refusing to drop knife," states as follows: "Officers got out of their car and began approaching McDonald, again telling him to drop the knife, [FOP Spokesman Pat] Camden said. The boy allegedly lunged at police, and one of the officers opened fire."[27]

E. The HX486155 Case Incident Report

On October 29, 2014, March submitted an Original Case Incident Report under RD Number HX486155, with the event number of 1430116812 and the "Case ID" of 9837884 CASR229.[28] The report identified March as the Reporting Officer and Detective/Investigator, and Sergeant Daniel Gallagher as the Approving Supervisor. The report classified the incident as "Assault – Aggravated; Knife/Cutting Instr," listed the "Occurrence Location" as 4101 S Kildare Blvd. and

---

[25] OIG 15-0564 003095-114.

[26] OIG 15-0564 003852.

[27] OIG 15-0564 015188-015190. In a February 24, 2016 OIG interview, Camden, when asked who his source was for the statement that McDonald "lunged at police," said that that information came from a FOP union representative who was at the scene of the shooting. However, Camden could not recall which union representative provided him with that information.

[28] OIG 15-0564 003299-300.

the "Occurrence Date" as October 20, 2014 at 9:47 p.m. The report listed Rudy Barillas as the victim, Gaffney, Van Dyke, and Walsh as additional victims, and McDonald as "Suspect # 1." The narrative section of the report states as follows:

> The offender in this incident, Laquan McDonald, committed an aggravated assault against the victim, Rudy Barillas, by attempting to cut Barillas with a knife. Barillas called 9-1-1. Chicago Police Officers Thomas Gaffney, Jason Van Dyke and Joseph Walsh responded to Barillas' call. McDonald committed aggravated assaults against the three officers, finally forcing Officer Van Dyke, in defense of his life, to shoot and kill McDonald. Details of this investigation are reported under the Homicide/Justifiable, recorded under Records Division number HX475653.

F. CPD Evidence Submission Form

March submitted a CPD Evidence Submission Form to the Illinois State Police, listing an RD number of HX475653, identifying McDonald as the suspect and Gaffney, Van Dyke, and Walsh as victims.[29] March, among other requests, asked that McDonald's knife be examined for latent fingerprints and, if any were found, that they be compared to the fingerprints of McDonald. The form contains a "Detective's Comments" section, which states in relevant part as follows: "The offender, Lequan [sic] McDonald, assaulted the three victim Chicago Police Officers with a knife, and was shot and killed by victim Police Officer Jason Van Dyke." An Evidence Coordinator reviewed March's submission on November 3, 2014.

G. HX475653 Case Supplementary Reports

On March 15, 2015, March submitted two case supplementary reports under the R.D. Number HX475653. Lieutenant Anthony Wojcik approved both reports on March 16, 2015.[30] The first CSR, which March submitted at 6:23 p.m., has a Case ID of 9825613 and a Sup ID of 10988891 CSR339 (the 339 CCR), and is described as a "Field Investigation Progress-Violent (Scene)" report.[31] The second CSR, which March submitted at 6:26 p.m., has a "Sup ID" of 10992767 CASR301 (the 301 CSR), and is described as a "Field Investigation Exc. Cleared Closed (Other Exceptional)" report.[32] Both CSRs list the original and last "Offense Classification" as "Assault/Aggravated Po: Knife/Cut Instr.," the "Date of Occurrence" as October 20, 2014 at 9:57 p.m., and the "Address of Occurrence" as 4112 S Pulaski Rd. Both CSRs further list Van Dyke, Walsh, Gaffney, and McElligott as the victims, McDonald as the offender, March as the reporting officer and primary detective assigned, and Wojcik as the approving supervisor. Finally, both CSRs state that they are the "report of" March, Wojcik, Gallagher, and the "Bureau

[29] OIG 15-0564 003175-76.

[30] Wojcik retired from CPD effective May 16, 2016.

[31] OIG 15-0564 003034-56.

[32] OIG 15-0564 003057-79.

of Detectives – Area Central."

The 301 CSR contains, among other information, his summaries of the interviews he conducted of the officers who were present when Van Dyke shot McDonald, as well as summaries of the interviews CPD conducted of civilian witnesses to the events of October 20, 2014. The 339 CSR contains, among other information, an inventory of the evidence recovered and an identification of the personnel assigned to the case and the witnesses to the relevant events. March also notes in the 339 CSR that McDonald was "Taken To" Mount Sinai Hospital by CFD Ambulance 21, was "Pronounced By" Dr. Pitzele, at Mount Sinai Hospital on October 20, 2014 at 22:42, and lists the "Medical Examiner Case Number" as 2014-01071.[33] Immediately above the "Taken To" section of the 339 CSR, is an "Injuries" section that describes the location of the entrance and exit wound (if one existed) of each gunshot wound McDonald received.

1. Officer Statement Summaries

a) Van Dyke

The 301 CSR includes a summary of the statements that Van Dyke provided to March on October 20, 2014 and October 21, 2014, respectively. The following is an excerpt of Van Dyke's October 20, 2014 statement:

> Officer Van Dyke exited the vehicle on the right side and drew his handgun. As Van Dyke stood in the street on Pulaski, facing northbound, toward McDonald, McDonald approached southbound. McDonald was holding the knife in his right hand, in an underhand grip, with the blade pointed forward. He was swinging the knife in an aggressive, exaggerated manner. Van Dyke ordered McDonald to "Drop the knife!" multiple times. McDonald ignored Van Dyke's verbal direction to drop the knife and continued to advance toward Van Dyke.
>
> When McDonald got to within 10 to 15 feet of Officer Van Dyke, McDonald looked toward Van Dyke. McDonald raised the knife across his chest and over his shoulder, pointing the knife at Van Dyke. Van Dyke believed McDonald was attacking Van Dyke with the knife, and attempting to kill Van Dyke. In defense of his life, Van Dyke backpedaled and fired his handgun at McDonald, to stop the attack. McDonald fell to the ground but continued to move and continued to grasp the knife, refusing to let go of it. Van Dyke continued to fire his weapon at McDonald as McDonald was on the ground, as McDonald appeared to be attempting to get up, all the while continuing to point the knife at Van Dyke. The slide on Van Dyke's pistol locked in the rearward position, indicating the weapon was empty. Van Dyke performed a tactical reload of his pistol with a new magazine and then assessed the situation.

[33] OIG 15-0564 003046-47.

> McDonald was no longer moving and the threat had been mitigated, so Officer Van Dyke and Officer Walsh approached McDonald. McDonald was still holding the knife in his right hand. Van Dyke continued to order McDonald to "Drop the knife!" Officer Walsh told Van Dyke, "I have this." Van Dyke then used his handgun to cover Walsh as Walsh walked up and forcibly kicked the knife out of McDonald's right hand, thereby eliminating the threat to the officers.[34]

The 301 CSR summarized Van Dyke's October 21, 2014 statement in relevant part as follows:

> [Van Dyke] related the same sequence of events as documented in his original interview at the scene of the incident.[35] Van Dyke additionally articulated the reasoning behind his decision to use deadly force against the offender in this incident, Laquan McDonald. Van Dyke was aware of the radio transmissions from Officer Thomas Gaffney, on Beat 815R, that McDonald was armed with a knife. Van Dyke was aware that McDonald had attacked the officers on Beat 815R by slashing the tire of their police vehicle.
>
> As he confronted McDonald at 4112 South Pulaski Road, Van Dyke saw that McDonald was in fact, armed with a knife, a deadly weapon. Van Dyke was aware of the widely accepted teaching in law enforcement that an assailant armed with a knife was considered a deadly threat, if within 21 feet, because it was possible for such an assailant to close that distance and attack with the knife before a defensive shot could be fired from a handgun.[36] Van Dyke was also aware of the existence of throwing knives, which can be thrown from a distance, as well as spring loaded knifes, which propel a blade through the air from the knife handle. Van Dyke also said he recalled a previously issued Chicago Police Department bulletin warning of a weapon which appeared to be a knife but which actually was capable of firing a bullet, making it a firearm.[37]

---

[34] March completed a General Progress Report (GPR) relating to his October 20, 2014 interview of Van Dyke that contain March's handwritten notes of the interview. OIG 15-0564 003239-41. March's handwritten notes of the interview do not differ in any significant way from the summary of Van Dyke's statement in the CSR.

[35] March's GPR relating to his October 21, 2014 interview of Van Dyke stated: "Same details." The rest of March's handwritten notes of the interview do not differ in any significant way from the summary of Van Dyke's statement in the CSR. OIG 15-0564 003254.

[36] On April 29, 2016, OIG spoke with CPD Deputy Chief Director of Training Keith Calloway. Calloway is familiar with the so-called "21-foot rule." Calloway characterized the 21-foot rule as "junk science" as the theory behind it has never been scientifically proven, and stated that it has never been part of CPD's training process. *See* OIG Investigative Report of Call with Keith Calloway.

[37] March wrote in the 301 CSR that a search was subsequently conducted for the bulletin Van Dyke referenced and that an "Officer Safety Alert number 2012-OSA0297," issued on December 4, 2012, was located. *See* OIG 15-0564 003310. March wrote that "[i]t was a warning regarding a 'revolver knife' which was capable of firing .22 caliber cartridges."

b) Walsh

The following is an excerpt of Walsh's October 20, 2014 statement[38]:

> [A]s Laquan McDonald ran eastbound through the Burger King parking lot, Walsh used the police vehicle he was driving to block McDonald from entering the restaurant.
>
> As McDonald ran southbound on Pulaski Road, from the Burger King, Walsh pursued McDonald in the police vehicle. Walsh drove southbound in the northbound lanes to get ahead of McDonald, keeping the police vehicle between McDonald and a Dunkin' Donuts restaurant, on the east side of Pulaski. As their vehicle passed McDonald, Officer Van Dyke opened the right front door of their vehicle, to exit the truck and confront McDonald. Walsh, realizing that at this point they were too close to the armed McDonald to safely exit the vehicle, told Van Dyke to wait until they got further ahead of McDonald. Walsh drove further south on Pulaski. He stopped his vehicle south of McDonald and exited the driver's door as Van Dyke exited the right side of the vehicle. Walsh drew his handgun when he exited the vehicle.
>
> Officer Walsh came around the rear of the police vehicle and joined Officer Van Dyke on the right side of the vehicle. Walsh also stood in the street on Pulaski, facing northbound, as McDonald walked southbound toward the officers. Walsh ordered McDonald to "Drop the knife!" multiple times as McDonald approached the officers.
>
> Officer Walsh also backed up, attempting to maintain a safe distance between himself and McDonald. McDonald ignored the verbal direction given by both Walsh and Officer Van Dyke, and continued to advance toward the officers. When McDonald got to within 12 to 15 feet of the officers he swung the knife toward the officers in an aggressive manner. Van Dyke opened fire with his handgun and McDonald fell to the ground. Van Dyke continued firing his weapon at McDonald as McDonald continued moving on the ground, attempting to get up, while still armed with the knife.
>
> When the gunfire stopped and McDonald was not moving anymore, Walsh approached McDonald with Van Dyke. Walsh continued to order McDonald to "Drop the knife!" multiple times, as McDonald was still holding the knife in his right hand. Walsh forcibly kicked the knife out of McDonald's hand and then notified the dispatcher on the police radio that shots had been fired by the police. An ambulance was also requested for McDonald.
>
> As they waited for the ambulance to respond to the scene, Officer Walsh told

[38] The first paragraph of the Walsh statement summary provides: "Walsh related the same facts as his partner, Officer Jason Van Dyke."

> McDonald to 'hang in there,' and that an ambulance was on the way.
>
> Officer Walsh said he believed McDonald was attacking Walsh and Officer Van Dyke with the knife and attempting to kill them when the shots were fired. Walsh stated he did not fire his handgun because Van Dyke was in the line of fire between Walsh and McDonald. Walsh thought Van Dyke fired eight or nine shots total.[39]

c) Fontaine

The 301 CSR summarizes Fontaine's October 20, 2014 statement in relevant part as follows:

> Fontaine was working with Police Officer Ricardo Viramontes. The two officers were assigned to a marked vehicle. Viramontes was driving the vehicle and Fontaine was the passenger.
>
> The two officers responded to the request for assistance made by Beat 815R, regarding a man with a knife at 41st Street and Pulaski Road. Officer Viramontes drove northbound on Pulaski. When they arrived at the scene of this incident, in front of the Dunkin' Donuts restaurant, Officer Fontaine saw a black male subject, now known as Laquan McDonald, walking southbound in the street, with a knife in his right hand. McDonald was walking sideways, with his body facing east, toward Officers Jason Van Dyke and Joseph Walsh. These two officers were standing in the middle of the street, on the right side of their police vehicle, which was facing southbound. Fontaine heard the officers repeatedly order McDonald to "Drop the knife!" McDonald ignored the verbal direction and instead, raised his right arm toward Officer Van Dyke, as if attacking Van Dyke. At this time Van Dyke fired multiple shots from his handgun, until McDonald fell to the ground and stopped moving his right arm and hand, which still grasped the knife. The gunshots were rapid fire, without pause. Officer Walsh then kicked the knife out of McDonald's hand.[40]

d) Viramontes

The 301 CSR summarizes Viramontes's October 20, 2014 statement in relevant part as follows[41]:

---

[39] Detective March completed a GPR relating to his interview of Walsh that contains March's handwritten notes of the interview. OIG 15-0564 003242–43. March's handwritten notes of the interview do not differ in any significant way from the summary of Walsh's statement in the CSR.

[40] Detective March completed a GPR relating to his interview of Fontaine that contains March's handwritten notes of the interview. OIG 15-0564 003252. March's handwritten notes of the interview do not differ in any significant way from the summary of Fontaine's statement in the CSR.

[41] The first paragraph of the Viramontes's statement summary provides: "Viramontes related the same facts as his partner, Officer Dora Fontaine."

> [W]hen [Viramontes] exited his police vehicle, at the scene, he observed a black male subject, now known as Laquan McDonald, walking southbound on Pulaski Road, in the middle of the street, holding a knife in his right hand. Viramontes heard Officer Jason Van Dyke repeatedly order McDonald to "Drop the Knife!" McDonald ignored the verbal direction and turned toward Van Dyke and his partner, Officer Joseph Walsh. At this time Van Dyke fired multiple shots from his handgun. McDonald fell to the ground but continued to move, attempting to get back up, with the knife still in his hand. Van Dyke fired his weapon at McDonald continuously, until McDonald was no longer moving.[42]

e) Sebastian

The following is an excerpt of the 301 CSR summary of Sebastian's October 20, 2014 statement:

> Officer Sebastian observed a black male subject, now known as Laquan McDonald, running southeast bound through the parking lot of the Burger King restaurant. Beat 845R pursued McDonald in their police vehicle, through the parking lot, toward Pulaski. Sebastian told Officer Mondragon to drive back out onto Pulaski to assist in the pursuit. McDonald ran out onto Pulaski and continued to run southbound down the middle of the street. Beat 845R pursued McDonald in their vehicle, southbound on Pulaski, followed by Beat 813R. As McDonald ran southbound on Pulaski, Sebastian saw the knife in his right hand. McDonald was waving the knife.
>
> Beat 845R stopped their vehicle ahead of McDonald, between McDonald and the Dunkin' Donuts restaurant on the east side of Pulaski. Officers Joseph Walsh and Jason Van Dyke exited their vehicle and drew their handguns. McDonald turned toward the two officers and continued to wave the knife. Sebastian heard the officers repeatedly order McDonald to "Drop the knife!" McDonald ignored the verbal directions and continued to advance on the officers, waving the knife. Officer Sebastian heard multiple gunshots and McDonald fell to the ground, where he continued to move. Sebastian did not know who fired the shots, which were fired in one continuous group. She then saw Officer Walsh kick the knife out of McDonald's hand.[43]

[42] Detective March completed a GPR relating to his interview of Viramontes that contains March's handwritten notes of the interview. OIG 15-0564 003253. March's handwritten notes of the interview do not differ in any significant way from the summary of Viramontes' statement in the CSR.

[43] Detective March completed a GPR relating to his interview of Sebastian that contains March's handwritten notes of the interview. OIG 15-0564 003248. March's handwritten notes of the interview do not differ in any significant way from the summary of Sebastian's statement in the CSR.

f) Mondragon

The following is an excerpt of the 301 CSR summary of Mondragon's October 20, 2014 statement[44]:

> Officer Mondragon added that as she drove westbound on 40th Street, she saw Officer McElligott running eastbound through the Burger King parking lot. She made a U-Turn and drove back out onto Pulaski Road. Mondragon turned southbound onto Pulaski. She saw Laquan McDonald running southbound on Pulaski, in the middle of the street. As she got closer she could see McDonald was holding a knife in his right hand. He was waving the knife.
>
> Officer Mondragon saw Officers Joseph Walsh and Jason Van Dyke outside of their police vehicle. She heard the officers repeatedly ordering McDonald to "Drop the knife!" as McDonald got closer and closer to the officers, continuing to wave the knife. As she was placing her vehicle transmission into Park, Mondragon looked down and heard multiple, continuous gunshots, without pause. Mondragon then saw McDonald fall to the ground. Mondragon did not know who fired the shots.[45]

2. The 301 CSR's Findings and Conclusions

The 301 CSR includes several findings and conclusions regarding the shooting. Specifically, it states that "[t]he recovered in-car camera video from Beats 845R and 813R was viewed and found to be consistent with the accounts of all of the witnesses."[46] The 301 CSR further states:

> The above to-date investigation determined that Laquan McDonald was an active assailant who, while armed with a dangerous weapon, used force likely to cause death or serious injury to a private citizen when he attacked Rudy Barillas; threatened the imminent use of force likely to cause death or serious injury when he incised the tire and stabbed the windshield of a Chicago Police Department vehicle occupied by Officer Thomas Gaffney; and initiated imminent use of force likely to cause death or serious injury when he initiated an attack on Officers Jason Van Dyke and Joseph Walsh. The above investigation concluded that Officer Jason Van Dyke's use of deadly force, the discharging of his duty firearm,

[44] The first paragraph of Mondragon's statement summary provides: "Mondragon related the same facts as her partner, Officer Daphne Sebastian."

[45] Detective March completed a GPR relating to his interview of Mondragon that contains March's handwritten notes of the interview. OIG 15-0564 003249. March's handwritten notes of the interview do not differ in any significant way from the summary of Mondragon's statement in the CSR.

[46] OIG 15-0564 003075.

> was within the bounds of the Chicago Police Department's use of force guidelines, and in conformity with local ordinances and state law.[47]

On March 15, 2015 at 5:33 p.m., less than an hour before March submitted the CSR, Wojcik emailed March a Microsoft Word document titled "Conclusion." The word document contains language almost identical to the above-quoted paragraph.

3. The 339 CSR's Narrative and Findings

The "Manner/Motive" section of the 339 CSR states as follows:

> Laquan McDonald was shot and killed by Chicago Police Officer Jason Van Dyke while McDonald was committing an aggravated assault with a knife against Officer Van Dyke and his partner, Chicago Police Officer Joseph Walsh. McDonald also committed an aggravated assault with a knife against Chicago Police Officers Thomas Gaffney and Joseph McElligott, when McDonald stabbed the right front tire and windshield of their police vehicle, and an aggravated assault with a knife against civilian, Rudy Barillas, immediately prior to being confronted by Officers Van Dyke and Walsh. / Peace officer interceding in a felony, in the line of duty-Defense of life (Offender apparently attempting to defeat arrest).[48]

The "Just Homicide Description" section of the 339 CSR states: "Criminal Killed By Police Officer."[49] The "Additional Just Homicide Descr." section of the 339 CSR states: "Criminal Attacked Officer That Officer Killed Criminal."

H. OIG Interview of Chief Medical Examiner Ponni Arunkumar

On July 22, 2016, OIG investigators interviewed Cook County Office of Medical Examiner (CCME) Chief Medical Examiner Ponni Arunkumar via telephone. Cook County Executive Officer James Sledge and CCMO General Counsel Robert Meza were also on the call. In summary, Arunkumar stated as follows.

Arunkumar has been the Chief Medical Examiner since mid-July of 2016. Prior to assuming that title, Arunkumar was a Deputy Medical Examiner for four years. Arunkumar began working for CCMO in 2003.

CCMEO assistant medical examiners, also referred to as pathologists, are assigned autopsy cases every morning. Denika Means was assigned to the Laquan McDonald autopsy through the normal case assignment process. Means would have reviewed the ME2014-01071 case report

[47] OIG 15-0564 003078.

[48] OIG 15-0564 003047-48.

[49] OIG 15-0564 003036.

after receiving the McDonald autopsy assignment to learn what the case was about generally. The information in the case report would have caused Means to review the X-Rays and McDonald's body for gunshot entry and exit wounds as she determined the cause and manner of McDonald's death. Specific information in the case report about McDonald lunging at the Chicago police officers would not have impacted Means's conclusion about the cause and manner of McDonald's death.

The wording "case history" in the opinion section of the McDonald postmortem examination report is not standardized language used by pathologists. Rather, it is a generic term that Means chose to use. Another pathologist could have used the wording "circumstances of the case" or something similar. Means's intention in stating "case history" was to state that she used a variety of items to formulate her conclusion related to the cause and manner of McDonald's death. The items would have included, but not been limited to, the case report, the toxicology report, and observations from McDonald's autopsy.

I. OIG Interview of Briggs

On July 20, 2016, OIG investigators interviewed CCME Investigator I Earl Briggs under oath. The interview was transcribed by a certified court reporter. Christopher Kalka, Chief of Investigations for CCME, was also present for the interview. In summary, Briggs stated as follows.

Briggs was hired by CCME in December 2012 as an Investigator Aide and, at the time of his interview, was an Investigator I. Briggs did not recall what his title was on October 20, 2014. The primary function of an Investigator I and Investigator Aide is to assist the Cook County pathologists in determining the cause and manner of trauma-related deaths. Briggs works from 11 p.m. to 7 a.m., the same hours he was working on October 20, 2014.

CCME creates a case report for every trauma-related death in Cook County. Briggs described a CCME case report as a "narrative of the investigation." Briggs OIG Tr. 11:2-3. CCME is usually notified by police officers, hospital workers, or a doctor regarding a trauma-related death, and then the CCME investigator "[g]et[s] some basics, you know, some circumstances to exactly what happened." Briggs OIG Tr. 14:8-9. With respect to shooting deaths, Briggs determines the decedent's name, address, how he or she was identified, where the decedent was shot, and the circumstances of death. According to Briggs, if CCME receives the notification of a shooting death via telephone, the officer who calls in would provide that information. After the investigator conducts the initial interview, the investigator completes the case report within 24 hours. The investigator submits the case report to the shift supervisor and then it goes to the deputy chief and deputy. After the case report is approved, it is read by the pathologist.[50] Because Briggs works midnights, he rarely has interactions with the pathologists regarding his case reports. Briggs said he is "definitely gone" by the time they are doing their examinations. Briggs OIG Tr. 27:21.

[50] Kalka explained that CCME investigators have to finish their reports by 6:30 a.m. because that is when the pathologists are assigned their cases.

With respect to the ME 2014-01071 case report, Briggs recounted that on the night of October 20, 2014, he got a call from a person identifying himself as Detective March. Briggs was at his desk when he received the call. During that phone call, March provided Briggs with a "preliminary" narrative of the McDonald shooting. Briggs OIG Tr. 34:16. When asked whether the case report accurately reflected what March told him during their phone conversation, Briggs responded: "To the best of my knowledge." Briggs OIG Tr. 34:20. Briggs did not believe that he took notes during his interview of March. Rather, Briggs said his general practice when completing a case report is to type up the information the interviewee is providing as he or she provides it. According to Briggs, he was typing as March was speaking.

When asked whether he recalled March saying to him that "The subject lunged at the officers with a knife," Briggs responded: "Yes." Briggs OIG Tr. 37:4-7. Briggs added: "If it's in my report, he said it." Briggs OIG Tr. 34:9. Briggs' general practice, especially with officer-involved shootings, is to "pretty much repeat what I'm going to put on paper" to the detective:

> OIG: So you would have read back to March, 'Here's what I got'—
>
> Briggs: 'Does this sound'—I hate to use the word, 'good'—'Does this sound good? Da, da, da, da, 'Officers responded, the guy pointed the gun at him, you know, are you okay with that?' 'Yes.'

Briggs OIG Tr. 37:12-20. Briggs reads his report to the interviewee because he "need[s] a confirmation." Briggs OIG Tr. 38:3. Briggs did not recall whether he read the McDonald case report narrative to March, but said "it's my normal practice." Briggs OIG Tr. 38:7-8. March did not tell Briggs that a CPD dashcam recorded McDonald's shooting and Briggs did not ask him whether there was any video of the shooting.

Briggs did not talk to anyone else at CPD regarding the McDonald case report. According to Briggs, "[e]verything that's on this report was related to [him] by Detective March." Briggs OIG Tr. 68:14-15.

Briggs acknowledged that he made a typographical error in the narrative section of the report when he stated that March identified the date of the shooting as October 19, 2014. Briggs did not recall having any follow-up conversation with March regarding the shooting.

CCME Investigator I Anthony King approved the McDonald case report. King was the senior Investigator the night of October 20, 2014. Briggs did not know whether anyone other than King reviewed his report, but assumed that the CCME Deputy Chief and Chief would have reviewed it as well because it was an officer-involved shooting. When asked whether anyone else participated in the drafting of the McDonald report, Briggs responded: "I would say no." Briggs OIG Tr. 51:7.

The purpose of a postmortem examination report is to "determine cause and manner of death." Briggs OIG Tr. 54: 13-14. Briggs did not believe he had any communications with Means prior to her examination of McDonald. Briggs thought that Means would have had a copy of his case

report prior to her examination of McDonald but did not know for sure. Briggs said it was "procedure" for the assistant medical examiners to read the investigators' case reports. Briggs OIG Tr. 55:5.

J. OIG Interview of Fontaine

On March 16, 2016, OIG investigators interviewed Officer Dora Fontaine under oath after informing her of her administrative rights orally and in writing. She provided oral and written acknowledgement of the reading of those advisements. The interview was transcribed by a certified court reporter. Fontaine's attorney, Jennifer Russell, was also present for the interview. In summary, Fontaine stated as follows concerning her interactions with March on the night of October 20, 2014, and the morning of October 21, 2014.

1. March's October 20, 2014 Interview of Fontaine

Fontaine and her partner Ricardo Viramontes were present on October 20, 2014, when Van Dyke shot McDonald. Fontaine subsequently spoke to Detective March at the scene of the shooting. March approached Fontaine while she was in her vehicle working on a case report. She exited the car and spoke with him. March asked her for the RD number of the investigation and which beat cars were on the scene. March also asked where Fontaine and Viramontes had been during the shooting and if she had seen anything. Fontaine told him that she had and provided details regarding the shooting. March had a pen and pad, but Fontaine did not recall him writing anything down. Her conversation with March lasted less than 15 minutes.

OIG asked Fontaine to review the statements attributed to her in the 301 CSR and identify any statements she did not make to March. She pointed out the sentence in the CSR which reads, "McDonald ignored the verbal direction, instead raised his right arm toward Officer Van Dyke as if attacking Van Dyke," and said "I don't recall telling [March] that." Fontaine 3/16/16 OIG Tr. 115:19-20. Fontaine said that she did not see McDonald raise his right arm toward Van Dyke. When asked whether the statements attributed to her in the 301 CSR were factually accurate, Fontaine said that the statement that McDonald raised his arm as if attacking Van Dyke was not accurate. Fontaine added: "I never made that statement." Fontaine 3/16/16 OIG Tr. 134:7.

2. Area Central

After completing the case report, Fontaine and Viramontes went to Area Central. While at Area Central, March asked Fontaine to go into a small Area Central office and then showed her video of the McDonald shooting on a computer monitor. There was another person in the room who ran the video, but Fontaine did not know the identity of that person. Fontaine recalled, "[March] was showing me the video and he says, when [McDonald] was walking – he says, 'It looks as if he's turning here.' And I was like, 'Oh, it does.'" Fontaine 3/16/16 OIG Tr. 72:21-24. Fontaine further recalled that March asked, "Oh, is this where he's walking?" Fontaine 3/16/16 OIG Tr. 73:16. Fontaine said that it was, and March asked, "'You see he kind of turns around?'" Fontaine 3/16/16 OIG Tr. 73:17-18. Fontaine agreed that it did look as though McDonald "kind of turns." Fontaine 3/16/16 OIG Tr. 73:20. Fontaine did not recall March taking notes during

their interaction. March did not ask her any other questions after showing her the video, and she returned to the main room.

K. OIG Interview of McElligott

On May 9, 2016, OIG investigators interviewed Officer Joseph McElligott under oath after informing him of his administrative rights orally and in writing. He provided oral and written acknowledgement of the reading of those advisements. The interview was transcribed by a certified court reporter. McElligott's attorney, Jennifer Russell was present for the interview. In summary, McElligott stated as follows concerning his observations of the interactions that occurred between CPD detective and Van Dyke and Walsh at Area Central on the morning of October 21, 2014.

Approximately four to five hours after the McDonald shooting, McElligott drove to Area Central with Gaffney. While at Area Central, McElligott saw CPD detectives and officers looking at the Dunkin' Donuts video. McElligott attempted to watch the video over the detectives' shoulders but could not see very much. Detectives whom McElligott could not identify were talking to either Van Dyke or Walsh while the video was playing. McElligott stated that there were "probably" a couple of other officers watching the video as well. McElligott OIG Tr. 71:16. The detectives were "running through" what was happening on the video as it played and trying to see where Van Dyke and Walsh were in relation to McDonald. McElligott OIG Tr. 72:16. The detectives were focused on the officers' actions and McElligott remembered them saying at one point that Walsh or Van Dyke or both were backpedaling:

McElligott: [T]hey were kind of just back and forth rewinding and showing [the video] again.

OIG: And the detectives were saying—

McElligott: Their placement on the scene.

OIG: -- 'Okay, look. It looks like you're back-pedaling here?'

McElligott: Yes.

OIG: And they're agreeing with him?

McElligott: Yes.

McElligott OIG Tr. 74:20-75:4. McElligott did not recall any dashcam videos being played at Area Central that night.

L. OIG Interviews of March

1. April 26-27, 2016 Interview

On April 7, 2016, pursuant to Section 6.1 of CBA between the City of Chicago and FOP, OIG, through CPD's Bureau of Internal Affairs, served March with, among other documents, a Notification of Interview, Notification of Allegations, and a copy of the 301 and 339 CSRs. In addition, OIG provided March with the dashcam footage from 813R and 845R and the security camera footage from Dunkin' Donuts.

On April 26 and April 27 of 2016, OIG investigators interviewed March under oath after informing him of his administrative advisements orally and in writing. He provided oral and written acknowledgment of the reading of those advisements. The interview was transcribed by a certified court reporter. March's attorney, James McKay, was present for the interview. In summary, March stated as follows.

As of October 20, 2014, March was a CPD detective assigned to Area Central. March worked on a homicide team that was supervised by Gallagher. That team had two lieutenants, Wojcik and Osvaldo Valdez. Their commander at the time was Eugene Roy.

a) The Scene of the Shooting

On the night of October 20, 2014, March was on-duty at Area Central headquarters when he received a call from Gallagher. Gallagher informed him that there had been a police-involved shooting and that the case was going to be assigned to March. March then drove to the scene of the shooting by himself.

When March arrived, he had a brief conversation with Gallagher, who identified the shooter as Van Dyke and told March where Van Dyke was. March located Van Dyke, who was standing outside his vehicle, introduced himself and told Van Dyke he was the detective assigned to do "the immediate follow-up investigation." March 4/26/16 OIG Tr. 64:18-9. March asked Van Dyke if he was okay and Van Dyke proceeded to provide March with a narrative of what occurred prior to and during the shooting. No one else was present during their conversation. In that initial conversation, Van Dyke told March, among other details, that he and Walsh exited their vehicle, drew their weapons and pointed them at McDonald. Van Dyke shouted to McDonald multiple times "Drop the knife. Drop the knife." However, McDonald did not make any indication that he was going to drop the knife. McDonald continued walking generally in a southbound directions and when he got 10 to 15 feet away from Van Dyke, turned directly towards Van Dyke and began to bring the knife in his right hand up and point it at Van Dyke. Van Dyke said that at that moment he felt McDonald was beginning to attack him and fired his handgun at McDonald in defense of his life.

With respect to his initial interview of Van Dyke, March stated: "I didn't take the time to write down everything he was telling me. I took a few quick notes identifying who he was . . . ." March 4/26/16 OIG Tr. 73:2-4. March further stated: "[I]t was later on, once we had most of the

facts, that I took the time to stand there with him and actually, you know, write down the story so I accurately had what he remembered." March 4/26/16 OIG Tr. 73:17-21. March did not know how much time transpired between his first and second interview of Van Dyke.

March then spoke to Walsh. According to March, Walsh relayed information similar to what Van Dyke had told him. March took "initial cursory notes" during his interview of Walsh and then interviewed Walsh again later. March 4/26/16 OIG Tr. 76:4-5. During that second conversation, March took notes on a GPR form.

March eventually spoke to the other eight officers who were present when Van Dyke shot McDonald, but he did not recall the order in which he did so. March stated that for each of those officers, "[t]here were two primary interviews, one was the initial first verbal interview to find out what that officer's involvement was. And then ultimately I went back and actually, when I had the time, once things slowed down a little bit and I had the time, I took a more detailed GPR of what each of those officers told me." March 4/26/16 OIG Tr. 92:14-21. March did not have an independent recollection of "any differences or additions between the first verbal interview and the second interview where [he] created the GPRs." March 4/27/16 OIG Tr. 132:22-133:1. March stated that he may have had follow-up questions for certain of the officers as he was being asked questions by his chain of command. March later added that during his initial conversations with the officers he may have noted in a GPR their names, star numbers, and whether they were the passenger or driver of their vehicle. March did not interview any other officers or civilian witnesses at the scene. March did not believe that he talked to anyone from FOP at the scene.

With respect to his interviews of Fontaine, March said he spoke to her alone, "probably somewhere near her police vehicle." March 4/26/16 OIG Tr. 128:14-5. March denied fabricating any of the statements attributed to Fontaine in the 301 CSR or the GPR relating to Fontaine's interview. March claimed that Fontaine stated to him on October 20, 2014, that McDonald raised his right arm toward Van Dyke as if attacking him.

After March had his initial conversation with Walsh, he then went to 813R and saw the dashcam video captured by 813R's in-car video system on a small monitor in the vehicle. March sat in the driver's seat of the vehicle to watch the video, which was "queued up to just immediately prior to the confrontation between McDonald and Van Dyke." March 4/26/16 OIG Tr. 91:1-2. March estimated that he ultimately watched the 813R video three to five times at the scene of the shooting.

March also watched the Dunkin' Donuts video at the scene of the shooting. Detective Richard Hagen played it on his laptop out on Pulaski after he had recovered it from the Dunkin' Donuts. March said he was sure other people were present when he watched the video, but he could not recall who those people were.

When Deputy Chief David McNaughton, who functioned as the on-call incident commander, arrived to the scene, March gave him a briefing on the incident. March and McNaughton then did a ride-through in McNaughton's vehicle of the relevant sites and locations, starting with the

trucking lot at 41st and Kildare. March thought that ride-through took place in the middle of March's officer interviews.

While at the scene of the shooting, March also had a series of conversations with Gallagher in which March and Gallagher informed each other what other personnel were doing or had learned. More specifically, March said that he was conducting officer interviews while CPD personnel were attempting to recover video from the area and conducting a canvass to identify potential witnesses.

March left the scene of the shooting "well after midnight" and drove to Area Central. March 4/26/16 OIG Tr. 155:22. March believed that Detective Hagen rode with him. When he and Hagen left, the forensics personnel were "finishing up odds and ends" at the scene and Pulaski was close to being reopened. March 4/26/16 OIG Tr. 158:3.

b) Area Central

Once March arrived at Area Central, he collected documentation from the police personnel involved in the investigation, including the original case report authored by an 8th District beat car, the reports concerning the activities of the forensics services people, and the other detectives' GPRs. March also conferred with Gallagher multiple times regarding the coordination of activities at Area Central. Sergeant Lance Becvar had uploaded the 813R dashcam video into the CPD server and someone made it available for viewing in one of the Area Central side offices on the second floor. March looked at that video more than one time at Area Central "to make sure [he] had a good comprehension of what was shown on the video." March 4/26/16 OIG Tr. 184:23-185:1. March "may have" told the police officers that it was available for viewing. March 4/26/16 OIG Tr. 185:1. According to March, on certain occasions there might have been someone "standing behind me who was curious that was also watching it . . . ." March 4/26/16 OIG Tr. 187:19-20. March denied specifically going into that side office to view the video with anyone. Rather, "[i]f someone followed me in there, or, like I said, if somebody was curious and wanted to see the video, they might have been looking over my shoulder." March 4/26/16 OIG Tr. 188:2-5. March did not recall having conversations with anyone at Area Central that night while they were watching the 813R video.

March conducted an additional interview of Van Dyke at Area Central the night of the shooting. Gallagher was present for most of the interview. March did not conduct any other interviews at Area Central that night. When asked what the purpose of that interview was, March responded: "He was the principal member involved in this incident, and I wanted to make sure I had all of the details from him that I needed to be thorough and complete." March 4/26/16 OIG Tr. 195:9-12. March added that he wanted to make sure that the notes he had taken on the scene were accurate in terms of Van Dyke's recollection of the incident and to see "if there was anything else he had – he had recalled that needed to be documented." March 4/26/16 OIG Tr. 196:17-9. Van Dyke provided a narrative of the shooting to March, and March compared that narrative to the notes he had taken before. March created a new GPR in which he added any additional information Van Dyke provided during the Area Central interview. According to March, the narrative of the shooting Van Dyke provided at Area Central did not differ at all from the

narrative he provided at the scene of the shooting. March denied that he intentionally failed to take notes of Van Dyke's Area Central narrative to prevent Van Dyke from making inconsistent statements. With respect to the allegation that March failed to properly and thoroughly document Van Dyke's Area Central statement, March stated: "There is no way to properly and thoroughly fill out a GPR. It's whatever notes the detective deems necessary." March 4/26/16 OIG Tr. 239:8-10.

According to March, the detectives assigned to the investigation did not meet at Area Central that night to discuss their findings. However, March acknowledged that he and Gallagher communicated to each other at Area Central that they both thought Van Dyke's shooting of McDonald was justified. March also communicated with McNaughton at Area Central regarding the investigation and McNaughton stated that "he thought, from everything he was aware of, that everything was fine also with the incident and the investigation and the use of force." March 4/26/16 OIG Tr. 211:7-10.

c) Post-Area Central Investigative Activities

On October 21, 2014, CPD detectives located the original 911 caller's wife and interviewed her. CPD also recovered additional video that day. On October 22, March interviewed Rudy Barillas. In addition, after a major case review was conducted at the Illinois State Police crime lab regarding the processing of evidence in the McDonald investigation, March prepared an evidence submission report requesting that the lab analyze certain evidence. In addition, March collected all the documentation and reports so he would have everything he needed for the case file.

On October 29, 2014, March submitted an Original Case Incident Report with the RD number HX486155. March confirmed that he drafted the narrative contained in that report. With respect to the new RD number, March explained that pursuant to the FBI's Uniform Crime Reporting guidelines, once a detective concludes that an incident is a justifiable homicide, he or she must generate a second reporting number. With respect to the McDonald investigation, it was originally reported as an assault on a peace officer with a knife because Van Dyke and Walsh were saying that McDonald had assaulted them with a knife. The investigation continued under that designation "until we became confident that it was – you know, the justifiable homicide and then we created the second [number]." March 4/27/16 OIG Tr. 108:3-5.

With respect to jurisdiction, March stated that, at the time of the shooting, for any incident where a police officer fires his handgun, CPD would conduct the "underlying criminal investigation," and IPRA would investigate whether the officer's use of the firearm or deadly force was appropriate. March 4/27/16 OIG Tr. 108:23. At the time of the McDonald investigation, "the Department's policy was to never make a statement of – as to the justifiability as to the use of force because IPRA was conducting their investigation. We would just, you know, draw conclusions based on our investigation but not make a final statement as to whether or not the officer was justified." March 4/27/16 OIG Tr. 117:1-9. March added: "it's not our responsibility to make that determination as far as justifiable, and we really aren't permitted to." March 4/27/16 OIG Tr. 118:3-5.

During the course of the investigation, there were multiple meetings involving March and some combination of the following individuals: Hagen, Gallagher, Wojcik, Valdez, and Roy. According to March, "[a]t some of those meetings, we actually played the video again and reviewed to get, you know, everyone's – weigh in with their opinion. And everyone was in agreement with the investigation and the conclusions reached as documented in this report." March 4/27/16 OIG Tr. 72:8-13. March also stated that Roy would sometimes come to March with "a specific question about something, and then [the two] would talk at length about the other aspects of the investigation." March 4/26/16 OIG Tr. 257:16-19. March never had any meetings with Superintendent Garry McCarthy regarding the investigation.

d) The CSRs

In November and December 2014, March worked on the drafting of the CSRs "as much as [he] could." March 4/26/16 OIG Tr. 250:24-251:1. March described the investigation as a "major case" and said: "They don't get much bigger in terms of priority." March 4/26/16 OIG Tr. 250:23-4. In January 2015, March and Wojcik learned that police officers with involvement in the McDonald shooting were being subpoenaed by the Cook County State's Attorney's Office and the FBI. March did not recall where or from whom he received this information. As a result, Wojcik told March to "hold off on doing anything" until they got some answers from their chain of command regarding the additional investigation. March 4/26/16 OIG Tr. 251:19. The investigation was put on hold from the beginning of January to the beginning of March. In March, around the time the City was negotiating a settlement with McDonald's family, Commander Eugene Roy ordered that the reports be done right away. Roy gave that order to Wojcik and Wojcik communicated it to March. March believed that directive was prompted by the legal settlement.

Upon receiving the order, March created the original draft of the 301 CSR and then Gallagher and Wojcik reviewed it. March explained: "Gallagher and Wojcik and I worked together, you know, to—rather than dumping it all on one guy, the three of us worked together." March 4/26/16 OIG Tr. 260:12-15. Wojcik, Gallagher, and March also had in-person meetings regarding the findings in the 301 CSR. All three were in agreement that the witness accounts were consistent with the videos of the shooting.

March noted that the 301 and 339 CSRs would normally have been combined into one report, with the 339 CSR being the first half of the report, listing the victims, witnesses, offenders, the evidence and police personnel involved, and the 301 CSR being the second half of the report, setting forth the narrative of the investigation. However, the resulting document would have had too many pages for CPD's computer system so March broke it up into two reports. Wojcik and Gallagher played the same role in the creation of the 301 and 339 CSRs.

When asked whether anyone else was involved in the decision-making regarding the findings contained in the 301 CSR, March said that Valdez and Roy each, after attending executive management meetings in which the McDonald case was discussed, told Wojcik, Gallagher, and Roy that they agreed with their findings. No one other than Wojcik, Gallagher or March

reviewed the 301 CSR prior to its final approval by Wojcik.

In response to the allegation that the 301 CSR falsely stated that the in-car camera videos recovered from 813R and 845R were consistent with the accounts of all the witnesses to the McDonald shooting, March stated that he believed that "the video is consistent with the statements of the witnesses, that's why I stated that in the report." March 4/26/16 OIG Tr. 272:20-2. March added that he could and maybe should have included the Dunkin' Donuts video in that finding. March was then asked to review certain statements in the 301 CSR and state whether he believed those statements were consistent with the 813R and 845R videos. March's responses are summarized below:

Statement in the 301 CSR	**March's Explanation for Why the Statement is Consistent with the Available Video**
Van Dyke: "McDonald ignored Van Dyke's verbal direction to drop the knife and continued to advance toward Van Dyke."	"[F]rom the time Officer Van Dyke exits his vehicle until the time he fires his handgun, McDonald is walking southbound, and the distance between the two men is decreasing." March 4/26/16 OIG Tr. 274:3-6. March later added: "[McDonald is] not walking away from the officers . . . . When the distance between two bodies or two subjects decreases, they're moving towards each other." March 4/26/16 OIG Tr. 317:9-318:1. March then claimed his report states that "both of the officers said in their statements that they were moving towards McDonald from the time they heard the call for assistance." March 4/26/16 OIG Tr. 323:9-12. March further stated: "[I]t was their job to approach him. And any inference that the fact that they took a couple of steps toward McDonald somehow mitigates what McDonald did or doesn't justify what the officers did doesn't make any sense to me. Yes, they took a couple of steps toward McDonald, but in the grand scheme of things of what this situation—what this incident entailed, it's a very minor fact. And it's obvious—you can see it in the video; I'm not hiding anything." March 4/26/16 OIG Tr. 323:23-324:10. Upon watching the 813R video, March stated that McDonald was advancing on Van Dyke from the time Van Dyke got out of 845R until shots were fired at 9:57:36 p.m. according to the 813R video's embedded timestamp.
Van Dyke: "When McDonald got	"McDonald did look toward Van Dyke, he turned

within 10 to 15 feet of Officer Van Dyke, McDonald looked toward Van Dyke. McDonald raised the knife across his chest and over his shoulder pointing the knife at Van Dyke."	toward his left, squared his shoulders toward Van Dyke, and you can see in the video him begin to raise the knife with his right arm, and then the rest of the movement is blocked by his body." March 4/26/16 OIG Tr. 275:18-23. March added that "it appears that [McDonald] is raising the knife pointing it towards Van Dyke." March 4/26/16 OIG Tr. 276:5-6.[51] March was then asked to identify where on the 813R video McDonald supposedly raised his knife across his chest and across his shoulder, pointing it at Van Dyke. March stopped the video approximately one second prior to the appearance of the 9:57:36 p.m. embedded timestamp and said: "Now you see the right arm has come up in front of his body. Now he's going to continue to turn his body. You saw him begin to bring the right arm up, and now he's going to turn the body. Now the arm is in front of his body because he's bringing it around towards Van Dyke." March 4/26/16 OIG Tr. 289:21-290:3.
Van Dyke: "Van Dyke believed McDonald was attacking Van Dyke with the knife and attempting to kill Van Dyke."	"[Y]ou see McDonald turn to his left towards Van Dyke and the right arm begin to raise until it's out of view. And then we – from that particular video, you can't see the perspective of what Jason Van Dyke saw. So there's nothing inconsistent with what Van Dyke said." March 4/26/16 OIG Tr. 276:16-22.
Van Dyke: "In defense of his life, Van Dyke backpedaled and fired his handgun at McDonald to stop the attack."	"Just prior to firing the handgun, Jason Van Dyke takes a couple of steps forward and then he begins to fire the handgun. And then because of the – I'm assuming it's the movement of the car that has the dash cam, Van Dyke goes out of frame so then we can't see what he's doing while he continues to fire his handgun. So, again, there's nothing inconsistent there." March 4/26/16 OIG Tr. 277:3-11. March added: "[I]f you look at the Dunkin' Donuts video, it does look like there's movement from right to left of both officers, Van Dyke and Walsh, which I found to be consistent with them saying that they were backpedaling." March 4/26/16 OIG Tr. 277:14-19.

[51] During March's April 27, 2016 interview, he noted that McDonald was shot in the chest and opined that it was that gunshot wound that caused McDonald's body to spin to the right. March further opined that McDonald had to be facing the officers when he was struck by that shot because otherwise he could not have been shot in the chest.

	Upon being shown the Dunkin' Donuts video, March stated that Van Dyke was backpedaling from 27:33 to 27:36 on that video. March then stated: "They did take a couple of steps forward, but that doesn't mean, as I said, when they're out of the frame of the dash cam video, which you can see is consistent in the Dunkin' Donuts video, it does look like after that they did backpedal." March 4/26/16 OIG Tr. 324:18-23.
Van Dyke: "McDonald fell to the ground but continued to move and continued to grasp the knife refusing to let go of it."	"While McDonald is on the ground, he continues to move. You can see his right hand. He continues to hold the knife and point it in the direction of Officer Van Dyke." March 4/26/16 OIG Tr. 279:5-8.
Van Dyke: "Van Dyke continued to fire his weapon at McDonald as McDonald was on the ground as McDonald appeared to be attempting to get up, all the while continuing to point the knife at Van Dyke."	March stated: "From Jason Van Dyke's perspective, he said it looked to him like he was getting up. I didn't find anything in the video to be inconsistent with that, and that's why I decided—I used that terminology that the video was consistent with what Van Dyke said." March 4/26/16 OIG Tr. 280:2-8. Upon watching the 813R video, March stated that McDonald was making attempts to get up from the ground for a period of eight seconds, starting at 9:57:38 p.m. on the video. After asking for the 813R video to be paused with the embedded time stamp showing 9:57:38 p.m., March stated that "[h]e hit the ground and he's already—his torso has moved from right to left already once right there." March 4/26/16 OIG Tr. 293:2-4. March later added: "[I]t looked to me like he was getting up, I don't see anything inconsistent here." March 4/26/16 OIG Tr. 295:3-5.
Walsh: "Officer Walsh also backed up attempting to maintain a safe distance between himself and McDonald."	March stated that Walsh's statement was consistent with the 813R, 845R and Dunkin Donuts videos. Upon being shown the Dunkin' Donuts video, March stated that Walsh was backpedaling from 27:30 to 27:33 on that video. March added: "Walsh backpedals farther [than Van Dyke], and that's why he ends up obstructed by the police vehicle. But when he backpedals, he actually backpedals behind Van Dyke." March 4/27/16 OIG Tr. 49:13-6.
Walsh: "McDonald ignored the verbal	"[T]he video shows [McDonald] continuing to move

direction given by both Walsh and Officer Van Dyke and continue to advance toward the officers."	towards the officers. The distance between McDonald and the officers decreased. And, again, we don't have audio, but it's clear that he is holding the knife and never drops it as he's being ordered to." March 4/26/16 OIG Tr. 281:1-7.
Walsh: "When McDonald got within 12 to 15 feet of the officers, he swung the knife toward the officers in an aggressive manner."	"[B]efore Van Dyke fires his weapon, you can see McDonald turning to his left, squaring his shoulders toward the officers, and you can see the right arm begin to come up before it's obstructed by his torso." March 4/26/16 OIG Tr. 281:16-20. March added: "I don't think there's anything inconsistent in that video with what the officers are saying, and specifically Officer Walsh at this point." March 4/26/16 OIG Tr. 282:15-8.

In response to the allegation that he falsely determined in the 301 CSR that McDonald initiated the imminent use of force likely to cause death or serious injury when he initiated an attack on Van Dyke and Walsh, March stated as follows: "I believe the video shows that Laquan McDonald turned towards the officers, raised his knife, and pointed it towards the officers. And that the video is consistent with the statement of both officers, Jason Van Dyke and Joseph Walsh, that they believed they were being attacked by Laquan McDonald, that he was armed with a deadly knife attacking them, attempting to kill them or do great bodily harm to them." March 4/27/16 OIG Tr. 93:9-19.

In response to the allegation that the 339 CSR falsely stated in the "Additional Just. Homicide Description" section that McDonald "attacked officer, that officer killed criminal," March responded: "Those are not my words; that is a selection I made from the drop-down menu." March 4/27/16 OIG Tr. 139:11-12. March explained that once they had determined that they were reporting a justifiable homicide, he had to pick from the drop-down menu the most appropriate classification. However, March then said that he believes the drop-down selection he made is a true statement.

When asked whether he would change anything about the 301 CSR, March stated: "[I]f I was writing the reports today, I would write it the same way because everything in this report is totally factual as far as I believe." March 4/27/16 OIG Tr. 134:17-20.

e) March's Statement

At the conclusion of his interview, March read a statement into the record. Included in that statement was the following description of the McDonald shooting:

> Officers Walsh and Van Dyke drove further south on Pulaski and stopped the police vehicle ahead of McDonald. Walsh and Van Dyke both exited their

> vehicle and drew their handguns. The officers stood in the street facing northbound toward McDonald. Both officers were in uniform standing next to their marked police vehicle.
>
> As McDonald approached southbound, he was holding the knife in his right hand in an underhand grip with the blade pointed forward. As he walked towards the officers, he swung the knife in an aggressive, exaggerated manner. Both officers ordered him to drop the knife multiple times. McDonald ignored these directions and continued to advance towards the officers with the distance between McDonald and the officers decreasing.
>
> When McDonald got to within 10 to 15 feet of the officers, he looked toward the officers, squaring his shoulders in their direction. He raised the knife pointing it at the officers.
>
> Officer Van Dyke, believing McDonald was attacking Van Dyke with the knife, attempting to kill Van Dyke, fired his handgun in self-defense – or in defense of his life to stop the attack.
>
> McDonald fell to the ground but continued to move and continued to grasp the knife refusing to let go of it. Van Dyke continued to fire his weapon at McDonald as McDonald was on the ground as Van Dyke thought McDonald was attempting to get up, all the while continuing to point the knife at Van Dyke.
>
> Van Dyke fired his pistol until the slide of the weapon locked in the rearward position indicating the weapon was empty. Van Dyke immediately loaded his weapon with a new magazine and assessed the situation. McDonald was no longer moving and the threat had been mitigated, so the officers approached McDonald. McDonald was still holding the knife in his right hand, and both officers continued to order him to drop the knife. Finally, Officer Walsh was able to approach McDonald and forcibly kick the knife out of his hand.

March 4/27/16 OIG Tr. 147:13-149:12.

2. July 25, 2016 Interview

On July 20, 2016, pursuant to Section 6.1 of CBA between the City of Chicago and FOP, OIG, through CPD's Bureau of Internal Affairs, served March with, among other documents, a Notification of Interview, Notification of Allegations, and a copy of the CCME ME2014-01071 Case Report.

On July 25, 2016, OIG investigators interviewed March under oath after informing him of his administrative advisements orally and in writing. He provided oral and written acknowledgment of the reading of those advisements. The interview was transcribed by a certified court reporter.

March's attorney, James McKay, was present for the interview. In summary, March stated as follows.

a) CPD's Notification of CCME

CPD has to notify CCME "any time we are dealing with any kind of death . . . whether it be a natural death, suicide, homicide, whatever." March 7/25/16 OIG Tr. 45:2-5. When March notifies CCME of a death, the investigator will ask him for the date and time he discovered the body, the location of the body, and the identity of the decedent. In addition, "they ask us for a brief summary of the circumstances under which we became aware of the – that there was a dead body." March 7/25/16 OIG Tr. 47:18-20. March has communicated with Cook County personnel regarding death investigations on well over 50 occasions. March has seen CCME autopsy reports and toxicology reports, but had never seen a CCME case report prior to being provided the October 21, 2014 case report by OIG.

b) March's October 20, 2014 CCME Notification

On October 20, 2014, March notified CCME of McDonald's death while March was at the scene of the shooting. March explained that the detectives who had responded to Mount Sinai hospital, where McDonald had been transported, learned that McDonald had been pronounced dead by the attending physician. Those detectives informed Gallagher, who was the detective supervisor in charge of the scene, that McDonald was dead, and Gallagher then provided that information to March. March decided to call CCME himself because he felt he "had the most information in one place, so to speak." March 7/25/16 OIG Tr. 51:16-7.

March called CCME from the scene of the shooting using his personal cell phone and spoke to CCME investigator Briggs. March believed that he had seen the 813R dashcam video prior to contacting Briggs. March's first statement to Briggs was that he was notifying CCME of a police officer-involved shooting and that there was a dead body. Briggs then proceeded to ask March a series of questions and March provided Briggs information in response to those questions. March did not recall providing Briggs any information absent a prompting question from Briggs. March added: "[T]o the best of my knowledge, like I said, maybe he's got a checklist that he goes through and he's asking me to fill in the blanks of his checklist." March 7/25/16 OIG Tr. 63: 4-7.

March was asked to review the second paragraph of the "Narrative" section of the CCME case report and, with respect to each sentence in that paragraph, state (1) whether he provided the information contained in that sentence to Briggs during their October 20, 2014 phone conversation; and (2) whether that information was accurate. March first stated that none of the statements in that paragraph were verbatim statements by him to Briggs. March's further responses are summarized in the below table:

Statement in CCME Case Report	March's Response Regarding the Accuracy and his Purported Provision of that Statement to Briggs
"Detective March related the following; on or about 2156 hours 19 October 2014 Chicago Police 8th District Beat Car 815R responded to 41st and Kildare in reference to a "Citizen Holding a Subject".	March stated: "I would have told him something along the lines of some Chicago police officers responded to a call of someone holding a subject for the police at 41st and Kildare." March 7/25/16 OIG Tr. 65:1-4. With respect to the accuracy of the sentence, March stated "most of the information in that first sentence is accurate except for the date of occurrence where he documented that I said or I related that the incident occurred on 19 October 2014." March 7/25/16 OIG Tr. 64:8-11.
"Upon arrival Beat # 815R was confronted by the subject who threatened the officers with a 4 inch fold knife."	March said that he told Briggs that 815R responded to this assignment, but that the rest of the sentence is a "complete misrepresentation" of what March told Briggs that night. March 7/25/16 OIG Tr. 66:4. March said that he "never characterized this [encounter between McDonald and 815R] as [McDonald] threatening the officers with a knife," March 7/25/16 OIG Tr. 67:7-8, and that no witness said that McDonald confronted the 815R officers; rather, those officers confronted McDonald. March continued: "That having been said, I believe that the act of attacking the marked police vehicle associated with two uniformed police officers was, in fact a threat to the officers . . . ." March 7/25/16 OIG Tr. 67:9-12. Finally, March stated that McDonald's knife was always referred to as a "folding knife, seven inches in overall length with a three-inch blade," and that he never described the weapon as a "four-inch fold knife." March 7/25/16 OIG Tr. 67:23-68:5.
"The subject fled the scene on foot where at 4112 S. Pulaski the subject was stopped by officers assigned to Beat # 845R."	March believed he related all of the facts in this sentence to Briggs and that all of those facts are accurate.
"The officers announced their office as "Chicago Police Officers" and ordered the subject to drop the knife."	March related the information in this sentence to Briggs with one exception. March stated that he told Briggs that the officers announced their office, but did not tell Briggs that the officers said: "Chicago police officers, stop." March 7/25/16 OIG Tr. 70:17-24. Otherwise, March said the sentence was accurate.

"The subject lunged at the officers with the knife."	March noted that no one ever told him that they saw McDonald lunging at anyone. March added that he never described what McDonald did during this incident as a lunge. March stated that he never told Briggs that McDonald lunged at officers with a knife. According to March, it was not accurate to state that McDonald lunged at Van Dyke and Walsh. March did not recall the exact words he used to describe McDonald's conduct to Briggs, but claimed he "would have said something along the lines of McDonald attacked the officers or began to attack the officers." March 7/25/16 OIG Tr. 74:4-7.
"Fearing for their life and attempting to stop the threat one officer (star # 9465) fired sixteen rounds from his duty weapon a Smith & Wesson 9mm handgun striking the subject numerous times."	March stated: "Yes, I did relay – all of the facts detailed in that sentence were related by me to Investigator Briggs, not necessarily in those exact words and certainly not in one sentence like that." March 7/25/16 OIG Tr. 74:21-75:1. March believed that sentence was accurate.
"After striking the subject an ambulance was requested by the officers."	March said that he relayed the information contained in that sentence to Briggs and that those facts are accurate.

According to March, he did not provide to Briggs the majority of the information contained in the third paragraph of the case report's "Narrative" section concerning the wounds McDonald sustained. March said he would have told Briggs the time that McDonald was pronounced dead and the name of the doctor. March noted that the detectives at the hospital provided him with a different spelling of the doctor's name than the spelling Briggs used in his report. March claimed that he could not have told Briggs any of the information concerning McDonald's gunshot wounds because at the time of his notification he only knew that Van Dyke had fired his weapon 16 times and that McDonald had been shot multiple times. March acknowledged that it was "certainly possible" that the detectives at the hospital, in addition to knowing the doctor's name, were in possession of information concerning the location of McDonald's gunshot wounds. March 7/25/16 OIG Tr. 78:15-6.[52]

March did not recall whether he informed Briggs that there was video of McDonald's shooting or whether Briggs asked him about the existence of video. March said he did not provide Briggs with McDonald's zip code. With respect to the statement in the case report that "Subject was

[52] In Detective William Johnson's October 20, 2014 GPR, in addition to listing the name of "Dr. Pitzele," "Mt. Sinai Hosp.," the time of pronouncement, and McDonald's Illinois ID number, Johnson made the following note: "26 GSW." OIG 15-0564 003277.

positively identified by the Chicago Police ICLEAR system based on a prior Chicago Police Booking Number IR2106340," March said that he would have told Briggs that CPD had "tentative information" coming off McDonald's ID, and that someone ran McDonald's name in CPD's system and came up with a possible IR number. March 7/25/16 OIG Tr. 89:5. Finally, March stated that "[t]here is no way that I told Investigator Briggs that the temperature at the scene that night was 52 degrees. Again, he obviously went to some internet source or something, some weather site and found – you know, just looked up the temperature." March 7/25/16 OIG Tr. 102:6-12.[53]

When asked whether he, at any time at the scene of the shooting on October 20, 2014, told an FOP representative that McDonald lunged at officers, March said that he "d[id] not recall ever in the past almost two years ever characterizing or describing anything that Laquan McDonald did on the night of October 20th, 2014, as a lunge to anyone." March 7/25/16 OIG Tr. 97:6-10. March further stated that he did not remember having any conversations with FOP representatives while at the scene of the shooting "regarding the details of what happened in this incident." March 7/25/16 OIG Tr. 97:14-5.[54] With respect to Pat Camden, March stated: "And I can tell you specifically Pat Camden – and I know who he is – I did not have any conversation with him at all that night." March 7/25/16 OIG Tr. 98: 2-4. March added that there was "no way using the word 'lunged' as opposed to any other word would have made a difference to the Medical Examiner's Office," because their ultimate finding was going to be that the cause of death was multiple gunshot wounds. March 7/25/16 OIG Tr. 130:2-9.

V. ANALYSIS

OIG's investigation established that March made material false statements and conclusions in the reports he drafted regarding his investigation, provided a false material statement to CCME concerning the circumstances of McDonald's death, and failed to properly document his investigation. March's violations constituted a knowing exaggeration of the threat posed by McDonald and established the false narrative that a backpedaling Van Dyke was forced to shoot an onrushing McDonald, while he was "lunging" at Van Dyke and Walsh with a knife.

March's actions, individually and collectively, constitute violations of CPD Rules. Each of March's false statements constitutes a violation of Rule 14 (making a false report, written or oral). His false statements also constitute violations of Rule 2 (engaging in any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department), and Rule 3 (failing to promote the Department's efforts to implement its policy and accomplish its goals). In addition, March violated DDSOs 11-01, and therefore Rules 6 and 11 as well, by failing to thoroughly document his investigation. A detective who has made false statements in an official investigation has irrevocably tainted not only his credibility, but also the credibility of CPD—and also fails to promote CPD's goal of employing individuals with personal integrity and professional devotion to law enforcement. March was the critical

[53] One of March's October 20, 2014 GPRs provides: "Cloudy + cool – 50s." OIG 15-0564 003263.

[54] One of March's October 20, 2014 GPRs lists the name of FOP representatives Kriston Kato and Marlon Harvey. OIG 15-0564 003263. The GPR does not provide any information regarding why he listed those individuals' names.

touchstone to a hub and spoke manufacturing of a manifestly false narrative that has resulted in grievous reputation harm to the Department and with it, injury to the reputation of its thousands of conscientious professional sworn personnel. Accordingly, OIG recommends that CPD discharge March.

A. March's False Statements

1. The Purported Consistency of the Witness Statements with the Available Video

In the 301 CSR, March falsely reported that the recovered in-car camera video from Beats 845R and 813R was "consistent with the accounts of all of the witnesses." During his OIG interview, March maintained that that statement was true, even after reviewing the 813R and Dunkin' Donuts videos.[55] *See* March 4/27/16 OIG Tr. 134:17-20 ("[I]f I was writing the reports today, I would write it the same way because everything in this report is totally factual as far as I believe."). However, there are numerous witness statements contained in the 301 CSR that are clearly inconsistent with the recovered videos. Most notably:

- McDonald did not advance toward Walsh and Van Dyke after they exited their vehicles (Van Dyke, Walsh, and Sebastian)

As described in the Relevant Video Footage summary chart set forth above, *see supra* § IV(B)(3), by the time Van Dyke and Walsh exited their vehicle, McDonald was walking in a southwest direction away from Van Dyke and Walsh, who at all times prior to the shooting were east of McDonald. Thus, at no time during the encounter between McDonald and Walsh and Van Dyke did McDonald advance toward the two officers. Rather, it was the officers who moved northward or west/southwestward, toward McDonald, as he continued to walk in a southwest direction. March ultimately acknowledged that fact:

> [I]t was [the officers'] job to approach him. And any inference that the fact that they took a couple of steps toward McDonald somehow mitigates what McDonald did or doesn't justify what the officers did doesn't make any sense to me. Yes, they took a couple of steps toward McDonald, but in the grand scheme of things of what this situation—what this incident entailed, it's a very minor fact. And it's obvious—you can see it in the video."

March 4/26/16 OIG Tr. 323:23-324:9. Therefore, the evidence establishes that McDonald did not advance toward Van Dyke and Walsh.

- McDonald did not raise his knife across his chest and over his shoulder and point his knife at Van Dyke (Van Dyke); swing a knife toward Walsh and Van Dyke (Walsh), or raise his right arm toward Van Dyke, as if attacking him (Fontaine).

[55] March acknowledged that he could and possibly should have included the Dunkin' Donuts video in the finding that the witness accounts were consistent with the videos of the shooting.

The 813R dashcam video evidences that at no time during the period when Van Dyke and Walsh were outside their vehicle did McDonald raise the knife across his chest and over his shoulder and point the knife at Van Dyke. Seconds prior to the shooting, McDonald moved the knife from his right hip to the right side of his lower back, but this modest movement of the knife was not in the direction of Van Dyke and Walsh—Van Dyke and Walsh were in front of McDonald and to his left, and McDonald moved his knife behind his back, not in front of his body. March claimed that McDonald began raising his knife just prior to being shot, but that this movement was obscured by McDonald's body. However, if McDonald had raised his knife over his shoulder, as if attacking Van Dyke, one certainly would be able to see that movement on the 813R video. However, that video establishes conclusively that McDonald never made such a move. In addition, Fontaine admitted that the statement attributed to her—that McDonald raised his right arm as if attacking Van Dyke—was not accurate.[56] Accordingly, these statements of Van Dyke, Walsh and Fontaine are not consistent with the available video.

- Van Dyke did not backpedal before he fired his handgun at McDonald (Van Dyke)

Van Dyke's statement that he backpedaled prior to shooting McDonald is clearly refuted by the 813R dashcam video and the Dunkin' Donuts security camera video, which show that Van Dyke takes approximately three steps northwest/west toward McDonald before shooting him. At no time does Van Dyke move in a way that increases the distance between himself and McDonald. Rather, the video shows he either stayed still or moved toward McDonald. March himself admitted that "[j]ust prior to firing the handgun, Jason Van Dyke takes a couple of steps forward and then he begins to fire the handgun." March 4/26/16 OIG Tr. 277:3-6; *see also* March 4/26/16 OIG Tr. 324:5-9 (stating that it was "obvious" that Van Dyke and Walsh took a couple of steps toward McDonald). Nevertheless, March still claimed that the Dunkin' Donuts video showed Van Dyke backpedaling. That March refused to acknowledge the falsity of Van Dyke's statement, even after being presented with the video evidence, demonstrates his inability to provide reliable testimony regarding the events of October 20, 2014.

- Walsh did not back up several feet prior to Van Dyke shooting McDonald (Walsh)

The video evidence reflects that Walsh also did not back away from McDonald prior to the shooting. Rather, Walsh moved northward and then westward toward McDonald, and then moved parallel to McDonald, crossing almost the entire left-turn lane on Pulaski in a southwest direction as McDonald continued to walk in a southwest direction. Walsh never moved in a way that increased the distance between himself and McDonald. Rather, the video evidence shows that Walsh either moved toward McDonald, moved parallel to McDonald, or stayed still. When shown the video evidence, March, instead of acknowledging the false nature of Walsh's statement, claimed that he could see Walsh backpedaling on the Dunkin' Donuts video. *See* March 4/27/16 OIG Tr. 49:13-6 ("Walsh backpedals farther [than Van Dyke], and that's why he ends up obstructed by the police vehicle. But when he backpedals, he actually backpedals

[56] Fontaine further stated that she never made the "as if attacking" statement to March.

behind Van Dyke."). Again, March's refusal to recognize the lack of backpedaling on the relevant videos reflects his inability or unwillingness to objectively view the evidence.

- McDonald did not attempt to get up after he was shot and fell to the ground (Van Dyke, Walsh, Viramontes)

The 813R dashcam video reveals that McDonald did not attempt to get up after he fell to the ground. Upon being shot and falling to the street, McDonald never moved his legs or lower body. In addition, the video only shows McDonald's upper body making small, intermittent movements as what appears to be puffs of smoke rise from his body. Those small movements are not suggestive of a person trying to get to his feet. Accordingly, Van Dyke, Walsh, Viramontes's statements that McDonald attempted to get up after he was shot are not consistent with the video evidence.

The above-identified false witness statements each served to exaggerate the danger McDonald posed to Van Dyke and Walsh, thus making Van Dyke's shooting of McDonald appear more reasonable than it otherwise would have. In this context, March's finding that these false witness statements were consistent with the available video can be seen as a deliberate attempt to perpetuate the false narrative that Van Dyke shot an oncoming McDonald in response to McDonald's potentially deadly knife attack. March was shown the videos of the shooting which objectively contradict these statements, and still he stood by his finding. Accordingly, March's decision to continue to disregard the objective evidence is evidence of the intentional nature of his false statements.

2. McDonald's Purported Initiation of an Attack on Van Dyke and Walsh

March also falsely determined in the 301 CSR that McDonald "initiated imminent use of force likely to cause death or serious injury when he initiated an attack on Officers Jason Van Dyke and Joseph Walsh." For the reasons set forth above, the evidence, including the available video, demonstrates that McDonald did not initiate an attack on Van Dyke and Walsh in which he used deadly force. March is the reporting officer for the 301 CSR and collaborated with Wojcik and Gallagher in reaching this finding. Thus, March is directly responsible for this finding, which constitutes a false statement.[57]

3. McDonald's Purported "Lunging" at Officers

March, when notifying CCME of McDonald's death, falsely stated that McDonald "lunged" at Van Dyke and Walsh with a knife. March provided his narrative to Briggs pursuant to an official Cook County investigation, and that narrative contains a false statement that directly relates to Briggs's inquiry into the circumstances of McDonald's death. Accordingly, March's statement to Briggs violates Rule 14.

March did not contest the falsity of the statement, as he acknowledged—and video evidence

[57] For similar reasons, the statement in the 339 CSR that "Criminal Attacked Officer That Officer Killed Criminal," is also a false statement attributable to March.

confirms—that McDonald never lunged at Van Dyke and Walsh with a knife. Rather, March made self-serving denials regarding his provision of that statement. However, CCME investigator Earl Briggs's case report must be credited over March's denials because Briggs's general documentation practice, which includes: (1) typing the information he receives from a detective directly into his report contemporaneously with the detective's provision of that information; and (2) reading back to the detective the information he has entered into his report, serves to ensure the accuracy of his reporting of a detective's statement. In addition, other than the typo concerning the date of the occurrence and Briggs's description of McDonald's knife, March conceded that a substantial portion of the factual information contained in the "lunged" paragraph was accurate and that he provided that information to Briggs.

Moreover, March's attempts to impeach the credibility of Briggs's report are not supported by police records and his own testimony. For example, March claimed that Briggs must have obtained certain of the factual information in his report from someone other than him. Specifically, March asserted that there was "no way" he told Briggs that the temperature at the scene was 52 degrees. March 7/25/16 OIG Tr. 102:6-8. However, March's own GPR, dated October 20, 2014, described the weather that night as "Cloudy + cool – 50s." Therefore, March was aware of the temperature on the night of October 20, 2014, at the time of his call with Briggs and certainly could have relayed that information to Briggs. Similarly, March contended that he could not have provided Briggs with information regarding the location of McDonald's gun-shot wounds because he did not possess that information at the time of their conversation. However, March acknowledged that the CPD detectives who were at the hospital with McDonald's body could have had that information, and further admitted that those detectives provided him with other medical information that evening, including the name of the doctor who pronounced McDonald.[58] Thus, contrary to March's claim, it is entirely plausible that March did have knowledge of the specifics of McDonald's gun-shot wounds when he spoke to Briggs.

Finally, March did not have a credible explanation as to why Briggs would have erroneously inserted the word "lunged" into his report. Briggs's only objective was to get an accurate account of the circumstances of McDonald's death, and he had no reason to fabricate March's statement. In contrast, March's usage of the term "lunged" is consistent with at least one other statement that was made at the scene of the shooting. Specifically, FOP spokesperson Pat Camden described McDonald as "lunging" at officers in the statement he provided to the media that night. It thus strains credulity to conclude that Briggs, who did not have communications with CPD personnel other than March regarding his report, employed the word "lunged," as opposed to March, who was at the scene at the approximate time Camden was using that same word to describe McDonald's actions.[59]

[58] March himself noted that the reason he personally called CCME was because information was being funneled to him by CPD personnel, and he, as a result, "had the most information in one place, so to speak." March 7/25/16 OIG Tr. 51:16-7.

[59] Briggs also had minimal time to conduct a broader informational outreach regarding the circumstances of McDonald's death, as he completed his report less than two hours after receiving March's notification.

4. The HX486155 Case Incident Report

Finally, March falsely stated in the HX486155 Case Incident Report that "McDonald committed aggravated assaults against the three officers, finally forcing Officer Van Dyke, in defense of his life, to shoot and kill McDonald." As set forth above, the objective evidence belies the factual assertion that McDonald "forc[ed]" Van Dyke to shoot him. To the extent that March was making a legal conclusion regarding Van Dyke's use of force, pursuant to the DDSOs, such a conclusion was not appropriate. *See*, *e.g.*, DDSO 15-22 (prohibiting detectives from stating that the use of deadly force was justified).

B. March's Failure to Properly Document his Investigation

March violated Addendum 1 to Detective Division Special Order (DDSO) 11-01, by failing to "thoroughly document relevant information discovered during the course of the investigation." Specifically, Van Dyke provided March with narrative descriptions of his shooting of McDonald on three separate occasions on the night of October 20, 2014 and morning of October 21, 2014. However, March, knowing that Van Dyke had shot and killed McDonald, only made an official record of one of those narratives.[60] March declined to document in any form his first conversation with Van Dyke at the scene of the shooting, during which Van Dyke, according to March, provided a lengthy, detailed description of the events that culminated in his shooting of McDonald. Similarly, during March's Area Central interview of Van Dyke, March only noted "Same Details" in the corresponding GPR, even though, as March acknowledged, Van Dyke provided another narrative regarding the shooting at that time. Although the DDSOs provide a detective some discretion regarding whether to take written or oral statements from eyewitnesses to a police-involved shooting, there is little justification for March's failure to make a record of his lengthy investigative interviews of the person who was responsible for that police-involved shooting. March's failure to thoroughly document the interviews of Van Dyke he conducted at the scene of the shooting and Area Central therefore violated DDSO 11-01.[61]

VI. RECOMMENDATION

March's false reports raise significant concerns regarding his credibility and ability to perform his duties as a sworn officer. As a sworn officer, March's reports are relied upon in criminal legal proceedings and his credibility is therefore critical to his position. An officer who has made false statements in an official investigation has irrevocably tainted his credibility and has wholly disqualified himself from effectively executing core police functions. Based on this conduct he may be the subject of cross-examination in any contested proceedings in which he may appear as a witness, *see* FED. R. EVID. 608(b) ("Specific instances of conduct"), and his conduct and the findings resulting from this investigation would further qualify as impeachment

[60] This specific violation of March's fits into a larger pattern of sub-standard investigative practices, as he failed to document his initial interviews of any of the ten officers who were present when Van Dyke shot McDonald,.

[61] In addition, March's reporting of his investigation did not comport with DDSO 15-22 because he (1) reported the facts detailing the investigation under the aggravated assault RD number (HX475653) as opposed to the justifiable homicide RD number (HX486155); and (2) reached a conclusion in the 301 CSR as to whether Van Dyke's use of deadly force was justified.

material that should, in principle, be disclosed in any contested proceeding involving the official records or testimony March generates. *See Giglio v. United States*, 405 U.S. 150 (1972) (requiring disclosure in criminal case of information impeaching of government witness's credibility). Illinois courts have repeatedly noted that "'as guardians of our laws, police officers are expected to act with integrity, honesty, and trustworthiness'" and have found intentional false or misleading statements by police officers to be sufficient cause for termination. *Rodriguez v. Weis*, 408 Ill. App. 3d 663, 671 (1st Dist. 2011) (quoting *Sindermann v. Civil Service Comm'n*, 275 Ill. App. 3d 917, 928 (2nd Dist. 1995)). OIG therefore recommends that CPD discharge March and refer him for placement on the ineligible for rehire list maintained by the Department of Human Resources.

VII. CPD RULE VIOLATIONS

Rule 2 Any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department.

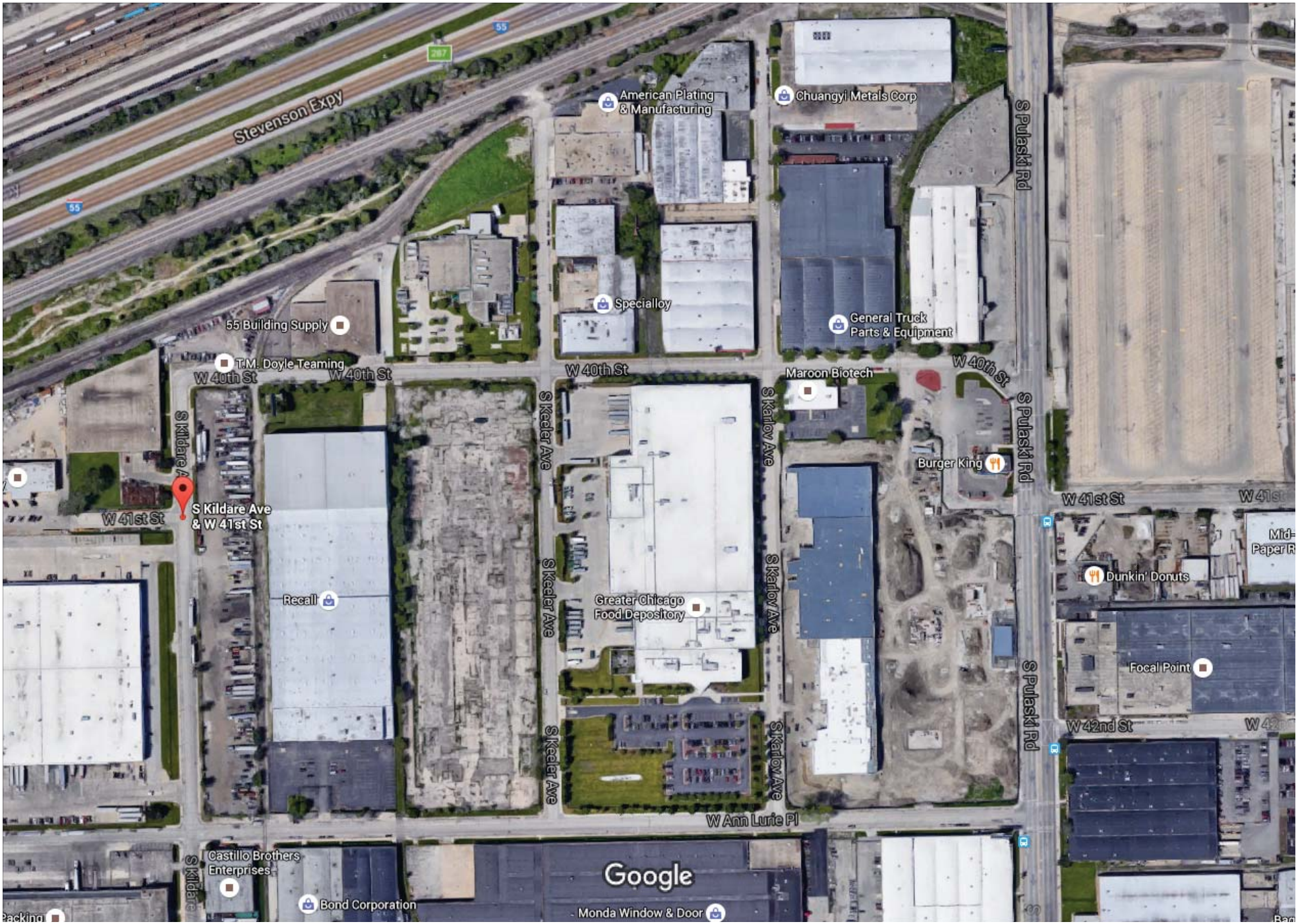
Rule 3 Any failure to promote the Department's efforts to implement its policy or accomplish its goals.

Rule 6 Disobedience of an order or directive, whether written or oral.

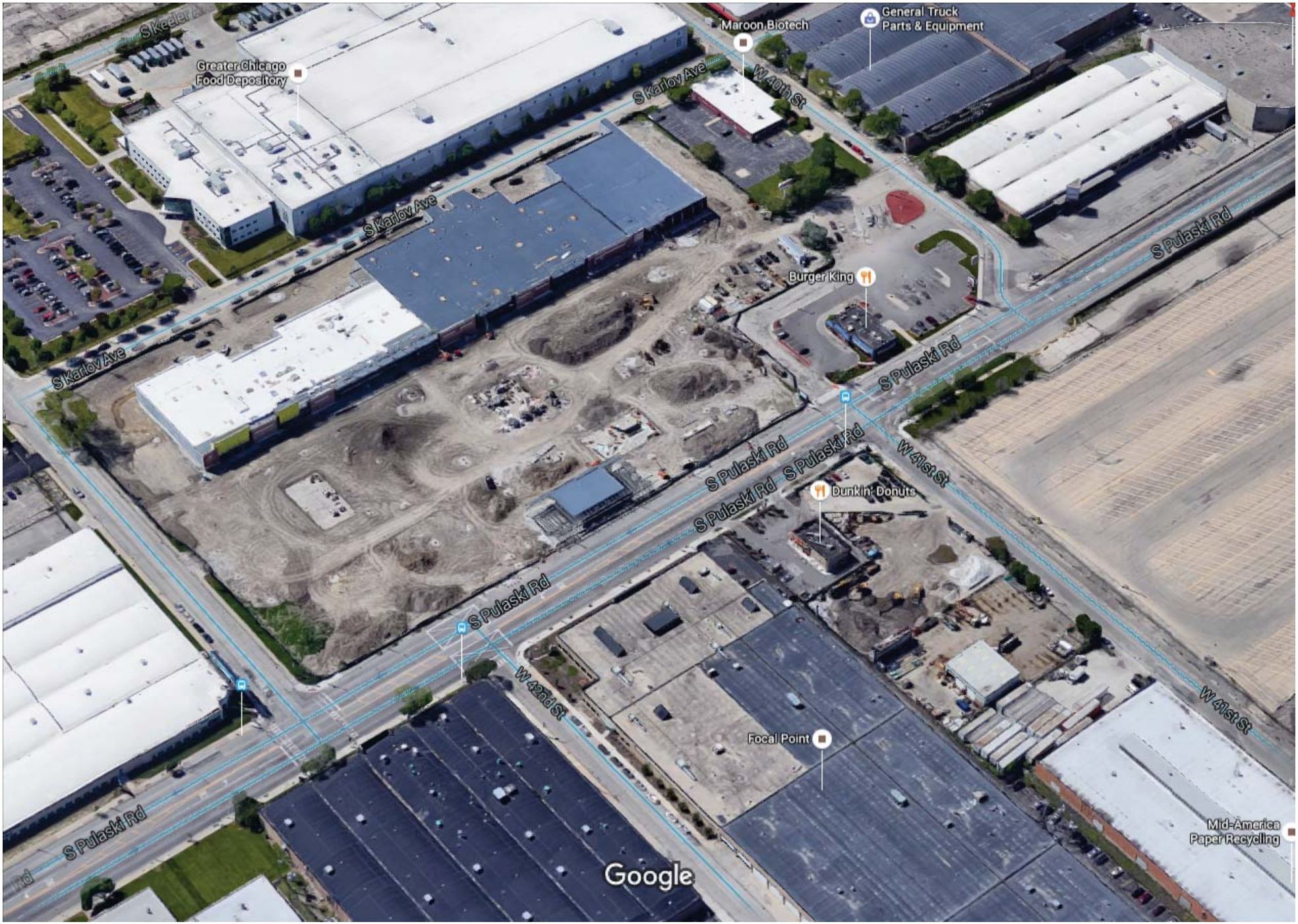
Rule 11 Incompetency or inefficiency in the performance of duty.

Rule 14 Making a false report, written or oral.

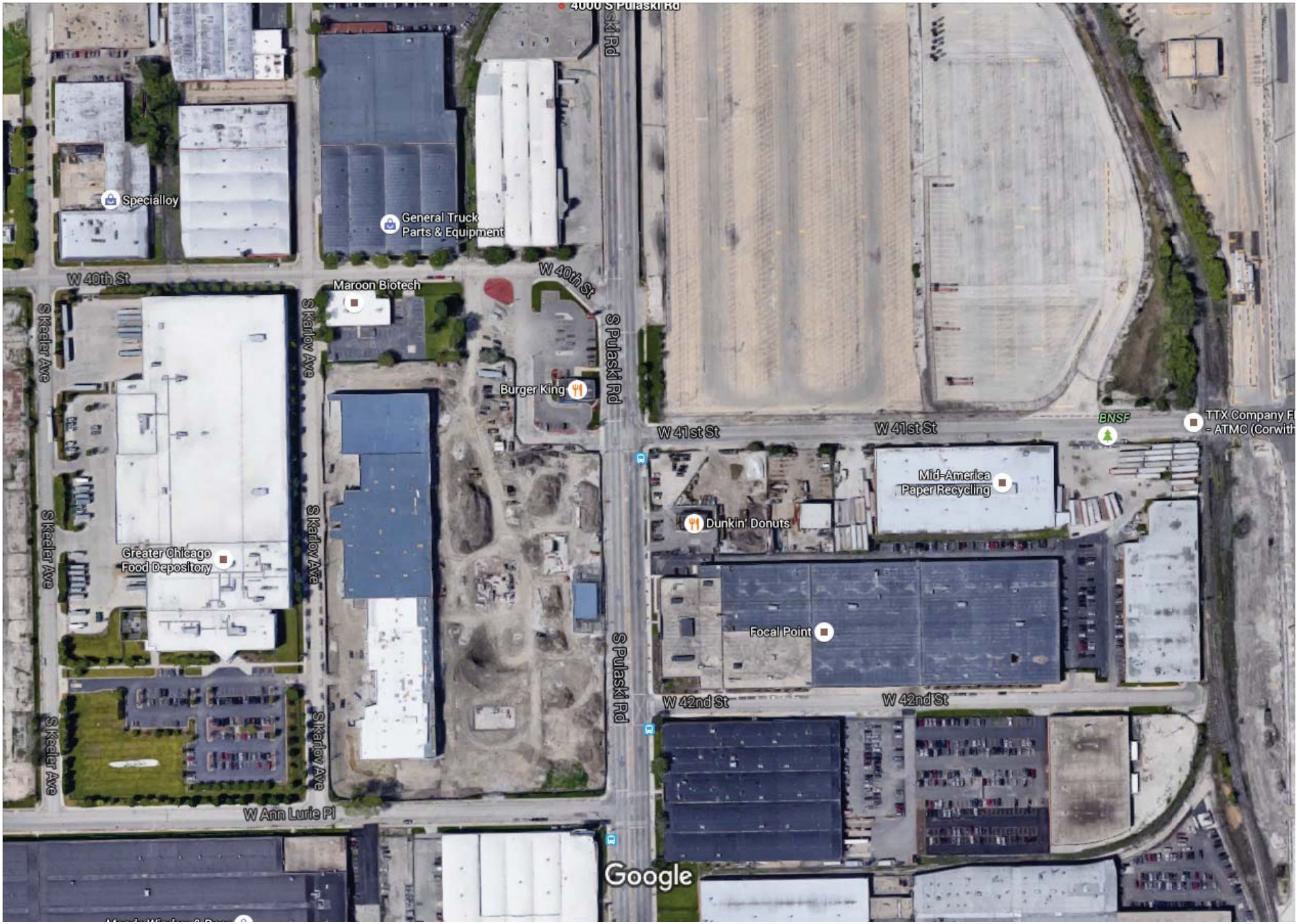
Appendix A



Imagery ©2016 Google, Map data ©2016 Google 200 ft



Imagery ©2016 Google, Map data ©2016 Google 100 ft



Imagery ©2016 Google, Map data ©2016 Google 200 ft

SUMMARY REPORT OF INVESTIGATION
Office of Inspector General Case # 15-0564 (Officer Joseph McElligott)
November 22, 2016

This report consists of a summary of the evidence set out in the attached investigative materials and the Office of Inspector General's (OIG's) analysis of that evidence. An index of the investigative materials is attached.

I. INTRODUCTION

An OIG investigation has established that Joseph McElligott, a police officer for the Chicago Police Department (CPD) who was at the scene when Officer Jason Van Dyke shot Laquan McDonald on October 20, 2014, failed to follow CPD Rules regarding the operation of CPD's in-car video systems. More specifically, and as detailed below, McElligott failed to ensure that his vehicle's in-car video system was capturing audio of the October 20, 2014 shooting. Accordingly, OIG recommends that CPD impose discipline upon McElligott commensurate with the seriousness of his misconduct, his discipline history, and department standards.

II. APPLICABLE RULES, REGULATIONS, AND LAW

A. CPD Rules and Regulations

CPD's Rules and Regulations set out the standards of conduct and duties of sworn members. Article V of the CPD Rules and Regulations, entitled CPD Rules of Conduct (the CPD Rules), sets forth specifically prohibited acts. In pertinent part, the CPD Rules include the following prohibitions:

Rule 6 Disobedience of an order or directive, whether written or oral.

Rule 11 Incompetency or inefficiency in the performance of duty.

B. CPD Special Order S03-05 (effective February 23, 2012 through February 24, 2016)

CPD Special Orders are directives that establish protocols and procedures concerning specific CPD functions, operations, programs, or processes. Special Order S03-05, which was in effect at the time of the shooting, outlines the protocols CPD members are to follow regarding in-car video systems.[1] Section VI of the Special Order provides that at the beginning of their tour of duty, Department members assigned to a CPD vehicle equipped with an in-car video system are to:

(1) visually inspect the in-car video system equipment for damage;

[1] In-car video systems are also referred to as dash cameras or dashcams in this report.

(2) obtain the remote transmitter/audio recorder and ensure it is securely attached to the member's person; and

(3) follow the start-up procedures for the in-car video system as trained and ensure the system is working properly.

The Special Order notes that members are to "immediately notify a supervisor if, at any time, the in-car video system is inoperable, damaged, the equipped vehicle becomes inoperable, or the remote transmitter/audio recorder is missing." During their tour, members are to "audibly and visually record events in accordance with this directive." At the conclusion of a tour of duty, members are to "verify the in-car video system is working properly."

III. JOSEPH MCELLIGOTT EMPLOYMENT HISTORY

McElligott has worked as a CPD Police Officer since August 27, 2001. McElligott is a member of Fraternal Order of Police (FOP) Lodge 7.

IV. SUMMARY OF INVESTIGATION

A. Procedural History of OIG's Investigation

By letter, dated December 8, 2015, Independent Police Review Authority (IPRA) Acting Chief Administrator Sharon Fairley requested that OIG conduct an administrative investigation "to determine whether certain police officers/witnesses made false statements on official reports prepared in connection with [Van Dyke's shooting of McDonald] and/or during the investigation of the incident."[2] IPRA further requested that OIG investigate "whether any of the involved Chicago Police officers committed any other violation(s) of Chicago Police Department rules, policies or procedures in their involvement with the incident, including, but not limited to, whether any officers' conduct may have interfered with or obstructed the appropriate investigation and handling of this matter."

Then, by letter, dated January 13, 2016, CPD Interim Superintendent John J. Escalante requested that OIG conduct an "administrative investigation into any and all allegations of police officer misconduct" arising out of the October 20, 2014 shooting death of McDonald. The Superintendent's request asked OIG to investigate the following allegations: "whether any officer(s) made false statements on official reports submitted in connection with the shooting of Laquan McDonald on October 20, 2014; whether any officer(s) obstructed or interfered with the investigation of this incident, either individually or in collusion with others; and whether any officer(s) committed any violation of Chicago Police Department rules, policies, or orders in connection with their response and/or handling of this matter." Escalante attached to the letter request a copy of Sergeant Sandra Soria's Initiation Report, which raises allegations of

[2] On November 24, 2015, the Cook County State's Attorney charged Van Dyke with a single count of first degree murder in the shooting of McDonald. On December 15, 2015, it subsequently charged him with six counts of murder. OIG has not been involved with any criminal investigation related to the shooting and makes no findings regarding Van Dyke's use of force.

misconduct related to the in-car video systems of the vehicles that were present during the McDonald shooting, and identified that Report as a basis for OIG's administrative investigation.

On March 10, 2016, Kevin Kilmer, Financial Secretary for the FOP, filed a grievance with CPD on behalf of all affected members stating that OIG's attempts to conduct CPD officer interviews violated Article 6 of CPD's Collective Bargaining Agreement (CBA) with the FOP.[3] On March 16, 2016, FOP on behalf of all impacted CPD officers filed a "Complaint for Injunction in Aid of Arbitration" in the Circuit Court of Cook County, asking the court to enjoin OIG from conducting interviews until the grievance was decided in arbitration.[4] The court dismissed the complaint and denied the injunction on March 22, 2016.

OIG's administrative investigation of other CPD employees' actions related to CPD's handling of the McDonald investigation is ongoing. During the course of its investigation, OIG has gathered documents from CPD and IPRA, among other sources, and conducted numerous interviews, including interviews of several CPD personnel who were at or responded to the scene of the shooting and civilian witnesses to the shooting. To date in its ongoing investigation, OIG has recommended disciplinary action against multiple CPD personnel.

B. The Events of October 20, 2014

The following sections detail the shooting of McDonald, as well as the relevant events that occurred directly before and after the shooting.[5]

1. [redacted] and Rudy Barillas's Encounter with McDonald[6]

[redacted] and [redacted] Rudy Barillas, were parking a truck in a lot at 41st Street and Kildare Avenue when [redacted] saw a black male, whom she subsequently identified as McDonald, attempting to steal property from certain vehicles parked in the lot. Barillas told McDonald to leave the lot. McDonald responded by making growling noises. After Barillas again told McDonald to leave the lot, McDonald pulled out a knife and swung it at Barillas. Barillas, who

[3] Section 6.1, Paragraph I of the CBA states, "If the allegation under investigation indicates a recommendation for separation is probable against the Officer, the Officer will be given the statutory administrative proceeding rights, or if the allegation indicates criminal prosecution is probable against the Officer, the Officer will be given the constitutional rights concerning self-incrimination prior to the commencement of interrogation." CPD General Order GO8-01-01, Paragraph K contains similar language.

[4] *Fraternal Order of Police, Chicago Lodge 7 v. City of Chicago*, No. 2016 CH 03726 (Cir. Ct. of Cook County, Ill., Mar. 16, 2016).

[5] On April 22, 2016, OIG obtained maps of the locations that are relevant to the shooting from Google Maps and included those maps in Appendix A. Those maps generally reflect the street layout and location of relevant businesses as they were on the night of October 20, 2014.

[6] The following account of [redacted] and Barillas's encounter with McDonald is taken from the March 16, 2015 case supplementary report (CSR) submitted by CPD Detective David March, which includes the statements that [redacted] and Barillas provided to CPD on October 21, 2014, and October 22, 2014, respectively. OIG 15-0564 003077.

had already called 911, then threw his cell phone at McDonald.[7] McDonald ran from the lot, first northbound on Kildare and then eastbound on 40th Street.

2. Officers Thomas Gaffney and Joseph McElligott's Encounter with McDonald[8]

McElligott and his partner, Officer Thomas Gaffney, received a call over the radio that someone had broken into a truck at 4100 South Kildare and were dispatched to the scene.[9] Gaffney was driving, and McElligott was in the passenger seat of their assigned vehicle, 815R.[10] When they arrived at 4100 South Kildare, they saw a Hispanic male and female standing by the gate to the truck yard. The two said that a black male wearing a black shirt, later determined to be McDonald, had been trying to steal the radio out of a semi-truck, and had subsequently headed north toward 40th Street.

Gaffney and McElligott drove north on Kildare, turned right onto 40th Street, and saw McDonald walking east on the south side of 40th Street. McElligott exited the vehicle and commanded McDonald to stop and turn around. Gaffney stayed in the vehicle in case McDonald attempted to flee. McElligott ordered McDonald to take his hands out of his pockets. McDonald, who had been facing McElligott, turned and walked away with one hand still in his pocket. McDonald then turned again and took both of his hands out of his pockets. He had a knife in his right hand. McElligott drew his weapon and told McDonald to drop the knife. McDonald started walking east again, going from the sidewalk to the street and back. McElligott

[7] OEMC recordings reflect that Barillas called 911 at 9:45 p.m. stating that he was holding "a guy right hear [sic] that stolen [sic] the radios" from trucks in a truck yard located at "41st and Kildare." OIG 15-0564 003227.

[8] The following account of Gaffney and McElligott's encounter with McDonald is taken from (1) the audio-recorded statements Gaffney and McElligott provided to IPRA on October 21, 2014, OIG 15-0564 000482-98, 000610-30; and (2) the March 16, 2015 CSR submitted by Detective David March, which includes the statements that Gaffney and McElligott provided to March on the night of the McDonald shooting. OIG 15-0564 003067–69.

[9] OEMC records reflect that Gaffney and McElligott received the call at 9:47 p.m. OIG 15-0564 003691.

[10] Below is a chart identifying the beat numbers and vehicle numbers of the CPD vehicles that were present when McDonald was shot, along with the names of the officers who were assigned to those vehicles. This SRI refers to the below-referenced vehicles by beat number, unless otherwise specified.

Beat #	Vehicle #	Officers
845R	6412	Officer Joseph Walsh (driver), Officer Van Dyke (passenger)
815R	8489	Officer Gaffney (driver), Officer McElligott (passenger and on foot)
813R	8779	Officer Janet Mondragon (driver), Officer Daphne Sebastian (passenger)
822	8765	Officer Arturo Becerra (driver), Officer Leticia Velez (passenger)
841R	8948	Officer Ricardo Viramontes (driver), Officer Dora Fontaine (passenger)

followed McDonald on foot, shining his flashlight on him, while Gaffney followed in 815R, parallel to McDonald.

As McDonald approached the intersection of 40th and Keeler, Gaffney reported to dispatch that McDonald was walking away with a knife in his hand.[11] Gaffney and McElligott continued to follow McDonald as he headed east, with McElligott giving McDonald orders to drop his knife and stop. McDonald kept turning around and giving the officers a "weird glaze[d] look." Gaffney IPRA Tr. 11:20.[12]

As McDonald approached the intersection of 40th and Karlov, Gaffney turned his car toward McDonald to direct him down Karlov. Gaffney wanted to keep McDonald away from Pulaski, which was a more populated area. McDonald then swung his arm and popped 815R's right front tire with his knife. McElligott was toward the back of 815R when McDonald popped its tire. After McDonald took a step back from the vehicle, Gaffney pulled up further in front of him to stop him from proceeding to Pulaski. McDonald then hit the right side of 815R's windshield once with the knife in his right hand. The windshield did not break but, according to Gaffney, McDonald hit it as hard as he could. McDonald walked around the front of 815R and continued eastward on 40th Street. After McDonald had walked 10 to 15 feet, another squad car turned off of Pulaski onto 40th Street with its lights on, and McDonald began to sprint. McElligott followed McDonald on foot, and Gaffney followed McDonald in 815R. McDonald ran eastbound through a parking lot of a Burger King located at 40th and Pulaski and then headed southbound on Pulaski. Video footage from several cameras captured McDonald's movements as he reached Pulaski.

3. Summary of the Relevant Video Footage

The below table contains a summary of the relevant video footage of the McDonald shooting, which includes the dashcam videos from 813R, 823R, and 845R, video from the "WNE fire exit" security camera from the Greater Chicago Food Depository, which is bordered by 40th Street to the north, Karlov Avenue to the east, and Keeler Avenue to the west, and the security camera video from the Dunkin' Donuts, located at 4113 South Pulaski Road (the DD Camera).[13]

Time	Event(s) Captured	Source of Video
9:53:17 – 9:54:42	McDonald walks eastbound on the south side sidewalk of 40th Street; a CPD SUV travels east on 40th Street, parallel to McDonald with its front bumper even with	Greater Chicago Food Depository Security Camera

[11] OEMC recordings reflect that, at 9:53 p.m., 815R reported: "We're at 40th and Keeler. This guy uh is walking away from us and he's got a knife in his hand." Approximately 30 seconds later, a dispatcher stated, "815R looking for a taser." *See* OEMC Documents and CDs; *see also* OIG 15-0564 003691, 3228.

[12] OIG 15-0564 000620.

[13] In addition to the videos cited in the summary, OIG obtained video footage from the security camera videos at Burger King and Focal Point, and the dash camera videos from Vehicles 815R and 821R. These videos do not contain footage relevant to this report.

	McDonald; an officer on foot trails directly behind McDonald by the length of the SUV, with his flashlight trained on McDonald.[14]	
9:56:53 – 9:57:01	813R and 845R turn left onto 40th Street from Pulaski.	813R Dashcam
9:57:01– 9:57:09	An unidentified person on 40th Street points the CPD vehicles toward the Burger King parking lot (813R); 845R turns into the parking lot (813R). McDonald runs southeast through the Burger King parking lot out onto Pulaski (845R).	813R Dashcam; 845R Dashcam
9:57:09 – 9:57:20	845R drives over the curb and sidewalk north of Burger King and heads south on Pulaski (845R); 813R turns around, turns right onto 40th Street, and then right again on Pulaski (813R); McDonald runs southbound in the middle of Pulaski and enters the intersection of 41st Street and Pulaski (813R).	813R Dashcam; 845R Dashcam
9:57:20 – 9:57:25	845R, which is facing east/southeast on Pulaski just north of 41st street, turns right behind McDonald and proceeds south on Pulaski on the east side of the street; 845R's passenger door briefly opens and then closes as it passes McDonald on his left; McDonald continues southbound on Pulaski, toward 822, which is stopped in the middle of Pulaski facing north.	813R Dashcam
9:57:25 – 9:57:28	McDonald slows as he approaches 822, touches his hands to his waist, and then, before Walsh and Van Dyke exit 845R and with 822 situated between McDonald and the officers, McDonald extends his right arm fully to his right—the video shows that he has a silver object in his right hand; 845R passes 822 and comes to a stop on the east side of Pulaski, facing south and almost directly south of 822; Van Dyke opens 845R's passenger door.	813R Dashcam
9:57:28 – 9:57:30	McDonald changes course and begins walking southwest on Pulaski, away from 822 and 845R (813R); Van Dyke exits the passenger side of 845R with both of his feet in	813R Dashcam; DD Camera[15]

[14] OIG confirmed the vehicle is 815R and McElligott confirmed in his OIG interview that he was the officer on foot.

[15] The DD Camera video does not display an embedded timestamp. Therefore, OIG used the timestamp of 813R's video, which generally captured the same events as the DD Camera from a different angle, to establish the timeframe of the events captured by the DD Camera.

	Pulaski's northbound left turn lane, his gun drawn and pointed at McDonald (813R). Walsh exits the driver side of 845R, just east of Pulaski's northbound left turn lane, with his gun drawn, and moves north along the driver side of 845R until he is several feet north of 845R (DD Camera).	
9:57:30 – 9:57:33	McDonald continues to walk southwest, from the middle of Pulaski to the lane markers that divide the west side of the road (or approximately one lane west of where McDonald was prior to changing course) (813R). While McDonald walks southwest, Walsh begins moving sideways in a west/southwest direction, approximately parallel to McDonald, and crosses over the east side of Pulaski's northbound left-turn lane—his gun is pointed at McDonald (813R; DD Camera). Van Dyke takes approximately two steps northwest toward McDonald, with his left foot crossing into Pulaski's yellow-painted median strip—his gun is pointed at McDonald (813R; DD Camera). 822 drives north on Pulaski, away from 845R (813R).	813R Dashcam; DD Camera
9:57:33 – 9:57:36	As McDonald approaches the lane markers on the west side of Pulaski, walking in a southwest direction, he looks to his right and moves his right hand behind his waist, near the right side of his lower back, then brings his hand back to his right side (813R). As McDonald crosses the lane markers on the west side of Pulaski, he looks to his left, and takes a step southbound (813R). Meanwhile, Walsh continues moving west/southwest with his gun pointed at McDonald, ultimately traversing almost the entire width of Pulaski's northbound left-turn lane (813R; DD Camera). Van Dyke takes an additional step west, toward McDonald, putting both of his feet in Pulaski's median strip and placing himself almost directly between McDonald and Walsh (813R; DD Camera). McDonald is then apparently shot and Walsh stops moving and adopts a stance, with his feet more than a shoulder's width apart (813R; DD Camera).	813R Dashcam; DD Camera
9:57:36 – 9:57:54	McDonald spins between 180 and 270 degrees in a clockwise direction and then falls to the ground with the top of his head pointing south on Pulaski, approximately one street lane east of Van Dyke and just south of Van Dyke (813R). As McDonald falls to the ground, Van	813R Dashcam; DD Camera

	Dyke takes another step west toward McDonald, moving his right foot from Pulaski's median strip into the south-bound side of Pulaski; his gun remains pointed at McDonald (813R). Van Dyke subsequently takes an additional step or two south, toward McDonald. Other than those steps, Van Dyke's feet are stationary (DD Camera). After McDonald is on the ground, his legs and feet do not move (813R). McDonald's upper body makes small, intermittent movements as what appear to be puffs of smoke rise from McDonald's body (813R).[16]	
9:57:54 – 9:58:05	An officer approaches McDonald and kicks the knife from his hand. McDonald does not make any noticeable movements.	813R Dashcam
9:58:05-9:58:20	McDonald lies on the ground; no aid is rendered by CPD personnel. 823R, travelling northbound, pulls up on the west side of Pulaski, and stops just south of where McDonald is lying.	813R Dashcam; 823R Dashcam
9:58:20-9:58:57	Several CPD officers walk and stand near McDonald as he lies on the ground; no aid is rendered by CPD personnel.	813R Dashcam;[17] 823R Dashcam
9:58:57-9:59:02	823R begins making a U-turn on Pulaski. A Cook County Sheriff's Police Department (CCSPD) officer puts on blue gloves and walks toward McDonald.[18] McDonald is no longer visible in the video frame.	823R Dashcam

4. CCSPD Officer Accounts of the October 20, 2014 McDonald Shooting[19]

While on patrol on October 20, 2014, CCSPD Officers Adam Murphy and Jeff Pasqua observed several CPD police vehicles pass by them. Both officers decided to follow the CPD vehicles. When they arrived at the scene, several CPD vehicles were already present—Pasqua estimated it was five or six. McDonald was lying on the pavement "gasping for his last breath of air." Pasqua OIG Tr. 11:22-23. Meanwhile, the CPD officers were "standing around" and talking to

[16] OEMC records show that dispatch received notice to send an ambulance to the scene at 9:57:51. OIG 15-0564 003691.

[17] The last time stamp visible on the 813R dashcam video is 9:58:55.

[18] OIG identified the CCSPD officer as Officer Adam Murphy.

[19] The following CCSPD Officer accounts are taken from OIG's June 23, 2016 interview of Jeff Pasqua and its June 24, 2015 interview of Adam Murphy. Pasqua and Murphy are currently CCSPD investigators.

each other. Murphy OIG Tr. 11:1. Murphy noted the CPD officers did not respond to him when he asked if they needed assistance. Murphy stated:

> I see there's blood all over the pavement. [McDonald] was kind of gurgling when he was sitting there. I remember his mouth was going open and closed like he was trying to gasp for air. And I looked for everybody else, and they were kind of standing there. I just started taking my gloves—my rubber gloves out to check for a pulse and to see if I could render aid.

Murphy OIG Tr. 12:18-13:2. He heard someone say an ambulance was en route.[20] Both Officers Murphy and Pasqua recalled then watching McDonald take his final breaths.[21] It was "[m]aybe less than a minute before [McDonald] expired." Murphy OIG Tr. 14:15-16. At no time did any CPD officers attempt to provide aid or comfort McDonald—Murphy stated, "That's why I felt that I needed to go up to him." Murphy OIG Tr. 14:11-12.

After McDonald passed away, Murphy got up from beside him and noticed the shooting officer, who he now knows to be Van Dyke, "pacing back and forth in front of his car." Murphy OIG Tr. 15:7-8. Murphy approached him and told him to sit down and drink water. As he was speaking with Van Dyke, Murphy "heard several officers telling [Van Dyke] to call your union rep, call your union rep." Murphy OIG Tr. 15:16-17.

Murphy and Pasqua departed after approximately ten minutes on the scene when a CPD sergeant told them CPD did not need their assistance. At the time they left, there was "[a] sea of CPD" on scene. Murphy OIG Tr. 38:3; Pasqua OIG Tr. 25:7-8.

A. McElligott's Statements Regarding the McDonald Shooting

1. October 20, 2014 Statement to Detective David March[22]

On March 15, 2015, Detective David March submitted a case supplementary report (CSR) with the R.D. Number HX475653 that contains a summary of CPD's investigation.[23] Lieutenant

[20] In a January 22, 2016 OIG interview, CPD Area North Commander Kevin Duffin stated CPD police officers have a duty to render aid to injured civilians per general orders. Police officers render aid by calling dispatch and requesting that an ambulance be dispatched to the scene. According to Duffin, police officers are not required or expected to provide any more assistance than this. On March 30, 2016, CPD issued General Order G03-06 which requires that the involved member(s) "request medical attention for the injured, and also offer immediate medical aid commensurate with their training, experience, and available equipment."

[21] The Medical Examiner's Case Report states McDonald was pronounced dead "on view" at Mount Sinai Medical Center on October 20, 2014, at 10:42 p.m. OIG 15-0564 015029.

[22] OIG 15-0564 003068–69.

[23] CPD's investigation in the aftermath of the McDonald shooting was reported under record number HX-475653, and most reports were classified as an investigation into an aggravated assault in which McDonald was the offender. In a few reports, the case was classified as an investigation into a justifiable homicide of which McDonald was the victim. An additional record number was also created and classified as a justifiable homicide, apparently for recordkeeping purposes. In CPD's investigative reports classified under the aggravated assault, CPD personnel

Anthony Wojcik approved the CSR on March 16, 2015. Included in that CSR is a summary of the statement that March obtained from McElligott at the scene of the shooting (referenced in part above in Section IV.B.2). Regarding his observations as McDonald reached Pulaski, McElligott stated the following:

> When McDonald ran eastbound through the parking lot of the Burger King, Officer McElligott ran after McDonald in pursuit. McElligott ran out into the middle of Pulaski Road in pursuit of McDonald. McElligott heard multiple gunshots but did not see who fired the shots. The gunfire was continuous, one shot after another. McElligott then saw McDonald lying on the ground. McElligott saw Officer Joseph Walsh kick the knife out of McDonald's hand.[24]

2. October 21, 2014 Statement to IPRA[25]

On October 21, 2014, at 4:36 a.m., IPRA investigator Brian Killen interviewed McElligott at Area Central Police Headquarters, located at 5101 South Wentworth, regarding the McDonald shooting.[26] Attorney Dan Herbert and FOP Field Representative Kriston Kato accompanied McElligott. In summary, regarding his observations as McDonald reached Pulaski, McElligott stated the following.

As McElligott approached Pulaski, several squad cars were also approaching the area. One squad car traveling northbound on Pulaski started to do a U-turn, and McElligott stopped running to let the squad car pass. McElligott then stated: "And at that point [McDonald] turned around he, he's goin' um southbound slowly so I know they're, they're stopping right there. I hear the shots at that point. And uh when I approach I think I was running down maybe the middle that's when I saw the offender layin' on the ground." McElligott IPRA Tr. 9:31-10:5. McElligott then saw Walsh kick the knife out of McDonald's hand.

B. Records and Interviews Concerning 815R's In-Car Video System

On October 21, 2014, CPD Sergeant Lance Becvar submitted a supplementary report for R.D. No. HX475653 concerning his retrieval of video from the in-car video systems of the five CPD vehicles that were on-scene when Van Dyke shot McDonald.[27] With respect to 815R (also referred to as vehicle 8489), the vehicle in which McElligott was the passenger on October 20,

---

drew conclusions about the propriety and lawfulness of Van Dyke's shooting of McDonald. This raises questions about CPD's role in investigating a police-involved shooting in light of IPRA's jurisdiction over the matter.

[24] Detective March completed a General Progress Report (GPR) relating to his interview of McElligott that contains March's handwritten notes of the interview. OIG 15-0564 003247. March's handwritten notes of the interview do not differ in any significant way from the summary of McElligott's statement in the CSR.

[25] OIG 15-0564 000482–98.

[26] *See also supra* Section IV.B.2.

[27] OIG 15-0564 004991.

2014, Becvar noted "Operational but due to disc error no video recorded."[28] Becvar also completed a corresponding "In Car Camera Video Retrieval Worksheet" regarding his October 20, 2014 video retrieval, in which he made the following notation with respect to 815R: "Processing video: extremely large video file."[29] On July 17, 2015, Becvar sent an email summarizing his findings regarding his October 20, 2014 video retrieval from 815R and the other four CPD vehicles that were on scene when Van Dyke shot McDonald.[30] With respect to 815R, Becvar wrote as follows: "System not engaged because a very long video (like hours long) was made previous to this event/incident and the system was processing that video and unable to start another video."[31]

The in-car dash camera video recovered from 815R captured footage from 10:03:14 p.m. to 10:04:18 p.m.—after McDonald was shot—and only another squad car with flashing lights is visible.[32] There is no sound on the video. The video does not display notations of "M1" or "M2" reflecting functioning microphones. In a January 27, 2016 OIG interview, Becvar stated that if a vehicle's microphones were synced and functioning, its in-car video display and the recovered video would both show an on-screen "M1" (driver mic) and an "M2" (passenger mic). Becvar's statement is corroborated by the in-car video system user manual, which establishes that officers are able to see "M1" and "M2" displayed on their in-car video system in real time as it is recording if the microphones are properly connected.[33] The user manual further reflects that the in-car video system display contains a "camera preview" that "displays the image as seen through the camera lens. The default image is set as the front facing camera."[34]

C. OIG Interview of McElligott

On April 21, 2016, pursuant to Section 6.1 of the CBA between CPD and FOP, OIG, through CPD's Bureau of Internal Affairs, served McElligott with a Notification of Interview, Notification of Allegations, and copies of his prior statements, including: (1) his October 20, 2014 statement to Detective March, contained in the March 16, 2015 CSR; (2) March's GPR containing his handwritten notes of his interview of McElligott; and (3) McElligott's October 21,

[28] OIG 15-0564 004991.

[29] OIG 15-0564 004992.

[30] OIG 15-0564 000567.

[31] OIG attempted to obtain the Supervisor's Management Log from October 21, 2014, but CPD informed OIG that the log had been destroyed prior to the commencement of OIG's investigation. Supervisor Management Logs are completed by shift supervisors, usually a sergeant, and list the personnel and assignments for a shift and whether the in-car camera was operable or inoperable.

[32] On October 20, 2014 at 9:38 p.m., 815R sent Franko a PDT message stating, "8489 cam working." *See* OEMC PDT Messages. OIG 15-0564 000171.

[33] *See* Coban Mobile Recorder User Manual. OIG 15-0564 008973.

[34] OIG 15-0564 008972.

2014 statement to IPRA. In addition, OIG provided McElligott with the dashcam footage from 813R and 845R and the security camera footage from Dunkin' Donuts.

On May 9, 2016, OIG investigators interviewed McElligott under oath after informing him of his administrative advisements orally and in writing. McElligott provided oral and written acknowledgement of the reading of those advisements. The interview was transcribed by a certified court reporter. McElligott's attorney was also present for the interview.

In summary, McElligott stated as follows. As of October 20, 2014, McElligott was assigned to CPD's 8th District and was working with Gaffney, one of his regular partners.

1. The Scene of the Shooting

Immediately after McDonald was shot, McElligott stated he and the other officers on scene waited for an ambulance to arrive. McElligott recalled that his sergeant, Stephen Franko, arrived on the scene within minutes of the shooting. McElligott did not recall speaking with anyone on the scene about the shooting besides the detectives. He did not know the names of the two detectives who interviewed him. He stated, "I know I gave basically an on-scene interview, which was written down in notes on the hood of our squad car . . . ." McElligott OIG Tr. 48:9-11. McElligott and Gaffney were standing next to each other when they gave their statements. Franko may have been "lingering in and out" while they were speaking to the detectives. McElligott OIG Tr. 51:11. A couple of minutes after they gave their statements, McElligott and Gaffney accompanied the detectives to where they first encountered McDonald and gave another run through of their encounter with McDonald. The detectives checked to see if any cameras caught the incident.

McElligott reviewed the statements attributed to him in the March 16, 2015 CSR summarizing his interview with Detective March. McElligott stated the statement is a "shortened summary" of what he told the detectives. McElligott OIG Tr. 92:6-7. He stated: 'There's seconds missing. I was at the light. I waved a car ahead of me, and it did a U-turn in front of me. I heard the shots, and then after I started hearing the shots and saw that traffic was being blocked—because I believe 821 Robert completely cut off traffic at 40th Place, I think it is." McElligott OIG Tr. 92:19-93:1. McElligott did not see Van Dyke shoot McDonald. He explained:

> I was facing northbound when I first heard the shots. I was stopped at the light. There were squad cars coming at me and turning around. And the Mars lights that we have now are so bright that you can't see very far ahead or next to them. One drove by me. I couldn't see their VIN tag if I wanted to because they're just so bright. And I was approaching the scene while shots were being made.

McElligott OIG Tr. 95:13-21.

After speaking with the detectives, an evidence technician came to recover their tire and take photographs of their squad car. At some point, someone came to download 815R's dashcam video. McElligott stated the individual who came to download their video was "mumbling and cussing under his breath." McElligott OIG Tr. 58:7. McElligott explained, "It's like because he

couldn't—like, he was fumbling with the video or something with—I don't know if he was having a hard time with it or if he didn't know what was going on with it, but I remember him being mad." McElligott OIG Tr. 58:21-59:2.

2. Area Central

McElligott and Gaffney drove to Area Central in their squad car approximately four or five hours after the shooting. McElligott believed they arrived at Area Central after all of the other officers who witnessed the shooting. He did not speak with any of the other officers regarding the shooting. At Area Central, an evidence technician finger printed and photographed McElligott. At some point, McElligott saw detectives watching the Dunkin' Donuts video with Van Dyke and Walsh. He stated he watched the video over the detectives' shoulders, but "didn't see very much." McElligott OIG Tr. 71:20. McElligott recalled the detectives pointing out that Walsh or Van Dyke were backpedaling. McElligott said he was not required to fill out an Officer's Battery Report or Tactical Response Report because the detectives and Franko said he "wasn't considered to be a victim." McElligott OIG Tr. 75:18. McElligott then waited to give his statement to IPRA. McElligott left Area Central a couple of hours after McElligott gave his statement to IPRA.

3. Use of 815R's In-Car Video System

McElligott had used vehicle 8489 several times before October 20, 2014. On that date, the car had a dashcam system. He reviewed CPD Special Order S03-05 outlining the protocol for in-car video systems. McElligott reviewed the provision in the order stating members must "obtain the remote transmitter/audio recorder and ensure it is securely attached to the member's person." McElligott OIG Tr. 117:18-20. When asked if he did that on October 20, 2014, McElligott stated, "We did not attach the audio recorder to our person." McElligott OIG Tr. 118:1-2. He did not recall doing anything with the microphones upon entering his vehicle. When asked if he is supposed to report if the audio is not functioning in the system, McElligott stated: "I would think so, yes. I don't recall specific times I've notified anybody about the audio." McElligott OIG Tr. 126:22-24. McElligott noted that there used to be holders for the microphones to clip on to their uniforms, but CPD no longer provided them.

McElligott noted that he and Gaffney checked the camera on October 20, 2014 at the start of their tour and it was operational. They were able to log in to the system. McElligott was unable to explain why there was an hours long video that was unable to be processed.

V. ANALYSIS

OIG's investigation established that McElligott violated CPD Rule 6 (disobedience of an order, namely S03-05) and Rule 11 (incompetency in the performance of a duty) by failing to audibly record events with his in-car video system. Accordingly, OIG recommends that CPD impose discipline upon McElligott commensurate with the seriousness of his misconduct, his discipline history, and department standards.

As McElligott acknowledged, CPD did not recover any audio from 815R's in-car video system. Additionally, CPD recovered only one minute of video from 815R's system after the McDonald shooting. With respect to the video, Sergeant Becvar noted that the in-car video system was not engaged due to a disc error while processing a very long video, and there is no evidence that McElligott knew of the error. McElligott stated that he and Gaffney checked the camera at the start of their tour and found it operational. With respect to the audio, however, McElligott admitted that he did not attach the microphones to his person. 815R's dashcam video further reflects that McElligott and Gaffney did not connect their microphones to 815R's in-car video system because there is no "M1" or "M2" symbol visible at the top of the video footage from October 20, 2014 as there would have been if the microphones were connected. Thus, the evidence demonstrates that on October 20, 2014, McElligott failed to follow the in-car video system procedures set forth in S03-05.

McElligott's failure to follow CPD's in-car video system protocols prevented CPD from collecting potentially important, objective, technology-based evidence of the McDonald shooting. As a result, investigators are now forced to rely on McElligott's subjective unrecorded oral account of the shooting. McElligott's violation of CPD rules, also served to harm the relationship between CPD and the residents it serves. A functioning in-car video system is critical to CPD's efforts to maintain accountability for its officers. That accountability, in turn, fosters the public's trust in CPD. When accountability mechanisms fail, as they did in the present case, where only one of the five CPD vehicles present at the shooting captured video of the actual shooting and none of those vehicles captured audio, the public can lose faith in CPD's commitment to accountability. Thus, as CPD works to rebuild the relationship between its officers and the greater Chicago community, it must ensure that its personnel understand the importance of keeping all aspects of CPD's accountability framework, including in-car video systems, functional.

VI. RECOMMENDATION

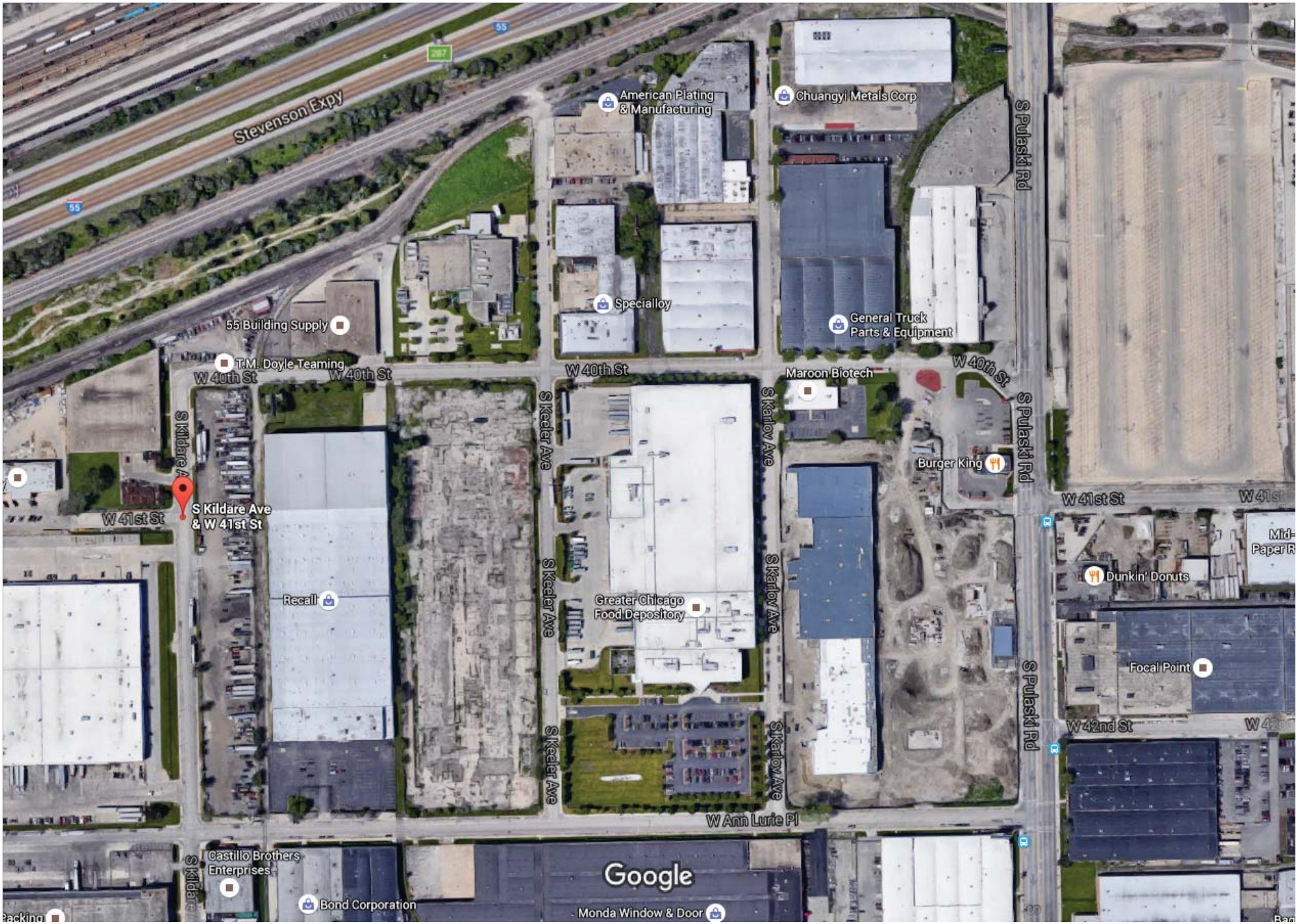
OIG recommends that CPD impose discipline upon McElligott commensurate with the seriousness of his misconduct, his discipline history, and department standards.

VII. CPD RULE VIOLATIONS

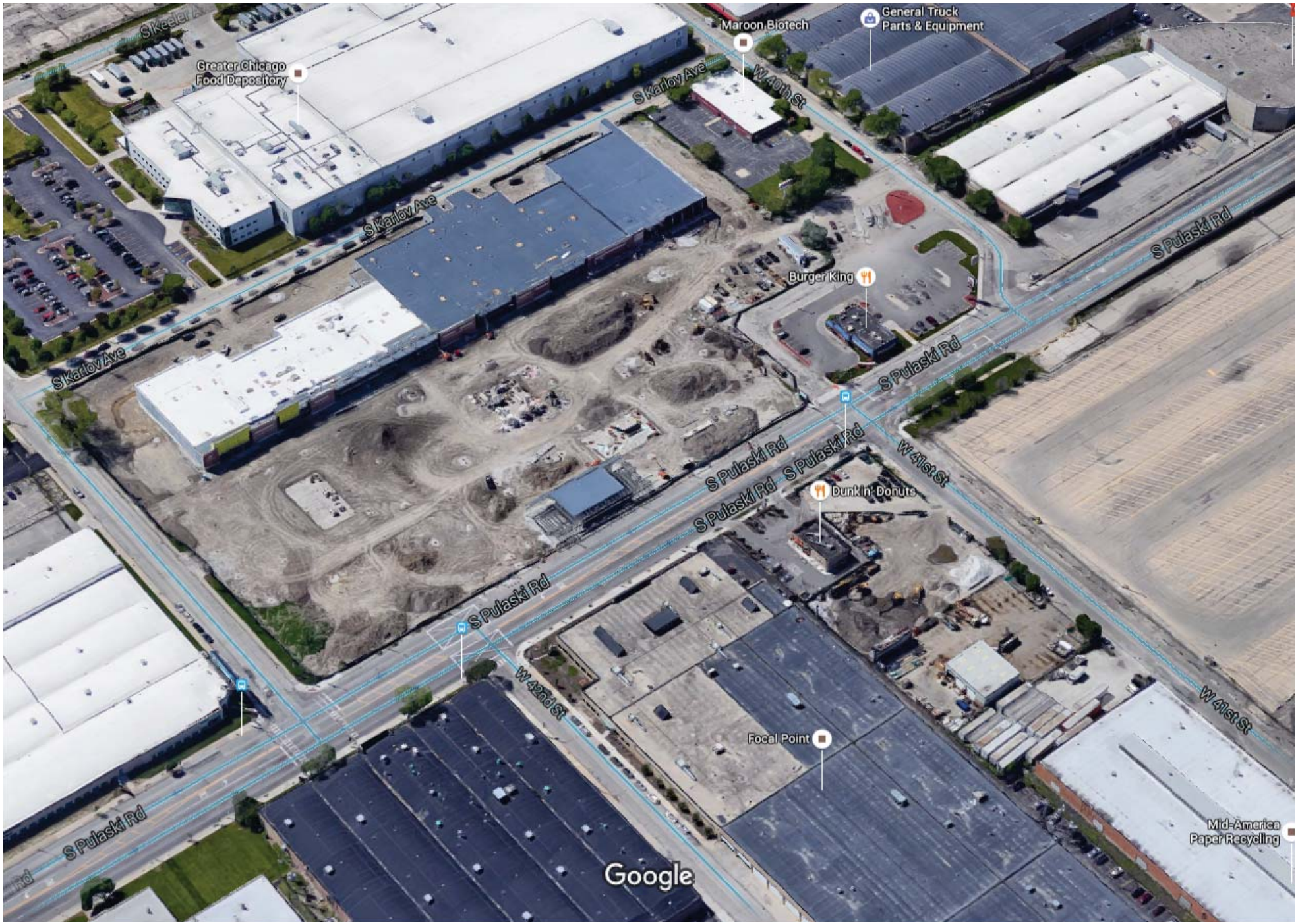
Rule 6 Disobedience of an order or directive, whether written or oral.

Rule 11 Incompetency or inefficiency in the performance of duty.

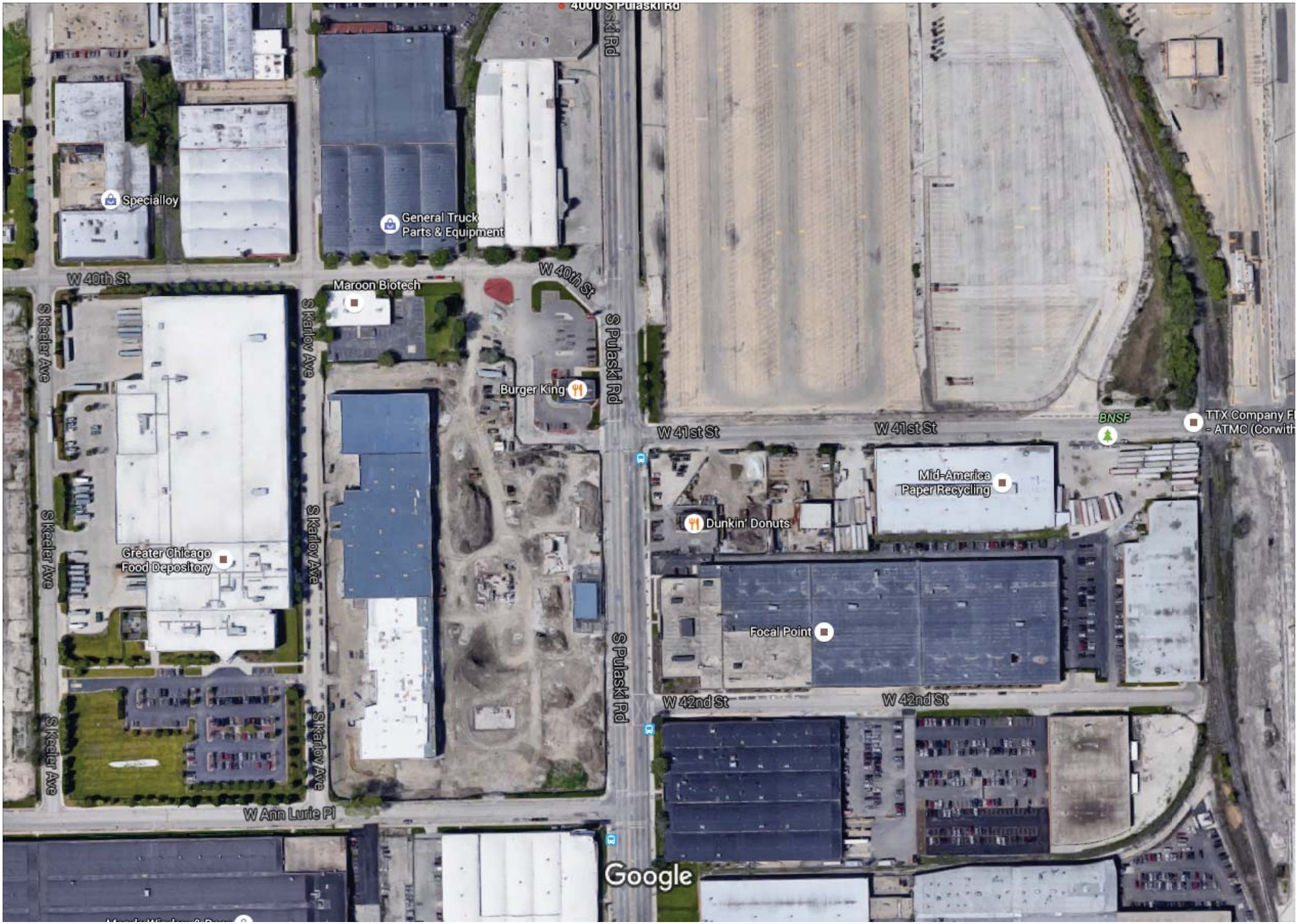
Appendix A



Imagery ©2016 Google, Map data ©2016 Google 200 ft



Imagery ©2016 Google, Map data ©2016 Google 100 ft



Imagery ©2016 Google, Map data ©2016 Google 200 ft

SUMMARY REPORT OF INVESTIGATION
Office of Inspector General Case # 15-0564
(Deputy Chief David McNaughton)
July 29, 2016

This report consists of a summary of the evidence set out in the attached investigative materials and the Office of Inspector General's (OIG's) analysis of that evidence. An index of the investigative materials is attached.

I. INTRODUCTION

An OIG investigation established that David McNaughton, a Chicago Police Department (CPD) Deputy Chief who was the On-Call Incident Commander (OCIC) for the October 20, 2014 Laquan McDonald shooting, violated CPD Rules and Regulations when he approved false Tactical Response Reports (TRRs) and false Officer's Battery Reports (OBRs) submitted by Officers Jason Van Dyke, Joseph Walsh, and Thomas Gaffney regarding the shooting. In addition, McNaughton falsely reported in Van Dyke's TRR that McDonald "continued to approach" Van Dyke—then checked the box in Van Dyke's TRR that states, "I have concluded that the member's actions were in compliance with department procedures and directives," and failed to mark the box stating that further investigation was required. Finally, McNaughton provided a false statement to CPD's Office of News Affairs when he revised a CPD preliminary statement to say McDonald "continued to approach" Officers Van Dyke and Walsh. McNaughton's creation and endorsement of false statements, despite objective evidence to the contrary, all served to establish a false narrative that McDonald initiated an attack on Officers Walsh and Van Dyke. McNaughton, as a CPD supervisory member, was accountable for the actions of his subordinates, and his failure to be a neutral, objective arbiter when evaluating a police-involved shooting brought discredit to the Department. Accordingly, OIG recommends that CPD discharge McNaughton and refer him for placement on the ineligible for rehire list maintained by the Department of Human Resources.

II. APPLICABLE RULES, REGULATIONS, AND LAW

A. CPD Rules and Regulations

The "Rules and Regulations of the Chicago Police Department" set out the standards of conduct and duties of sworn members, including supervisory members, as well as CPD goals. The Rules and Regulations state that sworn members must "conduct themselves at all times in such a manner as will reflect credit upon the Department with emphasis on personal integrity and professional devotion to law enforcement." Supervisory members "have the responsibility for the performance of all subordinates placed under them" and they "[r]emain accountable for the failure, misconduct or omission by their subordinates."

Article V of the CPD Rules and Regulations, entitled CPD Rules of Conduct (the CPD Rules), sets forth specifically prohibited acts. In pertinent part, the CPD Rules include the following prohibitions:

Rule 2 Any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department.

Rule 3 Any failure to promote the Department's efforts to implement its policy or accomplish its goals.

Rule 11 Incompetency or inefficiency in the performance of duty.

Rule 14 Making a false report, written or oral.

B. CPD General Order G03-02-05 (effective October 1, 2002 through October 29, 2014)

CPD General Orders "are directives that establish critical policies directly related to the core values and functions of the Department or the broad organizational policies and key practices relating to those core values." General Order G03-02-05 "identifies incidents which will require the completion of a Tactical Response Report." It states that a TRR is used to document, among other things, all incidents "involving the discharge . . . of a firearm," or "which involve a subject fitting the definition of an assailant whose actions are directed against a Department member." Section II.C. states, "If the most serious use of force requires an investigation by an On-Call Incident Commander (OCIC), then the findings of all Tactical Response Reports resulting from the use of force by any member in that instance will be the responsibility of that OCIC."

C. CPD Special Order S03-02-01 (effective October 1, 2002 through October 29, 2014)

CPD Special Orders are directives that establish protocols and procedures concerning specific CPD functions, operations, programs, or processes. Special Order S03-02-01 outlines CPD "investigative and reporting procedures in firearm discharge incidents." Section VIII, listing the "On-Call Incident Commander Responsibilities," states that one of the OCIC's responsibilities is to "personally conduct an investigation into the circumstances surrounding the incident and make a preliminary determination as to whether the conduct of the member conformed to Department guidelines." The OCIC must also "review all TRR(s) for legibility and completeness."

III. DEPUTY CHIEF MCNAUGHTON EMPLOYMENT HISTORY

McNaughton has been a CPD member since December 16, 1991. On October 20, 2014, he was a Deputy Chief in the Patrol Bureau, assigned to Area Central. In December 2015, McNaughton was named the Deputy Chief of the Bureau of Support Services.

IV. SUMMARY OF INVESTIGATION

A. Procedural History of OIG's Investigation

By letter, dated December 8, 2015, IPRA Acting Chief Administrator Sharon Fairley requested that OIG conduct an administrative investigation "to determine whether certain police officers/witnesses made false statements on official reports prepared in connection with [Van Dyke's shooting of McDonald] and/or during the investigation of the incident."[1] IPRA further requested that OIG investigate "whether any of the involved Chicago Police officers committed any other violation(s) of Chicago Police Department rules, policies or procedures in their involvement with the incident, including, but not limited to, whether any officers' conduct may have interfered with or obstructed the appropriate investigation and handling of this matter."

Then, by letter, dated January 13, 2016, CPD Interim Superintendent John J. Escalante requested that OIG conduct an "administrative investigation into any and all allegations of police officer misconduct" arising out of the October 20, 2014 shooting death of McDonald. The Superintendent's request asked OIG to investigate the following allegations: "whether any officer(s) made false statements on official reports submitted in connection with the shooting of Laquan McDonald on October 20, 2014; whether any officer(s) obstructed or interfered with the investigation of this incident, either individually or in collusion with others; and whether any officer(s) committed any violation of Chicago Police Department rules, policies, or orders in connection with their response and/or handling of this matter." Escalante attached to the letter request a copy of Sergeant Sandra Soria's Initiation Report, which raises allegations of misconduct related to the in-car video systems of the vehicles that were present during the McDonald shooting, and identified that Report as a basis for OIG's administrative investigation.

On March 10, 2016, Kevin Kilmer (Star # 7518), Financial Secretary for the FOP, on behalf of all affected members, filed a grievance with CPD stating that OIG's attempts to conduct CPD officer interviews violated Article 6 of CPD's Collective Bargaining Agreement (CBA) with the FOP.[2] On March 16, 2016, FOP on behalf of all impacted CPD officers filed a "Complaint for Injunction in Aid of Arbitration" in the Circuit Court of Cook County asking the court to enjoin

[1] On November 24, 2015, the Cook County State's Attorney charged Van Dyke with a single count of first degree murder in the shooting of McDonald. On December 15, 2015, it subsequently charged him with six counts of murder. OIG has not been involved with any criminal investigation related to the shooting and makes no findings regarding Van Dyke's use of force.

[2] Section 6.1, Paragraph I of the CBA states, "If the allegation under investigation indicates a recommendation for separation is probable against the Officer, the Officer will be given the statutory administrative proceeding rights, or if the allegation indicates criminal prosecution is probable against the Officer, the Officer will be given the constitutional rights concerning self-incrimination prior to the commencement of interrogation." CPD General Order GO8-01-01, Paragraph K contains similar language.

OIG from conducting interviews until the grievance was decided in arbitration.[3] The court dismissed the complaint and denied the injunction on March 22, 2016.

OIG's administrative investigation of other CPD employees' actions related to the McDonald shooting is ongoing. During the course of its investigation, OIG has gathered documents from CPD and IPRA, among other sources, and conducted numerous interviews, including interviews of CPD personnel who were at or responded to the scene of the shooting and civilian witnesses to the shooting. To date in its ongoing investigation, OIG has recommended disciplinary action against multiple CPD personnel.

B. The Events of October 20, 2014

The following sections detail Van Dyke's shooting of McDonald, as well as the relevant events that occurred directly before and after the shooting.[4]

1. [redacted] and Rudy Barillas's Encounter with McDonald[5]

[redacted] and [redacted] Rudy Barillas, were parking a truck in a lot at 41st Street and Kildare Avenue when [redacted] saw a black male, whom she subsequently identified as McDonald, attempting to steal property from certain vehicles parked in the lot. Barillas told McDonald to leave the lot. McDonald responded by making growling noises. After Barillas again told McDonald to leave the lot, McDonald pulled out a knife and swung it at Barillas. Barillas, who had already called 911, then threw his cell phone at McDonald.[6] McDonald ran from the lot, first northbound on Kildare and then eastbound on 40th Street.

2. Officers Thomas Gaffney and Joseph McElligott's Encounter with McDonald[7]

Officer Thomas Gaffney and his partner Officer Joseph McElligott received a call over the radio

---

[3] *Fraternal Order of Police, Chicago Lodge 7 v. City of Chicago*, No. 2016 CH 03726 (Cir. Ct. of Cook County, Ill., Mar. 16, 2016).

[4] On April 22, 2016, OIG obtained maps of the locations that are relevant to the shooting from Google Maps and included those maps in Appendix A. Those maps generally reflect the street layout and location of relevant businesses as they were on the night of October 20, 2014.

[5] The following account of [redacted] and Barillas's encounter with McDonald is taken from the March 16, 2015 case supplementary report (CSR) submitted by CPD Detective David March, which includes the statements that [redacted] and Barillas provided to CPD on October 21, 2014, and October 22, 2014, respectively. OIG 15-0564 003077.

[6] OEMC recordings reflect that Barillas called 911 at 9:45 p.m. stating that he was holding "a guy right hear [sic] that stolen [sic] the radios" from trucks in a truck yard located at "41st and Kildare." OIG 15-0564 003227.

[7] The following account of Gaffney and McElligott's encounter with McDonald is taken from (1) the audio-recorded statements Gaffney and McElligott provided to IPRA on October 21, 2014; and (2) the March 16, 2015 CSR submitted by Detective David March, which includes the statements that Gaffney and McElligott provided to March on the night of the McDonald shooting. OIG 15-0564 000482-98, 000610-30, 003067–69.

that someone had broken into a truck at 4100 South Kildare and were dispatched to the scene.[8] Gaffney was driving and McElligott was in the passenger seat of their assigned vehicle, 815R.[9] When they arrived at 4100 South Kildare, they saw a Hispanic male and female standing by the gate to the truck yard. The two said that a black male wearing a black shirt, later determined to be McDonald, had been trying to steal the radio out of a semi-truck, and had subsequently headed north toward 40th Street.

Gaffney and McElligott drove north on Kildare, turned right onto 40th Street, and saw McDonald walking east on the south side of 40th Street. McElligott exited the vehicle and commanded McDonald to stop and turn around. Gaffney stayed in the vehicle in case McDonald attempted to flee. McElligott ordered McDonald to take his hands out of his pockets. McDonald, who had been facing McElligott, turned and walked away with one hand still in his pocket. McDonald then turned again and took both of his hands out of his pockets. He had a knife in his right hand. McElligott drew his weapon and told McDonald to drop the knife. McDonald started walking east again, going from the sidewalk to the street and back. McElligott followed McDonald on foot, shining his flashlight on him, while Gaffney followed in 815R, parallel to McDonald.

As McDonald approached the intersection of 40th and Keeler, Gaffney reported to dispatch that McDonald was walking away with a knife in his hand.[10] Gaffney and McElligott continued to follow McDonald as he headed east, with McElligott giving McDonald orders to drop his knife and stop. McDonald kept turning around and giving the officers a "weird glaze[d] look." Gaffney IPRA Tr. 11:20.[11]

[8] OEMC records reflect that Gaffney and McElligott received the call at 9:47 p.m. OIG 15-0564 003691.

[9] Below is a chart identifying the beat numbers and vehicle numbers of the CPD vehicles that were present when McDonald was shot, along with the names of the officers who were assigned to those vehicles. This SRI refers to the below-referenced vehicles by beat number, unless otherwise specified.

Beat #	Vehicle #	Officers
845R	6412	Officer Joseph Walsh (driver), Officer Van Dyke (passenger)
815R	8489	Officer Gaffney (driver), Officer McElligott (passenger and on foot)
813R	8779	Officer Janet Mondragon (driver), Officer Daphne Sebastian (passenger)
822R	8765	Officer Arturo Becerra (driver), Officer Leticia Velez (passenger)
841R	8948	Officer Ricardo Viramontes (driver), Officer Dora Fontaine (passenger)

[10] OEMC recordings reflect that, at 9:53 p.m., 815R reported: "We're at 40th and Keeler. This guy uh is walking away from us and he's got a knife in his hand." Approximately 30 seconds later, a dispatcher stated, "815R looking for a taser." *See* OEMC Documents and CDs; *see also* OIG 15-0564 003691, 3228.

[11] OIG 15-0564 000620.

As McDonald approached the intersection of 40th and Karlov, Gaffney turned his car toward McDonald to direct him down Karlov. Gaffney wanted to keep McDonald away from Pulaski, which was a more populated area. McDonald then swung his arm and popped 815R's right front tire with his knife. McElligott was toward the back of 815R when McDonald popped its tire. After McDonald took a step back from the vehicle, Gaffney pulled up further in front of him to stop him from proceeding to Pulaski. McDonald then hit the right side of 815R's windshield once with the knife in his right hand. The windshield did not break but, according to Gaffney, McDonald hit it as hard as he could. McDonald walked around the front of 815R and continued eastward on 40th Street. After McDonald had walked 10 to 15 feet, another squad car turned off of Pulaski onto 40th Street with its lights on, and McDonald began to sprint. McElligott followed McDonald on foot, and Gaffney followed McDonald in 815R. McDonald ran eastbound through a parking lot of a Burger King located at 40th and Pulaski and then headed southbound on Pulaski. Video footage from several cameras captured McDonald's movements as he reached Pulaski.

3. Summary of the Relevant Video Footage

The below table contains a summary of the relevant video footage of the McDonald shooting, which includes the dashcam videos from 813R, 823R, and 845R, video from the "WNE fire exit" security camera from the Greater Chicago Food Depository, which is bordered by 40th Street to the north, Karlov Avenue to the east, and Keeler Avenue to the west, and the security camera video from the Dunkin' Donuts, located at 4113 South Pulaski Road (the DD Camera).[12]

Time	Event(s) Captured	Source of Video
9:53:17 – 9:54:42	McDonald walks eastbound on the south side sidewalk of 40th Street; a CPD SUV travels east on 40th Street, parallel to McDonald with its front bumper even with McDonald; an officer on foot trails directly behind McDonald by the length of the SUV, with his flashlight trained on McDonald.[13]	Greater Chicago Food Depository Security Camera
9:56:53 – 9:57:01	813R and 845R turn left onto 40th Street from Pulaski.	813R Dashcam
9:57:01– 9:57:09	An unidentified person on 40th Street points the CPD vehicles toward the Burger King parking lot (813R);	813R Dashcam; 845R Dashcam

[12] In addition to the videos cited in the summary, OIG obtained video footage from the security camera videos at Burger King and Focal Point, and the dash camera videos from Vehicles 821R and 815R. These videos did not contain footage relevant to this report.

[13] OIG confirmed the vehicle is 815R and the officer on foot is McElligott by comparing the video with photographs of the officers. OIG 15-0564 003356.

	845R turns into the parking lot (813R). McDonald runs southeast through the Burger King parking lot out onto Pulaski (845R).	
9:57:09 – 9:57:20	845R drives over the curb and sidewalk north of Burger King and heads south on Pulaski (845R); 813R turns around, turns right onto 40th Street, and then right again on Pulaski (813R); McDonald runs southbound in the middle of Pulaski and enters the intersection of 41st Street and Pulaski (813R).	813R Dashcam; 845R Dashcam
9:57:20 – 9:57:25	845R, which is facing east/southeast on Pulaski just north of 41st street, turns right behind McDonald and proceeds south on Pulaski on the east side of the street; 845R's passenger door briefly opens and then closes as it passes McDonald on his left; McDonald continues southbound on Pulaski, toward 822R, which is stopped in the middle of Pulaski facing north.	813R Dashcam
9:57:25 – 9:57:28	McDonald slows as he approaches 822R, touches his hands to his waist, and then, before Walsh and Van Dyke exit 845R and with 822R situated between McDonald and the officers, McDonald extends his right arm fully to his right—the video shows that he has a silver object in his right hand; 845R passes 822R and comes to a stop on the east side of Pulaski, facing south and almost directly south of 822R; Van Dyke opens 845R's passenger door.	813R Dashcam
9:57:28 – 9:57:30	McDonald changes course and begins walking southwest on Pulaski, away from 822R and 845R (813R); Van Dyke exits the passenger side of 845R with both of his feet in Pulaski's northbound left turn lane, his gun drawn and pointed at McDonald (813R). Walsh exits the driver side of 845R, just east of Pulaski's northbound left turn lane, with his gun drawn, and moves north along the driver side of 845R until he is several feet north of 845R (DD Camera).	813R Dashcam; DD Camera[14]
9:57:30 – 9:57:33	McDonald continues to walk southwest, from the middle of Pulaski to the lane markers that divide the west side of	813R Dashcam; DD Camera

[14] The DD Camera video does not display an embedded timestamp. Therefore, OIG used the timestamp of 813R's video, which generally captured the same events as the DD Camera from a different angle, to establish the timeframe of the events captured by the DD Camera.

	the road (or approximately one lane west of where McDonald was prior to changing course) (813R). While McDonald walks southwest, Walsh begins moving sideways in a west/southwest direction, approximately parallel to McDonald, and crosses over the east side of Pulaski's northbound left-turn lane—his gun is pointed at McDonald (813R; DD Camera). Van Dyke takes approximately two steps northwest toward McDonald, with his left foot crossing into Pulaski's yellow-painted median strip—his gun is pointed at McDonald (813R; DD Camera). 822R drives north on Pulaski, away from 845R (813R). 841R drives north in the middle of Pulaski, toward 845R and stops just south of 845R, facing north (813R; DD Camera).	
9:57:33 – 9:57:36	As McDonald approaches the lane markers on the west side of Pulaski, walking in a southwest direction, he looks to his right and moves his right hand behind his waist, near the right side of his lower back, then brings his hand back to his right side (813R). As McDonald crosses the lane markers on the west side of Pulaski, he looks to his left, and takes a step southbound (813R). Meanwhile, Walsh continues moving west/southwest with his gun pointed at McDonald, ultimately traversing almost the entire width of Pulaski's northbound left-turn lane (813R; DD Camera). Van Dyke takes an additional step west, toward McDonald, putting both of his feet in Pulaski's median strip and placing himself almost directly between McDonald and Walsh (813R; DD Camera). McDonald is then apparently shot, and Walsh stops moving and adopts a stance, with his feet more than a shoulder's width apart (813R; DD Camera).	813R Dashcam; DD Camera
9:57:36 – 9:57:54	McDonald spins between 180 and 270 degrees in a clockwise direction and then falls to the ground with the top of his head pointing south on Pulaski, approximately one street lane east of Van Dyke and just south of Van Dyke (813R). As McDonald falls to the ground, Van Dyke takes another step west toward McDonald, moving his right foot from Pulaski's median strip into the south-bound side of Pulaski—his gun remains pointed at McDonald (813R). Van Dyke subsequently takes an additional step or two south, toward McDonald (DD Camera). Other than those steps, Van Dyke's feet are	813R Dashcam; DD Camera

	stationary (DD Camera). After McDonald is on the ground, his legs and feet do not move (813R). McDonald's upper body makes small, intermittent movements as what appear to be puffs of smoke rise from McDonald's body (813R).[15]	
9:57:54 – 9:58:05	An officer approaches McDonald and kicks the knife from his hand. McDonald does not make any noticeable movements.	813R Dashcam
9:58:05- 9:58:20	McDonald lies on the ground; no aid is rendered by CPD personnel. 823R, travelling northbound, pulls up on the west side of Pulaski, and stops just south of where McDonald is lying.	813R Dashcam; 823R Dashcam
9:58:20- 9:58:57	Several CPD officers walk and stand near McDonald as he lies on the ground; no aid is rendered by CPD personnel.	813R Dashcam;[16] 823R Dashcam
9:58:57- 9:59:02	823R begins making a U-turn on Pulaski. A Cook County Sheriff's Police Department (CCSPD) officer puts on blue gloves and walks toward McDonald.[17] McDonald is no longer visible in the video frame.	823R Dashcam

4. CCSPD Officer Accounts of the October 20, 2014 McDonald Shooting[18]

While on patrol on October 20, 2014, CCSPD Officers Adam Murphy and Jeff Pasqua observed several CPD police vehicles pass by them. Both officers decided to follow the CPD vehicles. When they arrived at the scene, several CPD vehicles were already present—Pasqua estimated it was five or six. McDonald was lying on the pavement "gasping for his last breath of air." Pasqua OIG Tr. 11:22-23. Meanwhile, the CPD officers were "standing around" and talking to each other. Murphy OIG Tr. 11:1. Murphy noted the CPD officers did not respond to him when he asked if they needed assistance. Murphy stated:

[15] OEMC records show that dispatch received notice to send an ambulance to the scene at 9:57:51. OIG 15-0564 003691.

[16] The last time stamp visible on the 813R dashcam video is 9:58:55.

[17] OIG identified the CCSPD officer as Officer Adam Murphy.

[18] The following CCSPD Officer accounts are taken from OIG's June 23, 2016 interview of Jeff Pasqua and its June 24, 2015 interview of Adam Murphy. Pasqua and Murphy are currently CCSPD investigators.

> I see there's blood all over the pavement. [McDonald] was kind of gurgling when he was sitting there. I remember his mouth was going open and closed like he was trying to gasp for air. And I looked for everybody else, and they were kind of standing there. I just started taking my gloves—my rubber gloves out to check for a pulse and to see if I could render aid.

Murphy OIG Tr. 12:18-13:2. He heard someone say an ambulance was en route. Both Officers Murphy and Pasqua recalled then watching McDonald take his final breaths.[19] It was "[m]aybe less than a minute before [McDonald] expired." Murphy OIG Tr. 14:15-16. At no time did any CPD officers attempt to provide aid or comfort McDonald—Murphy stated, "That's why I felt that I needed to go up to him." Murphy OIG Tr. 14:11-12.

After McDonald passed away, Murphy got up from beside him and noticed the shooting officer, who he now knows to be Van Dyke, "pacing back and forth in front of his car." Murphy OIG Tr. 15:7-8. Murphy approached him and told him to sit down and drink water. As he was speaking with Van Dyke, Murphy "heard several officers telling [Van Dyke] to 'call your union rep, call your union rep.'" Murphy OIG Tr. 15:16-17.

Murphy and Pasqua departed after approximately ten minutes on the scene when a CPD sergeant told them CPD did not need their assistance. At the time they left, there was "[a] sea of CPD" on scene. Murphy OIG Tr. 38:3; Pasqua OIG Tr. 25:7-8.

C. Documents Concerning the McDonald Shooting

1. Tactical Response Reports (TRRs)

On October 21, 2014, at 4:44 a.m., Van Dyke submitted a TRR with the R.D. Number HX475653 and an Event Number of 1429315878, regarding his October 20, 2014 encounter with "Lequan [sic] McDonald."[20] Under the heading titled "Assailant: Assault," Van Dyke marked the box labeled "Imminent Threat of Battery."[21] Under the heading titled "Assailant: Battery," he marked the box labeled "Attack with Weapon." Under the heading titled "Assailant: Deadly Force," he marked the boxes labeled "Uses Force Likely to Cause Death or Great Bodily Harm" and "Weapon." Van Dyke specified in the TRR that the "offender's weapon was a knife in his hand."

---

[19] The Medical Examiner's Case Report states McDonald was pronounced dead "on view" at Mount Sinai Medical Center on October 20, 2014, at 10:42 p.m. OIG 15-0564 015029.

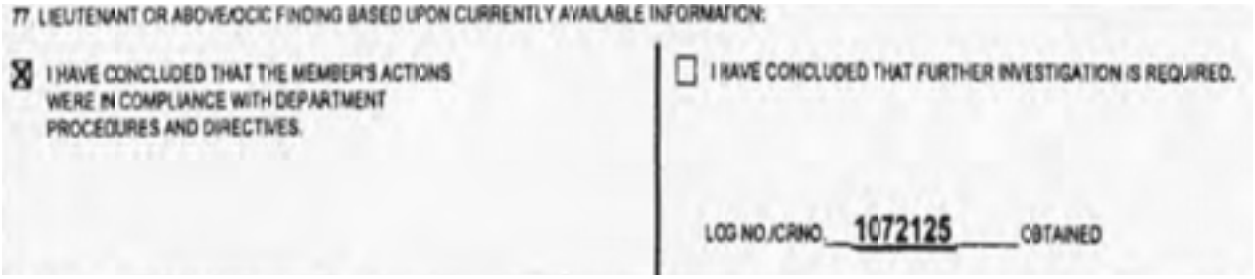
[20] OIG 15-0564 003313–14.

[21] Pursuant to the Illinois Criminal Code, a person commits battery when he or she knowingly and without legal justification "(1) causes bodily harm to an individual or (2) makes physical contact of an insulting or provoking nature with an individual." 720 ILL. COMP. STAT. 5/12-3. A person commits assault when he or she, without lawful authority, "knowingly engages in conduct which places another in reasonable apprehension of receiving a battery." 720 ILL. COMP. STAT. 5/12-1.



The back of Van Dyke's TRR contains a section titled "76. Lieutenant or Above/OCIC Rationale for Box 77 Finding." In that section, McNaughton typed the following: "Based upon information available at the time of this report It [sic] is the preliminary determination of the undersigned that Officer Van Dyke fired his weapon in compliance with Department policy. Officer Van Dyke fired his weapon in fear of his life when the offender while armed with a knife continued to approach and refused all verbal direction."

Under "77. Lieutenant or Above/OCIC Finding Based Upon Currently Available Information," McNaughton checked the box labeled "I have concluded that the member's actions were in compliance with department procedures and directives." McNaughton did not mark the box labeled "I have concluded that further investigation is required." Under that box, there is a space for a "Log No./CR No," which states, "1072125."



McNaughton electronically signed Van Dyke's TRR on October 21, 2014, at 4:58 a.m. He noted that a "TRR packet" would be forwarded to IPRA.

Walsh and Gaffney also submitted TRRs on October 21, 2014, at 5:04 a.m. and 5:15 a.m., respectively.[22] Under the heading titled "Assailant: Assault," they each marked the box labeled "Imminent Threat of Battery." Under the heading titled "Assailant: Battery," they marked the box labeled "Attack with Weapon." Under the heading titled "Assailant: Deadly Force," they

[22] OIG 15-0564 003317–18, 21–22.

marked the boxes labeled "Uses Force Likely to Cause Death or Great Bodily Harm" and "Weapon." Walsh and Gaffney both specified in the TRRs that McDonald was "armed with [a] knife." McNaughton electronically signed Walsh's TRR at 5:12 a.m. and Gaffney's TRR at 5:20 a.m.

2. Officer's Battery Reports (OBR)

The OBR form states that it is to be completed when "a sworn member is the victim of a murder, aggravated battery, battery, aggravated assault, or assault while performing a police function either on-duty or off-duty."[23] Van Dyke, Walsh, and Gaffney completed and submitted OBRs with the R.D. Number HX475653 regarding their October 20, 2014 encounters with McDonald.[24] The OBRs are nearly identical. They all state three officers were "battered."[25] Under the heading titled "Manner of Attack," the officers each marked the box labeled "Stabbed/Cut (Including Actual Attempt)." Under the heading titled "Type of Weapon/Threat," Van Dyke and Gaffney marked the boxes labeled "Knife/Other Cutting Instrument" and "Other/Specify." Walsh only marked "Other/Specify." All three officers specified the type of weapon/threat as a "Swinging Knife." McNaughton electronically signed all three reports.


NO. OF OFFICERS BATTERED 3

WERE THERE ASSISTING UNITS ON SCENE? 1. ☒ YES 2. ☐ NO

IF YES, HOW MANY ASSISTING OFFICERS WERE PRESENT AT THE BATTERY (EXCLUDING YOU OR YOUR PARTNERS)? 8

MANNER OF ATTACK

☐ 01. SHOT

☐ 02. SHOT AT

☒ 03. STABBED/CUT (INCLUDING ACTUAL ATTEMPT)

☐ 04. STRUCK/BLUNT FORCE (INCLUDING ACTUAL ATTEMPT)

☐ 05. OTHER (INCLUDING VERBAL THREATS)

TYPE OF WEAPON/THREAT

(Check all that apply)

☐ A. FIREARM CALIBER

☐ 1. REVOLVER

☐ 2. SEMI-AUTOMATIC

☐ 3. RIFLE

☐ 4. SHOTGUN

☐ B. VEHICLE

☐ 1. OFFICER STRUCK WITH VEHICLE

☐ 2. ATTEMPTED TO STRIKE OFFICER WITH VEHICLE

☒ C. KNIFE/OTHER CUTTING INSTRUMENT

☐ D. HANDS/FISTS

☐ E. FEET

☐ F. MOUTH (SPIT, BITE, ETC.)

☐ G. VERBAL THREAT (ASSAULT)

☒ H. OTHER (SPECIFY)

SWINGING KNIFE

☐ I. BLUNT INSTRUMENT

FIREARM USE INFORMATION (Check all that apply)

☐ A. OFFICER AT GUNPOINT

☐ B. OFFICER'S OWN WEAPON OBTAINED

☐ C. ATTEMPTED TO OBTAIN OFFICER'S OWN WEAPON

[23] *See also* Special Order S04-13-01, issued on December 28, 2012, which outlines the procedures to be followed for the preparation of an OBR.

[24] OIG 15-0564 003311–12, 15–16, 19–20.

[25] During his February 22, 2016 OIG interview, Walsh produced an OBR Summary from the CLEAR system, containing the same information as the October 21, 2014 OBR Walsh completed. It stated 3 officers were "Assaulted or Battered." OIG 15-0564 006019–20.

3. October 21, 2014 Email between McNaughton and CPD's Office of News Affairs

On October 21, 2014, at 12:25 a.m., CPD's Office of News Affairs emailed McNaughton a "Preliminary Statement on Police Involved Shooting – 4100 Block of S. Pulaski."[26] It stated:

> On Monday, October 20, 2014, at approximately 9:45 pm, officers assigned to the 008th District (Chicago Lawn) were on patrol in the vicinity of the 4100 block of S. Pulaski when they were responding to a call of holding an offender, when the officers arrived on scene they were met with the complaint [sic] who stated that an unknown subject was breaking into vehicles at that location. The officers approached the subject and announced their office. At which time the subject began to flee, a brief foot chase ensued. The offender produced a knife and proceeded to puncture the Chicago Police SUV tire, he then attempted to break out the driver side window of a responding unit. The officers ordered the offender to drop the knife. Refusing to comply with the officers' commands, the offender then turned towards the officers and began to approach. As a result of this action the officer discharged his weapon, striking the offender. The offender was transported to an area hospital where he succumbed to his injuries. No officers were injured during the incident.
>
> This matter remains under investigation and all further media inquiries can be directed to the Independent Police Review Authority at 312-446-3298.

At 3:23 a.m., McNaughton responded with a revised statement:[27]

> On Monday, October 20, 2014, at approximately 9:45 pm, officers assigned to the 008th District (Chicago Lawn) were investigating a 911 call of a subject who was breaking into vehicles in the vicinity of 41st and Karlov. Responding uniformed officers approached a subject who produced a knife and proceeded to puncture the front passenger tire and damage the front windshield of their marked Chicago Police vehicle. The offender fled with officers in pursuit. Near the intersection of 41st and Pulaski uniformed officers confronted the armed offender who refused to comply with orders to drop the knife and continued to approach the officers. As a result of this action the officer discharged his weapon, striking the offender. The offender was transported to an area hospital where he succumbed to his injuries. No officers were injured during the incident.
>
> This matter remains under investigation and all further media inquiries can be directed to the Independent Police Review Authority at 312-446-3298.

[26] OIG 15-0564 014051.

[27] OIG 15-0564 014050.

The official statement from CPD's Office of News Affairs was substantially similar to the statement McNaughton provided—it stated, in part: "Near the intersection of 4100 S. Pulaski, uniformed officers confronted the armed offender who refused to comply with orders to drop the knife and continued to approach the officers."[28]

4. IPRA Preliminary Statement from Walk-Through

IPRA Investigator Brian Killen drafted a memorandum with Log # 1072125 that included details of the McDonald shooting.[29] It lists the involved officers as Van Dyke, Gaffney, McElligott, Daphne Sebastian, Janet Mondragon, and Walsh. It notes that IPRA arrived to the shooting scene at 11:15 p.m. The memorandum contains a "Preliminary Statement From Walk-Through," which states the following, in part:

> The following information was provided by On-Scene Incident Commander Dave McNaughton during a walk-through of the scene, it is based upon multiple layers of hearsay and is not verbatim. At 0100 hours, OCIC Dave McNaughton conducted the walk-thru [sic].
>
> . . . .
>
> Officer Walsh drove their vehicle south past McDonald and stopped in front of him in the northbound lanes of Pulaski Road. Officers Walsh and Van Dyke exited their vehicle with their weapons drawn and ordered McDonald to drop his knife. McDonald did not drop his knife, and instead walked toward Officer Van Dyke in an aggressive manner by waving the knife back and forth. Officer Van Dyke then discharged his firearm sixteen times, striking McDonald several times. McDonald fell to the ground still holding the knife.

The memorandum also states that McNaughton told the IPRA investigators that several of the police vehicles on the scene had in-car cameras and they were attempting to retrieve all recordings. It further states: "McNaughton noted that based on the position of the police vehicle driven by Officers Sebastian and Mondragon (Beat 813R) at the time of the incident, their in-car camera may have the best line-of-sight to the incident."

D. OIG's Interview of Deputy Chief McNaughton

On May 16, 2016, pursuant to CPD General Order 08-01, OIG, through CPD's Bureau of Internal Affairs, served McNaughton with a Notification of Interview, Notification of Allegations, and copies of the TRRs and OBRS he reviewed and approved. In addition, OIG

[28] OIG 15-0564 003852.

[29] OIG 15-0564 000029–33.

provided McNaughton with the dashcam footage from 813R and 845R and the security camera footage from Dunkin' Donuts.[30]

On May 25, 2016, OIG investigators interviewed McNaughton under oath after informing him of his administrative advisements orally and in writing. He provided oral and written acknowledgement of the reading of those advisements. The interview was transcribed by a certified court reporter. McNaughton's attorney, Thomas Pleines, was also present for the interview. In summary, McNaughton stated as follows.

McNaughton was a Deputy Chief of Patrol in Area Central on October 20, 2014. His direct supervisor was Wayne Gulliford, the Chief of Patrol. McNaughton learned of the McDonald shooting when he received a call from the Crime Prevention and Information Center (CPIC) while he was in bed informing him that he would be the OCIC for the shooting. McNaughton told the CPIC caller that he was not scheduled to be the OCIC that night and that another "exempt member" was assigned. McNaughton OIG Tr. 26:5. He noted in his OIG interview that he had just worked more than a full day on the motorcade detail escorting President Obama. CPIC called McNaughton again and said the other exempt member did not believe he was assigned, so McNaughton would have to go. McNaughton told the caller no again. He received a third call from Deputy Chief Eddie Johnson, who was serving as the Chief of Patrol while Gulliford was out. Johnson told McNaughton there was a mix-up and McNaughton would have to be the OCIC that evening. McNaughton stated a "considerable amount of time" passed between the first call from CPIC and the last call from Johnson. McNaughton OIG Tr. 27:4-5.

1. The Scene of the Shooting

McNaughton was unable to estimate how much time elapsed between the CPIC call and when he arrived at the scene, but he said there were many police officers present, and McDonald was no longer at the scene when he arrived. McNaughton believed the assigned detectives and IPRA personnel were already on the scene as well. As the OCIC, McNaughton's duties were to supervise and ensure everyone was "doing their job." McNaughton OIG Tr. 37:21. He was also responsible for doing a one-on-one interview with the shooting officer and walking IPRA through the scene. McNaughton believed the McDonald shooting was the second shooting he had handled as an OCIC.

McNaughton stressed that his description of the events at the scene may be off, but he would describe his actions as best as he could recall. McNaughton believed that, when he first arrived on scene, he spoke with 8th District Commander O'Donnell or Captain Walsh for a briefing. McNaughton then approached Van Dyke and introduced himself as the OCIC, explained his role, and told him he would return to ask Van Dyke some questions. McNaughton then recalled that one of the first things he did on scene was to view the video Sergeant Lance Becvar retrieved from Beat 813R's vehicle. McNaughton believed he viewed the video on Becvar's laptop in the vehicle. McNaughton stated: "Well, my initial reaction was, oh, my God, you know, this is, you

[30] During his May 25, 2016 interview, McNaughton acknowledged that he reviewed those videos in preparation for his interview.

know, something to see, but I looked at it several times from the perspective of a police officer, and there were some very troubling things on that video that need to be notated and are not being notated in popular culture right now." McNaughton OIG Tr. 44:8-14. McNaughton then described his perception of the video, which he recalled from memory after reviewing the video in preparation for his OIG interview:

> That video shows an offender running through the Burger King parking lot, okay? And he is running at a good clip because police officers are running after him.
>
> When he gets to what I believe is the intersection of 41st and Pulaski, he slows down and he almost—and he is walking now, and he almost comes to a complete stop, and in front of him, he is facing southbound, and in front of him, his view, are two police cars. One that just passed him and is parking at him, that's Van Dyke and Walsh, and another vehicle that's facing him . . . .
>
> The point that really gets to me as far as a police officer, and it would for any police officer, is he stops, he hitches up his pants, and with his right hand presents the knife in a swinging motion, not trying to conceal it, throw it away, which where I come from in my personal knowledge of just being a human being, not alone a police officer, that's an aggressive act.
>
> It is one that I would consider to be an assailant at that point. If I am going to confront this guy is telling me, he is going to fight.
>
> Also, I noticed that Walsh and Van Dyke's vehicle have pulled several feet ahead, and now the offender, or excuse me, Mr. McDonald, is moving forward in such a fashion. He is kind of veering to the right, but he continues to move the knife.
>
> He doesn't conceal it or surrender it or discard it, and the officers are getting out of their vehicle. They are hand motioning, which would give me an indication that they are telling him, hey stop, get back, get down on the ground, normal police commands, drop the knife, and he continues his motions to where he gets close enough to Van Dyke where he makes a motion with what looks like his right hand that is obscured by the video itself when it appears that Van Dyke does fire upon him.
>
> . . . .
>
> If you look at the video, he had a clear path to run on the right-hand side, and knowing Laquan McDonald's size and stature and age, I would venture to guess that he would make good his escape if he just put the knife down and took off.
>
> He didn't do those things.

McNaughton OIG Tr. 44:18-46:15, 54:6-13. When asked how many times he viewed the video, McNaughton stated: "It was several times, and I believe other people were, I want you to see it, too, maybe detectives, detective sergeants at that point. I think Lieutenant Wojcik saw it as well . . ." McNaughton OIG Tr. 52:12-17.

After viewing the video, Detective March gave McNaughton a tour of the scene, starting with the truck yard where Beat 815R first encountered McDonald. McNaughton stated:

> I walk the distance to where I think McDonald has stopped to where he is hit, and the one thing you will notice, if you have done it yourself is that—people say he is walking away, that he is not approaching them. That's just not the case.
>
> If you are standing about 60 feet away from where the parked vehicle is from Walsh and Van Dyke, and they are pretty much a fixed object, and McDonald is about ten feet away when he is shot, he approached them. There is no other way to describe it.
>
> If you define approach as come near to somebody, he came near to them. It wasn't Van Dyke and Walsh that engaged him. It was McDonald that came up to them.

McNaughton OIG Tr. 50:1-16. McNaughton did not consult with the detectives about the direction of their investigation, stating, "I didn't get the sense that I had to give anybody direction, nor was anyone asking me for direction that I recall." McNaughton OIG Tr. 61:7-9.[31]

McNaughton then conducted interviews of the involved officers—he believed he only interviewed Van Dyke, Walsh, McElligott, and Gaffney. McNaughton spoke with each officer separately and "not within earshot of anyone." McNaughton OIG Tr. 56:1-2. Consistent with the practice at the time, McNaughton did not take notes of the interviews. McNaughton said "none of them told me something that would contradict the facts that I knew at the time." McNaughton OIG Tr. 56:5-7. McNaughton first found out Van Dyke shot McDonald 16 times during his interview with Van Dyke. McNaughton stated:

> So at this point when I am talking to Van Dyke, it is the first time I actually learn—I asked him how many times did you shoot, and he told me it was, you know, 16, you know, he fired, and I kind of did like a, you know, a gafar

[31] CPD's Detective Division reported its investigation in the aftermath of the McDonald shooting under record number HX-475653, and classified most reports as an investigation into an aggravated assault in which McDonald was the offender. In a few reports, CPD classified the case as an investigation into a justifiable homicide of which McDonald was the victim. CPD created an additional record number and classified the case as a justifiable homicide. In CPD's investigative reports, CPD personnel drew conclusions about the propriety and lawfulness of Van Dyke's shooting of McDonald. This was in violation of CPD Detective Division Special Order (DDSO) 15-22, which requires that, in reporting on an incident which has been classified as a justifiable homicide, detectives "will not state that the use of deadly force was justified." DDSO 15-22 took effect on January 1, 2015 and, according to materials OIG received from CPD, would have been in effect when the relevant reports in this case were drafted and issued. *See* Detective Division Special Order 15-22.

> (phonetic), 16 times, why, you know. I could tell he was traumatized, and he said words to the effect "eliminate the threat," and that's what he is trained to do in the academy when they learn to shoot, and we saw subsequent shooting classes that they take.
>
> I wasn't aware that there was the curriculum in the academy; that they actually use the verbiage, "eliminate the threat." I subsequently learned that they do use that verbiage. I was surprised.

McNaughton OIG Tr. 81:19-82:11. McNaughton reiterated that he was surprised to learn Van Dyke fired 16 shots.

After McNaughton spoke with the officers, he then walked approximately four IPRA personnel through the scene. McNaughton believed he showed them the dashcam video on the scene prior to leaving and said "they may have seen it several times." McNaughton OIG Tr. 64:15-16. McNaughton stated that IPRA was at least "definitely" made aware of the video's existence. McNaughton OIG Tr. 64:23.

At some point, McNaughton went to Dunkin' Donuts to get a coffee, and he may have viewed the store's security video at that time. McNaughton recalled the video was "very grainy," and it was "hard to discern what was going on." McNaughton OIG Tr. 91:18-19.

2. Area Central

McNaughton did not recall when he left the scene for Area Central, but said he was on the scene for several hours. One of the first things he did when he arrived at Area Central was to listen to the relevant 911 calls. McNaughton said that the call recordings gave him a "better feeling of—what the anxiety and what the officers are going to feel because of what was happening, and also the fact that the puncture, that the tire was punctured and it was announced that he [McDonald] had punctured the tire so people were aware that that had occurred as well." McNaughton OIG Tr. 95:24-96:6. McNaughton then ensured that Van Dyke's weapon was recovered and that IAD gave him a breathalyzer and urine analysis. McNaughton did not recall reviewing the 813R dashcam video at Area Central.

McNaughton then went to an office to review and approve the TRRs and OBRs. McNaughton said it is "common knowledge" that those forms have to be done after an incident like the McDonald shooting, and he did not have to specifically direct the officers to fill them out. McNaughton OIG Tr. 109:8. McNaughton stated, "I just expect it to get done and so we could move on and complete this phase of the investigation and get on with other things." McNaughton OIG Tr. 109:18-20. The decision as to which officers must fill out TRRs and OBRs is generally a collective one between McNaughton, the investigators, and the detectives, but McNaughton did not recall any specific conversations on the topic. McNaughton believed he was on the opposite side of the room as Van Dyke, Walsh, and Gaffney when they filled out the TRRs and OBRs, and that they were working with their FOP representative and Sergeant Franko to fill out the forms. McNaughton later clarified that he was not sure if the FOP representative

and Franko were helping the officers fill out the forms, he just recalled they were talking on the other side of the room. When asked if he helped the officers fill out the forms, McNaughton stated: "I don't recall doing so. I may have. You know, I am not saying I am not, you know. . . . I don't remember direct involvement saying you check that box, you check this and this is this. I don't think that happened." McNaughton OIG Tr. 114:18-23.

McNaughton completed several other tasks that evening at Area Central, including: (1) reviewing the Major Incident Notification form at Area Central, which is a form that is posted to inform other command staff there was a police-involved shooting; (2) ensuring Van Dyke received his Employee Assistance Program forms; and (3) filling out the OCIC Activity Log listing his activities for the night.[32] McNaughton left Area Central around 7:00 a.m.

McNaughton reviewed the allegations against him as set out in the Notification of Allegations OIG served him on May 16, 2016. He responded, in relevant part, to the allegations as follows.

- *On or about October 21, 2014, you made a false statement in the Tactical Response Report Officer Jason Van Dyke completed concerning his encounter with McDonald, which includes an Event Number of 1429315878 and an R.D. Number of HX475653 (the Van Dyke TRR). Specifically, you stated that "Officer Van Dyke fired his weapon in fear of his life when the offender while armed with a knife continued to approach and refused all verbal direction."*

In response to this allegation, McNaughton stressed that this statement was "based on information available at this time" and was his "preliminary determination" as noted in the Van Dyke TRR. McNaughton OIG Tr. 121:6-7. McNaughton stated that "Officer Van Dyke fired his weapon in fear of his life" was a true statement, and that was what Van Dyke told him. McNaughton OIG Tr. 121:3-4. McNaughton continued: "[A] reasonable person would believe that they would be in fear of their life if they were confronted with the circumstances that Officer Van Dyke was confronted with." McNaughton OIG Tr. 121:22-122:1.

When asked if he saw McDonald walk away from the officers on the video, McNaughton stated he did not consider McDonald's veering to the right a "walking away" from the officers. He elaborated:

> Do I consider him when he is going to the right walking away? . . . No, I don't, and I will tell you why. He has already taken aggressive stance. . . . At this point, as far as what I am looking at, is a person that is actually, because he is right-handed, could actually easily do a flanking maneuver.
>
> If that was Mr. McDonald's only option to straddle that white line, okay, if that was his only option, that might have played in my thinking, but he had a whole

[32] The October 21, 2014 Major Incident Notification Detail, completed by Sergeant Daniel Gallagher, contains a narrative stating the following, in part: "Beat 845R exited their vehicle and ordered the offender to drop the knife. The offender refused all verbal commands and continued to approach the officers while still armed with his knife. Beat 845R fearing for his life discharged his weapon." It does not contain McNaughton's signature.

> wide berth, 40 feet west of there that he could have clearly gone to. . . . [W]hat is just as concerning is the fact that he is not turning his head away from presenting the fact that he has got that weapon to the officers.
>
> He is looking straight on at them, and he is understanding that a weapon is pointed at him at this time.
>
> I can't characterize what Mr. McDonald knows or what he doesn't know, but I can tell you he is facing full frontal Van Dyke and Walsh, and they are facing each other.

McNaughton OIG Tr. 125:17-127:3. When asked if he saw Officers Van Dyke and Walsh step toward McDonald, McNaughton stated that it was "very hard to tell." McNaughton OIG Tr. 127:19. He continued: "I think at one point Van Dyke takes a step forward, and I think Walsh is moving around the car as far as their movements, but their movements don't appear to deviate too much from the vehicle." McNaughton OIG Tr. 127:19-23.

- *On or about October 21, 2014, you reviewed and approved the Van Dyke TRR, which TRR contained the following false statements: (1) under the category titled "Assailant: Assault," the box labeled "imminent threat of battery" was marked; (2) under the category titled "Assailant: Battery," the box labeled "attack with weapon" was marked; and (3) under the category titled "Assailant: Deadly Force," the box labeled "uses force likely to cause death or great bodily harm" was marked.*

- *On or about October 21, 2014, you reviewed and approved the Tactical Response Report Officer Joseph Walsh completed concerning his encounter with McDonald, which includes an Event Number of 1429315878 and an R.D. Number of HX475653 (the Walsh TRR), which TRR contained the following false statements: (1) under the category titled "Assailant: Assault," the box labeled "imminent threat of battery" was marked; (2) under the category titled "Assailant: Battery," the box labeled "attack with weapon" was marked; and (3) under the category titled "Assailant: Deadly Force," the box labeled "uses force likely to cause death or great bodily harm" was marked.*

In response to the allegation regarding Van Dyke's TRR, McNaughton first explained that he reviews and approves the TRRs for completeness.

McNaughton stated the first statement, in which the officers reported an "imminent threat of battery" under the category "Assailant: Assault," was true for the following reasons:

> As far as him [McDonald] being armed, [Van Dyke's and Walsh's] observations that he was armed, his disregard for verbal direction, his clearly brandishing the weapon in a menacing manner in which he is moving his right hand back and forth, and his non-compliance or his what would be the normal actions of an offender who would try to run away. He didn't.

> He stopped, hitched up his pants, and threw out the knife. He didn't surrender or comply with the verbal commands, and he did not conceal or discard the weapon.
>
> So—and he continued to approach the Officers Van Dyke and Walsh. So for that reason, that is correct. That is a true statement.

McNaughton OIG Tr. 133:3-18.

McNaughton stated the second statement, in which the officers reported an "attack with weapon" under the heading "Assailant: Battery," was true for the reasons above. When asked why it was true even though there was no battery, McNaughton stated:

> You know, it is a fair question. I don't know. This is a computer-generated report and it limits your options, and this report is going to get cleaned up by the statements made by—the actual statements made by the officers to IPRA and to the detectives.
>
> To my knowledge, he did attack with a weapon. Does it fit battery as we know battery in the State of Illinois is actually, you know, hurting someone? It does not.
>
> Again, the intention was not to deceive or say something was false or to make it appear anything different.
>
> I was of full knowledge as were the officers that this was on videotape, so I think it is a hairsplitting-type thing, and again, a lot of these boxes, and they say check all that apply, don't necessarily neatly fit into our descriptions of battery and simple battery or aggravated battery on state statutes.

McNaughton OIG Tr. 135:3-22. McNaughton acknowledged that it was not necessary to fill out any box in the section titled "Assailant: Battery," and he could have left it blank. However, he believed the phrase "attack with weapon" was correct—McNaughton stated, "I think you could actually say the attack may begin right when he hitched up his pants and put out his right hand with the knife." McNaughton OIG Tr. 137:22-24.

McNaughton stated the third statement, in which the officers marked "Assailant: Deadly Force," and the box labeled "uses force likely to cause death or great bodily harm," was true for the following reasons:

> [McDonald] had a weapon. The force that he could have used could likely cause death or great bodily harm.
>
> So if we go through the progression of what was going on, if he, in fact, made it across what was the distance between you and I, he could have obviously seriously injured the officer or the officers, and I did observe the knife, and it is

not a butter knife. This is a knife that would cut through you. It cut through a tire.

McNaughton OIG Tr. 134:4-14.

- *On or about October 21, 2014, you inputted in the Van Dyke TRR that "Officer Van Dyke fired his weapon in compliance with Department policy," and checked the box marked "I have concluded that the member's actions were in compliance with department procedures and directives" instead of the box marked "I have concluded that further investigation is required."*

In response to this allegation, McNaughton stressed that his determination was preliminary, stating: "It was my preliminary finding. There is no standing, the OCIC has no standing on whether to make these conclusions. It has no weight. It has no standing for the officers involved, for the Department. It is not the official stance of the department." McNaughton OIG Tr. 139:18-23. McNaughton stated that checking that box "means absolutely nothing." McNaughton OIG Tr. 140:3-4. He also pointed out that he inserted Log Number 1072125 under the unchecked box, indicating that there would be an IPRA investigation. McNaughton stated: "This was the baby stages of this. This was by no means the end and that checking that box would not suggest that this was over." McNaughton OIG Tr. 142:2-4.

- *On or about October 20, 2014 or October 21, 2014, you reviewed and approved the Officer's Battery Report Officer Van Dyke completed concerning his encounter with McDonald, which includes an R.D. Number of HX475653 (the Van Dyke OBR), which OBR contained the following false statements: (1) under the category titled "Manner of Attack," the box labeled "stabbed/cut (including actual attempt)" was marked; and (2) three officers were battered.*

- *On or about October 20, 2014 or October 21, 2014, you reviewed and approved the Officer's Battery Report Officer Walsh completed concerning his encounter with McDonald, which includes an R.D. Number of HX475653 (the Walsh OBR), which OBR contained the following false statements: (1) under the category titled "Manner of Attack," the box labeled "stabbed/cut (including actual attempt)" was marked; and (2) three officers were battered.*

- *On or about October 20 or October 21, 2014, you reviewed and approved the Officer's Battery Report Officer Thomas Gaffney completed concerning his encounter with McDonald, which includes an R.D. Number of HX475653 (the Gaffney OBR), which OBR falsely stated that three officers were battered.*

McNaughton stated that "we had an incident with Officer Gaffney at 40th and Karlov, and then we had the Walsh and McDonald incident at 41st and Pulaski, and this was just a way of documenting these things." McNaughton OIG Tr. 147:6-10. McNaughton said he did not intend to deceive—the OBRs are "gathered for statistical purposes" and "any type of clarification that

needed to be made would be made in the detective reports and with the Independent Police Review Authority." McNaughton OIG Tr. 147:23-148:2.

- *On October 21, 2014, you provided a false statement to the Chicago Police Department's Office of News Affairs when you stated McDonald "continued to approach" Officers Van Dyke and Walsh.*

In response to this allegation, McNaughton stated that he believed then and he believes now that the statement is true. He elaborated:

> I believe that Officer Walsh and Van Dyke parked their vehicle ahead, about probably 60 to 70 feet ahead of Mr. McDonald.
>
> Mr. McDonald in clear view at that point when the vehicle came to a stop hitched up his pants, opened up his knife. He was about 60 feet away, I believe, and that's an approximate. He was 60 feet away at that point.
>
> At the point when Officer Van Dyke fired his weapon striking Mr. McDonald, I believe they were about 10 to 11 feet away, best guess estimate, and I believed it that night and I believe it now, and if the definition of the word "approach" is to come nearer to, then I don't think I was imprecise in that language.
>
> I wish someone else could write statements. They could probably have crafted that better than I could, but it is there.
>
> I do not believe it is a false statement in my heart of hearts.

McNaughton OIG Tr. 180:24-181:19.

- *You were incompetent in the performance of your duties in the ways enumerated in allegations 1 through 11.*

McNaughton noted that on the night of the incident he was fatigued, and this may have impacted his decision-making. He stressed, however, that he reported all of his actions to his superiors and, at no time, did anyone criticize his performance or competency. He emphasized that he never directed the officers to do anything he thought was deceitful or false, and while "reasonable people" may question his judgment, "they cannot question" his integrity. McNaughton further detailed his career with CPD and his dedication to the department. McNaughton OIG Tr. 189:24, 190:4.

3. October 22, 2014 Post-Shooting Briefing

McNaughton explained that after an officer-involved shooting, it is the responsibility of the OCIC to brief the Superintendent and other command staff in a post-shooting briefing. These are usually held in conjunction with the Executive Management Meetings. On October 22, 2014,

McNaughton presented a summation of the October 20, 2014 events for command staff, including Superintendent Garry McCarthy. McNaughton believed Area Central Commander Eugene Roy was also present. McNaughton could not independently recall who else was at the meeting, but said "plenty" of the other CPD Chiefs were in the room. McNaughton OIG Tr. 167:10. He showed the Greater Food Depository and 813R dashcam videos to the group. McNaughton said there was no discussion about whether the shooting was justified, and he did not offer an opinion. However, he acknowledged there was "[d]efinitely a concern" with the number of shots fired. McNaughton OIG Tr. 171:4. Several days later, McNaughton briefed Gulliford on the shooting because Gulliford was unable to attend the post-shooting briefing. McNaughton had no other involvement in the McDonald shooting.

V. ANALYSIS

The OIG investigation established that McNaughton violated CPD Rules and Regulations when he approved false TRRs and false OBRs submitted by Van Dyke, Walsh, and Gaffney regarding the shooting. In addition, McNaughton falsely reported in Van Dyke's TRR that McDonald "continued to approach" Van Dyke—then checked the box in Van Dyke's TRR that states, "I have concluded that the member's actions were in compliance with department procedures and directives," and failed to mark the box stating that further investigation was required. Finally, McNaughton provided a false statement to CPD's Office of News Affairs when he revised a CPD preliminary statement to say McDonald "continued to approach" Van Dyke and Walsh.

McNaughton's creation and endorsement of those false statements all served to establish a false narrative that McDonald initiated an attack on Van Dyke and Walsh. Throughout McNaughton's OIG interview, he attempted to explain his viewpoint—offering a clearly incorrect interpretation of the 813R dashcam video. McNaughton's attempts to justify his actions in his OIG interview continued his endorsement of the materially false narrative, which cannot be excused.

McNaughton's actions, individually and collectively, constitute violations of CPD Rules. His review and approval of TRRs and OBRs containing false statements made by him and the other officers constitutes a violation of Rule 14 (making a false report, written or oral). As a CPD supervisory member, McNaughton is responsible for the performance of Van Dyke, Walsh, and Gaffney, and is ultimately accountable for their "failure, misconduct or omission." *See* Rules and Regulations of the Chicago Police Department, Section IV.B.8. CPD General Order G03-02-05 further affirms that "the findings of all Tactical Response Reports resulting from the use of force by any member" are the responsibility of the OCIC. McNaughton's actions, including his false statement to CPD's Office of News Affairs, also constitute violations of Rule 2 (engaging in any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department) and Rule 3 (failing to promote the Department's efforts to implement its policy and accomplish its goals). A supervisory member who has made, reviewed, or approved false statements in an official investigation has irrevocably tainted not only his credibility, but also the credibility of CPD—and also fails to promote CPD's goal of employing officers with personal integrity and professional devotion to law enforcement. By violating these Rules, McNaughton further violated Rule 11 (incompetency in the performance of a duty). Accordingly, OIG recommends that CPD discharge McNaughton and refer him for

placement on the ineligible for rehire list maintained by the Department of Human Resources.

1. McNaughton's Review and Approval of False Statements

Van Dyke and Walsh both asserted false narratives of the McDonald shooting in the official CPD reports they submitted regarding their encounter with McDonald. In their TRRs, Van Dyke and Walsh claimed that McDonald (1) used force likely to cause death or great bodily harm; (2) attacked them with a weapon; and (3) created an imminent threat of battery. In their OBRs, Van Dyke and Walsh claimed that the manner of attack was a stab or a cut (including actual attempt). Further, Van Dyke, Walsh, and Gaffney all claimed that three officers were battered.

As detailed in the Summary of Relevant Video Footage, Section IV.B.3., at no time while Van Dyke and Walsh were out of their vehicle and proximate to McDonald did McDonald swing his knife in a manner to cause death or great bodily harm to them. McNaughton acknowledged that he saw the video several times before reviewing and approving the TRRs and OBRs containing false statements. Yet, he continued to assert the statements were true even though they were contradicted by 813R's dashcam footage. Notably, the footage shows that McDonald was not "clearly brandishing the weapon in a menacing manner" as McNaughton asserted in his OIG interview. The moment McNaughton characterized as the trigger for the assault—when McDonald hitched up his pants and presented the knife—occurred when Van Dyke and Walsh were still in their moving vehicle with 822R situated between them and McDonald. In addition, McNaughton claimed that it was not Van Dyke or Walsh that engaged McDonald, but McDonald who came up to them. However, the video clearly shows that during the entire period Van Dyke and Walsh were outside their vehicle, McDonald walked in a direction that generally veered away from Van Dyke and Walsh, and in fact, only Van Dyke advanced in a manner that directly closed the distance when he took at least three steps toward McDonald.

McNaughton candidly acknowledged that his initial reaction to the video was one of concern, but then proceeded to piece together actions or the absence of actions by McDonald, which he asserts support a finding that McDonald attacked Van Dyke and Walsh with force likely to cause death or great bodily harm. However, McDonald's actions did not amount to an attack on Van Dyke and Walsh, and they did not amount to a battery, given that McDonald made no physical contact with any of the officers. McNaughton himself admitted that checking a box under "Assailant: Battery" was not required, and that there may not have been a battery "as we know battery in the State of Illinois." Despite clear evidence to the contrary, McNaughton reviewed and approved the three officers' TRRs and OBRs, which falsely stated that McDonald attacked the officers with deadly force, attempted to stab or cut the officers, and committed a battery. These false statements materially served to exaggerate the threat McDonald posed.

2. McNaughton's Conclusions in Van Dyke's TRR

McNaughton further violated CPD Rules when he typed the following in Van Dyke's TRR: "Based upon information available at the time of this report It [sic] is the preliminary determination of the undersigned that Officer Van Dyke fired his weapon in compliance with Department policy. Officer Van Dyke fired his weapon in fear of his life when the offender

while armed with a knife continued to approach and refused all verbal direction." Although McNaughton's determination was "preliminary" and "based upon information available at the time," he had already viewed the 813R dashcam video several times when he wrote this conclusion. Even if McNaughton credited Van Dyke's statement to him that Van Dyke feared for his life, McNaughton's additional explanations for why Van Dyke's belief was reasonable are refuted by the video evidence. Most notably, McNaughton included the false statement that McDonald "continued to approach" Van Dyke and Walsh. As stated above, McDonald walked in a direction that veered away from Van Dyke and Walsh the entire time the officers were outside their vehicle, and rather it was only Van Dyke who took steps that affirmatively closed the distance with McDonald.

Based on this false statement, that McDonald continued to approach the officers, McNaughton checked the box marked "I have concluded that the member's actions were in compliance with department procedures and directives" instead of the box marked "I have concluded that further investigation is required" in Van Dyke's TRR. McNaughton did this despite acknowledging his surprise to learn from Van Dyke that he shot McDonald 16 times, indicating that his "preliminary" determination would not be that Van Dyke's actions were in compliance and that no further investigation was necessary.

McNaughton's argument that this conclusion "has no weight" and "means absolutely nothing, and that the OCIC "has no standing on whether to make these conclusions," appears to minimize the significance of the TRR as an official CPD report and, in this instance, a report of a very serious incident involving the use of deadly force. Equally significant is that McNaughton's rationalization does not accord with the role of the OCIC as the senior member on scene responsible for relaying the preliminary findings of CPD's own investigation to CPD command staff. McNaughton's deflection is also countered by CPD Special Order S03-02-01 requiring the OCIC to "personally conduct an investigation into the circumstances surrounding the incident and make a preliminary determination as to whether the conduct of the member conformed to Department guidelines." Regardless of what importance McNaughton might ascribe to the role and the conclusion, CPD created a provision in its Special Orders specifically describing the responsibility otherwise.

The importance of the OCIC is further reflected in McNaughton's role as the point of contact for IPRA investigators responding to the scene of an officer-involved shooting to conduct an official investigation as required by law. *See* MCC § 2-57-040. The OCIC escorts responding IPRA personnel on a "walk-through" of the scene, and provides them with information that the OCIC has gathered or received to that point. McNaughton played precisely that role in connection with the McDonald shooting. In their preliminary memorandum containing the shooting details, IPRA investigators provided a summary of McNaughton's statement to them. That summary states, in part: "Officers Walsh and Van Dyke exited their vehicle with their weapons drawn and ordered McDonald to drop his knife. McDonald did not drop his knife, and instead walked toward Officer Van Dyke *in an aggressive manner by waving the knife back and forth*." (Emphasis added). McNaughton provided that characterization, which is clearly contradicted by the video that he had already viewed, in his official capacity as the OCIC. McNaughton's

summary constituted CPD's first official account to the IPRA investigators who were conducting an ordinance-mandated investigation of an officer-involved shooting.

Accordingly, in the aggregate, McNaughton's rationalization must be deemed an attempt to minimize and, in some respects, deflect the significance of both the OCIC's responsibilities under the Special Order and his accountability for official forms that he is required to submit in response to police-involved shootings.

3. McNaughton's Statement to CPD's Office of News Affairs

On October 21, 2014, McNaughton provided a false statement to CPD's Office of News Affairs when he stated McDonald "continued to approach" Officers Van Dyke and Walsh. When confronted with this allegation, McNaughton reiterated his previous arguments for why he believed McDonald continued to approach. However, as stated above, McDonald was moving away from the officers during the entire period they were outside of their vehicle. By issuing a false statement to the Office of News Affairs, McNaughton directly contributed to the false narrative put forth by CPD in the immediate aftermath of the McDonald shooting, bringing discredit not only upon him, but on the entire Department.

VI. RECOMMENDATION

McNaughton's actions raise significant concerns regarding his credibility and ability to perform his duties as a sworn officer and supervisory member. As a sworn officer and supervisory member, McNaughton's reports are relied upon in criminal legal proceedings and his credibility is therefore critical to his position. A CPD member who has made false statements in an official investigation has irrevocably tainted his credibility and has wholly disqualified himself from effectively executing core police functions. Based on this conduct he may be the subject of cross-examination in any contested proceedings in which he may appear as a witness, *see* FED. R. EVID. 608(b) ("Specific instances of conduct"), and his conduct and the findings resulting from this investigation would further qualify as impeachment material that should, in principle, be disclosed in any contested proceeding involving the official records or testimony McNaughton generates. *See Giglio v. United States*, 405 U.S. 150 (1972) (requiring disclosure in criminal case of information impeaching of government witness's credibility). Illinois courts have repeatedly noted that "'as the guardians of our laws, police officers are expected to act with integrity, honesty, and trustworthiness'" and have found intentional false or misleading statements by police officers to be sufficient cause for termination. *Rodriguez v. Weis*, 408 Ill. App. 3d 663, 671 (1st Dist. 2011) (quoting *Sindermann v. Civil Service Comm'n*, 275 Ill. App. 3d 917, 928 (2nd Dist. 1995)). OIG therefore recommends that CPD discharge McNaughton and refer him for placement on the ineligible for rehire list maintained by the Department of Human Resources.

VII. CPD RULE VIOLATIONS

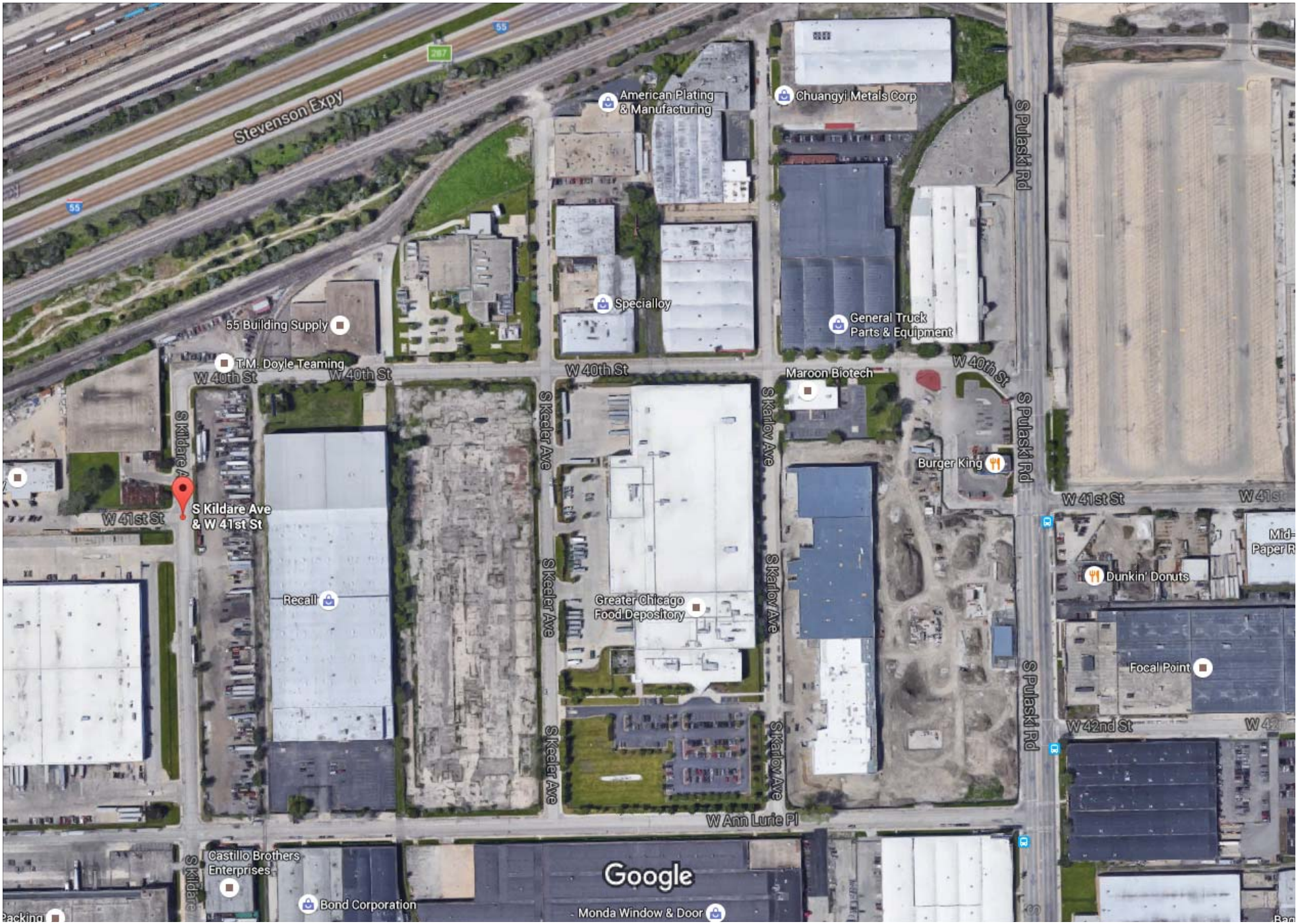
Rule 2 Any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department.

Rule 3 Any failure to promote the Department's efforts to implement its policy or accomplish its goals.

Rule 11 Incompetency or inefficiency in the performance of duty.

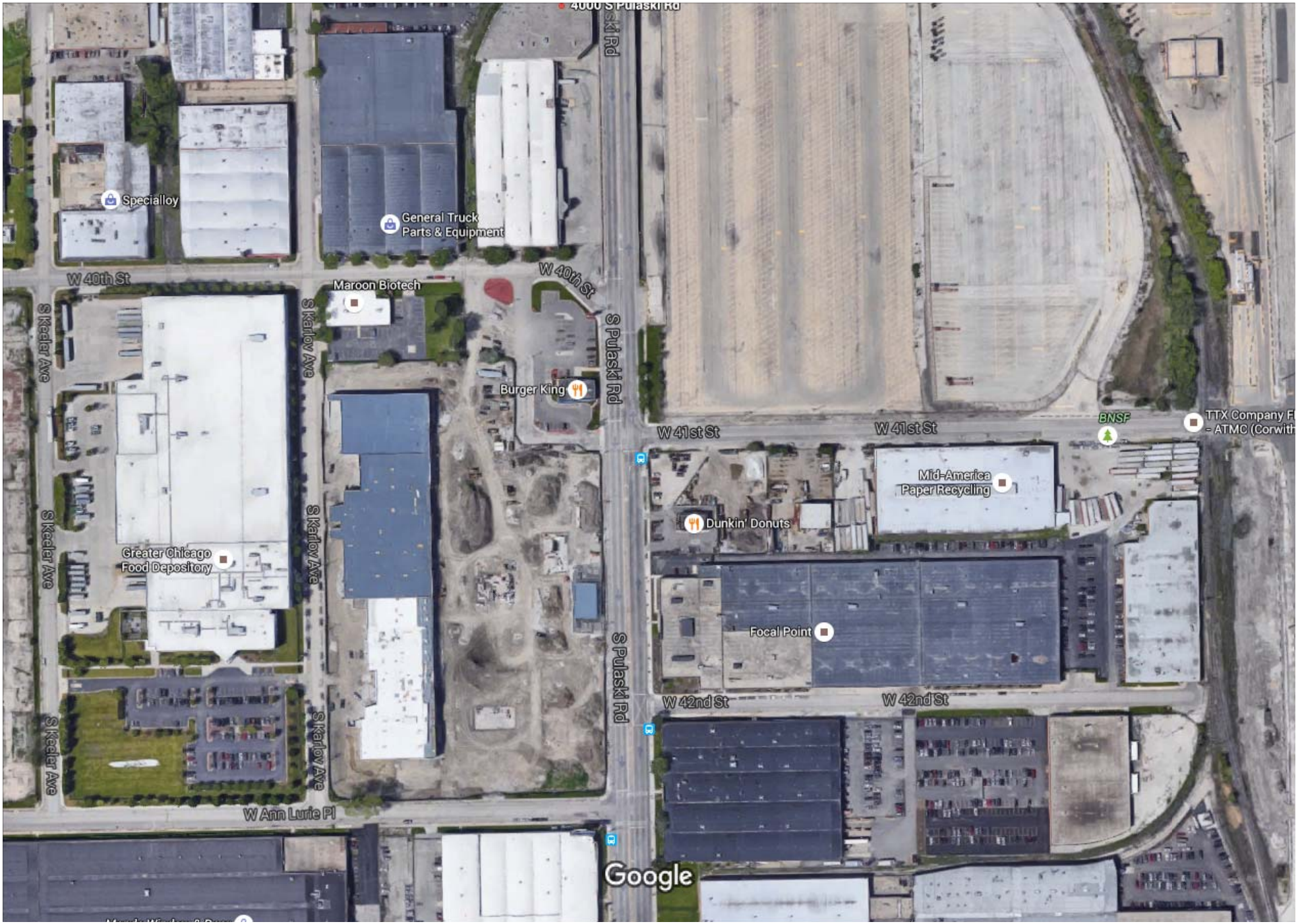
Rule 14 Making a false report, written or oral.

Appendix A


Stevenson Expy
55
287
American Plating & Manufacturing
Chuangyi Metals Corp
S Pulaski Rd
Specialloy
General Truck Parts & Equipment
55 Building Supply
T.M. Doyle Teaming
W 40th St
W 40th St
W 40th St
Maroon Biotech
W 40th St
S Pulaski Rd
S Kildare Ave
S Keeler Ave
S Karlov Ave
Burger King
S Kildare Ave & W 41st St
W 41st St
W 41st St
W 41st
Mid-
Paper R
Recall
Greater Chicago Food Depository
Dunkin' Donuts
Focal Point
S Pulaski Rd
W 42nd St
W 42
W Ann Lurie Pl
Castillo Brothers Enterprises
Google
Bond Corporation
Monda Window & Door
Imagery ©2016 Google, Map data ©2016 Google
200 ft



Imagery ©2016 Google, Map data ©2016 Google 100 ft



Imagery ©2016 Google, Map data ©2016 Google 200 ft

SUMMARY REPORT OF INVESTIGATION
Office of Inspector General Case # 15-0564 (Officer Janet Mondragon)
June 30, 2016

This report consists of a summary of the evidence set out in the attached investigative materials and the Office of Inspector General's (OIG's) analysis of that evidence. An index of the investigative materials is attached.

I. INTRODUCTION

An OIG investigation has established that Janet Mondragon, a police officer for the Chicago Police Department (CPD) who was present when Officer Jason Van Dyke shot Laquan McDonald on October 20, 2014, violated CPD Rules and Regulations during the subsequent CPD and Independent Police Review Authority (IPRA) investigations.[1] Mondragon was assigned to Beat 813R on October 20, 2014; she and her partner, Officer Daphne Sebastian, were in the vehicle that recorded the most complete footage of the shooting. As detailed further below, Mondragon made false statements and material omissions during her subsequent interviews with CPD and IPRA, which served to exaggerate the threat McDonald posed. In addition, OIG's investigation established that Mondragon failed to follow CPD Rules regarding the operation of CPD's in-car video systems. Accordingly, OIG recommends that CPD discharge Mondragon and refer her for placement on the ineligible for rehire list maintained by the Department of Human Resources.

II. APPLICABLE RULES, REGULATIONS, AND LAW

A. CPD Rules and Regulations

The "Rules and Regulations of the Chicago Police Department" set out the standards of conduct and duties of sworn members, as well as CPD goals. The Rules and Regulations state that sworn members must "conduct themselves at all times in such a manner as will reflect credit upon the Department with emphasis on personal integrity and professional devotion to law enforcement."

Article V of the CPD Rules and Regulations, entitled CPD Rules of Conduct (the CPD Rules), sets forth specifically prohibited acts. In pertinent part, the CPD Rules include the following prohibitions:

Rule 2 Any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department.

---

[1] CPD's investigation in the aftermath of the McDonald shooting was reported under record number HX-475653, and most reports were classified as an investigation into an aggravated assault in which McDonald was the offender. In a few reports, the case was classified as an investigation into a justifiable homicide of which McDonald was the victim. An additional record number was also created and classified as a justifiable homicide, apparently for recordkeeping purposes. In CPD's investigative reports classified under the aggravated assault, CPD personnel drew conclusions about the propriety and lawfulness of Van Dyke's shooting of McDonald. This raises questions about CPD's role in investigating a police-involved shooting in light of IPRA's jurisdiction over the matter.

Rule 3 Any failure to promote the Department's efforts to implement its policy or accomplish its goals.

Rule 6 Disobedience of an order or directive, whether written or oral.

Rule 11 Incompetency or inefficiency in the performance of duty.

Rule 14 Making a false report, written or oral.

B. CPD Special Order S03-05 (effective February 23, 2012 through February 24, 2016)

CPD Special Orders are directives that establish protocols and procedures concerning specific CPD functions, operations, programs, or processes. Special Order S03-05 outlines the protocols CPD members are to follow regarding in-car video systems.[2] Section VI of the Special Order provides that at the beginning of their tour of duty, Department members assigned to a CPD vehicle equipped with an in-car video system are to:

(1) visually inspect the in-car video system equipment for damage;

(2) obtain the remote transmitter/audio recorder and ensure it is securely attached to the member's person; and

(3) follow the start-up procedures for the in-car video system as trained and ensure the system is working properly.

The Special Order notes that members are to "immediately notify a supervisor if, at any time, the in-car video system is inoperable, damaged, the equipped vehicle becomes inoperable, or the remote transmitter/audio recorder is missing." During their tour, members are to "audibly and visually record events in accordance with this directive." At the conclusion of a tour of duty, members are to "verify the in-car video system is working properly."

III. OFFICER MONDRAGON'S EMPLOYMENT HISTORY

Mondragon has worked as a CPD Police Officer since April 1, 2007. She is a member of Fraternal Order of Police (FOP) Lodge 7.

IV. SUMMARY OF INVESTIGATION

A. Procedural History of OIG's Investigation

By letter, dated December 8, 2015, IPRA Acting Chief Administrator Sharon Fairley requested that OIG conduct an administrative investigation "to determine whether certain police

[2] The in-car video systems are also referred to as dash cameras or dashcams.

officers/witnesses made false statements on official reports prepared in connection with [Van Dyke's shooting of McDonald] and/or during the investigation of the incident."[3] IPRA further requested that OIG investigate "whether any of the involved Chicago Police officers committed any other violation(s) of Chicago Police Department rules, policies or procedures in their involvement with the incident, including, but not limited to, whether any officers' conduct may have interfered with or obstructed the appropriate investigation and handling of this matter."

Then, by letter, dated January 13, 2016, CPD Interim Superintendent John J. Escalante requested that OIG conduct an "administrative investigation into any and all allegations of police officer misconduct" arising out of the October 20, 2014 shooting death of McDonald. The Superintendent's request asked OIG to investigate the following allegations: "whether any officer(s) made false statements on official reports submitted in connection with the shooting of Laquan McDonald on October 20, 2014; whether any officer(s) obstructed or interfered with the investigation of this incident, either individually or in collusion with others; and whether any officer(s) committed any violation of Chicago Police Department rules, policies, or orders in connection with their response and/or handling of this matter." Escalante attached to the letter request a copy of Sergeant Sandra Soria's Initiation Report, which raises allegations of misconduct related to the in-car video systems of the vehicles that were present during the McDonald shooting, and identified that Report as a basis for OIG's administrative investigation.

On March 10, 2016, Kevin Kilmer, Financial Secretary for the FOP, on behalf of all affected members, filed a grievance with CPD stating that OIG's attempts to conduct CPD officer interviews violated Article 6 of CPD's Collective Bargaining Agreement (CBA) with the FOP.[4] On March 16, 2016, FOP on behalf of all impacted CPD officers filed a "Complaint for Injunction in Aid of Arbitration" in the Circuit Court of Cook County, asking the court to enjoin OIG from conducting interviews until the grievance was decided in arbitration.[5] The court dismissed the complaint and denied the injunction on March 22, 2016.

OIG's administrative investigation of other CPD employees' actions related to the McDonald shooting is ongoing. During the course of its investigation, OIG has gathered documents from CPD and IPRA, among other sources, and conducted numerous interviews, including interviews of thirteen CPD personnel who were at or responded to the scene of the shooting and seven civilian witnesses to the shooting. To date in its ongoing investigation, OIG has recommended

[3] On November 24, 2015, the Cook County State's Attorney charged Van Dyke with a single count of first degree murder in the shooting of McDonald. On December 15, 2015, it subsequently charged him with six counts of murder. OIG has not been involved with any criminal investigation related to the shooting and makes no findings regarding Van Dyke's use of force.

[4] Section 6.1, Paragraph I of the CBA states, "If the allegation under investigation indicates a recommendation for separation is probable against the Officer, the Officer will be given the statutory administrative proceeding rights, or if the allegation indicates criminal prosecution is probable against the Officer, the Officer will be given the constitutional rights concerning self-incrimination prior to the commencement of interrogation." CPD General Order GO8-01-01, Paragraph K contains similar language.

[5] *Fraternal Order of Police, Chicago Lodge 7 v. City of Chicago*, No. 2016 CH 03726 (Cir. Ct. of Cook County, Ill., Mar. 16, 2016).

disciplinary action against multiple CPD personnel, sustaining allegations that they each put forth a false narrative regarding the shooting.

B. The Events of October 20, 2014

The following sections detail the shooting of McDonald, as well as the relevant events that occurred directly before and after the shooting.[6]

1. [redacted] and Rudy Barillas's Encounter with McDonald[7]

[redacted] and [redacted] Rudy Barillas, were parking a truck in a lot at 41st Street and Kildare Avenue when [redacted] saw a black male, whom she subsequently identified as McDonald, attempting to steal property from certain vehicles parked in the lot. Barillas told McDonald to leave the lot. McDonald responded by making growling noises. After Barillas again told McDonald to leave the lot, McDonald pulled out a knife and swung it at Barillas. Barillas, who had already called 911, then threw his cell phone at McDonald.[8] McDonald ran from the lot, first northbound on Kildare and then eastbound on 40th Street.

2. Officers Thomas Gaffney and Joseph McElligott's Encounter with McDonald[9]

Officer Thomas Gaffney and his partner Officer Joseph McElligott received a call over the radio that someone had broken into a truck at 4100 South Kildare and were dispatched to the scene.[10] Gaffney was driving, and McElligott was in the passenger seat of their assigned vehicle, 815R.[11]

---

[6] On April 22, 2016, OIG obtained maps of the locations that are relevant to the shooting from Google Maps and included those maps in Appendix A. Those maps generally reflect the street layout and location of relevant businesses as they were on the night of October 20, 2014.

[7] The following account of [redacted] and Barillas's encounter with McDonald is taken from the March 16, 2015 case supplementary report (CSR) submitted by CPD Detective David March, which includes the statements that [redacted] and Barillas provided to CPD on October 21, 2014, and October 22, 2014, respectively. OIG 15-0564 003077.

[8] OEMC recordings reflect that Barillas called 911 at 9:45 p.m. stating that he was holding "a guy right hear [sic] that stolen [sic] the radios" from trucks in a truck yard located at "41st and Kildare." OIG 15-0564 003227.

[9] The following account of Gaffney and McElligott's encounter with McDonald is taken from (1) the audio-recorded statements Gaffney and McElligott provided to IPRA on October 21, 2014, OIG 15-0564 000482-98, 000610-30; and (2) the March 16, 2015 CSR submitted by Detective David March, which includes the statements that Gaffney and McElligott provided to March on the night of the McDonald shooting. OIG 15-0564 003067–69.

[10] OEMC records reflect that Gaffney and McElligott received the call at 9:47 p.m. OIG 15-0564 003691.

[11] Below is a chart identifying the beat numbers and vehicle numbers of the CPD vehicles that were present when McDonald was shot, along with the names of the officers who were assigned to those vehicles. This SRI refers to the below-referenced vehicles by beat number, unless otherwise specified.

When they arrived at 4100 South Kildare, they saw a Hispanic male and female standing by the gate to the truck yard. The two said that a black male wearing a black shirt, later determined to be McDonald, had been trying to steal the radio out of a semi-truck, and had subsequently headed north toward 40th Street.

Gaffney and McElligott drove north on Kildare, turned right onto 40th Street, and saw McDonald walking east on the south side of 40th Street. McElligott exited the vehicle and commanded McDonald to stop and turn around. Gaffney stayed in the vehicle in case McDonald attempted to flee. McElligott ordered McDonald to take his hands out of his pockets. McDonald, who had been facing McElligott, turned and walked away with one hand still in his pocket. McDonald then turned again and took both of his hands out of his pockets. He had a knife in his right hand. McElligott drew his weapon and told McDonald to drop the knife. McDonald started walking east again, going from the sidewalk to the street and back. McElligott followed McDonald on foot, shining his flashlight on him, while Gaffney followed in 815R, parallel to McDonald.

As McDonald approached the intersection of 40th and Keeler, Gaffney reported to dispatch that McDonald was walking away with a knife in his hand.[12] Gaffney and McElligott continued to follow McDonald as he headed east, with McElligott giving McDonald orders to drop his knife and stop. McDonald kept turning around and giving the officers a "weird glaze[d] look." Gaffney IPRA Tr. 11:20.[13]

As McDonald approached the intersection of 40th and Karlov, Gaffney turned his car toward McDonald to direct him down Karlov. Gaffney wanted to keep McDonald away from Pulaski, which was a more populated area. McDonald then swung his arm and popped 815R's right front tire with his knife. McElligott was toward the back of 815R when McDonald popped its tire. After McDonald took a step back from the vehicle, Gaffney pulled up further in front of him to stop him from proceeding to Pulaski. McDonald then hit the right side of 815R's windshield once with the knife in his right hand. The windshield did not break but, according to Gaffney, McDonald hit it as hard as he could. McDonald walked around the front of 815R and continued

Beat #	Vehicle #	Officers
845R	6412	Officer Joseph Walsh (driver), Officer Van Dyke (passenger)
815R	8489	Officer Gaffney (driver), Officer McElligott (passenger and on foot)
813R	8779	Officer Mondragon (driver), Officer Sebastian (passenger)
822R	8765	Officer Arturo Becerra (driver), Officer Leticia Velez (passenger)
841R	8948	Officer Ricardo Viramontes (driver), Officer Dora Fontaine (passenger)

[12] OEMC recordings reflect that, at 9:53 p.m., 815R reported: "We're at 40th and Keeler. This guy uh is walking away from us and he's got a knife in his hand." Approximately 30 seconds later, a dispatcher stated, "815R looking for a taser." *See* OEMC Documents and CDs; *see also* OIG 15-0564 003691, 3228.

[13] OIG 15-0564 000620.

eastward on 40th Street. After McDonald had walked 10 to 15 feet, another squad car turned off of Pulaski onto 40th Street with its lights on, and McDonald began to sprint. McElligott followed McDonald on foot, and Gaffney followed McDonald in 815R. McDonald ran eastbound through a parking lot of a Burger King located at 40th and Pulaski and then headed southbound on Pulaski. Video footage from several cameras captured McDonald's movements as he reached Pulaski.

3. Summary of the Relevant Video Footage

The below table contains a summary of the relevant video footage of the McDonald shooting, which includes the dashcam videos from 813R (the vehicle in which Mondragon was the driver), 823R, and 845R, video from the "WNE fire exit" security camera from the Greater Chicago Food Depository, which is bordered by 40th Street to the north, Karlov Avenue to the east, and Keeler Avenue to the west, and the security camera video from the Dunkin' Donuts, located at 4113 South Pulaski Road (the DD Camera).[14]

Time	Event(s) Captured	Source of Video
9:53:17 – 9:54:42	McDonald walks eastbound on the south side sidewalk of 40th Street; a CPD SUV travels east on 40th Street, parallel to McDonald with its front bumper even with McDonald; an officer on foot trails directly behind McDonald by the length of the SUV, with his flashlight trained on McDonald.[15]	Greater Chicago Food Depository Security Camera
9:56:53 – 9:57:01	813R and 845R turn left onto 40th Street from Pulaski.	813R Dashcam
9:57:01– 9:57:09	An unidentified person on 40th Street points the CPD vehicles toward the Burger King parking lot (813R); 845R turns into the parking lot (813R). McDonald runs southeast through the Burger King parking lot out onto Pulaski (845R).	813R Dashcam; 845R Dashcam
9:57:09 – 9:57:20	845R drives over the curb and sidewalk north of Burger King and heads south on Pulaski (845R); 813R turns around, turns right onto 40th Street, and then right again	813R Dashcam; 845R Dashcam

[14] In addition to the videos cited in the summary, OIG obtained video footage from the security camera videos at Burger King and Focal Point, and the dash camera videos from Vehicles 815R and 821R. These videos did not contain footage relevant to this report.

[15] OIG confirmed the vehicle is 815R and the officer on foot is McElligott by comparing the video with photographs of the officers. OIG 15-0564 003356.

	on Pulaski (813R); McDonald runs southbound in the middle of Pulaski and enters the intersection of 41st Street and Pulaski (813R).	
9:57:20 – 9:57:25	845R, which is facing east/southeast on Pulaski just north of 41st street, turns right behind McDonald and proceeds south on Pulaski on the east side of the street; 845R's passenger door briefly opens and then closes as it passes McDonald on his left; McDonald continues southbound on Pulaski, toward 822R, which is stopped in the middle of Pulaski facing north.	813R Dashcam
9:57:25 – 9:57:28	McDonald slows as he approaches 822R, touches his hands to his waist, and then, before Walsh and Van Dyke exit 845R, extends his right arm fully to his right—the video shows that he has a silver object in his right hand; 845R passes 822R and comes to a stop on the east side of Pulaski, facing south and almost directly south of 822R; Van Dyke opens 845R's passenger door.	813R Dashcam
9:57:28 – 9:57:30	McDonald changes course and begins walking southwest on Pulaski, away from 822R and 845R (813R); Van Dyke exits the passenger side of 845R with both of his feet in Pulaski's northbound left turn lane, his gun drawn and pointed at McDonald (813R). Walsh exits the driver side of 845R, just east of Pulaski's northbound left turn lane, with his gun drawn, and moves north along the driver side of 845R until he is several feet north of 845R (DD Camera).	813R Dashcam; DD Camera[16]
9:57:30 – 9:57:33	McDonald continues to walk southwest, from the middle of Pulaski to the lane markers that divide the west side of the road (or approximately one lane west of where McDonald was prior to changing course) (813R). While McDonald walks southwest, Walsh begins moving sideways in a west/southwest direction, approximately parallel to McDonald, and crosses over the east side of Pulaski's northbound left-turn lane—his gun is pointed at McDonald (813R; DD Camera). Van Dyke takes approximately two steps northwest toward McDonald,	813R Dashcam; DD Camera

[16] The DD Camera video does not display an embedded timestamp. Therefore, OIG used the timestamp of 813R's video, which generally captured the same events as the DD Camera from a different angle, to establish the timeframe of the events captured by the DD Camera.

	with his left foot crossing into Pulaski's yellow-painted median strip—his gun is pointed at McDonald (813R; DD Camera). 822R drives north on Pulaski, away from 845R (813R).	
9:57:33 – 9:57:36	As McDonald approaches the lane markers on the west side of Pulaski, walking in a southwest direction, he looks to his right and moves his right hand behind his waist, near the right side of his lower back, then brings his hand back to his right side (813R). As McDonald crosses the lane markers on the west side of Pulaski, he looks to his left, and takes a step southbound (813R). Meanwhile, Walsh continues moving west/southwest with his gun pointed at McDonald, ultimately traversing almost the entire width of Pulaski's northbound left-turn lane (813R; DD Camera). Van Dyke takes an additional step west, toward McDonald, putting both of his feet in Pulaski's median strip and placing himself almost directly between McDonald and Walsh (813R; DD Camera). McDonald is then apparently shot and Walsh stops moving and adopts a stance, with his feet more than a shoulder's width apart (813R; DD Camera).	813R Dashcam; DD Camera
9:57:36 – 9:57:54	McDonald spins between 180 and 270 degrees in a clockwise direction and then falls to the ground with the top of his head pointing south on Pulaski, approximately one street lane east of Van Dyke and just south of Van Dyke (813R). As McDonald falls to the ground, Van Dyke takes another step west toward McDonald, moving his right foot from Pulaski's median strip into the south-bound side of Pulaski; his gun remains pointed at McDonald (813R). Van Dyke subsequently takes an additional step or two south, toward McDonald. Other than those steps, Van Dyke's feet are stationary (DD Camera). After McDonald is on the ground, his legs and feet do not move (813R). McDonald's upper body makes small, intermittent movements as what appear to be puffs of smoke rise from McDonald's body (813R).[17]	813R Dashcam; DD Camera
9:57:54 – 9:58:05	An officer approaches McDonald and kicks the knife from his hand. McDonald does not make any noticeable	813R Dashcam

[17] OEMC records show that dispatch received notice to send an ambulance to the scene at 9:57:51. OIG 15-0564 003691.

	movements.	
9:58:05- 9:58:20	McDonald lies on the ground; no aid is rendered by CPD personnel. 823R, travelling northbound, pulls up on the west side of Pulaski, and stops just south of where McDonald is lying.	813R Dashcam; 823R Dashcam
9:58:20- 9:58:57	Several CPD officers walk and stand near McDonald as he lies on the ground; no aid is rendered by CPD personnel.	813R Dashcam;[18] 823R Dashcam
9:58:57- 9:59:02	823R begins making a U-turn on Pulaski. A Cook County Sheriff's Police Department (CCSPD) officer puts on blue gloves and walks toward McDonald.[19] McDonald is no longer visible in the video frame.	823R Dashcam

4. CCSPD Officer Accounts of the October 20, 2014 McDonald Shooting[20]

While on patrol on October 20, 2014, CCSPD Officers Adam Murphy and Jeff Pasqua observed several CPD police vehicles pass by them. Both officers decided to follow the CPD vehicles. When they arrived at the scene, several CPD vehicles were already present—Pasqua estimated it was five or six. McDonald was lying on the pavement "gasping for his last breath of air." Pasqua OIG Tr. 11:22-23. Meanwhile, the CPD officers were "standing around" and talking to each other. Murphy OIG Tr. 11:1. Murphy noted the CPD officers did not respond to him when he asked if they needed assistance. Murphy stated:

> I see there's blood all over the pavement. [McDonald] was kind of gurgling when he was sitting there. I remember his mouth was going open and closed like he was trying to gasp for air. And I looked for everybody else, and they were kind of standing there. I just started taking my gloves—my rubber gloves out to check for a pulse and to see if I could render aid.

Murphy OIG Tr. 12:18-13:2. He heard someone say an ambulance was en route. Both Officers Murphy and Pasqua recalled then watching McDonald take his final breaths.[21] It was "[m]aybe less than a minute before [McDonald] expired." Murphy OIG Tr. 14:15-16. At no time did any

[18] The last time stamp visible on the 813R dashcam video is 9:58:55.

[19] OIG identified the CCSPD officer as Officer Adam Murphy.

[20] The following CCSPD Officer accounts are taken from OIG's June 23, 2016 interview of Jeff Pasqua and its June 24, 2015 interview of Adam Murphy. Pasqua and Murphy are currently CCSPD investigators.

[21] The Medical Examiner's Case Report states McDonald was pronounced dead "on view" at Mount Sinai Medical Center on October 20, 2014, at 10:42 p.m. OIG 15-0564 015029.

CPD officers attempt to provide aid or comfort McDonald—Murphy stated, "That's why I felt that I needed to go up to him." Murphy OIG Tr. 14:11-12.

After McDonald passed away, Murphy got up from beside him and noticed the shooting officer, who he now knows to be Van Dyke, "pacing back and forth in front of his car." Murphy OIG Tr. 15:7-8. Murphy approached him and told him to sit down and drink water. As he was speaking with Van Dyke, Murphy "heard several officers telling [Van Dyke] to call your union rep, call your union rep." Murphy OIG Tr. 15:16-17.

Murphy and Pasqua departed after approximately ten minutes on the scene when a CPD sergeant told them CPD did not need their assistance. At the time they left, there was "[a] sea of CPD" on scene. Murphy OIG Tr. 38:3; Pasqua OIG Tr. 25:7-8.

C. Officer Mondragon's Statements Regarding the McDonald Shooting

1. October 20, 2014 Statement to Detective David March[22]

On March 15, 2015, Detective David March submitted a case supplementary report (CSR) with the R.D. Number HX475653 that contains a summary of CPD's investigation in the aftermath of the McDonald shooting. Lieutenant Anthony Wojcik approved the CSR on March 16, 2015. Included in that CSR is March's summary of the statement he obtained from Mondragon at the scene of the shooting.[23] The CSR summarizes Mondragon's October 20, 2014 statement in relevant part as follows:

> [Mondragon] stated she was a Chicago Police Officer assigned to the 008th District. Mondragon related the same facts as her partner, Officer Daphne Sebastian.
>
> Officer Mondragon added that as she drove westbound on 40th Street, she saw Officer McElligott running eastbound through the Burger King parking lot. She made a U-Turn and drove back out onto Pulaski Road. Mondragon turned southbound onto Pulaski. She saw Laquan McDonald running southbound on Pulaski, in the middle of the street. As she got closer she could see McDonald was holding a knife in his right hand. He was waving the knife.
>
> Officer Mondragon saw Officers Joseph Walsh and Jason Van Dyke outside of their police vehicle. She heard the officers repeatedly ordering McDonald to "Drop the knife!" as McDonald got closer and closer to the officers, continuing to wave the knife. As she was placing her vehicle transmission into Park,

[22] OIG 15-0564 003070.

[23] March completed a General Progress Report (GPR) relating to his interview of Mondragon that contains March's handwritten notes of the interview. OIG 15-0564 003249. March's handwritten notes of the interview do not differ in any significant way from his summary of Mondragon's statement in the CSR.

> Mondragon looked down and heard multiple, continuous gunshots, without pause. Mondragon then saw McDonald fall to the ground. Mondragon did not know who fired the shots.

2. October 21, 2014 Statement to IPRA[24]

On October 21, 2014, at 5:29 a.m., IPRA investigator Brian Killen interviewed Mondragon at Area Central Police Headquarters, located at 5101 South Wentworth, regarding the McDonald shooting. Attorney Dan Herbert and FOP Field Representative Kriston Kato accompanied Mondragon. Prior to the interview, Killen informed Mondragon that "any intentional falsification of any answer to any question would be in direct violations [sic] of rules and regulations," and that her "failure to provide a complete and accurate account of this incident could result in a finding of a violation of Rule 14 with discipline leading up to and including separation from the Chicago Police Department." Mondragon IPRA Tr. 3:22-32. Mondragon indicated that she understood the potential disciplinary consequences of making a false statement to IPRA and of providing a less than complete account of the shooting to IPRA. In summary, Mondragon stated as follows.

On the evening of October 20, 2014, Mondragon was on routine patrol with her partner, Sebastian. They began work at 9:00 p.m., were in full uniform, and were assigned a marked Ford Explorer, vehicle 8779. Mondragon was the driver of the vehicle.

When Mondragon and Sebastian were near 55th Street and Kostner, they heard a radio dispatch from officers asking for more cars at 40th Street and Kildare. When asked if she remembered why officers had called for more cars, she answered: "[T]hey stated that um they had a call about someone breakin' into cars. And uh the offender that was on scene um had a knife. So they were lookin' for a car with a taser." Mondragon IPRA Tr. 5:21-24. Neither Mondragon nor Sebastian carried a taser.

Mondragon drove northbound on Pulaski, toward the location of the call. As she approached 40th Street, she saw 845R travelling in front of her vehicle. Both cars turned on 40th Street. Mondragon then saw McElligott running across the parking lot of the Burger King. At that point, Mondragon turned around and drove back onto Pulaski. She was not able to see an offender. As Mondragon drove south on Pulaski and was approaching 41st Street, she saw the offender, now known as McDonald, running southbound in the middle of Pulaski in front of her car, waving his hand up and down. She also saw another squad car coming toward her and saw 845R drive around McDonald. When Mondragon got closer to him, she saw a knife.

Mondragon said that McDonald was "waving the knife. He's movin' around. He's like not completely running but he's like I don't know jogging, I could say." Mondragon IPRA Tr. 9:31-10:2. Next, she related: "As we come you know I'm right behind 'em next thing you know I hear um, I see officers um Walsh get outta their vehicle and I hear them say drop the knife, drop the knife, drop the knife. And he's just you know wavin' it. And then that's when I hear shots fired." Mondragon IPRA Tr. 10:2-8. When asked if McDonald was facing Walsh and his

[24] OIG 15-0564 000597–609.

partner when he was waving the knife, Mondragon said she did not recall.[25] Mondragon reiterated that she heard the officers say "drop the knife" several times and noted that, at that point, her vehicle was still moving slowly behind McDonald.

Mondragon then heard gunshots, but did not know who was shooting. She did not see any muzzle flash. She was not sure how many gunshots she heard, but it was several. Then, Mondragon said, "I'm still moving and I see the offender drop down." Mondragon IPRA Tr. 11:13-14. Immediately after seeing McDonald "drop down," she exited her vehicle and began directing oncoming cars away from the scene of the shooting. Mondragon IPRA Tr. 11:14-20.

When asked by IPRA whether everything she stated was "a true and accurate account of what occurred," Mondragon said, "Yes." Tr. 12:10-12.

G. Records and Interview Concerning 813R's In-Car Video System

On October 21, 2014, CPD Sergeant Lance Becvar submitted a supplementary report for R.D. Number HX475653 concerning his retrieval of video from the in-car video systems of the five CPD vehicles that were on scene when Van Dyke shot McDonald.[26] With respect to 813R, the vehicle Mondragon was driving on October 20, 2014, Becvar noted, "video recovered." Becvar also completed an "In Car Camera Video Retrieval Worksheet" regarding his October 20, 2014 video retrieval, in which he made the following notation with respect to 813R: "Mics in glove box batteries inserted upside down → fully op."[27]

On July 17, 2015, Becvar sent an email summarizing his findings regarding his October 20, 2014 video retrieval from 845R and the other four CPD vehicles that were on scene when Van Dyke shot McDonald.[28] With respect to 813R, Becvar stated as follows: "Video recovered titled PC0Z400@20141020215250, No mics because they were in the glove compartment with the batteries inserted upside down – Disabling them."

In a January 27, 2016 OIG interview with Becvar, he stated that, while video had been recovered from 813R's system, there was no audio recording because the system's microphones "were in the glove compartment with the batteries turned upside down." Becvar OIG Tr. 52:8-10. When asked what he had made of the fact that the batteries had been put in upside down, Becvar answered, "It's a known way to get around the video – get around the microphones." Becvar OIG Tr. 52:18-19. He went on to explain that, if batteries had been put in upside down accidentally, an officer should have been able to ascertain that from the operation of the system.

---

[25] Mondragon's answer in the transcript reads, "Honestly I, I (noise) how would I recall." Mondragon IPRA Tr. 10:13. The audio recording of the interview suggests that Mondragon answered, "Honestly I, I wouldn't recall."

[26] OIG 15-0564 004991.

[27] OIG 15-0564 004992.

[28] OIG 15-0564 000567.

H. OIG's Interview of Officer Mondragon

On February 24, 2016, pursuant to Section 6.1 of the CBA between CPD and FOP, OIG, through CPD's Bureau of Internal Affairs, served Mondragon with a Notification of Interview, Notification of Allegations, and copies of her prior statements, including: (1) her October 20, 2014 statement to March, contained in the March 16, 2015 CSR; (2) March's GPR containing his handwritten notes of his interview of Mondragon; and (3) Mondragon's October 21, 2014 statement to IPRA. In addition, OIG provided Mondragon with the dashcam footage from 813R and 845R and the security camera footage from Dunkin' Donuts.

On March 22, 2016, OIG investigators interviewed Mondragon under oath after informing her of her administrative advisements orally and in writing. She provided oral and written acknowledgment of the reading of those advisements. The interview was transcribed by a certified court reporter. Mondragon's attorney, Jennifer Russell, was also present for the interview.

In an interview which lasted just less than four hours, including breaks, Mondragon answered that she did not remember or did not recall approximately 145 times. In addition, she answered "not that I remember," or "not that I recall" more than a dozen times, including in answer to such questions as whether she had ever witnessed a police-involved shooting—or indeed any shooting—before October of 2014.

In summary, Mondragon stated as follows. As of October 20, 2014, Mondragon was assigned to CPD's 8th District and was working with Sebastian, one of her regular partners.

1. The Scene of the Shooting

Mondragon and Sebastian were at the scene of the McDonald shooting. Immediately after McDonald was shot, they got out of their car and began directing traffic away from the scene. Mondragon first said she "didn't really talk" to Sebastian at the scene, and then said she did not remember speaking with Sebastian. Mondragon OIG Tr. 48:21. Mondragon did not remember whether she spoke to any CPD sergeants at the scene of the shooting; she did not remember whether she spoke to Sergeant Stephen Franko or Commander David McNaughton, or whether either of them was at the scene. She did not remember speaking to March or to any detective. After reviewing a copy of March's CSR, recounting an interview with Mondragon, she said, "I'm sure I spoke to him at some point, but I don't remember where or when." Mondragon OIG Tr. 47:22-23. She did not remember whether she spoke to a FOP representative at the scene.

At the scene, a technician approached Mondragon and asked if he could look at the in-car video in the vehicle she had been driving. Mondragon set up the video to play and gave the technician access to the system. She did not remember whether she watched the in-car video of the shooting at the scene.

2. Area Central

At some point, Mondragon left the scene of the shooting and went to Area Central. She drove herself and Sebastian in 813R; Mondragon did not recall what they talked about on the way. When they arrived, there were other officers there. Mondragon remembered seeing Officers Viramontes and Fontaine, but did not remember whether Officers Walsh, Van Dyke, McElligott, or Gaffney were there. She did not remember talking to any other officers at Area Central, and did not remember whether she spoke with a detective. Mondragon did specifically recall that there was pizza at Area Central.

3. Mondragon's Statement to Detective March

Mondragon reviewed the statements attributed to her in the March 16, 2015 CSR and provided the following responses.

Statement from CSR	**Response When Asked to Review**
"Mondragon related the same facts as her partner, Officer Daphne Sebastian."	Mondragon agreed that, "for the most part," she related the same facts as Sebastian, but identified two segments from Sebastian's statements that she had not related. First, Mondragon said she did not tell March that "McDonald ignored the verbal directions and continued to advance on the officers waving the knife." Mondragon OIG Tr. 96:1-6. Second, she did not tell March that the shots "were fired in one continuous group." Mondragon OIG Tr. 96:17-18.
"Officer Mondragon added that as she drove westbound on 40th Street she saw Officer McElligott running eastbound through the Burger King parking lot. She made a U-Turn and drove back out onto Pulaski Road. Mondragon turned southbound onto Pulaski. She saw Laquan McDonald running southbound on Pulaski in the middle of the street. As she got closer she could see McDonald was holding a knife in his right hand. He was waving the knife. Officer Mondragon saw Officers	Mondragon affirmed that she made this statement to March and that it was accurate.

Joseph Walsh and Jason Van Dyke outside of their police vehicle."	
"[Mondragon] heard the officers repeatedly ordering McDonald to drop the knife as McDonald got closer and closer to the officers continuing to wave the knife."	When asked whether she made this statement to March, Mondragon answered: "So I made part of the statement to the detective, but, you know, where it says 'drop the knife,' yes. Now where it says 'got closer and closer to the officers continuing to wave the knife,' those were not my exact words." Mondragon OIG Tr. 88:20-24. When asked why the statement attributed to her was inaccurate, she answered, "Because I probably said, you know, he was walking on – you know, going forward southbound." Mondragon OIG Tr. 89:5-7. When asked, "Did you not say that McDonald was getting closer and closer to the officers?", she answered, "I don't remember saying it, you know, like that. . . . He was walking, you know, just going ahead, moving forward." Mondragon OIG Tr. 89:10-18. She explained again, "I don't know what 'closer' – I don't know by whatever – but whenever it says 'closer and closer to the officers,' I don't know if they were trying to say that he was, like, approaching them, like he kept walking towards, you know, not—he was going southbound towards where the officers were." Mondragon OIG Tr. 91:1-7. Mondragon stood by her statement that, at that point, McDonald was continuing to wave the knife.
"As she was placing her vehicle transmission into park, Mondragon looked down and heard multiple continuous gunshots without pause."	Mondragon affirmed the first part of this statement, but added: "[N]ow, that 'continuous gunshots without pause' I don't remember. I remember I said several shots." Mondragon OIG Tr. 92:24-93:1.
"Mondragon then saw McDonald fall to the ground."	Mondragon affirmed that she made this statement to March and that it was accurate. Mondragon OIG Tr. 94:22-24.

Mondragon reviewed the allegations against her as set out in the Notification of Allegations served upon her by OIG, as relating to her statement to March. She responded, in relevant part, to the allegations as follows.

Allegation	Response
"On or about October 20, 2014, you provided a false narrative to Detective David March of the Chicago Police Department (CPD) concerning the McDonald shooting through a series of false statements and material omissions."	When asked if she stood by her statement to March, with the exception of her specific corrections, Mondragon answered, "To the detective, yes." Mondragon OIG Tr. 111:8.
"It is alleged that on October 20, 2014, you made a material omission during an interview with Detective March when you failed to state that McDonald changed the direction in which he was walking prior to the shooting."	Mondragon said: "Well, he was always walking southbound. He never turned back and walked back or anything, that's what this is saying that he changed direction." Mondragon OIG Tr. 102:17-20.
"It is alleged that on or about October 20, 2014, you made a false statement during an interview with Detective March when you stated that as you were placing your vehicle transmission into park, you looked down and heard multiple gunshots without pause."	When asked if she stood by this statement, Mondragon answered, "for the most part, yes. When it comes down to the continuous without a pause, I don't recall saying that." Mondragon OIG Tr. 104:17-19. Later in her interview, Mondragon was asked more questions about how long it took to put her vehicle in park, causing her not to see critical parts of the shooting. She acknowledged that she had driven 813R several times before, and did not know how long it took to move the transmission into park. She allowed, "It might take a second. It might take two." Mondragon OIG Tr. 119:3-4. When asked why she did not look up after she had finished putting the vehicle in park, she answered, "I don't know, I don't remember why I didn't look up." Mondragon OIG Tr. 121:11-12. She confirmed that the gear shift lever in 813R was on the steering wheel.
"It is alleged that on or about October 20, 2014, you made a material omission during an interview with Detective March	When asked, "Why didn't you tell Detective March that they moved towards McDonald prior to the shooting?", Mondragon answered: "What do you mean 'moved towards'? I didn't see them."

when you failed to state that Officers Walsh and Van Dyke moved towards McDonald prior to the shooting."	Mondragon OIG Tr. 103:14-15. She was later asked, "[H]ow is it that you saw the officers get out of the vehicle, but you didn't see their next – the next immediate movements they made to walk towards McDonald?" Mondragon OIG Tr. 111:18-21. She answered, "Like I said, I saw them. They got out of their vehicle. As soon as they got out, like I said, I was focused, I saw them – I mean out of the corner of my eye I saw them. They get out, and I was focused on him. That's when I put [the car] on park and everything else happened." Mondragon OIG Tr. 111:24-112:5. She later reiterated, "I saw them get out, out of the corner of my eye, then, you know, I looked at Laquan, put my car in park, and everything happened." Mondragon OIG Tr. 112:22-24.
"It is alleged that on or about October 20, 2014, you made a false statement during an interview with Detective March when you stated that you did not know who fired the shots."	Mondragon stood by this statement. When asked how it was that she did not see who was shooting, she answered, "I was – you know, I was driving, and I was focused on Laquan." Mondragon OIG Tr. 105:7-8. When asked whether she saw McDonald "actually being shot," Mondragon answered, "I don't recall if I actually saw – like I said, I put it on park, heard the shots. He fell to the ground." Mondragon OIG Tr. 105:13-17. However, when asked, "[S]o you saw him standing and then fall to the ground?", she answered, "I don't – I don't know. I don't remember." Mondragon OIG Tr. 105:18-20. When asked, "Would you think that witnessing a shooting would be something that would stick in your memory?", she said she was "sure it would," but that it was not really sticking in her memory at that time. Mondragon OIG Tr. 106:24-107:5. Mondragon was asked to confirm that she "did not see who was shooting because [she was] focused on Laquan McDonald," and she answered, "Yeah. I was looking at him." Mondragon Tr. 110:2-5. Nonetheless, Mondragon did not remember whether she saw McDonald fall to the ground.

During her OIG interview, Mondragon watched the footage captured by the in-car video system in 813R, the car she was driving on October 20, 2014. Before watching the video, she said, "I mean, seeing the video is not going to change what my statement says." Mondragon OIG Tr. 126:4-5. After watching the video, she was asked: "You said your attention was on McDonald

when you were at the scene. Did you see him standing and then fall to the ground?" She answered, "Like I said, I don't remember that." Mondragon OIG Tr. 128:19-22. The following exchange then took place:

OIG: You did not see Officers Walsh or Officer Van Dyke – you did not see who shot?

Mondragon: No, I didn't.

OIG: And you did not see Laquan McDonald standing and then fall to the ground?

Mondragon: I don't recall seeing him, like I said, but I don't, no. I didn't see who shot.

* * *

OIG: So I wanted to ask you, is your statement that you did not see any of that, the shooting, because you were looking down?

Mondragon: I don't remember if I said because I was looking down the entire time, but I didn't see the shots.

Mondragon OIG Tr. 129:5-130:10.

4. Mondragon's October 21, 2014 IPRA Interview

Mondragon did not recall whether she spoke with an attorney or a FOP representative before her October 21, 2014 IPRA interview at Area Central.

Mondragon reviewed the allegations against her as set out in the Notification of Allegations served upon her by OIG, as relating to her IPRA interview. She responded, in relevant part, to the allegations as follows.

Allegation	Response
"It is alleged that on or about October 21, 2014, you provided a false narrative to IPRA Investigator Killen concerning the McDonald shooting through a series of false statements and material omissions."	When asked if she stood by her position that she gave a true and accurate account of the McDonald shooting, Mondragon answered, "Yes." Mondragon OIG Tr. 143:22.
"It is alleged that on or about October 21, 2014, you made a	Mondragon said, "he was walking southbound. To me, changing direction would be if he, you know,

material omission during an interview with IPRA Investigator Killen when you failed to [state] that McDonald changed the direction in which he was walking prior to the shooting."	turned around, started walking northbound or east or west. That's changing direction." Mondragon OIG Tr. 135:15-18.
"It is alleged that on or about October 21, 2014, you made a material omission during an interview with IPRA Investigator Killen when you failed to state that officers Walsh and Van Dyke moved towards McDonald prior to the shooting."	Mondragon said, "Like I said, I saw them get out of the vehicle, and that's it." Mondragon OIG Tr. 136:4-5.
"It is alleged that on or about October 21, 2014, you made a false statement during an interview with IPRA Investigator Killen when Killen asked you if you knew who was shooting, and you stated no."	When asked if she stood by this statement to IPRA, Mondragon answered, "Yes." Mondragon OIG Tr. 136:20.
"It is alleged that on or about October 21, 2014, you made a false statement when during an interview with IPRA Investigator Killen, Killen asked if everything you stated was a true and accurate account of what occurred, and you said yes."	When asked if she stood by her position that she gave a true and accurate account of the McDonald shooting, Mondragon answered, "Yes." Mondragon OIG Tr. 143:13.

5. Use of 813R's In-Car Video System

Mondragon reviewed CPD Special Order S03-05 outlining the protocol for in-car video systems. Mondragon was familiar with the procedures set out therein as of October 20, 2014, and she had received training on them.

Mondragon had used vehicle 8779 several times before October 20 2014. On that date, the car had a dashcam system. When asked if she had ever had problems with vehicle 8779's in-car

audio or video system prior to October 20, 2014, she answered, "Not that I remember." Mondragon OIG Tr. 154:6-9. When asked where the microphones for the system were stored, Mondragon said, "It depends. I don't remember that car where they kept it." Mondragon OIG Tr. 155:19-20.

Mondragon reviewed Becvar's notes having to do with vehicle 8779's microphones being in the glove compartment, with their batteries inserted upside down. When asked if she could explain why the mics were in the glove compartment, she answered, "I have no idea, no." Mondragon OIG Tr. 158:1. Mondragon could not explain why the batteries were inserted upside down, and denied purposely disabling the microphones. When asked if she had checked the system's microphones at the start of her tour of duty on October 20, 2014, she answered, "I did not, no." Mondragon OIG Tr. 158:10. Mondragon did not remember whether, as of October 20, 2014, it would have been general practice to notify a sergeant if the audio component of the in-car video system was not working.

Mondragon reviewed the allegations against her as set out in the Notification of Allegations served upon her by OIG, as relating to her use of 813R's in-car video system on October 20, 2014. She responded, in relevant part, to the allegations as follows.

Allegation	Response
"It is alleged that on or about October 20, 2014, you failed to ensure the in-car video system for CPD vehicle 8779 was working properly at the beginning of your tour of duty."	Mondragon responded, "I didn't know the audio wasn't working, but the camera was working." Mondragon OIG Tr. 167:20-21. When asked if she did not know the audio was not working because she never checked, she answered, "Correct." Mondragon OIG Tr. 168:1.
"It is alleged that on or about October 20, 2014, you failed to immediately notify a supervisor that the in-car video system for CPD vehicle 8779 was inoperable or damaged."	Mondragon said that she did not know that the audio was not working.
"It is alleged that on or about October 20, 2014, you failed to audibly record events with CPD vehicle 8779's in-car video system during your tour of duty."	Mondragon responded, "Not that I failed, I didn't know it wasn't working." Mondragon OIG Tr. 168:14-15.

V. ANALYSIS

OIG's investigation established that Mondragon made false statements and material omissions in her interviews with CPD and IPRA regarding the McDonald shooting. Mondragon's false statements and material omissions all served a similar purpose: to minimize Van Dyke's accountability in the shooting of McDonald, to materially exaggerate the threat posed by McDonald and provide a false narrative concerning the shooting.

Mondragon's false statements and material omissions served to minimize Van Dyke's accountability in that she omitted the fact that Van Dyke moved toward McDonald before shooting him and that McDonald was walking away from the Van Dyke and Walsh when he was shot, and further claimed that she was unable to identify Van Dyke as the shooter.

Further, Mondragon's credibility is severely limited by her uncooperativeness, as evidenced by her repeated and insistent claim that she did not remember details and events relating to the events of October 20, 2014. In response to OIG's questions, Mondragon answered that she did not remember or did not recall approximately 145 times, and answered with some variation of "not that I recall" more than a dozen times. She remembered being served pizza at Area Central, but stated she was unable to remember large swaths of details of the actual shooting. Even when asked whether she had witnessed a police-involved shooting before the McDonald shooting, she answered, "Not that I recall." Mondragon OIG Tr. 78:13. She gave the same response when asked if she had ever witnessed any shooting. It defies belief that Mondragon does not remember whether or not she had seen anyone shot, but has a clear recollection of pizza.

Mondragon's actions, individually and collectively, constitute violations of CPD Rules. Each of Mondragon's false statements constitutes a violation of Rule 14 (making a false report, written or oral). Her false statements also constitute violations of Rule 2 (engaging in any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department), and Rule 3 (failing to promote the Department's efforts to implement its policy and accomplish its goals). An officer who has made false statements in an official investigation has irrevocably tainted not only her credibility, but also the credibility of CPD—and also fails to promote CPD's goal of employing officers with personal integrity and professional devotion to law enforcement. Mondragon further violated Rule 6 (disobedience of an order, namely S03-05) and Rule 11 (incompetency in the performance of a duty) by failing to audibly record events with her in-car video system and failing to notify her supervisor about the status of the system's audio component. Accordingly, OIG recommends that CPD discharge Mondragon.

A. Mondragon's False Narrative to Detective March

Mondragon made false statements and material omissions in her October 20, 2014 statement to March. Specifically,

- Mondragon stated that she did not know who fired the shots at McDonald.

- Mondragon stated that, because she was placing her vehicle transmission into park, she was looking down during the time that McDonald was shot.

- Mondragon failed to state that McDonald changed the direction in which he was walking before he was shot.

- Mondragon failed to state that Van Dyke and Walsh moved toward McDonald before Van Dyke shot him.

Mondragon took the position that she did not see Van Dyke and Walsh move toward McDonald, and that she did not see who shot McDonald, because she wasn't looking at the officers. Instead, she said, she was either looking down to put her car in park or was focused solely on McDonald. Neither possibility is credible. The footage recorded by 813R's in-car video system, the very car Mondragon was driving, shows precisely what was visible from her location at the scene. It is unreasonable to suggest that it took Mondragon so long to move the transmission of a vehicle she was amply familiar with into park that she missed the entire interlude during which Van Dyke repeatedly shot McDonald – a period of time which appears to have lasted approximately 14 seconds.[29] Mondragon was not unfamiliar with the vehicle, and there should not have been anything particularly difficult about placing it into park; she admitted that she had driven the same car several times before and confirmed that the gear shift lever was located on the steering wheel. Further, she said that she was focused solely on McDonald, but she failed to say that he changed direction and was walking away from Van Dyke and Walsh. If she was wholly focused on McDonald, it is impossible that she did not see McDonald's actions. She asserted she did not recall whether she actually saw McDonald get shot and fall to the ground. She takes the precarious position that she did not see Van Dyke shoot because she was watching McDonald get shot, but she is not sure she saw McDonald get shot. Mondragon's answers are so inconsistent as to prevent any of them from being credited.

Taken as a whole, Mondragon's false statements and material omissions can be seen as a deliberate attempt to establish or further the false narrative that Van Dyke shot an onrushing McDonald in response to a potentially deadly knife attack. This narrative, and Mondragon's statements which further it, are belied by the video footage of the events of the shooting.

B. Mondragon's False Narrative to IPRA

Mondragon effectively repeated her false narrative of the McDonald shooting to IPRA during her October 21, 2014 interview with Investigator Killen. Specifically, she again omitted the facts that Van Dyke and Walsh moved toward McDonald before McDonald was shot, and that McDonald had changed the direction in which he was walking, as are clearly shown by the video footage from Mondragon's own vehicle. She again stated that she did not see who shot McDonald. As detailed above, however, Mondragon's statement and omissions are contradicted by the video evidence. Nonetheless, she stood by her statement to IPRA that she had provided a true and accurate account of the shooting.

[29] *See* Jason Meisner, et al., *Chicago Releases Dash Cam Video of Fatal Shooting After Cop Charged with Murder*, CHICAGO TRIBUNE, Nov. 24, 2015.

C. Failure to Comply with Special Order S03-05

Mondragon also violated Rule 6 (disobedience of an order) and Rule 11 (incompetency in the performance of a duty) by failing to audibly record events with her in-car video system and failing to notify her supervisor about the audio component's status as required by S03-05. Becvar, who recovered the video from 813R's in-car video system, found that the system's microphones were in the glove compartment with their batteries inserted upside down. If Mondragon had properly followed the pre-tour of duty in-car video system protocols, she would have identified all these issues. Yet, as Mondragon admitted, she never checked or reported on the status of 813R's audio component. Becvar's inspection revealed that, if the batteries were inserted correctly, 813R's audio recording component was fully functional.[30] Therefore, it was only Mondragon's failure to operate the system correctly that precluded audio recording. Mondragon repeatedly claimed that she did not know that the audio component was not working. The special order clearly requires, however, that an officer obtain an audio recorder and securely attach it to her person; it is difficult to imagine how Mondragon could not have known that she failed to attach a microphone to her person. Thus, the evidence demonstrates that Mondragon failed to follow the in-car video system procedures set forth in S03-05 on October 20, 2014.

VI. RECOMMENDATION

Mondragon's false statements raise significant concerns regarding her credibility and ability to perform her duties as a sworn officer. As a sworn officer, Mondragon's reports are relied upon in criminal legal proceedings and her credibility is therefore critical to her position. An officer who has made false statements in an official investigation has irrevocably tainted her credibility and has wholly disqualified herself from effectively executing core police functions. Based on this conduct she may be the subject of cross-examination in any contested proceedings in which she may appear as a witness, *see* FED. R. EVID. 608(b) ("Specific instances of conduct"), and her conduct and the findings resulting from this investigation would further qualify as impeachment material that should, in principle, be disclosed in any contested proceeding involving the official records or testimony Mondragon generates. *See Giglio v. United States*, 405 U.S. 150 (1972) (requiring disclosure in criminal case of information impeaching of government witness's credibility). Illinois courts have repeatedly noted that "'as the guardians of our laws, police officers are expected to act with integrity, honesty, and trustworthiness'" and have found intentional false or misleading statements by police officers to be sufficient cause for termination. *Rodriguez v. Weis*, 408 Ill. App. 3d 663, 671 (1st Dist. 2011) (quoting *Sindermann v. Civil Service Comm'n*, 275 Ill. App. 3d 917, 928 (2nd Dist. 1995)). Further, Mondragon failed to comply with Special Order S03-05, and her actions resulted in the loss of what would have been critical, objective evidence of the events surrounding the McDonald shooting.

OIG therefore recommends that CPD discharge Mondragon and refer her for placement on the ineligible for rehire list maintained by the Department of Human Resources.

[30] Information supplied by Becvar suggests that, given that the microphones in 813R would have been fully functional if the batteries had been inserted correctly, they may have been intentionally disabled. Because different officers drive the same car, however, OIG is unable to establish who may have disabled them.

VII. CPD RULE VIOLATIONS

Rule 2 Any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department.

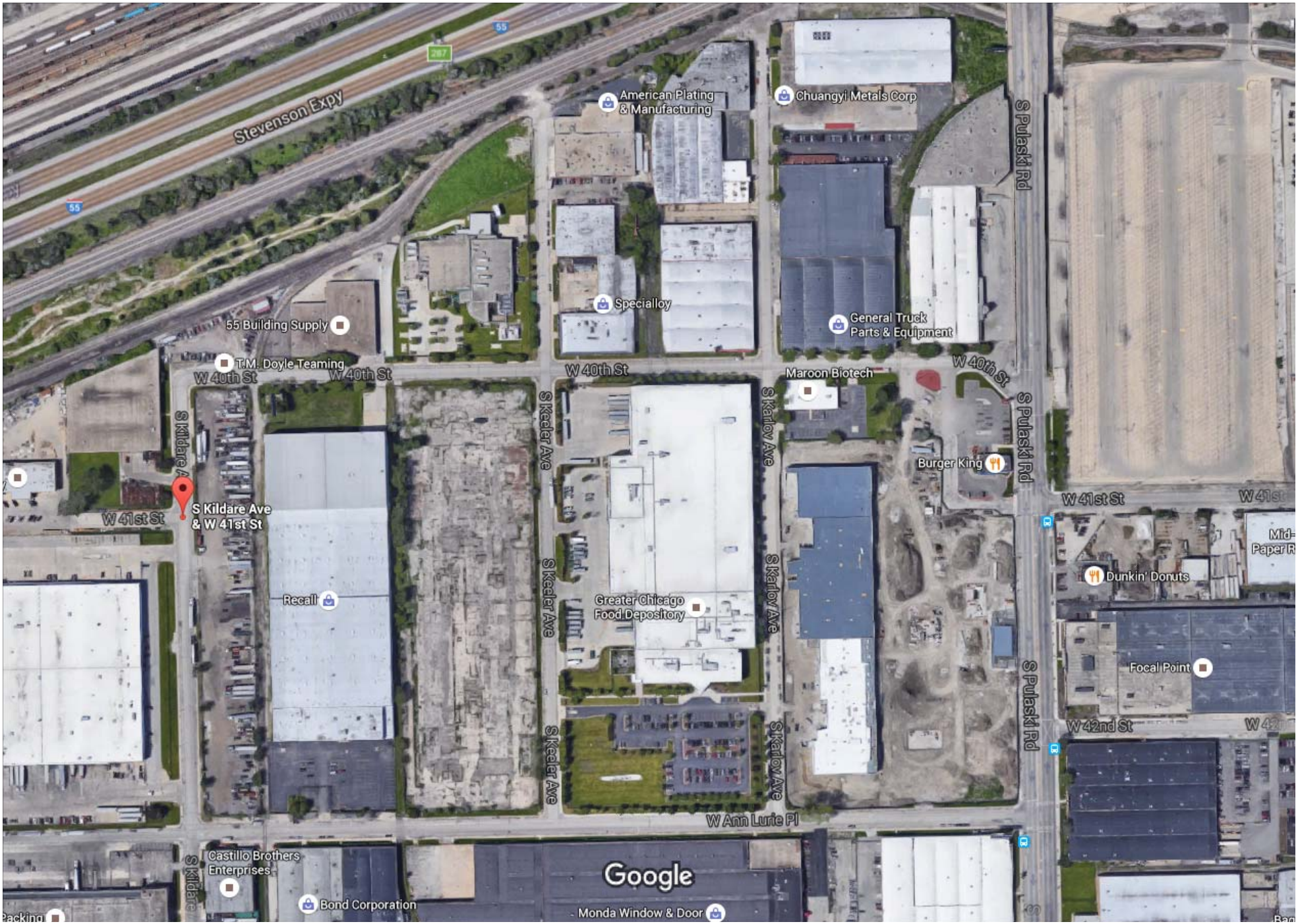
Rule 3 Any failure to promote the Department's efforts to implement its policy or accomplish its goals.

Rule 6 Disobedience of an order or directive, whether written or oral.

Rule 11 Incompetency or inefficiency in the performance of duty.

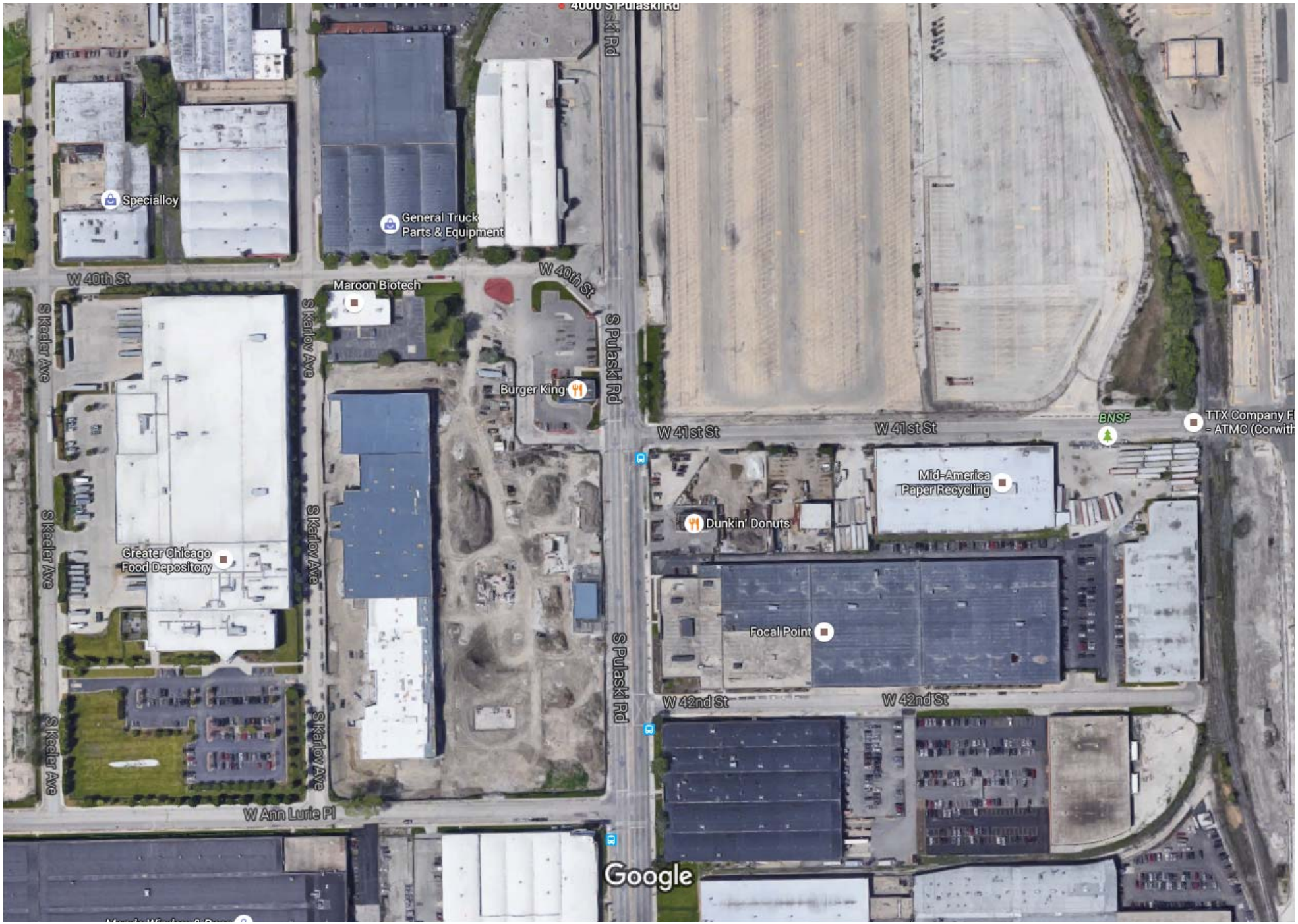
Rule 14 Making a false report, written or oral.

Appendix A


Stevenson Expy
55
287
American Plating & Manufacturing
Chuangyi Metals Corp
S Pulaski Rd
Specialloy
General Truck Parts & Equipment
55 Building Supply
T.M. Doyle Teaming
W 40th St
W 40th St
W 40th St
Maroon Biotech
W 40th St
S Pulaski Rd
S Kildare Ave
S Keeler Ave
S Karlov Ave
Burger King
S Kildare Ave & W 41st St
W 41st St
W 41st St
W 41st
Mid-
Paper R
Recall
Greater Chicago Food Depository
Dunkin' Donuts
Focal Point
S Pulaski Rd
W 42nd St
W 42
W Ann Lurie Pl
Castillo Brothers Enterprises
Google
Bond Corporation
Monda Window & Door
Imagery ©2016 Google, Map data ©2016 Google
200 ft



Imagery ©2016 Google, Map data ©2016 Google 100 ft



Imagery ©2016 Google, Map data ©2016 Google 200 ft

SUMMARY REPORT OF INVESTIGATION
Office of Inspector General Case # 15-0564
(Chief Eugene Roy)
August 17, 2016

This report consists of a summary of the evidence set out in the attached investigative materials and the Office of Inspector General's (OIG's) analysis of that evidence. An index of the investigative materials is attached.

I. INTRODUCTION

An OIG investigation has established that Chicago Police Department's (CPD) Bureau of Detectives Chief Eugene Roy, who, as Commander of the Area Central Detective Division, had formal supervisory responsibility for CPD's investigation related to CPD Officer Jason Van Dyke's October 20, 2014 shooting of Laquan McDonald, violated CPD Rules and Regulations during that investigation. More specifically, and as detailed further below, Roy failed to ensure that the investigative team under his supervision produced truthful and objective reports. Roy also failed to take corrective action after conducting his review, mandated by CPD special order, of the materially false reports produced by his subordinates, which served to exaggerate the threat McDonald posed. Roy let stand reports containing materially false statements and conclusions despite viewing video of the shooting within hours of its occurrence and possessing ongoing knowledge of the investigation as it unfolded. By failing to adequately carry out his supervisory responsibilities, Roy impeded CPD's efforts to achieve its policy and goals (Rule 2), failed to promote CPD's efforts to implement its policy and accomplish its goals (Rule 3), disobeyed an order requiring that he hold his subordinates strictly accountable for appropriate reporting (Rule 6), and was incompetent in the performance of his duties (Rule 11). Accordingly, OIG recommends that CPD discharge Roy and refer him for placement on the ineligible for rehire list maintained by the Department of Human Resources.

II. APPLICABLE RULES, REGULATIONS, AND LAW

A. CPD Rules and Regulations

CPD's Rules and Regulations set out the standards of conduct and duties of sworn members, including supervisory members, as well as CPD goals. The Rules and Regulations state that sworn members must "conduct themselves at all times in such a manner as will reflect credit upon the Department with emphasis on personal integrity and professional devotion to law enforcement." Supervisory members "have the responsibility for the performance of all subordinates placed under them" and they "[r]emain accountable for the failure, misconduct or omission by their subordinates."

Article V of the CPD Rules and Regulations, entitled CPD Rules of Conduct (the CPD Rules), sets forth specifically prohibited acts. In pertinent part, the CPD Rules include the following prohibitions:

Rule 2 Any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department.

Rule 3 Any failure to promote the Department's efforts to implement its policy or accomplish its goals.

Rule 6 Disobedience of an order or directive, whether written or oral.

Rule 11 Incompetency or inefficiency in the performance of duty.

B. CPD Special Orders

CPD Special Orders are directives that establish protocols and procedures concerning specific CPD functions, operations, programs, or processes. CPD Special Orders are directives that establish protocols and procedures concerning specific CPD functions, operations, programs, or processes. Addendum 1 to Detective Division Special Order 11-01, titled "Homicides and Sworn Weapon Discharge Incidents," effective from May 9, 2011, to January 1, 2015, states that detectives investigating homicides or weapon discharge incidents involving sworn members will "[t]horoughly document relevant information discovered during the course of the investigation" and "[r]ecord relevant information initially transcribed on General Progress Reports or other investigative documents to formatted Department reports (e.g. Supplementary Report, General Offense Case Report, etc.)."[1]

Bureau of Detectives Special Order (BDSO) 14-13, titled "Reporting Guidelines," was in effect from November 13, 2014 to January 1, 2015, and was then re-issued on January 1, 2015, as BDSO 15-13.[2] The order states that "[i]t is the policy of the Bureau of Detectives to comprehensively and accurately document all steps taken during the course of an investigation." Further, it requires that "Area Commanders will hold detectives and supervisors strictly accountable for failure to comply with the provisions of this directive."

BDSO 14-17, titled "Police Involved Shooting Guidelines," was in effect from November 21, 2014 to January 1, 2015, and was then re-issued on January 1, 2015 as BDSO 15-17.[3] Under the heading "Investigative File Review and Retention," Section V.A. of the order required that "[u]pon completion of the investigative file, the assigned sergeant will forward the file to the Area Commander for review."

[1] OIG 15-0564 009121-23.

[2] OIG 15-0564 009054-56. *See* OIG 15-0564 009012. In CPD documents, special orders governing the Bureau of Detectives are referred to as both Detective Division Special Orders and Bureau of Detectives Special Orders. Hereafter, they are referred to as Bureau of Detectives Special Orders (BDSOs).

[3] OIG 15-0564 009068-71. *See* OIG 15-0564 009012.

BDSO 15-22, titled "Justifiable Homicides," outlines the protocols that CPD members in the Bureau of Detectives are to follow regarding justifiable homicides.[4] The order defines a justifiable homicide as either "the killing of a felon by a peace officer in the line of duty," or "the killing of a felon by a private citizen during the commission of a felony." Section III of BDSO 15-22 outlines reporting procedures for justifiable homicides and requires that:

> A. When an incident is determined to be a justifiable homicide, the assigned detective will obtain a second RD number. The first case will bear the classification of the crime the felon was committing. The second RD number will be for the justifiable homicide. Detectives will not identify a person lawfully entitled to use deadly force as an 'Offender.'
>
> B. The facts detailing the entire investigation will be reported in the justifiable homicide report.
>
> ***Note**: The narrative section of the original felony report will state, 'The facts of this case are reported under RD#_____. For complete details, refer to that investigation.' (Emphasis in original).
>
> . . . .
>
> E. Detectives will state in their reports that no charges were placed at this time. They will not state that use of deadly force was justified.

III. CHIEF EUGENE ROY'S EMPLOYMENT HISTORY

Roy was hired by the City of Chicago in 1972 as a Cadet with the Fire Department. He joined CPD in 1977 as an Investigator and became a police officer in 1986. Roy was promoted to Sergeant in 1994, to Lieutenant in 1998, to Captain in 2001, to Commander in 2005, and to Deputy Chief and then Chief in 2015. He is currently Chief of CPD's Bureau of Detectives, and was Commander of the Area Central Detective Division as of October 20, 2014. In his role as Commander, Roy supervised the CPD members who conducted the McDonald investigation, including Lieutenant Anthony Wojcik, Sergeant Daniel Gallagher, and Detective David March.[5] Roy also supervised Lieutenant Osvaldo Valdez, who was present at the scene of the shooting and attended internal CPD meetings regarding the investigation.

[4] OIG 15-0564 009416-17. According to documents dated April 28, 2016 which OIG received from CPD, BDSO 15-22 remained in effect at least as of that date. BDSO 15-22 took effect on January 1, 2015, and was in place when the relevant CPD reports in this case were issued. *See* OIG 15-0564 009012.

[5] *See* Roy 7/6/2016 OIG Tr. 161:8-17.

IV. SUMMARY OF INVESTIGATION

A. Procedural History of OIG's Investigation

By letter, dated December 8, 2015, Independent Police Review Authority (IPRA) Acting Chief Administrator Sharon Fairley requested that OIG conduct an administrative investigation "to determine whether certain police officers/witnesses made false statements on official reports prepared in connection with [Van Dyke's shooting of McDonald] and/or during the investigation of the incident."[6] IPRA further requested that OIG investigate "whether any of the involved Chicago Police officers committed any other violation(s) of Chicago Police Department rules, policies or procedures in their involvement with the incident, including, but not limited to, whether any officers' conduct may have interfered with or obstructed the appropriate investigation and handling of this matter."

Then, by letter, dated January 13, 2016, CPD Interim Superintendent John J. Escalante requested that OIG conduct an "administrative investigation into any and all allegations of police officer misconduct" arising out of the October 20, 2014 shooting death of McDonald. The Superintendent's request asked OIG to investigate the following allegations: "whether any officer(s) made false statements on official reports submitted in connection with the shooting of Laquan McDonald on October 20, 2014; whether any officer(s) obstructed or interfered with the investigation of this incident, either individually or in collusion with others; and whether any officer(s) committed any violation of Chicago Police Department rules, policies, or orders in connection with their response and/or handling of this matter." Escalante attached to the letter request a copy of Sergeant Sandra Soria's Initiation Report, which raises allegations of misconduct related to the in-car video systems of the vehicles that were present during the McDonald shooting, and identified that Report as a basis for OIG's administrative investigation.

On March 10, 2016, Kevin Kilmer, Financial Secretary for the FOP, filed a grievance with CPD on behalf of all affected members stating that OIG's attempts to conduct CPD officer interviews violated Article 6 of CPD's Collective Bargaining Agreement (CBA) with the FOP.[7] On March 16, 2016, FOP on behalf of all impacted CPD officers filed a "Complaint for Injunction in Aid of Arbitration" in the Circuit Court of Cook County, asking the court to enjoin OIG from conducting interviews until the grievance was decided in arbitration.[8] The court dismissed the complaint and denied the injunction on March 22, 2016.

---

[6] On November 24, 2015, the Cook County State's Attorney charged Van Dyke with a single count of first degree murder in the shooting of McDonald. On December 15, 2015, it subsequently charged him with six counts of murder. OIG has not been involved with any criminal investigation related to the shooting and makes no findings regarding Van Dyke's use of force.

[7] Section 6.1, Paragraph I of the CBA states, "If the allegation under investigation indicates a recommendation for separation is probable against the Officer, the Officer will be given the statutory administrative proceeding rights, or if the allegation indicates criminal prosecution is probable against the Officer, the Officer will be given the constitutional rights concerning self-incrimination prior to the commencement of interrogation." CPD General Order GO8-01-01, Paragraph K contains similar language.

[8] *Fraternal Order of Police, Chicago Lodge 7 v. City of Chicago*, No. 2016 CH 03726 (Cir. Ct. of Cook County, Ill., Mar. 16, 2016).

OIG's administrative investigation of other CPD employees' actions related to CPD's handling of the McDonald investigation is ongoing. During the course of its investigation, OIG has gathered documents from CPD and IPRA, among other sources, and conducted numerous interviews, including interviews of several CPD personnel who were at or responded to the scene of the shooting and civilian witnesses to the shooting. To date in its ongoing investigation, OIG has recommended disciplinary action against multiple CPD personnel.

B. The Events of October 20, 2014

The following sections detail the shooting of McDonald, as well as the relevant events that occurred directly before and after the shooting.[9]

1. [redacted] and Rudy Barillas's Encounter with McDonald[10]

[redacted] and [redacted] Rudy Barillas, were parking a truck in a lot at 41st Street and Kildare Avenue when [redacted] saw a black male, whom she subsequently identified as McDonald, attempting to steal property from certain vehicles parked in the lot. Barillas told McDonald to leave the lot. McDonald responded by making growling noises. After Barillas again told McDonald to leave the lot, McDonald pulled out a knife and swung it at Barillas. Barillas, who had already called 911, then threw his cell phone at McDonald.[11] McDonald ran from the lot, first northbound on Kildare and then eastbound on 40th Street.

2. Officers Thomas Gaffney and Joseph McElligott's Encounter with McDonald[12]

Officer Thomas Gaffney and his partner Officer Joseph McElligott received a call over the radio that someone had broken into a truck at 4100 South Kildare and were dispatched to the scene.[13]

---

[9] On April 22, 2016, OIG obtained maps of the locations that are relevant to the shooting from Google Maps and included those maps in Appendix A. Those maps generally reflect the street layout and location of relevant businesses as they were on the night of October 20, 2014.

[10] The following account of [redacted] and Barillas's encounter with McDonald is taken from the March 16, 2015 case supplementary report (CSR) submitted by CPD Detective David March, which includes the statements that [redacted] and Barillas provided to CPD on October 21, 2014, and October 22, 2014, respectively. OIG 15-0564 003077.

[11] OEMC recordings reflect that Barillas called 911 at 9:45 p.m. stating that he was holding "a guy right hear [sic] that stolen [sic] the radios" from trucks in a truck yard located at "41st and Kildare." OIG 15-0564 003227.

[12] The following account of Gaffney and McElligott's encounter with McDonald is taken from (1) the audio-recorded statements Gaffney and McElligott provided to IPRA on October 21, 2014, OIG 15-0564 000482-98, 000610-30; and (2) the March 16, 2015 CSR submitted by Detective David March, which includes the statements that Gaffney and McElligott provided to March on the night of the McDonald shooting. OIG 15-0564 003067–69.

[13] OEMC records reflect that Gaffney and McElligott received the call at 9:47 p.m. OIG 15-0564 003691.

Gaffney was driving, and McElligott was in the passenger seat of their assigned vehicle, 815R.[14] When they arrived at 4100 South Kildare, they saw a Hispanic male and female standing by the gate to the truck yard. The two said that a black male wearing a black shirt, later determined to be McDonald, had been trying to steal the radio out of a semi-truck, and had subsequently headed north toward 40th Street.

Gaffney and McElligott drove north on Kildare, turned right onto 40th Street, and saw McDonald walking east on the south side of 40th Street. McElligott exited the vehicle and commanded McDonald to stop and turn around. Gaffney stayed in the vehicle in case McDonald attempted to flee. McElligott ordered McDonald to take his hands out of his pockets. McDonald, who had been facing McElligott, turned and walked away with one hand still in his pocket. McDonald then turned again and took both of his hands out of his pockets. He had a knife in his right hand. McElligott drew his weapon and told McDonald to drop the knife. McDonald started walking east again, going from the sidewalk to the street and back. McElligott followed McDonald on foot, shining his flashlight on him, while Gaffney followed in 815R, parallel to McDonald.

As McDonald approached the intersection of 40th and Keeler, Gaffney reported to dispatch that McDonald was walking away with a knife in his hand.[15] Gaffney and McElligott continued to follow McDonald as he headed east, with McElligott giving McDonald orders to drop his knife and stop. McDonald kept turning around and giving the officers a "weird glaze[d] look." Gaffney IPRA Tr. 11:20.[16]

As McDonald approached the intersection of 40th and Karlov, Gaffney turned his car toward McDonald to direct him down Karlov. Gaffney wanted to keep McDonald away from Pulaski,

[14] Below is a chart identifying the beat numbers and vehicle numbers of the CPD vehicles that were present when McDonald was shot, along with the names of the officers who were assigned to those vehicles. This SRI refers to the below-referenced vehicles by beat number, unless otherwise specified.

Beat #	Vehicle #	Officers
845R	6412	Officer Joseph Walsh (driver), Officer Van Dyke (passenger)
815R	8489	Officer Gaffney (driver), Officer McElligott (passenger and on foot)
813R	8779	Officer Janet Mondragon (driver), Officer Daphne Sebastian (passenger)
822	8765	Officer Arturo Becerra (driver), Officer Leticia Velez (passenger)
841R	8948	Officer Ricardo Viramontes (driver), Officer Dora Fontaine (passenger)

[15] OEMC recordings reflect that, at 9:53 p.m., 815R reported: "We're at 40th and Keeler. This guy uh is walking away from us and he's got a knife in his hand." Approximately 30 seconds later, a dispatcher stated, "815R looking for a taser." *See* OEMC Documents and CDs; *see also* OIG 15-0564 003691, 3228.

[16] OIG 15-0564 000620.

which was a more populated area. McDonald then swung his arm and popped 815R's right front tire with his knife. McElligott was toward the back of 815R when McDonald popped its tire. After McDonald took a step back from the vehicle, Gaffney pulled up further in front of him to stop him from proceeding to Pulaski. McDonald then hit the right side of 815R's windshield once with the knife in his right hand. The windshield did not break but, according to Gaffney, McDonald hit it as hard as he could. McDonald walked around the front of 815R and continued eastward on 40th Street. After McDonald had walked 10 to 15 feet, another squad car turned off of Pulaski onto 40th Street with its lights on, and McDonald began to sprint. McElligott followed McDonald on foot, and Gaffney followed McDonald in 815R. McDonald ran eastbound through a parking lot of a Burger King located at 40th and Pulaski and then headed southbound on Pulaski. Video footage from several cameras captured McDonald's movements as he reached Pulaski.

3. Summary of the Relevant Video Footage

The below table contains a summary of the relevant video footage of the McDonald shooting, which includes the dashcam videos from 813R (the vehicle in which Mondragon was the driver), 823R, and 845R, video from the "WNE fire exit" security camera from the Greater Chicago Food Depository, which is bordered by 40th Street to the north, Karlov Avenue to the east, and Keeler Avenue to the west, and the security camera video from the Dunkin' Donuts, located at 4113 South Pulaski Road (the DD Camera).[17]

Time	Event(s) Captured	Source of Video
9:53:17 – 9:54:42	McDonald walks eastbound on the south side sidewalk of 40th Street; a CPD SUV travels east on 40th Street, parallel to McDonald with its front bumper even with McDonald; an officer on foot trails directly behind McDonald by the length of the SUV, with his flashlight trained on McDonald.[18]	Greater Chicago Food Depository Security Camera
9:56:53 – 9:57:01	813R and 845R turn left onto 40th Street from Pulaski.	813R Dashcam
9:57:01– 9:57:09	An unidentified person on 40th Street points the CPD vehicles toward the Burger King parking lot (813R); 845R turns into the parking lot (813R). McDonald runs	813R Dashcam; 845R Dashcam

[17] In addition to the videos cited in the summary, OIG obtained video footage from the security camera videos at Burger King and Focal Point, and the dash camera videos from Vehicles 815R and 821R. These videos do not contain footage relevant to this report.

[18] OIG confirmed the vehicle is 815R and the officer on foot is McElligott by comparing the video with photographs of the officers. OIG 15-0564 003356.

	southeast through the Burger King parking lot out onto Pulaski (845R).	
9:57:09 – 9:57:20	845R drives over the curb and sidewalk north of Burger King and heads south on Pulaski (845R); 813R turns around, turns right onto 40th Street, and then right again on Pulaski (813R); McDonald runs southbound in the middle of Pulaski and enters the intersection of 41st Street and Pulaski (813R).	813R Dashcam; 845R Dashcam
9:57:20 – 9:57:25	845R, which is facing east/southeast on Pulaski just north of 41st street, turns right behind McDonald and proceeds south on Pulaski on the east side of the street; 845R's passenger door briefly opens and then closes as it passes McDonald on his left; McDonald continues southbound on Pulaski, toward 822, which is stopped in the middle of Pulaski facing north.	813R Dashcam
9:57:25 – 9:57:28	McDonald slows as he approaches 822, touches his hands to his waist, and then, before Walsh and Van Dyke exit 845R and with 822 situated between McDonald and the officers, McDonald extends his right arm fully to his right—the video shows that he has a silver object in his right hand; 845R passes 822 and comes to a stop on the east side of Pulaski, facing south and almost directly south of 822; Van Dyke opens 845R's passenger door.	813R Dashcam
9:57:28 – 9:57:30	McDonald changes course and begins walking southwest on Pulaski, away from 822 and 845R (813R); Van Dyke exits the passenger side of 845R with both of his feet in Pulaski's northbound left turn lane, his gun drawn and pointed at McDonald (813R). Walsh exits the driver side of 845R, just east of Pulaski's northbound left turn lane, with his gun drawn, and moves north along the driver side of 845R until he is several feet north of 845R (DD Camera).	813R Dashcam; DD Camera[19]
9:57:30 – 9:57:33	McDonald continues to walk southwest, from the middle of Pulaski to the lane markers that divide the west side of the road (or approximately one lane west of where	813R Dashcam; DD Camera

[19] The DD Camera video does not display an embedded timestamp. Therefore, OIG used the timestamp of 813R's video, which generally captured the same events as the DD Camera from a different angle, to establish the timeframe of the events captured by the DD Camera.

	McDonald was prior to changing course) (813R). While McDonald walks southwest, Walsh begins moving sideways in a west/southwest direction, approximately parallel to McDonald, and crosses over the east side of Pulaski's northbound left-turn lane—his gun is pointed at McDonald (813R; DD Camera). Van Dyke takes approximately two steps northwest toward McDonald, with his left foot crossing into Pulaski's yellow-painted median strip—his gun is pointed at McDonald (813R; DD Camera). 822 drives north on Pulaski, away from 845R (813R).	
9:57:33 – 9:57:36	As McDonald approaches the lane markers on the west side of Pulaski, walking in a southwest direction, he looks to his right and moves his right hand behind his waist, near the right side of his lower back, then brings his hand back to his right side (813R). As McDonald crosses the lane markers on the west side of Pulaski, he looks to his left, and takes a step southbound (813R). Meanwhile, Walsh continues moving west/southwest with his gun pointed at McDonald, ultimately traversing almost the entire width of Pulaski's northbound left-turn lane (813R; DD Camera). Van Dyke takes an additional step west, toward McDonald, putting both of his feet in Pulaski's median strip and placing himself almost directly between McDonald and Walsh (813R; DD Camera). McDonald is then apparently shot and Walsh stops moving and adopts a stance, with his feet more than a shoulder's width apart (813R; DD Camera).	813R Dashcam; DD Camera
9:57:36 – 9:57:54	McDonald spins between 180 and 270 degrees in a clockwise direction and then falls to the ground with the top of his head pointing south on Pulaski, approximately one street lane east of Van Dyke and just south of Van Dyke (813R). As McDonald falls to the ground, Van Dyke takes another step west toward McDonald, moving his right foot from Pulaski's median strip into the south-bound side of Pulaski; his gun remains pointed at McDonald (813R). Van Dyke subsequently takes an additional step or two south, toward McDonald. Other than those steps, Van Dyke's feet are stationary (DD Camera). After McDonald is on the ground, his legs and feet do not move (813R). McDonald's upper body makes small, intermittent movements as what appear to be puffs	813R Dashcam; DD Camera

	of smoke rise from McDonald's body (813R).[20]	
9:57:54 – 9:58:05	An officer approaches McDonald and kicks the knife from his hand. McDonald does not make any noticeable movements.	813R Dashcam
9:58:05-9:58:20	McDonald lies on the ground; no aid is rendered by CPD personnel. 823R, travelling northbound, pulls up on the west side of Pulaski, and stops just south of where McDonald is lying.	813R Dashcam; 823R Dashcam
9:58:20-9:58:57	Several CPD officers walk and stand near McDonald as he lies on the ground; no aid is rendered by CPD personnel.	813R Dashcam;[21] 823R Dashcam
9:58:57-9:59:02	823R begins making a U-turn on Pulaski. A Cook County Sheriff's Police Department (CCSPD) officer puts on blue gloves and walks toward McDonald.[22] McDonald is no longer visible in the video frame.	823R Dashcam

4. CCSPD Officer Accounts of the October 20, 2014 McDonald Shooting[23]

While on patrol on October 20, 2014, CCSPD Officers Adam Murphy and Jeff Pasqua observed several CPD police vehicles pass by them. Both officers decided to follow the CPD vehicles. When they arrived at the scene, several CPD vehicles were already present—Pasqua estimated it was five or six. McDonald was lying on the pavement "gasping for his last breath of air." Pasqua OIG Tr. 11:22-23. Meanwhile, the CPD officers were "standing around" and talking to each other. Murphy OIG Tr. 11:1. Murphy noted the CPD officers did not respond to him when he asked if they needed assistance. Murphy stated:

> I see there's blood all over the pavement. [McDonald] was kind of gurgling when he was sitting there. I remember his mouth was going open and closed like he was trying to gasp for air. And I looked for everybody else, and they were kind of standing there. I just started taking my gloves—my rubber gloves out to check for a pulse and to see if I could render aid.

[20] OEMC records show that dispatch received notice to send an ambulance to the scene at 9:57:51. OIG 15-0564 003691.

[21] The last time stamp visible on the 813R dashcam video is 9:58:55.

[22] OIG identified the CCSPD officer as Officer Adam Murphy.

[23] The following CCSPD Officer accounts are taken from OIG's June 23, 2016 interview of Jeff Pasqua and its June 24, 2015 interview of Adam Murphy. Pasqua and Murphy are currently CCSPD investigators.

Murphy OIG Tr. 12:18-13:2. He heard someone say an ambulance was en route.[24] Both Officers Murphy and Pasqua recalled then watching McDonald take his final breaths.[25] It was "[m]aybe less than a minute before [McDonald] expired." Murphy OIG Tr. 14:15-16. At no time did any CPD officers attempt to provide aid or comfort McDonald—Murphy stated, "That's why I felt that I needed to go up to him." Murphy OIG Tr. 14:11-12.

After McDonald passed away, Murphy got up from beside him and noticed the shooting officer, who he now knows to be Van Dyke, "pacing back and forth in front of his car." Murphy OIG Tr. 15:7-8. Murphy approached him and told him to sit down and drink water. As he was speaking with Van Dyke, Murphy "heard several officers telling [Van Dyke] to call your union rep, call your union rep." Murphy OIG Tr. 15:16-17.

Murphy and Pasqua departed after approximately ten minutes on the scene when a CPD sergeant told them CPD did not need their assistance. At the time they left, there was "[a] sea of CPD" on scene. Murphy OIG Tr. 38:3; Pasqua OIG Tr. 25:7-8.

C. CPD's Reports Regarding the McDonald Investigation

1. Case Supplementary Report, "Sup ID" 10992767 CASR301[26]

On March 15, 2015, Detective March submitted a case supplementary report under RD #HX-475653 with "Sup ID" 10992767 CASR301 (the 301 CSR).[27] The report is titled as a "Field Investigation Exc. Cleared Closed (Other Exceptional) Report." It lists the original and last "Offense Classification" as "Assault/Aggravated Po: Knife/Cut Instr.," the "Date of Occurrence" as October 20, 2014, at 9:57 p.m., and the "Address of Occurrence" as 4112 S. Pulaski Rd. Further, it lists Van Dyke, Walsh, Gaffney, and McElligott as the victims, McDonald as the offender, March as the reporting officer and primary detective assigned, and Wojcik as the

[24] In a January 22, 2016 OIG interview, CPD Area North Commander Kevin Duffin stated CPD police officers have a duty to render aid to injured civilians per general orders. Police officers render aid by calling dispatch and requesting that an ambulance be dispatched to the scene. According to Duffin, police officers are not required or expected to provide any more assistance than this. On March 30, 2016, CPD issued General Order G03-06 which requires that the involved member(s) "request medical attention for the injured, and also offer immediate medical aid commensurate with their training, experience, and available equipment."

[25] The Medical Examiner's Case Report states McDonald was pronounced dead "on view" at Mount Sinai Medical Center on October 20, 2014, at 10:42 p.m. OIG 15-0564 015029.

[26] OIG 15-0564 003057-79.

[27] CPD reported its investigation of the events that culminated in the McDonald shooting under record number HX-475653, and classified most of the reports as an investigation into an aggravated assault in which McDonald was the offender. In a few reports, CPD classified the case as an investigation into a justifiable homicide of which McDonald was the victim. CPD also created an additional record number, HX-486155, which it classified as a justifiable homicide.

approving supervisor. It is signed as the "report of" March, Gallagher, and Wojcik of the Bureau of Detectives – Area Central. Wojcik approved the CSR on March 16, 2015.[28]

The CSR contains, among other information, summaries of the interviews March conducted of the officers who were present when Van Dyke shot McDonald, as well as summaries of the interviews CPD detectives conducted of civilian witnesses to the events of October 20, 2014.

a) Officer Statement Summaries

(1) Van Dyke

The 301 CSR includes summaries of the statements that Van Dyke provided to March on October 20, 2014, and October 21, 2014, respectively. The following is an excerpt of Van Dyke's October 20, 2014 statement:

> Officer Van Dyke exited the vehicle on the right side and drew his handgun. As Van Dyke stood in the street on Pulaski, facing northbound, toward McDonald, McDonald approached southbound. McDonald was holding the knife in his right hand, in an underhand grip, with the blade pointed forward. He was swinging the knife in an aggressive, exaggerated manner. Van Dyke ordered McDonald to "Drop the knife!" multiple times. McDonald ignored Van Dyke's verbal direction to drop the knife and continued to advance toward Van Dyke.
>
> When McDonald got to within 10 to 15 feet of Officer Van Dyke, McDonald looked toward Van Dyke. McDonald raised the knife across his chest and over his shoulder, pointing the knife at Van Dyke. Van Dyke believed McDonald was attacking Van Dyke with the knife, and attempting to kill Van Dyke. In defense of his life, Van Dyke backpedaled and fired his handgun at McDonald, to stop the attack. McDonald fell to the ground but continued to move and continued to grasp the knife, refusing to let go of it. Van Dyke continued to fire his weapon at McDonald as McDonald was on the ground, as McDonald appeared to be attempting to get up, all the while continuing to point the knife at Van Dyke. The slide on Van Dyke's pistol locked in the rearward position, indicating the weapon

[28] On March 16, 2015, hours after Wojcik approved the CSR, Lieutenant Osvaldo Valdez sent an email to Wojcik and Gallagher, copying Roy. OIG 15-0564 015738-41. The email was part of a chain of emails between Valdez and the FBI, and stated as follows:

> All[,] See attached spread sheet that was provided by the FBI. It is regarding L[aw]E[nforcement]O[fficer]'s killed or assaulted and injured in the line of duty in which offenders used a knife/other cutting instrument. After a quick review of the report there were a couple things that stood out. These are incidents where an officer is assaulted and injured or killed by an assailant with a knife between the years of 2004 – 2013. 1. Out [of] 382 incidents, there are 2 incidents that resulted in the officer being killed. Interesting to note would be to determine what the distance between the offenders and the officers were as the shots were fired that resulted in fatality. 2. There are only 32 incidents where assisting officer shot there [sic] weapon as well. This was a question that was brought up, 'why didn't the other officers shoot?' I will ask if I can get more details.

> was empty. Van Dyke performed a tactical reload of his pistol with a new magazine and then assessed the situation.
>
> McDonald was no longer moving and the threat had been mitigated, so Officer Van Dyke and Officer Walsh approached McDonald. McDonald was still holding the knife in his right hand. Van Dyke continued to order McDonald to "Drop the knife!" Officer Walsh told Van Dyke, "I have this." Van Dyke then used his handgun to cover Walsh as Walsh walked up and forcibly kicked the knife out of McDonald's right hand, thereby eliminating the threat to the officers.

The 301 CSR summarized Van Dyke's October 21, 2014 statement in relevant part as follows:

> [Van Dyke] related the same sequence of events as documented in his original interview at the scene of the incident.
>
> Van Dyke additionally articulated the reasoning behind his decision to use deadly force against the offender in this incident, Laquan McDonald. Van Dyke was aware of the radio transmissions from Officer Thomas Gaffney, on Beat 815R, that McDonald was armed with a knife. Van Dyke was aware that McDonald had attacked the officers on Beat 815R by slashing the tire of their police vehicle.
>
> As he confronted McDonald at 4112 South Pulaski Road, Van Dyke saw that McDonald was in fact, armed with a knife, a deadly weapon. Van Dyke was aware of the widely accepted teaching in law enforcement that an assailant armed with a knife was considered a deadly threat, if within 21 feet, because it was possible for such an assailant to close that distance and attack with the knife before a defensive shot could be fired from a handgun. Van Dyke was also aware of the existence of throwing knives, which can be thrown from a distance, as well as spring loaded knifes, which propel a blade through the air from the knife handle. Van Dyke also said he recalled a previously issued Chicago Police Department bulletin warning of a weapon which appeared to be a knife but which actually was capable of firing a bullet, making it a firearm.[29]

(2) Walsh

The following is an excerpt of Walsh's October 20, 2014 statement:

> As McDonald ran southbound on Pulaski Road, from the Burger King, Walsh pursued McDonald in the police vehicle. Walsh drove southbound in the northbound lanes to get ahead of McDonald, keeping the police vehicle between

[29] The CSR notes that a search was subsequently conducted for the bulletin Van Dyke referenced and that an "Officer Safety Alert number 2012-OSA0297," issued on December 4, 2012, was located. *See* OIG 15-0564 003074. March wrote that "[i]t was a warning regarding a 'revolver knife' which was capable of firing .22 caliber cartridges."

McDonald and a Dunkin' Donuts restaurant, on the east side of Pulaski. As their vehicle passed McDonald, Officer Van Dyke opened the right front door of their vehicle, to exit the truck and confront McDonald. Walsh, realizing that at this point they were too close to the armed McDonald to safely exit the vehicle, told Van Dyke to wait until they got further ahead of McDonald. Walsh drove further south on Pulaski. He stopped his vehicle south of McDonald and exited the driver's door as Van Dyke exited the right side of the vehicle. Walsh drew his handgun when he exited the vehicle.

Officer Walsh came around the rear of the police vehicle and joined Officer Van Dyke on the right side of the vehicle. Walsh also stood in the street on Pulaski, facing northbound, as McDonald walked southbound toward the officers. Walsh ordered McDonald to "Drop the knife!" multiple times as McDonald approached the officers.

Officer Walsh also backed up, attempting to maintain a safe distance between himself and McDonald. McDonald ignored the verbal direction given by both Walsh and Officer Van Dyke, and continued to advance toward the officers. When McDonald got to within 12 to 15 feet of the officers he swung the knife toward the officers in an aggressive manner. Van Dyke opened fire with his handgun and McDonald fell to the ground. Van Dyke continued firing his weapon at McDonald as McDonald continued moving on the ground, attempting to get up, while still armed with the knife.

When the gunfire stopped and McDonald was not moving anymore, Walsh approached McDonald with Van Dyke. Walsh continued to order McDonald to "Drop the knife!" multiple times, as McDonald was still holding the knife in his right hand. Walsh forcibly kicked the knife out of McDonald's hand and then notified the dispatcher on the police radio that shots had been fired by the police. An ambulance was also requested for McDonald.

As they waited for the ambulance to respond to the scene, Officer Walsh told McDonald to 'hang in there,' and that an ambulance was on the way.

Officer Walsh said he believed McDonald was attacking Walsh and Officer Van Dyke with the knife and attempting to kill them when the shots were fired. Walsh stated he did not fire his handgun because Van Dyke was in the line of fire between Walsh and McDonald. Walsh thought Van Dyke fired eight or nine shots total.[30]

[30] Detective March completed a GPR relating to his interview of Walsh that contains March's handwritten notes of the interview. OIG 15-0564 003242–43. March's handwritten notes of the interview do not differ in any significant way from the summary of Walsh's statement in the CSR.

(3) Fontaine

The 301 CSR summarizes Fontaine's October 20, 2014 statement in relevant part as follows:

> The two officers responded to the request for assistance made by Beat 815R, regarding a man with a knife at 41st Street and Pulaski Road. Officer Viramontes drove northbound on Pulaski. When they arrived at the scene of this incident, in front of the Dunkin' Donuts restaurant, Officer Fontaine saw a black male subject, now known as Laquan McDonald, walking southbound in the street, with a knife in his right hand. McDonald was walking sideways, with his body facing east, toward Officers Jason Van Dyke and Joseph Walsh. These two officers were standing in the middle of the street, on the right side of their police vehicle, which was facing southbound. Fontaine heard the officers repeatedly order McDonald to "Drop the knife!" McDonald ignored the verbal direction and instead, raised his right arm toward Officer Van Dyke, as if attacking Van Dyke. At this time Van Dyke fired multiple shots from his handgun, until McDonald fell to the ground and stopped moving his right arm and hand, which still grasped the knife. The gunshots were rapid fire, without pause. Officer Walsh then kicked the knife out of McDonald's hand.[31]

(4) Viramontes

The 301 CSR summarizes Viramontes's October 20, 2014 statement in relevant part as follows:

> [W]hen [Viramontes] exited his police vehicle, at the scene, he observed a black male subject, now known as Laquan McDonald, walking southbound on Pulaski Road, in the middle of the street, holding a knife in his right hand. Viramontes heard Officer Jason Van Dyke repeatedly order McDonald to "Drop the Knife!" McDonald ignored the verbal direction and turned toward Van Dyke and his partner, Officer Joseph Walsh. At this time Van Dyke fired multiple shots from his handgun. McDonald fell to the ground but continued to move, attempting to get back up, with the knife still in his hand. Van Dyke fired his weapon at McDonald continuously, until McDonald was no longer moving.[32]

(5) Sebastian

The 301 CSR summarizes Sebastian's October 20, 2014 statement in relevant part as follows:

---

[31] Detective March completed a GPR relating to his interview of Fontaine that contains March's handwritten notes of the interview. OIG 15-0564 003252. March's handwritten notes of the interview do not differ in any significant way from the summary of Fontaine's statement in the CSR.

[32] Detective March completed a GPR relating to his interview of Viramontes that contains March's handwritten notes of the interview. OIG 15-0564 003253. March's handwritten notes of the interview do not differ in any significant way from the summary of Viramontes's statement in the CSR.

> Officer Sebastian observed a black male subject, now known as Laquan McDonald, running southeast bound through the parking lot of the Burger King restaurant. Beat 845R pursued McDonald in their police vehicle, through the parking lot, toward Pulaski. Sebastian told Officer Mondragon to drive back out onto Pulaski to assist in the pursuit. McDonald ran out onto Pulaski and continued to run southbound down the middle of the street. Beat 845R pursued McDonald in their vehicle, southbound on Pulaski, followed by Beat 813R. As McDonald ran southbound on Pulaski, Sebastian saw the knife in his right hand. McDonald was waving the knife.
>
> Beat 845R stopped their vehicle ahead of McDonald, between McDonald and the Dunkin' Donuts restaurant on the east side of Pulaski. Officers Joseph Walsh and Jason Van Dyke exited their vehicle and drew their handguns. McDonald turned toward the two officers and continued to wave the knife. Sebastian heard the officers repeatedly order McDonald to "Drop the knife!" McDonald ignored the verbal directions and continued to advance on the officers, waving the knife. Officer Sebastian heard multiple gunshots and McDonald fell to the ground, where he continued to move. Sebastian did not know who fired the shots, which were fired in one continuous group. She then saw Officer Walsh kick the knife out of McDonald's hand.[33]

(6) Mondragon

The 301 CSR summarizes Mondragon's October 20, 2014 statement in relevant part as follows:

> [Mondragon] stated she was a Chicago Police Officer assigned to the 008th District. Mondragon related the same facts as her partner, Officer Daphne Sebastian.
>
> Officer Mondragon added that as she drove westbound on 40th Street, she saw Officer McElligott running eastbound through the Burger King parking lot. She made a U-Turn and drove back out onto Pulaski Road. Mondragon turned southbound onto Pulaski. She saw Laquan McDonald running southbound on Pulaski, in the middle of the street. As she got closer she could see McDonald was holding a knife in his right hand. He was waving the knife.
>
> Officer Mondragon saw Officers Joseph Walsh and Jason Van Dyke outside of their police vehicle. She heard the officers repeatedly ordering McDonald to "Drop the knife!" as McDonald got closer and closer to the officers, continuing to wave the knife. As she was placing her vehicle transmission into Park, Mondragon looked down and heard multiple, continuous gunshots, without pause.

[33] Detective March completed a GPR relating to his interview of Sebastian that contains March's handwritten notes of the interview. OIG 15-0564 003248. March's handwritten notes of the interview do not differ in any significant way from the summary of Sebastian's statement in the CSR.

> Mondragon then saw McDonald fall to the ground. Mondragon did not know who fired the shots.[34]

b) The 301 CSR Findings and Conclusions

The 301 CSR includes several findings and conclusions regarding the shooting. Specifically, it states that "[t]he recovered in-car camera video from Beats 845R and 813R was viewed and found to be consistent with the accounts of all of the witnesses." OIG 15-0564 003075. It further states:

> The above to-date investigation determined that Laquan McDonald was an active assailant who, while armed with a dangerous weapon, used force likely to cause death or serious injury to a private citizen when he attacked Rudy Barillas; threatened the imminent use of force likely to cause death or serious injury when he incised the tire and stabbed the windshield of a Chicago Police Department vehicle occupied by Officer Thomas Gaffney; and initiated imminent use of force likely to cause death or serious injury when he initiated an attack on Officers Jason Van Dyke and Joseph Walsh. The above investigation concluded that Officer Jason Van Dyke's use of deadly force, the discharging of his duty firearm, was within the bounds of the Chicago Police Department's use of force guidelines, and in conformity with local ordinances and state law.

OIG 15-0564 003078.

2. The 339 CSR's Narrative and Findings

On March 15, 2015, March submitted a second CSR with Sup ID 10988891 CSR339 (the 339 CSR).[35] The 339 CSR contains, among other information, an inventory of the evidence recovered and an identification of the personnel assigned to the case and the witnesses to the relevant events. Like the 301 CSR, the 339 CSR lists Van Dyke, Walsh, Gaffney, and McElligott as the victims, McDonald as the offender, March as the reporting officer and primary detective assigned, and Wojcik as the approving supervisor. It is signed as the "report of" March, Gallagher, and Wojcik of the Bureau of Detectives – Area Central. Wojcik approved the 339 CSR on March 16, 2015. The "Manner/Motive" section of the 339 CSR states as follows:

> Laquan McDonald was shot and killed by Chicago Police Officer Jason Van Dyke while McDonald was committing an aggravated assault with a knife against Officer Van Dyke and his partner, Chicago Police Officer Joseph Walsh. McDonald also committed an aggravated assault with a knife against Chicago Police Officers Thomas Gaffney and Joseph McElligott, when McDonald stabbed the right front tire and windshield of their police vehicle, and an aggravated

[34] Detective March completed a GPR relating to his interview of Mondragon that contains March's handwritten notes of the interview. OIG 15-0564 003249. March's handwritten notes of the interview do not differ in any significant way from the summary of Mondragon's statement in the CSR.

> assault with a knife against civilian, Rudy Barillas, immediately prior to being confronted by Officers Van Dyke and Walsh. / Peace officer interceding in a felony, in the line of duty-Defense of life (Offender apparently attempting to defeat arrest).[36]

The "Just Homicide Description" section of the 339 CSR states: "Criminal Killed By Police Officer."[37] The "Additional Just Homicide Descr." section of the 339 CSR states: "Criminal Attacked Officer That Officer Killed Criminal."

3. Major Incident Notification Detail[38]

On October 21, 2014, at 4:05 a.m., Gallagher completed a Major Incident Notification Detail (MIN) under RD #HX-475653 regarding the events of October 20, 2014. The MIN lists the "Crime/Incident" at issue as an aggravated assault on a police officer with a "Knife/Cut Instr." The MIN identifies Gaffney, Walsh, and Van Dyke as victims, and McDonald as the offender. The narrative portion of the MIN states as follows:

> Beat 815R responded to an OEMC call of a holding an offender [sic] who was breaking into trailers at 4100 S. Kildare. Beat 815R arrived on scene and spoke to the complainant who pointed to the offender who had fled on foot. Beat 815R pursued the offender in their marked vehicle to 4000 S. Karlov, at which time the offender who was acting irrational and was armed with a knife, punctured their front passenger tire, and then struck the windshield with his knife. Beat 815R requested a taser and additional units to respond and assist with the apprehension of the offender. Beat 845R responded to 4112 S. Pulaski and observed the offender still armed with a knife walking in traffic. Beat 845R exited their vehicle and ordered the offender to drop his knife. The offender refused all verbal commands and continued to approach the officers while still armed with his knife. Beat 845R fearing for his life discharged his weapon. The offender sustained numerous gun shot [sic] wounds and was transported to Mt. Sinai Hospital where he was subsequently pronounced at 2242 hours.

4. HX-486155 Case Incident Report[39]

On October 29, 2014, March submitted an Original Case Incident Report under RD #HX-486155, with the event number of 1430116812 and the "Case ID" of 9837884 CASR229. The report identifies March as the Reporting Officer and Detective/Investigator, and Gallagher as the

---

[35] OIG 15-0564 003034–56.

[36] OIG 15-0564 003047-48.

[37] OIG 15-0564 003036.

[38] OIG 15-0564 003009-10.

[39] OIG 15-0564 003299-300.

Approving Supervisor. The report classifies the incident as "Assault – Aggravated; Knife/Cutting Instr," and lists the "Occurrence Location" as 4101 S. Kildare Blvd. and the "Occurrence Date" as October 20, 2014, at 9:47 p.m. The report identifies Rudy Barillas as the victim, Gaffney, Van Dyke, and Walsh as additional victims, and McDonald as "Suspect # 1." The narrative section of the report states as follows:

> The offender in this incident, Laquan McDonald, committed an aggravated assault against the victim, Rudy Barillas, by attempting to cut Barillas with a knife. Barillas called 9-1-1. Chicago Police Officers Thomas Gaffney, Jason Van Dyke and Joseph Walsh responded to Barillas' call. McDonald committed aggravated assaults against the three officers, finally forcing Officer Van Dyke, in defense of his life, to shoot and kill McDonald. Details of this investigation are reported under the Homicide/Justifiable, recorded under Records Division number HX475653.

D. OIG's Interview of Valdez

On July 12, 2016, OIG investigators interviewed Valdez under oath after informing him of his administrative advisements orally and in writing. He provided oral and written acknowledgment of the reading of those advisements. The interview was transcribed by a certified court reporter. Valdez's attorneys, Laura Morask and Dean Morask, were also present for the interview. In summary, Valdez stated as follows regarding the meetings he attended with Roy concerning the McDonald investigation.

On or around November 1, 2015, Valdez attended a meeting with Roy, Deputy Chief David McNaughton, then Deputy Chief Eddie Johnson, and then Chief of Patrol Division Wayne Gulliford, to brief Gulliford regarding the McDonald shooting. Roy asked Valdez to attend the meeting. When asked about the purpose of the meeting, Valdez said "[t]hey wanted to review the video and understand that 16 shots was justified." Valdez OIG Tr. 94:13-14. Valdez said that "because of the number of shots that Officer Van Dyke shot on October 20th, there was, you know, news reports, all kinds of stuff that he – it was excessive . . . ." Valdez OIG Tr. 93:23-94:2.

McNaughton led the meeting, but Valdez did not remember exactly what he said. After they watched the video, Gulliford "said something about he has to go and brief the superintendent as to this is how Jason Van Dyke was trained." Valdez OIG Tr. 97:23-98:1. Everyone in the meeting agreed the shooting was justified and that Van Dyke "used the force necessary to eliminate the threat." Valdez OIG Tr. 99:8-9.

Valdez later spoke to Roy, Gallagher, and probably March regarding the meeting. When asked what he said to those individuals, Valdez responded: "I said that here is what happened, showed the video, everyone agreed that Jason Van Dyke used the force necessary to eliminate the threat and that was how Jason Van Dyke was trained and that Chief Gulliford was going to tell the superintendent that that was how Van Dyke was trained." Valdez OIG Tr. 101:22-102:5. Valdez added: "I said no one expressed any other concerns or contradictions to what has already been determined as far as the shooting." Valdez OIG Tr. 102:11-13.

On March 8, 2015, Roy asked Valdez to attend a meeting at Area Central with him, March, Gallagher, and Wojcik. During that meeting, Roy directed that March, Gallagher, and Wojcik finish the CSR and told them to be ready for a meeting the next day with Ralph Price, CPD's General Counsel, and Tom Platt from the City's Department of Law. Ultimately, only Roy and Valdez met with Price and Platt on March 9. They showed Price and Platt the 813R video, and, Valdez said, "it was very apparent that they were not concerned with the 'justification,' the details of the investigation." Valdez OIG Tr. 120:9-12. Valdez explained: "It was deemed a justified shooting but [sic] the detective, the sergeant, the lieutenant, the commander, and all the way up the chain of command, and it was, as I said, that meeting it was very apparent that it was not about determining whether the shooting was justified. It was determining how the video would jeopardize anything." Valdez OIG Tr. 123:19-124:2.

Valdez and Roy subsequently related to March, Gallagher, and Wojcik what happened at the meeting. They "told them that it appears that this meeting was about how the video would be perceived if released, and I think I might have said they weren't concerned with whether it was justified or not." Valdez OIG Tr. 129:20-24.

E. OIG's Interview of Gallagher

On June 8, 2016, OIG investigators interviewed Gallagher under oath after informing him of his administrative advisements orally and in writing. He provided oral and written acknowledgment of the reading of those advisements. The interview was transcribed by a certified court reporter. Gallagher's attorney, Thomas Needham, was also present for the interview. In summary, Gallagher stated as follows regarding Roy's participation in CPD's investigation of the events of October 20, 2014.

On October 20, 2014, Gallagher had in-person communications with Roy while at the scene of the shooting. Among other information, Gallagher relayed to Roy the narratives that the witness officers provided to CPD. Roy was also present at Area Central later that evening, but Gallagher did not recall any specific conversations with him.

Within two or three days of the shooting, Roy requested that Detective Richard Hagen "compile a compilation of all the video that was collected" of the incident, and then Roy made a presentation at an executive management meeting. Gallagher OIG Tr. 113:14-15. After the meeting, Roy told Gallagher that the meeting participants saw the video of the shooting, and "there were no issues with it." Gallagher OIG Tr. 114:7.

During the course of the investigation, Gallagher continued to have communications with Roy regarding the investigation, "if something new came up." Gallagher OIG Tr. 119:13.

Approximately one month after Van Dyke was stripped of his police powers, Gallagher and others started hearing that "officers were getting called down to the grand jury at 26th Street."[40]

[40] Van Dyke was relieved of his police powers on October 29, 2014.

Gallagher OIG Tr. 98:2-3. At that point, the investigation was put on hold while the investigative team waited for an explanation as to what was taking place at 26th Street.

Then, in early March 2015 while the investigation was still on hold, Gallagher was told that the City's Department of Law was having a meeting regarding the case and that they wanted to meet with the investigative team. Roy requested a meeting, and Wojcik, Valdez, March, Gallagher, Hagen, and Roy met at Area Central to "go over the facts of the case." Gallagher OIG Tr. 99:1. Gallagher said that "everyone just related what they knew about the investigation." Gallagher OIG Tr. 121:1-2

The next day Roy and Valdez met with two attorneys from the Department of Law regarding the case. Following that meeting, Roy ordered Wojcik to complete the reports relating to CPD's October 20, 2014 encounter with McDonald. Aside from that order, Gallagher did not recall Roy giving any specific directives regarding the investigation.

F. OIG's Interview of March

On April 26, April 27, and July 25 of 2016, OIG investigators interviewed March under oath after informing him of his administrative advisements orally and in writing. He provided oral and written acknowledgment of the reading of those advisements. The interview was transcribed by a certified court reporter. March's attorney, James McKay, was present for the interview. In summary, March stated as follows regarding Roy's participation in CPD's investigation of the events of October 20, 2014.

On October 20, 2014, Roy responded to the scene following the McDonald shooting, but March did not have much contact with him. March believed Roy "was briefed on everything from other supervisory personnel at the scene." March 4/26/16 Tr. 82:8-9.

During the course of CPD's investigation, March had "multiple face-to-face conversations" with Roy regarding the investigation. March 4/26/16 OIG Tr. 257:6-7. March explained: "Most of the time it was him coming to me because maybe he had been asked a question from higher up the chain of command or an issue came to the Department so they were trying to get more background information. So he would come to me with maybe a specific question about something, and then we would talk at length about the other aspects of the investigation." March 4/26/16 OIG Tr. 257:11-19. According to March, there were also multiple meetings involving March and some combination of the following individuals: Hagen, Gallagher, Wojcik, Valdez, and Roy. March stated that "[a]t some of those meetings, we actually played the video again and reviewed to get, you know, everyone's – weigh in with their opinion. And everyone was in agreement with the investigation and the conclusions reached as documented" in the reports. March 4/27/16 OIG Tr. 72:8-13.

In January 2015, March and Wojcik learned that the Cook County State's Attorney's Office and the FBI were sending subpoenas to police officers with involvement in the McDonald shooting. As a result, Wojcik told March to "hold off on doing anything" until they got some answers from

their chain of command regarding the additional investigation. March 4/26/16 OIG Tr. 251:19. The investigation was put on hold from the beginning of January to the beginning of March.

In March, around the time the City was negotiating a settlement with McDonald's family, Roy ordered that the investigative reports be completed right away. Roy gave that order to Wojcik and Wojcik communicated it to March. March believed that directive was prompted by the legal settlement.

Upon receiving the order, March created the original draft of the 301 CSR, and then Gallagher and Wojcik reviewed it. Wojcik, Gallagher, and March also had in-person meetings regarding the findings in the 301 CSR. All three were in agreement that the witness accounts were consistent with the videos of the shooting. No one other than Wojcik, Gallagher, or March reviewed the 301 CSR prior to Wojcik's final approval.

When asked whether anyone else was involved in reaching the conclusions contained in the CSR findings, March responded: "Valdez and Roy both personally told us that they agreed with our conclusions, and they told us that, based on the two different briefings that they each conducted at executive management meetings, as far as they were aware, every – as far as they were aware, everyone in the command staff was in agreement." March 4/26/16 OIG Tr. 263:13-19. March's understanding was that "they were all agreeing with the one basic conclusion . . . that the video was consistent with what all the officers were saying, and that the use of force, the way the incident – the actions of the officers were all appropriate." March 4/27/16 OIG Tr. 75:15-20.

In March 2015, March had "personal contact with Roy and Valdez, and both of them continued to indicate that they were in agreement with everything that the investigation concluded and that they were not aware of anyone in the Department expressing any opinions otherwise." March 4/26/16 OIG Tr. 265:15-20.

When asked how Roy and Valdez knew what the investigative team's findings were, March noted that "they were both present at the scene right from the beginning" and that "information flowed up the chain of command." March 4/27/16 OIG Tr. 73:7-8, 15-16. March explained: "[W]e would communicate what we had learned, whether it be from the witness statements, the evidence, this, that, the other, and people obviously would express their opinion." March 4/27/16 OIG Tr. 73:22-74:2. March later added: "During the entire investigation of this incident, I had multiple consultations with my immediate supervisors, including Sergeant Daniel Gallagher, Lieutenant Anthony Wojcik, Lieutenant Osvaldo Valdez, and [C]ommander Eugene Roy. During all of these consultations, I was repeatedly told that my interpretation and understanding of the events in this incident, as well as my conclusions, were accurate and correct." March 4/27/16 OIG Tr. 181:24-182:9. With respect to March's chain of command, March stated: "it's a reasonable expectation that they should have been aware of what was going on in this investigation." March 4/27/16 OIG Tr. 205:4-7.

G. OIG's Interview of McNaughton

On May 25, 2016, OIG investigators interviewed McNaughton under oath after informing him of his administrative advisements orally and in writing. He provided oral and written acknowledgement of the reading of those advisements. The interview was transcribed by a certified court reporter. McNaughton's attorney, Thomas Pleines, was also present for the interview. In summary, McNaughton stated as follows regarding Roy's participation in post-shooting briefings.

On October 22, 2014, McNaughton presented a summation of the October 20, 2014 events for command staff, including Superintendent Garry McCarthy. McNaughton explained that after an officer-involved shooting, it is the responsibility of the On-Call Incident Commander (OCIC) to brief the Superintendent and other command staff in a post-shooting briefing. The briefings are usually held in conjunction with executive management meetings. Roy was also present, and McNaughton and Roy walked the command staff through "the entire investigation that we knew at that time," which included the 813R and Greater Food Depository videos. McNaughton OIG Tr. 165:23-24.

When asked what the group's response was to their presentation, McNaughton responded: "Definitely a concern, you know, with the amount of shots that were being fired. They looked – the superintendent, I think, asked some questions about the officer's background and then some general questions about the investigation with Chief Roy or and then Commander Roy, but I can't remember exactly the content of who said what, where, when, all those type of things." McNaughton OIG Tr. 171:4-12.

H. OIG's Interview of Roy

On May 23, 2016, pursuant to CPD General Order 08-01, OIG, through CPD's Bureau of Internal Affairs (BIA), served Roy with a Notification of Interview and a Notification of Allegations.

On July 6 and 7, 2016, OIG investigators interviewed Roy under oath after informing him of his administrative advisements orally and in writing. He provided oral and written acknowledgment of the reading of those advisements. The interview was transcribed by a certified court reporter. Roy's attorneys, Laura Morask and Dean Morask, were also present for the interview. In summary, Roy stated as follows.

As of the dates of his OIG interview, Roy was assigned as Chief of CPD's Bureau of Detectives. On October 20, 2014, he was Commander of the Area Central Detective Division and reported to Deputy Chief Anthony Riccio and Chief John Escalante. In his role as Commander, Roy was "responsible for the management, oversight, and operations of the Area Central Detective Division." Roy 7/6/2016 OIG Tr. 39:2-4. His responsibilities with respect to a police shooting were to "[r]espond to the scene and ensure an investigation was conducted, provide support to the on-call Incident Commander, make sure that the investigation – any questions, any issues he had were investigated." Roy 7/6/2016 OIG Tr. 39:14-18.

During his time as Commander of Area Central's Detective Division, Roy responded to approximately 15 to 25 police-involved shootings. During his entire tenure at CPD, Roy had never been involved in a police-involved shooting, which had been determined to not be justified. Roy 7/7/2016 OIG Tr. 132:20-133:12.

1. The Scene of the Shooting

On October 20, 2014, Roy received a phone call from the Area Central homicide desk, notifying him that there had been a police-involved shooting at 40th and Pulaski. Roy responded to the scene, arriving at around 11:00 p.m. According to Roy, he was responsible for "making sure that the crime scene is being – it's been secured, it's being processed, making sure that IPRA has been notified, making sure – you know, checking on the status where are we at, did we get any additional video, do we have any video that's relevant, so forth and so on, ensuring that a technician has been requested to come out and download the in-car camera video from the squad cards that were involved in the incident." Roy 7/6/2016 OIG Tr. 56:5-14.

McDonald was no longer at the scene when Roy arrived. Roy spoke first with Gallagher, who told him, in relevant part, that:

> [O]fficers had responded to a call of an attempted burglary in a trailer yard. A citizen had been confronted by an individual with a knife – swinging a knife . . . .
>
> [McDonald] cut the tire on a squad car with the knife he was armed with. He also attempted to stab an officer who was a passenger in that car by striking the windshield or attempting to stab him through the windshield of the vehicle.
>
> He then proceeded southbound, and at some point Officer Van Dyke arrived. Efforts to get McDonald to drop the knife, to stop were unsuccessful, and McDonald was shot as he was advancing towards Officer Van Dyke.

Roy 7/6/2016 OIG Tr. 51:10-13, 51:22-52:8. Roy then spoke with the OCIC, McNaughton, to make sure the scene was "being processed appropriately." Roy 7/6/2016 OIG Tr. 53:21-22. Roy added: "[T]his is Deputy Chief McNaughton's investigation as to the use of deadly force. My role is to interface with him to make sure that the resources of the Area Central Detective Division are available and are doing the investigative steps that he wants done so that he can review the entire circumstances surrounding the use of deadly force." Roy 7/6/2016 OIG Tr. 56:20-57:3.

Thereafter, Roy spoke with "the various sergeants and detectives that are working there, you know, ensuring that things are being done, you know." Roy 7/6/2016 OIG Tr. 56:1-4. Roy said he spoke with March and Wojcik at the scene, but could not recall the specifics of those conversations. Roy did not speak with any of the officers who had been involved in or witnessed the shooting.

When asked whether he expressed an opinion while at the scene as to whether Van Dyke's shooting was justified, Roy responded: "You know, you're dealing with a dynamic situation. Information is flowing in rapidly. It's a very dynamic situation. Again, it just would have been premature. You know, am I saying that I didn't say that? No. I'm just saying, again, due to the passage of time, I don't recall any specific conversations with anybody to that effect." Roy 7/6/2016 OIG Tr. 64:17-24.

Roy believed he retraced McDonald's route "from the truckyard where the original incident occurred" while in his department vehicle, but could not recall if anyone was with him. Roy 7/6/2016 OIG Tr. 60:2-3.

2. Area Central

Sometime after 1:00 a.m. on October 21, 2014, Roy left the scene of the shooting and drove to Area Central. When he arrived there, he "checked with Sergeant Gallagher to see about the progress of the case." Roy 7/6/2016 OIG Tr. 91:19-20. Gallagher told Roy that three civilian witnesses had been transported to Area Central from the scene of the shooting to be interviewed and that detectives were examining the smartphone of one of those witnesses. Detectives Thomas Curran and Pete Torres, who interviewed the civilian witnesses, subsequently briefed Roy as to "the substance" of those interviews. Roy 7/6/2016 OIG Tr. 109:14. The detectives also told Roy that the civilian witnesses were "becoming hostile. They didn't want to stay. They didn't want to remain any longer. At that point I said, 'Take them back to the scene.'" Roy 7/6/2016 OIG Tr. 95:13-16. Roy did not personally participate in the interviews of any witnesses at Area Central.

Roy saw video of the shooting while he was at Area Central; he was in an office on the second floor, and McNaughton and Gallagher were probably present as well. Roy saw both the 813R video of the shooting and the Dunkin' Donuts security video "a number of times" while he was at Area Central that night. Roy 7/6/2016 OIG Tr. 116:13.

3. Post-Shooting Briefings

On October 22, 2014, Roy attended a meeting at which McNaughton briefed then-Superintendent Garry McCarthy on the "facts and circumstances surrounding the shooting." Roy 7/6/2016 OIG Tr. 126:14-15. It was typical to have this sort of briefing after a police-involved shooting. During McNaughton's presentation, he showed the 813R video of the shooting.

McCarthy raised concerns "about the number of shots that had been fired." Roy 7/6/2016 OIG Tr. 131:21-22. Roy did not have any concerns about the number of shots Van Dyke fired. Roy was not aware of any subsequent briefings on the McDonald shooting in which McCarthy was involved.

On or about October 31, 2014, Roy participated in a briefing on the McDonald shooting for Chief Wayne Gulliford, CPD's then-Chief of Patrol. The meeting took place at McNaughton's suggestion, and was intended to provide Gulliford information on the shooting because he had

not been present at the October 22, 2014 meeting.[41] McNaughton took the lead, and used a disk provided by Roy to show the 813R dashcam video.

After the October 22, 2014 shooting briefing, Roy told a group, which likely included March, Gallagher, and Wojcik, that "McNaughton briefed the Superintendent, and there were no questions regarding the appropriate use of deadly force." Roy 7/6/2016 OIG Tr. 140:8-10. According to Roy, that conversation took place in November after Van Dyke was stripped of his police powers. When asked whether he considered McCarthy's concern regarding the number of shots Van Dyke fired to be raising a question as to the appropriateness of Van Dyke's use of force, Roy responded: "That would call for me to speculate what was on Superintendent McCarthy's mind, and I can't do that." Roy 7/6/2016 OIG Tr. 141:15-17. Roy later added that he told March, Gallagher, and Wojcik in that conversation that he agreed that Van Dyke's shooting of McDonald was lawful.

Roy further recalled that during that conversation March "was concerned that there appeared to be a disconnect between the fact that Officer Van Dyke had been stripped and, you know, the feedback that I had provided regarding the shooting briefing." Roy 7/6/2016 OIG Tr. 144:19-22. In response to March's concerns, Roy said that he would "look into it." Roy 7/6/2016 OIG Tr. 145:24. Roy made some inquiries and learned that a number of officers had been interviewed by the Cook County State's Attorney's Office and the FBI, and that IPRA was investigating the incident.[42]

4. The Suspension and Subsequent Completion of CPD's Investigation

In November 2014, Roy "told Wojcik, March, and Gallagher to stand down, that IPRA had the lead on the investigation and I didn't want them doing anything." Roy 7/6/2016 OIG Tr. 159:6-8. Roy explained that "the investigative responsibility for the use of deadly force, in this case by Officer Van Dyke, is reserved for IPRA." Roy 7/6/2016 OIG Tr. 102:22-24. However, Roy, when asked to provide his reasons for suspending the investigation, later stated: "Well, first of all, I'd like to note that at that point everything was pretty much done. We were just in the process of waiting for the formal protocol to come back from the Medical Examiner's Office along with lab tests – the results of lab tests done on Laquan McDonald. All investigative avenues that I was aware of at the time had been exhausted." Roy 7/6/2016 OIG Tr. 170:9-16. Roy denied that CPD was engaging in any investigative activities to determine whether Officer Van Dyke's shooting was justified, and said that such activities are "reserved for IPRA. That falls under IPRA's area of investigative authority and responsibility." Roy 7/6/2016 OIG Tr.

[41] On October 30, 2014, McNaughton sent Roy an email stating in relevant part as follows: "Gene, [w]hen you have a minute can you give me a call. I am in the office all day today. I'd like to see if we can give Chief Gulliford a run through of the Van Dyke shooting in 008 with the disc you have with the video. I am thinking since we will be down at 35th Street tomorrow for the briefing on the 9th District shooting we could go to Gulliford's office either before or after the 1400 Hour EMM and briefing." Roy responded that same day: "I have the disk and will bring it. I will call you in about 15 min and we can discuss those items." OIG 15-0564 01598-99.

[42] Roy was himself interviewed by the FBI; he did not recall the date of the interview, but said that it occurred "approximately" in 2015. Roy 7/7/2016 OIG Tr. 121:19.

105:6-8. Roy acknowledged that he first became aware of IPRA's investigation on the night of the shooting. According to Roy, CPD did not take any investigative action with respect to the McDonald investigation from December 2014 through February 2015.

In March of 2015, Roy received a "request from our general counsel that the City corporation counsel wants the reports and wants to see the video" relating to the McDonald shooting. Roy 7/6/2016 OIG Tr. 182:6-8. Roy also learned that the City's corporation counsel wanted a briefing on the case, and told March, Gallagher, and Wojcik that they needed to finish the investigative reports. Roy, along with Valdez, met with CPD general counsel and representatives from the City's Department of Law. Either Roy or Valdez gave a presentation on the McDonald shooting, and showed some video of the shooting.

5. Roy's Supervision of CPD's Investigation

During the course of CPD's investigation, Wojcik, Gallagher, and March were under Roy's general supervision. Wojcik gave Roy updates "[w]henever something came up that merited attention." Roy 7/6/2016 OIG Tr. 163:1-2. Roy said that March may have given him updates as well, but that he generally received his information regarding the case from Wojcik or Gallagher. During the investigation, Roy provided updates to Riccio and Escalante. He did not provide updates to McCarthy. He also had some conversations with Valdez about the investigation.

When asked whether as area commander he was "ultimately responsible for ensuring the McDonald investigation was conducted in accordance with CPD rules and regulations," Roy responded: "Yes." Roy 7/7/2016 OIG Tr. 106:12-16.[43]

6. The 301 CSR

Roy believed that March drafted the 301 CSR and submitted it to Wojcik and Gallagher for comments. Roy did not play a role in the drafting of the CSR. Roy initially stated he did not discuss the findings contained in the 301 CSR with March, Gallagher, and Wojcik prior to Wojcik's approval. He later said that he "related to [March, Gallagher, and Wojcik] that there were no problems from the command structure of the police department with the shooting. If you want to take that as participating in the decision-making process, I don't know that it is. Did I sit down with the three of them and convene a meeting to review it? No." Roy 7/7/2016 OIG Tr. 51:8-15.

Roy first saw the 301 CSR on March 17, 2015. Roy was given the report so that he could provide it to CPD's general counsel. Roy did not recall who provided him the report. Roy reviewed the 301 CSR pursuant to BDSO 14-17. Roy interpreted his duties under that order to be limited to an obligation to "[m]ake sure that there are no reports missing from a file, that everything that needs to be included in the file is included. . . . I'm looking at the checklist to make sure all the case and supplementary reports are in, the crime lab and the E[vidence]

[43] March, in his April 26, 2016 interview stated that "[t]he follow-up investigation, [Roy] being the area commander was ultimately his responsibility." March 4/26/16 OIG Tr. 82:3-5.

T[echnician] reports, T[actical]R[esponse]R[eport]s and the I[njured]O[n]D[uty] reports, and other pertinent reports, photographs, copies of videos are included there." Roy 7/6/2016 OIG Tr. 200:7-16. Roy acknowledged, however, that if, during the course of such a review, he encountered a "demonstrably false statement" in a report, that "would call for initiation of a C[omplaint] R[egister] number and notification of the State's Attorney's Office if it was a pending criminal prosecution." Roy 7/6/2016 OIG Tr. 202:2-5. When asked whether he saw any reports or material in the investigative file on the McDonald case that caused him concern, Roy said, "No." Roy 7/6/2016 OIG Tr. 202:18-21.

OIG investigators presented Roy with the allegation that he reviewed and approved the 301 CSR even though it falsely stated that the dashcam video footage of the incident was consistent with the accounts of all of the witnesses to the shooting. He called this allegation "[a]bsolutely false," and stated that he "had no role in the review or approval of reports prior to their submission in the system." Roy 7/6/2016 OIG Tr. 210:14-21. OIG investigators then presented Roy with certain statements in the CSR attributed to Van Dyke, Walsh, Fontaine, and Viramontes regarding McDonald's actions immediately before and after the shooting, and asked him to evaluate whether those statements were consistent with the video footage. Roy said that the statements were either consistent or "not inconsistent" with the video evidence. Roy 7/7/2016 OIG Tr. 8:15. More specifically, upon being shown the 813R video, Roy stated that McDonald made five aggressive swings of his knife after Van Dyke and Walsh arrived on the scene.[44] Roy also said that the video showed McDonald attempting to get up after he was shot.

OIG investigators presented Roy with the allegation that he reviewed and approved the 301 CSR even though it falsely stated that McDonald initiated an attack upon Van Dyke and Walsh. He responded that the allegation was false because he "reviewed a report that had already been submitted by Detective March and approved by Lieutenant Wojcik." Roy 7/7/2016 OIG Tr. 50:5-8. Roy further stated that he "believe[d] that the video, the entire circumstances substantiate the language in this allegation, that, '[McDonald] initiated an attack on Officer Jason Van Dyke and Joseph Walsh.'" Roy 7/7/2016 OIG Tr. 50:9-12. Roy did not have any conversations with March, Gallagher, or Wojcik in which he expressed disagreement with the conclusion that the 813R and 845R videos were consistent with the witness accounts or that Van Dyke's use of force was lawful.

When asked whether it was proper for the 301 CSR to include findings regarding Officer Van Dyke's use of force and whether that use was in compliance with state law, Roy answered, "Detective March, in his Supplementary Report, was merely reflecting a decision that had been made by the on-call incident commander, Deputy Chief McNaughton, and he spelled out the reasons." Roy 7/7/2016 OIG Tr. 44:20-24. According to Roy, the final decision on the appropriateness of Van Dyke's use of force was McNaughton's to make. Roy believed that the findings and conclusions included in the 301 CSR were consistent with an aggravated assault investigation, and he had no concerns that those findings and conclusions exceeded the scope of an aggravated assault investigation.

[44] Upon watching the 813R dashcam video, Roy identified frames in the footage which he believed showed these swings. *See* Roy 7/7/2016 OIG Tr. 9-17.

7. The 339 CSR

Roy reviewed the 339 CSR pursuant to his BDSO 14-17 review of the investigative file. He did not see the CSR prior to its being approved. Roy did not have any communications with March, Gallagher, or Wojcik regarding the report's description of the homicide as "criminal attacked officer, that officer attacked criminal" and said that that description is "consistent with all the evidence we've seen." Roy 7/7/2016 OIG Tr. 64:14-16. With respect to the 339 CSR's "manner/motive" section, Roy stated that "[t]he statement that McDonald was shot and killed by Van Dyke while McDonald was committing an aggravated assault with a knife against Officers Van Dyke and Walsh is consistent with the investigation." Roy 7/7/2016 OIG Tr. 66:15-19.

8. The HX-475653 Major Incident Notification Detail

Roy described the HX-475653 MIN as "an automated computer-based entry of information regarding a major incident into the Department's recordkeeping system" and identified its purpose as to "provide members of the command staff with a synopsis of major incidents that have occurred in the city. Roy 7/7/2016 OIG Tr. 81:21-24, 82:2-4. Roy first saw the MIN within a "relatively short time after the shooting." Roy 7/7/2016 OIG Tr. 83:4-5. According to Roy, McNaughton reviewed and approved the MIN. When asked whether the statement contained in the MIN, that McDonald continued to approach Van Dyke and Walsh and that Van Dyke discharged his weapon in fear for his life, was accurate, Roy answered, "I think that that statement is consistent with the evidence uncovered in the investigation." Roy 7/7/2016 OIG Tr. 87:6-8.

9. The HX-486155 Case Incident Report

Roy reviewed the HX-486155 Case Incident Report pursuant to his BDSO 14-17 review of the investigative file. March prepared the report, and submitted it to Gallagher, who approved it. When presented with the allegation that that report falsely stated that "McDonald committed aggravated assaults against Officers Gaffney, Van Dyke, and Walsh, and forced Van Dyke 'in defense of his life to shoot and kill McDonald,'" Roy answered, "False." Roy 7/7/2016 OIG Tr. 77:24-78:6. He went on to state that "the investigation reveals that [McDonald] did commit aggravated assaults against the three officers." Roy 7/7/2016 OIG Tr. 78:16-18. When asked whether it was accurate to say that McDonald "forced" Van Dyke to shoot and kill McDonald, Roy answered, "That is consistent with the evidence gathered during the course of the investigation." Roy 7/7/2016 OIG Tr. 78:22-23.

10. Roy's Assessment of the Accuracy of the McDonald Investigative Reports

When Roy was asked whether, as Area Commander, he was ultimately the person who was responsible for ensuring the accuracy of the CSRs in an investigative file, he answered, "Yes." Roy 7/6/2016 OIG Tr. 204:3-6. Roy considered the 301 CSR, the 339 CSR, the Original Case Incident Report, and the MIN to each be truthful, complete, and objective. Roy did not believe any portion of those reports was untruthful.

V. ANALYSIS

OIG's investigation established that Roy, who had formal supervisory responsibility for CPD's investigation related to the McDonald shooting, failed to ensure that his subordinates produced truthful and objective reports regarding that investigation. Roy, upon conducting his mandated review of those reports, failed to hold his subordinates accountable for their materially false statements. Both immediately after the shooting and on an ongoing basis as the investigation unfolded, Roy had substantive knowledge about the events of October 20, 2014 and the progress of the investigation. Nevertheless, he let stand reports that contained materially false statements and put forth a false narrative which served to exaggerate the threat McDonald posed at the time of the shooting. By his own account, Roy was ultimately responsible for ensuring both that CPD conducted the McDonald investigation in accord with CPD Rules and Regulations, and that his subordinates produced accurate investigatory reports. Roy did not fulfill either of those responsibilities.

Roy's actions, individually and collectively, violated CPD Rules. Roy's failure to ensure that the investigative team under his supervision produced truthful, complete, and objective reports constituted a violation of Rule 2 (engaging in any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department), Rule 3 (failing to promote the Department's efforts to implement its policy and accomplish its goals), Rule 6 (disobedience of an order or directive), and Rule 11 (incompetency or inefficiency in the performance of duty). Similarly, Roy's failure to take any corrective action following his review of the investigatory file and the reports contained therein also violated Rules 2, 3, 6, and 11.

A supervisory member who has failed to prevent the issuance of materially false official reports has irrevocably tainted not only his credibility, but also the credibility of CPD, and has further failed to promote CPD's goal of employing officers with personal integrity and professional devotion to law enforcement. Accordingly, OIG recommends that CPD discharge Roy.

A. Materially False Reports Issued Under Roy's Supervision

Roy had formal supervisory authority over the team that conducted the McDonald investigation. Under Roy's supervision, that team produced a series of reports, including the 301 CSR, the MIN, and the HX-486155 Case Incident Report, that contained materially false statements.

First, the 301 CSR falsely stated that (1) the "recovered in-car camera video from Beats 845R and 813R was viewed and found to be consistent with the accounts of all of the witnesses"; and (2) "McDonald initiated the imminent use of force likely to cause death or serious injury when he initiated an attack on Officers Jason Van Dyke and Joseph Walsh."

Contrary to the conclusion reached in the 301 CSR, and to Roy's testimony, the dashcam videos of the McDonald shooting are not consistent with the accounts attributed to witnesses. The 301 CSR contains the following statements attributed to witnesses:

- Van Dyke: "When McDonald got to within 10 to 15 feet of Officer Van Dyke, McDonald looked toward Van Dyke. McDonald raised the knife across his chest and over his shoulder, pointing the knife at Van Dyke." OIG 15-0564 003065-66.

- Van Dyke: "In defense of his life, Van Dyke backpedaled and fired his handgun at McDonald to stop the attack." OIG 15-0564 003066.

- Van Dyke: "Van Dyke continued to fire his weapon at McDonald as McDonald was on the ground, as McDonald appeared to be attempting to get up, all while continuing to point the knife at Van Dyke." OIG 15-0564 003066.

- Walsh: "Walsh ordered McDonald to 'Drop the knife!' multiple times as McDonald approached the officers." OIG 15-0564 003067.

- Walsh: "Walsh also backed up, attempting to maintain a safe distance between himself and McDonald." OIG 15-0564 003067.

- Walsh: "McDonald ignored the verbal direction given by both Walsh and Officer Van Dyke and continued to advance toward the officers." OIG 15-0564 003067.

- Walsh: "When McDonald got to within 12 to 15 feet of the officers he swung the knife toward the officers in an aggressive manner." OIG 15-0564 003067.

- Fontaine: "McDonald ignored the verbal direction and instead, raised his right arm toward Officer Van Dyke, as if attacking Van Dyke." OIG 15-0564 003071.

- Viramontes: "McDonald fell to the ground but continued to move, attempting to get back up, with the knife still in his hand." OIG 15-0564 003071.

Each of these statements is refuted by the dashcam video footage of the shooting. The video footage of the shooting shows that, before Van Dyke shot McDonald, McDonald was walking in a southwest direction, away from Van Dyke and Walsh, and that it was in fact Walsh and Van Dyke who were moving toward McDonald. The 813R video further establishes that McDonald did not raise the knife he was holding over his shoulder, did not raise his arm toward Van Dyke as if attacking Van Dyke,[45] and did not swing the knife toward Van Dyke and Walsh in an "aggressive" manner. In addition, the videos demonstrate that Van Dyke and Walsh never backpedaled prior to the shooting, but rather either moved towards McDonald or stayed still. Finally, the video makes clear that, upon being shot and falling to the street, McDonald never attempted to get up. The video shows that McDonald, once on the ground, did not move his legs or lower body. McDonald's upper body made small, intermittent movements as what appear to be puffs of smoke rose from his body, but those small movements are demonstrably not

[45] In the March 16, 2016 CSR, this statement is attributed to Officer Fontaine. In her OIG interview, Officer Fontaine denied making this statement, and she herself declined to stand by it as accurate. Fontaine 3/16/2016 OIG Tr. 34:23-35:1; 116:18.

suggestive of a person trying to get up or get to his feet. Thus, the 301 CSR's conclusion that the video evidence is consistent with the witness accounts is a materially false statement.

The 301 CSR's finding that McDonald "initiated the imminent use of force likely to cause death or serious injury when he initiated an attack on Officers Jason Van Dyke and Joseph Walsh," is similarly belied by the video evidence. As summarized, *supra*, the video footage shows McDonald moving away from Van Dyke and Walsh, and does not show him making any movement toward them which could appropriately be characterized as "initiat[ing] an attack."[46] Notably, during the entire period of time for which Van Dyke and Walsh were outside of their car, McDonald was moving away from them. Accordingly, that finding is also materially false.

Second, the MIN produced by Gallagher also contained materially false statements. According to the MIN's narrative, McDonald "refused all verbal commands and continued to approach the officers while still armed with his knife." OIG 15-0564 003010. As described above, though, video footage of the moments leading up to the shooting make clear that McDonald was not "approaching" Van Dyke and Walsh; rather, McDonald was walking away from the officers as they moved toward him.

Finally, the HX-486155 Case Incident Report, also produced under Roy's command, contained the statement that "McDonald committed aggravated assaults against the three officers, finally forcing Officer Van Dyke, in defense of his life, to shoot and kill McDonald." OIG 15-0564 003300. As set forth above, the objective evidence belies the factual assertion that McDonald "forc[ed]" Van Dyke to shoot him. To the extent that March was making a legal conclusion regarding Van Dyke's use of force, pursuant to the BDSOs, such a conclusion was not procedurally appropriate. *See*, *e.g.*, BDSO 15-22 (prohibiting detectives from stating that the use of deadly force was justified).[47]

In his OIG interview, Roy affirmed his belief that the above-described reports are truthful and accurate, but disavowed responsibility for the decision-making which produced the findings and conclusions contained in those reports. However, BDSO 14-13 required him to ensure the comprehensive and accurate documentation of the investigation, which he failed to do. From the earliest stages of the investigation, Roy was aware of the false narrative ultimately put forth by his subordinates, but abdicated his responsibility to prevent its memorialization. Specifically, Roy was briefed on the scene as to officers' statements, viewed video of the shooting within hours of its occurrence, and read Gallagher's MIN within days of its completion. He received

[46] For similar reasons, the statement in the 339 CSR that "Criminal Attacked Officer That Officer Killed Criminal," is also a false statement.

[47] Contrary to the requirements of BDSO 15-22, the details of the investigation related to the McDonald shooting were reported under the RD number classified as an aggravated assault (HX-475653), rather than the RD number classified as a justifiable homicide (HX-486155). Further, Roy's conflicting comments on whether IPRA, or CPD's OCIC McNaughton, was responsible for determining whether Van Dyke's shooting of McDonald was appropriate reflects a policy-level confusion within CPD on how an investigation related to a police-involved shooting should appropriately proceed. This confusion is further reflected in BDSO 15-22, which contains instructions for reporting on a justifiable homicide while prohibiting the statement of a conclusion that a homicide is justified.

periodic updates from his subordinates in the months that followed, and acted as a point of contact between the investigative team and CPD's command staff.[48] Thus, in light of the information possessed by Roy regarding the events of October 20, 2014, his failure to prevent his subordinates from drafting false reports concerning those events violated Rules 6 and 11.

In addition, Roy confirmed that he reviewed the file on the McDonald investigation pursuant to BDSO 14-17, which required that, upon completion of the investigative file, it be forwarded to him for review. Roy acknowledged that if during the course of his review he encountered a "demonstrably false statement" in a report, that "would call for initiation of a C[omplaint] R[egister] number and notification of the State's Attorney's Office if it was a pending criminal prosecution." Roy 7/6/2016 OIG Tr. 202:2-5. Roy did encounter several demonstrably false statements in his review and yet he took no such action, effectively endorsing the false conclusions reached by his subordinates. Pursuant to CPD Rules and Regulations, Roy was responsible for "the performance of all subordinates placed under them" and was "accountable for the failure, misconduct or omission" of his subordinates. Further, he was specifically required by special order to hold his subordinates strictly accountable for any failure to comprehensively and accurately document all steps taken during the investigation. Accordingly, Roy's failure to fulfill his supervisory responsibilities constituted violations of Rules 2, 3, 6, and 11.

VI. RECOMMENDATION

The reports issued under Roy's supervision, which he reviewed and for which he was ultimately responsible, contained false statements and misleading characterizations related to the shooting, which served to exaggerate the threat McDonald posed. This raises significant concerns regarding his credibility and ability to perform his duties as a sworn officer and supervisory member. As a sworn officer and a high-level supervisor, Roy's credibility and integrity are critical to his position. Illinois courts have repeatedly noted that "as the guardians of our laws, police officers are expected to act with integrity, honesty, and trustworthiness." *Sindermann v. Civil Service Comm'n*, 275 Ill. App. 3d 917, 928 (2nd Dist. 1995). Further, in his position as a high-level supervisor, Roy had an elevated responsibility to promote CPD's goals and implement its policies; instead, he failed to ensure that his subordinates conducted a complete, thorough, properly documented, and professional investigation related to the McDonald shooting, and in so doing he brought discredit upon CPD and was incompetent in the performance of his duties.

OIG therefore recommends that CPD discharge Roy and refer him for placement on the ineligible for rehire list maintained by the Department of Human Resources.

[48] In addition to providing information on the case to members of CPD's senior command staff, Roy communicated to his subordinates his assessment of the senior command staff's position on the shooting. He told his subordinates that no one on the senior command staff had raised any questions about Van Dyke's use of deadly force, despite the fact that Roy himself reported that, at the initial shooting briefing, McCarthy raised concerns about the number of shots Van Dyke fired.

VII. CPD RULE VIOLATIONS

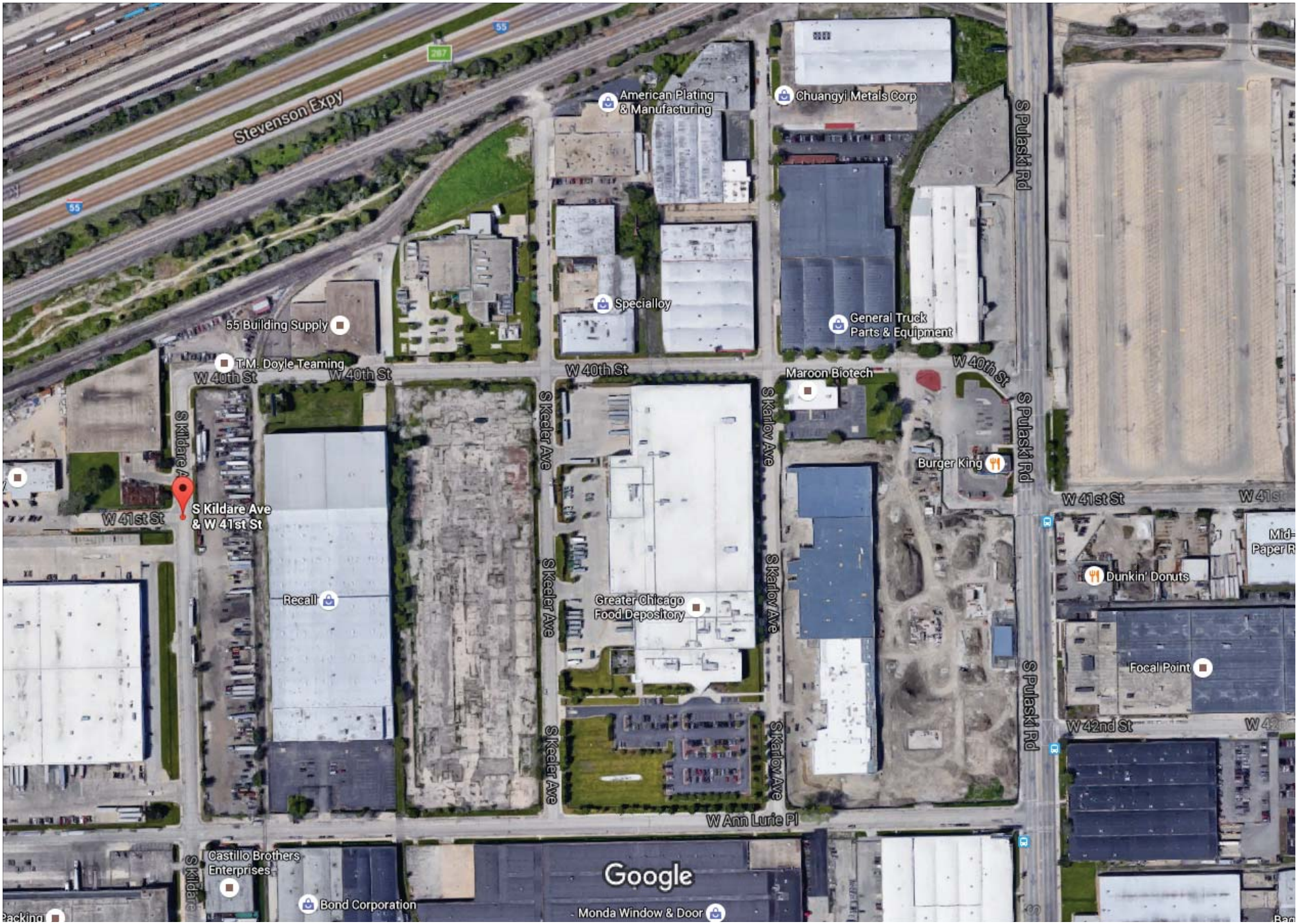
Rule 2 Any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department.

Rule 3 Any failure to promote the Department's efforts to implement its policy or accomplish its goals.

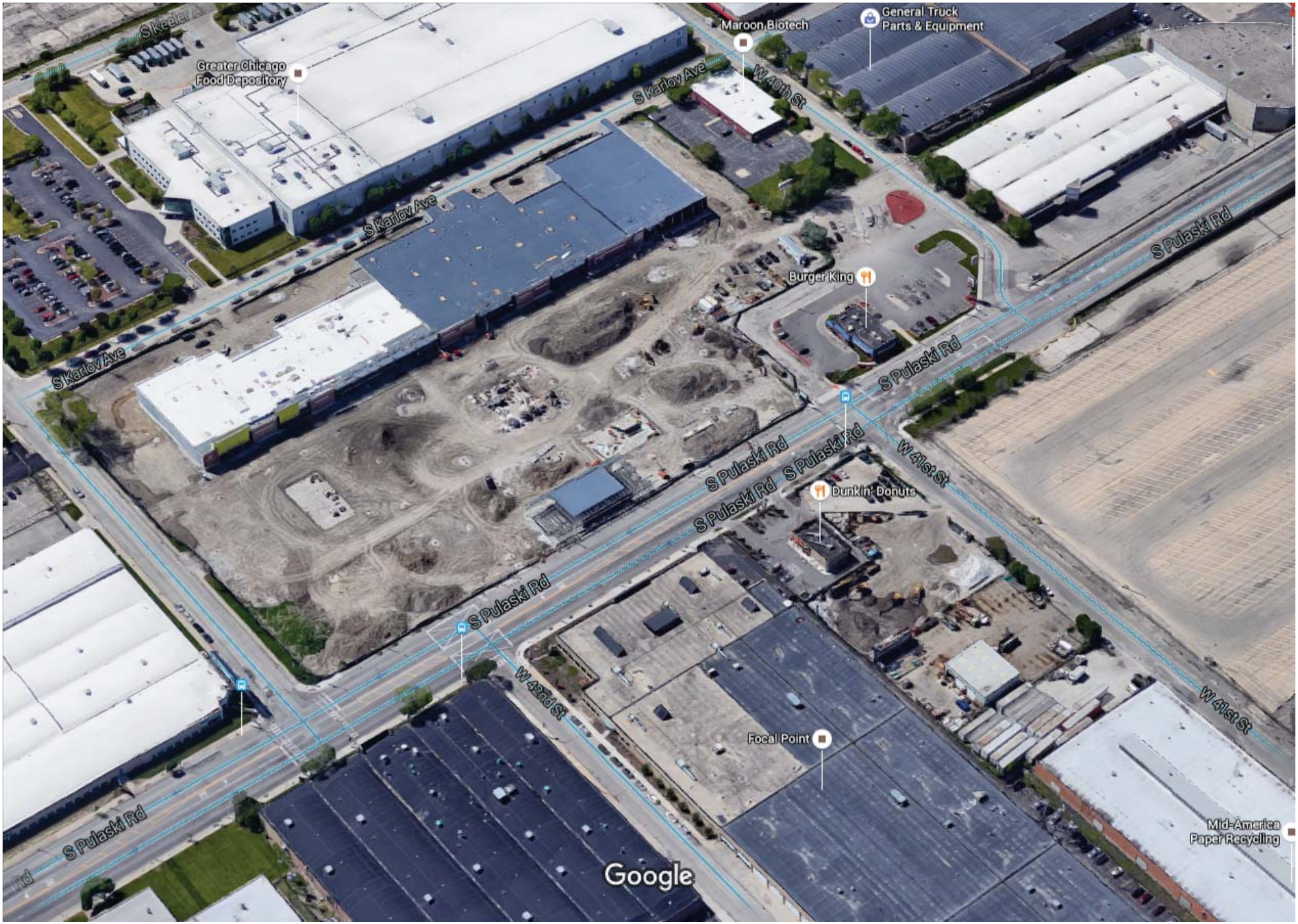
Rule 6 Disobedience of an order or directive, whether written or oral.

Rule 11 Incompetency or inefficiency in the performance of duty.

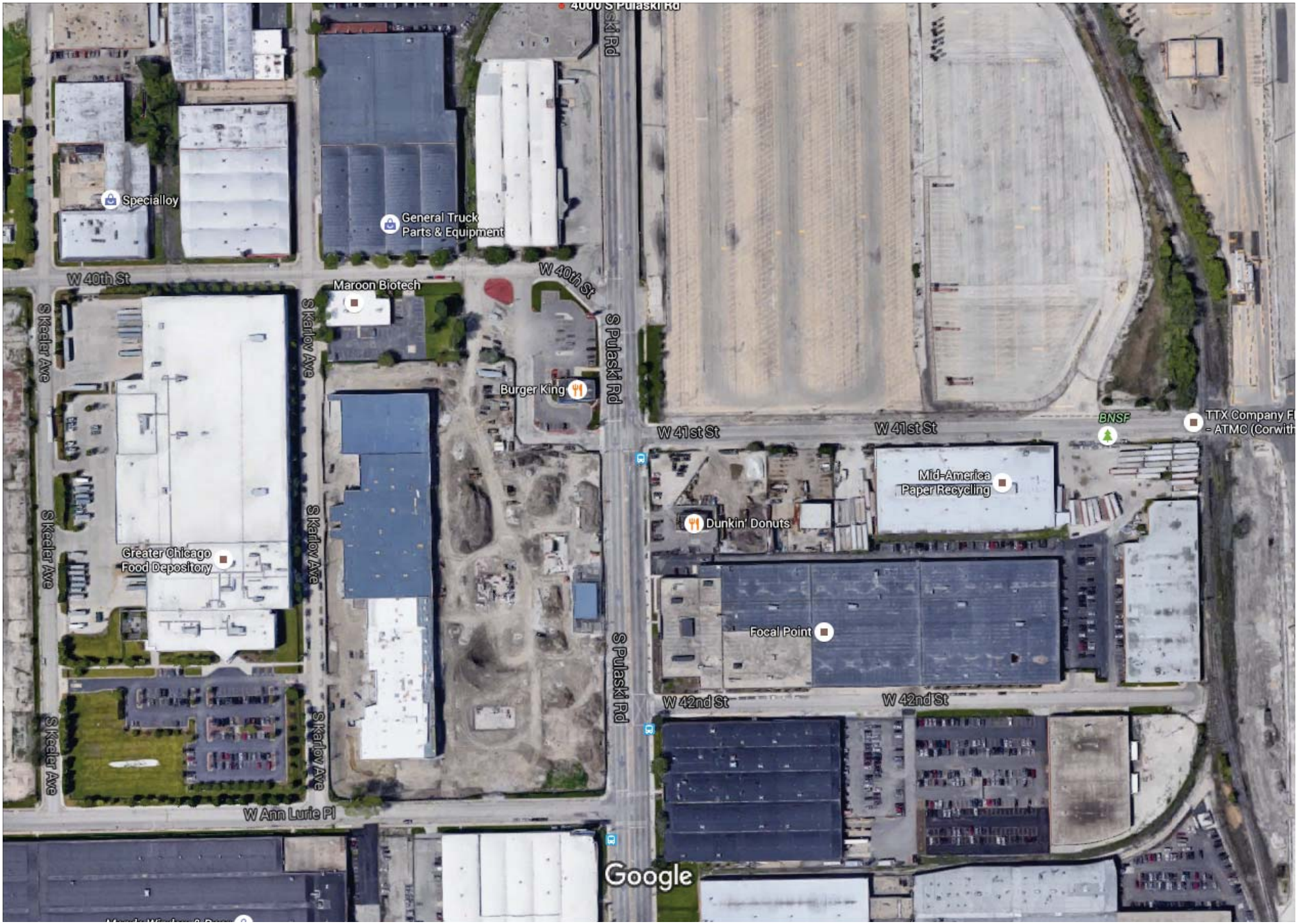
Appendix A



Imagery ©2016 Google, Map data ©2016 Google 200 ft



Imagery ©2016 Google, Map data ©2016 Google 100 ft



Imagery ©2016 Google, Map data ©2016 Google 200 ft

SUMMARY REPORT OF INVESTIGATION
Office of Inspector General Case # 15-0564 (Officer Daphne Sebastian)
June 30, 2016

This report consists of a summary of the evidence set out in the attached investigative materials and the Office of Inspector General's (OIG's) analysis of that evidence. An index of the investigative materials is attached.

I. INTRODUCTION

An OIG investigation has established that Daphne Sebastian, a police officer for the Chicago Police Department (CPD) who was present when Officer Jason Van Dyke shot Laquan McDonald on October 20, 2014, violated CPD Rules and Regulations during the subsequent CPD and Independent Police Review Authority (IPRA) investigations.[1] Sebastian was assigned to Beat 813R on October 20, 2014; she and her partner, Officer Janet Mondragon, were in the vehicle which recorded the most complete footage of the shooting. As detailed further below, Sebastian made false statements and material omissions during her subsequent interviews with CPD and IPRA, which served to exaggerate the threat McDonald posed. In addition, OIG's investigation established that Sebastian failed to follow CPD Rules regarding the operation of CPD's in-car video systems. Accordingly, OIG recommends that CPD discharge Sebastian and refer her for placement on the ineligible for rehire list maintained by the Department of Human Resources.

II. APPLICABLE RULES, REGULATIONS, AND LAW

A. CPD Rules and Regulations

The "Rules and Regulations of the Chicago Police Department" set out the standards of conduct and duties of sworn members, as well as CPD goals. The Rules and Regulations state that sworn members must "conduct themselves at all times in such a manner as will reflect credit upon the Department with emphasis on personal integrity and professional devotion to law enforcement."

Article V of the CPD Rules and Regulations, entitled CPD Rules of Conduct (the CPD Rules), sets forth specifically prohibited acts. In pertinent part, the CPD Rules include the following prohibitions:

Rule 2 Any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department.

---

[1] CPD's investigation in the aftermath of the McDonald shooting was reported under record number HX-475653, and most reports were classified as an investigation into an aggravated assault in which McDonald was the offender. In a few reports, the case was classified as an investigation into a justifiable homicide of which McDonald was the victim. An additional record number was also created and classified as a justifiable homicide, apparently for recordkeeping purposes. In CPD's investigative reports classified under the aggravated assault, CPD personnel drew conclusions about the propriety and lawfulness of Van Dyke's shooting of McDonald. This raises questions about CPD's role in investigating a police-involved shooting in light of IPRA's jurisdiction over the matter.

Rule 3 Any failure to promote the Department's efforts to implement its policy or accomplish its goals.

Rule 6 Disobedience of an order or directive, whether written or oral.

Rule 11 Incompetency or inefficiency in the performance of duty.

Rule 14 Making a false report, written or oral.

B. CPD Special Order S03-05 (effective February 23, 2012 through February 24, 2016)

CPD Special Orders are directives that establish protocols and procedures concerning specific CPD functions, operations, programs, or processes. Special Order S03-05 outlines the protocols CPD members are to follow regarding in-car video systems.[2] Section VI of the Special Order provides that at the beginning of their tour of duty, Department members assigned to a CPD vehicle equipped with an in-car video system are to:

(1) visually inspect the in-car video system equipment for damage;

(2) obtain the remote transmitter/audio recorder and ensure it is securely attached to the member's person; and

(3) follow the start-up procedures for the in-car video system as trained and ensure the system is working properly.

The Special Order notes that members are to "immediately notify a supervisor if, at any time, the in-car video system is inoperable, damaged, the equipped vehicle becomes inoperable, or the remote transmitter/audio recorder is missing." During their tour, members are to "audibly and visually record events in accordance with this directive." At the conclusion of a tour of duty, members are to "verify the in-car video system is working properly."

III. OFFICER SEBASTIAN'S EMPLOYMENT HISTORY

Sebastian has worked as a CPD Police Officer since September 30, 2002. She is a member of Fraternal Order of Police (FOP) Lodge 7.

IV. SUMMARY OF INVESTIGATION

A. Procedural History of OIG's Investigation

By letter, dated December 8, 2015, IPRA Acting Chief Administrator Sharon Fairley requested that OIG conduct an administrative investigation "to determine whether certain police

[2] The in-car video systems are also referred to as dash cameras or dashcams.

officers/witnesses made false statements on official reports prepared in connection with [Van Dyke's shooting of McDonald] and/or during the investigation of the incident."[3] IPRA further requested that OIG investigate "whether any of the involved Chicago Police officers committed any other violation(s) of Chicago Police Department rules, policies or procedures in their involvement with the incident, including, but not limited to, whether any officers' conduct may have interfered with or obstructed the appropriate investigation and handling of this matter."

Then, by letter, dated January 13, 2016, CPD Interim Superintendent John J. Escalante requested that OIG conduct an "administrative investigation into any and all allegations of police officer misconduct" arising out of the October 20, 2014 shooting death of McDonald. The Superintendent's request asked OIG to investigate the following allegations: "whether any officer(s) made false statements on official reports submitted in connection with the shooting of Laquan McDonald on October 20, 2014; whether any officer(s) obstructed or interfered with the investigation of this incident, either individually or in collusion with others; and whether any officer(s) committed any violation of Chicago Police Department rules, policies, or orders in connection with their response and/or handling of this matter." Escalante attached to the letter request a copy of Sergeant Sandra Soria's Initiation Report, which raises allegations of misconduct related to the in-car video systems of the vehicles that were present during the McDonald shooting, and identified that Report as a basis for OIG's administrative investigation.

On March 10, 2016, Kevin Kilmer, Financial Secretary for the FOP, on behalf of all affected members, filed a grievance with CPD stating that OIG's attempts to conduct CPD officer interviews violated Article 6 of CPD's Collective Bargaining Agreement (CBA) with the FOP.[4] On March 16, 2016, FOP on behalf of all impacted CPD officers filed a "Complaint for Injunction in Aid of Arbitration" in the Circuit Court of Cook County, asking the court to enjoin OIG from conducting interviews until the grievance was decided in arbitration.[5] The court dismissed the complaint and denied the injunction on March 22, 2016.

OIG's administrative investigation of other CPD employees' actions related to the McDonald shooting is ongoing. During the course of its investigation, OIG has gathered documents from CPD and IPRA, among other sources, and conducted numerous interviews, including interviews of thirteen CPD personnel who were at or responded to the scene of the shooting and seven civilian witnesses to the shooting. To date in its ongoing investigation, OIG has recommended

[3] On November 24, 2015, the Cook County State's Attorney charged Van Dyke with a single count of first degree murder in the shooting of McDonald. On December 15, 2015, it subsequently charged him with six counts of murder. OIG has not been involved with any criminal investigation related to the shooting and makes no findings regarding Van Dyke's use of force.

[4] Section 6.1, Paragraph I of the CBA states, "If the allegation under investigation indicates a recommendation for separation is probable against the Officer, the Officer will be given the statutory administrative proceeding rights, or if the allegation indicates criminal prosecution is probable against the Officer, the Officer will be given the constitutional rights concerning self-incrimination prior to the commencement of interrogation." CPD General Order GO8-01-01, Paragraph K contains similar language.

[5] *Fraternal Order of Police, Chicago Lodge 7 v. City of Chicago*, No. 2016 CH 03726 (Cir. Ct. of Cook County, Ill., Mar. 16, 2016).

disciplinary action against multiple CPD personnel, sustaining allegations that they each put forth a false narrative regarding the shooting.

B. The Events of October 20, 2014

The following sections detail the shooting of McDonald, as well as the relevant events that occurred directly before and after the shooting.[6]

1. [redacted] and Rudy Barillas's Encounter with McDonald[7]

[redacted] and [redacted] Rudy Barillas, were parking a truck in a lot at 41st Street and Kildare Avenue when [redacted] saw a black male, whom she subsequently identified as McDonald, attempting to steal property from certain vehicles parked in the lot. Barillas told McDonald to leave the lot. McDonald responded by making growling noises. After Barillas again told McDonald to leave the lot, McDonald pulled out a knife and swung it at Barillas. Barillas, who had already called 911, then threw his cell phone at McDonald.[8] McDonald ran from the lot, first northbound on Kildare and then eastbound on 40th Street.

2. Officers Thomas Gaffney and Joseph McElligott's Encounter with McDonald[9]

Officer Thomas Gaffney and his partner Officer Joseph McElligott received a call over the radio that someone had broken into a truck at 4100 South Kildare and were dispatched to the scene.[10] Gaffney was driving, and McElligott was in the passenger seat of their assigned vehicle, 815R.[11]

---

[6] On April 22, 2016, OIG obtained maps of the locations that are relevant to the shooting from Google Maps and included those maps in Appendix A. Those maps generally reflect the street layout and location of relevant businesses as they were on the night of October 20, 2014.

[7] The following account of [redacted] and Barillas's encounter with McDonald is taken from the March 16, 2015 case supplementary report (CSR) submitted by CPD Detective David March, which includes the statements that [redacted] and Barillas provided to CPD on October 21, 2014, and October 22, 2014, respectively. OIG 15-0564 003077.

[8] OEMC recordings reflect that Barillas called 911 at 9:45 p.m. stating that he was holding "a guy right hear [sic] that stolen [sic] the radios" from trucks in a truck yard located at "41st and Kildare." OIG 15-0564 003227.

[9] The following account of Gaffney and McElligott's encounter with McDonald is taken from (1) the audio-recorded statements Gaffney and McElligott provided to IPRA on October 21, 2014, OIG 15-0564 000482-98, 000610-30; and (2) the March 16, 2015, CSR submitted by Detective David March, which includes the statements that Gaffney and McElligott provided to March on the night of the McDonald shooting. OIG 15-0564 003067–69.

[10] OEMC records reflect that Gaffney and McElligott received the call at 9:47 p.m. OIG 15-0564 003691.

[11] Below is a chart identifying the beat numbers and vehicle numbers of the CPD vehicles that were present when McDonald was shot, along with the names of the officers who were assigned to those vehicles. This SRI refers to the below-referenced vehicles by beat number, unless otherwise specified.

When they arrived at 4100 South Kildare, they saw a Hispanic male and female standing by the gate to the truck yard. The two said that a black male wearing a black shirt, later determined to be McDonald, had been trying to steal the radio out of a semi-truck, and had subsequently headed north toward 40th Street.

Gaffney and McElligott drove north on Kildare, turned right onto 40th Street, and saw McDonald walking east on the south side of 40th Street. McElligott exited the vehicle and commanded McDonald to stop and turn around. Gaffney stayed in the vehicle in case McDonald attempted to flee. McElligott ordered McDonald to take his hands out of his pockets. McDonald, who had been facing McElligott, turned and walked away with one hand still in his pocket. McDonald then turned again and took both of his hands out of his pockets. He had a knife in his right hand. McElligott drew his weapon and told McDonald to drop the knife. McDonald started walking east again, going from the sidewalk to the street and back. McElligott followed McDonald on foot, shining his flashlight on him, while Gaffney followed in 815R, parallel to McDonald.

As McDonald approached the intersection of 40th and Keeler, Gaffney reported to dispatch that McDonald was walking away with a knife in his hand.[12] Gaffney and McElligott continued to follow McDonald as he headed east, with McElligott giving McDonald orders to drop his knife and stop. McDonald kept turning around and giving the officers a "weird glaze[d] look." Gaffney IPRA Tr. 11:20.[13]

As McDonald approached the intersection of 40th and Karlov, Gaffney turned his car toward McDonald to direct him down Karlov. Gaffney wanted to keep McDonald away from Pulaski, which was a more populated area. McDonald then swung his arm and popped 815R's right front tire with his knife. McElligott was toward the back of 815R when McDonald popped its tire. After McDonald took a step back from the vehicle, Gaffney pulled up further in front of him to stop him from proceeding to Pulaski. McDonald then hit the right side of 815R's windshield once with the knife in his right hand. The windshield did not break but, according to Gaffney, McDonald hit it as hard as he could. McDonald walked around the front of 815R and continued

Beat #	Vehicle #	Officers
845R	6412	Officer Joseph Walsh (driver), Officer Van Dyke (passenger)
815R	8489	Officer Gaffney (driver), Officer McElligott (passenger and on foot)
813R	8779	Officer Mondragon (driver), Officer Sebastian (passenger)
822R	8765	Officer Arturo Becerra (driver), Officer Leticia Velez (passenger)
841R	8948	Officer Ricardo Viramontes (driver), Officer Dora Fontaine (passenger)

[12] OEMC recordings reflect that, at 9:53 p.m., 815R reported: "We're at 40th and Keeler. This guy uh is walking away from us and he's got a knife in his hand." Approximately 30 seconds later, a dispatcher stated, "815R looking for a taser." *See* OEMC Documents and CDs; *see also* OIG 15-0564 003691, 3228.

[13] OIG 15-0564 000620.

eastward on 40th Street. After McDonald had walked 10 to 15 feet, another squad car turned off of Pulaski onto 40th Street with its lights on, and McDonald began to sprint. McElligott followed McDonald on foot, and Gaffney followed McDonald in 815R. McDonald ran eastbound through a parking lot of a Burger King located at 40th and Pulaski and then headed southbound on Pulaski. Video footage from several cameras captured McDonald's movements as he reached Pulaski.

3. Summary of the Relevant Video Footage

The below table contains a summary of the relevant video footage of the McDonald shooting, which includes the dashcam videos from 813R (the vehicle in which Sebastian was the passenger), 823R, and 845R, video from the "WNE fire exit" security camera from the Greater Chicago Food Depository, which is bordered by 40th Street to the north, Karlov Avenue to the east, and Keeler Avenue to the west, and the security camera video from the Dunkin' Donuts, located at 4113 South Pulaski Road (the DD Camera).[14]

Time	Event(s) Captured	Source of Video
9:53:17 – 9:54:42	McDonald walks eastbound on the south side sidewalk of 40th Street; a CPD SUV travels east on 40th Street, parallel to McDonald with its front bumper even with McDonald; an officer on foot trails directly behind McDonald by the length of the SUV, with his flashlight trained on McDonald.[15]	Greater Chicago Food Depository Security Camera
9:56:53 – 9:57:01	813R and 845R turn left onto 40th Street from Pulaski.	813R Dashcam
9:57:01 – 9:57:09	An unidentified person on 40th Street points the CPD vehicles toward the Burger King parking lot (813R); 845R turns into the parking lot (813R). McDonald runs southeast through the Burger King parking lot out onto Pulaski (845R).	813R Dashcam; 845R Dashcam
9:57:09 – 9:57:20	845R drives over the curb and sidewalk north of Burger King and heads south on Pulaski (845R); 813R turns around, turns right onto 40th Street, and then right again	813R Dashcam; 845R Dashcam

[14] In addition to the videos cited in the summary, OIG obtained video footage from the security camera videos at Burger King and Focal Point, and the dash camera videos from Vehicles 815R and 821R. These videos did not contain footage relevant to this report.

[15] OIG confirmed the vehicle is 815R and the officer on foot is McElligott by comparing the video with photographs of the officers. OIG 15-0564 003356.

	on Pulaski (813R); McDonald runs southbound in the middle of Pulaski and enters the intersection of 41st Street and Pulaski (813R).	
9:57:20 – 9:57:25	845R, which is facing east/southeast on Pulaski just north of 41st street, turns right behind McDonald and proceeds south on Pulaski on the east side of the street; 845R's passenger door briefly opens and then closes as it passes McDonald on his left; McDonald continues southbound on Pulaski, toward 822R, which is stopped in the middle of Pulaski facing north.	813R Dashcam
9:57:25 – 9:57:28	McDonald slows as he approaches 822R, touches his hands to his waist, and then, before Walsh and Van Dyke exit 845R, extends his right arm fully to his right—the video shows that he has a silver object in his right hand; 845R passes 822R and comes to a stop on the east side of Pulaski, facing south and almost directly south of 822R; Van Dyke opens 845R's passenger door.	813R Dashcam
9:57:28 – 9:57:30	McDonald changes course and begins walking southwest on Pulaski, away from 822R and 845R (813R); Van Dyke exits the passenger side of 845R with both of his feet in Pulaski's northbound left turn lane, his gun drawn and pointed at McDonald (813R). Walsh exits the driver side of 845R, just east of Pulaski's northbound left turn lane, with his gun drawn, and moves north along the driver side of 845R until he is several feet north of 845R (DD Camera).	813R Dashcam; DD Camera[16]
9:57:30 – 9:57:33	McDonald continues to walk southwest, from the middle of Pulaski to the lane markers that divide the west side of the road (or approximately one lane west of where McDonald was prior to changing course) (813R). While McDonald walks southwest, Walsh begins moving sideways in a west/southwest direction, approximately parallel to McDonald, and crosses over the east side of Pulaski's northbound left-turn lane—his gun is pointed at McDonald (813R; DD Camera). Van Dyke takes approximately two steps northwest toward McDonald,	813R Dashcam; DD Camera

[16] The DD Camera video does not display an embedded timestamp. Therefore, OIG used the timestamp of 813R's video, which generally captured the same events as the DD Camera from a different angle, to establish the timeframe of the events captured by the DD Camera.

	with his left foot crossing into Pulaski's yellow-painted median strip—his gun is pointed at McDonald (813R; DD Camera). 822R drives north on Pulaski, away from 845R (813R).	
9:57:33 – 9:57:36	As McDonald approaches the lane markers on the west side of Pulaski, walking in a southwest direction, he looks to his right and moves his right hand behind his waist, near the right side of his lower back, then brings his hand back to his right side (813R). As McDonald crosses the lane markers on the west side of Pulaski, he looks to his left, and takes a step southbound (813R). Meanwhile, Walsh continues moving west/southwest with his gun pointed at McDonald, ultimately traversing almost the entire width of Pulaski's northbound left-turn lane (813R; DD Camera). Van Dyke takes an additional step west, toward McDonald, putting both of his feet in Pulaski's median strip and placing himself almost directly between McDonald and Walsh (813R; DD Camera). McDonald is then apparently shot and Walsh stops moving and adopts a stance, with his feet more than a shoulder's width apart (813R; DD Camera).	813R Dashcam; DD Camera
9:57:36 – 9:57:54	McDonald spins between 180 and 270 degrees in a clockwise direction and then falls to the ground with the top of his head pointing south on Pulaski, approximately one street lane east of Van Dyke and just south of Van Dyke (813R). As McDonald falls to the ground, Van Dyke takes another step west toward McDonald, moving his right foot from Pulaski's median strip into the south-bound side of Pulaski; his gun remains pointed at McDonald (813R). Van Dyke subsequently takes an additional step or two south, toward McDonald. Other than those steps, Van Dyke's feet are stationary (DD Camera). After McDonald is on the ground, his legs and feet do not move (813R). McDonald's upper body makes small, intermittent movements as what appear to be puffs of smoke rise from McDonald's body (813R).[17]	813R Dashcam; DD Camera
9:57:54 – 9:58:05	An officer approaches McDonald and kicks the knife from his hand. McDonald does not make any noticeable	813R Dashcam

[17] OEMC records show that dispatch received notice to send an ambulance to the scene at 9:57:51. OIG 15-0564 003691.

	movements.	
9:58:05- 9:58:20	McDonald lies on the ground; no aid is rendered by CPD personnel. 823R, travelling northbound, pulls up on the west side of Pulaski, and stops just south of where McDonald is lying.	813R Dashcam; 823R Dashcam
9:58:20- 9:58:57	Several CPD officers walk and stand near McDonald as he lies on the ground; no aid is rendered by CPD personnel.	813R Dashcam;[18] 823R Dashcam
9:58:57- 9:59:02	823R begins making a U-turn on Pulaski. A Cook County Sheriff's Police Department (CCSPD) officer puts on blue gloves and walks toward McDonald.[19] McDonald is no longer visible in the video frame.	823R Dashcam

4. CCSPD Officer Accounts of the October 20, 2014 McDonald Shooting[20]

While on patrol on October 20, 2014, CCSPD Officers Adam Murphy and Jeff Pasqua observed several CPD police vehicles pass by them. Both officers decided to follow the CPD vehicles. When they arrived at the scene, several CPD vehicles were already present—Pasqua estimated it was five or six. McDonald was lying on the pavement "gasping for his last breath of air." Pasqua OIG Tr. 11:22-23. Meanwhile, the CPD officers were "standing around" and talking to each other. Murphy OIG Tr. 11:1. Murphy noted the CPD officers did not respond to him when he asked if they needed assistance. Murphy stated:

> I see there's blood all over the pavement. [McDonald] was kind of gurgling when he was sitting there. I remember his mouth was going open and closed like he was trying to gasp for air. And I looked for everybody else, and they were kind of standing there. I just started taking my gloves—my rubber gloves out to check for a pulse and to see if I could render aid.

Murphy OIG Tr. 12:18-13:2. He heard someone say an ambulance was en route. Both Officers Murphy and Pasqua recalled then watching McDonald take his final breaths.[21] It was "[m]aybe less than a minute before [McDonald] expired." Murphy OIG Tr. 14:15-16. At no time did any

[18] The last time stamp visible on the 813R dashcam video is 9:58:55.

[19] OIG identified the CCSPD officer as Officer Adam Murphy.

[20] The following CCSPD Officer accounts are taken from OIG's June 23, 2016 interview of Jeff Pasqua and its June 24, 2015 interview of Adam Murphy. Pasqua and Murphy are currently CCSPD investigators.

[21] The Medical Examiner's Case Report states McDonald was pronounced dead "on view" at Mount Sinai Medical Center on October 20, 2014, at 10:42 p.m. OIG 15-0564 015029.

CPD officers attempt to provide aid or comfort McDonald—Murphy stated, "That's why I felt that I needed to go up to him." Murphy OIG Tr. 14:11-12.

After McDonald passed away, Murphy got up from beside him and noticed the shooting officer, who he now knows to be Van Dyke, "pacing back and forth in front of his car." Murphy OIG Tr. 15:7-8. Murphy approached him and told him to sit down and drink water. As he was speaking with Van Dyke, Murphy "heard several officers telling [Van Dyke] to 'call your union rep, call your union rep.'" Murphy OIG Tr. 15:16-17.

Murphy and Pasqua departed after approximately ten minutes on the scene when a CPD sergeant told them CPD did not need their assistance. At the time they left, there was "[a] sea of CPD" on scene. Murphy OIG Tr. 38:3; Pasqua OIG Tr. 25:7-8.

C. Officer Sebastian's Statements Regarding the McDonald Shooting

1. October 20, 2014 Statement to Detective David March[22]

On March 15, 2015, Detective David March submitted a case supplementary report (CSR) with the R.D. Number HX475653 that contains a summary of CPD's investigation in the aftermath of the McDonald shooting. Lieutenant Anthony Wojcik approved the CSR on March 16, 2015. Included in that CSR is March's summary of the statement he obtained from Sebastian at the scene of the shooting.[23] The CSR summarizes Sebastian's October 20, 2014 statement in relevant part as follows:

> [Sebastian] stated she was a Chicago Police Officer assigned to the 008th District. She was on duty, in uniform, working on Beat 813R. Sebastian was working with Police Officer Janet Mondragon. The two officers were assigned to a marked vehicle. Mondragon was driving the vehicle and Sebastian was the passenger.
>
> The two officers responded to the request for assistance made by Beat 815R, regarding a subject with a knife. Officer Sebastian thought the original call for assistance was at 40th Street and Keeler Avenue. The subject had punctured a tire on the police vehicle of Beat 815R. Officer Mondragon drove northbound on Pulaski Road, following Beat 845R, as they also responded to the request for assistance. Mondragon turned westbound onto 40th Street, behind Beat 845R.
>
> Officer Sebastian observed a black male subject, now known as Laquan McDonald, running southeast bound through the parking lot of the Burger King restaurant. Beat 845R pursued McDonald in their police vehicle, through the

[22] OIG 15-0564 003069-70.

[23] March completed a General Progress Report (GPR) relating to his interview of Sebastian that contains March's handwritten notes of the interview. OIG 15-0564 003248. March's handwritten notes of the interview do not differ in any significant way from his summary of Sebastian's statement in the CSR.

> parking lot, toward Pulaski. Sebastian told Officer Mondragon to drive back out onto Pulaski to assist in the pursuit. McDonald ran out onto Pulaski and continued to run southbound down the middle of the street. Beat 845R pursued McDonald in their vehicle, southbound on Pulaski, followed by Beat 813R. As McDonald ran southbound on Pulaski, Sebastian saw the knife in his right hand. McDonald was waving the knife.
>
> Beat 845R stopped their vehicle ahead of McDonald, between McDonald and the Dunkin' Donuts restaurant on the east side of Pulaski. Officers Joseph Walsh and Jason Van Dyke exited their vehicle and drew their handguns. McDonald turned toward the two officers and continued to wave the knife. Sebastian heard the officers repeatedly order McDonald to "Drop the knife!" McDonald ignored the verbal directions and continued to advance on the officers, waving the knife. Officer Sebastian heard multiple gunshots and McDonald fell to the ground, where he continued to move. Sebastian did not know who fired the shots, which were fired in one continuous group. She then saw Officer Walsh kick the knife out of McDonald's hand.

2. October 21, 2014 Statement to IPRA[24]

On October 21, 2014, at 5:07 a.m., IPRA investigator Brian Killen interviewed Sebastian at Area Central Police Headquarters, located at 5101 South Wentworth, regarding the McDonald shooting. Attorney Dan Herbert and FOP Field Representative Kriston Kato accompanied Sebastian. Prior to the interview, Killen informed Sebastian that "any intentional falsification of any question, any answer to any question would be in direct violation of Department rules and regulations," and that her "failure to provide a complete and accurate account of this incident could result in a finding of Rule 14 with uh discipline leading up to and including separation from the Chicago Police Department." Sebastian IPRA Tr. 3:20-30. Sebastian indicated that she understood the potential disciplinary consequences of making a false statement to IPRA and of providing a less than complete account of the shooting to IPRA. In summary, Sebastian stated as follows.

Sebastian started work at 9:00 p.m. on October 20, 2014. Mondragon was her partner that night. They were both in full uniform and were assigned vehicle 8779, a marked Ford Explorer. Sebastian was the passenger.

Sebastian and Mondragon were in the area of 55th Street and Kostner when they heard a radio dispatch saying that 815R was requesting assistance with an offender armed with a knife. Mondragon drove toward 815R and, in the meantime, Sebastian learned that the offender, now known as McDonald, was travelling eastbound toward a Burger King restaurant, and toward Pulaski, on foot with a knife in his hand. She then learned that McDonald punctured 815R's tire. At this point, Mondragon and Sebastian were travelling northbound on Pulaski, behind 845R. They turned westbound on 40th Street, just north of the Burger King parking lot. As they arrived, 845R went into the parking lot, and Sebastian heard over the radio that McDonald was

[24] OIG 15-0564 000583–96.

running through the parking lot. Sebastian could see McDonald at some distance, and told Mondragon to drive out onto Pulaski in an effort to cut off the offender. As they reached 41st Street driving southbound on Pulaski, they saw McDonald running southbound in front of them in the middle of Pulaski. McDonald was in front of the car, running away from them.

When Sebastian and Mondragon were behind McDonald on Pulaski, Sebastian was able to see a knife in his hand. She stated: "[H]e [was] actually waving [the knife] back and forth. Like front to back. Moving his arm back and forth as he's um maybe like a fast walk, slow run southbound on Pulaski." Sebastian IPRA Tr. 8:12-15. When Sebastian and Mondragon reached 41st Street, Walsh and Van Dyke were already out of their car. Sebastian saw the offender "in the street still waving his, his arm with the knife." Sebastian IPRA Tr. 8:30-31. When asked later in her interview whether she saw the offender wave the knife at someone, Sebastian answered: "He was (noise) waving it (noise) before he got towards 845 Robert he was just swinging his arm back and forth. I mean he's doing all kinds of like twisting body motions as he's walking. (noise) Um when he got closer to them and they got outta the vehicle, it (noise) he turned his body towards them like the knife like (noise) in a motion towards them. His, (noise) his right arm did. (noise)." Sebastian IPRA Tr. 9:28-10:4.

Sebastian then heard several shots fired and saw McDonald fall to the ground. She did not know who was shooting, and explained that she saw both Van Dyke and Walsh with their guns drawn, but her attention was directed at the offender when shots were fired. 813R was "still in motion . . . still moving" when the shooting occurred. Sebastian IPRA Tr. 9:12-16. Sebastian said she heard the gunshots, but did not know how many she heard. After she heard the gunshots, she and Mondragon exited their vehicle and, as they did so, Sebastian saw that the offender was "no longer a threat." Sebastian IPRA Tr. 12:3-4. She explained: "I didn't see that there was any more movement. Um Officer Walsh, I saw Officer Walsh (noise) um kick the knife, the, he still had the knife in his hand. (noise) You could see that. And he kicked it away from 'em and it was no more, I didn't see any movement from the offender." Sebastian IPRA Tr. 12:16-22.

When asked by IPRA whether everything she stated was "a true and accurate account of what occurred," Sebastian said, "Yes." Sebastian IPRA Tr. 13:14-16.

G. Records and Interview Concerning 813R's In-Car Video System

On October 21, 2014, CPD Sergeant Lance Becvar submitted a supplementary report for R.D. Number HX475653 concerning his retrieval of video from the in-car video systems of the five CPD vehicles that were on scene when Van Dyke shot McDonald.[25] With respect to 813R, the vehicle in which Sebastian was the passenger on October 20, 2014, Becvar noted, "video recovered." Becvar also completed an "In Car Camera Video Retrieval Worksheet" regarding his October 20, 2014 video retrieval, in which he made the following notation with respect to 813R: "Mics in glove box batteries inserted upside down → fully op."[26]

[25] OIG 15-0564 004991.

[26] OIG 15-0564 004992.

On July 17, 2015, Becvar sent an email summarizing his findings regarding his October 20, 2014 video retrieval from 845R and the other four CPD vehicles that were on scene when Van Dyke shot McDonald.[27] With respect to 813R, Becvar stated as follows: "Video recovered titled PC0Z400@20141020215250, No mics because they were in the glove compartment with the batteries inserted upside down – Disabling them."

In a January 27, 2016 OIG interview with Becvar, he stated that, while video had been recovered from 813R's system, there was no audio recording because the system's microphones "were in the glove compartment with the batteries turned upside down." Becvar OIG Tr. 52:8-10. When asked what he had made of the fact that the batteries had been put in upside down, Becvar answered, "It's a known way to get around the video – get around the microphones." Becvar OIG Tr. 52:18-19. He went on to explain that, if batteries had been put in upside down accidentally, an officer should have been able to ascertain that from the operation of the system.

H. OIG's Interview of Officer Sebastian

On February 24, 2016, pursuant to Section 6.1 of the CBA between CPD and FOP, OIG, through CPD's Bureau of Internal Affairs, served Sebastian with a Notification of Interview, Notification of Allegations, and copies of her prior statements, including: (1) her October 20, 2014 statement to March, contained in the March 16, 2015 CSR; (2) March's GPR containing his handwritten notes of his interview of Sebastian; and (3) Sebastian's October 21, 2014 statement to IPRA. In addition, OIG provided Sebastian with the dashcam footage from 813R and 845R and the security camera footage from Dunkin' Donuts.

On March 21, 2016, OIG investigators interviewed Sebastian under oath after informing her of her administrative advisements orally and in writing. She provided oral and written acknowledgment of the reading of those advisements. The interview was transcribed by a certified court reporter. Sebastian's attorney, Jennifer Russell, was also present for the interview. In summary, Sebastian stated as follows.

As of October 20, 2014, Sebastian was assigned to CPD's 8th District and was working the first watch on Beat 813R. She was working with Mondragon, one of her regular partners.

1. The Scene of the Shooting

Sebastian and Mondragon were at the scene of the McDonald shooting. Immediately after McDonald was shot, they exited their vehicle and began directing traffic away from the scene. At some point at the scene of the shooting, Sebastian spoke with Sergeant Franko and Detective March.[28] She spoke with March while standing outside of 813R, and March took notes during their conversation. Sebastian did not recall if Mondragon was present when she spoke with March. She did not view any video while at the scene.

[27] OIG 15-0564 000567.

[28] Sebastian did not know March's name, but concluded from reports of the incident that he was the detective with whom she spoke.

2. Area Central

At some point, a supervisor at the scene of the shooting directed Sebastian to go to Area Central. Mondragon, Fontaine, Viramontes, McElligott, Gaffney, and Walsh were also present at Area Central. Sebastian heard that Van Dyke was also there, but did not see him. The officers did not discuss the McDonald shooting among themselves. Sebastian did not speak to March, or any other detective, at Area Central. Kris Kato, an FOP representative, was at Area Central and spoke to the officers as a group; they did not discuss anything substantive about the shooting. Someone showed Sebastian and others the Dunkin' Donuts surveillance video at Area Central. Sebastian did not believe she viewed the dashcam video from her vehicle, 813R. Sebastian and Mondragon left Area Central after their IPRA interview.

3. Sebastian's Statement to Detective March

Sebastian reviewed the statements attributed to her in the March 16, 2015 CSR and provided the following responses.

Statement from CSR	**Response When Asked to Review**
"[Sebastian and Mondragon] responded to the request for assistance made by beat 815R regarding a subject with a knife."	Sebastian affirmed that she made this statement to March and that it was accurate.
"Officer Sebastian thought the original call for assistance was at 40th Street and Keeler Avenue."	Sebastian affirmed that she made this statement to March. When asked if the statement was accurate, she said: "I'm not sure of the accuracy. That's why I said I thought that that's where it was. I'm not sure that it was 40th and Keeler, but to the best of my knowledge at the time I was interviewed, that's where I thought the original call was at." Sebastian OIG Tr. 108:6-10.
"The subject had punctured a tire on the police vehicle 815R. Officer Mondragon drove northbound on Pulaski Road following beat 845R as they also responded to the request for assistance. Mondragon turned westbound onto 40th Street behind 845R. Officer Sebastian	Sebastian affirmed that she made these statements to March and that they were accurate.

observed a black male subject now known as Laquan McDonald running southeast bound through the parking lot of the Burger King restaurant. Beat 845R pursued McDonald in the police vehicle through the parking lot toward Pulaski. Sebastian told Officer Mondragon to drive back out onto Pulaski to assist in the pursuit. McDonald ran out onto Pulaski and continued to run southbound down the middle of the street."	
"Beat 845R pursued McDonald in their vehicle southbound on Pulaski followed by beat [813R]."	Sebastian did not remember making this statement, and was not sure that it was accurate. She explained that "the way it's written makes it sound like we were behind 845 Robert once we got onto Pulaski, and that's inaccurate. . . What would be accurate was that we were southbound on Pulaski in the southbound lanes and that 845R was southbound on Pulaski somewhat in the northbound lanes." Sebastian OIG Tr. 111:5-14.
"As McDonald ran southbound on Pulaski, Sebastian saw the knife in his right hand. McDonald was waving the knife. Beat 845R stopped their vehicle ahead of McDonald[,] [b]etween McDonald and the Dunkin' Donuts restaurant on the east side of Pulaski. Officers Joseph Walsh and Jason Van Dyke exited their vehicle and drew their handguns."	Sebastian affirmed that she made these statements to March and that they were accurate. Later in her interview, Sebastian said that she glanced at Van Dyke and Walsh and saw them exit their vehicle with their guns drawn. After that moment, she was "watching Laquan McDonald." Sebastian OIG Tr. 143:8.
"McDonald turned toward the two officers and continued to wave the knife. Sebastian heard the officers repeatedly order McDonald to "Drop the knife!"	Sebastian described these statements as "not inaccurate," but believes they are out of chronological order. She was asked whether it was more accurate to say that "as Officers Walsh and Van Dyke were exiting their vehicle and drew their handguns, they

McDonald ignored the verbal directions and continued to advance on the officers, waving the knife."	were continuously telling McDonald to drop the knife," and she answered, "Correct." Sebastian OIG Tr. 114:7-11. Asked whether, at that point, "McDonald continued to advance and then turned toward the officers, continuing to wave the knife," she answered, "He continued to walk southbound. . . [h]e continued to walk." Sebastian OIG Tr. 114:12-17. She did not recall the exact verbiage she used during her interview with March. Later in her interview, Sebastian said she could hear the order to "Drop the knife!" because her window was slightly open and Officer Walsh has a "very loud commanding voice." Sebastian OIG Tr. 128:13.
"Officer Sebastian heard multiple gunshots, and McDonald fell to the ground where he continued to move."	Sebastian affirmed that she made this statement to March and that it was accurate. Sebastian OIG Tr. 115:7-9.
"Sebastian did not know who fired the shots which were fired in one continuous group."	Sebastian affirmed that she made this statement to March and that it was accurate. Sebastian OIG Tr. 115:14-16. She later explained that she did not know which officer fired the shots because both Officers Van Dyke and Walsh had their guns drawn, and her attention was focused on McDonald for all 16 shots.
"She then saw Officer Walsh kick the knife out of McDonald's hand."	Sebastian affirmed that she made this statement to March and that it was accurate. Sebastian OIG Tr. 115:20-22.

Sebastian reviewed the allegations against her as set out in the Notification of Allegations served upon her by OIG, as relating to her statement to March. She responded, in relevant part, to the allegations as follows.

Allegation	Response
"It is alleged that on or about October 20, 2014, you made a false statement during the interview with Detective March when you stated that McDonald	Of this statement, Sebastian said, "I stand by it, but it's out of chronological order." Sebastian OIG Tr. 118:4-5. She continued, "He did turn towards them and in a motion with the knife." Sebastian OIG Tr. 118:10-11.

turned toward officers Walsh and Van Dyke and continued to wave the knife."	
"It is alleged that on or about October 20, 2014, you made a false statement during an interview with Detective March when you stated that McDonald ignored Officers Walsh and Van Dyke's verbal directions to drop the knife and continued to advance on the officers waving the knife."	Referring to her earlier comments on the proper chronological order of events, Sebastian said: "I stand by this, but I will also stand by my clarification as I stated before. He continued to walk southbound. He continued to." Sebastian OIG Tr. 118:21-23.
"It is alleged that on or about October 20, 2014, you made a material omission during an interview with Detective March when you failed to state that McDonald changed the direction in which he was walking prior to the shooting."	Sebastian responded that McDonald "was walking in a southerly direction the entire time was what I saw. He didn't turn and go back north. He didn't turn and go directly east or directly west; his motion was in a southerly direction from what I saw that night." Sebastian OIG Tr. 119:13-17.
"It is alleged that on or about October 20, 2014, you made a false statement during an interview with Detective March when you stated that McDonald continued to move after he fell to the ground."	When asked if she stood by her statement to Detective March, including her clarifications, Sebastian answered, "Yes." Sebastian OIG Tr. 120:15.
"It is alleged that . . . [o]n or about October 20, 2014 you provided a false narrative to Detective David March of the Chicago Police Department concerning the McDonald shooting through a series of false statements and material omissions."	When asked if she stood by her statement to Detective March, including her clarifications, Sebastian answered, "Yes." Sebastian OIG Tr. 124:13.

4. Sebastian's October 21, 2014 IPRA Interview

Sebastian said she did not speak with anyone in preparation for her October 21, 2014 IPRA interview at Area Central.

Sebastian reviewed the allegations against her as set out in the Notification of Allegations served upon her by OIG, as relating to her IPRA interview. She responded, in relevant part, to the allegations as follows.

Allegation	Response
"It is alleged that on or about October 21, 2014, you made a false statement during an interview with IPRA Investigator Killen when you stated that McDonald turned toward officers Walsh and Van Dyke with a knife in a motion towards them."	Sebastian stood by her statement to IPRA. When asked to clarify what she meant, she answered, "As [McDonald] walked closer to Officers Van Dyke and Walsh, at one point he did a twisting, he turned towards them with the arm, his right arm, which was what he was holding the knife with in a twisting motion turning towards them." Sebastian OIG Tr. 140:16-20.
"It is alleged that on October 21, 2014, you made a material omission during an interview with IPRA Investigator Killen when you failed to state that McDonald changed the direction in which he was walking prior to the shooting."	When asked why she did not tell IPRA that McDonald changed the direction in which he was walking prior to being shot, Sebastian answered, "I didn't see him change direction northbound, directly westbound, or directly eastbound. He was still in a southerly direction." Sebastian OIG Tr. 142:10-13.
"It is alleged that on or about October 21, 2014, you made a false statement when during an interview with IPRA Investigator Killen, Killen asked [if] everything you stated was a true and accurate account of what occurred, and you stated, "Yes, sir.'"	Sebastian stood by her statement to IPRA.
"It is alleged that on or about October 21, 2014, you provided a false narrative to IPRA	Sebastian stood by her statement to IPRA.

Investigator Brian Killen concerning the McDonald shooting through a series of false statements and material omissions."	

5. Use of 813R's In-Car Video System

Sebastian reviewed CPD Special Order S03-05 outlining the protocol for in-car video systems and said she "probably" had seen it "at some point." Sebastian OIG Tr. 149:3. She later added that she had been trained on the materials in 2006. Since before October 20, 2014, and continuing until sometime after that date, Sebastian was unable to log into any in-car video system herself because of an error with her employee number. She notified supervisors of this problem twice. During the time that her login was not working, Sebastian would have her partner login. At some point after October 20, 2014, Sebastian's login was enabled. Mondragon did have a working login for the in-car video system on October 20, 2014.

Sebastian did not remember whether, before October 20, 2014, she had ever had trouble with the in-car video system or with audio recording in vehicle 8779. When she and Mondragon began their shift on October 20, 2014, Mondragon logged into the system and Sebastian and Mondragon visually inspected the system equipment for damage. Sebastian did not obtain the remote transmitter audio recorder or ensure that it was securely attached to her person. When asked why she had not done this, she answered, "I don't have an answer for that." Sebastian OIG Tr. 158:17. When asked whether it was her regular practice to attach the audio recorder, she answered, "It is now," but noted that, before October 20, 2014, "It was not." Sebastian OIG Tr. 158:21-23.

Sebastian was shown Becvar's notes having to do with vehicle 8779's microphones being in the glove compartment, with their batteries inserted upside down. She did not know why the microphones were in the glove compartment, or why the batteries had been inserted upside down. When asked, "Did you purposefully disable the microphones?", she answered, "No, I did not." Sebastian OIG Tr. 163:3-5.

Sebastian was presented with the allegations against her as set out in the Notification of Allegations served upon her by OIG, as relating to her use of 813R's in-car video system on October 20, 2014. She responded, in relevant part, to the allegations as follows.

Allegation	**Response**
"It is alleged that on or about October 20, 2014, you failed to ensure the in-car video system for CPD vehicle 8779 was	Sebastian said, "My response to that allegation is that it appeared that the in-car camera was working properly at the beginning of the tour; however, I did not ensure that the audio system was working

working properly at the beginning of your tour of duty."	correctly. Sebastian OIG Tr. 166:20-24.
"It is alleged that on or about October 20, 2014, you failed to immediately notify a supervisor that the in-car video system for CPD vehicle 8779 was inoperable or damaged."	Sebastian said, "My response to that is that that's correct. I did not immediately notify a supervisor." Sebastian OIG Tr. 167:6-7. She then added, "I did fail to immediately notify the supervisor; however, I did not check the microphones. So I didn't know that they were inoperable, damaged. I didn't check them." Sebastian OIG Tr. 167:16-20.
"It is alleged that on or about October 20, 2014, you failed to audibly record events with CPD vehicle 8779's in-car video system during your tour of duty."	Sebastian said, "Again, I'll repeat the fact that I didn't inspect the microphones. I didn't ensure that they were working. So I had no knowledge whether it would record it or not record it at the time of the incident." Sebastian OIG Tr. 168:6-10.

V. ANALYSIS

OIG's investigation established that Sebastian made false statements and material omissions in her interviews with CPD and IPRA regarding the McDonald shooting. Sebastian's false statements all served a similar purpose: to materially exaggerate the threat McDonald posed to Van Dyke and Walsh. Sebastian's statements and omissions go to establishing a false narrative that Van Dyke shot an oncoming McDonald in response to McDonald's potentially deadly knife attack. In her OIG interview, Sebastian was given the opportunity to correct, clarify, or explain her false statements, but she nonetheless stood by them.

Sebastian's actions, individually and collectively, constitute violations of CPD Rules. Each of Sebastian's false statements constitutes a violation of Rule 14 (making a false report, written or oral). Her false statements also constitute violations of Rule 2 (engaging in any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department), and Rule 3 (failing to promote the Department's efforts to implement its policy and accomplish its goals). An officer who has made false statements in an official investigation has irrevocably tainted not only her credibility, but also the credibility of CPD—and also fails to promote CPD's goal of employing officers with personal integrity and professional devotion to law enforcement. Sebastian further violated Rule 6 (disobedience of an order, namely S03-05) and Rule 11 (incompetency in the performance of a duty) by failing to audibly record events with her in-car video system and failing to notify her supervisor about the status of the system's audio component. Accordingly, OIG recommends that CPD discharge Sebastian.

A. Sebastian's False Narrative to Detective March

Sebastian made three false statements to Detective March on October 20, 2014, regarding the McDonald shooting that are clearly contradicted by the 813R and 845R dashcam video, the most objective and reliable evidence of the events that night. Most notably:

- Sebastian stated that McDonald turned toward officers Walsh and Van Dyke and continued to wave the knife.

- Sebastian stated that McDonald ignored Officers Walsh and Van Dyke's verbal directions to drop the knife and continued to advance on the officers while waving the knife.

- Sebastian stated that, after he had been shot, McDonald continued to move after falling to the ground.

First, the 813R dashcam video evidences that there was no time at which McDonald turned toward Walsh and Van Dyke while waving the knife. Rather, it shows only that McDonald extended his right arm fully to his right side *before* Walsh and Van Dyke were out of their car, and that, after the officers were out of their car, McDonald moved his right hand behind his waist, then back to his right side as he was walking away from them.[29] McDonald did not turn toward Walsh and Van Dyke while waving the knife. Sebastian's comments on the "chronological order" of the events as she related them do not change the substance of her false statement. In her OIG interview, Sebastian ratified her position that McDonald "did turn towards them and in a motion with the knife." Sebastian OIG Tr. 118:10-11. In light of the objective video evidence, this statement is false.

Second, Sebastian takes the materially false position that McDonald "advance[d] on" Walsh and Van Dyke. The video evidence clearly shows McDonald walking away from Walsh and Van Dyke, and the two officers moving toward McDonald.

Third, Sebastian's statement that McDonald "continued to move" after being shot and falling to the group is, at best, misleading. The video footage shows that, after McDonald fell to the ground, his lower body did not move at all. Small, intermittent movements are discernable in his upper body, as what appear to be puffs of smoke rise from his body. These minimal movements are not, however, any sort of continuation of movement from when McDonald was standing or walking. Sebastian's statement to March, as ratified in her OIG interview, serves to exaggerate the threat posed by McDonald by suggesting that he continued to pose a danger to Van Dyke and Walsh as he lay on the ground, already having been shot.

In addition, Sebastian omitted certain material information; specifically, that McDonald changed the direction in which he was walking and was in fact walking away from Van Dyke and Walsh before he was shot. The footage recorded by 813R's in-car video system, the very car in which

[29] See summary of video footage, *supra*.

Sebastian was riding, shows precisely what was visible from her location at the scene; it clearly shows McDonald change his direction and begin to walk away from the officers. Sebastian claimed in her OIG interview that, as soon as she saw Van Dyke and Walsh exit their vehicle, she was wholly focused on McDonald. It is impossible, then, that she did not see McDonald's actions. In the context of her false statements, Sebastian's omission can be seen as a deliberate attempt to establish or further the false narrative that Van Dyke shot an onrushing McDonald in response to a potentially deadly knife attach. This narrative, and Sebastian's statements which further it, are contradicted by the video footage of the shooting.

B. Sebastian's False Narrative to IPRA

Sebastian repeated her false narrative of the McDonald shooting to IPRA during her October 21, 2014 interview with Investigator Killen. Specifically, she again stated that McDonald turned toward officers Walsh and Van Dyke and moved the knife "in a motion towards them." Sebastian IPRA Tr. 10: 2-3. She again failed to state that McDonald was walking away from Van Dyke and Walsh prior to the shooting. As detailed above, however, Sebastian's statement is contradicted by the video evidence, and her omission is shown to be intentional. Nonetheless, she stood by her statement to IPRA and asserted that she had provided a true and accurate account of the shooting.

C. Failure to Comply with Special Order S03-05

Sebastian also violated Rule 6 (disobedience of an order) and Rule 11 (incompetency in the performance of a duty) by failing to audibly record events with her in-car video system and failing to notify her supervisor about the audio component's status as required by S03-05. As Sebastian acknowledged, CPD did not recover any audio from 813R's in-car video system. Becvar, who recovered the video from 813R's in-car video system, found that the system's microphones were in the glove compartment with their batteries inserted upside down. If Sebastian had properly followed the pre-tour of duty in-car video system protocols, she would have identified all these issues. Yet, as Sebastian admitted, she never checked or reported on the status of 813R's audio component. Becvar's inspection revealed that, if the batteries were inserted correctly, 813R's audio recording component would have been fully functional.[30] Therefore, it was only Sebastian's failure to operate the system correctly that precluded audio recording. Thus, the evidence demonstrates that Sebastian failed to follow the in-car video system procedures set forth in S03-05 on October 20, 2014.

VI. RECOMMENDATION

Sebastian's false statements and material omissions raise significant concerns regarding her credibility and ability to perform her duties as a sworn officer. As a sworn officer, Sebastian's reports are relied upon in criminal legal proceedings and her credibility is therefore critical to her position. An officer who has made false statements in an official investigation has irrevocably

[30] Information supplied by Becvar suggests that, given that the microphones in 813R would have been fully functional if the batteries had been inserted correctly, they may have been intentionally disabled. Because different officers drive the same car, however, OIG is unable to establish who may have disabled them.

tainted her credibility and has wholly disqualified herself from effectively executing core police functions. Based on this conduct she may be the subject of cross-examination in any contested proceedings in which she may appear as a witness, *see* FED. R. EVID. 608(b) ("Specific instances of conduct"), and her conduct and the findings resulting from this investigation would further qualify as impeachment material that should, in principle, be disclosed in any contested proceeding involving the official records or testimony Sebastian generates. *See Giglio v. United States*, 405 U.S. 150 (1972) (requiring disclosure in criminal case of information impeaching of government witness's credibility). Illinois courts have repeatedly noted that "'as the guardians of our laws, police officers are expected to act with integrity, honesty, and trustworthiness'" and have found intentional false or misleading statements by police officers to be sufficient cause for termination. *Rodriguez v. Weis*, 408 Ill. App. 3d 663, 671 (1st Dist. 2011) (quoting *Sindermann v. Civil Service Comm'n*, 275 Ill. App. 3d 917, 928 (2nd Dist. 1995)). Further, Sebastian failed, without any explanation, to comply with Special Order S03-05, and her actions resulted in the loss of what would have been critical, objective evidence of the events surrounding the McDonald shooting.

OIG therefore recommends that CPD discharge Sebastian and refer her for placement on the ineligible for rehire list maintained by the Department of Human Resources.

VII. CPD RULE VIOLATIONS

Rule 2 Any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department.

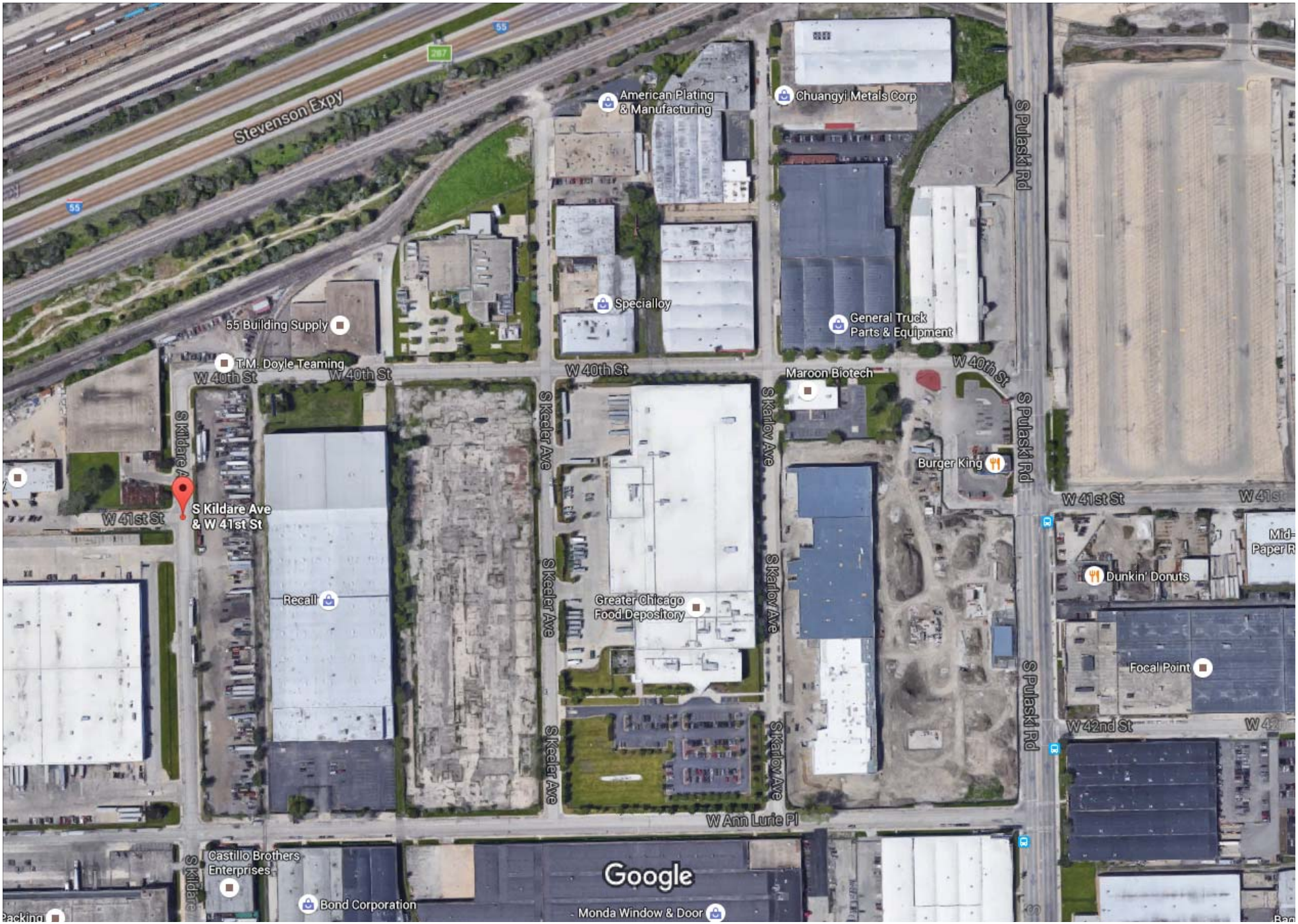
Rule 3 Any failure to promote the Department's efforts to implement its policy or accomplish its goals.

Rule 6 Disobedience of an order or directive, whether written or oral.

Rule 11 Incompetency or inefficiency in the performance of duty.

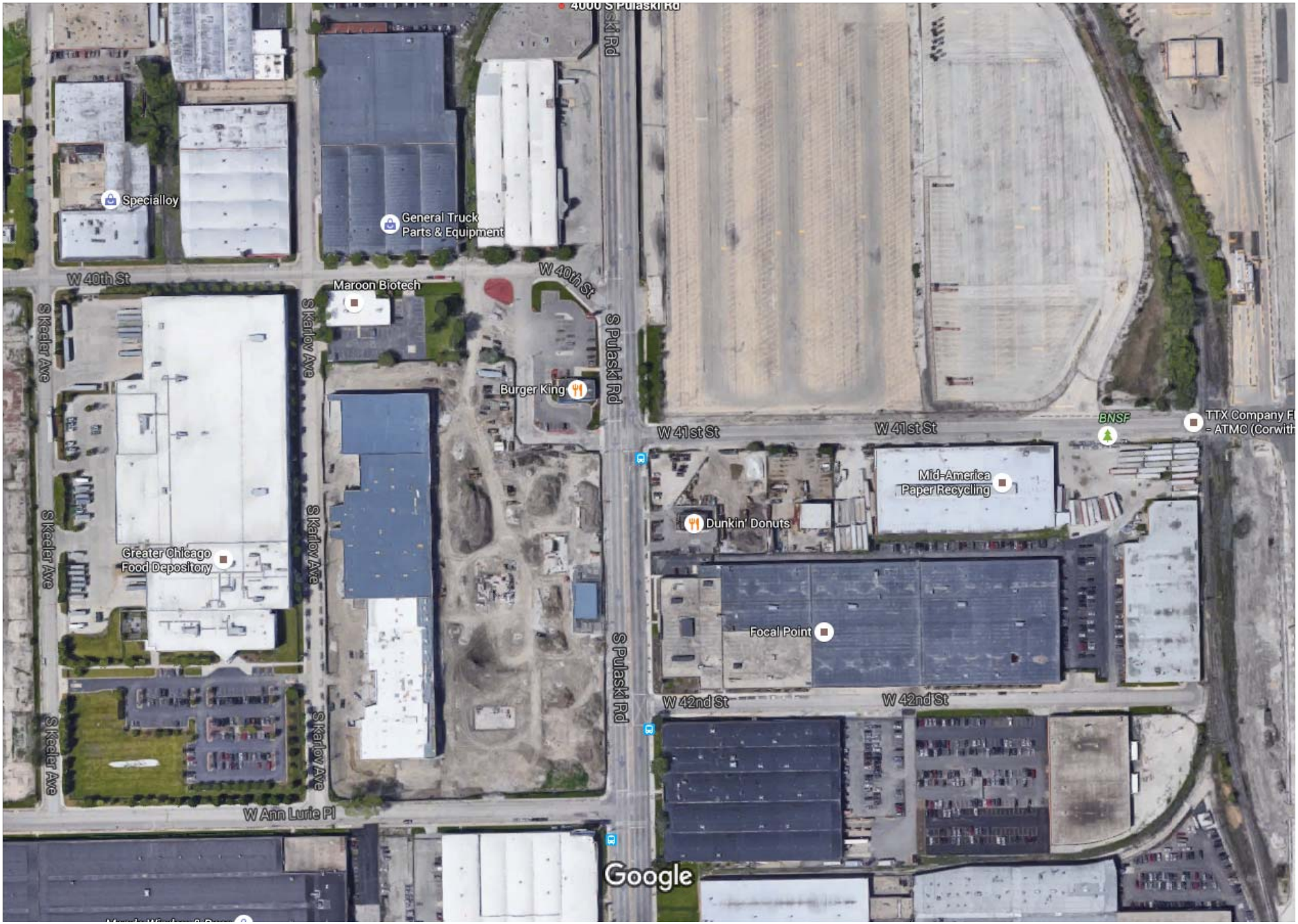
Rule 14 Making a false report, written or oral.

Appendix A


Stevenson Expy
55
287
American Plating & Manufacturing
Chuangyi Metals Corp
S Pulaski Rd
Specialloy
General Truck Parts & Equipment
55 Building Supply
T.M. Doyle Teaming
W 40th St
W 40th St
W 40th St
Maroon Biotech
W 40th St
S Pulaski Rd
S Kildare Ave
S Keeler Ave
S Karlov Ave
Burger King
S Kildare Ave & W 41st St
W 41st St
W 41st St
W 41st
Mid-
Paper R
Recall
Greater Chicago Food Depository
Dunkin' Donuts
Focal Point
S Pulaski Rd
W 42nd St
W 42
W Ann Lurie Pl
Castillo Brothers Enterprises
Google
Bond Corporation
Monda Window & Door
Imagery ©2016 Google, Map data ©2016 Google
200 ft



Imagery ©2016 Google, Map data ©2016 Google 100 ft



Imagery ©2016 Google, Map data ©2016 Google 200 ft

SUMMARY REPORT OF INVESTIGATION
Office of Inspector General Case # 15-0564 (Officer Jason Van Dyke)
June 30, 2016

This report consists of a summary of the evidence set out in the attached investigative materials and the Office of Inspector General's (OIG's) analysis of that evidence. An index of the investigative materials is attached.

I. INTRODUCTION

An OIG investigation has established that Jason Van Dyke, a police officer for the Chicago Police Department (CPD), violated CPD Rules and Regulations during the subsequent investigations of the October 20, 2014 Laquan McDonald shooting. More specifically, and as detailed further below, Van Dyke made numerous false statements and material omissions during his subsequent interviews with CPD and the Independent Police Review Authority (IPRA). In addition, Van Dyke filed a false Tactical Response Report (TRR) and a false Officer's Battery Report (OBR) regarding his encounter with McDonald. Van Dyke's false reports, false statements, and material omissions all served to exaggerate the threat McDonald posed.[1] In addition, OIG's investigation established that Van Dyke failed to follow CPD Rules regarding the operation of CPD's in-car video systems. Finally, Van Dyke failed to cooperate with OIG's investigation, after being properly called upon to do so and in direct violation of a superior's order, by refusing to answer OIG's questions in his interview. Accordingly, OIG recommends that CPD immediately discharge Van Dyke and refer him for placement on the ineligible for rehire list maintained by the Department of Human Resources.

II. APPLICABLE RULES, REGULATIONS, AND LAW

A. CPD Rules and Regulations

The "Rules and Regulations of the Chicago Police Department" set out the standards of conduct and duties of sworn members, as well as CPD goals. The Rules and Regulations state that sworn members must "conduct themselves at all times in such a manner as will reflect credit upon the Department with emphasis on personal integrity and professional devotion to law enforcement."

Article V of the CPD Rules and Regulations, entitled CPD Rules of Conduct (the CPD Rules), sets forth specifically prohibited acts. In pertinent part, the CPD Rules include the following prohibitions:

Rule 2 Any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department.

---

[1] On November 24, 2015, the Cook County State's Attorney charged Van Dyke with a single count of first degree murder in the shooting of McDonald. On December 15, 2015, it subsequently charged him with six counts of murder. OIG has not been involved with any criminal investigation related to the shooting and makes no findings regarding Van Dyke's use of force.

Rule 3 Any failure to promote the Department's efforts to implement its policy or accomplish its goals.

Rule 6 Disobedience of an order or directive, whether written or oral.

Rule 11 Incompetency or inefficiency in the performance of duty.

Rule 14 Making a false report, written or oral.

Rule 51 Failure to testify or give evidence before any grand jury, coroner's inquest or court of law or before any governmental, administrative, or investigative agency (city, state or federal) when properly called upon to do so, and when there is no properly asserted constitutional privilege, or when immunity from prosecution has been granted.

B. CPD General Order G08-01-02 (effective March 17, 2013)

CPD General Orders "are directives that establish critical policies directly related to the core values and functions of the Department or the broad organizational policies and key practices relating to those core values." General Order G08-01-02 outlines CPD members' responsibilities "when allegations of misconduct come to their attention." Section II.A.2 states, "Members will cooperate with personnel from the Independent Police Review Authority (IPRA), the Bureau of Internal Affairs (BIA), or any other lawful investigatory entity conducting an investigation into a member's misconduct."

C. CPD Special Order S03-05 (effective February 23, 2012 through February 24, 2016)

CPD Special Orders "are directives that establish protocols and procedures concerning specific CPD functions, operations, programs, or processes." Special Order S03-05 outlines the protocols CPD members are to follow regarding in-car video systems.[2] Section VI of the Special Order provides that at the beginning of their tour of duty, Department members assigned to a CPD vehicle equipped with an in-car video system are to:

(1) visually inspect the in-car video system equipment for damage;

(2) obtain the remote transmitter/audio recorder and ensure it is securely attached to the member's person; and

(3) follow the start-up procedures for the in-car video system as trained and ensure the system is working properly.

The Special Order notes that members are to "immediately notify a supervisor if, at any time, the

[2] The in-car video systems are also referred to as dash cameras or dashcams in this report.

in-car video system is inoperable, damaged, the equipped vehicle becomes inoperable, or the remote transmitter/audio recorder is missing." During their tour, members are to "audibly and visually record events in accordance with this directive." At the conclusion of a tour of duty, members are to "verify the in-car video system is working properly."

D. City of Chicago Municipal Code

Chapter 2-56, establishing OIG, states the following: "It shall be the duty of every officer, employee, department, agency, contractor, subcontractor and licensee of the city, and every applicant for certification of eligibility for a city contract or program, to cooperate with the inspector general in any investigation or hearing undertaken pursuant to this chapter." MCC § 2-56-090.

III. OFFICER VAN DYKE EMPLOYMENT HISTORY

Van Dyke has worked as a CPD Police Officer since June 25, 2001. Van Dyke is a member of Fraternal Order of Police (FOP) Lodge 7.

IV. SUMMARY OF INVESTIGATION

A. Procedural History of OIG's Investigation

By letter, dated December 8, 2015, IPRA Acting Chief Administrator Sharon Fairley requested that OIG conduct an administrative investigation "to determine whether certain police officers/witnesses made false statements on official reports prepared in connection with [Van Dyke's shooting of McDonald] and/or during the investigation of the incident." IPRA further requested that OIG investigate "whether any of the involved Chicago Police officers committed any other violation(s) of Chicago Police Department rules, policies or procedures in their involvement with the incident, including, but not limited to, whether any officers' conduct may have interfered with or obstructed the appropriate investigation and handling of this matter."

Then, by letter, dated January 13, 2016, CPD Interim Superintendent John J. Escalante requested that OIG conduct an "administrative investigation into any and all allegations of police officer misconduct" arising out of the October 20, 2014 shooting death of McDonald. The Superintendent's request asked OIG to investigate the following allegations: "whether any officer(s) made false statements on official reports submitted in connection with the shooting of Laquan McDonald on October 20, 2014; whether any officer(s) obstructed or interfered with the investigation of this incident, either individually or in collusion with others; and whether any officer(s) committed any violation of Chicago Police Department rules, policies, or orders in connection with their response and/or handling of this matter." Escalante attached to the letter request a copy of Sergeant Sandra Soria's Initiation Report, which raises allegations of misconduct related to the in-car video systems of the vehicles that were present during the McDonald shooting, and identified that Report as a basis for OIG's administrative investigation.

On March 10, 2016, Kevin Kilmer (Star # 7518), Financial Secretary for the FOP, on behalf of all affected members, filed a grievance with CPD stating that OIG's attempts to conduct CPD officer interviews violated Article 6 of CPD's Collective Bargaining Agreement (CBA) with the FOP.[3] On March 16, 2016, FOP on behalf of all impacted CPD officers filed a "Complaint for Injunction in Aid of Arbitration" in the Circuit Court of Cook County asking the court to enjoin OIG from conducting interviews until the grievance was decided in arbitration.[4] The court dismissed the complaint and denied the injunction on March 22, 2016.

OIG's administrative investigation of other CPD employees' actions related to the McDonald shooting is ongoing. During the course of its investigation, OIG has gathered documents from CPD and IPRA, among other sources, and conducted numerous interviews, including interviews of thirteen CPD personnel who were at or responded to the scene of the shooting and seven civilian witnesses to the shooting. To date in its ongoing investigation, OIG has recommended disciplinary action against multiple CPD personnel, sustaining allegations that they each put forth a false narrative regarding the shooting.

B. The Events of October 20, 2014

The following sections detail Van Dyke's shooting of McDonald, as well as the relevant events that occurred directly before and after the shooting.[5]

1. [redacted] and Rudy Barillas's Encounter with McDonald[6]

[redacted] and [redacted] Rudy Barillas, were parking a truck in a lot at 41st Street and Kildare Avenue when [redacted] saw a black male, whom she subsequently identified as McDonald, attempting to steal property from certain vehicles parked in the lot. Barillas told McDonald to leave the lot. McDonald responded by making growling noises. After Barillas again told McDonald to leave the lot, McDonald pulled out a knife and swung it at Barillas. Barillas, who

[3] Section 6.1, Paragraph I of the CBA states, "If the allegation under investigation indicates a recommendation for separation is probable against the Officer, the Officer will be given the statutory administrative proceeding rights, or if the allegation indicates criminal prosecution is probable against the Officer, the Officer will be given the constitutional rights concerning self-incrimination prior to the commencement of interrogation." CPD General Order GO8-01-01, Paragraph K contains similar language.

[4] *Fraternal Order of Police, Chicago Lodge 7 v. City of Chicago*, No. 2016 CH 03726 (Cir. Ct. of Cook County, Ill., Mar. 16, 2016).

[5] On April 22, 2016, OIG obtained maps of the locations that are relevant to the shooting from Google Maps and included those maps in Appendix A. Those maps generally reflect the street layout and location of relevant businesses as they were on the night of October 20, 2014.

[6] The following account of [redacted] and Barillas's encounter with McDonald is taken from the March 16, 2015 case supplementary report (CSR) submitted by CPD Detective David March, which includes the statements that [redacted] and Barillas provided to CPD on October 21, 2014, and October 22, 2014, respectively. OIG 15-0564 003077.

had already called 911, then threw his cell phone at McDonald.[7] McDonald ran from the lot, first northbound on Kildare and then eastbound on 40th Street.

2. Officers Thomas Gaffney and Joseph McElligott's Encounter with McDonald[8]

Officer Thomas Gaffney and his partner Officer Joseph McElligott received a call over the radio that someone had broken into a truck at 4100 South Kildare and were dispatched to the scene.[9] Gaffney was driving and McElligott was in the passenger seat of their assigned vehicle, 815R.[10] When they arrived at 4100 South Kildare, they saw a Hispanic male and female standing by the gate to the truck yard. The two said that a black male wearing a black shirt, later determined to be McDonald, had been trying to steal the radio out of a semi-truck, and had subsequently headed north toward 40th Street.

Gaffney and McElligott drove north on Kildare, turned right onto 40th Street, and saw McDonald walking east on the south side of 40th Street. McElligott exited the vehicle and commanded McDonald to stop and turn around. Gaffney stayed in the vehicle in case McDonald attempted to flee. McElligott ordered McDonald to take his hands out of his pockets. McDonald, who had been facing McElligott, turned and walked away with one hand still in his pocket. McDonald then turned again and took both of his hands out of his pockets. He had a knife in his right hand. McElligott drew his weapon and told McDonald to drop the knife. McDonald started walking east again, going from the sidewalk to the street and back. McElligott

[7] OEMC recordings reflect that Barillas called 911 at 9:45 p.m. stating that he was holding "a guy right hear [sic] that stolen [sic] the radios" from trucks in a truck yard located at "41st and Kildare." OIG 15-0564 003227.

[8] The following account of Gaffney and McElligott's encounter with McDonald is taken from (1) the audio-recorded statements Gaffney and McElligott provided to IPRA on October 21, 2014; and (2) the March 16, 2015 CSR submitted by Detective David March, which includes the statements that Gaffney and McElligott provided to March on the night of the McDonald shooting. OIG 15-0564 000482-98, 000610-30, 003067–69.

[9] OEMC records reflect that Gaffney and McElligott received the call at 9:47 p.m. OIG 15-0564 003691.

[10] Below is a chart identifying the beat numbers and vehicle numbers of the CPD vehicles that were present when McDonald was shot, along with the names of the officers who were assigned to those vehicles. This SRI refers to the below-referenced vehicles by beat number, unless otherwise specified.

Beat #	Vehicle #	Officers
845R	6412	Officer Joseph Walsh (driver), Officer Van Dyke (passenger)
815R	8489	Officer Gaffney (driver), Officer McElligott (passenger and on foot)
813R	8779	Officer Janet Mondragon (driver), Officer Daphne Sebastian (passenger)
822R	8765	Officer Arturo Becerra (driver), Officer Leticia Velez (passenger)
841R	8948	Officer Ricardo Viramontes (driver), Officer Dora Fontaine (passenger)

followed McDonald on foot, shining his flashlight on him, while Gaffney followed in 815R, parallel to McDonald.

As McDonald approached the intersection of 40th and Keeler, Gaffney reported to dispatch that McDonald was walking away with a knife in his hand.[11] Gaffney and McElligott continued to follow McDonald as he headed east, with McElligott giving McDonald orders to drop his knife and stop. McDonald kept turning around and giving the officers a "weird glaze[d] look." Gaffney IPRA Tr. 11:20.[12]

As McDonald approached the intersection of 40th and Karlov, Gaffney turned his car toward McDonald to direct him down Karlov. Gaffney wanted to keep McDonald away from Pulaski, which was a more populated area. McDonald then swung his arm and popped 815R's right front tire with his knife. McElligott was toward the back of 815R when McDonald popped its tire. After McDonald took a step back from the vehicle, Gaffney pulled up further in front of him to stop him from proceeding to Pulaski. McDonald then hit the right side of 815R's windshield once with the knife in his right hand. The windshield did not break but, according to Gaffney, McDonald hit it as hard as he could. McDonald walked around the front of 815R and continued eastward on 40th Street. After McDonald had walked 10 to 15 feet, another squad car turned off of Pulaski onto 40th Street with its lights on, and McDonald began to sprint. McElligott followed McDonald on foot, and Gaffney followed McDonald in 815R. McDonald ran eastbound through a parking lot of a Burger King located at 40th and Pulaski and then headed southbound on Pulaski. Video footage from several cameras captured McDonald's movements as he reached Pulaski.

3. Summary of the Relevant Video Footage

The below table contains a summary of the relevant video footage of the McDonald shooting, which includes the dashcam videos from 813R, 823R, and 845R, video from the "WNE fire exit" security camera from the Greater Chicago Food Depository, which is bordered by 40th Street to the north, Karlov Avenue to the east, and Keeler Avenue to the west, and the security camera video from the Dunkin' Donuts, located at 4113 South Pulaski Road (the DD Camera).[13]

Time	Event(s) Captured	Source of Video
9:53:17 –	McDonald walks eastbound on the south side sidewalk of	Greater Chicago

[11] OEMC recordings reflect that, at 9:53 p.m., 815R reported: "We're at 40th and Keeler. This guy uh is walking away from us and he's got a knife in his hand." Approximately 30 seconds later, a dispatcher stated, "815R looking for a taser." *See* OEMC Documents and CDs; *see also* OIG 15-0564 003691, 3228.

[12] OIG 15-0564 000620.

[13] In addition to the videos cited in the summary, OIG obtained video footage from the security camera videos at Burger King and Focal Point, and the dash camera videos from Vehicles 821R and 815R. These videos did not contain footage relevant to this report.

9:54:42	40th Street; a CPD SUV travels east on 40th Street, parallel to McDonald with its front bumper even with McDonald; an officer on foot trails directly behind McDonald by the length of the SUV, with his flashlight trained on McDonald.[14]	Food Depository Security Camera
9:56:53 – 9:57:01	813R and 845R turn left onto 40th Street from Pulaski.	813R Dashcam
9:57:01– 9:57:09	An unidentified person on 40th Street points the CPD vehicles toward the Burger King parking lot (813R); 845R turns into the parking lot (813R). McDonald runs southeast through the Burger King parking lot out onto Pulaski (845R).	813R Dashcam; 845R Dashcam
9:57:09 – 9:57:20	845R drives over the curb and sidewalk north of Burger King and heads south on Pulaski (845R); 813R turns around, turns right onto 40th Street, and then right again on Pulaski (813R); McDonald runs southbound in the middle of Pulaski and enters the intersection of 41st Street and Pulaski (813R).	813R Dashcam; 845R Dashcam
9:57:20 – 9:57:25	845R, which is facing east/southeast on Pulaski just north of 41st street, turns right behind McDonald and proceeds south on Pulaski on the east side of the street; 845R's passenger door briefly opens and then closes as it passes McDonald on his left; McDonald continues southbound on Pulaski, toward 822R, which is stopped in the middle of Pulaski facing north.	813R Dashcam
9:57:25 – 9:57:28	McDonald slows as he approaches 822R, touches his hands to his waist, and then, before Walsh and Van Dyke exit 845R, extends his right arm fully to his right—the video shows that he has a silver object in his right hand; 845R passes 822R and comes to a stop on the east side of Pulaski, facing south and almost directly south of 822R; Van Dyke opens 845R's passenger door.	813R Dashcam

[14] OIG confirmed the vehicle is 815R and the officer on foot is McElligott by comparing the video with photographs of the officers. OIG 15-0564 003356.

9:57:28 – 9:57:30	McDonald changes course and begins walking southwest on Pulaski, away from 822R and 845R (813R); Van Dyke exits the passenger side of 845R with both of his feet in Pulaski's northbound left turn lane, his gun drawn and pointed at McDonald (813R). Walsh exits the driver side of 845R, just east of Pulaski's northbound left turn lane, with his gun drawn, and moves north along the driver side of 845R until he is several feet north of 845R (DD Camera).	813R Dashcam; DD Camera[15]
9:57:30 – 9:57:33	McDonald continues to walk southwest, from the middle of Pulaski to the lane markers that divide the west side of the road (or approximately one lane west of where McDonald was prior to changing course) (813R). While McDonald walks southwest, Walsh begins moving sideways in a west/southwest direction, approximately parallel to McDonald, and crosses over the east side of Pulaski's northbound left-turn lane—his gun is pointed at McDonald (813R; DD Camera). Van Dyke takes approximately two steps northwest toward McDonald, with his left foot crossing into Pulaski's yellow-painted median strip—his gun is pointed at McDonald (813R; DD Camera). 822R drives north on Pulaski, away from 845R (813R). 841R drives north in the middle of Pulaski, toward 845R and stops just south of 845R, facing north (813R; DD Camera).	813R Dashcam; DD Camera
9:57:33 – 9:57:36	As McDonald approaches the lane markers on the west side of Pulaski, walking in a southwest direction, he looks to his right and moves his right hand behind his waist, near the right side of his lower back, then brings his hand back to his right side (813R). As McDonald crosses the lane markers on the west side of Pulaski, he looks to his left, and takes a step southbound (813R). Meanwhile, Walsh continues moving west/southwest with his gun pointed at McDonald, ultimately traversing almost the entire width of Pulaski's northbound left-turn lane (813R; DD Camera). Van Dyke takes an additional step west, toward McDonald, putting both of his feet in Pulaski's median strip and placing himself almost directly between McDonald and Walsh (813R; DD Camera). McDonald is	813R Dashcam; DD Camera

[15] The DD Camera video does not display an embedded timestamp. Therefore, OIG used the timestamp of 813R's video, which generally captured the same events as the DD Camera from a different angle, to establish the timeframe of the events captured by the DD Camera.

	then apparently shot, and Walsh stops moving and adopts a stance, with his feet more than a shoulder's width apart (813R; DD Camera).	
9:57:36 – 9:57:54	McDonald spins between 180 and 270 degrees in a clockwise direction and then falls to the ground with the top of his head pointing south on Pulaski, approximately one street lane east of Van Dyke and just south of Van Dyke (813R). As McDonald falls to the ground, Van Dyke takes another step west toward McDonald, moving his right foot from Pulaski's median strip into the south-bound side of Pulaski—his gun remains pointed at McDonald (813R). Van Dyke subsequently takes an additional step or two south, toward McDonald (DD Camera). Other than those steps, Van Dyke's feet are stationary (DD Camera). After McDonald is on the ground, his legs and feet do not move (813R). McDonald's upper body makes small, intermittent movements as what appear to be puffs of smoke rise from McDonald's body (813R).[16]	813R Dashcam; DD Camera
9:57:54 – 9:58:05	An officer approaches McDonald and kicks the knife from his hand. McDonald does not make any noticeable movements.	813R Dashcam
9:58:05- 9:58:20	McDonald lies on the ground; no aid is rendered by CPD personnel. 823R, travelling northbound, pulls up on the west side of Pulaski, and stops just south of where McDonald is lying.	813R Dashcam; 823R Dashcam
9:58:20- 9:58:57	Several CPD officers walk and stand near McDonald as he lies on the ground; no aid is rendered by CPD personnel.	813R Dashcam;[17] 823R Dashcam
9:58:57- 9:59:02	823R begins making a U-turn on Pulaski. A Cook County Sheriff's Police Department (CCSPD) officer puts on blue gloves and walks toward McDonald.[18] McDonald	823R Dashcam

[16] OEMC records show that dispatch received notice to send an ambulance to the scene at 9:57:51. OIG 15-0564 003691.

[17] The last time stamp visible on the 813R dashcam video is 9:58:55.

[18] OIG identified the CCSPD officer as Officer Adam Murphy.

	is no longer visible in the video frame.	

4. CCSPD Officer Accounts of the October 20, 2014 McDonald Shooting[19]

While on patrol on October 20, 2014, CCSPD Officers Adam Murphy and Jeff Pasqua observed several CPD police vehicles pass by them. Both officers decided to follow the CPD vehicles. When they arrived at the scene, several CPD vehicles were already present—Pasqua estimated it was five or six. McDonald was lying on the pavement "gasping for his last breath of air." Pasqua OIG Tr. 11:22-23. Meanwhile, the CPD officers were "standing around" and talking to each other. Murphy OIG Tr. 11:1. Murphy noted the CPD officers did not respond to him when he asked if they needed assistance. Murphy stated:

> I see there's blood all over the pavement. [McDonald] was kind of gurgling when he was sitting there. I remember his mouth was going open and closed like he was trying to gasp for air. And I looked for everybody else, and they were kind of standing there. I just started taking my gloves—my rubber gloves out to check for a pulse and to see if I could render aid.

Murphy OIG Tr. 12:18-13:2. He heard someone say an ambulance was en route. Both Officers Murphy and Pasqua recalled then watching McDonald take his final breaths.[20] It was "[m]aybe less than a minute before [McDonald] expired." Murphy OIG Tr. 14:15-16. At no time did any CPD officers attempt to provide aid or comfort McDonald—Murphy stated, "That's why I felt that I needed to go up to him." Murphy OIG Tr. 14:11-12.

After McDonald passed away, Murphy got up from beside him and noticed the shooting officer, who he now knows to be Van Dyke, "pacing back and forth in front of his car." Murphy OIG Tr. 15:7-8. Murphy approached him and told him to sit down and drink water. As he was speaking with Van Dyke, Murphy "heard several officers telling [Van Dyke] to 'call your union rep, call your union rep.'" Murphy OIG Tr. 15:16-17.

Murphy and Pasqua departed after approximately ten minutes on the scene when a CPD sergeant told them CPD did not need their assistance. At the time they left, there was "[a] sea of CPD" on scene. Murphy OIG Tr. 38:3; Pasqua OIG Tr. 25:7-8.

[19] The following CCSPD Officer accounts are taken from OIG's June 23, 2016 interview of Jeff Pasqua and its June 24, 2015 interview of Adam Murphy. Pasqua and Murphy are currently CCSPD investigators.

[20] The Medical Examiner's Case Report states McDonald was pronounced dead "on view" at Mount Sinai Medical Center on October 20, 2014, at 10:42 p.m. OIG 15-0564 015029.

C. Officer Van Dyke's Reports Concerning the McDonald Shooting

1. Tactical Response Report (TRR)[21]

On October 21, 2014, at 4:44 a.m., Van Dyke submitted a TRR with the R.D. Number HX475653 and an Event Number of 1429315878, regarding his October 20, 2014 encounter with "Lequan [sic] McDonald."[22] Under the heading titled "Assailant: Assault," Van Dyke marked the box labeled "Imminent Threat of Battery."[23] Under the heading titled "Assailant: Battery," he marked the box labeled "Attack with Weapon." Under the heading titled "Assailant: Deadly Force," he marked the box labeled "Uses Force Likely to Cause Death or Great Bodily Harm" and "Weapon." Van Dyke specified in the TRR that the "offender's weapon was a knife in his hand."

2. Officer's Battery Report (OBR)[24]

Van Dyke completed and submitted an OBR with the R.D. Number HX475653 regarding his October 20, 2014 encounter with McDonald. The OBR form states that an OBR is to be completed when "a sworn member is the victim of a murder, aggravated battery, battery, aggravated assault, or assault while performing a police function either on-duty or off-duty."[25] In the OBR, Van Dyke stated three officers were battered. Under the heading titled "Manner of Attack," he marked the box labeled "Stabbed/Cut (Including Actual Attempt)." Under the heading titled "Type of Weapon/Threat," he marked the boxes labeled "Knife/Other Cutting Instrument" and "Other/Specify." He specified the type of weapon/threat as a "Swinging Knife."

D. Officer Van Dyke's Statements Regarding the McDonald Shooting

1. October 20-21, 2014 Statements to Detective David March[26]

On March 15, 2015, Detective March submitted a case supplementary report (CSR) with the

[21] OIG 15-0564 003313–14.

[22] According to CPD General Order G03-02-05, effective from October 1, 2002, to October 30, 2014, a TRR is used to document, among others things, all incidents "involving the discharge of . . . a firearm," or "which involve a subject fitting the definition of an assailant whose actions are directed against a Department member."

[23] Pursuant to the Illinois Criminal Code, a person commits battery when he or she knowingly and without legal justification "(1) causes bodily harm to an individual or (2) makes physical contact of an insulting or provoking nature with an individual." 720 ILL. COMP. STAT. 5/12-3. A person commits assault when he or she, without lawful authority, "knowingly engages in conduct which places another in reasonable apprehension of receiving a battery." 720 ILL. COMP. STAT. 5/12-1.

[24] OIG 15-0564 003311–12.

[25] *See also* Special Order S04-13-01, issued on December 28, 2012, which outlines the procedures to be followed for the preparation of an OBR.

[26] OIG 15-0564 003065–66, 74.

R.D. Number HX475653 that contains a summary of CPD's investigation in the aftermath of the McDonald shooting.[27] Lieutenant Anthony Wojcik approved the CSR on March 16, 2015. It includes March's summaries of the statements he obtained from Van Dyke at the scene of the shooting and at the Area Central Police Headquarters, located at 5101 South Wentworth.[28] The CSR summarizes Van Dyke's October 20, 2014 statement in relevant part as follows:

> McDonald ran out onto Pulaski Road and then turned southbound, running toward a Dunkin' Donuts restaurant, on the east side of Pulaski, south of the Burger King. Walsh positioned the police vehicle between McDonald and the Dunkin' Donuts to block his path towards that restaurant. When Walsh slowed the police vehicle alongside McDonald, Officer Van Dyke opened the right front door of the vehicle to exit and confront McDonald. Walsh told Van Dyke to stay in the vehicle as they were too close to McDonald to safely exit their vehicle. Walsh drove on southbound and stopped the police vehicle ahead of McDonald.
>
> Officer Van Dyke exited the vehicle on the right side and drew his handgun. As Van Dyke stood in the street on Pulaski, facing northbound, toward McDonald, McDonald approached southbound. McDonald was holding the knife in his right hand, in an underhand grip, with the blade pointed forward. He was swinging the knife in an aggressive, exaggerated manner. Van Dyke ordered McDonald to "Drop the knife!" multiple times. McDonald ignored Van Dyke's verbal direction to drop the knife and continued to advance toward Van Dyke.
>
> When McDonald got to within 10 to 15 feet of Officer Van Dyke, McDonald looked toward Van Dyke. McDonald raised the knife across his chest and over his shoulder, pointing the knife at Van Dyke. Van Dyke believed McDonald was attacking Van Dyke with the knife, and attempting to kill Van Dyke. In defense of his life, Van Dyke backpedaled and fired his handgun at McDonald, to stop the attack. McDonald fell to the ground but continued to move and continued to grasp the knife, refusing to let go of it. Van Dyke continued to fire his weapon at McDonald as McDonald was on the ground, as McDonald appeared to be attempting to get up, all the while continuing to point the knife at Van Dyke. The slide on Van Dyke's pistol locked in the rearward position, indicating the weapon was empty. Van Dyke performed a tactical reload of his pistol with a new magazine and then assessed the situation.

[27] CPD reported its investigation of the McDonald shooting under record number HX-475653, and classified most reports as an investigation into an aggravated assault in which McDonald was the offender. In a few reports, CPD classified the case as an investigation into a justifiable homicide in which McDonald was the victim. CPD created an additional record number and classified the case as a justifiable homicide, apparently for recordkeeping purposes. In CPD's investigative reports classified under the aggravated assault, CPD personnel drew conclusions about the propriety and lawfulness of Van Dyke's shooting of McDonald. This raises questions about CPD's role in investigating a police-involved shooting in light of IPRA's jurisdiction over the matter.

[28] March completed two General Progress Reports (GPRs) relating to his interviews of Van Dyke that contain March's handwritten notes of the interviews. OIG 15-0564 003239–41, 54. March's handwritten notes of the interviews do not differ in any significant way from the summary of Van Dyke's statements in the CSR.

> McDonald was no longer moving and the threat had been mitigated, so Officer Van Dyke and Officer Walsh approached McDonald. McDonald was still holding the knife in his right hand. Van Dyke continued to order McDonald to "Drop the knife!" Officer Walsh told Van Dyke, "I have this." Van Dyke then used his handgun to cover Walsh as Walsh walked up and forcibly kicked the knife out of McDonald's right hand, thereby eliminating the threat to the officers.

The CSR summarizes Van Dyke's October 21, 2014 statement in relevant part as follows:

> Van Dyke additionally articulated the reasoning behind his decision to use deadly force against the offender in this incident, Laquan McDonald. Van Dyke was aware of the radio transmissions from Officer Thomas Gaffney, on Beat 815R, that McDonald was armed with a knife. Van Dyke was aware that McDonald had attacked the officers on Beat 815R by slashing the tire of their police vehicle.
>
> As he confronted McDonald at 4112 South Pulaski Road, Van Dyke saw that McDonald was in fact, armed with a knife, a deadly weapon. Van Dyke was aware of a widely accepted teaching in law enforcement that an assailant armed with a knife was considered a deadly threat, if within 21 feet, because it was possible for such an assailant to close that distance and attack with the knife before a defensive shot could be fired from a handgun.[29] Van Dyke was also aware of the existence of throwing knives, which can be thrown from a distance, as well as spring loaded knifes, which propel a blade through the air from the knife handle. Van Dyke also said he recalled a previously issued Chicago Police Department bulletin warning of a weapon which appeared to be a knife but which actually was capable of firing a bullet, making it a firearm.

March wrote in the CSR that a search was subsequently conducted for the bulletin Van Dyke referenced. An "Officer Safety Alert number 2012-OSA0297," issued on December 4, 2012, was located.[30] March wrote that "[i]t was a warning regarding a 'revolver knife' which was capable of firing .22 caliber cartridges."

2. October 22, 2014, IPRA Interview[31]

On October 22, 2014, at 11:47 a.m., IPRA investigator Brian Killen interviewed Van Dyke at IPRA's offices, located at 1615 West Chicago Avenue, regarding the McDonald shooting. Attorney Thomas Rebholz and FOP Field Representative Kriston Kato accompanied Van Dyke.

---

[29] On April 29, 2016, OIG spoke with CPD Deputy Chief Director of Training Keith Calloway. Calloway is familiar with the "21-foot rule" as a law enforcement principle, but it has never been a part of CPD's training process. Calloway characterized the 21-foot rule as "junk science" as the theory behind it has never been scientifically proven. *See* OIG Investigative Report of Call with Keith Calloway.

[30] OIG 15-0564 003310.

[31] OIG 15-0564 000632–55.

Prior to the interview, Killen informed Van Dyke that "any intentional falsification to any answer to any question would be in direct violation of Department rules and regulations," and that his "failure to provide a complete and accurate account of th[e] incident could result in a finding of a violation of Rule 14 with discipline leading up to and including separation from the Chicago Police Department." Van Dyke IPRA Tr. 3:16-28. Van Dyke stated he understood the potential disciplinary consequences of making a false statement to IPRA or providing a less than complete account of the shooting to IPRA. In summary, Van Dyke stated in relevant part as follows.

Van Dyke started work at 9:00 p.m. on October 20, 2014. Van Dyke is a relief officer and, as a result, he does not have a regular partner. Walsh was Van Dyke's partner that night and they were assigned to beat 845R. Van Dyke and Walsh were both in full uniform. Walsh drove the vehicle. Van Dyke and Walsh were leaving a 7-11 on 59th and Pulaski when they heard Beat 815R requesting assistance. Van Dyke stated 815R requested a taser for an individual at around 40th or 41st and "one of the K streets." Van Dyke IPRA Tr. 8:30-31. Van Dyke and Walsh then turned on their lights and sirens and drove to 40th and Pulaski. On the way, Van Dyke heard 815R still asking for a taser over the radio. He also heard them say the subject was armed with a knife and just slashed one of their tires. Van Dyke did not have a taser.

Van Dyke and Walsh drove westbound on 40th Street. Van Dyke saw McElligott on foot approaching the Burger King parking lot and McDonald running eastbound through the lot with a knife in his right hand. Van Dyke and Walsh entered the lot and cut McDonald off from going into the Burger King. Van Dyke saw another CPD vehicle approaching on their left. McDonald continued running eastbound toward Pulaski, and Van Dyke and Walsh continued to follow him on to Pulaski. At that point, McDonald started running southbound in the middle of Pulaski. Van Dyke stated that McDonald appeared to be running toward the Dunkin' Donuts, so they cut him off. As another CPD vehicle approached, McDonald diverted back into the southbound lanes on Pulaski. Van Dyke and Walsh then went around the other CPD vehicles and got ahead of McDonald "by about five or six car lengths." Van Dyke IPRA Tr. 13:22. Walsh parked their vehicle on an angle in the middle of Pulaski to keep McDonald from running down the road. Van Dyke then stated the following:

> Van Dyke: Um I exit the vehicle. Uh I see 'em runnin' wavin' this knife with his right hand you know under, it in an under position. I give 'em verbal commands to drop the knife. I'm yellin' at 'em drop the knife.
>
> . . . .
>
> IPRA: . . . And he's still on Pulaski and he's in the southbound lanes still runnin' south though right?
>
> Van Dyke: Yes.
>
> IPRA: You said he was kinda makin' that beeline between say Burger King and the Dunkin' Donuts on the east side of Pulaski?

Van Dyke: Correct.

IPRA: So you, you stop. You get out, pistol drawn.

Van Dyke: Yes.

IPRA: And order 'em to put the knife down.

Van Dyke: Yes I do.

IPRA: And you say he's wavin' it at, as best you can describe what were you doin' with your hand there?

Van Dyke: He's wavin' it in an, he's clenchin' it. Um with the blade forward underneath and he's wavin' it um from you know his right side towards his left in an upward fashion.

IPRA: Okay. Him doin' that make you think he was gonna put the knife down?

Van Dyke: No.

IPRA: You took that to be a threatening –

Van Dyke: Yeah he was wavin' it upwards –

Rebholz: Chest level.

Van Dyke: -- yea at my chest. Chest level.

IPRA: As if he wanted to he could stab you?

Van Dyke: Yes.

IPRA: Okay. And how far, so you get out and he's doin' this with the knife. How far are you from him at this point if you guess?

Van Dyke: I would say I was approximately ten to fifteen feet away from him.

IPRA: And he's facin' you?

Van Dyke: He's, he's comin' towards me.

IPRA: Okay. So he's closin' the distance between you and him?

Van Dyke: He is and I'm back pedalin'.

. . . .

IPRA: Okay. And he's closin' the distance between you and him and you're back pedalin' did you say?

Van Dyke: Yes I am.

IPRA: Is he runnin' toward you?

Van Dyke: He's walkin' really fast almost like ah almost like a jog I think.

IPRA: Okay. And that's when he's doin' the wavin' with the knife?

Van Dyke: Yes.

IPRA: And what, what happens? So he's closin' the distance. You're back pedalin' and what happens?

Van Dyke: He's getting', he's getting' closer to me. I could see that there's nobody to my right. There's nothin' in front a me. There's nothin' to my left. I keep on orderin' 'em to drop the knife, drop the knife, drop the knife. He doesn't drop the knife. He's still wavin' the knife at me. I'm thinkin' he's, he's goin' do somethin' to me.

IPRA: And whaddid [sic] you think was he was gonna do?

Van Dyke: I think he's going to try and take my life away from me.

IPRA: And what happens?

Van Dyke: I shoot 'em.

. . . .

IPRA: Okay. And just goin' back to when you discharged your firearm, do you remember, were you, were you standing still when you fired or were you movin'?

Van Dyke: I think I was moving.

IPRA: Do you think, do you think you were still movin' backwards?

Van Dyke: Yes.

Van Dyke IPRA Tr. 14:8 to 21:3. Van Dyke stated he shot McDonald sixteen times. He was aware of the number of shots because he emptied his magazine. Van Dyke did a "tactical

reload," but did not fire more shots because he "felt that the threat was eliminated." Van Dyke IPRA Tr. 18:22, 28. Walsh approached McDonald and forcibly kicked the knife out of his hand. At the end of his interview, Killen asked Van Dyke whether everything he stated was "a true and accurate account of what occurred." Van Dyke IPRA Tr. 23:20-21. Van Dyke responded, "Yes sir." Van Dyke IPRA Tr. 23:22.

G. Records and Interview Concerning 845R's In-Car Video System

On October 21, 2014, CPD Sergeant Lance Becvar submitted a supplementary report for R.D. No. HX475653 concerning his retrieval of video from the in-car video systems of the five CPD vehicles that were on scene when Van Dyke shot McDonald.[32] With respect to Vehicle 6412 (also referred to as Vehicle 845R), the vehicle in which Van Dyke was the passenger on October 20, 2014, Becvar noted "video recovered." Becvar also completed a corresponding "In Car Camera Video Retrieval Worksheet" regarding his October 20, 2014 video retrieval, in which he made the following notation with respect to Vehicle 6412 (845R): "No mics; mic charger disconnected."[33]

On July 17, 2015, Becvar sent an email summarizing his findings regarding his October 20, 2014 video retrieval from Vehicle 6412 and the other four CPD vehicles that were on scene when Van Dyke shot McDonald.[34] With respect to Vehicle 6412, Becvar stated as follows: "Video recovered Titled PC0S571@20141020215250 view out of focus. Foucsing [sic] problem found to be related to a loose cable connection for the camera. No MICs in vehicle and the charging cradles disconnected from power."

In a January 27, 2016 OIG interview with Becvar, he stated that the cable connector must have been pulled out of 845R's in-car video system or loosened from vibration. He estimated the chances that the cable disconnected from vibration at 10 or 15 percent. With respect to the charging cradles, Becvar stated that they plug into the bottom of the chargers and "vibrate loose or people possibly take them out." Becvar OIG Tr. 80:8.

Becvar also stated that if a vehicle's microphones were synced and functioning, its car video display and the recovered video would both show an "M1" (driver mic) and an "M2" (passenger mic).[35] Becvar's statement is corroborated by the in-car video system user manual, which establishes that officers are able to see "M1" and "M2" displayed on their in-car video system in real time as it is recording if the microphones are properly connected.[36] The user manual further

[32] OIG 15-0564 004991.

[33] OIG 15-0564 004992.

[34] OIG 15-0564 000567.

[35] The video recovered from 845R's in-car video system on October 20, 2014, does not show an "M1" or an "M2."

[36] *See* Coban Mobile Recorder User Manual. OIG 15-0564 008973.

reflects that the in-car video system display contains a "camera preview" that "displays the image as seen through the camera lens. The default image is set as the front facing camera."[37]

H. OIG's Attempted Interviews of Officer Van Dyke

On February 24, 2016, pursuant to Section 6.1 of the CBA between CPD and FOP, OIG, through CPD's Bureau of Internal Affairs, served Van Dyke with a Notification of Interview, Notification of Allegations, and copies of his prior statements, including: (1) his October 20, 2014 statement to March, contained in the March 16, 2015 CSR; (2) March's GPR containing his handwritten notes of his interview of Van Dyke; and (3) Van Dyke's October 22, 2014 statement to IPRA. In addition, OIG provided Van Dyke with the dashcam footage from 813R and 845R and the security camera footage from Dunkin' Donuts.

Following communications with Dan Herbert, Van Dyke's attorney, OIG rescheduled Van Dyke's interview from the March 9, 2016 date listed in his Notification of Interview to March 22, 2016. Neither Van Dyke nor Herbert appeared for the interview on March 22. OIG contacted Herbert, who "acknowledged it was his mistake that Officer Van Dyke did not appear for the interview." Van Dyke 3/22/16 OIG Tr. 5:3-5.

On April 4, 2016, pursuant to Section 6.1 of the CBA, OIG, through CPD's Bureau of Internal Affairs, served Van Dyke with another Notification of Interview, an updated Notification of Allegations, and copies of the following: (1) his October 21, 2014 statement to March, contained in the March 16, 2015 CSR; and (2) March's GPR containing his handwritten notes of his second interview of Van Dyke. At that time, Commander Brendan Deenihan of BIA, ordered Van Dyke to cooperate with the OIG investigation and gave Van Dyke General Order 08-01 and Rule 51 of CPD's Rules and Regulations. Deenihan memorialized his conversation with Van Dyke, and the memorandum states that Van Dyke understood the order to cooperate.

On April 7, 2016, Van Dyke appeared at his scheduled OIG interview. The interview was transcribed by a certified court reporter. Van Dyke's attorney, Dan Herbert, was also present for the interview. Van Dyke was placed under oath. OIG investigators presented him with his administrative advisements in writing.[38] Van Dyke refused to sign OIG's Advisement of Rights,

---

[37] OIG 15-0564 0008972.

[38] OIG's Advisement of Rights presented to Van Dyke states, in part:

> I understand that this interview is part of an official investigation and that I have a duty to cooperate with the Office of Inspector General, which includes answering all questions completely and truthfully.
>
> I understand that I have no right to remain silent. I understand that I have an obligation to answer questions put to me truthfully. I understand that if I refuse to answer questions put to me, I will be ordered by a superior officer to answer the questions. I further understand and I have been advised that if I persist in my refusal to answer after an order to do so, such further refusal constitutes a violation of the Rules and Regulations of the Chicago Police Department and may serve as the basis for my discharge.
>
> . . .

and, citing Section 6.1, Paragraph I of the Fraternal Order of Police CBA and CPD General Order GO8-01-01, objected to the fact that OIG did not advise him of his constitutional rights concerning self-incrimination prior to the interview.[39] Commander Deenihan, by telephone, again directly ordered Van Dyke to cooperate in the administrative investigation. Van Dyke invoked his Fifth Amendment right against self-incrimination.

Van Dyke further objected to the interview on the grounds that any statement made by him would violate a January 20, 2016 Decorum Order entered by Judge Vincent Gaughan in Van Dyke's criminal case, 15-CR-20622.[40]

Van Dyke stated that he read and understood the 34 allegations listed in the Notification of Allegations. He invoked his Fifth Amendment right against self-incrimination when OIG asked for his response to the allegation that he provided a false narrative to Detective March on or about October 20, 2014, concerning the McDonald shooting through a series of false statements and material omissions. Van Dyke's attorney then terminated the interview, and he and Van Dyke immediately left.

On June 3, 2016, pursuant to Section 6.1 of the CBA, OIG served Van Dyke with a Notification of Interview and Notification of Allegations regarding his failure to cooperate with OIG's investigation. In response, Van Dyke's attorney emailed OIG, stating Van Dyke would not speak about the case without a modification to the Decorum Order.

V. ANALYSIS

OIG's investigation established that Van Dyke made numerous false statements and material omissions in his interviews with CPD and IPRA regarding the McDonald shooting. In addition, Van Dyke filed a false TRR and a false OBR regarding his encounter with McDonald. Van Dyke's false reports, false statements, and material omissions all served a similar purpose—to exaggerate the threat McDonald posed. Further, OIG's investigation established that Van Dyke failed to follow CPD orders regarding the operation of CPD's in-car video systems. Finally, Van Dyke failed to cooperate with OIG's investigation, after being properly called upon to do so and directly ordered by a superior officer, by refusing to answer OIG's questions in his interview.

Van Dyke's actions, individually and collectively, constitute violations of CPD Rules. Each of Van Dyke's false statements constitutes a violation of Rule 14 (making a false report, written or oral). His false statements also constitute violations of Rule 2 (engaging in any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon

---

> I understand that any statement made by me during this interview and the fruits thereof cannot be used against me in a criminal proceeding.

[39] *See supra* pg. 4, n.3.

[40] The Decorum Order states, in part, that no person expected to testify in the matter shall "[m]ake any statement outside of court as to the content, nature, substance, or effect of any statements or testimony that is expected to be given in any proceeding in or related to this matter."

the Department) and Rule 3 (failing to promote the Department's efforts to implement its policy and accomplish its goals). An officer who has made false statements in an official investigation has irrevocably tainted not only his credibility, but also the credibility of CPD—and also fails to promote CPD's goal of employing officers with personal integrity and professional devotion to law enforcement. Van Dyke further violated Rule 6 (disobedience of an order, namely S03-05) and Rule 11 (incompetency in the performance of a duty) by failing to audibly record events with his in-car video system and failing to notify his supervisor about the system's inoperability. Finally, Van Dyke violated Rule 6 and Rule 51 (failing to give evidence before an investigative agency) by refusing to answer questions posed by OIG during his properly noticed April 7, 2016 interview and by making clear he would refuse to answer any questions after receiving his June 3, 2016 notice. Accordingly, OIG recommends that CPD immediately discharge Van Dyke.

A. Van Dyke's False Statements

1. October 20-21, 2014 False Statements to Detective March

Van Dyke made multiple false statements to Detective March regarding the McDonald shooting that are clearly contradicted by the 813R dashcam video, the most objective and reliable evidence of the events that night. Most notably:

- McDonald did not advance toward Van Dyke after Van Dyke ordered him to "Drop the knife!"

As described in the Summary of Relevant Video Footage, Section III.C.3., by the time Van Dyke and Walsh exited their vehicle, McDonald was walking southwest away from Van Dyke and Walsh, who at all times were east of McDonald. At no time during the encounter between McDonald and Van Dyke and Walsh did McDonald advance toward the two officers. Rather, it was Van Dyke who moved in McDonald's direction as he continued to walk southwest.

- McDonald did not raise his knife across his chest and over his shoulder and point his knife at Van Dyke.

The 813R dashcam video evidences that at no time during the period when Van Dyke and Walsh were outside their vehicle did McDonald raise the knife across his chest and over his shoulder and point the knife at Van Dyke. Seconds prior to the shooting, McDonald moved the knife from his right hip to the right side of his lower back, but this modest movement of the knife was not in the direction of Van Dyke and Walsh—Van Dyke and Walsh were in front of McDonald and to his left, and McDonald moved his knife behind his back, not in front of his body.

- Van Dyke did not backpedal before he fired his handgun at McDonald.

Van Dyke's statement that he backpedaled prior to shooting McDonald is clearly refuted by the 813R dashcam video and the Dunkin' Donuts security camera video, which show that Van Dyke takes approximately three steps northwest/west toward McDonald before shooting him. At no time does Van Dyke move in a way that increases the distance between himself and McDonald.

Rather, the video shows he either stayed still or moved toward McDonald.

- McDonald did not attempt to get up after he was shot and fell to the ground.

The 813R dashcam video reveals that McDonald did not attempt to get up after he fell to the ground. Upon being shot and falling to the street, McDonald never moved his legs or lower body. In addition, the video only shows McDonald's upper body making small, intermittent movements as what appears to be puffs of smoke rise from his body. Those small movements are not suggestive of a person trying to get to his feet. Accordingly, Van Dyke's statement that McDonald attempted to get up after he was shot is demonstrably false.

- McDonald was not attacking Van Dyke with the knife and attempting to kill Van Dyke.

For the reasons stated above, the objective evidence presented in the video cannot be squared with Van Dyke's claim that McDonald was "attacking Van Dyke with a knife" and "attempting to kill" him.

In addition, Van Dyke made multiple material omissions in his statement to March, reinforcing the false narrative he provided to March. In particular, Van Dyke failed to state that McDonald was walking away from him prior to the shooting and that he and Walsh moved toward McDonald prior to the shooting.

2. October 22, 2014 False Statements to IPRA

During his IPRA interview, Van Dyke again put forth a false narrative of the McDonald shooting that exaggerated the threat McDonald posed. Most notably:

- McDonald was not waving the knife in an upward fashion at chest level as he was going south on Pulaski.

As described in the Summary of Relevant Video Footage, Section III.C.3., seconds prior to the shooting, McDonald moved the knife from his right hip to the right side of his lower back—Van Dyke and Walsh were in front of McDonald and to his left, and McDonald moved his knife behind his back, not in front of his body. McDonald was not "waving the knife" "in an upward fashion" at "chest level."

- Van Dyke did not backpedal as McDonald was closing the distance between Van Dyke and McDonald, and he did not move backwards as he shot McDonald.

The video shows that McDonald was walking in a southwest direction away from Van Dyke and Walsh, and therefore was not "closing the distance" between himself and the officers. Van Dyke reiterated several times in his IPRA interview that he "backpedaled" prior to shooting McDonald. However, the 813R dashcam video shows Van Dyke take approximately three steps toward McDonald before Van Dyke shot him.

Finally, Van Dyke failed to tell IPRA that McDonald was walking away from him prior to the shooting and that it was Van Dyke and Walsh who approached McDonald. Van Dyke's repetition of his previous false statements to CPD demonstrates the deliberate nature of Van Dyke's testimony.

3. False Statements in Van Dyke's TRR and OBR

Van Dyke also asserted his false narrative of the McDonald shooting in the official CPD reports he submitted regarding his encounter with McDonald. In his TRR, Van Dyke claimed that McDonald (1) used force likely to cause death or great bodily harm to Van Dyke; (2) attacked Van Dyke with a weapon; and (3) created an imminent threat of battery. As outlined above, however, McDonald, while in Van Dyke's presence, never swung his knife in a manner to cause death or great bodily harm to Van Dyke. In addition, McDonald was never close enough to Van Dyke to stab him and, in fact, was walking away from Van Dyke during the vast majority of their encounter. Thus, Van Dyke's TRR constitutes a false report and represents an additional attempt by Van Dyke to exaggerate the threat posed by McDonald.

Notably, all of Van Dyke's false statements served to materially exaggerate the danger McDonald posed to Van Dyke and Walsh. In this context, Van Dyke's statements can be seen as a deliberate attempt to establish the false narrative that a back-pedaling Van Dyke shot an onrushing McDonald in response to McDonald's potentially deadly knife attack. 813R's dashcam video puts a lie to Van Dyke's narrative and proves it has little basis in reality.

B. Failure to Comply with Special Order S03-05

Van Dyke also violated Rule 6 (disobedience of an order, namely Special Order S03-05) and Rule 11 (incompetency in the performance of a duty) by failing to audibly record events with his in-car video system and failing to notify his supervisor about the system's inoperability. Special Order S03-05 required Van Dyke, as a sworn member assigned to a vehicle equipped with an in-car video system, to audibly record events with 845R's in-car video system during his tour of duty on October 20, 2014, and to notify his supervisor if the system was inoperable or damaged, or the audio recorder was missing.

Becvar, who recovered the video from 845R's in-car video system, found that the system's charging cradles were disconnected from their power source and that the video was out of focus due to a loose cable connection. In addition, 845R's dashcam video reflects that Van Dyke and Walsh did not connect their microphones to 845R's in-car video system because there is no "M1" or "M2" symbol visible at the top of the video footage from October 20, 2014, as there would have been if the microphones were connected. If Van Dyke had properly followed the pre-tour of duty in-car video system protocols, he would have identified all these issues. Thus, Van Dyke failed to follow the in-car video system procedures set forth in S03-05 on October 20, 2014.

C. Failure to Cooperate with OIG's Investigation

Van Dyke violated CPD Rule 51, Rule 6, General Order G08-01-02, and the City of Chicago Municipal Code by refusing to answer questions posed by OIG during his properly noticed April 7, 2016 interview and by making clear he would refuse to answer any questions after receiving his June 3, 2016 notice. On April 7, Van Dyke violated a direct order from his superior, Commander Deenihan, and asserted that he could not be compelled to give a statement based on his Fifth Amendment rights and also referenced a Decorum Order in his current pending criminal case. In emails dated between June 8 and June 16, 2016, Van Dyke's attorney reiterated that Van Dyke would not appear without a modification to the Decorum Order. Well-established case law demonstrates that Van Dyke's claim that he should have been provided constitutional rights concerning self-incrimination prior to his administrative interview is without merit. Further, his argument that Judge Gaughan's Decorum Order prevents him from providing information in a confidential OIG investigation is unfounded.

On April 7, 2016, when Van Dyke appeared for his properly-noticed interview, he refused to answer OIG's questions, despite a superior's order to do so, stating he was invoking his Fifth Amendment right against self-incrimination. Van Dyke persisted in his refusal even after being presented with OIG advisements stating that any statements made by him during the OIG interview and the fruits thereof could not be used against him in a criminal proceeding.

United States Supreme Court case law makes clear that a government employer can compel an employee's statement so long as the employee is granted immunity from the use of such testimony at subsequent criminal proceedings. Most notably, in *Garrity v. New Jersey*, 385 U.S. 493 (1967), the Supreme Court held that statements made by government employees under a coercive threat of employment discipline for non-cooperation cannot be used in criminal proceedings against the employee, because those statements are considered to have been compelled. *Garrity*, 385 U.S. at 500. However, an employee may be compelled to testify in a disciplinary proceeding if he is granted immunity from the use of such testimony at subsequent criminal proceedings. *See In re March,* 71 Ill. 2d 382, 400 (1978); *see also Lefkowitz v. Cunningham*, 431 U.S. 801, 806 (1977) (Given "the important public interest in securing from public employees an accounting of their public trust[,] [p]ublic employees may constitutionally be discharged for refusing to answer potentially incriminating questions concerning their official duties if they have not been required to surrender their constitutional immunity.").

In the present case, OIG's advisement to Van Dyke clearly stated that OIG's investigation was administrative and that any statements made by him during the interview could not be used against him in a criminal proceeding. Thus, under *Garrity* and its progeny, OIG was not required to advise Van Dyke of his right to remain silent because Van Dyke had no such right. Once OIG informed Van Dyke that his testimony could not be used against him at a subsequent criminal proceeding, Van Dyke, under the law, was obligated to answer OIG's questions. Accordingly, Van Dyke's refusal to answer OIG's questions, in violation of a superior's direct order, constitutes grounds for his discharge.

Additionally, Judge Gaughan's Decorum Order did not bar Van Dyke from answering the

questions OIG posed as part of its confidential administrative investigation. It is clear that Judge Gaughan entered his Decorum Order to shield the jury from public statements that could affect the fairness of the trial and did not mean to bar an employer—here, the City of Chicago—from conducting a confidential investigation into the alleged misconduct of a public employee. Thus, the Decorum Order does not apply to entities conducting confidential investigations such as OIG, and does not seek to limit Van Dyke's statements in this context.

Accordingly, Van Dyke had no legitimate basis for refusing to answer OIG's questions in his April 7, 2016 interview and in response to the June 3, 2016 notice. This failure serves as an additional basis for his discharge.

VI. RECOMMENDATION

Van Dyke's false statements and material omissions raise significant concerns regarding his credibility and ability to perform his duties as a sworn officer. As a sworn officer, Van Dyke's reports are relied upon in criminal legal proceedings and his credibility is therefore critical to his position. An officer who has made false statements in an official investigation has irrevocably tainted his credibility and has wholly disqualified himself from effectively executing core police functions. Based on this conduct he may be the subject of cross-examination in any contested proceedings in which he may appear as a witness, *see* FED. R. EVID. 608(b) ("Specific instances of conduct"), and his conduct and the findings resulting from this investigation would further qualify as impeachment material that should, in principle, be disclosed in any contested proceeding involving the official records or testimony Van Dyke generates. *See Giglio v. United States*, 405 U.S. 150 (1972) (requiring disclosure in criminal case of information impeaching of government witness's credibility). Illinois courts have repeatedly noted that "'as the guardians of our laws, police officers are expected to act with integrity, honesty, and trustworthiness'" and have found intentional false or misleading statements by police officers to be sufficient cause for termination. *Rodriguez v. Weis*, 408 Ill. App. 3d 663, 671 (1st Dist. 2011) (quoting *Sindermann v. Civil Service Comm'n*, 275 Ill. App. 3d 917, 928 (2nd Dist. 1995)). OIG therefore recommends that CPD immediately discharge Van Dyke and refer him for placement on the ineligible for rehire list maintained by the Department of Human Resources.

VII. CPD RULE VIOLATIONS

Rule 2 Any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department.

Rule 3 Any failure to promote the Department's efforts to implement its policy or accomplish its goals.

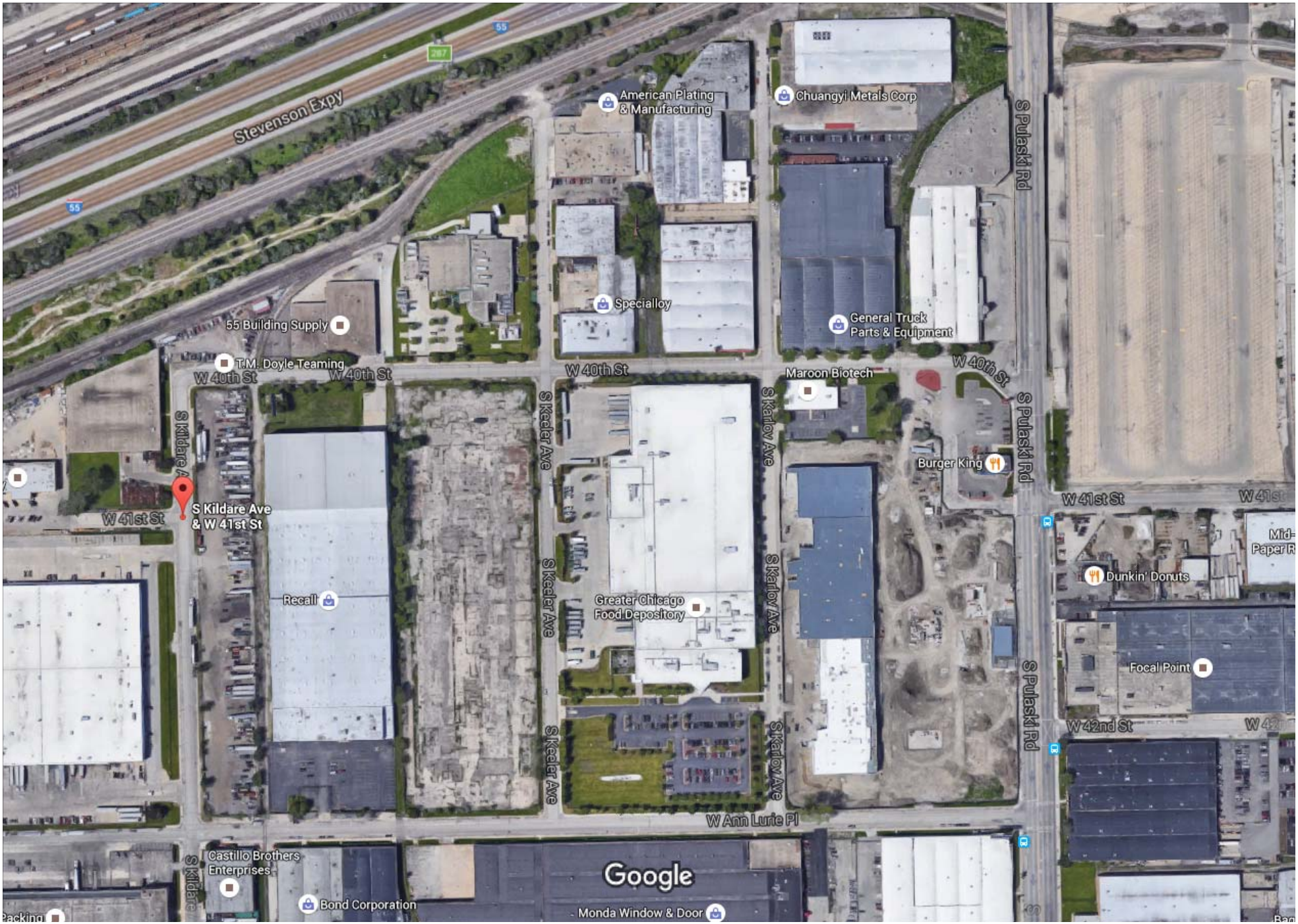
Rule 6 Disobedience of an order or directive, whether written or oral.

Rule 11 Incompetency or inefficiency in the performance of duty.

Rule 14 Making a false report, written or oral.

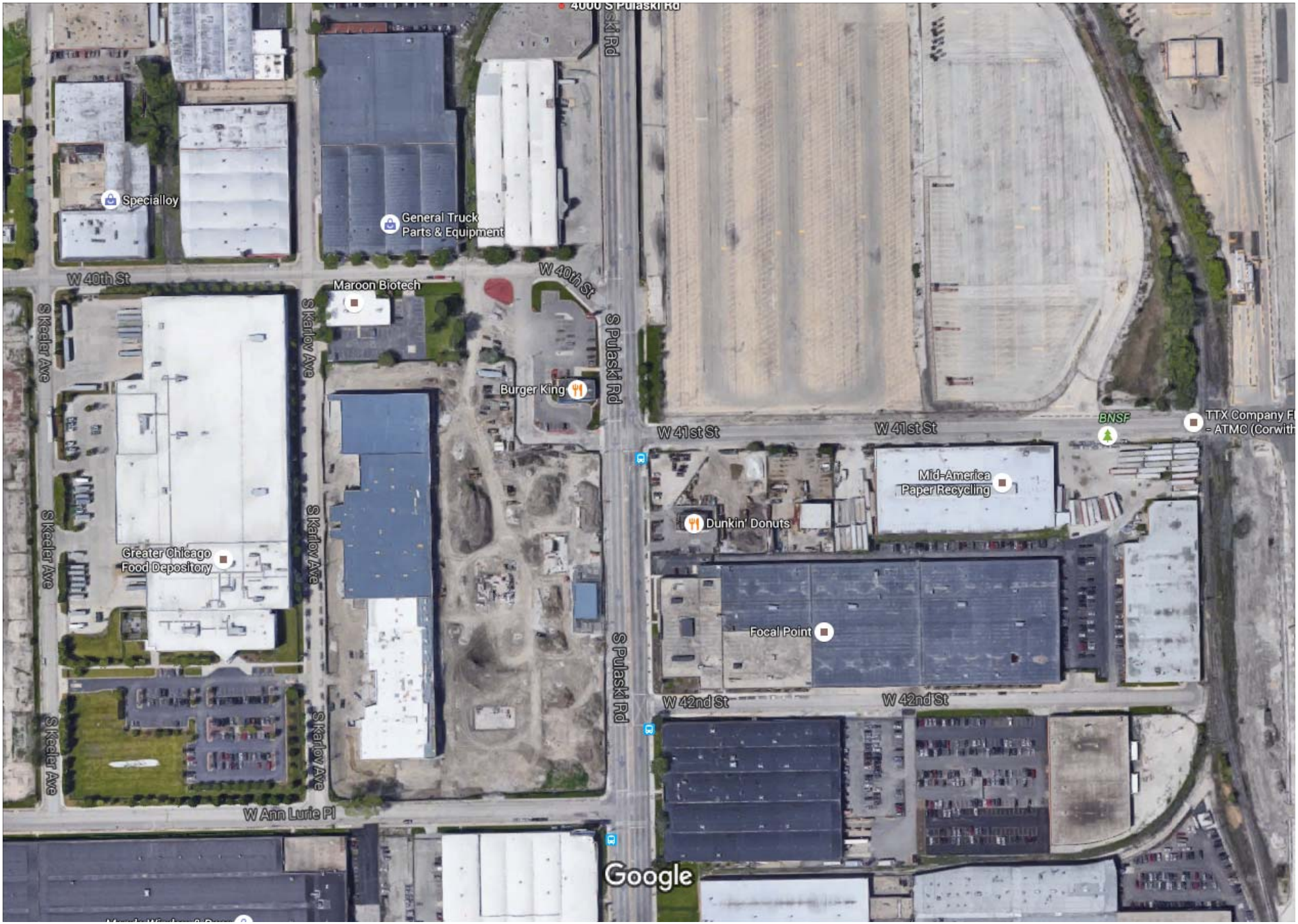
Rule 51 Failure to testify or give evidence before any grand jury, coroner's inquest or court of law or before any governmental, administrative, or investigative agency (city, state or federal) when properly called upon to do so, and when there is no properly asserted constitutional privilege, or when immunity from prosecution has been granted.

Appendix A


Stevenson Expy
55
287
American Plating & Manufacturing
Chuangyi Metals Corp
S Pulaski Rd
Specialloy
General Truck Parts & Equipment
55 Building Supply
T.M. Doyle Teaming
W 40th St
W 40th St
W 40th St
Maroon Biotech
W 40th St
S Pulaski Rd
S Kildare Ave
S Keeler Ave
S Karlov Ave
Burger King
S Kildare Ave & W 41st St
W 41st St
W 41st St
W 41st
Mid-
Paper R
Recall
Greater Chicago Food Depository
Dunkin' Donuts
Focal Point
S Pulaski Rd
W 42nd St
W 42
W Ann Lurie Pl
Castillo Brothers Enterprises
Google
Bond Corporation
Monda Window & Door
Imagery ©2016 Google, Map data ©2016 Google
200 ft



Imagery ©2016 Google, Map data ©2016 Google 100 ft



Imagery ©2016 Google, Map data ©2016 Google 200 ft

SUMMARY REPORT OF INVESTIGATION
Office of Inspector General Case # 15-0564 (Officer Leticia Velez)
November 22, 2016

This report consists of a summary of the evidence set out in the attached investigative materials and the Office of Inspector General's (OIG's) analysis of that evidence. An index of the investigative materials is attached.

I. INTRODUCTION

An OIG investigation has established that Leticia Velez, a police officer for the Chicago Police Department (CPD) who was at the scene when Officer Jason Van Dyke shot Laquan McDonald on October 20, 2014, failed to follow CPD Rules regarding the operation of CPD's in-car video systems. More specifically, and as detailed below, Velez failed to ensure that her vehicle's in-car video system was capturing audio or video on October 20, 2014, and failed to notify her supervisor that the system was not operating properly. Accordingly, OIG recommends that CPD impose discipline upon Velez commensurate with the seriousness of her misconduct, her discipline history, and department standards.

II. APPLICABLE RULES, REGULATIONS, AND LAW

A. CPD Rules and Regulations

CPD's Rules and Regulations set out the standards of conduct and duties of sworn members. Article V of the CPD Rules and Regulations, entitled CPD Rules of Conduct (the CPD Rules), sets forth specifically prohibited acts. In pertinent part, the CPD Rules include the following prohibitions:

Rule 6 Disobedience of an order or directive, whether written or oral.

Rule 11 Incompetency or inefficiency in the performance of duty.

B. CPD Special Order S03-05 (effective February 23, 2012 through February 24, 2016)

CPD Special Orders are directives that establish protocols and procedures concerning specific CPD functions, operations, programs, or processes. Special Order S03-05, which was in effect at the time of the shooting, outlines the protocols CPD members are to follow regarding in-car video systems.[1] Section VI of the Special Order provides that at the beginning of their tour of duty, Department members assigned to a CPD vehicle equipped with an in-car video system are to:

(1) visually inspect the in-car video system equipment for damage;

[1] In-car video systems are also referred to as dash cameras or dashcams in this report.

(2) obtain the remote transmitter/audio recorder and ensure it is securely attached to the member's person; and

(3) follow the start-up procedures for the in-car video system as trained and ensure the system is working properly.

The Special Order notes that members are to "immediately notify a supervisor if, at any time, the in-car video system is inoperable, damaged, the equipped vehicle becomes inoperable, or the remote transmitter/audio recorder is missing." During their tour, members are to "audibly and visually record events in accordance with this directive." At the conclusion of a tour of duty, members are to "verify the in-car video system is working properly."

III. LETICIA VELEZ EMPLOYMENT HISTORY

Velez has worked as a CPD Police Officer since 2002. Velez is a member of Fraternal Order of Police (FOP) Lodge 7.

IV. SUMMARY OF INVESTIGATION

A. Procedural History of OIG's Investigation

By letter, dated December 8, 2015, Independent Police Review Authority (IPRA) Acting Chief Administrator Sharon Fairley requested that OIG conduct an administrative investigation "to determine whether certain police officers/witnesses made false statements on official reports prepared in connection with [Van Dyke's shooting of McDonald] and/or during the investigation of the incident."[2] IPRA further requested that OIG investigate "whether any of the involved Chicago Police officers committed any other violation(s) of Chicago Police Department rules, policies or procedures in their involvement with the incident, including, but not limited to, whether any officers' conduct may have interfered with or obstructed the appropriate investigation and handling of this matter."

Then, by letter, dated January 13, 2016, CPD Interim Superintendent John J. Escalante requested that OIG conduct an "administrative investigation into any and all allegations of police officer misconduct" arising out of the October 20, 2014 shooting death of McDonald. The Superintendent's request asked OIG to investigate the following allegations: "whether any officer(s) made false statements on official reports submitted in connection with the shooting of Laquan McDonald on October 20, 2014; whether any officer(s) obstructed or interfered with the investigation of this incident, either individually or in collusion with others; and whether any officer(s) committed any violation of Chicago Police Department rules, policies, or orders in connection with their response and/or handling of this matter." Escalante attached to the letter request a copy of Sergeant Sandra Soria's Initiation Report, which raises allegations of

[2] On November 24, 2015, the Cook County State's Attorney charged Van Dyke with a single count of first degree murder in the shooting of McDonald. On December 15, 2015, it subsequently charged him with six counts of murder. OIG has not been involved with any criminal investigation related to the shooting and makes no findings regarding Van Dyke's use of force.

misconduct related to the in-car video systems of the vehicles that were present during the McDonald shooting, and identified that Report as a basis for OIG's administrative investigation.

On March 10, 2016, Kevin Kilmer, Financial Secretary for the FOP, filed a grievance with CPD on behalf of all affected members stating that OIG's attempts to conduct CPD officer interviews violated Article 6 of CPD's Collective Bargaining Agreement (CBA) with the FOP.[3] On March 16, 2016, FOP on behalf of all impacted CPD officers filed a "Complaint for Injunction in Aid of Arbitration" in the Circuit Court of Cook County, asking the court to enjoin OIG from conducting interviews until the grievance was decided in arbitration.[4] The court dismissed the complaint and denied the injunction on March 22, 2016.

OIG's administrative investigation of other CPD employees' actions related to CPD's handling of the McDonald investigation is ongoing. During the course of its investigation, OIG has gathered documents from CPD and IPRA, among other sources, and conducted numerous interviews, including interviews of several CPD personnel who were at or responded to the scene of the shooting and civilian witnesses to the shooting. To date in its ongoing investigation, OIG has recommended disciplinary action against multiple CPD personnel.

B. The Events of October 20, 2014

The following sections detail the shooting of McDonald, as well as the relevant events that occurred directly before and after the shooting.[5]

1. [redacted] and Rudy Barillas's Encounter with McDonald[6]

[redacted] and [redacted] Rudy Barillas, were parking a truck in a lot at 41st Street and Kildare Avenue when [redacted] saw a black male, whom she subsequently identified as McDonald, attempting to steal property from certain vehicles parked in the lot. Barillas told McDonald to leave the lot. McDonald responded by making growling noises. After Barillas again told McDonald to leave the lot, McDonald pulled out a knife and swung it at Barillas. Barillas, who

[3] Section 6.1, Paragraph I of the CBA states, "If the allegation under investigation indicates a recommendation for separation is probable against the Officer, the Officer will be given the statutory administrative proceeding rights, or if the allegation indicates criminal prosecution is probable against the Officer, the Officer will be given the constitutional rights concerning self-incrimination prior to the commencement of interrogation." CPD General Order GO8-01-01, Paragraph K contains similar language.

[4] *Fraternal Order of Police, Chicago Lodge 7 v. City of Chicago*, No. 2016 CH 03726 (Cir. Ct. of Cook County, Ill., Mar. 16, 2016).

[5] On April 22, 2016, OIG obtained maps of the locations that are relevant to the shooting from Google Maps and included those maps in Appendix A. Those maps generally reflect the street layout and location of relevant businesses as they were on the night of October 20, 2014.

[6] The following account of [redacted] and Barillas's encounter with McDonald is taken from the March 16, 2015 case supplementary report (CSR) submitted by CPD Detective David March, which includes the statements that [redacted] and Barillas provided to CPD on October 21, 2014, and October 22, 2014, respectively. OIG 15-0564 003077.

had already called 911, then threw his cell phone at McDonald.[7] McDonald ran from the lot, first northbound on Kildare and then eastbound on 40th Street.

2. Officers Thomas Gaffney and Joseph McElligott's Encounter with McDonald[8]

Officer Thomas Gaffney and his partner Officer Joseph McElligott received a call over the radio that someone had broken into a truck at 4100 South Kildare and were dispatched to the scene.[9] Gaffney was driving, and McElligott was in the passenger seat of their assigned vehicle, 815R.[10] When they arrived at 4100 South Kildare, they saw a Hispanic male and female standing by the gate to the truck yard. The two said that a black male wearing a black shirt, later determined to be McDonald, had been trying to steal the radio out of a semi-truck, and had subsequently headed north toward 40th Street.

Gaffney and McElligott drove north on Kildare, turned right onto 40th Street, and saw McDonald walking east on the south side of 40th Street. McElligott exited the vehicle and commanded McDonald to stop and turn around. Gaffney stayed in the vehicle in case McDonald attempted to flee. McElligott ordered McDonald to take his hands out of his pockets. McDonald, who had been facing McElligott, turned and walked away with one hand still in his pocket. McDonald then turned again and took both of his hands out of his pockets. He had a knife in his right hand. McElligott drew his weapon and told McDonald to drop the knife. McDonald started walking east again, going from the sidewalk to the street and back. McElligott

[7] OEMC recordings reflect that Barillas called 911 at 9:45 p.m. stating that he was holding "a guy right hear [sic] that stolen [sic] the radios" from trucks in a truck yard located at "41st and Kildare." OIG 15-0564 003227.

[8] The following account of Gaffney and McElligott's encounter with McDonald is taken from (1) the audio-recorded statements Gaffney and McElligott provided to IPRA on October 21, 2014, OIG 15-0564 000482-98, 000610-30; and (2) the March 16, 2015 CSR submitted by Detective David March, which includes the statements that Gaffney and McElligott provided to March on the night of the McDonald shooting. OIG 15-0564 003067–69.

[9] OEMC records reflect that Gaffney and McElligott received the call at 9:47 p.m. OIG 15-0564 003691.

[10] Below is a chart identifying the beat numbers and vehicle numbers of the CPD vehicles that were present when McDonald was shot, along with the names of the officers who were assigned to those vehicles. This SRI refers to the below-referenced vehicles by beat number, unless otherwise specified.

Beat #	Vehicle #	Officers
845R	6412	Officer Joseph Walsh (driver), Officer Van Dyke (passenger)
815R	8489	Officer Gaffney (driver), Officer McElligott (passenger and on foot)
813R	8779	Officer Janet Mondragon (driver), Officer Daphne Sebastian (passenger)
822	8765	Officer Arturo Becerra (driver), Officer Velez (passenger)
841R	8948	Officer Ricardo Viramontes (driver), Officer Dora Fontaine (passenger)

followed McDonald on foot, shining his flashlight on him, while Gaffney followed in 815R, parallel to McDonald.

As McDonald approached the intersection of 40th and Keeler, Gaffney reported to dispatch that McDonald was walking away with a knife in his hand.[11] Gaffney and McElligott continued to follow McDonald as he headed east, with McElligott giving McDonald orders to drop his knife and stop. McDonald kept turning around and giving the officers a "weird glaze[d] look." Gaffney IPRA Tr. 11:20.[12]

As McDonald approached the intersection of 40th and Karlov, Gaffney turned his car toward McDonald to direct him down Karlov. Gaffney wanted to keep McDonald away from Pulaski, which was a more populated area. McDonald then swung his arm and popped 815R's right front tire with his knife. McElligott was toward the back of 815R when McDonald popped its tire. After McDonald took a step back from the vehicle, Gaffney pulled up further in front of him to stop him from proceeding to Pulaski. McDonald then hit the right side of 815R's windshield once with the knife in his right hand. The windshield did not break but, according to Gaffney, McDonald hit it as hard as he could. McDonald walked around the front of 815R and continued eastward on 40th Street. After McDonald had walked 10 to 15 feet, another squad car turned off of Pulaski onto 40th Street with its lights on, and McDonald began to sprint. McElligott followed McDonald on foot, and Gaffney followed McDonald in 815R. McDonald ran eastbound through a parking lot of a Burger King located at 40th and Pulaski and then headed southbound on Pulaski. Video footage from several cameras captured McDonald's movements as he reached Pulaski.

3. Summary of the Relevant Video Footage

The below table contains a summary of the relevant video footage of the McDonald shooting, which includes the dashcam videos from 813R, 823R, and 845R, video from the "WNE fire exit" security camera from the Greater Chicago Food Depository, which is bordered by 40th Street to the north, Karlov Avenue to the east, and Keeler Avenue to the west, and the security camera video from the Dunkin' Donuts, located at 4113 South Pulaski Road (the DD Camera).[13]

Time	Event(s) Captured	Source of Video
9:53:17 – 9:54:42	McDonald walks eastbound on the south side sidewalk of 40th Street; a CPD SUV travels east on 40th Street, parallel to McDonald with its front bumper even with	Greater Chicago Food Depository Security Camera

[11] OEMC recordings reflect that, at 9:53 p.m., 815R reported: "We're at 40th and Keeler. This guy uh is walking away from us and he's got a knife in his hand." Approximately 30 seconds later, a dispatcher stated, "815R looking for a taser." *See* OEMC Documents and CDs; *see also* OIG 15-0564 003691, 3228.

[12] OIG 15-0564 000620.

[13] In addition to the videos cited in the summary, OIG obtained video footage from the security camera videos at Burger King and Focal Point, and the dash camera videos from Vehicles 815R and 821R. These videos do not contain footage relevant to this report.

	McDonald; an officer on foot trails directly behind McDonald by the length of the SUV, with his flashlight trained on McDonald.[14]	
9:56:53 – 9:57:01	813R and 845R turn left onto 40th Street from Pulaski.	813R Dashcam
9:57:01– 9:57:09	An unidentified person on 40th Street points the CPD vehicles toward the Burger King parking lot (813R); 845R turns into the parking lot (813R). McDonald runs southeast through the Burger King parking lot out onto Pulaski (845R).	813R Dashcam; 845R Dashcam
9:57:09 – 9:57:20	845R drives over the curb and sidewalk north of Burger King and heads south on Pulaski (845R); 813R turns around, turns right onto 40th Street, and then right again on Pulaski (813R); McDonald runs southbound in the middle of Pulaski and enters the intersection of 41st Street and Pulaski (813R).	813R Dashcam; 845R Dashcam
9:57:20 – 9:57:25	845R, which is facing east/southeast on Pulaski just north of 41st street, turns right behind McDonald and proceeds south on Pulaski on the east side of the street; 845R's passenger door briefly opens and then closes as it passes McDonald on his left; McDonald continues southbound on Pulaski, toward 822, which is stopped in the middle of Pulaski facing north.	813R Dashcam
9:57:25 – 9:57:28	McDonald slows as he approaches 822, touches his hands to his waist, and then, before Walsh and Van Dyke exit 845R and with 822 situated between McDonald and the officers, McDonald extends his right arm fully to his right—the video shows that he has a silver object in his right hand; 845R passes 822 and comes to a stop on the east side of Pulaski, facing south and almost directly south of 822; Van Dyke opens 845R's passenger door.	813R Dashcam
9:57:28 – 9:57:30	McDonald changes course and begins walking southwest on Pulaski, away from 822 and 845R (813R); Van Dyke	813R Dashcam; DD Camera[15]

[14] OIG confirmed the vehicle is 815R and the officer on foot is McElligott by comparing the video with photographs of the officers. OIG 15-0564 003356.

[15] The DD Camera video does not display an embedded timestamp. Therefore, OIG used the timestamp of 813R's video, which generally captured the same events as the DD Camera from a different angle, to establish the timeframe of the events captured by the DD Camera.

	exits the passenger side of 845R with both of his feet in Pulaski's northbound left turn lane, his gun drawn and pointed at McDonald (813R). Walsh exits the driver side of 845R, just east of Pulaski's northbound left turn lane, with his gun drawn, and moves north along the driver side of 845R until he is several feet north of 845R (DD Camera).	
9:57:30 – 9:57:33	McDonald continues to walk southwest, from the middle of Pulaski to the lane markers that divide the west side of the road (or approximately one lane west of where McDonald was prior to changing course) (813R). While McDonald walks southwest, Walsh begins moving sideways in a west/southwest direction, approximately parallel to McDonald, and crosses over the east side of Pulaski's northbound left-turn lane—his gun is pointed at McDonald (813R; DD Camera). Van Dyke takes approximately two steps northwest toward McDonald, with his left foot crossing into Pulaski's yellow-painted median strip—his gun is pointed at McDonald (813R; DD Camera). 822 drives north on Pulaski, away from 845R (813R).	813R Dashcam; DD Camera
9:57:33 – 9:57:36	As McDonald approaches the lane markers on the west side of Pulaski, walking in a southwest direction, he looks to his right and moves his right hand behind his waist, near the right side of his lower back, then brings his hand back to his right side (813R). As McDonald crosses the lane markers on the west side of Pulaski, he looks to his left, and takes a step southbound (813R). Meanwhile, Walsh continues moving west/southwest with his gun pointed at McDonald, ultimately traversing almost the entire width of Pulaski's northbound left-turn lane (813R; DD Camera). Van Dyke takes an additional step west, toward McDonald, putting both of his feet in Pulaski's median strip and placing himself almost directly between McDonald and Walsh (813R; DD Camera). McDonald is then apparently shot and Walsh stops moving and adopts a stance, with his feet more than a shoulder's width apart (813R; DD Camera).	813R Dashcam; DD Camera
9:57:36 – 9:57:54	McDonald spins between 180 and 270 degrees in a clockwise direction and then falls to the ground with the top of his head pointing south on Pulaski, approximately one street lane east of Van Dyke and just south of Van	813R Dashcam; DD Camera

	Dyke (813R). As McDonald falls to the ground, Van Dyke takes another step west toward McDonald, moving his right foot from Pulaski's median strip into the south-bound side of Pulaski; his gun remains pointed at McDonald (813R). Van Dyke subsequently takes an additional step or two south, toward McDonald. Other than those steps, Van Dyke's feet are stationary (DD Camera). After McDonald is on the ground, his legs and feet do not move (813R). McDonald's upper body makes small, intermittent movements as what appear to be puffs of smoke rise from McDonald's body (813R).[16]	
9:57:54 – 9:58:05	An officer approaches McDonald and kicks the knife from his hand. McDonald does not make any noticeable movements.	813R Dashcam
9:58:05-9:58:20	McDonald lies on the ground; no aid is rendered by CPD personnel. 823R, travelling northbound, pulls up on the west side of Pulaski, and stops just south of where McDonald is lying.	813R Dashcam; 823R Dashcam
9:58:20-9:58:57	Several CPD officers walk and stand near McDonald as he lies on the ground; no aid is rendered by CPD personnel.	813R Dashcam;[17] 823R Dashcam
9:58:57-9:59:02	823R begins making a U-turn on Pulaski. A Cook County Sheriff's Police Department (CCSPD) officer puts on blue gloves and walks toward McDonald.[18] McDonald is no longer visible in the video frame.	823R Dashcam

4. CCSPD Officer Accounts of the October 20, 2014 McDonald Shooting[19]

While on patrol on October 20, 2014, CCSPD Officers Adam Murphy and Jeff Pasqua observed several CPD police vehicles pass by them. Both officers decided to follow the CPD vehicles. When they arrived at the scene, several CPD vehicles were already present—Pasqua estimated it was five or six. McDonald was lying on the pavement "gasping for his last breath of air."

[16] OEMC records show that dispatch received notice to send an ambulance to the scene at 9:57:51. OIG 15-0564 003691.

[17] The last time stamp visible on the 813R dashcam video is 9:58:55.

[18] OIG identified the CCSPD officer as Officer Adam Murphy.

[19] The following CCSPD Officer accounts are taken from OIG's June 23, 2016 interview of Jeff Pasqua and its June 24, 2015 interview of Adam Murphy. Pasqua and Murphy are currently CCSPD investigators.

Pasqua OIG Tr. 11:22-23. Meanwhile, the CPD officers were "standing around" and talking to each other. Murphy OIG Tr. 11:1. Murphy noted the CPD officers did not respond to him when he asked if they needed assistance. Murphy stated:

> I see there's blood all over the pavement. [McDonald] was kind of gurgling when he was sitting there. I remember his mouth was going open and closed like he was trying to gasp for air. And I looked for everybody else, and they were kind of standing there. I just started taking my gloves—my rubber gloves out to check for a pulse and to see if I could render aid.

Murphy OIG Tr. 12:18-13:2. He heard someone say an ambulance was en route.[20] Both Officers Murphy and Pasqua recalled then watching McDonald take his final breaths.[21] It was "[m]aybe less than a minute before [McDonald] expired." Murphy OIG Tr. 14:15-16. At no time did any CPD officers attempt to provide aid or comfort McDonald—Murphy stated, "That's why I felt that I needed to go up to him." Murphy OIG Tr. 14:11-12.

After McDonald passed away, Murphy got up from beside him and noticed the shooting officer, who he now knows to be Van Dyke, "pacing back and forth in front of his car." Murphy OIG Tr. 15:7-8. Murphy approached him and told him to sit down and drink water. As he was speaking with Van Dyke, Murphy "heard several officers telling [Van Dyke] to call your union rep, call your union rep." Murphy OIG Tr. 15:16-17.

Murphy and Pasqua departed after approximately ten minutes on the scene when a CPD sergeant told them CPD did not need their assistance. At the time they left, there was "[a] sea of CPD" on scene. Murphy OIG Tr. 38:3; Pasqua OIG Tr. 25:7-8.

C. Velez's October 20, 2014 Statement Regarding the McDonald Shooting[22]

On March 15, 2015, Detective David March submitted a case supplementary report (CSR) with the R.D. Number HX475653 that contains a summary of CPD's investigation.[23] Lieutenant

[20] In a January 22, 2016 OIG interview, CPD Area North Commander Kevin Duffin stated CPD police officers have a duty to render aid to injured civilians per general orders. Police officers render aid by calling dispatch and requesting that an ambulance be dispatched to the scene. According to Duffin, police officers are not required or expected to provide any more assistance than this. On March 30, 2016, CPD issued General Order G03-06 which requires that the involved member(s) "request medical attention for the injured, and also offer immediate medical aid commensurate with their training, experience, and available equipment."

[21] The Medical Examiner's Case Report states McDonald was pronounced dead "on view" at Mount Sinai Medical Center on October 20, 2014, at 10:42 p.m. OIG 15-0564 015029.

[22] OIG 15-0564 003070–71.

[23] CPD's investigation in the aftermath of the McDonald shooting was reported under record number HX-475653, and most reports were classified as an investigation into an aggravated assault in which McDonald was the offender. In a few reports, the case was classified as an investigation into a justifiable homicide of which McDonald was the victim. An additional record number was also created and classified as a justifiable homicide, apparently for recordkeeping purposes. In CPD's investigative reports classified under the aggravated assault, CPD personnel drew conclusions about the propriety and lawfulness of Van Dyke's shooting of McDonald. This raises questions about CPD's role in investigating a police-involved shooting in light of IPRA's jurisdiction over the matter.

Anthony Wojcik approved the CSR on March 16, 2015. Included in that CSR is a summary of the statement that March purported to have obtained from Velez at the scene of the shooting, which states in relevant part:

> [Velez] stated she was a Chicago Police Officer assigned to the 008th District. Velez related the same facts as her partner, Officer Arturo Bacerra [sic].
>
> Officer Velez added that as they approached the scene she observed Laquan McDonald standing in the middle of the street, holding a shiny object in his right hand. She saw him waving the object in the air. Officer Bacerra [sic] drove past McDonald and began to make a U-turn, when Velez heard multiple gunshots, without pause or delay. She then saw McDonald fall to the ground. Velez did not see who fired the shots. She did see an unknown officer kick the knife from McDonald's hand after he was down on the ground.[24]

D. Records and Interviews Concerning 822's In-Car Video System

1. October 20, 2014 Supervisor's Management Log

Sergeant Sean Tully completed and signed a "Supervisor's Management Log," dated October 20, 2014, for the third watch officers under his supervision, which included Becerra and Velez. Under "Personnel and Assignments," the log lists Velez and Becerra's names, as well as their beat (822) and vehicle number (8765). Tully noted that the 822 vehicle had an in-car camera and that the camera was "Operable and Logged On" as of 16:30.[25]

2. Sergeant Becvar's Reports and Interview

On October 21, 2014, CPD Sergeant Lance Becvar submitted a supplementary report for R.D. No. HX475653 concerning his retrieval of video from the in-car video systems of the five CPD vehicles that were on scene when Van Dyke shot McDonald.[26] With respect to the beat 822 vehicle (also referred to as Vehicle 8765), the vehicle in which Velez was a passenger on October 20, 2014, Becvar noted "Not engaged—Officer reported power issue." Becvar also completed a corresponding "In Car Camera Video Retrieval Worksheet" regarding his October 20, 2014 video retrieval, in which he made the following notation with respect to 822: "Mics in charging cradles, not sync'd to system."[27]

---

[24] Detective March completed a General Progress Report (GPR) relating to his interview of Velez that contains March's handwritten notes of the interview. OIG 15-0564 003251. March's handwritten notes of the interview do not differ in any significant way from the summary of Velez's statement in the CSR.

[25] With respect to beats 825 and 849, Tully noted that their vehicles' in-car cameras were inoperable and listed a corresponding help desk ticket number for each vehicle's camera.

[26] OIG 15-0564 004991.

[27] OIG 15-0564 004992.

On July 17, 2015, Becvar sent an email summarizing his findings regarding his October 20, 2014 video retrieval from 822 and the other four CPD vehicles that were on scene when Van Dyke shot McDonald.[28] With respect to 822, Becvar wrote: "System not engaged, officer related no power. There was no open H[elp] D[esk] T[icket] called in on vehicle. MICs not sync'd to system even though they were in the charging cradles."

In a January 27, 2016 OIG interview, Sergeant Becvar stated that when he checked 822's in-car video system on October 20, 2014, it was not engaged and there was no video. In addition, 822's mics were not synced to the system. Becvar had a conversation with Velez that evening, and she related that 822's in-car video system had not been working correctly. Velez told Becvar that the system's power had been going on and off. When asked what could cause the system to have no power, Becvar responded: "Is it an interface problem with the car, is it the CPU has a loose board or power supply, a damaged cable, some tampering, I wish I could answer that." Becvar OIG Tr. 65:13-16. According to Becvar, if 822's in-car video system was not powering up at the beginning of Velez and Becerra's shift, "they should have notified their sergeant," and obtained a help desk ticket. Becvar OIG Tr. 70:16-17. When Becvar returned to the Detective Division from the scene of the shooting, he checked to see if 822 had an open help desk ticket and determined that it did not.[29]

E. OIG Interview of Velez

On September 15, 2016, pursuant to Section 6.1 of the CBA between CPD and FOP, OIG, through CPD's Bureau of Internal Affairs, served Velez with a Notification of Interview, Notification of Allegations, and copies of her prior statements, including (1) her October 20, 2014 statement to Detective March, contained in the March 16, 2015 CSR, and (2) Detective March's GPR containing his handwritten notes of his interview of Velez. In addition, OIG provided Velez with the dashcam footage from 813R and 845R and the security camera footage from Dunkin' Donuts.[30]

On September 21, 2016, OIG investigators interviewed Velez under oath after informing her of her administrative advisements orally and in writing. Velez provided oral and written acknowledgement of the reading of those advisements. The interview was transcribed by a certified court reporter. Velez was accompanied by her attorney. In summary, Velez stated as follows.

1. October 20, 2014

On October 20, 2014, Velez was in the 822 vehicle with her partner Becerra. Velez and Becerra had been partners for over a year. Their shift began at 3:30 p.m. that day.

[28] OIG 15-0564 000567.

[29] CPD records reflect that no help desk tickets were opened concerning Vehicle 8765's in-car camera system in the 30 days preceding or following Velez's October 20, 2014 tour of duty.

[30] During her September 21, 2016 interview, Velez acknowledged that she reviewed the 813R video in preparation for the interview.

a) Scene of McDonald Shooting

Just before Van Dyke shot McDonald, Becerra was driving northbound on Pulaski, and Velez was in the passenger seat. Velez saw McDonald "holding a shiny object" in his hand; "he was not waving it up over his head or in the air; it was to the side. His hand was extended." Velez OIG Tr. 81:14-17. After Van Dyke and Walsh went around 822 in 845R, Becerra began making a U-turn on Pulaski between the Burger King and Dunkin' Donuts. According to Velez, Becerra made the U-turn to "mov[e] out of the way" because McDonald had already passed them. Velez OIG Tr. 87:13. As Becerra made the U-turn, Velez heard shots fired.[31] When Becerra completed the U-turn, which took seconds, 822 was facing south, and Velez could see McDonald from inside the vehicle. There were no vehicles between 822 and McDonald. Velez could not estimate how far their vehicle was from McDonald or 845R.

Velez then exited 822 and walked to the front of the vehicle. Becerra exited 822 at approximately the same time as Velez, but he was not standing next to Velez. Van Dyke was still firing at McDonald when Velez got out of the vehicle, but she was not sure at the time who was doing the shooting. Velez explained that both Van Dyke and Walsh were in a "ready stance position," but her focus was on McDonald, who was on the ground. Velez OIG Tr. 23:7. Velez did not know how many shots Van Dyke fired after she got out of the vehicle. While Van Dyke was shooting, Velez was "standing there watching." Velez OIG Tr. 25:2. She had her holster unsnapped.

Velez said that seeing McDonald get shot while he was on the ground was "horrific to see." Velez OIG Tr. 73:12. Velez continued: "I kind of froze. I've never witnessed that, and I will have 17 years [on the force] in January, and I've never seen anything, never witnessed a police shooting out of my years of experience. So, yeah, it was horrific to see." Velez OIG Tr. 73:12-16.

After the shooting stopped, Velez observed Walsh kick McDonald's knife away. Velez subsequently attempted to contact FOP "to let them know there was a police-involved shooting." Velez OIG Tr. 25:13-14. When asked whether contacting FOP was protocol, Velez responded: "People were starting to make notifications. There were officers that were on the radio requesting an ambulance, requesting a supervisor." Velez OIG Tr. 25:16-19. No one instructed Velez to call FOP. Velez had FOP's number on her cell phone. Velez initially said that FOP's line was busy that she "wasn't able to make any type of notification." Velez OIG Tr. 25:24-26:1. She later said that she "called FOP. Somebody answered, and they were like, 'We're already talking to somebody from the 8th District.' 'Okay.' I hang up." Velez OIG Tr. 27:14-17.

Velez then waited for a supervisor to arrive. Ultimately a sergeant, whose name Velez did not recall, told Velez and Becerra, "'You guys are on video. You have to remain on scene. You're going to have to go to the area.'" Velez OIG Tr. 31:19-22. At some point, Becerra moved the 822 vehicle out of the northbound lane on Pulaski so the ambulance could come through. Velez and Becerra also used their flashlights in an attempt to find shell casings.

[31] Velez said that prior to the shooting she heard someone say "drop the knife." Velez OIG Tr. 23:15-16.

While at the scene, Velez and Becerra discussed how neither of them had a taser, and Velez questioned why they responded to the scene if they did not have a taser. Velez denied having any conversations with Van Dyke, Walsh, Fontaine, Viramontes, or Sebastian at the scene. Velez asked Mondragon if her camera had been on, and Mondragon said yes.

Velez saw part of the 813R video while at the scene. Velez explained that Mondragon was in the process of saving the video, which required her to play the video. Velez was standing outside the 813R vehicle "peering in." Velez OIG Tr. 45:8. Velez saw the shooting on the video. Velez's reaction upon seeing the video was that "the angle of the vehicle didn't catch the whole panoramic view of everybody that was there." Velez OIG Tr. 46:21-23. Velez did not see any other video of the shooting that night.

Velez did not recall talking to a detective at the scene of the shooting and said she did not know who Detective David March was. She denied that anyone from CPD asked her to provide an account of the shooting while she was at the scene.

b) Area Central

Around midnight, Velez and Becerra drove to Area Central in the 822 vehicle. During the drive, Velez asked Becerra whether Walsh had shot McDonald, and he told her that Van Dyke had been the shooter. Velez and Becerra also talked about how "crazy it was to witness th[e] shooting." Velez OIG Tr. 78:1-2. Velez and Becerra also questioned whether Van Dyke needed to fire all the shots he did; Becerra agreed with Velez that it was a lot of shots to be fired. When Velez and Becerra arrived, Van Dyke, Walsh, Mondragon and Sebastian were present. Fontaine and Viramontes arrived later. According to Velez, "[e]verybody was just milling around pretty much waiting to be spoken to and waiting for IPRA to speak to us." Velez OIG Tr. 35:5-7. Velez denied talking to any of the other officers who were present.

While at Area Central, someone, who Velez presumed to be from CPD, asked Velez and Becerra if they saw what happened. The person asked: "'Where were you? What did you guys see?' You know, 'Which one is your car?' Like, we are in one of the vehicles that's on camera, it's in the video, and he asked us what we saw." Velez OIG Tr. 36:3-7. She described the conversation as very brief and said it only lasted a few minutes. Velez did not recall what she or Becerra said in response to his questions. She said the person appeared Asian. This conversation took place in a small office on the second floor of Area Central. No one else was present during that conversation. Velez and Becerra were not asked questions by anyone else while they were at Area Central. At some point, Velez and Becerra were told—Velez did not recall by whom—that IPRA was not going to speak to anyone else and that they could leave.

c) HX475653 CSR

When shown the HX475653 CSR containing what purports to be Velez's statement, Velez stated: "I don't know who I spoke to, who took my statement, if there was somebody I spoke to concerning this shooting. So I obviously spoke to somebody, but who was it? I don't know who took my statement." Velez OIG Tr. 83:13-17. Velez added, "[T]his is not what I said or what I would have stated in terms of my statement." Velez OIG Tr. 81:21-23.

More specifically, Velez claimed that she would not have said "She saw him waving [the] object in the air," *see supra* § IV(C)(1), and said that that statement was not accurate. Velez OIG Tr. 38:2-4. For Velez, the word "waving" implied that McDonald had his knife above his head and that did not happen. When asked to characterize McDonald's activities, Velez responded: "Holding the object in his right hand with his hand to the side, like extended to the side." Velez OIG Tr. 66:6-8. Velez added that she had seen McDonald holding his left side and her statement did not reflect such an observation. Velez did not recall relating that observation to any CPD officers on the night of October 20, 2014. Velez further stated that when she initially saw McDonald, he was not standing; rather, "he [was] kind of approaching us too." Velez OIG Tr. 64:20.

With respect to the statement that "She then saw McDonald fall to the ground," Velez claimed she would have said that she saw "McDonald fall to the ground while he was still—you know, while the shots were still being, you know, shot." Velez OIG Tr. 69:6-8. When asked whether she recalled telling anyone from CPD that she had seen McDonald get shot while he was on the ground, Velez stated: "I did not. I didn't give a statement, didn't know when I was giving a statement to give this information." Velez OIG Tr. 72:5-7.

2. Vehicle 822's In-Car Video System

Velez acknowledged that 822's in-car video system failed to capture audio or video during her October 20, 2014 tour. When asked whether she followed the start-up procedures for 822's in-car video system on October 20, 2014, Velez responded: "I don't remember if I did it right away." Velez OIG Tr. 100:20. She added: "[Y]ou're supposed to." Velez OIG Tr. 100:23. As of October 20, 2014, Velez was aware of the protocols set forth in S03-05 and had attended an all-day training at the Police Academy on how to use the in-car video systems.

Velez and Becerra did not sync their mics to 822's in-car video system on October 20, 2014. Prior to 2016, it was not Velez's practice to sync her mic with her vehicle's in-car camera system. When asked whether she visually inspected 822's in-car video system for damage on October 20, 2014, Velez responded: "It would be visible. The dash cam is right on—right in front of you. It was—but an actual, like, let me sit here and inspect thorough, no, sir." Velez OIG Tr. 119:10-13.

Velez tried to log on to 822's in-car video system throughout her tour on October 20, 2014, but "was not successful." Velez OIG Tr. 101:4. Velez claimed that the system was "acting up" and that she could not get the startup screen to appear. Velez OIG Tr. 102:3. According to Velez, she and Becerra did not have their microphones on their person that day because they could not log onto the in-car video system.

While at the scene of the shooting, Velez spoke with the CPD "camera person," who was there to obtain video from the CPD vehicles' in-car video systems. Velez OIG Tr. 28:20-21. He was upset and asked Velez, "'What happened with the camera?'" Velez OIG Tr. 29:21-22. Velez told him that she tried numerous times to log on. He responded: "'[Y]ou tried so many times,

it's like slapping somebody on the back of the head, that you didn't even give the camera the opportunity to think, to log on.'" Velez OIG Tr. 30:1-4.

Velez was aware that if officers have an issue with their in-car video system, they are supposed to notify their supervisor, who is to obtain a ticket number from the help desk. Velez acknowledged that during her October 20, 2014 tour she did not notify her supervisor that 822's in-car video system was inoperable.[32]

V. ANALYSIS

OIG's investigation established that Officer Leticia Velez violated CPD Rule 6 (disobedience of an order, namely S03-05) and Rule 11 (incompetency in the performance of a duty) by failing to visually and audibly record events with 822's in-car video system and failing to notify her supervisor about the system's inoperability. CPD records establish that 822's in-car video system did not capture video or audio during Velez's October 20, 2014 tour. Sergeant Lance Becvar, who attempted to recover video from 822's in-car video system, found that the system was not engaged. Velez claimed that she unsuccessfully attempted to log in to 822's in-car video system throughout her October 20, 2014 tour, but admitted that she never contacted her supervisor to obtain a help desk ticket regarding the inoperable system as required by S03-05.[33] Velez further admitted that she did not visually inspect 822's in-car video system for damage or sync her mic with the system at the beginning of her tour. Thus, the evidence demonstrates that Velez failed to follow the in-car video system procedures set forth in S03-05.

Velez's failure to follow CPD's in-car video system protocols prevented CPD from collecting potentially important, objective, technology-based evidence of the McDonald shooting. As a result, investigators have been forced to rely on Velez's subjective, unrecorded, oral account of the shooting. Velez's violation of CPD rules also served to harm the relationship between CPD and the residents it serves. A functioning in-car video system is critical to CPD's efforts to maintain accountability for its officers. That accountability, in turn, fosters the public's trust in CPD. When accountability mechanisms fail, as they did in the present case, where only one of the five CPD vehicles present at the shooting captured video of the actual shooting and none of those vehicles captured audio, the public can lose faith in CPD's commitment to accountability. Thus, as CPD works to rebuild the relationship between its officers and the greater Chicago community, it must ensure that its personnel understand the importance of keeping all aspects of CPD's accountability framework, including in-car video systems, functional.

[32] OIG requested from OEMC the portable data terminal messages sent from the 822 vehicle on October 20, 2014. However, OEMC notified OIG that it only maintained those records for seven days and thus was no longer in possession of the records at the time of OIG's request.

[33] Sergeant Tully's October 20, 2014 Supervisor's Management Log reflects that 822's system was "operable and logged on" one hour after Velez's tour started. However, a lack of evidence regarding the actual mechanical state of 822's dashcam during Velez's October 20, 2014 tour, including the absence of October 20, 2014 PDT messages for 822, preclude any finding as to whether Tulley's log was true and accurate.

VI. RECOMMENDATION

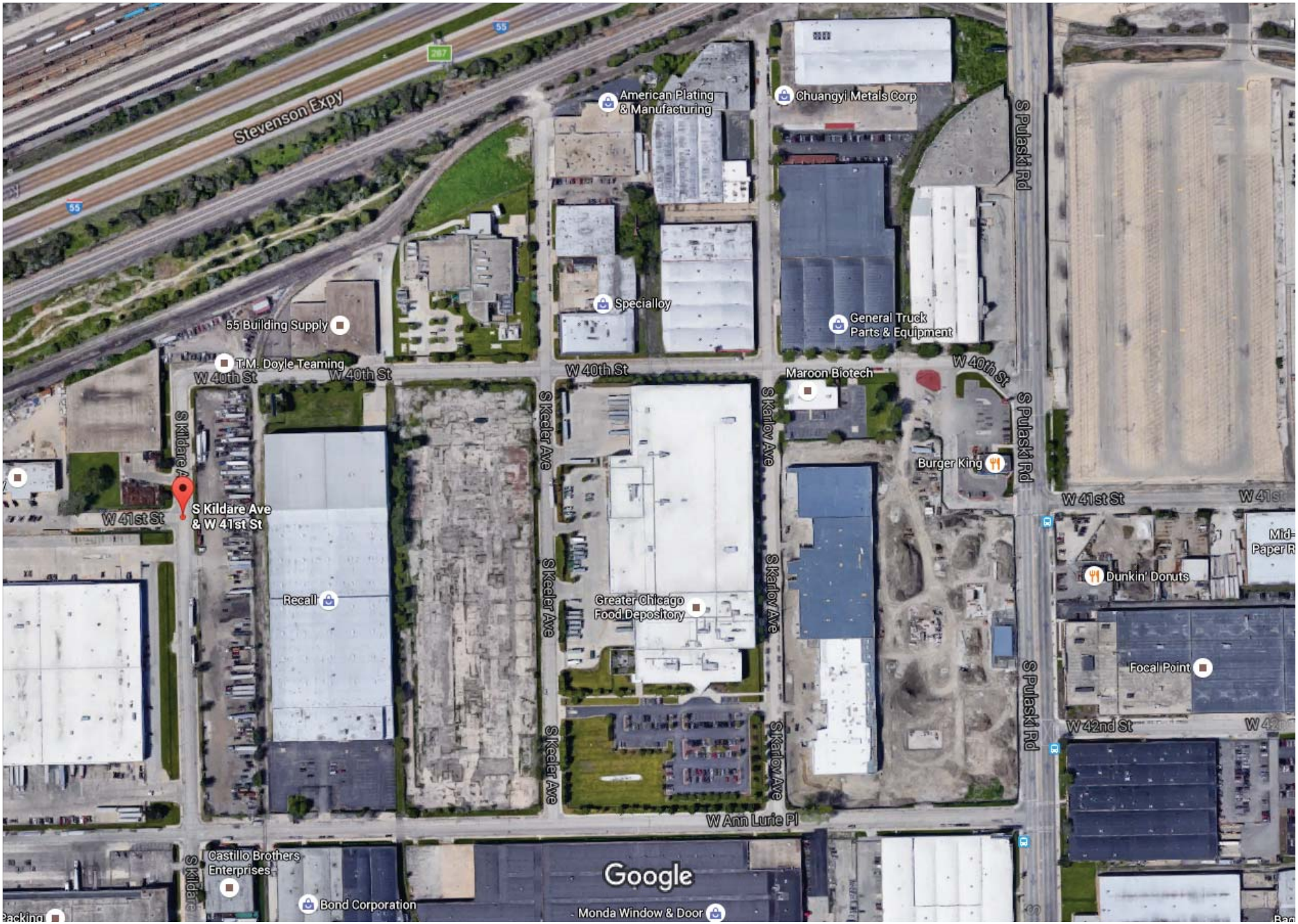
OIG recommends that CPD impose discipline upon Velez commensurate with the seriousness of her misconduct, her discipline history, and department standards.

VII. CPD RULE VIOLATIONS

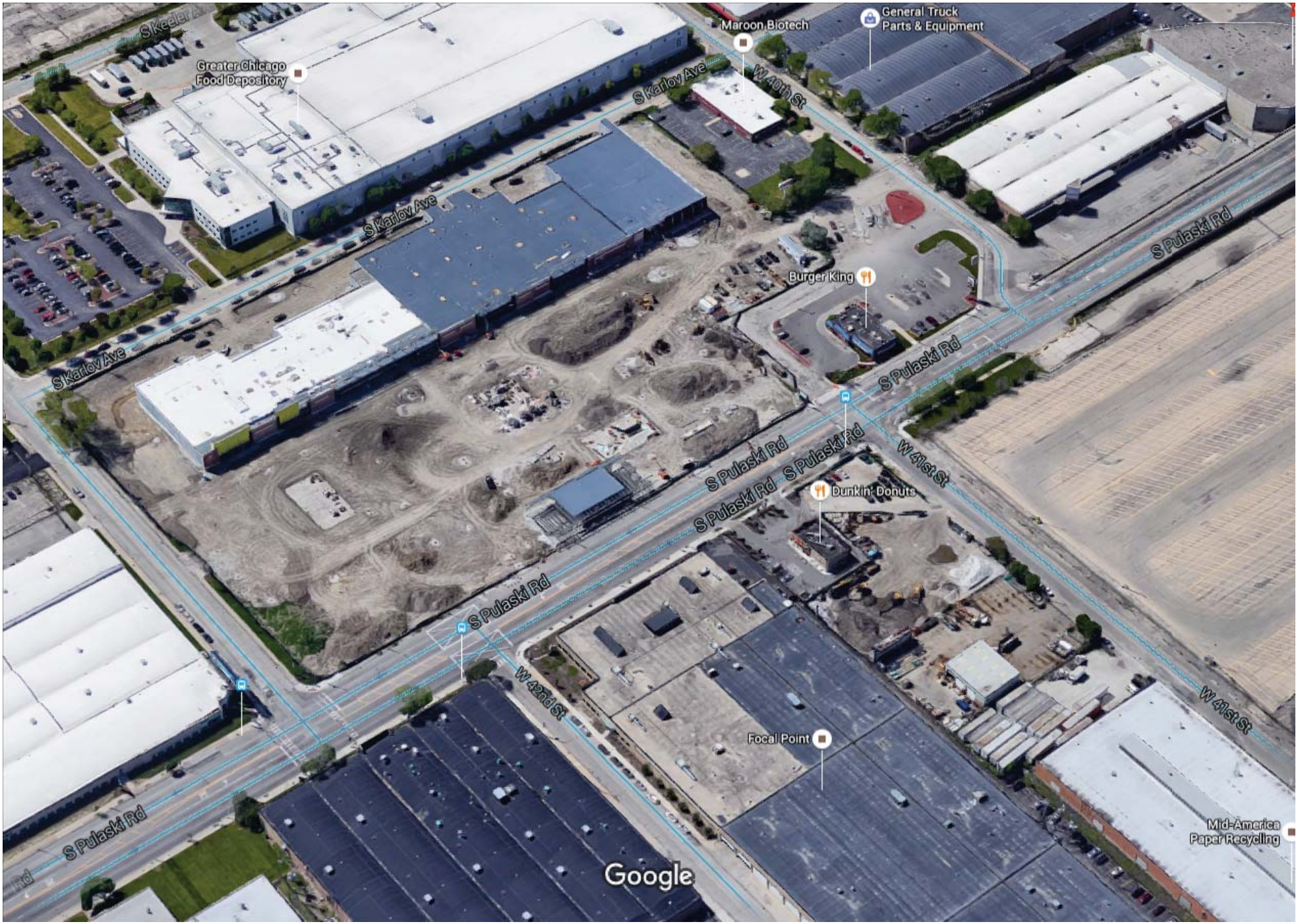
Rule 6 Disobedience of an order or directive, whether written or oral.

Rule 11 Incompetency or inefficiency in the performance of duty.

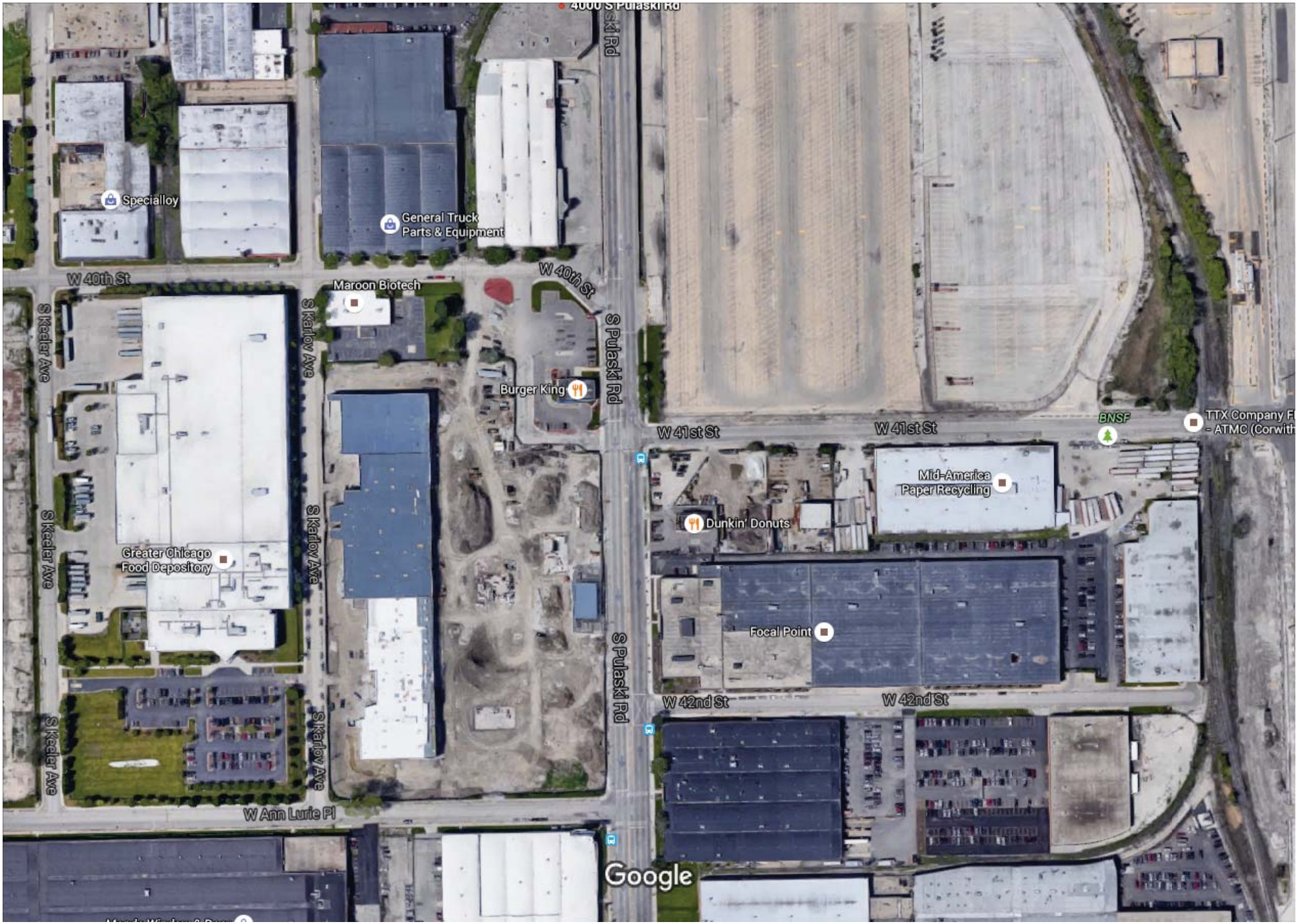
Appendix A



Imagery ©2016 Google, Map data ©2016 Google 200 ft



Imagery ©2016 Google, Map data ©2016 Google 100 ft



Imagery ©2016 Google, Map data ©2016 Google 200 ft

SUMMARY REPORT OF INVESTIGATION
Office of Inspector General Case # 15-0564 (Officer Ricardo Viramontes)
June 30, 2016

This report consists of a summary of the evidence set out in the attached investigative materials and the Office of Inspector General's (OIG's) analysis of that evidence. An index of the investigative materials is attached.

I. INTRODUCTION

An OIG investigation has established that Ricardo Viramontes, a police officer for the Chicago Police Department (CPD) who was present when Officer Jason Van Dyke shot Laquan McDonald on October 20, 2014, violated CPD Rules and Regulations during the subsequent CPD investigation.[1] Viramontes was assigned to Beat 841R on October 20, 2014, and arrived at the scene with his partner, Officer Dora Fontaine, as Van Dyke was shooting McDonald. As detailed further below, Viramontes made false statements during his subsequent interview with CPD, which served to exaggerate the threat McDonald posed. Accordingly, OIG recommends that CPD discharge Viramontes and refer him for placement on the ineligible for rehire list maintained by the Department of Human Resources.

II. APPLICABLE RULES, REGULATIONS, AND LAW

A. CPD Rules and Regulations

The "Rules and Regulations of the Chicago Police Department" set out the standards of conduct and duties of sworn members, as well as CPD goals. The Rules and Regulations state that sworn members must "conduct themselves at all times in such a manner as will reflect credit upon the Department with emphasis on personal integrity and professional devotion to law enforcement."

Article V of the CPD Rules and Regulations, entitled CPD Rules of Conduct (the CPD Rules), sets forth specifically prohibited acts. In pertinent part, the CPD Rules include the following prohibitions:

Rule 2 Any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department.

Rule 3 Any failure to promote the Department's efforts to implement its policy or accomplish its goals.

---

[1] CPD's investigation in the aftermath of the McDonald shooting was reported under record number HX-475653, and most reports were classified as an investigation into an aggravated assault in which McDonald was the offender. In a few reports, the case was classified as an investigation into a justifiable homicide of which McDonald was the victim. An additional record number was also created and classified as a justifiable homicide, apparently for recordkeeping purposes. In CPD's investigative reports classified under the aggravated assault, CPD personnel drew conclusions about the propriety and lawfulness of Van Dyke's shooting of McDonald. This raises questions about CPD's role in investigating a police-involved shooting in light of IPRA's jurisdiction over the matter.

Rule 14 Making a false report, written or oral.

III. OFFICER VIRAMONTES'S EMPLOYMENT HISTORY

Viramontes has worked as a CPD Police Officer since October 27, 2003. He is a member of Fraternal Order of Police (FOP) Lodge 7.

IV. SUMMARY OF INVESTIGATION

A. Procedural History of OIG's Investigation

By letter, dated December 8, 2015, Independent Police Review Authority (IPRA) Acting Chief Administrator Sharon Fairley requested that OIG conduct an administrative investigation "to determine whether certain police officers/witnesses made false statements on official reports prepared in connection with [Van Dyke's shooting of McDonald] and/or during the investigation of the incident."[2] IPRA further requested that OIG investigate "whether any of the involved Chicago Police officers committed any other violation(s) of Chicago Police Department rules, policies or procedures in their involvement with the incident, including, but not limited to, whether any officers' conduct may have interfered with or obstructed the appropriate investigation and handling of this matter."

Then, by letter, dated January 13, 2016, CPD Interim Superintendent John J. Escalante requested that OIG conduct an "administrative investigation into any and all allegations of police officer misconduct" arising out of the October 20, 2014 shooting death of McDonald. The Superintendent's request asked OIG to investigate the following allegations: "whether any officer(s) made false statements on official reports submitted in connection with the shooting of Laquan McDonald on October 20, 2014; whether any officer(s) obstructed or interfered with the investigation of this incident, either individually or in collusion with others; and whether any officer(s) committed any violation of Chicago Police Department rules, policies, or orders in connection with their response and/or handling of this matter." Escalante attached to the letter request a copy of Sergeant Sandra Soria's Initiation Report, which raises allegations of misconduct related to the in-car video systems of the vehicles that were present during the McDonald shooting, and identified that Report as a basis for OIG's administrative investigation.

On March 10, 2016, Kevin Kilmer, Financial Secretary for the FOP, on behalf of all affected members, filed a grievance with CPD stating that OIG's attempts to conduct CPD officer interviews violated Article 6 of CPD's Collective Bargaining Agreement (CBA) with the FOP.[3]

---

[2] On November 24, 2015, the Cook County State's Attorney charged Van Dyke with a single count of first degree murder in the shooting of McDonald. On December 15, 2015, it subsequently charged him with six counts of murder. OIG has not been involved with any criminal investigation related to the shooting and makes no findings regarding Van Dyke's use of force.

[3] Section 6.1, Paragraph I of the CBA states, "If the allegation under investigation indicates a recommendation for separation is probable against the Officer, the Officer will be given the statutory administrative proceeding rights, or if the allegation indicates criminal prosecution is probable against the Officer, the Officer will be given the

On March 16, 2016, FOP on behalf of all impacted CPD officers filed a "Complaint for Injunction in Aid of Arbitration" in the Circuit Court of Cook County, asking the court to enjoin OIG from conducting interviews until the grievance was decided in arbitration.[4] The court dismissed the complaint and denied the injunction on March 22, 2016.

OIG's administrative investigation of other CPD employees' actions related to the McDonald shooting is ongoing. During the course of its investigation, OIG has gathered documents from CPD and IPRA, among other sources, and conducted numerous interviews, including interviews of thirteen CPD personnel who were at or responded to the scene of the shooting and seven civilian witnesses to the shooting. To date in its ongoing investigation, OIG has recommended disciplinary action against multiple CPD personnel, sustaining allegations that each put forth a false narrative regarding the shooting.

B. The Events of October 20, 2014

The following sections detail the shooting of McDonald, as well as the relevant events that occurred directly before and after the shooting.[5]

1. [redacted] and Rudy Barillas's Encounter with McDonald[6]

[redacted] and [redacted] Rudy Barillas, were parking a truck in a lot at 41st Street and Kildare Avenue when [redacted] saw a black male, whom she subsequently identified as McDonald, attempting to steal property from certain vehicles parked in the lot. Barillas told McDonald to leave the lot. McDonald responded by making growling noises. After Barillas again told McDonald to leave the lot, McDonald pulled out a knife and swung it at Barillas. Barillas, who had already called 911, then threw his cell phone at McDonald.[7] McDonald ran from the lot, first northbound on Kildare and then eastbound on 40th Street.

---

constitutional rights concerning self-incrimination prior to the commencement of interrogation." CPD General Order GO8-01-01, Paragraph K contains similar language.

[4] *Fraternal Order of Police, Chicago Lodge 7 v. City of Chicago*, No. 2016 CH 03726 (Cir. Ct. of Cook County, Ill., Mar. 16, 2016).

[5] On April 22, 2016, OIG obtained maps of the locations that are relevant to the shooting from Google Maps and included those maps in Appendix A. Those maps generally reflect the street layout and location of relevant businesses as they were on the night of October 20, 2014.

[6] The following account of [redacted] and Barillas's encounter with McDonald is taken from the March 16, 2015 case supplementary report (CSR) submitted by CPD Detective David March, which includes the statements that [redacted] and Barillas provided to CPD on October 21, 2014, and October 22, 2014, respectively. OIG 15-0564 003077.

[7] OEMC recordings reflect that Barillas called 911 at 9:45 p.m. stating that he was holding "a guy right hear [sic] that stolen [sic] the radios" from trucks in a truck yard located at "41st and Kildare." OIG 15-0564 003227.

2. Officers Thomas Gaffney and Joseph McElligott's Encounter with McDonald[8]

Officer Thomas Gaffney and his partner Officer Joseph McElligott received a call over the radio that someone had broken into a truck at 4100 South Kildare and were dispatched to the scene.[9] Gaffney was driving, and McElligott was in the passenger seat of their assigned vehicle, 815R.[10] When they arrived at 4100 South Kildare, they saw a Hispanic male and female standing by the gate to the truck yard. The two said that a black male wearing a black shirt, later determined to be McDonald, had been trying to steal the radio out of a semi-truck, and had subsequently headed north toward 40th Street.

Gaffney and McElligott drove north on Kildare, turned right onto 40th Street, and saw McDonald walking east on the south side of 40th Street. McElligott exited the vehicle and commanded McDonald to stop and turn around. Gaffney stayed in the vehicle in case McDonald attempted to flee. McElligott ordered McDonald to take his hands out of his pockets. McDonald, who had been facing McElligott, turned and walked away with one hand still in his pocket. McDonald then turned again and took both of his hands out of his pockets. He had a knife in his right hand. McElligott drew his weapon and told McDonald to drop the knife. McDonald started walking east again, going from the sidewalk to the street and back. McElligott followed McDonald on foot, shining his flashlight on him, while Gaffney followed in 815R, parallel to McDonald.

As McDonald approached the intersection of 40th and Keeler, Gaffney reported to dispatch that

[8] The following account of Gaffney and McElligott's encounter with McDonald is taken from (1) the audio-recorded statements Gaffney and McElligott provided to IPRA on October 21, 2014, OIG 15-0564 000482-98, 000610-30; and (2) the March 16, 2015 CSR submitted by Detective David March, which includes the statements that Gaffney and McElligott provided to March on the night of the McDonald shooting. OIG 15-0564 003067–69.

[9] OEMC records reflect that Gaffney and McElligott received the call at 9:47 p.m. OIG 15-0564 003691.

[10] Below is a chart identifying the beat numbers and vehicle numbers of the CPD vehicles that were present when McDonald was shot, along with the names of the officers who were assigned to those vehicles. This SRI refers to the below-referenced vehicles by beat number, unless otherwise specified.

Beat #	Vehicle #	Officers
845R	6412	Officer Joseph Walsh (driver), Officer Van Dyke (passenger)
815R	8489	Officer Gaffney (driver), Officer McElligott (passenger and on foot)
813R	8779	Officer Janet Mondragon (driver), Officer Daphne Sebastian (passenger)
822R	8765	Officer Arturo Becerra (driver), Officer Leticia Velez (passenger)
841R	8948	Officer Viramontes (driver), Officer Fontaine (passenger)

McDonald was walking away with a knife in his hand.[11] Gaffney and McElligott continued to follow McDonald as he headed east, with McElligott giving McDonald orders to drop his knife and stop. McDonald kept turning around and giving the officers a "weird glaze[d] look." Gaffney IPRA Tr. 11:20.[12]

As McDonald approached the intersection of 40th and Karlov, Gaffney turned his car toward McDonald to direct him down Karlov. Gaffney wanted to keep McDonald away from Pulaski, which was a more populated area. McDonald then swung his arm and popped 815R's right front tire with his knife. McElligott was toward the back of 815R when McDonald popped its tire. After McDonald took a step back from the vehicle, Gaffney pulled up further in front of him to stop him from proceeding to Pulaski. McDonald then hit the right side of 815R's windshield once with the knife in his right hand. The windshield did not break but, according to Gaffney, McDonald hit it as hard as he could. McDonald walked around the front of 815R and continued eastward on 40th Street. After McDonald had walked 10 to 15 feet, another squad car turned off of Pulaski onto 40th Street with its lights on, and McDonald began to sprint. McElligott followed McDonald on foot, and Gaffney followed McDonald in 815R. McDonald ran eastbound through a parking lot of a Burger King located at 40th and Pulaski and then headed southbound on Pulaski. Video footage from several cameras captured McDonald's movements as he reached Pulaski.

3. Summary of the Relevant Video Footage

The below table contains a summary of the relevant video footage of the McDonald shooting, which includes the dashcam videos from 813R, 823R, and 845R, video from the "WNE fire exit" security camera from the Greater Chicago Food Depository, which is bordered by 40th Street to the north, Karlov Avenue to the east, and Keeler Avenue to the west, and the security camera video from the Dunkin' Donuts, located at 4113 South Pulaski Road (the DD Camera).[13]

Time	Event(s) Captured	Source of Video
9:53:17 – 9:54:42	McDonald walks eastbound on the south side sidewalk of 40th Street; a CPD SUV travels east on 40th Street, parallel to McDonald with its front bumper even with McDonald; an officer on foot trails directly behind	Greater Chicago Food Depository Security Camera

[11] OEMC recordings reflect that, at 9:53 p.m., 815R reported: "We're at 40th and Keeler. This guy uh is walking away from us and he's got a knife in his hand." Approximately 30 seconds later, a dispatcher stated, "815R looking for a taser." *See* OEMC Documents and CDs; *see also* OIG 15-0564 003691, 3228.

[12] OIG 15-0564 000620.

[13] In addition to the videos cited in the summary, OIG obtained video footage from the security camera videos at Burger King and Focal Point, and the dash camera videos from Vehicles 815R and 821R. These videos did not contain footage relevant to this report.

	McDonald by the length of the SUV, with his flashlight trained on McDonald.[14]	
9:56:53 – 9:57:01	813R and 845R turn left onto 40th Street from Pulaski.	813R Dashcam
9:57:01– 9:57:09	An unidentified person on 40th Street points the CPD vehicles toward the Burger King parking lot (813R); 845R turns into the parking lot (813R). McDonald runs southeast through the Burger King parking lot out onto Pulaski (845R).	813R Dashcam; 845R Dashcam
9:57:09 – 9:57:20	845R drives over the curb and sidewalk north of Burger King and heads south on Pulaski (845R); 813R turns around, turns right onto 40th Street, and then right again on Pulaski (813R); McDonald runs southbound in the middle of Pulaski and enters the intersection of 41st Street and Pulaski (813R).	813R Dashcam; 845R Dashcam
9:57:20 – 9:57:25	845R, which is facing east/southeast on Pulaski just north of 41st street, turns right behind McDonald and proceeds south on Pulaski on the east side of the street; 845R's passenger door briefly opens and then closes as it passes McDonald on his left; McDonald continues southbound on Pulaski, toward 822R, which is stopped in the middle of Pulaski facing north.	813R Dashcam
9:57:25 – 9:57:28	McDonald slows as he approaches 822R, touches his hands to his waist, and then, before Walsh and Van Dyke exit 845R, extends his right arm fully to his right—the video shows that he has a silver object in his right hand; 845R passes 822R and comes to a stop on the east side of Pulaski, facing south and almost directly south of 822R; Van Dyke opens 845R's passenger door.	813R Dashcam
9:57:28 – 9:57:30	McDonald changes course and begins walking southwest on Pulaski, away from 822R and 845R (813R); Van Dyke exits the passenger side of 845R with both of his feet in	813R Dashcam; DD Camera[15]

[14] OIG confirmed the vehicle is 815R and the officer on foot is McElligott by comparing the video with photographs of the officers. OIG 15-0564 003356.

[15] The DD Camera video does not display an embedded timestamp. Therefore, OIG used the timestamp of 813R's video, which generally captured the same events as the DD Camera from a different angle, to establish the timeframe of the events captured by the DD Camera.

	Pulaski's northbound left turn lane, his gun drawn and pointed at McDonald (813R). Walsh exits the driver side of 845R, just east of Pulaski's northbound left turn lane, with his gun drawn, and moves north along the driver side of 845R until he is several feet north of 845R (DD Camera).	
9:57:30 – 9:57:33	McDonald continues to walk southwest, from the middle of Pulaski to the lane markers that divide the west side of the road (or approximately one lane west of where McDonald was prior to changing course) (813R). While McDonald walks southwest, Walsh begins moving sideways in a west/southwest direction, approximately parallel to McDonald, and crosses over the east side of Pulaski's northbound left-turn lane—his gun is pointed at McDonald (813R; DD Camera). Van Dyke takes approximately two steps northwest toward McDonald, with his left foot crossing into Pulaski's yellow-painted median strip—his gun is pointed at McDonald (813R; DD Camera). 822R drives north on Pulaski, away from 845R (813R). 841R drives north in the middle of Pulaski, toward 845R and stops approximately one car length south of 845R, facing north (813R; DD Camera).	813R Dashcam; DD Camera
9:57:33 – 9:57:36	As McDonald approaches the lane markers on the west side of Pulaski, walking in a southwest direction, he looks to his right and moves his right hand behind his waist, near the right side of his lower back, then brings his hand back to his right side (813R). As McDonald crosses the lane markers on the west side of Pulaski, he looks to his left, and takes a step southbound (813R). Meanwhile, Walsh continues moving west/southwest with his gun pointed at McDonald, ultimately traversing almost the entire width of Pulaski's northbound left-turn lane (813R; DD Camera). Van Dyke takes an additional step west, toward McDonald, putting both of his feet in Pulaski's median strip and placing himself almost directly between McDonald and Walsh (813R; DD Camera). McDonald is then apparently shot and Walsh stops moving and adopts a stance, with his feet more than a shoulder's width apart (813R; DD Camera). Viramontes opens 841R's driver's door; Fontaine opens 841R's passenger door (845R).	813R Dashcam; 845R Dashcam; DD Camera
9:57:36 –	McDonald spins between 180 and 270 degrees in a	813R Dashcam;

9:57:54	clockwise direction and then falls to the ground with the top of his head pointing south on Pulaski, approximately one street lane east of Van Dyke and just south of Van Dyke (813R). As McDonald falls to the ground, Van Dyke takes another step west toward McDonald, moving his right foot from Pulaski's median strip into the south-bound side of Pulaski; his gun remains pointed at McDonald (813R). Van Dyke subsequently takes an additional step or two south, toward McDonald. Other than those steps, Van Dyke's feet are stationary (DD Camera). After McDonald is on the ground, his legs and feet do not move (813R). McDonald's upper body makes small, intermittent movements as what appear to be puffs of smoke rise from McDonald's body (813R). Viramontes exits the driver's door of 841R and stands by the driver's side of the vehicle; Fontaine exits the passenger door of 841R and walks to 845R (845R).[16]	845R Dashcam; DD Camera
9:57:54 – 9:58:05	An officer approaches McDonald and kicks the knife from his hand. McDonald does not make any noticeable movements.	813R Dashcam
9:58:05-9:58:20	McDonald lies on the ground; no aid is rendered by CPD personnel. 823R, travelling northbound, pulls up on the west side of Pulaski, and stops just south of where McDonald is lying.	813R Dashcam; 823R Dashcam
9:58:20-9:58:57	Several CPD officers walk and stand near McDonald as he lies on the ground; no aid is rendered by CPD personnel.	813R Dashcam;[17] 823R Dashcam
9:58:57-9:59:02	823R begins making a U-turn on Pulaski. A Cook County Sheriff's Police Department (CCSPD) officer puts on blue gloves and walks toward McDonald.[18] McDonald is no longer visible in the video frame.	823R Dashcam

[16] OEMC records show that dispatch received notice to send an ambulance to the scene at 9:57:51. OIG 15-0564 003691.

[17] The last time stamp visible on the 813R dashcam video is 9:58:55.

[18] OIG identified the CCSPD officer as Officer Adam Murphy.

4. CCSPD Officer Accounts of the October 20, 2014 McDonald Shooting[19]

While on patrol on October 20, 2014, CCSPD Officers Adam Murphy and Jeff Pasqua observed several CPD police vehicles pass by them. Both officers decided to follow the CPD vehicles. When they arrived at the scene, several CPD vehicles were already present—Pasqua estimated it was five or six. McDonald was lying on the pavement "gasping for his last breath of air." Pasqua OIG Tr. 11:22-23. Meanwhile, the CPD officers were "standing around" and talking to each other. Murphy OIG Tr. 11:1. Murphy noted the CPD officers did not respond to him when he asked if they needed assistance. Murphy stated:

> I see there's blood all over the pavement. [McDonald] was kind of gurgling when he was sitting there. I remember his mouth was going open and closed like he was trying to gasp for air. And I looked for everybody else, and they were kind of standing there. I just started taking my gloves—my rubber gloves out to check for a pulse and to see if I could render aid.

Murphy OIG Tr. 12:18-13:2. He heard someone say an ambulance was en route. Both Officers Murphy and Pasqua recalled then watching McDonald take his final breaths.[20] It was "[m]aybe less than a minute before [McDonald] expired." Murphy OIG Tr. 14:15-16. At no time did any CPD officers attempt to provide aid or comfort McDonald—Murphy stated, "That's why I felt that I needed to go up to him." Murphy OIG Tr. 14:11-12.

After McDonald passed away, Murphy got up from beside him and noticed the shooting officer, who he now knows to be Van Dyke, "pacing back and forth in front of his car." Murphy OIG Tr. 15:7-8. Murphy approached him and told him to sit down and drink water. As he was speaking with Van Dyke, Murphy "heard several officers telling [Van Dyke] to 'call your union rep, call your union rep.'" Murphy OIG Tr. 15:16-17.

Murphy and Pasqua departed after approximately ten minutes on the scene when a CPD sergeant told them CPD did not need their assistance. At the time they left, there was "[a] sea of CPD" on scene. Murphy OIG Tr. 38:3; Pasqua OIG Tr. 25:7-8.

C. Officer Viramontes's October 20, 2014 Statement to Detective David March[21]

On March 15, 2015, Detective David March submitted a case supplementary report (CSR) with the R.D. Number HX475653 that contains a summary of CPD's investigation in the aftermath of the McDonald shooting. Lieutenant Anthony Wojcik approved the CSR on March 16, 2015. Included in that CSR is March's summary of the statement he obtained from Viramontes at the

[19] The following CCSPD Officer accounts are taken from OIG's June 23, 2016 interview of Jeff Pasqua and its June 24, 2015 interview of Adam Murphy. Pasqua and Murphy are currently CCSPD investigators.

[20] The Medical Examiner's Case Report states McDonald was pronounced dead "on view" at Mount Sinai Medical Center on October 20, 2014, at 10:42 p.m. OIG 15-0564 015029.

[21] OIG 15-0564 003071.

scene of the shooting.[22] The CSR summarizes Viramontes's October 20, 2014 statement in relevant part as follows:

> [W]hen [Viramontes] exited his police vehicle, at the scene, he observed a black male subject, now known as Laquan McDonald, walking southbound on Pulaski Road, in the middle of the street, holding a knife in his right hand. Viramontes heard Officer Jason Van Dyke repeatedly order McDonald to "Drop the Knife!" McDonald ignored the verbal direction and turned toward Van Dyke and his partner, Officer Joseph Walsh. At this time Van Dyke fired multiple shots from his handgun. McDonald fell to the ground but continued to move, attempting to get back up, with the knife still in his hand. Van Dyke fired his weapon at McDonald continuously, until McDonald was no longer moving.

D. OIG's Interview of Officer Viramontes

On February 19, 2016, pursuant to Section 6.1 of the CBA between CPD and FOP, OIG, through CPD's Bureau of Internal Affairs, served Viramontes with a Notification of Interview, Notification of Allegations, and copies of his prior statements, including: (1) his October 20, 2014 statement to March, contained in the March 16, 2015 CSR; and (2) March's GPR containing his handwritten notes of his interview of Viramontes. In addition, OIG provided Viramontes with the dashcam footage from 813R and 845R and the security camera footage from Dunkin' Donuts.[23]

On March 18, 2016, OIG investigators interviewed Viramontes under oath after informing him of his administrative advisements orally and in writing. He provided oral and written acknowledgment of the reading of those advisements. The interview was transcribed by a certified court reporter. Viramontes's attorney, Jennifer Russell, was also present for the interview. In summary, Viramontes stated as follows.

As of October 20, 2014, Viramontes was assigned to CPD's 8th District and was working the first watch on Beat 841R under the command of Sergeant Stephen Franko.

1. The Scene of the Shooting

On the evening of October 20, 2014, Viramontes was Fontaine's partner. Viramontes and Fontaine were present when Van Dyke shot McDonald. Immediately following the McDonald shooting, one of the sergeants who arrived at the scene told Viramontes and Fontaine that they would be the "paper" car, meaning they would write the initial incident report. Viramontes OIG Tr. 64:21. In order to complete that report, Viramontes began walking around the perimeter of the scene and gathering information from the officers who were present, including their names,

[22] March completed a General Progress Report (GPR) relating to his interview of Viramontes that contains March's handwritten notes of the interview. OIG 15-0564 003253. March's handwritten notes of the interview do not differ in any significant way from his summary of Viramontes's statement in the CSR.

[23] Viramontes's car, 841R, recorded no video or audio that night.

star numbers, and assignments. Shortly thereafter, a different sergeant, over the radio, ordered Viramontes and Fontaine to accompany McDonald's body to the hospital. While on the way to the hospital, Fontaine asked over the radio whether she and Viramontes should continue to the hospital or return to the scene to complete the case incident report. Fontaine and Viramontes were told to go back to the scene and complete the report, which they did.

Viramontes spoke to Detective March briefly at the scene of the shooting.[24] Viramontes believed that conversation took place before he and Fontaine left for the hospital. March approached 841R and asked Viramontes for his name, star number, unit of assignment, and for "a quick brief of what happened." Viramontes OIG Tr. 75:4-5. Viramontes was in the driver's seat of 841R, with the windows open, when he spoke with March. Fontaine was in the passenger seat of 841R at the time. Viramontes told March that he "saw Mr. McDonald walking down the street swinging his arm very angrily, he looked very agitated. I saw him turn toward the officers, and Officer Van Dyke started shooting." Viramontes OIG Tr. 78:9-14. March also spoke with Fontaine, but Viramontes did not recall what Fontaine told March or whether her account of events was the same as Viramontes's account. March took notes of his conversation with Viramontes.

At some point, while he was collecting the names and star numbers of the detectives in the Dunkin' Donuts near the shooting scene, Viramontes saw a "glimpse" of what he believed to be the Dunkin' Donuts security camera video of the shooting. Viramontes OIG Tr. 80:11. Viramontes said the detectives were trying to watch the video on a laptop computer. Viramontes believed that was the only video of the shooting he saw at the scene that evening.

Viramontes did not have any substantive conversations with Van Dyke at the scene of the shooting. Viramontes had never worked with Van Dyke, and only spoke to him on rare occasions. The two had never socialized outside of work.

2. Area Central

Viramontes was not sure how long he was at the scene of the shooting, but at some point he was told to leave and go to Area Central, at 51st and Wentworth. He and Fontaine drove there together in 841R, but they did not discuss the shooting. When they arrived at Area Central, they ate pizza and waited to give statements to IPRA. Several other officers who had been at the scene of the shooting were at Area Central as well, but there was no substantive conversation among those officers about the shooting.

At some point, a detective, possibly March, showed Viramontes and Fontaine a video of the shooting. He believed that it was the in-car video from 813R. The detective did not ask any questions while the video was playing. Viramontes believed that what he saw on the video confirmed the statements he made to March on the scene. Viramontes did not know why the detective showed him and Fontaine the video; when Viramontes started to tell the detective about what happened in more detail, the detective "didn't really want to listen to what I had to say, so

[24] Viramontes did not know March's name at the time of their initial conversation, but later learned from the documents he reviewed that March was the detective with whom he spoke at the scene of the shooting.

he moved to Officer Fontaine." Viramontes OIG Tr. 97:17-18.

After leaving the room in which they watched the video, Viramontes waited until it was his turn to provide a statement to IPRA. IPRA never asked him to make a statement, though, and he was eventually told that he could leave.

3. Viramontes's Statement to Detective March

Viramontes was asked to review the statements attributed to him in the March 16, 2015 CSR. Specifically, he was presented with the following statements and, when asked to review them, gave the following responses:

Statement from CSR	Response When Asked to Review
"Officer Viramontes added that when he exited his police vehicle at the scene, he observed a black male subject, now known as Laquan McDonald, walking southbound on Pulaski Road in the middle of the street holding a knife in his right hand."	Viramontes affirmed that he made this statement to March and that it was accurate. He then clarified that he made his initial observations of McDonald when he was inside his vehicle, approaching the scene. He explained, "My door opened as the shooting started." Viramontes OIG Tr. 124:9-10. With this clarification, Viramontes confirmed that his observations themselves were accurate.
"Viramontes heard Officer Jason Van Dyke repeatedly order McDonald to drop the knife."	Viramontes affirmed that he made this statement to March and that it was accurate.
"McDonald ignored the verbal direction and turned toward Van Dyke and his partner officer Joseph Walsh."	Viramontes affirmed that he made this statement to March.
"At this time, Van Dyke fired multiple shots from his handgun."	Viramontes affirmed that he made this statement to March and that it was accurate.
"McDonald fell to the ground but continued to move, attempting to get back up with the knife still in his hand."	Viramontes affirmed that he made this statement to March. When asked if the statement was accurate, Viramontes answered: "Yes, to my ability, yes. . . That's what I saw. That's the statement I gave to the detectives." Viramontes OIG Tr. 129:22-130:1.
"Van Dyke fired his weapon at	Viramontes affirmed that he made this statement to

McDonald continuously until McDonald was no longer moving."	March and that it was accurate.

Viramontes reviewed the allegations against him as set out in the Notification of Allegations served upon him by OIG. He responded, in relevant part, to the allegations as follows.

Allegation	Response
"It is alleged that, on or about October 20, 2014, you made a false statement during [an] interview with CPD Detective March when you stated that after McDonald fell to the ground, he attempted to get back up with the knife still in his hand."	When asked, "Do you stand by your previous statement to Detective March?", Viramontes answered, "Yes, I do." Viramontes OIG Tr. 130:20-22. Viramontes was asked this question, and gave this answer, on two separate occasions.
"It is alleged that on or about October 20, 2014, you made a false statement during an interview with CPD Detective March when you stated that McDonald ignored Officer Van Dyke's verbal direction to drop the knife and turned toward Van Dyke and Officer Walsh."	When asked, "Do you stand by your previous statement to Detective March?", Viramontes answered, "Yes." Viramontes OIG Tr. 133:14-16.

Viramontes was subsequently shown portions of 813R and 845R's dashcam videos and the Dunkin' Donuts security camera. Viramontes was asked again whether he arrived to the scene in time to hear Van Dyke repeatedly say "drop the knife." Viramontes OIG Tr. 151:7. Viramontes stated that he heard Van Dyke give the directive after he, Viramontes, opened his vehicle door. Viramontes claimed that Van Dyke was saying "drop the knife" as he was shooting McDonald. Viramontes OIG Tr. 152:5-7. When Viramontes was asked whether he heard Van Dyke say "drop the knife" before he started shooting, Viramontes answered: "I couldn't have, because I was still traveling." Viramontes OIG Tr. 152:10-11.

Viramontes was then asked whether, in light of the video footage he just watched, he wanted to clarify the statement attributed to him in March's CSR that after McDonald fell to the ground, he continued to move, attempting to get back up. Viramontes answered, "No." Viramontes OIG

Tr. 155:18. Viramontes went on to say: "You know, this is the problem that I have about that video. You can keep showing me that video. I mean, you can show me and show me, but what I thought I saw when I got there is what I gave my statement to the detective. Now, the video, of course everybody is telling me different, but the video might show me differently, but I believe what I stated is what I thought I saw." Viramontes OIG Tr. 156:10-19.

4. Viramontes's Grand Jury Testimony

Viramontes testified before a grand jury regarding the McDonald shooting, but did not remember specific details about what questions he was asked. When asked about the statements he made to the grand jury, Viramontes said: "When I gave my testimony to the [g]rand [j]ury, I believed I was out of the car when the actual shooting happened. That was probably one thing I did remember saying . . . I found that later on that I was actually not even out of the car when it happened." Viramontes OIG Tr. 47:2-10. He then stated he corrected himself in the grand jury, after he was shown video of the shooting during his testimony there and realized the discrepancy between his original recollection and the video evidence. He explained, "[T]he perspective that I had at that time was just my timing was distorted." Viramontes OIG Tr. 49:20-22.

V. ANALYSIS

OIG's investigation established that Viramontes made multiple false statements in his interview with CPD regarding the McDonald shooting. Viramontes's false statements all served a similar purpose: to exaggerate the threat McDonald posed.[25]

Viramontes's actions, individually and collectively, constitute violations of CPD Rules. Each of Viramontes's false statements constitutes a violation of Rule 14 (making a false report, written or oral). His false statements also constitute violations of Rule 2 (engaging in any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department), and Rule 3 (failing to promote the Department's efforts to implement its policy and accomplish its goals). An officer who has made false statements in an official investigation has irrevocably tainted not only his credibility, but also the credibility of CPD—and also fails to promote CPD's goal of employing officers with personal integrity and professional devotion to law enforcement. Accordingly, OIG recommends that CPD discharge Viramontes.

Viramontes made two clear false statements to Detective March on October 20, 2014, regarding the McDonald shooting that are clearly contradicted by the 813R and 845R dashcam video, the most objective and reliable evidence of the events that night. Most notably:

- Viramontes stated that, after McDonald fell to the ground, he attempted to get back up with the knife still in his hand.

[25] OIG also examined the issue of Viramontes's compliance with CPD rules and orders regarding the use of his in-car video system on October 20, 2014. OIG determined there is not a sufficient basis to conclude that Viramontes violated those rules or orders.

- Viramontes stated that McDonald ignored Van Dyke's verbal direction to "drop the knife" and turned toward Van Dyke and Walsh.

First, the 813R dashcam video clearly shows that McDonald did not attempt to get up after he fell to the ground. Upon being shot and falling to the street, McDonald never moved his legs or lower body. In addition, the video only shows McDonald's upper body making small, intermittent movements as what appear to be puffs of smoke rise from his body. Those small movements are not suggestive of a person trying to get to his feet. Accordingly, Viramontes's statement that McDonald attempted to get up after he was shot is demonstrably false. In his OIG interview, Viramontes was shown video footage of the shooting, and given several opportunities to clarify or correct this false statement. Instead of doing so, Viramontes acknowledged that his statement was inconsistent with the video, but continued to stand by it stating, "I believe what I stated is what I thought I saw." Viramontes OIG Tr. 156:18-19. Viramontes offers no further explanation for why his statement differed so dramatically from the video footage, which does not show McDonald attempting to get to his feet. The starkness of the contrast between Viramontes's statement and the video evidence, and Viramontes's failure to offer any clarification or explanation, demonstrate the intentional nature of his false statement.

Second, Viramontes, by his own admission, could not have heard Van Dyke order McDonald to "drop the knife" before he began shooting McDonald, and therefore could not have seen McDonald "ignore" the verbal direction. The 813R dashcam establishes that Viramontes was opening the driver's side door of 841R as Van Dyke began shooting McDonald. Viramontes admitted he did not hear Van Dyke give the "drop the knife" directive until after he opened his door. Viramontes further admitted that he "couldn't have" heard Van Dyke say "drop the knife" before Van Dyke started firing because Viramontes "was still traveling." Viramontes OIG Tr. 152:9-11. Thus, Viramontes's statement to March that McDonald ignored Van Dyke's "drop the knife" directive was false. Viramontes acknowledged that he could not have heard any orders issued by Van Dyke before Van Dyke started shooting. Nonetheless, when asked whether he stood by his statement to March, as recorded in the CSR, Viramontes answered, "Yes." Viramontes OIG Tr. 133:16.

Viramontes's original statements, as laid out in March's CSR, suggest a clear sequence of events: that first, Van Dyke ordered McDonald to drop the knife, then McDonald ignored the directive, and then Van Dyke began shooting. While Viramontes corrected his statement to say that he was still inside his car before Van Dyke started shooting, he did not correct this essential sequence of events. By ratifying his statements to March, outside of the single clarification regarding whether he was inside or outside his car, Viramontes stood by a sequence of events which served to justify Van Dyke's shooting of McDonald, and which Viramontes cannot possibly have witnessed. If Viramontes did not hear Van Dyke order McDonald to "drop the knife" before shooting him, then it cannot be true that Viramontes witnessed McDonald ignore the order before Van Dyke shot him. At no time did Viramontes correct or clarify this false statement.

Viramontes's false statements served to materially exaggerate the danger McDonald posed to Van Dyke and Walsh. In this context, Viramontes's statements can be seen as a deliberate

attempt to establish the false narrative that Van Dyke shot an oncoming McDonald in response to McDonald's potentially deadly knife attack. That both of Viramontes's false statements serve to establish this false narrative undermines any suggestion that they were the products of mistake or misapprehension. Far removed from any pressure or confusion surrounding rapidly unfolding events, in his OIG interview, Viramontes was given the opportunity to correct, clarify, or explain his false statements. He was shown video of the shooting which objectively contradicts his statements, and still he stood by them. The only available conclusion, then, is that Viramontes was not mistaken or confused, but rather that he intentionally made false statements.

VI. RECOMMENDATION

Viramontes's false statements raise significant concerns regarding his credibility and ability to perform his duties as a sworn officer. As a sworn officer, Viramontes's reports are relied upon in criminal legal proceedings and his credibility is therefore critical to his position. An officer who has made false statements in an official investigation has irrevocably tainted his credibility and has wholly disqualified himself from effectively executing core police functions. Based on this conduct he may be the subject of cross-examination in any contested proceedings in which he may appear as a witness, *see* FED. R. EVID. 608(b) ("Specific instances of conduct"), and his conduct and the findings resulting from this investigation would further qualify as impeachment material that should, in principle, be disclosed in any contested proceeding involving the official records or testimony Viramontes generates. *See Giglio v. United States*, 405 U.S. 150 (1972) (requiring disclosure in criminal case of information impeaching of government witness's credibility). Illinois courts have repeatedly noted that "'as the guardians of our laws, police officers are expected to act with integrity, honesty, and trustworthiness'" and have found intentional false or misleading statements by police officers to be sufficient cause for termination. *Rodriguez v. Weis*, 408 Ill. App. 3d 663, 671 (1st Dist. 2011) (quoting *Sindermann v. Civil Service Comm'n*, 275 Ill. App. 3d 917, 928 (2nd Dist. 1995)). OIG therefore recommends that CPD discharge Viramontes and refer him for placement on the ineligible for rehire list maintained by the Department of Human Resources.

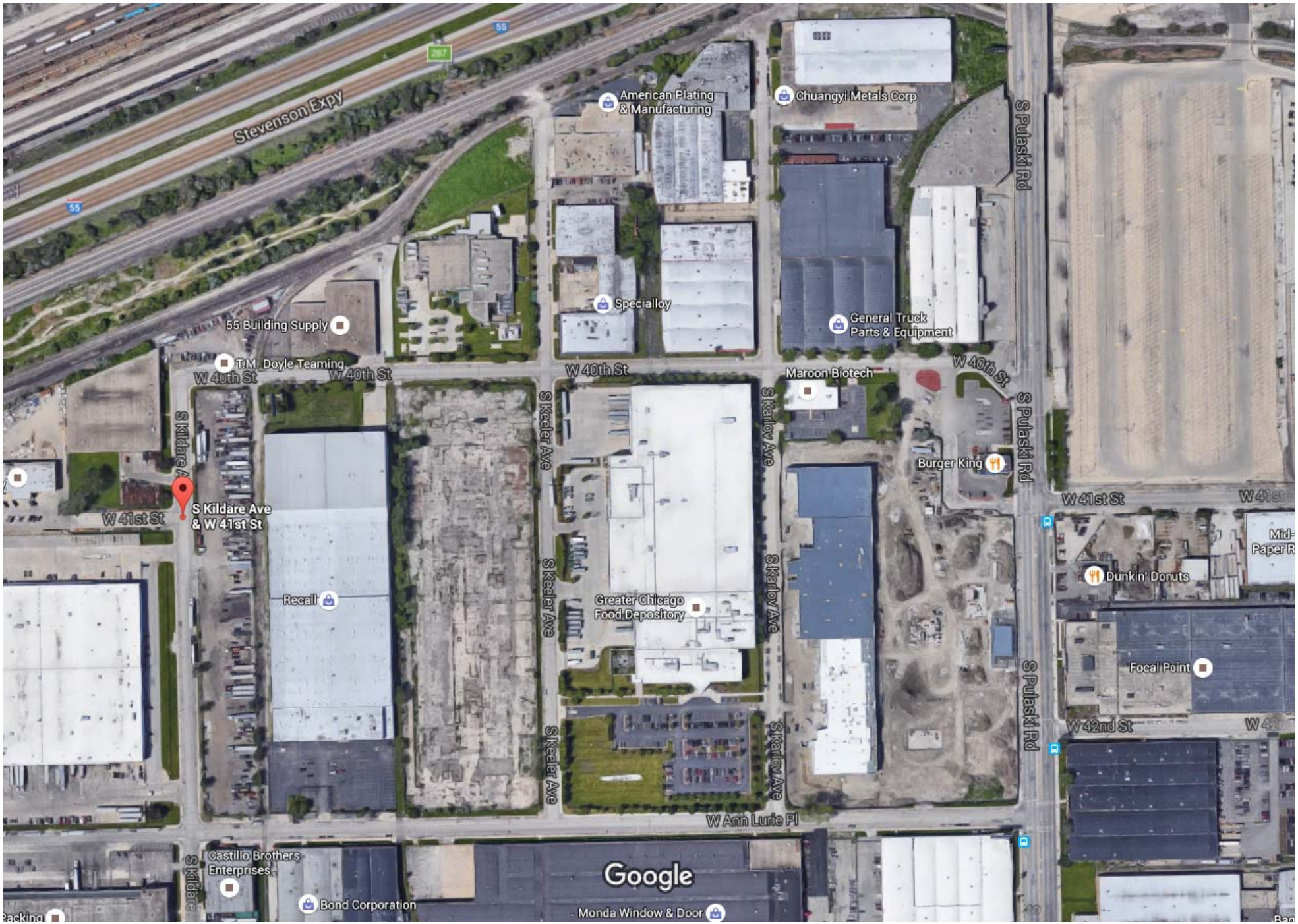
VII. CPD RULE VIOLATIONS

Rule 2 Any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department.

Rule 3 Any failure to promote the Department's efforts to implement its policy or accomplish its goals.

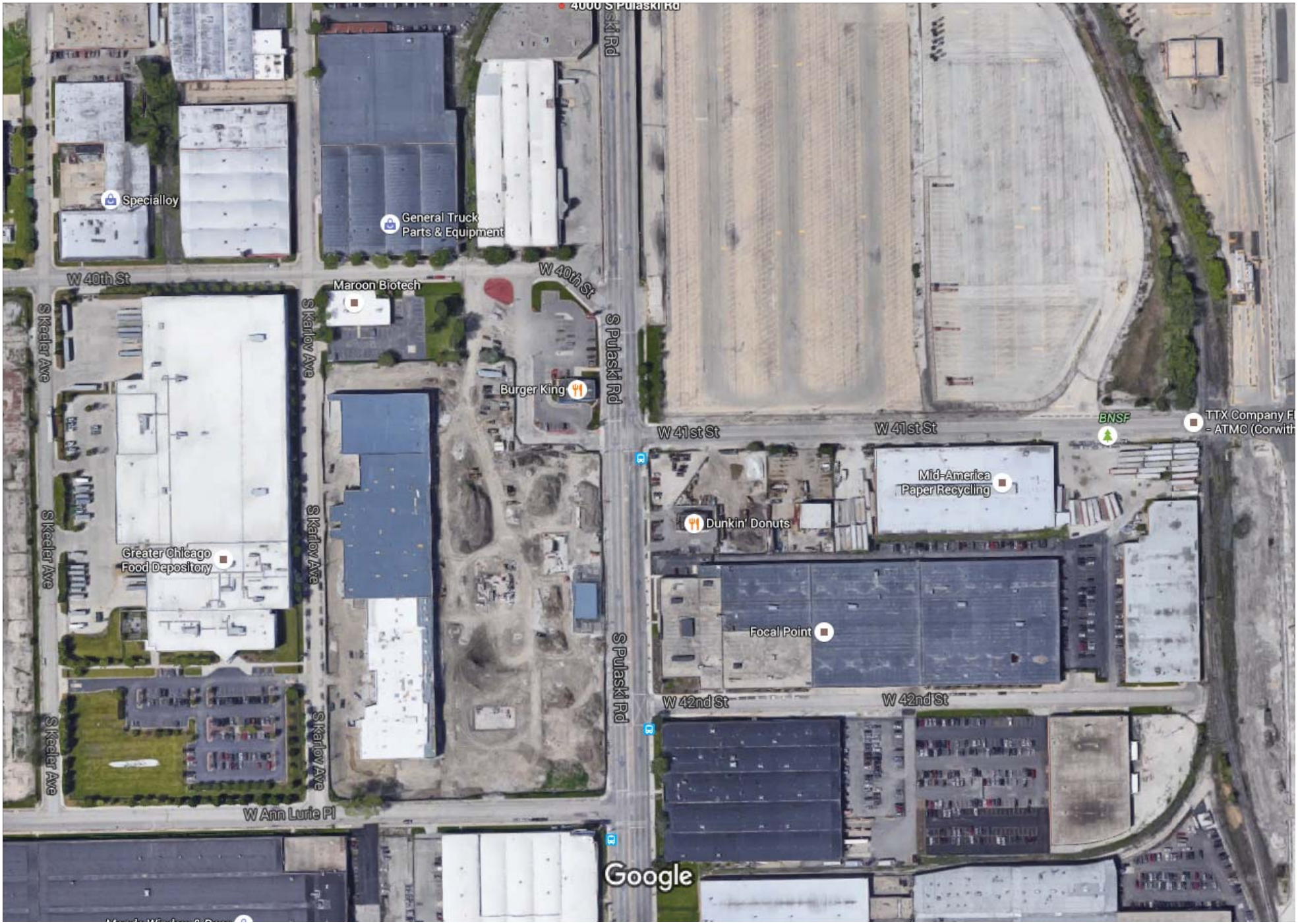
Rule 14 Making a false report, written or oral.

Appendix A


Stevenson Expy
55
287
American Plating & Manufacturing
Chuangyi Metals Corp
S Pulaski Rd
Specialloy
General Truck Parts & Equipment
55 Building Supply
T.M. Doyle Teaming
W 40th St
W 40th St
W 40th St
Maroon Biotech
W 40th St
S Pulaski Rd
S Kildare Ave
S Keeler Ave
S Karlov Ave
Burger King
S Kildare Ave & W 41st St
W 41st St
W 41st St
W 41st
Mid-
Paper R
Recall
Greater Chicago Food Depository
Dunkin' Donuts
Focal Point
S Pulaski Rd
W 42nd St
W 42
W Ann Lurie Pl
Castillo Brothers Enterprises
Google
Bond Corporation
Monda Window & Door
Imagery ©2016 Google, Map data ©2016 Google
200 ft



Imagery ©2016 Google, Map data ©2016 Google 100 ft



Imagery ©2016 Google, Map data ©2016 Google 200 ft

SUMMARY REPORT OF INVESTIGATION
Office of Inspector General Case # 15-0564 (Officer Joseph Walsh)
June 30, 2016

This report consists of a summary of the evidence set out in the attached investigative materials and the Office of Inspector General's (OIG's) analysis of that evidence. An index of the investigative materials is attached.

I. INTRODUCTION

An OIG investigation has established that Joseph Walsh, a police officer for the Chicago Police Department (CPD) who was present when his partner Officer Jason Van Dyke shot Laquan McDonald on October 20, 2014, violated CPD Rules and Regulations during the subsequent investigations of McDonald's shooting. More specifically, and as detailed further below, Walsh made numerous false statements and material omissions during his subsequent interviews with CPD and the Independent Police Review Authority (IPRA). In addition, Walsh filed a false Tactical Response Report (TRR) and a false Officer's Battery Report (OBR) regarding his encounter with McDonald. Walsh's false reports, false statements, and material omissions all served to exaggerate the threat McDonald posed. OIG's investigation further established that Walsh failed to follow CPD Rules regarding the operation of CPD's in-car video systems. Accordingly, OIG recommends that CPD discharge Walsh and refer him for placement on the ineligible for rehire list maintained by the Department of Human Resources.

II. APPLICABLE RULES, REGULATIONS, AND LAW

A. CPD Rules and Regulations

CPD's Rules and Regulations set out the standards of conduct and duties of sworn members, as well as CPD goals. The Rules and Regulations state that sworn members must "conduct themselves at all times in such a manner as will reflect credit upon the Department with emphasis on personal integrity and professional devotion to law enforcement."

Article V of the CPD Rules and Regulations, entitled CPD Rules of Conduct (the CPD Rules), sets forth specifically prohibited acts. In pertinent part, the CPD Rules include the following prohibitions:

Rule 2 Any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department.

Rule 3 Any failure to promote the Department's efforts to implement its policy or accomplish its goals.

Rule 6 Disobedience of an order or directive, whether written or oral.

Rule 11 Incompetency or inefficiency in the performance of duty.

Rule 14 Making a false report, written or oral.

B. CPD Special Order S03-05 (effective February 23, 2012 through February 24, 2016)

CPD Special Orders are directives that establish protocols and procedures concerning specific CPD functions, operations, programs, or processes. Special Order S03-05 outlines the protocols CPD members are to follow regarding in-car video systems.[1] Section VI of the Special Order provides that at the beginning of their tour of duty, Department members assigned to a CPD vehicle equipped with an in-car video system are to:

(1) visually inspect the in-car video system equipment for damage;

(2) obtain the remote transmitter/audio recorder and ensure it is securely attached to the member's person; and

(3) follow the start-up procedures for the in-car video system as trained and ensure the system is working properly.

The Special Order notes that members are to "immediately notify a supervisor if, at any time, the in-car video system is inoperable, damaged, the equipped vehicle becomes inoperable, or the remote transmitter/audio recorder is missing." During their tour, members are to "audibly and visually record events in accordance with this directive." At the conclusion of a tour of duty, members are to "verify the in-car video system is working properly."

III. JOSEPH WALSH EMPLOYMENT HISTORY

Walsh has worked as a CPD Police Officer since June 29, 1998. Walsh is a member of Fraternal Order of Police (FOP) Lodge 7.

IV. SUMMARY OF INVESTIGATION

A. Procedural History of OIG's Investigation

By letter dated December 8, 2015, IPRA Acting Chief Administrator Sharon Fairley requested that OIG conduct an administrative investigation "to determine whether certain police officers/witnesses made false statements on official reports prepared in connection with [Van Dyke's shooting of McDonald] and/or during the investigation of the incident."[2] IPRA further requested that OIG investigate "whether any of the involved Chicago Police officers committed

[1] In-car video systems are also referred to as dash cameras or dashcams in this report.

[2] On November 24, 2015, the Cook County State's Attorney charged Van Dyke with a single count of first degree murder in the shooting of McDonald. On December 15, 2015, it subsequently charged him with six counts of murder. OIG has not been involved with any criminal investigation related to the shooting and makes no findings regarding Van Dyke's use of force.

any other violation(s) of Chicago Police Department rules, policies or procedures in their involvement with the incident, including, but not limited to, whether any officers' conduct may have interfered with or obstructed the appropriate investigation and handling of this matter."

Then, by letter dated January 13, 2016, CPD Interim Superintendent John J. Escalante requested that OIG conduct an "administrative investigation into any and all allegations of police officer misconduct" arising out of the October 20, 2014 shooting death of McDonald. The Superintendent's request asked OIG to investigate the following allegations: "whether any officer(s) made false statements on official reports submitted in connection with the shooting of Laquan McDonald on October 20, 2014; whether any officer(s) obstructed or interfered with the investigation of this incident, either individually or in collusion with others; and whether any officer(s) committed any violation of Chicago Police Department rules, policies, or orders in connection with their response and/or handling of this matter." Escalante attached to the letter request a copy of Sergeant Sandra Soria's Initiation Report, which raises allegations of misconduct related to the in-car video systems of the vehicles that were present during the McDonald shooting, and identified that Report as a basis for OIG's administrative investigation.

On March 10, 2016, Kevin Kilmer, Financial Secretary for the FOP, filed a grievance with CPD on behalf of all affected members, stating that OIG's attempts to conduct CPD officer interviews violated Article 6 of CPD's Collective Bargaining Agreement (CBA) with the FOP.[3] On March 16, 2016, FOP, on behalf of all impacted CPD officers, filed a "Complaint for Injunction in Aid of Arbitration" in the Circuit Court of Cook County asking the court to enjoin OIG from conducting interviews until the grievance was decided in arbitration.[4] The court dismissed the complaint and denied the injunction on March 22, 2016.

OIG's administrative investigation of other CPD employees' actions related to the McDonald shooting is ongoing. During the course of its investigation, OIG has gathered documents from CPD and IPRA, among other sources, and conducted numerous interviews, including interviews of thirteen CPD personnel who were at or responded to the scene of the shooting and seven civilian witnesses to the shooting. To date in its ongoing investigation, OIG has recommended disciplinary action against multiple CPD personnel, sustaining allegations that they each put forth a false narrative regarding the shooting.

[3] Section 6.1, Paragraph I of the CBA states, "If the allegation under investigation indicates a recommendation for separation is probable against the Officer, the Officer will be given the statutory administrative proceeding rights, or if the allegation indicates criminal prosecution is probable against the Officer, the Officer will be given the constitutional rights concerning self-incrimination prior to the commencement of interrogation." CPD General Order GO8-01-01, Paragraph K contains similar language.

[4] *Fraternal Order of Police, Chicago Lodge 7 v. City of Chicago*, No. 2016 CH 03726 (Cir. Ct. of Cook County, Ill., Mar. 16, 2016).

B. The Events of October 20, 2014

The following sections detail the shooting of McDonald, as well as the relevant events that occurred directly before and after the shooting.[5]

1. [redacted] and Barillas' Encounter with McDonald[6]

[redacted] and [redacted] Rudy Barillas were parking a truck in a lot at 41st Street and Kildare Avenue when [redacted] saw a black male, who she subsequently identified as Laquan McDonald, attempting to steal property from certain vehicles parked in the lot. Barillas told McDonald to leave the lot. McDonald responded by making growling noises. After Barillas again told McDonald to leave the lot, McDonald pulled out a knife and swung it at Barillas. Barillas, who had already called 911, then threw his cell phone at McDonald.[7] McDonald ran from the lot, first northbound on Kildare and then eastbound on 40th Street.

2. Officers Gaffney and McElligott's Encounter with McDonald[8]

Officer Thomas Gaffney and his partner Officer Joseph McElligott received a call over the radio that someone had broken into a truck at 4100 South Kildare and were dispatched to the scene.[9] Gaffney was driving and McElligott was in the passenger seat of their assigned vehicle, 815R.[10]

---

[5] On April 22, 2016, OIG obtained maps of the locations that are relevant to the shooting from Google Maps and included those maps in Appendix A. Those maps generally reflect the street layout and location of relevant businesses as they were on the night of October 20, 2014.

[6] The following account of [redacted] and Barillas' encounter with McDonald is taken from the March 16, 2015 case supplementary report (CSR) submitted by CPD Detective David March, which includes the statements that [redacted] and Barillas provided to CPD on October 21, 2014, and October 22, 2014 respectively. OIG 15-0564 003077.

[7] OEMC recordings reflect that Barillas called 911 at 9:45 p.m. stating that he was holding "a guy right hear [sic] that stolen [sic] the radios" from trucks in a truck yard located at "41st and Kildare." OIG 15-0564 003227.

[8] The following account of Gaffney and McElligott's encounter with McDonald is taken from (1) the audio-recorded statements Gaffney and McElligott provided to IPRA on October 21, 2014, OIG 15-0564 000482-98, 000610-30; and (2) the March 16, 2015 CSR submitted by Detective David March, which includes the statements that Gaffney and McElligott provided to March on the night of the McDonald shooting. OIG 15-0564 003067–69.

[9] OEMC records reflect that Gaffney and McElligott received the call at 9:47 p.m. OIG 15-0564 003691.

[10] Below is a chart identifying the beat numbers and vehicle numbers of the CPD vehicles that were present when McDonald was shot, along with the names of the officers who were assigned to those vehicles. This SRI refers to the below-referenced vehicles by beat number, unless otherwise specified.

Beat #	Vehicle #	Officers
845R	6412	Officer Walsh (driver), Officer Van Dyke (passenger)
815R	8489	Officer Gaffney (driver), Officer McElligott (passenger and on foot)

When they arrived at 4100 South Kildare, they saw a Hispanic male and female standing by the gate to the truck yard. The two said that a black male wearing a black shirt, later determined to be McDonald, had been trying to steal the radio out of a semi-truck and had subsequently headed north toward 40th Street.

Gaffney and McElligott drove north on Kildare, turned right onto 40th Street, and saw McDonald walking east on the south side of 40th Street. McElligott exited the vehicle and commanded McDonald to stop and turn around. Gaffney stayed in the vehicle in case McDonald attempted to flee. McElligott ordered McDonald to take his hands out of his pockets. McDonald, who had been facing McElligott, turned and walked away with one hand still in his pocket. McDonald then turned again and took both of his hands out of his pockets. He had a knife in his right hand. McElligott drew his weapon and told McDonald to drop the knife. McDonald started walking east again, going from the sidewalk to the street and back. McElligott followed McDonald on foot, shining his flashlight on him, while Gaffney followed in 815R, parallel to McDonald.

As McDonald approached the intersection of 40th and Keeler, Gaffney reported to dispatch that McDonald was walking away with a knife in his hand.[11] Gaffney and McElligott continued to follow McDonald as he headed east, with McElligott giving McDonald orders to drop his knife and stop. McDonald kept turning around and giving the officers a "weird glaze[d] look." Gaffney IPRA Tr. 11:20.[12]

As McDonald approached the intersection of 40th and Karlov, Gaffney turned his car toward McDonald to direct him down Karlov. Gaffney wanted to keep McDonald away from Pulaski, which was a more populated area. McDonald then swung his arm and popped 815R's right front tire with his knife. McElligott was toward the back of 815R when McDonald popped its tire. After McDonald took a step back from the vehicle, Gaffney pulled up further in front of him to stop him from proceeding to Pulaski. McDonald then hit the right side of 815R's windshield once with the knife in his right hand. The windshield did not break, but according to Gaffney, McDonald hit it as hard as he could. McDonald walked around the front of 815R and continued eastward on 40th Street. After McDonald had walked 10 to 15 feet, another squad car turned off of Pulaski onto 40th Street with its lights on, and McDonald began to sprint. McElligott followed McDonald on foot, and Gaffney followed McDonald in 815R. McDonald ran

813R	8779	Officer Janet Mondragon (driver), Officer Daphne Sebastian (passenger)
822R	8765	Officer Arturo Becerra (driver), Officer Leticia Velez (passenger)
841R	8948	Officer Ricardo Viramontes (driver), Officer Dora Fontaine (passenger)

[11] OEMC recordings reflect that, at 9:53 p.m., 815R reported: "We're at 40th and Keeler. This guy uh is walking away from us and he's got a knife in his hand." Approximately 30 seconds later, a dispatcher stated, "815R looking for a taser." *See* OEMC Documents and CDs; *see also* OIG 15-0564 003691, 3228.

[12] OIG 15-0564 000620.

eastbound through the Burger King parking lot at 40th and Pulaski and then headed southbound on Pulaski. Video footage from several cameras captured McDonald's movements once he reached Pulaski.

3. Summary of the Relevant Video Footage

The below table contains a summary of the relevant video footage of the McDonald shooting, which includes the dashcam videos from 813R and 845R, video from the "WNE fire exit" security camera from the Greater Chicago Food Depository, which is bordered by 40th Street to the north, Karlov Avenue to the east, and Keeler Avenue to the west, and the security camera video from the Dunkin' Donuts, located at 4113 South Pulaski Road (the DD Camera).[13]

Time	Event(s) Captured	Source of Video
9:53:17 – 9:54:42	McDonald walks eastbound on the south side sidewalk of 40th Street; a CPD SUV travels east on 40th Street, parallel to McDonald with its front bumper even with McDonald; an officer on foot trails directly behind McDonald by the length of the SUV, with his flashlight trained on McDonald.[14]	Greater Chicago Food Depository Security Camera
9:56:53 – 9:57:01	813R and 845R turn left onto 40th Street from Pulaski.	813R Dashcam
9:57:01– 9:57:09	An unidentified person on 40th Street points the CPD vehicles toward the Burger King parking lot (813R); 845R turns into the parking lot (813R). McDonald runs southeast through the Burger King parking lot out onto Pulaski (845R).	813R Dashcam; 845R Dashcam
9:57:09 – 9:57:20	845R drives over the curb and sidewalk north of Burger King and heads south on Pulaski (845R); 813R turns around, turns right onto 40th Street, and then right again on Pulaski (813R); McDonald runs southbound in the middle of Pulaski and enters the intersection of 41st Street and Pulaski (813R).	813R Dashcam; 845R Dashcam
9:57:20 –	845R, which is facing east/southeast on Pulaski just north	813R Dashcam

[13] In addition to the videos cited in the summary, OIG obtained video footage from the security camera videos at Burger King and Focal Point, and the dash camera videos from Vehicles 815R and 821R. These videos did not contain footage relevant to this report.

[14] OIG confirmed the vehicle is 815R and the officer on foot is McElligott by comparing the video with photographs of the officers. OIG 15-0564 003356.

9:57:25	of 41st street, turns right behind McDonald and proceeds south on Pulaski on the east side of the street; 845R's passenger door briefly opens and then closes as it passes McDonald on his left; McDonald continues southbound on Pulaski, toward 822R, which is stopped in the middle of Pulaski facing north.	
9:57:25 – 9:57:28	McDonald slows as he approaches 822R, touches his hands to his waist, and then, before Walsh and Van Dyke exit 845R, extends his right arm fully to his right—the video shows that he has a silver object in his right hand; 845R passes 822R and comes to a stop on the east side of Pulaski, facing south and almost directly south of 822R; Van Dyke opens 845R's passenger door.	813R Dashcam
9:57:28 – 9:57:30	McDonald changes course and begins walking southwest on Pulaski, away from 822R and 845R (813R); Van Dyke exits the passenger side of 845R with both of his feet in Pulaski's northbound left turn lane, his gun drawn and pointed at McDonald (813R). Walsh exits the driver side of 845R, just east of Pulaski's northbound left turn lane, with his gun drawn, and moves north along the driver side of 845R until he is several feet north of 845R (DD Camera).	813R Dashcam; DD Camera[15]
9:57:30 – 9:57:33	McDonald continues to walk southwest, from the middle of Pulaski to the lane markers that divide the west side of the road (or approximately one lane west of where McDonald was prior to changing course) (813R). While McDonald walks southwest, Walsh begins moving sideways in a west/southwest direction, approximately parallel to McDonald, and crosses over the east side of Pulaski's northbound left-turn lane—his gun is pointed at McDonald (813R; DD Camera). Van Dyke takes approximately two steps northwest toward McDonald, with his left foot crossing into Pulaski's yellow-painted median strip—his gun is pointed at McDonald (813R; DD Camera). 822R drives north on Pulaski, away from 845R (813R). 841R drives north in the middle of Pulaski, toward 845R and stops just south of 845R, facing north (813R; DD Camera).	813R Dashcam; DD Camera

[15] The DD Camera video does not display an embedded timestamp. Therefore, OIG used the timestamp of 813R's video, which generally captured the same events as the DD Camera from a different angle, to establish the timeframe of the events captured by the DD Camera.

9:57:33 – 9:57:36	As McDonald approaches the lane markers on the west side of Pulaski, walking in a southwest direction, he looks to his right and moves his right hand behind his waist, near the right side of his lower back, then brings his hand back to his right side (813R). As McDonald crosses the lane markers on the west side of Pulaski, he looks to his left and takes a step southbound (813R). Meanwhile, Walsh continues moving west/southwest with his gun pointed at McDonald, ultimately traversing almost the entire width of Pulaski's northbound left-turn lane (813R; DD Camera). Van Dyke takes an additional step west, toward McDonald, putting both of his feet in Pulaski's median strip and placing himself almost directly between McDonald and Walsh (813R; DD Camera). McDonald is then apparently shot and Walsh stops moving and adopts a stance, with his feet more than a shoulder's width apart (813R; DD Camera).	813R Dashcam; DD Camera
9:57:36 – 9:57:54	McDonald spins between 180 and 270 degrees in a clockwise direction and then falls to the ground with the top of his head pointing south on Pulaski, approximately one street lane east of Van Dyke and just south of Van Dyke (813R). As McDonald falls to the ground, Van Dyke takes another step west toward McDonald, moving his right foot from Pulaski's median strip into the south-bound side of Pulaski—his gun remains pointed at McDonald (813R). Van Dyke subsequently takes an additional step or two south, toward McDonald (DD Camera). Other than those steps, Van Dyke's feet are stationary (DD Camera). After McDonald is on the ground, his legs and feet do not move (813R). McDonald's upper body makes small, intermittent movements as what appear to be puffs of smoke rise from McDonald's body (813R).[16]	813R Dashcam; DD Camera
9:57:54 – 9:58:05	An officer approaches McDonald and kicks the knife from his hand. McDonald does not make any noticeable movements.	813R Dashcam
9:58:05- 9:58:20	McDonald lies on the ground; no aid is rendered by CPD personnel. 823R, travelling northbound, pulls up on the	813R Dashcam; 823R Dashcam

[16] OEMC records show that dispatch received notice to send an ambulance to the scene at 9:57:51. OIG 15-0564 003691.

	west side of Pulaski, and stops just south of where McDonald is lying.	
9:58:20- 9:58:57	Several CPD officers walk and stand near McDonald as he lies on the ground; no aid is rendered by CPD personnel.	813R Dashcam;[17] 823R Dashcam
9:58:57- 9:59:02	823R begins making a U-turn on Pulaski. A Cook County Sheriff's Police Department (CCSPD) officer puts on blue gloves and walks toward McDonald.[18] McDonald is no longer visible in the video frame.	823R Dashcam

4. CCSPD Officer Accounts of the October 20, 2014 McDonald Shooting[19]

While on patrol on October 20, 2014, CCSPD Officers Adam Murphy and Jeff Pasqua observed several CPD police vehicles pass by them. Both officers decided to follow the CPD vehicles. When they arrived at the scene, several CPD vehicles were already present—Pasqua estimated it was five or six. McDonald was lying on the pavement "gasping for his last breath of air." Pasqua OIG Tr. 11:22-23. Meanwhile, the CPD officers were "standing around" and talking to each other. Murphy OIG Tr. 11:1. Murphy noted the CPD officers did not respond to him when he asked if they needed assistance. Murphy stated:

> I see there's blood all over the pavement. [McDonald] was kind of gurgling when he was sitting there. I remember his mouth was going open and closed like he was trying to gasp for air. And I looked for everybody else, and they were kind of standing there. I just started taking my gloves—my rubber gloves out to check for a pulse and to see if I could render aid.

Murphy OIG Tr. 12:18-13:2. He heard someone say an ambulance was en route. Both Officers Murphy and Pasqua recalled then watching McDonald take his final breaths.[20] It was "[m]aybe less than a minute before [McDonald] expired." Murphy OIG Tr. 14:15-16. At no time did any CPD officers attempt to provide aid or comfort McDonald—Murphy stated, "That's why I felt that I needed to go up to him." Murphy OIG Tr. 14:11-12.

[17] The last time stamp visible on the 813R dashcam video is 9:58:55.

[18] OIG identified the CCSPD officer as Officer Adam Murphy.

[19] The following CCSPD Officer accounts are taken from OIG's June 23, 2016 interview of Jeff Pasqua and its June 24, 2015 interview of Adam Murphy. Pasqua and Murphy are currently CCSPD investigators.

[20] The Medical Examiner's Case Report states McDonald was pronounced dead "on view" at Mount Sinai Medical Center on October 20, 2014, at 10:42 p.m. OIG 15-0564 015029.

After McDonald passed away, Murphy got up from beside him and noticed the shooting officer, who he now knows to be Van Dyke, "pacing back and forth in front of his car." Murphy OIG Tr. 15:7-8. Murphy approached him and told him to sit down and drink water. As he was speaking with Van Dyke, Murphy "heard several officers telling [Van Dyke] to 'call your union rep, call your union rep.'" Murphy OIG Tr. 15:16-17.

Murphy and Pasqua departed after approximately ten minutes on the scene when a CPD sergeant told them CPD did not need their assistance. At the time they left, there was "[a] sea of CPD" on scene. Murphy OIG Tr. 38:3; Pasqua OIG Tr. 25:7-8.

C. Walsh's Reports Concerning the McDonald Shooting

1. Walsh's October 21, 2014 Tactical Response Report[21]

On October 21, 2014, at 5:04 a.m., Walsh submitted a Tactical Response Report (TRR) with the R.D. No HX475653 and an Event Number of 1429315878, regarding his October 20, 2014 encounter with "Lequan [sic] McDonald."[22] Under the heading titled "Assailant: Assault," Walsh marked the box labeled "Imminent Threat of Battery."[23] Under the heading titled "Assailant: Battery," Walsh marked the box labeled "Attack with Weapon." Under the heading titled "Assailant: Deadly Force," Walsh marked the boxes labeled "Uses Force Likely to Cause Death or Great Bodily Harm" and "Weapon." Walsh specified in the TRR that the "offender [was] armed with [a] knife."

2. Walsh's Officer's Battery Report[24]

Walsh completed and submitted an Officer's Battery Report (OBR) with the R.D. No. HX475653 regarding his October 20, 2014 encounter with McDonald. The OBR form states that an OBR is to be completed when "a sworn member is the victim of a murder, aggravated battery, battery, aggravated assault, or assault while performing a police function either on-duty or off-duty."[25]

---

[21] OIG 15-0564 003317–18.

[22] According to CPD General Order G03-02-05, effective from October 1, 2002, to October 30, 2014, a TRR is used to document, among others, all incidents "involving the discharge of . . . a firearm," or "which involve a subject fitting the definition of an assailant whose actions are directed against a Department member."

[23] Pursuant to the Illinois Criminal Code, a person commits battery when he or she knowingly and without legal justification "(1) causes bodily harm to an individual or (2) makes physical contact of an insulting or provoking nature with an individual." 720 ILL. COMP. STAT. 5/12-3. A person commits assault when he or she, without lawful authority, "knowingly engages in conduct which places another in reasonable apprehension of receiving a battery." 720 ILL. COMP. STAT. 5/12-1.

[24] OIG 15-0564 003315–16.

[25] *See also* Special Order S04-13-01, issued on December 28, 2012, which outlines the procedures to be followed for the preparation of an OBR.

In the OBR OIG obtained from CPD, Walsh stated that three officers were battered.[26] Under the heading titled "Manner of Attack," Walsh marked the box labeled "stabbed/cut (including actual attempt)." Under the heading titled "Type of Manner/Threat," Walsh wrote: "Swinging Knife."

D. Walsh's Statements Regarding the McDonald Shooting

1. Walsh's October 20, 2014 Statement to Detective March[27]

On March 15, 2015, Detective David March submitted a case supplementary report (CSR) with the R.D. Number HX475653 that contains a summary of CPD's investigation.[28] Lieutenant Anthony Wojcik approved the CSR on March 16, 2015. Included in that CSR is a summary of the statement that March obtained from Walsh at the scene of the shooting, which states in relevant part as follows:

> As Laquan McDonald ran eastbound through the Burger King parking lot, Walsh used the police vehicle he was driving to block McDonald from entering the restaurant.
>
> As McDonald ran southbound on Pulaski Road, from the Burger King, Walsh pursued McDonald in the police vehicle. Walsh drove southbound in the northbound lanes to get ahead of McDonald, keeping the police vehicle between McDonald and a Dunkin' Donuts restaurant, on the east side of Pulaski. As their vehicle passed McDonald, Officer Van Dyke opened the right front door of their vehicle, to exit the truck and confront McDonald. Walsh, realizing that at this point they were too close to the armed McDonald to safely exit the vehicle, told Van Dyke to wait until they got further ahead of McDonald. Walsh drove further south on Pulaski. He stopped his vehicle south of McDonald and exited the driver's door as Van Dyke exited the right side of the vehicle. Walsh drew his handgun when he exited the vehicle.
>
> Officer Walsh came around the rear of the police vehicle and joined Officer Van Dyke on the right side of the vehicle. Walsh also stood in the street on Pulaski, facing northbound, as McDonald walked southbound toward the officers. Walsh

[26] During Walsh's March 8, 2016 interview, *see infra* § IV(F), Walsh produced an OBR containing the same information as the OBR OIG obtained from CPD, but which asked how many officers were "assaulted or battered."

[27] OIG 15-0564 003066–67.

[28] CPD's investigation in the aftermath of the McDonald shooting was reported under record number HX-475653, and most reports were classified as an investigation into an aggravated assault in which McDonald was the offender. In a few reports, the case was classified as an investigation into a justifiable homicide of which McDonald was the victim. An additional record number was also created and classified as a justifiable homicide, apparently for recordkeeping purposes. In CPD's investigative reports classified under the aggravated assault, CPD personnel drew conclusions about the propriety and lawfulness of Van Dyke's shooting of McDonald. This raises questions about CPD's role in investigating a police-involved shooting in light of IPRA's jurisdiction over the matter.

ordered McDonald to "Drop the knife!" multiple times as McDonald approached the officers.

Officer Walsh also backed up, attempting to maintain a safe distance between himself and McDonald. McDonald ignored the verbal direction given by both Walsh and Officer Van Dyke, and continued to advance toward the officers. When McDonald got to within 12 to 15 feet of the officers he swung the knife toward the officers in an aggressive manner. Van Dyke opened fire with his handgun and McDonald fell to the ground. Van Dyke continued firing his weapon at McDonald as McDonald continued moving on the ground, attempting to get up, while still armed with the knife.

When the gunfire stopped and McDonald was not moving anymore, Walsh approached McDonald with Van Dyke. Walsh continued to order McDonald to "Drop the knife!" multiple times, as McDonald was still holding the knife in his right hand. Walsh forcibly kicked the knife out of McDonald's hand and then notified the dispatcher on the police radio that shots had been fired by the police. An ambulance was also requested for McDonald.

As they waited for the ambulance to respond to the scene, Officer Walsh told McDonald to 'hang in there,' and that an ambulance was on the way.

Officer Walsh said he believed McDonald was attacking Walsh and Officer Van Dyke with the knife and attempting to kill them when the shots were fired. Walsh stated he did not fire his handgun because Van Dyke was in the line of fire between Walsh and McDonald. Walsh thought Van Dyke fired eight or nine shots total.[29]

2. Walsh's October 21, 2014 IPRA Interview[30]

On October 21, 2014, at 5:47 a.m., IPRA investigator Brian Killen interviewed Walsh at Area Central Police Headquarters, located at 5101 South Wentworth, regarding the McDonald shooting. The interview took place at 5:47 a.m. Walsh was accompanied by attorney Dan Herbert and FOP Field Representative Kriston Kato. Prior to the interview, Killen informed Walsh that "any intentional falsification to any answer to any question would be in direct violation of Department rules and regulations," and that his "failure to provide a complete and accurate account of th[e] incident could result in a finding of a violation of Rule 14 with discipline leading up to and including separation from the Chicago Police Department." Walsh IPRA Tr. 3:10-21. Walsh stated that he understood the potential disciplinary consequences of

[29] Detective March completed a General Progress Report (GPR) relating to his interview of Walsh that contains March's handwritten notes of the interview. OIG 15-0564 003242–43. March's handwritten notes of the interview do not differ in any significant way from the summary of Walsh's statement in the CSR.

[30] OIG 15-0564 000352–67.

making a false statement to IPRA and providing a less than complete account of the shooting to IPRA. Walsh stated in relevant part as follows.

Walsh started work at 9 p.m. on October 20, 2014. Van Dyke was Walsh's partner that night, and they were assigned to beat 845R. Walsh and Van Dyke were both in full uniform and were assigned vehicle 6412, a marked Chevy Tahoe.[31] Walsh was the driver of the vehicle, and Van Dyke was the passenger.

Walsh and Van Dyke were at a 7-11 near 5900 South Pulaski when they received a call over the radio stating that 815R had requested assistance regarding a man with a knife near 40th and Pulaski. Walsh and Van Dyke left the 7-11 parking lot and drove to 40th and Pulaski. Walsh pulled into the Burger King parking lot because there was a civilian standing on the north side of 40th Street, pointing in the direction of the parking lot. Walsh then observed a black male in the Burger King parking lot running with a knife in his right hand and being followed by Officer McElligott. Walsh gave chase in the 845R vehicle and positioned the vehicle so that McDonald could not get into the Burger King. McDonald ran past the Burger King, across the sidewalk on Pulaski, and headed southbound on Pulaski in the southbound lanes. Walsh jumped the curb over the sidewalk in the 845R vehicle and headed southbound in the northbound lanes, ultimately passing McDonald:

IPRA: And what happens then?

Walsh: Um exit the my vehicle along with Officer Van Dyke. Uh I run uh to the back of my vehicle and um I drew my weapon and I began to give verbal commands yelling drop the knife numerous times.

IPRA: And whaddoes [sic] the offender do?

Walsh: Continues to run in my direction. Uh flailing a knife in his right hand. And um continue towards us.

IPRA: Does he close the distance?

Walsh: Yes he does.

IPRA: Okay. And how close does he get to you, to you I guess? If you had to guess.

Walsh: Uh I back up uh and retreat several feet while he was closin' the distance approximately 12 to 15 feet.

* * *

[31] Walsh also referred to vehicle 6412 as 845R.

IPRA: If you had to guess distance between Officer Van Dyke and the offender?

Walsh: Ten feet.

IPRA: Does the offender continuously approach?

Walsh: Yes.

IPRA: Has the knife in his hand?

Walsh: Yes.

IPRA: You said he was flailing it?

Walsh: Yes.

Walsh IPRA Tr. 11:13-12:32.

Van Dyke then discharged his weapon, firing eight or nine times, causing McDonald to fall to the ground. Walsh did not fire because Van Dyke was in his line of fire. Walsh approached McDonald as he was on the ground and told him to drop the knife. McDonald refused so Walsh stepped on his hand and kicked the knife from McDonald's clenched fist. Walsh then called on the radio to report shots fired by the police. When asked by IPRA whether everything he stated was "a true and accurate account of what occurred," Walsh said, "Yes." Walsh IPRA Tr. 15:8-10.

E. Records and Interviews Concerning 845R's In-Car Video System

On October 21, 2014, CPD Sergeant Lance Becvar submitted a supplementary report for R.D. No. HX475653 concerning his retrieval of video from the in-car video systems of the five CPD vehicles that were on-scene when Van Dyke shot McDonald.[32] With respect to 845R (also referred to as Vehicle 6412), the vehicle Walsh was driving on October 20, 2014, Becvar noted "video recovered." Becvar also completed a corresponding "In Car Camera Video Retrieval Worksheet" regarding his October 20, 2014 video retrieval, in which he made the following notation with respect to 845R: "No mics; mic charger disconnected."[33]

On July 17, 2015, Becvar sent an email summarizing his findings regarding his October 20, 2014 video retrieval from 845R and the other four CPD vehicles that were on scene when Van Dyke shot McDonald.[34] With respect to 845R, Becvar stated as follows: "Video recovered Titled

[32] OIG 15-0564 004991.

[33] OIG 15-0564 004992.

[34] OIG 15-0564 000567.

PC0S571@20141020215250 view out of focus. Foucsing [sic] problem found to be related to a loose cable connection for the camera. No MICs in vehicle and the charging cradles disconnected from power."

In a January 27, 2016 interview with Sergeant Becvar, he stated that the cable connector must have been pulled out of 845R's in-car video system or loosened from vibration. Becvar OIG Tr. 74:15-18. He estimated the chances that the cable disconnected from vibration at 10 or 15 percent. With respect to the charging cradles, Becvar stated that they plug into the bottom of the chargers and "vibrate loose or people possibly take them out." Becvar OIG Tr. 80:8. Becvar also stated that if a vehicle's microphones were synced and functioning, its in-car video display and the recovered video would both show an on-screen "M1" (driver mic) and an "M2" (passenger mic).[35] Becvar's statement is corroborated by the in-car video system user manual, which establishes that officers are able to see "M1" and "M2" displayed on their in-car video system in real time as it is recording if the microphones are properly connected.[36] The user manual further reflects that the in-car video system display contains a "camera preview" that "displays the image as seen through the camera lens. The default image is set as the front facing camera."[37]

In OIG's March 8, 2016 interview with Walsh, Walsh said he was driving 845R on the evening of October 20, 2014; that vehicle had an in-car video system.[38] Walsh was generally not assigned 845R; each work day he drove a different vehicle.

As of October 2014, Walsh had worked in police vehicles with in-car video systems for approximately five years. Walsh was familiar with the in-car video system and the protocols that governed it. Walsh received a one-day in-service training course at the police academy regarding CPD Special Order S03-05, which governs CPD members' use of the in-car video systems.

Walsh was aware that police officers are supposed to visually inspect the in-car video system equipment for damage at the beginning of their tour of duty. Walsh was also aware that police officers (1) are required to follow the start-up procedures for the in-car video system as trained and (2) are to notify a supervisor if at any time the in-car video system becomes inoperable. The start-up procedures involve testing to see if the system is functional by turning the light bar on. Once the light bar is on, the camera turns on and one can see if it is working. Officers are also supposed to sync the system's mics by taking them and placing them into a station that is built into the vehicle.

---

[35] The video recovered from 845R's in-car video system on October 20, 2014 does not show an "M1" or an "M2."

[36] *See* Coban Mobile Recorder User Manual. OIG 15-0564 008973.

[37] OIG 15-0564 008972

[38] For a more detailed summary of OIG's interview of Walsh, *see infra* § IV(F).

Walsh could not recall having any issues with 845R's in-car video system prior to October 20, 2014. Walsh could also not recall what procedures he followed with respect to 845R's in-car video system on October 20, 2014. More specifically, Walsh could not recall whether he (1) visually inspected 845R's in-car video system for damage; (2) logged into 845R's in-car video system after entering the vehicle; (3) synced 845R's microphones; or (4) verified that 845R's mics were synced and operational.

Walsh did not know why 845R's in-car video system had a loose cable connection. He denied intentionally loosening or disconnecting cables connected to 845R's in-car video system. Walsh also denied intentionally tampering with 845R's in-car video system.

Walsh acknowledged that there was no audio accompanying the video that was recovered from 845R's in-car video system on the night of October 20, 2014. Walsh did not know why 845R's in-car video system did not capture any audio that night. Walsh conceded that 845R's emergency lights were activated in the minutes prior to the McDonald shooting and therefore the vehicle's in-car video system should have been capturing audio and video footage. Walsh denied disconnecting 845R's microphone charging cable.

Walsh admitted that he did not call his supervisor to report that 845R's in-car video system was not functioning properly. Walsh claimed that "normal practice" is to notify one's sergeant of any in-car video system issues at 10:30 p.m., when the sergeant logs in, but acknowledged that he never notified his sergeant of the inoperability of 845R's in-car video system at any time.

F. OIG Interview of Walsh

On February 22, 2016, pursuant to Section 6.1 of the CBA between CPD and FOP, OIG, through CPD's Bureau of Internal Affairs, served Walsh with a Notification of Interview, Notification of Allegations, and copies of his prior statements, including (1) his October 20, 2014 statement to Detective March, contained in the March 16, 2015 CSR, (2) Detective March's GPR containing his handwritten notes of his interview of Walsh, and (3) Walsh's October 21, 2014 statement to IPRA. In addition, OIG provided Walsh with the dashcam footage from 813R and 845R and the security camera footage from Dunkin' Donuts.[39]

On March 8, 2016, OIG investigators interviewed Walsh under oath after informing him of his administrative advisements orally and in writing. He provided oral and written acknowledgement of the reading of those advisements. The interview was transcribed by a certified court reporter. Officer Walsh was accompanied by his attorney Colleen Daly.

At his March 8, 2016 OIG interview, Walsh, citing Section 6.1, paragraph I of the applicable CBA and CPD General Order GO8-01-01, objected to the fact that OIG did not advise him of his constitutional rights concerning self-incrimination prior to the interview. Walsh further objected to the interview on the grounds that OIG did not provide him with a copy of every statement he

[39] During his March 8, 2016 interview, Walsh acknowledged that he reviewed those videos in preparation for his interview.

made previously to the FBI and U.S. Attorney's Office, including his grand jury testimony. Walsh ultimately answered all questions posed by OIG after being ordered by a superior officer to do so. In summary, Walsh stated as follows.

As of October 20, 2014, Walsh was a relief officer, meaning he filled in for absent officers and did not have a regular partner. Walsh had partnered with Van Dyke on one previous shift. Walsh does not socialize with Van Dyke.

Walsh spoke with Detective March less than an hour after the shooting occurred. Walsh was on foot, by the passenger side of 815R. Walsh's sergeant was also present. March informed Walsh he was going to be the lead detective and asked Walsh if he shot McDonald. Walsh did not recall whether March asked him any other questions at the scene of the shooting. Walsh also had a five-minute conversation with Deputy Chief David McNaughton following McNaughton's walk-through of the scene with Van Dyke. Walsh and McNaughton discussed Walsh's arrival to the scene and the location of the shooting. Later, while sitting in the 845R vehicle, Walsh told Van Dyke that he should call his family to let them know he may not be home in the morning. Walsh also had a conversation at the scene of the shooting with FOP representative Marlon Harvey while the two were in Walsh's vehicle. Harvey told Walsh that Walsh would probably be talking to IPRA, going to Area Central to speak to detectives, and waiting on scene to do a walk-through with a street deputy.

Sergeant Franko drove Walsh and Van Dyke from the scene of the shooting to Area Central. Walsh did not have any conversations with Van Dyke during that trip. While at Area Central, Walsh spoke to Detective March alone in a small office. March asked Walsh about the shooting, but Walsh only had a vague recollection of their subsequent conversation. Walsh did not recall whether March took notes during that interview.

1. Walsh's Statement to Detective March

Walsh said that the statement Detective March attributed to him in the March 16, 2015 CSR accurately reflected what Walsh told March on the night of October 20, 2014. When asked whether there were any statements attributed to him in the CSR that were inaccurate, Walsh noted with respect to the statement, "Walsh also stood in the street on Pulaski facing northbound as McDonald walked southbound towards the officers," that he did not think he used the term "walk." Walsh, however, was not sure what alternative word he used. Walsh considered all his other statements in the CSR to be accurate. According to Walsh, his statement in the CSR captured all the substantive details of the McDonald shooting that he provided to March.

Walsh stood by his statements to March that:

- McDonald ignored the verbal directive he and Van Dyke gave him to drop the knife and continued to advance toward Walsh and Van Dyke;

- McDonald swung a knife toward Walsh and Van Dyke when McDonald got within 12 to 15 feet of them;

- McDonald was attacking and attempting to kill Walsh and Van Dyke when Van Dyke shot McDonald; and

- McDonald was attempting to get up after Van Dyke opened fire and McDonald fell to the ground.

Walsh also made the following statement when asked about each of these statements: "That is how I recalled it." Walsh OIG Tr. 140:12, 142:7, 143:13, 144:5, 146:9.

With respect to his statement to Detective March that Van Dyke fired eight or nine shots total, Walsh stated that he did not stand by his previous statement. Walsh subsequently learned that Van Dyke fired 16 shots. He learned that information at Area Central during the investigation the night of the shooting.

When asked why he did not tell March that (1) McDonald changed the direction in which he was walking prior to the shooting; or (2) he and Van Dyke moved toward McDonald prior to the shooting, Walsh stated that he did not intentionally leave anything out. Walsh added that, from his review of the video, he "did not move forward." Walsh OIG Tr. 143:1-2.

2. Walsh's October 21, 2014 IPRA Interview

OIG asked Walsh about several of the statements he made in his October 21, 2014 IPRA interview. Walsh stood by his statement to IPRA that McDonald continuously closed the distance between McDonald and Walsh and Van Dyke. Walsh also stood by his statement to IPRA that McDonald flailed a knife in his right hand while continuing to run in Walsh's direction. However, Walsh noted that after looking at the video, McDonald appeared to be "trot[ting]" as opposed to running. Walsh OIG Tr. 76:4-6.

When OIG asked Walsh why he did not tell IPRA that McDonald changed the direction in which he was walking prior to being shot by Van Dyke, Walsh responded: "I did not intentionally leave out anything. That was my perception of what I recalled." Walsh OIG Tr. 76:21-23. When asked whether he considered McDonald's change of direction, away from Walsh and Van Dyke, relevant to IPRA's inquiry, Walsh responded: "At the time it was my perception of what was occurring in my mind, and I thought that I gave an accurate statement." Walsh OIG Tr. 77:5-7.

With respect to Walsh's statement to IPRA that he backed up and retreated several feet from McDonald, Walsh stated: "I was in fear and that's why I retreated." Walsh OIG Tr. 79:7-8. Walsh later added that: "I came around my vehicle and passed the rear of my vehicle and realized that McDonald was advancing too closely, and then I retreated back." Walsh OIG Tr. 80:13-16. Walsh claimed he retreated "several feet." Walsh OIG Tr. 80:18.

When asked whether he stood by his statement to IPRA that he provided a true and accurate account of the McDonald shooting to IPRA, Walsh stated: "I never made any intentional false statements of any kind. I answered each question truthfully in response to how I recalled the

incident." Walsh OIG Tr. 82:8-11. With respect to the allegation that Walsh provided a false narrative to IPRA regarding the McDonald shooting, Walsh first noted that on page 14 of his IPRA interview transcript he stated that he called for an ambulance, but actually Officer Dora Fontaine called for the ambulance. Walsh then stated that other than that one correction, he stood by his prior statement to IPRA.

3. Walsh's October 21, 2014 TRR

Walsh completed his October 21, 2014 TRR at a desk computer located on the second floor of the Detective Division at Area Central; Walsh was logged on to CPD's CLEAR system. Walsh said that someone requested he complete the TRR, but he could not recall who. Sergeant Franko was present at Area Central when Walsh was completing the TRR and supplied Walsh with certain information, such as the RD number, the address of the incident, and the time of its occurrence.[40] Walsh did not recall Franko supplying him with more substantive information regarding the incident. FOP representative Marlon Harvey was standing behind Walsh as he filled out the TRR in case he needed any assistance completing the form. Walsh denied that Harvey provided him any information that he put in the TRR.[41] Walsh made the decision as to what boxes to check in the TRR based on what he experienced and the information he gathered. Prior to October 20, 2014, Walsh had completed nine TRRs.

Walsh said he stood by his checking of the box in the TRR marked "imminent threat of battery." Walsh also stood by his checking of the box in the TRR marked "attack with weapon," stating that his entry was based on the "totality of the circumstances of the entire incident," and his knowledge that McDonald had punctured a tire on a vehicle. Walsh OIG Tr. 103:17-22. Walsh initially stated that he was not asserting in the TRR that McDonald attacked him or Van Dyke with a weapon. Rather, it was only McDonald's attack on Officer Gaffney to which he was referring:

> OIG: When you marked "attacked with weapon," were you asserting that Laquan McDonald attacked yourself, Officer Walsh, with a weapon?
>
> Walsh: No.
>
> OIG: You weren't. Okay. Were you asserting that Laquan McDonald attacked Officer Van Dyke with a weapon?
>
> Walsh: No.

[40] Franko, in his June 13, 2016 OIG interview, acknowledged that he might have provided Walsh certain factual information, such as the shooting location and time, but denied providing Walsh any more substantive direction regarding how to complete the TRR or OBR.

[41] Harvey, in his June 10, 2016 OIG interview, stated that he did not recall assisting Walsh with the completion of his TRR or OBR.

OIG: It was only Officer—the attack on Officer Gaffney and McElligott's vehicle that you were referring to there?

Walsh: Yes.

Walsh OIG Tr. 104:18-105:7.

However, Walsh subsequently acknowledged that when he marked the box on the TRR labeled "Did not follow verbal direction," Walsh was referring to McDonald's failure to follow his (Walsh's) verbal direction, not Gaffney or McElligott's. Walsh further acknowledged that he marked the box labeled "Member presence," meaning Walsh was present at the scene of the attack. Walsh was not present when Gaffney and McElligott had their interaction with McDonald. When asked why he marked the member presence box when he was supposedly referring to Gaffney's encounter with McDonald, Walsh stated that "at the final moment when [McDonald] had raised the knife and come across his body with the knife, that is an attack with a weapon." Walsh OIG Tr. 108:17-19. Walsh explained that right before or at the time McDonald was first shot, McDonald raised his knife with his right hand across his body. Walsh considered that movement to be an attack with a weapon on him. Walsh then claimed it was that movement he was referring to when he checked the "imminent threat of battery" box in the TRR.

Walsh stood by his second explanation for marking the "uses force likely to cause death or great bodily harm" box in the TRR, and said that he was referring to "the very moment [McDonald] raised that knife and directed it in our direction while he was continuing to move and he was coming from south—going southbound on Pulaski." Walsh OIG Tr. 110:16-19.

According to Walsh, he, Van Dyke, and Gaffney filled out TRRs because it was determined through the Detective Division's investigation that they were all victims of assaults. Walsh did not know how that determination was reached and said he was not a part of that process.

4. Walsh's October 21, 2014 OBR

After Walsh completed the TRR, he immediately began completing an OBR. An officer is to complete an OBR when he or she is a victim of an assault or battery. Walsh knew he had to complete an OBR with respect to the McDonald shooting because he was documented as a victim of an assault. Walsh completed the OBR on the same computer he completed the TRR. Walsh did not recall whether he consulted with Franko or Harvey during his completion of the OBR. After Walsh submitted the TRR and OBR electronically, he informed Franko in person that he had completed the forms. It is Walsh's general practice to review the TRRs and OBRs he completes before sending them on to his sergeant for approval. Walsh was never contacted or asked any follow-up questions regarding the TRR or OBR he submitted.

Walsh acknowledged that he was not battered by McDonald on October 20, 2014. When asked about his statement in the OBR that three officers were battered on October 20, 2014, Walsh stated that the OBR form he completed on October 21, 2014, asked him to name the number of

officers who were assaulted or battered.[42] Walsh claimed that McDonald committed an assault on him, Gaffney, and Van Dyke, and that the nature of his assault was "[b]eing an armed offender with a knife, displaying it, and swinging it in our direction while he was moving." Walsh OIG Tr. 123:24-124:2.

Walsh stood by his selection of "stabbed/cut (including actual attempt)" on the OBR. When asked when McDonald attempted to stab Walsh and Van Dyke, Walsh responded: "the totality of the circumstances along with stabbing the tire and upon swinging the knife." Walsh OIG Tr. 125:24-126:2. Walsh interpreted McDonald's swinging of his knife as an attempted stabbing of him and Van Dyke.

V. ANALYSIS

OIG's investigation established that Officer Joseph Walsh made numerous false statements and material omissions in his interviews with CPD and IPRA regarding the McDonald shooting. In addition, Walsh filed a false Tactical Response Report and a false Officer's Battery Report regarding his encounter with McDonald. Walsh's false reports, false statements, and material omissions all served a similar purpose: to exaggerate the threat posed by McDonald. Walsh's actions embody the "code of silence" that has no legitimate place in CPD and are contradictory to CPD's stated values and official policies. Accordingly, OIG recommends that CPD discharge Walsh.

Walsh's actions, individually and collectively, constitute violations of CPD Rules. Each of Walsh's false statements constitutes a violation of CPD Rule 14 (making a false report, written or oral). His false statements also constitute violations of Rule 2 (engaging in any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department) and Rule 3 (failing to promote the Department's efforts to implement its policy and accomplish its goals). An officer who has made false statements in an official investigation has irrevocably tainted not only his credibility, but also the credibility of CPD and fails to promote CPD's goal of employing officers with personal integrity and professional devotion to law enforcement. Walsh further violated Rule 6 (disobedience of an order, namely S03-05) and Rule 11 (incompetency in the performance of a duty) by failing to audibly record events with his in-car video system and failing to notify his supervisor about the system's inoperability. Accordingly, OIG recommends that CPD discharge Walsh.

A. Walsh's False Statements to Detective March

Walsh made several statements to Detective March on the night of October 20, 2014, regarding the McDonald shooting that are clearly contradicted by the 813R and Dunkin Donuts videos, the most objective and reliable evidence of the events that night. Most notably:

- McDonald did not advance toward Walsh after Walsh exited his vehicle

[42] During his interview, Walsh produced an OBR, containing the same information as the October 21, 2014 OBR Walsh completed, which required Walsh to identify how many officers were assaulted or battered.

As described in the Relevant Video Footage summary chart set forth above, *see supra* § IV(B)(3), by the time Van Dyke and Walsh exited their vehicle, McDonald was walking in a southwest direction away from Van Dyke and Walsh, who at all times prior to the shooting were east of McDonald. Thus, at no time during the encounter between McDonald and Walsh and Van Dyke did McDonald advance toward the two officers. Rather, it was the officers who moved northward or west/southwestward, toward McDonald, as he continued to walk in a southwest direction.

- Walsh did not back up several feet prior to Van Dyke shooting McDonald

The video evidence further reflects that Walsh did not back away from McDonald prior to the shooting. Rather, Walsh moved northward and then westward toward McDonald, and then moved parallel to McDonald, crossing almost the entire left-turn lane on Pulaski in a southwest direction as McDonald continued to walk in a southwest direction. Walsh never moved in a way that increased the distance between himself and McDonald. Rather, the video evidence shows that Walsh either moved toward McDonald, moved parallel to McDonald, or stayed still.

- McDonald did not swing a knife toward Walsh and Van Dyke

The 813R dashcam video also evidences that McDonald did not swing a knife in the direction of Walsh and Van Dyke. Seconds prior to the shooting, McDonald moved the knife from his right hip to the right side of his lower back, but this modest movement of the knife was not in the direction of Walsh and Van Dyke—Walsh and Van Dyke were in front of McDonald and to his left, and McDonald moved his knife behind his back, not in front of his body.

- McDonald did not attempt to kill Walsh and Van Dyke

For the reasons stated above, the objective evidence presented in the videos cannot be squared with Walsh's claim that McDonald was attempting to kill Walsh and Van Dyke.

- McDonald did not attempt to get up after he was shot and fell to the ground

Finally, the 813R dashcam video reveals that McDonald did not attempt to get up after he fell to the ground. Upon being shot and falling to the street, McDonald never moved his legs or lower body. McDonald's upper body only makes small, intermittent movements as what appear to be puffs of smoke rise from his body. Those small movements are not suggestive of a person trying to get to his feet. Accordingly, Walsh's statement that McDonald attempted to get up after he was shot is demonstrably false.

During Walsh's interview with OIG, when asked about the above false statements, he made some attempt to suggest that he may have unintentionally provided an inaccurate account of events to Detective March. *See* Walsh OIG Tr. 140:12, 142:7, 143:13, 144:5, 146:9 (repeatedly stating "That is how I recalled it" when asked about the above false statements). However, Walsh ultimately stood by the accuracy of those statements, even after reviewing the relevant

video footage.[43] Walsh's ratification of his previous statements to March undercuts any claim that Walsh made those statements due to a misapprehension of quickly unfolding events.

Notably, all of Walsh's false statements served to exaggerate the danger McDonald posed to Van Dyke and Walsh. In this context, Walsh's statements can be seen as a deliberate attempt to establish the false narrative that a back-pedaling Van Dyke shot an onrushing McDonald in response to McDonald's potentially deadly knife attack. The video evidence puts a lie to Walsh's narrative. In addition, Walsh made multiple material omissions in his statement to March, reinforcing that false narrative. In particular, Walsh failed to state that McDonald was walking away from Van Dyke and Walsh prior to the shooting and that Van Dyke and Walsh moved toward McDonald prior to the shooting.

B. Walsh's False Statements to IPRA

Walsh repeated his false narrative of the McDonald shooting to IPRA during his October 21, 2014 interview with Investigator Killen. Specifically, Walsh again stated that McDonald closed the distance between McDonald and Van Dyke and that Walsh backed up several feet while McDonald was closing in on him and Van Dyke. As detailed above, however, Walsh's statements are contradicted by the video evidence. In addition, Walsh failed to state to IPRA that McDonald was walking away from Van Dyke and Walsh prior to the shooting and that Van Dyke and Walsh moved toward McDonald prior to the shooting. Walsh's repetition of these false statements and material omissions to two separate investigative bodies demonstrates the deliberate nature of his false testimony.[44]

C. False Statements in Walsh's TRR and OBR

Walsh also asserted his false narrative of the McDonald shooting in the official CPD reports he submitted regarding his encounter with McDonald. In his TRR, Walsh claimed that McDonald (1) used force likely to cause death or great bodily harm to Walsh; (2) attacked Walsh with a weapon; and (3) created an imminent threat of battery. Walsh initially claimed that he was referring to McDonald's encounter with Gaffney and McElligott, and not his own encounter with McDonald, when he checked the boxes marked "Attack with Weapon" and "Uses Force Likely to Cause Death or Great Bodily Harm," effectively conceding that McDonald did not attack him with a weapon. *See* Walsh OIG Tr. 104:18-105:7. After OIG informed Walsh that his TRR stated that Walsh was present during the attack he identified, Walsh then asserted that McDonald raised his knife with his right hand across his body while he was in Walsh's presence and that Walsh considered that movement to be an attack with a weapon on him. As outlined above, however, McDonald, while in Walsh's presence, never swung his knife in a manner to cause

[43] Walsh corrected certain aspects of his statement—he noted that he did not stand by his statement that Van Dyke shot McDonald eight or nine times and stated that he later learned that Van Dyke shot McDonald 16 times—but did not make, or seek to make, any such corrections with respect to any of the false statements referenced in this section.

[44] As with his statement to Detective March, Walsh corrected certain aspects of his IPRA statement during his OIG interview. For instance, he noted that he incorrectly stated to IPRA that he called an ambulance when in actuality Officer Fontaine called the ambulance. However, Walsh did not make any such corrections with respect to the false statements referenced herein and, instead, stated that he stood by the accuracy of those statements.

death or great bodily harm to Walsh. In addition, McDonald was walking away from Walsh during the vast majority of the encounter. Thus, Walsh's TRR constitutes a false report and represents an additional attempt by Walsh to exaggerate the threat McDonald posed.

In Walsh's OBR, he similarly stated that McDonald attempted to stab him by swinging his knife at him. Accordingly, Walsh's OBR also constitutes a false report.

D. Failure to Comply with Special Order S03-05

Walsh also violated Rule 6 (disobedience of an order) and Rule 11 (incompetency in the performance of a duty) by failing to audibly record events with his in-car video system and failing to notify his supervisor about the system's inoperability as required by S03-05. As Walsh acknowledged, CPD did not recover any audio from 845R's in-car video system. Sergeant Lance Becvar, who recovered the video from 845R's in-car video system, found that the system's charging cradles were disconnected from their power source and that the video was out of focus due to a loose cable connection. In addition, 845R's dashcam video reflects that Walsh and Van Dyke did not connect their microphones to 845R's in-car video system because there is no "M1" or "M2" symbol visible at the top of the video footage from October 20, 2014 as there would have been if the microphones were connected. If Walsh had properly followed the pre-tour of duty in-car video system protocols, he would have identified all these issues. Walsh also admitted that he never contacted his supervisor regarding the inoperability of 845R's in-car video system. Thus, the evidence demonstrates that Walsh failed to follow the in-car video system procedures set forth in S03-05 on October 20, 2014.

VI. RECOMMENDATION

Walsh's false statements and material omissions raise significant concerns regarding his credibility and ability to perform his duties as a sworn officer. As a sworn officer, Walsh's reports are relied upon in criminal legal proceedings and his credibility is therefore critical to his position. An officer who has made false statements in an official investigation has irrevocably tainted his credibility and thus has wholly disqualified himself from effectively executing core police functions. Based on this conduct he may be the subject of cross-examination in any contested proceedings in which he may appear as a witness, *see* FED. R. EVID. 608(b) ("Specific instances of conduct"), and his conduct and the findings resulting from this investigation would further qualify as impeachment material that should, in principle, be disclosed in any contested proceeding involving the official records or testimony generated by Walsh. *See Giglio v. United States*, 405 U.S. 150 (1972) (requiring disclosure in criminal case of information impeaching of government witness's credibility). Illinois courts have repeatedly noted that "'as the guardians of our laws, police officers are expected to act with integrity, honesty, and trustworthiness'" and have found intentional false or misleading statements by police officers to be sufficient cause for termination. *Rodriguez v. Weis*, 408 Ill. App. 3d 663, 671 (1st Dist. 2011) (quoting *Sindermann v. Civil Service Comm'n*, 275 Ill. App. 3d 917, 928 (2nd Dist. 1995)). OIG therefore recommends that CPD discharge Walsh and refer him for placement on the ineligible for rehire list maintained by the Department of Human Resources.

VII. CPD RULE VIOLATIONS

Rule 2 Any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department.

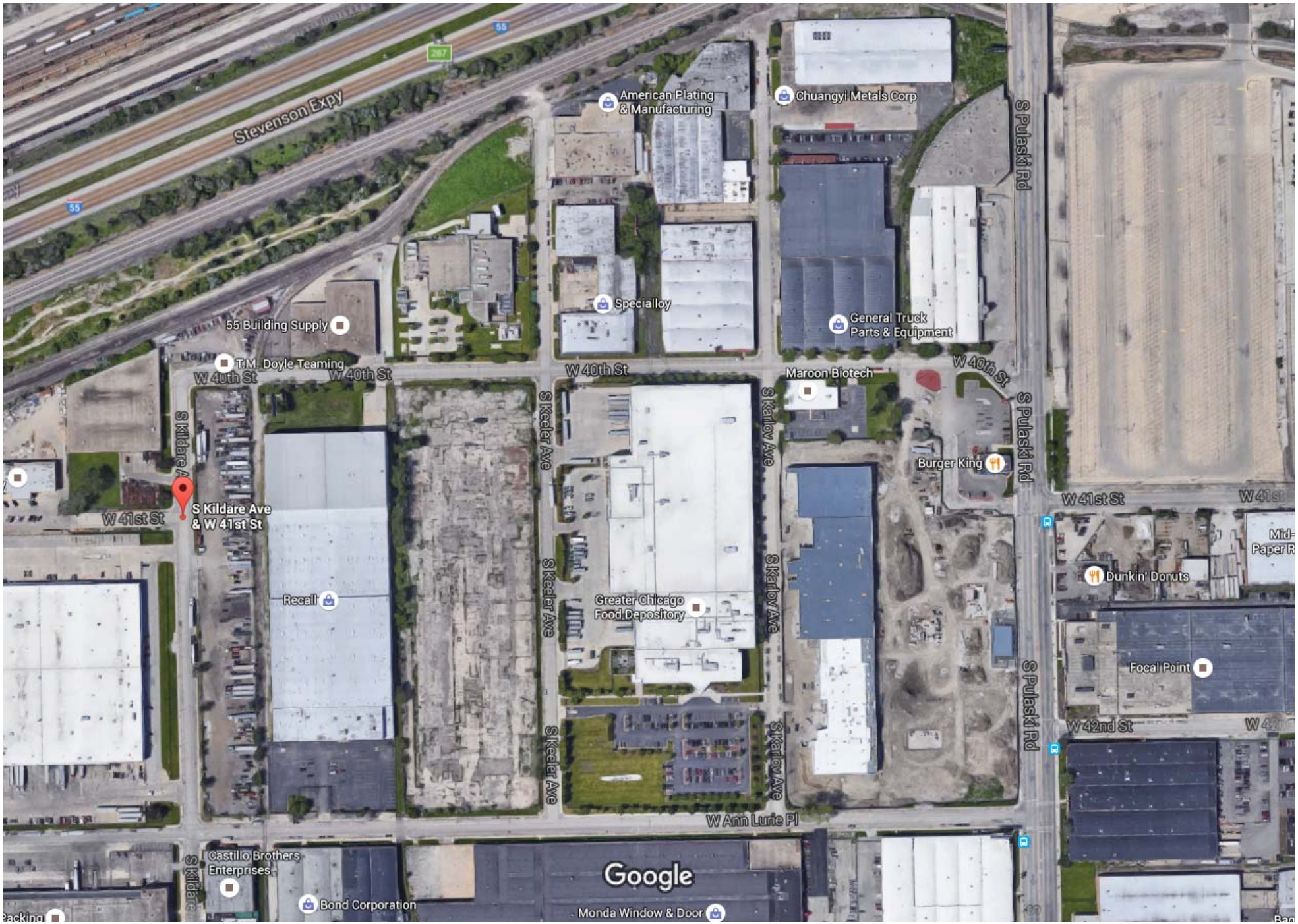
Rule 3 Any failure to promote the Department's efforts to implement its policy or accomplish its goals.

Rule 6 Disobedience of an order or directive, whether written or oral.

Rule 11 Incompetency or inefficiency in the performance of duty.

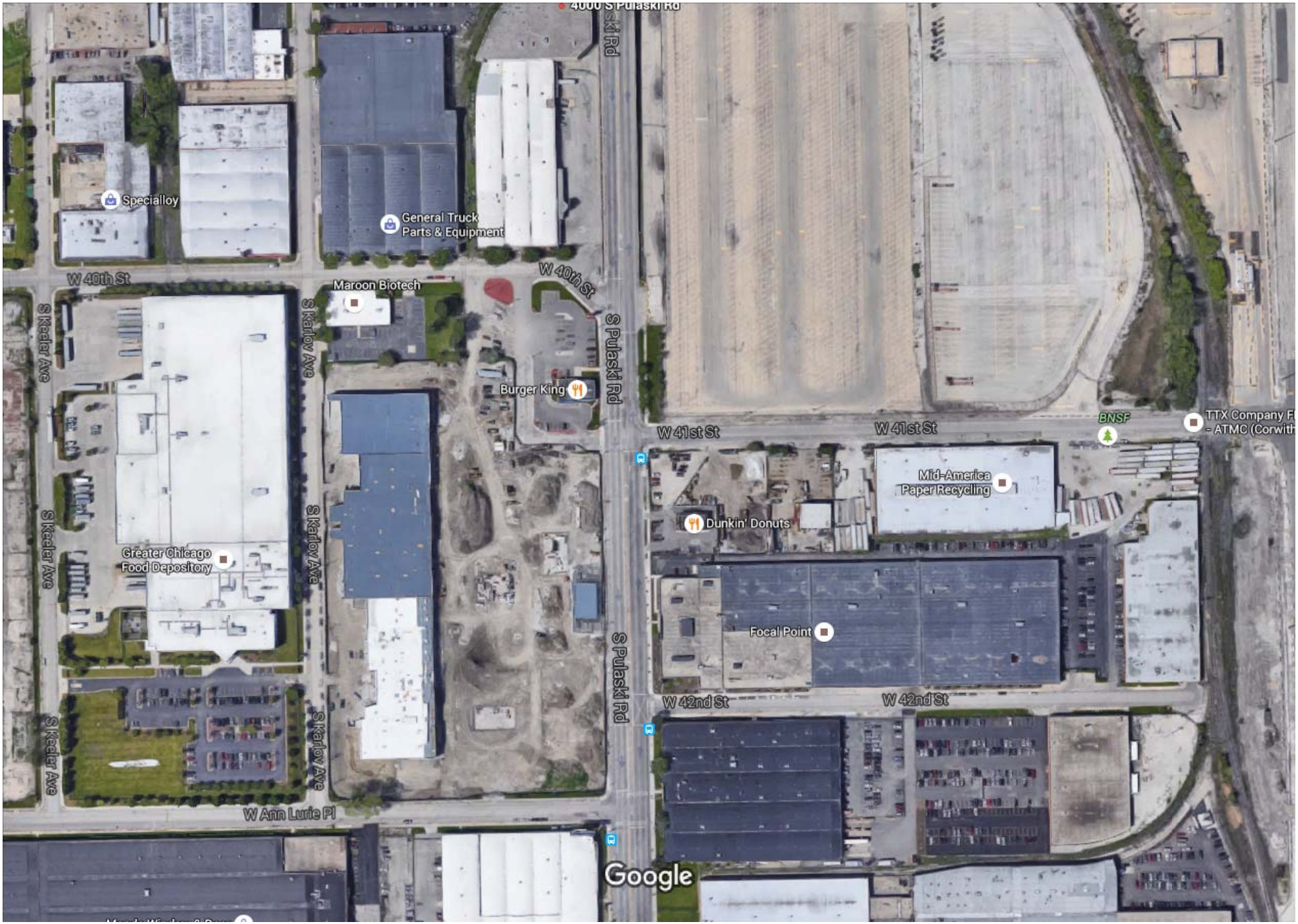
Rule 14 Making a false report, written or oral.

Appendix A


Stevenson Expy
55
287
American Plating & Manufacturing
Chuangyi Metals Corp
S Pulaski Rd
Specialloy
General Truck Parts & Equipment
55 Building Supply
T.M. Doyle Teaming
W 40th St
W 40th St
W 40th St
Maroon Biotech
W 40th St
S Pulaski Rd
S Kildare Ave
S Keeler Ave
S Karlov Ave
Burger King
S Kildare Ave & W 41st St
W 41st St
W 41st St
W 41st
Mid-
Paper R
Recall
Greater Chicago Food Depository
Dunkin' Donuts
Focal Point
S Pulaski Rd
W 42nd St
W 42
W Ann Lurie Pl
Castillo Brothers Enterprises
Google
Bond Corporation
Monda Window & Door
Imagery ©2016 Google, Map data ©2016 Google
200 ft



Imagery ©2016 Google, Map data ©2016 Google 100 ft



Imagery ©2016 Google, Map data ©2016 Google 200 ft

SUMMARY REPORT OF INVESTIGATION
City of Chicago Office of Inspector General Case # 15-0564
(Lieutenant Anthony Wojcik)
December 29, 2017

This report consists of a summary of the evidence set out in the attached investigative materials and the Office of Inspector General's (OIG's) analysis of that evidence. An index of the investigative materials is attached.

I. INTRODUCTION

An OIG investigation has established that Anthony Wojcik, a former Chicago Police Department (CPD) lieutenant who supervised CPD's investigation of the events culminating in Officer Jason Van Dyke's October 20, 2014 shooting of Laquan McDonald, violated CPD Rules and Regulations and brought discredit upon CPD by overseeing and participating in an untruthful, improperly documented, and unprofessional investigation of the shooting and by improperly disposing of material evidence during that investigation.

More specifically, and as detailed further below, Wojcik made false statements and misleading characterizations in CPD reports he authored and approved, which served to exaggerate the threat McDonald posed. Additionally, Wojcik improperly disposed of three original general progress reports containing CPD detectives' handwritten notes of the statements three civilian witnesses made the night of the shooting. Prior to disposing of the original reports, which disposal he failed to document, Wojcik personally recreated the reports. However, Wojcik did not ask the detectives who had taken the statements to review the recreated reports for accuracy and did not inform them of his recreation of their original reports until several months after CPD officially closed its investigation of the shooting. In addition, Wojcik failed to ensure that the McDonald investigative team documented its loss of three additional original general progress reports, which also contained statements made by the three civilian witnesses. Wojcik's actions brought discredit upon the department because they created the appearance of impropriety: namely, that Wojcik and the investigative team purposely destroyed evidence that ran counter to its findings.

Wojcik's actions, individually and collectively, violated CPD Rules 2 (engaging in any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department), 3 (failing to promote the Department's efforts to implement its policy and accomplish its goals), 6 (disobedience of an order or directive, whether written or oral), 11 (incompetency in the performance of a duty), and 14 (making a false report, written or oral).

OIG would have recommended that CPD discharge Wojcik, but he resigned in May 2016 after OIG commenced this investigation. OIG therefore recommends that CPD issue a formal determination on OIG's findings, and place this report in Wojcik's personnel file for consideration in the event Wojcik applies for re-employment with the City. OIG further recommends that CPD, based on its findings, rescind Wojcik's retirement identification card and

retirement star, as Wojcik retired when he was the subject of an investigation that ultimately determined he engaged in misconduct warranting his discharge. In addition, OIG recommends that CPD communicate to the Illinois Retired Officer Concealed Carry (IROCC) program that Wojcik is not in "good standing" and should be removed from the program.

II. APPLICABLE RULES, REGULATIONS, AND LAW

A. CPD Rules and Regulations

The Rules and Regulations of the Chicago Police Department set out the standards of conduct and duties of sworn members, including supervisory members, as well as CPD goals. Article IV(C) of the Rules and Regulations states that sworn members must "conduct themselves at all times in such a manner as will reflect credit upon the Department with emphasis on personal integrity and professional devotion to law enforcement." Article IV(B) provides that supervisory members "have the responsibility for the performance of all subordinates placed under them" and they "[r]emain accountable for the failure, misconduct or omission by their subordinates."

Article V of the CPD Rules and Regulations, entitled CPD Rules of Conduct, sets forth specifically prohibited acts. In pertinent part, the CPD Rules of Conduct include the following prohibitions:

Rule 2 Any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department.

Rule 3 Any failure to promote the Department's efforts to implement its policy or accomplish its goals.

Rule 6 Disobedience of an order or directive, whether written or oral.

Rule 11 Incompetency or inefficiency in the performance of duty.

Rule 14 Making a false report, written or oral.

B. CPD Bureau of Detectives Special Orders

CPD Special Orders are directives that establish protocols and procedures concerning specific CPD functions, operations, programs, or processes.

Bureau of Detectives Special Order (BDSO) 14-13,[1] titled "Reporting Guidelines," which was in effect from November 13, 2014, to January 1, 2015, and was then re-issued on January 1, 2015, as BDSO 15-13, states that "[i]t is the policy of the Bureau of Detectives to comprehensively and

[1] In CPD documents, special orders governing the Bureau of Detectives are referred to as both Detective Division Special Orders and Bureau of Detectives Special Orders. Hereafter, they are referred to as Bureau of Detectives Special Orders (BDSOs).

accurately document all steps taken during the course of an investigation."[2] The order further provides that "Bureau of Detectives supervisors are responsible for ensuring the timely submission and thorough review of all Supplementary Reports."

BDSO 14-14, titled "Investigative Guidelines," which was in effect from November 13, 2014, to January 1, 2015, and was then re-issued on January 1, 2015, as BDSO 15-14, states that it is "the responsibility of all members of the Bureau of Detectives to conduct thorough investigations into all criminal and certain non-criminal incidents, and to accurately document all interviews and investigative steps."[3] The order further states that "[a]ll evidence, whether inculpatory or exculpatory, will be identified, preserved, and documented." Pursuant to the order, "Bureau of Detectives supervisors are responsible for ensuring the timely and comprehensive progression of all investigations and that all leads have been thoroughly pursued."

BDSO 14-17, titled "Police Involved Shooting Guidelines," which was in effect from November 13, 2014, to January 1, 2015, and was then re-issued on January 1, 2015, as BDSO 15-17, states that Area Violent Crimes Lieutenants are to, among other tasks, "oversee and direct all aspects of the investigation."[4]

BDSO 14-22, titled "Justifiable Homicides," which was in effect from December 8, 2014, to January 1, 2015, and was then re-issued on January 1, 2015, as BDSO 15-22, outlines the protocols that CPD members in the Bureau of Detectives are to follow regarding justifiable homicides.[5] The order defines a justifiable homicide as either "the killing of a felon by a peace officer in the line of duty," or "the killing of a felon by a private citizen during the commission of a felony."[6] Section III of BDSO 14-22 outlines reporting procedures for justifiable homicides and requires that:

> A. "When an incident is determined to be a justifiable homicide, the assigned detective will obtain a second RD number. The first case will bear the classification of the crime the felon was committing. The second RD number

[2] OIG 15-0564 009054-56 & OIG 15-0564 009012. BDSO 97-7, which was rescinded by BDSO 14-13 and went into effect in May 1997, provides that a detective's investigation "must be thorough, careful and objective" and further states that a detective must "preserve evidence for collection and processing." OIG 15-0564 009265-82.

[3] OIG 15-0564 009060-63. BDSO 14-14 rescinded BDSO 97-7. *See supra* Section II(B) n.2.

[4] OIG 15-0564 009068-71. BDSO 01-01, which went into effect on April 6, 2001, and was rescinded by BDSO 14-17, did not specifically detail a lieutenant's responsibilities with respect to a police-involved shooting investigation.

[5] OIG 15-0564 009416-17. According to documents dated April 28, 2016 which OIG received from CPD, BDSO 15-22 remained in effect at least as of that date. BDSO 01-01, which BDSO 14-22 rescinded, also states that "[t]he facts detailing the entire investigation will be reported in the justifiable homicide report" and prohibits detectives from stating in their reports that the use of deadly force was justified. OIG 15-0564 009199-9207.

[6] OIG takes no position on whether the McDonald shooting was appropriately classified as a justifiable homicide, but rather notes that CPD reported the incident as such.

will be for the justifiable homicide. Detectives will not identify a person lawfully entitled to use deadly force as an 'Offender.'

B. The facts detailing the entire investigation will be reported in the justifiable homicide report.

Note: The narrative section of the original felony report will state, 'The facts of this case are reported under RD#_____. For complete details, refer to that investigation.'

. . . .

E. Detectives will state in their reports that no charges were placed at this time. They will not state that use of deadly force was justified.

III. LIEUTENANT WOJCIK'S EMPLOYMENT HISTORY

Wojcik joined CPD in 1986 as a police officer. Wojcik became a lieutenant in 2008. He retired from CPD as a lieutenant on May 15, 2016.

IV. SUMMARY OF INVESTIGATION

A. Procedural History of OIG's Investigation

By letter, dated December 8, 2015, Independent Police Review Authority (IPRA) Acting Chief Administrator Sharon Fairley requested that OIG conduct an administrative investigation "to determine whether certain police officers/witnesses made false statements on official reports prepared in connection with [Van Dyke's shooting of McDonald] and/or during the investigation of the incident."[7] IPRA further requested that OIG investigate "whether any of the involved Chicago Police officers committed any other violation(s) of Chicago Police Department rules, policies or procedures in their involvement with the incident, including, but not limited to, whether any officers' conduct may have interfered with or obstructed the appropriate investigation and handling of this matter."

Then, by letter, dated January 13, 2016, CPD Interim Superintendent John J. Escalante requested that OIG conduct an "administrative investigation into any and all allegations of police officer misconduct" arising out of the October 20, 2014 shooting death of McDonald. The Superintendent's request asked OIG to investigate the following allegations: "whether any officer(s) made false statements on official reports submitted in connection with the shooting of Laquan McDonald on October 20, 2014; whether any officer(s) obstructed or interfered with the

[7] On November 24, 2015, the Cook County State's Attorney charged Van Dyke with a single count of first degree murder in the shooting of McDonald. On December 15, 2015, it subsequently charged him with six counts of murder. OIG has not been involved with any criminal investigation related to the shooting and makes no findings regarding Van Dyke's use of force.

investigation of this incident, either individually or in collusion with others; and whether any officer(s) committed any violation of Chicago Police Department rules, policies, or orders in connection with their response and/or handling of this matter." Escalante attached to the letter request a copy of Sergeant Sandra Soria's Initiation Report, which raises allegations of misconduct related to the in-car video systems of the vehicles that were present during the McDonald shooting, and identified that Report as a basis for OIG's administrative investigation.

On March 10, 2016, Kevin Kilmer, Financial Secretary for the FOP, filed a grievance with CPD on behalf of all affected members stating that OIG's attempts to conduct CPD officer interviews violated Article 6 of CPD's Collective Bargaining Agreement (CBA) with the FOP.[8] On March 16, 2016, FOP on behalf of all impacted CPD officers filed a "Complaint for Injunction in Aid of Arbitration" in the Circuit Court of Cook County, asking the court to enjoin OIG from conducting interviews until the grievance was decided in arbitration.[9] The court dismissed the complaint and denied the injunction on March 22, 2016.

During the course of its investigation, OIG has gathered documents from CPD and IPRA, among other sources, and conducted numerous interviews, including interviews of several CPD personnel who were at or responded to the scene of the shooting and civilian witnesses to the shooting. To date, OIG has recommended disciplinary action against multiple CPD personnel.

B. The Events of October 20, 2014

The following sections detail the shooting of McDonald, as well as the relevant events that occurred directly before and after the shooting.[10]

1. [redacted] and Rudy Barillas's Encounter with McDonald[11]

[redacted] and [redacted] Rudy Barillas, were parking a truck in a lot at 41st Street and Kildare Avenue when [redacted] saw a black male, whom she subsequently identified as McDonald,

[8] Section 6.1, Paragraph I of the CBA states, "If the allegation under investigation indicates a recommendation for separation is probable against the Officer, the Officer will be given the statutory administrative proceeding rights, or if the allegation indicates criminal prosecution is probable against the Officer, the Officer will be given the constitutional rights concerning self-incrimination prior to the commencement of interrogation." CPD General Order GO8-01-01, Paragraph K contains similar language.

[9] *Fraternal Order of Police, Chicago Lodge 7 v. City of Chicago*, No. 2016 CH 03726 (Cir. Ct. of Cook County, Ill., Mar. 16, 2016).

[10] On April 22, 2016, OIG obtained maps of the locations that are relevant to the shooting from Google Maps. Those maps, which are included in Appendix A, generally reflect the street layout and location of relevant businesses as they were on the night of October 20, 2014.

[11] The following account of [redacted] and Barillas's encounter with McDonald is taken from the March 16, 2015 case supplementary report (CSR) submitted by then-CPD Detective David March, which includes the statements that [redacted] and Barillas provided to CPD on October 21, 2014, and October 22, 2014, respectively. OIG 15-0564 003077.

attempting to steal property from certain vehicles parked in the lot. Barillas told McDonald to leave the lot. McDonald responded by making growling noises. After Barillas again told McDonald to leave the lot, McDonald pulled out a knife and swung it at Barillas. Barillas, who had already called 911, then threw his cell phone at McDonald.[12] McDonald ran from the lot, first northbound on Kildare and then eastbound on 40th Street.

2. Officers Thomas Gaffney and Joseph McElligott's Encounter with McDonald[13]

Officer Thomas Gaffney and his partner Officer Joseph McElligott received a call over the radio that someone had broken into a truck at 4100 South Kildare and were dispatched to the scene.[14] Gaffney was driving, and McElligott was in the passenger seat of their assigned vehicle, 815R.[15] When they arrived at 4100 South Kildare, they saw a Hispanic male and female standing by the gate to the truck yard. The two said that a black male wearing a black shirt, later determined to be McDonald, had been trying to steal the radio out of a semi-truck, and had subsequently headed north toward 40th Street.

Gaffney and McElligott drove north on Kildare, turned right onto 40th Street, and saw McDonald walking east on the south side of 40th Street. McElligott exited the vehicle and commanded McDonald to stop and turn around. Gaffney stayed in the vehicle in case McDonald attempted to flee. McElligott ordered McDonald to take his hands out of his pockets. McDonald, who had been facing McElligott, turned and walked away with one hand still in his pocket.

[12] OEMC recordings reflect that Barillas called 911 at 9:45 p.m. stating that he was holding "a guy right hear [sic] that stolen [sic] the radios" from trucks in a truck yard located at "41st and Kildare." OIG 15-0564 003227.

[13] The following account of Gaffney and McElligott's encounter with McDonald is taken from (1) the audio-recorded statements Gaffney and McElligott provided to IPRA on October 21, 2014, OIG 15-0564 000482-98, 000610-30; and (2) the March 16, 2015 CSR submitted by Detective March, which includes the statements that Gaffney and McElligott provided to March on the night of the McDonald shooting. OIG 15-0564 003067–69.

[14] OEMC records reflect that Gaffney and McElligott received the call at 9:47 p.m. OIG 15-0564 003691.

[15] Below is a chart identifying the beat numbers and vehicle numbers of the CPD vehicles that were present when McDonald was shot, along with the names of the officers who were assigned to those vehicles. This SRI refers to the below-referenced vehicles by beat number, unless otherwise specified.

Beat #	Vehicle #	Officers
845R	6412	Officer Joseph Walsh (driver), Officer Van Dyke (passenger)
815R	8489	Officer Gaffney (driver), Officer McElligott (passenger and on foot)
813R	8779	Officer Janet Mondragon (driver), Officer Daphne Sebastian (passenger)
822	8765	Officer Arturo Becerra (driver), Officer Leticia Velez (passenger)
841R	8948	Officer Ricardo Viramontes (driver), Officer Dora Fontaine (passenger)

McDonald then turned again and took both of his hands out of his pockets. He had a knife in his right hand. McElligott drew his weapon and told McDonald to drop the knife. McDonald started walking east again, going from the sidewalk to the street and back. McElligott followed McDonald on foot, shining his flashlight on him, while Gaffney followed in 815R, parallel to McDonald.

As McDonald approached the intersection of 40th and Keeler, Gaffney reported to dispatch that McDonald was walking away with a knife in his hand.[16] Gaffney and McElligott continued to follow McDonald as he headed east, with McElligott giving McDonald orders to drop his knife and stop. McDonald kept turning around and giving the officers a "weird glaze[d] look." Gaffney IPRA Tr. 11:20.[17]

As McDonald approached the intersection of 40th and Karlov, Gaffney turned his car toward McDonald to direct him down Karlov. Gaffney wanted to keep McDonald away from Pulaski, which was a more populated area. McDonald then swung his arm and popped 815R's right front tire with his knife. McElligott was toward the back of 815R when McDonald popped its tire. After McDonald took a step back from the vehicle, Gaffney pulled up further in front of him to stop him from proceeding to Pulaski. McDonald then hit the right side of 815R's windshield once with the knife in his right hand. The windshield did not break but, according to Gaffney, McDonald hit it as hard as he could. McDonald walked around the front of 815R and continued eastward on 40th Street. After McDonald had walked 10 to 15 feet, another squad car turned off of Pulaski onto 40th Street with its lights on, and McDonald began to sprint. McElligott followed McDonald on foot, and Gaffney followed McDonald in 815R. McDonald ran eastbound through a parking lot of a Burger King located at 40th and Pulaski and then headed southbound on Pulaski. Video footage from several cameras captured McDonald's movements as he reached Pulaski.

3. Summary of the Relevant Video Footage

The below table contains a summary of the relevant video footage of the McDonald shooting, which includes the dashcam videos from 813R, 823R, and 845R, video from the "WNE fire exit" security camera from the Greater Chicago Food Depository, which is bordered by 40th Street to the north, Karlov Avenue to the east, and Keeler Avenue to the west, and the security camera video from the Dunkin' Donuts, located at 4113 South Pulaski Road (the DD Camera).[18]

[16] OEMC recordings reflect that, at 9:53 p.m., 815R reported: "We're at 40th and Keeler. This guy uh is walking away from us and he's got a knife in his hand." Approximately 30 seconds later, a dispatcher stated, "815R looking for a taser." *See* OEMC Documents and CDs; *see also* OIG 15-0564 003691, 3228.

[17] OIG 15-0564 000620.

[18] In addition to the videos cited in the summary, OIG obtained video footage from the security camera videos at Burger King and Focal Point, and the dash camera videos from Vehicles 815R and 821R. These videos do not contain footage relevant to this report.

Time	Event(s) Captured	Source of Video
9:53:17 – 9:54:42	McDonald walks eastbound on the south side sidewalk of 40th Street; a CPD SUV travels east on 40th Street, parallel to McDonald with its front bumper even with McDonald; an officer on foot trails directly behind McDonald by the length of the SUV, with his flashlight trained on McDonald.[19]	Greater Chicago Food Depository Security Camera
9:56:53 – 9:57:01	813R and 845R turn left onto 40th Street from Pulaski.	813R Dashcam
9:57:01– 9:57:09	An unidentified person on 40th Street points the CPD vehicles toward the Burger King parking lot (813R); 845R turns into the parking lot (813R). McDonald runs southeast through the Burger King parking lot out onto Pulaski (845R).	813R Dashcam; 845R Dashcam
9:57:09 – 9:57:20	845R drives over the curb and sidewalk north of Burger King and heads south on Pulaski (845R); 813R turns around, turns right onto 40th Street, and then right again on Pulaski (813R); McDonald runs southbound in the middle of Pulaski and enters the intersection of 41st Street and Pulaski (813R).	813R Dashcam; 845R Dashcam
9:57:20 – 9:57:25	845R, which is facing east/southeast on Pulaski just north of 41st street, turns right behind McDonald and proceeds south on Pulaski on the east side of the street; 845R's passenger door briefly opens and then closes as it passes McDonald on his left; McDonald continues southbound on Pulaski, toward 822, which is stopped in the middle of Pulaski facing north.	813R Dashcam
9:57:25 – 9:57:28	McDonald slows as he approaches 822, touches his hands to his waist, and then, before Walsh and Van Dyke exit 845R and with 822 situated between McDonald and the officers, McDonald extends his right arm fully to his right—the video shows that he has a silver object in his right hand; 845R passes 822 and comes to a stop on the east side of Pulaski, facing south and almost directly south of 822; Van Dyke opens 845R's passenger door.	813R Dashcam

[19] OIG confirmed the vehicle is 815R and the officer on foot is McElligott by comparing the video with photographs of the officers. OIG 15-0564 003356.

9:57:28 – 9:57:30	McDonald changes course and begins walking southwest on Pulaski, away from 822 and 845R (813R); Van Dyke exits the passenger side of 845R with both of his feet in Pulaski's northbound left turn lane, his gun drawn and pointed at McDonald (813R). Walsh exits the driver side of 845R, just east of Pulaski's northbound left turn lane, with his gun drawn, and moves north along the driver side of 845R until he is several feet north of 845R (DD Camera).	813R Dashcam; DD Camera[20]
9:57:30 – 9:57:33	McDonald continues to walk southwest, from the middle of Pulaski to the lane markers that divide the west side of the road (or approximately one lane west of where McDonald was prior to changing course) (813R). While McDonald walks southwest, Walsh begins moving sideways in a west/southwest direction, approximately parallel to McDonald, and crosses over the east side of Pulaski's northbound left-turn lane—his gun is pointed at McDonald (813R; DD Camera). Van Dyke takes approximately two steps northwest toward McDonald, with his left foot crossing into Pulaski's yellow-painted median strip—his gun is pointed at McDonald (813R; DD Camera). 822 drives north on Pulaski, away from 845R (813R).	813R Dashcam; DD Camera
9:57:33 – 9:57:36	As McDonald approaches the lane markers on the west side of Pulaski, walking in a southwest direction, he looks to his right and moves his right hand behind his waist, near the right side of his lower back, then brings his hand back to his right side (813R). As McDonald crosses the lane markers on the west side of Pulaski, he looks to his left, and takes a step southbound (813R). Meanwhile, Walsh continues moving west/southwest with his gun pointed at McDonald, ultimately traversing almost the entire width of Pulaski's northbound left-turn lane (813R; DD Camera). Van Dyke takes an additional step west, toward McDonald, putting both of his feet in Pulaski's median strip and placing himself almost directly between McDonald and Walsh (813R; DD Camera). McDonald is then apparently shot and Walsh stops moving and adopts a stance, with his feet more than a shoulder's width apart (813R; DD Camera).	813R Dashcam; DD Camera
9:57:36 –	McDonald spins between 180 and 270 degrees in a	813R Dashcam;

[20] The DD Camera video does not display an embedded timestamp. Therefore, OIG used the timestamp of 813R's video, which generally captured the same events as the DD Camera from a different angle, to establish the timeframe of the events captured by the DD Camera.

9:57:54	clockwise direction and then falls to the ground with the top of his head pointing south on Pulaski, approximately one street lane east of Van Dyke and just south of Van Dyke (813R). As McDonald falls to the ground, Van Dyke takes another step west toward McDonald, moving his right foot from Pulaski's median strip into the south-bound side of Pulaski; his gun remains pointed at McDonald (813R). Van Dyke subsequently takes an additional step or two south, toward McDonald. Other than those steps, Van Dyke's feet are stationary (DD Camera). After McDonald is on the ground, his legs and feet do not move (813R). McDonald's upper body makes small, intermittent movements as what appear to be puffs of smoke rise from McDonald's body (813R).[21]	DD Camera
9:57:54 – 9:58:05	An officer approaches McDonald and kicks the knife from his hand. McDonald does not make any noticeable movements.	813R Dashcam
9:58:05-9:58:20	McDonald lies on the ground; no aid is rendered by CPD personnel. 823R, travelling northbound, pulls up on the west side of Pulaski, and stops just south of where McDonald is lying.	813R Dashcam; 823R Dashcam
9:58:20-9:58:57	Several CPD officers walk and stand near McDonald as he lies on the ground; no aid is rendered by CPD personnel.	813R Dashcam;[22] 823R Dashcam
9:58:57-9:59:02	823R begins making a U-turn on Pulaski. A Cook County Sheriff's Police Department (CCSPD) officer puts on blue gloves and walks toward McDonald.[23] McDonald is no longer visible in the video frame.	823R Dashcam

[21] OEMC records show that dispatch received notice to send an ambulance to the scene at 9:57:51. OIG 15-0564 003691.

[22] The last time stamp visible on the 813R dashcam video is 9:58:55.

[23] OIG identified the CCSPD officer as Officer Adam Murphy.

C. CPD's Reports Regarding the McDonald Investigation

1. Case Supplementary Report, "Sup ID" 10992767 CASR301[24]

On March 16, 2015, Wojcik approved case supplementary report RD #HX-475653, with "Sup ID" 10992767 CASR301 (the "301 CSR"), that Detective March submitted on March 15, 2015.[25] The report is titled as a "Field Investigation Exc. Cleared Closed (Other Exceptional) Report." It lists the original and last "Offense Classification" as "Assault/Aggravated Po: Knife/Cut Instr.," the "Date of Occurrence" as October 20, 2014, at 9:57 p.m., and the "Address of Occurrence" as 4112 S. Pulaski Rd. Further, it lists Van Dyke, Walsh, Gaffney, and McElligott as the victims, McDonald as the offender, March as the reporting officer and primary detective assigned, and Wojcik as the approving supervisor. It is signed as the "report of" March, Gallagher, and Wojcik of the Bureau of Detectives – Area Central.[26]

The 301 CSR contains, among other information, summaries of the interviews March conducted of the officers who were present when Van Dyke shot McDonald, as well as summaries of the interviews CPD detectives conducted of civilian witnesses to the events of October 20, 2014.

a) Officer Statement Summaries

(1) Van Dyke

The 301 CSR includes summaries of the statements that Van Dyke provided to March on October 20, 2014, and October 21, 2014, respectively. The following is an excerpt of Van Dyke's October 20, 2014 statement:

---

[24] OIG 15-0564 003057-79.

[25] CPD reported its investigation of the events that culminated in the McDonald shooting under record number HX-475653, and classified most of the reports as an investigation into an aggravated assault in which McDonald was the offender. In a few reports, CPD classified the case as an investigation into a justifiable homicide of which McDonald was the victim. CPD also created an additional record number, HX-486155, which it classified as a justifiable homicide.

[26] On March 16, 2015, hours after Wojcik approved the CSR, CPD Lieutenant Osvaldo Valdez sent an email to Wojcik and Gallagher, copying Roy. OIG 15-0564 015738-41. The email was part of a chain of emails between Valdez and the FBI, and stated as follows:

> All[,] See attached spread sheet that was provided by the FBI. It is regarding L[aw]E[nforcement]O[fficer]'s killed or assaulted and injured in the line of duty in which offenders used a knife/other cutting instrument. After a quick review of the report there were a couple things that stood out. These are incidents where an officer is assaulted and injured or killed by an assailant with a knife between the years of 2004 – 2013. 1. Out [of] 382 incidents, there are 2 incidents that resulted in the officer being killed. Interesting to note would be to determine what the distance between the offenders and the officers were as the shots were fired that resulted in fatality. 2. There are only 32 incidents where assisting officer shot there [sic] weapon as well. This was a question that was brought up, 'why didn't the other officers shoot?' I will ask if I can get more details.

> Officer Van Dyke exited the vehicle on the right side and drew his handgun. As Van Dyke stood in the street on Pulaski, facing northbound, toward McDonald, McDonald approached southbound. McDonald was holding the knife in his right hand, in an underhand grip, with the blade pointed forward. He was swinging the knife in an aggressive, exaggerated manner. Van Dyke ordered McDonald to "Drop the knife!" multiple times. McDonald ignored Van Dyke's verbal direction to drop the knife and continued to advance toward Van Dyke.
>
> When McDonald got to within 10 to 15 feet of Officer Van Dyke, McDonald looked toward Van Dyke. McDonald raised the knife across his chest and over his shoulder, pointing the knife at Van Dyke. Van Dyke believed McDonald was attacking Van Dyke with the knife, and attempting to kill Van Dyke. In defense of his life, Van Dyke backpedaled and fired his handgun at McDonald, to stop the attack. McDonald fell to the ground but continued to move and continued to grasp the knife, refusing to let go of it. Van Dyke continued to fire his weapon at McDonald as McDonald was on the ground, as McDonald appeared to be attempting to get up, all the while continuing to point the knife at Van Dyke. The slide on Van Dyke's pistol locked in the rearward position, indicating the weapon was empty. Van Dyke performed a tactical reload of his pistol with a new magazine and then assessed the situation.
>
> McDonald was no longer moving and the threat had been mitigated, so Officer Van Dyke and Officer Walsh approached McDonald. McDonald was still holding the knife in his right hand. Van Dyke continued to order McDonald to "Drop the knife!" Officer Walsh told Van Dyke, "I have this." Van Dyke then used his handgun to cover Walsh as Walsh walked up and forcibly kicked the knife out of McDonald's right hand, thereby eliminating the threat to the officers.

The 301 CSR summarized Van Dyke's October 21, 2014 statement in relevant part as follows:

> [Van Dyke] related the same sequence of events as documented in his original interview at the scene of the incident.
>
> Van Dyke additionally articulated the reasoning behind his decision to use deadly force against the offender in this incident, Laquan McDonald. Van Dyke was aware of the radio transmissions from Officer Thomas Gaffney, on Beat 815R, that McDonald was armed with a knife. Van Dyke was aware that McDonald had attacked the officers on Beat 815R by slashing the tire of their police vehicle.
>
> As he confronted McDonald at 4112 South Pulaski Road, Van Dyke saw that McDonald was in fact, armed with a knife, a deadly weapon. Van Dyke was aware of the widely accepted teaching in law enforcement that an assailant armed with a knife was considered a deadly threat, if within 21 feet, because it was possible for such an assailant to close that distance and attack with the knife before a defensive shot could be fired from a handgun. Van Dyke was also aware

> of the existence of throwing knives, which can be thrown from a distance, as well as spring loaded knifes, which propel a blade through the air from the knife handle. Van Dyke also said he recalled a previously issued Chicago Police Department bulletin warning of a weapon which appeared to be a knife but which actually was capable of firing a bullet, making it a firearm.[27]

The 301 CSR notes that a search was subsequently conducted for the bulletin Van Dyke referenced and that an "Officer Safety Alert number 2012-OSA0297," issued on December 4, 2012, was located. *See* OIG 15-0564 003074. March wrote that "[i]t was a warning regarding a 'revolver knife' which was capable of firing .22 caliber cartridges."

(2) Walsh

The following is an excerpt of Walsh's October 20, 2014 statement:

> As McDonald ran southbound on Pulaski Road, from the Burger King, Walsh pursued McDonald in the police vehicle. Walsh drove southbound in the northbound lanes to get ahead of McDonald, keeping the police vehicle between McDonald and a Dunkin' Donuts restaurant, on the east side of Pulaski. As their vehicle passed McDonald, Officer Van Dyke opened the right front door of their vehicle, to exit the truck and confront McDonald. Walsh, realizing that at this point they were too close to the armed McDonald to safely exit the vehicle, told Van Dyke to wait until they got further ahead of McDonald. Walsh drove further south on Pulaski. He stopped his vehicle south of McDonald and exited the driver's door as Van Dyke exited the right side of the vehicle. Walsh drew his handgun when he exited the vehicle.
>
> Officer Walsh came around the rear of the police vehicle and joined Officer Van Dyke on the right side of the vehicle. Walsh also stood in the street on Pulaski, facing northbound, as McDonald walked southbound toward the officers. Walsh ordered McDonald to "Drop the knife!" multiple times as McDonald approached the officers.
>
> Officer Walsh also backed up, attempting to maintain a safe distance between himself and McDonald. McDonald ignored the verbal direction given by both Walsh and Officer Van Dyke, and continued to advance toward the officers. When McDonald got to within 12 to 15 feet of the officers he swung the knife toward the officers in an aggressive manner. Van Dyke opened fire with his handgun and McDonald fell to the ground. Van Dyke continued firing his weapon

[27] Detective March completed two GPRs relating to his interviews of Van Dyke that contains March's handwritten notes of the interviews. OIG 15-0564 003239-41 & 003254. March's notes do not differ in any significant way from the summary of Van Dyke's October 20, 2014 statement in the CSR. March's notes of Van Dyke's October 21, 2014 statement state: "Same details. Added: Aware of radio transmissions (Gaffney)[;] armed w/knife[;] attacked 815R-slashed tire. Aware of – 21' rule[;] throwing knives[;] spring loaded knife[;] previous bulletin[;] knife actually fires bullet. Officer safety alert #2012-05A-297 04 Dec 2012."

> at McDonald as McDonald continued moving on the ground, attempting to get up, while still armed with the knife.
>
> When the gunfire stopped and McDonald was not moving anymore, Walsh approached McDonald with Van Dyke. Walsh continued to order McDonald to "Drop the knife!" multiple times, as McDonald was still holding the knife in his right hand. Walsh forcibly kicked the knife out of McDonald's hand and then notified the dispatcher on the police radio that shots had been fired by the police. An ambulance was also requested for McDonald.
>
> As they waited for the ambulance to respond to the scene, Officer Walsh told McDonald to 'hang in there,' and that an ambulance was on the way.
>
> Officer Walsh said he believed McDonald was attacking Walsh and Officer Van Dyke with the knife and attempting to kill them when the shots were fired. Walsh stated he did not fire his handgun because Van Dyke was in the line of fire between Walsh and McDonald. Walsh thought Van Dyke fired eight or nine shots total.[28]

(3) Fontaine

The 301 CSR summarizes Fontaine's October 20, 2014 statement in relevant part as follows:

> The two officers responded to the request for assistance made by Beat 815R, regarding a man with a knife at 41st Street and Pulaski Road. Officer Viramontes drove northbound on Pulaski. When they arrived at the scene of this incident, in front of the Dunkin' Donuts restaurant, Officer Fontaine saw a black male subject, now known as Laquan McDonald, walking southbound in the street, with a knife in his right hand. McDonald was walking sideways, with his body facing east, toward Officers Jason Van Dyke and Joseph Walsh. These two officers were standing in the middle of the street, on the right side of their police vehicle, which was facing southbound. Fontaine heard the officers repeatedly order McDonald to "Drop the knife!" McDonald ignored the verbal direction and instead, raised his right arm toward Officer Van Dyke, as if attacking Van Dyke.[29] At this time Van Dyke fired multiple shots from his handgun, until McDonald fell to the ground and stopped moving his right arm and hand, which still grasped the knife. The

[28] Detective March completed a GPR relating to his interview of Walsh that contains March's handwritten notes of the interview. OIG 15-0564 003242–43. March's notes do not differ in any significant way from the summary of Walsh's statement in the CSR.

[29] In her OIG interview, Officer Fontaine denied making this statement, and she declined to stand by it as accurate. Fontaine Tr. 34:23-35:1; 116:18.

> gunshots were rapid fire, without pause. Officer Walsh then kicked the knife out of McDonald's hand.[30]

(4) Viramontes

The 301 CSR summarizes Viramontes's October 20, 2014 statement in relevant part as follows:

> [W]hen [Viramontes] exited his police vehicle, at the scene, he observed a black male subject, now known as Laquan McDonald, walking southbound on Pulaski Road, in the middle of the street, holding a knife in his right hand. Viramontes heard Officer Jason Van Dyke repeatedly order McDonald to "Drop the Knife!" McDonald ignored the verbal direction and turned toward Van Dyke and his partner, Officer Joseph Walsh. At this time Van Dyke fired multiple shots from his handgun. McDonald fell to the ground but continued to move, attempting to get back up, with the knife still in his hand. Van Dyke fired his weapon at McDonald continuously, until McDonald was no longer moving.[31]

(5) Sebastian

The 301 CSR summarizes Sebastian's October 20, 2014 statement in relevant part as follows:

> Officer Sebastian observed a black male subject, now known as Laquan McDonald, running southeast bound through the parking lot of the Burger King restaurant. Beat 845R pursued McDonald in their police vehicle, through the parking lot, toward Pulaski. Sebastian told Officer Mondragon to drive back out onto Pulaski to assist in the pursuit. McDonald ran out onto Pulaski and continued to run southbound down the middle of the street. Beat 845R pursued McDonald in their vehicle, southbound on Pulaski, followed by Beat 813R. As McDonald ran southbound on Pulaski, Sebastian saw the knife in his right hand. McDonald was waving the knife.
>
> Beat 845R stopped their vehicle ahead of McDonald, between McDonald and the Dunkin' Donuts restaurant on the east side of Pulaski. Officers Joseph Walsh and Jason Van Dyke exited their vehicle and drew their handguns. McDonald turned toward the two officers and continued to wave the knife. Sebastian heard the officers repeatedly order McDonald to "Drop the knife!" McDonald ignored the verbal directions and continued to advance on the officers, waving the knife. Officer Sebastian heard multiple gunshots and McDonald fell to the ground,

[30] Detective March completed a GPR relating to his interview of Fontaine that contains March's handwritten notes of the interview. OIG 15-0564 003252. March's notes do not differ in any significant way from the summary of Fontaine's statement in the CSR.

[31] Detective March completed a GPR relating to his interview of Viramontes that contains March's handwritten notes of the interview. OIG 15-0564 003253. March's notes do not differ in any significant way from the summary of Viramontes's statement in the CSR.

> where he continued to move. Sebastian did not know who fired the shots, which were fired in one continuous group. She then saw Officer Walsh kick the knife out of McDonald's hand.[32]

(6) Mondragon

The 301 CSR summarizes Mondragon's October 20, 2014 statement in relevant part as follows:

> [Mondragon] stated she was a Chicago Police Officer assigned to the 008th District. Mondragon related the same facts as her partner, Officer Daphne Sebastian.
>
> Officer Mondragon added that as she drove westbound on 40th Street, she saw Officer McElligott running eastbound through the Burger King parking lot. She made a U-Turn and drove back out onto Pulaski Road. Mondragon turned southbound onto Pulaski. She saw Laquan McDonald running southbound on Pulaski, in the middle of the street. As she got closer she could see McDonald was holding a knife in his right hand. He was waving the knife.
>
> Officer Mondragon saw Officers Joseph Walsh and Jason Van Dyke outside of their police vehicle. She heard the officers repeatedly ordering McDonald to "Drop the knife!" as McDonald got closer and closer to the officers, continuing to wave the knife. As she was placing her vehicle transmission into Park, Mondragon looked down and heard multiple, continuous gunshots, without pause. Mondragon then saw McDonald fall to the ground. Mondragon did not know who fired the shots.[33]

b) The 301 CSR Findings and Conclusions

The 301 CSR includes several findings and conclusions regarding the shooting. Specifically, it states that "[t]he recovered in-car camera video from Beats 845R and 813R was viewed and found to be consistent with the accounts of all of the witnesses." OIG 15-0564 003075. It further states:

> The above to-date investigation determined that Laquan McDonald was an active assailant who, while armed with a dangerous weapon, used force likely to cause death or serious injury to a private citizen when he attacked Rudy Barillas; threatened the imminent use of force likely to cause death or serious injury when

[32] Detective March completed a GPR relating to his interview of Sebastian that contains March's handwritten notes of the interview. OIG 15-0564 003248. March's notes do not differ in any significant way from the summary of Sebastian's statement in the CSR.

[33] Detective March completed a GPR relating to his interview of Mondragon that contains March's handwritten notes of the interview. OIG 15-0564 003249. March's notes do not differ in any significant way from the summary of Mondragon's statement in the CSR.

> he incised the tire and stabbed the windshield of a Chicago Police Department vehicle occupied by Officer Thomas Gaffney; and initiated imminent use of force likely to cause death or serious injury when he initiated an attack on Officers Jason Van Dyke and Joseph Walsh. The above investigation concluded that Officer Jason Van Dyke's use of deadly force, the discharging of his duty firearm, was within the bounds of the Chicago Police Department's use of force guidelines, and in conformity with local ordinances and state law.

OIG 15-0564 003078. On March 15, 2015, at 5:33 p.m., less than an hour before March submitted the CSR, Wojcik emailed March a Microsoft Word document titled "Conclusion." The word document contains language almost identical to the above-quoted paragraph.[34]

2. The 339 CSR's Narrative and Findings

On March 16, 2015, Wojcik approved a second RD #HX-475653 CSR, submitted by March on March 15, 2015, with Sup ID 10988891 CASR339 (the "339 CSR").[35] The 339 CSR contains, among other information, an inventory of the evidence recovered and an identification of the personnel assigned to the case and the witnesses to the relevant events. Like the 301 CSR, the 339 CSR lists Van Dyke, Walsh, Gaffney, and McElligott as the victims, McDonald as the offender, March as the reporting officer and primary detective assigned, and Wojcik as the approving supervisor. It is signed as the "report of" March, Gallagher, and Wojcik of the Bureau of Detectives – Area Central.

The "Manner/Motive" section of the 339 CSR states as follows:

> Laquan McDonald was shot and killed by Chicago Police Officer Jason Van Dyke while McDonald was committing an aggravated assault with a knife against Officer Van Dyke and his partner, Chicago Police Officer Joseph Walsh. McDonald also committed an aggravated assault with a knife against Chicago Police Officers Thomas Gaffney and Joseph McElligott, when McDonald stabbed the right front tire and windshield of their police vehicle, and an aggravated assault with a knife against civilian, Rudy Barillas, immediately prior to being confronted by Officers Van Dyke and Walsh. / Peace officer interceding in a

[34] On March 13, 2015, two days prior to March's submittal of the 301 CSR, Wojcik sent an email to March with the subject line "Arrest Info." Attached to the email was a Microsoft Word document titled "Arrest History Johnson," that stated as follows: "Twenty-Six (26) total arrests with various charges lodged prior to this incident – including Aggravated Battery to Peace Officer, Battery, Assault, Reckless Conduct, Possession of Controlled Substance and Possession Cannabis, with some offenses having occurred during instruction on school grounds, while in state detention/custody, and during courtroom proceedings. During twelve (12) of the arrest incidents McDonald attempted to defeat arrest by fleeing on foot and/or actively physically resisting." OIG 15-0564 010334-35. The document does not reflect why it is titled "Arrest History Johnson."

[35] OIG 15-0564 003034–56.

> felony, in the line of duty-Defense of life (Offender apparently attempting to defeat arrest).[36]

The "Just Homicide Description" section of the 339 CSR states: "Criminal Killed By Police Officer."[37] The "Additional Just Homicide Descr." section of the 339 CSR states: "Criminal Attacked Officer That Officer Killed Criminal."

3. HX-486155 Case Incident Report[38]

On October 29, 2014, March submitted an Original Case Incident Report under RD #HX-486155, with the event number of 1430116812 and the "Case ID" of 9837884 CASR229. The report identifies March as the Reporting Officer and Detective/Investigator, and Gallagher as the Approving Supervisor. The report classifies the incident as "Assault – Aggravated; Knife/Cutting Instr," and lists the "Occurrence Location" as 4101 S. Kildare Blvd. and the "Occurrence Date" as October 20, 2014, at 9:47 p.m. The report identifies Rudy Barillas as the victim, Gaffney, Van Dyke, and Walsh as additional victims, and McDonald as "Suspect # 1." The narrative section of the report states as follows:

> The offender in this incident, Laquan McDonald, committed an aggravated assault against the victim, Rudy Barillas, by attempting to cut Barillas with a knife. Barillas called 9-1-1. Chicago Police Officers Thomas Gaffney, Jason Van Dyke and Joseph Walsh responded to Barillas' call. McDonald committed aggravated assaults against the three officers, finally forcing Officer Van Dyke, in defense of his life, to shoot and kill McDonald. Details of this investigation are reported under the Homicide/Justifiable, recorded under Records Division number HX475653.

D. Civilian Witness Statements

Eric Gonzalez, Alma Benitez, and Robert Garcia, who were witnesses to the events of October 20, 2014, provided statements to CPD and OIG, among others, regarding what they witnessed. Below is a summary of those statements.

[36] OIG 15-0564 003047-48.

[37] OIG 15-0564 003036.

[38] OIG 15-0564 003299-300.

1. Eric Gonzalez[39]

a) 301 CSR Summary

Eric Gonzalez provided a statement to CPD the night of October 20, 2014 that is summarized in the 301 CSR as follows:

> [Gonzalez] stated he was at the Burger King restaurant drive-thru with Alma Benitez. He saw a black male subject, now known as Laquan McDonald, running from the trucks parked at the rear of the restaurant parking lot. McDonald ran eastbound in the parking lot, on the north side of the Burger King building. A police officer was chasing McDonald on foot, eastbound through the parking lot, then southbound on Pulaski Road. A Chicago Police Department, Chevrolet Tahoe sport utility vehicle pulled up on Pulaski. McDonald ran toward the police vehicle. A police officer exited the vehicle and fired multiple shots from a handgun at McDonald. [Gonzalez] thought there was video footage of the incident recorded on Benitez' cellular telephone. As documented in the previous interview of Benitez, her telephone was examined with negative results.

b) OIG Interview

On February 16, 2016, OIG interviewed Gonzalez. Attorney Molly Armour was present for the interview. In summary, Gonzalez stated as follows. Gonzalez saw McDonald running south from the Burger King parking lot toward Pulaski. According to Gonzalez, McDonald was being chased by two officers, one of whom was driving and one of whom was on foot. Gonzalez subsequently heard multiple gunshots, but he could not see McDonald being shot because a construction fence was blocking his view. Gonzalez denied telling the police that McDonald ran toward a police vehicle and said that McDonald was running from the police not toward them.

2. Robert Garcia

a) 301 CSR Summary

Robert Garcia provided a statement to CPD the night of October 20, 2014 that is summarized in the 301 CSR as follows:

> [Garcia] stated he was sitting in a truck, parked in the Burger King restaurant parking lot, on the south side of the restaurant building. He was completing some logs. Garcia observed a black male subject, now known as Laquan McDonald, running southbound on Pulaski Road. The police were pursuing McDonald. Garcia heard approximately three gunshots. He did not see who fired the shots. Garcia exited the cab of his truck and climbed up on top of it. He saw a Chicago

[39] The 301 CSR refers to Gonzalez as Eddie Garcia. In Gonzalez's February 16, 2016 OIG interview, summarized below, he said that he gave CPD the wrong name on October 20, 2014.

> Police Department, Chevrolet Tahoe sport utility vehicle, and many police officers on Pulaski Road.

b) OIG Interview

On February 16, 2016, OIG interviewed Garcia. Attorney Michael Robbins was present for the interview. In summary, Garcia stated as follows. Garcia saw McDonald running south on Pulaski with an officer in pursuit on foot behind him. Garcia, while half inside his truck cab completing truck logs, heard three shots, looked up, but could not see McDonald anymore. According to Garcia, he climbed to the top of his truck cab and was able to "see the officer right in front of his Tahoe and just unloading the other 13 shots." Garcia Tr. 17:23-18:1. Garcia said that McDonald was "permanently down" after the first set of shots. Tr. 22:7. Garcia said that he described McDonald's shooting as an "execution" to CPD detectives, but could not remember if he did so at the scene or at Area Central. Tr. 44:19, 77:19-78:5. Garcia said that the GPR of his interview, which stated that he did not see McDonald get shot, was a misrepresentation of his statement because he told detectives that he did see shots fired and that they were "unnecessary." Tr. 91:15.

3. Alma Benitez

b) 301 CSR Summary

Alma Benitez provided a statement to CPD the night of October 20, 2014 that is summarized in the 301 CSR as follows:

> [Benitez] stated she was in the Burger King restaurant parking lot. She saw a subject, now known as Laquan McDonald, running southbound on Pulaski Road. Benitez saw many police officers on the street. She was trying to get her cellular telephone to work, to record video. Benitez heard eight gunshots fired continuously. She did not see who fired the shots. Benitez then saw a police officer pointing a handgun at McDonald as he was lying on the ground. With her permission, Benitez' telephone was examined for any recorded video footage with negative results.

c) OIG Interview

On February 16, 2016, OIG interviewed Benitez. Attorney Shannon Lynch was present for the interview. In summary, Benitez stated as follows. While Benitez was outside of her car, she saw a CPD officer come out of a squad car and try to grab McDonald. The officer pulled away when he got near McDonald. According to Benitez, she then got back in her car, parked it, and got out of the car again. She subsequently heard gun shots, looked up and saw McDonald fall to the ground. Benitez heard more gunshots and yelled, "Stop shooting! He's dead already." Benitez Tr. 21:18-19. CPD officers heard her yelling and told her to leave the scene. Benitez said that she did not give CPD permission to examine her phone and further stated that she told CPD detectives that a CPD officer tried to grab McDonald.

4. GPRs

There are three General Progress Reports (GPRs) that relate to the CPD interviews of Gonzalez, Benitez, and Garcia.[40] Each of those GPRs has Lieutenant Anthony Wojcik's name and star number listed under "Reporting Officer's Signature – Star No." OIG 15-0564 003284-86. The handwritten notes contained in those GPRs do not differ in any significant way from the summary of their statements in the CSR.

On the GPR that relates to the Eric Gonzalez interview, dated October 20, 2014, there are two notations stating that the GPR is a copy of Detective Thomas Curran's GPR. One of the notations has what appears to be Wojcik's signature and star number next to it.

On the GPR relating to the Benitez interview, dated October 20, 2014, there are two notations stating that the GPR is a copy of Detective Thomas Curran's GPR. One of the notations has what appears to be Wojcik's signature and star number next to it.

On the GPR relating to the Robert Garcia interview, dated October 20, 2014, there are two notations stating that the GPR is a copy of Detective Pete Torres's GPR. One of the notations has what appears to be Wojcik's signature and star number next to it.

E. CPD Interviews

1. March[41]

On April 26 and April 27 of 2016, OIG investigators interviewed March under oath after informing him of his administrative advisements orally and in writing. He provided oral and written acknowledgment of the reading of those advisements. The interview was transcribed by a certified court reporter. Attorney James McKay was present for the interview. In summary, March stated as follows.

As of October 20, 2014, March was a CPD detective assigned to Area Central. March worked on a homicide team supervised by Gallagher. That team had two lieutenants, Wojcik and Osvaldo Valdez. Their commander at the time was Eugene Roy.

[40] BDSO 11-01, titled "Investigative Files," which was in effect until January 1, 2015, defines "General Progress Report" as follows: "A General Progress Report will be used by all Division members and is designed to standardize the recording of handwritten notes and memoranda including witness or suspect interviews, on-scene canvasses, written inter-watch communications that are investigative and not administrative in nature, or any other written notes generated during the course of an investigation." OIG 15-0564 009118.

[41] March resigned from City employment in response to the SRI OIG issued on July 29, 2016, which arose out of this same case.

a) The Scene of the Shooting

On the night of October 20, 2014, March was on-duty at Area Central headquarters when he received a call from Gallagher. Gallagher informed him that there had been a police-involved shooting and that the case was going to be assigned to March. March then drove to the scene of the shooting by himself.

While at the scene, March spoke to the ten officers who were present when Van Dyke shot McDonald, including Van Dyke and Walsh, but he did not recall the order in which he did so.

After March had his initial conversation with Walsh, he went to 813R and saw the dashcam video captured by 813R's in-car video system on a small monitor in the vehicle. March estimated that he ultimately watched the 813R video three to five times at the scene of the shooting. March also watched the Dunkin' Donuts video at the scene of the shooting.[42]

March did not recall having much contact with Wojcik at the scene. According to March, Wojcik arrived at the scene quite a bit later than March did because Wojcik was coming from his home.[43] March left the scene of the shooting "well after midnight" and drove to Area Central. March 4/26/16 Tr. 155:22.

b) Area Central

Once March arrived at Area Central, he collected documentation from the police personnel involved in the investigation, including the original case report authored by an 8th District beat car, the reports concerning the activities of the forensics services people, and the other detectives' GPRs. March did not recall whether he saw Wojcik at Area Central.

c) Post-Area Central Investigative Activities

On October 29, 2014, March submitted an Original Case Incident Report with the RD number HX486155. With respect to the new RD number, March explained that pursuant to the FBI's Uniform Crime Reporting guidelines, once a detective concludes that an incident is a justifiable homicide, he or she must generate a second reporting number. With respect to the McDonald investigation, it was originally reported as an assault on a peace officer with a knife because Van Dyke and Walsh were saying that McDonald had assaulted them with a knife. The investigation continued under that designation "until we became confident that it was – you know, the justifiable homicide and then we created the second [number]." 4/27/16 Tr. 108:3-5.

[42] Former CPD Deputy Chief David McNaughton, who responded to the scene of the shooting, stated in his May 25, 2016 OIG interview that Wojcik saw the 813R dashcam video of the shooting several times while at the scene on October 20, 2014.

[43] CPD Lieutenant Osvaldo Valdez stated in his July 12, 2016 OIG interview that while he was at the scene of the shooting he was informed by one of the sergeants that Wojcik had responded to a CPD notification and would be taking over the investigation.

With respect to jurisdiction, March stated that, at the time of the shooting, for any incident where a police officer fires his handgun, CPD would conduct the "underlying criminal investigation," and IPRA would investigate whether the officer's use of the firearm or deadly force was appropriate. 4/27/16 Tr. 108:23. At the time of the McDonald investigation, "the Department's policy was to never make a statement of – as to the justifiability as to the use of force because IPRA was conducting their investigation. We would just, you know, draw conclusions based on our investigation but not make a final statement as to whether or not the officer was justified." 4/27/16 Tr. 117:1-9. March added: "it's not our responsibility to make that determination as far as justifiable, and we really aren't permitted to." 4/27/16 Tr. 118:3-5.

During the course of the investigation, there were multiple meetings involving March and some combination of the following individuals: Wojcik, Gallagher, Detective Richard Hagen, Valdez, and Roy. According to March, "[a]t some of those meetings, we actually played the video again and reviewed to get, you know, everyone's – weigh in with their opinion. And everyone was in agreement with the investigation and the conclusions reached as documented in this report." 4/27/16 Tr. 72:8-13.

d) The CSRs

In November and December 2014, March worked on the drafting of the CSRs "as much as [he] could." 4/26/16 Tr. 250:24-251:1. March described the investigation as a "major case" and said: "They don't get much bigger in terms of priority." 4/26/16 Tr. 250:23-4.

In January 2015, March and Wojcik learned that police officers with involvement in the McDonald shooting were being subpoenaed by the Cook County State's Attorney's Office and the FBI. March did not recall where or from whom he received this information. As a result, Wojcik told March to "hold off on doing anything" until they got some answers from their chain of command regarding the additional investigation. 4/26/16 Tr. 251:19. The investigation was put on hold from the beginning of January to the beginning of March. In March, around the time the City was negotiating a settlement with McDonald's family, Commander Roy ordered that the reports be done right away. Roy gave that order to Wojcik, and Wojcik communicated it to March. March believed that directive was prompted by the legal settlement.

Upon receiving the order, March created the original draft of the 301 CSR, and then Gallagher and Wojcik reviewed it. March explained: "Gallagher and Wojcik and I worked together, you know, to—rather than dumping it all on one guy, the three of us worked together." 4/26/16 Tr. 260:12-15. March noted that Wojcik conducted an analysis of McDonald's arrest record and also "drafted a suggestion, if you will, for the conclusions for the investigation." 4/26/16 Tr. 260:18-20. With respect to the conclusion, March explained: "Our conclusion was we didn't find anything wrong with what Jason Van Dyke did and, therefore, the way we stated – when I say, 'we,' Gallagher agreed with me, Wojcik agreed with me. We found that his actions were in conformity with the Department – or within the bounds of the Department's use of force guidelines and in conformity with local laws and state law." 4/27/16 Tr. 117:18-118:2.

When asked whether anyone else was involved in the decision-making regarding the findings contained in the 301 CSR, March said that Valdez and Roy, after attending executive management meetings in which the McDonald case was discussed, each told Wojcik, Gallagher, and March that they agreed with their findings. No one other than Wojcik, Gallagher or March reviewed the 301 CSR prior to its final approval by Wojcik. Wojcik was the person "that actually went in the computer and actually approved the report." 4/26/16 Tr. 266:1-3.

2. Gallagher[44]

On June 8, 2016, OIG investigators interviewed Gallagher under oath after informing him of his administrative advisements orally and in writing. He provided oral and written acknowledgment of the reading of those advisements. The interview was transcribed by a certified court reporter. Attorney Thomas Needham was present for the interview. In summary, Gallagher stated as follows.

On October 20, 2014, Gallagher was working as the sergeant of an Area Central homicide team. He received a phone call saying that there had been a police-involved shooting at 4100 S. Pulaski. He assigned the case to March and responded to the scene. While at the scene, Gallagher had several conversations with CPD supervisors, including Wojcik, regarding what information they knew at the time. According to Gallagher, Wojcik was coordinating CPD's effort to locate McDonald's family.

Gallagher said that Wojcik subsequently oversaw the McDonald investigation and would let the investigative team know "if there [was] anything that need[ed] to be done." Gallagher Tr. 118:24-119:2. According to Gallagher, Wojcik received updates on the case "if there was anything new." Tr. 119:6.

With respect to his November 2, 2014 email to Wojcik,[45] Gallagher said that he was asking Wojcik to find out why Van Dyke's police powers were stripped and why the investigative team was not informed regarding that decision. Gallagher said that nothing ever came of his email, and the investigative team never met with then-CPD Chief of Patrol Gulliford as Gallagher had suggested.

According to Gallagher, the investigation was later put on hold when CPD officers began being called to testify before a grand jury. The investigation was on hold until March 8, 2015, when Roy sent an email to Gallagher, Wojcik, Valdez, March, and possibly Hagen, who was also under Gallagher's command, to set up a meeting to go over the facts of the case. With respect to

[44] Gallagher resigned from City employment in response to the SRI OIG issued on July 29, 2016, which arose out of this same case.

[45] On November 2, 2014, Gallagher sent Wojcik an email with the subject "Police Shooting," stating: "I think at some point we need to sit down with [former Chief of Patrol Wayne] Guilford [sic] and explain some of this to him." Gallagher then proceeded to characterize the events of October 20, 2014, concluding that "Officer [Van Dyke] did exactly what he was trained to do. We should be applauding him not second guessing him." Gallagher's email further states: "Offender chose his fate. Possibly suicide by police." OIG 15-0564 014570-71.

the meeting, Gallagher noted that "nobody throughout the chain said there was any issues with this case, this was deemed a justified shoot from day one." Tr. 99:1-5.

The following day, Valdez and Roy met with attorneys from the City of Chicago Department of Law. After that meeting, Roy ordered the investigative team to finalize the reports for the case, because "it sound[ed] like they [were] going to settle this case." Tr. 99:19-20. Gallagher was confused as to why the City was settling when the shooting had been deemed justified. When asked whether Wojcik shared his confusion, Gallagher stated: "I would say that all of us were dumbfounded. If you are saying that it is lawful, then why are we treating it different than any other shooting." Tr. 135:1-5.

March drafted the CSR on the case, and Wojcik was the final approver of that report. Gallagher denied drafting any section of the CSR. After March prepared the CSR, Gallagher made grammatical corrections, but he did not recall making any substantive changes to the report. At some point, Wojcik told Gallagher that he was planning to draft the conclusion paragraph of the CSR. Gallagher believed that Wojcik added that conclusion after Gallagher reviewed the draft CSR.

3. Roy[46]

On July 6 and 7, 2016, OIG investigators interviewed Roy under oath after informing him of his administrative advisements orally and in writing. He provided oral and written acknowledgment of the reading of those advisements. The interview was transcribed by a certified court reporter. Attorneys Laura Morask and Dean Morask were present for the interview. In summary, Roy stated as follows.

As of October 20, 2014, Roy was Commander of the Area Central Detective Division. That night he received a phone call from the Area Central homicide desk, notifying him that there had been a police-involved shooting at 40th and Pulaski. Roy responded to the scene, arriving at around 11:00 p.m. McDonald was no longer at the scene when Roy arrived. Roy said he spoke with March and Wojcik at the scene, but could not recall the specifics of those conversations.

Sometime after 1:00 a.m. on October 21, 2014, Roy left the scene of the shooting and drove to Area Central. When he arrived there, he "checked with Sergeant Gallagher to see about the progress of the case." Roy 7/6/2016 Tr. 91:19-20. Gallagher told Roy that three civilian witnesses had been transported to Area Central from the scene of the shooting to be interviewed. Detectives Thomas Curran and Pete Torres, who interviewed the civilian witnesses at Area Central, subsequently briefed Roy as to "the substance" of those interviews. 7/6/2016 Tr. 109:14.

On October 22, 2014, Roy attended a meeting at which McNaughton briefed then-Superintendent Garry McCarthy on the "facts and circumstances surrounding the shooting." 7/6/2016 Tr. 126:14-15. Roy said it was typical to have that sort of briefing after a police-involved shooting. During McNaughton's presentation, he showed the 813R video of the

[46] On August 17, 2016, OIG issued an SRI arising out of this same case, recommending Roy's termination. Roy retired on September 16, 2016, and was placed on the ineligible for rehire list.

shooting. McCarthy raised concerns "about the number of shots that had been fired." 7/6/2016 Tr. 131:21-22. Roy did not have any concerns about the number of shots Van Dyke fired.

After the October 22, 2014 shooting briefing, Roy told Wojcik, March, and Gallagher that "McNaughton briefed the Superintendent, and there were no questions regarding the appropriate use of deadly force." 7/6/2016 Tr. 140:8-10. According to Roy, that conversation took place in November after Van Dyke was stripped of his police powers. Roy later added that he told Wojcik, March, and Gallagher in that conversation that he agreed that Van Dyke's shooting of McDonald was lawful.

Roy further recalled that during that conversation March "was concerned that there appeared to be a disconnect between the fact that Officer Van Dyke had been stripped and, you know, the feedback that I had provided regarding the shooting briefing." 7/6/2016 Tr. 144:19-22. In response to March's concerns, Roy said that he would "look into it." 7/6/2016 Tr. 145:24. Roy made some inquiries and learned that a number of officers had been interviewed by the Cook County State's Attorney's Office and the FBI, and that IPRA was investigating the incident.

As a result, in November 2014, Roy "told Wojcik, March, and Gallagher to stand down, that IPRA had the lead on the investigation and I didn't want them doing anything." 7/6/2016 Tr. 159:6-8. According to Roy, CPD did not take any investigative action with respect to the McDonald investigation from December 2014 through February 2015.

In March of 2015, Roy received a "request from our general counsel that the City corporation counsel wants the reports and wants to see the video" relating to the McDonald shooting. 7/6/2016 Tr. 182:6-8. Roy also learned that the City's corporation counsel wanted a briefing on the case, and told March, Gallagher, and Wojcik that they needed to finish the investigative reports. Roy, along with Valdez, met with CPD general counsel and representatives from the City's Department of Law. Either Roy or Valdez gave a presentation on the McDonald shooting and showed some video of the shooting.

Roy believed that March drafted the 301 CSR and submitted it to Wojcik and Gallagher for comments. Roy did not play a role in the drafting of the CSR. Roy initially stated he did not discuss the findings contained in the 301 CSR with Wojcik, March, and Gallagher prior to Wojcik's approval. He later said that he "related to [Wojcik, March, and Gallagher] that there were no problems from the command structure of the police department with the shooting. If you want to take that as participating in the decision-making process, I don't know that it is. Did I sit down with the three of them and convene a meeting to review it? No." 7/7/2016 Tr. 51:8-15.

During the course of CPD's investigation, Wojcik, Gallagher, and March were under Roy's general supervision. Wojcik gave Roy updates "[w]henever something came up that merited attention." 7/6/2016 Tr. 163:1-2. Roy said that March may have given him updates as well, but that he generally received his information regarding the case from Wojcik or Gallagher.

4. Torres

On November 9, 2016, OIG investigators interviewed Torres under oath after informing him of his administrative advisements orally and in writing. He provided oral and written acknowledgment of the reading of those advisements. The interview was transcribed by a certified court reporter. Attorney James McKay was present for the interview. In summary, Torres stated as follows.

As of October 20, 2014, Torres was a CPD detective assigned to Area Central's Special Victims Unit. Wojcik was one of his lieutenants. On the night of October 20, 2014, Torres and Curran were on their way back to Area Central when they heard over the radio an officer asking for a Taser. Torres later heard over the radio that someone had stabbed the wheel of a car. When Torres and Curran arrived at Area Central, they heard that police had fired shots and went to the scene to assist with the call.

Torres and Curran arrived at the scene of the shooting between 10:30 and 11 p.m. When they arrived, the area was cordoned off with yellow tape, and there were police vehicles blocking access to Pulaski. Torres and Curran walked over to the other CPD detectives and sergeants who were present and waited to be told what to do.

At some point, Curran told Torres that some potential witnesses to the shooting had been identified. Curran and Torres went over to the witnesses (later identified as Benitez, Gonzalez, and Garcia), and Torres was approximately ten feet away from them while Svec interviewed them. Torres could not hear Svec's conversation with the three witnesses, which took less than ten minutes. Torres did not remember if Svec took notes during the conversation. The witnesses then got into Svec's vehicle and headed to Area Central. Torres and Curran got into their vehicle and drove to Area Central.

Torres estimated that they arrived at Area Central between 11 and 11:30 p.m. Subsequently, Svec arrived with the witnesses. Svec placed Benitez and Gonzalez in a video office and Garcia in Wojcik's office. Torres introduced himself to Garcia and told him that he would be sitting close by if Garcia needed anything. Torres also told Garcia that the lead detectives were going to be speaking to him, and potentially a State's Attorney and IPRA investigators as well.

After approximately 90 minutes at Area Central, Torres advised Garcia that he was free to leave, and Garcia said he wanted to leave. Sergeant McGavock then directed Torres to obtain Garcia's contact information and take a brief statement from him so the lead detectives could follow up with him later.

Torres subsequently interviewed Garcia in Wojcik's office. No one else was present. Torres asked Garcia what he had seen. According to Torres, among other details, Garcia said that he saw the police chasing McDonald, heard three shots and then jumped onto the cab of his truck. Torres claimed that Garcia "didn't say that he saw anybody – anybody still shooting or who shot or anything like that." Torres Tr. 93:17-19. Torres also denied that Garcia told him that he heard more than three gunshots or that certain of the shots Van Dyke fired were unnecessary.

Torres took notes on a GPR during the interview, which took less than ten minutes. Torres put that GPR on a desk at Area Central where the other detectives were placing their GPRs. Curran interviewed Benitez and Gonzalez but did not brief Torres as to what they said. Ten minutes after Torres's interview with Garcia concluded, Torres and Curran took Garcia, Benitez, and Gonzalez back to the scene of the shooting.

When shown the GPR related to the Garcia interview, *see supra* IV(D)(4), Torres said that he first saw the GPR in 2015 "when the FBI came to Area Central to question [CPD] about the shooting." Tr. 98:14-15. The FBI gave him a copy of the GPR. Prior to Torres's interview by the FBI, Wojcik informed Torres via telephone that Torres's original GPR "had gotten damaged by coffee, so that [Wojcik] had to rewrite it and that the original was destroyed." Tr. 101:15-17. Wojcik added that he had left the GPRs out to go eat and when he came back "there was coffee spilled all over the GPRs." 105:1-2. Wojcik told Torres that he rewrote the GPR himself based off the coffee-damaged GPR. Wojcik did not tell Torres what he did with the coffee-damaged GPR.

Wojcik never asked Torres to review the GPR that he rewrote and did not inform Torres of the damage to his original GPR at the time it occurred. When asked whether he found it unusual that Wojcik did not give him a chance to review the GPR, Torres responded: "Well, this was a year later down the road, so, I mean, I – I didn't think about asking him can I see the – that GPR now that, you know – at the time we were at like over a year ago." Tr. 104:11-15. Torres was not aware of another instance where someone else had rewritten a GPR originally written by him.

Torres's assessment of the rewritten GPR was that it was "pretty much accurate from what I recalled from taking [Garcia's] statement that night." Tr. 108:16-17. However, Torres did not know whether Wojcik's GPR was a word-for-word re-write of Torres's GPR. When asked whether he recalled any statements that Garcia made to him during the interview that were not contained in Wojcik's re-written GPR, Torres responded: "Without having my original GPR, I – I'm – this is pretty fair and inaccurate [sic] as far as I can tell, but without having my, you know, original GPR, I just can't [tell]." Tr. 126:11-14.

5. Curran

On October 19, 2016, OIG investigators interviewed Curran under oath after informing him of his administrative advisements orally and in writing. He provided oral and written acknowledgment of the reading of those advisements. The interview was transcribed by a certified court reporter. Attorney James McKay was present for the interview. In summary, Curran stated as follows.

a) The Scene of the Shooting

As of October 20, 2014, Curran was a CPD detective assigned to Area Central's Special Victims Unit. That night, Curran and Detective Torres were monitoring the radio while on duty and eating dinner in the 8th District. As they were heading back to Area Central, they heard a radio call asking for assistance and requesting officers with Tasers. As they neared Area Central, they

heard over the radio that shots had been fired by the police. Upon arriving at Area Central, they were told that any available detective should go to the scene and provide assistance. Curran and Torres then left Area Central and went to 41st and Pulaski.

When Curran arrived on the scene, McDonald was no longer present. At some point, Gallagher asked Curran to bring some witnesses to Area Central "so that the lead detectives at the time could speak to [the witnesses] later." Curran Tr. 41:15-17. Specifically, Curran recalled that "[t]here was a TV camera out there, and who we later found out to be Alma Benitez, she was talking about what was going on or something along those lines, so that obviously drew the attention of the police to possibly having a witness there." Tr. 43:12-17.

Gallagher asked Curran, Torres, and Detective Svec to "go over there and find out if she is a witness and if there [were] any other witnesses." Tr. 47:21-23. The detectives went to the Burger King parking lot, where they found Benitez and two men. Svec spoke to the three witnesses and eventually brought them back to Area Central.

While at the scene of the shooting, Svec did most of the speaking with the three witnesses. Curran "wasn't really part of that conversation." Tr. 51:24. When asked whether the witnesses said that they had seen the shooting, Curran responded, "I mean, I can't be specific, because like I said, I didn't take any notes on it. It was two years ago, so I don't really remember if they said they actually physically saw it, but they were definitely there, heard it for sure. I could say that for sure." Tr. 53:3-8.

Curran and Torres were at the scene of the shooting for approximately 30 to 40 minutes, after which they returned to Area Central.

b) Area Central

Curran and Torres arrived at Area Central shortly after leaving the scene of the shooting. At that point, neither March nor Wojcik had returned to Area Central.

The three witnesses from the scene of the shooting were put into rooms at Area Central. Garcia was put in Wojcik's office. Curran and Torres were responsible for keeping the witnesses happy while they waited for the lead detectives on the case to return to Area Central and conduct interviews. Tr. 68:15-16.

At some point, the witnesses stated that they wanted to leave. Curran asked if the witnesses would "mind doing a quick statement and then we will get you back, and they agreed no problem." Tr. 73:2-4.

Curran took statements from Gonzalez and Benitez. He took notes on a GPR during those interviews. However, when OIG showed him the Garcia and Benitez GPRs, Curran said, "This is not my GPR." Tr. 76:8. Curran noted that, "as you can see at the bottom of the person who authored it, [I] later found out it was Tony Wojcik, the lieutenant, and I believe that's his star number." Tr. 76:11-15. Curran added, "I wrote the GPR out, and then at some point after the

interviews were done and all that stuff, at some point during the night, they were handed in with other GPRs onto a desk. . . . That was the last time I saw it." Tr. 77:12-17.

Curran believed that, as of the time of his OIG interview, his original GPRs did not exist:

> As it was explained to me, and this was just about a year ago. So this was a year after this happened and a year prior to this. I was told by Lieutenant Wojcik that he was typing up – helping type out the Supplementary Detectives Report, and that at some point when he left his office to go to lunch or whatever it was, when he came back, my GPRs along with Pete's, and there may have been another one on there, was soaked in coffee; that there was actually like spilled coffee and that they had been sitting there basically drenched, and I was told that he took the – what he could read over, and I guess he had possibly have [sic] typed up the Supp already so he was looking at that to put down what was on the GPR. . . . So it was coffee, and that's why mine cannot exist, because I guess it was thrown away at that point. . . . So yeah, these are definitely not my GPRs or Pete's."

Tr. 78:21-79:20.

Curran did not recall the exact times when he interviewed Garcia and Benitez, and did not know whether the times on Wojcik's recreated GPR accurately reflected the interview times. When asked whether Wojcik's recreated GPR differed from his recollection of his original GPR, Curran said, "I can't say same word-for-word, but I don't see any glaring differences, if that's what you are asking." Tr. 94:2-4.

Curran believed he first learned what happed to his original GPR in September 2015. He learned about the coffee spill from Wojcik himself, but Wojcik did not tell him exactly when the spill had happened. Wojcik told Curran that:

> [O]bviously it was damaged and that it couldn't be saved and that he tried to copy it to the best of his ability, and he just explained to me, he is like, he goes, I tried to copy it the best I could so. . . . Obviously, he goes that's why I put my name at the bottom so there is no inconsistency. He is like, I didn't sign your name that's why I put my name. So basically he told me this is now my GPR, so yeah, no. He was not trying to make it my GPR if that's what you are asking.

Tr. 124:2-18.

6. Svec

On December 19, 2016, OIG investigators interviewed Svec after informing her of her administrative advisements orally and in writing. She provided oral and written acknowledgment of the reading of those advisements. The interview was transcribed by a certified court reporter. Attorney William Fahy was present for the interview. In summary, Svec stated as follows.

As of October 20, 2014, Svec was a CPD detective assigned to Area Central. While at Area Central that evening, she heard that there was a police-involved shooting and drove to the scene of the shooting by herself. Upon arriving at the scene, Svec walked over to a gathering of sergeants and detectives and overheard that an officer had shot a person who had been armed with a knife and stabbed a tire. Svec could not identify the individuals who were part of that gathering.

A few minutes after Svec arrived at the scene, she saw three people up on a semi-truck in the Burger King parking lot. Svec walked over to the semi-truck, obtained contact information from the individuals, and took a statement from each of them as to what they had witnessed. Svec said she took notes of the interviews on GPRs. She completed a separate GPR for each of the three people. According to Svec, "none of the three specifically saw the shooting." Svec Tr. 36:15-16. The interviews collectively lasted at least ten minutes. No one else was present when Svec was conducting the interviews.

After Svec completed the interviews, she went over to Sergeant Gallagher and informed him that she had identified "three people that didn't actually witness the shooting, but witnessed the individual being chased by police." Tr. 48:9-12. Gallagher told her to see if the witnesses would come to Area Central. Svec told the witnesses that the lead detective would like to interview them and asked them to come to Area Central. The witnesses agreed and Svec drove them to Area Central, stopping for food along the way. Svec estimated that she was at the scene of the shooting for 30 to 60 minutes.

After arriving at Area Central, Svec took Garcia to one office and Gonzalez and Benitez to another. Svec then went back to her desk, gathered her things, and told the witnesses that she was leaving and that the lead detective would be coming in shortly. After she walked out of the room Benitez and Gonzalez were in, she saw Curran going into the room and told him: "'Hey, listen, I already GPRed them. You don't need to do GPRs on them.'" Tr. 97:4-5. Svec said she handed in her GPRs before she let the witnesses know she was leaving. She did not have a specific recollection of where she placed the GPRs, though. Svec estimated she was at Area Central for less than an hour before she left.

At least a week after October 20, 2014, March, while at Area Central, informed Svec that she had not signed one of the GPRs she completed at the scene of the shooting. March handed her the GPR and asked her to sign it. Svec explained that March sat behind her at Area Central at the time of this conversation.

In September 2015, when Svec was at Area Central to meet with the FBI or U.S. Attorney's Office regarding the McDonald case, Wojcik told Svec that the GPRs relating to her October 20, 2014 civilian witness interviews had been lost. Wojcik assured her that the GPRs would be found, but Svec never subsequently received any indication that CPD found the GPRs. Svec never received an explanation as to how her GPRs could have gone missing, and she described the missing GPRs as "odd." Tr. 102:10.

Curran was also present during the meeting between Svec and Wojcik, which took place in an Area Central office. According to Svec, Wojcik told Curran that coffee had been spilled on the GPRs Curran and Torres had completed and that he had rewritten them. Svec did not remember if Torres was present during the meeting.

Wojcik never communicated with Svec again regarding the missing GPRs. This was the only time in Svec's career as a detective in which her GPRs had gone missing.

7. OIG Attempts to Interview Wojcik

On May 13, 2016, pursuant to Section 6.1 of the CBA between the City of Chicago and FOP, OIG provided CPD's Bureau of Internal Affairs with a Notification of Interview and Notification of Allegations, among other documents, to serve upon Wojcik. However, on May 18, 2016, BIA informed OIG that when BIA attempted to serve the notifications on Wojcik, he told BIA that he retired effective May 15, 2016.[47]

Accordingly, on June 20, 2016, OIG sent a subpoena to Wojcik via certified mail, requesting that Wojcik provide testimony to OIG on July 8, 2016. In response, by letter dated June 30, 2016, Wojcik's attorney, Darren O'Brien, objected to the subpoena, claiming that OIG's subpoena power did not extend to former City employees.

OIG subsequently contacted O'Brien, informed him that the objection to the Subpoena was without merit, explained the extent of OIG's subpoena power, and asked him to reconsider his position. After multiple unsuccessful attempts to resolve the matter with O'Brien, on December 8, 2016, the City's corporation counsel, through special assistant corporation counsel, filed a complaint on behalf of OIG in the Circuit Court of Cook County to enforce the subpoena. On May 23, 2017, Judge Thomas Allen denied Wojcik's motion to dismiss OIG's complaint, holding that OIG's subpoena power extends to former City employees. On July 6, 2017, the court entered judgment in favor of OIG and ordered Wojcik to comply with OIG's lawful and enforceable subpoena.

By letter dated August 2, 2017, Wojcik's counsel informed OIG that Wojcik would invoke his Fifth Amendment right against self-incrimination and would not appear for an interview with OIG: "As a result of the Court's ruling on [OIG's] complaint and as a special grand jury remains in session, I have advised Mr. Wojcik to remain silent pursuant to the constitutional right of every U.S. citizen to do so. Mr. Wojcik has elected to follow my advice and will remain silent."

V. ANALYSIS

OIG's investigation established that Wojcik made false statements and misleading characterizations in CPD reports related to the McDonald shooting that he later approved as a supervisor. These false statements each served a similar purpose: to materially exaggerate the threat posed by McDonald. Additionally, Wojcik improperly disposed of Curran and Torres's

[47] CPD records reflect that Wojcik initiated his retirement on April 15, 2016, approximately one month after OIG conducted its first subject interview of a CPD police officer as part of its McDonald investigation.

GPRs, which contained their handwritten notes of Benitez, Garcia, and Gonzalez's statements, and failed to document that disposal. Moreover, Wojcik did not ask Curran and Torres to review for accuracy the GPRs he recreated and did not inform them that he recreated their original GPRs until several months after CPD officially closed its investigation of the shooting. In addition, Wojcik failed to ensure that the McDonald investigative team documented its loss of Svec's GPRs, which also contained statements made by Benitez, Garcia, and Gonzalez the night of the shooting.

Wojcik's actions, individually and collectively, constitute violations of CPD Rules. Each of Wojcik's false statements, including those in the CSR for which he is listed as a reporting officer and approver, constitutes a violation of Rule 14 (making a false report, written or oral). His false statements and failure to perform and supervise a thorough and properly documented investigation also constitute violations of Rule 2 (engaging in any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department), Rule 3 (failing to promote the Department's efforts to implement its policy and accomplish its goals) and Rule 11 (incompetency in the performance of a duty). Wojcik's failure to preserve material evidence and document the loss of that evidence violates Rule 2, Rule 6 (disobedience of an order or directive, whether written or oral), and Rule 11.

A. Wojcik's False Statements in the 301 Case Supplementary Report

Wojcik is directly responsible for the false statements contained in the March 16, 2015 301 CSR. Not only was the CSR submitted by a detective under Wojcik's supervision and command, it was submitted as the report of Wojcik, himself. Wojcik's March 15, 2015 email, in which he sent March the conclusory paragraph of the 301 CSR, stating that Van Dyke's use of force was lawful, confirms that Wojcik played a key role in the drafting of the 301 CSR. In addition, both March and Gallagher made clear in their OIG interviews that Wojcik was directly involved in the creation of the report and that Wojcik was responsible for approving the report.

The 301 CSR includes at least two false statements. First, it falsely states that the "recovered in-car camera video from Beats 845R and 813R was viewed and found to be consistent with the accounts of all of the witnesses." OIG 15-0564 003075. Second, the CSR contains the false statement that "McDonald initiated the imminent use of force likely to cause death or serious injury when he initiated an attack on Officers Jason Van Dyke and Joseph Walsh." OIG 15-0564 003078.

Contrary to the conclusion reached in the 301 CSR, the dashcam videos of the McDonald shooting are not consistent with the accounts attributed to witnesses. The 301 CSR contains the following statements attributed to witnesses:

- Van Dyke: "When McDonald got to within 10 to 15 feet of Officer Van Dyke, McDonald looked toward Van Dyke. McDonald raised the knife across his chest and over his shoulder, pointing the knife at Van Dyke." OIG 15-0564 003065-66.

- Van Dyke: "In defense of his life, Van Dyke backpedaled and fired his handgun at McDonald to stop the attack." OIG 15-0564 003066.

- Van Dyke: "Van Dyke continued to fire his weapon at McDonald as McDonald was on the ground, as McDonald appeared to be attempting to get up, all while continuing to point the knife at Van Dyke." OIG 15-0564 003066.

- Walsh: "Walsh ordered McDonald to 'Drop the knife!' multiple times as McDonald approached the officers." OIG 15-0564 003067.

- Walsh: "Walsh also backed up, attempting to maintain a safe distance between himself and McDonald." OIG 15-0564 003067.

- Walsh: "McDonald ignored the verbal direction given by both Walsh and Officer Van Dyke and continued to advance toward the officers." OIG 15-0564 003067.

- Walsh: "When McDonald got to within 12 to 15 feet of the officers he swung the knife toward the officers in an aggressive manner." OIG 15-0564 003067.

- Fontaine: "McDonald ignored the verbal direction and instead, raised his right arm toward Officer Van Dyke, as if attacking Van Dyke." OIG 15-0564 003071.

- Viramontes: "McDonald fell to the ground but continued to move, attempting to get back up, with the knife still in his hand." OIG 15-0564 003071.

Each of these statements is refuted by the dashcam video footage of the shooting. The video footage of the shooting shows that, before Van Dyke shot McDonald, McDonald was walking in a southwest direction, away from Van Dyke and Walsh, and that it was in fact Walsh and Van Dyke who were moving toward McDonald. The 813R video further establishes that McDonald did not raise the knife he was holding over his shoulder, did not raise his arm toward Van Dyke as if attacking Van Dyke, and did not swing the knife toward Van Dyke and Walsh in an "aggressive" manner. In addition, the videos demonstrate that Van Dyke and Walsh never backpedaled prior to the shooting, but rather either moved toward McDonald or stayed still. Finally, the video makes clear that, upon being shot and falling to the street, McDonald never attempted to get up. The video shows that McDonald, once on the ground, did not move his legs or lower body. McDonald's upper body made small, intermittent movements as what appear to be puffs of smoke rose from his body, but those small movements are demonstrably not suggestive of a person trying to get up or get to his feet. Thus, the 301 CSR's conclusion that the video evidence is consistent with the witness accounts is a materially false statement.

The 301 CSR's finding that McDonald "initiated the imminent use of force likely to cause death or serious injury when he initiated an attack on Officers Jason Van Dyke and Joseph Walsh," is similarly belied by the video evidence. As summarized, *supra*, the video footage shows McDonald moving away from Van Dyke and Walsh during the entire period of time for which Van Dyke and Walsh were outside of their car and does not show him making any movement

toward them which could appropriately be characterized as "initiat[ing] an attack."[48] Accordingly, that finding is also materially false.[49]

B. Wojcik's Disposal of Material Evidence

Wojcik also violated CPD Rules by disposing of material evidence during the McDonald investigation and by failing to ensure that that disposal was documented in the reports he approved. BDSO 14-14, later re-issued as BDSO 15-14, directs that "[a]ll evidence, whether inculpatory or exculpatory, will be identified, preserved, and documented." With respect to the GPRs that Curran and Torres completed at Area Central the night of the shooting regarding their interviews of Gonzalez, Garcia, and Benitez, the evidence reflects that Wojcik disposed of the original GPRs while they were in his possession. *See* Curran Tr. 78:21-79:20, Tr. 124:2-4 (stating that Wojcik told him that coffee was spilled on Curran's GPRs while they were on Wojcik's desk and that they were "damaged" and could not be saved). According to Curran and Torres, it was not until they were called for interview by the FBI in or about September 2015 (nearly a year after the original GPRs had been generated and approximately six months after the CPD investigation of the incident was officially closed) that Wojcik told them that he had rewritten their GPRs without consulting them, signed the reports with his own name, and had not preserved the originals. Wojcik's alleged purported ability to accurately recreate Curran and Torres's GPRs from the originals belies Wojcik's statement to Curran that spilled coffee destroyed the originals.

Other than Wojcik's handwritten notations on the recreated GPRs, which state that the GPRs are copies of Curran and Torres's GPRs, the investigative file does not reflect that Wojcik disposed of the detectives' original GPRs. In addition, Curran and Torres's testimony demonstrates that, absent the FBI's investigation, Wojcik would likely never have disclosed his role in the destruction of material evidence.

OIG sought to interview Wojcik, thus providing him with an opportunity to explain his actions. Rather than submit to interview, he filed a legal action in the Circuit Court of Cook County raising specious arguments challenging OIG's subpoena power. Notably, after losing that legal challenge, Wojcik invoked his Fifth Amendment right against self-incrimination and remained silent.

---

[48] For similar reasons, the statement in the 339 CSR that "Criminal Attacked Officer That Officer Killed Criminal," is also a false statement.

[49] The HX-486155 Case Incident Report, also produced under Wojcik's supervision, contained the false statement that "McDonald committed aggravated assaults against the three officers, finally forcing Officer Van Dyke, in defense of his life, to shoot and kill McDonald." OIG 15-0564 003300. As set forth above, the objective evidence belies the factual assertion that McDonald "forc[ed]" Van Dyke to shoot him. To the extent that the report makes a legal conclusion regarding Van Dyke's use of force, pursuant to the BDSOs, such a conclusion was not procedurally appropriate. *See* BDSO 15-22 (prohibiting detectives from stating that the use of deadly force was justified). In addition, contrary to the requirements of BDSO 15-22, the details of the investigation related to the McDonald shooting were reported under the RD number classified as an aggravated assault (HX-475653), rather than the RD number classified as a justifiable homicide (HX-486155).

C. Wojcik's Failure to Ensure the McDonald Investigative Team Documented its Loss of Material Evidence

Under Wojcik's supervision, the McDonald investigative team also lost the GPRs Detective Svec completed at the scene of the shooting regarding her interviews of Gonzalez, Garcia, and Benitez. Wojcik was aware of the lost GPRs, as he was the person who informed Svec in an in-person meeting that her reports were missing and then assured her that CPD would find the reports. According to Svec, though, CPD never located her GPRs, and those GPRs were not included in the materials that CPD provided to OIG.

Wojcik violated CPD Rules and Regulations by failing to ensure that the investigative team documented the loss of Svec's GPRs. *See* BDSO 14-14 & 15-14 (stating that "[a]ll evidence, whether inculpatory or exculpatory, will be identified, preserved, and documented"); *see also* CPD Rules and Regulations, Article IV(B) (stating that supervisory members "have the responsibility for the performance of all subordinates placed under them" and they "[r]emain accountable for the failure, misconduct or omission by their subordinates"). Specifically, Wojcik approved the 301 CSR, even though it made no mention of Svec's GPRs or the fact that CPD had lost those reports. As a result, there is no record in the McDonald investigative file of Svec conducting witness interviews at the scene of the shooting. That omission is particularly egregious because Garcia, one of the witnesses Svec interviewed, claimed he told CPD that night that he saw the shooting and further described it as an "execution." Garcia Tr. 44:19. Thus, Wojcik allowed his investigative team to violate the Bureau of Detectives Special Orders by failing to document its loss of material, potential inculpatory evidence that may have contradicted its investigatory findings.

Therefore, under Wojcik's watch, the McDonald investigative team lost or failed to preserve all six of the original GPRs that documented Gonzalez, Garcia, and Benitez's statements to CPD on the night of the shooting and failed to document the circumstances through which those reports were lost. Given that Gonzalez, Garcia, and Benitez were all to some extent critical of CPD's actions on the night of October 20, 2014, Wojcik's actions bring discredit upon the department because they create the appearance of impropriety: namely, that Wojcik and the McDonald investigative team purposely destroyed evidence that ran counter to its investigative findings. *Cf.* Svec Tr. 102:10 (stating that she found the loss of her GPRs "odd" and that in her career as a detective she had never had a GPR lost). Because of Wojcik's actions, specifically his failure to document the loss of that evidence, it is difficult for CPD to definitively refute such allegations.

For Wojcik's numerous violations of CPD Rules and Regulations, OIG recommends that CPD issue a formal determination on OIG's findings, and place this report in Wojcik's personnel file for consideration in the event Wojcik applies for re-employment with the City. OIG further recommends that CPD, based on its findings, rescind Wojcik's retirement identification card and retirement star, as Wojcik retired when he was the subject of an investigation that ultimately determined he engaged in misconduct warranting his discharge. In addition, OIG recommends that CPD communicate to the IROCC program that Wojcik is not in "good standing" and should be removed from the program.

VI. CPD RULE VIOLATIONS

Rule 2 Any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department.

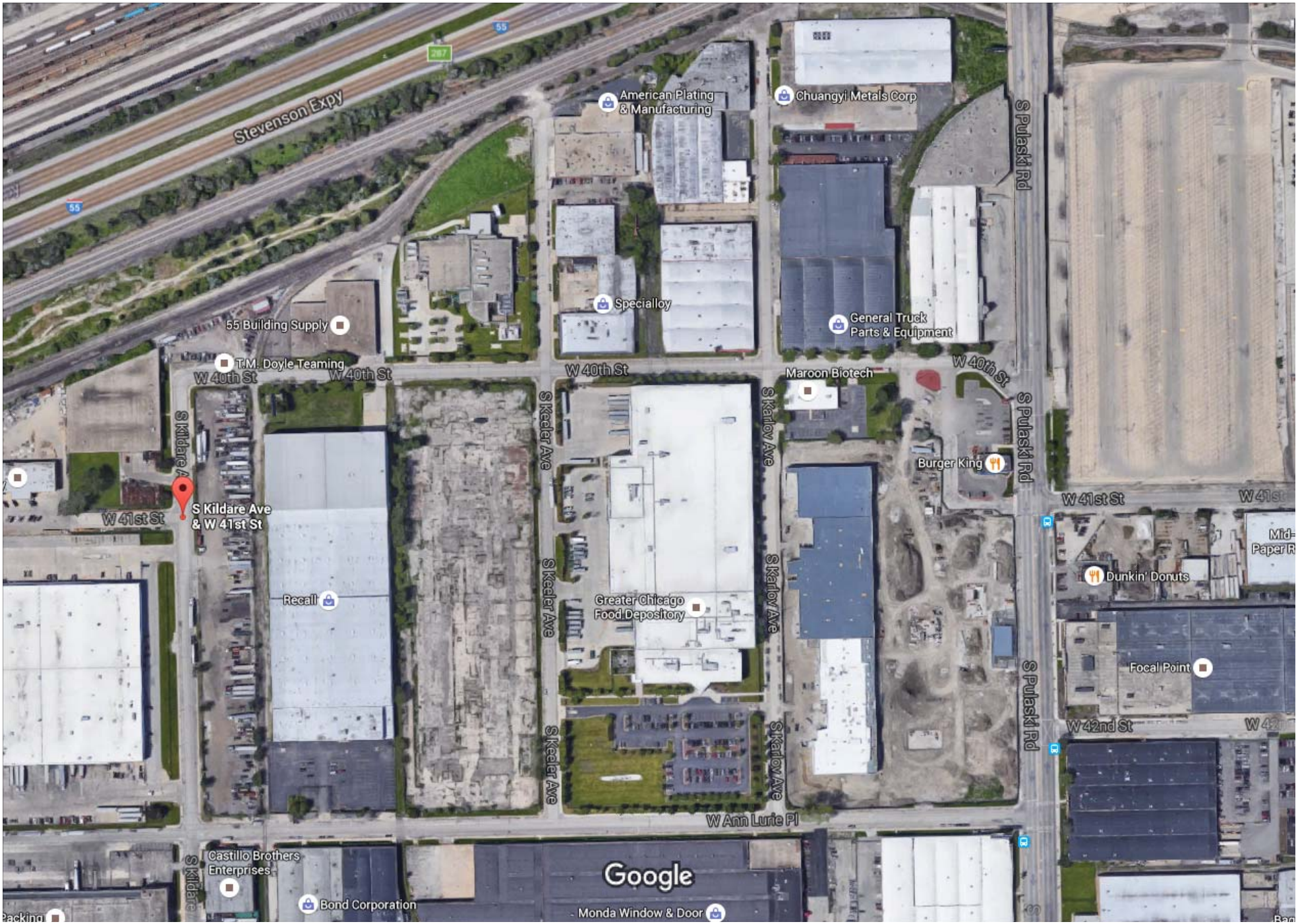
Rule 3 Any failure to promote the Department's efforts to implement its policy or accomplish its goals.

Rule 6 Disobedience of an order or directive, whether written or oral.

Rule 11 Incompetency or inefficiency in the performance of duty.

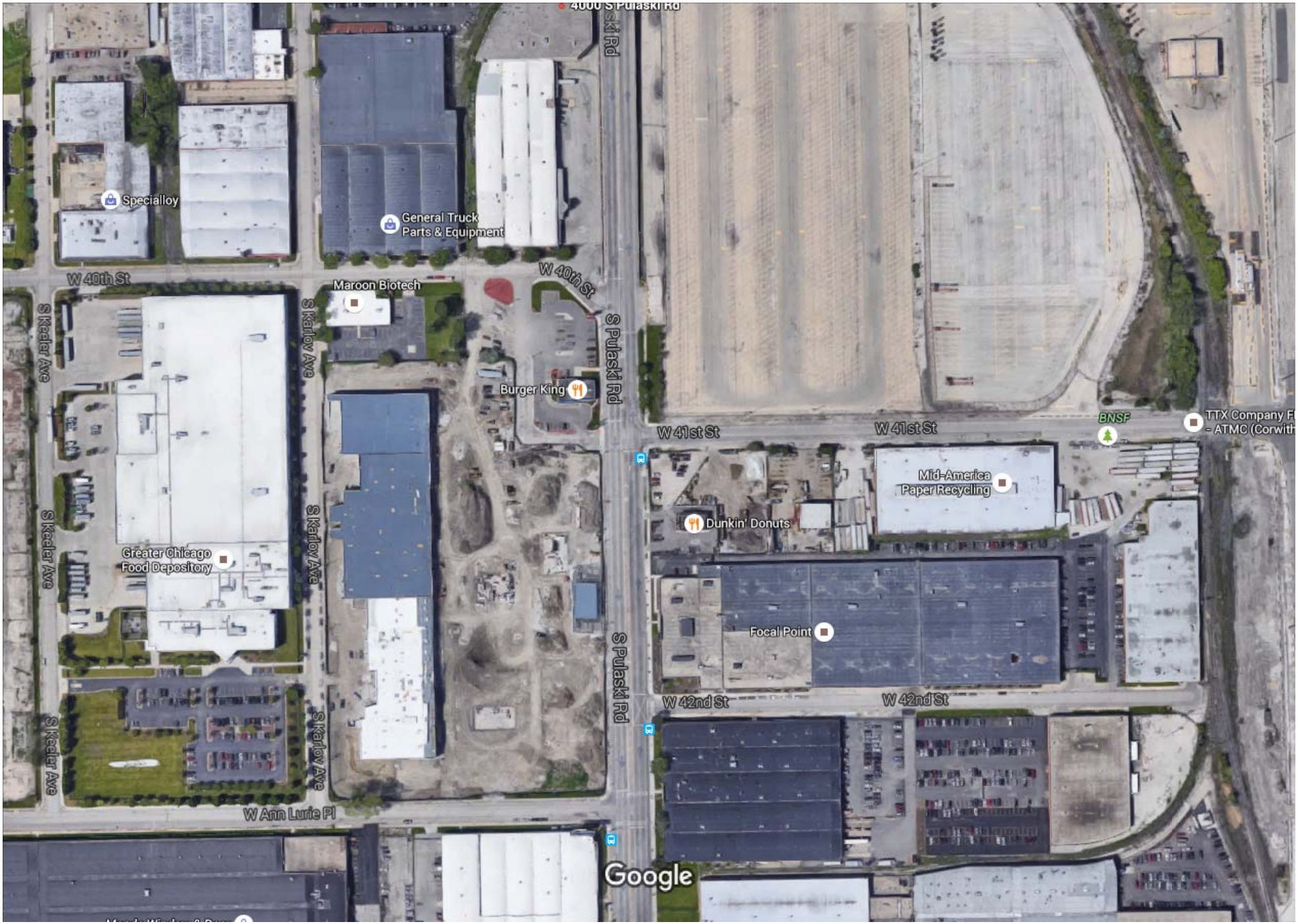
Rule 14 Making a false report, written or oral.

Appendix A


Stevenson Expy
55
287
American Plating & Manufacturing
Chuangyi Metals Corp
S Pulaski Rd
Specialloy
General Truck Parts & Equipment
55 Building Supply
T.M. Doyle Teaming
W 40th St
W 40th St
W 40th St
Maroon Biotech
W 40th St
S Pulaski Rd
S Kildare Ave
S Keeler Ave
S Karlov Ave
Burger King
S Kildare Ave & W 41st St
W 41st St
W 41st St
W 41st
Mid-
Paper R
Recall
Greater Chicago Food Depository
Dunkin' Donuts
Focal Point
S Pulaski Rd
W 42nd St
W 42
W Ann Lurie Pl
Castillo Brothers Enterprises
Google
Bond Corporation
Monda Window & Door
Imagery ©2016 Google, Map data ©2016 Google
200 ft



Imagery ©2016 Google, Map data ©2016 Google 100 ft



Imagery ©2016 Google, Map data ©2016 Google 200 ft

In the Matter Of:

IN RE DETECTIVE DAVID MARCH

DETECTIVE DAVID MARCH

April 26, 2016

Amicus
court reporters, inc
300 West Adams St. Ste 800
Chicago, IL 60606
Phone: 312.641.3500
Fax: 312.641.3795
Email: info@amicusreporters.com

CITY OF CHICAGO

OFFICE OF INSPECTOR GENERAL

-INTERVIEW OF DETECTIVE DAVID MARCH-

April 26, 2016

VOLUME I

TRANSCRIPT OF INTERVIEW of DETECTIVE DAVID MARCH, taken before MICHELLE M. YOHLER, a Notary Public within and for the County of Cook, State of Illinois, and a Certified Shorthand Reporter of said state, CSR No. 84-4531, at Suite 800, 300 West Adams Street, Chicago, Illinois, on the 26th day of April, 2016 at 10:03 a.m.

APPEARANCES:

OFFICE OF INSPECTOR GENERAL
CITY OF CHICAGO
BY: MR. PETER NEUMER
MR. KRISTOPHER BROWN
(740 North Sedgwick Street, Suite 200
Chicago, Illinois 60654
773.478.8218
pneumer@chicagoinspectorgeneral.org
kbrown@chicagoinspectorgeneral.org)

LAWRENCE H. HYMAN AND ASSOCIATES
BY: MR. JAMES P. McKAY, JR.
(111 West Washington Street, Suite 1025
Chicago, Illinois 60602
312.346.6766
jmckay@lhyman.com)
Appeared on behalf of
Detective David March.

REPORTED BY:
MICHELLE M. PAOLETTI YOHLER, CSR, RPR, CRR
Illinois CSR No. 84-4531.

E X H I B I T S

OIG EXHIBITS	PAGE
No. 1 - Advisement of Rights Form.....	6
No. 2 - Notification of Interview.....	38
No. 3 - Notification of Allegations.....	39
No. 4 - Receipt Form.....	40
No. 5 - Case Supplementary Report.....	41
No. 6 - Case Supplementary Report - Sup ID 10988891.....	43
No. 7 - Original Case Incident Report.....	44
No. 8 - General Progress Report - Officer Dora Fontaine.....	45
No. 9 - General Progress Report - Officer Janet Mondragon.....	45
No. 10 - General Progress Report - Officer Jason Van Dyke.....	46
No. 11 - Evidence Submission Form 54818.E.....	48
No. 12 - Evidence Submission Form 54818.F.....	48
No. 13 - Major Incident Notification Detail.....	49
No. 14 - E-mail.....	259
No. 15 - E-mail.....	259

MR. NEUMER: As a preliminary matter, I am providing the following information. An independent certified court reporter is present today to provide a verbatim transcript of this interview.

To aid in the accuracy of the transcript, it is the custom and practice of court reporters to audio record the interview. The recording is the confidential work product property of the court reporter and will not be provided to any party including the OIG. If you request, the audio recording will be discontinued.

MR. McKAY: I do not request that the audio recording be discontinued if it's only being used for the court reporter's benefit to prepare the transcript. As soon as this statement is completed, if the court reporter is going to share this audio recording with neither side, I'm fine with the audio recording happening as is because it's my understanding that only the court reporter is using this and no one else. Is that correct?

MR. NEUMER: That is correct.

MR. McKAY: Then I have no objection.

MR. NEUMER: Let the record reflect today's date is April 26th, 2016. The time is 10:04 a.m. We are located at Amicus Court Reporters, 300 West Adams, Suite 800.

My name is Peter Neumer, N-e-u-m-e-r, the court reporter is Michelle Yohler, and I'd ask that the other individuals present identify themselves and spell their name for the record.

MR. BROWN: Kristopher Brown, B-r-o-w-n, City of Chicago, Office of Inspector General.

MR. McKAY: My name is James P. McKay, Jr. I'm an attorney, and I represent Detective David March.

THE WITNESS: Detective David March, Star number -- last name is spelled M-a-r-c-h, Star No. 20563 of the Chicago Police Department.

MR. NEUMER: There are no other individuals present. We are here today pursuant to an investigation being conducted under Chapter 2-56 of the Municipal Code of the City of Chicago. We are here for an interview of Detective David March.

Detective David March, would you

please raise your right hand.

(WHEREUPON, the witness was duly sworn.)

MR. NEUMER: I am now going to show you a document entitled Advisement, and I would ask that you read this document along with me. I'm going to read it out loud, and I'm going to ask after each paragraph whether you have reviewed the paragraph that I just read aloud.

(WHEREUPON, OIG Exhibit No. 1 was tendered to the witness.)

MR. NEUMER: So the Advisement of Rights states, "I, Detective David March, understand that I am being interviewed by Peter Neumer and Kristopher Brown from the City of Chicago, Office of Inspector General. I understand that this interview is part of an official investigation and that I have a duty to cooperate with the Office of Inspector General, which includes answering all questions completely and truthfully."

Detective, do you see the paragraph that I just read aloud to you?

THE WITNESS: Yes.

MR. NEUMER: "I understand that I have no

right to remain silent. I understand that I have an obligation to answer questions put to me truthfully. I understand that if I refuse to answer questions put to me, I will be ordered by a superior officer to answer the questions."

"I further understand and I have been advised that if I persist in my refusal to answer after an order to do so, such further refusal constitutes a violation of the rules and regulations of the Chicago Police Department and may serve as the basis for my discharge."

Detective, do you see the paragraph that I just read aloud to you?

THE WITNESS: Yes.

MR. NEUMER: "I understand and have been advised that my statements and responses may constitute an official police report. I understand that Rule 14 of the Chicago Police Department's rules and regulations prohibits making a false report, written or oral, and I further understand that making such a false report, whether written or oral, may result in my separation from the Chicago Police Department."

Detective, do you see the paragraph that I just read aloud to you?

THE WITNESS: Yes.

MR. NEUMER: "I understand that any statement made by me during this interview may be used as evidence of misconduct or as the basis for disciplinary action up to and including removal or discharge."

Detective, do you see the paragraph I just read aloud to you?

THE WITNESS: Yes.

MR. NEUMER: "I understand that any statement made by me during this interview and the fruits thereof cannot be used against me in a criminal proceeding."

Detective, do you see the paragraph that I just read aloud to you?

THE WITNESS: Yes.

MR. NEUMER: "I understand that I have the right to have a union representative or legal counsel of my choosing present at the interview to consult with and that I will be given a reasonable time to obtain a union representative or legal counsel as long as the interview is not

unduly delayed."

Detective, do you see the paragraph I just read aloud to you?

THE WITNESS: Yes.

MR. NEUMER: "I understand that a refusal to answer any question or any false, inaccurate, or deliberately incomplete statement by me would constitute a violation of Chicago Municipal Ordinance 2-56 and may serve as the basis for my discharge."

Detective, do you see the paragraph I just read aloud to you?

THE WITNESS: Yes.

MR. NEUMER: "I acknowledge that this statement of my administrative rights has been read aloud to me and I have been allowed to review this document."

Detective, do you see the paragraph that I just read aloud to you?

THE WITNESS: Yes.

MR. NEUMER: At this time I would ask that you sign the Advisement of Rights.

MR. McKAY: Before we do that, Mr. Neumer, can I put something on the record and then ask

you a question on the record?

MR. NEUMER: Sure.

MR. McKAY: Detective David March is here pursuant to the Inspector General's Notification of Interview, whereby he is required to appear here this morning. And he is being alleged to be an accused. And he is here for a statement.

And regarding this statement, a number of allegations have been made. Allegations 1(a), subsections 1 through 16; allegation 1(b), subsections 1 and 2; allegation number 2, allegation number 3, allegation number 4, allegation number 5, allegation number 6, allegation number 7, and allegation number 8; is that correct?

MR. NEUMER: If you're working off the Notification of Allegations, I assume --

MR. McKAY: Yes, sir.

MR. NEUMER: -- that is correct.

MR. McKAY: Let me ask this, Mr. Neumer: On behalf of the Inspector General for the City of Chicago, do you believe these allegations indicate that a criminal prosecution is probable against Detective March?

MR. NEUMER: So we are conducting an administrative investigation, and we are not working with any other bodies and take no view as to the question whether criminal charges are probable against Detective March. This is an administrative investigation.

MR. McKAY: Mr. Neumer, what do you mean you take no view regarding whether criminal charges are probable?

MR. NEUMER: This is an administrative investigation. We're not working with any other bodies on this investigation.

MR. McKAY: Your allegations, sir, include language such as, "witness tampering, obstruction of justice, and providing false statements." This language is consistent with violations of Illinois criminal law. As such, I'm advising my client not to answer this -- strike that -- not to answer your questions unless ordered to do so by a superior officer.

Further, Mr. Neumer, I'm asking that you, as the Assistant Inspector General conducting this statement, advise

Detective March of his Constitutional rights pursuant to Miranda versus Arizona. Will you do that?

MR. NEUMER: No. This is -- again, as this is an administrative investigation, it's not a criminal investigation, and OIG is under no obligation to provide Detective March with any sort of Constitutional rights advisement.

MR. McKAY: Thank you.

Mr. Neumer, I note in your Advisement of Rights that you just read to Detective March that the Inspector General may consider that Detective March's statements may constitute an official police report.

Can you please reconcile for me how you may consider Detective March's statements to be possibly a police report, yet, at the same time, you deny the existence that criminal charges could be probable against Detective March?

MR. NEUMER: Sure. Again, this is an administrative investigation, and as is set forth in the Advisement, it says that any statement made by Detective March during this

interview and the fruits thereof cannot be used against him in a criminal proceeding.

MR. McKAY: Thank you. I just have a few more matters before we begin.

Mr. Neumer, I have in my possession a letter that was sent by the Inspector General for the City of Chicago, specifically Deputy Inspector General William Marback dated December 29, 2015, to Ralph Price, general counsel for the Chicago Police Department, requesting a number of items. Some of them even named Detective March.

Do you intend -- -- strike that.

Did your office receive any of these items Mr. Marback requested from the Chicago Police Department, and, if so, do you intend to use any of these items during this statement of Detective March today?

MR. NEUMER: Well, honestly, I can't say specifically everything that we received in response to that document request. We have provided Detective March with a list of documents, which we'll go through, and there will be likely a couple of additional exhibits

that we plan to show Detective March.

Whether they were produced in response to the December 29th, 2015, request, I cannot say with 100 percent certainty.

What I can say is that any document we will put in front of Detective March today as an exhibit, you will be given an opportunity to review that document in full, and you will be able to take as much time as you need to review and analyze that document. So that's what I can say.

MR. McKAY: Thank you.

With that said, we are in receipt of a number of documents that was tendered to Detective March that he signed for, I believe, on April the 7th of this year. So there's no surprise there.

You just indicated that there may be other exhibits in addition to those listed in the receipt signed by Detective March that you may present today?

MR. NEUMER: That's correct.

MR. McKAY: Can you tell me what they are now?

MR. NEUMER: Well, I think it depends on the course of the interview. We try and plan these things out, but I honestly -- I can't say, again, with 100 percent certainty every document that we will or won't show.

So, again, there's not going to be any hiding of the ball. We want Detective March to understand every document that we put in front of him, where it's from, what it states, what it purports to be, and will be given an opportunity to comment if maybe something isn't what it seems to be. So -- but I think it's premature to go through every document that we may show to Detective March throughout the course of this.

Again, the bulk of what we will go through has already been provided and it's -- you know, maybe three or four, two, some additional exhibits that we would put on the record today. So, again, the bulk of it has certainly been already provided to Detective March.

MR. McKAY: Besides any of the police reports that Detective March drafted in this

case, do you have any documents prepared or signed by Detective March not listed on the items that was presented to him of which he signed a receipt for?

MR. NEUMER: I don't believe that -- I think every report that Detective March drafted or that we think Detective March drafted should have been provided to him.

MR. McKAY: Very good. Thank you.

Not counting the statements of witnesses taken in this case by Detective March and other police officers at that time back in October of 2014, do you have any statements your office has recently obtained that you intend to use against Detective March today?

MR. NEUMER: In terms of statements from witnesses or something like that?

MR. McKAY: Yes.

MR. NEUMER: We will discuss information that has been provided to us during the course of this investigation so -- and our investigation began in December of this year. So there will be information that came to us during the course of our investigation we'll

discuss with Detective March.

MR. McKAY: Prior to today I had e-mailed you, Mr. Neumer, to request some specificity regarding allegations that are made against Detective March.

You were kind enough to respond to my e-mail by stating, among other things, that the Inspector General for the City of Chicago has been provided with broad authority to investigate any violation Chicago Police Department rules arising out of the Laquan McDonald shooting which encompasses all of the specific allegations set forth in the Notification of Allegations, the Office of Inspector General provided to Detective March.

The complaints -- the complaint, I should say -- the allegations, I should say, against Detective March list Interim Superintendent John J. Escalante as the complainant and references Superintendent Escalante's letter to the Inspector General dated January the 13th, 2016. That letter has been provided to Detective March. Thank you very much, Mr. Brown.

That letter references a report -- strike that -- a memo prepared by Sergeant S. Soria, S-o-r-i-a, a memo Sergeant Soria drafted that refers only to inattention to duty, the inoperation of the audio mics attached or affixed to or part of the video dash cameras in some of the police vehicles on the night of this particular shooting.

Nowhere in Sergeant Soria's memo indicates anything whatsoever arising to the level of providing false statements, witness tampering, obstruction of justice, anything even remotely connected to the allegations that are lodged against Detective March today.

In addition, Sergeant -- Superintendent Escalante's letter asks the Inspector General Inspector General to conduct this investigation and determine if there was any misconduct by the police officers. I ask you again, Mr. Neumer, on the record, does the Inspector General have any specific sources that support the specific allegations against Detective March separate and apart from Sergeant Escalante's letter?

If so, Detective March is entitled to know who these people or persons are -- person or persons are. If they are not sworn officers, Detective March is entitled to an affidavit by these person or persons who are providing these allegations, and, absent that, Mr. Neumer, I can only assume that the true complainant in this case is not Superintendent Escalante or, to a lesser degree, Sergeant Soria; the true complainant in this case is the Inspector General and his agents. And if that's the case, Mr. Neumer, we object to the Inspector General for the City of Chicago conducting an investigation of its own allegations.

Can you correct me if I'm wrong? Are there other people your office is relying on to support these allegations you make against Detective March?

MR. NEUMER: Sure. Interim Superintendent Escalante asked the Office of Inspector General to investigate whether any officers committed any violation of Chicago Police Department rules, policies, or orders in connection with their response or handling of the investigation

of the Laquan McDonald shooting.

Escalante attached Sergeant Soria's initiation report, which speaks for itself. Escalante's letter gives the Office of Inspector General authority to conduct an investigation into the Laquan McDonald shooting and the investigations of that shooting, which encompasses all and any rule violation arising there out of.

And all of the allegations included in the Notice of Allegations that the Office of Inspector General provided to Detective March via the Bureau of Internal Affairs fall under the authority provided by Interim Superintendent Escalante.

To answer your question, the Office of Inspector General is not in possession of any signed affidavits or complaints other than the complaints referenced in Paragraph 1 of the complainant section of the Notice of Allegations -- Notification of Allegations that OIG provided to Detective March.

MR. McKAY: Thank you, Mr. Neumer. It just seems odd that Sergeant Soria's memo only

references the non-use of audio during the video-taking of the incident we are -- you are investigating, the McDonald shooting.

To jump from that memo to Superintendent Escalante's general request to your office to conduct an investigation to see if there's any misconduct is one thing, but then to allege specific things against Detective March that include, among other things, that he didn't conduct a complete, thorough, and properly documented and professional investigation; that he, among other things, tampered with witnesses; that he, among other things, obstructed justice; and that he, among other things, made false statements in the reporting of the shooting is too much without somebody supplying information, truthful or otherwise, to your office to support these allegations.

He is not waiving any affidavit. He is entitled -- strike that. You are precluded from conducting an investigation based on any anonymous complaint pursuant to the contract between the City of Chicago and the Fraternal

Order of Police Lodge 7, his union representatives in this particular case.

So, again, where are these allegations coming from, Mr. Neumer? He has an absolute right to know who his accusers are and to confront those accusers. If they are the Inspector General or his agents, just say so. Just say so, okay?

If not, then we object to this statement being taken in light of the due-process rights that are being violated by your office. Nothing personal against you two gentlemen, but the manner in which this statement is being taken and these allegations that have been made are far too specific to just come from some general letter by Mr. Escalante. So that's our objection.

In addition to that, Mr. Neumer, I sent a letter to you and to your boss, Mr. Ferguson, asking respectfully that Mr. Ferguson and his office recuse themself from this investigation.

Simply put, Mr. Ferguson is prejudiced against Detective March, and I submit

other police officers in this particular case, because of his presence and his participation on the Police Accountability Task Force. He is the technical advisor of the task force according to the list of task force members in this particular organization.

The chairperson of this task force is Lori Lightfoot who just happens to be the president of the Chicago Police Board.

Now, with respect to Mr. Ferguson being a part of this task force, coupled with the recent report that his task force issued -- specifically this report that was released on April 13th of 2016 -- clearly indicates a position of Mr. Ferguson and Ms. Lightfoot.

They, through their report, which consists of two reports, a full report well over 160-plus pages and an executive summary, both of which clearly indicate that the Task Force has made some conclusions in this matter regarding the McDonald shooting long before they heard the sworn testimony of Detective March, long before they know the totality of the evidence in this

case, and, furthermore, without considering the totality of all of the Illinois law applicable to this case.

Mr. Ferguson has prejudged Detective March without you and Mr. Brown hearing one word from Detective March. And I'm not making this up because the report clearly indicates the statements the Task Force came up with regarding the McDonald shooting under the section in the report they call "The Tipping Point."

You know what these statements are because I referenced these statements made by the Task Force in the letter I sent to Mr. Ferguson and both of you gentlemen prior to today.

I'm asking again, sir, that the Inspector General's Office recuse themself from this investigation. Detective March is entitled to a fair, impartial, and independent investigator. He's not getting it, sir, from Mr. Ferguson and his agents when Mr. Ferguson has put his name on that report that clearly indicates conclusions.

We disagree with those conclusions, but that's not the point. Mr. Ferguson has made judgements on this matter without the benefit of knowing all the evidence. That is wrong. That is prejudice to Detective March, and I respectfully request that you recuse yourself and other agents of the Inspector General from conducting this investigation.

MR. NEUMER: OIG's position is there is no conflict that impairs our office's ability to conduct a fair, impartial investigation, and, accordingly, there's no basis for our office to recuse itself.

MR. McKAY: I'm not certain that we would call it a conflict per se. I'm clearly stating Mr. Ferguson has prejudged Detective March and other police officers in this case.

Can you reconcile for me and Detective March how Mr. Ferguson can put his name on a report indicating that reports of the shooting were superficial and false, that certain activity happened that we -- and the evidence shows did not take place, a conclusion that on-scene officers repeated the same false

narrative they allege Officer Van Dyke made, and that these officers uniformly said that McDonald posed an imminent threat immediately before Van Dyke shot him?

Your boss and others, including Ms. Lightfoot, suggest that's not true. So can you tell me, sir, how can this office -- how can your office reconcile these statements your boss is owning up to and, yet, being fair, impartial, and independent in this case?

Unless, sir, are you saying the Inspector General is not duty-bound to be a fair, impartial, and independent investigator in this case?

MR. NEUMER: OIG's position is that our office's ability to conduct a fair and impartial investigation has not been impaired and, therefore, there's no reason for our recusal.

MR. McKAY: All right. You know, sir, that a grievance has been filed by the Fraternal Order of Police. That grievance is pending before an arbitrator. The grievance issues were raised in regards to this investigation.

The Fraternal Order of Police had

filed a grievance and injunction regarding this investigation and, yet, the Inspector General for the City of Chicago refused to postpone this investigation. Is that correct?

MR. NEUMER: There has been a grievance filed.

MR. McKAY: I am prepared to begin, but I must state for the record, as Detective March's legal counsel, I am advising Detective March to refuse to answer any questions without a direct order from one of his superior officers.

MR. NEUMER: Okay. As we talked about previously -- correct me if I'm wrong -- you agreed to have that order from a superior officer come via telephone; is that correct?

MR. McKAY: I have no objection to that.

MR. NEUMER: And at this time I am going to call Commander Robert Klimas of CPD.

MR. McKAY: Can you spell Mr. Klimas' name for the record, please.

MR. NEUMER: Sure. It's K-l-i-m-a-s.

MR. McKAY: Thank you.

(PHONE RINGING)

COMMANDER KLIMAS: Bob Klimas.

MR. NEUMER: Bob, this is Peter Neumer from the City of Chicago Inspector General's Office.

COMMANDER KLIMAS: Yes. How are you?

MR. NEUMER: Good. I am here in a room with Detective David March, an attorney, Investigator Kris Brown, and a court reporter, and we are conducting an interview of Detective March.

Having provided proper notice of that interview and proper notice of the allegations against him, Detective March is declining to answer our questions concerning the shooting of Laquan McDonald absent an order from a superior officer, so I am asking you to order Detective March to answer the OIG's questions concerning the shooting of Laquan McDonald.

COMMANDER KLIMAS: This is Commander Robert Klimas, K-l-i-m-a-s, Bureau of Internal Affairs, Chicago Police Department.

Detective March, I am giving you a direct order to answer all the questions posed to you today from the Office of Inspector General and answer them truthfully, okay?

THE WITNESS: Okay.

MR. NEUMER: Thank you, Commander.
COMMANDER KLIMAS: Thank you.
(WHEREUPON CALL WAS ENDED)
MR. McKAY: Thank you, Mr. Neumer.
MR. NEUMER: So first the advisement. I believe we read that to you, and we had asked you to sign that advisement prior to the statements Counsel made on the record.
Do you want to witness?
MR. McKAY: No. I'd just like a copy of that at some point.
MR. NEUMER: At some point. So none of the exhibits we put before you can go out of the room today, but you will be getting a copy of the transcript.
And, again, as we talked about, is it acceptable that we provide a copy of the transcript within two business days of our receipt of that transcript?
MR. McKAY: No, I thought what we talked about is that whenever the court reporter would prepare it, we would both get it at the same time.
MR. NEUMER: We would be --

MR. McKAY: The rule asked the court reporter to have it prepared within 72 hours of today.

MR. NEUMER: Exactly.

MR. McKAY: If she needs more time, I have no objection to her taking time to get it done and get it done right. I just want it -- and I believe Detective March is entitled to it at the same time the Inspector General's Office gets it.

MR. NEUMER: Well, he's entitled to it within 72 hours of today, so if he wants, he can get it within 72 hours of today.

What I was asking is if it would be acceptable for us to, instead, after our receipt of that transcript, provide it to you within two business days. But if you prefer to do -- to just have us give it to you within 72 hours, we can do that. It was just sort of as a convenience to the court reporter and our office --

MR. McKAY: I am being convenient to the court reporter. I want her to take as much time as she needs. You asked me if we could wait

until two days after you get it, and I'd like to know why.

MR. BROWN: And maybe I could speak to that part because this is my portion. I typically do the copying and the receipts related to the transcripts that go to the relative officers. We usually have asked for three days, but I can prepare it that day whenever I receive it.

So if I receive it from the court reporter's office, let's say on a Monday, 9:00 a.m., I can have it turned around to you in a couple hours. That just takes me a little time to copy and get it to you.

MR. McKAY: That's fine. Just -- I think what's fair is fair. We get it the same day you guys get it.

MR. BROWN: So it's fair, I can make that copy and provide it to you the same day.

MR. NEUMER: And the reason I was asking for 48 hours, sometimes Investigator Brown has to leave the office, so we might get the transcript or we might get it at the end of the day or something like that.

So if it's like two business days, we

will strive to get it to you within hours of when we get it. We want it in your hands as quickly as possible. That said, sometimes family issues come up, sometimes folks are out of the office, and it makes it difficult to do -- to have an immediate turnaround. And so that's why we asked for the 48 hours, the two business days, with the hopes we can get it to you the same day we can get it.

MR. McKAY: So the court reporter only prepares one transcript?

MR. BROWN: That's the normal course, that we receive one transcript from the court reporter.

MR. McKAY: If you can get it to me the same day you receive it, call me. I can pick it up from you.

MR. BROWN: If I get it at 4:55, it's going to be difficult to make the copy and do all the other administrative stuff. But if I get it 12:00, 1:00, that's reasonable for me to get it down.

MR. McKAY: That's fine.

MR. BROWN: Okay.

MR. NEUMER: All right. So we've got our Advisement of Rights marked as Exhibit 1 signed and witnessed.

And now what I'm going to do is mark a series of documents, put them on the record, and present them to Detective March to confirm that he received these exhibits on April 7th, 2016.

BY MR. NEUMER:

Q. So what has previously been marked Exhibit 2 is a Notification of Interview for Detective March and it's dated April 7th, 2016.

MR. BROWN: And, Mr. McKay, before we go on to Exhibit 2, can we have the copy of the Advisement back.

MR. McKAY: The one you just gave me?

MR. BROWN: Yes.

MR. McKAY: Here.

MR. BROWN: Thank you.

MR. McKAY: Before you begin your questioning, gentlemen, Detective March has something to put on the record.

THE WITNESS: Upon advice of counsel, I am refusing to answer any questions without the

direct order of a superior officer.

I would like to preface this statement with the following: I believe I am entitled to be informed of my Constitutional rights to remain silent. I have received no assurances from the Office of Inspector General that criminal charges are probable. Proceeding with this statement is in violation of the applicable Collective Bargaining Agreement, but I have been advised that I will lose my job if I refuse to provide a statement.

I am not giving this statement voluntarily but only because I am required to do so by a direct order of Commander Robert Klimas. I know that if I refuse to participate in this interview or refuse to answer certain questions, I can be disciplined or even fired; therefore, this statement is being compelled.

I'm asserting all of my rights under the Supreme Court case of Garrity versus New Jersey, and I am specifically objecting to any sharing or disclosure of this statement or its contents with any prosecutor's office such as the Cook County State's Attorney's Office or

the United States Attorney's Office.

I also object to the sharing or disclosure of this statement or its contents directly or indirectly with anybody else including but not limited to any other federal, state, or city agency and the media.

I am objecting that this interview is taking place before an arbitrator has decided the issues that were raised in regards to this investigation. The Fraternal Order of Police has filed a grievance and injunction regarding this investigation, and the Inspector General has refused to postpone this investigation.

Also, on the advice of counsel, I am making the following additional objections: I am objecting to the fact that the City of Chicago Inspector General's Office has refused to identify all of my complainants if they exist.

Under City ordinance, Collective Bargaining Agreements, and my due process rights, I am entitled to notice of the nature of the allegations against me and the identity of all complainants prior to any interview.

The Inspector General's Office has only advised me that Interim Superintendent John J. Escalante and, to a lesser degree, Sergeant S. Soria are the only complainants against me. This can't possibly be true because Escalante's letter to the Inspector General dated January 13, 2016, does not specifically allege or even suspect me of any misconduct.

Further, the letter refers to Sergeant Soria's memo of July 15th, 2015, which only alleges inattention to duty because of possible tampering with in-car camera mics and improper use of equipment, none of which applies to me, a detective assigned to investigate this police shooting.

I am left to wonder who is the source of the allegations now pending against me. I shouldn't have to do this because I have a right to know and confront my accusers. The Inspector General is violating my rights of due process by not specifically informing me of the person or persons making these specifics allegations. As such, I can only assume the true complainant is the City of Chicago's Inspector General.

I am entitled to an affidavit of any complainant who is not a sworn officer. I have not received one in this case. I am not waiving the requirement of an affidavit, therefore, I am objecting to the City of Chicago Inspector General's Office making allegations against me and conducting an investigation into its own allegations.

Finally, I am objecting to the Inspector General's Office conducting any investigation of this shooting because the Inspector General of Chicago is prejudiced against me.

This prejudice is evidenced by his participation on the Police Accountability Task Force and their report released April 13th, 2016. This report includes findings made without the benefit of hearing my sworn testimony, considering all of the evidence in this case, and considering all of the applicable law in this case.

The Inspector General has prejudged this case. As such, he and his agents cannot be fair, impartial, and independent investigators

in this matter.

This objection also applies to Lori E. Lightfoot, president of the Chicago Police Board, who served as the chair of the Police Accountability Task Force.

MR. McKAY: Thank you, Mr. Neumer.

MR. NEUMER: Having responded previously to the objections raised in Detective March's statement, we'll continue with the marking of exhibits.

BY MR. NEUMER:

Q. I think we were at what has previously been marked as Exhibit 2, which is a Notification of Interview to Detective March dated April 7th, 2016.

(WHEREUPON, OIG Exhibit No. 2 was tendered to the witness.)

BY MR. NEUMER:

Q. I would ask Detective March, have you seen Exhibit 2 previously prior to today?

A. Yes.

Q. And did BIA provide you with this Exhibit 2 document on or about April 7th, 2016?

A. Yes.

Q. I am now going to hand you what has been previously marked as Exhibit 3. This is a Notification of Allegations, name of accused, David March.

(WHEREUPON, OIG Exhibit No. 3 was tendered to the witness.)

BY MR. NEUMER:

Q. Have you seen this Exhibit 3 document prior to today?

A. Yes.

Q. And did BIA provide you with this document on or about April 7th, 2016?

A. Yes.

Q. And is that your signature on the last page, Page 4 of Exhibit 3?

A. Yes.

Q. And also I'd ask, was your signature at the bottom of the only page of Exhibit 2?

A. Yes.

Q. And we will have to ask for all these exhibits back, so if you could keep them separate from everything else.

I am now going to hand you what has been previously marked Exhibit 4. This is a

Receipt Form dated April 7th, 2016.

(WHEREUPON, OIG Exhibit No. 4 was tendered to the witness.)

BY MR. NEUMER:

Q. Detective March, have you seen this Receipt Form prior to today?

A. Yes.

Q. And did BIA provide you with this Receipt Form on or about April 7th, 2016?

A. Yes.

Q. And is your signature on -- is that your signature on Page 2 of the Exhibit 4 Receipt Form?

A. Yes.

Q. I am now going to hand you a copy of what has previously been marked Exhibit 5. This is a copy of a March 16, 2015 Case Supplementary Report with an RD number of HX475653 and a supplementary ID of 10992767, CASR301.

MR. McKAY: What number is this, Mr. Neumer?

MR. NEUMER: This is Exhibit 5.

MR. BROWN: I apologize. This is going to take a minute. Things got kind of out of whack

here.

MR. McKAY: Take your time.

(WHEREUPON, OIG Exhibit No. 5 was tendered to the witness.)

BY MR. NEUMER:

Q. So we're handling you a Case Supplementary Report with a sup ID of 10992767 CASR301.

Detective March, have you seen this Exhibit 5 document prior to today?

A. This does not -- I've got at least one missing page and duplicates of some other pages.

MR. McKAY: My copy is missing a number of pages as well.

MR. NEUMER: Okay. Why don't we go off the record. The time is 10:52.

(WHEREUPON, a recess was had.)

MR. NEUMER: The time is 10:57 a.m. We're back on the record.

BY MR. NEUMER:

Q. Detective March, if you could look through that Exhibit 5 now and see whether it is a full and complete copy of the document you

were provided on or about April 7th, 2016 by BIA.

A. I have two Page 10s, so I think maybe somebody is missing a Page 10.

MR. NEUMER: We'll take back the Page 10.

BY MR. NEUMER:

Q. Other than the duplicate Page 10, does that appear to be a full and complete copy of the document you were provided by BIA on April 7th, 2016?

A. Yes.

MR. McKAY: I have a question, Mr. Neumer.

MR. NEUMER: Sure.

MR. McKAY: This exhibit in the right-hand has a log number and an attachment number. That was not placed there by Detective March. Can you identify what those markings are?

MR. NEUMER: I believe that is a stamp that was placed there by the Independent Police Review Authority.

MR. McKAY: Okay. Thank you.

BY MR. NEUMER:

Q. I am now going to be handing you what is previously marked Exhibit 6, which a copy of

a March 16, 2015 --

A. Should this go in the pile that's going back --

Q. Yes. Yes.

A. -- are we going to be referring back to --

Q. Well, we will. We will be referring to --

A. Right now it just goes in the pile?

Q. Right now it goes in the pile --

MR. BROWN: We'll give it back to you later.

BY MR. NEUMER:

Q. Yeah, and we will be referring to that one.

So I'll be handing you a copy marked Exhibit 6 of a March 16, 2015 Case Supplementary Report for RD number HX475653 with a supplementary ID 10988891 CASR339.

(WHEREUPON, OIG Exhibit No. 6 was tendered to the witness.)

BY MR. NEUMER:

Q. Have you seen the document marked Exhibit 6 prior to today, Detective March?

A. Yes.

Q. And did BIA provide you with the Exhibit 6 document on or about April 7th, 2016?

A. I believe that was on the disk that they provided me.

Q. I'm now going to be handing you what's previously been marked Exhibit 7. This is a copy of Case Incident Report for RD Number HX486155 with the case ID 9837884 CASR229.

(WHEREUPON, OIG Exhibit No. 7 was tendered to the witness.)

BY MR. NEUMER:

Q. Have you seen this Exhibit 7 document prior to today, Detective March?

A. Yes.

Q. And was this one of the documents that BIA provided you with on or about April 7th, 2006?

A. Yes, I believe it was on the disk.

Q. I am now going to be handing you what has previously been marked as Exhibit 8, which is a copy of your October 20th, 2014, General Progress Report for RD Number HX475653, concerning your October 20th, 2014, interview of

Officer Dora Fontaine.

(WHEREUPON, Exhibit OIG No. 8 was tendered to the witness.)

BY MR. NEUMER:

Q. Have you seen this Exhibit 8 document prior to today?

A. Yes.

Q. And did BIA provide you with a copy of this document on or about April 7th, 2016?

A. Yes, I believe that was on the disk.

MR. McKAY: This is your Exhibit Number 8, sir?

MR. NEUMER: Exhibit 8. Yes.

MR. McKAY: Thank you.

BY MR. NEUMER:

Q. And I am now going to be handing you what is marked as exhibit -- previously been marked as Exhibit 9, which is a copy of your October 20th, 2014, General Progress Report for RD Number HX475653 concerning your October 20th, 2014, interview of Officer Janet Mondragon.

(WHEREUPON, OIG Exhibit No. 9 was tendered to the witness.)

BY MR. NEUMER:

Q. Have you seen this Exhibit 9 document prior to today, Detective March?

A. Yes.

Q. And did BIA provide you with a copy of this document on or about April 7th, 2016?

A. Yes, I believe this was on the disk also.

Q. I am now going to be handing you what's previously been marked as Exhibit 10, which is a copy of your October 20th, 2014, General Progress Report for RD Number HX475653 concerning your October 20th, 2014, interviews of Officer Jason Van Dyke.

(WHEREUPON, OIG Exhibit No. 10 was tendered to the witness.)

BY MR. NEUMER:

Q. Have you seen the document marked as Exhibit 10 prior to today?

A. Yes.

Q. And did BIA provide you with this document on or about April 7th, 2016?

A. Yes, I believe these were on the disk.

MR. McKAY: I don't have an objection to how you mark your exhibits -- you're entitled to do that -- just so the record is clear that your Exhibit 10, sir, actually consists of two separate GPRs. One was three pages that was drafted on or about October 20th, 2014, and the other, the remaining page, is a separate GPR that was drafted on or about October 21st of 2014. You're including all these GPRs into one exhibit; is that correct?

MR. NEUMER: I believe if that's all in Exhibit 10, that is correct.

MR. McKAY: All right. Thank you.

BY MR. NEUMER:

Q. And, Detective March, you received both of those GPRs on April 7, 2016; is that correct?

A. All four pages, correct.

Q. All four pages. Thank you.

I am now going to be handing you what has previously been marked as Exhibit 11, which is a copy of Evidence Submission Form 54818.E for incident RD Number HX475653.

(WHEREUPON, OIG Exhibit No. 11 was tendered to the witness.)

BY MR. NEUMER:

Q. Have you seen a copy of the Exhibit 11 document prior to today, Detective March?

A. Yes.

Q. And did BIA provide you with a copy of this document on or about April 7th, 2016?

A. Yes, I believe this was on the disk.

Q. I am now going to be handing you what has been previously marked as Exhibit 12, which is a copy of Evidence Submission Form 54818.F for incident number RD Number HX475653.

(WHEREUPON, OIG Exhibit No. 12 was tendered to the witness.)

BY MR. NEUMER:

Q. Have you seen this Exhibit 12 document prior to today, Detective March?

A. Yes.

Q. And did BIA provide you with a copy of this document on or about April 7th, 2016?

A. Yes.

Q. And, lastly, I will be handing you

what has been previously marked as Exhibit 13, which is a copy of a Major Incident Notification Detail for incident number 73204.

(WHEREUPON, OIG Exhibit No. 13 was tendered to the witness.)

BY MR. NEUMER:

Q. Have you seen a copy of this document prior to today, Detective March?

A. Yes.

Q. And did BIA provide you with a copy of this Exhibit 13 document on or about April 7th 2016?

A. Yes.

Q. And I think -- if you could just put those off to the side -- we'll get them back and then we will, at the appropriate time, provide you with the relevant documents so that way it will make things just go a little smoother.

In order to prepare for today's interview, did you review the materials that BIA provided you on or about April 7th 2016?

A. Yes.

Q. And the materials that BIA provided you on April 7th 2016, those also included video

from the in-car video systems of Vehicles 813 Robert and 845 Robert; is that correct?

A. Yes.

Q. And that I think it was a DVD also included video from a Dunkin' Donuts security camera as well; is that correct?

A. Yes.

Q. And did you review those videos, the 813 Robert, 845 Robert dash cam videos, and the Dunkin' Donuts security video prior to today's interview?

A. Yes.

Q. Since receiving our Notice of Interview, did you review any materials other than the materials we provided you?

A. Yes.

Q. What did you review other than the materials we provided you?

A. I looked through most of the official investigative file of the Chicago Police Department regarding this incident.

Q. So you looked through CPD's file on the Laquan McDonald shooting?

A. Yes.

Q. Anything else that you recall?

A. I did some searching on the internet to find some relevant statutes, the language of the Illinois revised statutes -- or Illinois compiled statutes, and I think that's about it.

Q. Aside from your attorney --

A. Oh, excuse me.

Q. Go ahead.

A. I also reviewed some written Chicago Police Department directives regarding policy and procedure.

Q. Do you recall what policy and procedure directives you were reviewing?

A. Basically the subject matter was use of force.

Q. Aside from your attorney, who did you speak to in preparation for this interview?

A. No one.

Q. We're going to start off with a little background. Could you state for the record your name, star number, and current unit of assignment.

A. My name is Detective David March. My star number is 20563, and I'm assigned to

Unit 610, which is called the Bureau of Detectives Area Central.

Q. What was your unit of assignment on October 20th, 2014?

A. The same as it is today.

Q. And were you on the same watch then as you are today?

A. Well, today I'm working days to accommodate this interview.

Q. Okay.

A. I normally work afternoons.

Q. And were you working afternoons as of October 20th, 2014?

A. Yes.

Q. And what was your general work hours?

A. From 4:00 p.m. to 1:00 a.m.

Q. What was your chain of command as of October 20th, 2014?

A. I was on what's called a homicide team that was supervised by Sergeant Daniel Gallagher. Our unit has two lieutenants, Lieutenant Anthony Wojcik and Lieutenant Osvaldo Valdez and then --

Q. Before you -- is it possible for you

to spell those names for the record if you know them?

A. Sure. Daniel Gallagher is G-a-l-l-a-g-h-e-r; lieutenant Anthony Wojcik is W-o-j-c-i-k; Lieutenant Osvaldo Valdez is V-a-l-d-e-z. And then our commander at that time was Commander Eugene Roy, R-o-y.

Q. Who was the deputy chief of the Bureau of Detectives at that time?

A. Anthony Riccio, R-i-c-c-i-o.

Q. And who was the bureau detective chief?

A. John Escalante.

Q. Is that E-s-c-a-l-a-n-t-e?

A. I believe that's correct.

Q. Okay. Do you know who the District 8 commander was as of October 20th, 2014?

A. I don't recall.

Q. Was it James O'Donnell?

A. It could have been.

Q. Okay. Who was the Area Central deputy chief?

A. Of patrol?

Q. Uh-huh.

A. David McNaughton, M-c-N-a-u-g-h-t-o-n.

Q. And who was the bureau patrol chief?

A. I don't recall at that time.

Q. Does Wayne Gulliford sound right?

A. He was the chief of patrol at one time. If -- it could be that day, I don't recall.

Q. What's your personal cell phone number?

MR. McKAY: Objection, relevance.

MR. NEUMER: If Detective March had any communications with folks.

MR. McKAY: Do you have records that Mr. Marback may have requested in December of 2015? If so, we'd like to see them now.

BY MR. NEUMER:

Q. Now, I mean, we're -- the question's a good question. We're asking for your personal cell phone number. You can refuse to answer, but --

MR. McKAY: He is not going to refuse a direct order. He has been ordered. He will comply with your questions. I'm just stating

for the record that I object to the relevance of this question. His personal cell phone? Are you talking about today? Are you talking about October 2014?

BY MR. NEUMER:

Q. Both. The personal cell phone today, and then the next question will be is that the same cell phone number you had as of October 20th, 2014.

MR. McKAY: I object to the relevance of that.

BY THE WITNESS:

A. 312-735-6630.

BY MR. NEUMER:

Q. And is that the same cell phone number you had as of October 20th, 2014?

A. Yes.

Q. I want to talk to you about grand jury proceedings. Were you summoned to give testimony before a grand jury regarding the McDonald shooting?

A. I did receive, I believe, a subpoena for the federal grand jury in this matter.

Q. And did you end up giving testimony

before a federal grand jury?

A. No, it was postponed.

Q. So you have not been before a federal grand jury in this matter?

A. No.

Q. No state grand jury either?

A. No.

Q. Have you been interviewed by the FBI in connection with the McDonald shooting?

A. No.

Q. I want to talk to you about the night of October 20th, 2014. So I'm going to ask you to walk us through your actions that night in terms of your response to the shooting of Laquan McDonald.

A. I --

MR. McKAY: Object to the vagueness of the question, Mr. Neumer. Walk us through your actions. When, where, who? He is -- you know from your review of his reports, his role in this case as a responding detective assigned to investigate, correct?

MR. NEUMER: Mm-hm.

MR. McKAY: So I would ask that unless

Detective March understands the question, if you could be more specific, that's all I'm asking.

MR. NEUMER: Sure. And we're just looking to get a narrative --

MR. McKAY: All right.

MR. NEUMER: -- so I'm happy to provide some prompts --

MR. McKAY: If he's comfortable with your question, he should --

BY MR. NEUMER:

Q. I'll start out very -- like where were you when you first got notice of the shooting?

A. I would also like to add in that reading some of the things that are coming out of the Inspector General's Office, there's allegations regarding intentional omissions.

Now you're asking me to recall in general what I did a year and a half ago, and if I don't recall anything, that does not indicate an intentional omission. And if I remember different things that I did and out of order, you know, I'm not -- I don't want to be accused later on under oath that I said I did this first

and that first and now it turns out that I did this first, that second.

Q. Right, I think -- I understand what you're saying, and so I'm happy to provide some prompts. We're not looking to play gotcha and, you know, you didn't say this or you put it out of order or anything like that.

And also if you want to refer to any of the exhibits at any time that we provide you to refresh your recollection, we're just looking to sort of get the basic understanding of your whereabouts, your actions on the night of October 20th, 2014.

So if you don't recall, you don't recall. And you if you want to take a moment in response to any questions that are asked, that's totally fine, too.

So I'll start it this way and say where were you on the night of October 20th, 2014, when you first got notice of the shooting of Laquan McDonald?

A. I think I was in the office at my unit.

Q. And where is that office located?

A. 5101 South Wentworth Avenue.
Q. So you're at Area Central, can I say, headquarters?
A. Yes.
Q. So you were at Area Central headquarters. You were on duty?
A. Yes.
Q. And so how did you receive this notice of the shooting?
A. I believe Sergeant Gallagher called me on the telephone.
Q. On your work phone or...
A. I don't recall.
Q. So you think --
A. And I don't have a work phone.
Q. Okay.
A. My cell phone is my phone. I pay for it. It's entirely mine.
Q. Okay. So you have no like --
A. It's not required equipment that's required by the police department. It's not supplied to me by the police department.
Q. And so do you have a desk phone at --
A. There are phones in the office. I

don't recall if Gallagher called the office or called my cell phone, I don't recall.

Q. But you're pretty sure it was Detective -- sorry, pretty sure it was Sergeant Gallagher who --

A. To the best of my recollection, I got a -- Sergeant Gallagher notified me of the assignment by telephone.

Q. Okay. And do you recall what he said to you?

A. Something to the effect of that there was a police officer-involved shooting and that you was going to be -- that it was going to be assigned to me.

Q. So after you get that phone call, what do you do?

A. I proceeded to the scene.

Q. So you proceed in a CPD vehicle to 40th and Pulaski, approximately?

A. Correct.

Q. Was anyone with you when you drove to the scene of the shooting?

A. No, I drove there myself.

Q. Did you go immediately once you got

that phone call to the scene of the shooting?

A. Yes.

Q. And once you get to the scene, what's the first thing you do?

A. I believe I saw Sergeant Gallagher at the scene, so I went and checked in with him.

Q. Did you have a conversation with Sergeant Gallagher?

A. Just very briefly.

Q. What did he -- did he give you any details, or what did he say to you?

A. The main -- my main interest at that time was where were the major participants of the incident, if you will, where were they located at.

Q. Sure.

A. Because as the detective assigned, I wanted to identify them and then start from there. Because when I arrived to the scene, I had no idea what happened or where to start the investigation.

Q. And just to back up really quickly. How long do you think it took you to drive to the scene of the shooting from Area Central?

A. I don't recall. I mean, a guess would be 20 minutes or so.

Q. Was there any documentation of when you arrive, like what time you arrived at the scene of the shooting?

A. There might be a General Progress Report where I noted the time I arrived.

Q. Do you have any independent recollection of what time you arrived at the scene of the shooting?

A. No.

Q. So you get to the scene. Where did you park your vehicle?

A. On Pulaski Road.

Q. Do you recall whether it was on the east side or the west side, north of 40th, south of 40th?

A. Initially when I arrived I parked the police vehicle on the west side of the street at the west curb of the southbound lanes.

Q. West curb of the southbound lanes on Pulaski. Okay. So is it near the intersection of Pulaski and 40th then?

A. I think I parked a short distance

north of the Burger King restaurant building.

Q. Okay. So you get there, you go to -- you find Sergeant Gallagher, and you have a brief conversation with him. And then after that conversation, what's the next thing do you?

A. I located the officer involved in the incident, Officer Jason Van Dyke.

Q. And did you speak to Officer Van Dyke then?

A. Yes.

Q. And just to back up again. When you arrived at the scene, do you know if Laquan McDonald was still at the scene?

A. I really don't remember seeing an ambulance at the scene, so I think the ambulance may have already left with him on the way to the hospital.

Q. Can you just describe the scene when you first arrived as best you recall it. So you're pulling up, you're parking close to the Burger King. What does the scene look like when you arrive?

A. There are a lot of police personnel present and police vehicles at the scene.

Officers were -- if they hadn't already, they were in the process of establishing a perimeter to isolate the scene and protect it.

I believe crime scene tape was being utilized as well as police vehicles. I mean, Pulaski was a wide street, so, again, there was a lot of police personnel and a lot of police vehicles.

Q. So after you talked a Sergeant Gallagher, you located Officer Van Dyke and fair to say you have a conversation with Officer Van Dyke?

A. Yes.

Q. What's the nature of that conversation?

A. First I introduced myself to him and told him who I was and that I was the detective assigned to do the immediate follow-up investigation. I asked him if he was okay, and once he answered that he was okay, I began to talk to him about what had occurred.

Q. And so he was providing a narrative of what occurred prior and during the shooting?

A. Yes.

Q. Were you taking notes during that conversation?

A. At times I was, yes.

Q. I'm going to direct your attention to what was previously marked as Exhibit 10, and then I'm going to ask you to look at the first three pages of Exhibit 10.

And this is a General Progress Report. The date of the original case report -- we'll just give you this to keep everyone on the same page here.

And, again, asking you to look at the first three pages of that General Progress Report -- the Exhibit 10, General Progress Report.

A. Right.

Q. Are these notes in this Exhibit 10 document that you were taking during your conversation -- the conversation you just described with Officer Van Dyke?

A. No.

Q. Did you take these notes later on at the scene?

A. Yes.

Q. So during this initial conversation with Officer Van Dyke, you mentioned you were taking notes intermittently at some points during that conversation?

A. Yes.

Q. Were you taking those on a notepad, or how were you taking those notes?

A. On a pad of General Progress Reports.

Q. On a pad of General Progress Reports. Okay. So those notes of your initial conversation with Officer Van Dyke, did those get put into a General Progress Report?

A. Yes, that's where I was writing those notes.

Q. But those notes aren't the notes that are in Exhibit 10, right, the first three pages?

A. Correct.

Q. So where would we find those notes that you were taking during that initial conversation with Officer Van Dyke?

A. The same place I assume you found these in the investigative file where all of the General Progress Reports are.

Q. So there should be a separate General

Progress Report of your initial conversation with Officer Van Dyke?

A. There is at least one additional General Progress Report regarding Officer Van Dyke. I'm pretty sure.

Q. So -- and now I'll ask you to look through all Exhibit 10. There's four pages. There's a report dated October 20th, 2014, and one dated October 21st, 2014.

You believe that there is another General Progress Report reflecting notes of your initial conversation that -- with Officer Van Dyke that's not included in these Exhibit 10 documents?

A. Yes.

Q. Okay. Do you recall what Officer Van Dyke told you in that initial conversation?

A. It was basically the same thing he said all along that evening. He and his partner, Joseph Walsh, responded to a call for assistance from another unit regarding a subject with a knife, who was armed with a knife.

A unit with a Taser had been

requested. And subsequent to that, that unit was following the subject west -- or eastbound on 40th Street, and at one point the subject popped the tire of that police vehicle, meaning that he had slashed the tire with the knife causing it to go flat.

And then subsequently to that -- subsequent to that, Officer Van Dyke and Walsh, in their police vehicle, they were proceeding northbound on Pulaski, turned westbound onto 40th Street. And at that point they saw a black male subject who's now known as Laquan McDonald running eastbound through a -- the Burger King parking lot on the north side of the Burger King building. He was being pursued by, I believe it was, Officer Gaffney in the police vehicle with the flat tire and Officer McElligott on foot.

Officer Walsh was driving their police vehicle. He was able to get closer to Laquan McDonald, and they actually became then the primary or the first pursuit vehicle.

Officer Walsh positioned their police vehicle between Laquan McDonald, who would have been on the left of the vehicle, and the Burger

King restaurant on the right to keep him from running into the Burger King where there were civilians present.

McDonald ran out onto the street onto Pulaski Road and then began to run and then subsequently walk southbound in the southbound lanes of Pulaski Road.

Q. And just to pause you here. Is this all information that Officer Van Dyke provided you in that initial conversation at that scene of the shooting?

A. Yes.

Q. Okay. Continue.

A. Officer Walsh, again driving their police vehicle -- pursued McDonald southbound on Pulaski Road. McDonald was more or less in the southbound lanes. Walsh drove across the median into the northbound lanes.

And now there was a Dunkin' Donuts restaurant on the east side of Pulaski Road. And, again, Walsh positioned the police vehicle between McDonald and their police vehicle to prevent him from going towards the Dunkin' Donuts restaurant, which, again, there were

civilians present.

There was another police vehicle coming northbound which was either in the left-hand northbound lane or maybe it had even gone into the median. I don't remember exactly where he said it was. They drove to the left of that vehicle and McDonald -- they went east of that vehicle, and McDonald went west of that vehicle, again, continuing to proceed southbound.

Before they passed that vehicle, when they -- prior to -- when Walsh had positioned the vehicle between McDonald and the Dunkin' Donuts, Van Dyke said he had actually opened the right front passenger door of their police vehicle to exit and confront McDonald. And Walsh told him something to the effect that they were too close; wait until they get further ahead of him.

So Walsh then drove around the second police vehicle further south of McDonald and then stopped the police vehicle. They both, Van Dyke and Walsh, exited their vehicle, drew their weapons.

Van Dyke mentioned to me that from the first time he saw McDonald in the Burger King parking lot running eastbound, he observed a knife in McDonald's right hand and that's when they exited their police vehicle as McDonald was now coming -- continuing southbound in the southbound lanes of Pulaski Road, he still had that knife in his right hand.

Both Van Dyke and Walsh had their weapons drawn. They pointed them at McDonald, and Van Dyke said he shouted to McDonald multiple times, "Drop the knife. Drop the knife." McDonald never made any kind of movement that indicated he was going to drop the knife or surrender.

He continued walking generally in a southbound direction, and when he got approximately -- I'm guessing here. I don't recall. I'm not reading his statement. I think somewhere between 10 and 15 feet from Van Dyke, Van Dyke said McDonald turned directly towards Van Dyke and began to bring the knife in his right hand up and point it at Van Dyke.

Van Dyke said it was at that moment

that he felt McDonald was beginning to attack him with the knife. He felt his life was in danger and so he fired his handgun at McDonald in defense of his life.

Q. And so that's -- that was the narrative that Officer Van Dyke provided you during your initial conversation with him on the scene?

A. Correct.

Q. When did you speak with Officer Van Dyke when you were taking notes, the notes that are in Exhibit 10, the first three pages of the Exhibit 10, the GPR dated October 20th, 2014, when did that conversation occur?

A. Again, when I first arrived at the scene, I had no idea what had happened, what had occurred, so I had no idea where to start the investigation, where to look for evidence, where to look for witnesses.

So I was just trying to get a quick read on the situation from Van Dyke so I would know where we want to look for evidence, witness, whatever -- to get some direction for

the investigation.

So I didn't take the time to write down everything he was telling me. I took a few quick notes identifying who he was so I could answer all the questions, what's the officer's name, because in this day and age, everybody from the lowest level supervisors up to the superintendent want information immediately. So I have to have that -- you know, "I don't know yet" is not an acceptable answer.

So I took down some basic notes initially, and then I kind of rushed Van Dyke through the story again so I could get our investigative efforts moving in whatever direction they needed to go.

Q. I got you --

A. And it was later on, once we had most of the facts, that I took the time to stand there with him and actually, you know, write down the story so I accurately had what he remembered.

Q. Okay. So how much later do you think it was that you had a second conversation with Officer Van Dyke at the scene of the shooting

wherein you took the notes that are reflected in the Exhibit 10 October 20th GPR?

A. I have no idea how much time went by between the initial interview and when I actually had the time to actually stand there and write the information down.

Q. Where did your first conversation with Officer Van Dyke occur?

A. Right near the -- where their police vehicle was sitting in the street.

Q. So was he still in his vehicle?

A. He was standing outside of it.

Q. And you were standing as well?

A. Yes.

Q. So you have your initial conversation with Officer Van Dyke, you take a couple notes, and he provided the narrative you just described to us; is that correct?

A. Correct.

Q. And then after you talk to Officer Van Dyke, what happens next? Who do you talk to next?

A. I then spoke with Officer Walsh.

Q. And was this -- well, let me first

ask you, when you first talked to Officer Van Dyke, was anyone else present during that conversation?

A. No.

Q. So just you and Officer Van Dyke. Then you speak to Officer Walsh?

A. Yes.

Q. And where did that conversation occur?

A. Nearby, near their police vehicle there.

Q. Was Officer Walsh sort of in the area when you were talking to Officer Van Dyke, or do you recall what he was doing when you were talking --

A. No, I don't know what Walsh was doing when I talked to Van Dyke.

Q. When you talked to Walsh, was Van Dyke present?

A. No.

Q. And so tell us about your conversation with Officer Walsh.

A. He relayed information that was basically similar to what Van Dyke had just told

me.

Q. And were you taking notes during your interview of Officer Walsh?

A. Again, I took some initial cursory notes.

Q. And so did he provide -- so he provided a narrative to you during that initial conversation?

A. Yes.

Q. And did you later come back to talk to Officer Walsh again?

A. Yes.

Q. Okay. And during that second conversation, you took notes that became a GPR; is that fair to say?

A. Yes.

Q. After you talked to Officer Walsh, who did you speak to next?

A. I spoke -- again, this is where I have no idea what happened step by step, first, second, third.

Q. Okay.

A. I spoke -- a number of times I consulted with my sergeant, Sergeant Gallagher,

to make sure he was aware of everything I learned, and he was telling me things that he learned like what hospital Laquan McDonald had been taken to --

Q. Let me pause you there. So as you're conducting your investigation at the scene of the shooting, you're having a series of conversations with Sergeant Gallagher; is that fair to say?

A. Yes.

Q. And so you were -- before I cut you off, you were walking me through some of those conversations. Can you continue on about what you were communicating with Sergeant Gallagher about.

A. I was letting him know what I had found out. He was letting me know what other personnel were doing or had learned. We had personnel looking for and attempting to recover video from any sources nearby, whether they be public or private.

We had other personnel conducting a canvass to find any possible witnesses, and then we were identifying, you know, what officers

were -- as I said, when I first got to the scene, there were a lot of police personnel on the scene. They weren't all there when this incident happened, so we were trying to weed out, if you will, who were the people that were present when this incident occurred versus assisting units that responded after the fact and were just involved in crowd control and traffic control and crime scene protection.

Q. Yeah. So let me back up a little bit and ask you about your assignment as lead detective.

So Sergeant Gallagher informed you you would be lead detective over the phone prior to your arrival at the scene of the shooting; is that fair to say?

A. Yes.

Q. And did he give you any instructions at that time like sort of the nature and scope of your investigation?

A. I believe all he told me was that there was a police officer-involved shooting incident.

Q. And when you were at the scene, did

you learn like who the personnel were that were going to comprise the detective team assigned to the shooting?

A. Normally in a major incident, if you will, like this, every detective who's working in the unit at the time that's not already occupied with other investigative duties, if they're available, they're either asked to or assigned to respond to the scene.

Q. Okay.

A. And once, depending on who gets there first, second, the supervisor, which primarily was Sergeant Gallagher who was subsequently joined by other supervisors, will assign tasks to the different detective personnel that arrive. As I said before, locate video, recover video, locate witnesses, interview witnesses, whatever.

So it's really an ad hoc kind of situation where depending on what personnel shows up, they become part of the investigative team. People that are there first are more likely to become major role players in the investigative process versus people who get

there later when most primary important issues are covered and then there's only minor details that need to be addressed.

Q. I got you. So is it fair to say that Sergeant Gallagher, on the night of October 20th, 2014, was the one assigning tasks to the detectives who arrived?

A. To the best of my knowledge. But that doesn't mean he was the only supervisor that was assigning tasks.

Q. Who -- do you know of any other supervisors who were assigning tasks?

A. I don't know who did what, but I do know eventually and ultimately Lieutenant Valdez and Lieutenant Wojcik both responded to the scene, as did Commander Roy.

Q. Okay.

A. But I don't know exactly at what time or at what point these people got there or what, if any, supervisory direction they gave.

Q. And you mentioned you were having sort of a series of conversations with Sergeant Gallagher as you were acquiring information; is that fair to say?

A. Correct. We were coordinating the effort between the two of us.

Q. Were you also having conversations with Lieutenant Wojcik?

A. Eventually he got to the scene, but I don't think he got to the scene until quite a bit later.

Q. Did you give him a briefing as to what was -- what you had learned when he got to the scene?

A. Wojcik?

Q. Mm-hm.

A. No, I don't recall really having much contact with him at the scene at all.

Q. Do you recall any, what I'll call, substantive conversations with Lieutenant Wojcik at the scene of the shooting?

A. No, I'm not sure I talked to him at all at the scene, actually. I may not have talked to him until later on at the office.

Q. Okay. How about Eugene Roy; do you recall having any conversation with him at the scene of the shooting?

A. As you said, nothing substantive.

You know, he showed up at the scene. He, you know -- again, he was present because it was a major incident. The follow-up investigation, him being the area commander was ultimately his responsibility.

Again, I'm not sure at what time or at what point he arrived at the scene, but I think he was briefed on everything from other supervisory personnel at the scene, and I really didn't have too much contact with him either at the scene.

Q. How about Deputy Chief McNaughton; did you have any conversations with him?

A. I did.

Q. Okay. Tell us about those conversations.

MR. McKAY: Objection, foundation. When and where, Peter?

MR. NEUMER: At the scene of the shooting.

BY THE WITNESS:

A. When Deputy Chief McNaughton arrived at the scene, being the area deputy chief he was what was called at that time the on-call incident commander, which would be the incident

commander for the -- for this incident.

When he arrived at the scene, I don't recall at what point that was. He learned -- or I assume he learned that I was the primary detective assigned to the investigation. And he came to me and -- he was like me, he arrived at the scene, he had no idea what had occurred, so he was looking for information on what we, the Chicago Police Department, had learned up to that point. So I gave him a very quick briefing on what I was aware of at that point.

BY MR. NEUMER:

Q. Okay. And was that the extent of your conversations with Deputy Chief McNaughton at the scene of the shooting?

A. The whole -- the entire incident happened over the course of over four city blocks. And as I became aware of all this information, you know, being the primary detective, I was kind of the focal point where information was coming to.

And, again, with my supervisor Gallagher, we were coordinating the investigation, I told McNaughton -- to the best

of my memory, I told -- I gave McNaughton a quick brief verbal summary of what had occurred over the four blocks, and he suggested that we get in his police vehicle so that he could actually drive the route that this incident had taken so that he could get a better understanding of what happened and where it happened.

Q. And so did you take a tour of the -- sort of the relevant sites and locations --

A. Yes.

Q. -- that night?

A. Yes.

Q. You and Deputy Chief McNaughton?

A. Right.

Q. And you drove in his vehicle or your vehicle?

A. He drove in his vehicle.

Q. Okay. Do you recall the different streets or different locations you went to?

A. We went to where this incident started. The incident started with a call to 911 from a civilian, and so we went to that location where that all started. And I --

Q. Was that the truck lot?

A. The trucking lot at -- I think it was around 41st and Kildare.

Q. Yeah. Okay. So that was the first spot you went to. Did you get out of the vehicle at that point?

A. I don't remember if we got out or not.

Q. Where did you go after you went to 41st and Kildare?

A. I showed him where the path Laquan McDonald had taken northbound on Kildare then eastbound on 40th Street. I showed him approximately where Officers Gaffney and McElligott had indicated they had first encountered McDonald.

I then showed him the intersection where McDonald stabbed the tire of the police vehicle. And then we, again, followed the path eastbound on 40th Street. I showed him about McDonald having run through the Burger King parking lot out on the -- Pulaski Road and then southbound on Pulaski to the final --

Q. So --

A. -- location where the incident ended.
Q. Got you. Was -- did you visit these locations after you had finished all your interviews at the scene of the shooting?
A. No, it was right in the middle of the whole process.
Q. But it sounds like you had already talked to Officers Gaffney and McElligott prior to going and taking the tour?
A. I had probably done, again, a brief verbal interview with them.
Q. Okay.
A. But I don't know if I had actually written down the notes that I took -- ultimately took of their interviews.
Q. So I know it's difficult to, you know -- with complete precision say when one interview happened or another, but I want to kind of go back to after your initial interview with Officer Walsh.
You were walking us through the other steps that you had taken, and I want to ask -- so now you finished up your initial interview with Walsh and generally tell us like what are

the next investigative steps that you undertake.

A. After my interview with Walsh?

Q. After your initial conversation with Officer Walsh. So you have your initial conversation with Officer Van Dyke and then you have your initial conversation with Officer Walsh.

A. Right, as I began to -- before -- at different times I had multiple consultations with Sergeant Gallagher because him being my sergeant, me being the primary detective, we needed to coordinate the efforts of the police department basically, so I had multiple conversation with him at different times.

I believe it was after I spoke to Officer Walsh that I went back to, I believe it was, 813 Robert's police vehicle, and for the first time I saw the video that we're all very familiar with now.

Q. Okay.

A. So I went -- I sat in the vehicle, the driver's seat in the vehicle, and on the small monitor in the vehicle I saw the video.

Q. Was Sergeant Becvar at the scene at

that point?

A. The first time I saw the video, I don't think he had arrived yet.

Q. So did you just sort of queue the video up yourself when you were in -- how did that process work?

A. At that point in time I as a detective don't use that equipment regularly, so I really didn't know how to work it. So I believe one of the officers at the scene -- I don't know what officer it was -- leaned into the car, queued up the video, hit play, and then let me watch it.

Q. Okay. Were you able to watch it multiple times, or did you just -- like how many -- did you watch it once or --

A. I saw it that one time initially. I mean subsequently that night, I don't know how many times I saw it because as I learned different information, I would go back, refer to the video to compare notes, if you will.

Q. So after -- when you got new information, you might -- did you -- do you think you watched it five times that night? Is

it possible?

A. This investigation -- the incident occurred just before 10:00 p.m., and I worked well into the next morning with this investigation.

So between -- at the scene on the small monitor in the police vehicle, I didn't look at it all that many times. But then subsequently, once Sergeant Becvar got on the scene, once the investigation moved into the area, Sergeant Becvar uploaded the video into the permanent system and we had it up on one of the computer monitors in the office. I couldn't tell you how many times ultimately I viewed that video.

Q. But is it fair to say you watched the video multiple times at the scene of the shooting?

A. I would guess somewhere between three to five times at the scene.

Q. Okay. So now you're at the 813 Robert vehicle. An officer who you don't recall queues up the video for you and you watch the video. In its entirety, or do you recall

like if when he started up the video or did you --

A. Well, in its entirety is -- I mean, the recording that's permanently stored begins well before this incident. I mean, it's the vehicle occupied by the officers assigned to Beat 813 Robert.

At some point in time they heard the request for assistance regarding a person with a knife, and they respond to that scene. And it's when they turn their emergency equipment on, the blue lights on the police vehicle, that the camera begins recording. Or maybe there's a short buffer period before -- I don't know the technical information involved there.

But that recording starts, I mean, literally miles away, and it basically just shows their path coming to the scene.

At the scene, I didn't view all of that. The officer who had queued it up basically had it queued up to the point where 813 Robert -- I don't even know if they had it to the point where they were first arriving at the scene near the Burger King. They may have

had it queued up to just immediately prior to the confrontation between McDonald and Van Dyke.

Q. Okay.

A. And I may have just watched that small portion.

Q. Sure.

A. Because everything else was -- I mean, not that it's not important, but it didn't directly affect what occurred between those two individuals.

Q. Did you see the actual shooting the first time you viewed the video?

A. Van Dyke firing his weapon?

Q. Yes. Yes.

A. Yes.

Q. Okay. So you watched the video in the 813 Robert vehicle. What happens next?

A. And, again, now I have no idea what order.

Q. Okay.

A. Ultimately it was determined that there were five police units each containing two officers present at -- present or near the scene at the time the interaction between Jason

Van Dyke and Laquan McDonald occurred. And I had already spoke to Van Dyke and Walsh.

Ultimately and eventually I spoke to the other eight officers that were present at or near the scene, but I have no recollection of what order that occurred in.

Q. And do you recall -- so Officer Walsh and Van Dyke you spoke to multiple times at the scene of the shooting; is that fair to say?

Well, let me go one at a time. Officer Van Dyke you spoke to at least twice at the scene of the shooting; is that fair to say?

A. I can say that it's probably the same for all of the officers. There were two primary interviews, one was the initial first verbal interview to find out what that officer's involvement was. And then ultimately I went back and actually, when I had the time, once things slowed down a little bit and I had the time, I took a more detailed GPR of what each of those officers told me.

Again, I have no idea what the order was, and the order I talked to them the first time was not necessarily the order I talked to

them the second time. And as different -- I'm getting asked questions -- Sergeant Gallagher and myself are getting asked questions up the chain of command, and as different questions come up, I may have gone back to this officer or that officer to ask a follow-up question.

But there were basically two primary interviews, the first is the initial verbal. The second one is the one where I had time to actually write the GPR down. But I did have other contact with the officers during the course of the investigation at the scene.

Q. And a question I should have asked you earlier, what is a GPR?

A. It's called a General Progress Report. That's just a title that the police department assigned to it. It's basically a sheet which comes on a pad, and it's a bunch of blank lines. It's got a little heading at the top that you fill out, signature boxes at the bottom, a little box where you can put the RD number for the case on it. And the majority of the report is just blank lines.

And it's basically formalized scratch

paper. I'm sure there was a time -- people joke about the old-fashioned detectives taking their notes on matchbook covers. It's long before my time, but at some point in time it was decided that that needed to be formalized, so all the notes that were taken became part of the permanent investigative file. And, again, that was before I started on the police department, probably this form existed.

And it basically -- there's no requirement that you use them, but if you are going to take notes, they are supposed to be taken on a General Progress Report, and then that sheet of paper that -- any time you take notes on one of those documents, one of those pages, it's supposed to be submitted and become a permanent part of the file.

Q. And are there -- is there a General Order or Special Order that governs GPRs or has any reference to GPRs?

A. I certainly can't say all, but I have actually read most of the Department directives that I'm aware of, and I don't recall a specific directive that addresses the use of General

Progress Reports. It's just when I got promoted, I was sent back to the academy for training regarding a detective, and I was told what I just told you.

Q. So other than the officers that were at the scene of the shooting when it occurred, did you interview anyone else at the scene? And I'm not talking about conversations with Gallagher or conversations with McNaughton, but interview anybody in an investigative capacity.

A. Well, I had conversations with some of the other detectives that were conducting the canvass and the search for video.

Q. Okay.

A. But I didn't interview any other witnesses, whether they be police officers or civilians.

Q. And maybe --

A. I just had conversations with other police personnel regarding the conduct of the investigation, if you will.

Q. Would it help if we -- and this is not specific to this question, but we put the Exhibit 5 Case Supplementary Report before you?

Would that assist you in answering any of these questions at all or refresh your recollection as to --

A. I mean, that report is a summary of the investigation, and so it contains major developments in the case at that time, but it doesn't include every conversation I had with every person that I talked to.

Q. I just wanted to know if that -- again, I want to give you all the information so that you can refresh your recollection so you're not going to say, oh, there was someone else or something.

So your recollection is that you --

A. I mean, are -- do you have -- do you think there's someone else that's in the report that I'm not remembering? I'll be happy to look at the report. I don't want get accused of lying here.

Q. Let's just give you the report. Do we have the Exhibit 5 report here? And, again, just so you go through and if there's anything -- sometimes I don't ask all the right questions. I try to, but if there's anything

you see that refreshes your recollection, then it helps all parties.

THE WITNESS: Mind if I take a break to go to the bathroom?

MR. NEUMER: Sure. Sure. The time is 11:59, and we'll go off the record.

(WHEREUPON, a recess was had.)

MR. NEUMER: The time is 12:09, and we are back on the record.

BY MR. NEUMER:

Q. So we just provided you, Detective March, with the Exhibit 5 CSR as reference throughout this whole line of questioning, in case you see anything in there that refreshes your recollection.

And we were asking you about the interviews you conducted at the scene, and I think you stated that you interviewed eight officers; is that correct?

A. Total of ten.

Q. Total of ten. Okay.

So it was Officer Walsh and Van Dyke and then the two members of the four other vehicles that were at the scene, correct?

A. Correct.

Q. And then as you look through that CSR, you'll see that it has statements from ten police officers who were at the scene; is that correct?

A. Yes.

Q. Is it fair to say that those -- the summaries of those statements that are included in the Exhibit 5 CSR were the product of a second interview with each of those individual officers?

A. They were a product of two interviews --

Q. Product --

A. -- first the verbal interview and then the second follow-up with the GPR.

Q. And it was in the second interview of those individuals that you took notes that became a GPR?

A. Correct.

Q. And then did you base the summaries of those statements that are in the Exhibit 5 CSR off of those GPRs?

A. Yes.

Q. For each of those officers, you would base the summary off the GPR, your handwritten notes that you took during the second interview of those officers?

A. Yes.

Q. With respect to the video, I know you mentioned watching the video multiple times at the scene, including the first time was in the 813 Robert vehicle. Do you have a specific recollection of watching the video of the McDonald shooting with anyone else present?

A. No.

Q. Did you show the 813 Robert dash cam video of the shooting to any of the officers you interviewed?

A. I did not show it to any officer. I was aware that police personnel at the scene were viewing the video in the police vehicle and then subsequently at the area office.

Again, that was why it was -- someone had pulled it up on the computer so that if anybody needed to refer to it, it was there.

Q. Okay.

A. But I did not specifically tell

anybody to view it or take anybody in there and show it to them. I may, at some point at the Area, mentioned to the officers involved that once the video was up on the computer, that it was there in case they wanted to look at it.

Q. Do you recall being present at the scene of the shooting now while any of the officers that you interviewed viewed the video?

A. No, I was not present. I couldn't tell you -- I don't know that any of them or all of them viewed the video at the scene.

Q. Okay. Do you know whether Deputy McNaughton watched the 813 Robert video of the McDonald shooting?

A. I'm sure he did, but I was not present for that.

Q. How about Sergeant Gallagher, do you know whether he saw the 813 Robert dash cam video of the McDonald shooting?

A. Again, I'm sure he did, but I don't -- I was not present. I couldn't tell you when.

Q. How about Lieutenant Wojcik; do you know if he saw the video of the 813 Robert video

of the McDonald shooting?

A. At the scene?

Q. At the scene.

A. I don't know. I don't -- I couldn't tell you if he saw it at that point or not.

Q. How about Sergeant Franko, do you know whether he saw the video of the McDonald shooting, the 813 Robert video?

MR. McKAY: What was the name?

MR. NEUMER: Sergeant Franko.

BY MR. NEUMER:

Q. Are you familiar with Sergeant Franko?

A. Could you tell me who he is?

MR. BROWN: F-r-a-n-k-o.

BY MR. NEUMER:

Q. He's a sergeant for Officer Van Dyke and Walsh. He's their sergeant.

A. So he's an 8th District sergeant?

Q. Yeah.

A. I can't tell you if he viewed it or not. I --

Q. You're not familiar with the name Sergeant Franko?

A. No, I don't even remember that name.

Q. Okay. Okay. Did you talk to any FOP representatives at the scene of the shooting?

A. I know FOP representatives came out that night. I know they were present in the office later. I don't recall if I talked to anybody from FOP at the scene, though. I don't believe I did.

Q. How about, were you aware of any Cook County officers being at the scene of the shooting?

A. I never saw any Cook County police officers at the scene, and no one ever told me that there were Cook County officers at the scene. I only learned of the -- their alleged existence from a news report months later.

Q. Did you ever find out the identity of those officers?

A. No.

Q. So I assume there -- you did not interview those officers?

A. No, I didn't know they existed.

MR. NEUMER: Before we move on to some of the allegations contained in the Notification of

Allegations, I want to give my colleague, Mr. Brown, an opportunity to sort of ask any cleanup questions of this section. And I know the provision in the CBA --

MR. McKAY: Yes, for the record, I have to object to this procedure -- I have no objection to Mr. Brown asking questions at the end of all your questions, Mr. Neumer.

Pursuant to Section 6.2, Paragraph C, I would presume, based on your questions, you're the designated primary interviewing officer, and Mr. Brown would be the designated secondary interviewing officer. And under the contract between the City of Chicago and the police unit and FOP Lodge 7, the primary officer is to conduct the main interview.

The secondary interviewer may participate in the interview provided that the secondary interviewer shall present for the entire interview. Mr. Brown has.

The secondary interviewer will not ask any questions until the primary interviewer has finished asking questions and invites the secondary interviewer to ask questions.

And, finally, the secondary interviewer will ask follow-up questions for clarification questions.

The primary interviewer will not ask any question until the secondary interviewer has finished asking questions and invites the primary interviewer to ask follow-up questions.

So I interpret that to mean that, Mr. Neumer, with all due respect, you finish your questioning and then you hand it off to Mr. Brown. And after Mr. Brown is finished, you can ask follow-up questions to Mr. Brown's questions. That's how the procedure is pursuant to the contract.

MR. NEUMER: And that's fine. We've found that it moves things along quickly -- or more quicker -- more quickly if we do it section by section, but if you want to do it all at the end, that's fine, too. So that's the reason --

MR. McKAY: Maybe I don't have an objection.

(WHEREUPON, private discussion was had between Counsel and his client.)

MR. McKAY: We have no objection at this

point. If Mr. Brown wants to ask questions regarding what you just asked, no objection.

MR. NEUMER: Exactly. That's what we'll try and do is break it down section by section --

MR. McKAY: Fair enough.

MR. BROWN: The thought is that it's still fresh in everybody's mind.

MR. McKAY: You know what, I made the objection. I withdraw it. My apologies. Please continue.

MR. BROWN: I don't have any questions.

BY MR. BROWN:

Q. You mentioned detectives being -- actually, you mentioned yourself that you were not issued, I guess, a department cell phone. Are other detectives issued CPD cell phones?

MR. McKAY: I object to the relevance, and also that assumes that this officer knows. So you're asking this officer to speculate on other officers, so, for those two bases, I object to this question.

BY MR. BROWN:

Q. If you know.

A. I don't know who, if anyone, has a department-issued cell phone.

Q. And when you say, "anyone," do you mean your fellow detectives?

A. I'm talking about detectives. I know supervisors use cell phones, but I couldn't even tell you who's using their personal phone and who's using a department phone. I have no idea.

Q. My follow-up to that was, there's absolutely nothing out of the ordinary to see that yourself or other CPD officers are using their cell phone related to, I guess, official business?

MR. McKAY: I object to the form of that question. I don't understand the question. I don't know if my client does. Could you either repeat the question or rephrase it?

MR. BROWN: Sure. Sure.

BY MR. BROWN:

Q. I wanted to ask, as far as you know, is there any issue with using your personal cell phones as it relates to official Chicago Police Department business?

MR. McKAY: I object. How is that relevant

to the investigation of the shooting, Mr. Brown?

MR. BROWN: Well, it sounds like that there isn't an issue --

MR. McKAY: Assuming there is a policy that you're asking about. I don't know that there is, but go ahead.

MR. BROWN: Right. That was going to be my next question, is there a policy on the use of cell phones for your official business. If there isn't, that's fine, and he can let me know. But I'm trying to get it on the record that there's nothing out of the ordinary that he used his cell phone in relation to official CPD business.

MR. McKAY: That assumes facts he did use his cell phone, and I don't know that's been established either for this investigation or any other investigation.

MR. BROWN: I thought he mentioned to us earlier that he used his cell phone.

MR. McKAY: The record speaks for itself. I don't recall that answer.

BY MR. BROWN:

Q. Okay, Detective March, have you ever

used your personal cell phone as it relates to CPD business?

MR. McKAY: I object to that question, you know, "ever." Regarding this investigation, perhaps that's relevant, but regarding any investigation, I would object to that as being irrelevant.

THE WITNESS: Do I answer now?

MR. McKAY: If you can. If you understand the question.

BY THE WITNESS:

A. Okay, specifically what is your question at this point?

BY MR. BROWN:

Q. Is there any issue with using personal cell phones for official CPD business?

A. I'm not sure what you mean by, "issue."

Q. Seeing that the official notification you mentioned you said might have been on your desk phone, possibly could have been on your cell phone --

MR. McKAY: He said he didn't have a desk phone. Object to that statement made by you. A

desk phone.

MR. BROWN: A desk phone, right.

BY MR. BROWN:

Q. I'm sorry, a desk phone at the area. Is there any policy that you know of that prohibits detectives or other CPD personnel from using their personal cell phones as it relates to official CPD business?

A. No.

Q. We've learned that patrol officers are issued radios pursuant to their work. Are detectives also issued radios pursuant to their work?

A. There are radios available in the unit. As with most equipment, there aren't enough, so sometimes there aren't any available.

Q. Would it be a standard course to receive the notifications for -- that you're going to be assigned for an investigation via, I guess, the area radio that's available to everyone?

MR. McKAY: I have to object. Here's my objection: It seems to me -- I don't know about Detective March. It seems to me the question is

kind of confusing. So unless he can answer this -- and I am instructing him to answer it if he understands the question. If he doesn't understand your question, Mr. Brown, I ask that you rephrase it.

BY THE WITNESS:

A. What's the question again?

BY MR. BROWN:

Q. Do you receive notifications as it relates to the assignment, as the lead detective on the area, I guess, pool radio?

A. Do I receive assignments in that manner?

Q. Mm-hm.

A. No.

Q. What is the general method that's used to inform you of your assignment on an investigation as the lead detective?

A. Well, there's no written department directive establishing a policy for the use of personal cell phones on police business, but I've learned when I was promoted to detective back in 1990, okay, at that time cell phones were not everywhere like they are today. At

that time, everyone had a pager.

When I was promoted, I was told -- again, the Department didn't provide us with pagers then; they don't provide us with cell phones now. And I was told then that I needed to get a pager for myself or else I would have to be available on the police radio all the time.

Which is not a practical policy because you go into a business or something, they don't want the police radio blaring, so you have to turn it down or turn it off, and so you can't be available all the time.

So unofficially, the Department works, back then it was off pagers, now would've graduated from cell phones, but there is no department policy.

And if there is an issue, it's probably most members would have an issue that I have to use my cell phone for department business but I have to pay for it.

If the Department wants to operate either on cell phones or back when it was pagers, they should have provided us with that

equipment. They didn't, so the reality of the situation is, yes, I use my personal cell phone for business, for police business. Everybody in the Detectives Bureau does. And it's not mandated by any written directive of the Department, but the reality of the situation is that the Department mandates that we have to be available. They want us to be available by cell phone but they don't want to pay for cell phones, so in order to make this department work, we have to provide our own cell phones and use them for police business.

Q. Understood.

A. And in addition to with the police radio, I'm sure the City and the Department's policy would be that we provide them radios; they don't have to go out and buy a cell phone. But, as I pointed out before, it's not practical to always would be available on the radio.

And, on top of it, most of us take a radio out when we go out on the street for safety purposes, so that if we need to call -- number one, if you need to call for help, the quickest way to call for help is to get on the

radio and call the closest police car to come get you.

And even for that safety purpose, we don't have enough radios in the unit. So the flip side is that -- of that is we also don't have enough radios to have every detective available by radio.

Q. I see. Had you worked as the lead detective on other police-involved shootings?

A. Yes.

Q. Do you recall generally how many?

A. I've been a detective for 25 years, so I would guess -- I don't keep a running tab. You're asking about being the primary or lead detective?

Q. Yes, sir.

A. Because I've assisted on many more obviously.

Q. Just you as the lead detective.

A. In those 20 years I would guess probably at least 30, maybe.

Q. Was there anything about the McDonald investigation that differed substantially in protocol or procedure related to those other,

let's say, approximately 30 investigations where you were the lead investigator -- I'm sorry, lead detective?

A. You're asking if there was anything --

Q. Substantially different in procedure in how you would go about, you know, pursuing your investigation or, you know, protocol and what --

A. No, this investigation was conducted pretty much the same way the Department has been conducting the investigation of police incidents for -- because I've been a detective for 25 years -- decades. Up until this year, obviously, because, as of January 1st, the law has changed, so now the investigation of police-involved shooting incidents is much different.

Q. And I know you mentioned that on the scene you would speak with Sergeant Gallagher as far as a direction. I was wondering, as the lead detective, are you empowered to direct the other detectives as to what to do?

A. There is no formal authority that I

have over any other detective. They are of equal rank, but as -- we are all part of a team.

And normally what happens -- I mean, there is the exceptional person that doesn't work like everyone else does, but, for the most part, most of us take the attitude of, if whoever's been designated as the lead detective, I'm there to help him. So if he asks me to do a job, it doesn't matter how hard it is, it doesn't matter how easy it is, it doesn't matter how unpleasant it might be. Most of us don't have the attitude that that's not important enough for me to do or that's below my --

Q. Sure.

A. -- we're all there to help -- the team of detectives is there to help the primary or lead detective accomplish the tasks he needs to accomplish.

So I don't direct anybody, but I will ask people to do this or that, and normally they say okay.

Q. Are those documented anywhere, the orders or requests that are made of the other detectives as to their assignments?

A. No.

Q. Would you have to follow up with them at some point if they, I guess, didn't follow through on your request?

A. Well, I would follow up with them, of course. I mean, if they're doing something that's part of the investigation, I would follow up with them to find out what the results are of their efforts, so of course there's going to be follow-up.

Q. Earlier you mentioned the GPR that wasn't included in the documents that we provided to you. I was trying to think through the investigative file and just wanted to ask if that GPR you spoke of -- I believe I have an idea of it -- is it a GPR that notes officers' names and their status as either the passenger or driver of the vehicle, I believe maybe their star number and possibly their uniform status; is that the document you were speaking of?

A. Yes.

Q. Okay. I just wanted to make sure we're on the same page with that.

You mentioned that it's possible that

officers on the scene might have viewed the video?

A. Yes.

Q. Does that concern you at all that they might have viewed the video?

MR. McKAY: Objection to the form of that question and to the relevance of that.

BY MR. BROWN:

Q. As it relates to them giving you their accounts and their understanding as to what happened that night, would it concern you if any of the officers had seen the video before they spoke with you or spoke with someone else?

A. No. There's no policy against it.

Q. There's no policy against it? There's no concern that they could -- instead of using their own independent recollection, they could just tell you what they saw on the video?

A. No.

Q. No? Okay.

You mentioned that you learned of the Cook County officers being on the scene sometime, I guess, way post-October 20th, 2014?

A. Yes.

Q. Did you learn of those Cook County officers being on the scene, was it after you completed your CSR?

A. It very well may have been. I don't remember exactly the timing, but it may very well have been after I completed all these reports.

Q. I see. If you would have learned of those Cook County officers being on the scene after you completed the CSR, would it be, I guess, standard practice to reopen the CSR and include information related to them, or how would you handle that type of information?

A. Well, the information I became aware of about these Cook County officers was from a news report that appeared to show video from, I'm guessing, one of -- a Chicago Police Department dash cam video of a car that got on the scene after the incident was all over -- not one of the initial five cars with the ten officers that I spoke to -- someone came to assist with crowd control, traffic control, crime scene protection and showed -- the video I saw showed someone in what appeared to be a Cook

County Deputy Sheriff's uniform walking up to the scene near where McDonald was, and then -- I don't recall if he spoke to -- it looked like maybe he spoke to an officer or not and then he walked away.

And, again, my information was that they -- I had the -- what I thought had occurred there was that it seemed to be represented that they saw all the activity with all the flashing police lights and everything and were nearby and came over to see what was going on.

Came over, were basically told the incident was contained, everyone present was there; it wasn't like there was an offender that had escaped and we were searching for. And they left.

I'm not aware they did anything substantial other than coming there, finding out that their services were not needed, and leaving.

Q. Do you know if any of those officers might have had any conversation with McDonald?

A. As I said, when this incident occurred, I talked to ten CPD officers who were

at the scene at the time, and none of them mentioned the arrival of Cook County Sheriffs personal arriving at the scene much less having any interaction with Laquan McDonald.

Q. Had any of those officers mentioned to you about the Cook County Sheriff's Office, would you try to follow-up with them?

MR. McKAY: Well, I have to object to that. There is no evidence based on what this witness has testified that these Cook County Sheriff's police officers were there before he arrived. He received no information from those officers he did talk to that these Cook County Sheriffs were there.

You're asking this man to speculate about something that, unless you have something that you're prepared to give us, there's no evidence of whatsoever.

Do you have something regarding any Cook County Sheriff's Police to indicate they were there before Detective March was?

MR. BROWN: I could be mistaken, but I thought Detective March mentioned he saw video where they were -- what appeared to be Cook

County Sheriff's officer came into view and spoke with --

MR. McKAY: He saw a news report what could have been a long time after he completed these reports. And these reports are dated in the middle of March 2015.

So where this news report got this video, it could very well be, as Detective March testified, a responding unit that had a dash cam video that arrived after the shooting occurred.

Other than that, is there any evidence that you have to provide Detective March that somehow there were Cook County Sheriff's police officers there at the scene and did some type of an investigation or talk to anyone, including but not limited to Mr. McDonald, as you put it?

MR. BROWN: No, my knowledge comes from I believe we're speaking of the same video where the Cook County officer was shown walking into view. That video was from a responding unit that was there on the scene.

I'm just wondering would there have been any interview in speaking to those officers

to see what their -- you know, maybe one of them spoke to McDonald, maybe they had some other information that could be relevant to your investigation, so I wanted to ask about that.

BY THE WITNESS:

A. If someone had informed me that at some point in time they had some kind of substantial encounter with Laquan McDonald that night, I would have followed up on it.

To my knowledge to this date, their only activity at the scene was to respond to all the activity that they saw. My impression is that they got to the scene after the incident was all over. And I'm not aware that anybody had any contact with Laquan McDonald.

So if a Cook County Sheriff's deputy had arrived on the scene, had no involvement with anyone, and left the scene, just the fact that he was there would not make me think I needed to follow up anything with them, just him showing up on the scene after the fact.

BY MR. BROWN:

Q. Sure. That's a reasonable answer, but we don't know -- there's a -- we don't know

what that officer did. There was a point where he went out of the frame of the video. Maybe he spoke to McDonald, maybe he didn't. I just wanted to ask you was that something you might have followed up on, but it sounds like your response is no?

A. My -- I never received -- I certainly never received any specific information to that effect, and I had no impression that this officer ever had any interaction with Laquan McDonald.

Q. Okay.

MR. BROWN: That concludes my questions. I will toss it back to Peter.

BY MR. NEUMER:

Q. Kris was talking about videos, and I wanted to ask, at any time while you were at the scene of the shooting that night, did you see videos other than the 813 Robert dash cam video?

A. Can you repeat the question?

Q. Sure. Sure. So you had mentioned that you had seen the 813 Robert dash cam video while you were at the scene of the shooting. And I was wondering if you saw any other dash

cam videos while you were at the scene of the shooting?

A. No, I don't recall seeing any other dash cam videos at the scene.

Q. Did you see any other video of the shooting while you were at the scene?

A. I saw the Dunkin' Donuts video once it was recovered.

Q. And where were you when you watched that video?

A. Out there on the street on Pulaski. The detective who had recovered it from the Dunkin' Donuts had it on the laptop computer, and he was playing it on that.

Q. Was anyone else present when you were watching the Dunkin' Donuts video?

A. I'm sure there were other people around. I couldn't tell you who they were.

Q. Okay.

A. I know at one point in time Deputy Chief McNaughton saw it.

Q. He saw the Dunkin' Donuts video?

A. The Dunkin' Donuts video, yes.

Q. Do you recall the officer who had

recovered the video from Dunkin' Donuts?

A. Detective Richard Hagen, H-a-g-e-n.

Q. In terms of -- we were talking earlier about the -- all the individuals who comprised the investigative team for the McDonald shooting -- I want to show you a document that I believe was not prepared -- well, I don't think it was prepared by you.

Okay, we'll hold off on that.

So we also talked earlier about the -- in Exhibit 5, the CSR, I know you said that you talked to a lot of people and you don't know necessarily in what order. Do you think the order you interviewed people is reflected by the order of the interviews in the CSR or the summary of their statements?

MR. McKAY: I object, Mr. Neumer. You're asking this witness to guess. He's already stated he doesn't recall the order of the witnesses, and now you're asking do you believe the order might have been as it's indicated in his report.

MR. NEUMER: Yeah, if he knows.

BY MR. NEUMER:

Q. If you don't know, then that's --

MR. McKAY: My objection is he already testified he doesn't recall the exact order, so now you're asking him to guess what it --

MR. NEUMER: No, I'm asking him to refer to Exhibit 5.

BY MR. NEUMER:

Q. And I'm asking you, does that refresh your recollection as to the order in which you conducted these interviews?

A. No.

Q. Okay.

A. Aside from Jason Van Dyke and Joseph Walsh.

Q. So you know that --

A. They were the first two, I know that. After that, I have no idea.

Q. Okay. And your CSR would not necessarily -- the order in which those interviews appear in the CSR does not necessarily accord with the order in which you conducted these interviews?

A. No.

Q. With respect --

A. It could be by chance it does, but I can't tell you one way or the other.

Q. Sure. Sure. That's all I'm looking for.

With respect to your -- the second interview you conducted of Officer Walsh and Officer Van Dyke when you took the notes that you used to create a summary of their statements in the Exhibit 5 CSR, was anyone else present during those interviews?

A. No.

Q. It was you and Officer Walsh for the second interview of Officer Walsh?

A. Yes.

Q. Okay. And you and Officer Van Dyke for the second interview of Officer Van Dyke?

A. Yes.

Q. Okay. I'm going to go into some of the Notice of Allegations. I'll read the allegation -- if you want me to identify which one it is?

MR. McKAY: I appreciate that.

BY MR. NEUMER:

Q. On Page 2, Roman numeral VIII. And I will -- and I'll do a little foundation here just to set us up.

Officer Dora Fontaine, you spoke to her at the scene of the shooting; is that correct?

A. Yes.

Q. And she's one of the ten officers you interviewed at the scene of the shooting?

A. Yes.

Q. Do you have a specific recollection of where that interview took place?

A. Out there on the street, probably somewhere near her police vehicle.

Q. Do you recall whether you spoke to her alone or with her partner?

A. I spoke to her alone.

Q. Do you know who her partner is -- or was on that night?

A. Officer Viramontes.

Q. Any recollection of how long -- so did you speak with Officer Fontaine on two occasions at the scene of the shooting?

A. Yes.
Q. Okay.
A. At least.
Q. At least.
A. If not more with follow-up.
Q. And you took the notes that you took of that interview, you took those -- the more substantive notes that you took of your interview of Officer Fontaine occurred in the second time you spoke to remember?
A. Correct.
Q. About how long do you recall that conversation lasting, the second conversation with Officer Fontaine?
A. I don't recall.
Q. It is alleged that Officer Fontaine never said to you that McDonald raised his right hand toward Van Dyke as if attacking Van Dyke. What is your response to that allegation?
A. It's not true.
Q. Did you, during your interview of Officer Fontaine, include any statements in your GPR or the CSR that Officer Fontaine did not make to you the night of October 20th, 2014?

A. You're asking me if there's anything in the General Progress Report or in the summary of her interview in the report that she didn't tell me?

Q. (Nodding.)

A. No, everything that's in those two reports, she told me.

Q. And you took notes of your conversation with Officer Fontaine?

A. Yes.

Q. At the scene of the shooting?

A. Yes.

Q. I'm going to hand you what's been previously marked as Exhibit 8.

This is a GPR of your -- containing your handwritten notes of your interview of Officer Fontaine; is that correct?

A. Yes.

Q. Did you take these notes contemporaneously to your interview with Officer Fontaine; that is, when she was providing you information, were you writing it down at the same time?

A. Yes.

Q. And, again, let me ask you, is there any -- any of the statements that you have attributed to Officer Fontaine in the Exhibit 8 GPR that she did not make to you?

MR. McKAY: I have to object to the form. Mr. Neumer, are you asking if these are exact quotes of Officer Fontaine, or do you understand that this is a summary prepared by Detective March of what he learned from Officer Fontaine?

MR. NEUMER: Well, certainly I think we understand that other than -- I think there's one phrase that's in quotes that it's not a direct --

MR. McKAY: Not a verbatim --

MR. NEUMER: Not a verbatim --

MR. McKAY: -- word for word.

BY MR. NEUMER:

Q. I guess what I'm asking is, are any of the statements attributed to Officer Fontaine in this Exhibit 8 GPR did you include those statements even though she did not make them to you that night?

A. No.

Q. I'll take Exhibit 8 back.

You spoke to an Officer Janet Mondragon at the scene of the shooting; is that correct?

A. Yes.

Q. Do you recall where you were when you spoke to Officer Janet Mondragon?

A. Somewhere out there on Pulaski Road on the street near her police vehicle.

Q. And, as with Officer Fontaine, you spoke to Officer Mondragon twice?

A. At least twice.

Q. At least twice. There was a first initial conversation with Officer Mondragon?

A. Yes.

Q. And then you had a more substantive conversation later on at the scene of the shooting?

A. Well --

Q. Do you object to the word "substantive"? Strike the word, "substantive." Let me ask a better question.

You had a second conversation with Officer Mondragon at the scene of the shooting,

correct?

A. Correct.

Q. And during that conversation, you took notes, more substantial notes that would later become included in your CSR, the Exhibit 5 CSR?

A. Yes.

Q. Do you recall whether anyone else was present when you spoke to Officer Mondragon either the first occasion or second occasion or any other subsequent occasion?

A. No, no one else was present.

Q. It is alleged -- Page 2, Roman numeral IX. It is alleged that Officer Mondragon never said to you that McDonald continued to waive a knife as he got closer to Van Dyke -- Officers Van Dyke and Walsh. What is your response to that allegation?

A. It's not true.

Q. And what's your basis for saying it's not true?

A. She told me those things.

Q. Now I will hand you what has

previously been marked Exhibit 9, which is a GPR reflecting your interview of Officer Janet Mondragon.

And I'd ask you, were there any statements in that Exhibit 9 GPR that you have attributed to Officer Mondragon that she did not make to you?

A. No.

Q. And, again, did you take the notes that are -- your handwritten notes in Exhibit 9, did you take these notes as you were interviewing Officer Mondragon at the scene of the shooting?

A. Yes.

MR. McKAY: Before we continue, Mr. Neumer, for clarification of the record, you addressed specifically for the record allegations 1(a)(viii) and 1(a)(ix).

MR. NEUMER: Correct.

MR. McKAY: Which refers to Detective March's Supplementary Report. You asked him to identify your Exhibits 8 and 9, which are the General Progress Reports he prepared of his two respective interviews of

these two ladies, Fontaine and Mondragon, which I believe are the allegations specified in allegation 7 and 8. Have we covered those two allegations then with your questions referencing those exhibits?

MR. NEUMER: You are correct and I thank you for pointing it out. I was not trying to mislead. You're right, we covered 7 and 8.

BY MR. NEUMER:

Q. And what I will ask you, Detective March, now referring to Exhibit 5 and your CSRs -- you know what I'm going to do is, just for the record and for clarity, I want to go -- I'm going to read in -- even though we covered this, I'm just going to read in 7 and 8 to the record here.

MR. McKAY: That's fine. And please understand I'm not suggesting in any way you're misleading Detective March. It is for my benefit as I'm reading theses allegations that you are addressing some allegations with exhibits that pertain to others and just want the record to be clear.

MR. NEUMER: And I honestly appreciate the

clarification. It's my fault.

BY MR. NEUMER:

Q. So it is alleged, Detective March, that the General Progress Report you completed on or about October 20th, 2014, concerning your interview of Officer Fontaine falsely stated that Fontaine heard POs repeatedly drop the knife, O ignored, raised arm toward V.D. as if attacking V.D.

What is your response to that allegation?

A. That is not true.

Q. Did Officer Fontaine make the statement to you that she heard -- on the night of October 20th, 2014, that she heard police officers repeatedly say, "Drop the knife," that offender ignored, raised right arm toward Van Dyke as if attacking Van Dyke, did Fontaine make that statement to you on October 20th, 2014?

A. Not verbatim, but yes.

Q. Generally speaking, she made that statement. Okay.

A. Yes, aside from the quote, "Drop the

knife."

Q. It is alleged that the General Progress Report you completed on or about October 20th, 2014, concerning your interview of Officer Mondragon falsely stated that Mondragon stated that she heard police officers repeatedly drop the knife as O got closer and closer to POs continuing to wave knife.

Did over Mondragon make that statement to you or something substantially similar to that statement?

A. Yes.

Q. Okay. And, again, in the Exhibit 5 Case Supplementary Report -- I think we've covered that.

Okay. I'm now going to move on to Page 2, Roman numeral X of the Notification of Allegations.

It is alleged that in the Exhibit 5 CSR --

A. What's the number?

Q. Roman numeral X on Page 2 of the Notification of Allegations.

It is alleged that in your Exhibit 5

CSR you falsely stated that Officer Walsh related the same facts to you as his partner, Officer Van Dyke.

What is your response to that allegation?

A. That is -- that allegation is a misrepresentation of what is stated in the report.

Q. Okay. I guess let's -- do you have Exhibit 5 in front of you, or do you need a copy of Exhibit 5?

If we go to Page 10 of Exhibit 5 -- and I'm looking at the middle of the page, right under the name Walsh, Joseph J. There's a paragraph begins, "Stated he was a Chicago Police Officer assigned to the 8th District. Walsh related the same facts as his partner, Officer Jason Van Dyke."

So, again, the allegation is that Walsh did not relay the same facts as his partner Officer Jason Van Dyke, and we'd like to know what your response is to that allegation.

A. What is the allegation?

Q. So the allegation is that in your

CSR -- in Page 10 of your CSR, you falsely stated that Officer Walsh related the same facts as his partner Officer Jason Van Dyke.

A. Okay.

Q. Okay?

A. Okay, that's the allegation.

Q. That's the allegation. And we --

A. Which I assume misrepresentation --

Q. -- response to that allegation?

A. Well, the report has eight additional paragraphs of what Walsh said that were unique to him.

Q. Okay.

A. So when I use the terminology that he related the same facts as his partner, I'm talking about the fact that he was on duty, working in the 8th District, assigned to Beat 845 Robert. I didn't see any point in repetitively documenting that information.

Q. Okay. So walk me --

A. That's why the report says -- it starts out -- all that foundation information is the same thing Walsh added, and I go on to describe what Walsh said that is unique to him.

Q. So walk me through what -- and we can be pretty specific here. When you say, "the same facts," what facts are you referring to in that paragraph?

A. Everything that gets us up to the point where Walsh says, "McDonald ran eastbound." So what their assignment was that they were working together, who was driving, who was the passenger, they responded to the call for assistance, and they drove northbound on Pulaski. Now when they get to the scene, the unique statement of Officer Walsh is documented.

Q. So let me ask you a different question. If you go to Page 9 of Exhibit 5 CSR and at the top is the name Van Dyke, Jason D., so then his statement -- the summary of his statement takes up all of Page 9 and then the top half of Page 10.

Which of these facts -- or these paragraphs on Page 9 and the top of Page 10 fall under the same facts -- that, "same facts"?

A. Well, I told you, up until the point where Walsh added that Laquan McDonald ran eastbound through the Burger King parking lot.

So from the point that they got into the Burger King parking lot and observed Laquan McDonald, then I --

Q. Okay.

A. -- then that's where the two statements diverge.

Q. And now we can get -- maybe we can get a little more specific. So as you look at Page 9, where do you think that the statements diverge? And take a moment if you need to.

A. Okay, on Page 9, the second paragraph of Jason Van Dyke, at the point where Van Dyke says, "As Officer Walsh drove westbound on 40th Street from Pulaski, Van Dyke observed a black male subject now known as Laquan McDonald running eastbound in the parking lot of the Burger King restaurant on the southwest corner of 40th Street and Pulaski."

And that's the point where Walsh adds that as Laquan McDonald ran eastbound through -- so that's where the two statements --

Q. So when you say you related the same facts, you're referring to the first two paragraphs on Page 9 of Officer Van Dyke's

statement?

A. Yes.

Q. Is there any way that someone reading this report would know that you were only referring to those two paragraphs and not any of the other paragraphs?

MR. McKAY: I object. He can't possibly speculate on what a reader is supposed to know or not.

MR. NEUMER: Well, I mean, maybe there's something that we're not aware of that would indicate what -- which paragraphs he's referring to when he talks about same facts.

MR. McKAY: Well, if he understands the question of course he will answer the question, it just seems to me that you're question is a bit unfair.

This is a summary. And are you asking this officer if he is supposed to put directions in the report to the reader as to where to go and where to stop and where to pick up?

That, to me, Mr. Neumer, I think that is just an unfair question, and you're asking

him to speculate about what a reader is supposed to follow in a summary report.

BY MR. NEUMER:

Q. I guess I -- is there anything in this report that would indicate, when you refer to those same facts, that it's the first two paragraphs of Van Dyke's same statement?

A. I can tell you that I've used this technique in reports for years and have gone to 26th and California and testified in criminal court, and no one has ever had any problem understanding what my intent is when I write these reports.

It would seem apparent to me and -- or certainly my intent was that at the point where Walsh's statement diverge from Van Dyke's, that is where they no longer are stating the same facts.

Q. So is it your practice to use the statement, "related the same facts as his partner," is that a phrase that comes up from time to time in your report-drafting?

A. Yes.

Q. And so --

A. It could be two civilians witnesses that say essentially the same thing. It could be two police officers.

Q. And that's something that you've done for years?

A. When I was promoted in 1990, I was taught that it was acceptable that if you have multiple witness -- because these are not formal statements like what we are doing here today. These are summaries of what a person told us during an interview.

And you have multiple -- some of these investigations we talk to many, many people, and rather than typing the same thing over and over again, if you have people that say substantially the same facts, it's perfectly acceptable to say this witness said the same as that witness instead of typing it all over again.

Q. Do you know if other detectives use this technique of interview --

A. Yes.

Q. -- summarization?

A. -- over the years I've seen it done

many times by many different people.

Q. So we're going to move on to Roman numeral XI on Page 2. And it is alleged that in your Exhibit 5 CSR you falsely stated that Officer Fontaine related the same facts to you as her partner Officer Viramontes --

A. Wait --

MR. McKAY: I object. You directed Detective March's attention to allegation number 11. That says nothing with what you just read.

MR. NEUMER: Apologies. We'll keep --

MR. McKAY: Accepted.

MR. NEUMER: -- it at Roman numeral XI and let me strike my last allegation and state --

MR. McKAY: Thank you.

BY MR. NEUMER:

Q. It is alleged that in your Exhibit 5 CSR, you falsely stated that Officer McElligott related the same facts to you as his partner, Officer Gaffney. What is your response to that allegation?

A. Again, as in the previous allegation, number 10, that is a false statement, and it's a misrepresentation of what the report says.

Q. And if I could direct your attention to Page 12 of the Exhibit 5 CSR, bottom third or quarter of the page, you'll see the phrase right under the name McElligott, Joseph P., "McElligott related the same facts as his partner, Officer Thomas Gaffney."

Could you look at Page 11 and 12 of the Exhibit 5 CSR and like we did previously, tell us where those two accounts diverged. Or, put differently, tell us exactly what the same facts you're referring to in Officer Gaffney's summary.

A. Okay, referring to Officer Gaffney's summary, the facts that McElligott stated were the same is the first paragraph, the second paragraph, and the third paragraph up to the point, the third line where it says, "Officer McElligott exited his police vehicle."

Because in McElligott's statement, the second paragraph begins, "Officer McElligott added that after he exited the police vehicle." So that is the point were the two statements separate or diverge, whatever term you want to use.

Q. Okay. So now we will go to Roman numeral XII on Page 13. It is alleged in your CSR you falsely stated that Officer Mondragon related the same facts to you as Officer Sebastian. What is your response to that allegation?

A. That allegation is false. And, again, it's a misrepresentation of what is stated in the report.

Q. And if I could direct your attention to Page 13 and 14. At the top of Page 14, the very first -- very top line says, "Mondragon related the same facts as her partner, Officer Daphne Sebastian."

If you could review Page 13, Officer Daphne Sebastian's summary, the summary of the statement she provided on the night of October 20th, 2014, and tell me again where those accounts diverge and, more specifically, what exactly those, quote, same facts are that you're referring to Daphne Sebastian's account.

A. In Officer Sebastian's account, the first -- it's basically the first and second paragraphs that are the same for both officers.

The second paragraph ends with, "Mondragon turned westbound onto 40th Street behind Beat 845 Robert."

On Officer Mondragon's interview, in her second paragraph it begins, "Officer Mondragon said that as she drove on westbound on 40th Street," so that is the point where the two statements diverge.

Q. Okay. So Roman numeral XIII, Page 3. It is alleged in your Exhibit 5 CSR you falsely stated that Officer Valez related the same facts to you as her partner, Officer Bacerra."

What is your response to that allegation?

A. That allegation is false, and it misrepresents what is stated in the report.

Q. And if I could refer you to Page 14 of the Exhibit 5 CSR. About four-fifths of the way down the page right, under the name Velez, Leticia it says, "Velez related the same facts as her partner, officer Arturo Bacerra."

Could you please review the statement of Arturo Bacerra, which is just above on Page 14, and identify for the record what the

"same facts" you were referring to are in Bacerra's account.

A. In Bacerra's account, the first paragraph and the beginning of the second paragraph up to the third line where it -- the new sentence begins, "As he approached the scene," it's at that point in the second paragraph of Officer Velez's interview where it states, "Officer Velez added that as they approached the scene she observed." So that's the point where the two statements separate.

Q. Roman numeral XIV, it is alleged in your CSR you falsely stated that Officer Fontaine related the same facts to you as her partner Officer Viramontes.

What is your response to that allegation?

MR. McKAY: I have to object. You misstated your own allegation. Allegation 14 reads differently. You reversed the names of the officers.

MR. NEUMER: Let me take a look at the -- I'll strike that.

Last allegation.

BY MR. NEUMER:

Q. Again, we're at Roman numeral XIV. It is alleged in your CSR you falsely stated that Officer Viramontes related the same facts as his partner Officer Dora Fontaine. What is your response to that allegation?

A. That allegation is false and is a misrepresentation of what is stated in the report.

Q. And if I could direct your attention to Pages 14 and 15 of the Exhibit 5 CSR, could you please identify what specifically the "same facts" you're referring to in Officer Fontaine's summary?

A. Okay, the first paragraph, and then at the beginning of the second paragraph. And on the second paragraph it's the first sentence really is the end of the same facts.

Q. So ending with, "Pulaski Road"?

A. Or actually it's the -- it's the entire second line there, "Officer Viramontes drove north on Pulaski."

Q. Okay.

A. The third line of the second

paragraph, when they arrived at the scene, that's where the statements diverge.

Q. Okay.

MR. NEUMER: Kris, with respect to those allegations, do you have anything to add?

MR. BROWN: I do not.

BY MR. NEUMER:

Q. We're going to move on to Area Central. I don't know if you want to take a break or if you want to just keep --

MR. McKAY: Are you fine?

MR. NEUMER: If we were to take a break, this would be a decent stopping point.

THE WITNESS: I was just thinking, I don't know how long you intend to go. Would this be a good time to stop for a lunch break?

MR. NEUMER: The time is 1:15. We'll go off the record.

(WHEREUPON, discussion was had off the record and a recess was had for lunch.)

*** *** ***

MR. NEUMER: The time is 1:47 p.m., and we are back on the record.

BY MR. NEUMER:

Q. We're going to get to Area Central in just a second. I wanted to ask you, you mentioned riding around the scene of the shooting with Deputy Chief McNaughton. I wanted to know, did you have any discussions regarding the 813 Robert dash cam video with Deputy Chief McNaughton while you were doing the ride-around of the scene?

A. No, I don't believe he saw it yet.

Q. Okay.

A. I don't think.

Q. Did you have any conversations with any of your superiors at the scene of the shooting regarding the 813 Robert dash cam video or the Dunkin' Donuts video?

A. No, I mean, just to become aware that it existed. I believe it was Sergeant Gallagher that told me the squad car video existed and then Detective Hagen when he recovered the Dunkin' Donuts video.

Q. What's Detective Hagen's first name?

A. Richard.

Q. And I know we talked a little bit

about the team of the detectives that were out there, and you spoke about how different folks took on different assignments. Which detectives played the most prominent role at the scene of the shooting? In terms of the investigation, who played the lead roles?

A. Well, I mean, I interviewed all the police officers. Detective Hagen recovered the Dunkin' Donuts video. The squad car video was recovered by Sergeant Becvar. I think those are the most important elements of the investigation.

There were no other eyewitnesses that we were able to identify to be interviewed that night.

Q. Was there a detective in charge of like Dunkin' Donuts and getting -- so that was Detective Hagen who got the --

A. Right, he went to Dunkin' Donuts, right.

Q. And then Burger King, was there a detective in charge of Burger King?

A. I don't believe there was anybody in charge. I believe there were a few detectives

that went there.

Q. Do you recall their names?

A. Not off the top of my head.

Q. So from your perspective, Detective Hagen, obviously yourself, and Sergeant Gallagher was helping coordinate?

A. As the first-line supervisor of the -- you know.

Q. Right. And then any other detectives?

A. I mean, there were many people, you know, performing support functions, but, you know, nothing substantial.

Q. So those were the people who were playing the most prominent role?

A. I mean, the investigation basically is Laquan McDonald, Jason Van Dyke, the witness officers, and the video.

Q. Okay.

A. I mean, we haven't talked about them, but the personnel from Forensic Services came out and processed the crime scene. So they took video of the scene after the fact, not any video of the incident.

Q. Right.

A. Photographs, still photographers. I believe they prepared a plat and they recovered all the evidence.

Q. Was anyone in charge of coordinating with forensics?

A. I'd have to read through the report. I believe there was a forensic supervisor on the scene.

Q. Okay. Is that a detective, or is that...

A. They're -- they have -- the people who actually do the work have two ranks, forensic investigator, which are -- received a little more training -- you know, have more extensive training, and then evidence technicians, and they're supervised by sergeants.

Q. Okay. So when do you leave the scene of the shooting? Do you know approximately what time?

A. It was well after midnight. I couldn't tell what time.

Q. And then did you go directly from the

scene of the shooting to Area Central?

A. I believe I did.

Q. How did you get there?

A. Get where?

Q. To Area Central. Did you drive your vehicle?

A. Drove my car.

Q. Was anyone in the car with you?

A. At that point, I don't know how Detective Hagen got to the scene, but it wasn't with me, but I think by that time, I think he and I were the last two to leave the scene, and I think he might have rode back to the office with me.

Q. Okay.

A. I don't remember for certain, but I think he did.

Q. Do you recall having any conversations with Detective Hagen on your way over to Area Central?

A. Not about the investigation.

Q. No discussion of like preliminary thoughts or anything like that?

A. No.

Q. Okay.

A. By that time, we had spent a lot of time at the scene, we were starting to get tired. And the reason we were there as long as we were is, we were pretty much done what we needed to do at the scene; we were waiting on the forensics guys to finish all of their things because we needed to be there to witness anything in case there was any new developments regarding the evidence.

Q. Got you. So how long did that forensics process take?

A. Hours.

Q. Hours. Okay. And so is it fair to say that you completed your interviews prior to forensic work being done, or did those overlap a little bit?

A. There was a little overlap. I mean, they got there when the interviews were still going on, but they -- I finished the interviews at the scene long before they finished their work.

Q. And then did -- so you and Hagen -- you and Detective Hagen were some of the last

people on scene?

A. Right, I think the forensic guys were just, you know, finishing up odds and ends of what they were doing, and I don't know that the street was actually reopened yet, but it was close to it.

Q. You mentioned civilians. Was there a detective in charge of identifying civilian witnesses at the scene?

A. There were a number of detectives that participated in the canvass of the scene -- of the area near the scene to attempt to identify and locate witnesses.

Q. Who were the detectives participating in the canvass?

A. I don't know off the top of my head. I'd have to refer to all the, you know, general progress reports because --

Q. So whatever --

A. -- involved with the canvass submit GPRs, but they're documenting their efforts.

Q. Okay. Do you recall coordinating with those folks at all throughout the -- your time at the scene of the shooting?

A. Only to the point that they -- I mean, I spoke with them all, and they all informed me that they had -- none of them had interviewed anybody that was making themselves a witness to the actual shooting of Laquan.

They may have seen part of it or they didn't see anything, but they're -- obviously if there was an eyewitness who actually saw the interaction between Jason Van Dyke and Laquan McDonald, then they would have brought that person forward to me to interview, and -- you know, to get the full picture.

But if it's just people that -- like there were a couple people at the Burger King who saw McDonald run by the restaurant maybe and that was it, but they didn't see the actual encounter between Van Dyke and McDonald. So they were -- you could call them circumstantial witnesses, you know, but they didn't see the actual encounter so...

Q. Right. And what does that phrase, "circumstantial witness" mean like for you?

A. Well, in my mind, circumstantial witness is just that, they're a witness to some

circumstance of the event. Like they saw a -- a couple of people at Burger King saw McDonald run by the restaurant chased by a police officer, but they're not eyewitnesses to the actual encounter between McDonald and Van Dyke.

Q. So no -- throughout the time at the scene, you never got a report, Oh, we got an eyewitness, Detective?

A. I was informed that there were three people that were potential witnesses, and they were transported into Area Central. But they were interviewed by other people, and they didn't want to stay around.

So whatever detectives interviewed them did GPRs, and when those people requested that -- you know, they said, We're not going to stay any longer, they were driven to wherever they wanted to go.

Q. And did you learn about those individuals while you were still at the scene of the shooting?

A. I learned that there were three people. I had no idea who they were or what they were saying, and by the time I got into the

office, they had asked to leave, and they were gone.

Q. Do you recall who told you about those three individuals?

A. No, I don't.

Q. So you and possibly Detective Hagen drive to Area Central from the scene of the shooting?

A. I think he may have ridden in my car.

Q. And what happened when you -- what's the first thing that happened when you arrived at Area Central?

A. We continued with the investigation, with what needed to happen.

Q. So what was the -- I think -- what was the first step that you took from an investigatory perspective?

A. Well, the main thing at that point, I had already interviewed all the officer witnesses. There were no civilian witnesses present at the area, so there really wasn't anybody for me to interview in that manner.

People from Forensic Services, somebody came in to recover Jason Van Dyke's

weapon. All of the four primary officers involved in the incident, Gaffney, McElligott, Walsh, and Van Dyke were photographed, just to document how they looked that night.

The offender in this particular case was deceased, he wasn't in custody, so we weren't calling Felony Review to seek charges on anybody. So that aspect of an investigation, which often happens, didn't exist.

And basically the main thing happening at that point was IPRA was at the area to take whatever statements that they deemed necessary.

Q. Do you have any recollection as to what time you arrived at Area Central?

A. All I could tell you, like I said, it was well after midnight.

Q. And you said that by the time you arrived at Area Central, the civilian witnesses had already left?

A. Right, those three people that had been brought into the office, right, they were gone.

Q. Did someone -- how did you learn that

information?

A. Someone informed me, but I -- I couldn't -- I don't remember who.

Q. Do you remember who conducted the interviews of those three civilians?

A. I'd have to look at the GPRs.

Q. Do you recall getting briefed on those -- the interview -- and so I think we can put Exhibit 5 in front of you just as like a constant reference again.

I think the names are Alma Benitez, Robert Garcia, and Eddie Garcia. Do you recall being briefed about what those individuals stated at Area Central?

A. From the GPRs that were produced as a result of their interviews.

Q. So how does that -- how does that work? How do you incorporate another detective's GPR into your -- can I call it a CSR; is that fair? Does anyone call them a CSR?

A. We call them Supplementary Report or just Report if you want.

Q. Okay. We'll call them Supplementary Reports.

How do you go about incorporating another detective's GPR into your Supplementary Report?

A. It's pretty much a standard practice. Other assisting detectives will go out and assist you with the investigation. They document what they do on their General Progress Reports, or GPRs. And then subsequently they turn them into me, and they become parts of the investigative file and documented as part of the report.

Q. Do they hand them to you? Is it a computer system? How does that function?

A. They just turn them in, you know.

Q. Do they -- I mean, I guess, like, is there like an inbox where you just like turn in --

A. There's no formal --

Q. -- GPRs --

A. There's no formal procedure.

Q. Okay.

A. Generally somebody who is in the office will usually pull out a new file folder and they'll start putting all the GPRs in that

file folder for whoever the primary detective is.

Q. And they'll make sure that the primary detective gets those GPRs?

A. Right, ultimately they get to the primary detective.

Q. So when you are drafting the Exhibit 5 Supplementary Report, are you working solely off those GPRs?

Let's take those civilian witnesses for example. Is that what you're working off of to draft the narrative that's in the Exhibit 5 CSR?

A. Well, what is documented in the General Progress Reports and then what I recall on my own.

Q. Okay. Do you recall -- like do you ever, once you get a GPR say, Man, I need to talk to this detective or officer, whoever, to -- or I guess detective to get a little bit more of the story here?

A. Sometimes there might be a follow-up question. More likely than -- most often, the most frequent reason why I would -- why I find

myself going back to a detective is I can't read their handwriting so, What does this say?

Q. That makes sense. So with respect to the Benitez GPR, the Robert Garcia and Eddie Garcia GPR, do you recall whether you had any follow-up questions for the detectives who conducted those interviews?

A. I don't recall having any follow-up questions, no.

Q. Do you recall having any conversations with those detectives regarding those GPRs or their interviews?

MR. McKAY: I have to pose an objection at this point. There are no allegations alleged against Detective March regarding the interview taking -- strike that -- the interviewing of these three civilian witness and the reporting of these three witnesses. So how is this questioning of these three civilian witnesses to Detective March relevant?

MR. NEUMER: Without like commenting specifically here, in general some of the questions we're asking today are relevant to our investigation and not necessarily directly

tied -- not each and every question we ask here is tied to one of the Notice of Allegations.

So I'm not talking specifically here because I don't want to get into this question goes here, this question goes there, but generally I think we can certainly all agree that questions regarding the interviews of these witnesses is relevant to what we're looking at, what the Inspector General's Office is looking at.

MR. McKAY: I'll agree with you at this point. You have accused Detective March. You have not labeled him as a witness, you have accused him, and we're here regarding the allegations made against him. Regarding general investigations and who may have interviewed other witness, I suggest you talk to those detectives.

MR. NEUMER: No doubt. I mean, this is all -- I mean, like all this is so intertwined, that there's no way we can extricate every question and make sure -- I mean, some of it's background, some of it's relevant in general, and it all ties in together.

So, I mean, obviously we only ask questions that we feel are relevant, and we're just trying to get to, just as we did at the scene of the shooting, we're trying to determine every step along the way that happened with respect to interviews that occurred at Area Central. And we have to learn what Detective March knew or didn't know or who he talked to there. It all is relevant.

MR. McKAY: Well, you allege that Detective March did not conduct a complete, thorough, and properly documented and professional investigation. And he's been on record now several times telling you that there were other detectives involved in this case that did interviews or did other aspects of this investigation that were documented either by way of a GPR or perhaps a Supplementary Report, I don't know.

So, over my objection, Detective March will answer these questions, but I just don't see the relevance of this unless you're alleging some type of misconduct regarding these civilian witnesses on

Detective March.

MR. NEUMER: Well, we'll just try to go through as efficiently as possible here.

MR. McKAY: Thank you.

BY MR. NEUMER:

Q. Detective March, when you first arrived at Area Central, you said the civilian witnesses were no longer present, correct?

A. Correct.

Q. Who was present? Who was still present when you arrived at Area Central? Let's start with the detectives that were working on this investigation. Who do you recall that was still at Area Central?

A. I don't know how to answer that question. I -- I mean --

Q. I don't want you to guess. If you remember have you had detectives that were still at Area Central when you arrived, certainly give us those names. I don't want you to guess at who might have been. If you don't know, you don't know.

A. I couldn't tell you specifically what detectives. I mean, I did not keep a running

log of who was present at this location or that location or when they clocked out for the day or -- I wouldn't know where to begin to even try to answer that question.

Q. I'm just trying to see what your independent recollection was. If you had -- sometimes if you remember having conversations with a particular detective, you can place them.

Do you recall which of the officers who had been present during the shooting were at Area Central when you arrived?

A. I believe all ten of them were still present at the area when I got to the area.

Q. And where were they when you arrived? Like where in the Area Central headquarters?

A. Different parts of the office.

Q. Were they all on the second floor?

A. Yes.

Q. Okay. And understanding that you don't recall the individual detectives who were there, do you recall where the detectives were who were participating in the investigation of the shooting?

A. Somewhere on the floor. I mean, it's

a large work area.

Q. And IPRA was -- some IPRA representatives were present?

A. Yes.

Q. Do you recall any of the names of the IPRA employees who were present?

A. I believe they're documented in my report.

Q. Off the top of your head do you recall anyone's name?

A. I know Investigator Killen was one of the investigators involved. I'm pretty sure he was present at the scene, and he may have also been present at the office, but I can't swear to it.

Q. And IPRA was conducting interviews of the officers -- were they -- or I'll ask you, were they conducting interviews of the officers when you arrived at Area Central?

A. I don't remember if they were already conducting them when I arrived there or if they were in the middle of it. At some point in time they were conducting -- taking statements from the officers.

Q. Okay.

A. They didn't take statements from all of the officers. The ones that they thought -- they determined were more -- most important to them, I guess. And the other officers, they just scheduled them for normal business hours, their interviews or statements.

Q. With respect to detectives, I just want to throw a couple names at you. Do you recall having any conversations with a Detective Torres while you were at Area Central the night of the shooting?

A. I remember Detective Torres was involved in the investigation. I do not recall specifically speaking with him that night.

Q. Detective Curran, are you familiar with that name?

A. Yes, same thing, he was involved in the investigation. I do not recall specifically speaking with him that night.

Q. Do you know what role Detective Torres played with respect to the investigation?

A. I believe he interviewed one of the -- at least one of those civilian witnesses.

Q. And do you know what role Detective Curran played with respect to the investigation?

A. Same thing. I believe he interviewed at least one of those civilian witnesses.

Q. Do you know whether those civilian witnesses were shown video of the McDonald shooting?

A. I had -- don't have any personal knowledge of that.

Q. Did you ever instruct any detectives that were working on the investigation not to show video of the shooting to any civilian witnesses?

A. No.

Q. Did you ever hear from anyone, whether at Area Central or scene of the shooting, that civilian witnesses had been threatened with arrest if they didn't come to Area Central?

A. No, I never heard that.

Q. Are there circumstances where it's appropriate to arrest witnesses to a shooting to ensure you can obtain their testimony?

MR. McKAY: Object. What are you -- can

you rephrase your question? I don't understand that question.

MR. NEUMER: Okay.

BY MR. NEUMER:

Q. In your experience, are there times where it is appropriate to threaten or arrest witnesses to a shooting in order to obtain a statement from them?

MR. McKAY: I object. There's no evidence that was done in this case, so how is questioning regarding any other cases, whether this gentleman knows or not, relevant to the investigation of the shooting here today?

MR. NEUMER: What I'm looking for is like sort of policies and procedures, if that would violate policies and procedures, or if that's accepted in terms of something that might have to be done.

Can we read back the question.

(WHEREUPON, the record was read by the reporter.)

MR. McKAY: I object.

BY THE WITNESS:

A. Am I aware if there's situations or

instances where that would be appropriate, that's your question?

BY MR. NEUMER:

Q. Yes.

A. No, I'm not aware of such things.

Q. Did you ever hear at any time, whether at Area Central on the night of the shooting or subsequently, that civilian witnesses were being denied lawyers?

A. Never heard that.

Q. Did you ever hear at Area Central or subsequently that civilians were being told by detectives that their account of the shooting, McDonald shooting were incorrect?

MR. McKAY: I have to object. You're asking an accused whether he heard anything on the street, so to speak, about some alleged misconduct, if it is misconduct, by some mystery person. That's not fair.

Do you have any evidence that this detective or anybody this detective has knowledge of was doing any of these things to any of these people?

MR. NEUMER: Counsel, I think the question

is eminently fair. All I'm asking is --

THE WITNESS: I don't. I don't.

MR. NEUMER: -- whether he at any time at Area Central --

MR. McKAY: For example, let me just say this, Peter: You asked Detective March if did he ever hear if witnesses were threatened with arrest. He says no. You asked him did he ever hear if witnesses were denied lawyers, okay? He said, no, he doesn't know. Did he hear this; he said no.

Are you going to ask him if he even heard witnesses were asking for lawyers? I mean, we could go on and on and on just speculating with this stuff, but your allegations are pretty specific against this detective. None of your allegations mention anything that you're asking about now and asking this gentleman to speculate about it.

MR. NEUMER: We're trying to determine Detective March's knowledge. I mean, I don't want -- if there's a better way to ask the question, I'm all ears --

MR. McKAY: He told you he did not speak to

these civilian witness; they were gone when he arrived. You want to pose these questions to Torres and Curran, who I believe the evidence has shown they may have talked to civilian witnesses, that's up to you.

MR. NEUMER: I don't want to argue, but if Detective March learned of it, then we need to know.

And I think it's a broad question. It could be -- I mean, it's a broad question, but I think it's a completely fair question because the answer is going to be either yes or no. And if it's yes, we'll follow up; and if it's no, it's no.

MR. McKAY: Well, again, Pete, you're assuming that these things happened and whether this gentleman who is here under oath heard about these things.

MR. NEUMER: I am asking. And the only way we can determine is by asking.

BY MR. NEUMER:

Q. So, Detective March, at any time --

THE WITNESS: Can we take a break?

MR. NEUMER: Sure. The time is 2:15 p.m.

(WHEREUPON, a recess was had.)

MR. NEUMER: Time is 2:17 p.m. and we'll go back on the report.

BY MR. NEUMER:

Q. Detective March, at any time on the night of October 20th, 2014, or thereafter did Detective Curran or Detective Torres inform you that they were telling civilians their accounts of the shooting, the witnesses' accounts were incorrect?

MR. McKAY: I have to object. Again, based on the letter by Interim Superintendent John Escalante and the reference memo by Sergeant Soria, none of this, none of this that you are asking right now, Mr. Neumer, is supported by that letter or by Sergeant Soria's memo.

And none of the allegations you have given to this detective mention anything regarding witnesses' accounts to other detectives, whether there were threats, whether lawyers were asked for or denied. None of this has been served notice on this particular detective, and I'm objecting to all of these questions.

This man is an accused and -- your office has accused this man based on Escalante's and Soria's letter and memo respectively and none of this makes mention of any of this stuff.

He is entitled to notice, and he isn't given. And now you're asking him to speculate about things that you don't even know exist. That's not the purpose of this statement. He's going to answer all your questions because he's been given a direct order by a supervisor, but it is unfair and it prejudices him if he's asked to speculate about things that you are fishing for. Do you agree?

MR. NEUMER: I will interpret this as a standing objection to this line of questioning. If there's anything more you want to add to the record, the floor is yours, but then I'll proceed with my line of questioning.

MR. McKAY: I made my record.

MR. NEUMER: Okay.

BY MR. NEUMER:

Q. Detective March, at any time on the night of October 20th, 2014, or thereafter, did Detective Curran or Detective Torres inform you

that they were telling civilians their accounts of the shooting were incorrect?

A. No, I don't recall anything like that happening.

Q. At any time on the night of October 20th, 2014, or thereafter, did you learn that civilians were claiming that the account of the McDonald shooting they provided CPD was different than the account attributed to them in the Exhibit 5 CSR?

A. No, I don't recall that.

Q. Did you ever see any news accounts regarding the civilian witnesses who were at Area Central the night of October 20th, 2014?

MR. McKAY: Wait, I have to object. Are you suggesting that a news account of a witness is evidence?

MR. NEUMER: I'm asking my question. I'm asking if he's aware of --

MR. McKAY: I asked you earlier, Peter, if you had any people that you could identify to this detective who you have accused who had provided affidavits and are the sources of any allegation against this detective. And you said

there were none. You said that Inspector General Ferguson had brought authority based on Escalante's letter.

And we asked for and demanded that if there were any additional accusers that were not sworn officers, provide them to us now -- identify them and provide us their affidavits to support any of these allegations.

And now I ask again, provide us with any sworn affidavits by any civilian witnesses that are supporting even these questions to this detective regarding alleged witnesses he never talked to. Do you have them now?

MR. NEUMER: We have provided the letter, the affidavit that's required under the CBA.

MR. McKAY: What affidavit?

MR. NEUMER: Sergeant Soria's.

MR. McKAY: Sergeant Soria is a sworn officer. He doesn't have to provide an affidavit.

MR. NEUMER: You know, again, objections, please put them on the record --

THE WITNESS: I am.

MR. NEUMER: -- I'm trying to get through

this --

MR. McKAY: We are on the record.

MR. NEUMER: Okay. If there's any additional questions --

MR. McKAY: Yeah, I'm asking do you have affidavits from civilian witnesses or affidavits from other non-sworn police officers supporting these questions and these allegations?

MR. NEUMER: We do not have sworn affidavits from individuals not named as our complainants.

BY MR. NEUMER:

Q. So Detective March, at any time did you become aware of news accounts in which civilians claimed the account they provided of the McDonald shooting was different than the account attributed to them in the Exhibit 5 CSR?

A. I don't recall.

Q. You don't recall?

A. I don't recall news reports like that.

Q. When you first arrived at Area Central, who did you speak to first?

A. I don't recall.

Q. What was your first investigative activity that you engaged in once you arrived at Area Central?

A. I don't recall what the first thing I did or the second thing I --

Q. Okay. Can you walk us through some of the investigatory steps you took while you were at Area Central. Understanding that maybe you can't place them in the exact order they occurred.

A. I collected whatever documentation I could from all of the police personnel involved in the investigation, including the original case report that was authored by an 8th District beat car; the Forensic Services people, reports of their activities; the GPRs from any other detectives that had submitted GPRs.

I conferred with Sergeant Gallagher, again, multiple times just coordinating the activities at the office there.

Q. Was Lieutenant Wojcik at the scene at Area Central when you were there?

A. I believe at some point he arrived at the area, but, again, I don't remember when.

Q. Did you conduct interviews while you were at Area Central on the night of the shooting?

A. Ultimately or eventually I did do -- I did reinterview Officer Van Dyke.

Q. Okay. Did you interview anyone else at Area Central that night?

A. No, I don't recall conducting any other reviews at the area.

Q. Were you present -- well, so I think you mentioned earlier that the 813 Robert dash cam video was being shown to certain individuals or was being made available to be viewed -- walk me through that so I don't misstate your words.

A. The video had been uploaded by Sergeant Becvar from the vehicle up -- into the system, server, whatever you want to call it. And someone had pulled it up on one of the computers in the office so that it was available that anyone who wanted to or needed to refer to it for whatever reason, it was available.

I know I looked at it on more than -- more than one time I looked through it just to make sure I had a good comprehension of what was

shown on the video. I may have personally told the police officers, once I was aware it was on the video -- or up on the computer, that if they needed to, it was there as a reference for them. And I know a number of people viewed it.

Q. Who do you know viewed the video at Area Central that night?

A. Well, I know I viewed it. I know Gallagher viewed it. Past that I couldn't say with absolute certainty who else, but I know a number of people went into that office to -- I'm assuming the only reason to go into that office at that point in time was to view the video. That was the only thing going on really at that point in time.

Q. Okay. And was this a side office on -- on the second floor? Or tell me where that is.

A. Yeah, there's a large work area on the second floor, and there's offices along the side, and this was one of the side offices.

Q. And there was a laptop in that office or --

A. A --

Q. -- was it a desktop?

A. A desktop.

Q. So could anyone walk in there at any time and kind of click on the video and watch it for themselves?

A. Well, any police personnel.

Q. Any police personnel, sorry. Yeah. That's how it was?

A. I mean, it's not -- it's not a public area --

Q. No. No, I just meant that there wasn't a locked door to this office that you recall?

A. No.

Q. And a police officer -- say one of the police officers on the scene, they wouldn't have needed like an escort to this room or someone to guide them through watching this video?

A. I mean, I -- they wouldn't need an escort to get to the office. Not everyone has the same technical expertise with computers, so, I mean, if someone didn't know how to play the video or what to click on, they might have to

ask somebody to do that. But it wasn't like access was restricted that, no, you can't see it.

Q. I understand. Was a detective in the room with -- was there a detective in the room at all times where that video was being -- was made available?

A. No.

Q. Okay. So at times maybe the room was empty?

A. Yes.

Q. Okay. Were you present for any showings of the video with other individuals, or did -- let me phrase it differently.

Every time you watched the video, were you alone at Area Central?

A. On some occasions there might have been someone standing behind me that was curious -- standing behind me who was curious that was also watching it, but I did not specifically go in there with anyone to watch it or anything.

When I had a question come up where I felt I needed to view it, I went in there. If

there was someone in the office, I didn't ask them to leave. If someone followed me in there or, like I said, if somebody was curious and wanted to see the video, they might have been looking over my shoulder.

Q. Do you recall having any conversations with individuals the night of the shooting at Area Central while they were watching the video of the shooting?

A. No, I don't recall that.

Q. Did you document anywhere in the Exhibit 5 CSR where individuals watched -- not where. Whether individuals watched the 813 Robert dash cam video?

A. No.

Q. I'm going to go to the Notice of Allegations. Page 3, number two near the bottom, it is alleged that on or about October 20th, 2014, and October 21st, 2014, you engaged in witness tampering by showing witnesses to the McDonald shooting a video of the shooting and attempting to influence the testimony of those witness as they viewed the video.

What is your response to that allegation?

MR. McKAY: Before he answers, I would object to the lack of foundation in this allegation. Nowhere in this allegation does it refer to who these witnesses or witness may be, what, if anything, is being said to these witnesses, assuming things were being said to the witness. It assumes -- there's no allegation as to where because it shows both the date of October 20th and October 21st, and are we talking about at the scene of the shooting or at Area Central.

So there's a complete lack of foundation for that allegation of which, without, Detective March's incapable of answering completely. And he's trying to answer all of your questions honestly and completely, but because the way the allegation is phrased and the lack of foundation, the question is unfair and inappropriate.

BY MR. NEUMER:

Q. Well, let me rephrase --

MR. McKAY: Thank you.

BY MR. NEUMER:

Q. -- and say at Area Central. And the reason it's on or about October 20th, 2014, and 21st is because there's a little -- it's a little difficult to know when exactly things happened. So it might have been late on the night of October 20th, could have been early on the night of October 21st, 2014?

At Area Central it is alleged you engaged in witness tampering by showing witnesses the McDonald shooting, the video of the shooting any attempting to influence the testimony of those witness as they viewed the video.

What is your response to that allegation?

MR. McKAY: My further objection is the foundation lacks as to whom? Who are you talking about, Mr. Neumer? And when you say attempt to influence, how?

MR. NEUMER: The question stands.

BY MR. NEUMER:

Q. So it's your opportunity to respond to the allegation.

A. I will be happy to answer your question, but I would just like to raise a point of my own. This is the United States of America. I'm United States citizen. The Department has very specific rules and regulations regarding the conduct of any disciplinary investigations, not to mention the Collective Bargaining Agreement. And you're saying this conduct is alleged. Am I -- are you saying I'm not allowed to know who is alleging this?

Q. No, I'm simply posing the question.

MR. McKAY: The question, I would respectfully suggest to you, is that -- this is just a conclusion you or your boss has made or some other agent here in the Inspector General has made.

He's entitled to know who, if anyone, supports this conclusion that the Inspector General is making only it's just phrased in the form of a question.

BY MR. NEUMER:

Q. I'm going to give you -- I'm going to read the allegation one more time and give you

one more opportunity to respond to the allegation. I can't force you to respond to the allegation --

A. The answer to your question is that, no, I did not engage in this behavior that's being alleged.

My question to you still stands, though: Am I not permitted -- am I not entitled to know who is making this very specific allegation?

Q. We have provided notice pursuant to the CBA, pursuant to our authority, and that's the answer.

MR. McKAY: And you know, Peter, that we object to that notice. We don't believe that that notice is sufficient.

Your allegation number two is alleging that this man engaged in witness tampering by showing witnesses to the shooting a video and attempting to influence the testimony of those witnesses.

We are asking, again, who are these witnesses and what, if anything, do you mean when you say attempting to influence the

testimony of these witnesses?

We ask that you be more specific, that's all. He is answering your questions. He is following this direct order, but he has a right to know exactly specifically who supports this allegation.

What do you mean by witnesses, plural? Who are they, and what do you mean by "attempting to influence the testimony of these witnesses"?

MR. NEUMER: Yeah, I mean, I think the influencing testimony I think is pretty specific, but Detective March has denied the allegation --

MR. McKAY: Categorically denies the allegations. If you can be more specific, he will provide further statements that will deny it.

But, again, I can only assume -- and I'm only acting as his advocate. He's here to answer your questions, Peter. Without any specificity, he can only say this didn't happen. And that should be good enough, I guess, but, again --

MR. NEUMER: Well, then --

MR. McKAY: -- he's being asked to defend against generalizations not supported by any specific facts.

MR. NEUMER: The question has been asked and the question has been answered.

BY THE WITNESS:

A. And I would just like to ask one more time, Sergeant Soria, I did not see anything in writing that says Sergeant Soria is alleging I engaged in this conduct, and I have not seen anything in writing saying that John Escalante, the Interim Superintendent, is alleging this specific allegation. So I ask once again, could I please know who is making this specific allegation of criminal conduct against me, and are you saying I have no right to know that, who that person is?

BY MR. NEUMER:

Q. As I stated before, the Inspector General's Office has provided Notice of Allegations to you pursuant to the Collective Bargaining Agreement and has followed all applicable law.

A. I don't believe that's true.
Q. Okay. You mentioned you interviewed Officer Van Dyke at Area Central; is that correct?
A. Yes.
Q. What was the purpose of that second interview -- sorry, not second interview. What was the purpose of that Area Central interview?
A. He was the principal member involved in this incident, and I wanted to make sure I had all of the details from him that I needed to be thorough and complete.
Q. Did you interview any of the other officers who were present at the scene at Area Central?
A. No.
Q. Did you request that he speak to you for an interview? How did that -- did you say, Officer Van Dyke, I'd like to speak with you again? Or how did you let him know that you wanted to interview him again?
A. Yes, something along those lines. I had the GPRs that I had prepared out at the scene, so I wanted to go through those again to

make sure I had recorded everything correctly and accurate.

Because I talked to him shortly after the incident occurred, it was a traumatic incident. People in general -- and police officers are just like people in general -- everyone responds in a different manner. And after a traumatic incident, people are stressed out so maybe they don't always remember everything. Sometimes their thoughts are flying through their head, you know.

I wanted to sit down with him now hours later, after everything had calmed down, and make sure that what I had heard on the scene and what I had -- the notes I had taken on the scene were accurate in terms of his recollection of the incident and if there was anything else he had -- he had recalled that needed to be documented.

Q. Where did that interview take place?

A. It was in Area Central up on the second floor.

Q. Was it in one of the side offices or --

A. Yes, one of the side offices.

Q. Was anyone else present during that interview?

A. Sergeant Gallagher was present for most of the interview. I believe he got called out a couple of times because of his other responsibilities, but he was present for most of that interview.

Q. Anyone else other than Sergeant Gallagher?

A. No, it was just the three of us.

Q. And did you ask him to provide a narrative of the shooting incident?

A. Yes.

Q. And did he provide a narrative?

A. Yes.

Q. Did you take notes when he was providing that narrative?

A. As I said, I had the notes I had taken before, and I was comparing them to what he was saying now to make sure I had them accurately down, and then anything he added in addition to that, I created a new GPR with those notations.

Q. So I'm going to hand you what has been previously marked as Exhibit 10. And this contains the October 20th, 2014, GPR as well as the October 21st, 2014, GPR.

(WHEREUPON, the document was tendered to the witness.)

BY MR. NEUMER:

Q. And looking at Page 4 of Exhibit 10, is that the GPR that you prepared -- or that you made at Area Central?

A. Yes.

Q. And at the top it says, "same details"?

A. Yes.

Q. Is that what you wrote when he was providing his narrative of the shooting to you?

A. Yes.

Q. Did Officer Van Dyke introduce any new facts when he was providing that narrative to you, new facts compared to the October 20th GPR, the first three pages of Exhibit 10?

A. Yes.

Q. Did he provide any new facts regarding -- okay. And so those new facts are

what's on Page 4, "aware of radio transmission," "armed with knife," and the information that's below there?

A. Correct.

Q. With respect to the three pages -- the first three pages, the October 20th, 2014, GPR in Exhibit 10, did anything he said at Area Central differ?

Put aside the new facts that are on Page 4 of that GPR. Did any of the facts that he initially stated to you at the scene of the shooting, did his account differ at all from those facts?

A. No.

Q. Did you purposely not take notes when he was relating his narrative of the shooting in order to prevent him from making inconsistent statements?

A. No.

Q. Did you show Van Dyke the video, the 813 Robert dash cam video at Area Central?

A. I did not.

Q. Do you know if he saw the 813 Robert dash cam video while he was at Area Central?

A. I can't say specifically that I know he did.

Q. Do you think that -- did you consider showing him the video?

A. The video was available for anyone who wanted to if they felt they needed to. I had no need to show him the video and ask him any questions based off of the video itself.

Q. Do you think that would have assisted him in recollecting the events that occurred on the night of the 20th?

MR. McKAY: I have to object. It calls for this man to speculate about somebody else's state of mind.

BY MR. NEUMER:

Q. I'm just looking for your investigatory process. You could have shown him the video, right, if you had wanted to?

A. Yes, and if I thought there was a reason to, I would have.

Q. You just thought -- you didn't see a reason to show him the video?

A. Right. If he had needed -- if he felt he needed to see it, it was available to

him. I didn't see any need for me to show it to him.

Q. He didn't request at any time to see the video?

A. Not during his talk -- not during any discussions he had with me.

Q. In your GPR, in the October 21st GPR and also in the Exhibit 5 CSR that summarizes the GPR, there's mention made of a 21-foot rule. What is the 21-foot rule?

A. Well, as I understand it, use of force experts, defensive tactics instructors made me aware of this -- and I don't know the technical terms or the name or anything -- but there's basically a teaching in law enforcement that a subject who's armed with a knife, if he is within 21 feet of you and your weapon is holstered, he is considered a deadly threat because it is very possible for him to close that distance of 21 feet and attack you with the knife before you can draw your weapon and fire a defensive shot. That's my understanding of the so-called 21-foot rule.

Q. Were you aware of the 21-foot rule

prior to your Area Central interview of Officer Van Dyke?

A. Yes, I was.

Q. Did you at any time in your Area Central interview of Officer Van Dyke provide Officer Van Dyke any information about the 21-foot rule?

A. No.

Q. That was information that he related to you?

A. Yes.

Q. Did he say where he became aware of the 21-foot rule?

A. No.

Q. Did Officer Van Dyke mention the 21-foot rule to you at any time at the scene of the shooting?

A. No.

Q. Did you find it odd that he failed to mention the 21-foot rule at the scene of the shooting but then brought it up at Area Central?

A. No, in fact, as I said before, that was the purpose of this new interview at the office was in case there was anything -- now

that time had gone by for him to decompress and calm down, to see if there was anything else he remembered.

Q. And what he was saying to you was that he was aware of the 21-foot rule during his encounter with Laquan McDonald; is that correct?

A. Correct.

Q. Okay. Did you ever think that he was, by mentioning the 21-foot rule, trying to justify his shooting?

A. No, I never thought of that. I thought his -- the shooting was justified from shortly after speaking to him and watching the video in the squad car myself.

Q. Did you ever have any doubts as to whether Officer Van Dyke was aware of the 21-foot rule when he shot Laquan McDonald?

MR. McKAY: I have to object to that question in that, again, you're asking this man to speculate about another man's state of mind.

So over my objection, if the witness understands.

BY THE WITNESS:

A. Can you repeat the question, please.

MR. NEUMER: Sure. Can we read the question back.

(WHEREUPON, the record was read by the reporter.)

BY THE WITNESS:

A. Did I ever have any doubt that he was aware at the time he fired his shots?

BY MR. NEUMER:

Q. (Nodding.)

A. No, I had to reason to doubt it. I know that's a very wide theory, if you will, or teaching in law enforcement.

Q. Did you ever receive any indication that someone had told Officer Van Dyke to reference the 21-foot rule?

A. No.

Q. In your -- in the GPR that contains your notes of the Area Central interview and the CSR there's made mention of revolver knives I think. Prior to your Area Central interview of Officer Van Dyke, were you aware that there were knives capable of firing bullets?

A. You're asking me if before this interview was I aware?

Q. (Nodding.)

A. I would have to say, no, I can't say I was aware of that before -- prior to this interview.

Q. Were you aware of Safety Alert 2012-OSA-297 prior to your Area Central interview of Officer Van Dyke?

A. No, not prior to that interview, no.

Q. At any time during your Area Central interview or prior to did you provide information to Van Dyke about knives capable of firing bullets?

A. Well, if I didn't know about them, I don't think I could provide that information to anyone, including Jason Van Dyke.

Q. Did you ultimately track down the Officer Safety Alert 2012-OSA-297?

A. Right, someone in our office went and ultimately did a search of the -- they're called -- it's the Administrative Message Center where Officer Safety Alerts are distributed nationwide for officer's safety, and they were able to find the alert that I cited.

Q. Did Officer Van Dyke at the scene of

the shooting make any reference to safety alert number 2012-OSA-297?

A. No.

Q. Did he make any reference at the scene of the shooting to you regarding knives capable of firing bullets?

A. At the scene?

Q. Yeah.

A. No.

Q. Did you find it odd at all that immediately following the shooting Van Dyke made no mention of revolver knives but hours later he did?

A. No, as I said, I've been involved with a number of police officer-involved shootings, and it's very common for officers to remember more things after some time has gone by and they've had time to decompress.

Q. Did you have any suspicions that someone told Officer Van Dyke to mention that safety alert?

A. No, there was nothing to make me suspect that.

Q. We're going to go to the allegations.

It is Roman numeral VII on Page 2. It is alleged that on or about October 21st, 2014, you and Officer Van Dyke created a false justification for the shooting of Laquan McDonald and included that false justification in the Case Supplementary Report you submitted on or about March 15, 2015, with the sup ID 10992767 CSR 301.

What is your response to that allegation?

MR. McKAY: I have to object to this allegation for lack of specificity. Again, we'd like to know where is the evidence supporting this mere conclusion the Inspector General has made in subsection 7 of allegation 1(a)?

MR. NEUMER: You can -- I mean, I think what we've just been talking.

MR. McKAY: Are we talking about the knife firing bullets and this bulletin? Is that the sum and substance of this allegation contained in subsection 7?

MR. NEUMER: What we have is, we've given the GPR, we've given the CSR. Question stands.

BY MR. NEUMER:

Q. It is alleged that on or about October 21st, 2014, that you and Officer Van Dyke created a false justification for the shooting of Laquan McDonald and included that false justification in the Case Supplementary Report you submitted on or about March 15, 2015.

What is your response to that allegation?

MR. McKAY: Again, I -- he'll answer your question, Peter, but my objection is, what specific facts support this allegation, which is a mere conclusion? What. What did -- what do you allege Detective March and Officer Van Dyke did specifically to create this false justification as your office has alleged?

If you mean this knife that shoots bullets and the bulletin in the GPR which is the fourth page of Exhibit 10, then he's on notice, okay? Is it just this, or is it anything more than this? That's the essence of my objection now.

MR. NEUMER: I understand your objection,

and obviously it's on the record and the question stands.

BY THE WITNESS:

A. My response is the allegation is false.

BY MR. NEUMER:

Q. Other than your -- you mentioned several investigative activities that you engaged in at Area Central, which included an interview of Officer Van Dyke. That was the only interview you conducted at Area Central, the Officer Van Dyke interview; is that correct?

A. I believe that's correct, yes.

Q. Are there any other significant investigative activities that you undertook while you were at Area Central on the night/morning of October 21st, 2014?

A. No, I don't believe -- I don't believe there are.

Q. Do you recall what time you left Area Central on October 21st, 2014?

A. As I said, it was well into the morning, the following morning. I don't recall the exact time.

Q. Do you recall who was still present when you left Area Central in terms of folks who were on the investigative team, officers who were present at the shooting?

A. I don't know for certain, but I would guess that myself and Sergeant Gallagher were probably just about the last people to leave the office.

Q. Did you have any substantive conversations with Sergeant Gallagher while at Area Central regarding your impressions -- initial impressions based on your preliminary investigative results?

A. If you could be a little more specific about what you mean by substantive.

Q. Sure. Had you discussed your thoughts or any initial conclusions you had reached based on the investigative work you had conducted that night?

A. I mean, we communicated to each other that we both thought the shooting was, you know, justifiable.

Q. Was Deputy Chief McNaughton at Area Central at any time on the night of the 20th,

morning of the 21st?

A. Yes, he was.

Q. Did you have communications with him while you were at the scene -- or at Area Central, rather?

A. Yes, not anything I'd call substantial except for the fact that he thought, from everything he was aware of, that everything was fine also with the incident and the investigation and the use of force.

Q. And is it correct you didn't recall whether you saw Lieutenant Wojcik at Area Central; is that fair to say?

A. I can't say for certain that I saw him there or know, if he was there, specifically what time. I really can't say. I don't recall.

MR. NEUMER: I think we're nearing the end of the Area Central section. I'm going to give my colleague an opportunity to ask some questions.

BY MR. BROWN:

Q. Detective March, is there a reason why times aren't noted on the GPRs, like times of the interviews?

A. I mean, there's no -- your question is, is there a reason why there aren't times? No, there's no reason why there aren't times on the GPRs, no.

Q. Is there any CPD policy governing the GPRs on how they should be -- what should be noted on them?

A. No, like I said, GPRs are basically scratch paper, and you're not required to use them. The only requirement is that, if you are going to take any notes, they're supposed to be -- they must be on a General Progress Report that then gets submitted.

There's no -- absolutely no directive, if you will, on what is supposed to go on the GPR or what's not supposed to go on the GPR. It's whatever you think you need to -- whatever notes you feel you need to take.

Q. Okay. Is it your general practice not to note the times of interviews on GPRs?

MR. McKAY: I have to interpose an objection. Kris, I mean no disrespect, but I've been a big pain in the ass today because I'm asking for specificity in your allegations

against Dave.

Now you're asking Dave about the absence of times on some these GPRs. If you think it's necessary for times on his GPRs, then why don't you think it's necessary that he be specifically informed who, what, where, when are things happening regarding witnesses or him and Van Dyke falsely justifying the shooting? You see what I'm saying here? I find it ironic.

With that said, I have no -- nothing further to add at this point.

BY THE WITNESS:

A. Is there a --

MR. McKAY: Could you repeat the question.

BY MR. BROWN:

Q. Is it your general practice to not note times on the GPRs?

A. I generally do not note times of specific interviews. I will, over the course of an investigation keep general -- a general time, but just in -- you know, like just to kind of keep an order of when important things happen to keep them in the proper order, first, second, third.

The one place where I do get more specific in terms of times is when we have a suspect under arrest because there are often motion hearings in court where the actual time that actual steps occurred is much more --

Q. Relevant.

A. -- relevant and it needs to be documented.

But in terms of witness and victims and police officers, generally the question never really comes up, Well, exactly what time did this interview or that interview occur?

Q. All right. Now, your detectives that were part of your team on the scene as part of their, I guess, duties to figure out who the witnesses were to the event, did they have to speak with the police officers on the scene?

A. Did they have to?

Q. Mm-hm.

A. No.

Q. I only ask that because I was just wondering, had any of the detectives or any of the police officers told you or your fellow teammates that they weren't able to, I guess,

identify any of the witnesses to the event or that they shooed away a witness and on second thought they might have been like, Oh, I should have got that information from that person, did you ever hear anything about that or anything related to that?

A. No, I didn't hear anything along those lines.

Q. Do you know if the detectives that conducted the interviews at the area, do you know if they completed their GPRs while they were interviewing the witness?

A. I couldn't tell you specifically.

Q. The detectives that completed the witness interviews, if they were to complete their GPRs until, I don't know, a week later, would they need to inform you of that?

Like if they don't -- sounds like the GPRs are completed pretty much the day of whenever the interview happens. If something outside that norm occurs, do detectives need to tell you, Hey, I didn't get to do my GPR notes until two days later, three days later, four days later?

A. That would be very unusual. What I would think would be more likely is if a detective had -- like let's say in this particular case, a detective conducts an interview in the office and I'm not back from the scene yet and then he got sent out on a new assignment and he forget to leave them with somebody in the office to turn them over to me and we got separated, and then the next day or the day after he looks in his notebook and says, Oh, I still have the GPRs from the Laquan McDonald incident, then he would get them to me. Something like that could happen --

Q. But relates --

A. -- in general GPRs are pretty much done --

Q. That day.

A. -- before you go home and turned in.

Q. And, as far as you recall, the GPRs of those witnesses, you saw them that night while you were at the area?

A. The following morning.

Q. The following morning. Okay.

A. Sometime -- you know, might have

still been dark out, but it was after midnight.

Q. Got you.

A. I wouldn't have seen those GPRs until I got back to the office from the scene, and that was well after midnight. And I don't remember exactly what time I got handed them and got to take -- actually got to take a look at them.

Q. That's fair. Did you have a chance to review the GPRs that the detectives wrote up related to those witness interviews?

A. Yes.

Q. Did you have any follow-up questions for the detectives?

A. No.

Q. Generally if a witness requests to review a police video, are the detectives allowed to show the witnesses those police videos?

A. That's entirely up to the detective.

Q. There's no rule preventing them from doing that?

A. There's no department directive specifying that you must show a witness the

video or that you cannot show a witness. If you think it serves some investigative purpose if there's a reason -- if you feel it's reasonable, then you can, but you don't have to show the video.

Q. In your experience, if a witness requests to see a video and you determine like, oh, it's not relevant that the witness see the police video, would you note that on your GPR?

A. Just note the fact that they wanted to see the video?

Q. Mm-hm.

A. I might but not -- not necessarily -- I wouldn't in every case make sure I make a note of it.

Q. As it relates to when you spoke to Van Dyke at the area, did you do your GPR while you were talking to Van Dyke?

A. Yes.

Q. You made mention that the 21-foot rule is a well-known part of law enforcement teaching. I wanted to ask you, is that 21-foot rule part of CPD's teaching?

A. I can't say specifically, but I

believe I do recall it coming up during some training within the Department.

Q. Okay.

A. I can't tell you at what time or what specific training class, but --

Q. You recall that at some point --

A. -- it seemed -- I think I have heard that, not just outside the police department but in department training.

Q. Do you know if Van Dyke spoke to anyone between the time of your second on-scene interview and when you spoke with him at the Area?

A. I don't know for certain, but it's entirely possible. We're talking about a period of hours.

Q. Hours, right. Did you ask him who he spoke with in that period of hours?

A. No.

Q. Do you have any idea if he spoke with the FOP during that period of hours?

A. Again, I know specifically -- I don't know specifically, but I do know that they responded, they were at the Area and he, as I

said, was the principal member involved, so it would seem likely, but I don't have personal knowledge of that.

MR. BROWN: That's all my questions. I'll toss this back to Peter.

THE WITNESS: Would this be a good time for a break?

MR. NEUMER: Sure. The time is 3:08 p.m. we'll go off the record.

(WHEREUPON, a recess was had.)

MR. NEUMER: The time is 3:20. We'll go back on the record.

BY MR. NEUMER:

Q. For this next group of questions, you may want to refer to the Exhibit 5 CSR.

So following -- actually, I did mean to ask you, where did you go after you left Area Central on the morning of October 21st, 2014?

MR. McKAY: How is that relevant?

BY MR. NEUMER:

Q. If you recall.

MR. McKAY: Well, how is it relevant?

MR. NEUMER: I don't know, maybe he goes out to dinner with detectives and they talk

about the case. Come on, man.

MR. McKAY: Then ask him.

MR. NEUMER: I'm saying where did he go --

MR. McKAY: Well, my point is --

MR. NEUMER: I'm not trying --

MR. McKAY: -- it sounds like it's a --

MR. NEUMER: -- through --

MR. McKAY: -- fishing expedition.

MR. NEUMER: It's a reasonable question.

MR. McKAY: I disagree.

BY MR. NEUMER:

Q. If you recall.

A. I believe I went home.

Q. Was anyone with you on your car ride home?

A. No.

Q. After the night of October 20th, 2014, we've walked through the investigative steps you took at the scene. We've walked through the investigative steps you took at Area Central. Walk us through the investigative steps you took after Area Central.

A. Again, not in any particular chronological order, but from what I can

remember off the top of my head, we had attempted that night to locate the original 911 caller. We were unsuccessful in that endeavor.

The following day, the afternoon or the evening of the 21st, some detectives from my office were able to locate the wife of the caller and she was interviewed.

Subsequently the following day the -- her husband, at the request of those detectives, they left information and he called me the following afternoon or evening on the 22nd -- I believe it was the 22nd, and I interviewed him.

Sometime after this incident a major case review was conducted at the Illinois State Police Crime Lab regarding the processing of evidence in this case. And based on that meeting, I prepared an Evidence Submission Report requesting that the evidence be analyzed by the State Police Crime Lab.

Other than that, basic, if you will, housekeeping tasks, making sure I was collecting all the documentation, the reports, like that so that I would have everything that I needed for the file.

Q. Okay.

A. Oh, and the following day I know some additional video was recovered.

Q. I'm going to direct you to Page 22 of the Exhibit 5 CSR, the third paragraph starting, "The assigned personnel."

It says, "The assigned personnel also became aware an around article written by Craig Futterman citing the existence of an unknown witness to this incident."

It says, "Futterman was contacted on Thursday, March 12, 2015, in an attempt to interview this witness."

Did you contact -- was that you who attempted -- or who contacted Futterman on March 12, 2015?

A. Sergeant Gallagher made the call, left a message, and Futterman called him back later that day, and Gallagher talked with Futterman.

Q. Okay. It says, "Futterman said he would contact the witness and provide contact information for the assigned personnel."

Did you or anyone else at CPD ever

have contact with the witness identified by Futterman?

A. No.

Q. Did you follow up with Professor Futterman at any time after Sergeant Gallagher's initial call?

A. No, he made it quite clear to Sergeant Gallagher that the witness -- that he was not going to cooperate with putting us in touch with this victim -- or with this witness and that he was -- he firmly believed that the witness was not going to talk to us.

Q. Okay.

A. We were also aware of an internet article on, I believe, the website is called "The Slate," which referenced Craig Futterman, and I believe it's the same witness.

And in that article when the author is speaking about this alleged witness, he says he -- he declines to identify the witness in his article because his article said something to the effect of the witness didn't want him using his name because he feared reprisals from the police.

Q. So --

A. And both Futterman and the author of the article indicated that this witness -- this alleged witness had spoken with IPRA.

Q. Did you note that in a -- was that noted in a -- did Sergeant Gallagher, would he do a GPR for a conversation with Professor Futterman?

A. Yes, he did a GPR, and that's where the reference in the report comes from, from Sergeant Gallagher's GPR.

Q. And the article -- when it says the assigned personnel became aware of an article, is that the article that was on "The Slate" that you were referencing?

A. I believe so. And I didn't -- I don't know how to characterize this. I didn't have the article in front of me. I saw the article on the internet, and I remember that Craig Futterman was mentioned.

And in the report it says the article was written by Craig Futterman, but obviously the article -- now I have seen the article again and I know that it's -- the author is named

Jamie Kalven, who works with Futterman, and he mentions Futterman and this witness.

Q. So, again, it was that article that prompted Sergeant Gallagher to reach out to Craig Futterman?

A. I know we -- I know I was aware of that article. I'm not sure if specifically Gallagher was aware of that article or if there were any other articles.

Q. You submitted your -- the Exhibit 5 CSR three days after Sergeant Gallagher contacted Professor Futterman; is that correct?

A. It appears that way from the times on the computer-generated report. I don't specifically remember, but looking at the report, it appears that way.

Q. Did you have any concerns that Futterman's witness would contradict the account that you had presented in the Exhibit 5 CSR?

MR. McKAY: Well, I have to object that that assumes facts not in evidence that this witness who was never talked to by the police would provide an account that would contradict what was already known during Detective March's

investigation.

And at this time I have to inject another standing objection and also a question to you, Peter, and that is this: Part of the Police Accountability Task Force includes Craig Futterman who is listed on their website as a working group member. And in addition to Mr. Futterman, Mr. Futterman and Jamie Kalven K-a-l-v-e-n, are listed on the Police Accountability Task Force are people that are interviewed.

So I object to this office and Inspector General Joseph Ferguson conducting this investigation with those two men a part of this task force and interviewed by this task force coming up with these findings that were made long before Detective March came into this room this morning.

And I ask you, Mr. Neumer, is Craig Futterman and/or Jamie Kalven the source or source of the allegations you made against Detective March today?

MR. NEUMER: You know, we've been over this five or ten times --

MR. McKAY: Not specifically regarding Mr. Futterman and Mr. Kalven --

MR. NEUMER: And nor are we going to give any -- we have a duty of confidentiality and we can't give out details of our investigation so whether we -- we can speculate --

MR. McKAY: I have to object. Peter, you believe you have a duty of confidentiality and I respect that; however, under the Collective Bargaining Agreement that the City of Chicago reached with the Chicago Police Department through FOP, this man and any accused has a right to know who his complainants are.

And if the complainant is a non-sworn officer -- for example, like Craig Futterman or Jamie Kalven -- they must submit affidavits to support any allegations they make against any accused, and you, sir, as the investigative agency must provide those affidavits to the accused.

I ask you again, is Mr. Futterman and Mr. Kalven the source or sources of your allegation against Detective March? And, if so, please provide us with their affidavits now.

MR. NEUMER: Our Notification of Allegations speaks for itself.

I'll ask the court reporter to read back the question, the last question I posed.

(WHEREUPON, the record was read by the reporter.)

BY THE WITNESS:

A. I didn't know what kind of concerns to have regarding this alleged witness because I had no idea what he was saying.

I made every attempt -- I made every effort I could think of to try to identify and locate and interview this person so that I would know firsthand what his statement would be, what he saw, what he heard, what he witnessed.

As I said before, Futterman and Kalven both made it abundantly clear that they were not going to provide the identity of this witness, and both of them stated they -- that he did not want to be involved with the police, and both stated that he had already spoken with IPRA.

Therefore, for two reasons, number one -- that was the end of my efforts for two

reasons: Number one, by the time this all came to light, I was already personally being accused of wrongdoing in this investigation, and I didn't want to compound the allegations against me by being accused of harassing a potential witness who had already spoken to IPRA.

And, number two, I figured if both of these people are saying that he spoke to IPRA, then there should be an official record of what this witness is alleging to have witnessed.

BY MR. NEUMER:

Q. What were the allegations of wrongdoing you mentioned?

A. Well, first of all, there was an attorney Jeffrey Neslund who was -- who contacted the City threatening a lawsuit, and during his communications with the City, he made allegations about the incident and the follow-up investigation.

Most specifically there was some very wild and unsubstantiated allegations which got a wide range of play in the news media regarding missing video from the Burger King restaurant video system, which the police were specifically

accused of deleting. Which, subsequently, to my knowledge, the FBI did a forensic analysis of the hard drive of that video system and determined -- or at least could not find any evidence of any deleting or tampering with the video files.

So these are the kinds of allegations I'm talking about.

Q. And what steps --

A. At the time that I became aware of the alleged witness that Futterman knew, these allegations were already being made.

Q. And what steps did you take to track down the Futterman witness?

A. We contacted -- Sergeant Gallagher contacted Futterman who did not provide the information and said the witness would probably not cooperate.

I re-examined the Jamie Kalven article and saw that he said that he was not using the witness's -- the alleged witness's name because the witness feared reprisals from the police, which was a clear indication that he was not going to cooperate with the police.

And, as I said, both Kalven and Futterman indicated that this alleged witness had already spoken to IPRA.

Q. So I'm going to direct you to Page 3 of the Notification of Allegations, Subsection B, Roman numeral I(1).

It is alleged you failed to pursue relevant material and reasonable investigative leads including but not limited to failing to take reasonable steps to identify and interview material witnesses including but not limited to the witness to the McDonald shooting identified by law professor Craig Futterman.

What is your response to that allegation?

A. That allegation is false for the reasons I just stated. I told you I did take every reasonable step that I thought prudent at that particular point in time.

Q. Okay. Directing your attention to --

MR. McKAY: For the record, I'm going to have to object to the allegation containing the description of the witnesses as material. There's no evidence to support that any

witnesses talked about by Professor Futterman were material.

Thank you.

BY THE WITNESS:

A. I would also like to add one other point. Having become aware of the existence of this alleged witness, I went back personally and re-examined all of the video evidence in this case, the two -- the video from the two squad cars and the Dunkin' Donuts video.

And if one looks at the video of all three sources, it covers a wide range of area surrounding the scene, the location where the encounter between Laquan McDonald and Jason Van Dyke occurred. And it is clear in the video there were no pedestrians anywhere near to have a credible view of what occurred, and there was no vehicular traffic that drove by as this encounter occurred.

So it seemed very unlikely from the video evidence that there would be any other credible witness to this incident that could be called material.

BY MR. NEUMER:

Q. When did you conduct that review of the video?

A. Shortly after -- you know, around the same time that we were trying to identify this witness.

Q. Oh, so around March 12, 2015?

A. Correct.

Q. Okay.

A. I specifically went back and looked at the video for that one reason, to try and see if there was any possibility that there was a witness that could have seen anything anywhere near where the incident occurred.

In my opinion, the video shows very clearly there is no one anywhere near -- no one walking by or driving by close enough to see what occurred between Jason Van Dyke and Laquan McDonald.

Q. Directing your attention to Page 3 of the Notification of Allegations, Section B, Roman numeral I(2).

It is alleged that you failed to pursue relevant material and reasonable

investigative leads including but not limited to failing to take reasonable steps to identify and interview material witnesses including but not limited to the employees of the Dunkin' Donuts store that was located in proximity to the McDonald shooting.

What is your response to that allegation?

A. That allegation is false. We obviously had detective personnel go to the Dunkin' Donuts to canvass for witnesses and video. That is how we, in fact, did recover the Dunkin' Donuts video.

Detective Rich Hagen, I know for certain -- there may be other detectives that went there also, but I know for certain that Detective Hagen went to the Dunkin' Donuts. He did a GPR documenting the fact that he went to the Dunkin' Donuts and recovered the video.

And he specifically told me that night that the people in the Dunkin' Donuts didn't know what happened at all until he walked in the door and told them there was an incident outside and he was following up on it.

Q. So he reported to you that the Dunkin' Donuts employees hadn't witnessed the shooting?

A. Correct. And this is corroborated by the Dunkin' Donuts video itself, which, if you look at it, the point of -- perspective of the video is the camera is mounted on the outside of the restaurant building looking westbound towards Pulaski Road.

And you do see the final encounter -- well, as good as you can see on this video the final encounter between Jason Van Dyke and Laquan McDonald, but the video is at a distance. The police officer's vehicle, the individual people, Officers Walsh, Van Dyke and Laquan McDonald are very small, basically stick figures on the video.

And anyone who was inside the restaurant, whether it be an employee or a potential customer were even further away, and their view would have been obstructed by the walls and whatever else of the business itself. So that lent credibility to the fact that there was no one in the Dunkin' Donuts -- you know,

when Hagen told me they said they didn't know what occurred out there, that seemed reasonable to me.

Q. With respect to Detective Hagen's conversations with the Dunkin' Donuts employees, did he do -- or create GPRs with respect to those conversations?

A. He did one GPR about his activities in the Dunkin' Donuts. I believe it concentrates on his recovery of the video. I believe he does identify the manager, I believe it is, of the establishment, and then he focused his efforts on the recovery of the video.

Q. Do you have any idea how many employees Detective Hagen talked to the at Dunkin' Donuts?

A. We're all kind of familiar with Dunkin' Donuts. I believe he said there were two people in there at the time, so I'm assuming that manager and one other employee.

Q. Okay.

A. Again, I believe that's what he told me.

Q. And that was at the scene of the

shooting?

A. Right.

Q. I'm going to have to -- for the sake of thoroughness, I have to backtrack a little bit and direct your attention to Page 3 of the Notification of Allegations, section B, Roman numeral II.

And it is alleged you failed to pursue relevant, material, and reasonable investigative leads including but not limited to failing to properly and thoroughly document the statement Officer Van Dyke made to you October 21st, 2014, at Area Central in the General Progress Report you completed regarding that interview.

What is your response to that allegation?

MR. McKAY: Are you referring to a specific exhibit that you have marked --

MR. NEUMER: Yes, Exhibit 10, Page 4.

MR. McKAY: Thank you.

BY THE WITNESS:

A. My response to this allegation is it is completely and thoroughly false. And as I

noted in our previous discussion on General Progress Reports or GPRs, there is no improper way to document whatever you put on a GPR. It is strictly scratch paper for whatever notes you deem necessary.

The allegation says I failed to properly and thoroughly document the statement of Officer Van Dyke. There is no way to properly and thoroughly fill out a GPR. It's whatever notes the detective deems necessary.

MR. NEUMER: Regarding this line of questioning, Kris, do you have any follow-up or cleanup questions?

MR. BROWN: I do.

BY MR. BROWN:

Q. In regards to IPRA, did you reach out to anyone at IPRA related to the witness you were speaking about?

A. As I've said before, I've been doing this for a while. I've been a detective for 25 years, and I've been involved in police officer-involved shooting investigations.

The relationship between IPRA and the police department is a one-way street. We are

expected to provide them with everything we learn, and they provide us with nothing.

In this particular investigation, I know for a fact that within the first couple of weeks of the investigation, Sergeant Gallagher contacted Scott Ando, the head of IPRA, making inquiries regarding other issues on this investigation. And Scott Ando would provide Sergeant Gallagher with no information. So I saw no reason at all to contact IPRA again.

Q. Do you know if Sergeant Gallagher reached out to Ando regarding witnesses?

A. I don't know specifically -- I know he spoke -- I know they spoke about video, but I don't know if they spoke about any other possible -- potential witnesses.

I don't know any other issue -- I know specifically they talked about video, but I don't know if they talked -- what other issues they may have talked about.

Q. Were you in on that phone call with Ando --

A. No, Sergeant Gallagher informed me of it after the fact.

Q. Did he memorialize that phone call in any way?

A. There was nothing to memorialize. He made an inquiry, got no response and...

Q. I mean, did he say like Ando didn't respond to the question or did Ando just say, I'm not going to give you anything?

A. I don't know what Ando's exact words were, but it was basically to the effect that he wasn't going to provide us with any information.

Q. Have you personally made requests from IPRA in the past for other cases where they've denied you, I guess, information?

A. I don't recall specifics.

Q. Have you ever sent an official document request on CPD letterhead to IPRA requesting information that could be helpful to your investigations?

A. I don't recall.

Q. So if you needed information that IPRA might have had, what would be the best vehicle you would use to try to get that information?

A. I don't know that that's possible.

Q. Is that because of the relationship you mentioned between IPRA and CPD?

A. Exactly.

Q. Because of that sour relationship, was there any thought to send an official request to IPRA so as to cover, you know, your interests so that you'd have their denial to --

MR. McKAY: Object to the form of the question. You mentioned sour relationship. That's your take, Mr. Brown.

MR. BROWN: I'm sorry. I probably misrepresented what Mr. March said.

BY MR. BROWN:

Q. I know you told me something about the relationship between IPRA is like a one-way street or something to that effect. It's not the best, I guess; is that fair to say?

A. Information flows one way. We are expected to provide them with everything. If we withhold anything, then we're considered obstructing their investigation and, yet, they provide us with nothing.

Q. So they make requests of you helpful to their investigations?

A. Absolutely.

Q. And when they do that, do they send you document requests, or do they make phone calls?

A. Could be either.

Q. And you make an official response?

A. If it's a question I can answer over the phone, I answer it over the phone.

MR. McKAY: Mr. Brown, can I ask you something: Can you provide us now statements you have in your possession from Mr. Futterman, Mr. Kalven, or IPRA and the taking of any statements by IPRA of any witnesses in this case, or is this a one-way street, too?

MR. NEUMER: We've provided all materials as required under the CBA.

MR. McKAY: Thank you, Mr. Neumer. But, again, with respect to both you gentlemen, I find it ironic that Mr. Brown is asking this detective whether he did certain steps with regard to IPRA and whether or not they interviewed anybody and shared any information with the Chicago Police Department in this case when, for the entirety of this statement, we are

asking you gentlemen if you could share with us any statements or any information you may have in your possession that we suspect, if it exists, is supporting these allegations that we are trying to defend against today.

Okay. Please continue.

BY MR. BROWN:

Q. I'm just trying to get further information on IPRA's, I guess, possible reluctance to give you information that could be helpful for your investigation.

We don't have to recount it, but it sounds like Sergeant Gallagher didn't memorialize whatever the conversation was between him and Scott Ando?

A. No, I don't believe he did.

Q. Do you know if Sergeant Gallagher at least learned the identity of the witness in the conversation with Scott Ando?

A. The conversation that I'm aware of that he had with Ando happened within a couple weeks of the incident. I know they spoke about video. I don't know what, if anything else, they spoke about.

Q. Okay.

A. And when we found out about this witness at that point in time for those two reasons I cited, my previous experience and also the previous experience with IPRA in this particular investigation, I didn't see any point.

Q. Had the relationship with IPRA been better, would you have liked to have gotten information about that statement, like maybe a written copy of it?

A. Absolutely.

Q. Okay.

A. But just like you're telling us today, they will cite a privacy concern and not provide it to us. We're expected to conduct a thorough investigation and professional investigation, yet, we are handcuffed because other agencies use this wall of -- what was the word?

MR. McKAY: Confidentiality.

BY THE WITNESS:

A. Confidentiality as a reason to not provide us with information.

BY MR. BROWN:

Q. And as it relates to Futterman, you mentioned that you had the impression that the witness probably wouldn't want to speak to CPD anyway even if you knew who the witness was?

A. Both Futterman and Kalven both made that clear.

Q. When a detective deals with that type of scenario, do you have any tools that you can use to try to make a witness speak to you?

A. In my experience, I have never seen -- I've seen many different strategies employed, and I've never seen -- the ultimate outcome is that I've never seen the police department able to compel a witness that was reluctant to be a witness and participate in the investigative process to be a witness.

We have to depend on people's sense of right and wrong and good citizenship to, quote/unquote, do the right thing. If they see something, they should say something and cooperate with the police. Unfortunately for us, there's no way to compel that cooperation.

Q. Lastly, you mentioned, after

Gallagher spoke with Futterman, you reviewed the video to see if there was any possible eyewitnesses that maybe that might have been missed; is that accurate?

A. I knew what the result of this inquiry would be, but because these statements were being made by these people, I went back and checked again. And, as I told you, there's nothing in the video that indicates there is any potential witness anywhere near this incident.

Q. Could you have considered any witness that might have been on Pulaski Road that --

A. I looked at vehicular traffic. Once the police vehicles started to converge, traffic northbound and southbound all kind of like stopped and stayed where they were.

There was no -- there were no cars -- the police -- Laquan McDonald was in the southbound lanes, and the police basically had the southbound lanes blocked. So southbound traffic was at a standstill from almost a block behind us -- the incident.

And in the dash cam video, you can see the traffic that already passed and

continued on southbound, and at the time of the shooting, the closest car is almost a block away.

Q. And that kind of gets to my question that --

A. And from the Dunkin' Donuts video looking across Pulaski, you see there's no traffic going across, either pedestrian or vehicular.

Q. I would agree with you on the Dunkin' Donuts video. My question is more so about the video that shows maybe the vehicle that's a block away, is there a chance that that vehicle might have seen the incident?

A. Again, in looking at that video, at the time the shots are fired, that vehicle is almost a full city block away from.

From the squad car cam, if you look at it closely, you can see the brake lights on that vehicle, looks like it's a car -- not an SUV or truck or van, it looks like it's a car, some kind of automobile, it's driving southbound. It's in the right-hand lane or curb lane, and you can see -- the driver has not

stopped and he's pumping the brakes. You see the brakes go on and off, and you can see the car continue to move.

So maybe this person has seen the blue lights and he's looking in his rear-view mirror. Maybe he's looking out the driver's door window. We can't tell in the video. But he's continuing to drive southbound, and, as I said, if you look at the video closely, he is almost a full block away at the time the shots are fired, which does not make it likely that he could see anything. He certainly didn't hear anything that transpired.

MR. BROWN: That's all my questions.

BY MR. NEUMER:

Q. Directing your attention to Exhibit 5 CSR --

A. And to take it one step further, if it was possible to identify and talk to that person, yes, I would love to talk to that person, but we didn't have the license plate off the car, Kalven and Futterman weren't identifying him, so I didn't see any other reasonable effort I could make to try to

identify this person and try to talk to them.

Q. Exhibit 5 CSR, I want you to walk us through your process for drafting this document. When did you first start drafting it?

A. The incident happened near the end of October. Unfortunately due to the workload at the Chicago Police Department, I don't get to conduct an investigation and then take myself out of the lineup, if you will, and just spend as much time as I need to to complete my reports. The very next day I could get sent out on a brand new investigation, so something's got to give.

When a new incident occurs, when an arrest is made and they need detectives to handle the follow-up, the sergeant has to send someone. He can't say, I don't have anybody to send out there because everyone has paperwork to do. So the paperwork is the thing that has to get sacrificed.

So during the next couple months, November, December, whenever I have time. This is a major case. They don't get much bigger in terms of priority. I worked on it as much as I

could.

In January we became aware of the fact that police officers involved in this incident were being subpoenaed to the courthouse at 26th and California and they were being interviewed, by my understanding, by the Cook County State's Attorney's office and the Federal Bureau of Investigation.

My supervisor, Lieutenant Wojcik, when he became aware of this, he started to ask questions, Well, if there's additional investigation being done, since we're charged with this investigation, shouldn't we be part of that?

And he asked questions up the chain of command about this, other involvement and what to do, and, to my knowledge, he never got a response from the chain of command, and so Wojcik told me to hold off on doing anything until we get some answers to what he was trying to find out.

Subsequent to that, there was the negotiations, if you will, regarding the settlement with McDonald's family, and then all

of the sudden in March we were ordered to get the reports done right away.

Q. Who ordered you in March to get the reports done right away?

A. Commander Eugene Roy at Area Central Command, our commander.

Q. How did he communicate that message?

A. He told Wojcik, and Wojcik told me.

Q. And was that -- do you know if his directive to finish off the reports was prompted by the civil lawsuit settlement?

A. I believe it was. I don't know for certain. I wasn't privy at that level of, you know, communication, but it seemed apparent.

Q. And so Wojcik had told you hold off on drafting or investigating entirely while this grand jury --

A. Right because --

Q. -- or subpoenas was --

A. Because, again, you had different entities conducting different investigations, and at that point we hadn't been told, "You're no longer investigating this incident," so we still had a responsibility to investigate.

And be -- and Lieutenant Wojcik felt that meant being involved if there's continuing investigation, if there's new information coming to light, new witnesses, then we should be a part of that; and we weren't.

And, again, he went -- made a request up the chain of command to find out and get some direction here, and it never came until March when the settlement issue was at hand and we were ordered to get the reports in then all of the sudden.

Q. How long was the investigation on hold pending Wojcik's inquiry?

A. It was the beginning of January until the beginning of March so maybe two months.

Q. And that was, again, the subpoenas going out to the police officers over at 26th and Cal?

A. Again, I wasn't party to any of that. My understanding is that subpoenas went out to the police officers involved, and I believe that's the nine non-shooting officers, not Van Dyke but the nine others.

And, again, I don't know

specifically, I can't swear to anything, but my understanding is the nine witness officers, if you will, were issued grand jury -- Cook County grand jury subpoenas to go to 26th Street.

To my knowledge, none of them testified before the grand jury, but they were interviewed, as I said, by personnel from the State's Attorney's Office and the FBI.

Q. And where were you getting this information regarding the subpoenas, the interviews, all this?

A. I don't recall, you know, just --

Q. Was it Lieutenant Wojcik?

A. I mean, he was aware of it, too, yes, I mean, obviously because he -- I don't know where it first came from. I mean, Wojcik, Gallagher, and I all became aware of it. I don't know where we first heard it.

Q. And it was Wojcik's call to say, "Detective March, hold off for now"?

A. Right, he said -- he says, You know what, hold off until we get some direction from upstairs. Because we didn't want to interfere with another investigation. And, yet, if we're

still charged with this investigation why aren't we part of what's going on. So we didn't know what to do.

Q. So then in March of 2015, Roy gives the directive, Let's wrap up this report?

A. Yes.

Q. And at that point you finished off the report?

A. Correct.

Q. Who else played a role in drafting the report?

A. Myself, Sergeant Gallagher, and Lieutenant Wojcik. They were my immediate supervisors.

Q. And what was Sergeant Gallagher's role in drafting the report?

A. I basically created the original draft, if you will, and then Gallagher reviewed it and Wojcik reviewed it, and we made some revisions and edits to the report.

Q. Is it fair to say that the bulk of the report was drafted by you?

A. Yes, but not -- there are actually, you know -- and I couldn't -- I can't cite

specifics, but there are specific parts that were not typed by me, but the bulk of the report was drafted by me.

Q. While this investigation was going on, were you giving folks briefings about where we're at?

A. While what was going on?

Q. While the investigation of the shooting was going on. So we're talking between October and March. Were you giving briefings to superiors as to where the investigation was going?

A. Not me personally, no.

Q. Do you ever have any meetings with Superintendent McCarthy regarding this investigation?

A. No.

Q. Did you ever have any phone calls or communications with him regarding this investigation?

A. No.

Q. How about Eugene Roy; did you have any direct communications with Eugene Roy while this investigation was ongoing about the status

of it?

A. Yes.

Q. Okay. Did you have frequent conversations with Eugene Roy?

A. I don't know if I would use the word "frequent." There were multiple face-to-face conversations that I had with him. I couldn't -- I don't know exactly how many.

Q. And what kind of information were you providing him during those conversations?

A. Most of the time it was him coming to me because maybe he had been asked a question from higher up the chain of command or an issue came to the Department so they were trying to get more background information.

So he would come to me with maybe a specific question about something, and then we would talk at length about the other aspects of the investigation.

Q. Sure. So certainly you're having conversations with Wojcik about the investigation as it continues, correct?

A. Sure.

Q. And certainly you're having

conversations with Sergeant Gallagher about the investigation as it continues, correct?

A. Yes.

Q. And you're having some conversations with Eugene Roy regarding the investigation as it continues, correct?

A. Correct. And also Lieutenant Valdez, who was the -- he was the other violent crimes lieutenant in the unit.

Q. What was his role in the investigation?

A. We have two violent crimes lieutenants, one is days, one is third watch, and they both kind of like -- instead of one person doing the job, they have two people doing the job. You know, I assume in the management model it's to make sure there's somebody there more often than if there's just one person there.

Q. Okay.

A. So they both have like an equal level, if you will, in the chain of command.

Q. I got you. I want to show you two e-mails.

MR. NEUMER: We'll mark these as Exhibit 14 and Exhibit 15.

(WHEREUPON, certain documents were marked OIG Exhibit No. 14 and No. 15 for identification, as of 04/26/2016.)

MR. NEUMER: So Exhibit 14 is a March 13th e-mail from Lieutenant Wojcik to Detective March, subject is Arrest Info. And then it contains an attachment, a Word doc which contains a paragraph regarding arrests and certain arrest incidents pertaining to Laquan McDonald.

The Exhibit 15 e-mail is sent from Lieutenant Wojcik to Detective March. Subject is Conclusion, and it has an attachment, a word doc entitled conclusion.doc which contains two paragraphs concerning the McDonald findings -- or the findings of the McDonald investigation.

BY MR. NEUMER:

Q. So as you look through those, I want to start with Exhibit 15, the e-mail with the subject Conclusion with the attachment conclusion.doc.

Is this language that Lieutenant

Wojcik drafted and sent to you?

A. I'm still reading.

Q. Sorry. You tell me when you're...

A. Okay.

Q. Okay. So this language that Lieutenant Wojcik drafted and then sent to you?

A. Yes.

Q. And do you have any recollection as to the background regarding this e-mail? Did you send him a draft previously?

A. No, this is when we were ordered to get the reports in quickly, both Gallagher and Wojcik and I worked together, you know, to -- rather than dumping it all on one guy, the three of us worked together.

So Wojcik said I'll do an analysis of his arrest record, so that's what the one e-mail is. And then Wojcik drafted a suggestion, if you will, for the conclusions for the investigation.

Q. Did you, Lieutenant Wojcik, and Sergeant Gallagher have any in-person meetings regarding --

A. Oh, yes.

Q. Regarding the findings included in the Exhibit 5 CSR?

A. Yes.

Q. Several in-person meetings? And I'm talking specifically -- not just regarding the investigation necessarily but more so, okay, we got this directive, we got to get this out. Were there in-person meetings following Eugene Roy's directive to --

A. Yes, again -- specifics, I can't swear to it, but I believe it was on a Wednesday that Commander Roy said he wanted the paperwork done by Friday. Wojcik got him to push that back to Monday. So then in the next however many days that is we -- the three of us worked together.

Q. Was anyone else involved in meetings or the drafting process?

A. No, this was just to -- the investigation was done, everything had been done, the conclusions had been reached, it was just a matter of putting the paperwork together.

Q. Was anyone else involved sort of in the reaching of those conclusions?

A. The three of us put the reports together, but we were informed specifically by Commander Roy and by Lieutenant Valdez especially because they had contact with the command -- we were informed -- we had personal contact with Roy and Valdez.

And they in turn had informed us that the two them had conducted separate briefings at separate executive management meetings at public safety headquarters which were conducted regarding -- their briefings were regarding this incident and the investigation for the benefit of the -- I'm not sure exactly how it works because, again, that's above my level, but my understanding is this is an executive management meeting to allow the entire command staff, whoever is either interested or, you know, if there's a designated personnel are that -- that this is for, as opposed to those that are not, I don't know, but it's for a number of higher-ranking command staff members of the police department to brief them on the incident and the investigation.

And both Roy and Valdez -- we

personally had contact with them -- they agreed with our findings. Not that they reviewed this e-mail, but we had conversations to the effect of what the e-mail says and they --

Q. Do you mean the report or --

A. No, the conclusions. The --

Q. Oh, the conclusions. Okay.

A. The conclusion --

Q. The conclusions?

A. -- of the investigation which are reflected in the e-mail which ended up in the report which, again, they are our conclusions.

Valdez and Roy both personally told us that they agreed with our conclusions, and they told us that, based on the two different briefings that they each conducted at executive management meetings, as far as they were aware, every -- as far as they were aware, everyone in the command staff was in agreement.

Q. And who's -- do you know who was in those command staff meetings?

A. I have no idea, but I do know that at least one of them included the superintendent.

Q. And so Valdez and Roy told you that

they had conducted two separate command staff --

A. To my --

Q. -- briefings at command staff meetings?

A. To my understanding, there were two separate executive management meetings. One I know occurred within a few days of the incident, and the other one I'm -- I imagine happened not long after that. Maybe -- I don't know why, if there were some command staff members that weren't present -- weren't able to attend the first one.

But according to Roy and Valdez, in a short period of time after the incident, there were two separate executive management meetings where briefings were conducted on this investigation. One briefing was conducted by Roy, the other by Valdez, and both of them personally indicated to me, as well as Gallagher and Wojcik, that everyone in the command staff agreed with the findings of the investigation.

Q. Okay. And so those are -- those command staff meetings are likely occurring in October 2014 or November of 2014?

A. Correct.

Q. And according to Roy and -- what they told you, what Roy and Valdez told to you, the members -- or the participants in that command staff meeting were on board with your findings that ultimately were included in the Exhibit 5 CSR?

A. Correct.

Q. Do you know if around in March of 2015 when the settlement's coming, when Roy's giving his directive, if there were any further command staff meetings?

A. I do not know. I have no knowledge of that. But, again, at that point in time, I did have personal contact with Roy and Valdez, and both of them continued to indicate that they were in agreement with everything that the investigation concluded and that they were not aware of anyone in the Department expressing any opinions otherwise.

Q. To your knowledge, how many people reviewed the Exhibit 5 CSR before it received final approval?

A. I believe it was just myself,

Gallagher and Wojcik is the one that actually went in the computer and actually approved the report.

Q. Are you --

A. And then once he approved it, it had to be on Roy's desk the following Monday morning, and then I imagine it was disseminated to the other command staff members, whoever would need it.

Q. But prior to Lieutenant Wojcik's approval, you're not aware of anyone other than Sergeant Gallagher and Lieutenant Wojcik reviewing the CSR?

A. The final report?

Q. Yeah.

A. Correct.

Q. So you received these e-mails on a work e-mail account, correct --

A. Correct.

Q. Exhibits 14 and 15?

A. I'm assuming that's what this is.

Q. Did folks ever e-mail you regarding this case at your personal e-mail account?

A. No.

Q. Can someone -- do you even have a phone that someone could text you on at work?

MR. McKAY: What are we talking about?

BY MR. NEUMER:

Q. Like you said you don't have -- do you have a work cell phone?

MR. McKAY: He's already testified about his personal cell phone. That was several hours ago.

BY MR. NEUMER:

Q. So there's no way for you to get like an official work text on a phone?

A. What exactly do you mean by "official work texts"?

Q. All right, so like sometimes you use your personal phone for -- was that the nature of the testimony?

MR. BROWN: Yeah, I think --

BY MR. NEUMER:

Q. There's not like a City-issued phone that you could get texts on?

A. Correct.

Q. Okay. That's it. In the Exhibit 5 there's a statement on Page 22, third paragraph

from the bottom, "Based upon all the facts known at this time" -- sorry, I'll let you...

"Based upon all the facts known at this time and the death of the only offender in this incident, this case is now exceptionally cleared closed/other exceptional clearance - death of offender."

What does it mean to close a case exceptionally cleared close/other exceptional clearance?

A. These are -- I believe these all go back to the uniform crime reporting requirements which basically come from the FBI to attempt to standardize crime reporting throughout the nation. So there are certain guidelines that have to be followed.

And once a criminal case is reported, there are certain dispositions that are approved by the FBI. A case -- anything short of a homicide, if the case is not going anywhere, it can't be closed if it's still an open investigation, so it's classified as suspended for the time pending any further developments.

Any other cases would be -- some of

the other -- and, again, this is not an all-inclusive list because there are many, you could -- if you determine that no criminal activity occurred as a result of investigation, you can close it as a non-criminal incident.

You can clear a case, and there's several ways to clear a case. You can clear a case -- you can clear a case by arrest. You can clear the case by referral to juvenile court, and that means the offender has been identified and arrested or arrested and sent to juvenile court.

There is a classification cleared -- like closed, complainant refused to prosecute, but the Department has been getting away from using that classification.

There's a couple different parts to this status. There's cleared. Cleared means the offender's been identified and it's been taken as far as it can go.

Cleared closed means all offenders have been identified, all offenders are in custody and charged.

Cleared open is if you have multiple

offenders. One is under arrest but not all of them, so the case is cleared, but it's not closed because there's still an offender we're looking for. Until all the offenders are in custody, then it can be closed.

Exceptional clearances are, as in this case, it's exceptionally cleared closed. There is only one offender, and he is identified. The exceptional type is it's an other exceptional clearance because it can't be prosecuted because the offender is dead.

So in this case it's exceptionally because it's not cleared by an arrest or anything; it's an exceptional clearance. It's cleared because the investigation is complete. It's closed because all the offenders are identified and it's run its course.

It's called other exceptional clearance, and the other exceptional clearance is there can be no prosecution because of the death of the offender.

So that's the explanation for that classification.

Q. With respect to that finding and also

like the other findings in Exhibit 5 CSR, was there any disagreement in CPD regarding those findings that you are aware of?

A. Regarding which findings? I'm sorry.

Q. We can go -- I'll tell you what, we'll strike that. We'll go one at a time here.

There is -- I'll direct your attention to Page 19 of the Exhibit 5 CSR. Fourth paragraph from the bottom starting with, "The recovered in-car camera video."

MR. McKAY: You mean the second paragraph from the bottom?

MR. NEUMER: I'm looking at --

MR. McKAY: You know what, my printed copy probably has a different format. Go ahead.

MR. NEUMER: No problem.

MR. BROWN: Do you need a copy?

MR. McKAY: No. No. No.

BY MR. NEUMER:

Q. Look at that paragraph. And now I'm going to direct you to the Notice of Allegations, which is on Page 1, Number 1, Subsection A, and then Roman numeral II.

So it is alleged that you failed to

conduct a complete, thorough, properly documented, and professional investigation respecting RD Number HX475653. Specifically you failed to draft truthful, complete, and objective Case Supplementary Reports concerning the McDonald shooting, specifically the Case Supplementary Report you submitted on or about March 15, 2015, the Exhibit 5 CSR, falsely stated that the in-car camera videos recovered from vehicles 813 Robert and 845 Robert were consistent with the accounts of all the witnesses to the McDonald shooting.

What is your response to that allegation?

A. That allegation is false.

Q. I want to go through some of the various testimony in the Exhibit 5 CSR. So we can go to Page...

A. Just to expound a little bit, I believe that the video is consistent with the statements of the witnesses, that's why I stated that in the report.

Q. So I'm going to direct your attention to Page 10 of the Exhibit 5 CSR.

So in the second-to-last paragraph on Page 9, the two last sentences of that paragraph, Van Dyke stated, "Van Dyke ordered McDonald to drop the knife multiple times. McDonald ignored Van Dyke's verbal direction to drop the knife and continued to advance toward Van Dyke" --

A. I'm sorry, where are you?

Q. We are on the second-to-last paragraph on Page 9.

A. Okay.

Q. And then it is the last two sentences --

A. Okay.

Q. -- of that second-to-last paragraph. So it begins, "Van Dyke ordered."

So the statement is, "Van Dyke ordered McDonald to drop the knife multiple times. McDonald ignored Van Dyke's verbal direction to drop the knife and continued to advance toward Van Dyke."

The question is, is Officer Van Dyke's statement that I just read to you consistent with the 813 Robert dash cam

video?

A. Yes. If you look at the dash cam video, from the time Officer Van Dyke exits his vehicle until the time he fires his handgun, McDonald is walking southbound, and the distance between the two men is decreasing. So I found that consistent with Van Dyke saying what he did there.

Q. Okay.

A. There is no audio, so I can't comment as far as -- there's nothing inconsistent about Van Dyke saying, "Drop the knife" because we don't have audio to be inconsistent there.

Q. Continuing on --

A. Oh, and it says, "McDonald ignored Van Dyke's verbal direction to drop the knife and continued." Not only did he continue to advance, he never dropped the knife. So he did ignore the verbal direction to drop the knife and he continued to advance. You can see that because the distance is decreasing.

Q. Let's see, in the narrative summary in Exhibit 5, it says, quote -- and I'm now in the last paragraph -- "When McDonald got within

10 to 15 feet of Officer Van Dyke, McDonald looked toward Van Dyke. McDonald raised the knife across his chest and over his shoulder pointing knife at Van Dyke."

Is that statement attributed to Van Dyke consistent with the 813 Robert video?

A. Yes, just prior to Van Dyke firing his handgun, you can see McDonald, as he's walking southbound, turns to his left and he begins to bring his right arm up. And then the rest is -- the video you can't see his right arm anymore because it's obstructed by his body.

But I found the video to be consistent because in the video it is -- they are about the distance of one traffic lane -- which we estimated to be about ten feet wide -- that's the distance between the two men.

McDonald did look toward Van Dyke, he turned toward his left, squared his shoulders toward Van Dyke, and you can see in the video him begin to raise the knife with his right arm, and then the rest of the movement is blocked by his body.

Q. Can you see him pointing the knife at

Van Dyke?

A. Well, he's walking down the street in this direction (indicating) and turns to his right and begins to raise the knife. So it does look -- to me, it appears that he is raising the knife pointing it towards Van Dyke.

Q. And you were referring walking in a southbound direction; is that --

A. Correct.

Q. The next statement is, "Van Dyke believed McDonald was attacking Van Dyke with the knife and attempting to kill Van Dyke."

Do you feel that that statement is consistent with what is reflected in the 813 Robert dash cam video?

A. Yes. As I said, you see McDonald turn to his left towards Van Dyke and the right arm begin to raise until it's out of view. And then we -- from that particular video, you can't see the perspective of what Jason Van Dyke saw. So there's nothing inconsistent with what Van Dyke said.

Q. The next line, "In defense of his life, Van Dyke backpedaled and fired his handgun

at McDonald to stop the attack." Is that consistent with the 813 Robert dash cam video?

A. Yes, I believe it is. Just prior to firing the handgun, Jason Van Dyke takes a couple of steps forward and then he begins to fire the handgun. And then because of the -- I'm assuming it's the movement of the car that has the dash cam, Van Dyke goes out of frame so then we can't see what he's doing while he continues to fire his handgun. So, again, there's nothing inconsistent there.

Q. Because he might have backpedaled after he's out of the frame?

A. And, in fact, if you look at the Dunkin' Donuts video, it does look like there's movement from right to left of both officers, Van Dyke and Walsh, which I found to be consistent with them saying that they were backpedaling.

Q. The next statement, "McDonald fell to the ground but continued to move and continued to grasp the knife refusing to let go of it" -- and I should say is that -- when you made your -- your statement was that the testimony

was consistent with the 845 Robert and 813 Robert -- the recovered in-car camera from beats 845 Robert and 813 Robert was viewed and to be consistent with the accounts of all the witnesses. Had you viewed the Dunkin' Donuts video at that time?

A. Yes, and I could have included that video and maybe should have included that video in that particular statement because there's nothing inconsistent in the Dunkin' Donuts video either.

Q. So --

A. And, as I just said, the Dunkin' Donuts video picks up some of the movement that is not included in the dash cam video.

Q. Let's see. So, again, the quote here is from the Exhibit 5 CSR Page 9, "McDonald fell to the ground but continued to move and continued to grasp the knife refusing to let go of it."

Is that statement consistent with the dash cam videos and the Dunkin' Donuts video?

A. Yes, I believe the dash cam video clearly shows that while Van Dyke is on the

ground, he's continuing to move --

MR. McKAY: Van Dyke?

BY THE WITNESS:

A. Not Van Dyke. I'm sorry, McDonald.

While McDonald is on the ground, he continues to move. You can see his right hand. He continues to hold the knife and point it in the direction of Officer Van Dyke.

BY MR. NEUMER:

Q. The next statement, "Van Dyke continued to fire his weapon at McDonald as McDonald was on the ground as McDonald appeared to be attempting to get up, all the while continuing to point the knife at Van Dyke."

Is that statement consistent with the 813 Robert and 845 Robert and Dunkin' Donuts videos?

A. Yes, I believe it is. Again, like I said, he's moving -- McDonald is moving on the ground. You can see he still has the knife in his hand and he is still pointing it at Officer Van Dyke.

Q. Does he appear to be attempting to get up?

A. He's moving -- in the video -- I don't know that you can say conclusively. From Jason Van Dyke's perspective, he said it looked to him like he was getting up.

I didn't find anything in the video to be inconsistent with that, and that's why I decided -- I used that terminology that the video was consistent with what Van Dyke said.

Q. I want to move to Page 10 and 11, Officer Walsh's statement.

So if we look at the bottom paragraph on Page 10, the CSR states, "Officer Walsh also backed up attempting to maintain a safe distance between himself and McDonald."

Is that statement consistent with the 813, 845, and Dunkin' Donuts videos?

A. Yes, I believe it is.

Q. It says, "McDonald ignored the verbal direction given by both Walsh and Officer Van Dyke and continued to advance toward the officers."

Is that statement consistent with the 813 Robert, 845 Robert, and Dunkin' Donuts videos?

A. Yes. Again, as I said before, the video shows him continuing to move towards the officers. The distance between McDonald and the officers decreased. And, again, we don't have audio, but it's clear that he is holding the knife and never drops it as he's being ordered to.

Q. The next quote, "When McDonald got within 12 to 15 feet of the officers, he swung the knife toward the officers in an aggressive manner."

Is that statement attributed to Officer Walsh consistent with the 813 Robert, 845 Robert, and Dunkin' Donuts videos?

A. Yes, again, as I said before, just before the shots are -- before Van Dyke fires his weapon, you can see McDonald turning to his left, squaring his shoulders toward the officers, and you can see the right arm begin to come up before it's obstructed by his torso.

Q. Do you think it's fair to say that you can see on the video him swinging the knife towards the officers in an aggressive manner?

A. Again, that's Walsh's perspective,

and we don't have specific video showing exactly what he saw, so, again, I don't see anything in the video we do have that's inconsistent with his perception.

Q. Do you see any -- is there video evidence that he does swing the knife towards the officers in an aggressive manner?

A. Again, as I said, we see him turn to the left -- again, we're talking about uniformed officers yelling -- shouting at him to drop the knife. He's not surrendering. He's not dropping the knife. Instead, he turns directly towards the officers and brings that right arm up.

I don't think there's anything inconsistent in that video with what the officers are saying, and specifically Officer Walsh at this point.

MR. McKAY: Can I ask a question, Mr. Neumer? There appears to be video equipment in this room. Are you going to show the video to Detective March to let him identify in the video why he believes it?

MR. NEUMER: Do you want to do that?

MR. McKAY: Well, ask Detective March if he wants to do that, if you don't mind.

MR. NEUMER: No.

BY MR. NEUMER:

Q. Do you want to go through the video?

A. Sure. I'm going to take a quick break.

MR. NEUMER: We're off the record at 4:35 p.m.

(WHEREUPON, a recess was had.)

MR. NEUMER: The time is 4:46 p.m., and we're going back on the record.

BY MR. NEUMER:

Q. Detective March, I'm now going to show you a portion of the video that was recovered from the in-car video system of the Beat 813R vehicle. This is one of the videos that OIG provided to you on April 7th, 2016 on DVD.

Kris has already opened up the VLC media file titled video_ts.ifo on his laptop. The file contains six minutes and five seconds of footage. The video also has a time stamp on it indicating the date and time the video was

recorded.

And we -- well, I would propose we advance the video several minutes in. Would you like to see the whole video, or are you okay with us moving the video forward to when the 813 Robert vehicle gets to the Burger King?

A. You mean like right here?

Q. Sure. Is there anything in the first 4 minutes and 17 seconds of the video that you think you would like to see as we look through this?

My questions are going to be focused primarily on the 20 seconds -- well, let's say 30 seconds surrounding the shooting, both before and after, but if there's anything else you'd like to see on the video that will help you provide answers to the questions I'm going to ask -- it's going to be pretty similar to the questions I was asking before. We're happy to let you view whatever portion of the video you'd like to see as many times as you'd like to see it.

A. This is fine.

MR. McKAY: Let's start it right here then.

(VIDEO BEING PLAYED)

MR. McKAY: Do you have the ability to stop at a moment's notice?

MR. BROWN: Yes, just say the word.

MR. McKAY: Dave will have to, but go ahead.

MR. NEUMER: Let's pause it.

BY MR. NEUMER:

Q. My first question is with respect to Van Dyke's testimony in the CSR that McDonald ignored his verbal directions to drop the knife and continued to advance toward Van Dyke.

So I'm going to ask you to stop -- or direct Kris to stop the video at the point where you see McDonald advance toward Van Dyke.

A. What part of the statement are you referring to?

Q. So Van Dyke ignored -- McDonald ignored Van Dyke's -- so the second paragraph to the last, second paragraph from the bottom on Page 9, "McDonald ignored Van Dyke's verbal direction to drop the knife and continued to advance toward Van Dyke."

So I'm going to ask you to direct

Kris to stop the video when you see McDonald advancing toward Van Dyke."

A. Well, I can tell you right now it's going to be the entire time from the time Van Dyke gets out of the vehicle until he fires his weapon.

During all that time, you will see -- McDonald, he's walking southeast initially, comes back to the center, walks out, goes a little southwest and then he turns -- generally he's going southbound the entire time on Pulaski, and right before Van Dyke shoots, fires his weapon, McDonald turns to his left.

But the entire time from the time Van Dyke gets out of his vehicle until the shots are fired, Van Dyke is walking in the direction -- southbound towards Van Dyke, and the distance between them is getting smaller.

Q. And so what we'll do is -- you can see right now on the screen is a time bar, and it says 4 minutes 28 seconds. And for our purposes, the time stamp on the video comes up intermittently. But if folks aren't opposed, we'll use that 4-minute-28-seconds time stamp to

indicate the time frame we're talking about. When it's five minutes, it will be five minutes and so on.

And so what I would ask you, Detective March, is, understanding you've given us a preview of what you're going to be identifying on the video, if you could still direct Kris to stop the video when you see McDonald begin to advance toward Van Dyke and then we'll note the time on the -- that time bar on the bottom and then again when he has ceased to advance toward Van Dyke. Does that sound reasonable?

A. Okay.

Q. Okay. We'll start the video.

(VIDEO BEING PLAYED)

BY THE WITNESS:

A. Okay, stop. Now Van Dyke is getting out of his vehicle. And look where McDonald is. Look at the distance between them.

MR. NEUMER: Okay. So Detective March has directed Kris to stop at 4 minutes and 39 seconds is the time that is visible on the time bar of the video. That's 4 minutes and

39 seconds out of 6 minutes and 6 seconds.

BY MR. NEUMER:

Q. If it's okay with you, Detective March, I'm going to have Kris start the video, and what I want you to do is, tell me when he stops advancing toward Officer Van Dyke. Does that sound reasonable?

A. Okay.

Q. We'll start the video.

(VIDEO BEING PLAYED)

BY THE WITNESS:

A. Stop. Like I said, right when the shots are fired. It --

BY MR. NEUMER:

Q. So 4 minutes and 46 seconds on the time bar. The time stamp that is visible on the screen says October 20th, 2014, 9:57:36 p.m. So that's 9:57 and 36 seconds p.m.

Detective March, is it fair to say that that entire -- from your perspective, from 4:39 on that time bar to 4:46 on that time bar, McDonald was advancing toward Officer Van Dyke at all times?

A. Yes.

Q. Next we're going to back up the video a little bit. I don't think we need to go more than 10 seconds for my next question, but you correct me if you need to see more of the video to give us context.

My question relates to Van Dyke's statement in the bottom paragraph on Page 9 of Exhibit 5 CSR that, when McDonald got within 10 to 15 feet of him, he raised the knife across his chest and across his shoulder pointing the knife at Van Dyke.

I'm going to ask you to have Kris stop the video when you see McDonald raise the knife across his chest and over his shoulder and pointing the knife at Van Dyke. Does that sound reasonable?

A. Okay.

Q. Okay. We're going to...

(VIDEO BEING PLAYED)

BY THE WITNESS:

A. Stop. Now you see the right arm has come up in front of his body. Now he's going to continue to turn his body. You saw him begin to bring the right arm up, and now he's going to

turn the body. Now the arm is in front of his body because he's bringing it around towards Van Dyke.

MR. NEUMER: So the time is 4:45 on the VLC media player time bar. There is no time stamp visible on the screen. Based on the last question and the direction to stop. I think this is one second before the time stamp will appear 9:57 and 36 seconds, but, again, the important number is 4:45, which is when Detective March has directed us to stop the video.

BY MR. NEUMER:

Q. Let's see. So the next question is, Van Dyke states that he, in defense of his life, backpedaled and fired his handgun at McDonald to stop the attack.

So we're going to back up the video a little bit, and we're going to play the video. And, again, I'm going to ask you to, Detective March, direct Kris to stop the video when you see Officer Van Dyke backpedal.

A. So you know, we're not going to see him backpedal in this video because he goes out

of frame. And it's because of the Dunkin' Donuts video that makes me believe that the videos are consistent with his statement that --

Q. So we'll have to watch the Dunkin' Donuts video. So we'll reserve that question because you're saying we're not going to see --

A. You're not going to see him backpedaling here.

Q. So the next question, Van Dyke stated that McDonald fell to the ground but continued to move, continued to grasp the knife refusing to let go of it. Van Dyke continued to fire his weapon at McDonald as McDonald was on the ground as McDonald appeared to be attempting to get up all the while continuing to point the knife at Van Dyke.

So now we're going to watch the video, and I want you to direct Kris to stop the video when you see McDonald appear to be attempting to get up -- or -- yes, that's when I want you to stop him.

A. Well, he's on the ground moving for a number of seconds.

Q. Okay.

A. During that time Van Dyke is firing, he's moving, Van Dyke's firing, and that's at the time when Van Dyke said it appeared to him that he's getting up.

Q. Okay.

A. My interpretation of the video is I don't have the perspective of Jason Van Dyke. From his perspective, he was moving and it looked to him like he was trying to get up.

All I can see -- I don't have Jason Van Dyke's perspective, but I do see on the video we do have that McDonald was on the ground and did continue moving, and that could be consistent with what Jason Van Dyke perceived from his angle of view.

Q. So what we'll do is this: Why don't you tell me -- we'll have you stop when you see the first initial attempts to get up, and then what -- and then we'll continue the video until you believe he's no longer making attempts to get up. Is that reasonable?

A. Okay.

Q. So we'll start the video.

(VIDEO BEING PLAYED)

BY THE WITNESS:

A. Stop. He hit the ground and he's already -- his torso has moved from right to left already once right there.

Q. So we're at 4:49 on the VLC media time bar. The time stamp that appears on the screen is October 20th, 2014, 9:57:38.

So now I want you to identify when Laquan McDonald stops attempting to get up.

A. I might also point out to you, you see the car in the background there, how far away it is? That is the closest vehicle in traffic that could be a potential witness, and you see how far away it is.

Q. And that's -- can you tell if that's -- that's the northbound -- that vehicle is moving --

A. This is southbound. He's at the curb --

Q. Oh, that vehicle --

A. The one with the headlights is even further away.

Q. You're looking at the vehicle on the west side --

A. West curb facing southbound. The vehicle with the headlights coming towards us is even further back.

Q. And so now, again, I want you to -- you've identified when, from your perspective, Laquan McDonald made his first attempt to get up. And now I want you to identify when Laquan McDonald ceased to make attempts to get up. And if it's okay, we'll start the video.

(VIDEO BEING PLAYED)

BY THE WITNESS:

A. Stop. I think that's about the last movement.

BY MR. NEUMER:

Q. So we're at 4:57 on the VLC media player time bar. There's no time stamp visible on the screen.

A. Just for my information, what was the first time when we first stopped it?

MR. BROWN: 4:49.

BY MR. NEUMER:

Q. And so from your viewing of the video, Detective March, is it --

A. In my opinion, there's definitely

movement on his part from what we do see. We don't have Jason Van Dyke's perspective, so when he says, I saw him moving, it looked to me like he was getting up, I don't see anything inconsistent here.

Q. So that was from 4:49 on the VLC media player to 4:57 on the VLC media player time bar; is that fair to say?

A. Yes.

Q. So we talked before about Officer Walsh backing up as McDonald approached him and Officer Van Dyke. Would you need to see the Dunkin' Donuts video with respect to that statement?

A. Yes.

Q. So, let's see, Walsh stated -- and again, this is on Page 10 -- that McDonald swung a knife toward him and Officer Van Dyke -- and I'm paraphrasing a little bit -- when he and -- when McDonald --

MR. McKAY: What page, Counsel?

MR. NEUMER: This is Page 10 -- sorry, actually, I think it's right at the bottom of Page 10 and top of Page 11.

BY MR. NEUMER:

Q. When McDonald got within 12 to 15 feet of the officers, he swung the knife toward the officers in an aggressive manner.

Is it fair to say that this was the -- that you identified the time of this aggressive swing of the knife minutes prior? Right, was this -- was this the same --

MR. McKAY: Did you say minutes prior?

MR. NEUMER: Meaning minutes prior in this interview today.

MR. McKAY: Oh.

MR. NEUMER: Sorry. Bad question. Let me start over.

MR. McKAY: No apologies necessary.

BY MR. NEUMER:

Q. So earlier we asked you to identify when it was, from your perspective, when you saw Laquan McDonald raise the knife across his chest and over his shoulder pointing the knife at Van Dyke; is that correct? We did that just a couple moments ago?

A. Yes.

Q. Is that -- the time frame of this

video that you identified, would that be the same time frame that you would identify with respect to Officer Walsh's statement that when he got to within 12 to 15 feet of the officers, he swung the knife towards the officers in an aggressive manner?

A. Yes.

Q. All right.

A. And, again, it's the same explanation. We see -- on this video that we do have, in my opinion, it shows Van Dyke turning to his left. You see the right arm begin to come up before it's obstructed by his body. Again, we don't have Officer Walsh's perspective. He says it looked to him like he was swinging the knife towards the officers in an aggressive manner.

In this video, in my opinion, you see him begin to swing the knife towards the direction of the officers, and I don't think that's inconsistent with what Officer Walsh said.

Q. Okay. So now we'll pull up the Dunkin' Donuts video --

A. Can we -- can we --
Q. Sure. Sure.
A. I think there's -- see, and I think this is the problem with the entire situation, is that people want to concentrate on 15, 20 seconds of video and not the entire incident as it actually occurred. So I would like to go back --
MR. BROWN: You mean like a minute?
THE WITNESS: Before Van Dyke gets out of his car. As they're driving --
MR. BROWN: Still on Pulaski?
THE WITNESS: Yes, still on Pulaski. Just maybe 20 seconds earlier or whatever.
MR. McKAY: Play it there. Start there.
THE WITNESS: Yeah, this is fine. This is close. And if you wouldn't mind stopping it --
MR. BROWN: Sure.
(VIDEO BEING PLAYED)
BY THE WITNESS:
A. Can we stop it here.
BY MR. NEUMER:
Q. For the record, so we've stopped it at 4:35 on the VLC media player, and the time

stamp visible on the screen is 9:57:25.

A. I think it's important to be aware of all of the facts that are at play at this point, okay?

At this point in time, a civilian has called 911 to report someone who turns out to be Laquan McDonald breaking into trucks in a truck lot.

Subsequent to calling 911, Rudy Barillas, who is the complainant, confronts Laquan McDonald personally and tells him to get out of the lot.

Laquan McDonald doesn't respond verbally; instead, according to both Rudy Barillas and his wife, Yuli Garcia, who was also present to witness this, they say he quote/unquote growled at them, okay?

And that's when he first produces the knife, and he swings the knife at Rudy Barillas attempting to cut him. And Rudy Barillas has to step back and throw his cell phone at him in defense to keep himself from being injured.

So at this point, Laquan McDonald has committed burglary, attempt first degree murder

or aggravated battery causing great bodily alarm. Burglary, once he confronts a person instead of just property, it become a robbery. And because he's armed with a knife, it's an armed robbery.

So that's all before the police ever get on the scene all these things occur. And that's not -- that's not the police saying it; that's the citizen and his wife who initially called 911.

When the police respond to the call -- that's Officers Gaffney and McElligott -- they find Rudy Barillas and his wife, Yuli Garcia, in the truck lot. Barillas tells them what happened and tells him that he last saw the offender fleeing northbound on Kildare and then last saw him turn eastbound on 40th Street.

So now the Officers Gaffney and McElligott drive northbound on Kildare to 40th Street and turn right to go eastbound on 40th. And they see Laquan -- this is -- we're not talking about where we're at now. This is four blocks earlier, okay, where they were at.

It's an industrial area, it's almost 10:00 at night, the place is deserted.

All of the businesses are closed. Rudy was finishing up for the day parking his truck in the lot, and then his wife was going to drive him home. So there's nobody around. Rudy told them what happened and gave them a basic description of who the offender was.

They turn the corner on 40th Street and Gaffney and McElligott observe only one person, Laquan McDonald, walking eastbound on the south side of 40th Street down the sidewalk. He's the only person there and he does, in fact, fit the description Rudy gave the officers.

Gaffney, who is driving their police vehicle, stopped the vehicle. McElligott got out of the vehicle. McElligott approached McDonald from the rear and said, Stop. McDonald ignores his verbal direction or command and continues walking eastbound.

McElligott noticed that McDonald's hands were in his pockets at the time, and he tells him, "Take your hands out of your pockets." Laquan McDonald takes his hand out of

the pockets and McElligott notices he's got now -- he's holding a knife in his right hand.

McElligott draws his handgun for his own safety, and Gaffney in the police vehicle sees the same thing happen and sees that McDonald is armed with a knife. So he gets on the radio and tells the dispatcher -- which all of the other units in the 8th District hear this radio transmission -- We are following a guy. Now he's armed with a knife.

Gaffney also asked the dispatcher for a unit equipped with a Taser. So all of this time the officers are attempting to use the minimal amount of force against Laquan McDonald. They feel they have the time to do that because they're in a deserted industrial area where there's nobody at risk here.

The only people at risk are the officers. Gaffney is inside a police vehicle, so he has some protection and he's armed. McElligott is on foot but he's staying a safe distance from McDonald and he's got his handgun out already just in case. But they have time to work with this, so they request a car with a

Taser.

So they continue on eastbound on 40th Street. As I'm sure you've seen in the Food Depository video, it shows very clearly it happened exactly as the officers said. You see in the video from two different angles Laquan McDonald walking down the street completely ignoring the verbal direction he's being given by the officers.

McElligott is following him on foot at a safe distance. He's got a flashlight in one hand, you can see the brightness of the flashlight, and has his handgun in the other hand.

Gaffney is following along in the police vehicle. And the reason Gaffney stayed in the police vehicle all this time is, in case at some point McDonald decides to run, it's much easier to try to keep up with a runner when you're in a vehicle as opposed to running on foot after him and he gives you the opportunity to try to cut him off.

Gaffney follows in the vehicle, and he's got, you can see in the video, the

spotlight from the squad car is on him, too, because these officers know they're dealing with a deadly threat here. They see he's armed with a knife and they want to make sure he's illuminated good and they see exactly what he's going to do.

So he continues eastbound down the sidewalk. At Karlov, now circumstances are changing. We're only a block away -- at Karlov, we're only a block away from Pulaski Road.

Gaffney knows at Pulaski and Karlov there's a Burger King restaurant. Along with that, all along Pulaski Road now you're dealing with a completely different environment. It's no longer an industrial area late at night that's deserted; it's a business street.

You can see -- and you saw prior to this in the video of the police vehicles responding, all of the traffic, the vehicular traffic that they drove past. There is a lot of traffic on the street at this time. We don't see it on the video here at this point, but I'm assuming there was probably some pedestrian traffic out there in the area, too, much more so

and more likely than at 40th and Kildare.

So ideally Gaffney would like to stop this offender, this forcible felon armed with a deadly weapon before he gets to a more populated environment and more people are placed at risk. So Gaffney turns his police vehicle southbound onto Karlov and stops in the crosswalk attempting to block McDonald, thinking maybe we'll be able to take this guy into custody somehow, maybe he'll surrender.

When Gaffney turns his vehicle southbound and blocks the crosswalk, McDonald doesn't surrender, doesn't drop his knife; he takes the knife and immediately stabs the front tire -- right front tire of the police vehicle, attacking the police vehicle and thereby the police.

McElligott's in uniform, Gaffney is in uniform, the police vehicle is a marked vehicle. There's no doubt these gentlemen are police officers. Laquan McDonald doesn't think he's being mugged by two dudes in a car. These are police officers who numerous times have ordered him to stop and drop his knife. Instead

of stopping and dropping his knife, he attacks the police vehicle.

Then after flattening the tire, he tries to walk around the front of the vehicle to continue on his way. Gaffney moves the vehicle up a little further to continue to block him. At this, McDonald takes the knife and now he stabs the windshield. Doesn't do anything to the windshield, just puts a little scratch in the windshield, but, again, he's attacking a marked police vehicle occupied by a uniformed police officer. This tells you something about who the police are dealing with here.

He makes -- after stabbing the windshield, he gets around the front of the vehicle and continues eastbound down 40th Street. Gaffney gets on the radio and tells the dispatcher, "This guy just popped our tire"; meaning, he stabbed the tire.

That's when McDonald apparently heard the sirens of the responding -- the police units responding to Gaffney and McDonald's call for help because now he's in the McDonald -- he's entering the Burger King parking lot and two

police vehicles now enter from the other direction off of Pulaski coming westbound in response to the officer's call for assistance.

Now, instead of walking, McDonald starts to run because now he's hearing the sirens, he's seeing more police vehicles, he realizes he's at risk of being captured at this point.

He runs eastbound through the parking lot. McElligott's on foot. He's chasing a 17-year-old kid; he ain't keeping up. Gaffney is in the car with a flat tire. He's reluctant to drive too aggressively. Doesn't want to do more damage to the vehicle. So at this point Walsh and Van Dyke are the first responding unit to arrive. They take over as the lead pursuit unit. They are now pursuing Laquan McDonald.

Seeing that they're now in a Burger King parking lot where the Burger King is open, there's people around, Walsh placed -- as he's pursuing, he actually gets between McDonald and the Burger King restaurant to keep him from going into the restaurant and again putting civilians at risk. He's already attacked Rudy

Barillas. He's attacked a police vehicle. If he goes into the restaurant, who knows what else he'll do.

McDonald runs past their vehicle out on Pulaski and turns southbound. Now this is where we picked this up now. You can see that this vehicle here is Walsh and Van Dyke. This is Officer Bacerra and Velez. They're coming northbound.

I don't know, I'm guessing that in responding to this call, their attention was more toward 40th Street, and I think they drove up closer than they would have liked to to the offender, and that's why, instead of jumping out and confronting him, they're like, Whoa, we're too close. So they actually drive past him to create some separation, and they're in the process of making a U-turn when the shots are fired.

But, anyway, this is Walsh driving. Van Dyke's the passenger. You just saw in the video -- we've all seen it already -- that the car slows. It's positioned -- this vehicle is blocking McDonald. The car was paused here

positioned between McDonald and Dunkin' Donuts restaurant here on the other side of the street, again, to prevent him from heading towards a business that was occupied by civilians who would be put at risk if this guy enters the business.

You saw the right front door begin to open and then it closed. Again, consistent with the statements of Van Dyke and Walsh.

Now, what we're going to see, we're going to see Van Dyke -- Walsh drive the vehicle up ahead of McDonald to give them some distance to exit the vehicle safely before they have to confront McDonald.

But now you should take a really close look at Laquan McDonald from this point until the first shot is fired, okay? Shortly after -- when you start playing the video, you're going to see him hike up his pants. You're going to see him motion with the knife (indicating).

I -- not to make fun or make this a humorous incident, but I refer to it as the "West Side Story" move, if you're familiar with

the movie, where back then gangbangers fought with clubs and knives, not handguns like they do now. But you see him whip out the knife. And it's not because he's whipping the knife to the ground to surrender. He's whipping the knife out as if to indicate he's getting -- he knows there's a battle coming. And his intent is pretty clear here.

And if you take a quick look at the time that he does that really aggressive and exaggerated move with his knife, at that exact moment, you can see the door on the police vehicle opening. Jason Van Dyke is already getting out. So he sees that move. And when these officers are talking about aggressive moves, keep that in mind.

Then as he continues on, you can see the arm move again a couple more times like this (indicating). He's not holding the knife at his -- at his side here, he's not trying to get it back in his pocket; it's at the ready. And it's not just hanging, it's moving. It's moving.

And then right before Jason Van Dyke

fires his first shot, you can see McDonald begins to turn to the left. His shoulders square towards the officers. He's no longer in -- he's no longer walking southbound or south westbound, or whatever direction you want to categorize it; he's now facing directly towards the officers.

And in the video, his arm begins -- ends up being blocked by his torso, but you can see the right arm holding that knife come up in this manner (indicating) as he's turning, which would point the knife directly at Walsh and Van Dyke.

There was something else I wanted to say at that point.

So at this point now, just before Jason Van Dyke fires his gun, we've got an offender who has committed multiple forcible felonies, some of which were directed directly against Rudy Barillas in the parking lot. However you want to categorize his attack on the police vehicle, he used a deadly weapon to escape arrest and has, again, indicated that he is likely to cause death or great bodily harm

unless he's apprehended quickly.

When he finally turns -- and you can see, when Walsh and Van Dyke first exit their vehicle, they both draw their guns right away because when they saw him in the Burger King parking lot, they saw the knife in his hand already. They know he's armed. They know what has happened before from the radio transmissions.

They know the call that Gaffney and McElligott originally responded to; they heard Gaffney's transmission that they're following this guy with the knife; they heard Gaffney's transmission that the guy attacked their police vehicle. So they know what they're dealing with here.

Finally, knowing all of this, seeing him heading -- walking -- and watch his movements before Van Dyke fires his shots. These are not the movements of a subject acting hesitantly, tentatively, thinking about surrendering or actually surrendering, dropping the knife and putting his hands up, don't shoot. These are the movements of a guy that's getting

ready to do battle.

And then at the time when -- as I said, when Van Dyke and Walsh get out of their vehicle, they both have their guns drawn immediately, and they bring the weapons up and point them at Van Dyke -- at McDonald because they know he's a threat.

But even though he's a forcible felon who used the threat of death or great bodily harm to commit his forcible felonies, even though he's escaping by use of a deadly weapon, even though he's clearly indicated that he's likely to endanger life unless he's immediately apprehended, they don't shoot immediately; they still attempt to use minimum force to place him under arrest.

They get out. The mere presence of them at the scene, being two officers in uniform in a marked vehicle, that's considered a form of force. That's the lowest form of force the police use, just their presence. Sometimes that's enough to get people to comply with the law.

Not only that, they're giving him

verbal direction. Both of the officers, Van Dyke and Walsh, are stating repeatedly, "Drop the knife. Drop the knife."

Not only does he not drop the knife, but he doesn't stop. He doesn't turn around and walk away from two guys standing there with handguns; he continues on his route southbound.

And then finally -- again, the officers don't fire at that time even though the argument could be made that deadly force was justified at that point. They're still trying to apprehend him with the -- using the least amount of force they can.

But, finally, when he turns towards them and begins to raise the knife towards him, at this point, Van Dyke says this -- in his mind he's thinking, This guy's attacking me. I can't wait any longer. I either have to take some action here to defend myself or he's going to cut me, he's going to stab me, he's going to kill me.

And that's why Van Dyke said he fired his gun --

Q. Maybe at this point we can go to the

Dunkin' Donuts video --

A. Well, please play this through and watch his actions. This all needs to go on the record.

Watch -- from the time the video starts until the time he falls to the ground, watch his action and you decide for yourself, are those the actions of a not-threatening subject who is just walking down the street or dropping his knife and surrendering? I don't believe it is. I believe this is the actions of a -- of an armed offender who's got a deadly weapon in his hand and is ready to do harm to somebody.

Q. We're going to now play the video.

(VIDEO BEING PLAYED)

BY THE WITNESS:

A. Just watch. There's the hiking of the pants. There's the aggressive move with the knife. Now, the knife continues --

BY MR. NEUMER:

Q. So we're at 4:41 is where we paused it. We've been watching for, I believe it was, six seconds, from 4:35 of the VLC media player

to 4:41.

MR. McKAY: Can I just ask you something, Peter? As we continue the video, could you watch Mr. McDonald's feet where he gets to the lane divider, the dividing white lines, and when he gets there, he then walks straight down that dividing line. He is not crossing --

THE WITNESS: Instead of walking on an angle --

MR. McKAY: -- the fencing area on the west side; he is walking down the divider line, which -- you are asking if the video is consistent with him closing -- or getting closure to Walsh and Van Dyke. So, please, consider that. Thank you.

BY MR. NEUMER:

Q. So we're going to start the video again. It's 4:41 on the media player time right now. Go ahead.

(VIDEO BEING PLAYED)

BY THE WITNESS:

A. Okay. He's down.

BY MR. NEUMER:

Q. And we've stopped it at 4:48.

A. And one other point I'd like to make while the video is up here and fresh in our minds is that this incident has obviously gotten a lot of media coverage, and there's all kinds of people weighing in with their opinions over the last 18 months. And it's incredulous to me that people continue to refer to Laquan McDonald as walking away from the officers.

He's not walking away from the officers. As I said before, the distance is clearly decreasing. When astronomers see an asteroid or a meteor heading towards earth and they finally do their calculations and decide it's going to miss earth by only a million miles, they don't say it's moving away from earth. They always refer to that asteroid or meteor as coming towards earth but it's not going to be a direct strike because it's going to miss us by however many -- whatever the distance is. They don't say it's moving away from earth; it's still considered moving towards.

When the distance between two bodies or two subjects decreases, they're moving

towards each other. They're not -- nobody is moving away from anybody when the distance decreases. That's my opinion.

I'm sorry, we can go to the Dunkin' Donuts video.

BY MR. BROWN:

Q. That's all right. Last quick statement would you say, though, Detective March, that the officers did make some movements towards McDonald?

A. I'm sure you're going to get to that. I know that's one of the allegations about them moving. Of course the officers were moving towards McDonald. From the time they heard the call for assistance from Gaffney and McElligott they were moving toward McDonald, and their statements say that.

Their job was not to run away from McDonald; their job was to move toward McDonald and go and deal with the situation. That's what we pay our police department for. We don't pay them to move away from the problem.

When Rudy Barillas calls 911 and says there's a problem, he doesn't expect the police

department to move away from the problem; he expects the police to come and move toward the problem.

So -- we'll get into that I'm sure in more specifics when you get to that allegation but --

BY MR. NEUMER:

Q. Tell you what, why don't we -- to expedite things, why don't we go through that allegation now and you'll have an opportunity to respond. And I'm going to -- Page 2 of the notification of allegations, Roman numeral VI.

It is alleged that the Case Supplementary Report you submitted on or about March 15, 2015, the Exhibit 5 CSR, contained the description of the McDonald shooting as captured by the in-car camera video recovered from vehicle 813 Robert but that description failed to note that Officer Van Dyke and Officer Walsh moved towards McDonald prior to the shooting.

I think that's on Page 19 -- I should have given you an opportunity -- yes, so it's on Page 19, fourth paragraph from the bottom.

MR. McKAY: What allegation is this?

MR. NEUMER: This is Page 2, Roman numeral, I guess, IV. Sorry.

MR. McKAY: I thought you said six.

MR. NEUMER: I did. I got my Roman numerals confused.

BY THE WITNESS:

A. I have two issues with this allegation --

BY MR. NEUMER:

Q. Can I -- for the record, I'm going to restate it so everything is clean.

So it is alleged that the CSR you submitted on or about March 15, 2015, the Exhibit 5 CSR contained a description of the McDonald shooting as captured by the in-car camera video recovered from Vehicle 813 Robert, but that description failed to note that Officer Van Dyke and Officer Walsh moved towards McDonald prior to the shooting.

Detective March, what is your response to that allegation?

A. Well, first of all, the allegation itself is absolutely false. First of all, I have -- take issue with its description. It's

another misrepresentation of what is stated in the report. There is no description, there's not even an attempt to describe the video in the report.

The only -- I bring out one point in this paragraph about the video, and that is, at the very end of the report -- well, actually it's most of that paragraph is basically making one point, that it establishes -- the video establishes that McDonald and Van Dyke were approximately ten feet apart at the time Van Dyke fired his weapon.

That was the only point I was making in that whole analysis of the video because many years ago the chief of detectives at the time issued a directive that whenever possible, we should -- on police-shooting investigations, we should attempt, as best we can, to determine how far away the officer was from the subject when he fired his handgun.

Now, Walsh and Van Dyke, one said 10 to 15 feet; one said, I believe, 12 to 15 feet. Here we have the video showing they were the distance of one traffic lane apart when Van Dyke

fired his weapon. And if you go out to the scene, you'll see that traffic lane is approximately 10 feet wide.

And there is no attempt here to describe all of the actions that are captured in this video. We have the actions of Van Dyke and Walsh in their vehicle; we have the actions of Bacerra and Velez in their police vehicle; we have the actions of Laquan McDonald; there's whatever civilian traffic.

I never would have attempted to describe everything that happens in this video, and any allegation that says I left something out is an error or a lie. False statement by omission is a false allegation because I never attempted to describe what is in this vehicle --

Q. But don't you --

A. -- I specifically -- I specifically made a request that the video be permanently retained by the police department because of the nature of this case. I specifically made a request for a copy of the video, which I received and then subsequently inventoried so that that video is a permanent copy of the file.

So any questions regarding that video can be addressed by the video and aren't subject to anybody's interpretation.

Q. But isn't that information material to the very heart of your investigation, the fact that they -- Officer Van Dyke and Officer Walsh moved towards McDonald prior to the shooting?

A. Again, my report does state both of the officers said in their statements that they were moving towards McDonald from the time they heard the call for assistance.

At first they were moving towards him in their police vehicle, and then they pursued him through the parking lot -- through the Burger King parking lot, they were getting closer to him. Out on the street, they got closer to him, and then they decided to go ahead of him.

They were approaching him the entire time -- the entire duration of this incident.

Q. But, I mean, in their --

A. And, again, it was their job to approach him. And any inference that the fact

that they took a couple of steps toward McDonald somehow mitigates what McDonald did or doesn't justify what the officers did doesn't make any sense to me.

Yes, they took a couple of steps toward McDonald, but in the grand scheme of things of what this situation -- what this incident entailed, it's a very minor fact. And it's obvious -- you can see it in the video; I'm not hiding anything.

Q. I guess both Walsh and McDonald -- sorry, both Walsh and Van Dyke talk about backpedaling. And we're going to get into this, but in light of their statements that they're backpedaling, it seems that in the video there seems to be some indication they're moving toward McDonald. It's that discrepancy --

A. They did take a couple of steps forward, but that doesn't mean, as I said, when they're out of the frame of the dash cam video, which you can see is consistent in the Dunkin' Donuts video, it does look like after that they did backpedal.

Q. And we'll get to the Dunkin' Donuts

video in just a moment. I'm now going to move to Page 2 of Notification of Allegations, Roman numeral V.

It is alleged that the CSR you submitted on or about March 15, 2015, the Exhibit 5 CSR contained a description of the McDonald shooting as captured by the in-car video recovered from Vehicle 813 Robert. That description failed to note that Officer Van Dyke continued to fire at McDonald after McDonald was on the ground.

What is your response to that allegation?

A. Again, that allegation is completely false for the reasons stated before. Just in summary, the report does not even attempt to contain a description of what the video shows, and, in fact, the report does say that McDonald -- that Van Dyke continued to fire at McDonald after McDonald was on the ground because during Van Dyke's statement, during all of the officers who saw the -- the witness officers who saw Van Dyke fire his handgun, they all state that he continued to -- most of them,

I shouldn't say every one, but more than one -- I know Van Dyke said it, and other officers said it, too, that he continued to fire at McDonald while he was on the ground.

And my analysis of the video, I said the video was consistent with the witnesses' statements. So the report does say that Van Dyke continued to fire at McDonald once he was on the ground. So, again, this allegation's completely false.

Q. Page 1 of the Notification of Allegations, Roman numeral III, it is alleged the CSR you submitted on or about March 15, 2015, the Exhibit 5 CSR, contained a description of the McDonald shooting as captured by the in-car camera video recovered from vehicle 813 Robert. That description failed to note that McDonald changed the direction in which he was walking prior to the shooting.

What is your response to that allegation?

A. Well, number one, again, the report does not attempt to describe -- to describe what's in the video from 813 Robert. So the

description that I -- in the report can't fail to do anything because there is no attempt to have a description in there.

And the fact that he changed direction, from the time he entered Pulaski Road, he was changing direction many times. He walked first somewhat southeast to the center of Pulaski, then he came back and walked straight south for a little while, and then he walked southwest for a little while.

And then, finally, just before he turns towards Van Dyke to attack Van Dyke, you can see, as Mr. McKay pointed out, instead of his steps going -- continuing diagonally along the -- across the traffic lane in a somewhat southwest direction, all of the sudden his next step is directly south right along the hashed lane marker -- lane divider line.

So he changed direction a number of times during just that segment on Pulaski Road. And, again, the description in the report doesn't fail to describe that because there's no attempt in the report to describe the video. The video is allowed to speak for itself without

the description of anyone's interpretation.

MR. NEUMER: So the time is 5:34. We're just going to go off the record for a moment.

(WHEREUPON, discussion was had off the record.)

MR. NEUMER: The time is 5:39 p.m. We're back on the record and all parties have agreed that we're going to postpone the completion of this interview until tomorrow. We're going to reconvene -- end for tonight, reconvene tomorrow, April 27th, at 1:00 p.m. where we will conclude the interview of Detective March.

Any objections to that plan from anybody here?

MR. McKAY: No objection. In fact, we want to continue this statement and comply with the direct order that Detective March is following.

It's through no fault of either party that we're at this late hour, but our hope is that we complete this statement tomorrow afternoon.

MR. NEUMER: And the time is 5:40 p.m., and we will temporarily conclude the proceedings for today until tomorrow.

(WHEREUPON, the interview was adjourned at 5:50 p.m. until April 27, 2016 at 1:00 p.m.)

C E R T I F I C A T E O F R E P O R T E R

I, MICHELLE M. YOHLER, a Certified Shorthand Reporter within and for the County of Cook, State of Illinois, do hereby certify:

That previous to the commencement of the examination of the witness, the witness was duly sworn to testify the whole truth concerning the matters herein;

That the foregoing interview transcript was reported stenographically by me, was thereafter reduced to typewriting under my personal direction and constitutes a true record of the testimony given and the proceedings had;

That the said interview was taken before me at the time and place specified;

That I am not a relative or employee or attorney or counsel, nor a relative or employee of such attorney or counsel for any of the parties hereto, nor interested directly or indirectly in the outcome of this action.

IN WITNESS WHEREOF, I do hereunto set my hand and affix my seal of office at Chicago, Illinois, this 3rd day of May, 2016.



C.S.R. Certificate No. 84-4531.

Exhibits

March Exhibit No. 1 3:3 6:9 33:2

March Exhibit No. 2 3:4 33:11,14 38:13,16,20,23 39:18

March Exhibit No. 3 3:5 39:2,5,8,15

March Exhibit No. 4 3:6 39:24 40:2, 12

March Exhibit No. 5 3:7 40:16,22 41:3,10,23 95:24 96:21 97:12 98:9, 22 125:11 126:7 127:10 133:5 135:11 137:13,19, 24 138:10,11,12 140:14 145:4,17 146:2,8 148:10,18 150:11 163:9 165:8,12 180:10 182:17 188:12 201:8 220:15 223:5 226:10,19 249:16 250:2 261:2 265:6,22 267:23 271:1,8 272:8,17,24 274:23 278:17 289:8 319:15 320:14 325:6 326:14

March Exhibit No. 6 3:8 42:24 43:17, 20,24 44:3

March Exhibit No. 7 3:10 44:7,10,13

March Exhibit No. 8 3:11 44:21 45:5, 11,13 130:14 131:3,21 132:1

March Exhibit No. 9 3:13 45:18,22 46:2 134:1,5,10

March Exhibit No. 10 3:15 46:10,15, 19 47:4,12 65:5,7, 14,17 66:16 67:7, 14 72:12,13 74:2 198:2,8,21 199:7 208:20 238:20

March Exhibit No. 11 3:17 47:21 48:1,5

March Exhibit No. 12 3:19 48:12,15, 18

March Exhibit No. 13 3:21 49:1,4,11

March Exhibit No. 14 3:23 259:1,4,6

March Exhibit No. 15 3:24 259:2,13, 21

0

04/26/2016 259:5

1

1 6:9 10:10,11 20:19 33:2 271:22 326:11

1(a) 10:10 207:15

1(a)(ix) 134:18

1(a)(viii) 134:18

1(b) 10:11

10 42:4,5,7 46:10, 15,19 47:4,12 65:5,7,14,17 66:16 67:7,14 71:20 72:12,13 74:2 138:12 139:1 140:18,20 145:23 198:2,8,21 199:7 208:20 238:20 272:24 275:1 280:9,12 289:3,8 295:17,22,24 321:21 322:3

100 14:4 15:4

10988891 43:19

10992767 40:19 41:7 207:8

10:00 89:3 301:1

10:04 5:4

10:52 41:17

10:57 41:19

10s 42:3

11 47:21 48:1,5 145:10 146:7 280:9 295:24

11:59 97:6

12 48:12,15,18 146:2,7 223:12,16 234:7 281:9 296:2 297:4 321:22

12:00 32:21

12:09 97:8

13 36:7 49:1,4,11 147:2,11,15

13th 17:22 23:14 37:16 259:6

14 7:18 147:11 148:17,24 149:19 150:11 259:1,4,6 266:20

15 71:20 150:11 207:7 208:8 259:2, 4,13,21 266:20 272:8 275:1 281:9 289:9 296:3 297:4 298:5 319:15 320:13 321:22 325:5 326:13

15th 36:10

16 10:10 40:17 43:1,17

160-plus 23:19

17 284:9

17-year-old 307:11

18 317:6

19 271:8 319:21,23

1990 110:23 144:6

1:00 32:21 52:16 328:11

1:15 151:17

1:47 151:23

1st 114:15

2

2 10:11,12 33:11, 14 38:13,16,20,23 39:18 40:12 128:2 133:13 137:17,22 145:3 207:1 319:11 320:1 325:2

2-56 5:20 9:9

20 62:2 113:20 284:13 298:6,14

2006 44:18

2012-OSA-297 205:6,17 206:2

2014 16:13 44:22, 24 45:19,21 46:11, 13 47:6,9 52:4,13, 18 53:17 55:4,9,16 56:12 58:13,20 67:8,9 72:14 80:6 117:23 129:24 136:5,15,20 137:4 147:18 178:6 179:23 180:6,14 188:19 190:3,8 198:3,4 199:6 207:3 208:3 209:17,21 220:18 221:18 238:13 264:24 288:17

293:7

2015 13:9 14:3 36:10 40:17 43:1, 17 54:16 121:6 207:7 208:8 223:12,16 234:7 255:4 265:10 272:8 319:15 320:13 325:5 326:14

2016 5:3 17:22 23:14 33:8,12 36:7 37:17 38:15,23 39:12 40:1,9 42:1, 10 44:3 45:9 46:6, 22 47:16 48:9,22 49:12,21,24 283:18

20563 5:17 51:24

20th 44:22,24 45:19,20 46:11,13 47:6 52:4,13,18 53:17 55:9,16 56:12 58:13,19 67:8 72:14 74:2 80:6 117:23 129:24 136:5,15, 19 137:4 147:18 178:6 179:23 180:6,14 188:19 189:11 190:3,7 198:3,20 199:6 200:11 210:24 221:17 288:17 293:7

21 201:17,20

21-foot 201:9,10, 23,24 202:7,13,16, 20 203:5,9,17 204:15 218:20,22

21st 47:8 67:9 188:19 189:11 190:4,8 198:4 201:7 207:2 208:3 209:17,21 211:1 220:18 222:5 238:13

22 223:4 267:24

22nd 222:11,12

25 113:12 114:14 239:21

26th 5:3 143:10 251:5 253:17 254:4

27th 328:11

28 286:21

29 13:9

29th 14:3

2:15 177:24

2:17 178:2

3

3 10:12 39:2,5,8,15 148:9 188:17 232:4 234:20 238:5

30 113:21 114:1 284:14

300 5:5

301 207:8

312-735-6630 55:13

36 288:18 290:9

39 287:23 288:1

3:08 220:8

3:20 220:11

4

4 10:13 39:15,24 40:2,12 198:8 199:1,10 238:20 284:9 286:21 287:22,24 288:15

4-minute-28-seconds 286:24

40th 60:19 62:16, 17,23 68:3,11 85:13,20 141:14, 18 148:2,7 300:18, 21,22 301:9,12 303:3 305:1 306:17 308:12

41st 85:3,10

46 288:15

48 31:20 32:7

4:00 52:16

4:35 283:9 298:24 315:24

4:39 288:21

4:41 315:22 316:1, 18

4:45 290:4,10

4:46 283:11 288:21

4:48 316:24

4:49 293:5 294:20 295:6

4:55 32:18

4:57 294:15 295:7

5

5 10:13 40:16,22 41:3,10,23 95:24 96:21 97:12 98:9, 22 125:11 126:7 127:10 133:5 135:11 137:13,19, 24 138:10,11,12 140:14 145:4,17 146:2,8 148:10,18 150:11 163:9 165:8,12 180:10 182:17 188:12 201:8 220:15 223:5 226:10,19 249:16 250:2 261:2 265:6,22 267:23 271:1,8 272:8,17,24 274:23 278:17 289:8 319:15 320:14 325:6 326:14

5101 59:1

54818.E 47:22

54818.F 48:13

5:34 328:2

5:39 328:6

5:40 328:22

6

6 10:14 42:24 43:17,20,24 44:3 288:1

6.2 103:9

610 52:1

7

7 10:14 22:1 44:7, 10,13 47:16 103:15 135:3,8,15 207:15,21

72 30:2,12,13,18

73204 49:3

7th 14:16 33:7,12 38:15,23 39:12 40:1,9 42:1,10 44:3,18 45:9 46:6, 22 48:9,22 49:12, 21,24 283:18

8

8 10:15 44:21 45:2, 5,11,13 53:16 130:14 131:3,21 132:1 134:22 135:3,8,15

800 5:5

813 50:1,9 87:17 89:22 90:7,22 91:17 99:9,13

100:13,18,24 101:8 123:19,22 152:7,15 184:11 188:14 199:21,23 272:10 273:24 275:6 276:15 277:2 278:2,3 279:16 280:16,23 281:13 284:6 319:18 320:16 325:8 326:17,24

813R 283:17

845 50:2,9 139:18 148:3 272:10 278:1,3 279:16 280:16,23 281:14

8th 101:19 138:16 139:17 183:14 302:8

9

9 45:18,22 46:2 134:1,5,10,22 140:14,17,20 141:9,11,24 273:2, 10 278:17 285:21 289:7

911 84:23 222:2 299:6,9 300:10 318:23

9837884 44:9

9:00 31:11

9:57 288:18 290:9

9:57:25 299:1

9:57:36 288:17

9:57:38 293:7

A

a.m. 5:4 31:11 41:19 52:16

ability 25:10 26:16 285:2

absence 213:3

absent 19:6 28:13

absolute 22:5 185:10

absolutely 106:10 212:14 243:1 245:12 320:23

abundantly 229:17

academy 95:2

acceptable 29:17 30:15 73:10 144:7, 17

accepted 145:12 174:17

access 187:2

accommodate 52:9

accomplish 115:17,18

accord 126:22

account 147:21, 22 149:2,3 175:13 180:7,9,16 182:15, 17 199:12 226:18, 23 266:18,23

Accountability 23:3 37:15 38:5 227:5,10

accounts 117:10 146:9 147:19 178:8,9,19 180:1, 12 182:14 272:11 278:4

accurate 196:2,16 247:4

accurately 73:20 197:22

accused 10:7 39:3 57:23 96:18 167:12,14 175:16 179:1,2 180:22 228:12,18,20 230:2,5 231:1

accusers 22:5,6 36:19 181:5

acknowledge 9:14

acquiring 80:23

acting 193:20 312:20

action 8:7 314:19 315:7

actions 56:13,19 58:12 315:3,8,11 322:5,6,7,9

activities 183:16, 20 209:8,15 237:8

activity 25:22 119:9 122:11,12 183:2 269:4

actual 91:11 159:5,16,20 160:4 214:4,5

ad 79:19

Adams 5:5

add 57:14 151:5 179:16 213:11 233:5

added 139:23 140:23 146:21 149:9 197:22

addition 14:19 18:15 22:18 112:14 197:23 227:7

additional 13:24 15:19 35:15 67:3 139:10 181:5 182:4 223:3 251:11

addressed 80:3 134:16 323:2

addresses 94:24

addressing 135:21

adds 141:19

administrative 9:15 11:2,6,10 12:5,22 32:20 205:20

advance 273:6,21 274:18,20 280:20 284:3 285:12,15, 23 287:9,12

advancing 286:2 288:6,22

advice 33:23 35:14

advise 11:24

advised 7:7,16 34:10 36:2

advisement 6:4, 11 9:22 12:8,10,23 29:5,7 33:2,15

advising 11:18 27:9

advisor 23:4

advocate 193:20

Affairs 20:13 28:18

affect 91:9

affidavit 19:4 21:20 37:1,4 181:15,16,20

affidavits 20:18 180:23 181:8,10 182:6,10 228:16, 19,24

affixed 18:6

afternoon 222:4, 11 328:21

afternoons 52:11, 12

age 73:6

agencies 245:19

agency 35:6 228:19

agent 191:16

agents 19:11 22:7 24:22 25:7 37:23

aggravated 300:1

aggressive 281:10,23 282:7 296:4,7 297:6,17 310:10,15 315:19

aggressively 307:13

agree 167:6,11 179:13 248:10

agreed 27:14 263:1,14 264:21 328:7

agreement 34:9 191:8 194:23 228:10 263:19 265:17

Agreements 35:21

ahead 51:8 70:19 107:6 271:15 285:6 309:12 316:19 323:18

alarm 300:2

alert 205:5,17,23 206:1,21

Alerts 205:21

all-inclusive 269:2

allegation 10:11, 12,13,14 127:21 129:19 133:19 135:3 136:11 138:5,6,19,22,23, 24 139:6,7,9 145:9,14,21,22 147:6,7 148:14,15 149:17,19,24 150:6,7 180:24 189:2,5,10,15,19 190:16,24 191:24 192:2,3,10,17 193:6,14 194:14, 16 207:10,12,15, 20 208:10,13 209:4 228:23 232:15,16,22 235:8,9 238:17,23 239:6 272:14,15 319:5,10,24 320:8, 21,22 322:13,15 325:13,14 326:21

allegation's 326:9

allegations 10:9, 10,17,22 11:13 17:4,13,14,17 18:13,22 19:6,14, 17 20:10,11,21 21:19 22:4,14 28:10 35:23 36:17, 22 37:6,8 39:3 57:17 102:24 103:1 127:20 134:18 135:2,4,20, 21 137:18,23 151:5 166:14 167:2,15 176:16, 17 178:17 181:8 182:8 188:17 193:16 194:22 206:24 212:24 227:21 228:17 229:2 230:4,12,18, 21 231:7,12 232:5 234:21 238:6 244:4 271:22 318:12 319:12 325:2 326:12

allege 21:8 26:1 36:8 168:10 208:15

alleged 10:6 102:15 129:16 133:13,14 136:3 137:2,19,24 145:3, 17 147:2 148:10 149:12 150:3 166:14 175:17 181:12 188:18 190:9 191:9 192:6 207:2 208:2,17 224:19 225:4 229:9 231:11,21 232:2,7 233:7 234:23 238:8 271:24 319:13 320:12 325:4 326:12

alleges 36:11

alleging 168:23 191:10 192:18 194:10,13 230:10

allowed 9:16 191:10 217:18 327:24

Alma 163:11

aloud 6:8,22 7:13 8:2,10,17 9:3,12, 16,19

ambulance 63:15

America 191:4

Amicus 5:4

amount 302:14 314:13

analysis 231:2 260:16 321:14 326:5

analyze 14:10

analyzed 222:18

and/or 227:20

Ando 240:6,8,12, 22 241:5,6 244:15, 19,21

Ando's 241:8

angle 292:15 316:9

angles 303:6

anonymous 21:23

answering 6:19 96:1 189:17 193:3

answers 189:3 251:20 284:17

Anthony 52:22 53:4,10

anybody's 323:3

anymore 275:12

anyone's 171:10 328:1

apologies 105:10 145:11 296:15

apologize 40:23

apparent 143:14 252:14

apparently 306:20

appeared 118:16, 24 120:24 279:12 291:14 292:3

appears 226:13, 16 276:5 282:20 293:6

applicable 24:2 34:9 37:20 194:24

applies 36:13 38:2

apprehend 314:12

apprehended 312:1 313:14

approach 323:24

approached 149:6,10 295:11 301:17

approaching 323:20

approval 265:23 266:11

approved 266:2,5 268:18

approximately 60:19 71:18 85:14 114:1 155:20 321:11 322:3

April 5:3 14:16 23:14 33:7,12 37:16 38:15,23 39:12 40:1,9 42:1, 10 44:3,18 45:9

46:6,22 47:16 48:9,22 49:12,21, 24 283:18 328:11

arbitrator 26:22 35:8

area 52:2 53:21 59:2,5 61:24 75:12 82:4,22 89:11 99:19 100:3 109:4, 20 110:11 151:8 152:2 156:1,5,20 158:12 160:11 161:7,12,21 162:11,15,19 163:14 168:6 169:7,11,14,19 170:11,13,15 171:1,19 172:11 173:16,19 175:7, 11 176:4 180:14 182:22 183:3,8,22, 24 184:2,7,9 185:7,19 186:10 187:16 188:8 189:13 190:2,9 195:3,8,14 196:21 198:10 199:7,21, 24 202:1,4,21 204:18,20 205:6,9 209:9,11,16,20 210:2,11,23 211:4, 12,18 215:10 216:21 218:17 219:13,24 220:17 221:20,22 233:12 238:13 252:5 301:1 302:16 304:15,24 316:10

argue 177:6

argument 314:10

arising 17:11 18:10 20:8

Arizona 12:2

arm 136:8,17 275:10,11,21 276:18 281:19 282:13 289:21,24 290:1 297:12 310:18 311:8,10

armed 67:23 199:2 201:16 300:4,5 302:6,10, 20 304:3 305:3 312:7 315:12

arrest 173:18,22 174:6 176:8 214:3 250:15 259:8,11 260:17 269:8 270:1,13 311:23 313:16

arrested 269:11

arrests 259:10

arrival 78:15 120:2

arrive 62:4 63:22 79:16 307:16

arrived 61:19 62:4,7,9,18 63:12, 19 72:16 80:7 82:7,21 83:2,6 88:3 120:11 121:10 122:17 151:1 161:11 162:15,19 169:7, 11,19 170:11,14 171:19,21 177:2 182:22 183:2,23

arriving 90:23 120:3

article 223:8 224:15,18,21 225:3,12,13,14,18, 19,21,23 226:3,7,8 231:20

articles 226:9

Arturo 148:21,23

asks 18:16 115:8

aspect 162:8

aspects 168:16 257:18

ass 212:23

asserting 34:19

assign 79:14

assigned 36:14 51:24 56:21 60:14 61:17 64:18 79:2,9 83:5 90:6 93:17 109:19 138:16 139:17 223:6,7,23 225:13

assigning 80:6, 10,12

assignment 51:22 52:3 60:8 78:11 110:10,17 140:7 216:7

assignments 110:12 115:24 153:3

assist 96:1 118:22 164:6

assistance 67:22 90:9 140:10 307:3 318:15 323:12

Assistant 11:23

assisted 113:17 200:9

assisting 78:7 164:5

assume 10:17 19:7 36:23 66:21 83:4 102:20 139:8 193:19 258:16

assumes 105:19 107:15 189:9 226:21

assuming 107:4 177:16 185:12 189:8 237:19 266:21 277:7 304:23

assurances 34:6

asteroid 317:12, 16

astronomers 317:11

attached 18:5 20:2

attachment 42:15 259:9,15,22

attack 72:1 201:20 277:1 290:17 311:21 327:12

attacked 307:24 308:1 312:14

attacking 129:18 136:9,18 276:11 305:16 306:10 314:17

attacks 306:1

attempt 158:12 190:20 223:12 229:11 268:13 294:6 299:24 313:15 321:3,18 322:4 325:16 326:23 327:2,23

attempted 222:2 223:15 322:11,16

attempting 77:19 188:22 190:12 192:20,24 193:9 276:12 279:13,23 280:13 291:14,20 293:9 299:20 302:13 305:8

attempts 292:18, 20 294:8

attend 264:11

attention 65:4 145:9 146:1 147:10 150:10 232:20 234:20 238:5 249:16 271:8 272:23 308:11

attitude 115:6,12

attorney 5:13 28:5 51:6,16 230:15

Attorney's 34:24 35:1 251:7 254:8

attributed 131:3, 20 134:6 180:9

182:17 275:5 281:12

audio 18:5 21:1 274:10,13 281:5

author 224:18 225:2,24

authored 183:14

authority 17:9 20:5,14 42:20 114:24 181:2 192:12

automobile 248:22

Avenue 59:1

aware 77:1 83:11, 18 94:23 99:17 102:9 118:14 119:17 122:14 142:11 152:17 174:24 175:5 180:19 182:14 185:2 199:1 201:13,24 202:12 203:5,16 204:7,21, 24 205:3,5 211:8 223:8 224:14 225:13 226:6,8 231:10 233:6 244:20 251:2,10 254:14,17 263:17, 18 265:19 266:11 271:3 299:2

B

B-r-o-w-n 5:10

Bacerra 148:12, 21,23 308:8 322:8

Bacerra's 149:2,3

back 16:12 33:15 39:21 41:20 42:5 43:3,5,11 49:15 61:22 63:11 76:10 78:10 86:19 87:16 88:20 92:18 93:5 95:2 97:9 110:23 111:15,23 123:14 132:1 151:24 156:13 166:1 174:19 178:3 204:2 216:5 217:4 220:5,12 223:18 229:4 233:7 234:10 247:7 261:14 268:12 283:12 286:9 289:1 290:18 294:3 298:8 299:21 310:1,21 327:8 328:7

backed 280:13

background 51:20 167:23 257:15 260:9 293:11

backing 295:11

backpedal 290:22,24 324:23

backpedaled 276:24 277:12 290:16

backpedaling 277:19 291:8 324:13,15

backtrack 238:4

Bad 296:13

ball 15:7

bar 286:20 287:10, 24 288:16,21 290:5 293:6 294:16 295:8

Bargaining 34:9 35:21 191:8 194:23 228:10

Barillas 299:10, 15,19,20 300:13, 14 308:1 311:20 318:23

base 98:21 99:2

based 21:22 103:10 120:9 178:11 179:2 181:2 200:8 210:12,18 222:16 263:15 268:1,3 290:6

bases 105:21

basic 58:11 73:11 222:20 301:7

basically 51:14 67:19 75:24 87:13 90:17,21 93:7,17, 24 94:10 119:12 147:23 154:16 162:10 201:15 212:8 236:16 241:9 247:19 255:17 268:13 321:8

basis 7:11 8:7 9:9 25:12 133:21

bathroom 97:4

battery 300:1

battle 310:7 313:1

beat 90:7 139:17 148:2 183:15 283:17

beats 278:3

Becvar 87:24 89:9,11 153:10 184:16

began 16:22 64:20 69:5 71:22 87:8

begin 13:4 27:7 33:20 170:3 275:21 276:18 281:19 287:9 289:23 297:12,19 309:7

beginning 72:1 149:4 150:16 253:14,15

begins 90:4,13 138:15 146:20 148:5 149:6 273:16 275:10 276:4 277:5 311:2, 9 314:15

behalf 10:21

behavior 192:5

believed 224:11 276:11

believes 282:23

benefit 25:3 37:18 135:20 262:12

Benitez 163:11 166:4

BIA 38:22 39:11 40:8 42:2,9 44:2, 17 45:8 46:5,21 48:8,21 49:10,20, 23

big 212:23

bigger 250:23

bit 78:10 81:7 92:19 142:17 152:24 157:17 165:20 238:5 272:19 289:2 290:19 295:19

black 68:11 141:15

blank 93:19,23

blaring 111:11

block 247:21 248:2,13,17 249:10 304:9,10 305:8 306:6

blocked 247:20 275:22 311:9

blocking 308:24

blocks 83:18 84:3 300:24 305:12

blue 90:12 249:5

board 23:9 38:4 265:5

Bob 27:24 28:1

bodies 11:3,12 317:23
bodily 300:1 311:24 313:9
body 275:12,23 289:22,23 290:1,2 297:13
boss 22:19 26:5,8 191:15
bottom 39:18 93:21 146:2 188:18 268:1 271:9,12 280:11 285:20 287:11 289:7 295:23 319:23
box 93:21
boxes 93:20
brake 248:19
brakes 249:1,2
brand 250:12
break 97:3 105:4 151:10,12,16 177:23 220:7 283:7
breaking 299:7
briefed 82:8 163:7,13
briefing 81:8 83:10 264:17
briefings 256:5,10 262:8,11 263:16 264:3,16
briefly 61:9
brightness 303:12
bring 71:22 275:10 289:24 313:5 321:5
bringing 290:2
brings 282:13
broad 17:9 177:9, 10
brought 159:10 162:22 181:2 202:21
Brown 5:10 6:14 17:24 24:5 28:6 31:3,17,20 32:12, 18,24 33:13,17,19 40:23 43:11 101:15 103:2,7,12, 20 104:11 105:1,7, 12,13,23 106:18, 19 107:1,2,7,19,23 108:14 109:2,3 110:4,8 117:8 120:22 121:18 122:22 123:13 151:6 211:21 213:15 220:4 239:14,15 242:10, 11,13 243:9,19 244:7 246:1 249:14 267:18 271:17 285:4 294:20 298:9,12, 18 318:6
Brown's 104:12
buffer 90:14
building 63:1 68:15 236:8
bulk 15:16,20 255:21 256:2
bulletin 207:19 208:19
bullets 204:22 205:12 206:6 207:19 208:19
bunch 93:18
bureau 20:13 28:18 52:1 53:9,11 54:3 112:4 251:8
Burger 63:1,21 68:13,14,24 69:2 71:2 85:21 90:24 140:24 141:1,17 153:21,22 159:14 160:2 230:23 284:6 304:12 306:24 307:18,19, 22 312:5 323:16
burglary 299:24 300:2
business 29:18 30:17 31:24 32:8 106:13,23 107:9, 14 108:2,16 109:8 110:21 111:10,21 112:3,12 172:6 236:22 304:16 309:4,6
businesses 301:3
buy 112:17

C

Cal 253:18
calculations 317:13
California 143:10 251:5
call 24:10 25:15 27:18 29:3 32:16 60:15 61:1 67:21 81:15 84:22 112:22,23,24 113:1 140:9 159:18 163:19,20, 21,23 184:17 211:6 223:17 224:6 240:21 241:1 254:19 300:12 306:22 307:3 308:11 312:10 318:15 323:12
called 52:1,19 59:10 60:1,2 82:23 93:15 197:5 205:20 222:10 223:18 224:15 233:23 270:18 299:6 300:10
caller 222:3,7
calling 162:7 299:9
calls 200:12 243:4 256:18 318:23
calm 203:2
calmed 196:13
cam 50:9 99:13 100:18 118:18 121:9 123:19,22 124:1,4 152:7,15 184:12 188:14 199:21,24 247:23 248:18 273:24 274:2 276:15 277:2,8 278:15,22, 23 324:20
camera 36:12 50:6 90:13 236:7 271:10 272:9 278:2 319:17 320:16 326:16
cameras 18:6
canvass 77:23 95:13 158:11,15, 20 235:11
capable 204:22 205:11 206:6
capacity 95:10
captured 307:7 319:16 320:15 322:5 325:7 326:15
car 88:12 113:1 118:18 152:19 153:9 156:7,8 161:9 183:15 203:14 221:14 248:2,18,20,21 249:3,22 277:7 293:11 298:11 302:24 304:1 305:22 307:12 308:23,24
cars 118:20 233:10 247:17

case 16:1,11 19:8, 10,11 22:2 23:1 24:1,3 25:17 26:10,14 34:20 37:3,20,21,23 40:17 41:6 43:17 44:8,9 56:21 65:9 93:22 95:24 96:6 97:14 100:5 137:14 157:9 162:5 168:15 174:10 183:14 202:24 207:6 208:6 216:4 218:14 221:1 222:14,16 233:9 243:14,23 250:23 266:23 268:5,8,17, 19,20 269:6,7,8,9 270:2,7,12 272:5,6 302:23 303:17 319:13 322:21

cases 174:11 241:12 268:24

CASR229 44:9

CASR301 40:19 41:8

CASR339 43:19

Categorically 193:15

categorize 311:6, 21

causing 68:6 300:1

CBA 103:4 181:15 192:12 243:16

ceased 287:11 294:8

cell 54:9,20 55:2,6, 8,15 59:17 60:2 105:16,17 106:2,6, 12,21 107:9,13,16, 20 108:1,16,22 109:7 110:21,23 111:5,16,20,23 112:2,8,9,11,17 267:6,8 299:21

center 205:20 286:9 327:7

Central 52:2 53:21 59:2,5 61:24 151:9 152:2 156:1,5,20 160:11 161:7,12 162:15,19 163:14 168:7 169:7,11,14, 19 170:11,15 171:19 172:11 173:16,19 175:7, 11 176:4 180:14 182:23 183:3,8,22 184:2,7 185:7 187:16 188:8 189:13 190:2,9 195:3,8,15 196:21 198:10 199:8,21, 24 202:1,5,21 204:18,20 205:6,9 209:9,11,16,21 210:2,11,24 211:5, 13,18 220:18 221:21,22 238:13 252:5

certainty 14:4 15:4 185:10

chain 52:17 93:4 251:15,18 253:7 257:13 258:22

chair 38:4

chairperson 23:7

chance 127:2 217:9 248:13

changed 114:16 326:18 327:4,19

changing 304:9 327:6

Chapter 5:20

characterize 225:17

charge 153:16,22, 24 155:5 158:8

charged 251:12 255:1 269:23

charges 11:4,9 12:19 34:7 162:7

chased 160:3

chasing 307:10

checked 61:6 247:8

chest 275:3 289:10,14 296:19

Chicago 5:11,17, 21 6:14 7:10,18,23 9:8 10:22 13:7,10, 15 17:8,10 19:13, 22 21:24 23:9 27:3 28:2,19 35:17 37:5,12 38:3 50:20 51:9 83:9 103:14 106:22 118:17 138:15 228:10,11 243:23 250:7

Chicago's 36:24

chief 53:8,12,22 54:3,6 82:12,21,22 83:14 84:14 124:21 152:5,7 210:23 321:15

choosing 8:21

chronological 221:24

circumstance 160:1

circumstances 173:21 304:8

circumstantial 159:18,22,23

cite 245:15 255:24

cited 205:23 245:4

citing 223:9

citizen 191:4 300:9

citizenship 246:19

city 5:11,21 6:14 10:21 13:7 17:8 19:13 21:24 27:3 28:2 35:6,16,20 36:24 37:5 83:17 103:14 112:15 228:10 230:16,17 248:17

City-issued 267:20

civil 252:11

civilian 84:23 158:8 161:20 162:19 165:10 166:17,19 168:24 169:7 172:24 173:4,5,12,17 175:8 177:1,4 180:13 181:10 182:6 299:5 322:10

civilians 69:3 70:1 95:17 144:1 158:7 163:5 175:12 178:8 180:1,7 182:15 307:24 309:4

claimed 182:15

claiming 180:7

clarification 104:3 134:16 136:1

clarity 135:13

class 219:5

classification 269:13,16 270:23

classified 268:22

clean 320:11

cleanup 103:3 239:13

clear 47:3 135:23 224:7 229:17 231:23 233:15 246:7 269:6,7,8,9 281:5 310:8

clearance 268:6, 10 270:10,14,19

clearances 270:6

cleared 268:6,9 269:13,18,21,24 270:2,7,13,15

click 186:4,24

client 11:18 104:23 106:16

clocked 170:2

close 63:20 70:18 158:6 201:19 234:17 268:8 269:5 298:17 308:16 309:16

close/other 268:9

closed 268:21 269:14,21 270:3,5,7,16 301:3 309:8

closed/other 268:6

closely 248:19 249:9

closer 68:19 133:17 137:7 308:13 323:17,18

closest 113:1 248:2 293:12

closing 316:13

closure 316:14

clubs 310:2

Code 5:21

colleague 103:1 211:19

collected 183:11

collecting 222:21

Collective 34:9 35:20 191:8 194:22 228:9

comfortable 57:8

command 52:17 93:4 251:16,18 252:6 253:7 257:13 258:22 262:5,16,21 263:19,21 264:1,3,10,20,23 265:4,12 266:8 301:19

commander 27:18,24 28:3,17 29:1,2 34:14 53:6,7,17 80:16 82:4,24 83:1 252:5,6 261:12 262:3

comment 15:11 274:10

commenting 166:21

commit 313:10

committed 19:21 299:24 311:18

common 206:16

communicate 252:7

communicated 210:20

communicating 77:14

communication 252:14

communications 54:13 211:3 230:17 256:19,23

compare 88:21

compared 198:20

comparing 197:20

compel 246:15,23

compelled 34:18

compiled 51:5

complainant 17:20 19:7,10 20:20 36:23 37:2 228:14 269:14 299:10

complainants 35:18,24 36:4 182:11 228:13

complaint 17:16 21:23

complaints 17:16 20:18,19

complete 21:10 41:24 42:8 86:17 168:11 189:14 195:12 215:15 250:10 270:15 272:1,4 328:20

completed 118:3,6,10 121:4 136:4 137:3 157:15 215:11,14,19 238:14

completely 6:20 177:11 189:17,18 238:24 303:7 304:14 325:14 326:10

completion 328:8

comply 54:24 313:22 328:16

compound 230:4

comprehension 184:24

comprise 79:2

comprised 125:5

computer 89:13 99:21 100:4 124:13 164:13 185:3 266:2

computer-generated 226:14

computers 184:19 186:22

concentrate 298:5

concentrates 237:10

concern 117:4,11,16 245:15

concerns 226:17 229:8

conclude 328:12,23

concluded 265:18

concludes 123:13

conclusion 25:23 191:15,19 207:14 208:14 259:15,22 263:8

conclusion.doc 259:16

conclusion.doc. 259:23

conclusions 23:21 24:24 25:1 210:17 260:19 261:21,24 263:6,7,9,12,14

conclusively 280:2

conduct 18:17 20:5 21:6,10 25:11 26:16 95:20 103:16 168:11 184:1 191:6,9 194:11,16 234:2 245:16 250:8 272:1

conducted 5:20 97:17 114:10 126:11,23 127:7 163:4 166:7 209:11 210:19 215:10 222:14 262:8,10 263:16 264:1,16,17

conducting 11:1,24 19:13 21:22 25:8 28:7 37:7,10 77:6,22 95:12 114:12 171:16,18,21,23 184:8

227:13 252:21

conducts 216:4

conferred 183:18

confidentiality 228:4,8 245:21,23

confirm 33:6

conflict 25:10,15

confront 22:6 36:19 70:16 309:14

confrontation 91:2

confronting 308:15

confronts 299:10 300:2

confused 320:5

confusing 110:1

connected 18:13

connection 19:23 56:9

considered 201:18 242:20 247:11 313:19 317:21

consistent 11:16 272:11,20 273:24 274:7 275:6,14 276:14 277:2,18 278:1,4,21 279:15 280:8,15,22 281:13 291:3 292:14 309:8 316:13 324:21 326:6

consists 23:18 47:4

constant 163:10

constitute 7:17 9:8 12:13

constitutes 7:9

Constitutional 12:1,8 34:4

consult 8:22

consultations 87:9

consulted 76:24

contact 81:14 82:10 93:11 122:15 223:14,22 224:1 240:10 262:4,6 263:1 265:15

contacted 223:11, 15 226:12 230:16 231:15,16 240:6

contained 102:24 119:13 207:20 319:15 320:14 325:6 326:14

contemporaneously 130:20

contents 34:23 35:3

context 289:5

continue 38:9 69:13 77:13 105:11 134:15 244:6 249:3 274:17 289:23 292:13,19 303:2 306:5,6 316:3 317:7 328:16

continued 71:16 133:16 161:13 248:1 265:16 273:6,20 274:17, 20 277:21 278:18, 19 279:11 280:20 285:12,22 291:10, 11,12 325:10,19, 24 326:3,8

continues 257:22 258:2,6 277:10 279:6,7 301:20 304:7 306:16 310:17 314:7 315:20

continuing 70:9 71:6 137:8 249:8 253:2 274:14 279:1,14 281:2 291:15 327:14

contract 21:23 103:13 104:14

contradict 226:18,23

control 78:8,9 118:22

convenience 30:20

convenient 30:22

converge 247:14

conversation 61:7 63:4,5 64:11, 15 65:2,19 66:1,4, 11,20 67:1,12,18 69:10 72:7,14 73:23 74:7,15 75:3,8,22 76:8,14 81:22 87:3,5,6,14 96:7 119:22 129:13 130:9 132:14,17,23 133:3 225:7 244:14,19,20

conversations 77:8,13 80:22 81:3,16 82:13,16 83:14 95:8,9,11,19 152:13 156:19 166:11 170:7 172:10 188:7 210:10 237:5,7 257:4,7,10,21 258:1,4 263:3

Cook 34:24 102:9, 12,14 117:22 118:1,9,15,24 120:2,6,10,13,20, 24 121:13,20 122:16 251:6 254:3

cooperate 6:18 224:9 231:18,24 246:22

cooperation 246:23

coordinate 87:12 154:6

coordinating 81:1 83:23 155:5 158:22 183:19

copy 29:10,14,17 31:13,18 32:19 33:14 40:15,17 41:14,24 42:8,24 43:16 44:8,22 45:8,18 46:5,11 47:22 48:4,8,13,21 49:2,7,10 138:10 245:11 271:14,17 322:22,24

copying 31:5

corner 141:17 301:9

correct 10:15,19 14:22 19:15 27:4, 13,15 47:10,12,17, 18 50:2,6 53:15 56:22 60:20 66:17 72:9 74:18,19 81:1 97:19,24 98:1,5,20 128:7 129:11 130:17 132:4 133:1,2 134:19 135:6 169:8,9 195:4 199:4 203:6, 7 209:12,13 211:11 226:12 234:8 236:4 255:9 257:22 258:2,6,7 265:1,8 266:16,18, 19 267:22 276:9 289:4 296:21

correctly 196:1

corroborated 236:4

counsel 8:21,24 13:10 27:9 29:8 33:23 35:14 104:23 175:24

295:21

counting 16:10

County 34:24 102:10,12,14 117:22 118:1,9,15 119:1 120:2,6,10, 13,20 121:1,14,20 122:16 251:7 254:3

couple 13:24 31:12 74:16 159:14 160:2 172:9 197:6 240:4 244:21 250:21 269:17 277:5 296:22 310:18 324:1,5,18

coupled 23:11

court 5:4,7 28:6 29:21 30:1,20,23 31:9 32:10,13 34:20 143:11 214:4 229:3 269:9, 12

courthouse 251:4

cover 242:6

coverage 317:4

covered 80:2 135:3,8,15 137:15

covers 94:3 233:12

CPD 27:18 60:18 105:17 106:11 107:13 108:2,16 109:6,8 119:24 180:8 212:5 223:24 241:16 242:2 246:4 271:2

CPD'S 50:22 218:23

Craig 223:8 224:16 225:20,22 226:5 227:5,19 228:15 232:13

create 127:9 208:16 237:6 308:17

created 197:23 207:3 208:4 255:17

credibility 236:23

credible 233:17, 22

crime 64:4 78:9 118:23 154:22 222:15,19 268:12, 14

crimes 258:8,12

criminal 8:15 10:23 11:4,8,17 12:6,18 13:2 34:7 143:10 194:16 268:17 269:3

crossing 316:7

crosswalk 305:7, 12

crowd 78:8 118:22

CSR 97:12 98:3,9, 23 118:3,10,11 125:11,15 126:19, 21 127:10 129:23 133:5,6 137:20 138:1 139:1 140:14 145:4,18 146:2,8 147:3 148:10,18 149:13 150:3,11 163:20 165:13 180:10 182:17 188:12 201:8 204:19 207:8,23 220:15 223:5 226:11,19 249:17 250:2 261:2 265:7,22 266:13 271:1,8 272:8,17,24 278:17 280:12 285:10 289:8 319:15 320:12,14 325:4,6 326:13,14

CSRS 135:12

curb 62:20,21 248:23 293:19 294:1

curious 187:19 188:3

Curran 172:16 173:2 177:3 178:7 179:24

current 51:21

cursory 76:4

custody 162:6 269:23 270:5 305:9

customer 236:20

cut 77:11 299:20 303:22 314:20

D

damage 307:14

danger 72:3

Daniel 52:20 53:3

Daphne 147:14, 16,21

dark 217:1

dash 18:6 50:9 99:13 100:18 118:18 121:9 123:19,22,24 124:4 152:7,15 184:11 188:14 199:21,24 247:23 273:24 274:2 276:15 277:2,8 278:15,22,23 324:20

date 5:3 65:9 122:10 189:11 283:24

dated 13:8 17:22 33:12 36:7 38:15 40:1 67:8,9 72:13 121:5

Dave 213:1,2 285:5

David 5:13,15,22, 24 6:12 10:3 28:5 39:4 51:23 54:1

day 31:8,15,18,23 32:9,16 54:7 73:6 170:2 215:19 216:9,10,17 222:4, 8 223:2,19 250:11 301:4

days 29:18 30:17 31:1,7,24 32:8 52:8 215:23,24 226:11 258:13 261:15 264:7

dead 270:11

deadly 201:18 304:3 305:4 311:22 313:11 314:10 315:12

deal 318:20

dealing 304:2,13 306:13 312:15

deals 246:8

death 268:4,7 270:21 311:24 313:9

decades 114:14

deceased 162:6

December 13:9 14:3 16:22 54:15 250:22

decent 151:13

decide 315:7 317:13

decided 35:8 94:4 280:7 323:18

decides 303:18

declines 224:20

declining 28:11

decompress 203:1 206:18

decreased 281:4
decreases 317:24 318:3
decreasing 274:6,21 317:11
deem 239:5
deemed 162:12
deems 239:10
defend 194:2 244:5 314:19
defense 72:4 276:23 290:15 299:22
defensive 201:12, 22
degree 19:9 36:3 299:24
delayed 9:1
deleting 231:1,5
deliberately 9:7
demanded 181:4
denial 242:7
denied 175:9 176:9 178:21 193:13 241:13
denies 193:15
deny 12:18 193:17
department 5:17 7:10,24 13:10,16 17:11 19:22 28:19 50:21 51:10 59:21, 22 83:9 87:13 93:17 94:8,22 105:16 106:8,23 110:19 111:3,14, 17,20,22 112:6,7, 10 114:11 118:18 191:5 217:23 219:2,8,9 228:11 239:24 243:23 246:15 250:7 257:14 262:22 265:19 269:15 318:21 319:1 322:20
Department's 7:19 112:15
department-issued 106:2
depend 246:18
depending 79:11, 20
depends 15:1
Depository 303:4
deputy 13:7 53:8, 22 82:12,21,22 83:14 84:14 100:12 119:1 122:16 124:20 152:5,7 210:23
describe 63:18 139:24 321:3 322:5,12,16 326:23 327:22,23
description 232:23 301:8,14 319:16,18 320:14, 17,24 321:2 325:6, 9,17 326:14,17 327:1,3,21 328:1
deserted 301:2 302:16 304:16
designated 103:11,12 115:7 262:18
desk 59:23 108:21,23 109:1,2, 4 266:6
desktop 186:1,2
Detail 49:3
detailed 92:20
details 61:11 80:2 195:11 198:13 228:5
detective 5:13,15, 22,24 6:12,21 7:12 8:1,9,16 9:2,11,18 10:3,24 11:5 12:1, 7,11,13,16,20,24 13:12,18,22 14:1, 6,15,20 15:7,14, 22,24 16:2,6,7,11, 15 17:1,5,15,18,23 18:14,23 19:1,4,18 20:12,22 21:9 22:24 23:23 24:5, 6,19 25:5,16,19 27:8,9 28:5,8,11, 15,20 30:8 33:6, 12,21 36:14 38:8, 14,19 40:5 41:9,22 42:16 43:24 44:14 46:3 47:15 48:6,19 49:8 51:23 53:11 54:12 56:21 57:1 60:4 61:17 64:17 78:12,14 79:2,5,15 83:5,20 87:11 88:8 95:3 97:12 107:24 109:24 110:10,18, 22 113:6,9,12,15, 19 114:3,13,22 115:1,7,17 120:21, 23 121:8,13 124:12 125:2 131:9 134:21 135:11,19 136:3 145:9 152:20,22 153:8,16,18,22 154:4 155:10 156:10,19 157:24 158:8 160:8 161:6 165:1,4,6,19,20 166:1,15,20 167:12 168:8,11, 21 169:1,6 170:8 172:10,13,16,21 173:1 175:21 176:6,17,21 177:7, 22 178:5,7,18,23 179:22,24 180:22, 24 181:12 182:13 187:4,5 189:16 193:13 208:15 211:22 216:3,4 217:20 226:24 227:17,22 228:23 235:10,14,17 237:4,15 239:10, 20 243:20 246:8 254:20 259:8,14 282:22 283:1,14 287:5,21 288:4,19 290:11,21 294:23 318:9 320:20 328:12,17
detective's 163:19 164:2
detectives 52:2 53:9 80:7 94:2 95:12 105:14,17 106:4,5 109:6,12 112:4 114:23 115:16,24 144:20 153:1,3,24 154:10 158:10,14 160:14 164:5 166:6,11 167:18 168:15 169:12,18,24 170:20,21 172:8 173:10 175:13 178:20 183:17 214:13,22 215:9, 14,21 217:10,14, 17 220:24 222:5,9 235:15 250:15 321:15
determine 18:18 168:4 176:20 177:20 218:7 269:3 321:18
determined 91:21 172:4 231:4
developments 96:6 157:9 268:23
diagonally 327:14
differ 199:8,12
differed 113:23
differently 146:10 149:20 187:14
difficult 32:5,19 86:16 190:5
dinner 220:24
direct 27:10 28:21

34:1,14 54:23 65:4 114:22 115:19 131:14 146:1 147:10 150:10 179:10 193:4 223:4 232:4 238:5 256:23 271:7,21 272:23 285:14,24 287:8 290:21 291:18 317:18 328:17

directed 145:8 287:22 290:11 311:19

Directing 232:20 234:20 249:16

direction 71:17 72:24 73:15 80:20 114:21 253:8 254:22 273:5,20 274:16,19 276:3,8 279:8 280:19 285:22 286:17 290:7 297:20 301:19 303:8 307:2 311:5 314:1 326:18 327:5,6,16, 19

directions 142:20 285:11

directive 94:24 110:20 112:5 212:15 217:23 252:10 255:5 261:7,9 265:11 321:16

directives 51:10, 13 94:22

directly 35:4 71:21 91:9 155:24 166:24 282:12 311:6,12,19 327:17

disagree 25:1 221:10

disagreement 271:2

discharge 7:11 8:8 9:10

disciplinary 8:7 191:7

disciplined 34:17

disclosure 34:22 35:3

discrepancy 324:17

discuss 16:19 17:1

discussed 210:16

discussion 104:22 151:19 156:22 239:1 328:4

discussions 152:6 201:6

disk 44:4,19 45:10 46:7,24 48:10

dispatcher 302:7, 11 306:18

dispositions 268:18

disrespect 212:22

disseminated 266:7

distance 62:24 201:20 236:13 274:5,21 275:15, 17 280:13 281:3 286:18 287:20 302:22 303:11 309:12 317:10,20, 23 318:2 321:24

distributed 205:21

District 53:16 101:19 138:16 139:17 183:14 302:8

diverge 141:6,10 143:16 146:23 147:19 148:8 151:2

diverged 146:9

divider 316:5,11 327:18

dividing 316:5,7

doc 259:9,16

document 6:4,5 9:17 13:21 14:5,8, 10 15:4,8,13 38:23 39:8,12 41:10,24 42:9 43:23 44:3,13 45:5,9 46:2,6,18, 22 48:5,9,19,22 49:7,11 65:18 116:20 125:7 162:4 164:7 188:11 198:5 238:11 239:3,7 241:16 243:3 250:3

documentation 62:3 183:11 222:22

documented 21:11 115:22 140:12 164:10 165:14 168:12,17 171:7 196:19 214:8 272:2

documenting 139:19 158:21 235:18

documents 13:23 14:14 16:1 33:5 44:16 49:17 67:14 94:15 116:12 259:3

Donuts 50:5,10 69:19,24 70:14 124:7,13,16,22,23 125:1 152:16,21 153:9,17,19 233:10 235:4,11, 13,17,19,21 236:2, 5,24 237:5,9,16,18 248:6,11 277:15 278:5,10,14,22 279:16 280:16,23 281:14 291:2,5 295:13 297:24 309:1 315:1 318:5 324:22,24

door 70:15 186:12 235:23 249:7 309:7 310:12

Dora 45:1 128:5 150:5

doubt 167:19 204:6,10 305:20

doubts 203:15

draft 165:12 255:18 260:10 272:4

drafted 15:24 16:6,7 18:4 47:6,8 255:22 256:3 260:1,6,18

drafting 165:7 250:3,4 252:16 255:10,16 261:18

draw 201:21 312:4

drawn 71:10 313:4

draws 302:3

drew 70:23

drive 61:23 84:5 156:5 161:7 231:3 249:8 300:20 301:6 307:13 308:16 309:11

driven 160:17

driver 116:18 248:24

driver's 87:22 249:6

driving 68:18 69:14 140:8 234:17 248:22 298:11 301:15 308:20

drop 71:12,14 136:7,16,24 137:7 273:4,6,18,20 274:12,16,19 282:10 285:11,22 305:13,24 314:3,4

dropped 274:18

dropping 282:12 306:1 312:22 315:10

drops 281:6

drove 60:21,23 69:17 70:6,20 84:16,18 140:10 141:13 148:6 150:22 156:7 233:18 304:20 308:12

dudes 305:22

due 35:21 36:20 104:9 250:6

due-process 22:11

duly 6:2

dumping 260:14

Dunkin' 50:5,10 69:19,23 70:13 124:7,13,16,22,23 125:1 152:16,21 153:9,17,19 233:10 235:4,11, 13,17,19,21 236:2, 5,24 237:5,9,16,18 248:6,10 277:15 278:5,10,13,22 279:16 280:16,23 281:14 291:1,4 295:13 297:24 309:1 315:1 318:4 324:21,24

duplicate 42:7

duplicates 41:12

duration 323:21

duties 79:7 214:15

duty 6:17 18:4 36:11 59:6 139:16 228:4,8

duty-bound 26:12

DVD 50:4 283:19

Dyke 26:1,4 46:14 63:7,8 64:10,12 65:20 66:2,11,20 67:2,5,13,17 68:8 69:9 70:14,23 71:1,9,11,20,21, 22,23,24 72:6,11, 22 73:12,24 74:8, 16,21 75:2,5,13, 17,19,24 87:5 91:2,13 92:1,2,8, 11 97:22 101:17 126:14 127:8,16, 17 129:18 133:17 136:18 138:3,18, 21 139:3 140:15 141:12,14 154:17 159:9,17 160:5 162:3 184:5 195:3, 19 198:18 199:20 202:2,5,6,15 203:16 204:14,21 205:7,11,15,24 206:11,20 207:3 208:4,15 209:10, 12 213:8 218:17, 18 219:10 233:15 234:18 236:12,15 238:12 239:8 253:23 273:3,7,16, 17,21 274:3,7,12 275:1,2,4,6,7,18, 20 276:1,6,10,11, 12,17,20,22,24 277:4,8,17 278:24 279:2,4,8,10,14,22 280:8,20 281:16 285:12,15,18,23 286:2,5,12,15,16, 17 287:9,12,18 288:6,22 289:11, 15 290:3,15,22 291:9,12,16 292:1, 3,7,14 295:12,18 296:21 297:11 298:10 307:15 308:7 309:9,11 310:13,24 311:13, 17 312:3,19 313:3, 6 314:2,16,22 316:14 319:19 320:18 321:10,12, 21,24 322:6 323:6 324:12 325:9,19, 23 326:2,8 327:12

Dyke's 141:24 143:7,16 161:24 273:5,19,23 274:16 280:3 285:10,19,21 289:6 292:2,11 295:2 308:21 325:21

E

e-mail 17:7 259:7, 13,21 260:9,17 263:3,4,11 266:18, 22,23

e-mailed 17:2

e-mails 258:24 266:17

E-s-c-a-l-a-n-t-e 53:14

earlier 93:14 107:20 116:11 125:4,10 180:20 184:11 296:17 298:14 300:24

early 190:7

ears 176:23

earth 317:12,14, 16,17,21

easier 303:19

east 62:16 69:20 70:7

eastbound 68:2, 13 71:3 85:13,20 140:7,24 141:16, 20 300:17,21 301:11,20 303:2 304:7 306:16 307:9

easy 115:10

Eddie 163:12 166:4

edits 255:20

effect 60:11 70:17 123:9 224:22 241:9 242:16 263:3

efficiently 169:3

effort 81:2 229:12 249:24

efforts 73:14 87:12 116:9 158:21 229:24 237:13

elements 153:11

else's 200:13

emergency 90:11

eminently 176:1

employed 246:13

employee 236:19 237:20

employees 171:6 235:4 236:2 237:5, 15

empowered 114:22

empty 187:10

encompasses 17:12 20:8

encounter 122:8 159:17,20 160:5 203:6 233:14,19 236:10,12

encountered 85:16

end 31:22 55:24 103:7 104:19 150:18 211:17 229:24 250:5

321:7 328:10

endanger 313:13

endeavor 222:3

ended 29:3 86:1 263:11

ending 150:19

ends 148:1 158:3 311:9

enforcement 201:15 204:12 218:21

engage 192:5

engaged 183:2 188:20 190:10 192:18 194:11 209:9

ensure 173:23

entailed 324:8

enter 307:1

entered 327:5

entering 306:24

enters 309:5

entire 83:16 103:20 150:21 262:16 286:4,11, 14 288:20 298:4,6 323:20,21

entirety 89:24 90:3 243:24

entities 252:21

entitled 6:4 19:1,4 21:21 24:19 30:8, 11 34:4 35:22 37:1 47:2 179:5 191:18 192:8 259:16

environment 304:14 305:5

equal 115:2 258:21

equipment 36:13 59:20 88:8 90:11 109:15 112:1 282:20

equipped 302:12

error 322:14

Escalante 17:19 19:8,20 20:2,15 22:16 36:3 53:13 178:13 194:12

Escalante's 17:21 18:16,24 20:4 21:5 36:6 179:2 181:3

escape 311:23

escaped 119:15

escaping 313:11

escort 186:17,21

essence 208:22

essentially 144:2

established 107:17

establishes 321:9,10

establishing 64:2 110:20

establishment 237:12

estimated 275:16

Eugene 53:7 81:21 252:5 256:22,23 257:4 258:5 261:8

evening 67:20 222:5,11

event 160:1 214:16 215:1

events 200:10

eventually 80:14 81:5 92:3 184:4

everybody's 105:8

evidence 8:6 23:24 25:4,23 37:19 47:22 48:13 72:19,23 120:9,18 121:12 155:4,16 157:10 174:9 175:20 177:3 180:17 207:13 222:16,17,18 226:21 231:5 232:24 233:8,21 282:6

evidenced 37:14

exact 126:4 131:6 183:9 209:24 241:8 310:11

exaggerated 310:11

exceptional 115:4 268:6,9 270:6,9,10,14,18, 19

exceptionally 268:5,9 270:7,12

excuse 51:7

executive 23:19 262:9,15 263:16 264:6,15

exhibit 6:9 14:7 33:2,11,14 38:13, 16,20,23 39:2,5,8, 15,18,24 40:2,12, 16,22 41:3,10,23 42:14,24 43:17,20, 24 44:3,7,10,13,21 45:2,5,11,13,17, 18,22 46:2,10,15, 19 47:4,10,12,21 48:1,5,12,15,18 49:1,4,11 65:5,7, 14,17 66:16 67:7, 14 72:12,13 74:2 95:24 96:21 97:12 98:9,22 125:11 126:7 127:10 130:14 131:3,21 132:1 133:5 134:1, 5,10 135:11 137:13,19,24 138:10,11,12 140:14 145:4,17 146:2,8 148:10,18 150:11 163:9 165:8,12 180:10 182:17 188:12 198:2,8,21 199:7 201:8 208:20 220:15 223:5 226:10,19 238:19, 20 249:16 250:2 259:1,2,4,6,13,21 261:2 265:6,22 267:23 271:1,8 272:8,17,24 274:23 278:17 289:8 319:15 320:14 325:6 326:14

exhibits 13:24 14:19 15:19 29:13 33:7 38:10 39:21 47:2 58:9 134:22 135:5,22 266:20

exist 35:19 162:9 179:8

existed 94:9 102:22 152:18,19

existence 12:18 102:16 223:9 233:6

exists 244:4

exit 70:16 309:13 312:3

exited 70:23 71:5 146:18,21

exits 274:3

expect 318:24

expected 240:1 242:19 245:16

expects 319:2

expedite 319:9

expedition 221:8

experience 174:5

218:6 245:4,5 246:11

expertise 186:22

experts 201:12

explanation 270:22 297:10

expound 272:19

expressing 265:19

extensive 155:16

extent 83:13

extricate 167:21

eyewitness 159:8 160:8

eyewitnesses 153:13 160:4 247:3

F

F-r-a-n-k-o 101:15

face-to-face 257:6

facing 294:1 311:6

fact 35:16 78:7 122:18,21 139:16 154:23 202:22 211:7 218:10 235:12,18 236:23 240:4,24 251:3 277:14 301:13 323:6,24 324:8 325:18 327:4 328:15

facts 73:18 107:15 138:2,17,20 139:2, 15 140:3,19,21 141:23 142:13 143:6,18,20 144:16 145:5,19 146:5,11,14 147:4, 13,20 148:11,20 149:1,14 150:4,13, 18 194:4 198:19, 20,23,24 199:9,10, 13 208:13 226:21 268:1,3 299:3

fail 327:1,22

failed 202:19 232:7 234:23 238:8 239:6 271:24 272:4 319:18 320:17 325:9 326:17

failing 232:9 235:2 238:11

fair 24:20 25:11 26:9,13,16 31:15, 17 37:24 64:10 76:15 77:9 78:16 80:4,24 89:16 92:9,12 98:7 105:6 157:14 163:20 175:19 176:1 177:11 211:13 217:9 242:17 255:21 281:21 288:19 295:8 296:5

fall 20:13 140:20

falls 315:6

false 7:20,21 9:6 11:15 18:11 21:15 25:21,24 145:23 147:7 148:15 150:7 207:3,5 208:4,6,16 209:5 232:16 235:9 238:24 272:15 320:23 322:14,15 325:15 326:10

falsely 136:6 137:5 138:1 139:1 145:4,18 147:3 148:10 149:13 150:3 213:8 272:8

familiar 87:19 101:12,23 172:16 237:17 309:24

family 32:4 251:24

fault 136:1 328:18

FBI 56:8 231:2 254:8 268:13,19

feared 224:23 231:22

federal 35:5 55:23 56:1,3 251:7

feel 168:2 212:18 218:3 276:13 302:15

feet 71:20 201:17, 20 275:1,16 281:9 289:9 296:3 297:4 316:4 321:11,22 322:3

fell 277:20 278:17 291:10

fellow 106:4 214:23

felon 305:3 313:8

felonies 311:19 313:10

Felony 162:7

felt 72:1,2 187:24 200:6,24 253:1

fencing 316:10

Ferguson 22:20, 21,23 23:10,15 24:4,15,22 25:2, 16,19 181:2 227:13

figure 214:15

figured 230:7

figures 236:16

file 50:20,22 66:22 94:7,17 116:14 164:10,23 165:1 222:24 283:21,22 322:24

filed 26:20 27:1,6 35:11

files 231:6

fill 93:20 239:9

final 85:23 236:10, 12 265:23 266:14

finally 37:9 104:1 312:2,17 314:8,14 317:13 327:11

find 51:3 63:3 66:18 77:23 92:16 102:17 116:8 165:24 202:19 205:23 206:10 213:9 231:4 243:19 251:21 253:7 280:5 300:13

finding 119:18 270:24

findings 37:17 227:16 259:17,18 261:1 263:2 264:21 265:5 271:1,3,4

fine 31:14 32:23 58:17 104:15,19 107:10 135:17 151:11 211:9 284:23 298:16

finish 104:9 157:7 252:10

finished 86:3,23 103:23 104:6,11 157:20,21 255:7

finishing 158:3 301:4

fire 201:21 277:6, 10 279:11 291:12 314:9 325:10,19, 23 326:3,8

fired 34:17 72:3 204:7 248:16 249:11 276:24 286:16 288:13 290:16 308:19 309:17 314:22 321:12,20 322:1

fires 274:4 281:16

286:5,12 311:1,17 312:19

firing 91:13 204:22 205:12 206:6 207:19 275:7 277:4 292:1, 2

firmly 224:11

first-line 154:7

firsthand 229:14

fishing 179:13 221:8

fit 301:14

flashing 119:9

flashlight 303:11, 13

flat 68:6,17 307:12

flattening 306:3

fleeing 300:16

flip 113:5

floor 170:17,24 179:17 185:17,20 196:22

flows 242:18

flying 196:10

focal 83:20

focused 237:12 284:12

folder 164:23 165:1

folks 32:4 54:13 153:2 158:23 210:2 256:5 266:22 286:23

follow 116:2,3,5,7 122:20 143:2 177:13 224:4

follow-up 64:18 82:3 93:6 98:16 104:2,7,12 106:9 116:10 120:7 129:5 165:22 166:6,8 217:13 230:18 239:12 250:16

Fontaine 45:1 128:5,23 129:9,14, 16,22,23 130:9,17, 21 131:3,7,10,20 132:10 135:1 136:6,7,13,18 145:5 149:14 150:5

Fontaine's 150:13

Food 303:4

foot 68:17 302:21 303:10,21 307:10

footage 283:23

FOP 102:2,4,7 103:15 219:21 228:12

force 23:3,4,5,7, 11,12,20 24:8,14 37:16 38:5 51:15 192:2 201:12 211:10 227:5,10, 15,16 302:14 313:15,20 314:10, 13

forcible 305:3 311:18 313:8,10

forensic 154:21 155:8,14 157:16 158:2 161:23 183:15 231:2

forensics 155:6 157:7,12

forget 216:7

form 40:1,6,9,13 47:22 48:13 94:9 106:14 117:6 131:5 191:21 242:8 313:19,20

formal 114:24 144:8 164:18,20

formalized 93:24 94:5

format 271:15

forward 159:11 277:5 284:5 324:19

fought 310:1

found 66:21 77:17 104:15 245:2 274:6 275:13 277:17

foundation 82:17 128:3 139:22 189:4,15,20 190:18

four-fifths 148:18

fourth 208:20 271:9 319:23

frame 123:2 277:8, 13 287:1 291:1 296:24 297:2 324:20

Franko 101:6,10, 13,24

Fraternal 21:24 26:20,24 35:10

frequent 165:24 257:3,6

fresh 105:8 317:2

Friday 261:13

front 14:6 15:9 70:15 138:10 163:9 225:18 289:22 290:1 305:14,15 306:4, 15 309:7

fruits 8:14 13:1

full 14:8 23:18 41:24 42:8 159:12 248:17 249:10

fun 309:22

function 164:13

functions 154:12

Futterman 223:9, 11,15,18,20,21 224:2,5,16 225:2, 8,20,22 226:1,2,5, 12 227:6,8,20 228:2,15,21 229:16 231:11,14, 16 232:1,13 233:1 243:11 246:2,6 247:1 249:22

Futterman's 226:18

G

G-a-l-l-a-g-h-e-r 53:4

Gaffney 68:16 85:14 86:8 145:20 146:6 162:2 300:12,19 301:10, 15 302:4,11,19 303:15,16,23 304:11 305:2,6,11, 18 306:5,17,22 307:11 312:10 318:15

Gaffney's 146:11, 13 312:12,13

Gallagher 52:21 53:3 59:10 60:1,5, 7 61:5,8 63:3 64:10 76:24 77:8, 14 78:13 79:13 80:5,23 83:23 87:10 93:2 95:9 100:17 114:20 152:18 154:6 183:18 185:9 197:4,10 210:6,10 223:17,19 224:8 225:6 226:4,8,11 231:15 240:5,9,11, 23 244:13,17 247:1 254:17 255:12,18 258:1 260:12,22 264:19 266:1,12

Gallagher's 224:5 225:11 255:15

gangbangers 310:1

Garcia 163:12 166:4,5 299:15 300:14

Garrity 34:20

gave 33:16 80:20 83:10 84:1 301:7, 14

general 5:11 6:15, 18 10:21 11:23 12:12 13:6,8,9 17:8,15,21 18:17, 21 19:11,12,20 20:5,12,17 21:5 22:7,16 25:7 26:12 27:2 28:23 34:6 35:12 36:6,20,24 37:12,22 44:22 45:19 46:12 52:15 57:19 62:6 65:8, 13,14 66:8,9,12, 23,24 67:4,11 93:15 94:13,18,24 110:16 130:2 134:23 136:4 137:2 158:18 164:7 165:15 166:22 167:15,23 181:2 191:16,20 196:5,6 207:14 212:12,19 213:16, 20 216:15 227:13 238:14 239:1

General's 10:4 24:18 28:2 30:9 35:17 36:1 37:6,10 57:16 167:9 194:21

generalizations 194:3

generally 71:16 86:24 113:11 136:22 164:22 167:6 213:18 214:10 217:16 286:10

gentleman 174:12 176:19 177:17

gentlemen 22:13 24:15 33:21 243:18 244:1 305:20

give 30:18 43:11 55:19 61:10 65:10 78:18 81:8 96:10, 20 103:1 120:17 169:19 191:23,24 211:18 228:3,5 241:7 244:10 250:13 289:5 309:12

giving 28:20 34:12 55:24 117:9 256:5, 10 265:11 313:24

good 16:9 28:4 54:19 151:16 184:24 193:23 220:6 236:11 246:19 304:5

gotcha 58:5

governing 212:5

governs 94:19

GPR 47:7 72:13 74:2 76:14 92:20 93:10,14 98:16,19 99:2 116:11,15,16 129:23 130:15 131:4,21 134:1,5 163:19 164:2 165:18 166:4,5 168:18 197:23 198:3,4,9,21 199:7,10 201:7,9 204:17 207:23 208:19 212:16,17 215:22 218:9,17 225:7,9,11 235:18 237:8 239:3,9

GPRS 47:5,9,16 94:19,20 98:23 158:21 160:15 163:6,15 164:8,19, 24 165:4,9 166:12 183:16,17 195:23 211:23 212:4,6,8, 20 213:3,4,17 215:11,16,19 216:11,15,19 217:3,10 237:6 239:2

graduated 111:16

grand 55:18,20,23 56:1,4,6 252:17 254:3,4,6 324:6

grasp 277:22 278:19 291:11

great 300:1 311:24 313:9

grievance 26:20, 21,22 27:1,5 35:11

ground 277:21 278:18 279:1,5,12, 20 291:10,13,22 292:12 293:2 310:5 315:6 325:11,20 326:4,9

group 220:14 227:7

growled 299:17

guess 62:1 89:19 105:16 106:12 109:20 110:11 113:13,20 116:3 117:23 118:11 125:18 126:5 131:19 138:9 143:4 164:15 165:20 169:17,20 172:5 193:23 210:6 214:15,24 241:13 242:17 244:9 320:2 324:11

guessing 71:18 118:17 308:10

guide 186:18

guidelines 268:15

Gulliford 54:5

gun 311:17 314:23

guns 312:4 313:4

guy 260:14 302:9 305:9 306:18 309:5 312:13,14, 24

guy's 314:17

guys 31:16 157:7 158:2 314:6

H

H-a-g-e-n 125:2

Hagen 125:2 152:20 153:8,18 154:5 156:10,19 157:23,24 161:6 235:14,17 237:1, 15

Hagen's 152:22 237:4

half 57:19 140:18

hand 6:1 39:1,23 40:15 71:4,8,23 104:10 129:18 130:13 133:24 164:12 198:1 253:9 279:6,21 301:24 302:2 303:12,14 312:6 315:13

handcuffed 245:18

handed 217:6

handgun 72:3 274:4 275:8 276:24 277:4,6,10 290:16 302:3,22 303:13 321:20 325:23

handguns 310:2 314:7

handing 42:23

43:16 44:6,20 45:16 46:9 47:20 48:11,24

handle 118:13 250:16

handling 19:24 41:6

hands 32:2 301:22,23 312:23

handwriting 166:2

handwritten 99:2 130:16 134:10

hanging 310:22

happen 161:14 193:22 213:22 216:13 302:5

happened 25:22 61:20 72:17 76:20 78:4 83:17 84:7,8 86:18 117:11 161:10,11 168:5 177:16 190:6 235:22 244:21 250:5 264:8 300:15 301:7 303:5 312:8

happening 162:11 180:4 213:7

happy 57:6 58:4 96:17 191:1 284:19

harassing 230:5

hard 115:9 231:3

harm 311:24 313:10 315:13

hashed 327:17

he'll 208:11 305:10 308:3

head 154:3 158:16 171:9 196:11 222:1 240:6

heading 93:19 309:3 312:18 317:12

headlights 293:21 294:2

headquarters 59:3,6 170:15 262:10

hear 173:15 175:6, 11 176:7,9,10 215:5,7 249:12 302:8

heard 23:22 90:8 136:7,14,15 137:6 173:20 175:10,16 176:13 177:17 196:14 219:7 229:15 254:18 306:20 312:11,13 318:14 323:12

hearing 24:6 37:18 307:5

hearings 214:4

heart 323:5

helpful 241:17 242:23 244:11

helping 154:6

helps 97:2

hesitantly 312:21

Hey 215:22

hiding 15:7 324:10

higher 257:13

higher-ranking 262:21

hike 309:19

hiking 315:18

hit 88:12 293:2

hoc 79:19

hold 125:9 251:19 252:15 253:13 254:20,22 279:7

holding 281:5 302:2 310:19 311:10

holstered 201:18

home 216:18 221:13,15 301:6

homicide 52:19 268:20

honestly 13:19 15:3 135:24 189:18

hope 328:19

hopes 32:8

hospital 63:17 77:3

hour 328:19

hours 30:2,12,13, 18 31:12,20 32:1,7 52:15 157:13,14 172:6 196:13 206:12 219:16,17, 18,21 267:8

housekeeping 222:21

humorous 309:23

husband 222:9

HX475653 40:18 43:18 44:23 45:20 46:12 47:23 48:14 272:3

HX486155 44:9

I

I(1) 232:6

I(2) 234:22

ID 40:19 41:7 43:19 44:9 207:7

idea 61:20 72:17, 18 74:3 76:20 83:7 91:18 92:22 106:8 116:16 126:18 160:23 219:20 229:10 237:14 263:22

ideally 305:2

identification 259:5

identified 224:1 232:12 269:10,19, 22 270:9,17 294:5 296:6 297:1

identify 5:8 35:18 42:17 61:18 127:21 134:22 148:24 150:12 153:14 158:13 180:21 181:7 215:1 224:20 229:12 232:10 234:5 235:2 237:11 249:19 250:1 282:22 293:8 294:7 296:17 297:2

identifying 73:4 77:24 158:8 249:23 287:7

identity 35:23 102:17 229:18 244:18

ignore 274:19

ignores 301:19

ignoring 303:8

II 238:7 271:23

III 326:12

Illinois 11:17 24:2 51:4 222:14

illuminated 304:5

imagine 264:8 266:7

immediately 26:3 60:24 73:8 91:1 206:11 305:14 313:5,13,14

imminent 26:3

impaired 26:17

impairs 25:10

impartial 24:20 25:11 26:9,13,16 37:24

important 80:1 91:8 115:12 153:11 172:4 213:22 290:10 299:2

impression 122:12 123:9 246:3

impressions 210:11,12

improper 36:13 239:2

in-car 36:12 50:1 271:10 272:9 278:2 283:16 319:17 320:15 325:7 326:16

in-person 260:22 261:4,8

inaccurate 9:6

inappropriate 189:21

inattention 18:4 36:11

inbox 164:16

incapable 189:16

incident 21:2 44:8 47:23 48:14 49:2,3 50:21 61:14 63:7 78:4,6,23 79:4 82:3,24 83:1,16 84:5,21,22 86:1 89:2 90:5 118:19 119:13,23 122:13 154:24 162:2 195:10 196:4,5,8, 17 197:13 211:9 216:12 222:13 223:10 230:18 233:22 234:14 235:23 244:22 247:10,22 248:14 250:5,14 251:4 252:23 262:12,22 264:7,14 268:5 269:5 298:6 309:23 317:3 323:21 324:8

incidents 114:12, 17 259:11

include 11:13 21:9 96:7 118:12 129:22 131:21

included 20:10 49:24 50:5 67:13 98:8 116:12 133:5 207:5 208:5 209:9 261:1 263:23 265:6 278:7,8,15

includes 6:19 37:17 227:5

including 8:8 26:5 35:5 47:9 99:8 121:16 183:13 205:15 232:9,11 235:1,3 238:10

incomplete 9:7

inconsistent 199:17 274:11,13 276:21 277:11 278:10 280:6 282:3,16 295:5 297:21

incorporate 163:18

incorporating 164:1

incorrect 175:14 178:10 180:2

incredulous 317:6

independent 24:20 26:10,13 37:24 42:19 62:8 117:17 170:6

indicating 25:20 276:3 283:24 309:21 310:19 311:11

indication 204:13 231:23 324:16

indirectly 35:4

individual 98:10 170:20 236:14

individuals 5:8,18 91:10 98:18 125:4 160:20 161:4 163:13 182:10 184:12 187:13 188:7,12,13

industrial 301:1 302:16 304:15

inference 323:24

influence 188:22 190:12,20 192:20, 24 193:9

influencing 193:12

Info 259:8

inform 110:17 178:7 179:24 215:17

information 16:19,23 21:17 69:9 73:8 74:6 75:23 80:23 83:8, 19,21 88:20,23 90:15 96:10 118:12,13,14 119:6 120:12 122:3 123:8 130:22 139:19,22 163:1 199:2 202:6, 9 205:11,14 215:4 222:10 223:23 231:17 240:9 241:10,13,17,20, 23 242:18 243:22 244:2,9,10 245:10, 24 253:3 254:10 257:9,15 294:18 323:4

informed 34:4 78:13 122:6 159:3 160:9 163:2 213:6 240:23 262:2,5,7

informing 36:21

initial 66:1,10,19 67:1,12,17 69:10 72:7 74:4,15 76:4, 7 86:19,23 87:3,4, 6 92:15 93:8 118:20 132:14 210:12,17 224:6 292:18

initially 62:18 73:12 88:17 199:11 286:8 300:9

initiation 20:3

inject 227:2

injunction 27:1 35:11

injured 299:22

inoperation 18:5

inquiries 240:7

inquiry 241:4 247:6 253:13

inside 236:18 302:19

Inspector 5:11 6:15,18 10:4,21 11:23 12:12 13:6,8 17:8,15,21 18:17, 21 19:10,12,20 20:4,12,17 22:7 24:18 25:7 26:12 27:2 28:2,22 30:9 34:6 35:12,17 36:1,6,19,24 37:5, 10,12,22 57:16 167:9 181:1 191:16,19 194:20 207:14 227:13

instances 175:1

instruct 173:10

instructing 110:2

instructions 78:18

instructors 201:12

intend 13:13,16 16:14 151:15

intent 143:12,15 310:7

intentional 57:17, 21

interaction 91:24 120:4 123:10 159:9

interest 61:12

interested 262:17

interests 242:7

interfere 254:23

Interim 17:18 19:19 20:14 36:2 178:12 194:13

intermittently 66:3 286:23

Internal 20:13 28:18

internet 51:2 224:14 225:19

interpose 212:21

interpret 104:8 179:14

interpretation 292:6 323:3 328:1

intersection 62:22 85:17

intertwined 167:20

interview 5:22 6:16 8:5,13,21,24 10:5 13:1 15:2 28:7,10 33:11 34:16 35:7,24 38:14 44:24 45:21 49:20 50:11,14 51:17 52:9 74:4 76:3 79:17 86:11, 18,19,23 87:2 92:16 95:7,10,15 98:10,15,17 99:3 102:21 103:16,18, 20 121:24 127:7, 14,17 128:13 129:7,9,21 130:3, 16,20 134:2 136:6 137:4 144:11,21 148:4 149:8 159:11 161:22 163:8 166:15 184:6 195:7,8,13, 18,21 196:20 197:3,5,8 202:1,5, 23 204:18,20,24 205:4,7,8,10 209:10,11,12 214:12 215:20 216:5 219:12 223:13 229:13 232:10 235:3 238:15 296:11 328:9,12

interviewed 6:13 56:8 97:18 99:15 100:8 125:14 128:10 153:7,14 159:4 160:12,14 161:19 167:16 172:23 173:3 195:2 222:7,12 227:11,15 243:22 251:6 254:7

interviewer 103:17,19,21,22, 24 104:2,4,5,7

interviewing 103:11,13 134:12 166:16 215:12

interviews 46:13 86:4,15 92:15 93:8 97:17 98:13 125:15 126:11,21, 23 127:11 134:24 157:15,19,20 163:5,16 166:7,12 167:7 168:6,16 171:16,18 172:7 184:1 211:24 212:20 213:19 215:10,15 217:11 254:11

introduce 198:18

introduced 64:16

inventoried 322:23

investigate 17:10 19:21 36:14 56:22 252:24

investigating 21:3 252:16,23

investigation 5:20 6:17 11:2,6, 11,12 12:5,6,22 16:21,22,24 18:18 19:14,24 20:5 21:6,12,22 22:22 24:19 25:8,11 26:17,23 27:2,4 35:10,12,13 37:7, 11 61:21 64:19 72:19 73:1 77:6 78:20 82:3 83:5,24 89:2,5,10 93:12 95:21 96:5 107:1, 17,18 108:4,6 109:19 110:18 113:23 114:8,10, 12,16 116:7 121:15 122:4 153:5,12 154:16 156:21 161:13 162:8 164:6 166:24 168:13,17 169:13 170:22 172:14,19,22 173:2,11 174:13 183:13 211:10 213:20 227:1,14 228:5 230:3,19 240:3,5,8 242:21 244:11 245:6,17, 18 250:8,12 251:8, 12,13 253:3,12 254:24 255:1 256:4,8,11,16,20, 24 257:19,22 258:2,5,11 259:18 260:20 261:6,20 262:12,23 263:10 264:17,21 265:18 268:22 269:4 270:15 272:2 323:5

investigations 20:7 114:1 144:13 167:16 191:7 239:22 241:18 242:24 252:21 321:17

investigative 50:20 66:22 73:14 79:7,21,24 87:1 94:7 95:10 116:14 125:5 164:10 183:1 209:8,15 210:3,13,18 218:2 221:18,20,21 228:18 232:8 235:1 238:10 246:17

investigator 24:21 26:13 28:6 31:20 114:2 155:14 171:11

investigators 37:24 171:12

investigatory 161:17 183:7 200:17

invites 103:23 104:6

involved 63:6 78:8 90:15 100:3 158:20 162:2 168:15 171:12 172:14,18 183:12 195:9 206:14 220:1 229:20 239:21 251:3 253:2,21 261:17, 23

involvement

92:17 122:17 251:16

IPRA 162:11 171:2,6,16 225:4 229:22 230:6,8 232:3 239:16,17, 23 240:6,10 241:12,16,21 242:2,6,15 243:12, 13,21 245:5,8

IPRA'S 244:9

ironic 213:9 243:19

irrelevant 108:7

isolate 64:3

issue 106:21 107:3 108:15,18 111:18,19 240:17 253:9 257:13 320:24

issued 23:13 105:16,17 109:11, 12 254:3 321:16

issues 26:22 32:4 35:9 80:1 240:7,19 320:7

items 13:11,15,17 16:3

IV 320:2

IX 133:14

J

James 5:12 53:19

Jamie 226:1 227:8,20 228:16 231:19

Janet 45:21 132:2, 7 134:2

January 17:22 36:7 114:15 251:2 253:14

Jason 46:14 63:7 91:24 126:14 138:18,21 139:3 140:15 141:12 154:17 159:9 161:24 205:15 233:14 234:18 236:12 276:20 277:4 280:3 292:7, 10,14 295:2 310:13,24 311:17

Jeffrey 230:15

Jersey 34:21

job 34:10 115:9 258:15,16 318:18, 19 323:23

John 17:19 36:3 53:13 178:12 194:12

joined 79:14

joke 94:1

Joseph 67:21 126:14 138:14 146:4 227:13

Jr 5:12

judgements 25:3

July 36:10

jump 21:4

jumping 308:14

jury 55:19,20,23 56:1,4,6 252:17 254:3,4,6

justice 11:15 18:12 21:14

justifiable 210:22

justification 207:4,5 208:4,6,17

justified 203:12 314:11

justify 203:10 324:3

justifying 213:8

juvenile 269:9,11

K

K-a-l-v-e-n 227:9

K-l-i-m-a-s 27:21 28:18

Kalven 226:1 227:8,20 228:2,16, 22 229:17 231:19 232:1 243:12 246:6 249:22

Karlov 304:8,9,11 305:7

keeping 307:11

kid 307:11

Kildare 85:3,10,12 300:17,20 305:1

kill 276:12 314:21

Killen 171:11

kind 17:6 40:24 71:13 73:12 79:19 83:20 86:19 110:1 122:7 186:4 213:21 229:8 237:17 247:15 248:4,22 257:9 258:14

kinds 231:7 317:4

King 63:1,21 68:13,14 69:1,2 71:3 85:21 90:24 140:24 141:2,17 153:21,22 159:14 160:2 230:23 284:6 304:12 306:24 307:19,22 312:5 323:16

Klimas 27:18,24 28:3,17,18 29:2 34:14

Klimas' 27:19

knew 168:8 231:11 246:5 247:5

knife 67:23 68:5 71:4,8,12,13,15,22 72:2 90:10 133:16 136:8,16 137:1,7,8 199:2 201:16,21 207:18 208:18 273:4,6,18,20 274:12,16,18,19 275:3,4,21,24 276:4,6,12 277:22 278:19 279:7,14, 20 281:6,10,22 282:6,11,12 285:11,22 289:9, 11,14,15 291:11, 15 295:18 296:3,7, 19,20 297:5,16,19 299:19 300:4 302:2,6,10 304:4 305:13,14,24 306:1,7 309:20 310:3,4,5,11,19 311:10,12 312:6, 13,23 314:3,4,15 315:10,20

knives 204:19,22 205:11 206:5,12 310:2

knowing 25:4 312:17

knowledge 80:8 121:18 122:10 173:9 175:22 176:21 220:3 231:2 251:17 254:5 265:13,21

Kris 28:6 123:16 151:4 212:22 239:12 283:20 285:14 286:1 287:8,22 288:4 289:12 290:21 291:18

Kristopher 5:10 6:14

L

Lab 222:15,19

labeled 167:13

lack 189:4,14,20 207:12

lacks 190:18

ladies 135:1

lane 70:4 248:23, 24 275:15 316:5 321:24 322:2 327:15,18

lanes 62:20,21 69:7,17,18 71:7 247:19,20

language 11:14, 16 51:3 259:24 260:5

laptop 124:13 185:22 283:21

Laquan 17:11 20:1,6 28:13,16 50:23 56:14 58:21 63:12 68:12,20,23 77:3 85:11 92:1 120:4 122:8,15 123:10 140:23 141:2,15,20 154:17 159:5,9 203:6,17 207:4 208:5 216:11 233:14 234:18 236:13,15 247:18 259:11 293:9 294:6,7 296:19 299:7,11,13,23 300:22 301:11,24 302:14 303:6 305:21 307:17 309:16 317:7 322:9

large 171:1 185:19

lasting 129:13

lastly 48:24 246:24

late 190:6 304:15 328:19

law 11:17 24:2 37:21 114:15 194:24 201:15 204:12 218:21 232:13 313:23

lawsuit 230:16 252:11

lawyers 175:9 176:9,13 178:21

lead 78:11,14 110:10,18 113:8, 14,19 114:2,3,22 115:7,17 153:6 307:16

leads 232:9 235:1 238:10

leaned 88:11

learn 79:1 118:1 160:19 162:24 168:7 180:6 240:2

learned 77:2,3,18 81:9 83:3,4,9 88:19 102:15 109:10 110:22 117:21 118:8 131:9 160:22 177:7 244:18

leave 31:21 155:19 156:12 161:1 188:2 210:7 216:7

leaving 119:20

left 36:16 63:16 68:24 70:6 119:16 122:18 162:20 209:20 210:2 220:17 222:10 223:18 275:9,19 276:17 277:16 281:18 282:9 286:13 293:4 297:12 311:2 322:13

left-hand 70:4

legal 8:20,24 27:9

length 257:18

lent 236:23

lesser 19:9 36:3

Leticia 148:20

letter 13:6 17:21, 22 18:1,16,24 20:4 22:16,19 24:14 36:6,9 178:12,16 179:3 181:3,14

letterhead 241:16

letting 77:16,17

level 18:11 73:7 252:13 258:22 262:14

license 249:21

lie 322:14

lieutenant 52:22 53:4,5 80:14,15 81:4,16 100:23 183:21 211:12 251:9 253:1 254:13 255:13 258:7,9 259:7,14, 24 260:6,21 262:3 266:10,12

lieutenants 52:21 258:13

life 72:2,4 276:24 290:15 313:13

light 22:10 230:2 253:4 324:14

Lightfoot 23:8,16 26:6 38:3

lights 90:12 119:10 248:19 249:5

limited 35:5 121:16 232:9,11 235:1,4 238:10

lines 93:19,23 195:22 215:8 316:5

lineup 250:9

list 13:22 17:18 23:5 269:2

listed 14:19 16:2 227:6,9

literally 90:17

locate 79:16,17 158:13 222:2,6 229:13

located 5:4 58:24 61:15 63:6 64:10 235:5

location 84:24 86:1 170:1,2 233:13

locations 84:10, 20 86:3

locked 186:12

Lodge 22:1 103:15

lodged 18:14

log 42:15 170:1

long 8:24 23:22,23 61:23 94:3 121:4 128:22 129:12 151:15 157:4,11, 21 227:17 253:12 264:9

longer 143:17 160:17 169:8 252:23 292:20 304:15 311:3,4 314:18

looked 50:19,22 119:3 162:4 184:22,23 234:10 247:13 275:2 280:3 292:9 295:3 297:15

Lori 23:8 38:3

lose 34:10

lot 63:23 64:7 68:14 71:3 78:2 85:1,2,22 125:12 140:24 141:2,16 157:2 299:8,12 300:14 301:5 304:20 306:24

307:10,19 311:20 312:6 317:4 323:15,16

loud 6:6

love 249:20

lowest 73:7 313:20

lunch 151:16,21

lying 96:19

M

M-a-r-c-h 5:16

M-c-n-a-u-g-h-t-o-n 54:2

made 8:5,13 10:9 12:24 17:4 21:15 22:15 23:21 24:13 25:2 26:1 29:8 37:17 71:13 105:9 108:24 115:23 136:22 167:15 179:19 184:13 187:7 191:15,17 198:10 201:9,13 204:19 206:11 207:15 218:20 223:17 224:7 227:17,21 229:11, 17 230:17 231:12 238:12 241:4,11 246:6 247:7 250:15 253:6 255:19 277:23 294:6 314:10 322:19,21

main 61:12 103:16 161:18 162:10

maintain 280:13

major 49:2 61:13 79:4,23 82:3 96:5 222:13 250:23

majority 93:22

make 19:17 31:17 32:19 49:18 77:1 112:10 116:22 122:19 129:24 131:4,22 134:7 136:13,19 137:9 165:3 167:22 184:24 195:10 196:1,14 197:21 206:1,4,22 218:14 228:17 242:23 243:3,6 246:10 249:11,24 258:17 294:8 304:4 309:22 317:1 318:9 324:3

makes 32:5 166:3 179:4 291:2 306:14

making 7:20,21 24:7 35:15 36:22 37:6 159:4 191:20 192:9 194:15 199:17 222:21 240:6 292:20 308:18 321:8,13

male 68:12 141:15

man 120:15 165:18 179:1,2 192:18 200:13 203:19 221:1 228:12

man's 203:20

management 258:16 262:9,15 263:17 264:6,15

manager 237:11, 20

mandated 112:5

mandates 112:7

manner 22:13 110:13 161:22 196:7 281:11,23 282:7 296:4 297:6, 17 311:11

Marback 13:8,15 54:15

March 5:14,15,23, 24 6:12 10:3,24 11:5 12:1,7,11,20, 24 13:12,18,22 14:1,6,15,20 15:7, 14,22,24 16:2,6,7, 11,15 17:1,5,15, 18,23 18:14,23 19:1,4,18 20:12,22 21:9 22:24 23:23 24:5,6,19 25:5,16, 19 27:9 28:5,8,11, 15,20 30:8 33:6, 12,21 38:14,19 39:4 40:5,17 41:9, 22 42:16 43:1,17, 24 44:14 46:3 47:15 48:6,19 49:8 51:23 54:12 57:1 97:12 107:24 109:24 120:21,23 121:6,8,13 131:9 135:11,19 136:3 166:15,20 167:12 168:8,11,21 169:1, 6 176:6 177:7,22 178:5 179:22 182:13 193:13 207:7 208:8,15 211:22 223:12,16 227:17,22 228:23 234:7 242:12 252:1,3 253:8,15 254:20 255:4 256:10 259:6,8,14 265:9 272:8 282:22 283:1,14 287:5,21 288:4,19 290:11,21 294:23 318:9 319:15 320:13,20 325:5 326:13 328:12,17

March's 12:13,16 27:8 38:8 134:21 145:9 176:21 189:16 226:24

mark 33:4 47:2 259:1

marked 33:2,10 38:13 39:2,24 40:16 42:24 43:16, 23 44:7,21 45:17, 18 46:10,18 47:21 48:12 49:1 65:5 130:14 134:1 198:2 238:19 259:3 305:19 306:11 313:19

marker 327:18

marking 38:9

markings 42:17

matchbook 94:3

material 232:8,11, 23 233:2,23 234:24 235:3 238:9 323:4

materials 49:20, 23 50:14,15,18 243:15

matter 23:21 25:3 38:1 51:14 55:23 56:4 115:9,10 261:22

matters 13:4

Mccarthy 256:15

Mcdonald 17:12 20:1,6 21:3 23:22 24:9 26:2 28:13,16 50:23 55:21 56:9, 15 58:21 63:13 68:12,20,23 69:4, 15,16,22 70:7,8, 13,16,21 71:2,5, 10,11,13,21 72:1,3 77:3 85:12,16,18, 21 91:2 92:1 99:11 100:14,19 101:1,7 113:22 119:2,22 120:4 121:17 122:2,8,15 123:3, 11 125:6 129:17 133:16 140:6,23 141:2,15,20 154:17 159:10,15, 17 160:2,5 173:6 175:14 180:8 182:16 188:21 190:11 203:6,17 207:5 208:5

216:12 232:12 233:14 234:19 235:6 236:13,16 247:18 259:12,17, 18 272:6,12 273:4, 5,18,19 274:5,15, 24 275:1,2,8,18 276:11,16 277:1, 20 278:17 279:4,5, 11,12,19 280:14, 18 281:3,8,17 285:10,15,18,21 286:1,8,13 287:9, 19 288:22 289:8, 13 290:16 291:10, 13,14,19 292:12 293:9 294:6,8 295:11,17,20 296:2,19 299:7,11, 13,23 301:11,18, 24 302:6,14,22 303:7,18 305:8,12, 21 306:7,20,23 307:4,17,21 308:4, 24 309:1,12,14,16 311:1 313:6 317:7 318:10,14,16,19 319:16,20 320:15, 19 321:10 322:9 323:7,11 324:1,2, 6,11,17 325:7,10, 19,20 326:4,8,15, 18

Mcdonald's 71:4 251:24 301:21 306:22 316:4

Mcelligott 68:17 85:15 86:8 145:18 146:4,5,14,18,20 162:2 300:13,20 301:10,16,17,21 302:1,3,21 303:10 312:11 318:15

Mcelligott's 146:19 305:18 307:10

Mckay 5:1,12 9:23 10:3,18,20 11:7,13 12:9 13:3 14:12,23 15:23 16:9,18 17:2 20:23 25:14 26:19 27:7,16,19,22 29:4,10,20 30:1,5, 22 31:14 32:10,15, 23 33:13,16,18,20 38:6 40:20 41:2,14 42:12,14,21 45:11, 14 47:1,13 54:11, 14,22 55:10 56:17, 24 57:5,8 82:17 101:9 103:5 104:20,24 105:6,9, 18 106:14,24 107:4,15,21 108:3, 9,23 109:22 117:6 120:8 121:3 125:17 126:3 127:23 131:5,15, 17 134:15,20 135:17 142:7,14 145:8,12,15 149:18 151:11 166:13 167:11 168:10 169:4 173:24 174:9,22 175:15 176:5,24 177:15 178:11 179:19 180:15,20 181:16,18 182:2,5 189:3,24 190:17 191:13 192:14 193:15 194:2 200:12 203:18 207:11,18 208:11 212:21 213:14 220:19,22 221:2,4, 6,8,10 226:20 228:1,7 232:21 238:18,21 242:8 243:9,17 245:21 267:3,7 271:11,14, 18 279:2 282:19 283:1 284:24 285:2,5 295:21 296:9,12,15 298:15 316:2,10 319:24 320:3 327:13 328:15

Mcnaughton 54:1 82:12,21 83:14,24 84:1,14 95:9 100:13 124:21 152:5,8 210:23

meaning 68:4 296:10 306:19

means 269:10,18, 21

meant 186:11 253:2

media 35:6 230:22 283:21 290:5 293:5 294:15 295:7 298:24 315:24 316:18 317:4

median 69:17 70:5

meeting 222:17 262:16 265:5

meetings 256:14 260:22 261:4,8,17 262:9 263:17,21 264:4,6,15,23 265:12

member 195:9 220:1 227:7

members 23:5 97:23 111:19 262:21 264:10 265:4 266:8

memo 18:2,3,9 20:24 21:4 36:10 178:13,16 179:3

memorialize 241:1,3 244:14

memory 84:1

men 227:14 274:6 275:17

mention 176:17 178:18 179:4 191:7 201:9 202:15,20 204:19 206:12,20 218:20

mentioned 66:2 71:1 80:21 99:7 100:3 105:14,15 107:19 108:20 114:19 116:11,24 117:21 120:2,5,23 123:21 152:4 158:7 184:11 195:2 209:7 225:20 230:13 242:2,9 246:3,24

mentioning 203:9

mentions 226:2

mere 207:14 208:14 313:17

message 205:20 223:18 252:7

meteor 317:12,17

method 110:16

Michelle 5:7

mics 18:5 36:12

middle 86:5 121:6 138:13 171:22

midnight 155:22 162:17 217:1,5

miles 90:17 317:15

million 317:14

mind 97:3 105:8 159:23 200:14 203:20 283:2 298:17 310:16 314:16

minds 317:3

mine 59:18

minimal 302:14

minimum 313:15

minor 80:2 324:8

minute 40:24 298:9

minutes 62:2 283:22 284:3,9 286:21 287:2,22, 24 288:1,15 296:7, 9,10

Miranda 12:2

mirror 249:6

misconduct 8:6 18:19 21:7 36:8 168:23 175:18

mislead 135:8

misleading 135:19

misrepresentation 138:7 139:8 145:24 147:8 150:8 321:1

misrepresented 242:12

misrepresents 148:16

missed 247:4

missing 41:12,14 42:4 230:23

misstate 184:14

misstated 149:19

mistaken 120:22

mitigates 324:2

Mm-hm 56:23 81:12 110:14 214:19 218:12

model 258:17

moment 58:15 71:24 141:10 310:12 325:1 328:3

moment's 285:3

moments 296:22

Monday 31:10 261:14 266:6

Mondragon 45:21 132:3,7,11,14,24 133:9,15 134:3,6, 12 135:1 137:5,9 147:3,12 148:1,6

Mondragon's 148:4

monitor 87:23 89:7

monitors 89:13

months 102:16 250:21 253:15 317:6

morning 10:6 89:4 209:23 211:1 216:22,23 220:18 227:18 266:7

motion 214:4 309:20

mounted 236:7

move 102:23 137:16 145:2 151:8 249:3 277:21 278:18 279:1,6 280:9 281:2 291:11 309:24 310:11,14, 18 315:19 318:19, 22 319:1,2 325:1

moved 89:10 293:3 319:20 320:18 323:7

movement 71:14 275:22 277:7,16 278:14 294:13 295:1

movements 312:19,20,24 318:10

moves 104:16 306:5 310:16

movie 310:1

moving 73:14 279:19 280:1 284:5 291:22 292:2,8,13 293:17 295:3 310:22,23 317:15,20,21,24 318:2,13,16 323:11,13 324:16

mugged 305:22

multiple 71:12 87:9,13 88:15 89:17 92:8 99:7 144:8,12 183:19 257:6 269:24 273:4,18 311:18

Municipal 5:21 9:8

murder 299:24

mystery 175:18

N

N-e-u-m-e-r 5:6

named 13:12 182:10 225:24

names 53:1 116:17 149:20 154:2 163:11 169:20 171:5 172:9

narrative 26:1 57:4 64:22 72:6 74:17 76:7 165:12 197:13,15,18 198:16,19 199:16 274:22

nation 268:15

nationwide 205:22

nature 35:22 64:14 78:19 267:16 322:21

nearby 75:10 77:20 119:10

nearing 211:17

necessarily 92:24 125:13 126:20,22 166:24 218:13 261:6

needed 73:15 87:12 94:5 99:22 111:6 119:19 122:20 157:6,8 161:14 184:20 185:4 186:17 187:24 195:11 196:18 200:6,23, 24 222:23 241:20

negotiations 251:23

Neslund 230:15

Neumer 5:2,6,18 6:3,11,13,24 7:15 8:4,12,19 9:5,14, 21,23 10:2,16,19, 20 11:1,7,10,22 12:4,10,21 13:5,19 14:22 15:1 16:5, 16,19 17:3 18:20 19:6,12,19 20:23 22:4,18 25:9 26:15 27:5,12,17,21 28:1,4 29:1,4,5,12, 24 30:4,11 31:19 33:1,9 38:6,7,11, 18 39:7 40:4,21,22 41:5,16,19,21 42:5,6,12,13,18,22 43:13,22 44:12 45:4,13,15 46:1,17 47:11,14 48:3,17 49:6 54:12,17 55:5,14 56:18,23 57:3,6,10 82:19 83:12 97:5,8,10 101:10,11,16 102:23 103:8 104:9,15 105:3 123:15 125:17,23 126:1,6,8 128:1 131:6,11,16,18 134:15,19 135:6,9, 24 136:2 142:10, 23 143:3 145:11, 13,16 149:22 150:1 151:4,7,12, 17,23 152:1 166:21 167:19 169:2,5 174:3,4,14 175:3,24 176:3,20 177:6,19,21,24 178:2,4,15 179:14, 20,21 180:18 181:14,17,21,24 182:3,9,12 189:22

190:1,19,21,22 191:22 193:11 194:1,5,19 198:7 200:15 204:1,8 207:16,22 208:1, 24 209:6 211:17 220:8,11,13,20,23 221:3,5,7,9,11 227:19,23 228:3 229:1 230:11 234:1 238:20 239:11 243:15,17 249:15 259:1,6,19 267:4,10,19 271:13,16,19 279:9 282:20,24 283:3,4,8,11,13 285:7,8 287:21 288:2,14 290:4,13 294:14,21 295:22 296:1,10,13,16 298:22 315:21 316:16,23 319:7 320:1,4,9 328:2,6, 22

news 102:16 118:16 121:3,7 180:12,16 182:14, 20 230:22

night 18:7 56:11, 13 58:12,19 80:5 84:12 88:18,24 102:5 117:11 122:9 123:18 128:20 129:24 131:23 136:14 147:17 153:15 162:4 172:11,15, 20 175:7 178:6 179:23 180:5,14 184:2,7 185:7 188:7 190:7,8 200:11 210:19,24 216:20 221:17 222:2 235:21 301:2 304:15

night/morning 209:17

Nodding 130:5 204:9 205:1

non-criminal 269:5

non-shooting 253:22

non-sworn 182:7 228:14

non-use 21:1

norm 215:21

normal 32:12 172:6

north 62:16 63:1 68:14 150:22

northbound 68:10 69:18 70:3,4 85:12 140:10 247:15 293:16 300:16,20 308:9

not-threatening 315:8

notations 197:24

note 12:10 212:20 213:17,18 218:9, 10,14 225:5 287:10 319:19 320:17 325:9 326:17

notebook 216:10

noted 62:7 211:23 212:7 225:6 239:1

notepad 66:6

notes 65:1,17,22 66:3,7,10,14,15,18 67:11 72:11,12 73:4,11 74:1,16 76:2,5,14 86:14 88:21 94:3,6,12,15 98:18 99:3 116:16 127:8 129:6,8 130:8,16,19 133:4 134:9,10,11 196:15 197:17,19 199:15 204:18 212:11,18 215:22 239:4,10

notice 20:11,20 28:9,10 35:22 50:13 57:12 58:20 59:9 127:20 167:2 178:22 179:5 188:16 192:11,15, 16 194:21 208:20 271:21 285:3

noticed 301:21

notices 302:1

notification 10:4, 17 17:14 20:21 33:11 38:14 39:3 49:2 102:24 108:19 137:17,23 229:1 232:5 234:21 238:6 319:12 325:2 326:11

notifications 109:18 110:9

notified 60:7

November 250:22 264:24

number 5:16 10:9, 12,13,14,15 13:11 14:14 40:18,20 41:14 42:15 43:18 44:8,23 45:11,20 46:12 47:23 48:14 49:3 51:21,24 54:10,20 55:8,16 76:23 93:22 112:23 116:19 137:21 145:9,23 158:10 185:5,11 188:17 192:17 206:2,15 229:23 230:1,7 262:20 271:22 272:3 290:10 291:23 326:22 327:19

numeral 128:2 133:14 137:17,22 145:3,13 147:2 148:9 149:12 150:2 207:1 232:6 234:22 238:7 271:23 319:12 320:1 325:3 326:12

numerals 320:5

numerous 305:23

O

O'donnell 53:19

oath 57:24 177:17

object 19:12 22:9 35:2 55:1,10 56:17 103:6 105:18,21 106:14,24 108:3,6, 24 109:22 120:8 125:17 131:5 132:20 142:7 145:8 149:18 173:24 174:9,22 175:15 178:11 180:15 189:4 192:15 200:12 203:18 207:11 226:20 227:12 228:7 232:22 242:8

objecting 34:21 35:7,16 37:5,9 178:23

objection 5:1 22:17 27:16 30:6 38:2 47:1 54:11 82:17 103:6 104:21,24 105:2, 10 109:23 117:6 126:3 166:13 168:20 179:15 190:17 203:21 208:12,22,24 212:22 227:3 328:15

objections 35:15 38:8 181:21 328:13

objective 272:5

obligation 7:2 12:7

observe 301:10

observed 71:3 141:2,14 149:10

obstructed 21:14 236:21 275:12 281:20 297:13

obstructing 242:21

obstruction 11:15 18:12

obtain 8:23 173:23 174:7

obtained 16:14

obvious 324:9

occasion 133:10, 11

occasions 128:24 187:17

occupied 79:7 90:6 306:11 309:4

occur 72:15 74:8 75:9 214:12 300:7

occurred 64:21, 23 72:18 78:6 83:7 84:2 89:3 91:9 92:1,6 95:6 119:7, 24 121:10 129:9 168:6 183:10 196:4 200:10 214:5 233:15,17, 19 234:14,18 237:2 264:7 269:4 298:7

occurring 264:23

occurs 215:21 250:14

October 16:13 44:22,24 45:19,20 46:11,13 47:6,8 52:4,13,18 53:17 55:4,9,16 56:12 58:13,19 67:8,9 72:14 74:2 80:6 129:24 136:5,15, 19 137:4 147:18 178:6 179:23 180:6,14 188:19 189:11 190:3,7,8 198:3,4,20 199:6 201:7 207:2 208:3 209:17,21 220:18 221:17 238:13 250:6 256:10 264:24 288:17 293:7

odd 20:24 202:19 206:10

odds 158:3

offender 119:14 136:17 162:5 268:4,7 269:10 270:3,8,11,21 300:16 301:8 305:3 308:14 311:18 315:12

offender's 269:19

offenders 269:21, 22 270:1,4,16

office 5:11 6:15,18 13:14 16:14 17:14 19:16,20 20:4,11, 16 21:6,18 22:12, 21 24:18 25:12 26:7,8 28:2,22 30:9,21 31:10,21 32:5 34:6,23,24 35:1,17 36:1 37:6, 10 57:16 58:22,24 59:24 60:1 81:20 89:13 99:19 102:6 120:6 156:13 161:1 162:22 164:23 167:9 170:16 171:14 179:2 183:20 184:19 185:11,12, 16,22 186:12,21 188:1 194:21 202:24 205:18 208:17 210:8 216:5,8 217:4 222:6 227:12 251:7 254:8

office's 25:10 26:16

officer 7:5 11:21 26:1 27:15 28:14 34:1 37:2 45:1,21 46:14 63:6,7,8 64:10,12 65:20 66:2,11,20 67:2,5, 13,17 68:8,16,17, 18,22 69:9,14 72:6,11 73:24 74:8,16,21,23 75:2,5,6,12,13,22 76:3,11,17 86:20 87:4,5,7,16 88:11 89:22 90:20 92:7, 11 93:5,6 97:22 99:16 101:17 103:11,13,15 105:19,20 119:4 121:1,20 123:1,10 124:24 127:7,8,13, 14,16,17 128:5,21, 23 129:9,14,16,22, 23 130:9,17,21 131:3,7,10,20 132:2,7,10,11,14, 24 133:9,15 134:2, 6,12 136:6,13 137:5 138:1,3,16, 18,21 139:2,3 140:12 141:13,24 142:19 145:5,6,18, 20 146:6,11,13,17, 20 147:3,5,13,15, 22 148:4,6,11,12, 21 149:8,9,14,15 150:4,5,13,21 160:3 161:19 165:19 181:19 184:5 186:15 195:3,19 198:18 202:2,5,6,15 203:16 204:14,21 205:7,17,21,24 206:20 207:3 208:4,15 209:10, 12 228:15 238:12 239:8 273:23 274:3 275:1 279:8, 22 280:10,12,20 281:13 282:18 288:6,22 290:22 295:11,12,18 297:3,14,21 306:12 308:8 319:19 320:18 321:19 323:6,7 325:9

officer's 73:5 92:16 205:22 236:14 307:3

officer-involved 60:12 78:22 206:15 239:22

officers 16:12 18:19 19:3,21 23:1 25:17,24 26:2 27:11 31:6 64:1 77:24 85:14 86:8 88:10 90:6 91:23 92:4,14,21 93:11 95:5,16 97:19 98:4,11 99:1,4,14 100:3,8 102:10,13, 14,18,21 105:21 106:11 109:10 117:1,12,22 118:2, 9,15,21 119:21,24 120:5,11,12 121:14,24 128:9 133:17 136:16 137:6 144:3 147:24 149:21 153:8 154:18 162:1 170:9 171:17,18,24 172:3,5 181:6 182:7 185:2 186:16 195:14 196:6 206:16 210:3 214:10,17, 23 236:15 251:3 253:17,21,22 254:2 277:16 280:21 281:3,4,9, 10,19,23 282:7,10, 13,17 296:3,4 297:4,5,16,20 300:12,19 301:14 302:13,19 303:5,9 304:2 305:21,23 310:15 311:3,7

313:18 314:1,9 317:8,10 318:9,13 323:10 324:3 325:22,23 326:3

officers' 116:16

offices 185:20,21 196:23 197:1

official 6:16 7:17 12:14 50:19 106:12,22 107:9, 13 108:16,19 109:8 230:9 241:15 242:5 243:6 267:12,13

OIG 6:9 12:6 20:22 38:16 39:5 40:2 41:3 43:20 44:10 45:2,22 46:15 48:1,15 49:4 259:4 283:18

OIG'S 25:9 26:15 28:15

old-fashioned 94:2

omission 57:21 322:15

omissions 57:17

on-call 82:23

on-scene 25:24 219:11

one-way 239:24 242:15 243:14

ongoing 256:24

open 268:21 269:24 307:19 309:8

opened 70:14 283:20

opening 310:13

operate 111:22

opinion 234:15 294:24 297:11,18 318:3

opinions 265:20 317:5

opportunity 14:7 15:11 103:2 190:23 192:1 211:19 303:21 319:10,22

opposed 262:19 286:23 303:20

oral 7:20,22

order 7:8 22:1 26:21,24 27:11,14 28:13,14,21 34:1, 14 35:10 49:19 54:23 57:22 58:7 91:19 92:6,22,23, 24 94:19 112:10 125:13,14,15,19, 21 126:4,10,20,22 174:7 179:10 183:9 193:4 199:17 213:22,23 221:24 328:17

ordered 7:4 11:20 54:23 252:1,3 253:10 260:11 273:3,16,18 281:6 305:24

orders 19:23 115:23

ordinance 9:9 35:20

ordinary 106:10 107:12

organization 23:6

original 65:9 183:13 222:2 255:17

originally 312:11

Osvaldo 52:22 53:5

outcome 246:14

overlap 157:16,18

owning 26:9

P

p.m. 52:16 89:3 151:23 177:24 178:2 220:8 283:9, 11 288:17,18 328:6,11,22

pad 66:8,9 93:18

pager 111:1,6

pagers 111:4,15, 24

pages 23:19 41:13,15 47:5,18, 19 65:7,13 66:16 67:7 72:13 94:16 150:11 198:21 199:5,6

pain 212:23

pants 309:19 315:19

paper 94:1,14 212:9 239:4

paperwork 250:18,19 261:12, 22

paragraph 6:7,8, 21 7:12 8:1,9,16 9:2,11,18 20:19 103:9 138:15 140:4 141:11 146:15,16,20 148:1,5 149:4,5,8 150:15,16,17 151:1 223:5 259:10 267:24 271:9,11,20 273:1, 3,10,15 274:24 280:11 285:19,20 289:7 319:23 321:6,8

paragraphs 139:11 140:20 141:24 142:5,6,12 143:7 147:24 259:17

paraphrasing 295:19

park 62:13

parked 62:18,24

parking 63:20 68:14 71:3 85:22 140:24 141:2,16 301:4 306:24 307:9,19 311:20 312:6 323:15,16

part 6:16 18:6 23:11 31:4 79:21 94:6,17 115:2,6 116:7 159:6 164:10 214:14 218:21,23 227:4, 14 251:13 253:5 255:2 285:16 295:1

participants 61:13 265:4

participate 34:15 103:18 246:16

participated 158:11

participating 158:14 170:22

participation 23:2 37:15

parties 97:2 328:7

partner 67:21 128:17,19 138:2, 17,21 139:3,15 143:21 145:6,19 146:6 147:13 148:12,21 149:15 150:5

parts 164:9 170:16 256:1 269:17

party 253:19 328:18

passed 70:11 247:24

passenger 70:15 116:17 140:9

308:21

past 185:9 241:12 304:20 308:4,16

path 85:11,19 90:18

patrol 53:23 54:3, 6 109:10

pause 69:8 77:5 285:7

paused 308:24 315:22

pay 59:17 111:21 112:9 318:21

pedestrian 248:8 304:23

pedestrians 233:16

pending 26:21 36:17 253:13 268:23

people 19:2,16 78:5 79:22,24 80:19 94:1 115:20 124:17 125:12,14 144:14,15 145:1 154:11,14 155:12 158:1 159:13,14 160:2,10,12,15,23 161:23 162:21 175:23 180:21 183:15 185:5,11 196:5,6,8 210:7 227:10 230:8 235:21 236:15 237:19 247:7 258:15 265:21 298:5 302:18 305:5 307:20 313:22 317:5,7

people's 246:18

perceived 292:14

percent 14:4 15:4

perception 282:4

perfectly 144:16

performing 154:12

perimeter 64:2

period 90:14 219:15,18,21 264:14

permanent 89:12 94:7,17 322:24

permanently 90:4 322:19

permitted 192:8

persist 7:7

person 19:2,5 36:21 90:9 96:8 115:4 144:10 159:11 175:19 194:18 215:4 229:13 249:4,20, 21 250:1 258:15, 18 300:2 301:11, 13

personal 22:12 54:9,19 55:2,6 106:7,21 108:1,16 109:7 110:21 112:2 120:3 173:8 220:2 262:5 265:15 266:23 267:8,16

personally 185:1 230:2 233:7 241:11 256:13 263:1,13 264:19 299:11

personnel 63:23 64:7 77:18,19,22 78:2 79:1,15,20 82:9 95:20 99:17 109:6 154:21 183:12 186:6,7 223:6,7,23 225:13 235:10 254:7 262:18

persons 19:2,3,5 36:22

perspective 154:4 161:17 236:6 276:20 280:3 281:24 288:20 292:7,8,11 294:5 295:2 296:18 297:15

pertain 135:22

pertaining 259:11

Pete 177:15

Peter 5:6 6:13 28:1 82:18 123:14 176:6 180:20 192:14 193:21 208:12 220:5 227:4 228:7 316:3

phone 27:23 54:9, 20 55:2,6,8,15 59:12,15,17,23 60:2,15 61:1 78:14 105:16 106:2,7,8, 12 107:13,16,20 108:1,21,22,24 109:1,2,4 111:20 112:2,9,17 240:21 241:1 243:3,8 256:18 267:2,6,8, 12,16,20 299:21

phones 59:24 105:17 106:6,22 107:9 108:16 109:7 110:21,23 111:5,16,23 112:10,11

photographed 162:3

photographers 155:2

Photographs 155:2

phrase 131:13 143:21 146:3 159:21 187:14

phrased 189:19 191:20

pick 32:16 142:21

picked 308:6

picks 278:14

picture 159:12

pile 43:2,9,10

place 25:23 35:8 66:21 128:13 170:8 183:9 196:20 214:1 301:2 313:15

plan 14:1 15:2 328:13

plat 155:3

plate 249:21

play 58:5 88:12 186:23 230:22 290:19 298:15 299:3 315:2,15

played 153:4,6 172:22 173:2 255:10 285:1 287:16 288:10 289:19 292:24 294:10 298:19 315:16 316:20

player 290:5 294:16 295:7 298:24 315:24 316:18

players 79:23

playing 124:14 154:15 309:18

plural 193:8

pocket 310:21

pockets 301:22, 24 302:1

point 24:11 25:2 29:11,12 68:3,11 71:23 80:19 82:7 83:3,10,11,20 85:6 88:1,7 90:8,21,23 94:4 100:2 101:5 105:1 108:13 116:3 122:7 123:1 124:20 139:18

140:6,22 141:1,12, 19 143:15 146:17, 22 148:7 149:7,11 151:13 156:9 159:1 161:18 162:11 166:14 167:12 171:22 183:23 185:13,15 191:2 213:11 219:6 221:4 232:19 233:6 236:6 245:3,7 252:22 255:7 265:14 279:7,14 282:18 285:14 291:15 293:10 299:3,5,23 303:18 304:22 307:8,14 309:16 311:12,15, 16 313:6 314:11, 16,24 317:1 321:5, 9,13

pointed 71:10 112:18 327:13

pointing 135:7 275:4,24 276:6 279:21 289:10,15 296:20

points 66:3

police 5:17 7:10, 17,18,23 12:14,17 13:10,16 15:23 16:12 17:10 18:7, 19 19:22 22:1 23:1,3,9 25:17 26:21,24 28:19 35:10 36:15 37:15 38:4,5 42:19 50:20 51:10 59:21,22 60:12 62:19 63:23, 24 64:5,7 68:4,9, 16,19,22 69:15,21, 22 70:2,15,21,22 71:5 74:9 75:10 78:2,22 83:9 84:4 85:18 87:12,17 89:7 90:12 91:22 93:16 94:8 95:16, 20 98:4 99:17,18 102:12 103:14 106:22 110:21 111:7,11 112:3,12, 14 113:1 114:12 118:17 119:10 120:11,20 121:14 128:15 132:9 136:15 137:6 138:16 144:3 146:18,21 153:8 160:3 182:7 183:12 185:2 186:6,7,15,16 196:5 206:15 214:10,17,23 217:17,18 218:9 219:8 222:15,19 224:24 226:22 227:5,9 228:11 229:20 230:24 231:23,24 236:14 239:21,24 243:23 246:14,22 247:14, 18,19 250:7 251:3 253:17,21 262:22 300:6,8,11 301:15 302:4,19 303:16, 17 304:18 305:6, 15,16,17,19,21,23 306:2,11,12,13,21 307:1,6 308:1 310:12 311:22 312:14 313:21 318:21,24 319:2 322:8,20 323:14

police-involved 113:9 114:17

police-shooting 321:17

policies 19:23 174:15,16

policy 51:10,12 107:4,8 109:5 110:20 111:9,17 112:16 117:14,15 212:5

pool 110:11

popped 68:4 306:18

populated 305:4

portion 31:4 91:5 283:15 284:20

POS 136:7 137:7

pose 166:13 177:2

posed 26:3 28:21 229:4

posing 191:12

position 23:15 25:9 26:15

positioned 68:22 69:21 70:12 308:23 309:1

possession 13:5 20:17 243:11 244:3

possibility 234:12

possibly 12:17 36:5 108:21 116:19 142:7 161:6

post-october 117:23

postpone 27:3 35:13 328:8

postponed 56:2

potential 160:10 230:5 236:20 240:16 247:10 293:13

practical 111:9 112:18

practice 118:11 143:19 164:4 212:19 213:16

precision 86:17

precluded 21:21

preface 34:2

prefer 30:17

prejudged 24:4 25:16 37:22

prejudice 25:5 37:14

prejudiced 22:24 37:12

prejudices 179:12

preliminary 156:22 210:12

premature 15:13

preparation 51:17

prepare 29:22 31:8 49:19

prepared 16:1 18:2 27:7 30:2 120:17 125:7,8 131:8 134:24 155:3 195:23 198:9 222:17

prepares 32:11

presence 23:2 313:17,21

present 5:8,19 8:21 14:21 33:6 63:24 69:3 70:1 75:2,19 78:6 82:2 91:23 92:4 99:11 100:6,9,16,21 102:5 103:19 119:13 124:15 127:10 133:9,12 161:21 169:8,10, 11 170:1,10,13 171:3,6,13,14 184:10 187:12 195:14 197:2,4,7 210:1,4 264:11 299:16

presented 16:3 226:19

president 23:9 38:3

presume 103:10

pretty 60:3,4 67:5 114:11 140:2

157:5 164:4 171:12 176:16 193:12 215:19 216:15 284:18 310:8

prevent 69:23 199:17 309:3

preventing 217:21

preview 287:6

previous 145:22 239:1 245:4,5

previously 27:13 33:10 38:7,13,20 39:2,24 40:16 42:24 44:7,21 45:17 46:10 47:21 48:12 49:1 65:5 130:14 134:1 146:8 198:2 260:10

Price 13:9

primarily 79:12 284:13

primary 68:21 80:1 83:4,19 87:11 92:14 93:7 103:11, 15,22 104:4,7 113:14 115:16 162:1 165:1,4,6

principal 195:9 220:1

printed 271:14

prior 17:2 24:15 29:7 35:24 38:20 39:9 40:6 41:10 43:24 44:14 45:6 46:3,19 48:5,19 49:8 50:10 64:23 70:12 78:14 86:8 91:1 157:15 202:1 204:20 205:3,6,8, 10 266:10 275:7 277:3 296:7,9,10 304:17 319:20 320:19 323:7 326:19

priority 250:24

privacy 245:15

private 77:21 104:22

privy 252:13

probable 10:23 11:5,9 12:19 34:7

problem 143:11 271:16 298:4 318:22,24 319:1,3

procedure 51:11, 13 103:6 104:13 113:24 114:6 164:20

procedures 174:15,16

proceed 60:18 70:9 179:18

proceeded 60:17

proceeding 8:15 13:2 34:7 68:9

proceedings 55:19 328:23

process 35:21 36:20 64:2 79:24 86:6 88:6 157:12 200:17 246:17 250:3 261:18 308:18

processed 154:22

processing 222:15

produced 14:2 163:15

produces 299:18

product 98:9,12, 14

professional 21:12 168:13 245:17 272:2

professor 224:4 225:7 226:12 232:13 233:1

progress 44:23 45:19 46:12 62:6 65:8,13,14 66:8,9, 12,23 67:1,4,11 93:15 94:13 95:1 130:2 134:23 136:4 137:3 158:18 164:7 165:15 212:12 238:14 239:2

prohibits 7:19 109:6

prominent 153:4 154:15

promoted 95:2 110:22 111:2 144:6

prompted 226:4 252:10

prompts 57:7 58:5

proper 28:9,10 213:23

properly 21:11 168:12 238:11 239:7,9 272:1

property 300:3

propose 284:2

prosecute 269:14

prosecuted 270:11

prosecution 10:23 270:20

prosecutor's 34:23

protect 64:3

protection 78:9 118:23 302:20

protocol 113:24 114:8

provide 12:7 29:17 30:16 31:18 34:11 38:22 39:11 40:8 44:2 45:8 46:5,21 48:8,21 49:10,16 57:6 58:4,9 76:6 111:3, 4 112:11,16 121:12 181:6,7,9, 19 193:17 197:12, 15 198:23 202:5 205:10,14 223:22 226:23 228:19,24 229:18 231:16 240:1,2,8 241:10 242:19,22 243:10 245:16,24 284:17

provided 13:22 15:17,21 16:8,20 17:9,15,23 20:12, 14,22 28:9 42:1,9 44:5,17 49:21,23 50:15,18 69:9 72:6 74:17 76:7 97:11 103:18 111:24 116:13 147:17 180:8,23 181:14 182:15 192:11 194:21 243:15 283:18

providing 11:15 18:11 19:5 64:22 130:22 197:18 198:16,19 257:10

provision 103:4

proximity 235:5

prudent 232:18

public 77:21 186:9 262:9

Pulaski 60:19 62:14,22,23 64:6 68:10 69:5,7,16,20 71:7 85:22,23 124:11 132:8 140:11 141:14,18 150:19,22 236:9 247:12 248:7 286:12 298:12,13 304:10,11,13 307:2 308:5 327:5, 8,20

pull 164:23 297:23
pulled 99:21 184:18
pulling 63:20
pumping 249:1
purports 15:10
purpose 113:3 179:8 195:6,8 202:23 218:2
purposely 199:15
purposes 112:22 286:22
pursuant 5:19 10:4 12:2 21:23 103:9 104:13 109:11,12 192:11, 12 194:22
pursue 232:7 234:24 238:9
pursued 68:15 69:15 323:14
pursuing 114:7 307:17,21
pursuit 68:21 307:16
push 261:13
put 7:2,4 9:24 14:6 15:8,19 22:23 24:23 25:19 29:13 33:5,22 49:14 58:6 66:12 93:21 95:23 121:17 142:19 146:10 163:9 181:22 199:9 239:3 262:1 309:5
puts 306:9
putting 164:24 224:9 261:22 307:23 312:23

Q

quarter 146:3
question 9:6 10:1 11:4 20:16 42:12 54:19 55:2,7 56:18 57:1,9 93:6,13 95:23 104:5 105:22 106:15,17 107:8 108:3,10,13 109:24 110:3,4,7 117:7 123:20 132:22 140:14 142:15,16,24 165:23 167:1,4,5, 22 169:16 170:4 174:1,2,19 175:2, 24 176:23 177:9, 10,11 180:18 187:23 189:20 190:21 191:2,12, 13,21 192:4,7 194:5,6 203:19,24 204:2 207:23 208:12 209:2 212:1 213:14 214:10 221:9 227:3 229:4 241:6 242:9 243:7 248:4, 11 257:12,17 273:22 282:19 285:9 289:3,6 290:7,14 291:5,9 296:13
question's 54:18
questioning 33:21 97:14 104:10 166:19 174:11 179:15,18 239:12
questions 6:19 7:2,4,5 11:20 27:10 28:12,15,21 33:24 34:16 54:24 58:16 73:5 93:2,3, 4 96:2,24 103:3,7, 8,10,22,23,24 104:2,3,6,7,12,13 105:1,12 123:13 135:4 166:6,9,23 167:7 168:2,21 177:2 178:24 179:10 181:11 182:4,8 189:18 193:3,21 200:8 211:20 217:13 220:4,14 239:13 249:14 251:11,15 284:12,17,19 323:1
queue 88:4
queued 88:12 90:20,21 91:1
queues 89:23
quick 72:21 73:4 83:10 84:2 283:6 310:9 318:7
quicker 104:17
quickest 112:24
quickly 32:3 61:22 104:16,17 260:12 312:1
quote 136:24 147:20 274:23 278:16 281:8
quote/unquote 246:20 299:17
quotes 131:7,13

R

R-i-c-c-i-o 53:10
R-o-y 53:7
radio 109:20 110:11 111:7,11 112:15,19,21 113:1,7 199:1 302:7,9 306:17 312:8
radios 109:11,12, 14 112:16 113:4,6
raise 6:1 191:2 275:21 276:4,18 289:13 296:19 314:15
raised 26:23 35:9 38:8 129:17 136:8, 17 275:2 289:9
raising 276:5
Ralph 13:9
ran 69:4 140:6,23 141:20
range 230:22 233:12
rank 115:2
ranks 155:13
re-examined 231:19 233:8
reach 226:4 239:16
reached 210:18 228:11 240:12 261:21
reaching 261:24
read 6:5,6,8,22 7:13 8:2,10,17 9:3, 12,16,19 12:11 29:6 72:22 94:22 127:20 135:14,15 145:10 155:7 166:1 174:19,21 191:24 204:1,4 229:3,6 273:23
reader 142:8,20 143:1
reading 57:15 71:19 135:20 142:3 260:2
reads 149:20
ready 310:21 313:1 315:13
reality 112:1,6
realizes 307:7
rear 301:18
rear-view 249:5
reason 26:18 31:19 104:19 157:4 165:24 184:21 185:12 190:3 200:20,22 204:10 211:22

212:2,3 218:3 234:11 240:10 245:23 303:16

reasonable 8:23 32:21 122:23 218:3 221:9 232:8, 10,18 234:24 235:2 237:2 238:9 249:24 287:13 288:7 289:16 292:21

reasons 229:23 230:1 232:17 245:4 325:15

recall 51:1,12 53:18 54:4,8 57:18,20 58:14,15 59:13 60:1,2,9 62:1,15 63:19 67:16 71:19 75:14 81:13,15,22 83:3 84:19 89:23,24 92:7 94:23 100:6 102:6 107:22 113:11 119:3 124:3,24 125:19 126:4 128:16 129:12,15 132:6 133:8 154:2 156:18 158:22 161:3 163:7,12 165:15,17 166:5,8, 10 169:13 170:9, 20,21 171:5,10 172:10,14,19 180:3,11 182:18, 19,20,24 183:4 184:8 186:13 188:6,10 209:20, 23 210:1 211:11, 16 216:19 219:1,6 220:21 221:12 241:14,19 254:12

recalled 196:18

receipt 14:13,20 16:4 29:19 30:15 40:1,6,9,13

receipts 31:5

receive 13:14 31:8,9 32:13,16 55:22 59:8 109:18 110:9,12 204:13

received 13:20 33:7 34:5 37:3 47:15 120:12 123:7,8 155:14 265:22 266:17 322:23

receiving 50:13

recent 23:12

recently 16:14

recess 41:18 97:7 151:20 178:1 220:10 283:10

recollecting 200:10

recollection 58:10 60:6 62:9 92:5 96:2,11,14 97:1,15 99:10 117:17 126:10 128:12,22 162:14 170:6 196:16 260:8

reconcile 12:15 25:18 26:8

reconvene 328:10

record 5:2,9 9:24 10:1 15:20 18:20 27:8,20 29:8 33:5, 22 41:17,20 47:3 51:21 53:1 55:1 97:6,9 103:5 107:11,21 134:16, 17 135:13,16,23 148:24 151:18,20, 24 168:14 174:20 179:17,19 181:22 182:2 204:3 209:1 220:9,12 229:5 230:9 232:21 260:17 283:8,12 298:23 315:4 320:10 328:3,5,7

recorded 196:1 284:1

recording 90:4, 13,16

records 54:14

recount 244:12

recover 77:19 79:16 161:24 235:12

recovered 124:8, 12 125:1 152:20 153:8,10 155:3 223:3 235:19 271:10 272:9 278:2 283:16 319:17 320:16 325:8 326:16

recovery 237:10, 13

recusal 26:18

recuse 22:21 24:18 25:6,13

refer 58:8 88:20 99:22 126:6 143:5 148:17 158:17 184:20 189:6 220:15 309:23 317:7,16

reference 94:20 97:13 163:10 178:13 185:4 204:15 206:1,4 225:10

referenced 20:19 24:13 224:16

references 17:20 18:1 21:1

referencing 135:4 225:15

referral 269:9

referring 43:5,7, 14 135:11 140:3 141:23 142:5,12 146:11,13 147:21 149:1 150:13 238:18 276:7 285:17

refers 18:4 36:9 134:20

reflect 5:2

reflected 74:1 125:14 263:11 276:14

reflecting 67:11 134:2

refresh 58:10 96:2,11 126:9

refreshes 97:1,15

refusal 7:7,9 9:5

refuse 7:3 27:10 34:11,15,16 54:20, 22

refused 27:3 35:13,17 269:14

refusing 33:24 277:22 278:19 291:11

regard 243:21

regularly 88:8

regulations 7:10, 19 191:6

reinterview 184:5

related 31:5 106:12 113:24 118:12 138:2,17 139:2,15 141:22 143:20 145:5,19 146:5 147:4,13 148:11,20 149:14 150:4 202:9 215:6 217:11 239:17

relates 106:22 108:1 109:7 110:10 117:9 216:14 218:16 246:2 289:6

relating 199:16

relation 107:13

relationship 239:23 242:1,4,9, 15 245:8

relative 31:6

relay 138:20

relayed 75:23

released 23:14 37:16

relevance 54:11 55:1,10 105:18 117:7 168:22

relevant 49:17 51:3 84:10 106:24 108:5 122:3 166:20,23 167:8, 23 168:2,9 174:12 214:6,7 218:8 220:19,22 232:8 234:24 238:9

reluctance 244:10

reluctant 246:16 307:12

relying 19:16

remain 7:1 34:5

remaining 47:7

remember 57:21 63:14 70:5 85:7 102:1 118:5 129:10 156:16 163:3,4 169:18 170:7 171:20 172:13 183:24 196:9 206:17 217:6 222:1 225:19 226:15

remembered 73:21 203:3

remembering 96:17

remotely 18:13

removal 8:8

reopen 118:11

reopened 158:5

repeat 106:17 123:20 203:24 213:14

repeated 25:24

repeatedly 136:7, 16 137:6 314:2

repetitively 139:19

rephrase 106:17 110:5 174:1 189:23

report 7:17,20,22 12:14,17 16:6 18:1 20:3 23:12,13,17, 18 24:7,10,23 25:20 37:16,17 40:18 41:7 43:18 44:8,23 45:19 46:12 62:7 65:9, 14,15 66:12 67:1, 4,8,11 93:16,23 94:13 95:24 96:4, 16,18,20,21 102:16 118:16 121:3,7 125:22 130:2,3 134:21 136:4 137:3,14 138:8 139:10,21 142:4,20 143:2,5 145:24 147:9 148:16 150:9 155:7 160:7 163:21,22 164:3, 11 165:8 168:18 171:8 178:3 183:14 207:6 208:7 212:12 222:18 225:10,21 226:14,16 238:14 255:5,8,11,16,20, 22 256:2 263:5,12 266:3,14 272:7,22 299:6 319:14 321:2,4,7 323:9 325:16,18 326:7, 22 327:1,21,23

report-drafting 143:22

reported 236:1 268:17

reporter 5:7 28:6 29:21 30:2,20,23 32:10,14 174:21 204:4 229:3,6

reporter's 31:10

Reporters 5:5

reporting 21:16 166:17 268:12,14

reports 15:24 23:18 25:20 56:20 66:8,9,23 95:1 118:7 121:5 130:7 134:23 143:9,13 158:18 163:24 164:8 165:15 182:20 183:15 222:22 239:2 250:11 252:2,4,10 253:10 260:12 262:1 272:5

represent 5:13

representative 8:20,23

representatives 22:2 102:3,4 171:3

represented 119:8

reprisals 224:23 231:22

request 13:21 14:3 17:3 21:5 25:6 90:9 116:4 195:17 201:3 222:9 241:16 242:6 253:6 302:24 322:19,22

requested 13:15 54:15 68:1 160:15

requesting 13:11 222:18 241:17

requests 115:23 217:16 218:7 241:11 242:23

243:3

required 10:5 34:13 59:20,21 181:15 212:9 243:16

requirement 37:4 94:11 212:10

requirements 268:12

reserve 291:5

respect 23:10 99:6 104:9 127:1,6 151:4 166:3 168:6 172:8,22 173:2 199:5 228:9 237:4, 6 243:18 270:24 285:9 295:13 297:3

respectfully 22:20 25:6 191:14

respecting 272:3

respective 134:24

respond 17:6 79:9 90:10 122:11 190:23 192:1,2 241:6 299:13 300:11 319:11

responded 38:7 67:21 78:7 80:15 140:9 219:24 312:11

responding 56:21 121:9,21 304:19 306:21,22 307:15 308:11

responds 196:7

response 13:21 14:3 19:24 56:14 58:16 123:6 129:19 133:18 136:10 138:4,22 139:9 145:20 147:5 148:13 149:16 150:6 189:1 190:15 207:9 208:9 209:4

232:14 235:7 238:16,23 241:4 243:6 251:18 272:13 307:3 320:21 325:12 326:20

responses 7:16

responsibilities 197:7

responsibility 82:5 252:24

rest 275:11,22

restate 320:11

restaurant 63:1 69:1,20,24 141:17 159:15 160:3 230:23 236:8,19 304:12 307:22,23 308:2 309:2

restricted 187:2

result 7:22 163:16 247:5 269:4

results 116:8 210:13

retained 322:20

reversed 149:20

review 9:17 14:8,9 42:20 49:20 50:8, 14,17 56:20 147:15 148:22 162:7 217:10,17 222:14 234:2

reviewed 6:7 51:9 247:1 255:18,19 263:2 265:22

reviewing 51:13 266:13

reviews 184:9

revised 51:4

revisions 255:20

revolver 204:19 206:12

Riccio 53:10

Rich 235:14

Richard 125:2 152:23

ridden 161:9

ride 221:14

ride-around 152:8

riding 152:4

right-hand 42:14 248:23

rights 6:11 9:15, 22 12:1,8,11 22:11 33:2 34:5,19 35:22 36:20

RINGING 27:23

risk 302:17,18 305:5 307:7,24 309:5

Road 62:14 69:5, 7,16,20 71:7 85:22 132:8 150:19 236:9 247:12 304:10,13 327:6, 20

robbery 300:3,5

Robert 27:18 28:17 34:14 50:2,9 89:22 90:7,22 91:17 99:9,13 100:13,18,24 101:8 123:19,22 139:18 148:3 152:7,15 163:12 166:4 184:11 188:14 199:21,23 272:10 273:24 275:6 276:15 277:2 278:1,2,3 279:16 280:23 281:13,14 284:6 319:18 320:16 325:8 326:17,24

Robert's 87:17

rode 156:13

role 56:20 79:23 153:4 154:15 172:21 173:1 255:10,16 258:10

roles 153:6

Roman 128:2 133:13 137:17,22 145:2,13 147:1 148:9 149:12 150:2 207:1 232:6 234:22 238:6 271:23 319:12 320:1,4 325:2 326:12

room 28:4 29:14 186:17 187:5,9 227:18 282:21

route 84:5 314:7

Roy 53:7 80:16 81:21 252:5 255:4 256:22,23 257:4 258:5 261:12 262:3,6,24 263:13, 24 264:13,18 265:2,3,15

Roy's 261:9 265:10 266:6

Rudy 299:9,14,19, 20 300:13 301:4,6, 14 307:24 311:20 318:23

rule 7:18 20:8 30:1 201:9,10,23,24 202:7,13,16,20 203:5,9,17 204:15 217:21 218:21,23

rules 7:9,19 17:11 19:23 191:5

run 69:5 85:21 159:15 160:2 270:17 303:18 307:5 318:18

runner 303:19

running 68:13 69:2 71:3 113:13 141:16 169:24 303:20

runs 307:9 308:4

rushed 73:12

S

S-o-r-i-a 18:3

sacrificed 250:20

safe 280:13 302:21 303:11

safely 309:13

safety 112:22 113:3 205:5,17,21, 22 206:1,21 262:10 302:4

sake 238:3

sat 87:21

scenario 246:9

scene 60:17,22 61:1,3,6,19,24 62:5,10,12 63:12, 13,15,18,21,24 64:3,4 65:23 69:10 72:8,17 73:24 77:6 78:2,3,9,15,24 79:9 80:16 81:5,6, 10,14,17,19,23 82:1,7,9,11,19,22 83:2,7,15 86:4 87:24 88:10 89:6, 10,17,20 90:10,18, 19,24 91:23 92:5, 9,12 93:12 95:6,7 97:17,24 98:4 99:8,17 100:7,11 101:2,3 102:3,7, 10,13,15 114:20 117:1,22 118:2,9, 19,23 119:2 120:1, 3 121:15,22 122:11,13,17,18, 21 123:18,23 124:1,4,6 128:6, 10,24 130:11 132:3,17,24

134:12 140:11 149:7,10 151:1 152:4,9,14 153:4 154:22,23 155:9, 19 156:1,10,12 157:3,6,21 158:1, 9,11,12,24 160:7, 20 161:7 168:4 171:13 173:16 183:21 186:16 189:12 195:14,24 196:14,16 199:11 202:16,20 205:24 206:5,7 211:4 214:14,17 216:6 217:4 221:19 233:13 237:24 300:7 313:18 322:2

scheduled 172:6

scheme 324:6

scope 78:19

Scott 240:6,8 244:15,19

scratch 93:24 212:9 239:4 306:9

screen 286:20 288:17 290:6 293:7 294:17 299:1

search 95:13 205:19

searching 51:2 119:15

seat 87:22

Sebastian 147:5, 14

Sebastian's 147:16,21,22

second-to-last 273:1,9,15

secondary 103:12,17,19,21, 24 104:1,5

seconds 283:22 284:9,13,14 286:21 287:23 288:1,15,18 289:3 290:9 291:23 298:6,14 315:24

section 20:20 24:10 103:3,9 104:17,18 105:4,5 211:18 234:21 238:6

security 50:5,10

seek 162:7

sees 302:5 310:14

segment 327:20

send 242:5 243:2 250:16,18 260:10

sense 166:3 246:18 324:4

sentence 149:6 150:17

sentences 273:2, 13

separate 18:23 39:22 47:5,7 66:24 146:23 149:11 262:8,9 264:1,6,15

separated 216:9

separation 7:23 308:17

sergeant 18:2,3,9, 15,23 19:9 20:2,24 36:4,10 52:20 59:10 60:4,7 61:5, 8 63:3 64:9 76:24 77:8,14 78:13 79:13 80:5,22 87:10,11,24 89:9, 11 93:2 100:17 101:6,10,13,17,18, 19,24 114:20 152:18 153:10 154:5 178:13,16 181:17,18 183:18 184:16 194:9,10 197:4,9 210:6,10 223:17 224:5,8 225:6,11 226:4,11 231:15 240:5,9,11, 23 244:13,17 250:16 255:12,15 258:1 260:22 266:12

sergeants 155:18

series 33:5 77:7 80:22

serve 7:11 9:9

served 38:4 178:22

server 184:17

serves 218:2

services 119:19 154:21 161:23 183:15

set 12:22 17:13 128:4

settlement 251:24 252:11 253:9

settlement's 265:10

share 244:1

shared 243:22

sharing 34:22 35:2

sheet 93:18 94:14

Sheriff's 119:1 120:6,10,20 121:1, 14 122:16

Sheriffs 120:2,13

shooed 215:2

shoot 312:23 313:14

shooting 17:12 18:8 20:1,6,7 21:3, 16 23:22 24:9 25:21 28:12,16 36:15 37:11 50:23 55:21 56:9,14 57:13 58:20 59:9 60:12,22 61:1,24 62:5,10 64:23 69:11 73:24 77:7 78:15,22 79:3 81:17,23 82:19 83:15 86:4 89:18 91:11 92:9,12 95:6 99:11,14 100:7,14, 19 101:1,8 102:3, 11 107:1 114:17 121:10 123:18,23 124:2,6 125:6 128:6,10,24 130:11 132:3,18, 24 134:13 152:5, 15 153:5 155:20 156:1 158:24 159:5 160:21 161:8 168:4 170:10,23 172:12 173:7,12,17,22 174:7,13 175:8,13, 14 178:9 180:2,8 182:16 184:3 188:8,9,21,22 189:12 190:11,12 192:19 197:13 198:16 199:12,16 202:17,21 203:10, 12 206:1,5,11 207:4 208:5 210:4, 21 213:8 232:12 235:6 236:3 238:1 239:22 248:2 256:9 272:6,12 284:14 319:16,20 320:15,19 323:8 325:7 326:15,19

shootings 113:9 206:16

shoots 208:18 286:12

short 62:24 90:14 264:14 268:19

shortly 196:3 203:13 234:4 309:17

shot 26:4 201:22 203:17 309:17 311:1

shots 204:7 248:16 249:10 281:16 286:15 288:13 308:18 312:19

shoulder 188:5 275:3 289:10,14 296:20

shoulders 275:19 281:18 311:2

shouted 71:11

shouting 282:10

show 6:3 14:1 15:5,14 99:13,16 100:2 118:16 125:6 173:12 199:20 200:7,22 201:1 217:18,24 218:1,4 258:23 282:21 283:15

showed 82:1 85:11,13,17,20 118:23,24

showing 122:21 188:20 190:10 192:19 200:4 282:1 321:23

showings 187:13

shown 121:20 173:6 177:4 184:12 185:1 200:17

shows 25:23 79:21 90:18 189:10 234:15 248:12 278:24 281:2 297:11 303:4 325:17

side 49:15 62:16, 19 68:14 69:20 113:5 185:16,21 196:23 197:1 293:24 301:12 309:2,24 310:20 316:11

sidewalk 301:12 304:8

sign 9:22 29:7

signature 39:14, 17 40:11,12 93:20

signed 14:15,20 16:2,4 20:18 33:2

significant 209:14

silent 7:1 34:5

similar 75:24 137:11 284:18

simply 22:23 191:12

sir 10:18 11:13 24:17,21 26:7,11, 19 45:12 47:4 113:16 228:18

sirens 306:21 307:6

sit 196:12

sites 84:10

sitting 74:10

situation 72:22 79:20 112:2,6 298:4 318:20 324:7

situations 174:24

slashed 68:5

Slate 224:16 225:14

slowed 92:19

slows 308:23

small 87:23 89:7 91:5 236:16

smaller 286:18

smoother 49:18

so-called 201:23

solely 165:9

something's 250:12

Soria 18:3 19:9 36:4 178:14 181:18 194:9,10

Soria's 18:9 20:2, 24 36:10 178:16 179:3 181:17

sort 12:8 30:19 58:11 75:12 78:19 80:22 84:10 88:4 103:2 174:15 261:23

sound 54:5 287:12 288:7 289:15

sounds 86:7 107:2 123:5 215:18 221:6 244:13

sour 242:4,9

source 36:16 227:20,21 228:22

sources 18:21 77:20 180:23 228:22 233:12

south 59:1 62:16 70:21 301:12 311:4 327:9,17

southbound 62:20,21 69:6,15, 17 70:10 71:6,7,17 85:23 247:15,19, 20 248:1,23 249:8 274:5 275:9 276:8 286:11,17 293:18 294:1 305:6,12 308:5 311:4 314:7

southeast 286:8 327:7

southwest 141:17 286:10 327:10,16

speak 31:3 51:17 63:8 72:10 75:6 76:18 114:20 128:23 175:17 176:24 182:23 195:17,19 214:17 246:4,10 327:24

speaking 116:20 121:19,24 136:22 172:15,20 203:13 224:19 239:18

speaks 20:3 107:21 229:2

Special 94:19

specific 17:13 18:21,22 21:8 22:15 57:2 94:23 95:23 99:9 123:8 128:12 140:2 141:8 176:16 191:5 192:9 193:2, 13,16 194:4,14,15 208:13 210:15 213:19 214:2 219:5 238:18 256:1 257:17 282:1

specifically 13:7, 20 23:13 34:21 36:7,21 99:24 108:12 134:17 147:19 150:12 166:22 167:3 169:23 172:15,19 187:21 193:5 200:1 208:16 211:15 213:6 215:13 218:24 219:22,23 226:7, 15 228:1 230:20, 24 234:10 235:20 240:13,18 254:1 261:5 262:2 272:3, 6 282:17 322:18, 21

specificity 17:3 193:22 207:12 212:24

specifics 36:22 241:14 256:1 261:10 319:5

speculate 105:20 120:15 142:8 143:1 176:19

179:7,12 200:13 203:20 228:6

speculating 176:15

spell 5:9 27:19 53:1

spelled 5:16

spend 250:9

spent 157:2

spoke 74:23 76:19,23 87:15 92:2,3,8,11 116:15 117:13 118:21 119:3,4 121:2 122:2 123:3 128:5, 16,18 129:10 132:2,7,11 133:9 153:2 159:2 218:16 219:10,12, 18,20 230:8 240:14,15 244:22, 24 247:1

spoken 225:4 229:21 230:6 232:3

spot 85:5

spotlight 304:1

squad 152:19 153:9 203:14 233:9 248:18 304:1

square 311:3

squared 275:19

squaring 281:18

stab 314:20

stabbed 85:18 306:19

stabbing 306:14

stabs 305:14 306:8

staff 262:16,21 263:19,21 264:1,3, 10,20,23 265:5,12 266:8

stamp 42:18 283:23 286:22,24 288:16 290:5,8 293:6 294:16 299:1

stand 73:18 74:5

standard 109:17 118:11 164:4

standardize 268:14

standing 74:12,13 179:15 187:18,19 227:3 314:6

stands 190:21 192:7 207:23 209:2

standstill 247:21

star 5:15,16 51:21, 24 116:19

start 51:19 57:11 58:18 61:18,20 72:18 164:24 169:12 250:4 259:21 284:24 287:15 288:4,9 292:23 294:9 296:14 298:15 309:18 316:17

started 84:22,24 90:1 94:8 247:14 251:10

starting 157:3 223:5 271:9

starts 90:16 139:22 307:5 315:6

state 27:8 35:6 51:20 56:6 145:14 200:14 203:20 222:14,19 323:9 325:24

State's 34:24 251:7 254:8

stated 97:18 125:19 136:6 137:5,6 138:1,7,15 139:2 145:4,18 146:14 147:3,9 148:11,16 149:13 150:3,8 163:14 194:20 199:11 229:19,21 232:17 272:9,21 273:3 291:9 295:16 321:1 325:15

statement 8:5,13 9:7,15 10:7,8 11:24 12:24 13:17 22:10,14 34:3,8, 11,12,18,22 35:3 38:9 71:19 108:24 136:14,19,23 137:10,11 140:12, 16,17 142:1 143:7, 16,20 145:23 146:19 147:17 148:22 174:8 179:9 229:14 238:12 239:7 243:24 245:10 267:24 273:17,23 275:5 276:10,13 277:20,24 278:9, 21 279:10,15 280:10,15,22 281:12 285:16 289:7 291:3 295:14 297:3 318:8 322:14 325:21 328:16,20

statements 7:16 11:16 12:13,16 16:10,13,16 18:11 21:15 24:8,12,13 26:8 29:8 98:3,8, 22 125:16 127:9 129:22 131:2,20, 22 134:5 141:6,9, 21 144:9 146:22 148:8 149:11 151:2 162:12 171:23 172:2,7 193:17 199:18 243:10,13 244:2 247:6 272:21 309:9 318:17 323:10 324:14 326:7

states 6:12 15:9 35:1 149:9 191:3,4 280:12 290:15

stating 17:7 25:15 54:24 143:17 314:2

status 116:17,19 256:24 269:18

statutes 51:3,4,5

stay 160:13,17

stayed 247:16 303:16

staying 302:21

step 76:20 161:16 168:5 232:18 249:18 299:21 327:17

steps 86:22 87:1 183:7 214:5 221:19,20,22 231:9,13 232:10 235:2 243:20 277:5 324:1,5,18 327:14

stick 236:16

stop 142:21 151:16 277:1 285:2,13,14 286:1 287:8,18,22 288:12 289:13,21 290:7,11,17,21 291:18,21 292:17 293:2 294:12 298:21 301:18 305:2,24 314:5

stopped 70:22 247:16 249:1 294:19 298:23 301:16 316:24

stopping 151:13 298:17 306:1

stops 288:6 293:9 305:7
store 235:5
stored 90:4
story 73:13,20 165:21 309:24
straight 316:6 327:8
strategies 246:12
street 62:19 64:6 68:3,11 69:4 74:10 85:13,20 112:21 124:11 128:14 132:9 141:14,18 148:2,7 158:5 175:17 239:24 242:16 243:14 254:4 276:2 300:18,21 301:9, 12 303:3,7 304:16, 21 306:17 308:12 309:2 315:9 323:17
streets 84:20
stressed 196:8
strictly 239:4
strike 11:19 13:13 18:2 21:21 132:21 145:14 149:23 166:16 271:6 317:18
strive 32:1
stuff 32:20 176:15 179:4
subject 51:14 67:22 68:2,3,12 141:15 201:16 259:8,14,22 312:20 315:9 321:19 323:2
subjects 317:24
Submission 47:22 48:13 222:17
submit 22:24 158:20 228:16
submitted 94:16 183:17 207:6 208:7 212:13 226:10 272:7 319:14 320:13 325:5 326:13
subpoena 55:22
subpoenaed 251:4
subpoenas 252:19 253:16,20 254:4,10
subsection 207:15,21 232:6 271:23
subsections 10:10,11
subsequent 68:1, 8 133:11 251:22 299:9
subsequently 68:7 69:6 79:13 88:18 89:9 99:19 164:8 175:8,12 222:8 231:1 322:23
substance 207:20
substantial 119:18 122:8 133:4 154:13 211:7
substantially 113:23 114:6 137:10 144:16
substantive 81:16,24 129:8 132:16,21 210:9, 15
sudden 252:1 253:11 327:16
sufficient 192:16
suggest 26:6 167:17 191:14
suggested 84:3
suggesting 135:18 180:16
suggestion 260:18
Suite 5:5
sum 207:20
summaries 98:8, 21 144:10
summarization 144:23
summarizes 201:8
summary 23:19 84:2 96:4 99:2 125:16 127:9 130:2 131:8 140:16 142:18 143:2 146:12,14 147:16 150:14 274:22 325:16
summoned 55:19
superficial 25:21
superintendent 17:19,20 18:16 19:8,19 20:14 21:5 36:2 73:8 178:12 194:13 256:15 263:23
superior 7:5 11:20 27:11,14 28:13 34:1
superiors 152:14 256:11
supervised 52:20 155:17
supervisor 79:12 80:9 83:22 154:7 155:8 179:11 251:9
supervisors 73:7 79:14 80:12 106:6 255:14
supervisory 80:20 82:9
supplementary 40:17,19 41:7 43:17,19 95:24 134:21 137:14 163:21,23 164:2 165:8 168:18 207:6 208:7 272:5, 7 319:14
supplied 59:22
supplying 21:17
support 18:22 19:17 21:18 154:12 181:8 208:13 228:17 232:24
supported 178:15 194:3
supporting 181:11 182:7 207:13 244:4
supports 191:19 193:5
supposed 94:12, 16 142:8,19 143:1 212:11,15,16
Supreme 34:20
surprise 14:17
surrender 71:15 305:10,13 310:5
surrendering 282:11 312:22 315:10
surrounding 233:13 284:14
suspect 36:8 206:23 214:3 244:3
suspended 268:22
suspicions 206:19

SUV 248:21

swear 171:14 254:1 261:11

swing 282:6 296:7 297:19

swinging 281:22 297:16

swings 299:19

sworn 6:2 19:3 23:23 37:2,18 181:6,10,18 182:9

swung 281:9 295:17 296:3 297:5

system 89:12 164:13 184:17 230:24 231:3 283:16

systems 50:1

T

tab 113:13

tactics 201:12

takes 31:12 140:17 277:4 301:24 305:14 306:7

taking 30:6 35:8 65:1,18 66:3,6,7, 19 72:11 76:2 86:9 94:2 166:16 171:23 243:12

talk 55:18 56:11 64:21 74:20,22 76:10 102:2 120:13 121:16 144:13 165:19 167:17 201:5 220:24 224:12 249:19,20 250:1 257:18 324:12

talked 27:12 29:16,20 64:9 75:1,17,18 76:17 81:18,20 86:8 92:23,24 96:8 102:6 119:24 125:10,12 152:24 154:20 168:9 177:4 181:13 196:3 223:19 226:22 233:1 237:15 240:18,19, 20 295:10

talking 55:3 75:13, 15 95:8 106:5 123:16 125:3 139:16 167:3 189:12 190:19 207:17,18 218:18 219:15 231:8 256:9 261:5 267:3 282:9 287:1 300:23 310:15

talks 142:13

tampered 21:13

tampering 11:14 18:12 36:12 188:20 190:10 192:19 231:5

tape 64:4

Taser 67:24 302:12 303:1

task 23:3,4,5,7,11, 12,20 24:8,14 37:15 38:5 227:5, 10,15

tasks 79:14 80:6, 10,12 115:17 222:21

taught 144:7

teaching 201:15 204:12 218:22,23

team 52:20 79:2, 22 115:2,16 125:5 153:1 210:3 214:14

teammates 214:24

technical 23:4 90:15 186:22 201:14

technicians 155:17

technique 143:9 144:21

telephone 27:15 59:11 60:8

telling 73:3 77:2 168:14 178:8 180:1 245:14

tells 299:11 300:15 301:23 302:7 306:12,18

temporarily 328:23

ten 97:20,21 98:3 118:20 119:24 128:9 170:12 227:24 275:16 321:11

tendered 6:10 14:14 38:17 39:6 40:3 41:4 43:21 44:11 45:3,23 46:16 48:2,16 49:5 198:6

tentatively 312:21

term 146:23

terminology 139:14 280:7

terms 16:16 56:14 125:3 153:5 174:17 196:16 201:14 210:2 214:2,9 250:24

testified 120:10 121:9 126:4 143:10 254:6 267:7

testimony 23:23 37:19 55:20,24 173:23 188:23 190:13 192:20 193:1,9,12 267:17 272:17 277:24 285:10

text 267:2,12

texts 267:14,21

themself 22:21 24:18

theory 204:11

thereof 8:14 13:1

theses 135:20

thing 21:7 61:4 63:5 67:19 139:23 144:2,14 161:11, 18 162:10 172:18 173:3 183:4,5 185:14 246:20 250:19 302:5

things 15:3 17:7 21:8,10,13,14,15 40:24 49:18 57:15, 22 77:2 92:19 104:16 133:23 157:7 175:5,22 177:16,18 179:7, 13 189:8 190:5 206:17 213:7,22 300:7 319:9 324:7

thinking 151:14 305:8 312:21 314:17

Thomas 146:6

thoroughness 238:4

thought 29:20 105:7 107:19 119:7 120:23 172:3 200:19,21 203:11,12 210:21 211:7 215:3 232:18 242:5 320:3

thoughts 156:23 196:10 210:17

threat 26:3 201:18 304:3 313:7,9

threaten 174:6

threatened 173:18 176:7

threatening 230:16

threats 178:20

throw 172:9 299:21

Thursday 223:12

tied 167:1,2

ties 167:24

time 5:3 8:23 9:21 12:18 14:9 16:12 27:17 29:23 30:5, 6,9,23 31:13 41:2, 17,19 49:16 53:7,9 54:4,7 58:9 61:13 62:4,7,9 71:2 73:2, 18 74:3,5 78:19 79:6 80:18 82:6,23 87:18 88:2,7,17 90:8 91:12,24 92:10,18,20,24 93:1,9 94:1,4,14 96:6 97:5,8 99:8 110:23 111:1,8,13 120:1 121:4 122:7 123:17 124:20 129:10 130:23 143:22 151:16,17, 23 155:21,23 156:11 157:2,3 158:24 160:6,24 162:15,18 171:22 175:6 176:3 177:22,24 178:2,5 179:22 180:5 182:13 184:23 185:13,15 186:4 187:15 191:24 194:9 201:3 202:4, 16 203:1 204:7 205:9 206:17,18 209:20,24 210:24 211:16 213:21 214:4,11 217:6 219:4,11 220:6,8, 11 224:5 227:2 230:1 231:10 232:19 234:5 237:19 245:3 248:1,16 249:10 250:10,22 257:11 264:14 265:14 268:2,4,23 271:6 274:3,4 278:6 283:11,23,24 286:4,7,11,14,20, 22,24 287:1,10,23, 24 288:16,21 290:4,5,8 292:1,3 293:6 294:16,19 295:8 296:6,24 297:2 298:24 299:5 301:22 302:13,15,23 303:17 304:21 310:10 313:2 314:9 315:5,6 316:18 318:14 321:11,15 323:11, 21 327:5 328:2,6, 22

times 65:3 71:12 76:23 87:9,14 88:15,19,24 89:8, 14,17,20 92:8 99:7 145:1 168:14 174:5 183:19 187:6,9 197:6 211:23 212:2,3,20 213:3,4,17,18 214:2 226:13 227:24 273:4,19 284:21 288:23 305:23 310:18 327:6,20

timing 118:5

Tipping 24:10

tire 68:4,5,17 85:18 305:15 306:3,19 307:12

tired 157:4

title 93:16

titled 283:21

today 5:19 13:18 14:6,21 15:20 16:15 17:2 18:14 24:16 28:22 29:14 30:3,12,13 38:20 39:9 40:6 41:10 43:24 44:14 45:6 46:3,19 48:5,19 49:8 52:5,7,8 55:3, 6 110:24 144:9 166:23 174:13 212:23 227:22 244:5 245:15 296:11 328:24

today's 5:2 49:19 50:10

told 64:17 67:17 70:17 75:24 78:21 83:24 84:1 92:21 95:3,4 102:13 111:3,5 119:12 130:7 133:23 140:22 144:10 152:19 161:3 175:12 176:24 185:1 204:14 206:20 214:23 232:17 235:20,23 237:1,22 242:14 247:8 251:19 252:8,15,22 263:13,15,24 265:3 301:7

tomorrow 328:9, 11,20,24

tonight 328:10

tools 246:9

top 93:20 112:20 140:15,18,20 147:11,12 154:3 158:16 171:9 198:12 222:1 295:24

Torres 172:11,13, 22 177:3 178:7 179:24

torso 281:20 293:3 311:9

toss 123:14 220:5

Total 97:20,21

totality 23:24 24:2

totally 58:17

touch 224:10

tour 84:9 86:9

track 205:16 231:13

traffic 78:9 118:22 233:18 247:13,14, 21,24 248:8 275:15 293:13 304:19,20,21,24 321:24 322:2,10 327:15

training 95:3 155:15,16 219:2,5, 9

transcript 29:15, 18,19 30:16 31:22 32:11,13

transcripts 31:6

transmission 199:1 302:9 312:12,14

transmissions 312:9

transpired 249:13

transported 160:11

traumatic 196:4,8

truck 85:1 248:21 299:7 300:14 301:5

trucking 85:2

trucks 299:7

true 19:7,9 26:6 36:5,23 129:20 133:20,22 136:12 195:1

truthful 21:17 272:4

truthfully 6:20 7:3 28:23

turn 90:11 111:12 164:9,14,16 216:8 262:7 276:17 282:8 289:23 290:1 300:17,21 301:9 311:2 314:5

turnaround 32:6

turned 31:11 68:10 71:21 148:2 216:18 275:19

turning 281:17 297:11 311:12

turns 58:1 275:9 276:3 282:12 286:10,13 299:6 305:6,11 308:5 312:2 314:14 327:12

type 118:13 121:15 168:23 246:8 270:9

typed 256:2

typically 31:4

typing 144:14,18

U

U-turn 308:18

Uh-huh 53:24

ultimate 246:13

ultimately 80:14 82:4 86:14 89:14 91:21 92:3,17 165:5 184:4 205:16,19 265:6

understand 6:12, 15,24 7:1,3,6,15, 18,21 8:4,12,19 9:5 15:8 58:3 106:15 108:9 110:4 131:7,12 135:18 174:1 187:4 201:11 208:24

understanding 58:11 84:7 117:10 143:12 170:19 183:8 201:22 251:6 253:20 254:2 262:15 264:5 287:5

understands 57:1 110:3 142:14 203:22

Understood 112:13

undertake 87:1

undertook 209:15

unduly 9:1

unfair 142:17,24 179:11 189:21

uniform 116:19 119:1 268:12 305:18,19 313:18

uniformed 282:9 306:11

uniformly 26:2

union 8:20,23 22:1

unique 139:11,24 140:12

unit 51:21 52:1,3, 21 58:23 67:22,24 68:1 79:6 103:14 109:15 113:4 121:9,21 258:9 302:12 307:15,17

United 35:1 191:3, 4

units 78:7 91:22 302:8 306:21

unknown 223:9

unofficially 111:14

unpleasant 115:11

unsubstantiated 230:21

unsuccessful 222:3

unusual 216:1

uploaded 89:11 184:15

upstairs 254:23

utilized 64:5

V

V-a-l-d-e-z 53:6

V.D. 136:8,9

vagueness 56:17

Valdez 52:23 53:5 80:14 258:7 262:3, 6,24 263:13,24 264:13,18 265:3, 15

Valez 148:11

van 26:1,4 46:14 63:7,8 64:10,12 65:20 66:2,11,20 67:2,5,13,17 68:8 69:9 70:14,23 71:1,9,11,20,21, 22,23,24 72:6,11, 22 73:12,24 74:8, 16,21 75:2,5,13, 17,19,24 87:5 91:2,13 92:1,2,8, 11 97:22 101:17 126:14 127:8,16, 17 129:18 133:17 136:18 138:3,18, 21 139:3 140:15 141:12,14,24 143:7,16 154:17 159:9,17 160:5 161:24 162:3 184:5 195:3,19 198:18 199:20 202:2,5,6,15 203:16 204:14,21 205:7,11,15,24 206:11,20 207:3 208:4,15 209:10, 12 213:8 218:17, 18 219:10 233:15 234:18 236:12,15 238:12 239:8 248:21 253:23 273:3,5,7,16,17, 19,21,23 274:3,7, 12,16 275:1,2,4,6, 7,18,20 276:1,6, 10,11,12,17,20,22, 24 277:4,8,17 278:24 279:2,4,8, 10,14,22 280:3,8, 20 281:16 285:10, 12,15,18,19,21,23 286:2,5,12,15,16, 17 287:9,12,18 288:6,22 289:6,11, 15 290:3,15,22 291:9,12,16 292:1, 2,3,7,11,14 295:2, 12,18 296:21 297:11 298:10 307:15 308:7,21 309:9,11 310:13, 24 311:13,17 312:3,19 313:3,6 314:2,16,22 316:14 319:19 320:18 321:10,12, 21,24 322:6 323:6 324:12 325:9,19, 21,23 326:2,8 327:12

vehicle 60:18 62:13,19 68:4,9, 16,19,21,23,24 69:15,21,22 70:2, 7,8,9,11,13,16,21, 22,23 71:5 74:10, 11 75:10 84:4,16, 17,18 85:6,19 87:17,21,22,23 89:7,22 90:6,12 91:17 99:9,18 116:18 128:15 132:9 146:18,21 156:6 184:16 236:14 241:22 248:12,13,16,20

274:4 283:17 284:6 286:5,15 287:19 293:12,16, 20,23 294:2 301:16,17 302:4, 19 303:16,17,20, 23 305:6,11,15,16, 19,20 306:2,4,5, 11,16 307:14 308:1,4,7,23 309:11,13 310:13 311:22 312:4,15 313:4,19 319:18 320:16 322:7,8,16 323:14 325:8 326:16

vehicles 18:7 50:1 63:24 64:5,8 97:24 247:14 272:10 304:18 307:1,6

vehicular 233:18 247:13 248:9 304:19

Velez 148:19,20 149:9 308:8 322:8

Velez's 149:8

verbal 84:2 86:11 92:15 93:8 98:15 273:5,19 274:16, 19 280:18 285:11, 21 301:19 303:8 314:1

verbally 299:14

verbatim 131:15, 16 136:21

versus 12:2 34:20 78:6 79:24

VI 319:12

victim 224:10

victims 214:9

video 18:6 49:24 50:1,5,10 77:20 79:16,17 87:18,23 88:2,5,12,21 89:11,15,17,23,24 90:1 91:12,16 95:13 99:6,7,10, 14,18 100:4,8,11, 13,19,24 101:7,8 117:2,5,12,18 118:16,18,23 120:23 121:8,10, 19,21 123:2,19,22 124:5,7,10,16,22, 23 125:1 152:7,15, 16,19,21 153:9 154:18,23 173:6, 12 184:12,15 185:1,3,6,13 186:4,19,24 187:6, 13,15 188:4,9,14, 21,24 190:11,14 192:20 199:20,21, 24 200:4,5,7,8,18, 22 201:4 203:14 217:17 218:1,5,7, 9,11 223:3 230:23, 24 231:3,6 233:8, 9,10,11,15,21 234:3,11,15 235:12,13,19 236:5,7,11,13,17 237:10,13 240:14, 18 244:23 247:2,9, 23 248:6,11,12,15 249:7,9 271:10 272:20 274:1,3 275:6,11,13,14,20 276:15,19 277:2, 15 278:6,8,10,14, 15,22,23 280:1,5,8 281:2,22 282:1,3, 5,16,20,21,23 283:5,15,16,23,24 284:3,4,5,9,16,20 285:1,14 286:1,22 287:7,8,15,16,24 288:5,9,10 289:1, 4,13,19 290:12,18, 19,21,24 291:2,5, 18,19 292:6,12,19, 23,24 294:9,10,23 295:13 297:1,10, 18,24 298:6,19 303:4,6,24 304:18, 22 308:22 309:18 311:8 315:1,5,15, 16 316:3,12,17,20 317:2 318:5 319:17 320:16 321:3,6,9,14,23 322:6,12,19,22,24 323:1,2 324:9,15, 20,22 325:1,8,17 326:5,6,16,24 327:23,24

video-taking 21:2

video_ts.ifo 283:21

videos 50:8,9 123:16,19 124:1,4 217:19 272:9 278:22 279:17 280:16,24 281:14 283:17 291:3

view 11:3,8 90:19 100:1 121:1,21 185:13 187:24 233:17 236:21 276:18 284:20 292:15

viewed 89:14 91:12 100:8,11 101:21 117:1,5 184:13 185:5,6,8,9 188:23 190:13 278:3,5

viewing 99:18 294:22

VII 207:1

VIII 128:2

violate 174:16

violated 22:11

violating 36:20

violation 7:9 9:8 17:10 19:22 20:8 34:8

violations 11:17

violent 258:8,12

Viramontes 128:21 145:6 149:15 150:4,21

visible 287:23 288:16 290:6 294:16 299:1

visit 86:2

VLC 283:20 290:4 293:5 294:15 295:6,7 298:24 315:24

voluntarily 34:13

W

W-o-j-c-i-k 53:5

wait 30:24 70:18 145:7 180:15 314:18

waiting 157:6

waive 133:16

waiving 21:20 37:3

walk 56:13,18 69:6 139:20 140:1 183:6 184:13 186:3 221:21 250:2 306:4 314:6

walked 119:5 221:18,19 235:22 327:7,8,9

walking 71:16 77:12 86:21 119:1 121:20 234:17 274:5 275:9 276:2, 7 286:8,16 301:11, 20 303:7 307:4 311:4 312:18 315:9 316:8,11 317:8,9 326:19

walks 286:9 316:6

wall 245:19

walls 236:22

Walsh 67:21 68:8, 18,22 69:14,17,21 70:12,17,20,23 71:9 74:23 75:6,

12,16,18,22 76:3, 11,17 86:20,24 87:2,4,7,16 92:2,7 97:22 101:18 126:15 127:7,13, 14 133:18 138:1, 14,17,20 139:2,11, 23,24 140:6,12,23 141:13,19 162:3 236:15 277:17 280:12,19 281:13 282:18 295:11,16 297:21 307:15,20 308:7,20 309:9,11 311:13 312:3 313:3 314:2 316:14 319:19 320:18 321:21 322:7 323:7 324:11,12

Walsh's 143:16 280:10 281:24 297:3,14

wanted 61:18 96:9 100:5 106:20 116:14,22 122:4 123:4,17 152:3,5 160:18 184:20 188:4 195:10,21, 24 196:12 200:6, 18 218:10,22 261:12 311:14

watch 52:6 88:13, 14,16 89:23 186:4 187:21 258:13 291:4,17 312:18 315:3,5,7,18 316:4

watched 88:24 89:16 91:4,16 100:13 124:9 187:15 188:12,13

watching 99:7,10 124:16 186:18 187:20 188:9 203:13 315:23

wave 137:8

Wayne 54:5

ways 269:7

weapon 91:13 162:1 201:17,21 279:11 281:17 286:6,13 291:13 305:4 311:22 313:11 315:13 321:12 322:1

weapons 70:24 71:10 313:5

website 224:15 227:6

Wednesday 261:11

weed 78:4

week 215:16

weeks 240:5 244:22

weighing 317:5

well-known 218:21

Wentworth 59:1

west 5:5 62:16,19, 20,21 68:2 70:8 293:24 294:1 309:24 316:10

westbound 68:10 141:13 148:2,7 236:8 307:2 311:5

whack 40:24

whatsoever 18:10 120:18

whereabouts 58:12

whip 310:3

whipping 310:4,5

white 316:5

Whoa 308:15

whoever's 115:7

wide 64:6 204:11 230:22 233:12 275:16 322:3

wife 222:6 299:15 300:9,14 301:5

wild 230:21

William 13:8

window 249:7

windshield 306:8, 9,10,15

withdraw 105:10

withhold 242:20

witness's 231:21

witnessed 33:3 229:15 230:10 236:2

witnesses 16:11, 17 21:13 72:20 77:23 79:17 95:16 125:20 144:1 158:9,13 159:19 160:10 161:20 162:19 165:10 166:18,19 167:8 168:24 169:8 172:24 173:4,6,13, 17,22 174:7 175:9 176:7,9,13 177:5 180:13 181:10,12 182:6 188:21 189:6,8 190:11 192:19,21,23 193:1,7,10 213:7 214:16 215:1 216:20 217:18 232:11,23 233:1 235:3,11 240:12, 16 243:13 253:4 272:12,21 278:5

witnesses' 178:9, 19 326:6

Wojcik 52:22 53:4 80:15 81:4,11,16 100:23 183:21 211:12 251:9,19 252:8,15 253:1 254:13,16 255:13, 19 257:21 259:7, 14 260:1,6,13,16, 18,21 261:13 264:20 266:1,12

Wojcik's 253:13 254:19 266:10

wondering 114:21 121:23 123:24 214:22

word 24:6 131:17 132:20,21 245:20 257:5 259:9,15 285:4

words 184:14 241:8

work 52:11,15 59:12,15 88:6,9 109:11,13 112:11 115:5 155:13 157:16,22 163:18 171:1 185:19 210:18 266:18 267:2,6,12,14 302:24

worked 89:3 113:8 250:24 260:13,15 261:15

working 10:16 11:3,11 52:8,12 79:5 139:17 140:8 165:8,11 169:12 173:11 227:7

workload 250:6

works 111:15 226:1 262:13

would've 111:15

wrap 255:5

write 73:2,19 74:6 93:10 143:12

writing 66:13 130:22 194:10,12

written 7:20,22 51:9 86:14 110:19 112:5 223:8 225:22 245:11

wrong 19:15 25:4 27:13 246:19

wrongdoing 230:3,13

wrote 198:15 217:10

X

XI 145:3,13

XII 147:2

XIII 148:9

XIV 149:12 150:2

Y

year 14:16 16:22 57:19 114:14

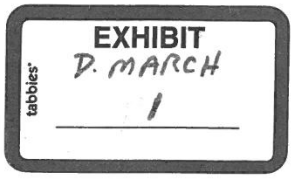
years 113:12,20 114:14 143:9 144:5,24 239:21 321:15

yelling 282:10

Yohler 5:7

Yuli 299:15 300:14

OFFICE OF THE MEDICAL EXAMINER
COUNTY OF COOK, ILLINOIS



REPORT OF POSTMORTEM EXAMINATION

NAME MCDONALD, LAQUAN **CASE NO.** ME2014-01071

AGE 17y **RACE** BLACK **SEX** MALE **DATE OF DEATH** OCTOBER 20, 2014

DATE EXAMINED OCTOBER 21, 2014 (8:25am) **EXAMINED BY** Denika Means, DO

Investigator Daniel Kobel with the City of Chicago Independent Police Review Authority is present for the autopsy.

EXTERNAL EXAMINATION

The body is identified by toe tag. Photographs and radiographs are taken.

When first viewed, the body is clad in a green hospital gown. A tan rubber band encircles the right wrist. Accompanying the body is a black, hooded, zip-up sweatshirt (cut), a black with white lettering sweatshirt, blue jeans, black boxers (cut), two black shoes and two black socks. No jewelry is present. All of the clothing is relinquished to a representative of the Chicago Police Department.

The body is that of a well-developed, well-nourished, black male whose appearance is compatible with the stated age of 17 years. As received, the body weighs 180 pounds and is 72 inches long. There is good preservation in the absence of embalming. The body is warm, rigor mortis is easily broken, and lividity is not apparent.

The black scalp hair is in dreadlocks up to 5 inches long. An average amount of body hair is in a normal male distribution. The irides are brown, the corneae are clear, and there are no petechiae of the bulbar or palpebral surfaces of the conjunctivae. The ears, nose and lips are unremarkable. The teeth are natural and in good condition with absence of the upper left central incisor. The neck and chest are symmetrical, and the abdomen is flat. The external genitalia, anus and perineum are unremarkable. The extremities are well developed and symmetrical. The back is straight.

HX425653

IDENTIFYING MARKS AND SCARS

A black ink tattoo on the right upper arm reads "Quan". A black ink tattoo on the dorsum of the right hand reads "Good Son". On the dorsum of the left hand is a black ink tattoo that reads "YOLO" and has a pair of dice.

EVIDENCE OF THERAPY

An endotracheal tube is in the mouth. Intravascular lines are in the left groin and left antecubital fossa. An intraosseous line is in the left shin. A loosely sutured incision runs from the right midaxillary line to the left lateral back just inferior to the nipple line.

EVIDENCE OF INJURY

I. Multiple Gunshot Wounds:

There are 16 gunshot wounds, numbered 1 through 16 arbitrarily without regard to sequence or severity.

1. GUNSHOT WOUND OF THE LEFT SCALP:

There is a gunshot graze wound of the left parietal scalp centered 1-1/2 inches from the top of the head and 1/2 inch anterior to the superior attachment of the pinna of the left ear. The gaping wound is 1-3/4 inches long and up to 1/4 inch deep, extending to the fascia overlying the skull. The wound has no marginal abrasion, soot, or stippling.

Associated with this wound, there is mild left temporoparietal subscapular hemorrhage. Thin subarachnoid hemorrhage overlies the left temporal and parietal lobes of the brain.

Directionality cannot be determined.

2. GUNSHOT WOUND OF THE NECK:

There is a gunshot wound of entrance of the left base of the neck located 11 inches from the top of the head and 2 inches left of anterior midline. The circular wound is 3/16 inch in diameter and has a circumferential dry red-brown marginal abrasion that measures up to 1/4 inch at 12 o'clock, 1/8 inch at

HX475653

3 o'clock, 1/4 inch at 6 o'clock, and 3/16 inch at 9 o'clock. There is no soot or stippling.

After perforating the skin and subcutaneous tissue of the left side of the neck, the bullet subsequently perforates the strap muscles of the left side of the neck, the trachea and the scalene muscles of the right side of the neck.

A moderately deformed, copper-jacketed, medium caliber bullet is recovered from the right supraspinatus muscle, at approximately 12 inches from the top of the head and approximately 5 inches right of anterior midline. The bullet is photographed, sealed within an appropriately labeled envelope and submitted to a representative of the Chicago Police Department.

Associated with this wound is hemorrhage and pulpifaction of the wound track.

The direction is left to right, slightly front to back and slightly downward.

3. GUNSHOT WOUND OF THE LEFT CHEST:

There is a gunshot wound of entrance of the left upper chest located 12-1/4 inches from the top of the head and 5 inches left of anterior midline. The ovoid wound measures 1/2 x 1/2 inch and has a circumferential, dry, red-brown marginal abrasion that measures 1/16 inch at 12 o'clock, 1/8 inch at 3 o'clock, 1/16 inch at 6 o'clock and 1/8 inch at 9 o'clock. There is no soot or stippling.

After perforating the skin and subcutaneous tissue of the left upper chest, the bullet subsequently perforates the left pectoralis muscles, the muscles of the left lateral back, the muscles of the posterior left upper arm and the subcutaneous tissue and skin of the left upper arm.

A gunshot wound of exit of the posterior left upper arm is located 4-3/4 inches from the top of the left shoulder and 3/4 inch lateral to the posterior midline of the left arm. The ovoid wound measures 5/16 x 3/16 inch and has a circumferential brown marginal abrasion that is less than 1/16 inch wide. There is no soot or stippling.

HX425653

Associated with this wound is hemorrhage and pulpifaction of the wound track.

The direction is front to back, right to left and downward.

4. GUNSHOT WOUND OF THE RIGHT CHEST:

There is a gunshot wound of the right side of the chest located 15-1/8 inches from the top of the head and 1-1/4 inches right of anterior midline. The circular wound is 3/16 inch in diameter and has a circumferential, dry, brown marginal abrasion that measures 1/16 inch at 12 o'clock, 3/16 inch at 3 o'clock, 1/16 inch at 6 o'clock and 1/16 inch at 9 o'clock. There is no soot or stippling.

After perforating the skin and subcutaneous tissue of the right side of the chest, the bullet subsequently perforates the right pectoralis muscles, the anterior portion of the right fourth rib and right fourth intercostal muscle, the right upper pulmonic lobe (x2), the right middle pulmonic lobe and the lateral portion of the right sixth intercostal muscle.

A markedly deformed, copper-jacketed bullet is recovered from the right latissimus dorsi muscle at a point approximately 18 inches from the top of the head and approximately 2 inches posterior to the right midaxillary line.

Associated with this wound is an anterior fracture of the right fourth rib and an approximately 40mL right hemothorax. There is hemorrhage and pulpifaction of the wound track.

The direction is front to back, left to right and slightly downward.

5. GUNSHOT WOUND OF THE LEFT ELBOW:

There is a gunshot wound of entrance of the lateral left elbow located 12-3/4 inches from the top of the left shoulder and 1-1/4 inches lateral to the posterior midline of the left arm. The circular wound measures 5/16 of an inch and has a 1/16 inch dark circumferential marginal abrasion. There is no soot or stippling.

1+X47563

After perforating the skin and subcutaneous tissue of the lateral left elbow, the bullet subsequently perforates the left humerus and the musculature, subcutaneous tissue and skin of the left upper arm.

A gunshot wound of exit of the medial left upper arm is located 11-1/4 inches from the top of the left shoulder and along the medial midline of the left arm. The irregularly-shaped wound is 1/2 x 1/2 inch. A 1/8 inch brown marginal abrasion extends from 1 o'clock to 3 o'clock and a 1/16 inch brown marginal abrasion extends from 11 o'clock to 12 o'clock. There is no soot or stippling.

Associated with this wound is a 3/16 inch dark brown, abraded skin bridge that separates the entrance gunshot wound #5 (superior) from the entrance gunshot wound #10 (inferior). There is a fracture of the distal left humerus as well as hemorrhage and pulpifaction of the wound track.

The direction is left to right, back to front and slightly upward.

6. GUNSHOT WOUND OF THE RIGHT UPPER ARM:

There is a gunshot wound of entrance of the posterior right upper arm located 6-1/2 inches from the top of the right shoulder and along the posterior midline of the right arm. The circular wound is 3/16 inch in diameter and has a 1/16 inch dry, dark marginal abrasion extending from 1 o'clock to 11 o'clock. There is no soot or stippling.

After perforating the skin and subcutaneous tissue of the posterior right upper arm, the bullet subsequently perforates the musculature of the right upper arm, the right humerus and the musculature, subcutaneous tissue and skin of the medial right upper arm.

There is a shored gunshot wound of exit of the medial right upper arm located 10-3/4 inches from the top of the right shoulder and along the medial midline of the right arm. The irregularly-shaped wound measures 7/16 x 5/16 inch and has a dry, dark circumferential marginal abrasion that measures 1/16 inch at 12 o'clock and 3 o'clock, 1/4 inch at 6 o'clock and 1/16 inch at 9 o'clock. There is no soot or stippling.

HX47253

Associated with this wound is an abraded 3/4 inch moist pink skin bridge that separates the entrance gunshot wound #6 (inferior) from the entrance gunshot wound #11 (superior). There is also a fracture of the right humerus and hemorrhage and pulpifaction of the wound track.

The direction is back to front, downward and slightly left to right.

7. GUNSHOT WOUND OF THE LEFT FOREARM:

There is a gunshot wound of entrance of the dorsal left forearm located 19 inches from the top of the left shoulder and 1/2 inch medial to the posterior midline of the left arm. The ovoid wound measures 1/4 x 3/16 inch and has a circumferential dry dark marginal abrasion that measures 1/8 inch at 12 o'clock and 1/16 inch at 3, 6, and 9 o'clock. There is no soot or stippling.

After perforating the skin and subcutaneous tissue of the left forearm, the bullet subsequently perforates the left radius and ulna and the musculature, subcutaneous tissue and skin of the medial left forearm.

A gunshot wound of exit of the medial left forearm is located 20-1/2 inches from the top of the left shoulder and 1/2 inch anterior to the medial midline of the left arm. The ovoid wound measures 5/16 x 1/4 inch and has an ellipse-shaped marginal abrasion that measures 1/4 inch at 12 o'clock, 3/16 inch at 3 o'clock and 6 o'clock and 1/8 inch at 9 o'clock. There is no soot or stippling.

Associated with this wound are fractures of the left radius and ulna. There is hemorrhage and pulpifaction of the wound tracks.

The direction is back to front, slightly right to left and slightly downward.

8. GUNSHOT WOUND OF THE LATERAL RIGHT UPPER LEG:

There is a gunshot wound of entrance of the lateral right upper leg located 35-9/16 inches from the top of the head and 1-3/4 inches right of the anterior midline of the right leg.

HX475653

The circular wound measures 1/4 inch in diameter and has a less than 1/16 inch marginal abrasion extending from 5 o'clock to 6 o'clock. The margin is extensively lacerated and has a circumferential 1/16 inch purple contusion. There is no soot or stippling.

After perforating the skin and subcutaneous tissue of the lateral right upper leg, the bullet subsequently perforates the musculature of the right upper leg, the pelvic floor musculature and the musculature of the medial left upper leg.

A moderately deformed, copper-jacketed, medium caliber bullet is recovered from the medial left upper leg at a point approximately 39 inches from the top of the head and approximately 2 inches right of anterior midline of the left leg. The bullet is photographed, sealed within an appropriately labeled envelope and submitted to a representative of the Chicago Police Department.

Associated with this wound is hemorrhage and pulpifaction of the wound track.

The direction is right to left, downward and slightly front to back.

9. GUNSHOT WOUND OF THE LEFT UPPER BACK:

There is a gunshot wound of entrance of the left upper back located 11 inches from the top of the head and 4-1/2 inches left of posterior midline. The irregularly-shaped wound measures 9/16 x 5/16 inch and has an irregular, circumferential brown marginal abrasion that measures 1/4 inch at 12 o'clock, 1/16 inch at 3 o'clock, 1/8 inch at 6 o'clock and 3/16 inch at 9 o'clock. There is no soot or stippling.

After perforating the skin and subcutaneous tissue of the left upper back, the bullet subsequently perforates the musculature of the left upper back and the subcutaneous tissue and skin of the left lateral back.

There is a gunshot wound of exit of the left lateral back located 17-1/4 inches from the top of the head and 3-1/2 inches posterior to the left midaxillary line. The irregularly-shaped wound measures 3/8 x 3/16 inch. There is no marginal abrasion, soot or stippling.

HX 475653

Associated with this wound is hemorrhage and pulpifaction of the wound track.

The direction is right to left and downward with no significant forward or backwards deviation.

10. GUNSHOT WOUND OF THE LEFT ELBOW:

There is a gunshot wound of entrance of the lateral left elbow which is located 13-1/16 inch from the top of the left shoulder and 1 inch lateral to the posterior midline of the left arm. The circular wound measures 3/16 inch in diameter and has a circumferential marginal abrasion that measures 1/8 inch at 12 o'clock and 3 o'clock and 1/16 inch at 6 o'clock and 9 o'clock. There is no soot or stippling.

After perforating the skin and subcutaneous tissue of the lateral left elbow, the bullet subsequently perforates the musculature of the lateral left elbow, the left humerus and the musculature, subcutaneous tissue and skin of the medial left elbow.

There is a gunshot wound of exit of the medial left elbow located 14-1/2 inches from the top of the left shoulder and 3/4 inch medial to the posterior midline of the left arm. The irregularly-shaped wound measures 3/16 x 1/8 inch. It has a circumferential marginal abrasion that measures 1/4 inch at 12 o'clock, 3/16 inch at 3 o'clock, less than 1/16 inch at 6 o'clock and 3/16 inch at 9 o'clock. There is no soot or stippling.

Associated with this wound (as mentioned above) is a 3/16 inch dark brown, abraded skin bridge that separates the entrance gunshot wound #5 (superior) from the entrance gunshot wound #10 (inferior). There are fractures of the left humerus and ulna as well as hemorrhage and pulpifaction of the wound track.

The direction is left to right and downward with no significant forward or backward deviation.

HX475653

11. GUNSHOT WOUND OF THE POSTERIOR RIGHT UPPER ARM:

There is a gunshot wound of entrance of the posterior right upper arm located 5-3/4 inches from the top of the right shoulder and along the posterior midline of the right arm. The circular wound is 1/8 inch in diameter and has a 1/16 inch dry brown marginal abrasion extending from 7 o'clock to 2 o'clock. There is no soot or stippling.

After perforating the skin and subcutaneous tissue of the posterior right upper arm, the bullet subsequently perforates the musculature of the posterior right upper arm and the musculature, subcutaneous tissue and skin of the right upper back.

There is a gunshot wound of exit of the right upper back located 15-1/2 inches from the top of the head and 2 inches posterior to the right midaxillary line. The irregularly-shaped wound measures 3/8 x 1/8 inch and has no marginal abrasion, soot or stippling.

Associated with this wound (as mentioned above) is a charred 3/4 inch moist pink skin bridge that separates the entrance gunshot wound #6 (inferior) from the entrance gunshot wound #11 (superior). There is hemorrhage and pulpifaction of the wound track.

The direction is right to left, downward and slightly front to back.

12. GUNSHOT WOUND OF THE RIGHT ARM:

There is a gunshot wound of entrance of the dorsal right forearm (superior) located 15-1/2 inches from the top of the right shoulder and 3/4 inch lateral to the posterior midline of the right arm. The ovoid-shaped wound measures 5/16 x 1/4 inch and has a dry, dark brown, circumferential marginal abrasion that measures 1/8 inch at 12 o'clock, 3/16 inch at 3 o'clock, 1/8 inch at 6 o'clock and 1/16 inch at 9 o'clock. There is no soot or stippling.

After perforating the skin and subcutaneous tissue of the posterior right forearm, the bullet subsequently penetrates the musculature of the right upper arm.

HX475653

A moderately deformed, copper-jacketed, medium caliber bullet is recovered from the anterior musculature of the right upper arm approximately 10 inches from the top of the right shoulder and approximately midline of the right upper arm. The bullet is photographed, sealed within an appropriately labeled envelope and submitted to a representative of the Chicago Police Department.

Associated with this wound is hemorrhage and pulpifaction of the wound track.

The direction is back to front and upward with no significant lateral deviation.

13. GUNSHOT WOUND OF THE RIGHT FOREARM:

There is a gunshot wound of entrance of the dorsal right forearm (inferior) located 19-1/2 inches from the top of the right shoulder and along the posterior midline of the right arm. The ovoid-shaped wound measures 1/2 x 1/8 inch and has an irregular, dry, circumferential marginal abrasion that measures 1/8 inch at 12 o'clock, 1/16 inch at 3 o'clock, 1 inch at 6 o'clock, and 1/8 inch at 9 o'clock. There is no soot or stippling.

After perforating the skin and subcutaneous tissue of the dorsum of the right forearm, the bullet penetrates the musculature of the right forearm.

A markedly deformed, large fragment of copper-jacketed bullet is recovered from the right forearm at approximately 17 inches from the top of the right shoulder and approximately posterior midline of the right arm. The projectile is photographed, sealed within an appropriately labeled envelope and submitted to a representative of the Chicago Police Department.

Associated with this wound are fractures of the right radius and ulna. There is hemorrhage and pulpifaction of the wound track.

The direction is upward and slightly back to front with no significant lateral deviation.

14. GUNSHOT WOUND OF THE RIGHT HAND:

There is a gunshot wound of entrance of the dorsum of the right hand located 24 inches from the top of the right shoulder and

HX475653

1/2 inch posterior to the lateral midline of the right arm. The slit-like wound measures 3/16 inch and has a moist red marginal abrasion from 3 o'clock to 11 o'clock that measures 5/16 of an inch at 3 o'clock, 1/4 inch at 6 o'clock, and 5/16 of an inch at 9 o'clock. There is a thin, circumferential rim of charred skin. Numerous irregular, dry, dark brown abrasions and apparent pseudo-stippling extend along the 5 o'clock to 11 o'clock margin up to 1 inch at 5 o'clock, 1-3/4 inch at 6 o'clock, 1-1/2 inch at 9 o'clock, and 1/2 at 11 o'clock. No definitive gunpowder residue is identified.

After perforating the skin and subcutaneous tissue of the dorsum of the right hand, the bullet penetrates the musculature of the right hand.

Two fragments of markedly deformed, copper-jacketed projectile are recovered from the dorsum of the right hand at a point approximately 23-1/2 inches from the top of the right shoulder and 1/4 inch posterior to the lateral midline of the right arm. The projectile fragments are photographed, sealed within an appropriately labeled envelope and submitted to a representative of the Chicago Police Department.

Associated with this wound is hemorrhage and pulpifaction of the wound track.

The direction is slightly left to right and slightly upward with no significant forward or backward deviation.

15. GUNSHOT WOUND OF THE RIGHT LOWER BACK:

There is a gunshot wound of entrance of the right lower back located 28 inches from the top of the head and 1-7/8 inches right of posterior midline. The 3/16 x 1/8 inch ovoid wound has a circumferential, moist, pink marginal abrasion that measures 1/16 inch at 12 o'clock, 1/8 inch at 3 o'clock, 1/16 inch at 6 o'clock and 1/16 inch at 9 o'clock. There is no soot or stippling.

After perforating the skin and subcutaneous tissue of the right lower back, the bullet subsequently perforates the sacrum, the abdominal cavity and the musculature of the left side of the abdomen.

HX475653

A moderately deformed, copper-jacketed, medium caliber bullet is recovered from the soft tissue of the left abdominal wall approximately 25 inches from the top of the head and approximately 2 inches left of anterior midline. The bullet is photographed, sealed within an appropriately labeled envelope and submitted to a representative of the Chicago Police Department.

Associated with this wound is a fracture of the sacrum as well as hemorrhage and pulpifaction of the wound track.

The direction is back to front, right to left and upward.

16. GUNSHOT WOUND OF THE RIGHT UPPER LEG:

There is a gunshot wound of entrance of the medial right upper leg located 42-1/2 inches from the top of the head and 1/2 inch posterior to the medial midline of the right leg. The ovoid wound measures 1/4 x 3/16 inch and has a dry red-brown marginal abrasion that extends from 7 o'clock to 3 o'clock. The abrasion measures 1/16 inch from 7 o'clock to 9 o'clock and less than 1/16 inch from 9 o'clock to 3 o'clock. There is no soot or stippling.

After perforating the skin and subcutaneous tissue of the medial right upper leg, the bullet subsequently perforates the musculature of the right upper leg and the subcutaneous tissue and skin of the posterior right upper leg.

There is a gunshot wound of exit of the posterior right upper leg located 41-3/8 inches from the top of the head and along the posterior midline of the right leg. The irregularly-shaped wound measures 3/8 x 1/4 inch and has a 3/8 x 1/4 inch brown abrasion that extends along the 12 o'clock to 2 o'clock margin. There is no soot or stippling.

Associated with this wound is hemorrhage and pulpifaction of the wound track..

The direction is left to right and front to back with no significant vertical deviation.

HX475653

II. **OTHER INJURIES:**

There are clusters of dry red-brown abrasions on the right shoulder, right side of the chest and dorsum of the right wrist and hand. Scattered larger red-brown abrasions are on the abdomen.

III. **OTHER ITEMS RECOVERED:**

Tiny, white metal fragments of apparent projectile are recovered from between the maxillary teeth, the right upper arm and the decedent's clothing. These fragments are photographed, sealed within appropriately labeled envelopes and submitted to a representative of the Chicago Police Department.

These injuries, having been once described, will not be repeated.

EVIDENCE SUBMITTED

The following items are collected, sealed within appropriately labeled containers and submitted to a representative of the Chicago Police Department:

-Clothing
-Blood standard
-Projectiles

INTERNAL EXAMINATION

Body Cavities: See **Evidence of Injury.** The thoracic and abdominal organs are in their normal anatomic positions. There are no adhesions.

Head: See **Evidence of Injury.** The skull is unremarkable. The dura and dural sinuses are unremarkable. The leptomeninges are thin and delicate. The cerebral hemispheres are symmetrical with an unremarkable gyral pattern. The cranial nerves and blood vessels are unremarkable. Sections through the cerebral hemispheres, brainstem and cerebellum are unremarkable. There are no hemorrhages of the deep white matter or the basal ganglia. The cerebral ventricles contain no blood. The brain weighs 1325 grams. The spinal cord as viewed from the cranial cavity is unremarkable.

HX475653

Neck: See **Evidence of Injury.** The hyoid bone is intact.

Cardiovascular System: The intimal surface of the abdominal aorta is free of significant atherosclerosis. The aorta and its major branches and the great veins are normally distributed. The pulmonary arteries contain no thromboemboli. The pericardium, epicardium and endocardium are smooth, glistening and unremarkable. The foramen ovale is closed. The coronary arterial system is normally formed and free of significant atherosclerosis. The atrial and ventricular septa are intact. The cardiac valves are unremarkable. The myocardium is dark red-brown and firm and there are no focal abnormalities. The heart weighs 360 grams.

Respiratory System: See **Evidence of Injury.** The oropharynx is unobstructed. The laryngeal mucosa is pink, smooth, and without petechiae. The pleural surfaces are smooth and glistening. The major bronchi are unremarkable. Sectioning of the lungs discloses a dark red, moderately congested parenchyma.

Hepatobiliary System: The liver is covered by a smooth glistening capsule. The parenchyma is dark red-brown and moderately congested. The liver weighs 1062 grams. The gallbladder contains approximately 10 mL of dark green-brown bile with no calculi.

Gastrointestinal System: The esophageal mucosa is gray, smooth, and unremarkable. The stomach contains approximately 20 mL of blood. There are no tablets or capsules. The gastric mucosa has normal rugal folds and is unremarkable. The small and large intestines are externally unremarkable. The appendix is present.

Genitourinary System: The left kidney is absent. The capsule of the right capsule strips with ease to reveal a smooth and slightly lobulated surface. The cortex is of normal thickness with well-demarcated corticomedullary junctions. The calyx, pelvis and ureter is unremarkable. The urinary bladder contains approximately 200 mL of clear yellow urine. The mucosa is gray, smooth, and unremarkable. The prostate gland is unremarkable externally.

Endocrine System: The thyroid and adrenal glands are unremarkable externally and upon sectioning.

HX475653

Lymphoreticular System: The spleen is covered by a smooth, blue-gray intact capsule. The parenchyma is dark red and firm. The cervical, hilar, and peritoneal lymph nodes are unremarkable.

Musculoskeletal System: See **Evidence of Injury.** The clavicles, sternum and pelvis have no fractures.

FINDINGS

I. Gunshot wound of the left scalp (graze wound):

A. Location: Left parietal scalp.
B. Injuries: Mild subscalpular hemorrhage and thin subarachnoid hemorrhage.
C. Direction: Indeterminate.
D. Range of fire: Indeterminate (no soot or stippling on skin).

II. Gunshot wound of the neck:

A. Entrance: Left base of the neck.
B. Path: Perforations of neck musculature and trachea.
C. Recovery: Medium caliber bullet recovered from the right supraspinatus muscle.
D. Direction: Left to right, slightly front to back and slightly downward.
E. Range of fire: Indeterminate (no soot or stippling on skin).

III. Gunshot wound of the left chest:

A. Entrance: Left upper chest.
B. Path: Perforations of the musculature of the left chest, left lateral back and left upper arm.
C. Exit: Posterior left upper arm.
D. Direction: Front to back, right to left and downward.
E. Range of fire: Indeterminate (no soot or stippling on skin).

HX475653

IV. Gunshot wound of the right chest:

A. Entrance: Right side of the chest.
B. Path: Perforations of the musculature of the right chest, the right fourth rib and right fourth intercostal muscle, the right lung and the right sixth intercostal muscle.
C. Recovery: Markedly deformed bullet fragment recovered from the right latissimus dorsi muscle.
D. Direction: Front to back, left to right and slightly downward.
E. Range of fire: Indeterminate (no soot or stippling on the skin).

V. Gunshot wound of the left elbow:

A. Entrance: Lateral left elbow.
B. Path: Perforations of the musculature of the left upper arm and the left humerus.
C. Exit: Medial left upper arm.
D. Direction: Left to right, back to front and slightly upward.
E. Range of fire: Indeterminate (no soot or stippling on the skin).

VI. Gunshot wound of the right upper arm:

A. Entrance: Posterior right upper arm.
B. Path: Perforations of the musculature of the right upper arm and the right humerus.
C. Exit: Medial right upper arm.
D. Direction: Back to front, downward and slightly left to right.
E. Range of fire: Indeterminate (no soot or stippling on the skin).

HX475653

VII. Gunshot wound of the left forearm:

A. Entrance: Dorsal left forearm.
B. Path: Perforations of the musculature of the left forearm, the left radius and the left ulna.
C. Exit: Medial left forearm.
D. Direction: Back to front, slightly right to left and slightly downward.
E. Range of fire: Indeterminate (no soot or stippling on the skin).

VIII. Gunshot wound of the lateral right upper leg:

A. Entrance: Lateral right upper leg.
B. Path: Perforations of the musculature of the right upper leg, the pelvic floor and the medial left upper leg.
C. Recovery: Medium caliber bullet recovered from the medial left upper leg.
D. Directions: Right to left, downward and slightly front to back.
E. Range of fire: Indeterminate (no soot or stippling on the skin).

IX. Gunshot wound of the left upper back:

A. Entrance: Left upper back.
B. Path: Perforations of the musculature of the left back.
C. Exit: Left lateral back.
D. Direction: Right to left and downward with no significant deviation forwards or backwards.
E. Range of fire: Indeterminate (no soot or stippling on the skin).

X. Gunshot wound of the left elbow:

A. Entrance: Lateral left elbow.
B. Path: Perforations of the musculature of the left elbow, the left humerus and the left ulna.
C. Exit: Medial left elbow.
D. Direction: Left to right and downward with no significant forward or backward deviation.
E. Range of fire: Indeterminate (no soot or stippling on the skin).

HX475653

XI. Gunshot wound of the right upper arm:

A. Entrance: Posterior right upper arm.
B. Path: Perforations of the musculature of the right upper arm and right upper back.
C. Exit: Right upper back.
D. Direction: Right to left, downward and slightly front to back.
E. Range of fire: Indeterminate (no soot or stippling on the skin.

XII. Gunshot wound of the right arm:

A. Entrance: Dorsal right forearm.
B. Path: Perforation of the musculature of the right upper arm.
C. Recovery: Medium caliber bullet recovered from the musculature of the anterior right upper arm.
D. Direction: Back to front and upward with no significant lateral deviation.
E. Range of fire: Indeterminate (no soot or stippling on the skin).

XIII. Gunshot wound of the right forearm:

A. Entrance: Dorsal right forearm.
B. Path: Perforations of the musculature of the right forearm.
C. Recovery: Large fragment of projectile recovered from the right forearm.
D. Direction: Upward and slightly back to front with no significant lateral deviation.
E. Range of fire: Indeterminate (no soot or stippling on the skin).

HX475653

XIV. Gunshot wound of the right hand:

A. Entrance: Dorsum of the right hand.
B. Path: Perforations of the musculature of the right hand.
C. Recovery: Fragments of projectile recovered from the dorsum of the right hand.
D. Direction: Slightly left to right and slightly upward with no significant deviation forward or backwards.
E. Range of fire: Indeterminate (no soot or stippling on the skin on the hand).

XV. Gunshot wound of the lower back:

A. Entrance: Right lower back.
B. Path: Perforations of the sacrum and left abdominal wall musculature.
C. Recovery: Medium caliber bullet recovered from the soft tissue of the left abdominal wall.
D. Direction: Back to front, right to left and upward.
E. Range of fire: Indeterminate (no soot or stippling on the skin).

XVI. Gunshot wound of the right upper leg:

A. Entrance: Medial right upper leg.
B. Path: Perforation of the musculature of the right upper leg.
C. Exit: Posterior right upper leg.
D. Direction: Left to right and front to back without significant vertical deviation.
E. Range of fire: Indeterminate (no soot or stippling on the skin).

XVII. Abrasions of the right shoulder, chest, abdomen hand and wrist.

XVIII. Small, probable projectile fragments recovered from the mouth, skin of the right upper arm and the clothing.

XIX. Post-mortem toxicology negative for benzoylecgonine, ethanol and opiates.

XX. Police-involved shooting.

HX47525

OPINION

Based on the case history and autopsy findings, it is my opinion that LAQUAN MCDONALD, a 17-year-old black male, died as the result of multiple gunshot wounds.

MANNER OF DEATH: Homicide

Denika Means, DO
Assistant Medical Examiner

1/15/2015

WTT:jm
J: -24
D: 10/23/14@17:26
T: 10/24/14@11:56

HX47563

OFFICE OF THE MEDICAL EXAMINER
COUNTY OF COOK, ILLINOIS
TOXICOLOGY REPORT

FINAL

M.E. Case:	ME2014-01071	Tox Case:	14-3614
Deceased Name:	McDonald, Laquan	Gender:	Male
Autopsy Date:	10/21/2014	Race:	Black
Report Date:	12/11/2014	Age :	17
Pathologist:	MEANS, DENIKA		

Confirmed Positives

Sample #	Analyte	Sample Type	Methodology	Result	Foot note

Screen

Sample #	Analyte	Sample Type	Methodology	Result
01-01	BENZOYLECGONINE	Hospital Specimens	ELISA	Negative
01-01	ETHANOL	Hospital Specimens	GC	Negative
01-01	OPIATES	Hospital Specimens	ELISA	Negative

Comments

KOIN, PETER
Toxicologist
Date reviewed: 12/11/2014

Footnotes

Test Panels

Opiate ELISA Screen includes: Morphine, Codeine

HX47763

OFFICE OF THE MEDICAL EXAMINER
COUNTY OF COOK, ILLINOIS
TOXICOLOGY REPORT

AMENDED

M.E. Case:	ME2014-01071	Tox Case:	14-3614
Deceased Name:	McDonald, Laquan	Gender:	Male
Autopsy Date:	10/21/2014	Race:	Black
~~Report Date:~~	03/31/2015	Age :	17
Pathologist:	MEANS, DENIKA		

Confirmed Positives

Sample #	Analyte	Sample Type	Methodology	Result	Foot note
01-01	ETHANOL	Hospital Specimens	GC_GC	Negative	(1)

Screen

Sample #	Analyte	Sample Type	Methodology	Result
01-01	BENZOYLECGONINE	Hospital Specimens	ELISA	Negative
01-01	ETHANOL	Hospital Specimens	GC	Negative
01-01	OPIATES	Hospital Specimens	ELISA	Negative
01-05	PHENCYCLIDINE	URINE	ELISA	Positive
01-10	PHENCYCLIDINE	CAVITY BLOOD	ELISA	Positive
01-01	PHENCYCLIDINE	Hospital Specimens	ELISA	Positive

Subcontracted Tests

Test Name	
Phencyclidine NMS	See NMS Report for Result
Risperidone NMS	See NMS Report for Result
Valproic Acid LabCorp	See LabCorp Report for Result

Comments

AMENDED BY: WAGNER, MICHAEL
Toxicologist
Date reviewed: 03/31/2015

Footnotes

1 Quantitation by GC, Confirmation by GC

Test Panels

Opiate ELISA Screen includes: Morphine, Codeine

HX475653

NMS LABS

NMS Labs
3701 Welsh Road, PO Box 433A, Willow Grove, PA 19090-0437
Phone: (215) 657-4900 Fax: (215) 657-2972
e-mail: nms@nmslabs.com
Robert A. Middleberg, PhD, F-ABFT, DABCC-TC, Laboratory Director

CONFIDENTIAL

Toxicology Report

Report Issued 03/18/2015 13:00

To: **10075**
Cook County Medical Examiner
Attn: Kathleen Mittel
2121 West Harrison Street
Chicago, IL 60612

Patient Name MCDONALD, LAQUAN
Patient ID ME2014-01071 14-3614
Chain 11851876
Age Not Given **DOB** Not Given
Gender Not Given
Workorder 15059306

Positive Findings:

Compound	Result	Units	Matrix Source
Phencyclidine	**56**	**ng/mL**	**001 - Cavity Blood**

See Detailed Findings section for additional information

Testing Requested:

Analysis Code	Description
4105B	Risperidone and Metabolite, Blood
8761B	Phencyclidine, Blood

Specimens Received:

ID	Tube/Container	Volume/ Mass	Collection Date/Time	Matrix Source	Miscellaneous Information
001	Red Top Tube	5.5 mL	Not Given	Cavity Blood	

All sample volumes/weights are approximations.
Specimens received on 03/02/2015.

HX4756553

v.14

Detailed Findings:

Analysis and Comments	Result	Units	Rpt. Limit	Specimen Source	Analysis By
Phencyclidine	56	ng/mL	5.0	001 - Cavity Blood	GC/MS

Other than the above findings, examination of the specimen(s) submitted did not reveal any positive findings of toxicological significance by procedures outlined in the accompanying Analysis Summary.

Reference Comments:

1. Phencyclidine (Angel Dust; PCP; Sherm) - Cavity Blood:

   Phencyclidine (PCP) is a DEA Schedule II controlled dangerous hallucinogenic drug. There exists a dearth of pharmacokinetic data of PCP usage in humans; however it has been reported that blood levels of phencyclidine ranged from 7 - 240 ng/mL (mean, 75 ng/mL) in individuals stopped for driving under the influence of drugs or for being intoxicated in public.

   Ataxia, agitation, combativeness, seizures, spasticity, coma and respiratory depression are associated with phencyclidine concentrations ranging from 90 - 220 ng/mL plasma.

   The physiological effects of PCP can be classified as low or high dose. In low doses, PCP can elicit visual disturbances, drowsiness, agitation, hallucinations, aggressiveness, increased pulse rate and blood pressure, bronchospasm, increased respiratory rate and hyperthermia In high doses, PCP can elicit convulsions, opisthotonos, coma, arrhythmias, decreased blood pressure and respirations and rhabdomyolysis.

   There appears to be no relation between plasma levels of phencyclidine and degree of intoxication. Even so, death has been reported following the use of only 120 mg of phencyclidine. Blood concentrations in phencyclidine-related fatalities have been reported to range from 300 - 25000 ng/mL (mean, 5000 ng/mL).

Unless alternate arrangements are made by you, the remainder of the submitted specimens will be discarded one (1) year from the date of this report; and generated data will be discarded five (5) years from the date the analyses were performed.

Analysis Summary and Reporting Limits:

All of the following tests were performed for this case. For each test, the compounds listed were included in the scope. The Reporting Limit listed for each compound represents the lowest concentration of the compound that will be reported as being positive. If the compound is listed as None Detected, it is not present above the Reporting Limit. Please refer to the Positive Findings section of the report for those compounds that were identified as being present.

Acode 4105B - Risperidone and Metabolite, Blood - Cavity Blood

-Analysis by High Performance Liquid Chromatography/ Tandem Mass Spectrometry (LC-MS/MS) for:

Compound	Rpt. Limit	Compound	Rpt. Limit
9-Hydroxyrisperidone	1.0 ng/mL	Risperidone and 9-Hydroxyrisperidone - Total	N/A
Risperidone	1.0 ng/mL		

Acode 8761B - Phencyclidine, Blood - Cavity Blood

-Analysis by Gas Chromatography/Mass Spectrometry (GC/MS) for:

Compound	Rpt. Limit	Compound	Rpt. Limit
Phencyclidine	5.0 ng/mL		

HX47523

LabCorp
Laboratory Corporation of America

Patient Report

Specimen ID: 057-139-1180-0
Control ID: B0019005042

Acct #: 12122732 Phone: (312) 997-4477 Rte: 16

MCDONALD, LAQUAN

COOK COUNTY MEDICAL EXAMINER
2121 W HARRISON
CHICAGO IL 60612

Patient Details
DOB: 09/25/1997
Age(y/m/d): 017/05/01
Gender: M SSN:
Patient ID: ME2014-01071

Specimen Details
Date collected: 02/26/2015 1119 Local
Date entered: 02/26/2015
Date reported: 02/27/2015 0903 ET

Physician Details
Ordering: D MEANS
Referring:
ID:
NPI:

General Comments & Additional Information
Clinical Info: TOX-14-3614 1ML OF CAVITY
Clinical Info: BLOOD SPUN DOWN

Alternate Control Number: B0019005042 Alternate Patient ID: ME2014-01071

Ordered Items
Valproic Acid (Depakote)(R) S

TESTS	RESULT	FLAG	UNITS	REFERENCE INTERVAL	LAB
Valproic Acid (Depakote) (R) S					
	<4	Low	ug/mL	50 - 100	01
Verified by repeat analysis					

Detection Limit = 4
<4 indicates None Detected
Toxicity may occur at levels of 100-500. Measurements of free unbound valproic acid may improve the assessment of clinical response.

01 CB LabCorp Dublin
6370 Wilcox Road, Dublin, OH 43016-1269
Nathan Scanzillo PhD

For inquiries, the physician may contact Branch: 800-597-5026 Lab: 800-282-7300

Date Issued: 02/27/15 0903 ET FINAL REPORT Page 1 of 1

This document contains private and confidential health information protected by state and federal law.
If you have received this document in error, please call 800-282-7300

© 1995-2015 Laboratory Corporation of America® Holdings
All Rights Reserved - Enterprise Report Version: 1.00

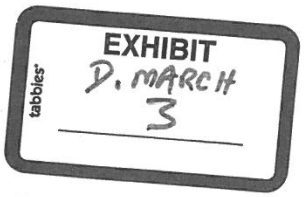
HX475653



(720 ILCS 5/7-7) (from Ch. 38, par. 7-7)

Sec. 7-7. Private person's use of force in resisting arrest. A person is not authorized to use force to resist an arrest which he knows is being made either by a peace officer or by a private person summoned and directed by a peace officer to make the arrest, even if he believes that the arrest is unlawful and the arrest in fact is unlawful.

(Source: P.A. 86-1475.)



(720 ILCS 5/7-5) (from Ch. 38, par. 7-5)

Sec. 7-5. Peace officer's use of force in making arrest. (a) A peace officer, or any person whom he has summoned or directed to assist him, need not retreat or desist from efforts to make a lawful arrest because of resistance or threatened resistance to the arrest. He is justified in the use of any force which he reasonably believes to be necessary to effect the arrest and of any force which he reasonably believes to be necessary to defend himself or another from bodily harm while making the arrest. However, he is justified in using force likely to cause death or great bodily harm only when he reasonably believes that such force is necessary to prevent death or great bodily harm to himself or such other person, or when he reasonably believes both that:

(1) Such force is necessary to prevent the arrest from being defeated by resistance or escape; and

(2) The person to be arrested has committed or attempted a forcible felony which involves the infliction or threatened infliction of great bodily harm or is attempting to escape by use of a deadly weapon, or otherwise indicates that he will endanger human life or inflict great bodily harm unless arrested without delay.

(b) A peace officer making an arrest pursuant to an invalid warrant is justified in the use of any force which he would be justified in using if the warrant were valid, unless he knows that the warrant is invalid.
(Source: P.A. 84-1426.)



(720 ILCS 5/2-8) (from Ch. 38, par. 2-8)

Sec. 2-8. "Forcible felony". "Forcible felony" means treason, first degree murder, second degree murder, predatory criminal sexual assault of a child, aggravated criminal sexual assault, criminal sexual assault, robbery, burglary, residential burglary, aggravated arson, arson, aggravated kidnaping, kidnaping, aggravated battery resulting in great bodily harm or permanent disability or disfigurement and any other felony which involves the use or threat of physical force or violence against any individual.
(Source: P.A. 88-277; 89-428, eff. 12-13-95; 89-462, eff. 5-29-96.)

Chicago Police Department

THE USE OF FORCE MODEL

General Order G03-02-01

ISSUE DATE:	16 May 2012	**EFFECTIVE DATE:**	16 May 2012
RESCINDS:	15 August 2003 Version		
INDEX CATEGORY:	Field Operations		

EXHIBIT
DeMARCH
5

I. PURPOSE

This directive:

A. explains the Use of Force Model.

B. includes a graphic representation of the Use of Force Model.

II. DEPARTMENT POLICY

The Department utilizes a Use of Force Model to provide guidance on the appropriate amount of force to be used to effect a lawful purpose. The Use of Force Model employs the progressive and reasonable escalation and de-escalation of member-applied force in proportional response to the actions and level of resistance offered by a subject. Such response may progress from the member's actual presence at the scene to the application of deadly force.

A. The primary objective of the use of force is to ensure control of a subject with the reasonable force necessary based on the totality of the circumstances.

B. Whenever reasonable, members will exercise persuasion, advice, and warning prior to the use of physical force.

C. When force is applied, a member will escalate or de-escalate to the amount of force which is reasonably necessary to overcome the subject's resistance and to gain control.

1. Members are not required to start at the lowest levels of the Use of Force Model, they will select the appropriate level of force based on the subject's actions.

2. Members will modify their level of force in relation to the amount of resistance offered by the subject.

a. As the subject offers less resistance, the member will lower the amount or type of force used.

b. As the subject increases resistance, the member may increase the amount or type of force used.

III. USE OF FORCE MODEL

A. The Use of Force Model is a graphic representation of the guidelines for the appropriate use of force in relation to the actions of a subject.

B. The Use of Force Model utilized by the Chicago Police Department is pictured in Illustration No. 1.

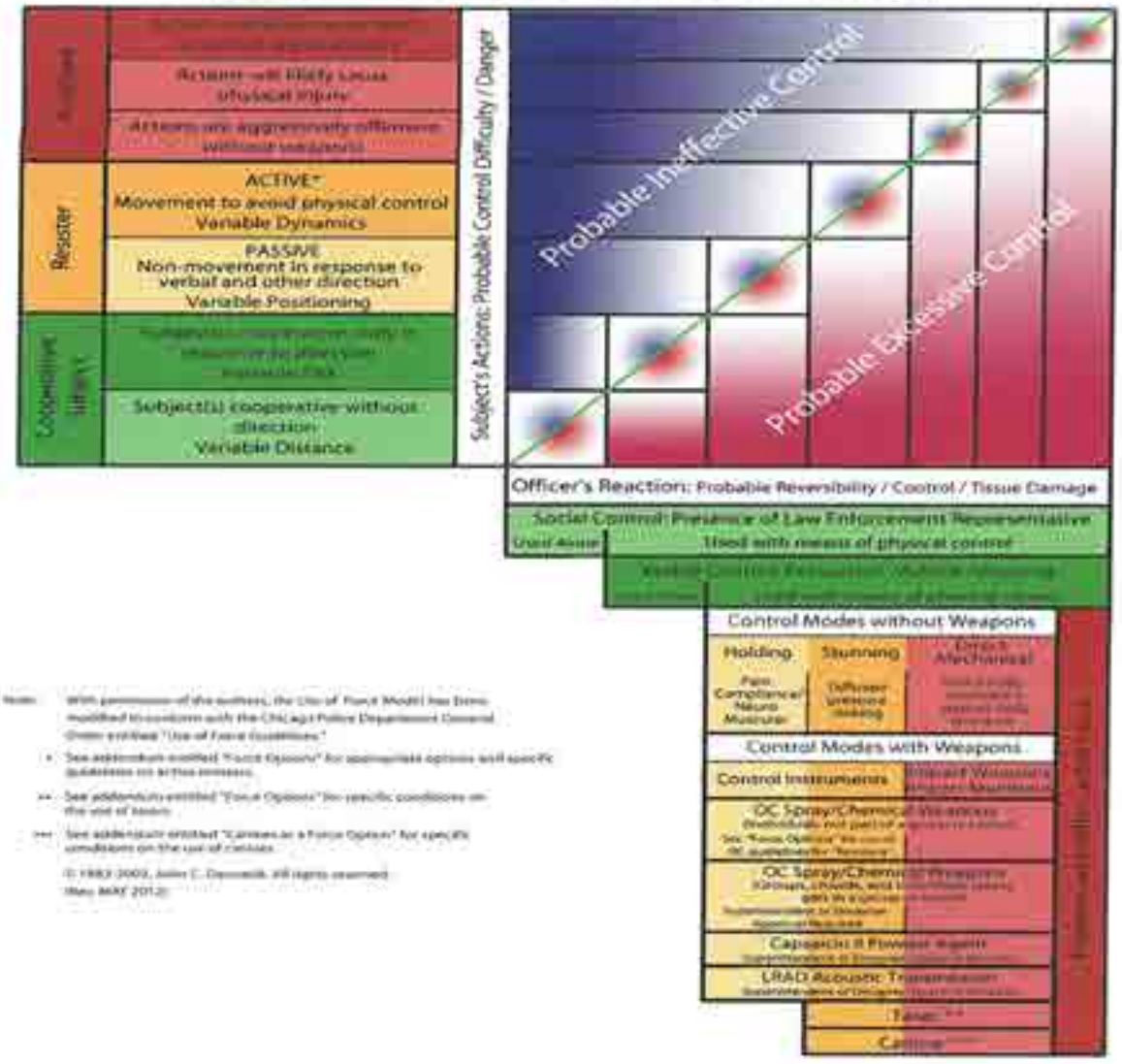
C. The Use of Force Model is a guideline that cannot account for all factors constituting the "totality of circumstances" by which a specific use of force is evaluated. The Model is to be used only in conjunction with the Department directives and training regarding the use of force.

Illustration No. 1

© Chicago Police Department, May 2012

OIG 15-0564 009900

USE OF FORCE MODEL
CHICAGO POLICE DEPARTMENT



Note: With permission of the authors, the Use of Force Model has been modified to conform with the Chicago Police Department General Order entitled "Use of Force Guidelines."

* See addendum entitled "Force Options" for appropriate options and specific guidelines on active resisters.

** See addendum entitled "Force Options" for specific conditions on the use of batons.

*** See addendum entitled "Canines as a Force Option" for specific conditions on the use of canines.

© 1983-2002, John C. Desmedt. All rights reserved.
Rev. MAY 2012

Garry F. McCarthy
Superintendent of Police

11-205 TRH

Chicago Police Department

General Order G03-02-03

DEADLY FORCE

ISSUE DATE:	10 February 2015	**EFFECTIVE DATE:**	10 February 2015
RESCINDS:	1 October 2002 Version		
INDEX CATEGORY:	Field Operations		



I. PURPOSE

This directive:

A. sets forth Department policy regarding a sworn member's use of deadly force.

B. establishes guidelines controlling the use of deadly force by sworn members.

II. DEPARTMENT POLICY

A. A sworn member is justified in using force likely to cause death or great bodily harm only when he or she reasonably believes that such force is necessary:

1. to prevent death or great bodily harm to the sworn member or to another person, or:

2. to prevent an arrest from being defeated by resistance or escape and the sworn member reasonably believes that the person to be arrested:

   a. has committed or has attempted to commit a forcible felony which involves the infliction, threatened infliction, or threatened use of physical force likely to cause death or great bodily harm or;

   b. is attempting to escape by use of a deadly weapon or;

   c. otherwise indicates that he or she will endanger human life or inflict great bodily harm unless arrested without delay.

B. Sworn members who discharge a firearm will comply with the procedures detailed in the Department directive entitled "**Firearms Discharge Incidents Involving Sworn Members**."

III. DEPARTMENT PROHIBITIONS FOR USE OF DEADLY FORCE

Use of firearms in the following ways is prohibited:

A. Firing into crowds.

B. Firing warning shots.

C. Firing into buildings or through doors, windows, or other openings when the person lawfully fired at is not clearly visible.

D. Firing at a subject whose action is only a threat to the subject himself (e.g., attempted suicide).

E. *Firing at or into a moving vehicle when the vehicle is the only force used against the sworn member or another person.*

IV. AFFIRMATION OF PROTECTION OF LIFE POLICY

Sworn members will not unreasonably endanger themselves or another person to conform to the restrictions of this directive.

© Chicago Police Department, February 2015

(Items indicated by *italics/double underline* have been added or revised)

Garry F. McCarthy
Superintendent of Police

15-025 MWK

GLOSSARY TERMS:

1. **Deadly Force (720 ILCS 5/7-8)**

   A. Deadly force is force which is likely to cause death or great bodily harm and includes

      1. The firing of a firearm in the direction of the person to be arrested, even though no intent exists to kill or inflict great bodily harm; and

      2. The firing of a firearm at a vehicle in which the person to be arrested is riding.

   B. A peace officer's discharge of a firearm using ammunition designed to disable or control an individual without creating the likelihood of death or great bodily harm (i.e., impact munitions) shall not be considered force likely to cause death or bodily harm

2. **Use of Force to Prevent Escape (720 ILCS 5/7-9)**

   A peace officer or other person who has an arrested person in custody is justified in the use of such force to prevent the escape of the arrested person from custody as he would be justified in using if he were arresting the person.

3. **Forcible Felony (720 ILCS 5/2-8)**

   A forcible felony means any treason, first degree murder, second degree murder, predatory criminal sexual assault of a child, aggravated criminal sexual assault, criminal sexual assault, robbery, burglary, residential burglary, aggravated arson, arson, aggravated kidnapping, kidnapping, aggravated battery resulting in great bodily harm or permanent disability or disfigurement, and any other felony which involves the use or threat of physical force or violence against any individual.

© Chicago Police Department, February 2015

OIG 15-0564 009904

CHICAGO POLICE DEPARTMENT
3510 South Michigan Avenue/Chicago, Illinois
60653
Identification Section

JUVENILE CRIMINAL HISTORY REPORT

[redacted]

JUVENILE ARREST JUVENILE

[redacted]

JUVENILE ARREST JUVENILE

[redacted]

JUVENILE ARREST JUVENILE

[redacted]

JUVENILE ARREST JUVENILE

[redacted]

[redacted]

[redacted] JUVENILE [redacted] ARREST [redacted] JUVENILE [redacted]

[redacted]

[redacted] JUVENILE [redacted] ARREST [redacted] JUVENILE [redacted]

[redacted]

[redacted] JUVENILE [redacted] ARREST [redacted] JUVENILE [redacted]

[redacted]

[redacted]

[redacted] JUVENILE [redacted] ARREST [redacted] JUVENILE [redacted]

[redacted]

[redacted] JUVENILE [redacted] ARREST [redacted] JUVENILE [redacted]

[redacted]

[redacted] JUVENILE [redacted] ARREST [redacted] JUVENILE [redacted]

[redacted]

[redacted]

[redacted] JUVENILE [redacted] ARREST [redacted] JUVENILE [redacted]

[redacted]

[redacted] JUVENILE [redacted] ARREST [redacted] JUVENILE [redacted]

[redacted]

[redacted] JUVENILE [redacted] ARREST [redacted] JUVENILE [redacted]

[redacted]

[redacted]

JUVENILE ARREST JUVENILE

[redacted]

JUVENILE ARREST JUVENILE

[redacted]

JUVENILE ARREST JUVENILE

[redacted]

[redacted]

[redacted] JUVENILE [redacted] ARREST [redacted] JUVENILE [redacted]

[redacted]

[redacted] JUVENILE [redacted] ARREST [redacted] JUVENILE [redacted]

[redacted]

[redacted] JUVENILE [redacted] ARREST [redacted] JUVENILE [redacted]

[redacted]

[redacted]

JUVENILE ARREST JUVENILE

[redacted]

JUVENILE ARREST JUVENILE

[redacted]

JUVENILE ARREST JUVENILE

[redacted]

[redacted]

[redacted] JUVENILE [redacted] ARREST [redacted] JUVENILE [redacted]

[redacted]

[redacted] JUVENILE [redacted] ARREST [redacted] JUVENILE [redacted]

[redacted]

[redacted] JUVENILE [redacted] ARREST [redacted] JUVENILE [redacted]

[redacted]



This Chicago Police Department IR rap-sheet should not replace the use of the Illinois State Police statewide criminal history transcript, which may contain additional criminal history data and can be obtained by performing a CQR1 inquiry via your LEADS terminal.

21-APR-2016 17:30 Requested by: PC09469



OIG 15-0564 009915

EXHIBIT
D. MARCH
9

Related Documents:
G03-02-02: "Force Options"
S03-02-02 "Other Weapon Discharge Incidents
U04-02-04 "Taser Devices"

Training Review

REVISED
December 2012

TASER X2 TRAINING

With all types of force options it is important to periodically review procedures and tactics to ensure safe and effective use. Below is a review of procedures for deploying a Taser X2 against a subject as an alternative force option.

Before deciding to deploy a Taser X2, the questions or criteria listed below should all be answered in the affirmative. If at any time the answer is no, stop and re-evaluate your decision to deploy.

According to Uniform and Property Order U04-02-04 II-D-3 A and B, there are two circumstances that must be present to deploy a taser:

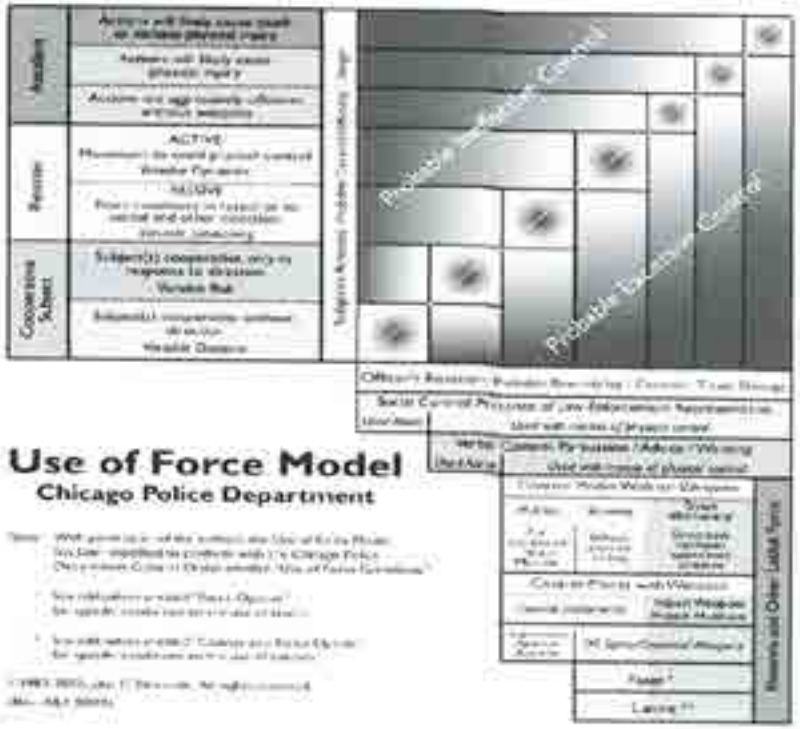
1) The subject is an active resister or assailant.

2) You can safely approach the subject within 18 feet. The optimum range is 7-15 feet for effective probe spread, officer safety and accuracy.

Key Points

Is the environment appropriate for the use of a Taser?
- Consider potential secondary injuries from falling (on stairs, or an elevated height etc...).
- Check for flammable or combustible materials.

Is the Taser a **REASONABLE** force option based on the totality of the circumstance?
- Consider the severity of the crime, the threat level and the level of resistance.
- Refer to G03-02-02 "Force Options."



OIG 15-0564 009916

DEPLOYING THE TASER

Once you have determined that a situation meets the criteria for Taser use, follow the steps below to ensure it is used safely and effectively

The following 5 steps pertain to a PROBE DISCHARGE.

Remember to use MINIMAL FORCE to resolve the situation.

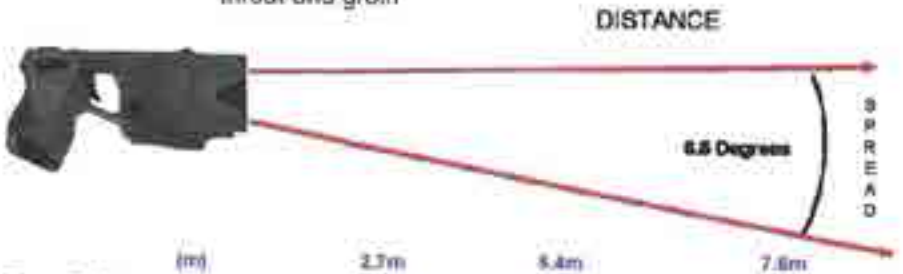
① Give a Warning from U04-02-04 E-1

Warn others of the imminent deployment of the device by announcing "Taser! Taser! Taser!" Do not yell: "I'm shooting" or "I'm firing."

② Target Area

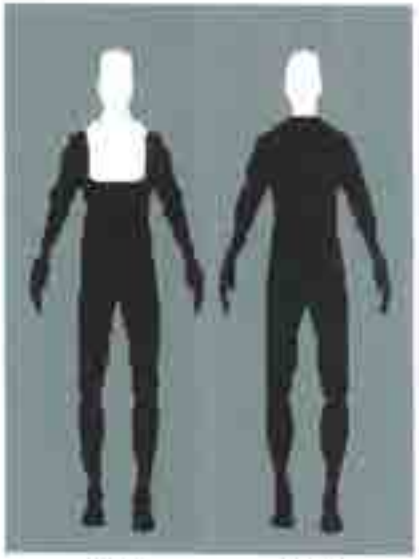
The top laser indicates the point of impact for top probe while the bottom probe travels downward at a 6.5 degree angle. The bottom laser indicated the point of impact for the bottom probe on 15ft and 25ft cartridges only. Both probes must contact the subject to allow the electrical energy to flow. If possible, aim at the subject's back for the following reasons

- the surprise factor
- the back has higher muscle mass
- clothing fits tighter
- targeting the subject's back avoids inadvertent contact to the face, throat and groin



(m)	2.7m	5.4m	7.6m
Target Distance (ft)	9'	18'	25'
Spread (in)	12"	25"	36"
(cm)	31cm	64cm	92cm

The recommended point of aim is the lower-center of mass for frontal shots. The solid, dark areas on the graphic below represent the preferred target areas.



Front Back

③ Deploy the Taser

- Each trigger pull will discharge a live cartridge and deliver current for a 5 second cycle. The X2 can be loaded with two (2) live cartridges
- *It is not necessary to hold the trigger down for 5 seconds.* If you pull and quickly release the trigger, the device will deliver energy for the entire 5 seconds, the cycle will automatically stop, and the next live cartridge will be selected.
- If the trigger is held down beyond 5 seconds, the current will continue until the trigger is released.

OIG 15-0564 009917

④ During the 5 Second Cycle

- Give verbal directions to the subject such as, "Put your hands behind your back!"
- Watch for a change in the subject's behavior and assess the Taser's effectiveness.
  - Check to see if both probes have a good contact
  - Check for an effective probe spread
  - Check to see if the probes are affecting high muscle mass

Remember, if you pull and quickly release the trigger, the device will deliver current for 5 seconds, automatically stop, and select the next live cartridge. If necessary, you may interrupt the cycle short of 5 seconds by placing the safety in the down (SAFE) position.

⑤ After the Initial 5 Second Cycle

A 5 second cycle offers a window of opportunity for the assisting officers to subdue and physically control the subject. You can touch the subject, but avoid touching the wires, probes, and the area between the probes.

Give the subject an opportunity to comply with your commands.

Assess the situation and if the subject is not under control, consider the following options:

- Press the ARC switch to deliver additional cycles
- Pull and release the trigger to deploy a second cartridge
- **TRANSITION TO ANOTHER FORCE OPTION**

Each trigger pull and press of the ARC switch must be accounted for and is recorded. The record includes the time and duration of each cycle.

Each trigger pull and press of the ARC switch is considered a use of force and must conform to the standard of REASONABLENESS.

SAFETY REMINDERS

- Never point at anything you don't intend to shoot.
- Keep the weapon safety switch in the down (SAFE) position and pointed in a safe direction.
- Never place finger on trigger unless firing is imminent.
- Laser light can cause eye damage if directed into eyes for prolonged periods of time.
- Probes shot in the eyes can cause serious damage.
- Never place hand in front of weapon, especially when changing the air cartridge.



OIG 15-0564 009918

POST-DEPLOYMENT RESPONSIBILITIES

Upon gaining control of the subject, **Department members** will:

1) Notify OEMC

2) Request OEMC assign emergency medical personnel when:
   a. Taser probes were discharged and penetrated a subject's skin.
   b. Electrical current from the taser was applied to the subject's body.
   c. The subject appears to be in any sort of distress.

Officers must be aware that individuals exhibiting signs of extreme psychological stress will likely require medical attention.

Officers are advised to inform responding EMS personnel of the subject's actions and condition immediately prior to the Taser deployment.

3) Notify their supervisor, the station supervisor assigned to the district of occurrence and CPIC.

4) Prepare a Tactical Response Report. The serial number from the spent cartridge will be required to complete the TRR.

The **Responding Supervisor** will:

1) For deployment in a residence, request assignment of an ET. In an area other than a residence, indoors or outdoors, determine if an ET is required.

   The ET will photograph the locations where the probes penetrated the subject and/or any other injuries incurred as a result of the taser deployment.

2) Inventory the discharged probes and used cartridges in the following manner:
   a. The probes will be detached from the wires and inserted, pointed ends first, back into the cartridge.
   b. The cartridge will be wrapped with tape to secure the probes inside.

3) Take control of the device, and deliver it to the station supervisor.

The **Station Supervisor** will:

1) Notify IPRA and ensure a log number is obtained. (Notify CPIC when IPRA is unavailable).

2) Download the deployment data and print out the data sheet. Only date of deployment is required.

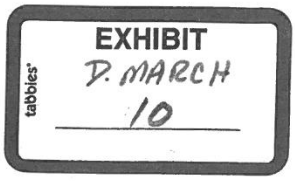
3) Review and complete the TRR

4) Ensure the data sheet is attached to the TRR and a copy of the original case report.

The above actions are a summary of responsibilities after the field deployment of a Taser X2 device.

For a complete list of department investigative and reporting procedures, refer to Special Order S03-02-02 entitled "Other Weapon Discharge Incidents," section IV "Discharge of a Taser."

OIG 15-0564 009919



(720 ILCS 5/12-2) (from Ch. 38, par. 12-2)

(Text of Section from P.A. 99-78)

Sec. 12-2. Aggravated assault.

(a) Offense based on location of conduct. A person commits aggravated assault when he or she commits an assault against an individual who is on or about a public way, public property, a public place of accommodation or amusement, or a sports venue.

(b) Offense based on status of victim. A person commits aggravated assault when, in committing an assault, he or she knows the individual assaulted to be any of the following:

(1) A physically handicapped person or a person 60 years of age or older and the assault is without legal justification.

(2) A teacher or school employee upon school grounds or grounds adjacent to a school or in any part of a building used for school purposes.

(3) A park district employee upon park grounds or grounds adjacent to a park or in any part of a building used for park purposes.

(4) A peace officer, community policing volunteer, fireman, private security officer, emergency management worker, emergency medical technician, or utility worker:

(i) performing his or her official duties;

(ii) assaulted to prevent performance of his or her official duties; or

(iii) assaulted in retaliation for performing his or her official duties.

(5) A correctional officer or probation officer:

(i) performing his or her official duties;

(ii) assaulted to prevent performance of his or her official duties; or

(iii) assaulted in retaliation for performing his or her official duties.

(6) A correctional institution employee, a county juvenile detention center employee who provides direct and continuous supervision of residents of a juvenile detention center, including a county juvenile detention center employee who supervises recreational activity for residents of a juvenile detention center, or a Department of Human Services employee, Department of Human Services officer, or employee of a subcontractor of the Department of Human Services supervising or controlling sexually dangerous persons or sexually violent persons:

(i) performing his or her official duties;

(ii) assaulted to prevent performance of his or her official duties; or

(iii) assaulted in retaliation for performing his or her official duties.

(7) An employee of the State of Illinois, a municipal corporation therein, or a political subdivision thereof, performing his or her official duties.

(8) A transit employee performing his or her official duties, or a transit passenger.

(9) A sports official or coach actively participating in any level of athletic competition within a sports venue, on an indoor playing field or outdoor playing

field, or within the immediate vicinity of such a facility or field.

(10) A person authorized to serve process under Section 2-202 of the Code of Civil Procedure or a special process server appointed by the circuit court, while that individual is in the performance of his or her duties as a process server.

(c) Offense based on use of firearm, device, or motor vehicle. A person commits aggravated assault when, in committing an assault, he or she does any of the following:

(1) Uses a deadly weapon, an air rifle as defined in Section 24.8-0.1 of this Act, or any device manufactured and designed to be substantially similar in appearance to a firearm, other than by discharging a firearm.

(2) Discharges a firearm, other than from a motor vehicle.

(3) Discharges a firearm from a motor vehicle.

(4) Wears a hood, robe, or mask to conceal his or her identity.

(5) Knowingly and without lawful justification shines or flashes a laser gun sight or other laser device attached to a firearm, or used in concert with a firearm, so that the laser beam strikes near or in the immediate vicinity of any person.

(6) Uses a firearm, other than by discharging the firearm, against a peace officer, community policing volunteer, fireman, private security officer, emergency management worker, emergency medical technician, employee of a police department, employee of a sheriff's department, or traffic control municipal employee:

(i) performing his or her official duties;

(ii) assaulted to prevent performance of his or her official duties; or

(iii) assaulted in retaliation for performing his or her official duties.

(7) Without justification operates a motor vehicle in a manner which places a person, other than a person listed in subdivision (b)(4), in reasonable apprehension of being struck by the moving motor vehicle.

(8) Without justification operates a motor vehicle in a manner which places a person listed in subdivision (b)(4), in reasonable apprehension of being struck by the moving motor vehicle.

(9) Knowingly video or audio records the offense with the intent to disseminate the recording.

(d) Sentence. Aggravated assault as defined in subdivision (a), (b)(1), (b)(2), (b)(3), (b)(4), (b)(7), (b)(8), (b)(9), (c)(1), (c)(4), or (c)(9) is a Class A misdemeanor, except that aggravated assault as defined in subdivision (b)(4) and (b)(7) is a Class 4 felony if a Category I, Category II, or Category III weapon is used in the commission of the assault. Aggravated assault as defined in subdivision (b)(5), (b)(6), (b)(10), (c)(2), (c)(5), (c)(6), or (c)(7) is a Class 4 felony. Aggravated assault as defined in subdivision (c)(3) or (c)(8) is a Class 3 felony.

(e) For the purposes of this Section, "Category I weapon", "Category II weapon, and "Category III weapon" have the

meanings ascribed to those terms in Section 33A-1 of this Code.
(Source: P.A. 98-385, eff. 1-1-14; 99-78, eff. 7-20-15.)



(720 ILCS 5/33A-1) (from Ch. 38, par. 33A-1)

Sec. 33A-1. Legislative intent and definitions.

(a) Legislative findings. The legislature finds and declares the following:

(1) The use of a dangerous weapon in the commission of a felony offense poses a much greater threat to the public health, safety, and general welfare, than when a weapon is not used in the commission of the offense.

(2) Further, the use of a firearm greatly facilitates the commission of a criminal offense because of the more lethal nature of a firearm and the greater perceived threat produced in those confronted by a person wielding a firearm. Unlike other dangerous weapons such as knives and clubs, the use of a firearm in the commission of a criminal felony offense significantly escalates the threat and the potential for bodily harm, and the greater range of the firearm increases the potential for harm to more persons. Not only are the victims and bystanders at greater risk when a firearm is used, but also the law enforcement officers whose duty is to confront and apprehend the armed suspect.

(3) Current law does contain offenses involving the use or discharge of a gun toward or against a person, such as aggravated battery with a firearm, aggravated discharge of a firearm, and reckless discharge of a firearm; however, the General Assembly has legislated greater penalties for the commission of a felony while in possession of a firearm because it deems such acts as more serious.

(b) Legislative intent.

(1) In order to deter the use of firearms in the commission of a felony offense, the General Assembly deems it appropriate for a greater penalty to be imposed when a firearm is used or discharged in the commission of an offense than the penalty imposed for using other types of weapons and for the penalty to increase on more serious offenses.

(2) With the additional elements of the discharge of a firearm and great bodily harm inflicted by a firearm being added to armed violence and other serious felony offenses, it is the intent of the General Assembly to punish those elements more severely during commission of a felony offense than when those elements stand alone as the act of the offender.

(3) It is the intent of the 91st General Assembly that should Public Act 88-680 be declared unconstitutional for a violation of Article 4, Section 8 of the 1970 Constitution of the State of Illinois, the amendatory changes made by Public Act 88-680 to Article 33A of the Criminal Code of 1961 and which are set forth as law in this amendatory Act of the 91st General Assembly are hereby reenacted by this amendatory Act of the 91st General Assembly.

(c) Definitions.

(1) "Armed with a dangerous weapon". A person is considered armed with a dangerous weapon for purposes of this Article, when he or she carries on or about his or

her person or is otherwise armed with a Category I, Category II, or Category III weapon.

(2) A Category I weapon is a handgun, sawed-off shotgun, sawed-off rifle, any other firearm small enough to be concealed upon the person, semiautomatic firearm, or machine gun. A Category II weapon is any other rifle, shotgun, spring gun, other firearm, stun gun or taser as defined in paragraph (a) of Section 24-1 of this Code, knife with a blade of at least 3 inches in length, dagger, dirk, switchblade knife, stiletto, axe, hatchet, or other deadly or dangerous weapon or instrument of like character. As used in this subsection (b) "semiautomatic firearm" means a repeating firearm that utilizes a portion of the energy of a firing cartridge to extract the fired cartridge case and chamber the next round and that requires a separate pull of the trigger to fire each cartridge.

(3) A Category III weapon is a bludgeon, black-jack, slungshot, sand-bag, sand-club, metal knuckles, billy, or other dangerous weapon of like character.

(Source: P.A. 91-404, eff. 1-1-00; 91-696, eff. 4-13-00.)

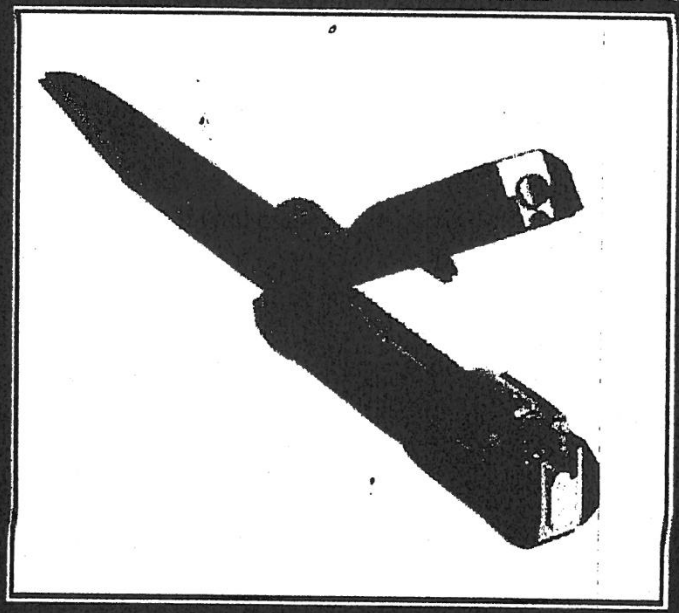
04 Dec 2012

2012-OSA-297

CRIME CONTROL STRATEGIES
DEPLOYMENT OPERATIONS CENTER

REFERENCE: Knife Revolver

OFFICER SAFETY



.22 cal Revolver Knife

OFFICER SAFETY ALERT

A Midwest intelligence organization is sharing the above captioned photograph for officer safety and awareness.

Officers should take note of the "Revolver Knife" and remain cognizant of its threat to personal safety.

If an officer recovers any such weapon, they are asked to notify CPIC.

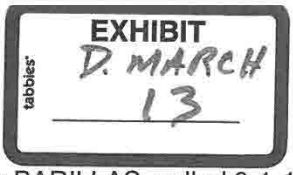
Deployment Analytical Group

This Information Bulletin can be viewed through the Deployment Operations Center link on the Chicago Police Department Intranet
Bell 312-745-5669 Pax 0100 Fax 312-745-6927

THE CONTENT OF THIS DOCUMENT IS LAW ENFORCEMENT SENSITIVE (LES) AND IS FOR OFFICIAL USE ONLY (FOUO). Any further disclosure or dissemination of this document or the information contained herein is strictly prohibited without the approval of the Chicago Police Department's Deployment Operations Center. Elements of this document may be subject to 28 CFR Part 23. Illinois DL or ID images are only for use as authorized by 625 ILCS 5/6-110.1 and 92 Ill. Adm. Code 1030.140. This information shall not be released to the media or the general al public.

FAILURE TO ADHERE TO THESE POLICIES MAY RESULT IN CIVIL, CRIMINAL OR DISCIPLINARY ACTION.

EXHIBIT
D. MARCH
12



On Monday, 20 October 2016, at 9:47 pm, civilian Rudy BARILLAS, called 9-1-1 to report that a person, now known as Laquan MCDONALD, was breaking into the trucks parked in the trucking lot at West 41st Street and South Kildare Avenue. After calling 9-1-1, BARILLAS confronted MCDONALD and told him to leave the lot. According to both BARILLAS and [redacted] who was also present in the lot, MCDONALD "growled" at BARILLAS. MCDONALD then produced a knife and swung the knife at BARILLAS, attempting to cut him. BARILLAS threw his cellular telephone at MCDONALD, who then fled the lot on foot.

Chicago Police Officers Thomas GAFFNEY and Joseph MCELLIGOTT, were assigned to respond to BARILLAS' call. The officers were both in uniform and were driving a marked police vehicle. When they arrived at the lot, BARILLAS told them what had occurred. BARILLAS gave the officers a description of MCDONALD and told them MCDONALD had fled north on Kildare, then east on West 40th Street.

The officers located MCDONALD walking eastbound on the sidewalk, on the south side of 40th Street, from Kildare. Officer MCELLIGOTT exited the police vehicle and approached MCDONALD on foot. MCELLIGOTT called to MCDONALD and told him to stop. MCDONALD ignored MCELLIGOTT and continued walking eastbound. MCDONALD's hands were in his pockets so MCELLIGOTT told MCDONALD to take his hands out of his pockets. MCDONALD took his hands out of his pockets revealing that he was holding a knife in his right hand. MCELLIGOTT repeatedly ordered MCDONALD to drop the knife but he ignored MCELLIGOTT's directions. As MCDONALD reached South Keeler Avenue, Officer GAFFNEY notified the radio dispatcher that they were following a subject who was armed with a knife, and requested assistance from a unit equipped with a taser.

The officers continued to follow MCDONALD, eastbound on the sidewalk from Keeler Avenue. As MCDONALD approached South Karlov Avenue, Officer GAFFNEY turned his police vehicle southbound onto Karlov and stopped, blocking the crosswalk. The area where this incident began was industrial in nature, and at that time of day, almost 10:00 pm, it was deserted. All of the businesses were closed and there was no vehicular or pedestrian traffic. As MCDONALD continued to walk eastbound however, he was approaching South Pulaski Road, a business street where more civilians were present, both in vehicles and as pedestrians, and occupying the businesses on Pulaski. Officer GAFFNEY wanted to stop MCDONALD before he reached this more populated area and put more people at risk for injury. When GAFFNEY stopped his vehicle in the crosswalk, blocking MCDONALD's path, MCDONALD stabbed the right front tire of the vehicle with his knife, causing the tire to go flat. GAFFNEY immediately informed the radio dispatcher that MCDONALD had attacked the marked police vehicle, and had "popped" the tire with the knife. MCDONALD attempted to walk around the front of the police vehicle and GAFFNEY drove the vehicle forward a short distance to continue to block MCDONALD. At this point MCDONALD stabbed at the windshield of the marked police vehicle, striking it with the knife. He then was able to get around the vehicle and continued eastbound on the sidewalk from Karlov.

At 40th Street and Pulaski Road, on the southwest corner, was a Burger King restaurant with a large parking lot. As assisting police units approached westbound on 40th Street from Pulaski, MCDONALD ran eastbound through the parking lot, on the north side of the Burger King restaurant building. In the restaurant parking lot Chicago Police Officers Joseph WALSH and Jason VAN DYKE were in the first responding assist unit. They took over the pursuit of MCDONALD through the parking lot. These officers were also in uniform and driving a marked

police vehicle. WALSH, who was driving their vehicle, positioned the vehicle between MCDONALD and the restaurant building, to keep MCDONALD from entering the restaurant.

MCDONALD ran through the parking lot and out onto Pulaski Road. He turned southbound and began to walk in the southbound lanes of the street. Officer WALSH pursued MCDONALD with the police vehicle. As MCDONALD continued southbound, WALSH positioned his vehicle between MCDONALD and a Dunkin' Donuts restaurant, on the east side of Pulaski Road. When the police vehicle was alongside MCDONALD, Officer VAN DYKE opened his door to exit the vehicle and confront MCDONALD. WALSH, realizing they were too close to MCDONALD to safely exit the vehicle, told VAN DYKE to wait until they were further ahead of MCDONALD.

Officers WALSH and VAN DYKE drove further south on Pulaski and stopped the police vehicle ahead of MCDONALD. WALSH and VAN DYKE both exited their vehicle and drew their handguns. The officers stood in the street facing northbound, toward MCDONALD. Both officers were in uniform, standing next to their marked police vehicle. As MCDONALD approached southbound, he was holding the knife in his right hand, in an underhand grip, with the blade pointed forward. As he walked toward the officers he swung the knife in an aggressive, exaggerated manner. Both officers ordered him to drop the knife multiple times. MCDONALD ignored these directions and continued to advance toward the officers, with the distance between MCDONALD and the officers decreasing.

When MCDONALD got to within 10 to 15 feet of the officers, he looked toward the officers, squaring his shoulders in their direction. He raised the knife, pointing it at the officers. Officer VAN DYKE, believing MCDONALD was attacking VAN DYKE with the knife, attempting to kill VAN DYKE, fired his handgun in defense of his life, to stop the attack. MCDONALD fell to the ground but continued to move, and continued to grasp the knife, refusing to let go of it. VAN DYKE continued to fire his weapon at MCDONALD as MCDONALD was on the ground, as VAN DYKE thought MCDONALD was attempting to get up, all the while continuing to point the knife at VAN DYKE. VAN DYKE fired his pistol until the slide of the weapon locked in the rearward position, indicating the weapon was empty. VAN DYKE immediately reloaded his weapon with a new magazine and assessed the situation.

MCDONALD was no longer moving and the threat had been mitigated, so the officers approached MCDONALD. MCDONALD was still holding the knife in his right hand and both officers continued to order him to drop the knife. Finally Officer WALSH was able to approach MCDONALD and forcibly kick the knife out of his hand. An ambulance was then requested for MCDONALD. He was transported to Mount Sinai Hospital and subsequently expired from his wounds.

During the course of this investigation a canvass was conducted of the area near the scene for witnesses to this incident including the Burger King restaurant and the Dunkin' Donuts restaurant.

Relevant video recordings were recovered from the in-car video systems of two of the Chicago Police Department vehicles involved in this incident, the Dunkin' Donuts restaurant and the Greater Chicago Food Depository. All of these videos were in my opinion, consistent with the statements of the witnesses in this case.

Additional video was recovered from other sources, including the Burger King restaurant. These video recordings did not contain any video footage relevant to this investigation.

It should be noted that five police units had responded to this incident by the time Officer VAN DYKE fired his handgun at Laquan MCDONALD. Each of these units contained two officers. All five police vehicles were marked vehicles and all ten police officers at or near the scene were in uniform. There can be no doubt that MCDONALD knew the personnel he was interacting with were Chicago Police Officers. Multiple officers issued verbal directions multiple times for MCDONALD to drop the knife with which he was armed. At anytime MCDONALD could have chosen to follow the lawful directions of the officers to drop the knife and this incident would have ended with no harm to anyone involved.

Some relevant state law needs to be cited to understand the findings of this investigation:

- "720 ILCS 5/7-7. Private person's use of force in resisting arrest.
A person is not authorized to use force to resist an arrest which he knows is being made either by a peace officer or by a private person summoned and directed by a peace officer to make the arrest, even if he believes that the arrest is unlawful and the arrest in fact is unlawful."

- "720 ILCS 5/7-5. Peace officer's use of force in making arrest.
(a) A peace officer, or any person whom he has summoned or directed to assist him, need not retreat or desist from efforts to make a lawful arrest because of resistance or threatened resistance to the arrest. He is justified in the use of any force which he reasonably believes to be necessary to effect the arrest and of any force which he reasonably believes to be necessary to defend himself or another from bodily harm while making the arrest. However, he is justified in using force likely to cause death or great bodily harm only when he reasonably believes that such force is necessary to prevent death or great bodily harm to himself or such other person, or when he reasonably believes both that:
(1) Such force is necessary to prevent the arrest from being defeated by resistance or escape; and
(2) The person to be arrested has committed or attempted a forcible felony which involves the infliction or threatened infliction of great bodily harm or is attempting to escape by use of a deadly weapon, or otherwise indicates that he will endanger human life or inflict great bodily harm unless arrested without delay."

- "720 ILCS 5/2-8. "Forcible felony".
"Forcible felony" means treason, first degree murder, second degree murder, predatory criminal sexual assault of a child, aggravated criminal sexual assault, criminal sexual assault, robbery, burglary, residential burglary, aggravated arson, arson, aggravated kidnaping, kidnaping, aggravated battery resulting in great bodily harm or permanent disability or disfigurement and any other felony which involves the use or threat of physical force or violence against any individual."

Laquan MCDONALD was committing a burglary in the trucking lot when he was confronted by Rudy BARILLAS. When he produced a knife and attacked BARILLAS with the knife, he attempted to commit first degree murder or aggravated battery resulting in great bodily harm, and armed robbery, all of which are forcible felonies. As stated in the previously cited state statutes, Laquan MCDONALD had absolutely no authority or right to resist being arrested by people he knew to be peace officers. When he ignored the verbal directions of Officer

MCELLIGOTT to stop, and drop the knife he held in his hand as he walked away from MCELLIGOTT, MCDONALD became an offender who had attempted to commit a forcible felony which involved the infliction or threatened infliction of great bodily harm, attempting to escape arrest by the use of a deadly weapon, after having already indicated he would endanger human life or inflict great bodily harm unless arrested without delay. Under these circumstances, I believe Illinois law permitted the use of deadly force by the officers attempting to arrest MCDONALD.

MCDONALD continued to attempt to escape arrest by the use of a deadly weapon when he attacked the police vehicle occupied by Officer GAFFNEY, again using a deadly weapon, further indicating he would endanger human life or inflict great bodily harm unless arrested without delay. Again, under these circumstances, I believe the law permitted the use of deadly force by the officers attempting to arrest MCDONALD.

When Officer VAN DYKE finally confronted MCDONALD on Pulaski Road, VAN DYKE was aware of these previous circumstances from the transmissions he monitored on the police radio. By law, VAN DYKE was justified in using deadly force to effect the arrest of MCDONALD as soon as VAN DYKE exited his police vehicle. However, VAN DYKE instead attempted to arrest MCDONALD without using deadly force, by first drawing his handgun and verbally directing MCDONALD to drop the knife. MCDONALD ignored these directions and continued to advance toward VAN DYKE, with the distance between MCDONALD and VAN DYKE decreasing. It was not until MCDONALD turned directly toward VAN DYKE, squaring his shoulders toward the officer, and raised his knife, pointing it at VAN DYKE, that VAN DYKE, in defense of his life, used deadly force to prevent death or great bodily harm to himself.

The Chicago Police Department policy on the use of force is the other authority in this matter.

General Order G03-02-01, entitled "The Use of Force Model" states:

"The Department utilizes a Use of Force Model to provide guidance on the appropriate amount of force to be used to effect a lawful purpose. The Use of Force Model employs the progressive and reasonable escalation and de-escalation of member-applied force in proportional response to the actions and level of resistance offered by a subject. Such response may progress from the member's actual presence at the scene to the application of deadly force." ...

This directive also states, "Members are not required to start at the lowest levels of the Use of Force Model; they will select the appropriate level of force based on the subject's actions." ...

"The Use of Force Model is a graphic representation of the guidelines for the appropriate use of force in relation to the actions of a subject." ...

The Use of Force Model graphic basically shows a proportional use of force response to the actions of a subject. It shows that insufficient force used by a Department member will result in "Probable Ineffective Control", while too much force used by a Department member will result in "Probable Excessive Control". In the Use of Force Model graphic, for an "Assailant", whose "actions will likely cause death or serious physical injury", such as Laquan MCDONALD, in this incident, all force options are available to an officer. However, the graphic shows that "Firearms and Other Lethal Force" are most likely to be effective. The graphic shows very little chance of "Probable Excessive Control" against this type of assailant.

General Order G03-02-03 entitled "Deadly Force" states:

"II DEPARTMENT POLICY

A. A sworn member is justified in using force likely to cause death or great bodily harm only when he or she reasonably believes such force is necessary:

1. to prevent death or great bodily harm to the sworn member or to another person, or:

2. to prevent an arrest from being defeated by resistance or escape and the sworn member reasonably believes that the person to be arrested:

a. has committed or has attempted to commit a forcible felony which involves the infliction, threatened infliction, or threatened use of physical force likely to cause death or great bodily harm or;

b. is attempting to escape by use of a deadly weapon or;

c. otherwise indicates that he or she will endanger human life or inflict great bodily harm unless arrested without delay."

This department policy mirrors the applicable state law cited previously.

During the course of this investigation, a number of facts were learned about Laquan MCDONALD. First, he had an extensive criminal history with the Chicago Police Department. At the age of 17 he had been arrested 26 times. Charges for these arrests included Aggravated Battery to a Peace Officer, Resisting Arrest, Battery, Assault, Reckless Conduct, Possession of a Controlled Substance and Possession of Cannabis.

Second, MCDONALD had a history of mental health issues. When notified of MCDONALD's death, his uncle informed detectives that MCDONALD had been prescribed medication but had stopped taking it because he did not like the side effects. There were two documented incidents where MCDONALD had exhibited behavior problems while at school, became violent and school officials called the police. In both of these incidents he was transported to Hartgrove Hospital for evaluation and treatment.

Third, the results of the toxicological examination conducted during the autopsy of MCDONALD revealed the presence of Phencyclidine, or PCP, in his blood.

We will never know what motivated the actions of Laquan MCDONALD during this incident. Whether he was a violent criminal intent on not being apprehended, whether he was in the midst of a mental health crisis, whether he was under the influence of a mind altering drug or any combination of the three. In any case, in the situation the police officers encountered dealing with MCDONALD, he was never contained and never communicated with anyone he encountered. Under such circumstances the subject's motivation is a moot point. A violent criminal, a person in the midst of a mental health crisis and a person under the influence of any

substance, armed with a deadly weapon, are all equally dangerous, and deadly, to both the police and the civilian population.

Some talk about de-escalation techniques as an alternative to deadly force. I am a member of the Department's Crisis / Hostage Negotiation Team. I have received training from the Federal Bureau of Investigation and have attended the Department's Crisis Intervention Team (CIT) training. In order to have any chance at successfully using any de-escalation techniques to resolve a situation, whether it involves a violent criminal, person with a mental health history in crisis or a person under the influence of any substance, first, the person and the situation must be contained and second, there must be communication.

In this incident, Laquan MCDONALD was never contained as he continued to walk down the street during the entire incident, able to attack anyone at anytime. He also never communicated with anyone, from his first contact with Rudy BARILLAS through his contact with multiple police officers.

I do not believe anyone knows more about what happened in this incident than I do. I was at the scene shortly after it occurred and have personally spoken to all of the police officers involved. As the primary detective assigned to this investigation I was aware of all of the actions taken during this investigation, and personally in contact with all personnel participating in these actions.

Many people have commented on this incident in the time since it occurred. I have been asked a number of times if I knew that night, at the scene, if this shooting incident was going to be a problem. My response has always been that the actions of all of the police officers involved in this incident were absolutely proper. To this day I believe this to be true.

There are two issues at the heart of this matter. The first is the use of deadly force by Officer Jason VAN DYKE. For the reasons previously stated I believe, and continue to believe that his use of deadly force was permitted by Illinois law and Chicago Police Department policy.

The second is the number of shots. As soon as most people hear that a 17 year old offender, armed with a knife was shot 16 times, their first instinct might be to think this excessive. Without knowing and understanding all of the specific details of this particular incident, this is understandable. One needs to consider the "totality of the circumstances", as the law refers to it, to make an informed, educated and intelligent conclusion.

There will always be a segment of the population that has an unrealistic expectation of police officers. They will question why the police shot and killed an offender instead of shooting the weapon out of his hand. They will never understand the reality of the situation. Fortunately for many, they have not had the experience of putting on a uniform, whether it be as a member of the military service, or as a police officer, and putting their life on the line in a violent confrontation.

Police officers, including Chicago Police Officers, are trained that during the stress of an armed confrontation, the fine motor skills required for the highest levels of accuracy in firing a handgun, deteriorate. Officers are trained to shoot for "center mass", the torso area of an assailant, as this is the largest area, giving one the greatest chances of success. Also, officers are trained specifically not to fire just one shot and then check to see if it was effective. It is very easy

under the stress of the situation to miss the target, and even if one hits the target, firearms are not a guaranteed solution. There have been many instances of offenders shot multiple times who continued their attacks. Officers are trained to shoot as long as they perceive a threat, until the threat is eliminated.

This is the key in this situation. Officer VAN DYKE explained that he fired his handgun at MCDONALD because MCDONALD was attacking VAN DYKE with a knife. VAN DYKE continued to fire his weapon at MCDONALD as he was on the ground because MCDONALD continued to move and continued to grasp the knife, continuing to point it at VAN DYKE. VAN DYKE explained that he believed MCDONALD was attempting to get up and continue his attack on VAN DYKE.

Officer VAN DYKE was not wearing a body camera and there is no video footage showing the perspective of what VAN DYKE saw as he confronted MCDONALD. However, the video footage that was recovered in this investigation clearly shows that MCDONALD did in fact advance toward VAN DYKE. From the time VAN DYKE exited his police vehicle until the time he fired his handgun, the distance between VAN DYKE and MCDONALD decreased. When MCDONALD fell to the pavement he continued to move, continued to grasp the knife, and continued to point the knife at VAN DYKE. Even after having been shot 16 times, MCDONALD continued to grasp the knife and point it at VAN DYKE. MCDONALD did not relinquish his weapon until Officer WALSH forcibly kicked it from MCDONALD's hand. This video evidence is consistent with VAN DYKE's statement. In fact, it should be noted that per the autopsy conducted by the Office of the Medical Examiner of Cook County, MCDONALD was shot three times in the right arm and once in the right hand, and still continued to grasp the knife with his right hand.

Everyone is certainly entitled to their opinion. People can debate until the end of time whether or not they would have handled this situation in the same manner or whether this was the best way to handle this situation. However, in my opinion, according to Illinois law and Chicago Police Department policy, the actions of Officer Jason VAN DYKE were justified.

Most police actions in serious incidents such as this are not the work of a single officer but of multiple officers working together as a team. This is exactly what occurred in this incident. The officers of the 008th District, primarily Officers GAFFNEY, MCELLIGOTT, WALSH and VAN DYKE, responded in a team effort, to a call for service from a civilian who had been the victim of a forcible felony.

As a team, the officers exercised extraordinary restraint in dealing with Laquan MCDONALD, attempting to use the least amount of force necessary to take him into custody and place him under arrest. The officers, all of whom were in uniform, first used "social control / police presence" and "verbal control". Officer MCELLIGOTT used these force options when he first encountered MCDONALD. MCELLIGOTT exited his marked police vehicle, in uniform, and first directed MCDONALD to stop. MCDONALD ignored this direction. When MCDONALD took his hands out of his pockets, revealing that he was armed with a knife, MCELLIGOTT ordered MCDONALD multiple times to drop the knife. Again MCDONALD ignored MCELLIGOTT. Officer GAFFNEY then requested a unit with a taser over the police radio. This was appropriate since, at this point, MCDONALD was in a deserted area and there was no risk to any civilians. Officers WALSH and VAN DYKE were aware of these actions as they monitored the transmissions on the police radio.

As MCDONALD fled on foot, through the Burger King restaurant parking lot, he was entering a more populated area along Pulaski Road, a business street, with vehicular traffic, pedestrians and open businesses occupied by civilians, all of whom were now at risk. This is why Officer WALSH used his police vehicle to block MCDONALD's path first, toward the Burger King restaurant, and then, toward the Dunkin' Donuts restaurant.

When Officers VAN DYKE and WALSH stopped and exited their vehicle to confront MCDONALD it was because the threat to the public had escalated in this more populated environment. This threat continued to escalate as MCDONALD walked southbound. The two officers both exited their marked police vehicle, in uniform, drew their handguns, pointed their weapons at MCDONALD and ordered him multiple times to drop his knife. They made every effort to arrest MCDONALD without using deadly force. Again MCDONALD ignored any verbal direction from the officers. Finally, with MCDONALD closing the distance between himself and the officers, when he turned toward the officers and raised his knife, pointing it at them, VAN DYKE, seeing no other option, in defense of his life, fired his handgun at MCDONALD.

The decision to confront MCDONALD at that time and at that location was tactically sound. As noted, the risk to the nearby civilian population was increasing as MCDONALD proceeded southbound on Pulaski. At that particular location though, there were no civilians immediately placed at risk by the confrontation with the armed MCDONALD. There were also not a large number of police officers around MCDONALD, minimizing the risk of a crossfire situation if deadly force became necessary. Also, the background behind MCDONALD, toward which Officer VAN DYKE fired his handgun, was a large vacant lot followed by industrial buildings that were either vacant or minimally occupied. Again, if the use of firearms became necessary, the risk of harm to any other individuals was minimal.

This entire encounter between the police and Laquan MCDONALD, from Officer MCELLIGOTT's first contact on 40th Street until Officer VAN DYKE fired his weapon, lasted more that four minutes, as indicated by the police radio transmissions. During that time MCDONALD traveled on foot more than four city blocks. For a police encounter with an armed subject, who was not contained, this was a long period of time. MCDONALD was given a great deal of latitude in terms of movement, before the police decided they could wait no longer and needed to take action to stop MCDONALD, to protect the public who were becoming more and more at risk. That is when Officers VAN DYKE and WALSH acted.

It should be noted that at the time VAN DYKE fired his weapon, of the ten officers present near the scene of this incident, none was equipped with a taser. It should also be noted that many use of force experts and defensive tactics instructors would say that a taser was not the appropriate use of force against an assailant armed with a knife, especially one who had already displayed a willingness to use the knife. This is because, per Chicago Police Department policy, the use of a taser would require an officer to get within 18 feet of a subject, the optimum effective range of the Department's tasers being 7 to 15 feet. This would put the officer too close to the assailant, especially if the taser was ineffective, with insufficient time to transition to his firearm to defend himself. A taser, like a firearm, is not a guaranteed solution. The same variables exist with this force option. Two projectiles, or probes, connected to the taser by wires, must both effectively engage the target, who may be moving. One or both or the probes could miss the target. Thick or multiple layers of clothing can prevent one or both probes from effectively engaging the target. If both probes do not engage the target effectively,

the taser will have no effect at all. Additionally, even if the officer is able to successfully deploy the taser against a subject, there is no guarantee it will be totally effective and stop the subject.

One claim made by many who have been critical of Officer VAN DYKE is that there were ten officers on the scene of this incident and only one fired his weapon. It is opined that since the other nine officers did not see a need to fire their handguns, VAN DYKE was wrong, and did not need to fire his weapon. Again, one needs to consider the "totality of the circumstances", to make an informed, educated and intelligent conclusion. Of the ten officers, five of them, Officers GAFFNEY, SEBASTIAN, MONDRAGON, BACERRA and VELEZ were still in their police vehicles and were not in a position to see who fired the gunshots. Officer MCELLIGOTT, who had originally been following MCDONALD on foot, was unable to keep up with MCDONALD, and was not in a position to see who fired the gunshots. Officers FONTAINE and VIRAMONTES had just arrived at the scene and exited their police vehicle. They were farther away from MCDONALD and Officers VAN DYKE and WALSH were between them and MCDONALD. Officer WALSH stated that he believed MCDONALD was attacking WALSH and VAN DYKE with the knife when VAN DYKE fired his handgun, but WALSH did not fire his weapon because VAN DYKE was slightly ahead of WALSH, and therefore, in his line of fire. This was apparent in the video evidence recovered in this investigation.

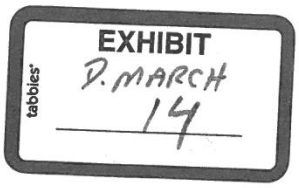
During the entire investigation of this incident I had multiple consultations with my immediate supervisors, including Sergeant Daniel GALLAGHER, Lieutenant Anthony WOJCIK, Lieutenant Osvaldo VALDEZ and Commander Eugene ROY. During all of these consultations I was repeatedly told that my interpretation and understanding of the events in this incident, as well as my conclusions, were accurate and correct. The incident commander, on the night this incident occurred, Deputy Chief David MCNAUGHTON, also agreed with this investigation, as evidenced by his approval of the Tactical Response Report submitted by Officer Jason VAN DYKE, where MCNAUGHTON checked the box stating "I have concluded that the member's actions were in compliance with department procedures and directives." At the time of this approval, the in-car camera video from the police vehicles and the video from the Dunkin' Donuts restaurant had been recovered and reviewed by all personnel involved in this investigation, including MCNAUGHTON, and personnel from the Independent Police Review Authority. No one ever expressed any reservations regarding the investigation of this incident. Commander ROY and Lieutenant VALDEZ both personally informed me that each of them had conducted separate briefings on this incident at the Public Safety Headquarters, for members of the command staff, at separate Executive Management Meetings. Both ROY and VALDEZ informed me that the entire command staff of the police department, up to and including the superintendent, agreed with the findings of this investigation and that no one had expressed any reservations.

Officer Jason VAN DYKE gave his statement to the Independent Police Review Authority within days of this incident and was returned to full duty in his unit of assignment. Another indication that no one questioned the results of this investigation.

Since this incident occurred, all of the exempt members in my chain of command have been promoted. Commander ROY was promoted to Deputy Chief and is now Chief of the Bureau of Detectives. Deputy Chief Anthony RICCIO was promoted to Chief of the Bureau of Organized Crime. Chief John ESCALANTE was promoted to First Deputy Superintendent of the Department. This investigation was conducted under the supervision of each of these command staff members. Now they are promoted and I am under investigation for separation

from the Department? First Deputy ESCALANTE stated at a news conference, shortly after being promoted, that he viewed the video of this incident two days after it occurred and found it "troubling." As the Chief of the Bureau of Detectives at that time of this incident, Chief ESCALANTE never communicated either directly or indirectly to his primary investigator, me, how troubling he found this video. As I said, no one voiced any reservations or concerns to me regarding this incident or this investigation. I was informed that the entire command staff concurred with the findings and conclusions of my investigation.

For eighteen months now, I have heard people criticize Officer Jason VAN DYKE, saying what he did was wrong. Not once have I heard anyone suggest what he should have done instead of the actions he did take. Is it really being suggested that the police should have done nothing and permitted Laquan MCDONALD to continue on his way and not stop him? A subject armed with a deadly weapon, a knife, committed multiple criminal offenses, including forcible felonies, ignored lawful orders from multiple uniformed police officers to drop his weapon and surrender, over the course of more than four minutes and four city blocks, and continued down the street, weapon in hand, putting everyone in his path at risk. Is it seriously being suggested that the police should not take action against this subject until he gains entry to one of the commercial businesses along his path, and actually attacks someone, actually inflicting death or great bodily harm? And then, in an environment where civilians are present, the police should engage this subject in a violent confrontation, creating additional risk of injury? In my opinion this is not responsible law enforcement.



(720 ILCS 5/7-4) (from Ch. 38, par. 7-4)

Sec. 7-4. Use of force by aggressor.

The justification described in the preceding Sections of this Article is not available to a person who:

(a) Is attempting to commit, committing, or escaping after the commission of, a forcible felony; or

(b) Initially provokes the use of force against himself, with the intent to use such force as an excuse to inflict bodily harm upon the assailant; or

(c) Otherwise initially provokes the use of force against himself, unless:

(1) Such force is so great that he reasonably believes that he is in imminent danger of death or great bodily harm, and that he has exhausted every reasonable means to escape such danger other than the use of force which is likely to cause death or great bodily harm to the assailant; or

(2) In good faith, he withdraws from physical contact with the assailant and indicates clearly to the assailant that he desires to withdraw and terminate the use of force, but the assailant continues or resumes the use of force.

(Source: Laws 1961, p. 1983.)

From: Wojcik, Anthony T. <anthony.wojcik@chicagopolice.org>
Sent: Sunday, March 15, 2015 5:33 PM
To: March, David M
Subject: Conclusion
Attachments: Conclusion.doc



The above to-date investigation determined that Jaquan McDONALD was an active assailant who, while armed with a dangerous weapon, used force likely to cause death or serious injury to a private citizen when he attacked and attempted to stab Rudy BARILLAS; threatened the imminent use of force likely to cause death or serious injury when he incised the tire and stabbed the windshield of a CPD vehicle occupied by Officer Thomas GAFFNEY; and initiated imminent use force likely to cause death or serious injury when he initiated an attack on Officers Jason VAN DYKE and Joseph WALSH. The above investigation concluded that Officer Jason VAN DYKE's use of deadly force – the discharging of his duty firearm – was within the bounds of the Chicago Police Department's Use of Force guidelines and in conformity with local ordinances and state law.

Based on the above the associated UCR Report RD-HX-486155 is considered Closed/Non-Criminal.

CHICAGO POLICE DEPARTMENT

ORIGINAL CASE INCIDENT REPORT

3510 S. Michigan Avenue, Chicago, Illinois 60653

RD #: HX475653

EVENT #: 1429315870

INCIDENT

ASSIGNED TO FIELD

IUCR: 0552 - Assault - Aggravated Po:Knife/Cut Instr

Occurrence Location: 4000 S Karlov Ave, Chicago IL, 304 - Street

Beat: 0815

Unit Assigned: 0841R

RO Arrival Date: 20 October 2014 21:57

Offenders: 1

Occurrence Date: 20 October 2014 21:56

VICTIM / NON OFFENDER

VICTIM - Individual

Name: PO. GAFFNEY #19958, Thomas

Res: 3420 W 63rd St, Chicago IL

Beat: 0823

Beat: 5100

Sobriety: Sober

Demographics

Male

Age: 41 Years

VICTIM - Individual

Name: PO. VAN DYKE #12865, Jason

Res: 3420 W 63rd St, Chicago IL

Beat: 0823

Beat: 5100

Sobriety: Sober

Demographics

Age: 36 Years

VICTIM - Individual

Name: PO. WALSH #12865, Joseph

Res: 3420 W 63rd St, Chicago IL

Beat: 0823

Beat: 5100

Sobriety: Sober

Demographics

Age: 45 Years

INJURIES

Injury Info (PO. VAN DYKE #12865,Jason - Victim)

Injured by offender

SUSPECTS

Suspect # 1

In Custody

Name: MCDONALD, Lequan J

Res: [redacted]

Beat: 0314

Demographics

Male
Black
6'01",
185 lbs
Brown Eyes
Brown Hair
Dreadlocks Hair Style
Dark Complexion

DOB: 25 September 1997

Age: 17 years

Birth Place: IL

Suspected of Using: Weapon

EXHIBIT 18 OIG 4/22/16

RD #: HX475653

Report Generated By: MARCH,DAVID [redacted]

20-OCT-2014 21:55

OIG 15-0564 009939

SUSPECT

Injury Info

CFD First Aid Given?	Yes	Injury Extent:	Fatal	Pronounced Date:	20 October 2014 22:42
Responding Unit:	Ambulance 21	Hospital:	Mt. Sinai	Removed By:	Ambulance 21
		Physician:	Dr. Pitzel	Removed Date:	20-OCT-14

Type	Weapon Used
Gun Shot Wound	Handgun

RELATIONSHIP

(Victim) PO. GAFFNEY #19958, Thomas	is a	No Relationship of	(Offender) MCDONALD, Lequan,J
(Victim) PO. VAN DYKE #12885, Jason	is a	No Relationship of	(Offender) MCDONALD, Lequan,J
(Victim) PO. WALSH #12865, Joseph	is a	No Relationship of	(Offender) MCDONALD, Lequan,J

DOMESTIC INFO

VEHICLE

Vehicle #1

Vehicle:	Chevrolet - Tahoe - Truck	Damaged?	Yes	Owner:	City Of Chicago
Style:	Hardtop, 4-Door	Damaged Desc:	Tire(S)-Flat, Front Windshield Scratched	Possessor/User:	PO. GAFFNEY #19958, THOMAS
Color-Top/Bottom:	White/White	Theft From?	No	Towed?	No
		Burned?	No		
License Plate #:	Mp6581 - Illinois - Law Enforcement (City, County, State, Sos)	Destroyed?	No		
Expires:	01-December-2014	Recovered?	No		
		Stolen?	No		

Vehicle Identifiers: Police Squad Car

CLEAR This Document

NOTIFICATIONS

Request Type	Unit	Agency Name	Date	Star #	Name
Notification	177	Forensic Services Division	20 October 2014 23:07	13131	,SARLO

Request Type	Date	Star #	Name
Notification	20 October 2014 23:14	4898	,JINES

Request Type	Unit	Agency Name	Date	Star #	Name
On Scene	610	Detective Area - Central	20 October 2014 21:50	20563	,MARCH

Request Type	Unit	Agency Name	Date	Star #	Name
Notification	116	Deployment Operations Center	21 October 2014 22:58	7303	,CHIBE

Request Type	Date	Empl #	Name
Notification	20 October 2014 23:50	76	,BRIGGS

www.[redacted]

Chicago Police Department - Incident Report

RD #: HX475653

NARRATIVE

EVENT# 1040# REFER TO DETECTIVE DIVISION SUPPLEMENTARY REPORT.
NOTIFICATION: WATCH COMMANDER OF UNIT: LT, KOCH Beat#: Star#: 715 Emp#: Date: 20-OCT-2014 Time: 2250 NOT
NOTIFICATION: STATION SUPERVISOR: COMISKEY Beat#: Star#: 1774 Emp#: Date: 21-OCT-2014 Time: 2250 NOT
NOTIFICATION: SERGEANT STEPHEN FRANKO Beat#: 0810R Star#: 1381 Emp#: Date: 21-OCT-2014 Time: 2158 ONS
ASSISTING OFFICER - STAR#: 10590 NAME: RICARDO VIRAMONTES BEAT: 0841R
REPORTING OFFICER - STAR#: 19958 NAME: THOMAS GAFFNEY BEAT: 0815R
REPORTING OFFICER - STAR#: 18715 NAME: JOSEPH MCELLIGOTT BEAT: 0815R
ASSISTING OFFICER - STAR#: 12865 NAME: JOSEPH WALSH BEAT: 0845R
ASSISTING OFFICER - STAR#: 9465 NAME: JASON VAN DYKE BEAT: 0845R
ASSISTING OFFICER - STAR#: 4384 NAME: JANET MONDRAGON BEAT: 0813R
ASSISTING OFFICER - STAR#: 2763 NAME: DAPHNE SEBASTIAN BEAT: 0813R
ASSISTING OFFICER - STAR#: 6442 NAME: TERENCE BRADY BEAT: 0811R
ASSISTING OFFICER - STAR#: 7025 NAME: MICHAEL BELMONTEZ BEAT: 0811R
ASSISTING OFFICER - STAR#: 10385 NAME: LETICIA VELEZ BEAT: 0822
ASSISTING OFFICER - STAR#: 15790 NAME: ARTURO BECERRA BEAT: 0822
ASSISTING OFFICER - STAR#: 9654 NAME: RAUL ROSALES JR BEAT: 0821R
ASSISTING OFFICER - STAR#: 8302 NAME: PATRICK KENNING BEAT: 0821R
SUPERVISOR ON SCENE - STAR#: 1320 NAME: BRYAN SPREYNE BEAT: 0865
SUPERVISOR ON SCENE - STAR#: 1381 NAME: STEPHEN FRANKO BEAT: 0810R
ASSISTING OFFICER - STAR#: 12382 NAME: DAVID IVANKOVICH BEAT: 0823R
ASSISTING OFFICER - STAR#: 19898 NAME: JOSE TORRES BEAT: 0823R
ASSISTING OFFICER - STAR#: 11830 NAME: ANTHONY VANCE BEAT: 0833R
ASSISTING OFFICER - STAR#: 16422 NAME: JAMES GEISBUSH BEAT: 0833R
ASSISTING OFFICER - STAR#: 6490 NAME: LUIS GARCIA BEAT: 0851R
ASSISTING OFFICER - STAR#: 12037 NAME: ELLIOT FLAGG BEAT: 0851R
SUPERVISOR ON SCENE - STAR#: 1734 NAME: PETER MC GLYNN BEAT: 0830R
OTHER SUPPORT - STAR#: 20453 NAME: JOHN HALLORAN BEAT: 5131
OTHER SUPPORT - STAR#: 21128 NAME: JOHN MURRAY BEAT: 5131
OTHER SUPPORT - STAR#: 20563 NAME: DAVID MARCH BEAT: 5121
OTHER SUPPORT - STAR#: 21285 NAME: GREGORY JONES BEAT: 5122
OTHER SUPPORT - STAR#: 20606 NAME: RICHARD HAGEN BEAT: 5165
OTHER SUPPORT - STAR#: 520 NAME: OSVALDO VALDEZ BEAT: 5105
OTHER SUPPORT - STAR#: 62 NAME: EUGENE ROY BEAT: 5100
OTHER SUPPORT - STAR#: 10201 NAME: CARL BRASIC BEAT: 5802
OTHER SUPPORT - STAR#: 6925 NAME: KAMAL JUDEH BEAT: 5802
OTHER SUPPORT - STAR#: 819 NAME: DAVID FRIEL BEAT: 5880
OTHER SUPPORT - STAR#: 20201 NAME: MATTHEW RICKHER BEAT: 5865
OTHER SUPPORT - STAR#: 1303 NAME: DANIEL GALLAGHER BEAT: 5120
ASSISTING OFFICER - STAR#: 20555 NAME: ROBERTO GARCIA BEAT: 5122
- STAR#: 120 NAME: DAVID MC NAUGHTON BEAT: 41
- STAR#: 13 NAME: JAMES O DONNELL BEAT: 0800
- STAR#: 107 NAME: DENNIS WALSH BEAT: 0890
- STAR#: 14193 NAME: MAHMOUD HALEEM BEAT: 0865B
- STAR#: 13516 NAME: IVAN LOPEZ BEAT: 0865B
- STAR#: 10333 NAME: PATRICK KENAH BEAT: 0865C
- STAR#: 14383 NAME: ANDRES ZEPEDA BEAT: 0865C
- STAR#: 13682 NAME: ROBERT SHULTZ BEAT: 0865C

PERSONNEL

	Star No	Emp No	Name	User	Date	Unit	Beat
Approving Supervisor	1381	[redacted]	FRANKO, Stephen, D	[redacted]	Oct 2014 05:18	003	
Detective/Investigator	20563		MARCH, David, M		Oct 2014 15:01	610	
Reporting Officer	4484		FONTAINE, Dora		Oct 2014 04:32	008	0841R

Report Generated By: MARCH,DAVID [redacted] Page 4 of 4 22-OCT-2014 21:55

In the Matter Of:

IN RE DETECTIVE DAVID MARCH

DETECTIVE DAVID MARCH

April 27, 2016

Amicus
court reporters, inc
300 West Adams St. Ste 800
Chicago, IL 60606
Phone: 312.641.3500
Fax: 312.641.3795
Email: info@amicusreporters.com

CITY OF CHICAGO

OFFICE OF INSPECTOR GENERAL

-INTERVIEW OF DETECTIVE DAVID MARCH-

April 27, 2016

VOLUME II

TRANSCRIPT OF INTERVIEW of DETECTIVE DAVID MARCH, taken before MICHELLE M. YOHLER, a Notary Public within and for the County of Cook, State of Illinois, and a Certified Shorthand Reporter of said state, CSR No. 84-4531, at Suite 800, 300 West Adams Street, Chicago, Illinois, on the 27th day of April, 2016 at 1:10 p.m.

APPEARANCES:

OFFICE OF INSPECTOR GENERAL
CITY OF CHICAGO
BY: MR. PETER NEUMER
MR. KRISTOPHER BROWN
(740 North Sedgwick Street, Suite 200
Chicago, Illinois 60654
773.478.8218
pneumer@chicagoinspectorgeneral.org
kbrown@chicagoinspectorgeneral.org)

LAWRENCE H. HYMAN AND ASSOCIATES
BY: MR. JAMES P. McKAY, JR.
(111 West Washington Street, Suite 1025
Chicago, Illinois 60602
312.346.6766
jmckay@lhyman.com)
Appeared on behalf of
Detective David March.

REPORTED BY:
MICHELLE M. PAOLETTI YOHLER, CSR, RPR, CRR
Illinois CSR No. 84-4531.

E X H I B I T S

OIG EXHIBITS	PAGE
No. 16 - 813 Robert Dash Cam Video.....	35
No. 17 - Dunkin' Donuts Video.....	36
No. 18 - Original Case Incident Report....	52

D. MARCH EXHIBITS	PAGE
No. 1 - Medical Examiner's Report.....	21
No. 2 - 720 ILCS 5/7-7.....	151
No. 3 - 720 ILCS 5/7-5.....	153
No. 4 - 720 ILCS 5/2-8.....	154
No. 5 - General Order G03-02-01.....	158
No. 6 - General Order G03-02-03.....	160
No. 7 - Criminal History Report of ..... Laquan McDonald	161
No. 8 - Google Maps Aerial View.....	178
No. 9 - Taser X2 Training.....	180
No. 10 - 720 ILCS 5/12-2.....	186
No. 11 - 720 ILCS 5/33A-1.....	187
No. 12 - Officer Safety Alert.....	188
No. 13 - Detective Dave March's ..... Statement	188
No. 14 - 720 ILCS 5/7-4.....	190

MR. NEUMER: As a preliminary matter, I am providing the following information. An independent certified court reporter is present today to provide a verbatim transcript of this interview.

To aid in the accuracy of the transcript, it is the custom and practice of court reporters to audio record the interview. The recording is the confidential work product property of the court reporter and will not be provided to any party including the OIG. If you request, the audio recording will be discontinued.

Detective March, are you okay with our court reporter audio recording this interview?

THE WITNESS: With the same understanding we had yesterday.

MR. McKAY: It's only being used by the court reporter and will not be shared with either side.

MR. NEUMER: Exactly.

MR. McKAY: Correct?

MR. NEUMER: Correct.

Let the record reflect today's date is April 27th. The time is 1:11 p.m. We are located at 300 West Adams, Suite 800.

My name is Peter Neumer, N-e-u-m-e-r, the court reporter is Michelle Yohler, and I'd ask that the other individuals present identify themselves and spell their names for the record.

MR. BROWN: Kristopher Brown, B-r-o-w-n, City of Chicago, Office of Inspector General.

MR. McKAY: James P. McKay, Jr., Attorney at Law representing Detective David March.

THE WITNESS: Detective David March, M-a-r-c-h, Star No. 20563, Chicago Police Department.

MR. NEUMER: There are no other individuals present. We are here today pursuant to an investigation being conducted under Chapter 2-56 of the Municipal Code of the City of Chicago. We're here for an interview of Detective David March.

Detective March, would you please raise your right hand.

(WHEREUPON, the witness was duly sworn.)

MR. NEUMER: As this is a continuation of

an interview that was begun yesterday, April 26, 2016, Counsel, I believe it's fair to say you've agreed to waive a second reading of the Advisements of Rights that I read to Detective March yesterday and which Detective March signed; is that fair?

MR. McKAY: That is fair.

It should be noted for the record that since this is a continuation of the interview that began yesterday, the statements that Detective March provides today are still the result of a direct order given to him by Commander Klimas.

He is not waiving any of his rights that he indicated yesterday regarding his request that you advise him of his rights pursuant to Miranda versus Arizona because criminal charges could be probable in this particular case.

In addition, he's not waiving any of his rights pursuant to Garrity versus New Jersey. He is giving the statement not voluntarily but rather under duress and being compelled to and is only answering the questions

as a result of the direct order given to him by Commander Klimas.

In addition to all the other objections that were made yesterday, I would also like to supplement the record with the Illinois statute that pertains to the manner in which interrogation is to take place. I made several references yesterday that we object to the lack of identification of any accusers in this matter. Detective March has a right to confront his accusers.

We firmly believe that the letter by John Escalante which references a memo by Sergeant Soria is not the sole source of any allegations being made against Detective March.

We firmly believe there are other individuals that the Inspector General is relying on and perhaps even interviewed, none of which of those statements, if they exist, were ever tendered to us.

And pursuant to Illinois law, specifically Chapter 50, ILCS 725/3.2 Illinois law clearly states that no officer shall be subjected to interrogation without first being

informed in writing of the nature of the investigation. If an administrative proceeding is instituted, the officer shall be informed beforehand of the names of all complainants. Information shall be sufficient as to reasonably apprise the officer of the nature of the allegation.

I believe the nature of the investigation has been clear, but the names of all the complainants have not been provided to Detective March. This is a violation of this particular Illinois law.

In addition to that, we believe that these proceedings are in violation of Detective March's rights for due process and his rights guaranteed by Illinois law, specifically Chapter 50 ILCS Section 725/3.8. This section clearly states that no officer shall be interrogated without first being advised in writing that admissions made in the course of interrogation may be used as evidence of misconduct or as of the basis for charges seeking suspension, removal, or discharge and without first being advised in writing that he

or she has the right to counsel of his or her choosing who may be present to advise him or her at any stage in the interrogation.

No complaint by Detective March regarding Subsection A, which I just read, that clearly has been done. However, Subsection B of this section of is this statute states, "Anyone filing a complaint against a sworn peace officer must have the complaint supported by a sworn affidavit. Any complaint having been supported by a sworn affidavit and having been found in total or in part to contain knowingly false material information shall be presented to the appropriate State's Attorney for determination of prosecution."

I believe that there are other individuals -- maybe one, perhaps more -- who are complainants in this particular case that the Inspector General has not identified. I firmly believe, as does Detective March, that these complainants are not sworn officers and, as such, pursuant to the statute, they are required by Illinois law to file an affidavit.

We asked several times yesterday to

provide us with the affidavits of these people if they exist. At one point, Mr. Neumer -- and correct me if I'm wrong -- when I was asking for this information, you indicated that these people or a person has -- or is entitled to some type of confidentiality.

Perhaps that was a slip on your part, I don't know, but it does raise a suspicion in my mind, sir, that there are other individuals, whether it's Craig Futterman, whether it's Jamie Kalven, whether it's some civilian out there that is complaining about Detective March specifically and the conduct of the police officers in this case generally. As such, Illinois mandates that Detective March be given affidavits of these unnamed people.

You have refused, Mr. Neumer, the Inspector General's Office has, by the both of you gentlemen. I accuse you two of nothing. I am not making any complaints specifically against you or your professionalism, but I believe there is more to this than simply John Escalante's letter.

And this man is entitled to a fair

and impartial and independent hearing, and he's entitled to confront his accusers and be given clear notice of what these individuals are stating, and they must be sworn statements, and none of that has been provided.

And if it does come to light that the Inspector General does have individuals who can be deemed complainants and did either not provide affidavits or did provide affidavits that have not been furnished, the entire process that we are undergoing yesterday and today is a violation of Illinois law and a violation of Detective March's due process rights.

With that said, Mr. Neumer, it's -- the questioning is yours.

THE WITNESS: Can I have a quick moment?

MR. McKAY: Yes.

MR. NEUMER: I want to respond briefly. You made reference to my mention of the duty of confidentiality yesterday, and I don't know exactly how the transcript reads, but what I intended to say is that, beyond the information we are required to provide to counsel, to Detective March by the CBA, I cannot provide you

any additional information about our investigation because of our duty of confidentiality.

MR. McKAY: Could you be more specific?

MR. NEUMER: I mean, we are required to provide you certain information under the CBA. We fully complied with the CBA.

Beyond the information that we are required to provide to you under the CBA, we cannot provide -- that's what I meant to say as a general statement.

I was not trying to make any specific comments about any individual who we may or may not have spoken to during this investigation or really -- I'm making not even a comment about this investigation in general but rather our investigations in general, that there is a duty of confidentiality that applies to the OIG and that we, beyond the information in any case that we supply pursuant to the CBA, we are not allowed to provide additional information regarding our investigation.

MR. McKAY: Can you just answer this: Do you have or do you know of any person who is not

a sworn police officer who has provided information to the Office of Inspector General that specifically or in general terms alleges Detective March made false statements in any police reports he drafted; failed to draft truthful, complete, and objective reports in this case; failed to complete a thorough, properly documented, and professional investigation; engaged in witness tampering by showing witnesses to the McDonald shooting a video; obstructed justice by failing to conduct a complete, thorough, and properly documented and professional investigation; and falsely stated in Case Reports, Evidence Submission Forms, Major Incident Notification Detail Form, and General Progress Reports.

If you have any information regarding any of these people who are non-sworn police officers, we ask that you identify them now, and we ask that you provide with us now affidavits signed and sworn to by these people.

MR. NEUMER: In response to your question, I will note that OIG has provided Detective March with all documents, all

information required by the CBA.

MR. McKAY: Thank you. I would submit that is a non-answer to my question.

THE WITNESS: I just would like to clarify -- Jim, you might be able to tell me -- that new statute that you just cited and your question about any complainants making allegations, the affidavit requirement would apply not just to other civilians making an allegation but any person within the Office of Inspector General, correct?

MR. McKAY: Absolutely. And when it applies, it applies to everybody who's not a police officer sworn to be a police officer in the State of Illinois.

So that would apply to a civilian, it would apply to a lawyer, it would apply to somebody -- an employee of the Inspector General's Office, it would apply to me, it would apply to the court reporter, it would apply to anybody who is not a sworn police officer.

In this case, the Inspector General has only identified Detective March of the complainant being John Escalante and Sergeant

Soria, both of whom were sworn police officers at the time the complaint was made.

I have nothing further to add at this point, Mr. Neumer.

MR. NEUMER: Okay.

MR. McKAY: Thank you.

MR. BROWN: Did you still want to go off the record?

THE WITNESS: No, I'm fine. We covered it.

BY MR. NEUMER:

Q. When we paused the interview yesterday evening, we were going through certain videos of the McDonald shooting. I believe we had -- correct me if I'm wrong -- fully gone through the 813 Robert dash cam video?

A. Right. I just had a -- we kind of wrapped up in that -- at that point, and I just wanted to add -- make a couple of additional comments on that particular video.

MR. BROWN: Do you want me to go back?

THE WITNESS: If you don't mind.

MR. McKAY: Thank you.

THE WITNESS: And just the same point where we began yesterday.

MR. BROWN: When he comes down Pulaski?

THE WITNESS: Yeah, right after they pull out of the Burger King parking lot.

MR. NEUMER: And, again, Kris is going to pull up a VLC media file titled video_ts.ifo.

And this was a video that was recovered from in-car video system of the 813 Robert vehicle and included on the DVD that OIG provided to Detective March on April 7th, 2016.

Again, this video has a time bar that is visible at the bottom as well as a time stamp on the video, embedded in the video that is visible intermittently.

So we are going to advance the video to -- let's stop it there. And this is at 4:26 on the time bar visible on the VLC media player software.

BY MR. NEUMER:

Q. And we'll start the video, and, Detective March, whatever comments you'd like to make?

A. If you play it forward, I'll tell you when I would like you to stop it. It's going to

be pretty soon here because, first of all, I want to do an overall comment.

(VIDEO BEING PLAYED)

BY MR. NEUMER:

Q. We're stopping at 4:29 on the time bar.

A. Just to do this as an overall setup here, we're looking -- we're in the left southbound lane. It looks like the 813 Robert is in the left southbound lane facing south on Pulaski Road. The Burger King restaurant would be to our right.

We see Laquan McDonald. It looks like he's just about in the middle of the intersection, the T-intersection of 41st Street and Pulaski. Ahead of him is the police vehicle, Beat 822, and in the northbound lanes traveling southbound, we see Walsh and Van Dyke's police vehicle.

Now, I'd like to just point out McDonald is in the center of the intersection at that point which, at different times is either the median or the left-turn lane, depending on where we're at, but we're basically in the

middle of the street.

But before that he ran or walked at different times in a southeasterly direction across Pulaski. Now it appears, and it's going to appear when we restart the video, that he's traveling pretty much southbound. Then he's going to go a little bit to the southwest and he's going to cross this left southbound lane.

When he gets to the hash mark that separates the two southbound lanes just before Jason Van Dyke fires his handgun, if you watch Laquan McDonald's feet, the last step or two before he is shot, instead of continuing in his diagonal path across the line -- across the traffic lane, you're going to see his steps almost go right along this hash mark separating the two traffic lanes, which indicates, in my opinion, a definite, clear, change of direction. He no longer was going southwest; he was going straight south, as the hash mark on the street was going.

In addition, we're going to see -- a number of the questions regarded my observation in my report that the video was viewed and found

to be consistent with the statements of all the witness.

A number of the witnesses said that Laquan McDonald turned to his left, faced the officers, and began to bring his right arm holding the knife up towards the officers pointing the knife at the officers.

And I was asked several times, depending on what officer we're talking about, show me in the video where this happened. And I showed in the video, we said stop, and it's already in the record that I said he turned to his -- at the time when he takes those steps along the hash mark, he turned his body to the left, squared his shoulders towards the officers, and I pointed out where I felt that he -- the video showed he began to raise his right arm with the knife pointing it towards the officers.

In addition to that, again, my investigation didn't just rely on interviews that I conducted that night. I didn't just take the officer's word at face value and say, oh, everything they're telling me is the truth.

Just as any witness I interview I don't just accept everything they say. I take their statements in addition to the other evidence and information that I gathered during my investigation.

One of those pieces of evidence or information that I gathered during the course of the investigation was the Medical Examiner's postmortem -- report of postmortem examination or autopsy report.

In that report there is a very detailed listing of each of the injuries that was sustained by Laquan McDonald. I would submit, in looking and reviewing that report, that if you look at the video, right after Laquan McDonald is shot -- or Jason Van Dyke begins firing his handgun, let's say, Laquan McDonald turns to his right, kind of spins, and then goes down in the street.

I submit that that action of him spinning to his right was not voluntary. He didn't decide to do some kind of dance move and spin in the street. What spun him around in the street and caused his body to turn from left to

right and then subsequently go down to the pavement was him being shot by Officer Van Dyke.

If you look at the injuries on the Medical Examiner's report, I would submit that there's only one gunshot wound, and that would be -- I think it's designated in the Medical Examiner's Report as gunshot wound number four.

MR. McKAY: We would like this marked as Detective Dave March Exhibit 1 for the record. I've provided you a copy for yourselves. The original I ask be kept by the court reporter.

(WHEREUPON, a certain document was marked D. March Exhibit No. 1, for identification, as of 04/27/2016.)

BY THE WITNESS:

A. It's gunshot wound number four on Page 4 of the Medical Examiner's Report. And if you go down to the last paragraph or last line of that section, the Medical Examiner's Report reads the direction is front to back, left to right, and slightly downward. Also, that -- there is no exit wound on that injury. The bullet was recovered.

So it's, what we call, a lodged

gunshot wound. And this is significant for a number of reasons. Number one, he spun to the right. That would indicate more likely than not he was struck by gunfire somewhere on the right side of his body and the energy from the bullet or bullets caused him to spin to his right.

And I would submit in reviewing all 16 gunshot wounds that it's this gunshot wound to the right side of the chest that caused that for a number of reasons: Number one, in reviewing all the gunshot wounds, I don't see any other injury that would be consistent with spinning the body to the right.

Number two, this particular bullet, when it struck him, did not exit. There's no exit wound. It, in fact, struck a rib and broke the rib and became lodged in the body. That means that all of the energy from that bullet was transferred from the bullet into his body.

A bullet that goes through the body does not transfer all its energy into the body. A good deal of the energy continues on with the bullet as it exits the body.

So all of the energy from this

particular round was transferred from the moving bullet to the body, and that's, like I said, I would submit that that is what caused him to turn or spin to the right and then subsequently go down to the pavement.

There is another gunshot wound, gunshot wound number three, just before that. Now, that is a through-and-through wound, but that is also a chest wound, okay? And, again, I would submit that the only way you would get -- that Jason Van Dyke would shoot Laquan McDonald in the chest, it would be necessary for Laquan McDonald to be facing Jason Van Dyke.

So I would submit that that's additional evidence that the video and the officers' statements are all consistent with Laquan McDonald turning towards the officers because he wouldn't have been shot in the chest if he had -- he had to be -- for those two injuries to be sustained, his chest had to be facing the officers.

And I would submit that we can say at least one of those gunshot wounds, number four, is one of the first rounds that hit him, and I

submit that's the actual round that caused him to begin to spin --

Q. Are you --

A. -- because no other round was in a location that it would be likely to spin his body to the right.

Q. So you're saying that in Detective March Exhibit 1 on Page 4, gunshot wound of the right chest, number four, that is the gunshot that you were submitting was -- that spun Laquan McDonald around?

A. I would say -- in my opinion, it would seem apparent to me that of the 16 gunshot wounds, that would be the injury that was most likely the cause of his spinning to the right; and, therefore, that would indicate that that was one of the first gunshot wounds that he received.

He didn't receive it while he was spinning. And if that's the truth, then his chest, in order to sustain that wound, his chest had to be facing Van Dyke, which means he had to turn towards Van Dyke to receive that injury.

Q. You mentioned gunshot wound number

three on Page 3 of Detective March Exhibit 1.

A. Correct.

Q. It was a little unclear to me what you were suggesting or what you were trying to --

A. All I was suggesting is that is another injury -- the entrance wound is to the chest, which would, again, indicate that his chest was facing toward Van Dyke. That could also be one of the first rounds to hit him. I don't -- the medical examiner can't tell us a chronology of what hit him first, second, third --

Q. Right.

A. -- but I would say based on officers' statements, the video, and the nature of these injuries that it's more likely than not that those two bullet wounds were some of the first bullet wounds to strike him, if not the first. And that gunshot wound number four is more likely than not the injury that caused him to begin spinning, which means it had to be one of the first rounds that hit him.

Q. Do you think that McDonald was shot

twice before he was on the ground? In the chest, do you think he was shot --

A. I have no idea how many times he was shot before he got on the ground versus when he got on the ground. All I can say is that it's more likely that those two injuries were -- and, again, I'm making conclusions here, but I'm not basing it on just some wild theory. All of the information that I gathered during this case, and, as I said, gunshot wound number four, it seems very apparent to me, is one of the first bullets to hit him because that's what spun him, in my opinion, to the right. So it had to be one of the first rounds to hit him.

Gunshot number three could have been just before that, just after that, I don't know. But it also does indicate -- gunshot number three does also indicate that his chest was facing Officer Van Dyke, which, again, would be consistent with him turning towards his left and turning towards Officer Van Dyke.

Q. You mentioned while we were watching the video or while the video was paused that -- and correct me if I'm -- I certainly don't want

to put words in your mouth -- that McDonald was going at some point southbound on Pulaski, at some point he was going southwest on Pulaski, and then at some point he was going southbound again on Pulaski; is that fair to say?

A. Correct.

Q. Okay.

A. And, in general, I would just like to -- again, just to be clear, in general, his path of travel from Burger King to where he fell to the ground was southbound, at times southeast, at sometimes south, at times southwest, but in general southbound.

Q. And I thought -- it might be helpful for you to identify the times where he's traveling southbound, the times he's traveling southwestbound and then southbound. So if we can --

MR. McKAY: Can we play the video?

BY MR. NEUMER:

Q. So we'll play --

A. Can we agree that at this point we're at now, 4:29, he's in the middle of the street and he's going to continue in basically a

southbound direction?

Q. So that's what -- we're going to start the video at 4:29 on the VLC media player software time bar. There's no time stamp -- no embedded time stamp visible.

And then I'll just ask you to tell us when he -- I think your statement would be that he's going southbound as this video begins?

A. When we begin, he's going southbound --

Q. So what I -- --

A. -- and I'll say stop when he changes direction.

Q. Perfect.

(VIDEO BEING PLAYED)

BY THE WITNESS:

A. Now he's beginning.

BY MR. NEUMER:

Q. Stop. So we're now at 4:38 on the software time bar, and the time stamp reads 9:58:28 p.m. And so he's now changed directions; is that fair to say?

A. We saw from where we started the video, he pretty much went in a straight

southbound direction. He was traveling -- if you look at the yellow stripes painted to designate the median of the pavement, he was traveling on the eastbound side of those -- of that median designation. And at the time right now he's taken -- he's already begun to take a step or two in a more southwesterly direction.

Q. Okay. And so what we'll do is, I want you -- we're going to start the video in just a moment, and then I want you to tell me when McDonald stops moving in a southwesterly direction, okay?

A. Okay.

(VIDEO BEING PLAYED)

BY THE WITNESS:

A. Stop --

BY MR. NEUMER:

Q. We'll back -- we'll try it again --

A. Just to give you -- to help you know when to stop, when he reaches the south end of this particular stripe, I believe that that's when he begins to turn.

MR. BROWN: And I pressed it, but --

THE WITNESS: I know, technology is what it

is.

BY MR. NEUMER:

Q. We've reviewed this video, and sometimes it doesn't stop and start as well as you'd like.

I'll tell you what, we'll just do it again, and Kris is sort of on notice, but we're going to wait for you to say stop. So we'll back it up a few seconds and we'll -- when was the last time we stopped the video?

A. Can you stop it for a second right now? Not that I'm an expert, but the video you're playing, is it playing off of a disk or off the hard drive?

MR. BROWN: Off a disk.

THE WITNESS: A video played off the disk will be more choppy like this; whereas, if you copy it from the disk onto your desktop and then play it off the desktop so that it's actually coming not from the disk but from the computer's hard drive --

MR. BROWN: It will run quicker?

THE WITNESS: It runs more smoothly. Just for a point of reference for the future.

MR. BROWN: If we want, I can do it right now.
THE WITNESS: I don't think it's that important right now --
MR. NEUMER: I think it's okay, but we'll --
THE WITNESS: Yeah, it was just --
MR. NEUMER: -- understanding we're getting a buffer --
THE WITNESS: -- not a tech guy, but somebody in our office that is explained it to me recently.
MR. BROWN: It does make sense. That's a good point.
MR. NEUMER: We'll make sure we get an accurate stoppage time. I guess we have a capability of going half speed. Would that help?
THE WITNESS: I don't know if that would help.
MR. BROWN: It would make it more --
THE WITNESS: Exactly. Sometimes it can make it more difficult depending on what you're looking for.

BY MR. NEUMER:

Q. So we'll play it again and --

A. I'll say stop and hopefully it will stop when we want it to.

MR. NEUMER: So did you note when we had stopped it last?

(WHEREUPON, the record was read by the reporter.)

BY MR. NEUMER:

Q. So we'll go to 4:38 and start from there because, again, what's really important is --

A. The next change.

Q. Exactly. So we'll start it and then...

(VIDEO BEING PLAYED)

BY THE WITNESS:

A. Stop.

BY MR. NEUMER:

Q. So we're at 4:45 on the time bar. So is it fair to say that from 4:38 on the time bar to 4:45 on the software time bar, Laquan McDonald was walking in a southwest direction?

A. Yes.

Q. And then --

A. But I would also like to point out that the distance between McDonald and Van Dyke was still decreasing.

Q. And so -- and now at 4:45, from your perspective -- 4:45 of the time bar, what's happening?

A. He has just changed direction. If you look, he's almost -- you know, squared his body straight southbound, he's practically standing right on the hash mark separating the two lanes.

And his next step is going to be no longer -- he's not going to continue in the southwesterly direction to begin to cross over that next traffic lane; he's actually -- his next step is going to be right along that hash mark, straight southbound.

And then he's going to turn his body, he's going to turn to the left, and then that's when Jason Van Dyke opened fire.

Q. Should we roll the video?

A. I think it doesn't hurt to verify.

Q. We'll play the video.

(VIDEO BEING PLAYED)

BY MR. NEUMER:

Q. Any other comments on the 813 Robert video?

A. No, I believe that covers it all.

Q. We will now pull up a portion of the Dunkin' Donuts security camera video. Kris is going to open a file titled clip_1.avi.

There is not going to be an embedded time stamp on that video. There is, again, a software time bar that's visible at the bottom of the video we're watching.

MR. McKAY: Can I ask, Peter, the two videos, the one we just watched from 813R and this video, the Dunkin' Donuts video, are you, for the purposes of the record, marking them as exhibits? Are they going to be made part of this official record in addition to these other exhibits, the documentary exhibits?

I ask that you do. I ask that the video that you are asking Detective March questions about -- and rightfully so -- be made part of the record, both of these videos and even more videos if you intend to use them.

If you recall last night, we had requested that the 813R video be played during your questioning of Detective March, and both of you were kind enough to allow this. As such, Detective March's testimony at this point really can be taken out of context unless viewed along with the video.

The, for lack of the better word, the viewer can understand what is being seen on the video in conjunction with what Detective March is saying under oath.

MR. NEUMER: I think that's fair, and we'll work with the court reporter to figure out the best way to include those videos as exhibits.

MR. McKAY: Do you want to number them now? The last thing I had was Exhibit 14 was being used.

MR. NEUMER: I think there was a 15. So I think if we're going in order, the 813 Robert dash cam video will be Exhibit 16.

(WHEREUPON, a certain document was marked OIG Exhibit No. 16, for identification, as of 04/27/2016.)

MR. McKAY: Thank you.

MR. NEUMER: And the Dunkin' Donuts security camera footage will be Exhibit 17.

(WHEREUPON, a certain document was marked OIG Exhibit No. 17, for identification, as of 04/27/2016.)

BY THE WITNESS:

A. I don't know how you want to handle this. I know your -- you want what's important to you, you want to document the times. Obviously I've seen these videos many times.

What we're going to look at here, we're looking at Dunkin' Donuts video. It's looking westbound from the Dunkin' Donuts building. You can see the Dunkin' Donuts parking lot and driveway in the foreground, and then after that is Pulaski Road.

What we end up seeing in this video is, you see -- you can see the police vehicle is there already. You see the police vehicle of Officers Walsh and Van Dyke pull up. You're going to see Officer Walsh, the door is already -- it looks like maybe the door is already starting to open here.

You're going to see Officer Walsh

exit the driver's door. You're going to see Officer Van Dyke come to the rear of the vehicle from the passenger side or right side of the vehicle. Both officers are going to be standing here.

You're going to see Laquan McDonald come into the picture from the right, move to the left, and then you're going to see all three subjects move from right to left, and that's the movement that I think, I believe is consistent with the officers' -- when the officers say they backpedaled, again attempting to maintain distance between themselves and Van Dyke.

Q. Okay.

A. So if you want to tell me what you want to note, and I'll tell you when to stop the video.

Q. And so, for the record, we are at 27:24 on the software time bar.

A. And the vehicle has already appeared.

Q. And that's our 845 Robert vehicle, correct?

A. Correct.

Q. Is visible on the Dunkin' Donuts

video. It is facing southbound on Pulaski.

So to provide a little context here, we were -- last night there was a line of questioning where we were going through -- and maybe we can put this in front of you if it helps -- Jason Van Dyke's and Officer Walsh's statements in the Exhibit 5 CSR.

And looking at those, certain statements that Officer Van Dyke and Officer Walsh made in connection with the statement in the CSR that the 813 Robert and 845 Robert dash cam videos were consistent with all the witnesses' accounts -- or the witnesses to the McDonald shooting.

So -- do we have the Exhibit 5 that we can put in front of --

MR. BROWN: Yes.

(WHEREUPON, the document was tendered to the witness.)

BY MR. NEUMER:

Q. And if you look at pages -- we'll start on Page 9. And I'm looking at the -- Page 9 of Exhibit 5 CSR. It's the fourth line down in the last paragraph on Page 9. "In

defense of his life, Van Dyke backpedaled and fired his handgun at McDonald to stop the attack."

I believe the question I asked yesterday was whether that statement of Officer Van Dyke's -- I initially asked was that consistent with the 813 Robert video, and I believe you stated that you couldn't really see on the 813 Robert video that backpedaling but it was visible on the Dunkin' Donuts video; is that fair to say?

A. Correct. He was out of frame on the 813 Robert. When he begins shooting, he's in frame, but it looks like, I guess, 813 Robert, the vehicle turned to the right a little bit, and then we still see Laquan McDonald, but we no longer see Walsh and Van Dyke.

Q. Okay. And so since we couldn't see the backpedaling on the 813 Robert video, we're now going to show you the relevant portion of the Dunkin' Donuts video.

And, again, I'm going to ask you to identify the time when Officer Van Dyke first starts backpedaling, and then we'll probably --

we'll start there. So, again, happy to run this multiple times so --

A. So the first thing you want me to say is stop when they begin to backpedal?

Q. Exactly. Let's go one at a time and we'll start with Officer Van Dyke. That's whose statement we're going to focus on right now. So why don't we run the video.

(VIDEO BEING PLAYED)

BY THE WITNESS:

A. Stop.

BY MR. NEUMER:

Q. This is at 27:33 on the time bar. And, Detective March, you see Officer Van Dyke beginning to backpedal --

A. Correct.

Q. -- in your perspective?

A. Correct.

Q. And then let's start it again, and I want you to tell me when he stops backpedaling; is that fair?

A. Okay.

Q. We'll try and see -- would it help you if we backed up the video and then --

A. Started it again earlier?
Q. Started earlier.
A. That's fine.
Q. We'll go back a couple -- you originally identified 27:33 as the time when Officer Van Dyke starts backpedaling.
(VIDEO BEING PLAYED)
BY MR. NEUMER:
Q. So what I think we should do -- I think I gave you a bad directive. I no longer want -- you've identified when Officer Van Dyke started his backpedal.
I'm now going to play the video for you -- and you may have been doing this, but I don't think I was clear, and I don't think the record was clear -- I now want you to identify the moment when he stops backpedaling. Does that sound reasonable?
So, again, we've identified the time where he starts backpedaling. I'm going to play you that same portion of the video, but I don't want you to say stop when he starts to backpedal. I want you now to go past that portion --

A. Right.

Q. -- and identify from your perspective when Officer Van Dyke stops backpedaling.

MR. McKAY: I just want to interject an objection here. I don't know if it has been established that he did stop. Now, I could be wrong, and I don't have an objection to the line of this questioning, it just sounded like your question assumed a fact that may not be in evidence at this point.

MR. NEUMER: Well, I'm just assuming at some point he has to stop backpedaling, right? Like, I mean, like, or else he'd end up in --

BY THE WITNESS:

A. And, again, I haven't looked at this particular video today, but from what I recall, it looks to me like both officers backpedal out of view until they're behind their police vehicle.

So I don't know that we can establish definitively when they stop because at that point, they're had no longer within view of this camera.

BY MR. NEUMER:

Q. Okay. So if there's a point -- I will ask you to stop us when either, from your perspective, Officer Van Dyke has stopped backpedaling or where you can no longer tell what Officer Van Dyke is doing; is that fair?

A. Fair.

Q. Okay. So, again, we'll back it up to a few seconds.

(VIDEO BEING PLAYED)

BY THE WITNESS:

A. He still is -- I didn't want to tell you when -- I was trying to get the full reference, but if you want to try it one more time, I can tell you when he stops then.

(VIDEO BEING PLAYED)

BY THE WITNESS:

A. Stop.

BY MR. NEUMER:

Q. And this is 27:36.

A. It was Officer Walsh that actually went out of view, but Van Dyke is still there.

Q. Okay. So 27:36 on the time bar you directed us to stop. So at this point, from your perspective, Officer Van Dyke is no longer

backpedaling?

A. Correct.

Q. And so it's from 27:33 to 27:36 on the time bar of the Dunkin' Donuts video from your perspective that Officer Van Dyke is backpedaling?

A. Correct.

Q. Let's go to Officer Walsh. So now we're going to -- similarly, we're going to play the video, and all I want you to do for me is identify -- tell Investigator Brown to stop when you see Officer Walsh backpedal for the first time.

(VIDEO BEING PLAYED)

BY THE WITNESS:

A. Stop.

BY MR. NEUMER:

Q. 27:31.

A. It might have actually been 30 but...

Q. We'll try --

A. It didn't stop right away.

Q. I know. We'll try it again.

(VIDEO BEING PLAYED)

BY THE WITNESS:

A. Stop.

MR. NEUMER: So 27:30 on the time bar is when Detective March has identified Officer Walsh as beginning to backpedal.

BY MR. NEUMER:

Q. Is that correct?

A. Correct.

Q. And so now we're going to back up the video again, and I want you to identify for me -- or, actually stop the video -- or tell us to stop the video when, from your perspective, Officer Walsh has either ceased to backpedal or can no longer be viewed. Is that fair?

A. Fair.

Q. Okay.

(VIDEO BEING PLAYED)

BY THE WITNESS:

A. Stop.

BY MR. NEUMER:

Q. 27:33. And why did you tell Investigator Brown to stop the video? For what reason?

A. Officer Walsh has gone from right to

left in the video and is now obscured by the police vehicle, so we can't see him any longer.

Q. Okay. And as -- okay. So you don't know what Officer Walsh is doing --

A. Anymore.

Q. -- anymore? Okay.

I'd like to play back the video one time and --

A. I have one other -- not regarding backpedaling, but I have one other observation on this video, so if you want to resolve whatever issue you want to do now and then I can make my point. But before we leave the video, I have one more observation to make.

Q. I'd like to go -- as we play this video, describe for us what direction first Officer Van Dyke is moving, or directions, prior to the shooting, and then we'll go for Officer Walsh. If you could just say what direction or directions --

A. Well, this video is looking westbound. I don't think from the distance that we are here we can tell about movement east and west. I don't think we can definitively say. I

can tell you that when both officers exit their vehicle, their first movement is from left to right.

Q. Left to right on the video screen?

A. On the video. Which would be southbound. Now, I don't know if that's southeast or southwest, but generally southbound on Pulaski.

Q. Okay.

A. When they begin to backpedal, then they begin to go back in the other direction north -- I'm sorry, I misspoke. When they first exit the vehicle, both officers are moving left to right in the video, which is northbound on Pulaski Road.

When both officers, at whatever time they began backpedaling, when they're backpedaling, they are now moving from right to left in the video, which would be southbound on Pulaski Road.

Q. But you're saying it is difficult to determine based on the Dunkin' Donuts video their east and westward movement?

A. Well, what I'm saying is there --

there's definite movement left to right. Now, was that -- if that movement was straight northbound, straight southbound or southeast, southwest, northeast, northwest, on an angle, I don't know that we can definitively say.

Q. Based on the Dunkin' Donuts --

A. On the Dunkin' Donuts video.

Q. Okay. Got it.

What was your comment?

A. My one other observation -- and, again, this is based on the fact that comments that have been made regarding this incident, that the other officers didn't see any reason to fire their weapons so it must have been wrong for Officer Van Dyke to fire his weapon.

Officer Walsh, in his statement to me, stated that he believed the same things that Jason Van Dyke did, that Laquan McDonald was -- had turned towards them, was raising the knife, and was, in fact -- from his perspective was attacking them.

Walsh stated to me he did not fire his weapon because Van Dyke was somewhat ahead of him and therefore in the line of fire between

Officer Walsh and Laquan McDonald. And I think this video does show that.

We know that from east to west, Officer Walsh exits the driver's side of the vehicle. That was east. Officer Van Dyke exits the passenger side or right side of the vehicle, that was in -- he's further west. As they both move to the back of the vehicle northbound, again, Walsh is to the east, Van Dyke is to the west.

When they begin to backpedal -- and I think you can kind of tell that in this video -- Walsh backpedals farther, and that's why he ends up obstructed by the police vehicle. But when he backpedals, he actually backpedals behind Van Dyke.

So, again, that shows the credibility of his statement that he was somewhat behind Van Dyke, and, therefore, it addresses the line-of-fire issue just, again, going to the truthfulness of the officers' statements.

Q. Let me ask you, what's your definition of the word "backpedal"?

A. I would say if you're going in one

direction or facing one direction and you backpedal, you're going in the opposite direction. As I said, initially the officers are -- you can see in this video, they move from left to right, and then they move from right to left back.

Now, I don't know were those steps straight back, were they lateral steps, I don't know, but it's clear in this video when they first exit their vehicle, they move in one direction from left to right, and then at some point they -- as -- not at some point, when McDonald enters the video, that's when they begin to move back from right to left in the other direction.

Q. Do you see any indication in the video that they are following McDonald?

A. I think their movement is definitely dependent on McDonald because they're trying to maintain their position relative to McDonald.

Q. Do you think it's fair to say they were tracking McDonald?

A. I think -- what the officers said to me was something along the lines that they were

trying to maintain distance because he had a deadly weapon. They didn't want to get too close to him.

Q. Is that consistent with what you've seen today on the Dunkin' Donuts video?

A. I believe it is.

MR. NEUMER: Do you have any follow-up?

BY MR. NEUMER:

Q. Did you ever have any discussions with Lieutenant Wojcik or Sergeant Gallagher about the dash cam videos, 813 Robert, 845 Robert, and the Dunkin' Donuts videos and whether those videos were consistent with the witness accounts?

Let's go first with Lieutenant Wojcik. Did you ever have any conversations with him about the consistency of the witness accounts and the dash cam videos?

A. Yes, I mean, the three of us were kind of working on -- I'm on Gallagher's team, and Wojcik was one of the lieutenants that supervises us, so we were, in effect, working together on the case.

I did not work alone, and so we

obviously did discuss the matter. And we discussed what -- you know, they asked for my opinion, I asked them what their opinion was, and we were all in agreement.

Q. That the witness accounts were consistent with the videos of the shooting?

A. Yes.

MR. NEUMER: Kris, do you have any questions about the Dunkin' Donuts video?

MR. BROWN: I do not.

BY MR. NEUMER:

Q. I'm going to change gears a little bit. We talked yesterday about some of the detectives that worked on the McDonald investigation with you. And I want to hand you an exhibit and see if this refreshes your recollection as to which detectives were working on the team with you. And we'll go through that. So this is exhibit -- we'll mark this as Exhibit 18.

(WHEREUPON, a certain document was marked OIG Exhibit No. 18, for identification, as of 04/27/2016.)

BY MR. NEUMER:

Q. This is an Original Case Incident Report with the RD Number HX475653. And, in particular, I want you to look at Page 4 of that incident report -- let me back up and first say, what is a Case Incident Report?

A. It's the original -- basically the original police report created in an incident.

Q. And what's its purpose?

A. It depends on the incident. In minor incidents, this could be the only police report created. If one person punches another person and the police arrive and a complaint is signed and it -- the offender's charged -- arrested and charged with simple battery, this would, more likely than not, be the only Case Report created in that case.

There would be an arrest report and complaints, but the only Case Report to document the incident would be the Original Case Incident Report.

Q. And in a case like the McDonald shooting, what's its purpose?

A. This would be the report that kind of

starts the ball rolling. The police department went to a policy in -- again, in the simple battery case, this would be the only report, so it would have to contain every detail needed.

In the case of an officer-involved shooting, the police department went to a policy of this report being used just to kind of initiate the investigation, create the RD number, fill in the boxes, if you will, as far as the nature of the incident, the major principal people involved, the victims, the offender.

And then, as it says in this case, there are no really further details of the investigation itself. As on the top of Page 4, this case says to refer to Detective Division, Supplementary Report.

All of the actual details in the incident, because on major cases like this, detectives respond to the scene immediately; so the follow-up isn't even conducted days later, it's -- we're there right from the beginning, so all of the actual details of the investigation are reported by the detectives.

As opposed to the simply battery case, where there's never going to be a detective assigned, and so the officer involved, whether it be a district or beat officer, whatever, he's responsible for documenting all of the details of the investigation.

Q. Got you. And so on Page 4 of the incident report, there's a lot of names in the narrative section. Is it fair to say that all the people who were named in this -- on this Page 4 in the narrative section were at the scene of the shooting or reported to the scene of the shooting?

A. Well, it depends on -- if you look, they're not strict columns, but there are like -- if you look up and down this page, the computer doesn't create nice neat columns, but there are -- the first column, if you will, would be -- I would call it like the role or -- actually, no, the top is not even notifying -- the first three lines are -- after the, "Refer to Detective Division Supplementary Report" are the notifications.

Q. The notifications. Okay.

A. Those people, they could be on the scene, they could have subsequently responded to the scene, but those are notifications. That means that person was made aware of this incident.

It could be that they were made aware of it because they responded to the scene, or it could be that they were made aware of it by a phone call being made by the beat officer or even possibly in some instances that the beat -- the officer on the scene goes on the police radio and asks the dispatcher to notify somebody in certain situations.

But those people are not necessarily -- they could be, but they're not necessarily present at the scene.

Q. How about all the assisting officers, should they have all been at the scene?

A. Obviously anybody -- the reporting officers, that's the two officers -- they're down here as reporting officers, but Gaffney, I don't think -- yes, that's what I thought.

The next two -- or assisting officers were probably present at the scene. Reporting

officer, Officers Gaffney and McElligott are listed as reporting officers. They are not the reporting -- Officer Dora Fontaine actually created this report, so I don't know if -- it's a drop-down menu, so maybe in error the wrong selection was made. But obviously Gaffney and McElligott were present on the scene, but their role is a little -- not entirely correct.

But most of the assisting officers are -- these are people that the beat car saw at the scene, I'm assuming. The supervisor on scene is obviously on the scene.

Other support, you know, that's -- again, that's a drop-down menu on the computer. I don't know for certain that those people are all at the scene, but those are people that the beat car, when they're preparing their report, are involved. So there's, you know, a good chance that most of them were probably on the scene.

Q. Then it looks like we just have some individuals with star numbers with no real categorization?

A. Yeah, no role really.

Q. I mean, we know McNaughton was at the scene, correct?

A. Right, I'm going through them myself. I can't say every single one of them, but, you know, I know McNaughton was there, O'Donnell, Walsh. The rest I couldn't tell you for certain.

Q. Do you see the team of detectives that you were working with at the scene named in this narrative section on Page 4 of Exhibit 18?

A. There are -- looks like in the other support there are other some detective star numbers, so there -- I mean, so obviously I know those people are detectives.

Q. Who on this list do you recall specifically assisting -- which -- that are detectives assisting in the investigation at the scene of the shooting, which of these folks?

A. Well, Halloran was there, Murray was there, obviously I was there.

Q. Well, let me just spell these names. So Halloran is H-a-l-l-o-r-a-n.

So Detective Halloran was at the scene?

A. Yes.

Q. Okay. And he was assisting in the investigation?

A. Yes.

Q. Do you recall what tasks he was performing?

A. He and Murray are -- or were partners at that time and on that day, and I believe they helped us in sifting through the officers that were -- the many officers that were present, helping us identify which officers were the ones that were actually present at the time of this. And they helped us weed out, if you will, the ten officers that we now know were present at the time of the shooting.

Q. What other detectives who you know were out at the scene do you see on this list?

A. Detective Jones was out at the scene. I believe his main role was he wound up getting a copy of the 911 call and the radio transmissions and kind of doing a rough transcription that was included in the file of those audio recordings.

Q. Okay.

A. I don't know that he had any other -- if he had any other significant involvement at the scene.

Q. Okay.

A. Detective Hagen, we spoke about him previously. He was the detective who recovered the video from --

Q. Burger King.

A. -- all of the sources -- other --

Q. Oh, he was --

A. -- well, not all of the sources --

Q. -- Dunkin' Donuts, right?

A. He did Dunkin' Donuts, he did Burger King --

Q. Okay.

A. -- I think those may have been the only. But he did not do the squad car cameras. Those were done by Sergeant Becvar.

Q. So Hagen was responsible for recovering video from Dunkin' Donuts and Burger King?

A. He participated in a canvass for both witnesses and the video. And he did recover video from both Burger King and Dunkin' Donuts.

Q. Okay. Any other detectives that were assisting you that night?

A. The next name under Hagen is Osvaldo Valdez. That's one of our lieutenants at our office. He was present at the scene and --

Q. What was he doing? What role?

A. He was supervising -- detective supervisor.

Q. Okay. Any specific tasks that he was accomplishing that night?

A. Well, again, Sergeant Gallagher is my immediate supervisor, and then I have two lieutenants. Sergeant Valdez was there. Subsequently I think Lieutenant Wojcik finally came -- Lieutenant Valdez was working that night, so he got there sooner. Lieutenant Wojcik came from home, so it took him a little longer to get out there that night, that's all.

Q. Okay.

A. But they were both out at the scene, but they're just supervising.

The one thing I know specifically Lieutenant Valdez requested that the -- because Laquan McDonald stabbed the right front tire of

the police vehicle occupied by Officer Gaffney, in addition to photographing and recovering the wheel with the damaged tire, Lieutenant Valdez made a request that the forensic people actually dust or process the right front quarter panel or fender of the police vehicle to see if there were fingerprints that would assist us in the investigation. I know that was one thing for certain that he did.

The next name is Eugene Roy. That's the commander of the area. I couldn't tell you, again, what time he arrived. He was coming from home, but he responded to the scene.

Q. Do you recall -- what was he doing while he was on scene, do you know?

A. Supervising.

Q. And I guess just for -- what in general does supervisory tasks entail?

A. I was very busy that night. I didn't follow any of the supervisors around to document what they were doing. I -- all I can tell you is they were supervising.

Q. And I only want you to tell us what you know so...

Jose Torres, is he a detective, or do you know -- is that name familiar to you?

A. Where is that name?

Q. It's assisting officer. It's about in the middle of the narrative section below David Ivankovich and above Anthony Vance?

A. I don't recall who that is. That's a police officer star number. The detective star numbers are all in the 20,000 series.

Q. Got you. Okay.

So would Matthew Rickher, R-i-c-k-h-e-r, be a detective?

A. Where is that?

Q. It's near the bottom above Daniel Gallagher's name and below David Friel's name.

A. Okay, Detective Rickher drives the MIRV, M-I-R-V. That's the Major Incident Response Vehicle that the Detective Division operates. And that's just a big -- it looks like an RV.

Q. Okay.

A. It's marked with the Chicago Police Department markings, and it's got some computers on there that allow us to run -- you know, if we

need to run name checks or license plates in the field. So, you know, he responds -- they responded to the scene of major incidents as the name MIRV designates.

I don't know that he participated in the actual investigation. He's just more of a support personnel if we need the capabilities of that truck.

Q. Do you recall any detectives who were assisting you on the night of October 20th, 2014, whose names are not listed on this --

A. Yes, because not all of the detectives on the scene check in with the beat officer. These are just whatever names that officer is able to --

Q. Sure.

A. -- like I said, there were a lot police personnel, you know. I note -- in my report I have a list of people.

This officer, you know, part of his duties were to document who was on the scene. But there's no formal system that everyone's got to check in. So there's no sign-in list, there's no computer that we swipe an ID card so

we know how many -- exactly who's on the scene. We do the best we can.

This officer documented what personnel they were aware of, and in my report, I documented personnel I was aware of.

Q. And so looking at this list, are there any other individuals that you know for a fact -- and let's start with detectives that were assisting you -- whose names you don't see on here?

A. Well, I know the officer -- the detectives that participated in the canvass are not all here. Detective Hagen is, but I think there were a few others that I know participated in the canvass that aren't listed here.

Q. Do you remember their names?

A. Detective Wathen.

Q. Do you know how to spell that?

A. I think it's -- I'd be guessing. It's probably in my report, I think.

Q. In the CSR?

A. Or one of my reports, yes, because I have a listing in the format -- I think it's called a scene sup. It's got the

format -- there's a section in there for personnel assigned, and all the detectives that I was aware of would be listed there.

Q. Okay. And do you recall anyone off the top of your head other than Detective Wathen?

A. Well, we talked about Detective Torres and Curran. I believe they were involved in the canvass, and that's how they ended up subsequently -- I don't know if they were the ones who actually first found the three individuals that were potential witnesses brought into the area, but they were involved with the canvass, and then obviously they interviewed those people.

Q. What's Detective Torres' first name, do you know?

A. Peter.

Q. Peter. And Detective Curran's first name?

A. Thomas.

Q. Other than those individuals, any other detectives who you recall being at the scene who are not on this list?

A. From my memory, no. If you want to refer -- compare this list to my report, there might be some names that I don't remember. And there might be people that are -- were not on this report or my report that were out there and I was never aware they were out -- I don't know.

Q. Sure.

A. Because, as I said, when a major incident like this occurs, all of the personnel in our office that are available are asked to respond because, when this first starts, we don't know how much manpower we're going to need.

Q. Are there -- with respect to this all pertains -- I'm assuming that this narrative section -- well, what is the purpose of this narrative and listing all these individuals? What's the goal there? Is it just trying to identify?

A. Just to document -- well, the Department has a policy. There are certain notifications that are supposed -- depending on the nature of the incident, there's certain notifications which need to be made, so that's

the document that the notifications were properly made. And then the assisting personnel are just to document the police personnel that responded to this incident.

Q. Would there be any documents similar to this -- I'm assuming -- does this apply strictly to the scene of the shooting here?

A. As opposed to what?

Q. Area Central. So my question is, is there any document similar to this that would note all the detectives who were present at Area Central following the scene of the shooting?

A. Well, if they were -- if they had any substantial involvement in the investigation at the area, I would have included them in my reports. They would be under my personnel assigned if I was aware of them.

I know the forensic people do a crime scene processing report every time that they do, and part of that report, again, is to document the police personnel present. So if they were aware of something, there -- someone, there could be somebody listed in their report.

There is no all-inclusive -- it's not

like at the scene anyone is designated to get the name of every single person; at the office someone's designated to get the name of every person. And, as I said, there's no formal system for everyone to check in so...

Q. I got you.

MR. NEUMER: Kris, do you have any questions regarding Exhibit 18?

MR. BROWN: I do not.

BY MR. NEUMER:

Q. With respect to Area Central, when you were at Area Central following your time at the scene of the shooting, was there ever a meeting between the detectives at Area Central regarding investigative findings or anything of that nature?

A. No. As I said, through Sergeant Gallagher, Lieutenant Wojcik, and myself were -- I was the primary detective, they're the supervisors, and, you know, we conferred. But there was no meeting of really any additional personnel.

As I indicated before, other people, when they perform their tasks, they document

them in a General Progress Report, and then they would subsequently turn those in to --

Q. But there was no meeting at Area Central where detectives were providing you their GPRs or anything like that?

A. No, there's no meeting. It's just when people come in or finish their task, they bring the GPR and put it -- like I said, there'd usually be a file set up somewhere for people to drop their GPRs.

Q. What about "post-shooting briefing," is that a term that's familiar to you?

A. In what sense?

Q. Following police-involved shootings, is there a post-shooting briefing that occurs?

A. There might be something further up the chain of command, but I'm too low in the food chain for that.

Q. Did you hear about any post-shooting briefing that the superintendent was a part of?

A. Well, I think I mentioned yesterday about executive management meetings, or EMMs as they're called --

Q. Yep.

A. -- I don't participate in those. I don't brief anybody on those.

To the best of my knowledge, as I told you yesterday, I was informed that two of those briefings did, in fact, occur at different times. There was one that was conducted by Commander Roy; one was conducted by Lieutenant Valdez for command staff members.

I have no idea who was present for those meetings or exactly what date and time they occurred. I was just told their -- Commander Roy told me he conducted a briefing at one meeting, and Lieutenant Valdez informed me that he had conducted a separate briefing at a separate meeting.

Q. And I believe it was your testimony yesterday, but I want to confirm, that I think -- I think it was both Valdez and Roy told you at some point that the executive staff or whoever was in these management meetings was in agreement with your findings, your investigatory findings?

A. Right, on multiple occasions we actually, at the office, once this incident

became what it is today, we had a number of meetings -- this is months later or during the course of the following months. We had multiple meetings involving myself -- not always all of these people, but involving myself, Detective Hagen, Sergeant Gallagher, Lieutenant Wojcik, Lieutenant Valdez, and Commander Roy.

At some of those meetings, we actually played the video again and reviewed to get, you know, everyone's -- weigh in with their opinion. And everyone was in agreement with the investigation and the conclusions reached as documented in this report.

And I was informed by Commander Roy regarding the briefing he gave at the executive management meeting and also Lieutenant Valdez at the briefing he gave at the executive -- separate executive management meeting that not only did each of them personally agree with the findings or the conclusions we were making in this investigation, but when they were presented to the executive staff, command staff, whatever you want to call it, at these briefings, that everyone present at those meetings was in

agreement with the conclusions that were reached.

Q. And so in this executive management meeting, how did you initially present your findings to either Roy or Valdez; that is, how did they know what your findings were?

A. Well, they were both present at the scene right from the beginning, and so they were aware of -- you know, just as I had conversations with Gallagher about -- at the scene he was learning things from other detectives, I was learning things, we were putting it all together to piece the whole story together. And I'm assuming that Sergeant Gallagher -- the information flowed up the chain of command.

Q. And so, as part of those conversations, were you communicating that you thought the shooting was justified? Was that part of the findings that was being communicated there?

A. Well, we would communicate what we had learned, whether it be from the witness statements, the evidence, this, that, the other,

and people obviously would express their opinion.

Q. And it was, I guess -- I'm trying to understand what -- when Roy goes into an executive management meeting -- and I think you were saying he presents the findings or people were on board with those findings -- I'm just trying to find out, like, was that something that you had told Roy, or was he hearing that from Gallagher, or how did that all work out?

MR. McKAY: I object. Shouldn't that be a question you should ask Commander Roy and not this gentleman?

BY MR. NEUMER:

Q. I'm asking about your specific -- if you had conversations with Roy about findings of your investigation and how you knew that folks in the executive management meeting were on board with those findings.

A. I think I was very clear yesterday. I had personal contact with Commander Roy. Separately I had personal contact with Lieutenant Valdez.

Both of them separately and

independently told me, when we discussed this case, that they had presented briefings downtown at public safety headquarters during executive management meetings where other command staff personnel were present and they presented a briefing.

I have no idea what they presented. I'm pretty certain that the videos that we had recovered from part of the briefing, parts of the presentation and that everyone -- and I was just told that everyone at these meetings, all of the command staff members that were present, were in agreement with our conclusions.

And I'm assuming here my understanding was that they were all agreeing with the one basic conclusion was that the video was consistent with what all the officers were saying, and that the use of force, the way the incident -- the actions of the officers were all appropriate.

Q. You mentioned during the course of your investigation, I think it was Lieutenant Wojcik asked you to halt investigative activity regarding the McDonald case?

A. Yes.

Q. And that was because of another investigation, or what was the --

A. Well, there were a lot of opinions being expressed, mainly in the media, about this incident. And then we became aware that there was some type of investigation being going on at the Criminal Courts building at 26th and California involving the Office the Cook County State's Attorney and the Federal Bureau of Investigation.

And, again, we talked about this all yesterday, and I was very clear that we learned of this -- I don't know how we first became aware of it or who told who first, but I heard that there allegedly was this investigation happening where the officers -- the police officers, the -- I don't know if Jason Van Dyke actually was subpoenaed, but the nine witness officers, if you will, were subpoenaed by the Cook County grand jury, and when they went to 26th Street, no one was, to the best of my knowledge, put in front of the grand jury to give any testimony, but they were interviewed by

personnel from the Cook County State's Attorney's Office and the Federal Bureau of Investigation.

Q. Did you have any understanding what those other entities were investigating?

MR. McKAY: I have to object, Peter. This was asked and answered. It was yesterday.

It was our understanding that we were continuing this until today because the specific allegations you did not have an opportunity to get to. This was all covered yesterday.

So my objection is it's been asked and answered. The transcript speaks for itself. When it's prepared, you can read what his answers were at that time. I ask we move on to the allegations we unfortunately did not get to yesterday.

MR. NEUMER: I have no interest in going over ground that wasn't covered, but in terms of what Detective March believed was the nature of this investigation, I don't believe that was covered yesterday.

BY MR. NEUMER:

Q. So --

MR. McKAY: Well, then I object to you asking Detective March to speculate about what other people may or may not have been doing in this case. He can speak about what he did and what his partners did, not other agencies.

MR. NEUMER: Your objection is noted.

BY MR. NEUMER:

Q. Detective March, what was your understanding of the investigative purpose of those investigations that you had heard of?

A. I have no idea. No one sent me a memo.

MR. BROWN: Can I do a quick follow-up?

MR. NEUMER: Sure.

BY MR. BROWN:

Q. Since we're talking about the follow-up on the command staff, I have a quick question for you.

MR. McKAY: Is Peter done? Because the rules state, Kris, you definitely get to ask follow-up questions but only after the primary interviewer is finished.

MR. NEUMER: Yep. Go ahead.

MR. McKAY: Thank you. Go ahead.

BY MR. BROWN:

Q. Did anyone at CPD ever tell you that Van Dyke's actions were unjustified?

A. Absolutely not.

Q. Absolutely not. Okay.

Did anyone at CPD ever tell you or have a conversation with you about why the City entered into a settlement agreement with McDonald's estate?

A. Can you repeat the question.

Q. Yeah. Sure. Did anyone at the City ever -- be it City of Chicago, City Hall, CPD, any City employee -- have a conversation with you about why there was a settlement that was entered into with McDonald's estate?

MR. McKAY: I object to the relevance of that. Regarding the allegations you have against Detective March, how -- assuming he knows because, again, you're asking him to speculate about other people, but how is that relevant to this?

MR. BROWN: Just specifically wanted to ask if anybody talked to him. I didn't want him to speculate on anything. If no one talked to

him --
BY THE WITNESS:
A. Can I have the question one more time.
MR. BROWN: Should we read it back or say it again?
MR. NEUMER: You can restate the question.
BY MR. BROWN:
Q. Did anyone at the City have any conversations with you about why the City entered into a settlement agreement with McDonald's estate?
A. Well, that's a very general question. It covers a broad area. And I am under oath, so the answer to your question is, yes, I had conversations with other people employed by the City of Chicago about the settlement agreement after it had been entered into.
Q. In those conversations, did anyone tell you why they entered into a settlement agreement?
MR. McKAY: I'm objecting. Same reason. You want to keep going in this area over my objection, get ready.

BY THE WITNESS:

A. You want an answer to that?

BY MR. BROWN:

Q. Yes, please.

A. Sometime after the City entered into the settlement agreement with the family, survivors of Laquan McDonald, I received a notification from the City, which was required, I guess, because of our union contract. When I am specifically named in a response to a FOIA request, Freedom of Information Act request, I am entitled to notification.

So sometime not long after the settlement agreement was entered into, I received a notification of a -- the response to a FOIA request that included my name.

As part of that whole process, that notification process, I obtained a copy of the settlement agreement, and for the very first time learned, after this had all been entered into, that I had been specifically mentioned in the settlement agreement.

Myself and other police personnel who were specifically named in the -- I believe --

and now I'm going from memory. I don't have a copy of the settlement agreement here with me. But obviously Officer Van Dyke was named in the settlement agreement; for some reason, and I'm not -- it's not clear to me why, Officer Walsh, Joseph Walsh was named in the settlement agreement; and then Detective Richard Hagen, myself, Sergeant Daniel Gallagher, and Lieutenant Anthony Wojcik were named in the settlement agreement.

I had never been consulted by anyone prior to this notification of this FOIA request response. Because our names had been mentioned in the settlement agreement, myself, Detective Hagen, Sergeant Gallagher, and Lieutenant Wojcik, because we all worked together, we were all, quite frankly, amazed that we could be named in a legal proceeding and never having received any notification that we were part of this process, so we requested a meeting with Corporation Counsel's office and met with Assistant Corporation Counsel -- Steven Platt?

MR. McKAY: Close.

BY THE WITNESS:

A. Tom Platt. Thomas Platt.

And he met us on -- I think we met with him actually twice to discuss our concerns about why we would be named in a settlement agreement.

Legal action or civil legal action regarding officer-involved shootings is very commonplace. Normally that involves the City, it involves the police department, and the specific officer who fired his handgun.

All of the sudden I became aware of a settlement agreement. And my coworkers had the same concern. We were mentioned in the settlement agreement, and we were never aware that any legal action had been filed against us, nor had any official formal complaint been lodged with the City or Department against us regarding misconduct of any kind.

We met with Mr. Platt to voice our concerns. Me, I'm not a lawyer, but I tend to think very logically, and when I read that agreement, in addition to the settlement that -- in exchange for however much money, all claims

were now -- all claims by the family against the City or whatever were now and forever done. It stated that this would include all Chicago Police Department employees past, present, and future as well as Van Dyke, Walsh, March, Hagen, Gallagher, and Wojcik.

And, again, I'm no legal scholar, but thinking logically, if we have an agreement here that says -- it basically indemnifies all police employees past, present, and future, isn't that every possible police officer? Why would you feel the need to specifically name anybody else?

And our concern here was that, again, no legal action had been filed against us regarding any misconduct of any kind, no formal complaint of misconduct of any kind had been filed with IPRA, the City, Inspector General's Office, anywhere that we were aware of and, yet, we were specifically named.

And, again, being a logical thinker, anyone knows that when a civil settlement is reached, whether it be a company being sued for product liability or the police being sued for police misconduct, that when individual parties

are named, the assumption is the money was paid because obviously these people did act inappropriately and so that's why the entity, whether it be a company or the City, paid the money rather than risk going to court on a lawsuit and lose even more money.

And we felt -- and we still feel to this day -- we never committed any kind of misconduct.

In response to your question, as far as did I ever receive any information about why the City paid -- entered into this agreement? Mr. Platt -- and this is not a quote, but he basically said -- number one, we asked him why we would be named in a legal action and never even been consulted.

And the City -- the Corporation Counsel's Office, as the legal entity, if you will, the lawyer -- there was a lawyer or lawyers on the side of the family, and there was the lawyers of the Corporation Counsel's Office representing the City and the police department and subsequently representing -- allegedly or supposedly representing our interest and decided

to name us in that agreement. We asked, "How can you name us and not even consult us, not even notify us?"

And this kind of went back and forth, and ultimately Mr. Platt said -- again, not a quote, but basically the point was that, "You're right, we should have probably consulted you first."

Getting to the larger issue as to why the City entered into an agreement -- again, not a quote -- but basically we were told something along the lines of the lawyers for the family had obtained a copy of the 813 Robert dash cam video, I believe. However that happened, whether it was done properly or not, I don't know, but the lawyer for the family had that video and never filed a legal action in any court that I'm aware of regarding any police misconduct, but, instead, contacted the City -- which I'm assuming through their legal representative, Corporate Counsel's Office -- and basically said, "We want to enter into settlement negotiations or we're going to release this video."

I believe -- and, again, I don't have the documents in front of me, but I believe there was a demand letter sent by one of the attorneys to the City basically stating that, "If we don't get a settlement agreement by such and such a date" -- and I don't recall off the top of my head what that date was -- "we are going to release the video to the media on this date."

And it just so happened that the timing of all this was in between the first round of the mayoral election and the runoff election that happened in the spring of 2015.

And Mr. Platt indicated to us that we were -- he was told from above him -- which, again, my common knowledge of the way things work is, there's only two people over Assistant Corporation Counsel Thomas Platt, and that's his boss the Corporation Counsel and then his boss who is the Mayor of the City of Chicago.

But Mr. Platt indicated that he was told to reach a settlement agreement with these parties -- or this party, whatever it took. And he basically said something to the effect of,

"You know what time it is. You know what's going on. You can read between the lines."

And, again, none of this is exact quotes of anybody but there are -- there are certainly -- again, to the best of my knowledge, without having the actual documents of the settlement agreement and any of the letters, but I obviously have read the settlement agreement.

Mr. Platt showed us some of the letters that were sent by the family's attorneys. He allowed us to read, I believe, one or two of those letters, but would not give us -- provide us with copies. He let us read them in the office but would not provide us with copies.

And I'm pretty certain that Detective Hagen, Sergeant Gallagher, and Lieutenant Wojcik would all recount to you the basic same sequence of events that I just laid out.

BY MR. BROWN:

Q. Understood. And Mr. Platt did not specify who gave him the order, correct, or the direction?

A. No, just made it clear that it came

from above him.

Q. Okay. Understood. I just wanted to ask that question because after you said the command staff was --

A. I believe he said something along the lines of that the Corporation Counsel's Office was under orders or directions to reach a settlement.

Q. I see. Like I was saying, I just wanted to ask that question because you stated that CPD's command staff was on board with the conclusions, so my thought was how did we go from A to B? So I wanted to know if you had any knowledge.

MR. McKAY: Now you know.

BY THE WITNESS:

A. I'm still wondering that same question myself, sir.

MR. BROWN: That's all my questions.

MR. NEUMER: I want to return to the Notification of Allegations.

MS. REPORTER: Can we take a quick break first?

MR. NEUMER: Sure.

(WHEREUPON, a recess was had.)

MR. NEUMER: The time is 3:04 p.m. We're back on the record, and I'm going to get back to our Notification of Allegations.

BY MR. NEUMER:

Q. I'll direct you to Page 1, allegation 1(a), Roman numeral I. And this pertains to the finding in the Exhibit 5 CSR that Officer Van Dyke's use of force was within the bounds of CPD's use-of-force guidelines. If you can find the page in the CSR on Page 22 at the bottom.

Detective March, it is alleged that you failed to draft truthful, complete, and objective Case Supplementary Reports concerning the McDonald shooting. Specifically the Case Supplementary Report you submitted on or about March 15, 2015, the Exhibit 5 CSR, concluded that Officer Van Dyke's use of force was within the bounds of the Chicago Police Department's use-of-force guidelines and in conformity with local ordinances and state law despite available evidence to the contrary, including video recordings of the McDonald shooting.

What is your response to that allegation?

A. My response is that, consistent with the reputation that I have established over 33 years as a police officer, 25 years as a detective, I did, in fact, in this instance conduct a complete, thorough, properly documented, and professional investigation.

I did, in fact, draft truthful, complete, and Objective Case Supplementary Reports, and the conclusion that is the basis of allegation one is, in fact, stated in my report.

And it is my belief to this very day that there is no available evidence to the contrary, including any and all video evidence, that runs contrary to that conclusion.

Q. Did you conclude as part of your report that all the shots that were fired were -- that Officer Van Dyke fired on the night of October 20th, 2014, were within the bounds of CPD's use-of-force guidelines?

A. Yes.

Q. Was there any discussion amongst you and Sergeant Gallagher or Lieutenant Wojcik

regarding all the shots that were fired and whether the -- whether all of the shots that were fired were necessary?

A. No.

Q. You viewed all the -- all 16 shots were reasonable use of force?

A. Yes.

Q. Directing your attention to Page 2, Roman numeral VI.

It is alleged that the Case Supplementary Report you submitted on or about March 15, 2015, Exhibit 5 CSR, falsely determined that Laquan McDonald initiated the imminent use of force likely to cause death or serious injury when he initiated an attack on Officers Jason Van Dyke and Joseph Walsh.

What is your response to that allegation?

A. That allegation is false. The statement that is the basis of this allegation that Laquan McDonald initiated the imminent use of force likely to cause death or serious injury when he initiated an attack -- or "he initiated an attack on Officers Jason Van Dyke and Joseph

Walsh," I believe that is the exact wording that's in the report.

And I still believe to this very day that that is a true statement based on many of the conversations we've already had during the course of the last two days, especially regarding the video that we discussed at the end of yesterday/the beginning of today where I pointed out where exactly I believe the video shows that Laquan McDonald turned towards the officers, raised his knife, and pointed it towards the officers.

And that the video is consistent with the statement of both officers, Jason Van Dyke and Joseph Walsh, that they believed they were being attacked by Laquan McDonald, that he was armed with a deadly knife attacking them, attempting to kill them or do great bodily harm to them.

Q. I'm going to hand you what has been previously marked Exhibit 6. This is a Case Supplementary Report that you submitted on or about March 15, 2015, with the sup ID 10988891 CSR 339.

(WHEREUPON, the document was tendered to the witness.)

BY MR. NEUMER:

Q. Can you -- do you need to familiarize yourself with the Exhibit 6 document?

A. I recognize the report. I'm going to trust that the collation, we finally got that straight and that all pages are present and that there's no duplicate pages.

Q. I think that's a fair assumption. Quickly, what is the difference between this Exhibit 6 CSR and the Exhibit 5 CSR?

A. In a perfect world, these reports could probably be contained in one obviously lengthier report. Unfortunately the computer system we have does not accommodate lengthy reports, so normally what is in -- this is 6 you just gave me?

Q. Yeah. Yep.

A. What is in Exhibit 6 would be the first half of the report, and what is in Exhibit 5 would normally be the second half of the report, and they would just be one report.

Q. Okay.

A. But that would create too many pages for our computer system, so I break it up.

Q. So really other than computer capabilities, they would all be in the same report?

A. Exactly. Exhibit 6 is what we call the format. It just lists the victims, the witness, the offenders, the evidence, the police personnel involved.

It's just a bunch of categories so that you can neatly go in there if you need to and pick out who are the victims in this case, who are the offenders, what are the vehicles involved, what weapon was involved.

And then Exhibit 5 is the second half -- or would be the second half normally of the report, and that is what most people would call the narrative, which is the verbal story, if you will, of the conduct of the investigation.

Q. And were you responsible for putting together the Exhibit 6 document?

A. Yes.

Q. Did anyone else assist you in the drafting of the Exhibit 6 document?

A. Yes, Sergeant Gallagher and Lieutenant Wojcik.

Q. And was their involvement similar to the involvement you described with respect to the Exhibit 5 CSR?

A. Exactly.

Q. And maybe -- is it fair to say that when you guys were meeting to discuss drafting reports and things of that nature, that encompassed discussions of what eventually became the Exhibit 5 CSR and the Exhibit 6 CSR?

A. Yes. As I said, normally that would always be just one report.

Q. Okay.

A. We were not, if you will, mentally we were not creating two reports. We were documenting the investigation, which normally would be done in one report, but, because of the volume, it was broken up into two reports.

Q. I'm going to direct your attention to Page 3 of the Notification of Allegations, Roman numeral XV.

It is alleged that the Case Supplementary Report you submitted on or about March 15, 2015, the Exhibit 6 CSR, falsely stated that McDonald was shot and killed by Officer Van Dyke while McDonald was committing an aggravated assault with a knife against Officers Van Dyke and Walsh.

What is your response to that allegation?

A. I'm sorry, which allegation are we on?

Q. Sorry, it's Page 3 of 4, Roman numeral XV, about a third of the way down. I'll read it again.

It is alleged that the Case Supplementary Report you submitted on or about March 15, 2015, the Exhibit 6 CSR, falsely stated that McDonald was shot and killed by Officer Van Dyke while McDonald was committing an aggravated assault with a knife against Officers Van Dyke and Walsh.

What is your response to that allegation?

A. My response would be that that

allegation is false. The statement that McDonald was shot and killed by Officer Van Dyke while McDonald was committing an aggravated assault with a knife against Officers Van Dyke and Walsh, that is included in this report, but I don't think we're talking about Page 3.

Q. Sorry, I was referring to the Notification of Allegations. I think the statement I was referring to is on Page 14 of Exhibit 6.

A. Right.

MR. McKAY: Can you repeat the question and allow Detective March to answer it.

BY MR. NEUMER:

Q. So, again, we're referring to Page 14 of the Exhibit 6 CSR, and I'm also simultaneously referring to Roman numeral XV of Page 3 of the Notification of Allegations.

It is alleged that the Case Supplementary Report you submitted on or about March 15, 2015, the Exhibit 6 CSR, falsely stated that McDonald was shot and killed by Officer Van Dyke while McDonald was committing an aggravated assault with a knife against

Officers Van Dyke and Walsh.

A. Again, that allegation is false. That statement is, in fact, in the report, and, once again, I firmly believe -- and still do -- that Laquan McDonald was committing an aggravated assault with a knife against Officer Van Dyke and his partner, Chicago Police Officer Joseph Walsh.

Again, as stated before, when he turned towards the officers, raised his right arm, right hand, which -- in which he held the knife and pointed the knife in the direction of the officers, he was, in effect, in my belief, initiating the commission of an aggravated assault against the officers.

He was performing acts that put them in reasonable apprehension of receiving a battery, and he did that using a deadly weapon, that knife.

I would also like to ask you a question. Now, that's -- in this Page 14, we're talking about my category Manner/Motive in my format. And this allegation only challenges the first sentence of that manner/motive. Would you

concede then that the rest of that Manner/Motive category is accurate?

Q. We are not making any concessions; we're just asking -- we're going through our Notification of Allegations.

A. But I'm not alleged any mis- -- there's no allegation against me for the rest of the content of that Manner/Motive category, correct?

Q. The Notification of Allegations speaks for itself. Everything that's contained in there is in there; and everything that's not, is not.

I am now going to hand you what has previously been marked as Exhibit 7.

(WHEREUPON, the document was tendered to the witness.)

BY MR. NEUMER:

Q. This is an Original Case --

A. I'm sorry to interrupt you. Would you mind if I just read the rest of that category to put it on the record?

Q. Sure. Go ahead.

MR. McKAY: Thank you.

MR. BROWN: You're speaking of Exhibit 6?
MR. McKAY: Exhibit 6 --
THE WITNESS: Exhibit 6, Page 14.
MR. McKAY: Under the Manner/Motive of this report.
BY THE WITNESS:
A. Under manner the report states, "Laquan McDonald was shot and killed by Chicago Police Officer Jason Van Dyke while McDonald was committing an aggravated assault with a knife against Officer Van Dyke and his partner, Chicago Police Officer Joseph Walsh." That is the quote in the allegation.
The rest of the section of Manner/Motive continues, which is not being challenged, "McDonald also committed an aggravated assault with a knife against Chicago Police Officers Thomas Gaffney and Joseph McElligott when McDonald stabbed the right front tire and windshield of their police vehicle and an aggravated assault with a knife against civilian Rudy Barillas immediately prior to being confronted by Officers Van Dyke and Walsh."

There's then a slash, which indicates my separation between my statement of the manner and the motive. The motive goes on to state, "Peace officer interceding in a felony in the line of the duty-defense of life (offender apparently attempting to defeat arrest.)"

BY MR. NEUMER:

Q. So we've handed you Exhibit 7, an Original Case Incident Report with the RD Number HX486155, Event Number 1430116812.

What is an Original Case Incident Report again?

A. This is -- as I said before about the other report, this is the first report created under an RD number, a Records Division number. It initiates the reporting system.

Q. And how come there's a different RD number for this Case Incident Report than most of the other materials we've been showing you which have an HX475653 number?

A. This is just an administrative function, if you will. The Chicago Police utilizes reporting regulations that are created by the Federal Bureau of Investigation. It's

called the Uniform Crime Reporting System. It basically spells out how incidents should be reported.

And there's a whole system. Basically it's a statistical system so that they can accurately track crimes throughout the country because obviously laws are different in different jurisdictions, but this gives them a standardized way of reporting incidents so that they can, again, do statistical analysis and keep count --

Q. So --

A. -- and according to the Uniform Crime Reporting Guidelines, most incidents are recorded under one RD number. In the case of, what are called in Illinois, part one crimes, the most serious part one crime is the crime that is reported on the Case Report.

If you have someone committing a burglary and then they are interrupted during the burglary and shoot somebody and kill them, you now have something that started out as a burglary, upgraded to possibly could be interpreted as an armed robbery, definitely was

was an aggravated battery, they shot somebody, and then that person dies and it becomes a murder, the murder is the highest hierarchy.

So that would be the way the incident would be reported; it would be reported as a murder. All those lesser, if you will, offenses would just be incorporated in that report.

Q. Okay.

A. According to Uniform Crime Reporting, there are a couple of instances when two distinct record numbers -- report numbers need to be generated. Again, it's for strictly for statistical purposes. And one of those instances is a justifiable homicide.

Justifiable homicide, the FBI requires that one RD number be created to basically count the fact that there was a homicide, and then another report number is to be created to document the underlying crime that was being occurred -- that occurred at the time.

So in this case, we reported this as an aggravated assault on the police officers. This second RD number was subsequently reclassified to the justifiable homicide. So

that, statistically, the homicide would be recorded and then also the accompanying crime would be recorded.

Q. Okay.

A. But this report does not report anything that isn't already reported in this other RD number.

Q. Okay. You mentioned --

MR. McKAY: Can I see your Exhibit 7, gentlemen.

MR. BROWN: Sure.

MR. McKAY: Thank you.

Go ahead.

BY MR. NEUMER:

Q. You mentioned the justifiable investigation, and I want to ask a basic question, probably one I should have asked yesterday. With respect to RD Number HX475653, what were your investigatory objectives? What were you tasked to investigate?

A. Well, an incident occurred in the area, if you will, of 41st and Pulaski. I was assigned as the primary investigator along with all the other police personnel that responded to

the scene. We were investigating that incident to determine what happened.

Q. Okay.

A. The beat car does a report to class -- again, just to get the ball rolling, if you will, documentation-wise, and they -- when they create their report, based on whatever information they have, they make the best -- classify the incident as best -- their best guess, if you will, only it's supposed to be a professional guess based on knowledge, experience, training of what it is.

Now, my investigation -- my duty, if you will, my assignment is to thoroughly investigate the incident and then determine what happened.

Now, if I learn information that makes it obvious that the incident is something different than what the original officer reported, then I -- part of my duties is to reclassify the incident to a more serious, less serious, whatever the investigation bears out, what the incident is, and report it accurately. Once --

Q. Okay.

A. I'm sorry, just to try to be as clear as I can. Once a conclusion is made that an incident is a justifiable homicide, again, the reporting requirements require a second reporting number.

Q. Do you know when there was a second report number generated with respect to the McDonald shooting?

A. I created this -- the exhibit we're talking about now, this new RD number, and according to the computer here, it looks like I generated it, Sergeant Gallagher approved it on October 29th of 2014.

Q. And so at that time it goes from -- what was it before it was a justifiable homicide investigation? Was there a categorization before then?

A. Well, it continues on as whatever the beat car made it.

Q. Okay.

A. So they had originally -- because Van Dyke and Walsh were saying that McDonald had assaulted them with a knife, it was originally

reported as an assault on a peace officer with a knife, and that's what the investigation continued under until we became confident that it was -- you know, the justifiable homicide and then we created the second --

Q. October 29th, the second --

A. That's when I --

Q. -- generated?

A. -- created the report, right.

Q. So how does this work in terms of CPD investigation of justifiable homicide along with IPRA's investigation? Are those parallel tracks, or how does that work?

A. It's kind of a cloudy situation, if you will. We are tasked -- and, again, everything has changed as of January 1st of this year because a new law went into effect, so police shooting investigations are treated -- are handled differently now.

But basically before January 1st of this year and on October 20th, 2014, the police department conducted what was called the underlying criminal investigation, so that during -- any incident where a police officer

fires his handgun -- or I should say shoots someone, whether the person expires or survives, we conduct what is called -- what was called the underlying criminal investigation.

And IPRA is the Independent Police Review Authority. They conducted an administrative investigation, if you will, into the officer's conduct as to basically whether or not the use of the firearm, the use of deadly force was proper, appropriate, whatever you want to call it.

Q. Okay.

A. But any criminal aspect, if anyone were to be charged, that would be our responsibility.

Q. And you mentioned yesterday that I think you had --

A. And I -- that's my understanding. Again, I'm not a policymaker, but that's my understanding of what was -- the testimony that was in place on October 20th, 2014.

Q. Right. No, and I'm just trying to get a sense of the jurisdiction there. In terms of charges, you mentioned yesterday, I think it

was, you'd been lead detective on 30 police -- approximately 30 police-involved shootings?

A. Probably about 30, yes.

Q. Had any of those investigations resulted in charges?

A. Well, when they're -- when the offender is shot -- when an offender is shot by an officer and survives, if they were to engage in criminal conduct, there are charges.

Q. How about on the police side?

A. I have not been personally involved in a case like that, but I do believe there have been incidents where police officers have been charged.

Q. Have you ever been involved in an investigation where the finding was that a police officer was not justified in his use of force?

MR. McKAY: Judge -- not judge. Objection. I believe this has been asked and answered by the previous answer. He said he wasn't involved in any.

And correct me if I'm wrong -- that's -- let me withdraw that statement, but I

object. I believe it's been asked and answered.
MR. NEUMER: Can we read back the question.
(WHEREUPON, the record was
read by the reporter.)
BY THE WITNESS:
A. Again, this is not a yes-or-no answer. I was involved years ago. I was the primary -- I believe I was the primary detective on a police-officer involved shooting incident.
Without trying to even get -- even attempt to guess at the details of the incident, basically in a nutshell what it was was an officer shot someone, an offender. And that offender survived, and that offender was charged with -- again, I don't want to misstate so he was charged criminally and subsequently prosecuted in court. And I don't recall what the final disposition was.
Again, this is years ago. It may not have been IPRA, the Independent Police Review Authority; it may have been the former OPS, Office of Professional Standards, depending on the timeline -- again, we're talking years ago -- but they determined that the officer's

use of force was not justified. They recommended separation. The Department and the City attempted to separate the officer from the employment of the City of Chicago Police Department, and ultimately at the police board, the officer was reinstated.

Q. Okay.

A. So there was a finding that he wasn't justified, but ultimately I guess the final determination was that he was justified.

Q. And that was an investigation you worked on?

A. Yes.

Q. Do you recall what -- so IPRA was saying initially --

A. IPRA or OPS.

Q. Right. Right.

A. Whoever the entity was at the time.

Q. They were finding that it was not a justified shooting?

A. Correct.

Q. And what was the finding at your investigation?

A. Well, I was -- I was not

investigating the officer's use of force --

Q. Oh, okay.

A. -- they were investigating.

Q. Okay.

A. I was investigating the criminal -- we determined that the other subject was the aggressor and he was charged. And the State's Attorney's Office came out and reviewed the case, Cook County State's Attorney's Office, and they charged the subject accordingly.

Q. So they charged the subject --

A. So it wasn't just -- you know, we didn't just charge. It was the Cook County State's Attorney's Office did a review on the criminal aspect of things, and they determined -- they didn't place any charges against the officer, they charged the other gentleman.

Q. Okay. Is it fair to say -- and I don't want to put words in your mouth -- that on the cases you've worked, you haven't reached an unjustified use of force finding with respect to a police-involved shooting?

A. I don't know if that's an accurate

characterization. As I said, in cases where the subject against whom the deadly force was used, if they survive and they are charged criminally, ultimately that is not my decision; that's the decision of the State's Attorney's Office.

So in those cases, ultimately we, as in any felony investigation, we -- the Chicago Police Department never charges anybody with a felony --

Q. Right.

A. -- we call the Cook County State's Attorney's Office. They have a Felony Review Unit. They come out and review our investigation, and then they tell us, yes, we approve it. If they don't think we've made the case, they will reject it.

They determine -- you know, we could arrest five people; they might charge only three because they think we only proved criminal accountability on three of them.

So ultimately the charging is left in the State's Attorney's Office.

Q. No, and I -- we might be talking past each other a little bit here. Maybe in that

framework, on any of the investigations police-involved investigations -- police-involved shooting investigations where you were the lead detective, did you ever present to the State's Attorney's Office Felony Review Unit or propose charges against a police officer, not the offender but the police officers?

A. Again, I don't know that that was my determination to make. When we have an investigation, we -- and, again, this goes back to different time frames, different systems were in place.

There was a time when, in all police shootings, we called the State's Attorney's Office, and we conducted what was called a round table. And so ultimately the decision on the justifiable -- justifiability, if you will, on the officer's use of force was -- we presented everything we knew to the State's Attorney's Office, and they would determine --

Q. I got you --

A. -- so if the offender survived, they would determine if he should get charged. If

the offender had been killed in the incident, there was obviously no one to charge, but they would still come out and review the case. And if they -- I'm certain that if they thought the officer was not justified and had committed some kind of criminal act, they would have charged the officer.

Q. Let me -- I think maybe in light of that statement let me ask maybe what's a better question. In the Exhibit 5 CSR, the report concludes that Officer Van Dyke's use of force was justified; is that correct?

A. I don't want to misstate so let's --

Q. Nor do I.

A. -- I'll refer to it.

No, in fact --

Q. How about use of force was with the bounds of --

A. Right. And actually --

Q. -- Police Department --

A. -- we're talking --

Q. -- guidelines --

A. -- and, again, we're talking about what the rules are in place at the time. At the

time of this investigation, I believe the Department's policy was to never make a statement of -- as to the justifiability as to the use of force because IPRA was conducting their investigation.

We would just, you know, draw conclusions based on our investigation but not make a final statement as to whether or not the officer was justified.

Q. So when was that the rule?

A. Oh, that policy, if you will, started before this. And that's why -- that's -- and this is not the first time. I've had a number -- I don't use -- in my reports, I don't use the term, "justified" and/or, "not justified," and that's why the report is written the way it is.

Our conclusion was we didn't find anything wrong with what Jason Van Dyke did and, therefore, the way we stated -- when I say, "we," Gallagher agreed with me, Wojcik agreed with me. We found that his actions were in conformity with the Department -- or within the bounds of the Department's use of force

guidelines and in conformity with local laws and state law -- local ordinances and state law.

So we -- it's not our responsibility to make that determination as far as justifiable, and we really aren't permitted to.

Q. Is it unusual to include this type of language in the Exhibit 5 CSR?

A. No. In fact -- and, again, you're talking about at different time frames. I'm -- I've been dealing with this issue for 33 years.

At one time the Department wanted us to just state -- at this time, which was whenever the investigation was concluded, when the State's Attorney's Office came out on every shooting, we would just -- they wanted us to just end the report with, "At this time, based on all facts available, the State's Attorney's Office determined that no charges will be placed against the officer."

Q. And just to wrap up, is it fair to say that you're not aware of charges being filed against a police officer based on the result of your investigation of a police-involved shooting?

A. I'm not aware of that happening in any case that I was involved in the investigation.

Q. Okay.

MR. NEUMER: Any follow-up on the -- on that line of questioning?

MR. BROWN: Just one quick one.

BY MR. BROWN:

Q. If after your investigation you concluded that Van Dyke's actions did not conform with CPD's policy, would you have noted it as such in the CSR?

A. Yes.

Q. Okay.

BY MR. NEUMER:

Q. I'm going to hand you what has previously been marked -- while we're looking for that, prior to October 20th, 2014, did you have any relationship with Officer Van Dyke?

A. I never knew him before that night.

Q. Okay.

A. And I might add, I didn't know any of the officers -- any of the ten officers before that night.

Q. No relationship with those --

A. None at all --

Q. -- folks?

A. -- never worked together, never assigned to the same unit.

Q. So 11 and 12, I'm going to provide you -- going to hand you what's been previously marked as Exhibits 11 and 12.

(WHEREUPON, the documents were tendered to the witness.)

BY MR. NEUMER:

Q. These are Evidence Submission Forms, Form 54818.E, 54818.F submitted to Illinois State Police with an incident RD Number. HX475653.

What's the purpose of an Evidence Submission Form?

A. In any case where there is physical evidence, if we want the evidence analyzed by the Illinois State Police Crime Lab, we create an Evidence Submission Form to request that analysis.

Q. And did you draft the narrative that is on Page 2 of Exhibit 11 and Exhibit 12?

A. Yes.

Q. In that narrative -- I'm going to direct you to Page 4 of the Notification of Allegations, number five at the top of the page.

It is alleged you falsely stated in two Evidence Submission Forms, Form 54818.E and Form 54818.F that were submitted to the Illinois State Police regarding incident RD HX475653 that McDonald assaulted three Chicago Police Officers with a knife.

What is your response to that allegation?

A. The allegation is false. The report does say that McDonald assaulted three Chicago Police -- the Evidence Submission Form does state that McDonald assaulted three Chicago Police Officers with a knife.

It states that because that statement is true. That is, in fact, what McDonald did when he turned towards -- when he stabbed the tires on the police vehicle occupied by Officer Gaffney and when he turned towards Officer -- with the knife -- when he stabbed the tire of the police vehicle occupied by

Officer Gaffney with the knife, and subsequently when he turned towards Officers Van Dyke and Walsh and raised his arm holding the knife, pointing the knife at the officers, he did, in fact, assault all three of those officers and put them in reasonable apprehension of receiving a battery.

And so this statement is, in fact, in that report, and it is true. It is not false. The allegation is false.

I would also like to clarify that it appears that in an effort to create additional charges -- or allegations against me, this allegation states that I created two Evidence Submission Forms.

I created one Evidence Submission Form. The number is 54818. Because evidence is going to different sections of the crime lab, the computer creates an E and an F; one to go to one section of the crime lab, one to go to the other section of the crime lab.

I did not create two reports. I created one report and the report does contain that statement, and that statement is true.

Q. And you drafted that statement in Exhibit 11 and Exhibit 12 narrative?

A. Yes.

Q. And just with respect to the Original Case Incident Report --

MR. McKAY: Can I interrupt for just a second?

MR. NEUMER: Sure.

MR. McKAY: I know where you're going, but before we go to that, can you state for the record, Exhibit 11 and Exhibit 12 are -- Exhibit 11 is 54818.E -- and correct me if I'm wrong, gentlemen -- your Exhibit 12 is 54818.F for the record.

MR. NEUMER: Correct. Correct.

MR. McKAY: Thank you.

BY THE WITNESS:

A. And I don't know if anyone bothered to look, but these reports are exactly identical except one has an E on it and one has an F on it. Which I did not create; a computer created it. So I only created one report.

BY MR. NEUMER:

Q. Do you have the Exhibit 7 Original

Case Incident Report in front of you, HX486155?

A. Yes.

Q. In the narrative section, did you draft that narrative section?

A. Yes.

Q. Just wanted to clarify. I'm going to hand you what has previously been marked as Exhibit 13.

(WHEREUPON, the document was tendered to the witness.)

BY MR. NEUMER:

Q. This is a Major Incident Notification Detail with Incident Number 73204 --

MR. McKAY: Have you -- did you cover then your allegation number four referencing exhibit -- your Exhibit 7?

MR. NEUMER: I thought I did. Was that Exhibit 7? We can --

MR. McKAY: You began to ask him questions. He identified the reason for a second ID number, the FBI's Uniform Crime Reporting System, he explained that.

I -- and correct me if I'm wrong, did you specifically ask Detective March about this

allegation you've numbered number four?

BY MR. NEUMER:

Q. Directing your attention to Page 3 -- at the bottom of Page 3, allegation number four, it is alleged you falsely stated in the Case Incident Report for RD Number HX486155, Exhibit 7, that McDonald committed aggravated assaults against Officer Gaffney, Van Dyke, and Walsh that forced Van Dyke, "in defense of his life to shoot and kill McDonald."

What is your response to that allegation?

A. That allegation is false. That quote that -- the quote from the -- in the allegation that forced Van Dyke "in defense of his life to shoot and kill McDonald," is, in fact, contained in this report.

The allegation is false, however, because that statement is, in fact, true for all of the discussions we've been having for the last two days. It was my belief and is my belief to this very moment that that statement is true; that, because of Laquan McDonald's actions, it forced Van Dyke to "in defense of

his life shoot and kill McDonald."

So that allegation is false. I would like to ask you, you're only challenging the, "in defense of his life to shoot and kill McDonald"; does that mean that the -- you concede that the rest of that narrative is true?

Q. Our Notification of Allegations speaks for itself on that subject.

A. Then I would just like to read into the record the fact -- it's very short -- the narrative here, but under "Investigation" on Page 2 of this document, the report says, "The offender in this incident, Laquan McDonald, committed an aggravated assault against the victim, Rudy Barillas, by attempting to cut Barillas with a knife. Barillas called 911. Chicago Police Officers Thomas Gaffney, Jason Van Dyke, and Joseph Walsh responded to Barillas' call. McDonald committed aggravated assaults against the three officers finally" -- and at that point -- up to that point, you are not challenging anything in the narrative of this report, correct?

Q. Again, our Notification of

Allegations speaks for itself.

A. All right. But those -- that part of the narrative is not included in the allegation, correct?

Q. I'm going to let our Notification of Allegations speak for itself.

A. Okay.

Q. So I think -- did we put Exhibit 13 before you, Major Incident Notification Detail, Incident Number 73204?

What is a Major Incident Notification Detail?

A. This is a computerized system within the Department. As it says, it's to keep track of major incidents. Basically it's so that when an incident occurs, entries are made that the incident did, in fact, occur.

As details are -- as more information becomes available, the Major Incident Notification Detail is updated by different personnel within the Department.

And, again, it's basically a database so that primarily bosses, supervisors, can go in there, and if we have a question about a

particular incident, rather than having to make a phone call, they can go into it to find out what's going on. They can just go in here and get a basic synopsis of the incident.

Q. Okay. And I want to direct your attention to the narrative on Page 2 of the Exhibit 13 document -- sorry, of Exhibit 13 --

A. Okay.

Q. -- so of the Notification Detail. Did you draft that narrative?

A. No.

Q. Do you know who did draft that narrative?

A. I don't know for a fact. I believe it was Sergeant Gallagher.

Q. Is the sergeant usually the one who, in your past experience with Major Incident Notification Details, to draft the narrative section of those documents?

A. Yes, normally this is all done by a supervisor. I can tell you that I have never made an entry in the Major Incident Notification Detail system, including regarding this incident.

Q. Okay.

A. So I would think that that should conclusively prove that this allegation is false.

Q. I will certainly note that you did not draft -- your statement that you did not draft the narrative section of the Major Incident Notification Detail.

MR. McKAY: I would ask, as an officer of the court, that you withdraw allegation 1(a)(16). What good-faith basis do you have to persist in this allegation against Detective March?

THE WITNESS: That's the wrong allegation. It's on Page 4, allegation six.

MR. NEUMER: I think the key would be --

MR. McKAY: No --

THE WITNESS: I'm sorry, I'm wrong, too.

MR. McKAY: 1A, Roman numeral XVI.

THE WITNESS: Right Page 4, number six.

MR. McKAY: My mistake. Are you or will you withdraw allegation number six in the allegations alleged against Detective March?

MR. NEUMER: We're -- when we drafted these

Notification of Allegations, we had a good faith basis for all of them. And as we --

MR. McKAY: And now? And now regarding allegation number six what do you have?

MR. NEUMER: Detective March has stated that he has not drafted this document.

MR. McKAY: That is why I'm asking you on the record to withdraw allegation number six. Will you do that?

MR. NEUMER: I mean, that's not part of the process. It's not -- there's no withdrawal. We're going to do an investigation. So we're fact finders. That's what we do; as we find facts, we incorporate them into our investigation.

BY MR. NEUMER:

Q. I want to go back to the scene of the shooting, Detective March. At any time while you were at the scene of the shooting, did you witness officers attempting to coordinate stories regarding what occurred on that evening?

A. No.

Q. At any time while you were at the scene of the shooting, did you take notes that

were not a part of a GPR?

A. No.

Q. And I just want to clarify. When -- so when you first -- strike that.

You spoke with each of the officers at the scene of the shooting multiple times, correct?

A. Correct.

Q. And is it correct -- the first time they provided some sort of narrative regarding the shooting?

MR. McKAY: I have to object. We went over this yesterday. This has been asked and answered. I think today we're moving on with the allegations that we all did not get to yesterday.

MR. NEUMER: Your objection is noted.

Would you read back the question.

(WHEREUPON, the record was read by the reporter.)

BY THE WITNESS:

A. So the question is, they provided some sort of narrative?

BY MR. NEUMER:

Q. Right.

A. Yes.

Q. And then the second time or in subsequent occasions, they provided additional narrative?

A. I can't say for certain that there was anything additional. The main reason for me going back a second time was, the first time I had just gotten to the scene; I was trying to get as much information as I could to determine what we needed to investigate, so I didn't take the time to write anything down.

To the best of my recollection, when I did have time to write everything down, I took time with each officer and did a GPR on them. And as best as I recall, the two different interviews, if you will, were basically the same.

I don't recall anybody saying anything earth shattering, and I certainly have no independent recollection of any differences or additions between the first verbal interview and the second interview where I created the

GPRs.

Q. With respect to the Exhibit 5 CSR, you reviewed that Exhibit 5 CSR in preparation for --

A. I've got so many exhibits in front of me at this point. We have to figure out what you're talking about here.

Q. Sure. So the Exhibit 5 CSR is --

A. What report is that?

Q. March 15, 2015. It's the Case Supplementary Report. It's got a sup ID 10992767.

A. I'm sorry, could you read the numbers again.

Q. Sure. It's got a sup ID of 10992767. CASR 301?

A. Okay.

Q. When you reviewed that Exhibit 5 CSR, did you see any inaccuracies?

A. What do you mean when I reviewed it?

Q. I thought you had told us yesterday that you reviewed these documents in preparation for this interview.

A. Oh, yes. That's what I'm saying, you

didn't specify when I reviewed -- I had no idea what exactly you were talking about.

Q. My fault.

A. Okay. So can I -- can you repeat the question?

Q. Sure. Sure. When you reviewed that Exhibit 5 CSR, did you see any inaccuracies?

A. No.

Q. Looking back at that report, is there anything at the present date that you would change about that report if you could?

A. No, actually -- and I have made this comment to a number of people during the past 18 months as this case has come under unprecedented scrutiny -- every time I read this report, my reaction -- the only reaction that I have is that if I was writing the reports today, I would write it the same way because everything in this report is totally factual as far as I believe.

MR. NEUMER: Do you have any follow-up on the CSR?

BY MR. BROWN:

Q. Just a quick kind of education

question. I know from the three, I guess, victims of the assault would be Gaffney, Van Dyke and Walsh. I was just wondering, why wasn't McElligott included in that number?

A. My own personal feeling was that McElligott was the victim of an aggravated assault when the tire was slashed.

There was some discussion at the scene as to who to designate as the victims, and some question was raised, you know, as to whether McElligott should be because he was behind McDonald at the time, and so we decided to leave him off.

Q. Okay.

A. But my own personal opinion, he was put in reasonable apprehension of receiving a battery, too, because he was in some -- to me, in my opinion, he was at more risk than Gaffney.

McDonald stabbed the tire of the police vehicle occupied by Gaffney so, in theory, I think it's a reasonable extension that that use of force could be extended as a -- not just against the vehicle, but against the uniform -- the marked vehicle, but also against

the uniformed police officer occupying it.

But he was surrounded by a lot of metal. Officer McElligott was totally exposed. McDonald could have very easily -- he definitely indicated a willingness to attack the police by stabbing the tire of that vehicle, and McElligott was much more exposed at that point than Gaffney was.

So, in my mind, I thought it was reasonable for McElligott to be in fear of receiving a battery, but, like I said, because there was some questions about that, that the force was used on the vehicle occupied by Gaffney, we only used Gaffney and not McElligott.

Q. Did McElligott make any statements to the fact that, "I don't believe I received an assault or I was the victim of an assault"?

A. No.

Q. So was McElligott's, I guess, input part of that equation to include him as the number of people who received the assault?

A. No, I think that was just people's independent -- you know, none of us were lawyers

at the scene. It's just a bunch of people that know the law fairly well and were applying it to the facts as they were aware of at the time.

BY MR. NEUMER:

Q. Who was part of those decisions in terms of leaving McElligott out of the people in the assault group?

A. I mean, the major players, if you will, in the investigation, myself, Sergeant Gallagher, I believe Deputy Chief McNaughton was included in the discussion but...

Q. Do you remember whose final call it was?

A. No, I don't.

MR. NEUMER: We're going to go off the record for just a minute. It is 4:01 p.m.

(WHEREUPON, discussion was had off the record.)

MR. NEUMER: The time is 4:08 p.m. We'll go back on the record.

BY MR. NEUMER:

Q. Last couple of Notification of Allegations. Direct your attention to Page 3, Roman numeral XVI.

This is in reference to Exhibit 6, which is a Case Supplementary Report with the sup ID 10988891 CASR 339. And there is a justifiable homicide description in that document.

On Page 3, under Exhibit 6, under "Homicide Description" -- and this is about two-thirds of way down on Page 3 -- it says, "Criminal attacked officer, that officer killed criminal."

It is alleged that the Case Supplementary Report you submitted on or about March 15, 2015, the Exhibit 6 document, falsely stated in the "Additional Just. Homicide Description" section that McDonald, "attacked officer, that officer killed criminal."

What is your response to that allegation?

A. That allegation is false. The report does state the wording -- the verbiage that's in quotes. This is a category in the computer system where, when you're reporting a justifiable homicide, there is an item that says, "Additional Justifiable Homicide

Description," and then there is a drop-down menu, and you only fill this out if it is a justifiable homicide.

Once we had determined that we were reporting a justifiable homicide, I had to pick from the -- or choose from the drop-down menu the most appropriate classification.

The report does say, Additional Justifiable Homicide Description: Criminal attacked officer, that officer killed criminal." Those are not my words; that is a selection I made from the drop-down menu.

So the report does state that, however, again, to the best of my belief -- and it is still my opinion to this very day -- that that statement is, in fact, true. So, therefore, that -- my response is that the allegation that that statement is false is in itself false.

I would also like to point out that just above the Additional Justifiable Homicide description, there is a category that says, "Just" -- abbreviation for justifiable -- "Homicide Description: Criminal

killed by police officer." I would like to put it on the record that that item is not being challenged and is not alleged to be false in this allegation, correct?

Q. The Notification of Allegations speaks for itself.

A. Okay.

Q. Directing your attention to Page 3 of the Notification of Allegations, it is alleged you obstructed justice by failing to conduct a complete, thorough, properly-documented, and professional investigation respecting RD Number HX475653 in the ways enumerated in allegations one and two.

I won't go through all the allegations listed in number one and two, but I will ask you, what is your response to that allegation?

A. My response is that that allegation is completely and utterly false. As you said, we've already addressed all of the allegations -- all of the items, if you will, in allegations one and two, and my response to all of those items is that they are false and

erroneous.

And my -- because it is my belief, again, to this very day that I did, in fact, conduct a complete, thorough, and properly-documented, and professional investigation. And it was my firm intention all the way through this to in no way obstruct justice and, in fact, to bring about a just conclusion for everyone -- or it -- yeah, a just conclusion for everyone involved.

MR. NEUMER: Do you have any follow-up on those two allegations?

MR. BROWN: I do not.

BY MR. NEUMER:

Q. At this time I'll ask you -- we have no further questions for you. We attempt to ask every relevant question. We attempt to be thorough, but sometimes we fail to ask questions we should or fail to elicit information that we should.

So understanding the nature of the allegations today, is there any additional information you want to provide to us?

A. Yes. On Monday, 20 October, 2016 at

9:47 p.m., civilian Rudy Barillas called 911 to report that a person now known as Laquan McDonald was breaking into the trucks parked in the trucking lot at West 41st Street and South Kildare Avenue.

After calling 911, Barillas confronted McDonald and told him to leave the lot. According to both Barillas and his wife, Yuli Garcia, who was also present in the lot, McDonald "growled" at Barillas. McDonald then produced a knife and swung the knife at Barillas attempting to cut him. Barillas backed up and threw his cellular telephone at McDonald who then fled the lot on foot.

Chicago Police Officers Thomas Gaffney and Joseph McElligott were assigned to respond to Barillas' calls. The officers were both in uniform and driving a marked police vehicle.

When they arrived at the lot, Barillas told them what had occurred. Barillas gave the officers a description of McDonald and told them McDonald had fled north on Kildare and then east on West 40th Street --

Q. Detective March, could I pause you for just a second? I see you've got several pages there. Is this -- do you intend to read the entire statement, or can you just give me a little bit of a sense of where we're going here?

A. You asked if I had something to add. This is what I have to add.

Q. How many pages do we have there?

A. There are ten.

Q. Ten pages? Is it possible to introduce it as Detective March Exhibit 2 as opposed to reading it into the record? If you want to read it, I'm not going to --

MR. McKAY: He wants to read it.

MR. NEUMER: Okay.

MR. McKAY: It is only 4:17. It will not take that long.

BY THE WITNESS:

A. I finished with, Barillas gave the officers a description of McDonald and told them McDonald had fled north on Kildare and then east on West 40th Street.

The officers located McDonald walking eastbound on the sidewalk on the south side of

40th Street from Kildare. Officer McElligott exited the police vehicle and approached McDonald on foot. McElligott called to McDonald and told him to stop. McDonald ignored McElligott and continued walking eastbound.

McDonald's hands were in his pockets so McElligott told McDonald to take his hands out of his pockets. McDonald took his hands out of his pockets revealing that he was holding a knife in his right hand. McElligott repeatedly ordered McDonald to drop the knife, but he ignored McElligott's directions.

As McDonald reached South Keeler Avenue, Officer Gaffney notified the radio dispatcher that they were following a subject who was armed with a knife and requested assistance from a unit equipped with a Taser.

The officers continued to follow McDonald eastbound on the sidewalk from Keeler Avenue. As McDonald approached South Karlov Avenue, Officer Gaffney turned his police vehicle southbound onto Karlov and stopped, blocking the crosswalk.

The area where this accident began

was industrial in nature, and at that time of day, almost 10:00 p.m., it was deserted. All of the businesses were closed, and there was no vehicular or pedestrian traffic.

As McDonald continued to walk eastbound, however, he was approaching South Pulaski Road, a business street where more civilians were present, both in vehicles and as pedestrians and occupying the businesses on Pulaski.

Officer Gaffney wanted to stop McDonald before he reached this more populated area and put more people at risk for injury. When Gaffney stopped his vehicle in the crosswalk blocking McDonald's path, McDonald stabbed the right front tire of the vehicle with his knife causing the tire to go flat. Gaffney immediately informed the radio dispatcher that McDonald had attacked the marked police vehicle and had popped the tire with the knife.

McDonald attempted to walk around the front of the police vehicle, and Gaffney drove the vehicle forward a short distance continuing to block McDonald. At this point, McDonald

stabbed at the windshield of the marked police vehicle striking it with the knife. He then was able to get around the vehicle and continued eastbound on the sidewalk from Karlov.

At 40th Street and Pulaski Road on the southwest corner was a Burger King restaurant with a large parking lot. As assisting police units approached westbound on 40th Street from Pulaski, McDonald ran eastbound through the parking lot on the north side of the Burger King restaurant building.

In the restaurant parking lot, Chicago Police Officers Joseph Walsh and Jason Van Dyke were in the first responding assist unit. They took over the pursuit of McDonald through the parking lot. These officers were also in uniform and driving a marked police vehicle.

Walsh, who was driving their vehicle, positioned the vehicle between McDonald and the restaurant building to keep McDonald from entering the restaurant. McDonald ran through the parking lot and out onto Pulaski Road. He turned southbound and began to walk in the

southbound lanes of the street.

Officer Walsh pursued McDonald with the police vehicle. As McDonald continued southbound, Walsh positioned his vehicle between McDonald and a Dunkin' Donuts restaurant on the east side of Pulaski Road.

When the police vehicle was alongside McDonald, Officer Van Dyke opened his door to exit the vehicle and confront McDonald. Walsh, realizing they were too close to McDonald to safely exit the vehicle, told Van Dyke to wait until they were further ahead of McDonald.

Officers Walsh and Van Dyke drove further south on Pulaski and stopped the police vehicle ahead of McDonald. Walsh and Van Dyke both exited their vehicle and drew their handguns. The officers stood in the street facing northbound toward McDonald. Both officers were in uniform standing next to their marked police vehicle.

As McDonald approached southbound, he was holding the knife in his right hand in an underhand grip with the blade pointed forward. As he walked towards the officers, he swung the

knife in an aggressive, exaggerated manner. Both officers ordered him to drop the knife multiple times. McDonald ignored these directions and continued to advance towards the officers with the distance between McDonald and the officers decreasing.

When McDonald got to within 10 to 15 feet of the officers, he looked toward the officers, squaring his shoulders in their direction. He raised the knife pointing it at the officers.

Officer Van Dyke, believing McDonald was attacking Van Dyke with the knife, attempting to kill Van Dyke, fired his handgun in self-defense -- or in defense of his life to stop the attack.

McDonald fell to the ground but continued to move and continued to grasp the knife refusing to let go of it. Van Dyke continued to fire his weapon at McDonald as McDonald was on the ground as Van Dyke thought McDonald was attempting to get up, all the while continuing to point the knife at Van Dyke.

Van Dyke fired his pistol until the

slide of the weapon locked in the rearward position indicating the weapon was empty. Van Dyke immediately loaded his weapon with a new magazine and assessed the situation.

McDonald was no longer moving and the threat had been mitigated, so the officers approached McDonald. McDonald was still holding the knife in his right hand, and both officers continued to order him to drop the knife. Finally, Officer Walsh was able to approach McDonald and forcibly kick the knife out of his hand.

An ambulance was then requested for McDonald. He was transported to Mount Sinai Hospital and subsequently expired from his wounds.

During the course of this investigation, a canvass was conducted of the area near the scene for witnesses of this incident, including the Burger King restaurant and the Dunkin' Donuts restaurant.

Relevant video recordings were recovered from the in-car video systems of two of the Chicago Police Department vehicles

involved in this incident: The Dunkin' Donuts restaurant and the Greater Chicago Food Depository. All of these videos, in my opinion, were consistent with the statements of witnesses in this case.

Additional video was recovered from other sources, including the Burger King restaurant. These video recordings did not contain any video footage relevant to this investigation.

It should be noted that five police units had responded to this incident by the time Officer Van Dyke fired his handgun at Laquan McDonald. Each of these units contained two officers. All five police vehicles were marked vehicles, and all ten police officers at or near the scene were in uniform.

There can be no doubt that McDonald knew the personnel he was interacting with were Chicago Police Officers. Multiple officers issued verbal directions multiple times for McDonald to drop the knife with which he was armed.

At any time, McDonald could have

chosen to follow the lawful directions of the officers to drop the knife and this incident would have ended with no harm to anyone involved.

Some relevant state law needs to be cited to understand the findings of this investigation. "720 ILCS 5/7-7, Private persons use of force in resisting arrest. A person is not authorized to use force to resist an arrest which he know is being made either by a peace officer or by a private citizen summoned and directed by a peace officer to make the arrest even if he believes the arrest is unlawful and the arrest, in fact, is unlawful."

MR. McKAY: For the record, we're submitting Dave March Exhibit 2 for the record a copy of which has been tendered to you.

MR. NEUMER: Can we hang on to this?

MR. McKAY: Yes, that's for you. We want this made part of the official regarding Detective March.

(WHEREUPON, a certain document was marked D. March Exhibit No. 2, for identification, as of 04/27/2016.)

BY THE WITNESS:

A. "720 ILCS 5/7-5. Peace officers use of force in making arrest. A, a peace officer or any person whom he has summoned or directed to assist him need not retreat or desist from efforts to make a lawful arrest because of resistance or threatened resistance to the arrest."

"He is justified in the use of any force which he reasonably believes necessary to effect the arrest and of any force which he reasonably believes to be necessary to defend himself or another from bodily harm while making the arrest."

"However, he is justified in using force likely to cause death or great bodily harm only when he reasonably believes that such force is necessary to prevent death or great bodily harm to himself or such other person or when he reasonably believes both that: One, such force is necessary to prevent the arrest from being defeated by resistance or escape and; two, the person to be arrested has committed or attempted a forcible felony which involved the infliction

or threatened infliction of great bodily harm or is attempting to escape by use of a deadly weapon or otherwise indicates that he will endanger human life or inflict great bodily harm unless arrested without delay."

MR. McKAY: For the record, we're submitting Dave March Exhibit 3, a copy of which has been tendered to both of you.

MR. NEUMER: Really quickly, is it possible at the end of this to incorporate the document -- well, either the document or a copy of the document Detective March is reading into -- as an exhibit as well?

MR. McKAY: That's fine. We have no objection to that, and we'll mark it as an additional exhibit, but he'd like to read it for purposes of this hearing.

MR. NEUMER: Keep going.

(WHEREUPON, a certain document was marked D. March Exhibit No. 3, for identification, as of 04/27/2016.)

BY THE WITNESS:

A. "720 ILCS 5/2-8, forcible felony. Forcible felony means treason, first degree

murder, second degree murder, predatory criminal sexual assault of a child, aggravated criminal sexual assault, criminal sexual assault, robbery, burglary, residential burglary, aggravated arson, arson, aggravated kidnapping, kidnapping, aggravated battery resulting in great bodily harm or permanent disability or disfigurement, and any other felony which involves the use or threat of physical force or violence against an individual."

MR. McKAY: For the record, we're submitting Dave March Exhibit 4, the statute on what a forcible felony means, a copy of which has been tendered to the both of you.

(WHEREUPON, a certain document was marked D. March Exhibit No. 4, for identification, as of 04/27/2016.)

BY THE WITNESS:

A. Laquan McDonald was committing a burglary in the trucking lot when he was confronted by Rudy Barillas. When he produced a knife and attacked Barillas with a knife, he attempted to commit first degree murder or aggravated battery resulting in great bodily

harm, and armed robbery, all of which are forcible felonies.

As stated in the previously-cited state statutes, Laquan McDonald had absolutely no right or authority to resist being arrested by people he knew to be peace officers. When he ignored the verbal directions of Officer McElligott to stop and drop the knife he held in his hand as he walked away from McElligott.

McDonald became an offender who had attempted to commit a forcible felony which involved the infliction or threatened infliction of great bodily harm, use of a deadly weapon after having already indicated he would endanger human life or inflict great bodily harm unless arrested without delay.

Under these circumstances I believe Illinois law permitted the use of deadly force by the officers attempting to arrest McDonald.

McDonald continued to attempt to escape arrest by the use of a deadly weapon when he attacked the police vehicle occupied by Officer Gaffney, again using a deadly weapon further indicating he would endanger human life

or inflict great bodily harm unless arrested without delay.

Again, under these circumstances, I believe the law permitted the use of deadly force by the officers attempting to arrest McDonald.

When Officer Van Dyke finally confronted McDonald on Pulaski Road, Van Dyke was aware of these previous circumstances from the transmissions he monitored on the police radio. By law, Van Dyke was justified in using deadly force to effect the arrest of McDonald as soon as Van Dyke exited his police vehicle.

However, Van Dyke instead attempted to arrest McDonald without using deadly force by first drawing his handgun and verbally directing McDonald to drop the knife. McDonald ignored these directions and continued to advance toward Van Dyke with the distance between McDonald and Van Dyke decreasing.

It was not until McDonald turned directly toward Van Dyke, squaring his shoulders toward the officer, and raised his knife pointing it at Van Dyke that Van Dyke, in

defense of his life, used deadly force to prevent death or great bodily harm to himself.

The Chicago Police Department policy on the use of force is the other authority in this matter. General Order G03-02-01 entitled "The Use of Force Model" states, "The Department utilizes a use of force model to provide guidance on the appropriate amount of force to be used to effect a lawful purpose."

"The use of force model employs the progressive and reasonable escalation and de-escalation of member-applied force in proportional response to the actions and level of resistance offered by a subject. Such response may progress from the member's actual presence at the scene to the application of deadly force."

MR. McKAY: At this time we're submitting into the record an exhibit we've marked Dave March Exhibit 5, a copy of which has been tendered to the both of you regarding the General Order of use of force model which is General Order G03-02-01.

(WHEREUPON, a certain document was marked D. March Exhibit No. 5, for identification, as of 04/27/2016.)

BY THE WITNESS:

A. This directive also states, "Members are not required to start at the lowest levels of the use of force model. They will select the appropriate level of force based on the subject's actions."

"The use of force model is a graphic representation of the guidelines for the appropriate use of force in relation to the actions of a subject."

The use of force model graphic -- the use of force model graphic basically shows a proportional use of force response to the actions of a subject. It shows that insufficient force used by a department member will result in "probable ineffective control"; While too much force used by a department member will result in "probable excessive control."

In the use of force model graphic for an "assailant" whose "actions will likely cause death or serious physical injury," such as

Laquan McDonald in this incident, all force options are available to an officer.

However, the graphic shows that "firearms and other lethal force" are most likely to be effective. The graphic shows very little chance of "probable excessive control" against this type of assailant.

General Order G03-02-03 entitled, "Deadly Force" states, "Roman numeral II, Department Policy, A: A sworn member is justified in using force likely to cause death or great bodily harm only when he or she reasonably believes that such force is necessary; one, to prevent death or great bodily harm to the sworn member or to another person or; two, to prevent an arrest from being defeated by resistance or escape and if a sworn member reasonably believes that the person to be arrested, A, has committed or attempted to commit a forcible felony which involves the infliction, threatened infliction, or threatened use of physical force likely to cause death or great bodily harm or; B, is attempting to escape by use of a deadly weapon or; C, otherwise

indicates that he or she will endanger human life or inflict great bodily harm unless arrested without delay."

MR. McKAY: At this time we're submitting into the record Dave March Exhibit 6, a copy of which has been tendered to the both of you gentlemen. This is General Order G03-02-03, General Order regarding deadly force.

(WHEREUPON, a certain document was marked D. March Exhibit No. 6, for identification, as of 04/27/2016.)

BY THE WITNESS:

A. This department policy mirrors the applicable state law cited previously.

During the course of this investigation, a number of facts were learned about Laquan McDonald. First, he had an extensive criminal history with the Chicago Police Department. At the age of 17, he had been arrested 26 times. Charges for these arrests included aggravated battery to a peace officer, resisting arrest, battery, assault, reckless conduct, possession of a controlled substance, and possession of cannabis.

MR. McKAY: At this time we're submitting into the record Dave March Exhibit 7, the official criminal history report of Laquan McDonald. It is ten pages long reflecting all 26 arrests of Laquan McDonald, a copy of which has been given to the both of you gentlemen.

(WHEREUPON, a certain document was marked D. March Exhibit No. 7, for identification, as of 04/27/2016.)

BY THE WITNESS:

A. Second, McDonald had a history of mental health issues. When notified of McDonald's death, his uncle informed detectives that McDonald had been prescribed medication but had stopped taking it because he did not like the side effects.

There were two documented incidents where McDonald had exhibited behavior problems while at school, became violent, and school officials called the police. In both of these incidents, he was transported to Hartgrove Hospital for evaluation and treatment.

The third, the results of the toxicological examination conducted during the

autopsy of McDonald revealed the presence of phencyclidine, or PCP, in his blood.

We will never know what motivated the actions of Laquan McDonald during this incident. Whether he was a violent criminal intent on not being apprehended, whether he was in the midst of a mental health crisis, whether he was under the influence of a mind-altering drug, or any combination of the three.

In any case, in the situation the police officers encountered dealing with McDonald, he was never contained and never communicated with anyone he encountered.

Under such circumstances, the subject's motivation is a moot point. A violent criminal, a person in the midsts of a mental health crisis, and a person under the influence of any substance armed with a deadly weapon are all equally dangerous and deadly to both the police and the civilian population.

Some talk about de-escalation techniques as an alternative to deadly force. I am a member of the Department's Crisis/Hostage Negotiation Team. I have received training from

the Federal Bureau of Investigation and have attended the Department's Crisis Intervention Team, CIT, training.

In order to have any chance at successfully using de-escalation techniques to resolve a situation, whether it involves a violent criminal, person with a mental health history in crisis, or a person under the influence of any substance, first, the person and the situation must be contained; and, second, there must be communication.

In this incident, Laquan McDonald was never contained, as he continued to walk down the street during the entire incident, able to attack anyone at any time. He also never communicated with anyone, from his first contact with Rudy Barillas through his contact with multiple police officers.

I do not believe anyone knows more about what happened in this incident than I do. I was at the scene shortly after it occurred and have personally spoken to all of the police officers involved.

As the primary detective assigned to

this investigation, I was aware of all the actions taken during this investigation and personally in contact with all personnel participating in these actions.

Many people have commented on this incident in the time since it occurred. I have been asked a number of times if I knew that night at the scene if this shooting incident was going to be a problem. My response has always been that the actions of all of the police officers involved in this incident were absolutely proper. To this day, I believe this to be true.

There are two issues at the heart of this matter. The first is the use of deadly force by Officer Jason Van Dyke. For the reasons previously stated, I believe and continue to believe that his use of deadly force was permitted by Illinois law and Chicago Police Department policy.

The second is the number of shots. As soon as most people hear that a 17-year-old offender armed with a knife was shot 16 times, their first instinct might be to think this

excessive. Without knowing and understanding all of the specific details of this particular incident, this is understandable. One needs to consider the "totality of the circumstances," as the law refers to it, to make an informed, educated, and intelligent conclusion.

There will always be a segment of the population that has an unrealistic expectation of police officers. They will question why the police shot and killed an offender instead of shooting the weapon out of his hand. They will never understand the reality of the situation.

Fortunately for many they have not had the experience of putting on a uniform, whether it be as a member of the military service or as a police officer and putting their life on the line in a violent confrontation.

Police officers, including Chicago Police Officers, are trained that, during the stress of an armed confrontation, the fine motor skills required for the highest levels of accuracy in firing a handgun deteriorate. Officers are trained to shoot for "center mass," the torso area of an assailant, as this is the

largest area, giving one the greatest chances of success.

Also, officers are trained specifically not to fire just one shot and then check to see if it was effective. It is very easy under the stress of the situation to miss the target. And even if one hits the target, firearms are not a guaranteed solution. There have been many instances of officers shot -- I misstated that -- there have been many instances of offenders shot multiple times who continued their attacks.

Officers are trained to shoot as long as they perceive a threat until the threat is eliminated. This is the key in this situation. Officer Van Dyke explained that he fired his handgun at McDonald because McDonald was attacking Van Dyke with a knife. Van Dyke continued to fire his weapon at McDonald as he was on the ground because McDonald continued to move and continued to grasp the knife, continuing to point it at Van Dyke. Van Dyke explained that he believed McDonald was attempting to get up and continue his attack on

Van Dyke.

We need to remember that we have the benefit of making our judgment at the conclusion -- at the end of this investigation. We have a lot more facts at our disposal than Jason Van Dyke did that night.

When Laquan McDonald attacked him and Jason Van Dyke began firing his weapon, he -- each shot was not registering in his mind as a hit or a miss. He didn't know for certain if each bullet was striking McDonald. He didn't know where the bullets were striking McDonald for certain. He didn't know how seriously McDonald was being injured by any bullets that did strike his person.

The only thing Jason Van Dyke knew for certain was that, as he fired his weapon, Laquan McDonald fell to the ground. The only thing that Jason Van Dyke could be certain about at that point was that at least one round that he fired had struck McDonald because obviously McDonald had been injured and fell to the ground.

As McDonald was down on the ground

continuing to move, continuing to grasp that knife and point it at Jason Van Dyke, Van Dyke didn't know if he was shot once or twice or how -- again, how seriously he was injured.

From Van Dyke's perspective, it was perfectly reasonable to believe that it was still possible for Laquan McDonald to continue his attack. And that is one of the reasons why the number of shots that were fired were, in fact, fired.

Jason Van Dyke had no idea -- no way to reasonably know how many times McDonald had been struck by the gunfire, where those bullets struck him, or how serious any of his injuries were. As long as Laquan McDonald continued to move while he was on the ground, continued to grasp that knife, and continued to point that knife at Van Dyke, it was reasonable for Van Dyke to assume -- or conclude, I should say, that McDonald was still a threat.

Officer Van Dyke was not wearing a body camera, and there is no video footage showing the perspective of what Van Dyke saw as he confronted McDonald. However, the video

footage that was recovered in this investigation clearly shows that McDonald did, in fact, advance toward Van Dyke.

From the time Van Dyke exited his vehicle until the time he fired his handgun, the distance between Van Dyke and McDonald decreased.

When McDonald fell to the pavement, he continued to move, continued to grasp the knife, and continued to point the knife at Van Dyke. Even after having been shot 16 times, McDonald continued to grasp the knife and point it at Van Dyke.

McDonald did not relinquish his weapon until Officer Walsh forcibly kicked it from McDonald's hand. That is conclusively shown in the video.

And another point that needs to be realized is, you didn't see Officer Walsh bend down to take the knife from McDonald's hand. He didn't bend down and take McDonald by the wrist to attempt to take him into custody and handcuff him. Why? Because he still saw McDonald was grasping that knife, pointing it in the

direction of the officers.

And Walsh at that point still wasn't certain that McDonald couldn't continue his attack. So what did he do? In the safest manner possible, he took his big, heavy boot and used that to kick the knife out of McDonald's hand just in case McDonald was still capable of trying to injure someone with that knife.

This video evidence is consistent -- that shows the frame of mind Officer Walsh still had at the time when he kicked the knife out of McDonald's hand.

This video evidence is consistent with Van Dyke's statement. In fact, it should be noted that, per the autopsy conducted by the Office of the Medical Examiner of Cook County, McDonald was shot three times in the right arm and once in the right hand and still continued to grasp the knife with his right hand.

Everyone is certainly entitled to their opinion. People can debate until the end of time whether or not they would have handled this situation in the same manner or whether this was the best way to handle the situation.

However, in my opinion, according to Illinois law and Chicago Police Department policy, the actions of Officer Jason Van Dyke were justified.

Most police actions in serious incidents such as this are not the work of a single officer but of multiple officers working together as a team. This is exactly what occurred in this incident. Officers of the 8th District -- primarily Officers Gaffney, McElligott, Walsh, and Van Dyke -- responded in a team effort to a call for service from a civilian who had been the victim of a forcible felony.

As a team, the officers exercised extraordinary restraint in dealing with Laquan McDonald, attempting to use the least amount of force necessary to take him into custody and place him under arrest.

The officers, all of whom were in uniform, first used, quote/unquote, "social control/police presence" and "verbal control."

Officer McElligott used these force options when he first encountered McDonald.

McElligott exited his marked police vehicle in uniform and first directed McDonald to stop. McDonald ignored this direction.

When McDonald took his hands out of his pockets, revealing that he was armed with a knife, McElligott ordered McDonald multiple times to drop the knife. Again, McDonald ignored McElligott.

Officer Gaffney then requested a unit with a Taser over the radio -- over the police radio. This was appropriate since at this point McDonald was in a deserted area and there was no risk to any civilians. Officers Walsh and Van Dyke were aware of these actions, as they monitored the transmissions on the police radio.

As McDonald fled on foot through the Burger King restaurant parking lot, he was entering a more populated area along Pulaski Road, a business street with vehicular traffic, pedestrians, and open businesses occupied by civilians, all of whom were now at risk.

This is why Officer Walsh used his police vehicle to block McDonald's path, first toward the Burger King and then towards the

Dunkin' Donuts restaurant.

When Officers Van Dyke and Walsh stopped and exited their vehicle to confront McDonald, it was because the threat to the public had escalated in this more populated environment. This threat continued to escalate as McDonald walked southbound.

The two officers both exited their marked police vehicle in uniform, drew their handguns, pointed their weapons at McDonald, and ordered him multiple times to drop his knife. They made every effort to arrest McDonald without using deadly force. Again, McDonald ignored any verbal direction from the officers.

Finally, with McDonald closing the distance between himself and the officers, when he turned toward the officers and raised his knife pointing it at them, Van Dyke, seeing no other option, in defense of his life, fired his handgun at McDonald.

The decision to confront McDonald at that time and at that location was tactically sound. As noted, the risk to the nearby civilian population was increasing as McDonald

proceeded north -- southbound on Pulaski. At that particular location, though, there were no civilians immediately placed at risk by the confrontation with the armed McDonald. There was also not a large number of police officers around McDonald, minimizing the risk of a crossfire situation if deadly force became necessary.

Also, the background behind McDonald toward which Officer Van Dyke fired his handgun was a large vacant lot followed by industrial buildings that were either vacant or minimally occupied. Again, if the use of firearms became necessary, the risk of harm to any other individuals was minimal.

This entire counter -- this entire encounter between the police and Laquan McDonald, from Officer McElligott's first contact on 40th Street until Officer Van Dyke fired his weapon, lasted more than four minutes as indicated by the police radio transmissions. During that time, McDonald traveled on foot more than four city blocks. For a police encounter with an armed subject who was not contained,

this was a long period of time.

McDonald was given a great deal of latitude in terms of movement before the police decided they could wait no longer and needed to take action to stop McDonald to protect the public who were becoming more and more at risk. That is when Officer Van Dyke and Walsh acted.

MR. McKAY: At this time we're going to submit into the record Dave March Exhibit 8, a copy of which has been given to both you gentlemen. It is a Google aerial photo that indicates all of the locations involved in this particular incident.

At this time, Detective March is going to indicate by the words "truck yard" the location where Rudy Barillas was attacked and subsequently called 911.

THE WITNESS: (MARKING ON EXHIBIT.)

MR. McKAY: For the record, Detective March is placing the words, "truck yard" on Dave March Exhibit 8.

Now Detective March is going to indicate by way of a directional line, an arrow, the path that Laquan McDonald took after he had

attacked Mr. Barillas from that truck yard.

MR. NEUMER: Jim, really quick, with respect to this photo, is this a Google Maps photo?

MR. McKAY: Yes.

MR. NEUMER: And was this produced recently -- or was this produced off Google recently?

THE WITNESS: Yes.

MR. NEUMER: So is this -- and I'm not -- I think it probably does -- I haven't looked at it too closely, but I'm guessing it looks pretty generally similar to the way it was --

THE WITNESS: I can't -- don't know when this photo was -- I printed it just days ago. I can't say when it was the photo was taken.

It does portray everything -- all of the major landmarks that were in place on the night of the incident, the truck yard, the streets are all the same, the Burger King restaurant, the Dunkin' Donuts restaurant, the Greater Chicago Food Depository where video was recovered. Those are all on here, and they haven't moved.

MR. NEUMER: I just wanted to figure out where...

MR. McKAY: For the record, Detective March is placing a line with a directional arrow indicating the path that Laquan McDonald took from that truck yard eastbound on 40th Street, past the Greater Chicago Food Depository.

And then at 40th Street, near the Burger King, he -- directional line goes in a southeasterly direction to Pulaski Road --

THE WITNESS: I'm not going to go southwest, southeast. It's a small map. I'm just going to draw one line straight.

MR. McKAY: The line is now southbound on Pulaski --

THE WITNESS: I don't mean to misrepresent anything.

MR. McKAY: And with a circle, indicate the area where the shooting took place, approximately.

THE WITNESS: A circle?

MR. McKAY: Yes, sir.

I ask this be submitted for the record.

(WHEREUPON, a certain document was marked D. March Exhibit No. 8, for identification, as of 04/27/2016.)

MR. McKAY: The court reporter's is a clear copy. Gentlemen, I ask you to take a look at it so you know exactly what Detective March has indicated on Dave March Exhibit 8. Your Xerox copy obviously is not as clear as this. All right?

MR. NEUMER: All right.

MR. McKAY: Thank you.

THE WITNESS: Would you like a clean copy?

MR. McKAY: If you've got one, sure.

THE WITNESS: And this is the same exact photo that I printed up.

BY THE WITNESS:

A. It should be noted that at the time Van Dyke fired his weapon, of the ten officers present near the scene of this incident, none was equipped with a Taser.

It should also be noted that many use-of-force experts and defensive tactics instructors would say that a Taser was not the appropriate use of force against an assailant

armed with a knife, especially one who had already displayed a willingness to use a knife.

This is because per Chicago Police Department policy, the use of a Taser would require an officer to get within 18 feet of a subject; the optimum effective range of the Department's Tasers being 7 to 15 feet. This would put the officers too close to the assailant, especially if the Taser was ineffective, with insufficient time to transition to his firearm to defend himself.

A Taser, like a firearm, is not a guaranteed solution. The same variables exist with this force option. Two projectiles or probes connected to the Taser by wires must both -- must both effectively engage the target who may be moving.

One or both of the probes could miss the target. Thick or multiple layers of clothing can prevent one or both probes from effectively engaging the target. If both probes do not engage the target effectively, the Taser will have no effect at all.

Additionally, even if the officer is

able to successfully deploy the Taser against a subject, there is no guarantee it will be totally effective and stop the subject.

MR. McKAY: At this time we're submitting into the record Dave March Exhibit 9, a CPD Education and Training Division handout regarding Taser X2 training, which was revised December 2012, a copy of which has been tendered to both of you gentlemen.

(WHEREUPON, a certain document was marked D. March Exhibit No. 9, for identification, as of 04/27/2016.)

BY THE WITNESS:

A. One claim made by many who have been critical of Officer Van Dyke is that there were ten officers on the scene of this incident and only one fired his weapon. It is opined that since the other nine officers did not see a need to fire their handguns, Van Dyke was wrong and did not need to fire his weapon.

Again, one needs to consider the "totality of the circumstances" to make an informed, educated, and intelligent conclusion.

Of the ten officers, five of

them -- Officers Gaffney, Sebastian, Mondragon, Bacerra, and Velez -- were still in their police vehicles and were not in position to even see who fired the gunshots.

Officer McElligott, who had originally been following McDonald on foot, was unable to keep up with McDonald and was not in a position to see who fired the gunshots.

Officers Fontaine and Viramontes had just arrived at the scene and exited their police vehicle. They were farther away from McDonald, and Officers Van Dyke and Walsh were between them and McDonald.

Officer Walsh stated that he believed McDonald was attacking Walsh and Van Dyke with the knife when Van Dyke fired his handgun, but Walsh did not fire his weapon because Van Dyke was slightly ahead of Walsh and therefore in his line of fire.

This was apparent in the video evidence recovered in this investigation, and that's what I pointed out when we were looking at the video earlier.

During the entire investigation of

this incident, I had multiple consultations with my immediate supervisors, including Sergeant Daniel Gallagher, Lieutenant Anthony Wojcik, Lieutenant Osvaldo Valdez, and commander Eugene Roy. During all of these consultations, I was repeatedly told that my interpretation and understanding of the events in this incident, as well as my conclusions, were accurate and correct.

The incident commander on the night this incident occurred, Deputy Chief David McNaughton also agreed with this investigation, as evidenced by his approval of the Tactical Response Report submitted by Officer Jason Van Dyke where McNaughton had checked the box stating, "I have concluded that the members' actions were in compliance with Department procedures and directives."

At the time of this approval, the in-car camera video from the police vehicles and the video from the Dunkin' Donuts restaurant had been recovered and reviewed by all personnel involved in this investigation, including McNaughton and personnel from the Independent

Police Review Authority. No one ever expressed any reservations regarding the investigation of this incident.

Commander Roy and Lieutenant Valdez both personally informed me that each of them had conducted separate briefings on this incident at the Public Safety headquarters for members of the command staff at separate executive management meetings.

Both Roy and Valdez informed me that the entire command staff of the police department up to and including the superintendent agreed with the findings of this investigation and that no one had expressed any reservations. And I would just like to qualify that by saying that, no one that was present at these briefings. I can't say that every command staff member was present.

Officer Jason Van Dyke gave his statement to the Independent Police Review Authority within days of this incident and was returned to full duty in his unit of assignment. Another indication that no one questioned the results of this investigation.

Since this incident occurred, all of the exempt members in my chain of command have been promoted. Commander Roy was promoted to deputy chief and is now Chief of the Bureau of Detectives. Deputy Chief Anthony Riccio was promoted to Chief of the Bureau of Organized Crime. Chief John Escalante was promoted to First Deputy Superintendent of the Department.

This investigation was conducted under their supervision -- under the supervision of each of these command staff members. Now they are promoted and I am under investigation for separation from the Department?

First Deputy Escalante stated at a news conference shortly after being promoted that he viewed the video of this incident two days after it occurred and found it "troubling."

As the Chief of the Bureau of Detectives at the time of this incident, Chief Escalante never communicated either directly or indirectly to his primary investigator, me, how troubling he found this video.

As I said, no one voiced any reservations or concerns to me regarding this

incident or this investigation. I was informed that the entire command staff concurred with the findings and conclusions of my investigation.

Again, I should qualify that statement with only those that were present at the executive management meeting briefings.

For 18 months now, I have heard people criticize Officer Jason Van Dyke saying what he did was wrong. Not once have I heard anyone suggest he should have done -- I take that back. Not once have I heard anyone suggest what he should have done instead of the actions he did take.

Is it really being suggested that the police should have done nothing and permitted Laquan McDonald to continue on his way and not stop him?

A subject armed with a deadly weapon, a knife, committed multiple criminal offenses, including forcible felonies, ignored lawful orders from multiple uniformed police officers to drop his weapon and surrender over the course of more than four minutes and four city blocks and continued down the street weapon in hand

putting everyone in his path at risk.

Is it seriously being suggested that the police should not take action against this subject until he gains entry to one of the commercial businesses along his path and actually attacks someone actually inflicting death or great bodily harm?

And then, in an environment where civilians are present, the police should engage this subject in a violent confrontation creating additional risk of injury? In my opinion, this is not responsible law enforcement.

MR. McKAY: To supplement the statement Detective March has given and the exhibits already presented, Detective March submits Detective March Exhibit 10, which is the Illinois Compiled Statutes' definition of aggravated assault, which is 720 ILCS 5/12-2, which makes it a felony when a person commits aggravated assault armed with a knife against a police officer.

(WHEREUPON, a certain document was marked D. March Exhibit No. 10, for identification, as of 04/27/2016.)

MR. McKAY: In addition, Detective March submits as Detective March Exhibit Number 11 the Illinois law regarding the definition of dangerous weapon, which includes Subsection C(1), armed with a dangerous weapon; and C(1)(2) Category 1, Category 2, and Category 3 weapons.

Clearly the knife found in possession of Laquan McDonald is a Category 2 weapon, a dangerous weapon, pursuant to Illinois law, which is 720 ILCS 5/33A-1.

(WHEREUPON, a certain document was marked D. March Exhibit No. 11, for identification, as of 04/27/2016.)

MR. McKAY: And, in addition, Dave March submits Dave March Exhibit 12, a copy of which is also tendered to you gentlemen.

This is the Chicago Police Bulletin -- excuse me, Chicago Officer Safety Alert that Detective March was questioned about yesterday. We'll make this Exhibit 12 for Dave March.

And it shows the referenced knife revolver, and that officers should take note of

this "revolver knife" remain cognizant of its threat to personal safety. This Officer Safety Alert was issued in 2012.

(WHEREUPON, a certain document was marked D. March Exhibit No. 12, for identification, as of 04/27/2016.)

MR. McKAY: Mr. Neumer, I think you asked that Detective March's statement be made an exhibit. We have no objection to that, so I will mark this as March Exhibit 13.

(WHEREUPON, a certain document was marked D. March Exhibit No. 13, for identification, as of 04/27/2016.)

THE WITNESS: I would just like to clarify that during may recitation, if you will, I did make additional remarks that are not in the prepared statement.

MR. NEUMER: Okay.

THE WITNESS: So this is not intended to be a word-for-word verbatim copy of what I said.

MR. NEUMER: But I think it will just help with the accuracy in general.

I have a couple follow-up questions to put forth -- is it possible to --

MR. McKAY: Can we make a copy of this for these guys tonight?
MS. REPORTER: Yes.
MR. McKAY: So the original will be kept by the court reporter --
MR. NEUMER: Can I use it for purposes of --
MR. McKAY: Sure.
MR. NEUMER: And just give me a moment because I want to ask you about a couple of the statements you made in here, but I'd rather quote as opposed to paraphrase, so there might be a few second's pause.
THE WITNESS: Can I have a moment?
(WHEREUPON, private discussion was had between Counsel and his client.)
MR. McKAY: In addition, we're going to submit on behalf of Detective March -- and we'll mark it as Detective March Exhibit 14 -- Illinois Compiled Statute 720 ILCS 5/7-4.
This is in regards to the use of force by aggressor. This would pertain to Laquan McDonald that night. That justification

to use force is not available to a person who, A, is attempting to commit, committing, or escaping after the commission of a forcible felony or initially provokes the use of force against him with the intent to use such force as an excuse to inflict bodily harm upon the assailant or otherwise initially provokes use of force against him.

(WHEREUPON, a certain document was marked D. March Exhibit No. 14, for identification, as of 04/27/2016.)

MR. McKAY: With that, gentlemen, Detective March thanks you for allowing him to provide his statement and thanks you for allowing him to submit these exhibits on his behalf at this particular interview.

We ask that all the exhibits be made part of the official record, in addition to the videos that you gentlemen have marked as, I believe it was, your Exhibit 16 and 17.

MR. NEUMER: And with respect to those videos, I think we're going to probably have to burn a copy of the CD and provide them to the court reporter.

Honestly, I don't know the process, so we're going to do that as expeditiously as possible and get those included in the record as quickly as possible, but I will admit, we'll have to figure out how to do that.

MR. McKAY: Thank you very much.

BY MR. NEUMER:

Q. With respect to your statement, the written statement that is -- which exhibit is this?

MR. McKAY: I think it's Exhibit 13.

MR. NEUMER: 13. Okay.

BY MR. NEUMER:

Q. With respect to Exhibit 13 written statement on Page --

A. I'm sorry I didn't number the pages. I wasn't planning to turn it in.

Q. Trying to make it difficult for us here.

On Page 4, Paragraph 3, you state, "By law -- this is the third line of Paragraph 3, "By law, Van Dyke was justified in using deadly force to effect the arrest of McDonald as soon as Van Dyke exited his police

vehicle."

From your perspective, does that mean Officer Van Dyke could have shot McDonald as soon as he exited his vehicle?

A. I think the law permits it, but Van Dyke chose, instead, to still try to arrest McDonald without using deadly force.

Q. In your opinion, if Van Dyke had pulled up 25 feet away from McDonald, would he still, under the law, have been justified in shooting McDonald upon exiting his vehicle?

A. Yes, I think the law permits the use of deadly force against a forcible felon who's fleeing by the use of a deadly weapon who is -- has shown that he's -- will continue to endanger lives unless, you know, immediately captured.

So, yes, he was -- he -- I think he would have been justified, however far away he got out of the car, unless he got out of the car so far away that it wouldn't be possible for him to make an accurate shot, and then he would act recklessly by firing a shot.

But the law does not specify how far the threat needs to be or -- if you are a

forcible felon who used violence or you're escaping by use of a deadly weapon or you've indicated that you're going to continue to endanger human life, unless you are immediately stopped, then the law permits the use of deadly force.

Jason Van Dyke chose, made a decision, not to do that. He chose instead to try to arrest -- apprehend and arrest McDonald without using deadly force. He was present in uniform, he issued verbal direction to drop the knife, and if McDonald had dropped the knife, there would have been no need to fire one gunshot, and Jason Van Dyke wouldn't have, by all indications.

The only reason -- he was more lenient than the law. He was more tolerant than the law. He didn't decide to fire his weapon until he personally felt at risk when McDonald initiated the attack on him.

MR. McKAY: The law he's referring to, obviously, is our Exhibit Number 3, 720 ILCS Section 7-5, the use of deadly force by a peace officer in trying to effectuate an

arrest of an armed forcible felon. And it clearly states the forcible felon is attempting to escape.

Gentlemen, you can either agree or disagree with Detective March when you look at the video. I believe it -- McDonald is trying to escape for four blocks while armed with a knife. He is not complying with police commands to drop the knife and stop. Reasonable minds would suggest that he is attempting to escape arrest.

If you disagree with that and disagree with Dave March's interpretation of the law, you're entitled to do that, but if you disagree with Dave March, that does not mean Dave March's opinion is a false statement, obstructs justice, or does anything else your office has alleged.

Thank you.

BY MR. NEUMER:

Q. On Page 2 of your statement -- Exhibit 13 statement in the end of the third full paragraph, last two sentences and the first sentence of the -- first sentence of the first

full paragraph, it says -- I'll go back a sentence to quote -- I'm going to read a little bit more to read context.

"McDonald fell to the ground but continued to move, continued to grasp the knife, refusing to let go of it. Van Dyke continued to fire his weapon at McDonald as McDonald was on the ground, as Van Dyke thought McDonald was attempting to go get up, all the while continuing to point the knife at Van Dyke."

"Van Dyke fired his pistol until the slide of the weapon locked in the rearward position indicating the weapon was empty. Van Dyke immediately reloaded his weapon with a new magazine and assessed the situation. McDonald was no longer moving and the threat had been mitigated so the officers approached McDonald."

My question to you, do you think the threat posed by McDonald had been mitigated prior to Officer Van Dyke's firing of the 16th shot?

A. Had the threat been mitigated prior to the firing of the last shot?

Q. Yes.

A. Jason Van Dyke did not think it had been mitigated, and I think his belief is reasonable.

Q. With respect to -- I want to take you back. This is jumping off a little bit about counsel -- your counsel's comments about resisting arrest.

Prior to Laquan McDonald hitting Officer Gaffney's vehicle --

A. Stabbing the tire?

Q. And stabbing the tire. As McDonald was walking on 40th Street eastward when Officer Gaffney's in his vehicle, Officer McElligott is trailing McDonald -- do you know what time period I'm talking about?

A. I believe I know what you're talking about.

Q. And that's before the hitting of the knife on the windshield, that's before the popping of the tires.

A. Okay.

Q. We didn't show you the Greater Food Depository Video but you've seen it?

A. Yes.

Q. That's the time frame I'm talking about. In your opinion, would it have been appropriate -- or would it have been lawful if Officer McElligott had shot McDonald at that point.

A. You're saying after McDonald removed his hands from his pockets and the officers saw that he was, in fact, armed with a knife and McElligott has ordered him to stop and he ignores that -- McElligott has ordered him to drop the knife and he ignores that and continues on down the sidewalk holding the knife in his hand, and your question is, would McElligott have been justified in firing his handgun at McDonald?

Q. Correct.

A. I think Illinois law permits that because I think -- as I said in my statement, at that point he was already an offender who had committed -- or attempted to commit a forcible felony using violence, he was attempting to escape by use of a deadly weapon, and he had already indicated by his attack on Rudy Barillas

that he was a danger to, you know, human life.

MR. McKAY: I direct your attention to --

go ahead.

BY THE WITNESS:

A. To let him continue on armed with that knife out there ready, willing, and able to attack anyone would be irresponsible to not make an attempt to stop him.

MR. McKAY: I direct your attention to Dave March Exhibit 3, peace officer's use of force in making arrest, 720 ILCS 5/7-5, and specifically the word "or".

"The officer can use deadly force when he believes there's imminent threat of death or great bodily harm against him or when he reasonably believes both that such a force is necessary to prevent the arrest from being defeated by resistance or escape and the person being arrested has committed or attempted to commit a forcible felony which involved the infliction or threatened infliction of great bodily harm or is attempting to escape by use of a deadly weapon or otherwise indicates that he will endanger human life or inflict great bodily

harm unless arrested without delay."

That law, whether you agree with it or not, gentlemen, provided that option to Officer McElligott because of the word "or."

Thank you.

BY THE WITNESS:

A. And I would like to go a little further even and offer an example.

BY MR. NEUMER:

Q. Sure.

A. To go to the extreme.

Q. Sure.

A. If all Laquan McDonald had done was shoplift a package of chewing gum and the police were -- he was pointed out to police, "That guy just stole from the store," and the police encountered him, just as Gaffney and McElligott did, and as McElligott gets out of the car, tells McDonald to stop, he ignores it; tells McDonald to take his hands out of his pockets, he pulls his hands out revealing that he is, in fact, armed with that knife in his right hand, the law says such force is -- and this is under "Deadly Force," such force is -- one, "Such

force is necessary to prevent the arrest from being defeated by resistance or escape."

And that goes for any arrest. It doesn't have to be a felony. It doesn't have to be a forcible felony. That just says any arrest. It says, "Such force is necessary to prevent the arrest." It doesn't say any -- only particular crimes. And the person to be arrested is attempting to escape by use of a deadly weapon.

So if all Laquan McDonald had been doing -- was at that moment was an offender in a shoplifting case where no violence was used during the commission of his crime but now he was escaping by use of a deadly weapon, by ignoring the police and not allowing to approach him and take him into custody by brandishing this knife...

(WHEREUPON, private discussion was had between Counsel and his client.)

MR. McKAY: Go ahead.

BY THE WITNESS:

A. And it's more clearly stated in the Department policy where it's broken down -- the

way it's written in the statute, it's a little jumbled, but here the Department policy on Page 5 --

BY MR. NEUMER:

Q. Do you have an exhibit number on that one?

A. Well, it's the statement. It's my statement.

Q. Oh, okay. Got you. Perfect.

A. Page 5, it says, "Department Policy," and then, number two, "To prevent an arrest" -- that's any arrest -- "from being defeated by resistance or escape and the sworn member reasonably believes that the person to be arrested" -- any one of those next three conditions. And B is, "Attempting to escape by use of a deadly weapon."

So that -- it's more clearly broken out with the Department -- it's the same -- it's basically the same -- saying the same thing as the state law, but, visually, it's broken out better here.

But it basically states for any arrest, if the arrest is being -- if a police

officer is attempting to arrest someone, they're resisting arrest or escaping or resisting by escaping and they're attempting to escape by use of a deadly weapon, the law permits the use of deadly force. That's not always the best way to proceed, I will concede that, but the law does permit it.

BY MR. NEUMER:

Q. So with respect to the various scenarios we talked about, McElligott -- sorry, Van Dyke getting out of his vehicle from 25 feet away from McDonald and shooting him, that would be within the -- that would fall under -- within the bounds of the police department's use-of-force guidelines as well?

A. Yes.

Q. And the same thing with --

A. The -- the --

Q. -- McElligott?

A. The important factor here is you have to consider the totality of the circumstances of that particular incident and that particular set of circumstances.

You can't second guess people by

saying what if this was different, what -- you have to deal with what you know, what the police officer knows at that point, and then taking into consideration all of the circumstances that are at play at that particular instant.

The law permits. It doesn't mean -- like, the law permits the use of deadly force. It doesn't mean that's always the best decision to make --

Q. Sure.

A. -- but the law permits it. It's not against the law to use deadly force. And, like I said, people are entitled to their opinion and they can debate to the end of time that, "This is the way I would have handled it" or, "That's the best way to handle it," but the law doesn't say the police have to handle every encounter in the best possible manner. The law gives the police some latitude here and says in these instances, this is acceptable.

Q. On the second-to-last page -- I don't know what page it is, but the second-to-last page of Exhibit 13 --

A. I'll be able to find it.

Q. -- you mention a couple names. And I wanted to -- we haven't talked about these folks, and so I wanted to ask you a couple questions.

First name is Deputy Chief Anthony Riccio, R-i-c-c-i-o. You note that the investigation was conducted under the supervision of this command staff member. What was Deputy Chief Riccio's role in the McDonald investigation?

A. I don't know.

Q. Okay.

A. My only point for bringing these people up, you're already aware of what I was told regarding the command staff in general.

I don't know about specific members, but these individuals were directly in my chain of command. My chain of command is me, Sergeant Gallagher, Lieutenant Wojcik and Lieutenant Valdez in an equal level, Commander Roy, Deputy Chief Riccio, Chief Escalante.

Those are mine -- there's a lot of other supervisors in the police department, and if any of them were aware of any wrongdoing,

they were perfectly entitled -- and really required to weigh in on the matter.

But these are my -- if anyone had reason -- I think, as part of their job, it's a reasonable expectation that they should have been aware of what was going on in this investigation.

Q. And --

A. I worked for them.

Q. And I'm going to ask you some questions. If you don't know the answers, you don't know the answers.

Do you have any understanding whether Anthony Riccio had any substantive role to play in the investigation -- in the McDonald investigation?

A. I have no idea.

Q. Do you know whether Anthony Riccio watched any video of the Laquan McDonald shooting prior to being -- prior to those videos being made public?

A. I don't know.

Q. Okay. Do you know whether Anthony Riccio was at either of these executive

management meetings that we have talked about earlier today?

A. I don't know.

Q. Okay --

A. I take that back. I'm fairly certain that when Lieutenant Valdez was talking about his briefing at the executive management meeting that he did, I think he did tell me that Riccio did agree with the findings of the investigation.

Q. Okay. Do you recall about when that conversation took place, a month --

A. That was just recently.

Q. Okay.

A. Within the last month.

Q. Oh, okay. And what was the prompt for that conversation?

A. We -- he was talking about this whole proceeding and my current status and...

Q. And so he mentioned Riccio's name?

A. He mentioned -- he brought -- you know, he was expressing his support, in that he supported my conclusion, my investigation, didn't feel I had done anything wrong. And he

went into the fact that he went -- he did his briefing at the executive management meeting.

And I don't know for certain that Riccio was present for that meeting, but he told me that Riccio had voiced the opinion that he was in agreement and supportive of the conclusions of the investigation.

Q. Had Valdez told you that information prior to a month ago?

A. The information about Riccio?

Q. And -- well, not specifically --

A. In general about the meeting --

Q. Yeah.

A. -- he told me that before, but this was a reiteration. And then he went into that additional factoid, if you will, about Riccio. He did not specifically mention Riccio prior to that.

Q. Okay. John Escalante, what was his role, to your understanding, in the McDonald investigation?

MR. McKAY: Objection. As to what time? Lacks some foundation.

BY MR. NEUMER:

Q. I mean, like during the course of -- from October 20th, 2014, to when you drafted the March 15, 2015, Case Supplementary Report, what was his role?

A. I don't personally know what he did, but, again, he was the chief of the Bureau of Detectives. He was ultimately my boss who reported directly to the superintendent.

I mean, one can certainly expect that he was well aware or should have been well aware of what was going on under his command, and I think it would be unreasonable for anyone to expect or any of these individuals to try to say that they had no knowledge of what I was doing.

They certain -- they did not have any personal contact with me, but for them to say they had no knowledge of what was going on in this investigation would seem to me to be unreasonable or --

Q. And you made a statement, and I just want to make it clear for the record. Did you have any personal communications from October 20th, 2014, to the time you submitted

the closing CSR with Deputy Chief Anthony Riccio regarding the McDonald investigation?

A. I did not personally, but I -- I'm pretty sure that Lieutenant Wojcik did have direct communication with Deputy Chief Riccio.

Q. Did he tell you about those conversations?

A. He mentioned that he talked to him, but I don't know the content of their conversations. But I know he was in touch regarding this particular investigation.

Q. And same question with respect to John Escalante. From October 20th, 2014, to the time you submitted your summary CSR, did you have any personal communications with Mr. Escalante regarding the McDonald investigation?

A. No. The only thing I know about him is what he said at his press conference. Upon being promoted to first deputy superintendent, he was asked by the media, "Well, weren't you the Chief" -- something along the lines of, "Weren't you the Chief of Detectives when this investigation was performed?"

And at one point in time he -- I don't know if he was asked or he just stated, but he did state that he viewed the video two days after the incident occurred and found it, I think the word he used was "troubling."

Q. Do you have any knowledge of whether John Escalante was one of the individuals in either of those executive management meetings you discussed?

A. I do not.

Q. Did you -- you mentioned that Lieutenant Wojcik had conversations or -- with Mr. Riccio regarding the McDonald investigation. Do you know whether any -- did you ever hear of or did anyone tell you about conversations they had with John Escalante about the McDonald investigation?

A. No.

Q. Anything else we should know about Anthony Riccio or John Escalante as it pertains to the McDonald investigation?

A. All I can say is what I say every time I hear a news report about some high boss, whether it be in a company, in the government --

when they say, "I didn't know about it." You know, either that doesn't seem to me to be a truthful statement, or if they really didn't know what was going on, it seems to me to indicate some level of incompetence. But that's my personal opinion.

MR. NEUMER: Kris, do you have any follow-up regarding this Exhibit 13 statement?

MR. BROWN: Just a little bit of follow-up.

BY MR. BROWN:

Q. Correct me if I've got this wrong at all, but it sounds like, Detective March, your impression is that the shots that came from Van Dyke to McDonald while he was on the ground were justified because he was still holding the knife and it was pointed in a direction at Van Dyke and Walsh; is that correct?

A. I said that Jason Van Dyke perceived him to still be a threat, and from all of the details evidenced in this case, I found that belief to be reasonable.

Q. So if --

A. I -- again, we don't have any video showing the perspective of Jason Van Dyke, so

there's an unknown here.

What exactly did he see, I don't know, but he told me facts about what -- how he perceived things, which we've gone over. It's in the document and in the report what he said. And the video and everything else I found in my opinion to be consistent with what he was saying.

And if he believed that Laquan McDonald was still a threat to him, then, yes, it would be reasonable for him to continue to use deadly force.

Q. Is it a fair expectation that just because McDonald was shot, that he would have dropped the knife?

A. He was shot 16 times and never dropped the knife, so I don't think that's a fair expectation at all.

Q. Right. That's why I'm just -- I know you can't speak for Van Dyke, but just the thought of just because a person is shot, I mean, who knows if that person -- if the bullet would make him clench the knife or make him relinquish and throw the knife away.

It's -- just trying to understand why, if he's shot, why would there still be an expectation that he would relinquish the knife and no longer become a threat?

If there's a chance that when he's shot he's going to hold the knife, there's almost no way that he cannot be a threat if he's just going to hold the knife when he's shot.

I know it's a long-winded --

A. I don't even know how to respond to that.

Q. Yeah, I know, it's just more of a --

MR. McKAY: But, Kris, you have the benefit of thinking all of this out. In split seconds, Van Dyke didn't have all of that time. All Van Dyke had is what he saw and everything he knew from radio communication.

BY THE WITNESS:

A. One of his gunshot wounds was to the right hand. Even if he had been shot somewhere else in the body and that would make him instinctively or reflexively grasp the knife even tighter, if he's shot in the hand, I don't see how that could possibly not make him let go

of the knife.

You know, again, my opinion from -- I know what you're saying. If you're shot in the left shoulder, you might clench your right hand, you know, with -- because of the pain and everything, but if you're shot in the right hand, I would expect that a bullet going through -- into your hand would do some pretty extensive damage to the muscles and tendons and bone structure in your hand that would make it almost impossible for you -- I would think it would make it more difficult for you to continue to hold the knife.

Q. That's possible, too, but if, you know, the initial shot if it's -- maybe it's on his left side, maybe that's the one that makes him clench and maybe the shot that follows in his hand --

A. But then I would think that would almost cause him uncontrollably to relinquish the knife. Unless he had some great desire to hold on to that knife and continue his attack --

Q. But that's --

A. -- which could be a reasonable

assumption.

Q. I mean, but that's my point, though. We don't know --

A. We don't know --

Q. -- to hold the knife --

A. -- all we -- we don't know. We don't know. We don't know what was going on inside Laquan McDonald's mind. We don't know what his motivation was. We don't know what he thought the first time he got hit or the second time he got hit, or the 16th time he got hit.

What we do know is what Jason Van Dyke says he perceived, and I found what he perceived to be reasonable. Could a lot of other things happen? I can't possibly speculate on what other things could have happened. All I can do is take what Jason Van Dyke said, compare it to everything I know about this investigation, including the video, and come up with what I reasonably conclude. And I reasonably conclude that he -- his perception was reasonable.

Q. Do you know of any CPD training that informs officers to expect, when a person is

shot, that he will relinquish whatever he's holding?

A. No, I think that's just a common perception. Like I said in my statement, I said people expect the police to shoot the weapon -- whether it be a gun, knife -- out of the bad guy's hand, right? That's a normal preconception that a lot of people have, though, right?

Q. Right.

A. I mean, you have to give me that.

Q. A lot of people do think that.

A. So if people expect the police to shoot the gun out of a person's hand, then obviously they expect that when a person gets shot in the hand, they're going to relinquish whatever weapon they have.

Like I said, I'm not an expert on physiology or anything. I don't know if that's -- I don't know if there's been tests done at, you know -- hit a guy in the left hand with a hammer and see what happens to his right hand. I don't know.

All I can say is, from everything I

was able to learn in this investigation, I found Jason Van Dyke's beliefs to be reasonable and his actions to be reasonable.

MR. NEUMER: I don't think we have any more questions.

Just really quickly, Jim, in terms of getting you the transcript for this, I just want to put on the record, so we're on the same page, if we could have a business day from our receipt of it.

And that's, again, just to ensure that if we get it at 5:00 p.m. on a Friday, that someone from our office doesn't have to come in on a Saturday. Is that a reasonable time to -- from our receipt of the transcript to provide it to you?

MR. McKAY: Yeah. Yeah. If you guys don't get it until Friday at 5:00, I don't expect to get it Friday at 5:01. But if you get it before -- and I don't know what Michelle is going to suggest off the record, but, in the perfect world, I want it the same day you guys get it.

MR. NEUMER: And we will strive --

MR. McKAY: But I am at the -- I will -- I certainly want Michelle to not rush anything and get this transcript true and accurate.

So whenever she can finish this, I would like to get it. I don't expect you guys to come in on Saturday and get it to me early Saturday or late Friday night.

Can we go off the record and ask the court reporter when she will have the transcript completed as best as she can speculate now?

MR. NEUMER: Sure. And there's one other note. With respect to the video, in particular the Dunkin' Donuts video, there's -- and I don't know -- I'm not a tech guy. There's a sort of proprietary software that one has to download to view this thing is my understanding. Kris, is that correct?

MR. BROWN: Yes. In the video from Dunkin' Donuts -- and it's common to other businesses -- they will have their own proprietary software that's related to the video. You have to install the software to play the video, and that's what applies to the Dunkin' Donuts.

MR. NEUMER: And so when we provided the --

and correct me if I'm wrong, but I think when we provided the DVD, we provided instructions as to how to download the software that allows one to play the file that we included on there.

So, again, I want to put this on the record because I'm not exactly sure -- we haven't been able to strictly burn a copy of what is on that Dunkin' Donuts video --

MR. McKAY: Are you saying this is Dunkin' Donuts' software?

THE WITNESS: No, they buy a software program.

MR. McKAY: "They," Dunkin' Donuts?

THE WITNESS: Dunkin' Donuts or whoever, when you buy your security system. And there's all different kinds of programming.

Rich Hagen runs into this all the time. Some of them use generic file formats that can be, you know, opened up in Windows Media Player or whatever, and then other ones have very strictly proprietary that you have to have their player in order to play the video.

MR. NEUMER: So, again, with --

THE WITNESS: Otherwise you have a disk you

can use as a Frisbee.

MR. NEUMER: So with respect to the 813 Robert vehicle, I don't think there will be any problem making that as an exhibit --

MR. McKAY: The entire video.

MR. NEUMER: The entire video. I don't know, frankly -- we'll try and see what we can do. I want to give you a heads up that we may not be able to include the Dunkin' Donuts video as an exhibit in the way probably we all envisioned it. And so if I have a solution, we'll find it, and we'll make it an exhibit.

THE WITNESS: I would suggest if -- again, I -- I don't know what his feeling is on it, but Detective Hagen recovered that video. If you were to reach out to him, I don't know if he could help you with that along those lines.

MR. NEUMER: We'll do our best. That's what I'll promise. I want to give Counsel a heads-up that --

MR. McKAY: We've seen a copy of that video before the statement began yesterday. Obviously you used that video during your questioning with Detective March regarding a number of things,

the backing up and so forth by Walsh and Van Dyke. We have -- there's no surprise.

I just want to make sure that the official record includes that as an exhibit in the event somebody outside that room wants to look at all the evidence from this statement, both yesterday and today, so that they have it.

MR. NEUMER: And maybe -- maybe what we can do at a minimum is include the file that we used and include the instructions how to download the --

MR. McKAY: I don't have an objection to that.

MR. NEUMER: Okay.

MR. McKAY: And at some point you, to complete the record, need to supplement the record with a Dunkin' Donuts video that has used the proprietary instructions, then that's fine, too. I don't have an objection to that as well.

MR. BROWN: The video file that we would put on the disk would contain the player, so anyone who wanted to view it, they would just need to essentially install the player software on their computer, and then they can press play

and it will work.

MR. McKAY: Okay.

MR. NEUMER: The time is 5:41 p.m., and we're going to go off the record. This interview is concluded.

(WHEREUPON, the interview was concluded at 5:41 p.m.)

C E R T I F I C A T E O F R E P O R T E R

I, MICHELLE M. YOHLER, a Certified Shorthand Reporter within and for the County of Cook, State of Illinois, do hereby certify:

That previous to the commencement of the examination of the witness, the witness was duly sworn to testify the whole truth concerning the matters herein;

That the foregoing interview transcript was reported stenographically by me, was thereafter reduced to typewriting under my personal direction and constitutes a true record of the testimony given and the proceedings had;

That the said interview was taken before me at the time and place specified;

That I am not a relative or employee or attorney or counsel, nor a relative or employee of such attorney or counsel for any of the parties hereto, nor interested directly or indirectly in the outcome of this action.

IN WITNESS WHEREOF, I do hereunto set my hand and affix my seal of office at Chicago, Illinois, this 3rd day of May, 2016.



C.S.R. Certificate No. 84-4531.

Exhibits

D. March Exhibit No. 1 3:8 21:9,13 24:8 25:1

D. March Exhibit No. 2 3:9 143:11 151:16,23

D. March Exhibit No. 3 3:10 153:7,20 193:22 198:10

D. March Exhibit No. 4 3:11 154:12,16

D. March Exhibit No. 5 3:12 38:7,15, 23 90:8,18 92:12 94:12,23 95:16 96:7,13 116:10 118:7 133:2,3,8,18 134:7 157:20 158:2

D. March Exhibit No. 6 3:13 93:21 94:5,12,21 95:7,23 96:2,13 97:3,17 98:10,16,21 101:1, 2,3 138:1,6,13 160:5,10

D. March Exhibit No. 7 3:14 100:15 102:8 105:9 123:24 124:16,18 125:7 161:2,8

D. March Exhibit No. 8 3:16 175:9,21 178:2,7

D. March Exhibit No. 9 3:17 180:5,11

D. March Exhibit No. 10 3:18 186:16, 23

D. March Exhibit No. 11 3:19 120:24 123:2,11,12 187:2, 13

D. March Exhibit No. 12 3:20 120:24 123:2,11,13 187:16,21 188:5

D. March Exhibit No. 13 3:21 124:8 127:8 128:7 188:10,12 191:11, 14 194:22 203:23 211:8

D. March Exhibit No. 14 3:23 35:16 189:20 190:10

March Exhibit No. 18 3:5 52:20,22 58:10 69:8

0

04/27/2016 21:14 35:23 36:5 52:23 151:24 153:21 154:17 158:3 160:11 161:9 178:3 180:12 186:24 187:14 188:6,13 190:11

1

1 21:9,13 24:8 25:1 90:6 187:6

1(a) 90:7

1(a)(16) 129:11

10 148:7 186:16,23

10988891 93:23 138:3

10992767 133:12, 15

10:00 145:2

11 120:6,8,24 123:2,11,12 187:2, 13

12 120:6,8,24 123:2,11,13 187:16,21 188:5

13 124:8 127:8 128:7 188:10,12 191:11,12,14 194:22 203:23 211:8

14 35:16 98:9,15 99:21 101:3 189:20 190:10

1430116812 102:10

15 35:18 90:18 92:12 93:23 97:3, 17 98:21 133:10 138:13 148:8 179:7 208:4

16 22:8 24:13 35:20,22 92:5 164:23 169:11 190:20 212:16

16th 195:21 215:11

17 36:2,4 160:19 190:20

17-year-old 164:22

18 52:20,22 58:10 69:8 134:14 179:5 185:7

1:11 5:2

1A 129:19

1st 108:16,20

2

2 92:8 120:24 126:12 128:6 143:11 151:16,23 187:6,9 194:21

2-56 5:17

20 141:24

20,000 63:9

2012 180:8 188:3

2014 64:11 91:20 107:14 108:21 109:21 119:18 208:3,24 209:13

2015 87:13 90:18 92:12 93:23 97:3, 17 98:21 133:10 138:13 208:4

2016 6:2 16:10 141:24

20563 5:13

20th 64:10 91:20 108:21 109:21 119:18 208:3,24 209:13

22 90:11

25 91:5 192:9 202:11

26 6:1 160:20 161:5

26th 76:8,22

27:24 37:19

27:30 45:3

27:31 44:18

27:33 40:13 41:5 44:3 45:21

27:36 43:19,22 44:3

27th 5:2

29th 107:14 108:6

3

3 25:1 96:23 97:12 98:6,18 125:3,4 137:23 138:6,8 140:8 153:7,20 187:7 191:20,22 193:22 198:10

30 44:19 110:1,2,3

300 5:3

301 133:16

33 91:5 118:10

339 93:24 138:3

3:04 90:2

4

4 21:17 24:8 53:4 54:15 55:7,11 58:10 97:12 121:3 129:15,20 154:12, 16 191:20

40th 142:24 143:22 144:1 146:5,9 174:19 177:6,8 196:13

41st 17:15 105:22 142:4

4:01 137:16

4:08 137:19

4:17 143:16

4:26 16:16

4:29 17:5 27:23 28:3

4:38 28:19 32:10, 21

4:45 32:20,22 33:5,6

5

5 38:7,15,23 90:8, 18 92:12 94:12,23 95:16 96:7,13 116:10 118:7 133:2,3,8,18 134:7 157:20 158:2 201:3,10

5/12-2 186:18

5/2-8 153:23

5/33A-1 187:11

5/7-4 189:21

5/7-5 152:2 198:11

5/7-7 151:7

50 7:22 8:17

54818 122:17

54818.E 120:13 121:6 123:12

54818.F 120:13 121:7 123:13

5:00 217:12,18

5:01 217:19

6

6 93:21 94:5,12,18, 21 95:7,23 96:2,13 97:3,17 98:10,16, 21 101:1,2,3 138:1,6,13 160:5, 10

7

7 100:15 102:8 105:9 123:24 124:16,18 125:7 161:2,8 179:7

7-5 193:23

720 151:7 152:2 153:23 186:18 187:11 189:21 193:23 198:11

725/3.2 7:22

725/3.8 8:17

73204 124:13 127:10

7th 16:9

8

8 175:9,21 178:2,7

800 5:3

813 15:15 16:8 17:9 34:3 35:19 38:11 39:7,9,13, 14,19 51:11 86:13

813R 34:14 35:2

822 17:17

845 37:21 38:12 51:12

8th 171:10

9

9 38:22,23,24 180:5,11

911 59:20 126:16 142:1,6 175:17

9:47 142:1

9:58:28 28:21

A

abbreviation 139:23

absolutely 14:12 79:4,5 155:4 164:12

accept 20:2

acceptable 203:20

accident 144:24

accommodate 94:17

accompanying 105:2

accomplishing 61:10

accountability 114:20

accounts 38:13 51:14,18 52:5

accuracy 4:6 165:22 188:22

accurate 31:16 100:2 113:24 182:8 192:21 218:3

accurately 103:6 106:23

accuse 10:19

accusers 7:9,11 11:2

act 81:11 85:2 116:6 192:21

acted 175:7

action 20:20 83:7, 16 84:14 85:15 86:17 175:5 186:3

actions 75:19 79:3 117:22 119:10 125:24 157:13 158:9,13, 17,23 162:4 164:2, 4,10 171:3,5 172:14 182:17 185:12 217:3

activity 75:23

acts 99:16

actual 24:1 54:18, 23 64:6 88:6 157:15

Adams 5:3

add 15:3,18 119:22 143:6,7

addition 6:20 7:3 8:13 18:22 19:20 20:3 34:18 62:2 83:23 187:1,15 189:17 190:18

additional 12:1,21 15:18 23:15 69:21 122:12 132:5,8 138:14,24 139:8, 21 141:22 150:6 153:16 186:11 188:16 207:16

Additionally 179:24

additions 132:23

addressed 140:21

addresses 49:19

administrative 8:2 102:21 109:7

admissions 8:20

admit 191:4

advance 16:15 148:4 156:18 169:3

advise 6:16 9:2

advised 8:19,24

Advisements 6:4

aerial 175:11

affidavit 9:10,11, 23 14:8

affidavits 10:1,16 11:9 13:20

age 160:19

agencies 78:5

aggravated 97:6, 20 98:3,24 99:6,14 101:10,17,21 104:1,22 125:7 126:14,19 135:6 154:2,5,6,24 160:21 186:18,20

aggressive 148:1

aggressor 113:7 189:23

agree 27:22 72:19 194:4 199:2 206:9

agreed 6:3 117:21 182:12 183:13

agreeing 75:15

agreement 52:4 71:21 72:11 73:1 75:13 79:8 80:11, 17,21 81:6,14,19, 22 82:2,4,7,10,14 83:6,13,15,23 84:8 85:12 86:1,10 87:5,22 88:7,8 207:6

ahead 17:16 48:23 78:23,24 100:23 105:13 147:12,15 181:18 198:3 200:21

aid 4:6

Alert 187:20 188:3

all-inclusive 68:24

allegation 8:7 14:10 90:7 91:2,12 92:18,19,20 97:9, 10,23 98:1 99:2,23 100:7 101:13 121:12,13 122:10, 14 124:15 125:1,4, 12,13,14,18 126:2 127:3 129:3,11,12, 14,15,22 130:4,8 138:18,19 139:18 140:4,18,19

allegations 7:15 14:8 77:10,16 79:17 89:21 90:4 96:23 98:8,18 100:5,10 121:4 122:13 126:7 127:1,6 129:23 130:1 131:15 137:23 140:5,9,13, 16,22,23 141:12, 22

alleged 90:13 92:10 97:1,15 98:19 100:6 121:5 125:5 129:23 138:11 140:3,9 194:18

allegedly 76:16 85:23

alleges 13:3

allowed 12:21 88:11

allowing 190:13, 15 200:16

alongside 147:7

alternative 162:22

amazed 82:17

ambulance 149:13

amount 157:8 171:17

analysis 103:10 120:22

analyzed 120:19

and/or 117:15

angle 48:4

answering 6:24

answers 77:15 205:11,12

Anthony 63:6 82:9 182:3 184:5 204:5 205:14,18, 23 209:1 210:20

anymore 46:5,6

apparent 24:13 26:11 181:20

apparently 102:6

appeared 37:20

appears 18:4 122:12

applicable 160:14

application 157:16

applies 12:18 14:13 218:23

apply 14:9,16,17, 19,20 68:6

applying 137:2

apprehend 193:9

apprehended 162:6

apprehension 99:17 122:6 135:16

apprise 8:6

approach 149:10 200:16

approached 144:2,20 146:8 147:21 149:7 195:17

approaching 145:6

approval 182:13, 19

approve 114:15

approved 107:13

approximately 110:2 177:20

April 5:2 6:1 16:9

area 62:11 66:13 68:9,11,15 69:11, 12,14 70:3 80:14, 23 105:22 144:24 145:13 149:19 165:24 166:1 172:12,18 177:19

Arizona 6:17

arm 19:5,18 99:11 122:3 170:17

armed 93:17 103:24 144:16 150:23 155:1 162:18 164:23 165:20 172:5 174:4,24 179:1 185:18 186:20 187:5 194:1,7 197:9 198:5 199:22

arrest 53:18 102:6 114:18 151:8,9,12, 13,14 152:3,6,8, 11,14,21 155:19, 21 156:5,12,15 159:16 160:22 171:19 173:12 191:23 192:6 193:9 194:1,11 196:8 198:11,17 200:1,3,6,7 201:12,24 202:1,2

arrested 53:14 152:23 153:5 155:5,16 156:1 159:19 160:3,20 198:19 199:1 200:9 201:15

arrests 160:21 161:5

arrive 53:13

arrived 62:12 142:20 181:10

arrow 175:23 177:4

arson 154:5

asks 56:12

aspect 109:13 113:15

assailant 158:23 159:7 165:24 178:24 179:9 190:7

assault 97:6,20 98:4,24 99:6,15 101:10,17,21 104:22 108:1 122:5 126:14 135:2,7 136:18,22 137:7 154:2,3 160:22 186:18,20

assaulted 107:24 121:9,14,16

assaults 125:8 126:20

assessed 149:4 195:15

assigned 55:3 66:2 68:17 105:23 120:5 142:16 163:24

assignment 106:14 183:22

assist 62:7 96:1 146:14 152:5

assistance 144:17

Assistant 82:22 87:17

assisting 56:17, 23 57:9 58:16,17 59:2 61:2 63:4 64:10 65:9 68:2 146:8

assume 168:19

assumed 42:9

assuming 42:11 57:11 67:15 68:6 73:14 75:14 79:18 86:20

assumption 85:1 94:10 215:1

attack 39:3 92:15, 23,24 136:5 148:16 163:15 166:24 168:8 170:4 193:20 197:24 198:7 214:22

attacked 93:16 138:9,15 139:10 145:19 154:22 155:22 167:7 175:16 176:1

attacking 48:21 93:17 148:13 166:18 181:15

attacks 166:12 186:6

attempt 111:11 141:16,17 155:20 169:22 198:8

attempted 112:3 145:21 152:23 154:23 155:11 156:14 159:19 197:21 198:19

attempting 37:12 93:18 102:6 126:15 130:20 142:12 148:14,22 153:2 155:19 156:5 159:23 166:24 171:17 190:2 194:2,10 195:9 197:22 198:22 200:9 201:16 202:1,3

attended 163:2

attention 92:8 96:22 125:3 128:6 137:23 140:8 198:2,9

Attorney 5:10 9:14 76:10

Attorney's 77:2 113:8,9,14 114:5, 12,22 115:5,15,20 118:14,17

attorneys 87:4 88:11

audio 4:8,12,15 59:23

authority 109:6 111:21 155:5 157:4 183:1,21

authorized 151:9

autopsy 20:10 162:1 170:15

Avenue 142:5 144:14,20,21

aware 56:4,6,8 65:4,5 66:3 67:6 68:17,22 73:9 76:6,15 83:12,15 84:18 86:18 118:21 119:1 137:3 156:9 164:1 172:14 204:14,24 205:6 208:11

B

B-r-o-w-n 5:8

Bacerra 181:2

back 15:20 21:20 29:18 30:9 41:4 43:7 45:9 46:7 47:11 49:8 50:6,8, 14 53:5 80:5 86:4 90:3 111:2 115:11 130:17 131:18 132:9 134:9 137:20 185:11 195:1 196:6 206:5

backed 40:24 142:12

background 174:9

backpedal 40:4, 15 41:12,23 42:17 44:12 45:5,13 47:10 49:11,23 50:2

backpedaled 37:12 39:1

backpedaling 39:9,19,24 40:20 41:6,17,20 42:3,12 43:4 44:1,6 46:10 47:17,18

backpedals 49:13,15

bad 41:10 216:7

ball 54:1 106:5

bar 16:11,17 17:6 28:4,20 32:20,21, 22 33:6 34:11 37:19 40:13 43:22 44:4 45:3

Barillas 101:22 126:15,16 142:1,6, 8,10,11,12,21 143:19 154:21,22 163:17 175:16 176:1 197:24

Barillas' 126:19 142:17

based 25:15 47:22 48:6,11 93:4 106:7,11 117:7 118:16,22 158:8

basic 75:16 88:18 105:16 128:4

basically 17:24 27:24 53:7 84:9 85:14 86:6,11,22 87:4,24 103:2,5 104:17 108:20 109:8 111:12 127:15,22 132:18 158:15 201:20,23

basing 26:8

basis 8:22 91:11 92:20 129:11 130:2

battery 53:15 54:3 55:1 99:18 104:1 122:7 135:17 136:11 154:6,24 160:21,22

bears 106:22

beat 17:17 55:4 56:9,10 57:10,17 64:13 106:4 107:20

Becvar 60:18

began 6:10 15:24 19:5,17 47:17 124:19 144:24 146:24 167:8

begin 24:2 25:22 28:9 33:15 40:4 47:10,11 49:11 50:14

beginning 28:17 40:15 45:5 54:22 73:8 93:8

begins 20:17 28:8 29:22 39:13

begun 6:1 29:6

behalf 189:18 190:16

behavior 161:18

belief 91:13 99:13 125:21,22 139:14 141:2 196:3 211:21

beliefs 217:2

believed 48:17 77:20 93:15 166:23 181:14 212:9

believes 151:13 152:10,12,17,20 159:13,18 198:14, 16 201:14

believing 148:12

bend 169:19,21

benefit 167:3 213:13

big 63:19 170:5

bit 18:7 39:15 52:13 114:24 143:5 195:3 196:6 211:9

blade 147:23

block 145:24 172:23

blocking 144:23 145:15

blocks 174:23 185:23 194:7

blood 162:2

board 74:7,19 89:11 112:5

bodily 93:18 152:13,16,18 153:1,4 154:7,24 155:13,15 156:1 157:2 159:12,14, 23 160:2 186:7 190:6 198:15,22, 24

body 19:14 20:24 22:5,13,17,19,20, 21,23 23:2 24:6 33:10,19 168:22 213:21

bone 214:10

boot 170:5

boss 87:19 208:8 210:23

bosses 127:23

bothered 123:18

bottom 16:12 34:11 63:14 90:12 125:4

bounds 90:10,20 91:20 116:18 117:24 202:14

box 182:15

boxes 54:9

brandishing 200:17

break 89:22 95:3

breaking 142:3

briefing 70:11,15, 20 71:12,14 72:15, 17 75:6,9 206:7 207:2

briefings 71:5 72:23 75:2 183:6, 17 185:6

briefly 11:18

bring 19:5 70:8 141:8

bringing 204:13

broad 80:14

broke 22:16

broken 96:21 200:24 201:18,21

brought 66:13 206:21

Brown 5:8 15:7,20 16:1 29:23 30:15, 22 31:1,13,21 38:17 44:11 45:22 52:10 69:9 78:13, 15 79:1,22 80:5,8 81:3 88:20 89:19 101:1 105:11 119:7,8 134:23 141:13 211:9,10 218:18

buffer 31:9

building 36:14 76:8 146:11,21

buildings 174:12

bullet 21:23 22:5, 14,18,19,20,23 23:2 25:18,19 167:11 212:22 214:7

Bulletin 187:19

bullets 22:6 26:12 167:12,14 168:13

bunch 95:11 137:1

Bureau 76:10 77:2 102:24 163:1 184:4,6,18 208:7

Burger 16:3 17:11 27:10 60:8,13,20, 24 146:6,11

149:20 150:7 172:17,24 176:20 177:9

burglary 103:20, 21,23 154:4,20

burn 190:23

business 145:7 172:19 217:9

businesses 145:3,9 172:20 186:5 218:19

busy 62:19

C

C(1) 187:5

C(1)(2) 187:6

California 76:9

call 21:24 55:19 56:9 59:20 72:23 95:7,19 109:11 114:11 126:19 128:2 137:12 171:12

called 65:24 70:23 103:1,16 108:22 109:3 115:15,16 126:16 142:1 144:3 161:20 175:17

calling 142:6

calls 142:17

cam 15:15 35:20 38:12 51:11,18 86:13

camera 34:7 36:2 42:23 168:22 182:20

cameras 60:17

cannabis 160:24

canvass 60:22 65:12,15 66:9,14 149:18

capabilities 64:7 95:5

capability 31:17

capable 170:7

captured 192:16

car 57:10,17 60:17 106:4 107:20 192:19 199:18

card 64:24

case 6:19 9:18 10:14 12:19 13:7, 14 14:22 26:9 51:23 53:2,6,16, 17,19,20,22 54:3, 5,13,16 55:2 75:2, 24 78:4 90:15,16 91:10 92:10 93:21 95:13 97:1,15 98:19 100:19 102:9,11,18 103:15,18 104:21 110:12 113:9 114:16 116:3 119:2 120:18 123:5 124:1 125:5 133:10 134:14 138:2,11 150:5 162:10 170:7 200:13 208:4 211:20

cases 54:19 113:21 114:1,6

CASR 133:16 138:3

categories 95:11

categorization 57:23 107:17

category 99:22 100:2,8,22 138:21 139:22 187:6,7,9

caused 20:24 22:6,9 23:3 24:1 25:21

causing 145:17

CBA 11:24 12:6,7, 9,20 14:1

CD 190:23

ceased 45:13

cellular 142:13

center 17:21 165:23

Central 68:9,12 69:11,12,14 70:4

certified 4:3

chain 70:17,18 73:15 184:2 204:17,18

challenged 101:16 140:3

challenges 99:23

challenging 126:3,22

chance 57:19 159:6 163:4 213:5

chances 166:1

change 18:18 32:13 52:12 134:11

changed 28:21 33:8 108:16

Chapter 5:17 7:22 8:17

characterization 114:1

charge 113:13 114:18 116:2

charged 53:14,15 109:14 110:14 111:14,16 113:7, 10,11,17 114:3 115:24 116:6

charges 6:18 8:22 109:24 110:5,9 113:16 114:8 115:6 118:18,21 122:13 160:20

charging 114:21

check 64:13,23 69:5 166:5

checked 182:15

checks 64:1

chest 22:9 23:9, 12,18,20 24:9,21 25:8,9 26:2,18

chewing 199:14

Chicago 5:9,13,18 63:22 79:12 80:17 84:3 87:20 90:20 99:7 101:8,12,17 102:22 112:4 114:7 121:9,14,16 126:17 142:15 146:13 149:24 150:2,20 157:3 160:18 164:19 165:18 171:2 176:22 177:7 179:3 187:18,19

chief 137:10 182:11 184:4,5,6, 7,18,19 204:5,9,21 208:7 209:1,5,22, 23

child 154:2

choose 139:6

choosing 9:2

choppy 30:17

chose 192:6 193:7,8

chosen 151:1

chronology 25:12

circle 177:18,21

circumstances 155:17 156:3,9 162:14 165:4 180:22 202:21,23 203:4

CIT 163:3

cited 14:6 151:6 160:14

citizen 151:11

city 5:9,18 79:7,11, 12,13 80:9,10,17 81:5,8 83:9,18 84:2,17 85:4,12, 17,22 86:10,19 87:4,20 112:3,4 174:23 185:23

civil 83:7 84:21

civilian 10:11 14:16 101:22 142:1 162:20 171:13 173:24

civilians 14:9 145:8 172:13,21 174:3 186:9

claim 180:14

claims 83:24 84:1

clarify 14:5 122:11 124:6 131:3 188:14

class 106:5

classification 139:7

classify 106:9

clean 178:12

clear 8:9 11:3 18:18 27:9 41:15, 16 50:9 74:20 76:13 82:5 88:24 107:2 178:4,8 208:22

clench 212:23 214:4,17

client 189:16 200:20

clip_1.avi. 34:8

close 51:3 82:23 147:10 179:8

closed 145:3

closely 176:12

closing 173:15 209:1

clothing 179:20

cloudy 108:14

Code 5:18

cognizant 188:1

collation 94:7

column 55:18

columns 55:15,17

combination 162:9

command 70:17 71:8 72:22 73:16 75:4,12 78:17 89:4,11 183:8,11, 17 184:2,11 185:2 204:8,15,18 208:12

commander 6:13 7:2 62:11 71:7,12 72:7,14 74:12,21 182:4,10 183:4 184:3 204:20

commands 194:8

comment 12:15 17:2 48:9 134:13

commented 164:5

comments 12:13 15:19 16:21 34:3 48:11 196:7

commercial 186:5

commission 99:14 190:3 200:14

commit 154:23 155:11 159:20 190:2 197:21 198:20

commits 186:19

committed 85:8 101:16 116:5 125:7 126:14,19 152:23 159:19 185:19 197:21 198:19

committing 97:5, 19 98:3,23 99:5 101:10 103:19 154:19 190:2

common 87:16 216:3 218:19

commonplace 83:9

communicate 73:22

communicated 73:20 162:13 163:16 184:20

communicating 73:18

communication 163:11 209:5 213:17

communications 208:23 209:15

company 84:22 85:4 210:24

compare 67:2 215:17

compelled 6:24

Compiled 186:17 189:20

complainant 14:24

complainants 8:4,10 9:18,21 11:8 14:7

complaining 10:12

complaint 9:4,8,9, 10 15:2 53:13 83:17 84:16

complaints 10:20 53:19

complete 13:6,7, 12 90:14 91:7,10 140:11 141:4

completed 218:10

completely 140:20

compliance 182:17

complied 12:7

complying 194:8

computer 55:17 57:14 64:24 94:16 95:3,4 107:12 122:19 123:21 138:21

computer's 30:20

computerized 127:13

computers 63:23

concede 100:1 126:6 202:6

concern 83:14 84:13

concerns 83:4,21 184:24

concessions 100:3

conclude 91:17 168:19 215:20,21

concluded 90:18 118:13 119:10 182:16

concludes 116:11

conclusion 75:16 91:11,16 107:3 117:18 141:9,10 165:6 167:4 180:23 206:23

conclusions 26:7 72:12,20 73:1 75:13 89:12 117:7 182:8 185:3 207:7

conclusively 129:3 169:16

concurred 185:2

conditions 201:16

conduct 10:13 13:11 91:7 95:20 109:3,8 110:9 140:10 141:4 160:23

conducted 5:17 19:22 54:21 71:6, 7,12,14 108:22 109:6 115:16 149:18 161:24 170:15 183:6 184:9 204:7

conducting 117:4

conference 184:15 209:19

conferred 69:20

confident 108:3

confidential 4:9

confidentiality 10:6 11:20 12:3,18

confirm 71:17

conform 119:11

conformity 90:21 117:23 118:1

confront 7:11 11:2 147:9 173:3, 21

confrontation 165:17,20 174:4 186:10

confronted 101:23 142:7 154:21 156:8 168:24

conjunction 35:10

connected 179:15

connection 38:10

consideration 203:4

consistency 51:17

consistent 19:1 22:12 23:16 26:20 37:10 38:12 39:7 51:4,13 52:6 75:17 91:3 93:13 150:4 170:9,13 212:7

consult 86:2

consultations 182:1,5

consulted 82:11 85:16 86:7

contact 74:21,22 163:16,17 164:3 174:19 208:17

contacted 86:19

contained 94:15 100:11 125:16 150:14 162:12 163:10,13 174:24

content 100:8 209:9

context 35:6 38:2 195:3

continuation 5:24 6:9

continue 27:24 33:14 164:18 166:24 168:7 170:3 185:16 192:15 193:3 198:5 212:11 214:12,22

continued 108:3 144:5,18 145:5 146:3 147:3 148:4, 18,20 149:9 155:20 156:18 163:13 166:11,19, 20,21 168:15,16, 17 169:9,10,12 170:18 173:6 185:24 195:5,6

continues 22:22 101:15 107:19 197:12

continuing 18:13 77:9 145:23 148:23 166:22 168:1 195:10

contract 81:9

contrary 90:23 91:15,16

control 158:19,21 159:6 171:22

control/police 171:22

controlled 160:23

conversation 79:7,13 206:12,17

conversations 51:16 73:10,18 74:16 80:10,16,19 93:5 209:7,10 210:12,15

Cook 76:9,21 77:1 113:9,13 114:11 170:16

coordinate 130:20

copies 88:13,15

copy 21:10 30:18 59:20 81:18 82:2 86:13 151:17 153:7,11 154:13 157:20 160:5 161:5 175:10 178:5,8,12 180:8 187:16 188:20 189:1 190:23

corner 146:6

Corporate 86:21

Corporation 82:21,22 85:17,21 87:18,19 89:6

correct 4:23,24 10:3 14:11 15:14 25:2 26:24 27:6 37:22,23 39:12 40:16,18 44:2,7 45:7,8 57:8 58:2 88:22 100:9 110:23 112:21 116:12 123:12,15 124:23 126:23 127:4 131:7,8,9 140:4 182:9 197:17 211:11,17 218:17

counsel 6:2 9:1 11:23 82:22 87:18, 19 189:16 196:7 200:20

counsel's 82:21 85:18,21 86:21 89:6 196:7

count 103:11 104:17

counter 174:16

country 103:7

County 76:9,21 77:1 113:9,13 114:11 170:16

couple 15:18 41:4 104:10 137:22 188:23 189:10 204:1,3

court 4:3,8,10,15, 20 5:5 14:20 21:11 35:13 85:5 86:18 111:17 129:10 178:4 189:5 190:24 218:9

Courts 76:8

cover 124:14

covered 15:9 77:11,19,22

covers 34:5 80:14

coworkers 83:13

CPD 79:2,6,12 108:10 180:5 215:23

CPD'S 89:11 90:10 91:21 119:11

Craig 10:10

create 54:8 55:17 95:2 106:7 120:20 122:12,22 123:21

created 53:8,12, 16 57:4 102:14,23 104:16,19 107:10 108:5,9 122:14,16, 23 123:21,22 132:24

creates 122:19

creating 96:18 186:10

credibility 49:17

crime 68:18 103:1, 13,17 104:9,19 105:2 120:20 122:18,20,21 124:21 184:7 200:14

crimes 103:6,16 200:8

criminal 6:18 76:8 108:23 109:4,13 110:9 113:5,15 114:19 116:6 138:9,10,16 139:9, 10,24 154:1,2,3 160:18 161:3 162:5,16 163:7 185:19

criminally 111:16 114:3

crisis 162:7,17 163:2,8

Crisis/hostage 162:23

critical 180:15

criticize 185:8

cross 18:8 33:15

crossfire 174:7

crosswalk 144:23 145:15

CSR 38:7,11,23 65:21 90:8,11,18 92:12 93:24 94:12, 13 96:7,13 97:3,17 98:16,21 116:10 118:7 119:12 133:2,3,8,18 134:7,22 209:1,14

Curran 66:8

Curran's 66:19

current 206:19

custody 169:22 171:18 200:17

custom 4:7

cut 126:15 142:12

D

damage 214:9

damaged 62:3

dance 20:22

danger 198:1

dangerous 162:19 187:4,5,10

Daniel 63:14 82:8 182:3

dash 15:15 35:20 38:12 51:11,18 86:13

database 127:22

date 5:1 71:10 87:6,7,9 134:10

Dave 21:9 151:16 153:7 154:12 157:19 160:5 161:2 175:9,20 178:7 180:5 187:15,16,21 194:13,15,16 198:9

David 5:11,12,19 63:6,15 182:11

day 59:8 85:8 91:13 93:3 139:15 141:3 145:2 164:12 217:9,22

days 54:21 93:6 125:21 176:15 183:21 184:17 210:4

de-escalation 157:12 162:21 163:5

deadly 51:2 93:17 99:18 109:9 114:2 153:2 155:13,18, 21,23 156:4,12,15 157:1,17 159:9,24 160:8 162:18,19, 22 164:15,18 173:13 174:7 185:18 191:23 192:7,13,14 193:2, 5,10,23 197:23 198:13,23 199:24 200:10,15 201:17 202:4,5 203:7,12 212:12

deal 22:22 175:2 203:2

dealing 118:10 162:11 171:16

death 92:14,22 152:16,18 157:2 158:24 159:11,14, 22 161:13 186:7 198:15

debate 170:21 203:14

December 180:8

decide 20:22 193:18

decided 85:24 135:12 175:4

decision 114:4,5 115:17 173:21 193:8 203:8

decisions 137:5

decreased 169:7

decreasing 33:4 148:6 156:20

deemed 11:8

defeat 102:6

defeated 152:22 159:17 198:18 200:2 201:13

defend 152:12 179:11

defense 39:1 125:9,15,24 126:4 148:15 157:1 173:19

defensive 178:22

definite 18:18 48:1

definition 49:23 186:17 187:3

definitively 42:21 46:24 48:5

degree 153:24 154:1,23

delay 153:5 155:16 156:2 160:3 199:1

demand 87:3

department 5:14 54:1,6 63:23 67:21 83:10,18 84:4 85:22 108:22 112:2,5 114:8 116:20 117:23 118:11 127:14,21 149:24 157:3,6 158:18,20 159:10 160:13,19 164:20 171:2 179:4 182:17 183:12 184:8,13 200:24 201:2,10,19 204:23

department's 90:20 117:2,24 162:23 163:2 179:7 202:14

dependent 50:19

depending 17:23 19:9 31:23 67:22 111:22

depends 53:10 55:14

deploy 180:1

Depository 150:3 176:22 177:7 196:24

deputy 137:10 182:11 184:4,5,8, 14 204:5,9,20 209:1,5,20

describe 46:16

description 138:4,7,15 139:1, 9,22,24 142:22 143:20

deserted 145:2 172:12

designate 29:3 135:9

designated 21:6 69:1,3

designates 64:4

designation 29:5

desire 214:21

desist 152:5

desktop 30:18,19

detail 13:15 54:4 124:13 127:9,12, 20 128:9,23 129:8

detailed 20:12

details 54:14,18, 23 55:6 111:11 127:18 128:18 165:2 211:20

detective 4:14 5:11,12,19,21 6:5, 6,11 7:10,15 8:11, 15 9:4,20 10:12,15 11:13,24 13:4,24 14:23 16:9,21 21:9 24:8 25:1 34:21 35:3,5,10 40:14 45:4 54:16 55:3,22 58:12,23 59:18 60:5,6 61:7 63:1,8, 12,16,18 65:13,17 66:5,7,16,19 69:19 72:5 77:20 78:2,8 79:18 82:7,14 88:16 90:13 91:6 98:13 110:1 111:8 115:4 124:24 129:13,23 130:5, 18 143:1,11 151:21 153:12 163:24 175:14,19, 22 177:3 178:6 186:14,15,16 187:1,2,20 188:8 189:18,19 190:13 194:5 211:12

detectives 52:14, 17 54:20,24 58:8, 14,17 59:16 61:1 64:9,13 65:8,12 66:2,23 68:11 69:14 70:4 73:12 161:13 184:5,19 208:8 209:23

deteriorate 165:22

determination 9:14 112:10 115:10 118:4

determine 47:22 106:2,15 114:17 115:21,24 132:11

determined 92:13 111:24 113:6,16 118:18 139:4

diagonal 18:14

dies 104:2

difference 94:11

differences 132:22

differently 108:19

difficult 31:23 47:21 191:18 214:12

direct 6:12 7:1 90:6 96:22 121:3 128:5 137:23 198:2,9 209:5

directed 43:23 151:12 152:4 172:2

directing 92:8 125:3 140:8 156:16

direction 18:3,18 21:20 28:1,13 29:1,7,12 32:23 33:8,15 46:16,20 47:11 50:1,3,11,15 88:23 99:12 148:10 170:1 172:3 173:14 177:10 193:11 211:16

directional 175:23 177:4,9

directions 28:22 46:17,20 89:7 144:12 148:4 150:21 151:1 155:7 156:18

directive 41:10 158:5

directives 182:18

directly 156:22 184:20 204:17 208:9

disability 154:7

disagree 194:5, 12,13,15

discharge 8:23

discontinued 4:13

discuss 52:1 83:4 96:10

discussed 52:2 75:1 93:7 210:9

discussion 91:23 135:8 137:11,17 189:15 200:19

discussions 51:9 96:12 125:20

disfigurement 154:8

disk 30:13,15,16, 18,20

dispatcher 56:12 144:15 145:18

displayed 179:2

disposal 167:5

disposition 111:18

distance 33:3 37:13 46:22 51:1 145:23 148:5 156:19 169:6 173:16

distinct 104:11

district 55:4 171:10

Division 54:16 55:22 63:18 102:15 180:6

document 21:12 35:21 36:3,9 38:18 52:21 53:19 62:20 64:21 67:20 68:1, 3,10,20 69:24 94:1,5 95:23 96:2 100:16 104:19 124:9 126:12 128:7 130:6 138:5, 13 151:22 153:11, 12,19 154:15 158:1 160:9 161:7 178:1 180:10

186:22 187:12 188:4,11 190:9 212:5

documentary 34:19

documentation-wise 106:6

documented 13:8,12 65:3,5 72:13 91:8 161:17

documenting 55:5 96:19

documents 13:24 68:5 87:2 88:6 120:9 128:19 133:22

Donuts 34:7,15 36:1,12,13,14 37:24 39:10,21 44:4 47:22 48:6,7 51:5,12 52:9 60:12,13,20,24 147:5 149:21 150:1 173:1 176:21 182:21 218:13,19,23

door 36:21,22 37:1 147:8

Dora 57:3

doubt 150:18

download 218:15

downtown 75:2

downward 21:21

draft 13:5 90:14 91:9 120:23 124:4 128:10,12,18 129:6,7

drafted 13:5 123:1 129:24 130:6 208:3

drafting 96:2,10

draw 117:6 177:13

drawing 156:16

drew 147:16 173:9

drive 30:14,21

driver's 37:1 49:4

drives 63:16

driveway 36:15

driving 142:18 146:17,19

drop 70:10 144:11 148:2 149:9 150:22 151:2 155:8 156:17 172:7 173:11 185:22 193:11 194:9 197:12

drop-down 57:5, 14 139:1,6,12

dropped 193:12 212:15,17

drove 145:22 147:13

drug 162:8

due 8:15 11:13

duly 5:23

Dunkin' 34:7,15 36:1,12,13,14 37:24 39:10,21 44:4 47:22 48:6,7 51:5,12 52:9 60:12,13,20,24 147:5 149:21 150:1 173:1 176:21 182:21 218:13,18,23

duplicate 94:9

duress 6:23

dust 62:5

duties 64:21 106:20

duty 11:19 12:2,17 106:13 183:22

duty-defense 102:5

DVD 16:8

Dyke 18:11 20:16 21:2 23:11,13 24:22,23 25:9 26:19,21 33:3,21 36:20 37:2,13 38:9 39:1,17,23 40:6,14 41:6,11 42:3 43:3, 5,21,24 44:5 46:17 48:15,18,23 49:5, 9,16,19 76:18 82:3 84:5 91:19 92:16, 24 93:14 97:5,7, 19,21 98:2,4,23 99:1,7 101:9,11,23 107:23 117:19 119:19 122:2 125:8,9,15,24 126:18 135:3 146:14 147:8,11, 13,15 148:12,13, 14,19,21,23,24 149:3 150:13 156:7,8,11,13,14, 19,20,22,24 164:16 166:16,18, 22 167:1,6,8,16,19 168:2,11,18,19,21, 23 169:3,4,6,11,13 171:3,11 172:14 173:2,18 174:10, 19 175:7 178:18 180:15,19 181:12, 15,16,17 182:15 183:19 185:8 191:22,24 192:3,6, 8 193:7,14 195:6, 8,10,11,14 196:2 202:11 211:14,17, 18,24 212:20 213:15,16 215:13, 17

Dyke's 17:19 38:6 39:6 79:3 90:9,19 116:11 119:10 168:5 170:14 195:21 217:2

E

earlier 41:1,2 181:23 206:2

early 218:6

earth 132:21

easily 136:4

east 46:23 47:23 49:3,5,9 142:24 143:21 147:6

eastbound 29:4 143:24 144:5,19 145:6 146:4,9 177:6

eastward 196:13

easy 166:6

educated 165:6 180:23

education 134:24 180:6

effect 51:22 87:24 99:13 108:17 152:11 156:12 157:9 179:23 191:23

effective 159:5 166:5 179:6 180:3

effectively 179:16,21,22

effects 161:16

effectuate 193:24

effort 122:12 171:12 173:12

efforts 152:6

election 87:12,13

elicit 141:19

eliminated 166:15

embedded 16:13 28:5 34:9

EMMS 70:22

employed 80:16

employee 14:18 79:13

employees 84:4, 10
employment 112:4
employs 157:10
empty 149:2 195:13
encompassed 96:12
encounter 174:17,23 203:17
encountered 162:11,13 171:24 199:17
end 29:20 36:17 42:13 93:7 118:16 153:10 167:4 170:21 194:22 203:14
endanger 153:4 155:14,24 160:1 192:15 193:4 198:24
ended 66:9 151:3
ends 49:13
energy 22:5,18, 21,22,24
enforcement 186:12
engage 110:8 179:16,22 186:9
engaged 13:9
engaging 179:21
ensure 217:11
entail 62:18
enter 86:22
entered 79:8,15 80:11,18,20 81:5, 14,20 85:12 86:10
entering 146:22 172:18
enters 50:13
entire 11:10 143:4 163:14 174:16 181:24 183:11 185:2
entities 77:5
entitled 10:5,24 11:2 81:12 157:5 159:8 170:20 194:14 203:13 205:1
entity 85:3,18 112:18
entrance 25:7
entries 127:16
entry 128:22 186:4
enumerated 140:13
environment 173:6 186:8
equal 204:20
equally 162:19
equation 136:21
equipped 144:17 178:20
erroneous 141:1
error 57:5
Escalante 7:13 14:24 184:7,14,20 204:21 207:19 209:13,16 210:7, 16,20
Escalante's 10:23
escalate 173:6
escalated 173:5
escalation 157:11
escape 152:22 153:2 155:21 159:17,23 194:3,7, 10 197:23 198:18, 22 200:2,9 201:13, 16 202:3
escaping 190:3 193:2 200:15 202:2,3
establish 42:20
established 42:6 91:4
estate 79:9,15 80:12
Eugene 62:10 182:4
evaluation 161:22
evening 15:12 130:21
Event 102:10
events 88:19 182:7
eventually 96:12
everyone's 64:22 72:10
evidence 8:21 13:14 20:3,6 23:15 42:10 73:24 90:23 91:14,15 95:9 120:12,16,19,21 121:6,15 122:14, 16,17 170:9,13 181:21
evidenced 182:13 211:20
exact 88:3 93:1 178:14
exaggerated 148:1
examination 20:9 161:24
examiner 25:11 170:16
Examiner's 20:8 21:4,7,17,19
excessive 158:21 159:6 165:1
exchange 83:24
excuse 187:19 190:6
executive 70:22 71:19 72:15,17,18, 22 73:3 74:5,18 75:3 183:9 185:6 205:24 206:7 207:2 210:8
exempt 184:2
exercised 171:15
exhibit 21:9,13 24:8 25:1 35:16, 20,22 36:2,4 38:7, 15,23 52:16,19,20, 22 58:10 69:8 90:8,18 92:12 93:21 94:5,12,21, 23 95:7,16,23 96:2,7,13 97:3,17 98:10,16,21 100:15 101:1,2,3 102:8 105:9 107:10 116:10 118:7 120:24 123:2,11,12,13,24 124:8,16,18 125:7 127:8 128:7 133:2, 3,8,18 134:7 138:1,6,13 143:11 151:16,23 153:7, 13,16,20 154:12, 16 157:19,20 158:2 160:5,10 161:2,8 175:9,18, 21 178:2,7 180:5, 11 186:16,23 187:2,13,16,21 188:5,9,10,12 189:20 190:10,20 191:9,11,14 193:22 194:22 198:10 201:5 203:23 211:8
exhibited 161:18
exhibits 34:17,19 35:14 120:8 133:5 186:14 190:15,17

exist 7:19 10:2 179:13

exit 21:22 22:15,16 37:1 47:1,13 50:10 147:9,11

exited 144:2 147:16 156:13 169:4 172:1 173:3, 8 181:10 191:24 192:4

exiting 192:11

exits 22:23 49:4,5

expect 208:10,14 214:7 215:24 216:5,13,15 217:18 218:5

expectation 165:8 205:5 212:13,18 213:3

expeditiously 191:2

experience 106:12 128:17 165:14

expert 30:12 216:18

experts 178:22

expired 149:15

expires 109:2

explained 31:11 124:22 166:16,23

exposed 136:3,7

express 74:1

expressed 76:5 183:1,14

expressing 206:22

extended 135:22

extension 135:21

extensive 160:18 214:9

extraordinary 171:16

extreme 199:11

F

face 19:23

faced 19:4

facing 17:10 23:13,21 24:22 25:9 26:19 38:1 50:1 147:18

fact 22:16 42:9 48:11,20 65:8 71:5 91:6,9,12 99:3 104:17 116:16 118:8 121:19 122:5,8 125:16,19 126:10 127:17 128:14 130:13 136:17 139:16 141:3,8 151:14 168:10 169:2 170:14 197:9 199:22 207:1

factoid 207:16

factor 202:20

facts 118:17 130:14 137:3 160:16 167:5 212:3

factual 134:19

fail 141:18,19

failed 13:5,7 90:14

failing 13:11 140:10

fair 6:2,6,7 10:24 27:5 28:22 32:21 35:12 39:11 40:21 43:5,6 45:14,15 50:21 55:9 94:10 96:9 113:19 118:20 212:13,18

fairly 137:2 206:5

faith 130:1

fall 202:13

false 9:12 13:4 92:19 98:1 99:2 121:13 122:9,10 125:13,18 126:2 129:4 138:19 139:18,19 140:3, 20,24 194:16

falsely 13:13 92:12 97:3,17 98:21 121:5 125:5 138:13

familiar 63:2 70:12

familiarize 94:4

family 81:6 84:1 85:20 86:12,16

family's 88:10

farther 49:13 181:11

fault 134:3

FBI 104:15

FBI'S 124:21

fear 136:10

Federal 76:10 77:2 102:24 163:1

feel 84:12 85:7 206:24

feeling 135:5

feet 18:12 148:8 179:5,7 192:9 202:11

fell 27:10 148:17 167:18,22 169:8 195:4

felon 192:13 193:1 194:1,2

felonies 155:2 185:20

felony 102:4 114:7,9,12 115:5 152:24 153:23,24 154:8,13 155:11 159:20 171:14 186:19 190:4 197:22 198:20 200:4,5

felt 19:16 85:7 193:19

fender 62:6

field 64:2

figure 35:13 133:6 177:1 191:5

file 9:23 16:5 34:8 59:22 70:9

filed 83:16 84:14, 17 86:17 118:21

filing 9:8

fill 54:9 139:2

final 111:18 112:9 117:8 137:12

finally 61:14 94:7 126:21 149:10 156:7 173:15

find 74:8 90:11 117:18 128:2 130:13 203:24

finders 130:13

finding 90:8 110:16 112:8,19, 22 113:22

findings 69:15 71:21,22 72:20 73:5,6,20 74:6,7, 16,19 151:6 183:13 185:3 206:9

fine 15:9 41:3 153:14 165:20

fingerprints 62:7

finish 70:7 218:4

finished 78:22 143:19

fire 33:21 48:14, 15,22,24 148:20 166:4,19 180:19, 20 181:17,19 193:13,18 195:7

firearm 109:9 179:11,12

firearms 159:4 166:8 174:13

fired 39:2 83:11 91:18,19 92:1,3 148:14,24 150:13 166:16 167:17,21 168:9,10 169:5 173:19 174:10,20 178:18 180:17 181:4,8,16 195:11

fires 18:11 109:1

firing 20:17 165:22 167:8 192:22 195:21,24 197:15

firm 141:6

firmly 7:12,16 9:20 99:4

flat 145:17

fled 142:14,23 143:21 172:16

fleeing 192:14

flowed 73:15

focus 40:7

FOIA 81:10,16 82:12

folks 58:18 74:17 120:3 204:3

follow 62:20 144:18 151:1

follow-up 51:7 54:21 78:13,17,21 119:5 134:21 141:11 188:23 211:8,9

Fontaine 57:3 181:9

food 70:18 150:2 176:22 177:7 196:23

foot 142:14 144:3 172:16 174:22 181:6

footage 36:2 150:9 168:22 169:1

force 75:18 90:9, 19 92:6,14,22 109:10 110:18 112:1 113:1,22 114:2 115:19 116:11,17 117:4, 24 135:22 136:13 151:8,9 152:3,10, 11,16,17,20 154:9 155:18 156:5,12, 15 157:1,4,6,7,8, 10,12,17,22 158:7, 8,10,12,14,15,16, 18,20,22 159:1,4, 9,11,13,22 160:8 162:22 164:16,18 171:18,23 173:13 174:7 178:24 179:14 189:23 190:1,4,5,8 191:23 192:7,13 193:6,10, 23 198:10,13,16 199:23,24 200:1,6 202:5 203:7,12 212:12

forced 125:9,15, 24

forcible 152:24 153:23,24 154:13 155:2,11 159:20 171:13 185:20 190:3 192:13 193:1 194:1,2 197:21 198:20 200:5

forcibly 149:11 169:15

foreground 36:15

forensic 62:4 68:18

forever 84:2

Form 13:15 120:13,17,21 121:6,7,15 122:17

formal 64:22 69:4 83:17 84:15

format 65:23 66:1 95:8 99:23

Forms 13:15 120:12 121:6 122:15

Fortunately 165:13

forward 16:23 145:23 147:23

found 9:11 18:24 66:11 117:22 184:17,22 187:8 210:4 211:20 212:6 215:13 217:1

foundation 207:23

fourth 38:23

frame 39:12,14 170:10 197:2

frames 115:12 118:9

framework 115:1

frankly 82:17

Freedom 81:11

Friday 217:12,18, 19 218:7

Friel's 63:15

front 21:20 38:5, 16 61:24 62:5 76:23 87:2 101:19 124:1 133:5 145:16,22

full 43:12 183:22 194:23 195:1

fully 12:7 15:14

function 102:22

furnished 11:10

Futterman 10:10

future 30:24 84:5, 10

G

G03-02-01 157:5, 23

G03-02-03 159:8 160:7

Gaffney 56:21 57:1,6 62:1 101:18 121:22 122:1 125:8 126:17 135:2,18,20 136:8, 14 142:16 144:14, 21 145:11,14,17, 22 155:23 171:10 172:9 181:1 199:17

Gaffney's 196:10, 14

gains 186:4

Gallagher 51:10 61:11 69:18 72:6 73:10,15 74:10 82:8,15 84:6 88:17 91:24 96:3 107:13 117:21 128:15 137:10 182:3 204:19

Gallagher's 51:20 63:15

Garcia 142:9

Garrity 6:21

gathered 20:4,7 26:9

gave 41:10 72:15, 17 88:22 94:19 142:22 143:19 183:19

gears 52:12

general 5:9 7:17 9:19 11:7 12:11, 16,17 13:2,3,16 14:11,22 27:8,9,13 62:18 70:1 80:13 157:5,22,23 159:8 160:7,8 188:22 204:15 207:12

General's 10:18 14:19 84:17

generally 10:14 47:7 176:13

generated 104:12 107:8,13 108:8

gentleman 74:13 113:18

gentlemen 10:19 105:10 123:13 160:7 161:6 175:11 178:5 180:9 187:17 190:12,19 194:4 199:3

give 29:19 76:24 88:12 143:4 189:9 216:11

giving 6:22 166:1

goal 67:18

good 22:22 31:14 57:18 130:1

good-faith 129:11

Google 175:11 176:3,7

government 210:24

GPR 70:8 131:1 132:16

GPRS 70:5,10 133:1

grand 76:21,23

graphic 158:10, 14,15,22 159:3,5

grasp 148:18 166:21 168:1,17 169:9,12 170:19 195:5 213:22

grasping 169:24

great 93:18 152:16,18 153:1,4 154:7,24 155:13, 15 156:1 157:2 159:12,14,23 160:2 175:2 186:7 198:15,21,24 214:21

Greater 150:2 176:22 177:7 196:23

greatest 166:1

grip 147:23

ground 26:1,4,5 27:11 77:19 148:17,21 166:20 167:18,23,24 168:16 195:4,8 211:14

group 137:7

growled 142:10

guarantee 180:2

guaranteed 8:16 166:8 179:13

guess 31:16 39:14 62:17 74:3 81:9 106:10,11 111:11 112:9 135:1 136:20 202:24

guessing 65:19 176:12

guidance 157:8

guidelines 90:10, 21 91:21 103:14 116:22 118:1 158:11 202:15

gum 199:14

gun 216:6,14

gunfire 22:4 168:13

gunshot 21:5,7,16 22:1,8,11 23:6,7, 23 24:8,10,13,17, 24 25:20 26:10,15, 17 193:14 213:19

gunshots 181:4,8

guy 31:10 199:15 216:21 218:14

guy's 216:7

guys 96:10 189:2 217:17,22 218:5

H

H-a-l-l-o-r-a-n 58:22

Hagen 60:5,19 61:3 65:13 72:6 82:7,15 84:5 88:17

half 31:17 94:22, 23 95:17

Hall 79:12

Halloran 58:19, 22,23

halt 75:23

hammer 216:22

hand 5:22 52:15 93:20 99:11 100:14 119:16 120:7 124:7 144:10 147:22 149:8,12 155:9 165:11 169:16,20 170:7,12,18,19 185:24 197:14 199:22 213:20,23 214:4,7,8,10,18 216:7,14,16,21,23

handcuff 169:22

handed 102:8

handgun 18:11 20:17 39:2 83:11 109:1 148:14 150:13 156:16 165:22 166:17 169:5 173:20 174:10 181:16 197:15

handguns 147:17 173:10 180:19

handle 36:7 170:24 203:16,17

handled 108:19 170:22 203:15

handout 180:6

hands 144:6,7,8 172:4 197:8 199:20,21

hang 151:18

happen 215:15

happened 19:10 86:14 87:10,13 106:2,16 163:20 215:16

happening 33:7 76:17 119:1

happy 40:1

hard 30:14,21

harm 93:18 151:3 152:13,16,19 153:1,4 154:7 155:1,13,15 156:1 157:2 159:12,15, 23 160:2 174:14 186:7 190:6 198:15,22 199:1

Hartgrove 161:21

hash 18:9,16,20 19:14 33:11,17

head 66:5 87:7

headquarters 75:3 183:7

health 161:12 162:7,17 163:7

hear 70:19 164:22

210:14,23

heard 76:15 78:10 185:7,9,11

hearing 11:1 74:9 153:17

heart 164:14

heavy 170:5

held 99:11 155:8

helped 59:9,13

helpful 27:14

helping 59:11

helps 38:6

hierarchy 104:3

high 210:23

highest 104:3 165:21

history 160:18 161:3,11 163:8

hit 23:24 25:10,12, 23 26:12,14 167:10 215:10,11 216:21

hits 166:7

hitting 196:9,19

hold 213:6,8 214:13,22 215:5

holding 19:6 122:3 144:9 147:22 149:7 197:13 211:15 216:2

home 61:17 62:13

homicide 104:14, 15,18,24 105:1 107:4,16 108:4,11 138:4,7,14,23,24 139:3,5,9,21,24

Honestly 191:1

Hospital 149:15 161:22

human 153:4 155:15,24 160:1 193:4 198:1,24

hurt 33:23

HX475653 53:3 102:20 105:18 120:15 121:8 140:13

HX486155 102:10 124:1 125:6

I

ID 64:24 93:23 124:20 133:12,15 138:3

idea 26:3 71:9 75:7 78:11 134:1 168:11 205:17

identical 123:19

identification 7:9 21:14 35:22 36:4 52:22 151:24 153:21 154:17 158:3 160:11 161:9 178:3 180:12 186:24 187:14 188:6,13 190:11

identified 9:19 14:23 41:5,11,19 45:4 124:20

identify 5:6 13:19 27:15 39:23 41:16 42:2 44:11 45:10 59:11 67:19

ignores 197:11,12 199:19

ignoring 200:16

II 159:9

ILCS 7:22 8:17 151:7 152:2 153:23 186:18 187:11 189:21 193:23 198:11

Illinois 7:6,21,22 8:12,16 9:23 10:15 11:12 14:15 103:16 120:13,20 121:7 155:18 164:19 171:1 186:17 187:3,10 189:20 197:18

immediately 54:20 101:22 145:18 149:3 174:3 192:16 193:4 195:14

imminent 92:14, 21 198:14

impartial 11:1

important 31:4 32:11 36:8 202:20

impossible 214:11

impression 211:13

in-car 16:7 149:23 182:20

inaccuracies 133:19 134:7

inappropriately 85:3

incident 13:15 48:12 53:2,5,6,8, 10,20 54:10,19 55:8 56:5 63:17 67:9,23 68:4 71:24 75:19 76:6 102:9, 11,18 104:4 105:21 106:1,9,15, 18,21,23 107:4 108:24 111:9,11 116:1 120:14 121:8 123:5 124:1, 12,13 125:6 126:13 127:9,10, 11,16,17,19 128:1, 4,17,22,24 129:8 149:20 150:1,12 151:2 159:1 162:4 163:12,14,20 164:6,8,11 165:3 171:9 175:13 176:19 178:19 180:16 182:1,7,10, 11 183:3,7,21 184:1,16,19 185:1 202:22 210:4

incidents 53:11 64:3 103:2,9,14 110:13 127:15 161:17,21 171:6

include 35:14 84:3 118:6 136:21

included 16:8 59:22 68:15 81:16 98:5 127:3 135:4 137:11 160:21 191:3

includes 187:4

including 4:11 90:23 91:15 128:23 149:20 150:7 165:18 182:2,23 183:12 185:20 215:19

incompetence 211:5

incorporate 130:14 153:10

incorporated 104:7

increasing 173:24

indemnifies 84:9

independent 4:3 11:1 109:5 111:20 132:22 136:24 182:24 183:20

independently 75:1

indicating 149:2 155:24 177:5 195:13

indication 50:16 183:23

indications 193:15
indirectly 184:21
individual 12:13 84:24 154:10
individuals 5:6,15 7:17 9:17 10:9 11:3,7 57:22 65:7 66:12,22 67:17 174:15 204:17 208:14 210:7
industrial 145:1 174:11
ineffective 158:19 179:10
inflict 153:4 155:15 156:1 160:2 190:6 198:24
inflicting 186:6
infliction 152:24 153:1 155:12 159:21 198:21
influence 162:8, 17 163:9
information 4:2 8:5 9:13 10:4 11:22 12:1,6,8,19, 21 13:2,17 14:1 20:4,7 26:9 73:15 81:11 85:11 106:8, 17 127:18 132:11 141:19,23 207:8, 10
informed 8:1,3 71:4,13 72:14 145:18 161:13 165:5 180:23 183:5,10 185:1
informs 215:24
initial 214:15
initially 39:6 50:3 73:4 112:15 190:4, 7
initiate 54:8
initiated 92:13,15, 21,23 193:20
initiates 102:16
initiating 99:14
injure 170:8
injured 167:14,22 168:4
injuries 20:12 21:3 23:20 25:17 26:6 168:14
injury 21:22 22:12 24:14,23 25:7,21 92:15,22 145:13 158:24 186:11
input 136:20
inside 215:7
Inspector 5:9 7:17 9:19 10:18 11:7 13:2 14:11, 18,22 84:17
install 218:22
instance 91:6
instances 56:10 104:10,14 166:9, 10 203:20
instant 203:5
instinct 164:24
instinctively 213:22
instituted 8:3
instructors 178:23
insufficient 158:18 179:10
intelligent 165:6 180:23
intend 34:24 143:3
intended 11:22 188:19
intent 162:5 190:5
intention 141:6
interacting 150:19
interceding 102:4
interest 77:18 85:24
interject 42:4
intermittently 16:14
interpretation 182:6 194:13
interpreted 103:24
interrogated 8:19
interrogation 7:7, 24 8:21 9:3
interrupt 100:20 123:6
interrupted 103:20
intersection 17:15,21
Intervention 163:2
interview 4:5,8,16 5:19 6:1,10 15:11 20:1 132:23,24 133:23 190:16
interviewed 7:18 66:15 76:24
interviewer 78:22
interviews 19:21 132:18
introduce 143:11
investigate 105:20 106:15 132:12
investigating 77:5 106:1 113:1, 3,5
investigation 5:17 8:2,9 12:2,14, 16,22 13:9,13 19:21 20:5,8 52:15 54:8,15,23 55:6 58:17 59:3 62:8 64:6 68:14 72:12, 21 74:17 75:22 76:3,7,11,16 77:3, 21 91:8 95:21 96:19 102:24 105:16 106:13,22 107:17 108:2,11, 12,23 109:4,7 110:16 112:11,23 114:7,14 115:11 117:1,5,7 118:13, 23 119:3,9 126:11 130:12,15 137:9 140:12 141:6 149:18 150:10 151:7 160:16 163:1 164:1,2 167:4 169:1 181:21,24 182:12, 23 183:2,14,24 184:9,12 185:1,3 204:7,10 205:7,15, 16 206:10,23 207:7,21 208:19 209:2,11,17,24 210:13,17,21 215:19 217:1
investigations 12:17 78:10 108:18 110:4 115:1,2,3
investigative 69:15 75:23 78:9
investigator 44:11 45:22 105:23 184:21
investigatory 71:21 105:19
involved 54:11 55:3 57:18 66:8,13 95:10,15 110:11, 15,21 111:7,9 119:2 141:10 150:1 151:4

152:24 155:12 163:23 164:11 175:12 182:23 198:20

involvement 60:2 68:14 96:5,6

involves 83:9,10 154:9 159:20 163:6

involving 72:4,5 76:9

IPRA 84:17 109:5 111:20 112:14,16 117:4

IPRA'S 108:12

irresponsible 198:7

issue 46:12 49:20 86:9 118:10

issued 150:21 188:3 193:11

issues 161:12 164:14

item 138:23 140:2

items 140:22,24

Ivankovich 63:6

J

James 5:10

Jamie 10:10

January 108:16, 20

Jason 18:11 20:16 23:11,13 33:21 38:6 48:18 76:18 92:16,24 93:14 101:9 117:19 126:17 146:13 164:16 167:6,8,16, 19 168:2,11 171:3 182:14 183:19 185:8 193:7,14 196:2 211:18,24 215:12,17 217:2

Jersey 6:22

Jim 14:5 176:2 217:6

job 205:4

John 7:13 10:22 14:24 184:7 207:19 209:13 210:7,16,20

Jones 59:18

Jose 63:1

Joseph 82:6 92:16,24 93:15 99:8 101:12,18 126:18 142:16 146:13

Jr 5:10

judge 110:19

judgment 167:3

jumbled 201:2

jumping 196:6

jurisdiction 109:23

jurisdictions 103:8

jury 76:21,23

justice 13:11 140:10 141:8 194:17

justifiability 115:18 117:3

justifiable 104:14, 15,24 105:15 107:4,16 108:4,11 115:18 118:5 138:4,23,24 139:3, 5,9,21,24

justification 189:24

justified 73:19 110:17 112:1,9,10, 20 116:5,12 117:9, 15,16 152:9,15 156:11 159:11 171:4 191:22 192:10,18 197:15 211:15

K

Kalven 10:11

Karlov 144:20,22 146:4

Keeler 144:13,19

key 129:16 166:15

kick 149:11 170:6

kicked 169:15 170:11

kidnapping 154:5,6

Kildare 142:5,23 143:21 144:1

kill 93:18 103:21 125:10,16 126:1,4 148:14

killed 97:4,18 98:2,22 101:8 116:1 138:9,16 139:10 140:1 165:10

kind 15:16 20:18, 22 35:4 49:12 51:20 53:24 54:7 59:21 83:19 84:15, 16 85:8 86:4 108:14 116:6 134:24

King 16:3 17:11 27:10 60:8,14,21, 24 146:6,11 149:20 150:7 172:17,24 176:20 177:9

Klimas 6:13 7:2

knew 74:17 115:20 119:20 150:19 155:6 164:7 167:16 213:17

knife 19:6,7,18 48:19 93:11,17 97:6,20 98:4,24 99:6,12,19 101:10, 17,21 107:24 108:2 121:10,17, 23 122:1,3,4 126:16 142:11 144:10,11,16 145:17,20 146:2 147:22 148:1,2,10, 13,19,23 149:8,9, 11 150:22 151:2 154:22 155:8 156:17,23 164:23 166:18,21 168:2, 17,18 169:10,12, 20,24 170:6,8,11, 19 172:6,7 173:11, 18 179:1,2 181:16 185:19 186:20 187:8,23 188:1 193:12 194:8,9 195:5,10 196:20 197:9,12,13 198:6 199:22 200:18 211:16 212:15,17, 23,24 213:3,6,8,22 214:1,13,21,22 215:5 216:6

knowing 165:1

knowingly 9:12

knowledge 71:3 76:23 87:16 88:5 89:14 106:11 208:15,18 210:6

Kris 16:4 30:7 34:7 52:8 69:7 78:20 211:7 213:13 218:16

Kristopher 5:8

L

lab 120:20 122:18, 20,21

lack 7:9 35:8

Lacks 207:23

laid 88:19

landmarks 176:18

lane 17:9,10,23 18:8,15 33:16

lanes 17:17 18:10, 17 33:12 147:1

language 118:7

Laquan 17:13 18:12 19:4 20:13, 16,17 23:11,12,17 24:11 32:22 37:6 39:16 48:18 49:1 61:24 81:7 92:13, 21 93:10,16 99:5 101:8 125:23 126:13 142:2 150:13 154:19 155:4 159:1 160:17 161:3,5 162:4 163:12 167:7,18 168:7,15 171:16 174:17 175:24 177:5 185:16 187:9 189:24 196:9 199:13 200:11 205:19 212:9 215:8

large 146:7 174:5, 11

larger 86:9

largest 166:1

lasted 174:20

late 218:7

lateral 50:8

latitude 175:3 203:19

law 5:11 7:21,23 8:12,16 9:23 11:12 90:22 108:17 118:2 137:2 151:5 155:18 156:4,11 160:14 164:19 165:5 171:2 186:12 187:3,10 191:21,22 192:5, 10,12,23 193:5,17, 18,21 194:14 197:18 199:2,23 201:21 202:4,6 203:6,7,11,12,16, 18

lawful 151:1 152:6 157:9 185:20 197:4

laws 103:7 118:1

lawsuit 85:6

lawyer 14:17 83:21 85:19 86:16

lawyers 85:20,21 86:12 136:24

layers 179:19

lead 110:1 115:4

learn 106:17 217:1

learned 73:23 76:13 81:20 160:16

learning 73:11,12

leave 46:13 135:13 142:7

leaving 137:6

left 17:8,10 18:8 19:4,15 20:24 21:20 26:20 33:20 37:8,9 46:1 47:2,4, 13,19 48:1 50:5,6, 11,14 114:21 214:4,16 216:21

left-turn 17:23

legal 82:18 83:7, 16 84:7,14 85:15, 18 86:17,20

lengthier 94:16

lengthy 94:17

lenient 193:17

lesser 104:6

lethal 159:4

letter 7:12 10:23 87:3

letters 88:7,10,12

level 157:13 158:8 204:20 211:5

levels 158:6 165:21

liability 84:23

license 64:1

Lieutenant 51:10, 15 61:14,15,16,23 62:3 69:18 71:7,13 72:6,7,16 74:23 75:22 82:9,15 88:17 91:24 96:4 182:3,4 183:4 204:19 206:6 209:4 210:12

lieutenants 51:21 61:4,13

life 39:1 102:5 125:10,15 126:1,4 148:15 153:4 155:15,24 157:1 160:2 165:17 173:19 193:4 198:1,24

light 11:6 116:8

line-of-fire 49:20

lines 50:24 55:21 86:12 88:2 89:6 209:22

list 58:15 59:17 64:19,23 65:6 66:24 67:2

listed 57:2 64:11 65:15 66:3 68:23 140:16

listing 20:12 65:23 67:17

lists 95:8

lives 192:16

loaded 149:3

local 90:22 118:1, 2

located 5:3 143:23

location 24:5 173:22 174:2 175:16

locations 175:12

locked 149:1 195:12

lodged 21:24 22:17 83:18

logical 84:20

logically 83:22 84:8

long 81:13 143:17 161:4 166:13 168:15 175:1

long-winded 213:9

longer 18:19 33:14 39:17 41:10 42:22 43:4,24 45:14 46:2 61:18 149:5 175:4 195:16 213:4

looked 42:15 148:8 176:11

lose 85:6

lot 16:3 36:15 55:8 64:17 76:4 136:2 142:4,8,9,14,20 146:7,10,12,16,23 154:20 167:5 172:17 174:11 204:22 215:14 216:8,12

low 70:17

lowest 158:6

M

M-a-r-c-h 5:13

M-i-r-v 63:17

made 7:4,7,15 8:20 11:19 13:4 15:2 34:17,22 38:10 48:12 56:4, 6,8,9 57:6 62:4 67:24 68:2 88:24 107:3,20 114:15 127:16 128:22 134:12 139:12 151:10,20 173:12 180:14 188:8 189:11 190:17 193:7 205:21 208:21

magazine 149:4 195:15

main 59:19 132:8

maintain 37:12 50:20 51:1

major 13:15 54:10, 19 63:17 64:3 67:8 124:12 127:9,11, 15,19 128:17,22 129:7 137:8 176:18

make 12:12 15:18 16:22 31:13,15,21, 23 46:13,14 106:8 115:10 117:2,8 118:4 128:1 136:16 151:12 152:6 165:5 180:22 187:21 188:16 189:1 191:18 192:21 198:7 203:9 208:22 212:23 213:21,24 214:10, 12

makes 106:18 186:19 214:16

making 10:20 12:15 14:7,9 26:7 72:20 100:3 152:3, 13 167:3 198:11

man 10:24

management 70:22 71:20 72:16, 18 73:3 74:5,18 75:4 183:9 185:6 206:1,7 207:2 210:8

mandates 10:15

manner 7:6 101:7 102:2 148:1 170:5, 23 203:18

manner/motive 99:22,24 100:1,8 101:4,15

manpower 67:12

map 177:12

Maps 176:3

March 4:14 5:11, 12,20,21 6:5,6,11 7:10,15 8:11 9:4, 20 10:12,15 11:24 13:4,24 14:23 16:9,21 21:9,13 24:8 25:1 34:21 35:3,10 40:14 45:4 77:20 78:2,8 79:18 84:5 90:13,18 92:12 93:23 97:3, 17 98:13,21 124:24 129:13,23 130:5,18 133:10 138:13 143:1,11 151:16,21,23 153:7,12,20 154:12,16 157:20 158:2 160:5,10 161:2,8 175:9,14, 19,20,22 177:3 178:2,6,7 180:5,11 186:14,15,16,23 187:1,2,13,15,16, 20,22 188:5,10,12 189:18,19 190:10, 13 194:5,15 198:10 208:4 211:12

March's 8:15 11:13 35:5 188:8 194:13,16

mark 18:9,16,20 19:14 33:11,18 52:19 153:15 188:10 189:19

marked 21:8,12 35:21 36:3 52:21 63:22 93:21 100:15 119:17 120:8 124:7 135:24 142:18 145:19 146:1,17 147:20 150:15 151:22 153:19 154:15 157:19 158:1 160:9 161:7 172:1 173:9 178:1 180:10 186:22 187:12 188:4,11 190:9,19

marking 34:16 175:18

markings 63:23

mass 165:23

material 9:13

materials 102:19

matter 4:1 7:10 52:1 157:5 164:15 205:2

Matthew 63:11

Mayor 87:20

mayoral 87:12

Mcdonald 13:10 15:13 17:13,21 19:4 20:13,16,18 23:11,13,17 24:11 25:24 27:1 29:11 32:23 33:3 37:6 38:14 39:2,16 48:18 49:1 50:13, 17,19,20,22 52:14 53:22 61:24 75:24 81:7 90:16,24 92:13,21 93:10,16 97:4,5,18,19 98:2, 3,22,23 99:5 101:8,9,16,19 107:9,23 121:9,14, 16,19 125:7,10,16 126:1,5,13,19 135:12,19 136:4 138:15 142:3,7,10, 13,22,23 143:20, 21,23 144:3,4,7,8, 11,13,19,20 145:5, 12,15,19,21,24 146:9,15,20,21,22 147:2,3,5,8,9,10, 12,15,18,21 148:3, 5,7,12,17,20,21,22 149:5,7,11,14 150:14,18,22,24 154:19 155:4,10, 19,20 156:6,8,12, 15,17,19,21 159:1 160:17 161:4,5,11, 14,18 162:1,4,12 163:12 166:17,19, 20,23 167:7,11,12, 14,18,21,22,24 168:7,12,15,20,24 169:2,6,8,12,14, 21,23 170:3,7,17 171:17,24 172:2,3, 4,6,7,12,16 173:4, 7,10,12,13,15,20, 21,24 174:4,6,9, 18,22 175:2,5,24 177:5 181:6,7,12, 13,15 185:16 187:9 189:24 191:24 192:3,7,9, 11 193:9,12,19 194:6 195:4,7,8, 16,18,20 196:9,12, 15 197:5,7,16 199:13,19,20 200:11 202:12 204:9 205:15,19 207:20 209:2,16 210:13,16,21 211:14 212:10,14

Mcdonald's 18:12 79:9,15 80:12 125:23 144:6 145:15

161:13 169:16,20 170:6,12 172:23 215:8

Mcelligott 57:1,7 101:19 135:4,6,11 136:3,7,10,15,16 137:6 142:16 144:1,3,5,7,10 155:8,9 171:11,23 172:1,6,8 181:5 196:14 197:5,10, 11,14 199:4,17,18 202:10,19

Mcelligott's 136:20 144:12 174:18

Mckay 4:19,23 5:10 6:7 11:17 12:4,23 14:2,12 15:6,22 21:8 27:19 34:13 35:15,24 42:4 74:11 77:6 78:1,19,24 79:16 80:22 82:23 89:15 98:12 100:24 101:2,4 105:9,12 110:19 123:6,9,16 124:14,19 129:9, 17,19,21 130:3,7 131:12 143:14,16 151:15,19 153:6, 14 154:11 157:18 160:4 161:1 175:8, 19 176:5 177:3,14, 18,22 178:4,11,13 180:4 186:13 187:1,15 188:7 189:1,4,8,17 190:12 191:6,11 193:21 198:2,9 200:21 207:22 213:13 217:17 218:1

Mcnaughton 58:1,5 137:10 182:12,15,24

means 22:18 24:22 25:22 56:4 153:24 154:13

meant 12:10

media 16:5,17 28:3 76:5 87:8 209:21

median 17:23 29:3,5

medical 20:8 21:4, 6,17,19 25:11 170:16

medication 161:14

meeting 69:14,21 70:3,6 71:13,15 72:16,18 73:4 74:5,18 82:20 96:10 185:6 206:7 207:2,4,12

meetings 70:22 71:10,20 72:2,4,8, 24 75:4,11 183:9 206:1 210:8

member 158:18, 20 159:10,15,18 162:23 165:15 183:18 201:14 204:8

member's 157:15

member-applied 157:12

members 71:8 75:12 158:5 183:8 184:2,11 204:16

members' 182:16

memo 7:13 78:12

memory 67:1 82:1

mental 161:12 162:7,16 163:7

mentally 96:17

mention 11:19 204:1 207:17

mentioned 24:24 26:22 70:21 75:21 81:21 82:13 83:14 105:8,15 109:16, 24 206:20,21 209:8 210:11

menu 57:5,14 139:2,6,12

met 82:21 83:3,20

metal 136:3

Michelle 5:5 217:20 218:2

middle 17:14 18:1 27:23 63:5

midst 162:6

midsts 162:16

military 165:15

mind 10:9 15:21 100:21 136:9 167:9 170:10 215:8

mind-altering 162:8

minds 194:9

mine 204:22

minimal 174:15

minimally 174:12

minimizing 174:6

minor 53:10

minute 137:16

minutes 174:20 185:23

Miranda 6:17

mirrors 160:13

MIRV 63:17 64:4

mis- 100:6

misconduct 8:22 83:19 84:15,16,24 85:9 86:19

misrepresent 177:16

misspoke 47:12

misstate 111:15 116:13

misstated 166:10

mistake 129:21

mitigated 149:6 195:17,20,23 196:3

model 157:6,7,10, 22 158:7,10,14,15, 22

moment 11:16 29:10 41:17 125:22 189:9,14 200:12

Monday 141:24

Mondragon 181:1

money 83:24 85:1, 5,6

monitored 156:10 172:15

month 206:12,15 207:9

months 72:2,3 134:14 185:7

moot 162:15

motivated 162:3

motivation 162:15 215:9

motive 102:3

motor 165:20

Mount 149:14

mouth 27:1 113:20

move 20:22 37:7,9 49:8 50:4,5,10,14 77:15 148:18 166:21 168:1,16 169:9 195:5

moved 176:24

movement 37:10 46:23 47:2,23

48:1,2 50:18 175:3

moving 23:1 29:11 46:17 47:13, 18 131:14 149:5 179:17 195:16

multiple 40:2 71:23 72:3 131:6 148:3 150:20,21 163:18 166:11 171:7 172:6 173:11 179:19 182:1 185:19,21

Municipal 5:18

murder 104:3,6 154:1,23

Murray 58:19 59:7

muscles 214:9

N

N-e-u-m-e-r 5:4

named 55:10 58:9 81:10,24 82:3,6,9, 18 83:5 84:19 85:1,15

names 5:7 8:4,9 55:8 58:21 64:11, 14 65:9,16 67:3 82:13 204:1

narrative 55:9,11 58:10 63:5 67:15, 17 95:19 120:23 121:2 123:2 124:3, 4 126:6,11,23 127:3 128:6,10,13, 18 129:7 131:10, 23 132:6

nature 8:1,6,8 25:16 54:10 67:23 69:16 77:20 96:11 141:21 145:1

nearby 173:23

neat 55:17

neatly 95:12

necessarily 56:15,16

needed 54:4 132:12 175:4

Negotiation 162:24

negotiations 86:23

Neumer 4:1,22,24 5:4,15,24 10:2,17 11:14,18 12:5 13:22 15:4,5,10 16:4,19 17:4 27:20 28:18 29:17 30:2 31:5,8,15 32:1,5,9, 19 34:2 35:12,18 36:1 38:20 40:12 41:8 42:11,24 43:18 44:17 45:3, 6,20 51:7,8 52:8, 11 53:1 69:7,10 74:14 77:18,23 78:6,7,14,23 80:7 89:20,24 90:2,5 94:3 98:14 100:18 102:7 105:14 111:2 119:5,15 120:11 123:8,15, 23 124:11,17 125:2 129:16,24 130:5,10,16 131:17 132:1 134:21 137:4,15, 19,21 141:11,14 143:15 151:18 153:9,18 176:2,6, 10 177:1 178:10 188:7,18,21 189:6, 9 190:21 191:7,12, 13 194:20 199:9 201:4 202:8 208:1 211:7 217:4,24 218:11,24

news 184:15 210:23

nice 55:17

night 19:22 35:1 38:3 61:2,10,16,18 62:19 64:10 91:19 119:20,24 164:8 167:6 176:19 182:10 189:24 218:7

non-answer 14:3

non-sworn 13:18

normal 216:7

north 47:12 142:23 143:21 146:10 174:1

northbound 17:17 47:14 48:3 49:8 147:18

northeast 48:4

northwest 48:4

note 13:23 32:5 37:16 64:18 68:11 129:5 187:24 204:6 218:12

noted 6:8 78:6 119:11 131:17 150:11 170:15 173:23 178:17,21

notes 130:24

notice 11:3 30:7

notification 13:15 81:8,12,15,18 82:12,19 89:21 90:4 96:23 98:8,18 100:5,10 121:3 124:12 126:7,24 127:5,9,11,20 128:9,18,22 129:8 130:1 137:22 140:5,9

notifications 55:23,24 56:3 67:22,24 68:1

notified 144:14 161:12

notify 56:12 86:3

notifying 55:20

number 18:23 19:3 21:7,16 22:2, 10,14 23:7,23 24:9,24 25:20 26:10,15,17 35:15 53:3 54:9 63:8 72:1 85:14 102:9, 10,15,18,20 103:15 104:16,18, 23 105:7,18 107:6, 8,11 117:14 120:14 121:4 122:17 124:13,15, 20 125:1,4,6 127:10 129:20,22 130:4,8 134:13 135:4 136:22 140:12,16 160:16 164:7,21 168:9 174:5 187:2 191:16 193:22 201:5,11

numbered 125:1

numbers 57:22 58:13 63:9 104:11 133:13

numeral 90:7 92:9 96:24 97:13 98:17 129:19 137:24 159:9

nutshell 111:12

O

O'donnell 58:5

oath 35:11 80:14

object 7:8 74:11 77:6 78:1 79:16 111:1 131:12

objecting 80:22

objection 42:5,7 77:12 78:6 80:24 110:19 131:17 153:15 188:9 207:22

objections 7:4

objective 13:6 90:15 91:10

objectives 105:19
obscured 46:1
observation 18:23 46:10,14 48:10
obstruct 141:7
obstructed 13:11 49:14 140:10
obstructs 194:17
obtained 81:18 86:13
obvious 106:18
occasions 71:23 132:5
occupied 62:1 121:21,24 135:20 136:13 155:22 172:20 174:13
occupying 136:1 145:9
occur 71:5 127:17
occurred 71:11 104:20 105:21 130:21 142:21 163:21 164:6 171:9 182:11 184:1,17 210:4
occurs 67:9 70:15 127:16
October 64:10 91:20 107:14 108:6,21 109:21 119:18 141:24 208:3,24 209:13
offender 54:12 102:5 110:7 111:13,14 115:7, 23 116:1 126:13 155:10 164:23 165:10 197:20 200:12
offender's 53:14
offenders 95:9,14 166:11
offenses 104:6 185:19
offer 199:8
offered 157:14
office 5:9 10:18 13:2 14:10,19 31:11 61:5 67:10 69:2 71:24 76:9 77:2 82:21 84:18 85:18,21 86:21 88:14 89:6 111:22 113:8,9,14 114:5, 12,22 115:5,16,21 118:14,18 170:16 194:18 217:13
officer 7:23 8:3,6, 18 9:8 13:1 14:14, 21 19:9 21:2 26:19,21 36:21,24 37:2 38:6,9,10 39:6,23 40:6,14 41:6,11 42:3 43:3, 5,20,24 44:5,8,12 45:5,13,24 46:4, 17,19 48:15,16 49:1,4,5 55:3,4 56:9,11 57:1,3 62:1 63:4,8 64:14, 15,20 65:3,11 82:3,5 83:11 84:11 90:9,19 91:5,19 97:5,19 98:2,23 99:7,8 101:9,11,12 102:4 106:19 108:1,24 110:8,17 111:13 112:3,6 113:17 115:7 116:5,7,11 117:9 118:19,22 119:19 121:22,23 122:1 125:8 129:9 132:16 136:1,3 138:9,16 139:10 140:1 144:1,14,21 145:11 147:2,8 148:12 149:10 150:13 151:11,12 152:3 155:7,23 156:7,23 159:2 160:22 164:16 165:16 166:16 168:21 169:15,19 170:10 171:3,7,23 172:9,22 174:10, 18,19 175:7 179:5, 24 180:15 181:5, 14 182:14 183:19 185:8 186:21 187:19 188:2 192:3 193:24 195:21 196:10,13, 14 197:5 198:13 199:4 202:1 203:3
officer's 19:23 109:8 111:24 113:1 115:19 198:10
officer-involved 54:5 83:8
officers 9:21 10:14 13:19 15:1 19:5,6,7,16,19 23:17,21 36:20 37:4,11 42:17 47:1,13,16 48:13 50:3,23 56:17,20, 21,23 57:1,2,9 59:9,10,11,14 75:17,19 76:17,18, 20 92:16,24 93:11, 12,14 97:7,21 98:4 99:1,10,13,15 101:18,23 104:22 110:13 115:8 119:23 121:9,17 122:2,4,5 126:17, 20 130:20 131:5 142:15,17,22 143:20,23 144:18 146:13,16 147:13, 17,19,24 148:2,5, 6,8,9,11 149:6,8 150:15,16,20 151:2 152:2 155:6, 19 156:5 162:11 163:18,23 164:11 165:9,18,19,23 166:3,9,13 170:1 171:7,9,10,15,20 172:13 173:2,8,14, 16,17 174:5 178:18 179:8 180:16,18,24 181:1,9,12 185:21 187:24 195:17 197:8 215:24
officers' 23:16 25:15 37:11 49:21
official 34:18 83:17 151:20 161:3 190:18
officials 161:20
OIG 4:11 12:18 13:23 16:9 35:22 36:4 52:22
open 34:8 36:23 172:20
opened 33:21 147:8
operates 63:19
opined 180:17
opinion 18:18 24:12 26:13 52:3 72:11 74:2 135:15, 18 139:15 150:3 170:21 171:1 186:11 192:8 194:16 197:3 203:13 207:5 211:6 212:7 214:2
opinions 76:4
opportunity 77:10
opposed 55:1 68:8 143:12 189:12
opposite 50:2
OPS 111:21 112:16
optimum 179:6
option 173:19 179:14 199:3
options 159:2 171:24

order 6:12 7:1 24:21 35:19 88:22 149:9 157:5,22,23 159:8 160:7,8 163:4

ordered 144:11 148:2 172:6 173:11 197:10,11

orders 89:7 185:21

ordinances 90:22 118:2

Organized 184:6

original 21:11 53:2,7,8,20 100:19 102:9,11 106:19 123:4,24 189:4

originally 41:5 107:22,24 181:6

Osvaldo 61:3 182:4

P

p.m. 5:2 28:21 90:2 137:16,19 142:1 145:2 217:12

package 199:14

pages 38:21 94:8, 9 95:2 143:3,8,10 161:4 191:16

paid 85:1,4,12

pain 214:5

painted 29:2

panel 62:5

paragraph 21:18 38:24 191:20,22 194:23 195:1

parallel 108:12

paraphrase 189:12

parked 142:3

parking 16:3 36:15 146:7,10,12, 16,23 172:17

part 9:12 10:7 34:17,23 64:20 68:20 70:20 73:17, 20 75:9 81:17 82:19 91:17 103:16,17 106:20 127:2 130:10 131:1 136:21 137:5 151:20 190:18 205:4

participate 71:1

participated 60:22 64:5 65:12, 14

participating 164:4

parties 84:24 87:23

partner 99:7 101:11

partners 59:7 78:5

parts 75:9

party 4:11 87:23

passenger 37:3 49:6

past 41:23 84:4,10 114:23 128:17 134:13 177:7

path 18:14 27:10 145:15 172:23 175:24 177:5 186:1,5

pause 143:1 189:13

paused 15:11 26:23

pavement 21:2 23:5 29:3 169:8

PCP 162:2

peace 9:8 102:4 108:1 151:10,12 152:2,3 155:6 160:21 193:24 198:10

pedestrian 145:4

pedestrians 145:9 172:20

people 10:1,5,16 13:18,21 54:11 55:10 56:1,14 57:10,15,16 58:14 62:4 64:19 66:15 67:4 68:18 69:23 70:7,9 72:5 74:1,6 78:3 79:20 80:16 85:2 87:17 95:18 114:18 134:13 136:22 137:1,6 145:13 155:6 164:5,22 170:21 185:8 202:24 203:13 204:14 216:5,8,12,13

people's 136:23

perceive 166:14

perceived 211:18 212:4 215:13,14

perception 215:21 216:4

perfect 28:14 94:14 201:9 217:22

perfectly 168:6 205:1

perform 69:24

performed 209:24

performing 59:6 99:16

period 175:1 196:16

permanent 154:7

permit 202:7

permits 192:5,12 193:5 197:18 202:4 203:6,7,11

permitted 118:5 155:18 156:4 164:19 185:15

persist 129:12

person 10:5 12:24 14:10 53:12 56:4 69:2,4 104:2 109:2 142:2 151:8 152:4, 19,23 159:15,18 162:16,17 163:7,8, 9 167:15 186:19 190:1 198:18 200:8 201:14 212:21,22 215:24 216:15

person's 216:14

personal 74:21,22 135:5,15 188:2 208:17,23 209:15 211:6

personally 72:19 110:11 163:22 164:3 183:5 193:19 208:6 209:3

personnel 64:7, 18 65:4,5 66:2 67:9 68:2,3,16,21 69:22 75:5 77:1 81:23 95:10 105:24 127:21 150:19 164:3 182:22,24

persons 151:7

perspective 33:6 40:17 42:2 43:3,24 44:5 45:12 48:20 168:5,23 192:2 211:24

pertain 189:23

pertains 7:6 67:15 90:8 210:20

Peter 5:4 34:13

66:18,19 77:6 78:19

phencyclidine 162:2

phone 56:9 128:2

photo 175:11 176:3,4,15,16 178:15

photographing 62:2

physical 120:18 154:9 158:24 159:22

physiology 216:19

pick 95:13 139:5

picture 37:7

piece 73:13

pieces 20:6

pistol 148:24 195:11

place 7:7 109:21 113:16 115:13 116:24 171:19 176:18 177:19 206:12

placing 175:20 177:4

planning 191:17

plates 64:1

Platt 82:22 83:2,20 85:13 86:5 87:14, 18,21 88:9,21

play 16:23 27:19, 21 30:19 32:2 33:24 41:13,20 44:9 46:7,15 203:5 205:14 218:22

played 17:3 28:15 29:14 30:16 32:16 34:1 35:2 40:9 41:7 43:9,15 44:14,23 45:17 72:9

player 16:17 28:3

players 137:8

playing 30:13

pockets 144:6,8,9 172:5 197:8 199:20

point 10:2 15:4,17, 23 17:20,22 27:2, 3,4,22 30:24 31:14 33:2 35:5 42:10, 12,22 43:1,23 46:13 50:12 71:19 86:6 126:21,22 133:6 136:7 139:20 145:24 148:23 162:15 166:22 167:20 168:2,17 169:10, 12,18 170:2 172:11 195:10 197:6,20 203:3 204:13 210:1 215:2

pointed 19:16 93:9,11 99:12 147:23 173:10 181:22 199:15 211:16

pointing 19:7,18 122:4 148:10 156:24 169:24 173:18

police 5:13 10:13 13:1,5,18 14:14,21 15:1 17:16,19 36:18,19 42:18 46:2 49:14 53:8, 11,13 54:1,6 56:11 62:1,6 63:8,22 64:18 68:3,21 76:17 81:23 83:10 84:4,9,11,23,24 85:22 86:18 90:20 91:5 95:9 99:7 101:9,12,18,20 102:22 104:22 105:24 108:18,21, 24 109:5 110:1,10, 13,17 111:20 112:4,5 114:8 115:6,7,14 116:20 118:22 120:14,20 121:8,9,15,17,21, 24 126:17 135:20 136:1,5 140:1 142:15,18 144:2, 21 145:19,22 146:1,8,13,17 147:3,7,14,20 149:24 150:11,15, 16,20 155:22 156:10,13 157:3 160:19 161:20 162:11,20 163:18, 22 164:10,19 165:9,10,16,18,19 171:2,5 172:1,10, 15,23 173:9 174:5, 17,21,23 175:3 179:3 181:2,11 182:20 183:1,11, 20 185:15,21 186:3,9,21 187:18 191:24 194:8 199:14,15,16 200:16 201:24 202:14 203:2,17, 19 204:23 216:5, 13

police-involved 70:14 110:2 113:23 115:2,3 118:23

police-officer 111:9

policy 54:2,6 67:21 117:2,11 119:11 157:3 159:10 160:13 164:20 171:2 179:4 200:24 201:2,10

policymaker 109:19

popped 145:20

popping 196:21

populated 145:12 172:18 173:5

population 162:20 165:8 173:24

portion 34:6 39:20 41:21,24

portray 176:17

posed 195:20

position 50:20 149:2 181:3,8 195:13

positioned 146:20 147:4

possession 160:23,24 187:8

possibly 56:10 103:23 213:24 215:15

post-shooting 70:11,15,19

postmortem 20:9

potential 66:12

practically 33:10

practice 4:7

preconception 216:8

predatory 154:1

preliminary 4:1

preparation 133:3,22

prepared 77:14 188:17

preparing 57:17

prescribed 161:14

presence 157:16 162:1 171:22

present 4:3 5:6,16 9:2 56:16,24 57:7 59:10,12,14 61:5

68:11,21 71:9 72:24 73:4,7 75:5, 12 84:4,10 94:8 115:5 134:10 142:9 145:8 178:19 183:16,18 185:5 186:9 193:10 207:4

presentation 75:10

presented 9:13 72:21 75:2,5,7 115:19 186:15

presents 74:6

press 209:19

pressed 29:23

pretty 17:1 18:6 28:24 75:8 88:16 176:12 209:4 214:8

prevent 152:18,21 157:2 159:14,16 179:20 198:17 200:1,7 201:11

previous 110:21 156:9

previously 60:6 93:21 100:15 119:17 120:7 124:7 160:14 164:17

previously-cited 155:3

primarily 127:23 171:10

primary 69:19 78:21 105:23 111:8 163:24 184:21

principal 54:11

printed 176:15 178:15

prior 46:17 82:12 101:22 119:18 195:21,23 196:9 205:20 207:9,17

private 151:7,11 189:15 200:19

probable 6:18 158:19,21 159:6

probes 179:15,18, 20,21

problem 164:9

problems 161:18

procedures 182:18

proceed 202:6

proceeded 174:1

proceeding 8:2 82:18 206:19

proceedings 8:14

process 8:15 11:10,13 62:5 81:17,18 82:20 130:11 191:1

processing 68:19

produced 142:11 154:21 176:6,7

product 4:9 84:23

professional 13:8,13 91:8 106:11 111:22 140:12 141:5

professionalism 10:21

progress 13:16 70:1 157:15

progressive 157:11

projectiles 179:14

promoted 184:3, 6,7,12,15 209:20

prompt 206:16

proper 109:10 164:12

properly 13:8,12 68:2 86:15 91:7

properly-documented 140:11 141:5

property 4:10

proportional 157:13 158:16

propose 115:6

proprietary 218:15,20

prosecuted 111:17

prosecution 9:15

protect 175:5

prove 129:3

proved 114:19

provide 4:4 10:1 11:9,23,24 12:6,9, 10,21 13:20 38:2 88:13,14 120:6 141:23 157:7 190:14,23 217:15

provided 4:11 8:10 11:5 13:1,23 16:9 21:10 131:10, 22 132:5 199:3 218:24

providing 4:2 70:4

provokes 190:4,7

public 75:3 173:5 175:6 183:7 205:21

Pulaski 16:1 17:11,16 18:4 27:2,3,5 36:16 38:1 47:8,15,20 105:22 145:7,10 146:5,9,23 147:6, 14 156:8 172:18 174:1 177:10,15

pull 16:2,5 34:6 36:20

pulled 192:9

pulls 199:21

punches 53:12

purpose 53:9,23 67:16 78:9 120:16 157:9

purposes 34:16 104:13 153:17 189:6

pursuant 5:16 6:17,21 7:21 9:22 12:20 187:10

pursued 147:2

pursuit 146:15

put 27:1 38:5,16 70:8 76:23 99:16 100:22 113:20 122:6 127:8 135:16 140:1 145:13 179:8 188:24 217:8

putting 73:13 95:22 165:14,16 186:1

Q

qualify 183:15 185:4

quarter 62:5

question 13:22 14:3,7 39:4 42:9 68:9 74:12 78:18 79:10 80:3,7,13,15 85:10 89:3,10,18 98:12 99:21 105:17 111:2 116:10 127:24 131:18,22 134:5 135:1,10 141:17 165:9 195:19 197:14 209:12

questioned 183:23 187:20

questioning 11:15 35:3 38:4 42:8 119:6

questions 6:24 18:23 34:22 52:9 69:8 78:21 89:19 124:19 136:12 141:16,18 188:23 204:4 205:11 217:5

quick 11:16 78:13, 17 89:22 119:7 134:24 176:2

quicker 30:22

quickly 94:11 153:9 191:4 217:6

quote 85:13 86:6, 11 101:13 125:13, 14 189:12 195:2

quote/unquote 171:21

quotes 88:4 138:21

R

R-i-c-c-i-o 204:6

R-i-c-k-h-e-r 63:12

radio 56:12 59:20 144:14 145:18 156:11 172:10,11, 15 174:21 213:17

raise 5:22 10:8 19:17

raised 93:11 99:10 122:3 135:10 148:10 156:23 173:17

raising 48:19

ran 18:2 146:9,22

range 179:6

reach 87:22 89:7

reached 72:12 73:2 84:22 113:21 144:13 145:12

reaches 29:20

reaction 134:16

read 6:4 9:5 32:8 77:14 80:5 83:22 88:2,8,11,13 97:14 100:21 111:2,4 126:9 131:18,20 133:13 134:15 143:3,13,14 153:16 195:2,3

reading 6:3 143:12 153:12

reads 11:21 21:20 28:20

ready 80:24 198:6

real 57:22

reality 165:12

realized 169:19

realizing 147:10

rear 37:2

rearward 149:1 195:12

reason 45:23 48:13 80:22 82:4 124:20 132:8 193:16 205:4

reasonable 41:18 92:6 99:17 122:6 135:16,21 136:10 157:11 168:6,18 194:9 196:4 205:5 211:21 212:11 214:24 215:14,22 217:2,3,14

reasons 22:2,10 164:17 168:8

recall 35:1 42:16 58:15 59:5 62:14 63:7 64:9 66:4,23 87:6 111:17 112:14 132:17,20 206:11

receipt 217:9,15

receive 24:19,23 85:11

received 24:18 81:7,15 82:19 136:17,22 162:24

receiving 99:17 122:6 135:16 136:11

recently 31:12 176:7,8 206:13

recess 90:1

recitation 188:15

reckless 160:23

recklessly 192:22

reclassified 104:24

reclassify 106:21

recognize 94:6

recollection 52:17 132:14,22

recommended 112:2

record 4:8 5:1,7 6:8 7:5 15:8 19:12 21:9 32:7 34:16, 18,23 37:18 41:16 90:3 100:22 104:11 111:3 123:11,14 126:10 130:8 131:19 137:16,18,20 140:2 143:12 151:15,16 153:6 154:11 157:19 160:5 161:2 175:9, 19 177:3,24 180:5 190:18 191:3 208:22 217:8,21 218:8

recorded 103:15 105:2,3

recording 4:9,12, 15

recordings 59:23 90:24 149:22 150:8

Records 102:15

recount 88:18

recover 60:23

recovered 16:7 21:23 60:6 75:9 149:23 150:6 169:1 176:23 181:21 182:22

recovering 60:20 62:2

refer 54:16 55:21 67:2 116:15

reference 11:19 30:24 43:13 138:1

referenced 187:23

references 7:8,13

referencing 124:15

referring 98:7,9, 15,17 193:21

refers 165:5

reflect 5:1

reflecting 161:4

reflexively 213:22

refreshes 52:16

refused 10:17

refusing 148:19 195:6

regarded 18:23

registering 167:9

regulations 102:23

reinstated 112:6

reiteration 207:15
reject 114:16
related 218:21
relation 158:12
relationship 119:19 120:1
relative 50:20
release 86:24 87:8
relevance 79:16
relevant 39:20 79:21 141:17 149:22 150:9 151:5
relinquish 169:14 212:24 213:3 214:20 216:1,16
reloaded 195:14
rely 19:21
relying 7:18
remain 188:1
remarks 188:16
remember 65:16 67:3 137:12 167:2
removal 8:23
removed 197:7
repeat 79:10 98:12 134:4
repeatedly 144:10 182:6
report 18:24 20:9, 10,11,14 21:4,7, 17,19 53:3,5,6,8, 11,16,18,19,21,24 54:3,7,17 55:8,22 57:4,17 64:19 65:4,20 67:2,5 68:19,20,23 70:1 72:13 90:17 91:12, 18 92:11 93:2,22 94:6,16,22,24 95:6,18 96:15,20 97:2,16 98:5,20 99:3 101:5,7 102:9,12,14,18 103:18 104:7,11, 18 105:5 106:4,7, 23 107:8 108:9 116:10 117:16 118:16 121:13 122:9,23 123:5,22 124:1 125:6,17 126:12,23 133:9, 11 134:9,11,16,19 138:2,12,19 139:8, 13 142:2 161:3 182:14 208:4 210:23 212:5
reported 54:24 55:12 103:3,18 104:5,21 105:6 106:20 108:1 208:9
reporter 4:3,10, 15,20 5:5 14:20 21:11 32:8 35:13 89:22 111:4 131:20 189:3,5 190:24 218:9
reporter's 178:4
reporters 4:8
reporting 56:19, 21,24 57:2,3 102:16,23 103:1,9, 14 104:9 107:5,6 124:21 138:22 139:5
reports 13:5,6,14, 16 65:22 68:16 90:15 91:11 94:14, 18 96:11,18,21 117:14 122:22 123:19 134:17
representation 158:11
representative 86:21
representing 5:11 85:22,23,24
reputation 91:4
request 4:12 6:16 62:4 81:11,16 82:12 120:21
requested 35:2 61:23 82:20 144:16 149:13 172:9
require 107:5 179:5
required 9:23 11:23 12:5,9 14:1 81:8 158:6 165:21 205:2
requirement 14:8
requirements 107:5
requires 104:16
reservations 183:2,15 184:24
residential 154:4
resist 151:9 155:5
resistance 152:7, 22 157:14 159:17 198:18 200:2 201:13
resisting 151:8 160:22 196:8 202:2
resolve 46:11 163:6
respect 67:14 69:11 96:6 105:18 107:8 113:22 123:4 133:2 176:3 190:21 191:8,14 196:5 202:9 209:12 218:12
respecting 140:12
respond 11:18 54:20 67:11 142:17 213:10
responded 56:2,7 62:13 64:3 68:4 105:24 126:18 150:12 171:11
responding 146:14
responds 64:2
response 13:22 63:18 81:10,15 82:13 85:10 91:1,3 92:17 97:8,22,24 121:11 125:11 138:17 139:17 140:17,19,23 157:13,15 158:16 164:9 182:14
responsibility 109:15 118:3
responsible 55:5 60:19 95:22 186:12
rest 58:6 100:1,7, 21 101:14 126:6
restart 18:5
restate 80:7
restaurant 17:11 146:7,11,12,21,22 147:5 149:20,21 150:2,8 172:17 173:1 176:21 182:21
restraint 171:16
result 6:12 7:1 118:22 158:19,21
resulted 110:5
resulting 154:6,24
results 161:23 183:24
retreat 152:5
return 89:20
returned 183:22
revealed 162:1
revealing 144:9 172:5 199:21

review 109:6 111:20 113:14 114:12,13 115:6 116:3 183:1,20

reviewed 30:3 72:9 113:8 133:3, 18,20,22 134:1,6 182:22

reviewing 20:14 22:7,11

revised 180:7

revolver 187:24 188:1

rib 22:16,17

Riccio 184:5 204:6,21 205:14, 18,24 206:8 207:4, 5,10,16,17 209:1,5 210:13,20

Riccio's 204:9 206:20

Richard 82:7

Rickher 63:11,16

rightfully 34:22

rights 6:4,14,16, 21 8:15,16 11:13

risk 85:5 135:18 145:13 172:13,21 173:23 174:3,6,14 175:6 186:1,11 193:19

Road 17:11 36:16 47:15,20 145:7 146:5,23 147:6 156:8 172:19 177:10

robbery 103:24 154:4 155:1

Robert 15:15 16:8 17:9 34:3 35:19 37:21 38:11,12 39:7,9,13,14,19 51:11,12 86:13

role 55:19 57:8,24 59:19 61:6 204:9 205:14 207:20 208:5

roll 33:22

rolling 54:1 106:5

Roman 90:7 92:9 96:24 97:13 98:17 129:19 137:24 159:9

rough 59:21

round 23:1 24:1,4 87:12 115:16 167:20

rounds 23:24 25:10,23 26:14

Roy 62:10 71:7,12, 18 72:7,14 73:5 74:4,9,12,16,21 182:5 183:4,10 184:3 204:20

Rudy 101:22 126:15 142:1 154:21 163:17 175:16 197:24

rule 117:10

rules 78:20 116:24

run 30:22 40:1,8 63:24 64:1

runoff 87:12

runs 30:23 91:16

rush 218:2

RV 63:20

S

safely 147:11

safest 170:4

safety 75:3 183:7 187:19 188:2

Saturday 217:14 218:6,7

scenarios 202:10

scene 54:20 55:12 56:2,3,7,11,16,18, 24 57:7,11,12,16, 20 58:2,9,18,24 59:17,18 60:3 61:5,20 62:13,15 64:3,13,21 65:1,24 66:24 68:7,12,19 69:1,13 73:8,11 106:1 130:17,19, 24 131:6 132:10 135:9 137:1 149:19 150:17 157:16 163:21 164:8 178:19 180:16 181:10

scholar 84:7

school 161:19

screen 47:4

scrutiny 134:15

Sebastian 181:1

second's 189:13

second-to-last 203:21,22

seconds 30:9 43:8 213:14

section 8:17 9:7 21:19 55:9,11 58:10 63:5 66:1 67:16 101:14 122:20,21 124:3,4 128:19 129:7 138:15 193:23

sections 122:18

security 34:7 36:2

seeking 8:23

segment 165:7

select 158:7

selection 57:6 139:11

self-defense 148:15

sense 31:13 70:13 109:23 143:5

sentence 99:24 194:24 195:2

sentences 194:23

separate 71:14,15 72:18 112:3 183:6, 8

separately 74:22, 24

separates 18:10

separating 18:16 33:11

separation 102:2 112:2 184:13

sequence 88:18

sergeant 7:14 14:24 51:10 60:18 61:11,13 69:17 72:6 73:14 82:8,15 88:17 91:24 96:3 107:13 128:15,16 137:9 182:2 204:18

series 63:9

service 165:16 171:12

set 70:9 202:22

settlement 79:8, 14 80:11,17,20 81:6,14,19,22 82:2,4,6,10,14 83:5,13,15,23 84:21 86:23 87:5, 22 88:7,8 89:8

setup 17:7

sexual 154:2,3

shared 4:20

shattering 132:21

shoot 23:11 103:21 125:10,16 126:1,4 165:23 166:13 216:5,14

shooting 13:10 15:13 38:14 39:13 46:18 52:6 53:23 54:6 55:12,13 58:18 59:15 68:7, 12 69:13 73:19 90:16,24 107:9 108:18 111:9 112:20 113:23 115:3 118:15,24 130:18,19,24 131:6,11 164:8 165:11 177:19 192:11 202:12 205:20

shootings 70:14 83:8 110:2 115:15

shoots 109:1

shoplift 199:14

shoplifting 200:13

short 126:10 145:23

shortly 163:21 184:15

shot 18:13 20:16 21:2 23:18 25:24 26:2,4 97:4,18 98:2,22 101:8 104:1 110:7 111:13 164:23 165:10 166:4,9,11 167:9 168:3 169:11 170:17 192:3,21,22 195:22,24 197:5 212:14,16,21 213:2,6,8,20,23 214:3,6,15,17 216:1,16

shots 91:18 92:1, 2,5 164:21 168:9 211:13

shoulder 214:4

shoulders 19:15 148:9 156:22

show 19:10 39:20 49:2 196:23

showed 19:11,17 88:9

showing 13:10 102:19 168:23 211:24

shown 169:17 192:15

shows 49:17 93:10 158:15,17 159:3,5 169:2 170:10 187:23

side 4:21 22:5,9 29:4 37:3 49:4,6 85:20 110:10 143:24 146:10 147:6 161:16 214:16

sidewalk 143:24 144:19 146:4 197:13

sifting 59:9

sign-in 64:23

signed 6:6 13:21 53:13

significant 22:1 60:2

similar 68:5,10 96:5 176:13

similarly 44:9

simple 53:15 54:2

simply 10:22 55:1

simultaneously 98:17

Sinai 149:14

single 58:4 69:2 171:7

sir 10:9 89:18 177:22

situation 108:14 149:4 162:10 163:6,10 165:12 166:6,15 170:23, 24 174:7 195:15

situations 56:13

skills 165:21

slash 102:1

slashed 135:7

slide 149:1 195:12

slightly 21:21 181:18

slip 10:7

small 177:12

smoothly 30:23

social 171:21

software 16:18 28:4,20 32:22 34:11 37:19 218:15,20,22

sole 7:14

solution 166:8 179:13

someone's 69:3

sooner 61:16

Soria 7:14 15:1

sort 30:7 131:10, 23 218:14

sound 41:18 173:23

sounded 42:8

sounds 211:12

source 7:14

sources 60:9,11 150:7

south 17:10 18:20 27:12 29:20 142:4 143:24 144:13,20 145:6 147:14

southbound 17:9,10,18 18:6,8, 10 27:2,4,11,13, 16,17 28:1,8,10 29:1 33:10,18 38:1 47:6,7,19 48:3 144:22 146:24 147:1,4,21 173:7 174:1 177:14

southeast 27:12 47:7 48:3 177:12

southeasterly 18:3 177:10

southwest 18:7, 19 27:3,13 32:23 47:7 48:4 146:6 177:12

southwestbound 27:17

southwesterly 29:7,11 33:15

speak 78:4 127:6 212:20

speaking 101:1

speaks 77:13 100:11 126:8 127:1 140:6

specific 12:4,12 61:9 74:15 77:9 83:11 165:2 204:16

specifically 7:22 8:16 10:13,20 13:3 58:16 61:22 79:22 81:10,21,24 84:12, 19 90:16 124:24 166:4 198:11 207:11,17

speculate 78:2 79:20,24 215:15 218:10

speed 31:17

spell 5:7 58:21 65:18

spells 103:2

spin 20:23 22:6 23:4 24:2,5

spinning 20:21

22:13 24:15,20 25:22

spins 20:18

split 213:14

spoke 60:5 131:5

spoken 12:14 163:22

spring 87:13

spun 20:23 22:2 24:11 26:12

squad 60:17

squared 19:15 33:9

squaring 148:9 156:22

stabbed 61:24 101:19 121:20,23 135:19 145:16 146:1

stabbing 136:6 196:11,12

staff 71:8,19 72:22 75:4,12 78:17 89:4,11 183:8,11, 18 184:11 185:2 204:8,15

stage 9:3

stamp 16:12 28:4, 5,20 34:10

standardized 103:9

Standards 111:22

standing 33:11 37:4 147:19

star 5:13 57:22 58:12 63:8

start 16:20 28:3 29:9 30:4 32:10,14 38:22 40:1,6,19 65:8 158:6

started 28:23 41:1,2,12 103:22 117:11

starting 36:23

starts 39:24 41:6, 20,22 54:1 67:11

state 14:15 78:20 90:22 102:3 118:2, 12 120:14,20 121:8,16 123:10 138:20 139:13 151:5 155:4 160:14 191:20 201:21 210:3

State's 9:14 76:10 77:1 113:7,9,14 114:5,11,22 115:5, 15,20 118:14,17

stated 13:14 39:8 48:17,22 84:3 89:10 91:12 97:4, 18 98:22 99:9 117:20 121:5 125:5 130:5 138:14 155:3 164:17 181:14 184:14 200:23 210:2

statement 6:22 12:11 28:7 38:11 39:5 40:7 48:16 49:18 92:20 93:4, 14 98:1,9 99:3 102:2 110:24 116:9 117:3,8 121:18 122:8,24 123:1 125:19,22 129:6 139:16,18 143:4 170:14 183:20 185:5 186:13 188:8,17 190:14 191:8,9,15 194:16,21,22 197:19 201:7,8 208:21 211:3,8 216:4

statements 6:10 7:19 11:4 13:4 19:1 20:3 23:16 25:16 38:7,9 49:21 73:24 136:16 150:4 189:11

states 7:23 8:18 9:7 101:7 121:18 122:14 157:6 158:5 159:9 194:2 201:23

stating 11:4 87:4 182:16

statistical 103:5, 10 104:13

statistically 105:1

status 206:19

statute 7:6 9:7,22 14:6 154:12 189:20 201:1

statutes 155:4

Statutes' 186:17

step 18:12 29:7 33:13,17

steps 18:15 19:13 50:7,8

Steven 82:22

stole 199:16

stood 147:17

stop 16:16,24 19:11 28:12,19 29:16,20 30:4,8,11 32:3,4,18 37:16 39:2 40:4,11 41:22 42:6,12,21 43:2, 17,23 44:11,16,21 45:2,11,12,19,22 144:4 145:11 148:16 155:8 172:2 175:5 180:3 185:17 194:9 197:10 198:8 199:19

stoppage 31:16

stopped 30:10 32:6 43:3 144:22 145:14 147:14 161:15 173:3 193:5

stopping 17:5

stops 29:11 40:20 41:17 42:3 43:14

store 199:16

stories 130:21

story 73:13 95:19

straight 18:20 28:24 33:10,18 48:2,3 50:8 94:8 177:13

street 17:15 18:1, 20 20:19,23,24 27:23 76:22 142:4, 24 143:22 144:1 145:7 146:5,9 147:1,17 163:14 172:19 174:19 177:6,8 185:24 196:13

streets 176:20

stress 165:20 166:6

strict 55:15

strictly 68:7 104:12

strike 25:19 131:4 167:15

striking 146:2 167:11,12

stripe 29:21

stripes 29:2

strive 217:24

struck 22:4,15,16 167:21 168:13,14

structure 214:10

subject 113:6,10, 11 114:2 126:8 144:15 157:14 158:13,17 174:24 179:6 180:2,3 185:18 186:4,10

subject's 158:9 162:15

subjected 7:24
subjects 37:9
Submission 13:14 120:12,17, 21 121:6,15 122:15,16
submit 14:2 20:14,20 21:4 22:7 23:3,10,14,22 24:1 175:9 189:18 190:15
submits 186:15 187:2,16
submitted 90:17 92:11 93:22 97:2, 16 98:20 120:13 121:7 138:12 177:23 182:14 208:24 209:14
submitting 24:10 151:16 153:7 154:12 157:18 160:4 161:1 180:4
subpoenaed 76:19,20
Subsection 9:5,6 187:5
subsequent 132:5
subsequently 21:1 23:4 56:2 61:14 66:10 70:2 85:23 104:23 111:16 122:1 149:15 175:17
substance 160:24 162:18 163:9
substantial 68:14
substantive 205:14
success 166:2
successfully 163:5 180:1
sudden 83:12
sued 84:22,23
sufficient 8:5
suggest 185:10, 11 194:10 217:21
suggested 185:14 186:2
suggesting 25:4, 6
Suite 5:3
summary 209:14
summoned 151:11 152:4
superintendent 70:20 183:13 184:8 208:9 209:20
supervises 51:22
supervising 61:7, 21 62:16,22
supervision 184:10 204:8
supervisor 57:11 61:8,12 128:21
supervisors 62:20 69:20 127:23 182:2 204:23
supervisory 62:18
supplement 7:5 186:13
Supplementary 54:17 55:22 90:15, 17 91:10 92:11 93:22 97:2,16 98:20 133:11 138:2,12 208:4
supply 12:20
support 57:13 58:12 64:7 206:22
supported 9:9,10 206:23
supportive 207:6
supposed 67:22 106:10
supposedly 85:24
surrender 185:22
surrounded 136:2
survive 114:3
survived 111:14 115:23
survives 109:2 110:8
survivors 81:7
suspension 8:23
suspicion 10:8
sustain 24:21
sustained 20:13 23:20
swipe 64:24
sworn 5:23 9:8,9, 11,21 11:4 13:1,21 14:14,21 15:1 159:10,15,17 201:13
swung 142:11 147:24
synopsis 128:4
system 16:7 64:22 69:5 94:17 95:3 102:16 103:1,4,5 124:21 127:13 128:23 138:22
systems 115:12 149:23

T

T-intersection 17:15
table 115:17
Tactical 182:13
tactically 173:22
tactics 178:22
takes 19:13
taking 161:15 203:3
talk 162:21
talked 52:13 66:7 76:12 79:23,24 202:10 204:2 206:1 209:8
talking 19:9 78:16 98:6 99:22 107:11 111:23 114:23 116:21,23 118:9 133:7 134:2 196:16,17 197:2 206:6,18
tampering 13:9
target 166:7 179:16,19,21,22
Taser 144:17 172:10 178:20,23 179:4,9,12,15,22 180:1,7
Tasers 179:7
task 70:7
tasked 105:20 108:15
tasks 59:5 61:9 62:18 69:24
team 51:20 52:18 58:8 162:24 163:3 171:8,12,15
tech 31:10 218:14
techniques 162:22 163:5
technology 29:24
telephone 142:13
telling 19:24
tells 199:19

ten 59:14 119:23 143:9,10 150:16 161:4 178:18 180:16,24

tend 83:21

tendered 7:20 38:19 94:2 100:17 120:10 124:10 151:17 153:8 154:14 157:21 160:6 180:8 187:17

tendons 214:9

term 70:12 117:15

terms 13:3 77:19 108:10 109:23 137:6 175:3 217:6

testimony 35:5 71:16 76:24 109:20

tests 216:20

theory 26:8 135:21

there'd 70:8

Thick 179:19

thing 35:16 40:3 61:22 62:8 167:16, 19 201:20 202:17 209:18 218:16

things 48:17 73:11,12 87:16 96:11 113:15 212:4 215:15,16

thinker 84:20

thinking 84:8 213:14

Thomas 66:21 83:2 87:18 101:18 126:17 142:15

thought 27:14 56:22 73:19 89:12 116:4 124:17 133:21 136:9 148:21 195:8 212:21 215:9

threat 149:6 154:9 166:14 168:20 173:4,6 188:2 192:24 195:16,20, 23 198:14 211:19 212:10 213:4,7

threatened 152:7 153:1 155:12 159:21 198:21

threw 142:13

through-and-through 23:8

throw 212:24

tighter 213:23

time 5:2 15:2 16:11,12,17 17:5 19:13 28:4,5,20 29:5 30:10 31:16 32:20,21,22 33:6 34:10,11 37:19 39:23 40:5,13 41:5,19 43:14,22 44:4,13 45:3 46:8 47:16 59:8,12,15 62:12 68:19 69:12 71:10 77:15 80:4 81:20 88:1 90:2 104:20 107:15 112:18 115:12,14 116:24 117:1,13 118:9,11,12,16 130:18,23 131:9 132:4,9,13,15,16 134:15 135:12 137:3,19 141:15 145:1 150:12,24 157:18 160:4 161:1 163:15 164:6 169:4,5 170:11,22 173:22 174:22 175:1,8,14 178:17 179:10 180:4 182:19 184:19 196:15 197:2 203:14 207:22 208:24 209:14 210:1,23 213:15 215:10,11 217:14

timeline 111:23

times 9:24 17:22 18:3 19:8 26:3 27:11,12,15,16 36:9,10 40:2 71:6 131:6 148:3 150:21 160:20 164:7,23 166:11 168:12 169:11 170:17 172:7 173:11 212:16

timing 87:11

tire 61:24 62:3 101:20 121:24 135:7,19 136:6 145:16,17,20 196:11,12

tires 121:21 196:21

titled 16:5 34:8

today 4:4 5:16 6:11 11:11 42:16 51:5 72:1 77:9 93:8 131:14 134:17 141:22 206:2

today's 5:1

told 71:4,11,12,18 74:9 75:1,11 76:15 86:11 87:15,22 133:21 142:7,21, 23 143:20 144:4,7 147:11 182:6 204:15 207:4,8,14 212:3

tolerant 193:17

Tom 83:2

tonight 189:2

top 54:15 55:20 66:5 87:7 121:4

Torres 63:1 66:8

Torres' 66:16

torso 165:24

total 9:12

totality 165:4 180:22 202:21

totally 134:19 136:3 180:3

touch 209:10

toxicological 161:24

track 103:6 127:14

tracking 50:22

tracks 108:13

traffic 18:15,17 33:16 145:4 172:19

trailing 196:15

trained 165:19,23 166:3,13

training 106:12 162:24 163:3 180:6,7 215:23

transcript 4:4,7 11:21 77:13 217:7, 15 218:3,9

transcription 59:22

transfer 22:21

transferred 22:19 23:1

transition 179:11

transmissions 59:21 156:10 172:15 174:21

transported 149:14 161:21

travel 27:10

traveled 174:22

traveling 17:18 18:6 27:16 29:1,4

treason 153:24

treated 108:18

treatment 161:22

troubling 184:17, 22 210:5

truck 64:8 175:15, 20 176:1,19 177:6

trucking 142:4 154:20

trucks 142:3

true 93:4 121:19 122:9,24 125:19, 23 126:6 139:16 164:13 218:3

trust 94:7

truth 19:24 24:20

truthful 13:6 90:14 91:9 211:3

truthfulness 49:21

turn 20:24 23:4 24:23 29:22 33:19, 20 70:2 191:17

turned 19:4,12,14 39:15 48:19 93:10 99:10 121:20,22 122:2 144:21 146:24 156:21 173:17

turning 23:17 26:20,21

turns 20:18

two-thirds 138:8

type 10:6 76:7 118:6 159:7

U

ultimately 86:5 112:5,9 114:4,6,21 115:17 208:8

unable 181:7

uncle 161:13

unclear 25:3

uncontrollably 214:20

undergoing 11:11

underhand 147:23

underlying 104:19 108:23 109:4

understand 35:9 74:4 151:6 165:12 213:1

understandable 165:3

understanding 4:17 31:8 75:15 77:4,8 78:9 109:18,20 141:21 165:1 182:7 205:13 207:20 218:16

Understood 88:21 89:2

uniform 103:1,13 104:9 124:21 135:24 142:18 146:17 147:19 150:17 165:14 171:21 172:2 173:9 193:11

uniformed 136:1 185:21

union 81:9

unit 114:13 115:6 120:5 144:17 146:15 172:9 183:22

units 146:8 150:12,14

unjustified 79:3 113:22

unknown 212:1

unlawful 151:13, 14

unnamed 10:16

unprecedented 134:15

unrealistic 165:8

unreasonable 208:13,20

unusual 118:6

updated 127:20

upgraded 103:23

use-of-force 90:10,21 91:21 178:22 202:15

utilizes 102:23 157:7

utterly 140:20

V

vacant 174:11,12

Valdez 61:4,13,15, 23 62:3 71:8,13,18 72:7,16 73:5 74:23 182:4 183:4,10 204:20 206:6 207:8

Van 17:19 18:11 20:16 21:2 23:11, 13 24:22,23 25:9 26:19,21 33:3,21 36:20 37:2,13 38:6,9 39:1,6,17, 23 40:6,14 41:6,11 42:3 43:3,5,21,24 44:5 46:17 48:15, 18,23 49:5,9,16,19 76:18 79:3 82:3 84:5 90:9,19 91:19 92:16,24 93:14 97:5,7,19,21 98:2, 4,23 99:1,7 101:9, 11,23 107:23 116:11 117:19 119:10,19 122:2 125:8,9,15,24 126:18 135:3 146:14 147:8,11, 13,15 148:12,13, 14,19,21,23,24 149:3 150:13 156:7,8,11,13,14, 19,20,22,24 164:16 166:16,18, 22 167:1,6,8,16,19 168:2,5,11,18,19, 21,23 169:3,4,6, 11,13 170:14 171:3,11 172:14 173:2,18 174:10, 19 175:7 178:18 180:15,19 181:12, 15,16,17 182:15 183:19 185:8 191:22,24 192:3,6, 8 193:7,14 195:6, 8,10,11,14,21 196:2 202:11 211:14,17,18,24 212:20 213:15,16 215:13,17 217:2

Vance 63:6

variables 179:13

vehicle 16:8 17:17,19 36:18,19 37:2,4,20,21 39:15 42:19 46:2 47:2,13 49:5,6,8,14 50:10 62:1,6 63:18 101:20 121:21,24 135:20,23,24 136:6,13 142:19 144:2,22 145:14, 16,19,22,23 146:2, 3,18,19,20 147:3, 4,7,9,11,15,16,20 155:22 156:13 169:5 172:1,23 173:3,9 181:11 192:1,4,11 196:10, 14 202:11

vehicles 95:14 145:8 149:24 150:15,16 181:3 182:20

vehicular 145:4 172:19

Velez 181:2

verbal 95:19 132:23 150:21 155:7 171:22 173:14 193:11

verbally 156:16

verbatim 4:4 188:20

verbiage 138:20

verify 33:23

versus 6:17,21 26:4

VI 92:9

victim 126:15 135:6 136:18 171:13

victims 54:11 95:8,13 135:2,9

video 13:11 15:15, 19 16:6,7,11,13, 15,20 17:3 18:5,24 19:10,11,17 20:15 23:15 25:16 26:23 27:19 28:3,8,15,24 29:9,14 30:3,10, 12,16 32:16 33:22, 24 34:1,4,7,10,12, 15,21 35:2,7,10,20 36:12,17 37:17 38:1 39:7,9,10,19, 21 40:8,9,24 41:7, 13,21 42:16 43:9, 15 44:4,10,14,23 45:10,11,12,17,22 46:1,7,11,13,16,21 47:4,5,14,19,22 48:7 49:2,12 50:4, 9,13,17 51:5 52:9 60:7,20,23,24 72:9 75:16 86:14,17,24 87:8 90:23 91:15 93:7,9,13 149:22, 23 150:6,8,9 168:22,24 169:17 170:9,13 176:22 181:20,23 182:20, 21 184:16,22 194:6 196:24 205:19 210:3 211:23 212:6 215:19 218:12,13, 18,21,22

video_ts.ifo. 16:5

videos 15:13 34:14,23,24 35:14 36:10 38:12 51:11, 12,13,18 52:6 75:8 150:3 190:19,22 205:20

view 42:18,22 43:21 218:16

viewed 18:24 35:6 45:14 92:5 184:16 210:3

viewer 35:9

violation 8:11,14 11:12

violence 154:10 193:1 197:22 200:13

violent 161:19 162:5,15 163:7 165:17 186:10

Viramontes 181:9

visible 16:12,14, 17 28:5 34:11 37:24 39:10

visually 201:21

VLC 16:5,17 28:3

voice 83:20

voiced 184:23 207:5

volume 96:21

voluntarily 6:23

voluntary 20:21

W

wait 30:8 147:11 175:4

waive 6:3

waiving 6:14,20

walk 145:5,21 146:24 163:13

walked 18:2 147:24 155:9 173:7

walking 32:23 143:23 144:5 196:13

Walsh 17:18 36:20,21,24 38:10 39:17 43:20 44:8, 12 45:5,13,24 46:4,19 48:16,22 49:1,4,9,13 58:6 82:5,6 84:5 92:16 93:1,15 97:7,21 98:5 99:1,8 101:12,24 107:23 122:3 125:9 126:18 135:3 146:13,19 147:2,4, 9,13,15 149:10 169:15,19 170:2, 10 171:11 172:13, 22 173:2 175:7 181:12,14,15,17, 18 211:17

Walsh's 38:6

wanted 15:18 79:22 89:2,10,13 118:11,15 124:6 145:11 177:1 204:2,3

watch 18:11

watched 34:14 205:19

watching 26:22 34:12

Wathen 65:17 66:6

ways 140:13

weapon 48:15,23 51:2 95:15 99:18 148:20 149:1,2,3 153:3 155:13,21, 23 159:24 162:18 165:11 166:19 167:8,17 169:15 174:20 178:18 180:17,20 181:17 185:18,22,24 187:4,5,9,10 192:14 193:2,18 195:7,12,13,14 197:23 198:23 200:10,15 201:17 202:4 216:6,17

weapons 48:14 173:10 187:7

wearing 168:21

weed 59:13

weigh 72:10 205:2

west 5:3 46:24 49:3,7,10 142:4,24 143:22

westbound 36:13 46:22 146:8

westward 47:23

wheel 62:3

wife 142:8

wild 26:8

willingness 136:5 179:2

windshield 101:20 146:1 196:20

wires 179:15

withdraw 110:24 129:10,22 130:8

withdrawal 130:11

witnesses 13:10 19:3 38:13 60:23 66:12 149:19 150:4

witnesses' 38:13

Wojcik 51:10,16, 21 61:14,17 69:18

72:6 75:23 82:9,16 84:6 88:17 91:24 96:4 117:21 182:3 204:19 209:4 210:12

wondering 89:17 135:3

word 19:23 35:8 49:23 198:12 199:4 210:5

word-for-word 188:20

wording 93:1 138:20

words 27:1 113:20 139:11 175:15,20

work 4:9 35:13 51:24 74:10 87:17 108:10,13 171:6

worked 52:14 82:16 112:12 113:21 120:4 205:9

working 51:20,22 52:17 58:9 61:15 171:7

world 94:14 217:22

wound 21:5,7,16, 22 22:1,8,16 23:6, 7,8,9 24:9,21,24 25:7,20 26:10 59:19

wounds 22:8,11 23:23 24:14,17 25:18,19 149:16 213:19

wrap 118:20

wrapped 15:17

wrist 169:21

write 132:13,15 134:18

writing 8:1,20,24 134:17

written 117:16 191:9,14 201:1

wrong 10:3 15:14 42:7 48:14 57:5 110:23 117:19 123:13 124:23 129:14,18 180:19 185:9 206:24 211:11

wrongdoing 204:24

X

X2 180:7

Xerox 178:7

XV 96:24 97:13 98:17

XVI 129:19 137:24

Y

yard 175:15,20 176:1,19 177:6

year 108:17,21

years 91:5 111:7, 19,23 118:10

yellow 29:2

yes-or-no 111:6

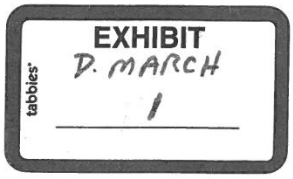
yesterday 4:18 6:1,5,10,15 7:4,8 9:24 11:11,20 15:12,24 39:5 52:13 70:21 71:4, 17 74:20 76:13 77:7,11,17,22 105:18 109:16,24 131:13,16 133:21 187:21

yesterday/the 93:8

Yohler 5:5

Yuli 142:9

OFFICE OF THE MEDICAL EXAMINER
COUNTY OF COOK, ILLINOIS



REPORT OF POSTMORTEM EXAMINATION

NAME MCDONALD, LAQUAN **CASE NO.** ME2014-01071

AGE 17y **RACE** BLACK **SEX** MALE **DATE OF DEATH** OCTOBER 20, 2014

DATE EXAMINED OCTOBER 21, 2014 (8:25am) **EXAMINED BY** Denika Means, DO

Investigator Daniel Kobel with the City of Chicago Independent Police Review Authority is present for the autopsy.

EXTERNAL EXAMINATION

The body is identified by toe tag. Photographs and radiographs are taken.

When first viewed, the body is clad in a green hospital gown. A tan rubber band encircles the right wrist. Accompanying the body is a black, hooded, zip-up sweatshirt (cut), a black with white lettering sweatshirt, blue jeans, black boxers (cut), two black shoes and two black socks. No jewelry is present. All of the clothing is relinquished to a representative of the Chicago Police Department.

The body is that of a well-developed, well-nourished, black male whose appearance is compatible with the stated age of 17 years. As received, the body weighs 180 pounds and is 72 inches long. There is good preservation in the absence of embalming. The body is warm, rigor mortis is easily broken, and lividity is not apparent.

The black scalp hair is in dreadlocks up to 5 inches long. An average amount of body hair is in a normal male distribution. The irides are brown, the corneae are clear, and there are no petechiae of the bulbar or palpebral surfaces of the conjunctivae. The ears, nose and lips are unremarkable. The teeth are natural and in good condition with absence of the upper left central incisor. The neck and chest are symmetrical, and the abdomen is flat. The external genitalia, anus and perineum are unremarkable. The extremities are well developed and symmetrical. The back is straight.

HX425653

IDENTIFYING MARKS AND SCARS

A black ink tattoo on the right upper arm reads "Quan". A black ink tattoo on the dorsum of the right hand reads "Good Son". On the dorsum of the left hand is a black ink tattoo that reads "YOLO" and has a pair of dice.

EVIDENCE OF THERAPY

An endotracheal tube is in the mouth. Intravascular lines are in the left groin and left antecubital fossa. An intraosseous line is in the left shin. A loosely sutured incision runs from the right midaxillary line to the left lateral back just inferior to the nipple line.

EVIDENCE OF INJURY

I. Multiple Gunshot Wounds:

There are 16 gunshot wounds, numbered 1 through 16 arbitrarily without regard to sequence or severity.

1. GUNSHOT WOUND OF THE LEFT SCALP:

There is a gunshot graze wound of the left parietal scalp centered 1-1/2 inches from the top of the head and 1/2 inch anterior to the superior attachment of the pinna of the left ear. The gaping wound is 1-3/4 inches long and up to 1/4 inch deep, extending to the fascia overlying the skull. The wound has no marginal abrasion, soot, or stippling.

Associated with this wound, there is mild left temporoparietal subscapular hemorrhage. Thin subarachnoid hemorrhage overlies the left temporal and parietal lobes of the brain.

Directionality cannot be determined.

2. GUNSHOT WOUND OF THE NECK:

There is a gunshot wound of entrance of the left base of the neck located 11 inches from the top of the head and 2 inches left of anterior midline. The circular wound is 3/16 inch in diameter and has a circumferential dry red-brown marginal abrasion that measures up to 1/4 inch at 12 o'clock, 1/8 inch at

HX475653

3 o'clock, 1/4 inch at 6 o'clock, and 3/16 inch at 9 o'clock. There is no soot or stippling.

After perforating the skin and subcutaneous tissue of the left side of the neck, the bullet subsequently perforates the strap muscles of the left side of the neck, the trachea and the scalene muscles of the right side of the neck.

A moderately deformed, copper-jacketed, medium caliber bullet is recovered from the right supraspinatus muscle, at approximately 12 inches from the top of the head and approximately 5 inches right of anterior midline. The bullet is photographed, sealed within an appropriately labeled envelope and submitted to a representative of the Chicago Police Department.

Associated with this wound is hemorrhage and pulpifaction of the wound track.

The direction is left to right, slightly front to back and slightly downward.

3. GUNSHOT WOUND OF THE LEFT CHEST:

There is a gunshot wound of entrance of the left upper chest located 12-1/4 inches from the top of the head and 5 inches left of anterior midline. The ovoid wound measures 1/2 x 1/2 inch and has a circumferential, dry, red-brown marginal abrasion that measures 1/16 inch at 12 o'clock, 1/8 inch at 3 o'clock, 1/16 inch at 6 o'clock and 1/8 inch at 9 o'clock. There is no soot or stippling.

After perforating the skin and subcutaneous tissue of the left upper chest, the bullet subsequently perforates the left pectoralis muscles, the muscles of the left lateral back, the muscles of the posterior left upper arm and the subcutaneous tissue and skin of the left upper arm.

A gunshot wound of exit of the posterior left upper arm is located 4-3/4 inches from the top of the left shoulder and 3/4 inch lateral to the posterior midline of the left arm. The ovoid wound measures 5/16 x 3/16 inch and has a circumferential brown marginal abrasion that is less than 1/16 inch wide. There is no soot or stippling.

HX425653

Associated with this wound is hemorrhage and pulpifaction of the wound track.

The direction is front to back, right to left and downward.

4. GUNSHOT WOUND OF THE RIGHT CHEST:

There is a gunshot wound of the right side of the chest located 15-1/8 inches from the top of the head and 1-1/4 inches right of anterior midline. The circular wound is 3/16 inch in diameter and has a circumferential, dry, brown marginal abrasion that measures 1/16 inch at 12 o'clock, 3/16 inch at 3 o'clock, 1/16 inch at 6 o'clock and 1/16 inch at 9 o'clock. There is no soot or stippling.

After perforating the skin and subcutaneous tissue of the right side of the chest, the bullet subsequently perforates the right pectoralis muscles, the anterior portion of the right fourth rib and right fourth intercostal muscle, the right upper pulmonic lobe (x2), the right middle pulmonic lobe and the lateral portion of the right sixth intercostal muscle.

A markedly deformed, copper-jacketed bullet is recovered from the right latissimus dorsi muscle at a point approximately 18 inches from the top of the head and approximately 2 inches posterior to the right midaxillary line.

Associated with this wound is an anterior fracture of the right fourth rib and an approximately 40mL right hemothorax. There is hemorrhage and pulpifaction of the wound track.

The direction is front to back, left to right and slightly downward.

5. GUNSHOT WOUND OF THE LEFT ELBOW:

There is a gunshot wound of entrance of the lateral left elbow located 12-3/4 inches from the top of the left shoulder and 1-1/4 inches lateral to the posterior midline of the left arm. The circular wound measures 5/16 of an inch and has a 1/16 inch dark circumferential marginal abrasion. There is no soot or stippling.

HX475653

After perforating the skin and subcutaneous tissue of the lateral left elbow, the bullet subsequently perforates the left humerus and the musculature, subcutaneous tissue and skin of the left upper arm.

A gunshot wound of exit of the medial left upper arm is located 11-1/4 inches from the top of the left shoulder and along the medial midline of the left arm. The irregularly-shaped wound is 1/2 x 1/2 inch. A 1/8 inch brown marginal abrasion extends from 1 o'clock to 3 o'clock and a 1/16 inch brown marginal abrasion extends from 11 o'clock to 12 o'clock. There is no soot or stippling.

Associated with this wound is a 3/16 inch dark brown, abraded skin bridge that separates the entrance gunshot wound #5 (superior) from the entrance gunshot wound #10 (inferior). There is a fracture of the distal left humerus as well as hemorrhage and pulpifaction of the wound track.

The direction is left to right, back to front and slightly upward.

6. GUNSHOT WOUND OF THE RIGHT UPPER ARM:

There is a gunshot wound of entrance of the posterior right upper arm located 6-1/2 inches from the top of the right shoulder and along the posterior midline of the right arm. The circular wound is 3/16 inch in diameter and has a 1/16 inch dry, dark marginal abrasion extending from 1 o'clock to 11 o'clock. There is no soot or stippling.

After perforating the skin and subcutaneous tissue of the posterior right upper arm, the bullet subsequently perforates the musculature of the right upper arm, the right humerus and the musculature, subcutaneous tissue and skin of the medial right upper arm.

There is a shored gunshot wound of exit of the medial right upper arm located 10-3/4 inches from the top of the right shoulder and along the medial midline of the right arm. The irregularly-shaped wound measures 7/16 x 5/16 inch and has a dry, dark circumferential marginal abrasion that measures 1/16 inch at 12 o'clock and 3 o'clock, 1/4 inch at 6 o'clock and 1/16 inch at 9 o'clock. There is no soot or stippling.

H X 475253

Associated with this wound is an abraded 3/4 inch moist pink skin bridge that separates the entrance gunshot wound #6 (inferior) from the entrance gunshot wound #11 (superior). There is also a fracture of the right humerus and hemorrhage and pulpifaction of the wound track.

The direction is back to front, downward and slightly left to right.

7. GUNSHOT WOUND OF THE LEFT FOREARM:

There is a gunshot wound of entrance of the dorsal left forearm located 19 inches from the top of the left shoulder and 1/2 inch medial to the posterior midline of the left arm. The ovoid wound measures 1/4 x 3/16 inch and has a circumferential dry dark marginal abrasion that measures 1/8 inch at 12 o'clock and 1/16 inch at 3, 6, and 9 o'clock. There is no soot or stippling.

After perforating the skin and subcutaneous tissue of the left forearm, the bullet subsequently perforates the left radius and ulna and the musculature, subcutaneous tissue and skin of the medial left forearm.

A gunshot wound of exit of the medial left forearm is located 20-1/2 inches from the top of the left shoulder and 1/2 inch anterior to the medial midline of the left arm. The ovoid wound measures 5/16 x 1/4 inch and has an ellipse-shaped marginal abrasion that measures 1/4 inch at 12 o'clock, 3/16 inch at 3 o'clock and 6 o'clock and 1/8 inch at 9 o'clock. There is no soot or stippling.

Associated with this wound are fractures of the left radius and ulna. There is hemorrhage and pulpifaction of the wound tracks.

The direction is back to front, slightly right to left and slightly downward.

8. GUNSHOT WOUND OF THE LATERAL RIGHT UPPER LEG:

There is a gunshot wound of entrance of the lateral right upper leg located 35-9/16 inches from the top of the head and 1-3/4 inches right of the anterior midline of the right leg.

HX475653

The circular wound measures 1/4 inch in diameter and has a less than 1/16 inch marginal abrasion extending from 5 o'clock to 6 o'clock. The margin is extensively lacerated and has a circumferential 1/16 inch purple contusion. There is no soot or stippling.

After perforating the skin and subcutaneous tissue of the lateral right upper leg, the bullet subsequently perforates the musculature of the right upper leg, the pelvic floor musculature and the musculature of the medial left upper leg.

A moderately deformed, copper-jacketed, medium caliber bullet is recovered from the medial left upper leg at a point approximately 39 inches from the top of the head and approximately 2 inches right of anterior midline of the left leg. The bullet is photographed, sealed within an appropriately labeled envelope and submitted to a representative of the Chicago Police Department.

Associated with this wound is hemorrhage and pulpifaction of the wound track.

The direction is right to left, downward and slightly front to back.

9. GUNSHOT WOUND OF THE LEFT UPPER BACK:

There is a gunshot wound of entrance of the left upper back located 11 inches from the top of the head and 4-1/2 inches left of posterior midline. The irregularly-shaped wound measures 9/16 x 5/16 inch and has an irregular, circumferential brown marginal abrasion that measures 1/4 inch at 12 o'clock, 1/16 inch at 3 o'clock, 1/8 inch at 6 o'clock and 3/16 inch at 9 o'clock. There is no soot or stippling.

After perforating the skin and subcutaneous tissue of the left upper back, the bullet subsequently perforates the musculature of the left upper back and the subcutaneous tissue and skin of the left lateral back.

There is a gunshot wound of exit of the left lateral back located 17-1/4 inches from the top of the head and 3-1/2 inches posterior to the left midaxillary line. The irregularly-shaped wound measures 3/8 x 3/16 inch. There is no marginal abrasion, soot or stippling.

HX 475653

Associated with this wound is hemorrhage and pulpifaction of the wound track.

The direction is right to left and downward with no significant forward or backwards deviation.

10. GUNSHOT WOUND OF THE LEFT ELBOW:

There is a gunshot wound of entrance of the lateral left elbow which is located 13-1/16 inch from the top of the left shoulder and 1 inch lateral to the posterior midline of the left arm. The circular wound measures 3/16 inch in diameter and has a circumferential marginal abrasion that measures 1/8 inch at 12 o'clock and 3 o'clock and 1/16 inch at 6 o'clock and 9 o'clock. There is no soot or stippling.

After perforating the skin and subcutaneous tissue of the lateral left elbow, the bullet subsequently perforates the musculature of the lateral left elbow, the left humerus and the musculature, subcutaneous tissue and skin of the medial left elbow.

There is a gunshot wound of exit of the medial left elbow located 14-1/2 inches from the top of the left shoulder and 3/4 inch medial to the posterior midline of the left arm. The irregularly-shaped wound measures 3/16 x 1/8 inch. It has a circumferential marginal abrasion that measures 1/4 inch at 12 o'clock, 3/16 inch at 3 o'clock, less than 1/16 inch at 6 o'clock and 3/16 inch at 9 o'clock. There is no soot or stippling.

Associated with this wound (as mentioned above) is a 3/16 inch dark brown, abraded skin bridge that separates the entrance gunshot wound #5 (superior) from the entrance gunshot wound #10 (inferior). There are fractures of the left humerus and ulna as well as hemorrhage and pulpifaction of the wound track.

The direction is left to right and downward with no significant forward or backward deviation.

HX475653

11. GUNSHOT WOUND OF THE POSTERIOR RIGHT UPPER ARM:

There is a gunshot wound of entrance of the posterior right upper arm located 5-3/4 inches from the top of the right shoulder and along the posterior midline of the right arm. The circular wound is 1/8 inch in diameter and has a 1/16 inch dry brown marginal abrasion extending from 7 o'clock to 2 o'clock. There is no soot or stippling.

After perforating the skin and subcutaneous tissue of the posterior right upper arm, the bullet subsequently perforates the musculature of the posterior right upper arm and the musculature, subcutaneous tissue and skin of the right upper back.

There is a gunshot wound of exit of the right upper back located 15-1/2 inches from the top of the head and 2 inches posterior to the right midaxillary line. The irregularly-shaped wound measures 3/8 x 1/8 inch and has no marginal abrasion, soot or stippling.

Associated with this wound (as mentioned above) is a charred 3/4 inch moist pink skin bridge that separates the entrance gunshot wound #6 (inferior) from the entrance gunshot wound #11 (superior). There is hemorrhage and pulpifaction of the wound track.

The direction is right to left, downward and slightly front to back.

12. GUNSHOT WOUND OF THE RIGHT ARM:

There is a gunshot wound of entrance of the dorsal right forearm (superior) located 15-1/2 inches from the top of the right shoulder and 3/4 inch lateral to the posterior midline of the right arm. The ovoid-shaped wound measures 5/16 x 1/4 inch and has a dry, dark brown, circumferential marginal abrasion that measures 1/8 inch at 12 o'clock, 3/16 inch at 3 o'clock, 1/8 inch at 6 o'clock and 1/16 inch at 9 o'clock. There is no soot or stippling.

After perforating the skin and subcutaneous tissue of the posterior right forearm, the bullet subsequently penetrates the musculature of the right upper arm.

HX475653

A moderately deformed, copper-jacketed, medium caliber bullet is recovered from the anterior musculature of the right upper arm approximately 10 inches from the top of the right shoulder and approximately midline of the right upper arm. The bullet is photographed, sealed within an appropriately labeled envelope and submitted to a representative of the Chicago Police Department.

Associated with this wound is hemorrhage and pulpifaction of the wound track.

The direction is back to front and upward with no significant lateral deviation.

13. GUNSHOT WOUND OF THE RIGHT FOREARM:

There is a gunshot wound of entrance of the dorsal right forearm (inferior) located 19-1/2 inches from the top of the right shoulder and along the posterior midline of the right arm. The ovoid-shaped wound measures 1/2 x 1/8 inch and has an irregular, dry, circumferential marginal abrasion that measures 1/8 inch at 12 o'clock, 1/16 inch at 3 o'clock, 1 inch at 6 o'clock, and 1/8 inch at 9 o'clock. There is no soot or stippling.

After perforating the skin and subcutaneous tissue of the dorsum of the right forearm, the bullet penetrates the musculature of the right forearm.

A markedly deformed, large fragment of copper-jacketed bullet is recovered from the right forearm at approximately 17 inches from the top of the right shoulder and approximately posterior midline of the right arm. The projectile is photographed, sealed within an appropriately labeled envelope and submitted to a representative of the Chicago Police Department.

Associated with this wound are fractures of the right radius and ulna. There is hemorrhage and pulpifaction of the wound track.

The direction is upward and slightly back to front with no significant lateral deviation.

14. GUNSHOT WOUND OF THE RIGHT HAND:

There is a gunshot wound of entrance of the dorsum of the right hand located 24 inches from the top of the right shoulder and

HX475653

1/2 inch posterior to the lateral midline of the right arm. The slit-like wound measures 3/16 inch and has a moist red marginal abrasion from 3 o'clock to 11 o'clock that measures 5/16 of an inch at 3 o'clock, 1/4 inch at 6 o'clock, and 5/16 of an inch at 9 o'clock. There is a thin, circumferential rim of charred skin. Numerous irregular, dry, dark brown abrasions and apparent pseudo-stippling extend along the 5 o'clock to 11 o'clock margin up to 1 inch at 5 o'clock, 1-3/4 inch at 6 o'clock, 1-1/2 inch at 9 o'clock, and 1/2 at 11 o'clock. No definitive gunpowder residue is identified.

After perforating the skin and subcutaneous tissue of the dorsum of the right hand, the bullet penetrates the musculature of the right hand.

Two fragments of markedly deformed, copper-jacketed projectile are recovered from the dorsum of the right hand at a point approximately 23-1/2 inches from the top of the right shoulder and 1/4 inch posterior to the lateral midline of the right arm. The projectile fragments are photographed, sealed within an appropriately labeled envelope and submitted to a representative of the Chicago Police Department.

Associated with this wound is hemorrhage and pulpifaction of the wound track.

The direction is slightly left to right and slightly upward with no significant forward or backward deviation.

15. GUNSHOT WOUND OF THE RIGHT LOWER BACK:

There is a gunshot wound of entrance of the right lower back located 28 inches from the top of the head and 1-7/8 inches right of posterior midline. The 3/16 x 1/8 inch ovoid wound has a circumferential, moist, pink marginal abrasion that measures 1/16 inch at 12 o'clock, 1/8 inch at 3 o'clock, 1/16 inch at 6 o'clock and 1/16 inch at 9 o'clock. There is no soot or stippling.

After perforating the skin and subcutaneous tissue of the right lower back, the bullet subsequently perforates the sacrum, the abdominal cavity and the musculature of the left side of the abdomen.

HX475653

A moderately deformed, copper-jacketed, medium caliber bullet is recovered from the soft tissue of the left abdominal wall approximately 25 inches from the top of the head and approximately 2 inches left of anterior midline. The bullet is photographed, sealed within an appropriately labeled envelope and submitted to a representative of the Chicago Police Department.

Associated with this wound is a fracture of the sacrum as well as hemorrhage and pulpifaction of the wound track.

The direction is back to front, right to left and upward.

16. GUNSHOT WOUND OF THE RIGHT UPPER LEG:

There is a gunshot wound of entrance of the medial right upper leg located 42-1/2 inches from the top of the head and 1/2 inch posterior to the medial midline of the right leg. The ovoid wound measures 1/4 x 3/16 inch and has a dry red-brown marginal abrasion that extends from 7 o'clock to 3 o'clock. The abrasion measures 1/16 inch from 7 o'clock to 9 o'clock and less than 1/16 inch from 9 o'clock to 3 o'clock. There is no soot or stippling.

After perforating the skin and subcutaneous tissue of the medial right upper leg, the bullet subsequently perforates the musculature of the right upper leg and the subcutaneous tissue and skin of the posterior right upper leg.

There is a gunshot wound of exit of the posterior right upper leg located 41-3/8 inches from the top of the head and along the posterior midline of the right leg. The irregularly-shaped wound measures 3/8 x 1/4 inch and has a 3/8 x 1/4 inch brown abrasion that extends along the 12 o'clock to 2 o'clock margin. There is no soot or stippling.

Associated with this wound is hemorrhage and pulpifaction of the wound track..

The direction is left to right and front to back with no significant vertical deviation.

HX475653

II. **OTHER INJURIES:**

There are clusters of dry red-brown abrasions on the right shoulder, right side of the chest and dorsum of the right wrist and hand. Scattered larger red-brown abrasions are on the abdomen.

III. **OTHER ITEMS RECOVERED:**

Tiny, white metal fragments of apparent projectile are recovered from between the maxillary teeth, the right upper arm and the decedent's clothing. These fragments are photographed, sealed within appropriately labeled envelopes and submitted to a representative of the Chicago Police Department.

These injuries, having been once described, will not be repeated.

EVIDENCE SUBMITTED

The following items are collected, sealed within appropriately labeled containers and submitted to a representative of the Chicago Police Department:

-Clothing
-Blood standard
-Projectiles

INTERNAL EXAMINATION

Body Cavities: See **Evidence of Injury.** The thoracic and abdominal organs are in their normal anatomic positions. There are no adhesions.

Head: See **Evidence of Injury.** The skull is unremarkable. The dura and dural sinuses are unremarkable. The leptomeninges are thin and delicate. The cerebral hemispheres are symmetrical with an unremarkable gyral pattern. The cranial nerves and blood vessels are unremarkable. Sections through the cerebral hemispheres, brainstem and cerebellum are unremarkable. There are no hemorrhages of the deep white matter or the basal ganglia. The cerebral ventricles contain no blood. The brain weighs 1325 grams. The spinal cord as viewed from the cranial cavity is unremarkable.

HX475653

Neck: See **Evidence of Injury.** The hyoid bone is intact.

Cardiovascular System: The intimal surface of the abdominal aorta is free of significant atherosclerosis. The aorta and its major branches and the great veins are normally distributed. The pulmonary arteries contain no thromboemboli. The pericardium, epicardium and endocardium are smooth, glistening and unremarkable. The foramen ovale is closed. The coronary arterial system is normally formed and free of significant atherosclerosis. The atrial and ventricular septa are intact. The cardiac valves are unremarkable. The myocardium is dark red-brown and firm and there are no focal abnormalities. The heart weighs 360 grams.

Respiratory System: See **Evidence of Injury.** The oropharynx is unobstructed. The laryngeal mucosa is pink, smooth, and without petechiae. The pleural surfaces are smooth and glistening. The major bronchi are unremarkable. Sectioning of the lungs discloses a dark red, moderately congested parenchyma.

Hepatobiliary System: The liver is covered by a smooth glistening capsule. The parenchyma is dark red-brown and moderately congested. The liver weighs 1062 grams. The gallbladder contains approximately 10 mL of dark green-brown bile with no calculi.

Gastrointestinal System: The esophageal mucosa is gray, smooth, and unremarkable. The stomach contains approximately 20 mL of blood. There are no tablets or capsules. The gastric mucosa has normal rugal folds and is unremarkable. The small and large intestines are externally unremarkable. The appendix is present.

Genitourinary System: The left kidney is absent. The capsule of the right capsule strips with ease to reveal a smooth and slightly lobulated surface. The cortex is of normal thickness with well-demarcated corticomedullary junctions. The calyx, pelvis and ureter is unremarkable. The urinary bladder contains approximately 200 mL of clear yellow urine. The mucosa is gray, smooth, and unremarkable. The prostate gland is unremarkable externally.

Endocrine System: The thyroid and adrenal glands are unremarkable externally and upon sectioning.

HX475653

Lymphoreticular System: The spleen is covered by a smooth, blue-gray intact capsule. The parenchyma is dark red and firm. The cervical, hilar, and peritoneal lymph nodes are unremarkable.

Musculoskeletal System: See **Evidence of Injury.** The clavicles, sternum and pelvis have no fractures.

FINDINGS

I. Gunshot wound of the left scalp (graze wound):

A. Location: Left parietal scalp.
B. Injuries: Mild subscalpular hemorrhage and thin subarachnoid hemorrhage.
C. Direction: Indeterminate.
D. Range of fire: Indeterminate (no soot or stippling on skin).

II. Gunshot wound of the neck:

A. Entrance: Left base of the neck.
B. Path: Perforations of neck musculature and trachea.
C. Recovery: Medium caliber bullet recovered from the right supraspinatus muscle.
D. Direction: Left to right, slightly front to back and slightly downward.
E. Range of fire: Indeterminate (no soot or stippling on skin).

III. Gunshot wound of the left chest:

A. Entrance: Left upper chest.
B. Path: Perforations of the musculature of the left chest, left lateral back and left upper arm.
C. Exit: Posterior left upper arm.
D. Direction: Front to back, right to left and downward.
E. Range of fire: Indeterminate (no soot or stippling on skin).

HX475653

IV. Gunshot wound of the right chest:

A. Entrance: Right side of the chest.
B. Path: Perforations of the musculature of the right chest, the right fourth rib and right fourth intercostal muscle, the right lung and the right sixth intercostal muscle.
C. Recovery: Markedly deformed bullet fragment recovered from the right latissimus dorsi muscle.
D. Direction: Front to back, left to right and slightly downward.
E. Range of fire: Indeterminate (no soot or stippling on the skin).

V. Gunshot wound of the left elbow:

A. Entrance: Lateral left elbow.
B. Path: Perforations of the musculature of the left upper arm and the left humerus.
C. Exit: Medial left upper arm.
D. Direction: Left to right, back to front and slightly upward.
E. Range of fire: Indeterminate (no soot or stippling on the skin).

VI. Gunshot wound of the right upper arm:

A. Entrance: Posterior right upper arm.
B. Path: Perforations of the musculature of the right upper arm and the right humerus.
C. Exit: Medial right upper arm.
D. Direction: Back to front, downward and slightly left to right.
E. Range of fire: Indeterminate (no soot or stippling on the skin).

HX475653

VII. Gunshot wound of the left forearm:

A. Entrance: Dorsal left forearm.
B. Path: Perforations of the musculature of the left forearm, the left radius and the left ulna.
C. Exit: Medial left forearm.
D. Direction: Back to front, slightly right to left and slightly downward.
E. Range of fire: Indeterminate (no soot or stippling on the skin).

VIII. Gunshot wound of the lateral right upper leg:

A. Entrance: Lateral right upper leg.
B. Path: Perforations of the musculature of the right upper leg, the pelvic floor and the medial left upper leg.
C. Recovery: Medium caliber bullet recovered from the medial left upper leg.
D. Directions: Right to left, downward and slightly front to back.
E. Range of fire: Indeterminate (no soot or stippling on the skin).

IX. Gunshot wound of the left upper back:

A. Entrance: Left upper back.
B. Path: Perforations of the musculature of the left back.
C. Exit: Left lateral back.
D. Direction: Right to left and downward with no significant deviation forwards or backwards.
E. Range of fire: Indeterminate (no soot or stippling on the skin).

X. Gunshot wound of the left elbow:

A. Entrance: Lateral left elbow.
B. Path: Perforations of the musculature of the left elbow, the left humerus and the left ulna.
C. Exit: Medial left elbow.
D. Direction: Left to right and downward with no significant forward or backward deviation.
E. Range of fire: Indeterminate (no soot or stippling on the skin).

HX475653

XI. Gunshot wound of the right upper arm:

A. Entrance: Posterior right upper arm.
B. Path: Perforations of the musculature of the right upper arm and right upper back.
C. Exit: Right upper back.
D. Direction: Right to left, downward and slightly front to back.
E. Range of fire: Indeterminate (no soot or stippling on the skin.

XII. Gunshot wound of the right arm:

A. Entrance: Dorsal right forearm.
B. Path: Perforation of the musculature of the right upper arm.
C. Recovery: Medium caliber bullet recovered from the musculature of the anterior right upper arm.
D. Direction: Back to front and upward with no significant lateral deviation.
E. Range of fire: Indeterminate (no soot or stippling on the skin).

XIII. Gunshot wound of the right forearm:

A. Entrance: Dorsal right forearm.
B. Path: Perforations of the musculature of the right forearm.
C. Recovery: Large fragment of projectile recovered from the right forearm.
D. Direction: Upward and slightly back to front with no significant lateral deviation.
E. Range of fire: Indeterminate (no soot or stippling on the skin).

HX475653

XIV. Gunshot wound of the right hand:

A. Entrance: Dorsum of the right hand.
B. Path: Perforations of the musculature of the right hand.
C. Recovery: Fragments of projectile recovered from the dorsum of the right hand.
D. Direction: Slightly left to right and slightly upward with no significant deviation forward or backwards.
E. Range of fire: Indeterminate (no soot or stippling on the skin on the hand).

XV. Gunshot wound of the lower back:

A. Entrance: Right lower back.
B. Path: Perforations of the sacrum and left abdominal wall musculature.
C. Recovery: Medium caliber bullet recovered from the soft tissue of the left abdominal wall.
D. Direction: Back to front, right to left and upward.
E. Range of fire: Indeterminate (no soot or stippling on the skin).

XVI. Gunshot wound of the right upper leg:

A. Entrance: Medial right upper leg.
B. Path: Perforation of the musculature of the right upper leg.
C. Exit: Posterior right upper leg.
D. Direction: Left to right and front to back without significant vertical deviation.
E. Range of fire: Indeterminate (no soot or stippling on the skin).

XVII. Abrasions of the right shoulder, chest, abdomen hand and wrist.

XVIII. Small, probable projectile fragments recovered from the mouth, skin of the right upper arm and the clothing.

XIX. Post-mortem toxicology negative for benzoylecgonine, ethanol and opiates.

XX. Police-involved shooting.

HX47525

OPINION

Based on the case history and autopsy findings, it is my opinion that LAQUAN MCDONALD, a 17-year-old black male, died as the result of multiple gunshot wounds.

MANNER OF DEATH: Homicide

Denika Means, DO
Assistant Medical Examiner

1/15/2015

WTT:jm
J: -24
D: 10/23/14@17:26
T: 10/24/14@11:56

HX4256

OFFICE OF THE MEDICAL EXAMINER
COUNTY OF COOK, ILLINOIS
TOXICOLOGY REPORT

FINAL

M.E. Case:	ME2014-01071	Tox Case:	14-3614
Deceased Name:	McDonald, Laquan	Gender:	Male
Autopsy Date:	10/21/2014	Race:	Black
Report Date:	12/11/2014	Age :	17
Pathologist:	MEANS, DENIKA		

Confirmed Positives

Sample #	Analyte	Sample Type	Methodology	Result	Foot note

Screen

Sample #	Analyte	Sample Type	Methodology	Result
01-01	BENZOYLECGONINE	Hospital Specimens	ELISA	Negative
01-01	ETHANOL	Hospital Specimens	GC	Negative
01-01	OPIATES	Hospital Specimens	ELISA	Negative

Comments

KOIN, PETER
Toxicologist
Date reviewed: 12/11/2014

Footnotes

Test Panels

Opiate ELISA Screen includes: Morphine, Codeine

HX47763

OFFICE OF THE MEDICAL EXAMINER
COUNTY OF COOK, ILLINOIS
TOXICOLOGY REPORT

AMENDED

M.E. Case:	ME2014-01071	Tox Case:	14-3614
Deceased Name:	McDonald, Laquan	Gender:	Male
Autopsy Date:	10/21/2014	Race:	Black
~~Report Date:~~	03/31/2015	Age :	17
Pathologist:	MEANS, DENIKA		

Confirmed Positives

Sample #	Analyte	Sample Type	Methodology	Result	Foot note
01-01	ETHANOL	Hospital Specimens	GC_GC	Negative	(1)

Screen

Sample #	Analyte	Sample Type	Methodology	Result
01-01	BENZOYLECGONINE	Hospital Specimens	ELISA	Negative
01-01	ETHANOL	Hospital Specimens	GC	Negative
01-01	OPIATES	Hospital Specimens	ELISA	Negative
01-05	PHENCYCLIDINE	URINE	ELISA	Positive
01-10	PHENCYCLIDINE	CAVITY BLOOD	ELISA	Positive
01-01	PHENCYCLIDINE	Hospital Specimens	ELISA	Positive

Subcontracted Tests

Test Name	
Phencyclidine NMS	See NMS Report for Result
Risperidone NMS	See NMS Report for Result
Valproic Acid LabCorp	See LabCorp Report for Result

Comments

AMENDED BY: WAGNER, MICHAEL
Toxicologist
Date reviewed: 03/31/2015

Footnotes

1 Quantitation by GC, Confirmation by GC

Test Panels

Opiate ELISA Screen includes: Morphine, Codeine

HX475653

NMS LABS

NMS Labs
3701 Welsh Road, PO Box 433A, Willow Grove, PA 19090-0437
Phone: (215) 657-4900 Fax: (215) 657-2972
e-mail: nms@nmslabs.com
Robert A. Middleberg, PhD, F-ABFT, DABCC-TC, Laboratory Director

CONFIDENTIAL

Toxicology Report

Report Issued 03/18/2015 13:00

To: **10075**
Cook County Medical Examiner
Attn: Kathleen Mittel
2121 West Harrison Street
Chicago, IL 60612

Patient Name MCDONALD, LAQUAN
Patient ID ME2014-01071 14-3614
Chain 11851876
Age Not Given **DOB** Not Given
Gender Not Given
Workorder 15059306

Positive Findings:

Compound	Result	Units	Matrix Source
Phencyclidine	**56**	**ng/mL**	**001 - Cavity Blood**

See Detailed Findings section for additional information

Testing Requested:

Analysis Code	Description
4105B	Risperidone and Metabolite, Blood
8761B	Phencyclidine, Blood

Specimens Received:

ID	Tube/Container	Volume/ Mass	Collection Date/Time	Matrix Source	Miscellaneous Information
001	Red Top Tube	5.5 mL	Not Given	Cavity Blood	

All sample volumes/weights are approximations.
Specimens received on 03/02/2015.

HX4756553

v.14

Detailed Findings:

Analysis and Comments	Result	Units	Rpt. Limit	Specimen Source	Analysis By
Phencyclidine	56	ng/mL	5.0	001 - Cavity Blood	GC/MS

Other than the above findings, examination of the specimen(s) submitted did not reveal any positive findings of toxicological significance by procedures outlined in the accompanying Analysis Summary.

Reference Comments:

1. Phencyclidine (Angel Dust; PCP; Sherm) - Cavity Blood:

   Phencyclidine (PCP) is a DEA Schedule II controlled dangerous hallucinogenic drug. There exists a dearth of pharmacokinetic data of PCP usage in humans; however it has been reported that blood levels of phencyclidine ranged from 7 - 240 ng/mL (mean, 75 ng/mL) in individuals stopped for driving under the influence of drugs or for being intoxicated in public.

   Ataxia, agitation, combativeness, seizures, spasticity, coma and respiratory depression are associated with phencyclidine concentrations ranging from 90 - 220 ng/mL plasma.

   The physiological effects of PCP can be classified as low or high dose. In low doses, PCP can elicit visual disturbances, drowsiness, agitation, hallucinations, aggressiveness, increased pulse rate and blood pressure, bronchospasm, increased respiratory rate and hyperthermia In high doses, PCP can elicit convulsions, opisthotonos, coma, arrhythmias, decreased blood pressure and respirations and rhabdomyolysis.

   There appears to be no relation between plasma levels of phencyclidine and degree of intoxication. Even so, death has been reported following the use of only 120 mg of phencyclidine. Blood concentrations in phencyclidine-related fatalities have been reported to range from 300 - 25000 ng/mL (mean, 5000 ng/mL).

Unless alternate arrangements are made by you, the remainder of the submitted specimens will be discarded one (1) year from the date of this report; and generated data will be discarded five (5) years from the date the analyses were performed.

Analysis Summary and Reporting Limits:

All of the following tests were performed for this case. For each test, the compounds listed were included in the scope. The Reporting Limit listed for each compound represents the lowest concentration of the compound that will be reported as being positive. If the compound is listed as None Detected, it is not present above the Reporting Limit. Please refer to the Positive Findings section of the report for those compounds that were identified as being present.

Acode 4105B - Risperidone and Metabolite, Blood - Cavity Blood

-Analysis by High Performance Liquid Chromatography/ Tandem Mass Spectrometry (LC-MS/MS) for:

Compound	Rpt. Limit	Compound	Rpt. Limit
9-Hydroxyrisperidone	1.0 ng/mL	Risperidone and 9-Hydroxyrisperidone - Total	N/A
Risperidone	1.0 ng/mL		

Acode 8761B - Phencyclidine, Blood - Cavity Blood

-Analysis by Gas Chromatography/Mass Spectrometry (GC/MS) for:

Compound	Rpt. Limit	Compound	Rpt. Limit
Phencyclidine	5.0 ng/mL		

HX47523

LabCorp
Laboratory Corporation of America

Patient Report

Specimen ID: 057-139-1180-0
Control ID: B0019005042

Acct #: 12122732 Phone: (312) 997-4477 Rte: 16

COOK COUNTY MEDICAL EXAMINER
2121 W HARRISON
CHICAGO IL 60612

MCDONALD, LAQUAN

Patient Details
DOB: 09/25/1997
Age(y/m/d): 017/05/01
Gender: M SSN:
Patient ID: ME2014-01071

Specimen Details
Date collected: 02/26/2015 1119 Local
Date entered: 02/26/2015
Date reported: 02/27/2015 0903 ET

Physician Details
Ordering: D MEANS
Referring:
ID:
NPI:

General Comments & Additional Information
Clinical Info: TOX-14-3614 1ML OF CAVITY
Clinical Info: BLOOD SPUN DOWN

Alternate Control Number: B0019005042 Alternate Patient ID: ME2014-01071

Ordered Items
Valproic Acid (Depakote)(R) S

TESTS	RESULT	FLAG	UNITS	REFERENCE INTERVAL	LAB
Valproic Acid (Depakote) (R) S					
	<4	Low	ug/mL	50 - 100	01
Verified by repeat analysis					

Detection Limit = 4
<4 indicates None Detected
Toxicity may occur at levels of 100-500. Measurements of free unbound valproic acid may improve the assessment of clinical response.

01 CB LabCorp Dublin
6370 Wilcox Road, Dublin, OH 43016-1269
Nathan Scanzillo PhD

For inquiries, the physician may contact Branch: 800-597-5026 Lab: 800-282-7300

Date Issued: 02/27/15 0903 ET FINAL REPORT Page 1 of 1

This document contains private and confidential health information protected by state and federal law.
If you have received this document in error, please call 800-282-7300

© 1995-2015 Laboratory Corporation of America® Holdings
All Rights Reserved - Enterprise Report Version: 1.00

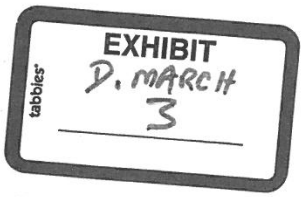
HX475653



(720 ILCS 5/7-7) (from Ch. 38, par. 7-7)

Sec. 7-7. Private person's use of force in resisting arrest. A person is not authorized to use force to resist an arrest which he knows is being made either by a peace officer or by a private person summoned and directed by a peace officer to make the arrest, even if he believes that the arrest is unlawful and the arrest in fact is unlawful.

(Source: P.A. 86-1475.)



(720 ILCS 5/7-5) (from Ch. 38, par. 7-5)

Sec. 7-5. Peace officer's use of force in making arrest. (a) A peace officer, or any person whom he has summoned or directed to assist him, need not retreat or desist from efforts to make a lawful arrest because of resistance or threatened resistance to the arrest. He is justified in the use of any force which he reasonably believes to be necessary to effect the arrest and of any force which he reasonably believes to be necessary to defend himself or another from bodily harm while making the arrest. However, he is justified in using force likely to cause death or great bodily harm only when he reasonably believes that such force is necessary to prevent death or great bodily harm to himself or such other person, or when he reasonably believes both that:

(1) Such force is necessary to prevent the arrest from being defeated by resistance or escape; and

(2) The person to be arrested has committed or attempted a forcible felony which involves the infliction or threatened infliction of great bodily harm or is attempting to escape by use of a deadly weapon, or otherwise indicates that he will endanger human life or inflict great bodily harm unless arrested without delay.

(b) A peace officer making an arrest pursuant to an invalid warrant is justified in the use of any force which he would be justified in using if the warrant were valid, unless he knows that the warrant is invalid.
(Source: P.A. 84-1426.)



(720 ILCS 5/2-8) (from Ch. 38, par. 2-8)

Sec. 2-8. "Forcible felony". "Forcible felony" means treason, first degree murder, second degree murder, predatory criminal sexual assault of a child, aggravated criminal sexual assault, criminal sexual assault, robbery, burglary, residential burglary, aggravated arson, arson, aggravated kidnaping, kidnaping, aggravated battery resulting in great bodily harm or permanent disability or disfigurement and any other felony which involves the use or threat of physical force or violence against any individual.
(Source: P.A. 88-277; 89-428, eff. 12-13-95; 89-462, eff. 5-29-96.)

Chicago Police Department

THE USE OF FORCE MODEL

General Order G03-02-01

ISSUE DATE:	16 May 2012	**EFFECTIVE DATE:**	16 May 2012
RESCINDS:	15 August 2003 Version		
INDEX CATEGORY:	Field Operations		

EXHIBIT
P. MARCH
5

I. PURPOSE

This directive:

A. explains the Use of Force Model.

B. includes a graphic representation of the Use of Force Model.

II. DEPARTMENT POLICY

The Department utilizes a Use of Force Model to provide guidance on the appropriate amount of force to be used to effect a lawful purpose. The Use of Force Model employs the progressive and reasonable escalation and de-escalation of member-applied force in proportional response to the actions and level of resistance offered by a subject. Such response may progress from the member's actual presence at the scene to the application of deadly force.

A. The primary objective of the use of force is to ensure control of a subject with the reasonable force necessary based on the totality of the circumstances.

B. Whenever reasonable, members will exercise persuasion, advice, and warning prior to the use of physical force.

C. When force is applied, a member will escalate or de-escalate to the amount of force which is reasonably necessary to overcome the subject's resistance and to gain control.

1. Members are not required to start at the lowest levels of the Use of Force Model, they will select the appropriate level of force based on the subject's actions.

2. Members will modify their level of force in relation to the amount of resistance offered by the subject.

a. As the subject offers less resistance, the member will lower the amount or type of force used.

b. As the subject increases resistance, the member may increase the amount or type of force used.

III. USE OF FORCE MODEL

A. The Use of Force Model is a graphic representation of the guidelines for the appropriate use of force in relation to the actions of a subject.

B. The Use of Force Model utilized by the Chicago Police Department is pictured in Illustration No. 1.

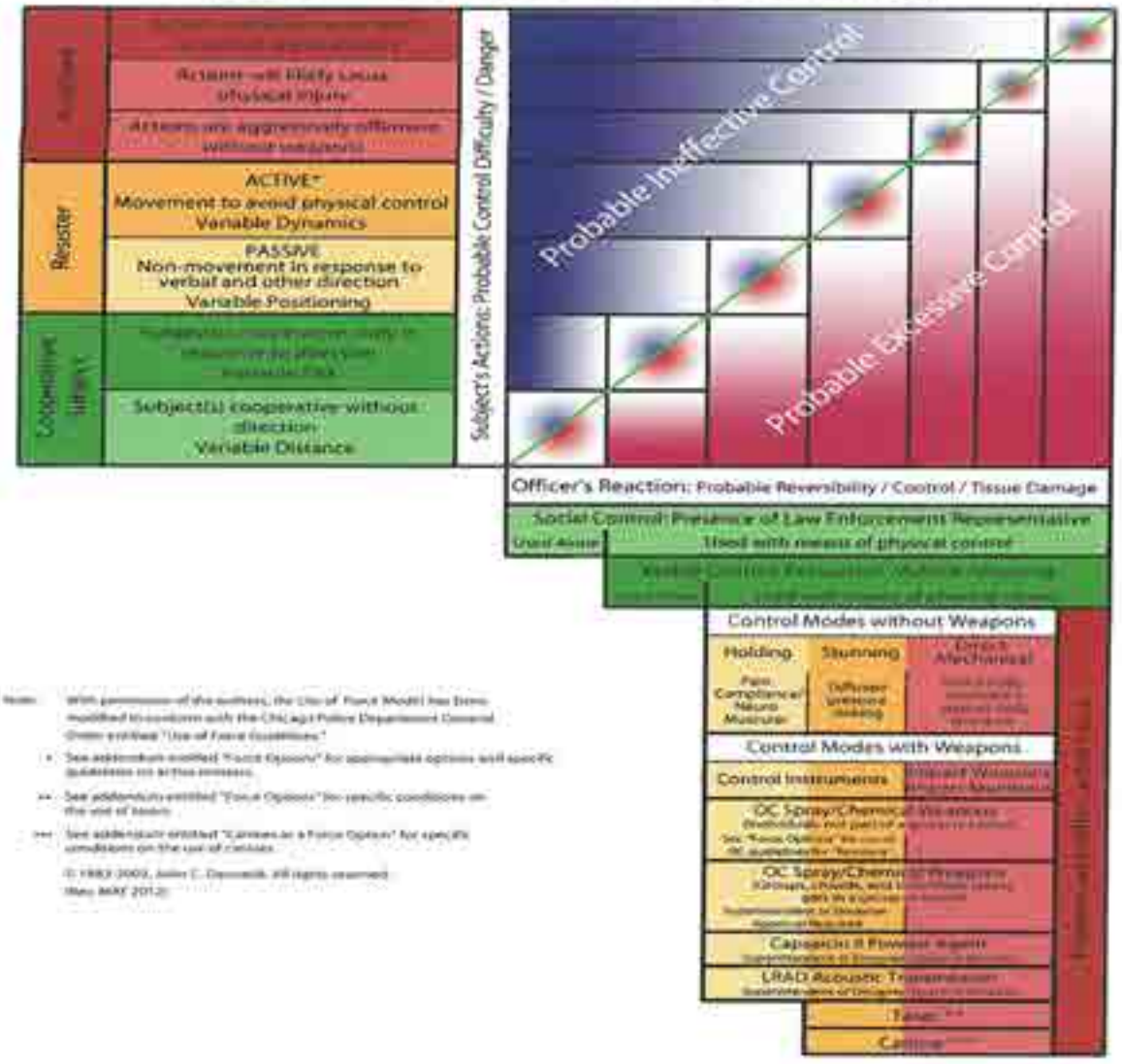
C. The Use of Force Model is a guideline that cannot account for all factors constituting the "totality of circumstances" by which a specific use of force is evaluated. The Model is to be used only in conjunction with the Department directives and training regarding the use of force.

Illustration No. 1

© Chicago Police Department, May 2012

OIG 15-0564 010232

USE OF FORCE MODEL
CHICAGO POLICE DEPARTMENT



Note: With permission of the authors, the Use of Force Model has been modified to conform with the Chicago Police Department General Order entitled "Use of Force Guidelines."

* See addendum entitled "Force Options" for appropriate options and specific guidelines on active resisters.

** See addendum entitled "Force Options" for specific conditions on the use of batons.

*** See addendum entitled "Canines as a Force Option" for specific conditions on the use of canines.

© 1983-2002, John C. Desmedt. All rights reserved.
Rev. MAY 2012

Garry F. McCarthy
Superintendent of Police

11-205 TRH

Chicago Police Department

General Order G03-02-03

DEADLY FORCE

ISSUE DATE:	10 February 2015	**EFFECTIVE DATE:**	10 February 2015
RESCINDS:	1 October 2002 Version		
INDEX CATEGORY:	Field Operations		



I. PURPOSE

This directive:

A. sets forth Department policy regarding a sworn member's use of deadly force.

B. establishes guidelines controlling the use of deadly force by sworn members.

II. DEPARTMENT POLICY

A. A sworn member is justified in using force likely to cause death or great bodily harm only when he or she reasonably believes that such force is necessary:

1. to prevent death or great bodily harm to the sworn member or to another person, or:

2. to prevent an arrest from being defeated by resistance or escape and the sworn member reasonably believes that the person to be arrested:

   a. has committed or has attempted to commit a forcible felony which involves the infliction, threatened infliction, or threatened use of physical force likely to cause death or great bodily harm or;

   b. is attempting to escape by use of a deadly weapon or;

   c. otherwise indicates that he or she will endanger human life or inflict great bodily harm unless arrested without delay.

B. Sworn members who discharge a firearm will comply with the procedures detailed in the Department directive entitled "**Firearms Discharge Incidents Involving Sworn Members**."

III. DEPARTMENT PROHIBITIONS FOR USE OF DEADLY FORCE

Use of firearms in the following ways is prohibited:

A. Firing into crowds.

B. Firing warning shots.

C. Firing into buildings or through doors, windows, or other openings when the person lawfully fired at is not clearly visible.

D. Firing at a subject whose action is only a threat to the subject himself (e.g., attempted suicide).

E. *Firing at or into a moving vehicle when the vehicle is the only force used against the sworn member or another person.*

IV. AFFIRMATION OF PROTECTION OF LIFE POLICY

Sworn members will not unreasonably endanger themselves or another person to conform to the restrictions of this directive.

© Chicago Police Department, February 2015

(Items indicated by *italics/double underline* have been added or revised)

Garry F. McCarthy
Superintendent of Police

15-025 MWK

GLOSSARY TERMS:

1. **Deadly Force (720 ILCS 5/7-8)**

   A. Deadly force is force which is likely to cause death or great bodily harm and includes

      1. The firing of a firearm in the direction of the person to be arrested, even though no intent exists to kill or inflict great bodily harm; and

      2. The firing of a firearm at a vehicle in which the person to be arrested is riding.

   B. A peace officer's discharge of a firearm using ammunition designed to disable or control an individual without creating the likelihood of death or great bodily harm (i.e., impact munitions) shall not be considered force likely to cause death or bodily harm

2. **Use of Force to Prevent Escape (720 ILCS 5/7-9)**

   A peace officer or other person who has an arrested person in custody is justified in the use of such force to prevent the escape of the arrested person from custody as he would be justified in using if he were arresting the person.

3. **Forcible Felony (720 ILCS 5/2-8)**

   A forcible felony means any treason, first degree murder, second degree murder, predatory criminal sexual assault of a child, aggravated criminal sexual assault, criminal sexual assault, robbery, burglary, residential burglary, aggravated arson, arson, aggravated kidnapping, kidnapping, aggravated battery resulting in great bodily harm or permanent disability or disfigurement, and any other felony which involves the use or threat of physical force or violence against any individual.

© Chicago Police Department, February 2015

OIG 15-0564 010236

CHICAGO POLICE DEPARTMENT

3510 South Michigan Avenue/Chicago, Illinois
60653
Identification Section

JUVENILE CRIMINAL HISTORY REPORT

CPD-31903C (REV. 7/04)

MCDONALD, LAQUAN
IR # **2106340**
SID #
FBI #
IDOC #

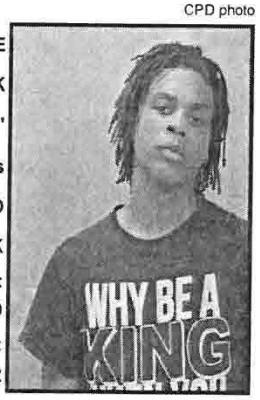
EXHIBIT
D. MARCH
7
tabbies

Current Arrest Information:

Date of Birth: **25-SEP-1997**
Age: **16 years**
Place of Birth: **ILLINOIS**
SSN #:
Drivers License #:
Drivers Lic. State:

Scars, Marks &Tattoos:

CPD photo



MALE
BLACK
6'02"
180 lbs
EYES : BRO
HAIR : BLK
HAIR STYLE : DREAD
COMPLEXION : MBR

Key Historical Identifiers:

Alias or AKA used	Date Used	Dates of Birth Used	Social Security Numbers Used
MCDONALD, LAQUAN	**18-JAN-2014**	**26-SEP-1996**	Not Available
MCDONALD, LAQUAN	**22-NOV-2013**	**25-SEP-1996**	Not Available
MCDONALD, LAQUAN	**24-MAY-2012**	**24-SEP-1997**	Not Available
MCDONALD, LAQUAN J	**10-FEB-2012**	**25-SEP-1997**	Not Available
MCDONALD, LAQUAN	**21-APR-2011**	**25-SEP-1997**	Not Available

Criminal Justice Summary: Total arrests: **26** (8 Felony, 11 Misdemeanor) Total convictions: **0**

JUVENILE ARREST JUVENILE

[redacted]

JUVENILE ARREST JUVENILE

[redacted]

JUVENILE ARREST JUVENILE

[redacted]

JUVENILE ARREST JUVENILE

[redacted]

JUVENILE ARREST JUVENILE

[redacted]

[redacted]

JUVENILE ARREST JUVENILE

[redacted]

JUVENILE ARREST JUVENILE

[redacted]

JUVENILE ARREST JUVENILE

[redacted]

[redacted]

[redacted] JUVENILE [redacted] ARREST [redacted] JUVENILE [redacted]

[redacted]

[redacted] JUVENILE [redacted] ARREST [redacted] JUVENILE [redacted]

[redacted]

[redacted] JUVENILE [redacted] ARREST [redacted] JUVENILE [redacted]

[redacted]

[redacted]

[redacted] JUVENILE [redacted] ARREST [redacted] JUVENILE [redacted]

[redacted]

[redacted] JUVENILE [redacted] ARREST [redacted] JUVENILE [redacted]

[redacted]

[redacted] JUVENILE [redacted] ARREST [redacted] JUVENILE [redacted]

[redacted]

[redacted]

[redacted] JUVENILE [redacted] ARREST [redacted] JUVENILE [redacted]

[redacted]

[redacted] JUVENILE [redacted] ARREST [redacted] JUVENILE [redacted]

[redacted]

[redacted] JUVENILE [redacted] ARREST [redacted] JUVENILE [redacted]

[redacted]

[redacted]

JUVENILE ARREST JUVENILE

[redacted]

JUVENILE ARREST JUVENILE

[redacted]

JUVENILE ARREST JUVENILE

[redacted]

[redacted]

[redacted] JUVENILE [redacted] ARREST [redacted] JUVENILE [redacted]

[redacted]

[redacted] JUVENILE [redacted] ARREST [redacted] JUVENILE [redacted]

[redacted]

[redacted] JUVENILE [redacted] ARREST [redacted] JUVENILE [redacted]

[redacted]

[redacted]

[redacted] JUVENILE [redacted] ARREST [redacted] JUVENILE [redacted]

[redacted]

[redacted] JUVENILE [redacted] ARREST [redacted] JUVENILE [redacted]

[redacted]

[redacted] JUVENILE [redacted] ARREST [redacted] JUVENILE [redacted]

[redacted]



End of Report

This Chicago Police Department IR rap-sheet should not replace the use of the Illinois State Police statewide criminal history transcript, which may contain additional criminal history data and can be obtained by performing a CQR1 inquiry via your LEADS terminal.

21-APR-2016 17:30 Requested by: PC09469



OIG 15-0564 010247

EXHIBIT
D. MARCH
9

Related Documents:
G03-02-02: "Force Options"
S03-02-02 "Other Weapon Discharge Incidents
U04-02-04 "Taser Devices"

Training Review

REVISED
December 2012

TASER X2 TRAINING

With all types of force options it is important to periodically review procedures and tactics to ensure safe and effective use. Below is a review of procedures for deploying a Taser X2 against a subject as an alternative force option.

Before deciding to deploy a Taser X2, the questions or criteria listed below should all be answered in the affirmative. If at any time the answer is no, stop and re-evaluate your decision to deploy.

According to Uniform and Property Order U04-02-04 II-D-3 A and B, there are two circumstances that must be present to deploy a taser:

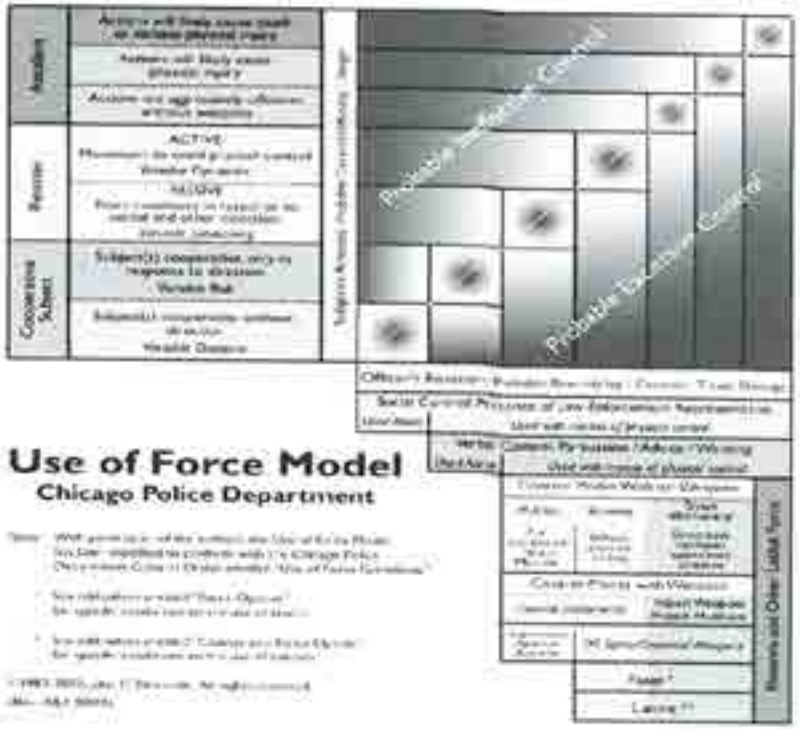
1) The subject is an active resister or assailant.

2) You can safely approach the subject within 18 feet. The optimum range is 7-15 feet for effective probe spread, officer safety and accuracy.

Key Points

Is the environment appropriate for the use of a Taser?
- Consider potential secondary injuries from falling (on stairs, or an elevated height etc...).
- Check for flammable or combustible materials.

Is the Taser a **REASONABLE** force option based on the totality of the circumstance?
- Consider the severity of the crime, the threat level and the level of resistance.
- Refer to G03-02-02 "Force Options."



OIG 15-0564 010248

DEPLOYING THE TASER

Once you have determined that a situation meets the criteria for Taser use, follow the steps below to ensure it is used safely and effectively

The following 5 steps pertain to a PROBE DISCHARGE.

Remember to use MINIMAL FORCE to resolve the situation.

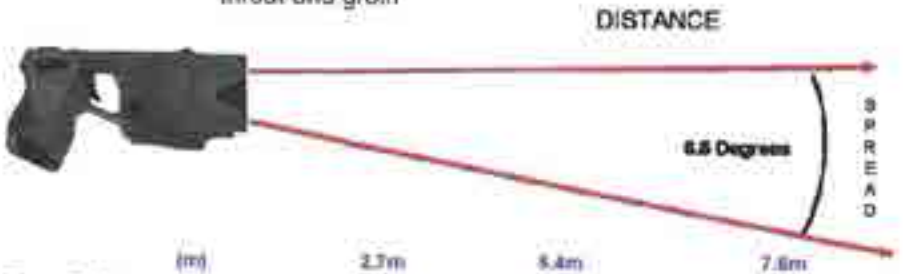
① Give a Warning from U04-02-04 E-1

Warn others of the imminent deployment of the device by announcing "Taser! Taser! Taser!" Do not yell: "I'm shooting" or "I'm firing."

② Target Area

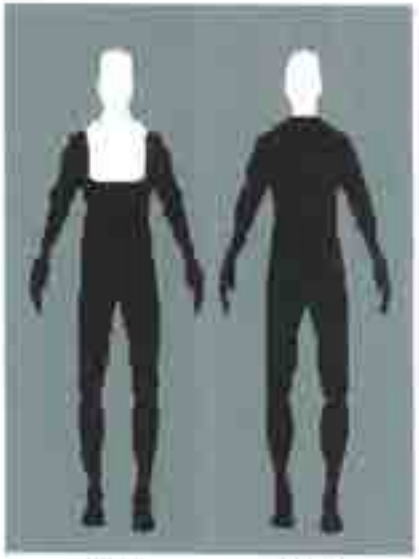
The top laser indicates the point of impact for top probe while the bottom probe travels downward at a 6.5 degree angle. The bottom laser indicated the point of impact for the bottom probe on 15ft and 25ft cartridges only. Both probes must contact the subject to allow the electrical energy to flow. If possible, aim at the subject's back for the following reasons

- the surprise factor
- the back has higher muscle mass
- clothing fits tighter
- targeting the subject's back avoids inadvertent contact to the face, throat and groin



(m)	2.7m	5.4m	7.6m
Target Distance (ft)	9'	18'	25'
Spread (in)	12"	25"	36"
(cm)	31cm	64cm	92cm

The recommended point of aim is the lower-center of mass for frontal shots. The solid, dark areas on the graphic below represent the preferred target areas.



③ Deploy the Taser

- Each trigger pull will discharge a live cartridge and deliver current for a 5 second cycle. The X2 can be loaded with two (2) live cartridges
- *It is not necessary to hold the trigger down for 5 seconds.* If you pull and quickly release the trigger, the device will deliver energy for the entire 5 seconds, the cycle will automatically stop, and the next live cartridge will be selected.
- If the trigger is held down beyond 5 seconds, the current will continue until the trigger is released.

OIG 15-0564 010249

④ During the 5 Second Cycle

- Give verbal directions to the subject such as, "Put your hands behind your back!"
- Watch for a change in the subject's behavior and assess the Taser's effectiveness.
  - Check to see if both probes have a good contact
  - Check for an effective probe spread
  - Check to see if the probes are affecting high muscle mass

Remember, if you pull and quickly release the trigger, the device will deliver current for 5 seconds, automatically stop, and select the next live cartridge. If necessary, you may interrupt the cycle short of 5 seconds by placing the safety in the down (SAFE) position.

⑤ After the Initial 5 Second Cycle

A 5 second cycle offers a window of opportunity for the assisting officers to subdue and physically control the subject. You can touch the subject, but avoid touching the wires, probes, and the area between the probes.

Give the subject an opportunity to comply with your commands.

Assess the situation and if the subject is not under control, consider the following options:

- Press the ARC switch to deliver additional cycles
- Pull and release the trigger to deploy a second cartridge
- **TRANSITION TO ANOTHER FORCE OPTION**

Each trigger pull and press of the ARC switch must be accounted for and is recorded. The record includes the time and duration of each cycle.

Each trigger pull and press of the ARC switch is considered a use of force and must conform to the standard of REASONABLENESS.

SAFETY REMINDERS

- Never point at anything you don't intend to shoot.
- Keep the weapon safety switch in the down (SAFE) position and pointed in a safe direction.
- Never place finger on trigger unless firing is imminent.
- Laser light can cause eye damage if directed into eyes for prolonged periods of time.
- Probes shot in the eyes can cause serious damage.
- Never place hand in front of weapon, especially when changing the air cartridge.



OIG 15-0564 010250

POST-DEPLOYMENT RESPONSIBILITIES

Upon gaining control of the subject, **Department members** will:

1) Notify OEMC

2) Request OEMC assign emergency medical personnel when:
   a. Taser probes were discharged and penetrated a subject's skin.
   b. Electrical current from the taser was applied to the subject's body.
   c. The subject appears to be in any sort of distress.

Officers must be aware that individuals exhibiting signs of extreme psychological stress will likely require medical attention.

Officers are advised to inform responding EMS personnel of the subject's actions and condition immediately prior to the Taser deployment.

3) Notify their supervisor, the station supervisor assigned to the district of occurrence and CPIC.

4) Prepare a Tactical Response Report. The serial number from the spent cartridge will be required to complete the TRR.

The **Responding Supervisor** will:

1) For deployment in a residence, request assignment of an ET. In an area other than a residence, indoors or outdoors, determine if an ET is required.

   The ET will photograph the locations where the probes penetrated the subject and/or any other injuries incurred as a result of the taser deployment.

2) Inventory the discharged probes and used cartridges in the following manner:
   a. The probes will be detached from the wires and inserted, pointed ends first, back into the cartridge.
   b. The cartridge will be wrapped with tape to secure the probes inside.

3) Take control of the device, and deliver it to the station supervisor.

The **Station Supervisor** will:

1) Notify IPRA and ensure a log number is obtained. (Notify CPIC when IPRA is unavailable).

2) Download the deployment data and print out the data sheet. Only date of deployment is required.

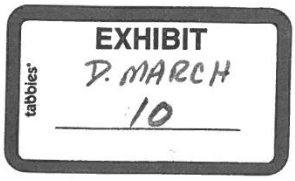
3) Review and complete the TRR

4) Ensure the data sheet is attached to the TRR and a copy of the original case report.

The above actions are a summary of responsibilities after the field deployment of a Taser X2 device.

For a complete list of department investigative and reporting procedures, refer to Special Order S03-02-02 entitled "Other Weapon Discharge Incidents," section IV "Discharge of a Taser."

OIG 15-0564 010251



(720 ILCS 5/12-2) (from Ch. 38, par. 12-2)

(Text of Section from P.A. 99-78)

Sec. 12-2. Aggravated assault.

(a) Offense based on location of conduct. A person commits aggravated assault when he or she commits an assault against an individual who is on or about a public way, public property, a public place of accommodation or amusement, or a sports venue.

(b) Offense based on status of victim. A person commits aggravated assault when, in committing an assault, he or she knows the individual assaulted to be any of the following:

(1) A physically handicapped person or a person 60 years of age or older and the assault is without legal justification.

(2) A teacher or school employee upon school grounds or grounds adjacent to a school or in any part of a building used for school purposes.

(3) A park district employee upon park grounds or grounds adjacent to a park or in any part of a building used for park purposes.

(4) A peace officer, community policing volunteer, fireman, private security officer, emergency management worker, emergency medical technician, or utility worker:

(i) performing his or her official duties;

(ii) assaulted to prevent performance of his or her official duties; or

(iii) assaulted in retaliation for performing his or her official duties.

(5) A correctional officer or probation officer:

(i) performing his or her official duties;

(ii) assaulted to prevent performance of his or her official duties; or

(iii) assaulted in retaliation for performing his or her official duties.

(6) A correctional institution employee, a county juvenile detention center employee who provides direct and continuous supervision of residents of a juvenile detention center, including a county juvenile detention center employee who supervises recreational activity for residents of a juvenile detention center, or a Department of Human Services employee, Department of Human Services officer, or employee of a subcontractor of the Department of Human Services supervising or controlling sexually dangerous persons or sexually violent persons:

(i) performing his or her official duties;

(ii) assaulted to prevent performance of his or her official duties; or

(iii) assaulted in retaliation for performing his or her official duties.

(7) An employee of the State of Illinois, a municipal corporation therein, or a political subdivision thereof, performing his or her official duties.

(8) A transit employee performing his or her official duties, or a transit passenger.

(9) A sports official or coach actively participating in any level of athletic competition within a sports venue, on an indoor playing field or outdoor playing

field, or within the immediate vicinity of such a facility or field.

(10) A person authorized to serve process under Section 2-202 of the Code of Civil Procedure or a special process server appointed by the circuit court, while that individual is in the performance of his or her duties as a process server.

(c) Offense based on use of firearm, device, or motor vehicle. A person commits aggravated assault when, in committing an assault, he or she does any of the following:

(1) Uses a deadly weapon, an air rifle as defined in Section 24.8-0.1 of this Act, or any device manufactured and designed to be substantially similar in appearance to a firearm, other than by discharging a firearm.

(2) Discharges a firearm, other than from a motor vehicle.

(3) Discharges a firearm from a motor vehicle.

(4) Wears a hood, robe, or mask to conceal his or her identity.

(5) Knowingly and without lawful justification shines or flashes a laser gun sight or other laser device attached to a firearm, or used in concert with a firearm, so that the laser beam strikes near or in the immediate vicinity of any person.

(6) Uses a firearm, other than by discharging the firearm, against a peace officer, community policing volunteer, fireman, private security officer, emergency management worker, emergency medical technician, employee of a police department, employee of a sheriff's department, or traffic control municipal employee:

(i) performing his or her official duties;

(ii) assaulted to prevent performance of his or her official duties; or

(iii) assaulted in retaliation for performing his or her official duties.

(7) Without justification operates a motor vehicle in a manner which places a person, other than a person listed in subdivision (b)(4), in reasonable apprehension of being struck by the moving motor vehicle.

(8) Without justification operates a motor vehicle in a manner which places a person listed in subdivision (b)(4), in reasonable apprehension of being struck by the moving motor vehicle.

(9) Knowingly video or audio records the offense with the intent to disseminate the recording.

(d) Sentence. Aggravated assault as defined in subdivision (a), (b)(1), (b)(2), (b)(3), (b)(4), (b)(7), (b)(8), (b)(9), (c)(1), (c)(4), or (c)(9) is a Class A misdemeanor, except that aggravated assault as defined in subdivision (b)(4) and (b)(7) is a Class 4 felony if a Category I, Category II, or Category III weapon is used in the commission of the assault. Aggravated assault as defined in subdivision (b)(5), (b)(6), (b)(10), (c)(2), (c)(5), (c)(6), or (c)(7) is a Class 4 felony. Aggravated assault as defined in subdivision (c)(3) or (c)(8) is a Class 3 felony.

(e) For the purposes of this Section, "Category I weapon", "Category II weapon, and "Category III weapon" have the

meanings ascribed to those terms in Section 33A-1 of this Code.
(Source: P.A. 98-385, eff. 1-1-14; 99-78, eff. 7-20-15.)



(720 ILCS 5/33A-1) (from Ch. 38, par. 33A-1)

Sec. 33A-1. Legislative intent and definitions.

(a) Legislative findings. The legislature finds and declares the following:

(1) The use of a dangerous weapon in the commission of a felony offense poses a much greater threat to the public health, safety, and general welfare, than when a weapon is not used in the commission of the offense.

(2) Further, the use of a firearm greatly facilitates the commission of a criminal offense because of the more lethal nature of a firearm and the greater perceived threat produced in those confronted by a person wielding a firearm. Unlike other dangerous weapons such as knives and clubs, the use of a firearm in the commission of a criminal felony offense significantly escalates the threat and the potential for bodily harm, and the greater range of the firearm increases the potential for harm to more persons. Not only are the victims and bystanders at greater risk when a firearm is used, but also the law enforcement officers whose duty is to confront and apprehend the armed suspect.

(3) Current law does contain offenses involving the use or discharge of a gun toward or against a person, such as aggravated battery with a firearm, aggravated discharge of a firearm, and reckless discharge of a firearm; however, the General Assembly has legislated greater penalties for the commission of a felony while in possession of a firearm because it deems such acts as more serious.

(b) Legislative intent.

(1) In order to deter the use of firearms in the commission of a felony offense, the General Assembly deems it appropriate for a greater penalty to be imposed when a firearm is used or discharged in the commission of an offense than the penalty imposed for using other types of weapons and for the penalty to increase on more serious offenses.

(2) With the additional elements of the discharge of a firearm and great bodily harm inflicted by a firearm being added to armed violence and other serious felony offenses, it is the intent of the General Assembly to punish those elements more severely during commission of a felony offense than when those elements stand alone as the act of the offender.

(3) It is the intent of the 91st General Assembly that should Public Act 88-680 be declared unconstitutional for a violation of Article 4, Section 8 of the 1970 Constitution of the State of Illinois, the amendatory changes made by Public Act 88-680 to Article 33A of the Criminal Code of 1961 and which are set forth as law in this amendatory Act of the 91st General Assembly are hereby reenacted by this amendatory Act of the 91st General Assembly.

(c) Definitions.

(1) "Armed with a dangerous weapon". A person is considered armed with a dangerous weapon for purposes of this Article, when he or she carries on or about his or

her person or is otherwise armed with a Category I, Category II, or Category III weapon.

(2) A Category I weapon is a handgun, sawed-off shotgun, sawed-off rifle, any other firearm small enough to be concealed upon the person, semiautomatic firearm, or machine gun. A Category II weapon is any other rifle, shotgun, spring gun, other firearm, stun gun or taser as defined in paragraph (a) of Section 24-1 of this Code, knife with a blade of at least 3 inches in length, dagger, dirk, switchblade knife, stiletto, axe, hatchet, or other deadly or dangerous weapon or instrument of like character. As used in this subsection (b) "semiautomatic firearm" means a repeating firearm that utilizes a portion of the energy of a firing cartridge to extract the fired cartridge case and chamber the next round and that requires a separate pull of the trigger to fire each cartridge.

(3) A Category III weapon is a bludgeon, black-jack, slungshot, sand-bag, sand-club, metal knuckles, billy, or other dangerous weapon of like character.

(Source: P.A. 91-404, eff. 1-1-00; 91-696, eff. 4-13-00.)

04 Dec 2012

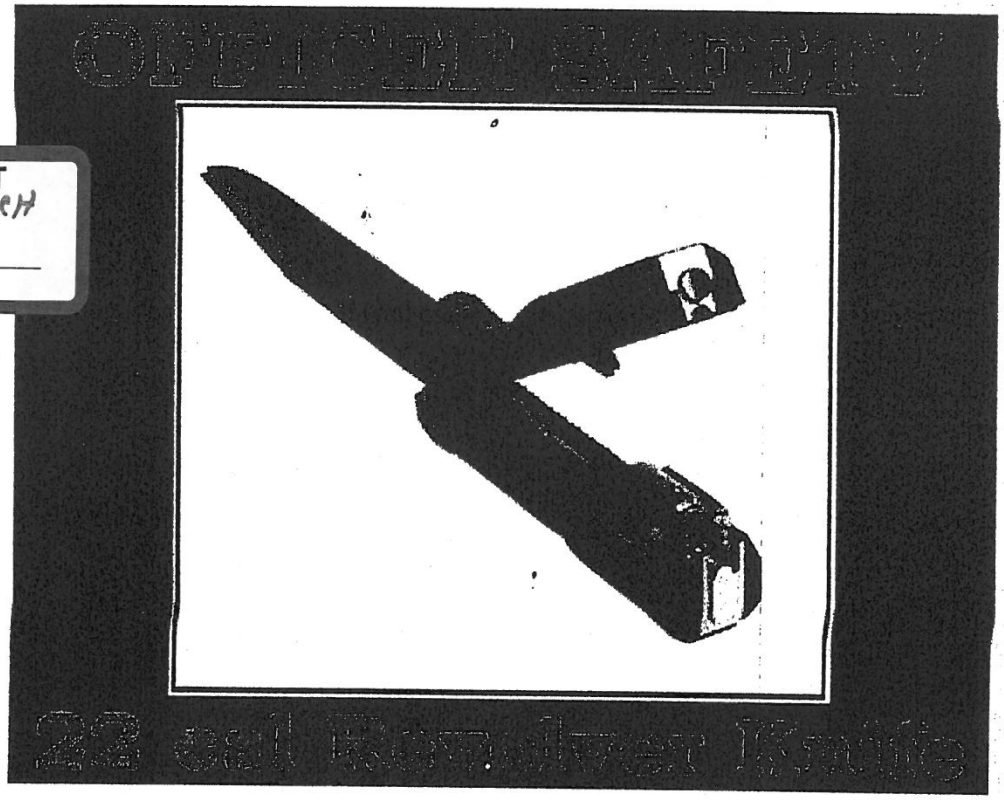
2012-OSA-297

CRIME CONTROL STRATEGIES
DEPLOYMENT OPERATIONS CENTER

REFERENCE: Knife Revolver

OFFICER SAFETY ALERT

EXHIBIT
D. MARCH
12
tabbies



A Midwest intelligence organization is sharing the above captioned photograph for officer safety and awareness.

Officers should take note of the "Revolver Knife" and remain cognizant of its threat to personal safety.

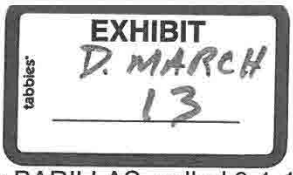
If an officer recovers any such weapon, they are asked to notify CPIC.

Deployment Analytical Group

This Information Bulletin can be viewed through the Deployment Operations Center link on the Chicago Police Department Intranet
Bell 312-745-5669 Pax 0100 Fax 312-745-6927

THE CONTENT OF THIS DOCUMENT IS LAW ENFORCEMENT SENSITIVE (LES) AND IS FOR OFFICIAL USE ONLY (FOUO). Any further disclosure or dissemination of this document or the information contained herein is strictly prohibited without the approval of the Chicago Police Department's Deployment Operations Center. Elements of this document may be subject to 28 CFR Part 23. Illinois DL or ID images are only for use as authorized by 625 ILCS 5/6-110.1 and 92 Ill. Adm. Code 1030.140. This information shall not be released to the media or the general al public.

FAILURE TO ADHERE TO THESE POLICIES MAY RESULT IN CIVIL, CRIMINAL OR DISCIPLINARY ACTION.



On Monday, 20 October 2016, at 9:47 pm, civilian Rudy BARILLAS, called 9-1-1 to report that a person, now known as Laquan MCDONALD, was breaking into the trucks parked in the trucking lot at West 41st Street and South Kildare Avenue. After calling 9-1-1, BARILLAS confronted MCDONALD and told him to leave the lot. According to both BARILLAS and [redacted] who was also present in the lot, MCDONALD "growled" at BARILLAS. MCDONALD then produced a knife and swung the knife at BARILLAS, attempting to cut him. BARILLAS threw his cellular telephone at MCDONALD, who then fled the lot on foot.

Chicago Police Officers Thomas GAFFNEY and Joseph MCELLIGOTT, were assigned to respond to BARILLAS' call. The officers were both in uniform and were driving a marked police vehicle. When they arrived at the lot, BARILLAS told them what had occurred. BARILLAS gave the officers a description of MCDONALD and told them MCDONALD had fled north on Kildare, then east on West 40th Street.

The officers located MCDONALD walking eastbound on the sidewalk, on the south side of 40th Street, from Kildare. Officer MCELLIGOTT exited the police vehicle and approached MCDONALD on foot. MCELLIGOTT called to MCDONALD and told him to stop. MCDONALD ignored MCELLIGOTT and continued walking eastbound. MCDONALD's hands were in his pockets so MCELLIGOTT told MCDONALD to take his hands out of his pockets. MCDONALD took his hands out of his pockets revealing that he was holding a knife in his right hand. MCELLIGOTT repeatedly ordered MCDONALD to drop the knife but he ignored MCELLIGOTT's directions. As MCDONALD reached South Keeler Avenue, Officer GAFFNEY notified the radio dispatcher that they were following a subject who was armed with a knife, and requested assistance from a unit equipped with a taser.

The officers continued to follow MCDONALD, eastbound on the sidewalk from Keeler Avenue. As MCDONALD approached South Karlov Avenue, Officer GAFFNEY turned his police vehicle southbound onto Karlov and stopped, blocking the crosswalk. The area where this incident began was industrial in nature, and at that time of day, almost 10:00 pm, it was deserted. All of the businesses were closed and there was no vehicular or pedestrian traffic. As MCDONALD continued to walk eastbound however, he was approaching South Pulaski Road, a business street where more civilians were present, both in vehicles and as pedestrians, and occupying the businesses on Pulaski. Officer GAFFNEY wanted to stop MCDONALD before he reached this more populated area and put more people at risk for injury. When GAFFNEY stopped his vehicle in the crosswalk, blocking MCDONALD's path, MCDONALD stabbed the right front tire of the vehicle with his knife, causing the tire to go flat. GAFFNEY immediately informed the radio dispatcher that MCDONALD had attacked the marked police vehicle, and had "popped" the tire with the knife. MCDONALD attempted to walk around the front of the police vehicle and GAFFNEY drove the vehicle forward a short distance to continue to block MCDONALD. At this point MCDONALD stabbed at the windshield of the marked police vehicle, striking it with the knife. He then was able to get around the vehicle and continued eastbound on the sidewalk from Karlov.

At 40th Street and Pulaski Road, on the southwest corner, was a Burger King restaurant with a large parking lot. As assisting police units approached westbound on 40th Street from Pulaski, MCDONALD ran eastbound through the parking lot, on the north side of the Burger King restaurant building. In the restaurant parking lot Chicago Police Officers Joseph WALSH and Jason VAN DYKE were in the first responding assist unit. They took over the pursuit of MCDONALD through the parking lot. These officers were also in uniform and driving a marked

police vehicle. WALSH, who was driving their vehicle, positioned the vehicle between MCDONALD and the restaurant building, to keep MCDONALD from entering the restaurant.

MCDONALD ran through the parking lot and out onto Pulaski Road. He turned southbound and began to walk in the southbound lanes of the street. Officer WALSH pursued MCDONALD with the police vehicle. As MCDONALD continued southbound, WALSH positioned his vehicle between MCDONALD and a Dunkin' Donuts restaurant, on the east side of Pulaski Road. When the police vehicle was alongside MCDONALD, Officer VAN DYKE opened his door to exit the vehicle and confront MCDONALD. WALSH, realizing they were too close to MCDONALD to safely exit the vehicle, told VAN DYKE to wait until they were further ahead of MCDONALD.

Officers WALSH and VAN DYKE drove further south on Pulaski and stopped the police vehicle ahead of MCDONALD. WALSH and VAN DYKE both exited their vehicle and drew their handguns. The officers stood in the street facing northbound, toward MCDONALD. Both officers were in uniform, standing next to their marked police vehicle. As MCDONALD approached southbound, he was holding the knife in his right hand, in an underhand grip, with the blade pointed forward. As he walked toward the officers he swung the knife in an aggressive, exaggerated manner. Both officers ordered him to drop the knife multiple times. MCDONALD ignored these directions and continued to advance toward the officers, with the distance between MCDONALD and the officers decreasing.

When MCDONALD got to within 10 to 15 feet of the officers, he looked toward the officers, squaring his shoulders in their direction. He raised the knife, pointing it at the officers. Officer VAN DYKE, believing MCDONALD was attacking VAN DYKE with the knife, attempting to kill VAN DYKE, fired his handgun in defense of his life, to stop the attack. MCDONALD fell to the ground but continued to move, and continued to grasp the knife, refusing to let go of it. VAN DYKE continued to fire his weapon at MCDONALD as MCDONALD was on the ground, as VAN DYKE thought MCDONALD was attempting to get up, all the while continuing to point the knife at VAN DYKE. VAN DYKE fired his pistol until the slide of the weapon locked in the rearward position, indicating the weapon was empty. VAN DYKE immediately reloaded his weapon with a new magazine and assessed the situation.

MCDONALD was no longer moving and the threat had been mitigated, so the officers approached MCDONALD. MCDONALD was still holding the knife in his right hand and both officers continued to order him to drop the knife. Finally Officer WALSH was able to approach MCDONALD and forcibly kick the knife out of his hand. An ambulance was then requested for MCDONALD. He was transported to Mount Sinai Hospital and subsequently expired from his wounds.

During the course of this investigation a canvass was conducted of the area near the scene for witnesses to this incident including the Burger King restaurant and the Dunkin' Donuts restaurant.

Relevant video recordings were recovered from the in-car video systems of two of the Chicago Police Department vehicles involved in this incident, the Dunkin' Donuts restaurant and the Greater Chicago Food Depository. All of these videos were in my opinion, consistent with the statements of the witnesses in this case.

Additional video was recovered from other sources, including the Burger King restaurant. These video recordings did not contain any video footage relevant to this investigation.

It should be noted that five police units had responded to this incident by the time Officer VAN DYKE fired his handgun at Laquan MCDONALD. Each of these units contained two officers. All five police vehicles were marked vehicles and all ten police officers at or near the scene were in uniform. There can be no doubt that MCDONALD knew the personnel he was interacting with were Chicago Police Officers. Multiple officers issued verbal directions multiple times for MCDONALD to drop the knife with which he was armed. At anytime MCDONALD could have chosen to follow the lawful directions of the officers to drop the knife and this incident would have ended with no harm to anyone involved.

Some relevant state law needs to be cited to understand the findings of this investigation:

- "720 ILCS 5/7-7. Private person's use of force in resisting arrest.
A person is not authorized to use force to resist an arrest which he knows is being made either by a peace officer or by a private person summoned and directed by a peace officer to make the arrest, even if he believes that the arrest is unlawful and the arrest in fact is unlawful."

- "720 ILCS 5/7-5. Peace officer's use of force in making arrest.
(a) A peace officer, or any person whom he has summoned or directed to assist him, need not retreat or desist from efforts to make a lawful arrest because of resistance or threatened resistance to the arrest. He is justified in the use of any force which he reasonably believes to be necessary to effect the arrest and of any force which he reasonably believes to be necessary to defend himself or another from bodily harm while making the arrest. However, he is justified in using force likely to cause death or great bodily harm only when he reasonably believes that such force is necessary to prevent death or great bodily harm to himself or such other person, or when he reasonably believes both that:
(1) Such force is necessary to prevent the arrest from being defeated by resistance or escape; and
(2) The person to be arrested has committed or attempted a forcible felony which involves the infliction or threatened infliction of great bodily harm or is attempting to escape by use of a deadly weapon, or otherwise indicates that he will endanger human life or inflict great bodily harm unless arrested without delay."

- "720 ILCS 5/2-8. "Forcible felony".
"Forcible felony" means treason, first degree murder, second degree murder, predatory criminal sexual assault of a child, aggravated criminal sexual assault, criminal sexual assault, robbery, burglary, residential burglary, aggravated arson, arson, aggravated kidnaping, kidnaping, aggravated battery resulting in great bodily harm or permanent disability or disfigurement and any other felony which involves the use or threat of physical force or violence against any individual."

Laquan MCDONALD was committing a burglary in the trucking lot when he was confronted by Rudy BARILLAS. When he produced a knife and attacked BARILLAS with the knife, he attempted to commit first degree murder or aggravated battery resulting in great bodily harm, and armed robbery, all of which are forcible felonies. As stated in the previously cited state statutes, Laquan MCDONALD had absolutely no authority or right to resist being arrested by people he knew to be peace officers. When he ignored the verbal directions of Officer

MCELLIGOTT to stop, and drop the knife he held in his hand as he walked away from MCELLIGOTT, MCDONALD became an offender who had attempted to commit a forcible felony which involved the infliction or threatened infliction of great bodily harm, attempting to escape arrest by the use of a deadly weapon, after having already indicated he would endanger human life or inflict great bodily harm unless arrested without delay. Under these circumstances, I believe Illinois law permitted the use of deadly force by the officers attempting to arrest MCDONALD.

MCDONALD continued to attempt to escape arrest by the use of a deadly weapon when he attacked the police vehicle occupied by Officer GAFFNEY, again using a deadly weapon, further indicating he would endanger human life or inflict great bodily harm unless arrested without delay. Again, under these circumstances, I believe the law permitted the use of deadly force by the officers attempting to arrest MCDONALD.

When Officer VAN DYKE finally confronted MCDONALD on Pulaski Road, VAN DYKE was aware of these previous circumstances from the transmissions he monitored on the police radio. By law, VAN DYKE was justified in using deadly force to effect the arrest of MCDONALD as soon as VAN DYKE exited his police vehicle. However, VAN DYKE instead attempted to arrest MCDONALD without using deadly force, by first drawing his handgun and verbally directing MCDONALD to drop the knife. MCDONALD ignored these directions and continued to advance toward VAN DYKE, with the distance between MCDONALD and VAN DYKE decreasing. It was not until MCDONALD turned directly toward VAN DYKE, squaring his shoulders toward the officer, and raised his knife, pointing it at VAN DYKE, that VAN DYKE, in defense of his life, used deadly force to prevent death or great bodily harm to himself.

The Chicago Police Department policy on the use of force is the other authority in this matter.

General Order G03-02-01, entitled "The Use of Force Model" states:

"The Department utilizes a Use of Force Model to provide guidance on the appropriate amount of force to be used to effect a lawful purpose. The Use of Force Model employs the progressive and reasonable escalation and de-escalation of member-applied force in proportional response to the actions and level of resistance offered by a subject. Such response may progress from the member's actual presence at the scene to the application of deadly force." ...

This directive also states, "Members are not required to start at the lowest levels of the Use of Force Model; they will select the appropriate level of force based on the subject's actions." ...

"The Use of Force Model is a graphic representation of the guidelines for the appropriate use of force in relation to the actions of a subject." ...

The Use of Force Model graphic basically shows a proportional use of force response to the actions of a subject. It shows that insufficient force used by a Department member will result in "Probable Ineffective Control", while too much force used by a Department member will result in "Probable Excessive Control". In the Use of Force Model graphic, for an "Assailant", whose "actions will likely cause death or serious physical injury", such as Laquan MCDONALD, in this incident, all force options are available to an officer. However, the graphic shows that "Firearms and Other Lethal Force" are most likely to be effective. The graphic shows very little chance of "Probable Excessive Control" against this type of assailant.

General Order G03-02-03 entitled "Deadly Force" states:

"II DEPARTMENT POLICY

A. A sworn member is justified in using force likely to cause death or great bodily harm only when he or she reasonably believes such force is necessary:

1. to prevent death or great bodily harm to the sworn member or to another person, or:

2. to prevent an arrest from being defeated by resistance or escape and the sworn member reasonably believes that the person to be arrested:

a. has committed or has attempted to commit a forcible felony which involves the infliction, threatened infliction, or threatened use of physical force likely to cause death or great bodily harm or;

b. is attempting to escape by use of a deadly weapon or;

c. otherwise indicates that he or she will endanger human life or inflict great bodily harm unless arrested without delay."

This department policy mirrors the applicable state law cited previously.

During the course of this investigation, a number of facts were learned about Laquan MCDONALD. First, he had an extensive criminal history with the Chicago Police Department. At the age of 17 he had been arrested 26 times. Charges for these arrests included Aggravated Battery to a Peace Officer, Resisting Arrest, Battery, Assault, Reckless Conduct, Possession of a Controlled Substance and Possession of Cannabis.

Second, MCDONALD had a history of mental health issues. When notified of MCDONALD's death, his uncle informed detectives that MCDONALD had been prescribed medication but had stopped taking it because he did not like the side effects. There were two documented incidents where MCDONALD had exhibited behavior problems while at school, became violent and school officials called the police. In both of these incidents he was transported to Hartgrove Hospital for evaluation and treatment.

Third, the results of the toxicological examination conducted during the autopsy of MCDONALD revealed the presence of Phencyclidine, or PCP, in his blood.

We will never know what motivated the actions of Laquan MCDONALD during this incident. Whether he was a violent criminal intent on not being apprehended, whether he was in the midst of a mental health crisis, whether he was under the influence of a mind altering drug or any combination of the three. In any case, in the situation the police officers encountered dealing with MCDONALD, he was never contained and never communicated with anyone he encountered. Under such circumstances the subject's motivation is a moot point. A violent criminal, a person in the midst of a mental health crisis and a person under the influence of any

substance, armed with a deadly weapon, are all equally dangerous, and deadly, to both the police and the civilian population.

Some talk about de-escalation techniques as an alternative to deadly force. I am a member of the Department's Crisis / Hostage Negotiation Team. I have received training from the Federal Bureau of Investigation and have attended the Department's Crisis Intervention Team (CIT) training. In order to have any chance at successfully using any de-escalation techniques to resolve a situation, whether it involves a violent criminal, person with a mental health history in crisis or a person under the influence of any substance, first, the person and the situation must be contained and second, there must be communication.

In this incident, Laquan MCDONALD was never contained as he continued to walk down the street during the entire incident, able to attack anyone at anytime. He also never communicated with anyone, from his first contact with Rudy BARILLAS through his contact with multiple police officers.

I do not believe anyone knows more about what happened in this incident than I do. I was at the scene shortly after it occurred and have personally spoken to all of the police officers involved. As the primary detective assigned to this investigation I was aware of all of the actions taken during this investigation, and personally in contact with all personnel participating in these actions.

Many people have commented on this incident in the time since it occurred. I have been asked a number of times if I knew that night, at the scene, if this shooting incident was going to be a problem. My response has always been that the actions of all of the police officers involved in this incident were absolutely proper. To this day I believe this to be true.

There are two issues at the heart of this matter. The first is the use of deadly force by Officer Jason VAN DYKE. For the reasons previously stated I believe, and continue to believe that his use of deadly force was permitted by Illinois law and Chicago Police Department policy.

The second is the number of shots. As soon as most people hear that a 17 year old offender, armed with a knife was shot 16 times, their first instinct might be to think this excessive. Without knowing and understanding all of the specific details of this particular incident, this is understandable. One needs to consider the "totality of the circumstances", as the law refers to it, to make an informed, educated and intelligent conclusion.

There will always be a segment of the population that has an unrealistic expectation of police officers. They will question why the police shot and killed an offender instead of shooting the weapon out of his hand. They will never understand the reality of the situation. Fortunately for many, they have not had the experience of putting on a uniform, whether it be as a member of the military service, or as a police officer, and putting their life on the line in a violent confrontation.

Police officers, including Chicago Police Officers, are trained that during the stress of an armed confrontation, the fine motor skills required for the highest levels of accuracy in firing a handgun, deteriorate. Officers are trained to shoot for "center mass", the torso area of an assailant, as this is the largest area, giving one the greatest chances of success. Also, officers are trained specifically not to fire just one shot and then check to see if it was effective. It is very easy

under the stress of the situation to miss the target, and even if one hits the target, firearms are not a guaranteed solution. There have been many instances of offenders shot multiple times who continued their attacks. Officers are trained to shoot as long as they perceive a threat, until the threat is eliminated.

This is the key in this situation. Officer VAN DYKE explained that he fired his handgun at MCDONALD because MCDONALD was attacking VAN DYKE with a knife. VAN DYKE continued to fire his weapon at MCDONALD as he was on the ground because MCDONALD continued to move and continued to grasp the knife, continuing to point it at VAN DYKE. VAN DYKE explained that he believed MCDONALD was attempting to get up and continue his attack on VAN DYKE.

Officer VAN DYKE was not wearing a body camera and there is no video footage showing the perspective of what VAN DYKE saw as he confronted MCDONALD. However, the video footage that was recovered in this investigation clearly shows that MCDONALD did in fact advance toward VAN DYKE. From the time VAN DYKE exited his police vehicle until the time he fired his handgun, the distance between VAN DYKE and MCDONALD decreased. When MCDONALD fell to the pavement he continued to move, continued to grasp the knife, and continued to point the knife at VAN DYKE. Even after having been shot 16 times, MCDONALD continued to grasp the knife and point it at VAN DYKE. MCDONALD did not relinquish his weapon until Officer WALSH forcibly kicked it from MCDONALD's hand. This video evidence is consistent with VAN DYKE's statement. In fact, it should be noted that per the autopsy conducted by the Office of the Medical Examiner of Cook County, MCDONALD was shot three times in the right arm and once in the right hand, and still continued to grasp the knife with his right hand.

Everyone is certainly entitled to their opinion. People can debate until the end of time whether or not they would have handled this situation in the same manner or whether this was the best way to handle this situation. However, in my opinion, according to Illinois law and Chicago Police Department policy, the actions of Officer Jason VAN DYKE were justified.

Most police actions in serious incidents such as this are not the work of a single officer but of multiple officers working together as a team. This is exactly what occurred in this incident. The officers of the 008th District, primarily Officers GAFFNEY, MCELLIGOTT, WALSH and VAN DYKE, responded in a team effort, to a call for service from a civilian who had been the victim of a forcible felony.

As a team, the officers exercised extraordinary restraint in dealing with Laquan MCDONALD, attempting to use the least amount of force necessary to take him into custody and place him under arrest. The officers, all of whom were in uniform, first used "social control / police presence" and "verbal control". Officer MCELLIGOTT used these force options when he first encountered MCDONALD. MCELLIGOTT exited his marked police vehicle, in uniform, and first directed MCDONALD to stop. MCDONALD ignored this direction. When MCDONALD took his hands out of his pockets, revealing that he was armed with a knife, MCELLIGOTT ordered MCDONALD multiple times to drop the knife. Again MCDONALD ignored MCELLIGOTT. Officer GAFFNEY then requested a unit with a taser over the police radio. This was appropriate since, at this point, MCDONALD was in a deserted area and there was no risk to any civilians. Officers WALSH and VAN DYKE were aware of these actions as they monitored the transmissions on the police radio.

As MCDONALD fled on foot, through the Burger King restaurant parking lot, he was entering a more populated area along Pulaski Road, a business street, with vehicular traffic, pedestrians and open businesses occupied by civilians, all of whom were now at risk. This is why Officer WALSH used his police vehicle to block MCDONALD's path first, toward the Burger King restaurant, and then, toward the Dunkin' Donuts restaurant.

When Officers VAN DYKE and WALSH stopped and exited their vehicle to confront MCDONALD it was because the threat to the public had escalated in this more populated environment. This threat continued to escalate as MCDONALD walked southbound. The two officers both exited their marked police vehicle, in uniform, drew their handguns, pointed their weapons at MCDONALD and ordered him multiple times to drop his knife. They made every effort to arrest MCDONALD without using deadly force. Again MCDONALD ignored any verbal direction from the officers. Finally, with MCDONALD closing the distance between himself and the officers, when he turned toward the officers and raised his knife, pointing it at them, VAN DYKE, seeing no other option, in defense of his life, fired his handgun at MCDONALD.

The decision to confront MCDONALD at that time and at that location was tactically sound. As noted, the risk to the nearby civilian population was increasing as MCDONALD proceeded southbound on Pulaski. At that particular location though, there were no civilians immediately placed at risk by the confrontation with the armed MCDONALD. There were also not a large number of police officers around MCDONALD, minimizing the risk of a crossfire situation if deadly force became necessary. Also, the background behind MCDONALD, toward which Officer VAN DYKE fired his handgun, was a large vacant lot followed by industrial buildings that were either vacant or minimally occupied. Again, if the use of firearms became necessary, the risk of harm to any other individuals was minimal.

This entire encounter between the police and Laquan MCDONALD, from Officer MCELLIGOTT's first contact on 40th Street until Officer VAN DYKE fired his weapon, lasted more that four minutes, as indicated by the police radio transmissions. During that time MCDONALD traveled on foot more than four city blocks. For a police encounter with an armed subject, who was not contained, this was a long period of time. MCDONALD was given a great deal of latitude in terms of movement, before the police decided they could wait no longer and needed to take action to stop MCDONALD, to protect the public who were becoming more and more at risk. That is when Officers VAN DYKE and WALSH acted.

It should be noted that at the time VAN DYKE fired his weapon, of the ten officers present near the scene of this incident, none was equipped with a taser. It should also be noted that many use of force experts and defensive tactics instructors would say that a taser was not the appropriate use of force against an assailant armed with a knife, especially one who had already displayed a willingness to use the knife. This is because, per Chicago Police Department policy, the use of a taser would require an officer to get within 18 feet of a subject, the optimum effective range of the Department's tasers being 7 to 15 feet. This would put the officer too close to the assailant, especially if the taser was ineffective, with insufficient time to transition to his firearm to defend himself. A taser, like a firearm, is not a guaranteed solution. The same variables exist with this force option. Two projectiles, or probes, connected to the taser by wires, must both effectively engage the target, who may be moving. One or both or the probes could miss the target. Thick or multiple layers of clothing can prevent one or both probes from effectively engaging the target. If both probes do not engage the target effectively,

the taser will have no effect at all. Additionally, even if the officer is able to successfully deploy the taser against a subject, there is no guarantee it will be totally effective and stop the subject.

One claim made by many who have been critical of Officer VAN DYKE is that there were ten officers on the scene of this incident and only one fired his weapon. It is opined that since the other nine officers did not see a need to fire their handguns, VAN DYKE was wrong, and did not need to fire his weapon. Again, one needs to consider the "totality of the circumstances", to make an informed, educated and intelligent conclusion. Of the ten officers, five of them, Officers GAFFNEY, SEBASTIAN, MONDRAGON, BACERRA and VELEZ were still in their police vehicles and were not in a position to see who fired the gunshots. Officer MCELLIGOTT, who had originally been following MCDONALD on foot, was unable to keep up with MCDONALD, and was not in a position to see who fired the gunshots. Officers FONTAINE and VIRAMONTES had just arrived at the scene and exited their police vehicle. They were farther away from MCDONALD and Officers VAN DYKE and WALSH were between them and MCDONALD. Officer WALSH stated that he believed MCDONALD was attacking WALSH and VAN DYKE with the knife when VAN DYKE fired his handgun, but WALSH did not fire his weapon because VAN DYKE was slightly ahead of WALSH, and therefore, in his line of fire. This was apparent in the video evidence recovered in this investigation.

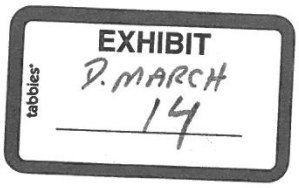
During the entire investigation of this incident I had multiple consultations with my immediate supervisors, including Sergeant Daniel GALLAGHER, Lieutenant Anthony WOJCIK, Lieutenant Osvaldo VALDEZ and Commander Eugene ROY. During all of these consultations I was repeatedly told that my interpretation and understanding of the events in this incident, as well as my conclusions, were accurate and correct. The incident commander, on the night this incident occurred, Deputy Chief David MCNAUGHTON, also agreed with this investigation, as evidenced by his approval of the Tactical Response Report submitted by Officer Jason VAN DYKE, where MCNAUGHTON checked the box stating "I have concluded that the member's actions were in compliance with department procedures and directives." At the time of this approval, the in-car camera video from the police vehicles and the video from the Dunkin' Donuts restaurant had been recovered and reviewed by all personnel involved in this investigation, including MCNAUGHTON, and personnel from the Independent Police Review Authority. No one ever expressed any reservations regarding the investigation of this incident. Commander ROY and Lieutenant VALDEZ both personally informed me that each of them had conducted separate briefings on this incident at the Public Safety Headquarters, for members of the command staff, at separate Executive Management Meetings. Both ROY and VALDEZ informed me that the entire command staff of the police department, up to and including the superintendent, agreed with the findings of this investigation and that no one had expressed any reservations.

Officer Jason VAN DYKE gave his statement to the Independent Police Review Authority within days of this incident and was returned to full duty in his unit of assignment. Another indication that no one questioned the results of this investigation.

Since this incident occurred, all of the exempt members in my chain of command have been promoted. Commander ROY was promoted to Deputy Chief and is now Chief of the Bureau of Detectives. Deputy Chief Anthony RICCIO was promoted to Chief of the Bureau of Organized Crime. Chief John ESCALANTE was promoted to First Deputy Superintendent of the Department. This investigation was conducted under the supervision of each of these command staff members. Now they are promoted and I am under investigation for separation

from the Department? First Deputy ESCALANTE stated at a news conference, shortly after being promoted, that he viewed the video of this incident two days after it occurred and found it "troubling." As the Chief of the Bureau of Detectives at that time of this incident, Chief ESCALANTE never communicated either directly or indirectly to his primary investigator, me, how troubling he found this video. As I said, no one voiced any reservations or concerns to me regarding this incident or this investigation. I was informed that the entire command staff concurred with the findings and conclusions of my investigation.

For eighteen months now, I have heard people criticize Officer Jason VAN DYKE, saying what he did was wrong. Not once have I heard anyone suggest what he should have done instead of the actions he did take. Is it really being suggested that the police should have done nothing and permitted Laquan MCDONALD to continue on his way and not stop him? A subject armed with a deadly weapon, a knife, committed multiple criminal offenses, including forcible felonies, ignored lawful orders from multiple uniformed police officers to drop his weapon and surrender, over the course of more than four minutes and four city blocks, and continued down the street, weapon in hand, putting everyone in his path at risk. Is it seriously being suggested that the police should not take action against this subject until he gains entry to one of the commercial businesses along his path, and actually attacks someone, actually inflicting death or great bodily harm? And then, in an environment where civilians are present, the police should engage this subject in a violent confrontation, creating additional risk of injury? In my opinion this is not responsible law enforcement.



(720 ILCS 5/7-4) (from Ch. 38, par. 7-4)

Sec. 7-4. Use of force by aggressor.

The justification described in the preceding Sections of this Article is not available to a person who:

(a) Is attempting to commit, committing, or escaping after the commission of, a forcible felony; or

(b) Initially provokes the use of force against himself, with the intent to use such force as an excuse to inflict bodily harm upon the assailant; or

(c) Otherwise initially provokes the use of force against himself, unless:

(1) Such force is so great that he reasonably believes that he is in imminent danger of death or great bodily harm, and that he has exhausted every reasonable means to escape such danger other than the use of force which is likely to cause death or great bodily harm to the assailant; or

(2) In good faith, he withdraws from physical contact with the assailant and indicates clearly to the assailant that he desires to withdraw and terminate the use of force, but the assailant continues or resumes the use of force.

(Source: Laws 1961, p. 1983.)

CITY OF CHICAGO
OFFICE OF INSPECTOR GENERAL

ADVISEMENT OF RIGHTS

I, David March, understand that I am being interviewed by Peter Neumer and Kristopher Brown from the City of Chicago Office of Inspector General.

DATE 4/26/16 TIME 10:04am LOCATION 300 W. Adams St. Suite 800

I understand that this interview is part of an official investigation and that I have a duty to cooperate with the Office of Inspector General, which includes answering all questions completely and truthfully.

I understand that I have no right to remain silent. I understand that I have an obligation to answer questions put to me truthfully. I understand that if I refuse to answer questions put to me, I will be ordered by a superior officer to answer the questions. I further understand and I have been advised that if I persist in my refusal to answer after an order to do so, such further refusal constitutes a violation of the Rules and Regulations of the Chicago Police Department and may serve as the basis for my discharge.

I understand and have been advised that my statements or responses may constitute an official police report. I understand that Rule 14 of the Chicago Police Department's Rules and Regulations prohibits making a false report, written or oral, and I further understand that making such a false report, whether written or oral, may result in my separation from the Chicago Police Department.

I understand that any statement made by me during this interview may be used as evidence of misconduct or as the basis for disciplinary action up to and including removal or discharge.

I understand that any statement made by me during this interview and the fruits thereof cannot be used against me in a criminal proceeding.

I understand that I have the right to have a union representative, or legal counsel of my choosing, present at the interview to consult with, and that I will be given a reasonable time to obtain a union representative or legal counsel as long as the interview is not unduly delayed.

I understand that a refusal to answer any question, or any false, inaccurate, or deliberately incomplete statement by me would constitute a violation of Chicago Municipal Ordinance 2-56, and may serve as the basis for my discharge.

I acknowledge that this statement of my administrative rights has been read aloud to me, and I have been allowed to review this document.

Employee Signature

Witness: _____ Witness: _____

****

WAIVER

Understanding these rights, I wish to answer questions from investigators from the Office of Inspector General without having a union representative or legal counsel present. No promises or threats have been made to me and no pressure or coercion of any kind has been used against me.

Employee Signature: _____

EXHIBIT 1 OIG

NOTIFICATION OF INTERVIEW TO CPD MEMBER CITY OF CHICAGO OFFICE OF INSPECTOR GENERAL			DATE April 7, 2016
NAME	RANK	STAR NO.	UNIT OF ASSIGNMENT
David March	Detective	20563	610

YOUR APPEARANCE IS REQUIRED

AT ☒	Amicus Court Reporters 300 West Adams, Ste 800 Chicago, IL 60606	ON	DATE April 26, 2016	TIME 5:00 PM

AS ☒ ACCUSED ☐ WITNESS ☐ COMPLAINANT

FOR ☒ A STATEMENT

CONCERNING
Detective David March's failure to: (1) conduct a complete, thorough, properly documented, and professional investigation respecting RD # HX475653; and (2) draft truthful, complete, and objective reports concerning the McDonald Shooting.

YOU ARE TO REPORT TO:

LEAD INVESTIGATOR	TITLE	PHONE NO.	EMAIL
Kristopher Brown	Investigator III	773-478-0221	kbrown@chicagoinspectorgeneral.org

NOTE: You MUST notify the Lead Investigator of your inability to keep this scheduled appointment.

ALSO PRESENT AT THE INTERVIEW WILL BE:

NAME	TITLE	NAME	TITLE
Peter Neupert	Assistant Inspector General	N/A	N/A

THE INTERVIEW WILL BE ☐ AUDIO RECORDED ☒ TRANSCRIBED BY A LIVE REPORTER

TO BE COMPLETED BY INTERVIEWEE IF APPLICABLE

ACKNOWLEDGEMENT

Please contact Investigator Brown at (773) 478-0221 to confirm receipt of Notification of Interview and to confirm your attendance at the interview.

I hereby acknowledge receipt of this Notification of Interview.

SIGNATURE David M March DATE 07 APR 2016

PRINTED NAME David M MARCH TIME 1600

EXHIBIT 2 016 4/26/16

TO BE COMPLETED BY OFFICE OF INSPECTOR GENERAL OR CPD COMPONENT PROVIDING NOTIFICATION TO INTERVIEWEE

NOTIFICATION MADE TO	TITLE, RANK, & UNIT	DATE	TIME
NOTIFICATION MADE BY	TITLE, RANK, & UNIT	DATE	TIME

NOTIFICATION OF ALLEGATIONS

CITY OF CHICAGO OFFICE OF INSPECTOR GENERAL

NAME OF ACCUSED	RANK	STAR NO	UNIT OF ASSIGNMENT
David March	Detective	20563	610

City ordinance, and if applicable, collective bargaining agreements, provide that you are entitled to notice of the nature of the allegations against you and the identity of all complainants prior to any interview. Accordingly, you are advised as follows:

COMPLAINANT(S)

1. John J. Escalante, Interim Superintendent of Chicago Police Department, sent a letter to the City of Chicago Office of Inspector General (OIG) dated January 13, 2016, requesting that OIG conduct an administrative investigation of the following allegations arising out of the October 20, 2014 shooting death of Laquan McDonald (the McDonald Shooting): "whether any officer(s) made false statements on official reports submitted in connection with the shooting of Laquan McDonald on October 20, 2014; whether any officer(s) obstructed or interfered with the investigation of this incident, either individually or in collusion with others; and whether any officer(s) committed any violation of Chicago Police Department rules, policies, or orders in connection with their response and/or handling of this matter." Escalante attached to the letter a copy of Sergeant S. Soria's (Star # 2275) Initiation Report, which raises similar allegations of misconduct with respect to Department members in connection with the McDonald Shooting, and identified that Report as a basis for OIG's administrative investigation.

ALLEGATION(S)

1. You failed to conduct a complete, thorough, properly documented, and professional investigation respecting RD # HX475653. Specifically:

   a. You failed to draft truthful, complete, and objective case supplementary reports concerning the McDonald Shooting. Specifically:

      i. the case supplementary report you submitted on or about March 15, 2015, with the "Sup ID" 10992767 CASR301, concluded that Officer Van Dyke's use of force was within the bounds of the Chicago Police Department's use of force guidelines and in conformity with local ordinances and state law, despite available evidence to the contrary, including video recordings of the McDonald Shooting.

      ii. the case supplementary report you submitted on or about March 15, 2015, with the "Sup ID" 10992767 CASR301, falsely stated that the in-car camera videos recovered from Vehicles 813R and 845R were consistent with the accounts of all the witnesses to the McDonald Shooting.

      iii. the case supplementary report you submitted on or about March 15, 2015, with the "Sup ID" 10992767 CASR301, contained a description of the McDonald Shooting as captured by the in-car camera video recovered from Vehicle 813R, but that description failed to note that McDonald

EXHIBIT 3 OIG 4-26-16

changed the direction in which he was walking prior to the shooting;

iv. the case supplementary report you submitted on or about March 15, 2015, with the "Sup ID" 10992767 CASR301, contained a description of the McDonald Shooting as captured by the in-car camera video recovered from Vehicle 813R, but that description failed to note that Officer Van Dyke and Officer Walsh moved towards McDonald prior to the shooting;

v. the case supplementary report you submitted on or about March 15, 2015, with the "Sup ID" 10992767 CASR301, contained a description of the McDonald Shooting as captured by the in-car camera video recovered from Vehicle 813R, but that description failed to note that Officer Van Dyke continued to fire at McDonald after McDonald was on the ground;

vi. the case supplementary report you submitted on or about March 15, 2015, with the "Sup ID" 10992767 CASR301, falsely determined that Laquan McDonald initiated the imminent use of force likely to cause death or serious injury when "he initiated an attack on Officers Jason Van Dyke and Joseph Walsh."

vii. On or about October 21, 2014, you and Officer Van Dyke created a false justification for his shooting of Laquan McDonald and included that false justification in the case supplementary report you submitted on or about March 15, 2015, with the "Sup ID" 10992767 CASR301.

viii. the case supplementary report you submitted on or about March 15, 2015, with the "Sup ID" 10992767 CASR301, falsely stated that Officer Dora Fontaine, during her October 20, 2014 interview with you, stated that McDonald raised his right arm toward Officer Van Dyke, as if attacking Van Dyke.

ix. the case supplementary report you submitted on or about March 15, 2015, with the "Sup ID" 10992767 CASR301, falsely stated that Officer Janet Mondragon, during her October 20, 2014 interview with you, stated that McDonald continued to wave a knife as he got closer and closer to Officers Van Dyke and Walsh.

x. the case supplementary report you submitted on or about March 15, 2015, with the "Sup ID" 10992767 CASR301, falsely stated that Officer Walsh related the same facts to you as his partner Officer Van Dyke;

xi. the case supplementary report you submitted on or about March 15, 2015, with the "Sup ID" 10992767 CASR301, falsely stated that Officer McElligott related the same facts to you as his partner Officer Gaffney;

xii. the case supplementary report you submitted on or about March 15, 2015, with the "Sup ID" 10992767 CASR301, falsely stated that Officer Mondragon related the same facts to you as her partner Officer Sebastian;

xiii. the case supplementary report you submitted on or about March 15, 2015, with the "Sup ID" 10992767 CASR301, falsely stated that Officer Velez related the same facts to you as her partner Officer Bacerra;

xiv. the case supplementary report you submitted on or about March 15, 2015, with the "Sup ID" 10992767 CASR301, falsely stated that Officer Viramontes related the same facts to you as his partner Officer Fontaine;

xv. the case supplementary report you submitted on or about March 15, 2015, with the "Sup ID" 10988891 CASR339, falsely stated that McDonald was shot and killed by Officer Van Dyke while McDonald was committing an aggravated assault with a knife against Officers Van Dyke and Walsh.

xvi. the case supplementary report you submitted on or about March 15, 2015, with the "Sup ID" 10988891 CASR339, falsely stated in the "Additional just homicide descr." section that McDonald "Attacked Officer That Officer Killed Criminal."

b. You failed to pursue relevant, material, and reasonable investigative leads, including but not limited to:

i. failing to take reasonable steps to identify and interview material witnesses, including but not limited to (1) the witness to the McDonald Shooting identified by law professor Craig Futterman, and (2) the employees of the Dunkin' Donuts store that was located in close proximity to the McDonald Shooting;

ii. failing to properly and thoroughly document the statement Officer Van Dyke made to you on or about October 21, 2014 at Area Central in the General Progress Report you completed regarding that interview;

2. On or about October 20, 2014 and October 21, 2014, you engaged in witness tampering by showing witnesses to the McDonald Shooting a video of the shooting and attempting to influence the testimony of those witnesses as they viewed the video.

3. You obstructed justice by failing to conduct a complete, thorough, properly documented, and professional investigation respecting RD # HX475653 in the ways enumerated in allegations 1 and 2.

4. You falsely stated in the case incident report for RD # HX486155, with the "Case ID" 9837884 CASR229, that McDonald committed aggravated assaults against Officers Gaffney, Van Dyke, and Walsh that forced Van Dyke "in defense of his life, to shoot and kill McDonald."

5. You falsely stated in two Evidence Submission Forms, Form # 54818.E and Form # 54818.F, that were submitted to the Illinois State Police regarding "Incident" RD HX475653, that McDonald assaulted three Chicago Police Officers with a knife.

6. You falsely stated in a Major Incident Notification Detail for "Incident N[umber]" 73204 regarding RD # HX475653, that McDonald continued to approach Officers Walsh and Van Dyke and that Van Dyke, fearing for his life, discharged his weapon.

7. The General Progress Report you completed on or about October 20, 2014 concerning your interview of Officer Fontaine falsely stated that Fontaine stated that she "heard POs repeatedly 'Drop the knife!' O ignored, raised R arm toward VD as if attacking VD."

8. The General Progress Report you completed on or about October 20, 2014 concerning your interview of Officer Mondragon falsely stated that Mondragon stated that she "heard POs repeatedly, 'Drop the knife!' as O got closer + closer to POs continuing to wave knife."

ACKNOWLEDGEMENT

I hereby acknowledge receipt in writing of the identity of the complainant(s) and notice of the nature of the allegation(s) against me.

Signature David M March Date 07 APR 2016

Printed Name David M MARCH Time 1600

WITNESSES

IPRA

City of Chicago Office of Inspector General
740 North Sedgwick Street
Suite 200
Chicago, Illinois 60654

RECEIPT FORM

OIG FILE NO. 15-0564

ON 07 APR 16 DATE AT 1605 HRS TIME

SGT J. FIEDLER #1885 NAME Sgt TITLE

☐ SEIZED FROM ☐ RECEIVED FROM ☐ RETURNED TO ☒ RELEASED TO

NAME	TITLE	DEPT.
David March	Detective	Chicago Police Department

THE FOLLOWING ITEM(S):

1. A City of Chicago Office of Inspector General DVD containing the following materials:

- a copy of a March 16, 2015 Case Supplementary Report for R.D. No. HX475653 with the "Sup ID" of 10992767 CASR301;
- a copy of a March 16, 2015 Case Supplementary Report for R.D. No. HX475653 with the "Sup ID" of 10988891 CASR339;
- a copy of a case incident report for R.D. No. HX486155, with the "Case ID" 9837884 CASR229
- a copy of Detective March's October 20, 2014 General Progress Report for R.D. No. HX475653 concerning March's October 20, 2014 interview of Officer Dora Fontaine;
- a copy of Detective March's October 20, 2014 General Progress Report for R.D. No. HX475653 concerning March's October 20, 2014 interview of Officer Janet Mondragon;
- a copy of Detective March's October 20, 2014 General Progress Reports for R.D. No. HX475653 concerning March's October 20, 2014 interviews of Officer Jason Van Dyke;
- a copy of Evidence Submission Form 54818.E for "Incident" RD HX475653,

EXHIBIT 4 OIG

- a copy of Evidence Submission Form 54818.F for "Incident" RD HX475653;
- a copy of a Major Incident Notification Detail for "Incident No" 73204;
- The October 20, 2014 audio and video files for the in-car video system of beat number 813R;
- The October 20, 2014 audio and video files for the in-car video system of beat number 845R;
- The October 20, 2014 Dunkin Donuts security video of the Laquan McDonald shooting.

ACKNOWLEDGEMENT

I hereby acknowledge receipt in writing of the above-listed item(s).

Signature David M March Date 07 APR 2016

Printed Name David M MARCH Time 1605

WITNESSES

1585

CHICAGO POLICE DEPARTMENT

CASE SUPPLEMENTARY REPORT

HX475653

3510 S. Michigan Avenue, Chicago, Illinois 60653

(For use by Chicago Police - Bureau of Investigative Services Personnel Only)

Case ID: [redacted] Sup ID: [redacted] CASE/DR#

EXC. CLEARED CLOSED (OTHER EXCEPTIONAL) | **DETECTIVE SUP. APPROVAL COMPLETE**

Last Offense Classification/Re-Classification	IUCR Code	Original Offense Classification			IUCR Code
ASSAULT / Aggravated Po:Knife/Cut Instr	0552	ASSAULT / Aggravated Po:Knife/Cut Instr			0552
Address of Occurrence	Beat of Occur	No of Victims	No of Offenders	No of Arrestees	SCR No
4112 S PULASKI RD	815	4	1	1	
Location Type	Location Code	Secondary Location			Hate Crime?
Street	304				NO
Date of Occurrence	Unit Assigned	Date RD Issued	Fire Related?	Gang Related?	Domestic Related?
20-OCT-2014 21:57	0841R	20-OCT-2014 21:57	NO	NO	NO

Reporting Officer	Star No	Approving Supervisor	Star No	Primary Detective Assigned	Star No
MARCH, David	20563	WOJCIK, Anthony	481	MARCH, David	20563
Date Submitted		Date Approved		Assignment Type	
15-MAR-2015 18:26		16-MAR-2015 00:03		FIELD	

THIS IS A FIELD INVESTIGATION EXC. CLEARED CLOSED (OTHER EXCEPTIONAL) REPORT

VICTIM(S) :

GAFFNEY, Thomas J

Male / White / 41 Years

EMPLOYMENT: Chicago Police Officer #19958 Chicago Police Officer

EMPLOYER BUSINESS NME: Chicago Police Department

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

MCELLIGOTT, Joseph P

Male / White / 36 Years

EMPLOYMENT: Chicago Police Officer #18715 Chicago Police Officer

EMPLOYER BUSINESS NME: Chicago Police Department

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

VAN DYKE, Jason D

Male / White / 35 Years

EMPLOYMENT: Chicago Police Officer #9465 Chicago Police Officer

EMPLOYER BUSINESS NME: Chicago Police Department

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

WALSH, Joseph J

Male / White / 45 Years

EMPLOYMENT: Chicago Police Officer #12865 Chicago Police Officer

EMPLOYER BUSINESS NME: Chicago Police Department

BUS: 3420 W 63rd St
Chicago IL

HX475653

EXHIBIT 5 01G

LOG# 1072125

Attachment 151

312-747-8730

OFFENDER(S): **MCDONALD, Laquan J** -- In Custody --

ALIAS: "Bon-Bon"
Male / Black / 17 Years
DOB: [redacted]
RES: [redacted]
BIRTH PL: Illinois
DESCRIPTION: 6'02,180,Black Hair, Dreadlocks Hair Style, Brown Eyes, Medium Complexion

ITEM USED:
Weapon
DLN/ID: [redacted]
OTHER IDENTIFICATIONS: **Type -** Other Id
State - Unknown

IR #: 2106340
SID #: [redacted]
ORGANIZATION: NEW BREED
RELATIONSHIP OF VICTIM TO OFFENDER:

GAFFNEY, Thomas No Relationship
MCELLIGOTT, Joseph No Relationship
VAN DYKE, Jason No Relationship
WALSH, Joseph No Relationship

GANG INFORMATION:
LISTED CRIMINAL ORGANIZATION: New Breed
GANG IDENTIFIERS: Other

OFFENDER INJURIES: **MCDONALD, Laquan J**

Type	Weapon Used	Weapon Description
Gun Shot Wound	Handgun	Other -Handgun

Injured by Police
Chicago Fire Department Provided First Aid
EXTENT OF INJURY: Multiple Gsw
HOSPITAL REMOVED BY: Cfd Ambulance 21
HOSPITAL: Mt. Sinai
INJURY TREATMENT: Multiple Gsw
PHYSICIAN NAME: Dr Pitzele

WEAPON(S): **INV #:** **13296449** **Evidence**
Smith & Wesson -Us- (Bodyguard,Chief Special) , 5942 , 9 , Semi-Automatic Pistol , Semi-Automatic , 4" , Stainless

SERIAL #: [redacted]
MAGAZINE CAPACITY: 15
Number Of Live Rounds present in the Firearm - 15
Number Of Live Rounds used in the Firearm - 16
The Status Of This Firearm is 628361
PROPERTY TYPE: Other
OWNER: Van Dyke, Jason
POSSESSOR/USER: Van Dyke, Jason
PHONE #: 312 - 747 - 8730
LOCATION FOUND: 5101 S Wentworth Ave

VEHICLE INFO:

Truck , 2010 / Chevrolet / Tahoe / Truck
, Victims Vehicle
VIN: 1GNMCAE0XAR263348 **Evidence**
YEAR (RANGE): 2010

COLOR (TOP/BOTTOM): White / White
OWNER: Chicago Police Department
POSSESSOR/USER: Gaffney, Thomas
PHONE#: 312 - 747 - 8730
LOCATION FOUND: 4102 S Pulaski Rd

LICENSE: MP6581, Law Enforcement (City, County, State, Sos), IL

LOCATION OF INCIDENT:
4112 S Pulaski Rd
Chicago IL
304 - Street

DATE & TIME OF INCIDENT: 20-OCT-2014 21:57

WEATHER AND LIGHTING:
WEATHER: Cloudy & Cool
TEMPERATURE: 50s
LIGHTING: Dark / Artificial Light
LIGHTING SOURCE: Streetlights
DISTANCE: Overhead

MOTIVE CODE(S): Interceding In A Felony

CAUSE CODE(S): Dna

METHOD CODE(S): Offender Shot

CAU CODE(S): Police Related Not Con

FIREARM(S) RECOVERED:
INV #: 13296449 **Evidence**
Smith & Wesson -Us- (Bodyguard,Chief Special) , 5942 , 9 , Semi-Automatic Pistol , Semi-Automatic , 4" , Stainless
SERIAL #: [redacted]
PROPERTY TYPE: Other

OWNER: Van Dyke, Jason
POSSESSOR/USER: Van Dyke, Jason

PHONE #: 312 - 747 - 8730
LOCATION FOUND: 5101 S Wentworth Ave
MAGAZINE CAPACITY: 15
Number Of Live Rounds present in the Firearm - 15
Number Of Live Rounds used in the Firearm - 16

VEHICLE(S) DAMAGED:

Truck , 2010 / Chevrolet / Tahoe / Truck
VIN: 1GNMCAE0XAR263348 **Evidence**

YEAR - YEAR RANGE END: 2010
COLOR (TOP/BOTTOM): White / White
OWNER: Chicago Police Department
POSSESSOR/USER: Gaffney, Thomas

PHONE#: 312 - 747 - 8730
LOCATION FOUND: 4102 S Pulaski Rd
LICENSE: MP6581, Law Enforcement (City, County, State, Sos), IL

PERSONNEL ASSIGNED:

Detective/Investigator
MARCH, David M # 20563
Reporting Officer
FONTAINE, Dora # 4484 BEAT: 0841R

WITNESS(ES) :

BACERRA, Arturo
Male / White Hispanic / 32 Years
EMPLOYMENT: Chicago Police Officer #15790 Chicago Police Officer
BUS: 3420 W 63rd St
Chicago IL
312-747-8730

BENITEZ, Alma P
Female / White Hispanic / 29 Years
DOB: [redacted]
RES: [redacted]
OTHER COMMUNICATIONS:
Cellular Phone : [redacted]

CALDERON-BAUTISTA, Andrea
Female / White Hispanic / 19 Years
DOB: [redacted]
RES: [redacted]
BUS: 4060 S Pulaski Rd

Chicago IL
773-843-0144

DLN/ID: [redacted]

COSS, Renato (NMI) ,Jr
Male / White Hispanic / 18 Years

DOB: [redacted]

RES: [redacted]

OTHER COMMUNICATIONS:

Cellular Phone : [redacted]

DLN/ID: [redacted]

FALCON, Socorro
Female / White Hispanic / 24 Years

DOB: [redacted]

RES: [redacted]

EMPLOYMENT: Shift Manager

BUS: 4060 S Pulaski Rd
Chicago IL
773-843-0144

OTHER COMMUNICATIONS:

Cellular Phone : [redacted]

FONTAINE, Dora
Female / White Hispanic / 47 Years

EMPLOYMENT: Chicago Police Officer #4484 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

GARCIA, Eddie
Male / White Hispanic / 25 Years

DOB: [redacted]

RES: [redacted]

BUS: 4400 S Pulaski Rd
Chicago IL

OTHER COMMUNICATIONS:

Cellular Phone : [redacted]

SSN: [redacted]

GARCIA, Yuli
Female / White Hispanic / 30 Years

DOB: [redacted]

RES: [redacted]

OTHER COMMUNICATIONS:

Cellular Phone : [redacted]

GARCIA, Robert

Male / White Hispanic / 24 Years

DOB: [redacted]

RES: [redacted]

SSN: [redacted]

DLN/ID: [redacted]

MONDRAGON, Janet

Female / White Hispanic / 37 Years

EMPLOYMENT: Chicago Police Officer #4364 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

SEBASTIAN, Daphne L

Female / White / 45 Years

EMPLOYMENT: Chicago Police Officer #2763 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

VELEZ, Leticia

Female / White Hispanic / 43 Years

EMPLOYMENT: Chicago Police Officer #10385 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

VIRAMONTES, Ricardo

Male / White Hispanic / 41 Years

EMPLOYMENT: Chicago Police Officer #10590 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

OTHER INDIVIDUALS INVOLVED:

BARILLAS, Rudy C (Additional Victim)

Male / White Hispanic / 43 Years

DOB: [redacted]

RES: [redacted]

Self-Employed Truck Driver

EMPLOYMENT:

OTHER COMMUNICATIONS:

Cellular Phone : [redacted]

DLN/ID: [redacted] :

JOHNSON, Shyrell (Family Member Notified)

Male / Black / 25 Years

DOB: [redacted]

RES: [redacted]

OTHER COMMUNICATIONS:

Other : [redacted]

HERNANDEZ, Maria (Person Interviewed Non-Witness)

Female / White Hispanic / 62 Years

DOB: [redacted]

RES: [redacted]

BUS: 4060 S Pulaski Rd
Chicago IL
773-843-0144

LOPEZ, Yolanda (Person Interviewed Non-Witness)

Female / White Hispanic / 39 Years

DOB: [redacted]

RES: [redacted]
Chicago IL
[redacted]

BUS: 4060 S Pulaski Rd
Chicago IL
773-843-0144

CRIME CODE SUMMARY: 0552 - Assault - Aggravated Po:Knife/Cut Instr

IUCR ASSOCIATIONS: 0552 - Assault - Aggravated Po:Knife/Cut Instr

GAFFNEY, Thomas, J	(Victim)
MCDONALD, Laquan, J	(Offender)
MCELLIGOTT, Joseph, P	(Victim)
MCDONALD, Laquan, J	(Offender)
MCDONALD, Laquan, J	(Offender)
VAN DYKE, Jason, D	(Victim)
MCDONALD, Laquan, J	(Offender)
WALSH, Joseph, J	(Victim)

INCIDENT NOTIFICATIONS: **NOTIFICATION DATE & TIME:** 10/20/2014:230700

REQUEST TYPE: Notification

PERSON NAME: ,Sarlo
STAR #: 13131
EMP #:
NOTIFICATION DATE & TIME: 10/20/2014:231400
REQUEST TYPE: Notification
PERSON NAME: ,Jines
STAR #: 4898
EMP #:
NOTIFICATION DATE & TIME: 10/20/2014:215000 ,
REQUEST TYPE: On Scene
PERSON NAME: ,March
STAR #: 20563
EMP #:
NOTIFICATION DATE & TIME: 10/21/2014:225800
REQUEST TYPE: Notification
PERSON NAME: ,Chibe
STAR #: 7303
EMP #:
NOTIFICATION DATE & TIME: 10/20/2014:235000
REQUEST TYPE: Notification
PERSON NAME: ,Briggs
STAR #:
EMP #: 76

REPORT DISTRIBUTIONS: No Distribution

INVESTIGATION:

AREA CENTRAL FIELD INVESTIGATION:

Exceptionally Cleared Closed /
Other Exceptional Clearance - Death of Offender.

The full format for this investigation is contained in the previous Progress - Scene Report.

INVESTIGATION:

The reporting detective was assigned to the immediate follow-up investigation of this police officer involved shooting incident, by Sergeant Daniel GALLAGHER of this command. The reporting detective proceeded to the scene of the incident at 4112 South Pulaski Road. The officer involved in the shooting was located and interviewed at the scene.

VAN DYKE, Jason D -----

stated he was a Chicago Police Officer assigned to the 008th District. He was on duty, in uniform, working on Beat 845R. VAN DYKE was working with Police Officer Joseph WALSH. The two officers were assigned to Chicago Police Department vehicle number 6412, a marked Chevrolet Tahoe, four door sport utility vehicle. WALSH was driving the vehicle and VAN DYKE was the passenger.

The two officers responded to a request for assistance from Beat 815R, regarding a man with a knife, on 40th Street, west of Pulaski Road. A unit equipped with a taser had also been requested. Officer VAN DYKE heard the radio transmission when Officer Thomas GAFFNEY said the man with a knife had "popped" the tire of GAFFNEY's police vehicle. VAN DYKE understood this to mean the subject had slashed the tire with his knife. As Officer WALSH drove westbound on 40th Street from Pulaski, VAN DYKE observed a black male subject, now known as Laquan MCDONALD, running eastbound in the parking lot of the Burger King restaurant on the southwest corner of 40 Street and Pulaski. MCDONALD was holding a knife in his right hand. VAN DYKE saw Police Officer Joseph MCELLIGOTT pursuing MCDONALD on foot. VAN DYKE also saw a civilian who was standing on 40th Street pointing to MCDONALD.

Officer WALSH drove eastbound in the parking lot, in pursuit of MCDONALD, on the north side of the Burger King restaurant building. WALSH used the police vehicle to block MCDONALD from entering the restaurant. MCDONALD ran out onto Pulaski Road and then turned southbound, running toward a Dunkin' Donuts restaurant, on the east side of Pulaski, south of the Burger King. WALSH positioned the police vehicle between MCDONALD and the Dunkin' Donuts to block his path towards that restaurant. When WALSH slowed the police vehicle alongside MCDONALD, Officer VAN DYKE opened the right front door of the vehicle to exit and confront MCDONALD. WALSH told VAN DYKE to stay in the vehicle as they were too close to MCDONALD to safely exit their vehicle. WALSH drove on southbound and stopped the police vehicle ahead of MCDONALD.

Officer VAN DYKE exited the vehicle on the right side and drew his handgun. As VAN DYKE stood in the street on Pulaski, facing northbound, toward MCDONALD, MCDONALD approached southbound. MCDONALD was holding the knife in his right hand, in an underhand grip, with the blade pointed forward. He was swinging the knife in an aggressive, exaggerated manner. VAN DYKE ordered MCDONALD to "Drop the knife!" multiple times. MCDONALD ignored VAN DYKE's verbal direction to drop the knife and continued to advance toward VAN DYKE.

When MCDONALD got to within 10 to 15 feet of Officer VAN DYKE, MCDONALD looked toward VAN DYKE. MCDONALD raised the knife across his chest and over his shoulder, pointing the knife at VAN DYKE. VAN DYKE believed MCDONALD was attacking VAN DYKE with the knife, and attempting to kill VAN DYKE. In defense of his life, VAN DYKE backpedaled and fired his handgun at MCDONALD, to stop the attack. MCDONALD fell to the ground but continued to move and continued to grasp the knife, refusing to let go of it. VAN DYKE continued to fire his weapon at MCDONALD as MCDONALD was on the ground, as MCDONALD appeared to be attempting to get up, all the while continuing to point the knife at VAN DYKE. The slide on VAN DYKE's pistol locked in the rearward position, indicating the weapon was empty. VAN DYKE performed a tactical reload of his pistol with a new magazine and then assessed the situation.

MCDONALD was no longer moving and the threat had been mitigated, so Officer VAN DYKE and Officer WALSH approached MCDONALD. MCDONALD was still holding the knife in his right hand. VAN DYKE continued to order MCDONALD to "Drop the knife!" Officer WALSH told VAN DYKE, "I have this." VAN DYKE then used his handgun to cover WALSH as WALSH walked up and forcibly kicked the knife out of MCDONALD's right hand, thereby eliminating the threat to the officers.

Officer WALSH then notified the dispatcher on the police radio that shots had been fired by the police. Officer VAN DYKE requested an ambulance for MCDONALD on the radio.

Officer VAN DYKE's weapon was a Smith and Wesson, nine millimeter, semi-automatic pistol, with a 15 round magazine. VAN DYKE said the pistol was fully loaded at the beginning of his tour of duty, with 15 cartridges in the magazine and one cartridge in the firing chamber.

It was noted that the uniform Officer VAN DYKE was wearing consisted of a light blue long sleeve uniform shirt, with shoulder patches; black body armor vest, with patches; navy blue cargo pants; and equipment belt with handgun and radio.

The reporting detective then interviewed Officer VAN DYKE's partner.

WALSH, Joseph J -----

stated he was a Chicago Police Officer assigned to the 008th District. WALSH related the same facts as his partner, Officer Jason VAN DYKE.

WALSH added that as Laquan MCDONALD ran eastbound through the Burger King parking lot, WALSH used the police vehicle he was driving to block MCDONALD from entering the restaurant.

As MCDONALD ran southbound on Pulaski Road, from the Burger King, WALSH pursued MCDONALD in the police vehicle. WALSH drove southbound in the northbound lanes to get ahead of MCDONALD, keeping the police vehicle between MCDONALD and a Dunkin' Donuts restaurant, on the east side of Pulaski. As their vehicle passed MCDONALD, Officer VAN DYKE opened the right front door of their vehicle, to exit the truck and confront MCDONALD. WALSH, realizing that at this point they were too close to the armed MCDONALD to safely exit the vehicle, told VAN DYKE to wait until they got further ahead of MCDONALD. WALSH drove further south on Pulaski. He stopped his vehicle south of MCDONALD and exited the driver's door as VAN DYKE exited the right side of the vehicle. WALSH drew his handgun when he exited the vehicle.

Officer WALSH came around the rear of the police vehicle and joined Officer VAN DYKE on the right side of the vehicle. WALSH also stood in the street on Pulaski, facing northbound, as MCDONALD walked southbound toward the officers. WALSH ordered MCDONALD to "Drop the knife!" multiple times as MCDONALD approached the officers.

Officer WALSH also backed up, attempting to maintain a safe distance between himself and MCDONALD. MCDONALD ignored the verbal direction given by both WALSH and Officer VAN DYKE, and continued to advance toward the officers. When MCDONALD got to within 12 to 15 feet of the officers he swung the knife toward the officers in an aggressive manner. VAN DYKE

opened fire with his handgun and MCDONALD fell to the ground. VAN DYKE continued firing his weapon at MCDONALD as MCDONALD continued moving on the ground, attempting to get up, while still armed with the knife.

When the gunfire stopped and MCDONALD was not moving anymore, WALSH approached MCDONALD with VAN DYKE. WALSH continued to order MCDONALD to "Drop the knife!" multiple times, as MCDONALD was still holding the knife in his right hand. WALSH forcibly kicked the knife out of MCDONALD's hand and then notified the dispatcher on the police radio that shots had been fired by the police. An ambulance was also requested for MCDONALD.

As they waited for the ambulance to respond to the scene, Officer WALSH told MCDONALD to "hang in there," and that an ambulance was on the way.

Officer WALSH said he believed MCDONALD was attacking WALSH and Officer VAN DYKE with the knife and attempting to kill them when the shots were fired. WALSH stated he did not fire his handgun because VAN DYKE was in the line of fire between WALSH and MCDONALD. WALSH thought VAN DYKE fired eight or nine shots total.

It was noted that Officer WALSH wore the same uniform configuration as Officer VAN DYKE.

The officers assigned to Beat 815R were interviewed.

GAFFNEY, Thomas J -----

stated he was a Chicago Police Officer assigned to the 008th District. He was on duty, in uniform, working on Beat 815R. GAFFNEY was working with Police Officer Joseph MCELLIGOTT. The two officers were assigned to Chicago Police Department vehicle number 8489, a marked Chevrolet Tahoe, four door sport utility vehicle. GAFFNEY was driving the vehicle and MCELLIGOTT was the passenger.

The officers responded to an assignment of holding an offender for breaking into trucks at 41st Street and Kildare Avenue. Upon arrival at that location they met an Hispanic couple who told the officers a black male subject, wearing a dark shirt, had attempted to break into trucks parked in the parking lot at that location. The couple told the officers the subject had walked off and was last seen walking eastbound on 40th Street from Kildare.

Officer GAFFNEY drove northbound on Kildare to 40th Street. When he turned eastbound onto 40th Street he saw a black male subject wearing dark clothing, walking eastbound on the sidewalk, on the south side of the street. Officer MCELLIGOTT exited the police vehicle to approach the subject, now known as Laquan MCDONALD. GAFFNEY stayed in the vehicle in case MCDONALD fled. MCELLIGOTT called to MCDONALD and told him to stop but MCDONALD continued walking eastbound, ignoring MCELLIGOTT. MCDONALD's hands were in his pockets as he walked. MCELLIGOTT told MCDONALD to take his hands out of his pockets. MCDONALD took his hands out of his pockets and MCELLIGOTT told GAFFNEY that MCDONALD had a knife. GAFFNEY then saw a silver colored knife in MCDONALD's right hand. GAFFNEY also saw that MCELLIGOTT had his handgun drawn at this point. MCELLIGOTT repeatedly ordered MCDONALD to "Drop the knife," but MCDONALD ignored these directions. As MCDONALD

reached Keeler Avenue, GAFFNEY notified the dispatcher on the police radio that they were following a subject with a knife and requested assistance from a unit equipped with a taser.

MCDONALD continued walking eastbound, Officer MCELLIGOTT following on foot and Officer GAFFNEY following in the police vehicle. As MCDONALD approached Karlov Avenue, GAFFNEY turned the Tahoe southbound onto Karlov and stopped, blocking the crosswalk. GAFFNEY said he wanted to stop MCDONALD before he reached Pulaski Road, a business street where more civilians were present. The area where MCDONALD was first observed was industrial in nature with no other civilians present. When GAFFNEY stopped his vehicle in front of MCDONALD, blocking his path, MCDONALD stabbed the right front tire of the Tahoe with his knife, causing the tire to go flat. GAFFNEY immediately informed the radio dispatcher that MCDONALD had "popped" the tire. MCDONALD attempted to walk around the front of the police vehicle and GAFFNEY drove the Tahoe forward a short distance to continue to block MCDONALD's path. MCDONALD then stabbed at the windshield of the Tahoe with the knife, striking the right side of the windshield. MCDONALD then continued walking eastbound from Karlov.

As MCDONALD approached the Burger King restaurant parking lot at 40th Street and Pulaski, assisting police units arrived, approaching westbound on 40th Street from Pulaski. MCDONALD began to run eastbound through the restaurant parking lot, on the north side of the Burger King building. He ran out onto Pulaski and then turned and ran southbound on Pulaski. Beat 845R pursued MCDONALD in their police vehicle, eastbound through the parking lot, over the curb at Pulaski, then southbound on Pulaski. Officer GAFFNEY lost sight of MCDONALD when he turned southbound on Pulaski.

Because of the flat tire on his vehicle, Officer GAFFNEY did not drive over the curb. As he drove around out onto Pulaski, GAFFNEY heard multiple gunshots in rapid succession. He did not see who was shooting. When he reached Pulaski MCDONALD was lying on the ground.

It was noted that Officer GAFFNEY wore the same uniform configuration as Officer VAN DYKE with the addition of the uniform baseball style cap with embroidered patch.

MCELLIGOTT, Joseph P -----

stated he was a Chicago Police Officer assigned to the 008th District. MCELLIGOTT related the same facts as his partner, Officer Thomas GAFFNEY.

Officer MCELLIGOTT added that after he exited the police vehicle, when Laquan MCDONALD took his hands out of his pockets and MCELLIGOTT saw MCDONALD holding a knife in his right hand, MCELLIGOTT drew his handgun. He repeatedly ordered MCDONALD to "Drop the knife." MCDONALD ignored MCELLIGOTT's directions and continued to walk eastbound on 40th Street. MCELLIGOTT followed MCDONALD on foot, maintaining a safe distance between himself and the armed MCDONALD.

Officer MCELLIGOTT heard Officer GAFFNEY request assistance and a unit with a taser over the police radio. GAFFNEY attempted to use the police vehicle to block MCDONALD from continuing on toward the Burger King restaurant at Pulaski Road. At this point MCDONALD stabbed the right front tire and the windshield of the police vehicle. MCELLIGOTT began to hear the sirens of

approaching assisting police units and MCDONALD began to run toward the Burger King restaurant.

When MCDONALD ran eastbound through the parking lot of the Burger King, Officer MCELLIGOTT ran after MCDONALD in pursuit. MCELLIGOTT ran out into the middle of Pulaski Road in pursuit of MCDONALD. MCELLIGOTT heard multiple gunshots but did not see who fired the shots. The gunfire was continuous, one shot after another. MCELLIGOTT then saw MCDONALD lying on the ground. MCELLIGOTT saw Officer Joseph WALSH kick the knife out of MCDONALD's hand.

It was noted that Officer MCELLIGOTT wore the same uniform configuration as Officer VAN DYKE.

Other officers who responded to this incident were also interviewed.

SEBASTIAN, Daphne L -----

stated she was a Chicago Police Officer assigned to the 008th District. She was on duty, in uniform, working on Beat 813R. SEBASTIAN was working with Police Officer Janet MONDRAGON. The two officers were assigned to a marked vehicle. MONDRAGON was driving the vehicle and SEBASTIAN was the passenger.

The two officers responded to the request for assistance made by Beat 815R, regarding a subject with a knife. Officer SEBASTIAN thought the original call for assistance was at 40th Street and Keeler Avenue. The subject had punctured a tire on the police vehicle of Beat 815R. Officer MONDRAGON drove northbound on Pulaski Road, following Beat 845R, as they also responded to the request for assistance. MONDRAGON turned westbound onto 40th Street, behind Beat 845R.

Officer SEBASTIAN observed a black male subject, now known as Laquan MCDONALD, running southeast bound through the parking lot of the Burger King restaurant. Beat 845R pursued MCDONALD in their police vehicle, through the parking lot, toward Pulaski. SEBASTIAN told Officer MONDRAGON to drive back out onto Pulaski to assist in the pursuit. MCDONALD ran out onto Pulaski and continued to run southbound down the middle of the street. Beat 845R pursued MCDONALD in their vehicle, southbound on Pulaski, followed by Beat 813R. As MCDONALD ran southbound on Pulaski, SEBASTIAN saw the knife in his right hand. MCDONALD was waving the knife.

Beat 845R stopped their vehicle ahead of MCDONALD, between MCDONALD and the Dunkin' Donuts restaurant on the east side of Pulaski. Officers Joseph WALSH and Jason VAN DYKE exited their vehicle and drew their handguns. MCDONALD turned toward the two officers and continued to wave the knife. Sebastian heard the officers repeatedly order MCDONALD to "Drop the knife!" MCDONALD ignored the verbal directions and continued to advance on the officers, waving the knife. Officer SEBASTIAN heard multiple gunshots and MCDONALD fell to the ground, where he continued to move. SEBASTIAN did not know who fired the shots, which were fired in one continuous group. She then saw Officer WALSH kick the knife out of MCDONALD's hand.

MONDRAGON, Janet -----

stated she was a Chicago Police Officer assigned to the 008th District. MONDRAGON related the same facts as her partner, Officer Daphne SEBASTIAN.

Officer MONDRAGON added that as she drove westbound on 40th Street, she saw Officer MCELLIGOTT running eastbound through the Burger King parking lot. She made a U-turn and drove back out onto Pulaski Road. MONDRAGON turned southbound onto Pulaski. She saw Laquan MCDONALD running southbound on Pulaski, in the middle of the street. As she got closer she could see MCDONALD was holding a knife in his right hand. He was waving the knife.

Officer MONDRAGON saw Officers Joseph WALSH and Jason VAN DYKE outside of their police vehicle. She heard the officers repeatedly ordering MCDONALD to "Drop the knife!" as MCDONALD got closer and closer to the officers, continuing to wave the knife. As she was placing her vehicle transmission into Park, MONDRAGON looked down and heard multiple, continuous gunshots, without pause. MONDRAGON then saw MCDONALD fall to the ground. MONDRAGON did not know who fired the shots.

BACERRA, Arturo -----

stated he was a Chicago Police Officer assigned to the 008th District. He was on duty, in uniform, working on Beat 822. BACERRA was working with Police Officer Leticia VELEZ. The two officers were assigned to a marked vehicle. BACERRA was driving the vehicle and VELEZ was the passenger.

Officer BACERRA and his partner responded to the request for assistance made by Beat 815R, regarding a subject who was armed with a knife. BACERRA was driving northbound on Pulaski Road from 47th Street. As he approached the scene of this incident, at 4112 South Pulaski, he observed a black male subject, now known as Laquan MCDONALD, in the middle of the street, flailing his arms. As he got closer, BACERRA observed MCDONALD to be holding a knife in his right hand. BACERRA drove past MCDONALD, with MCDONALD on the left side of the police vehicle, as Beat 845R drove past BACERRA, on the right side of his vehicle, travelling southbound. As BACERRA began to make a U-turn, he heard multiple gunshots. He then saw MCDONALD lying on the ground. BACERRA did not see who fired the shots.

VELEZ, Leticia -----

stated she was a Chicago Police Officer assigned to the 008th District. VELEZ related the same facts as her partner, Officer Arturo BACERRA.

Officer VELEZ added that as they approached the scene she observed Laquan MCDONALD standing in the middle of the street, holding a shiny object in his right hand. She saw him waving the object in the air. Officer BACERRA drove past MCDONALD and began to make a U-turn, when VELEZ heard multiple gunshots, without pause or delay. She then saw MCDONALD fall to the ground. VELEZ did not see who fired the shots. She did see an unknown officer kick the knife from MCDONALD's hand after he was down on the ground.

FONTAINE, Dora -----

stated she was a Chicago Police Officer assigned to the 008th District. She was on duty, in uniform, working on Beat 841R. FONTAINE was working with Police Officer Ricardo VIRAMONTES. The two officers were assigned to a marked vehicle. VIRAMONTES was driving the vehicle and FONTAINE was the passenger.

The two officers responded to the request for assistance made by Beat 815R, regarding a man with a knife at 41st Street and Pulaski Road. Officer VIRAMONTES drove northbound on Pulaski. When they arrived at the scene of this incident, in front of the Dunkin' Donuts restaurant, Officer FONTAINE saw a black male subject, now known as Laquan MCDONALD, walking southbound in the street, with a knife in his right hand. MCDONALD was walking sideways, with his body facing east, toward Officers Jason VAN DYKE and Joseph WALSH. These two officers were standing in the middle of the street, on the right side of their police vehicle, which was facing southbound. FONTAINE heard the officers repeatedly order MCDONALD to "Drop the knife!" MCDONALD ignored the verbal direction and instead, raised his right arm toward Officer VAN DYKE, as if attacking VAN DYKE. At this time VAN DYKE fired multiple shots from his handgun, until MCDONALD fell to the ground and stopped moving his right arm and hand, which still grasped the knife. The gunshots were rapid fire, without pause. Officer WALSH then kicked the knife out of MCDONALD's hand.

VIRAMONTES, Ricardo -----

stated he was a Chicago Police Officer assigned to the 008th District. VIRAMONTES related the same facts as his partner, Officer Dora FONTAINE.

Officer VIRAMONTES added that when he exited his police vehicle, at the scene, he observed a black male subject, now known as Laquan MCDONALD, walking southbound on Pulaski Road, in the middle of the street, holding a knife in his right hand. VIRAMONTES heard Officer Jason VAN DYKE repeatedly order MCDONALD to "Drop the knife!" MCDONALD ignored the verbal direction and turned toward VAN DYKE and his partner, Officer Joseph WALSH. At this time VAN DYKE fired multiple shots from his handgun. MCDONALD fell to the ground but continued to move, attempting to get back up, with the knife still in his hand. VAN DYKE fired his weapon at MCDONALD continuously, until MCDONALD was no longer moving.

The scene of this incident, at 4112 South Pulaski Road, was observed to be a wide commercial street with traffic traveling north and south. There were two traffic lanes and a curb lane in each direction. A wide median separated the northbound and southbound traffic lanes. The scene was just south of the intersection of Pulaski and 41st Street. This was a "T" intersection with 41st Street extending east from Pulaski. In the center median was a left turn lane for northbound traffic turning west onto 40th Street, further to the north. The Pulaski median was level with the traffic lanes and was striped with yellow paint.

On the west side of Pulaski was a large vacant lot. North of the vacant lot, on the southwest corner of 40th Street and Pulaski, was a Burger King restaurant. On the east side of the street was a Dunkin Donuts restaurant.

The weather was cloudy and cool with the temperature in the 50s. It was dark with good artificial light provided by overhead streetlights. All of the lights were on and functioning normally. There

was also artificial light provided by the lighting of the nearby businesses.

In the northbound left turn lane, Chicago Police Department vehicle number 6412, assigned to Beat 845R, was sitting, facing southeast. The vehicle was a marked Chevrolet Tahoe, four door sport utility vehicle. The right front door of the vehicle was open.

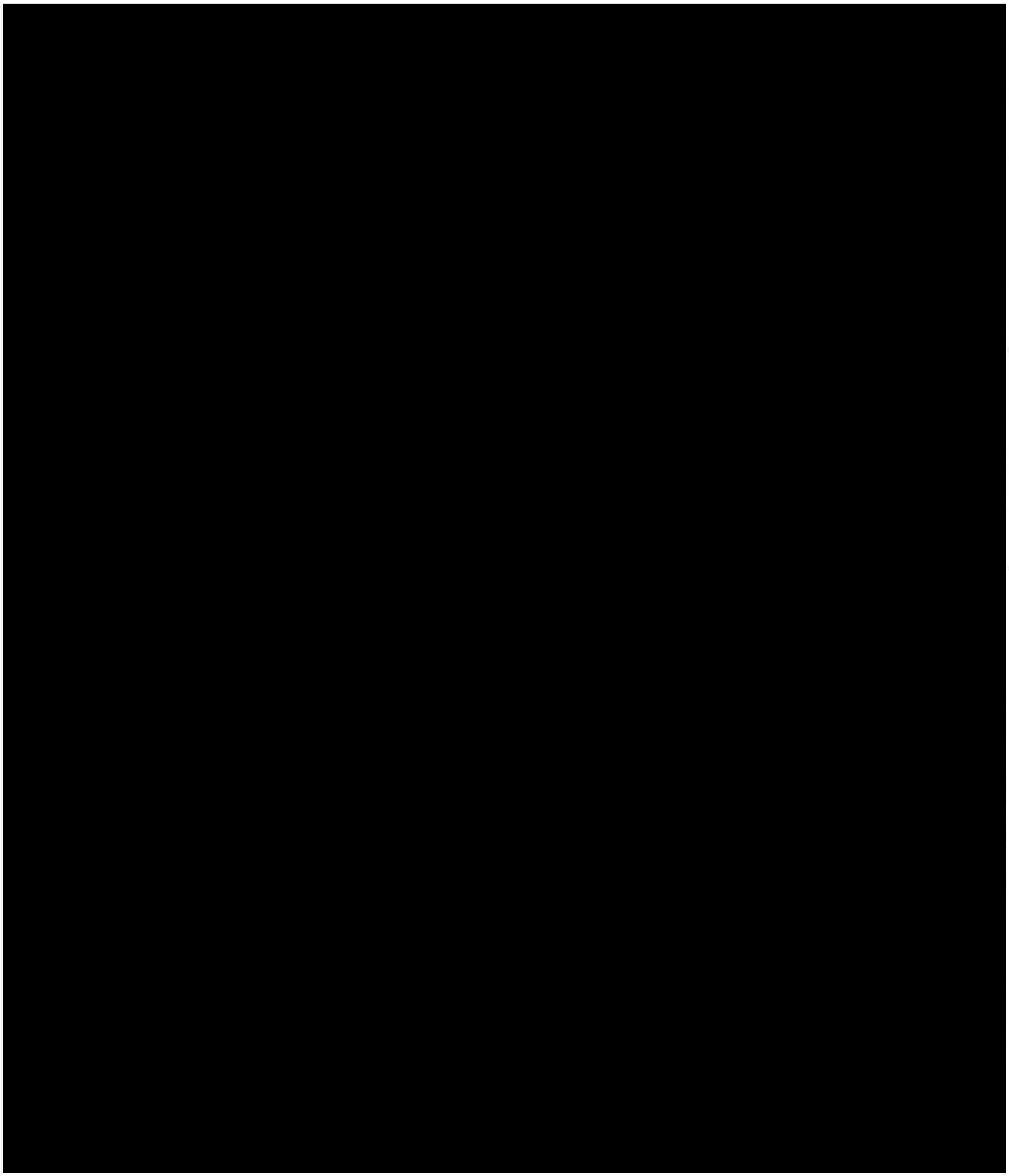
In the southbound traffic lanes, in the right lane, a metal folding pocket knife was lying on the pavement. The blade was in the open position. The overall length of the knife was seven inches, with a three inch blade. The knife was in line with the front end of the vehicle of Beat 845R. Just north of the knife were two pools of blood on the pavement. Five metal bullet fragments were lying on the pavement near the blood. North of the blood, scattered in a diagonal pattern from southwest to northeast, across both southbound traffic lanes and the northbound left turn lane, were 16, nine millimeter caliber cartridge cases, lying on the pavement.

Chicago Police Department vehicle number 8489, assigned to Beat 815R, was sitting at the west curb at 4102 South Pulaski. The right front tire of the vehicle was flat, with a large puncture to the sidewall of the tire. The right side of the windshield was scratched from being struck by Laquan MCDONALD's knife.

Mobile Crime Lab Beat 5802 responded to the scene. Video and photographs were taken of the scene. The knife and firearms evidence was collected from the street, as were swabs of the blood. The right front wheel and tire of Chicago Police Department vehicle number 8489 was also recovered. The right front quarter panel of vehicle number 8489 was processed for fingerprints and four ridge impressions were recovered.

A canvass was conducted of the area near the scene of this incident in an attempt to identify and locate witnesses. A number of people were interviewed.

[redacted]



Officer Jason VAN DYKE was re-interviewed for additional detail, in the Area Central office.

VAN DYKE, Jason D -----

related the same sequence of events as documented in his original interview at the scene of this incident.

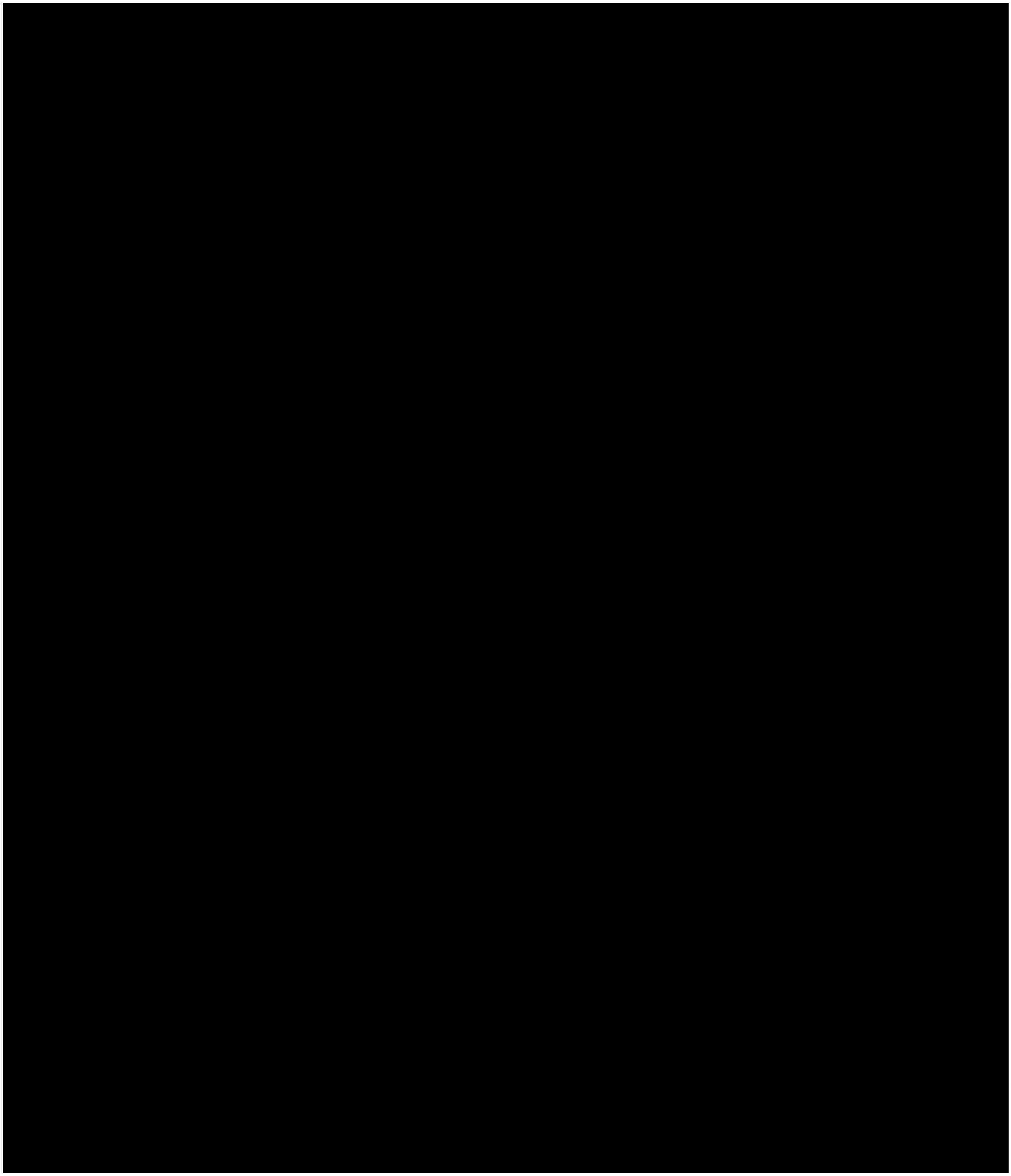
VAN DYKE additionally articulated the reasoning behind his decision to use deadly force against the offender in this incident, Laquan MCDONALD. VAN DYKE was aware of the radio transmissions from Officer Thomas GAFFNEY, on Beat 815R, that MCDONALD was armed with a knife. VAN DYKE was aware that MCDONALD had attacked the officers on Beat 815R by slashing the tire of their police vehicle.

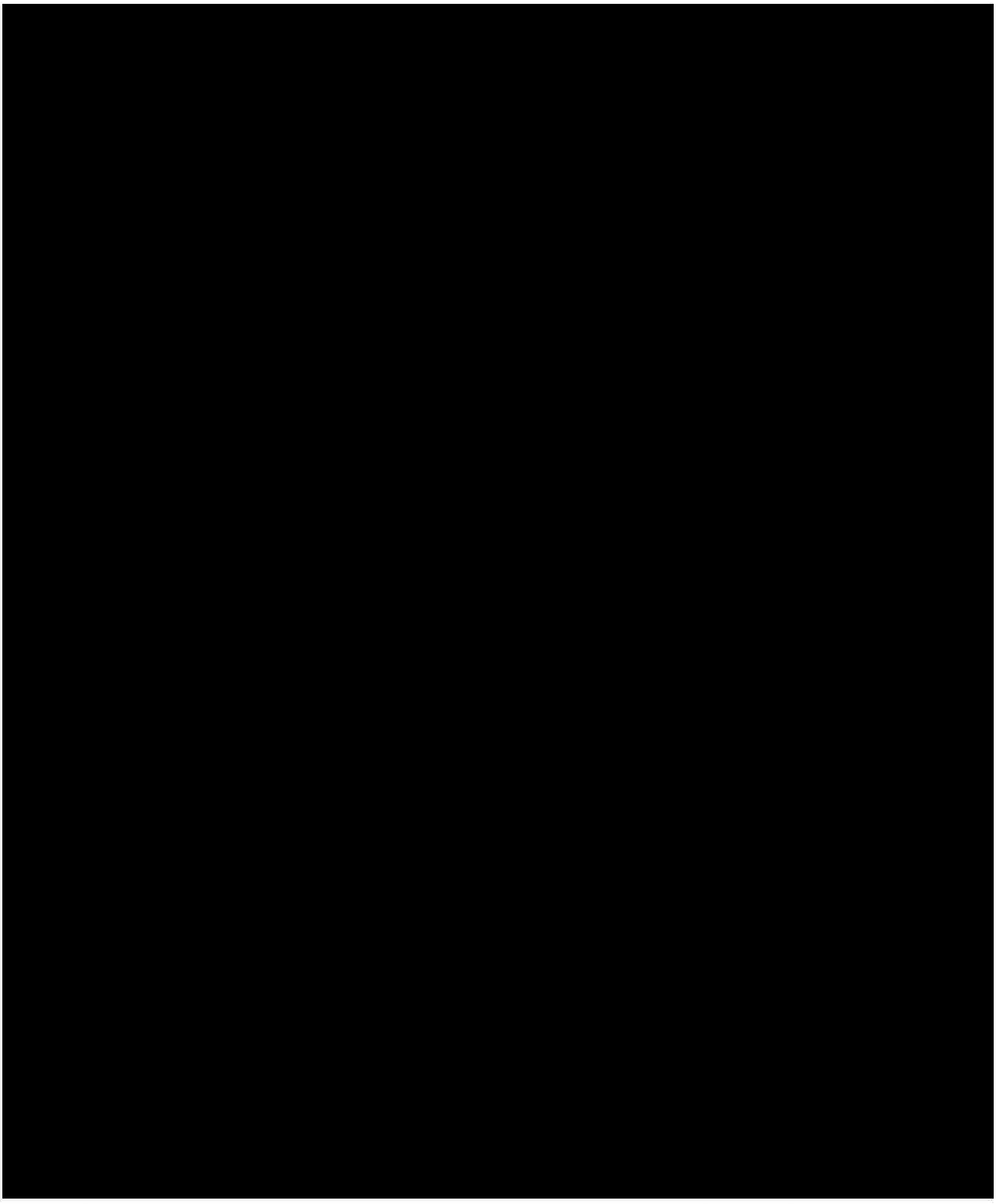
As he confronted MCDONALD at 4112 South Pulaski Road, VAN DYKE saw that MCDONALD was in fact, armed with a knife, a deadly weapon. VAN DYKE was aware of the widely accepted teaching in law enforcement that an assailant armed with a knife was considered a deadly threat, if within 21 feet, because it was possible for such an assailant to close that distance and attack with the knife before a defensive shot could be fired from a handgun. VAN DYKE was also aware of the existence of throwing knives, which can be thrown from a distance, as well as spring loaded knives, which propel a blade through the air from the knife handle. VAN DYKE also said he recalled a previously issued Chicago Police Department bulletin warning of a weapon which appeared to be a knife but which actually was capable of firing a bullet, making it a firearm.

Subsequently, a search was conducted of the Chicago Police Department, Automated Message Center, to find the bulletin Officer Jason VAN DYKE remembered, regarding the weapon that appeared to be a knife, but was actually a firearm. This bulletin was issued on 04 December 2012. It was Officer Safety Alert number 2012-OSA-297. It was a warning regarding a "revolver knife" which was capable of firing .22 caliber cartridges.

Three witnesses had been transported into the Area Central office from the scene and were interviewed.

[redacted]





[redacted]

BARILLAS, Rudy C -----

related the same facts as [redacted] BARILLAS re-iterated that Laquan MCDONALD swung his knife at BARILLAS, attempting to cut him. BARILLAS stated he was the person who called 9-1-1 regarding this incident.

A canvass was conducted of the area near the scene of this incident for any recorded video.

There were no Police Observation Devices, or other City of Chicago video cameras in the area.

Recorded video was recovered from three cameras on the exterior of the building housing the Greater Chicago Food Depository, at 4100 West Ann Lurie Place. Two of these videos showed two different views of Laquan MCDONALD walking eastbound on the sidewalk, on the south side of 40th Street, between Keeler and Karlov Avenues. Officer Joseph MCELLIGOTT was following MCDONALD on foot, maintaining a safe distance between himself and MCDONALD, while Officer Thomas GAFFNEY was following MCDONALD in a police vehicle. The third video did not capture any part of this incident.

Recorded video was recovered from two cameras at the Dunkin' Donuts restaurant, at 4113 South Pulaski Road. One of these videos showed the end of this incident, when Officers Jason VAN DYKE and Joseph WALSH stopped their vehicle, exited the vehicle and confronted Laquan MCDONALD. The view in this video is from a distance. The video from the second camera did not capture any part of this incident.

Recorded video was recovered from two cameras from Focal Point, 4141 South Pulaski Road. These videos did not capture any part of this incident.

All of the recovered video was inventoried.

A Major Case Review of this case was conducted at the Illinois State Police Crime Laboratory, on Thursday, 30 October 2014. An Evidence Submission Form was completed per this review.

The assigned personnel became aware of a potential question regarding the integrity of the video recovered from the Burger King restaurant. In an attempt to follow-up on this issue the assigned personnel proceeded to the restaurant on Wednesday, 11 March 2015. Manager, Anais CALDERON was contacted at the restaurant. She stated that the video system at the restaurant had recently been repaired and a new digital video recorder had been installed. CALDERON said

that as of this date, 11 of the 16 video ports in the system actually recorded video. This was consistent with the video recovered on the date of this incident. Video was recorded and recovered on 11 of the 16 video ports in the system on that date.

Any additional inquiries regarding the video system at the restaurant were referred to the district manager responsible for that restaurant, Jay DARFHANE. He was contacted and related that the day after this incident occurred, personnel from the Independent Police Review Authority, of the City of Chicago, came to the restaurant. They viewed video from the system and took custody of the digital video recorder. The recorder was returned to the restaurant two weeks later. Personnel from the Federal Bureau of Investigation then came to the restaurant and made copies of video from the system. After that some lawyers came to the restaurant with subpoenas to make copies of video from the system. Finally, DARFHANE stated that personnel from the Federal Bureau of Investigation had come to the restaurant again, approximately three weeks prior to this interview, and took the digital video recorder. DARFHANE did not have any further information regarding the video system.

The assigned personnel also became aware of an article written by Craig FUTTERMAN, a professor at the University of Chicago Law School, citing the existence of an unknown witness to this incident. FUTTERMAN was contacted on Thursday, 12 March 2015, in an attempt to interview this witness. FUTTERMAN stated that this witness had already been interviewed by the Independent Police Review Authority and FUTTERMAN did not know if the witness would be willing to be interviewed by the Chicago Police Department. FUTTERMAN said he would contact the witness and provide him with contact information for the assigned personnel.

Based upon all the facts known at this time, and the death of the only offender in this incident, this case is now Exceptionally Cleared Closed / Other Exceptional Clearance - Death of Offender.

The above to-date investigation determined that Laquan MCDONALD was an active assailant who, while armed with a dangerous weapon, used force likely to cause death or serious injury to a private citizen when he attacked Rudy BARILLAS; threatened the imminent use of force likely to cause death or serious injury when he incised the tire and stabbed the windshield of a Chicago Police Department vehicle occupied by Officer Thomas GAFFNEY; and initiated imminent use of force likely to cause death or serious injury when he initiated an attack on Officers Jason VAN DYKE and Joseph WALSH. The above investigation concluded that Officer Jason VAN DYKE's use of deadly force, the discharging of his duty firearm, was within the bounds of the Chicago Police Department's use of force guidelines, and in conformity with local ordinances and state law.

Based on the above facts, the associated report, under Records Division number HX486155, is now Closed / Non-Criminal.

REPORT OF:

Detective David M MARCH #20563
Sergeant Daniel GALLAGHER #1303
Lieutenant Anthony WOJCIK #481
Bureau of Detectives - Area Central

CHICAGO POLICE DEPARTMENT

CASE SUPPLEMENTARY REPORT

3510 S. Michigan Avenue, Chicago, Illinois 60653

(Tel ext by Chicago Police - Bureau of Investigative Services Personnel Only)

HX475653

Case Id: [redacted] CASH[redacted]
Sup Id: [redacted]

PROGRESS-VIOLENT(SCENE)		DETECTIVE SUP. APPROVAL COMPLETE			
Last Officer Classification/Re-Classification	UCR Code	Original Offense Classification			IUCR Code
ASSAULT / Aggravated Po:Knife/Cut Instr	0552	ASSAULT / Aggravated Po:Knife/Cut Instr			0552
Address of Occurrence	Beat of Occur	No of Victims	No of Offenders	No of Arrestee	RD# No
4112 S PULASKI RD	815	4	1	1	
Location Type	Location Code	Secondary Location			Hate Crime
Street	304				No
Date of Occurrence	Unit Assigned	Date RD Arrived	Fire Related?	Gang Related?	Domestic Related?
20-OCT-2014 21:57	0841R	20-OCT-2014 21:57	NO	NO	NO

Reporting Officer	Star No	Approving Supervisor	Star No	Primary Detective Assigned	Star No
MARCH, David	20563	WOJCIK, Anthony	481	MARCH, David	20563
Date Submitted		Date Approved		Assignment Type	
15-MAR-2015 18:23		16-MAR-2015 00:03		FIELD	

THIS IS A FIELD INVESTIGATION PROGRESS-VIOLENT(SCENE) REPORT

VICTIM(S):

GAFFNEY, Thomas J
Male / White / 41 Years
EMPLOYMENT: Chicago Police Officer #19958

EMPLOYER BUSINESS NME: Chicago Police Department
BUS: 3420 W 63rd St
Chicago IL
312-747-8730

VAN DYKE, Jason D
Male / White / 36 Years
EMPLOYMENT: Chicago Police Officer #9465

EMPLOYER BUSINESS NME: Chicago Police Department
BUS: 3420 W 63rd St
Chicago IL
312-747-8730

WALSH, Joseph J
Male / White / 45 Years
EMPLOYMENT: Chicago Police Officer #12865

EMPLOYER BUSINESS NME: Chicago Police Department
BUS: 3420 W 63rd St
Chicago IL
312-747-8730

MCELLIGOTT, Joseph P
Male / White / 36 Years
EMPLOYMENT: Chicago Police Officer #18715

HX475653

EXHIBIT 6 016

LOG# 1072125

Attachment 152

EMPLOYER BUSINESS NME: Chicago Police Department

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

OFFENDER(S) **MCDONALD, Laquan J** -- In Custody--

ALIAS: "Bon-Bon"

Male / Black / 17 Years

DOB: [redacted]

DESCRIPTION: 6'02, 180, Black Hair, Dreadlocks Hair Style, Brown Eyes, Medium Complexion

RES: [redacted]

BIRTH PLACE: Illinois

DLN/ID: [redacted]

OTHER IDENTIFICATIONS: **Type -** Other Id
State - Unknown

IR#: 2106340

SID#: [redacted]

RELATIONSHIP OF VICTIM TO OFFENDER:

GAFFNEY, Thomas J	- No Relationship
MCELLIGOTT, Joseph P	- No Relationship
VAN DYKE, Jason D	- No Relationship
WALSH, Joseph J	- No Relationship

GANG INFORMATION:

-

LISTED CRIMINAL ORGANIZATION: New Breed

GANG IDENTIFIERS: Other

ITEM USED:

Weapon

OFFENDER INJURIES: **MCDONALD, Laquan J**

Type	Weapon Used	Weapon Description
Gun Shot Wound	Handgun	Other - Handgun

Injured by Police

Chicago Fire Department Provided First Aid

EXTENT OF INJURY: Multiple Gsw

HOSPITAL REMOVED BY: Cfd Ambulance 21

INJURY TREATMENT: Multiple Gsw

PHYSICIAN NAME: Dr Pitzele

WEAPON(S): **INV#:** **13296449**

Evidence

Smith & Wesson -Us- (Bodyguard,Chief Special), 5942, 9, Semi-Automatic Pistol, Semi-Automatic, 4", Stainless

SERIAL#: [redacted]
PROPERTY TYPE: OTHER
OWNER: Van Dyke, Jason
POSSESSOR/USER: VAN DYKE, JASON

PHONE #: 312 - 747 - 8730
LOCATION FOUND: 5101 S WENTWORTH AVE
Number Of Live Rounds present in the Firearm - 15
Number Of Live Rounds used in the Firearm - 16
The Status Of This Firearm is 628361

VEHICLE INFO:

Truck, 2010 / Chevrolet / Tahoe / Truck
Victim's Vehicle
VIN: 1GNMCAE0XAR263348
YEAR (RANGE): 2010
COLOR(TOP/BOTTOM): White / White
OWNER: Chicago Police Department
POSSESSOR/USER: GAFFNEY, THOMAS
PHONE#: 312 - 747 - 8730
The Vehicle was Seized
LOCATION FOUND: 4102 S PULASKI RD

LICENSE: Mp6581, Law Enforcement (City, County, State, Sos), IL

LOCATION OF INCIDENT:
4112 S Pulaski Rd
Chicago IL
304 - Street

DATE & TIME OF INCIDENT:
20-OCT-2014 21:57

JUST HOMICIDE DESCRIPTION: Criminal Killed By Police Officer

ADDITIONAL JUST HOMICIDE DESCR.: Criminal Attacked Officer That Officer Killed Criminal

WEATHER AND LIGHTING:
WEATHER: Cloudy & Cool
TEMPERATURE: 50s
LIGHTING: Dark / Artificial Light
LIGHTING SOURCE: Streetlights
DISTANCE: Overhead

MOTIVE CODE(S): Interceding In A Felony
CAUSE CODE(S): Dna
METHOD CODE(S): Offender Shot
CAU CODE(S): Police Related Not Con

FIREARM(S) RECOVERED:
INV #: **13296449**
Evidence
Smith & Wesson -Us- (Bodyguard,Chief Special), 5942, 9, Semi-Automatic Pistol, Semi-Automatic, 4", Stainless

SERIAL#: [redacted]
PROPERTY TYPE: OTHER

OWNER: Van Dyke, Jason
POSSESSOR/USER: VAN DYKE, JASON

PHONE #: 312 - 747 - 8730
LOCATION FOUND: 5101 S WENTWORTH AVE
Number Of Live Rounds present in the Firearm - 15
Number Of Live Rounds used in the Firearm - 16
The Status Of This Firearm is 628361

VEHICLE(S) DAMAGED: **Truck, 2010 / Chevrolet / Tahoe / Truck**

Evidence
VIN: 1GNMCAE0XAR263348
YEAR - YEAR RANGE END: 2010

COLOR (TOP/BOTTOM): White / White
OWNER: Chicago Police Department
POSSESSOR/USER: GAFFNEY, THOMAS
PHONE#: 312 - 747 - 8730
LOCATION FOUND: 4102 S PULASKI RD
LICENSE: Mp6581, Law Enforcement (City, County, State, Sos), IL

PERSONNEL ASSIGNED:

Detective/Investigator
MARCH, David M # 20563

Reporting Officer
FONTAINE, Dora # 4484 **BEAT:** 0841R

WITNESS(ES):

[redacted]

[redacted]

MONDRAGON, Janet

Female / White Hispanic / 37 Years
EMPLOYMENT: Chicago Police Officer #4364

BUS: 3420 W 63rd St
Chicago IL
312-747-

[redacted]

VELEZ, Leticia

Female / White Hispanic / 43 Years
EMPLOYMENT: Chicago Police Officer #10385

BUS: 3420 W 63rd St
Chicago IL
312-747-
8730

BACERRA, Arturo

Male / White Hispanic / 32 Years
EMPLOYMENT: Chicago Police Officer #15790

[redacted]

FONTAINE, Dora

Female / White Hispanic / 47 Years
EMPLOYMENT: Chicago Police Officer #4484

BUS: 3420 W 63rd St
Chicago IL
312-747-
8730

[redacted]

SEBASTIAN, Daphne L

Female / White / 45 Years
EMPLOYMENT: Chicago Police Officer #2763

BUS: 3420 W 63rd St
Chicago IL
312-747-
8730

[redacted]

[redacted]

VIRAMONTES, Ricardo

Male / White Hispanic / 41 Years

EMPLOYMENT: Chicago Police Officer #10590

BUS: 3420 W 63rd St
Chicago IL
312-747-
8730

OTHER INDIVIDUALS INVOLVED:

BARILLAS, Rudy C (Additional Victim)

Male / White Hispanic / 43 Years

DOB: [redacted]

RES: [redacted]

EMPLOYMENT: Self-Employed Truck Driver

OTHER COMMUNICATIONS:

Cellular Phone: [redacted]

DLN/ID: [redacted]

[redacted]

[redacted]

wed

CRIME CODE SUMMARY: 0552 - Assault - Aggravated Po:Knife/Cut Instr

IUCR ASSOCIATIONS:

0552 - Assault - Aggravated Po:Knife/Cut Instr

GAFFNEY, Thomas, J	(Victim)	
MCDONALD, Laquan, J		(Offender)
MCELLIGOTT, Joseph, P	(Victim)	
MCDONALD, Laquan, J		(Offender)
VAN DYKE, Jason, D	(Victim)	
MCDONALD, Laquan, J		(Offender)
WALSH, Joseph, J	(Victim)	
MCDONALD, Laquan, J		(Offender)

INCIDENT NOTIFICATION:
NOTIFICATION DATE & TIME: 10/20/2014:230700
REQUEST TYPE: Notification
PERSON NAME: ,Sarlo
STAR #: 13131

INCIDENT NOTIFICATION:
NOTIFICATION DATE & TIME: 10/20/2014:231400
REQUEST TYPE: Notification
PERSON NAME: ,Jines
STAR #: 4898

INCIDENT NOTIFICATION:
NOTIFICATION DATE & TIME: 10/20/2014:215000
REQUEST TYPE: On Scene
PERSON NAME: ,March
STAR #: 20563

INCIDENT NOTIFICATION:
NOTIFICATION DATE & TIME: 10/21/2014:225800
REQUEST TYPE: Notification
PERSON NAME: ,Chibe
STAR #: 7303

INCIDENT NOTIFICATION:
NOTIFICATION DATE & TIME: 10/20/2014:235000
REQUEST TYPE: Notification

PERSON NAME: ,Briggs

EMP #: 76

REPORT DISTRIBUTIONS: No Distribution

INVESTIGATION:

AREA CENTRAL FIELD INVESTIGATION:

Progress - Scene Report.

TYPE OF INCIDENT:

ASSAULT / Aggravated of a Police Officer - Knife
IUCR - 0552.

RECORDS DIVISION NUMBER:

HX475653.

EVENT NUMBER:

1429315878.

DATE AND TIME:

Mon, 20 Oct 2014, 21:57 hours.

LOCATION:

4112 S Pulaski Rd,
on the street - Beat 815.

WEATHER AND LIGHTING:

Cloudy and cool, temperature in the 50s.
Dark with good artificial light provided by overhead streetlights, all on and functioning normally. Additional artificial light provided by lighting of nearby businesses.

DATE AND TIME ASSIGNED:

Mon, 20 Oct 2014, 22:00 hours,
by Sgt D GALLAGHER #1303.

VICTIMS:

VAN DYKE, Jason D,
CPD - PO, #9465,
M / W / 36,

Assigned to 008th District,
3420 W 63rd St,
312-747-8730,
On duty,
Beat 845R,
In uniform -
Light blue long sleeve shirt with shoulder patches,
Black body armor vest with patches,
Navy blue cargo pants,
Equipment belt with handgun and radio,
Marked vehicle -
CPD vehicle # 6412,
Chevrolet Tahoe, four door SUV,
Illinois license plate # M172910.

WALSH, Joseph J,
CPD - PO, #12865
M / W / 45,
Assigned to 008th District,
3420 W 63rd St,
312-747-8730,
On duty,
Beat 845R,
In uniform -
Light blue long sleeve shirt with shoulder patches,
Black body armor vest with patches,
Navy blue cargo pants,
Equipment belt with handgun and radio,
Marked vehicle -
CPD vehicle # 6412,
Chevrolet Tahoe, four door SUV,
Illinois license plate # M172910.

GAFFNEY, Thomas J,
CPD - PO, #19958,
M / W / 41,
Assigned to 008th District,
3420 W 63rd St,
312-747-8730,
On duty,
Beat 815R,
In uniform -
Uniform baseball style cap with embroidered patch,
Light blue long sleeve shirt with shoulder patches,
Black body armor vest with patches,
Navy blue cargo pants,
Equipment belt with handgun and radio,
Marked vehicle -
CPD vehicle # 8489,

Chevrolet Tahoe, four door SUV,
Illinois license plate # MP6581.

MCELLIGOTT, Joseph P,
CPD - PO, #18715,
M / W / 36,
Assigned to 008th District,
3420 W 63rd St,
312-747-8730,
On duty,
Beat 815R,
In uniform -
Light blue long sleeve shirt with shoulder patches,
Black body armor vest with patches,
Navy blue cargo pants,
Equipment belt with handgun and radio,
Marked vehicle -
CPD vehicle # 8489,
Chevrolet Tahoe, four door SUV,
Illinois license plate # MP6581.

ADDITIONAL VICTIMS:

ASSAULT / Aggravated - Knife
IUCR - 0520.

BARILLAS, Rudy C,
M / WH / 43, [redacted]
Self-employed truck driver,
Gang - None,
[redacted]
FBI# 578442XA2,
[redacted]
IR# 1115023.

INJURIES:

No injuries to any victims.

OFFENDERS:

Deceased -----
MCDONALD, Laquan J,
Nickname - "Bon-Bon,"
M / B / 17, [redacted]

[redacted],
Gang - New Breeds per CPD records,
6'02",
180 lbs,
Slender build,
Black hair in dreadlocks,
Brown eyes,
Medium complexion,
[redacted]
IR# 2106340.

CLOTHING:

Inventory # 13296470 (Unit 277)
1 - Black hooded sweatshirt,
1 - Black sweatshirt,
1 - Pair blue jean pants,
1 - Pair black boxer shorts underwear,
1 - Pair black socks,
1 - Pair black gym shoes.
Recovered at the Office of the Medical Examiner
by Crime Lab Beat 5809.
To ERPS - No analysis needed at this time.

IDENTIFIED BY:

State of Illinois ID Card on Laquan MCDONALD's person.

FAMILY NOTIFICATION:

[redacted]
Uncle of Laquan MCDONALD.

INJURIES:

Fatal
1 - GSW to left neck, lodged,
1 - GSW, T & T, entrance left chest, exit rear left shoulder,
1 - GSW to right chest, lodged,
1 - GSW, T & T, entrance outer rear left elbow,
exit inner front left elbow,
1 - GSW, T & T, entrance rear upper right arm,
exit front upper right arm,
1 - GSW, T & T, entrance back of left wrist,

exit front of left forearm,
1 - GSW, T & T, entrance front of right hip, exit inner right thigh,
1 - GSW, T & T, entrance rear upper left shoulder,
exit left shoulder blade,
1 - GSW, T & T, entrance outer rear left elbow,
exit inner rear left elbow,
1 - GSW, T & T, entrance rear right shoulder,
exit upper right back,
1 - GSW to back of right arm, just below elbow, lodged,
1 - GSW to back of right wrist, lodged,
1 - GSW to back of right hand, lodged,
1 - GSW to right buttocks, lodged,
1 - GSW to back of right thigh, lodged,
1 - GSW, graze wound to left side top of head.

TAKEN TO:

Mount Sinai Hospital by CFD Ambulance 21.

PRONOUNCED BY:

Dr PITZELE, at Mount Sinai Hospital,
Mon, 20 Oct 2014, at 22:42 hours.

MEDICAL EXAMINER CASE NUMBER:

2014 - 01071.

WEAPONS:

Offender, MCDONALD, Laquan J -----
Inventory # 13296495 (Unit 277)
1 - Folding knife,
7" overall, 3" blade (Marker C).
Recovered from the street at 4112 S Pulaski Rd,
by Crime Lab Beat 5802. Blade locked open when recovered.
Request for analysis by Latent Prints Section.

Victim, VAN DYKE, Jason D (PO) -----
Inventory # 13296449 (Unit 277)
1 - Smith and Wesson, Model 5942, 9 mm caliber,
semi-automatic pistol, stainless steel, 4" barrel,
serial # TDU5969,
1 - 9 mm caliber cartridge from firing chamber,
14 - 9 mm caliber cartridges from magazine,
2 - Fifteen round magazines.
Recovered in the Bureau of Detectives - Area Central office
by ET Beat 5824.
IL FOID card # [redacted],

expiration 01 May 2019,
Chicago registration # 628361.
Request for analysis by Firearms Section.

VEHICLES:

CPD vehicle damaged by Laquan MCDONALD -
CPD vehicle # 8489,
Beat 815R,
Marked vehicle,
2010 Chevrolet Tahoe, four door SUV, white / white,
VIN - 1GNMCAE0XAR263348,
IL license plate # MP6581.
Right front tire flat after MCDONALD stabbed the tire with a knife, damage to right side of windshield from knife.

MANNER / MOTIVE:

Laquan MCDONALD was shot and killed by Chicago Police Officer Jason VAN DYKE while MCDONALD was committing an aggravated assault with a knife against Officer VAN DYKE and his partner, Chicago Police Officer Joseph WALSH. MCDONALD also committed an aggravated assault with a knife against Chicago Police Officers Thomas GAFFNEY and Joseph MCELLIGOTT, when MCDONALD stabbed the right front tire and windshield of their police vehicle, and an aggravated assault with a knife against civilian, Rudy BARILLAS, immediately prior to being confronted by Officers VAN DYKE and WALSH. / Peace officer interceding in a felony, in the line of duty-Defense of life (Offender apparently attempting to defeat arrest).

REFERENCE NUMBERS:

U # 2014 - 36.

Log # 1072125.

RD# HX486155
HOMICIDE / Justifiable Homicide
IUCR - 0150.

PROPERTY TAKEN:

None.

EVIDENCE:

Video of scene taken by Crime Lab Beat 5802.

Photographs of scene taken by Crime Lab Beat 5802.

Photographs of victim police officers taken by ET Beat 5824.

See Weapons and Clothing categories above.

Inventory # 13296485 (Unit 277)
14 - 9 mm caliber cartridge cases (Markers 1 & 4 - 16).
Recovered from the street at 4112 S Pulaski Rd
by Crime Lab Beat 5802.
Request for analysis by Firearms Section.

Inventory # 13296489 (Unit 277)
2 - 9 mm caliber cartridge cases (Markers 2 & 3).
Recovered from the street at 4112 S Pulaski Rd
by Crime Lab Beat 5802.
Request for analysis by Firearms Section.

Inventory # 13296500 (Unit 277)
1 - Swab box containing two swabs of suspect red blood stains
(Marker B).
Recovered from the street at 4112 S Pulaski Rd
by Crime Lab Beat 5802.
To ERPS - No analysis needed at this time.

Inventory # 13296511 (Unit 277)
5 - Metal fragments (Markers A, D, E, F & G).
Recovered from the street at 4112 S Pulaski Rd
by Crime Lab Beat 5802.
Request for analysis by Firearms Section.

Inventory # 13296523 (Unit 277)
1 - Firestone Firehawk tire with damage, attached to rim.
Recovered from CPD vehicle # 8489 (Beat 815R),
at 4102 S Pulaski Rd, by Crime Lab Beat 5802.
To ERPS - No analysis needed at this time.

Inventory # 13296528 (Unit 277)
4 - Ridge impression lifts.
Recovered from the right front quarter panel of CPD vehicle
8489 (Beat 815R), by Crime Lab Beat 5802.
To ERPS - No analysis needed at this time.

Inventory # 13296534 (Unit 277)
1 - Envelope containing metal fragments,
recovered from the sweater of Laquan MCDONALD,
by Crime Lab Beat 5802,
3 - Metal fragments in a container,
recovered from Laquan MCDONALD at Mount Sinai Hospital,

given to Det W JOHNSON #20169, by RN Allan GAYAN,
turned over to Crime Lab Beat 5802,
at Mount Sinai Hospital.
Request for analysis by Firearms Section.

Inventory # 13296451 (Unit 277)
1 - Set of elimination prints, including palms,
from PO J MCELLIGOTT #18715.
Taken by ET Beat 5824.
To ERPS - No analysis needed at this time.

Inventory # 13296452 (Unit 277)
1 - Set of elimination prints, including palms,
from PO T GAFFNEY #19958.
Taken by ET Beat 5824.
To ERPS - No analysis needed at this time.

Inventory # 13296464 (Unit 277)
1 - Sealed ME blood card.
Recovered at the Office of the Medical Examiner
by Crime Lab Beat 5809.
To ERPS - No analysis needed at this time.

Inventory # 13296668 (Unit 277)
1 - Sealed ME bullet envelope.
Recovered at the Office of the Medical Examiner
by Crime Lab Beat 5809.
Request for analysis by Firearms Section.

Inventory # 13337048 (Unit 610)
1 - CD containing compilation of video.
Created by Det R HAGEN #20606.

Inventory # 13337053 (Unit 610)
1 - CD containing video from the Greater Chicago Food
Depository, 4100 W Ann Lurie Pl.
Recovered by Det J MALIK #20729.

Inventory # 13337056 (Unit 610)
1 - CD containing video from in-car camera, Beat 845R,
1 - CD containing video from in-car camera, Beat 813R.

Inventory # 13337060 (Unit 610)
1 - CD containing video from Dunkin' Donuts, 4113 S Pulaski Rd.
Recovered by Det R HAGEN #20606.

Inventory # 13337065 (Unit 610)
1 - DVD containing video from Focal Point, 4141 S Pulaski Rd.
Recovered by Det J MALIK #20729.

Inventory # 13337077 (Unit 610)
1 - CD containing OEMC audio recording of call to 9-1-1,
1 - CD containing OEMC audio recording
of CPD radio zone 6 transmissions.

Inventory # 13337080 (Unit 610)
1 - CD containing photos from ME autopsy.

Inventory # 13337087 (Unit 610)
1 - State of Illinois ID card, Lequan J MCDONALD,
1 - RTA ADA Paratransit & Reduced Fare Card,
Earnest THOMAS,
1 - Ventra, CTA ticket,
1 - Receipt for above Ventra, CTA ticket.
Recovered from Laquan MCDONALD at Mount Sinai Hospital.

Inventory # 13394378 (Unit 610)
1 - Disk containing video from in-car camera, Beat 815R
(No relevant footage).

Inventory # 13394389 (Unit 610)
3 - DVDs containing video from Burger King restaurant
at 4060 S Pulaski Rd (No relevant footage).

Inventory # 13394394 (Unit 610)
1 - DVD containing video from in-car camera,
CPD vehicle # 9049 (No relevant footage).

Inventory # 13394398 (Unit 610)
1 - CPD Officer Safety Alert, # 2012-OSA-297.

PERSONNEL ASSIGNED:

Car 41 (Bureau of Patrol - Area Central / OCIC)
D/C D MCNAUGHTON #120

Beat 800
Cmdr J O'DONNELL #13
Beat 800X
Capt D WALSH #107
Beat 810R
Sgt S FRANKO #1381
Beat 830R
Sgt P MCGLYNN #1734
Beat 841R (Original report)
PO D FONTAINE #12698
PO R VIRAMONTES #10590
Beat 821R (Scene)
PO P KENNING #8302

PO R ROSALES #9654
Beat 823R (Scene)
PO D IVANKOVICH #12392
PO J TORRES #19898
Beat 833R (Scene)
PO A VANCE #11830
PO J GEISBUSH #16422
Beat 851R (Scene)
PO L GARCIA #6490
PO E FLAGG #12037
Beat 825R (Scene)
PO M POWER #8661
PO D WAHRER #13454
Beat 842 (Mt Sinai Hospital)
PO T DZIADKOWIEC #15529
PO C GACEK #17853
Beat 846R (Mt Sinai Hospital)
PO L TORRES #10573
PO M VEGA #8526

Beat 9210 (In-car camera system)
Sgt L BECVAR #1748

Beat 5880
Sgt D FRIEL #819
Beat 5802 (Scene)
FI C BRASIC #10201
ET K JUDEH #8825
Beat 5824 (Area Central)
ET P RIDER #9977
Beat 5809 (ME)
FI V RIVERA #11520
Beat 5885 (MIRV)
Det M RICKER #20201

Beat 5100
Cmdr E ROY #62
Beat 5105
Lt A WOJCIK #481
Beat 5107
Lt O VALDEZ #529
Beat 5120
Sgt D GALLAGHER #1303
Beat 5121
Det D MARCH #20563
Beat 5122
Det G JONES #21285
Beat 5131
Det J HALLORAN #20453

Det J MURRAY #21128
Beat 5132
Det F CASALE #21041
Det D HICKEY #20723
Beat 5165B
Det R HAGEN #20606
Det A MANAOIS #20320
Beat 5166A
Det R RANZZONI #20162
Beat 5127
Det V WATHEN #20493
Beat 5193
Det M NESTAD #20505
Det W JOHNSON #20169
Beat 5194
Det A GLAVIANO #21443
Beat 5192
Det T TEAHAN #20462
Beat 5125
Det T CURRAN #20948
Beat 5102D
Det B SVEC #20941
Beat 5142
Det S ESPARZA #20140
Beat 5106B
Det J MALIK #20729

IPRA
Chief of Staff S HIRSCH #3
Supervisor A AMEZAGA #022
Investigator B KILLEN #129
Public Affairs L MERRITT #23

FOP
PO Marlon HARVEY #16468
Kriston KATO
Daniel HERBERT (Attorney)

WITNESSES:

SEBASTIAN, Daphne L,
CPD - PO, #2763,
F / W / 45,
Assigned to 008th District,
3420 W 63rd St,
312-747-8730,
Beat 813R
(Circumstantial witness).

MONDRAGON, Janet,
CPD - PO, #4364,
F / WH / 37,
Assigned to 008th District,
3420 W 63rd St,
312-747-8730,
Beat 813R
(Circumstantial witness).

BACERRA, Arturo,
CPD - PO, #15790,
M / WH / 32,
Assigned to 008th District,
3420 W 63rd St,
312-747-8730,
Beat 822
(Circumstantial witness).

VELEZ, Leticia,
CPD - PO, #10385,
F / WH / 43,
Assigned to 008th District,
3420 W 63rd St,
312-747-8730,
Beat 822
(Circumstantial witness).

FONTAINE, Dora,
CPD - PO, #4484
F / WH / 47,
Assigned to 008th District,
3420 W 63rd St,
312-747-8730,
Beat 841R
(Eyewitness).

VIRAMONTES, Ricardo,
CPD - PO, #10590,
M / WH / 41,
Assigned to 008th District,
3420 W 63rd St,
312-747-8730,
Beat 841R
(Eyewitness).

[redacted]

[redacted]

(Circumstantial witness).

INTERVIEWE[redacted]

INVESTIGATION:

The details of this investigation are documented in the following Exceptionally Cleared Closed Report.

REPORT OF:

Detective David M MARCH #20563
Sergeant Daniel GALLAGHER #1303
Lieutenant Anthony WOJCIK #481
Bureau of Detectives - Area Central

CHICAGO POLICE DEPARTMENT

ORIGINAL CASE INCIDENT REPORT

3510 S. Michigan Avenue, Chicago, Illinois 60653
(For use by Chicago Police Department Personnel Only)

RD #: HX486155
EVENT #: 1430116812

This Document is not an official copy. It is a computerized version of data entered from an original case report. A copy of the original case report can be obtained from the Records Division

INCIDENT

ASSIGNED TO FIELD

IUCR: 0520 - Assault - Aggravated:Knife/Cutting Instr

Occurrence Location: 4101 S Kildare Blvd
Chicago IL 60632
304 - Street

Beat: 0615

Unit Assigned: 5121
RO Arrival Date: 20 October 2014 22:15

Occurrence Date: 20 October 2014 21:47

NON OFFENDER

VICTIM

Name: BARILLAS, Rudy C

Res. [redacted]

Beat: 0824

Beat: 6100

Demographics

Male
White Hispanic

DOB: [redacted]
Age: 43 Years

INJURIES

Injury Info (BARILLAS,Rudy C - Victim)

Type	Other Weapon Used
None Visible	Other - Knife

SUSPEC.

Suspect # 1

Name: MCDONALD, Laquan J

Res: [redacted]

Beat: 0722

Demographics

Male
Black

DOB: [redacted]
Age: 17 years

RELATIONSHIP

RELATIONSHIP

(Victim) BARILLAS, Rudy,C — is a — No Relationship of — (Offender) MCDONALD, Laquan,J

DOMESTIC INFO

EXHIBIT 7 016

RD #: HX486155

Print Generated By: MARCH,DAVID [redacted] Page 1 of 2 20-DEC-2014 00:42

CLEAR Confidential

NARRATIVE

ADDITIONAL VICTIMS: IUCR 0552

GAFFNEY, Thomas J,
CPD PO, #19958,
M / W / 41.

VAN DYKE, Jason D
CPD PO, #9465,
M / W / 36.

WALSH, Joseph J,
CPD PO, #12865,
M / W / 45.

INVESTIGATION:

The offender in this incident, Laquan MCDONALD, committed an aggravated assault against the victim, Rudy BARILLAS, by attempting to cut BARILLAS with a knife. BARILLAS called 9-1-1. Chicago Police Officers Thomas GAFFNEY, Jason VAN DYKE and Joseph WALSH responded to BARILLAS' call. MCDONALD committed aggravated assaults against the three officers, finally forcing Officer VAN DYKE, in defense of his life, to shoot and kill MCDONALD. Details of this investigation are reported under the HOMICIDE / Justifiable, recorded under Records Division number HX475653.

PERSONNEL

	Star No	Emp No	Name	User	Date	Unit	Beat
Approving Supervisor	1303	[redacted]	**GALLAGHER, Daniel, A**	[redacted]	29 Oct 2014 22:06	610	
Detective/Investigator	20563		**MARCH, David, M**	[redacted]	29 Oct 2014 22:07	610	
Reporting Officer	20563		**MARCH, David, M**	[redacted]	29 Oct 2014 21:05	610	5121

CLEAR Technology

GENERAL PROGRESS REPORT
ECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT	DATE OF THIS REPORT
20 JUL 2014	20 JUL 2014

OFFENSE CLASSIFICATION—LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0452	VANDYKE	512.1

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

D FONTAINE

RESPONDED TO REQUEST FOR ASSIST, 6 ISR
MAN W/KNIFE, 41 + PULASKI
P V DROVE N/B PULASKI
WITNS THEY ARRIVED AT SCENE, N FRONT OF DD,
SAW O WALKING S/B, IN ST, KNIFE, IN R HAND
O WALKING ~~[illegible]~~ SIDEWALK, BODY FACING E,
TOWARD JVS + JW
POs STANDING IN ST, ~~FOR~~ SIDE OF THEIR ~~VEHICLE~~ -
TABLE FACING S/B
HEARD POs REPEATEDLY "DROP THE KNIFE!"
O IGNORED, RAISED R ARM TOWARD VO AS IF
ATTACKING VO
VO FIRED MULTIPLE SHOTS UNTIL O FELL TO
GROUND + STOPPED MOVING R ARM + HAND, STILL
GRASPING KNIFE
SHOTS = RAPID FIRE, WITHOUT PAUSE
WALSH THEN KICKED KNIFE FROM O'S HAND

EXHIBIT 8

RD NO. HX475653

REPORTING OFFICER'S SIGNATURE—STAR NO. 20563

RECEIVED BY: SUPERVISOR'S SIGNATURE—STAR NO. | DAY—MO.—YR. | TIME

CPD-22.122 (Rev. 2/90)

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT	DATE OF THIS REPORT
20 OCT 2011	20 OCT 2011

OFFENSE CLASSIFICATION--LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0452	WALDYKS	512

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

J MONDRAGON

DRIVING W/B 40, SAW M/B RUNNING E/B THROUGH BK LOT
MADE U-TURN, BACK OUT TO PULASKI
S/B ON PULASKI
SAW A RUNNING S/B PULASKI, MIDDLE OF ST
AS SHE GOT CLOSER, SAW KNIFE IN R HAND
A WAVING KNIFE
SAW JM + JVS OUTSIDE THEIR TAHOE
HEARD POS REPEATEDLY, "DROP THE KNIFE!" AS
O GOT CLOSER + CLOSER TO POS, CONTINUING
TO WAVE KNIFE
AS JM PLACED TRANC, JVS P. LOOKED DOWN,
HEARD MULTIPLE CONTINUOUS SHOTS, NO PAUSE
THEN SAW O FALL TO GROUND
DID NOT KNOW WHO FIRED

EXHIBIT 9

HX475693

REPORTING OFFICER'S SIGNATURE--STAR NO.	RECEIVED BY: SUPERVISOR'S SIGNATURE--STAR NO.	DAY--MO.--YR.	TIME
20563			

CPD-23.122 (Rev. 2003)

...IRAL PROGRESS REPORT
...ECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR MILITARY TIME)
2 OCT 2014	2 OCT 2014 3

OFFENSE CLASSIFICATION—LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	VAN DYKE	512

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

J VAN DYKE P1 OF 2

RESPOND TO 818 R REQUEST FOR ASSIST
MAN W/KNIFE 40TH W OF PULASKI.
TASER REQUESTED.
HEARD GAFFNEY — O "POPPED" TIRE ON RADIO.
VO = O SLASHED TIRE W/KNIFE.
W/B ON 40TH SAW O = M/B.
RUNNING E/B IN BK LOT.
KNIFE IN R HAND.
McELLIGOTT PURSUING ON FOOT.
CIVILIAN ON 40TH POINTING TO O.
DASH DRIVE E/B INTO LOT IN PURSUIT.
N SIDE OF BK
USED VEHICLES TO BLOCK O FROM BK.
O RAN OUT ONTO PULASKI, THEN S/B.
TOWARD DD
WAGIT KEPT VEH BETWEEN O + DD
VO OPENED DOOR TO EXIT + CONFRONT O.
WAGIT — NO, TOO CLOSE.
DRDUS FURTHER S.
STOPPED AHEAD OF O

EXHIBIT 10 OIG

REPORTING OFFICER'S SIGNATURE	STAR NO.	RECEIVED BY: SUPERVISOR'S SIGNATURE	STAR NO.	DAY—MO.—YR	TIME
	20563		1500		

CPD-22.122 (Rev. 2/83)

HX425653

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 2014	20 OCT 2014 3

OFFENSE CLASSIFICATION—LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	VAN DYKE	512 1

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

J VAN DYKE P2 OF3

VS EXITED VEH. DREW HANDGUN
STOOD IN ST, FACING NB, TOWARD O
O COMING SB
KNIFE IN R HAND, UNDERHAND GRIP, BLADE FORWARD
SWINGING KNIFE IN AGGRESSIVE, EXAGGERATED MANNER
VS = "DROP THE KNIFE!" MULTIPLE TIMES
O IGNORED DIRECTIONS. CONTINUED TO ADVANCE
WHEN O WITHIN 10-15 FT, LOOKED AT VS
RAISED KNIFE ACROSS CHEST, OVER SHOULDER
POINTED KNIFE AT VS
VS BELIEVED O WAS ATTACKING W/KNIFE
TRYING TO KILL VS
IN DEFENSE OF HIS LIFE VS BACKPEDALED + FIRED
O FELL TO GROUND, CONTINUED TO MOVE/GRASP KNIFE
VS CONTINUED FIRING. O APPEARED TO BE
ATTEMPTING TO GET UP, STILL HOLDING KNIFE
POINTING AT VS
SLIDE ON PISTOL LOCKED — WEAPON EMPTY
TACTICAL RELOAD
ASSESSED

R.D. NO. HX425653

REPORTING OFFICER'S SIGNATURE—STAR NO.	RECEIVED BY: SUPERVISOR'S SIGNATURE—STAR NO.	DAY—MO.—YR.	TIME
20563			

CPD-23.122 (Rev. 2/83)

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 2014	20 OCT 2014 3

OFFENSE CLASSIFICATION–LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	VAN DYKE	512Y

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

J VAN DYKE P 3 OF 3

O NO LONGER MOVING. THREAT MITIGATED
VD + WALSH APPROACHED O
STILL HOLDING KNIFE IN R HAND
VD CONTINUED, "DROP THE KNIFE!"
WALSH = "I HAVE THIS."
VD COVERED WALSH AS WALSH WALKED UP TO O
FORCIBLY KICKED KNIFE FROM O'S HAND
THREAT ELIMINATED
WALSH = SHOTS FIRED BY POLICE" ON RADIO
VD = REQUESTED AMBULANCE

R.D. NO. HX475253

REPORTING OFFICER'S SIGNATURE–STAR NO. 20763 | RECEIVED BY: SUPERVISOR'S SIGNATURE–STAR NO. 1203 | DAY–MO.–YR. TIME

PD-23.122 (Rev. 2/83)

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 2014	21 OCT 2014 1

OFFENSE CLASSIFICATION–LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	GAFFNEY	5121

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

J VAN DYKE (610)

SAME DETAILS

ADDED:

AWARE OF RADIO TRANSMISSIONS (GAFFNEY)
- o ARMED W/ KNIFE
- o ATTACKED BISR - SLASHED TIRE

AWARE OF – 21' RULE
THROWING KNIVES
SPRING LOADED KNIFE
PREVIOUS BULLETIN
KNIFE ACTUALLY FIRES BULLET

OFFICER SAFETY ALERT # 2012-OSA-297
04 DEC 2012

R.D. NO. HX425653

REPORTING OFFICER'S SIGNATURE–STAR NO. 20563 | RECEIVED BY: SUPERVISOR'S SIGNATURE–STAR NO. 1337 | DAY–MO.–YR. TIME

CPD-23.122 (Rev. 2/83)

ISP Case # _____

ILLINOIS STATE POLICE
Division of Forensic Services*Forensic Services Command*FSC-C
Evidence Submission Form for Chicago Police Department

Form # 54818.E
Status APPROVED

Case Information

Incident RD HX475653 Date of Offense 20-OCT-2014
Offense 0190 HOMICIDE JUSTIFIABLE HOMICIDE
Address 4112 S PULASKI RD CHICAGO, IL BEAT: 0815

Involved People

	Name	IR No	SID No	FBI No
Suspect	MCDONALD, LEQUAN J	2106340	[redacted]	
Victim	PO. GAFFNEY #19958, THOMAS J			
Victim	PO. VAN DYKE #9465, JASON D			
Victim	PO. WALSH #12865, JOSEPH J			

Submitting Detective

Name MARCH, DAVID M
Star No 20563 CPD Unit No 610
Work Hours 16:00 - 01:00
Pager / Cell [redacted]
Bell No 312-747-8380 Pax No 1115
Email david.march@chicagopolice.org

Evidence Coordinator

Name DOCHERTY, ANN M
Star No 20918 EC Review Date 03-NOV-2014

Inventories

Inventory No	Package No	Property Type	Qty	Description	Location	Lab Sections
13296449	3835538	FIREARM	1	SMITH & WESSON MOD.#5943 SER. [redacted] 9MM CALIBER SEMI-AUTOMATIC PISTOL 4 INCH BARREL STAINLESS STEEL	177	FA
		BULLET / AMMO	15	WIN 9MM LUGER+P BULLET CARTRIDGES		
		MAGAZINE	2	15 SHOT CAPACITY BULLET MAGAZINES		
13296485	3835606	EXPENDED SHELL	14	WIN 9MM LUGER + P FIRED CARTRIDGE CASES (MARKERS #1,& #4 THROUGH #16) RECOVERED FROM THE STREET	177	FA
13296489	3835608	EXPENDED SHELL	2	WIN 9MM LUGER + P FIRED CARTRIDGE CASES (MARKERS #2 & #3) RECOVERED FROM THE STREET	177	FA
13296495	3835615	KNIVES / KNIFE HANDLE / KNIFE BLADE	1		167	LP/ISP
13296511	3835629	OTHER	1	METAL FRAGMENT (MARKER #A) RECOVERED FROM THE STREET	177	FA
		OTHER	1	METAL FRAGMENT (MARKER #D) RECOVERED FROM THE STREET		
		OTHER	1	METAL FRAGMENT (MARKER #E) RECOVERED FROM THE STREET		
		OTHER	1	METAL FRAGMENT (MARKER #F) RECOVERED FROM THE STREET		
		OTHER	1	METAL FRAGMENT (MARKER #G) RECOVERED FROM THE STREET		
13296534	3835657	OTHER	1	ENVELOPE CONTAINING METAL FRAGMENTS RECOVERED FROM THE OFFENDERS SWEATER	167	FA
		OTHER	3	METAL FRAGMENTS RECEIVED IN A CONTAINER FROM DET JOHNSON #20169		
13296668	3835793	FIRED BULLET	10	SEALED ME BULLET ENVELOPE	177	FA

EXHIBIT 11 016

[redacted] 11/3/2014

Detective's Comments
This case was the subject of a Major Case Review on 30 October 2014. This request is submitted per the results of this review. The offender, Lequan MCDONALD, assaulted the three victim Chicago Police Officers with a knife, and was shot and killed by victim Police Officer Jason VAN DYKE. MCDONALD's knife and Officer VAN DYKE's weapon were recovered and inventoried. It is requested that Officer VAN DYKE's weapon be examined and compared to the firearms evidence recovered from the scene, and from the offender, MCDONALD, both at Mount Sinai Hospital and at the Office of the Medical Examiner. It is requested that MCDONALD's knife be examined for latent fingerprints, and if any are found, that they be compared to the fingerprints of MCDONALD.

Evidence Coordinator's Comments
PER MCR

[redacted] 11/3/2014

ISP Case # _____

ILLINOIS STATE POLICE
Division of Forensic Services*Forensic Services Command*FSC-C
Evidence Submission Form for Chicago Police Department

Form # 54818.F
Status APPROVED

Case Information

Incident RD HX475653 Date of Offense 20-OCT-2014
Offense 0150 HOMICIDE JUSTIFIABLE HOMICIDE
Address 4112 S PULASKI RD CHICAGO, IL BEAT: 0615

Involved People

	Name	IR No	SID No	FBI No
Suspect	MCDONALD, LEQUAN J	2106340	[redacted]	
Victim	PO. GAFFNEY #19958, THOMAS J			
Victim	PO. VAN DYKE #9465, JASON D			
Victim	PO. WALSH #12865, JOSEPH J			

Submitting Detective

Name MARCH, DAVID M
Star No 20563 CPD Unit No 610
Work Hours 16:00 - 01:00
Pager / Cell [redacted]
Bell No 312-747-8380 Pax No 1115
Email david.march@chicagopolice.org

Evidence Coordinator

Name DOCHERTY, ANN M
Star No 20918 EC Review Date 03-NOV-2014

Inventories

Inventory No.	Package No.	Property Type	Qty	Description	Location	Lab Sections
13296449	3835538	FIREARM	1	SMITH & WESSON MOD.#5943 SER. #[redacted] 9MM CALIBER SEMI-AUTOMATIC PISTOL 4 INCH BARREL STAINLESS STEEL	177	FA
		BULLET / AMMO	15	WIN 9MM LUGER+P BULLET CARTRIDGES		
		MAGAZINE	2	15 SHOT CAPACITY BULLET MAGAZINES		
13296485	3835606	EXPENDED SHELL	14	WIN 9MM LUGER + P FIRED CARTRIDGE CASES (MARKERS #1,& #4 THROUGH #16) RECOVERED FROM THE STREET	177	FA
13296489	3835608	EXPENDED SHELL	2	WIN 9MM LUGER + P FIRED CARTRIDGE CASES (MARKERS #2 & #3) RECOVERED FROM THE STREET	177	FA
13296495	3835615	KNIVES / KNIFE HANDLE / KNIFE BLADE	1		167	LP/ISP
13296511	3835629	OTHER	1	METAL FRAGMENT (MARKER #A) RECOVERED FROM THE STREET	177	FA
		OTHER	1	METAL FRAGMENT (MARKER #D) RECOVERED FROM THE STREET		
		OTHER	1	METAL FRAGMENT (MARKER #E) RECOVERED FROM THE STREET		
		OTHER	1	METAL FRAGMENT (MARKER #F) RECOVERED FROM THE STREET		
		OTHER	1	METAL FRAGMENT (MARKER #G) RECOVERED FROM THE STREET		
13296534	3835657	OTHER	1	ENVELOPE CONTAINING METAL FRAGMENTS RECOVERED FROM THE OFFENDERS SWEATER	167	FA
		OTHER	3	METAL FRAGMENTS RECEIVED IN A CONTAINER FROM DET JOHNSON #20169		
13296668	3835793	FIRED BULLET	10	SEALED ME BULLET ENVELOPE	177	FA

EXHIBIT 12

[redacted] 11/3/2014

Detective's Comments
This case was the subject of a Major Case Review on 30 October 2014. This request is submitted per the results of this review. The offender, Lequan MCDONALD, assaulted the three victim Chicago Police Officers with a knife, and was shot and killed by victim Police Officer Jason VAN DYKE. MCDONALD's knife and Officer VAN DYKE's weapon were recovered and inventoried. It is requested that Officer VAN DYKE's weapon be examined and compared to the firearms evidence recovered from the scene, and from the offender, MCDONALD, both at Mount Sinai Hospital and at the Office of the Medical Examiner. It is requested that MCDONALD's knife be examined for latent fingerprints, and if any are found, that they be compared to the fingerprints of MCDONALD.

Evidence Coordinator's Comments
PER MCR

[redacted] 11/3/2014

CHICAGO POLICE DEPARTMENT
Major Incident Notification Detail
CPD - 11.465 (10/04) - C

CONFID
ENTIAL

Area: 1
Reporting Unit: 610
Incident No: 73204
Deployment Level: UNK

Time Period	Crime/Incident RD Number Dist of Occurrence	Summary
0500 - 0900	0552 - Assault - Aggravated Po:Knife/Cut Instr **Area:** 1 **District:** 008 **Beat:** 0815 **RD No:** HX475653 **No of Victims:** 3 **No of Offenders:** 1 **Updated Date:** 21-OCT-2014 05:17 **Reason For Update:**	**Notification Date:** 21-OCT-2014 04:05 **Date and Time:** 20-OCT-2014 21:56 **Location:** 4000 S KARLOV AVE CHICAGO IL 60632 303 - SIDEWALK **Victim #1:** **Star #:**19958 **Emp #:** [redacted] **On Duty** GAFFNEY, THOMAS J Male/White/41 Years 6'00", 195 lbs **Date of Appointment:** 08-JUL-96 **Victim #2:** **Star #:**12865 **Emp #:** [redacted] **On Duty** WALSH, JOSEPH J Male/White/46 Years 6'00", 190 lbs **Date of Appointment:** 29-JUN-98 **Victim #3:** **Star #:**9465 **Emp #:** [redacted] **On Duty** VAN DYKE, JASON D Male/White/38 Years 6'02", 180 lbs **Date of Appointment:** 25-JUN-01 **Offender #1:** MC DONALD, LAQUAN Male/Black/17 Years [redacted] **IR No:** 2106340 **Gang Affiliation:** New Breed **Buy Bust Requested:** NO

EXHIBIT 13

Issued By: GARY KELLER [redacted] Page 1 of 2 Printed On: 26-FEB-2015 00:13

From: Wojcik, Anthony T. <anthony.wojcik@chicagopolice.org>
Sent: Friday, March 13, 2015 5:30 PM
To: March, David M.
Subject: Arrest Info
Attachments: Arrest History Johnson.doc



Twenty-Six (26) total arrests with various charges lodged prior to this incident – including Aggravated Battery to Peace Officer, Battery, Assault, Reckless Conduct, Possession of Controlled Substance and Possession Cannabis, with some offenses having occurred during instruction on school grounds, while in state detention/custody, and during courtroom proceedings. During twelve (12) of the arrest incidents McDonald attempted to defeat arrest by fleeing on foot and/or actively physically resisting.

From: Wojcik, Anthony T. <anthony.wojcik@chicagopolice.org>
Sent: Sunday, March 15, 2015 5:33 PM
To: March, David M
Subject: Conclusion
Attachments: Conclusion.doc



The above to-date investigation determined that Jaquan McDONALD was an active assailant who, while armed with a dangerous weapon, used force likely to cause death or serious injury to a private citizen when he attacked and attempted to stab Rudy BARILLAS; threatened the imminent use of force likely to cause death or serious injury when he incised the tire and stabbed the windshield of a CPD vehicle occupied by Officer Thomas GAFFNEY; and initiated imminent use force likely to cause death or serious injury when he initiated an attack on Officers Jason VAN DYKE and Joseph WALSH. The above investigation concluded that Officer Jason VAN DYKE's use of deadly force – the discharging of his duty firearm – was within the bounds of the Chicago Police Department's Use of Force guidelines and in conformity with local ordinances and state law.

Based on the above the associated UCR Report RD-HX-486155 is considered Closed/Non-Criminal.

CHICAGO POLICE DEPARTMENT

ORIGINAL CASE INCIDENT REPORT

3510 S. Michigan Avenue, Chicago, Illinois 60653

RD #: HX475653

EVENT #: 1429315870

INCIDENT

ASSIGNED TO FIELD

IUCR: 0552 - Assault - Aggravated Po:Knife/Cut Instr

Occurrence Location: 4000 S Karlov Ave, Chicago IL, 304 - Street

Beat: 0815

Unit Assigned: 0841R

RO Arrival Date: 20 October 2014 21:57

Offenders: 1

Occurrence Date: 20 October 2014 21:56

VICTIM / NON OFFENDER

VICTIM - Individual

Name: PO. GAFFNEY #19958, Thomas

Res: 3420 W 63rd St, Chicago IL

Beat: 0823

Beat: 5100

Sobriety: Sober

Demographics

Male

Age: 41 Years

VICTIM - Individual

Name: PO. VAN DYKE #12865, Jason

Res: 3420 W 63rd St, Chicago IL

Beat: 0823

Beat: 5100

Sobriety: Sober

Demographics

Age: 36 Years

VICTIM - Individual

Name: PO. WALSH #12865, Joseph

Res: 3420 W 63rd St, Chicago IL

Beat: 0823

Beat: 5100

Sobriety: Sober

Demographics

Age: 45 Years

INJURIES

Injury Info (PO. VAN DYKE #12865,Jason - Victim)

Injured by offender

SUSPECTS

Suspect # 1

In Custody

Name: MCDONALD, Lequan J

Res: [redacted]

Beat: 0314

Demographics

Male
Black
6'01",
185 lbs
Brown Eyes
Brown Hair
Dreadlocks Hair Style
Dark Complexion

DOB: 25 September 1997

Age: 17 years

Birth Place: IL

Suspected of Using: Weapon

EXHIBIT 18 OIG 4/22/16

RD #: HX475653

Report Generated By: MARCH,DAVID [redacted]

20-OCT-2014 21:55

OIG 15-0564 010338

SUSPECT

Injury Info

		Injury Extent:	Fatal	Pronounced Date:	20 October 2014 22:42
CFD First Aid Given?	Yes			Removed By:	Ambulance 21
Responding Unit:	Ambulance 21	Hospital:	Mt. Sinai	Removed Date:	20-OCT-14
		Physician:	Dr. Pitzel		

Type	Weapon Used
Gun Shot Wound	Handgun

RELATIONSHIP

RELATIONSHIP

(Victim) PO. GAFFNEY #19958, Thomas	is a	No Relationship of	(Offender) MCDONALD, Lequan,J
(Victim) PO. VAN DYKE #12855, Jason	is a	No Relationship of	(Offender) MCDONALD, Lequan,J
(Victim) PO. WALSH #12865, Joseph	is a	No Relationship of	(Offender) MCDONALD, Lequan,J

DOMESTIC INFO

VEHICLE

Vehicle #1

Vehicle:	Chevrolet - Tahoe - Truck	Damaged?	Yes	Owner:	City Of Chicago
Style:	Hardtop, 4-Door	Damaged Desc:	Tire(S)-Flat, Front Windshield Scratched	Possessor/User:	PO. GAFFNEY #19958, THOMAS
Color-Top/Bottom:	White/White	Theft From?	No	Towed?	No
		Burned?	No		
License Plate #:	Mp6581 - Illinois - Law Enforcement (City, County, State, Sos)	Destroyed?	No		
Expires:	01-December-2014	Recovered?	No		
		Stolen?	No		

Vehicle Identifiers: Police Squad Car

CLEAR Technologies

NOTIFICATIONS

Request Type	Unit	Agency Name	Date	Star #		Name
Notification	177	Forensic Services Division	20 October 2014 23:07	13131		,SARLO
Request Type			**Date**	**Star #**		**Name**
Notification			20 October 2014 23:14	4898		,JINES
Request Type	**Unit**	**Agency Name**	**Date**	**Star #**		**Name**
On Scene	610	Detective Area - Central	20 October 2014 21:50	20563		,MARCH
Request Type	**Unit**	**Agency Name**	**Date**	**Star #**		**Name**
Notification	116	Deployment Operations Center	21 October 2014 22:58	7303		,CHIBE
Request Type			**Date**		**Empl #**	**Name**
Notification			20 October 2014 23:50		76	,BRIGGS

OIG 15-0564 010340

NARRATIVE

EVENT# 1040# REFER TO DETECTIVE DIVISION SUPPLEMENTARY REPORT.
NOTIFICATION: WATCH COMMANDER OF UNIT: LT. KOCH Beat#: Star#: 715 Emp#: Date: 20-OCT-2014 Time: 2250 NOT
NOTIFICATION: STATION SUPERVISOR: COMISKEY Beat#: Star#: 1774 Emp#: Date: 21-OCT-2014 Time: 2250 NOT
NOTIFICATION: SERGEANT STEPHEN FRANKO Beat#: 0810R Star#: 1381 Emp#: Date: 21-OCT-2014 Time: 2158 ONS
ASSISTING OFFICER - STAR#: 10590 NAME: RICARDO VIRAMONTES BEAT: 0841R
REPORTING OFFICER - STAR#: 19958 NAME: THOMAS GAFFNEY BEAT: 0815R
REPORTING OFFICER - STAR#: 18715 NAME: JOSEPH MCELLIGOTT BEAT: 0815R
ASSISTING OFFICER - STAR#: 12865 NAME: JOSEPH WALSH BEAT: 0845R
ASSISTING OFFICER - STAR#: 9465 NAME: JASON VAN DYKE BEAT: 0845R
ASSISTING OFFICER - STAR#: 4384 NAME: JANET MONDRAGON BEAT: 0813R
ASSISTING OFFICER - STAR#: 2763 NAME: DAPHNE SEBASTIAN BEAT: 0813R
ASSISTING OFFICER - STAR#: 6442 NAME: TERENCE BRADY BEAT: 0811R
ASSISTING OFFICER - STAR#: 7025 NAME: MICHAEL BELMONTEZ BEAT: 0811R
ASSISTING OFFICER - STAR#: 10365 NAME: LETICIA VELEZ BEAT: 0822
ASSISTING OFFICER - STAR#: 15790 NAME: ARTURO BECERRA BEAT: 0822
ASSISTING OFFICER - STAR#: 9654 NAME: RAUL ROSALES JR BEAT: 0821R
ASSISTING OFFICER - STAR#: 8302 NAME: PATRICK KENNING BEAT: 0821R
SUPERVISOR ON SCENE - STAR#: 1320 NAME: BRYAN SPREYNE BEAT: 0865
SUPERVISOR ON SCENE - STAR#: 1381 NAME: STEPHEN FRANKO BEAT: 0810R
ASSISTING OFFICER - STAR#: 12382 NAME: DAVID IVANKOVICH BEAT: 0823R
ASSISTING OFFICER - STAR#: 19898 NAME: JOSE TORRES BEAT: 0823R
ASSISTING OFFICER - STAR#: 11830 NAME: ANTHONY VANCE BEAT: 0833R
ASSISTING OFFICER - STAR#: 16422 NAME: JAMES GEISBUSH BEAT: 0833R
ASSISTING OFFICER - STAR#: 6490 NAME: LUIS GARCIA BEAT: 0851R
ASSISTING OFFICER - STAR#: 12037 NAME: ELLIOT FLAGG BEAT: 0851R
SUPERVISOR ON SCENE - STAR#: 1734 NAME: PETER MC GLYNN BEAT: 0880R
OTHER SUPPORT - STAR#: 20453 NAME: JOHN HALLORAN BEAT: 5131
OTHER SUPPORT - STAR#: 21128 NAME: JOHN MURRAY BEAT: 5131
OTHER SUPPORT - STAR#: 20563 NAME: DAVID MARCH BEAT: 5121
OTHER SUPPORT - STAR#: 21285 NAME: GREGORY JONES BEAT: 5122
OTHER SUPPORT - STAR#: 20606 NAME: RICHARD HAGEN BEAT: 5165
OTHER SUPPORT - STAR#: 520 NAME: OSVALDO VALDEZ BEAT: 5105
OTHER SUPPORT - STAR#: 62 NAME: EUGENE ROY BEAT: 5100
OTHER SUPPORT - STAR#: 10201 NAME: CARL BRASIC BEAT: 5802
OTHER SUPPORT - STAR#: 6925 NAME: KAMAL JUDEH BEAT: 5802
OTHER SUPPORT - STAR#: 819 NAME: DAVID FRIEL BEAT: 5880
OTHER SUPPORT - STAR#: 20201 NAME: MATTHEW RICKHER BEAT: 5865
OTHER SUPPORT - STAR#: 1303 NAME: DANIEL GALLAGHER BEAT: 5120
ASSISTING OFFICER - STAR#: 20555 NAME: ROBERTO GARCIA BEAT: 5122
- STAR#: 120 NAME: DAVID MC NAUGHTON BEAT: 41
- STAR#: 13 NAME: JAMES O DONNELL BEAT: 0800
- STAR#: 107 NAME: DENNIS WALSH BEAT: 0890
- STAR#: 14193 NAME: MAHMOUD HALEEM BEAT: 0865B
- STAR#: 13516 NAME: IVAN LOPEZ BEAT: 0865B
- STAR#: 10333 NAME: PATRICK KENAH BEAT: 0865C
- STAR#: 14383 NAME: ANDRES ZEPEDA BEAT: 0865C
- STAR#: 13682 NAME: ROBERT SHULTZ BEAT: 0865C

PERSONNEL

	Star No	Emp No	Name	User	Date	Unit	Beat
Approving Supervisor	1381	[redacted]	FRANKO, Stephen, D	[redacted]	21 Oct 2014 05:18	003	
Detective/Investigator	20563	[redacted]	MARCH, David, M	[redacted]	21 Oct 2014 15:01	610	
Reporting Officer	4484	[redacted]	FONTAINE, Dora	[redacted]	21 Oct 2014 04:32	008	0841R

Report Generated By: MARCH,DAVID [redacted] Page 4 of 4 22-OCT-2014 21:55

In the Matter Of:

IN RE DETECTIVE DAVID MARCH

DETECTIVE DAVID MARCH

July 25, 2016

Amicus
court reporters, inc
300 West Adams St. Ste 800
Chicago, IL 60606
Phone: 312.641.3500
Fax: 312.641.3795
Email: info@amicusreporters.com

CITY OF CHICAGO

OFFICE OF INSPECTOR GENERAL

-INTERVIEW OF DETECTIVE DAVID MARCH-

July 25, 2016

TRANSCRIPT OF INTERVIEW of DETECTIVE DAVID MARCH, taken before MICHELLE M. YOHLER, a Notary Public within and for the County of Cook, State of Illinois, and a Certified Shorthand Reporter of said state, CSR No. 84-4531, at Suite 800, 300 West Adams Street, Chicago, Illinois, on the 25th day of July, 2016 at 9:59 a.m.

APPEARANCES:

OFFICE OF INSPECTOR GENERAL
CITY OF CHICAGO
BY: MR. PETER NEUMER
MS. DEBORAH WITZBURG
(740 North Sedgwick Street, Suite 200
Chicago, Illinois 60654
773.478.8218
pneumer@chicagoinspectorgeneral.org
dwitzburg@chicagoinspectorgeneral.org)

LAWRENCE H. HYMAN AND ASSOCIATES
BY: MR. JAMES P. McKAY, JR.
(111 West Washington Street, Suite 1025
Chicago, Illinois 60602
312.346.6766
jmckay@lhyman.com)
Appeared on behalf of
Detective David March.

REPORTED BY:
MICHELLE M. PAOLETTI YOHLER, CSR, RMR, CRR
Illinois CSR No. 84-4531.

E X A M I N A T I O N S

WITNESS PAGE
DETECTIVE DAVID MARCH
Examination Begins - By Mr. Neumer.... 31
Examination Begins - By Mr. McKay..... 125

E X H I B I T S

MARCH EXHIBITS PAGE
No. 1 - Advisement of Rights..... 5
No. 2 - Notification of Interview..... 31
No. 3 - Notification of Allegations..... 32
No. 4 - Receipt Form..... 33
No. 5 - Medical Examiner Investigations
Case Report..... 34
No. 6 - Original Case Incident Report..... 34

MR. NEUMER: As a preliminary matter, I am providing the following information. An independent certified court reporter is present today to provide a verbatim transcript of this interview.

To aid in the accuracy of the transcript, it is the custom and practice of court reporters to audio record the interview. The recording is the confidential work product property of the court reporter and will not be provided to any party including the OIG. If you request, the audio recording will be discontinued.

So, Detective March, are you okay with the court reporter audio recording this interview?

THE WITNESS: Yes.

MR. NEUMER: Let the record reflect that today's date is July 25th, 2016. The time is 9:59 am. We are located at Amicus Court Reporters, 300 West Adams, Suite 800.

My name is Peter Neumer, the court reporter is Michelle Yohler, and I'd ask that the other individuals present identify

themselves and spell their name for the record.

MS. WITZBURG: Assistant Inspector General, Deborah Witzburg, D-e-b-o-r-a-h W-i-t-z-b-u-r-g.

MR. McKAY: James P. McKay, Jr. Last name is spelled M-c-K-a-y. I'm an attorney, and I represent Detective David March.

THE WITNESS: Detective David March. Last name is spelled M-a-r-c-h.

MR. NEUMER: Detective March, I'm now going to hand you a form that's Advisements of Rights. This has been marked previously as Exhibit 1. This Advisement of Rights form has already been filled in with your name, my name, my colleague Deborah Witzburg's name.

I'm going to ask you to read along with me as I go through this form, and I'm going to ask you to acknowledge after each paragraph that you've read the paragraph.

(WHEREUPON, a certain document was marked March Deposition Exhibit No. 1, for identification, as of 07/25/2016.)

MR. McKAY: Peter, before we begin, can I put something on the record?

MR. NEUMER: For sure.

MR. McKAY: Peter, recently my client, Detective March, was notified of this appearance here this morning. The Notification of Interview describes Detective March as an accused. The appearance suggests that Detective David March's false statements concerning the McDonald shooting and a review and approval of reports containing false statements.

The Notification of Allegations list four allegations premised on John Escalante's letter to the Inspector General dated January 13, 2016. John Escalante's letter references a memo drafted by Sergeant Soria, S-o-r-i-a. That memo was dated on or about July 17, 2015.

The allegations include, number one, that Detective March reviewed and approved an Original Case Incident Report prepared by Officer Dora Fontaine and that report falsely stated that Officer Jason Van Dyke was, quote, injured by offender.

Secondly, that Detective March is accused of assisting in the drafting of the report I just mentioned.

Three, that Detective March made a false statement to Investigator Earl Briggs of the Cook County Medical Examiner's Office when, with respect to the shooting, Officer Briggs' report indicates that McDonald lunged at Chicago police officers.

And the fourth allegation is that Detective March is incompetent in the performance of his duties in the ways enumerated by allegations one through three.

Mr. Neumer, I'm asking you do you believe these new allegations indicate a criminal prosecution is probable against Detective March?

MR. NEUMER: OIG is conducting an administrative investigation. OIG is not conducting a joint investigation and is not working with any other law enforcement agency with respect to this investigation.

MR. McKAY: Thank you. I would ask, however, that you advise Detective March of his Constitutional rights pursuant to Miranda versus Arizona.

It's unclear whether a criminal

investigation is going to take place and, if so, who will be doing that. A special prosecutor has yet to be named regarding any of the police officers not named Jason Van Dyke in this particular case. So, with that said, I ask that you advise Detective March of his Constitutional rights pursuant to Miranda versus Arizona.

MR. NEUMER: The outcome of this administrative investigation relates to the subject's employment and, therefore, under the CBA and General Order, the administrative rights OIG will be providing Detective March are appropriate.

MR. McKAY: Consistent with Detective March's last statement, indeed, Detective March was here for two days on April 26th and 27th of this year. His statement spanned what I estimate to be almost 12 hours.

Mr. Neumer, you were here, the court reporter Michelle Paoletti Yohler was here, Investigator Kris Brown was here, myself, and Detective March were here.

At that time I had asked whether Mr. William Marback's letter to the Chicago

Police Department command staff dated on January 4, 2016, requesting a number of items be provided to the Office of Inspector General, and at that time no answer was given regarding these items that were requested, which include 25 separate things.

I ask you today, Mr. Neumer, are you going to be using any items the Office of Inspector General has received since Mr. Marback's letter of January 4th, 2016, and any subsequent letters issued by either Mr. Marback, you, or any other agent of the Inspector General and Detective March's statement here today?

MR. NEUMER: So the question is, are we going to be using any documents we received since what date was it?

MR. McKAY: January 4, 2016.

MR. NEUMER: It's possible. For certain we will be putting in front of Detective March the two exhibits or documents that we provided as part of the Notice of Interview packet.

So that will be the Medical Examiner Investigation Case Report ME 2014-01071, and

then the Original Case Incident Report with the event number 1429315878.

So those are the two documents that we will be certainly showing Detective March today.

MR. McKAY: We acknowledge receipt of those two documents, Peter, when you forwarded them to me late last week. Thank you.

My question now is, in addition to these two documents, do you intend to use or is it possible you could use any other documents at this statement today besides these two reports?

MR. NEUMER: It is possible.

MR. McKAY: What are they?

MR. NEUMER: When we come to appropriate points in the interview, if documents are necessary, we'll certainly give you and Detective March time to review those documents. But, again, we don't know what we will or won't need to show.

MR. McKAY: Okay. Late last week when you advised me of this second interview of Detective March and provided me the two reports we have just talked about, I had sent you a request for

discovery, essentially where I was asking for you or your office to provide me with any statements of any witnesses that indicate that Detective March was asked to review and approve Officer Fontaine's report that you have provided.

Do you have any statements that you can provide me and Detective March here this morning from other witnesses about Officer Fontaine's report?

MR. NEUMER: So our office has provided Detective March with all the documents required by the CBA and applicable law.

MR. McKAY: Secondly, I asked you in writing and I ask you again today on the record, can you provide me and Detective March with any rule or General Order from the police department or any other agency that indicates that a detective is supposed to review and approve or disapprove of a report prepared by a district police officer?

MR. NEUMER: Again, our office has provided Detective March with all the documents required by the CBA and applicable law.

MR. McKAY: Thank you. Can you provide me with any sworn testimony of Cook County Medical Examiner's Office Investigator Earl Briggs?

MR. NEUMER: Again, our office has provided Detective March with all the documents provided -- required by the CBA.

MR. McKAY: Can you tell me if Investigator Earl Briggs has given a statement to the Office of Inspector General?

MR. NEUMER: Again, OIG has provided Detective March with all the documents and information required by the CBA.

MR. McKAY: Can you tell me whether Investigator Briggs has not given a statement to the Office of Inspector General?

MR. NEUMER: Again, we've provided Detective March with all the documents and information required by the CBA.

MR. McKAY: Thank you. Mr. Neumer, can you tell me -- strike that.

Can you provide to me and Detective March any statements, notes, internal memorandum, or any other documents generated by Investigator Earl Briggs of the Cook County

Medical Examiner's Office besides the report that you gave to me and Detective March late last week?

MR. NEUMER: OIG has provided Detective March with all the documents required by the CBA.

MR. McKAY: Can you tell me -- because I can't read it, frankly -- who Earl Briggs' supervisor was, a signature of which is contained on Page 4 of this four-page report you gave to us late last week? Can you tell us who Mr. Briggs' supervisor is?

MR. NEUMER: Again, in terms of documents and information, we've provided Detective March with all the documents and information required by the CBA.

MR. McKAY: And this is one document you have provided.

MR. NEUMER: Mm-hm. Yes.

MR. McKAY: My question is, who is this person, a signature of which appears above the supervisor line on Page 4? Who is that? For my purpose, for my curiosity as well as Detective March's right to know who his accusers may be,

who is this person? I can't read that signature. Can you?

MR. NEUMER: Again, we've provided Detective March with all the documents and information required by --

MR. McKAY: That doesn't answer my question, Peter. Who is the supervisor?

MR. NEUMER: Right. I mean, the document speaks for itself. And, beyond that, we've provided all the -- Detective March all the documents and information required under the CBA.

MR. McKAY: Are you relying on this document for your interview of Detective March today?

MR. NEUMER: We will be providing this -- we already provided this document to Detective March, and we will be asking him questions regarding this document today.

MR. McKAY: So you will be relying on this document?

MR. NEUMER: I mean, relying on -- I know we will be asking questions about the Medical Examiner's Case Report today.

MR. McKAY: Well, my question is this then, Peter: If you're going to be asking questions about this document, yet you refuse to identify the supervisor of Investigator Briggs, whose name appears in this document, I ask that you not ask Detective March anything about this document if you cannot identify signatures on this document above and beyond Mr. Briggs'. That's fair, don't you agree?

MR. NEUMER: We're going to be asking Detective March questions about his knowledge of this document and what he knows. We're not going to be asking him to speculate about anything beyond the document, so our questions are going to be eminently fair today.

MR. McKAY: Well, if it is clear to you, Ms. Witzburg, or anybody in the Inspector General's Office that there are errors contained in Investigator Briggs' report, which you have tendered, will you or have you or will anybody in your office report to Patrick Blanchard, the Inspector General of Cook County, that the people who generated this report need to be investigated for incompetence?

MR. NEUMER: If we uncover facts that determine a notification is appropriate, certainly we would take appropriate action.

MR. McKAY: All right. Fair enough. Can you provide me with the names of the complainants besides John Escalante and Sergeant Soria and their affidavits, assuming they're civilians and not sworn police officers, that provide a basis for these new allegations.

MR. NEUMER: The Notification of Allegations that OIG provided to Detective March fully complies with the CBA and speaks for itself.

MR. McKAY: Well, if you are basing these new allegations on Mr. John Escalante's letter of January 13th, 2016, and Sergeant Soria's memo of July 15th, 2015, clearly John Escalante's letter suggests that the investigation he's asking your office to conduct be consistent with the Collective Bargaining Agreement, General Orders, and I submit consistent with Illinois State Law.

Illinois State Law clearly mandates that if there is a complainant who is not a

sworn officer alleging some misconduct on behalf of any police officer -- in this case, Detective March -- that complainant's allegations be supported by affidavit.

You have no affidavit to provide me and Detective March today; is that correct?

MR. NEUMER: Again, the Notification of Allegations speaks for itself and we believe fully complies with the CBA and applicable law.

MR. McKAY: Your allegations one through -- strike that -- one and two suggesting that David March has some type of duty to either review and approve Dora Fontaine's report or that he actually assisted her in preparing this report, I submit to you, John Escalante would know that that is absolutely not true.

So if you are alleging numbers one and two allegations based on John Escalante's letter, I would submit to you that is absolutely inconsistent with John Escalante's knowledge of Chicago Police Department procedure, report-writing, and who approves a district police officer's report.

Since I believe in good faith John

Escalante would not allege these things, can you tell me who is?

MR. NEUMER: Again, OIG's position is that the Notice of Allegations complies fully with the CBA and it speaks for itself.

MR. McKAY: I would submit to you then, Mr. Neumer, in all due respect to you and Ms. Witzburg, that without some affidavit of some civilian complainant alleging this stuff, I believe in good faith that it is none other than Mr. Ferguson and your office that is alleging these things without a good faith basis.

With that said, we are objecting to Joseph Ferguson and his office investigating his own allegations, and I request again, as we did back in April, that Mr. Ferguson and his office recuse themselves from his investigation because, two reasons: One, it is wrong for him to investigate his own allegations. That's not fair.

Secondly, we ask that Mr. Ferguson and his office, with all due respect to the both of you, that he recuse himself from this investigation because he's prejudice against

Detective March because of his presence on the Police Accountability Task Force and the report that that task force submitted before they heard one sworn word from Detective March in April in that that report suggests certain findings of the Laquan McDonald shooting that are completely inconsistent with what Detective March told you and Kris Brown on April 26th and April 27th.

And Mr. Ferguson should recuse himself and his agents from any further investigation of this shooting because of that report he put his name on along with the chairperson of the police board, Lori Lightfoot.

So will you recuse yourselves and Mr. Ferguson from this investigation today?

MR. NEUMER: OIG is not going to recuse itself from this investigation, and OIG's position is that it can and is conducting a fair and impartial investigation.

MR. McKAY: As you know, Mr. Neumer, two grievances have been filed in this particular case, one by Chicago FOP. In fact, that grievance had been filed before Detective March gave you sworn testimony on April 26th and

April 27th. Since then, a second grievance has been filed, indeed, by Detective March.

We're objecting to this investigation continuing with those grievances still pending. No arbitrator has ruled on those grievances, and the Inspector General has not agreed to continue this investigation until an arbitrator has ruled on them.

Will you, on behalf of Mr. Ferguson, stop this investigation and wait for the arbitrator to rule on these two grievances?

MR. NEUMER: OIG is not aware of any court order enjoining Detective March's interview and, therefore, having provided the appropriate Notice of Interview, OIG will proceed with the interview.

MR. McKAY: Okay. Of the two reports that you have provided in discovery to Detective March and myself, you have indicated one is Investigator Earl Briggs' Medical Examiner Investigations Case Report.

I would like to ask you, Mr. Neumer, when did you or your office receive Investigator Briggs' report?

MR. NEUMER: Again, OIG has provided Detective March with all the documents and information required by the CBA, and, beyond that, we have a duty of confidentiality.

MR. McKAY: Well, the reason I ask the question is because Detective March was here for one full day and half of a second day. If you did have this report then, Mr. Neumer, why didn't you ask Detective March about Investigator Briggs' report then?

MR. NEUMER: I guess I'll just say we're here today and we have relevant questions to ask today pertaining to our investigation.

MR. McKAY: Well, I appreciate that, but, Peter, if they're relevant questions today -- and, further, if you had this report back then in April, weren't they relevant in April and, if so, why didn't you ask Detective March when you had him for almost two full days in April about this report?

MR. NEUMER: We can't -- our office can't provide details regarding timing. I understand your question and, again, we try and ask all relevant questions as soon as we can.

MR. McKAY: Well, I think timing is relevant. I think out of fundamental fairness of the accused -- and you have accused Detective March, let's make no mistake about that -- out of fundamental fairness, I think timing is relevant.

And if you had this information and he was here and cooperated and gave sworn testimony, why didn't you and Mr. Brown ask him about Investigator Briggs' report then?

MR. NEUMER: Again, we're going to ask questions today.

MR. McKAY: I do know, sir, that regarding Dora Fontaine's report, you did have it in April. Indeed, you marked it as your Exhibit Number 18. For some reason, you chose not to use it, but you did mark it as Exhibit 18.

And I would ask you, Mr. Neumer, why didn't you ask Detective March about Officer Dora Fontaine's report on April 26th or April 27th of this year?

MR. NEUMER: And I think, as I said in the transcript during that interview, we try and ask all relevant questions, we try and be thorough,

and we do our best.

MR. McKAY: The Advisement of Rights form that you have just provided, is this the exact same form that you provided to Detective March on April 26th of this year?

MR. NEUMER: It should be.

MR. McKAY: Well, I am advising Detective March to refuse to answer your questions today on July 25th, 2016, without a direct order by one of his superior officers.

Short of a direct order, I believe Detective March is certainly within his rights, both the rights under the collective bargaining agreement, Illinois State Law, and his Constitution rights not to answer your questions.

Is there going to be a direct order from some superior officer directing Detective March to answer these questions?

MR. NEUMER: Yes, I will contact Commander Klimas right now and have him provide Detective March a direct order.

MR. McKAY: Can you spell Commander Klimas' name for the court reporter.

MR. NEUMER: Sure. It is Robert R-o-b-e-r-t, Klimas K-l-i-m-a-s.

MR. McKAY: Thank you.

(PHONE RINGING)

COMMANDER KLIMAS: Bob Klimas.

MR. NEUMER: Bob, this is Peter Neumer. We are currently in a court-reported interview of Detective David March. His counsel Jim McKay is here. My colleague Deborah Witzburg is here.

And OIG having provided appropriate notice to Detective March of this interview is attempting to ask Detective March questions regarding the Laquan McDonald shooting. He is refusing to answer questions absent a command from his superior officer, so I'm asking you, Commander Klimas, to order Detective March to answer the OIG's questions.

COMMANDER KLIMAS: This is Commander Robert Klimas, K-l-i-m-a-s, with the Chicago Police Department Bureau of Internal Affairs.

Detective March, I'm giving you a direct order to answer all the questions posed to you today by Peter Neumer or his designees from the Office of Inspector General, City of

Chicago.

Do you understand?

THE WITNESS: Yes.

COMMANDER KLIMAS: Thank you very much.

MR. NEUMER: Thanks, Bob.

MR. McKAY: Thank you.

I'd like to put one more thing on the record. Peter, last time you and I talked by telephone, actually it was late last week, Detective March originally had been notified to appear on this past Saturday night at 9:00 p.m.

You had advised me that the date and time for Detective March's second statement was because OIG is required to notify the officer when he is on duty. You were kind enough to continue the statement from Saturday night to this morning, pursuant to my request, actually, and I appreciate that. Thank you.

You also advised me that Detective March's statement, whenever it was going to be continued to, needed to be completed by the end of business hours tomorrow on July 26th. I asked you then why that is the case and I ask you again today why is it that Detective March's

second sworn statement needs to be today or tomorrow at the latest?

MR. NEUMER: I mean, OIG has a duty of confidentiality, so the details regarding our investigation I can't provide any further information.

MR. McKAY: Well, your statement to me over the phone infers that time is of the essence. I think that Detective March has the right to know why, in the OIG's mind, time is of the essence.

MR. NEUMER: I think time is of the essence for every investigation and probably in particular this investigation.

MR. McKAY: If time was of the essence in April when you, at the very least had Officer Dora Fontaine's report, why didn't you ask Detective March about Officer Fontaine's report at that time?

And I submit if you had Earl Briggs' report from the Medical Examiner's Office at that time, why didn't you ask Detective March about that as well if truly time is of the essence in this investigation?

MR. NEUMER: We do try to ask all relevant

questions and be as thorough as possible.

MR. McKAY: With all due respect, Peter, and I understand you and Ms. Witzburg have a job to do, and I appreciate the job you are both doing along with Kristopher Brown, but frankly, with all due respect, none of your answers today to my questions were responsive to my questions, and I object to that in addition to all my other objections. Thank you.

MR. NEUMER: So we were going through our preamble prior to the objections being placed on the record. So at this time I'd ask that the court reporter swear Detective March in.

(WHEREUPON, the witness was duly sworn.)

MR. NEUMER: I'm going to go through the Advisement of Rights form with you, Detective March. Again, I'm going to ask you to read along with me as I go through this advisement, and I'll ask you after each paragraph to acknowledge you have read the paragraph I just read aloud to you.

"I, Detective David March, understand that I am being interviewed by Peter Neumer and Deborah Witzburg from the City of Chicago Office

of Inspector General. I understand that this interview is part of an official investigation and that I have a duty to cooperate with the Office of Inspector General, which includes answering all questions completely and truthfully."

Detective March, do you see the paragraph I just read aloud to you?

THE WITNESS: Yes.

MR. NEUMER: "I understand that I have no right to remain silent. I understand that I have an obligation to answer questions put to me truthfully. I understand if I refuse to answer questions put to me, I will be ordered by a superior officer to answer the question. I further understand and I have been advised that if I persist in my refusal to answer after an order to do so, such further refusal constitutes a violation of the rules and regulations of the Chicago Police Department and may serve as the basis for my discharge."

Detective March, do you see the paragraph I just read aloud to you?

THE WITNESS: Yes.

MR. NEUMER: "I understand and have been advised that my statements and responses may constitute an official police report. I understand that Rule 14 of the Chicago Police Department's rules and regulations prohibits making a false report, written or oral, and I further understand that making such a false report, whether written or oral, may result in my separation from the Chicago Police Department."

Detective March, do you see the paragraph I just read aloud to you?

THE WITNESS: Yes.

MR. NEUMER: "I understand that any statement made by me during this interview may be used as evidence of misconduct or as the basis for disciplinary action up to and including removal or discharge."

Detective March, do you see the paragraph I just read aloud to you?

THE WITNESS: Yes.

MR. NEUMER: "I understand that any statement made by me during this interview and the fruits thereof cannot be used against me in

a criminal proceeding."

Detective March, do you see the paragraph I just read aloud you to?

THE WITNESS: Yes.

MR. NEUMER: "I understand that I have the right to have a union representative or legal counsel of my choosing present at the interview to consult with and that I will be given a reasonable time to obtain a union representative or legal counsel as long as the interview is not unduly delayed."

Detective March, do you see the paragraph I just read aloud to you?

THE WITNESS: Yes.

MR. NEUMER: "I understand that a refusal to answer any question or any false, inaccurate, or deliberately incomplete statement by me would constitute a violation of Chicago Municipal Ordinance 2-56 and may serve as the basis for my discharge."

Detective March, do you see the paragraph I just read aloud to you?

THE WITNESS: Yes.

MR. NEUMER: "I acknowledge that this

statement of my administrative rights has been read aloud to me and I have been allowed to review this document."

Detective March, do you see the paragraph I just read aloud to you?

THE WITNESS: Yes.

MR. NEUMER: At this time I would ask that you sign the Advisement of Rights form, and my colleague and I will witness.

I'm now going to put several exhibits on the record and present them to Detective March to confirm his receipt of the exhibits.

EXAMINATION

BY MR. NEUMER:

Q. First I am going to be handing you what is titled Notification of Interview to CPD member. This is marked as Exhibit 2.

(WHEREUPON, a certain document was marked March Deposition Exhibit No. 2, for identification, as of 07/25/2016.)

BY MR. NEUMER:

Q. This Notification of Interview is dated July 20th, 2016. Detective March, have you seen this Notification of Interview document

prior to today?

A. Yes.

Q. And did BIA provide you with this document on or about July 20th, 2016?

A. Yes.

Q. And is that your signature at the bottom of the page of Exhibit 2?

A. Yes.

Q. I am now going to --

MR. McKAY: Can I retain these exhibits for my file?

MR. NEUMER: No. No. We always keep them. You'll get these when you get the transcript.

BY MR. NEUMER:

Q. I'm now handing you what is titled Notification of Allegations. This is marked as Exhibit 3.

(WHEREUPON, a certain document was marked March Deposition Exhibit No. 3, for identification, as of 07/25/2016.)

BY MR. NEUMER:

Q. Detective March, have you seen this Notification of Allegations prior to today?

A. Yes.

Q. And did BIA provide you with this Exhibit 3, Notification of Allegations, on or about July 20, 2016?

A. Yes.

Q. And is that your signature at the bottom of Page 1 of the Notification of Allegations?

A. Yes.

Q. I am now going to hand you what has previously been marked as Exhibit 4 titled Receipt Form.

(WHEREUPON, a certain document was marked March Deposition Exhibit No. 4, for identification, as of 07/25/2016.)

BY MR. NEUMER:

Q. Detective March, have you seen this Receipt Form prior to today?

A. Yes.

Q. And did BIA provide you with this Receipt Form on or about July 20th, 2016?

A. Yes.

Q. And is that your signature at the bottom of the Receipt Form?

A. Yes.

Q. And I am now going to be handing you what has previously been marked as Exhibit 5.

(WHEREUPON, a certain document was marked March Deposition Exhibit No. 5, for identification, as of 07/25/2016.)

BY MR. NEUMER:

Q. This is a Medical Examiner Investigations Case Report ME2014-01071 dated October 21st, 2014.

Have you seen this document, Detective March, prior to today?

A. Yes.

Q. And did BIA provide you with this Case Report on or about July 20th, 2016?

A. Yes.

Q. And I'm now going to be handing you what has previously been marked Exhibit 6. This is an Original Case Incident Report with the RD number HX475653 and the event number 1429315878, case ID 9825613.

(WHEREUPON, a certain document was marked March Deposition Exhibit No. 6, for identification, as of 07/25/2016.)

BY MR. NEUMER:

Q. Detective March, have you seen this Exhibit 6 Original Case Incident Report prior to today?

A. Yes.

Q. And did BIA provide you with this document on or about July 20th, 2016?

A. Yes.

MR. McKAY: Peter is this report -- you're marking this as Exhibit 6?

MR. NEUMER: Yes.

MR. McKAY: You are not going to keep it Exhibit 18, which is what it was marked by you on April 26th?

MR. NEUMER: Right, we are going to call it Exhibit 6. I think that will be easier for today's purposes to call it Exhibit 6 for the July 25th. But, again --

MR. McKAY: But you'll agree it was your Exhibit 18 back in April?

MR. NEUMER: Right, I don't remember if it was -- if you represent 18, I certainly -- I don't dispute that.

MR. McKAY: All right.

BY MR. NEUMER:

Q. Detective March, did you review any materials in preparation for today's interview?

A. Yes.

Q. And what materials did you review?

A. The documents that I received from Internal Affairs on last Wednesday and then I also reviewed several reports from the investigative file.

Q. Do you remember which reports you reviewed?

A. I believe they were all reports that I authored that we talked about previously.

Q. Okay. In our April 26th and 27th interview?

A. Yes.

Q. Did you review any video in preparation for this interview?

A. No.

Q. Aside from your attorney, who did you speak to in preparation for this interview?

A. No one.

MR. NEUMER: And then before we get started with our questions, I just want to confirm, Jim,

are you okay with OIG providing you with a copy of the transcript of today's interview within 48 hours of the OIG's receipt of that transcript?

MR. McKAY: I have no objection to employing the same procedure of receiving the transcript as the previous transcript in April.

I understand -- if you get the transcript on a Friday, you can't get it to me that same day, but I ask that if the court reporter can provide me with the transcript on, say, a Tuesday or Wednesday, I'd like it the same day you guys get it.

I am relying on you suggesting that the statement should not be more than about an hour. I don't think it would take that long to copy that statement or make a copy of a disk if that's how Ms. Paoletti Yohler is going to provide the transcript to you.

MR. NEUMER: And, just for the record, I think my representation was that OIG's portion of the questioning would take an hour. And we're now, I think, going to --

MR. McKAY: That's fine. I have no

objection consistent with the last statement in April.

MR. NEUMER: And, Jim, we'll work with you to get you it in a very, very reasonable time.

BY MR. NEUMER:

Q. Detective March, could you please state your name, star number for the record.

MR. McKAY: Detective March has something to say.

BY THE WITNESS:

A. Upon advice of counsel, I am refusing to answer any questions without the direct order of a superior officer.

I would like to preface this statement with the following: I believe I am entitled to be informed of my Constitutional right to remain silent. I have received no assurances from the Office of Inspector General that criminal charges are probable. Proceeding with this statement is in violation of the applicable Collective Bargaining Agreement, but I have been advised that I will lose my job if I refuse to provide a statement.

I am not giving this statement

voluntarily but only because I am required to do so by a direct order of Commander Robert Klimas.

I know that if I refuse to participate in this interview or refuse to answer certain questions, I can be disciplined or even fired; therefore, this statement is being compelled.

I am asserting all of my rights under the Supreme Court case of Garrity versus New Jersey, and I am specifically objecting to any sharing or disclosure of this statement or its contents with any prosecutor's office, such as the Cook County State's Attorney's Office or the United States Attorney's Office.

I also object to the sharing or disclosure of this statement or its contents directly or indirectly with anybody else including but not limited to any other federal, state, or city agency, any special prosecutor and his agents, and the media.

I object that this second interview is taking place. I was here for two days on April 26th and April 27th and gave honest answers to all of your questions.

Further, I object that this interview is taking place before an arbitrator has decided the issues that were raised in a grievance filed by me and another grievance filed by Chicago FOP regarding this investigation. The Inspector General has refused to postpone this investigation.

Also on the advice of counsel, I am making the following additional objection: I am objecting to the fact that the City of Chicago Inspector General's Office has refused to identify all of my complainants if they exist.

Under city ordinance, Collective Bargaining Agreements, and my due process rights, I am entitled to notice of the nature of the allegations against me and the identity of all complainants prior to any interview.

The Inspector General's Office has only advised me that Interim Superintendent John J. Escalante and, to a lesser degree, Sergeant S. Soria are the only complainants against me. This can't possibly be true because Escalante's letter to the Inspector General dated January 13, 2016, does not specifically

allege or even suspect me of any misconduct.

Further, the letter refers to Sergeant Soria's memo of July 15th, 2015, which only alleges inattention to duty because of possible tampering with in-car camera mics and improper use of equipment, none of which applies to me, a detective assigned to investigate this police shooting.

I am left to wonder who is the source of the allegations now pending against me. I shouldn't have to do this because I have a right to know and confront my accusers.

The Inspector General's Office is violating my rights of due process by not specifically informing me of the person or persons making these specific allegations. As such, I can only assume the true complainant is the City of Chicago's Inspector General.

I am entitled to an affidavit of any complainant who is not a sworn officer. I have not received one in this case.

I am not waiving the requirement of an affidavit, therefore, I am objecting to the City of Chicago Inspector General's Office

making allegations against me and conducting an investigation into its own allegations.

Finally, I am objecting to the Inspector General's Office conducting any investigation of this shooting because the Inspector General of Chicago is prejudiced against me. This prejudice is evidenced by his participation on the Police Accountability Task Force and their report released April 13, 2016.

This report includes findings made without the benefit of hearing my sworn testimony, considering all of the evidence in this case, and considering all of the applicable law in this case.

The Inspector General has prejudged this case; as such, he and his agents cannot be fair, impartial, and independent investigators in this matter. This objection also applies to Lori E. Lightfoot, president of the Chicago Police Board, who served as the chair of the Police Accountability Task Force.

Thank you.

BY MR. NEUMER:

Q. Detective March, I want to first put

in front of you, Medical Examiner Investigations Case Report ME2014-01071.

I don't think we ever got your name and star number for the record, so if we could start there.

A. My name is Detective David March. My star number is 20563.

Q. And what is your current unit of assignment?

A. I'm assigned to the Bureau of Detectives, Area Central.

Q. Again, we want to ask you a few questions about the Medical Examiner Investigations Case Report ME2014-01071.

From your perspective, what is a Medical Examiner Case Report?

MR. McKAY: Objection, that calls for speculation. You're asking him to guess about some other agency, not even in the City of Chicago, and their reports.

MR. NEUMER: Let me reword the question.

BY MR. NEUMER:

Q. Based on your experience as a detective, what is a Medical Examiner Case

Report?

MR. McKAY: Same objection.

BY THE WITNESS:

A. I cannot specifically speak to exactly what this is. In 34 years at the Chicago Police Department, all of that time working within the County of Cook, I have never seen a report like this.

BY MR. NEUMER:

Q. Okay.

A. I can only assume after reading this report that this document was created as a result of a quick telephone notification that I made to the Office of the Medical Examiner of Cook County. It was not the subject of any kind of investigation or in-depth interview of me by anyone.

Q. Do you have any understanding as to what the purpose of a Medical Examiner Investigations Case Report?

A. Again, I can only assume from reading it that it is meant to document my notification of their office that the Chicago Police Department was involved in a Medical Examiner's

Report.

We have to notify them any time we are dealing with any kind of death that is potentially a Medical Examiner's case, whether it be a natural death, suicide, homicide, whatever.

Q. So have you had communications with Cook County investigators prior to October 20th, 2014, regarding homicides or death investigations?

A. Yes.

Q. Do you have any estimate as to how many times you've communicated with Cook County investigators or Cook County personnel regarding homicides or death investigations?

A. I have no idea, but it was a large number of contacts.

Q. Maybe over 50?

A. Well over 50.

Q. Well over 50. Okay. Have you ever seen a Medical Examiner Investigations Case Report prior to today?

A. I first saw this report last Wednesday when it was presented to me by our

Internal Affairs Division. Prior to that day, I have never seen this type of report.

I have been involved in the prosecution of numerous homicide cases, murder cases in the criminal court system of Cook County, and I have seen the Medical Examiner's protocol documenting their results of their autopsy. I have seen toxicological reports presented by outside laboratories that do work for the Medical Examiner's Office. I have never in my life seen this type of report. I didn't even know they existed.

Q. Okay. When you were communicating with Cook County personnel on previous homicide or death investigations, were you providing -- what type of information were you providing to the Cook County personnel?

A. I'm assuming -- again, I don't know -- the only requirement on us as the Chicago Police Department is to notify them when we come across a potential Medical Examiner's case.

When I call, my purpose is just to let them know that there is a Medical Examiner's

case. The information that they solicit from me, I don't know if there's a checklist that they go down and -- I have no idea how that comes to be.

Q. I got you. So, generally speaking, what type of information do you provide as part of that initial notification?

A. Again, these notifications are made very early on in the investigation. A lot of information that they ask for we may not have at the time, so obviously if we don't have information, we can't provide information.

So based on what we do know at the time of the notification, they will ask us things like the date and time that we discovered the body, the location, the identification -- the identity of the dead body if we know it.

And they ask us for a brief summary of the circumstances under which we became aware of the -- that there was a dead body.

Q. Sure. And I don't want you to speculate. Do you have any understanding of what the Cook County Medical Examiner's Office does with that information?

A. No.

Q. Do you have any understanding as to why the Cook County Medical Examiner's Office is obtaining that information from you, the detective?

MR. McKAY: Again, objection, calls for speculation.

BY THE WITNESS:

A. One reason would be, like I said, we are required to notify them of any potential Medical Examiner's cases. There are many times when we will notify them of the case and their investigator will tell us, "Okay, that's not a case that we're going to deal with, so the body doesn't have to end up here."

A case like that would be a natural death where the victim died of a medical condition that they were being treated for chronically and there was an attending physician.

If we present facts that indicate that that is the case, in those cases, the Medical Examiner will not take the case, so to speak, and they -- because in those cases, the

attending physician will issue the death certificate, and the Medical Examiner's Office really has no need to be involved in the case.

Any other cases where there's any -- and, again, these are their standards and it's their decision where they think there might be suspicious circumstances or potential for suspicious circumstances. If it looks like it's an overdose with no signs of violence, then obviously they're going to have to conduct a toxicology exam to confirm whether or not the cause of death was drugs.

So, again, the criteria is theirs, and all we do is we notify them of what we know at the time and they tell us whether or not they're going to take the case and if they want us to make sure the body ultimately comes to their facility or can be released to the family by a hospital or doctor or whatever.

Q. And do you have any understanding whether the ultimate postmortem examination report relies at all upon the Exhibit 5 report I've put in front of you?

MR. McKAY: Again, that calls for

speculation. I object. He cannot guess about another agency's use of this report or what, if any, other people in that agency relied on.
BY THE WITNESS:
A. Again, I don't know.
BY MR. NEUMER:
Q. Specifically now with respect to the Exhibit 5 report, on the evening of October 20th, 2014, did you have any communication with the Cook County Medical Examiner's Office regarding the McDonald shooting?
A. Yes.
Q. Can you walk us through that communication. Where were you when you had that communication with the ME's Office?
A. I was at the crime scene on Pulaski Road. We had assisting detectives that had responded to Mount Sinai Hospital where Laquan McDonald had been transported for treatment of his injuries.
I believe that the sequence in which this happened was that the detectives at the hospital were present or learned that Laquan

McDonald had been pronounced deceased by the attending physician there.

They -- again, I believe they then informed Sergeant Gallagher, who was the detective supervisor in charge of the scene, that Laquan McDonald was deceased, and then Sergeant Gallagher notified me of the same since the case had been assigned to me.

Upon learning that, as I commonly do on cases where I think I might have more information than the initial primary beat car assigned to the case, rather than have them asking me all this information so they can present it to the Medical Examiner's Office, I will call the Medical Examiner's Office because, again, at that point I feel I had the most information in one place, so to speak.

So I called the Medical Examiner's Office from the scene and spoke with Investigator Briggs to make this notification.

Q. The detectives who were at the hospital, do you recall their names?

A. I don't. I'd have to look at the reports, the file.

Q. And did you use -- we had a discussion I think during our last interview about use of phone. Was it your personal cell phone that you used to call the ME's Office?

A. It's the only phone I have. Like I told you before, the Department does not supply me with a phone. And in this day and age, there were no pay phones near the scene, so it was the only way to make a timely notification.

Q. On Page 1 of the Case Report, it lists under the Notification section date, October 20th, 2014; time, 11:51:59 p.m. Does that time accord with your belief as to when that call between you and Investigator Briggs occurred?

A. I have no personal knowledge at this date of exactly when that telephone call was made by me to the Office of the Medical Examiner, but that time does seem to be accurate to me.

Q. Okay. And so you call Investigator Briggs from the scene, and what did you tell him?

A. At first I told him that, probably --

again, this is not word for word. I don't recall exactly what information was discussed in what order, but I probably -- my first statement to him probably was that I was making a notification of a police officer-involved shooting and that there obviously was a dead body.

Q. Is there just one number that CPD is to call or detectives are to call for the Medical Examiner's Office?

A. Their office has a number of numbers. There is one number that -- I mean, officers will use whatever number -- I can't speak to what other number officers use, and I'm assuming that officers use whatever number they're used to getting an answer at.

Q. Right.

A. I know at that late time, there's one number that is at least supposed to be answered 24 hours a day. Sometimes it doesn't happen, but I call the -- I have that number programmed into my cell phone, and I called that number because, like I said, I have made these notifications on numerous occasions.

Q. Did you know or have any sort of working relationship with Investigator Briggs prior to your phone call on October 20th, 2014?

A. I know I have come across the name before. I can't specifically say that I've ever talked to him on the telephone before. It may have been that I read reports with his name on it.

I was aware that there was an investigator at the Office of the Medical Examiner by the name of Briggs. I -- again, I can't say whether or not I've ever spoken to him before October 20th, 2014, and I don't believe I have ever met him in person. If he was sitting across the table from me today, I'd have no idea if that was him.

Q. Is it fair to say that when you placed the call on the night of October 20th, 2014, that you weren't calling Briggs specifically?

A. No, absolutely not.

Q. It was more of a general hotline or something --

A. I have no idea --

Q. -- calling?

A. -- working there at the time. Again, I was fulfilling our requirements to notify the office, not any specific person.

Q. Okay. At the time you spoke with Investigator Briggs, do you recall whether you had seen video footage of the McDonald shooting?

A. I can't say for certain. I believe I probably have seen -- had seen by that time the infamous dash cam video, if you will. But I certainly had not seen all of the video that we recovered. And, again, I'm not certain, but I believe I did see that footage prior to my call to Briggs.

Q. And I believe that's the 813 Robert video you're referring to.

A. Correct.

Q. I'm going to ask you to look at Page 3 of the Case Report. And, in particular, the paragraph that begins, "Detective March related the following." That's the second full paragraph in the narrative section.

So I want you to take a moment or take as much time as you need to review that

paragraph, and then my question to you after you've had a chance to read through that is whether that paragraph accurately reflects a statement you made to Briggs on October 20th, 2014?

A. That paragraph absolutely does not accurately reflect the facts that I related to Investigator Briggs.

Q. Okay. And let's go line by line. I want you to -- I'm going to ask you two questions regarding each sentence in that paragraph: One, whether you made that statement to Investigator Briggs on the night of October 20th, 2014, and then, two, whether that statement is accurate, okay? So whether you said it to him or not, whether it's accurate. So we'll --

A. I can maybe -- I don't know if this saves any time or not. I can tell you, having read that report, that none of those statements are verbatim statements by me to Investigator Briggs.

The first statement, for example, has a date and a time and a beat car. That

information was transmitted but not in one sentence that said all of that. He would ask me what time the incident occurred; I would provide him with a time. He asked me when it occurred, what date, what address, like that.

This is not anywhere near the verbatim statements that I made to him over the telephone.

Q. Okay. And we're just going to break it down here --

A. And, again, I might want to stress, I did not speak in a paragraph like this. This was all he would ask me a question, I would provide him an answer.

Q. Okay. So that's how -- well, maybe we'll take a step back again to maybe --

A. We can certainly go to whether each individual fact listed there is accurate, but I can tell you categorically the entire paragraph is not my statement, and none of those sentences were said by me in that manner.

Q. Okay.

MR. McKAY: Can I ask you a question? Can you tell me whether or not this telephone

conversation you are about to ask Detective March about, was it recorded in any fashion by Investigator Briggs or anybody from the Cook County Medical Examiner's Office?

MR. NEUMER: Yeah, what I would say in response to that is, there's a duty of confidentiality. And, again, the materials that OIG has provided today, OIG has provided all materials, all information required by the CBA.

MR. McKAY: Well, there's no duty of confidentiality if it's a recording of the accused's statement.

The Collective Bargaining Agreement clearly mandates that you, IPRA, Internal Affairs, whatever agency is investigating a Chicago police officer has a duty to give the officer a recording such as a video or an audio before you ask him questions of it.

If you got it, I demand that you give a copy of that statement to Detective March now before any question continues.

MR. NEUMER: And what I would say in response is, OIG complies with all applicable laws.

MR. McKAY: And I'll take that to mean that you don't have any recorded statement of Detective March by Investigator Briggs or any agent of the Cook County Medical Examiner's Office.

MR. NEUMER: I'll let you draw whatever inferences you'd like, and I'll just say that we comply with all applicable laws, and we are conducting this interview today in accordance with all applicable laws.

MR. McKAY: Okay. Well, with that said, then since you placed this gentleman under oath, if you have a recording that suggests anything inconsistent with what Detective March has previously testified about in April and, more importantly, what he has also generated himself, the reports he created, if you have a recording, please give that to him now. He has a right to it.

And I'm going to ask that he not answer any of your questions unless you're going to tell him that criminal charges of perjury or any other crimes are probable. And if that's the case, you now have a right to Mirandize him

pursuant to the Collective Bargaining Agreement, Illinois State Law, and the United States Constitution.

MR. NEUMER: Yeah, I mean, as we discussed previously this is an administrative investigation. This is not a criminal investigation. We're not partnered with any other bodies on this investigation, so Miranda simply doesn't apply here.

MR. McKAY: All right. My objection is on the record.

Further, if there was a recording, Peter, even if you don't know about it but if there was a recording by Mr. Briggs or anybody from the Cook County Medical Examiner's Office without the consent of Detective March, I would submit that's a violation of the Illinois Eavesdropping Statute, which is a Class III felony.

If you've got it, or, further, if you don't have it but somewhere down the road you do get it, I'm moving to strike whatever Detective March is saying consistent with the order by Commander Klimas, and, further, I'm going to be

asking you to refer Mr. Briggs or anybody from the ME's Office to the Cook County State's Attorney's Office for an investigation on an eavesdropping violation.

Thank you.

MR. NEUMER: Okay.

BY MR. NEUMER:

Q. Detective March, I think we were going to take a step back a little bit. You were giving us some information regarding how this conversation occurred, and I think obviously you placed the call to the ME's Office; is that correct?

A. Correct.

Q. And then you made a notification -- or you notified, again in this case it was Investigator Briggs, that there was a death or a homicide?

A. Yes.

Q. Do you recall -- I mean, is there sort of like a boilerplate language, or do you just -- what do you tell the ME's Office when you notify them?

A. I think I just told you that I don't

know the exact words that I used, but I explained to him that I was calling him to notify him of a police officer-involved shooting incident where the person who had been shot by the officer had been pronounced deceased.

Q. And then following that exchange, did Investigator Briggs proceed to ask you a series of questions?

A. Yes.

Q. Okay. And did you provide information in response to his questions?

A. Yes.

Q. Did you offer any information without it being prompted by a question from Investigator Briggs?

A. Not that I recall.

Q. So is it fair to say that he was conducting an interview of you?

A. I don't know that we would -- that I would characterize it as an interview because there was -- number one, at that point in time in the investigation, I knew that I did not know all of the facts of the investigation. So --

Q. Let --

A. -- I was not in a position to give any totally completely informed statement on anything.

So, like I said, to the best of my knowledge, like I said, maybe he's got a checklist that he goes through and he's asking me to fill in the blanks of his checklist.

Q. Let me take away the characterization of interview. Is it fair to say he was asking you questions and you were providing him information in response to his questions?

A. Yes.

Q. Okay. I want to go back to the second paragraph of the narrative. And I want to go line by line again and -- and, again, it will be two questions: Whether you related the information in the sentence to Investigator Briggs on the night of October 20th, 2014, and then the second question will be whether it is accurate.

So the first sentence is, "Detective March related the following: On or about 2156 hours 19 October, 2014, Chicago Police 8th District beat car 815 Robert responded to

41st and Kildare in reference to a "citizen holding a subject"."

So let me first ask you, Detective March, did you relate the information that is in that first sentence to Investigator Briggs during your phone call on October 20th, 2014?

A. Again, not in those exact words, but most of the information in that first sentence is accurate except for the date of occurrence where he documented that I said or I related that the incident occurred on 19 October 2014.

The telephone call notification that I made to him was made on 20 October 2014 from the scene of the incident, and there is no way that I said that night or any time during the following almost two years now that I've been talking about this incident, there is no way that I referred to this incident as occurring on the 19th of October.

Q. Is it fair to say that you, at some point during your conversation with Investigator Briggs, told him that an 8th District beat car, 815 Robert, responded to 41st and Kildare in reference to a citizen holding a subject?

A. I would have told him something along the lines of some Chicago police officers responded to a call of someone holding a subject for the police at 41st and Kildare.

Again, I'm trying to guess here because I don't recall exactly the words that were used. I assume he asked me probably what beat was involved and I told him 815 Robert, and I'm assuming that him knowing the -- some of the workings and especially the numbering system of the beats and the Chicago Police Department, I think he correctly assumed that 815 Robert was an 8th District beat car. I don't remember telling him it was an 8th District beat car. I think he just assumed that from the beat number.

Q. Next sentence, "Upon arrival, Beat 815 Robert was confronted by the subject who threatened the officers with a four-inch fold knife."

Do you recall relating the information in that second sentence to Investigator Briggs on the night of October 20th, 2014, during your phone call with him?

A. As I just indicated, I would have told him that Beat 815 Robert responded to this assignment. The rest of that sentence is a complete misrepresentation of what I told him that night.

And, again, in dealing with this incident for almost two years now, I have never characterized what happened between Laquan McDonald and the officers assigned to 815 Robert as 815 Robert was confronted by the subject who threatened the officers with a four-inch fold knife.

First of all, as borne out in my -- all of the reports that I have written documenting this incident, at no time did any witness ever say that the officers on Beat 815 Robert were confronted by the subject. The subject being Laquan McDonald.

In fact, it was the other way around. The officers responded to the assignment and they subsequently confronted Laquan McDonald, who they found walking down the street.

I have never characterized what happened between those officers and Laquan

McDonald as him threatening them with a knife in the sense that I'm thinking somebody is brandishing a knife and threatening to cut you. I always characterized this incident as him attacking their vehicle with the knife, where he stabbed the right front tire and then stabbed the windshield. I have never characterized this as him threatening the officers with the knife.

That having been said, I believe that the act of attacking the marked police vehicle associated with two uniformed police officers was, in fact, a threat to the officers, but, again, just to be clear, that is now -- the words that are in this sentence are not the way I would have or have ever portrayed this incident.

The last misrepresentation is that it says that he threatened the officers with a four-inch fold knife. Again, having been at the scene, seeing the knife myself, knowing how I believe every single person -- all personnel employed by the Chicago Police Department in any reports written about this incident, I believe it has been very consistent that the knife has

been referred to as a folding knife, seven inches in overall length with a three-inch blade. I have never and I have never heard anyone else describe the weapon as a four-inch fold knife.

Q. So do you think that second sentence is -- putting aside the question of whether you relayed the information contained in the second sentence to Investigator Briggs, do you think that second sentence is accurate?

A. No.

Q. And it's for the reasons you stated?

A. Yes.

Q. Okay. How about the information in the first sentence, other than the 19th of October language, is the statement -- the first-sentence statement accurate?

A. Aside from the fact that he's got the wrong date, which you just described, and the fact that the words, "citizen holding a subject" are in quotation marks, I don't recall that I said those exact words, but the idea, if you will, of that being a summary of what had occurred is accurate.

Q. Okay. Third sentence, "The subject fled the scene on foot, where at 4112 South Pulaski the subject was stopped by officers assigned to Beat 845 Robert."

First question, did you relay the information contained in that sentence to Investigator Briggs during your phone call on October 20th, 2014?

A. In this sentence, I believe that all of those details or facts described in that sentence are accurate and were relayed by me to Investigator Briggs.

And, again, I can't say that I used those exact words in one complete coherent sentence that says all of that in one sentence.

Q. Okay. Next sentence, "The officers announced their office as Chicago Police Officers and ordered the subject to drop the knife."

First question, did you relay that information to Investigator Briggs during your phone call on October 20th, 2014?

A. Again, not in those exact words, but, yes, that information was relayed to

Investigator Briggs with the exception of the fact that he's got the words, "Chicago police officers" in quotation marks, and I have no -- again, from being out there that night, interviewing all the officers involved, having written a number of reports involving this investigation, and talking about it on numerous occasions, no one -- none of the officers ever told me that the words they said were "Chicago police officers" when they were announcing their office.

And I obviously did not characterize that then to Investigator Briggs. If I had not heard someone say those words, I would not tell him that someone said those words.

Q. Okay.

A. I did tell him that the officers announced their office, and I believe all the reports that I've written said that all of the officers are pretty consistent in saying something along the lines of, "Police, stop. Police, drop the knife." But never do they say, "Chicago police officers, stop. Chicago police officers, drop the knife."

So except for that one clarification, again, that sentence are not the exact words I spoke to him, but the facts detailed in that sentence are accurate.

Q. Next sentence, "The subject lunged at the officers with the knife."

First question, did you relay that information to Investigator Briggs during your phone call on October 20th, 2014?

A. No, I -- again, being a detective -- being a police officer for 34 years and especially being a violent crimes detective for the last 25 years, details of the elements of a criminal offense are the most important thing we deal with.

I mean, when we're determining whether or not we have probable cause to arrest someone, when we're presenting a case to the State's Attorney's Office for the approval of criminal charges, it's very important how the facts are characterized. If you leave facts out, if you use words that don't convey all of the details, you're not conveying an accurate message to whoever.

And especially like with dealing with the State's Attorney's Office, they're they ones -- they're not on scene, they don't talk to all of the people that we do, so it's up to us to accurately relay to them what the facts are because that's what they're going to make their decision as to whether or not they're going to charge and what charge is the most appropriate.

So obviously you don't want to use language that doesn't accurately describe something and you don't want to use language that describes things that didn't happen.

Again, having spoken to every officer that was involved in this incident, no one has ever told me that they saw Laquan McDonald or felt that he was lunging at anyone.

In viewing the video myself, I have never had the impression that I see Laquan McDonald ever lunge at anyone in that video. And, again, in speaking about this case for almost two years, I can say with certainty -- because, again, my awareness of the importance of the details -- I have never described what Laquan McDonald did during this incident as a

lunge.

So the sentence, "The subject lunged at the officers with the knife" is just something that I never said and I did not tell Investigator Briggs.

Q. Okay. Understanding that -- putting aside whether or not you relayed that information -- or relayed -- said the word, "lunged" to Investigator Briggs on the night of October 20th, 2014, do you believe it's an accurate statement to say that the subject lunged at the officers with the knife?

A. No, I believe that's a misrepresentation by Investigator Briggs.

Q. You do not think --

A. And I don't know what he based that on. It certainly wasn't the words I told him because I never told him that Laquan McDonald lunged at anyone.

Q. So you do not think it's accurate to state that McDonald lunged at the officers?

A. Correct.

Q. Do you have any recollection of how you characterized McDonald's actions to Briggs

during your phone call?

A. I -- again, I don't know the exact words that I used. I know from what I saw and how I handled my investigations, I would have said something along the lines of McDonald attacked the officers or began to attack the officers.

Q. Okay --

A. And, again, there's many ways to attack. I wouldn't describe what he did as a lunge.

Q. Next sentence, "Fearing for their life and attempting to stop the threat, one officer, star number 9465, fired 16 rounds from his duty weapon, a Smith & Wesson 9mm handgun striking the subject numerous times."

First question, did you relate the information contained in that sentence to Investigator Briggs during your phone call on October 20th, 2014?

A. Yes, I did relay -- all of the facts detailed in that sentence were related by me to Investigator Briggs, not necessarily in those exact words and certainly not in one sentence

like that.

Q. Okay. And is that sentence accurate?

A. As best I know from what happened at this date.

Q. Okay. Next sentence, "After striking the subject, an ambulance was requested by the officers."

First question, is that -- did you relate the information contained in that sentence to Investigator Briggs during your phone call on October 20th, 2014?

A. Yes, the facts detailed in that sentence are accurate. Again, not the words necessarily that I actually used and certainly not in a sentence like that that I recall.

Q. Okay. But, generally speaking, the information that's contained in that sentence you relayed to Investigator Briggs during your phone call?

A. Yes.

Q. The next paragraph starts, "Upon arrival of Chicago Fire Department ambulance," I want you to review that paragraph, and after you've had a chance to look it over, I want to

ask if you provided the information in that paragraph to Investigator Briggs during your phone call?

A. In the first sentence I would have told him that Chicago Fire Department Ambulance 21 transported McDonald to Mount Sinai Hospital.

Pretty much the rest of that paragraph, aside from the time that he's expired, because I would have told him that McDonald was pronounced dead at 2242 hours, but the rest of that is information that I did not provide to Briggs.

The beginning of the second sentence where it says, "Once at Mount Sinai Hospital, emergency staff were unable to revive the subject," I have no idea what was done at Mount Sinai Hospital. I don't know if they rolled him into the ER and he was a flat-line, that they never found any signs of life; I don't know if they worked on him and performed any procedures in attempting to save his life and were unsuccessful.

So that statement that they were

unable to revive him, I don't know where that comes from. I did not say anything in any faintest resemblance to that statement.

I would have told him, as I told you, that he was pronounced dead at 2242 hours, the name of the doctor, the beat car has it -- Briggs has it spelled one way here, the Original Case Report by Officer Fontaine has it spelled a different way.

The spelling that I got from the detectives at the hospital is different. In fact, it's completely different. If you look at my report, the doctor that is credited with pronouncing Laquan McDonald deceased is Pitzele, I believe it is spelled P-i-t-z-e-l-e, which, depending on what your perspective is, is kind of close to what Briggs has here, but it certainly is not the name that Briggs has here.

After the doctor's name, the rest of that paragraph is basically a description of the injuries sustained by Laquan McDonald, and there is no way that I -- I couldn't have possibly told him any of that information because at the time I made this notification, the only things I

knew at that point were that Jason Van Dyke said he had fired his weapon 16 times and I was aware that Laquan McDonald had been shot multiple times, which means more than once.

I had no idea how many times he was hit, if all 16 shots struck him, if they were lodged or through-and-through injuries, which would create more than one hole, I had no idea anywhere near this kind of description of his injuries. So obviously Briggs got that from some other source, not me.

Q. Is it possible that the two detectives who were at the hospital, would they have had that information?

A. It's certainly possible that those detectives had that information. It's possible anyone from the police department who was present at the hospital with information may have made an additional call to Briggs and provided that information. It's possible that Briggs, in performing his duties, called the hospital to obtain additional information that I didn't know.

But it's obvious -- it's completely

totally obvious to me that the four pages of this report are not a summary of information he received entirely from me. It's obvious to me that he used additional sources and probably additional people to gather all the information he's summarizing in these four pages.

Q. And maybe that's a good segue maybe to kind of go through a little bit and determine what of the information in this Case Report came from you and what information didn't.

So if we could go to Page 1. There's a --

A. Let me ask you this: If you want to simplify things, I've gone through my copy of this report and kind of highlighted the information that I didn't provide him. So maybe that could save you some time, unless you feel obligated to ask every entry.

Q. Maybe we can quickly -- we'll quickly talk about what you did provide. So there's a the Decedent/Subject section on Page 1.

Did you provide Investigator Briggs with the information and the details contained in that Decedent/Subject section?

A. Well, with the exception of the ZIP code for his residence at 501 North Springfield, I would have told them that I received the information that the last known address that the Chicago Police Department had for Laquan McDonald was 501 North Springfield.

But obviously standing at the scene, I had no idea what the ZIP code is at 501 North Springfield. And at that point I didn't pull out my phone and go on the internet and look up that ZIP code for that address.

So obviously he at some -- from some source -- and I'm assuming he looked it up on the internet or from a ZIP code directory book, if they still make those, he looked up that address and entered it into his report.

So under that Decedent/Subject category, the only information that I did not provide to him is the ZIP code of the residence.

Q. Let's see, in the Notification section on Page 1, fair to say that you provided him your name, title, and star number?

A. Yes.

Q. Did you provide him the beat number

of 5121?

A. Yes.

Q. And did you provide him the police report number of HX475653?

A. Yes. The only information in that section that I don't believe I gave him because I don't remember it and I don't recall ever doing that is the telephone number for my office, which is what that telephone number is. Again, I assume he looked that up from another source.

Q. Okay. In the Discovered section, did you provide him the information in that Discovered section?

A. There is some information that I did not provide. But, first of all, I would like to point out, if you look at that section at the bottom of Page 1 and the first two lines of Page 2, which is a continuation of that section, I think it's obvious if you look through all of the entries or the categories in that section, this is in reference to a dead body. This is the discovery of a dead body.

He has for the first entry,

"Discovered by: Chicago Police beat number 845 Robert." They did not discover a dead body. They were dealing with a live offender from the entire time he was at the scene, and I'm told that when he went into the ambulance, he still had a pulse. So the Chicago Police Department did not encounter a dead body at that point.

So, again, I -- I don't know what he's trying to convey here, but the section should really be, you know -- if you want to be totally accurate, it would probably be that someone at the hospital with the location of Mount Sinai Hospital would be the one to give you information about the discovery of a dead body because that is where he was -- until he was pronounced dead, he was alive.

And I know, again from all the information I received at the scene, that he definitely was still alive at the scene. So it's a technicality, but we're dealing with lawyers here, and that's what they live on is technicalities.

I'm assuming again the address -- he's got, "Discovered by: Chicago Police beat

number 845 Robert," that's Jason Van Dyke and Officer Joe Walsh's beat number.

He uses the address of the 8th District, which I did not provide him. Again, I'm assuming he looked that up in some reference that he's got.

The telephone number is my office telephone number, so I'm not sure why that's in there because I didn't discover the body, and I don't think any of the people from Area Central Bureau of Detective's Office discovered the body. The best I know, the people at the scene that encountered Laquan McDonald were all officers assigned to the 8th District.

"Title: Police officer," "Relationship: Police officer," I'm not sure what he's -- Beat 845 Robert are obviously police officers, but, "Relationship: Police officer." I'm not sure what that's indicating.

Last known alive, I guess that's accurate because the officers saw him alive on the 20th and he was pronounced deceased on the 20th, so that's accurate information. I'm not sure exactly how Briggs determined that.

Discover date and time, again, this is supposed to be in reference to a dead body, and he's got 10/20/2014, 9:56 p.m. That is the time when Jason Van Dyke and Joseph Walsh encountered and confronted Laquan McDonald.

That is not the time -- and, again, he was still alive attacking them with a knife at that time. So I don't know how that figures into Briggs' thinking that that's the time for the discovery of a dead body.

And then condition of body, multiple gunshot wounds, again, he's taking the fact that Laquan McDonald was shot multiple times and putting that in there for the condition of the body.

And I did tell him that McDonald had been shot multiple times but...

Q. How about Place of Occurrence/Incident, did you provide the information on that section to Investigator Briggs?

A. Yes, that would have been information I communicated to him except for the ZIP code of the address of occurrence because, again, I

didn't know the address at that point when I was calling from the scene.

Q. Okay.

A. So obviously he got that from some other source.

Q. And then Identification of Deceased?

A. This is a very confusing category for me personally. If you read my reports, they document the fact that Laquan McDonald was initially tentatively identified by his State of Illinois ID card that he had on his person, and subsequently that identification was confirmed by his fingerprints.

But at the time I made this notification to Briggs, we were working off that tentative identification. "Positive Identification: Coworker," I have no idea what that is supposed to be indicating because there was certainly no coworker of Laquan McDonald that I was aware of that had any contact with police.

Identification means fingerprints. Again, at the time I was making this notification, I knew that as part of the

standard procedure, at some point in time, Laquan McDonald's remains would be fingerprinted, but they had not been fingerprinted at this point.

And I confirmed that by looking at the crime scene processing reports from the forensic investigators. And he was, in fact, I believe, fingerprinted at the Medical Examiner's Office on the following day. I believe it was the 21st when the autopsy was done.

So, again, there's no way that I told him that he was identified by fingerprints at the time I made this notification.

Q. And maybe -- so on the second page in the -- or third page of the report in the narrative section, last full paragraph, "Subject was positively identified by the Chicago Police ICLEAR system based on a prior Chicago Police booking number, IR2106340.

I mean, does that -- how does that relate to the identification of the deceased?

A. To that particular -- specific fact, I was told by -- again, I don't remember who told me, I wrote it on a General Progress

Report, that someone had run, I'm assuming, the information off of the state ID card -- they had run a name-check on him in our database and come up with possible IR number, and I could have provided that to Briggs.

Q. Okay.

A. But, again, that had not -- the IR number is a distinct number assigned to every person that the Chicago Police Department arrests based on their fingerprints, and no fingerprint analysis or match or even fingerprinting process had been completed at the time.

That was someone ran a name-check based on the identifiers from the ID card and came up with that IR number. And I gave that to -- again, that was in my notes -- so I probably did give that number to Briggs as a possible IR number for --

Q. Would you have told Briggs the subject was positively identified by the Chicago Police ICLEAR system during your phone call on October 20th, 2014?

A. No, absolutely not. There's two

issues -- and, again, this goes back to my training and experience after my 34 years as a Chicago police officer.

When you come across a dead body, whether it be a natural or criminal incident, two of the very most important procedures that the police department has to accomplish is to identify the -- positively identify the subject and make a notification to the next of kin.

Identification is made either by having a family member, and not just a friend who knows him for the last five years, but we usually use a blood family relative to view the victim and say, yeah, that's my husband, that's my son, that's my daughter, you know, whatever.

That had not happened because at the time of this notification, we had not made contact with Laquan McDonald's family.

And the other more common way is -- or second more common way, whatever you want to call it, would be through fingerprints, and I just discussed, that had not even started yet.

Q. Do you have any independent -- well, independent of this document -- independent

recollection of what you did tell Investigator Briggs regarding McDonald's identification during your phone call?

A. I would have told him that, like I just told you, we had tentative information coming off the ID card, and I would have told him the same thing, someone ran him in our system and came up with a possible IR number.

Q. Going back to Page 2 of the Case Report, the Pronouncement section, did you provide the information in that section to Investigator Briggs during your phone call on October 20th, 2014?

A. "Place Deceased Pronounced," I would have told him he was pronounced at Mount Sinai Hospital. I did not specify ER because he could have died in surgery. I did not know where in the hospital he would have been pronounced, so I did not say ER. I would tell him hospital.

"Method of Pronouncement: On View," I'm not quite sure what that means.

"Hospital: Mount Sinai Medical Center," I would have told him Mount Sinai, and obviously I gave him the date and time.

And, again, I gave him the doctor's name that I have but, again, going to the credibility of his attention to detail in his report and all the other inaccuracies that are in here, that is not the name of the doctor with the spelling that I gave him.

And I would have gave him -- some of the very most important information we give them is the time of pronouncement and the doctor or the person who pronounces. And I certainly did not -- I did give him the name that I had in my report, but I did not give him this name.

Q. And doctor --

A. Now, it could be that I, in my reports, through my sources, other detectives, they have the wrong spelling and this is the correct spelling. But if that's the case, then Briggs didn't get that from me. Again, he got it from another source.

So, again, the information in these four pages is not entirely exclusively from me. This is a summary of information he gathered from a number of sources.

Q. "Fire Department on Scene," would

you --

A. I would have told him that Ambulance 21 transported the body to the hospital.

Q. Okay. And then going back to the narrative section --

A. And just by way of, again, attention to detail, the bottom of Page 2 "List of Person Interviewed," he's got my name and title and everything. Again, I don't recall giving him the office number. I'm assuming he got that off a list he has. I certainly -- he did not ask me, and I did not provide him with the address of my office. Again, he got that from another source.

Q. In the narrative section, last full paragraph, second sentence, "At the time of this report, it is unknown why the citizen was "holding the subject" since the citizen left the scene and could not be interviewed."

Did you provide the information contained in that sentence to Investigator Briggs on the night of October 20th, 2014?

A. I don't specifically recall relaying

that information to him. It is possible that I did and that statement is accurate, but, again, I don't recall making a statement exactly in that manner. But if he asked me, you know, did we interview the citizen who made the original call, I would have told him no because at that point, we hadn't.

Q. Did you inform Investigator Briggs that there was video of the shooting?

A. I don't recall if we discussed video or not.

Q. Okay. Do you recall whether he asked you if there was video of the shooting?

A. I don't recall.

Q. Generally speaking, do you recall providing Investigator Briggs with any information during your phone call on October 20th, 2014, that is not reflected in the Case Report?

A. It's possible, but I don't -- again, at this late date, I don't recall.

Q. No specific recollection?

A. No, nothing that I know for certain I told him that does not appear here.

MR. NEUMER: Time is 11:35 a.m. We're going to go off the record.

(WHEREUPON, a recess was had.)

MR. NEUMER: Time is 11:43 a.m. We're back on the record.

BY MR. NEUMER:

Q. Still talking about generally the Exhibit 5 Case Report. I wanted to ask you, Detective March, if at any time at the scene of the shooting on October 20th, 2014, at any time at the scene, did you tell a representative from FOP that McDonald lunged at Chicago Police Department officers?

MR. McKAY: Objection, that's outside your Notification of Allegations. Now he's supposed to defend some alleged statement to not Investigator Briggs and not Officer Dora Fontaine? Do you have an FOP report suggesting what, if anything, Detective March may have said?

That is outside your Notification of Allegations, and, as such, he should not be compelled to answer that.

MR. NEUMER: Can we read back the question.

(WHEREUPON, the record was read by the reporter.)

MR. McKAY: That's outside these allegations your office has alleged against Detective March.

Further, I submit, unless you have some report prepared by an FOP representative, you have no good faith basis to ask that question because there's nothing in Investigator Briggs' report about an FOP representative at the scene talking to Detective March.

Further, there's nothing in Officer Dora Fontaine's report, your Exhibit Number 6, that suggests there was an FOP representative talking to Detective March at the scene.

As a result, I ask that you strike that question and move on to something else.

Further, you have all the reports prepared by Detective March in this particular case; indeed, you used several of them at his interview in April. At no time, in no place do any of the reports generated by Detective March indicate he ever interviewed an FOP representative.

The allegations today and the allegations your office made back earlier this year that were the subject of the April 26th and April 27th questioning, at no time do those allegations indicate any false statements to any FOP representative, Mr. Neumer. As such, we ask that that question be stricken and we move on to what other questions are relevant to these new allegations you have alleged.

MR. NEUMER: As you know, Detective March has been ordered to answer OIG's questions, so I would ask that the court reporter read back the question to Detective March.

(WHEREUPON, the previous question was read by the reporter as follows:

"Still talking about generally the Exhibit 5 Case Report. I wanted to ask you, Detective March, if at any time at the scene of the shooting on October 20th, 2014, at any time at the scene, did you tell a representative from FOP that McDonald lunged at Chicago Police Department officers?".)

MR. McKAY: Again, I object. Are you

suggesting, Mr. Neumer, that an FOP representative and his or her statement, whether written or oral, is an official report? Because only official reports in this matter are what John Escalante wanted your office to investigate. I would ask that you answer the question, Mr. Neumer.

MR. NEUMER: The question --

MR. McKAY: He cannot be -- I'm sorry. I mean no disrespect.

Detective March cannot be expected to defend himself by way of ambush. Where does this FOP representative and some alleged conversation, where does that come from? None of the allegations your office has alleged.

What is your good faith basis as an officer of the court to even ask this question, Mr. Neumer?

MR. NEUMER: This question is relevant to our investigation --

MR. McKAY: How so? How so? We ask you to show us the relevance.

MR. NEUMER: Jim, Detective March is under order to answer our questions. I'm going to ask

the court reporter to read him the question.

THE WITNESS: She doesn't need to reread the question again.

BY THE WITNESS:

A. As I said previously in regards to your Exhibit 5, I do not recall ever in the past almost two years ever characterizing or describing anything that Laquan McDonald did on the night of October 20th, 2014, as a lunge to anyone.

I might add on top of that, at the scene that night, I do not remember having any conversation with any representatives from FOP regarding the details of what happened in this incident.

BY MR. NEUMER:

Q. I'm not sure if you're aware, FOP spokesperson Pat Camden described the -- described McDonald's actions to the press that night as a -- that McDonald lunged at the officers. If you know, do you know where FOP spokesperson Pat Camden got that information?

A. How would I possibly know? As I just told you, I don't remember having any

conversation with any representative of FOP. And I can tell you specifically Pat Camden -- and I know who he is -- I did not have any conversation with him at all that night.

And as far as where he got that, I mean, this is America and -- in spite of the conduct of the Inspector General's Office, this is America and people have a right of free speech. Pat Camden can say anything he wants.

I have no control over that, I have no idea what prompted him to say that, and I certainly, if he received information to that effect, I have no idea where it came from.

Q. Okay. And it didn't come from you --

MR. McKAY: I would reiterate, Mr. Neumer, John Escalante's letter we have talked about at length clearly states whether any officers made false statements on official reports submitted in connection with the shooting of Laquan McDonald on October 20th, 2014.

To suggest Pat Camden's statement to the press is an official report is absurd. Agreed or not?

And are we going to ask Detective

March about media reports, whether it's television or print media? That is ridiculous, especially in light of all the false information provided by the media in this case. You going to put them through this type of a sworn statement? I'd love to be asking them some questions under oath.

But, be that as it may, Detective March has answered your question. Whatever Pat Camden said to the media is not relevant to what John Escalante is asking your office to do.

Thank you.

BY MR. NEUMER:

Q. So, Detective March --

A. I'd just like to interject. Just before this exchange, I believe your last comment was that you are not saying that I made a statement like that to Pat Camden? And I would -- you said we're not saying that you made that statement to Pat Camden, but I would say on the record that the clear implication of your last question to me is that I am the source of that statement.

Q. I'm asking you whether --

A. Right --

Q. -- whether you --

A. -- your implication -- because there's no allegation but you're on your little fishing expedition and you're accusing me by implication by that question that I am the source of that statement, and clearly I am not.

Q. Okay.

A. As you just admitted that you knew before you asked the question.

Q. I don't quite follow but okay.

At this time I am going to ask my colleague if she has any cleanup questions with respect to the ME Case Report.

BY MS. WITZBURG:

Q. Just very briefly, Detective, on Page 1 there's a phone number under the Notification section and a phone number under the Discovered section. Those are both 312-747 exchange numbers. Are those both numbers for Area Central?

A. Oh, no. I'm sorry. I misspoke. The number under the Discovered looks like -- it's not -- just looking at it quickly, I thought it

was my office number. It's not. It probably is a number for the 8th District, which is the address right above it.

Q. Okay. So the 8380, is that the Area Central?

A. That is my office number.

Q. Does that phone -- is that specific to you, that exchange --

A. No, that's --

Q. -- is that the Detective Division number?

A. That's the entire office on the second floor.

Q. Okay. And 8730 is not an Area Central number?

A. Correct. Not that I know of. I believe it's the 8th District. I don't know for certain.

Q. Okay. Thank you.

MS. WITZBURG: That's it.

MR. NEUMER: Okay.

BY THE WITNESS:

A. I would just like to, since we didn't go there, make a couple other observations. On

Page 4 that we didn't deal with.

BY MR. NEUMER:

Q. Okay.

A. Near the top there it says there's an entry of "Temperature of Environment: 52 degrees Fahrenheit". There is no way that I told Investigator Briggs that the temperature at the scene that night was 52 degrees.

Again, he obviously went to some internet source or something, some weather site and found -- you know, just looked up the temperature. Because I can see how that would be relevant to the Office of the Medical Examiner, but that certainly didn't come from me as you're suggesting everything else in this report is from me.

And then a short way under that entry, there's an entry for "Photographs Taken on Scene" and it says, "False."

Again, not being familiar with all of the workings of the Medical Examiner's Office, I have no idea what that is indicating. And if that is supposed to be Briggs indicating that I told him that photographs taken at the scene is

false, that is a false representation because at the time of the notification that I made this notification, I don't believe photographs had been taken, but the crime lab, the Forensic Services personnel were on the scene in the process of processing the scene, which included not just photographs but also video.

So that is an inaccurate entry. And, again, it just goes to the credibility of using this report to say that I said anything exactly in the words that he used.

Q. I'm now going to put -- I'm going to take Exhibit 5 back and put Exhibit 6, the Original Case Incident Report in front of you.

(WHEREUPON, the document was tendered to the witness.)

BY MR. NEUMER:

Q. And who completes an Original Case Incident Report?

A. Well, it can potentially be any member of -- any sworn member of the Chicago Police Department.

I believe even with all the civilianization we've gone through, I believe

it's still sworn members only that are -- and maybe I'm wrong, but still to the best of my knowledge, it's only sworn officers that can actually initiate or create an Original Case Incident Report. So in the case of this incident, it would have been whichever officer was assigned to do that task -- to perform that task.

Q. Is it generally officers that complete the Case Incident Reports as opposed to detectives?

A. The vast majority of times, but there are times when a detective will create an original report.

Q. When would a detective create an Original Case Incident Report?

A. In an incident where he becomes aware of the crime and -- just his dealing with it. So, you know, rather than calling to have a beat car assigned and tying them up --

Q. Sure.

A. -- and the detective, the detective will just, you know, save some resources and just create the original report themselves.

Q. Got you. And so what's the review chain for a Case Incident Report?

A. The member who prepares the report, it's all computerized now. We have a system that's called AIRA -- I believe it's A-I-R-A -- which is for creating original computerized incident reports. Officers can do that in the mobile PDTs -- I don't know if that's police data terminal -- that they have in the cars, or they can do it on any computer in the police facility. But, as I said, no longer do we write -- hand-write reports out by hand; it's all done on computer.

And so there's a number of screens that the officer will go through and enter the information that's requested. They enter -- I should specify that they enter the information that they have or are aware of at that time.

All of these are usually what is called as preliminary investigations. When the investigation is just starting, the civilian, if you will, is just initially reporting it to the police, so sometimes the officer making -- initiating the report doesn't have all of the

facts or may be given wrong information by the people they're talking to.

But it's basically that officer goes through the different screens and enters the information that is requested to the best of their knowledge.

Q. And after the officer or, in certain instances detective, completes the Case Incident Report, who next reviews that report?

A. Once the officer has entered all the information and they're satisfied that they have everything the way they want it on the report, on one of the screens, there's a "Submit" button. When they click on that button, it is then considered submitted.

In fact, if you were to look at the system in more detail, a report that has not been submitted yet, somewhere near the top of the report, it will say, "Preliminary" because it has not been submitted. That report is basically nothing; it's just a report in progress.

Once it is submitted, then if you were to print the report up then, it would say

somewhere near the top, "Submitted." And then a supervisor, normally it's a sergeant, would review the report and approve it.

Once the sergeant reviews the report and is in agreement with it or whatever and decides he's ready to approve it, there's a screen in his computer that he clicks on the "Approved" button. At that time, the report becomes approved, and, again, if you were to print a copy of the report after that, it would say, "Approved" somewhere near the top of the report.

Q. Yep. Yep. Okay. Does the detective assigned to a case generally look at the case incident report before it's finalized?

A. No, the vast majority of criminal incidents that are reported by, you know, patrol personnel, there is no detective on the scene. It's a civilian reporting a crime to the officer. The officer enters his information, submits the report. His sergeant approves it or a sergeant will review and approve it.

And then subsequent to that, it will be assigned to a detective. And then that's

like normally the first opportunity the detective has to even know the report exists, much less read it and review it.

Q. So generally speaking, the Case -- the Original Case Incident Report is approved and finalized before a detective even gets assigned?

A. Correct.

Q. Who prepared this Exhibit 6 Original Case Incident Report?

MR. McKAY: Objection to speculation unless he knows.

BY THE WITNESS:

A. I can only speak -- again, I wasn't present when this report was created and submitted in the computer system. I can only go by the computer entries on the last page of this report, but it -- I know that Dora Fontaine was at the scene, I know that she was one of the officers assigned to the car that was assigned to do the original report, and it says reporting officer is Dora Fontaine.

So it was either Dora Fontaine or someone logged into the computer system as Dora

Fontaine. That's the only thing I can say for certain.

Q. Okay.

A. It probably was Dora Fontaine.

Q. Did you direct Officer Fontaine to complete this Case Incident Report?

A. No, her sergeant did. One of the 8th District sergeants assigned their car or her car to, you know, be the quote/unquote paper car to create the Original Case Incident Report.

Q. Did you speak -- I know -- based on our interviews in April, I know you spoke to Officer Fontaine at the scene of the shooting regarding what she had witnessed. Putting those conversations aside, did you speak to Officer Fontaine at the scene of the shooting regarding her completion of this Original Case Incident Report?

A. I believe I just checked with her what classification she was going to use, what address, date and time of occurrence.

And then obviously, as we've already spoken about, I made the notification to the Medical Examiner's Office so I gave her

Investigator Briggs' name and badge number to -- because technically the notification responsibility is the beat car, so I did that for them and gave her the information so it could be entered on the report.

Q. Okay. And so just to -- just for the record, what was the information you provided, the --

A. I told her I notified the Medical Examiner's Office and here's the name of the investigator and here's his number.

Q. Oh, okay. Okay. Is --

A. Which she apparently entered on the report because it is in there and I didn't enter it.

Q. Did you provide Officer Fontaine with any of the other information that is contained in this Exhibit 6 report?

A. No.

Q. Do you know where she would have gotten the information in this report that lists Officer Gaffney, Officer Van Dyke, and Officer Walsh as victims?

A. Either from talking to those

individual officers or from someone else who had spoken to the officers.

Q. Okay. She did not get that information regarding the victims from you?

MR. McKAY: Objection, asked and answered.

BY THE WITNESS:

A. I believe I -- in our previous interview from April, I -- there was a question as to, you know, how this classification, whatever -- I think we had a conversation about who would be listed as a victim -- as victims on this report, and so obviously -- I don't know if Dora Fontaine was part of the conversation I was involved in.

Most of my conversations were with supervisors, and I don't recall if Dora Fontaine was there or not. But it was decided that we would list three victims, Officers Gaffney, Van Dyke, and Walsh.

Q. Right, but you don't have a specific recollection of telling Officer Fontaine, "You should list these three individuals as victims in your Original Case Incident Report"?

A. No, I don't recall that.

Q. Were you responsible for approving this Original Case Incident Report?

A. Absolutely not. As a detective, I have no authority to go into the computer system and approve anyone's report. Only a sergeant and above can do that.

Q. Let me back up, actually. In the Injuries section on Page 1, it says, "Injury info, PO Van Dyke, Number 12865, Jason - victim" and then underneath that it says, "Injured by offender."

Did you direct Officer Fontaine to include that, "Injured by offender" language in the report?

A. No.

Q. Do you have any knowledge as to why Officer Fontaine included that language in the report?

A. I can only speculate as to why that entry is in the report. The most likely reason that I can think of is that, again, as I explained, she was on the computer dealing with different computer screens.

And for this -- I know that for this,

"Injured by offender" entry, it's just a -- I believe they call it a radio button in computer terminology, but it's just a button you click on if that's the entry you want on the report.

My best guess would be that somehow she clicked on that button by accident because at no time did Jason Van Dyke tell me that he was injured, at no time did anyone else tell me that Jason Van Dyke or that anyone else was injured during this incident besides Laquan McDonald.

And I don't know if maybe Dora Fontaine thought he was or someone told her that he was, but I tend to believe that this was more of an accident because here's the thing: When an officer intentionally -- if they have a victim who is injured and they are intentionally clicking on that button to indicate that the victim was injured by the offender, there are then some subsequent drop-down menus that are normally -- a choice is made to also make an entry.

So in that case, let's say if this was -- Van Dyke was injured, you would have the

entry, "injured by offender." It would then say, "nature of injury" and a drop-down menu -- some of the -- not all of the selections, but -- this is not an inclusive list, but some of the -- and, again, these are all computer choices. These are not the words of an officer entering it.

Some of the entries and selections -- or possible selections in the drop-down menu are gunshot wound, stab wound, blunt force trauma, abrasion, bruising, along those lines.

And then there's another drop-down menu for the weapon used or instrument used to inflict the injury. Is it a firearm, is it a knife, is it a blunt instrument, is it hands if someone is punching someone.

So, again, my feeling or my interpretation of this is, if that was an intentional entry by Dora Fontaine, I would expect there to see the entries from the subsequent drop-down menus here. And those are not here, so that makes me think more likely than not, this was -- you know, I'm sure -- I know I have, most people I know have at some

point in time clicked on the wrong button on the computer and gotten a result that they didn't want, and I think that's what happened here.

I might also add that most of the entries from this Original Case Report, once it is approved, when I create a report subsequent to that, the report -- what I'm starting with is not a blank report. I'm starting with the information populated from this report. And then it's up to me to create -- to correct any errors and to update any information if I learn something that's different from what the beat officer had in their report.

And I can tell you from looking at my reports, nowhere in my reports does this injury section appear at all.

Q. Okay.

A. And I don't specifically remember doing this, but when I created a report, I go through all the screens to make sure the information is accurate as far as what I know, and if that box "injured by offender" had been checked, I obviously unchecked it because in my reports, this does not appear.

Q. I got you. Did you review this Exhibit 6 report before it was finalized?

A. No.

Q. Do you --

A. And there's no -- I might also add that there is no evidence anywhere that I had anything to do with the drafting or the reviewing or the approval of this report.

Q. Do you recall when you first saw this Exhibit 6 report?

A. Sometime the following morning after it was approved, I believe.

Q. Your name on Page 4 -- bottom of Page 4 in the Personnel section, your name and PC number are listed, along with the date of -- well, I should ask you, is that your PC number next your name at the bottom of Page 4?

A. Yes.

Q. And then a date and time is -- next to that PC number is October 21st, 2014, 15:01. What does that time signify?

A. Well, again, Mr. McKay alluded to this at the beginning of this proceeding when he said John Escalante would never have made the

allegations that I am now facing regarding this report because if you just look at this report, it logically tells you what happened here.

The bottom line -- the last line of this page is that Dora Fontaine submitted the report on 21 October 2014 at 0432 hours, which is 4:32 a.m. That is the time the computer assigns. She didn't pick that time; that is the time the computer assigns when she clicks the "Submit" button.

The next time chronologically is the top -- the top line here, Sergeant Stephen Franko, it's got his approval time at 21 October 2014 at 0518 hours, that's 5:18 a.m. That is, again, not a time chosen by Sergeant Franko. When he clicks -- when he goes in there as a supervisor and clicks on the "Approval" button, that time is assigned by the computer.

And, again, First Deputy Superintendent John Escalante would know these things.

My name is on the middle line there, and it says -- my name is associated with a time of 21 October 2014 at 1501 hours, which is

3:01 p.m. on that same day. So it's almost -- it's getting close -- it's about ten hours after Sergeant Franko approved the report.

And, again, First Deputy Superintendent Escalante would know that Dora Fontaine's entry is in regards to when she submitted the report; Sergeant Franko's name is in regards to the time he approved the report; my name is the time at which a supervisor or a detective assigned to the Area Case Management Office went into the computer system and administrative -- knew that I was the assigned detective and went into the system and administratively assigned the job -- this incident to me on 21 October 2014 at 1501 hours.

Again, that's the time it was administratively assigned to me. It was actually assigned to me many hours earlier on the night of the 20th by Sergeant Gallagher verbally in person, but it didn't make it into the computer obviously until all these steps occurred.

And, again, First Deputy Superintendent John Escalante would know all

this and, therefore, never would have made these allegations, two of which -- not just one, two of which I'm looking at regarding this one report.

MR. NEUMER: At this time I'm going to turn it over to my colleague for follow-up questions.

MS. WITZBURG: Thanks.

BY MS. WITZBURG:

Q. Detective, you mentioned that there was a conversation on the scene having to do with who would be designated as a victim; is that right?

A. Correct.

Q. Tell us a little bit more about that conversation. Who else --

MR. McKAY: Objection, this has been asked and answered in April. You were here, Peter, Kris Brown was here, with all due respect to Ms. Witzburg, she was not. That's why she doesn't know about that conversation. You do.

That's not the purpose of this second interview is to do a do-over of the first interview, so I'm objecting to these questions.

And I ask that Ms. Witzburg move on

to questions that are related to yours pursuant to the Collective Bargaining Agreement. She can ask follow-up questions of your questioning, not do a discovery deposition of something she may not have personal knowledge of because she was not present for the April interviews.

MR. NEUMER: I mean, I think the question is reasonable and I would just ask the court reporter to read it back to Mr. -- Detective March.

(WHEREUPON, the record was read by the reporter.)

BY THE WITNESS:

A. Maybe you could repeat the -- ask me what you want to know.

BY MS. WITZBURG:

Q. Who participated in that conversation?

A. I do not recall all of the parties. I know obviously myself was part of it. I believe Sergeant Gallagher was part of it, and ultimately I know Deputy Chief David McNaughton, who was the on-call incident commander, the highest-ranking department member on the scene

in charge of the entire scene, he ultimately weighed in on it.

Q. Okay. And do you know which person who had participated in that conversation gave the information to Officer Fontaine as to who to designate as victims in that report?

A. I don't recall how that information got communicated to her.

Q. Do you recall if it was you?

A. No, I don't recall.

Q. Okay. So it could have been but you're not sure?

MR. McKAY: Objection, asked and answered.

I also ask the record reflect that this questioning, in my mind, is violating Subsection C of Section 6.2 of the Collective Bargaining Agreement which clearly mandates that if there is a second interviewer, that second interviewer will ask follow-up questions for clarification purposes only. She cannot or he cannot conduct questioning of a witness during a second interview after it had already been gone into during the first interview several months ago.

BY MS. WITZBURG:

Q. Detective March, you told us you first saw this report, I believe you said, sometime the following day, sometime on October 21st; is that right?

A. Sometime that morning.

Q. Okay. Generally speaking, when you're assigned to an investigation, when you review the Original Case Incident Report, if you discover something that you consider to be an error in that report, what steps would you take?

A. As I just -- I think I just went into that. When I go in to create my subsequent reports, if there's any information that's inaccurate, I correct it.

If there's additional information that the officer didn't have at the time that I now have, I add that and update the -- I update everything to the most accurate information that I have available to me.

Q. Understood. To ensure the accuracy of your subsequent reports, correct?

A. Correct.

Q. Would you take any steps as far as

correcting the original report itself or noting anywhere that that report contained an error?

A. No, for integrity of the report, once the report is approved by a sergeant, it cannot be changed. That is the original report. Any subsequent reports that need to -- have updated information, you create that information in the updated reports.

Like I said, in this case, I don't specifically remember that, but it makes sense -- I mean, it would most likely be that this obviously does appear, this entry about Van Dyke being injured by offender obviously does appear in the approved version of her report.

So, again, I don't specifically recall this, but it should have carried over and populated my report when I created my report in the computer, and then when I went through all the screens to make sure the information was accurate and update new information that I had, I -- again, that information is not in my report, so, again, I don't specifically recall taking this action, but I probably unchecked

that button so that my report was accurate as far as what the facts were as I knew them.

Q. Okay. And did you record anywhere your impression that the original report contained this inaccurate fact?

A. No, and there's no requirement that I do that.

Q. Thanks.

MR. McKAY: I would object to that question because that's not alleged by the Office of Inspector General in the Notification of Allegations.

He is being asked about either reviewing and approving her report or assisting in the drafting. There is no allegation that he's under some duty to correct a report he did not prepare nor did he approve.

MR. NEUMER: The time is 12:17 p.m. We're going to go off the record.

(WHEREUPON, a recess was had.)

MR. NEUMER: Time is 12:20 p.m. We're back on the record.

BY MR. NEUMER:

Q. Detective March, we have no further

questions for you today; however, understanding the nature of our investigation, if there's any other information you think is -- we should know, now is your opportunity to provide that information on the record.

MR. McKAY: Well, can I ask you a question, Peter? You made -- your office, I should say, made four allegations, three of which are somewhat specific, the fourth one is just an overall allegation based on the first three.

Are you going to specifically ask Detective March whether he admits or denies your allegations?

MR. NEUMER: I mean, I think the -- I think his answers have specifically addressed each of the Notice of Allegations. If there's anything he would like to say regarding allegations one through four, the floor is yours.

MR. McKAY: All right. If I may?

EXAMINATION

BY MR. McKAY:

Q. Detective March, drawing your attention to the Office of Inspector General's Exhibit 3, number one, on October 21st, 2014,

did you review and approve an Original Case Incident Report, which includes an event number of 1429315878 and an RD number of HX475653, even though it falsely stated that Officer Jason Van Dyke was "injured by offender"?

A. My response to the allegation is the allegation is entirely false. I have no authority to review and approve anyone's Original Case Incident Report, and in this case, I did not review and approve the Original Case Incident Report.

Q. Directing your attention to allegation number two of the Inspector General's Exhibit 3.

On or about October 20th, 2014, or October 21st, 2014, did you assist in the drafting of the OCIR which falsely stated that Officer Jason Van Dyke was "injured by offender"?

A. No, I did not assist in the drafting of that report, especially regarding the point at which it states that Officer Van Dyke was, "injured by offender."

Q. In fact, sir, in all of the reports

that you did create, whether they were supplemental reports or GPRs of witness interviews, did you at any time indicate that Officer Jason Van Dyke was injured by Laquan McDonald?

A. No, never.

Q. Regarding allegation number three of Inspector General's Exhibit Number 3, did you, on or about October 20th, 2014, make a false statement to Investigator Earl Briggs of the Cook County Office of the Medical Examiner when, with respect to the McDonald shooting, where Briggs wrote down, "McDonald lunged at the Chicago police officers assigned to Beat 845R with a knife," what do you say about that allegation?

MR. NEUMER: Just for the record, Jim, can you note that you added some additional language to the allegation number three in your recital of it.

MR. McKAY: Well, I will only because you and your office stated Detective March stated to Briggs that McDonald lunged at Chicago police officers. It's Detective March's position he

didn't state that at all to anybody.

BY MR. McKAY:

Q. So I would ask, Detective March, how do you respond to allegation number three of the Inspector General's Exhibit Number 3 as they have specifically alleged?

A. The allegation is entirely false. I never made a false statement to Investigator Briggs especially to the point where it's alleged here that I said that -- or that I stated that McDonald lunged at Chicago police officers assigned to Beat 845 Robert with a knife.

I might also add that has been well documented now in our review of that report, there is a vast array of information contained in that report that no way could have possibly come from me at the time that I made that notification from the scene.

So obviously that report is a summary of a lot of information that Investigator Briggs obtained from a number of different sources, and, as I already detailed in our discussion of that report, it is not a summary of information

he obtained exclusively from me.

I also might add, again as to the credibility of his report being used for any allegations against me and his attention to detail to record facts, the most glaring of which he's got the incident occurring on the wrong date, which does not appear to me to be a typographical error where he just got one number wrong; he got both numbers wrong on the date, the first and the second number. So it doesn't appear to be just a simple typo to me.

Again, so it goes to the credibility of that report being used as a -- regarding his attention to detail and that being used as a factual basis for any allegations against me.

I also might add that there was absolutely no motive for me to misrepresent Laquan McDonald's action during the confrontation with Jason Van Dyke because right from the beginning, I told Investigator Briggs this was a police officer-involved shooting where the offender had been shot and killed. And I told him that the subject, Laquan McDonald, had been struck multiple times by

gunshot wounds.

So there is no way using the word "lunged" as opposed to any other word would have made a difference to the Medical Examiner's Office. It was very clear that night at the scene before the Medical Examiner's Office ever got the body that their ultimate finding was going to be that the cause and manner of death would be multiple gunshot wounds, homicide.

The only question left was whether or not Jason Van Dyke's use of deadly force was justified or not, and the Medical Examiner's Office does not weigh in on that. All they do is make the determination that the cause of death is multiple gunshot wounds, because there's more than one gunshot wound -- and the manner of death is homicide.

And in the terms that the Medical Examiner's Office uses, all that indicates was that this person was killed by another person, not by a car crash or anything else. Whether or not it was a crime or a justifiable homicide or an accident, the Medical Examiner's Office doesn't make that determination. That is

determined through all of the subsequent investigation that was -- is conducted.

So the portrayal of Laquan McDonald's actions in a preliminary notification to the Office of the Medical Examiner would have had no -- absolutely no bearing on their findings in this matter.

And so, therefore, I think, again, that's consistent with me, again, knowing about the importance of details of the elements of a crime and knowing in almost two years of talking about this case, in writing, in verbally, in front of different authorities, I never -- have never used the word, "lunge" or, "lunged" to characterize what Laquan McDonald did that night.

And I wouldn't have used it as quoting of any of my witnesses because none of the witnesses I spoke to ever used the word, "lunge." And, again, as I already said, when I viewed the video, what I viewed I never characterized as a lunge.

So, again, I believe what's in Investigator Briggs' report in addition to his

inaccuracies are his words, using his words, he summarized all of the information he gathered that night.

Q. In your preparation of your official reports in this case, did you ever use the words or the phrase that Laquan McDonald lunged at Chicago police officers?

A. No.

Q. Finally, regarding allegation number four in Exhibit Number 3 of the Office of Inspector General, which alleges that you were incompetent in the performance of your duties in the ways enumerated in allegations one through three, how do you respond?

A. I find it very, very -- I find allegation number four maybe the most offensive allegation that I am facing regarding this investigation, and here's why: My mother and father did a wonderful job raising five children, okay? They taught me the importance of being a conscientious student in school and a conscientious employee in the workforce, the importance to showing to work on time, giving your best effort to anything that you do, okay?

I, over 34 years of employment with the Chicago Police Department -- and no one in the Inspector General's Office probably has any idea, but within the organization of the Chicago Police Department, I have a reputation for being very complete, very thorough, very professional, and very competent, okay?

And I'm not using these words just because I have a Donald Trump ego, okay? People have told me that. Supervisors have told me that. Prosecutors in the State's Attorney's Office of Cook County have told me.

I've dealt with law enforcement agencies at the federal level, state level, county level, city level, other municipalities, and never once -- and you can check my disciplinary record -- has anyone ever made any kind of indication that my work is anything but complete, thorough, professional, and competent.

And I find this allegation, as I said, the most reprehensible and offensive of anything that I encountered so far during the course of this investigation. And I would just caution the Inspector General's Office, who

likes to use these words very generously, to be careful in their terminology because the words they're using during the course of this investigation could very well come back and used to judge their competence and professionalism and thoroughness and completeness.

Q. In addition to that, Detective March, is there anything you wish to add to what you have already testified under oath to?

A. No.

MR. McKAY: Thank you, Mr. Neumer.

MR. NEUMER: The time is 12:31, and this interview is concluded.

(WHEREUPON, the interview was concluded at 12:31 p.m.)

C E R T I F I C A T E O F R E P O R T E R

I, MICHELLE M. YOHLER, a Certified Shorthand Reporter within and for the County of Cook, State of Illinois, do hereby certify:

That previous to the commencement of the examination of the witness, the witness was duly sworn to testify the whole truth concerning the matters herein;

That the foregoing interview transcript was reported stenographically by me, was thereafter reduced to typewriting under my personal direction and constitutes a true record of the testimony given and the proceedings had;

That the said interview was taken before me at the time and place specified;

That I am not a relative or employee or attorney or counsel, nor a relative or employee of such attorney or counsel for any of the parties hereto, nor interested directly or indirectly in the outcome of this action.

IN WITNESS WHEREOF, I do hereunto set my hand and affix my seal of office at Chicago, Illinois, this 26th day of July, 2016.



C.S.R. Certificate No. 84-4531.

Exhibits

March Exhibit No. 1 3:11 5:11,20

March Exhibit No. 2 3:12 31:17,19 32:7

March Exhibit No. 3 3:13 32:17,19 33:2 125:24 126:14 127:8 128:5 132:10

March Exhibit No. 4 3:14 33:10,13

March Exhibit No. 5 3:15 34:2,4 49:22 50:8 93:8 95:17 97:6 103:13

March Exhibit No. 6 3:17 34:17,22 35:3,10,16,17 94:13 103:13 108:9 110:18 116:2,10

0

0432 117:6

0518 117:14

07/25/2016 5:21 31:20 32:20 33:14 34:5,23

1

1 3:11 5:11,20 33:6 52:10 79:11,21 80:21 81:18 100:17 112:8

10/20/2014 84:3

11:35 93:1

11:43 93:4

11:51:59 52:12

12 8:18

125 3:6

12865 112:9

12:17 124:18

12:20 124:21

13 6:12 40:24 42:9

13th 16:16

14 29:4

1429315878 10:2 34:20 126:3

1501 117:24 118:15

15:01 116:20

15th 16:17 41:3

16 74:14 78:2,6

17 6:15

18 22:16,17 35:13, 20,22

19 63:23 64:11

19th 64:19 68:15

2

2 3:12 31:17,19 32:7 81:19 89:9 91:8

2-56 30:19

20 33:3 64:13

2014 34:9 45:9 50:9 52:12 54:3, 13,19 56:5,14 63:18,23 64:6,11, 13 65:23 69:8,22 71:9 73:10 74:20 75:11 87:23 89:13 91:23 92:18 93:10 95:20 97:9 98:20 116:20 117:6,14, 24 118:15 125:24 126:15,16 127:9

2014-01071 9:24

2015 6:15 16:17 41:3

2016 4:19 6:12 9:2, 10,18 16:16 23:9 31:23 32:4 33:3,20 34:14 35:7 40:24 42:9

20563 43:7

20th 31:23 32:4 33:20 34:14 35:7 45:8 50:9 52:12 54:3,13,18 56:4,14 63:18 64:6 65:23 69:8,22 71:9 73:10 74:20 75:11 83:22, 23 87:23 89:13 91:23 92:18 93:10 95:20 97:9 98:20 118:19 126:15 127:9

21 76:6 91:3 117:6, 13,24 118:15

2156 63:23

21st 34:9 86:10 116:20 122:5 125:24 126:16

2242 76:11 77:5

24 53:20

25 9:5 71:13

25th 4:19 23:9 35:18

26th 8:16 19:8,24 22:20 23:5 25:22 35:14 36:14 39:23 95:3

27th 8:16 19:8 20:1 22:21 36:14 39:23 95:4

3

3 3:13 32:17,19 33:2 55:19 125:24 126:14 127:8 128:5 132:10

300 4:21

31 3:5,12

312-747 100:19

32 3:13

33 3:14

34 3:16,17 44:5 71:11 88:2 133:1

3:01 118:1

4

4 3:14 9:2,18 13:10,22 33:10,13 102:1 116:13,14, 17

4112 69:2

41st 64:1,23 65:4

48 37:3

4:32 117:7

4th 9:10

5

5 3:11,15 34:2,4 49:22 50:8 93:8 95:17 97:6 103:13

50 45:18,19,20

501 80:2,6,8

5121 81:1

52 102:6,8

5:18 117:14

6

6 3:17 34:17,22 35:3,10,16,17 94:13 103:13 108:9 110:18 116:2,10

6.2 121:16

8

800 4:21

813 55:15

815 63:24 64:23 65:8,12,17 66:2,9, 10,16

8380 101:4

845 69:4 82:1 83:1, 17 128:12

845R 127:14

8730 101:14

8th 63:24 64:22 65:13,14 83:4,14 101:2,17 109:8

9

9465 74:14

9825613 34:20

9:00 25:11

9:56 84:3

9:59 4:20

9mm 74:15

A

A-i-r-a 105:6

a.m. 93:1,4 117:7, 14

abrasion 114:11

absent 24:14

absolutely 17:16, 19 54:21 56:6 87:24 112:3 129:17 131:6

absurd 98:22

accident 113:6,15 130:23

accomplish 88:7

accord 52:13

accordance 59:9

Accountability 19:2 42:8,21

accuracy 4:6 122:21

accurate 52:19 56:15,16 57:18 63:20 64:9 68:10, 17,24 69:11 71:4, 23 73:11,20 75:2, 13 82:11 83:21,23 92:2 115:21 122:19 123:21 124:1

accurately 56:3,7 72:5,10

accused 6:5,23 22:3

accused's 58:12

accusers 13:24 41:12

accusing 100:5

acknowledge 5:17 10:6 27:20 30:24

act 67:10

action 16:3 29:17 123:24 129:18

actions 73:24 97:19 131:4

Adams 4:21

add 97:11 115:4 116:5 122:18 128:14 129:2,16

added 127:18

addition 10:9 27:8 131:24

additional 40:9 78:19,22 79:4,5 122:16 127:18

address 57:5 80:4,11,16 82:23 83:3 84:24 85:1 91:13 101:3 109:21

addressed 125:15

administrative 7:16 8:9,11 31:1 60:5 118:12

administratively 118:14,17

admits 125:12

admitted 100:9

advice 38:11 40:8

advise 7:21 8:6

advised 10:22 25:12,19 28:16 29:2 38:22 40:19

advisement 3:11 5:12 23:2 27:16,18 31:8

Advisements 5:10

advising 23:7

Affairs 24:20 36:7 46:1 58:15

affidavit 17:4,5 18:8 41:19,23

affidavits 16:7

age 52:7

agencies 133:14

agency 7:18 11:18 39:19 43:19 50:3 58:15

agency's 50:2

agent 9:12 59:4

agents 19:10 39:20 42:16

agree 15:9 35:19

agreed 20:6 98:23

agreement 16:20 23:14 38:21 58:13 60:1 107:5 120:2 121:17

Agreements 40:14

aid 4:6

AIRA 105:5

alive 82:16,19 83:20,21 84:7

allegation 7:7 100:4 124:15 125:10 126:6,7,13 127:7,16,19 128:4, 7 132:9,16,17 133:20

allegations 3:13 6:9,10,16 7:10,12 16:9,11,15 17:3,8, 10,18 18:4,15,19 32:16,23 33:2,7 40:16 41:10,16 42:1,2 93:15,22 94:4 95:1,2,5,9 96:15 117:1 119:2 124:12 125:8,13, 16,17 129:4,15 132:13

allege 18:1 41:1

alleged 93:16 94:4 95:9 96:13,15 124:10 128:6,10

alleges 41:4 132:11

alleging 17:1,17 18:9,11

allowed 31:2

alluded 116:22

aloud 27:21 28:8, 23 29:12,20 30:3, 13,22 31:2,5

ambulance 75:6, 22 76:6 82:5 91:3

ambush 96:12
America 98:6,8
Amicus 4:20
analysis 87:11
announced 69:17 70:18
announcing 70:10
answering 28:5
answers 27:6 39:24 125:15
anyone's 112:5 126:8
apparently 110:13
appearance 6:2,5
appears 13:21 15:5
applicable 11:13, 24 17:9 38:21 42:13 58:23 59:8, 10
applies 41:6 42:18
apply 60:9
approval 6:7 71:19 116:8 117:13,17
approve 11:4,19 17:13 107:3,6,22 112:5 124:17 126:1,8,10
approved 6:17 107:8,9,11 108:5 115:6 116:12 118:3,8 123:4,14
approves 17:22 107:21
approving 112:1 124:14
April 8:16 18:16 19:4,8,24 20:1 21:17,19 22:15,20, 21 23:5 26:15 35:14,20 36:14 37:7 38:2 39:23 42:9 59:15 94:21 95:3,4 109:12 111:8 119:17 120:6
arbitrator 20:5,7, 11 40:2
Area 43:11 83:10 100:21 101:4,14 118:10
Arizona 7:23 8:7
array 128:16
arrest 71:17
arrests 87:10
arrival 65:16 75:22
asserting 39:8
assigned 41:7 43:10 51:8,12 66:9 69:4 83:14 87:8 104:7,20 107:14, 24 108:7,20 109:8 117:18 118:10,12, 14,17,18 122:8 127:14 128:12
assignment 43:9 66:3,20
assigns 117:8,9
assist 126:16,20
Assistant 5:2
assisted 17:14
assisting 6:23 50:18 124:14
assume 41:17 44:11,21 65:7 81:10
assumed 65:12, 15
assuming 16:7 46:18 53:14 65:9 80:13 82:23 83:5 87:1 91:11
assurances 38:18
attack 74:6,10
attacked 74:6
attacking 67:5,10 84:7
attempting 24:12 74:13 76:22
attending 48:19 49:1 51:2
attention 90:3 91:7 125:23 126:12 129:4,14
attorney 5:5 36:20
Attorney's 39:13, 14 61:3 71:19 72:2 133:11
audio 4:8,12,15 58:17
authored 36:13
authorities 131:13
authority 112:4 126:8
autopsy 46:8 86:10
aware 20:12 47:19 54:9 78:2 85:20 97:17 104:17 105:18
awareness 72:22

B

back 18:16 21:16 35:20 57:16 61:9 63:13 88:1 89:9 91:5 93:4,24 95:2, 12 103:13 112:7 120:9 124:21
badge 110:1
bargaining 16:20 23:13 38:21 40:14 58:13 60:1 120:2 121:17
based 17:18 43:23 47:13 73:16 86:18 87:10,15 109:11 125:10
basically 77:20 106:3,21
basing 16:14
basis 16:9 18:12 28:21 29:17 30:19 94:8 96:16 129:15
bearing 131:6
beat 51:11 56:24 63:24 64:22 65:8, 13,14,15,16 66:2, 16 69:4 77:6 80:24 82:1,24 83:2,17 104:19 110:3 115:12 127:14 128:12
beats 65:11
began 74:6
begin 5:22
beginning 76:14 116:23 129:20
begins 3:5,6 55:20
behalf 17:1 20:9
belief 52:13
benefit 42:11
BIA 32:3 33:1,19 34:13 35:6
bit 61:9 79:8 119:14
blade 68:3
Blanchard 15:21
blank 115:8
blanks 63:7
blood 88:13

blunt 114:10,15
board 19:13 42:20
Bob 24:5,6 25:5
bodies 60:8
body 47:16,17,20 48:14 49:17 53:7 81:22,23 82:2,7,15 83:9,12 84:2,10, 11,15 88:4 91:3 130:7
boilerplate 61:21
book 80:14
booking 86:19
borne 66:13
bottom 32:7 33:6, 23 81:18 91:8 116:13,17 117:4
box 115:22
brandishing 67:3
break 57:9
briefly 100:16
Briggs 7:2 12:3,8, 14,24 15:4 51:20 52:14,22 54:2,11, 19 55:6,14 56:4,8, 13,22 58:3 59:3 60:14 61:1,17 62:7,15 63:18 64:5,22 65:22 68:9 69:7,12,21 70:1,13 71:8 73:5,9,14,24 74:19,23 75:10,18 76:2,13 77:7,17,18 78:10,19,21 79:22 83:24 84:21 85:15 87:5,18,20 89:2,12 90:18 91:23 92:8, 16 93:17 102:7,23 127:10,13,23 128:9,21 129:20
Briggs' 7:4 13:8, 12 15:8,19 20:20, 24 21:10 22:10 26:19 84:9 94:10 110:1 131:24
Brown 8:21 19:8 22:9 27:5 119:18
bruising 114:11
Bureau 24:20 43:10 83:11
business 25:22
button 106:14 107:8 113:2,3,6,18 115:1 117:10,17 124:1

C

call 35:15,17 46:23 51:15 52:4,14,17, 21 53:9,21 54:3,18 55:13 61:12 64:6, 12 65:3,23 69:7,22 71:9 74:1,19 75:11,19 76:3 78:19 87:22 88:21 89:3,12 92:6,17 113:2
called 51:18 53:22 78:21 105:5,20
calling 54:19 55:1 62:2 85:2 104:19
calls 43:17 48:6 49:24
cam 55:10
Camden 97:18,22 98:2,9 99:10,18,20
Camden's 98:21
camera 41:5
car 51:11 56:24 63:24 64:22 65:13, 14 77:6 104:20 108:20 109:8,9 110:3 130:21
card 85:11 87:2,15 89:6
carried 123:17
cars 105:10
case 3:16,17 6:18 8:5 9:24 10:1 14:24 17:2 19:22 20:21 25:23 34:8, 14,18,20 35:3 39:9 41:21 42:13,14,16 43:2,14,16,24 44:20 45:4,21 46:22 47:1 48:12, 14,16,22,23 49:3, 16 51:8,12 52:10 55:19 59:24 61:16 71:18 72:20 77:8 79:9 89:9 90:17 92:19 93:8 94:20 95:17 99:4 100:14 103:14,18 104:4,5, 10,16 105:2 106:8 107:14 108:4,5,10 109:6,10,17 111:23 112:2 113:23 115:5 118:10 122:9 123:9 126:1,9,10 131:12 132:5
cases 46:4,5 48:11,22,24 49:4 51:10
categorically 57:19
categories 81:21
category 80:18 85:7
caution 133:24
CBA 8:11 11:13,24 12:6,12,18 13:6,16 14:12 16:12 17:9 18:5 21:3 58:9
cell 52:3 53:22
Center 89:23
Central 43:11 83:10 100:21 101:5,15
certainty 72:21
certificate 49:2
certified 4:3
chain 105:2
chair 42:20
chairperson 19:13
chance 56:2 75:24
changed 123:5
characterization 63:8
characterize 62:20 70:12 131:15
characterized 66:8,23 67:4,7 71:21 73:24 131:22
characterizing 97:7
charge 51:5 72:8 121:1
charges 38:19 59:22 71:20
check 133:16
checked 109:19 115:23
checklist 47:2 63:6,7
Chicago 7:5 8:24 17:21 19:22 24:19 25:1 27:24 28:20 29:4,9 30:18 40:4, 10 41:24 42:6,19 43:20 44:6,23 46:20 58:16 63:23 65:2,11 67:22 69:17 70:2,9,23 75:22 76:5 80:5 82:1,6,24 86:17,18 87:9,21 88:3 93:12 95:22 103:21 127:14,23 128:11 132:7 133:2,4
Chicago's 41:18
Chief 120:22

children 132:20
choice 113:21
choices 114:6
choosing 30:7
chose 22:16
chosen 117:15
chronically 48:19
chronologically 117:11
circumstances 47:19 49:7,8
citizen 64:1,24 68:20 91:18,19 92:5
city 24:24 27:24 39:19 40:10,13 41:18,24 43:19 133:15
civilian 18:9 105:21 107:19
civilianization 103:24
civilians 16:8
clarification 71:1 121:20
Class 60:18
classification 109:20 111:9
cleanup 100:13
clear 15:16 67:13 99:21 130:5
click 106:14 113:3
clicked 113:6 115:1
clicking 113:18
clicks 107:7 117:9,16,17
client 6:1
close 77:17 118:2
code 80:2,8,11,14, 19 84:23
coherent 69:14
colleague 5:13 24:9 31:9 100:13 119:6
collective 16:20 23:13 38:21 40:13 58:13 60:1 120:2 121:16
command 9:1 24:14
commander 23:20,23 24:5,16, 18 25:4 39:2 60:24 120:23
comment 99:17
common 88:19,20
commonly 51:9
communicated 45:13 84:23 121:8
communicating 46:13
communication 50:10,15,16
communications 45:7
compelled 39:7 93:23
competent 133:7, 19
complainant 16:24 18:9 41:17, 20
complainant's 17:3
complainants 16:6 40:12,17,21
complete 66:4 69:14 104:10 109:6 133:6,19
completed 25:21 87:12
completely 19:6 28:5 63:2 77:12 78:24
completes 103:18 106:8
completion 109:17
complies 16:12 17:9 18:4 58:23
comply 59:8
computer 105:10, 13 107:7 108:16, 17,24 112:4,22,23 113:2 114:6 115:2 117:7,9,18 118:11, 21 123:19
computerized 105:4,7
condition 48:18 84:11,14
conduct 16:19 49:10 98:7 121:21
conducted 131:2
conducting 7:15, 17 19:18 42:1,4 59:9 62:18
confidential 4:9
confidentiality 21:4 26:4 58:7,11
confirm 31:12 36:24 49:11
confirmed 85:12 86:5
confront 41:12
confrontation 129:19
confronted 65:17 66:10,17,21 84:5
confusing 85:7
connection 98:19
conscientious 132:21,22
consent 60:16
considered 106:15
consistent 8:14 16:19,21 38:1 60:23 67:24 70:20 131:9
constitute 29:3 30:18
constitutes 28:18
Constitution 23:15 60:3
Constitutional 7:22 8:6 38:16
consult 30:8
contact 23:20 85:20 88:18
contacts 45:17
contained 13:10 15:18 68:8 69:6 74:18 75:9,17 79:23 91:22 110:17 123:2 124:5 128:16
contents 39:12,16
continuation 81:19
continue 20:6 25:16
continued 25:21
continues 58:21
continuing 20:4
control 98:10
conversation 58:1 61:11 64:21 96:14 97:13 98:1,4 111:10,13 119:10, 15,20 120:18 121:4
conversations 109:15 111:15
convey 71:22 82:9

conveying 71:23

Cook 7:3 12:2,24 15:22 39:13 44:7, 15 45:8,13,14 46:5,14,17 47:23 48:3 50:10 58:3 59:4 60:15 61:2 127:11 133:12

cooperate 28:3

cooperated 22:8

copy 37:1,17 58:20 79:14 107:10

correct 17:6 55:17 61:13,14 73:22 90:17 101:16 108:8 115:10 119:13 122:15,22, 23 124:16

correcting 123:1

correctly 65:12

counsel 24:8 30:7,10 38:11 40:8

county 7:3 12:2, 24 15:22 39:13 44:7,15 45:8,13,14 46:6,14,17 47:23 48:3 50:10 58:4 59:4 60:15 61:2 127:11 133:12,15

couple 101:24

court 4:3,8,10,15, 20,22 8:19 20:12 23:24 27:13 37:10 39:9 46:5 95:12 96:17 97:1 120:8

court-reported 24:7

coworker 85:17, 19

CPD 31:16 53:8

crash 130:21

create 78:8 104:4, 13,15,24 109:10 115:6,10 122:13 123:7 127:1

created 44:12 59:17 108:15 115:19 123:18

creating 105:6

credibility 90:3 103:9 129:3,12

credited 77:13

crime 50:17 86:6 103:4 104:18 107:19 130:22 131:11

crimes 59:23 71:12

criminal 7:13,24 30:1 38:19 46:5 59:22 60:6 71:14, 20 88:5 107:16

criteria 49:13

curiosity 13:23

current 43:8

custom 4:7

cut 67:3

D

D-e-b-o-r-a-h 5:3

dash 55:10

data 105:9

database 87:3

date 4:19 9:17 25:12 47:15 52:11, 17 56:24 57:5 64:9 68:19 75:4 84:1 89:24 92:21 109:21 116:15,19 129:7,9

dated 6:11,14 9:1 31:23 34:8 40:24

daughter 88:15

David 3:4 5:6,7 6:6 17:12 24:8 27:22 43:6 120:22

day 21:7 37:10,13 46:1 52:7 53:20 86:9 118:1 122:4

days 8:16 21:19 39:22

dead 47:17,20 53:6 76:11 77:5 81:22,23 82:2,7, 14,16 84:2,10 88:4

deadly 130:11

deal 48:14 71:15 102:1

dealing 45:3 66:6 72:1 82:3,20 104:18 112:22

dealt 133:13

death 45:3,5,9,15 46:15 48:17 49:1, 12 61:17 130:8,15, 17

Deborah 5:3,14 24:9 27:24

deceased 51:1,6 62:5 77:14 83:22 85:6 86:21 89:14

Decedent/subject 79:21,24 80:17

decided 40:2 111:17

decides 107:6

decision 49:6 72:7

defend 93:16 96:12

degree 40:20

degrees 102:6,8

delayed 30:11

deliberately 30:17

demand 58:19

denies 125:12

department 9:1 11:17 17:21 24:20 28:20 29:10 44:6, 24 46:20 52:6 65:11 67:22 75:22 76:5 78:17 80:5 82:6 87:9 88:7 90:24 93:13 95:23 103:22 120:24 133:2,5

Department's 29:5

depending 77:16

deposition 5:20 31:19 32:19 33:13 34:4,22 120:4

Deputy 117:19 118:4,23 120:22

describe 68:4 72:10 74:10

describes 6:4 72:12

describing 97:8

description 77:20 78:9

designate 121:6

designated 119:11

designees 24:23

detail 90:3 91:8 106:17 129:5,14

detailed 71:3 74:22 75:12 128:23

details 21:22 26:4 69:10 71:13,23 72:23 79:23 97:14 131:10

detective 3:4 4:14 5:6,7,9 6:2,4,5,17, 22 7:1,8,14,21 8:6, 12,14,15,22 9:13,

20 10:4,18,22 11:4,8,12,16,19,23 12:5,11,17,21 13:2,4,14,23 14:4, 10,14,17 15:6,11 16:11 17:2,6 19:1, 4,7,23 20:2,13,18 21:2,6,9,18 22:3, 19 23:4,7,12,18,21 24:8,11,12,16,21 25:10,13,19,24 26:9,17,21 27:13, 16,22 28:7,22 29:11,19 30:2,12, 21 31:4,11,23 32:22 33:16 34:11 35:2 36:2 38:6,8 41:7 42:24 43:6,24 48:5 51:5 55:20 58:1,20 59:3,14 60:16,22 61:8 63:21 64:3 71:10, 12 93:9,19 94:5, 11,15,19,22 95:10, 13,18 96:11,23 98:24 99:8,14 100:16 101:10 104:13,15,22 106:8 107:13,18, 24 108:2,6 112:3 118:10,13 119:9 120:9 122:2 124:24 125:12,22 127:22,24 128:3

Detective's 83:11

detectives 43:11 50:18,23 51:21 53:9 77:11 78:13, 16 90:15 104:11

determination 130:14,24

determine 16:2 79:8

determined 83:24 131:1

determining 71:16

died 48:17 89:17

difference 130:4

direct 23:9,11,17, 22 24:22 38:12 39:2 109:5 112:12

directing 23:18 126:12

directly 39:17

directory 80:14

disapprove 11:20

discharge 28:21 29:18 30:20

disciplinary 29:17 133:17

disciplined 39:5

disclosure 39:11, 16

discontinued 4:13

discover 82:2 83:9 84:1 122:10

discovered 47:15 81:12,14 82:1,24 83:11 100:19,23

discovery 11:1 20:18 81:23 82:14 84:10 120:4

discussed 53:2 60:4 88:22 92:10

discussion 52:2 128:23

disk 37:17

dispute 35:23

disrespect 96:10

distinct 87:8

district 11:20 17:22 63:24 64:22 65:13,14 83:4,14 101:2,17 109:8

Division 46:1 101:10

do-over 119:22

doctor 49:19 77:6, 13 90:5,9,13

doctor's 77:19 90:1

document 5:19 13:17 14:8,14,17, 19,21 15:3,5,7,8, 12,14 31:3,18,24 32:4,18 33:12 34:3,10,21 35:7 44:12,22 85:9 88:24 103:15

documented 64:10 128:15

documenting 46:7 66:15

documents 9:16, 21 10:3,7,10,11, 16,18 11:12,23 12:5,11,17,23 13:5,13,15 14:4,11 21:2 36:6

Donald 133:9

Dora 6:19 17:13 22:14,20 26:16 93:17 94:13 108:18,22,23,24 109:4 111:13,16 113:12 114:19 117:5 118:5

drafted 6:13

drafting 6:23 116:7 124:15 126:17,20

draw 59:6

drawing 125:22

drop 69:18 70:22, 24

drop-down 113:20 114:2,9,12, 21

drugs 49:12

due 18:7,22 27:2,6 40:14 41:14 119:18

duly 27:14

duties 7:9 78:21 132:12

duty 17:12 21:4 25:15 26:3 28:3 41:4 58:6,10,16 74:15 124:16

Dyke 6:20 8:4 78:1 83:1 84:4 110:22 111:19 112:9 113:7,9,24 123:13 126:5,18,22 127:4 129:19

Dyke's 130:11

E

Earl 7:2 12:3,8,24 13:8 20:20 26:19 127:10

earlier 95:2 118:18

early 47:9

easier 35:16

eavesdropping 60:18 61:4

effect 98:13

effort 132:24

ego 133:9

elements 71:13 131:10

emergency 76:16

eminently 15:15

employed 67:22

employee 132:22

employing 37:6

employment 8:10 133:1

encounter 82:7

encountered 83:13 84:5 133:22
end 25:21 48:15
enforcement 7:18 133:13
enjoining 20:13
ensure 122:21
enter 105:15,16,17 110:14
entered 80:16 106:10 110:5,13
entering 114:7
enters 106:4 107:20
entire 57:19 82:4 101:12 121:1
entitled 38:16 40:15 41:19
entries 81:21 108:17 114:8,20 115:5
entry 79:18 81:24 102:5,18 103:8 112:20 113:1,4,22 114:1,19 118:6 123:12
enumerated 7:9 132:13
Environment 102:5
equipment 41:6
ER 76:19 89:16,19
error 122:11 123:2 129:8
errors 15:18 115:11
Escalante 16:6 17:15 18:1 40:20 96:5 99:11 116:24 117:20 118:5,24
Escalante's 6:10, 12 16:15,17 17:18, 20 40:23 98:16
essence 26:8,10, 11,14,23
essentially 11:1
estimate 8:18 45:12
evening 50:8
event 10:2 34:19 126:2
evidence 29:16 42:12 116:6
evidenced 42:7
exact 23:3 62:1 64:7 68:22 69:14, 23 71:2 74:2,24
exam 49:11
examination 3:5, 6 31:13 49:21 125:20
Examiner 3:15 9:23 20:20 34:7 43:1,13,16,24 44:14,19 45:21 48:23 52:19 54:11 102:14 127:11 131:5
Examiner's 7:3 12:3 13:1 14:24 26:20 44:24 45:4 46:6,10,21,24 47:23 48:3,11 49:2 50:11 51:14,15,18 53:10 58:4 59:4 60:15 86:8 102:21 109:24 110:10 130:4,6,12,19,23
exception 70:1 80:1
exchange 62:6 99:16 100:20 101:8
exclusively 90:21 129:1
Exhibit 5:11,20 22:15,17 31:17,19 32:7,17,19 33:2, 10,13 34:2,4,17,22 35:3,10,13,16,17, 20 49:22 50:8 93:8 94:13 95:17 97:6 103:13 108:9 110:18 116:2,10 125:24 126:14 127:8 128:5 132:10
exhibits 3:10 9:21 31:10,12 32:10
exist 40:12
existed 46:12
exists 108:2
expect 114:20
expected 96:11
expedition 100:5
experience 43:23 88:2
expired 76:10
explained 62:2 112:22

F

facility 49:18 105:11
facing 117:1 132:17
fact 19:22 40:10 57:18 66:19 67:12 68:18,20 70:2 77:12 84:12 85:9 86:7,22 106:16 124:5 126:24
facts 16:1 48:21 56:7 62:23 69:10 71:3,21 72:5 74:21 75:12 106:1 124:2 129:5
factual 129:15
Fahrenheit 102:6
faintest 77:3
fair 15:9,15 16:4 18:20 19:18 42:17 54:17 62:17 63:9 64:20 80:21
fairness 22:2,5
faith 17:24 18:10, 12 94:8 96:16
false 6:6,8 7:2 29:6,7 30:16 95:5 98:18 99:3 102:19 103:1 126:7 127:9 128:7,8
falsely 6:19 126:4, 17
familiar 102:20
family 49:18 88:11,13,18
fashion 58:2
father 132:19
Fearing 74:12
federal 39:18 133:14
feel 51:16 79:17
feeling 114:17
felony 60:19
felt 72:16
Ferguson 18:11, 14,16,21 19:9,15 20:9
figures 84:8
file 32:11 36:9 51:24
filed 19:21,23 20:2 40:3,4
fill 63:7
filled 5:13
finalized 107:15 108:6 116:2

Finally 42:3 132:9
find 132:15 133:20
finding 130:7
findings 19:5 42:10 131:6
fine 37:24
fingerprint 87:11
fingerprinted 86:3,4,8
fingerprinting 87:12
fingerprints 85:13,22 86:12 87:10 88:21
Fire 75:22 76:5 90:24
firearm 114:14
fired 39:6 74:14 78:2
first-sentence 68:17
fishing 100:5
flat-line 76:19
fled 69:2
floor 101:13 125:18
fold 65:18 66:11 67:19 68:5
folding 68:1
follow 100:11
follow-up 119:6 120:3 121:19
Fontaine 6:19 77:8 93:18 108:18, 22,23 109:1,4,5, 13,16 110:16 111:13,16,21 112:12,17 113:13 114:19 117:5 121:5
Fontaine's 11:5, 10 17:13 22:14,20 26:16,17 94:13 118:6
foot 69:2
footage 55:7,13
FOP 19:22 40:4 93:12,18 94:7,10, 14,23 95:6,22 96:1,13 97:13,17, 21 98:1
force 19:2,3 42:9, 21 114:10 130:11
forensic 86:7 103:4
form 3:14 5:10,12, 16 23:2,4 27:16 31:8 33:11,17,20, 23
forwarded 10:7
found 66:22 76:20 102:11
four-inch 65:18 66:11 67:19 68:4
four-page 13:10
fourth 7:7 125:9
frankly 13:8 27:5
Franko 117:13,15 118:3
Franko's 118:7
free 98:8
Friday 37:9
friend 88:11
front 9:20 43:1 49:23 67:6 103:14 131:13
fruits 29:24
fulfilling 55:3
full 21:7,19 55:21 86:16 91:16
fully 16:12 17:9 18:4
fundamental 22:2,5

G

Gaffney 110:22 111:18
Gallagher 51:4,7 118:19 120:21
Garrity 39:9
gather 79:5
gathered 90:22 132:2
gave 13:2,11 19:24 22:8 39:23 81:6 87:16 89:24 90:1,6,7 109:24 110:4 121:4
general 5:2 6:11 8:11 9:3,9,13 11:17 12:9,15 15:22 16:20 20:6 24:24 28:1,4 38:18 40:6,23 41:18 42:6,15 54:22 86:24 124:11 132:11
General's 15:18 40:11,18 41:13,24 42:4 98:7 125:23 126:13 127:8 128:5 133:3,24
generally 47:5 75:16 92:15 93:7 95:16 104:9 107:14 108:4 122:7
generated 12:23 15:23 59:16 94:22
gentleman 59:12
give 10:17 58:16, 19 59:18 63:1 82:13 87:18 90:8, 11,12
giving 24:21 38:24 61:10 91:10 132:23
glaring 129:5
good 17:24 18:10, 12 79:7 94:8 96:16
GPRS 127:2
grievance 19:23 20:1 40:3,4
grievances 19:21 20:4,5,11
guess 21:11 43:18 50:1 65:5 83:20 113:5
gunshot 84:12 114:10 130:1,9,15, 16
guys 37:13

H

half 21:7
hand 5:10 33:9 105:12
hand-write 105:12
handgun 74:15
handing 31:15 32:15 34:1,16
handled 74:4
hands 114:15
happen 53:20 72:12
happened 50:23 66:8,24 75:3 88:16 97:14 115:3 117:3
heard 19:3 68:3 70:14
hearing 42:11
highest-ranking

120:24
highlighted 79:15
hit 78:6
holding 64:2,24 65:3 68:20 91:19
hole 78:8
homicide 45:5 46:4,14 61:18 130:9,17,22
homicides 45:9, 15
honest 39:23
hospital 49:19 50:19,24 51:22 76:7,15,18 77:11 78:13,18,22 82:12, 13 89:16,18,19,22 91:4
hotline 54:22
hour 37:16,22
hours 8:18 25:22 37:3 53:20 63:23 76:11 77:5 117:6, 14,24 118:2,15,18
husband 88:14
HX475653 34:19 81:4 126:3

I

ICLEAR 86:18 87:22
ID 34:20 85:11 87:2,15 89:6
idea 45:16 47:3 54:15,24 68:22 76:17 78:5,8 80:8 85:17 98:11,13 102:22 133:4
identification 5:21 31:20 32:20 33:14 34:5,23 47:16 85:6,12,16, 17,22 86:21 88:10 89:2
identified 85:10 86:12,17 87:21
identifiers 87:15
identify 4:24 15:3, 7 40:12 88:8
identity 40:16 47:17
Ill 60:18
Illinois 16:21,23 23:14 60:2,17 85:11
impartial 19:19 42:17
implication 99:21 100:3,6
importance ~~72:22~~ 131:10 132:20,23
important 71:14, 20 88:6 90:8
importantly 59:16
impression 72:18 124:4
improper 41:6
in-car 41:5
in-depth 44:16
inaccuracies 90:4 132:1
inaccurate 30:16 103:8 122:15 124:5
inattention 41:4
inches 68:2
incident 3:17 6:18 10:1 34:18 35:3 57:3 62:4 64:11, 14,17,18 66:7,15 67:4,16,23 72:14, 24 88:5 97:15 103:14,19 104:5,6, 10,16,17 105:2,7 106:8 107:15 108:5,10 109:6,10, 18 111:23 112:2 113:10 118:15 120:23 122:9 126:2,9,11 129:6
incidents 107:17
include 6:16 9:5 112:13
included 103:6 112:17
includes 28:4 42:10 126:2
including 4:11 29:18 39:18
inclusive 114:4
incompetence 15:24
incompetent 7:8 132:12
incomplete 30:17
inconsistent 17:20 19:7 59:14
independent 4:3 42:17 88:23,24
indicating 83:19 85:18 102:22,23
indication 133:18
indirectly 39:17
individual 57:18 111:1
individuals 4:24 111:22
infamous 55:10
inferences 59:7
infers 26:8
inflict 114:14
info 112:9
inform 92:8
information 4:2 12:12,18 13:14,15 14:5,11 21:3 22:7 26:6 46:16 47:1,6, 10,12,24 48:4 51:11,13,17 53:2 57:1 58:9 61:10 62:11,13 63:11,17 64:4,8 65:21 68:8, 14 69:6,21,24 71:8 73:8 74:18 75:9,17 76:1,12 77:23 78:14,16,18,20,22 79:2,5,9,10,16,23 80:4,18 81:5,13,15 82:14,18 83:23 84:20,22 87:2 89:5,11 90:8,20,22 91:21 92:1,17 97:22 98:12 99:3 105:16,17 106:1,5, 11 107:20 110:4,7, 17,21 111:4 115:9, 11,21 121:5,7 122:14,16,19 123:7,20,21,22 125:3,5 128:16,21, 24 132:2
informed 38:16 51:4 63:2
informing 41:15
initial 47:7 51:11
initially 85:10 105:22
initiate 104:4
initiating 105:24
injured 6:21 112:10,13 113:1,8, 10,17,19,24 114:1 115:22 123:13 126:5,18,23 127:4
injuries 50:21 77:21 78:7,10 112:8
injury 112:8 114:2, 14 115:15
Inspector 5:2 6:11 9:3,9,13 12:9,

15 15:17,22 20:6 24:24 28:1,4 38:18 40:5,11,18,23 41:13,18,24 42:4, 6,15 98:7 124:11 125:23 126:13 127:8 128:5 132:11 133:3,24

instances 106:8

instrument 114:13,15

integrity 123:3

intend 10:10

intentional 114:19

intentionally 113:16,17

Interim 40:19

interject 99:15

internal 12:22 24:20 36:7 46:1 58:14

internet 80:10,14 102:10

interpretation 114:18

interview 3:12 4:5,8,16 6:4 9:22 10:16,22 14:14 20:13,15,16 22:23 24:7,11 28:2 29:15,23 30:7,10 31:16,22,24 36:3, 15,18,21 37:2 39:4,21 40:1,17 44:16 52:2 59:9 62:18,20 63:9 92:5 94:21 111:8 119:22,23 121:22, 23

interviewed 27:23 91:9,20 94:23

interviewer 121:18,19

interviewing 70:5

interviews 109:12 120:6 127:3

investigate 18:19 41:7 96:6

investigated 15:24

investigating 18:14 58:15

investigation 7:16,17,19 8:1,9 9:24 16:18 18:17, 24 19:11,15,17,19 20:3,7,10 21:13 26:5,12,13,23 28:2 40:5,7 42:2,5 44:16 47:9 60:6,7, 8 61:3 62:22,23 70:7 96:20 105:21 122:8 125:2 131:2 132:18 133:23

investigations 3:15 20:21 34:8 43:1,14 44:20 45:10,15,21 46:15 74:4 105:20

investigative 36:9

investigator 7:2 8:21 12:3,7,14,24 15:4,19 20:20,23 21:10 22:10 48:13 51:20 52:14,21 54:2,10 55:6 56:8, 13,21 58:3 59:3 61:17 62:7,15 63:17 64:5,21 65:22 68:9 69:7, 12,21 70:1,13 71:8 73:5,9,14 74:19,23 75:10,18 76:2 79:22 84:20 89:1, 12 91:22 92:8,16 93:17 94:9 102:7 110:1,11 127:10 128:8,21 129:20 131:24

investigators 42:17 45:8,14 86:7

involved 44:24 46:3 49:3 65:8 70:5 72:14 111:14

involving 70:6

IPRA 58:14

IR 87:4,7,16,19 89:8

IR2106340 86:19

issue 49:1

issued 9:11

issues 40:3 88:1

items 9:2,5,8

J

James 5:4

January 6:12 9:2, 10,18 16:16 40:24

Jason 6:20 8:4 78:1 83:1 84:4 112:9 113:7,9 126:4,18 127:4 129:19 130:11

Jersey 39:10

Jim 24:8 36:24 38:3 96:23 127:17

job 27:3,4 38:22 118:14 132:19

Joe 83:2

John 6:10,12 16:6, 15,17 17:15,18,20, 24 40:20 96:5 98:16 99:11 116:24 117:20 118:24

joint 7:17

Joseph 18:14 84:4

Jr 5:4

July 4:19 6:15 16:17 23:9 25:22 31:23 32:4 33:3,20 34:14 35:7,18 41:3

justifiable 130:22

justified 130:12

K

K-l-i-m-a-s 24:2, 19

Kildare 64:1,23 65:4

killed 129:22 130:20

kin 88:9

kind 25:15 44:15 45:3 77:16 78:9 79:8,15 133:18

Klimas 23:21 24:2,5,16,18,19 25:4 39:2 60:24

Klimas' 23:23

knew 62:22 78:1 85:24 100:9 118:12 124:2

knife 65:19 66:12 67:1,3,5,8,19,20, 24 68:1,5 69:19 70:22,24 71:6 73:3,12 84:7 114:15 127:15 128:13

knowing 65:9 67:20 131:9,11

knowledge 15:11 17:20 52:16 63:5 104:3 106:6 112:16 120:5

Kris 8:21 19:8 119:18

Kristopher 27:5

L

lab 103:4

laboratories 46:9

language 61:21 68:16 72:10,11 112:13,17 127:18

Laquan 19:6 24:13 50:19,24 51:6 66:8,18,21,24 72:15,18,24 73:18 77:14,21 78:3 80:5 83:13 84:5,13 85:9,19 86:2 88:18 97:8 98:19 113:10 127:4 129:18,23 131:3,15 132:6

large 45:16

late 10:8,21 13:2, 11 25:9 53:18 92:21

latest 26:2

law 7:18 11:13,24 16:22,23 17:9 23:14 42:14 60:2 133:13

laws 58:24 59:8,10

lawyers 82:21

learn 115:11

learned 50:24

learning 51:9

leave 71:21

left 41:9 91:19 130:10

legal 30:6,10

length 68:2 98:17

lesser 40:20

letter 6:11,12 8:24 9:10 16:15,18 17:19 40:23 41:2 98:16

letters 9:11

level 133:14,15

life 46:11 74:13 76:20,22

light 99:3

Lightfoot 19:13 42:19

limited 39:18

lines 65:2 70:21 74:5 81:18 114:11

list 6:9 91:8,12 111:18,22 114:4

listed 57:18 111:11 116:15

lists 52:11 110:21

live 82:3,21

located 4:20

location 47:16 82:12

lodged 78:7

logged 108:24

logically 117:3

long 30:10 37:16

longer 105:11

looked 80:13,15 81:10 83:5 102:11

Lori 19:13 42:19

lose 38:22

lot 47:9 128:21

love 99:6

lunge 72:19 73:1 74:11 97:9 131:14, 20,22

lunged 7:5 71:5 73:2,9,12,19,21 93:12 95:22 97:20 127:13,23 128:11 130:3 131:14 132:6

lunging 72:16

M

M-a-r-c-h 5:8

M-c-k-a-y 5:5

made 7:1 29:15,23 42:10 44:14 47:8 52:18 53:23 56:4, 12 57:7 61:15 64:13 77:24 78:19 85:14 86:13 88:10, 17 92:5 95:2 98:17 99:17,19 103:2 109:23 113:21 116:24 119:1 125:7,8 128:8,18 130:4 133:17

majority 104:12 107:16

make 22:4 37:17 49:17 51:20 52:9 72:6 80:15 88:9 101:24 113:21 115:20 118:20 123:20 127:9 130:14,24

makes 114:22 123:10

making 29:6,7 40:9 41:16 42:1 53:4 85:23 92:3 105:23

Management 118:10

mandates 16:23 58:14 121:17

manner 57:21 92:4 130:8,17

Marback 9:12

Marback's 8:24 9:10

March 3:4,10 4:14 5:6,7,9,20 6:2,4, 17,22 7:1,8,14,21 8:6,12,15,22 9:20 10:4,18,23 11:4,8, 12,16,23 12:5,11, 17,22 13:2,5,14 14:4,10,14,18 15:6,11 16:11 17:3,6,12 19:1,4,7, 23 20:2,19 21:2,6, 9,18 22:4,19 23:4, 8,12,19,22 24:8, 11,12,16,21 25:10 26:9,17,21 27:13, 17,22 28:7,22 29:11,19 30:2,12, 21 31:4,12,19,23 32:19,22 33:13,16 34:4,11,22 35:2 36:2 38:6,8 42:24 43:6 55:20 58:2,20 59:3,14 60:16,23 61:8 63:22 64:4 93:9,19 94:5,11, 15,19,22 95:10,13, 18 96:11,23 99:1, 9,14 120:10 122:2 124:24 125:12,22 127:22 128:3

March's 6:6 8:15 9:13 13:24 20:13 25:13,20,24 127:24

mark 22:17

marked 5:11,19 22:15 31:17,18 32:16,18 33:10,12 34:2,3,17,21 35:13 67:10

marking 35:10

marks 68:21 70:3

match 87:11

materials 36:3,5 58:7,9

matter 4:1 42:18 96:4 131:7

Mcdonald 6:7 7:5 19:6 24:13 50:11, 20 51:1,6 55:7 66:9,18,21 67:1

72:15,19,24 73:18, 21 74:5 76:6,11 77:14,21 78:3 80:6 83:13 84:5,13,16 85:9,19 93:12 95:22 97:8,20 98:20 113:11 127:5,12,13,23 128:11 129:24 131:15 132:6

Mcdonald's 73:24 86:2 88:18 89:2 97:19 129:18 131:3

Mckay 3:6 5:4,22 6:1 7:20 8:14 9:18 10:6,14,21 11:14 12:1,7,13,19 13:7, 17,20 14:6,13,20 15:1,16 16:4,14 17:10 18:6 19:20 20:17 21:5,14 22:1,13 23:2,7,23 24:3,8 25:6 26:7, 14 27:2 32:10 35:9,12,19,24 37:5,24 38:8 43:17 44:2 48:6 49:24 57:23 58:10 59:1, 11 60:10 93:14 94:3 95:24 96:9,21 98:15 108:11 111:5 116:22 119:16 121:13 124:9 125:6,19,21 127:21 128:2

Mcnaughton 120:22

ME'S 50:16 52:4 61:2,12,22

ME2014-01071 34:8 43:2,14

means 78:4 85:22 89:21

meant 44:22

media 39:20 99:1, 2,4,10

medical 3:15 7:3 9:23 12:2 13:1 14:23 20:20 26:20 34:7 43:1,13,16,24 44:14,19,24 45:4, 21 46:6,10,21,24 47:23 48:3,11,17, 23 49:2 50:10 51:14,15,18 52:18 53:10 54:10 58:4 59:4 60:15 86:8 89:22 102:13,21 109:24 110:9 127:11 130:4,6,12, 18,23 131:5

member 31:17 88:11 103:21 105:3 120:24

members 104:1

memo 6:13,14 16:16 41:3

memorandum 12:23

mentioned 6:24 119:9

menu 114:2,9,13

menus 113:20 114:21

message 71:24

met 54:14

Method 89:20

Michelle 4:23 8:20

mics 41:5

middle 117:22

mind 26:10 121:15

Miranda 7:22 8:7 60:8

Mirandize 59:24

misconduct 17:1 29:16 41:1

misrepresent 129:17

misrepresentation 66:4 67:17 73:14

misspoke 100:22

mistake 22:4

Mm-hm 13:19

mobile 105:8

moment 55:23

months 121:23

morning 6:3 11:9 25:17 116:11 122:6

mother 132:18

motive 129:17

Mount 50:19 76:6, 15,17 82:13 89:15, 22,23

move 94:17 95:7 119:24

moving 60:22

multiple 78:3 84:11,13,17 129:24 130:9,15

Municipal 30:18

municipalities 133:15

murder 46:4

N

name-check 87:3,14

named 8:3,4

names 16:5 51:22

narrative 55:22 63:14 86:16 91:6, 16

natural 45:5 48:16 88:5

nature 40:15 114:2 125:2

necessarily 74:23 75:14

needed 25:21

Neumer 3:5 4:1, 18,22 5:9,24 7:11, 15 8:8,19 9:7,15, 19 10:13,15 11:11, 22 12:4,10,16,19 13:4,13,19 14:3,8, 16,22 15:10 16:1, 10 17:7 18:3,7 19:16,20 20:12,22 21:1,8,11,21 22:11,18,22 23:6, 20 24:1,6,23 25:5 26:3,11,24 27:10, 15,23 28:10 29:1, 14,22 30:5,15,24 31:7,14,21 32:12, 14,21 33:15 34:6 35:1,11,15,21 36:1,23 37:20 38:3,5 42:23 43:21,22 44:9 50:6 58:5,22 59:6 60:4 61:6,7 93:1,4,6,24 95:6,10 96:1,7,8, 18,19,23 97:16 98:15 99:13 101:21 102:2 103:17 119:5 120:7 124:18,21, 23 125:14 127:17

night 25:11,16 54:18 56:13 63:18 64:15 65:22 66:5 70:4 73:9 91:23 97:9,12,20 98:4 102:8 118:19 130:5 131:16 132:3

North 80:2,6,8

note 127:18

notes 12:22 87:17

notice 9:22 18:4 20:15 24:11 40:15 125:16

notification 3:12,

13 6:3,9 16:2,10 17:7 31:16,22,24 32:16,23 33:2,6 44:13,22 47:7,14 51:20 52:9,11 53:5 61:15 64:12 77:24 80:20 85:15,24 86:13 88:9,17 93:15,21 100:18 103:2,3 109:23 110:2 124:11 128:19 131:4

notifications 47:8 53:24

notified 6:2 25:10 51:7 61:16 110:9

notify 25:14 45:2 46:20 48:10,12 49:14 55:3 61:23 62:3

noting 123:1

number 6:16 9:2 10:2 22:16 34:19, 20 38:7 43:4,7 45:17 53:8,11,12, 13,14,15,19,21,22 62:21 65:15 70:6 74:14 80:22,24 81:4,8,9 82:1 83:1, 2,7,8 86:19 87:4,8, 16,18,19 89:8 90:23 91:11 94:13 100:17,18,23 101:1,2,6,11,15 105:14 110:1,11 112:9 116:15,16, 20 125:24 126:2,3, 13 127:7,8,19 128:4,5,22 129:8, 10 132:10,16

numbering 65:10

numbers 17:17 53:11 100:20 129:9

numerous 46:4 53:24 70:7 74:16

O

oath 59:12 99:7

object 27:8 39:15, 21 40:1 50:1 95:24 124:9

objecting 18:13 20:3 39:10 40:10 41:23 42:3 119:23

objection 37:5 38:1 40:9 42:18 43:17 44:2 48:6 60:10 93:14 108:11 111:5 119:16 121:13

objections 27:9, 11

obligated 79:18

obligation 28:12

observations 101:24

obtain 30:9 78:22

obtained 128:22 129:1

obtaining 48:4

obvious 78:24 79:1,3 81:20

occasions 53:24 70:8

occurred 52:15 57:3,4 61:11 64:11 68:24 118:22

occurrence 64:9 84:24 109:21

Occurrence/ incident 84:19

occurring 64:18 129:6

OCIR 126:17

October 34:9 45:8 50:9 52:12 54:3, 13,18 56:4,14 63:18,23 64:6,11, 13,19 65:23 68:16 69:8,22 71:9 73:10 74:20 75:11 87:23 89:13 91:23 92:18 93:10 95:20 97:9 98:20 116:20 117:6,13,24 118:15 122:5 125:24 126:15,16 127:9

offender 6:21 82:3 112:11,13 113:1,19 114:1 115:22 123:13 126:5,19,23 129:22

offense 71:14

offensive 132:16 133:21

offer 62:13

office 7:3 9:3,8 11:2,11,22 12:3,4, 8,15 13:1 15:18,21 16:19 18:11,14,16, 22 20:23 21:21 24:24 26:20 27:24 28:4 38:18 39:12, 13,14 40:11,18 41:13,24 42:4 44:14,23 46:10 47:23 48:3 49:2 50:11,16 51:14,15, 19 52:4,18 53:10, 11 54:10 55:4 58:4 59:5 60:15 61:2,3, 13,22 69:17 70:11, 18 71:19 72:2 81:9 83:7,11 86:9 91:11,14 94:4 95:2 96:5,15 98:7 99:11 101:1,6,12 102:13, 21 109:24 110:10 118:11 124:10 125:7,23 127:11, 22 130:5,6,13,19, 23 131:5 132:10 133:3,12,24

officer 6:19,20 7:4 11:5,10,21 17:1,2 22:19 23:18 24:15 25:14 26:15,17 28:15 38:13 41:20 58:16,17 62:5 71:11 72:13 74:14 77:8 83:2,15,16,19 88:3 93:17 94:12 96:17 104:6 105:15,23 106:3,7, 10 107:20 108:22 109:5,13,16 110:16,22 111:21 112:12,17 113:16 114:7 115:13 121:5 122:17 126:4,18,22 127:4

officer's 17:23

officer-involved 53:5 62:3 129:21

officers 7:6 8:4 16:8 23:10 53:12, 14,15 65:2,18 66:9,11,16,20,24 67:8,11,12,18 69:3,16,18 70:3,5, 8,10,17,20,23,24 71:6 73:3,12,21 74:6,7 75:7 83:14, 18,21 93:13 95:23 97:21 98:17 104:3, 9 105:7 108:20 111:1,2,18 127:14, 24 128:12 132:7

official 28:2 29:3 96:3,4 98:18,22 132:4

OIG 4:11 7:15,16 8:12 12:10 13:4 16:11 19:16 20:12, 15 21:1 24:10 25:14 26:3 37:1 58:8,23

OIG'S 18:3 19:17 24:17 26:10 37:3, 21 95:11

on-call 120:23

opportunity

108:1 125:4

opposed 104:10 130:3

oral 29:6,8 96:3

order 8:11 11:17 20:13 23:9,11,17, 22 24:16,22 28:18 38:12 39:2 53:3 60:23 96:24

ordered 28:14 69:18 95:11

Orders 16:21

ordinance 30:19 40:13

organization 133:4

original 3:17 6:18 10:1 34:18 35:3 77:7 92:5 103:14, 18 104:4,14,16,24 105:6 108:5,9,21 109:10,17 111:23 112:2 115:5 122:9 123:1,5 124:4 126:1,9,10

originally 25:10

outcome 8:8

overdose 49:9

P

P-i-t-z-e-l-e 77:15

p.m. 25:11 52:12 84:3 118:1 124:18, 21

packet 9:22

pages 79:1,6 90:21

Paoletti 8:20 37:18

paper 109:9

paragraph 5:17, 18 27:19,20 28:8, 23 29:12,20 30:3, 13,22 31:5 55:20, 22 56:1,3,6,12 57:12,19 63:14 75:21,23 76:2,9 77:20 86:16 91:17

part 9:22 28:2 47:6 85:24 111:13 120:20,21

participate 39:4

participated 120:17 121:4

participation 42:8

parties 120:19

partnered 60:7

party 4:11

past 25:11 97:6

Pat 97:18,22 98:2, 9,21 99:9,18,20

Patrick 15:21

patrol 107:17

pay 52:8

PC 116:15,16,20

PDTS 105:8

pending 20:4 41:10

people 15:23 50:3 72:4 79:5 83:10,12 98:8 106:2 114:24 133:9

perform 104:7

performance 7:9 132:12

performed 76:21

performing 78:21

perjury 59:22

persist 28:17

person 13:21 14:1 41:15 54:14 55:4 62:4 67:21 85:11 87:9 90:10 91:8 118:20 121:3 130:20

personal 52:3,16 120:5

personally 85:8

personnel 45:14 46:14,17 67:21 103:5 107:18 116:14

persons 41:16

perspective 43:15 77:16

pertaining 21:13

Peter 4:22 5:22 6:1 10:7 14:7 15:2 21:15 24:6,23 25:8 27:2,23 35:9 60:13 119:17 125:7

phone 24:4 26:8 52:3,4,5,7 53:22 54:3 64:6 65:23 69:7,22 71:9 74:1, 19 75:11,19 76:3 80:10 87:22 89:3, 12 92:17 100:17, 18 101:7

phones 52:8

photographs 102:18,24 103:3,7

phrase 132:6

physician 48:20 49:1 51:2

pick 117:8

Pitzele 77:14

place 8:1 39:22 40:2 51:17 84:18 89:14 94:21

PO 112:9

point 51:16 62:21 64:21 78:1 80:9 81:17 82:7 85:1 86:1,4 92:7 115:1 126:21 128:9

points 10:16

police 7:6 8:3 9:1 11:17,21 16:8 17:2,21,23 19:2,13 24:19 28:20 29:3, 4,9 41:8 42:8,20, 21 44:6,23 46:20 53:5 58:16 62:3 63:23 65:2,4,11 67:10,11,22 69:17 70:2,10,21,22,23 71:11 78:17 80:5 81:3 82:1,6,24 83:15,16,18 85:21 86:17,18 87:9,22 88:3,7 93:12 95:23 103:22 105:9,11, 23 127:14,23 128:11 129:21 132:7 133:2,5

populated 115:9 123:18

portion 37:21

portrayal 131:3

portrayed 67:15

posed 24:22

position 18:3 19:18 63:1 127:24

Positive 85:16

positively 86:17 87:21 88:8

possibly 40:22 77:22 97:23 128:17

postmortem 49:21

postpone 40:6

potential 46:21 48:10 49:7

potentially 45:4 103:20

practice 4:7

preamble 27:11
preface 38:14
prejudged 42:15
prejudice 18:24 42:7
prejudiced 42:6
preliminary 4:1 105:20 106:19 131:4
premised 6:10
preparation 36:3, 18,21 132:4
prepare 124:17
prepared 6:18 11:20 94:7,19 108:9
prepares 105:3
preparing 17:14
presence 19:1
present 4:3,24 30:7 31:11 48:21 50:24 51:14 78:18 108:15 120:6
presented 45:24 46:9
presenting 71:18
president 42:19
press 97:19 98:22
pretty 70:20 76:8
previous 37:7 46:14 95:14 111:7
previously 5:11 33:10 34:2,17 36:13 59:15 60:5 97:5
primary 51:11
print 99:2 106:24 107:10
prior 27:11 32:1, 23 33:17 34:11 35:3 40:17 45:8,22 46:1 54:3 55:13 86:18
probable 7:13 38:19 59:23 71:17
procedure 17:21 37:6 86:1
procedures 76:21 88:6
proceed 20:15 62:7
proceeding 30:1 38:19 116:23
process 40:14 41:14 87:12 103:6
processing 86:6 103:6
product 4:9
professional 133:6,19
programmed 53:21
progress 86:24 106:22
prohibits 29:5
prompted 62:14 98:11
pronounced 51:1 62:5 76:11 77:5 82:16 83:22 89:14, 15,18
pronouncement 89:10,20 90:9
pronounces 90:10
pronouncing 77:14
property 4:10
prosecution 7:13 46:4
prosecutor 8:2 39:19
prosecutor's 39:12
Prosecutors 133:11
protocol 46:7
provide 4:4 11:2, 8,16 12:1,21 16:5, 9 17:5 21:22 23:21 26:5 32:3 33:1,19 34:13 35:6 37:11, 19 38:23 47:6,12 57:3,14 62:10 76:13 79:16,20,22 80:19,24 81:3,13, 16 83:4 84:19 89:11 91:13,21 110:16 125:4
provided 4:11 9:3, 21 10:23 11:6,11, 22 12:4,6,10,16 13:4,14,18 14:3, 10,17 16:11 20:14, 18 21:1 23:3,4 24:10 58:8 76:1 78:20 80:21 87:5 99:4 110:7
providing 4:2 8:12 14:16 37:1 46:15,16 63:10 92:16
Pulaski 50:17 69:3
pull 80:9
pulse 82:6
punching 114:16
purpose 13:23 44:19 46:23 119:21
purposes 35:17 121:20
pursuant 7:22 8:7 25:17 60:1 120:1
put 5:23 19:12 25:7 28:12,14 31:10 42:24 49:23 99:5 103:12,13
putting 9:20 68:7 73:6 84:14 109:14

Q

question 9:15 10:9 13:20 14:7 15:1 21:6,23 28:15 30:16 43:21 56:1 57:13,23 58:21 62:14 63:19 68:7 69:5,20 71:7 74:17 75:8 93:24 94:9,17 95:7,13,14 96:7,8, 17,19 97:1,3 99:9, 22 100:6,10 111:8 120:7 124:9 125:6 130:10
questioning 37:22 95:4 120:3 121:15,21
questions 14:18, 23 15:2,11,14 21:12,15,24 22:12, 24 23:8,16,19 24:12,14,17,22 27:1,7 28:5,12,14 36:24 38:12 39:5, 24 43:13 56:11 58:18 59:21 62:8, 11 63:10,11,16 95:8,11 96:24 99:7 100:13 119:6,23 120:1,3 121:19 125:1
quick 44:13
quickly 79:19 100:24
quotation 68:21 70:3
quote 6:20
quote/unquote 109:9
quoting 131:18

R

R-o-b-e-r-t 24:2
radio 113:2
raised 40:3
raising 132:19
ran 87:14 89:7
read 5:15,18 13:8 14:1 27:17,20,21 28:8,23 29:12,20 30:3,13,22 31:2,5 54:7 56:2,20 85:8 93:24 94:2 95:12, 15 97:1 108:3 120:9,12
reading 44:11,21
ready 107:6
reason 21:5 22:16 48:9 112:20
reasonable 30:9 38:4 120:8
reasons 18:18 68:12
recall 51:22 53:2 55:6 61:20 62:16 65:6,20 68:21 75:15 81:7 91:10, 24 92:3,10,12,14, 15,21 97:6 111:16, 24 116:9 120:19 121:7,9,10 123:17, 23
receipt 3:14 10:6 31:12 33:11,17,20, 23 37:3
receive 20:23
received 9:9,16 36:6 38:17 41:21 79:3 80:3 82:18 98:12
receiving 37:6
recently 6:1
recess 93:3 124:20
recital 127:19
recollection 73:23 89:1 92:22 111:21
record 4:8,18 5:1, 23 11:15 25:8 27:12 31:11 37:20 38:7 43:4 60:11 93:2,5 94:1 99:21 110:7 120:11 121:14 124:3,19, 22 125:5 127:17 129:5 133:17
recorded 58:2 59:2
recording 4:9,12, 15 58:11,17 59:13, 17 60:12,14
recovered 55:12
recuse 18:17,23 19:9,14,16
refer 61:1
reference 64:1,24 81:22 83:6 84:2
references 6:13
referred 64:18 68:1
referring 55:16
refers 41:2
reflect 4:18 56:7 121:14
reflected 92:18
reflects 56:3
refusal 28:17,18 30:15
refuse 15:3 23:8 28:13 38:23 39:3,4
refused 40:6,11
refusing 24:14 38:11
regulations 28:19 29:5
reiterate 98:15
relate 64:4 74:17 75:9 86:21
related 55:21 56:7 63:16,22 64:10 74:22 120:1
relates 8:9
relating 65:20
relationship 54:2 83:16,18
relative 88:13
relay 69:5,20 71:7 72:5 74:21
relayed 68:8 69:11,24 73:7,8 75:18
relaying 91:24
released 42:9 49:18
relevance 96:22
relevant 21:12,15, 17,24 22:2,6,24 26:24 95:8 96:19 99:10 102:13
relied 50:3
relies 49:22
relying 14:13,20, 22 37:14
remain 28:11 38:17
remains 86:2
remember 35:21 36:10 65:13 81:7 86:23 97:12,24 115:18 123:10
removal 29:18
repeat 120:14
report 3:16,17 6:18,19,24 7:5 9:24 10:1 11:5,10, 20 13:1,10 14:24 15:19,21,23 17:13, 15,23 19:2,5,12 20:21,24 21:8,10, 16,20 22:10,14,20 26:16,17,20 29:3, 6,8 34:8,14,18 35:3,9 42:9,10 43:2,14,16 44:1,8, 12,20 45:1,22,23 46:2,11 49:22 50:2,8 52:10 55:19 56:20 77:8,13 79:2,9,15 80:16 81:4 86:15 87:1 89:10 90:4,12 91:18 92:19 93:8, 18 94:7,10,13 95:17 96:3 98:22 100:14 102:16 103:10,14,19 104:5,14,16,24 105:2,3,24 106:9, 12,17,19,20,21,24 107:3,4,8,10,12, 15,21 108:2,5,10, 15,18,21 109:6,10, 18 110:5,14,18,21 111:12,23 112:2,5, 14,18,20 113:4 115:5,6,7,8,9,13, 19 116:2,8,10 117:2,6 118:3,7,8 119:4 121:6 122:3, 9,11 123:1,2,3,4,5, 15,18,23 124:1,4, 14,16 126:2,9,11, 21 128:15,17,20, 24 129:3,13 131:24
report-writing 17:22
reported 107:17
reporter 4:3,10, 15,23 8:20 23:24 27:13 37:11 94:2 95:12,15 97:1 120:9,12
reporters 4:8,21

reporting 105:22 107:19 108:21

reports 6:8 10:12, 23 20:17 36:8,10, 12 43:20 46:8 51:24 54:7 59:17 66:14 67:23 70:6, 19 85:8 86:6 90:15 94:18,22 96:4 98:18 99:1 104:10 105:7,12 115:15, 24 122:14,22 123:6,8 126:24 127:2 132:5

reprehensible 133:21

represent 5:6 35:22

representation 37:21 103:1

representative 30:6,9 93:11 94:7, 10,14,24 95:6,21 96:2,13 98:1

representatives 97:13

reputation 133:5

request 4:12 10:24 18:15 25:17

requested 9:5 75:6 105:16 106:5

requesting 9:2

required 11:12,23 12:6,12,18 13:5,15 14:5,11 21:3 25:14 39:1 48:10 58:9

requirement 41:22 46:19 124:6

requirements 55:3

reread 97:2

resemblance 77:3

residence 80:2,19

resources 104:23

respect 7:4,19 18:7,22 27:2,6 50:7 100:14 119:18 127:12

respond 128:4 132:14

responded 50:19 63:24 64:23 65:3 66:2,20

response 58:6,23 62:11 63:11 126:6

responses 29:2

responsibility 110:3

responsible 112:1

responsive 27:7

rest 66:3 76:8,12 77:19

result 29:8 44:13 94:16 115:2

results 46:7

retain 32:10

review 6:7 10:18 11:4,19 17:13 31:3 36:2,5,17 55:24 75:23 105:1 107:3, 22 108:3 116:1 122:9 126:1,8,10 128:15

reviewed 6:17 36:8,11

reviewing 116:8 124:14

reviews 106:9 107:4

revive 76:16 77:1

reword 43:21

ridiculous 99:2

rights 3:11 5:10, 12 7:22 8:7,11 23:2,12,13,15 27:16 31:1,8 39:8 40:15 41:14

RINGING 24:4

road 50:18 60:21

Robert 24:1,18 39:2 55:15 63:24 64:23 65:8,12,17 66:2,9,10,17 69:4 82:2 83:1,17 128:12

rolled 76:18

rounds 74:14

rule 11:17 20:11 29:4

ruled 20:5,7

rules 28:19 29:5

run 87:1,3

S

S-o-r-i-a 6:14

satisfied 106:11

Saturday 25:11, 16

save 76:22 79:17 104:23

saves 56:19

scene 50:17 51:5, 19 52:8,22 64:14 67:20 69:2 72:3 80:7 82:4,18,19 83:12 85:2 86:6 90:24 91:20 93:9, 11 94:11,15 95:19, 21 97:12 102:8,19, 24 103:5,6 107:18 108:19 109:13,16 119:10 120:24 121:1 128:19 130:6

school 132:21

screen 107:7

screens 105:14 106:4,13 112:23 115:20 123:20

section 52:11 55:22 79:21,24 80:21 81:6,12,14, 17,19,21 82:9 84:20 86:16 89:10, 11 91:6,16 100:18, 19 112:8 115:16 116:14 121:16

segue 79:7

selections 114:3, 8,9

sense 67:2 123:11

sentence 56:11 57:2 63:17,21 64:5,8 65:16,21 66:3 67:14 68:6,9, 10,15 69:1,6,9,11, 15,16 71:2,4,5 73:2 74:12,18,22, 24 75:2,5,10,13, 15,17 76:4,14 91:17,22

sentences 57:20

separate 9:6

separation 29:9

sequence 50:22

sergeant 6:13 16:6,16 40:21 41:3 51:4,7 107:2,4,21, 22 109:7 112:5 117:12,15 118:3,7, 19 120:21 123:4

sergeants 109:8

series 62:7

serve 28:20 30:19

served 42:20

Services 103:5

sharing 39:11,15

shooting 6:7 7:4 19:6,11 24:13 41:8 42:5 50:12 53:6

55:7 62:3 92:9,13 93:10 95:19 98:19 109:13,16 127:12 129:21

short 23:11 102:17

shot 62:4 78:3 84:13,17 129:22

shots 78:6

show 10:20 96:22

showing 10:4 132:23

sign 31:8

signature 13:9,21 14:2 32:6 33:5,22

signatures 15:7

signify 116:21

signs 49:9 76:20

silent 28:11 38:17

simple 129:11

simplify 79:14

simply 60:9

Sinai 50:19 76:6, 15,18 82:13 89:15, 22,23

single 67:21

sir 22:13 126:24

site 102:10

sitting 54:14

Smith 74:15

solicit 47:1

son 88:15

Soria 6:13 16:7 40:21

Soria's 16:16 41:3

sort 54:1 61:21

source 41:9 78:11 80:13 81:11 85:5 90:19 91:15 99:22 100:7 102:10

sources 79:4 90:15,23 128:22

South 69:2

spanned 8:17

speak 36:21 44:4 48:24 51:17 53:13 57:12 108:14 109:11,15

speaking 47:5 72:20 75:16 92:15 108:4 122:7

speaks 14:9 16:12 17:8 18:5

special 8:2 39:19

specific 41:16 55:4 86:22 92:22 101:7 111:20 125:9

specifically 39:10 40:24 41:15 44:4 50:7 54:5,20 91:24 98:2 115:18 123:10,16,23 125:11,15 128:6

speculate 15:13 47:22 112:19

speculation 43:18 48:7 50:1 108:11

speech 98:9

spell 5:1 23:23

spelled 5:5,8 77:7, 8,15

spelling 77:10 90:6,16,17

spite 98:6

spoke 51:19 55:5 71:3 109:12 131:19

spoken 54:12 72:13 109:23 111:2

spokesperson 97:18,22

Springfield 80:2, 6,9

stab 114:10

stabbed 67:6

staff 9:1 76:16

standard 86:1

standards 49:5

standing 80:7

star 38:7 43:4,7 74:14 80:22

start 43:5

started 36:23 88:22

starting 105:21 115:7,8

starts 75:21

state 16:22,23 23:14 38:7 39:19 60:2 73:21 85:10 87:2 128:1 133:14

State's 39:13 61:2 71:19 72:2 133:11

stated 6:20 68:12 126:4,17 127:22 128:11

statement 7:2 8:15,17 9:14 10:12 12:8,14 25:13,16, 20 26:1,7 29:15,23 30:17 31:1 37:15, 17 38:1,15,20,23, 24 39:6,11,16 53:3 56:4,12,15,23 57:20 58:12,20 59:2 63:2 68:16,17 73:11 76:24 77:3 92:2,3 93:16 96:2 98:21 99:6,18,20, 23 100:7 127:10 128:8

statements 6:6,8 11:3,7 12:22 29:2 56:20,21 57:7 95:5 98:18

states 39:14 60:2 98:17 126:22

Statute 60:18

step 57:16 61:9

Stephen 117:12

steps 118:21 122:11,24

stop 20:10 70:21, 23 74:13

stopped 69:3

street 66:22

stress 57:11

stricken 95:7

strike 12:20 17:11 60:22 94:16

striking 74:16 75:5

struck 78:6 129:24

student 132:21

stuff 18:9

subject 44:15 64:24 65:3,17 66:10,17,18 68:20 69:1,3,18 71:5 73:2,11 74:16 75:6 76:17 86:16 87:21 88:8 91:19 95:3 129:23

subject" 64:2

subject's 8:10

submit 16:21 17:15,19 18:6 26:19 60:17 94:6 106:13 117:10

submits 107:21

submitted 19:3 98:18 106:15,18, 20,23 107:1

108:16 117:5 118:7

Subsection 121:16

subsequent 9:11 107:23 113:20 114:21 115:6 122:13,22 123:6 131:1

subsequently 66:21 85:12

suggest 98:21

suggesting 17:11 37:14 93:18 96:1 102:15

suggests 6:5 16:18 19:5 59:13 94:14

suicide 45:5

Suite 4:21

summarized 132:2

summarizing 79:6

summary 47:18 68:23 79:2 90:22 128:20,24

Superintendent 40:19 117:20 118:5,24

superior 23:10,18 24:15 28:15 38:13

supervisor 13:9, 12,22 14:7 15:4 51:5 107:2 117:17 118:9

supervisors 111:16 133:10

supplemental 127:2

supply 52:6

supported 17:4

supposed 11:19 53:19 84:2 85:18 93:15 102:23

Supreme 39:9

surgery 89:17

suspect 41:1

suspicious 49:7,8

sustained 77:21

swear 27:13

sworn 12:2 16:8 17:1 19:4,24 22:8 26:1 27:14 41:20 42:11 99:5 103:21 104:1,3

system 46:5 65:10 86:18 87:22 89:8 105:4 106:17 108:16,24 112:4 118:11,13

T

table 54:15

taking 39:22 40:2 84:12 123:24

talk 72:3 79:20

talked 10:24 25:8 36:13 54:6 98:16

talking 64:17 70:7 93:7 94:11,15 95:16 106:2 110:24 131:11

tampering 41:5

task 19:2,3 42:8, 21 104:7,8

taught 132:20

technicalities 82:22

technicality 82:20

technically 110:2

telephone 25:9 44:13 52:17 54:6 57:8,24 64:12 81:8,9 83:7,8

television 99:2

telling 65:14 111:21

tells 117:3

temperature 102:5,7,12

ten 118:2

tend 113:14

tendered 15:20 103:16

tentative 85:16 89:5

tentatively 85:10

terminal 105:9

terminology 113:3

terms 13:13 130:18

testified 59:15

testimony 12:2 19:24 22:9 42:12

thereof 29:24

thing 25:7 71:14 89:7 109:1 113:15

things 9:6 18:1,12 47:15 72:12 77:24 79:14 117:21

thinking 67:2 84:9

thought 100:24 113:13

threat 67:12 74:13

threatened 65:18 66:11 67:18

threatening 67:1, 3,8

three-inch 68:2

through-and-through 78:7

time 4:19 8:23 9:4 10:18 25:8,13 26:8,10,11,14,18, 21,22 27:12 30:9 31:7 38:4 44:6 45:2 47:11,14,15 49:15 52:12,13,19 53:18 55:2,5,9,24 56:19,24 57:3,4 62:21 64:15 66:15 76:9 77:24 79:17 82:4 84:1,4,6,8,9 85:14,23 86:1,13 87:13 88:17 89:24 90:9 91:17 93:1,4, 9,10 94:21 95:4, 18,20 100:12 103:2 105:18 107:8 109:21 113:7,8 115:1 116:19,21 117:7,8, 9,11,13,15,18,23 118:8,9,16 119:5 122:17 124:18,21 127:3 128:18 132:23

timely 52:9

times 45:13 48:11 74:16 78:2,4,5 84:13,17 104:12, 13 129:24

timing 21:22 22:1, 5

tire 67:6

title 80:22 83:15 91:9

titled 31:16 32:15 33:10

today 4:4 9:7,14 10:5,12 11:15 14:15,19,24 15:15 17:6 19:15 21:12, 13,15 22:12 23:8 24:23 25:24 26:1 27:6 32:1,23 33:17 34:11 35:4 45:22

54:15 58:8 59:9 95:1 125:1

today's 4:19 35:17 36:3 37:2

told 19:7 52:6,24 61:24 64:22 65:1,8 66:2,4 70:9 72:15 73:17,18 76:5,10 77:4,23 80:3 82:4 86:11,23,24 87:20 89:4,5,6,15,23 91:2 92:6,24 97:24 102:7,24 110:9 113:13 122:2 129:20,23 133:10, 12

tomorrow 25:22 26:2

top 97:11 102:4 106:18 107:1,11 117:12

totally 63:2 79:1 82:11

toxicological 46:8

toxicology 49:11

training 88:2

transcript 4:4,7 22:23 32:13 37:2, 4,7,9,11,19

transmitted 57:1

transported 50:20 76:6 91:3

trauma 114:10

treated 48:18

treatment 50:20

true 17:16 40:22 41:17

Trump 133:9

truthfully 28:6,13

Tuesday 37:12

turn 119:5

tying 104:20

type 17:12 46:2, 11,16 47:6 99:5

typo 129:11

typographical 129:8

U

ultimate 49:21 130:7

ultimately 49:17 120:22 121:1

unable 76:16 77:1

unchecked 115:23 123:24

unclear 7:24

uncover 16:1

underneath 112:10

understand 21:22 25:2 27:3,22 28:1, 10,11,13,16 29:1, 4,7,14,22 30:5,15 37:8

understanding 44:18 47:22 48:2 49:20 73:6 125:1

Understood 122:21

unduly 30:11

uniformed 67:11

union 30:6,9

unit 43:8

United 39:14 60:2

unknown 91:18

unsuccessful 76:23

update 115:11 122:18 123:21

updated 123:6,8

V

Van 6:20 8:4 78:1 83:1 84:4 110:22 111:19 112:9 113:7,9,24 123:13 126:5,18,22 127:4 129:19 130:11

vast 104:12 107:16 128:16

vehicle 67:5,10

verbally 118:20 131:12

verbatim 4:4 56:21 57:7

version 123:14

versus 7:22 8:7 39:9

victim 48:17 88:14 111:11 112:9 113:17,19 119:11

victims 110:23 111:4,11,18,22 121:6

video 36:17 55:7, 10,11,16 58:17 72:17,19 92:9,10, 13 103:7 131:21

view 88:13 89:20

viewed 131:21

viewing 72:17

violating 41:14 121:15

violation 28:19 30:18 38:20 60:17 61:4

violence 49:9

violent 71:12

voluntarily 39:1

W

W-i-t-z-b-u-r-g 5:3

wait 20:10

waiving 41:22

walk 50:14

walking 66:22

Walsh 84:4 110:23 111:19

Walsh's 83:2

wanted 93:8 95:17 96:5

ways 7:9 74:9 132:13

weapon 68:4 74:15 78:2 114:13

weather 102:10

Wednesday 36:7 37:12 45:24

week 10:8,21 13:3, 11 25:9

weigh 130:13

weighed 121:2

Wesson 74:15

West 4:21

whichever 104:6

William 8:24

windshield 67:7

witnessed 109:14

witnesses 11:3,9 131:18,19

Witzburg 5:2,3 15:17 18:8 24:9 27:3,24 100:15 101:20 119:7,8,19, 24 120:16 122:1

Witzburg's 5:14

wonderful 132:19

word 19:4 53:1 73:8 130:2,3 131:14,19

words 62:1 64:7 65:6 67:14 68:20, 22 69:14,23 70:2, 9,14,15 71:2,22 73:17 74:3,24 75:13 103:11 114:6 132:1,5 133:8

work 4:9 38:3 46:9 132:23 133:18

worked 76:21

workforce 132:22

working 7:18 44:7 54:2 55:2 85:15

workings 65:10 102:21

wound 114:10 130:16

wounds 84:12 130:1,9,15

write 105:12

writing 11:15 131:12

written 29:6,8 66:14 67:23 70:6, 19 96:3

wrong 18:18 68:19 90:16 104:2 106:1 115:1 129:7, 9

wrote 86:24 127:13

Y

year 8:17 22:21 23:5 95:3

years 44:5 64:16 66:7 71:11,13 72:21 88:2,12 97:7 131:11 133:1

Yohler 4:23 8:20 37:18

Z

ZIP 80:1,8,11,14, 19 84:23

CITY OF CHICAGO
OFFICE OF INSPECTOR GENERAL

ADVISEMENT OF RIGHTS

I, David March, understand that I am being interviewed by Peter Neumer and Deborah Witzburg from the City of Chicago Office of Inspector General.

DATE 7/25/16 TIME _____ LOCATION 300 West Adams Street, Ste. 800, Chicago, IL

I understand that this interview is part of an official investigation and that I have a duty to cooperate with the Office of Inspector General, which includes answering all questions completely and truthfully.

I understand that I have no right to remain silent. I understand that I have an obligation to answer questions put to me truthfully. I understand that if I refuse to answer questions put to me, I will be ordered by a superior officer to answer the questions. I further understand and I have been advised that if I persist in my refusal to answer after an order to do so, such further refusal constitutes a violation of the Rules and Regulations of the Chicago Police Department and may serve as the basis for my discharge.

I understand and have been advised that my statements or responses may constitute an official police report. I understand that Rule 14 of the Chicago Police Department's Rules and Regulations prohibits making a false report, written or oral, and I further understand that making such a false report, whether written or oral, may result in my separation from the Chicago Police Department.

I understand that any statement made by me during this interview may be used as evidence of misconduct or as the basis for disciplinary action up to and including removal or discharge.

I understand that any statement made by me during this interview and the fruits thereof cannot be used against me in a criminal proceeding.

I understand that I have the right to have a union representative, or legal counsel of my choosing, present at the interview to consult with, and that I will be given a reasonable time to obtain a union representative or legal counsel as long as the interview is not unduly delayed.

I understand that a refusal to answer any question, or any false, inaccurate, or deliberately incomplete statement by me would constitute a violation of Chicago Municipal Ordinance 2-56, and may serve as the basis for my discharge.

I acknowledge that this statement of my administrative rights has been read aloud to me, and I have been allowed to review this document.

Employee Signature

Witness: _____ Witness: _____

****

WAIVER

Understanding these rights, I wish to answer questions from investigators from the Office of Inspector General without having a union representative or legal counsel present. No promises or threats have been made to me and no pressure or coercion of any kind has been used against me.

Employee Signature: _____

EXHIBIT 1 016 7-25-16

NOTIFICATION OF INTERVIEW TO CPD MEMBER CITY OF CHICAGO OFFICE OF INSPECTOR GENERAL			DATE July 20, 2016
NAME	RANK	STAR NO	UNIT OF ASSIGNMENT
David March	Detective	20563	610

YOUR APPEARANCE IS REQUIRED

AT ☒ Amicus Court Reporters 300 West Adams, Ste 800 Chicago, IL 60606	ON	DATE July 23, 2016	TIME 9:00 am

AS ☒ ACCUSED ☐ WITNESS ☐ COMPLAINANT

FOR ☒ A STATEMENT

CONCERNING
Detective David March's false statements concerning the McDonald Shooting and review and approval of reports containing false statements.

YOU ARE TO REPORT TO:

LEAD INVESTIGATOR	TITLE	PHONE NO.	EMAIL
Kristopher Brown	Investigator III	773-478-0221	kbrown@chicagoinspectorgeneral.org

NOTE: You MUST notify the Lead Investigator of your inability to keep this scheduled appointment.

ALSO PRESENT AT THE INTERVIEW WILL BE:

NAME	TITLE	NAME	TITLE
Peter Neumer	Senior Assistant Inspector General	N/A	N/A

THE INTERVIEW WILL BE ☐ AUDIO RECORDED ☒ TRANSCRIBED BY A LIVE REPORTER

TO BE COMPLETED BY INTERVIEWEE (if applicable)

ACKNOWLEDGEMENT

Please contact Investigator Brown at (773) 478-0221 to confirm receipt of Notification of Interview and to confirm your attendance at the interview.

I hereby acknowledge receipt of this Notification of Interview.

SIGNATURE [signature] DATE 20 JUL 2016

PRINTED NAME David M MARCH TIME 1600

TO BE COMPLETED BY OFFICE OF INSPECTOR GENERAL OR CPD COMPONENT PROVIDING NOTIFICATION TO INTERVIEWEE

NOTIFICATION MADE TO:	TITLE, RANK, & UNIT	DATE	TIME
David March	Detective 610	20JUL16	1600
NOTIFICATION MADE BY:	**TITLE, RANK, & UNIT**	**DATE**	**TIME**
Andrew Stewart	Sergeant	20 JUL 16	1600

EXHIBIT 2 OIG 7-25-16

NOTIFICATION OF ALLEGATIONS

CITY OF CHICAGO OFFICE OF INSPECTOR GENERAL

NAME OF ACCUSED	RANK	STAR NO.	UNIT OF ASSIGNMENT
David March	Detective	20563	610

City ordinance, and if applicable, collective bargaining agreements, provide that you are entitled to notice of the nature of the allegations against you and the identity of all complainants prior to any interview. Accordingly, you are advised as follows:

COMPLAINANT(S)

1. John J. Escalante, Interim Superintendent of Chicago Police Department, sent a letter to the City of Chicago Office of Inspector General (OIG) dated January 13, 2016, requesting that OIG conduct an administrative investigation of the following allegations arising out of the October 20, 2014 shooting death of Laquan McDonald (the McDonald Shooting): "whether any officer(s) made false statements on official reports submitted in connection with the shooting of Laquan McDonald on October 20, 2014; whether any officer(s) obstructed or interfered with the investigation of this incident, either individually or in collusion with others; and whether any officer(s) committed any violation of Chicago Police Department rules, policies, or orders in connection with their response and/or handling of this matter." Escalante attached to the letter a copy of Sergeant S. Soria's (Star # 2275) Initiation Report, which raises similar allegations of misconduct with respect to Department members in connection with the McDonald Shooting, and identified that Report as a basis for OIG's administrative investigation.

ALLEGATION(S)

1. On October 21, 2014, you reviewed and approved an Original Case Incident Report, which includes an Event Number of 1429315878 and an R.D. Number of HX475653 (the OCIR), even though it falsely stated that Officer Jason Van Dyke was "Injured by offender."

2. On or about October 20, 2014 or October 21, 2014, you assisted in the drafting of the OCIR, which falsely stated that Officer Jason Van Dyke was "Injured by offender."

3. On or about October 20, 2014, you made a false statement to Investigator Earl Briggs of Cook County's Office of the Medical Examiner when, with respect to the McDonald shooting, you stated that McDonald lunged at Chicago Police Officers assigned to Beat 845R with a knife.

4. You were incompetent in the performance of your duties in the ways enumerated in allegations 1 through 3.

ACKNOWLEDGEMENT

I hereby acknowledge receipt in writing of the identity of the complainant(s) and notice of the nature of the allegation(s) against me.

Signature _____ Date 21 JUL 2016

EXHIBIT 3 OIG 7-25-16

David M MARCH 20 JUL 2016

Printed Name Andrew Stewart #7759 Time 1600

WITNESSES

OIG 15-0564 016564

City of Chicago Office of Inspector General
740 North Sedgwick Street
Suite 200
Chicago, Illinois 60654

RECEIPT FORM

OIG FILE NO. 15-0564

ON 22 JUL 2016 (DATE) AT 1600 hrs. (TIME)

Andrew Stuart (NAME) Sergeant (TITLE)

☐ SEIZED FROM ☐ RECEIVED FROM ☐ RETURNED TO ☒ RELEASED TO

NAME	TITLE	DEPT.
David March	Detective	Chicago Police Department

THE FOLLOWING ITEM(S):

- a copy of an October 21, 2014 Cook County Office of Medical Examiner Case Report for ME2014-01071;
- a copy of an October 21, 2014 Original Case Incident Report for R.D. No. HX475653 with the event number 1429315878 and the "Case ID" 9825613 CASR 229.

ACKNOWLEDGEMENT

I hereby acknowledge receipt in writing of the above-listed item(s).

Signature David M March Date 22 JUL 2016

Printed Name David M MARCH Time 1600

WITNESSES

[illegible] 1359

EXHIBIT 4 OIG 7-25-16

Medical Examiner Investigations
Case Report
ME2014-01071

Companion Case to:

Case Type: Forensic Institute

Initial Impression: GSW / Police Involved Shooting

Decedent / Subject

Deceased Name: Laquan McDonald

Deceased DOB: 9/25/1997

Deceased Gender / Race / Age: Male / Black / 17 Y

Deceased Home Address & County: [redacted]

Deceased Phone: Unknown

Social Security: 000-00-0000

Notification

Date: 10/20/2014 **Time:** 11:51:59 PM

Name: Detective March

Title: Detective

Star: 20563

Telephone Number: 312-747-8380

Agency or institution making notification: Chicago Police Department

Beat: 5121

Police Report #: HX475653

Discovered

Discovered by: Chicago Police Beat # 845R

Address: 3420 W. 63rd Street, Chicago, IL 60629

Phone: 312-747-8730

Title: Police Officer

Relationship: Police Officer

Last known alive: 10/20/2014

Discovered Date/Time: 10/20/2014 9:56:00 PM



OIG 15-0564 016566

Medical Examiner Investigations
Case Report
ME2014-01071

CPR performed: N/A

Condition of body: Multiple GSW

Place of Occurrence / Incident

Address where ORIGINAL Incident occurred: 4112 S. Pulaski Chicago, IL 60632

County of Occurrence: Cook County

Type of Premises: STREET

Time of occurrence: 9:56:00 PM

Date: 10/20/2014

Identification of Deceased:

Positive Identification: Coworker

Identification Means: Fingerprints

Additional ID Info: ICLEAR Chicago IR # 2106340

Pronouncement

Place deceased pronounced: Hospital ER

Method of Pronouncement: On View

Hospital: MOUNT SINAI MEDICAL CENTER

Date and Time: 10/20/2014 10:42:00 PM

Pronounced by: Dr. Titeel

Fire Department on Scene: Chicago Fire Dept # 21

List of Person Interviewed

Name / Relationship or title / Address / Phone Number:

Detective March	Police Officer	Detective	5101 S. Wentworth, Chicago, IL 60609	312-747-8380

OIG 15-0564 015029

OIG 15-0564 016567

Medical Examiner Investigations
Case Report
ME2014-01071

Next of Kin

Next of Kin Name: Unknown Kin

Contact Info: Unknown

Next of Kin notified: ☑ Next of kin unknown

Narrative

On 20 October 2014 at 2351 hours Detective March # 20563 of the Chicago Police Department Area Central Detectives Beat # 5121 notified the Forensic Institute the subject Laquan McDonald had expired at Mt. Sinai Hospital after being shot by an on duty Chicago Police Officer.

Detective March related the following; on or about 2156 hours 19 October 2014 Chicago Police 8th District Beat Car 815R responded to 41st and Kildare in reference to a "Citizen Holding a Subject". Upon arrival Beat # 815R was confronted by the subject who threatened the officers with a 4 inch fold knife. The subject fled the scene on foot where at 4112 S. Pulaski the subject was stopped by officers assigned to Beat # 845R. The officers announced their office as "Chicago Police Officers" and ordered the subject to drop the knife. The subject lunged at the officers with the knife. Fearing for their life and attempting to stop the threat one officer (star # 9465) fired sixteen rounds from his duty weapon a Smith & Wesson 9mm handgun striking the subject numerous times . After striking the subject an ambulance was requested by the officers.

Upon arrival of Chicago Fire Department Ambulance # 21 the subject was transported to Mt. Sinai Hospital. Once at Mt. Sinai Hospital emergency room staff were unable to revive the subject and the subject expired at 2242 hours being pronounced by Doctor Titeel. It appears that the subject sustained the following gunshot wounds, four to the chest, six to the right arm, five to the left arm, one to the rightside torso, two to the back, one to the right hip, two to the left leg front, two to the left leg rear, 2 to the left thigh and three to the right thigh. At this time since the officer fired sixteen times which of the twenty-six gunshot wounds are entrance or exit wounds.

At the time of this incident both officers assigned to Beat # 845R and 815R were in full Chicago Police Department uniform.

The subject was ordered along with all police reports, medical records which included admission blood which was drawn to the Forensic Institute for further examination.

Subject was positively identified by the Chicago Police ICLEAR system based on a prior Chicago Police Booking Number IR2106340. At the time of this report it is unknown why the citizen was "Holding the Subject" since the citizen left the scene and could not be interviewed.

Subject's next of kin has not been notified

Pertinent Information

OIG 15-0564 015030

OIG 15-0564 016568

Medical Examiner Investigations
Case Report
ME2014-01071

Scene: ☐

RI Date/Time leaving for scene from office:

RI Arrival on scene - time:

RI Departure from scene - time:

RI arrival at Institute:

Point of contact: Detective March # 20563

Temperature of Environment: 52 Degree Fahrenheit

Medications/Drugs on scene:

Drug Name	Pharmacy Physician Name Phone No	Rx No Rx Date Dosage Name on Bottle	Number Issued Number Left	Note

Photographs taken on scene: False

Medical History

General Medical History: N/A

Attending Physician: N/A

Last Contact with physician: Unknown

End of Report

BJ #76

Investigator

Supervisor

Date and Time completed: 10/21/2014 1:30:31 AM

OIG 15-0564 015031

OIG 15-0564 016569

CHICAGO POLICE DEPARTMENT

ORIGINAL CASE INCIDENT REPORT

3510 S. Michigan Avenue, Chicago, Illinois 60653

RD #: HX475653

EVENT #: 1429315878

INCIDENT

ASSIGNED TO FIELD

IUCR: 0552 - Assault - Aggravated Fo:Knife/Cut Instr

Occurrence Location: 4000 S Karlov Ave
Chicago IL
304 - Street

Beat: 0815

Unit Assigned: 0841R
RO Arrival Date: 20 October 2014 21:57

Occurrence Date: 20 October 2014 21:56

Offenders: 1

VICTIM OR OFFENDER

VICTIM - Individual

Name: PO. GAFFNEY #19956, Thomas

Res: 3420 W 63rd St
Chicago IL

Beat: 0823

Beat: 5100

Sobriety: Sober

Demographics

Male

Age: 41 Years

VICTIM - Individual

Name: PO. VAN DYKE #12865, Jason

Res: 3420 W 63rd St
Chicago IL

Beat: 0823

Beat: 5100

Sobriety: Sober

Demographics

Age: 36 Years

VICTIM - Individual

Name: PO. WALSH #12865, Joseph

Res: 3420 W 63rd St
Chicago IL

Beat: 0823

Beat: 5100

Sobriety: Sober

Demographics

Age: 45 Years

INJURIES

Injury Info (PO. VAN DYKE #12865,Jason - Victim)

Injured by offender

SUSPECTS

Suspect # 1

In Custody

Name: MCDONALD, Lequan J

Res: [redacted]

Beat: 0314

Demographics

Male
Black
6'01,
185 lbs
Brown Eyes
Brown Hair
Dreadlocks Hair Style
Dark Complexion

DOB: 25 September 1997

Age: 17 years

Birth Place: IL

Suspected of Using: Weapon

EXHIBIT 6 016

RD #: HX475653

Print Generated By: MARCH,DAVID [redacted]

22-OCT-2014 21:55

SUSPEC

Injury Info

		Injury Extent:	Fatal	**Pronounced Date:**	20 October 2014 22:42
CFD First Aid Given?	Yes			**Removed By:**	Ambulance 21
Responding Unit:	Ambulance 21	**Hospital:**	Mt. Sinai	**Removed Date:**	20-OCT-14
		Physician:	Dr. Pitzel		

Type	**Weapon Used**
Gun Shot Wound	Handgun

RELATIONSHIP

RELATIONSHIP

(Victim) **PO. GAFFNEY #19958, Thomas**	is a	No Relationship of	(Offender) **MCDONALD, Lequan,J**
(Victim) **PO. VAN DYKE #12865, Jason**	is a	No Relationship of	(Offender) **MCDONALD, Lequan,J**
(Victim) **PO. WALSH #12865, Joseph**	is a	No Relationship of	(Offender) **MCDONALD, Lequan,J**

DOMESTIC INFO

VEHICLE

Vehicle #1

Vehicle:	Chevrolet - Tahoe - Truck	**Damaged?**	Yes	**Owner:**	City Of Chicago
Style:	Hardtop, 4-Door	**Damaged Descr:**	Tire(S)-Flat, Front Windshield Scratched	**Possessor/User:**	PO. GAFFNEY #19958, THOMAS
Color-Top/Bottom:	White/White	**Theft From?**	No	**Towed?**	No
		Burned?	No		
License Plate #:	Mp6581 - Illinois - Law Enforcement (City, County, State, Sos)	**Destroyed?**	No		
Expires:	01-December-2014	**Recovered?**	No		
		Stolen?	No		

Vehicle Identifiers: Police Squad Car

CLEAR

NOTIFICATIONS

Request Type	Unit	Agency Name	Date	Star #	Name
Notification	177	Forensic Services Division	20 October 2014 23:07	13131	,SARLO

Request Type	Date	Star #	Name
Notification	20 October 2014 23:14	4898	,JINES

Request Type	Unit	Agency Name	Date	Star #	Name
On Scene	610	Detective Area - Central	20 October 2014 21:50	20563	,MARCH

Request Type	Unit	Agency Name	Date	Star #	Name
Notification	116	Deployment Operations Center	21 October 2014 22:58	7303	,CHIBE

Request Type	Date	Empl #	Name
Notification	20 October 2014 23:50	76	,BRIGGS

OIG 15-0564 016572

NARRATIVE

EVENT# 15878 REFER TO DETECTIVE DIVISION SUPPLEMENTARY REPORT.
NOTIFICATION: WATCH COMMANDER OF UNIT LT. KOCH Beat#: Star#: 715 Emp#: Date: 20-OCT-2014 Time: 2250 NOT
NOTIFICATION: STATION SUPERVISOR COMISKEY Beat#: Star#: 1774 Emp#: Date: 21-OCT-2014 Time: 2250 NOT
NOTIFICATION: SERGEANT STEPHEN FRANKO Beat#: 0810R Star#: 1381 Emp#: Date: 21-OCT-2014 Time: 2158 ONS
ASSISTING OFFICER - STAR#: 10590 NAME: RICARDO VIRAMONTES BEAT: 0841R
REPORTING OFFICER - STAR#: 19958 NAME: THOMAS GAFFNEY BEAT: 0815R
REPORTING OFFICER - STAR#: 18715 NAME: JOSEPH MCELLIGOTT BEAT: 0815R
ASSISTING OFFICER - STAR#: 12865 NAME: JOSEPH WALSH BEAT: 0845R
ASSISTING OFFICER - STAR#: 9465 NAME: JASON VAN DYKE BEAT: 0845R
ASSISTING OFFICER - STAR#: 4364 NAME: JANET MONDRAGON BEAT: 0813R
ASSISTING OFFICER - STAR#: 2763 NAME: DAPHNE SEBASTIAN BEAT: 0813R
ASSISTING OFFICER - STAR#: 6442 NAME: TERENCE BRADY BEAT: 0811R
ASSISTING OFFICER - STAR#: 7025 NAME: MICHAEL BELMONTEZ BEAT: 0811R
ASSISTING OFFICER - STAR#: 10385 NAME: LETICIA VELEZ BEAT: 0822
ASSISTING OFFICER - STAR#: 15790 NAME: ARTURO BECERRA BEAT: 0822
ASSISTING OFFICER - STAR#: 9654 NAME: RAUL ROSALES JR BEAT: 0821R
ASSISTING OFFICER - STAR#: 8302 NAME: PATRICK KENNING BEAT: 0821R
SUPERVISOR ON SCENE - STAR#: 1320 NAME: BRYAN SPREYNE BEAT: 0865
SUPERVISOR ON SCENE - STAR#: 1381 NAME: STEPHEN FRANKO BEAT: 0810R
ASSISTING OFFICER - STAR#: 12392 NAME: DAVID IVANKOVICH BEAT: 0823R
ASSISTING OFFICER - STAR#: 19898 NAME: JOSE TORRES BEAT: 0823R
ASSISTING OFFICER - STAR#: 11830 NAME: ANTHONY VANCE BEAT: 0833R
ASSISTING OFFICER - STAR#: 16422 NAME: JAMES GEISBUSH BEAT: 0833R
ASSISTING OFFICER - STAR#: 6490 NAME: LUIS GARCIA BEAT: 0851R
ASSISTING OFFICER - STAR#: 12037 NAME: ELLIOT FLAGG BEAT: 0851R
SUPERVISOR ON SCENE - STAR#: 1734 NAME: PETER MC GLYNN BEAT: 0830R
OTHER SUPPORT - STAR#: 20453 NAME: JOHN HALLORAN BEAT: 5131
OTHER SUPPORT - STAR#: 21128 NAME: JOHN MURRAY BEAT: 5131
OTHER SUPPORT - STAR#: 20563 NAME: DAVID MARCH BEAT: 5121
OTHER SUPPORT - STAR#: 21285 NAME: GREGORY JONES BEAT: 5122
OTHER SUPPORT - STAR#: 20606 NAME: RICHARD HAGEN BEAT: 5165
OTHER SUPPORT - STAR#: 529 NAME: OSVALDO VALDEZ BEAT: 5105
OTHER SUPPORT - STAR#: 62 NAME: EUGENE ROY BEAT: 5100
OTHER SUPPORT - STAR#: 10201 NAME: CARL BRASIC BEAT: 5802
OTHER SUPPORT - STAR#: 8825 NAME: KAMAL JUDEH BEAT: 5802
OTHER SUPPORT - STAR#: 819 NAME: DAVID FRIEL BEAT: 5880
OTHER SUPPORT - STAR#: 20201 NAME: MATTHEW RICKHER BEAT: 5885
OTHER SUPPORT - STAR#: 1303 NAME: DANIEL GALLAGHER BEAT: 5120
ASSISTING OFFICER - STAR#: 20555 NAME: ROBERTO GARCIA BEAT: 5122
- STAR#: 120 NAME: DAVID MC NAUGHTON BEAT: 41
- STAR#: 13 NAME: JAMES O DONNELL BEAT: 0800
- STAR#: 107 NAME: DENNIS WALSH BEAT: 0890
- STAR#: 14193 NAME: MAHMOUD HALEEM BEAT: 0865B
- STAR#: 13516 NAME: IVAN LOPEZ BEAT: 0865B
- STAR#: 10333 NAME: PATRICK KENAH BEAT: 0865C
- STAR#: 14393 NAME: ANDRES ZEPEDA BEAT: 0865C
- STAR#: 13882 NAME: ROBERT SHULTZ BEAT: 0865C

PERSONNEL

	Star No	Emp No	Name	User	Date	Unit	Beat
Approving Supervisor	1381	[redacted]	FRANKO, Stephen, D	[redacted]	21 Oct 2014 05:18	008	
Detective/Investigator	20563	[redacted]	MARCH, David, M	[redacted]	21 Oct 2014 15:01	610	
Reporting Officer	4484	[redacted]	FONTAINE, Dora	[redacted]	21 Oct 2014 04:32	008	0841R

Powered by CLEAR Technologies

In the Matter Of:

IN RE STEPHEN FRANKO

STEPHEN FRANKO

August 02, 2016

Amicus
court reporters, inc
300 West Adams St. Ste 800
Chicago, IL 60606
Phone: 312.641.3500
Fax: 312.641.3795
Email: info@amicusreporters.com

INTERVIEW OF)
)
STEPHEN FRANKO)

The continued sworn statement of STEPHEN FRANKO, taken in the above-entitled cause, before Angela M. Ingham, a Notary Public within and for the County of Cook and State of Illinois, and a Certified Shorthand Reporter of said state, at 300 West Adams Street, Suite 800, Chicago, Illinois, on August 2, 2016, at the hour of 9:11 a.m.

APPEARANCES:

MS. SARAH ANSARI
MR. RAUL A. VALDEZ
OFFICE OF INSPECTOR GENERAL
740 North Sedgwick Street
Suite 200
Chicago, Illinois 60654
773.478.5227
773.478.5228
sansari@
chicagoinspectorgeneral.org
rvaldez@
chicagoinspectorgeneral.org

On behalf of the Office of Inspector General;

MR. THOMAS PLEINES
POLICEMEN'S BENEVOLENT &
PROTECTIVE ASSOCIATION LABOR
COMMITTEE
206 South Jefferson Street
Suite 100
Chicago, Illinois 60661
312.655.7660
tompleines@gmail.com

On behalf of Stephen Franko.

I N D E X

WITNESS	EXAMINATION
STEPHEN FRANKO	
By Ms. Ansari	5
	43
By Mr. Valdez	42
By Mr. Pleines	44

E X H I B I T S

NUMBER		MARKED FOR ID
Franko Exhibit		
No. 1	advisement of rights	9
No. 2	notification of interview	9
No. 3	notification of allegations	10
No. 4	original case report	11
No. 5	receipt form	11
No. 6	tactical response report	27
No. 7	officer's battery report	27

MS. ANSARI: As a preliminary matter, I am providing the following information: An independent certified court reporter is present today to provide a verbatim transcript of this interview.

To aid in the accuracy of the transcript, it is the custom and practice of court reporters to audio record the interview. The recording is the confidential work product property of the court reporter and will not be provided to any party including the Office of Inspector General.

If you request, the audio recording will be discontinued. So, Sergeant Franko, are you okay with the court reporter audio recording this interview?

THE WITNESS: Yes.

MS. ANSARI: Let the record reflect that today's date is August 2, 2016. The time is 9:11 a.m. We are located at Amicus Court Reporters, 300 West Adams, Suite 800.

My name is Sarah Ansari. The court reporter is Angela Ingham, and I would ask that the other individuals present identify themselves and spell their name for the record.

MR. VALDEZ: Investigator Raul Valdez, R-a-u-l, V-a-l-d-e-z, Inspector General's Office.

MR. PLEINES: Thomas Pleines, P-l-e-i-n-e-s, counsel for Sergeant Franko.

THE WITNESS: Sergeant Stephen Franko, S-t-e-p-h-e-n, F-r-a-n-k-o.

MS. ANSARI: There are no other individuals present.

We are here today pursuant to an investigation being conducted under Chapter 2-56 of the Municipal Code of the City of Chicago. We are here for an interview of Sergeant Stephen Franko.

Sergeant Franko, would you please raise your right hand and the court reporter will swear you in.

(Witness duly sworn.)

STEPHEN FRANKO,

called as a witness herein, having been first duly sworn, was examined and testified as follows:

EXAMINATION

BY MS. ANSARI:

Q. So we are going to read the advisement of rights again for our procedures.

Sergeant Franko, I'm now going to hand you

a form that is marked "Advisement of Rights." This has already -- this will be filled in with my name and Investigator Valdez's name. I'm going to ask you to read along with me as I go through it, and then I will ask you after each paragraph to acknowledge the paragraph.

"I understand that this interview is part of an official investigation and that I have a duty to cooperate with the Office of Inspector General, which includes answering all questions completely and truthfully," do you understand?

A. Yes.

Q. "I understand that I have no right to remain silent. I understand that I have an obligation to answer questions put to me truthfully. I understand that if I refuse to answer questions put to me, I will be ordered by a superior officer to answer the questions. I further understand and I have been advised that if I persist in my refusal to answer after an order to do so, such further refusal constitutes a violation of the rules and regulations of the Chicago Police Department and may serve as the basis for my discharge," do you understand?

A. Yes.

Q. "I understand and have been advised that my statements or responses may constitute an official police report. I understand that Rule 14 of the Chicago Police Department's rules and regulations prohibits making a false report, written or oral, and I further understand that making such a false report, whether written or oral, may result in my separation from the Chicago Police Department," do you understand?

A. Yes.

Q. "I understand that any statement made by me during this interview may be used as evidence of misconduct or as the basis for disciplinary action up to and including removal or discharge," do you understand?

A. Yes.

Q. "I understand that any statement made by me during this interview and the fruits thereof cannot be used against me in a criminal proceeding," do you understand?

A. Yes.

Q. "I understand that I have the right to have a union representative, or legal counsel of my

choosing, present at the interview to consult with, and that I will be given a reasonable time to obtain a union representative or legal counsel as long as the interview is not unduly delayed," do you understand?

A. Yes.

Q. "I understand that a refusal to answer any questions, or any false, inaccurate, or deliberately incomplete statement by me would constitute a violation of Chicago Municipal Ordinance Chapter 2-56, and may serve as the basis for my discharge," do you understand?

A. Yes.

Q. "I acknowledge that this statement of my administrative rights have been read aloud to me, and I have been allowed to review this document," do you understand?

A. Yes.

Q. I'll ask that you please sign the advisement of rights, Sergeant Franko, and I will witness this and Investigator Valdez will also witness the document; and for the record, I'm going to cross out the waiver below since you brought legal representation, and we will mark this as

Exhibit 1.

Counsel, do you have any statements you would like to made for the record before we begin?

MR. PLEINES: I just want to state for the record that Sergeant Franko and I are considering this to be a continuation of the statement that he previously gave in June. He understands that he's still under a direct order to answer your questions; and as the admonitions you just read made clear, the statement is only under duress because he's been given a direct order to answer your questions.

BY MS. ANSARI:

Q. So before we begin, we're going to mark the documents you were served with as exhibits to get them on the record.

So I'm marking as Exhibit 2 a document entitled "Notification of Interview" dated July 23, 2016. Have you seen this document, Sergeant Franko?

A. Yes.

Q. Did BIA provide you with this document on July 23, 2016?

A. Yes.

Q. Is your signature at the bottom of this document?

A. Yes.

Q. Marking as Exhibit 3, "Notification of Allegations," dated July 23, 2016, have you seen this document?

A. Yes.

Q. Did BIA provide you this document on July 23, 2016?

A. Yes.

Q. Is that your signature on the bottom of the page?

A. Yes.

Q. Marking as Exhibit 4 a document entitled "Receipt Form" dated July 23, 2016, have you seen this document?

A. Yes.

Q. Did BIA provide you with this document on July 23rd?

A. Yes.

Q. Is that your signature at the bottom of the page?

A. No signature on this one. This is the case report.

Q. Oops, sorry. So Exhibit 4 is an original case report. It's not the receipt. You received this document, correct?

A. Yes.

Q. Okay. So Exhibit 5 is the receipt form, and that's dated July 23, 2016. Have you seen this document?

A. Yes.

Q. And did BIA provide you with this document on July 23rd?

A. Yes.

Q. Is that your signature at the bottom of the page?

A. Yes.

Q. Okay. In addition to the materials we provided you, did you review any other materials in preparation for this interview?

A. No.

Q. Did you speak with anyone in preparation for this interview besides your attorney?

A. No.

MS. ANSARI: Counsel, may we provide the transcript of this interview within 72 hours of receipt?

MR. PLEINES: Yes, that would be fine.
BY MS. ANSARI:
Q. And do you have any other prepared remarks that you would like to make before we get into the substance of the interview?
A. I again want to preface this statement by saying that I am not giving this statement voluntarily but only under duress. I have received a direct order from Commander Klimas directing me to answer your questions. I have been informed both orally and in writing that if I disobey that order I will be fired from my job.
I also want to renew my objection to the delay in this matter. This shooting took place almost 20 months ago. This delay is prejudice to my ability to recall all of the details of my actions and movements so that I can properly defend myself.
BY MS. ANSARI:
Q. Sergeant Franko, for the record, can you please state your star number and your current unit of assignment?
A. My name is Sergeant Stephen Franko, F-r-a-n-k-o, Star No. 1537, assigned to the First

District.

Q. And on October 20, 2014, what was your star number, and what district were you assigned to?

A. My star number was 1381. I was assigned to the Eighth District.

Q. Okay. Sergeant Franko, can you please turn to Exhibit 4, the original case incident report. So as background, what is an original case incident report?

A. An original case report is the report that's prepared to document any incident that occurs on the street. It's prepared by the -- usually the first responding unit or the assigned unit, and they document the preliminary facts as gathered.

Q. Okay. Can you walk us through the process for completing one of these reports, kind of how does it get decided -- kind of starting with how does it get decided who even is doing it through the final signatures?

A. What usually occurs is OEMC assigns a car to a job. When you're given the assignment, you are the responsible paper car.

So from that point on when you arrive on scene, you gather as much information as you can, and then you prepare an original case report, which includes obtaining an RD number, which at that point that allows later on down the road a follow-up investigation because every original case report gets followed up by a detective division member.

Q. Okay. So is this the first document that kind of creates the RD number?

A. Yes. This is the thing that starts it all to allow everybody else to do a supplement to that -- supplementary report to that original RD number.

Q. So when you said, in terms of who completes it, it's the paper car, whoever is kind of responding to the incident?

A. Correct. It's the initial assigned car. There are instances where it can be given to another car. It just depends on the situation and what's going on at that incident.

Q. Okay. And what is the review chain for this kind of a report?

A. The original case report would in most cases be approved by the sergeant that is assigned

to that car -- or that the car is assigned, too.

Q. So if a car under your supervision was filling one out, then it would be you who is signing it, correct?

A. Most likely, yes.

Q. And are you the -- or is it usually a sergeant who is the one?

MR. PLEINES: Is it usually a sergeant what?

BY MS. ANSARI:

Q. When I asked who the ultimately approver is, that's usually a sergeant, correct?

A. Correct.

Q. Okay. And is there anyone above a sergeant who reviews the report?

A. It would be reviewed, but the ultimate approval comes from the front-line supervisor, which in this case is a sergeant.

Q. Okay, got it.

Does the detective assigned to a case generally also look at this report before it's finalized?

A. It would depend on --

MR. PLEINES: You were a detective, were you not?

THE WITNESS: Yes.
MR. PLEINES: Answer on the basis of your own experience.
THE WITNESS: Most cases, no.
BY MS. ANSARI:
Q. Okay. And then after it's finalized the detective -- would the detective eventually end up looking at it because it's in the file?
A. Yes.
Q. So for this specific report -- we'll get away from the general questions -- I'll give you time to take a look if you need to, but who prepared this report?
A. The reporting officer on this case was Officer Dora Fontaine.
Q. Now, why was she the reporting officer considering in this situation, the October 20th incident, she wasn't, I wouldn't consider, the kind of initial assigned car? Can you explain kind of how that happened?
A. Eventually after all the events unfolded, there needed to be a case report prepared, so somebody would have been assigned who was on scene. I do not remember or recall exactly how 841 Robert,

which is the beat of Officer Fontaine -- I don't know how they were given the actual assignment.

The way the job came out, it wasn't a job given by OEMC. There was already a car that was assigned to the incident which unfolded into what it became.

So I don't know at that point who reassigned it to 841 Robert or assigned it to them to do the report. I don't recall, you know, exactly how that was done.

Q. Okay. So you did not direct Officer Fontaine to complete this report?

A. To the best of my knowledge, I don't remember assigning her. It's been so long ago, and there was a lot going on. I don't remember the exact events that night.

Q. Okay. And you said you don't know who did assign her, or you're not sure?

A. I'm not sure.

Q. Did you speak with Officer Fontaine at all as she was preparing this report?

A. From looking at the -- at the time it was submitted, I probably spoke to her early on about some preliminary information; but as the night was

going on, I had nothing to do with the investigation, so the next time I would have seen it was when I was ordered to approve the case report.

Q. Okay, got it.

Do you recall providing her any information to actually include in this report?

A. I don't specifically recall anything. The only thing I could have given her were some general information, address, maybe time, things like that.

I had nothing to do with the actual investigation, and I wouldn't have been able to provide her with anything regarding, you know, that part of it.

I don't even -- you know, in the area with the support services and the other units, I really had nothing to do with anybody, you know, recording that on scene.

(Whereupon, a discussion was had between Mr. Pleines and the witness.)

THE WITNESS: And additionally, any information that she would have gotten from me that night was also available to anybody else who was part of the

investigation. It was general knowledge.

BY MS. ANSARI:

Q. Okay. Do you know who she might have gotten a lot of the information that's in the report from?

A. I don't know specifically. In my time as a detective I do know that it's a collaboration of everybody who was on scene coming together and giving her information that was gathered; and it's her job to, as best she can, summarize the information in a preliminary format to move forward with further investigation.

Q. Okay. And so as a general matter with a police-involved shooting, would this be the kind of report where the reporting officer would get a lot of information from the detective, detective or detectives?

A. Yes, detectives and other officers on scene including other supervisors. It's just a collaboration of everything.

Q. And so do you recall was it kind of a situation where Officer Fontaine was walking around and just gathering as much information as she could? Do you recall that specifically and -- do

you recall that specifically?

A. I remember when she was in the area when we were doing everything that she was, you know, involved with a lot of different people, specifically the detectives.

When the superior officers got to the scene and relieved me of basically my role in the matter, I was out of it and just there as a support role for anything they needed. So I didn't have anything to do with the investigation or the gathering of information or the reporting of any information.

Q. Okay. So on the last page, on Page 4, it lists Detective March as detective investigator and a date October 21, 2014, 1501?

MR. PLEINES: Spell the name, please.

MS. ANSARI: March, M-a-r-c-h.

MR. PLEINES: Okay. You don't mean Marsh?

MS. ANSARI: No, sorry, March.

BY MS. ANSARI:

Q. Does this mean that Detective March was responsible for doing any kind of review or approval of this report?

A. There wouldn't have been a review -- or

approval, I mean, because that would only be me. I'm not sure what his name being here means.

I don't usually prepare any reports, and the last time I actually did a report was paper. I'm not familiar with the era of reporting system as far as entering information or checking boxes. That could be that he was notified or could be that he had something else to do with it. I wouldn't have, you know, knowledge about whether he did or didn't.

Q. Okay. But you said that you were responsible for approving this report, correct?

A. Correct.

Q. Did you review this report before you approved it?

A. Yes.

Q. Do you recall at what time you first saw it? I mean, I see here that the time of the -- it looks like the approval was October 21 -- the date is October 21, 2014, and the time is 5:18 a.m. Would you have first seen the report around that time?

A. Yes.

Q. Okay. And did you review this report

before it was finalized?

A. Yeah. It's time stamped in the system when it would be submitted and then approved; so, yeah, that would probably be around the time that I first laid my eyes on it.

Q. Okay. Did you review the whole report before you approved it?

A. I took a quick look at it. They wanted to get the RD generated, so I was told to approve it.

Q. Okay. If you turn back to Page 1.

A. Yes.

Q. This report characterizes Van Dyke as injured by offender under "Injuries" where the offender is McDonald. Did you review and approve that statement?

A. To be honest with you, I overlooked this. When it was brought to my attention, that was the first time that I saw that box in there.

Q. Okay.

A. Not being part of the investigation, if I would have seen it, I don't even know if I would have said anything because I don't know if he was or was not injured, and there was nothing at that point for me to question anything to whether or not

he was.

Q. You said you didn't know whether or not Van Dyke was injured that night?

A. I did not know. I had a very brief conversation with him when it first occurred; and after that, I really had nothing to do with the investigation. So, you know, if he had turned his ankle, anything else would have happened that would have caused injury to him I was not aware of that night.

Q. Okay. But you did talk to him that night at the scene, correct?

A. Yes, briefly.

Q. And he didn't indicate that he had been injured --

A. No.

Q. -- correct? Okay.

Did anyone else indicate to you that he might have been injured?

A. No.

Q. Did you direct Officer Fontaine to include "injured by offender" in the report?

A. No.

Q. Do you have any idea why she included that

language in the report?

A. I do not.

Q. So it looks like from this report -- but I'm not familiar with this system -- that this is something you can type in. Is that the case?

A. I would assume, but I can't say that with certainty if it was a box that says, "Injured by offender" or injured on -- I'm not sure. Like I said, I don't -- I've never prepared one of these in this format so -- and if I did see it, I don't recall if it's a box you can check or whether you have to specifically type that information into the box.

Q. Okay. So the time stamp on this of your approving time is 5:18 a.m. Had you seen the video of the shooting by 5:18 am?

A. Not in its entirety.

Q. When you say "not in its entirety," did you see the portion where McDonald was actually shot?

A. Yes.

Q. Okay. And did you see the portion of the video where McDonald was walking south on Pulaski?

A. At some point, yeah, partially when he was

walking and then when the shooting occurred.

Q. Okay. And you said your conversation with Van Dyke at the scene was brief, correct?

A. Correct.

Q. Okay. Do you stand by the accuracy of that statement, that Van Dyke was injured by McDonald?

A. I can't stand by it because I wasn't part of the investigation.

Q. If -- so this is a general thing. If there's an original case incident report and as you're approving it you believe there's information in it that's incorrect, what are the steps to take to correct that information?

A. Generally if I think that there's information in there that needs to be corrected, I would reject the report, along with some comments; and generally the officer, if they had any more questions, would ask me. But the comments I usually would provide in there would be enough for them to understand what they need to correct, but it's not unusual to actually have a conversation also.

Q. And if there's anything after the fact --

say you approve a report and you realize later that there's information in it that's incorrect. Is there a mechanism to correct the report after it's been approved?

A. There's no way to walk the actual report back after it's been approved. There's a short time frame where I think you can -- the approving sergeant can pull it back, but then it eventually goes into the system to be -- which is the CHRIS system then to be printed out.

Q. And you said you weren't made aware of this "injured by offender" language until we served you with the documentation --

A. Correct.

Q. -- on July 23rd?

A. That's the first time I noticed it, yes.

MS. ANSARI: Do you have any follow-up questions on this report?

MR. VALDEZ: No.

BY MS. ANSARI:

Q. Okay. So we are going to move on to some follow-up questions from your past interview. Do you guys want to take a break or anything?

MR. PLEINES: Are you good?

THE WITNESS: I'm good, yeah.
BY MS. ANSARI:
Q. Okay. So this may kind of jump around; so if you need more context, please let me know.
In your last interview you said that McDonald was still on the scene when you arrived, correct?
A. Correct.
Q. Was he still breathing, or had he already passed away?
A. No, he was still breathing.
Q. He was still breathing?
A. Yes.
Q. And you ensured that an ambulance was called to the scene?
A. Correct.
Q. So I'm going to enter into evidence two exhibits that were provided to you at your last interview, and they're kind of examples.
We can add into evidence the Van Dyke tactical response report as Exhibit 6 and Van Dyke officer's battery report as Exhibit 7.
So if you'll turn to the Van Dyke officer's battery report, Exhibit 7.

A. Okay.

Q. Where it says, "Number of officers battered, 3," in your first interview you explained that in this kind of a situation where it says, "Number of officers battered" that you have to put something in because it doesn't say assaulted or battered but at a later time the officer is supposed to explain that he means assaulted? I'm putting words in your mouth, so I just want to get a better explanation of kind of what that...

MR. PLEINES: Can we go off the record for a moment?

MS. ANSARI: Sure.

(Discussion had off the record.)

BY MS. ANSARI:

Q. Back on the record, it's 9:39 a.m.

So, Sergeant Franko, as we were saying, in your last interview you explained that after the fact officers -- there might be a situation where you have to clarify something in the TRR form related to the number of officers battered and it should really be assaulted. Can you clarify how that works, if really it's an assault and not a battery what should be done to clarify that?

A. I don't have the actual knowledge of what happened in this instance.

Q. Yes, in general.

A. But in general, this report would be filled out in any case where there was a murder, aggravated battery, battery, aggravated assault, or assault while in the performance of a police officer's duties. That's the only time this additional report, the officer's battery report, would be filled out in conjunction with the tactical response report.

There is no place that I know of on here where they could say that they were assaulted versus battered. It says specifically battered.

And I know in other cases when there has been -- officers were assaulted, we would put the same number in there even though they weren't battered so that you could follow up on it at a later point to let them know that there were -- that the reason why we're doing this report -- if we put zero, then why are we doing this report?

So there probably should be an additional box on the form that said battered -- assaulted or battered, assaulted. But if we put zero, then

there would be no reason to do an officer's battered report. So it's sort of a way to verify that we are doing this because we have officers who were battered/assaulted.

Q. And so when after the fact is it clarified; and is there an actual, like, written form or some kind of procedure?

A. I don't know. Everything on this report says battered, battered, if you look at it. So even though the instructions say we can use this when there's assault, it also -- I think it was just an omission when they did the report to not include that in.

But this is always used when there's just an assault also, so it gets confusing because now, if we do "Type of Assignment When Battery Occurred," well, there wasn't a battery, it was an assault. Does that mean we don't fill these out? But this is important information pertinent to the report.

So we go with the assumption that if the report is needed then we would go with, you know, assault or battery. It doesn't matter. If it needs this report, we fill the boxes in accordingly

to the instructions.

Q. Okay.

A. And, again, that's just a general answer based on my experience.

Q. Yes, a general --

A. Not specific to this case.

Q. Yes, I am asking generally.

(Whereupon, a discussion was had between Mr. Pleines and the witness.)

BY MS. ANSARI:

Q. So I'm now going to show you a portion of the video that was recovered from the in-car video system of B813R. This is one of the videos that we provided to you in preparation for your first interview.

Raul is going to open the VLC media file titled "Video_TS.IFO" on his laptop. The file contains six minutes and five seconds of footage. The video has also a time stamp on it indicating the date and time the video was recorded. We're going to advance the video to the portion time stamped 9:57:22. The VLC media player time bar will be at...

MR. VALDEZ: We'll find out where it's going to be right now. You said 9:57:22 is where you want it? We'll start at 9:57 if that's okay.

MS. ANSARI: Yes, that's fine.

BY MS. ANSARI:

Q. So the time stamp on the VLC media is at 412. So we're going to watch this all the way through once from here to after the shooting, and then we'll go back and ask you a couple of questions.

A. Sure.

Q. Okay. We can stop here, and we're stopping at 451.

So, Sergeant Franko, I would like to turn back to the tactical response report, Exhibit 6. So in the tactical response report under "Assailant Battery," "Attack With Weapon" is checked. I want to go back through the video and ask in your opinion where you think the attack with weapon happened, and just tell us to stop, and we'll kind of try and clear that up for the record.

MR. PLEINES: We're going to need to take a break.

MS. ANSARI: Take one now? Sure. It is 9:45.

(Short recess was taken.)

MS. ANSARI: We can go back on the record. It is 9:49 a.m. Angela, can you read back the last question?

(Record read as requested.)

MR. PLEINES: Are you ready?

MS. ANSARI: Yes.

THE WITNESS: I just want to preface before we get into this are you asking my opinion from what I thought that night or my opinion from what I think now after I've reviewed all the video and have seen the footage in its entirety?

BY MS. ANSARI:

Q. Both. So we can do that in two parts.

A. Okay.

MR. PLEINES: As much as that is possible.

THE WITNESS: Right.

MS. ANSARI: Right.

MR. VALDEZ: Let me know when you want me to pause.

MR. PLEINES: Can you slow it down?

MR. VALDEZ: Yes, I can.

MS. ANSARI: We can play it in half time.

MR. PLEINES: And if there's a spot in this

slowed version, that's fine. If not, we'll go back to normal speed.

THE WITNESS: Okay. Maybe I can clear things up a little bit, too, with the two different opinions is the night of I had very limited information because I wasn't part of the investigation.

The video I did see was just from bits and pieces walking around in the office. I didn't see enough of it to have a strong opinion one way or another, and I relied on the investigators that night to make their determination.

MS. ANSARI: Okay.

MR. PLEINES: Since that time?

THE WITNESS: Since that time when I've had a chance to review it, I do have an opinion on it.

BY MS. ANSARI:

Q. Okay. So I'll go through each of my questions relating to the report --

A. Okay.

Q. -- and if the answer is the same regarding what your opinion was that night, just let me know, and then we'll go through what your opinion is.

So now we're playing it on half speed.

A. Right. Now at this time I do want to also clarify that he is an assailant at this point based on his activities with 815 Robert's vehicle, attack with the knife, and he's got the knife in his hand right now, in his right hand.

(Whereupon, a discussion was had between Mr. Pleines and the witness.)

THE WITNESS: Yeah, that's the term that we use in the use of force model is assailant.

BY MS. ANSARI:

Q. Okay.

A. Now the part that I was -- I guess ask a question first and then I'll...

Q. In your opinion at the time where was the attack with weapon on the video?

A. The night of, I was provided with the same information everyone else was that Lequan McDonald was attacking, attempting to stab the officers with the knife.

So based on everything that was given to me and that was provided to me through the investigators, that was my impression was that he had a knife, he was attacking -- or approaching the

officers in a threatening way, which would still be an attack, and Officer Van Dyke fired until, you know, the threat was no more.

Q. Okay. So from that night, your understanding was that Officers Walsh and Van Dyke were also attacked with a weapon, not just Officer Gaffney?

A. Correct. The attack would be coming at somebody with a knife. You're a victim of an aggravated assault.

Q. Okay. And so that opinion was formed from talking to people at the scene, not from the video?

A. I didn't see the video in its official capacity. So to make my decision based on bits and pieces that I did see wouldn't have been fair. It was about everything that was given to me and that I learned through being there that night that I believed it was an assailant with a knife coming at the officers and the officers fired -- or Officer Van Dyke fired his weapon.

Q. Okay. So now your opinion, what is your opinion where the attack with the weapon is, now having the benefit of seeing the video in its entirety?

MR. PLEINES: Describe it.

BY MS. ANSARI:

Q. And we can go back now --

A. This comes -- this brings our training into account. We were trained when I went through the academy that anytime there is an assailant who has a knife -- and it was proven in the training classes -- that you do not have time within 7 paces or 21 feet to pull your weapon out and eliminate the attack with your gun if you still had it holstered.

So when somebody with a knife is within 21 feet of you, you better have your weapon out and ready to go because he could kill you with that knife or your partner or anybody else within that distance.

So in perspective with the lane markers, the lines, the width of what -- you know, eight to ten feet, I don't know how wide officially it was there, he could be two paces, maybe less, away from being on top of Van Dyke or his partner.

Q. Okay. And that's --

A. You'll see. And then there's going to be a moment where he takes his left foot, and he kind

of stutter steps towards Van Dyke and Walsh.

Q. Okay. Let me know where you kind of see that.

MR. VALDEZ: Just for the record, the VLC media player is at 4 minutes and 35 seconds, and we're going to replay the video.

THE WITNESS: No, it's after he takes the knife out and he puts it like right there. It's coming up. Now, right now it appears that he's walking away from the car; but if you play it, now as he's coming close to them, he's still -- at some point he's going to be less than ten feet away. Watch his left foot.

Okay. As he's walking there, the distance between Van Dyke and the officers, from what I could tell, is probably six feet or less, even though he's walking sideways.

No, it would have been before that. The way he's bouncing with his stride, he's got a knife in his hand, it would have only taken a brief moment for him. Yeah, keep going.

MS. ANSARI: Now we're at kind of 442, 443.

MR. VALDEZ: And I can go frame by frame.

THE WITNESS: Yeah, let's go frame by frame.

Now you can see the distance here. It's one lane line, one lane.

MR. PLEINES: One lane of traffic?

THE WITNESS: Right, one lane of traffic. He's got a knife in his right hand, and you have Van Dyke with his weapon, looks like it's extended out. It's hard to see with the light, but he's got his weapon in his hand. Now his foot is still left to the line.

MR. VALDEZ: So we're at 444 on the VLC media player and I'm just going to --

THE WITNESS: Yeah, could you just play it in real time?

MR. VALDEZ: Sure.

THE WITNESS: I didn't have the benefit of this slowed-down version when I was watching it, so my perspective wouldn't be the same.

The way he's walking where he's bouncing up and down, not our normal gait. It's the bouncing up and down as he's walking. At that point is he going to bounce left, is he going to bounce right?

He's extremely close. Yeah, he's got the weapon out. He's an assailant. He's close enough

where if he takes two steps to the left he could be on Van Dyke before Van Dyke even has a chance to do anything about it.

BY MS. ANSARI:

Q. Okay.

A. It's absolutely my opinion that he was an assailant and he was a threat to both officers, and the way he was acting erratically and bouncing that he easily could have went towards him, and at that point one or two officers could possibly have been stabbed.

Q. Okay. You mentioned something about -- it's called a 21-foot rule, correct?

A. Yes. That's how it was when I was trained, when I went through the academy.

Q. So you were trained in that in --

A. Yes. We actually had scenarios --

MR. PLEINES: Let her finish.

THE WITNESS: Sure.

BY MS. ANSARI:

Q. So at the academy you were trained on the 21-foot rule, correct?

A. Correct.

Q. And can you -- I know you repeated it

before, but for the record more clearly explain what that rule is?

A. We were basically taught that if there was an armed offender within 21 feet of us and we did not have our weapon out that there was no way that you could pull that weapon out, aim it, and fire it in time to stop that offender from attacking us with the knife.

Q. Do you know if that's still taught in the academy?

A. I don't know what the exact -- I had informal conversations about this with some other officers, and it was even mentioned to me that it's been moved back to 25 feet. I don't know if that's true or not; but in our conversations about this after the fact, it's still being taught. I just don't know what the distance is; and, like I said, it might have been moved back further.

Q. When did you have conversation -- you said you had conversations with other officers about that. When was that?

A. Just officers in general, like, in -- you know, nothing to do with the investigation or the officers, just people that we talk to, like, at

work or when it would be on TV and we would see it, just those kinds of conversations.

Q. So not in relation to kind of what was being investigated?

A. No.

Q. And not that night?

A. No.

Q. So just kind of after when this all came out in the media discussing that?

A. Correct.

MS. ANSARI: Okay. Do you have any follow-up on that?

MR. VALDEZ: Yes.

EXAMINATION

BY MR. VALDEZ:

Q. Just in relation to the 21-foot rule, that evening do you recall any discussions of the 21-foot rule?

A. I didn't have anything to do with the investigation. I have no idea if it was brought up. Not anything that had to do with me.

Q. How about anything that you overheard possibly maybe at area central, anything along those lines?

A. Nothing official, no. It was just talk of he was real close to him and he had the knife.

Q. Right. And I understand nothing official, and that's kind of what I'm getting at. Like maybe in passing or something that you overheard?

A. No. It was just that he was very close to them and he had a knife.

Q. And was any of that conversation in relation to the 21-foot rule specifically or just distance in general?

A. I believe it was just distance in general, that -- you know, how close he was to the officer's proximity.

Q. Okay.

FURTHER EXAMINATION

BY MS. ANSARI:

Q. Was Van Dyke part of any of those conversations when people were talking about it that night?

A. No.

Q. Because he was kind of separated from everyone is my understanding?

A. Correct.

Q. So do you have any questions for us or

anything to add based on what we've asked today or in your previous interview?

EXAMINATION

BY MR. PLEINES:

Q. I want to ask you a question to try to clarify.

The responsibilities of the paper car versus the sergeant when responding to an incident, if an assignment comes out over the police radio system of, let's say, a burglary, who is that job going to be given to?

A. It's going to be given to the car who was assigned the job in their sector.

Q. Right.

A. Or their beat depending on which car is available but they generally have beat integrity, so it's going to be somebody who is assigned to that area.

Q. And a sergeant may or may not also be sent on that call, correct?

A. Correct.

Q. Do sergeants do preliminary investigations?

A. No.

Q. Whose responsibility is it to do a preliminary investigation?

A. The beat officer assigned to the job.

Q. And they're also the ones who you referred to as the paper car?

A. Correct.

Q. So they write out the original case report?

A. Yes.

Q. And your role as the sergeant in relationship to that case report is just to approve it?

A. Correct.

Q. And what does your approval mean or constitute?

A. My approval means that all the information that is on there -- making sure that the pertinent boxes are filled. The information that's provided, by not being on scene, I am taking the word of the officers that were there that it's true and accurate; and after I review the entire document, I will give it my approval.

Q. So in your mind and based upon your training and experience, when you approve a report,

are you verifying its accuracy?

A. There's no way I can verify with 100 percent that it's accurate.

Q. That's all I wanted.

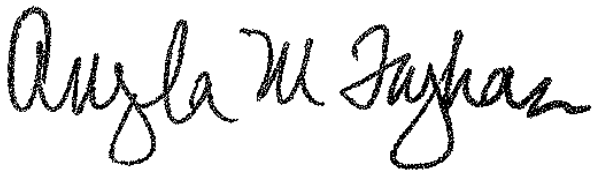
MS. ANSARI: Okay. This concludes our interview. It is 10:03 a.m.

END OF STATEMENT

STATE OF ILLINOIS)
) SS:
COUNTY OF COOK)

I, ANGELA M. INGHAM, a Notary Public within and for the County of Cook, State of Illinois, and a Certified Shorthand Reporter of said state, do hereby certify that I reported in shorthand the proceedings had at the taking of said statement and that the foregoing is a true, complete, and correct transcript of my shorthand notes as taken as aforesaid, and contains all the proceedings given at said statement.

In witness whereof, I have hereunto set my hand and affixed my notarial seal this day of , 2016.



Notary Public, Cook County, Illinois
C.S.R. license No. 084-0029842

Exhibits

Franko Exhibit No. 1 3:11 9:1

Franko Exhibit No. 2 3:12 9:17

Franko Exhibit No. 3 3:13 10:4

Franko Exhibit No. 4 3:14 10:14 11:1 13:8

Franko Exhibit No. 5 3:15 11:5

Franko Exhibit No. 6 3:16 27:21 32:15

Franko Exhibit No. 7 3:17 27:22,24

1

1 9:1 22:10

100 46:2

10:03 46:6

1381 13:5

14 7:4

1501 20:15

1537 12:24

2

2 4:18 9:17

2-56 5:10 8:11

20 12:15 13:2

2014 13:2 20:15 21:20

2016 4:18 9:19,23 10:5,9,15 11:6

20th 16:17

21 20:15 21:19,20 37:9,13 41:4

21- 42:17

21-foot 40:13,22 42:16 43:9

23 9:18,23 10:5,9, 15 11:6

23rd 10:19 11:10 26:15

25 41:14

3

3 10:4 28:3

300 4:20

35 38:5

4

4 10:14 11:1 13:8 20:13 38:5

412 32:7

442 38:22

443 38:22

444 39:10

451 32:13

5

5 11:5

5:18 21:20 24:15, 16

6

6 27:21 32:15

7

7 27:22,24 37:8

72 11:23

8

800 4:20

815 35:3

841 16:24 17:8

9

9:11 4:19

9:39 28:16

9:45 32:24

9:49 33:3

9:57 32:3

9:57:22 31:23 32:2

A

a.m. 4:19 21:20 24:15 28:16 33:3 46:6

ability 12:16

absolutely 40:6

academy 37:6 40:15,21 41:10

account 37:5

accuracy 4:6 25:5 46:1

accurate 45:21 46:3

acknowledge 6:6 8:14

acting 40:8

action 7:14

actions 12:17

activities 35:3

actual 17:2 18:11 26:5 29:1 30:6

Adams 4:20

add 27:20 44:1

addition 11:15

additional 29:9,22

additionally 18:22

address 18:10

administrative 8:15

admonitions 9:9

advance 31:22

advised 6:19 7:2

advisement 5:22 6:1 8:20

aggravated 29:6 36:10

aid 4:6

aim 41:6

Allegations 10:5

allowed 8:16

aloud 8:15

ambulance 27:14

Amicus 4:19

Angela 4:22 33:3

ankle 23:8

Ansari 4:1,17,21 5:7,21 9:13 11:22 12:2,19 15:9 16:5 19:2 20:17,19,20 26:17,20 27:2 28:13,15 31:11 32:4,5,24 33:2,7, 13,18,23 34:13,17 35:11 37:2 38:22 40:4,20 42:11 43:16 46:5

answering 6:10

anytime 37:6

appears 38:9

approaching 35:24

08/02/2016 FRANKO STEPHEN
IN RE STEPHEN FRANKO

Amicus Reporters info@amicusreporters.com
300 West Adams Suite 800 Chicago, Illinois 60606 888.641.3550

approval 15:16 20:23 21:1,19 45:14,16,22
approve 18:3 22:9,14 26:1 45:11,24
approved 14:24 21:15 22:3,7 26:4, 6
approver 15:10
approving 21:12 24:15 25:12 26:7
area 18:15 20:2 42:23 44:18
armed 41:4
arrive 14:1
arrived 27:6
assailant 32:16 35:2,10 36:18 37:6 39:24 40:7
assault 28:23 29:6,7 30:11,15, 18,23 36:10
assaulted 28:6,8, 22 29:13,16,23,24
assign 17:18
assigned 12:24 13:3,5,14 14:17,24 15:1,19 16:19,23 17:5,8 44:13,17 45:3
assigning 17:14
assignment 12:22 13:23 17:2 30:16 44:9
assigns 13:22
assume 24:6
assumption 30:21
attack 32:17,19 35:3,16 36:2,8,22 37:10
attacked 36:6
attacking 35:19, 24 41:7
attempting 35:19
attention 22:17
attorney 11:20
audio 4:8,12,14
August 4:18
aware 23:9 26:11

B

B813r 31:14
back 22:10 26:6,8 28:16 32:9,15,18 33:2,3 34:1 37:3 41:14,18
background 13:9
bar 31:23
based 31:4 35:2, 21 36:14 44:1 45:23
basically 20:7 41:3
basis 6:23 7:14 8:11 16:2
battered 28:3,5,7, 21 29:14,18,23,24 30:2,9
battered/ assaulted 30:4
battery 27:22,24 28:4 29:6,9 30:16,17,23 32:17
beat 17:1 44:15,16 45:3
begin 9:3,14
believed 36:18
benefit 36:23 39:15
BIA 9:22 10:8,18 11:9
bit 34:4
bits 34:8 36:14
bottom 10:1,11,21 11:12
bounce 39:21,22
bouncing 38:19 39:18,20 40:8
box 22:18 24:7,11, 13 29:23
boxes 21:6 30:24 45:18
break 26:23 32:23
breathing 27:9, 11,12
briefly 23:13
brings 37:4
brought 8:23 22:17 42:20
burglary 44:10

C

call 44:20
called 5:18 27:15 40:13
capacity 36:14
car 13:22,24 14:15,17,19 15:1,2 16:19 17:4 38:10 44:7,12,15 45:5
case 10:24 11:2 13:8,9,11 14:3,6, 23 15:17,19 16:14, 22 18:3 24:5 25:11 29:5 31:6 45:7,11
cases 14:24 16:4 29:15
caused 23:9
central 42:23
certainty 24:7
certified 4:3
chain 14:21
chance 34:16 40:2
Chapter 5:10 8:11
characterizes 22:12
check 24:11
checked 32:17
checking 21:6
Chicago 5:11 6:22 7:5,9 8:10
choosing 8:1
CHRIS 26:9
City 5:11
clarified 30:6
clarify 28:20,22,24 35:2 44:6
classes 37:8
clear 9:10 32:21 34:3
close 38:11 39:23, 24 43:2,6,12
Code 5:11
collaboration 19:7,20
Commander 12:9
comments 25:17, 19
complete 17:12
completely 6:10
completes 14:15
completing 13:18
concludes 46:5
conducted 5:10
confidential 4:9
confusing 30:15

08/02/2016 FRANKO STEPHEN
IN RE STEPHEN FRANKO
Amicus Reporters info@amicusreporters.com
300 West Adams Suite 800 Chicago, Illinois 60606 888.641.3550

conjunction 29:10
constitute 7:3 8:10 45:15
constitutes 6:21
consult 8:1
context 27:4
continuation 9:6
conversation 23:5 25:2,22 41:19 43:8
conversations 41:12,15,20 42:2 43:18
cooperate 6:9
correct 11:3 14:17 15:4,11,12 21:12, 13 23:12,17 25:3, 4,14,21 26:3,14 27:7,8,16 36:8 40:13,22,23 42:10 43:23 44:20,21 45:6,13
corrected 25:16
counsel 5:4 7:24 8:3 9:2 11:22
couple 32:9
court 4:3,7,9,14, 19,21 5:14
creates 14:9
criminal 7:20
cross 8:23
current 12:21
custom 4:7

D

date 4:18 20:15 21:19 31:21
dated 9:18 10:5,15 11:6
decided 13:19,20
decision 36:14
defend 12:17
delay 12:14,15
delayed 8:4
deliberately 8:9
Department 6:23 7:10
Department's 7:5
depend 15:22
depending 44:15
depends 14:19
Describe 37:1
details 12:16
detective 14:7 15:19,23 16:7 19:7,16 20:14,21
detectives 19:17, 18 20:5
determination 34:12
direct 9:8,11 12:9 17:11 23:21
directing 12:9
discharge 6:24 7:15 8:12
disciplinary 7:14
discontinued 4:13
discussing 42:9
discussion 18:17 28:14 31:8 35:6
discussions 42:17
disobey 12:11
distance 37:16 38:14 39:1 41:17 43:10,11
district 13:1,3,6
division 14:7
document 8:16, 22 9:17,19,22 10:2,6,8,14,16,18 11:3,7,9 13:12,15 14:8 45:21
documentation 26:13
documents 9:15
Dora 16:15
duly 5:16,18
duress 9:10 12:8
duties 29:8
duty 6:8
Dyke 22:12 23:3 25:3,6 27:20,21,23 36:2,5,20 37:21 38:1,15 39:6 40:2 43:17

E

early 17:23
easily 40:9
Eighth 13:6
eliminate 37:9
end 16:7 46:7
ensured 27:14
enter 27:17
entering 21:6
entire 45:4
entirety 24:17,18 33:12 36:24
entitled 9:18 10:14
era 21:5
erratically 40:8
evening 42:17
events 16:21 17:16
eventually 16:7, 21 26:8
evidence 7:13 27:17,20
exact 17:16 41:11
EXAMINATION 5:20 42:14 43:15 44:3
examined 5:19
examples 27:19
Exhibit 9:1,17 10:4,14 11:1,5 13:8 27:21,22,24 32:15
exhibits 9:15 27:18
experience 16:3 31:4 45:24
explain 16:19 28:8 41:1
explained 28:3,18
explanation 28:10
extended 39:6
extremely 39:23
eyes 22:5

F

F-r-a-n-k-o 5:6 12:24
fact 25:24 28:19 30:5 41:16
facts 13:15
fair 36:15
false 7:6,8 8:8
familiar 21:5 24:4
feet 37:9,13,19 38:12,16 41:4,14

file 16:8 31:17,18
fill 30:18,24
filled 6:2 29:5,10 45:18
filling 15:3
final 13:21
finalized 15:21 16:6 22:1
find 32:1
fine 12:1 32:4 34:1
finish 40:18
fire 41:6
fired 12:12 36:2, 19,20
follow 29:18
follow- 14:5
follow-up 26:17, 22 42:11
Fontaine 16:15 17:1,12,20 19:22 23:21
foot 37:24 38:13 39:8 42:18
footage 31:19 33:12
force 35:10
form 6:1 10:15 11:5 28:20 29:23 30:7
format 19:11 24:10
formed 36:11
forward 19:11
frame 26:7 38:23, 24
Franko 4:13 5:4,5, 12,13,17,24 8:20 9:5,20 12:20,23 13:7 28:17 32:14
front-line 15:16
fruits 7:19

G

Gaffney 36:7
gait 39:19
gather 14:2
gathered 19:9
gathering 19:23 20:11
gave 9:7
general 4:11 6:9 16:11 18:9 19:1,13 25:10 29:3,4 31:3, 5 41:22 43:10,11
General's 5:2
generally 15:20 25:15,18 31:7 44:16
generated 22:9
give 16:11 45:22
giving 12:7 19:9
good 26:24 27:1
guess 35:13
gun 37:10
guys 26:23

H

half 33:23 34:24
hand 5:14,24 35:4, 5 38:20 39:5,8
happened 16:20 23:8 29:2 32:20
hard 39:7
holstered 37:11
honest 22:16
hours 11:23

I

idea 23:24 42:20
identify 4:23
important 30:19
impression 35:23
in-car 31:13
inaccurate 8:8
incident 13:8,10, 12 14:16,20 16:18 17:5 25:11 44:8
include 18:7 23:21 30:13
included 23:24
includes 6:10 14:4
including 4:11 7:15 19:19
incomplete 8:9
incorrect 25:13 26:2
independent 4:3
indicating 31:20
individuals 4:23 5:7
informal 41:12
information 4:2 14:2 17:24 18:7, 10,22 19:4,9,11, 16,23 20:11,12, 21:6 24:12 25:12, 14,16 26:2 30:19 34:6 35:18 45:16, 18
informed 12:10
Ingham 4:22
initial 14:17 16:19
injured 22:13,23 23:3,15,19,22 24:7,8 25:6 26:12
Injuries 22:13
injury 23:9
Inspector 4:11 5:2 6:9
instance 29:2
instances 14:18
instructions 30:10 31:1
integrity 44:16
interview 4:5,8,15 5:12 6:7 7:13,19 8:1,4 9:18 11:17, 20,23 12:5 26:22 27:5,19 28:3,18 31:16 44:2 46:6
investigated 42:4
investigation 5:10 6:8 14:6 18:2, 12 19:1,12 20:10 22:20 23:7 25:9 34:7 41:23 42:20 45:2
investigations 44:23
investigator 5:1 6:3 8:21 20:14
investigators 34:11 35:23
involved 20:4

J

job 12:12 13:23 17:3 19:10 44:10, 13 45:3
July 9:18,23 10:5, 9,15,19 11:6,10 26:15
jump 27:3
June 9:7

08/02/2016 FRANKO STEPHEN Page 51
IN RE STEPHEN FRANKO
Amicus Reporters info@amicusreporters.com
300 West Adams Suite 800 Chicago, Illinois 60606 888.641.3550

K

kill 37:14

kind 13:18,19 14:9,15,22 16:18, 19 19:14,21 20:22 27:3,19 28:4,10 30:7 32:20 37:24 38:2,22 42:3,8 43:4,21

kinds 42:2

Klimas 12:9

knife 35:4,20,24 36:9,18 37:7,12,15 38:7,19 39:5 41:8 43:2,7

knowledge 17:13 19:1 21:9 29:1

L

laid 22:5

lane 37:17 39:1,2, 3,4

language 24:1 26:12

laptop 31:18

learned 36:17

left 37:24 38:13 39:8,21 40:1

legal 7:24 8:3,24

Lequan 35:18

light 39:7

limited 34:5

lines 37:18 42:24

lists 20:14

located 4:19

long 8:4 17:14

lot 17:15 19:4,15 20:4

M

M-a-r-c-h 20:17

made 7:12,18 9:3, 10 26:11

make 12:4 34:12 36:14

making 7:6,8 45:17

March 20:14,17, 19,21

mark 8:24 9:14

marked 6:1

markers 37:17

marking 9:17 10:4,14

Marsh 20:18

materials 11:15, 16

matter 4:1 12:14 19:13 20:8 30:23

Mcdonald 22:14 24:19,23 25:7 27:6 35:18

means 21:2 28:8 45:16

mechanism 26:3

media 31:17,23 32:6 38:4 39:10 42:9

member 14:7

mentioned 40:12 41:13

mind 45:23

minutes 31:19 38:5

misconduct 7:14

model 35:10

moment 28:12 37:24 38:21

months 12:15

mouth 28:9

move 19:11 26:21

moved 41:14,18

movements 12:17

Municipal 5:11 8:10

murder 29:5

N

needed 16:22 20:9 30:22

night 17:16,24 18:23 23:3,10,11 33:10 34:5,12,22 35:17 36:4,17 42:6 43:19

normal 34:2 39:19

noticed 26:16

Notification 9:18 10:4

notified 21:7

number 12:21 13:3,5 14:4,9,13 28:2,5,21 29:17

O

objection 12:13

obligation 6:15

obtain 8:3

obtaining 14:4

occurred 23:5 25:1 30:17

occurs 13:13,22

October 13:2 16:17 20:15 21:19, 20

OEMC 13:22 17:4

offender 22:13,14 23:22 24:8 26:12 41:4,7

office 4:11 5:2 6:9 34:9

officer 6:18 16:14, 15,16 17:1,11,20 19:15,22 23:21 25:18 28:7 36:2,6, 19 45:3

officer's 27:22,24 29:8,9 30:1 43:12

officers 19:18 20:6 28:2,5,19,21 29:16 30:3 35:19 36:1,5,19 38:15 40:7,10 41:13,20, 22,24 45:20

official 6:8 7:4 36:13 43:1,3

officially 37:19

omission 30:12

Oops 11:1

open 31:17

opinion 32:19 33:9,10 34:10,16, 22,23 35:15 36:11, 21,22 40:6

opinions 34:5

oral 7:7,9

orally 12:11

order 6:20 9:8,11 12:9,12

ordered 6:17 18:3

Ordinance 8:11

original 11:1 13:8, 9,11 14:3,6,12,23 25:11 45:7

overheard 42:22 43:5

overlooked 22:16

P

P-l-e-i-n-e-s 5:3
paces 37:8,20
paper 13:24 14:15 21:4 44:7 45:5
paragraph 6:5,6
part 6:7 18:14,24 22:20 25:8 34:6 35:13 43:17
partially 24:24
partner 37:15,21
parts 33:14
party 4:10
passed 27:10
passing 43:5
past 26:22
pause 33:20
people 20:4 36:12 41:24 43:18
percent 46:3
performance 29:7
persist 6:20
perspective 37:17 39:17
pertinent 30:19 45:17
pieces 34:9 36:15
place 12:14 29:12
play 33:23 38:10 39:12
player 31:23 38:5 39:11
playing 34:24
Pleines 5:3 9:4 12:1 15:8,23 16:2 18:20 20:16,18 26:24 28:11 31:9 32:22 33:6,16,21, 24 34:14 35:7 37:1 39:3 40:18 44:4
point 14:1,5 17:7 22:24 24:24 29:19 35:2 38:11 39:21 40:10
police 6:22 7:4,5, 10 29:7 44:9
police-involved 19:14
portion 24:19,22 31:12,22
possibly 40:10 42:23
practice 4:7
preface 12:6 33:8
prejudice 12:15
preliminary 4:1 13:15 17:24 19:11 44:22 45:2
preparation 11:17,19 31:15
prepare 14:3 21:3
prepared 12:3 13:12,13 16:13,22 24:9
preparing 17:21
present 4:3,23 5:8 8:1
previous 44:2
previously 9:7
printed 26:10
procedure 30:7
procedures 5:23
proceeding 7:21
process 13:17
product 4:9
prohibits 7:6
properly 12:17
property 4:9
proven 37:7
provide 4:4 9:22 10:8,18 11:9,22 18:13 25:20
provided 4:10 11:16 27:18 31:15 35:17,22 45:18
providing 4:2 18:6
proximity 43:13
Pulaski 24:23
pull 26:8 37:9 41:6
pursuant 5:9
put 6:15,17 28:5 29:16,21,24
puts 38:8
putting 28:9

Q

question 22:24 33:4 35:14 44:5
questions 6:10, 15,17,18 8:8 9:9, 12 12:10 16:11 25:19 26:18,22 32:10 34:19 43:24
quick 22:8

R

R-a-u-l 5:1
radio 44:9
raise 5:13
Raul 5:1 31:17
read 5:22 6:4 8:15 9:9 33:3,5
ready 33:6 37:14
real 39:13 43:2
realize 26:1
reason 29:20 30:1
reasonable 8:2
reassigned 17:8
recall 12:16 16:24 17:9 18:6,8 19:21, 24 20:1 21:17 24:11 42:17
receipt 10:15 11:2,5,24
received 11:2 12:8
recess 33:1
record 4:8,17,24 8:22 9:3,5,16 12:20 28:11,14,16 32:21 33:2,5 38:4 41:1
recorded 31:21
recording 4:8,12, 14 18:17
recovered 31:13
referred 45:4
reflect 4:17
refusal 6:20,21 8:7
refuse 6:16
regulations 6:22 7:6
reject 25:17
related 28:21
relating 34:19
relation 42:3,16 43:9
relationship 45:11
relied 34:11
relieved 20:7

08/02/2016 FRANKO STEPHEN
IN RE STEPHEN FRANKO

Amicus Reporters info@amicusreporters.com
300 West Adams Suite 800 Chicago, Illinois 60606 888.641.3550

remain 6:14
remarks 12:3
remember 16:24 17:14,15 20:2
removal 7:15
renew 12:13
repeated 40:24
replay 38:6
report 7:4,6,8 10:24 11:2 13:9, 10,11 14:3,6,12, 22,23 15:14,20 16:10,13,22 17:9, 12,21 18:4,7 19:5, 15 20:23 21:4,12, 14,21,24 22:6,12 23:22 24:1,3 25:11,17 26:1,3,5, 18 27:21,22,24 29:4,9,11,20,21 30:2,8,12,20,22,24 32:15,16 34:19 45:8,11,24
reporter 4:3,10, 14,22 5:14
reporters 4:7,20
reporting 16:14, 16 19:15 20:11 21:5
reports 13:18 21:3
representation 8:24
representative 7:24 8:3
request 4:12
requested 33:5
responding 13:14 14:16 44:8
response 27:21 29:11 32:15,16
responses 7:3
responsibilities 44:7
responsibility 45:1
responsible 13:24 20:22 21:12
result 7:9
review 8:16 11:16 14:21 20:22,24 21:14,24 22:6,14 34:16 45:21
reviewed 13:1, 33:11
reviews 15:14
rights 5:23 6:1 8:15,20
road 14:5
Robert 16:24 17:8
Robert's 35:3
role 20:7,9 45:10
rule 7:4 40:13,22 41:2 42:16,18 43:9
rules 6:22 7:5

S

S-t-e-p-h-e-n 5:6
Sarah 4:21
scenarios 40:17
scene 14:2 16:23 18:18 19:8,19 20:7 23:12 25:3 27:6,15 36:12 45:19
seconds 31:19
sector 44:13
separated 43:21
separation 7:9
sergeant 4:13 5:4, 5,12,13,24 8:20 9:5,19 12:20,23 13:7 14:24 15:7,8, 11,14,17 26:8 28:17 32:14 44:8, 19 45:10
sergeants 44:22
serve 6:23 8:11
served 9:15 26:12
services 18:16
shooting 12:14 19:14 24:16 25:1 32:8
short 26:6 33:1
shot 24:20
show 31:12
sideways 38:17
sign 8:19
signature 10:1, 11,21,23 11:12
signatures 13:21
signing 15:4
silent 6:14
situation 14:19 16:17 19:22 28:4, 19
slow 33:21
slowed 34:1
slowed-down 39:16
sort 30:2
south 24:23
speak 11:19 17:20
specific 16:10 51:6
specifically 18:8 19:6,24 20:1,5 24:12 29:14 43:9
speed 34:2,24
spell 4:24 20:16
spoke 17:23
spot 33:24
stab 35:19
stabbed 40:11
stamp 24:14 31:20 32:6
stamped 22:2 31:23
stand 25:5,8
star 12:21,24 13:3, 5
start 32:3
starting 13:19
starts 14:10
state 9:4 12:21
statement 7:12,18 8:9,14 9:6,10 12:6, 7 22:15 25:6 46:7
statements 7:3 9:2
Stephen 5:5,12,17 12:23
steps 25:13 38:1 40:1
stop 32:12,20 41:7
stopping 32:13
street 13:13
stride 38:19
strong 34:10
stutter 38:1
submitted 17:23 22:3
substance 12:5
Suite 4:20
summarize 19:10
superior 6:18 20:6
supervision 15:2
supervisor 15:16
supervisors

19:19
supplement 14:11
supplementary 14:12
support 18:16 20:8
supposed 28:8
swear 5:14
sworn 5:16,19
system 21:5 22:2 24:4 26:9,10 31:14 44:10

T

tactical 27:21 29:11 32:15,16
takes 37:24 38:7 40:1
taking 45:19
talk 23:11 41:24 43:1
talking 36:12 43:18
taught 41:3,9,16
ten 37:19 38:12
term 35:9
terms 14:14
testified 5:19
thereof 7:19
thing 14:10 18:9 25:10
things 18:10 34:3
Thomas 5:3
thought 33:10
threat 36:3 40:7
threatening 36:1
time 4:18 8:2 16:12 17:22 18:2, 10 19:6 21:4,17, 18,20,22 22:2,4,18 24:14,15 26:7,16 28:7 29:8 31:20, 21,22,23 32:6 33:23 34:14,15 35:1,15 37:8 39:13 41:7
titled 31:18
today 4:4,7,8,14,1
today's 4:18
told 22:9
top 37:21
traffic 39:3,4
trained 37:5 40:15,16,21
training 37:4,7 45:24
transcript 4:4,6 11:23
TRR 28:20
true 41:15 45:20
truthfully 6:11,16
turn 13:8 22:10 27:23 32:14
turned 23:7
TV 42:1
type 24:5,12 30:16

U

ultimate 15:15
ultimately 15:10
understand 6:7, 11,13,14,16,19,24 7:2,4,7,10,12,16, 18,21,23 8:5,7,12, 17 25:21 43:3
understanding 36:5 43:22
understands 9:7
unduly 8:4
unfolded 16:21 17:5
union 7:24 8:3
unit 12:21 13:14, 15
units 18:16
unusual 25:22

V

V-a-l-d-e-z 5:2
Valdez 5:1 8:21 26:19 32:1 33:19, 22 38:4,23 39:10, 14 42:13,15
Valdez's 6:3
Van 22:12 23:3 25:3,6 27:20,21,23 36:2,5,20 37:21 38:1,15 39:6 40:2 43:17
vehicle 35:3
verbatim 4:4
verify 30:2 46:2
verifying 46:1
version 34:1 39:16
versus 29:14 44:8
victim 36:9
video 24:15,23 31:13,20,21,22 32:18 33:11 34:8 35:16 36:12,13,23 38:6
Video_ts.ifo 31:18
videos 31:14
violation 6:21 8:10
VLC 31:17,23 32:6 38:4 39:10
voluntarily 12:8

W

waiver 8:23
walk 13:17 26:5
walking 19:22 24:23 25:1 34:9 38:9,14,17 39:18, 20
Walsh 36:5 38:1
wanted 22:8 46:4
watch 32:7 38:12
watching 39:16
weapon 32:17,19 35:16 36:6,20,22 37:9,13 39:6,8,24 41:5,6
West 4:20
wide 37:19
width 37:18
word 45:19
words 28:9
work 4:9 42:1
works 28:23
write 45:7
writing 12:11
written 7:7,8 30:6

CITY OF CHICAGO
OFFICE OF INSPECTOR GENERAL

ADVISEMENT OF RIGHTS

I, Stephen Franko, understand that I am being interviewed by Sarah Ansari and Raul Valdez from the City of Chicago Office of Inspector General.

DATE 8/2/16 TIME 9:11am LOCATION 300 West Adams Street, Ste. 800 Chicago, IL

I understand that this interview is part of an official investigation and that I have a duty to cooperate with the Office of Inspector General, which includes answering all questions completely and truthfully.

I understand that I have no right to remain silent. I understand that I have an obligation to answer questions put to me truthfully. I understand that if I refuse to answer questions put to me, I will be ordered by a superior officer to answer the questions. I further understand and I have been advised that if I persist in my refusal to answer after an order to do so, such further refusal constitutes a violation of the Rules and Regulations of the Chicago Police Department and may serve as the basis for my discharge.

I understand and have been advised that my statements or responses may constitute an official police report. I understand that Rule 14 of the Chicago Police Department's Rules and Regulations prohibits making a false report, written or oral, and I further understand that making such a false report, whether written or oral, may result in my separation from the Chicago Police Department.

I understand that any statement made by me during this interview may be used as evidence of misconduct or as the basis for disciplinary action up to and including removal or discharge.

I understand that any statement made by me during this interview and the fruits thereof cannot be used against me in a criminal proceeding.

I understand that I have the right to have a union representative, or legal counsel of my choosing, present at the interview to consult with, and that I will be given a reasonable time to obtain a union representative or legal counsel as long as the interview is not unduly delayed.

I understand that a refusal to answer any question, or any false, inaccurate, or deliberately incomplete statement by me would constitute a violation of Chicago Municipal Ordinance 2-56, and may serve as the basis for my discharge.

I acknowledge that this statement of my administrative rights has been read aloud to me, and I have been allowed to review this document.

Employee Signature

Witness: Sarah Ansari Witness:

****

WAIVER

Understanding these rights, I wish to answer questions from investigators from the Office of Inspector General without having a union representative or legal counsel present. No promises or threats have been made to me and no pressure or coercion of any kind has been used against me.

Employee Signature:

EXHIBIT 1
Franko
DATE 8/2/16
AmicusReporters.com

NOTIFICATION OF INTERVIEW TO CPD MEMBER CITY OF CHICAGO OFFICE OF INSPECTOR GENERAL			DATE July 19, 2016
NAME	RANK	STAR NO	UNIT OF ASSIGNMENT
Stephen Franko	Sergeant	1537	1st District

YOUR APPEARANCE IS REQUIRED

AT ☒	Amicus Court Reporters 300 West Adams, Sss 800 Chicago, IL 60606	ON	DATE July 27, 2016	TIME 2:00 PM

AS ☒ ACCUSED ☐ WITNESS ☐ COMPLAINANT

FOR ☒ A STATEMENT

CONCERNING
Misconduct and incompetence related to the October 20, 2014 shooting of Laquan McDonald.

YOU ARE TO REPORT TO:

LEAD INVESTIGATOR	TITLE	PHONE NO.	EMAIL
Sarah Ansari	Assistant Inspector General	773-478-5227	sansari@chicagoinspectorgeneral.org

NOTE: You MUST notify the Lead Investigator of your inability to keep this scheduled appointment.

ALSO PRESENT AT THE INTERVIEW WILL BE:

NAME	TITLE	NAME	TITLE
Matthew Jacob	Investigator II	N/A	N/A

THE INTERVIEW WILL BE ☐ AUDIO RECORDED ☒ TRANSCRIBED BY A LIVE REPORTER

TO BE COMPLETED BY INTERVIEWEE (if applicable)

ACKNOWLEDGEMENT

Please contact AIG Ansari at (773) 478-5227 to confirm receipt of Notification of Interview and to confirm your attendance at the interview.

I hereby acknowledge receipt of this Notification of Interview.

SIGNATURE _____ DATE 23 JUL 16

PRINTED NAME STEPHEN FRANKO TIME 1006

EXHIBIT 2
FRANKO
DATE 7/27/16
AmicusReporters.com

TO BE COMPLETED BY OFFICE OF INSPECTOR GENERAL OR CPD COMPONENT PROVIDING NOTIFICATION TO INTERVIEWEE

NOTIFICATION MADE TO	TITLE, RANK, & UNIT	DATE	TIME
STEPHEN FRANKO	SERGEANT DIST 001	23JUL16	1006
NOTIFICATION MADE BY	**TITLE, RANK, & UNIT**	**DATE**	**TIME**
LEVESTER DENHAM	C/O LT UNIT 121	23JUL16	1006

NOTIFICATION OF ALLEGATIONS

CITY OF CHICAGO OFFICE OF INSPECTOR GENERAL

NAME OF ACCUSED	RANK	STAR NO.	UNIT OF ASSIGNMENT
Stephen Franko	Sergeant	1537	1st District

City ordinance, and if applicable, collective bargaining agreements, provide that you are entitled to notice of the nature of the allegations against you and the identity of all complainants prior to any interview. Accordingly, you are advised as follows:

COMPLAINANT(S)

1. John J. Escalante, Interim Superintendent of Chicago Police Department, sent a letter to the City of Chicago Office of Inspector General (OIG) dated January 13, 2016, requesting that OIG conduct an administrative investigation of the following allegations arising out of the October 20, 2014 shooting death of Laquan McDonald (the McDonald Shooting): "whether any officer(s) made false statements on official reports submitted in connection with the shooting of Laquan McDonald on October 20, 2014; whether any officer(s) obstructed or interfered with the investigation of this incident, either individually or in collusion with others; and whether any officer(s) committed any violation of Chicago Police Department rules, policies, or orders in connection with their response and/or handling of this matter." Escalante attached to the letter a copy of Sergeant E. Soria's (Star # 2275) Initiation Report, which raises similar allegations of misconduct with respect to Department members in connection with the McDonald Shooting, and identified that Report as a basis for OIG's administrative investigation.

ALLEGATION(S)

1. On October 21, 2014, you reviewed and approved the Original Case Incident Report Officer Dora Fontaine completed concerning the McDonald shooting, which includes an Event Number of 1423115878 and an R.D. Number of HX475653 (the OCI Report), and which falsely stated that Officer Jason Van Dyke was "injured by offender."

2. On or about October 20, 2014 or October 21, 2014, you directed that Officer Fontaine complete a false OCI Report concerning the McDonald shooting.

3. On or about October 20, 2014 or October 21, 2014, you assisted Officer Fontaine in the drafting of a false OCI Report concerning the McDonald shooting.

4. You were incompetent in the performance of your duties in the ways enumerated in allegations 1 through 3.

ACKNOWLEDGEMENT

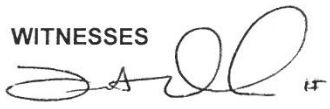
I hereby acknowledge receipt in writing of the identity of the complainant(s) and notice of the nature of the allegation(s) against me.

Signature _____ Date 23 JUL 16

Printed Name STEPHEN FRANKO Time 1006

EXHIBIT 3
DATE 5/2/16
Anncus@reporters.com

WITNESSES



OIG 15-0564 016665

CHICAGO POLICE DEPARTMENT

ORIGINAL CASE INCIDENT REPORT

3510 S. Michigan Avenue, Chicago, Illinois 60653

RD #: HX475653

EVENT #: 1429315878

INCIDENT

ASSIGNED TO FIELD

IUCR: 0552 - Assault - Aggravated Po:Knife/Cut Instr

Occurrence Location: 4000 S Kedlov Ave, Chicago IL, 304 - Street

Beat: 0815

Unit Assigned: 0841R

RO Arrival Date: 20 October 2014 21:57

Offenders: 1

Occurrence Date: 20 October 2014 21:55

VICTIM / OFFENDER

VICTIM - Individual

Name: PO. GAFFNEY #19958, Thomas

Res: 3420 W 63rd St, Chicago IL

Beat: 0823

Beat: 5100

Sobriety: Sober

Demographics

Male

Age: 41 Years

VICTIM - Individual

Name: PO. VAN DYKE #12865, Jason

Res: 3420 W 63rd St, Chicago IL

Beat: 0823

Beat: 5100

Sobriety: Sober

Demographics

Age: 36 Years

VICTIM - Individual

Name: PO. WALSH #12865, Joseph

Res: 3420 W 63rd St, Chicago IL

Beat: 0823

Beat: 5100

Sobriety: Sober

Demographics

Age: 45 Years

EXHIBIT 4

DATE 11-2-16

AmicusReporters.com

INJURIES

Injury Info (PO. VAN DYKE #12865,Jason - Victim.)

Injured by offender

SUSPECTS

Suspect # 1

In Custody

Name: MCDONALD, Lequan J

Res: [redacted]

Beat: 0314

Demographics

Male
Black
6'01"
165 lbs
Brown Eyes
Brown Hair
Dreadlocks Hair Style
Dark Complexion

DOB: 25 September 1997

Age: 17 years

Birth Place: IL

Suspected of Using: Weapon

RD #: HX475653

Page 1 of 4

29-OCT-2014 21:55

OIG 15-0564 016666

SUSPEC

Injury Info

		Injury Extent:	Fatal	Pronounced Date:	20 October 2014 22:42
CFD First Aid Given?	Yes			Removed By:	Ambulance 21
Responding Unit:	Ambulance 21	Hospital:	Mt. Sinai	Removed Date:	20-OCT-14
		Physician:	Dr. Pitzel		

Type	Weapon Used
Gun Shot Wound	Handgun

RELATIONSHIP

RELATIONSHIP

(Victim)			(Offender)
PO. GAFFNEY #19958, Thomas	is a	No Relationship of	MCDONALD, Lequan,J
(Victim)			(Offender)
PO. VAN DYKE #12865, Jason	is a	No Relationship of	MCDONALD, Lequan,J
(Victim)			(Offender)
PO. WALSH #12865, Joseph	is a	No Relationship of	MCDONALD, Lequan,J

DOMESTIC INFO

VEHICLE

Vehicle #1

Vehicle:	Chevrolet - Tahoe - Truck	Damaged?	Yes	Owner:	City Of Chicago
Style:	Hardtop, 4-Door	Damaged Descr:	Tire(S)-Flat, Front Windshield Scratched	Possessor/User:	PO. GAFFNEY #19958, THOMAS
Color-Top/Bottom:	White/White	Theft From?	No	Towed?	No
		Burned?	No		
License Plate #:	Mp6581 - Illinois - Law Enforcement (City, County, State, Sos)	Destroyed?	No		
Expires:	01-December-2014	Recovered?	No		
		Stolen?	No		

Vehicle Identifiers: Police Squad Car

CLEAR Technologies

NOTIFICATIONS

Request Type	Unit	Agency Name	Date	Star #		Name
Notification	177	Forensic Services Division	20 October 2014 23:07	13131		,SARLO
Request Type			**Date**	**Star #**		**Name**
Notification			20 October 2014 23:14	4898		,JINES
Request Type	**Unit**	**Agency Name**	**Date**	**Star #**		**Name**
On Scene	610	Detective Area - Central	20 October 2014 21:50	20563		,MARCH
Request Type	**Unit**	**Agency Name**	**Date**	**Star #**		**Name**
Notification	116	Deployment Operations Center	21 October 2014 22:58	7303		,CHIBE
Request Type			**Date**		**Empl #**	**Name**
Notification			20 October 2014 23:50		76	,BRIGGS

OIG 15-0564 016668

NARRATIVE

EVENT# 15878 REFER TO DETECTIVE DIVISION SUPPLEMENTARY REPORT.
NOTIFICATION: WATCH COMMANDER OF UNIT LT. KOCH Beat#: Star#: 715 Emp#: Date: 20-OCT-2014 Time: 2250 NOT
NOTIFICATION: STATION SUPERVISOR COMISKEY Beat#: Star#: 1774 Emp#: Date: 21-OCT-2014 Time: 2250 NOT
NOTIFICATION: SERGEANT STEPHEN FRANKO Beat#: 0810R Star#: 1381 Emp#: Date: 21-OCT-2014 Time: 2158 ONS
ASSISTING OFFICER - STAR#: 10590 NAME: RICARDO VIRAMONTES BEAT: 0841R
REPORTING OFFICER - STAR#: 19958 NAME: THOMAS GAFFNEY BEAT: 0815R
REPORTING OFFICER - STAR#: 18715 NAME: JOSEPH MCELLIGOTT BEAT: 0815R
ASSISTING OFFICER - STAR#: 12865 NAME: JOSEPH WALSH BEAT: 0845R
ASSISTING OFFICER - STAR#: 9465 NAME: JASON VAN DYKE BEAT: 0845R
ASSISTING OFFICER - STAR#: 4364 NAME: JANET MONDRAGON BEAT: 0813R
ASSISTING OFFICER - STAR#: 2763 NAME: DAPHNE SEBASTIAN BEAT: 0813R
ASSISTING OFFICER - STAR#: 6442 NAME: TERENCE BRADY BEAT: 0811R
ASSISTING OFFICER - STAR#: 7025 NAME: MICHAEL BELMONTEZ BEAT: 0811R
ASSISTING OFFICER - STAR#: 10385 NAME: LETICIA VELEZ BEAT: 0822
ASSISTING OFFICER - STAR#: 15790 NAME: ARTURO BECERRA BEAT: 0822
ASSISTING OFFICER - STAR#: 9654 NAME: RAUL ROSALES JR BEAT: 0821R
ASSISTING OFFICER - STAR#: 8302 NAME: PATRICK KENNING BEAT: 0821R
SUPERVISOR ON SCENE - STAR#: 1320 NAME: BRYAN SPREYNE BEAT: 0865
SUPERVISOR ON SCENE - STAR#: 1381 NAME: STEPHEN FRANKO BEAT: 0810R
ASSISTING OFFICER - STAR#: 12392 NAME: DAVID IVANKOVICH BEAT: 0823R
ASSISTING OFFICER - STAR#: 19898 NAME: JOSE TORRES BEAT: 0823R
ASSISTING OFFICER - STAR#: 11830 NAME: ANTHONY VANCE BEAT: 0833R
ASSISTING OFFICER - STAR#: 16422 NAME: JAMES GEISBUSH BEAT: 0833R
ASSISTING OFFICER - STAR#: 6490 NAME: LUIS GARCIA BEAT: 0851R
ASSISTING OFFICER - STAR#: 12037 NAME: ELLIOT FLAGG BEAT: 0851R
SUPERVISOR ON SCENE - STAR#: 1734 NAME: PETER MC GLYNN BEAT: 0830R
OTHER SUPPORT - STAR#: 20453 NAME: JOHN HALLORAN BEAT: 5131
OTHER SUPPORT - STAR#: 21128 NAME: JOHN MURRAY BEAT: 5131
OTHER SUPPORT - STAR#: 20563 NAME: DAVID MARCH BEAT: 5121
OTHER SUPPORT - STAR#: 21285 NAME: GREGORY JONES BEAT: 5122
OTHER SUPPORT - STAR#: 20606 NAME: RICHARD HAGEN BEAT: 5165
OTHER SUPPORT - STAR#: 529 NAME: OSVALDO VALDEZ BEAT: 5105
OTHER SUPPORT - STAR#: 62 NAME: EUGENE ROY BEAT: 5100
OTHER SUPPORT - STAR#: 10201 NAME: CARL BRASIC BEAT: 5802
OTHER SUPPORT - STAR#: 8825 NAME: KAMAL JUDEH BEAT: 5802
OTHER SUPPORT - STAR#: 819 NAME: DAVID FRIEL BEAT: 5880
OTHER SUPPORT - STAR#: 20201 NAME: MATTHEW RICKHER BEAT: 5885
OTHER SUPPORT - STAR#: 1303 NAME: DANIEL GALLAGHER BEAT: 5120
ASSISTING OFFICER - STAR#: 20555 NAME: ROBERTO GARCIA BEAT: 5122
- STAR#: 120 NAME: DAVID MC NAUGHTON BEAT: 41
- STAR#: 13 NAME: JAMES O DONNELL BEAT: 0800
- STAR#: 107 NAME: DENNIS WALSH BEAT: 0890
- STAR#: 14193 NAME: MAHMOUD HALEEM BEAT: 0865B
- STAR#: 13516 NAME: IVAN LOPEZ BEAT: 0865B
- STAR#: 10333 NAME: PATRICK KENAH BEAT: 0865C
- STAR#: 14393 NAME: ANDRES ZEPEDA BEAT: 0865C
- STAR#: 13882 NAME: ROBERT SHULTZ BEAT: 0865C

PERSONNEL

	Star No	Emp No	Name	User	Date	Unit	Beat
Approving Supervisor	1381	[redacted]	FRANKO, Stephen, D	[redacted]	21 Oct 2014 05:18	008	
Detective/Investigator	20563	[redacted]	MARCH, David, M	[redacted]	21 Oct 2014 15:01	610	
Reporting Officer	4484	[redacted]	FONTAINE, Dora	[redacted]	21 Oct 2014 04:32	008	0841R

OIG 15-0564 016669

City of Chicago Office of Inspector General
740 North Sedgwick Street
Suite 200
Chicago, Illinois 60654

RECEIPT FORM

OIG FILE NO. 15-0564

ON 23 July 2016 (DATE) AT 1006 (TIME)

STEPHEN FRANKO (NAME) SERGEANT (TITLE)

☐ SEIZED FROM ☐ RECEIVED FROM ☐ RETURNED TO ☒ RELEASED TO

NAME	TITLE	DEPT.
Stephen Franko	Sergeant	Chicago Police Department

THE FOLLOWING ITEM(S):

1. A copy of Officer Dora Fontaine's October 21, 2014 Original Case Incident Report for R.D. No. HX475653

ACKNOWLEDGEMENT

I hereby acknowledge receipt in writing of the above-listed item(s).

Signature _____ Date 23 JUL 16

Printed Name STEPHEN FRANKO Time 1006

WITNESSES

_____ _____

EXHIBIT 5
DATE 7/23/16
AmicusReporters.com

TACTICAL RESPONSE REPORT/Chicago Police Department

20-OCT-2014	21:57:00	4112 S PULASKI RD CHICAGO, IL 60632	304	0815

MEMBER INVOLVED

9161	VAN DYKE	JASON D	9465	M	WHI	[redacted]	1978	602	180

25-JUN-2001	[redacted]	008	0845R						

SUBJECT INFORMATION

MCDONALD	LEQUAN		M	BLK	25-SEP-1997	001	165

[redacted] IL 60637				
MOUNT SINAI HOSPITAL	DR. PITZEL			

REASON FOR USE OF FORCE (Check all that apply)

SUBJECT'S ACTIONS				
DID NOT FOLLOW VERBAL DIRECTION	X	FLED		IMMINENT THREAT OF BATTERY	X	ATTACK WITH WEAPON	X	USED FORCE LIKELY TO CAUSE DEATH OR GREAT BODILY HARM	X
SUPPOSED (DEAD WEIGHT)		PULLED AWAY		OTHER		ATTACK WITHOUT WEAPON		WEAPON	X
OTHER		OTHER				OTHER		OTHER	

MEMBER'S RESPONSE							
MEMBER PRESENCE	X	OPEN HAND STRIKE		ELBOW STRIKE		FIREARM	X
VERBAL COMMANDS	X	TAKE DOWN - ENFORCER MATTOCK/PIKE		KNEE STRIKE		OTHER	
ESCORT HOLDS		CHEMICAL WEAPON		CLOSED HAND STRIKE/PUNCH		KICKS	
WRISTLOCK		CANINE		IMPACT WEAPON		IMPACT MUNITION	
ARMBAR		TASER (Probe Discharge)		OTHER			
PRESSURE SENSITIVE AREAS		TASER (Contact Stun)					
CONTROL INSTRUMENT		TASER (Laser Targeted)					
CS/CHEMICAL WEAPON IRRITATION/OLEORESIN		TASER (Spark Displayed)					
OTHER		OTHER					

WEAPON DISCHARGE INCIDENT

CS/CHEMICAL WEAPON AUTHORIZED BY (NAME):

POSITION: | STAR NO: | UNIT:

ADDITIONAL INFORMATION: OFFENDER'S WEAPON WAS A KNIFE IN HIS HAND

WEAPON TYPE: 04 SEMI-AUTO PISTOL	NO. OF OFFENDERS: Suspects	LIGHTING CONDITIONS: 06 Dusk	WEATHER CONDITIONS: CLEAR		
MAKE/MANUFACTURER: SMITH & WESSON	MODEL: 5943	SHOTS: 5	CALIBER/GAUGE: 9 MM		
TRACKER ID NO:	WEAPON SERIAL NO: TDU5969	CHICAGO CCW REG. NO: 628351	U.S. FIREARM OWNER ID NO: 95360037		
SPECIAL WEAPON CERTIFICATE NO:	PROPERTY NOTATIONS NO:	TYPE OF AMMUNITION USED: Department Issued	NO. OF WEAPONS DISCHARGED BY THIS MEMBER: 1	TOTAL NO. OF SHOTS MEMBER FIRED: 16	

WHO FIRED FIRST SHOT: 01 MEMBER	WAS FIREARM RELOADED DURING INCIDENT: 01 YES	NO. OF CARTRIDGES SHOT BACK IN MAGAZINE: 15	HOW WAS MEMBER'S HANDGUN HORN: 01 RT. SIDE (BELT)	1429315878
HOW WAS MEMBER'S HANDGUN DRAWN: 02 STRONG SIDE DRAW	HOW/BY WHAT METHOD WAS FIREARM RELOADED: BY MAGAZINE	DID MEMBER USE SIGHTS: 02 NO		
UNUSUAL PROTECTIVE COVER USED (DOOR, POLICE VEHICLE, BUILDING, CAR, FURNITURE, ETC): NONE	DISTANCE BETWEEN INVOLVED MEMBER & OFFENDER WHEN FIRST SHOT WAS FIRED: 04 10 - 15 FT			
PERSON/OBJECT STRUCK BY #1 OR #2 OF THE DISCHARGE OF MEMBER'S WEAPON: 01 PERSON	POSITION OF MEMBER DISCHARGING WEAPON: 01 STANDING			

CASE INFO.

NOTIFICATIONS (OC OR TASER INCIDENT): OEMC | DSS & LT./DIST. OF OCCUR. | CPIC

NOTIFICATIONS (FIREARM INCIDENT): X OEMC | X DSS/DIST. OF OCCUR & OCIC | X CPIC | X CET. DIV.

Members will ensure that all required notifications and all witnesses to this use of force are documented in the appropriate case report.

HX475653

SIGNATURES

REPORTING MEMBER (Print Name)	STAR NO.	SIGNATURE
VAN DYKE, JASON D 21-OCT-2014 04:41:45	9465 [redacted]	[redacted]

Reviewing supervisor will ensure the legibility and completeness of this report and attest by entering the required information below.

REVIEWING SUPERVISOR (Print Name)	STAR NO.	SIGNATURE	DATE REVIEWED / TIME
FRANKO, STEPHEN D	1381	[redacted]	21-OCT-2014 04:44:58

EXHIBIT 6
DATE 8/14/15
AmicusReporters.com

LIEUTENANT OR ABOVE/OCIC REVIEW

THE ON-CALL INCIDENT COMMANDER (OCIC) WILL COMPLETE THE REVIEW SECTION FOR 1.) ALL INCIDENTS INVOLVING THE DISCHARGE OF A FIREARM BY A DEPARTMENT MEMBER, 2.) ALL INCIDENTS INVOLVING THE SERIOUS INJURY OR DEATH OF A MEMBER OF THE PUBLIC SUBSEQUENT TO INTERACTIONS WITH A DEPARTMENT MEMBER, 3.) ANY LESSER USE OF FORCE BY A DEPARTMENT MEMBER WHEN THAT USE OF FORCE STEMS FROM THE SAME INCIDENT DESCRIBED HERE IN 1 OR 2.

THE ASSIGNED INVESTIGATING SUPERVISOR THE RANK OF LIEUTENANT OR ABOVE FROM THE DISTRICT OF OCCURRENCE WILL COMPLETE THE REVIEW SECTION FOR ALL OTHER INCIDENTS

75. SUBJECT'S STATEMENT REGARDING THE USE OF FORCE ☐ DNA ☐ REFUSED ☒ UNABLE TO INTERVIEW (Specify Reason)

Subject is deceased.

76. LIEUTENANT OR ABOVE/OCIC RATIONALE FOR BOX 77 FINDING

Based upon information available at the time of this report it is the preliminary determination of the undersigned that Officer Van Dyke fired his weapon in compliance with Department policy. Officer Van Dyke fired his weapon in fear of his life when the offender while armed with a knife continued to approach and refused all verbal direction.

77. LIEUTENANT OR ABOVE/OCIC FINDING BASED UPON CURRENTLY AVAILABLE INFORMATION:

☒ I HAVE CONCLUDED THAT THE MEMBER'S ACTIONS WERE IN COMPLIANCE WITH DEPARTMENT PROCEDURES AND DIRECTIVES.

☐ I HAVE CONCLUDED THAT FURTHER INVESTIGATION IS REQUIRED.

LOG NO./CRNO. 1072125 OBTAINED

78. LIEUTENANT OR ABOVE/OCIC (Print Name)	SIGNATURE	DATE COMPLETED TIME
MC NAUGHTON, DAVID R	[redacted]	21-OCT-2014 04:58:37

79. DISTRIBUTION OF ORIGINAL TRR:

A TRR PACKET, INCLUDING THE TRR AND COPIES OF THE BELOW LISTED ATTACHMENTS WILL BE FORWARDED TO THE INDEPENDENT POLICE REVIEW AUTHORITY

ATTACHMENTS - PHOTOCOPIES OF: ☐ SUPPLEMENTARY REPORT ☐ IOD REPORT

☐ CASE REPORT ☒ OFFICER BATTERY REPORT ☐ CR INITIATION REPORT

☐ ARREST REPORT ☐ TO-FROM-SUBJECT REPORTS FROM DEPARTMENT WITNESS(ES)

80. TOTAL TRRs THIS EVENT No. 1

OFFICER'S BATTERY REPORT
CHICAGO POLICE DEPARTMENT

HX475653

INSTRUCTIONS: This form is to be completed for all incidents when: (1) a sworn member is the victim of a murder, aggravated battery, battery, aggravated assault, or assault while performing a police function either on-duty or off-duty, (2) a domestic ally is the victim of a murder, aggravated battery, battery, aggravated assault, or assault while in the performance of his or her duties.

"X APPLICABLE BOXES"

OFFICER INFORMATION

NAME (LAST - FIRST - M.I.)
GAFFNEY, THOMAS J

STAR NO.	POSITION
19958	POLICE OFFICER
DATE OF APPOINTMENT: 08-JUL-1996	EMPLOYEE NO.: [redacted]
UNIT OF ASSIGNMENT: 008	BEAT/CALL NO.: 0815R

SEX	RACE	DOB
[X] 1. M [ ] 2. F	WHITE	[redacted]

HEIGHT	WEIGHT
600	195

TYPE OF ASSIGNMENT WHEN BATTERY OCCURRED

[X] 1. ON DUTY
- [X] A. UNIFORM, PATROL DUTY
- [ ] B. UNIFORM, OTHER DUTY
  Describe: _____
- [ ] C. CITIZEN'S OFFICE
- [ ] D. TACTICAL
- [ ] E. B.I.S. UNIT
- [ ] F. SPECIAL EMPLOYMENT
- [ ] G. OTHER _____

[ ] 2. OFF DUTY
[ ] 3. SPECIAL EMPLOYMENT
[ ] 4. SECONDARY / OTHER

WORKING:
- [ ] A. ALONE
- [X] B. WITH ONE PARTNER
- [ ] C. WITH MULTIPLE PARTNERS
  How many?

PATROL TYPE:
- [X] A. SQUAD CAR
- [ ] B. FOOT
- [ ] C. BICYCLE
- [ ] D. MOTORCYCLE
- [ ] E. SCOOTER
- [ ] F. OTHER

TYPE OF ACTIVITY

- [ ] A. AMBUSH - NO WARNING
- [ ] B. TRAFFIC STOP/PURSUIT
- [ ] C. INVESTIGATING SUSPICIOUS PERSON
- [ ] D. DISTURBANCE - DOMESTIC
- [ ] E. DISTURBANCE - MENTAL PATIENT
- [ ] F. DISTURBANCE - INSTINCTIVE ACTION/VIOLENT OFFENDER
- [ ] G. DISTURBANCE - OTHER
- [ ] H. MAN WITH A GUN
- [ ] I. PROCESSING/ARRESTING OFFENDER (Specify) CHARGE _____ UUR CODE _____
- [ ] J. PROCESSING/TRANSPORTING/GUARDING A PRISONER (Specify) ORIGINAL CHARGE _____ ORIGINAL UUR CODE _____
- [X] K. OTHER

TYPE OF INJURY TO OFFICER

- [ ] A. NONE
- [ ] B. NON-FATAL - MAJOR INJURY (Broken Bones/Serious Lacerations/Internal Injuries)
- [ ] C. NON-FATAL - MINOR INJURY (Bruises/Sprains/Minor Abrasions)
- [X] D. NONE APPARENT/NONE

LIGHTING CONDITIONS AT INCIDENT

- [ ] A. DAYLIGHT
- [ ] B. NIGHT
- [ ] C. DAWN
- [ ] D. DUSK
- [X] E. ARTIFICIAL LIGHT
- [ ] 1. POOR
- [X] 2. GOOD

INCIDENT INFORMATION

- [ ] 1. INDOOR
- [X] 2. OUTDOOR

ADDRESS OF OCCURRENCE: 4000 1/2 S KARLOV AVE

CITY	STATE (if outside Chicago)
[X] CHICAGO [ ]	

LOCATION CODE	BEAT OF OCCURRENCE
304-STREET	0815

DATE OF OCCURRENCE	TIME	DAY OF WEEK
20-OCT-2014	21:56:00	MONDAY

NO. OF OFFICERS BATTERED: 1

WERE THERE ASSISTING UNITS ON SCENE? 1. [X] YES 2. [ ] NO

IF YES HOW MANY ASSISTING OFFICERS WERE PRESENT AT TIME BATTERY (EXCLUDING YOU OR YOUR PARTNERS)? 8

MANNER OF ATTACK

- [ ] 01. SHOT
- [ ] 02. SHOT AT
- [X] 03. STABBED/CUT (INCLUDING ACTUAL ATTEMPT)
- [ ] 04. STRUCK/BLUNT FORCE (INCLUDING ACTUAL ATTEMPT)
- [ ] 05. OTHER (INCLUDING VERBAL THREATS)

TYPE OF WEAPON/THREAT

(Check all that apply)

- [ ] A. FIREARM CALIBER _____
  - [ ] 1. REVOLVER
  - [ ] 2. SEMI-AUTOMATIC
  - [ ] 3. RIFLE
  - [ ] 4. SHOTGUN
- [ ] B. HANDGUN
- [ ] C. FIST
- [ ] F. MOUTH (SPIT, BITE, ETC.)
- [ ] G. VERBAL THREAT (ASSAULT)
- [X] H. OTHER (SPECIFY): SWINGING KNIFE
- [ ] B. VEHICLE
  - [ ] 1. OFFENDER STRUCK WITH VEHICLE
  - [ ] 2. ATTEMPTED TO STRIKE OFFICER WITH VEHICLE
- [X] C. KNIFE/OTHER CUTTING INSTRUMENT
- [ ] I. BLUNT INSTRUMENT

FIREARM USE INFORMATION: (Check all that apply)
- [ ] A. OFFICER AT GUNPOINT
- [ ] B. OFFICER'S OWN WEAPON OBTAINED
- [ ] C. ATTEMPTED TO OBTAIN OFFICER'S OWN WEAPON

OFFENDER INFORMATION

SEX	RACE	DOB
[X] 1. M [ ] 2. F	BLACK	25-SEP-1997

GANG	I.R. NO.

WAS THE OFFENDER'S ACTIVITY DRUG RELATED?
- [X] 1. YES
- [ ] 2. NO
- [ ] 3. UNKNOWN

GANG RELATED?
- [ ] 1. YES
- [ ] 2. NO
- [X] 3. UNKNOWN

NO. OF OFFENDERS PRESENT: 1

WEATHER CONDITIONS

- [X] A. CLEAR
- [ ] B. RAIN
- [ ] C. SNOW
- [ ] D. FOG / SMOKE / HAZE
- [ ] E. SLEET / HAIL
- [ ] F. SEVERE CROSSWIND
- [ ] G. OTHER

APPROXIMATE OUTDOOR TEMPERATURE: 50 °F

CPD-11.455 (REV. 6/04)

EXHIBIT 7
DATE 4-23-15
AmicusReporters.com

Unusual Circumstances Regarding Officer Control Tactics and Safety: (If you need more space use additional sheets).

REPORTING MEMBER - SIGNATURE	STAR NO.	WATCH COMMANDER /UNIT COMMANDING OFFICER- SIGNATURE	STAR NO.
GAFFNEY, THOMAS J	19958	MC NAUGHTON, DAVID R	120

CPD-11.451 (REV. 1/04)

Amicus
court reporters, inc
300 West Adams St. Ste 800
Chicago, IL 60606
Phone: 312.641.3500
Fax: 312.641.3795
Email: info@amicusreporters.com

IN RE:)
)
)
INTERVIEW OF:)
)
CAPTAIN DENNIS)
WALSH)
)

The interview of CAPTAIN DENNIS WALSH, taken in the above-entitled cause, before Teresa Volpentesta, a notary public within and for the County of Cook and State of Illinois, and a Certified Shorthand Reporter of said state, at 300 West Adams Street, Chicago, Illinois, Suite 800, on the 3rd day of November, 2016 at the hour of 2:05 p.m.

APPEARANCES:

POLICEMEN'S BENEVOLENT & PROTECTIVE ASSOCIATION LABOR COMMITTEE
(206 South Jefferson, Suite 100
Chicago, Illinois 60661
773.410.0840), by:
tompleines@gmail.com
MR. THOMAS PLEINES,

On behalf of Captain Dennis Walsh;

OFFICE OF THE INSPECTOR GENERAL
(740 North Sedgwick Street, Suite 200
Chicago, Illinois 60654
773.478.5228), by:
kbrown@chicagoinspectorgeneral.org
pneumer@chicagoinspectorgeneral.org
MR. PETER NEUMER and
MR. KRISTOPHER BROWN,

On behalf of the City of Chicago.

I N D E X

WITNESS	PAGE
CAPTAIN DENNIS WALSH	
BY MR. NEUMER	6
BY MR. PLEINES	68
BY MR. NEUMER	70

E X H I B I T S

NUMBER		PAGE
No. 1	Advisement of Rights	10

(Witness duly sworn.)

MR. NEUMER: As a preliminary matter, I am providing the following information: An independent certified court reporter is present today to provide a verbatim transcript of this interview.

To aid in the accuracy of the transcript, it is the custom and practice of court reporters to audio record the interview.

The recording is the confidential work product, property of the court reporter and will not be provided to any party, including the OIG. If you request, the audio recording will be discontinued.

So Captain Walsh, I would ask you, are you okay with the court reporter audio recording this interview?

CAPTAIN WALSH: Yes, I am.

MR. NEUMER: Okay. Let the record reflect that today's date is November 3rd, 2016. The time is 2:09 p.m.

We are located at Amicus Court Reporters, 300 West Adams, Suite 800.

My name is Peter Neumer, N-e-u-m-e-r.

The court reporter is Teresa Volpentesta, and I would ask that the other individuals present identify themselves and spell their name for the record.

MR. BROWN: Kristopher Brown, B-r-o-w-n, City of Chicago, Inspector General's Office.

MR. PLEINES: Thomas Pleines, P-l-e-i-n-e-s.

CAPTAIN WALSH: Captain Dennis Walsh, W-a-l-s-h.

MR. NEUMER: There are no other individuals present. We are here today pursuant to an investigation being conducted under Chapter 2-56 of the Municipal Code of the City of Chicago.

We are here for an interview of Captain Dennis Walsh. Captain Walsh has already been sworn in.

CAPTAIN DENNIS WALSH,

called as a witness herein, having been first duly sworn, was examined and testified as follows:

EXAMINATION

BY MR. NEUMER:

Q. Captain Walsh, I am now going to hand you a form that is marked Advisement of Rights. This form has already been filled in, I believe, with your name, my name, my colleague Kris Brown's name, and I am going to ask you to read along with me as I go through this advisement form, and after each paragraph I read, I am going to ask you to acknowledge that you read the paragraph I just read aloud to you.

So Tom, do you need to take a look at this before --

MR. PLEINES: No, we are good. I am looking on with him.

BY MR. NEUMER:

Q. The advisement states, I, Captain Dennis Walsh, understand that I am being interviewed by Peter Neumer and Kris Brown from the City of Chicago, Office of Inspector

General.

I understand that this interview is part of an official investigation; that I have a duty to cooperate with the Office of Inspector General, which includes answering all questions completely and truthfully.

Captain Walsh, do you see the paragraph I just read aloud to you?

A. Yes, I do.

Q. I understand that I have no right to remain silent. I understand that I have an obligation to answer questions put to me truthfully.

I understand that if I refuse to answer questions put to me, I will be ordered by a superior officer to answer the question.

I further understand and I have been advised that if I persist in my refusal to answer after an order to do so, such further refusal constitutes a violation of the rules and regulations of the Chicago Police Department and may serve as the basis for my discharge.

Captain Walsh, do you see the paragraph I just read aloud to you?

A. Yes, I do.

Q. I understand and have been advised that my statements or responses may constitute an official police report.

I understand that Rule 14 of the Chicago Police Department's rules and regulations prohibits making a false report, written or oral, and I further understand that making such a false report, whether written or oral, may result in my separation from the Chicago Police Department.

Captain Walsh, do you see the paragraph I just read aloud to you?

A. Yes, I do.

Q. I understand that any statement made by me during this interview may be used as evidence of misconduct or as the basis for disciplinary action up to and including removal or discharge.

Captain Walsh, do you see the paragraph I just read aloud to you?

A. Yes, I do.

Q. I understand that any statement made by me during this interview and the fruits

thereof cannot be used against me in a criminal proceeding.

Captain Walsh, do you see the paragraph I just road aloud to you?

A. Yes, I do.

Q. I understand that I have the right to have a union representative or legal counsel of my choosing present at the interview to consult with, and that I will be given a reasonable time to obtain a union representative or legal counsel as long as the interview is not unduly delayed.

Captain Walsh, do you see the paragraph I just read aloud to you?

A. Yes, I do.

Q. I understand that a refusal to answer any question, or any false, inaccurate or deliberately incomplete statement by me would constitute a violation of Chicago Municipal Ordinance 2-56 and may serve as the basis for my discharge.

Captain Walsh, do you see the paragraph I just read aloud to you?

A. Yes, I do.

Q. I acknowledge that this statement of my administrative rights has been read aloud to me, and I have been allowed to review this document.

Captain Walsh, do you see the paragraph I just read aloud to you?

A. Yes, I do.

Q. With that, I would ask you to sign, and Kris and I will witness.

A. (Witness complied.)

MR. NEUMER: And we will mark this advisement form as Exhibit 1.

(Whereupon Exhibit No. 1 was marked for identification.)

BY MR. NEUMER:

Q. So I understand, Captain Walsh, or is it fair to say that you will not be answering the questions that we ask of you today regarding the Laquan McDonald shooting absent an order from a superior officer?

A. I have been informed by my attorney that a Federal Grand Jury investigation of this incident is still pending.

I have also been informed that a

state grand jury investigation is also pending.

While I have been advised I am not currently accused of any wrongdoing by the Office of the Inspector General or -- I am sorry.

The Office of the Inspector General cannot grant me immunity from prosecution by either the state or federal investigations.

Therefore, on the advice of counsel, I respectfully decline to answer your questions.

Q. Okay. We are now going to call Commander Robert Klimas.

(Whereupon, Commander Klimas was present telephonically.)

MR. NEUMER: Bob, this is Peter Neumer from the City of Chicago, Office of Inspector General.

I am here in a court-reported interview with my colleague Kris Brown with Captain Dennis Walsh of the Chicago Police Department and his attorney Tom Pleines.

Having provided Captain Walsh with proper notice of our interview here today, he is refusing to answer questions regarding the

Laquan McDonald shooting absent a command from a superior officer.

So I am asking you, Commander Klimas, to order Captain Walsh to answer the Inspector General's questions.

COMMANDER KLIMAS: This is Commander Robert Klimas, K-l-i-m-a-s, with the Bureau of Internal Affairs, Chicago Police Department.

Captain Dennis Walsh, I am giving you a direct order to answer all questions posed to you today by investigators with the City of Chicago, Office of Inspector General.

Do you understand this direct order?

CAPTAIN WALSH: I understand, sir.

COMMANDER KLIMAS: Thank you. Bye-bye.

MR. NEUMER: Bye.

BY MR. NEUMER:

Q. Okay.

A. I want to preface this statement by saying that I am not giving this statement voluntarily but under duress.

I am giving this statement only because I have received a direct order to answer your questions, and further, I have been advised

both orally and in writing, that if I disobey this order, I will be separated from the department.

Additionally, I want to object to the delay in this investigation. This incident occurred over two years ago. This delay is prejudicial to my ability to recall the details surrounding the incident so that I may give an accurate account of the event.

MR. NEUMER: Okay. And before we get into our questioning, Tom, just one preliminary matter.

With respect to the transcript of this interview, is it okay if the Inspector General provides you with that transcript within 72 hours of the Inspector General's receipt of that transcript?

MR. PLEINES: Yes, that's fine.

BY MR. NEUMER:

Q. Okay. Captain Walsh, I just want to start with a little bit of background.

Could you state your name, title, and star number for the record?

A. Captain Dennis Walsh, W-a-l-s-h, Star 62. I am a captain of police and my current position is executive officer of the Area South Detective Division.

Q. And can you briefly walk us through the various positions you have held at CPD?

A. I was -- started out as a PPO, of course, when I was first hired, coming off of probation. I was a police officer, I was a sergeant, and a lieutenant and a captain.

Q. Do you recall when you became sergeant, lieutenant, and captain?

A. I may -- I became sergeant February 21st, 1997. I made lieutenant in October, I don't remember the exact dates. I think it was October 4th, 2004, made captain in March 16th of 2009.

Q. Okay. And what was your title as of October 20th, 2014?

A. I was a captain and I was the executive officer of the 8th District.

Q. Okay. And what was your chain of command as of October 20th, 2014?

A. My commander was James O'Donnell. We

were in the Bureau of Patrol. Do you want me to go chain of command up?

Q. Yes?

A. The Deputy Chief of Area Central was Deputy Chief McNaughton. The Chief of Patrol, I don't know who it was at the time.

Q. Is it possible that it was Gulliford?

A. Yes, it was definitely a possibility it was Gulliford.

Q. How many people were you supervising as of October 20th, 2014?

A. Specifically on that day --

MR. PLEINES: Let me ask a clarifying question.

Are you asking for an actual number, or do you want to know what an executive officer does?

BY MR. NEUMER:

Q. I mean, maybe we will start with if you could just briefly describe for us the duties and responsibilities of a captain or the executive officer.

A. The executive officer is second in command to the district commander.

My responsibilities are in the areas of operations, administration, planning, identifying current crime trends, and help the commander in preparing strategies to combat crime and disorder that affect the community.

Q. What duties and responsibilities does an executive officer have with respect to a police-involved shooting?

A. In respect to a police-involved shooting with hits, there really is no specific responsibilities for a district executive officer.

Q. How about maybe we will call it more informally?

MR. PLEINES: Do you understand the question?

BY MR. NEUMER:

Q. Yeah, there is an understanding that there maybe is not a general order or special order documenting what the district executive officer is supposed to do in a -- with respect to a police-involved shooting, what was your practice with respect to police-involved shootings?

A. My practice involving police -- involving shootings with police would be that I would -- if I was on duty, I would respond to the scene, and I would basically be in charge of scene containment, traffic control, crowd control, and basically wait for the arrival of the street deputy or the OCIC, the On Call Incident Commander.

Q. And as of October 20th, 2014, what shift were you working?

A. I was -- well, I was basically working third watch. However, at that time I think on our A & A sheets, it was designated as the X watch or the 21st watch. They had made that change some time -- I think it was that year, I am not quite sure, but basically third watch hours.

Q. What is the X watch?

A. That was a watch designated just for executive officers.

Q. And does that X watch still exist?

A. Although I am not in patrol anymore, I do believe it does.

Q. Okay. So in terms of your practice

to respond to a police-involved shooting with hits if you were on duty, is that -- is there any order that requires you to respond?

A. As far as I can remember, there is no order that requires me to respond to a police-involved shooting with hits.

Q. Okay. More generally, what duties and responsibilities does the Patrol Division itself have with respect to a police-involved shooting?

A. When there is a police-involved shooting, the Patrol Division is responsible for immediate notifications. A field supervisor will be designated as the officer in command until relieved by the investigative officer, the officer that has responsibility of the total investigation.

Patrol Division has responsibility of setting up perimeters, both outer and perimeter, and the Patrol Division has the responsibility of outer perimeter protection upon the arrival of the Detective Division.

Q. And what does outer perimeter protection consist of?

A. Well, every scene is different, so I can't say that the perimeter is the same in each one.

Typically, it is a much larger, broader area. Crime scene tape will usually be used in yellow, cordoned off to keep the scene protected.

Q. So I want to direct your attention to the night of October 20th, 2014, and generally I want you to walk us through your actions on that night, but maybe you can start by telling us how you got notice of the shooting.

A. I do not remember how I got notified. I do know that I was working that night. I was on duty. I do believe I was out of the office at the time.

I believe I got called. All I can think is that I got called either by the watch commander or in this case watch operations lieutenant. We don't have watch commanders anymore, or by CPIC, but specifically, I do not recall.

Q. Who was the watch operations lieutenant as of October 20, 2014?

A. I believe it was Lieutenant Koch, but I am not positive.

Q. K-o-c-h?

A. Correct.

Q. Okay. So it could have been a call from Koch, it could have been a call from CPIC?

A. That's correct.

Q. But no specific recollection of receiving that call?

A. That's correct.

Q. Okay. You believe you were out in the field when you may have received that call?

A. That's correct.

Q. Do you have any recollection of where you were?

A. I do not.

Q. Okay. Are there any other ways you would have gotten notification of the shooting or known to respond to the scene of the shooting?

A. I would have -- I could have gotten a notification through CPIC via e-mail.

Q. Okay. Did you have a work, like a Blackberry or a phone that you could have gotten

an e-mail on?

A. I did have a Blackberry, yes.

Q. Okay. And you would have had that on you when you were out in the field, that Blackberry?

A. Typically I do.

Q. Okay. So did you eventually respond to the scene of the McDonald shooting?

A. Yes, I did.

Q. Okay. How did you arrive at the scene?

A. In my squad car.

Q. Okay. Was anyone with you?

A. No.

Q. Okay. We talked about this a little bit.

When you are arriving at the scene of a police-involved shooting as a district executive officer, what are your responsibilities at the scene?

A. Well, as far as I can recall from my orders, I have no specific responsibilities at the scene of a police shooting.

Q. Okay. And how many police-involved

shootings have you responded to as a -- during your tenure as a district executive officer?

A. As a district executive officer, I can't recall a specific number. I would have to estimate.

Considering there is shootings without hits and shootings with hits, and I was only an executive officer approximately three years, so approximately six.

Q. Six, somewhere around six?

A. Yeah.

Q. Okay. So what did the scene of the shooting look like when you first arrived?

A. When I first arrived, the outer perimeter was established. I don't remember the exact direction I took, but I believe I came up Pulaski from the south.

There was a squad car blocking off Pulaski I think at 47th Street, but specifically I don't remember.

I got past the outer perimeter and I approached the inner perimeter. I couldn't tell you exactly where that was, but it was close to the actual scene of the shooting.

There were several squad cars parked around there and there was several policemen protecting the inner crime scene.

Q. Okay. Do you recall where you parked your squad car?

A. I do not.

Q. Once you arrived and parked at the scene, what was the first thing you did upon exiting your squad car?

A. I approached the officers that were protecting the inner crime scene, and I don't specifically remember what I asked them, but I think I asked them if we had enough officers on hand, and I asked where the officers that were involved were at.

Q. Okay. Do you recall the names of any of those officers you spoke to initially?

A. No, I do not.

Q. Okay. Did the officers you spoke to who were protecting the inner scene there, did they inform you who were the officers who had been involved in the shooting?

A. I do believe they did.

Q. Okay. And then what happened after

they informed you of the identities of the people or the officers who had been involved in the shooting?

A. To the best of my recollection, they pointed out where McDonald was lying, and I asked them where the officer that involved was, and then I walked up to the scene where the knife was.

Q. Okay. And so when you arrived, was McDonald still at the scene?

A. He was not.

Q. Okay. And so once you went to where the knife was and the scene, what happened then?

A. I made sure that we had someone assigned to the actual scene where the evidence was to protect the evidence, and then I asked where Van Dyke was.

Q. Okay. Do you recall who you asked?

A. I do not.

Q. Were you told where Van Dyke was?

A. It is hard to remember, but I do believe that I was told that he was with Sergeant Franko at the time, although I don't remember exactly where they were.

They weren't standing right there. I think they were off in a squad car, you know, near the scene, but not right there.

Q. Did you go talk to Officer Van Dyke or Sergeant Franko?

A. I believe I did eventually, but I don't remember if I did right then.

Q. Do you recall what you did after you were informed of Officer Van Dyke's location?

A. I just remember pretty much walking around the crime scene right there making sure we had adequate personnel, and asking the guys do we need anything else and just double checking that we had the perimeters secured.

Q. Okay. After you had communicated with officers to ensure that you had sufficient personnel, what else did you do at the scene?

A. I really don't recall doing much else other than just remaining on the scene and making sure that we had the perimeter secure and we had enough personnel on the scene.

Q. Did you ever get a briefing on the shooting while you were at the scene?

A. I did.

Q. Okay. Who gave you that briefing?

A. Deputy Chief McNaughton.

Q. Was anyone else present when you got that briefing?

A. I don't recall.

Q. Do you recall around what time, like after -- well, actually I should have asked you that first.

Do you have any specific recollection of what time you arrived to the scene of the shooting?

A. I do not.

Q. Okay. Would you have any way to pinpoint that time?

A. No, I wouldn't.

Q. Do you recall about how long after you got on the scene Deputy McNaughton gave you a briefing?

A. I don't know how long it was.

Q. Okay. What did that briefing consist of?

A. Deputy Chief McNaughton told me that he had spoken to Van Dyke, and Van Dyke told him that Van Dyke and his partner were responding to

a call of a man with a knife. When they were coming down Pulaski, they saw the guy, which is McDonald, coming down Pulaski, and they were afraid that he was going to cross Pulaski and go into the Dunkin' Donuts, and he said that fearing that, they placed their squad car in a position so that he couldn't cross Pulaski.

Van Dyke exited his squad car, and after telling McDonald to drop the knife, McDonald started to turn towards him, and Van Dyke then started shooting.

Q. And so that's what McNaughton relayed to you at the scene of the shooting?

A. That's correct.

Q. Okay. Did you get any other briefings while you were at the scene from other CPD personnel who were at the scene?

A. Not that I can recall.

Q. So that was -- your briefing from McNaughton was -- is it fair to say that the primary way that you got a sense of what occurred during the shooting?

A. That's correct.

Q. Did you brief anyone while you were

at the scene?

A. Not that I can recall.

Q. Do you recall speaking with any Cook County officers at the scene?

A. I do not.

Q. Did you have any involvement -- so you talked about securing the perimeter, ensuring there was sufficient personnel to secure the perimeter; is that correct?

A. That's correct.

Q. Did you have any involvement in the investigation of the shooting?

A. I did not.

Q. Okay. Did you assist in any way in the supervision of the investigation of the shooting?

A. I did not.

Q. So did you give assignments to any of the CPD personnel at the scene?

A. I don't believe I did. I know that once I got there, we made some adjustments, but I don't believe I gave any specific assignments. That was pretty much done before I got there.

Q. Tell us about those adjustments.

A. Well, as I said before, the outer perimeter was quite large, and I do recall that the squad car that was down south, I think it was as far south as 47th Street, and there was some cars that were coming in off of some side streets off of Pulaski, and I do believe that I made adjustment to get some cars to stop the citizens' cars from coming onto Pulaski from the side streets.

Q. So Pulaski was blocked off as far down as 47th initially?

A. Well, I don't remember specifically, but I do remember it was quite a-ways from the inner perimeter. I think it was that far.

Q. And again, you know, we do understand that time has passed since this incident, and so I am just trying to get your best recollection.

Did you interview any witnesses when you were at the scene?

A. I did not.

Q. When you were at the scene, did you speak to any of the officers who were present when Van Dyke shot McDonald?

A. I do believe that I may have spoken

to them briefly asking, you know, if they needed anything, you know, if -- I said hi to them, because those guys I usually don't see, but I don't recall any specific conversations with any of them.

Q. Do you recall asking McDonald how he was doing -- or sorry -- asking Officer Van Dyke how he was doing?

A. I don't recall. I -- typically at police shootings, I will ask the officer if he is okay. I will typically ask him, make sure they still have their gun, because that's the procedure now, which had changed, so I would ask that.

I typically would explain the process, but specifically talking to Van Dyke, I don't remember.

Q. Okay. Do you have any specific recollections talking to Officer Walsh?

A. I remember seeing Officer Walsh there. I think I asked him if he was okay, but I think that's about the extent of my conversation with him.

Q. Were you familiar with Officers

Van Dyke and Walsh prior to October 20th, 2014?

A. I was only familiar with Officer Walsh. I was not familiar with Officer Van Dyke.

Q. Okay. And how were you familiar with Officer Walsh?

A. I was the first watch watch commander before the implementation of the district executive officer position, and Joe Walsh was on the watch.

Q. And when were you -- what was that title again?

A. Watch commander.

Q. So around what time were you watch commander?

A. I was watch commander when I made captain in March, 2009, and I was watch commander until the implementation of the executive officer in January of 2012.

Q. So is it fair to say that from January 2012 to the present time, you have been the district executive officer?

A. No, I was district executive officer from January 2012 to January 2015, and that's

when I got transferred to the Detective Division.

Q. And so you had been familiar with Officer Walsh when you were watch commander; is that correct?

A. That's correct.

Q. Do you recall talking to Officers Gaffney and McElligott?

A. I do remember seeing them at the scene. I believe I talked to them briefly.

I don't recall the specific conversation. What I do remember is I believe their car had the flat tire, and I helped them change the flat.

Q. Okay. And where was that car located when you helped them change the flat?

A. That was parked in the southbound lanes of Pulaski north of the actual shooting.

Q. Okay.

A. Next to the curb.

Q. Okay. And do you recall any of the specifics of your conversation with Officer Gaffney and McElligott?

A. I do not.

Q. Okay. At any time while you were at the scene of the shooting, did you see video of the shooting of McDonald?

A. I did not. There was -- we did not see the video from the in-car camera. I was told by I think McNaughton that they couldn't take it off the computer, but there was a video from Dunkin' Donuts that McNaughton and I believe detectives viewed that I could see from the background, although I was kind of far away, I couldn't really see it very well.

Q. Let's start with the Dunkin' Donuts video.

So some of the detectives, was it, were watching the video, Dunkin' Donuts?

A. I believe so.

Q. And where were they when they were watching the Dunkin' Donuts video?

A. It was at the scene, but I don't remember exactly where it was. It was outside.

Q. Was it on someone's laptop?

A. I believe it was on someone's laptop.

Q. And were you able to see any of the Dunkin' Donuts video footage?

A. From a distance I was.

Q. Okay. Could you see anything specifically?

A. I could see squad cars. I could see Van Dyke's back. I think also Walsh's back, and you can see McDonald walking kind of sideways and then you can see -- although you can't see -- we couldn't see Van Dyke's weapon. We could just see that he was shooting.

Q. Okay.

A. And you could see McDonald go down.

Q. And so you saw that at the scene?

A. That's correct.

Q. What were your reactions when you saw the Dunkin' Donuts video?

A. Well, I was kind of far away. I really couldn't see it that close, so I really couldn't describe my reactions.

Q. So no immediate reaction to that footage?

A. No.

Q. And you mentioned that -- I don't want to put words in your mouth. I just want to try and accurately describe what I think you

said, that McNaughton had told you at the scene that there was some difficulty in retrieving some of the dash cam footage?

A. That's correct.

Q. Okay. And that they -- CPD hadn't been able to download that dash cam footage?

A. Well, I don't know about downloading it, but nobody on the scene could view the footage.

Q. Okay. So did you at any time at the scene of the shooting see any dash cam video of the shooting?

A. No.

Q. Okay. At any time while you were at the scene of the shooting, did you do a walk-through or a ride-through of the general area?

A. No, I did not.

Q. So you mentioned you had -- that McNaughton gave you a briefing of what Van Dyke had relayed to him about his account of the shooting.

Did you have any conversations with any of the other supervisors while you were at

the scene, Sergeant Gallagher?

A. No, I don't even know Sergeant Gallagher.

Q. Okay. Do you recall having any conversations with Sergeant Franko at the scene of the shooting?

A. I recall him being there, and I do believe I spoke to him, but I don't remember exactly where or when, and I don't remember exactly what we spoke about.

Q. Okay. How about Lieutenant Wojcik? Do you recall having any conversations with Lieutenant Wojcik at the scene?

A. No, I just recall saying hi to him.

Q. How about Commander O'Donnell? Was he at the scene?

A. Yes, he was.

Q. Did you have any conversations with Commander O'Donnell at the scene?

A. Yes, I did.

Q. Okay. Tell us about those conversations.

A. Specifically, I couldn't remember. I was with him quite a bit at the scene, and we

would talk about many things, including just the operation of the district.

Q. Okay.

A. Specifically, I couldn't recall the conversations.

Q. When you say, "the operation of the district," what do you mean by that?

A. Well, I am second in command. I help him run the district, and he typically works second watch and I work third watch, so there are times that I don't see him that much, so when I do see him, we will talk about things that's going on in the district.

Q. I see. So sort of not catching up socially, but sort of catching operationally?

A. Yes.

Q. Okay. Do you recall having any conversations with Commander O'Donnell about the -- specific to the shooting?

A. I don't recall specifically what we talked about.

Q. Did you have any conversations that you can recall with the various supervisory individuals as to whether or not you thought the

shooting was justified?

A. No, I don't recall.

Q. I want to talk to you about Tactical Response Reports and Officer Battery Reports.

Is it fair to call them TRR's and OBR's?

A. Yes, it is.

Q. What is a TRR?

A. It is a Tactical Response Report, and it is a report that we do to document certain type of arrest situations or confrontations or uses of force.

Q. And what's the process for completing the TRR?

A. A supervisor is notified, a sergeant. The officer will go in the computer and fill it out.

The sergeant will then review it, and once it is reviewed, it will go to typically the watch operations lieutenant for approval.

Q. Okay. Did you as a district executive officer have any involvement in the process of completing TRR's?

A. No. As a district executive officer,

it is not my responsibility to review or approve tactical response reports in this situation.

Q. You mean with respect to police-involved shootings?

A. The only time that I would do a tactical response report is if there was no -- in a non-police shooting incident if there is no lieutenant on duty, then a captain does it, but in a police shooting with hits, it would not be my responsibility.

Q. Okay. Officer Battery Report, OBR's, what is an OBR?

A. It is a report to document when an officer is the victim of a battery or an assault and is injured by a subject.

Q. And is it fair to say that an officer is to complete an OBR when they have been the victim of an assault or battery?

A. Yes.

Q. And what is the process for let's say as of -- well, let me ask, what is the process for completing an OBR?

A. It is similar to the process of the TRR. It is in the same computer screen, and if

you check the box that an officer is battered or threatened, it automatically directs you to the OBR, and there is a bunch of boxes there to be checked and filled out, and in the same process, the supervisor, the sergeant, will review it and then it will be approved by the appropriate supervisor.

Q. Okay. And for a police-involved shooting, would that be that final supervisor would be the OCIC?

A. Yes, it would be.

Q. Okay. Has the process for completing OBR's and TRR's changed significantly since October 20, 2014?

A. You know, I understand it has been changed, but in my position, we don't deal with it anymore, so specifically, I couldn't tell you the changes, and "significantly" is a word that means things to different people.

Q. True. So prior to your new position, and what -- was that January of 2015?

A. Yes.

Q. Okay. And you are in the detective -- what was the exact?

A. I am an executive officer of the Area South Detective Division.

Q. Prior to going over to the Detective Division, have there been any changes to the OBR and TRR completion process that you were aware of?

A. I don't recall when they made the changes.

Q. Okay. Did you have any discussions at the scene of the shooting as to whether certain officers should fill out TRR's and OBR's?

A. I don't believe I did.

Q. Okay. Did you ever subsequently review the OBR's that were completed by the officers at the scene of the shooting?

A. I did not.

Q. Okay. Once some of this case became, you know, some of these reports were put online by the Tribune or anything, did you ever have a chance to review the -- either the OBR's or the TRR's that were filled out at the scene?

A. I read what was in the paper, but I don't believe, I don't recall going in the

department system and looking at any of those reports.

Q. So you don't think you have ever reviewed the OBR's or TRR's that were filled out that night?

A. No, I don't believe I did.

Q. Okay. Did you talk to any FOP representatives at the scene of the shooting?

A. I don't recall talking to any of them. If I did, it was just to say hi.

Q. Do you recall which FOP representatives were at the scene?

A. I do not.

Q. Did you become aware of the statement that FOP representative Pat Camden made to the press regarding the shooting at any time?

A. If I was made aware of it, it was just reading about it in the paper or seeing it on the news after, but I don't recall specifically when, if I did.

Q. Do you have any recollection as to your response to Pat Camden's characterization of the shooting?

A. No, I don't recall.

Q. At any time while you were at the scene of the shooting, did you have communications with the Mayor's Office?

A. No, I did not.

Q. And do you recall about what time you left the scene of the shooting?

A. I believe it was around 1:00 o'clock in the morning.

Q. Okay. Is there anything that allows you to say it was 1:00 o'clock?

A. Because those were my duty hours, and I didn't work overtime that night. I did not go to the area, so right around 1:00 o'clock -- right around the time that they were going to start going to the area, that's when I got off duty.

Q. So understanding the shooting took place just a few minutes before 10:00 o'clock, McDonald was not at the scene when you arrived, do you think it is fair to say you were at the scene of the shooting for two or two-and-a-half hours?

A. Yes.

Q. Okay. And again, so you were working

on securing the perimeter; is that correct, while you were there?

A. That's correct.

Q. Any other activities you were engaged in at the scene that we haven't discussed?

A. Not that I can recall.

Q. Okay. After you left the scene of the shooting, where did you go?

A. I went back to -- I don't remember specifically.

I either went back to the office just to close my office and then go home, or I may have gone straight home. I don't recall.

Q. And was your office at Area Central? Was it at 35th and Michigan? Where was your --

A. It was in the 8th District on 63rd Street.

Q. Okay. Do you recall whether you left the scene with anyone or by yourself?

A. I left by myself.

MR. NEUMER: At this time, Tom, I was going to see if my colleague has any follow-up questions regarding scene of the shooting.

MR. BROWN: I do have a few questions.

BY MR. BROWN:

Q. I was wondering, could you explain the difference in duties from when you became captain in 2009 versus when you became the executive officer in January of 2012?

A. I became captain in 2009, I was a watch commander, and I had a watch that I was in charge of, which consisted of typically two lieutenants, several sergeants and the PO's.

We worked specific hours. I was the midnight watch commander, and I was in charge of basically running that watch during that time frame.

As a district executive officer, I was more involved with the district operations. I was second in command to the district commander.

Q. Not so much supervision of those lieutenants and sergeants that you mentioned from before?

A. That's correct. I went from specifically my watch and guys on my watch to helping the commander oversee the entire district.

Q. Gotcha. Okay. So is there more than one captain per district?

A. No, there is one captain per district, as a district executive officer.

As a watch commander, when I made captain, there were three. At one point, there were two, as watch commanders.

Q. I see. So would the executive officer, that's like a promotion from watch commander?

A. No. It is just a different job.

Q. Just a different job. I gotcha.

While you were on the scene of the shooting of McDonald, do you recall hearing any conversation between Van Dyke and Walsh?

A. I do not.

Q. Okay. Do you recall any -- overhearing any conversation between Van Dyke and anyone else?

A. No.

Q. Okay. You mentioned in January 2015 you moved to the Area South Detective Division.

Was that move a promotion, demotion, or a lateral move?

A. It was a lateral move.

Q. Okay. Do you know why you were moved?

A. The superintendent wanted to give more operational units an executive officer, and he was going to start with the Detective Division, and I got called from one of the Deputy Chief's Office in the Detective Division and asked if I was interested in going into Detective Division.

I had worked Detective Division twice before, and I was asked if I was interested.

Q. And you expressed interest?

A. That I did.

MR. BROWN: That covers my questions.

BY MR. NEUMER:

Q. Okay. Just a couple cleanup things. With respect to the OBR's and TRR's, do you have any understanding as to who made the final decision at the scene of the shooting as to which officers should complete OBR's and TRR's?

A. Well, typically, it would be the OCIC. I don't specifically recall being there when he made that decision, but that would just

be my understanding that he would make that decision.

Q. So typically the OCIC would be the one determining?

A. That's correct.

Q. Okay. Do you know if any of what I will call the supervisors at scene - McNaughton, Wojcik, Franko, I know you don't really know who Gallagher is or recognize -- or wouldn't recognize him, do you know whether McNaughton, Wojcik, or Franko saw dash cam video while they were at the scene?

A. I was told they did not. I did not see them see any --

Q. So while you were at the scene, you did not see any individuals watching dash cam video?

A. That's correct.

Q. When did you --

MR. PLEINES: Excuse me. Are you doing all right?

THE WITNESS: Yeah, I am doing fine.

BY MR. NEUMER:

Q. When did you see dash cam video of

the shooting for the first time?

A. I saw the dash cam video for the first time approximately a year ago.

The superintendent sent out a notification he wanted all captains and above to come down to headquarters.

We all met at the multipurpose room, and that's when they showed the video, and it was either the day of the release to the public or it was the day before. I don't remember exactly.

Q. Okay. And do you have any understanding as to what the purpose of that meeting was?

A. I really don't know.

Q. Did -- and it was the superintendent who called a meeting?

A. It was either the superintendent or the first deputy. I don't recall specifically who did.

Q. And the first deputy was -- at that time was Escalante?

A. That's correct.

Q. And were both Superintendent McCarthy

and First Deputy Escalante present at the meeting when the video was shown?

A. I don't recall.

Q. Do you recall them making any comments as to the video?

A. No.

Q. Was there any discussion amongst the meeting attendees after the video was shown?

A. I wasn't involved in any discussion. I don't know about the rest. There was a lot of people there. I don't know what they were discussing.

Q. Okay. Was there any other presentation outside of the showing of the video?

A. I don't believe there was.

Q. Do you have any idea why you were called in -- why everyone was called in to watch the video?

A. The only explanation I can recall was that they wanted us to see it before it got out to the media.

Q. Okay. What was your reaction upon seeing the video?

A. I really don't recall my reaction.

Q. Let's see. So you did not go to Area Central at the -- after being at the scene of the shooting?

A. No, I did not.

Q. Okay. Did you have any -- are you aware that there was an October 21, 2014 press release sent out by CPD regarding this shooting?

A. I don't recall it.

Q. Did you have any role in the creation of that press release?

A. No, I did not.

Q. Did you draft any of its language?

A. No, I did not.

Q. Did you review the press release prior to its dissemination?

A. No, I did not.

Q. Okay. Did you as a district executive officer on other occasions ever have involvement with press releases or things like that?

A. Not that I can recall.

Q. Okay. Did you attend a shooting briefing on October 22, 2014 regarding the

McDonald shooting?

A. No, I did not.

Q. Have you ever attended a post-shooting briefing?

A. Yes, I have.

Q. Okay. Have you attended a post-shooting briefing during your tenure as a district executive officer?

A. I believe I did, but I don't recall specifically which one I went to.

Q. Okay. I guess so for me I am trying to determine was there any reason you didn't go to this shooting briefing?

A. Typically the district commander attends. The times I have gone, I was going as the acting commander or because the commander would be unavailable at times, so I would be attending on his behalf.

Q. Do you recall whether Commander O'Donnell attended a shooting briefing on October 22nd, 2014?

A. I don't recall.

Q. Do you recall having any conversations with Commander O'Donnell about his

attendance at the shooting briefing?

A. I do not recall.

Q. Do you recall whether Commander O'Donnell ever briefed you as to what occurred in a shooting briefing regarding the McDonald shooting?

A. No, I do not recall talking to him about it.

Q. Did anyone else ever brief you, any other attendees of a post-shooting briefing regarding the McDonald shooting, did they ever brief you as to what occurred in the meeting?

A. I don't recall talking to anybody that was involved in that meeting.

Q. Did you attend -- so after October 20, 2014, did you attend any meetings regarding the McDonald shooting?

Let's see. You have already talked about going to see the video; right?

A. That's correct.

Q. Other than going down -- and who all was asked to come in to see the video?

A. Everybody the rank of captain and above.

Q. Other than that, watching the video with all the captains and other supervisors, did you attend any other meetings relating to the McDonald shooting?

A. I don't recall going to any other meetings regarding that shooting.

Q. Okay. Do you recall having any conversations with Chief of Patrol Gulliford regarding the shooting?

A. I do not recall a conversation with him.

Q. Did you have any involvement in CPD's investigation of the McDonald shooting?

A. No, I did not.

Q. At any time during CPD's investigation of the McDonald shooting, were you receiving updates regarding that investigation?

A. Other than talking to people at the scene and talking to McNaughton, I was not involved in any updates.

Q. I will clarify it just a little bit. Post we will say October 21, 2014, since you were at the scene until 1:00 a.m.

Post October 21, 2014, did you

receive any updates regarding CPD's investigation of the McDonald shooting?

A. No, I did not.

Q. How about more generally? Did the Patrol Division have any involvement in CPD's McDonald investigation post October 20, 2014?

MR. PLEINES: To your knowledge.

THE WITNESS: Yeah, to my knowledge, I don't know.

BY MR. NEUMER:

Q. You are not aware of any involvement?

A. No.

Q. Do you recall at any time during the McDonald investigation sending texts or e-mails regarding the case using your personal phone or computer?

A. To the best of my knowledge, I do not recall using anything personal or even sending any type of e-mails regarding that shooting.

Q. Okay. On your personal devices?

A. Correct.

Q. Okay. Did you play any role in the creation of the Case Supps for the McDonald investigation?

A. When you say, "Case Supps," I am not quite sure what you mean by that.

MR. PLEINES: The Case Supplementary Reports.

BY MR. NEUMER:

Q. So Detective March created or submitted for approval two Case Supplementary Reports on March 15, 2015.

Were you aware of Detective March submitting, even as of the present day, as of right now, are you aware that Detective March submitted two Case Supplementary Reports regarding CPD's investigation?

A. I am only aware of those through what the paper said. I wasn't aware of it through work.

Q. Okay. Did you play any role in the creation of the Case Supplementary Reports involving the McDonald investigation?

A. No, I did not.

Q. Do you have any knowledge of the circumstances that prompted the completion of those reports in that -- no, strike that.

Do you have any knowledge about the

process through which those reports were created?

A. Only through my experience in the Detective Division I have knowledge of how things work, but specifically in this particular instance, I have no specific knowledge of it.

Q. Were you aware of communication between the attorneys for the McDonald estate and the city regarding a possible settlement?

A. No.

Q. Did you see any correspondence between attorneys for the McDonald estate and the city?

A. No.

Q. Did you have any communications with the Mayor's Office regarding the settlement of the McDonald matter?

A. No.

Q. So the Case Supplementary Reports I was referring to were approved on March 16, 2015.

Post March 2015, did you have any involvement or play any role in the McDonald case?

A. No.

MR. NEUMER: At this time, I am going to ask my colleague if he has any cleanup questions regarding the topics we just covered.

MR. BROWN: I have a few.

BY MR. BROWN:

Q. I understand that you didn't recall your reactions to seeing the video a year ago at that captains meeting.

Can you tell us what your reaction is today to the video?

A. Well, my reaction is is that from watching from that angle and comparing it to what McNaughton told me at the scene, you know, according to McNaughton, Van Dyke shot and just kept on shooting, and from that video, you could see that he shot, stopped, and then continued to shoot, and my reaction was that was a little different than was the initial description that I got.

Q. Elaborate a little bit more on that. How so different?

A. McNaughton told me that Van Dyke had told him that he shot when McDonald started to

turn towards him, and he just -- he didn't go down right away, so he just continued to shoot until he was out of bullets and McDonald went down.

On the video, you could see that he shoots several times, there is a pause, and then he continues to shoot.

Q. Did that discrepancy trouble you at all, or what did you think of that?

A. It made me think that there is an issue. If there is -- of course, I don't know what the -- I wasn't involved in the whole investigation. I just know what McNaughton told me.

I just said there was a discrepancy. Whenever there is a discrepancy, there can be an issue, yes.

Q. Did anything come from this issue, the discrepancy you noted?

MR. PLEINES: If you know.

BY MR. BROWN:

Q. Like did you report it on after that, or did you take any additional steps after that like noticing, oh, there is a discrepancy here?

A. No.
Q. Did you have a duty to do anything like that?
A. No.
Q. Okay. Did anything else about the video stick out to you?
A. No.
Q. Did you make any determinations on the justification of the shoot or anything like that?
A. No, I did not.
Q. In this particular shooting, there were issues with some of the squad cars and the video that was retrieved and the audio or lack of audio that was retrieved.
I wanted to ask you in your capacity as I guess watch commander and then eventually as an executive officer, did you observe any issues with video retrieval in the 8th District generally in your time span there?
A. I am aware of some instances where the guys didn't have the camera turned on when they should have.
Q. Okay.

A. I am also aware of many times the camera is not working properly, and we have -- the officers are required to get a ticket number to report that.

Q. Were those issues prior to the McDonald shooting or post?

A. Both.

Q. Okay. I guess in your position, was there any follow-up that was done with Commander O'Donnell about like video and what happened on the scene that night? Did you have to do any --

MR. PLEINES: You mean by him?

BY MR. BROWN:

Q. By yourself, yeah. Did you have to reach out and get additional training, or was there any follow-up done?

A. No, no. And the in-car camera system is not one of my responsibilities as an executive officer.

Q. Sure. I definitely get that, but I was thinking just you are I guess just one step away from the commander, that that might have been a topic of conversation, like why do we have an issue with video, I guess, occasionally

not working properly in the district.

MR. PLEINES: That's not a question.

BY MR. BROWN:

Q. It might not have been a question, but do you recall ever having any conversations with Commander O'Donnell about video retrieval of the -- from squad cars in the district?

A. We didn't have conversations about video retrieval, because retrieval was not really our responsibility.

I have had conversations with many commanders, and I can't specifically say which commanders and what was literally said, but since the implementation of the in-car camera system there has always been issues - whether the officer is not turning them on or the camera is not working properly. So it is an ongoing process.

Q. How widespread was the issue of officers not turning on the cameras?

A. I don't know when it was initially instituted. I think it was before I made captain, so personally, I don't have any involvement with it, but we -- it was, in my

opinion, not widespread in our district, but occasionally it was an issue.

Q. Okay. When that issue would arise, what would be the response?

A. I specifically couldn't say, because at that point, I wasn't the supervisor that did the initial investigation with the in-car cameras. That would be the sergeants on the street.

Q. Okay. Do you know how the sergeants would handle a situation where it was determined that from their investigation that an officer failed to turn on their camera?

A. Well, in some instances, it was a CR number, and in some instances I think it was a SPAR. A SPAR is a form of discipline. A SPAR is an acronym. It stands for Summary, Punishment, Action Report.

Q. So from your recollection, was it more common that there was just I guess mechanical issues with the video system as opposed to officers, I guess, neglecting to turn on the system?

A. In my experience, it has been more of

a technical issue, and the officers are required to get a ticket number. That's when they call the technical people and they get a number. It is basically a number to get it fixed.

Q. Okay. Now, similar question, but in regards to the audio that would be retrieved from vehicles in the 8th District.

Were you aware of any issues generally in your time span from 2009 to 2015 when you went to the Detective Division of issues with the audio being retrieved from 8th District vehicles?

A. Again, I am not really familiar with the retrieval, because that wouldn't be our responsibility, but I do know also there was issues with the microphones that sometimes there were technical difficulties, and sometimes guys wouldn't sign them out or they weren't even available because they were broken, and sometimes they just weren't working properly.

Q. Were you aware of officers just I guess willingly just making the decision to not turn on their microphones?

A. Specifically, I am not familiar with

any officers making that decision.

Q. As a follow-up to the superintendent's shooting briefing, were either you or Commander O'Donnell assigned any tasks related to video or audio research from the 8th District?

A. I was not assigned any task. I can't speak for Commander O'Donnell's tasks.

Q. You don't recall Commander O'Donnell having any conversation with you like, Hey, I was at the meeting and the superintendent had an issue with lack of video, lack of audio, and he gave me some research to do?

A. I do not recall Commander O'Donnell saying anything to that effect.

MR. BROWN: Those are my questions.

BY MR. NEUMER:

Q. With respect to in-car video systems, and specifically the night of October 20, 2014, when did you learn that none of the squad cars at the scene captured audio?

A. I am not so sure that I ever heard anything about audio.

I know that while I was on the scene

I heard that the videos weren't working. I don't recall who specifically told me or when they told me, but I don't recall any talk about audio.

Q. Do you recall, you know, in the news learning that none of the squad cars at the scene captured audio?

A. I don't recall.

Q. Would it surprise you to know that none of the five squad cars at the scene captured audio?

A. I can't say that I would be surprised. Because our systems aren't the best and they often don't work right.

Q. As of October 20, 2014, had you ever heard about there being a practice of CPD officers deliberately disabling the audio of their in-car video systems?

A. I don't know of any specific cases where that happened, but I had heard talk of guys, you know, somehow making them not work.

Q. And is that what -- when you were referring earlier to opening a CR or SPAR or something like that?

A. If I was specifically aware of officers doing that, then yes, it would be a CR investigation.

Q. Whose responsibility generally in the Patrol Division side is it to ensure that the audio and video of the in-car video systems is working?

A. That would be the field sergeants.

Q. Okay. Does someone in your position have any responsibility for ensuring that specific beat cars, their audio and video are functioning?

A. As far as I recall in the orders, there is no mention of any specific responsibilities of a district executive officer regarding in-car cameras.

Q. We are changing gears a little bit.

Were you ever summoned to appear before a grand jury regarding the McDonald shooting?

A. No, I was not.

Q. Okay. Were you ever interviewed by the FBI about the McDonald shooting?

A. No, I was not.

Q. I think we are very near to the end here.

I am just going to take a minute to consult with my colleague. The time is 3:17 p.m. and we are going to go off the record.

(Short break in proceedings.)

MR. NEUMER: The time is 3:20 p.m. and we are back on the record.

Tom, you mentioned you might have a few clarifying questions. If you want to go ahead.

EXAMINATION

BY MR. PLEINES:

Q. Captain Walsh, there has been various references during the questioning of you to the "video."

Are you aware of the in-car camera video of the shooting of the gentlemen in question?

A. I am aware of the in-car camera video, yes.

Q. Are you aware of any other video showing the shooting?

A. I am aware of the video from the

Dunkin' Donuts.

Q. Did you see on the night of the shooting when you were present at the scene, did you see anyone reviewing the Dunkin' Donuts video?

A. The Dunkin' Donuts video I saw Deputy Chief McNaughton and a detective viewing that.

Q. How did they obtain it, do you know?

A. I don't know.

Q. How did they view it?

A. On a laptop.

Q. Where was this being done?

A. It was done at the scene outside, but I don't recall specifically where outside.

Q. Okay. What about the in-car camera video? Did you see anyone reviewing that that night?

A. No.

Q. What is your understanding of anyone's ability to view that video that night?

A. My understanding is is that it could not be pulled up on the computer in the car; that they weren't able to do it so they called in the tech people, and Sergeant Lance Becvar

responded to the scene.

He couldn't pull it up, so he pulled the entire system out of the car and took it back to his office.

Q. Took it back to his office or took it to the Area?

A. Well, I really don't know. My understanding is he took it somewhere. I guess I just assume he took it to his office at some point, but I don't know specifically when or where he took it.

MR. PLEINES: Thank you. That's all I have.

FURTHER EXAMINATION

BY MR. NEUMER:

Q. With respect -- you mentioned Sergeant Lance Becvar, B-e-c-v-a-r, having difficulties retrieving the video from the squad cars and then taking the system and -- back to his office? Is that fair to say?

A. Specifically, I don't know where he took it. He just took it out of there and he had to take it somewhere to be able to extract the video.

Q. How did you learn that information?

A. I don't remember specifically if I learned it from McNaughton or someone else at the scene.

I believe it was McNaughton, but I don't know for sure.

Q. Did you have any conversations with Sergeant Lance Becvar at the scene of the shooting?

A. I do know Lance personally, but I believe I only said hi to him. I don't think I had any specific conversations with him.

Q. Do you think you got any information regarding his ability or inability to pull video from the squad cars from Sergeant Becvar himself?

A. I don't recall talking to him about that.

MR. NEUMER: Tom, do you have any other?

MR. PLEINES: (Indicating.)

MR. NEUMER: Okay. I think that is all the questions we have for you. I would like to generally state, you know, understanding what we are investigating here, we try and be thorough.

We try and ask all appropriate questions, but if there are any questions we didn't ask or if there are any questions we should have asked, now is sort of the time where you can provide us any information that you think we should know regarding this investigation.

THE WITNESS: I don't believe I have any other information.

MR. NEUMER: Okay. The time is 3:24, and this interview is concluded. We will go off the record.

(Which were all the proceedings had in the above-entitled cause on this date.)

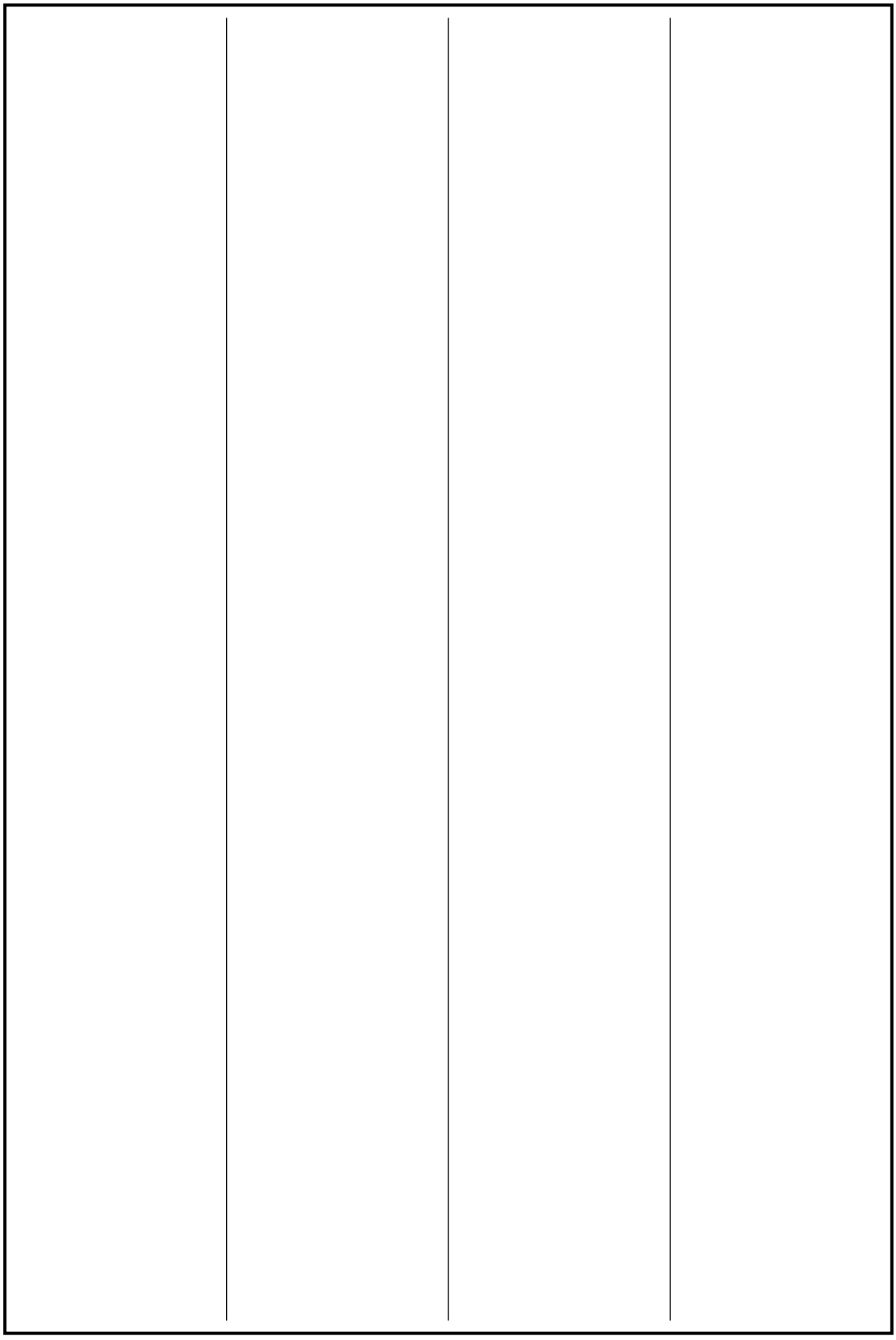
STATE OF ILLINOIS)
) Ss:
COUNTY OF C O O K)

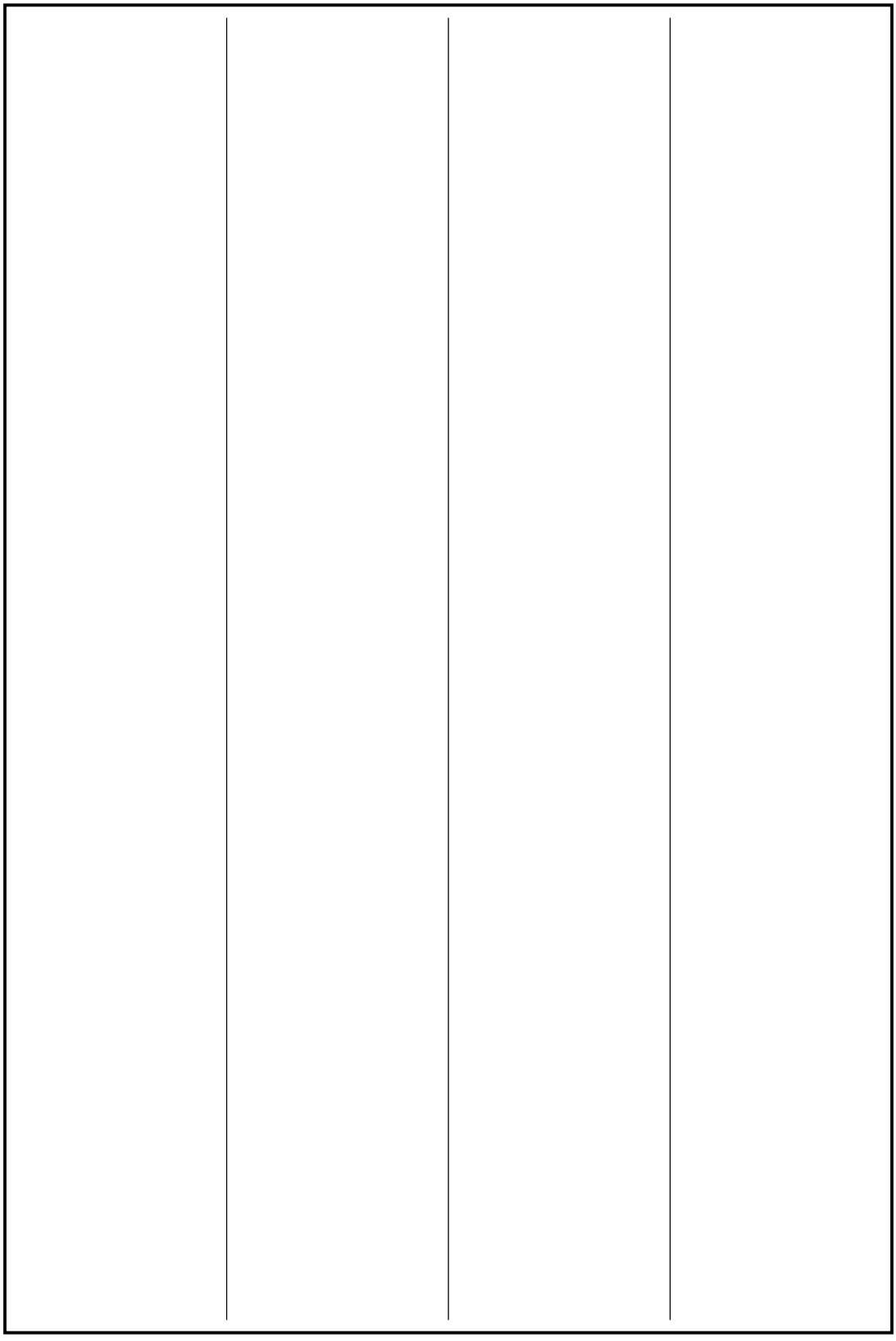
I, Teresa Volpentesta, a Notary Public within and for the County of Cook and State of Illinois, and a Certified Shorthand Reporter of said state, do hereby certify that I reported in shorthand the proceedings had at the taking of said interview and that the foregoing transcript is a true record of my shorthand notes so taken as aforesaid, and contains all the requested proceedings at said interview.

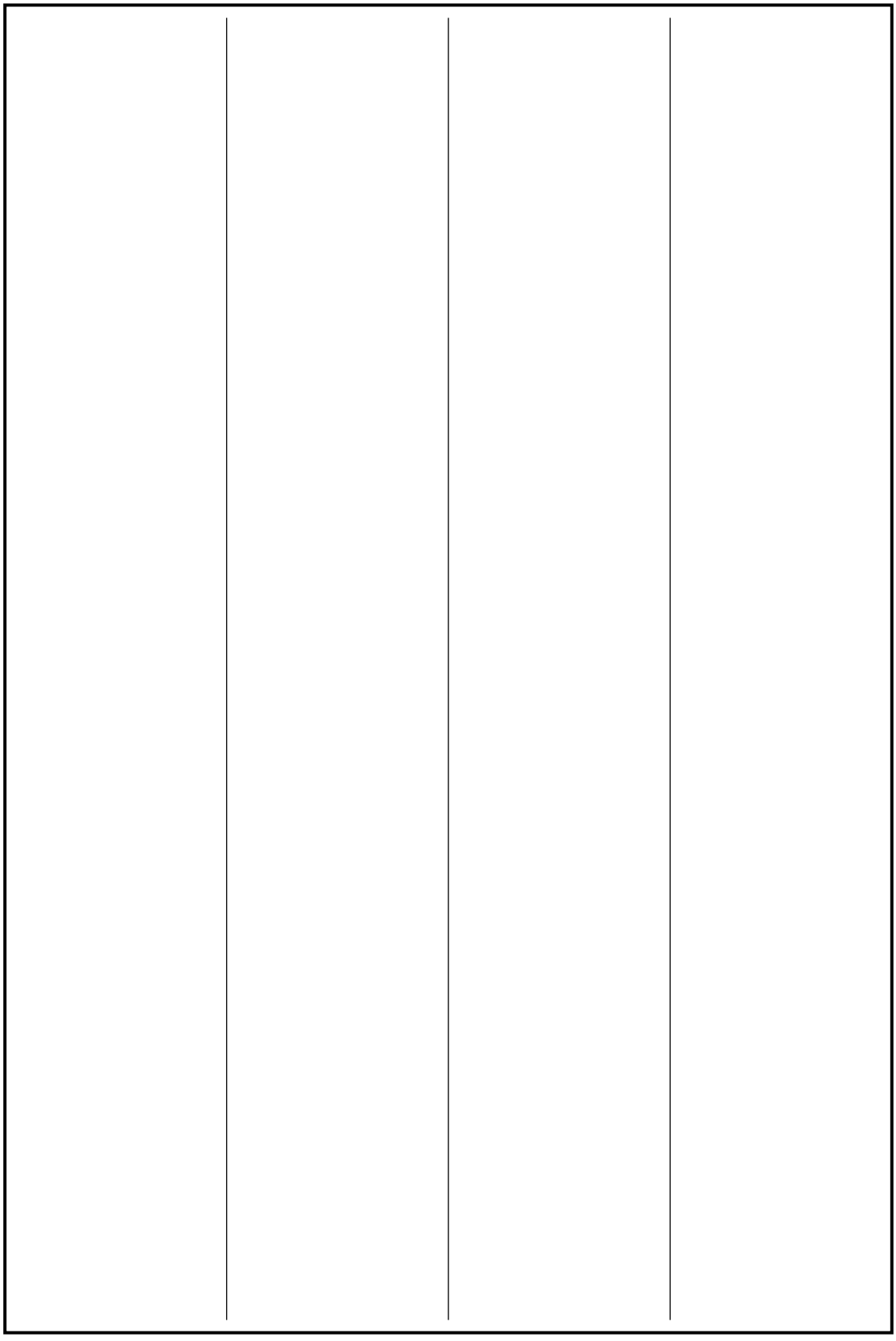
In witness whereof, I have hereunto set my hand and affixed my notarial seal this 14th day of November, 2016.

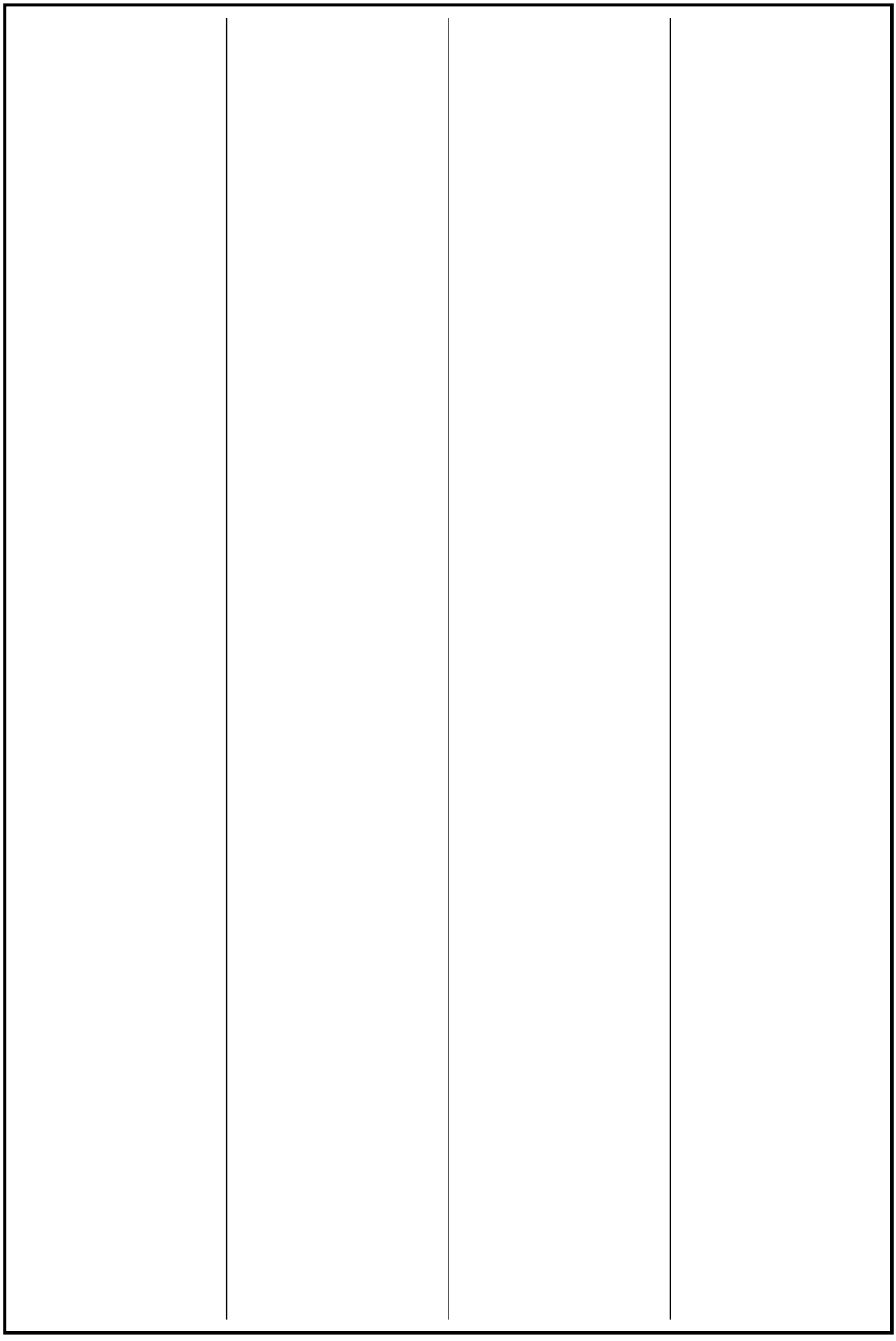
Teresa Volpentesta, C.S.R.

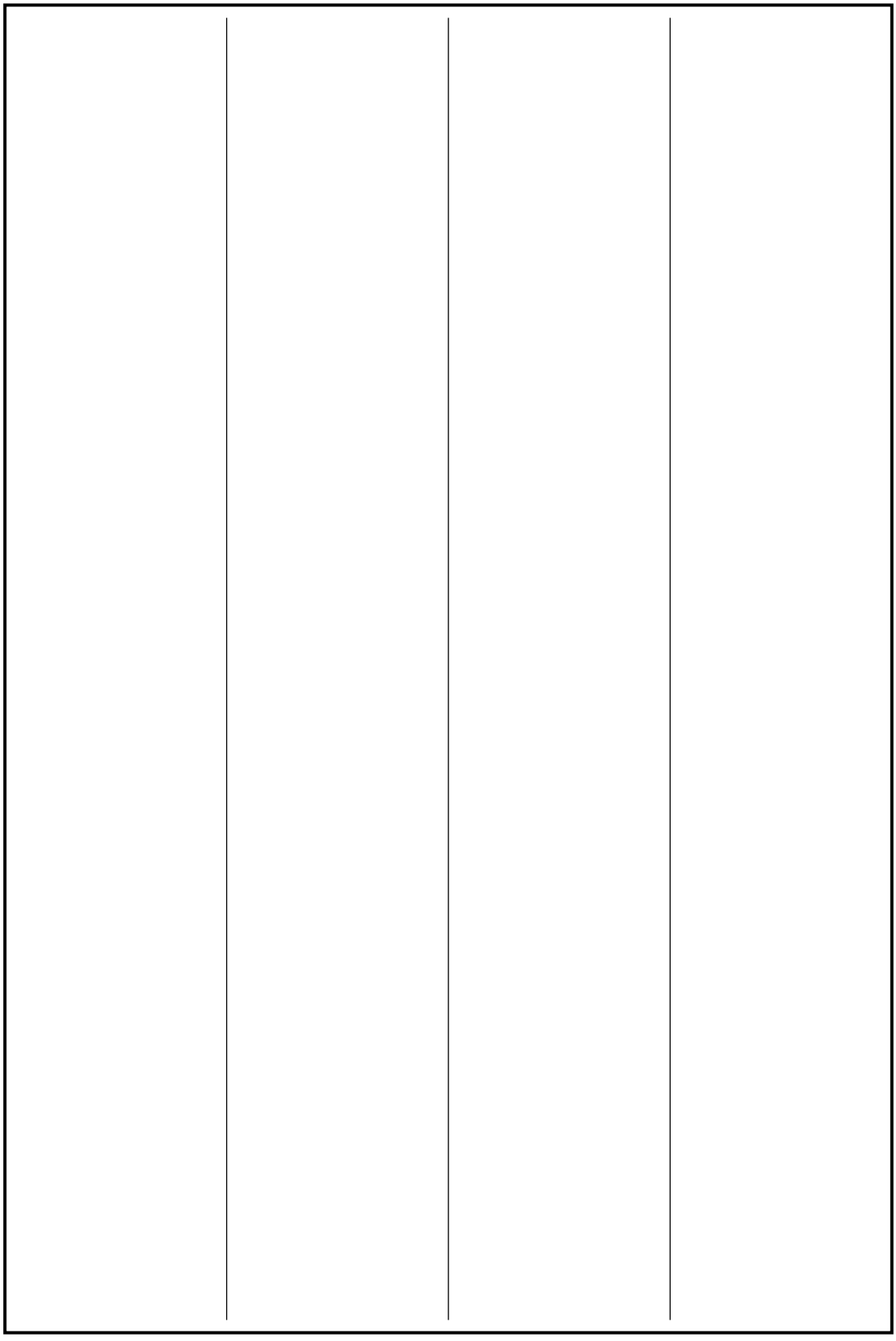
Notary Public, Cook County, Illinois
C.S.R. License No. 84-2781

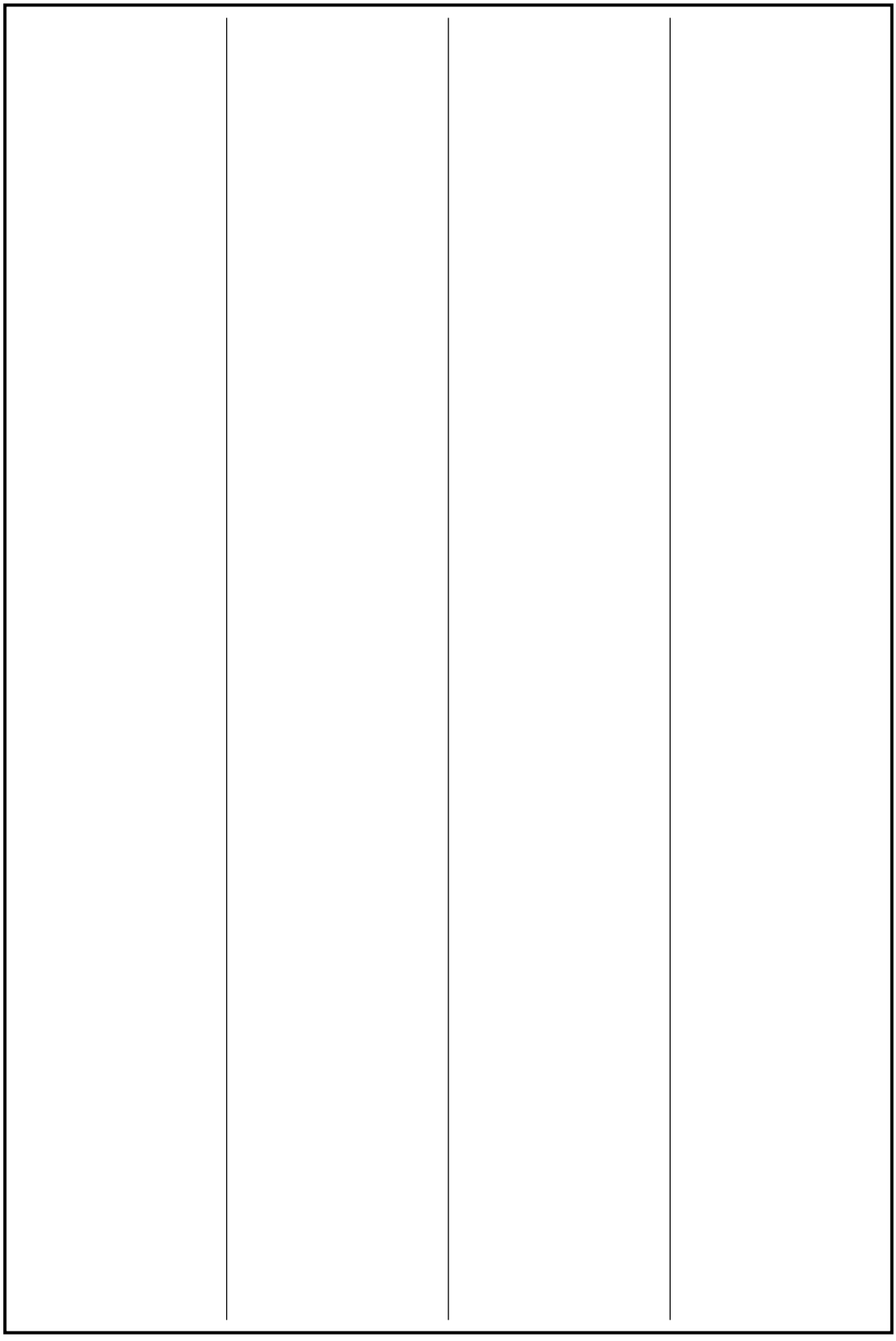


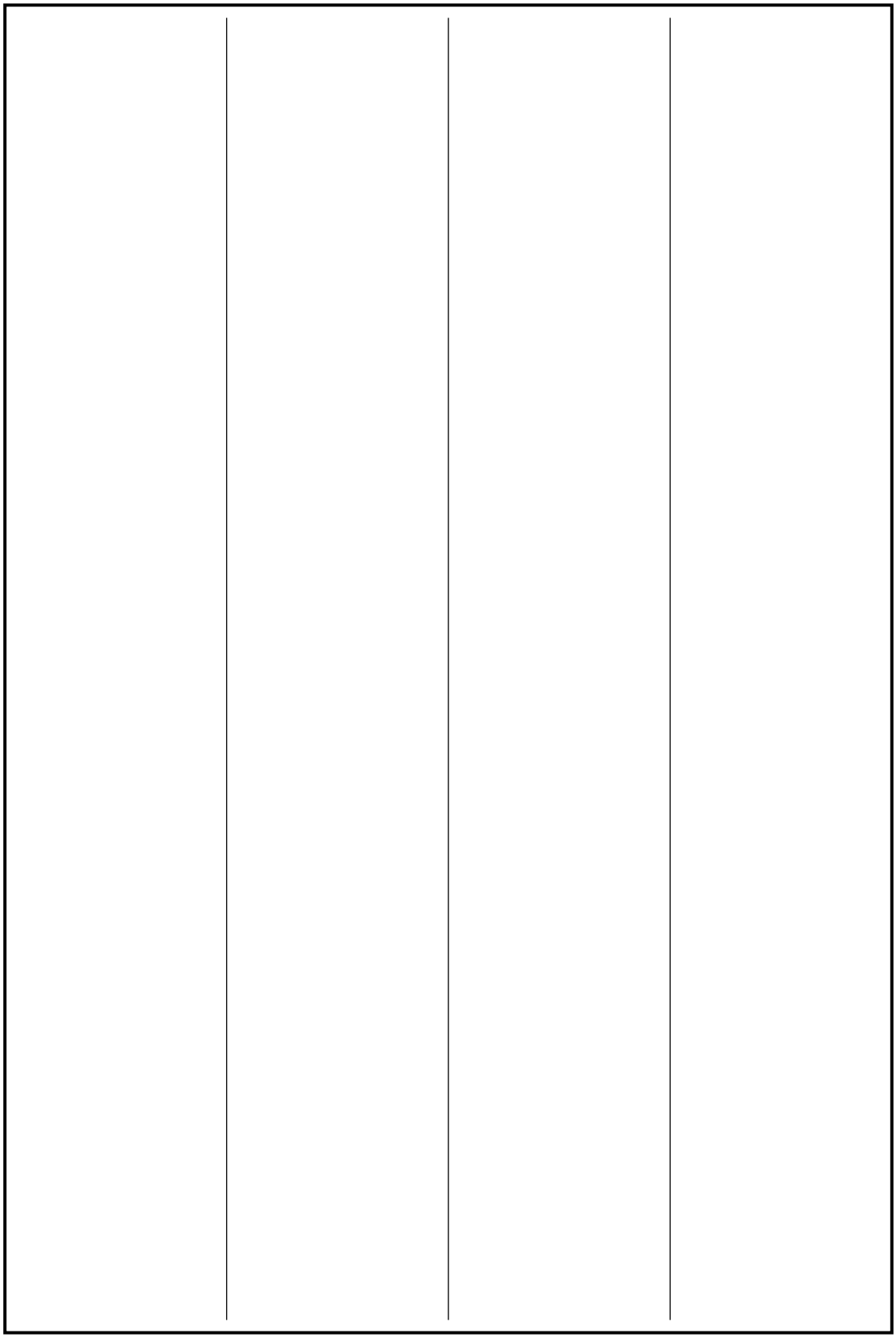


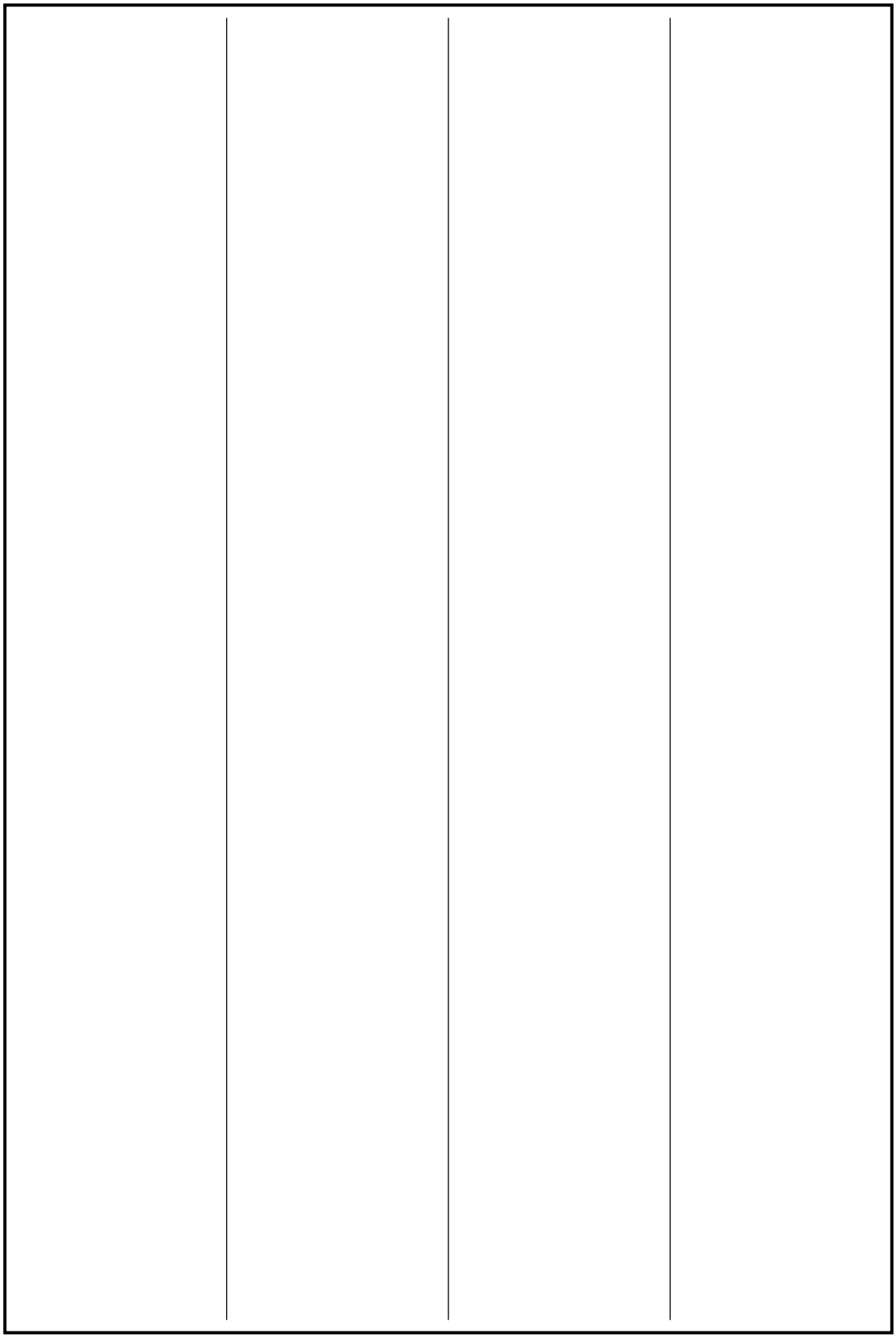


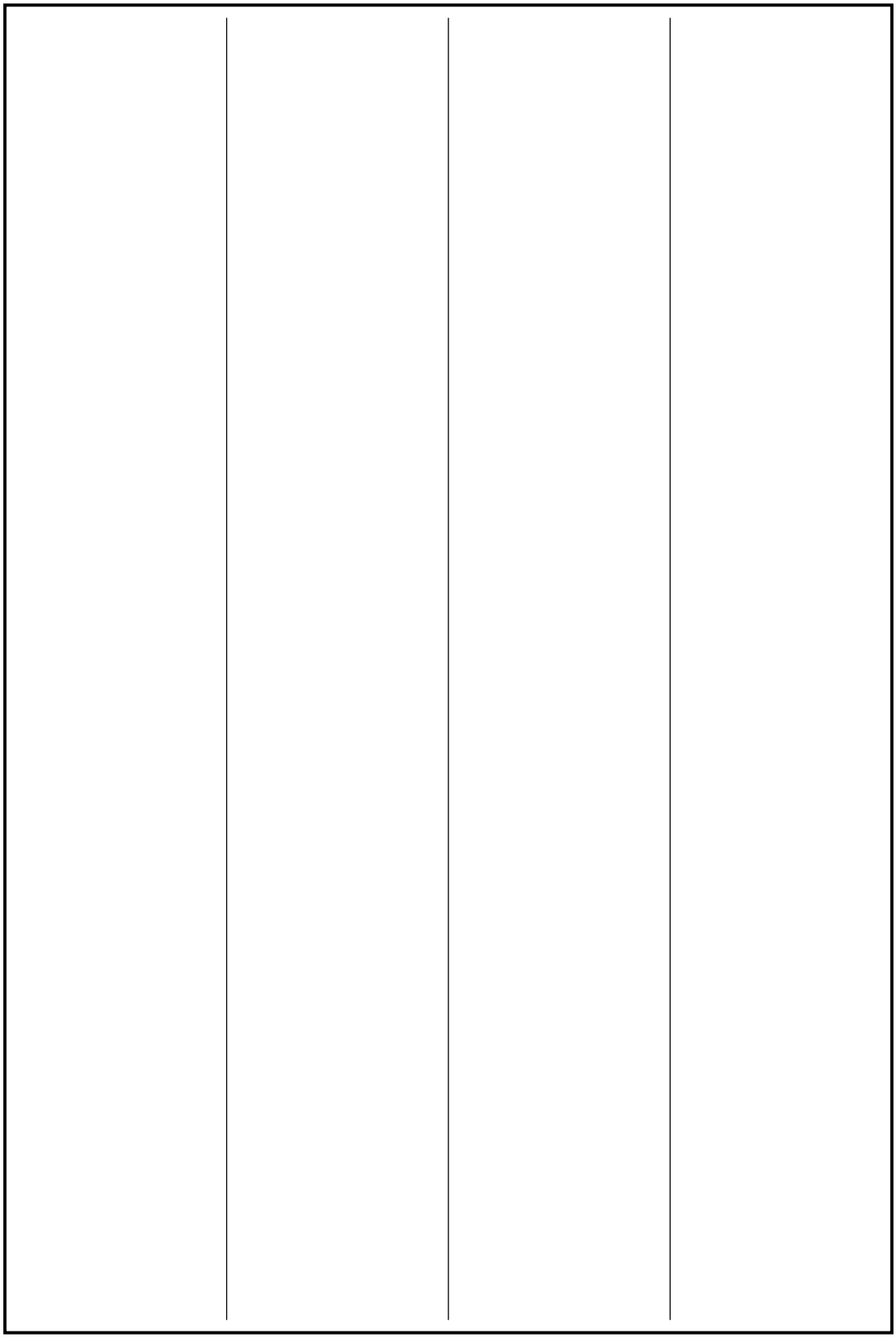


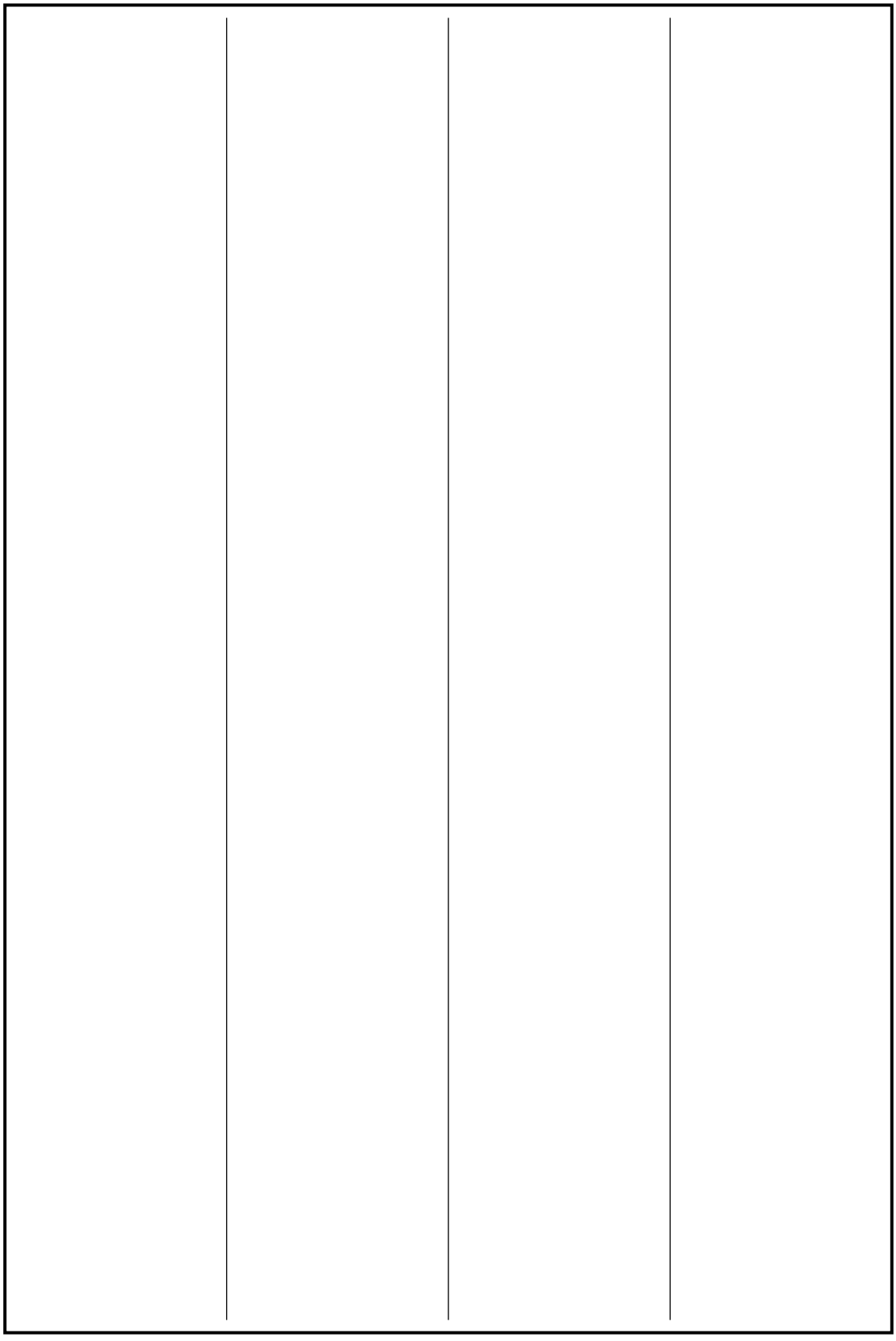


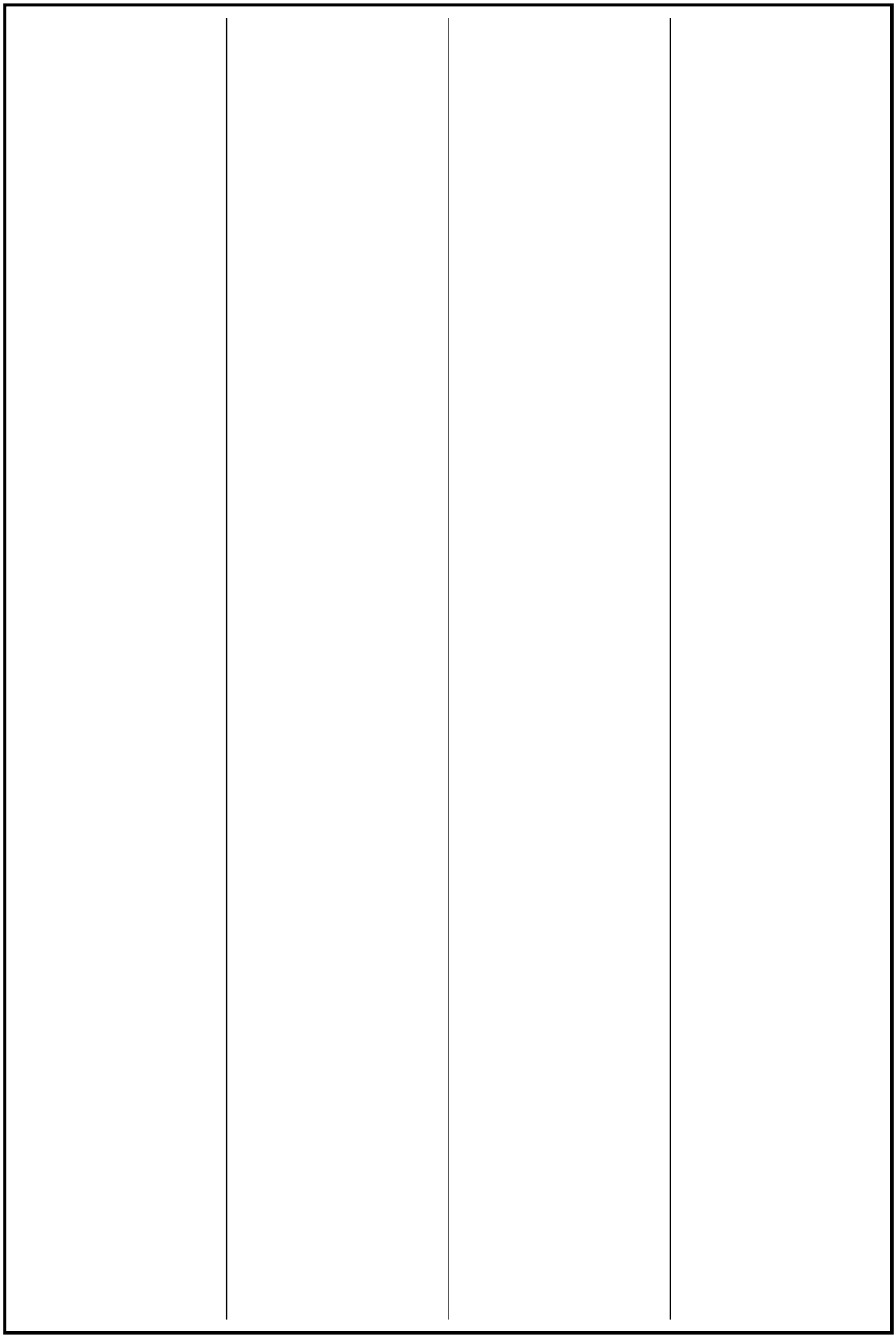












CITY OF CHICAGO
OFFICE OF INSPECTOR GENERAL

ADVISEMENT OF RIGHTS

I, Dennis Walsh, understand that I am being interviewed by Kristopher Brown and Peter Neumer from the City of Chicago Office of Inspector General.

DATE 11/3/16 TIME 2:09pm LOCATION 300 West Adams St.Ste. 800, Chicago, IL

I understand that this interview is part of an official investigation and that I have a duty to cooperate with the Office of Inspector General, which includes answering all questions completely and truthfully.

I understand that I have no right to remain silent. I understand that I have an obligation to answer questions put to me truthfully. I understand that if I refuse to answer questions put to me, I will be ordered by a superior officer to answer the questions. I further understand and I have been advised that if I persist in my refusal to answer after an order to do so, such further refusal constitutes a violation of the Rules and Regulations of the Chicago Police Department and may serve as the basis for my discharge.

I understand and have been advised that my statements or responses may constitute an official police report. I understand that Rule 14 of the Chicago Police Department's Rules and Regulations prohibits making a false report, written or oral, and I further understand that making such a false report, whether written or oral, may result in my separation from the Chicago Police Department.

I understand that any statement made by me during this interview may be used as evidence of misconduct or as the basis for disciplinary action up to and including removal or discharge.

I understand that any statement made by me during this interview and the fruits thereof cannot be used against me in a criminal proceeding.

I understand that I have the right to have a union representative, or legal counsel of my choosing, present at the interview to consult with, and that I will be given a reasonable time to obtain a union representative or legal counsel as long as the interview is not unduly delayed.

I understand that a refusal to answer any question, or any false, inaccurate, or deliberately incomplete statement by me would constitute a violation of Chicago Municipal Ordinance 2-56, and may serve as the basis for my discharge.

I acknowledge that this statement of my administrative rights has been read aloud to me, and I have been allowed to review this document.

Capt D. Walsh ret
Employee Signature

Witness: _____ Witness: _____

****

WAIVER

Understanding these rights, I wish to answer questions from investigators from the Office of Inspector General without having a union representative or legal counsel present. No promises or threats have been made to me and no pressure or coercion of any kind has been used against me.

Employee Signature: _____

EXHIBIT 1
DATE 11-3-16
AmicusReporters.com

Addendum To:	Date of Issue	Effective Date	No.
Detective Division Special Order 11- 01	**05 May 2011**	**09 May 2011**	**1**
Subject **Homicides and Sworn Weapon Discharge Incidents**		Amends	
Related Directives		Rescinds **S.O.P. Chapter 18**	

I. Purpose

This directive:

A. Mandates the initiation of a Homicide Investigative File when a case is classified as First Degree Murder, Second Degree Murder, Involuntary Manslaughter, Reckless Homicide or Justifiable Homicide.

B. Mandates the initiation of a Sworn Weapon Discharge Investigative File when a sworn member is involved in a weapon discharge incident where a person is injured or shot as a result of the discharge.

C. Mandates that a supervisor with primary responsibilities to oversee an investigation is immediately assigned by a Detective Division Unit Commanding Officer.

D. Provides a schedule of reviews to be conducted by supervisors assigned to investigations governed by this order, specifically by the supervisor with primary responsibility to oversee the investigation.

E. Provides a physical description of the components of a Homicide Investigative File or Sworn Weapon Discharge Investigative File and how they will be assembled.

II. Responsibilities

A. Detectives investigating Homicides or Weapon Discharge Incidents Involving Sworn Members will:

1. Thoroughly document relevant information discovered during the course of the investigation.

2. Record relevant information initially transcribed on General Progress Reports or other investigative documents to formatted Department reports (e.g. Supplementary Report, General Offense Case Report, etc.

3. Submit all documents in the Homicide Investigative File or the Sworn Weapon Discharge Investigative File to the on-duty unit supervisor at the completion of their tour of duty.

B. Detective Division Sergeants will:

1. Ensure that Homicide Investigative Files and Sworn Weapon Discharge Investigative Files will be assembled in the spiral binder, as described in Addendum 2, as soon as all initial investigative work, as determined by the supervising sergeant, has been accomplished.

   Note: See Addendum 3 for Homicide Investigative File formats when prepared by the Major Accident Investigative Unit

2. Conduct reviews of the Homicide Investigative File according to the following schedule:

   a. Seven days after the incident
   b. One month after the incident
   c. Three months after the incident
   d. Every six months, as considered necessary.

   Note: All supervisory reviews will be documented on the Supervisory Investigative File Review Form

3. Ensure all documents associated with an investigation are reviewed and secured in the appropriate location within the Homicide Investigative File or the Sworn Weapon Discharge Investigative File and logged on the Investigative File Inventory.

C. Detective Division Unit Commanding Officers will:

1. Ensure that Homicide Investigative Files and Sworn Weapon Discharge Investigative Files are properly maintained and stored.

2. Immediately assign a supervisor with primary responsibility to oversee the investigation.

3. Conduct reviews of the Homicide Investigative File according to the following schedule:

   a. Within the 1st month of the investigation
   b. Three months after the incident
   c. Every six months, as considered necessary

   Note: All supervisory reviews will be documented on the Supervisory Investigative File Review Form

4. Ensure assigned supervisors conduct reviews according to the schedule delineated in this order and document such on the Supervisory Investigative File Review Form.

OIG 15-0564 009122

D. Detective Division Exempt Members will conduct periodic, unscheduled inspections of Homicide Investigative Files and Sworn Weapon Discharge Investigative Files to ensure strict compliance with the provisions of this policy.

Thomas M. Byrne
Chief
Detective Division

OIG 15-0564 009123

Detective Division Special Order Revision	Date of Issue 10 October 2002	Effective Date 10 October 2002	No. a
Subject Violent Crimes Oversight Offices		Revises D.D.S.O. 01-01	
Related Directives Det. Div. S.O. 96-2 Investigative Responsibility Det. Div. S.O. 96-9 Robberies of Financial Institutions		Rescinds	

Item IV. POLICE SHOOTINGS, and item V. ROUND TABLE are revised as follows:

IV POLICE SHOOTINGS

A. Detectives investigating police shootings will:

1. canvass the area in every case to identify, locate and gather witnesses. All canvasses will be documented - including negative results.

2. arrange for transportation of all witnesses who have pertinent knowledge of the shooting to the appropriate district station or area headquarters, ensuring that they are kept separated until interviewed.

3. ensure that all physical evidence is collected, inventoried, and sent to the CPD Services Unit and/or the I.S.P. Crime Lab for analysis as appropriate.

4. immediately interview a hospitalized or injured offender.

5. confer with the assistant state's attorney assigned to the investigation to deter necessity of taking formal statements.

6. take formal written statements from eyewitnesses, when appropriate.

7. take either written or oral statements from other witnesses as circumstances of the investigation dictate.

8. review Case and Supplementary reports, crime lab and evidence technician reports, Weapons Discharge Reports/Tactical Response Reports, Injured On Duty Reports and all other reports related to the incident prior to preparing their Supplementary report detailing the incident.

9. obtain copies of O.E.C. transmissions and P.C.A.D. printouts when applicable.

B. Detective Division Shooting Coordinators are on-duty sergeants designated by the Detective Division Area Commander when a police shooting occurs. They will:

1. proceed to the scene and direct follow-up investigations when a police officer has seriously injured or killed a person or whenever a police officer is seriously injured or killed. Ensure assignment of detectives to the hospital(s) where injured officer(s)/person(s) are receiving treatment.

2. ensure that the services of Forensic Investigators from the Mobile Crime Lab Unit are utilized and that firearms or weapons belonging to any offender or police officer are recovered according to current Department directives.

3. supervise Detective Division personnel conducting the follow up investigation and gathering of information necessary for proper notifications to the Division and Department command staff. Detective Division shooting coordinators will utilize the Detective Division Command Information Worksheet.

4. ensure that digital photographs of the scene, weapons, injuries, etc., are taken after processing is completed by the Forensic Services Unit and made available at the round table in cases where a person is shot by a Department member or a member is injured by gunfire.

5. immediately notify Division command personnel through the chain of command.

6. Ensure that notifications have been made to Operations Command, the Office of Professional Standards and the State's Attorney's Felony Review Unit. Also ensure proper notifications are made to the Office of the Medical Examiner, when appropriate. **The shooting coordinator will be the contact member on the police shooting for all outside units, and will personally liaise with the Office of Professional Standards on all matters regarding the police shooting.**

7. confer with the on-duty Assistant Deputy Superintendent, Bureau of Operational Services(or the Deputy Chief of Patrol, as appropriate), and the District Watch Commander and request approval to relocate the follow-up investigation to the appropriate Area headquarter's facility.

8. Designate a detective to gather information and record the information on the Command Information Worksheet.

9. coordinate the "Round Table" function, whenever a Department member has discharged his or her firearm and an individual has been killed or injured, or if one is deemed necessary by the on-duty Assistant Deputy Superintendent, Bureau of Operational Services.

10. ensure that a copy of the Command Information Worksheet and a digital photo of the chalkboard crime scene diagram be included in the case file.

11. ensure that requests for I.S.P. evidence processing forms are submitted without delay.

12. be responsible for the review and approval of all Detective Division reports generated as a result of the investigation.

V. ROUND TABLE

A. The Round Table will consist of the ADS, the district watch commander, the area commander (or his designee), the police shooting coordinator and assigned detective(s), an OPS supervisor and investigator(s), an Assistant State's Attorney from the Felony Review Unit and other personnel deemed necessary by the ADS.

B. The scene will be drawn on a chalk/grease board in the room where the Round Table will take place and a digital photo of the chalkboard crime scene diagram will be included in the case file.

C. Digital photographs of the scene, weapon(s), injuries, etc., will be made available to the members of the Round Table and made part of the investigative file.

D. Copies of the Detective Division Command Information Worksheet will be made available to members of the Round Table.

E. The Round Table will be conducted by a sergeant/detective designated by the Area Commander.

F. The sergeant/detective conducting the Round Table will give a summary of the incident before any witnesses or police officers are called.

G. Persons appearing before the Round Table will be interviewed prior to their appearance.

H. The sergeant/detective conducting the Round Table will briefly summarize all accounts, (witness or Department member), immediately before those persons appear at the Round Table.

I. Each member of the panel will introduce himself/herself before a police officer gives their account.

J. If an offender, witness or police officer is hospitalized, their account of the incident will be presented to the panel by the detective that interviewed that person.

Philip J. Cline
Chief
Detective Division

BUREAU OF DETECTIVES 28 APRIL 2016

TO: General Counsel
Office of the Superintendent

FROM: Eugene Roy
Chief
Bureau of Detectives

SUBJECT: Request for Information

Attached are copies of Bureau of Detectives Special Orders in effect on and after 20 OCT 2014. On 31 DEC 14, BDSO 14-01 through 14-25 had been issued and various DDSOs from prior years were still in effect.

On 01 JAN 15, all existing orders were rescinded; BDSOs 14-01 through 14-25 were reissued with 2015 dates and 15-26 through 15-43 were issued.

Also attached are existing BDSOs and revisions to the 2015 orders to date.

BDSO 15-17 was effectively voided by State law on 01 JAN 2016. However, the Department has not issued a new directive and we are operating under an agreement that has been agreed to in principle.

Eugene Roy
Chief
Bureau of Detectives

BUREAU OF DETECTIVES SPECIAL ORDER	Date of Issue 01 Jan 2015	Effective Date 01 Jan 2015	No. 15-22
Subject JUSTIFIABLE HOMICIDES		Amends	
Related Directives		Rescinds	

I. PURPOSE

This order outlines the Bureau of Detectives policy and the Uniform Crime Reporting requirements for justifiable homicides.

II. JUSTIFIABLE HOMICIDES

A. Uniform Crime Reporting defines a justifiable homicide as either;

1. **the killing of a felon by a peace officer in the line of duty, or**
2. **the killing of a felon by a private citizen during the commission of a felony.**

B. Cases in which **self-defense** is the sole reason for the killing do not meet the UCR definition of a justifiable homicide. Detectives will ordinarily classify these cases as homicide/second degree murder.

*__Note:__ If the State's Attorney's Felony Review Unit does not approve first or second degree murder charges against the person responsible for the death, the detective will exceptionally clear the case.

*__Note:__ Classifying a self-defense killing as a homicide/second degree murder does not infer criminal liability upon the person who caused the death. It is merely a UCR classification utilized to record the willful killing of the victim.

III. REPORTING PROCEDURES FOR JUSTIFIABLE HOMICIDES

A. When an incident is determined to be a justifiable homicide, the assigned detective will obtain a second RD number. The first case will bear the classification of the crime the felon was committing. The second RD number will be for the justifiable homicide. Detectives will not identify a person lawfully entitled to use deadly force as an "Offender."

B. The facts detailing the entire investigation will be reported in the justifiable homicide report.

OIG 15-0564 009416

***Note:** The narrative section of the original felony report will state, "The facts of this case are reported under RD# _____. For complete details, refer to that investigation."

C. A request in the form of a "To / From report will be prepared and directed to the "Director, Records Division, Attention: Record Inquiry Unit," requesting that the other felony report be held in permanent retention.

D. Detectives will not obtain a second RD number in an exceptionally cleared second degree homicide when self-defense is the sole reason for the killing by a private citizen.

E. Detectives will state in their reports that no charges were placed at this time. They will not state that the use of deadly force was justified.

F. The State's Attorney's reason(s) for not filing charges will be documented in the Supplementary Report.

John J. Escalante
Chief
Bureau of Detectives

OIG 15-0564 009417

HICAGO POLICE DEPARTMENT

ASE SUPPLEMENTARY REPORT

10 S. Michigan Avenue, Chicago, Illinois 60653
use by Chicago Police - Bureau of Investigative Services Personnel Only)

HX475653

Case id : 9825613
Sup ID : 10992767 CASR301

XC. CLEARED CLOSED (OTHER EXCEPTIONAL) | **DETECTIVE SUP. APPROVAL COMPLETE**

Offense Classification/Re-Classification	IUCR Code	Original Offense Classification			IUCR Code
AULT / Aggravated Po:Knife/Cut Instr	**0552**	ASSAULT / Aggravated Po:Knife/Cut Instr			0552
ddress of Occurrence	Beat of Occur	No of Victims	No of Offenders	No of Arrested	SCR No
112 S PULASKI RD	**815**	4	1	1	
ocation Type	Location Code	Secondary Location			Hate Crime?
Street	**304**				NO
ate of Occurrence	Unit Assigned	Date RO Arrived	Fire Related?	Gang Related?	Domestic Related?
20-OCT-2014 21:57	**0841R**	20-OCT-2014 21:57	NO	NO	NO

Reporting Officer	Star No	Approving Supervisor	Star No	Primary Detective Assigned	Star No
MARCH, David	20563	WOJCIK, Anthony	481	MARCH, David	20563
Date Submitted		Date Approved		Assignment Type	
15-MAR-2015 18:26		16-MAR-2015 00:03		FIELD	

THIS IS A FIELD INVESTIGATION EXC. CLEARED CLOSED (OTHER EXCEPTIONAL) REPORT

VICTIM(S) :

GAFFNEY, Thomas J
Male / White / 41 Years
EMPLOYMENT: Chicago Police Officer #19958 Chicago Police Officer
EMPLOYER BUSINESS NME: Chicago Police Department
BUS: 3420 W 63rd St
Chicago IL
312-747-8730

MCELLIGOTT, Joseph P
Male / White / 36 Years
EMPLOYMENT: Chicago Police Officer #18715 Chicago Police Officer
EMPLOYER BUSINESS NME: Chicago Police Department
BUS: 3420 W 63rd St
Chicago IL
312-747-8730

VAN DYKE, Jason D
Male / White / 36 Years
EMPLOYMENT: Chicago Police Officer #9465 Chicago Police Officer
EMPLOYER BUSINESS NME: Chicago Police Department
BUS: 3420 W 63rd St
Chicago IL
312-747-8730

WALSH, Joseph J
Male / White / 45 Years
EMPLOYMENT: Chicago Police Officer #12865 Chicago Police Officer
EMPLOYER BUSINESS NME: Chicago Police Department
BUS: 3420 W 63rd St
Chicago IL

HX475653

312-747-8730

OFFENDER(S): **MCDONALD, Laquan J** -- In Custody --

ALIAS: "Bon-Bon"
Male / Black / 17 Years
DOB: [redacted]
RES: [redacted]
BIRTH PL: Illinois
DESCRIPTION: 6'02,180,Black Hair, Dreadlocks Hair Style, Brown Eyes, Medium Complexion

ITEM USED:
Weapon
DLN/ID: [redacted]
OTHER IDENTIFICATIONS: **Type -** Other Id
State - Unknown

IR #: 2106340
SID #: IL18550721
ORGANIZATION: NEW BREED
RELATIONSHIP OF VICTIM TO OFFENDER:

GAFFNEY, Thomas No Relationship
MCELLIGOTT, Joseph No Relationship
VAN DYKE, Jason No Relationship
WALSH, Joseph No Relationship

GANG INFORMATION:
LISTED CRIMINAL ORGANIZATION: New Breed
GANG IDENTIFIERS: Other

OFFENDER INJURIES: **MCDONALD, Laquan J**

Type	Weapon Used	Weapon Description
Gun Shot Wound	Handgun	Other -Handgun

Injured by Police
Chicago Fire Department Provided First Aid
EXTENT OF INJURY: Multiple Gsw
HOSPITAL REMOVED BY: Cfd Ambulance 21

HOSPITAL: Mt. Sinai
INJURY TREATMENT: Multiple Gsw
PHYSICIAN NAME: Dr Pitzele
INV #: **13296449**

WEAPON(S): **Evidence**

Smith & Wesson -Us- (Bodyguard,Chief Special) , 5942 , 9 , Semi-Automatic Pistol , Semi-Automatic , 4" , Stainless

SERIAL #: [redacted]

MAGAZINE CAPACITY: 15

Number Of Live Rounds present in the Firearm - 15

Number Of Live Rounds used in the Firearm - 16

The Status Of This Firearm is 628361

PROPERTY TYPE: Other

OWNER: Van Dyke, Jason

POSSESSOR/USER: Van Dyke, Jason

PHONE #: 312 - 747 - 8730

LOCATION FOUND: 5101 S Wentworth Ave

VEHICLE INFO:

Truck , 2010 / Chevrolet / Tahoe / Truck

, Victims Vehicle

VIN: 1GNMCAE0XAR263348 **Evidence**

YEAR (RANGE): 2010

COLOR (TOP/BOTTOM): White / White

OWNER: Chicago Police Department

POSSESSOR/USER: Gaffney, Thomas

PHONE#: 312 - 747 - 8730

LOCATION FOUND: 4102 S Pulaski Rd

LICENSE: MP6581, Law Enforcement (City, County, State, Sos), IL

LOCATION OF INCIDENT:

4112 S Pulaski Rd
Chicago IL
304 - Street

DATE & TIME OF INCIDENT: 20-OCT-2014 21:57

WEATHER AND LIGHTING:

WEATHER: Cloudy & Cool

TEMPERATURE: 50s

LIGHTING: Dark / Artificial Light

LIGHTING SOURCE: Streetlights

DISTANCE: Overhead

MOTIVE CODE(S): Interceding In A Felony

CAUSE CODE(S): Dna

METHOD CODE(S): Offender Shot

CAU CODE(S): Police Related Not Con

FIREARM(S) RECOVERED: **INV #: 13296449** **Evidence**

Smith & Wesson -Us- (Bodyguard,Chief Special) , 5942 , 9 , Semi-

Automatic Pistol , Semi-Automatic , 4" , Stainless
SERIAL #: [redacted]
PROPERTY TYPE: Other

OWNER: Van Dyke, Jason
POSSESSOR/USER: Van Dyke, Jason

PHONE #: 312 - 747 - 8730
LOCATION FOUND: 5101 S Wentworth Ave

MAGAZINE CAPACITY: 15
Number Of Live Rounds present in the Firearm - 15
Number Of Live Rounds used in the Firearm - 16

/EHICLE(S) DAMAGED: **Truck , 2010 / Chevrolet / Tahoe / Truck**
VIN: 1GNMCAE0XAR263348 **Evidence**

YEAR - YEAR RANGE END: 2010
COLOR (TOP/BOTTOM): White / White
OWNER: Chicago Police Department
POSSESSOR/USER: Gaffney, Thomas

PHONE#: 312 - 747 - 8730
LOCATION FOUND: 4102 S Pulaski Rd
LICENSE: MP6581, Law Enforcement (City, County, State, Sos), IL

PERSONNEL ASSIGNED:
Detective/Investigator
MARCH, David M # 20563
Reporting Officer
FONTAINE, Dora # 4484 BEAT: 0841R

WITNESS(ES) :
BACERRA, Arturo
Male / White Hispanic / 32 Years
EMPLOYMENT: Chicago Police Officer #15790 Chicago Police Officer
BUS: 3420 W 63rd St
Chicago IL
312-747-8730
[redacted]
Female / White Hispanic / 29 Years
DOB: [redacted]
RES: 5340 Prairie
[redacted]

OTHER COMMUNICATIONS:
Cellular [redacted]
Phone :
[redacted]

Female / White Hispanic / 19 Years

DOB: [redacted]

RES: [redacted]

BUS: [redacted]

DLN/ID: [redacted]

Male / White Hispanic / 18 Years

DOB: [redacted]

RES: [redacted]

OTHER COMMUNICATIONS:

[redacted]
Phone :

DLN/ID: [redacted]

Female / White Hispanic / 24 Years

DOB: [redacted]

RES: [redacted]

EMPLOYMENT: Shift Manager

BUS: [redacted]

OTHER COMMUNICATIONS:

Cellular [redacted]
Phone :

FONTAINE, Dora

Female / White Hispanic / 47 Years

EMPLOYMENT: Chicago Police Officer #4484 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

[redacted]

Male / White Hispanic / 25 Years

DOB: [redacted]

RES: [redacted]

BUS: [redacted]

OTHER COMMUNICATIONS:

Cellular Phone : [redacted]

SSN: [redacted]

[redacted]

Female / White Hispanic / 30 Years

DOB: [redacted]

RES: [redacted]

OTHER COMMUNICATIONS:

Cellular Phone : [redacted]

[redacted]

Male / White Hispanic / 24 Years

DOB: [redacted]

RES: [redacted]

SSN: [redacted]

DLN/ID: [redacted]

MONDRAGON, Janet

Female / White Hispanic / 37 Years

EMPLOYMENT: Chicago Police Officer #4364 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

SEBASTIAN, Daphne L

Female / White / 45 Years

EMPLOYMENT: Chicago Police Officer #2763 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

VELEZ, Leticia

Female / White Hispanic / 43 Years

EMPLOYMENT: Chicago Police Officer #10385 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

VIRAMONTES, Ricardo

Male / White Hispanic / 41 Years

EMPLOYMENT: Chicago Police Officer #10590 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL

312-747-8730

OTHER INDIVIDUALS INVOLVED:

[redacted] (Additional Victim)
Male / White Hispanic / 43 Years
DOB: [redacted]
RES: [redacted]
EMPLOYMENT: Self-Employed Truck Driver
OTHER COMMUNICATIONS:
Cellular Phone : [redacted]
DLN/ID: [redacted] :

[redacted] (Family Member Notified)
Male / Black / 25 Years
DOB: [redacted]
RES: [redacted]
OTHER COMMUNICATIONS:
Other : [redacted]

[redacted] (Person Interviewed Non-Witness)
Female / White Hispanic / 62 Years
DOB: [redacted]
RES: [redacted]
BUS: [redacted]

[redacted] (Person Interviewed Non-Witness)
Female / White Hispanic / 39 Years
DOB: [redacted]
RES: [redacted]
BUS: [redacted]

CRIME CODE SUMMARY: 0552 - Assault - Aggravated Po:Knife/Cut Instr

OTHER ASSOCIATIONS: 0552 - Assault - Aggravated Po:Knife/Cut Instr

GAFFNEY, Thomas, J (Victim)

MCDONALD, Laquan, J	(Offender)
MCELLIGOTT, Joseph, P	(Victim)
MCDONALD, Laquan, J	(Offender)
MCDONALD, Laquan, J	(Offender)
VAN DYKE, Jason, D	(Victim)
MCDONALD, Laquan, J	(Offender)
WALSH, Joseph, J	(Victim)

ICIDENT NOTIFICATIONS:

NOTIFICATION DATE & TIME: 10/20/2014:230700
REQUEST TYPE: Notification
PERSON NAME: ,Sarlo
STAR #: 13131
EMP #:

NOTIFICATION DATE & TIME: 10/20/2014:231400
REQUEST TYPE: Notification
PERSON NAME: ,Jines
STAR #: 4898
EMP #:

NOTIFICATION DATE & TIME: 10/20/2014:215000
REQUEST TYPE: On Scene
PERSON NAME: ,March
STAR #: 20563
EMP #:

NOTIFICATION DATE & TIME: 10/21/2014:225800
REQUEST TYPE: Notification
PERSON NAME: ,Chibe
STAR #: 7303
EMP #:

NOTIFICATION DATE & TIME: 10/20/2014:235000
REQUEST TYPE: Notification
PERSON NAME: ,Briggs
STAR #:
EMP #: 76

REPORT DISTRIBUTIONS: No Distribution

INVESTIGATION:

AREA CENTRAL FIELD INVESTIGATION:

Exceptionally Cleared Closed /
Other Exceptional Clearance - Death of Offender.

The full format for this investigation is contained in the previous Progress - Scene Report.

INVESTIGATION:

The reporting detective was assigned to the immediate follow-up investigation of this police officer involved shooting incident, by Sergeant Daniel GALLAGHER of this command. The reporting detective proceeded to the scene of the incident at 4112 South Pulaski Road. The officer involved in the shooting was located and interviewed at the scene.

VAN DYKE, Jason D -----

stated he was a Chicago Police Officer assigned to the 008th District. He was on duty, in uniform, working on Beat 845R. VAN DYKE was working with Police Officer Joseph WALSH. The two officers were assigned to Chicago Police Department vehicle number 6412, a marked Chevrolet Tahoe, four door sport utility vehicle. WALSH was driving the vehicle and VAN DYKE was the passenger.

The two officers responded to a request for assistance from Beat 815R, regarding a man with a knife, on 40th Street, west of Pulaski Road. A unit equipped with a taser had also been requested. Officer VAN DYKE heard the radio transmission when Officer Thomas GAFFNEY said the man with a knife had "popped" the tire of GAFFNEY's police vehicle. VAN DYKE understood this to mean the subject had slashed the tire with his knife. As Officer WALSH drove westbound on 40th Street from Pulaski, VAN DYKE observed a black male subject, now known as Laquan MCDONALD, running eastbound in the parking lot of the Burger King restaurant on the southwest corner of 40 Street and Pulaski. MCDONALD was holding a knife in his right hand. VAN DYKE saw Police Officer Joseph MCELLIGOTT pursuing MCDONALD on foot. VAN DYKE also saw a civilian who was standing on 40th Street pointing to MCDONALD.

Officer WALSH drove eastbound in the parking lot, in pursuit of MCDONALD, on the north side of the Burger King restaurant building. WALSH used the police vehicle to block MCDONALD from entering the restaurant. MCDONALD ran out onto Pulaski Road and then turned southbound, running toward a Dunkin' Donuts restaurant, on the east side of Pulaski, south of the Burger King. WALSH positioned the police vehicle between MCDONALD and the Dunkin' Donuts to block his path towards that restaurant. When WALSH slowed the police vehicle alongside MCDONALD, Officer VAN DYKE opened the right front door of the vehicle to exit and confront MCDONALD. WALSH told VAN DYKE to stay in the vehicle as they were too close to MCDONALD to safely exit their vehicle. WALSH drove on southbound and stopped the police vehicle ahead of MCDONALD.

Officer VAN DYKE exited the vehicle on the right side and drew his handgun. As VAN DYKE stood in the street on Pulaski, facing northbound, toward MCDONALD, MCDONALD approached southbound. MCDONALD was holding the knife in his right hand, in an underhand grip, with the blade pointed forward. He was swinging the knife in an aggressive, exaggerated manner. VAN DYKE ordered MCDONALD to "Drop the knife!" multiple times. MCDONALD ignored VAN DYKE's verbal direction to drop the knife and continued to advance toward VAN DYKE.

When MCDONALD got to within 10 to 15 feet of Officer VAN DYKE, MCDONALD looked toward

VAN DYKE. MCDONALD raised the knife across his chest and over his shoulder, pointing the knife at VAN DYKE. VAN DYKE believed MCDONALD was attacking VAN DYKE with the knife, and attempting to kill VAN DYKE. In defense of his life, VAN DYKE backpedaled and fired his handgun at MCDONALD, to stop the attack. MCDONALD fell to the ground but continued to move and continued to grasp the knife, refusing to let go of it. VAN DYKE continued to fire his weapon at MCDONALD as MCDONALD was on the ground, as MCDONALD appeared to be attempting to get up, all the while continuing to point the knife at VAN DYKE. The slide on VAN DYKE's pistol locked in the rearward position, indicating the weapon was empty. VAN DYKE performed a tactical reload of his pistol with a new magazine and then assessed the situation.

MCDONALD was no longer moving and the threat had been mitigated, so Officer VAN DYKE and Officer WALSH approached MCDONALD. MCDONALD was still holding the knife in his right hand. VAN DYKE continued to order MCDONALD to "Drop the knife!" Officer WALSH told VAN DYKE, "I have this." VAN DYKE then used his handgun to cover WALSH as WALSH walked up and forcibly kicked the knife out of MCDONALD's right hand, thereby eliminating the threat to the officers.

Officer WALSH then notified the dispatcher on the police radio that shots had been fired by the police. Officer VAN DYKE requested an ambulance for MCDONALD on the radio.

Officer VAN DYKE's weapon was a Smith and Wesson, nine millimeter, semi-automatic pistol, with a 15 round magazine. VAN DYKE said the pistol was fully loaded at the beginning of his tour of duty, with 15 cartridges in the magazine and one cartridge in the firing chamber.

It was noted that the uniform Officer VAN DYKE was wearing consisted of a light blue long sleeve uniform shirt, with shoulder patches; black body armor vest, with patches; navy blue cargo pants; and equipment belt with handgun and radio.

The reporting detective then interviewed Officer VAN DYKE's partner.

WALSH, Joseph J -----

stated he was a Chicago Police Officer assigned to the 008th District. WALSH related the same facts as his partner, Officer Jason VAN DYKE.

WALSH added that as Laquan MCDONALD ran eastbound through the Burger King parking lot, WALSH used the police vehicle he was driving to block MCDONALD from entering the restaurant.

As MCDONALD ran southbound on Pulaski Road, from the Burger King, WALSH pursued MCDONALD in the police vehicle. WALSH drove southbound in the northbound lanes to get ahead of MCDONALD, keeping the police vehicle between MCDONALD and a Dunkin' Donuts restaurant, on the east side of Pulaski. As their vehicle passed MCDONALD, Officer VAN DYKE opened the right front door of their vehicle, to exit the truck and confront MCDONALD. WALSH, realizing that at this point they were too close to the armed MCDONALD to safely exit the vehicle, told VAN DYKE to wait until they got further ahead of MCDONALD. WALSH drove further south on Pulaski. He stopped his vehicle south of MCDONALD and exited the driver's door as VAN DYKE exited the right side of the vehicle. WALSH drew his handgun when he exited the vehicle.

Officer WALSH came around the rear of the police vehicle and joined Officer VAN DYKE on the right side of the vehicle. WALSH also stood in the street on Pulaski, facing northbound, as MCDONALD walked southbound toward the officers. WALSH ordered MCDONALD to "Drop the knife!" multiple times as MCDONALD approached the officers.

Officer WALSH also backed up, attempting to maintain a safe distance between himself and MCDONALD. MCDONALD ignored the verbal direction given by both WALSH and Officer VAN DYKE, and continued to advance toward the officers. When MCDONALD got to within 12 to 15 feet of the officers he swung the knife toward the officers in an aggressive manner. VAN DYKE opened fire with his handgun and MCDONALD fell to the ground. VAN DYKE continued firing his weapon at MCDONALD as MCDONALD continued moving on the ground, attempting to get up, while still armed with the knife.

When the gunfire stopped and MCDONALD was not moving anymore, WALSH approached MCDONALD with VAN DYKE. WALSH continued to order MCDONALD to "Drop the knife!" multiple times, as MCDONALD was still holding the knife in his right hand. WALSH forcibly kicked the knife out of MCDONALD's hand and then notified the dispatcher on the police radio that shots had been fired by the police. An ambulance was also requested for MCDONALD.

As they waited for the ambulance to respond to the scene, Officer WALSH told MCDONALD to "hang in there," and that an ambulance was on the way.

Officer WALSH said he believed MCDONALD was attacking WALSH and Officer VAN DYKE with the knife and attempting to kill them when the shots were fired. WALSH stated he did not fire his handgun because VAN DYKE was in the line of fire between WALSH and MCDONALD. WALSH thought VAN DYKE fired eight or nine shots total.

It was noted that Officer WALSH wore the same uniform configuration as Officer VAN DYKE.

The officers assigned to Beat 815R were interviewed.

GAFFNEY, Thomas J -----

stated he was a Chicago Police Officer assigned to the 008th District. He was on duty, in uniform, working on Beat 815R. GAFFNEY was working with Police Officer Joseph MCELLIGOTT. The two officers were assigned to Chicago Police Department vehicle number 8489, a marked Chevrolet Tahoe, four door sport utility vehicle. GAFFNEY was driving the vehicle and MCELLIGOTT was the passenger.

The officers responded to an assignment of holding an offender for breaking into trucks at 41st Street and Kildare Avenue. Upon arrival at that location they met an Hispanic couple who told the officers a black male subject, wearing a dark shirt, had attempted to break into trucks parked in the parking lot at that location. The couple told the officers the subject had walked off and was last seen walking eastbound on 40th Street from Kildare.

Officer GAFFNEY drove northbound on Kildare to 40th Street. When he turned eastbound onto 40th Street he saw a black male subject wearing dark clothing, walking eastbound on the sidewalk,

on the south side of the street. Officer MCELLIGOTT exited the police vehicle to approach the subject, now known as Laquan MCDONALD. GAFFNEY stayed in the vehicle in case MCDONALD fled. MCELLIGOTT called to MCDONALD and told him to stop but MCDONALD continued walking eastbound, ignoring MCELLIGOTT. MCDONALD's hands were in his pockets as he walked. MCELLIGOTT told MCDONALD to take his hands out of his pockets. MCDONALD took his hands out of his pockets and MCELLIGOTT told GAFFNEY that MCDONALD had a knife. GAFFNEY then saw a silver colored knife in MCDONALD's right hand. GAFFNEY also saw that MCELLIGOTT had his handgun drawn at this point. MCELLIGOTT repeatedly ordered MCDONALD to "Drop the knife," but MCDONALD ignored these directions. As MCDONALD reached Keeler Avenue, GAFFNEY notified the dispatcher on the police radio that they were following a subject with a knife and requested assistance from a unit equipped with a taser.

MCDONALD continued walking eastbound, Officer MCELLIGOTT following on foot and Officer GAFFNEY following in the police vehicle. As MCDONALD approached Karlov Avenue, GAFFNEY turned the Tahoe southbound onto Karlov and stopped, blocking the crosswalk. GAFFNEY said he wanted to stop MCDONALD before he reached Pulaski Road, a business street where more civilians were present. The area where MCDONALD was first observed was industrial in nature with no other civilians present. When GAFFNEY stopped his vehicle in front of MCDONALD, blocking his path, MCDONALD stabbed the right front tire of the Tahoe with his knife, causing the tire to go flat. GAFFNEY immediately informed the radio dispatcher that MCDONALD had "popped" the tire. MCDONALD attempted to walk around the front of the police vehicle and GAFFNEY drove the Tahoe forward a short distance to continue to block MCDONALD's path. MCDONALD then stabbed at the windshield of the Tahoe with the knife, striking the right side of the windshield. MCDONALD then continued walking eastbound from Karlov.

As MCDONALD approached the Burger King restaurant parking lot at 40th Street and Pulaski, assisting police units arrived, approaching westbound on 40th Street from Pulaski. MCDONALD began to run eastbound through the restaurant parking lot, on the north side of the Burger King building. He ran out onto Pulaski and then turned and ran southbound on Pulaski. Beat 845R pursued MCDONALD in their police vehicle, eastbound through the parking lot, over the curb at Pulaski, then southbound on Pulaski. Officer GAFFNEY lost sight of MCDONALD when he turned southbound on Pulaski.

Because of the flat tire on his vehicle, Officer GAFFNEY did not drive over the curb. As he drove around out onto Pulaski, GAFFNEY heard multiple gunshots in rapid succession. He did not see who was shooting. When he reached Pulaski MCDONALD was lying on the ground.

It was noted that Officer GAFFNEY wore the same uniform configuration as Officer VAN DYKE with the addition of the uniform baseball style cap with embroidered patch.

MCELLIGOTT, Joseph P -----

stated he was a Chicago Police Officer assigned to the 008th District. MCELLIGOTT related the same facts as his partner, Officer Thomas GAFFNEY.

Officer MCELLIGOTT added that after he exited the police vehicle, when Laquan MCDONALD took his hands out of his pockets and MCELLIGOTT saw MCDONALD holding a knife in his right

hand, MCELLIGOTT drew his handgun. He repeatedly ordered MCDONALD to "Drop the knife." MCDONALD ignored MCELLIGOTT's directions and continued to walk eastbound on 40th Street. MCELLIGOTT followed MCDONALD on foot, maintaining a safe distance between himself and the armed MCDONALD.

Officer MCELLIGOTT heard Officer GAFFNEY request assistance and a unit with a taser over the police radio. GAFFNEY attempted to use the police vehicle to block MCDONALD from continuing on toward the Burger King restaurant at Pulaski Road. At this point MCDONALD stabbed the right front tire and the windshield of the police vehicle. MCELLIGOTT began to hear the sirens of approaching assisting police units and MCDONALD began to run toward the Burger King restaurant.

When MCDONALD ran eastbound through the parking lot of the Burger King, Officer MCELLIGOTT ran after MCDONALD in pursuit. MCELLIGOTT ran out into the middle of Pulaski Road in pursuit of MCDONALD. MCELLIGOTT heard multiple gunshots but did not see who fired the shots. The gunfire was continuous, one shot after another. MCELLIGOTT then saw MCDONALD lying on the ground. MCELLIGOTT saw Officer Joseph WALSH kick the knife out of MCDONALD's hand.

It was noted that Officer MCELLIGOTT wore the same uniform configuration as Officer VAN DYKE.

Other officers who responded to this incident were also interviewed.

SEBASTIAN, Daphne L —

stated she was a Chicago Police Officer assigned to the 008th District. She was on duty, in uniform, working on Beat 813R. SEBASTIAN was working with Police Officer Janet MONDRAGON. The two officers were assigned to a marked vehicle. MONDRAGON was driving the vehicle and SEBASTIAN was the passenger.

The two officers responded to the request for assistance made by Beat 815R, regarding a subject with a knife. Officer SEBASTIAN thought the original call for assistance was at 40th Street and Keeler Avenue. The subject had punctured a tire on the police vehicle of Beat 815R. Officer MONDRAGON drove northbound on Pulaski Road, following Beat 845R, as they also responded to the request for assistance. MONDRAGON turned westbound onto 40th Street, behind Beat 845R.

Officer SEBASTIAN observed a black male subject, now known as Laquan MCDONALD, running southeast bound through the parking lot of the Burger King restaurant. Beat 845R pursued MCDONALD in their police vehicle, through the parking lot, toward Pulaski. SEBASTIAN told Officer MONDRAGON to drive back out onto Pulaski to assist in the pursuit. MCDONALD ran out onto Pulaski and continued to run southbound down the middle of the street. Beat 845R pursued MCDONALD in their vehicle, southbound on Pulaski, followed by Beat 813R. As MCDONALD ran southbound on Pulaski, SEBASTIAN saw the knife in his right hand. MCDONALD was waving the knife.

Beat 845R stopped their vehicle ahead of MCDONALD, between MCDONALD and the Dunkin'

Donuts restaurant on the east side of Pulaski. Officers Joseph WALSH and Jason VAN DYKE exited their vehicle and drew their handguns. MCDONALD turned toward the two officers and continued to wave the knife. Sebastian heard the officers repeatedly order MCDONALD to "Drop the knife!" MCDONALD ignored the verbal directions and continued to advance on the officers, waving the knife. Officer SEBASTIAN heard multiple gunshots and MCDONALD fell to the ground, where he continued to move. SEBASTIAN did not know who fired the shots, which were fired in one continuous group. She then saw Officer WALSH kick the knife out of MCDONALD's hand.

MONDRAGON, Janet -----

stated she was a Chicago Police Officer assigned to the 008th District. MONDRAGON related the same facts as her partner, Officer Daphne SEBASTIAN.

Officer MONDRAGON added that as she drove westbound on 40th Street, she saw Officer MCELLIGOTT running eastbound through the Burger King parking lot. She made a U-turn and drove back out onto Pulaski Road. MONDRAGON turned southbound onto Pulaski. She saw Laquan MCDONALD running southbound on Pulaski, in the middle of the street. As she got closer she could see MCDONALD was holding a knife in his right hand. He was waving the knife.

Officer MONDRAGON saw Officers Joseph WALSH and Jason VAN DYKE outside of their police vehicle. She heard the officers repeatedly ordering MCDONALD to "Drop the knife!" as MCDONALD got closer and closer to the officers, continuing to wave the knife. As she was placing her vehicle transmission into Park, MONDRAGON looked down and heard multiple, continuous gunshots, without pause. MONDRAGON then saw MCDONALD fall to the ground. MONDRAGON did not know who fired the shots.

BACERRA, Arturo -----

stated he was a Chicago Police Officer assigned to the 008th District. He was on duty, in uniform, working on Beat 822. BACERRA was working with Police Officer Leticia VELEZ. The two officers were assigned to a marked vehicle. BACERRA was driving the vehicle and VELEZ was the passenger.

Officer BACERRA and his partner responded to the request for assistance made by Beat 815R, regarding a subject who was armed with a knife. BACERRA was driving northbound on Pulaski Road from 47th Street. As he approached the scene of this incident, at 4112 South Pulaski, he observed a black male subject, now known as Laquan MCDONALD, in the middle of the street, flailing his arms. As he got closer, BACERRA observed MCDONALD to be holding a knife in his right hand. BACERRA drove past MCDONALD, with MCDONALD on the left side of the police vehicle, as Beat 845R drove past BACERRA, on the right side of his vehicle, travelling southbound. As BACERRA began to make a U-turn, he heard multiple gunshots. He then saw MCDONALD lying on the ground. BACERRA did not see who fired the shots.

VELEZ, Leticia -----

stated she was a Chicago Police Officer assigned to the 008th District. VELEZ related the same facts as her partner, Officer Arturo BACERRA.

Officer VELEZ added that as they approached the scene she observed Laquan MCDONALD standing in the middle of the street, holding a shiny object in his right hand. She saw him waving the object in the air. Officer BACERRA drove past MCDONALD and began to make a U-turn, when VELEZ heard multiple gunshots, without pause or delay. She then saw MCDONALD fall to the ground. VELEZ did not see who fired the shots. She did see an unknown officer kick the knife from MCDONALD's hand after he was down on the ground.

FONTAINE, Dora -----

stated she was a Chicago Police Officer assigned to the 008th District. She was on duty, in uniform, working on Beat 841R. FONTAINE was working with Police Officer Ricardo VIRAMONTES. The two officers were assigned to a marked vehicle. VIRAMONTES was driving the vehicle and FONTAINE was the passenger.

The two officers responded to the request for assistance made by Beat 815R, regarding a man with a knife at 41st Street and Pulaski Road. Officer VIRAMONTES drove northbound on Pulaski. When they arrived at the scene of this incident, in front of the Dunkin' Donuts restaurant, Officer FONTAINE saw a black male subject, now known as Laquan MCDONALD, walking southbound in the street, with a knife in his right hand. MCDONALD was walking sideways, with his body facing east, toward Officers Jason VAN DYKE and Joseph WALSH. These two officers were standing in the middle of the street, on the right side of their police vehicle, which was facing southbound. FONTAINE heard the officers repeatedly order MCDONALD to "Drop the knife!" MCDONALD ignored the verbal direction and instead, raised his right arm toward Officer VAN DYKE, as if attacking VAN DYKE. At this time VAN DYKE fired multiple shots from his handgun, until MCDONALD fell to the ground and stopped moving his right arm and hand, which still grasped the knife. The gunshots were rapid fire, without pause. Officer WALSH then kicked the knife out of MCDONALD's hand.

VIRAMONTES, Ricardo -----

stated he was a Chicago Police Officer assigned to the 008th District. VIRAMONTES related the same facts as his partner, Officer Dora FONTAINE.

Officer VIRAMONTES added that when he exited his police vehicle, at the scene, he observed a black male subject, now known as Laquan MCDONALD, walking southbound on Pulaski Road, in the middle of the street, holding a knife in his right hand. VIRAMONTES heard Officer Jason VAN DYKE repeatedly order MCDONALD to "Drop the knife!" MCDONALD ignored the verbal direction and turned toward VAN DYKE and his partner, Officer Joseph WALSH. At this time VAN DYKE fired multiple shots from his handgun. MCDONALD fell to the ground but continued to move, attempting to get back up, with the knife still in his hand. VAN DYKE fired his weapon at MCDONALD continuously, until MCDONALD was no longer moving.

The scene of this incident, at 4112 South Pulaski Road, was observed to be a wide commercial street with traffic traveling north and south. There were two traffic lanes and a curb lane in each direction. A wide median separated the northbound and southbound traffic lanes. The scene was just south of the intersection of Pulaski and 41st Street. This was a "T" intersection with 41st Street extending east from Pulaski. In the center median was a left turn lane for northbound traffic

turning west onto 40th Street, further to the north. The Pulaski median was level with the traffic lanes and was striped with yellow paint.

On the west side of Pulaski was a large vacant lot. North of the vacant lot, on the southwest corner of 40th Street and Pulaski, was a Burger King restaurant. On the east side of the street was a Dunkin Donuts restaurant.

The weather was cloudy and cool with the temperature in the 50s. It was dark with good artificial light provided by overhead streetlights. All of the lights were on and functioning normally. There was also artificial light provided by the lighting of the nearby businesses.

In the northbound left turn lane, Chicago Police Department vehicle number 6412, assigned to Beat 845R, was sitting, facing southeast. The vehicle was a marked Chevrolet Tahoe, four door sport utility vehicle. The right front door of the vehicle was open.

In the southbound traffic lanes, in the right lane, a metal folding pocket knife was lying on the pavement. The blade was in the open position. The overall length of the knife was seven inches, with a three inch blade. The knife was in line with the front end of the vehicle of Beat 845R. Just north of the knife were two pools of blood on the pavement. Five metal bullet fragments were lying on the pavement near the blood. North of the blood, scattered in a diagonal pattern from southwest to northeast, across both southbound traffic lanes and the northbound left turn lane, were 16, nine millimeter caliber cartridge cases, lying on the pavement.

Chicago Police Department vehicle number 8489, assigned to Beat 815R, was sitting at the west curb at 4102 South Pulaski. The right front tire of the vehicle was flat, with a large puncture to the sidewall of the tire. The right side of the windshield was scratched from being struck by Laquan MCDONALD's knife.

Mobile Crime Lab Beat 5802 responded to the scene. Video and photographs were taken of the scene. The knife and firearms evidence was collected from the street, as were swabs of the blood. The right front wheel and tire of Chicago Police Department vehicle number 8489 was also recovered. The right front quarter panel of vehicle number 8489 was processed for fingerprints and four ridge impressions were recovered.

A canvass was conducted of the area near the scene of this incident in an attempt to identify and locate witnesses. A number of people were interviewed.

[redacted] -----

stated she was [redacted] at the Burger King restaurant. At approximately 21:55 hours [redacted] observed police officers chasing a black male subject, now known as Laquan MCDONALD, through the parking lot, on the north side of the restaurant building. The officers chased MCDONALD southbound down Pulaski Road, toward the Dunkin' Donuts restaurant. [redacted] then heard multiple gunshots and dove to the ground.

[redacted] permitted access to the Burger King video system. No video of this incident was recorded. The system was not recording at that time. The system was activated and video was

recovered from the system from earlier in the day, showing the view of each of the cameras in the system. It was noted that none of these camera views showed the area of the scene where the confrontation between Laquan MCDONALD and Police Officers Jason VAN DYKE and Joseph WALSH occurred, on Pulaski Road, south of the Burger King restaurant. If the system had been recording at the time of this incident, it would not have recorded any footage of that confrontation.

[redacted] -----

stated he was at the Burger King restaurant, waiting for his girlfriend, [redacted], who was working at the drive-thru window. [redacted] observed a "young black dude" with his hair in dreadlocks, now known as Laquan MCDONALD, running through the parking lot of the restaurant. He was being pursued by police officers. MCDONALD was holding his pants like he might have had a gun or something. MCDONALD then ran southbound on the sidewalk and then out into the street on Pulaski Road. [redacted] last saw MCDONALD running towards the middle of the intersection of 41st Street and Pulaski. MCDONALD appeared confused. [redacted] then turned his attention back to his girlfriend at the drive-thru window. He did not witness the shooting.

[redacted] -----

stated she was working at [redacted] of the Burger King restaurant. She observed a male subject, now known as Laquan MCDONALD, running from the restaurant parking lot, southbound on Pulaski Road, toward the Dunkin' Donuts restaurant. [redacted] heard multiple gunshots and then saw that MCDONALD was lying in the street.

[redacted] -----

stated she was [redacted] of the Burger King restaurant. She did not see or hear anything.

[redacted] -----

stated she was [redacted] of the Burger King restaurant. She did not see or hear anything.

Laquan MCDONALD had been transported to Mount Sinai Hospital by Chicago Fire Department Ambulance 21. He sustained multiple gunshot wounds as documented in the format of this investigation. MCDONALD was treated for his injuries in the emergency room. He succumbed to his wounds and was subsequently pronounced dead by Doctor PITZELE, at 22:42 hours.

Registered Nurse [redacted], recovered three metal bullet fragments from MCDONALD and turned these over to Detective William JOHNSON. These were subsequently turned over to Mobile Crime Lab Beat 5802, who also recovered metal fragments from MCDONALD's sweater.

The reporting detective had learned of the death of Laquan MCDONALD while still at the scene of this incident. The Office of the Medical Examiner of Cook County was notified of MCDONALD's death, and Investigator BRIGGS assigned Medical Examiner's case number 2014 - 01071 to this case.

In the Bureau of Detectives - Area Central office, Evidence Technician Beat 5824 recovered Office Jason VAN DYKE's handgun, a Smith and Wesson, Model 5942, nine millimeter caliber, semi-automatic pistol. The weapon was loaded with one cartridge in the firing chamber and 14 cartridges in the magazine, when recovered.

Beat 5824 took photographs of Officers Jason VAN DYKE, Joseph WALSH, Thomas GAFFNEY and Joseph MCELLIGOTT. Elimination prints, including palm prints, were also taken from Officers GAFFNEY and MCELLIGOTT.

Officer Jason VAN DYKE was re-interviewed for additional detail, in the Area Central office.

VAN DYKE, Jason D ----

related the same sequence of events as documented in his original interview at the scene of this incident.

VAN DYKE additionally articulated the reasoning behind his decision to use deadly force against the offender in this incident, Laquan MCDONALD. VAN DYKE was aware of the radio transmissions from Officer Thomas GAFFNEY, on Beat 815R, that MCDONALD was armed with a knife. VAN DYKE was aware that MCDONALD had attacked the officers on Beat 815R by slashing the tire of their police vehicle.

As he confronted MCDONALD at 4112 South Pulaski Road, VAN DYKE saw that MCDONALD was in fact, armed with a knife, a deadly weapon. VAN DYKE was aware of the widely accepted teaching in law enforcement that an assailant armed with a knife was considered a deadly threat, if within 21 feet, because it was possible for such an assailant to close that distance and attack with the knife before a defensive shot could be fired from a handgun. VAN DYKE was also aware of the existence of throwing knives, which can be thrown from a distance, as well as spring loaded knives, which propel a blade through the air from the knife handle. VAN DYKE also said he recalled a previously issued Chicago Police Department bulletin warning of a weapon which appeared to be a knife but which actually was capable of firing a bullet, making it a firearm.

Subsequently, a search was conducted of the Chicago Police Department, Automated Message Center, to find the bulletin Officer Jason VAN DYKE remembered, regarding the weapon that appeared to be a knife, but was actually a firearm. This bulletin was issued on 04 December 2012. It was Officer Safety Alert number 2012-OSA-297. It was a warning regarding a "revolver knife" which was capable of firing .22 caliber cartridges.

Three witnesses had been transported into the Area Central office from the scene and were interviewed.

[redacted]----

stated she was in the Burger King restaurant parking lot. She saw a subject, now known as Laquan MCDONALD, running southbound on Pulaski Road. [redacted] saw many police officers on the street. She was trying to get her cellular telephone to work, to record video. [redacted] heard eight gunshots fired continuously. She did not see who fired the shots. [redacted] then saw

a police officer pointing a handgun at MCDONALD as he was lying on the ground.

With her permission, [redacted]' telephone was examined for any recorded video footage with negative results.

[redacted]-----

stated he was at the Burger King restaurant drive-thru with [redacted]. He saw a black male subject, now known as Laquan MCDONALD, running from the trucks parked at the rear of the restaurant parking lot. MCDONALD ran eastbound in the parking lot, on the north side of the Burger King building. A police officer was chasing MCDONALD on foot, eastbound through the parking lot, then southbound on Pulaski Road. A Chicago Police Department, Chevrolet Tahoe sport utility vehicle pulled up on Pulaski. MCDONALD ran toward the police vehicle. A police officer exited the vehicle and fired multiple shots from a handgun at MCDONALD. [redacted] thought there was video footage of the incident recorded on [redacted] cellular telephone. As documented in the previous interview of [redacted], her telephone was examined with negative results.

[redacted]-----

stated he was sitting in a truck, parked in the Burger King restaurant parking lot, on the south side of the restaurant building. He was completing some logs. [redacted] observed a black male subject, now known as Laquan MCDONALD, running southbound on Pulaski Road. The police were pursuing MCDONALD. [redacted] heard approximately three gunshots. He did not see who fired the shots. [redacted] exited the cab of his truck and climbed up on top of it. He saw a Chicago Police Department, Chevrolet Tahoe sport utility vehicle, and many police officers on Pulaski Road.

[redacted] insisted on leaving the Area Central office after their initial interviews, and they were transported as they requested.

Sergeant Lance BECVAR responded to the scene and subsequently to the Area Central office. He was able to recover video of this incident from the vehicles assigned to Beats 845R and 813R. This video was uploaded into the system. The reporting detective submitted a request for copies of these two videos which were subsequently inventoried. The reporting detective also requested that the videos be permanently retained. No video of this incident was recovered from the vehicles assigned to Beats 815R, 822 and 841R.

The recovered in-car camera video from Beats 845R and 813R was viewed and found to be consistent with the accounts of all of the witnesses. The video from Beat 813R showed that at the time Officer Jason VAN DYKE fired his handgun at Laquan MCDONALD, VAN DYKE was standing near the east edge of the southbound traffic lanes of Pulaski Road, and MCDONALD was near the lane marking separating the two southbound traffic lanes. The two were separated by the width of one traffic lane. The width of this traffic lane was approximately ten feet.

Recordings of the original 9-1-1 call and the radio transmissions over the Chicago Police Department, Zone 6 radio frequency were obtained from the Office of Emergency Management

and Communication. The recordings were reviewed and subsequently inventoried.

In the 9-1-1 call, a caller who identified himself as [redacted] stated that he was holding a guy for stealing radios from trucks in a trucking yard.

The recorded radio transmissions were consistent with the statements of the police officers involved in this incident. It was determined from the radio transmissions, that the entire interaction of the involved police officers, with Laquan MCDONALD, from the time Beat 815R notified the radio dispatcher that they had made contact with him, and that he was armed with a knife, until Beat 845R notified the dispatcher that shots had been fired by the police, lasted more than four minutes.

The criminal history of Laquan MCDONALD was reviewed. [redacted]

Additionally, there were two documented incidents, under Records Division numbers HS640983 and HT106389, on 01 December 2010 and 05 January 2011. In these incidents officials at the [redacted], elementary school, called the police because of the violent behavior of Laquan MCDONALD. The reports indicated that MCDONALD was a special education student at the school and that this had become a pattern of behavior for MCDONALD. The school officials indicated that MCDONALD had behavioral problems and anger issues. In both incidents MCDONALD was transported to [redacted] for evaluation and treatment.

The family of Laquan MCDONALD was located and notified of his death.

[redacted] -----

stated he was an uncle of Laquan MCDONALD. MCDONALD was living with JOHNSON while MCDONALD "worked out his problems." [redacted] said that MCDONALD attended [redacted] school but was currently suspended. MCDONALD suffered from "hypertension" but refused to take any medication. He stopped taking his prescribed medication approximately two years prior because he said it made him "freak out."

[redacted] last saw MCDONALD on Saturday, 18 October 2014, at approximately 13:00 hours, when MCDONALD left the apartment. He had not been back since. MCDONALD had rung the doorbell earlier in the day on 20 October 2014. [redacted] said they "buzzed" MCDONALD into the building but he never came up to the apartment.

[redacted] had no idea why MCDONALD would be in the area of 41st Street and Pulaski Road. JOHNSON said he would attempt to notify MCDONALD's mother, [redacted].

On Tuesday, 21 October 2014, [redacted] of the 9-1-1 caller, [redacted]" was located and interviewed.

[redacted] -----

stated she was with [redacted], parking a truck in the lot at 41st Street and Kildare Avenue. She saw a black male subject, now known as Laquan MCDONALD, attempting to steal property from vehicles parked in the lot. [redacted] confronted MCDONALD and told him to leave the lot. [redacted] said that MCDONALD did not say anything, but instead, he was "growling" and making strange noises. [redacted] again told MCDONALD to leave the lot and MCDONALD pulled out a knife. MCDONALD swung the knife at [redacted] attempting to cut him. [redacted] had already called 9-1-1 so he backed up and threw his cellular telephone at MCDONALD. MCDONALD then ran from the lot. He ran northbound on Kildare, then eastbound on 40th Street.

[redacted] described MCDONALD as a black male, with his hair in braids. He was wearing a black hood and blue jeans. [redacted] viewed a photograph of Laquan MCDONALD and identified him as the subject in the lot, who had been attempting to steal property from vehicles parked in the lot, and who subsequently threatened [redacted] with a knife, when [redacted] confronted MCDONALD.

On Wednesday, 22 October 2014, the 9-1-1 caller was interviewed.

[redacted] -----

related the same facts as [redacted]. [redacted] re-iterated that Laquan MCDONALD swung his knife at [redacted], attempting to cut him. [redacted] stated he was the person who called 9-1-1 regarding this incident.

A canvass was conducted of the area near the scene of this incident for any recorded video.

There were no Police Observation Devices, or other City of Chicago video cameras in the area.

Recorded video was recovered from three cameras on the exterior of the building housing the Greater Chicago Food Depository, at 4100 West Ann Lurie Place. Two of these videos showed two different views of Laquan MCDONALD walking eastbound on the sidewalk, on the south side of 40th Street, between Keeler and Karlov Avenues. Officer Joseph MCELLIGOTT was following MCDONALD on foot, maintaining a safe distance between himself and MCDONALD, while Officer Thomas GAFFNEY was following MCDONALD in a police vehicle. The third video did not capture any part of this incident.

Recorded video was recovered from two cameras at the Dunkin' Donuts restaurant, at 4113 South Pulaski Road. One of these videos showed the end of this incident, when Officers Jason VAN DYKE and Joseph WALSH stopped their vehicle, exited the vehicle and confronted Laquan MCDONALD. The view in this video is from a distance. The video from the second camera did not capture any part of this incident.

Recorded video was recovered from two cameras from Focal Point, 4141 South Pulaski Road. These videos did not capture any part of this incident.

All of the recovered video was inventoried.

A Major Case Review of this case was conducted at the Illinois State Police Crime Laboratory, on Thursday, 30 October 2014. An Evidence Submission Form was completed per this review.

The assigned personnel became aware of a potential question regarding the integrity of the video recovered from the Burger King restaurant. In an attempt to follow-up on this issue the assigned personnel proceeded to the restaurant on Wednesday, 11 March 2015. Manager, [redacted] was contacted at the restaurant. She stated that the video system at the restaurant had recently been repaired and a new digital video recorder had been installed. [redacted] said that as of this date, 11 of the 16 video ports in the system actually recorded video. This was consistent with the video recovered on the date of this incident. Video was recorded and recovered on 11 of the 16 video ports in the system on that date.

Any additional inquiries regarding the video system at the restaurant were referred to the district manager responsible for that restaurant, [redacted]. He was contacted and related that the day after this incident occurred, personnel from the Independent Police Review Authority, of the City of Chicago, came to the restaurant. They viewed video from the system and took custody of the digital video recorder. The recorder was returned to the restaurant two weeks later. Personnel from the Federal Bureau of Investigation then came to the restaurant and made copies of video from the system. After that some lawyers came to the restaurant with subpoenas to make copies of video from the system. Finally, [redacted] stated that personnel from the Federal Bureau of Investigation had come to the restaurant again, approximately three weeks prior to this interview, and took the digital video recorder. [redacted] did not have any further information regarding the video system.

The assigned personnel also became aware of an article written by [redacted], a professor at the University of Chicago Law School, citing the existence of an unknown witness to this incident. [redacted] was contacted on Thursday, 12 March 2015, in an attempt to interview this witness. [redacted] stated that this witness had already been interviewed by the Independent Police Review Authority and [redacted] did not know if the witness would be willing to be interviewed by the Chicago Police Department. [redacted] said he would contact the witness and provide him with contact information for the assigned personnel.

Based upon all the facts known at this time, and the death of the only offender in this incident, this case is now Exceptionally Cleared Closed / Other Exceptional Clearance - Death of Offender.

The above to-date investigation determined that Laquan MCDONALD was an active assailant who, while armed with a dangerous weapon, used force likely to cause death or serious injury to a private citizen when he attacked [redacted]; threatened the imminent use of force likely to cause death or serious injury when he incised the tire and stabbed the windshield of a Chicago Police Department vehicle occupied by Officer Thomas GAFFNEY; and initiated imminent use of force likely to cause death or serious injury when he initiated an attack on Officers Jason VAN DYKE and Joseph WALSH. The above investigation concluded that Officer Jason VAN DYKE's use of deadly force, the discharging of his duty firearm, was within the bounds of the Chicago Police Department's use of force guidelines, and in conformity with local ordinances and state law.

Based on the above facts, the associated report, under Records Division number HX486155, is now Closed / Non-Criminal.

REPORT OF:

Detective David M MARCH #20563
Sergeant Daniel GALLAGHER #1303
Lieutenant Anthony WOJCIK #481
Bureau of Detectives - Area Central

One (1) "911" call. Total length of call was 1:20

Disp: Chicago emergency,

Caller: I have a truck right year at 41st and Kildare. I have a parking lot for trucks. I have a guy right hear that stolen the radios

Disp: Are you holding this person?

Caller: Yeah. Just hear.

Disp: OK what is your name please?

Caller: My name is [redacted]

Disp: And which side of Kildare are you?

Caller: Ahhhhhhhhhh

Disp: What is the address of the yard

Caller: Right hear by the yards. 41 and Kildare

Disp: Well I'm looking at a map I see two trucking yards. One on each side of the street

Caller: Yeah, the one that is on the side of the street right. Next to ummm United Rental

OK. OK we will send the police. We will send the police.

OK. Thank you.

……call ended……

HICAGO POLICE DEPARTMENT

ASE SUPPLEMENTARY REPORT

10 S. Michigan Avenue, Chicago, Illinois 60653
use by Chicago Police - Bureau of Investigative Services Personnel Only)

HX475653

Case id : 9825613
Sup ID : 10992767 CASR301

XC. CLEARED CLOSED (OTHER EXCEPTIONAL) | **DETECTIVE SUP. APPROVAL COMPLETE**

Offense Classification/Re-Classification	IUCR Code	Original Offense Classification			IUCR Code
AULT / Aggravated Po:Knife/Cut Instr	**0552**	ASSAULT / Aggravated Po:Knife/Cut Instr			0552
ddress of Occurrence	Beat of Occur	No of Victims	No of Offenders	No of Arrested	SCR No
112 S PULASKI RD	**815**	4	1	1	
ocation Type	Location Code	Secondary Location			Hate Crime?
Street	**304**				NO
ate of Occurrence	Unit Assigned	Date RO Arrived	Fire Related?	Gang Related?	Domestic Related?
20-OCT-2014 21:57	**0841R**	20-OCT-2014 21:57	NO	NO	NO

Reporting Officer	Star No	Approving Supervisor	Star No	Primary Detective Assigned	Star No
MARCH, David	20563	WOJCIK, Anthony	481	MARCH, David	20563
Date Submitted		Date Approved		Assignment Type	
15-MAR-2015 18:26		16-MAR-2015 00:03		FIELD	

THIS IS A FIELD INVESTIGATION EXC. CLEARED CLOSED (OTHER EXCEPTIONAL) REPORT

VICTIM(S) :

GAFFNEY, Thomas J
Male / White / 41 Years
EMPLOYMENT: Chicago Police Officer #19958 Chicago Police Officer
EMPLOYER BUSINESS NME: Chicago Police Department
BUS: 3420 W 63rd St
Chicago IL
312-747-8730

MCELLIGOTT, Joseph P
Male / White / 36 Years
EMPLOYMENT: Chicago Police Officer #18715 Chicago Police Officer
EMPLOYER BUSINESS NME: Chicago Police Department
BUS: 3420 W 63rd St
Chicago IL
312-747-8730

VAN DYKE, Jason D
Male / White / 36 Years
EMPLOYMENT: Chicago Police Officer #9465 Chicago Police Officer
EMPLOYER BUSINESS NME: Chicago Police Department
BUS: 3420 W 63rd St
Chicago IL
312-747-8730

WALSH, Joseph J
Male / White / 45 Years
EMPLOYMENT: Chicago Police Officer #12865 Chicago Police Officer
EMPLOYER BUSINESS NME: Chicago Police Department
BUS: 3420 W 63rd St
Chicago IL

HX475653

312-747-8730

OFFENDER(S): **MCDONALD, Laquan J** -- In Custody --

ALIAS: "Bon-Bon"
Male / Black / 17 Years
DOB: [redacted]
RES: [redacted]
BIRTH PL: Illinois
DESCRIPTION: 6'02,180,Black Hair, Dreadlocks Hair Style, Brown Eyes, Medium Complexion

ITEM USED:
Weapon
DLN/ID: [redacted]
OTHER IDENTIFICATIONS: **Type -** Other Id
State - Unknown

IR #: 2106340
SID #: IL18550721
ORGANIZATION: NEW BREED
RELATIONSHIP OF VICTIM TO OFFENDER:

GAFFNEY, Thomas No Relationship
MCELLIGOTT, Joseph No Relationship
VAN DYKE, Jason No Relationship
WALSH, Joseph No Relationship

GANG INFORMATION:
LISTED CRIMINAL ORGANIZATION: New Breed
GANG IDENTIFIERS: Other

OFFENDER INJURIES: **MCDONALD, Laquan J**

Type	Weapon Used	Weapon Description
Gun Shot Wound	Handgun	Other -Handgun

Injured by Police
Chicago Fire Department Provided First Aid
EXTENT OF INJURY: Multiple Gsw
HOSPITAL REMOVED BY: Cfd Ambulance 21

HOSPITAL: Mt. Sinai
INJURY TREATMENT: Multiple Gsw
PHYSICIAN NAME: Dr Pitzele
INV #: **13296449**

WEAPON(S): **Evidence**

Smith & Wesson -Us- (Bodyguard,Chief Special) , 5942 , 9 , Semi-Automatic Pistol , Semi-Automatic , 4" , Stainless

SERIAL #: [redacted]

MAGAZINE CAPACITY: 15

Number Of Live Rounds present in the Firearm - 15

Number Of Live Rounds used in the Firearm - 16

The Status Of This Firearm is 628361

PROPERTY TYPE: Other

OWNER: Van Dyke, Jason

POSSESSOR/USER: Van Dyke, Jason

PHONE #: 312 - 747 - 8730

LOCATION FOUND: 5101 S Wentworth Ave

VEHICLE INFO:

Truck , 2010 / Chevrolet / Tahoe / Truck

, Victims Vehicle

VIN: 1GNMCAE0XAR263348 **Evidence**

YEAR (RANGE): 2010

COLOR (TOP/BOTTOM): White / White

OWNER: Chicago Police Department

POSSESSOR/USER: Gaffney, Thomas

PHONE#: 312 - 747 - 8730

LOCATION FOUND: 4102 S Pulaski Rd

LICENSE: MP6581, Law Enforcement (City, County, State, Sos), IL

LOCATION OF INCIDENT:

4112 S Pulaski Rd
Chicago IL
304 - Street

DATE & TIME OF INCIDENT: 20-OCT-2014 21:57

WEATHER AND LIGHTING:

WEATHER: Cloudy & Cool

TEMPERATURE: 50s

LIGHTING: Dark / Artificial Light

LIGHTING SOURCE: Streetlights

DISTANCE: Overhead

MOTIVE CODE(S): Interceding In A Felony

CAUSE CODE(S): Dna

METHOD CODE(S): Offender Shot

CAU CODE(S): Police Related Not Con

FIREARM(S) RECOVERED: **INV #: 13296449** **Evidence**

Smith & Wesson -Us- (Bodyguard,Chief Special) , 5942 , 9 , Semi-

Automatic Pistol , Semi-Automatic , 4" , Stainless
SERIAL #: [redacted]
PROPERTY TYPE: Other

OWNER: Van Dyke, Jason
POSSESSOR/USER: Van Dyke, Jason

PHONE #: 312 - 747 - 8730
LOCATION FOUND: 5101 S Wentworth Ave

MAGAZINE CAPACITY: 15
Number Of Live Rounds present in the Firearm - 15
Number Of Live Rounds used in the Firearm - 16

/EHICLE(S) DAMAGED: **Truck , 2010 / Chevrolet / Tahoe / Truck**
VIN: 1GNMCAE0XAR263348 **Evidence**

YEAR - YEAR RANGE END: 2010
COLOR (TOP/BOTTOM): White / White
OWNER: Chicago Police Department
POSSESSOR/USER: Gaffney, Thomas

PHONE#: 312 - 747 - 8730
LOCATION FOUND: 4102 S Pulaski Rd
LICENSE: MP6581, Law Enforcement (City, County, State, Sos), IL

PERSONNEL ASSIGNED:
Detective/Investigator
MARCH, David M # 20563
Reporting Officer
FONTAINE, Dora # 4484 BEAT: 0841R

WITNESS(ES) :
BACERRA, Arturo
Male / White Hispanic / 32 Years
EMPLOYMENT: Chicago Police Officer #15790 Chicago Police Officer
BUS: 3420 W 63rd St
Chicago IL
312-747-8730
[redacted]
Female / White Hispanic / 29 Years
DOB: [redacted]
RES: 5340 Prairie
[redacted]

OTHER COMMUNICATIONS:
Cellular [redacted]
Phone :
[redacted]

Female / White Hispanic / 19 Years

DOB: [redacted]

RES: [redacted]

BUS: [redacted]

DLN/ID: [redacted]

Male / White Hispanic / 18 Years

DOB: [redacted]

RES: [redacted]

OTHER COMMUNICATIONS:

[redacted]
Phone :

DLN/ID: [redacted]

Female / White Hispanic / 24 Years

DOB: [redacted]

RES: [redacted]

EMPLOYMENT: Shift Manager

BUS: [redacted]

OTHER COMMUNICATIONS:

Cellular [redacted]
Phone :

FONTAINE, Dora

Female / White Hispanic / 47 Years

EMPLOYMENT: Chicago Police Officer #4484 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

[redacted]

Male / White Hispanic / 25 Years

DOB: [redacted]

RES: [redacted]

BUS: [redacted]

OTHER COMMUNICATIONS:

Cellular Phone : [redacted]

SSN: [redacted]

[redacted]

Female / White Hispanic / 30 Years

DOB: [redacted]

RES: [redacted]

OTHER COMMUNICATIONS:

Cellular Phone : [redacted]

[redacted]

Male / White Hispanic / 24 Years

DOB: [redacted]

RES: [redacted]

SSN: [redacted]

DLN/ID: [redacted]

MONDRAGON, Janet

Female / White Hispanic / 37 Years

EMPLOYMENT: Chicago Police Officer #4364 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

SEBASTIAN, Daphne L

Female / White / 45 Years

EMPLOYMENT: Chicago Police Officer #2763 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

VELEZ, Leticia

Female / White Hispanic / 43 Years

EMPLOYMENT: Chicago Police Officer #10385 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

VIRAMONTES, Ricardo

Male / White Hispanic / 41 Years

EMPLOYMENT: Chicago Police Officer #10590 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL

312-747-8730

OTHER INDIVIDUALS INVOLVED:

[redacted] (Additional Victim)
Male / White Hispanic / 43 Years
DOB: [redacted]
RES: [redacted]
EMPLOYMENT: Self-Employed Truck Driver
OTHER COMMUNICATIONS:
Cellular Phone : [redacted]
DLN/ID: [redacted] :

[redacted] (Family Member Notified)
Male / Black / 25 Years
DOB: [redacted]
RES: [redacted]
OTHER COMMUNICATIONS:
Other : [redacted]

[redacted] (Person Interviewed Non-Witness)
Female / White Hispanic / 62 Years
DOB: [redacted]
RES: [redacted]
BUS: [redacted]

[redacted] (Person Interviewed Non-Witness)
Female / White Hispanic / 39 Years
DOB: [redacted]
RES: [redacted]
BUS: [redacted]

CRIME CODE SUMMARY: 0552 - Assault - Aggravated Po:Knife/Cut Instr

OTHER ASSOCIATIONS: 0552 - Assault - Aggravated Po:Knife/Cut Instr

GAFFNEY, Thomas, J (Victim)

MCDONALD, Laquan, J	(Offender)
MCELLIGOTT, Joseph, P	(Victim)
MCDONALD, Laquan, J	(Offender)
MCDONALD, Laquan, J	(Offender)
VAN DYKE, Jason, D	(Victim)
MCDONALD, Laquan, J	(Offender)
WALSH, Joseph, J	(Victim)

ICIDENT NOTIFICATIONS:

NOTIFICATION DATE & TIME: 10/20/2014:230700
REQUEST TYPE: Notification
PERSON NAME: ,Sarlo
STAR #: 13131
EMP #:

NOTIFICATION DATE & TIME: 10/20/2014:231400
REQUEST TYPE: Notification
PERSON NAME: ,Jines
STAR #: 4898
EMP #:

NOTIFICATION DATE & TIME: 10/20/2014:215000
REQUEST TYPE: On Scene
PERSON NAME: ,March
STAR #: 20563
EMP #:

NOTIFICATION DATE & TIME: 10/21/2014:225800
REQUEST TYPE: Notification
PERSON NAME: ,Chibe
STAR #: 7303
EMP #:

NOTIFICATION DATE & TIME: 10/20/2014:235000
REQUEST TYPE: Notification
PERSON NAME: ,Briggs
STAR #:
EMP #: 76

REPORT DISTRIBUTIONS: No Distribution

INVESTIGATION:

AREA CENTRAL FIELD INVESTIGATION:

Exceptionally Cleared Closed /
Other Exceptional Clearance - Death of Offender.

The full format for this investigation is contained in the previous Progress - Scene Report.

INVESTIGATION:

The reporting detective was assigned to the immediate follow-up investigation of this police officer involved shooting incident, by Sergeant Daniel GALLAGHER of this command. The reporting detective proceeded to the scene of the incident at 4112 South Pulaski Road. The officer involved in the shooting was located and interviewed at the scene.

VAN DYKE, Jason D -----

stated he was a Chicago Police Officer assigned to the 008th District. He was on duty, in uniform, working on Beat 845R. VAN DYKE was working with Police Officer Joseph WALSH. The two officers were assigned to Chicago Police Department vehicle number 6412, a marked Chevrolet Tahoe, four door sport utility vehicle. WALSH was driving the vehicle and VAN DYKE was the passenger.

The two officers responded to a request for assistance from Beat 815R, regarding a man with a knife, on 40th Street, west of Pulaski Road. A unit equipped with a taser had also been requested. Officer VAN DYKE heard the radio transmission when Officer Thomas GAFFNEY said the man with a knife had "popped" the tire of GAFFNEY's police vehicle. VAN DYKE understood this to mean the subject had slashed the tire with his knife. As Officer WALSH drove westbound on 40th Street from Pulaski, VAN DYKE observed a black male subject, now known as Laquan MCDONALD, running eastbound in the parking lot of the Burger King restaurant on the southwest corner of 40 Street and Pulaski. MCDONALD was holding a knife in his right hand. VAN DYKE saw Police Officer Joseph MCELLIGOTT pursuing MCDONALD on foot. VAN DYKE also saw a civilian who was standing on 40th Street pointing to MCDONALD.

Officer WALSH drove eastbound in the parking lot, in pursuit of MCDONALD, on the north side of the Burger King restaurant building. WALSH used the police vehicle to block MCDONALD from entering the restaurant. MCDONALD ran out onto Pulaski Road and then turned southbound, running toward a Dunkin' Donuts restaurant, on the east side of Pulaski, south of the Burger King. WALSH positioned the police vehicle between MCDONALD and the Dunkin' Donuts to block his path towards that restaurant. When WALSH slowed the police vehicle alongside MCDONALD, Officer VAN DYKE opened the right front door of the vehicle to exit and confront MCDONALD. WALSH told VAN DYKE to stay in the vehicle as they were too close to MCDONALD to safely exit their vehicle. WALSH drove on southbound and stopped the police vehicle ahead of MCDONALD.

Officer VAN DYKE exited the vehicle on the right side and drew his handgun. As VAN DYKE stood in the street on Pulaski, facing northbound, toward MCDONALD, MCDONALD approached southbound. MCDONALD was holding the knife in his right hand, in an underhand grip, with the blade pointed forward. He was swinging the knife in an aggressive, exaggerated manner. VAN DYKE ordered MCDONALD to "Drop the knife!" multiple times. MCDONALD ignored VAN DYKE's verbal direction to drop the knife and continued to advance toward VAN DYKE.

When MCDONALD got to within 10 to 15 feet of Officer VAN DYKE, MCDONALD looked toward

VAN DYKE. MCDONALD raised the knife across his chest and over his shoulder, pointing the knife at VAN DYKE. VAN DYKE believed MCDONALD was attacking VAN DYKE with the knife, and attempting to kill VAN DYKE. In defense of his life, VAN DYKE backpedaled and fired his handgun at MCDONALD, to stop the attack. MCDONALD fell to the ground but continued to move and continued to grasp the knife, refusing to let go of it. VAN DYKE continued to fire his weapon at MCDONALD as MCDONALD was on the ground, as MCDONALD appeared to be attempting to get up, all the while continuing to point the knife at VAN DYKE. The slide on VAN DYKE's pistol locked in the rearward position, indicating the weapon was empty. VAN DYKE performed a tactical reload of his pistol with a new magazine and then assessed the situation.

MCDONALD was no longer moving and the threat had been mitigated, so Officer VAN DYKE and Officer WALSH approached MCDONALD. MCDONALD was still holding the knife in his right hand. VAN DYKE continued to order MCDONALD to "Drop the knife!" Officer WALSH told VAN DYKE, "I have this." VAN DYKE then used his handgun to cover WALSH as WALSH walked up and forcibly kicked the knife out of MCDONALD's right hand, thereby eliminating the threat to the officers.

Officer WALSH then notified the dispatcher on the police radio that shots had been fired by the police. Officer VAN DYKE requested an ambulance for MCDONALD on the radio.

Officer VAN DYKE's weapon was a Smith and Wesson, nine millimeter, semi-automatic pistol, with a 15 round magazine. VAN DYKE said the pistol was fully loaded at the beginning of his tour of duty, with 15 cartridges in the magazine and one cartridge in the firing chamber.

It was noted that the uniform Officer VAN DYKE was wearing consisted of a light blue long sleeve uniform shirt, with shoulder patches; black body armor vest, with patches; navy blue cargo pants; and equipment belt with handgun and radio.

The reporting detective then interviewed Officer VAN DYKE's partner.

WALSH, Joseph J -----

stated he was a Chicago Police Officer assigned to the 008th District. WALSH related the same facts as his partner, Officer Jason VAN DYKE.

WALSH added that as Laquan MCDONALD ran eastbound through the Burger King parking lot, WALSH used the police vehicle he was driving to block MCDONALD from entering the restaurant.

As MCDONALD ran southbound on Pulaski Road, from the Burger King, WALSH pursued MCDONALD in the police vehicle. WALSH drove southbound in the northbound lanes to get ahead of MCDONALD, keeping the police vehicle between MCDONALD and a Dunkin' Donuts restaurant, on the east side of Pulaski. As their vehicle passed MCDONALD, Officer VAN DYKE opened the right front door of their vehicle, to exit the truck and confront MCDONALD. WALSH, realizing that at this point they were too close to the armed MCDONALD to safely exit the vehicle, told VAN DYKE to wait until they got further ahead of MCDONALD. WALSH drove further south on Pulaski. He stopped his vehicle south of MCDONALD and exited the driver's door as VAN DYKE exited the right side of the vehicle. WALSH drew his handgun when he exited the vehicle.

Officer WALSH came around the rear of the police vehicle and joined Officer VAN DYKE on the right side of the vehicle. WALSH also stood in the street on Pulaski, facing northbound, as MCDONALD walked southbound toward the officers. WALSH ordered MCDONALD to "Drop the knife!" multiple times as MCDONALD approached the officers.

Officer WALSH also backed up, attempting to maintain a safe distance between himself and MCDONALD. MCDONALD ignored the verbal direction given by both WALSH and Officer VAN DYKE, and continued to advance toward the officers. When MCDONALD got to within 12 to 15 feet of the officers he swung the knife toward the officers in an aggressive manner. VAN DYKE opened fire with his handgun and MCDONALD fell to the ground. VAN DYKE continued firing his weapon at MCDONALD as MCDONALD continued moving on the ground, attempting to get up, while still armed with the knife.

When the gunfire stopped and MCDONALD was not moving anymore, WALSH approached MCDONALD with VAN DYKE. WALSH continued to order MCDONALD to "Drop the knife!" multiple times, as MCDONALD was still holding the knife in his right hand. WALSH forcibly kicked the knife out of MCDONALD's hand and then notified the dispatcher on the police radio that shots had been fired by the police. An ambulance was also requested for MCDONALD.

As they waited for the ambulance to respond to the scene, Officer WALSH told MCDONALD to "hang in there," and that an ambulance was on the way.

Officer WALSH said he believed MCDONALD was attacking WALSH and Officer VAN DYKE with the knife and attempting to kill them when the shots were fired. WALSH stated he did not fire his handgun because VAN DYKE was in the line of fire between WALSH and MCDONALD. WALSH thought VAN DYKE fired eight or nine shots total.

It was noted that Officer WALSH wore the same uniform configuration as Officer VAN DYKE.

The officers assigned to Beat 815R were interviewed.

GAFFNEY, Thomas J -----

stated he was a Chicago Police Officer assigned to the 008th District. He was on duty, in uniform, working on Beat 815R. GAFFNEY was working with Police Officer Joseph MCELLIGOTT. The two officers were assigned to Chicago Police Department vehicle number 8489, a marked Chevrolet Tahoe, four door sport utility vehicle. GAFFNEY was driving the vehicle and MCELLIGOTT was the passenger.

The officers responded to an assignment of holding an offender for breaking into trucks at 41st Street and Kildare Avenue. Upon arrival at that location they met an Hispanic couple who told the officers a black male subject, wearing a dark shirt, had attempted to break into trucks parked in the parking lot at that location. The couple told the officers the subject had walked off and was last seen walking eastbound on 40th Street from Kildare.

Officer GAFFNEY drove northbound on Kildare to 40th Street. When he turned eastbound onto 40th Street he saw a black male subject wearing dark clothing, walking eastbound on the sidewalk,

on the south side of the street. Officer MCELLIGOTT exited the police vehicle to approach the subject, now known as Laquan MCDONALD. GAFFNEY stayed in the vehicle in case MCDONALD fled. MCELLIGOTT called to MCDONALD and told him to stop but MCDONALD continued walking eastbound, ignoring MCELLIGOTT. MCDONALD's hands were in his pockets as he walked. MCELLIGOTT told MCDONALD to take his hands out of his pockets. MCDONALD took his hands out of his pockets and MCELLIGOTT told GAFFNEY that MCDONALD had a knife. GAFFNEY then saw a silver colored knife in MCDONALD's right hand. GAFFNEY also saw that MCELLIGOTT had his handgun drawn at this point. MCELLIGOTT repeatedly ordered MCDONALD to "Drop the knife," but MCDONALD ignored these directions. As MCDONALD reached Keeler Avenue, GAFFNEY notified the dispatcher on the police radio that they were following a subject with a knife and requested assistance from a unit equipped with a taser.

MCDONALD continued walking eastbound, Officer MCELLIGOTT following on foot and Officer GAFFNEY following in the police vehicle. As MCDONALD approached Karlov Avenue, GAFFNEY turned the Tahoe southbound onto Karlov and stopped, blocking the crosswalk. GAFFNEY said he wanted to stop MCDONALD before he reached Pulaski Road, a business street where more civilians were present. The area where MCDONALD was first observed was industrial in nature with no other civilians present. When GAFFNEY stopped his vehicle in front of MCDONALD, blocking his path, MCDONALD stabbed the right front tire of the Tahoe with his knife, causing the tire to go flat. GAFFNEY immediately informed the radio dispatcher that MCDONALD had "popped" the tire. MCDONALD attempted to walk around the front of the police vehicle and GAFFNEY drove the Tahoe forward a short distance to continue to block MCDONALD's path. MCDONALD then stabbed at the windshield of the Tahoe with the knife, striking the right side of the windshield. MCDONALD then continued walking eastbound from Karlov.

As MCDONALD approached the Burger King restaurant parking lot at 40th Street and Pulaski, assisting police units arrived, approaching westbound on 40th Street from Pulaski. MCDONALD began to run eastbound through the restaurant parking lot, on the north side of the Burger King building. He ran out onto Pulaski and then turned and ran southbound on Pulaski. Beat 845R pursued MCDONALD in their police vehicle, eastbound through the parking lot, over the curb at Pulaski, then southbound on Pulaski. Officer GAFFNEY lost sight of MCDONALD when he turned southbound on Pulaski.

Because of the flat tire on his vehicle, Officer GAFFNEY did not drive over the curb. As he drove around out onto Pulaski, GAFFNEY heard multiple gunshots in rapid succession. He did not see who was shooting. When he reached Pulaski MCDONALD was lying on the ground.

It was noted that Officer GAFFNEY wore the same uniform configuration as Officer VAN DYKE with the addition of the uniform baseball style cap with embroidered patch.

MCELLIGOTT, Joseph P -----

stated he was a Chicago Police Officer assigned to the 008th District. MCELLIGOTT related the same facts as his partner, Officer Thomas GAFFNEY.

Officer MCELLIGOTT added that after he exited the police vehicle, when Laquan MCDONALD took his hands out of his pockets and MCELLIGOTT saw MCDONALD holding a knife in his right

hand, MCELLIGOTT drew his handgun. He repeatedly ordered MCDONALD to "Drop the knife." MCDONALD ignored MCELLIGOTT's directions and continued to walk eastbound on 40th Street. MCELLIGOTT followed MCDONALD on foot, maintaining a safe distance between himself and the armed MCDONALD.

Officer MCELLIGOTT heard Officer GAFFNEY request assistance and a unit with a taser over the police radio. GAFFNEY attempted to use the police vehicle to block MCDONALD from continuing on toward the Burger King restaurant at Pulaski Road. At this point MCDONALD stabbed the right front tire and the windshield of the police vehicle. MCELLIGOTT began to hear the sirens of approaching assisting police units and MCDONALD began to run toward the Burger King restaurant.

When MCDONALD ran eastbound through the parking lot of the Burger King, Officer MCELLIGOTT ran after MCDONALD in pursuit. MCELLIGOTT ran out into the middle of Pulaski Road in pursuit of MCDONALD. MCELLIGOTT heard multiple gunshots but did not see who fired the shots. The gunfire was continuous, one shot after another. MCELLIGOTT then saw MCDONALD lying on the ground. MCELLIGOTT saw Officer Joseph WALSH kick the knife out of MCDONALD's hand.

It was noted that Officer MCELLIGOTT wore the same uniform configuration as Officer VAN DYKE.

Other officers who responded to this incident were also interviewed.

SEBASTIAN, Daphne L —

stated she was a Chicago Police Officer assigned to the 008th District. She was on duty, in uniform, working on Beat 813R. SEBASTIAN was working with Police Officer Janet MONDRAGON. The two officers were assigned to a marked vehicle. MONDRAGON was driving the vehicle and SEBASTIAN was the passenger.

The two officers responded to the request for assistance made by Beat 815R, regarding a subject with a knife. Officer SEBASTIAN thought the original call for assistance was at 40th Street and Keeler Avenue. The subject had punctured a tire on the police vehicle of Beat 815R. Officer MONDRAGON drove northbound on Pulaski Road, following Beat 845R, as they also responded to the request for assistance. MONDRAGON turned westbound onto 40th Street, behind Beat 845R.

Officer SEBASTIAN observed a black male subject, now known as Laquan MCDONALD, running southeast bound through the parking lot of the Burger King restaurant. Beat 845R pursued MCDONALD in their police vehicle, through the parking lot, toward Pulaski. SEBASTIAN told Officer MONDRAGON to drive back out onto Pulaski to assist in the pursuit. MCDONALD ran out onto Pulaski and continued to run southbound down the middle of the street. Beat 845R pursued MCDONALD in their vehicle, southbound on Pulaski, followed by Beat 813R. As MCDONALD ran southbound on Pulaski, SEBASTIAN saw the knife in his right hand. MCDONALD was waving the knife.

Beat 845R stopped their vehicle ahead of MCDONALD, between MCDONALD and the Dunkin'

Donuts restaurant on the east side of Pulaski. Officers Joseph WALSH and Jason VAN DYKE exited their vehicle and drew their handguns. MCDONALD turned toward the two officers and continued to wave the knife. Sebastian heard the officers repeatedly order MCDONALD to "Drop the knife!" MCDONALD ignored the verbal directions and continued to advance on the officers, waving the knife. Officer SEBASTIAN heard multiple gunshots and MCDONALD fell to the ground, where he continued to move. SEBASTIAN did not know who fired the shots, which were fired in one continuous group. She then saw Officer WALSH kick the knife out of MCDONALD's hand.

MONDRAGON, Janet -----

stated she was a Chicago Police Officer assigned to the 008th District. MONDRAGON related the same facts as her partner, Officer Daphne SEBASTIAN.

Officer MONDRAGON added that as she drove westbound on 40th Street, she saw Officer MCELLIGOTT running eastbound through the Burger King parking lot. She made a U-turn and drove back out onto Pulaski Road. MONDRAGON turned southbound onto Pulaski. She saw Laquan MCDONALD running southbound on Pulaski, in the middle of the street. As she got closer she could see MCDONALD was holding a knife in his right hand. He was waving the knife.

Officer MONDRAGON saw Officers Joseph WALSH and Jason VAN DYKE outside of their police vehicle. She heard the officers repeatedly ordering MCDONALD to "Drop the knife!" as MCDONALD got closer and closer to the officers, continuing to wave the knife. As she was placing her vehicle transmission into Park, MONDRAGON looked down and heard multiple, continuous gunshots, without pause. MONDRAGON then saw MCDONALD fall to the ground. MONDRAGON did not know who fired the shots.

BACERRA, Arturo -----

stated he was a Chicago Police Officer assigned to the 008th District. He was on duty, in uniform, working on Beat 822. BACERRA was working with Police Officer Leticia VELEZ. The two officers were assigned to a marked vehicle. BACERRA was driving the vehicle and VELEZ was the passenger.

Officer BACERRA and his partner responded to the request for assistance made by Beat 815R, regarding a subject who was armed with a knife. BACERRA was driving northbound on Pulaski Road from 47th Street. As he approached the scene of this incident, at 4112 South Pulaski, he observed a black male subject, now known as Laquan MCDONALD, in the middle of the street, flailing his arms. As he got closer, BACERRA observed MCDONALD to be holding a knife in his right hand. BACERRA drove past MCDONALD, with MCDONALD on the left side of the police vehicle, as Beat 845R drove past BACERRA, on the right side of his vehicle, travelling southbound. As BACERRA began to make a U-turn, he heard multiple gunshots. He then saw MCDONALD lying on the ground. BACERRA did not see who fired the shots.

VELEZ, Leticia -----

stated she was a Chicago Police Officer assigned to the 008th District. VELEZ related the same facts as her partner, Officer Arturo BACERRA.

Officer VELEZ added that as they approached the scene she observed Laquan MCDONALD standing in the middle of the street, holding a shiny object in his right hand. She saw him waving the object in the air. Officer BACERRA drove past MCDONALD and began to make a U-turn, when VELEZ heard multiple gunshots, without pause or delay. She then saw MCDONALD fall to the ground. VELEZ did not see who fired the shots. She did see an unknown officer kick the knife from MCDONALD's hand after he was down on the ground.

FONTAINE, Dora -----

stated she was a Chicago Police Officer assigned to the 008th District. She was on duty, in uniform, working on Beat 841R. FONTAINE was working with Police Officer Ricardo VIRAMONTES. The two officers were assigned to a marked vehicle. VIRAMONTES was driving the vehicle and FONTAINE was the passenger.

The two officers responded to the request for assistance made by Beat 815R, regarding a man with a knife at 41st Street and Pulaski Road. Officer VIRAMONTES drove northbound on Pulaski. When they arrived at the scene of this incident, in front of the Dunkin' Donuts restaurant, Officer FONTAINE saw a black male subject, now known as Laquan MCDONALD, walking southbound in the street, with a knife in his right hand. MCDONALD was walking sideways, with his body facing east, toward Officers Jason VAN DYKE and Joseph WALSH. These two officers were standing in the middle of the street, on the right side of their police vehicle, which was facing southbound. FONTAINE heard the officers repeatedly order MCDONALD to "Drop the knife!" MCDONALD ignored the verbal direction and instead, raised his right arm toward Officer VAN DYKE, as if attacking VAN DYKE. At this time VAN DYKE fired multiple shots from his handgun, until MCDONALD fell to the ground and stopped moving his right arm and hand, which still grasped the knife. The gunshots were rapid fire, without pause. Officer WALSH then kicked the knife out of MCDONALD's hand.

VIRAMONTES, Ricardo -----

stated he was a Chicago Police Officer assigned to the 008th District. VIRAMONTES related the same facts as his partner, Officer Dora FONTAINE.

Officer VIRAMONTES added that when he exited his police vehicle, at the scene, he observed a black male subject, now known as Laquan MCDONALD, walking southbound on Pulaski Road, in the middle of the street, holding a knife in his right hand. VIRAMONTES heard Officer Jason VAN DYKE repeatedly order MCDONALD to "Drop the knife!" MCDONALD ignored the verbal direction and turned toward VAN DYKE and his partner, Officer Joseph WALSH. At this time VAN DYKE fired multiple shots from his handgun. MCDONALD fell to the ground but continued to move, attempting to get back up, with the knife still in his hand. VAN DYKE fired his weapon at MCDONALD continuously, until MCDONALD was no longer moving.

The scene of this incident, at 4112 South Pulaski Road, was observed to be a wide commercial street with traffic traveling north and south. There were two traffic lanes and a curb lane in each direction. A wide median separated the northbound and southbound traffic lanes. The scene was just south of the intersection of Pulaski and 41st Street. This was a "T" intersection with 41st Street extending east from Pulaski. In the center median was a left turn lane for northbound traffic

turning west onto 40th Street, further to the north. The Pulaski median was level with the traffic lanes and was striped with yellow paint.

On the west side of Pulaski was a large vacant lot. North of the vacant lot, on the southwest corner of 40th Street and Pulaski, was a Burger King restaurant. On the east side of the street was a Dunkin Donuts restaurant.

The weather was cloudy and cool with the temperature in the 50s. It was dark with good artificial light provided by overhead streetlights. All of the lights were on and functioning normally. There was also artificial light provided by the lighting of the nearby businesses.

In the northbound left turn lane, Chicago Police Department vehicle number 6412, assigned to Beat 845R, was sitting, facing southeast. The vehicle was a marked Chevrolet Tahoe, four door sport utility vehicle. The right front door of the vehicle was open.

In the southbound traffic lanes, in the right lane, a metal folding pocket knife was lying on the pavement. The blade was in the open position. The overall length of the knife was seven inches, with a three inch blade. The knife was in line with the front end of the vehicle of Beat 845R. Just north of the knife were two pools of blood on the pavement. Five metal bullet fragments were lying on the pavement near the blood. North of the blood, scattered in a diagonal pattern from southwest to northeast, across both southbound traffic lanes and the northbound left turn lane, were 16, nine millimeter caliber cartridge cases, lying on the pavement.

Chicago Police Department vehicle number 8489, assigned to Beat 815R, was sitting at the west curb at 4102 South Pulaski. The right front tire of the vehicle was flat, with a large puncture to the sidewall of the tire. The right side of the windshield was scratched from being struck by Laquan MCDONALD's knife.

Mobile Crime Lab Beat 5802 responded to the scene. Video and photographs were taken of the scene. The knife and firearms evidence was collected from the street, as were swabs of the blood. The right front wheel and tire of Chicago Police Department vehicle number 8489 was also recovered. The right front quarter panel of vehicle number 8489 was processed for fingerprints and four ridge impressions were recovered.

A canvass was conducted of the area near the scene of this incident in an attempt to identify and locate witnesses. A number of people were interviewed.

[redacted] -----

stated she was [redacted] at the Burger King restaurant. At approximately 21:55 hours [redacted] observed police officers chasing a black male subject, now known as Laquan MCDONALD, through the parking lot, on the north side of the restaurant building. The officers chased MCDONALD southbound down Pulaski Road, toward the Dunkin' Donuts restaurant. [redacted] then heard multiple gunshots and dove to the ground.

[redacted] permitted access to the Burger King video system. No video of this incident was recorded. The system was not recording at that time. The system was activated and video was

recovered from the system from earlier in the day, showing the view of each of the cameras in the system. It was noted that none of these camera views showed the area of the scene where the confrontation between Laquan MCDONALD and Police Officers Jason VAN DYKE and Joseph WALSH occurred, on Pulaski Road, south of the Burger King restaurant. If the system had been recording at the time of this incident, it would not have recorded any footage of that confrontation.

[redacted] -----

stated he was at the Burger King restaurant, waiting for his girlfriend, [redacted], who was working at the drive-thru window. [redacted] observed a "young black dude" with his hair in dreadlocks, now known as Laquan MCDONALD, running through the parking lot of the restaurant. He was being pursued by police officers. MCDONALD was holding his pants like he might have had a gun or something. MCDONALD then ran southbound on the sidewalk and then out into the street on Pulaski Road. [redacted] last saw MCDONALD running towards the middle of the intersection of 41st Street and Pulaski. MCDONALD appeared confused. [redacted] then turned his attention back to his girlfriend at the drive-thru window. He did not witness the shooting.

[redacted] -----

stated she was working at [redacted] of the Burger King restaurant. She observed a male subject, now known as Laquan MCDONALD, running from the restaurant parking lot, southbound on Pulaski Road, toward the Dunkin' Donuts restaurant. [redacted] heard multiple gunshots and then saw that MCDONALD was lying in the street.

[redacted] -----

stated she was [redacted] of the Burger King restaurant. She did not see or hear anything.

[redacted] -----

stated she was [redacted] of the Burger King restaurant. She did not see or hear anything.

Laquan MCDONALD had been transported to Mount Sinai Hospital by Chicago Fire Department Ambulance 21. He sustained multiple gunshot wounds as documented in the format of this investigation. MCDONALD was treated for his injuries in the emergency room. He succumbed to his wounds and was subsequently pronounced dead by Doctor PITZELE, at 22:42 hours.

Registered Nurse [redacted], recovered three metal bullet fragments from MCDONALD and turned these over to Detective William JOHNSON. These were subsequently turned over to Mobile Crime Lab Beat 5802, who also recovered metal fragments from MCDONALD's sweater.

The reporting detective had learned of the death of Laquan MCDONALD while still at the scene of this incident. The Office of the Medical Examiner of Cook County was notified of MCDONALD's death, and Investigator BRIGGS assigned Medical Examiner's case number 2014 - 01071 to this case.

In the Bureau of Detectives - Area Central office, Evidence Technician Beat 5824 recovered Office Jason VAN DYKE's handgun, a Smith and Wesson, Model 5942, nine millimeter caliber, semi-automatic pistol. The weapon was loaded with one cartridge in the firing chamber and 14 cartridges in the magazine, when recovered.

Beat 5824 took photographs of Officers Jason VAN DYKE, Joseph WALSH, Thomas GAFFNEY and Joseph MCELLIGOTT. Elimination prints, including palm prints, were also taken from Officers GAFFNEY and MCELLIGOTT.

Officer Jason VAN DYKE was re-interviewed for additional detail, in the Area Central office.

VAN DYKE, Jason D ----

related the same sequence of events as documented in his original interview at the scene of this incident.

VAN DYKE additionally articulated the reasoning behind his decision to use deadly force against the offender in this incident, Laquan MCDONALD. VAN DYKE was aware of the radio transmissions from Officer Thomas GAFFNEY, on Beat 815R, that MCDONALD was armed with a knife. VAN DYKE was aware that MCDONALD had attacked the officers on Beat 815R by slashing the tire of their police vehicle.

As he confronted MCDONALD at 4112 South Pulaski Road, VAN DYKE saw that MCDONALD was in fact, armed with a knife, a deadly weapon. VAN DYKE was aware of the widely accepted teaching in law enforcement that an assailant armed with a knife was considered a deadly threat, if within 21 feet, because it was possible for such an assailant to close that distance and attack with the knife before a defensive shot could be fired from a handgun. VAN DYKE was also aware of the existence of throwing knives, which can be thrown from a distance, as well as spring loaded knives, which propel a blade through the air from the knife handle. VAN DYKE also said he recalled a previously issued Chicago Police Department bulletin warning of a weapon which appeared to be a knife but which actually was capable of firing a bullet, making it a firearm.

Subsequently, a search was conducted of the Chicago Police Department, Automated Message Center, to find the bulletin Officer Jason VAN DYKE remembered, regarding the weapon that appeared to be a knife, but was actually a firearm. This bulletin was issued on 04 December 2012. It was Officer Safety Alert number 2012-OSA-297. It was a warning regarding a "revolver knife" which was capable of firing .22 caliber cartridges.

Three witnesses had been transported into the Area Central office from the scene and were interviewed.

[redacted]----

stated she was in the Burger King restaurant parking lot. She saw a subject, now known as Laquan MCDONALD, running southbound on Pulaski Road. [redacted] saw many police officers on the street. She was trying to get her cellular telephone to work, to record video. [redacted] heard eight gunshots fired continuously. She did not see who fired the shots. [redacted] then saw

a police officer pointing a handgun at MCDONALD as he was lying on the ground.

With her permission, [redacted]' telephone was examined for any recorded video footage with negative results.

[redacted]-----

stated he was at the Burger King restaurant drive-thru with [redacted]. He saw a black male subject, now known as Laquan MCDONALD, running from the trucks parked at the rear of the restaurant parking lot. MCDONALD ran eastbound in the parking lot, on the north side of the Burger King building. A police officer was chasing MCDONALD on foot, eastbound through the parking lot, then southbound on Pulaski Road. A Chicago Police Department, Chevrolet Tahoe sport utility vehicle pulled up on Pulaski. MCDONALD ran toward the police vehicle. A police officer exited the vehicle and fired multiple shots from a handgun at MCDONALD. [redacted] thought there was video footage of the incident recorded on [redacted] cellular telephone. As documented in the previous interview of [redacted], her telephone was examined with negative results.

[redacted]-----

stated he was sitting in a truck, parked in the Burger King restaurant parking lot, on the south side of the restaurant building. He was completing some logs. [redacted] observed a black male subject, now known as Laquan MCDONALD, running southbound on Pulaski Road. The police were pursuing MCDONALD. [redacted] heard approximately three gunshots. He did not see who fired the shots. [redacted] exited the cab of his truck and climbed up on top of it. He saw a Chicago Police Department, Chevrolet Tahoe sport utility vehicle, and many police officers on Pulaski Road.

[redacted] insisted on leaving the Area Central office after their initial interviews, and they were transported as they requested.

Sergeant Lance BECVAR responded to the scene and subsequently to the Area Central office. He was able to recover video of this incident from the vehicles assigned to Beats 845R and 813R. This video was uploaded into the system. The reporting detective submitted a request for copies of these two videos which were subsequently inventoried. The reporting detective also requested that the videos be permanently retained. No video of this incident was recovered from the vehicles assigned to Beats 815R, 822 and 841R.

The recovered in-car camera video from Beats 845R and 813R was viewed and found to be consistent with the accounts of all of the witnesses. The video from Beat 813R showed that at the time Officer Jason VAN DYKE fired his handgun at Laquan MCDONALD, VAN DYKE was standing near the east edge of the southbound traffic lanes of Pulaski Road, and MCDONALD was near the lane marking separating the two southbound traffic lanes. The two were separated by the width of one traffic lane. The width of this traffic lane was approximately ten feet.

Recordings of the original 9-1-1 call and the radio transmissions over the Chicago Police Department, Zone 6 radio frequency were obtained from the Office of Emergency Management

and Communication. The recordings were reviewed and subsequently inventoried.

In the 9-1-1 call, a caller who identified himself as [redacted] stated that he was holding a guy for stealing radios from trucks in a trucking yard.

The recorded radio transmissions were consistent with the statements of the police officers involved in this incident. It was determined from the radio transmissions, that the entire interaction of the involved police officers, with Laquan MCDONALD, from the time Beat 815R notified the radio dispatcher that they had made contact with him, and that he was armed with a knife, until Beat 845R notified the dispatcher that shots had been fired by the police, lasted more than four minutes.

The criminal history of Laquan MCDONALD was reviewed. [redacted]

Additionally, there were two documented incidents, under Records Division numbers HS640983 and HT106389, on 01 December 2010 and 05 January 2011. In these incidents officials at the [redacted], elementary school, called the police because of the violent behavior of Laquan MCDONALD. The reports indicated that MCDONALD was a special education student at the school and that this had become a pattern of behavior for MCDONALD. The school officials indicated that MCDONALD had behavioral problems and anger issues. In both incidents MCDONALD was transported to [redacted] for evaluation and treatment.

The family of Laquan MCDONALD was located and notified of his death.

[redacted] -----

stated he was an uncle of Laquan MCDONALD. MCDONALD was living with JOHNSON while MCDONALD "worked out his problems." [redacted] said that MCDONALD attended [redacted] school but was currently suspended. MCDONALD suffered from "hypertension" but refused to take any medication. He stopped taking his prescribed medication approximately two years prior because he said it made him "freak out."

[redacted] last saw MCDONALD on Saturday, 18 October 2014, at approximately 13:00 hours, when MCDONALD left the apartment. He had not been back since. MCDONALD had rung the doorbell earlier in the day on 20 October 2014. [redacted] said they "buzzed" MCDONALD into the building but he never came up to the apartment.

[redacted] had no idea why MCDONALD would be in the area of 41st Street and Pulaski Road. JOHNSON said he would attempt to notify MCDONALD's mother, [redacted].

On Tuesday, 21 October 2014, [redacted] of the 9-1-1 caller, [redacted]" was located and interviewed.

[redacted] -----

stated she was with [redacted], parking a truck in the lot at 41st Street and Kildare Avenue. She saw a black male subject, now known as Laquan MCDONALD, attempting to steal property from vehicles parked in the lot. [redacted] confronted MCDONALD and told him to leave the lot. [redacted] said that MCDONALD did not say anything, but instead, he was "growling" and making strange noises. [redacted] again told MCDONALD to leave the lot and MCDONALD pulled out a knife. MCDONALD swung the knife at [redacted] attempting to cut him. [redacted] had already called 9-1-1 so he backed up and threw his cellular telephone at MCDONALD. MCDONALD then ran from the lot. He ran northbound on Kildare, then eastbound on 40th Street.

[redacted] described MCDONALD as a black male, with his hair in braids. He was wearing a black hood and blue jeans. [redacted] viewed a photograph of Laquan MCDONALD and identified him as the subject in the lot, who had been attempting to steal property from vehicles parked in the lot, and who subsequently threatened [redacted] with a knife, when [redacted] confronted MCDONALD.

On Wednesday, 22 October 2014, the 9-1-1 caller was interviewed.

[redacted] -----

related the same facts as [redacted]. [redacted] re-iterated that Laquan MCDONALD swung his knife at [redacted], attempting to cut him. [redacted] stated he was the person who called 9-1-1 regarding this incident.

A canvass was conducted of the area near the scene of this incident for any recorded video.

There were no Police Observation Devices, or other City of Chicago video cameras in the area.

Recorded video was recovered from three cameras on the exterior of the building housing the Greater Chicago Food Depository, at 4100 West Ann Lurie Place. Two of these videos showed two different views of Laquan MCDONALD walking eastbound on the sidewalk, on the south side of 40th Street, between Keeler and Karlov Avenues. Officer Joseph MCELLIGOTT was following MCDONALD on foot, maintaining a safe distance between himself and MCDONALD, while Officer Thomas GAFFNEY was following MCDONALD in a police vehicle. The third video did not capture any part of this incident.

Recorded video was recovered from two cameras at the Dunkin' Donuts restaurant, at 4113 South Pulaski Road. One of these videos showed the end of this incident, when Officers Jason VAN DYKE and Joseph WALSH stopped their vehicle, exited the vehicle and confronted Laquan MCDONALD. The view in this video is from a distance. The video from the second camera did not capture any part of this incident.

Recorded video was recovered from two cameras from Focal Point, 4141 South Pulaski Road. These videos did not capture any part of this incident.

All of the recovered video was inventoried.

A Major Case Review of this case was conducted at the Illinois State Police Crime Laboratory, on Thursday, 30 October 2014. An Evidence Submission Form was completed per this review.

The assigned personnel became aware of a potential question regarding the integrity of the video recovered from the Burger King restaurant. In an attempt to follow-up on this issue the assigned personnel proceeded to the restaurant on Wednesday, 11 March 2015. Manager, [redacted] was contacted at the restaurant. She stated that the video system at the restaurant had recently been repaired and a new digital video recorder had been installed. [redacted] said that as of this date, 11 of the 16 video ports in the system actually recorded video. This was consistent with the video recovered on the date of this incident. Video was recorded and recovered on 11 of the 16 video ports in the system on that date.

Any additional inquiries regarding the video system at the restaurant were referred to the district manager responsible for that restaurant, [redacted]. He was contacted and related that the day after this incident occurred, personnel from the Independent Police Review Authority, of the City of Chicago, came to the restaurant. They viewed video from the system and took custody of the digital video recorder. The recorder was returned to the restaurant two weeks later. Personnel from the Federal Bureau of Investigation then came to the restaurant and made copies of video from the system. After that some lawyers came to the restaurant with subpoenas to make copies of video from the system. Finally, [redacted] stated that personnel from the Federal Bureau of Investigation had come to the restaurant again, approximately three weeks prior to this interview, and took the digital video recorder. [redacted] did not have any further information regarding the video system.

The assigned personnel also became aware of an article written by [redacted], a professor at the University of Chicago Law School, citing the existence of an unknown witness to this incident. [redacted] was contacted on Thursday, 12 March 2015, in an attempt to interview this witness. [redacted] stated that this witness had already been interviewed by the Independent Police Review Authority and [redacted] did not know if the witness would be willing to be interviewed by the Chicago Police Department. [redacted] said he would contact the witness and provide him with contact information for the assigned personnel.

Based upon all the facts known at this time, and the death of the only offender in this incident, this case is now Exceptionally Cleared Closed / Other Exceptional Clearance - Death of Offender.

The above to-date investigation determined that Laquan MCDONALD was an active assailant who, while armed with a dangerous weapon, used force likely to cause death or serious injury to a private citizen when he attacked [redacted]; threatened the imminent use of force likely to cause death or serious injury when he incised the tire and stabbed the windshield of a Chicago Police Department vehicle occupied by Officer Thomas GAFFNEY; and initiated imminent use of force likely to cause death or serious injury when he initiated an attack on Officers Jason VAN DYKE and Joseph WALSH. The above investigation concluded that Officer Jason VAN DYKE's use of deadly force, the discharging of his duty firearm, was within the bounds of the Chicago Police Department's use of force guidelines, and in conformity with local ordinances and state law.

Based on the above facts, the associated report, under Records Division number HX486155, is now Closed / Non-Criminal.

REPORT OF:

Detective David M MARCH #20563
Sergeant Daniel GALLAGHER #1303
Lieutenant Anthony WOJCIK #481
Bureau of Detectives - Area Central

Event # 1429315878

Type	Location	Date	Pri	DG	Svc Beat	Disp
HOLDCI	3999 W 41ST ST / 4099 S PULASKI RD	20-OCT-2014 21:47:07	1A	008	0821	0552

Source	Response Level	Caller	Phone
E	1	[redacted]	[redacted]

Address of Occurrence	Occ Beat
4100 S KILDARE BL	0815

Event Chronology

Date	Activity	Wkstn	Person	Text
20-OCT-2014 21:45:35	REC			
20-OCT-2014 21:47:07	ENTRY	PCT49	C549513	CallerLocation, CallerName have been changed.
20-OCT-2014 21:47:50	DSP	PD18	D560949	815R
20-OCT-2014 21:48:05	ACK	PMDT6024	PC0V821	815R
20-OCT-2014 21:53:27	CLOC	PD18	D560949	815R [40 KEELER]
20-OCT-2014 21:53:40	MISC	PD18	D560949	knife in hand need tzaer
20-OCT-2014 21:53:43	ASST	PD18	D560949	812
20-OCT-2014 21:53:45	MISC	PADM19	D112780	815R NEED TASER PERKNI [40 KEELER
20-OCT-2014 21:53:48	ACK	PMDT5805	PC0U318	812
20-OCT-2014 21:54:51	MISC	PD18	D560949	walking eb
20-OCT-2014 21:54:53	MISC	PADM19	D112780	15R --- WALKING EB
20-OCT-2014 21:55:08	MISC	PADM19	D112780	TOWARDS PULASKI ?
20-OCT-2014 21:56:14	MISC	PADM19	D108212	popped tire on car
20-OCT-2014 21:56:18	MISC	PD18	D560949	popped tire on car
20-OCT-2014 21:56:20	ASSTER	PADM19	D108212	845R
20-OCT-2014 21:56:22	AUTPRE	PD18	D560949	845R
20-OCT-2014 21:56:22	ASST	PD18	D560949	845R
20-OCT-2014 21:56:33	MISC	PADM19	D108212	by the burger king
20-OCT-2014 21:56:36	MISC	PD18	D560949	headed to bk
20-OCT-2014 21:56:43	MISC	PADM19	D108212	female says were here
20-OCT-2014 21:56:47	ASSTER	PADM19	D108212	821R
20-OCT-2014 21:56:49	AUTPRE	PD18	D560949	821R
20-OCT-2014 21:56:49	ASST	PD18	D560949	821R
20-OCT-2014 21:56:52	ASSTER	PADM19	D108212	841R
20-OCT-2014 21:56:55	AUTPRE	PD18	D560949	841R
20-OCT-2014 21:56:55	ASST	PD18	D560949	841R
20-OCT-2014 21:57:00	MISC	PD18	D560949	to pulaski
20-OCT-2014 21:57:30	MISC	PADM19	D108212	shtosf fired by cpd
20-OCT-2014 21:57:32	MISC	PD18	D560949	shots fired by police
20-OCT-2014 21:57:41	ASST	PD18	D560949	862C
20-OCT-2014 21:57:51	MISC	PD18	D560949	NEEDS EMS
20-OCT-2014 21:57:58	MISC	PD18	D560949	41 PULASKI
20-OCT-2014 21:58:38	MISC	PADM19	D108212	i 55 all of pulski shut down 45 th
20-OCT-2014 21:58:39	MISC	PD18	D560949	SHUT DOWN PULASKI I55 - 45TH ST
20-OCT-2014 21:58:57	MISC	PADM19	D108212	calling state shut down ramps
20-OCT-2014 21:59:04	MISC	PD18	D560949	41 PULASKI DIVERTING TRAFFIC @ 821R

Event # 1429315878

Event Chronology

Date	Activity	Wkstn	Person	Text
20-OCT-2014 21:59:21	MISC	PD18	D560949	821R COVERING SB
20-OCT-2014 21:59:22	DSP	PDT101	D543242	4603
20-OCT-2014 21:59:25	AUTPRE	PD18	D560949	812
20-OCT-2014 21:59:25	ASST	PD18	D560949	812
20-OCT-2014 21:59:35	CLOC	PD18	D560949	812 [43 PULASKI NB]
20-OCT-2014 21:59:43	MISC	PADM19	D108212	state nfy'd sb pulaski shut down from i 55
20-OCT-2014 21:59:44	ASST	PD18	D560949	823R
20-OCT-2014 21:59:49	ASST	PADM19	D108212	843
20-OCT-2014 21:59:54	CLOC	PADM19	D108212	843 [HOLDING I55 RAMP]
20-OCT-2014 22:00:00	CLOC	PD18	D560949	843 [I 55 PULASKI]
20-OCT-2014 22:00:01	ASST	PADM19	D108212	PH2
20-OCT-2014 22:00:09	ASST	PADM19	D108212	851R
20-OCT-2014 22:00:13	ACK	PMDT4691	PC0X830	851R
20-OCT-2014 22:00:26	AUTPRE	PD18	D560949	851R
20-OCT-2014 22:00:26	ASST	PD18	D560949	851R
20-OCT-2014 22:00:29	ACK	PMDT6416	PC0X832	4603
20-OCT-2014 22:00:30	MISC	PADM19	D108212	815R both ok ???
20-OCT-2014 22:00:36	MISC	PADM19	D108212	everyone is ok
20-OCT-2014 22:00:51	MISC	PADM19	D108212	slowdown
20-OCT-2014 22:00:53	MISC	PADM19	D108212	nm
20-OCT-2014 22:00:56	MISC	PADM19	D108212	slowdown
20-OCT-2014 22:00:59	MISC	PD18	D560949	SLOWDOWN
20-OCT-2014 22:01:06	ASST	PADM19	D108212	810R
20-OCT-2014 22:01:16	MISC	PADM19	D108212	810R to get info from officer fired weapon
20-OCT-2014 22:01:19	MISC	PD18	D560949	INFO REQUESTED
20-OCT-2014 22:01:22	MISC	PD18	D560949	NAME & STAR
20-OCT-2014 22:02:20	ASST	PADM19	D108212	811
20-OCT-2014 22:02:27	CLOC	PADM19	D108212	811 [TRAFK SB ON PULASKI]
20-OCT-2014 22:02:34	ASST	PADM19	D108212	833R
20-OCT-2014 22:02:40	CLOC	PADM19	D108212	833R [44TH/PULASKI NB PULASKI]
20-OCT-2014 22:03:00	MISC	PADM19	D108212	810R *9465
20-OCT-2014 22:03:21	CLEAR	PADM19	D108212	PH2
20-OCT-2014 22:04:10	MISC	PADM19	D108212	cut off nb pulaski @ 47th st
20-OCT-2014 22:04:13	ASST	PADM19	D108212	865
20-OCT-2014 22:04:15	ASST	PADM19	D108212	846
20-OCT-2014 22:04:19	MISC	PD18	D50696	CUT47TH ST N/B PULASKI
20-OCT-2014 22:04:23	CLOC	PADM19	D108212	846 [TRAFFK @ 47 PULASKI]
20-OCT-2014 22:04:26	MISC	PADM19	D108212	846 nb
20-OCT-2014 22:05:50	ACK	PMDT5311	PC0AE49	846
20-OCT-2014 22:06:14	ASST	PADM19	D108212	855
20-OCT-2014 22:06:24	CLOC	PADM19	D108212	855 [TRAFFIC NB 45TH/PUASKI]
20-OCT-2014 22:06:29	CLOC	PD18	D50696	855 [45TH /PULASKIN/B]

Event # 1429315878

Event Chronology

Date	Activity	Wkstn	Person	Text
20-OCT-2014 22:06:41	COPYT	PADM19	D108212	Copied To Event(s): #CPD1429316149
20-OCT-2014 22:07:19	MISC	PD18	D50696	CTA NFY TO REROUTE BUSES
20-OCT-2014 22:08:04	CLOC	PADM19	D108212	821R 845R 841R 862C 865 846 4603 812 823R 855 843 851R 810R 815R 833R 811 [41ST/PULASKI]
20-OCT-2014 22:08:26	MISC	PD18	D50696	OEMC WEIDERSTROM NFY
20-OCT-2014 22:09:14	ASSTER	PADM19	D108212	842
20-OCT-2014 22:09:47	MISC	PD18	D50696	CTA SUPV ON THE BRIDGE
20-OCT-2014 22:12:50	ASST	PADM19	D108212	865B
20-OCT-2014 22:12:53	ACK	PMDT4684	PC0Y103	865B
20-OCT-2014 22:15:01	ASST	PADM19	D108212	850
20-OCT-2014 22:15:16	MISC	PADM19	D108212	865 a21 leaving sceen w/offender
20-OCT-2014 22:15:22	PCCHNG	PADM19	D108212	Papercar changed from 815R to 841R
20-OCT-2014 22:15:28	CLOC	PADM19	D108212	841R [A21 W/OFFENDER]
20-OCT-2014 22:15:46	SUPP	PADM19	D108212	Remarks Added
20-OCT-2014 22:15:52	ASST	PADM19	D108212	800X
20-OCT-2014 22:15:53	ACK	PMDT4701	PC0W294	811
20-OCT-2014 22:15:56	ACK	PMDT5173	PC0E418	800X
20-OCT-2014 22:16:32	EVTMSG	PDT97		SHOTS FIRED BY POLICE OFFENDER POSSIBLY STRUCK NFI AT THIS TIME
20-OCT-2014 22:16:54	ENR	PMDT4701	PC0W294	811
20-OCT-2014 22:16:54	ONS	PMDT4701	PC0W294	811
20-OCT-2014 22:17:06	CLOC	PADM19	D108212	842 [FOLOWING A21 TO HOSPITAL]
20-OCT-2014 22:17:16	CLOCX	PADM19	D108212	842 [4100 S KILDARE BL]
20-OCT-2014 22:17:52	CLOC	PADM19	D108212	842 [A21 TO MT SINAI]
20-OCT-2014 22:17:54	CLOCX	PADM19	D108212	841R [4100 S KILDARE BL]
20-OCT-2014 22:19:00	REMINQ	PMDT5311	PC0AE49	846 Veh->LIC/[redacted] LIS/IL
20-OCT-2014 22:19:02	ACK	PMDT4681	PC0S756	850
20-OCT-2014 22:19:20	CLEAR	PADM19	D108212	812
20-OCT-2014 22:19:38	CLEAR	PMDT4701	PC0W294	811
20-OCT-2014 22:21:52	SUPP	PADM19	D108212	Remarks Added
20-OCT-2014 22:22:31	CLEAR	PMDT6416	PC0X832	4603
20-OCT-2014 22:23:24	ASSTOS	PADM19	D108212	813R
20-OCT-2014 22:24:47	ACK	PMDT4706	PC0W483	813R
20-OCT-2014 22:27:36	ACK	PMDT5808	PC0W480	862C
20-OCT-2014 22:33:18	GDISP	PADM19	D108212	841R D/5000
20-OCT-2014 22:33:37	CASERD	PADM19	D108212	RDG Report Number 841R $CPDHX475653 D/5000 By: D108212
20-OCT-2014 22:34:55	SUPP	PADM19	D108212	Remarks Added
20-OCT-2014 22:38:26	COPYT	PDTS103	D557395	Copied To Event(s): #CPD1429316573
20-OCT-2014 22:38:51	MISC	PADM19	D108212	821R has the bus driver unk if supv is on scene

Event # 1429315878

Event Chronology

Date	Activity	Wkstn	Person	Text
20-OCT-2014 22:41:47	SUPP	PADM19	D108212	Remarks Added
20-OCT-2014 22:47:25	ASSTOS	PADM19	D108212	822
20-OCT-2014 22:47:33	ACK	PMDT4677	PC0AD53	822
20-OCT-2014 22:47:38	CLEAR	PMDT4681	PC0S756	850
20-OCT-2014 22:49:01	SUPP	PDT97	D382563	Remarks Added
20-OCT-2014 22:49:03	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted] LIS/IL
20-OCT-2014 22:49:49	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted]5 LIS/IL
20-OCT-2014 22:50:03	CLOC	PADM19	D108212	846 [44TH/PULASK > 53RD/PULASKI]
20-OCT-2014 22:51:08	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL
20-OCT-2014 22:54:30	COPYT	PADM19	D108212	Copied To Event(s): #CPD1429316783
20-OCT-2014 22:55:16	TCMPL	PADM19	D108212	846 , 783
20-OCT-2014 22:56:18	MISC	PADM19	D108212	5169-
20-OCT-2014 22:59:35	MISC	PADM19	D108212	843 tell officers fop guys are there
20-OCT-2014 23:00:29	GDISP	PADM19	D108212	841R D/0552
20-OCT-2014 23:01:29	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:01:45	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:05:27	SUPP	PADM19	D108212	Remarks Added
20-OCT-2014 23:06:21	CHNG	PADM19	D108212	Location: 4100 S KILDARE BL ==> 3999 W 41ST ST / 4099 S PULASKI RD;X Streets: 4100 BL S /4301 BL W 41ST ST ==> / ;LocCmt: BY UNITED RENTAL ==> BY UNITED RENTAL & BURGER KING;Atom: 815 ==> 821;RespArea: 815 ==> 821;RespGroup:815 ==> 821;
20-OCT-2014 23:08:50	REMINQ	PMDT5311	PC0AE49	846 Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:10:09	REMINQ	PMDT4751	PC0X185	841R Per->NAM/[redacted]J DOB[redacted] SEX/M DLS/IL
20-OCT-2014 23:10:09	REMINQ	PMDT4751	PC0X185	841R Per->NAM/[redacted] SEX/M SID/[redacted] DLS/IL
20-OCT-2014 23:10:16	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:11:31	CLEAR	PMDT5311	PC0AE49	846
20-OCT-2014 23:18:57	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted] LIS/IL
20-OCT-2014 23:22:10	REMINQ	PMDT4684	PC0Y103	865B Per->DLN[redacted] DLS/IL
20-OCT-2014 23:22:43	SUPP	PADM19	D108212	Remarks Added
20-OCT-2014 23:23:00	REMINQ	PMDT4684	PC0Y103	865B Per->DBId/54537
20-OCT-2014 23:29:50	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:30:06	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:31:49	REMINQ	PMDT4534	PC0T089	833R Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:35:59	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted] LIS/IL
20-OCT-2014 23:39:23	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL

Event # 1429315878

Event Chronology

Date	Activity	Wkstn	Person	Text
20-OCT-2014 23:43:55	CLEAR	PADM19	D108212	822
20-OCT-2014 23:45:30	ENR	PMDT4751	PC0X185	841R
20-OCT-2014 23:50:50	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted] LIS/IL
20-OCT-2014 23:54:43	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted] LIS/IL
21-OCT-2014 00:09:01	CLEAR	PD18	D50696	862C
21-OCT-2014 00:11:37	CLOC	PADM19	D108212	842 [MT SINAI NEEDS RELIEF]
21-OCT-2014 00:18:09	ASST	PD18	D50696	846R
21-OCT-2014 00:18:25	CLOC	PD18	D50696	846R [MT SINAI W/PRISONER]
21-OCT-2014 00:18:31	ACK	PMDT4685	PC0AK48	846R
21-OCT-2014 00:20:40	CLOC	PADM19	D108212	843 [I55 @ PULASKI TRAFK CONTROL --- RELIEF]
21-OCT-2014 00:27:54	ASST	PD18	D50696	824R
21-OCT-2014 00:27:58	ACK	PMDT4683	PC0T069	824R
21-OCT-2014 00:28:11	CLOC	PD18	D50696	824R [I55 @ PULASKI- TRAFK ON RAMP]
21-OCT-2014 00:31:16	REMINQ	PMDT4683	PC0T069	824R Veh->LIC/[redacted] LIS/IL LIT/ZZ
21-OCT-2014 00:45:40	CLEAR	PADM19	D108212	843
21-OCT-2014 00:55:22	REMINQ	PMDT4534	PC0T089	833R Veh->LIC/[redacted] LIS/IL
21-OCT-2014 00:58:06	REMINQ	PMDT4534	PC0T089	833R Veh->LIC[redacted] LIS/IL
21-OCT-2014 00:58:18	REMINQ	PMDT4534	PC0T089	833R Veh->LIC[redacted]LIS/IL
21-OCT-2014 01:00:51	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted]LIS/IL
21-OCT-2014 01:05:09	REMINQ	PMDT4534	PC0T089	833R Veh->LIC/[redacted] LIS/IL
21-OCT-2014 01:05:28	REMINQ	PMDT4534	PC0T089	833R Veh->LIC/[redacted]-B LIS/IL LIT/TK
21-OCT-2014 01:05:37	REMINQ	PMDT4534	PC0T089	833R Veh->LIC/[redacted] LIS/IL
21-OCT-2014 01:06:44	REMINQ	PMDT4534	PC0T089	833R Veh->LIC[redacted]LIS/IL
21-OCT-2014 01:06:54	REMINQ	PMDT4534	PC0T089	833R Veh->LIC/[redacted] LIS/IL
21-OCT-2014 01:09:59	CLEAR	PADM19	D108212	800X
21-OCT-2014 01:10:24	CLEAR	PMDT4998	PC0X178	842
21-OCT-2014 01:16:16	CLEAR	PADM19	D108212	855
21-OCT-2014 01:16:44	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted]9 LIS/IL
21-OCT-2014 01:18:14	CLEAR	PD18	D50696	865B
21-OCT-2014 01:33:29	AUTPRE	PADM19	D108212	865
21-OCT-2014 01:33:49	CLOC	PADM19	D108212	813R [AREA]
21-OCT-2014 01:33:57	ASST	PADM19	D108212	822
21-OCT-2014 01:34:00	CLOC	PADM19	D108212	822 [AREA]
21-OCT-2014 02:12:02	CLOC	PMDT4751	PC0X185	841R [AREA CENTRAL]
21-OCT-2014 03:10:28	CLOC	PD18	D50696	815R [AREA]
21-OCT-2014 03:16:34	MISC	PD18	D50696	PER 830R PULASKI CAN BE OPENED
21-OCT-2014 03:22:25	CLOC	PMDT6234	PC0Z521	823R [008] reports
21-OCT-2014 03:26:53	CLEAR	PMDT4683	PC0T069	824R
21-OCT-2014 03:36:12	REMINQ	PMDT4507	PC0W970	821R Veh->LIC/[redacted]LIS/IL LIT/TM
21-OCT-2014 03:40:25	REMINQ	PMDT4507	PC0W970	821R Veh->LIC/[redacted] LIS/IL
21-OCT-2014 03:40:45	REMINQ	PMDT4507	PC0W970	821R Veh->LIC/[redacted] LIS/IL

Event # 1429315878

Event Chronology

Date	Activity	Wkstn	Person	Text
21-OCT-2014 03:43:12	CLEAR	PMDT4507	PC0W970	821R
21-OCT-2014 04:03:03	CLOC	PD18	D50696	846R [MT SINAI]
21-OCT-2014 04:03:07	ONS	PD18	D50696	846R
21-OCT-2014 04:09:19	CLOC	PD18	D50696	833R [AREA CENTRAL W/815'S CAR]
21-OCT-2014 04:10:11	CLOC	PD18	D50696	833R [AREA CENTRAL W/815R'S CAR]
21-OCT-2014 04:18:37	CLEAR	PD18	D50696	823R
21-OCT-2014 04:23:43	CLEAR	PMDT4691	PC0X830	851R
21-OCT-2014 04:39:23	CLOC	PD18	D50696	845R [AREA CENTRAL]
21-OCT-2014 04:44:49	CLOC	PADM19	D108212	833R [008]
21-OCT-2014 04:48:06	CLEAR	PADM19	D108212	822
21-OCT-2014 05:11:56	COPYT	PDTS103	DT557395	Copied To Event(s): #CPD1429401913
21-OCT-2014 05:12:32	CLEAR	PADM19	D108212	833R
21-OCT-2014 05:12:50	ONS	PADM19	D108212	841R
21-OCT-2014 05:12:50	ONS	PADM19	D108212	845R
21-OCT-2014 05:12:50	ONS	PADM19	D108212	815R
21-OCT-2014 05:12:50	ONS	PADM19	D108212	813R
21-OCT-2014 05:12:52	ONS	PADM19	D108212	810R
21-OCT-2014 05:15:15	MISC	PADM19	D108212	846R BODY REMOVAL 0511 HRS
21-OCT-2014 05:20:48	CLEAR	PADM19	D108212	846R
21-OCT-2014 05:32:26	CLEAR	PADM19	D108212	810R
21-OCT-2014 06:31:23	SCHOFF	PMDT4659	PC0V684	Unit #845R scheduled for Logoff
21-OCT-2014 07:41:19	SCHOFF	PMDT4751	PC0X185	Unit #841R scheduled for Logoff
21-OCT-2014 07:43:43	CLEAR	PD18	D300971	841R 815R 845R 813R
21-OCT-2014 07:43:43	CLOSE	PD18	D300971	
21-OCT-2014 07:44:00	ROPEN	PD18	D300971	OPEN
21-OCT-2014 07:44:00	DSP	PD18	D300971	813R
21-OCT-2014 07:44:04	ACK	PMDT4706	PC0W483	813R
21-OCT-2014 07:44:09	SCHOFF	PMDT4706	PC0W483	Unit #813R scheduled for Logoff
21-OCT-2014 07:45:06	SCHOFF	PMDT4706	PC0W483	Unit #813R scheduled for Logoff
21-OCT-2014 07:45:34	SCHOFF	PD18	D300971	Unit #813R scheduled for Logoff
21-OCT-2014 07:45:37	CLEAR	PD18	D300971	813R
21-OCT-2014 07:45:37	CLOSE	PD18	D300971	
21-OCT-2014 07:45:52	ROPEN	PD18	D300971	OPEN
21-OCT-2014 07:45:52	DSP	PD18	D300971	815R
21-OCT-2014 08:45:46	ACK	PMDT6024	PC0V821	815R
21-OCT-2014 08:52:57	CLEAR	PD18	D300971	815R
21-OCT-2014 08:52:57	CLOSE	PD18	D300971	
	RMKS			*** WIRELESS CALL ***
	RMKS			holding a male who he caught breaking into trucks and stealing radios nfi
	RMKS			a21 to hospital
	RMKS			a21 to mt sinai confirmd by fireside

Event # 1429315878

Event Chronology

Date	Activity	Wkstn	Person	Text
	RMKS			HAVE SGT OR PAPER CAR CALL CRIME LAB AREA CENTRAL HGSCU OPER COMM NEWS AFFAIRS ASAP
	RMKS			[redacted] il id [redacted] 6'01 185\
	RMKS			EXEC DIR SCHENKEL NOTIFIED @ 2223 HRS 1ST DEP ELLIS NOTIFIED @ 2224 HRS CHIEF OF STAFF BERGER NOTIFIED @ 2226 HRS MANAG DEP , OPER GUIDICE NOTIFIED @ 2228 HRS DEP DIR , 911 OPER HALLOWELL NOTIFIED @ 2229 HRS DIR NEWS AFFAIRS STRATTON NOTIFIED @ 2231 HRS OEMC INVEST UNIT MESSAGE LEFT @ 2236 HRS MAYOR'S DETAIL BURTON NOTIFIED @ 2241 HRS IMD/OC NOTIFIED VIA MESSAGE @ 2217 HRS OEMC WM ORLANDINI NOTIFIED @ 2217 HRS OPER COMM *1804 NOTIFIED @ 2221 HRS [HAVE PC CALL] AREA SOUTH HGSCU DET KRETTEK NOTIFIED @ 2219 HRS [HAVE PC CALL] CRIME LAB SARLO NOTIFIED @ 2221 HRS [HAVE PC CALL][5802 RESPONDING] NEWS AFFAIRS GAINES NOTIFIED @ 2247 HRS 008TH DIST SGT KOMENSKY *1745 NOTIFIED @ 2248 HRS PCO2 JOHNSON -- CW7
	RMKS			offender pronounced @ 2242 hrs per 842
	RMKS			843 - crime lab is on scene

Unit Summary

Event # 1429315878

Unit Summary

Unit	Dispatch	Enroute	Onscene	T	TA	TC	Clear
815R	21:47:50	21:53:27	21-OCT-2014 05:12:50				21-OCT-2014 07:43:43
812	21:53:43						21:59:25
845R	21:56:20	21:56:20					21:56:22
845R	21:56:22	22:08:04	21-OCT-2014 05:12:50				21-OCT-2014 07:43:43
821R	21:56:47	21:56:47					21:56:49
821R	21:56:49	22:08:04					21-OCT-2014 03:43:12
841R	21:56:52	21:56:52					21:56:55
841R	21:56:55	22:08:04	22:17:54				21-OCT-2014 07:43:43
862C	21:57:41	22:08:04					21-OCT-2014 00:09:01
4603	21:59:22	22:08:04					22:22:31
812	21:59:25	21:59:35					22:19:20
823R	21:59:44	22:08:04					21-OCT-2014 04:18:37
843	21:59:49	21:59:54					21-OCT-2014 00:45:40
PH2	22:00:01						22:03:21
851R	22:00:09						22:00:26
851R	22:00:26	22:08:04					21-OCT-2014 04:23:43
810R	22:01:06	22:08:04	21-OCT-2014 05:12:52				21-OCT-2014 05:32:26
811	22:02:20	22:02:27	22:16:54				22:19:38
833R	22:02:34	22:02:40					21-OCT-2014 05:12:32
865	22:04:13	22:08:04					21-OCT-2014 01:33:29
846	22:04:15	22:04:23				22:55:16	23:11:31
855	22:06:14	22:06:24					21-OCT-2014 01:16:16
842	22:09:14	22:09:14	22:17:16				21-OCT-2014 01:10:24
865B	22:12:50						21-OCT-2014 01:18:14
850	22:15:01						22:47:38
800X	22:15:52						21-OCT-2014 01:09:59

Event # 1429315878

Unit Summary

Unit	Dispatch	Enroute	Onscene	T	TA	TC	Clear
813R	22:23:24	21-OCT-2014 01:33:49	22:23:24				21-OCT-2014 07:43:43
822	22:47:25		22:47:25				23:43:55
846R	21-OCT-2014 00:18:09	21-OCT-2014 00:18:25	21-OCT-2014 04:03:07				21-OCT-2014 05:20:48
824R	21-OCT-2014 00:27:54	21-OCT-2014 00:28:11					21-OCT-2014 03:26:53
822	21-OCT-2014 01:33:57	21-OCT-2014 01:34:00					21-OCT-2014 04:48:06
813R	21-OCT-2014 07:44:00						21-OCT-2014 07:45:37
815R	21-OCT-2014 07:45:52						21-OCT-2014 08:52:57

17:49 time stamp

Disp: 815R

815R: 815R

Disp: It's a [redacted] holding a citizen 4100 Kildare by the United Rental. A [redacted] who he caught breaking into trucks and stealing radios, [redacted] holding him

23:17 time stamp
815R: 815R

Disp: 815R

815R: inaudible….. we're at 40th and Keeler. This guy uh is walking away from us and he's got a knife in his hand

Disp:
Alright, anybody have a taser to help out four-o and Keeler for 815R looking for a taser. Armed offender.

812: 812, we'll go over. Coming from Archer and Mulligan

Disp: Alright I got 812 coming. Anyone else closer? 40 and Keeler with a taser

849: 849

Disp: 849?

849: inaudible ……2860……..

Disp: Stand by until I get help for 15R

Disp: I got four – 0, yes, four zero and Keeler. Four zero and Keeler.

815R: He's walking east bound towards Pulaski …….down 40th

Disp: I heard going east bound. What else?

815R: Towards Pulaski. Coming off of Pulaski right by the Burger King.on 40th come off that way

815R: Alright, walking toward Pulaski from Keeler , eastbound on 40th street again, armed with knife

Disp: Anybody with 815R yet?

25:37 time stamp
830: 830

Disp: Anybody close yet? Four – O and Keeler

Unk: inaudible……..

Disp: O.K. we gotta hold man so I can help for 815R asking for a taser for an armed offender with a knife

26:08 time stamp
815R: he popped our tire on our car squad

Disp: Popped? 10-4. Anybody close? Four-O, they're more by Karlov

845R: 45R we are about two blocks away

Disp: 45R ten-four. Again first unit with them, let me know. 15R, Karlov good? Or are you more by Pulaski now?

815R: We're going into the Burger King

Disp: Headed to the Burger King. 45R I see you pulling up

???R: We're heading over there

841R: Throw it in our box

Disp: ……..stopped yet?

Disp: Let me know when he's in custody guys

27:23 time stamp
Unk: Shots fired by the police

Disp: Shots fired by the police

Unk: Shots fired by the police

Unk: get fire over here

Disp: You guys OK ?

Xxxx: (female voice) Everything's fine

Disp: We're using 41st and Pulaski ? Where?

Disp: Any Sergeants headed that way?

810R: 810R I head that way

Disp: 10-4

……responding units transmissions……..

Unk: Block Pulaski from if we can get the State police out hear, I-55 till 47th. Naw, 45th is good. Let's shut down all traffic. We got the intersection shut down here with this.

……..scene management transmissions……

30:42 time stamp
Mobile transmissions cut for notifications…….

30:54 time stamp
There giving a slow down…slow it down……..

….traffic control….helicopter transmissions……..etc.

Event # 1429315878

Type	Location	Date	Pri	DG	Svc Beat	Disp
HOLDCI	3999 W 41ST ST / 4099 S PULASKI RD	20-OCT-2014 21:47:07	1A	008	0821	0552

Source	Response Level	Caller	Phone
E	1	[redacted]	[redacted]

Address of Occurrence	Occ Beat
4100 S KILDARE BL	0815

Event Chronology

Date	Activity	Wkstn	Person	Text
20-OCT-2014 21:45:35	REC			
20-OCT-2014 21:47:07	ENTRY	PCT49	C549513	CallerLocation, CallerName have been changed.
20-OCT-2014 21:47:50	DSP	PD18	D560949	815R
20-OCT-2014 21:48:05	ACK	PMDT6024	PC0V821	815R
20-OCT-2014 21:53:27	CLOC	PD18	D560949	815R [40 KEELER]
20-OCT-2014 21:53:40	MISC	PD18	D560949	knife in hand need tzaer
20-OCT-2014 21:53:43	ASST	PD18	D560949	812
20-OCT-2014 21:53:45	MISC	PADM19	D112780	815R NEED TASER PERKNI [40 KEELER
20-OCT-2014 21:53:48	ACK	PMDT5805	PC0U318	812
20-OCT-2014 21:54:51	MISC	PD18	D560949	walking eb
20-OCT-2014 21:54:53	MISC	PADM19	D112780	15R --- WALKING EB
20-OCT-2014 21:55:08	MISC	PADM19	D112780	TOWARDS PULASKI ?
20-OCT-2014 21:56:14	MISC	PADM19	D108212	popped tire on car
20-OCT-2014 21:56:18	MISC	PD18	D560949	popped tire on car
20-OCT-2014 21:56:20	ASSTER	PADM19	D108212	845R
20-OCT-2014 21:56:22	AUTPRE	PD18	D560949	845R
20-OCT-2014 21:56:22	ASST	PD18	D560949	845R
20-OCT-2014 21:56:33	MISC	PADM19	D108212	by the burger king
20-OCT-2014 21:56:36	MISC	PD18	D560949	headed to bk
20-OCT-2014 21:56:43	MISC	PADM19	D108212	female says were here
20-OCT-2014 21:56:47	ASSTER	PADM19	D108212	821R
20-OCT-2014 21:56:49	AUTPRE	PD18	D560949	821R
20-OCT-2014 21:56:49	ASST	PD18	D560949	821R
20-OCT-2014 21:56:52	ASSTER	PADM19	D108212	841R
20-OCT-2014 21:56:55	AUTPRE	PD18	D560949	841R
20-OCT-2014 21:56:55	ASST	PD18	D560949	841R
20-OCT-2014 21:57:00	MISC	PD18	D560949	to pulaski
20-OCT-2014 21:57:30	MISC	PADM19	D108212	shtosf fired by cpd
20-OCT-2014 21:57:32	MISC	PD18	D560949	shots fired by police
20-OCT-2014 21:57:41	ASST	PD18	D560949	862C
20-OCT-2014 21:57:51	MISC	PD18	D560949	NEEDS EMS
20-OCT-2014 21:57:58	MISC	PD18	D560949	41 PULASKI
20-OCT-2014 21:58:38	MISC	PADM19	D108212	i 55 all of pulski shut down 45 th
20-OCT-2014 21:58:39	MISC	PD18	D560949	SHUT DOWN PULASKI I55 - 45TH ST
20-OCT-2014 21:58:57	MISC	PADM19	D108212	calling state shut down ramps
20-OCT-2014 21:59:04	MISC	PD18	D560949	41 PULASKI DIVERTING TRAFFIC @ 821R

Event # 1429315878

Event Chronology

Date	Activity	Wkstn	Person	Text
20-OCT-2014 21:59:21	MISC	PD18	D560949	821R COVERING SB
20-OCT-2014 21:59:22	DSP	PDT101	D543242	4603
20-OCT-2014 21:59:25	AUTPRE	PD18	D560949	812
20-OCT-2014 21:59:25	ASST	PD18	D560949	812
20-OCT-2014 21:59:35	CLOC	PD18	D560949	812 [43 PULASKI NB]
20-OCT-2014 21:59:43	MISC	PADM19	D108212	state nfy'd sb pulaski shut down from i 55
20-OCT-2014 21:59:44	ASST	PD18	D560949	823R
20-OCT-2014 21:59:49	ASST	PADM19	D108212	843
20-OCT-2014 21:59:54	CLOC	PADM19	D108212	843 [HOLDING I55 RAMP]
20-OCT-2014 22:00:00	CLOC	PD18	D560949	843 [I 55 PULASKI]
20-OCT-2014 22:00:01	ASST	PADM19	D108212	PH2
20-OCT-2014 22:00:09	ASST	PADM19	D108212	851R
20-OCT-2014 22:00:13	ACK	PMDT4691	PC0X830	851R
20-OCT-2014 22:00:26	AUTPRE	PD18	D560949	851R
20-OCT-2014 22:00:26	ASST	PD18	D560949	851R
20-OCT-2014 22:00:29	ACK	PMDT6416	PC0X832	4603
20-OCT-2014 22:00:30	MISC	PADM19	D108212	815R both ok ???
20-OCT-2014 22:00:36	MISC	PADM19	D108212	everyone is ok
20-OCT-2014 22:00:51	MISC	PADM19	D108212	slowdown
20-OCT-2014 22:00:53	MISC	PADM19	D108212	nm
20-OCT-2014 22:00:56	MISC	PADM19	D108212	slowdown
20-OCT-2014 22:00:59	MISC	PD18	D560949	SLOWDOWN
20-OCT-2014 22:01:06	ASST	PADM19	D108212	810R
20-OCT-2014 22:01:16	MISC	PADM19	D108212	810R to get info from officer fired weapon
20-OCT-2014 22:01:19	MISC	PD18	D560949	INFO REQUESTED
20-OCT-2014 22:01:22	MISC	PD18	D560949	NAME & STAR
20-OCT-2014 22:02:20	ASST	PADM19	D108212	811
20-OCT-2014 22:02:27	CLOC	PADM19	D108212	811 [TRAFK SB ON PULASKI]
20-OCT-2014 22:02:34	ASST	PADM19	D108212	833R
20-OCT-2014 22:02:40	CLOC	PADM19	D108212	833R [44TH/PULASKI NB PULASKI]
20-OCT-2014 22:03:00	MISC	PADM19	D108212	810R *9465
20-OCT-2014 22:03:21	CLEAR	PADM19	D108212	PH2
20-OCT-2014 22:04:10	MISC	PADM19	D108212	cut off nb pulaski @ 47th st
20-OCT-2014 22:04:13	ASST	PADM19	D108212	865
20-OCT-2014 22:04:15	ASST	PADM19	D108212	846
20-OCT-2014 22:04:19	MISC	PD18	D50696	CUT47TH ST N/B PULASKI
20-OCT-2014 22:04:23	CLOC	PADM19	D108212	846 [TRAFFK @ 47 PULASKI]
20-OCT-2014 22:04:26	MISC	PADM19	D108212	846 nb
20-OCT-2014 22:05:50	ACK	PMDT5311	PC0AE49	846
20-OCT-2014 22:06:14	ASST	PADM19	D108212	855
20-OCT-2014 22:06:24	CLOC	PADM19	D108212	855 [TRAFFIC NB 45TH/PUASKI]
20-OCT-2014 22:06:29	CLOC	PD18	D50696	855 [45TH /PULASKIN/B]

Event # 1429315878

Event Chronology

Date	Activity	Wkstn	Person	Text
20-OCT-2014 22:06:41	COPYT	PADM19	D108212	Copied To Event(s): #CPD1429316149
20-OCT-2014 22:07:19	MISC	PD18	D50696	CTA NFY TO REROUTE BUSES
20-OCT-2014 22:08:04	CLOC	PADM19	D108212	821R 845R 841R 862C 865 846 4603 812 823R 855 843 851R 810R 815R 833R 811 [41ST/PULASKI]
20-OCT-2014 22:08:26	MISC	PD18	D50696	OEMC WEIDERSTROM NFY
20-OCT-2014 22:09:14	ASSTER	PADM19	D108212	842
20-OCT-2014 22:09:47	MISC	PD18	D50696	CTA SUPV ON THE BRIDGE
20-OCT-2014 22:12:50	ASST	PADM19	D108212	865B
20-OCT-2014 22:12:53	ACK	PMDT4684	PC0Y103	865B
20-OCT-2014 22:15:01	ASST	PADM19	D108212	850
20-OCT-2014 22:15:16	MISC	PADM19	D108212	865 a21 leaving sceen w/offender
20-OCT-2014 22:15:22	PCCHNG	PADM19	D108212	Papercar changed from 815R to 841R
20-OCT-2014 22:15:28	CLOC	PADM19	D108212	841R [A21 W/OFFENDER]
20-OCT-2014 22:15:46	SUPP	PADM19	D108212	Remarks Added
20-OCT-2014 22:15:52	ASST	PADM19	D108212	800X
20-OCT-2014 22:15:53	ACK	PMDT4701	PC0W294	811
20-OCT-2014 22:15:56	ACK	PMDT5173	PC0E418	800X
20-OCT-2014 22:16:32	EVTMSG	PDT97		SHOTS FIRED BY POLICE OFFENDER POSSIBLY STRUCK NFI AT THIS TIME
20-OCT-2014 22:16:54	ENR	PMDT4701	PC0W294	811
20-OCT-2014 22:16:54	ONS	PMDT4701	PC0W294	811
20-OCT-2014 22:17:06	CLOC	PADM19	D108212	842 [FOLOWING A21 TO HOSPITAL]
20-OCT-2014 22:17:16	CLOCX	PADM19	D108212	842 [4100 S KILDARE BL]
20-OCT-2014 22:17:52	CLOC	PADM19	D108212	842 [A21 TO MT SINAI]
20-OCT-2014 22:17:54	CLOCX	PADM19	D108212	841R [4100 S KILDARE BL]
20-OCT-2014 22:19:00	REMINQ	PMDT5311	PC0AE49	846 Veh->LIC/[redacted] LIS/IL
20-OCT-2014 22:19:02	ACK	PMDT4681	PC0S756	850
20-OCT-2014 22:19:20	CLEAR	PADM19	D108212	812
20-OCT-2014 22:19:38	CLEAR	PMDT4701	PC0W294	811
20-OCT-2014 22:21:52	SUPP	PADM19	D108212	Remarks Added
20-OCT-2014 22:22:31	CLEAR	PMDT6416	PC0X832	4603
20-OCT-2014 22:23:24	ASSTOS	PADM19	D108212	813R
20-OCT-2014 22:24:47	ACK	PMDT4706	PC0W483	813R
20-OCT-2014 22:27:36	ACK	PMDT5808	PC0W480	862C
20-OCT-2014 22:33:18	GDISP	PADM19	D108212	841R D/5000
20-OCT-2014 22:33:37	CASERD	PADM19	D108212	RDG Report Number 841R $CPDHX475653 D/5000 By: D108212
20-OCT-2014 22:34:55	SUPP	PADM19	D108212	Remarks Added
20-OCT-2014 22:38:26	COPYT	PDTS103	D557395	Copied To Event(s): #CPD1429316573
20-OCT-2014 22:38:51	MISC	PADM19	D108212	821R has the bus driver unk if supv is on scene

Event # 1429315878

Event Chronology

Date	Activity	Wkstn	Person	Text
20-OCT-2014 22:41:47	SUPP	PADM19	D108212	Remarks Added
20-OCT-2014 22:47:25	ASSTOS	PADM19	D108212	822
20-OCT-2014 22:47:33	ACK	PMDT4677	PC0AD53	822
20-OCT-2014 22:47:38	CLEAR	PMDT4681	PC0S756	850
20-OCT-2014 22:49:01	SUPP	PDT97	D382563	Remarks Added
20-OCT-2014 22:49:03	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted] LIS/IL
20-OCT-2014 22:49:49	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted]5 LIS/IL
20-OCT-2014 22:50:03	CLOC	PADM19	D108212	846 [44TH/PULASK > 53RD/PULASKI]
20-OCT-2014 22:51:08	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL
20-OCT-2014 22:54:30	COPYT	PADM19	D108212	Copied To Event(s): #CPD1429316783
20-OCT-2014 22:55:16	TCMPL	PADM19	D108212	846 , 783
20-OCT-2014 22:56:18	MISC	PADM19	D108212	5169-
20-OCT-2014 22:59:35	MISC	PADM19	D108212	843 tell officers fop guys are there
20-OCT-2014 23:00:29	GDISP	PADM19	D108212	841R D/0552
20-OCT-2014 23:01:29	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:01:45	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:05:27	SUPP	PADM19	D108212	Remarks Added
20-OCT-2014 23:06:21	CHNG	PADM19	D108212	Location: 4100 S KILDARE BL ==> 3999 W 41ST ST / 4099 S PULASKI RD;X Streets: 4100 BL S /4301 BL W 41ST ST ==> / ;LocCmt: BY UNITED RENTAL ==> BY UNITED RENTAL & BURGER KING;Atom: 815 ==> 821;RespArea: 815 ==> 821;RespGroup:815 ==> 821;
20-OCT-2014 23:08:50	REMINQ	PMDT5311	PC0AE49	846 Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:10:09	REMINQ	PMDT4751	PC0X185	841R Per->NAM/[redacted]J DOB[redacted] SEX/M DLS/IL
20-OCT-2014 23:10:09	REMINQ	PMDT4751	PC0X185	841R Per->NAM/[redacted] SEX/M SID/[redacted] DLS/IL
20-OCT-2014 23:10:16	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:11:31	CLEAR	PMDT5311	PC0AE49	846
20-OCT-2014 23:18:57	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted] LIS/IL
20-OCT-2014 23:22:10	REMINQ	PMDT4684	PC0Y103	865B Per->DLN[redacted] DLS/IL
20-OCT-2014 23:22:43	SUPP	PADM19	D108212	Remarks Added
20-OCT-2014 23:23:00	REMINQ	PMDT4684	PC0Y103	865B Per->DBId/54537
20-OCT-2014 23:29:50	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:30:06	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:31:49	REMINQ	PMDT4534	PC0T089	833R Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:35:59	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted] LIS/IL
20-OCT-2014 23:39:23	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL

Event # 1429315878

Event Chronology

Date	Activity	Wkstn	Person	Text
20-OCT-2014 23:43:55	CLEAR	PADM19	D108212	822
20-OCT-2014 23:45:30	ENR	PMDT4751	PC0X185	841R
20-OCT-2014 23:50:50	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted] LIS/IL
20-OCT-2014 23:54:43	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted] LIS/IL
21-OCT-2014 00:09:01	CLEAR	PD18	D50696	862C
21-OCT-2014 00:11:37	CLOC	PADM19	D108212	842 [MT SINAI NEEDS RELIEF]
21-OCT-2014 00:18:09	ASST	PD18	D50696	846R
21-OCT-2014 00:18:25	CLOC	PD18	D50696	846R [MT SINAI W/PRISONER]
21-OCT-2014 00:18:31	ACK	PMDT4685	PC0AK48	846R
21-OCT-2014 00:20:40	CLOC	PADM19	D108212	843 [I55 @ PULASKI TRAFK CONTROL --- RELIEF]
21-OCT-2014 00:27:54	ASST	PD18	D50696	824R
21-OCT-2014 00:27:58	ACK	PMDT4683	PC0T069	824R
21-OCT-2014 00:28:11	CLOC	PD18	D50696	824R [I55 @ PULASKI- TRAFK ON RAMP]
21-OCT-2014 00:31:16	REMINQ	PMDT4683	PC0T069	824R Veh->LIC/[redacted] LIS/IL LIT/ZZ
21-OCT-2014 00:45:40	CLEAR	PADM19	D108212	843
21-OCT-2014 00:55:22	REMINQ	PMDT4534	PC0T089	833R Veh->LIC/[redacted] LIS/IL
21-OCT-2014 00:58:06	REMINQ	PMDT4534	PC0T089	833R Veh->LIC[redacted] LIS/IL
21-OCT-2014 00:58:18	REMINQ	PMDT4534	PC0T089	833R Veh->LIC[redacted]LIS/IL
21-OCT-2014 01:00:51	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted]LIS/IL
21-OCT-2014 01:05:09	REMINQ	PMDT4534	PC0T089	833R Veh->LIC/[redacted] LIS/IL
21-OCT-2014 01:05:28	REMINQ	PMDT4534	PC0T089	833R Veh->LIC/[redacted]-B LIS/IL LIT/TK
21-OCT-2014 01:05:37	REMINQ	PMDT4534	PC0T089	833R Veh->LIC/[redacted] LIS/IL
21-OCT-2014 01:06:44	REMINQ	PMDT4534	PC0T089	833R Veh->LIC[redacted]LIS/IL
21-OCT-2014 01:06:54	REMINQ	PMDT4534	PC0T089	833R Veh->LIC/[redacted] LIS/IL
21-OCT-2014 01:09:59	CLEAR	PADM19	D108212	800X
21-OCT-2014 01:10:24	CLEAR	PMDT4998	PC0X178	842
21-OCT-2014 01:16:16	CLEAR	PADM19	D108212	855
21-OCT-2014 01:16:44	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted]9 LIS/IL
21-OCT-2014 01:18:14	CLEAR	PD18	D50696	865B
21-OCT-2014 01:33:29	AUTPRE	PADM19	D108212	865
21-OCT-2014 01:33:49	CLOC	PADM19	D108212	813R [AREA]
21-OCT-2014 01:33:57	ASST	PADM19	D108212	822
21-OCT-2014 01:34:00	CLOC	PADM19	D108212	822 [AREA]
21-OCT-2014 02:12:02	CLOC	PMDT4751	PC0X185	841R [AREA CENTRAL]
21-OCT-2014 03:10:28	CLOC	PD18	D50696	815R [AREA]
21-OCT-2014 03:16:34	MISC	PD18	D50696	PER 830R PULASKI CAN BE OPENED
21-OCT-2014 03:22:25	CLOC	PMDT6234	PC0Z521	823R [008] reports
21-OCT-2014 03:26:53	CLEAR	PMDT4683	PC0T069	824R
21-OCT-2014 03:36:12	REMINQ	PMDT4507	PC0W970	821R Veh->LIC/[redacted]LIS/IL LIT/TM
21-OCT-2014 03:40:25	REMINQ	PMDT4507	PC0W970	821R Veh->LIC/[redacted] LIS/IL
21-OCT-2014 03:40:45	REMINQ	PMDT4507	PC0W970	821R Veh->LIC/[redacted] LIS/IL

Event # 1429315878

Event Chronology

Date	Activity	Wkstn	Person	Text
21-OCT-2014 03:43:12	CLEAR	PMDT4507	PC0W970	821R
21-OCT-2014 04:03:03	CLOC	PD18	D50696	846R [MT SINAI]
21-OCT-2014 04:03:07	ONS	PD18	D50696	846R
21-OCT-2014 04:09:19	CLOC	PD18	D50696	833R [AREA CENTRAL W/815'S CAR]
21-OCT-2014 04:10:11	CLOC	PD18	D50696	833R [AREA CENTRAL W/815R'S CAR]
21-OCT-2014 04:18:37	CLEAR	PD18	D50696	823R
21-OCT-2014 04:23:43	CLEAR	PMDT4691	PC0X830	851R
21-OCT-2014 04:39:23	CLOC	PD18	D50696	845R [AREA CENTRAL]
21-OCT-2014 04:44:49	CLOC	PADM19	D108212	833R [008]
21-OCT-2014 04:48:06	CLEAR	PADM19	D108212	822
21-OCT-2014 05:11:56	COPYT	PDTS103	DT557395	Copied To Event(s): #CPD1429401913
21-OCT-2014 05:12:32	CLEAR	PADM19	D108212	833R
21-OCT-2014 05:12:50	ONS	PADM19	D108212	841R
21-OCT-2014 05:12:50	ONS	PADM19	D108212	845R
21-OCT-2014 05:12:50	ONS	PADM19	D108212	815R
21-OCT-2014 05:12:50	ONS	PADM19	D108212	813R
21-OCT-2014 05:12:52	ONS	PADM19	D108212	810R
21-OCT-2014 05:15:15	MISC	PADM19	D108212	846R BODY REMOVAL 0511 HRS
21-OCT-2014 05:20:48	CLEAR	PADM19	D108212	846R
21-OCT-2014 05:32:26	CLEAR	PADM19	D108212	810R
21-OCT-2014 06:31:23	SCHOFF	PMDT4659	PC0V684	Unit #845R scheduled for Logoff
21-OCT-2014 07:41:19	SCHOFF	PMDT4751	PC0X185	Unit #841R scheduled for Logoff
21-OCT-2014 07:43:43	CLEAR	PD18	D300971	841R 815R 845R 813R
21-OCT-2014 07:43:43	CLOSE	PD18	D300971	
21-OCT-2014 07:44:00	ROPEN	PD18	D300971	OPEN
21-OCT-2014 07:44:00	DSP	PD18	D300971	813R
21-OCT-2014 07:44:04	ACK	PMDT4706	PC0W483	813R
21-OCT-2014 07:44:09	SCHOFF	PMDT4706	PC0W483	Unit #813R scheduled for Logoff
21-OCT-2014 07:45:06	SCHOFF	PMDT4706	PC0W483	Unit #813R scheduled for Logoff
21-OCT-2014 07:45:34	SCHOFF	PD18	D300971	Unit #813R scheduled for Logoff
21-OCT-2014 07:45:37	CLEAR	PD18	D300971	813R
21-OCT-2014 07:45:37	CLOSE	PD18	D300971	
21-OCT-2014 07:45:52	ROPEN	PD18	D300971	OPEN
21-OCT-2014 07:45:52	DSP	PD18	D300971	815R
21-OCT-2014 08:45:46	ACK	PMDT6024	PC0V821	815R
21-OCT-2014 08:52:57	CLEAR	PD18	D300971	815R
21-OCT-2014 08:52:57	CLOSE	PD18	D300971	
	RMKS			*** WIRELESS CALL ***
	RMKS			holding a male who he caught breaking into trucks and stealing radios nfi
	RMKS			a21 to hospital
	RMKS			a21 to mt sinai confirmd by fireside

Event # 1429315878

Event Chronology

Date	Activity	Wkstn	Person	Text
	RMKS			HAVE SGT OR PAPER CAR CALL CRIME LAB AREA CENTRAL HGSCU OPER COMM NEWS AFFAIRS ASAP
	RMKS			[redacted] il id [redacted] 6'01 185\
	RMKS			EXEC DIR SCHENKEL NOTIFIED @ 2223 HRS 1ST DEP ELLIS NOTIFIED @ 2224 HRS CHIEF OF STAFF BERGER NOTIFIED @ 2226 HRS MANAG DEP , OPER GUIDICE NOTIFIED @ 2228 HRS DEP DIR , 911 OPER HALLOWELL NOTIFIED @ 2229 HRS DIR NEWS AFFAIRS STRATTON NOTIFIED @ 2231 HRS OEMC INVEST UNIT MESSAGE LEFT @ 2236 HRS MAYOR'S DETAIL BURTON NOTIFIED @ 2241 HRS IMD/OC NOTIFIED VIA MESSAGE @ 2217 HRS OEMC WM ORLANDINI NOTIFIED @ 2217 HRS OPER COMM *1804 NOTIFIED @ 2221 HRS [HAVE PC CALL] AREA SOUTH HGSCU DET KRETTEK NOTIFIED @ 2219 HRS [HAVE PC CALL] CRIME LAB SARLO NOTIFIED @ 2221 HRS [HAVE PC CALL][5802 RESPONDING] NEWS AFFAIRS GAINES NOTIFIED @ 2247 HRS 008TH DIST SGT KOMENSKY *1745 NOTIFIED @ 2248 HRS PCO2 JOHNSON -- CW7
	RMKS			offender pronounced @ 2242 hrs per 842
	RMKS			843 - crime lab is on scene

Unit Summary

Event # 1429315878

Unit Summary

Unit	Dispatch	Enroute	Onscene	T	TA	TC	Clear
815R	21:47:50	21:53:27	21-OCT-2014 05:12:50				21-OCT-2014 07:43:43
812	21:53:43						21:59:25
845R	21:56:20	21:56:20					21:56:22
845R	21:56:22	22:08:04	21-OCT-2014 05:12:50				21-OCT-2014 07:43:43
821R	21:56:47	21:56:47					21:56:49
821R	21:56:49	22:08:04					21-OCT-2014 03:43:12
841R	21:56:52	21:56:52					21:56:55
841R	21:56:55	22:08:04	22:17:54				21-OCT-2014 07:43:43
862C	21:57:41	22:08:04					21-OCT-2014 00:09:01
4603	21:59:22	22:08:04					22:22:31
812	21:59:25	21:59:35					22:19:20
823R	21:59:44	22:08:04					21-OCT-2014 04:18:37
843	21:59:49	21:59:54					21-OCT-2014 00:45:40
PH2	22:00:01						22:03:21
851R	22:00:09						22:00:26
851R	22:00:26	22:08:04					21-OCT-2014 04:23:43
810R	22:01:06	22:08:04	21-OCT-2014 05:12:52				21-OCT-2014 05:32:26
811	22:02:20	22:02:27	22:16:54				22:19:38
833R	22:02:34	22:02:40					21-OCT-2014 05:12:32
865	22:04:13	22:08:04					21-OCT-2014 01:33:29
846	22:04:15	22:04:23				22:55:16	23:11:31
855	22:06:14	22:06:24					21-OCT-2014 01:16:16
842	22:09:14	22:09:14	22:17:16				21-OCT-2014 01:10:24
865B	22:12:50						21-OCT-2014 01:18:14
850	22:15:01						22:47:38
800X	22:15:52						21-OCT-2014 01:09:59

Event # 1429315878

Unit Summary

Unit	Dispatch	Enroute	Onscene	T	TA	TC	Clear
813R	22:23:24	21-OCT-2014 01:33:49	22:23:24				21-OCT-2014 07:43:43
822	22:47:25		22:47:25				23:43:55
846R	21-OCT-2014 00:18:09	21-OCT-2014 00:18:25	21-OCT-2014 04:03:07				21-OCT-2014 05:20:48
824R	21-OCT-2014 00:27:54	21-OCT-2014 00:28:11					21-OCT-2014 03:26:53
822	21-OCT-2014 01:33:57	21-OCT-2014 01:34:00					21-OCT-2014 04:48:06
813R	21-OCT-2014 07:44:00						21-OCT-2014 07:45:37
815R	21-OCT-2014 07:45:52						21-OCT-2014 08:52:57

STATEMENT OF P.O. THOMAS GAFFNEY

CONDUCTED BY INVESTIGATOR KILLEN

ON OCTOBER 21, 2014 AT 0406 HOURS

AT AREA CENTRAL POLICE HEADQUARTERS

LOG # 1072125

Attachment # ~~76~~ ~~85~~ 160

OIG 15-0564 000610

KILLEN: This is the audio recorded interview of Officer Thomas Gaffney regarding Log number 1072125 U number 14 dash 36. Today is the 21st of October 2014. And the time is approximately 0406 hours. This statement is bein' taken at Area Central Police Headquarters at 51st and Wentworth. My name is Investigator Killen, that's spelled K I L L E N. My star number is 1 2 9. Also present is FOP attorney Dan Herbert. (noise) Dan if you would say and spell your first and last names.

HERBERT: Sure Dan, D A N, Herbert, H E R B E R T.

KILLEN: And uh also is uh FOP Representative Kato.

KATO: K R I S T O N. Last name is K A T O. (clears throat) FOP.

KILLEN: And Officer Gaffney if you would say and spell your first and last names for me.

P.O.GAFFNEY: My first name Thomas Gaffney, T H O M A S. G A F F N E Y.

KILLEN: Okay and what's your star number?

P.O.GAFFNEY: 1 9 9 5 8.

KILLEN: And your employee number?

P.O.GAFFNEY: [redacted].

KILLEN: And your uh current unit of assignment? (noise)

P.O.GAFFNEY: 8TH District.

KILLEN: Okay and (noise) what's your date of appointment with the (noise) Department?

P.O.GAFFNEY: Uh 8 July '96.

KILLEN: And your date of birth?

P.O.GAFFNEY: [redacted].

KILLEN: How long you been in 8?

P.O.GAFFNEY: Uh since 2000, 2001 I'm sorry. Summer 2001. (clears throat)

KILLEN: All right and then you're aware that this statement has the standing of an official Department report. And that any intentional falsification of any answer to any question would be in direct violations of rules and regulations?

P.O.GAFFNEY: Yes.

KILLEN: Given that, I (sighs) I'd like to remind you that failure to provide a complete and accurate account of this incident could result in a finding of Rule 14 with discipline leading up to and including separation from the Chicago Police Department. Do you understand that?

P.O.GAFFNEY: Yes.

KILLEN: All right and then you're aware that there are no allegations against you uh regarding this incident correct?

P.O.GAFFNEY: Yes.

KILLEN: Okay. So on 20 October 2014 at approximately 2150 hours what was your duty status and assignment?

OIG 15-0564 000612

P.O.GAFFNEY: Uh this statement is not being given voluntary but under duress. I am only givin' this statement because I know I will be fired if I refuse.

KILLEN: Okay. So yesterday 20 October 2014 approximately 2150 hours what was your duty status?
P.O.GAFFNEY: Um I was on duty workin' Beat 815 Robert.

KILLEN: Okay. And were you uh were you assigned a partner?
P.O.GAFFNEY: Yes I was, Joseph McElligott.

KILLEN: Okay were you uniformed?
P.O.GAFFNEY: Yes.

KILLEN: And so was McElligott right?
P.O.GAFFNEY: Yes.

KILLEN: Okay. And you and Officer McElligott you guys were assigned a car?
P.O.GAFFNEY: Yes.

KILLEN: What kinda car?
P.O.GAFFNEY: Uh squad, marked squad car uh Tahoe.

KILLEN: Okay. Were you the driver or the passenger?
P.O.GAFFNEY: I was the driver.

KILLEN: Okay. And then last night about 2150 hours you and uh Officer McElligott were witnesses to a police-involved shooting correct?

OIG 15-0564 000613

P.O.GAFFNEY: Yes.

KILLEN: All right and um (someone clears throat) if you would, if you'd start from the beginning and just run me through what happened.

P.O.GAFFNEY: Uh we received a call holding offender at forty, 4100 South Kildare. Um there supposedly somebody had broken into a, a truck uh vehicles um tryin' to get radios somethin' like that. So we, we were on Archer approximately Kostner Kenneth. I came uh, came to the (noise) we got the job came uh down Kostner to 47th, 47th to Kildare and Kildare right to 4100 South Kildare.

KILLEN: So you were comin' from the south goin' north correct?

P.O.GAFFNEY: Yes.

KILLEN: Okay. (someone clears throat) So you got the call are you, you were dispatched?

P.O.GAFFNEY: Yes.

KILLEN: OEMC?

P.O.GAFFNEY: Yes.

KILLEN: Radio?

P.O.GAFFNEY: Yes.

KILLEN: Okay. So then when you get to 41st and Kildare what, what happens?

P.O.GAFFNEY: Uh there was a [redacted] [redacted] and a [redacted] [redacted] uh standing by a gate um to the truck

OIG 15-0564 000614

yard. Um the gate was partially opened and uh the [redacted] had a chain in 'er hand and then we stopped and spoke to them.

KILLEN: Whaddid they tell ya?

P.O.GAFFNEY: They said that the guy just went around the corner. Um he was uh in the, in the you know lot tryin' to get um tryin' to get into trucks. Uh he had uh somethin' in his hand, he had uh a wire from a phone in his hand. And he said somethin' about a iPhone, I don't know if he was sayin' that he took an iPhone or he left an iPhone but he said that he went around the corner so then we, we asked 'em you know what he looked like, what he was wearin'? He said he's a male black with the dark shirt. So at that time we, we went up the street and turned the corner. (someone clears throat)

KILLEN: So they, they, did those two, that, did that [redacted] and [redacted] tell you which way the, the offender went?

P.O.GAFFNEY: Yes. Yeah he just pointed, he pointed north um and he said he went around the corner.

KILLEN: Okay so then that'd, that's 41st Street?

P.O.GAFFNEY: Yeah towards 40th Street.

KILLEN: Okay. And what happens then?

P.O.GAFFNEY: So we went, we went up the, up the block to 40th Street and we turned um east on 40th Street and we, (inaudible) when we turned we seen um you

OIG 15-0564 000615

know somebody walkin'. So we approached 'em, drove up to 'em and at that time we seen it was a male black with dread locks. You know and he had a dark shirt on. So at that time my, my partner had gotten outta the vehicle (clears throat) and he had his flashlight you know he's shining on 'em. You know tell 'em to come 'ere. So at that time he just kinda had a look, you know a weird look in his face you know like glazed eyes and stuff lookin' at us. So I stayed in my car in case he was gonna run. So at that time you know my partner kind of approached 'em a lil bit more and that's when he, he had seen you know tell 'em to get his hands outta his pocket cause he had one hand in his pocket. And then he had seen something in his you know a shiny object in his hand. And I, I heard 'em say you know he's got a knife. So that's when you know cuz then I, at first I was still in the car so I didn't really see, see the knife at that time. But once my partner said that that's when I kinda looked and I, at that time like I said we're all still walking or still moving. So then the street lights were a lil bit more as we were walkin' I, I seen a knife also in his hand.

KILLEN: Okay so this, so this point when you first see this guy he's on what street?

P.O.GAFFNEY: He's on 40th Street.

KILLEN: And he's, he's headed which way?

P.O.GAFFNEY: Uh east.

OIG 15-0564 000616

KILLEN: So he's headed toward Pulaski?
P.O.GAFFNEY: Yes.

KILLEN: All right is he by himself?
P.O.GAFFNEY: Yes.

KILLEN: Is he, like is he on the sidewalk --
P.O.GAFFNEY: On the, at that time he was on the sidewalk.

KILLEN: Which side of the street would he be on?
P.O.GAFFNEY: Uh south side.

KILLEN: So on the passenger side of your vehicle?
P.O.GAFFNEY: Yes. Yes.

KILLEN: All right so then you guys pull up, you pulled alongside of 'em?
P.O.GAFFNEY: Yes.

KILLEN: And then the officer --
P.O.GAFFNEY: Not quite, well not quite right next to 'em but yeah he was still like I said he was still walking but he was in front of the car. You know like in front of the area as we were walkin' and movin' at the same time.

KILLEN: You're kinda behind 'em?
P.O.GAFFNEY: Yeah, yeah but yeah.

KILLEN: And McElligott gets outta the car?
P.O.GAFFNEY: Yes.

OIG 15-0564 000617

KILLEN: Flashlight in hand.
P.O.GAFFNEY: Yes.

KILLEN: And he says come here?
P.O.GAFFNEY: Well yeah, yeah he starts you know come here. You know get your hand outta your pocket. And you know but he, he like I said he turned around, spun around a couple times and (inaudible) get to walking never said anything to us.

KILLEN: Which hand was in his pocket do you remember?
P.O.GAFFNEY: I think it was his left hand cause he had the other hand had whatever was in his, you know what he had in his hand at the time.

KILLEN: And do you know what was in his hand?
P.O.GAFFNEY: Not at that time I didn't.

KILLEN: Okay.
P.O.GAFFNEY: Like I said my partner, he, when my, my partner said he's got a knife that's when I kinda you know like I said as we were walkin' the street lights got a lil brighter and I was able to kinda look you know look over at the, and then see that he did have, you could tell you know it was in his hand and the blade was stickin' out.

KILLEN: Okay. And when you say he turned around a couple times does he keep 'em goin' east toward Pulaski?
P.O.GAFFNEY: Yeah he, he always kept goin'.

OIG 15-0564 000618

KILLEN: So he never stops?
P.O.GAFFNEY: No he never stopped he just kept walkin'. A couple times he went into the street but not, just like a step or two in the street but he just kept walkin' eastbound.

KILLEN: And he was by himself?
P.O.GAFFNEY: Yes.

KILLEN: All right so then so McElligott approaches 'em and then you hear McElligott say he's got a knife?
P.O.GAFFNEY: Yeah when he said he has a knife that's when I you know that's when I kinda like sat up a lil bit to look, to look, get a better look and that's when I, I seen it too.

KILLEN: Okay that was in his right hand then? Is that --
P.O.GAFFNEY: Yeah, yeah it was in his right hand.

KILLEN: So what happens then?
P.O.GAFFNEY: Uh at that time like I said (noise) my partner still kept you know tellin', that's what he said drop the knife, drop the knife. You know put the knife down whatever. And I got on the radio and you know got on the radio and said you know the guy's got a knn, we're at 40th and Kee, uh Keeler approachin' Keeler. Uh he's got a knife. Could we get another car over here with a taser.

OIG 15-0564 000619

KILLEN: So you don't carry a taser?
P.O.GAFFNEY: No I didn't, no.

KILLEN: McElligott he doesn't carry --
P.O.GAFFNEY: No he didn't have one either.

KILLEN: Okay. So what happens then?
P.O.GAFFNEY: Well like I said we I, I, I called it in then the dispatcher you know asked for other cars and other cars said they were comin'. So we just, we just kept stayin' you know keepin' our distance at the time you know I kept drivin' along. And um we just (noise) kept walkin' with 'em (noise) You know he never you know like came at us or anything at that time. He just kept like walkin', my partner still kept givin' 'em verbal commands and droppin' the knife and you know stop and that type a thing. But you know he just kept walkin' turning around lookin' back at us you know just that weird glaze look.

KILLEN: Did he ever say anything?
P.O.GAFFNEY: No never said a word to us at all.

KILLEN: Okay.
P.O.GAFFNEY: (Clears throat)

KILLEN: So then what happens?
P.O.GAFFNEY: We kept (noise) goin' east. When we're, we're approaching uh Karlov, 40th and Karlov I knew the next block there was the Burger King, there was a truck lot so we were gonna get more

OIG 15-0564 000620

people. So as we approached the, pretty much the corner of Karlov I like kinda turned my car towards him a lil bit on you know and you know to try and maybe get 'em to go down Karlov cause there's more, you know there's just factories so there's no people down that way. So and then uh - -

KILLEN: So the purpose of doin' that is keep 'em away from --

P.O.GAFFNEY: Yeah like try to slow 'em down until other cars got 'ere and make 'em see if he would maybe even go down the side street.

KILLEN: Okay.

P.O.GAFFNEY: You know keep 'em from getting to that more populated area where there were cars and people. (someone clears throat) So when I did that, he kinda like took a step towards and swung his uh, his arm down. When he did that that's when I heard like pssss a sound and I knew that he popped a tire. (noise)

KILLEN: Okay.

P.O.GAFFNEY: And then one, once he did that I got on the radio and said you know squad he just popped our tire. So (clears throat) --

KILLEN: Where's McElligott at this time?

P.O.GAFFNEY: He was still walk but he was, he was still walkin' with us but he was at like towards the back of the car.

OIG 15-0564 000621

KILLEN: Okay.

P.O.GAFFNEY: You know the back you know he still kept his distance. So (noise) (clears throat) once he did that, once he popped the tire again he just with that glazed stare, that glazed eye stare once he did that he like stepped back like took a step back, back away from the car. So I pulled up a lil bit further in front of 'em to you know try and maybe stop 'em or get 'em to go down that street. That's when he just took a step toward me and swung his arm really hard and hit the windshield with the knife.

HERBERT: And if I could just indicate for the record, with his right hand holdin' behind his, behind his head (someone clears throat) bringin' it down in a striking motion.

P.O.GAFFNEY: Yeah he, he as hard as he could he was attempting to break that windshield.

KILLEN: And how many times did he hit the windshield?

P.O.GAFFNEY: Just once. It was just once. Went real hard swing right, right on the windshield.

KILLEN: What happens?

P.O.GAFFNEY: Obviously nothin', I didn't see nothin' break but then he walked around the front of the car and kept walkin' eastbound on 40th Street. And then at that time, maybe 10 to 15 more feet that's when you could hear um some you know some sirens. And then a squad car came off a Pulaski onto 40th Street with their lights on. At that

OIG 15-0564 000622

time he seen that and that's when he started to run. Oh yeah I, I, I (noise) got on the radio and some, one, one of us, I don't remember but somebody did say that he was you know he started to run towards you know towards the, the truck lot, the trucks.

KILLEN: Okay so, so you're still basically sittin' over at 40th and Karlov right? You see 'nother car come up Pulaski?

P.O.GAFFNEY: Yeah that's, yeah he, 'nother car came off Pulaski onto 40th Street.

KILLEN: So --

P.O.GAFFNEY: That, that's when he seen that and that's when he started runnin'.

KILLEN: So when they turn west on 40th he runs --

P.O.GAFFNEY: Yeah he runs --

KILLEN: -- east towards Pulaski?

P.O.GAFFNEY: -- he, he, he's still goin' towards Pulaski but he went off a, off a the sidewalk and um into, it was like a, an empty space where the trucks, the truckers park so they can sleep or whatever. And he (noise) ran that way between two trucks.

KILLEN: Okay. (noise)

P.O.GAFFNEY: So at that time (noise) my partner started runnin' and I drove the car, I drove the car up to the entrance of the Burger King lot and went

OIG 15-0564 000623

into the Burger King lot. And before I did that the other car that came off went into the Burger King lot also. So I just, I seen 'em come outta, between the trucks. I ran, I kept drivin' towards, towards the, the end of the lot, towards Pulaski and that's, he ran and then I stopped cause I (noise) my tire was pretty much flat. So I couldn't get, I wasn't gonna go over the curb and then the other car was behind 'em. He ran into like towards the street and the other car followed 'em went over the curb and followed 'em.

KILLEN: Do you know who, who's that other car you're talkin' about? Do you know who that is?

P.O.GAFFNEY: At the time I didn't but now I know it was 845 Robert.

KILLEN: Okay. And that's the car he's talkin' 'bout Pulaski and --

P.O.GAFFNEY: Yeah.

KILLEN: -- where they U turn and go back at 'em?

P.O.GAFFNEY: That's the one, that's the one yeah that's the one that I, I (noise) know, I found out that was the one that went over the curb, yeah.

KILLEN: Okay so you stop your (someone clears throat) car where then?

P.O.GAFFNEY: Pretty much right behind the parkin' lot. Before, before going over the curb and into the street. (noise)

OIG 15-0564 000624

KILLEN: Okay. And then, and you stopped because of the (noise) flat?

P.O.GAFFNEY: Yeah cause I, I, I didn't wanna, I didn't know if I was gonna make it over the, cuz it was like you know that lil part there's like lil the, the, cement tongue if you will, that, that's the parkin' lot. (noise) You know if I was gonna get over it.

KILLEN: And you see 845 Robert continue.

P.O.GAFFNEY: Yeah they went they continued followin' 'em and went into the street. So I --

KILLEN: And that's Pulaski you're talkin' about?

P.O.GAFFNEY: Yeah. Into Pulaski. So I spun around went behind the park, behind the Burger King you know there's a street, (inaudible) back towards Pulaski where it goes out to the street on Pulaski. (noise)

KILLEN: Okay so, so you don't take the curb at all. You just --

P.O.GAFFNEY: No, no I, I, I turn around, I turned around and went around the parkin' lot to, to get out where there's a, there's the light on 41st Street. (noise)

KILLEN: And that's where your car's stopped?

P.O.GAFFNEY: And then yeah I turned on Pulaski and that's where my, that's where I finally stopped.

OIG 15-0564 000625

KILLEN: That's when, when I saw your car was south, facin' south --
P.O.GAFFNEY: Yes. Yes that's right, that's where I stopped.

KILLEN: Okay so then do you see what happens then after, with, with the offender and 845 Robert then?
P.O.GAFFNEY: No that was all, yeah that was I believe done before I got onto Pulaski. Cause I, I spun around and that's when I, I heard, I started to hear shots before I got onto Pul, I think when I got onto Pulaski there was other cars and stuff in front of me too. So I didn't see what exactly was goin' on.

KILLEN: So you're basically goin' around Burger King.
P.O.GAFFNEY: Yeah that's when the shots I believe that's when the shots started firin'.

KILLEN: You heard gunshots?
P.O.GAFFNEY: Yeah.

KILLEN: At the time did you know who was shootin'?
P.O.GAFFNEY: No I didn't know.

KILLEN: Could you see who was shootin'?
P.O.GAFFNEY: No.

KILLEN: That's because --
P.O.GAFFNEY: Well there's a, yeah well there's a fence also right, opposite side of Burger King where, where we blocked, pretty much blocked. The fence

OIG 15-0564 000626

with uh, like a covering you know covering fence so nobody could see through the fence. Cause they were building some stuff there. So yeah there was that was all blockin' me.

KILLEN: There's (noise) no line a sight.
P.O.GAFFNEY: No, no.

KILLEN: Okay.
P.O.GAFFNEY: No.

KILLEN: So then by the time you, you get south on Pulaski there's no more shooting correct?
P.O.GAFFNEY: I believe yeah I believe so. I don't (noise) remember any shooting at, at, when I got onto Pulaski.

KILLEN: Where (noise) when you got on Pulaski and you're goin' south could you see the offender still?
P.O.GAFFNEY: No not, not until I got outta the car and started to go you know 'round to, to where everything was goin' on.

KILLEN: Where was he?
P.O.GAFFNEY: The offender he was on the ground at the time when I, when I got over there.

KILLEN: Okay. And it's after that then you find out who's shooting what happened?
P.O.GAFFNEY: Yeah, yeah.

OIG 15-0564 000627

KILLEN: Okay. (noise) You didn't see the shooting, you, you (noise) you didn't see Officer Van Dyke discharge the weapon?
P.O.GAFFNEY: No I didn't, no.

KILLEN: Okay. (sighs) And then that, that, (noise) the two people that called 9 1 1 said they were holdin' the offender.
P.O.GAFFNEY: Hmm huh.

KILLEN: Do you have any idea who they are?
P.O.GAFFNEY: No not at the time, no. Cause right when they just said he went around the corner, they gave a quick description. We just wanted to go and you know see if we can catch 'em. We didn't know how long ago it was. Or where he would've went. So we just you know went and see if we could grab 'em and figured they woulda still been there when we got back.

KILLEN: Okay. And then the knife that the offender had, as best you can describe it to me?
P.O.GAFFNEY: Uh all silver, real bright. And prob'ly 'bout four to six inch blade.

KILLEN: Okay. All right. Uh was there anything you'd like to add?
P.O.GAFFNEY: No.

KILLEN: All right everything you told me is a true and accurate account of what occurred?
P.O.GAFFNEY: Yes.

OIG 15-0564 000628

KILLEN: All right this will conclude the audio recorded interview of Officer Thomas Gaffney regarding Log number 1072125 U number 14 dash 36. Today is the 21st of October 2014. The time is approximately 0424 hours.

OIG 15-0564 000629

I, CAROL A. O'LEARY, do hereby certify or affirm that I have impartially transcribed the foregoing from an audio recording of the above-mentioned proceeding to the best of my ability.

Carol A. O'Leary

Carol A. O'Leary

OIG 15-0564 000630

envelope
& pics # 1
2 photos
per page

RD NO.

HX475653

OFFENSE/INCIDENT

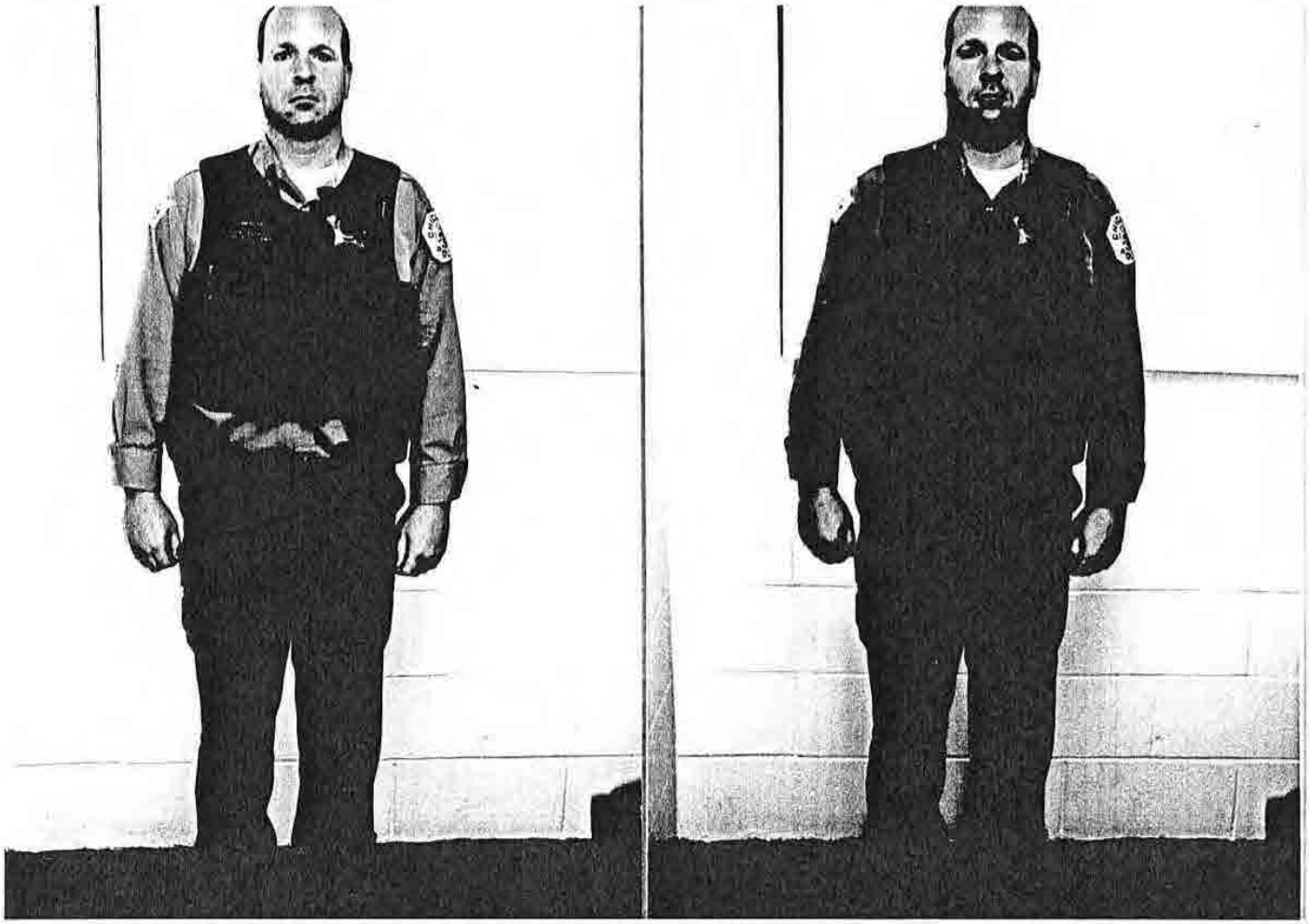
AGGRAVATED ASSAULT
TO POLICE OFFICER

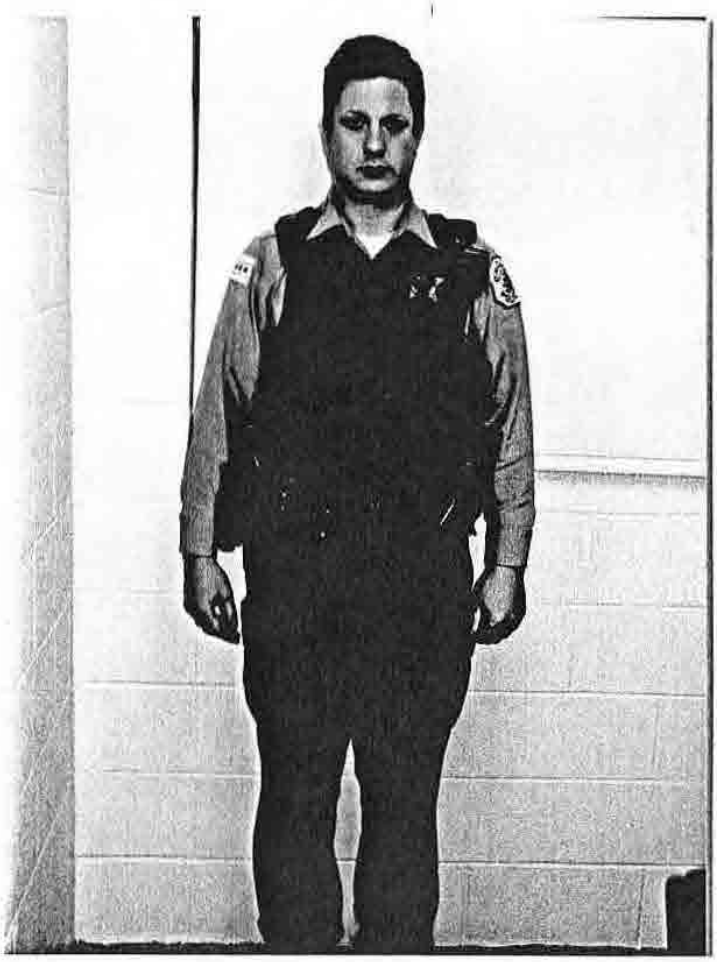
DATE & TIME PHOTOS TAKEN

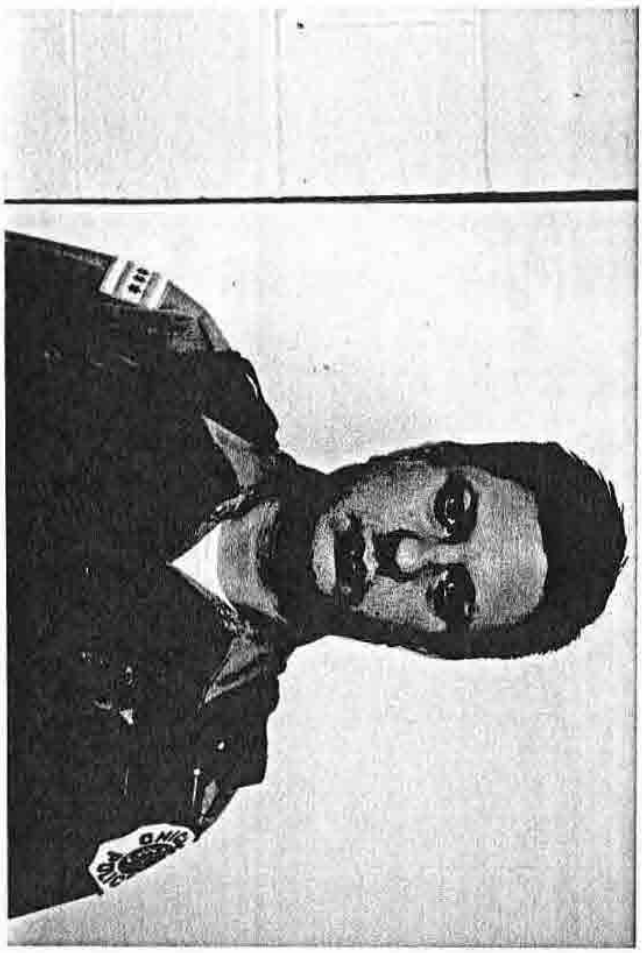
21 OCT. 2014

PHOTOGRAPHER'S NAME	STAR NO.	UNIT
RIDER, P.	9977	277



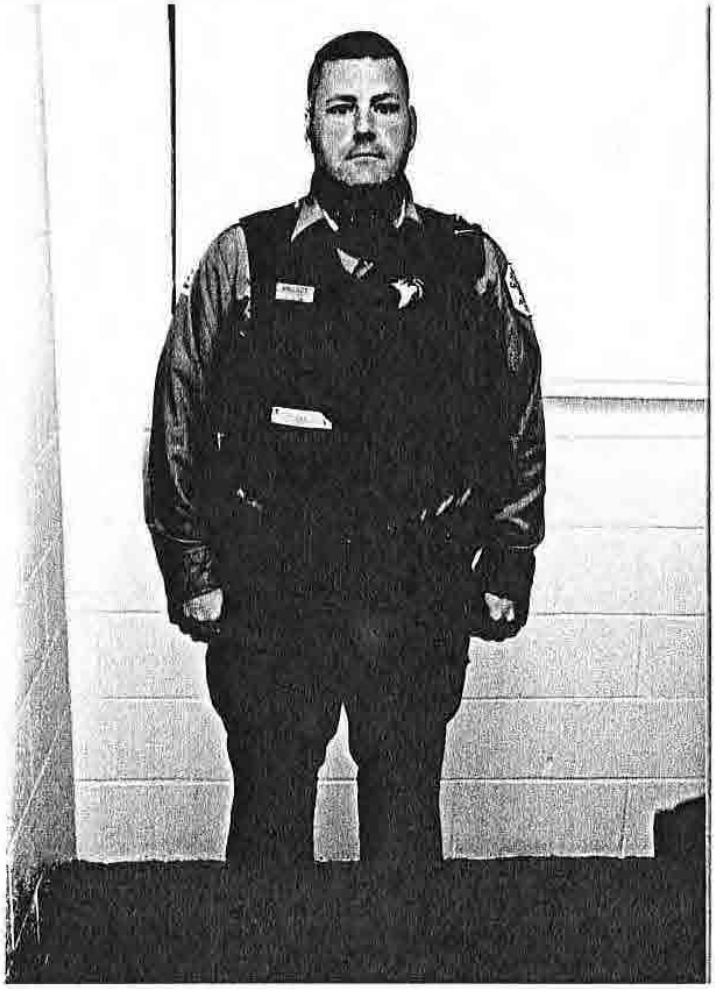


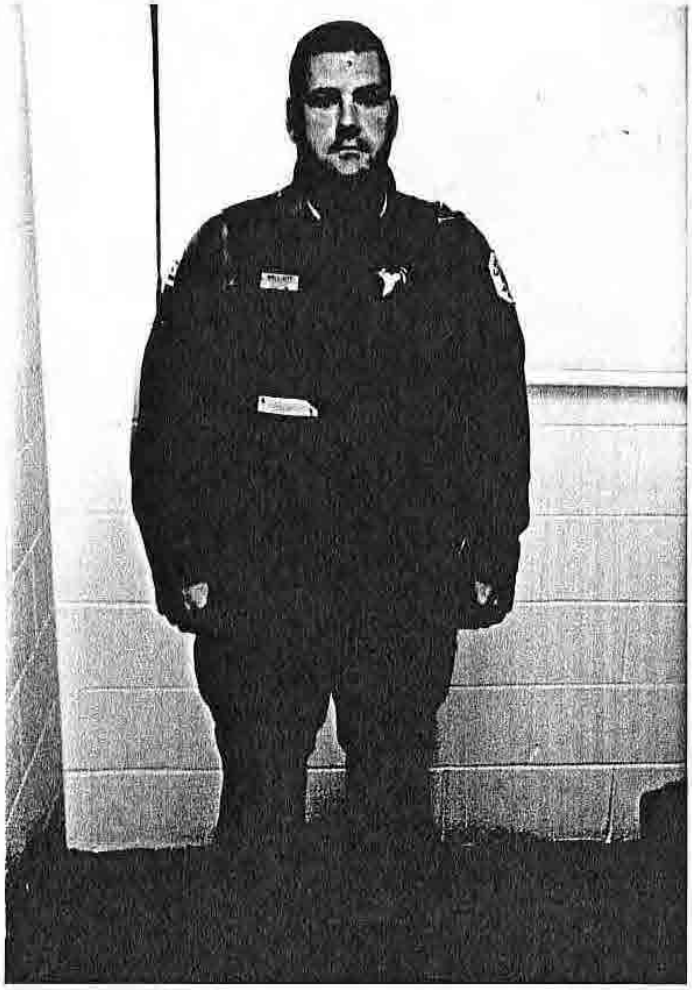
















Event # 1429315878

Type	Location	Date	Pri	DG	Svc Beat	Disp
HOLDCI	3999 W 41ST ST / 4099 S PULASKI RD	20-OCT-2014 21:47:07	1A	008	0821	0552

Source	Response Level	Caller	Phone
E	1	[redacted]	[redacted]

Address of Occurrence	Occ Beat
4100 S KILDARE BL	0815

Event Chronology

Date	Activity	Wkstn	Person	Text
20-OCT-2014 21:45:35	REC			
20-OCT-2014 21:47:07	ENTRY	PCT49	C549513	CallerLocation, CallerName have been changed.
20-OCT-2014 21:47:50	DSP	PD18	D560949	815R
20-OCT-2014 21:48:05	ACK	PMDT6024	PC0V821	815R
20-OCT-2014 21:53:27	CLOC	PD18	D560949	815R [40 KEELER]
20-OCT-2014 21:53:40	MISC	PD18	D560949	knife in hand need tzaer
20-OCT-2014 21:53:43	ASST	PD18	D560949	812
20-OCT-2014 21:53:45	MISC	PADM19	D112780	815R NEED TASER PERKNI [40 KEELER
20-OCT-2014 21:53:48	ACK	PMDT5805	PC0U318	812
20-OCT-2014 21:54:51	MISC	PD18	D560949	walking eb
20-OCT-2014 21:54:53	MISC	PADM19	D112780	15R --- WALKING EB
20-OCT-2014 21:55:08	MISC	PADM19	D112780	TOWARDS PULASKI ?
20-OCT-2014 21:56:14	MISC	PADM19	D108212	popped tire on car
20-OCT-2014 21:56:18	MISC	PD18	D560949	popped tire on car
20-OCT-2014 21:56:20	ASSTER	PADM19	D108212	845R
20-OCT-2014 21:56:22	AUTPRE	PD18	D560949	845R
20-OCT-2014 21:56:22	ASST	PD18	D560949	845R
20-OCT-2014 21:56:33	MISC	PADM19	D108212	by the burger king
20-OCT-2014 21:56:36	MISC	PD18	D560949	headed to bk
20-OCT-2014 21:56:43	MISC	PADM19	D108212	female says were here
20-OCT-2014 21:56:47	ASSTER	PADM19	D108212	821R
20-OCT-2014 21:56:49	AUTPRE	PD18	D560949	821R
20-OCT-2014 21:56:49	ASST	PD18	D560949	821R
20-OCT-2014 21:56:52	ASSTER	PADM19	D108212	841R
20-OCT-2014 21:56:55	AUTPRE	PD18	D560949	841R
20-OCT-2014 21:56:55	ASST	PD18	D560949	841R
20-OCT-2014 21:57:00	MISC	PD18	D560949	to pulaski
20-OCT-2014 21:57:30	MISC	PADM19	D108212	shtosf fired by cpd
20-OCT-2014 21:57:32	MISC	PD18	D560949	shots fired by police
20-OCT-2014 21:57:41	ASST	PD18	D560949	862C
20-OCT-2014 21:57:51	MISC	PD18	D560949	NEEDS EMS
20-OCT-2014 21:57:58	MISC	PD18	D560949	41 PULASKI
20-OCT-2014 21:58:38	MISC	PADM19	D108212	i 55 all of pulski shut down 45 th
20-OCT-2014 21:58:39	MISC	PD18	D560949	SHUT DOWN PULASKI I55 - 45TH ST
20-OCT-2014 21:58:57	MISC	PADM19	D108212	calling state shut down ramps
20-OCT-2014 21:59:04	MISC	PD18	D560949	41 PULASKI DIVERTING TRAFFIC @ 821R

Event # 1429315878

Event Chronology

Date	Activity	Wkstn	Person	Text
20-OCT-2014 21:59:21	MISC	PD18	D560949	821R COVERING SB
20-OCT-2014 21:59:22	DSP	PDT101	D543242	4603
20-OCT-2014 21:59:25	AUTPRE	PD18	D560949	812
20-OCT-2014 21:59:25	ASST	PD18	D560949	812
20-OCT-2014 21:59:35	CLOC	PD18	D560949	812 [43 PULASKI NB]
20-OCT-2014 21:59:43	MISC	PADM19	D108212	state nfy'd sb pulaski shut down from i 55
20-OCT-2014 21:59:44	ASST	PD18	D560949	823R
20-OCT-2014 21:59:49	ASST	PADM19	D108212	843
20-OCT-2014 21:59:54	CLOC	PADM19	D108212	843 [HOLDING I55 RAMP]
20-OCT-2014 22:00:00	CLOC	PD18	D560949	843 [I 55 PULASKI]
20-OCT-2014 22:00:01	ASST	PADM19	D108212	PH2
20-OCT-2014 22:00:09	ASST	PADM19	D108212	851R
20-OCT-2014 22:00:13	ACK	PMDT4691	PC0X830	851R
20-OCT-2014 22:00:26	AUTPRE	PD18	D560949	851R
20-OCT-2014 22:00:26	ASST	PD18	D560949	851R
20-OCT-2014 22:00:29	ACK	PMDT6416	PC0X832	4603
20-OCT-2014 22:00:30	MISC	PADM19	D108212	815R both ok ???
20-OCT-2014 22:00:36	MISC	PADM19	D108212	everyone is ok
20-OCT-2014 22:00:51	MISC	PADM19	D108212	slowdown
20-OCT-2014 22:00:53	MISC	PADM19	D108212	nm
20-OCT-2014 22:00:56	MISC	PADM19	D108212	slowdown
20-OCT-2014 22:00:59	MISC	PD18	D560949	SLOWDOWN
20-OCT-2014 22:01:06	ASST	PADM19	D108212	810R
20-OCT-2014 22:01:16	MISC	PADM19	D108212	810R to get info from officer fired weapon
20-OCT-2014 22:01:19	MISC	PD18	D560949	INFO REQUESTED
20-OCT-2014 22:01:22	MISC	PD18	D560949	NAME & STAR
20-OCT-2014 22:02:20	ASST	PADM19	D108212	811
20-OCT-2014 22:02:27	CLOC	PADM19	D108212	811 [TRAFK SB ON PULASKI]
20-OCT-2014 22:02:34	ASST	PADM19	D108212	833R
20-OCT-2014 22:02:40	CLOC	PADM19	D108212	833R [44TH/PULASKI NB PULASKI]
20-OCT-2014 22:03:00	MISC	PADM19	D108212	810R *9465
20-OCT-2014 22:03:21	CLEAR	PADM19	D108212	PH2
20-OCT-2014 22:04:10	MISC	PADM19	D108212	cut off nb pulaski @ 47th st
20-OCT-2014 22:04:13	ASST	PADM19	D108212	865
20-OCT-2014 22:04:15	ASST	PADM19	D108212	846
20-OCT-2014 22:04:19	MISC	PD18	D50696	CUT47TH ST N/B PULASKI
20-OCT-2014 22:04:23	CLOC	PADM19	D108212	846 [TRAFFK @ 47 PULASKI]
20-OCT-2014 22:04:26	MISC	PADM19	D108212	846 nb
20-OCT-2014 22:05:50	ACK	PMDT5311	PC0AE49	846
20-OCT-2014 22:06:14	ASST	PADM19	D108212	855
20-OCT-2014 22:06:24	CLOC	PADM19	D108212	855 [TRAFFIC NB 45TH/PUASKI]
20-OCT-2014 22:06:29	CLOC	PD18	D50696	855 [45TH /PULASKIN/B]

Event # 1429315878

Event Chronology

Date	Activity	Wkstn	Person	Text
20-OCT-2014 22:06:41	COPYT	PADM19	D108212	Copied To Event(s): #CPD1429316149
20-OCT-2014 22:07:19	MISC	PD18	D50696	CTA NFY TO REROUTE BUSES
20-OCT-2014 22:08:04	CLOC	PADM19	D108212	821R 845R 841R 862C 865 846 4603 812 823R 855 843 851R 810R 815R 833R 811 [41ST/PULASKI]
20-OCT-2014 22:08:26	MISC	PD18	D50696	OEMC WEIDERSTROM NFY
20-OCT-2014 22:09:14	ASSTER	PADM19	D108212	842
20-OCT-2014 22:09:47	MISC	PD18	D50696	CTA SUPV ON THE BRIDGE
20-OCT-2014 22:12:50	ASST	PADM19	D108212	865B
20-OCT-2014 22:12:53	ACK	PMDT4684	PC0Y103	865B
20-OCT-2014 22:15:01	ASST	PADM19	D108212	850
20-OCT-2014 22:15:16	MISC	PADM19	D108212	865 a21 leaving sceen w/offender
20-OCT-2014 22:15:22	PCCHNG	PADM19	D108212	Papercar changed from 815R to 841R
20-OCT-2014 22:15:28	CLOC	PADM19	D108212	841R [A21 W/OFFENDER]
20-OCT-2014 22:15:46	SUPP	PADM19	D108212	Remarks Added
20-OCT-2014 22:15:52	ASST	PADM19	D108212	800X
20-OCT-2014 22:15:53	ACK	PMDT4701	PC0W294	811
20-OCT-2014 22:15:56	ACK	PMDT5173	PC0E418	800X
20-OCT-2014 22:16:32	EVTMSG	PDT97		SHOTS FIRED BY POLICE OFFENDER POSSIBLY STRUCK NFI AT THIS TIME
20-OCT-2014 22:16:54	ENR	PMDT4701	PC0W294	811
20-OCT-2014 22:16:54	ONS	PMDT4701	PC0W294	811
20-OCT-2014 22:17:06	CLOC	PADM19	D108212	842 [FOLOWING A21 TO HOSPITAL]
20-OCT-2014 22:17:16	CLOCX	PADM19	D108212	842 [4100 S KILDARE BL]
20-OCT-2014 22:17:52	CLOC	PADM19	D108212	842 [A21 TO MT SINAI]
20-OCT-2014 22:17:54	CLOCX	PADM19	D108212	841R [4100 S KILDARE BL]
20-OCT-2014 22:19:00	REMINQ	PMDT5311	PC0AE49	846 Veh->LIC/[redacted] LIS/IL
20-OCT-2014 22:19:02	ACK	PMDT4681	PC0S756	850
20-OCT-2014 22:19:20	CLEAR	PADM19	D108212	812
20-OCT-2014 22:19:38	CLEAR	PMDT4701	PC0W294	811
20-OCT-2014 22:21:52	SUPP	PADM19	D108212	Remarks Added
20-OCT-2014 22:22:31	CLEAR	PMDT6416	PC0X832	4603
20-OCT-2014 22:23:24	ASSTOS	PADM19	D108212	813R
20-OCT-2014 22:24:47	ACK	PMDT4706	PC0W483	813R
20-OCT-2014 22:27:36	ACK	PMDT5808	PC0W480	862C
20-OCT-2014 22:33:18	GDISP	PADM19	D108212	841R D/5000
20-OCT-2014 22:33:37	CASERD	PADM19	D108212	RDG Report Number 841R $CPDHX475653 D/5000 By: D108212
20-OCT-2014 22:34:55	SUPP	PADM19	D108212	Remarks Added
20-OCT-2014 22:38:26	COPYT	PDTS103	D557395	Copied To Event(s): #CPD1429316573
20-OCT-2014 22:38:51	MISC	PADM19	D108212	821R has the bus driver unk if supv is on scene

Event # 1429315878

Event Chronology

Date	Activity	Wkstn	Person	Text
20-OCT-2014 22:41:47	SUPP	PADM19	D108212	Remarks Added
20-OCT-2014 22:47:25	ASSTOS	PADM19	D108212	822
20-OCT-2014 22:47:33	ACK	PMDT4677	PC0AD53	822
20-OCT-2014 22:47:38	CLEAR	PMDT4681	PC0S756	850
20-OCT-2014 22:49:01	SUPP	PDT97	D382563	Remarks Added
20-OCT-2014 22:49:03	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted] LIS/IL
20-OCT-2014 22:49:49	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted]5 LIS/IL
20-OCT-2014 22:50:03	CLOC	PADM19	D108212	846 [44TH/PULASK > 53RD/PULASKI]
20-OCT-2014 22:51:08	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL
20-OCT-2014 22:54:30	COPYT	PADM19	D108212	Copied To Event(s): #CPD1429316783
20-OCT-2014 22:55:16	TCMPL	PADM19	D108212	846 , 783
20-OCT-2014 22:56:18	MISC	PADM19	D108212	5169-
20-OCT-2014 22:59:35	MISC	PADM19	D108212	843 tell officers fop guys are there
20-OCT-2014 23:00:29	GDISP	PADM19	D108212	841R D/0552
20-OCT-2014 23:01:29	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:01:45	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:05:27	SUPP	PADM19	D108212	Remarks Added
20-OCT-2014 23:06:21	CHNG	PADM19	D108212	Location: 4100 S KILDARE BL ==> 3999 W 41ST ST / 4099 S PULASKI RD;X Streets: 4100 BL S /4301 BL W 41ST ST ==> / ;LocCmt: BY UNITED RENTAL ==> BY UNITED RENTAL & BURGER KING;Atom: 815 ==> 821;RespArea: 815 ==> 821;RespGroup:815 ==> 821;
20-OCT-2014 23:08:50	REMINQ	PMDT5311	PC0AE49	846 Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:10:09	REMINQ	PMDT4751	PC0X185	841R Per->NAM/[redacted]J DOB[redacted] SEX/M DLS/IL
20-OCT-2014 23:10:09	REMINQ	PMDT4751	PC0X185	841R Per->NAM/[redacted] SEX/M SID/[redacted] DLS/IL
20-OCT-2014 23:10:16	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:11:31	CLEAR	PMDT5311	PC0AE49	846
20-OCT-2014 23:18:57	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted] LIS/IL
20-OCT-2014 23:22:10	REMINQ	PMDT4684	PC0Y103	865B Per->DLN[redacted] DLS/IL
20-OCT-2014 23:22:43	SUPP	PADM19	D108212	Remarks Added
20-OCT-2014 23:23:00	REMINQ	PMDT4684	PC0Y103	865B Per->DBId/54537
20-OCT-2014 23:29:50	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:30:06	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:31:49	REMINQ	PMDT4534	PC0T089	833R Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:35:59	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted] LIS/IL
20-OCT-2014 23:39:23	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL

Event # 1429315878

Event Chronology

Date	Activity	Wkstn	Person	Text
20-OCT-2014 23:43:55	CLEAR	PADM19	D108212	822
20-OCT-2014 23:45:30	ENR	PMDT4751	PC0X185	841R
20-OCT-2014 23:50:50	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted] LIS/IL
20-OCT-2014 23:54:43	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted] LIS/IL
21-OCT-2014 00:09:01	CLEAR	PD18	D50696	862C
21-OCT-2014 00:11:37	CLOC	PADM19	D108212	842 [MT SINAI NEEDS RELIEF]
21-OCT-2014 00:18:09	ASST	PD18	D50696	846R
21-OCT-2014 00:18:25	CLOC	PD18	D50696	846R [MT SINAI W/PRISONER]
21-OCT-2014 00:18:31	ACK	PMDT4685	PC0AK48	846R
21-OCT-2014 00:20:40	CLOC	PADM19	D108212	843 [I55 @ PULASKI TRAFK CONTROL --- RELIEF]
21-OCT-2014 00:27:54	ASST	PD18	D50696	824R
21-OCT-2014 00:27:58	ACK	PMDT4683	PC0T069	824R
21-OCT-2014 00:28:11	CLOC	PD18	D50696	824R [I55 @ PULASKI- TRAFK ON RAMP]
21-OCT-2014 00:31:16	REMINQ	PMDT4683	PC0T069	824R Veh->LIC/[redacted] LIS/IL LIT/ZZ
21-OCT-2014 00:45:40	CLEAR	PADM19	D108212	843
21-OCT-2014 00:55:22	REMINQ	PMDT4534	PC0T089	833R Veh->LIC/[redacted] LIS/IL
21-OCT-2014 00:58:06	REMINQ	PMDT4534	PC0T089	833R Veh->LIC[redacted] LIS/IL
21-OCT-2014 00:58:18	REMINQ	PMDT4534	PC0T089	833R Veh->LIC[redacted]LIS/IL
21-OCT-2014 01:00:51	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted]LIS/IL
21-OCT-2014 01:05:09	REMINQ	PMDT4534	PC0T089	833R Veh->LIC/[redacted] LIS/IL
21-OCT-2014 01:05:28	REMINQ	PMDT4534	PC0T089	833R Veh->LIC/[redacted]-B LIS/IL LIT/TK
21-OCT-2014 01:05:37	REMINQ	PMDT4534	PC0T089	833R Veh->LIC/[redacted] LIS/IL
21-OCT-2014 01:06:44	REMINQ	PMDT4534	PC0T089	833R Veh->LIC[redacted]LIS/IL
21-OCT-2014 01:06:54	REMINQ	PMDT4534	PC0T089	833R Veh->LIC/[redacted] LIS/IL
21-OCT-2014 01:09:59	CLEAR	PADM19	D108212	800X
21-OCT-2014 01:10:24	CLEAR	PMDT4998	PC0X178	842
21-OCT-2014 01:16:16	CLEAR	PADM19	D108212	855
21-OCT-2014 01:16:44	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted]9 LIS/IL
21-OCT-2014 01:18:14	CLEAR	PD18	D50696	865B
21-OCT-2014 01:33:29	AUTPRE	PADM19	D108212	865
21-OCT-2014 01:33:49	CLOC	PADM19	D108212	813R [AREA]
21-OCT-2014 01:33:57	ASST	PADM19	D108212	822
21-OCT-2014 01:34:00	CLOC	PADM19	D108212	822 [AREA]
21-OCT-2014 02:12:02	CLOC	PMDT4751	PC0X185	841R [AREA CENTRAL]
21-OCT-2014 03:10:28	CLOC	PD18	D50696	815R [AREA]
21-OCT-2014 03:16:34	MISC	PD18	D50696	PER 830R PULASKI CAN BE OPENED
21-OCT-2014 03:22:25	CLOC	PMDT6234	PC0Z521	823R [008] reports
21-OCT-2014 03:26:53	CLEAR	PMDT4683	PC0T069	824R
21-OCT-2014 03:36:12	REMINQ	PMDT4507	PC0W970	821R Veh->LIC/[redacted]LIS/IL LIT/TM
21-OCT-2014 03:40:25	REMINQ	PMDT4507	PC0W970	821R Veh->LIC/[redacted] LIS/IL
21-OCT-2014 03:40:45	REMINQ	PMDT4507	PC0W970	821R Veh->LIC/[redacted] LIS/IL

Event # 1429315878

Event Chronology

Date	Activity	Wkstn	Person	Text
21-OCT-2014 03:43:12	CLEAR	PMDT4507	PC0W970	821R
21-OCT-2014 04:03:03	CLOC	PD18	D50696	846R [MT SINAI]
21-OCT-2014 04:03:07	ONS	PD18	D50696	846R
21-OCT-2014 04:09:19	CLOC	PD18	D50696	833R [AREA CENTRAL W/815'S CAR]
21-OCT-2014 04:10:11	CLOC	PD18	D50696	833R [AREA CENTRAL W/815R'S CAR]
21-OCT-2014 04:18:37	CLEAR	PD18	D50696	823R
21-OCT-2014 04:23:43	CLEAR	PMDT4691	PC0X830	851R
21-OCT-2014 04:39:23	CLOC	PD18	D50696	845R [AREA CENTRAL]
21-OCT-2014 04:44:49	CLOC	PADM19	D108212	833R [008]
21-OCT-2014 04:48:06	CLEAR	PADM19	D108212	822
21-OCT-2014 05:11:56	COPYT	PDTS103	DT557395	Copied To Event(s): #CPD1429401913
21-OCT-2014 05:12:32	CLEAR	PADM19	D108212	833R
21-OCT-2014 05:12:50	ONS	PADM19	D108212	841R
21-OCT-2014 05:12:50	ONS	PADM19	D108212	845R
21-OCT-2014 05:12:50	ONS	PADM19	D108212	815R
21-OCT-2014 05:12:50	ONS	PADM19	D108212	813R
21-OCT-2014 05:12:52	ONS	PADM19	D108212	810R
21-OCT-2014 05:15:15	MISC	PADM19	D108212	846R BODY REMOVAL 0511 HRS
21-OCT-2014 05:20:48	CLEAR	PADM19	D108212	846R
21-OCT-2014 05:32:26	CLEAR	PADM19	D108212	810R
21-OCT-2014 06:31:23	SCHOFF	PMDT4659	PC0V684	Unit #845R scheduled for Logoff
21-OCT-2014 07:41:19	SCHOFF	PMDT4751	PC0X185	Unit #841R scheduled for Logoff
21-OCT-2014 07:43:43	CLEAR	PD18	D300971	841R 815R 845R 813R
21-OCT-2014 07:43:43	CLOSE	PD18	D300971	
21-OCT-2014 07:44:00	ROPEN	PD18	D300971	OPEN
21-OCT-2014 07:44:00	DSP	PD18	D300971	813R
21-OCT-2014 07:44:04	ACK	PMDT4706	PC0W483	813R
21-OCT-2014 07:44:09	SCHOFF	PMDT4706	PC0W483	Unit #813R scheduled for Logoff
21-OCT-2014 07:45:06	SCHOFF	PMDT4706	PC0W483	Unit #813R scheduled for Logoff
21-OCT-2014 07:45:34	SCHOFF	PD18	D300971	Unit #813R scheduled for Logoff
21-OCT-2014 07:45:37	CLEAR	PD18	D300971	813R
21-OCT-2014 07:45:37	CLOSE	PD18	D300971	
21-OCT-2014 07:45:52	ROPEN	PD18	D300971	OPEN
21-OCT-2014 07:45:52	DSP	PD18	D300971	815R
21-OCT-2014 08:45:46	ACK	PMDT6024	PC0V821	815R
21-OCT-2014 08:52:57	CLEAR	PD18	D300971	815R
21-OCT-2014 08:52:57	CLOSE	PD18	D300971	
	RMKS			*** WIRELESS CALL ***
	RMKS			holding a male who he caught breaking into trucks and stealing radios nfi
	RMKS			a21 to hospital
	RMKS			a21 to mt sinai confirmd by fireside

Event # 1429315878

Event Chronology

Date	Activity	Wkstn	Person	Text
	RMKS			HAVE SGT OR PAPER CAR CALL CRIME LAB AREA CENTRAL HGSCU OPER COMM NEWS AFFAIRS ASAP
	RMKS			[redacted] il id [redacted] 6'01 185\
	RMKS			EXEC DIR SCHENKEL NOTIFIED @ 2223 HRS 1ST DEP ELLIS NOTIFIED @ 2224 HRS CHIEF OF STAFF BERGER NOTIFIED @ 2226 HRS MANAG DEP , OPER GUIDICE NOTIFIED @ 2228 HRS DEP DIR , 911 OPER HALLOWELL NOTIFIED @ 2229 HRS DIR NEWS AFFAIRS STRATTON NOTIFIED @ 2231 HRS OEMC INVEST UNIT MESSAGE LEFT @ 2236 HRS MAYOR'S DETAIL BURTON NOTIFIED @ 2241 HRS IMD/OC NOTIFIED VIA MESSAGE @ 2217 HRS OEMC WM ORLANDINI NOTIFIED @ 2217 HRS OPER COMM *1804 NOTIFIED @ 2221 HRS [HAVE PC CALL] AREA SOUTH HGSCU DET KRETTEK NOTIFIED @ 2219 HRS [HAVE PC CALL] CRIME LAB SARLO NOTIFIED @ 2221 HRS [HAVE PC CALL][5802 RESPONDING] NEWS AFFAIRS GAINES NOTIFIED @ 2247 HRS 008TH DIST SGT KOMENSKY *1745 NOTIFIED @ 2248 HRS PCO2 JOHNSON -- CW7
	RMKS			offender pronounced @ 2242 hrs per 842
	RMKS			843 - crime lab is on scene

Unit Summary

Event # 1429315878

Unit Summary

Unit	Dispatch	Enroute	Onscene	T	TA	TC	Clear
815R	21:47:50	21:53:27	21-OCT-2014 05:12:50				21-OCT-2014 07:43:43
812	21:53:43						21:59:25
845R	21:56:20	21:56:20					21:56:22
845R	21:56:22	22:08:04	21-OCT-2014 05:12:50				21-OCT-2014 07:43:43
821R	21:56:47	21:56:47					21:56:49
821R	21:56:49	22:08:04					21-OCT-2014 03:43:12
841R	21:56:52	21:56:52					21:56:55
841R	21:56:55	22:08:04	22:17:54				21-OCT-2014 07:43:43
862C	21:57:41	22:08:04					21-OCT-2014 00:09:01
4603	21:59:22	22:08:04					22:22:31
812	21:59:25	21:59:35					22:19:20
823R	21:59:44	22:08:04					21-OCT-2014 04:18:37
843	21:59:49	21:59:54					21-OCT-2014 00:45:40
PH2	22:00:01						22:03:21
851R	22:00:09						22:00:26
851R	22:00:26	22:08:04					21-OCT-2014 04:23:43
810R	22:01:06	22:08:04	21-OCT-2014 05:12:52				21-OCT-2014 05:32:26
811	22:02:20	22:02:27	22:16:54				22:19:38
833R	22:02:34	22:02:40					21-OCT-2014 05:12:32
865	22:04:13	22:08:04					21-OCT-2014 01:33:29
846	22:04:15	22:04:23				22:55:16	23:11:31
855	22:06:14	22:06:24					21-OCT-2014 01:16:16
842	22:09:14	22:09:14	22:17:16				21-OCT-2014 01:10:24
865B	22:12:50						21-OCT-2014 01:18:14
850	22:15:01						22:47:38
800X	22:15:52						21-OCT-2014 01:09:59

Event # 1429315878

Unit Summary

Unit	Dispatch	Enroute	Onscene	T	TA	TC	Clear
813R	22:23:24	21-OCT-2014 01:33:49	22:23:24				21-OCT-2014 07:43:43
822	22:47:25		22:47:25				23:43:55
846R	21-OCT-2014 00:18:09	21-OCT-2014 00:18:25	21-OCT-2014 04:03:07				21-OCT-2014 05:20:48
824R	21-OCT-2014 00:27:54	21-OCT-2014 00:28:11					21-OCT-2014 03:26:53
822	21-OCT-2014 01:33:57	21-OCT-2014 01:34:00					21-OCT-2014 04:48:06
813R	21-OCT-2014 07:44:00						21-OCT-2014 07:45:37
815R	21-OCT-2014 07:45:52						21-OCT-2014 08:52:57

HICAGO POLICE DEPARTMENT

ASE SUPPLEMENTARY REPORT

10 S. Michigan Avenue, Chicago, Illinois 60653
use by Chicago Police - Bureau of Investigative Services Personnel Only)

HX475653

Case id : 9825613
Sup ID : 10992767 CASR301

XC. CLEARED CLOSED (OTHER EXCEPTIONAL) | **DETECTIVE SUP. APPROVAL COMPLETE**

Offense Classification/Re-Classification	IUCR Code	Original Offense Classification			IUCR Code
AULT / Aggravated Po:Knife/Cut Instr	**0552**	ASSAULT / Aggravated Po:Knife/Cut Instr			0552
ddress of Occurrence	Beat of Occur	No of Victims	No of Offenders	No of Arrested	SCR No
112 S PULASKI RD	**815**	4	1	1	
ocation Type	Location Code	Secondary Location			Hate Crime?
Street	**304**				NO
ate of Occurrence	Unit Assigned	Date RO Arrived	Fire Related?	Gang Related?	Domestic Related?
20-OCT-2014 21:57	**0841R**	20-OCT-2014 21:57	NO	NO	NO

Reporting Officer	Star No	Approving Supervisor	Star No	Primary Detective Assigned	Star No
MARCH, David	20563	WOJCIK, Anthony	481	MARCH, David	20563
Date Submitted		Date Approved		Assignment Type	
15-MAR-2015 18:26		16-MAR-2015 00:03		FIELD	

THIS IS A FIELD INVESTIGATION EXC. CLEARED CLOSED (OTHER EXCEPTIONAL) REPORT

VICTIM(S) :

GAFFNEY, Thomas J
Male / White / 41 Years
EMPLOYMENT: Chicago Police Officer #19958 Chicago Police Officer
EMPLOYER BUSINESS NME: Chicago Police Department
BUS: 3420 W 63rd St
Chicago IL
312-747-8730

MCELLIGOTT, Joseph P
Male / White / 36 Years
EMPLOYMENT: Chicago Police Officer #18715 Chicago Police Officer
EMPLOYER BUSINESS NME: Chicago Police Department
BUS: 3420 W 63rd St
Chicago IL
312-747-8730

VAN DYKE, Jason D
Male / White / 36 Years
EMPLOYMENT: Chicago Police Officer #9465 Chicago Police Officer
EMPLOYER BUSINESS NME: Chicago Police Department
BUS: 3420 W 63rd St
Chicago IL
312-747-8730

WALSH, Joseph J
Male / White / 45 Years
EMPLOYMENT: Chicago Police Officer #12865 Chicago Police Officer
EMPLOYER BUSINESS NME: Chicago Police Department
BUS: 3420 W 63rd St
Chicago IL

HX475653

312-747-8730

OFFENDER(S): **MCDONALD, Laquan J** -- In Custody --

ALIAS: "Bon-Bon"
Male / Black / 17 Years
DOB: [redacted]
RES: [redacted]
BIRTH PL: Illinois
DESCRIPTION: 6'02,180,Black Hair, Dreadlocks Hair Style, Brown Eyes, Medium Complexion

ITEM USED:
Weapon
DLN/ID: [redacted]
OTHER IDENTIFICATIONS: **Type -** Other Id
State - Unknown

IR #: 2106340
SID #: IL18550721
ORGANIZATION: NEW BREED
RELATIONSHIP OF VICTIM TO OFFENDER:

GAFFNEY, Thomas No Relationship
MCELLIGOTT, Joseph No Relationship
VAN DYKE, Jason No Relationship
WALSH, Joseph No Relationship

GANG INFORMATION:
LISTED CRIMINAL ORGANIZATION: New Breed
GANG IDENTIFIERS: Other

OFFENDER INJURIES: **MCDONALD, Laquan J**

Type	Weapon Used	Weapon Description
Gun Shot Wound	Handgun	Other -Handgun

Injured by Police
Chicago Fire Department Provided First Aid
EXTENT OF INJURY: Multiple Gsw
HOSPITAL REMOVED BY: Cfd Ambulance 21

HOSPITAL: Mt. Sinai
INJURY TREATMENT: Multiple Gsw
PHYSICIAN NAME: Dr Pitzele
INV #: **13296449**

WEAPON(S): **Evidence**

Smith & Wesson -Us- (Bodyguard,Chief Special) , 5942 , 9 , Semi-Automatic Pistol , Semi-Automatic , 4" , Stainless

SERIAL #: [redacted]

MAGAZINE CAPACITY: 15

Number Of Live Rounds present in the Firearm - 15

Number Of Live Rounds used in the Firearm - 16

The Status Of This Firearm is 628361

PROPERTY TYPE: Other

OWNER: Van Dyke, Jason

POSSESSOR/USER: Van Dyke, Jason

PHONE #: 312 - 747 - 8730

LOCATION FOUND: 5101 S Wentworth Ave

VEHICLE INFO:

Truck , 2010 / Chevrolet / Tahoe / Truck

, Victims Vehicle

VIN: 1GNMCAE0XAR263348 **Evidence**

YEAR (RANGE): 2010

COLOR (TOP/BOTTOM): White / White

OWNER: Chicago Police Department

POSSESSOR/USER: Gaffney, Thomas

PHONE#: 312 - 747 - 8730

LOCATION FOUND: 4102 S Pulaski Rd

LICENSE: MP6581, Law Enforcement (City, County, State, Sos), IL

LOCATION OF INCIDENT:

4112 S Pulaski Rd
Chicago IL
304 - Street

DATE & TIME OF INCIDENT: 20-OCT-2014 21:57

WEATHER AND LIGHTING:

WEATHER: Cloudy & Cool

TEMPERATURE: 50s

LIGHTING: Dark / Artificial Light

LIGHTING SOURCE: Streetlights

DISTANCE: Overhead

MOTIVE CODE(S): Interceding In A Felony

CAUSE CODE(S): Dna

METHOD CODE(S): Offender Shot

CAU CODE(S): Police Related Not Con

FIREARM(S) RECOVERED: **INV #: 13296449** **Evidence**

Smith & Wesson -Us- (Bodyguard,Chief Special) , 5942 , 9 , Semi-

Automatic Pistol , Semi-Automatic , 4" , Stainless
SERIAL #: [redacted]
PROPERTY TYPE: Other

OWNER: Van Dyke, Jason
POSSESSOR/USER: Van Dyke, Jason

PHONE #: 312 - 747 - 8730
LOCATION FOUND: 5101 S Wentworth Ave

MAGAZINE CAPACITY: 15
Number Of Live Rounds present in the Firearm - 15
Number Of Live Rounds used in the Firearm - 16

/EHICLE(S) DAMAGED: **Truck , 2010 / Chevrolet / Tahoe / Truck**
VIN: 1GNMCAE0XAR263348 **Evidence**

YEAR - YEAR RANGE END: 2010
COLOR (TOP/BOTTOM): White / White
OWNER: Chicago Police Department
POSSESSOR/USER: Gaffney, Thomas

PHONE#: 312 - 747 - 8730
LOCATION FOUND: 4102 S Pulaski Rd
LICENSE: MP6581, Law Enforcement (City, County, State, Sos), IL

PERSONNEL ASSIGNED:
Detective/Investigator
MARCH, David M # 20563
Reporting Officer
FONTAINE, Dora # 4484 BEAT: 0841R

WITNESS(ES) :
BACERRA, Arturo
Male / White Hispanic / 32 Years
EMPLOYMENT: Chicago Police Officer #15790 Chicago Police Officer
BUS: 3420 W 63rd St
Chicago IL
312-747-8730
[redacted]
Female / White Hispanic / 29 Years
DOB: [redacted]
RES: 5340 Prairie
[redacted]

OTHER COMMUNICATIONS:
Cellular [redacted]
Phone :
[redacted]

Female / White Hispanic / 19 Years

DOB: [redacted]

RES: [redacted]

BUS: [redacted]

DLN/ID: [redacted]

Male / White Hispanic / 18 Years

DOB: [redacted]

RES: [redacted]

OTHER COMMUNICATIONS:

[redacted]
Phone :

DLN/ID: [redacted]

Female / White Hispanic / 24 Years

DOB: [redacted]

RES: [redacted]

EMPLOYMENT: Shift Manager

BUS: [redacted]

OTHER COMMUNICATIONS:

Cellular [redacted]
Phone :

FONTAINE, Dora

Female / White Hispanic / 47 Years

EMPLOYMENT: Chicago Police Officer #4484 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

[redacted]

Male / White Hispanic / 25 Years

DOB: [redacted]

RES: [redacted]

BUS: [redacted]

OTHER COMMUNICATIONS:

Cellular Phone : [redacted]

SSN: [redacted]

[redacted]

Female / White Hispanic / 30 Years

DOB: [redacted]

RES: [redacted]

OTHER COMMUNICATIONS:

Cellular Phone : [redacted]

[redacted]

Male / White Hispanic / 24 Years

DOB: [redacted]

RES: [redacted]

SSN: [redacted]

DLN/ID: [redacted]

MONDRAGON, Janet

Female / White Hispanic / 37 Years

EMPLOYMENT: Chicago Police Officer #4364 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

SEBASTIAN, Daphne L

Female / White / 45 Years

EMPLOYMENT: Chicago Police Officer #2763 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

VELEZ, Leticia

Female / White Hispanic / 43 Years

EMPLOYMENT: Chicago Police Officer #10385 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

VIRAMONTES, Ricardo

Male / White Hispanic / 41 Years

EMPLOYMENT: Chicago Police Officer #10590 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL

312-747-8730

OTHER INDIVIDUALS INVOLVED:

[redacted] (Additional Victim)
Male / White Hispanic / 43 Years
DOB: [redacted]
RES: [redacted]
EMPLOYMENT: Self-Employed Truck Driver
OTHER COMMUNICATIONS:
Cellular Phone : [redacted]
DLN/ID: [redacted] :

[redacted] (Family Member Notified)
Male / Black / 25 Years
DOB: [redacted]
RES: [redacted]
OTHER COMMUNICATIONS:
Other : [redacted]

[redacted] (Person Interviewed Non-Witness)
Female / White Hispanic / 62 Years
DOB: [redacted]
RES: [redacted]
BUS: [redacted]

[redacted] (Person Interviewed Non-Witness)
Female / White Hispanic / 39 Years
DOB: [redacted]
RES: [redacted]
BUS: [redacted]

CRIME CODE SUMMARY: 0552 - Assault - Aggravated Po:Knife/Cut Instr

OTHER ASSOCIATIONS: 0552 - Assault - Aggravated Po:Knife/Cut Instr

GAFFNEY, Thomas, J (Victim)

MCDONALD, Laquan, J	(Offender)
MCELLIGOTT, Joseph, P	(Victim)
MCDONALD, Laquan, J	(Offender)
MCDONALD, Laquan, J	(Offender)
VAN DYKE, Jason, D	(Victim)
MCDONALD, Laquan, J	(Offender)
WALSH, Joseph, J	(Victim)

ICIDENT NOTIFICATIONS:

NOTIFICATION DATE & TIME: 10/20/2014:230700
REQUEST TYPE: Notification
PERSON NAME: ,Sarlo
STAR #: 13131
EMP #:

NOTIFICATION DATE & TIME: 10/20/2014:231400
REQUEST TYPE: Notification
PERSON NAME: ,Jines
STAR #: 4898
EMP #:

NOTIFICATION DATE & TIME: 10/20/2014:215000
REQUEST TYPE: On Scene
PERSON NAME: ,March
STAR #: 20563
EMP #:

NOTIFICATION DATE & TIME: 10/21/2014:225800
REQUEST TYPE: Notification
PERSON NAME: ,Chibe
STAR #: 7303
EMP #:

NOTIFICATION DATE & TIME: 10/20/2014:235000
REQUEST TYPE: Notification
PERSON NAME: ,Briggs
STAR #:
EMP #: 76

REPORT DISTRIBUTIONS: No Distribution

INVESTIGATION:

AREA CENTRAL FIELD INVESTIGATION:

Exceptionally Cleared Closed /
Other Exceptional Clearance - Death of Offender.

The full format for this investigation is contained in the previous Progress - Scene Report.

INVESTIGATION:

The reporting detective was assigned to the immediate follow-up investigation of this police officer involved shooting incident, by Sergeant Daniel GALLAGHER of this command. The reporting detective proceeded to the scene of the incident at 4112 South Pulaski Road. The officer involved in the shooting was located and interviewed at the scene.

VAN DYKE, Jason D -----

stated he was a Chicago Police Officer assigned to the 008th District. He was on duty, in uniform, working on Beat 845R. VAN DYKE was working with Police Officer Joseph WALSH. The two officers were assigned to Chicago Police Department vehicle number 6412, a marked Chevrolet Tahoe, four door sport utility vehicle. WALSH was driving the vehicle and VAN DYKE was the passenger.

The two officers responded to a request for assistance from Beat 815R, regarding a man with a knife, on 40th Street, west of Pulaski Road. A unit equipped with a taser had also been requested. Officer VAN DYKE heard the radio transmission when Officer Thomas GAFFNEY said the man with a knife had "popped" the tire of GAFFNEY's police vehicle. VAN DYKE understood this to mean the subject had slashed the tire with his knife. As Officer WALSH drove westbound on 40th Street from Pulaski, VAN DYKE observed a black male subject, now known as Laquan MCDONALD, running eastbound in the parking lot of the Burger King restaurant on the southwest corner of 40 Street and Pulaski. MCDONALD was holding a knife in his right hand. VAN DYKE saw Police Officer Joseph MCELLIGOTT pursuing MCDONALD on foot. VAN DYKE also saw a civilian who was standing on 40th Street pointing to MCDONALD.

Officer WALSH drove eastbound in the parking lot, in pursuit of MCDONALD, on the north side of the Burger King restaurant building. WALSH used the police vehicle to block MCDONALD from entering the restaurant. MCDONALD ran out onto Pulaski Road and then turned southbound, running toward a Dunkin' Donuts restaurant, on the east side of Pulaski, south of the Burger King. WALSH positioned the police vehicle between MCDONALD and the Dunkin' Donuts to block his path towards that restaurant. When WALSH slowed the police vehicle alongside MCDONALD, Officer VAN DYKE opened the right front door of the vehicle to exit and confront MCDONALD. WALSH told VAN DYKE to stay in the vehicle as they were too close to MCDONALD to safely exit their vehicle. WALSH drove on southbound and stopped the police vehicle ahead of MCDONALD.

Officer VAN DYKE exited the vehicle on the right side and drew his handgun. As VAN DYKE stood in the street on Pulaski, facing northbound, toward MCDONALD, MCDONALD approached southbound. MCDONALD was holding the knife in his right hand, in an underhand grip, with the blade pointed forward. He was swinging the knife in an aggressive, exaggerated manner. VAN DYKE ordered MCDONALD to "Drop the knife!" multiple times. MCDONALD ignored VAN DYKE's verbal direction to drop the knife and continued to advance toward VAN DYKE.

When MCDONALD got to within 10 to 15 feet of Officer VAN DYKE, MCDONALD looked toward

VAN DYKE. MCDONALD raised the knife across his chest and over his shoulder, pointing the knife at VAN DYKE. VAN DYKE believed MCDONALD was attacking VAN DYKE with the knife, and attempting to kill VAN DYKE. In defense of his life, VAN DYKE backpedaled and fired his handgun at MCDONALD, to stop the attack. MCDONALD fell to the ground but continued to move and continued to grasp the knife, refusing to let go of it. VAN DYKE continued to fire his weapon at MCDONALD as MCDONALD was on the ground, as MCDONALD appeared to be attempting to get up, all the while continuing to point the knife at VAN DYKE. The slide on VAN DYKE's pistol locked in the rearward position, indicating the weapon was empty. VAN DYKE performed a tactical reload of his pistol with a new magazine and then assessed the situation.

MCDONALD was no longer moving and the threat had been mitigated, so Officer VAN DYKE and Officer WALSH approached MCDONALD. MCDONALD was still holding the knife in his right hand. VAN DYKE continued to order MCDONALD to "Drop the knife!" Officer WALSH told VAN DYKE, "I have this." VAN DYKE then used his handgun to cover WALSH as WALSH walked up and forcibly kicked the knife out of MCDONALD's right hand, thereby eliminating the threat to the officers.

Officer WALSH then notified the dispatcher on the police radio that shots had been fired by the police. Officer VAN DYKE requested an ambulance for MCDONALD on the radio.

Officer VAN DYKE's weapon was a Smith and Wesson, nine millimeter, semi-automatic pistol, with a 15 round magazine. VAN DYKE said the pistol was fully loaded at the beginning of his tour of duty, with 15 cartridges in the magazine and one cartridge in the firing chamber.

It was noted that the uniform Officer VAN DYKE was wearing consisted of a light blue long sleeve uniform shirt, with shoulder patches; black body armor vest, with patches; navy blue cargo pants; and equipment belt with handgun and radio.

The reporting detective then interviewed Officer VAN DYKE's partner.

WALSH, Joseph J -----

stated he was a Chicago Police Officer assigned to the 008th District. WALSH related the same facts as his partner, Officer Jason VAN DYKE.

WALSH added that as Laquan MCDONALD ran eastbound through the Burger King parking lot, WALSH used the police vehicle he was driving to block MCDONALD from entering the restaurant.

As MCDONALD ran southbound on Pulaski Road, from the Burger King, WALSH pursued MCDONALD in the police vehicle. WALSH drove southbound in the northbound lanes to get ahead of MCDONALD, keeping the police vehicle between MCDONALD and a Dunkin' Donuts restaurant, on the east side of Pulaski. As their vehicle passed MCDONALD, Officer VAN DYKE opened the right front door of their vehicle, to exit the truck and confront MCDONALD. WALSH, realizing that at this point they were too close to the armed MCDONALD to safely exit the vehicle, told VAN DYKE to wait until they got further ahead of MCDONALD. WALSH drove further south on Pulaski. He stopped his vehicle south of MCDONALD and exited the driver's door as VAN DYKE exited the right side of the vehicle. WALSH drew his handgun when he exited the vehicle.

Officer WALSH came around the rear of the police vehicle and joined Officer VAN DYKE on the right side of the vehicle. WALSH also stood in the street on Pulaski, facing northbound, as MCDONALD walked southbound toward the officers. WALSH ordered MCDONALD to "Drop the knife!" multiple times as MCDONALD approached the officers.

Officer WALSH also backed up, attempting to maintain a safe distance between himself and MCDONALD. MCDONALD ignored the verbal direction given by both WALSH and Officer VAN DYKE, and continued to advance toward the officers. When MCDONALD got to within 12 to 15 feet of the officers he swung the knife toward the officers in an aggressive manner. VAN DYKE opened fire with his handgun and MCDONALD fell to the ground. VAN DYKE continued firing his weapon at MCDONALD as MCDONALD continued moving on the ground, attempting to get up, while still armed with the knife.

When the gunfire stopped and MCDONALD was not moving anymore, WALSH approached MCDONALD with VAN DYKE. WALSH continued to order MCDONALD to "Drop the knife!" multiple times, as MCDONALD was still holding the knife in his right hand. WALSH forcibly kicked the knife out of MCDONALD's hand and then notified the dispatcher on the police radio that shots had been fired by the police. An ambulance was also requested for MCDONALD.

As they waited for the ambulance to respond to the scene, Officer WALSH told MCDONALD to "hang in there," and that an ambulance was on the way.

Officer WALSH said he believed MCDONALD was attacking WALSH and Officer VAN DYKE with the knife and attempting to kill them when the shots were fired. WALSH stated he did not fire his handgun because VAN DYKE was in the line of fire between WALSH and MCDONALD. WALSH thought VAN DYKE fired eight or nine shots total.

It was noted that Officer WALSH wore the same uniform configuration as Officer VAN DYKE.

The officers assigned to Beat 815R were interviewed.

GAFFNEY, Thomas J -----

stated he was a Chicago Police Officer assigned to the 008th District. He was on duty, in uniform, working on Beat 815R. GAFFNEY was working with Police Officer Joseph MCELLIGOTT. The two officers were assigned to Chicago Police Department vehicle number 8489, a marked Chevrolet Tahoe, four door sport utility vehicle. GAFFNEY was driving the vehicle and MCELLIGOTT was the passenger.

The officers responded to an assignment of holding an offender for breaking into trucks at 41st Street and Kildare Avenue. Upon arrival at that location they met an Hispanic couple who told the officers a black male subject, wearing a dark shirt, had attempted to break into trucks parked in the parking lot at that location. The couple told the officers the subject had walked off and was last seen walking eastbound on 40th Street from Kildare.

Officer GAFFNEY drove northbound on Kildare to 40th Street. When he turned eastbound onto 40th Street he saw a black male subject wearing dark clothing, walking eastbound on the sidewalk,

on the south side of the street. Officer MCELLIGOTT exited the police vehicle to approach the subject, now known as Laquan MCDONALD. GAFFNEY stayed in the vehicle in case MCDONALD fled. MCELLIGOTT called to MCDONALD and told him to stop but MCDONALD continued walking eastbound, ignoring MCELLIGOTT. MCDONALD's hands were in his pockets as he walked. MCELLIGOTT told MCDONALD to take his hands out of his pockets. MCDONALD took his hands out of his pockets and MCELLIGOTT told GAFFNEY that MCDONALD had a knife. GAFFNEY then saw a silver colored knife in MCDONALD's right hand. GAFFNEY also saw that MCELLIGOTT had his handgun drawn at this point. MCELLIGOTT repeatedly ordered MCDONALD to "Drop the knife," but MCDONALD ignored these directions. As MCDONALD reached Keeler Avenue, GAFFNEY notified the dispatcher on the police radio that they were following a subject with a knife and requested assistance from a unit equipped with a taser.

MCDONALD continued walking eastbound, Officer MCELLIGOTT following on foot and Officer GAFFNEY following in the police vehicle. As MCDONALD approached Karlov Avenue, GAFFNEY turned the Tahoe southbound onto Karlov and stopped, blocking the crosswalk. GAFFNEY said he wanted to stop MCDONALD before he reached Pulaski Road, a business street where more civilians were present. The area where MCDONALD was first observed was industrial in nature with no other civilians present. When GAFFNEY stopped his vehicle in front of MCDONALD, blocking his path, MCDONALD stabbed the right front tire of the Tahoe with his knife, causing the tire to go flat. GAFFNEY immediately informed the radio dispatcher that MCDONALD had "popped" the tire. MCDONALD attempted to walk around the front of the police vehicle and GAFFNEY drove the Tahoe forward a short distance to continue to block MCDONALD's path. MCDONALD then stabbed at the windshield of the Tahoe with the knife, striking the right side of the windshield. MCDONALD then continued walking eastbound from Karlov.

As MCDONALD approached the Burger King restaurant parking lot at 40th Street and Pulaski, assisting police units arrived, approaching westbound on 40th Street from Pulaski. MCDONALD began to run eastbound through the restaurant parking lot, on the north side of the Burger King building. He ran out onto Pulaski and then turned and ran southbound on Pulaski. Beat 845R pursued MCDONALD in their police vehicle, eastbound through the parking lot, over the curb at Pulaski, then southbound on Pulaski. Officer GAFFNEY lost sight of MCDONALD when he turned southbound on Pulaski.

Because of the flat tire on his vehicle, Officer GAFFNEY did not drive over the curb. As he drove around out onto Pulaski, GAFFNEY heard multiple gunshots in rapid succession. He did not see who was shooting. When he reached Pulaski MCDONALD was lying on the ground.

It was noted that Officer GAFFNEY wore the same uniform configuration as Officer VAN DYKE with the addition of the uniform baseball style cap with embroidered patch.

MCELLIGOTT, Joseph P -----

stated he was a Chicago Police Officer assigned to the 008th District. MCELLIGOTT related the same facts as his partner, Officer Thomas GAFFNEY.

Officer MCELLIGOTT added that after he exited the police vehicle, when Laquan MCDONALD took his hands out of his pockets and MCELLIGOTT saw MCDONALD holding a knife in his right

hand, MCELLIGOTT drew his handgun. He repeatedly ordered MCDONALD to "Drop the knife." MCDONALD ignored MCELLIGOTT's directions and continued to walk eastbound on 40th Street. MCELLIGOTT followed MCDONALD on foot, maintaining a safe distance between himself and the armed MCDONALD.

Officer MCELLIGOTT heard Officer GAFFNEY request assistance and a unit with a taser over the police radio. GAFFNEY attempted to use the police vehicle to block MCDONALD from continuing on toward the Burger King restaurant at Pulaski Road. At this point MCDONALD stabbed the right front tire and the windshield of the police vehicle. MCELLIGOTT began to hear the sirens of approaching assisting police units and MCDONALD began to run toward the Burger King restaurant.

When MCDONALD ran eastbound through the parking lot of the Burger King, Officer MCELLIGOTT ran after MCDONALD in pursuit. MCELLIGOTT ran out into the middle of Pulaski Road in pursuit of MCDONALD. MCELLIGOTT heard multiple gunshots but did not see who fired the shots. The gunfire was continuous, one shot after another. MCELLIGOTT then saw MCDONALD lying on the ground. MCELLIGOTT saw Officer Joseph WALSH kick the knife out of MCDONALD's hand.

It was noted that Officer MCELLIGOTT wore the same uniform configuration as Officer VAN DYKE.

Other officers who responded to this incident were also interviewed.

SEBASTIAN, Daphne L —

stated she was a Chicago Police Officer assigned to the 008th District. She was on duty, in uniform, working on Beat 813R. SEBASTIAN was working with Police Officer Janet MONDRAGON. The two officers were assigned to a marked vehicle. MONDRAGON was driving the vehicle and SEBASTIAN was the passenger.

The two officers responded to the request for assistance made by Beat 815R, regarding a subject with a knife. Officer SEBASTIAN thought the original call for assistance was at 40th Street and Keeler Avenue. The subject had punctured a tire on the police vehicle of Beat 815R. Officer MONDRAGON drove northbound on Pulaski Road, following Beat 845R, as they also responded to the request for assistance. MONDRAGON turned westbound onto 40th Street, behind Beat 845R.

Officer SEBASTIAN observed a black male subject, now known as Laquan MCDONALD, running southeast bound through the parking lot of the Burger King restaurant. Beat 845R pursued MCDONALD in their police vehicle, through the parking lot, toward Pulaski. SEBASTIAN told Officer MONDRAGON to drive back out onto Pulaski to assist in the pursuit. MCDONALD ran out onto Pulaski and continued to run southbound down the middle of the street. Beat 845R pursued MCDONALD in their vehicle, southbound on Pulaski, followed by Beat 813R. As MCDONALD ran southbound on Pulaski, SEBASTIAN saw the knife in his right hand. MCDONALD was waving the knife.

Beat 845R stopped their vehicle ahead of MCDONALD, between MCDONALD and the Dunkin'

Donuts restaurant on the east side of Pulaski. Officers Joseph WALSH and Jason VAN DYKE exited their vehicle and drew their handguns. MCDONALD turned toward the two officers and continued to wave the knife. Sebastian heard the officers repeatedly order MCDONALD to "Drop the knife!" MCDONALD ignored the verbal directions and continued to advance on the officers, waving the knife. Officer SEBASTIAN heard multiple gunshots and MCDONALD fell to the ground, where he continued to move. SEBASTIAN did not know who fired the shots, which were fired in one continuous group. She then saw Officer WALSH kick the knife out of MCDONALD's hand.

MONDRAGON, Janet -----

stated she was a Chicago Police Officer assigned to the 008th District. MONDRAGON related the same facts as her partner, Officer Daphne SEBASTIAN.

Officer MONDRAGON added that as she drove westbound on 40th Street, she saw Officer MCELLIGOTT running eastbound through the Burger King parking lot. She made a U-turn and drove back out onto Pulaski Road. MONDRAGON turned southbound onto Pulaski. She saw Laquan MCDONALD running southbound on Pulaski, in the middle of the street. As she got closer she could see MCDONALD was holding a knife in his right hand. He was waving the knife.

Officer MONDRAGON saw Officers Joseph WALSH and Jason VAN DYKE outside of their police vehicle. She heard the officers repeatedly ordering MCDONALD to "Drop the knife!" as MCDONALD got closer and closer to the officers, continuing to wave the knife. As she was placing her vehicle transmission into Park, MONDRAGON looked down and heard multiple, continuous gunshots, without pause. MONDRAGON then saw MCDONALD fall to the ground. MONDRAGON did not know who fired the shots.

BACERRA, Arturo -----

stated he was a Chicago Police Officer assigned to the 008th District. He was on duty, in uniform, working on Beat 822. BACERRA was working with Police Officer Leticia VELEZ. The two officers were assigned to a marked vehicle. BACERRA was driving the vehicle and VELEZ was the passenger.

Officer BACERRA and his partner responded to the request for assistance made by Beat 815R, regarding a subject who was armed with a knife. BACERRA was driving northbound on Pulaski Road from 47th Street. As he approached the scene of this incident, at 4112 South Pulaski, he observed a black male subject, now known as Laquan MCDONALD, in the middle of the street, flailing his arms. As he got closer, BACERRA observed MCDONALD to be holding a knife in his right hand. BACERRA drove past MCDONALD, with MCDONALD on the left side of the police vehicle, as Beat 845R drove past BACERRA, on the right side of his vehicle, travelling southbound. As BACERRA began to make a U-turn, he heard multiple gunshots. He then saw MCDONALD lying on the ground. BACERRA did not see who fired the shots.

VELEZ, Leticia -----

stated she was a Chicago Police Officer assigned to the 008th District. VELEZ related the same facts as her partner, Officer Arturo BACERRA.

Officer VELEZ added that as they approached the scene she observed Laquan MCDONALD standing in the middle of the street, holding a shiny object in his right hand. She saw him waving the object in the air. Officer BACERRA drove past MCDONALD and began to make a U-turn, when VELEZ heard multiple gunshots, without pause or delay. She then saw MCDONALD fall to the ground. VELEZ did not see who fired the shots. She did see an unknown officer kick the knife from MCDONALD's hand after he was down on the ground.

FONTAINE, Dora -----

stated she was a Chicago Police Officer assigned to the 008th District. She was on duty, in uniform, working on Beat 841R. FONTAINE was working with Police Officer Ricardo VIRAMONTES. The two officers were assigned to a marked vehicle. VIRAMONTES was driving the vehicle and FONTAINE was the passenger.

The two officers responded to the request for assistance made by Beat 815R, regarding a man with a knife at 41st Street and Pulaski Road. Officer VIRAMONTES drove northbound on Pulaski. When they arrived at the scene of this incident, in front of the Dunkin' Donuts restaurant, Officer FONTAINE saw a black male subject, now known as Laquan MCDONALD, walking southbound in the street, with a knife in his right hand. MCDONALD was walking sideways, with his body facing east, toward Officers Jason VAN DYKE and Joseph WALSH. These two officers were standing in the middle of the street, on the right side of their police vehicle, which was facing southbound. FONTAINE heard the officers repeatedly order MCDONALD to "Drop the knife!" MCDONALD ignored the verbal direction and instead, raised his right arm toward Officer VAN DYKE, as if attacking VAN DYKE. At this time VAN DYKE fired multiple shots from his handgun, until MCDONALD fell to the ground and stopped moving his right arm and hand, which still grasped the knife. The gunshots were rapid fire, without pause. Officer WALSH then kicked the knife out of MCDONALD's hand.

VIRAMONTES, Ricardo -----

stated he was a Chicago Police Officer assigned to the 008th District. VIRAMONTES related the same facts as his partner, Officer Dora FONTAINE.

Officer VIRAMONTES added that when he exited his police vehicle, at the scene, he observed a black male subject, now known as Laquan MCDONALD, walking southbound on Pulaski Road, in the middle of the street, holding a knife in his right hand. VIRAMONTES heard Officer Jason VAN DYKE repeatedly order MCDONALD to "Drop the knife!" MCDONALD ignored the verbal direction and turned toward VAN DYKE and his partner, Officer Joseph WALSH. At this time VAN DYKE fired multiple shots from his handgun. MCDONALD fell to the ground but continued to move, attempting to get back up, with the knife still in his hand. VAN DYKE fired his weapon at MCDONALD continuously, until MCDONALD was no longer moving.

The scene of this incident, at 4112 South Pulaski Road, was observed to be a wide commercial street with traffic traveling north and south. There were two traffic lanes and a curb lane in each direction. A wide median separated the northbound and southbound traffic lanes. The scene was just south of the intersection of Pulaski and 41st Street. This was a "T" intersection with 41st Street extending east from Pulaski. In the center median was a left turn lane for northbound traffic

turning west onto 40th Street, further to the north. The Pulaski median was level with the traffic lanes and was striped with yellow paint.

On the west side of Pulaski was a large vacant lot. North of the vacant lot, on the southwest corner of 40th Street and Pulaski, was a Burger King restaurant. On the east side of the street was a Dunkin Donuts restaurant.

The weather was cloudy and cool with the temperature in the 50s. It was dark with good artificial light provided by overhead streetlights. All of the lights were on and functioning normally. There was also artificial light provided by the lighting of the nearby businesses.

In the northbound left turn lane, Chicago Police Department vehicle number 6412, assigned to Beat 845R, was sitting, facing southeast. The vehicle was a marked Chevrolet Tahoe, four door sport utility vehicle. The right front door of the vehicle was open.

In the southbound traffic lanes, in the right lane, a metal folding pocket knife was lying on the pavement. The blade was in the open position. The overall length of the knife was seven inches, with a three inch blade. The knife was in line with the front end of the vehicle of Beat 845R. Just north of the knife were two pools of blood on the pavement. Five metal bullet fragments were lying on the pavement near the blood. North of the blood, scattered in a diagonal pattern from southwest to northeast, across both southbound traffic lanes and the northbound left turn lane, were 16, nine millimeter caliber cartridge cases, lying on the pavement.

Chicago Police Department vehicle number 8489, assigned to Beat 815R, was sitting at the west curb at 4102 South Pulaski. The right front tire of the vehicle was flat, with a large puncture to the sidewall of the tire. The right side of the windshield was scratched from being struck by Laquan MCDONALD's knife.

Mobile Crime Lab Beat 5802 responded to the scene. Video and photographs were taken of the scene. The knife and firearms evidence was collected from the street, as were swabs of the blood. The right front wheel and tire of Chicago Police Department vehicle number 8489 was also recovered. The right front quarter panel of vehicle number 8489 was processed for fingerprints and four ridge impressions were recovered.

A canvass was conducted of the area near the scene of this incident in an attempt to identify and locate witnesses. A number of people were interviewed.

[redacted] -----

stated she was [redacted] at the Burger King restaurant. At approximately 21:55 hours [redacted] observed police officers chasing a black male subject, now known as Laquan MCDONALD, through the parking lot, on the north side of the restaurant building. The officers chased MCDONALD southbound down Pulaski Road, toward the Dunkin' Donuts restaurant. [redacted] then heard multiple gunshots and dove to the ground.

[redacted] permitted access to the Burger King video system. No video of this incident was recorded. The system was not recording at that time. The system was activated and video was

recovered from the system from earlier in the day, showing the view of each of the cameras in the system. It was noted that none of these camera views showed the area of the scene where the confrontation between Laquan MCDONALD and Police Officers Jason VAN DYKE and Joseph WALSH occurred, on Pulaski Road, south of the Burger King restaurant. If the system had been recording at the time of this incident, it would not have recorded any footage of that confrontation.

[redacted] -----

stated he was at the Burger King restaurant, waiting for his girlfriend, [redacted], who was working at the drive-thru window. [redacted] observed a "young black dude" with his hair in dreadlocks, now known as Laquan MCDONALD, running through the parking lot of the restaurant. He was being pursued by police officers. MCDONALD was holding his pants like he might have had a gun or something. MCDONALD then ran southbound on the sidewalk and then out into the street on Pulaski Road. [redacted] last saw MCDONALD running towards the middle of the intersection of 41st Street and Pulaski. MCDONALD appeared confused. [redacted] then turned his attention back to his girlfriend at the drive-thru window. He did not witness the shooting.

[redacted] -----

stated she was working at [redacted] of the Burger King restaurant. She observed a male subject, now known as Laquan MCDONALD, running from the restaurant parking lot, southbound on Pulaski Road, toward the Dunkin' Donuts restaurant. [redacted] heard multiple gunshots and then saw that MCDONALD was lying in the street.

[redacted] -----

stated she was [redacted] of the Burger King restaurant. She did not see or hear anything.

[redacted] -----

stated she was [redacted] of the Burger King restaurant. She did not see or hear anything.

Laquan MCDONALD had been transported to Mount Sinai Hospital by Chicago Fire Department Ambulance 21. He sustained multiple gunshot wounds as documented in the format of this investigation. MCDONALD was treated for his injuries in the emergency room. He succumbed to his wounds and was subsequently pronounced dead by Doctor PITZELE, at 22:42 hours.

Registered Nurse [redacted], recovered three metal bullet fragments from MCDONALD and turned these over to Detective William JOHNSON. These were subsequently turned over to Mobile Crime Lab Beat 5802, who also recovered metal fragments from MCDONALD's sweater.

The reporting detective had learned of the death of Laquan MCDONALD while still at the scene of this incident. The Office of the Medical Examiner of Cook County was notified of MCDONALD's death, and Investigator BRIGGS assigned Medical Examiner's case number 2014 - 01071 to this case.

In the Bureau of Detectives - Area Central office, Evidence Technician Beat 5824 recovered Office Jason VAN DYKE's handgun, a Smith and Wesson, Model 5942, nine millimeter caliber, semi-automatic pistol. The weapon was loaded with one cartridge in the firing chamber and 14 cartridges in the magazine, when recovered.

Beat 5824 took photographs of Officers Jason VAN DYKE, Joseph WALSH, Thomas GAFFNEY and Joseph MCELLIGOTT. Elimination prints, including palm prints, were also taken from Officers GAFFNEY and MCELLIGOTT.

Officer Jason VAN DYKE was re-interviewed for additional detail, in the Area Central office.

VAN DYKE, Jason D ----

related the same sequence of events as documented in his original interview at the scene of this incident.

VAN DYKE additionally articulated the reasoning behind his decision to use deadly force against the offender in this incident, Laquan MCDONALD. VAN DYKE was aware of the radio transmissions from Officer Thomas GAFFNEY, on Beat 815R, that MCDONALD was armed with a knife. VAN DYKE was aware that MCDONALD had attacked the officers on Beat 815R by slashing the tire of their police vehicle.

As he confronted MCDONALD at 4112 South Pulaski Road, VAN DYKE saw that MCDONALD was in fact, armed with a knife, a deadly weapon. VAN DYKE was aware of the widely accepted teaching in law enforcement that an assailant armed with a knife was considered a deadly threat, if within 21 feet, because it was possible for such an assailant to close that distance and attack with the knife before a defensive shot could be fired from a handgun. VAN DYKE was also aware of the existence of throwing knives, which can be thrown from a distance, as well as spring loaded knives, which propel a blade through the air from the knife handle. VAN DYKE also said he recalled a previously issued Chicago Police Department bulletin warning of a weapon which appeared to be a knife but which actually was capable of firing a bullet, making it a firearm.

Subsequently, a search was conducted of the Chicago Police Department, Automated Message Center, to find the bulletin Officer Jason VAN DYKE remembered, regarding the weapon that appeared to be a knife, but was actually a firearm. This bulletin was issued on 04 December 2012. It was Officer Safety Alert number 2012-OSA-297. It was a warning regarding a "revolver knife" which was capable of firing .22 caliber cartridges.

Three witnesses had been transported into the Area Central office from the scene and were interviewed.

[redacted]----

stated she was in the Burger King restaurant parking lot. She saw a subject, now known as Laquan MCDONALD, running southbound on Pulaski Road. [redacted] saw many police officers on the street. She was trying to get her cellular telephone to work, to record video. [redacted] heard eight gunshots fired continuously. She did not see who fired the shots. [redacted] then saw

a police officer pointing a handgun at MCDONALD as he was lying on the ground.

With her permission, [redacted]' telephone was examined for any recorded video footage with negative results.

[redacted]-----

stated he was at the Burger King restaurant drive-thru with [redacted]. He saw a black male subject, now known as Laquan MCDONALD, running from the trucks parked at the rear of the restaurant parking lot. MCDONALD ran eastbound in the parking lot, on the north side of the Burger King building. A police officer was chasing MCDONALD on foot, eastbound through the parking lot, then southbound on Pulaski Road. A Chicago Police Department, Chevrolet Tahoe sport utility vehicle pulled up on Pulaski. MCDONALD ran toward the police vehicle. A police officer exited the vehicle and fired multiple shots from a handgun at MCDONALD. [redacted] thought there was video footage of the incident recorded on [redacted] cellular telephone. As documented in the previous interview of [redacted], her telephone was examined with negative results.

[redacted]-----

stated he was sitting in a truck, parked in the Burger King restaurant parking lot, on the south side of the restaurant building. He was completing some logs. [redacted] observed a black male subject, now known as Laquan MCDONALD, running southbound on Pulaski Road. The police were pursuing MCDONALD. [redacted] heard approximately three gunshots. He did not see who fired the shots. [redacted] exited the cab of his truck and climbed up on top of it. He saw a Chicago Police Department, Chevrolet Tahoe sport utility vehicle, and many police officers on Pulaski Road.

[redacted] insisted on leaving the Area Central office after their initial interviews, and they were transported as they requested.

Sergeant Lance BECVAR responded to the scene and subsequently to the Area Central office. He was able to recover video of this incident from the vehicles assigned to Beats 845R and 813R. This video was uploaded into the system. The reporting detective submitted a request for copies of these two videos which were subsequently inventoried. The reporting detective also requested that the videos be permanently retained. No video of this incident was recovered from the vehicles assigned to Beats 815R, 822 and 841R.

The recovered in-car camera video from Beats 845R and 813R was viewed and found to be consistent with the accounts of all of the witnesses. The video from Beat 813R showed that at the time Officer Jason VAN DYKE fired his handgun at Laquan MCDONALD, VAN DYKE was standing near the east edge of the southbound traffic lanes of Pulaski Road, and MCDONALD was near the lane marking separating the two southbound traffic lanes. The two were separated by the width of one traffic lane. The width of this traffic lane was approximately ten feet.

Recordings of the original 9-1-1 call and the radio transmissions over the Chicago Police Department, Zone 6 radio frequency were obtained from the Office of Emergency Management

and Communication. The recordings were reviewed and subsequently inventoried.

In the 9-1-1 call, a caller who identified himself as [redacted] stated that he was holding a guy for stealing radios from trucks in a trucking yard.

The recorded radio transmissions were consistent with the statements of the police officers involved in this incident. It was determined from the radio transmissions, that the entire interaction of the involved police officers, with Laquan MCDONALD, from the time Beat 815R notified the radio dispatcher that they had made contact with him, and that he was armed with a knife, until Beat 845R notified the dispatcher that shots had been fired by the police, lasted more than four minutes.

The criminal history of Laquan MCDONALD was reviewed. [redacted]

Additionally, there were two documented incidents, under Records Division numbers HS640983 and HT106389, on 01 December 2010 and 05 January 2011. In these incidents officials at the [redacted], elementary school, called the police because of the violent behavior of Laquan MCDONALD. The reports indicated that MCDONALD was a special education student at the school and that this had become a pattern of behavior for MCDONALD. The school officials indicated that MCDONALD had behavioral problems and anger issues. In both incidents MCDONALD was transported to [redacted] for evaluation and treatment.

The family of Laquan MCDONALD was located and notified of his death.

[redacted] -----

stated he was an uncle of Laquan MCDONALD. MCDONALD was living with JOHNSON while MCDONALD "worked out his problems." [redacted] said that MCDONALD attended [redacted] school but was currently suspended. MCDONALD suffered from "hypertension" but refused to take any medication. He stopped taking his prescribed medication approximately two years prior because he said it made him "freak out."

[redacted] last saw MCDONALD on Saturday, 18 October 2014, at approximately 13:00 hours, when MCDONALD left the apartment. He had not been back since. MCDONALD had rung the doorbell earlier in the day on 20 October 2014. [redacted] said they "buzzed" MCDONALD into the building but he never came up to the apartment.

[redacted] had no idea why MCDONALD would be in the area of 41st Street and Pulaski Road. JOHNSON said he would attempt to notify MCDONALD's mother, [redacted].

On Tuesday, 21 October 2014, [redacted] of the 9-1-1 caller, [redacted]" was located and interviewed.

[redacted] -----

stated she was with [redacted], parking a truck in the lot at 41st Street and Kildare Avenue. She saw a black male subject, now known as Laquan MCDONALD, attempting to steal property from vehicles parked in the lot. [redacted] confronted MCDONALD and told him to leave the lot. [redacted] said that MCDONALD did not say anything, but instead, he was "growling" and making strange noises. [redacted] again told MCDONALD to leave the lot and MCDONALD pulled out a knife. MCDONALD swung the knife at [redacted] attempting to cut him. [redacted] had already called 9-1-1 so he backed up and threw his cellular telephone at MCDONALD. MCDONALD then ran from the lot. He ran northbound on Kildare, then eastbound on 40th Street.

[redacted] described MCDONALD as a black male, with his hair in braids. He was wearing a black hood and blue jeans. [redacted] viewed a photograph of Laquan MCDONALD and identified him as the subject in the lot, who had been attempting to steal property from vehicles parked in the lot, and who subsequently threatened [redacted] with a knife, when [redacted] confronted MCDONALD.

On Wednesday, 22 October 2014, the 9-1-1 caller was interviewed.

[redacted] -----

related the same facts as [redacted]. [redacted] re-iterated that Laquan MCDONALD swung his knife at [redacted], attempting to cut him. [redacted] stated he was the person who called 9-1-1 regarding this incident.

A canvass was conducted of the area near the scene of this incident for any recorded video.

There were no Police Observation Devices, or other City of Chicago video cameras in the area.

Recorded video was recovered from three cameras on the exterior of the building housing the Greater Chicago Food Depository, at 4100 West Ann Lurie Place. Two of these videos showed two different views of Laquan MCDONALD walking eastbound on the sidewalk, on the south side of 40th Street, between Keeler and Karlov Avenues. Officer Joseph MCELLIGOTT was following MCDONALD on foot, maintaining a safe distance between himself and MCDONALD, while Officer Thomas GAFFNEY was following MCDONALD in a police vehicle. The third video did not capture any part of this incident.

Recorded video was recovered from two cameras at the Dunkin' Donuts restaurant, at 4113 South Pulaski Road. One of these videos showed the end of this incident, when Officers Jason VAN DYKE and Joseph WALSH stopped their vehicle, exited the vehicle and confronted Laquan MCDONALD. The view in this video is from a distance. The video from the second camera did not capture any part of this incident.

Recorded video was recovered from two cameras from Focal Point, 4141 South Pulaski Road. These videos did not capture any part of this incident.

All of the recovered video was inventoried.

A Major Case Review of this case was conducted at the Illinois State Police Crime Laboratory, on Thursday, 30 October 2014. An Evidence Submission Form was completed per this review.

The assigned personnel became aware of a potential question regarding the integrity of the video recovered from the Burger King restaurant. In an attempt to follow-up on this issue the assigned personnel proceeded to the restaurant on Wednesday, 11 March 2015. Manager, [redacted] was contacted at the restaurant. She stated that the video system at the restaurant had recently been repaired and a new digital video recorder had been installed. [redacted] said that as of this date, 11 of the 16 video ports in the system actually recorded video. This was consistent with the video recovered on the date of this incident. Video was recorded and recovered on 11 of the 16 video ports in the system on that date.

Any additional inquiries regarding the video system at the restaurant were referred to the district manager responsible for that restaurant, [redacted]. He was contacted and related that the day after this incident occurred, personnel from the Independent Police Review Authority, of the City of Chicago, came to the restaurant. They viewed video from the system and took custody of the digital video recorder. The recorder was returned to the restaurant two weeks later. Personnel from the Federal Bureau of Investigation then came to the restaurant and made copies of video from the system. After that some lawyers came to the restaurant with subpoenas to make copies of video from the system. Finally, [redacted] stated that personnel from the Federal Bureau of Investigation had come to the restaurant again, approximately three weeks prior to this interview, and took the digital video recorder. [redacted] did not have any further information regarding the video system.

The assigned personnel also became aware of an article written by [redacted], a professor at the University of Chicago Law School, citing the existence of an unknown witness to this incident. [redacted] was contacted on Thursday, 12 March 2015, in an attempt to interview this witness. [redacted] stated that this witness had already been interviewed by the Independent Police Review Authority and [redacted] did not know if the witness would be willing to be interviewed by the Chicago Police Department. [redacted] said he would contact the witness and provide him with contact information for the assigned personnel.

Based upon all the facts known at this time, and the death of the only offender in this incident, this case is now Exceptionally Cleared Closed / Other Exceptional Clearance - Death of Offender.

The above to-date investigation determined that Laquan MCDONALD was an active assailant who, while armed with a dangerous weapon, used force likely to cause death or serious injury to a private citizen when he attacked [redacted]; threatened the imminent use of force likely to cause death or serious injury when he incised the tire and stabbed the windshield of a Chicago Police Department vehicle occupied by Officer Thomas GAFFNEY; and initiated imminent use of force likely to cause death or serious injury when he initiated an attack on Officers Jason VAN DYKE and Joseph WALSH. The above investigation concluded that Officer Jason VAN DYKE's use of deadly force, the discharging of his duty firearm, was within the bounds of the Chicago Police Department's use of force guidelines, and in conformity with local ordinances and state law.

Based on the above facts, the associated report, under Records Division number HX486155, is now Closed / Non-Criminal.

REPORT OF:

Detective David M MARCH #20563
Sergeant Daniel GALLAGHER #1303
Lieutenant Anthony WOJCIK #481
Bureau of Detectives - Area Central

BUREAU OF DETECTIVES 28 APRIL 2016

TO: General Counsel
Office of the Superintendent

FROM: Eugene Roy
Chief
Bureau of Detectives

SUBJECT: Request for Information

Attached are copies of Bureau of Detectives Special Orders in effect on and after 20 OCT 2014. On 31 DEC 14, BDSO 14-01 through 14-25 had been issued and various DDSOs from prior years were still in effect.

On 01 JAN 15, all existing orders were rescinded; BDSOs 14-01 through 14-25 were reissued with 2015 dates and 15-26 through 15-43 were issued.

Also attached are existing BDSOs and revisions to the 2015 orders to date.

BDSO 15-17 was effectively voided by State law on 01 JAN 2016. However, the Department has not issued a new directive and we are operating under an agreement that has been agreed to in principle.

Eugene Roy
Chief
Bureau of Detectives

ICAGO POLICE DEPARTMENT

ASE SUPPLEMENTARY REPORT

0 S. Michigan Avenue, Chicago, Illinois 60653
use by Chicago Police - Bureau of Investigative Services Personnel Only)

HX475653

Case id : 9825613
Sup id : 10988891 CASR339

ROGRESS-VIOLENT(SCENE) | **DETECTIVE SUP. APPROVAL COMPLETE**

st Offense Classification/Re-Classification	IUCR Code	Original Offense Classification			IUCR Code
AULT / Aggravated Po:Knife/Cut Instr	0552	ASSAULT / Aggravated Po:Knife/Cut Instr			0552
ddress of Occurrence	Beat of Occur	No of Victims	No of Offenders	No of Arrested	SCR No
112 S PULASKI RD	815	4	1	1	
ocation Type	Location Code	Secondary Location			Hate Crime
treet	304				No
ate of Occurrence	Unit Assigned	Date RO Arrived	Fire Related?	Gang Related?	Domestic Related?
0-OCT-2014 21:57	0841R	20-OCT-2014 21:57	NO	NO	NO

eporting Officer	Star No	Approving Supervisor	Star No	Primary Detective Assigned	Star No
MARCH, David	20563	WOJCIK, Anthony	481	MARCH, David	20563
ate Submitted		Date Approved		Assignment Type	
5-MAR-2015 18:23		16-MAR-2015 00:03		FIELD	

HIS IS A FIELD INVESTIGATION PROGRESS-VIOLENT(SCENE) REPORT

/ICTIM(S):

GAFFNEY, Thomas J
Male / White / 41 Years
EMPLOYMENT: Chicago Police Officer #19958

EMPLOYER BUSINESS NME: Chicago Police Department

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

VAN DYKE, Jason D
Male / White / 36 Years
EMPLOYMENT: Chicago Police Officer #9465

EMPLOYER BUSINESS NME: Chicago Police Department

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

WALSH, Joseph J
Male / White / 45 Years
EMPLOYMENT: Chicago Police Officer #12865

EMPLOYER BUSINESS NME: Chicago Police Department

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

HX475653

MCELLIGOTT, Joseph P
Male / White / 36 Years
EMPLOYMENT: Chicago Police Officer #18715

EMPLOYER BUSINESS NME: Chicago Police Department

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

FFENDER(S) **MCDONALD, Laquan J** -- In Custody--

ALIAS: "Bon-Bon"
Male / Black / 17 Years
DOB: [redacted]
DESCRIPTION: 6'02, 180, Black Hair, Dreadlocks Hair Style, Brown Eyes, Medium Complexion
RES: [redacted]
Chicago IL
BIRTH PLACE: Illinois
DLN/ID: [redacted] IL
OTHER IDENTIFICATIONS: **Type -** Other Id
State - Unknown
IR#: 2106340
SID#: IL185507
21
RELATIONSHIP OF VICTIM TO OFFENDER:

GAFFNEY, Thomas J	- No Relationship
MCELLIGOTT, Joseph P	- No Relationship
VAN DYKE, Jason D	- No Relationship
WALSH, Joseph J	- No Relationship

GANG INFORMATION:

-
LISTED CRIMINAL ORGANIZATION: New Breed
GANG IDENTIFIERS: Other

ITEM USED:
Weapon

)FFENDER INJURIES: **MCDONALD, Laquan J**

Type	Weapon Used	Weapon Description
Gun Shot Wound	Handgun	Other - Handgun

Injured by Police
Chicago Fire Department Provided First Aid
EXTENT OF INJURY: Multiple Gsw
HOSPITAL REMOVED BY: Cfd Ambulance 21

INJURY TREATMENT: Multiple Gsw

PHYSICIAN NAME: Dr Pitzele

PON(S): **INV#:** 13296449

Evidence

Smith & Wesson -Us- (Bodyguard,Chief Special), 5942, 9, Semi-Automatic Pistol, Semi-Automatic, 4", Stainless
SERIAL#: [redacted]
PROPERTY TYPE: OTHER

OWNER: Van Dyke, Jason
POSSESSOR/USER: VAN DYKE, JASON

PHONE #: 312 - 747 - 8730
LOCATION FOUND: 5101 S WENTWORTH AVE

Number Of Live Rounds present in the Firearm - 15
Number Of Live Rounds used in the Firearm - 16
The Status Of This Firearm is 628361

EHICLE INFO: **Truck, 2010 / Chevrolet / Tahoe / Truck**
Victim's Vehicle
VIN: 1GNMCAE0XAR263348
YEAR (RANGE): 2010
COLOR(TOP/BOTTOM): White / White
OWNER: Chicago Police Department
POSSESSOR/USER: GAFFNEY, THOMAS
PHONE#: 312 - 747 - 8730
The Vehicle was Seized
LOCATION FOUND: 4102 S PULASKI RD

LICENSE: Mp6581, Law Enforcement (City, County, State, Sos), IL

LOCATION OF INCIDENT:
4112 S Pulaski Rd
Chicago IL
304 - Street

DATE & TIME OF INCIDENT: 20-OCT-2014 21:57

JUST HOMICIDE DESCRIPTION: Criminal Killed By Police Officer

ADDITIONAL JUST HOMICIDE DESCR.: Criminal Attacked Officer That Officer Killed Criminal

WEATHER AND LIGHTING:
WEATHER: Cloudy & Cool
TEMPERATURE: 50s
LIGHTING: Dark / Artificial Light
LIGHTING SOURCE: Streetlights

DISTANCE: Overhead

)TIVE CODE(S): Interceding In A Felony

USE CODE(S): Dna

HOD CODE(S): Offender Shot

U CODE(S): Police Related Not Con

REARM(S) COVERED: **INV #:** **13296449**
Evidence
Smith & Wesson -Us- (Bodyguard,Chief Special), 5942, 9, Semi-Automatic Pistol, Semi-Automatic, 4", Stainless
SERIAL#: [redacted]
PROPERTY TYPE: OTHER

OWNER: Van Dyke, Jason
POSSESSOR/USER: VAN DYKE, JASON

PHONE #: 312 - 747 - 8730
LOCATION FOUND: 5101 S WENTWORTH AVE

Number Of Live Rounds present in the Firearm - 15
Number Of Live Rounds used in the Firearm - 16
The Status Of This Firearm is [redacted]

EHICLE(S) DAMAGED: **Truck, 2010 / Chevrolet / Tahoe / Truck**
Evidence
VIN: 1GNMCAE0XAR263348
YEAR - YEAR RANGE END: 2010

COLOR (TOP/BOTTOM): White / White
OWNER: Chicago Police Department
POSSESSOR/USER: GAFFNEY, THOMAS
PHONE#: 312 - 747 - 8730
LOCATION FOUND: 4102 S PULASKI RD
LICENSE: Mp6581, Law Enforcement (City, County, State, Sos), IL

ERSONNEL ASSIGNED:
Detective/Investigator
MARCH, David M # 20563
Reporting Officer
FONTAINE, Dora # 4484 **BEAT:** 0841R

ITNESS(ES): [redacted]
Male / White Hispanic / 18 Years
DOB: [redacted]
RES: [redacted]bull Ave 1
Chicago IL

OTHER COMMUNICATIONS:
Cellular Phone: [redacted]

DLN/ID: [redacted] - IL
[redacted]
Female / White Hispanic / 19 Years
DOB: [redacted]
RES: [redacted]
Chicago IL
[redacted]

BUS: [redacted]
Chicago IL
[redacted]

DLN/ID: [redacted]

MONDRAGON, Janet

Female / White Hispanic / 37 Years
EMPLOYMENT: Chicago Police Officer #4364

BUS: 3420 W 63rd St
Chicago IL
312-747-8730
[redacted]
Female / White Hispanic / 29 Years
DOB: [redacted]
RES: [redacted]

OTHER COMMUNICATIONS:
Cellular Phone: [redacted]
Female / White Hispanic / 24 Years
DOB: [redacted]
RES: [redacted]
Chicago IL

EMPLOYMENT: Shift Manager

BUS: [redacted]

OTHER COMMUNICATIONS:

Cellular Phone: [redacted]

VELEZ, Leticia

Female / White Hispanic / 43 Years

EMPLOYMENT: Chicago Police Officer #10385

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

BACERRA, Arturo

Male / White Hispanic / 32 Years

EMPLOYMENT: Chicago Police Officer #15790

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

FONTAINE, Dora

Female / White Hispanic / 47 Years

EMPLOYMENT: Chicago Police Officer #4484

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

[redacted]

Female / White Hispanic / 30 Years

DOB: [redacted]

RES: [redacted]
Chicago IL

OTHER COMMUNICATIONS:

Cellular Phone: [redacted]

[redacted]

Male / White Hispanic / 24 Years

DOB: [redacted]

RES: [redacted]

SSN: [redacted]

DLN/ID: [redacted] - IL

SEBASTIAN, Daphne L

Female / White / 45 Years

EMPLOYMENT: Chicago Police Officer #2763

BUS: 3420 W 63rd St
Chicago IL
312-747-
8730

[redacted]

Male / White Hispanic / 25 Years

DOB: [redacted]

RES: [redacted]

BUS: [redacted]

--

OTHER COMMUNICATIONS:

Cellular Phone: [redacted]

SSN: [redacted]

VIRAMONTES, Ricardo

Male / White Hispanic / 41 Years

EMPLOYMENT: Chicago Police Officer #10590

BUS: 3420 W 63rd St
Chicago IL
312-747-
8730

OTHER INDIVIDUALS INVOLVED: [redacted] (Additional Victim)

Male / White Hispanic / 43 Years

DOB: [redacted]

RES: [redacted]

EMPLOYMENT: Self-Employed Truck Driver

OTHER COMMUNICATIONS:

Cellular Phone: [redacted]

DLN/ID: [redacted]

[redacted] (Family Member Notified)

Male / Black / 25 Years
DOB: [redacted]
RES: [redacted]

OTHER COMMUNICATIONS:
Other: [redacted]

[redacted] (Person Interviewed Non-Witness)

Female / White Hispanic / 39 Years
DOB: [redacted]
RES: [redacted]

BUS: [redacted]

[redacted] (Person Interviewed Non-Witness)

Female / White Hispanic / 62 Years
DOB: [redacted]
RES: [redacted]

BUS: [redacted]

CRIME CODE SUMMARY: 0552 - Assault - Aggravated Po:Knife/Cut Instr

IUCR ASSOCIATIONS:

0552 - Assault - Aggravated Po:Knife/Cut Instr

GAFFNEY, Thomas, J	(Victim)	
MCDONALD, Laquan, J		(Offender)
MCELLIGOTT, Joseph, P	(Victim)	
MCDONALD, Laquan, J		(Offender)
VAN DYKE, Jason, D	(Victim)	
MCDONALD, Laquan, J		(Offender)
WALSH, Joseph, J	(Victim)	
MCDONALD, Laquan, J		(Offender)

NCIDENT NOTIFICATION: **NOTIFICATION DATE & TIME:** 10/20/2014:230700

REQUEST TYPE: Notification

PERSON NAME: ,Sarlo

STAR #: 13131

IDENT NOTIFICATION: **NOTIFICATION DATE & TIME:** 10/20/2014:231400

REQUEST TYPE: Notification

PERSON NAME: ,Jines

STAR #: 4898

IDENT NOTIFICATION: **NOTIFICATION DATE & TIME:** 10/20/2014:215000

REQUEST TYPE: On Scene

PERSON NAME: ,March

STAR #: 20563

CIDENT NOTIFICATION: **NOTIFICATION DATE & TIME:** 10/21/2014:225800

REQUEST TYPE: Notification

PERSON NAME: ,Chibe

STAR #: 7303

ICIDENT NOTIFICATION: **NOTIFICATION DATE & TIME:** 10/20/2014:235000

REQUEST TYPE: Notification

PERSON NAME: ,Briggs

EMP #: 76

EPORT DISTRIBUTIONS: No Distribution

NVESTIGATION:

AREA CENTRAL FIELD INVESTIGATION:

Progress - Scene Report.

TYPE OF INCIDENT:

ASSAULT / Aggravated of a Police Officer - Knife
IUCR - 0552.

RECORDS DIVISION NUMBER:

HX475653.

EVENT NUMBER:

1429315878.

DATE AND TIME:

Mon, 20 Oct 2014, 21:57 hours.

LOCATION:

4112 S Pulaski Rd,
on the street - Beat 815.

WEATHER AND LIGHTING:

Cloudy and cool, temperature in the 50s.
Dark with good artificial light provided by overhead streetlights, all on and functioning normally. Additional artificial light provided by lighting of nearby businesses.

DATE AND TIME ASSIGNED:

Mon, 20 Oct 2014, 22:00 hours,
by Sgt D GALLAGHER #1303.

VICTIMS:

VAN DYKE, Jason D,
CPD - PO, #9465,
M / W / 36,
Assigned to 008th District,
3420 W 63rd St,
312-747-8730,
On duty,
Beat 845R,
In uniform -
Light blue long sleeve shirt with shoulder patches,
Black body armor vest with patches,
Navy blue cargo pants,
Equipment belt with handgun and radio,
Marked vehicle -
CPD vehicle # 6412,
Chevrolet Tahoe, four door SUV,
Illinois license plate # M172910.

WALSH, Joseph J,
CPD - PO, #12865
M / W / 45,
Assigned to 008th District,
3420 W 63rd St,
312-747-8730,
On duty,
Beat 845R,
In uniform -

Light blue long sleeve shirt with shoulder patches,
Black body armor vest with patches,
Navy blue cargo pants,
Equipment belt with handgun and radio,
Marked vehicle -
CPD vehicle # 6412,
Chevrolet Tahoe, four door SUV,
Illinois license plate # M172910.

GAFFNEY, Thomas J,
CPD - PO, #19958,
M / W / 41,
Assigned to 008th District,
3420 W 63rd St,
312-747-8730,
On duty,
Beat 815R,
In uniform -
Uniform baseball style cap with embroidered patch,
Light blue long sleeve shirt with shoulder patches,
Black body armor vest with patches,
Navy blue cargo pants,
Equipment belt with handgun and radio,
Marked vehicle -
CPD vehicle # 8489,
Chevrolet Tahoe, four door SUV,
Illinois license plate # MP6581.

MCELLIGOTT, Joseph P,
CPD - PO, #18715,
M / W / 36,
Assigned to 008th District,
3420 W 63rd St,
312-747-8730,
On duty,
Beat 815R,
In uniform -
Light blue long sleeve shirt with shoulder patches,
Black body armor vest with patches,
Navy blue cargo pants,
Equipment belt with handgun and radio,
Marked vehicle -
CPD vehicle # 8489,
Chevrolet Tahoe, four door SUV,
Illinois license plate # MP6581.

ADDITIONAL VICTIMS:

ASSAULT / Aggravated - Knife
IUCR - 0520.

[redacted]
M / WH / 43, DOB [redacted],
[redacted]
Self-employed truck driver,
Gang - None,
IL D/L #[redacted]
SS# [redacted]
FBI# [redacted],
SID# [redacted],
IR# [redacted].

INJURIES:

No injuries to any victims.

OFFENDERS:

Deceased -----
MCDONALD, Laquan J,
Nickname - "Bon-Bon,"
M / B / 17, DOB [redacted],
[redacted]
Gang - New Breeds per CPD records,
6'02",
180 lbs,
Slender build,
Black hair in dreadlocks,
Brown eyes,
Medium complexion,
Il ID # [redacted],
SID# IL18550721,
IR# 2106340.

CLOTHING:

Inventory # 13296470 (Unit 277)
1 - Black hooded sweatshirt,
1 - Black sweatshirt,
1 - Pair blue jean pants,
1 - Pair black boxer shorts underwear,
1 - Pair black socks,
1 - Pair black gym shoes.
Recovered at the Office of the Medical Examiner

by Crime Lab Beat 5809.
To ERPS - No analysis needed at this time.

IDENTIFIED BY:

State of Illinois ID Card on Laquan MCDONALD's person.

FAMILY NOTIFICATION:

[redacted],
M / B / 25, DOB [redacted]
[redacted]
[redacted]
[redacted],
Uncle of Laquan MCDONALD.

INJURIES:

Fatal
1 - GSW to left neck, lodged,
1 - GSW, T & T, entrance left chest, exit rear left shoulder,
1 - GSW to right chest, lodged,
1 - GSW, T & T, entrance outer rear left elbow,
exit inner front left elbow,
1 - GSW, T & T, entrance rear upper right arm,
exit front upper right arm,
1 - GSW, T & T, entrance back of left wrist,
exit front of left forearm,
1 - GSW, T & T, entrance front of right hip, exit inner right thigh,
1 - GSW, T & T, entrance rear upper left shoulder,
exit left shoulder blade,
1 - GSW, T & T, entrance outer rear left elbow,
exit inner rear left elbow,
1 - GSW, T & T, entrance rear right shoulder,
exit upper right back,
1 - GSW to back of right arm, just below elbow, lodged,
1 - GSW to back of right wrist, lodged,
1 - GSW to back of right hand, lodged,
1 - GSW to right buttocks, lodged,
1 - GSW to back of right thigh, lodged,
1 - GSW, graze wound to left side top of head.

TAKEN TO:

Mount Sinai Hospital by CFD Ambulance 21.

PRONOUNCED BY:

Dr PITZELE, at Mount Sinai Hospital,
Mon, 20 Oct 2014, at 22:42 hours.

MEDICAL EXAMINER CASE NUMBER:

2014 - 01071.

WEAPONS:

Offender, MCDONALD, Laquan J -----
Inventory # 13296495 (Unit 277)
1 - Folding knife,
7" overall, 3" blade (Marker C).
Recovered from the street at 4112 S Pulaski Rd,
by Crime Lab Beat 5802. Blade locked open when recovered.
Request for analysis by Latent Prints Section.

Victim, VAN DYKE, Jason D (PO) -----
Inventory # 13296449 (Unit 277)
1 - Smith and Wesson, Model 5942, 9 mm caliber,
semi-automatic pistol, stainless steel, 4" barrel,
serial # [redacted],
1 - 9 mm caliber cartridge from firing chamber,
14 - 9 mm caliber cartridges from magazine,
2 - Fifteen round magazines.
Recovered in the Bureau of Detectives - Area Central office
by ET Beat 5824.
IL FOID card # [redacted],
expiration 01 May 2019,
Chicago registration # [redacted].
Request for analysis by Firearms Section.

VEHICLES:

CPD vehicle damaged by Laquan MCDONALD -
CPD vehicle # 8489,
Beat 815R,
Marked vehicle,
2010 Chevrolet Tahoe, four door SUV, white / white,
VIN - 1GNMCAE0XAR263348,
IL license plate # MP6581.
Right front tire flat after MCDONALD stabbed the tire with a knife,
damage to right side of windshield from knife.

MANNER / MOTIVE:

Laquan MCDONALD was shot and killed by Chicago Police
Officer Jason VAN DYKE while MCDONALD was committing an

aggravated assault with a knife against Officer VAN DYKE and his partner, Chicago Police Officer Joseph WALSH. MCDONALD also committed an aggravated assault with a knife against Chicago Police Officers Thomas GAFFNEY and Joseph MCELLIGOTT, when MCDONALD stabbed the right front tire and windshield of their police vehicle, and an aggravated assault with a knife against civilian, [redacted], immediately prior to being confronted by Officers VAN DYKE and WALSH. / Peace officer interceding in a felony, in the line of duty-Defense of life (Offender apparently attempting to defeat arrest).

REFERENCE NUMBERS:

U # 2014 - 36.

Log # 1072125.

RD# HX486155
HOMICIDE / Justifiable Homicide
IUCR - 0150.

PROPERTY TAKEN:

None.

EVIDENCE:

Video of scene taken by Crime Lab Beat 5802.

Photographs of scene taken by Crime Lab Beat 5802.

Photographs of victim police officers taken by ET Beat 5824.

See Weapons and Clothing categories above.

Inventory # 13296485 (Unit 277)
14 - 9 mm caliber cartridge cases (Markers 1 & 4 - 16).
Recovered from the street at 4112 S Pulaski Rd
by Crime Lab Beat 5802.
Request for analysis by Firearms Section.

Inventory # 13296489 (Unit 277)
2 - 9 mm caliber cartridge cases (Markers 2 & 3).
Recovered from the street at 4112 S Pulaski Rd
by Crime Lab Beat 5802.
Request for analysis by Firearms Section.

Inventory # 13296500 (Unit 277)

1 - Swab box containing two swabs of suspect red blood stains
(Marker B).
Recovered from the street at 4112 S Pulaski Rd
by Crime Lab Beat 5802.
To ERPS - No analysis needed at this time.

Inventory # 13296511 (Unit 277)
5 - Metal fragments (Markers A, D, E, F & G).
Recovered from the street at 4112 S Pulaski Rd
by Crime Lab Beat 5802.
Request for analysis by Firearms Section.

Inventory # 13296523 (Unit 277)
1 - Firestone Firehawk tire with damage, attached to rim.
Recovered from CPD vehicle # 8489 (Beat 815R),
at 4102 S Pulaski Rd, by Crime Lab Beat 5802.
To ERPS - No analysis needed at this time.

Inventory # 13296528 (Unit 277)
4 - Ridge impression lifts.
Recovered from the right front quarter panel of CPD vehicle
8489 (Beat 815R), by Crime Lab Beat 5802.
To ERPS - No analysis needed at this time.

Inventory # 13296534 (Unit 277)
1 - Envelope containing metal fragments,
recovered from the sweater of Laquan MCDONALD,
by Crime Lab Beat 5802,
3 - Metal fragments in a container,
recovered from Laquan MCDONALD at Mount Sinai Hospital,
given to Det W JOHNSON #20169, by RN Allan GAYAN,
turned over to Crime Lab Beat 5802,
at Mount Sinai Hospital.
Request for analysis by Firearms Section.

Inventory # 13296451 (Unit 277)
1 - Set of elimination prints, including palms,
from PO J MCELLIGOTT #18715.
Taken by ET Beat 5824.
To ERPS - No analysis needed at this time.

Inventory # 13296452 (Unit 277)
1 - Set of elimination prints, including palms,
from PO T GAFFNEY #19958.
Taken by ET Beat 5824.
To ERPS - No analysis needed at this time.

Inventory # 13296464 (Unit 277)

1 - Sealed ME blood card.
Recovered at the Office of the Medical Examiner
by Crime Lab Beat 5809.
To ERPS - No analysis needed at this time.

Inventory # 13296668 (Unit 277)
1 - Sealed ME bullet envelope.
Recovered at the Office of the Medical Examiner
by Crime Lab Beat 5809.
Request for analysis by Firearms Section.

Inventory # 13337048 (Unit 610)
1 - CD containing compilation of video.
Created by Det R HAGEN #20606.

Inventory # 13337053 (Unit 610)
1 - CD containing video from the Greater Chicago Food
Depository, 4100 W Ann Lurie Pl.
Recovered by Det J MALIK #20729.

Inventory # 13337056 (Unit 610)
1 - CD containing video from in-car camera, Beat 845R,
1 - CD containing video from in-car camera, Beat 813R.

Inventory # 13337060 (Unit 610)
1 - CD containing video from Dunkin' Donuts, 4113 S Pulaski Rd.
Recovered by Det R HAGEN #20606.

Inventory # 13337065 (Unit 610)
1 - DVD containing video from Focal Point, 4141 S Pulaski Rd.
Recovered by Det J MALIK #20729.

Inventory # 13337077 (Unit 610)
1 - CD containing OEMC audio recording of call to 9-1-1,
1 - CD containing OEMC audio recording
of CPD radio zone 6 transmissions.

Inventory # 13337080 (Unit 610)
1 - CD containing photos from ME autopsy.

Inventory # 13337087 (Unit 610)
1 - State of Illinois ID card, Lequan J MCDONALD,
1 - RTA ADA Paratransit & Reduced Fare Card,
[redacted]
1 - Ventra, CTA ticket,
1 - Receipt for above Ventra, CTA ticket.
Recovered from Laquan MCDONALD at Mount Sinai Hospital.

Inventory # 13394378 (Unit 610)
1 - Disk containing video from in-car camera, Beat 815R (No relevant footage).

Inventory # 13394389 (Unit 610)
3 - DVDs containing video from Burger King restaurant at 4060 S Pulaski Rd (No relevant footage).

Inventory # 13394394 (Unit 610)
1 - DVD containing video from in-car camera, CPD vehicle # 9049 (No relevant footage).

Inventory # 13394398 (Unit 610)
1 - CPD Officer Safety Alert, # 2012-OSA-297.

PERSONNEL ASSIGNED:

Car 41 (Bureau of Patrol - Area Central / OCIC)
D/C D MCNAUGHTON #120

Beat 800
Cmdr J O'DONNELL #13
Beat 800X
Capt D WALSH #107
Beat 810R
Sgt S FRANKO #1381
Beat 830R
Sgt P MCGLYNN #1734
Beat 841R (Original report)
PO D FONTAINE #12698
PO R VIRAMONTES #10590
Beat 821R (Scene)
PO P KENNING #8302
PO R ROSALES #9654
Beat 823R (Scene)
PO D IVANKOVICH #12392
PO J TORRES #19898
Beat 833R (Scene)
PO A VANCE #11830
PO J GEISBUSH #16422
Beat 851R (Scene)
PO L GARCIA #6490
PO E FLAGG #12037
Beat 825R (Scene)
PO M POWER #8661
PO D WAHRER #13454
Beat 842 (Mt Sinai Hospital)
PO T DZIADKOWIEC #15529

PO C GACEK #17853
Beat 846R (Mt Sinai Hospital)
PO L TORRES #10573
PO M VEGA #8526

Beat 9210 (In-car camera system)
Sgt L BECVAR #1748

Beat 5880
Sgt D FRIEL #819
Beat 5802 (Scene)
FI C BRASIC #10201
ET K JUDEH #8825
Beat 5824 (Area Central)
ET P RIDER #9977
Beat 5809 (ME)
FI V RIVERA #11520
Beat 5885 (MIRV)
Det M RICKER #20201

Beat 5100
Cmdr E ROY #62
Beat 5105
Lt A WOJCIK #481
Beat 5107
Lt O VALDEZ #529
Beat 5120
Sgt D GALLAGHER #1303
Beat 5121
Det D MARCH #20563
Beat 5122
Det G JONES #21285
Beat 5131
Det J HALLORAN #20453
Det J MURRAY #21128
Beat 5132
Det F CASALE #21041
Det D HICKEY #20723
Beat 5165B
Det R HAGEN #20606
Det A MANAOIS #20320
Beat 5166A
Det R RANZZONI #20162
Beat 5127
Det V WATHEN #20493
Beat 5193
Det M NESTAD #20505
Det W JOHNSON #20169

Beat 5194
Det A GLAVIANO #21443
Beat 5192
Det T TEAHAN #20462
Beat 5125
Det T CURRAN #20948
Beat 5102D
Det B SVEC #20941
Beat 5142
Det S ESPARZA #20140
Beat 5106B
Det J MALIK #20729

IPRA
Chief of Staff S HIRSCH #3
Supervisor A AMEZAGA #022
Investigator B KILLEN #129
Public Affairs L MERRITT #23

FOP
PO Marlon HARVEY #16468
Kriston KATO
Daniel HERBERT (Attorney)

WITNESSES:

SEBASTIAN, Daphne L,
CPD - PO, #2763,
F / W / 45,
Assigned to 008th District,
3420 W 63rd St,
312-747-8730,
Beat 813R
(Circumstantial witness).

MONDRAGON, Janet,
CPD - PO, #4364,
F / WH / 37,
Assigned to 008th District,
3420 W 63rd St,
312-747-8730,
Beat 813R
(Circumstantial witness).

BACERRA, Arturo,
CPD - PO, #15790,
M / WH / 32,
Assigned to 008th District,

3420 W 63rd St,
312-747-8730,
Beat 822
(Circumstantial witness).

VELEZ, Leticia,
CPD - PO, #10385,
F / WH / 43,
Assigned to 008th District,
3420 W 63rd St,
312-747-8730,
Beat 822
(Circumstantial witness).

FONTAINE, Dora,
CPD - PO, #4484
F / WH / 47,
Assigned to 008th District,
3420 W 63rd St,
312-747-8730,
Beat 841R
(Eyewitness).

VIRAMONTES, Ricardo,
CPD - PO, #10590,
M / WH / 41,
Assigned to 008th District,
3420 W 63rd St,
312-747-8730,
Beat 841R
(Eyewitness).

[redacted],
F / WH / 24, DOB [redacted],
[redacted]
[redacted]
[redacted],
[redacted]
[redacted]
(Circumstantial witness).

[redacted]
M / WH / 18, DOB [redacted],
[redacted],
[redacted]
IL ID # [redacted]
(Circumstantial witness).

[redacted]
F / WH / 19, DOB [redacted],
[redacted]
IL ID # [redacted],
Employee at [redacted],
[redacted]
(Circumstantial witness).

[redacted]
F / WH / 29, DOB [redacted],
[redacted]
Gang - Latin Kings per CPD records,
FBI# [redacted]
SID# [redacted],
IR# [redacted]
(Circumstantial witness).

[redacted]
M / WH / 25, DOB [redacted],
[redacted]
Employed at [redacted],
[redacted]
SS# [redacted]
(Circumstantial witness).

[redacted],
M / WH / 24, DOB [redacted],
[redacted],
IL D/L # [redacted],
SS# [redacted]
(Circumstantial witness).

[redacted]
F / WH / 30, DOB [redacted],
[redacted],
[redacted]
[redacted] (cell)
(Circumstantial witness).

INTERVIEWED:

[redacted]

F / WH / 62, DOB [redacted],
[redacted],
Employee at [redacted],
[redacted].

[redacted],
F / WH / 39, DOB [redacted],
[redacted],
Employee at [redacted],
[redacted]

INVESTIGATION:

The details of this investigation are documented in the following Exceptionally Cleared Closed Report.

REPORT OF:

Detective David M MARCH #20563
Sergeant Daniel GALLAGHER #1303
Lieutenant Anthony WOJCIK #481
Bureau of Detectives - Area Central

In the Matter Of:

IN RE DETECTIVE DAVID MARCH

DETECTIVE DAVID MARCH

July 25, 2016

Amicus
court reporters, inc
300 West Adams St. Ste 800
Chicago, IL 60606
Phone: 312.641.3500
Fax: 312.641.3795
Email: info@amicusreporters.com

CITY OF CHICAGO

OFFICE OF INSPECTOR GENERAL

-INTERVIEW OF DETECTIVE DAVID MARCH-

July 25, 2016

TRANSCRIPT OF INTERVIEW of DETECTIVE DAVID MARCH, taken before MICHELLE M. YOHLER, a Notary Public within and for the County of Cook, State of Illinois, and a Certified Shorthand Reporter of said state, CSR No. 84-4531, at Suite 800, 300 West Adams Street, Chicago, Illinois, on the 25th day of July, 2016 at 9:59 a.m.

APPEARANCES:

OFFICE OF INSPECTOR GENERAL
CITY OF CHICAGO
BY: MR. PETER NEUMER
MS. DEBORAH WITZBURG
(740 North Sedgwick Street, Suite 200
Chicago, Illinois 60654
773.478.8218
pneumer@chicagoinspectorgeneral.org
dwitzburg@chicagoinspectorgeneral.org)

LAWRENCE H. HYMAN AND ASSOCIATES
BY: MR. JAMES P. McKAY, JR.
(111 West Washington Street, Suite 1025
Chicago, Illinois 60602
312.346.6766
jmckay@lhyman.com)
Appeared on behalf of
Detective David March.

REPORTED BY:
MICHELLE M. PAOLETTI YOHLER, CSR, RMR, CRR
Illinois CSR No. 84-4531.

E X A M I N A T I O N S

WITNESS PAGE
DETECTIVE DAVID MARCH
Examination Begins - By Mr. Neumer.... 31
Examination Begins - By Mr. McKay..... 125

E X H I B I T S

MARCH EXHIBITS PAGE
No. 1 - Advisement of Rights..... 5
No. 2 - Notification of Interview..... 31
No. 3 - Notification of Allegations..... 32
No. 4 - Receipt Form..... 33
No. 5 - Medical Examiner Investigations
Case Report..... 34
No. 6 - Original Case Incident Report..... 34

MR. NEUMER: As a preliminary matter, I am providing the following information. An independent certified court reporter is present today to provide a verbatim transcript of this interview.

To aid in the accuracy of the transcript, it is the custom and practice of court reporters to audio record the interview. The recording is the confidential work product property of the court reporter and will not be provided to any party including the OIG. If you request, the audio recording will be discontinued.

So, Detective March, are you okay with the court reporter audio recording this interview?

THE WITNESS: Yes.

MR. NEUMER: Let the record reflect that today's date is July 25th, 2016. The time is 9:59 am. We are located at Amicus Court Reporters, 300 West Adams, Suite 800.

My name is Peter Neumer, the court reporter is Michelle Yohler, and I'd ask that the other individuals present identify

themselves and spell their name for the record.

MS. WITZBURG: Assistant Inspector General, Deborah Witzburg, D-e-b-o-r-a-h W-i-t-z-b-u-r-g.

MR. McKAY: James P. McKay, Jr. Last name is spelled M-c-K-a-y. I'm an attorney, and I represent Detective David March.

THE WITNESS: Detective David March. Last name is spelled M-a-r-c-h.

MR. NEUMER: Detective March, I'm now going to hand you a form that's Advisements of Rights. This has been marked previously as Exhibit 1. This Advisement of Rights form has already been filled in with your name, my name, my colleague Deborah Witzburg's name.

I'm going to ask you to read along with me as I go through this form, and I'm going to ask you to acknowledge after each paragraph that you've read the paragraph.

(WHEREUPON, a certain document was marked March Deposition Exhibit No. 1, for identification, as of 07/25/2016.)

MR. McKAY: Peter, before we begin, can I put something on the record?

MR. NEUMER: For sure.

MR. McKAY: Peter, recently my client, Detective March, was notified of this appearance here this morning. The Notification of Interview describes Detective March as an accused. The appearance suggests that Detective David March's false statements concerning the McDonald shooting and a review and approval of reports containing false statements.

The Notification of Allegations list four allegations premised on John Escalante's letter to the Inspector General dated January 13, 2016. John Escalante's letter references a memo drafted by Sergeant Soria, S-o-r-i-a. That memo was dated on or about July 17, 2015.

The allegations include, number one, that Detective March reviewed and approved an Original Case Incident Report prepared by Officer Dora Fontaine and that report falsely stated that Officer Jason Van Dyke was, quote, injured by offender.

Secondly, that Detective March is accused of assisting in the drafting of the report I just mentioned.

Three, that Detective March made a false statement to Investigator Earl Briggs of the Cook County Medical Examiner's Office when, with respect to the shooting, Officer Briggs' report indicates that McDonald lunged at Chicago police officers.

And the fourth allegation is that Detective March is incompetent in the performance of his duties in the ways enumerated by allegations one through three.

Mr. Neumer, I'm asking you do you believe these new allegations indicate a criminal prosecution is probable against Detective March?

MR. NEUMER: OIG is conducting an administrative investigation. OIG is not conducting a joint investigation and is not working with any other law enforcement agency with respect to this investigation.

MR. McKAY: Thank you. I would ask, however, that you advise Detective March of his Constitutional rights pursuant to Miranda versus Arizona.

It's unclear whether a criminal

investigation is going to take place and, if so, who will be doing that. A special prosecutor has yet to be named regarding any of the police officers not named Jason Van Dyke in this particular case. So, with that said, I ask that you advise Detective March of his Constitutional rights pursuant to Miranda versus Arizona.

MR. NEUMER: The outcome of this administrative investigation relates to the subject's employment and, therefore, under the CBA and General Order, the administrative rights OIG will be providing Detective March are appropriate.

MR. McKAY: Consistent with Detective March's last statement, indeed, Detective March was here for two days on April 26th and 27th of this year. His statement spanned what I estimate to be almost 12 hours.

Mr. Neumer, you were here, the court reporter Michelle Paoletti Yohler was here, Investigator Kris Brown was here, myself, and Detective March were here.

At that time I had asked whether Mr. William Marback's letter to the Chicago

Police Department command staff dated on January 4, 2016, requesting a number of items be provided to the Office of Inspector General, and at that time no answer was given regarding these items that were requested, which include 25 separate things.

I ask you today, Mr. Neumer, are you going to be using any items the Office of Inspector General has received since Mr. Marback's letter of January 4th, 2016, and any subsequent letters issued by either Mr. Marback, you, or any other agent of the Inspector General and Detective March's statement here today?

MR. NEUMER: So the question is, are we going to be using any documents we received since what date was it?

MR. McKAY: January 4, 2016.

MR. NEUMER: It's possible. For certain we will be putting in front of Detective March the two exhibits or documents that we provided as part of the Notice of Interview packet.

So that will be the Medical Examiner Investigation Case Report ME 2014-01071, and

then the Original Case Incident Report with the event number 1429315878.

So those are the two documents that we will be certainly showing Detective March today.

MR. McKAY: We acknowledge receipt of those two documents, Peter, when you forwarded them to me late last week. Thank you.

My question now is, in addition to these two documents, do you intend to use or is it possible you could use any other documents at this statement today besides these two reports?

MR. NEUMER: It is possible.

MR. McKAY: What are they?

MR. NEUMER: When we come to appropriate points in the interview, if documents are necessary, we'll certainly give you and Detective March time to review those documents. But, again, we don't know what we will or won't need to show.

MR. McKAY: Okay. Late last week when you advised me of this second interview of Detective March and provided me the two reports we have just talked about, I had sent you a request for

discovery, essentially where I was asking for you or your office to provide me with any statements of any witnesses that indicate that Detective March was asked to review and approve Officer Fontaine's report that you have provided.

Do you have any statements that you can provide me and Detective March here this morning from other witnesses about Officer Fontaine's report?

MR. NEUMER: So our office has provided Detective March with all the documents required by the CBA and applicable law.

MR. McKAY: Secondly, I asked you in writing and I ask you again today on the record, can you provide me and Detective March with any rule or General Order from the police department or any other agency that indicates that a detective is supposed to review and approve or disapprove of a report prepared by a district police officer?

MR. NEUMER: Again, our office has provided Detective March with all the documents required by the CBA and applicable law.

MR. McKAY: Thank you. Can you provide me with any sworn testimony of Cook County Medical Examiner's Office Investigator Earl Briggs?

MR. NEUMER: Again, our office has provided Detective March with all the documents provided -- required by the CBA.

MR. McKAY: Can you tell me if Investigator Earl Briggs has given a statement to the Office of Inspector General?

MR. NEUMER: Again, OIG has provided Detective March with all the documents and information required by the CBA.

MR. McKAY: Can you tell me whether Investigator Briggs has not given a statement to the Office of Inspector General?

MR. NEUMER: Again, we've provided Detective March with all the documents and information required by the CBA.

MR. McKAY: Thank you. Mr. Neumer, can you tell me -- strike that.

Can you provide to me and Detective March any statements, notes, internal memorandum, or any other documents generated by Investigator Earl Briggs of the Cook County

Medical Examiner's Office besides the report that you gave to me and Detective March late last week?

MR. NEUMER: OIG has provided Detective March with all the documents required by the CBA.

MR. McKAY: Can you tell me -- because I can't read it, frankly -- who Earl Briggs' supervisor was, a signature of which is contained on Page 4 of this four-page report you gave to us late last week? Can you tell us who Mr. Briggs' supervisor is?

MR. NEUMER: Again, in terms of documents and information, we've provided Detective March with all the documents and information required by the CBA.

MR. McKAY: And this is one document you have provided.

MR. NEUMER: Mm-hm. Yes.

MR. McKAY: My question is, who is this person, a signature of which appears above the supervisor line on Page 4? Who is that? For my purpose, for my curiosity as well as Detective March's right to know who his accusers may be,

who is this person? I can't read that signature. Can you?

MR. NEUMER: Again, we've provided Detective March with all the documents and information required by --

MR. McKAY: That doesn't answer my question, Peter. Who is the supervisor?

MR. NEUMER: Right. I mean, the document speaks for itself. And, beyond that, we've provided all the -- Detective March all the documents and information required under the CBA.

MR. McKAY: Are you relying on this document for your interview of Detective March today?

MR. NEUMER: We will be providing this -- we already provided this document to Detective March, and we will be asking him questions regarding this document today.

MR. McKAY: So you will be relying on this document?

MR. NEUMER: I mean, relying on -- I know we will be asking questions about the Medical Examiner's Case Report today.

MR. McKAY: Well, my question is this then, Peter: If you're going to be asking questions about this document, yet you refuse to identify the supervisor of Investigator Briggs, whose name appears in this document, I ask that you not ask Detective March anything about this document if you cannot identify signatures on this document above and beyond Mr. Briggs'. That's fair, don't you agree?

MR. NEUMER: We're going to be asking Detective March questions about his knowledge of this document and what he knows. We're not going to be asking him to speculate about anything beyond the document, so our questions are going to be eminently fair today.

MR. McKAY: Well, if it is clear to you, Ms. Witzburg, or anybody in the Inspector General's Office that there are errors contained in Investigator Briggs' report, which you have tendered, will you or have you or will anybody in your office report to Patrick Blanchard, the Inspector General of Cook County, that the people who generated this report need to be investigated for incompetence?

MR. NEUMER: If we uncover facts that determine a notification is appropriate, certainly we would take appropriate action.

MR. McKAY: All right. Fair enough. Can you provide me with the names of the complainants besides John Escalante and Sergeant Soria and their affidavits, assuming they're civilians and not sworn police officers, that provide a basis for these new allegations.

MR. NEUMER: The Notification of Allegations that OIG provided to Detective March fully complies with the CBA and speaks for itself.

MR. McKAY: Well, if you are basing these new allegations on Mr. John Escalante's letter of January 13th, 2016, and Sergeant Soria's memo of July 15th, 2015, clearly John Escalante's letter suggests that the investigation he's asking your office to conduct be consistent with the Collective Bargaining Agreement, General Orders, and I submit consistent with Illinois State Law.

Illinois State Law clearly mandates that if there is a complainant who is not a

sworn officer alleging some misconduct on behalf of any police officer -- in this case, Detective March -- that complainant's allegations be supported by affidavit.

You have no affidavit to provide me and Detective March today; is that correct?

MR. NEUMER: Again, the Notification of Allegations speaks for itself and we believe fully complies with the CBA and applicable law.

MR. McKAY: Your allegations one through -- strike that -- one and two suggesting that David March has some type of duty to either review and approve Dora Fontaine's report or that he actually assisted her in preparing this report, I submit to you, John Escalante would know that that is absolutely not true.

So if you are alleging numbers one and two allegations based on John Escalante's letter, I would submit to you that is absolutely inconsistent with John Escalante's knowledge of Chicago Police Department procedure, report-writing, and who approves a district police officer's report.

Since I believe in good faith John

Escalante would not allege these things, can you tell me who is?

MR. NEUMER: Again, OIG's position is that the Notice of Allegations complies fully with the CBA and it speaks for itself.

MR. McKAY: I would submit to you then, Mr. Neumer, in all due respect to you and Ms. Witzburg, that without some affidavit of some civilian complainant alleging this stuff, I believe in good faith that it is none other than Mr. Ferguson and your office that is alleging these things without a good faith basis.

With that said, we are objecting to Joseph Ferguson and his office investigating his own allegations, and I request again, as we did back in April, that Mr. Ferguson and his office recuse themselves from his investigation because, two reasons: One, it is wrong for him to investigate his own allegations. That's not fair.

Secondly, we ask that Mr. Ferguson and his office, with all due respect to the both of you, that he recuse himself from this investigation because he's prejudice against

Detective March because of his presence on the Police Accountability Task Force and the report that that task force submitted before they heard one sworn word from Detective March in April in that that report suggests certain findings of the Laquan McDonald shooting that are completely inconsistent with what Detective March told you and Kris Brown on April 26th and April 27th.

And Mr. Ferguson should recuse himself and his agents from any further investigation of this shooting because of that report he put his name on along with the chairperson of the police board, Lori Lightfoot.

So will you recuse yourselves and Mr. Ferguson from this investigation today?

MR. NEUMER: OIG is not going to recuse itself from this investigation, and OIG's position is that it can and is conducting a fair and impartial investigation.

MR. McKAY: As you know, Mr. Neumer, two grievances have been filed in this particular case, one by Chicago FOP. In fact, that grievance had been filed before Detective March gave you sworn testimony on April 26th and

April 27th. Since then, a second grievance has been filed, indeed, by Detective March.

We're objecting to this investigation continuing with those grievances still pending. No arbitrator has ruled on those grievances, and the Inspector General has not agreed to continue this investigation until an arbitrator has ruled on them.

Will you, on behalf of Mr. Ferguson, stop this investigation and wait for the arbitrator to rule on these two grievances?

MR. NEUMER: OIG is not aware of any court order enjoining Detective March's interview and, therefore, having provided the appropriate Notice of Interview, OIG will proceed with the interview.

MR. McKAY: Okay. Of the two reports that you have provided in discovery to Detective March and myself, you have indicated one is Investigator Earl Briggs' Medical Examiner Investigations Case Report.

I would like to ask you, Mr. Neumer, when did you or your office receive Investigator Briggs' report?

MR. NEUMER: Again, OIG has provided Detective March with all the documents and information required by the CBA, and, beyond that, we have a duty of confidentiality.

MR. McKAY: Well, the reason I ask the question is because Detective March was here for one full day and half of a second day. If you did have this report then, Mr. Neumer, why didn't you ask Detective March about Investigator Briggs' report then?

MR. NEUMER: I guess I'll just say we're here today and we have relevant questions to ask today pertaining to our investigation.

MR. McKAY: Well, I appreciate that, but, Peter, if they're relevant questions today -- and, further, if you had this report back then in April, weren't they relevant in April and, if so, why didn't you ask Detective March when you had him for almost two full days in April about this report?

MR. NEUMER: We can't -- our office can't provide details regarding timing. I understand your question and, again, we try and ask all relevant questions as soon as we can.

MR. McKAY: Well, I think timing is relevant. I think out of fundamental fairness of the accused -- and you have accused Detective March, let's make no mistake about that -- out of fundamental fairness, I think timing is relevant.

And if you had this information and he was here and cooperated and gave sworn testimony, why didn't you and Mr. Brown ask him about Investigator Briggs' report then?

MR. NEUMER: Again, we're going to ask questions today.

MR. McKAY: I do know, sir, that regarding Dora Fontaine's report, you did have it in April. Indeed, you marked it as your Exhibit Number 18. For some reason, you chose not to use it, but you did mark it as Exhibit 18.

And I would ask you, Mr. Neumer, why didn't you ask Detective March about Officer Dora Fontaine's report on April 26th or April 27th of this year?

MR. NEUMER: And I think, as I said in the transcript during that interview, we try and ask all relevant questions, we try and be thorough,

and we do our best.

MR. McKAY: The Advisement of Rights form that you have just provided, is this the exact same form that you provided to Detective March on April 26th of this year?

MR. NEUMER: It should be.

MR. McKAY: Well, I am advising Detective March to refuse to answer your questions today on July 25th, 2016, without a direct order by one of his superior officers.

Short of a direct order, I believe Detective March is certainly within his rights, both the rights under the collective bargaining agreement, Illinois State Law, and his Constitution rights not to answer your questions.

Is there going to be a direct order from some superior officer directing Detective March to answer these questions?

MR. NEUMER: Yes, I will contact Commander Klimas right now and have him provide Detective March a direct order.

MR. McKAY: Can you spell Commander Klimas' name for the court reporter.

MR. NEUMER: Sure. It is Robert R-o-b-e-r-t, Klimas K-l-i-m-a-s.

MR. McKAY: Thank you.

(PHONE RINGING)

COMMANDER KLIMAS: Bob Klimas.

MR. NEUMER: Bob, this is Peter Neumer. We are currently in a court-reported interview of Detective David March. His counsel Jim McKay is here. My colleague Deborah Witzburg is here.

And OIG having provided appropriate notice to Detective March of this interview is attempting to ask Detective March questions regarding the Laquan McDonald shooting. He is refusing to answer questions absent a command from his superior officer, so I'm asking you, Commander Klimas, to order Detective March to answer the OIG's questions.

COMMANDER KLIMAS: This is Commander Robert Klimas, K-l-i-m-a-s, with the Chicago Police Department Bureau of Internal Affairs.

Detective March, I'm giving you a direct order to answer all the questions posed to you today by Peter Neumer or his designees from the Office of Inspector General, City of

Chicago.

Do you understand?

THE WITNESS: Yes.

COMMANDER KLIMAS: Thank you very much.

MR. NEUMER: Thanks, Bob.

MR. McKAY: Thank you.

I'd like to put one more thing on the record. Peter, last time you and I talked by telephone, actually it was late last week, Detective March originally had been notified to appear on this past Saturday night at 9:00 p.m.

You had advised me that the date and time for Detective March's second statement was because OIG is required to notify the officer when he is on duty. You were kind enough to continue the statement from Saturday night to this morning, pursuant to my request, actually, and I appreciate that. Thank you.

You also advised me that Detective March's statement, whenever it was going to be continued to, needed to be completed by the end of business hours tomorrow on July 26th. I asked you then why that is the case and I ask you again today why is it that Detective March's

second sworn statement needs to be today or tomorrow at the latest?

MR. NEUMER: I mean, OIG has a duty of confidentiality, so the details regarding our investigation I can't provide any further information.

MR. McKAY: Well, your statement to me over the phone infers that time is of the essence. I think that Detective March has the right to know why, in the OIG's mind, time is of the essence.

MR. NEUMER: I think time is of the essence for every investigation and probably in particular this investigation.

MR. McKAY: If time was of the essence in April when you, at the very least had Officer Dora Fontaine's report, why didn't you ask Detective March about Officer Fontaine's report at that time?

And I submit if you had Earl Briggs' report from the Medical Examiner's Office at that time, why didn't you ask Detective March about that as well if truly time is of the essence in this investigation?

MR. NEUMER: We do try to ask all relevant

questions and be as thorough as possible.

MR. McKAY: With all due respect, Peter, and I understand you and Ms. Witzburg have a job to do, and I appreciate the job you are both doing along with Kristopher Brown, but frankly, with all due respect, none of your answers today to my questions were responsive to my questions, and I object to that in addition to all my other objections. Thank you.

MR. NEUMER: So we were going through our preamble prior to the objections being placed on the record. So at this time I'd ask that the court reporter swear Detective March in.

(WHEREUPON, the witness was duly sworn.)

MR. NEUMER: I'm going to go through the Advisement of Rights form with you, Detective March. Again, I'm going to ask you to read along with me as I go through this advisement, and I'll ask you after each paragraph to acknowledge you have read the paragraph I just read aloud to you.

"I, Detective David March, understand that I am being interviewed by Peter Neumer and Deborah Witzburg from the City of Chicago Office

of Inspector General. I understand that this interview is part of an official investigation and that I have a duty to cooperate with the Office of Inspector General, which includes answering all questions completely and truthfully."

Detective March, do you see the paragraph I just read aloud to you?

THE WITNESS: Yes.

MR. NEUMER: "I understand that I have no right to remain silent. I understand that I have an obligation to answer questions put to me truthfully. I understand if I refuse to answer questions put to me, I will be ordered by a superior officer to answer the question. I further understand and I have been advised that if I persist in my refusal to answer after an order to do so, such further refusal constitutes a violation of the rules and regulations of the Chicago Police Department and may serve as the basis for my discharge."

Detective March, do you see the paragraph I just read aloud to you?

THE WITNESS: Yes.

MR. NEUMER: "I understand and have been advised that my statements and responses may constitute an official police report. I understand that Rule 14 of the Chicago Police Department's rules and regulations prohibits making a false report, written or oral, and I further understand that making such a false report, whether written or oral, may result in my separation from the Chicago Police Department."

Detective March, do you see the paragraph I just read aloud to you?

THE WITNESS: Yes.

MR. NEUMER: "I understand that any statement made by me during this interview may be used as evidence of misconduct or as the basis for disciplinary action up to and including removal or discharge."

Detective March, do you see the paragraph I just read aloud to you?

THE WITNESS: Yes.

MR. NEUMER: "I understand that any statement made by me during this interview and the fruits thereof cannot be used against me in

a criminal proceeding."

Detective March, do you see the paragraph I just read aloud you to?

THE WITNESS: Yes.

MR. NEUMER: "I understand that I have the right to have a union representative or legal counsel of my choosing present at the interview to consult with and that I will be given a reasonable time to obtain a union representative or legal counsel as long as the interview is not unduly delayed."

Detective March, do you see the paragraph I just read aloud to you?

THE WITNESS: Yes.

MR. NEUMER: "I understand that a refusal to answer any question or any false, inaccurate, or deliberately incomplete statement by me would constitute a violation of Chicago Municipal Ordinance 2-56 and may serve as the basis for my discharge."

Detective March, do you see the paragraph I just read aloud to you?

THE WITNESS: Yes.

MR. NEUMER: "I acknowledge that this

statement of my administrative rights has been read aloud to me and I have been allowed to review this document."

Detective March, do you see the paragraph I just read aloud to you?

THE WITNESS: Yes.

MR. NEUMER: At this time I would ask that you sign the Advisement of Rights form, and my colleague and I will witness.

I'm now going to put several exhibits on the record and present them to Detective March to confirm his receipt of the exhibits.

EXAMINATION

BY MR. NEUMER:

Q. First I am going to be handing you what is titled Notification of Interview to CPD member. This is marked as Exhibit 2.

(WHEREUPON, a certain document was marked March Deposition Exhibit No. 2, for identification, as of 07/25/2016.)

BY MR. NEUMER:

Q. This Notification of Interview is dated July 20th, 2016. Detective March, have you seen this Notification of Interview document

prior to today?

A. Yes.

Q. And did BIA provide you with this document on or about July 20th, 2016?

A. Yes.

Q. And is that your signature at the bottom of the page of Exhibit 2?

A. Yes.

Q. I am now going to --

MR. McKAY: Can I retain these exhibits for my file?

MR. NEUMER: No. No. We always keep them. You'll get these when you get the transcript.

BY MR. NEUMER:

Q. I'm now handing you what is titled Notification of Allegations. This is marked as Exhibit 3.

(WHEREUPON, a certain document was marked March Deposition Exhibit No. 3, for identification, as of 07/25/2016.)

BY MR. NEUMER:

Q. Detective March, have you seen this Notification of Allegations prior to today?

A. Yes.

Q. And did BIA provide you with this Exhibit 3, Notification of Allegations, on or about July 20, 2016?

A. Yes.

Q. And is that your signature at the bottom of Page 1 of the Notification of Allegations?

A. Yes.

Q. I am now going to hand you what has previously been marked as Exhibit 4 titled Receipt Form.

(WHEREUPON, a certain document was marked March Deposition Exhibit No. 4, for identification, as of 07/25/2016.)

BY MR. NEUMER:

Q. Detective March, have you seen this Receipt Form prior to today?

A. Yes.

Q. And did BIA provide you with this Receipt Form on or about July 20th, 2016?

A. Yes.

Q. And is that your signature at the bottom of the Receipt Form?

A. Yes.

Q. And I am now going to be handing you what has previously been marked as Exhibit 5.

(WHEREUPON, a certain document was marked March Deposition Exhibit No. 5, for identification, as of 07/25/2016.)

BY MR. NEUMER:

Q. This is a Medical Examiner Investigations Case Report ME2014-01071 dated October 21st, 2014.

Have you seen this document, Detective March, prior to today?

A. Yes.

Q. And did BIA provide you with this Case Report on or about July 20th, 2016?

A. Yes.

Q. And I'm now going to be handing you what has previously been marked Exhibit 6. This is an Original Case Incident Report with the RD number HX475653 and the event number 1429315878, case ID 9825613.

(WHEREUPON, a certain document was marked March Deposition Exhibit No. 6, for identification, as of 07/25/2016.)

BY MR. NEUMER:

Q. Detective March, have you seen this Exhibit 6 Original Case Incident Report prior to today?

A. Yes.

Q. And did BIA provide you with this document on or about July 20th, 2016?

A. Yes.

MR. McKAY: Peter is this report -- you're marking this as Exhibit 6?

MR. NEUMER: Yes.

MR. McKAY: You are not going to keep it Exhibit 18, which is what it was marked by you on April 26th?

MR. NEUMER: Right, we are going to call it Exhibit 6. I think that will be easier for today's purposes to call it Exhibit 6 for the July 25th. But, again --

MR. McKAY: But you'll agree it was your Exhibit 18 back in April?

MR. NEUMER: Right, I don't remember if it was -- if you represent 18, I certainly -- I don't dispute that.

MR. McKAY: All right.

BY MR. NEUMER:

Q. Detective March, did you review any materials in preparation for today's interview?

A. Yes.

Q. And what materials did you review?

A. The documents that I received from Internal Affairs on last Wednesday and then I also reviewed several reports from the investigative file.

Q. Do you remember which reports you reviewed?

A. I believe they were all reports that I authored that we talked about previously.

Q. Okay. In our April 26th and 27th interview?

A. Yes.

Q. Did you review any video in preparation for this interview?

A. No.

Q. Aside from your attorney, who did you speak to in preparation for this interview?

A. No one.

MR. NEUMER: And then before we get started with our questions, I just want to confirm, Jim,

are you okay with OIG providing you with a copy of the transcript of today's interview within 48 hours of the OIG's receipt of that transcript?

MR. McKAY: I have no objection to employing the same procedure of receiving the transcript as the previous transcript in April.

I understand -- if you get the transcript on a Friday, you can't get it to me that same day, but I ask that if the court reporter can provide me with the transcript on, say, a Tuesday or Wednesday, I'd like it the same day you guys get it.

I am relying on you suggesting that the statement should not be more than about an hour. I don't think it would take that long to copy that statement or make a copy of a disk if that's how Ms. Paoletti Yohler is going to provide the transcript to you.

MR. NEUMER: And, just for the record, I think my representation was that OIG's portion of the questioning would take an hour. And we're now, I think, going to --

MR. McKAY: That's fine. I have no

objection consistent with the last statement in April.

MR. NEUMER: And, Jim, we'll work with you to get you it in a very, very reasonable time.

BY MR. NEUMER:

Q. Detective March, could you please state your name, star number for the record.

MR. McKAY: Detective March has something to say.

BY THE WITNESS:

A. Upon advice of counsel, I am refusing to answer any questions without the direct order of a superior officer.

I would like to preface this statement with the following: I believe I am entitled to be informed of my Constitutional right to remain silent. I have received no assurances from the Office of Inspector General that criminal charges are probable. Proceeding with this statement is in violation of the applicable Collective Bargaining Agreement, but I have been advised that I will lose my job if I refuse to provide a statement.

I am not giving this statement

voluntarily but only because I am required to do so by a direct order of Commander Robert Klimas.

I know that if I refuse to participate in this interview or refuse to answer certain questions, I can be disciplined or even fired; therefore, this statement is being compelled.

I am asserting all of my rights under the Supreme Court case of Garrity versus New Jersey, and I am specifically objecting to any sharing or disclosure of this statement or its contents with any prosecutor's office, such as the Cook County State's Attorney's Office or the United States Attorney's Office.

I also object to the sharing or disclosure of this statement or its contents directly or indirectly with anybody else including but not limited to any other federal, state, or city agency, any special prosecutor and his agents, and the media.

I object that this second interview is taking place. I was here for two days on April 26th and April 27th and gave honest answers to all of your questions.

Further, I object that this interview is taking place before an arbitrator has decided the issues that were raised in a grievance filed by me and another grievance filed by Chicago FOP regarding this investigation. The Inspector General has refused to postpone this investigation.

Also on the advice of counsel, I am making the following additional objection: I am objecting to the fact that the City of Chicago Inspector General's Office has refused to identify all of my complainants if they exist.

Under city ordinance, Collective Bargaining Agreements, and my due process rights, I am entitled to notice of the nature of the allegations against me and the identity of all complainants prior to any interview.

The Inspector General's Office has only advised me that Interim Superintendent John J. Escalante and, to a lesser degree, Sergeant S. Soria are the only complainants against me. This can't possibly be true because Escalante's letter to the Inspector General dated January 13, 2016, does not specifically

allege or even suspect me of any misconduct.

Further, the letter refers to Sergeant Soria's memo of July 15th, 2015, which only alleges inattention to duty because of possible tampering with in-car camera mics and improper use of equipment, none of which applies to me, a detective assigned to investigate this police shooting.

I am left to wonder who is the source of the allegations now pending against me. I shouldn't have to do this because I have a right to know and confront my accusers.

The Inspector General's Office is violating my rights of due process by not specifically informing me of the person or persons making these specific allegations. As such, I can only assume the true complainant is the City of Chicago's Inspector General.

I am entitled to an affidavit of any complainant who is not a sworn officer. I have not received one in this case.

I am not waiving the requirement of an affidavit, therefore, I am objecting to the City of Chicago Inspector General's Office

making allegations against me and conducting an investigation into its own allegations.

Finally, I am objecting to the Inspector General's Office conducting any investigation of this shooting because the Inspector General of Chicago is prejudiced against me. This prejudice is evidenced by his participation on the Police Accountability Task Force and their report released April 13, 2016.

This report includes findings made without the benefit of hearing my sworn testimony, considering all of the evidence in this case, and considering all of the applicable law in this case.

The Inspector General has prejudged this case; as such, he and his agents cannot be fair, impartial, and independent investigators in this matter. This objection also applies to Lori E. Lightfoot, president of the Chicago Police Board, who served as the chair of the Police Accountability Task Force.

Thank you.

BY MR. NEUMER:

Q. Detective March, I want to first put

in front of you, Medical Examiner Investigations Case Report ME2014-01071.

I don't think we ever got your name and star number for the record, so if we could start there.

A. My name is Detective David March. My star number is 20563.

Q. And what is your current unit of assignment?

A. I'm assigned to the Bureau of Detectives, Area Central.

Q. Again, we want to ask you a few questions about the Medical Examiner Investigations Case Report ME2014-01071.

From your perspective, what is a Medical Examiner Case Report?

MR. McKAY: Objection, that calls for speculation. You're asking him to guess about some other agency, not even in the City of Chicago, and their reports.

MR. NEUMER: Let me reword the question.

BY MR. NEUMER:

Q. Based on your experience as a detective, what is a Medical Examiner Case

Report?

MR. McKAY: Same objection.

BY THE WITNESS:

A. I cannot specifically speak to exactly what this is. In 34 years at the Chicago Police Department, all of that time working within the County of Cook, I have never seen a report like this.

BY MR. NEUMER:

Q. Okay.

A. I can only assume after reading this report that this document was created as a result of a quick telephone notification that I made to the Office of the Medical Examiner of Cook County. It was not the subject of any kind of investigation or in-depth interview of me by anyone.

Q. Do you have any understanding as to what the purpose of a Medical Examiner Investigations Case Report?

A. Again, I can only assume from reading it that it is meant to document my notification of their office that the Chicago Police Department was involved in a Medical Examiner's

Report.

We have to notify them any time we are dealing with any kind of death that is potentially a Medical Examiner's case, whether it be a natural death, suicide, homicide, whatever.

Q. So have you had communications with Cook County investigators prior to October 20th, 2014, regarding homicides or death investigations?

A. Yes.

Q. Do you have any estimate as to how many times you've communicated with Cook County investigators or Cook County personnel regarding homicides or death investigations?

A. I have no idea, but it was a large number of contacts.

Q. Maybe over 50?

A. Well over 50.

Q. Well over 50. Okay. Have you ever seen a Medical Examiner Investigations Case Report prior to today?

A. I first saw this report last Wednesday when it was presented to me by our

Internal Affairs Division. Prior to that day, I have never seen this type of report.

I have been involved in the prosecution of numerous homicide cases, murder cases in the criminal court system of Cook County, and I have seen the Medical Examiner's protocol documenting their results of their autopsy. I have seen toxicological reports presented by outside laboratories that do work for the Medical Examiner's Office. I have never in my life seen this type of report. I didn't even know they existed.

Q. Okay. When you were communicating with Cook County personnel on previous homicide or death investigations, were you providing -- what type of information were you providing to the Cook County personnel?

A. I'm assuming -- again, I don't know -- the only requirement on us as the Chicago Police Department is to notify them when we come across a potential Medical Examiner's case.

When I call, my purpose is just to let them know that there is a Medical Examiner's

case. The information that they solicit from me, I don't know if there's a checklist that they go down and -- I have no idea how that comes to be.

Q. I got you. So, generally speaking, what type of information do you provide as part of that initial notification?

A. Again, these notifications are made very early on in the investigation. A lot of information that they ask for we may not have at the time, so obviously if we don't have information, we can't provide information.

So based on what we do know at the time of the notification, they will ask us things like the date and time that we discovered the body, the location, the identification -- the identity of the dead body if we know it.

And they ask us for a brief summary of the circumstances under which we became aware of the -- that there was a dead body.

Q. Sure. And I don't want you to speculate. Do you have any understanding of what the Cook County Medical Examiner's Office does with that information?

A. No.

Q. Do you have any understanding as to why the Cook County Medical Examiner's Office is obtaining that information from you, the detective?

MR. McKAY: Again, objection, calls for speculation.

BY THE WITNESS:

A. One reason would be, like I said, we are required to notify them of any potential Medical Examiner's cases. There are many times when we will notify them of the case and their investigator will tell us, "Okay, that's not a case that we're going to deal with, so the body doesn't have to end up here."

A case like that would be a natural death where the victim died of a medical condition that they were being treated for chronically and there was an attending physician.

If we present facts that indicate that that is the case, in those cases, the Medical Examiner will not take the case, so to speak, and they -- because in those cases, the

attending physician will issue the death certificate, and the Medical Examiner's Office really has no need to be involved in the case.

Any other cases where there's any -- and, again, these are their standards and it's their decision where they think there might be suspicious circumstances or potential for suspicious circumstances. If it looks like it's an overdose with no signs of violence, then obviously they're going to have to conduct a toxicology exam to confirm whether or not the cause of death was drugs.

So, again, the criteria is theirs, and all we do is we notify them of what we know at the time and they tell us whether or not they're going to take the case and if they want us to make sure the body ultimately comes to their facility or can be released to the family by a hospital or doctor or whatever.

Q. And do you have any understanding whether the ultimate postmortem examination report relies at all upon the Exhibit 5 report I've put in front of you?

MR. McKAY: Again, that calls for

speculation. I object. He cannot guess about another agency's use of this report or what, if any, other people in that agency relied on.

BY THE WITNESS:

A. Again, I don't know.

BY MR. NEUMER:

Q. Specifically now with respect to the Exhibit 5 report, on the evening of October 20th, 2014, did you have any communication with the Cook County Medical Examiner's Office regarding the McDonald shooting?

A. Yes.

Q. Can you walk us through that communication. Where were you when you had that communication with the ME's Office?

A. I was at the crime scene on Pulaski Road. We had assisting detectives that had responded to Mount Sinai Hospital where Laquan McDonald had been transported for treatment of his injuries.

I believe that the sequence in which this happened was that the detectives at the hospital were present or learned that Laquan

McDonald had been pronounced deceased by the attending physician there.

They -- again, I believe they then informed Sergeant Gallagher, who was the detective supervisor in charge of the scene, that Laquan McDonald was deceased, and then Sergeant Gallagher notified me of the same since the case had been assigned to me.

Upon learning that, as I commonly do on cases where I think I might have more information than the initial primary beat car assigned to the case, rather than have them asking me all this information so they can present it to the Medical Examiner's Office, I will call the Medical Examiner's Office because, again, at that point I feel I had the most information in one place, so to speak.

So I called the Medical Examiner's Office from the scene and spoke with Investigator Briggs to make this notification.

Q. The detectives who were at the hospital, do you recall their names?

A. I don't. I'd have to look at the reports, the file.

Q. And did you use -- we had a discussion I think during our last interview about use of phone. Was it your personal cell phone that you used to call the ME's Office?

A. It's the only phone I have. Like I told you before, the Department does not supply me with a phone. And in this day and age, there were no pay phones near the scene, so it was the only way to make a timely notification.

Q. On Page 1 of the Case Report, it lists under the Notification section date, October 20th, 2014; time, 11:51:59 p.m. Does that time accord with your belief as to when that call between you and Investigator Briggs occurred?

A. I have no personal knowledge at this date of exactly when that telephone call was made by me to the Office of the Medical Examiner, but that time does seem to be accurate to me.

Q. Okay. And so you call Investigator Briggs from the scene, and what did you tell him?

A. At first I told him that, probably --

again, this is not word for word. I don't recall exactly what information was discussed in what order, but I probably -- my first statement to him probably was that I was making a notification of a police officer-involved shooting and that there obviously was a dead body.

Q. Is there just one number that CPD is to call or detectives are to call for the Medical Examiner's Office?

A. Their office has a number of numbers. There is one number that -- I mean, officers will use whatever number -- I can't speak to what other number officers use, and I'm assuming that officers use whatever number they're used to getting an answer at.

Q. Right.

A. I know at that late time, there's one number that is at least supposed to be answered 24 hours a day. Sometimes it doesn't happen, but I call the -- I have that number programmed into my cell phone, and I called that number because, like I said, I have made these notifications on numerous occasions.

Q. Did you know or have any sort of working relationship with Investigator Briggs prior to your phone call on October 20th, 2014?

A. I know I have come across the name before. I can't specifically say that I've ever talked to him on the telephone before. It may have been that I read reports with his name on it.

I was aware that there was an investigator at the Office of the Medical Examiner by the name of Briggs. I -- again, I can't say whether or not I've ever spoken to him before October 20th, 2014, and I don't believe I have ever met him in person. If he was sitting across the table from me today, I'd have no idea if that was him.

Q. Is it fair to say that when you placed the call on the night of October 20th, 2014, that you weren't calling Briggs specifically?

A. No, absolutely not.

Q. It was more of a general hotline or something --

A. I have no idea --

Q. -- calling?

A. -- working there at the time. Again, I was fulfilling our requirements to notify the office, not any specific person.

Q. Okay. At the time you spoke with Investigator Briggs, do you recall whether you had seen video footage of the McDonald shooting?

A. I can't say for certain. I believe I probably have seen -- had seen by that time the infamous dash cam video, if you will. But I certainly had not seen all of the video that we recovered. And, again, I'm not certain, but I believe I did see that footage prior to my call to Briggs.

Q. And I believe that's the 813 Robert video you're referring to.

A. Correct.

Q. I'm going to ask you to look at Page 3 of the Case Report. And, in particular, the paragraph that begins, "Detective March related the following." That's the second full paragraph in the narrative section.

So I want you to take a moment or take as much time as you need to review that

paragraph, and then my question to you after you've had a chance to read through that is whether that paragraph accurately reflects a statement you made to Briggs on October 20th, 2014?

A. That paragraph absolutely does not accurately reflect the facts that I related to Investigator Briggs.

Q. Okay. And let's go line by line. I want you to -- I'm going to ask you two questions regarding each sentence in that paragraph: One, whether you made that statement to Investigator Briggs on the night of October 20th, 2014, and then, two, whether that statement is accurate, okay? So whether you said it to him or not, whether it's accurate. So we'll --

A. I can maybe -- I don't know if this saves any time or not. I can tell you, having read that report, that none of those statements are verbatim statements by me to Investigator Briggs.

The first statement, for example, has a date and a time and a beat car. That

information was transmitted but not in one sentence that said all of that. He would ask me what time the incident occurred; I would provide him with a time. He asked me when it occurred, what date, what address, like that.

This is not anywhere near the verbatim statements that I made to him over the telephone.

Q. Okay. And we're just going to break it down here --

A. And, again, I might want to stress, I did not speak in a paragraph like this. This was all he would ask me a question, I would provide him an answer.

Q. Okay. So that's how -- well, maybe we'll take a step back again to maybe --

A. We can certainly go to whether each individual fact listed there is accurate, but I can tell you categorically the entire paragraph is not my statement, and none of those sentences were said by me in that manner.

Q. Okay.

MR. McKAY: Can I ask you a question? Can you tell me whether or not this telephone

conversation you are about to ask Detective March about, was it recorded in any fashion by Investigator Briggs or anybody from the Cook County Medical Examiner's Office?

MR. NEUMER: Yeah, what I would say in response to that is, there's a duty of confidentiality. And, again, the materials that OIG has provided today, OIG has provided all materials, all information required by the CBA.

MR. McKAY: Well, there's no duty of confidentiality if it's a recording of the accused's statement.

The Collective Bargaining Agreement clearly mandates that you, IPRA, Internal Affairs, whatever agency is investigating a Chicago police officer has a duty to give the officer a recording such as a video or an audio before you ask him questions of it.

If you got it, I demand that you give a copy of that statement to Detective March now before any question continues.

MR. NEUMER: And what I would say in response is, OIG complies with all applicable laws.

MR. McKAY: And I'll take that to mean that you don't have any recorded statement of Detective March by Investigator Briggs or any agent of the Cook County Medical Examiner's Office.

MR. NEUMER: I'll let you draw whatever inferences you'd like, and I'll just say that we comply with all applicable laws, and we are conducting this interview today in accordance with all applicable laws.

MR. McKAY: Okay. Well, with that said, then since you placed this gentleman under oath, if you have a recording that suggests anything inconsistent with what Detective March has previously testified about in April and, more importantly, what he has also generated himself, the reports he created, if you have a recording, please give that to him now. He has a right to it.

And I'm going to ask that he not answer any of your questions unless you're going to tell him that criminal charges of perjury or any other crimes are probable. And if that's the case, you now have a right to Mirandize him

pursuant to the Collective Bargaining Agreement, Illinois State Law, and the United States Constitution.

MR. NEUMER: Yeah, I mean, as we discussed previously this is an administrative investigation. This is not a criminal investigation. We're not partnered with any other bodies on this investigation, so Miranda simply doesn't apply here.

MR. McKAY: All right. My objection is on the record.

Further, if there was a recording, Peter, even if you don't know about it but if there was a recording by Mr. Briggs or anybody from the Cook County Medical Examiner's Office without the consent of Detective March, I would submit that's a violation of the Illinois Eavesdropping Statute, which is a Class III felony.

If you've got it, or, further, if you don't have it but somewhere down the road you do get it, I'm moving to strike whatever Detective March is saying consistent with the order by Commander Klimas, and, further, I'm going to be

asking you to refer Mr. Briggs or anybody from the ME's Office to the Cook County State's Attorney's Office for an investigation on an eavesdropping violation.

Thank you.

MR. NEUMER: Okay.

BY MR. NEUMER:

Q. Detective March, I think we were going to take a step back a little bit. You were giving us some information regarding how this conversation occurred, and I think obviously you placed the call to the ME's Office; is that correct?

A. Correct.

Q. And then you made a notification -- or you notified, again in this case it was Investigator Briggs, that there was a death or a homicide?

A. Yes.

Q. Do you recall -- I mean, is there sort of like a boilerplate language, or do you just -- what do you tell the ME's Office when you notify them?

A. I think I just told you that I don't

know the exact words that I used, but I explained to him that I was calling him to notify him of a police officer-involved shooting incident where the person who had been shot by the officer had been pronounced deceased.

Q. And then following that exchange, did Investigator Briggs proceed to ask you a series of questions?

A. Yes.

Q. Okay. And did you provide information in response to his questions?

A. Yes.

Q. Did you offer any information without it being prompted by a question from Investigator Briggs?

A. Not that I recall.

Q. So is it fair to say that he was conducting an interview of you?

A. I don't know that we would -- that I would characterize it as an interview because there was -- number one, at that point in time in the investigation, I knew that I did not know all of the facts of the investigation. So --

Q. Let --

A. -- I was not in a position to give any totally completely informed statement on anything.

So, like I said, to the best of my knowledge, like I said, maybe he's got a checklist that he goes through and he's asking me to fill in the blanks of his checklist.

Q. Let me take away the characterization of interview. Is it fair to say he was asking you questions and you were providing him information in response to his questions?

A. Yes.

Q. Okay. I want to go back to the second paragraph of the narrative. And I want to go line by line again and -- and, again, it will be two questions: Whether you related the information in the sentence to Investigator Briggs on the night of October 20th, 2014, and then the second question will be whether it is accurate.

So the first sentence is, "Detective March related the following: On or about 2156 hours 19 October, 2014, Chicago Police 8th District beat car 815 Robert responded to

41st and Kildare in reference to a "citizen holding a subject"."

So let me first ask you, Detective March, did you relate the information that is in that first sentence to Investigator Briggs during your phone call on October 20th, 2014?

A. Again, not in those exact words, but most of the information in that first sentence is accurate except for the date of occurrence where he documented that I said or I related that the incident occurred on 19 October 2014.

The telephone call notification that I made to him was made on 20 October 2014 from the scene of the incident, and there is no way that I said that night or any time during the following almost two years now that I've been talking about this incident, there is no way that I referred to this incident as occurring on the 19th of October.

Q. Is it fair to say that you, at some point during your conversation with Investigator Briggs, told him that an 8th District beat car, 815 Robert, responded to 41st and Kildare in reference to a citizen holding a subject?

A. I would have told him something along the lines of some Chicago police officers responded to a call of someone holding a subject for the police at 41st and Kildare.

Again, I'm trying to guess here because I don't recall exactly the words that were used. I assume he asked me probably what beat was involved and I told him 815 Robert, and I'm assuming that him knowing the -- some of the workings and especially the numbering system of the beats and the Chicago Police Department, I think he correctly assumed that 815 Robert was an 8th District beat car. I don't remember telling him it was an 8th District beat car. I think he just assumed that from the beat number.

Q. Next sentence, "Upon arrival, Beat 815 Robert was confronted by the subject who threatened the officers with a four-inch fold knife."

Do you recall relating the information in that second sentence to Investigator Briggs on the night of October 20th, 2014, during your phone call with him?

A. As I just indicated, I would have told him that Beat 815 Robert responded to this assignment. The rest of that sentence is a complete misrepresentation of what I told him that night.

And, again, in dealing with this incident for almost two years now, I have never characterized what happened between Laquan McDonald and the officers assigned to 815 Robert as 815 Robert was confronted by the subject who threatened the officers with a four-inch fold knife.

First of all, as borne out in my -- all of the reports that I have written documenting this incident, at no time did any witness ever say that the officers on Beat 815 Robert were confronted by the subject. The subject being Laquan McDonald.

In fact, it was the other way around. The officers responded to the assignment and they subsequently confronted Laquan McDonald, who they found walking down the street.

I have never characterized what happened between those officers and Laquan

McDonald as him threatening them with a knife in the sense that I'm thinking somebody is brandishing a knife and threatening to cut you. I always characterized this incident as him attacking their vehicle with the knife, where he stabbed the right front tire and then stabbed the windshield. I have never characterized this as him threatening the officers with the knife.

That having been said, I believe that the act of attacking the marked police vehicle associated with two uniformed police officers was, in fact, a threat to the officers, but, again, just to be clear, that is now -- the words that are in this sentence are not the way I would have or have ever portrayed this incident.

The last misrepresentation is that it says that he threatened the officers with a four-inch fold knife. Again, having been at the scene, seeing the knife myself, knowing how I believe every single person -- all personnel employed by the Chicago Police Department in any reports written about this incident, I believe it has been very consistent that the knife has

been referred to as a folding knife, seven inches in overall length with a three-inch blade. I have never and I have never heard anyone else describe the weapon as a four-inch fold knife.

Q. So do you think that second sentence is -- putting aside the question of whether you relayed the information contained in the second sentence to Investigator Briggs, do you think that second sentence is accurate?

A. No.

Q. And it's for the reasons you stated?

A. Yes.

Q. Okay. How about the information in the first sentence, other than the 19th of October language, is the statement -- the first-sentence statement accurate?

A. Aside from the fact that he's got the wrong date, which you just described, and the fact that the words, "citizen holding a subject" are in quotation marks, I don't recall that I said those exact words, but the idea, if you will, of that being a summary of what had occurred is accurate.

Q. Okay. Third sentence, "The subject fled the scene on foot, where at 4112 South Pulaski the subject was stopped by officers assigned to Beat 845 Robert."

First question, did you relay the information contained in that sentence to Investigator Briggs during your phone call on October 20th, 2014?

A. In this sentence, I believe that all of those details or facts described in that sentence are accurate and were relayed by me to Investigator Briggs.

And, again, I can't say that I used those exact words in one complete coherent sentence that says all of that in one sentence.

Q. Okay. Next sentence, "The officers announced their office as Chicago Police Officers and ordered the subject to drop the knife."

First question, did you relay that information to Investigator Briggs during your phone call on October 20th, 2014?

A. Again, not in those exact words, but, yes, that information was relayed to

Investigator Briggs with the exception of the fact that he's got the words, "Chicago police officers" in quotation marks, and I have no -- again, from being out there that night, interviewing all the officers involved, having written a number of reports involving this investigation, and talking about it on numerous occasions, no one -- none of the officers ever told me that the words they said were "Chicago police officers" when they were announcing their office.

And I obviously did not characterize that then to Investigator Briggs. If I had not heard someone say those words, I would not tell him that someone said those words.

Q. Okay.

A. I did tell him that the officers announced their office, and I believe all the reports that I've written said that all of the officers are pretty consistent in saying something along the lines of, "Police, stop. Police, drop the knife." But never do they say, "Chicago police officers, stop. Chicago police officers, drop the knife."

So except for that one clarification, again, that sentence are not the exact words I spoke to him, but the facts detailed in that sentence are accurate.

Q. Next sentence, "The subject lunged at the officers with the knife."

First question, did you relay that information to Investigator Briggs during your phone call on October 20th, 2014?

A. No, I -- again, being a detective -- being a police officer for 34 years and especially being a violent crimes detective for the last 25 years, details of the elements of a criminal offense are the most important thing we deal with.

I mean, when we're determining whether or not we have probable cause to arrest someone, when we're presenting a case to the State's Attorney's Office for the approval of criminal charges, it's very important how the facts are characterized. If you leave facts out, if you use words that don't convey all of the details, you're not conveying an accurate message to whoever.

And especially like with dealing with the State's Attorney's Office, they're they ones -- they're not on scene, they don't talk to all of the people that we do, so it's up to us to accurately relay to them what the facts are because that's what they're going to make their decision as to whether or not they're going to charge and what charge is the most appropriate.

So obviously you don't want to use language that doesn't accurately describe something and you don't want to use language that describes things that didn't happen.

Again, having spoken to every officer that was involved in this incident, no one has ever told me that they saw Laquan McDonald or felt that he was lunging at anyone.

In viewing the video myself, I have never had the impression that I see Laquan McDonald ever lunge at anyone in that video. And, again, in speaking about this case for almost two years, I can say with certainty -- because, again, my awareness of the importance of the details -- I have never described what Laquan McDonald did during this incident as a

lunge.

So the sentence, "The subject lunged at the officers with the knife" is just something that I never said and I did not tell Investigator Briggs.

Q. Okay. Understanding that -- putting aside whether or not you relayed that information -- or relayed -- said the word, "lunged" to Investigator Briggs on the night of October 20th, 2014, do you believe it's an accurate statement to say that the subject lunged at the officers with the knife?

A. No, I believe that's a misrepresentation by Investigator Briggs.

Q. You do not think --

A. And I don't know what he based that on. It certainly wasn't the words I told him because I never told him that Laquan McDonald lunged at anyone.

Q. So you do not think it's accurate to state that McDonald lunged at the officers?

A. Correct.

Q. Do you have any recollection of how you characterized McDonald's actions to Briggs

during your phone call?

A. I -- again, I don't know the exact words that I used. I know from what I saw and how I handled my investigations, I would have said something along the lines of McDonald attacked the officers or began to attack the officers.

Q. Okay --

A. And, again, there's many ways to attack. I wouldn't describe what he did as a lunge.

Q. Next sentence, "Fearing for their life and attempting to stop the threat, one officer, star number 9465, fired 16 rounds from his duty weapon, a Smith & Wesson 9mm handgun striking the subject numerous times."

First question, did you relate the information contained in that sentence to Investigator Briggs during your phone call on October 20th, 2014?

A. Yes, I did relay -- all of the facts detailed in that sentence were related by me to Investigator Briggs, not necessarily in those exact words and certainly not in one sentence

like that.

Q. Okay. And is that sentence accurate?

A. As best I know from what happened at this date.

Q. Okay. Next sentence, "After striking the subject, an ambulance was requested by the officers."

First question, is that -- did you relate the information contained in that sentence to Investigator Briggs during your phone call on October 20th, 2014?

A. Yes, the facts detailed in that sentence are accurate. Again, not the words necessarily that I actually used and certainly not in a sentence like that that I recall.

Q. Okay. But, generally speaking, the information that's contained in that sentence you relayed to Investigator Briggs during your phone call?

A. Yes.

Q. The next paragraph starts, "Upon arrival of Chicago Fire Department ambulance," I want you to review that paragraph, and after you've had a chance to look it over, I want to

ask if you provided the information in that paragraph to Investigator Briggs during your phone call?

A. In the first sentence I would have told him that Chicago Fire Department Ambulance 21 transported McDonald to Mount Sinai Hospital.

Pretty much the rest of that paragraph, aside from the time that he's expired, because I would have told him that McDonald was pronounced dead at 2242 hours, but the rest of that is information that I did not provide to Briggs.

The beginning of the second sentence where it says, "Once at Mount Sinai Hospital, emergency staff were unable to revive the subject," I have no idea what was done at Mount Sinai Hospital. I don't know if they rolled him into the ER and he was a flat-line, that they never found any signs of life; I don't know if they worked on him and performed any procedures in attempting to save his life and were unsuccessful.

So that statement that they were

unable to revive him, I don't know where that comes from. I did not say anything in any faintest resemblance to that statement.

I would have told him, as I told you, that he was pronounced dead at 2242 hours, the name of the doctor, the beat car has it -- Briggs has it spelled one way here, the Original Case Report by Officer Fontaine has it spelled a different way.

The spelling that I got from the detectives at the hospital is different. In fact, it's completely different. If you look at my report, the doctor that is credited with pronouncing Laquan McDonald deceased is Pitzele, I believe it is spelled P-i-t-z-e-l-e, which, depending on what your perspective is, is kind of close to what Briggs has here, but it certainly is not the name that Briggs has here.

After the doctor's name, the rest of that paragraph is basically a description of the injuries sustained by Laquan McDonald, and there is no way that I -- I couldn't have possibly told him any of that information because at the time I made this notification, the only things I

knew at that point were that Jason Van Dyke said he had fired his weapon 16 times and I was aware that Laquan McDonald had been shot multiple times, which means more than once.

I had no idea how many times he was hit, if all 16 shots struck him, if they were lodged or through-and-through injuries, which would create more than one hole, I had no idea anywhere near this kind of description of his injuries. So obviously Briggs got that from some other source, not me.

Q. Is it possible that the two detectives who were at the hospital, would they have had that information?

A. It's certainly possible that those detectives had that information. It's possible anyone from the police department who was present at the hospital with information may have made an additional call to Briggs and provided that information. It's possible that Briggs, in performing his duties, called the hospital to obtain additional information that I didn't know.

But it's obvious -- it's completely

totally obvious to me that the four pages of this report are not a summary of information he received entirely from me. It's obvious to me that he used additional sources and probably additional people to gather all the information he's summarizing in these four pages.

Q. And maybe that's a good segue maybe to kind of go through a little bit and determine what of the information in this Case Report came from you and what information didn't.

So if we could go to Page 1. There's a --

A. Let me ask you this: If you want to simplify things, I've gone through my copy of this report and kind of highlighted the information that I didn't provide him. So maybe that could save you some time, unless you feel obligated to ask every entry.

Q. Maybe we can quickly -- we'll quickly talk about what you did provide. So there's a the Decedent/Subject section on Page 1.

Did you provide Investigator Briggs with the information and the details contained in that Decedent/Subject section?

A. Well, with the exception of the ZIP code for his residence at [redacted], I would have told them that I received the information that the last known address that the Chicago Police Department had for Laquan McDonald was [redacted].

But obviously standing at the scene, I had no idea what the ZIP code is at [redacted]. And at that point I didn't pull out my phone and go on the internet and look up that ZIP code for that address.

So obviously he at some -- from some source -- and I'm assuming he looked it up on the internet or from a ZIP code directory book, if they still make those, he looked up that address and entered it into his report.

So under that Decedent/Subject category, the only information that I did not provide to him is the ZIP code of the residence.

Q. Let's see, in the Notification section on Page 1, fair to say that you provided him your name, title, and star number?

A. Yes.

Q. Did you provide him the beat number

of 5121?

A. Yes.

Q. And did you provide him the police report number of HX475653?

A. Yes. The only information in that section that I don't believe I gave him because I don't remember it and I don't recall ever doing that is the telephone number for my office, which is what that telephone number is. Again, I assume he looked that up from another source.

Q. Okay. In the Discovered section, did you provide him the information in that Discovered section?

A. There is some information that I did not provide. But, first of all, I would like to point out, if you look at that section at the bottom of Page 1 and the first two lines of Page 2, which is a continuation of that section, I think it's obvious if you look through all of the entries or the categories in that section, this is in reference to a dead body. This is the discovery of a dead body.

He has for the first entry,

"Discovered by: Chicago Police beat number 845 Robert." They did not discover a dead body. They were dealing with a live offender from the entire time he was at the scene, and I'm told that when he went into the ambulance, he still had a pulse. So the Chicago Police Department did not encounter a dead body at that point.

So, again, I -- I don't know what he's trying to convey here, but the section should really be, you know -- if you want to be totally accurate, it would probably be that someone at the hospital with the location of Mount Sinai Hospital would be the one to give you information about the discovery of a dead body because that is where he was -- until he was pronounced dead, he was alive.

And I know, again from all the information I received at the scene, that he definitely was still alive at the scene. So it's a technicality, but we're dealing with lawyers here, and that's what they live on is technicalities.

I'm assuming again the address -- he's got, "Discovered by: Chicago Police beat

number 845 Robert," that's Jason Van Dyke and Officer Joe Walsh's beat number.

He uses the address of the 8th District, which I did not provide him. Again, I'm assuming he looked that up in some reference that he's got.

The telephone number is my office telephone number, so I'm not sure why that's in there because I didn't discover the body, and I don't think any of the people from Area Central Bureau of Detective's Office discovered the body. The best I know, the people at the scene that encountered Laquan McDonald were all officers assigned to the 8th District.

"Title: Police officer," "Relationship: Police officer," I'm not sure what he's -- Beat 845 Robert are obviously police officers, but, "Relationship: Police officer." I'm not sure what that's indicating.

Last known alive, I guess that's accurate because the officers saw him alive on the 20th and he was pronounced deceased on the 20th, so that's accurate information. I'm not sure exactly how Briggs determined that.

Discover date and time, again, this is supposed to be in reference to a dead body, and he's got 10/20/2014, 9:56 p.m. That is the time when Jason Van Dyke and Joseph Walsh encountered and confronted Laquan McDonald.

That is not the time -- and, again, he was still alive attacking them with a knife at that time. So I don't know how that figures into Briggs' thinking that that's the time for the discovery of a dead body.

And then condition of body, multiple gunshot wounds, again, he's taking the fact that Laquan McDonald was shot multiple times and putting that in there for the condition of the body.

And I did tell him that McDonald had been shot multiple times but...

Q. How about Place of Occurrence/Incident, did you provide the information on that section to Investigator Briggs?

A. Yes, that would have been information I communicated to him except for the ZIP code of the address of occurrence because, again, I

didn't know the address at that point when I was calling from the scene.

Q. Okay.

A. So obviously he got that from some other source.

Q. And then Identification of Deceased?

A. This is a very confusing category for me personally. If you read my reports, they document the fact that Laquan McDonald was initially tentatively identified by his State of Illinois ID card that he had on his person, and subsequently that identification was confirmed by his fingerprints.

But at the time I made this notification to Briggs, we were working off that tentative identification. "Positive Identification: Coworker," I have no idea what that is supposed to be indicating because there was certainly no coworker of Laquan McDonald that I was aware of that had any contact with police.

Identification means fingerprints. Again, at the time I was making this notification, I knew that as part of the

standard procedure, at some point in time, Laquan McDonald's remains would be fingerprinted, but they had not been fingerprinted at this point.

And I confirmed that by looking at the crime scene processing reports from the forensic investigators. And he was, in fact, I believe, fingerprinted at the Medical Examiner's Office on the following day. I believe it was the 21st when the autopsy was done.

So, again, there's no way that I told him that he was identified by fingerprints at the time I made this notification.

Q. And maybe -- so on the second page in the -- or third page of the report in the narrative section, last full paragraph, "Subject was positively identified by the Chicago Police ICLEAR system based on a prior Chicago Police booking number, IR2106340.

I mean, does that -- how does that relate to the identification of the deceased?

A. To that particular -- specific fact, I was told by -- again, I don't remember who told me, I wrote it on a General Progress

Report, that someone had run, I'm assuming, the information off of the state ID card -- they had run a name-check on him in our database and come up with possible IR number, and I could have provided that to Briggs.

Q. Okay.

A. But, again, that had not -- the IR number is a distinct number assigned to every person that the Chicago Police Department arrests based on their fingerprints, and no fingerprint analysis or match or even fingerprinting process had been completed at the time.

That was someone ran a name-check based on the identifiers from the ID card and came up with that IR number. And I gave that to -- again, that was in my notes -- so I probably did give that number to Briggs as a possible IR number for --

Q. Would you have told Briggs the subject was positively identified by the Chicago Police ICLEAR system during your phone call on October 20th, 2014?

A. No, absolutely not. There's two

issues -- and, again, this goes back to my training and experience after my 34 years as a Chicago police officer.

When you come across a dead body, whether it be a natural or criminal incident, two of the very most important procedures that the police department has to accomplish is to identify the -- positively identify the subject and make a notification to the next of kin.

Identification is made either by having a family member, and not just a friend who knows him for the last five years, but we usually use a blood family relative to view the victim and say, yeah, that's my husband, that's my son, that's my daughter, you know, whatever.

That had not happened because at the time of this notification, we had not made contact with Laquan McDonald's family.

And the other more common way is -- or second more common way, whatever you want to call it, would be through fingerprints, and I just discussed, that had not even started yet.

Q. Do you have any independent -- well, independent of this document -- independent

recollection of what you did tell Investigator Briggs regarding McDonald's identification during your phone call?

A. I would have told him that, like I just told you, we had tentative information coming off the ID card, and I would have told him the same thing, someone ran him in our system and came up with a possible IR number.

Q. Going back to Page 2 of the Case Report, the Pronouncement section, did you provide the information in that section to Investigator Briggs during your phone call on October 20th, 2014?

A. "Place Deceased Pronounced," I would have told him he was pronounced at Mount Sinai Hospital. I did not specify ER because he could have died in surgery. I did not know where in the hospital he would have been pronounced, so I did not say ER. I would tell him hospital.

"Method of Pronouncement: On View," I'm not quite sure what that means.

"Hospital: Mount Sinai Medical Center," I would have told him Mount Sinai, and obviously I gave him the date and time.

And, again, I gave him the doctor's name that I have but, again, going to the credibility of his attention to detail in his report and all the other inaccuracies that are in here, that is not the name of the doctor with the spelling that I gave him.

And I would have gave him -- some of the very most important information we give them is the time of pronouncement and the doctor or the person who pronounces. And I certainly did not -- I did give him the name that I had in my report, but I did not give him this name.

Q. And doctor --

A. Now, it could be that I, in my reports, through my sources, other detectives, they have the wrong spelling and this is the correct spelling. But if that's the case, then Briggs didn't get that from me. Again, he got it from another source.

So, again, the information in these four pages is not entirely exclusively from me. This is a summary of information he gathered from a number of sources.

Q. "Fire Department on Scene," would

you --

A. I would have told him that Ambulance 21 transported the body to the hospital.

Q. Okay. And then going back to the narrative section --

A. And just by way of, again, attention to detail, the bottom of Page 2 "List of Person Interviewed," he's got my name and title and everything. Again, I don't recall giving him the office number. I'm assuming he got that off a list he has. I certainly -- he did not ask me, and I did not provide him with the address of my office. Again, he got that from another source.

Q. In the narrative section, last full paragraph, second sentence, "At the time of this report, it is unknown why the citizen was "holding the subject" since the citizen left the scene and could not be interviewed."

Did you provide the information contained in that sentence to Investigator Briggs on the night of October 20th, 2014?

A. I don't specifically recall relaying

that information to him. It is possible that I did and that statement is accurate, but, again, I don't recall making a statement exactly in that manner. But if he asked me, you know, did we interview the citizen who made the original call, I would have told him no because at that point, we hadn't.

Q. Did you inform Investigator Briggs that there was video of the shooting?

A. I don't recall if we discussed video or not.

Q. Okay. Do you recall whether he asked you if there was video of the shooting?

A. I don't recall.

Q. Generally speaking, do you recall providing Investigator Briggs with any information during your phone call on October 20th, 2014, that is not reflected in the Case Report?

A. It's possible, but I don't -- again, at this late date, I don't recall.

Q. No specific recollection?

A. No, nothing that I know for certain I told him that does not appear here.

MR. NEUMER: Time is 11:35 a.m. We're going to go off the record.

(WHEREUPON, a recess was had.)

MR. NEUMER: Time is 11:43 a.m. We're back on the record.

BY MR. NEUMER:

Q. Still talking about generally the Exhibit 5 Case Report. I wanted to ask you, Detective March, if at any time at the scene of the shooting on October 20th, 2014, at any time at the scene, did you tell a representative from FOP that McDonald lunged at Chicago Police Department officers?

MR. McKAY: Objection, that's outside your Notification of Allegations. Now he's supposed to defend some alleged statement to not Investigator Briggs and not Officer Dora Fontaine? Do you have an FOP report suggesting what, if anything, Detective March may have said?

That is outside your Notification of Allegations, and, as such, he should not be compelled to answer that.

MR. NEUMER: Can we read back the question.

(WHEREUPON, the record was read by the reporter.)

MR. McKAY: That's outside these allegations your office has alleged against Detective March.

Further, I submit, unless you have some report prepared by an FOP representative, you have no good faith basis to ask that question because there's nothing in Investigator Briggs' report about an FOP representative at the scene talking to Detective March.

Further, there's nothing in Officer Dora Fontaine's report, your Exhibit Number 6, that suggests there was an FOP representative talking to Detective March at the scene.

As a result, I ask that you strike that question and move on to something else.

Further, you have all the reports prepared by Detective March in this particular case; indeed, you used several of them at his interview in April. At no time, in no place do any of the reports generated by Detective March indicate he ever interviewed an FOP representative.

The allegations today and the allegations your office made back earlier this year that were the subject of the April 26th and April 27th questioning, at no time do those allegations indicate any false statements to any FOP representative, Mr. Neumer. As such, we ask that that question be stricken and we move on to what other questions are relevant to these new allegations you have alleged.

MR. NEUMER: As you know, Detective March has been ordered to answer OIG's questions, so I would ask that the court reporter read back the question to Detective March.

(WHEREUPON, the previous question was read by the reporter as follows:

"Still talking about generally the Exhibit 5 Case Report. I wanted to ask you, Detective March, if at any time at the scene of the shooting on October 20th, 2014, at any time at the scene, did you tell a representative from FOP that McDonald lunged at Chicago Police Department officers?".)

MR. McKAY: Again, I object. Are you

suggesting, Mr. Neumer, that an FOP representative and his or her statement, whether written or oral, is an official report? Because only official reports in this matter are what John Escalante wanted your office to investigate. I would ask that you answer the question, Mr. Neumer.

MR. NEUMER: The question --

MR. McKAY: He cannot be -- I'm sorry. I mean no disrespect.

Detective March cannot be expected to defend himself by way of ambush. Where does this FOP representative and some alleged conversation, where does that come from? None of the allegations your office has alleged.

What is your good faith basis as an officer of the court to even ask this question, Mr. Neumer?

MR. NEUMER: This question is relevant to our investigation --

MR. McKAY: How so? How so? We ask you to show us the relevance.

MR. NEUMER: Jim, Detective March is under order to answer our questions. I'm going to ask

the court reporter to read him the question.

THE WITNESS: She doesn't need to reread the question again.

BY THE WITNESS:

A. As I said previously in regards to your Exhibit 5, I do not recall ever in the past almost two years ever characterizing or describing anything that Laquan McDonald did on the night of October 20th, 2014, as a lunge to anyone.

I might add on top of that, at the scene that night, I do not remember having any conversation with any representatives from FOP regarding the details of what happened in this incident.

BY MR. NEUMER:

Q. I'm not sure if you're aware, FOP spokesperson Pat Camden described the -- described McDonald's actions to the press that night as a -- that McDonald lunged at the officers. If you know, do you know where FOP spokesperson Pat Camden got that information?

A. How would I possibly know? As I just told you, I don't remember having any

conversation with any representative of FOP. And I can tell you specifically Pat Camden -- and I know who he is -- I did not have any conversation with him at all that night.

And as far as where he got that, I mean, this is America and -- in spite of the conduct of the Inspector General's Office, this is America and people have a right of free speech. Pat Camden can say anything he wants.

I have no control over that, I have no idea what prompted him to say that, and I certainly, if he received information to that effect, I have no idea where it came from.

Q. Okay. And it didn't come from you --

MR. McKAY: I would reiterate, Mr. Neumer, John Escalante's letter we have talked about at length clearly states whether any officers made false statements on official reports submitted in connection with the shooting of Laquan McDonald on October 20th, 2014.

To suggest Pat Camden's statement to the press is an official report is absurd. Agreed or not?

And are we going to ask Detective

March about media reports, whether it's television or print media? That is ridiculous, especially in light of all the false information provided by the media in this case. You going to put them through this type of a sworn statement? I'd love to be asking them some questions under oath.

But, be that as it may, Detective March has answered your question. Whatever Pat Camden said to the media is not relevant to what John Escalante is asking your office to do.

Thank you.

BY MR. NEUMER:

Q. So, Detective March --

A. I'd just like to interject. Just before this exchange, I believe your last comment was that you are not saying that I made a statement like that to Pat Camden? And I would -- you said we're not saying that you made that statement to Pat Camden, but I would say on the record that the clear implication of your last question to me is that I am the source of that statement.

Q. I'm asking you whether --

A. Right --

Q. -- whether you --

A. -- your implication -- because there's no allegation but you're on your little fishing expedition and you're accusing me by implication by that question that I am the source of that statement, and clearly I am not.

Q. Okay.

A. As you just admitted that you knew before you asked the question.

Q. I don't quite follow but okay.

At this time I am going to ask my colleague if she has any cleanup questions with respect to the ME Case Report.

BY MS. WITZBURG:

Q. Just very briefly, Detective, on Page 1 there's a phone number under the Notification section and a phone number under the Discovered section. Those are both 312-747 exchange numbers. Are those both numbers for Area Central?

A. Oh, no. I'm sorry. I misspoke. The number under the Discovered looks like -- it's not -- just looking at it quickly, I thought it

was my office number. It's not. It probably is a number for the 8th District, which is the address right above it.

Q. Okay. So the 8380, is that the Area Central?

A. That is my office number.

Q. Does that phone -- is that specific to you, that exchange --

A. No, that's --

Q. -- is that the Detective Division number?

A. That's the entire office on the second floor.

Q. Okay. And 8730 is not an Area Central number?

A. Correct. Not that I know of. I believe it's the 8th District. I don't know for certain.

Q. Okay. Thank you.

MS. WITZBURG: That's it.

MR. NEUMER: Okay.

BY THE WITNESS:

A. I would just like to, since we didn't go there, make a couple other observations. On

Page 4 that we didn't deal with.

BY MR. NEUMER:

Q. Okay.

A. Near the top there it says there's an entry of "Temperature of Environment: 52 degrees Fahrenheit". There is no way that I told Investigator Briggs that the temperature at the scene that night was 52 degrees.

Again, he obviously went to some internet source or something, some weather site and found -- you know, just looked up the temperature. Because I can see how that would be relevant to the Office of the Medical Examiner, but that certainly didn't come from me as you're suggesting everything else in this report is from me.

And then a short way under that entry, there's an entry for "Photographs Taken on Scene" and it says, "False."

Again, not being familiar with all of the workings of the Medical Examiner's Office, I have no idea what that is indicating. And if that is supposed to be Briggs indicating that I told him that photographs taken at the scene is

false, that is a false representation because at the time of the notification that I made this notification, I don't believe photographs had been taken, but the crime lab, the Forensic Services personnel were on the scene in the process of processing the scene, which included not just photographs but also video.

So that is an inaccurate entry. And, again, it just goes to the credibility of using this report to say that I said anything exactly in the words that he used.

Q. I'm now going to put -- I'm going to take Exhibit 5 back and put Exhibit 6, the Original Case Incident Report in front of you.

(WHEREUPON, the document was tendered to the witness.)

BY MR. NEUMER:

Q. And who completes an Original Case Incident Report?

A. Well, it can potentially be any member of -- any sworn member of the Chicago Police Department.

I believe even with all the civilianization we've gone through, I believe

it's still sworn members only that are -- and maybe I'm wrong, but still to the best of my knowledge, it's only sworn officers that can actually initiate or create an Original Case Incident Report. So in the case of this incident, it would have been whichever officer was assigned to do that task -- to perform that task.

Q. Is it generally officers that complete the Case Incident Reports as opposed to detectives?

A. The vast majority of times, but there are times when a detective will create an original report.

Q. When would a detective create an Original Case Incident Report?

A. In an incident where he becomes aware of the crime and -- just his dealing with it. So, you know, rather than calling to have a beat car assigned and tying them up --

Q. Sure.

A. -- and the detective, the detective will just, you know, save some resources and just create the original report themselves.

Q. Got you. And so what's the review chain for a Case Incident Report?

A. The member who prepares the report, it's all computerized now. We have a system that's called AIRA -- I believe it's A-I-R-A -- which is for creating original computerized incident reports. Officers can do that in the mobile PDTs -- I don't know if that's police data terminal -- that they have in the cars, or they can do it on any computer in the police facility. But, as I said, no longer do we write -- hand-write reports out by hand; it's all done on computer.

And so there's a number of screens that the officer will go through and enter the information that's requested. They enter -- I should specify that they enter the information that they have or are aware of at that time.

All of these are usually what is called as preliminary investigations. When the investigation is just starting, the civilian, if you will, is just initially reporting it to the police, so sometimes the officer making -- initiating the report doesn't have all of the

facts or may be given wrong information by the people they're talking to.

But it's basically that officer goes through the different screens and enters the information that is requested to the best of their knowledge.

Q. And after the officer or, in certain instances detective, completes the Case Incident Report, who next reviews that report?

A. Once the officer has entered all the information and they're satisfied that they have everything the way they want it on the report, on one of the screens, there's a "Submit" button. When they click on that button, it is then considered submitted.

In fact, if you were to look at the system in more detail, a report that has not been submitted yet, somewhere near the top of the report, it will say, "Preliminary" because it has not been submitted. That report is basically nothing; it's just a report in progress.

Once it is submitted, then if you were to print the report up then, it would say

somewhere near the top, "Submitted." And then a supervisor, normally it's a sergeant, would review the report and approve it.

Once the sergeant reviews the report and is in agreement with it or whatever and decides he's ready to approve it, there's a screen in his computer that he clicks on the "Approved" button. At that time, the report becomes approved, and, again, if you were to print a copy of the report after that, it would say, "Approved" somewhere near the top of the report.

Q. Yep. Yep. Okay. Does the detective assigned to a case generally look at the case incident report before it's finalized?

A. No, the vast majority of criminal incidents that are reported by, you know, patrol personnel, there is no detective on the scene. It's a civilian reporting a crime to the officer. The officer enters his information, submits the report. His sergeant approves it or a sergeant will review and approve it.

And then subsequent to that, it will be assigned to a detective. And then that's

like normally the first opportunity the detective has to even know the report exists, much less read it and review it.

Q. So generally speaking, the Case -- the Original Case Incident Report is approved and finalized before a detective even gets assigned?

A. Correct.

Q. Who prepared this Exhibit 6 Original Case Incident Report?

MR. McKAY: Objection to speculation unless he knows.

BY THE WITNESS:

A. I can only speak -- again, I wasn't present when this report was created and submitted in the computer system. I can only go by the computer entries on the last page of this report, but it -- I know that Dora Fontaine was at the scene, I know that she was one of the officers assigned to the car that was assigned to do the original report, and it says reporting officer is Dora Fontaine.

So it was either Dora Fontaine or someone logged into the computer system as Dora

Fontaine. That's the only thing I can say for certain.

Q. Okay.

A. It probably was Dora Fontaine.

Q. Did you direct Officer Fontaine to complete this Case Incident Report?

A. No, her sergeant did. One of the 8th District sergeants assigned their car or her car to, you know, be the quote/unquote paper car to create the Original Case Incident Report.

Q. Did you speak -- I know -- based on our interviews in April, I know you spoke to Officer Fontaine at the scene of the shooting regarding what she had witnessed. Putting those conversations aside, did you speak to Officer Fontaine at the scene of the shooting regarding her completion of this Original Case Incident Report?

A. I believe I just checked with her what classification she was going to use, what address, date and time of occurrence.

And then obviously, as we've already spoken about, I made the notification to the Medical Examiner's Office so I gave her

Investigator Briggs' name and badge number to -- because technically the notification responsibility is the beat car, so I did that for them and gave her the information so it could be entered on the report.

Q. Okay. And so just to -- just for the record, what was the information you provided, the --

A. I told her I notified the Medical Examiner's Office and here's the name of the investigator and here's his number.

Q. Oh, okay. Okay. Is --

A. Which she apparently entered on the report because it is in there and I didn't enter it.

Q. Did you provide Officer Fontaine with any of the other information that is contained in this Exhibit 6 report?

A. No.

Q. Do you know where she would have gotten the information in this report that lists Officer Gaffney, Officer Van Dyke, and Officer Walsh as victims?

A. Either from talking to those

individual officers or from someone else who had spoken to the officers.

Q. Okay. She did not get that information regarding the victims from you?

MR. McKAY: Objection, asked and answered.

BY THE WITNESS:

A. I believe I -- in our previous interview from April, I -- there was a question as to, you know, how this classification, whatever -- I think we had a conversation about who would be listed as a victim -- as victims on this report, and so obviously -- I don't know if Dora Fontaine was part of the conversation I was involved in.

Most of my conversations were with supervisors, and I don't recall if Dora Fontaine was there or not. But it was decided that we would list three victims, Officers Gaffney, Van Dyke, and Walsh.

Q. Right, but you don't have a specific recollection of telling Officer Fontaine, "You should list these three individuals as victims in your Original Case Incident Report"?

A. No, I don't recall that.

Q. Were you responsible for approving this Original Case Incident Report?

A. Absolutely not. As a detective, I have no authority to go into the computer system and approve anyone's report. Only a sergeant and above can do that.

Q. Let me back up, actually. In the Injuries section on Page 1, it says, "Injury info, PO Van Dyke, Number 12865, Jason - victim" and then underneath that it says, "Injured by offender."

Did you direct Officer Fontaine to include that, "Injured by offender" language in the report?

A. No.

Q. Do you have any knowledge as to why Officer Fontaine included that language in the report?

A. I can only speculate as to why that entry is in the report. The most likely reason that I can think of is that, again, as I explained, she was on the computer dealing with different computer screens.

And for this -- I know that for this,

"Injured by offender" entry, it's just a -- I believe they call it a radio button in computer terminology, but it's just a button you click on if that's the entry you want on the report.

My best guess would be that somehow she clicked on that button by accident because at no time did Jason Van Dyke tell me that he was injured, at no time did anyone else tell me that Jason Van Dyke or that anyone else was injured during this incident besides Laquan McDonald.

And I don't know if maybe Dora Fontaine thought he was or someone told her that he was, but I tend to believe that this was more of an accident because here's the thing: When an officer intentionally -- if they have a victim who is injured and they are intentionally clicking on that button to indicate that the victim was injured by the offender, there are then some subsequent drop-down menus that are normally -- a choice is made to also make an entry.

So in that case, let's say if this was -- Van Dyke was injured, you would have the

entry, "injured by offender." It would then say, "nature of injury" and a drop-down menu -- some of the -- not all of the selections, but -- this is not an inclusive list, but some of the -- and, again, these are all computer choices. These are not the words of an officer entering it.

Some of the entries and selections -- or possible selections in the drop-down menu are gunshot wound, stab wound, blunt force trauma, abrasion, bruising, along those lines.

And then there's another drop-down menu for the weapon used or instrument used to inflict the injury. Is it a firearm, is it a knife, is it a blunt instrument, is it hands if someone is punching someone.

So, again, my feeling or my interpretation of this is, if that was an intentional entry by Dora Fontaine, I would expect there to see the entries from the subsequent drop-down menus here. And those are not here, so that makes me think more likely than not, this was -- you know, I'm sure -- I know I have, most people I know have at some

point in time clicked on the wrong button on the computer and gotten a result that they didn't want, and I think that's what happened here.

I might also add that most of the entries from this Original Case Report, once it is approved, when I create a report subsequent to that, the report -- what I'm starting with is not a blank report. I'm starting with the information populated from this report. And then it's up to me to create -- to correct any errors and to update any information if I learn something that's different from what the beat officer had in their report.

And I can tell you from looking at my reports, nowhere in my reports does this injury section appear at all.

Q. Okay.

A. And I don't specifically remember doing this, but when I created a report, I go through all the screens to make sure the information is accurate as far as what I know, and if that box "injured by offender" had been checked, I obviously unchecked it because in my reports, this does not appear.

Q. I got you. Did you review this Exhibit 6 report before it was finalized?

A. No.

Q. Do you --

A. And there's no -- I might also add that there is no evidence anywhere that I had anything to do with the drafting or the reviewing or the approval of this report.

Q. Do you recall when you first saw this Exhibit 6 report?

A. Sometime the following morning after it was approved, I believe.

Q. Your name on Page 4 -- bottom of Page 4 in the Personnel section, your name and PC number are listed, along with the date of -- well, I should ask you, is that your PC number next your name at the bottom of Page 4?

A. Yes.

Q. And then a date and time is -- next to that PC number is October 21st, 2014, 15:01.

What does that time signify?

A. Well, again, Mr. McKay alluded to this at the beginning of this proceeding when he said John Escalante would never have made the

allegations that I am now facing regarding this report because if you just look at this report, it logically tells you what happened here.

The bottom line -- the last line of this page is that Dora Fontaine submitted the report on 21 October 2014 at 0432 hours, which is 4:32 a.m. That is the time the computer assigns. She didn't pick that time; that is the time the computer assigns when she clicks the "Submit" button.

The next time chronologically is the top -- the top line here, Sergeant Stephen Franko, it's got his approval time at 21 October 2014 at 0518 hours, that's 5:18 a.m. That is, again, not a time chosen by Sergeant Franko. When he clicks -- when he goes in there as a supervisor and clicks on the "Approval" button, that time is assigned by the computer.

And, again, First Deputy Superintendent John Escalante would know these things.

My name is on the middle line there, and it says -- my name is associated with a time of 21 October 2014 at 1501 hours, which is

3:01 p.m. on that same day. So it's almost -- it's getting close -- it's about ten hours after Sergeant Franko approved the report.

And, again, First Deputy Superintendent Escalante would know that Dora Fontaine's entry is in regards to when she submitted the report; Sergeant Franko's name is in regards to the time he approved the report; my name is the time at which a supervisor or a detective assigned to the Area Case Management Office went into the computer system and administrative -- knew that I was the assigned detective and went into the system and administratively assigned the job -- this incident to me on 21 October 2014 at 1501 hours.

Again, that's the time it was administratively assigned to me. It was actually assigned to me many hours earlier on the night of the 20th by Sergeant Gallagher verbally in person, but it didn't make it into the computer obviously until all these steps occurred.

And, again, First Deputy Superintendent John Escalante would know all

this and, therefore, never would have made these allegations, two of which -- not just one, two of which I'm looking at regarding this one report.

MR. NEUMER: At this time I'm going to turn it over to my colleague for follow-up questions.

MS. WITZBURG: Thanks.

BY MS. WITZBURG:

Q. Detective, you mentioned that there was a conversation on the scene having to do with who would be designated as a victim; is that right?

A. Correct.

Q. Tell us a little bit more about that conversation. Who else --

MR. McKAY: Objection, this has been asked and answered in April. You were here, Peter, Kris Brown was here, with all due respect to Ms. Witzburg, she was not. That's why she doesn't know about that conversation. You do.

That's not the purpose of this second interview is to do a do-over of the first interview, so I'm objecting to these questions.

And I ask that Ms. Witzburg move on

to questions that are related to yours pursuant to the Collective Bargaining Agreement. She can ask follow-up questions of your questioning, not do a discovery deposition of something she may not have personal knowledge of because she was not present for the April interviews.

MR. NEUMER: I mean, I think the question is reasonable and I would just ask the court reporter to read it back to Mr. -- Detective March.

(WHEREUPON, the record was read by the reporter.)

BY THE WITNESS:

A. Maybe you could repeat the -- ask me what you want to know.

BY MS. WITZBURG:

Q. Who participated in that conversation?

A. I do not recall all of the parties. I know obviously myself was part of it. I believe Sergeant Gallagher was part of it, and ultimately I know Deputy Chief David McNaughton, who was the on-call incident commander, the highest-ranking department member on the scene

in charge of the entire scene, he ultimately weighed in on it.

Q. Okay. And do you know which person who had participated in that conversation gave the information to Officer Fontaine as to who to designate as victims in that report?

A. I don't recall how that information got communicated to her.

Q. Do you recall if it was you?

A. No, I don't recall.

Q. Okay. So it could have been but you're not sure?

MR. McKAY: Objection, asked and answered.

I also ask the record reflect that this questioning, in my mind, is violating Subsection C of Section 6.2 of the Collective Bargaining Agreement which clearly mandates that if there is a second interviewer, that second interviewer will ask follow-up questions for clarification purposes only. She cannot or he cannot conduct questioning of a witness during a second interview after it had already been gone into during the first interview several months ago.

BY MS. WITZBURG:

Q. Detective March, you told us you first saw this report, I believe you said, sometime the following day, sometime on October 21st; is that right?

A. Sometime that morning.

Q. Okay. Generally speaking, when you're assigned to an investigation, when you review the Original Case Incident Report, if you discover something that you consider to be an error in that report, what steps would you take?

A. As I just -- I think I just went into that. When I go in to create my subsequent reports, if there's any information that's inaccurate, I correct it.

If there's additional information that the officer didn't have at the time that I now have, I add that and update the -- I update everything to the most accurate information that I have available to me.

Q. Understood. To ensure the accuracy of your subsequent reports, correct?

A. Correct.

Q. Would you take any steps as far as

correcting the original report itself or noting anywhere that that report contained an error?

A. No, for integrity of the report, once the report is approved by a sergeant, it cannot be changed. That is the original report. Any subsequent reports that need to -- have updated information, you create that information in the updated reports.

Like I said, in this case, I don't specifically remember that, but it makes sense -- I mean, it would most likely be that this obviously does appear, this entry about Van Dyke being injured by offender obviously does appear in the approved version of her report.

So, again, I don't specifically recall this, but it should have carried over and populated my report when I created my report in the computer, and then when I went through all the screens to make sure the information was accurate and update new information that I had, I -- again, that information is not in my report, so, again, I don't specifically recall taking this action, but I probably unchecked

that button so that my report was accurate as far as what the facts were as I knew them.

Q. Okay. And did you record anywhere your impression that the original report contained this inaccurate fact?

A. No, and there's no requirement that I do that.

Q. Thanks.

MR. McKAY: I would object to that question because that's not alleged by the Office of Inspector General in the Notification of Allegations.

He is being asked about either reviewing and approving her report or assisting in the drafting. There is no allegation that he's under some duty to correct a report he did not prepare nor did he approve.

MR. NEUMER: The time is 12:17 p.m. We're going to go off the record.

(WHEREUPON, a recess was had.)

MR. NEUMER: Time is 12:20 p.m. We're back on the record.

BY MR. NEUMER:

Q. Detective March, we have no further

questions for you today; however, understanding the nature of our investigation, if there's any other information you think is -- we should know, now is your opportunity to provide that information on the record.

MR. McKAY: Well, can I ask you a question, Peter? You made -- your office, I should say, made four allegations, three of which are somewhat specific, the fourth one is just an overall allegation based on the first three.

Are you going to specifically ask Detective March whether he admits or denies your allegations?

MR. NEUMER: I mean, I think the -- I think his answers have specifically addressed each of the Notice of Allegations. If there's anything he would like to say regarding allegations one through four, the floor is yours.

MR. McKAY: All right. If I may?

EXAMINATION

BY MR. McKAY:

Q. Detective March, drawing your attention to the Office of Inspector General's Exhibit 3, number one, on October 21st, 2014,

did you review and approve an Original Case Incident Report, which includes an event number of 1429315878 and an RD number of HX475653, even though it falsely stated that Officer Jason Van Dyke was "injured by offender"?

A. My response to the allegation is the allegation is entirely false. I have no authority to review and approve anyone's Original Case Incident Report, and in this case, I did not review and approve the Original Case Incident Report.

Q. Directing your attention to allegation number two of the Inspector General's Exhibit 3.

On or about October 20th, 2014, or October 21st, 2014, did you assist in the drafting of the OCIR which falsely stated that Officer Jason Van Dyke was "injured by offender"?

A. No, I did not assist in the drafting of that report, especially regarding the point at which it states that Officer Van Dyke was, "injured by offender."

Q. In fact, sir, in all of the reports

that you did create, whether they were supplemental reports or GPRs of witness interviews, did you at any time indicate that Officer Jason Van Dyke was injured by Laquan McDonald?

A. No, never.

Q. Regarding allegation number three of Inspector General's Exhibit Number 3, did you, on or about October 20th, 2014, make a false statement to Investigator Earl Briggs of the Cook County Office of the Medical Examiner when, with respect to the McDonald shooting, where Briggs wrote down, "McDonald lunged at the Chicago police officers assigned to Beat 845R with a knife," what do you say about that allegation?

MR. NEUMER: Just for the record, Jim, can you note that you added some additional language to the allegation number three in your recital of it.

MR. McKAY: Well, I will only because you and your office stated Detective March stated to Briggs that McDonald lunged at Chicago police officers. It's Detective March's position he

didn't state that at all to anybody.

BY MR. McKAY:

Q. So I would ask, Detective March, how do you respond to allegation number three of the Inspector General's Exhibit Number 3 as they have specifically alleged?

A. The allegation is entirely false. I never made a false statement to Investigator Briggs especially to the point where it's alleged here that I said that -- or that I stated that McDonald lunged at Chicago police officers assigned to Beat 845 Robert with a knife.

I might also add that has been well documented now in our review of that report, there is a vast array of information contained in that report that no way could have possibly come from me at the time that I made that notification from the scene.

So obviously that report is a summary of a lot of information that Investigator Briggs obtained from a number of different sources, and, as I already detailed in our discussion of that report, it is not a summary of information

he obtained exclusively from me.

I also might add, again as to the credibility of his report being used for any allegations against me and his attention to detail to record facts, the most glaring of which he's got the incident occurring on the wrong date, which does not appear to me to be a typographical error where he just got one number wrong; he got both numbers wrong on the date, the first and the second number. So it doesn't appear to be just a simple typo to me.

Again, so it goes to the credibility of that report being used as a -- regarding his attention to detail and that being used as a factual basis for any allegations against me.

I also might add that there was absolutely no motive for me to misrepresent Laquan McDonald's action during the confrontation with Jason Van Dyke because right from the beginning, I told Investigator Briggs this was a police officer-involved shooting where the offender had been shot and killed. And I told him that the subject, Laquan McDonald, had been struck multiple times by

gunshot wounds.

So there is no way using the word "lunged" as opposed to any other word would have made a difference to the Medical Examiner's Office. It was very clear that night at the scene before the Medical Examiner's Office ever got the body that their ultimate finding was going to be that the cause and manner of death would be multiple gunshot wounds, homicide.

The only question left was whether or not Jason Van Dyke's use of deadly force was justified or not, and the Medical Examiner's Office does not weigh in on that. All they do is make the determination that the cause of death is multiple gunshot wounds, because there's more than one gunshot wound -- and the manner of death is homicide.

And in the terms that the Medical Examiner's Office uses, all that indicates was that this person was killed by another person, not by a car crash or anything else. Whether or not it was a crime or a justifiable homicide or an accident, the Medical Examiner's Office doesn't make that determination. That is

determined through all of the subsequent investigation that was -- is conducted.

So the portrayal of Laquan McDonald's actions in a preliminary notification to the Office of the Medical Examiner would have had no -- absolutely no bearing on their findings in this matter.

And so, therefore, I think, again, that's consistent with me, again, knowing about the importance of details of the elements of a crime and knowing in almost two years of talking about this case, in writing, in verbally, in front of different authorities, I never -- have never used the word, "lunge" or, "lunged" to characterize what Laquan McDonald did that night.

And I wouldn't have used it as quoting of any of my witnesses because none of the witnesses I spoke to ever used the word, "lunge." And, again, as I already said, when I viewed the video, what I viewed I never characterized as a lunge.

So, again, I believe what's in Investigator Briggs' report in addition to his

inaccuracies are his words, using his words, he summarized all of the information he gathered that night.

Q. In your preparation of your official reports in this case, did you ever use the words or the phrase that Laquan McDonald lunged at Chicago police officers?

A. No.

Q. Finally, regarding allegation number four in Exhibit Number 3 of the Office of Inspector General, which alleges that you were incompetent in the performance of your duties in the ways enumerated in allegations one through three, how do you respond?

A. I find it very, very -- I find allegation number four maybe the most offensive allegation that I am facing regarding this investigation, and here's why: My mother and father did a wonderful job raising five children, okay? They taught me the importance of being a conscientious student in school and a conscientious employee in the workforce, the importance to showing to work on time, giving your best effort to anything that you do, okay?

I, over 34 years of employment with the Chicago Police Department -- and no one in the Inspector General's Office probably has any idea, but within the organization of the Chicago Police Department, I have a reputation for being very complete, very thorough, very professional, and very competent, okay?

And I'm not using these words just because I have a Donald Trump ego, okay? People have told me that. Supervisors have told me that. Prosecutors in the State's Attorney's Office of Cook County have told me.

I've dealt with law enforcement agencies at the federal level, state level, county level, city level, other municipalities, and never once -- and you can check my disciplinary record -- has anyone ever made any kind of indication that my work is anything but complete, thorough, professional, and competent.

And I find this allegation, as I said, the most reprehensible and offensive of anything that I encountered so far during the course of this investigation. And I would just caution the Inspector General's Office, who

likes to use these words very generously, to be careful in their terminology because the words they're using during the course of this investigation could very well come back and used to judge their competence and professionalism and thoroughness and completeness.

Q. In addition to that, Detective March, is there anything you wish to add to what you have already testified under oath to?

A. No.

MR. McKAY: Thank you, Mr. Neumer.

MR. NEUMER: The time is 12:31, and this interview is concluded.

(WHEREUPON, the interview was concluded at 12:31 p.m.)

C E R T I F I C A T E O F R E P O R T E R

I, MICHELLE M. YOHLER, a Certified Shorthand Reporter within and for the County of Cook, State of Illinois, do hereby certify:

That previous to the commencement of the examination of the witness, the witness was duly sworn to testify the whole truth concerning the matters herein;

That the foregoing interview transcript was reported stenographically by me, was thereafter reduced to typewriting under my personal direction and constitutes a true record of the testimony given and the proceedings had;

That the said interview was taken before me at the time and place specified;

That I am not a relative or employee or attorney or counsel, nor a relative or employee of such attorney or counsel for any of the parties hereto, nor interested directly or indirectly in the outcome of this action.

IN WITNESS WHEREOF, I do hereunto set my hand and affix my seal of office at Chicago, Illinois, this 26th day of July, 2016.



C.S.R. Certificate No. 84-4531.

Exhibits

March Exhibit No. 1 3:11 5:11,20

March Exhibit No. 2 3:12 31:17,19 32:7

March Exhibit No. 3 3:13 32:17,19 33:2 125:24 126:14 127:8 128:5 132:10

March Exhibit No. 4 3:14 33:10,13

March Exhibit No. 5 3:15 34:2,4 49:22 50:8 93:8 95:17 97:6 103:13

March Exhibit No. 6 3:17 34:17,22 35:3,10,16,17 94:13 103:13 108:9 110:18 116:2,10

0

0432 117:6

0518 117:14

07/25/2016 5:21 31:20 32:20 33:14 34:5,23

1

1 3:11 5:11,20 33:6 52:10 79:11,21 80:21 81:18 100:17 112:8

10/20/2014 84:3

11:35 93:1

11:43 93:4

11:51:59 52:12

12 8:18

125 3:6

12865 112:9

12:17 124:18

12:20 124:21

13 6:12 40:24 42:9

13th 16:16

14 29:4

1429315878 10:2 34:20 126:3

1501 117:24 118:15

15:01 116:20

15th 16:17 41:3

16 74:14 78:2,6

17 6:15

18 22:16,17 35:13, 20,22

19 63:23 64:11

19th 64:19 68:15

2

2 3:12 31:17,19 32:7 81:19 89:9 91:8

2-56 30:19

20 33:3 64:13

2014 34:9 45:9 50:9 52:12 54:3, 13,19 56:5,14 63:18,23 64:6,11, 13 65:23 69:8,22 71:9 73:10 74:20 75:11 87:23 89:13 91:23 92:18 93:10 95:20 97:9 98:20 116:20 117:6,14, 24 118:15 125:24 126:15,16 127:9

2014-01071 9:24

2015 6:15 16:17 41:3

2016 4:19 6:12 9:2, 10,18 16:16 23:9 31:23 32:4 33:3,20 34:14 35:7 40:24 42:9

20563 43:7

20th 31:23 32:4 33:20 34:14 35:7 45:8 50:9 52:12 54:3,13,18 56:4,14 63:18 64:6 65:23 69:8,22 71:9 73:10 74:20 75:11 83:22, 23 87:23 89:13 91:23 92:18 93:10 95:20 97:9 98:20 118:19 126:15 127:9

21 76:6 91:3 117:6, 13,24 118:15

2156 63:23

21st 34:9 86:10 116:20 122:5 125:24 126:16

2242 76:11 77:5

24 53:20

25 9:5 71:13

25th 4:19 23:9 35:18

26th 8:16 19:8,24 22:20 23:5 25:22 35:14 36:14 39:23 95:3

27th 8:16 19:8 20:1 22:21 36:14 39:23 95:4

3

3 3:13 32:17,19 33:2 55:19 125:24 126:14 127:8 128:5 132:10

300 4:21

31 3:5,12

312-747 100:19

32 3:13

33 3:14

34 3:16,17 44:5 71:11 88:2 133:1

3:01 118:1

4

4 3:14 9:2,18 13:10,22 33:10,13 102:1 116:13,14, 17

4112 69:2

41st 64:1,23 65:4

48 37:3

4:32 117:7

4th 9:10

5

5 3:11,15 34:2,4 49:22 50:8 93:8 95:17 97:6 103:13

50 45:18,19,20

501 80:2,6,8

5121 81:1

52 102:6,8

5:18 117:14

6

6 3:17 34:17,22 35:3,10,16,17 94:13 103:13 108:9 110:18 116:2,10

6.2 121:16

8

800 4:21

813 55:15

815 63:24 64:23 65:8,12,17 66:2,9, 10,16

8380 101:4

845 69:4 82:1 83:1, 17 128:12

845R 127:14

8730 101:14

8th 63:24 64:22 65:13,14 83:4,14 101:2,17 109:8

9

9465 74:14

9825613 34:20

9:00 25:11

9:56 84:3

9:59 4:20

9mm 74:15

A

A-i-r-a 105:6

a.m. 93:1,4 117:7, 14

abrasion 114:11

absent 24:14

absolutely 17:16, 19 54:21 56:6 87:24 112:3 129:17 131:6

absurd 98:22

accident 113:6,15 130:23

accomplish 88:7

accord 52:13

accordance 59:9

Accountability 19:2 42:8,21

accuracy 4:6 122:21

accurate 52:19 56:15,16 57:18 63:20 64:9 68:10, 17,24 69:11 71:4, 23 73:11,20 75:2, 13 82:11 83:21,23 92:2 115:21 122:19 123:21 124:1

accurately 56:3,7 72:5,10

accused 6:5,23 22:3

accused's 58:12

accusers 13:24 41:12

accusing 100:5

acknowledge 5:17 10:6 27:20 30:24

act 67:10

action 16:3 29:17 123:24 129:18

actions 73:24 97:19 131:4

Adams 4:21

add 97:11 115:4 116:5 122:18 128:14 129:2,16

added 127:18

addition 10:9 27:8 131:24

additional 40:9 78:19,22 79:4,5 122:16 127:18

address 57:5 80:4,11,16 82:23 83:3 84:24 85:1 91:13 101:3 109:21

addressed 125:15

administrative 7:16 8:9,11 31:1 60:5 118:12

administratively 118:14,17

admits 125:12

admitted 100:9

advice 38:11 40:8

advise 7:21 8:6

advised 10:22 25:12,19 28:16 29:2 38:22 40:19

advisement 3:11 5:12 23:2 27:16,18 31:8

Advisements 5:10

advising 23:7

Affairs 24:20 36:7 46:1 58:15

affidavit 17:4,5 18:8 41:19,23

affidavits 16:7

age 52:7

agencies 133:14

agency 7:18 11:18 39:19 43:19 50:3 58:15

agency's 50:2

agent 9:12 59:4

agents 19:10 39:20 42:16

agree 15:9 35:19

agreed 20:6 98:23

agreement 16:20 23:14 38:21 58:13 60:1 107:5 120:2 121:17

Agreements 40:14

aid 4:6

AIRA 105:5

alive 82:16,19 83:20,21 84:7

allegation 7:7 100:4 124:15 125:10 126:6,7,13 127:7,16,19 128:4, 7 132:9,16,17 133:20

allegations 3:13 6:9,10,16 7:10,12 16:9,11,15 17:3,8, 10,18 18:4,15,19 32:16,23 33:2,7 40:16 41:10,16 42:1,2 93:15,22 94:4 95:1,2,5,9 96:15 117:1 119:2 124:12 125:8,13, 16,17 129:4,15 132:13

allege 18:1 41:1

alleged 93:16 94:4 95:9 96:13,15 124:10 128:6,10

alleges 41:4 132:11

alleging 17:1,17 18:9,11

allowed 31:2

alluded 116:22

aloud 27:21 28:8, 23 29:12,20 30:3, 13,22 31:2,5

ambulance 75:6, 22 76:6 82:5 91:3

ambush 96:12
America 98:6,8
Amicus 4:20
analysis 87:11
announced 69:17 70:18
announcing 70:10
answering 28:5
answers 27:6 39:24 125:15
anyone's 112:5 126:8
apparently 110:13
appearance 6:2,5
appears 13:21 15:5
applicable 11:13, 24 17:9 38:21 42:13 58:23 59:8, 10
applies 41:6 42:18
apply 60:9
approval 6:7 71:19 116:8 117:13,17
approve 11:4,19 17:13 107:3,6,22 112:5 124:17 126:1,8,10
approved 6:17 107:8,9,11 108:5 115:6 116:12 118:3,8 123:4,14
approves 17:22 107:21
approving 112:1 124:14
April 8:16 18:16 19:4,8,24 20:1 21:17,19 22:15,20, 21 23:5 26:15 35:14,20 36:14 37:7 38:2 39:23 42:9 59:15 94:21 95:3,4 109:12 111:8 119:17 120:6
arbitrator 20:5,7, 11 40:2
Area 43:11 83:10 100:21 101:4,14 118:10
Arizona 7:23 8:7
array 128:16
arrest 71:17
arrests 87:10
arrival 65:16 75:22
asserting 39:8
assigned 41:7 43:10 51:8,12 66:9 69:4 83:14 87:8 104:7,20 107:14, 24 108:7,20 109:8 117:18 118:10,12, 14,17,18 122:8 127:14 128:12
assignment 43:9 66:3,20
assigns 117:8,9
assist 126:16,20
Assistant 5:2
assisted 17:14
assisting 6:23 50:18 124:14
assume 41:17 44:11,21 65:7 81:10
assumed 65:12, 15
assuming 16:7 46:18 53:14 65:9 80:13 82:23 83:5 87:1 91:11
assurances 38:18
attack 74:6,10
attacked 74:6
attacking 67:5,10 84:7
attempting 24:12 74:13 76:22
attending 48:19 49:1 51:2
attention 90:3 91:7 125:23 126:12 129:4,14
attorney 5:5 36:20
Attorney's 39:13, 14 61:3 71:19 72:2 133:11
audio 4:8,12,15 58:17
authored 36:13
authorities 131:13
authority 112:4 126:8
autopsy 46:8 86:10
aware 20:12 47:19 54:9 78:2 85:20 97:17 104:17 105:18
awareness 72:22

B

back 18:16 21:16 35:20 57:16 61:9 63:13 88:1 89:9 91:5 93:4,24 95:2, 12 103:13 112:7 120:9 124:21
badge 110:1
bargaining 16:20 23:13 38:21 40:14 58:13 60:1 120:2 121:17
based 17:18 43:23 47:13 73:16 86:18 87:10,15 109:11 125:10
basically 77:20 106:3,21
basing 16:14
basis 16:9 18:12 28:21 29:17 30:19 94:8 96:16 129:15
bearing 131:6
beat 51:11 56:24 63:24 64:22 65:8, 13,14,15,16 66:2, 16 69:4 77:6 80:24 82:1,24 83:2,17 104:19 110:3 115:12 127:14 128:12
beats 65:11
began 74:6
begin 5:22
beginning 76:14 116:23 129:20
begins 3:5,6 55:20
behalf 17:1 20:9
belief 52:13
benefit 42:11
BIA 32:3 33:1,19 34:13 35:6
bit 61:9 79:8 119:14
blade 68:3
Blanchard 15:21
blank 115:8
blanks 63:7
blood 88:13

blunt 114:10,15
board 19:13 42:20
Bob 24:5,6 25:5
bodies 60:8
body 47:16,17,20 48:14 49:17 53:7 81:22,23 82:2,7,15 83:9,12 84:2,10, 11,15 88:4 91:3 130:7
boilerplate 61:21
book 80:14
booking 86:19
borne 66:13
bottom 32:7 33:6, 23 81:18 91:8 116:13,17 117:4
box 115:22
brandishing 67:3
break 57:9
briefly 100:16
Briggs 7:2 12:3,8, 14,24 15:4 51:20 52:14,22 54:2,11, 19 55:6,14 56:4,8, 13,22 58:3 59:3 60:14 61:1,17 62:7,15 63:18 64:5,22 65:22 68:9 69:7,12,21 70:1,13 71:8 73:5,9,14,24 74:19,23 75:10,18 76:2,13 77:7,17,18 78:10,19,21 79:22 83:24 84:21 85:15 87:5,18,20 89:2,12 90:18 91:23 92:8, 16 93:17 102:7,23 127:10,13,23 128:9,21 129:20
Briggs' 7:4 13:8, 12 15:8,19 20:20, 24 21:10 22:10 26:19 84:9 94:10 110:1 131:24
Brown 8:21 19:8 22:9 27:5 119:18
bruising 114:11
Bureau 24:20 43:10 83:11
business 25:22
button 106:14 107:8 113:2,3,6,18 115:1 117:10,17 124:1

C

call 35:15,17 46:23 51:15 52:4,14,17, 21 53:9,21 54:3,18 55:13 61:12 64:6, 12 65:3,23 69:7,22 71:9 74:1,19 75:11,19 76:3 78:19 87:22 88:21 89:3,12 92:6,17 113:2
called 51:18 53:22 78:21 105:5,20
calling 54:19 55:1 62:2 85:2 104:19
calls 43:17 48:6 49:24
cam 55:10
Camden 97:18,22 98:2,9 99:10,18,20
Camden's 98:21
camera 41:5
car 51:11 56:24 63:24 64:22 65:13, 14 77:6 104:20 108:20 109:8,9 110:3 130:21
card 85:11 87:2,15 89:6
carried 123:17
cars 105:10
case 3:16,17 6:18 8:5 9:24 10:1 14:24 17:2 19:22 20:21 25:23 34:8, 14,18,20 35:3 39:9 41:21 42:13,14,16 43:2,14,16,24 44:20 45:4,21 46:22 47:1 48:12, 14,16,22,23 49:3, 16 51:8,12 52:10 55:19 59:24 61:16 71:18 72:20 77:8 79:9 89:9 90:17 92:19 93:8 94:20 95:17 99:4 100:14 103:14,18 104:4,5, 10,16 105:2 106:8 107:14 108:4,5,10 109:6,10,17 111:23 112:2 113:23 115:5 118:10 122:9 123:9 126:1,9,10 131:12 132:5
cases 46:4,5 48:11,22,24 49:4 51:10
categorically 57:19
categories 81:21
category 80:18 85:7
caution 133:24
CBA 8:11 11:13,24 12:6,12,18 13:6,16 14:12 16:12 17:9 18:5 21:3 58:9
cell 52:3 53:22
Center 89:23
Central 43:11 83:10 100:21 101:5,15
certainty 72:21
certificate 49:2
certified 4:3
chain 105:2
chair 42:20
chairperson 19:13
chance 56:2 75:24
changed 123:5
characterization 63:8
characterize 62:20 70:12 131:15
characterized 66:8,23 67:4,7 71:21 73:24 131:22
characterizing 97:7
charge 51:5 72:8 121:1
charges 38:19 59:22 71:20
check 133:16
checked 109:19 115:23
checklist 47:2 63:6,7
Chicago 7:5 8:24 17:21 19:22 24:19 25:1 27:24 28:20 29:4,9 30:18 40:4, 10 41:24 42:6,19 43:20 44:6,23 46:20 58:16 63:23 65:2,11 67:22 69:17 70:2,9,23 75:22 76:5 80:5 82:1,6,24 86:17,18 87:9,21 88:3 93:12 95:22 103:21 127:14,23 128:11 132:7 133:2,4
Chicago's 41:18
Chief 120:22

children 132:20
choice 113:21
choices 114:6
choosing 30:7
chose 22:16
chosen 117:15
chronically 48:19
chronologically 117:11
circumstances 47:19 49:7,8
citizen 64:1,24 68:20 91:18,19 92:5
city 24:24 27:24 39:19 40:10,13 41:18,24 43:19 133:15
civilian 18:9 105:21 107:19
civilianization 103:24
civilians 16:8
clarification 71:1 121:20
Class 60:18
classification 109:20 111:9
cleanup 100:13
clear 15:16 67:13 99:21 130:5
click 106:14 113:3
clicked 113:6 115:1
clicking 113:18
clicks 107:7 117:9,16,17
client 6:1
close 77:17 118:2
code 80:2,8,11,14, 19 84:23
coherent 69:14
colleague 5:13 24:9 31:9 100:13 119:6
collective 16:20 23:13 38:21 40:13 58:13 60:1 120:2 121:16
command 9:1 24:14
commander 23:20,23 24:5,16, 18 25:4 39:2 60:24 120:23
comment 99:17
common 88:19,20
commonly 51:9
communicated 45:13 84:23 121:8
communicating 46:13
communication 50:10,15,16
communications 45:7
compelled 39:7 93:23
competent 133:7, 19
complainant 16:24 18:9 41:17, 20
complainant's 17:3
complainants 16:6 40:12,17,21
complete 66:4 69:14 104:10 109:6 133:6,19
completed 25:21 87:12
completely 19:6 28:5 63:2 77:12 78:24
completes 103:18 106:8
completion 109:17
complies 16:12 17:9 18:4 58:23
comply 59:8
computer 105:10, 13 107:7 108:16, 17,24 112:4,22,23 113:2 114:6 115:2 117:7,9,18 118:11, 21 123:19
computerized 105:4,7
condition 48:18 84:11,14
conduct 16:19 49:10 98:7 121:21
conducted 131:2
conducting 7:15, 17 19:18 42:1,4 59:9 62:18
confidential 4:9
confidentiality 21:4 26:4 58:7,11
confirm 31:12 36:24 49:11
confirmed 85:12 86:5
confront 41:12
confrontation 129:19
confronted 65:17 66:10,17,21 84:5
confusing 85:7
connection 98:19
conscientious 132:21,22
consent 60:16
considered 106:15
consistent 8:14 16:19,21 38:1 60:23 67:24 70:20 131:9
constitute 29:3 30:18
constitutes 28:18
Constitution 23:15 60:3
Constitutional 7:22 8:6 38:16
consult 30:8
contact 23:20 85:20 88:18
contacts 45:17
contained 13:10 15:18 68:8 69:6 74:18 75:9,17 79:23 91:22 110:17 123:2 124:5 128:16
contents 39:12,16
continuation 81:19
continue 20:6 25:16
continued 25:21
continues 58:21
continuing 20:4
control 98:10
conversation 58:1 61:11 64:21 96:14 97:13 98:1,4 111:10,13 119:10, 15,20 120:18 121:4
conversations 109:15 111:15
convey 71:22 82:9

conveying 71:23

Cook 7:3 12:2,24 15:22 39:13 44:7, 15 45:8,13,14 46:5,14,17 47:23 48:3 50:10 58:3 59:4 60:15 61:2 127:11 133:12

cooperate 28:3

cooperated 22:8

copy 37:1,17 58:20 79:14 107:10

correct 17:6 55:17 61:13,14 73:22 90:17 101:16 108:8 115:10 119:13 122:15,22, 23 124:16

correcting 123:1

correctly 65:12

counsel 24:8 30:7,10 38:11 40:8

county 7:3 12:2, 24 15:22 39:13 44:7,15 45:8,13,14 46:6,14,17 47:23 48:3 50:10 58:4 59:4 60:15 61:2 127:11 133:12,15

couple 101:24

court 4:3,8,10,15, 20,22 8:19 20:12 23:24 27:13 37:10 39:9 46:5 95:12 96:17 97:1 120:8

court-reported 24:7

coworker 85:17, 19

CPD 31:16 53:8

crash 130:21

create 78:8 104:4, 13,15,24 109:10 115:6,10 122:13 123:7 127:1

created 44:12 59:17 108:15 115:19 123:18

creating 105:6

credibility 90:3 103:9 129:3,12

credited 77:13

crime 50:17 86:6 103:4 104:18 107:19 130:22 131:11

crimes 59:23 71:12

criminal 7:13,24 30:1 38:19 46:5 59:22 60:6 71:14, 20 88:5 107:16

criteria 49:13

curiosity 13:23

current 43:8

custom 4:7

cut 67:3

D

D-e-b-o-r-a-h 5:3

dash 55:10

data 105:9

database 87:3

date 4:19 9:17 25:12 47:15 52:11, 17 56:24 57:5 64:9 68:19 75:4 84:1 89:24 92:21 109:21 116:15,19 129:7,9

dated 6:11,14 9:1 31:23 34:8 40:24

daughter 88:15

David 3:4 5:6,7 6:6 17:12 24:8 27:22 43:6 120:22

day 21:7 37:10,13 46:1 52:7 53:20 86:9 118:1 122:4

days 8:16 21:19 39:22

dead 47:17,20 53:6 76:11 77:5 81:22,23 82:2,7, 14,16 84:2,10 88:4

deadly 130:11

deal 48:14 71:15 102:1

dealing 45:3 66:6 72:1 82:3,20 104:18 112:22

dealt 133:13

death 45:3,5,9,15 46:15 48:17 49:1, 12 61:17 130:8,15, 17

Deborah 5:3,14 24:9 27:24

deceased 51:1,6 62:5 77:14 83:22 85:6 86:21 89:14

Decedent/subject 79:21,24 80:17

decided 40:2 111:17

decides 107:6

decision 49:6 72:7

defend 93:16 96:12

degree 40:20

degrees 102:6,8

delayed 30:11

deliberately 30:17

demand 58:19

denies 125:12

department 9:1 11:17 17:21 24:20 28:20 29:10 44:6, 24 46:20 52:6 65:11 67:22 75:22 76:5 78:17 80:5 82:6 87:9 88:7 90:24 93:13 95:23 103:22 120:24 133:2,5

Department's 29:5

depending 77:16

deposition 5:20 31:19 32:19 33:13 34:4,22 120:4

Deputy 117:19 118:4,23 120:22

describe 68:4 72:10 74:10

describes 6:4 72:12

describing 97:8

description 77:20 78:9

designate 121:6

designated 119:11

designees 24:23

detail 90:3 91:8 106:17 129:5,14

detailed 71:3 74:22 75:12 128:23

details 21:22 26:4 69:10 71:13,23 72:23 79:23 97:14 131:10

detective 3:4 4:14 5:6,7,9 6:2,4,5,17, 22 7:1,8,14,21 8:6, 12,14,15,22 9:13,

20 10:4,18,22 11:4,8,12,16,19,23 12:5,11,17,21 13:2,4,14,23 14:4, 10,14,17 15:6,11 16:11 17:2,6 19:1, 4,7,23 20:2,13,18 21:2,6,9,18 22:3, 19 23:4,7,12,18,21 24:8,11,12,16,21 25:10,13,19,24 26:9,17,21 27:13, 16,22 28:7,22 29:11,19 30:2,12, 21 31:4,11,23 32:22 33:16 34:11 35:2 36:2 38:6,8 41:7 42:24 43:6,24 48:5 51:5 55:20 58:1,20 59:3,14 60:16,22 61:8 63:21 64:3 71:10, 12 93:9,19 94:5, 11,15,19,22 95:10, 13,18 96:11,23 98:24 99:8,14 100:16 101:10 104:13,15,22 106:8 107:13,18, 24 108:2,6 112:3 118:10,13 119:9 120:9 122:2 124:24 125:12,22 127:22,24 128:3

Detective's 83:11

detectives 43:11 50:18,23 51:21 53:9 77:11 78:13, 16 90:15 104:11

determination 130:14,24

determine 16:2 79:8

determined 83:24 131:1

determining 71:16

died 48:17 89:17

difference 130:4

direct 23:9,11,17, 22 24:22 38:12 39:2 109:5 112:12

directing 23:18 126:12

directly 39:17

directory 80:14

disapprove 11:20

discharge 28:21 29:18 30:20

disciplinary 29:17 133:17

disciplined 39:5

disclosure 39:11, 16

discontinued 4:13

discover 82:2 83:9 84:1 122:10

discovered 47:15 81:12,14 82:1,24 83:11 100:19,23

discovery 11:1 20:18 81:23 82:14 84:10 120:4

discussed 53:2 60:4 88:22 92:10

discussion 52:2 128:23

disk 37:17

dispute 35:23

disrespect 96:10

distinct 87:8

district 11:20 17:22 63:24 64:22 65:13,14 83:4,14 101:2,17 109:8

Division 46:1 101:10

do-over 119:22

doctor 49:19 77:6, 13 90:5,9,13

doctor's 77:19 90:1

document 5:19 13:17 14:8,14,17, 19,21 15:3,5,7,8, 12,14 31:3,18,24 32:4,18 33:12 34:3,10,21 35:7 44:12,22 85:9 88:24 103:15

documented 64:10 128:15

documenting 46:7 66:15

documents 9:16, 21 10:3,7,10,11, 16,18 11:12,23 12:5,11,17,23 13:5,13,15 14:4,11 21:2 36:6

Donald 133:9

Dora 6:19 17:13 22:14,20 26:16 93:17 94:13 108:18,22,23,24 109:4 111:13,16 113:12 114:19 117:5 118:5

drafted 6:13

drafting 6:23 116:7 124:15 126:17,20

draw 59:6

drawing 125:22

drop 69:18 70:22, 24

drop-down 113:20 114:2,9,12, 21

drugs 49:12

due 18:7,22 27:2,6 40:14 41:14 119:18

duly 27:14

duties 7:9 78:21 132:12

duty 17:12 21:4 25:15 26:3 28:3 41:4 58:6,10,16 74:15 124:16

Dyke 6:20 8:4 78:1 83:1 84:4 110:22 111:19 112:9 113:7,9,24 123:13 126:5,18,22 127:4 129:19

Dyke's 130:11

E

Earl 7:2 12:3,8,24 13:8 20:20 26:19 127:10

earlier 95:2 118:18

early 47:9

easier 35:16

eavesdropping 60:18 61:4

effect 98:13

effort 132:24

ego 133:9

elements 71:13 131:10

emergency 76:16

eminently 15:15

employed 67:22

employee 132:22

employing 37:6

employment 8:10 133:1

encounter 82:7

encountered 83:13 84:5 133:22
end 25:21 48:15
enforcement 7:18 133:13
enjoining 20:13
ensure 122:21
enter 105:15,16,17 110:14
entered 80:16 106:10 110:5,13
entering 114:7
enters 106:4 107:20
entire 57:19 82:4 101:12 121:1
entitled 38:16 40:15 41:19
entries 81:21 108:17 114:8,20 115:5
entry 79:18 81:24 102:5,18 103:8 112:20 113:1,4,22 114:1,19 118:6 123:12
enumerated 7:9 132:13
Environment 102:5
equipment 41:6
ER 76:19 89:16,19
error 122:11 123:2 129:8
errors 15:18 115:11
Escalante 16:6 17:15 18:1 40:20 96:5 99:11 116:24 117:20 118:5,24
Escalante's 6:10, 12 16:15,17 17:18, 20 40:23 98:16
essence 26:8,10, 11,14,23
essentially 11:1
estimate 8:18 45:12
evening 50:8
event 10:2 34:19 126:2
evidence 29:16 42:12 116:6
evidenced 42:7
exact 23:3 62:1 64:7 68:22 69:14, 23 71:2 74:2,24
exam 49:11
examination 3:5, 6 31:13 49:21 125:20
Examiner 3:15 9:23 20:20 34:7 43:1,13,16,24 44:14,19 45:21 48:23 52:19 54:11 102:14 127:11 131:5
Examiner's 7:3 12:3 13:1 14:24 26:20 44:24 45:4 46:6,10,21,24 47:23 48:3,11 49:2 50:11 51:14,15,18 53:10 58:4 59:4 60:15 86:8 102:21 109:24 110:10 130:4,6,12,19,23
exception 70:1 80:1
exchange 62:6 99:16 100:20 101:8
exclusively 90:21 129:1
Exhibit 5:11,20 22:15,17 31:17,19 32:7,17,19 33:2, 10,13 34:2,4,17,22 35:3,10,13,16,17, 20 49:22 50:8 93:8 94:13 95:17 97:6 103:13 108:9 110:18 116:2,10 125:24 126:14 127:8 128:5 132:10
exhibits 3:10 9:21 31:10,12 32:10
exist 40:12
existed 46:12
exists 108:2
expect 114:20
expected 96:11
expedition 100:5
experience 43:23 88:2
expired 76:10
explained 62:2 112:22

F

facility 49:18 105:11
facing 117:1 132:17
fact 19:22 40:10 57:18 66:19 67:12 68:18,20 70:2 77:12 84:12 85:9 86:7,22 106:16 124:5 126:24
facts 16:1 48:21 56:7 62:23 69:10 71:3,21 72:5 74:21 75:12 106:1 124:2 129:5
factual 129:15
Fahrenheit 102:6
faintest 77:3
fair 15:9,15 16:4 18:20 19:18 42:17 54:17 62:17 63:9 64:20 80:21
fairness 22:2,5
faith 17:24 18:10, 12 94:8 96:16
false 6:6,8 7:2 29:6,7 30:16 95:5 98:18 99:3 102:19 103:1 126:7 127:9 128:7,8
falsely 6:19 126:4, 17
familiar 102:20
family 49:18 88:11,13,18
fashion 58:2
father 132:19
Fearing 74:12
federal 39:18 133:14
feel 51:16 79:17
feeling 114:17
felony 60:19
felt 72:16
Ferguson 18:11, 14,16,21 19:9,15 20:9
figures 84:8
file 32:11 36:9 51:24
filed 19:21,23 20:2 40:3,4
fill 63:7
filled 5:13
finalized 107:15 108:6 116:2

Finally 42:3 132:9
find 132:15 133:20
finding 130:7
findings 19:5 42:10 131:6
fine 37:24
fingerprint 87:11
fingerprinted 86:3,4,8
fingerprinting 87:12
fingerprints 85:13,22 86:12 87:10 88:21
Fire 75:22 76:5 90:24
firearm 114:14
fired 39:6 74:14 78:2
first-sentence 68:17
fishing 100:5
flat-line 76:19
fled 69:2
floor 101:13 125:18
fold 65:18 66:11 67:19 68:5
folding 68:1
follow 100:11
follow-up 119:6 120:3 121:19
Fontaine 6:19 77:8 93:18 108:18, 22,23 109:1,4,5, 13,16 110:16 111:13,16,21 112:12,17 113:13 114:19 117:5 121:5
Fontaine's 11:5, 10 17:13 22:14,20 26:16,17 94:13 118:6
foot 69:2
footage 55:7,13
FOP 19:22 40:4 93:12,18 94:7,10, 14,23 95:6,22 96:1,13 97:13,17, 21 98:1
force 19:2,3 42:9, 21 114:10 130:11
forensic 86:7 103:4
form 3:14 5:10,12, 16 23:2,4 27:16 31:8 33:11,17,20, 23
forwarded 10:7
found 66:22 76:20 102:11
four-inch 65:18 66:11 67:19 68:4
four-page 13:10
fourth 7:7 125:9
frankly 13:8 27:5
Franko 117:13,15 118:3
Franko's 118:7
free 98:8
Friday 37:9
friend 88:11
front 9:20 43:1 49:23 67:6 103:14 131:13
fruits 29:24
fulfilling 55:3
full 21:7,19 55:21 86:16 91:16
fully 16:12 17:9 18:4
fundamental 22:2,5

G

Gaffney 110:22 111:18
Gallagher 51:4,7 118:19 120:21
Garrity 39:9
gather 79:5
gathered 90:22 132:2
gave 13:2,11 19:24 22:8 39:23 81:6 87:16 89:24 90:1,6,7 109:24 110:4 121:4
general 5:2 6:11 8:11 9:3,9,13 11:17 12:9,15 15:22 16:20 20:6 24:24 28:1,4 38:18 40:6,23 41:18 42:6,15 54:22 86:24 124:11 132:11
General's 15:18 40:11,18 41:13,24 42:4 98:7 125:23 126:13 127:8 128:5 133:3,24
generally 47:5 75:16 92:15 93:7 95:16 104:9 107:14 108:4 122:7
generated 12:23 15:23 59:16 94:22
gentleman 59:12
give 10:17 58:16, 19 59:18 63:1 82:13 87:18 90:8, 11,12
giving 24:21 38:24 61:10 91:10 132:23
glaring 129:5
good 17:24 18:10, 12 79:7 94:8 96:16
GPRS 127:2
grievance 19:23 20:1 40:3,4
grievances 19:21 20:4,5,11
guess 21:11 43:18 50:1 65:5 83:20 113:5
gunshot 84:12 114:10 130:1,9,15, 16
guys 37:13

H

half 21:7
hand 5:10 33:9 105:12
hand-write 105:12
handgun 74:15
handing 31:15 32:15 34:1,16
handled 74:4
hands 114:15
happen 53:20 72:12
happened 50:23 66:8,24 75:3 88:16 97:14 115:3 117:3
heard 19:3 68:3 70:14
hearing 42:11
highest-ranking

120:24
highlighted 79:15
hit 78:6
holding 64:2,24 65:3 68:20 91:19
hole 78:8
homicide 45:5 46:4,14 61:18 130:9,17,22
homicides 45:9, 15
honest 39:23
hospital 49:19 50:19,24 51:22 76:7,15,18 77:11 78:13,18,22 82:12, 13 89:16,18,19,22 91:4
hotline 54:22
hour 37:16,22
hours 8:18 25:22 37:3 53:20 63:23 76:11 77:5 117:6, 14,24 118:2,15,18
husband 88:14
HX475653 34:19 81:4 126:3

I

ICLEAR 86:18 87:22
ID 34:20 85:11 87:2,15 89:6
idea 45:16 47:3 54:15,24 68:22 76:17 78:5,8 80:8 85:17 98:11,13 102:22 133:4
identification 5:21 31:20 32:20 33:14 34:5,23 47:16 85:6,12,16, 17,22 86:21 88:10 89:2
identified 85:10 86:12,17 87:21
identifiers 87:15
identify 4:24 15:3, 7 40:12 88:8
identity 40:16 47:17
Ill 60:18
Illinois 16:21,23 23:14 60:2,17 85:11
impartial 19:19 42:17
implication 99:21 100:3,6
importance ~~72:22~~ 131:10 132:20,23
important 71:14, 20 88:6 90:8
importantly 59:16
impression 72:18 124:4
improper 41:6
in-car 41:5
in-depth 44:16
inaccuracies 90:4 132:1
inaccurate 30:16 103:8 122:15 124:5
inattention 41:4
inches 68:2
incident 3:17 6:18 10:1 34:18 35:3 57:3 62:4 64:11, 14,17,18 66:7,15 67:4,16,23 72:14, 24 88:5 97:15 103:14,19 104:5,6, 10,16,17 105:2,7 106:8 107:15 108:5,10 109:6,10, 18 111:23 112:2 113:10 118:15 120:23 122:9 126:2,9,11 129:6
incidents 107:17
include 6:16 9:5 112:13
included 103:6 112:17
includes 28:4 42:10 126:2
including 4:11 29:18 39:18
inclusive 114:4
incompetence 15:24
incompetent 7:8 132:12
incomplete 30:17
inconsistent 17:20 19:7 59:14
independent 4:3 42:17 88:23,24
indicating 83:19 85:18 102:22,23
indication 133:18
indirectly 39:17
individual 57:18 111:1
individuals 4:24 111:22
infamous 55:10
inferences 59:7
infers 26:8
inflict 114:14
info 112:9
inform 92:8
information 4:2 12:12,18 13:14,15 14:5,11 21:3 22:7 26:6 46:16 47:1,6, 10,12,24 48:4 51:11,13,17 53:2 57:1 58:9 61:10 62:11,13 63:11,17 64:4,8 65:21 68:8, 14 69:6,21,24 71:8 73:8 74:18 75:9,17 76:1,12 77:23 78:14,16,18,20,22 79:2,5,9,10,16,23 80:4,18 81:5,13,15 82:14,18 83:23 84:20,22 87:2 89:5,11 90:8,20,22 91:21 92:1,17 97:22 98:12 99:3 105:16,17 106:1,5, 11 107:20 110:4,7, 17,21 111:4 115:9, 11,21 121:5,7 122:14,16,19 123:7,20,21,22 125:3,5 128:16,21, 24 132:2
informed 38:16 51:4 63:2
informing 41:15
initial 47:7 51:11
initially 85:10 105:22
initiate 104:4
initiating 105:24
injured 6:21 112:10,13 113:1,8, 10,17,19,24 114:1 115:22 123:13 126:5,18,23 127:4
injuries 50:21 77:21 78:7,10 112:8
injury 112:8 114:2, 14 115:15
Inspector 5:2 6:11 9:3,9,13 12:9,

15 15:17,22 20:6 24:24 28:1,4 38:18 40:5,11,18,23 41:13,18,24 42:4, 6,15 98:7 124:11 125:23 126:13 127:8 128:5 132:11 133:3,24

instances 106:8

instrument 114:13,15

integrity 123:3

intend 10:10

intentional 114:19

intentionally 113:16,17

Interim 40:19

interject 99:15

internal 12:22 24:20 36:7 46:1 58:14

internet 80:10,14 102:10

interpretation 114:18

interview 3:12 4:5,8,16 6:4 9:22 10:16,22 14:14 20:13,15,16 22:23 24:7,11 28:2 29:15,23 30:7,10 31:16,22,24 36:3, 15,18,21 37:2 39:4,21 40:1,17 44:16 52:2 59:9 62:18,20 63:9 92:5 94:21 111:8 119:22,23 121:22, 23

interviewed 27:23 91:9,20 94:23

interviewer 121:18,19

interviewing 70:5

interviews 109:12 120:6 127:3

investigate 18:19 41:7 96:6

investigated 15:24

investigating 18:14 58:15

investigation 7:16,17,19 8:1,9 9:24 16:18 18:17, 24 19:11,15,17,19 20:3,7,10 21:13 26:5,12,13,23 28:2 40:5,7 42:2,5 44:16 47:9 60:6,7, 8 61:3 62:22,23 70:7 96:20 105:21 122:8 125:2 131:2 132:18 133:23

investigations 3:15 20:21 34:8 43:1,14 44:20 45:10,15,21 46:15 74:4 105:20

investigative 36:9

investigator 7:2 8:21 12:3,7,14,24 15:4,19 20:20,23 21:10 22:10 48:13 51:20 52:14,21 54:2,10 55:6 56:8, 13,21 58:3 59:3 61:17 62:7,15 63:17 64:5,21 65:22 68:9 69:7, 12,21 70:1,13 71:8 73:5,9,14 74:19,23 75:10,18 76:2 79:22 84:20 89:1, 12 91:22 92:8,16 93:17 94:9 102:7 110:1,11 127:10 128:8,21 129:20 131:24

investigators 42:17 45:8,14 86:7

involved 44:24 46:3 49:3 65:8 70:5 72:14 111:14

involving 70:6

IPRA 58:14

IR 87:4,7,16,19 89:8

IR2106340 86:19

issue 49:1

issued 9:11

issues 40:3 88:1

items 9:2,5,8

J

James 5:4

January 6:12 9:2, 10,18 16:16 40:24

Jason 6:20 8:4 78:1 83:1 84:4 112:9 113:7,9 126:4,18 127:4 129:19 130:11

Jersey 39:10

Jim 24:8 36:24 38:3 96:23 127:17

job 27:3,4 38:22 118:14 132:19

Joe 83:2

John 6:10,12 16:6, 15,17 17:15,18,20, 24 40:20 96:5 98:16 99:11 116:24 117:20 118:24

joint 7:17

Joseph 18:14 84:4

Jr 5:4

July 4:19 6:15 16:17 23:9 25:22 31:23 32:4 33:3,20 34:14 35:7,18 41:3

justifiable 130:22

justified 130:12

K

K-l-i-m-a-s 24:2, 19

Kildare 64:1,23 65:4

killed 129:22 130:20

kin 88:9

kind 25:15 44:15 45:3 77:16 78:9 79:8,15 133:18

Klimas 23:21 24:2,5,16,18,19 25:4 39:2 60:24

Klimas' 23:23

knew 62:22 78:1 85:24 100:9 118:12 124:2

knife 65:19 66:12 67:1,3,5,8,19,20, 24 68:1,5 69:19 70:22,24 71:6 73:3,12 84:7 114:15 127:15 128:13

knowing 65:9 67:20 131:9,11

knowledge 15:11 17:20 52:16 63:5 104:3 106:6 112:16 120:5

Kris 8:21 19:8 119:18

Kristopher 27:5

L

lab 103:4

laboratories 46:9

language 61:21 68:16 72:10,11 112:13,17 127:18

Laquan 19:6 24:13 50:19,24 51:6 66:8,18,21,24 72:15,18,24 73:18 77:14,21 78:3 80:5 83:13 84:5,13 85:9,19 86:2 88:18 97:8 98:19 113:10 127:4 129:18,23 131:3,15 132:6

large 45:16

late 10:8,21 13:2, 11 25:9 53:18 92:21

latest 26:2

law 7:18 11:13,24 16:22,23 17:9 23:14 42:14 60:2 133:13

laws 58:24 59:8,10

lawyers 82:21

learn 115:11

learned 50:24

learning 51:9

leave 71:21

left 41:9 91:19 130:10

legal 30:6,10

length 68:2 98:17

lesser 40:20

letter 6:11,12 8:24 9:10 16:15,18 17:19 40:23 41:2 98:16

letters 9:11

level 133:14,15

life 46:11 74:13 76:20,22

light 99:3

Lightfoot 19:13 42:19

limited 39:18

lines 65:2 70:21 74:5 81:18 114:11

list 6:9 91:8,12 111:18,22 114:4

listed 57:18 111:11 116:15

lists 52:11 110:21

live 82:3,21

located 4:20

location 47:16 82:12

lodged 78:7

logged 108:24

logically 117:3

long 30:10 37:16

longer 105:11

looked 80:13,15 81:10 83:5 102:11

Lori 19:13 42:19

lose 38:22

lot 47:9 128:21

love 99:6

lunge 72:19 73:1 74:11 97:9 131:14, 20,22

lunged 7:5 71:5 73:2,9,12,19,21 93:12 95:22 97:20 127:13,23 128:11 130:3 131:14 132:6

lunging 72:16

M

M-a-r-c-h 5:8

M-c-k-a-y 5:5

made 7:1 29:15,23 42:10 44:14 47:8 52:18 53:23 56:4, 12 57:7 61:15 64:13 77:24 78:19 85:14 86:13 88:10, 17 92:5 95:2 98:17 99:17,19 103:2 109:23 113:21 116:24 119:1 125:7,8 128:8,18 130:4 133:17

majority 104:12 107:16

make 22:4 37:17 49:17 51:20 52:9 72:6 80:15 88:9 101:24 113:21 115:20 118:20 123:20 127:9 130:14,24

makes 114:22 123:10

making 29:6,7 40:9 41:16 42:1 53:4 85:23 92:3 105:23

Management 118:10

mandates 16:23 58:14 121:17

manner 57:21 92:4 130:8,17

Marback 9:12

Marback's 8:24 9:10

March 3:4,10 4:14 5:6,7,9,20 6:2,4, 17,22 7:1,8,14,21 8:6,12,15,22 9:20 10:4,18,23 11:4,8, 12,16,23 12:5,11, 17,22 13:2,5,14 14:4,10,14,18 15:6,11 16:11 17:3,6,12 19:1,4,7, 23 20:2,19 21:2,6, 9,18 22:4,19 23:4, 8,12,19,22 24:8, 11,12,16,21 25:10 26:9,17,21 27:13, 17,22 28:7,22 29:11,19 30:2,12, 21 31:4,12,19,23 32:19,22 33:13,16 34:4,11,22 35:2 36:2 38:6,8 42:24 43:6 55:20 58:2,20 59:3,14 60:16,23 61:8 63:22 64:4 93:9,19 94:5,11, 15,19,22 95:10,13, 18 96:11,23 99:1, 9,14 120:10 122:2 124:24 125:12,22 127:22 128:3

March's 6:6 8:15 9:13 13:24 20:13 25:13,20,24 127:24

mark 22:17

marked 5:11,19 22:15 31:17,18 32:16,18 33:10,12 34:2,3,17,21 35:13 67:10

marking 35:10

marks 68:21 70:3

match 87:11

materials 36:3,5 58:7,9

matter 4:1 42:18 96:4 131:7

Mcdonald 6:7 7:5 19:6 24:13 50:11, 20 51:1,6 55:7 66:9,18,21 67:1

72:15,19,24 73:18, 21 74:5 76:6,11 77:14,21 78:3 80:6 83:13 84:5,13,16 85:9,19 93:12 95:22 97:8,20 98:20 113:11 127:5,12,13,23 128:11 129:24 131:15 132:6

Mcdonald's 73:24 86:2 88:18 89:2 97:19 129:18 131:3

Mckay 3:6 5:4,22 6:1 7:20 8:14 9:18 10:6,14,21 11:14 12:1,7,13,19 13:7, 17,20 14:6,13,20 15:1,16 16:4,14 17:10 18:6 19:20 20:17 21:5,14 22:1,13 23:2,7,23 24:3,8 25:6 26:7, 14 27:2 32:10 35:9,12,19,24 37:5,24 38:8 43:17 44:2 48:6 49:24 57:23 58:10 59:1, 11 60:10 93:14 94:3 95:24 96:9,21 98:15 108:11 111:5 116:22 119:16 121:13 124:9 125:6,19,21 127:21 128:2

Mcnaughton 120:22

ME'S 50:16 52:4 61:2,12,22

ME2014-01071 34:8 43:2,14

means 78:4 85:22 89:21

meant 44:22

media 39:20 99:1, 2,4,10

medical 3:15 7:3 9:23 12:2 13:1 14:23 20:20 26:20 34:7 43:1,13,16,24 44:14,19,24 45:4, 21 46:6,10,21,24 47:23 48:3,11,17, 23 49:2 50:10 51:14,15,18 52:18 53:10 54:10 58:4 59:4 60:15 86:8 89:22 102:13,21 109:24 110:9 127:11 130:4,6,12, 18,23 131:5

member 31:17 88:11 103:21 105:3 120:24

members 104:1

memo 6:13,14 16:16 41:3

memorandum 12:23

mentioned 6:24 119:9

menu 114:2,9,13

menus 113:20 114:21

message 71:24

met 54:14

Method 89:20

Michelle 4:23 8:20

mics 41:5

middle 117:22

mind 26:10 121:15

Miranda 7:22 8:7 60:8

Mirandize 59:24

misconduct 17:1 29:16 41:1

misrepresent 129:17

misrepresentation 66:4 67:17 73:14

misspoke 100:22

mistake 22:4

Mm-hm 13:19

mobile 105:8

moment 55:23

months 121:23

morning 6:3 11:9 25:17 116:11 122:6

mother 132:18

motive 129:17

Mount 50:19 76:6, 15,17 82:13 89:15, 22,23

move 94:17 95:7 119:24

moving 60:22

multiple 78:3 84:11,13,17 129:24 130:9,15

Municipal 30:18

municipalities 133:15

murder 46:4

N

name-check 87:3,14

named 8:3,4

names 16:5 51:22

narrative 55:22 63:14 86:16 91:6, 16

natural 45:5 48:16 88:5

nature 40:15 114:2 125:2

necessarily 74:23 75:14

needed 25:21

Neumer 3:5 4:1, 18,22 5:9,24 7:11, 15 8:8,19 9:7,15, 19 10:13,15 11:11, 22 12:4,10,16,19 13:4,13,19 14:3,8, 16,22 15:10 16:1, 10 17:7 18:3,7 19:16,20 20:12,22 21:1,8,11,21 22:11,18,22 23:6, 20 24:1,6,23 25:5 26:3,11,24 27:10, 15,23 28:10 29:1, 14,22 30:5,15,24 31:7,14,21 32:12, 14,21 33:15 34:6 35:1,11,15,21 36:1,23 37:20 38:3,5 42:23 43:21,22 44:9 50:6 58:5,22 59:6 60:4 61:6,7 93:1,4,6,24 95:6,10 96:1,7,8, 18,19,23 97:16 98:15 99:13 101:21 102:2 103:17 119:5 120:7 124:18,21, 23 125:14 127:17

night 25:11,16 54:18 56:13 63:18 64:15 65:22 66:5 70:4 73:9 91:23 97:9,12,20 98:4 102:8 118:19 130:5 131:16 132:3

North 80:2,6,8

note 127:18

notes 12:22 87:17

notice 9:22 18:4 20:15 24:11 40:15 125:16

notification 3:12,

13 6:3,9 16:2,10 17:7 31:16,22,24 32:16,23 33:2,6 44:13,22 47:7,14 51:20 52:9,11 53:5 61:15 64:12 77:24 80:20 85:15,24 86:13 88:9,17 93:15,21 100:18 103:2,3 109:23 110:2 124:11 128:19 131:4

notifications 47:8 53:24

notified 6:2 25:10 51:7 61:16 110:9

notify 25:14 45:2 46:20 48:10,12 49:14 55:3 61:23 62:3

noting 123:1

number 6:16 9:2 10:2 22:16 34:19, 20 38:7 43:4,7 45:17 53:8,11,12, 13,14,15,19,21,22 62:21 65:15 70:6 74:14 80:22,24 81:4,8,9 82:1 83:1, 2,7,8 86:19 87:4,8, 16,18,19 89:8 90:23 91:11 94:13 100:17,18,23 101:1,2,6,11,15 105:14 110:1,11 112:9 116:15,16, 20 125:24 126:2,3, 13 127:7,8,19 128:4,5,22 129:8, 10 132:10,16

numbering 65:10

numbers 17:17 53:11 100:20 129:9

numerous 46:4 53:24 70:7 74:16

O

oath 59:12 99:7

object 27:8 39:15, 21 40:1 50:1 95:24 124:9

objecting 18:13 20:3 39:10 40:10 41:23 42:3 119:23

objection 37:5 38:1 40:9 42:18 43:17 44:2 48:6 60:10 93:14 108:11 111:5 119:16 121:13

objections 27:9, 11

obligated 79:18

obligation 28:12

observations 101:24

obtain 30:9 78:22

obtained 128:22 129:1

obtaining 48:4

obvious 78:24 79:1,3 81:20

occasions 53:24 70:8

occurred 52:15 57:3,4 61:11 64:11 68:24 118:22

occurrence 64:9 84:24 109:21

Occurrence/ incident 84:19

occurring 64:18 129:6

OCIR 126:17

October 34:9 45:8 50:9 52:12 54:3, 13,18 56:4,14 63:18,23 64:6,11, 13,19 65:23 68:16 69:8,22 71:9 73:10 74:20 75:11 87:23 89:13 91:23 92:18 93:10 95:20 97:9 98:20 116:20 117:6,13,24 118:15 122:5 125:24 126:15,16 127:9

offender 6:21 82:3 112:11,13 113:1,19 114:1 115:22 123:13 126:5,19,23 129:22

offense 71:14

offensive 132:16 133:21

offer 62:13

office 7:3 9:3,8 11:2,11,22 12:3,4, 8,15 13:1 15:18,21 16:19 18:11,14,16, 22 20:23 21:21 24:24 26:20 27:24 28:4 38:18 39:12, 13,14 40:11,18 41:13,24 42:4 44:14,23 46:10 47:23 48:3 49:2 50:11,16 51:14,15, 19 52:4,18 53:10, 11 54:10 55:4 58:4 59:5 60:15 61:2,3, 13,22 69:17 70:11, 18 71:19 72:2 81:9 83:7,11 86:9 91:11,14 94:4 95:2 96:5,15 98:7 99:11 101:1,6,12 102:13, 21 109:24 110:10 118:11 124:10 125:7,23 127:11, 22 130:5,6,13,19, 23 131:5 132:10 133:3,12,24

officer 6:19,20 7:4 11:5,10,21 17:1,2 22:19 23:18 24:15 25:14 26:15,17 28:15 38:13 41:20 58:16,17 62:5 71:11 72:13 74:14 77:8 83:2,15,16,19 88:3 93:17 94:12 96:17 104:6 105:15,23 106:3,7, 10 107:20 108:22 109:5,13,16 110:16,22 111:21 112:12,17 113:16 114:7 115:13 121:5 122:17 126:4,18,22 127:4

officer's 17:23

officer-involved 53:5 62:3 129:21

officers 7:6 8:4 16:8 23:10 53:12, 14,15 65:2,18 66:9,11,16,20,24 67:8,11,12,18 69:3,16,18 70:3,5, 8,10,17,20,23,24 71:6 73:3,12,21 74:6,7 75:7 83:14, 18,21 93:13 95:23 97:21 98:17 104:3, 9 105:7 108:20 111:1,2,18 127:14, 24 128:12 132:7

official 28:2 29:3 96:3,4 98:18,22 132:4

OIG 4:11 7:15,16 8:12 12:10 13:4 16:11 19:16 20:12, 15 21:1 24:10 25:14 26:3 37:1 58:8,23

OIG'S 18:3 19:17 24:17 26:10 37:3, 21 95:11

on-call 120:23

opportunity

108:1 125:4

opposed 104:10 130:3

oral 29:6,8 96:3

order 8:11 11:17 20:13 23:9,11,17, 22 24:16,22 28:18 38:12 39:2 53:3 60:23 96:24

ordered 28:14 69:18 95:11

Orders 16:21

ordinance 30:19 40:13

organization 133:4

original 3:17 6:18 10:1 34:18 35:3 77:7 92:5 103:14, 18 104:4,14,16,24 105:6 108:5,9,21 109:10,17 111:23 112:2 115:5 122:9 123:1,5 124:4 126:1,9,10

originally 25:10

outcome 8:8

overdose 49:9

P

P-i-t-z-e-l-e 77:15

p.m. 25:11 52:12 84:3 118:1 124:18, 21

packet 9:22

pages 79:1,6 90:21

Paoletti 8:20 37:18

paper 109:9

paragraph 5:17, 18 27:19,20 28:8, 23 29:12,20 30:3, 13,22 31:5 55:20, 22 56:1,3,6,12 57:12,19 63:14 75:21,23 76:2,9 77:20 86:16 91:17

part 9:22 28:2 47:6 85:24 111:13 120:20,21

participate 39:4

participated 120:17 121:4

participation 42:8

parties 120:19

partnered 60:7

party 4:11

past 25:11 97:6

Pat 97:18,22 98:2, 9,21 99:9,18,20

Patrick 15:21

patrol 107:17

pay 52:8

PC 116:15,16,20

PDTS 105:8

pending 20:4 41:10

people 15:23 50:3 72:4 79:5 83:10,12 98:8 106:2 114:24 133:9

perform 104:7

performance 7:9 132:12

performed 76:21

performing 78:21

perjury 59:22

persist 28:17

person 13:21 14:1 41:15 54:14 55:4 62:4 67:21 85:11 87:9 90:10 91:8 118:20 121:3 130:20

personal 52:3,16 120:5

personally 85:8

personnel 45:14 46:14,17 67:21 103:5 107:18 116:14

persons 41:16

perspective 43:15 77:16

pertaining 21:13

Peter 4:22 5:22 6:1 10:7 14:7 15:2 21:15 24:6,23 25:8 27:2,23 35:9 60:13 119:17 125:7

phone 24:4 26:8 52:3,4,5,7 53:22 54:3 64:6 65:23 69:7,22 71:9 74:1, 19 75:11,19 76:3 80:10 87:22 89:3, 12 92:17 100:17, 18 101:7

phones 52:8

photographs 102:18,24 103:3,7

phrase 132:6

physician 48:20 49:1 51:2

pick 117:8

Pitzele 77:14

place 8:1 39:22 40:2 51:17 84:18 89:14 94:21

PO 112:9

point 51:16 62:21 64:21 78:1 80:9 81:17 82:7 85:1 86:1,4 92:7 115:1 126:21 128:9

points 10:16

police 7:6 8:3 9:1 11:17,21 16:8 17:2,21,23 19:2,13 24:19 28:20 29:3, 4,9 41:8 42:8,20, 21 44:6,23 46:20 53:5 58:16 62:3 63:23 65:2,4,11 67:10,11,22 69:17 70:2,10,21,22,23 71:11 78:17 80:5 81:3 82:1,6,24 83:15,16,18 85:21 86:17,18 87:9,22 88:3,7 93:12 95:23 103:22 105:9,11, 23 127:14,23 128:11 129:21 132:7 133:2,5

populated 115:9 123:18

portion 37:21

portrayal 131:3

portrayed 67:15

posed 24:22

position 18:3 19:18 63:1 127:24

Positive 85:16

positively 86:17 87:21 88:8

possibly 40:22 77:22 97:23 128:17

postmortem 49:21

postpone 40:6

potential 46:21 48:10 49:7

potentially 45:4 103:20

practice 4:7

preamble 27:11
preface 38:14
prejudged 42:15
prejudice 18:24 42:7
prejudiced 42:6
preliminary 4:1 105:20 106:19 131:4
premised 6:10
preparation 36:3, 18,21 132:4
prepare 124:17
prepared 6:18 11:20 94:7,19 108:9
prepares 105:3
preparing 17:14
presence 19:1
present 4:3,24 30:7 31:11 48:21 50:24 51:14 78:18 108:15 120:6
presented 45:24 46:9
presenting 71:18
president 42:19
press 97:19 98:22
pretty 70:20 76:8
previous 37:7 46:14 95:14 111:7
previously 5:11 33:10 34:2,17 36:13 59:15 60:5 97:5
primary 51:11
print 99:2 106:24 107:10
prior 27:11 32:1, 23 33:17 34:11 35:3 40:17 45:8,22 46:1 54:3 55:13 86:18
probable 7:13 38:19 59:23 71:17
procedure 17:21 37:6 86:1
procedures 76:21 88:6
proceed 20:15 62:7
proceeding 30:1 38:19 116:23
process 40:14 41:14 87:12 103:6
processing 86:6 103:6
product 4:9
professional 133:6,19
programmed 53:21
progress 86:24 106:22
prohibits 29:5
prompted 62:14 98:11
pronounced 51:1 62:5 76:11 77:5 82:16 83:22 89:14, 15,18
pronouncement 89:10,20 90:9
pronounces 90:10
pronouncing 77:14
property 4:10
prosecution 7:13 46:4
prosecutor 8:2 39:19
prosecutor's 39:12
Prosecutors 133:11
protocol 46:7
provide 4:4 11:2, 8,16 12:1,21 16:5, 9 17:5 21:22 23:21 26:5 32:3 33:1,19 34:13 35:6 37:11, 19 38:23 47:6,12 57:3,14 62:10 76:13 79:16,20,22 80:19,24 81:3,13, 16 83:4 84:19 89:11 91:13,21 110:16 125:4
provided 4:11 9:3, 21 10:23 11:6,11, 22 12:4,6,10,16 13:4,14,18 14:3, 10,17 16:11 20:14, 18 21:1 23:3,4 24:10 58:8 76:1 78:20 80:21 87:5 99:4 110:7
providing 4:2 8:12 14:16 37:1 46:15,16 63:10 92:16
Pulaski 50:17 69:3
pull 80:9
pulse 82:6
punching 114:16
purpose 13:23 44:19 46:23 119:21
purposes 35:17 121:20
pursuant 7:22 8:7 25:17 60:1 120:1
put 5:23 19:12 25:7 28:12,14 31:10 42:24 49:23 99:5 103:12,13
putting 9:20 68:7 73:6 84:14 109:14

Q

question 9:15 10:9 13:20 14:7 15:1 21:6,23 28:15 30:16 43:21 56:1 57:13,23 58:21 62:14 63:19 68:7 69:5,20 71:7 74:17 75:8 93:24 94:9,17 95:7,13,14 96:7,8, 17,19 97:1,3 99:9, 22 100:6,10 111:8 120:7 124:9 125:6 130:10
questioning 37:22 95:4 120:3 121:15,21
questions 14:18, 23 15:2,11,14 21:12,15,24 22:12, 24 23:8,16,19 24:12,14,17,22 27:1,7 28:5,12,14 36:24 38:12 39:5, 24 43:13 56:11 58:18 59:21 62:8, 11 63:10,11,16 95:8,11 96:24 99:7 100:13 119:6,23 120:1,3 121:19 125:1
quick 44:13
quickly 79:19 100:24
quotation 68:21 70:3
quote 6:20
quote/unquote 109:9
quoting 131:18

R

R-o-b-e-r-t 24:2
radio 113:2
raised 40:3
raising 132:19
ran 87:14 89:7
read 5:15,18 13:8 14:1 27:17,20,21 28:8,23 29:12,20 30:3,13,22 31:2,5 54:7 56:2,20 85:8 93:24 94:2 95:12, 15 97:1 108:3 120:9,12
reading 44:11,21
ready 107:6
reason 21:5 22:16 48:9 112:20
reasonable 30:9 38:4 120:8
reasons 18:18 68:12
recall 51:22 53:2 55:6 61:20 62:16 65:6,20 68:21 75:15 81:7 91:10, 24 92:3,10,12,14, 15,21 97:6 111:16, 24 116:9 120:19 121:7,9,10 123:17, 23
receipt 3:14 10:6 31:12 33:11,17,20, 23 37:3
receive 20:23
received 9:9,16 36:6 38:17 41:21 79:3 80:3 82:18 98:12
receiving 37:6
recently 6:1
recess 93:3 124:20
recital 127:19
recollection 73:23 89:1 92:22 111:21
record 4:8,18 5:1, 23 11:15 25:8 27:12 31:11 37:20 38:7 43:4 60:11 93:2,5 94:1 99:21 110:7 120:11 121:14 124:3,19, 22 125:5 127:17 129:5 133:17
recorded 58:2 59:2
recording 4:9,12, 15 58:11,17 59:13, 17 60:12,14
recovered 55:12
recuse 18:17,23 19:9,14,16
refer 61:1
reference 64:1,24 81:22 83:6 84:2
references 6:13
referred 64:18 68:1
referring 55:16
refers 41:2
reflect 4:18 56:7 121:14
reflected 92:18
reflects 56:3
refusal 28:17,18 30:15
refuse 15:3 23:8 28:13 38:23 39:3,4
refused 40:6,11
refusing 24:14 38:11
regulations 28:19 29:5
reiterate 98:15
relate 64:4 74:17 75:9 86:21
related 55:21 56:7 63:16,22 64:10 74:22 120:1
relates 8:9
relating 65:20
relationship 54:2 83:16,18
relative 88:13
relay 69:5,20 71:7 72:5 74:21
relayed 68:8 69:11,24 73:7,8 75:18
relaying 91:24
released 42:9 49:18
relevance 96:22
relevant 21:12,15, 17,24 22:2,6,24 26:24 95:8 96:19 99:10 102:13
relied 50:3
relies 49:22
relying 14:13,20, 22 37:14
remain 28:11 38:17
remains 86:2
remember 35:21 36:10 65:13 81:7 86:23 97:12,24 115:18 123:10
removal 29:18
repeat 120:14
report 3:16,17 6:18,19,24 7:5 9:24 10:1 11:5,10, 20 13:1,10 14:24 15:19,21,23 17:13, 15,23 19:2,5,12 20:21,24 21:8,10, 16,20 22:10,14,20 26:16,17,20 29:3, 6,8 34:8,14,18 35:3,9 42:9,10 43:2,14,16 44:1,8, 12,20 45:1,22,23 46:2,11 49:22 50:2,8 52:10 55:19 56:20 77:8,13 79:2,9,15 80:16 81:4 86:15 87:1 89:10 90:4,12 91:18 92:19 93:8, 18 94:7,10,13 95:17 96:3 98:22 100:14 102:16 103:10,14,19 104:5,14,16,24 105:2,3,24 106:9, 12,17,19,20,21,24 107:3,4,8,10,12, 15,21 108:2,5,10, 15,18,21 109:6,10, 18 110:5,14,18,21 111:12,23 112:2,5, 14,18,20 113:4 115:5,6,7,8,9,13, 19 116:2,8,10 117:2,6 118:3,7,8 119:4 121:6 122:3, 9,11 123:1,2,3,4,5, 15,18,23 124:1,4, 14,16 126:2,9,11, 21 128:15,17,20, 24 129:3,13 131:24
report-writing 17:22
reported 107:17
reporter 4:3,10, 15,23 8:20 23:24 27:13 37:11 94:2 95:12,15 97:1 120:9,12
reporters 4:8,21

reporting 105:22 107:19 108:21

reports 6:8 10:12, 23 20:17 36:8,10, 12 43:20 46:8 51:24 54:7 59:17 66:14 67:23 70:6, 19 85:8 86:6 90:15 94:18,22 96:4 98:18 99:1 104:10 105:7,12 115:15, 24 122:14,22 123:6,8 126:24 127:2 132:5

reprehensible 133:21

represent 5:6 35:22

representation 37:21 103:1

representative 30:6,9 93:11 94:7, 10,14,24 95:6,21 96:2,13 98:1

representatives 97:13

reputation 133:5

request 4:12 10:24 18:15 25:17

requested 9:5 75:6 105:16 106:5

requesting 9:2

required 11:12,23 12:6,12,18 13:5,15 14:5,11 21:3 25:14 39:1 48:10 58:9

requirement 41:22 46:19 124:6

requirements 55:3

reread 97:2

resemblance 77:3

residence 80:2,19

resources 104:23

respect 7:4,19 18:7,22 27:2,6 50:7 100:14 119:18 127:12

respond 128:4 132:14

responded 50:19 63:24 64:23 65:3 66:2,20

response 58:6,23 62:11 63:11 126:6

responses 29:2

responsibility 110:3

responsible 112:1

responsive 27:7

rest 66:3 76:8,12 77:19

result 29:8 44:13 94:16 115:2

results 46:7

retain 32:10

review 6:7 10:18 11:4,19 17:13 31:3 36:2,5,17 55:24 75:23 105:1 107:3, 22 108:3 116:1 122:9 126:1,8,10 128:15

reviewed 6:17 36:8,11

reviewing 116:8 124:14

reviews 106:9 107:4

revive 76:16 77:1

reword 43:21

ridiculous 99:2

rights 3:11 5:10, 12 7:22 8:7,11 23:2,12,13,15 27:16 31:1,8 39:8 40:15 41:14

RINGING 24:4

road 50:18 60:21

Robert 24:1,18 39:2 55:15 63:24 64:23 65:8,12,17 66:2,9,10,17 69:4 82:2 83:1,17 128:12

rolled 76:18

rounds 74:14

rule 11:17 20:11 29:4

ruled 20:5,7

rules 28:19 29:5

run 87:1,3

S

S-o-r-i-a 6:14

satisfied 106:11

Saturday 25:11, 16

save 76:22 79:17 104:23

saves 56:19

scene 50:17 51:5, 19 52:8,22 64:14 67:20 69:2 72:3 80:7 82:4,18,19 83:12 85:2 86:6 90:24 91:20 93:9, 11 94:11,15 95:19, 21 97:12 102:8,19, 24 103:5,6 107:18 108:19 109:13,16 119:10 120:24 121:1 128:19 130:6

school 132:21

screen 107:7

screens 105:14 106:4,13 112:23 115:20 123:20

section 52:11 55:22 79:21,24 80:21 81:6,12,14, 17,19,21 82:9 84:20 86:16 89:10, 11 91:6,16 100:18, 19 112:8 115:16 116:14 121:16

segue 79:7

selections 114:3, 8,9

sense 67:2 123:11

sentence 56:11 57:2 63:17,21 64:5,8 65:16,21 66:3 67:14 68:6,9, 10,15 69:1,6,9,11, 15,16 71:2,4,5 73:2 74:12,18,22, 24 75:2,5,10,13, 15,17 76:4,14 91:17,22

sentences 57:20

separate 9:6

separation 29:9

sequence 50:22

sergeant 6:13 16:6,16 40:21 41:3 51:4,7 107:2,4,21, 22 109:7 112:5 117:12,15 118:3,7, 19 120:21 123:4

sergeants 109:8

series 62:7

serve 28:20 30:19

served 42:20

Services 103:5

sharing 39:11,15

shooting 6:7 7:4 19:6,11 24:13 41:8 42:5 50:12 53:6

55:7 62:3 92:9,13 93:10 95:19 98:19 109:13,16 127:12 129:21

short 23:11 102:17

shot 62:4 78:3 84:13,17 129:22

shots 78:6

show 10:20 96:22

showing 10:4 132:23

sign 31:8

signature 13:9,21 14:2 32:6 33:5,22

signatures 15:7

signify 116:21

signs 49:9 76:20

silent 28:11 38:17

simple 129:11

simplify 79:14

simply 60:9

Sinai 50:19 76:6, 15,18 82:13 89:15, 22,23

single 67:21

sir 22:13 126:24

site 102:10

sitting 54:14

Smith 74:15

solicit 47:1

son 88:15

Soria 6:13 16:7 40:21

Soria's 16:16 41:3

sort 54:1 61:21

source 41:9 78:11 80:13 81:11 85:5 90:19 91:15 99:22 100:7 102:10

sources 79:4 90:15,23 128:22

South 69:2

spanned 8:17

speak 36:21 44:4 48:24 51:17 53:13 57:12 108:14 109:11,15

speaking 47:5 72:20 75:16 92:15 108:4 122:7

speaks 14:9 16:12 17:8 18:5

special 8:2 39:19

specific 41:16 55:4 86:22 92:22 101:7 111:20 125:9

specifically 39:10 40:24 41:15 44:4 50:7 54:5,20 91:24 98:2 115:18 123:10,16,23 125:11,15 128:6

speculate 15:13 47:22 112:19

speculation 43:18 48:7 50:1 108:11

speech 98:9

spell 5:1 23:23

spelled 5:5,8 77:7, 8,15

spelling 77:10 90:6,16,17

spite 98:6

spoke 51:19 55:5 71:3 109:12 131:19

spoken 54:12 72:13 109:23 111:2

spokesperson 97:18,22

Springfield 80:2, 6,9

stab 114:10

stabbed 67:6

staff 9:1 76:16

standard 86:1

standards 49:5

standing 80:7

star 38:7 43:4,7 74:14 80:22

start 43:5

started 36:23 88:22

starting 105:21 115:7,8

starts 75:21

state 16:22,23 23:14 38:7 39:19 60:2 73:21 85:10 87:2 128:1 133:14

State's 39:13 61:2 71:19 72:2 133:11

stated 6:20 68:12 126:4,17 127:22 128:11

statement 7:2 8:15,17 9:14 10:12 12:8,14 25:13,16, 20 26:1,7 29:15,23 30:17 31:1 37:15, 17 38:1,15,20,23, 24 39:6,11,16 53:3 56:4,12,15,23 57:20 58:12,20 59:2 63:2 68:16,17 73:11 76:24 77:3 92:2,3 93:16 96:2 98:21 99:6,18,20, 23 100:7 127:10 128:8

statements 6:6,8 11:3,7 12:22 29:2 56:20,21 57:7 95:5 98:18

states 39:14 60:2 98:17 126:22

Statute 60:18

step 57:16 61:9

Stephen 117:12

steps 118:21 122:11,24

stop 20:10 70:21, 23 74:13

stopped 69:3

street 66:22

stress 57:11

stricken 95:7

strike 12:20 17:11 60:22 94:16

striking 74:16 75:5

struck 78:6 129:24

student 132:21

stuff 18:9

subject 44:15 64:24 65:3,17 66:10,17,18 68:20 69:1,3,18 71:5 73:2,11 74:16 75:6 76:17 86:16 87:21 88:8 91:19 95:3 129:23

subject" 64:2

subject's 8:10

submit 16:21 17:15,19 18:6 26:19 60:17 94:6 106:13 117:10

submits 107:21

submitted 19:3 98:18 106:15,18, 20,23 107:1

108:16 117:5 118:7

Subsection 121:16

subsequent 9:11 107:23 113:20 114:21 115:6 122:13,22 123:6 131:1

subsequently 66:21 85:12

suggest 98:21

suggesting 17:11 37:14 93:18 96:1 102:15

suggests 6:5 16:18 19:5 59:13 94:14

suicide 45:5

Suite 4:21

summarized 132:2

summarizing 79:6

summary 47:18 68:23 79:2 90:22 128:20,24

Superintendent 40:19 117:20 118:5,24

superior 23:10,18 24:15 28:15 38:13

supervisor 13:9, 12,22 14:7 15:4 51:5 107:2 117:17 118:9

supervisors 111:16 133:10

supplemental 127:2

supply 52:6

supported 17:4

supposed 11:19 53:19 84:2 85:18 93:15 102:23

Supreme 39:9

surgery 89:17

suspect 41:1

suspicious 49:7,8

sustained 77:21

swear 27:13

sworn 12:2 16:8 17:1 19:4,24 22:8 26:1 27:14 41:20 42:11 99:5 103:21 104:1,3

system 46:5 65:10 86:18 87:22 89:8 105:4 106:17 108:16,24 112:4 118:11,13

T

table 54:15

taking 39:22 40:2 84:12 123:24

talk 72:3 79:20

talked 10:24 25:8 36:13 54:6 98:16

talking 64:17 70:7 93:7 94:11,15 95:16 106:2 110:24 131:11

tampering 41:5

task 19:2,3 42:8, 21 104:7,8

taught 132:20

technicalities 82:22

technicality 82:20

technically 110:2

telephone 25:9 44:13 52:17 54:6 57:8,24 64:12 81:8,9 83:7,8

television 99:2

telling 65:14 111:21

tells 117:3

temperature 102:5,7,12

ten 118:2

tend 113:14

tendered 15:20 103:16

tentative 85:16 89:5

tentatively 85:10

terminal 105:9

terminology 113:3

terms 13:13 130:18

testified 59:15

testimony 12:2 19:24 22:9 42:12

thereof 29:24

thing 25:7 71:14 89:7 109:1 113:15

things 9:6 18:1,12 47:15 72:12 77:24 79:14 117:21

thinking 67:2 84:9

thought 100:24 113:13

threat 67:12 74:13

threatened 65:18 66:11 67:18

threatening 67:1, 3,8

three-inch 68:2

through-and-through 78:7

time 4:19 8:23 9:4 10:18 25:8,13 26:8,10,11,14,18, 21,22 27:12 30:9 31:7 38:4 44:6 45:2 47:11,14,15 49:15 52:12,13,19 53:18 55:2,5,9,24 56:19,24 57:3,4 62:21 64:15 66:15 76:9 77:24 79:17 82:4 84:1,4,6,8,9 85:14,23 86:1,13 87:13 88:17 89:24 90:9 91:17 93:1,4, 9,10 94:21 95:4, 18,20 100:12 103:2 105:18 107:8 109:21 113:7,8 115:1 116:19,21 117:7,8, 9,11,13,15,18,23 118:8,9,16 119:5 122:17 124:18,21 127:3 128:18 132:23

timely 52:9

times 45:13 48:11 74:16 78:2,4,5 84:13,17 104:12, 13 129:24

timing 21:22 22:1, 5

tire 67:6

title 80:22 83:15 91:9

titled 31:16 32:15 33:10

today 4:4 9:7,14 10:5,12 11:15 14:15,19,24 15:15 17:6 19:15 21:12, 13,15 22:12 23:8 24:23 25:24 26:1 27:6 32:1,23 33:17 34:11 35:4 45:22

54:15 58:8 59:9 95:1 125:1

today's 4:19 35:17 36:3 37:2

told 19:7 52:6,24 61:24 64:22 65:1,8 66:2,4 70:9 72:15 73:17,18 76:5,10 77:4,23 80:3 82:4 86:11,23,24 87:20 89:4,5,6,15,23 91:2 92:6,24 97:24 102:7,24 110:9 113:13 122:2 129:20,23 133:10, 12

tomorrow 25:22 26:2

top 97:11 102:4 106:18 107:1,11 117:12

totally 63:2 79:1 82:11

toxicological 46:8

toxicology 49:11

training 88:2

transcript 4:4,7 22:23 32:13 37:2, 4,7,9,11,19

transmitted 57:1

transported 50:20 76:6 91:3

trauma 114:10

treated 48:18

treatment 50:20

true 17:16 40:22 41:17

Trump 133:9

truthfully 28:6,13

Tuesday 37:12

turn 119:5

tying 104:20

type 17:12 46:2, 11,16 47:6 99:5

typo 129:11

typographical 129:8

U

ultimate 49:21 130:7

ultimately 49:17 120:22 121:1

unable 76:16 77:1

unchecked 115:23 123:24

unclear 7:24

uncover 16:1

underneath 112:10

understand 21:22 25:2 27:3,22 28:1, 10,11,13,16 29:1, 4,7,14,22 30:5,15 37:8

understanding 44:18 47:22 48:2 49:20 73:6 125:1

Understood 122:21

unduly 30:11

uniformed 67:11

union 30:6,9

unit 43:8

United 39:14 60:2

unknown 91:18

unsuccessful 76:23

update 115:11 122:18 123:21

updated 123:6,8

V

Van 6:20 8:4 78:1 83:1 84:4 110:22 111:19 112:9 113:7,9,24 123:13 126:5,18,22 127:4 129:19 130:11

vast 104:12 107:16 128:16

vehicle 67:5,10

verbally 118:20 131:12

verbatim 4:4 56:21 57:7

version 123:14

versus 7:22 8:7 39:9

victim 48:17 88:14 111:11 112:9 113:17,19 119:11

victims 110:23 111:4,11,18,22 121:6

video 36:17 55:7, 10,11,16 58:17 72:17,19 92:9,10, 13 103:7 131:21

view 88:13 89:20

viewed 131:21

viewing 72:17

violating 41:14 121:15

violation 28:19 30:18 38:20 60:17 61:4

violence 49:9

violent 71:12

voluntarily 39:1

W

W-i-t-z-b-u-r-g 5:3

wait 20:10

waiving 41:22

walk 50:14

walking 66:22

Walsh 84:4 110:23 111:19

Walsh's 83:2

wanted 93:8 95:17 96:5

ways 7:9 74:9 132:13

weapon 68:4 74:15 78:2 114:13

weather 102:10

Wednesday 36:7 37:12 45:24

week 10:8,21 13:3, 11 25:9

weigh 130:13

weighed 121:2

Wesson 74:15

West 4:21

whichever 104:6

William 8:24

windshield 67:7

witnessed 109:14

witnesses 11:3,9 131:18,19

Witzburg 5:2,3 15:17 18:8 24:9 27:3,24 100:15 101:20 119:7,8,19, 24 120:16 122:1

Witzburg's 5:14

wonderful 132:19

word 19:4 53:1 73:8 130:2,3 131:14,19

words 62:1 64:7 65:6 67:14 68:20, 22 69:14,23 70:2, 9,14,15 71:2,22 73:17 74:3,24 75:13 103:11 114:6 132:1,5 133:8

work 4:9 38:3 46:9 132:23 133:18

worked 76:21

workforce 132:22

working 7:18 44:7 54:2 55:2 85:15

workings 65:10 102:21

wound 114:10 130:16

wounds 84:12 130:1,9,15

write 105:12

writing 11:15 131:12

written 29:6,8 66:14 67:23 70:6, 19 96:3

wrong 18:18 68:19 90:16 104:2 106:1 115:1 129:7, 9

wrote 86:24 127:13

Y

year 8:17 22:21 23:5 95:3

years 44:5 64:16 66:7 71:11,13 72:21 88:2,12 97:7 131:11 133:1

Yohler 4:23 8:20 37:18

Z

ZIP 80:1,8,11,14, 19 84:23

CITY OF CHICAGO
OFFICE OF INSPECTOR GENERAL

ADVISEMENT OF RIGHTS

I, David March, understand that I am being interviewed by Peter Neumer and Deborah Witzburg from the City of Chicago Office of Inspector General.

DATE 7/25/16 TIME _____ LOCATION 300 West Adams Street, Ste. 800, Chicago, IL

I understand that this interview is part of an official investigation and that I have a duty to cooperate with the Office of Inspector General, which includes answering all questions completely and truthfully.

I understand that I have no right to remain silent. I understand that I have an obligation to answer questions put to me truthfully. I understand that if I refuse to answer questions put to me, I will be ordered by a superior officer to answer the questions. I further understand and I have been advised that if I persist in my refusal to answer after an order to do so, such further refusal constitutes a violation of the Rules and Regulations of the Chicago Police Department and may serve as the basis for my discharge.

I understand and have been advised that my statements or responses may constitute an official police report. I understand that Rule 14 of the Chicago Police Department's Rules and Regulations prohibits making a false report, written or oral, and I further understand that making such a false report, whether written or oral, may result in my separation from the Chicago Police Department.

I understand that any statement made by me during this interview may be used as evidence of misconduct or as the basis for disciplinary action up to and including removal or discharge.

I understand that any statement made by me during this interview and the fruits thereof cannot be used against me in a criminal proceeding.

I understand that I have the right to have a union representative, or legal counsel of my choosing, present at the interview to consult with, and that I will be given a reasonable time to obtain a union representative or legal counsel as long as the interview is not unduly delayed.

I understand that a refusal to answer any question, or any false, inaccurate, or deliberately incomplete statement by me would constitute a violation of Chicago Municipal Ordinance 2-56, and may serve as the basis for my discharge.

I acknowledge that this statement of my administrative rights has been read aloud to me, and I have been allowed [illegible] review this document.

[redacted]
Employee Signature

Witness: _____ Witness: [redacted]

****

WAIVER

Understanding these rights, I wish to answer questions from investigators from the Office of Inspector General without having a union representative or legal counsel present. No promises or threats have been made to me and no pressure or coercion of any kind has been used against me.

Employee Signature: _____

EXHIBIT 1 016 7-25-16

NOTIFICATION OF INTERVIEW TO CPD MEMBER CITY OF CHICAGO OFFICE OF INSPECTOR GENERAL			DATE July 20, 2016
NAME	RANK	STAR NO	UNIT OF ASSIGNMENT
David March	Detective	20563	610

YOUR APPEARANCE IS REQUIRED

AT ☒	Amicus Court Reporters 300 West Adams, Ste 800 Chicago, IL 60606	ON	DATE July 23, 2016	TIME 9:00 am

AS ☒ ACCUSED ☐ WITNESS ☐ COMPLAINANT

FOR ☒ A STATEMENT

CONCERNING

Detective David March's false statements concerning the McDonald Shooting and review and approval of reports containing false statements.

YOU ARE TO REPORT TO:

LEAD INVESTIGATOR	TITLE	PHONE NO.	EMAIL
Kristopher Brown	Investigator III	773-478-0221	kbrown@chicagoinspectorgeneral.org

NOTE: You MUST notify the Lead Investigator of your inability to keep this scheduled appointment.

ALSO PRESENT AT THE INTERVIEW WILL BE:

NAME	TITLE	NAME	TITLE
Peter Neumer	Senior Assistant Inspector General	N/A	N/A

THE INTERVIEW WILL BE ☐ AUDIO RECORDED ☒ TRANSCRIBED BY A LIVE REPORTER

TO BE COMPLETED BY INTERVIEWEE (if applicable)

ACKNOWLEDGEMENT

Please contact Investigator Brown at (773) 478-0221 to confirm receipt of Notification of Interview and to confirm your attendance at the interview.

I hereby acknowledge receipt of this Notification of Interview.

SIGNATURE [redacted] DATE 20 JUL 2016

PRINTED NAME David M MARCH TIME 1600

TO BE COMPLETED BY OFFICE OF INSPECTOR GENERAL OR CPD COMPONENT PROVIDING NOTIFICATION TO INTERVIEWEE

NOTIFICATION MADE TO:	TITLE, RANK, & UNIT	DATE	TIME
David March	Detective 610	20 JUL 16	1600
NOTIFICATION MADE BY:	**TITLE, RANK, & UNIT**	**DATE**	**TIME**
Andrew Stewart	Sergeant	20 JUL 16	1600

EXHIBIT 2 OIG 7-23-16

NOTIFICATION OF ALLEGATIONS

CITY OF CHICAGO OFFICE OF INSPECTOR GENERAL

NAME OF ACCUSED	RANK	STAR NO.	UNIT OF ASSIGNMENT
David March	Detective	20563	610

City ordinance, and if applicable, collective bargaining agreements, provide that you are entitled to notice of the nature of the allegations against you and the identity of all complainants prior to any interview. Accordingly, you are advised as follows:

COMPLAINANT(S)

1. John J. Escalante, Interim Superintendent of Chicago Police Department, sent a letter to the City of Chicago Office of Inspector General (OIG) dated January 13, 2016, requesting that OIG conduct an administrative investigation of the following allegations arising out of the October 20, 2014 shooting death of Laquan McDonald (the McDonald Shooting): "whether any officer(s) made false statements on official reports submitted in connection with the shooting of Laquan McDonald on October 20, 2014; whether any officer(s) obstructed or interfered with the investigation of this incident, either individually or in collusion with others; and whether any officer(s) committed any violation of Chicago Police Department rules, policies, or orders in connection with their response and/or handling of this matter." Escalante attached to the letter a copy of Sergeant S. Soria's (Star # 2275) Initiation Report, which raises similar allegations of misconduct with respect to Department members in connection with the McDonald Shooting, and identified that Report as a basis for OIG's administrative investigation.

ALLEGATION(S)

1. On October 21, 2014, you reviewed and approved an Original Case Incident Report, which includes an Event Number of 1429315878 and an R.D. Number of HX475653 (the OCIR), even though it falsely stated that Officer Jason Van Dyke was "Injured by offender."

2. On or about October 20, 2014 or October 21, 2014, you assisted in the drafting of the OCIR, which falsely stated that Officer Jason Van Dyke was "Injured by offender."

3. On or about October 20, 2014, you made a false statement to Investigator Earl Briggs of Cook County's Office of the Medical Examiner when, with respect to the McDonald shooting, you stated that McDonald lunged at Chicago Police Officers assigned to Beat 845R with a knife.

4. You were incompetent in the performance of your duties in the ways enumerated in allegations 1 through 3.

ACKNOWLEDGEMENT

I hereby acknowledge receipt in writing of the identity of the complainant(s) and notice of the nature of the allegation(s) against me.

Signature [redacted] Date 21 JUL 2016

EXHIBIT 3 OIG 7-25-16

David M MARCH 20 JUL 2016

Printed Name Andrew Stewart #7759 Time 1600

WITNESSES

[redacted] 7759

City of Chicago Office of Inspector General
740 North Sedgwick Street
Suite 200
Chicago, Illinois 60654

RECEIPT FORM

OIG FILE NO. 15-0564

ON 22 Jul 2016 (DATE) AT 1600 hrs. (TIME)

Andrew Stuart (NAME) Sergeant (TITLE)

☐ SEIZED FROM ☐ RECEIVED FROM ☐ RETURNED TO ☒ RELEASED TO

NAME	TITLE	DEPT.
David March	Detective	Chicago Police Department

THE FOLLOWING ITEM(S):

- a copy of an October 21, 2014 Cook County Office of Medical Examiner Case Report for ME2014-01071;
- a copy of an October 21, 2014 Original Case Incident Report for R.D. No. HX475653 with the event number 1429315878 and the "Case ID" 9825613 CASR 229.

ACKNOWLEDGEMENT

I hereby acknowledge receipt in writing of the above-listed item(s).

Signature [redacted] Date 22 Jul 2016

Printed Name David M MARCH Time 1600

WITNESSES

[redacted] 1759

EXHIBIT 4 OIG 7-25-16

Medical Examiner Investigations
Case Report
ME2014-01071

Companion Case to:

Case Type: Forensic Institute

Initial Impression: GSW / Police Involved Shooting

Decedent / Subject

Deceased Name: Laquan McDonald

Deceased DOB: [redacted]

Deceased Gender / Race / Age: Male / Black / 17 Y

Deceased Home Address & County: [redacted]
County: Cook County

Deceased Phone: Unknown

Social Security: 000-00-0000

Notification

Date: 10/20/2014 **Time:** 11:51:59 PM

Name: Detective March

Title: Detective

Star: 20563

Telephone Number: 312-747-8380

Agency or institution making notification: Chicago Police Department

Beat: 5121

Police Report #: HX475653

Discovered

Discovered by: Chicago Police Beat # 845R

Address: 3420 W. 63rd Street, Chicago, IL 60629

Phone: 312-747-8730

Title: Police Officer

Relationship: Police Officer

Last known alive: 10/20/2014

Discovered Date/Time: 10/20/2014 9:56:00 PM



OIG 15-0564 016028

OIG 15-0564 016566

Medical Examiner Investigations
Case Report
ME2014-01071

CPR performed: N/A

Condition of body: Multiple GSW

Place of Occurrence / Incident

Address where ORIGINAL Incident occurred: 4112 S. Pulaski Chicago, IL 60632

County of Occurrence: Cook County

Type of Premises: STREET

Time of occurrence: 9:56:00 PM

Date: 10/20/2014

Identification of Deceased:

Positive Identification: Coworker

Identification Means: Fingerprints

Additional ID Info: ICLEAR Chicago IR # 2106340

Pronouncement

Place deceased pronounced: Hospital ER

Method of Pronouncement: On View

Hospital: MOUNT SINAI MEDICAL CENTER

Date and Time: 10/20/2014 10:42:00 PM

Pronounced by: Dr. Titeel

Fire Department on Scene: Chicago Fire Dept # 21

List of Person Interviewed

Name / Relationship or title / Address / Phone Number:

Detective March	Police Officer	Detective	5101 S. Wentworth, Chicago, IL 60609	312-747-8380

Medical Examiner Investigations
Case Report
ME2014-01071

Next of Kin

Next of Kin Name: Unknown Kin

Contact Info: Unknown

Next of Kin notified: ☑ Next of kin unknown

Narrative

On 20 October 2014 at 2351 hours Detective March # 20563 of the Chicago Police Department Area Central Detectives Beat # 5121 notified the Forensic Institute the subject Laquan McDonald had expired at Mt. Sinai Hospital after being shot by an on duty Chicago Police Officer.

Detective March related the following; on or about 2156 hours 19 October 2014 Chicago Police 8th District Beat Car 815R responded to 41st and Kildare in reference to a "Citizen Holding a Subject". Upon arrival Beat # 815R was confronted by the subject who threatened the officers with a 4 inch fold knife. The subject fled the scene on foot where at 4112 S. Pulaski the subject was stopped by officers assigned to Beat # 845R. The officers announced their office as "Chicago Police Officers" and ordered the subject to drop the knife. The subject lunged at the officers with the knife. Fearing for their life and attempting to stop the threat one officer (star # 9465) fired sixteen rounds from his duty weapon a Smith & Wesson 9mm handgun striking the subject numerous times . After striking the subject an ambulance was requested by the officers.

Upon arrival of Chicago Fire Department Ambulance # 21 the subject was transported to Mt. Sinai Hospital. Once at Mt. Sinai Hospital emergency room staff were unable to revive the subject and the subject expired at 2242 hours being pronounced by Doctor Titeel. It appears that the subject sustained the following gunshot wounds, four to the chest, six to the right arm, five to the left arm, one to the rightside torso, two to the back, one to the right hip, two to the left leg front, two to the left leg rear, 2 to the left thigh and three to the right thigh. At this time since the officer fired sixteen times which of the twenty-six gunshot wounds are entrance or exit wounds.

At the time of this incident both officers assigned to Beat # 845R and 815R were in full Chicago Police Department uniform.

The subject was ordered along with all police reports, medical records which included admission blood which was drawn to the Forensic Institute for further examination.

Subject was positively identified by the Chicago Police ICLEAR system based on a prior Chicago Police Booking Number IR2106340. At the time of this report it is unknown why the citizen was "Holding the Subject" since the citizen left the scene and could not be interviewed.

Subject's next of kin has not been notified

Pertinent Information

OIG 15-0564 015030

OIG 15-0564 016568

Medical Examiner Investigations
Case Report
ME2014-01071

Scene: ☐

RI Date/Time leaving for scene from office:

RI Arrival on scene - time:

RI Departure from scene - time:

RI arrival at Institute:

Point of contact: Detective March # 20563

Temperature of Environment: 52 Degree Fahrenheit

Medications/Drugs on scene:

Drug Name	Pharmacy Physician Name Phone No	Rx No Rx Date Dosage Name on Bottle	Number Issued Number Left	Note

Photographs taken on scene: False

Medical History

General Medical History: N/A

Attending Physician: N/A

Last Contact with physician: Unknown

End of Report

[redacted] #76
Investigator

[redacted]
Supervisor

Date and Time completed: 10/21/2014 1:30:31 AM

OIG 15-0564 015031

OIG 15-0564 016569

CHICAGO POLICE DEPARTMENT

ORIGINAL CASE INCIDENT REPORT

3510 S. Michigan Avenue, Chicago, Illinois 60653

RD #: HX475653

EVENT #: 1429315878

INCIDENT

ASSIGNED TO FIELD

IUCR: 0552 - Assault - Aggravated Fo:Knife/Cut Instr

Occurrence Location: 4000 S Karlov Ave
Chicago IL
304 - Street

Beat: 0815

Unit Assigned: 0841R
RO Arrival Date: 20 October 2014 21:57

Occurrence Date: 20 October 2014 21:56

Offenders: 1

VICTIM / OFFENDER

VICTIM - Individual

Name: PO. GAFFNEY #19956, Thomas

Res: 3426 W 63rd St
Chicago IL

Beat: 0823

Beat: 5100

Sobriety: Sober

Demographics

Male

Age: 41 Years

VICTIM - Individual

Name: PO. VAN DYKE #12865, Jason

Res: 3420 W 63rd St
Chicago IL

Beat: 0823

Beat: 5100

Sobriety: Sober

Demographics

Age: 36 Years

VICTIM - Individual

Name: PO. WALSH #12865, Joseph

Res: 3420 W 63rd St
Chicago IL

Beat: 0823

Beat: 5100

Sobriety: Sober

Demographics

Age: 45 Years

INJURIES

Injury Info (PO. VAN DYKE #12865,Jason - Victim)

Injured by offender

SUSPECTS

Suspect # 1

In Custody

Name: MCDONALD, Lequan J

Res: [redacted]
Chicago IL

Beat: 0314

Demographics

Male
Black
6'01,
185 lbs
Brown Eyes
Brown Hair
Dreadlocks Hair Style
Dark Complexion

DOB: [redacted]

Age: 17 years

Birth Place: IL

Suspected of Using: Weapon

EXHIBIT 6 OIG

RD #: HX475653

SUSPEC

Injury Info

		Injury Extent:	Fatal	**Pronounced Date:**	20 October 2014 22:42
CFD First Aid Given?	Yes			**Removed By:**	Ambulance 21
Responding Unit:	Ambulance 21	**Hospital:**	Mt. Sinai	**Removed Date:**	20-OCT-14
		Physician:	Dr. Pitzel		

Type	**Weapon Used**
Gun Shot Wound	Handgun

RELATIONSHIP

RELATIONSHIP

(Victim) **PO. GAFFNEY #19958, Thomas**	is a	No Relationship of	(Offender) **MCDONALD, Lequan,J**
(Victim) **PO. VAN DYKE #12865, Jason**	is a	No Relationship of	(Offender) **MCDONALD, Lequan,J**
(Victim) **PO. WALSH #12865, Joseph**	is a	No Relationship of	(Offender) **MCDONALD, Lequan,J**

DOMESTIC INFO

VEHICLE

Vehicle #1

Vehicle:	Chevrolet - Tahoe - Truck	**Damaged?**	Yes	**Owner:**	City Of Chicago
Style:	Hardtop, 4-Door	**Damaged Descr:**	Tire(S)-Flat, Front Windshield Scratched	**Possessor/User:**	PO. GAFFNEY #19958, THOMAS
Color-Top/Bottom:	White/White	**Theft From?**	No	**Towed?**	No
		Burned?	No		
License Plate #:	Mp6581 - Illinois - Law Enforcement (City, County, State, Sos)	**Destroyed?**	No		
Expires:	01-December-2014	**Recovered?**	No		
		Stolen?	No		

Vehicle Identifiers: Police Squad Car

CLEAR

NOTIFICATIONS

Request Type	Unit	Agency Name	Date	Star #	Name
Notification	177	Forensic Services Division	20 October 2014 23:07	13131	,SARLO

Request Type	Date	Star #	Name
Notification	20 October 2014 23:14	4898	,JINES

Request Type	Unit	Agency Name	Date	Star #	Name
On Scene	610	Detective Area - Central	20 October 2014 21:50	20563	,MARCH

Request Type	Unit	Agency Name	Date	Star #	Name
Notification	116	Deployment Operations Center	21 October 2014 22:58	7303	,CHIBE

Request Type	Date	Empl #	Name
Notification	20 October 2014 23:50	76	,BRIGGS

OIG 15-0564 016572

NARRATIVE

EVENT# 15878 REFER TO DETECTIVE DIVISION SUPPLEMENTARY REPORT.
NOTIFICATION: WATCH COMMANDER OF UNIT LT. KOCH Beat#: Star#: 715 Emp#: Date: 20-OCT-2014 Time: 2250 NOT
NOTIFICATION: STATION SUPERVISOR COMISKEY Beat#: Star#: 1774 Emp#: Date: 21-OCT-2014 Time: 2250 NOT
NOTIFICATION: SERGEANT STEPHEN FRANKO Beat#: 0810R Star#: 1381 Emp#: Date: 21-OCT-2014 Time: 2158 ONS
ASSISTING OFFICER - STAR#: 10590 NAME: RICARDO VIRAMONTES BEAT: 0841R
REPORTING OFFICER - STAR#: 19958 NAME: THOMAS GAFFNEY BEAT: 0815R
REPORTING OFFICER - STAR#: 18715 NAME: JOSEPH MCELLIGOTT BEAT: 0815R
ASSISTING OFFICER - STAR#: 12865 NAME: JOSEPH WALSH BEAT: 0845R
ASSISTING OFFICER - STAR#: 9465 NAME: JASON VAN DYKE BEAT: 0845R
ASSISTING OFFICER - STAR#: 4364 NAME: JANET MONDRAGON BEAT: 0813R
ASSISTING OFFICER - STAR#: 2763 NAME: DAPHNE SEBASTIAN BEAT: 0813R
ASSISTING OFFICER - STAR#: 6442 NAME: TERENCE BRADY BEAT: 0811R
ASSISTING OFFICER - STAR#: 7025 NAME: MICHAEL BELMONTEZ BEAT: 0811R
ASSISTING OFFICER - STAR#: 10385 NAME: LETICIA VELEZ BEAT: 0822
ASSISTING OFFICER - STAR#: 15790 NAME: ARTURO BECERRA BEAT: 0822
ASSISTING OFFICER - STAR#: 9654 NAME: RAUL ROSALES JR BEAT: 0821R
ASSISTING OFFICER - STAR#: 8302 NAME: PATRICK KENNING BEAT: 0821R
SUPERVISOR ON SCENE - STAR#: 1320 NAME: BRYAN SPREYNE BEAT: 0865
SUPERVISOR ON SCENE - STAR#: 1381 NAME: STEPHEN FRANKO BEAT: 0810R
ASSISTING OFFICER - STAR#: 12392 NAME: DAVID IVANKOVICH BEAT: 0823R
ASSISTING OFFICER - STAR#: 19898 NAME: JOSE TORRES BEAT: 0823R
ASSISTING OFFICER - STAR#: 11830 NAME: ANTHONY VANCE BEAT: 0833R
ASSISTING OFFICER - STAR#: 16422 NAME: JAMES GEISBUSH BEAT: 0833R
ASSISTING OFFICER - STAR#: 6490 NAME: LUIS GARCIA BEAT: 0851R
ASSISTING OFFICER - STAR#: 12037 NAME: ELLIOT FLAGG BEAT: 0851R
SUPERVISOR ON SCENE - STAR#: 1734 NAME: PETER MC GLYNN BEAT: 0830R
OTHER SUPPORT - STAR#: 20453 NAME: JOHN HALLORAN BEAT: 5131
OTHER SUPPORT - STAR#: 21128 NAME: JOHN MURRAY BEAT: 5131
OTHER SUPPORT - STAR#: 20563 NAME: DAVID MARCH BEAT: 5121
OTHER SUPPORT - STAR#: 21285 NAME: GREGORY JONES BEAT: 5122
OTHER SUPPORT - STAR#: 20606 NAME: RICHARD HAGEN BEAT: 5165
OTHER SUPPORT - STAR#: 529 NAME: OSVALDO VALDEZ BEAT: 5105
OTHER SUPPORT - STAR#: 62 NAME: EUGENE ROY BEAT: 5100
OTHER SUPPORT - STAR#: 10201 NAME: CARL BRASIC BEAT: 5802
OTHER SUPPORT - STAR#: 8825 NAME: KAMAL JUDEH BEAT: 5802
OTHER SUPPORT - STAR#: 819 NAME: DAVID FRIEL BEAT: 5880
OTHER SUPPORT - STAR#: 20201 NAME: MATTHEW RICKHER BEAT: 5885
OTHER SUPPORT - STAR#: 1303 NAME: DANIEL GALLAGHER BEAT: 5120
ASSISTING OFFICER - STAR#: 20555 NAME: ROBERTO GARCIA BEAT: 5122
- STAR#: 120 NAME: DAVID MC NAUGHTON BEAT: 41
- STAR#: 13 NAME: JAMES O DONNELL BEAT: 0800
- STAR#: 107 NAME: DENNIS WALSH BEAT: 0890
- STAR#: 14193 NAME: MAHMOUD HALEEM BEAT: 0865B
- STAR#: 13516 NAME: IVAN LOPEZ BEAT: 0865B
- STAR#: 10333 NAME: PATRICK KENAH BEAT: 0865C
- STAR#: 14393 NAME: ANDRES ZEPEDA BEAT: 0865C
- STAR#: 13882 NAME: ROBERT SHULTZ BEAT: 0865C

PERSONNEL

	Star No	Emp No	Name	User	Date	Unit	Beat
Approving Supervisor	1381	[redacted]	FRANKO, Stephen, D	([redacted]	21 Oct 2014 05:18	008	
Detective/Investigator	20563	[redacted]	MARCH, David, M	([redacted]	21 Oct 2014 15:01	610	
Reporting Officer	4484	[redacted]	FONTAINE, Dora	[redacted]	21 Oct 2014 04:32	008	0841R

Powered by CLEAR Technologies

In the Matter Of:

IN RE JEFFREY PASQUA

JEFFREY PASQUA

June 23, 2016

Amicus
court reporters, inc
300 West Adams St. Ste 800
Chicago, IL 60606
Phone: 312.641.3500
Fax: 312.641.3795
Email: info@amicusreporters.com

STATE OF ILLINOIS)
)
COUNT OF C O O K)

CITY OF CHICAGO
OFFICE OF THE INSPECTOR GENERAL

IN RE: INTERVIEW OF JEFFREY PASQUA

Interview of Jeffrey Pasqua pursuant to the applicable provisions of the Municipal Code of the City of Chicago and the City of Chicago Personnel Rules taken at 300 West Adams Street, Suite 800, Chicago, Illinois, on June 23, 2016 at 11:00 a.m.

IN RE JEFFREY PASQUA

APPEARANCES

MR. KRISTOPHER BROWN, Investigator III, and
MS. SARAH S. ANSARI, Assistant Inspector General
OFFICE OF THE INSPECTOR GENERAL
740 North Sedgwick Avenue, Suite 200
Chicago, Illinois 60654
appeared on behalf of the City of Chicago,
Office of the Inspector General.

REPORTED BY: HOWARD N. REISMAN, CSR.
License No. 084-00041

IN RE JEFFREY PASQUA

INDEX

WITNESS	PAGE
JEFFREY PASQUA	
Examination	
By Mr. Kristopher Brown	6
Examination	
By Ms. Sarah S. Ansari	19
Examination	
By Mr. Kristopher Brown	20

EXHIBITS

Pasqua Exhibit No. 1	38

MR. BROWN: As a preliminary matter I am providing the following information: An independent certified court reporter is present today to provide a verbatim transcript of this interview. To aid in the accuracy of the transcript, it is the custom and practice of court reporters to audio record the interview. The recording is the confidential work product of the court reporter and will not be provided to any party including the OIG. If you request, the audio recording will be discontinued.

Well Mr. Pasqua, what do you -- what's your decision on that?

THE WITNESS: I am fine with it.

MR. BROWN: Fine. It's really just an aid to them.

THE WITNESS: Okay.

MR. BROWN: There are other times when people are like, you know, I don't want anything recorded, or anything like that. Let's see, I will get the official time.

Let the record reflect the time is 11:11. The date is June 23rd, 2016. We are

located at Amicus Court Reporters, 300 West Adams Street, Suite 800. My name is Kristopher Brown. The court reporter is Howard Reisman.

I would ask the other individuals who are present to identify themselves and spell their last name for the record.

MS. ANSARI: Sarah, S-A-R-A-H. Last name is Ansari, A-N-S-A-R-I, of the Office of Inspector General.

THE WITNESS: Investigator Jeff Pasqua. The last name is P-A-S-Q-U-A, the Cook County Sheriff's Police, Star No. 767.

MR. BROWN: There are no other individuals present. We are here today pursuant to an investigation being conducted under Chapter 2-56 of the Municipal Code of the City of Chicago.

We are here for the interview of Cook County Sheriff Officer Jeffrey Pasqua.

Officer Pasqua, would you please raise your right hand and the court reporter will swear you in.

(Witness sworn.)

JEFFREY PASQUA,

called as a witness herein, having been first duly sworn, was examined and testified as follows:

EXAMINATION

BY MR. BROWN:

Q. Now, is it inaccurate to say Officer, or should I say Investigator Pasqua?

A. I earned it. Yes, you can call me Investigator or Jeff, whichever you feel more comfortable with.

Q. Okay. Yes, whatever, whatever's good with you. I mean, I just assumed it was Officer, but it was at the time, so. Got you.

You will get into all that and you can explain the changes.

You already gave us a little bit of the information, but can you give us your full name, your star number and your current unit assignments.

A. My full name is Jeffrey Pasqua. I'm an investigator with the Cook County Sheriff's Police, our Street Crimes Suppression Unit, my Star Number is 767.

Q. Now, what was your unit assignment on

October 20th, 2014?

A. I was a member of the Bridgeview Patrol Unit out of Cook County Sheriff's Police.

Q. And were you on a particular watch as of October 20, 2014?

A. Yes. I was on our -- I was on our first watch, which at that time starts from 9:00 p.m. and goes till 7:00 a.m.

Q. What was your chain of command on October 20th, 2014?

A. I reported to Sergeant Michael Dwyer.

Q. And at some point you transitioned from officer to investigator. Can you tell us when that occurred?

A. That was the beginning of this year, of 2016, yes.

Q. Jeff, did you review any documentation in preparation for this interview?

A. No, I have not.

Q. Okay. All right. Jeff, we want you to walk us through the events that occurred on the night of October 20, 2014. We'll try to ask questions as you go along, but kind of give us the story and we'll start there.

A. Okay. Would you rather me start when -- regarding the incident, when I got involved, or how I got involved, or do you want me to start when I started my shift, that I was having a sandwich? I mean, how to you want to do this?

MS. ANSARI: Only when you got involved.

THE WITNESS: Okay.

BY MR. BROWN:

Q. What you got from dispatch or something, or maybe just saw it and you could tell us.

A. Yes, I will go into it.

I was down on a traffic stop on 51st and Cicero when one of my partners, Officer Adam Murphy, he was following three Chicago police officers at my traffic stop when I was finishing up. I had just about to step into my vehicle, he stopped, he told me there was a police-involved shooting. I then jumped in my vehicle and I activated my emergency lights, and I also went to -- went to the call, so I pursued -- I basically followed Adam Murphy.

Q. Got you. Do you know how Murphy knew that there was a shooting?

A. I think he spoke to one of the CPD officers, but I can't be certain. I'm speculating on that.

Q. Do you guys share like a frequency between Cook County and the CPD?

A. No, we don't.

Q. No. Okay. But its common just -- I mean, officers out there, you just -- you communicate with each other?

A. Yes, that's correct.

Q. Okay.

MS. ANSARI: You don't have a partner in your vehicle?

THE WITNESS: No. Cook County Sheriff's police officers as patrol units, we are just a single person car.

MS. ANSARI: Okay.

BY MR. BROWN:

Q. So you're handling your traffic stop, and that's when you got the word from Officer Murphy, and then you go in support?

A. Yes.

Q. Did Officer Murphy mention which officer told him about the shooting or did he give any details like that?

A. No, there wasn't. I mean, it was kind of a fast-paced situation. I'm finishing up my traffic stop, I'm walking back to the vehicle, and as I'm getting in my vehicle it's a quick, quick change of events, the officer-involved shooting, so as a police officer you -- you know, when you hear that, any shooting, you want to make sure -- you go towards the danger. We don't walk away from the danger, so.

Q. He notified you on your radio?

A. No, he physically pulled up right next to me because they were all going. There were three CPD units that flew right by me with running their code lights and sirens, and then Officer Murphy stopped, told me the situation, and then I also jumped in --

Q. Got you.

A. -- and went to the situation.

Q. Okay. Do you have an estimated time? This is somewhere after nine o'clock before ten o'clock?

A. I think it would be a fair assessment because I remember it being the beginning of our shift, but it's been almost two years at this point so I couldn't be exact.

Q. All right. Tell us what happened next.

A. We went to -- we went to the location where shots were fired. Upon arriving there, there was, I want to say, approximately five to six Chicago units that were already down. When I pulled up I observed the scene, so I tried to position my car to block any traffic coming from southbound going northbound, so I would say I was probably maybe about half a block down from the scene.

Upon exiting my vehicle to walk to the scene, one of the Chicago tactical officers, who happens to be my old college roommate, exited his vehicle. He called out to me, and obviously we know each other, so he said, "Jeff," I said, "Dan," and we walked up to the scene together, and as we were walking, we could see an individual who was shot, Laquan McDonald, kind of gasping for his last breath of air.

I spoke to my friend, Tactical Officer

Dan Goetz, and I asked him like -- I say -- you know, he knows I was just new on there. I asked him, "Is he dead?" And he says, "I don't think so," and then Laquan gasped for like final two breaths and he made like a gurgling sound, and his color, it was very gray, discolored. It looked like a lot of loss of blood, and it appeared to me that he had taken his final breath.

Q. Okay.

THE COURT REPORTER: Goetz, is it G-O-E-T-Z.

THE WITNESS: G-O-E-T-Z.

BY MR. BROWN:

Q. His first name is Daniel?

A. Daniel, yes.

Q. So, you arrive on the scene and you position yourself to block traffic?

A. Yes.

Q. Were you close to the intersection of 41st and Pulaski or do you recall whereabouts you were parked?

A. I was -- I was south of the scene.

Q. South. Okay.

A. So wherever -- wherever that --

wherever he was laying there, I was south of that.

Q. Okay.

A. So when I pulled up, I kind of did a little bit of a u-turn and went back the other way, parked my vehicle, exited my vehicle, and then I started coming, coming towards the scene, so I was walking northbound on Pulaski.

Q. Got you.

MS. ANSARI: You didn't see any part of the shooting.

THE WITNESS: No.

MS. ANSARI: McDonald was already down when you got there.

THE WITNESS: Yeah, I didn't see anything like that, so upon walking up to the scene, I saw some shell casings. I saw a knife. That was my observations. I really couldn't tell what had just happened, so I didn't speculate or anything like that. I just kind of observed what I could and try and piece together whatever I could, but I didn't have any information. I don't have a radio band, so I don't really know who was involved in what shooting, so.

BY MR. BROWN:

Q. On your way driving to the scene, were you able to hear any of the shots?

A. No.

Q. As far as you know, all that had already occurred?

A. Yeah. Like I said, when Adam Murphy tells me an officer was involved in a shooting, it -- I would have to guess that it had already occurred and we were being more reactive than going to something that was actually in the process of it happening, so.

Q. Got you.

A. And with lights, sirens going, you are not going to be able to hear it.

Q. And you would estimate that you were maybe a block further south of the scene, or would it be more than that?

A. I'd say about a half a block, maybe a block, you know. Just trying to -- you know, when you are -- it's not your -- see, you know, it's not your department and it's not your area, you try and find out how you can help without interfering, so I was just trying to do what I

thought was best, which is kind of block traffic off with my vehicle, so I parked it perpendicular obviously with -- or vertical compared to down. As I said, I blocked the two lanes with my vehicle, so.

Q. I want to kind of just ask generally. How does that work, like that synergy I guess between Cook County Sheriff's Office and CPD like? Do you just help each other whenever a situation occurs? Is there anything like a directive that mandates you do anything? Like how does that play out?

A. We do like -- we'll -- the way we normally do things is like if we are assisting another agency, we'll use a code for it. We'll call it like a 4-John, which would just be assist other agency, you know. No service was rendered or service rendered, whatever.

Depending on the situation, if it requires a paper job, we would call a 4-Sam. The S would be for a Sam job, so the letters determine what exactly -- what type of action we actually took.

Q. So a paper job would mean you have to

author some kind of report?

A. Correct.

Q. A 4-John is just more just I guess other types of support without paperwork, correct?

A. Correct.

Q. And what is this -- the October 20th situation, that was a 4-John?

A. Yeah, we coded it off as a 4-John.

Q. Got you.

A. I believe. I know we didn't do a paper job, but I think we coded off as 4-John. It was an assist to another agency because after -- you know, after a few moments, about being there for ten minutes or so, you know, I told Officer Murphy I think we should probably go because there were so many police officers that arrived on scene, that it did not appear that our help was going to be needed, and I don't remember the supervisor that I spoke with.

I asked him, you know, "I have tape. Do you need me to do anything? Do you need me to help you out with anything?" And he said, "No, we are all good here," so that's when I decided that me and Officer Murphy should probably leave the

scene at that point.

Q. Got you. You don't recall who told you that we are all good here?

A. No. I don't remember. Like I said, the only reason I remember the one officer, the tactical officer, is because it's my college roommate, so other than that, you know, obviously with all the news and everything like that, I remember, you know, looking at Van Horn. He looked very distraught when he --

Q. You mean Van Dyke?

A. Van Dyke, yes. Sorry. Van Dyke, he looked very distraught. He was sitting in a squad car. He looked very like out of breath, very distressed. Colors like you mean -- he is a fair-skinned gentleman, but he looked really, really pale at the time even more, so it's just -- you know, I think like a sense of shock was kind of coming over him as well.

So someone got him a bottle of water, you know, to try and just calm him down a little bit, so.

Q. Did you talk to him at all, being Van Dyke?

A. I just -- I just said words of encouragement, I said, you know, "Don't worry, everything will be okay." I mean, he really didn't really acknowledge me. I meet a lot of people, you know, just trying to make him feel better at least a little bit because it's a -- you know, it's a tragic situation that just occurred.

Q. Someone had told you that this was the officer that was involved in the shooting?

A. No one told me, no, but I mean, you can -- you can kind of -- like I mean, when you're looking around and you see officers are trying to do things, and then you see one guy that's just kind of, you know, in complete shock and everything like that, you kind of figure it out, but I didn't really figure out that until I was like who shot -- like where's -- where's the gun who shot? I thought it was a drive by to be honest with you.

I really didn't understand what the whole totality of the situation was at the time, so -- and then they said no, that was -- I don't remember. Like "he is over there," you know. Wow.

So at the time, I was a new officer. It's the first time I've ever seen anyone shot, so for me it was somewhat of a traumatic experience as well seeing someone shot like that, so.

Q. You mentioned you were a new officer. When did you start on with Cook County?

A. 2013 of July. I transferred from the jail to the Cook County Sheriff's Police.

Q. And how long did you work in the jail?

A. Three years.

Q. Okay.

EXAMINATION

BY MS. ANSARI:

Q. So what you are saying is you don't recall any -- besides Jason Van Dyke, because on the news, there was no one at the time or now that you can identify by name, though, correct?

A. Just --

Q. Besides your college roommate?

A. Yes, besides my college roommate and Adam Murphy.

Q. Okay.

A. Any of the other police officers that were on scene, I don't -- I'm not aware of, so

Q. Okay. Which is understandable. We are just curious, so.

EXAMINATION

BY MR. BROWN:

Q. So you get to the scene, you position your car to block traffic, you get out and you see Officer Goetz and then you start walking towards McDonald?

A. Yes.

Q. And you said you kind of observed what you believe to be his last -- his last moments?

A. Yes.

Q. Okay. I know you mentioned him gurgling. Did you hear him say any words, anything that you could make out?

A. No. I mean, I'll never forget like those last gasps that he took. I never seen anything like it before, so, you know, the sounds were just pretty, pretty traumatic, so.

Q. Wow. Were you close to him, like did you get close enough to, I don't know, touch him on the shoulder or anything like that?

A. No, I wasn't that close. My partner -- well, Adam Murphy had actually -- he had put

some -- the rubber gloves on. It was like going -- he was going to attempt -- he actually got down on his knees and said, "Don't -- you know, don't worry, buddy, you know, help's on the way," but I didn't -- I would say I was maybe about ten feet away, so -- from him approximately. I'm sorry.

MS. ANSARI: Did any other officers approach McDonald like -- you know, your colleague Adam Murphy went up and said, you know, tried to comfort him, and did any -- did you see any other CPD officers trying to do some -- or approach him?

THE WITNESS: There were two other officers I believe that were right next to Murphy, but -- but they didn't put on any rubber gloves or anything like that. I would be -- I would be guessing if I said one of them said anything like that, that the fire department is on the way or anything like that. I don't recall, so.

MS. ANSARI: Okay.

BY MR. BROWN:

Q. And you mentioned the codes like the

4-John.

A. Yes.

Q. Did you have to notify or radio dispatch to tell them like, yeah, I'm going to stop here, I'm going to offer assistance to CPD on the matter or --

A. Yeah. They actually -- they knew we were going to that scene and then we advised them, you know, the situation.

Murphy said there's a whole bunch of CPD units going towards an officer-involved shooting, we are en route, and then you can hear me on the radio transcript as well. You can -- you'll hear me chime in and say, you know, I'm en route as well, so I think -- I think my call sign that night was I think 5150 maybe, and I'm not sure if Adam's was 5141.

I know the transcripts, they were -- like when this first came out and everything like that, the transcripts were all over the internet and everything, so you were able to -- able to hear our transcripts.

Q. I've got a good idea, but I just want you to explain call sign just so I make sure

it's -- I'm clear about that?

A. Okay. So we were out of Bridgeview. That's the 5th District. All right. So that's where the five comes in. The one is because we are the first watch, so we are 51, and the beat was 41, that would be like our central Stickney area. That's where Adam Murphy was working, I believe that night.

Now, I was 5150, which was I was a cover car, so which means I just kind of stay within the central Stickney area. I kind of -- in case Adam goes down on a call or something of that nature and there's another call that comes in, I would go ahead and take that call, so, but, otherwise, I would be kind of like a floating car where, you know, I kind of move throughout the county within the 5th District, so.

Q. You are there to assist whenever it is needed in that district?

A. Yes, that's correct, yes.

Q. Got you. Okay. So you informed dispatch like we are going to head over to provide assistance of this matter. When you get done with the scene, do you have to tell dispatch like okay,

now I'm done with that and now I'm going to return back to the district?

A. Yes, yes, that's -- we advise them on the radio that we are -- our 10 code is 10-8 back in -- back in service, so we are leaving that scene and we are going back to our district, so.

Q. Okay. If you had to estimate, how long were you on the scene there?

A. I would say approximately 10 to 15 minutes, but I can't be 100 percent sure. It wasn't an extensive time because, like I said, when there are so many officers that arrive on scene, you know, you kind of get a gist that you're -- that they have their scene handled and everything, so that's kind of what I observed and, like I said, I spoke to one of the supervisors and he said, "No, we are good here."

So, you know, it was just kind of one of those things where I told Adam, "I think it's time for us to leave," because, you know, the sergeant, he advised us that he doesn't need our help, so we are not going to do anything but probably get in the way of whatever their investigation is.

MS. ANSARI: There was a uniformed sergeant that told you?

THE WITNESS: Yes.

MS. ANSARI: Okay. Were any detectives on scene at that point before you left?

THE WITNESS: I don't recall. There was -- like I said, it was a sea of -- sea of Chicago officers that just arrived, so.

MS. ANSARI: Okay.

BY MR. BROWN:

Q. And you mentioned your college roommate, Officer Goetz. Did you speak with him at all regarding what happened there?

A. At the time?

Q. Yes?

A. Just -- he told me that -- I'm trying to think -- on his radio band said that there was an individual that was attacking their police vehicle or something like that. It was just kind of like -- just like short talk real quick because obviously he's been -- he's got a job to do, so I said, "All right, look, be safe," you know, "I'll see you later."

Q. Okay.

A. Then that's when I left the scene, so.

Q. Got you. You didn't have any other conversation with Officer Goetz other than that?

A. No. I mean, just -- you know, when we see -- obviously we hang out, you know. We just said -- you know, when we talk we just say, "That was messed up," you know, like seeing that. He said, "Unfortunately, he is a tactical officer in the 8th District." He's like, "I have seen this stuff before," so at the time I hadn't seen it, so it was my first time, he's like, "Yeah, it's rough," so.

Q. I can imagine.

A. So it's just not something that we really wanted to talk about, so.

MS. ANSARI: When you say, really was messed up, like kind of it was messed up that someone got shot or -- I guess, what do you mean? Can you explain?

THE WITNESS: Watching a person die by gunshot wounds. It's pretty -- like I said, it's traumatic, so regardless of the situation, whatever it may be, just -- you know, it's unfortunate that, you know, these

things happen.

MS. ANSARI: Okay. Yes.

BY MR. BROWN:

Q. Other than speaking with Officer Goetz and the sergeant who kind of told you that they were -- that things were good there, do you recall speaking with any other CPD officers on the scene?

A. No.

Q. No. Okay. At your time at the scene, do you recall any conversations the other officers might have had?

A. No.

Q. Okay. I know you mentioned you had a brief interaction with Van Dyke. Do you recall any other brief interactions with anybody else, any other officers on the scene?

A. No.

Q. And you were in your marked Sheriff's office vehicle?

A. Yes.

Q. Okay. I know you mentioned Murphy was in his own separate vehicle.

A. Yes.

Q. Would it be accurate to say he is -- it

probably wouldn't be accurate to say. He's like a partner even though he is in his -- you know, you are the same district, but he is in his different vehicle? What would you really call him, like just another support vehicle, or what would be a good term?

A. He's -- he is a beat car, so the way we describe it is, so the next beat over is typically his partner, but me being a cover car, I'm kind of everyone's partner.

Q. Got you?

A. So, you know, there's no real specific, you know, how it works. I mean, I would be in the district or I would be in his beat, so yeah, I would be there to support him for whatever, whatever -- whatever calls he may receive or anytime he goes out on any initiated calls or anything.

Q. You mentioned, at a certain point you spoke with Officer Murphy and said, like it's good to go here and they've got it under control. Do you recall any other further conversation with Officer Murphy while you were at the scene?

A. Well, we went back to 47th. There was

a McDonald's on 47th and Cicero, and we kind of -- just kind of debriefed each other on, you know, the situation, the scenario.

He was my FTO. He's the one that trained me.

Q. Okay.

A. So, you know, we were trying -- we try and learn from every situation, so we discussed it and we really didn't understand like what the situation that transpired, so we tried speculating so, well, you know, with the little information that we did have, like I don't know how they are going to handle that situation because we really didn't know what the situation at the time, what it was.

So I mean, all we -- the little bit of information that we got was that there was an individual with a knife, so that was -- that attacked the vehicle, and somewhere in there -- that was like the limited information we had.

So we were trying to speculate what we would do in that situation, you know, if we were being attacked by someone with a knife, what would we do. I said that I think it's a good shoot all

day, I'm like, if you are being attacked, but obviously we don't -- we don't get to see any video footage, you know, and we can Monday morning quarterback things as much as we want, but until you are in that situation, you can only just talk about what you would have, should have, could have done.

Q. You mentioned video footage. Did you see any video footage while you were on the scene for those 10 to 15 minutes?

A. No.

Q. Okay.

MS. ANSARI: Did you see anyone else watching video footage?

THE WITNESS: No.

MS. ANSARI: There was no indication that there was a video at the time while you were there?

THE WITNESS: The first time I've seen the video was when it came out to the public. That was the first time because when I had my federal grand jury, I spoke with the FBI, he had led on saying, "You know, there's some videos," and I haven't seen any video. He

said, "You'll see it soon enough, you know, it will be out there," so.

BY MR. BROWN:

Q. So you are debriefing it at the McDonald's on 47th. Did Officer Murphy say anything about, like McDonald said this to me, or I heard McDonald mention this in his last moments, or anything like that?

A. No.

Q. Okay. Did Officer Murphy mention any conversation he had with anybody on the scene or with any of the other CPD officers?

A. None that I recall.

MS. ANSARI: Was there any conversation among you and Murphy or on the scene with Goetz about whether the shooting was justified?

THE WITNESS: No.

MS. ANSARI: No. Okay. Because you said earlier that you and Officer Murphy, when you guys were discussing just -- you didn't know all the facts, so there wasn't really a conclusion to make about what had happened.

THE WITNESS: Like I said, we can speculate and we can Monday morning quarterback, but we weren't on the scene, so.

MS. ANSARI: Got it.

THE WITNESS: How can you -- how can you come to a conclusion of something when you are not a part of it?

MS. ANSARI: Okay.

BY MR. BROWN:

Q. That's just part of that we just want to ask, if you heard anything while you were there, like anybody say like oh, this is -- this was a good shoot, or I think this was justified, or, you know, anything like that?

A. I mean, if they said it, I don't recall it, you know, but, you know, it's over two years old.

Q. Other than Officer Goetz and Van Dyke, did you recognize anybody else on the scene?

A. I didn't recognize Van Dyke because I didn't know who he was until after the fact, so, but other than that, no. Just Murphy, myself and Officer Goetz.

Q. Got you. So you get done, you debrief

with Officer Murphy at the McDonald's. What do you do after that?

A. Do our job.

Q. Resume patrol?

A. To our beats, yeah.

Q. Okay.

A. To our jobs. We go back to working our beats.

Q. So you resume patrol. Did you have to author any reports about your observations from that night?

A. No.

Q. No. Other than doing the notification to dispatch, did you have to do anything else?

A. No.

Q. Okay.

MS. ANSARI: On the scene -- I mean I -- did you hear anything on the scene that -- of people like expressing concern about the shooting, like it might have been a mistake or anything like that.

THE WITNESS: No.

MS. ANSARI: No. Okay.

///

BY MR. BROWN:

Q. When you are doing a support to like a CPD, you know, like a 4-John, is it the typical situation that you are not going to have to do any paper on that, or is it atypical that you have to do paper?

A. No. Up until this situation, our police department, we've never really done any paper jobs on an assist.

Q. Got you.

A. But this situation, that led to us changing our policy now to where we actually -- if we assist another agency and it's something of this magnitude, then we will -- we will do a paper job on it.

Q. Would that be like a to-from memo or --

A. No, it will be -- it will be one of our incident reports, so it will be just similar to any other case that we may work. It will be on an OI, as we call it, an Offense Incident Report.

Q. You said Offense Incident Report?

A. Yeah.

Q. Got you.

MS. ANSARI: Why do they feel like the

change needed to be made after this incident?

THE WITNESS: Well, I think that -- I don't think that the Sheriff -- I'm not sure or not whether he had full information that we were on the scene, so I think maybe our administration was aware of it, but I don't know if the chain of command, how far it goes.

MS. ANSARI: Okay.

THE WITNESS: So when it's something of this magnitude, obviously they would like to know, you know, exactly what -- how we participated in this event. Therefore, this way, you know, the media is not the one informing our department or whatever, whatever it may be.

MS. ANSARI: Got it.

THE WITNESS: So I mean, I understand the change.

BY MR. BROWN:

Q. When you got back to the -- or I guess finished your tour for that night, did you have to, I guess, notify your sergeant as to what happened that night?

A. I don't -- I don't recall. I mean, I don't -- I know we didn't speak to him about it, so I really don't recall, you know, because he is actually my sergeant now, too, and I don't -- I don't remember talking to him about it, so I think maybe, as you said, CPD was involved in a shooting, I think that's pretty much the gist of it, but fortunately, the day that we live in, it seems like there's a shooting, multiple shootings every day, so the severity of it has kind of lost its -- I guess its lackluster where people are just like, oh my God. Now they are -- like I understand, so I think it was one of those situations, you know.

Q. All right. And it sounds like your involvement wasn't significant, like you didn't have to do a whole lot there, so it probably didn't rise to the level where you had to brief your sergeant, hey, I did A, B, C on the scene. It was more like I provided support on the scene?

A. Exactly, yeah, so, you know, if we had more involvement, I could understand during -- doing a paper job on it, doing the paperwork or anything like that, but I didn't -- I didn't

really know how I was going to articulate it where it had any significance saying like I came there, you know, attempted to provide support to Chicago. I was told that I wasn't needed, I left, so the details of this, of what we are speaking of right now, these are the details that obviously matter.

Q. Sure. And you kind of -- you touched on maybe superiors of way above us didn't exactly know what happened.

We became aware of an article in December, 2015. I'm sure you are also aware of that article.

Can you kind of tell us what happened after that article, or if anything did happen, after that article in your --

A. I don't know. Which article?

Q. Okay. It was a --

A. Was my name in it?

Q. It was a --

A. Most of the articles said Adam Murphy and another police officer, so I guess I was the fortunate one not to have my name drawn throughout the media.

MS. ANSARI: This one had your name.

MR. BROWN: Yes, this one. We'll make this an exhibit. Show Jeff this.

December 10th, 2015, CBS Chicago article printed off online titled, "Sheriff's Officers Try to Comfort Laquan McDonald as Teen Lay Dying, Officials."

(Pasqua Exhibit No. 1 was marked for identification.)

BY MR. BROWN:

Q. Take a minute and take a look at that.

MS. ANSARI: It's accompanied with a video store. I think your deputy chief was interviewed.

THE WITNESS: Oh, okay. Was this Chief Wright, Dana Wright?

MS. ANSARI: Yes, yes.

THE WITNESS: Okay. Yeah, I think I remember reading this.

BY MR. BROWN:

Q. And my only question after reading the article is, there was a statement that Dart issued kind of summarizing your activity and Officer Murphy's activity. I'm just wondering, did you have any involvement in that statement, the press

release that was issued by Sheriff Dart?

A. No. The Sheriff doesn't talk to his officers. He talks to his administration.

Q. That's why I was just curious. I thought they might have, you know, up the chain, maybe a sergeant or maybe somebody above that might have been like hey, officers, tell me -- give me a quick rundown of what happened that night so I can, you know, brief people above me.

A. Right. And, like I said, normally how our previous policy was, we weren't -- we weren't required to really do a paper, paper job on it or anything of that nature.

We did meet with Dana Wright, Chief Wright. We met with her prior to her speaking with the media on that, though, so me and Adam were brought to her office and basically what's transpiring here is exactly what transpired with her as well, so that she had an understanding of what our involvement was in that incident.

Q. Okay. So you relayed all the details to Chief Wright and then the assumption is that that narrative was used to craft the press statement that then went out?

A. Yes, that's correct.
Q. I know you've already said you didn't have to author anything like any memos after this point?
A. No.
Q. It was just a verbal --
A. No, I don't recall. I am not sure if I had to, no, because I turned in my subpoena and everything for the FBI and everything like that, so I don't recall writing any to-from memo or memorandums, or anything of that nature.
Q. You mentioned the subpoena from the FBI. That occurred prior to the press statement coming out?
A. Yes, that's correct. I went to the federal grand jury in August of 2015.
Q. Do you recall where you gave your statement or if you gave a statement?
A. I mean, I have testified in federal grand jury.
Q. Okay.
A. So that was at the -- was it the Leighton Building or not?
MS. ANSARI: Like Dearborn, federal?

THE WITNESS: Okay. Yeah, the federal.

BY MR. BROWN:

Q. Okay. Can you kind of detail us how that event worked, you know, what you were asked?

A. I'm not really allowed to discuss that.

Q. Okay. Is there -- I'll try to do it a different way. Were you asked questions about the events of what occurred on October 20th, 2014?

A. Yes.

Q. Was the information you disclosed to the grand jury significantly different than what you have told us today?

A. No.

Q. Okay. Were you shown any documents or videos at the grand jury?

A. No.

Q. Okay. Do you recall about how long you gave testimony at the grand jury?

A. I think it was approximately 30, 40 minutes maybe.

Q. Okay. All right.

MS. ANSARI: Before you went into the -- when was the first time you were contacted by the FBI or State's Attorney?

THE WITNESS: I believe -- I want to say it was July.

MS. ANSARI: Okay.

THE WITNESS: So.

MS. ANSARI: And did you meet with them in anticipation -- before your grand jury statement.

THE WITNESS: No, they came to my home.

MS. ANSARI: Oh, they came to your home? Okay.

THE WITNESS: To serve me my subpoena, which I happily invited him in and I was down on duty injury at the time, so I wasn't working, so it was nice to actually see someone in law enforcement.

MS. ANSARI: Okay. So you guys had a conversation. Did you talk about what you saw that night?

THE WITNESS: He had some questions, asking me if I observed a -- observed a vehicle that was in -- I believe it was in the Dunkin Donuts.

MS. ANSARI: Okay.

THE WITNESS: I told him no, I [illegible]

recall any vehicle, whatever information, so I guess they were looking into some -- something on that, maybe for potential witnesses of the events or anything of that nature.

MS. ANSARI: Okay.

THE WITNESS: I couldn't assist in that matter.

MS. ANSARI: Okay. So he served you the subpoena, you said July, right? July. About July?

THE WITNESS: Yeah, it was in July.

MS. ANSARI: Okay.

THE WITNESS: I am not 100 percent sure, though.

MS. ANSARI: And there were no other conversations in between that and the one you --

THE WITNESS: No.

MS. ANSARI: -- with any federal authorities until you went to the grand jury.

THE WITNESS: No.

MS. ANSARI: Okay.

///

BY MR. BROWN:

Q. You mentioned the FBI agent asked about witnesses. I just want to ask, on your time at the scene on October 20th, 2014, did you speak to any witnesses or any -- thought to be a witness of the incident?

A. No. I mean we -- you know, I observed the kind of -- what the situation was, tried to assist in any way that I could, and from that point on, I just, you know, spoke to Dan and I spoke to Adam, and that was it. That was it.

Q. Got you.

MS. ANSARI: Did you see civilian witnesses around?

THE WITNESS: No.

MS. ANSARI: Okay. Do you know how the news, the media, got a hold of your guys' names?

THE WITNESS: I don't.

MS. ANSARI: Okay. Just --

THE WITNESS: That's actually a good question. I don't know. I know how they -- how the FBI found us was from a video surveillance. They saw Murphy's vehicle and

then they contacted someone in our department, and then all of a sudden the FBI was calling me on my phone.

MS. ANSARI: Okay. Yes, I think your -- the Cook County video -- your car is on -- or his car is on one of the videos.

MR. BROWN: It wouldn't be a Chicago --

THE WITNESS: I think it was -- I think it was the Dunkin Donuts camera. I think that's were they -- I think they told me they spotted Murphy's car.

MS. ANSARI: Okay.

BY MR. BROWN:

Q. Yes, you can see the vehicle in that video, and then one of the Beat 845 cars for CPD, you can see two -- I believe it's yourself and Officer Murphy. You can see both you guys coming into view, kind of laying the video, but it's really blurry. It's hard to tell, you know, who's who, but it --

A. If I'm allowed to say, it's either us or the state.

MS. ANSARI: Yes, you can tell --

///

BY MR. BROWN:

Q. It was like that. CPD's are blue, you guys are brown, so I was like banking this, banking that is probably them.

Well, knowing we are investigating, do you feel that there's anything that we didn't ask you, something that, you know, you would like to add, we just didn't elicit from you?

A. I -- like I say, I wish I could provide more information. I wish I had more of a role in this, so then I could help a little bit better with whatever investigation you guys are looking into, but unfortunately, I was a -- you know, I was a very small piece of this puzzle here, so I really didn't have much influence on what was going to.

MS. ANSARI: This is very helpful and we appreciate, you know, every -- we've got to gather all the information and everything. It's helpful.

THE WITNESS: Absolutely. I understand.

MR. BROWN: All right. Well, that's all we have. We'll say the time is now 11:50

and this interview is concluded.

(Witness excused.)

CERTIFICATE

OF

CERTIFIED SHORTHAND REPORTER

I, HOWARD N. REISMAN, a Certified Shorthand Reporter of the State of Illinois, CSR License No. 084-000411, do hereby certify that I stenographically reported the proceedings had at the interview, as aforesaid, and that the foregoing transcript is a true and accurate record of the proceedings had therein.

IN WITNESS WHEREOF, I do set my hand at Chicago, Illinois, this _____ day of _____, 2016.



HOWARD N. REISMAN, CSR,

CSR No. 084-000411

Exhibits

Pasqua Exhibit No. 1 3:10 38:7

1

1 38:7
10 24:4,9 30:10
10-8 24:4
100 24:10 43:14
10th 38:3
11:11 4:24
11:50 46:24
15 24:9 30:10

2

2-56 5:17
20 7:5,22
2013 19:7
2014 7:1,5,10,22 41:8 44:4
2015 37:11 38:3 40:16
2016 4:24 7:16
20th 7:1,10 16:6 41:8 44:4
23rd 4:24

3

30 41:19
300 5:1

4

4-john 15:16 16:3, 7,8,11 22:1 34:3
4-sam 15:20
40 41:19
41 23:6
41st 12:20
47th 28:24 29:1 31:5

5

51 23:5
5141 22:17
5150 22:16 23:9
51st 8:15
5th 23:3,17

7

767 5:13 6:23
7:00 7:8

8

800 5:2
845 45:15
8th 26:9

9

9:00 7:8

A

A-n-s-a-r-i 5:9
a.m. 7:8
Absolutely 46:21
accompanied 38:11
accuracy 4:6
accurate 27:24 28:1
acknowledge 18:4
action 15:22
activated 8:22
activity 38:22,23
Adam 8:16,24 14:7 19:21 20:24 21:10 23:7,12 24:19 37:20 39:16 44:11
Adam's 22:17
Adams 5:2
add 46:8
administration 35:6 39:3
advise 24:3
advised 22:8 24:21
agency 15:15,17 16:12 34:13
agent 44:2
ahead 23:14
aid 4:5,17
air 11:23
allowed 41:5 45:21
Amicus 5:1
Ansari 5:8,9 8:7 9:14,19 13:9,12 19:13 21:8,22 25:1,4,9 26:16 27:2 30:13,16 31:14,19 32:4,8 33:17,23 34:24 35:9,17 37:24 38:11,16 40:24 41:22 42:3,5,9,16, 23 43:6,9,13,16, 20,23 44:13,16,20 45:4,12,23 46:17
anticipation 42:6
anytime 28:17
appeared 12:7
approach 21:9,13
approximately 11:8 21:6 24:9 41:19
area 14:22 23:7,11
arrive 12:16 24:12
arrived 16:16 25:8
arriving 11:7
article 37:10,12, 14,15,16 38:4,21
articles 37:20
articulate 37:1
assessment 11:1
assignment 6:24
assignments 6:19
assist 15:16 16:12 23:18 34:9,13 43:7 44:9
assistance 22:5 23:23
assisting 15:14
assumed 6:12
assumption 39:22
attacked 29:19,23 30:1
attacking 25:18
attempt 21:2
attempted 37:3
Attorney 41:24
atypical 34:5
audio 4:7,12
August 40:16
author 16:1 33:10 40:3
authorities 43:21

06/23/2016 PASQUA JEFFREY
IN RE JEFFREY PASQUA

Amicus Reporters info@amicusreporters.com
300 West Adams Suite 800 Chicago, Illinois 60606 888.641.3550

aware 19:24 35:6 37:10,11

B

back 10:6 13:4 24:2,4,5,6 28:24 33:7 35:21
band 13:23 25:17
banking 46:3,4
basically 8:24 39:17
beat 23:5 28:7,8, 14 45:15
beats 33:5,8
beginning 7:15 11:2
bit 6:16 13:4 17:22 18:6 29:16 46:11
block 11:11,13 12:17 14:17,19,20 15:1 20:6
blocked 15:4
blood 12:7
blue 46:2
blurry 45:19
bottle 17:20
breath 11:23 12:8 17:14
breaths 12:5
Bridgeview 7:2 23:2
brought 39:17
brown 4:1,16,19 5:3,14 6:5 8:10 9:20 12:13 14:1 20:4 21:23 25:10 27:3 31:3 32:9 34:1 35:20 38:1,9, 19 41:2 44:1 45:7, 13 46:1,3,23
buddy 21:4
Building 40:23
bunch 22:10

C

call 6:8 8:23 15:16, 20 22:15,24 23:12, 13,14 28:4 34:20
called 6:2 11:18
calling 45:3
calls 28:16,17
calm 17:21
camera 45:9
car 9:18 11:11 17:14 20:6 23:10, 15 28:7,9 45:5,6, 11
cars 45:15
case 23:12 34:19
casings 13:16
CBS 38:3
central 23:6,11
certified 4:3
chain 7:9 35:7 39:5
change 10:8 35:1, 19
changing 34:12
Chapter 5:17
Chicago 5:18 8:17 11:9,16 25:8 37:3 38:3 45:7
chief 38:12,14 39:14,22
chime 22:14
Cicero 8:16 29:1
City 5:18
civilian 44:13
clear 23:1
close 12:19 20:20, 21,23
code 5:17 10:17 15:15 24:4
coded 16:8,11
codes 21:24
colleague 21:10
college 11:17 17:6 19:19,20 25:11
color 12:6
Colors 17:15
comfort 21:11 38:5
comfortable 6:10
command 7:9 35:7
common 9:9
communicate 9:11
compared 15:3
complete 18:14
concern 33:19
concluded 47:1
conclusion 31:23 32:6
conducted 5:16
confidential 4:9
contacted 41:24 45:1
control 28:21
conversation 26:3 28:22 31:11, 14 42:17
conversations 27:10 43:17
Cook 5:12,20 6:21 7:3 9:7,16 15:8 19:6,8 45:5
correct 9:12 16:2, 4,5 19:17 23:20 40:1,15
county 5:12,20 6:21 7:3 9:7,16 15:8 19:6,8 23:17 45:5
court 4:3,7,9 5:1, 3,22 12:10
cover 23:10 28:9
CPD 9:3,7 10:16 15:8 21:12 22:5,11 27:7 31:12 34:3 36:6 45:15
CPD'S 46:2
craft 39:23
Crimes 6:22
curious 20:2 39:4
current 6:18
custom 4:6

D

Dan 11:20 12:1 44:10
Dana 38:15 39:14
danger 10:11,12
Daniel 12:14,15
Dart 38:21 39:1
date 4:24
day 30:1 36:8,10
dead 12:3
Dearborn 40:24
debrief 32:24
debriefed 29:2
debriefing 31:4
December 37:11 38:3
decided 16:23

06/23/2016 PASQUA JEFFREY
IN RE JEFFREY PASQUA

Amicus Reporters info@amicusreporters.com
300 West Adams Suite 800 Chicago, Illinois 60606 888.641.3550

decision 4:14
department 14:22 21:20 34:8 35:15 45:2
Depending 15:19
deputy 38:12
describe 28:8
detail 41:3
details 10:3 37:5,6 39:21
detectives 25:4
determine 15:21
die 26:20
directive 15:10
disclosed 41:10
discolored 12:6
discontinued 4:12
discuss 41:5
discussed 29:8
discussing 31:21
dispatch 8:11 22:4 23:22,24 33:14
distraught 17:10, 13
distressed 17:15
district 23:3,17,19 24:2,6 26:9 28:3, 14
documentation 7:17
documents 41:14
Donuts 42:22 45:9
drawn 37:22
drive 18:18
driving 14:2
duly 6:2
Dunkin 42:22 45:9
duty 42:13
Dwyer 7:11
Dying 38:6
Dyke 17:11,12,24 19:15 27:14 32:18, 20

E

earlier 31:20
earned 6:8
elicit 46:8
emergency 8:22
en 22:12,14
encouragement 18:2
enforcement 42:15
estimate 14:16 24:7
estimated 10:22
event 35:13 41:4
events 7:21 10:8 41:8 43:4
everyone's 28:10
exact 11:4
EXAMINATION 6:4 19:12 20:3
examined 6:3
excused 47:2
exhibit 38:2,7
exited 11:17 13:5
exiting 11:15
experience 19:3
explain 6:15 22:24 26:19
expressing 33:19
extensive 24:11

F

fact 32:21
facts 31:22
fair 11:1
fair-skinned 17:16
fast-paced 10:5
FBI 30:22 40:9,13 41:24 44:2,23 45:2
federal 30:22 40:16,19,24 41:1 43:20
feel 6:9 18:5 34:24 46:6
feet 21:6
figure 18:15,16
final 12:4,8
find 14:23
fine 4:15,16
finished 35:22
finishing 8:18 10:5
fire 21:19
fired 11:7
flew 10:16
floating 23:15
footage 30:3,8,9, 14
forget 20:16
fortunate 37:22
fortunately 36:8
found 44:23
frequency 9:6
friend 11:24
FTO 29:4
full 6:17,20 35:4

G

G-o-e-t-z 12:11,12
gasped 12:4
gasping 11:22
gasps 20:17
gather 46:19
gave 6:16 40:17, 18 41:18
General 5:10
generally 15:6
gentleman 17:16
gist 24:13 36:7
give 6:17 7:23 10:2 39:8
gloves 21:1,17
God 36:12
Goetz 12:1,10 20:7 25:12 26:3 27:4 31:16 32:18, 23
good 6:11 16:23 17:3 22:23 24:17 27:6 28:6,20 29:24 32:13 44:21
grand 30:22 40:16,20 41:11,15, 18 42:6 43:21
gray 12:6
guess 14:9 15:7 16:3 26:18 35:21, 23 36:11 37:21 43:2
guessing 21:18
gun 18:17
gunshot 26:21
gurgling 12:5 20:14

06/23/2016 PASQUA JEFFREY
IN RE JEFFREY PASQUA
Amicus Reporters info@amicusreporters.com
300 West Adams Suite 800 Chicago, Illinois 60606 888.641.3550

guy 18:13
guys 9:6 31:21 42:16 45:17 46:3, 12
guys' 44:17

H

half 11:13 14:19
hand 5:22
handle 29:13
handled 24:14
handling 9:21
hang 26:5
happen 27:1 37:14
happened 11:5 13:18 25:13 31:24 35:24 37:9,13 39:8
happening 14:12
happily 42:12
hard 45:19
head 23:22
hear 10:10 14:3,15 20:14 22:12,14,22 33:18
heard 31:7 32:11
help's 21:4
helpful 46:17,20
hey 36:19 39:7
hold 44:17
home 42:8,10
honest 18:19
Horn 17:9
Howard 5:4

I

idea 22:23
identification 38:8
identify 5:6 19:17
imagine 26:13
inaccurate 6:6
incident 8:2 34:18,20,21 35:1 39:20 44:6
including 4:11
independent 4:3
indication 30:16
individual 11:21 25:18 29:18
individuals 5:5,15
influence 46:15
information 4:2 6:17 13:22 29:11, 17,20 35:4 41:10 43:1 46:10,19
informed 23:21
informing 35:15
initiated 28:17
injury 42:13
inspector 5:10
interaction 27:14
interactions 27:15
interfering 14:24
internet 22:20
intersection 12:19
interview 4:5,8 5:19 7:18 47:1
interviewed 38:13
investigating 46:5
investigation 5:16 24:24 46:12
investigator 5:11 6:7,9,21 7:13
invited 42:12
involved 8:3,8 13:24 14:8 18:9 36:6
involvement 36:16,22 38:24 39:20
issued 38:21 39:1

J

jail 19:8,9
Jason 19:15
Jeff 5:11 6:9 7:17, 20 11:19 38:2
Jeffrey 5:20 6:1, 20
job 15:20,21,24 16:11 25:21 33:3 34:15 36:23 39:12
jobs 33:7 34:9
July 19:7 42:2 43:10,11,12
jumped 8:21 10:19
June 4:24
jury 30:22 40:16, 20 41:11,15,18 42:6 43:21
justified 31:17 32:13

K

kind 7:23 10:4 11:22 13:3,20 15:1,6 16:1 17:18 18:11,14,15 20:10 23:10,11,15,16 24:13,15,18 25:19 26:17 27:5 28:9 29:1,2 36:10 37:7, 13 38:22 41:3 44:8 45:18
knees 21:3
knew 9:1 22:7
knife 13:17 29:18, 23
knowing 46:5
Kristopher 5:3

L

lackluster 36:11
lanes 15:4
Laquan 11:22 12:4 38:5
law 42:15
Lay 38:6
laying 13:1 45:18
learn 29:8
leave 16:24 24:20
leaving 24:5
led 30:23 34:11
left 25:5 26:1 37:4
Leighton 40:23
letters 15:21
level 36:18
lights 8:22 10:17 14:14
limited 29:20
live 36:8
located 5:1
location 11:6
long 19:9 24:7 41:17
looked 12:6 17:10, 13,14,16
loss 12:7

OIG 15-0564 015085

lost 36:10
lot 12:7 18:4 36:17

M

made 12:5 35:1
magnitude 34:14 35:11
make 10:10 18:5 20:15 22:24 31:23 38:1
mandates 15:11
marked 27:18 38:7
matter 4:1 22:6 23:23 37:6 43:8
Mcdonald 11:22 13:12 20:8 21:9 31:6,7 38:5
Mcdonald's 29:1 31:5 33:1
means 23:10
media 35:14 37:23 39:16 44:17
meet 18:4 39:14 42:5
member 7:2
memo 34:16 40:10
memorandums 40:11
memos 40:3
mention 10:1 31:7,10
mentioned 19:5 20:13 21:24 25:11 27:13,21 28:19 30:8 40:12 44:2
messed 26:7,17
met 39:15
Michael 7:11
minute 38:10
minutes 16:14 24:10 30:10 41:20
mistake 33:21
moments 16:13 20:11 31:7
Monday 30:3 32:2
morning 30:3 32:2
move 23:16
multiple 36:9
Municipal 5:17
Murphy 8:17,24 9:1,23 10:1,18 14:7 16:14,24 19:21 20:24 21:10, 16 22:10 23:7 27:21 28:20,23 31:5,10,15,20 32:22 33:1 37:20 45:17
Murphy's 38:23 44:24 45:11

N

names 44:16
narrative 39:23
nature 23:13 39:13 40:11 43:5
needed 16:18 23:19 35:1 37:4
news 17:8 19:16 44:17
nice 42:14
night 7:22 22:16 23:8 33:11 35:22, 24 39:9 42:18
northbound 11:12 13:7
notification 33:13
notified 10:13
notify 22:3 35:23
number 6:18,23

O

observations 13:17 33:10
observed 11:10 13:20 20:10 24:15 42:20 44:7
occurred 7:14,21 14:6,10 18:7 40:13 41:8
occurs 15:10
October 7:1,5,10, 22 16:6 41:8 44:4
Offense 34:20,21
offer 22:5
office 5:9 15:8 27:19 39:17
officer 5:20,21 6:6,12 7:13 8:16 9:22 10:1,2,9,17 11:24 14:8 16:14, 24 17:5,6 18:9 19:1,5 20:7 25:12 26:3,8 27:4 28:20, 23 31:5,10,20 32:18,23 33:1 37:21 38:22 45:17
officer-involved 10:8 22:11
officers 8:18 9:4, 10,17 11:16 16:16 18:12 19:23 21:8, 12,15 24:12 25:8 27:7,10,16 31:12 38:5 39:3,7
official 4:22
Officials 38:6
OI 34:20
OIG 4:11
online 38:4

P

P-a-s-q-u-a 5:12
p.m. 7:8
pale 17:17
paper 15:20,24 16:10 34:5,6,9,14 36:23 39:12
paperwork 16:4 36:23
parked 12:21 13:5 15:2
part 13:9 32:7,10
participated 35:13
partner 9:14 20:23 28:2,9,10
partners 8:16
party 4:11
pasqua 4:13 5:11, 20,21 6:1,7,20 38:7
patrol 7:2 9:17 33:4,9
people 4:20 18:5 33:19 36:11 39:9
percent 24:10 43:14
perpendicular 15:2
person 9:18 26:20
phone 45:3
physically 10:14
piece 13:21 46:14
play 15:11
point 7:12 11:4 17:1 25:5 28:19 40:4 44:10

06/23/2016 PASQUA JEFFREY
IN RE JEFFREY PASQUA

Amicus Reporters info@amicusreporters.com
300 West Adams Suite 800 Chicago, Illinois 60606 888.641.3550

police 5:13 6:22 7:3 8:17 9:17 10:9 16:16 19:8,23 25:18 34:8 37:21
police-involved 8:20
policy 34:12 39:11
position 11:11 12:17 20:5
potential 43:3
practice 4:7
preliminary 4:1
preparation 7:18
present 4:4 5:6,15
press 38:24 39:23 40:13
pretty 20:19 26:21 36:7
previous 39:11
printed 38:4
prior 39:15 40:13
process 14:12
product 4:9
provide 4:4 23:22 37:3 46:9
provided 4:10 36:20
providing 4:2
public 30:20
Pulaski 12:20 13:7
pulled 10:14 11:10 13:3
pursuant 5:16
pursued 8:23
put 20:24 21:16
puzzle 46:14

Q

quarterback 30:4 32:3
question 38:20 44:22
questions 7:23 41:7 42:19
quick 10:7 25:20 39:8

R

radio 10:13 13:23 22:3,13 24:4 25:17
raise 5:22
reactive 14:10
reading 38:18,20
real 25:20 28:12
reason 17:5
recall 12:20 17:2 19:15 21:21 25:6 27:6,10,14 28:22 31:13 32:15 36:1,3 40:7,10,17 41:17 43:1
receive 28:16
recognize 32:19, 20
record 4:8,23 5:7
recorded 4:21
recording 4:8,12
reflect 4:23
Reisman 5:4
relayed 39:21
release 39:1
remember 11:2 16:18 17:4,5,9 18:23 36:5 38:18
rendered 15:17, 18
report 16:1 34:20, 21
reported 7:11
reporter 4:3,10 5:3,22 12:10
reporters 4:7 5:1
reports 33:10 34:18
request 4:11
required 39:12
requires 15:20
resume 33:4,9
return 24:1
review 7:17
rise 36:18
role 46:10
roommate 11:17 17:7 19:19,20 25:12
rough 26:12
route 22:12,15
rubber 21:1,17
rundown 39:8
running 10:16

S

S-a-r-a-h 5:8
safe 25:22
Sam 15:21
sandwich 8:5
Sarah 5:8
scenario 29:3
scene 11:10,14, 16,20 12:16,22 13:6,16 14:2,17 16:16 17:1 19:24 20:5 22:8 23:24 24:6,8,13,14 25:5 26:1 27:7,9,16 28:23 30:9 31:11, 15 32:3,19 33:17, 18 35:5 36:19,20 44:4
sea 25:7
sense 17:18
separate 27:22
sergeant 7:11 24:21 25:2 27:5 35:23 36:4,19 39:6
serve 42:11
served 43:9
service 15:17,18 24:5
severity 36:10
share 9:6
shell 13:16
Sheriff 5:20 35:3 39:1,2
Sheriff's 5:13 6:21 7:3 9:17 15:8 19:8 27:18 38:4
shift 8:4 11:3
shock 17:18 18:14
shoot 29:24 32:13
shooting 8:21 9:2 10:2,8,10 13:10,24 14:8 18:9 22:12 31:16 33:20 36:7,9
shootings 36:9
short 25:20
shot 11:22 18:17, 18 19:2,4 26:18
shots 11:7 14:3
shoulder 20:22
Show 38:2
shown 41:14

06/23/2016 PASQUA JEFFREY
IN RE JEFFREY PASQUA

Amicus Reporters info@amicusreporters.com
300 West Adams Suite 800 Chicago, Illinois 60606 888.641.3550

sign 22:15,24
significance 37:2
significant 36:16
significantly 41:11
similar 34:18
single 9:18
sirens 10:17 14:14
sitting 17:13
situation 10:5,18, 21 15:9,19 16:7 18:7,21 22:9 26:23 29:3,8,10,13,14,22 30:5 34:4,7,11 44:8
situations 36:14
small 46:14
sound 12:5
sounds 20:18 36:15
south 12:22,23 13:1 14:17
southbound 11:12
speak 25:12 36:2 44:4
speaking 27:4,7 37:5 39:15
specific 28:12
speculate 13:19 29:21 32:2
speculating 9:4 29:10
spell 5:7
spoke 9:3 11:24 16:19 24:16 28:20 30:22 44:10,11
spotted 45:11
squad 17:13
star 5:13 6:18,23
start 7:24 8:1,4 19:6 20:7
started 8:4 13:6
starts 7:7
state 45:22
State's 41:24
statement 38:21, 24 39:24 40:13,18 42:7
stay 23:10
step 8:19
Stickney 23:6,11
stop 8:15,18 9:21 10:6 22:5
stopped 8:20 10:18
store 38:12
story 7:24
Street 5:2 6:22
stuff 26:10
subpoena 40:8,12 42:11 43:10
sudden 45:2
Suite 5:2
summarizing 38:22
superiors 37:8
supervisor 16:18
supervisors 24:16
support 9:23 16:4 28:5,15 34:2 36:20 37:3
Suppression 6:22
surveillance 44:24
swear 5:23
sworn 5:24 6:3
synergy 15:7

T

tactical 11:16,24 17:6 26:8
talk 17:23 25:20 26:6,15 30:5 39:2 42:17
talking 36:5
talks 39:3
tape 16:20
Teen 38:6
tells 14:8
ten 10:23 16:14 21:6
term 28:6
testified 6:3 40:19
testimony 41:18
things 15:14 18:13 24:19 27:1,6 30:4
thought 15:1 18:18 39:5 44:5
till 7:8
time 4:22,23 6:13 7:7 10:22 17:17 18:21 19:1,2,16 24:11,20 25:14 26:10,11 27:9 29:14 30:17,19,21 41:23 42:13 44:3 46:24
times 4:19
titled 38:4
to-from 34:16 40:10
today 4:4 5:15 41:12
told 8:20 10:2,18 16:14 17:2 18:8,10 24:19 25:2,16 27:5 37:4 41:12 42:24 45:10
totality 18:21
touch 20:21
touched 37:7
tour 35:22
traffic 8:15,18 9:21 10:6 11:11 12:17 15:1 20:6
tragic 18:7
trained 29:5
transcript 4:5,6 22:13
transcripts 22:18, 20,22
transferred 19:7
transitioned 7:12
transpired 29:10 39:18
transpiring 39:18
traumatic 19:3 20:19 26:22
turned 40:8
type 15:22
types 16:4
typical 34:3
typically 28:8

U

u-turn 13:4
understand 18:20 29:9 35:18 36:13, 22 46:22
understandable 20:1
understanding

06/23/2016 PASQUA JEFFREY
IN RE JEFFREY PASQUA
Amicus Reporters info@amicusreporters.com
300 West Adams Suite 800 Chicago, Illinois 60606 888.641.3550

39:19
unfortunate 26:24
uniformed 25:1
unit 6:18,22,24 7:3
units 9:17 10:16 11:9 22:11

V

Van 17:9,11,12,23 19:15 27:14 32:18, 20
vehicle 8:19,21 9:15 10:6,7 11:15, 18 13:5 15:2,5 25:19 27:19,22 28:4,5 29:19 42:21 43:1 44:24 45:14
verbal 40:6
verbatim 4:4
vertical 15:3
video 30:3,8,9,14, 17,20,24 38:12 44:23 45:5,15,18
videos 30:24 41:15 45:6
view 45:18

W

walk 7:21 10:11 11:15
walked 11:20
walking 10:6 11:21 13:7,15 20:7
wanted 26:15
watch 7:4,7 23:5
watching 26:20 30:14
water 17:20
West 5:1
whatever's 6:11
whereabouts 12:20
whichever 6:9
witnesses 43:4 44:3,5,14
wondering 38:23
word 9:22
words 18:1 20:14
work 4:9 15:7 19:9 34:19
worked 41:4
working 23:7 33:7 42:14
works 28:13
worry 18:2 21:4
wounds 26:21
Wow 18:24 20:20
Wright 38:15 39:14,15,22
writing 40:10

Y

year 7:15
years 11:3 19:10 32:16

06/23/2016 PASQUA JEFFREY
IN RE JEFFREY PASQUA
Amicus Reporters info@amicusreporters.com
300 West Adams Suite 800 Chicago, Illinois 60606 888.641.3550

DON'T LET DEBT BE THE DETERRENT

Find Tips to Manage It Successfully

CBS SMALL BUSINESS PULSE

In Partnership With Bank of America Merchant Services

LIVE: **CBS 2 News LIVE From The Broadcast Center** WATCH NOW

Sheriff's Officer Tried To Comfort Laquan McDonald As Teen Lay Dying: Officials

December 10, 2015 6:51 PM

Filed Under: Dorothy Tucker, Laquan McDonald, Steve Miller, VIDEO

OIG 15-0564 015090

LISTEN LIVE

FOLLOW US ON

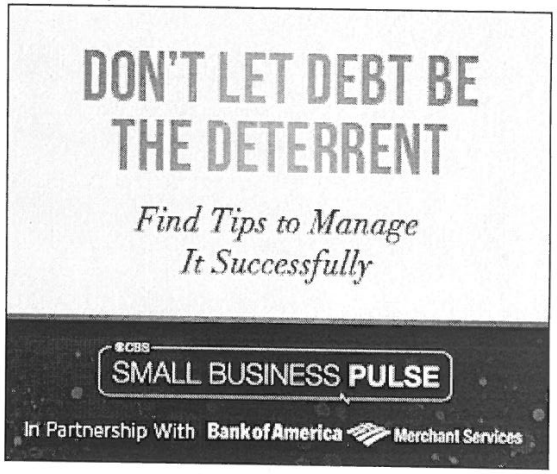
Sign Up for Newsletters

(CBS) – Top officials in the Cook County Sheriff's office say they learned just this week that two of their officers were on the scene last year when a Chicago Police officer shot and killed 17-year-old Laquan McDonald.

10

Sheriff Tom Dart's Chief of Policy, Cara Smith, says Officer Adam Murphy arrived 20 to 30 seconds after Laquan McDonald had been shot, in October 2014, and another sheriff's officer arrived seconds after that.

"The Chicago police (were) clear that they had the situation under control. Our officer, Adam Murphy, did kneel down next to Laquan and urged him to hang in there, that there was an ambulance coming, and believed he died with our officer by his side," Smith tells WBBM's Steve Miller.



PROMOTED STORIES Recommended by



American Drivers Using Cheap Gas Should Read This
LiveSmarterDaily



The Fastest Way To Pay Off $10,000 In Credit Card Debt
LendingTree

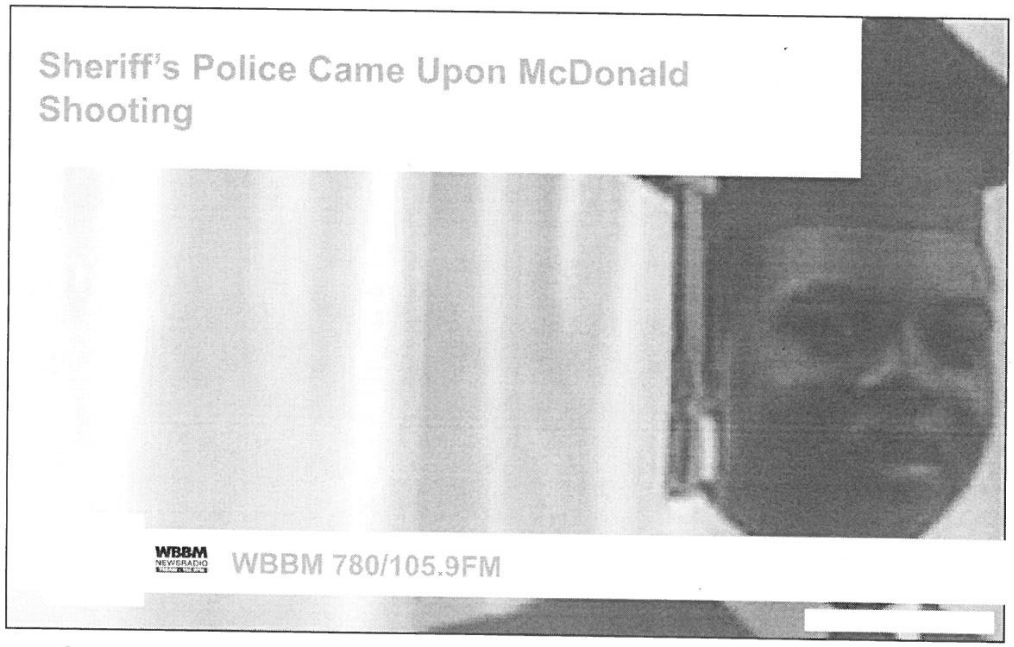


What is an Ocular Migraine
Excedrin

OIG 15-0564 015091

"And then our officers cleared the scene and resumed their normal patrol."

Smith says neither officer made a report but says it was not required. The officers did notify dispatch, she says.



Smith says neither she nor Sheriff Dart was aware deputies had been at the scene until Wednesday evening, when the Chicago Tribune asked.

The FBI contacted the sheriff's officers this past summer. Smith says the officers are cooperating with the investigation.

McDonald is the African American teen whose videotaped death at the hands of a white Chicago police officer has sparked outrage. Dash-cam video released last month has resulted in murder charges against the



MORE NEWS


Bulls Trade Derrick Rose To Knicks


Copa America Match Is Still Set For Solider Field


Teen Driver Fatally Strikes Morris Teacher And Her Husband

Powered by CBS (b)

OIG 15-0564 015092

officer, who fired 16 rounds into the teen.

The video does not support Chicago officers' claims that McDonald, who was carrying a knife, acted aggressively before he was fatally shot.

Dart issued a statement Thursday that, similar to Smith's remarks, tried to sort out the sheriff's department's limited involvement in the case.

The complete statement:

On the evening of October 20th, 2014, two Cook County Sheriff's Police Officers on routine patrol arrived on the scene shortly after the shooting of Laquan McDonald. The officers, Adam Murphy and Jeff Pasqua, offered to assist the Chicago Police Department with traffic control or in securing the scene and were told their assistance was not needed. While at the scene, Officer Murphy was advised an ambulance was en route to provide medical assistance to Mr. McDonald. Officer Murphy subsequently we [illegible] *s of comfort while wa* [illegible] *minutes after ar* [illegible] *a notified dispatch* [illegible] *In July, 2015, Offic* [illegible] *nd have cooperate*



SPONSORED CONTENT

New "half-bike" could be next urban Hipster hit

In a busy city or when taking public transport, an ordinary bike

OIG 15-0564 015093

In the Matter Of:

INTERVIEW OF ADAM M. MURPHY

ADAM M. MURPHY

June 24, 2016

Amicus
court reporters, inc
300 West Adams St. Ste 800
Chicago, IL 60606
Phone: 312.641.3500
Fax: 312.641.3795
Email: info@amicusreporters.com

INTERVIEW OF ADAM M. MURPHY

CITY OF CHICAGO
OFFICE OF THE INSPECTOR GENERAL

IN RE:)
)
THE INTERVIEW OF)
)
ADAM M. MURPHY)

INTERVIEW OF ADAM M. MURPHY

The interview of ADAM M. MURPHY, was taken by NICK W. DIGIOVANNI, C.S.R., pursuant to the applicable provisions of the Municipal Code of the City of Chicago and the City of Chicago Personnel Rules, at 300 West Adams Street, in the City of Chicago, Cook County, Illinois, commencing at approximately 11:10 o'clock a.m. on the 24th day of June, of the year 2016.

INTERVIEW OF ADAM M. MURPHY

There were present during the taking of this interview the following counsel:

CITY OF CHICAGO
OFFICE OF THE INSPECTOR GENERAL, by
Kristopher Brown,
Sarah Ansari,
69 W. Washington St. - Ste. 1420
Chicago, 60602
773.478.3280
kbrown@chicagoinspectorgeneral.org
sansari@chicagoinspectorgeneral.org

On behalf of the City of Chicago Inspector General's Office.

INTERVIEW OF ADAM M. MURPHY

I N D E X

THE WITNESS PAGE
ADAM M. MURPHY

Examination by Mr. Brown 5

INTERVIEW OF ADAM M. MURPHY

MR. BROWN: Let the record reflect today's date is June 24, 2016. The time is 11:09 a.m. We are located at Amicus Court Reporters, 300 West Adams, suite 800, Chicago, Illinois.

My name is Kristopher Brown. The court reporter is Nick DiGiovanni, and I'd ask the other individuals who are present to identify themselves and spell their last name for the record.

MS. ANSARI: Sarah Ansari, A-n-s-a-r-i, the Office of the Inspector General?

THE WITNESS: Investigator Murphy, M-u-r-p-h-y, Cook County Sheriff's Police.

MR. BROWN: There are no other individuals present.

We are here today pursuant to an investigation being conducted under Chapter 2-56 of the Municipal Code of the City of Chicago. We're here for the interview of Cook County Sheriff Investigator Adam Murphy.

Investigator Murphy, would you please raise your right hand, and the court reporter will then swear your in.

(Witness sworn.)

MR. BROWN: Q Investigator Murphy, is it okay to call you Adam?

THE WITNESS: Yeah, absolutely.

MR. BROWN: Thank you, Adam.

We'll start off with background type questions, and then we'll get in to the actual night.

THE WITNESS: Okay.

MR. BROWN: All right.

ADAM M. MURPHY,

called as a witness herein, having been first duly sworn, was examined upon oral interrogatories, and testified as follows:

EXAMINATION

by Mr. Brown:

Q Adam, can you give us your full name, your star number and your current unit of assignment?

A Adam Murphy, A-d-a-m, M-u-r-p-h-y; star 566; Cook County Sheriff's Police Department assigned to the central intelligence division.

Q How long have you maintained that

assignment?

A That's only been for three months.

Q What did you do prior to this assignment?

A Prior to that I was with the street crime suppression unit.

Q How long were you doing that assignment?

A Two years.

Q Okay. Two years.

When you were with the street crime suppression unit were you still an investigator or were you an officer then?

A Investigator.

Q What did you do prior to the street crime suppression unit?

A I was on patrol.

Q Were you an officer then?

A Yes, officer.

Q Got you.

How long were you an officer?

A At that time, five years.

Q Five years?

A Yes.

INTERVIEW OF ADAM M. MURPHY

Q So about 2009?

A 2008 is when I started, yeah.

Q Got you.

When did you start with Cook County?

A In 2006. I started as a correctional officer at 26 and Cal.

Q Then you went from officer and then to investigator?

A Yes, correct.

Q All right. What was your unit of assignment on October 20, 2014?

A I was a patrol officer.

Q What watch were you on that day?

A The third watch they call it -- or actually -- I'm sorry.

They call it the first watch -- the overnight midnight shift.

Q Did that shift start at 9:00 p.m.?

A Yes.

Q Do you recall what your chain of command was back on October 20, 2014?

A Yes.

Q Just who was your immediate supervisor?

A That night it was Sergeant Dwyer.

Q Sergeant Dwyer?

A Yes.

Q Adam, did you review any documentation in preparation for your interview today?

A I did not.

Q Now we're going to talk about the events of October 20, 2014, and we'd like you to detail us on what happened that night starting off with when you first became aware of an incident occurring, how were you informed of it, and then your steps to get to the scene; and Sarah and I will follow up with questions as you kind of go through the details.

A Okay. I'm not really sure what time it was. I believe at the intersection of Cicero Avenue and Archer I saw several Chicago police units running code or going with their lights and sirens. I decided I'd follow them to see where they were going.

I think we wound up -- we went down to 147th I believe -- not 147th. Just 47th. I believe we went eastbound and we zig-zagged a couple streets and came out in the Pershing area.

Once we arrived there were several cars parked. I pulled behind on the right-hand shoulder of northbound Pershing I think it was -- Pershing goes the other way.

MS. ANSARI: Pulaski?

THE WITNESS: A Northbound Pulaski. I pulled behind another squad car. I got out of the car, and I just walked up to the scene to see what happened.

MR. BROWN: Q Okay. Do you recall any of the landmarks that were there that night that you might have parked near?

A No.

I know that when we talked to the FBI we were parked in front -- or just south of the Dunkin Donuts.

Q South of the Dunkin Donuts is where you parked?

A Yeah, right in that vicinity there.

Q You see the officers with their lights and sirens. You decide to follow them?

A Correct.

Q Is that just like an inter-governmental courtesy? Like if you see lights and sirens, you

offer assistance and they would do the same?

A Yes.

Q Is there any like policy or any -- anything dictated that says like you need to do this or you need to do that?

A I don't believe there's an actual policy that says you must do it. I think it's a courtesy that officers -- if they need assistance, you usually go and lend a hand.

Q Had you heard anything on the radio frequencies prior to seeing the officers traveling?

A No.

I only monitored our own band. I don't monitor any other bands. We don't have any capability like that.

Q Okay. I didn't know if there were shared bands.

A No. Sometimes I wish.

Q You see the officers. You follow to provide assistance. You get to Pulaski. Park roughly near the Dunkin Donuts. What do you do after that?

A At that time I get out of the car. I go up. I see several Chicago officers. Some were

standing around. Others were walking up to them. And then I see a subject laying on the pavement.

Q Was the subject who you have come to learn was Laquan McDonald?

A Yes.

Q So you see -- you see the CPD officers. You see McDonald. Do you speak to any of the CPD officers there?

A Yeah. I asked what happened, is everybody okay; and that was it.

Q Do you recall any specific conversations with any of them?

A No. That was the thing. Everybody was just kind of talking to themselves.

You're an outside agency. So they don't really want to talk to you. You just go there and say, you know, you guys need help, you know, is everything okay; and they say oh, yeah, can you do this or this. Usually they're kind of like, no, we're good.

Q In this instance that was the case? You were asking if they needed assistance and they were saying they were good?

A Not at that time. At that time

everybody was just standing there. Nobody really answered me if they needed help or not.

Q Is that typical?

A Sometimes it is. With Chicago it is. When they have several things going on they don't like to talk to other people.

Q I hear you. I hear you.

You speak to a couple officers just to kind of ask them how they're doing. It sounds like they didn't really give responses to you?

A Correct.

Q Then you proceed to go to, I guess, look at Mr. McDonald?

A Correct.

Q What do you do when you get to Mr. McDonald?

A When I go up there I see that there's blood all over the pavement. He was kind of gurgling when he was sitting there. I remember his mouth was going open and closed like he was trying to gasp for air.

And I looked for everybody else, and they were kind of standing there. I just

started taking my gloves -- my rubber gloves out to check for a pulse and to see if I could render aid.

Q Did you do that? You did take out your gloves and check for the pulse?

A This is where I don't remember too closely. I know I got down next to him. I remember seeing him kind of go lifeless.

I don't remember if I actually reached out and grabbed on to him, but I know I was right next to him. I heard somebody say that the ambulance was in route. So I was letting Laquan McDonald know to hang in there, that the ambulance is coming, you know, they'll be here soon.

Q At any point when you were talking to Mr. McDonald did he respond back to you?

A No. He was just like -- again, he was just opening and closing his mouth trying to gasp for air.

Q Were there any other CPD officers, I guess, assisting you in trying to provide aid or comfort to Mr. McDonald?

A No.

Q Did you see anyone else with a -- like you mentioned you put gloves on.

INTERVIEW OF ADAM M. MURPHY

A Correct.

Q Did anybody else have any gloves on?

A Not that I can recall. Not that I remember.

Q Before you walked up to McDonald was there any other CPD officers monitoring him or looking at him?

A No. They were just standing around. They were just standing there. Nobody was going up to him.

That's why I felt that I needed to go up to him.

Q Right. How long were you next to Mr. McDonald, if you could estimate?

A Not that long. Maybe less than a minute before he expired.

Q Got you. Okay.

So after he expires I'm guessing you get up?

A I did.

Q Did you then go and speak to anyone else?

A I did.

At that time Jeff Pasqua -- who

you guys interviewed yesterday. He was on scene. I talked with him, and he was talking to another officer that was there.

I don't remember who exactly I found out from that it was an actual shooting, but then the guy who -- I guess Jason Van Dyke is his name now. I saw him pacing back and forth in front of his car, his police car.

I know from previous training that during a shooting situation your heart rate spikes. Your blood pressure spikes. There's a potential that you can pass out. There's a potential of harm to yourself.

I simply went over to him. I saw him pacing back and forth. I just told him to sit down in the car. I heard several officers telling him call your union rep, call your union rep.

I told him whatever you got to do you can do, but sit down and do it because it's not good for you to keep walking around. So I made him sit down in the passenger seat of whatever squad was sitting right there.

Q When you saw the officers speaking to Van Dyke telling him to call his union rep do you

recall any specific officers that did that?

A No. I just heard it.

If I remember correctly, I think I was the only one next to Jason Van Dyke at the time. I heard the voices. I remember there was a couple different voices saying call your union rep, call your union rep.

Q They were generally just calling out?

A Yeah, call your union rep, hey, man, call your union rep.

Q Was it clear to you at that time that Mr. Van Dyke was involved in the shooting?

A Yes.

Q Had anyone told you that or did you instinctively feel this is what happened here?

A Yeah. I don't remember if somebody said it was a shooting or what happened or how it happened, but I remember seeing him and somehow it pointed to him. I don't know if I made that inference or if somebody actually told me. I just knew it was him because he was walking back and forth in front of his squad car.

Q Other than hearing other people speak out to Van Dyke to call his union rep did you hear

any other comments that were directed towards Mr. Van Dyke?

A No. I don't remember.

Q Do you recall ever seeing anyone come up to him and speaking to him?

A Yeah. There was another officer that came up and spoke with him. I think he went and spoke with a sergeant when they came on scene. But that's all I remember.

Q Were you able to hear any of that conversation?

A No, nothing.

Q Got you.

Okay. You yourself told Mr. Van Dyke, because of your training, it might be best for you to go sit in your vehicle?

A Right. Sit down, relax.

I think I told him to drink some water, and I told him to sit there until the sergeant showed up; and I turned around and left once he was sitting down and everything -- once the sergeant came I remember he tried to stand up. He stood up to go talk to him. That's when I left the scene.

Q Was Van Dyke responsive to you at all?

A A little bit.

He did sit down. I told him to relax, you're all right, sit down. I tried to comfort him and got him to sit down because your blood pressure spikes in shooting situations like that, like I said.

Q When he went to sit down was he by himself?

A Yes.

Q No one else was in his cruiser?

A You know what, I don't think so. I think he was by himself.

I made him sit in the passenger's seat of whatever squad was there. I don't know if it was an SUV or what.

Q Did Van Dyke ever respond to you with any sentences or anything?

A Not that I remember.

Q It did appear he understood what you were saying as he walked towards his vehicle?

A Yes.

Q Did he ever say thank you or anything to that effect?

A No. I think he was just in shock at that time.

Q Okay. If you could estimate how long this process was where you were talking to him and then he comes back to his car. How long did that take?

A That was another minute, maybe two minutes. It wasn't that much.

Q Okay. And just -- I'm pretty sure I know the answer, but I just want to make sure.

By the time you get to the scene everything had already occurred, correct?

A Correct.

I didn't even find out that he shot that many times until, you know, Jeff had sent me the article in January of this last year. I had no clue. I just thought it was a regular shooting. I had no clue.

Q Did you hear any shots while you were inbound to the scene?

A No.

Q So it's all done before you got there?

A It was done before I got there.

Q Got you.

You said there was a number of officers on the scene before you got there?

A Correct, yeah.

They had started -- the officers that I was following once we got there they had started -- everybody started like blocking off the streets and everything like that, and everybody just started filing in from both sides. I remember them coming from the north and the south. There was just cars that kept coming.

Q After you spoke to Van Dyke to inform him it might be a good idea to come and sit in his squad car what did you do after that?

A After that, like I said, I told him to sit down, maybe drink some water or something; and once a sergeant got there I left. I went back and I started talking to Jeff. And Jeff had a friend, I guess, that he knew on the department. So I talked to him, met him, and then after that we left.

Q What was that conversation like with Jeff?

A He was just, hey, this is my buddy from college. I don't even remember what his name is.

I go, hey, nice to meet you,

blah, blah, blah. He was Jeff's training officer. So he said this guy is the one that trained me, blah, blah, blah; and we talked about some nonsense, and that was it.

Q Was there any conversation related to the shooting of Mr. McDonald?

A No, no. Nothing.

Q Okay. And when I say that I mean between either yourself and officer Pasqua or yourself and the other CPD officer that was speaking with Officer Pasqua.

A Just, man, this is messed up, this is, you know, gruesome kind of thing.

It wasn't anything about what had happened. The guy that showed up showed up way after we did. So I know he wasn't there for it. I wasn't there and neither was Jeff. Jeff came up behind me.

Q You arrived on the scene first, then Jeff?

A I think Jeff said, when he saw me going, he just jumped in and followed me.

Q On your way to the scene you pass Jeff. He was doing something?

A Yeah, I think he was down at Cicero and 47th when he saw me. I think he jumped in and followed me.

Q You didn't radio him and say come to the scene, I heard a shooting or something like that?

A No.

Q Do you recall who made the comment about this was a gruesome and such and such? Was it Jeff or was it the CPD officer?

A No. I think it was Jeff. Yeah, I think it was Jeff.

We had talked about it all night because after it happened we were talking about it throughout the night and even in to the morning time. We were talking about how, wow, that was kind of messed up.

Because we were both there when he expired. So it was kind of a weird thing to go to. And Jeff being almost brand new at the time, it was something you don't see every day.

MS. ANSARI: You mean messed up just because someone passed away?

THE WITNESS: Right.

MS. ANSARI: Not the actual action of how he got shot because at that point you didn't know?

THE WITNESS: At that point I had no clue. I didn't know there was 15 shots or 16 shots. I didn't know anything about the case.

I knew there was a shooting. Van Dyke was pacing back and forth. I assumed he was the shooter at that time. I talked to him and that was it.

MS. ANSARI: Did you have any conversations about -- about you being the only person to actually approach McDonald?

He was still alive when you got there and no one else was offering any kind of comfort to him except for you. Did you talk to anyone about that? What is your opinion on that?

THE WITNESS: I know from previous trainings and previous conversations with people that lawsuits come in to play when you fail to act, your failure to render aid. I remember there was like a -- there was a case that I remember -- I think it was in Florida. It was an officer that -- there was a drowning victim, a person drowning. The officer stood by because that officer I guess couldn't swim.

So they didn't go in to the ocean to save this kid.

And I remember he got a lawsuit, and then that's what came up, the failure to render aid no matter what. It was a suspect they were chasing that jumped in to the ocean.

I remember that case, and from then on anything that happens the cops are to render aid. So if I saw nobody was there, I'd go over to the scene so that I didn't get in trouble for not rendering aid.

MS. ANSARI: Is that a Cook County -- is that actually like a policy in Cook County for the Cook County Sheriff that you must render aid?

THE WITNESS: I'm not sure if it's actually -- if it's an actual policy of the Cook County Sheriff's Office. I just know that that's a personal policy, seek to render aid first and help somebody before anything else.

MS. ANSARI: Do you know -- are you familiar with if there's any CPD policies or other police -- do you know if there's like policies not to render aid because they don't want you to do something medically incorrect?

THE WITNESS: That I don't know. I don't

know if anybody -- I'm not sure if any other departments or anything have that same thing.

I just know, like I said, if I can offer assistance, even if it's just to offer a little comfort or whatever, I'll offer whatever I can do.

MS. ANSARI: And what's your opinion on how it went down at the scene?

THE WITNESS: Like you were saying before, you don't know if that's their policy or not. I didn't think anything of it. It could be their policy not to render any aid. I don't know what their policy is on their end.

I saw nobody doing it. So I figure I would get down and see if I could offer some kind of assistance.

MS. ANSARI: Okay.

MR. BROWN: Q So I think you were telling us that you spoke with Jeff while you were still on the scene?

THE WITNESS: A Um-hum.

Q His friend who was there, the CPD officer --

A Um-hum.

Q -- Do you recall any of that conversation or if there was a conversation there?

A Like I said, I don't remember the exact words. I just know that it was just simple, hey, how you doing, this is my friend from college -- or whatever, however he knows the guy -- and then I met him and he goes, you know, he lives by me or something like that.

So it wasn't anything about the case. It was just small talk about I just meeting him.

Q Got you.

Did you know or recognize any of the officers that were on scene?

A No, I did not.

Q And when you pulled up you were in a marked sheriff's office vehicle, right?

A Unmarked.

Q Oh, it was an unmarked vehicle?

A Yeah, plain white Ford interceptor.

Q Got you.

Okay. While you were on the scene do you recall if you spoke with any detectives?

A No, I did not talk to anybody else.

Q Okay.

MS. ANSARI: Did you see detectives on the scene? Were they starting to arrive while you were there?

THE WITNESS: There was a load of officers and everybody coming on scene. That's when I decided to back off.

I know that the fire personnel had come. I didn't want to get boxed in. Because they started putting the tape around the scene. So once they did that I didn't want my car to get stuck in and not being able to leave; and that's when I told Jeff we probably should get out of here, and we left.

MR. BROWN: Q That was a quick conversation between you, Jeff and his friend that happened?

THE WITNESS: A Yes.

Q Can you estimate how long you were on the scene?

A I think it was 11 minutes. I think -- once everything came out, the dash cam video and then the time that I went 10/8 on the radio, I think it was like 11 total.

Q Just for the rest of us, can you explain what the 10/8 refers to?

A Going clear from the scene, being back in service.

Q Had you made a radio notification that you were approaching the scene to offer assistance?

A Yes.

Q What does that -- what does that include?

A I just notified our dispatch that I was out with several CPD units.

Q Got you. Okay.

And once you're done with the scene, if it's a 10/8 does that require you to file any paperwork or to author any reports related to your observation?

A So I went 10/8, and then you're supposed to give a disposition code.

At that time CPD had the scene. I just went to make sure if they needed help. They said no.

And I attempted to render aid. I think I said he expired. At that time we left. There was nothing to do.

So I gave a code of -- they call it four John, which is no assistance needed. It's assist -- the four part is assist other agency and then the John is no further police necessary.

Q So you didn't have to author any reports when there's a four John while you were on the scene. Did you see any of the video of the shooting?

A No. In fact, I didn't even know they had squad car video. I thought they were still without squad car video. I had no clue they even had it.

Q Got you.

I know you mentioned that you heard some officers just yell out to Van Dyke, call your union rep, call your union rep.

A Um-hum.

Q Do you recall hearing any officers making comments like, oh, this is a good shooting, this is a bad shooting or any kind of concern about the shooting?

A You know what, I don't remember. Like I said, I was just focused on Van Dyke and making sure he didn't pass out walking around.

Q Right.

A So...

Q You might not even know who his partner was, but did you see his partner around him at that time?

A No. Like I said, he was by himself pacing back and forth; and I don't think there was anybody else in the car. So...

Q He was just pacing behind the squad car?

A Yeah, in front, on the passenger's side.

Q Passenger's side?

A Yeah. Because I remember the car was parked facing southbound on Pulaski there; and then the door was opened, and he was pacing back and forth there. That's when I just told him to sit down in the passenger's seat.

Q Do you recall if he was saying anything or muttering anything to himself?

A No. That's the thing. He was breathing heavy and walking back and forth, and he looked like he was in distress too.

Q So after you and Jeff speak and make a

decision like it's probably a good idea for us to leave, what do you do after that?

A We leave. We go 10/8 from the scene. We clear the scene and we went back to our beat, which is Cicero and 47th.

Q Okay.

MS. ANSARI: When you were on the scene did you hear anyone call an ambulance?

THE WITNESS: Somebody had said that an ambulance was in route.

MS. ANSARI: Okay.

THE WITNESS: I heard that part, yeah.

MS. ANSARI: While you were there did an ambulance come?

THE WITNESS: No. Actually, I think that's why we decided to leave in the first place. Once we started to see the ambulance and the fire truck show up I think that's when we decided that it was time for us to skedaddle.

MS. ANSARI: Did you and Jeff debrief after you left the scene?

THE WITNESS: I think we met for dinner later on in the night. We kind of talked about how it was a messed up scene to have somebody pass away in

front of us, but other than that there was no official debriefing.

MR. BROWN: Q Nothing like this is a training opportunity, hey, this is what we do if we had a situation possibly similar to that?

THE WITNESS: A No, not that I recall. I think we might have said something along those lines. I don't remember. It's been almost two years now.

Q Exactly. It's hard trying to recall at this point.

So you did your debrief during dinner. Then you resumed your normal patrol?

A Correct.

Q You didn't have to type any reports or anything of that nature. Did you have to inform your sergeant as to what occurred?

A I think we did. We informed him what happened that next morning.

Q And did he have any particular response for you?

A Not that I remember. I don't remember exactly what his comments were.

Q His response definitely wasn't you need

to type a memo about whatever you did?

A No. We would have done it right then and there.

Q Got you. Got you.

So after that next day what's your next involvement related to the McDonald shooting?

A The next involvement was a phone call in about June or July. I think it was the end of June. There was a phone call from an FBI agent.

Q They called you while you were at work?

A You know what, my sergeant had advised me that he had received a call from the FBI looking to talk to me, that he had given them my cell phone number and I should expect a call from them.

Q What did they want to talk to you about?

A The same thing as this here. They wanted to know if I could come in and be interviewed and talk to them about what happened.

And then I think we did a phone interview actually, and at that time he asked me to come in for a grand jury.

Q So you did a phone interview. Do you

recall the name of the agent that did -- conducted the interview?

A Jeff -- it's Jeff something. I don't remember what his last name is.

Q That's okay.

A First name is Jeff. Because I know he called Jeff too. I remember it was Jeff something.

MS. ANSARI: That is fine.

MR. BROWN: Q Generally he was asking you the same questions that we're asking you, what happened that night and what did you observe?

THE WITNESS: A Yes.

Q So you had a telephone interview with the agent Jeff and then he asked you to come in for grand jury testimony?

A Correct.

Q Did you ever have a subsequent interview with Jeff, like an in-person interview?

A I don't think so, no.

The next time I met with him he met me out in front of the court house to give me a subpoena to come down to the grand jury.

Q Okay. And that was likely in July 2015 as well?

A Yeah, that was the beginning of July.
Q Okay. So when did you actually give testimony -- the first question would be did you give testimony before the grand jury?
A Yes.
Q Do you recall when that occurred?
A I don't remember the date.
Q Okay.
A I'm sure it's in my e-mail. If you want me to look, I can find out.
Q Approximately, if you know.
A I think it was July 2nd.
It was right after Jeff's. What was Jeff's? The 2nd or the 3rd? I think mine was right after.
MS. ANSARI: I think he said August.
THE WITNESS: Maybe it was August.
MS. ANSARI: It was the summertime. An approximation is fine.
THE WITNESS: Yeah, I don't -- I can look back in all my stuff. I'll find it for you guys.
Did we get notified in July? That would have been '15, right, August of 2015?
MS. ANSARI: Um-hum.

MR. BROWN: Yes.

THE WITNESS: I'd have to look it up on the system at home.

MS. ANSARI: Adam, you know, that's okay. The approximate dates are fine. The summer 2015 is fine.

THE WITNESS: All right. Cool.

MR. BROWN: Q Did you give testimony before the grand jury?

THE WITNESS: A Yes.

Q Do you recall where you gave that testimony?

A The Dirksen building, the federal Dirksen building.

Q Okay. Did you do any kind of preparation before you gave testimony?

A No. They had me come in and said, all right, you're up and then walked me in.

Q Did you read a prepared statement?

A No.

Q You just answered questions as they were posed to you?

A Correct.

Q Okay. Were you shown any documents

while you were giving testimony?

A No, I don't think so.

Q Okay. Were you shown any video of the shooting or related to the shooting?

A Not at that time, no. Because everything came out in the news. That's why I didn't even know they had cameras until it came out in the news that they had all these cameras out.

Q Generally they were just asking your observations of what occurred that night?

A Correct.

Q Without getting specific as to how you answered each question is it safe to say that the answers you gave to the grand jury are the same answers you've given to us here today?

A Yes.

Q Okay. And one thing I forgot to ask you. While you were still on the scene did you speak to any civilians?

A No, no. There was no civilians there.

Q You don't recall seeing any civilians kind of --

A No.

Q -- Milling about?

A No.

Q Got you.

A A sea of CPD.

Q So you give your grand jury testimony. Do you have any, I guess, further contact related to the McDonald shooting after that point?

A At that point nothing until it all came out in the news.

Q Okay. Do you know what prompted that news article, like how anyone learned of your involvement?

A Allegedly when -- I mean, I don't know exactly how. But allegedly the video shows our squad cars, I guess, on there when we're first pulling up. It shows my squad car there.

So -- but it's unmarked. They had Sheriff's Police on it. Other than that, I have no clue.

I know the FBI found out. I think because they saw video surveillance from whatever. I think the Dunkin Donuts that was right there. They had video surveillance. I think that's when they saw there was a Sheriff's Police car, and then they further inquired as to what was going on.

Q Do you recall seeing yourself and Jeff on one of the beat car's videos?

A I think the -- in the car that's right in front of Laquan, when we come up there you can actually see me taking out my gloves and putting them on. I think in the one video you can. That's the one that's big circled with me in there and saying what is Cook County doing in there.

MS. ANSARI: Is that in the news article, you actually bending down and putting on the gloves?

I saw the video.

THE WITNESS: Yeah. At the -- I know they saved all the -- they had the four videos from each one of the cruisers, and then they all stopped right after I get there or right after I'm about to put on the gloves. Then it stops. It doesn't show anything else.

That's why I saved all the articles, to see if I could see if there's anything else to see me. And they give times and everything.

MR. BROWN: Q Okay. Right. So the article comes out. Does that lead to any reports or is there any kind of contact with you?

THE WITNESS: A That leads to -- yeah -- me

being contacted by the department, asking, you know, why didn't you do a report this night, what happened, what was going on and them asking the same questions that you are.

Q Were your -- was your chain of command aware that you had been contacted by the FBI?

A Sergeant Dwyer, the same sergeant was the one that told me that the FBI was going to call; and then once I got the subpoena I gave him a copy of the subpoena so that he knows that I'm going at this date and time to testify in the grand jury. So he knew I was and that Jeff was going as well.

Q And he was aware that you eventually gave testimony for the grand jury?

A Right.

Q And so you had like a conversation afterwards?

A Yeah. After I was done I called him because I think I was on duty that night. So, all right, I said I'm done here, where are we meeting, and I drove to wherever we were meeting at.

Q Were you surprised that your superiors would come to you after the article comes out and ask you what happened?

A I get it. They were kind of -- you know, they were surprised by the whole thing. Once the news starts asking questions and they have no answers, then they look kind of foolish. I get it.

But at the date and time I didn't do anything. I didn't actually render aid. I think I went to go try, and he expired.

So the only thing that the report would show was that I arrived on scene, I attempted to render aid, I went 10/8, and that was it. So that's everything this I basically said. I'm here, okay, now we're 10/8. It would be the same report.

I didn't think anything further should have been written. There wasn't anything else that I witnessed or anything else that would have been detrimental to the case.

Q Do you recall having any involvement in the Cook County Sheriff's, I guess, press statement that was issued?

A They had brought me and Jeff the day that it -- the day that we released -- I guess the Cook County Sheriff's office released a press statement. They had brought us there, and our first deputy chief, Dana Wright, had questioned us along

with some other people that were there. Other bosses, deputy chiefs, they had questioned us and they were telling the news article what to say -- or our media relations people or something like that.

Q You definitely didn't draft the press release, did you?

A No, absolutely no. That's way out of my league.

Q From the best of your understanding, can you summarize what information you gave to Chief Wright and the other deputies?

A They asked questions about what happened that night. We told them, and they did whatever they wanted on the news article.

Q Even after the fact, after that press release were you ever asked to author a memo or any kind of report?

A No, I don't think so.

Q Okay. Do you recall any changes to policy occurring after the article came out?

A Not that I'm aware of.

I know that there was talk that any time you're going to assist another agency that you have to write a report, a written

every -- we've been doing -- what do you call it -- um -- doing something inside of Chicago where we go to the different Chicago districts. They call it a Chicago initiative.

They brings us up in certain districts, and we basically saturate that area for the time being. So I know at that point that after all this came out we were told by our supervisor that, you know, any time you come in to contact with Chicago on anything make a full written report about it. I think I made two after that.

Q So it sounds like a policy was put in place?

A I don't know. I don't know if an actual policy came out or not. The sergeant had just said just do a report every time you come in contact with Chicago.

Q Okay.

A Okay.

Q Is that still the practice today or did it kind of fall off?

A I have no clue. I haven't been out there in a while.

Q As an investigator I'm guessing you're

not in the field as much as when you were an officer?

A Correct.

Q Got you.

MS. ANSARI: Was there anything that the FBI or State's Attorney and the grand jury -- was there anything they asked that we haven't elicited today or anything else you talked about besides what you told us? Are we missing anything?

THE WITNESS: No, not that I can recall. This is already a year after I testified there almost.

MS. ANSARI: Right.

THE WITNESS: Not that I recall. These are pretty much the same questions that they asked.

MS. ANSARI: Okay.

THE WITNESS: I remember in the grand jury -- for the federal grand jury there was some guy -- I'm guessing it was his lawyer, Laquan McDonald's lawyer. Because he was asking a bunch of questions while we were there, but they were the same questions that you guys are asking.

MS. ANSARI: Okay.

MR. BROWN: He was asking questions of you?

THE WITNESS: Yeah. There was somebody there. Like I said, I assume -- the questions he was asking were why didn't -- the same thing you guys asked -- why didn't the other officers render any aid or why didn't they help out. I don't know. I don't know what their policy is.

MS. ANSARI: Actually I was thinking, when you were down by him -- could you tell he had been shot 16 times when you were down by his side?

THE WITNESS: No.

MS. ANSARI: Okay.

THE WITNESS: So I've been on a couple of scenes wherether people are dying or there's blood. There's -- the blood pool was thick. And usually when there's a certain mucous that's inside it, that's when you can tell it's a serious wound, it's a bad wound.

When I kneeled down and I saw that pool of blood I knew there was a serious something that happened. I couldn't tell there was any gun shots.

MS. ANSARI: Understood.

MR. BROWN: You saw the mucous?

THE WITNESS: The mucous mixed in with the

blood. That's when you know it's serious. That only comes out with a dying thing, at least to my experience.

MR. BROWN: Okay. Well I think that's it.

Knowing what we're looking for in this investigation, if you don't have anything else to add that we didn't ask you, that will be it.

THE WITNESS: Thank you very much. I appreciate it.

MR. BROWN: The time is now 11:51, and that will conclude this interview.

Thank you, Adam.

THE WITNESS: Thank you.

MS. ANSARI: Thank you, Adam. We appreciate it.

INTERVIEW CONCLUDED

STATE OF ILLINOIS)
) SS.
COUNTY OF C O O K)

The within and foregoing interview of the witness, ADAM M. MURPHY, was taken before NICK W. DIGIOVANNI, C.S.R., at 300 West Adams Street, in the City of Chicago, Cook County, Illinois, on the 24th day of June, the year 2016.

The said witness was first duly sworn and was then examined upon oral interrogatories; the questions and answers were taken down in shorthand by the undersigned, acting as stenographer; and the within and foregoing is a true, accurate and complete record of all of the questions asked of and answers made by the aforementioned witness at the time and place hereinabove referred to.

The undersigned is not interested in the within case, nor of kin or counsel to any of the parties.

Witness my official signature in and for Cook County, Illinois, on this 30th day of June, the year 2016.



NICHOLAS W. DIGIOVANNI, C.S.R.
License No. 084-003060
300 West Adams Street, Suite 800
Chicago, Illinois 60606
Telephone: 641-3500

1

10/8 27:23 28:2,14, 17 31:3 41:10,12

11 27:21,24

11:09 4:2

11:51 46:10

147th 8:22

15 23:4 35:23

16 23:4 45:9

2

2-56 4:16

20 7:12,22 8:8

2006 7:6

2008 7:2

2009 7:1

2014 7:12,22 8:8

2015 34:23 35:23 36:5

2016 4:2

24 4:2

26 7:7

2nd 35:12,14

3

300 4:3

3rd 35:14

4

47th 8:22 22:2 31:5

5

566 5:22

8

800 4:4

9

9:00 7:19

A

A-d-a-m 5:21

A-n-s-a-r-i 4:9

a.m. 4:2

absolutely 5:3 42:7

act 23:19

action 23:1

actual 5:6 10:6 15:5 23:1 24:15 43:15

Adam 4:19 5:2,4, 11,18,21 8:4 36:4 46:12,14

Adams 4:4

add 46:7

advised 33:12

agency 11:15 29:3 42:23

agent 33:10 34:1, 14

aid 13:2,20 23:20 24:4,8,10,13,17,22 25:12 28:22 41:6, 10 45:5

air 12:22 13:18

alive 23:13

allegedly 38:12, 13

ambulance 13:11, 12 31:8,10,14,17

Amicus 4:3

Ansari 4:9 9:5 22:22 23:1,10 24:11,19 25:7,17 27:3 31:7,11,13,20 34:8 35:16,18,24 36:4 39:9 44:5,13, 16,23 45:7,11,22 46:14

answers 37:14,15 41:4

approach 23:12

approaching 28:6

approximate 36:5

Approximately 35:11

approximation 35:19

Archer 8:17

area 8:24 43:6

arrive 27:4

arrived 9:1 21:19 41:9

article 19:16 38:10 39:9,21 40:23 42:3,14,20

articles 39:19

assigned 5:23

assignment 5:20 6:1,4,8 7:12

assist 29:3 42:23

assistance 10:1, 8,20 11:22 25:4,16 28:6 29:2

assisting 13:20

assume 45:2

assumed 23:7

attempted 28:22 41:9

Attorney 44:6

August 35:16,17, 23

author 28:15 29:5 42:16

Avenue 8:16

aware 8:10 40:6, 13 42:21

B

back 7:22 13:15 15:7,15 16:21 19:5 20:16 23:7 27:8 28:3 30:7,16,22 31:4 35:21

background 5:5

bad 29:20 45:17

band 10:13

bands 10:14,17

basically 41:11 43:6

beat 31:4 39:2

beginning 35:1

bending 39:10

big 39:7

bit 18:2

blah 21:1,3

blocking 20:6

blood 12:19 15:11 18:6 45:13,14,19 46:1

bosses 42:2

boxed 27:10

brand 22:20

breathing 30:22

brings 43:5

brought 41:20,23

Brown 4:1,5,13

06/24/2016 MURPHY ADAM M.
INTERVIEW OF ADAM M. MURPHY
Amicus Reporters info@amicusreporters.com
300 West Adams Suite 800 Chicago, Illinois 60606 888.641.3550

5:1,4,9,16 9:10 25:18 27:16 32:3 34:9 36:1,8 39:21 44:24 45:23 46:4, 10

buddy 20:22

building 36:13,14

bunch 44:20

C

Cal 7:7

call 5:2 7:15,17 15:17,24 16:6,7,9, 10,24 29:1,15,16 31:8 33:8,10,13,15 40:8 43:1,3

called 5:12 33:11 34:7 40:18

calling 16:8

cam 27:22

cameras 37:7,8

capability 10:15

car 9:7,8 10:23 15:8,16 16:22 19:5 20:13 27:12 29:10, 11 30:8,10,14 38:15,23 39:3

car's 39:2

cars 9:2 20:10 38:14

case 11:21 23:5,21 24:6 26:10 41:16

cell 33:14

central 5:23

chain 7:21 40:5

Chapter 4:16

chasing 24:5

check 13:2,4

Chicago 4:4,17 8:17 10:24 12:4 43:2,3,4,10,17

chief 41:24 42:10

chiefs 42:2

Cicero 8:16 22:1 31:5

circled 39:7

City 4:17

civilians 37:19,20, 21

clear 16:11 28:3 31:4

closed 12:21

closely 13:6

closing 13:17

clue 19:17,18 23:3 29:11 38:18 43:22

code 4:17 8:18 28:18 29:1

college 20:23 26:5

comfort 13:21 18:5 23:15 25:5

command 7:22 40:5

comment 29:9

comments 17:1 29:19 32:23

concern 29:20

conclude 46:11

CONCLUDED 46:18

conducted 4:16 34:1

contact 38:5 39:23 43:9,17

contacted 40:1,6

conversation 17:11 20:20 21:5 26:2 27:16 40:16

conversations 11:12 23:10,18

Cook 4:12,18 5:22 7:4 24:11,12,15 39:8 41:18,22

Cool 36:7

cops 24:7

copy 40:9

correct 7:10 9:22 12:12,15 14:1 19:12,13 20:3 32:14 34:16 36:23 37:11 44:3

correctional 7:6

correctly 16:3

County 4:12,18 5:22 7:5 24:11,12, 13,16 39:8 41:18, 22

couple 8:24 12:8 16:6 45:12

court 4:3,6,21 34:21

courtesy 9:24 10:8

CPD 11:6,7 13:19 14:6 21:10 22:10 24:20 25:22 28:11, 19 38:3

crime 6:6,12,16

cruiser 18:11

cruisers 39:14

current 5:19

D

Dana 41:24

dash 27:22

date 4:2 35:7 40:11 41:5

dates 36:5

day 7:14 22:21 33:5 41:20,21

debrief 31:20 32:12

debriefing 32:2

decide 9:21

decided 8:19 27:8 31:16,18

decision 31:1

department 5:22 20:18 40:1

departments 25:2

deputies 42:11

deputy 41:24 42:2

detail 8:9

details 8:14

detectives 26:24 27:3

detrimental 41:16

dictated 10:4

Digiovanni 4:6

dinner 31:22 32:13

directed 17:1

Dirksen 36:13,14

dispatch 28:10

disposition 28:18

distress 30:23

districts 43:3,6

division 5:23

documentation 8:4

documents 36:24

Donuts 9:16,17 10:21 38:21

door 30:16

draft 42:5

06/24/2016 MURPHY ADAM M. Page 50
INTERVIEW OF ADAM M. MURPHY
Amicus Reporters info@amicusreporters.com
300 West Adams Suite 800 Chicago, Illinois 60606 888.641.3550

drink 17:18 20:15
drove 40:21
drowning 23:23
duly 5:12
Dunkin 9:16,17 10:21 38:21
duty 40:19
Dwyer 8:1,2 40:7
dying 45:13 46:2
Dyke 15:6,24 16:4, 12,24 17:2,15 18:1,17 20:11 23:7 29:15,23

E

e-mail 35:9
eastbound 8:23
effect 18:24
elicited 44:7
end 25:13 33:9
estimate 14:14 19:3 27:19
events 8:8
eventually 40:13
exact 26:3
EXAMINATION 5:15
examined 5:13
expect 33:15
experience 46:3
expired 14:16 22:19 28:23 41:7
expires 14:18
explain 28:2

F

facing 30:15
fact 29:9 42:15
fail 23:19
failure 23:19 24:3
fall 43:21
familiar 24:19
FBI 9:15 33:10,13 38:19 40:6,8 44:5
federal 36:13 44:18
feel 16:15
felt 14:11
field 44:1
figure 25:15
file 28:14
filing 20:8
find 19:14 35:10, 21
fine 34:8 35:19 36:5,6
fire 27:9 31:17
Florida 23:22
focused 29:23
follow 8:13 9:21 10:19
foolish 41:4
Ford 26:20
forgot 37:17
found 15:5 38:19
frequencies 10:11
friend 20:17 25:22 26:5 27:17
front 9:15 15:7 16:22 30:11 32:1 34:21 39:4
full 5:18 43:10

G

gasp 12:22 13:17
gave 29:1 36:11, 16 37:14 40:9,14 42:10
General 4:10
generally 16:8 34:9 37:9
give 5:18 12:10 28:18 34:21 35:2,4 36:8 38:4 39:20
giving 37:1
gloves 13:1,4,24 14:2 39:5,10,16
good 11:20,23 15:20 20:12 29:19 31:1
grabbed 13:9
grand 33:23 34:15,22 35:4 36:9 37:14 38:4 40:11, 14 44:6,17,18
gruesome 21:13 22:9
guess 12:13 13:20 15:6 20:18 23:24 38:5,14 41:18,21
guessing 14:18 43:24 44:19
gun 45:21
gurgling 12:20
guy 15:6 21:2,15 26:6 44:18
guys 11:17 15:1 35:21 44:22 45:4

H

hand 4:21 10:9
hang 13:12
happened 8:9 9:9 11:9 16:15,17,18 21:15 22:14 27:17 32:19 33:20 34:11 40:3,24 42:13 45:20
hard 32:10
harm 15:13
hear 12:7 16:24 17:10 19:19 31:8
heard 10:10 13:10 15:16 16:2,5 22:5 29:15 31:12
hearing 16:23 29:18
heart 15:10
heavy 30:22
hey 16:9 20:22,24 26:4 32:4
home 36:3
house 34:21

I

idea 20:12 31:1
identify 4:7
Illinois 4:4
in-person 34:18
inbound 19:20
incident 8:10
include 28:9
incorrect 24:23
individuals 4:7,13
inference 16:20
inform 20:11 32:16
information 42:10
informed 8:11 32:18

06/24/2016 MURPHY ADAM M.
INTERVIEW OF ADAM M. MURPHY
Amicus Reporters info@amicusreporters.com
300 West Adams Suite 800 Chicago, Illinois 60606 888.641.3550

initiative 43:4
inquired 38:24
inside 43:2 45:15
Inspector 4:10
instance 11:21
instinctively 16:15
intelligence 5:23
inter-governmental 9:23
interceptor 26:20
interrogatories 5:13
intersection 8:16
interview 4:18 8:5 33:22,24 34:2,13, 18 46:11,18
interviewed 15:1 33:19
investigation 4:16 46:6
investigator 4:11, 19,20 5:1 6:13,14 7:9 43:24
involved 16:12
involvement 33:6,8 38:11 41:17
issued 41:19

J

January 19:16
Jason 15:6 16:4
Jeff 14:24 19:15 20:17,21 21:17,20, 21,23 22:10,11,12, 20 25:19 27:14,17 30:24 31:20 34:3, 6,7,14,18 39:1 40:12 41:20
Jeff's 21:1 35:13, 14
John 29:2,4,6
July 33:9 34:23 35:1,12,22
jumped 21:22 22:2 24:5
June 4:2 33:9,10
jury 33:23 34:15, 22 35:4 36:9 37:14 38:4 40:11,14 44:6,17,18

K

kid 24:1
kind 8:13 11:14,19 12:9,19,24 13:7 21:13 22:16,19 23:14 25:16 29:20 31:23 36:15 37:22 39:23 41:1,4 42:17 43:21
kneeled 45:18
knew 16:21 20:18 23:6 40:12 45:19
Knowing 40:7
Kristopher 4:5

L

landmarks 9:11
Laquan 11:4 13:11 39:4 44:19
lawsuit 24:2
lawsuits 23:18
lawyer 44:19,20
laying 11:2
lead 39:22
leads 39:24
league 42:8
learn 11:4
learned 38:10
leave 27:13 31:2, 3,16
left 17:20,23 20:16,19 27:15 28:23 31:21
lend 10:9
letting 13:11
lifeless 13:7
lights 8:18 9:20,24
lines 32:8
lives 26:7
load 27:6
located 4:3
long 5:24 6:7,21 14:13,15 19:3,5 27:19
looked 12:23 30:23

M

M-u-r-p-h-y 4:12 5:21
made 15:20 16:19 18:14 22:8 28:5 43:11
maintained 5:24
make 19:10 28:20 30:24 43:10
making 29:19,23
man 16:9 21:12
marked 26:17
matter 24:4
Mcdonald 11:4,7 12:14,17 13:12,15, 21 14:5,14 21:6 23:12 33:6 38:6
Mcdonald's 44:19
media 42:4
medically 24:23
meet 20:24
meeting 26:10 40:20,21
memo 33:1 42:16
mentioned 13:24 29:14
messed 21:12 22:17,22 31:24
met 20:19 26:6 31:22 34:20,21
midnight 7:18
Milling 37:24
mine 35:14
minute 14:16 19:7
minutes 19:8 27:21
missing 44:9
mixed 45:24
monitor 10:14
monitored 10:13
monitoring 14:6
months 6:2
morning 22:15 32:19
mouth 12:21 13:17
mucous 45:15,23, 24
Municipal 4:17
Murphy 4:11,19, 20 5:1,11,21
muttering 30:20

N

nature 32:16

06/24/2016 MURPHY ADAM M. Page 52
INTERVIEW OF ADAM M. MURPHY
Amicus Reporters info@amicusreporters.com
300 West Adams Suite 800 Chicago, Illinois 60606 888.641.3550

needed 11:22 12:2 14:11 28:20 29:2
news 37:6,8 38:8, 10 39:9 41:3 42:3, 14
nice 20:24
Nick 4:6
night 5:7 8:1,9 9:11 22:13,15 31:23 34:11 37:10 40:2,19 42:13
nonsense 21:3
normal 32:13
north 20:9
northbound 9:3,6
notification 28:5
notified 28:10 35:22
number 5:19 20:1 33:15

O

observation 28:16
observations 37:10
observe 34:11
occurred 19:12 32:17 35:6 37:10
occurring 8:11 42:20
ocean 24:1,5
October 7:12,22 8:8
offer 10:1 25:4,5, 15 28:6
offering 23:14
office 4:10 24:16 26:17 41:22
officer 6:13,18,19, 21 7:7,8,13 15:3 17:6 21:1,9,10,11 22:10 23:22,23,24 25:23 44:2
officers 9:20 10:8, 11,19,24 11:6,8 12:8 13:19 14:6 15:16,23 16:1 20:2,4 26:14 27:6 29:15,18 45:4
official 32:2
open 12:21
opened 30:16
opening 13:17
opinion 23:16 25:7
opportunity 32:4
oral 5:13
overnight 7:18

P

p.m. 7:19
pacing 15:7,15 23:7 30:7,9,16
paperwork 28:15
Park 10:20
parked 9:2,12,15, 18 30:15
part 29:3 31:12
partner 30:3,4
Pasqua 14:24 21:9,11
pass 15:12 21:23 29:24 31:24
passed 22:23
passenger 15:21
passenger's 18:14 30:11,13,18
patrol 6:17 7:13 32:13
pavement 11:2 12:19
people 12:6 16:23 23:18 42:1,4 45:13
Pershing 8:24 9:3,4
person 23:11,23
personal 24:17
personnel 27:9
phone 33:8,10,14, 21,24
place 31:16 43:13
plain 26:20
play 23:19
point 13:14 23:2,3 32:11 38:6,7 43:7
pointed 16:19
police 4:12 5:22 8:17 15:8 24:20 29:4 38:17,23
policies 24:20,21
policy 10:3,7 24:12,15,17 25:10, 12,13 42:20 43:12, 15 45:6
pool 45:14,19
posed 36:22
possibly 32:5
potential 15:12,13
practice 43:20
preparation 8:5 36:16
prepared 36:19
present 4:7,14
press 41:18,22 42:5,15
pressure 15:11 18:6
pretty 19:9 44:15
previous 15:9 23:17,18
prior 6:3,5,15 10:11
proceed 12:13
process 19:4
prompted 38:9
provide 10:20 13:20
Pulaski 9:5,6 10:20 30:15
pulled 9:2,7 26:16
pulling 38:15
pulse 13:2,4
pursuant 4:15
put 13:24 39:15 43:12
putting 27:11 39:5,10

Q

question 35:3 37:13
questioned 41:24 42:2
questions 5:6 8:13 34:10 36:21 40:4 41:3 42:12 44:15,20,22,24 45:2
quick 27:16

R

radio 10:10 22:4 27:23 28:5
raise 4:21
rate 15:10

06/24/2016 MURPHY ADAM M.
INTERVIEW OF ADAM M. MURPHY

Amicus Reporters info@amicusreporters.com
300 West Adams Suite 800 Chicago, Illinois 60606 888.641.3550

reached 13:9
read 36:19
recall 7:21 9:10 11:11 14:3 16:1 17:4 22:8 26:1,23 29:18 30:19 32:6, 10 34:1 35:6 36:11 37:21 39:1 41:17 42:19 44:10,14
received 33:13
recognize 26:13
record 4:1,8
refers 28:2
reflect 4:1
regular 19:17
related 21:5 28:15 33:6 37:4 38:5
relations 42:4
relax 17:17 18:4
release 42:6,16
released 41:21,22
remember 12:20 13:5,6,8 14:4 15:4 16:3,5,16,18 17:3, 9,22 18:19 20:8,23 23:20,21 24:2,6 26:3 29:22 30:14 32:8,22 34:4,7 35:7 44:17
render 13:2 23:20 24:3,7,13,17,21 25:12 28:22 41:6, 10 45:4
rendering 24:10
rep 15:17,24 16:6, 7,9,10,24 29:16
report 40:2 41:8, 12 42:17,24 43:10, 16
reporter 4:6,21
Reporters 4:3
reports 28:15 29:6 32:15 39:22
require 28:14
respond 13:15 18:17
response 32:20, 24
responses 12:10
responsive 18:1
rest 28:1
resumed 32:13
review 8:4
right-hand 9:3
roughly 10:21
route 13:11 31:10
rubber 13:1
running 8:18

S

safe 37:13
Sarah 4:9 8:12
saturate 43:6
save 24:1
saved 39:13,18
scene 8:12 9:8 15:1 17:8,24 19:11,20 20:2 21:19,23 22:5 24:9 25:8,20 26:14,23 27:4,7,11,20 28:3, 6,14,19 29:7 31:3, 4,7,21,24 37:18 41:9
scenes 45:13
sea 38:3
seat 15:21 18:15 30:18
seek 24:17
sentences 18:18
sergeant 8:1,2 17:8,20,22 20:16 32:17 33:12 40:7 43:15
service 28:4
shared 10:17
Sheriff 4:18 24:13
sheriff's 4:12 5:22 24:16 26:17 38:17, 23 41:18,22
shift 7:18,19
shock 19:1
shooter 23:8
shooting 15:5,10 16:12,17 18:6 19:17 21:6 22:5 23:6 29:8,19,20,21 33:7 37:4 38:6
shot 19:15 23:2 45:9
shots 19:19 23:4 45:21
shoulder 9:3
show 31:17 39:16 41:9
showed 17:20 21:15
shown 36:24 37:3
shows 38:13,15
side 30:12,13 45:9
sides 20:8
similar 32:5
simple 26:4
simply 15:14
sirens 8:18 9:21, 24
sit 15:15,19,21 17:16,17,19 18:3, 4,5,8,14 20:12,15 30:17
sitting 12:20 15:22 17:21
situation 15:10 32:5
situations 18:6
skedaddle 31:19
small 26:10
sounds 12:10 43:12
south 9:15,17 20:9
southbound 30:15
speak 11:7 12:8 14:21 16:23 30:24 37:19
speaking 15:23 17:5 21:10
specific 11:11 16:1 37:12
spell 4:8
spikes 15:11 18:6
spoke 17:7,8 20:11 25:19 26:23
squad 9:7 15:21 16:22 18:15 20:13 29:10,11 30:9 38:14,15
stand 17:22
standing 11:1 12:1,24 14:8,9
star 5:19,21
start 5:5 7:4,19
started 7:2,6 13:1 20:4,6,8,17 27:11 31:17
starting 8:9 27:4
starts 41:3
State's 44:6

06/24/2016 MURPHY ADAM M. Page 54
INTERVIEW OF ADAM M. MURPHY

Amicus Reporters info@amicusreporters.com
300 West Adams Suite 800 Chicago, Illinois 60606 888.641.3550

statement 36:19 41:18,23
steps 8:12
stood 17:23 23:24
stopped 39:14
stops 39:16
street 6:5,11,15
streets 8:24 20:7
stuck 27:12
stuff 35:21
subject 11:2,3
subpoena 34:22 40:9,10
subsequent 34:17
suite 4:4
summarize 42:10
summer 36:5
summertime 35:18
superiors 40:22
supervisor 7:24 43:8
supposed 28:18
suppression 6:6, 12,16
surprised 40:22 41:2
surveillance 38:20,22
suspect 24:4
SUV 18:16
swear 4:22
swim 23:24
sworn 4:24 5:13
system 36:3

T

taking 13:1 39:5
talk 8:7 11:16 12:6 17:23 23:15 26:10 27:1 33:14,16,20 42:22
talked 9:14 15:2 20:18 21:3 22:13 23:8 31:23 44:8
talking 11:14 13:14 15:2 19:4 20:17 22:14,16
tape 27:11
telephone 34:13
telling 15:16,24 25:18 42:3
testified 5:14 44:11
testify 40:11
testimony 34:15 35:3,4 36:8,12,16 37:1 38:4 40:14
thick 45:14
thing 11:13 21:13 22:19 25:2 30:21 33:18 37:17 41:2,8 45:3 46:2
things 12:5
thinking 45:7
thought 19:17 29:10
time 4:2 6:22 8:15 10:23 11:24 14:24 16:5,11 19:2,11 22:16,20 23:8 27:23 28:19,23 30:5 31:18 33:22 34:20 37:5 40:11 41:5 42:23 43:7,9, 16 46:10
times 19:15 39:20 45:9
today 4:15 8:5 37:15 43:20 44:7
today's 4:1
told 15:15,18 16:14,20 17:14,18, 19 18:3 20:14 27:14 30:17 40:8 42:13 43:8 44:9
total 27:24
trained 21:2
training 15:9 17:15 21:1 32:4
trainings 23:17
traveling 10:11
trouble 24:9
truck 31:17
turned 17:20
type 5:6 32:15 33:1
typical 12:3

U

Um-hum 25:21,24 29:17 35:24
understanding 42:9
understood 18:20 45:22
union 15:17,24 16:6,7,9,10,24 29:16
unit 5:19 6:6,12,16 7:11
units 8:17 28:11
unmarked 26:18, 19 38:16

V

Van 15:6,24 16:4, 12,24 17:2,14 18:1,17 20:11 23:6 29:15,23
vehicle 17:16 18:21 26:17,19
vicinity 9:19
victim 23:23
video 27:22 29:7, 10,11 37:3 38:13, 20,22 39:6,11
videos 39:2,13
voices 16:5,6

W

walked 9:8 14:5 18:21 36:18
walking 11:1 15:20 16:21 29:24 30:22
wanted 33:19 42:14
watch 7:14,15,17
water 17:19 20:15
weird 22:19
West 4:3
wherether 45:13
white 26:20
witnessed 41:15
words 26:4
work 33:11
wound 8:21 45:16, 17
wow 22:16
Wright 41:24 42:11
write 42:24
written 41:14 42:24 43:10

06/24/2016 MURPHY ADAM M. INTERVIEW OF ADAM M. MURPHY
Amicus Reporters info@amicusreporters.com
300 West Adams Suite 800 Chicago, Illinois 60606 888.641.3550

Y

year 19:16 44:11

years 6:9,10,22,23 32:9

yell 29:15

yesterday 15:1

Z

zig-zagged 8:23

06/24/2016 MURPHY ADAM M.
INTERVIEW OF ADAM M. MURPHY

Amicus Reporters info@amicusreporters.com
300 West Adams Suite 800 Chicago, Illinois 60606 888.641.3550

Medical Examiner Investigations
Case Report
ME2014-01071

Companion Case to:

Case Type: Forensic Institute

Initial Impression: GSW / Police Involved Shooting

Decedent / Subject

Deceased Name: Laquan McDonald

Deceased DOB: [redacted]

Deceased Gender / Race / Age: Male / Black / 17 Y

Deceased Home Address & County: [redacted]
County: Cook County

Deceased Phone: Unknown

Social Security: 000-00-0000

Notification

Date: 10/20/2014 **Time:** 11:51:59 PM

Name: Detective March

Title: Detective

Star: 20563

Telephone Number: 312-747-8380

Agency or Institution making notification: Chicago Police Department

Beat: 5121

Police Report #: HX475653

Discovered

Discovered by: Chicago Police Beat # 845R

Address: 3420 W. 63rd Street, Chicago, IL 60629

Phone: 312-747-8730

Title: Police Officer

Relationship: Police Officer

Last known alive: 10/20/2014

Discovered Date/Time: 10/20/2014 9:56:00 PM

Medical Examiner Investigations
Case Report
ME2014-01071

CPR performed: N/A

Condition of body: Multiple GSW

Place of Occurrence / Incident

Address where ORIGINAL Incident occurred: 4112 S. Pulaski Chicago, IL 60632

County of Occurrence: Cook County

Type of Premises: STREET

Time of occurrence: 9:56:00 PM

Date: 10/20/2014

Identification of Deceased:

Positive Identification: Coworker

Identification Means: Fingerprints

Additional ID Info: ICLEAR Chicago IR # 2106340

Pronouncement

Place deceased pronounced: Hospital ER

Method of Pronouncement: On View

Hospital: MOUNT SINAI MEDICAL CENTER

Date and Time: 10/20/2014 10:42:00 PM

Pronounced by: Dr. Titeel

Fire Department on Scene: Chicago Fire Dept # 21

List of Person Interviewed

Name / Relationship or title / Address / Phone Number:

Detective March	Police Officer	Detective	5101 S. Wentworth, Chicago, IL 60609	312-747-8380

Medical Examiner Investigations
Case Report
ME2014-01071

Next of Kin

Next of Kin Name: Unknown Kin

Contact Info: Unknown

Next of Kin notified: ☑ Next of kin unknown

Narrative

On 20 October 2014 at 2351 hours Detective March # 20563 of the Chicago Police Department Area Central Detectives Beat # 5121 notified the Forensic Institute the subject Laquan McDonald had expired at Mt. Sinai Hospital after being shot by an on duty Chicago Police Officer.

Detective March related the following; on or about 2156 hours 19 October 2014 Chicago Police 8th District Beat Car 815R responded to 41st and Kildare in reference to a "Citizen Holding a Subject". Upon arrival Beat # 815R was confronted by the subject who threatened the officers with a 4 inch fold knife. The subject fled the scene on foot where at 4112 S. Pulaski the subject was stopped by officers assigned to Beat # 845R. The officers announced their office as "Chicago Police Officers" and ordered the subject to drop the knife. The subject lunged at the officers with the knife. Fearing for their life and attempting to stop the threat one officer (star # 9465) fired sixteen rounds from his duty weapon a Smith & Wesson 9mm handgun striking the subject numerous times . After striking the subject an ambulance was requested by the officers.

Upon arrival of Chicago Fire Department Ambulance # 21 the subject was transported to Mt. Sinai Hospital. Once at Mt. Sinai Hospital emergency room staff were unable to revive the subject and the subject expired at 2242 hours being pronounced by Doctor Titeel. It appears that the subject sustained the following gunshot wounds, four to the chest, six to the right arm, five to the left arm, one to the rightside torso, two to the back, one to the right hip, two to the left leg front, two to the left leg rear, 2 to the left thigh and three to the right thigh. At this time since the officer fired sixteen times which of the twenty-six gunshot wounds are entrance or exit wounds.

At the time of this incident both officers assigned to Beat # 845R and 815R were in full Chicago Police Department uniform.

The subject was ordered along with all police reports, medical records which included admission blood which was drawn to the Forensic Institute for further examination.

Subject was positively identified by the Chicago Police ICLEAR system based on a prior Chicago Police Booking Number IR2106340. At the time of this report it is unknown why the citizen was "Holding the Subject" since the citizen left the scene and could not be interviewed.

Subject's next of kin has not been notified

Pertinent Information

Medical Examiner Investigations
Case Report
ME2014-01071

Scene: ☐

RI Date/Time leaving for scene from office:

RI Arrival on scene - time:

RI Departure from scene - time:

RI arrival at Institute:

Point of contact: Detective March # 20563

Temperature of Environment: 52 Degree Fahrenheit

Medications/Drugs on scene:

Drug Name	Pharmacy Physician Name Phone No	Rx No Rx Date Dosage Name on Bottle	Number Issued Number Left	Note

Photographs taken on scene: False

Medical History

General Medical History: N/A

Attending Physician: N/A

Last Contact with physician: Unknown

End of Report

[redacted]
Investigator

[redacted]
Supervisor

Date and Time completed: 10/21/2014 1:30:31 AM

OIG 15-0564 015031

ERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 10CT2014	20 OCT 2014 3

OFFENSE CLASSIFICATION–LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	VAN DYKE	512I

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

J VAN DYKE P1 OF 3

RESPONDED TO 815R REQUEST FOR ASSIST.
MAW W/KNIFE. 40TH W OF PULASKI.
TASER REQUESTED.
HEARD GAFFNEY — O "POPPED" TIRE ON RADIO.
VD = O SLASHED TIRE W/KNIFE.
W/B ON 40TH SAW O = M/B.
RUNNING E/B IN BK LOT.
KNIFE IN R HAND.
McELLIGOTT PURSUING ON FOOT.
CIVILIAN ON 40TH POINTING TO O.
WALSH DRIVE E/B INTO LOT IN PURSUIT.
N SIDE OF BK.
USED VEHICLE TO BLOCK O FROM BK.
O RAN OUT ONTO PULASKI, THEN S/B.
TOWARD DD
WALSH KEPT VEH BETWEEN O + DD.
VD OPENED DOOR TO EXIT + CONFRONT O.
WALSH — NO, TOO CLOSE.
DROVE FURTHER S.
STOPPED AHEAD OF O

R.D. NO. HX425653

[redacted] E–STAR NO. 20563 | RECEIVED BY: SUPERVISOR'S SIGNATURE–STAR NO. 1500 | DAY–MO.–YR. TIME

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 2014	20 OCT 2014 3

OFFENSE CLASSIFICATION–LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	VAN DYKE	512

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

J VAN DYKE P2 OF 3

VD EXITED VEH. DREW HANDGUN
STOOD IN ST, FACING NB, TOWARD O
O COMING S/B
KNIFE IN R HAND, UNDERHAND GRIP, BLADE FORWARD
SWINGING KNIFE IN AGGRESSIVE, EXAGGERATED MANNER
VD = "DROP THE KNIFE!" MULTIPLE TIMES
O IGNORED DIRECTIONS. CONTINUED TO ADVANCE
WHEN O WITHIN 10-15 FT, LOOKED AT VD
RAISED KNIFE ACROSS CHEST, OVER SHOULDER
POINTED KNIFE AT VD
VD BELIEVED O WAS ATTACKING W/KNIFE
TRYING TO KILL VD
IN DEFENSE OF HIS LIFE VD BACKPEDALED + FIRED
O FELL TO GROUND, CONTINUED TO MOVE/GRASP KNIFE
VD CONTINUED FIRING. O APPEARED TO BE
ATTEMPTING TO GET UP, STILL HOLDING KNIFE
POINTING AT VD
SLIDE ON PISTOL LOCKED – WEAPON EMPTY
TACTICAL RELOAD
ASSESSED

R.D. NO. HX475253

[redacted] STAR NO. 20563 | RECEIVED BY: SUPERVISOR'S SIGNATURE–STAR NO. | DAY–MO.–YR. TIME

CPD-23.122 (Rev. 2/83)

ERAL PROGRESS REPORT
ECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 2014	20 OCT 2014 3

OFFENSE CLASSIFICATION–LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	VAN DYKE	512

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

J VAN DYKE P 3 OF 3

O NO LONGER MOVING. THREAT MITIGATED
VD + WALSH APPROACHED O
STILL HOLDING KNIFE IN R HAND
VD CONTINUED, "DROP THE KNIFE!"
WALSH = "I HAVE THIS."
VD COVERED WALSH AS WALSH WALKED UP TO O
FORCIBLY KICKED KNIFE FROM O'S HAND
THREAT ELIMINATED
WALSH = SHOTS FIRED BY POLICE" ON RADIO
VD = REQUESTED AMBULANCE

R.D. NO. HX425653

[redacted] –STAR NO. 20563 | RECEIVED BY: SUPERVISOR'S SIGNATURE–STAR NO. | DAY–MO.–YR. TIME

PD-23.122 (Rev. 2/83)

Medical Examiner Investigations
Case Report
ME2014-01071

Companion Case to:

Case Type: Forensic Institute

Initial Impression: GSW / Police Involved Shooting

Decedent / Subject

Deceased Name: Laquan McDonald

Deceased DOB: [redacted]

Deceased Gender / Race / Age: Male / Black / 17 Y

Deceased Home Address & County: [redacted]
County: Cook County

Deceased Phone: Unknown

Social Security: 000-00-0000

Notification

Date: 10/20/2014 **Time:** 11:51:59 PM

Name: Detective March

Title: Detective

Star: 20563

Telephone Number: 312-747-8380

Agency or Institution making notification: Chicago Police Department

Beat: 5121

Police Report #: HX475653

Discovered

Discovered by: Chicago Police Beat # 845R

Address: 3420 W. 63rd Street, Chicago, IL 60629

Phone: 312-747-8730

Title: Police Officer

Relationship: Police Officer

Last known alive: 10/20/2014

Discovered Date/Time: 10/20/2014 9:56:00 PM

Medical Examiner Investigations
Case Report
ME2014-01071

CPR performed: N/A

Condition of body: Multiple GSW

Place of Occurrence / Incident

Address where ORIGINAL Incident occurred: 4112 S. Pulaski Chicago, IL 60632

County of Occurrence: Cook County

Type of Premises: STREET

Time of occurrence: 9:56:00 PM

Date: 10/20/2014

Identification of Deceased:

Positive Identification: Coworker

Identification Means: Fingerprints

Additional ID Info: ICLEAR Chicago IR # 2106340

Pronouncement

Place deceased pronounced: Hospital ER

Method of Pronouncement: On View

Hospital: MOUNT SINAI MEDICAL CENTER

Date and Time: 10/20/2014 10:42:00 PM

Pronounced by: Dr. Titeel

Fire Department on Scene: Chicago Fire Dept # 21

List of Person Interviewed

Name / Relationship or title / Address / Phone Number:

Detective March	Police Officer	Detective	5101 S. Wentworth, Chicago, IL 60609	312-747-8380

Medical Examiner Investigations
Case Report
ME2014-01071

Next of Kin

Next of Kin Name: Unknown Kin

Contact Info: Unknown

Next of Kin notified: ☑ Next of kin unknown

Narrative

On 20 October 2014 at 2351 hours Detective March # 20563 of the Chicago Police Department Area Central Detectives Beat # 5121 notified the Forensic Institute the subject Laquan McDonald had expired at Mt. Sinai Hospital after being shot by an on duty Chicago Police Officer.

Detective March related the following; on or about 2156 hours 19 October 2014 Chicago Police 8th District Beat Car 815R responded to 41st and Kildare in reference to a "Citizen Holding a Subject". Upon arrival Beat # 815R was confronted by the subject who threatened the officers with a 4 inch fold knife. The subject fled the scene on foot where at 4112 S. Pulaski the subject was stopped by officers assigned to Beat # 845R. The officers announced their office as "Chicago Police Officers" and ordered the subject to drop the knife. The subject lunged at the officers with the knife. Fearing for their life and attempting to stop the threat one officer (star # 9465) fired sixteen rounds from his duty weapon a Smith & Wesson 9mm handgun striking the subject numerous times . After striking the subject an ambulance was requested by the officers.

Upon arrival of Chicago Fire Department Ambulance # 21 the subject was transported to Mt. Sinai Hospital. Once at Mt. Sinai Hospital emergency room staff were unable to revive the subject and the subject expired at 2242 hours being pronounced by Doctor Titeel. It appears that the subject sustained the following gunshot wounds, four to the chest, six to the right arm, five to the left arm, one to the rightside torso, two to the back, one to the right hip, two to the left leg front, two to the left leg rear, 2 to the left thigh and three to the right thigh. At this time since the officer fired sixteen times which of the twenty-six gunshot wounds are entrance or exit wounds.

At the time of this incident both officers assigned to Beat # 845R and 815R were in full Chicago Police Department uniform.

The subject was ordered along with all police reports, medical records which included admission blood which was drawn to the Forensic Institute for further examination.

Subject was positively identified by the Chicago Police ICLEAR system based on a prior Chicago Police Booking Number IR2106340. At the time of this report it is unknown why the citizen was "Holding the Subject" since the citizen left the scene and could not be interviewed.

Subject's next of kin has not been notified

Pertinent Information

Medical Examiner Investigations
Case Report
ME2014-01071

Scene: ☐

RI Date/Time leaving for scene from office:

RI Arrival on scene - time:

RI Departure from scene - time:

RI arrival at Institute:

Point of contact: Detective March # 20563

Temperature of Environment: 52 Degree Fahrenheit

Medications/Drugs on scene:

Drug Name	Pharmacy Physician Name Phone No	Rx No Rx Date Dosage Name on Bottle	Number Issued Number Left	Note

Photographs taken on scene: False

Medical History

General Medical History: N/A

Attending Physician: N/A

Last Contact with physician: Unknown

End of Report

[redacted]
Investigator

[redacted]
Supervisor

Date and Time completed: 10/21/2014 1:30:31 AM

OIG 15-0564 015031

OFFICE OF THE MEDICAL EXAMINER
COUNTY OF COOK, ILLINOIS

REPORT OF POSTMORTEM EXAMINATION

NAME MCDONALD, LAQUAN **CASE NO.** ME2014-01071

AGE 17y **RACE** BLACK **SEX** MALE **DATE OF DEATH** OCTOBER 20, 2014

DATE EXAMINED OCTOBER 21, 2014 (8:25am) **EXAMINED BY** Denika Means, DO

Investigator Daniel Kobel with the City of Chicago Independent Police Review Authority is present for the autopsy.

EXTERNAL EXAMINATION

The body is identified by toe tag. Photographs and radiographs are taken.

When first viewed, the body is clad in a green hospital gown. A tan rubber band encircles the right wrist. Accompanying the body is a black, hooded, zip-up sweatshirt (cut), a black with white lettering sweatshirt, blue jeans, black boxers (cut), two black shoes and two black socks. No jewelry is present. All of the clothing is relinquished to a representative of the Chicago Police Department.

The body is that of a well-developed, well-nourished, black male whose appearance is compatible with the stated age of 17 years. As received, the body weighs 180 pounds and is 72 inches long. There is good preservation in the absence of embalming. The body is warm, rigor mortis is easily broken, and lividity is not apparent.

The black scalp hair is in dreadlocks up to 5 inches long. An average amount of body hair is in a normal male distribution. The irides are brown, the corneae are clear, and there are no petechiae of the bulbar or palpebral surfaces of the conjunctivae. The ears, nose and lips are unremarkable. The teeth are natural and in good condition with absence of the upper left central incisor. The neck and chest are symmetrical, and the abdomen is flat. The external genitalia, anus and perineum are unremarkable. The extremities are well developed and symmetrical. The back is straight.

HX475605

IDENTIFYING MARKS AND SCARS

A black ink tattoo on the right upper arm reads "Quan". A black ink tattoo on the dorsum of the right hand reads "Good Son". On the dorsum of the left hand is a black ink tattoo that reads "YOLO" and has a pair of dice.

EVIDENCE OF THERAPY

An endotracheal tube is in the mouth. Intravascular lines are in the left groin and left antecubital fossa. An intraosseous line is in the left shin. A loosely sutured incision runs from the right midaxillary line to the left lateral back just inferior to the nipple line.

EVIDENCE OF INJURY

I. Multiple Gunshot Wounds:

There are 16 gunshot wounds, numbered 1 through 16 arbitrarily without regard to sequence or severity.

1. GUNSHOT WOUND OF THE LEFT SCALP:

There is a gunshot graze wound of the left parietal scalp centered 1-1/2 inches from the top of the head and 1/2 inch anterior to the superior attachment of the pinna of the left ear. The gaping wound is 1-3/4 inches long and up to 1/4 inch deep, extending to the fascia overlying the skull. The wound has no marginal abrasion, soot, or stippling.

Associated with this wound, there is mild left temporoparietal subscapular hemorrhage. Thin subarachnoid hemorrhage overlies the left temporal and parietal lobes of the brain.

Directionality cannot be determined.

2. GUNSHOT WOUND OF THE NECK:

There is a gunshot wound of entrance of the left base of the neck located 11 inches from the top of the head and 2 inches left of anterior midline. The circular wound is 3/16 inch in diameter and has a circumferential dry red-brown marginal abrasion that measures up to 1/4 inch at 12 o'clock, 1/8 inch at

HX475653

3 o'clock, 1/4 inch at 6 o'clock, and 3/16 inch at 9 o'clock. There is no soot or stippling.

After perforating the skin and subcutaneous tissue of the left side of the neck, the bullet subsequently perforates the strap muscles of the left side of the neck, the trachea and the scalene muscles of the right side of the neck.

A moderately deformed, copper-jacketed, medium caliber bullet is recovered from the right supraspinatus muscle, at approximately 12 inches from the top of the head and approximately 5 inches right of anterior midline. The bullet is photographed, sealed within an appropriately labeled envelope and submitted to a representative of the Chicago Police Department.

Associated with this wound is hemorrhage and pulpifaction of the wound track.

The direction is left to right, slightly front to back and slightly downward.

3. GUNSHOT WOUND OF THE LEFT CHEST:

There is a gunshot wound of entrance of the left upper chest located 12-1/4 inches from the top of the head and 5 inches left of anterior midline. The ovoid wound measures 1/2 x 1/2 inch and has a circumferential, dry, red-brown marginal abrasion that measures 1/16 inch at 12 o'clock, 1/8 inch at 3 o'clock, 1/16 inch at 6 o'clock and 1/8 inch at 9 o'clock. There is no soot or stippling.

After perforating the skin and subcutaneous tissue of the left upper chest, the bullet subsequently perforates the left pectoralis muscles, the muscles of the left lateral back, the muscles of the posterior left upper arm and the subcutaneous tissue and skin of the left upper arm.

A gunshot wound of exit of the posterior left upper arm is located 4-3/4 inches from the top of the left shoulder and 3/4 inch lateral to the posterior midline of the left arm. The ovoid wound measures 5/16 x 3/16 inch and has a circumferential brown marginal abrasion that is less than 1/16 inch wide. There is no soot or stippling.

HX425653

Associated with this wound is hemorrhage and pulpifaction of the wound track.

The direction is front to back, right to left and downward.

4. GUNSHOT WOUND OF THE RIGHT CHEST:

There is a gunshot wound of the right side of the chest located 15-1/8 inches from the top of the head and 1-1/4 inches right of anterior midline. The circular wound is 3/16 inch in diameter and has a circumferential, dry, brown marginal abrasion that measures 1/16 inch at 12 o'clock, 3/16 inch at 3 o'clock, 1/16 inch at 6 o'clock and 1/16 inch at 9 o'clock. There is no soot or stippling.

After perforating the skin and subcutaneous tissue of the right side of the chest, the bullet subsequently perforates the right pectoralis muscles, the anterior portion of the right fourth rib and right fourth intercostal muscle, the right upper pulmonic lobe (x2), the right middle pulmonic lobe and the lateral portion of the right sixth intercostal muscle.

A markedly deformed, copper-jacketed bullet is recovered from the right latissimus dorsi muscle at a point approximately 18 inches from the top of the head and approximately 2 inches posterior to the right midaxillary line.

Associated with this wound is an anterior fracture of the right fourth rib and an approximately 40mL right hemothorax. There is hemorrhage and pulpifaction of the wound track.

The direction is front to back, left to right and slightly downward.

5. GUNSHOT WOUND OF THE LEFT ELBOW:

There is a gunshot wound of entrance of the lateral left elbow located 12-3/4 inches from the top of the left shoulder and 1-1/4 inches lateral to the posterior midline of the left arm. The circular wound measures 5/16 of an inch and has a 1/16 inch dark circumferential marginal abrasion. There is no soot or stippling.

HX4756 53

After perforating the skin and subcutaneous tissue of the lateral left elbow, the bullet subsequently perforates the left humerus and the musculature, subcutaneous tissue and skin of the left upper arm.

A gunshot wound of exit of the medial left upper arm is located 11-1/4 inches from the top of the left shoulder and along the medial midline of the left arm. The irregularly-shaped wound is 1/2 x 1/2 inch. A 1/8 inch brown marginal abrasion extends from 1 o'clock to 3 o'clock and a 1/16 inch brown marginal abrasion extends from 11 o'clock to 12 o'clock. There is no soot or stippling.

Associated with this wound is a 3/16 inch dark brown, abraded skin bridge that separates the entrance gunshot wound #5 (superior) from the entrance gunshot wound #10 (inferior). There is a fracture of the distal left humerus as well as hemorrhage and pulpifaction of the wound track.

The direction is left to right, back to front and slightly upward.

6. GUNSHOT WOUND OF THE RIGHT UPPER ARM:

There is a gunshot wound of entrance of the posterior right upper arm located 6-1/2 inches from the top of the right shoulder and along the posterior midline of the right arm. The circular wound is 3/16 inch in diameter and has a 1/16 inch dry, dark marginal abrasion extending from 1 o'clock to 11 o'clock. There is no soot or stippling.

After perforating the skin and subcutaneous tissue of the posterior right upper arm, the bullet subsequently perforates the musculature of the right upper arm, the right humerus and the musculature, subcutaneous tissue and skin of the medial right upper arm.

There is a shored gunshot wound of exit of the medial right upper arm located 10-3/4 inches from the top of the right shoulder and along the medial midline of the right arm. The irregularly-shaped wound measures 7/16 x 5/16 inch and has a dry, dark circumferential marginal abrasion that measures 1/16 inch at 12 o'clock and 3 o'clock, 1/4 inch at 6 o'clock and 1/16 inch at 9 o'clock. There is no soot or stippling.

HX475653

Associated with this wound is an abraded 3/4 inch moist pink skin bridge that separates the entrance gunshot wound #6 (inferior) from the entrance gunshot wound #11 (superior). There is also a fracture of the right humerus and hemorrhage and pulpifaction of the wound track.

The direction is back to front, downward and slightly left to right.

7. GUNSHOT WOUND OF THE LEFT FOREARM:

There is a gunshot wound of entrance of the dorsal left forearm located 19 inches from the top of the left shoulder and 1/2 inch medial to the posterior midline of the left arm. The ovoid wound measures 1/4 x 3/16 inch and has a circumferential dry dark marginal abrasion that measures 1/8 inch at 12 o'clock and 1/16 inch at 3, 6, and 9 o'clock. There is no soot or stippling.

After perforating the skin and subcutaneous tissue of the left forearm, the bullet subsequently perforates the left radius and ulna and the musculature, subcutaneous tissue and skin of the medial left forearm.

A gunshot wound of exit of the medial left forearm is located 20-1/2 inches from the top of the left shoulder and 1/2 inch anterior to the medial midline of the left arm. The ovoid wound measures 5/16 x 1/4 inch and has an ellipse-shaped marginal abrasion that measures 1/4 inch at 12 o'clock, 3/16 inch at 3 o'clock and 6 o'clock and 1/8 inch at 9 o'clock. There is no soot or stippling.

Associated with this wound are fractures of the left radius and ulna. There is hemorrhage and pulpifaction of the wound tracks.

The direction is back to front, slightly right to left and slightly downward.

8. GUNSHOT WOUND OF THE LATERAL RIGHT UPPER LEG:

There is a gunshot wound of entrance of the lateral right upper leg located 35-9/16 inches from the top of the head and 1-3/4 inches right of the anterior midline of the right leg.

HX475653

The circular wound measures 1/4 inch in diameter and has a less than 1/16 inch marginal abrasion extending from 5 o'clock to 6 o'clock. The margin is extensively lacerated and has a circumferential 1/16 inch purple contusion. There is no soot or stippling.

After perforating the skin and subcutaneous tissue of the lateral right upper leg, the bullet subsequently perforates the musculature of the right upper leg, the pelvic floor musculature and the musculature of the medial left upper leg.

A moderately deformed, copper-jacketed, medium caliber bullet is recovered from the medial left upper leg at a point approximately 39 inches from the top of the head and approximately 2 inches right of anterior midline of the left leg. The bullet is photographed, sealed within an appropriately labeled envelope and submitted to a representative of the Chicago Police Department.

Associated with this wound is hemorrhage and pulpifaction of the wound track.

The direction is right to left, downward and slightly front to back.

9. GUNSHOT WOUND OF THE LEFT UPPER BACK:

There is a gunshot wound of entrance of the left upper back located 11 inches from the top of the head and 4-1/2 inches left of posterior midline. The irregularly-shaped wound measures 9/16 x 5/16 inch and has an irregular, circumferential brown marginal abrasion that measures 1/4 inch at 12 o'clock, 1/16 inch at 3 o'clock, 1/8 inch at 6 o'clock and 3/16 inch at 9 o'clock. There is no soot or stippling.

After perforating the skin and subcutaneous tissue of the left upper back, the bullet subsequently perforates the musculature of the left upper back and the subcutaneous tissue and skin of the left lateral back.

There is a gunshot wound of exit of the left lateral back located 17-1/4 inches from the top of the head and 3-1/2 inches posterior to the left midaxillary line. The irregularly-shaped wound measures 3/8 x 3/16 inch. There is no marginal abrasion, soot or stippling.

HX 475653

Associated with this wound is hemorrhage and pulpifaction of the wound track.

The direction is right to left and downward with no significant forward or backwards deviation.

10. GUNSHOT WOUND OF THE LEFT ELBOW:

There is a gunshot wound of entrance of the lateral left elbow which is located 13-1/16 inch from the top of the left shoulder and 1 inch lateral to the posterior midline of the left arm. The circular wound measures 3/16 inch in diameter and has a circumferential marginal abrasion that measures 1/8 inch at 12 o'clock and 3 o'clock and 1/16 inch at 6 o'clock and 9 o'clock. There is no soot or stippling.

After perforating the skin and subcutaneous tissue of the lateral left elbow, the bullet subsequently perforates the musculature of the lateral left elbow, the left humerus and the musculature, subcutaneous tissue and skin of the medial left elbow.

There is a gunshot wound of exit of the medial left elbow located 14-1/2 inches from the top of the left shoulder and 3/4 inch medial to the posterior midline of the left arm. The irregularly-shaped wound measures 3/16 x 1/8 inch. It has a circumferential marginal abrasion that measures 1/4 inch at 12 o'clock, 3/16 inch at 3 o'clock, less than 1/16 inch at 6 o'clock and 3/16 inch at 9 o'clock. There is no soot or stippling.

Associated with this wound (as mentioned above) is a 3/16 inch dark brown, abraded skin bridge that separates the entrance gunshot wound #5 (superior) from the entrance gunshot wound #10 (inferior). There are fractures of the left humerus and ulna as well as hemorrhage and pulpifaction of the wound track.

The direction is left to right and downward with no significant forward or backward deviation.

HX475653

11. GUNSHOT WOUND OF THE POSTERIOR RIGHT UPPER ARM:

There is a gunshot wound of entrance of the posterior right upper arm located 5-3/4 inches from the top of the right shoulder and along the posterior midline of the right arm. The circular wound is 1/8 inch in diameter and has a 1/16 inch dry brown marginal abrasion extending from 7 o'clock to 2 o'clock. There is no soot or stippling.

After perforating the skin and subcutaneous tissue of the posterior right upper arm, the bullet subsequently perforates the musculature of the posterior right upper arm and the musculature, subcutaneous tissue and skin of the right upper back.

There is a gunshot wound of exit of the right upper back located 15-1/2 inches from the top of the head and 2 inches posterior to the right midaxillary line. The irregularly-shaped wound measures 3/8 x 1/8 inch and has no marginal abrasion, soot or stippling.

Associated with this wound (as mentioned above) is a charred 3/4 inch moist pink skin bridge that separates the entrance gunshot wound #6 (inferior) from the entrance gunshot wound #11 (superior). There is hemorrhage and pulpifaction of the wound track.

The direction is right to left, downward and slightly front to back.

12. GUNSHOT WOUND OF THE RIGHT ARM:

There is a gunshot wound of entrance of the dorsal right forearm (superior) located 15-1/2 inches from the top of the right shoulder and 3/4 inch lateral to the posterior midline of the right arm. The ovoid-shaped wound measures 5/16 x 1/4 inch and has a dry, dark brown, circumferential marginal abrasion that measures 1/8 inch at 12 o'clock, 3/16 inch at 3 o'clock, 1/8 inch at 6 o'clock and 1/16 inch at 9 o'clock. There is no soot or stippling.

After perforating the skin and subcutaneous tissue of the posterior right forearm, the bullet subsequently penetrates the musculature of the right upper arm.

HX475653

A moderately deformed, copper-jacketed, medium caliber bullet is recovered from the anterior musculature of the right upper arm approximately 10 inches from the top of the right shoulder and approximately midline of the right upper arm. The bullet is photographed, sealed within an appropriately labeled envelope and submitted to a representative of the Chicago Police Department.

Associated with this wound is hemorrhage and pulpifaction of the wound track.

The direction is back to front and upward with no significant lateral deviation.

13. GUNSHOT WOUND OF THE RIGHT FOREARM:

There is a gunshot wound of entrance of the dorsal right forearm (inferior) located 19-1/2 inches from the top of the right shoulder and along the posterior midline of the right arm. The ovoid-shaped wound measures 1/2 x 1/8 inch and has an irregular, dry, circumferential marginal abrasion that measures 1/8 inch at 12 o'clock, 1/16 inch at 3 o'clock, 1 inch at 6 o'clock, and 1/8 inch at 9 o'clock. There is no soot or stippling.

After perforating the skin and subcutaneous tissue of the dorsum of the right forearm, the bullet penetrates the musculature of the right forearm.

A markedly deformed, large fragment of copper-jacketed bullet is recovered from the right forearm at approximately 17 inches from the top of the right shoulder and approximately posterior midline of the right arm. The projectile is photographed, sealed within an appropriately labeled envelope and submitted to a representative of the Chicago Police Department.

Associated with this wound are fractures of the right radius and ulna. There is hemorrhage and pulpifaction of the wound track.

The direction is upward and slightly back to front with no significant lateral deviation.

14. GUNSHOT WOUND OF THE RIGHT HAND:

There is a gunshot wound of entrance of the dorsum of the right hand located 24 inches from the top of the right shoulder and

HX475765

1/2 inch posterior to the lateral midline of the right arm. The slit-like wound measures 3/16 inch and has a moist red marginal abrasion from 3 o'clock to 11 o'clock that measures 5/16 of an inch at 3 o'clock, 1/4 inch at 6 o'clock, and 5/16 of an inch at 9 o'clock. There is a thin, circumferential rim of charred skin. Numerous irregular, dry, dark brown abrasions and apparent pseudo-stippling extend along the 5 o'clock to 11 o'clock margin up to 1 inch at 5 o'clock, 1-3/4 inch at 6 o'clock, 1-1/2 inch at 9 o'clock, and 1/2 at 11 o'clock. No definitive gunpowder residue is identified.

After perforating the skin and subcutaneous tissue of the dorsum of the right hand, the bullet penetrates the musculature of the right hand.

Two fragments of markedly deformed, copper-jacketed projectile are recovered from the dorsum of the right hand at a point approximately 23-1/2 inches from the top of the right shoulder and 1/4 inch posterior to the lateral midline of the right arm. The projectile fragments are photographed, sealed within an appropriately labeled envelope and submitted to a representative of the Chicago Police Department.

Associated with this wound is hemorrhage and pulpifaction of the wound track.

The direction is slightly left to right and slightly upward with no significant forward or backward deviation.

15. GUNSHOT WOUND OF THE RIGHT LOWER BACK:

There is a gunshot wound of entrance of the right lower back located 28 inches from the top of the head and 1-7/8 inches right of posterior midline. The 3/16 x 1/8 inch ovoid wound has a circumferential, moist, pink marginal abrasion that measures 1/16 inch at 12 o'clock, 1/8 inch at 3 o'clock, 1/16 inch at 6 o'clock and 1/16 inch at 9 o'clock. There is no soot or stippling.

After perforating the skin and subcutaneous tissue of the right lower back, the bullet subsequently perforates the sacrum, the abdominal cavity and the musculature of the left side of the abdomen.

HX475653

A moderately deformed, copper-jacketed, medium caliber bullet is recovered from the soft tissue of the left abdominal wall approximately 25 inches from the top of the head and approximately 2 inches left of anterior midline. The bullet is photographed, sealed within an appropriately labeled envelope and submitted to a representative of the Chicago Police Department.

Associated with this wound is a fracture of the sacrum as well as hemorrhage and pulpifaction of the wound track.

The direction is back to front, right to left and upward.

16. GUNSHOT WOUND OF THE RIGHT UPPER LEG:

There is a gunshot wound of entrance of the medial right upper leg located 42-1/2 inches from the top of the head and 1/2 inch posterior to the medial midline of the right leg. The ovoid wound measures 1/4 x 3/16 inch and has a dry red-brown marginal abrasion that extends from 7 o'clock to 3 o'clock. The abrasion measures 1/16 inch from 7 o'clock to 9 o'clock and less than 1/16 inch from 9 o'clock to 3 o'clock. There is no soot or stippling.

After perforating the skin and subcutaneous tissue of the medial right upper leg, the bullet subsequently perforates the musculature of the right upper leg and the subcutaneous tissue and skin of the posterior right upper leg.

There is a gunshot wound of exit of the posterior right upper leg located 41-3/8 inches from the top of the head and along the posterior midline of the right leg. The irregularly-shaped wound measures 3/8 x 1/4 inch and has a 3/8 x 1/4 inch brown abrasion that extends along the 12 o'clock to 2 o'clock margin. There is no soot or stippling.

Associated with this wound is hemorrhage and pulpifaction of the wound track.

The direction is left to right and front to back with no significant vertical deviation.

HX475653

II. **OTHER INJURIES:**

There are clusters of dry red-brown abrasions on the right shoulder, right side of the chest and dorsum of the right wrist and hand. Scattered larger red-brown abrasions are on the abdomen.

III. **OTHER ITEMS RECOVERED:**

Tiny, white metal fragments of apparent projectile are recovered from between the maxillary teeth, the right upper arm and the decedent's clothing. These fragments are photographed, sealed within appropriately labeled envelopes and submitted to a representative of the Chicago Police Department.

These injuries, having been once described, will not be repeated.

EVIDENCE SUBMITTED

The following items are collected, sealed within appropriately labeled containers and submitted to a representative of the Chicago Police Department:

-Clothing
-Blood standard
-Projectiles

INTERNAL EXAMINATION

Body Cavities: See **Evidence of Injury.** The thoracic and abdominal organs are in their normal anatomic positions. There are no adhesions.

Head: See **Evidence of Injury.** The skull is unremarkable. The dura and dural sinuses are unremarkable. The leptomeninges are thin and delicate. The cerebral hemispheres are symmetrical with an unremarkable gyral pattern. The cranial nerves and blood vessels are unremarkable. Sections through the cerebral hemispheres, brainstem and cerebellum are unremarkable. There are no hemorrhages of the deep white matter or the basal ganglia. The cerebral ventricles contain no blood. The brain weighs 1325 grams. The spinal cord as viewed from the cranial cavity is unremarkable.

HX4752653

Neck: See **Evidence of Injury.** The hyoid bone is intact.

Cardiovascular System: The intimal surface of the abdominal aorta is free of significant atherosclerosis. The aorta and its major branches and the great veins are normally distributed. The pulmonary arteries contain no thromboemboli. The pericardium, epicardium and endocardium are smooth, glistening and unremarkable. The foramen ovale is closed. The coronary arterial system is normally formed and free of significant atherosclerosis. The atrial and ventricular septa are intact. The cardiac valves are unremarkable. The myocardium is dark red-brown and firm and there are no focal abnormalities. The heart weighs 360 grams.

Respiratory System: See **Evidence of Injury.** The oropharynx is unobstructed. The laryngeal mucosa is pink, smooth, and without petechiae. The pleural surfaces are smooth and glistening. The major bronchi are unremarkable. Sectioning of the lungs discloses a dark red, moderately congested parenchyma.

Hepatobiliary System: The liver is covered by a smooth glistening capsule. The parenchyma is dark red-brown and moderately congested. The liver weighs 1062 grams. The gallbladder contains approximately 10 mL of dark green-brown bile with no calculi.

Gastrointestinal System: The esophageal mucosa is gray, smooth, and unremarkable. The stomach contains approximately 20 mL of blood. There are no tablets or capsules. The gastric mucosa has normal rugal folds and is unremarkable. The small and large intestines are externally unremarkable. The appendix is present.

Genitourinary System: The left kidney is absent. The capsule of the right capsule strips with ease to reveal a smooth and slightly lobulated surface. The cortex is of normal thickness with well-demarcated corticomedullary junctions. The calyx, pelvis and ureter is unremarkable. The urinary bladder contains approximately 200 mL of clear yellow urine. The mucosa is gray, smooth, and unremarkable. The prostate gland is unremarkable externally.

Endocrine System: The thyroid and adrenal glands are unremarkable externally and upon sectioning.

HX475653

Lymphoreticular System: The spleen is covered by a smooth, blue-gray intact capsule. The parenchyma is dark red and firm. The cervical, hilar, and peritoneal lymph nodes are unremarkable.

Musculoskeletal System: See **Evidence of Injury.** The clavicles, sternum and pelvis have no fractures.

FINDINGS

I. Gunshot wound of the left scalp (graze wound):

A. Location: Left parietal scalp.
B. Injuries: Mild subscalpular hemorrhage and thin subarachnoid hemorrhage.
C. Direction: Indeterminate.
D. Range of fire: Indeterminate (no soot or stippling on skin).

II. Gunshot wound of the neck:

A. Entrance: Left base of the neck.
B. Path: Perforations of neck musculature and trachea.
C. Recovery: Medium caliber bullet recovered from the right supraspinatus muscle.
D. Direction: Left to right, slightly front to back and slightly downward.
E. Range of fire: Indeterminate (no soot or stippling on skin).

III. Gunshot wound of the left chest:

A. Entrance: Left upper chest.
B. Path: Perforations of the musculature of the left chest, left lateral back and left upper arm.
C. Exit: Posterior left upper arm.
D. Direction: Front to back, right to left and downward.
E. Range of fire: Indeterminate (no soot or stippling on skin).

HX475653

IV. Gunshot wound of the right chest:

A. Entrance: Right side of the chest.
B. Path: Perforations of the musculature of the right chest, the right fourth rib and right fourth intercostal muscle, the right lung and the right sixth intercostal muscle.
C. Recovery: Markedly deformed bullet fragment recovered from the right latissimus dorsi muscle.
D. Direction: Front to back, left to right and slightly downward.
E. Range of fire: Indeterminate (no soot or stippling on the skin).

V. Gunshot wound of the left elbow:

A. Entrance: Lateral left elbow.
B. Path: Perforations of the musculature of the left upper arm and the left humerus.
C. Exit: Medial left upper arm.
D. Direction: Left to right, back to front and slightly upward.
E. Range of fire: Indeterminate (no soot or stippling on the skin).

VI. Gunshot wound of the right upper arm:

A. Entrance: Posterior right upper arm.
B. Path: Perforations of the musculature of the right upper arm and the right humerus.
C. Exit: Medial right upper arm.
D. Direction: Back to front, downward and slightly left to right.
E. Range of fire: Indeterminate (no soot or stippling on the skin).

HX475653

VII. Gunshot wound of the left forearm:

A. Entrance: Dorsal left forearm.
B. Path: Perforations of the musculature of the left forearm, the left radius and the left ulna.
C. Exit: Medial left forearm.
D. Direction: Back to front, slightly right to left and slightly downward.
E. Range of fire: Indeterminate (no soot or stippling on the skin).

VIII. Gunshot wound of the lateral right upper leg:

A. Entrance: Lateral right upper leg.
B. Path: Perforations of the musculature of the right upper leg, the pelvic floor and the medial left upper leg.
C. Recovery: Medium caliber bullet recovered from the medial left upper leg.
D. Directions: Right to left, downward and slightly front to back.
E. Range of fire: Indeterminate (no soot or stippling on the skin).

IX. Gunshot wound of the left upper back:

A. Entrance: Left upper back.
B. Path: Perforations of the musculature of the left back.
C. Exit: Left lateral back.
D. Direction: Right to left and downward with no significant deviation forwards or backwards.
E. Range of fire: Indeterminate (no soot or stippling on the skin).

X. Gunshot wound of the left elbow:

A. Entrance: Lateral left elbow.
B. Path: Perforations of the musculature of the left elbow, the left humerus and the left ulna.
C. Exit: Medial left elbow.
D. Direction: Left to right and downward with no significant forward or backward deviation.
E. Range of fire: Indeterminate (no soot or stippling on the skin).

HX475653

XI. Gunshot wound of the right upper arm:

A. Entrance: Posterior right upper arm.
B. Path: Perforations of the musculature of the right upper arm and right upper back.
C. Exit: Right upper back.
D. Direction: Right to left, downward and slightly front to back.
E. Range of fire: Indeterminate (no soot or stippling on the skin.

XII. Gunshot wound of the right arm:

A. Entrance: Dorsal right forearm.
B. Path: Perforation of the musculature of the right upper arm.
C. Recovery: Medium caliber bullet recovered from the musculature of the anterior right upper arm.
D. Direction: Back to front and upward with no significant lateral deviation.
E. Range of fire: Indeterminate (no soot or stippling on the skin).

XIII. Gunshot wound of the right forearm:

A. Entrance: Dorsal right forearm.
B. Path: Perforations of the musculature of the right forearm.
C. Recovery: Large fragment of projectile recovered from the right forearm.
D. Direction: Upward and slightly back to front with no significant lateral deviation.
E. Range of fire: Indeterminate (no soot or stippling on the skin).

HX425653

XIV. Gunshot wound of the right hand:

A. Entrance: Dorsum of the right hand.
B. Path: Perforations of the musculature of the right hand.
C. Recovery: Fragments of projectile recovered from the dorsum of the right hand.
D. Direction: Slightly left to right and slightly upward with no significant deviation forward or backwards.
E. Range of fire: Indeterminate (no soot or stippling on the skin on the hand).

XV. Gunshot wound of the lower back:

A. Entrance: Right lower back.
B. Path: Perforations of the sacrum and left abdominal wall musculature.
C. Recovery: Medium caliber bullet recovered from the soft tissue of the left abdominal wall.
D. Direction: Back to front, right to left and upward.
E. Range of fire: Indeterminate (no soot or stippling on the skin).

XVI. Gunshot wound of the right upper leg:

A. Entrance: Medial right upper leg.
B. Path: Perforation of the musculature of the right upper leg.
C. Exit: Posterior right upper leg.
D. Direction: Left to right and front to back without significant vertical deviation.
E. Range of fire: Indeterminate (no soot or stippling on the skin).

XVII. Abrasions of the right shoulder, chest, abdomen hand and wrist.

XVIII. Small, probable projectile fragments recovered from the mouth, skin of the right upper arm and the clothing.

XIX. Post-mortem toxicology negative for benzoylecgonine, ethanol and opiates.

XX. Police-involved shooting.

HX475653

OPINION

Based on the case history and autopsy findings, it is my opinion that LAQUAN MCDONALD, a 17-year-old black male, died as the result of multiple gunshot wounds.

MANNER OF DEATH: Homicide

[redacted]

Donika Means, DO
Assistant Medical Examiner

1/15/2015

WTT:jm
J: -24
D: 10/23/14@17:26
T: 10/24/14@11:56

HX425653

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 2014	21 OCT 2014 1

OFFENSE CLASSIFICATION–LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	GAFFNEY	5121

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

J VAN DYKE (610)

SAME DETAILS

ADDED:

AWARE OF RADIO TRANSMISSIONS (GAFFNEY)
- o ARMED W/ KNIFE
- o ATTACKED BISR - SLASHED TIRE

AWARE OF - 21' RULE
THROWING KNIVES
SPRING LOADED KNIFE
PREVIOUS BULLETIN
KNIFE ACTUALLY FIRES BULLET

OFFICER SAFETY ALERT # 2012-05A-297
04 DEC 2012

R.D. NO. HX426553

[redacted] STAR NO. 20163 | RECEIVED BY: SUPERVISOR'S SIGNATURE–STAR NO. [redacted] 1133 | DAY–MO.–YR. TIME

CPD-23.122 (Rev. 2/83)

In the Bureau of Detectives - Area Central office, Evidence Technician Beat 5824 recovered Office Jason VAN DYKE's handgun, a Smith and Wesson, Model 5942, nine millimeter caliber, semi-automatic pistol. The weapon was loaded with one cartridge in the firing chamber and 14 cartridges in the magazine, when recovered.

Beat 5824 took photographs of Officers Jason VAN DYKE, Joseph WALSH, Thomas GAFFNEY and Joseph MCELLIGOTT. Elimination prints, including palm prints, were also taken from Officers GAFFNEY and MCELLIGOTT.

Officer Jason VAN DYKE was re-interviewed for additional detail, in the Area Central office.

VAN DYKE, Jason D ----

related the same sequence of events as documented in his original interview at the scene of this incident.

VAN DYKE additionally articulated the reasoning behind his decision to use deadly force against the offender in this incident, Laquan MCDONALD. VAN DYKE was aware of the radio transmissions from Officer Thomas GAFFNEY, on Beat 815R, that MCDONALD was armed with a knife. VAN DYKE was aware that MCDONALD had attacked the officers on Beat 815R by slashing the tire of their police vehicle.

As he confronted MCDONALD at 4112 South Pulaski Road, VAN DYKE saw that MCDONALD was in fact, armed with a knife, a deadly weapon. VAN DYKE was aware of the widely accepted teaching in law enforcement that an assailant armed with a knife was considered a deadly threat, if within 21 feet, because it was possible for such an assailant to close that distance and attack with the knife before a defensive shot could be fired from a handgun. VAN DYKE was also aware of the existence of throwing knives, which can be thrown from a distance, as well as spring loaded knives, which propel a blade through the air from the knife handle. VAN DYKE also said he recalled a previously issued Chicago Police Department bulletin warning of a weapon which appeared to be a knife but which actually was capable of firing a bullet, making it a firearm.

Subsequently, a search was conducted of the Chicago Police Department, Automated Message Center, to find the bulletin Officer Jason VAN DYKE remembered, regarding the weapon that appeared to be a knife, but was actually a firearm. This bulletin was issued on 04 December 2012. It was Officer Safety Alert number 2012-OSA-297. It was a warning regarding a "revolver knife" which was capable of firing .22 caliber cartridges.

Three witnesses had been transported into the Area Central office from the scene and were interviewed.

[redacted]----

stated she was in the Burger King restaurant parking lot. She saw a subject, now known as Laquan MCDONALD, running southbound on Pulaski Road. [redacted] saw many police officers on the street. She was trying to get her cellular telephone to work, to record video. [redacted] heard eight gunshots fired continuously. She did not see who fired the shots. [redacted] then saw

Chicago Police Department
Office of News Affairs

Garry F. McCarthy
Superintendent

Marty Maloney
Director

For Immediate Release
October 21, 2014

Contact: Office of News Affairs
312-745-6110

Preliminary Statement on Police Involved Shooting – 4100 Block of S. Pulaski

On Monday, October 20, 2014, at approximately 9:45 pm, officers assigned to the 008th District (Chicago Lawn) were investigating a 911 call of a male subject who was breaking into vehicles in the vicinity of the 4100 block of S. Karlov. Responding uniformed officers approached a subject who produced a knife and proceeded to puncture the front passenger tire and damage the front windshield of their marked Chicago Police vehicle. The offender fled on foot with officers in pursuit. Near the intersection of 4100 S. Pulaski, uniformed officers confronted the armed offender who refused to comply with orders to drop the knife and continued to approach the officers. As a result of this action, the officer discharged his weapon striking the offender. The offender was transported to an area hospital where he succumbed to his injuries. No officers were injured during the incident.

This matter remains under investigation and all further media inquiries can be directed to the Independent Police Review Authority at 312-446-3298.

###

OIG 15-0564 003852

ERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 10CT2014	20 OCT 2014 3

OFFENSE CLASSIFICATION–LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	VAN DYKE	512I

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

J VAN DYKE P1 OF 3

RESPONDED TO 815R REQUEST FOR ASSIST.
MAW W/KNIFE. 40TH W OF PULASKI.
TASER REQUESTED.
HEARD GAFFNEY — O "POPPED" TIRE ON RADIO.
VD = O SLASHED TIRE W/KNIFE.
W/B ON 40TH SAW O = M/B.
RUNNING E/B IN BK LOT.
KNIFE IN R HAND.
McELLIGOTT PURSUING ON FOOT.
CIVILIAN ON 40TH POINTING TO O.
WALSH DRIVE E/B INTO LOT IN PURSUIT.
N SIDE OF BK.
USED VEHICLE TO BLOCK O FROM BK.
O RAN OUT ONTO PULASKI, THEN S/B.
TOWARD DD
WALSH KEPT VEH BETWEEN O + DD.
VD OPENED DOOR TO EXIT + CONFRONT O.
WALSH — NO, TOO CLOSE.
DROVE FURTHER S.
STOPPED AHEAD OF O

R.D. NO. HX425653

[redacted] E–STAR NO. 20563 | RECEIVED BY: SUPERVISOR'S SIGNATURE–STAR NO. 1500 | DAY–MO.–YR. TIME

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 2014	20 OCT 2014 3

OFFENSE CLASSIFICATION–LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	VAN DYKE	512

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

J VAN DYKE P2 OF 3

VD EXITED VEH. DREW HANDGUN
STOOD IN ST, FACING NB, TOWARD O
O COMING S/B
KNIFE IN R HAND, UNDERHAND GRIP, BLADE FORWARD
SWINGING KNIFE IN AGGRESSIVE, EXAGGERATED MANNER
VD = "DROP THE KNIFE!" MULTIPLE TIMES
O IGNORED DIRECTIONS. CONTINUED TO ADVANCE
WHEN O WITHIN 10-15 FT, LOOKED AT VD
RAISED KNIFE ACROSS CHEST, OVER SHOULDER
POINTED KNIFE AT VD
VD BELIEVED O WAS ATTACKING W/KNIFE
TRYING TO KILL VD
IN DEFENSE OF HIS LIFE VD BACKPEDALED + FIRED
O FELL TO GROUND, CONTINUED TO MOVE/GRASP KNIFE
VD CONTINUED FIRING. O APPEARED TO BE
ATTEMPTING TO GET UP, STILL HOLDING KNIFE
POINTING AT VD
SLIDE ON PISTOL LOCKED – WEAPON EMPTY
TACTICAL RELOAD
ASSESSED

R.D. NO. HX475253

[redacted] STAR NO. 20563 | RECEIVED BY: SUPERVISOR'S SIGNATURE–STAR NO. | DAY–MO.–YR. TIME

CPD-23.122 (Rev. 2/83)

ERAL PROGRESS REPORT
ECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 2014	20 OCT 2014 3

OFFENSE CLASSIFICATION–LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	VAN DYKE	512

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

J VAN DYKE P 3 OF 3

O NO LONGER MOVING. THREAT MITIGATED
VD + WALSH APPROACHED O
STILL HOLDING KNIFE IN R HAND
VD CONTINUED, "DROP THE KNIFE!"
WALSH = "I HAVE THIS."
VD COVERED WALSH AS WALSH WALKED UP TO O
FORCIBLY KICKED KNIFE FROM O'S HAND
THREAT ELIMINATED
WALSH = SHOTS FIRED BY POLICE" ON RADIO
VD = REQUESTED AMBULANCE

R.D. NO. HX425653

[redacted] –STAR NO. 20563 | RECEIVED BY: SUPERVISOR'S SIGNATURE–STAR NO. | DAY–MO.–YR. TIME

PD-23.122 (Rev. 2/83)

News / Local news / Breaking News

Cops: Boy, 17, fatally shot by officer after refusing to drop knife



Raw video of the scene where Chicago police shot and killed a 17-year-old with a knife.

By **Quinn Ford** · **Contact Reporter**

OCTOBER 21, 2014, 4:13 PM

Chicago police shot and killed a 17-year-old boy on the Southwest Side after the teen refused to put down a knife, authorities said.

Police received a call of someone trying to break into cars near 40th and Karlov in Archer Heights around 9:45 p.m. Monday, according to Pat Camden, a spokesman for the Fraternal Order of Police.

A squad car arrived on the scene, and officers spotted the teen -- later identified as Laquan McDonald -- standing next to a car with a knife in his hand, Camden said. The teen began walking toward Pulaski Road and ignored the officers' requests to drop the knife, Camden said.

"He's got a 100-yard stare. He's staring blankly," Camden said of the teen. "[He] walked up to a car and stabbed the tire of the car and kept walking."

OIG 15-0564 015188.1

Officers remained in their car and followed McDonald as he walked south on Pulaski Road. More officers arrived and police tried to box the teen in with two squad cars, Camden said. McDonald punctured one of the squad car's front passenger-side tires and damaged the front windshield, police and Camden said.

Officers got out of their car and began approaching McDonald, again telling him to drop the knife, Camden said. The boy allegedly lunged at police, and one of the officers opened fire.

McDonald was shot in the chest and taken to Mount Sinai Hospital, where he was pronounced dead at 10:42 p.m. He lived in the 500 block of North Springfield Avenue, about 5 miles from where he was shot.

Camden said a knife was recovered from the scene. A statement from Police News Affairs said no officers were injured.

Camden said none of the officers who responded had a Taser to use on the teen and were trying to detain him long enough for one to arrive. He said officers were forced to defend themselves.

"When police tell you to drop a weapon, all you have to do is drop it," Camden said.

As with all Chicago police-involved shootings, the Independent Police Review Authority was investigating.

In other shootings, at least three people were injured since Monday afternoon, police said.

About 4:10 a.m., a 25-year-old man walked into Northwestern Memorial Hospital with a gunshot wound to the leg, police said.

The man was shot in the 100 block of East Ohio Street in River North, police said. He drove himself to Northwestern Memorial, where he was treated.

About 7:25 p.m., a 20-year-old man was shot in the 6700 block of South Hermitage Avenue in West Englewood.

The man was outside when he heard gunfire, ran and then felt pain, said Police News Affairs Officer Thomas Sweeney. The man was taken to St. Bernard Hospital, where he was listed in good condition, Sweeney said.

Hours earlier, a 20-year-old man was shot in his leg in Old Town, police said.

The man was shot about 4 p.m. in the 1600 block of North Vine Street, police said. He was taken to

OIG 15-0564 015189

Northwestern Memorial, where he was listed in good condition. Police did not immediately provide details about the shooting.

Copyright © 2016, Chicago Tribune

This article is related to: Crime, Laquan McDonald, Chicago Police Department

OIG 15-0564 015190

ERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 2014	20 OCT 2014 3

OFFENSE CLASSIFICATION–LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	WALSH J [illegible]	5121

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

J WALSH P1 OF 2

WHEN O E/B IN BK LOT, USED VEH TO BLOCK
D FROM BK
O S/B ON PULASKI FROM BK. WALSH IN PURSUIT
S/B IN N/B LANES TO GET AHEAD OF O
KEPT VEH BETWEEN O + VS
AS THEY PASSED O VS ATTEMPTED TO EXT/CONFRONT
WALSH = TOO CLOSE, WAIT
DROVE FURTHER S
STOPPED S OF O
BOTH EXITED VEH
WALSH DREW HANDGUN
AROUND REAR OF TAHOE
JOINED VS
<TOO> IN ST FACING N/B AS O APPROACHED S/B
WALSH = "DROP THE KNIFE!" MULTIPLE TIMES
WALSH BACKED UP, ATTEMPTING TO MAINTAIN SAFE DISTANCE
O IGNORED DIRECTIONS, CONTINUED TO ADVANCE
AT 12-15 FT O SWUNG KNIFE AT POV IN
AGGRESSIVE MANNER

R.D. NO. HX475653

[redacted] STAR NO. 20563 | RECEIVED BY: SUPERVISOR'S SIGNATURE–STAR NO. [redacted] | DAY–MO.–YR. TIME

PD-23.122 (Rev. 2/83)

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 2014	20 OCT 2014 3

OFFENSE CLASSIFICATION—LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	VAN DYKE	512

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

J WALSH P2 OF 2

VD OPENED FIRE
O FELL TO GROUND
VD CONTINUED FIRING AS O CONTINUED MOVING, ATTEMPTING GET UP, STILL ARMED W/KNIFE
WHEN GUNFIRE STOPPED, O NOT MOVING
POs APPROACHED O
WALSH CONTINUED, "DROP THE KNIFE!" MULTIPLE X
O STILL HOLDING KNIFE IN R HAND
WALSH FORCIBLY KICKED KNIFE FROM HAND
NOTIFIED DISPATCHER — SHOTS FIRED BY POLICE
AMBULANCE WAS ALSO REQUESTED
WHILE WAITING FOR AMBULANCE, TOLD O "HANG IN THERE." AMBULANCE ON WAY
WALSH BELIEVED O WAS ATTACKING POs W/KNIFE, ATTEMPTING TO KILL POs WHEN SHOTS FIRED
WALSH DID NOT FIRE BECAUSE VD IN LINE OF FIRE
THOUGHT VD FIRED 8-9 SHOTS

R.D. NO. HX475653

[redacted] STAR NO. 20763 | RECEIVED BY: SUPERVISOR [redacted] STAR NO. [redacted] | DAY—MO.—YR. TIME

PD-23.122 (Rev. 2/83)

CHICAGO POLICE DEPARTMENT

ORIGINAL CASE INCIDENT REPORT

3510 S. Michigan Avenue, Chicago, Illinois 60653
(For use by Chicago Police Department Personnel Only)
CPD-11.388(6/03)-C)

RD #: HX486155
EVENT #: 1430116812
Case ID: 9837884 CASR229

This Document is not an official copy. It is a computerized version of data entered from an original case report. A copy of the original case report can be obtained from the Records Division

INCIDENT

ASSIGNED TO FIELD

IUCR: 0520 - Assault - Aggravated:Knife/Cutting Instr

Occurrence Location: 4101 S Kildare Blvd
Chicago IL 60632
304 - Street

Beat: 0815

Unit Assigned: 5121
RO Arrival Date: 20 October 2014 22:15

Occurrence Date: 20 October 2014 21:47

NON OFFENDER

VICTIM

Name: [redacted]

Res: [redacted] #HOUSE **Beat:** 0824
Chicago IL 60629
[redacted]

Beat: 5100

Demographics

Male
White Hispanic

DOB: [redacted]
Age: 43 Years

INJURIES

Injury Info [redacted] **- Victim)**

Type	Other Weapon Used
None Visible	Other - Knife

SUSPECT

Suspect # 1

Name: MCDONALD, Laquan J

Res: [redacted]

Beat: 0722

Demographics

Male
Black

DOB: [redacted]
Age: 17 years

RELATIONSHIP

RELATIONSHIP

(Victim) [redacted] is a No Relationship of (Offender) **MCDONALD, Laquan,J**

DOMESTIC INFO

DOMESTIC INFO

RD #: HX486155

powered by CLEAR Technology

NARRATIVE

ADDITIONAL VICTIMS: IUCR 0552

GAFFNEY, Thomas J,
CPD PO, #19958,
M / W / 41.

VAN DYKE, Jason D
CPD PO, #9465,
M / W / 36.

WALSH, Joseph J,
CPD PO, #12865,
M / W / 45.

INVESTIGATION:

The offender in this incident, Laquan MCDONALD, committed an aggravated assault against the victim, [redacted], by attempting to cut [redacted] with a knife. [redacted] called 9-1-1. Chicago Police Officers Thomas GAFFNEY, Jason VAN DYKE and Joseph WALSH responded to [redacted]' call. MCDONALD committed aggravated assaults against the three officers, finally forcing Officer VAN DYKE, in defense of his life, to shoot and kill MCDONALD. Details of this investigation are reported under the HOMICIDE / Justifiable, recorded under Records Division number HX475653.

PERSONNEL

	Star No	Emp No	Name	User	Date	Unit	Beat
Approving Supervisor	1303	[redacted]	**GALLAGHER, Daniel, A**	([redacted]	29 Oct 2014 22:06	610	
Detective/Investigator	20563	[redacted]	**MARCH, David, M**	[redacted])	29 Oct 2014 22:07	610	
Reporting Officer	20563	[redacted]	**MARCH, David, M**	[redacted])	29 Oct 2014 21:05	610	5121

CLEAR Technology

ISP Case # _____

ILLINOIS STATE POLICE
Division of Forensic Services*Forensic Services Command*FSC-C
Evidence Submission Form for Chicago Police Department

Form # **54818.E**
Status **APPROVED**

Case Information

Incident **RD HX475653** Date of Offense **20-OCT-2014**
Offense **0150 HOMICIDE JUSTIFIABLE HOMICIDE**
Address **4112 S PULASKI RD CHICAGO, IL BEAT: 0815**

Submitting Detective

Name **MARCH, DAVID M**
Star No **20563** CPD Unit No **610**
Work Hours **16:00 - 01:00**
Pager / Cell [redacted]
Bell No **312-747-8380** Pax No **1115**
Email **david.march@chicagopolice.org**

Evidence Coordinator

Name **DOCHERTY, ANN M**
Star No **20918** EC Review Date **03-NOV-2014**

Involved People

	Name	IR No	SID No	FBI No
Suspect	**MCDONALD, LEQUAN J**	**2106340**	**IL18550721**	
Victim	**PO. GAFFNEY #19958, THOMAS J**			
Victim	**PO. VAN DYKE #9465, JASON D**			
Victim	**PO. WALSH #12865, JOSEPH J**			

Inventories

Inventory No.	Package No.	Property Type	Qty	Description	Location	Lab Sections
13296449	3835538	FIREARM	1	SMITH & WESSON MOD.#5943 SER. # [redacted] 9MM CALIBER SEMI-AUTOMATIC PISTOL 4 INCH BARREL STAINLESS STEEL	177	FA
		BULLET / AMMO	15	WIN 9MM LUGER+P BULLET CARTRIDGES		
		MAGAZINE	2	15 SHOT CAPACITY BULLET MAGAZINES		
13296485	3835606	EXPENDED SHELL	14	WIN 9MM LUGER + P FIRED CARTRIDGE CASES (MARKERS #1,& #4 THROUGH #16) RECOVERED FROM THE STREET	177	FA
13296489	3835608	EXPENDED SHELL	2	WIN 9MM LUGER + P FIRED CARTRIDGE CASES (MARKERS #2 & #3) RECOVERED FROM THE STREET	177	FA
13296495	**3835615**	**KNIVES / KNIFE HANDLE / KNIFE BLADE**	**1**		**167**	**LP/ISP**
13296511	3835629	OTHER	1	METAL FRAGMENT (MARKER #A) RECOVERED FROM THE STREET	177	FA
		OTHER	1	METAL FRAGMENT (MARKER #D) RECOVERED FROM THE STREET		
		OTHER	1	METAL FRAGMENT (MARKER #E) RECOVERED FROM THE STREET		
		OTHER	1	METAL FRAGMENT (MARKER #F) RECOVERED FROM THE STREET		
		OTHER	1	METAL FRAGMENT (MARKER #G) RECOVERED FROM THE STREET		
13296534	**3835657**	**OTHER**	**1**	**ENVELOPE CONTAINING METAL FRAGMENTS RECOVERED FROM THE OFFENDERS SWEATER**	**167**	**FA**
		OTHER	**3**	**METAL FRAGMENTS RECEIVED IN A CONTAINER FROM DET JOHNSON #20169**		
13296668	3835793	FIRED BULLET	10	SEALED ME BULLET ENVELOPE	177	FA

[redacted] 11/3/2014

Detective's Comments
This case was the subject of a Major Case Review on 30 October 2014. This request is submitted per the results of this review. **The offender, Lequan MCDONALD, assaulted the three victim Chicago Police Officers with a knife, and was shot and killed by victim Police Officer Jason VAN DYKE. MCDONALD's knife and Officer VAN DYKE's weapon were recovered and inventoried. It is requested that Officer VAN DYKE's weapon be examined and compared to the firearms evidence recovered from the scene, and from the offender, MCDONALD, both at Mount Sinai Hospital and at the Office of the Medical Examiner. It is requested that MCDONALD's knife be examined for latent fingerprints, and if any are found, that they be compared to the fingerprints of MCDONALD.**

Evidence Coordinator's Comments
PER MCR

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 14	20 OCT 14 3

OFFENSE CLASSIFICATION—LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	VANJYKS	5721

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

D FONTAINE

RESPONDED TO REQUEST FOR ASSIST, B/5R
MAN W/KNIFE, 41 + PULASKI
R V DROVE N/B PULASKI
WHEN THEY ARRIVED AT SCENE, D FRONT OF DD,
SAW O WALKING S/B, IN ST, KNIFE IN R HAND
O WALKING ~~S/B~~ SIDEWALK, BODY FACING E,
TOWARD JVS + JW
POs STANDING IN ST, ~~FOR~~ SIDE OF THEIR ~~VEHICLE~~-
TAHOE FACING S/B
HEARD POs REPEATEDLY "DROP THE KNIFE!"
O IGNORED, RAISED R ARM TOWARD VS, AS IF
ATTACKING VS
VS FIRED MULTIPLE SHOTS UNTIL O FELL TO
GROUND + STOPPED MOVING R ARM + HAND, STILL
GRASPING KNIFE
SHOTS = RAPID FIRE, WITHOUT PAUSE
WALSH THEN KICKED KNIFE FROM O'S HAND

R.D. NO. HX475253

[redacted] [redacted]

REPORTING OFFICER'S SIGNATURE—STAR NO.	RECEIVED BY: SUPERVISOR'S SIGNATURE—STAR NO.	DAY—MO.—YR.	TIME
[redacted] 20563	[redacted]		

CPD-23.122 (Rev. 2/83)

GENERAL PROGRESS REPORT
ECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 2014	20 OCT 2014 3

OFFENSE CLASSIFICATION—LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	VAN DYKE	512 1

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

R VIRAMONTES

WHEN HE EXITED VEHICLE AT SCENE,
SAW O WALKING S/B ON PULASKI, IN MIDDLE OF ST
KNIFE IN R HAND
HEARD JVD REPEATEDLY "DROP THE KNIFE!"
O IGNORED TURNED TOWARD JVD + JW
VD FIRED MULTIPLE SHOTS
O FELL TO GROUND BUT CONTINUED TO MOVE
ATTEMPTING TO GET BACK UP, KNIFE STILL IN HAND
VD FIRED AT O CONTINUOUSLY UNTIL O
NO LONGER MOVING

R.D. NO. HX475253

[redacted] STAR NO. 20563 | RECEIVED BY: SUPERVISOR'S SIGNATURE—STAR NO. [redacted] (30) | DAY—MO.—YR. TIME

CPD-23.122 (Rev. 2/83)

ICAGO POLICE DEPARTMENT

ASE SUPPLEMENTARY REPORT

0 S. Michigan Avenue, Chicago, Illinois 60653
use by Chicago Police - Bureau of Investigative Services Personnel Only)

HX475653

Case id : 9825613
Sup id : 10988891 CASR339

ROGRESS-VIOLENT(SCENE) | **DETECTIVE SUP. APPROVAL COMPLETE**

st Offense Classification/Re-Classification	IUCR Code	Original Offense Classification			IUCR Code
AULT / Aggravated Po:Knife/Cut Instr	0552	ASSAULT / Aggravated Po:Knife/Cut Instr			0552
ddress of Occurrence	Beat of Occur	No of Victims	No of Offenders	No of Arrested	SCR No
112 S PULASKI RD	815	4	1	1	
ocation Type	Location Code	Secondary Location			Hate Crime
treet	304				No
ate of Occurrence	Unit Assigned	Date RO Arrived	Fire Related?	Gang Related?	Domestic Related?
0-OCT-2014 21:57	0841R	20-OCT-2014 21:57	NO	NO	NO

eporting Officer	Star No	Approving Supervisor	Star No	Primary Detective Assigned	Star No
MARCH, David	20563	WOJCIK, Anthony	481	MARCH, David	20563
ate Submitted		Date Approved		Assignment Type	
5-MAR-2015 18:23		16-MAR-2015 00:03		FIELD	

HIS IS A FIELD INVESTIGATION PROGRESS-VIOLENT(SCENE) REPORT

/ICTIM(S):

GAFFNEY, Thomas J
Male / White / 41 Years
EMPLOYMENT: Chicago Police Officer #19958

EMPLOYER BUSINESS NME: Chicago Police Department

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

VAN DYKE, Jason D
Male / White / 36 Years
EMPLOYMENT: Chicago Police Officer #9465

EMPLOYER BUSINESS NME: Chicago Police Department

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

WALSH, Joseph J
Male / White / 45 Years
EMPLOYMENT: Chicago Police Officer #12865

EMPLOYER BUSINESS NME: Chicago Police Department

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

HX475653

MCELLIGOTT, Joseph P
Male / White / 36 Years
EMPLOYMENT: Chicago Police Officer #18715

EMPLOYER BUSINESS NME: Chicago Police Department

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

FFENDER(S) **MCDONALD, Laquan J** -- In Custody--

ALIAS: "Bon-Bon"
Male / Black / 17 Years
DOB: [redacted]
DESCRIPTION: 6'02, 180, Black Hair, Dreadlocks Hair Style, Brown Eyes, Medium Complexion
RES: [redacted]
Chicago IL
BIRTH PLACE: Illinois
DLN/ID: [redacted] IL
OTHER IDENTIFICATIONS: **Type -** Other Id
State - Unknown
IR#: 2106340
SID#: IL185507
21
RELATIONSHIP OF VICTIM TO OFFENDER:

GAFFNEY, Thomas J	- No Relationship
MCELLIGOTT, Joseph P	- No Relationship
VAN DYKE, Jason D	- No Relationship
WALSH, Joseph J	- No Relationship

GANG INFORMATION:

-
LISTED CRIMINAL ORGANIZATION: New Breed
GANG IDENTIFIERS: Other

ITEM USED:
Weapon

)FFENDER INJURIES: **MCDONALD, Laquan J**

Type	Weapon Used	Weapon Description
Gun Shot Wound	Handgun	Other - Handgun

Injured by Police
Chicago Fire Department Provided First Aid
EXTENT OF INJURY: Multiple Gsw
HOSPITAL REMOVED BY: Cfd Ambulance 21

INJURY TREATMENT: Multiple Gsw

PHYSICIAN NAME: Dr Pitzele

PON(S): **INV#:** 13296449

Evidence

Smith & Wesson -Us- (Bodyguard,Chief Special), 5942, 9, Semi-Automatic Pistol, Semi-Automatic, 4", Stainless
SERIAL#: [redacted]
PROPERTY TYPE: OTHER

OWNER: Van Dyke, Jason
POSSESSOR/USER: VAN DYKE, JASON

PHONE #: 312 - 747 - 8730
LOCATION FOUND: 5101 S WENTWORTH AVE

Number Of Live Rounds present in the Firearm - 15
Number Of Live Rounds used in the Firearm - 16
The Status Of This Firearm is 628361

EHICLE INFO: **Truck, 2010 / Chevrolet / Tahoe / Truck**
Victim's Vehicle
VIN: 1GNMCAE0XAR263348
YEAR (RANGE): 2010
COLOR(TOP/BOTTOM): White / White
OWNER: Chicago Police Department
POSSESSOR/USER: GAFFNEY, THOMAS
PHONE#: 312 - 747 - 8730
The Vehicle was Seized
LOCATION FOUND: 4102 S PULASKI RD

LICENSE: Mp6581, Law Enforcement (City, County, State, Sos), IL

LOCATION OF INCIDENT:
4112 S Pulaski Rd
Chicago IL
304 - Street

DATE & TIME OF INCIDENT: 20-OCT-2014 21:57

JUST HOMICIDE DESCRIPTION: Criminal Killed By Police Officer

ADDITIONAL JUST HOMICIDE DESCR.: Criminal Attacked Officer That Officer Killed Criminal

WEATHER AND LIGHTING:
WEATHER: Cloudy & Cool
TEMPERATURE: 50s
LIGHTING: Dark / Artificial Light
LIGHTING SOURCE: Streetlights

DISTANCE: Overhead

)TIVE CODE(S): Interceding In A Felony

USE CODE(S): Dna

HOD CODE(S): Offender Shot

U CODE(S): Police Related Not Con

REARM(S) COVERED: **INV #:** **13296449**
Evidence
Smith & Wesson -Us- (Bodyguard,Chief Special), 5942, 9, Semi-Automatic Pistol, Semi-Automatic, 4", Stainless
SERIAL#: [redacted]
PROPERTY TYPE: OTHER

OWNER: Van Dyke, Jason
POSSESSOR/USER: VAN DYKE, JASON

PHONE #: 312 - 747 - 8730
LOCATION FOUND: 5101 S WENTWORTH AVE

Number Of Live Rounds present in the Firearm - 15
Number Of Live Rounds used in the Firearm - 16
The Status Of This Firearm is [redacted]

EHICLE(S) DAMAGED: **Truck, 2010 / Chevrolet / Tahoe / Truck**
Evidence
VIN: 1GNMCAE0XAR263348
YEAR - YEAR RANGE END: 2010

COLOR (TOP/BOTTOM): White / White
OWNER: Chicago Police Department
POSSESSOR/USER: GAFFNEY, THOMAS
PHONE#: 312 - 747 - 8730
LOCATION FOUND: 4102 S PULASKI RD
LICENSE: Mp6581, Law Enforcement (City, County, State, Sos), IL

ERSONNEL ASSIGNED:
Detective/Investigator
MARCH, David M # 20563
Reporting Officer
FONTAINE, Dora # 4484 **BEAT:** 0841R

ITNESS(ES): [redacted]
Male / White Hispanic / 18 Years
DOB: [redacted]
RES: [redacted]bull Ave 1
Chicago IL

OTHER COMMUNICATIONS:
Cellular Phone: [redacted]

DLN/ID: [redacted] - IL
[redacted]
Female / White Hispanic / 19 Years
DOB: [redacted]
RES: [redacted]
Chicago IL
[redacted]

BUS: [redacted]
Chicago IL
[redacted]

DLN/ID: [redacted]

MONDRAGON, Janet

Female / White Hispanic / 37 Years
EMPLOYMENT: Chicago Police Officer #4364

BUS: 3420 W 63rd St
Chicago IL
312-747-8730
[redacted]
Female / White Hispanic / 29 Years
DOB: [redacted]
RES: [redacted]

OTHER COMMUNICATIONS:
Cellular Phone: [redacted]
Female / White Hispanic / 24 Years
DOB: [redacted]
RES: [redacted]
Chicago IL

EMPLOYMENT: Shift Manager

BUS: [redacted]

OTHER COMMUNICATIONS:

Cellular Phone: [redacted]

VELEZ, Leticia

Female / White Hispanic / 43 Years

EMPLOYMENT: Chicago Police Officer #10385

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

BACERRA, Arturo

Male / White Hispanic / 32 Years

EMPLOYMENT: Chicago Police Officer #15790

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

FONTAINE, Dora

Female / White Hispanic / 47 Years

EMPLOYMENT: Chicago Police Officer #4484

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

[redacted]

Female / White Hispanic / 30 Years

DOB: [redacted]

RES: [redacted]
Chicago IL

OTHER COMMUNICATIONS:

Cellular Phone: [redacted]

[redacted]

Male / White Hispanic / 24 Years

DOB: [redacted]

RES: [redacted]

SSN: [redacted]

DLN/ID: [redacted] - IL

SEBASTIAN, Daphne L

Female / White / 45 Years

EMPLOYMENT: Chicago Police Officer #2763

BUS: 3420 W 63rd St
Chicago IL
312-747-
8730

[redacted]

Male / White Hispanic / 25 Years

DOB: [redacted]

RES: [redacted]

BUS: [redacted]

--

OTHER COMMUNICATIONS:

Cellular Phone: [redacted]

SSN: [redacted]

VIRAMONTES, Ricardo

Male / White Hispanic / 41 Years

EMPLOYMENT: Chicago Police Officer #10590

BUS: 3420 W 63rd St
Chicago IL
312-747-
8730

OTHER INDIVIDUALS INVOLVED: [redacted] (Additional Victim)

Male / White Hispanic / 43 Years

DOB: [redacted]

RES: [redacted]

EMPLOYMENT: Self-Employed Truck Driver

OTHER COMMUNICATIONS:

Cellular Phone: [redacted]

DLN/ID: [redacted]

[redacted] (Family Member Notified)

Male / Black / 25 Years
DOB: [redacted]
RES: [redacted]

OTHER COMMUNICATIONS:
Other: [redacted]

[redacted] (Person Interviewed Non-Witness)

Female / White Hispanic / 39 Years
DOB: [redacted]
RES: [redacted]

BUS: [redacted]

[redacted] (Person Interviewed Non-Witness)

Female / White Hispanic / 62 Years
DOB: [redacted]
RES: [redacted]

BUS: [redacted]

CRIME CODE SUMMARY: 0552 - Assault - Aggravated Po:Knife/Cut Instr

IUCR ASSOCIATIONS:

0552 - Assault - Aggravated Po:Knife/Cut Instr

GAFFNEY, Thomas, J	(Victim)	
MCDONALD, Laquan, J		(Offender)
MCELLIGOTT, Joseph, P	(Victim)	
MCDONALD, Laquan, J		(Offender)
VAN DYKE, Jason, D	(Victim)	
MCDONALD, Laquan, J		(Offender)
WALSH, Joseph, J	(Victim)	
MCDONALD, Laquan, J		(Offender)

NCIDENT NOTIFICATION: **NOTIFICATION DATE & TIME:** 10/20/2014:230700

REQUEST TYPE: Notification

PERSON NAME: ,Sarlo

STAR #: 13131

IDENT NOTIFICATION: **NOTIFICATION DATE & TIME:** 10/20/2014:231400

REQUEST TYPE: Notification

PERSON NAME: ,Jines

STAR #: 4898

IDENT NOTIFICATION: **NOTIFICATION DATE & TIME:** 10/20/2014:215000

REQUEST TYPE: On Scene

PERSON NAME: ,March

STAR #: 20563

CIDENT NOTIFICATION: **NOTIFICATION DATE & TIME:** 10/21/2014:225800

REQUEST TYPE: Notification

PERSON NAME: ,Chibe

STAR #: 7303

ICIDENT NOTIFICATION: **NOTIFICATION DATE & TIME:** 10/20/2014:235000

REQUEST TYPE: Notification

PERSON NAME: ,Briggs

EMP #: 76

EPORT DISTRIBUTIONS: No Distribution

NVESTIGATION:

AREA CENTRAL FIELD INVESTIGATION:

Progress - Scene Report.

TYPE OF INCIDENT:

ASSAULT / Aggravated of a Police Officer - Knife
IUCR - 0552.

RECORDS DIVISION NUMBER:

HX475653.

EVENT NUMBER:

1429315878.

DATE AND TIME:

Mon, 20 Oct 2014, 21:57 hours.

LOCATION:

4112 S Pulaski Rd,
on the street - Beat 815.

WEATHER AND LIGHTING:

Cloudy and cool, temperature in the 50s.
Dark with good artificial light provided by overhead streetlights, all on and functioning normally. Additional artificial light provided by lighting of nearby businesses.

DATE AND TIME ASSIGNED:

Mon, 20 Oct 2014, 22:00 hours,
by Sgt D GALLAGHER #1303.

VICTIMS:

VAN DYKE, Jason D,
CPD - PO, #9465,
M / W / 36,
Assigned to 008th District,
3420 W 63rd St,
312-747-8730,
On duty,
Beat 845R,
In uniform -
Light blue long sleeve shirt with shoulder patches,
Black body armor vest with patches,
Navy blue cargo pants,
Equipment belt with handgun and radio,
Marked vehicle -
CPD vehicle # 6412,
Chevrolet Tahoe, four door SUV,
Illinois license plate # M172910.

WALSH, Joseph J,
CPD - PO, #12865
M / W / 45,
Assigned to 008th District,
3420 W 63rd St,
312-747-8730,
On duty,
Beat 845R,
In uniform -

Light blue long sleeve shirt with shoulder patches,
Black body armor vest with patches,
Navy blue cargo pants,
Equipment belt with handgun and radio,
Marked vehicle -
CPD vehicle # 6412,
Chevrolet Tahoe, four door SUV,
Illinois license plate # M172910.

GAFFNEY, Thomas J,
CPD - PO, #19958,
M / W / 41,
Assigned to 008th District,
3420 W 63rd St,
312-747-8730,
On duty,
Beat 815R,
In uniform -
Uniform baseball style cap with embroidered patch,
Light blue long sleeve shirt with shoulder patches,
Black body armor vest with patches,
Navy blue cargo pants,
Equipment belt with handgun and radio,
Marked vehicle -
CPD vehicle # 8489,
Chevrolet Tahoe, four door SUV,
Illinois license plate # MP6581.

MCELLIGOTT, Joseph P,
CPD - PO, #18715,
M / W / 36,
Assigned to 008th District,
3420 W 63rd St,
312-747-8730,
On duty,
Beat 815R,
In uniform -
Light blue long sleeve shirt with shoulder patches,
Black body armor vest with patches,
Navy blue cargo pants,
Equipment belt with handgun and radio,
Marked vehicle -
CPD vehicle # 8489,
Chevrolet Tahoe, four door SUV,
Illinois license plate # MP6581.

ADDITIONAL VICTIMS:

ASSAULT / Aggravated - Knife
IUCR - 0520.

[redacted]
M / WH / 43, DOB [redacted],
[redacted]
Self-employed truck driver,
Gang - None,
IL D/L #[redacted]
SS# [redacted]
FBI# [redacted],
SID# [redacted],
IR# [redacted].

INJURIES:

No injuries to any victims.

OFFENDERS:

Deceased -----
MCDONALD, Laquan J,
Nickname - "Bon-Bon,"
M / B / 17, DOB [redacted],
[redacted]
Gang - New Breeds per CPD records,
6'02",
180 lbs,
Slender build,
Black hair in dreadlocks,
Brown eyes,
Medium complexion,
Il ID # [redacted],
SID# IL18550721,
IR# 2106340.

CLOTHING:

Inventory # 13296470 (Unit 277)
1 - Black hooded sweatshirt,
1 - Black sweatshirt,
1 - Pair blue jean pants,
1 - Pair black boxer shorts underwear,
1 - Pair black socks,
1 - Pair black gym shoes.
Recovered at the Office of the Medical Examiner

by Crime Lab Beat 5809.
To ERPS - No analysis needed at this time.

IDENTIFIED BY:

State of Illinois ID Card on Laquan MCDONALD's person.

FAMILY NOTIFICATION:

[redacted],
M / B / 25, DOB [redacted]
[redacted]
[redacted]
[redacted],
Uncle of Laquan MCDONALD.

INJURIES:

Fatal
1 - GSW to left neck, lodged,
1 - GSW, T & T, entrance left chest, exit rear left shoulder,
1 - GSW to right chest, lodged,
1 - GSW, T & T, entrance outer rear left elbow,
exit inner front left elbow,
1 - GSW, T & T, entrance rear upper right arm,
exit front upper right arm,
1 - GSW, T & T, entrance back of left wrist,
exit front of left forearm,
1 - GSW, T & T, entrance front of right hip, exit inner right thigh,
1 - GSW, T & T, entrance rear upper left shoulder,
exit left shoulder blade,
1 - GSW, T & T, entrance outer rear left elbow,
exit inner rear left elbow,
1 - GSW, T & T, entrance rear right shoulder,
exit upper right back,
1 - GSW to back of right arm, just below elbow, lodged,
1 - GSW to back of right wrist, lodged,
1 - GSW to back of right hand, lodged,
1 - GSW to right buttocks, lodged,
1 - GSW to back of right thigh, lodged,
1 - GSW, graze wound to left side top of head.

TAKEN TO:

Mount Sinai Hospital by CFD Ambulance 21.

PRONOUNCED BY:

Dr PITZELE, at Mount Sinai Hospital,
Mon, 20 Oct 2014, at 22:42 hours.

MEDICAL EXAMINER CASE NUMBER:

2014 - 01071.

WEAPONS:

Offender, MCDONALD, Laquan J -----
Inventory # 13296495 (Unit 277)
1 - Folding knife,
7" overall, 3" blade (Marker C).
Recovered from the street at 4112 S Pulaski Rd,
by Crime Lab Beat 5802. Blade locked open when recovered.
Request for analysis by Latent Prints Section.

Victim, VAN DYKE, Jason D (PO) -----
Inventory # 13296449 (Unit 277)
1 - Smith and Wesson, Model 5942, 9 mm caliber,
semi-automatic pistol, stainless steel, 4" barrel,
serial # [redacted],
1 - 9 mm caliber cartridge from firing chamber,
14 - 9 mm caliber cartridges from magazine,
2 - Fifteen round magazines.
Recovered in the Bureau of Detectives - Area Central office
by ET Beat 5824.
IL FOID card # [redacted],
expiration 01 May 2019,
Chicago registration # [redacted].
Request for analysis by Firearms Section.

VEHICLES:

CPD vehicle damaged by Laquan MCDONALD -
CPD vehicle # 8489,
Beat 815R,
Marked vehicle,
2010 Chevrolet Tahoe, four door SUV, white / white,
VIN - 1GNMCAE0XAR263348,
IL license plate # MP6581.
Right front tire flat after MCDONALD stabbed the tire with a knife,
damage to right side of windshield from knife.

MANNER / MOTIVE:

Laquan MCDONALD was shot and killed by Chicago Police
Officer Jason VAN DYKE while MCDONALD was committing an

aggravated assault with a knife against Officer VAN DYKE and his partner, Chicago Police Officer Joseph WALSH. MCDONALD also committed an aggravated assault with a knife against Chicago Police Officers Thomas GAFFNEY and Joseph MCELLIGOTT, when MCDONALD stabbed the right front tire and windshield of their police vehicle, and an aggravated assault with a knife against civilian, [redacted], immediately prior to being confronted by Officers VAN DYKE and WALSH. / Peace officer interceding in a felony, in the line of duty-Defense of life (Offender apparently attempting to defeat arrest).

REFERENCE NUMBERS:

U # 2014 - 36.

Log # 1072125.

RD# HX486155
HOMICIDE / Justifiable Homicide
IUCR - 0150.

PROPERTY TAKEN:

None.

EVIDENCE:

Video of scene taken by Crime Lab Beat 5802.

Photographs of scene taken by Crime Lab Beat 5802.

Photographs of victim police officers taken by ET Beat 5824.

See Weapons and Clothing categories above.

Inventory # 13296485 (Unit 277)
14 - 9 mm caliber cartridge cases (Markers 1 & 4 - 16).
Recovered from the street at 4112 S Pulaski Rd
by Crime Lab Beat 5802.
Request for analysis by Firearms Section.

Inventory # 13296489 (Unit 277)
2 - 9 mm caliber cartridge cases (Markers 2 & 3).
Recovered from the street at 4112 S Pulaski Rd
by Crime Lab Beat 5802.
Request for analysis by Firearms Section.

Inventory # 13296500 (Unit 277)

1 - Swab box containing two swabs of suspect red blood stains
(Marker B).
Recovered from the street at 4112 S Pulaski Rd
by Crime Lab Beat 5802.
To ERPS - No analysis needed at this time.

Inventory # 13296511 (Unit 277)
5 - Metal fragments (Markers A, D, E, F & G).
Recovered from the street at 4112 S Pulaski Rd
by Crime Lab Beat 5802.
Request for analysis by Firearms Section.

Inventory # 13296523 (Unit 277)
1 - Firestone Firehawk tire with damage, attached to rim.
Recovered from CPD vehicle # 8489 (Beat 815R),
at 4102 S Pulaski Rd, by Crime Lab Beat 5802.
To ERPS - No analysis needed at this time.

Inventory # 13296528 (Unit 277)
4 - Ridge impression lifts.
Recovered from the right front quarter panel of CPD vehicle
8489 (Beat 815R), by Crime Lab Beat 5802.
To ERPS - No analysis needed at this time.

Inventory # 13296534 (Unit 277)
1 - Envelope containing metal fragments,
recovered from the sweater of Laquan MCDONALD,
by Crime Lab Beat 5802,
3 - Metal fragments in a container,
recovered from Laquan MCDONALD at Mount Sinai Hospital,
given to Det W JOHNSON #20169, by RN Allan GAYAN,
turned over to Crime Lab Beat 5802,
at Mount Sinai Hospital.
Request for analysis by Firearms Section.

Inventory # 13296451 (Unit 277)
1 - Set of elimination prints, including palms,
from PO J MCELLIGOTT #18715.
Taken by ET Beat 5824.
To ERPS - No analysis needed at this time.

Inventory # 13296452 (Unit 277)
1 - Set of elimination prints, including palms,
from PO T GAFFNEY #19958.
Taken by ET Beat 5824.
To ERPS - No analysis needed at this time.

Inventory # 13296464 (Unit 277)

1 - Sealed ME blood card.
Recovered at the Office of the Medical Examiner
by Crime Lab Beat 5809.
To ERPS - No analysis needed at this time.

Inventory # 13296668 (Unit 277)
1 - Sealed ME bullet envelope.
Recovered at the Office of the Medical Examiner
by Crime Lab Beat 5809.
Request for analysis by Firearms Section.

Inventory # 13337048 (Unit 610)
1 - CD containing compilation of video.
Created by Det R HAGEN #20606.

Inventory # 13337053 (Unit 610)
1 - CD containing video from the Greater Chicago Food
Depository, 4100 W Ann Lurie Pl.
Recovered by Det J MALIK #20729.

Inventory # 13337056 (Unit 610)
1 - CD containing video from in-car camera, Beat 845R,
1 - CD containing video from in-car camera, Beat 813R.

Inventory # 13337060 (Unit 610)
1 - CD containing video from Dunkin' Donuts, 4113 S Pulaski Rd.
Recovered by Det R HAGEN #20606.

Inventory # 13337065 (Unit 610)
1 - DVD containing video from Focal Point, 4141 S Pulaski Rd.
Recovered by Det J MALIK #20729.

Inventory # 13337077 (Unit 610)
1 - CD containing OEMC audio recording of call to 9-1-1,
1 - CD containing OEMC audio recording
of CPD radio zone 6 transmissions.

Inventory # 13337080 (Unit 610)
1 - CD containing photos from ME autopsy.

Inventory # 13337087 (Unit 610)
1 - State of Illinois ID card, Lequan J MCDONALD,
1 - RTA ADA Paratransit & Reduced Fare Card,
[redacted]
1 - Ventra, CTA ticket,
1 - Receipt for above Ventra, CTA ticket.
Recovered from Laquan MCDONALD at Mount Sinai Hospital.

Inventory # 13394378 (Unit 610)
1 - Disk containing video from in-car camera, Beat 815R (No relevant footage).

Inventory # 13394389 (Unit 610)
3 - DVDs containing video from Burger King restaurant at 4060 S Pulaski Rd (No relevant footage).

Inventory # 13394394 (Unit 610)
1 - DVD containing video from in-car camera, CPD vehicle # 9049 (No relevant footage).

Inventory # 13394398 (Unit 610)
1 - CPD Officer Safety Alert, # 2012-OSA-297.

PERSONNEL ASSIGNED:

Car 41 (Bureau of Patrol - Area Central / OCIC)
D/C D MCNAUGHTON #120

Beat 800
Cmdr J O'DONNELL #13
Beat 800X
Capt D WALSH #107
Beat 810R
Sgt S FRANKO #1381
Beat 830R
Sgt P MCGLYNN #1734
Beat 841R (Original report)
PO D FONTAINE #12698
PO R VIRAMONTES #10590
Beat 821R (Scene)
PO P KENNING #8302
PO R ROSALES #9654
Beat 823R (Scene)
PO D IVANKOVICH #12392
PO J TORRES #19898
Beat 833R (Scene)
PO A VANCE #11830
PO J GEISBUSH #16422
Beat 851R (Scene)
PO L GARCIA #6490
PO E FLAGG #12037
Beat 825R (Scene)
PO M POWER #8661
PO D WAHRER #13454
Beat 842 (Mt Sinai Hospital)
PO T DZIADKOWIEC #15529

PO C GACEK #17853
Beat 846R (Mt Sinai Hospital)
PO L TORRES #10573
PO M VEGA #8526

Beat 9210 (In-car camera system)
Sgt L BECVAR #1748

Beat 5880
Sgt D FRIEL #819
Beat 5802 (Scene)
FI C BRASIC #10201
ET K JUDEH #8825
Beat 5824 (Area Central)
ET P RIDER #9977
Beat 5809 (ME)
FI V RIVERA #11520
Beat 5885 (MIRV)
Det M RICKER #20201

Beat 5100
Cmdr E ROY #62
Beat 5105
Lt A WOJCIK #481
Beat 5107
Lt O VALDEZ #529
Beat 5120
Sgt D GALLAGHER #1303
Beat 5121
Det D MARCH #20563
Beat 5122
Det G JONES #21285
Beat 5131
Det J HALLORAN #20453
Det J MURRAY #21128
Beat 5132
Det F CASALE #21041
Det D HICKEY #20723
Beat 5165B
Det R HAGEN #20606
Det A MANAOIS #20320
Beat 5166A
Det R RANZZONI #20162
Beat 5127
Det V WATHEN #20493
Beat 5193
Det M NESTAD #20505
Det W JOHNSON #20169

Beat 5194
Det A GLAVIANO #21443
Beat 5192
Det T TEAHAN #20462
Beat 5125
Det T CURRAN #20948
Beat 5102D
Det B SVEC #20941
Beat 5142
Det S ESPARZA #20140
Beat 5106B
Det J MALIK #20729

IPRA
Chief of Staff S HIRSCH #3
Supervisor A AMEZAGA #022
Investigator B KILLEN #129
Public Affairs L MERRITT #23

FOP
PO Marlon HARVEY #16468
Kriston KATO
Daniel HERBERT (Attorney)

WITNESSES:

SEBASTIAN, Daphne L,
CPD - PO, #2763,
F / W / 45,
Assigned to 008th District,
3420 W 63rd St,
312-747-8730,
Beat 813R
(Circumstantial witness).

MONDRAGON, Janet,
CPD - PO, #4364,
F / WH / 37,
Assigned to 008th District,
3420 W 63rd St,
312-747-8730,
Beat 813R
(Circumstantial witness).

BACERRA, Arturo,
CPD - PO, #15790,
M / WH / 32,
Assigned to 008th District,

3420 W 63rd St,
312-747-8730,
Beat 822
(Circumstantial witness).

VELEZ, Leticia,
CPD - PO, #10385,
F / WH / 43,
Assigned to 008th District,
3420 W 63rd St,
312-747-8730,
Beat 822
(Circumstantial witness).

FONTAINE, Dora,
CPD - PO, #4484
F / WH / 47,
Assigned to 008th District,
3420 W 63rd St,
312-747-8730,
Beat 841R
(Eyewitness).

VIRAMONTES, Ricardo,
CPD - PO, #10590,
M / WH / 41,
Assigned to 008th District,
3420 W 63rd St,
312-747-8730,
Beat 841R
(Eyewitness).

[redacted],
F / WH / 24, DOB [redacted],
[redacted]
[redacted]
[redacted],
[redacted]
[redacted]
(Circumstantial witness).

[redacted]
M / WH / 18, DOB [redacted],
[redacted],
[redacted]
IL ID # [redacted]
(Circumstantial witness).

[redacted]
F / WH / 19, DOB [redacted],
[redacted]
IL ID # [redacted],
Employee at [redacted],
[redacted]
(Circumstantial witness).

[redacted]
F / WH / 29, DOB [redacted],
[redacted]
Gang - Latin Kings per CPD records,
FBI# [redacted]
SID# [redacted],
IR# [redacted]
(Circumstantial witness).

[redacted]
M / WH / 25, DOB [redacted],
[redacted]
Employed at [redacted],
[redacted]
SS# [redacted]
(Circumstantial witness).

[redacted],
M / WH / 24, DOB [redacted],
[redacted],
IL D/L # [redacted],
SS# [redacted]
(Circumstantial witness).

[redacted]
F / WH / 30, DOB [redacted],
[redacted],
[redacted]
[redacted] (cell)
(Circumstantial witness).

INTERVIEWED:

[redacted]

F / WH / 62, DOB [redacted],
[redacted],
Employee at [redacted],
[redacted].

[redacted],
F / WH / 39, DOB [redacted],
[redacted],
Employee at [redacted],
[redacted]

INVESTIGATION:

The details of this investigation are documented in the following Exceptionally Cleared Closed Report.

REPORT OF:

Detective David M MARCH #20563
Sergeant Daniel GALLAGHER #1303
Lieutenant Anthony WOJCIK #481
Bureau of Detectives - Area Central

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
24 OCT 2014	2014

OFFENSE CLASSIFICATION–LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	VAN DYKE	5121

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

D SEBASTIAN

RESPONDED TO BIJR REQUEST FOR ASSIST,
SUBJECT W/KNIFE
THOUGHT ORIGINAL CALL WAS 40+ KEELER
O HAD PUNCTURED TIRE OF BIJR
MONDRAGON PROBE W/B ON PULASKI FOLLOWING BIJR,
ALSO RESPONDING
W/B ON 40 BEHIND BIJR
SAW O RUNNING SE THROUGH BK LOT TOWARD PULASKI
TOLD MONDRAGON TO DRIVE BACK OUT TO PULASKI TO
ASSIST IN PURSUIT. O RAN OUT TO PULASKI, THEN S/B
BIJR PURSUED IN VEHICLE
BIJR FOLLOWING S/B. SAW KNIFE IN O'S R HAND
O WAVING KNIFE
BIJR STOPPED AHEAD OF O. BETWEEN O + DD
VW + VVD EXITED, DREW HANDGUNS.
O TURNED TOWARD POS, WAVING KNIFE
HEARD POS = "DROP THE KNIFE!" REPEATEDLY
O IGNORED. CONTINUED TO ADVANCE ON POS, WAVING KNIFE
DS HEARD MULTIPLE GUNSHOTS + O FELL TO GROUND —
3 INVOLVED MOVING. DS DO NOT KNOW WHO FIRED. STATE
IN ONE CONTINUOUS BURST. WALSH KICKED KNIFE FROM HAND

R.D. NO. HX475753

REPORTING OFFICER'S SIGNATURE–STAR NO.	RECEIVED BY: SUPERVISOR'S SIGNATURE–STAR NO.	DAY–MO.–YR. TIME
[redacted] 20463	[redacted]	

CPD-23.122 (Rev. 2/83)

HICAGO POLICE DEPARTMENT

ASE SUPPLEMENTARY REPORT

10 S. Michigan Avenue, Chicago, Illinois 60653
use by Chicago Police - Bureau of Investigative Services Personnel Only)

HX475653

Case id : 9825613
Sup ID : 10992767 CASR301

XC. CLEARED CLOSED (OTHER EXCEPTIONAL) | **DETECTIVE SUP. APPROVAL COMPLETE**

Offense Classification/Re-Classification	IUCR Code	Original Offense Classification			IUCR Code
AULT / Aggravated Po:Knife/Cut Instr	**0552**	ASSAULT / Aggravated Po:Knife/Cut Instr			0552
ddress of Occurrence	Beat of Occur	No of Victims	No of Offenders	No of Arrested	SCR No
112 S PULASKI RD	**815**	4	1	1	
ocation Type	Location Code	Secondary Location			Hate Crime?
Street	**304**				NO
ate of Occurrence	Unit Assigned	Date RO Arrived	Fire Related?	Gang Related?	Domestic Related?
20-OCT-2014 21:57	**0841R**	20-OCT-2014 21:57	NO	NO	NO

Reporting Officer	Star No	Approving Supervisor	Star No	Primary Detective Assigned	Star No
MARCH, David	20563	WOJCIK, Anthony	481	MARCH, David	20563
Date Submitted		Date Approved		Assignment Type	
15-MAR-2015 18:26		16-MAR-2015 00:03		FIELD	

THIS IS A FIELD INVESTIGATION EXC. CLEARED CLOSED (OTHER EXCEPTIONAL) REPORT

VICTIM(S) :

GAFFNEY, Thomas J
Male / White / 41 Years
EMPLOYMENT: Chicago Police Officer #19958 Chicago Police Officer
EMPLOYER BUSINESS NME: Chicago Police Department
BUS: 3420 W 63rd St
Chicago IL
312-747-8730

MCELLIGOTT, Joseph P
Male / White / 36 Years
EMPLOYMENT: Chicago Police Officer #18715 Chicago Police Officer
EMPLOYER BUSINESS NME: Chicago Police Department
BUS: 3420 W 63rd St
Chicago IL
312-747-8730

VAN DYKE, Jason D
Male / White / 36 Years
EMPLOYMENT: Chicago Police Officer #9465 Chicago Police Officer
EMPLOYER BUSINESS NME: Chicago Police Department
BUS: 3420 W 63rd St
Chicago IL
312-747-8730

WALSH, Joseph J
Male / White / 45 Years
EMPLOYMENT: Chicago Police Officer #12865 Chicago Police Officer
EMPLOYER BUSINESS NME: Chicago Police Department
BUS: 3420 W 63rd St
Chicago IL

HX475653

312-747-8730

OFFENDER(S): **MCDONALD, Laquan J** -- In Custody --

ALIAS: "Bon-Bon"
Male / Black / 17 Years
DOB: [redacted]
RES: [redacted]
BIRTH PL: Illinois
DESCRIPTION: 6'02,180,Black Hair, Dreadlocks Hair Style, Brown Eyes, Medium Complexion

ITEM USED:
Weapon
DLN/ID: [redacted]
OTHER IDENTIFICATIONS: **Type -** Other Id
State - Unknown

IR #: 2106340
SID #: IL18550721
ORGANIZATION: NEW BREED
RELATIONSHIP OF VICTIM TO OFFENDER:

GAFFNEY, Thomas No Relationship
MCELLIGOTT, Joseph No Relationship
VAN DYKE, Jason No Relationship
WALSH, Joseph No Relationship

GANG INFORMATION:
LISTED CRIMINAL ORGANIZATION: New Breed
GANG IDENTIFIERS: Other

OFFENDER INJURIES: **MCDONALD, Laquan J**

Type	Weapon Used	Weapon Description
Gun Shot Wound	Handgun	Other -Handgun

Injured by Police
Chicago Fire Department Provided First Aid
EXTENT OF INJURY: Multiple Gsw
HOSPITAL REMOVED BY: Cfd Ambulance 21

HOSPITAL: Mt. Sinai
INJURY TREATMENT: Multiple Gsw
PHYSICIAN NAME: Dr Pitzele
INV #: **13296449**

WEAPON(S): **Evidence**

Smith & Wesson -Us- (Bodyguard,Chief Special) , 5942 , 9 , Semi-Automatic Pistol , Semi-Automatic , 4" , Stainless

SERIAL #: [redacted]

MAGAZINE CAPACITY: 15

Number Of Live Rounds present in the Firearm - 15

Number Of Live Rounds used in the Firearm - 16

The Status Of This Firearm is 628361

PROPERTY TYPE: Other

OWNER: Van Dyke, Jason

POSSESSOR/USER: Van Dyke, Jason

PHONE #: 312 - 747 - 8730

LOCATION FOUND: 5101 S Wentworth Ave

VEHICLE INFO:

Truck , 2010 / Chevrolet / Tahoe / Truck

, Victims Vehicle

VIN: 1GNMCAE0XAR263348 **Evidence**

YEAR (RANGE): 2010

COLOR (TOP/BOTTOM): White / White

OWNER: Chicago Police Department

POSSESSOR/USER: Gaffney, Thomas

PHONE#: 312 - 747 - 8730

LOCATION FOUND: 4102 S Pulaski Rd

LICENSE: MP6581, Law Enforcement (City, County, State, Sos), IL

LOCATION OF INCIDENT:

4112 S Pulaski Rd
Chicago IL
304 - Street

DATE & TIME OF INCIDENT: 20-OCT-2014 21:57

WEATHER AND LIGHTING:

WEATHER: Cloudy & Cool

TEMPERATURE: 50s

LIGHTING: Dark / Artificial Light

LIGHTING SOURCE: Streetlights

DISTANCE: Overhead

MOTIVE CODE(S): Interceding In A Felony

CAUSE CODE(S): Dna

METHOD CODE(S): Offender Shot

CAU CODE(S): Police Related Not Con

FIREARM(S) RECOVERED: **INV #: 13296449** **Evidence**

Smith & Wesson -Us- (Bodyguard,Chief Special) , 5942 , 9 , Semi-

Automatic Pistol , Semi-Automatic , 4" , Stainless
SERIAL #: [redacted]
PROPERTY TYPE: Other

OWNER: Van Dyke, Jason
POSSESSOR/USER: Van Dyke, Jason

PHONE #: 312 - 747 - 8730
LOCATION FOUND: 5101 S Wentworth Ave

MAGAZINE CAPACITY: 15
Number Of Live Rounds present in the Firearm - 15
Number Of Live Rounds used in the Firearm - 16

/EHICLE(S) DAMAGED: **Truck , 2010 / Chevrolet / Tahoe / Truck**
VIN: 1GNMCAE0XAR263348 **Evidence**

YEAR - YEAR RANGE END: 2010
COLOR (TOP/BOTTOM): White / White
OWNER: Chicago Police Department
POSSESSOR/USER: Gaffney, Thomas

PHONE#: 312 - 747 - 8730
LOCATION FOUND: 4102 S Pulaski Rd
LICENSE: MP6581, Law Enforcement (City, County, State, Sos), IL

PERSONNEL ASSIGNED:
Detective/Investigator
MARCH, David M # 20563
Reporting Officer
FONTAINE, Dora # 4484 BEAT: 0841R

WITNESS(ES) :
BACERRA, Arturo
Male / White Hispanic / 32 Years
EMPLOYMENT: Chicago Police Officer #15790 Chicago Police Officer
BUS: 3420 W 63rd St
Chicago IL
312-747-8730
[redacted]
Female / White Hispanic / 29 Years
DOB: [redacted]
RES: 5340 Prairie
[redacted]

OTHER COMMUNICATIONS:
Cellular [redacted]
Phone :
[redacted]

Female / White Hispanic / 19 Years

DOB: [redacted]

RES: [redacted]

BUS: [redacted]

DLN/ID: [redacted]

Male / White Hispanic / 18 Years

DOB: [redacted]

RES: [redacted]

OTHER COMMUNICATIONS:

[redacted]
Phone :

DLN/ID: [redacted]

Female / White Hispanic / 24 Years

DOB: [redacted]

RES: [redacted]

EMPLOYMENT: Shift Manager

BUS: [redacted]

OTHER COMMUNICATIONS:

Cellular [redacted]
Phone :

FONTAINE, Dora

Female / White Hispanic / 47 Years

EMPLOYMENT: Chicago Police Officer #4484 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

[redacted]

Male / White Hispanic / 25 Years

DOB: [redacted]

RES: [redacted]

BUS: [redacted]

OTHER COMMUNICATIONS:

Cellular Phone : [redacted]

SSN: [redacted]

[redacted]

Female / White Hispanic / 30 Years

DOB: [redacted]

RES: [redacted]

OTHER COMMUNICATIONS:

Cellular Phone : [redacted]

[redacted]

Male / White Hispanic / 24 Years

DOB: [redacted]

RES: [redacted]

SSN: [redacted]

DLN/ID: [redacted]

MONDRAGON, Janet

Female / White Hispanic / 37 Years

EMPLOYMENT: Chicago Police Officer #4364 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

SEBASTIAN, Daphne L

Female / White / 45 Years

EMPLOYMENT: Chicago Police Officer #2763 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

VELEZ, Leticia

Female / White Hispanic / 43 Years

EMPLOYMENT: Chicago Police Officer #10385 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

VIRAMONTES, Ricardo

Male / White Hispanic / 41 Years

EMPLOYMENT: Chicago Police Officer #10590 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL

312-747-8730

OTHER INDIVIDUALS INVOLVED:

[redacted] (Additional Victim)
Male / White Hispanic / 43 Years
DOB: [redacted]
RES: [redacted]
EMPLOYMENT: Self-Employed Truck Driver
OTHER COMMUNICATIONS:
Cellular Phone : [redacted]
DLN/ID: [redacted] :

[redacted] (Family Member Notified)
Male / Black / 25 Years
DOB: [redacted]
RES: [redacted]
OTHER COMMUNICATIONS:
Other : [redacted]

[redacted] (Person Interviewed Non-Witness)
Female / White Hispanic / 62 Years
DOB: [redacted]
RES: [redacted]
BUS: [redacted]

[redacted] (Person Interviewed Non-Witness)
Female / White Hispanic / 39 Years
DOB: [redacted]
RES: [redacted]
BUS: [redacted]

CRIME CODE SUMMARY: 0552 - Assault - Aggravated Po:Knife/Cut Instr

OTHER ASSOCIATIONS: 0552 - Assault - Aggravated Po:Knife/Cut Instr

GAFFNEY, Thomas, J (Victim)

MCDONALD, Laquan, J	(Offender)
MCELLIGOTT, Joseph, P	(Victim)
MCDONALD, Laquan, J	(Offender)
MCDONALD, Laquan, J	(Offender)
VAN DYKE, Jason, D	(Victim)
MCDONALD, Laquan, J	(Offender)
WALSH, Joseph, J	(Victim)

ICIDENT NOTIFICATIONS:

NOTIFICATION DATE & TIME: 10/20/2014:230700
REQUEST TYPE: Notification
PERSON NAME: ,Sarlo
STAR #: 13131
EMP #:

NOTIFICATION DATE & TIME: 10/20/2014:231400
REQUEST TYPE: Notification
PERSON NAME: ,Jines
STAR #: 4898
EMP #:

NOTIFICATION DATE & TIME: 10/20/2014:215000
REQUEST TYPE: On Scene
PERSON NAME: ,March
STAR #: 20563
EMP #:

NOTIFICATION DATE & TIME: 10/21/2014:225800
REQUEST TYPE: Notification
PERSON NAME: ,Chibe
STAR #: 7303
EMP #:

NOTIFICATION DATE & TIME: 10/20/2014:235000
REQUEST TYPE: Notification
PERSON NAME: ,Briggs
STAR #:
EMP #: 76

REPORT DISTRIBUTIONS: No Distribution

INVESTIGATION:

AREA CENTRAL FIELD INVESTIGATION:

Exceptionally Cleared Closed /
Other Exceptional Clearance - Death of Offender.

The full format for this investigation is contained in the previous Progress - Scene Report.

INVESTIGATION:

The reporting detective was assigned to the immediate follow-up investigation of this police officer involved shooting incident, by Sergeant Daniel GALLAGHER of this command. The reporting detective proceeded to the scene of the incident at 4112 South Pulaski Road. The officer involved in the shooting was located and interviewed at the scene.

VAN DYKE, Jason D -----

stated he was a Chicago Police Officer assigned to the 008th District. He was on duty, in uniform, working on Beat 845R. VAN DYKE was working with Police Officer Joseph WALSH. The two officers were assigned to Chicago Police Department vehicle number 6412, a marked Chevrolet Tahoe, four door sport utility vehicle. WALSH was driving the vehicle and VAN DYKE was the passenger.

The two officers responded to a request for assistance from Beat 815R, regarding a man with a knife, on 40th Street, west of Pulaski Road. A unit equipped with a taser had also been requested. Officer VAN DYKE heard the radio transmission when Officer Thomas GAFFNEY said the man with a knife had "popped" the tire of GAFFNEY's police vehicle. VAN DYKE understood this to mean the subject had slashed the tire with his knife. As Officer WALSH drove westbound on 40th Street from Pulaski, VAN DYKE observed a black male subject, now known as Laquan MCDONALD, running eastbound in the parking lot of the Burger King restaurant on the southwest corner of 40 Street and Pulaski. MCDONALD was holding a knife in his right hand. VAN DYKE saw Police Officer Joseph MCELLIGOTT pursuing MCDONALD on foot. VAN DYKE also saw a civilian who was standing on 40th Street pointing to MCDONALD.

Officer WALSH drove eastbound in the parking lot, in pursuit of MCDONALD, on the north side of the Burger King restaurant building. WALSH used the police vehicle to block MCDONALD from entering the restaurant. MCDONALD ran out onto Pulaski Road and then turned southbound, running toward a Dunkin' Donuts restaurant, on the east side of Pulaski, south of the Burger King. WALSH positioned the police vehicle between MCDONALD and the Dunkin' Donuts to block his path towards that restaurant. When WALSH slowed the police vehicle alongside MCDONALD, Officer VAN DYKE opened the right front door of the vehicle to exit and confront MCDONALD. WALSH told VAN DYKE to stay in the vehicle as they were too close to MCDONALD to safely exit their vehicle. WALSH drove on southbound and stopped the police vehicle ahead of MCDONALD.

Officer VAN DYKE exited the vehicle on the right side and drew his handgun. As VAN DYKE stood in the street on Pulaski, facing northbound, toward MCDONALD, MCDONALD approached southbound. MCDONALD was holding the knife in his right hand, in an underhand grip, with the blade pointed forward. He was swinging the knife in an aggressive, exaggerated manner. VAN DYKE ordered MCDONALD to "Drop the knife!" multiple times. MCDONALD ignored VAN DYKE's verbal direction to drop the knife and continued to advance toward VAN DYKE.

When MCDONALD got to within 10 to 15 feet of Officer VAN DYKE, MCDONALD looked toward

VAN DYKE. MCDONALD raised the knife across his chest and over his shoulder, pointing the knife at VAN DYKE. VAN DYKE believed MCDONALD was attacking VAN DYKE with the knife, and attempting to kill VAN DYKE. In defense of his life, VAN DYKE backpedaled and fired his handgun at MCDONALD, to stop the attack. MCDONALD fell to the ground but continued to move and continued to grasp the knife, refusing to let go of it. VAN DYKE continued to fire his weapon at MCDONALD as MCDONALD was on the ground, as MCDONALD appeared to be attempting to get up, all the while continuing to point the knife at VAN DYKE. The slide on VAN DYKE's pistol locked in the rearward position, indicating the weapon was empty. VAN DYKE performed a tactical reload of his pistol with a new magazine and then assessed the situation.

MCDONALD was no longer moving and the threat had been mitigated, so Officer VAN DYKE and Officer WALSH approached MCDONALD. MCDONALD was still holding the knife in his right hand. VAN DYKE continued to order MCDONALD to "Drop the knife!" Officer WALSH told VAN DYKE, "I have this." VAN DYKE then used his handgun to cover WALSH as WALSH walked up and forcibly kicked the knife out of MCDONALD's right hand, thereby eliminating the threat to the officers.

Officer WALSH then notified the dispatcher on the police radio that shots had been fired by the police. Officer VAN DYKE requested an ambulance for MCDONALD on the radio.

Officer VAN DYKE's weapon was a Smith and Wesson, nine millimeter, semi-automatic pistol, with a 15 round magazine. VAN DYKE said the pistol was fully loaded at the beginning of his tour of duty, with 15 cartridges in the magazine and one cartridge in the firing chamber.

It was noted that the uniform Officer VAN DYKE was wearing consisted of a light blue long sleeve uniform shirt, with shoulder patches; black body armor vest, with patches; navy blue cargo pants; and equipment belt with handgun and radio.

The reporting detective then interviewed Officer VAN DYKE's partner.

WALSH, Joseph J -----

stated he was a Chicago Police Officer assigned to the 008th District. WALSH related the same facts as his partner, Officer Jason VAN DYKE.

WALSH added that as Laquan MCDONALD ran eastbound through the Burger King parking lot, WALSH used the police vehicle he was driving to block MCDONALD from entering the restaurant.

As MCDONALD ran southbound on Pulaski Road, from the Burger King, WALSH pursued MCDONALD in the police vehicle. WALSH drove southbound in the northbound lanes to get ahead of MCDONALD, keeping the police vehicle between MCDONALD and a Dunkin' Donuts restaurant, on the east side of Pulaski. As their vehicle passed MCDONALD, Officer VAN DYKE opened the right front door of their vehicle, to exit the truck and confront MCDONALD. WALSH, realizing that at this point they were too close to the armed MCDONALD to safely exit the vehicle, told VAN DYKE to wait until they got further ahead of MCDONALD. WALSH drove further south on Pulaski. He stopped his vehicle south of MCDONALD and exited the driver's door as VAN DYKE exited the right side of the vehicle. WALSH drew his handgun when he exited the vehicle.

Officer WALSH came around the rear of the police vehicle and joined Officer VAN DYKE on the right side of the vehicle. WALSH also stood in the street on Pulaski, facing northbound, as MCDONALD walked southbound toward the officers. WALSH ordered MCDONALD to "Drop the knife!" multiple times as MCDONALD approached the officers.

Officer WALSH also backed up, attempting to maintain a safe distance between himself and MCDONALD. MCDONALD ignored the verbal direction given by both WALSH and Officer VAN DYKE, and continued to advance toward the officers. When MCDONALD got to within 12 to 15 feet of the officers he swung the knife toward the officers in an aggressive manner. VAN DYKE opened fire with his handgun and MCDONALD fell to the ground. VAN DYKE continued firing his weapon at MCDONALD as MCDONALD continued moving on the ground, attempting to get up, while still armed with the knife.

When the gunfire stopped and MCDONALD was not moving anymore, WALSH approached MCDONALD with VAN DYKE. WALSH continued to order MCDONALD to "Drop the knife!" multiple times, as MCDONALD was still holding the knife in his right hand. WALSH forcibly kicked the knife out of MCDONALD's hand and then notified the dispatcher on the police radio that shots had been fired by the police. An ambulance was also requested for MCDONALD.

As they waited for the ambulance to respond to the scene, Officer WALSH told MCDONALD to "hang in there," and that an ambulance was on the way.

Officer WALSH said he believed MCDONALD was attacking WALSH and Officer VAN DYKE with the knife and attempting to kill them when the shots were fired. WALSH stated he did not fire his handgun because VAN DYKE was in the line of fire between WALSH and MCDONALD. WALSH thought VAN DYKE fired eight or nine shots total.

It was noted that Officer WALSH wore the same uniform configuration as Officer VAN DYKE.

The officers assigned to Beat 815R were interviewed.

GAFFNEY, Thomas J -----

stated he was a Chicago Police Officer assigned to the 008th District. He was on duty, in uniform, working on Beat 815R. GAFFNEY was working with Police Officer Joseph MCELLIGOTT. The two officers were assigned to Chicago Police Department vehicle number 8489, a marked Chevrolet Tahoe, four door sport utility vehicle. GAFFNEY was driving the vehicle and MCELLIGOTT was the passenger.

The officers responded to an assignment of holding an offender for breaking into trucks at 41st Street and Kildare Avenue. Upon arrival at that location they met an Hispanic couple who told the officers a black male subject, wearing a dark shirt, had attempted to break into trucks parked in the parking lot at that location. The couple told the officers the subject had walked off and was last seen walking eastbound on 40th Street from Kildare.

Officer GAFFNEY drove northbound on Kildare to 40th Street. When he turned eastbound onto 40th Street he saw a black male subject wearing dark clothing, walking eastbound on the sidewalk,

on the south side of the street. Officer MCELLIGOTT exited the police vehicle to approach the subject, now known as Laquan MCDONALD. GAFFNEY stayed in the vehicle in case MCDONALD fled. MCELLIGOTT called to MCDONALD and told him to stop but MCDONALD continued walking eastbound, ignoring MCELLIGOTT. MCDONALD's hands were in his pockets as he walked. MCELLIGOTT told MCDONALD to take his hands out of his pockets. MCDONALD took his hands out of his pockets and MCELLIGOTT told GAFFNEY that MCDONALD had a knife. GAFFNEY then saw a silver colored knife in MCDONALD's right hand. GAFFNEY also saw that MCELLIGOTT had his handgun drawn at this point. MCELLIGOTT repeatedly ordered MCDONALD to "Drop the knife," but MCDONALD ignored these directions. As MCDONALD reached Keeler Avenue, GAFFNEY notified the dispatcher on the police radio that they were following a subject with a knife and requested assistance from a unit equipped with a taser.

MCDONALD continued walking eastbound, Officer MCELLIGOTT following on foot and Officer GAFFNEY following in the police vehicle. As MCDONALD approached Karlov Avenue, GAFFNEY turned the Tahoe southbound onto Karlov and stopped, blocking the crosswalk. GAFFNEY said he wanted to stop MCDONALD before he reached Pulaski Road, a business street where more civilians were present. The area where MCDONALD was first observed was industrial in nature with no other civilians present. When GAFFNEY stopped his vehicle in front of MCDONALD, blocking his path, MCDONALD stabbed the right front tire of the Tahoe with his knife, causing the tire to go flat. GAFFNEY immediately informed the radio dispatcher that MCDONALD had "popped" the tire. MCDONALD attempted to walk around the front of the police vehicle and GAFFNEY drove the Tahoe forward a short distance to continue to block MCDONALD's path. MCDONALD then stabbed at the windshield of the Tahoe with the knife, striking the right side of the windshield. MCDONALD then continued walking eastbound from Karlov.

As MCDONALD approached the Burger King restaurant parking lot at 40th Street and Pulaski, assisting police units arrived, approaching westbound on 40th Street from Pulaski. MCDONALD began to run eastbound through the restaurant parking lot, on the north side of the Burger King building. He ran out onto Pulaski and then turned and ran southbound on Pulaski. Beat 845R pursued MCDONALD in their police vehicle, eastbound through the parking lot, over the curb at Pulaski, then southbound on Pulaski. Officer GAFFNEY lost sight of MCDONALD when he turned southbound on Pulaski.

Because of the flat tire on his vehicle, Officer GAFFNEY did not drive over the curb. As he drove around out onto Pulaski, GAFFNEY heard multiple gunshots in rapid succession. He did not see who was shooting. When he reached Pulaski MCDONALD was lying on the ground.

It was noted that Officer GAFFNEY wore the same uniform configuration as Officer VAN DYKE with the addition of the uniform baseball style cap with embroidered patch.

MCELLIGOTT, Joseph P -----

stated he was a Chicago Police Officer assigned to the 008th District. MCELLIGOTT related the same facts as his partner, Officer Thomas GAFFNEY.

Officer MCELLIGOTT added that after he exited the police vehicle, when Laquan MCDONALD took his hands out of his pockets and MCELLIGOTT saw MCDONALD holding a knife in his right

hand, MCELLIGOTT drew his handgun. He repeatedly ordered MCDONALD to "Drop the knife." MCDONALD ignored MCELLIGOTT's directions and continued to walk eastbound on 40th Street. MCELLIGOTT followed MCDONALD on foot, maintaining a safe distance between himself and the armed MCDONALD.

Officer MCELLIGOTT heard Officer GAFFNEY request assistance and a unit with a taser over the police radio. GAFFNEY attempted to use the police vehicle to block MCDONALD from continuing on toward the Burger King restaurant at Pulaski Road. At this point MCDONALD stabbed the right front tire and the windshield of the police vehicle. MCELLIGOTT began to hear the sirens of approaching assisting police units and MCDONALD began to run toward the Burger King restaurant.

When MCDONALD ran eastbound through the parking lot of the Burger King, Officer MCELLIGOTT ran after MCDONALD in pursuit. MCELLIGOTT ran out into the middle of Pulaski Road in pursuit of MCDONALD. MCELLIGOTT heard multiple gunshots but did not see who fired the shots. The gunfire was continuous, one shot after another. MCELLIGOTT then saw MCDONALD lying on the ground. MCELLIGOTT saw Officer Joseph WALSH kick the knife out of MCDONALD's hand.

It was noted that Officer MCELLIGOTT wore the same uniform configuration as Officer VAN DYKE.

Other officers who responded to this incident were also interviewed.

SEBASTIAN, Daphne L —

stated she was a Chicago Police Officer assigned to the 008th District. She was on duty, in uniform, working on Beat 813R. SEBASTIAN was working with Police Officer Janet MONDRAGON. The two officers were assigned to a marked vehicle. MONDRAGON was driving the vehicle and SEBASTIAN was the passenger.

The two officers responded to the request for assistance made by Beat 815R, regarding a subject with a knife. Officer SEBASTIAN thought the original call for assistance was at 40th Street and Keeler Avenue. The subject had punctured a tire on the police vehicle of Beat 815R. Officer MONDRAGON drove northbound on Pulaski Road, following Beat 845R, as they also responded to the request for assistance. MONDRAGON turned westbound onto 40th Street, behind Beat 845R.

Officer SEBASTIAN observed a black male subject, now known as Laquan MCDONALD, running southeast bound through the parking lot of the Burger King restaurant. Beat 845R pursued MCDONALD in their police vehicle, through the parking lot, toward Pulaski. SEBASTIAN told Officer MONDRAGON to drive back out onto Pulaski to assist in the pursuit. MCDONALD ran out onto Pulaski and continued to run southbound down the middle of the street. Beat 845R pursued MCDONALD in their vehicle, southbound on Pulaski, followed by Beat 813R. As MCDONALD ran southbound on Pulaski, SEBASTIAN saw the knife in his right hand. MCDONALD was waving the knife.

Beat 845R stopped their vehicle ahead of MCDONALD, between MCDONALD and the Dunkin'

Donuts restaurant on the east side of Pulaski. Officers Joseph WALSH and Jason VAN DYKE exited their vehicle and drew their handguns. MCDONALD turned toward the two officers and continued to wave the knife. Sebastian heard the officers repeatedly order MCDONALD to "Drop the knife!" MCDONALD ignored the verbal directions and continued to advance on the officers, waving the knife. Officer SEBASTIAN heard multiple gunshots and MCDONALD fell to the ground, where he continued to move. SEBASTIAN did not know who fired the shots, which were fired in one continuous group. She then saw Officer WALSH kick the knife out of MCDONALD's hand.

MONDRAGON, Janet -----

stated she was a Chicago Police Officer assigned to the 008th District. MONDRAGON related the same facts as her partner, Officer Daphne SEBASTIAN.

Officer MONDRAGON added that as she drove westbound on 40th Street, she saw Officer MCELLIGOTT running eastbound through the Burger King parking lot. She made a U-turn and drove back out onto Pulaski Road. MONDRAGON turned southbound onto Pulaski. She saw Laquan MCDONALD running southbound on Pulaski, in the middle of the street. As she got closer she could see MCDONALD was holding a knife in his right hand. He was waving the knife.

Officer MONDRAGON saw Officers Joseph WALSH and Jason VAN DYKE outside of their police vehicle. She heard the officers repeatedly ordering MCDONALD to "Drop the knife!" as MCDONALD got closer and closer to the officers, continuing to wave the knife. As she was placing her vehicle transmission into Park, MONDRAGON looked down and heard multiple, continuous gunshots, without pause. MONDRAGON then saw MCDONALD fall to the ground. MONDRAGON did not know who fired the shots.

BACERRA, Arturo -----

stated he was a Chicago Police Officer assigned to the 008th District. He was on duty, in uniform, working on Beat 822. BACERRA was working with Police Officer Leticia VELEZ. The two officers were assigned to a marked vehicle. BACERRA was driving the vehicle and VELEZ was the passenger.

Officer BACERRA and his partner responded to the request for assistance made by Beat 815R, regarding a subject who was armed with a knife. BACERRA was driving northbound on Pulaski Road from 47th Street. As he approached the scene of this incident, at 4112 South Pulaski, he observed a black male subject, now known as Laquan MCDONALD, in the middle of the street, flailing his arms. As he got closer, BACERRA observed MCDONALD to be holding a knife in his right hand. BACERRA drove past MCDONALD, with MCDONALD on the left side of the police vehicle, as Beat 845R drove past BACERRA, on the right side of his vehicle, travelling southbound. As BACERRA began to make a U-turn, he heard multiple gunshots. He then saw MCDONALD lying on the ground. BACERRA did not see who fired the shots.

VELEZ, Leticia -----

stated she was a Chicago Police Officer assigned to the 008th District. VELEZ related the same facts as her partner, Officer Arturo BACERRA.

Officer VELEZ added that as they approached the scene she observed Laquan MCDONALD standing in the middle of the street, holding a shiny object in his right hand. She saw him waving the object in the air. Officer BACERRA drove past MCDONALD and began to make a U-turn, when VELEZ heard multiple gunshots, without pause or delay. She then saw MCDONALD fall to the ground. VELEZ did not see who fired the shots. She did see an unknown officer kick the knife from MCDONALD's hand after he was down on the ground.

FONTAINE, Dora -----

stated she was a Chicago Police Officer assigned to the 008th District. She was on duty, in uniform, working on Beat 841R. FONTAINE was working with Police Officer Ricardo VIRAMONTES. The two officers were assigned to a marked vehicle. VIRAMONTES was driving the vehicle and FONTAINE was the passenger.

The two officers responded to the request for assistance made by Beat 815R, regarding a man with a knife at 41st Street and Pulaski Road. Officer VIRAMONTES drove northbound on Pulaski. When they arrived at the scene of this incident, in front of the Dunkin' Donuts restaurant, Officer FONTAINE saw a black male subject, now known as Laquan MCDONALD, walking southbound in the street, with a knife in his right hand. MCDONALD was walking sideways, with his body facing east, toward Officers Jason VAN DYKE and Joseph WALSH. These two officers were standing in the middle of the street, on the right side of their police vehicle, which was facing southbound. FONTAINE heard the officers repeatedly order MCDONALD to "Drop the knife!" MCDONALD ignored the verbal direction and instead, raised his right arm toward Officer VAN DYKE, as if attacking VAN DYKE. At this time VAN DYKE fired multiple shots from his handgun, until MCDONALD fell to the ground and stopped moving his right arm and hand, which still grasped the knife. The gunshots were rapid fire, without pause. Officer WALSH then kicked the knife out of MCDONALD's hand.

VIRAMONTES, Ricardo -----

stated he was a Chicago Police Officer assigned to the 008th District. VIRAMONTES related the same facts as his partner, Officer Dora FONTAINE.

Officer VIRAMONTES added that when he exited his police vehicle, at the scene, he observed a black male subject, now known as Laquan MCDONALD, walking southbound on Pulaski Road, in the middle of the street, holding a knife in his right hand. VIRAMONTES heard Officer Jason VAN DYKE repeatedly order MCDONALD to "Drop the knife!" MCDONALD ignored the verbal direction and turned toward VAN DYKE and his partner, Officer Joseph WALSH. At this time VAN DYKE fired multiple shots from his handgun. MCDONALD fell to the ground but continued to move, attempting to get back up, with the knife still in his hand. VAN DYKE fired his weapon at MCDONALD continuously, until MCDONALD was no longer moving.

The scene of this incident, at 4112 South Pulaski Road, was observed to be a wide commercial street with traffic traveling north and south. There were two traffic lanes and a curb lane in each direction. A wide median separated the northbound and southbound traffic lanes. The scene was just south of the intersection of Pulaski and 41st Street. This was a "T" intersection with 41st Street extending east from Pulaski. In the center median was a left turn lane for northbound traffic

turning west onto 40th Street, further to the north. The Pulaski median was level with the traffic lanes and was striped with yellow paint.

On the west side of Pulaski was a large vacant lot. North of the vacant lot, on the southwest corner of 40th Street and Pulaski, was a Burger King restaurant. On the east side of the street was a Dunkin Donuts restaurant.

The weather was cloudy and cool with the temperature in the 50s. It was dark with good artificial light provided by overhead streetlights. All of the lights were on and functioning normally. There was also artificial light provided by the lighting of the nearby businesses.

In the northbound left turn lane, Chicago Police Department vehicle number 6412, assigned to Beat 845R, was sitting, facing southeast. The vehicle was a marked Chevrolet Tahoe, four door sport utility vehicle. The right front door of the vehicle was open.

In the southbound traffic lanes, in the right lane, a metal folding pocket knife was lying on the pavement. The blade was in the open position. The overall length of the knife was seven inches, with a three inch blade. The knife was in line with the front end of the vehicle of Beat 845R. Just north of the knife were two pools of blood on the pavement. Five metal bullet fragments were lying on the pavement near the blood. North of the blood, scattered in a diagonal pattern from southwest to northeast, across both southbound traffic lanes and the northbound left turn lane, were 16, nine millimeter caliber cartridge cases, lying on the pavement.

Chicago Police Department vehicle number 8489, assigned to Beat 815R, was sitting at the west curb at 4102 South Pulaski. The right front tire of the vehicle was flat, with a large puncture to the sidewall of the tire. The right side of the windshield was scratched from being struck by Laquan MCDONALD's knife.

Mobile Crime Lab Beat 5802 responded to the scene. Video and photographs were taken of the scene. The knife and firearms evidence was collected from the street, as were swabs of the blood. The right front wheel and tire of Chicago Police Department vehicle number 8489 was also recovered. The right front quarter panel of vehicle number 8489 was processed for fingerprints and four ridge impressions were recovered.

A canvass was conducted of the area near the scene of this incident in an attempt to identify and locate witnesses. A number of people were interviewed.

[redacted] -----

stated she was [redacted] at the Burger King restaurant. At approximately 21:55 hours [redacted] observed police officers chasing a black male subject, now known as Laquan MCDONALD, through the parking lot, on the north side of the restaurant building. The officers chased MCDONALD southbound down Pulaski Road, toward the Dunkin' Donuts restaurant. [redacted] then heard multiple gunshots and dove to the ground.

[redacted] permitted access to the Burger King video system. No video of this incident was recorded. The system was not recording at that time. The system was activated and video was

recovered from the system from earlier in the day, showing the view of each of the cameras in the system. It was noted that none of these camera views showed the area of the scene where the confrontation between Laquan MCDONALD and Police Officers Jason VAN DYKE and Joseph WALSH occurred, on Pulaski Road, south of the Burger King restaurant. If the system had been recording at the time of this incident, it would not have recorded any footage of that confrontation.

[redacted] -----

stated he was at the Burger King restaurant, waiting for his girlfriend, [redacted], who was working at the drive-thru window. [redacted] observed a "young black dude" with his hair in dreadlocks, now known as Laquan MCDONALD, running through the parking lot of the restaurant. He was being pursued by police officers. MCDONALD was holding his pants like he might have had a gun or something. MCDONALD then ran southbound on the sidewalk and then out into the street on Pulaski Road. [redacted] last saw MCDONALD running towards the middle of the intersection of 41st Street and Pulaski. MCDONALD appeared confused. [redacted] then turned his attention back to his girlfriend at the drive-thru window. He did not witness the shooting.

[redacted] -----

stated she was working at [redacted] of the Burger King restaurant. She observed a male subject, now known as Laquan MCDONALD, running from the restaurant parking lot, southbound on Pulaski Road, toward the Dunkin' Donuts restaurant. [redacted] heard multiple gunshots and then saw that MCDONALD was lying in the street.

[redacted] -----

stated she was [redacted] of the Burger King restaurant. She did not see or hear anything.

[redacted] -----

stated she was [redacted] of the Burger King restaurant. She did not see or hear anything.

Laquan MCDONALD had been transported to Mount Sinai Hospital by Chicago Fire Department Ambulance 21. He sustained multiple gunshot wounds as documented in the format of this investigation. MCDONALD was treated for his injuries in the emergency room. He succumbed to his wounds and was subsequently pronounced dead by Doctor PITZELE, at 22:42 hours.

Registered Nurse [redacted], recovered three metal bullet fragments from MCDONALD and turned these over to Detective William JOHNSON. These were subsequently turned over to Mobile Crime Lab Beat 5802, who also recovered metal fragments from MCDONALD's sweater.

The reporting detective had learned of the death of Laquan MCDONALD while still at the scene of this incident. The Office of the Medical Examiner of Cook County was notified of MCDONALD's death, and Investigator BRIGGS assigned Medical Examiner's case number 2014 - 01071 to this case.

In the Bureau of Detectives - Area Central office, Evidence Technician Beat 5824 recovered Office Jason VAN DYKE's handgun, a Smith and Wesson, Model 5942, nine millimeter caliber, semi-automatic pistol. The weapon was loaded with one cartridge in the firing chamber and 14 cartridges in the magazine, when recovered.

Beat 5824 took photographs of Officers Jason VAN DYKE, Joseph WALSH, Thomas GAFFNEY and Joseph MCELLIGOTT. Elimination prints, including palm prints, were also taken from Officers GAFFNEY and MCELLIGOTT.

Officer Jason VAN DYKE was re-interviewed for additional detail, in the Area Central office.

VAN DYKE, Jason D ----

related the same sequence of events as documented in his original interview at the scene of this incident.

VAN DYKE additionally articulated the reasoning behind his decision to use deadly force against the offender in this incident, Laquan MCDONALD. VAN DYKE was aware of the radio transmissions from Officer Thomas GAFFNEY, on Beat 815R, that MCDONALD was armed with a knife. VAN DYKE was aware that MCDONALD had attacked the officers on Beat 815R by slashing the tire of their police vehicle.

As he confronted MCDONALD at 4112 South Pulaski Road, VAN DYKE saw that MCDONALD was in fact, armed with a knife, a deadly weapon. VAN DYKE was aware of the widely accepted teaching in law enforcement that an assailant armed with a knife was considered a deadly threat, if within 21 feet, because it was possible for such an assailant to close that distance and attack with the knife before a defensive shot could be fired from a handgun. VAN DYKE was also aware of the existence of throwing knives, which can be thrown from a distance, as well as spring loaded knives, which propel a blade through the air from the knife handle. VAN DYKE also said he recalled a previously issued Chicago Police Department bulletin warning of a weapon which appeared to be a knife but which actually was capable of firing a bullet, making it a firearm.

Subsequently, a search was conducted of the Chicago Police Department, Automated Message Center, to find the bulletin Officer Jason VAN DYKE remembered, regarding the weapon that appeared to be a knife, but was actually a firearm. This bulletin was issued on 04 December 2012. It was Officer Safety Alert number 2012-OSA-297. It was a warning regarding a "revolver knife" which was capable of firing .22 caliber cartridges.

Three witnesses had been transported into the Area Central office from the scene and were interviewed.

[redacted]----

stated she was in the Burger King restaurant parking lot. She saw a subject, now known as Laquan MCDONALD, running southbound on Pulaski Road. [redacted] saw many police officers on the street. She was trying to get her cellular telephone to work, to record video. [redacted] heard eight gunshots fired continuously. She did not see who fired the shots. [redacted] then saw

a police officer pointing a handgun at MCDONALD as he was lying on the ground.

With her permission, [redacted]' telephone was examined for any recorded video footage with negative results.

[redacted]-----

stated he was at the Burger King restaurant drive-thru with [redacted]. He saw a black male subject, now known as Laquan MCDONALD, running from the trucks parked at the rear of the restaurant parking lot. MCDONALD ran eastbound in the parking lot, on the north side of the Burger King building. A police officer was chasing MCDONALD on foot, eastbound through the parking lot, then southbound on Pulaski Road. A Chicago Police Department, Chevrolet Tahoe sport utility vehicle pulled up on Pulaski. MCDONALD ran toward the police vehicle. A police officer exited the vehicle and fired multiple shots from a handgun at MCDONALD. [redacted] thought there was video footage of the incident recorded on [redacted] cellular telephone. As documented in the previous interview of [redacted], her telephone was examined with negative results.

[redacted]-----

stated he was sitting in a truck, parked in the Burger King restaurant parking lot, on the south side of the restaurant building. He was completing some logs. [redacted] observed a black male subject, now known as Laquan MCDONALD, running southbound on Pulaski Road. The police were pursuing MCDONALD. [redacted] heard approximately three gunshots. He did not see who fired the shots. [redacted] exited the cab of his truck and climbed up on top of it. He saw a Chicago Police Department, Chevrolet Tahoe sport utility vehicle, and many police officers on Pulaski Road.

[redacted] insisted on leaving the Area Central office after their initial interviews, and they were transported as they requested.

Sergeant Lance BECVAR responded to the scene and subsequently to the Area Central office. He was able to recover video of this incident from the vehicles assigned to Beats 845R and 813R. This video was uploaded into the system. The reporting detective submitted a request for copies of these two videos which were subsequently inventoried. The reporting detective also requested that the videos be permanently retained. No video of this incident was recovered from the vehicles assigned to Beats 815R, 822 and 841R.

The recovered in-car camera video from Beats 845R and 813R was viewed and found to be consistent with the accounts of all of the witnesses. The video from Beat 813R showed that at the time Officer Jason VAN DYKE fired his handgun at Laquan MCDONALD, VAN DYKE was standing near the east edge of the southbound traffic lanes of Pulaski Road, and MCDONALD was near the lane marking separating the two southbound traffic lanes. The two were separated by the width of one traffic lane. The width of this traffic lane was approximately ten feet.

Recordings of the original 9-1-1 call and the radio transmissions over the Chicago Police Department, Zone 6 radio frequency were obtained from the Office of Emergency Management

and Communication. The recordings were reviewed and subsequently inventoried.

In the 9-1-1 call, a caller who identified himself as [redacted] stated that he was holding a guy for stealing radios from trucks in a trucking yard.

The recorded radio transmissions were consistent with the statements of the police officers involved in this incident. It was determined from the radio transmissions, that the entire interaction of the involved police officers, with Laquan MCDONALD, from the time Beat 815R notified the radio dispatcher that they had made contact with him, and that he was armed with a knife, until Beat 845R notified the dispatcher that shots had been fired by the police, lasted more than four minutes.

The criminal history of Laquan MCDONALD was reviewed. [redacted]

Additionally, there were two documented incidents, under Records Division numbers HS640983 and HT106389, on 01 December 2010 and 05 January 2011. In these incidents officials at the [redacted], elementary school, called the police because of the violent behavior of Laquan MCDONALD. The reports indicated that MCDONALD was a special education student at the school and that this had become a pattern of behavior for MCDONALD. The school officials indicated that MCDONALD had behavioral problems and anger issues. In both incidents MCDONALD was transported to [redacted] for evaluation and treatment.

The family of Laquan MCDONALD was located and notified of his death.

[redacted] -----

stated he was an uncle of Laquan MCDONALD. MCDONALD was living with JOHNSON while MCDONALD "worked out his problems." [redacted] said that MCDONALD attended [redacted] school but was currently suspended. MCDONALD suffered from "hypertension" but refused to take any medication. He stopped taking his prescribed medication approximately two years prior because he said it made him "freak out."

[redacted] last saw MCDONALD on Saturday, 18 October 2014, at approximately 13:00 hours, when MCDONALD left the apartment. He had not been back since. MCDONALD had rung the doorbell earlier in the day on 20 October 2014. [redacted] said they "buzzed" MCDONALD into the building but he never came up to the apartment.

[redacted] had no idea why MCDONALD would be in the area of 41st Street and Pulaski Road. JOHNSON said he would attempt to notify MCDONALD's mother, [redacted].

On Tuesday, 21 October 2014, [redacted] of the 9-1-1 caller, [redacted]" was located and interviewed.

[redacted] -----

stated she was with [redacted], parking a truck in the lot at 41st Street and Kildare Avenue. She saw a black male subject, now known as Laquan MCDONALD, attempting to steal property from vehicles parked in the lot. [redacted] confronted MCDONALD and told him to leave the lot. [redacted] said that MCDONALD did not say anything, but instead, he was "growling" and making strange noises. [redacted] again told MCDONALD to leave the lot and MCDONALD pulled out a knife. MCDONALD swung the knife at [redacted] attempting to cut him. [redacted] had already called 9-1-1 so he backed up and threw his cellular telephone at MCDONALD. MCDONALD then ran from the lot. He ran northbound on Kildare, then eastbound on 40th Street.

[redacted] described MCDONALD as a black male, with his hair in braids. He was wearing a black hood and blue jeans. [redacted] viewed a photograph of Laquan MCDONALD and identified him as the subject in the lot, who had been attempting to steal property from vehicles parked in the lot, and who subsequently threatened [redacted] with a knife, when [redacted] confronted MCDONALD.

On Wednesday, 22 October 2014, the 9-1-1 caller was interviewed.

[redacted] -----

related the same facts as [redacted]. [redacted] re-iterated that Laquan MCDONALD swung his knife at [redacted], attempting to cut him. [redacted] stated he was the person who called 9-1-1 regarding this incident.

A canvass was conducted of the area near the scene of this incident for any recorded video.

There were no Police Observation Devices, or other City of Chicago video cameras in the area.

Recorded video was recovered from three cameras on the exterior of the building housing the Greater Chicago Food Depository, at 4100 West Ann Lurie Place. Two of these videos showed two different views of Laquan MCDONALD walking eastbound on the sidewalk, on the south side of 40th Street, between Keeler and Karlov Avenues. Officer Joseph MCELLIGOTT was following MCDONALD on foot, maintaining a safe distance between himself and MCDONALD, while Officer Thomas GAFFNEY was following MCDONALD in a police vehicle. The third video did not capture any part of this incident.

Recorded video was recovered from two cameras at the Dunkin' Donuts restaurant, at 4113 South Pulaski Road. One of these videos showed the end of this incident, when Officers Jason VAN DYKE and Joseph WALSH stopped their vehicle, exited the vehicle and confronted Laquan MCDONALD. The view in this video is from a distance. The video from the second camera did not capture any part of this incident.

Recorded video was recovered from two cameras from Focal Point, 4141 South Pulaski Road. These videos did not capture any part of this incident.

All of the recovered video was inventoried.

A Major Case Review of this case was conducted at the Illinois State Police Crime Laboratory, on Thursday, 30 October 2014. An Evidence Submission Form was completed per this review.

The assigned personnel became aware of a potential question regarding the integrity of the video recovered from the Burger King restaurant. In an attempt to follow-up on this issue the assigned personnel proceeded to the restaurant on Wednesday, 11 March 2015. Manager, [redacted] was contacted at the restaurant. She stated that the video system at the restaurant had recently been repaired and a new digital video recorder had been installed. [redacted] said that as of this date, 11 of the 16 video ports in the system actually recorded video. This was consistent with the video recovered on the date of this incident. Video was recorded and recovered on 11 of the 16 video ports in the system on that date.

Any additional inquiries regarding the video system at the restaurant were referred to the district manager responsible for that restaurant, [redacted]. He was contacted and related that the day after this incident occurred, personnel from the Independent Police Review Authority, of the City of Chicago, came to the restaurant. They viewed video from the system and took custody of the digital video recorder. The recorder was returned to the restaurant two weeks later. Personnel from the Federal Bureau of Investigation then came to the restaurant and made copies of video from the system. After that some lawyers came to the restaurant with subpoenas to make copies of video from the system. Finally, [redacted] stated that personnel from the Federal Bureau of Investigation had come to the restaurant again, approximately three weeks prior to this interview, and took the digital video recorder. [redacted] did not have any further information regarding the video system.

The assigned personnel also became aware of an article written by [redacted], a professor at the University of Chicago Law School, citing the existence of an unknown witness to this incident. [redacted] was contacted on Thursday, 12 March 2015, in an attempt to interview this witness. [redacted] stated that this witness had already been interviewed by the Independent Police Review Authority and [redacted] did not know if the witness would be willing to be interviewed by the Chicago Police Department. [redacted] said he would contact the witness and provide him with contact information for the assigned personnel.

Based upon all the facts known at this time, and the death of the only offender in this incident, this case is now Exceptionally Cleared Closed / Other Exceptional Clearance - Death of Offender.

The above to-date investigation determined that Laquan MCDONALD was an active assailant who, while armed with a dangerous weapon, used force likely to cause death or serious injury to a private citizen when he attacked [redacted]; threatened the imminent use of force likely to cause death or serious injury when he incised the tire and stabbed the windshield of a Chicago Police Department vehicle occupied by Officer Thomas GAFFNEY; and initiated imminent use of force likely to cause death or serious injury when he initiated an attack on Officers Jason VAN DYKE and Joseph WALSH. The above investigation concluded that Officer Jason VAN DYKE's use of deadly force, the discharging of his duty firearm, was within the bounds of the Chicago Police Department's use of force guidelines, and in conformity with local ordinances and state law.

Based on the above facts, the associated report, under Records Division number HX486155, is now Closed / Non-Criminal.

REPORT OF:

Detective David M MARCH #20563
Sergeant Daniel GALLAGHER #1303
Lieutenant Anthony WOJCIK #481
Bureau of Detectives - Area Central

GENERAL PROGRESS REPORT
ECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 2014	20 OCT 2014 3

OFFENSE CLASSIFICATION–LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0452	VANDYKE	512

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

J MONDRAGON

DRIVING W/B 40. SAW M/E RUNNING E/B THROUGH BK LOT
MADE U-TURN, BACK OUT TO PULASKI
S/B ON PULASKI
SAW O RUNNING S/B PULASKI, MIDDLE OF ST
AS SHE GOT CLOSER, SAW KNIFE IN R HAND
O WAVING KNIFE
SAW JM + JVD OUTSIDE THEIR TAHOE
HEARD POS REPEATEDLY, "DROP THE KNIFE!" AS
O GOT ~~CLOSER~~ CLOSER + CLOSER TO POS, CONTINUING
TO WAVE KNIFE
AS JM PLACED TRANC INTO P, LOOKED DOWN,
HEARD MULTIPLE CONTINUOUS SHOTS, NO PAUSE
THEN SAW O FALL TO GROUND
DID NOT KNOW WHO FIRED

R.D. NO. HX475763

[redacted] 2063 | RECEIVED BY: SUPERVISOR'S SIGNATURE–STAR NO. [redacted] | DAY–MO.–YR. TIME

CPD-23.122 (Rev. 2/83)

CHICAGO POLICE DEPARTMENT

Major Incident Notification Detail

CPD - 11.605 (10/94) - C

CONFID ENTIAL

Area: 1
Reporting Unit: 610
Incident No: 73204
Deployment Level: UNK

Time Period	Crime/Incident RD Number Dist of Occurrence	Summary
0500 - 0900	0552 - Assault - Aggravated Po:Knife/Cut Instr **Area:** 1 **District:** 008 **Beat:** 0815 **RD No:** HX475653 **No of Victims:** 3 **No of Offenders:** 1 **Updated Date:** 21-OCT-2014 05:17 **Reason For Update:**	**Notification Date:** 21-OCT-2014 04:05 **Date and Time:** 20-OCT-2014 21:56 **Location:** 4000 S KARLOV AVE CHICAGO IL 60632 303 - SIDEWALK **Victim #1:** **Star #:**19958 **Emp #:** [redacted] **On Duty** GAFFNEY, THOMAS J Male/White/41 Years 6'00" , 195 lbs **Date of Appointment:** 08-JUL-96 **Victim #2:** **Star #:**12865 **Emp #:** [redacted] **On Duty** WALSH, JOSEPH J Male/White/46 Years 6'00" , 190 lbs **Date of Appointment:** 29-JUN-98 **Victim #3:** **Star #:**9465 **Emp #:** [redacted] **On Duty** VAN DYKE, JASON D Male/White/36 Years 6'02" , 180 lbs **Date of Appointment:** 25-JUN-01 **Offender #1:** MC DONALD, LAQUAN Male/Black/17 Years [redacted] **IR No:** 2106340 **Gang Affiliation:** New Breed **Buy Bust Requested:** NO

Printed By: GARY, KELLEE (PC [redacted]

Printed On: 28-FEB-2016 00:12

Powered by CLEAR Technology

CHICAGO POLICE DEPARTMENT
Major Incident Notification Detail
CPD - 11.485 (10/04) - C

CONFID
ENTIAL

Area: 1
Reporting Unit: 610
Incident No: 73204
Deployment Level: UNK

Time Period	Crime/Incident RD Number Dist of Occurrence	Summary

Use of Weapon: USED
Weapon Recovery: RECOVERED
Weapon Description: OFFENDER'S WEAPON: FOLDING KNIFE. OFFICER'S WEAPON: SMITH AND WESSON MODEL 5943 9MM STAINLESS FINISH WITH SERIAL NUMBER TDU5969 SEMI-AUTOMATIC HANDGUN.

Involved Personnel:

Notification Made By
GALLAGHER, Daniel A
Emp #: [redacted] Star #: 1303
Agency: Chicago Police Dept

Detective Assigned
MARCH, David M
Emp #: [redacted] Star #: 20563
Agency: Chicago Police Dept

Narrative:

Beat 815R responded to an OEMC call of a holding an offender who was breaking into trailers at 4100 S. Kildare. Beat 815R arrived on scene and spoke to the complainant who pointed to the offender who had fled on foot. Beat 815R pursued the offender in their marked vehicle to 4000 S. Karlov, at which time the offender who was acting irrational and was armed with a knife, punctured their front passenger tire, and then struck the windshield with his knife. Beat 815R requested a taser and additional units to respond and assist with the apprehension of the offender. Beat 845R responded to 4112 S. Pulaski and observed the offender still armed with a knife walking in traffic. Beat 845R exited their vehicle and ordered the offender to drop his knife. The offender refused all verbal commands and continued to approach the officers while still armed with his knife. Beat 845R fearing for his life discharged his weapon. The offender sustained numerous gun shot wounds and was transported to Mt. Sinai Hospital where he was subsequently pronounced at 2242 Hours.

Generated by CLEAR Data Analytics

ICAGO POLICE DEPARTMENT

ASE SUPPLEMENTARY REPORT

0 S. Michigan Avenue, Chicago, Illinois 60653
use by Chicago Police - Bureau of Investigative Services Personnel Only)

HX475653

Case id : 9825613
Sup id : 10988891 CASR339

ROGRESS-VIOLENT(SCENE) | **DETECTIVE SUP. APPROVAL COMPLETE**

st Offense Classification/Re-Classification	IUCR Code	Original Offense Classification			IUCR Code
AULT / Aggravated Po:Knife/Cut Instr	0552	ASSAULT / Aggravated Po:Knife/Cut Instr			0552
ddress of Occurrence	Beat of Occur	No of Victims	No of Offenders	No of Arrested	SCR No
112 S PULASKI RD	815	4	1	1	
ocation Type	Location Code	Secondary Location			Hate Crime
treet	304				No
ate of Occurrence	Unit Assigned	Date RO Arrived	Fire Related?	Gang Related?	Domestic Related?
0-OCT-2014 21:57	0841R	20-OCT-2014 21:57	NO	NO	NO

eporting Officer	Star No	Approving Supervisor	Star No	Primary Detective Assigned	Star No
MARCH, David	20563	WOJCIK, Anthony	481	MARCH, David	20563
ate Submitted		Date Approved		Assignment Type	
5-MAR-2015 18:23		16-MAR-2015 00:03		FIELD	

HIS IS A FIELD INVESTIGATION PROGRESS-VIOLENT(SCENE) REPORT

/ICTIM(S):

GAFFNEY, Thomas J
Male / White / 41 Years
EMPLOYMENT: Chicago Police Officer #19958

EMPLOYER BUSINESS NME: Chicago Police Department

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

VAN DYKE, Jason D
Male / White / 36 Years
EMPLOYMENT: Chicago Police Officer #9465

EMPLOYER BUSINESS NME: Chicago Police Department

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

WALSH, Joseph J
Male / White / 45 Years
EMPLOYMENT: Chicago Police Officer #12865

EMPLOYER BUSINESS NME: Chicago Police Department

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

HX475653

MCELLIGOTT, Joseph P
Male / White / 36 Years
EMPLOYMENT: Chicago Police Officer #18715

EMPLOYER BUSINESS NME: Chicago Police Department

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

FFENDER(S) **MCDONALD, Laquan J** -- In Custody--

ALIAS: "Bon-Bon"
Male / Black / 17 Years
DOB: [redacted]
DESCRIPTION: 6'02, 180, Black Hair, Dreadlocks Hair Style, Brown Eyes, Medium Complexion
RES: [redacted]
Chicago IL
BIRTH PLACE: Illinois
DLN/ID: [redacted] IL
OTHER IDENTIFICATIONS: **Type -** Other Id
State - Unknown
IR#: 2106340
SID#: IL185507
21
RELATIONSHIP OF VICTIM TO OFFENDER:

GAFFNEY, Thomas J	- No Relationship
MCELLIGOTT, Joseph P	- No Relationship
VAN DYKE, Jason D	- No Relationship
WALSH, Joseph J	- No Relationship

GANG INFORMATION:

-
LISTED CRIMINAL ORGANIZATION: New Breed
GANG IDENTIFIERS: Other

ITEM USED:
Weapon

)FFENDER INJURIES: **MCDONALD, Laquan J**

Type	Weapon Used	Weapon Description
Gun Shot Wound	Handgun	Other - Handgun

Injured by Police
Chicago Fire Department Provided First Aid
EXTENT OF INJURY: Multiple Gsw
HOSPITAL REMOVED BY: Cfd Ambulance 21

INJURY TREATMENT: Multiple Gsw

PHYSICIAN NAME: Dr Pitzele

PON(S): **INV#:** 13296449

Evidence

Smith & Wesson -Us- (Bodyguard,Chief Special), 5942, 9, Semi-Automatic Pistol, Semi-Automatic, 4", Stainless
SERIAL#: [redacted]
PROPERTY TYPE: OTHER

OWNER: Van Dyke, Jason
POSSESSOR/USER: VAN DYKE, JASON

PHONE #: 312 - 747 - 8730
LOCATION FOUND: 5101 S WENTWORTH AVE

Number Of Live Rounds present in the Firearm - 15
Number Of Live Rounds used in the Firearm - 16
The Status Of This Firearm is 628361

EHICLE INFO: **Truck, 2010 / Chevrolet / Tahoe / Truck**
Victim's Vehicle
VIN: 1GNMCAE0XAR263348
YEAR (RANGE): 2010
COLOR(TOP/BOTTOM): White / White
OWNER: Chicago Police Department
POSSESSOR/USER: GAFFNEY, THOMAS
PHONE#: 312 - 747 - 8730
The Vehicle was Seized
LOCATION FOUND: 4102 S PULASKI RD

LICENSE: Mp6581, Law Enforcement (City, County, State, Sos), IL

LOCATION OF INCIDENT:
4112 S Pulaski Rd
Chicago IL
304 - Street

DATE & TIME OF INCIDENT: 20-OCT-2014 21:57

JUST HOMICIDE DESCRIPTION: Criminal Killed By Police Officer

ADDITIONAL JUST HOMICIDE DESCR.: Criminal Attacked Officer That Officer Killed Criminal

WEATHER AND LIGHTING:
WEATHER: Cloudy & Cool
TEMPERATURE: 50s
LIGHTING: Dark / Artificial Light
LIGHTING SOURCE: Streetlights

DISTANCE: Overhead

)TIVE CODE(S): Interceding In A Felony

USE CODE(S): Dna

HOD CODE(S): Offender Shot

U CODE(S): Police Related Not Con

REARM(S) COVERED: **INV #:** **13296449**
Evidence
Smith & Wesson -Us- (Bodyguard,Chief Special), 5942, 9, Semi-Automatic Pistol, Semi-Automatic, 4", Stainless
SERIAL#: [redacted]
PROPERTY TYPE: OTHER

OWNER: Van Dyke, Jason
POSSESSOR/USER: VAN DYKE, JASON

PHONE #: 312 - 747 - 8730
LOCATION FOUND: 5101 S WENTWORTH AVE

Number Of Live Rounds present in the Firearm - 15
Number Of Live Rounds used in the Firearm - 16
The Status Of This Firearm is [redacted]

EHICLE(S) DAMAGED: **Truck, 2010 / Chevrolet / Tahoe / Truck**
Evidence
VIN: 1GNMCAE0XAR263348
YEAR - YEAR RANGE END: 2010

COLOR (TOP/BOTTOM): White / White
OWNER: Chicago Police Department
POSSESSOR/USER: GAFFNEY, THOMAS
PHONE#: 312 - 747 - 8730
LOCATION FOUND: 4102 S PULASKI RD
LICENSE: Mp6581, Law Enforcement (City, County, State, Sos), IL

ERSONNEL ASSIGNED:
Detective/Investigator
MARCH, David M # 20563
Reporting Officer
FONTAINE, Dora # 4484 **BEAT:** 0841R

ITNESS(ES): [redacted]
Male / White Hispanic / 18 Years
DOB: [redacted]
RES: [redacted]bull Ave 1
Chicago IL

OTHER COMMUNICATIONS:
Cellular Phone: [redacted]

DLN/ID: [redacted] - IL
[redacted]
Female / White Hispanic / 19 Years
DOB: [redacted]
RES: [redacted]
Chicago IL
[redacted]

BUS: [redacted]
Chicago IL
[redacted]

DLN/ID: [redacted]

MONDRAGON, Janet

Female / White Hispanic / 37 Years
EMPLOYMENT: Chicago Police Officer #4364

BUS: 3420 W 63rd St
Chicago IL
312-747-8730
[redacted]
Female / White Hispanic / 29 Years
DOB: [redacted]
RES: [redacted]

OTHER COMMUNICATIONS:
Cellular Phone: [redacted]
Female / White Hispanic / 24 Years
DOB: [redacted]
RES: [redacted]
Chicago IL

EMPLOYMENT: Shift Manager

BUS: [redacted]

OTHER COMMUNICATIONS:

Cellular Phone: [redacted]

VELEZ, Leticia

Female / White Hispanic / 43 Years

EMPLOYMENT: Chicago Police Officer #10385

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

BACERRA, Arturo

Male / White Hispanic / 32 Years

EMPLOYMENT: Chicago Police Officer #15790

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

FONTAINE, Dora

Female / White Hispanic / 47 Years

EMPLOYMENT: Chicago Police Officer #4484

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

[redacted]

Female / White Hispanic / 30 Years

DOB: [redacted]

RES: [redacted]
Chicago IL

OTHER COMMUNICATIONS:

Cellular Phone: [redacted]

[redacted]

Male / White Hispanic / 24 Years

DOB: [redacted]

RES: [redacted]

SSN: [redacted]

DLN/ID: [redacted] - IL

SEBASTIAN, Daphne L

Female / White / 45 Years

EMPLOYMENT: Chicago Police Officer #2763

BUS: 3420 W 63rd St
Chicago IL
312-747-
8730

[redacted]

Male / White Hispanic / 25 Years

DOB: [redacted]

RES: [redacted]

BUS: [redacted]

--

OTHER COMMUNICATIONS:

Cellular Phone: [redacted]

SSN: [redacted]

VIRAMONTES, Ricardo

Male / White Hispanic / 41 Years

EMPLOYMENT: Chicago Police Officer #10590

BUS: 3420 W 63rd St
Chicago IL
312-747-
8730

OTHER INDIVIDUALS INVOLVED: [redacted] (Additional Victim)

Male / White Hispanic / 43 Years

DOB: [redacted]

RES: [redacted]

EMPLOYMENT: Self-Employed Truck Driver

OTHER COMMUNICATIONS:

Cellular Phone: [redacted]

DLN/ID: [redacted]

[redacted] (Family Member Notified)

Male / Black / 25 Years
DOB: [redacted]
RES: [redacted]

OTHER COMMUNICATIONS:
Other: [redacted]

[redacted] (Person Interviewed Non-Witness)

Female / White Hispanic / 39 Years
DOB: [redacted]
RES: [redacted]

BUS: [redacted]

[redacted] (Person Interviewed Non-Witness)

Female / White Hispanic / 62 Years
DOB: [redacted]
RES: [redacted]

BUS: [redacted]

CRIME CODE SUMMARY: 0552 - Assault - Aggravated Po:Knife/Cut Instr

IUCR ASSOCIATIONS:

0552 - Assault - Aggravated Po:Knife/Cut Instr

GAFFNEY, Thomas, J	(Victim)	
MCDONALD, Laquan, J		(Offender)
MCELLIGOTT, Joseph, P	(Victim)	
MCDONALD, Laquan, J		(Offender)
VAN DYKE, Jason, D	(Victim)	
MCDONALD, Laquan, J		(Offender)
WALSH, Joseph, J	(Victim)	
MCDONALD, Laquan, J		(Offender)

NCIDENT NOTIFICATION: **NOTIFICATION DATE & TIME:** 10/20/2014:230700

REQUEST TYPE: Notification

PERSON NAME: ,Sarlo

STAR #: 13131

IDENT NOTIFICATION: **NOTIFICATION DATE & TIME:** 10/20/2014:231400

REQUEST TYPE: Notification

PERSON NAME: ,Jines

STAR #: 4898

IDENT NOTIFICATION: **NOTIFICATION DATE & TIME:** 10/20/2014:215000

REQUEST TYPE: On Scene

PERSON NAME: ,March

STAR #: 20563

CIDENT NOTIFICATION: **NOTIFICATION DATE & TIME:** 10/21/2014:225800

REQUEST TYPE: Notification

PERSON NAME: ,Chibe

STAR #: 7303

ICIDENT NOTIFICATION: **NOTIFICATION DATE & TIME:** 10/20/2014:235000

REQUEST TYPE: Notification

PERSON NAME: ,Briggs

EMP #: 76

EPORT DISTRIBUTIONS: No Distribution

NVESTIGATION:

AREA CENTRAL FIELD INVESTIGATION:

Progress - Scene Report.

TYPE OF INCIDENT:

ASSAULT / Aggravated of a Police Officer - Knife
IUCR - 0552.

RECORDS DIVISION NUMBER:

HX475653.

EVENT NUMBER:

1429315878.

DATE AND TIME:

Mon, 20 Oct 2014, 21:57 hours.

LOCATION:

4112 S Pulaski Rd,
on the street - Beat 815.

WEATHER AND LIGHTING:

Cloudy and cool, temperature in the 50s.
Dark with good artificial light provided by overhead streetlights, all on and functioning normally. Additional artificial light provided by lighting of nearby businesses.

DATE AND TIME ASSIGNED:

Mon, 20 Oct 2014, 22:00 hours,
by Sgt D GALLAGHER #1303.

VICTIMS:

VAN DYKE, Jason D,
CPD - PO, #9465,
M / W / 36,
Assigned to 008th District,
3420 W 63rd St,
312-747-8730,
On duty,
Beat 845R,
In uniform -
Light blue long sleeve shirt with shoulder patches,
Black body armor vest with patches,
Navy blue cargo pants,
Equipment belt with handgun and radio,
Marked vehicle -
CPD vehicle # 6412,
Chevrolet Tahoe, four door SUV,
Illinois license plate # M172910.

WALSH, Joseph J,
CPD - PO, #12865
M / W / 45,
Assigned to 008th District,
3420 W 63rd St,
312-747-8730,
On duty,
Beat 845R,
In uniform -

Light blue long sleeve shirt with shoulder patches,
Black body armor vest with patches,
Navy blue cargo pants,
Equipment belt with handgun and radio,
Marked vehicle -
CPD vehicle # 6412,
Chevrolet Tahoe, four door SUV,
Illinois license plate # M172910.

GAFFNEY, Thomas J,
CPD - PO, #19958,
M / W / 41,
Assigned to 008th District,
3420 W 63rd St,
312-747-8730,
On duty,
Beat 815R,
In uniform -
Uniform baseball style cap with embroidered patch,
Light blue long sleeve shirt with shoulder patches,
Black body armor vest with patches,
Navy blue cargo pants,
Equipment belt with handgun and radio,
Marked vehicle -
CPD vehicle # 8489,
Chevrolet Tahoe, four door SUV,
Illinois license plate # MP6581.

MCELLIGOTT, Joseph P,
CPD - PO, #18715,
M / W / 36,
Assigned to 008th District,
3420 W 63rd St,
312-747-8730,
On duty,
Beat 815R,
In uniform -
Light blue long sleeve shirt with shoulder patches,
Black body armor vest with patches,
Navy blue cargo pants,
Equipment belt with handgun and radio,
Marked vehicle -
CPD vehicle # 8489,
Chevrolet Tahoe, four door SUV,
Illinois license plate # MP6581.

ADDITIONAL VICTIMS:

ASSAULT / Aggravated - Knife
IUCR - 0520.

[redacted]
M / WH / 43, DOB [redacted],
[redacted]
Self-employed truck driver,
Gang - None,
IL D/L #[redacted]
SS# [redacted]
FBI# [redacted],
SID# [redacted],
IR# [redacted].

INJURIES:

No injuries to any victims.

OFFENDERS:

Deceased -----
MCDONALD, Laquan J,
Nickname - "Bon-Bon,"
M / B / 17, DOB [redacted],
[redacted]
Gang - New Breeds per CPD records,
6'02",
180 lbs,
Slender build,
Black hair in dreadlocks,
Brown eyes,
Medium complexion,
Il ID # [redacted],
SID# IL18550721,
IR# 2106340.

CLOTHING:

Inventory # 13296470 (Unit 277)
1 - Black hooded sweatshirt,
1 - Black sweatshirt,
1 - Pair blue jean pants,
1 - Pair black boxer shorts underwear,
1 - Pair black socks,
1 - Pair black gym shoes.
Recovered at the Office of the Medical Examiner

by Crime Lab Beat 5809.
To ERPS - No analysis needed at this time.

IDENTIFIED BY:

State of Illinois ID Card on Laquan MCDONALD's person.

FAMILY NOTIFICATION:

[redacted],
M / B / 25, DOB [redacted]
[redacted]
[redacted]
[redacted],
Uncle of Laquan MCDONALD.

INJURIES:

Fatal
1 - GSW to left neck, lodged,
1 - GSW, T & T, entrance left chest, exit rear left shoulder,
1 - GSW to right chest, lodged,
1 - GSW, T & T, entrance outer rear left elbow,
exit inner front left elbow,
1 - GSW, T & T, entrance rear upper right arm,
exit front upper right arm,
1 - GSW, T & T, entrance back of left wrist,
exit front of left forearm,
1 - GSW, T & T, entrance front of right hip, exit inner right thigh,
1 - GSW, T & T, entrance rear upper left shoulder,
exit left shoulder blade,
1 - GSW, T & T, entrance outer rear left elbow,
exit inner rear left elbow,
1 - GSW, T & T, entrance rear right shoulder,
exit upper right back,
1 - GSW to back of right arm, just below elbow, lodged,
1 - GSW to back of right wrist, lodged,
1 - GSW to back of right hand, lodged,
1 - GSW to right buttocks, lodged,
1 - GSW to back of right thigh, lodged,
1 - GSW, graze wound to left side top of head.

TAKEN TO:

Mount Sinai Hospital by CFD Ambulance 21.

PRONOUNCED BY:

Dr PITZELE, at Mount Sinai Hospital,
Mon, 20 Oct 2014, at 22:42 hours.

MEDICAL EXAMINER CASE NUMBER:

2014 - 01071.

WEAPONS:

Offender, MCDONALD, Laquan J -----
Inventory # 13296495 (Unit 277)
1 - Folding knife,
7" overall, 3" blade (Marker C).
Recovered from the street at 4112 S Pulaski Rd,
by Crime Lab Beat 5802. Blade locked open when recovered.
Request for analysis by Latent Prints Section.

Victim, VAN DYKE, Jason D (PO) -----
Inventory # 13296449 (Unit 277)
1 - Smith and Wesson, Model 5942, 9 mm caliber,
semi-automatic pistol, stainless steel, 4" barrel,
serial # [redacted],
1 - 9 mm caliber cartridge from firing chamber,
14 - 9 mm caliber cartridges from magazine,
2 - Fifteen round magazines.
Recovered in the Bureau of Detectives - Area Central office
by ET Beat 5824.
IL FOID card # [redacted],
expiration 01 May 2019,
Chicago registration # [redacted].
Request for analysis by Firearms Section.

VEHICLES:

CPD vehicle damaged by Laquan MCDONALD -
CPD vehicle # 8489,
Beat 815R,
Marked vehicle,
2010 Chevrolet Tahoe, four door SUV, white / white,
VIN - 1GNMCAE0XAR263348,
IL license plate # MP6581.
Right front tire flat after MCDONALD stabbed the tire with a knife,
damage to right side of windshield from knife.

MANNER / MOTIVE:

Laquan MCDONALD was shot and killed by Chicago Police
Officer Jason VAN DYKE while MCDONALD was committing an

aggravated assault with a knife against Officer VAN DYKE and his partner, Chicago Police Officer Joseph WALSH. MCDONALD also committed an aggravated assault with a knife against Chicago Police Officers Thomas GAFFNEY and Joseph MCELLIGOTT, when MCDONALD stabbed the right front tire and windshield of their police vehicle, and an aggravated assault with a knife against civilian, [redacted], immediately prior to being confronted by Officers VAN DYKE and WALSH. / Peace officer interceding in a felony, in the line of duty-Defense of life (Offender apparently attempting to defeat arrest).

REFERENCE NUMBERS:

U # 2014 - 36.

Log # 1072125.

RD# HX486155
HOMICIDE / Justifiable Homicide
IUCR - 0150.

PROPERTY TAKEN:

None.

EVIDENCE:

Video of scene taken by Crime Lab Beat 5802.

Photographs of scene taken by Crime Lab Beat 5802.

Photographs of victim police officers taken by ET Beat 5824.

See Weapons and Clothing categories above.

Inventory # 13296485 (Unit 277)
14 - 9 mm caliber cartridge cases (Markers 1 & 4 - 16).
Recovered from the street at 4112 S Pulaski Rd
by Crime Lab Beat 5802.
Request for analysis by Firearms Section.

Inventory # 13296489 (Unit 277)
2 - 9 mm caliber cartridge cases (Markers 2 & 3).
Recovered from the street at 4112 S Pulaski Rd
by Crime Lab Beat 5802.
Request for analysis by Firearms Section.

Inventory # 13296500 (Unit 277)

1 - Swab box containing two swabs of suspect red blood stains
(Marker B).
Recovered from the street at 4112 S Pulaski Rd
by Crime Lab Beat 5802.
To ERPS - No analysis needed at this time.

Inventory # 13296511 (Unit 277)
5 - Metal fragments (Markers A, D, E, F & G).
Recovered from the street at 4112 S Pulaski Rd
by Crime Lab Beat 5802.
Request for analysis by Firearms Section.

Inventory # 13296523 (Unit 277)
1 - Firestone Firehawk tire with damage, attached to rim.
Recovered from CPD vehicle # 8489 (Beat 815R),
at 4102 S Pulaski Rd, by Crime Lab Beat 5802.
To ERPS - No analysis needed at this time.

Inventory # 13296528 (Unit 277)
4 - Ridge impression lifts.
Recovered from the right front quarter panel of CPD vehicle
8489 (Beat 815R), by Crime Lab Beat 5802.
To ERPS - No analysis needed at this time.

Inventory # 13296534 (Unit 277)
1 - Envelope containing metal fragments,
recovered from the sweater of Laquan MCDONALD,
by Crime Lab Beat 5802,
3 - Metal fragments in a container,
recovered from Laquan MCDONALD at Mount Sinai Hospital,
given to Det W JOHNSON #20169, by RN Allan GAYAN,
turned over to Crime Lab Beat 5802,
at Mount Sinai Hospital.
Request for analysis by Firearms Section.

Inventory # 13296451 (Unit 277)
1 - Set of elimination prints, including palms,
from PO J MCELLIGOTT #18715.
Taken by ET Beat 5824.
To ERPS - No analysis needed at this time.

Inventory # 13296452 (Unit 277)
1 - Set of elimination prints, including palms,
from PO T GAFFNEY #19958.
Taken by ET Beat 5824.
To ERPS - No analysis needed at this time.

Inventory # 13296464 (Unit 277)

1 - Sealed ME blood card.
Recovered at the Office of the Medical Examiner
by Crime Lab Beat 5809.
To ERPS - No analysis needed at this time.

Inventory # 13296668 (Unit 277)
1 - Sealed ME bullet envelope.
Recovered at the Office of the Medical Examiner
by Crime Lab Beat 5809.
Request for analysis by Firearms Section.

Inventory # 13337048 (Unit 610)
1 - CD containing compilation of video.
Created by Det R HAGEN #20606.

Inventory # 13337053 (Unit 610)
1 - CD containing video from the Greater Chicago Food
Depository, 4100 W Ann Lurie Pl.
Recovered by Det J MALIK #20729.

Inventory # 13337056 (Unit 610)
1 - CD containing video from in-car camera, Beat 845R,
1 - CD containing video from in-car camera, Beat 813R.

Inventory # 13337060 (Unit 610)
1 - CD containing video from Dunkin' Donuts, 4113 S Pulaski Rd.
Recovered by Det R HAGEN #20606.

Inventory # 13337065 (Unit 610)
1 - DVD containing video from Focal Point, 4141 S Pulaski Rd.
Recovered by Det J MALIK #20729.

Inventory # 13337077 (Unit 610)
1 - CD containing OEMC audio recording of call to 9-1-1,
1 - CD containing OEMC audio recording
of CPD radio zone 6 transmissions.

Inventory # 13337080 (Unit 610)
1 - CD containing photos from ME autopsy.

Inventory # 13337087 (Unit 610)
1 - State of Illinois ID card, Lequan J MCDONALD,
1 - RTA ADA Paratransit & Reduced Fare Card,
[redacted]
1 - Ventra, CTA ticket,
1 - Receipt for above Ventra, CTA ticket.
Recovered from Laquan MCDONALD at Mount Sinai Hospital.

Inventory # 13394378 (Unit 610)
1 - Disk containing video from in-car camera, Beat 815R (No relevant footage).

Inventory # 13394389 (Unit 610)
3 - DVDs containing video from Burger King restaurant at 4060 S Pulaski Rd (No relevant footage).

Inventory # 13394394 (Unit 610)
1 - DVD containing video from in-car camera, CPD vehicle # 9049 (No relevant footage).

Inventory # 13394398 (Unit 610)
1 - CPD Officer Safety Alert, # 2012-OSA-297.

PERSONNEL ASSIGNED:

Car 41 (Bureau of Patrol - Area Central / OCIC)
D/C D MCNAUGHTON #120

Beat 800
Cmdr J O'DONNELL #13
Beat 800X
Capt D WALSH #107
Beat 810R
Sgt S FRANKO #1381
Beat 830R
Sgt P MCGLYNN #1734
Beat 841R (Original report)
PO D FONTAINE #12698
PO R VIRAMONTES #10590
Beat 821R (Scene)
PO P KENNING #8302
PO R ROSALES #9654
Beat 823R (Scene)
PO D IVANKOVICH #12392
PO J TORRES #19898
Beat 833R (Scene)
PO A VANCE #11830
PO J GEISBUSH #16422
Beat 851R (Scene)
PO L GARCIA #6490
PO E FLAGG #12037
Beat 825R (Scene)
PO M POWER #8661
PO D WAHRER #13454
Beat 842 (Mt Sinai Hospital)
PO T DZIADKOWIEC #15529

PO C GACEK #17853
Beat 846R (Mt Sinai Hospital)
PO L TORRES #10573
PO M VEGA #8526

Beat 9210 (In-car camera system)
Sgt L BECVAR #1748

Beat 5880
Sgt D FRIEL #819
Beat 5802 (Scene)
FI C BRASIC #10201
ET K JUDEH #8825
Beat 5824 (Area Central)
ET P RIDER #9977
Beat 5809 (ME)
FI V RIVERA #11520
Beat 5885 (MIRV)
Det M RICKER #20201

Beat 5100
Cmdr E ROY #62
Beat 5105
Lt A WOJCIK #481
Beat 5107
Lt O VALDEZ #529
Beat 5120
Sgt D GALLAGHER #1303
Beat 5121
Det D MARCH #20563
Beat 5122
Det G JONES #21285
Beat 5131
Det J HALLORAN #20453
Det J MURRAY #21128
Beat 5132
Det F CASALE #21041
Det D HICKEY #20723
Beat 5165B
Det R HAGEN #20606
Det A MANAOIS #20320
Beat 5166A
Det R RANZZONI #20162
Beat 5127
Det V WATHEN #20493
Beat 5193
Det M NESTAD #20505
Det W JOHNSON #20169

Beat 5194
Det A GLAVIANO #21443
Beat 5192
Det T TEAHAN #20462
Beat 5125
Det T CURRAN #20948
Beat 5102D
Det B SVEC #20941
Beat 5142
Det S ESPARZA #20140
Beat 5106B
Det J MALIK #20729

IPRA
Chief of Staff S HIRSCH #3
Supervisor A AMEZAGA #022
Investigator B KILLEN #129
Public Affairs L MERRITT #23

FOP
PO Marlon HARVEY #16468
Kriston KATO
Daniel HERBERT (Attorney)

WITNESSES:

SEBASTIAN, Daphne L,
CPD - PO, #2763,
F / W / 45,
Assigned to 008th District,
3420 W 63rd St,
312-747-8730,
Beat 813R
(Circumstantial witness).

MONDRAGON, Janet,
CPD - PO, #4364,
F / WH / 37,
Assigned to 008th District,
3420 W 63rd St,
312-747-8730,
Beat 813R
(Circumstantial witness).

BACERRA, Arturo,
CPD - PO, #15790,
M / WH / 32,
Assigned to 008th District,

3420 W 63rd St,
312-747-8730,
Beat 822
(Circumstantial witness).

VELEZ, Leticia,
CPD - PO, #10385,
F / WH / 43,
Assigned to 008th District,
3420 W 63rd St,
312-747-8730,
Beat 822
(Circumstantial witness).

FONTAINE, Dora,
CPD - PO, #4484
F / WH / 47,
Assigned to 008th District,
3420 W 63rd St,
312-747-8730,
Beat 841R
(Eyewitness).

VIRAMONTES, Ricardo,
CPD - PO, #10590,
M / WH / 41,
Assigned to 008th District,
3420 W 63rd St,
312-747-8730,
Beat 841R
(Eyewitness).

[redacted],
F / WH / 24, DOB [redacted],
[redacted]
[redacted]
[redacted],
[redacted]
[redacted]
(Circumstantial witness).

[redacted]
M / WH / 18, DOB [redacted],
[redacted],
[redacted]
IL ID # [redacted]
(Circumstantial witness).

[redacted]
F / WH / 19, DOB [redacted],
[redacted]
IL ID # [redacted],
Employee at [redacted],
[redacted]
(Circumstantial witness).

[redacted]
F / WH / 29, DOB [redacted],
[redacted]
Gang - Latin Kings per CPD records,
FBI# [redacted]
SID# [redacted],
IR# [redacted]
(Circumstantial witness).

[redacted]
M / WH / 25, DOB [redacted],
[redacted]
Employed at [redacted],
[redacted]
SS# [redacted]
(Circumstantial witness).

[redacted],
M / WH / 24, DOB [redacted],
[redacted],
IL D/L # [redacted],
SS# [redacted]
(Circumstantial witness).

[redacted]
F / WH / 30, DOB [redacted],
[redacted],
[redacted]
[redacted] (cell)
(Circumstantial witness).

INTERVIEWED:

[redacted]

F / WH / 62, DOB [redacted],
[redacted],
Employee at [redacted],
[redacted].

[redacted],
F / WH / 39, DOB [redacted],
[redacted],
Employee at [redacted],
[redacted]

INVESTIGATION:

The details of this investigation are documented in the following Exceptionally Cleared Closed Report.

REPORT OF:

Detective David M MARCH #20563
Sergeant Daniel GALLAGHER #1303
Lieutenant Anthony WOJCIK #481
Bureau of Detectives - Area Central

ERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 10CT2014	20 OCT 2014 3

OFFENSE CLASSIFICATION–LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	VAN DYKE	512I

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

J VAN DYKE P1 OF 3

RESPONDED TO 815R REQUEST FOR ASSIST.
MAW W/KNIFE. 40TH W OF PULASKI.
TASER REQUESTED.
HEARD GAFFNEY — O "POPPED" TIRE ON RADIO.
VD = O SLASHED TIRE W/KNIFE.
W/B ON 40TH SAW O = M/B.
RUNNING E/B IN BK LOT.
KNIFE IN R HAND.
McELLIGOTT PURSUING ON FOOT.
CIVILIAN ON 40TH POINTING TO O.
WALSH DRIVE E/B INTO LOT IN PURSUIT.
N SIDE OF BK.
USED VEHICLE TO BLOCK O FROM BK.
O RAN OUT ONTO PULASKI, THEN S/B.
TOWARD DD
WALSH KEPT VEH BETWEEN O + DD.
VD OPENED DOOR TO EXIT + CONFRONT O.
WALSH — NO, TOO CLOSE.
DROVE FURTHER S.
STOPPED AHEAD OF O

R.D. NO. HX425653

[redacted] E–STAR NO. 20563 | RECEIVED BY: SUPERVISOR'S SIGNATURE–STAR NO. 1500 | DAY–MO.–YR. TIME

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 2014	20 OCT 2014 3

OFFENSE CLASSIFICATION–LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	VAN DYKE	512

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

J VAN DYKE P2 OF 3

VD EXITED VEH. DREW HANDGUN
STOOD IN ST, FACING NB, TOWARD O
O COMING S/B
KNIFE IN R HAND, UNDERHAND GRIP, BLADE FORWARD
SWINGING KNIFE IN AGGRESSIVE, EXAGGERATED MANNER
VD = "DROP THE KNIFE!" MULTIPLE TIMES
O IGNORED DIRECTIONS. CONTINUED TO ADVANCE
WHEN O WITHIN 10-15 FT, LOOKED AT VD
RAISED KNIFE ACROSS CHEST, OVER SHOULDER
POINTED KNIFE AT VD
VD BELIEVED O WAS ATTACKING W/KNIFE
TRYING TO KILL VD
IN DEFENSE OF HIS LIFE VD BACKPEDALED + FIRED
O FELL TO GROUND, CONTINUED TO MOVE/GRASP KNIFE
VD CONTINUED FIRING. O APPEARED TO BE
ATTEMPTING TO GET UP, STILL HOLDING KNIFE
POINTING AT VD
SLIDE ON PISTOL LOCKED – WEAPON EMPTY
TACTICAL RELOAD
ASSESSED

R.D. NO. HX475253

[redacted] STAR NO. 20563 | RECEIVED BY: SUPERVISOR'S SIGNATURE–STAR NO. | DAY–MO.–YR. TIME

CPD-23.122 (Rev. 2/83)

ERAL PROGRESS REPORT
ECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 2014	20 OCT 2014 3

OFFENSE CLASSIFICATION–LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	VAN DYKE	512

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

J VAN DYKE P 3 OF 3

O NO LONGER MOVING. THREAT MITIGATED
VD + WALSH APPROACHED O
STILL HOLDING KNIFE IN R HAND
VD CONTINUED, "DROP THE KNIFE!"
WALSH = "I HAVE THIS."
VD COVERED WALSH AS WALSH WALKED UP TO O
FORCIBLY KICKED KNIFE FROM O'S HAND
THREAT ELIMINATED
WALSH = SHOTS FIRED BY POLICE" ON RADIO
VD = REQUESTED AMBULANCE

R.D. NO. HX425653

[redacted] –STAR NO. 20563 | RECEIVED BY: SUPERVISOR'S SIGNATURE–STAR NO. | DAY–MO.–YR. TIME

PD-23.122 (Rev. 2/83)

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 2014	21 OCT 2014 1

OFFENSE CLASSIFICATION–LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	GAFFNEY	5121

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

J VAN DYKE (610)

SAME DETAILS

ADDED:

AWARE OF RADIO TRANSMISSIONS (GAFFNEY)
- o ARMED W/ KNIFE
- o ATTACKED BISR - SLASHED TIRE

AWARE OF - 21' RULE
THROWING KNIVES
SPRING LOADED KNIFE
PREVIOUS BULLETIN
KNIFE ACTUALLY FIRES BULLET

OFFICER SAFETY ALERT # 2012-05A-297
04 DEC 2012

R.D. NO. HX426553

[redacted] STAR NO. 20163 | RECEIVED BY: SUPERVISOR'S SIGNATURE–STAR NO. [redacted] 1133 | DAY–MO.–YR. TIME

CPD-23.122 (Rev. 2/83)

In the Bureau of Detectives - Area Central office, Evidence Technician Beat 5824 recovered Office Jason VAN DYKE's handgun, a Smith and Wesson, Model 5942, nine millimeter caliber, semi-automatic pistol. The weapon was loaded with one cartridge in the firing chamber and 14 cartridges in the magazine, when recovered.

Beat 5824 took photographs of Officers Jason VAN DYKE, Joseph WALSH, Thomas GAFFNEY and Joseph MCELLIGOTT. Elimination prints, including palm prints, were also taken from Officers GAFFNEY and MCELLIGOTT.

Officer Jason VAN DYKE was re-interviewed for additional detail, in the Area Central office.

VAN DYKE, Jason D ----

related the same sequence of events as documented in his original interview at the scene of this incident.

VAN DYKE additionally articulated the reasoning behind his decision to use deadly force against the offender in this incident, Laquan MCDONALD. VAN DYKE was aware of the radio transmissions from Officer Thomas GAFFNEY, on Beat 815R, that MCDONALD was armed with a knife. VAN DYKE was aware that MCDONALD had attacked the officers on Beat 815R by slashing the tire of their police vehicle.

As he confronted MCDONALD at 4112 South Pulaski Road, VAN DYKE saw that MCDONALD was in fact, armed with a knife, a deadly weapon. VAN DYKE was aware of the widely accepted teaching in law enforcement that an assailant armed with a knife was considered a deadly threat, if within 21 feet, because it was possible for such an assailant to close that distance and attack with the knife before a defensive shot could be fired from a handgun. VAN DYKE was also aware of the existence of throwing knives, which can be thrown from a distance, as well as spring loaded knives, which propel a blade through the air from the knife handle. VAN DYKE also said he recalled a previously issued Chicago Police Department bulletin warning of a weapon which appeared to be a knife but which actually was capable of firing a bullet, making it a firearm.

Subsequently, a search was conducted of the Chicago Police Department, Automated Message Center, to find the bulletin Officer Jason VAN DYKE remembered, regarding the weapon that appeared to be a knife, but was actually a firearm. This bulletin was issued on 04 December 2012. It was Officer Safety Alert number 2012-OSA-297. It was a warning regarding a "revolver knife" which was capable of firing .22 caliber cartridges.

Three witnesses had been transported into the Area Central office from the scene and were interviewed.

[redacted]----

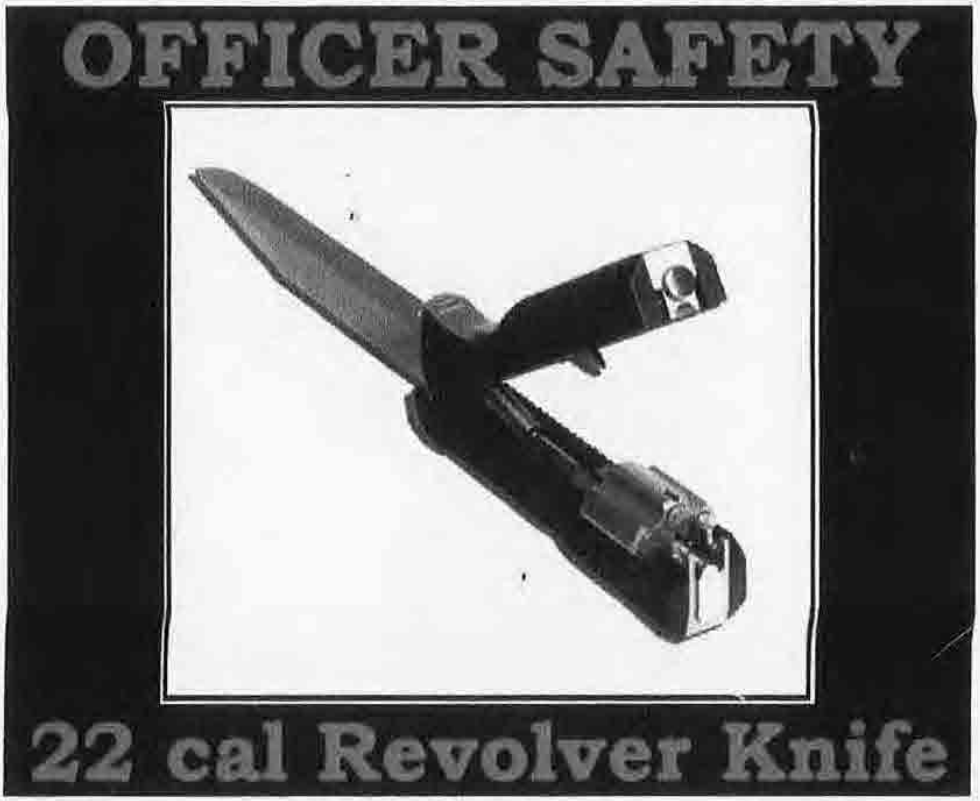
stated she was in the Burger King restaurant parking lot. She saw a subject, now known as Laquan MCDONALD, running southbound on Pulaski Road. [redacted] saw many police officers on the street. She was trying to get her cellular telephone to work, to record video. [redacted] heard eight gunshots fired continuously. She did not see who fired the shots. [redacted] then saw

04 Dec 2012 2012-OSA-297

CRIME CONTROL STRATEGIES
DEPLOYMENT OPERATIONS CENTER

REFERENCE: Knife Revolver

OFFICER SAFETY ALERT



A Midwest intelligence organization is sharing the above captioned photograph for officer safety and awareness.

Officers should take note of the "Revolver Knife" and remain cognizant of its threat to personal safety.

If an officer recovers any such weapon, they are asked to notify CPIC.

Deployment Analytical Group

This Information Bulletin can be viewed through the Deployment Operations Center link on the Chicago Police Department Intranet
Bell 312-745-5669 Pax 0100 Fax 312-745-6927

THE CONTENT OF THIS DOCUMENT IS LAW ENFORCEMENT SENSITIVE (LES) AND IS FOR OFFICIAL USE ONLY (FOUO). Any further disclosure or dissemination of this document or the information contained herein is strictly prohibited without the approval of the Chicago Police Department's Deployment Operations Center. Elements of this document may be subject to 28 CFR Part 23. Illinois DL or ID images are only for use as authorized by 625 ILCS 5/6-110.1 and 92 Ill. Adm. Code 1030.140. This information shall not be released to the media or the general al public.

FAILURE TO ADHERE TO THESE POLICIES MAY RESULT IN CIVIL, CRIMINAL OR DISCIPLINARY ACTION.

INSPECTOR GENERAL'S OFFICE
CITY OF CHICAGO

INVESTIGATIVE REPORT

I.G. NO.	REPORTING INVESTIGATOR	ADDITIONAL INVESTIGATORS	DATE OF REPORT
15-0564	Kristopher Brown		April 29, 2016

DATE OF OCCURRENCE	SUBJECT MATTER OF REPORT
April 29, 2016	Telephone conversation with Keith Calloway

On April 29, 2016, the reporting investigator (RI) spoke on the telephone with Chicago Police Department (CPD) Deputy Chief Keith Calloway. Calloway was reached at [redacted]. The following summarizes the conversation with Calloway:

Calloway oversees CPD training. Calloway is familiar with the 21-foot rule as a law enforcement principle. CPD has never officially trained its officers on the 21-foot rule. Calloway is sure that a number of CPD police officers have heard of the rule, as have Federal Bureau of Investigation special agents and police officers from other police departments throughout the country. CPD has no documentation on the 21-foot rule as it has never been a part of CPDs training process.

Calloway characterized the 21-foot rule as junk science because the theory behind it has never been scientifically proven. CPD provides approximately 1,000 hours of training to new police officers during their six months as the training academy. The 21-foot rule is not taught to CPD police officers during that six month period.

The RI asked if Calloway would be able to provide a copy of the training curriculum used at the training academy. Calloway stated that he oversees CPD training at a high level and does not know if CPD has reduced its training curriculum to an electronic file or if it has just one training curriculum manual or multiple manuals. Calloway recommended that the RI speak with either Larry Snelling or Michael Ward about the training curriculum as they are a rank below Calloway and would have more knowledge of the training curriculum documents. Both men are CPD Sergeants.

It is unlawful to disseminate this report or its contents without the express written authorization of the Inspector General of the City of Chicago.

ERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 2014	20 OCT 2014 3

OFFENSE CLASSIFICATION–LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	WALSH J [illegible]	5121

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

J WALSH P1 OF 2

WHEN O E/B IN BK LOT, USED VEH TO BLOCK
D FROM BK
O S/B ON PULASKI FROM BK. WALSH IN PURSUIT
S/B IN N/B LANES TO GET AHEAD OF O
KEPT VEH BETWEEN O + VS
AS THEY PASSED O VS ATTEMPTED TO EXT/CONFRONT
WALSH = TOO CLOSE, WAIT
DROVE FURTHER S
STOPPED S OF O
BOTH EXITED VEH
WALSH DREW HANDGUN
AROUND REAR OF TAHOE
JOINED VS
<TOO> IN ST FACING N/B AS O APPROACHED S/B
WALSH = "DROP THE KNIFE!" MULTIPLE TIMES
WALSH BACKED UP, ATTEMPTING TO MAINTAIN SAFE DISTANCE
O IGNORED DIRECTIONS, CONTINUED TO ADVANCE
AT 12-15 FT O SWUNG KNIFE AT POV IN
AGGRESSIVE MANNER

R.D. NO. HX475653

[redacted] STAR NO. 20563 | RECEIVED BY: SUPERVISOR'S SIGNATURE–STAR NO. [redacted] | DAY–MO.–YR. TIME

PD-23.122 (Rev. 2/83)

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 2014	20 OCT 2014 3

OFFENSE CLASSIFICATION—LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	VAN DYKE	512

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

J WALSH P2 OF 2

VD OPENED FIRE
O FELL TO GROUND
VD CONTINUED FIRING AS O CONTINUED MOVING, ATTEMPTING GET UP, STILL ARMED W/KNIFE
WHEN GUNFIRE STOPPED, O NOT MOVING
POs APPROACHED O
WALSH CONTINUED, "DROP THE KNIFE!" MULTIPLE X
O STILL HOLDING KNIFE IN R HAND
WALSH FORCIBLY KICKED KNIFE FROM HAND
NOTIFIED DISPATCHER — SHOTS FIRED BY POLICE
AMBULANCE WAS ALSO REQUESTED
WHILE WAITING FOR AMBULANCE, TOLD O "HANG IN THERE." AMBULANCE ON WAY
WALSH BELIEVED O WAS ATTACKING POs W/KNIFE, ATTEMPTING TO KILL POs WHEN SHOTS FIRED
WALSH DID NOT FIRE BECAUSE VD IN LINE OF FIRE
THOUGHT VD FIRED 8-9 SHOTS

R.D. NO. HX475653

[redacted] STAR NO. 20763 | RECEIVED BY: SUPERVISOR [redacted] STAR NO. [redacted] | DAY—MO.—YR. TIME

PD-23.122 (Rev. 2/83)

In the Matter Of:

IN RE DORA FONTAINE

DORA FONTAINE

March 16, 2016

Amicus
court reporters, inc
300 West Adams St. Ste 800
Chicago, IL 60606
Phone: 312.641.3500
Fax: 312.641.3795
Email: info@amicusreporters.com

CITY OF CHICAGO

OFFICE OF INSPECTOR GENERAL

-INTERVIEW OF DORA FONTAINE-

March 16, 2016

TRANSCRIPT OF INTERVIEW of DORA FONTAINE, taken before MICHELLE M. YOHLER, a Notary Public within and for the County of Cook, State of Illinois, and a Certified Shorthand Reporter of said state, CSR No. 84-4531, at Suite 800, 300 West Adams Street, Chicago, Illinois, on March 16, 2016 at 12:18 p.m.

APPEARANCES:

OFFICE OF INSPECTOR GENERAL
CITY OF Chicago
BY: MR. PETER NEUMER
MR. KRISTOPHER BROWN
(740 North Sedgwick Street, Suite 200
Chicago, Illinois 60654
773.478.8218
pneumer@chicagoinspectorgeneral.org
kbrown@chicagoinspectorgeneral.org)

J. RUSSELL LAW, LLC
BY: JENNIFER W. RUSSELL
(206 South Jefferson
Chicago, Illinois 60661
312.207.1220
jennifer.russell@jrusselllaw.com)
Appeared on behalf of Dora Fontaine.

REPORTED BY:
MICHELLE M. PAOLETTI YOHLER, CSR, RPR, CRR
Illinois CSR No. 84-4531.

E X H I B I T S

EXHIBITS	PAGE
No. 1 - Advisement of Rights.....	16
No. 2 - Notification of Interview.....	16
No. 3 - Notification of Allegations.....	17
No. 4 - Receipt Form.....	17
No. 5 - Case Supplementary Report Excerpt.....	18
No. 6 - General Progress Report.....	20
No. 7 - Special Order S03-05.....	165
No. 8 - Becvar Supplementary Report.....	184
No. 9 - Video Retrieval Worksheet.....	184
No. 10 - July 17, 2015 e-mail.....	184

MR. NEUMER: As a preliminary matter, I am providing the following information. An independent certified court reporter is present today to provide a verbatim transcript of this interview.

To aid in the accuracy of the transcript, it is the custom and practice of court reporters to audio record the interview. The recording is the confidential work product property of the court reporter and will not be provided to any party including the OIG. If you request, the audio recording will be discontinued.

So, Officer Fontaine, are you okay with the court reporter?

THE WITNESS: Yes.

MR. NEUMER: Let the record reflect today's date is March 16, 2016. The time is 12:18 p.m. We are located at Amicus Court Reporters, 300 West Adams, Suite 800.

My name Peter Neumer, N-e-u-m-e-r, the court reporter is Michelle Yohler, and I'd ask that the other individuals present identify themselves and spell their name for the record.

MR. BROWN: Kristohper Brown, B-r-o-w-n, City of Chicago Inspector General's Office.

MS. RUSSELL: Jennifer Russell, R-u-s-s-e-l-l, attorney for Officer Fontaine.

THE WITNESS: Officer Dora Fontaine, Star Number 4484, City of Chicago, CPD.

MR. NEUMER: There are no other individuals present. We are here today pursuant to an investigation being conducted under Chapter 2-56 of the Municipal Code of the City of Chicago. We're here for an interview of Dora Fontaine.

Officer Fontaine, would you please raise your right hand, and if the court reporter could swear Ms. Fontaine in.

(WHEREUPON, the witness was duly sworn.)

MR. NEUMER: Officer Fontaine, I am now going to hand you a form that is marked Advisement of Rights. This has already been filled in with your name, my name, Investigator Brown's name.

And I'm going to ask that you read along with me as I go through, and then I would just ask you -- after each paragraph, I'll ask you to acknowledge that you have read the

paragraph that I have just read. So here's a copy that's already been filled in.

(WHEREUPON, the document was tendered to the witness.)

MR. NEUMER: So the Advisement of Rights states, "I, Dora Fontaine, understand that I am being interviewed by Peter Neumer and Kris Brown from the City of Chicago Office of Inspector General. I understand that this interview is part of an official investigation and that I have a duty to cooperate with the Office of Inspector General which includes answering all questions completely and truthfully."

Officer Fontaine, do you see the paragraph I just read aloud to you?

THE WITNESS: I have read it.

MR. NEUMER: "I understand that I have no right to remain silent. I understand that I have an obligation to answer questions put to me truthfully. I understand if I refuse to answer questions put to me, I will be ordered by a superior officer to answer the questions. I further understand and I have been advised that if I persist in my refusal to answer after an

order to do so, such further refusal constitutes a violation of the rules and regulations of the Chicago Police Department and may serve as the basis for my discharge."

Officer Fontaine, do you see the paragraph I just read aloud to you?

THE WITNESS: I have.

MR. NEUMER: "I understand and have been advised that my statements and responses may constitute an official police report. I understand that Rule 14 of the Chicago Police Department's rules and regulations prohibits making a false report, written or oral, and I further understand making such false report, whether written or oral, may result in my separation from the Chicago Police Department."

Officer Fontaine, do you see the paragraph I just read aloud to you?

THE WITNESS: Yes, I have.

MR. NEUMER: "I understand that any statement made by me during this interview may be used as evidence of misconduct or as the basis for disciplinary action up to and including removal or discharge."

Officer Fontaine, do you see the paragraph I just read aloud to you?

THE WITNESS: Yes, I have.

MR. NEUMER: "I understand that any statement made by me during this interview and the fruits thereof cannot be used against me in a criminal proceeding."

Officer Fontaine, do you see the paragraph I just read aloud to you?

THE WITNESS: Yes, I have.

MR. NEUMER: "I understand that I have the right to have a union representative or legal counsel of my choosing present at the interview to consult with and I will be given a reasonable time to obtain a union representative or legal counsel as long as the interview is not unduly detailed."

Officer Fontaine, do you see the paragraph I just read aloud to you?

THE WITNESS: Yes, I have.

MR. NEUMER: "I understand that a refusal to answer any question or any false, inaccurate, or deliberately incomplete statement by me would constitute a violation of Chicago Municipal

Ordinance 2-56 and may serve as the basis for my discharge."

Officer Fontaine, do you see the paragraph I just read aloud to you?

THE WITNESS: Yes, I have.

MR. NEUMER: "I acknowledge that this statement of my administrative rights has been read aloud to me and I have been allowed to review this document."

Officer Fontaine, do you see the paragraph I just read aloud to you?

THE WITNESS: Yes, I have.

MR. NEUMER: I would now ask you to sign the Advisement of Rights.

MS. RUSSELL: Prior to Officer Fontaine signing these rights, can you please provide me the Inspector General's position on whether they believe that criminal charges are probable in this matter.

MR. NEUMER: So in response to your statement, I would tell you that the Office of Inspector General is conducting an administrative investigation, not a criminal investigation. OIG is not conducting a joint

investigation and is not working with any other law enforcement agency with respect to this investigation.

MS. RUSSELL: So is it the Inspector General's position that criminal charges are not probable against Officer Fontaine?

MR. NEUMER: It is the OIG's position that this is -- that the OIG is not conducting a criminal investigation.

MS. RUSSELL: So my question was, do you believe criminal charges are probable or not probable? What is the Inspector General's position on that?

MR. NEUMER: We don't have a criminal investigation here.

MS. RUSSELL: So is it correct to say that you believe that criminal charges are not probable?

MR. NEUMER: What we can say is, based on the investigation that the Office of Inspector General is conducting, this investigation pursuant to which Officer Fontaine is being interviewed, it is not a criminal investigation.

We are the -- the rights we just read

Officer Fontaine are compelled administrative rights, and, as Officer's been advised, the statements you make during this interview cannot be used against you in a criminal proceeding.

MS. RUSSELL: So as you are aware, the union has filed an injunction on behalf of Officer Fontaine and similarly-situated officers regarding their rights per the contract, regardless of whether the Inspector General deems their investigation administrative or otherwise, that the officer has the right to receive her constitutional advisements to remain silent if criminal charges are probable, not whether the Office of Inspector General is conducting an administrative or has deemed it any other type of investigation.

Can we take a minute?

MR. NEUMER: Sure. We'll go off the record. The time is 12:25 p.m.

(WHEREUPON, a recess was had.)

MR. NEUMER: We're back on the record. The time is 12:27 p.m.

Officer Fontaine, I understand you have a statement you would like to make?

THE WITNESS: I would like to preface the statement with the following: I believe I am entitled to be informed of my Constitutional rights to remain silent. I have received no assurance from the Office of Inspector General that criminal charges are not probable.

Proceeding with this statement is in violation of the applicable Collective Bargaining Agreement, but I have been advised that I will lose my job if I refuse to provide a statement.

MR. NEUMER: The Office of Inspector General would note that the outcome of this administrative investigation relates to the subject's employment, and, therefore, under the CBA and General Order the administrative rights OIG has provided Officer Fontaine are appropriate.

In addition, the arguments being put forward would eviscerate Garrity, and we are going to proceed as we believe we are legally entitled to.

MS. RUSSELL: At this point, as counsel on behalf of Officer Fontaine, we are seeking an

order from a senior officer before she proceeds.
MR. NEUMER: Officer Fontaine, is it fair to say that you will not answer questions from the Office of Inspector General regarding the Laquan McDonald shooting?
THE WITNESS: Absent an order of a senior officer.
MR. NEUMER: You will not answer questions regarding the Laquan McDonald shooting?
THE WITNESS: Correct.
MR. NEUMER: At this time I am going to place a phone call to Commander Robert Klimas.
Counsel, is it fair to say that you agreed that we could have Commander Klimas order Officer Fontaine to answer questions via telephone?
MS. RUSSELL: Correct.
MR. NEUMER: The time is 12:30 and we're going to go off the record.
(WHEREUPON, discussion was had off the record.)
MR. NEUMER: The time is 12:31 p.m. We'll go back on the record. Counsel has agreed to have us place the call to Commander Klimas via

Mr. Neumer's Blackberry.

MS. RUSSELL: That's correct.

(PHONE RINGING.)

COMMANDER KLIMAS: Bob Klimas.

MR. NEUMER: Bob, I have you on speakerphone. This is Peter Neumer from the Chicago Inspector General's Office. Can you hear me?

COMMANDER KLIMAS: Yes, I can.

MR. NEUMER: Officer Fontaine, can you hear Commander Klimas?

THE WITNESS: Yes, I can.

MR. NEUMER: Commander Klimas, we are currently in a court-reported interview of Officer Dora Fontaine. Her counsel, Jennifer Russell, is here, Investigator Kris Brown, and Assistant Inspector General Peter Neumer are all here.

The Office of Inspector General, having provided appropriate notice to Officer Fontaine of this interview, is attempting to ask Officer Fontaine questions regarding the Laquan McDonald shooting. She has refused to answer questions regarding the

shooting absent a command from her superior officer, so I am asking you, Commander Klimas, to order Officer Fontaine to answer the Inspector General's questions.

COMMANDER KLIMAS: This is Commander Robert Klimas, K-l-i-m-a-s, with the Chicago Police Department, Bureau of Internal Affairs.

Officer Dora Fontaine, I'm giving you a direct order to answer all the questions posed to you today by Peter Neumer or his designees from the Office of Inspector General, City of Chicago.

THE WITNESS: Thank you. Yes, sir.

COMMANDER KLIMAS: Very good. Thank you.

MR. NEUMER: Thank you.

So with respect to -- I think where we were was the advisement form. We had made it through the end and we had asked that you sign the advisement form.

MS. RUSSELL: Tendering it back to you.

MR. NEUMER: And we are going to mark this Advisement of Rights form as Exhibit 1.

(WHEREUPON, a certain document was marked Exhibit No. 1, for identification, as of 03/16/2016.)

BY MR. NEUMER:

Q. And now I am going to mark several exhibits now. Officer Fontaine, these are exhibits that should have been provided to you, and I think were provided to you by IAD on February 22, 2016.

So first is what we're going to mark as Exhibit 2, a document entitled Notification of Interview for CPD Member dated February 22, 2016.

(WHEREUPON, a certain document was marked Exhibit No. 2, for identification, as of 03/16/2016.)

BY MR. NEUMER:

Q. Officer Fontaine, have you seen this Notice of Interview previously?

A. Yes.

Q. And did IAD provide you with this Notice of Interview on or about February 22, 2016?

A. Yes.

Q. I am now going to mark as Exhibit 3 a document titled Notification of Allegations also dated February 22, 2016.

(WHEREUPON, a certain document was marked Exhibit No. 3, for identification, as of 03/16/2016.)

BY MR. NEUMER:

Q. Same question, have you seen the Notification of Allegations document previously?

A. Yes.

Q. And did IAD provide you with this Notification of Allegations on or about February 22, 2016?

A. Yes.

Q. I am now going to mark as Exhibit 4 a document entitled Receipt Form dated February 22, 2016.

(WHEREUPON, a certain document was marked Exhibit No. 4, for identification, as of 03/16/2016.)

BY MR. NEUMER:

Q. Have you seen this receipt form previously, Officer Fontaine?

A. Yes.

Q. And did you sign this Receipt Form on February 22, 2016?

A. Yes.

Q. And actually I should ask you the same question with respect to Exhibits 2 and 3, which I'll just put back in front of you.

Did you sign Exhibits 2, the Notice of Appearance, and Exhibit 3, the Notification of Allegations on February 22, 2016?

A. Yes.

MS. RUSSELL: For the record, regarding Exhibit Number 4, while it indicates that audio files were provided to Officer Fontaine from Beat Number 813 Robert and 845 Robert, no audio files were found on the disk she was provided.

BY MR. NEUMER:

Q. I'm now going to mark as Exhibit 5 what is an excerpt of a CPD Case Supplementary Report dated March 16, 2015, with the RD Number HX475653 containing Officer Fontaine's statement to Detective March?

(WHEREUPON, a certain document was marked Exhibit No. 5, for identification, as of 03/16/2016.)

BY MR. NEUMER:

Q. Officer Fontaine, have you seen the Exhibit 5 document, the Case Supplementary Report excerpt?

MR. NEUMER: We'll go off the record. The time is 12:38.

(WHEREUPON, discussion was had off the record.)

MR. NEUMER: The time is 12:40 p.m. We're back on the record.

BY MR. NEUMER:

Q. So I will ask you the question again. With respect to Exhibit 5, excerpt of a CPD Case Supplementary Report with the RD Number HX475653, Officer Fontaine, have you seen this document before?

A. Yes.

Q. And did IAD provide you with this document on or about February 22, 2016?

A. Yes.

Q. I am now going to provide you with a document that has been previously marked Exhibit 6. This is a General Progress Report dated October 20th, 2014, with the RD Number

HX475653 containing Detective March's notes of his interview with Officer Fontaine.

(WHEREUPON, a certain document was marked Exhibit No. 6, for identification, as of 03/16/2016.)

BY MR. NEUMER:

Q. Officer Fontaine, have you seen the General Progress Report marked as Exhibit 6?

A. Yes.

Q. I should say, have you seen it prior to today?

A. Yes.

Q. Did IAD provide you with the General Progress Report marked as Exhibit 6 on or about February 22, 2016?

A. Yes.

Q. In order to prepare for today's interview, did you review the materials that IAD provided you, the Exhibits 2, 3, 4, 5, and 6 we showed you?

MS. RUSSELL: She has a preliminary statement she wants to make. Is now the appropriate time or when we get into the interview proper?

MR. NEUMER: I think if you want to make that preliminary statement now, that's fine. I'm just going to ask about sort of these materials. So I'll leave it up to you.

MS. RUSSELL: Let's just wait until after the exhibits.

MR. NEUMER: And then if you feel we're getting too far into the substance, stop me and we'll go forward.

MS. RUSSELL: Okay.

BY MR. NEUMER:

Q. In order to prepare for today's interview, Officer Fontaine, did you review the materials that IAD provided you from OIG including the Notification of Interview, the Notification of Allegations, the Receipt Form, the excerpt of a CPD Case Supplementary Report, and a General Progress Report?

A. Yes.

Q. And the materials that IAD provided you also included video from an in-car video systems of Beat 813R vehicle and the Beat 845R vehicle; is that correct?

A. Yes.

Q. And that DVD also contained video from a Dunkin' Donuts security camera as well; is that correct?

A. Yes.

Q. Did you review those videos I mentioned, the Beat 813R video, the Beat 845R vehicle video, and the Dunkin' Donuts security camera video prior to today's interview?

A. Yes.

Q. Since receiving our Notice of Interview, did you review any materials other than the materials provided to you by IAD on our behalf?

A. No.

Q. Aside from your attorney, who did you speak to in preparation for this interview?

MS. RUSSELL: I'm going to have her read them now.

BY THE WITNESS:

A. This statement is not being made voluntarily but under duress and is only being made at this time because I know that I will lose my job if I refuse direct order being given to me by Commander Klimas. I am invoking each

and every right granted to me under Garrity versus New Jersey.

Also on the advice of counsel I am making the following additional objections: I am objecting to the fact that the City of Chicago Inspector General's Office is making allegations against me and conducting an investigation into its own allegations.

I am objecting that this interview is taking place before an arbitrator has decided the issues that were raised in regards to the investigation. The Fraternal Order of Police has filed a grievance and injunction regarding this investigation, and the Inspector General refuses to postpone this interrogation.

I am also objecting that I have requested my prior sworn testimony, namely the testimony I provided to the grand jury. The Inspector General refuses to provide me with a copy of my grand jury testimony and/or any other statement I have made to the federal investigators in violation of my rights under the contract.

The Inspector General indicated that

it is not -- that it does not have possession of my grand jury testimony. To the extent I am questioned about any grand jury testimony, I assert that the testimony is truthful and was based upon my recollection at the time. I stand by all of my answers.

MR. NEUMER: OIG again notes that we are conducting an administrative investigation, not a criminal investigation. We're not conducting a joint investigation or working with any law enforcement agency with respect to this investigation.

OIG does not have the subject's grand jury statement in its possession, and under the CBA, the OIG does not have an obligation to provide the subject a statement that's not in its possession.

In addition, we would note that the OIG is legally entitled to proceed and there are no legal arguments under Garrity that would prevent OIG from moving forward here.

BY MR. NEUMER:

Q. I believe the question that was pending prior to Officer Fontaine's statement

was, aside from your attorney, who did you speak to in preparation for this interview?

A. No one.

Q. At this time, I want to ask you some background questions.

MR. NEUMER: Counsel, the way we would propose working is, I'm asking Officer Fontaine questions regarding different subject areas. At the end of a subject area, I would give my counsel -- my colleague here an opportunity to ask cleanup questions, any follow-up questions that I failed to ask. Is that --

MS. RUSSELL: That's acceptable. You'll be the primary investigator?

MR. NEUMER: I'm going to be the primary questioner, and then, again, at the end of each section, I'll see if Investigator Brown has any follow-up cleanup. I think in that way we can move forward in the most expeditious manner.

MS. RUSSELL: That's fine.

BY MR. NEUMER:

Q. Officer Fontaine, what is your name and star number?

A. Dora Fontaine, 4484.

Q. And what's your current unit of assignment?

A. Unit 8, District 8.

Q. What was your unit of assignment on October 20th, 2014?

A. I'm sorry, is it a beat -- the beat car? Or the unit is 8, District 8.

Q. So District 8 was your unit of assignment on October 20th, 2014?

A. The unit of assignment, that's where I was at.

Q. And what watch were you on as of October 20th, 2014?

A. First watch.

Q. What was your chain of command as of October 20th, 2014?

A. I don't understand.

Q. Who was your sergeant --

A. Oh, my sergeant was Sergeant Franko.

Q. Lieutenant?

A. Lieutenant was Lieutenant Cook.

Q. Commander?

A. Commander O'Donnell.

Q. And do you know those individuals'

first names?

A. James O'Connor was the commander; Jerry Cook, lieutenant; Stephen -- Steve Franko, sergeant.

Q. Officer Fontaine, what's your personal cell phone number?

A. [redacted]. I'm sorry, I gave you too many. It's [redacted].

Q. Was that the same cell phone number you had as of October 20th, 2014?

A. Yes.

Q. I want to talk to you a little bit about your appearance before the grand jury. You were summoned to give testimony before a federal grand jury regarding the McDonald shooting; is that correct?

A. Yes.

Q. And did you give testimony before a federal grand jury?

A. Yes.

Q. When did you give testimony before the federal grand jury?

A. I don't recall.

Q. Do you recall a month?

A. No, I don't recall.
Q. Was it in 2015?
A. I don't recall.
Q. Was it -- you don't recall whether it was 2016?
A. No.
Q. Was it -- well, did you assert your rights under the Fifth Amendment and refuse to testify?
A. At the grand jury?
Q. Yes.
A. No.
Q. Were you given immunity to testify before the grand jury?
A. No.
Q. How long were you testifying before the federal grand jury?
A. I don't recall.
Q. More than an hour?
A. I don't recall the time.
Q. It wasn't more than a day, was it? You weren't brought back for another?
A. No, it wasn't.
Q. So it was less than a day?

A. Yes.
Q. But you don't recall whether it was as brief as five minutes or --
A. No, I don't know the time frame on that.
Q. Did you provide a written statement to the grand jury?
A. No.
Q. What subjects were you asked about before the grand jury?
A. I don't recall.
Q. So have you testified before a federal grand jury as the -- ever before? Is this the only time you've ever testified before a federal grand jury?
A. On behalf of myself?
Q. Yes.
A. Yes.
Q. And that testimony, would you consider it to be relatively important in that I assume that if you had -- if you lied to the grand jury, that would potentially subject you to criminal liability?
A. Yes.

Q. So the accuracy of your testimony was extremely important; isn't that correct?

A. Yes.

Q. You wanted to answer the questions you were asked correctly, right?

A. Yes.

Q. So you have no recollection as to what you were asked?

A. No.

Q. Were you asked about the Laquan McDonald shooting?

A. Yes.

Q. And what were you asked about the Laquan McDonald shooting?

MS. RUSSELL: Do you mind if we take a quick break?

MR. NEUMER: Sure. We'll go off the record. 12:52 p.m.

(WHEREUPON, a recess was had.)

MR. NEUMER: The time is 12:55 p.m. We'll go back on the record.

BY MR. NEUMER:

Q. I just want to sort of go back. Officer Fontaine, you did give testimony before

a federal grand jury, correct?

A. Yes.

Q. And, again, I would imagine that was a stressful occasion?

A. Yes.

Q. And an important event for you?

A. Yes.

Q. Any recollection of, as you were going through, was it like summer of 2015, was it fall of 2015? I would think that date would stick out in your head perhaps.

A. It doesn't. I don't know why, but it doesn't.

Q. Okay. I believe you said you were asked questions about the Laquan McDonald shooting; is that correct?

A. Yes.

Q. And can you give us a sense of what type of questions you were asked about the Laquan McDonald shooting?

A. I -- I -- the problem is that there was so many different things going on at the time, different scenarios going on, the questioning, the kind of question. So I was

asked about what I saw.

Q. Okay.

A. What I witnessed. If I would do anything different. Why he did what he did.

Q. Okay.

A. And in that reference, that's why, with the time, it seemed to me like more than three hours or longer, but I could be wrong. But for me personally, it felt like a long time.

Q. So you were asked questions about why Officer Van Dyke did what he did?

A. Or the amount of shots was it correct, I guess.

Q. Were his --

A. Was it proper.

Q. -- actions appropriate?

A. Yes.

Q. And what did you say when they asked you whether his actions were appropriate?

A. I can't answer for anyone else but myself. I don't know what occurred before I arrived on scene. I don't know what he saw. I don't know what he witnessed, so I can't answer that question.

Q. Is that what you told the grand jury?
A. Yes.
Q. And when they asked you if -- I think you said you were asked whether you would do anything different; is that what --
A. Mm-hm.
Q. And how did you respond when asked that question?
A. Unless you're in that -- unless you're in a situation, you don't know how you're going to respond, so it all depends on what's occurring at the time.
Q. You were asked to describe what you saw in terms of witnessing the shooting of Laquan McDonald; is that correct?
A. Yes.
Q. And what did you say when you were asked to describe the shooting?
A. At this time, watching the video and everything else that's coming about it, it's -- honestly, I -- it's all mixed up because of the fact that once they showed me the video, certain parts were different than what I stated.
So, again, I tried to tell the truth

as much as I could, but, again, my point of view and my -- what I saw, you know, might look different in a video and that's what's occurring, so I -- that's -- I...

Q. Okay. So you were saying that -- you told the grand jury that -- did you give them sort of a different version of events than the version of events you related to Detective March?

A. Did I tell them different events from what I told Detective March?

Q. Uh-huh, the grand jury.

A. The grand jury, I told them what I saw at that point in time, what was -- what I remember of the situation. That's what I explained to them at that point in time.

At that time, I had -- I remember telling March what I saw. And, again, after reviewing everything, it -- it kind of differs.

Q. And in what way does it differ?

A. It differs because, by looking at his notes, there's -- where he puts that I said he raised his arm as if attacking Van Dyke, I never stated that or I don't recall stating that to

him.

Q. Prior to your grand jury testimony, who did you speak to about -- in preparation for your grand jury testimony?

THE WITNESS: William Fahy?

BY THE WITNESS:

A. My lawyer.

BY MR. NEUMER:

Q. And what was your lawyer's name?

A. William Fahy.

Q. Is that F-a-h-e-y?

MS. RUSSELL: No, I think there is no "E."

THE WITNESS: Just the "Y."

MS. RUSSELL: F-a-h-y.

BY MR. NEUMER:

Q. Did you speak to anyone else in preparation for your grand jury testimony other than your attorney?

A. No.

Q. Did you have any communications with Officer Van Dyke before your grand jury testimony?

A. No.

Q. No phone calls?

A. Nope.
Q. No texts?
A. Nope.
Q. No e-mails?
A. Nope.
Q. Do you know Officer Van Dyke's personal cell phone number?
A. Nope.
Q. Do you have it in your phone?
A. Nope.
Q. Did you have communications with any of the other officers present at the McDonald shooting prior to your grand jury testimony?
A. I work with them.
Q. Did you have communications with the other officers present at the scene of the McDonald shooting regarding the McDonald shooting prior to your grand jury testimony?
A. Like in detail what's going on or --
Q. Did you discuss the Laquan McDonald shooting with any of the other officers who were present at the scene of the shooting prior to your grand jury testimony?
A. About what occurred or just -- we did

discuss like, Oh, I'm going to the grand jury. They asked me, Are you going to the grand jury this date? Yes.

But about that night, no. Just about, you know, Oh, I got notified for this. Did you get notified for this?

Q. I would think that, you know, it would be normal to sort of discuss what you saw that night. Were you specifically trying not to talk about the Laquan McDonald shooting with the other officers who were present at the scene of the shooting?

MS. RUSSELL: It's okay. Go ahead.

BY THE WITNESS:

A. No, I didn't want to talk about it.

BY MR. NEUMER:

Q. You didn't want to talk about it?

A. No.

Q. So it was your own decision that I'm not going to discuss the Laquan McDonald shooting with any of the other officers present who were at the scene that night?

A. Yeah.

Q. At the -- when you were at the grand

jury, were you presented with any of the reports we've just introduced as exhibits, your statement to Detective March, the GPR?

A. I don't recall.

Q. No recollection of being provided with any exhibits?

A. No, I don't recall.

Q. Is it possible -- you just don't recall one way or the other?

A. No, I don't.

Q. Prior to your testimony before the grand jury, did you make any attempt to ensure that the statement you were going to make accorded with the other officers' statements who were present at the scene of the shooting?

A. I'm sorry?

Q. Prior to your grand jury testimony, did you make any attempt to sync up your story with the other officers who were present at the scene of the McDonald shooting?

A. No.

Q. Were you interviewed by the FBI regarding the Laquan McDonald shooting?

A. Yes.

Q. Do you recall when you were interviewed by the FBI?

A. No.

Q. Were you interviewed multiple times by the FBI?

A. No, just --

Q. Just one time?

A. -- once, mm-hm.

Q. Who was interviewing you?

A. I don't remember.

Q. Do you remember how many people were interviewing you?

A. I want to say it was two FBI agents and I think it was a State's Attorney and my lawyer and myself --

Q. Do you recall --

A. -- I think.

Q. Do you recall where that interview took place?

A. I don't recall.

Q. And what was the nature of that interview? What did they ask you; what did you say?

A. The same thing, about what occurred

that day, what happened, what was I working, who was I working with, what I saw.

Q. And did you describe the shooting incident to the FBI?

A. Yes.

Q. Did the statement you gave to the FBI regarding the shooting differ at all from your grand jury testimony?

A. No.

Q. Did the statement you gave to the FBI regarding the shooting differ at all from the statements you made to Detective March?

A. I'm sorry, what was it?

Q. Did the testimony -- well, did the statement you made to the FBI regarding the Laquan McDonald shooting, did that differ at all from the statements you made to Detective March regarding the shooting?

A. Not the statement I gave, no.

Q. So the statement you gave to the FBI was the same as the statement you gave to Detective March regarding the shooting?

A. Yes.

Q. I want to talk to you now about

October 20th, 2014. You were present on October 20th, 2014, when Laquan McDonald was shot, correct?

A. Yes.

Q. And do you know following the shooting which officers were responsible for controlling the perimeter of the shooting scene?

A. They sent us and anybody -- I don't know anybody else.

Q. Who's the "they"?

A. I'm sorry, the sergeant.

Q. The sergeant sent you to the scene of -- prior to the shooting, correct?

A. No. No. No.

Q. Okay. Walk me through it. Walk me through it.

A. Sorry.

Q. It's okay.

A. Prior -- there was a call coming out. That's how we responded.

Q. So you get a call; you respond to the scene prior to the shooting?

A. We respond and it's a -- basically it's occurring.

Q. There's an event that's occurring?

A. Yes.

Q. Yes. So you proceed to 41st and Pulaski?

A. Yes.

Q. And tell us then where does the sergeant call come in?

A. When we get there, everything is chaos. The sergeant -- I don't recall if he went over the air and told us to go do traffic or he went like -- or told us to do traffic on scene.

Q. Okay.

A. But we went towards going south.

Q. On Pulaski?

A. On Pulaski. To block off the traffic coming north.

Q. Okay. So which sergeant gave you that?

A. Sergeant Franko.

Q. So Sergeant Franko gives you and -- Officer Viramontes, is it?

A. Yes.

Q. To sort of do traffic control?

A. Yes.

Q. And then you proceeded to block off a portion of Pulaski?

A. Yes.

Q. So at any time while you were blocking off Pulaski, did you ever direct any civilian witnesses to the shooting to leave the scene?

A. No -- well, we were sent to block traffic. Then Sergeant Franko goes over the air and says give 41 Robert the paper.

Q. What does that mean?

A. Which means that we're in charge of having to do the paperwork for the shooting.

Q. Okay.

A. So we arrive, we're barely getting off, we turn around, and we go back to the scene.

MS. RUSSELL: Let me just -- can you read back the question.

So listen to the question he asked you.

(WHEREUPON, THE RECORD WAS

BY THE REPORTER AS FOLLOWS:)

"QUESTION: So at any time while you were blocking off Pulaski, did you ever direct any civilian witnesses to the shooting to leave the scene?"

BY THE WITNESS:

A. No.

BY MR. NEUMER:

Q. I just want to make sure we're all clear here. So the shooting occurs -- and correct me if I misstate anything.

The shooting occurs, you get, I'll call it an order, from Sergeant Franko over the radio to do traffic control?

A. I'm not sure if it was over the air or not. It was -- everything was going crazy. I -- we looked at him and then, you know, we -- I looked at him and stuff, and then he kind of went like that (indicating), so it's block off traffic.

Q. So it was -- Sergeant Franko was on the scene?

A. Yes.

Q. And are we talking like minutes after the shooting?

A. I don't know.

Q. So Sergeant Franko has arrived on the scene, correct?

A. Mm-hm.

Q. He orders you -- or he gestures you sort of with his hand to do traffic control?

A. Yeah.

Q. You interpreted it to say --

A. Yes.

Q. -- Officer Viramontes and I are on traffic control?

Okay. So then you block off part of the street on Pulaski?

A. Yes.

Q. And then you mentioned you got an order to do some paper. Is that -- meaning like do the write-up for --

A. Yes.

Q. -- or what is that paper? What is the paperwork that you were instructed to do?

A. It's a report, and you just have to log in everybody who's on scene as best as you

can and put a narrative stating to "See Detective Supplementary," that's it.

Q. And did you complete that report?

A. Yes.

Q. Where did you complete that report?

A. On the street.

Q. On the street. So you filled it out by hand?

(WHEREUPON, discussion was had off the record between Counsel and Witness.)

BY THE WITNESS:

A. Oh, on the PDT. On ERA.

BY MR. NEUMER:

Q. Tell me what a PDT is.

A. It's like a computer, like this (indicating).

Q. So where was that PDT located?

A. It was in the car.

Q. In your vehicle?

A. Yes.

Q. And your vehicle was -- so you were 841 Robert, right?

A. Yes.

Q. So you were doing traffic control and blocking off Pulaski, right? And then did anything else happen before you got this order to do the paperwork?

A. No.

Q. And did you ever leave the scene prior to doing the paperwork?

A. Yes.

Q. Tell us about that.

A. Another sergeant was on scene. They order us to go with the body, McDonald's body, to the hospital. So we were on our way to follow the ambulance. We got called back to the scene.

Q. And who called you back?

A. Sergeant Spreyne.

Q. How do you spell that name?

A. S-p-r-e-y-e -- wait, n-e. S-p-r-e-y-n-e.

Q. And did that call come over the radio?

A. Yes.

Q. How far did you make it away from the scene?

A. Where were we? We were on the overpass.

Q. On the overpass...

A. Pulaski. So I want to say -- yeah.

Q. About how far away is that?

A. Oh, how far away? Like four or five blocks.

Q. So four or five blocks and then you get called back by Officer Spreyne?

A. Yes. Sergeant Spreyne.

Q. Sergeant Spreyne calls you back and says -- requests that you fill out a report regarding the shooting?

A. Yes, it -- wait, I'm trying to think. Franko gave us the order to do the papers. Spreyne sent us with the body and then he ordered us -- Spreyne ordered us back, yeah. A lot of confusion.

Q. Sure. What's the name of this report that you prepared?

A. It's a case report.

Q. Case report. Okay. So you prepared this case report on the PDT in your vehicle 841 Robert?

A. Yes.
Q. Was Officer Viramontes in the vehicle with you while you prepared this case report?
A. Yes.
Q. Did you talk to anyone as you prepared this case report?
A. We asked for names and stars.
Q. Who did you ask for names and stars?
A. Any officer we saw on scene.
Q. So was it you and Officer Viramontes?
A. Mm-hm.
Q. Is it fair to say you kind of collectively filled out this report?
A. Yes, but there was so many people on scene, we had to call and get a copy of the job --
Q. What's --
A. -- which means, in the district, you can pull up our job, put in our number, 841 Robert, and it will notate everybody who's on scene, all the beat cars.
Q. So what's a job again? When you use the word, "job"?
A. That's the call. I'm sorry. The

call.

Q. So you can type it in and it will -- on your PDT?

A. Not our PDT. In the system. In the district. At the station.

Q. Oh, at the station?

A. Yeah.

Q. Okay. So I'm slightly confused. But you didn't go to the station?

A. No.

Q. You were at the vehicle?

A. Yes.

Q. Did you call someone at the station?

A. Yes.

Q. And you said, Hey, I'm on this job --

A. Can you please do that. Because we were trying to get everybody, but there was so many people, we were -- I didn't want to miss anybody.

Q. Sure. So did you first, though, start to go around the scene in person to talk to everyone who was at the scene to get their star number?

A. Viramontes kind of walked around, and I kind of grabbed whoever I saw closer to me here by the car so...

Q. So do you recall who you -- well -- yeah, do you recall who you talked to at the scene as far as completing this case report?

A. No, there was --

Q. Do you recall any -- did you talk to Officer Van Dyke?

A. No. No.

Q. You know you didn't talk to Officer Van Dyke as part of --

A. No.

Q. -- this case report? Okay.

Do you recall anyone who you did talk to?

A. Who did -- I'm trying to think of who I talked to. I mean, from the other --

MS. RUSSELL: If you don't remember, you don't remember.

BY THE WITNESS:

A. Yeah, I don't remember because since I knew some of them, I knew them and I knew their beats, so I just, you know, logged them

down.

BY MR. NEUMER:

Q. Sure.

A. But there was other people who weren't there from our unit that I kind of grabbed real quick, but I don't -- I didn't -- I didn't know who it was.

Q. I'm going to -- well, I'll keep going on this line of questioning.

How long did it take you to complete this case report?

A. I'm not sure. I'm not sure.

Q. Give me your best estimate.

A. Maybe an hour.

Q. Hour?

A. Maybe. Because we were waiting for stuff to come to us from the district.

Q. What stuff?

A. The printout.

Q. What's the printout?

A. Of the job of all the beat cars.

Q. Oh, they sent that to you?

A. Yes, somebody actually brought it over to me.

Q. Physical copy of it?

A. Yes.

Q. Okay. So you get a physical copy of the printout of the job and you're talking to various individuals on the scene?

A. No, at that point I started doing the --

Q. But you had --

A. -- the case report.

Q. You had talked to various individuals on the scene just to get their --

A. Yes.

Q. -- star number?

A. And beat number.

Q. And beat number. Okay.

Anything else that you did to prepare that case report?

A. That's it.

Q. Any other information-gathering?

A. No, that was it.

Q. And so your best estimate is the completion of that case report took about an hour?

A. Yeah. Maybe less, but yeah.

Q. Again, I'm -- just best estimate. Could be more, could be less?

A. Yeah, I'm not quite sure the time.

Q. Were you on scene the entire time you were completing that case report?

A. Yes.

Q. And what do you do once you complete a case report?

A. Once we complete it, we let the sergeant know it's completed.

Q. And would that be Sergeant Franko?

A. Yes.

Q. And how do you let Sergeant Franko know your case report is completed?

A. We usually -- we either do it over the air or on the PDT.

Q. Do you remember what you did on this occasion?

A. I don't remember on this case.

Q. Did you ever -- once -- is it fair to say you submit a case report?

A. Yes.

Q. Do you hit a button --

A. Mm-hm.

Q. "Submit" or something like that?

A. Mm-hm.

MS. RUSSELL: Answer out loud like "yes" or "no."

BY THE WITNESS:

A. Yes. I'm sorry.

BY MR. NEUMER:

Q. Did you ever hear anything further after you completed that case report? Did anyone ask you about what you had put in that report?

A. No.

Q. So once you hit "send" or "submit," send it on to Franko, that was the last you heard of that case report?

A. Yes.

Q. So other than the completion of the case report, who else did you speak to at the scene of the shooting?

A. The detective.

Q. Which detective?

A. March.

Q. So you spoke to Detective March. Did you speak to anyone -- again, not as part of the

completion of the case report, but other than Detective March, did you speak to anyone else at the scene of the shooting?

MS. RUSSELL: Other than the officers she already testified to?

MR. NEUMER: Correct.

BY THE WITNESS:

A. Not that I recall.

BY MR. NEUMER:

Q. Did you speak to a Mr. McNaughton?

A. No.

Q. So you did speak to Detective March at the scene of the shooting?

A. Yes.

Q. At approximately what time did you speak to Detective March?

A. I don't recall.

Q. Where were you and where was he when this conversation took place?

A. In my vehicle.

Q. You were in your vehicle, okay.

A. Yes.

Q. Were you completing your case report --

A. Yes.
Q. -- when he came by?
Okay. So during the time you were completing your case report, Detective March stopped by your vehicle?
A. Mm-hm. Yes.
Q. And what did he say to you when he came up to your vehicle?
A. He asked for the RD number and -- I'm really not sure exactly what he asked, but I know it was the RD number, and I think some of the beat cars he wanted to know was on scene.
Q. Was anyone else present when this conversation took place?
A. My partner.
Q. Officer Viramontes was in the car as well?
A. Yes.
Q. Did Detective March ask Officer Viramontes any questions when he came up to the car?
A. I don't know.
Q. Did Detective March ask you any questions about the shooting itself when he came

up to your vehicle?

A. Yes.

Q. What did he ask you?

A. Basically like where were we and if we saw anything.

Q. And what did you tell him?

A. I told him that I had seen something.

Q. Did you get into the details of the shooting?

A. Yes.

Q. Okay. Was Detective March taking notes during this conversation?

A. I don't recall. He had a pad and pencil, but I don't recall him writing anything down.

Q. How long did you speak to Detective March when he was outside your vehicle?

A. It wasn't long.

Q. Less than 15 minutes?

A. Yes.

Q. Was it like less than five minutes?

A. I don't know.

Q. And did Detective March ask questions

about the shooting of Officer Viramontes?

A. No.

Q. It was just --

A. I'm sorry, did he ask Viramontes questions?

Q. Sure. Yes.

A. Yes.

Q. Did he -- was he asking you guys kind of like collectively, or was he directing the questions to you or Officer Viramontes?

A. He came to me and then I think he went to him because I was in the middle of doing the report. So after he talked to me, I got back in the car, I'm assuming he went and asked Viramontes.

Q. But you don't know?

A. No.

Q. So did you get outside the vehicle to talk to Detective March?

A. Yes.

Q. So he comes over, you're in the vehicle completing the case report?

A. Yes.

Q. And then you step outside the vehicle

to have a conversation with him regarding the shooting?

A. Yes, he asked me to step out.

Q. So prior to your conversation with Detective March, had you talked to Officer Viramontes about what you witnessed in terms of the McDonald shooting?

A. No. It happened so fast and we were going here, here, and there, so no.

Q. There were no conversations between the two of you as to, wow, that was crazy or anything?

A. No.

Q. No conversations --

MS. RUSSELL: She answered.

BY THE WITNESS:

A. No.

BY MR. NEUMER:

Q. Was that a deliberate decision on your part not to talk to Officer Viramontes?

A. No, there was so much going on, you don't have time to try to sit there and discuss what occurred because you're trying to do what they're ordering you to do and you're trying to

handle your job.

Q. Prior to conversation with Detective March, did you talk to -- did you have any conversations with Officer Mondragon?

A. No.

Q. Is that name familiar to you?

A. Yes.

Q. Okay. But you didn't have any conversations at all about any topics with Officer Mondragon prior to your conversation with Detective March?

A. No.

Q. Did you have any conversations with Officer Sebastian?

A. No.

Q. I'm sorry, my fault, I should have completed my question.

Did you have any conversations with Officer Sebastian at the scene of the shooting prior to your conversation with Detective March?

A. No.

Q. Did you have any conversations with Officer Gaffney prior to your conversation with Detective March?

A. No.
Q. Did you have any conversations with Officer McElligott prior to your conversation with Detective March?
A. No.
Q. How about any conversation with Officer Walsh prior to your conversations with Detective March?
A. No.
Q. At any time while you were at the scene of the shooting, did anyone separate you from the other officers who were at the scene of the shooting?
A. No.
Q. So nothing would have prevented you from talking to, say, Officer Mondragon or Officer Gaffney?
A. No. If I wanted -- no, because -- they were on that side; we were on this side.
Q. Which side were they?
A. They were on the north side; I was on the south side.
Q. North side of Pulaski?
A. They were on the north side of

Pulaski.

Q. Closer to -- they were on the north side by like 41st?

A. Honestly, they -- all I know is that they were on the north side. I don't know where.

Q. They were further north than you?

A. Yes.

Q. With respect to Detective March, you talked to him outside the vehicle. I think you estimated it was less than a 15-minute conversation. He asked you questions about the shooting. Is that correct?

A. Yes.

Q. And did you talk to Detective March again that evening regarding the shooting?

A. Yes.

Q. Tell us about that conversation.

A. It was when we went to the area.

Q. And that's at 51st and Wentworth --

A. Yes.

Q. -- is that correct.

Area Central?

A. Yes.

Q. How did you get from the scene of the shooting to Area Central?

A. We drove over there.

Q. Who drove?

A. Viramontes.

Q. And you drove the 841 --

A. Robert.

Q. Okay. So is that -- did you drive over to Area Central after you completed the case report?

A. Yes.

Q. Did you do anything between completing the case report and driving over to Area Central?

A. Not that I recall, no.

Q. So pretty much as soon as you complete the case report, you drive from the scene of the shooting to Area Central?

A. Yes.

Q. Were you asked to go to Area Central?

A. Yes.

Q. Who asked you?

A. I don't remember. I don't remember. I don't remember if it was a detective or the

sergeant.

Q. Are you talking about Detective March or Sergeant Franko?

A. Yes.

Q. Okay. Is it likely that one of those two --

A. Yes.

Q. -- were the people that, would you say, ordered you to go to Area Central?

A. Well, we have to go after a shooting, so yes.

Q. So they said you have to go to Area Central?

A. Well, yes.

Q. Either Sergeant Franko or Detective March?

A. Yes.

MS. RUSSELL: Can we take one minute, Peter?

MR. NEUMER: We'll go off the record. It is 1:30 p.m.

(WHEREUPON, discussion was had off the record.)

MR. NEUMER: The time is 1:32 p.m. We're

back on the record.

BY MR. NEUMER:

Q. And, Officer Fontaine, I think you were going to provide a little bit of a clarifying narrative as to where you were following the scene of the shooting and what activities you were doing sort of in sequential order. So please proceed.

A. Okay. After the shooting, we moved southbound to do traffic. We went to go do traffic. We were ordered to come back to where the shooting occurred to do the case report.

Once we were there doing the case report, we were ordered to follow the body to the hospital.

Q. And that's Sergeant Spreyne?

A. Sergeant Spreyne. So we start -- we leave the scene again, start following the body. We were ordered to come back --

Q. By Sergeant Spreyne.

A. -- to do the report, and we come back on scene. We start doing the report, and then Detective March comes up to us and starts asking us questions about -- he asks us about the

information -- some information about the report that we have, and then he starts asking us about the shooting. So now we're back on scene.

Then after that, we're done with the report and everything, we go to the area, 51st and Wentworth --

Q. And that's you and Officer Viramontes?

A. Me and Officer Viramontes.

Q. So once you arrived at Area Central, just walk us through where do you go? What happens?

A. Once we get there, there's an FOP representative and IPRA's there. And they tell us they have drinks and stuff, and they say you can use the bathroom. They show us where the restroom is, water, drinks, whatever. And then they have us waiting until the FOP speaks to us.

Q. Who's waiting?

A. All the officers.

Q. Okay.

A. There's all the officers on scene, the sergeants, and they're in -- it's kind of a small place, so it's kind of cubicles and stuff.

So it's --

Q. So lay the scene. You get there. You're waiting in a room to be interviewed; is that correct?

A. That's -- yes, we're there to be interviewed by --

Q. So you're waiting at Area Central and there are other officers --

A. Yes.

Q. -- who were at the scene of the shooting in this room with you?

A. It's like an office.

Q. In an office. Okay.

A. And there's rooms.

Q. Describe this office to -- it's got cubicles?

A. When you walk in, there's tables where I guess the detectives sit and answer phones. And then over here you have rooms, and in the rooms -- it's like an office room, and it has cubicles.

Q. Okay.

A. So there's officers in there, there's officers out there, there's officers in the

restroom.

Q. And where are you sitting in this, I'll call it, room?

A. I'm outside. We're outside and then they had pizza so if anybody was hungry.

Q. So you're outside the main room?

A. Yes, at first we're outside --

Q. And is it like a side room, or where are you waiting when you're outside this main room?

A. There -- how should I put it? It's like you have a big room and then it's where all the detectives work. That's their area of work. In the offices, I'm assuming it's for like sergeants and lieutenants. So then there's one room where they have cubicles and they said we're going to wait for FO- -- I think FOP was there and wanted to talk to us.

Q. Okay.

A. And then they called us in. We went in there, and then they said, okay, they told officers in order -- IPRA was going to question officers and in what order they were going to question them and who was going to be

questioned.

And then once we said okay, we went back out into this main room, and they have computers and stuff, and we sat there and just waited until they told us what to do next.

Q. So you and the other officers who were at the scene of the shooting were waiting in the big room in front of some of the computer stations?

A. Yes.

Q. And what other officers were there when -- waiting with you?

A. It was Viramontes -- it was Viramontes, Mondragon, Sebastian. There was two other officers from afternoon.

Q. Bacerra?

A. I don't -- what's the name?

Q. Officer Bacerra?

A. Bacerra.

Q. And Velez?

A. Bacerra and Velez.

Q. Okay.

A. Them two. Who else? McElligott and Gaffney. I think that's all I remember.

Q. Was Officer Van Dyke present?

A. No.

Q. Was Officer Walsh present?

A. I don't remember.

Q. When you were waiting at those computer stations at Area Central with the other officers, did you have any conversation with those other officers about the shooting?

A. No. They just -- they -- it was more like they were talking about having to testify to IPRA. They asked me if I had to, and I'm like, No, they haven't told us that we have to. And that was it.

Like just, So you goes ain't going to IPRA? I'm like, So far no. Me and Rick thought we were going to be -- me and Viramontes thought we were going to be the last one.

So everybody was kind of like, you know -- oh, then the detective came and he showed us the video -- he showed me the video.

Q. So while you were waiting at Area Central -- was it Detective March?

A. Yes.

Q. Detective March showed you the video

of the Laquan McDonald shooting?

A. Yes.

Q. Okay. Was this prior -- now, I know you talked to him at the scene of the shooting. Was this prior to when you spoke to him again about the shooting?

A. He showed me the video and he -- you know, he showed me a few things from the video. And I was like, Oh, yeah, this and that. But that was it.

Q. Okay. Was he asking -- at Area Central, was he asking you questions about the shooting prior to showing you the video?

A. Yes.

Q. What kind of questions was he asking?

MS. RUSSELL: Is this in the Area or at the car?

BY MR. NEUMER:

Q. Sorry, in the area. So everything right now is at Area Central?

A. At the Area. Yeah, he was showing me the video and he says, When he was walking -- he says, "It looks as if he's turning here." And I was like, "Oh, it does."

Q. Did he point out anything else about the video?

A. No.

Q. It was primarily that he was -- okay. That he was -- that Laquan McDonald was turning at some point in the video?

A. Yes.

Q. And what did he -- like, flush that out a little bit more for us. What was he saying? Like how did that come up?

A. He just showed me the video and he was walking -- because I had told him he was walking southbound swaying the knife.

And then that's when -- when we were at the Area, then he showed me the video and he's like, "Oh, is this where he's walking?" "Yes." He goes, "You see he kind of turns around?" And I'm like, "Oh, yeah, he" -- looking at the video, I said it does look like he kind of turns.

Q. Did Detective March make any other observations about the video that you recall?

A. No.

Q. I want to -- we'll get back to that

conversation. I want to -- you mentioned FOP representatives. I want to first ask you, did you talk to any FOP representatives at the scene of the shooting?

A. No.

Q. Did you talk to any FOP representatives at Area Central?

A. Yes.

Q. And what did you -- what were the nature of those conversations?

A. He talked to us as a group.

Q. Who is the "he"?

A. I can't think of his name.

Q. Is it Marlon Harvey? Chris Kato?

A. I can't think of his name.

Q. Not Mr. Harvey or not Mr. Kato?

MS. RUSSELL: If you don't know, say you don't know.

BY THE WITNESS:

A. I don't know.

BY MR. NEUMER:

Q. So you talked to a male FOP representative at Area Central?

A. He talked to all of us as a group.

Q. He talked to the officers -- the officers who were present at the scene of the shooting, not including Van Dyke or Walsh?

A. Yeah, I don't recall Walsh. I'm not sure if he was there or not. I can't remember.

Q. And you don't believe that Van Dyke was present and among the --

A. No, he wasn't.

Q. -- the group?

A. No, I don't think he was either.

Q. So an FOP representative is talking to the officers who -- most of the officers who were at the scene of the shooting. What does he say?

A. He kind of -- he just -- what did he say? He tells us about our rights and like what's going to happen at the area with us and what we have to do, and that's it.

Q. And so after the FOP representative kind of walks you through what the process will be, then you continue to wait --

A. Yes.

Q. Again in front of computer stations in the big room --

A. Yes.
Q. -- at Area Central?
Is that on the first floor, second floor?
A. I want to say it's the second floor because it's on top, so I want to say it's two floors there.
Q. Had you been involved in an officer-involved shooting before?
A. Never.
Q. Never. So this was the first.
Did you, while you were waiting, talk with any of the other officers about what you had just seen?
A. No.
Q. I mean, I can imagine it's pretty traumatic, pretty stressful situation. There was no --
A. No. I just -- I don't know. I think I was like in shock, I -- I don't know.
Q. Do you think it would have been inappropriate to talk to the other officers at the scene about what you had just witnessed?
A. I -- yes.

Q. So is it fair to say that after you were waiting -- after the FOP representative spoke to you, you were waiting at the computer station -- just tell us what happened next.

A. People started going in, doing --

Q. Different rooms?

A. -- doing their statements.

No, to go talk to IPRA, to do their statements and stuff.

Q. Okay. You never talked to IPRA?

A. No.

Q. Correct?

A. No, we never spoke to IPRA.

Q. So folks are going to make their statements to IPRA. Then what happens next?

A. They weren't sure if we were going to go or not, so they wanted us to wait.

Q. Who wasn't sure?

A. Who was it? I'm not sure. I can't remember who was the one advising us to go. No, I don't remember who.

Q. Do you recall who you were waiting next to? Like who was to your right and left?

A. I know Rick was one of

them -- Viramontes was one of them. I want to say Bacerra, I'm not sure.

Q. So you're watching people go into the room to get -- give a statement to IPRA, correct?

A. We were sitting down -- I was sitting down.

Q. Mm-hm. Sure.

A. And, you know, everybody was just like kind of doing their own thing on the phones and stuff like that.

Q. Yep. Was anyone texting you about the shooting at all?

A. No.

Q. Anyone call you while you were waiting to be interviewed --

A. No.

Q. -- at Area Central about the shooting?

A. No.

Q. So what happened next while you're waiting? You're seeing them go in to get interviewed; what happens next?

A. They just tell us to wait. We're

waiting. I think McElligott and Gaffney come up to us -- I'm trying to think.

MS. RUSSELL: If you don't remember, say you don't remember.

BY THE WITNESS:

A. I don't remember.

BY MR. NEUMER:

Q. Do you recall having any conversations with Officer McElligott or Officer Gaffney while you were waiting at Area Central?

A. One of the computers were down, and we were trying to get on it.

Q. For what reason were you trying to get on the computer?

A. I think somebody wanted to play a game or something.

Q. So did you have a conversation with Officer McElligott or Officer Gaffney about the computer that was down?

A. I -- yes, I think I did.

Q. And did you eventually get that computer up and running?

A. I don't remember.

Q. Eventually does Detective March come and get you to talk to you?

A. To show the video at one point. That's it.

Q. So tell us about the interaction. Is he in a room and comes out and says, Officer Fontaine? Or how does he get your attention?

A. Yes, he's in a room. He comes out and says, Can you come here with me? And we go into the room and he shows me the video, and that's it. I come back out.

Q. Is the room small, big? What type of room is it?

A. It's a small room. It's an office.

Q. It's somebody -- is it his office or --

A. I don't know if it's his office or someone's office, but it's an office.

Q. It's someone's office. There's a desk?

A. Yes.

Q. A computer monitor?

A. Yes.

Q. And what does he say -- what does he say to you?

A. He just points out that, "Is that where he turned?" And he goes, "See? It's like he's turning." And I was like, "Yeah, he does look like he's turning."

Q. Did he ask you questions about the shooting prior to -- while you're in this office, so you're in an office. Is he behind a desk, Detective March?

A. No, because he's -- the computer's like right here, and we're both on this side of the desk.

Q. Both behind the desk; is that fair to say?

A. In front of the desk.

Q. In front of the desk?

A. Yeah, I think it's in front or on the side of the desk.

Q. You're on the same side of the desk?

A. Yes.

Q. And you're both looking at a computer monitor?

A. Mm-hm.

Q. Before you're looking at that computer monitor, did he ask you to walk him through the details of the shooting?

A. No.

Q. So he calls you into the office?

A. Mm-hm.

Q. Correct?

MS. RUSSELL: Yes?

BY THE WITNESS:

A. Yes. I'm so sorry.

BY MR. NEUMER:

Q. He calls you into the office and immediately directs your attention to the computer monitor?

A. Yes.

Q. And then he plays a portion of a video --

A. Yes.

Q. -- for you?

And that portion of the video contains the shooting of Laquan McDonald?

A. Yes.

Q. And what happens after he plays that portion of the video?

A. I go back and sit down and wait.
Q. Okay. But does he ask you questions while the video is playing about the video?
A. No.
Q. He plays the video. Does he ask you any questions before you go back to sit down?
A. No.
Q. Is that -- after he plays the video, is that when he makes a comment about Laquan McDonald turning?
A. Yes.
Q. So you're in the room, he plays the video for you, and makes a comment about Laquan McDonald turning?
A. Mm-hm.
Q. Is that correct?
A. Yes. Yes.
Q. And you agree with Detective March? Or what do you say when he says, Oh, it looks like he's turning here?
A. I said, Yes, it does.
Q. Did he ask you any questions at that point?
A. No.

Q. And he said, Okay, you can go sit down?

A. Yes, that's it.

Q. That's it?

A. That was it.

Q. No other questions?

A. No.

Q. You go back into the other room then?

A. Yes.

Q. Do you continue to wait there?

A. Yes.

Q. What happens next?

A. We just wait. And then they don't call us. They say they're going to call us another day, and then they release us.

Q. Who releases you?

A. Sergeant Franko.

Q. Sergeant Franko releases you. Do you have a recollection as to when he released you?

A. No. It -- it was after 6:00 because we did fill out a -- it's a time due slip whenever you do overtime. So I remember filling one of those out, so it had to be after 6:00.

Q. So it was after 6:00 a.m. --

A. Yes.
Q. -- you were released from Area Central?
A. Mm-hm. Yes.
Q. You were released from Area Central, and then where do you go?
A. I go back to the district, change, and go home.
Q. Did you take the 841 Robert vehicle with Officer Viramontes to go to the district?
A. Yes.
Q. So the two of you drove together to the district?
A. Yes.
Q. Did you talk about the shooting at all during that conversation -- or, sorry, during that trip?
A. No. No. We just went home. We talked about that -- what we were -- I talked about what I had to do in the morning because I had to take the kids to school and stuff, and that was it. I just said I got to get home and get some sleep.
Q. Were you making a conscious decision

not to talk about the shooting with Officer Viramontes during that trip?

A. Yes.

MR. NEUMER: The time is 1:53 p.m. Why don't we go off the record.

(WHEREUPON, a recess was had.)

MR. NEUMER: The time is 2:00 p.m. We're back on the record.

BY MR. BROWN:

Q. Officer Fontaine, you mentioned to us about a case report you filled out?

A. Yes.

Q. In that case report, it contains officer names and star numbers; is that correct?

A. Yes.

Q. Did that case report contain any substance as to what happened related to the McDonald shooting?

A. No.

Q. Do you want to explain anything further related to the case report?

A. It just has the -- my role when filling out the case report is you put the date, the time, the beat numbers, and just "see

detective sup."

Q. And you said you submitted the report that night?

A. Yes.

Q. Do you recall if it was edited after that point?

A. No.

MS. RUSSELL: No it wasn't edited or no you don't recall?

BY THE WITNESS:

A. No, I don't -- it -- it was not edited at that time.

BY MR. BROWN:

Q. Had it been edited, would you have been made aware of any changes to the report?

A. I should have been because it was under my PC number.

Q. So if we were to see that this document, this case report, it would have your PC number at the bottom?

A. Yes.

Q. Would it have anybody else's PC number?

A. Viramontes.

Q. And would that signify that he's in agreement with everything in the report?

A. Yes.

Q. So if changes were made to the report, he should have been made aware of those changes as well?

A. Yes.

Q. Going back to a little earlier. I briefly want to touch on the meeting with the FBI. You noted that the State's Attorney's Office was also there?

A. Yes.

Q. I just wanted to clarify, do you recall if it was the Cook County State's Attorney's Office was there, or was it the U.S. Attorney's Office?

A. I'm not sure.

THE WITNESS: Was it the State's -- I'm not sure.

MS. RUSSELL: Off the record.

(WHEREUPON, discussion was had off the record.)

MR. BROWN: The time is now 2:02 p.m. and we'll go back on the record.

BY MR. BROWN:

Q. Officer Fontaine, we were talking a little bit about the meeting with the FBI, and I'm just trying to clarify as to if it was the Cook County State's Attorney's Office that was also at the meeting, or was it the U.S. Attorney's Office?

A. It was the Cook County State's Attorney.

Q. Okay. Do you recall by chance who was there representing the Cook County State's Attorney's Office?

A. I don't recall.

Q. At that meeting, was the FBI the lead on the questions?

A. Yes.

Q. Did they tell you that your statement would be memorialized in any way?

A. I don't understand.

Q. I'm sorry, did they inform you that they were going to be making report of your statement?

A. No, not that they were going to make a report.

Q. Did you see -- you mentioned there were two FBI agents there at the meeting?

A. Yes.

Q. Do you recall them taking any notes?

A. Yes, they did.

Q. Do you recall whoever was there from the Cook County State's Attorney's Office taking any notes?

A. Yes, he was.

Q. So that was a gentleman?

A. That was a gentleman, yes.

Q. Anybody else besides the gentleman there representing the Cook County State's Attorney's Office?

A. No, not that I recall.

Q. And I think -- I'm pretty sure you already mentioned this, but it was just the one meeting with the FBI?

A. Yes.

Q. Any other meetings with the Cook County State's Attorney's Office?

A. Not that I recall, no.

Q. Did you ever have a meeting with the United States Attorney's Office?

A. No.
(WHEREUPON, discussion was had off the record between Counsel and Witness.)
BY THE WITNESS:
A. Yes, I did meet with the FBI before the grand jury one time -- I'm sorry, the U.S. Attorney.
BY MR. BROWN:
Q. What was the nature of that meeting?
MS. RUSSELL: We'll take a quick break.
MR. BROWN: The time is 2:04 p.m. and we'll take a quick break.
(WHEREUPON, a recess was had.)
MR. BROWN: The time is now 2:05 p.m. We'll go back on the record.
MS. RUSSELL: Can she clarify that last answer?
BY MR. BROWN:
Q. Officer Fontaine, please clarify.
A. I don't recall meeting with the U.S. Attorney.
Q. So before the grand jury you don't recall meeting with the U.S. Attorney's Office?

A. No.
Q. And you didn't speak to the Cook County State's Attorney's Office after that meeting with the FBI?
A. No.
Q. I believe you mentioned in that meeting with the FBI you stated that you told them the same statement as what you told March -- I'm sorry, Detective March?
A. Yes.
Q. I wanted to ask, did you give them any sort of clarifying information such as, In light of the video, this is going to clarify my statement? Or did you say anything to clarify what you told the FBI?
A. To the FBI?
Q. Yes. I'm sorry. That was a bad question.
A. That's okay.
Q. I remember you noted earlier that you said after viewing the video, that kind of clarified what was written in the report, the Supplementary Report about, "as if attacking" in relation to?

A. I didn't know he had put "as if attacking."

Q. And we're going to get into that --

A. Oh, I'm sorry, you just stated --

Q. You had mentioned something about it was clarified after you saw the video; is that accurate?

A. I'm still confused.

Q. Okay. Maybe I'll wait until we flush this out a little bit later in the interview, but I just wanted to see if there was any clarifying statements you made to the FBI in regards to you made the same statement to March as what you told them?

A. Okay.

(WHEREUPON, discussion was had off the record between Counsel and Witness.)

BY THE WITNESS:

A. When I talked to the FBI, I didn't know what March had written. I had no idea what he had written. That's why when I gave my statement to the FBI, I gave them my statement. I didn't know what he had put down.

BY MR. BROWN:

Q. I'm sorry. Okay. So at the point when you spoke to the FBI, you had not seen the final Case Supplementary Report that would have been authored by Detective March?

A. No.

Q. All right. When did you see the -- first see that statement by Detective March -- or I guess the write-up of your statement?

A. In the newspaper.

Q. In the newspaper. Okay. All right. And was that sometime in 2015?

A. Yes -- I don't recall.

Q. I definitely understand. I'm not going to keep hitting you about --

A. Yeah, I don't recall.

Q. You're just certain that you saw the statement after you spoke with the FBI?

A. Yes.

Q. When you spoke with the FBI, was that part of any sort of proffer negotiation?

A. I don't understand what you're saying.

Q. Was the subject of a proffer ever

brought up to you in regards to your conversations with the FBI?

A. I still don't understand.

BY MR. NEUMER:

Q. I think maybe I can -- so sometimes when individuals speak with the FBI, they'll sign what's called a proffer agreement. Do you recall signing any agreement right before you spoke to the FBI?

A. I did sign documents.

Q. Do you recall what those documents said at all? Were they explained to you?

A. They were explained to me, but --

Q. Do you have any recollection as to what...

A. No.

Q. That's fine.

BY MR. BROWN:

Q. Were you given a copy of the documents?

A. No.

Q. Was the negotiation about the documents, was that between your attorney and someone else?

A. Yes. My attorney was there. He read them with me and everything and I signed them.

Q. I just wanted to ask about Officer Viramontes?

A. Yes.

Q. He was your partner that night of the McDonald shooting, correct?

A. Yes.

Q. I wanted to ask, how long had he been your partner prior to that?

A. I think we've been going on five years.

Q. Five years. Okay.

Like a steady every day he's been your partner for five years?

A. For the most part because when we're short, they separate us.

Q. Absent some other changes, he's your normal partner?

A. Yes.

Q. In the normal course of your work as you observe incidents or have to make arrests, would it be normal for you to speak with Officer Viramontes as to whatever has occurred?

A. Yes.

Q. And would those conversations occur before any type of report that would need to be authored by you or Officer Viramontes?

A. Can I explain --

Q. Sure, definitely explain.

A. -- when we partner up -- when you partner up, you're the driver and then there's the driver and the passenger.

Q. Okay.

A. When you arrive on-call, most of the time the person doing the paper is the one that kind of takes the lead and asks the questions and everything to decide more or less what kind of paper it is. Unless they have a question, then we kind of talk about it. So in that sense, yes.

Q. So to aid in, I guess, authoring whatever reports either you or Officer Viramontes would need to author, you guys would have conversations to make sure you're on the same page?

A. Yes.

Q. I just want to compare that with the

McDonald incident. You already stated that, because of the circumstances with that one, you didn't feel like you wanted to talk with anyone, including Officer Viramontes, about the incident?

A. Yes.

Q. Got you. Okay.

When you were at Area Central, you mentioned that at one point, the officers were all together in the big room. I know you mentioned that you didn't have conversations with any of the officers about the McDonald incident, but I wanted to ask you, do you know if -- or did you recall if any of the other officers were having conversations as to what occurred that night?

A. No. Like I said -- no, not that anybody was specifically having them, but everybody was just kind of trying to talk about something else.

Q. So was it like a feeling of a big event has happened and let's try to get our minds off of it by talking about other things?

A. Kind of. I think that -- especially

people who have never been involved, you don't know how to -- what you should say, what you shouldn't say, how you handle it, so you kind of handle it your own way.

Q. Sure. No one instructed you guys not to talk about it?

A. No.

Q. It's something that came organically; it's just no one talked about the incident?

A. Not like detail in my presence, no.

Q. You mentioned that at some point March brings you in to show you the video?

A. Yes.

Q. I wanted to ask, you mentioned it was on a monitor. Do you recall if it was a laptop such as this, or was it like a computer monitor attached to like a hard -- like a big hard drive or something?

A. I don't recall.

Q. Do you recall Detective March taking any notes?

A. At that time, no.

Q. At that time.

MR. BROWN: That's all the follow-up I

have.

BY MR. NEUMER:

Q. I want to talk to you, Officer Fontaine, about your relationships with the various officers who were at the scene of the shooting.

A. Mm-hm.

Q. I think you mentioned, with respect to Officer Viramontes, you and he had been partners for about five years prior to the shooting --

A. Yes.

Q. -- is that correct?

And did you ever socialize with Viramontes outside of work?

A. Once he came to my son's birthday party.

Q. So one occasion outside of work?

A. That I can think of, yeah.

Q. So generally you guys did not socialize outside of work?

A. No.

Q. Would you describe yourself as a friend of Officer Viramontes?

A. Yes.
Q. With respect to Officer Van Dyke, what was your relationship with Officer Van Dyke prior to October 20th, 2014?
A. I really don't know him. I broke my ankle, and I was off for almost a whole year --
Q. Okay.
A. -- and when I returned, I saw new faces, and he was one of them. But I never really -- I didn't know him.
Q. Do you recall when you broke your ankle?
A. '13 I want to say.
Q. 2013?
A. 2013 I want to say.
Q. Have you ever partnered up with Officer Van Dyke?
A. No.
Q. Have you ever socialized with Officer Van Dyke outside of work?
A. No.
Q. Were you ever interviewed regarding a complaint someone made regarding Officer Van Dyke?

A. No.

Q. What was your relationship with Officer Gaffney prior to October 20th, 2014?

A. Gaffney, I've worked with him. I've known him.

Q. So how would you -- what was your work experience with Officer Gaffney?

A. Just coworker.

Q. How often would you have interactions like during a week with Officer Gaffney as part of your job?

A. As part of my job?

Q. Mm-hm.

A. Few times a week because if we ride on their jobs.

Q. And so that is their -- a job again is --

A. I'm sorry, a call.

Q. A call. Okay.

A. A call.

Q. So you would see him a few times a week responding to calls?

A. Yes.

Q. Okay.

A. At roll call.
Q. Okay.
A. Check-off. You just talk, you know.
Q. And how long had you guys been in the same, fair to say, unit?
A. Unit?
Q. Yeah.
A. I think we've been there the same amount of time, which is almost 15 years.
Q. Oh, okay.
A. I want to say we were -- yeah.
Q. So you've known Officer Gaffney for about 15 years?
A. Yes.
Q. And did you ever socialize with Officer Gaffney outside of work?
A. No.
Q. What was your relationship with Officer McElligott prior to October 20th, 2014?
A. Same thing, working, talking while at work and roll call, check-off.
Q. Same thing, see him a couple times a week on calls?
A. On calls or check-off, mm-hm.

Q. And how long had the two -- had you and Officer McElligott worked together?

A. With him I want to say the last three years I think we started talking more because I don't -- I don't remember when he came to the district.

Q. Okay.

A. And I didn't really associate with him.

Q. Ever socialize with Officer McElligott outside of work?

A. No.

Q. What was your relationship with Officer Bacerra prior to October 20th, 2014?

A. None.

Q. No relationship?

A. No.

Q. Never worked with him?

A. No -- that I can remember, no.

Q. No real interactions at work with Officer Bacerra?

A. Not really. He's on third watch.

Q. Okay. So you're on different watches?

A. Different watches.
Q. Never socialized with Officer Bacerra outside of the work?
A. No.
Q. What's your relationship with Officer Mondragon prior to October 20th, 2014?
A. Friends, coworkers. Same thing, roll call, check-off. We do a little bit more -- we talk a little bit more, I guess, girl to girl, more woman-to-woman things.
Q. Sure. Sure. So would you ever socialize with Officer Mondragon outside of work?
A. I don't recall ever associating with her outside of work.
Q. So work friends?
A. Yes.
Q. Okay.
A. Just recently now she had a daughter, so I've been giving her some of my daughter's stuff, so we kind of -- a little bit more --
Q. Okay.
A. -- outside of work.
Q. Is that in the last year or so?

A. Yes, two years.
Q. Was that -- did she have her daughter prior to October 20th, 2014?
A. Yes. Yes, I think so. Yes.
Q. What was your relationship with Officer Sebastian prior to October 20th, 2014?
A. Same thing, we talked at work and everything. And, prior to that, I don't think we socialized out of work.
Q. Do you socialize outside of work with Officer Sebastian now?
A. We have because she bought a house in Michigan and we have a house in Michigan, so we're -- we talk about that and --
Q. I got you. Do any -- well, I'll get through the end. How long have you worked with Officer Sebastian in the same unit?
A. About 15 years.
Q. Officer Velez, what was your relationship with her prior to October 20th, 2014?
A. Just -- she's third watch, so kind of seeing her, hi, bye, how you doing, that's it.
Q. And you never socialize with

Officer Velez outside of work?

A. No.

Q. What was your relationship with Officer Walsh prior to October 20th, 2014?

A. Just work-related.

Q. Never socialized outside of work?

A. (No audible response.)

Q. Would you say --

MS. RUSSELL: Make sure you answer out loud.

BY THE WITNESS:

A. No.

BY MR. NEUMER:

Q. Would you see Officer Walsh multiple times a week on calls and things of that nature?

A. Not as many, but I saw him in a few.

Q. And how long had you guys been in the same unit, you and Officer Walsh?

A. I'm not sure when he arrived to eight.

Q. Do any of the officers I mentioned, Officer Viramontes, Officer Van Dyke, Gaffney, McElligott, Bacerra, Mondragon, Sebastian, Velez, Walsh, live in your neighborhood in the

city?

A. Sebastian used to and she moved out.

Q. Okay.

A. Mondragon lives close now. She just moved in. And I think McElligott lives close, too. And I think that's it that I can recall.

Q. And what neighborhood do you reside in?

A. I live in Beverly. They live in Mount Greenwood.

Q. Got you.

MR. NEUMER: Kris, do you have any follow-up regarding Officer Fontaine's relationship with the other officers at the scene of the shooting?

MR. BROWN: I have no follow-up.

BY MR. NEUMER:

Q. At this time we're going to put Exhibits 6 -- previously marked as Exhibit 6 and 7 -- I think I misspoke. What's been previously marked as Exhibit 5 and 6, the CSR and the GPR.

(WHEREUPON, Exhibit No. 5 and Exhibit No. 6 were tendered to the witness.)

BY MR. NEUMER:

Q. So, again, that's Exhibits 5 and 6. The --

MS. RUSSELL: The notes are 6, okay.

BY MR. NEUMER:

Q. Notes are 6, the GPR dated October 20th, 2014. And the CSR -- the excerpt of the CSR containing Officer Fontaine's statement to Detective March.

So first, generally, I want to ask you what is a Case Supplementary Report?

MS. RUSSELL: In general.

BY THE WITNESS:

A. In general, it's something that's added on to an original case.

BY MR. NEUMER:

Q. Okay.

A. Because there's an original case first and then any supplementary is something added on to that.

Q. What's the purpose of a Case Supplementary Report?

A. My understanding is just extra facts.

Q. And who creates a Case Supplementary

Report?

A. Any officer that's -- any officer that's like -- any officer that has to work on a specific -- return to the original case report that they have extra information about it or anything has changed, they would be able to do a supplementary.

Q. Do officers create -- can I call them CSRs? Is that a term that --

A. I'm not familiar with that.

Q. Okay. We'll stick with Case Supplementary Report.

Do officers create Case Supplementary Reports, or is it detectives?

A. This here -- the form in front of me is a detective.

Q. So Exhibit 5 was created by a detective. Have you ever created a Case Supplementary Report in your time with CPD?

A. Yes.

Q. So you are familiar with Case Supplementary Reports?

A. When a regular patrol officer does it, it's called Supplementary Report, just a

regular Supplementary Report. It's a different format than this.

Q. Okay. Okay. So have you ever filled out a Case Supplementary Report?

A. No.

Q. So is it fair to say that generally detectives fill out Case Supplementary Reports?

A. I'm assuming, yes.

Q. But you -- do you not know one way or another?

A. I don't.

Q. It's not part of your general duties and responsibilities to fill out a Case Supplementary Report?

A. No.

Q. I'm now going to ask you about Exhibit 6, the General Progress Report dated October 20th, 2014. Are you familiar with the term GPR? Can I use that term?

A. I've never heard of that term.

Q. Never heard of that term?

A. No.

Q. Well, I'll ask you, what's your understanding as to what a GP- -- or what a

General Progress Report is?

A. I have no knowledge.

Q. Do you know what the purpose of a General Progress Report is?

A. I don't. This is the first time I've seen one.

Q. Okay. Do you know who creates a General Progress Report?

A. I'm assuming the detective with this in front of me.

Q. Okay. But you have no --

A. I have no idea who would -- who would do this.

Q. And you've never filled out a General Progress Report as part of your duties as a Chicago Police Department employee?

A. No, not this form.

Q. I want to direct your attention to Exhibit 5, the Case Supplementary Report, and the statement that is attributed to you in that exhibit. I think it's on the third page.

I would ask now that you read what is I think two paragraphs about a third or two-fifths of the page. Take your time. Read

that statement and let me know when you've had a chance to thoroughly read the statement.

A. You said the second one?

MS. RUSSELL: Stating with, "stated she was a Chicago Police Officer"?

MR. NEUMER: Right. Exactly. So at the top of the third page of Exhibit 5.

BY MR. NEUMER:

Q. Just to yourself. Just so you have a chance to see what is stated and then we'll ask you a few questions about that statement.

BY THE WITNESS:

A. Okay.

Q. Does Exhibit 5, Case Supplementary Report, accurately you -- accurately reflect what you said to Detective March on the night of October 20th, 2014?

A. No.

Q. What statements in the Case Supplementary Report are inaccurate?

MS. RUSSELL: Can we take a quick break?

MR. NEUMER: The time is 2:30 p.m. We'll go off the record.

(WHEREUPON, a recess was had.)

MR. NEUMER: The time is 2:36 p.m. We're back on the record.

BY MR. NEUMER:

Q. And, correct me if I'm wrong, I believe I asked you if the Exhibit 5, Case Supplementary Report, accurately reflected what you said to Detective March on the night of October 20th, 2014. I believe you said no; is that correct?

A. Yes.

Q. And then I believe I asked you which statements specifically in the Case Supplementary Report are inaccurate. So if you could walk us through what statements --

MS. RUSSELL: Can I clarify?

MR. NEUMER: Sure.

MS. RUSSELL: What statements don't reflect what she told him?

MR. NEUMER: Yes.

MS. RUSSELL: I think that's a different question.

MR. NEUMER: Sure. Sure.

BY MR. NEUMER:

Q. So let's go with that. You've had a

chance to review the Exhibit 5 statement attributed to you. So can you walk us through which -- sentence by sentence or whatever sentences you did not make -- or statements you did not make to Detective March.

A. The sentences walking towards Van Dyke as if attacking Van Dyke.

Q. Okay.

A. I'm sorry, that's the tenth.

Q. Yep, I got you. That's fine.

So the sentence in full reads, "McDonald ignored the verbal direction, instead raised his right arm toward Officer Van Dyke as if attacking Van Dyke"?

A. Yes.

Q. And you're saying you did not make that statement to Detective March on the night of October 20th, 2014; is that correct?

A. Yes. I don't recall telling him that.

Q. So when you say you don't recall making that statement to Detective March, is it possible that you made the statement that McDonald raised his right arm toward

Officer Van Dyke as if attacking Van Dyke?

A. No.

Q. No, it's not possible?

A. No.

Q. Is it accurate to say that, in your opinion, McDonald raised his right arm toward Van Dyke as if attacking Van Dyke?

A. I'm sorry?

Q. I'm saying that -- I think you've --

MS. RUSSELL: Did you see that? Did you see --

BY THE WITNESS:

A. No.

BY MR. NEUMER:

Q. You did not see McDonald raise his right arm toward Officer Van Dyke as if attacking Van Dyke?

A. No.

Q. Did you see McDonald -- when you were at the scene on October 20th, 2014, did you see McDonald raise his right arm toward Officer Van Dyke?

A. No.

Q. You did not see him raise his right

arm. Did you see him -- did you see McDonald on the night of October 20th, 2014, make any attacking movements toward Officer Van Dyke?

A. Yes.

Q. Tell us about those attacking movements.

A. Well, he was walking southbound, swaying the knife.

Q. Okay.

A. And from --

MS. RUSSELL: Let the record reflect that the witness is swaying a knife -- no, strike that. She's not swaying a knife. She's making swaying motions with her right hand.

BY THE WITNESS:

A. So he's walking southbound swaying the knife, and from my point of view, it looked like he was coming in an angle.

BY MR. NEUMER:

Q. So tell us about -- an angle in what way?

A. Like he was coming towards them but not --

Q. So let's try this direction-wise.

When you first see Laquan McDonald, what direction is he moving in?

A. He -- okay, after you -- after I looked at the video, I didn't even realize I was still in the car when a lot of this occurred, what I saw. I was still in the vehicle.

Q. Okay.

A. He was walking southbound swaying the knife walking -- he was walking southbound swaying the knife and Van Dyke and Walsh were -- how should I put it? They were outside their vehicle.

Q. Okay.

A. And from where I was looking at it on an angle, it looked like he was walking almost towards them.

Q. It looked to you like officer -- or that McDonald was walking towards the officers?

A. Yeah.

Q. Okay.

A. Like in their line.

Q. Again, what -- so what direction was he walking?

A. Southbound.

Q. Southbound. Okay.

And then you mentioned he was at an angle. What did you mean by that?

A. From the point of view I had, it looked as if he was on an angle.

Q. An angle to what? Are you saying he was no longer walking southbound?

A. He was still walking southbound, but it looked like he was kind of swaying over. Okay, there's --

Q. Did he change direction or...

A. No, he was -- he was going -- he was coming southbound -- how should I explain?

He was still coming southbound swaying the knife, and when I -- when I saw him -- how should I put it?

THE WITNESS: Can we take a break?

MS. RUSSELL: Sure.

MR. NEUMER: The time is 2:43 p.m. We'll go off the record.

(WHEREUPON, a recess was had.)

MR. NEUMER: The time is 2:44 p.m. We're back on record.

What question was pending?

MS. RUSSELL: She was trying to explain what she meant by him walking at an angle.

MR. NEUMER: Okay.

BY THE WITNESS:

A. When I arrived on scene, I didn't realize until I saw the video I was still in the vehicle. So by the angle I'm in, he's walking southbound but because he's straight and I'm in the angle and Van Dyke and Joe are out of their car, it almost seemed to me as if he was walking towards them.

BY MR. NEUMER:

Q. Having watched the video, do you think it is accurate to say that McDonald was walking towards Officers Walsh and Van Dyke?

A. After watching the video?

Q. (Nodding).

MS. RUSSELL: Can I butt in? So I know what the question is, but I guess it depends like where you are in the sequence.

So at one level he is walking towards them, he's in the middle of the road, he's walking towards them as opposed to away from them.

Is that what you're asking generally? like, is he walking towards them; is he away from the middle of the road? I could be walking towards you guys coming this way (indicating) or I could be walking towards you going this way (indicating). I'm not sure if that helps or hurts.

MR. NEUMER: Sure.

MS. RUSSELL: But maybe you can explain what you meant by it appeared he's walking towards you or what you saw in the video.

BY THE WITNESS:

A. I mean, what I saw in the video, he was still walking southbound swaying the knife. And when I looked at the video, it did seem as if he turned, but --

BY MR. NEUMER:

Q. Did he turn toward Officer Walsh and Van Dyke, or did he turn away from Officer Walsh and Van Dyke?

A. If you slow it down slow enough, it looks as if he's turning towards them.

(WHEREUPON, discussion was had off the record between Counsel and Witness.)

BY THE WITNESS:

A. But I'm not sure. But that's -- but I'm not sure if that's because he was shot at that point, that that's what made him (indicating), yes.

BY MR. NEUMER:

Q. So with respect to the statement in Exhibit 5, is there -- are there any of these other sentences that you never said to Detective March, other than the "as if attacking Van Dyke" portion?

A. The one about, "McDonald was walking sideways with his body facing east towards Jason Van Dyke and Officer Walsh," that I'm not sure.

Q. You don't know whether you made that statement --

A. No.

Q. -- to Detective March?

A. No, that one I'm not sure.

Q. Are there any other statements that you either know for certain or you are not sure

whether you made to Detective March on the night of October 20th, 2014, in the statement in Exhibit 5?

A. That's it.

Q. So you -- tell me, with respect to, "as if attacking Van Dyke," do you know whether or not you made that statement to Detective March?

A. I did not make it.

Q. You did not make it. And then with respect to "McDonald was walking sideways with his body facing east towards Officers Jason Van Dyke and Joseph Walsh" --

A. No.

Q. -- you don't know whether you made that statement?

A. No.

Q. Every other statement in -- every other sentence in this statement you think you did make to Detective March on the night of October 20th, 2014?

A. Yes.

Q. And, now, different question. Is -- so we've been talking about whether or not you

made these statements to Detective March. We touched on it a little bit, but I want to ask it directly.

Look at the statement in Exhibit 5. Are there any of these sentences that you consider to be inaccurate; it's not actually what happened?

A. For the rest of them?

Q. For -- I'm talking about the entire -- so we were focussing primarily just recently on whether you made the statements in this exhibit to Detective March.

Now I'm going to ask you a different question. I'm going to ask whether the statements in -- that are attributed to you are accurate. Do they reflect what actually happened?

A. No.

Q. Do you understand the question that I'm -- and so, as you look back at this -- as you look over the statement attributed to you in Exhibit 5, I want to identify for me which, if any, of the statements that are attributed to you are not accurate, that's not how things

occurred on the night of October 20th, 2014.

A. The one where he -- where he raised his arm towards Officer Van Dyke as if attacking him.

Q. So that statement is not accurate?

A. Not that I know of.

Q. Not -- that's not what you witnessed on the night of October 20th, 2014?

A. Yes.

Q. Right. So you did not witness McDonald raising his right arm toward Officer Van Dyke as if attacking Van Dyke?

A. Yes.

Q. That's correct?

A. That's correct.

Q. So same question now. Are there any other statements or sentences in the statement that are not accurate according to what you witnessed on the night of October 20th, 2014?

A. No.

Q. So every other statement -- every other sentence in your statement is accurate according to what you witnessed on the night of October 20th, 2014?

A. Yes. Except that one sentence that I wasn't sure.

Q. Right.

A. Okay.

Q. Except for the "McDonald was walking sideways with his body facing east" --

A. Yes.

Q. -- you're not sure whether that statement is accurate?

A. I'm not sure if I said it at that point in time.

Q. Let's talk about the accuracy of that statement. Do you think it's accurate that McDonald was walking sideways with his body facing east towards Officer Van Dyke and Joseph Walsh?

A. Well, now that I look at the video, again, it does look accurate.

Q. Your statement -- or the statement, "McDonald was walking sideways with his body facing east towards Officers Jason Van Dyke and Joseph Walsh," having reviewed the video of the shooting, you feel that statement is accurate?

A. Because of that turn? In the video

there's like a slight turn --

Q. Immediately prior to McDonald -- well, at what --

MS. RUSSELL: Let me.

(WHEREUPON, discussion was had off the record between Counsel and Witness.)

BY THE WITNESS:

A. For that sentence, to be more specific, it's not that he was walking sideways eastbound through the street; he was walking swaying, so he's kind of -- you know, what I mean?

BY MR. NEUMER:

Q. Sure.

A. Swaying. So kind of --

MR. NEUMER: For the record --

BY THE WITNESS:

A. -- kind of in and out.

MR. NEUMER: -- Officer Fontaine is moving her shoulders back and forth in a swinging motion.

BY MR. NEUMER:

Q. Let's see, I want to ask you whether

you recall making any statements to Detective March that are not reflected on the night of -- make any statements on the night of October 20th, 2014, regarding the shooting that are not reflected in the Exhibit 5 report --

A. No, I don't remember.

Q. So you don't recall telling Detective March anything on October 20th, 2014, that is not in here?

Or, put differently, do you recall any details you told Detective March that you don't see included in Detective March's report?

A. The swaying of the knife.

Q. So Detective March didn't -- you told him that the -- that Laquan McDonald was swinging the knife, and you don't see that reflected in Detective March's write-up of your statement?

A. Correct. Yes.

Q. Any other details that you told --

A. Not that I remember.

Q. I'll just -- any other details you recall telling Detective March that you don't see in his write-up?

A. Not that I remember.

Q. Okay. So at this point, I'm going to go through some of the notice -- some of the allegations that are included in the Notice of Allegations. Some of this will be moderately duplicative but...

It is alleged that on or about October 20th, 2014, you made a false statement during an interview with Detective March when you stated that McDonald was walking southbound with his body facing east toward Officers Van Dyke and Walsh.

Do you stand by your previous statement?

A. The -- I'm sorry.

(WHEREUPON, discussion was had off the record between Counsel and Witness.)

BY THE WITNESS:

A. I stand by my testimony that I've given you today.

MS. RUSSELL: Is that what you're asking?

BY MR. NEUMER:

Q. It is, but I'd like to really hone in

on, in particular, your statement -- the statement in the report --

MS. RUSSELL: That's not her statement.

MR. NEUMER: Well, that's true.

BY MR. NEUMER:

Q. The statement that is attributed to you in Detective March's report and whether you stand by that previous statement or if there's anything you'd like to add regarding the allegations.

So let me read the allegation again --

MS. RUSSELL: Really quick, before you do, other than what she's already told you was not correct? Do you see what I'm saying? The allegation is you provided a false narrative to Detective March. I mean, she's told you --

MR. NEUMER: And I --

MS. RUSSELL: So I guess I'm confused by "Do you stand by your previous statement."

MR. NEUMER: Sure -- oh, sorry. I got you.

BY MR. NEUMER:

Q. So when I say, "previous statement," I'm not referring to anything you've told us

today. What I'm referring to is the statement that is attributed to you in Detective March's report, the Exhibit 5 report. And so I'll read the allegation again and give you an opportunity to respond.

So it is alleged that on or about October 20th, 2014, you made a false statement during an interview with Detective March when you stated that McDonald was walking southbound with his body facing east toward Officers Van Dyke and Walsh.

Do you stand by your previous statement as included in Exhibit 5, or is there anything you'd like to add regarding this allegation?

A. As I stated earlier, I don't remember telling him that.

Q. Okay. It is alleged that on or about October 20th, 2014, you made a material omission during an interview with CPD Detective March when, with respect to the McDonald shooting, you failed to state that Officers Van Dyke and Walsh moved towards McDonald prior to the shooting.

Why didn't you tell Detective March

that McDonald changed the direction in which he was walking prior to being shot by Officer Van Dyke -- let me read that again. Strike that.

MS. RUSSELL: I think you're on four.

MR. NEUMER: Strike that.

BY MR. NEUMER:

Q. It is alleged that on or about October 20th, 2014, you made a material omission during an interview with CPD Detective March when you failed to state that Officer Walsh and Van Dyke moved towards McDonald prior to the shooting.

Why didn't you tell Detective March that Officer Walsh and Officer Van Dyke moved towards McDonald prior to the shooting?

A. Detective March never asked me that question and --

Q. Okay.

A. And I never saw that.

Q. You never saw Officers Walsh and Van Dyke move towards McDonald prior to the shooting?

A. No, their vehicle was blocking them.

MS. RUSSELL: From her view.
BY THE WITNESS:
A. From my view --
BY MR. NEUMER:
Q. From your view --
A. -- they were blocked.
Q. Officer Walsh and Officer Van Dyke were blocked from your view by their vehicle?
A. Yes.
Q. It is alleged that on or about October 20th, 2014, you made a material omission during an interview with CPD Detective March when you failed to state that Laquan McDonald changed direction prior to being shot by Officer Van Dyke.
Why didn't you tell Detective March that McDonald changed the direction in which he was walking prior to being shot by Officer Van Dyke?
A. I didn't see that. I didn't see him changing direction.
Q. Okay. It is alleged that on or about October 20th, 2014, you made a false statement during an interview with CPD Detective March

when, with respect to the McDonald shooting, you stated that McDonald raised his right arm toward Officer Van Dyke as if attacking Van Dyke.

Do you stand by that statement, or is there anything you would like to add regarding this allegation?

A. I never made that statement.

Q. You never made that statement to Detective March.

A. To Detective March.

Q. Right. Do you have any idea why Detective March included that statement in his report?

A. I have no idea.

Q. Did Detective March at any time ever ask you to change your story about -- when he was interviewing you?

A. No.

Q. Did he ever direct you what to say regarding the McDonald shooting?

A. No.

Q. How about with respect to when he showed the video and he made a comment; did you feel as if he was instructing you how to

respond?

A. I -- different people were looking at the video, so I just assumed he wanted us to see the video.

MS. RUSSELL: Listen to his question.

Can you read it back.

(WHEREUPON, the record was read by the reporter.)

BY THE WITNESS:

A. No.

BY MR. NEUMER:

Q. Do you know what he was trying to communicate to you by showing the video and making a comment on the shooting?

A. No.

Q. Did you feel pressured by Detective March to agree with his comment -- the comment that he made regarding the video?

A. No.

Q. It is alleged on or about October 20th, 2014, that you made a false statement to CPD Detective March when, with respect to McDonald shooting, you stated that the gunshots Officer Van Dyke fired at McDonald

were rapid fire and without pause.

Do you stand by your previous statement to Detective March, or is there anything you would like to add regarding this allegation?

A. No, that's -- I stick to that. I -- that's -- at that point in time, that's what I heard.

Q. It is alleged that on or about October 20th, 2014, you provided a false narrative to Detective David March of the CPD concerning the McDonald shooting through a series of false statements or material omissions --

MS. RUSSELL: I'm sorry to interrupt you, but what allegation are you on? My next one is in-car video.

MR. NEUMER: Right. So this is one. We're back to allegation one.

MS. RUSSELL: I see. Okay. Got it.

BY MR. NEUMER:

Q. So it is alleged that on or about October 20th, 2014, you provided a false narrative to Detective March concerning the

McDonald shooting through a series of false statements and material omissions.

Do you stand by your previous statements to Detective March, or is there anything you would like to add regarding this allegation?

A. Just what I stated earlier.

Q. Earlier in this interview?

A. In this interview.

MR. NEUMER: Kris, do you have follow-up on this section?

MR. BROWN: Yeah, I've got a couple of follow-ups.

BY MR. BROWN:

Q. You mentioned earlier that Detective March showed you a video in an office --

A. Yes.

Q. -- is that accurate?

Just a little bit ago I thought you might have said something about he showed us the video. I just wanted to get you to clarify, did he just show you the video by yourself in the office, or did he show the whole group in the

big room?

A. It was me, him, and I want to -- I -- as I'm thinking about it, I think there was somebody else in there that was running the video.

Q. Okay.

A. So I -- I'm sorry.

(WHEREUPON, discussion was had off the record between Counsel and Witness.)

BY THE WITNESS:

A. No, I'm sorry, I'm getting you confused. There was no other officers, just me.

BY MR. BROWN:

Q. And the other person that was in the room, that was a technical person to operate the video?

A. I don't know. I don't know.

Q. Sure. You didn't know what the purpose of -- for that other person, you don't know why they were there?

A. No, I don't.

Q. Just to recap, when you were in the side office looking at the video, it was just

yourself, Detective March, and this other person?

A. Yes.

Q. Did the other person say anything to you?

A. No.

Q. Did the other person take any notes as far as you know?

A. No.

Q. In the video that was shown to you by Detective March, was that the same video as what was tendered to you by IAD, I guess via us?

A. I can't answer that because -- it's not that I can't; I don't know. I don't know.

Q. Was it the same video that --

(WHEREUPON, discussion was had off the record between Counsel and Witness.)

MS. RUSSELL: Let me interject. I think the video that she saw was the actions as depicted on the video that was provided to her. Whether it was the same video, she can't be certain.

Is that an accurate statement?

THE WITNESS: Yes.
BY MR. BROWN:
Q. And that's totally understandable. I'm not definitely trying to get you to say it's lie the exact same video --
A. Oh, okay.
Q. -- who knows what he showed that night. I just wanted to get you to say if it was the same footage, like the shooting --
A. Yes.
Q. -- was the same thing that you saw. Okay.
Do you recall how much of the video he showed you?
A. Just the walking southbound and him -- like I said, that little turn.
Q. So just -- you were just shown McDonald walking southbound from the Burger King --
A. I don't even think it was all the way from the Burger King.
Q. Okay.
A. I think it was just him walking and that turn -- that little turn.

Q. You did get to see the actual shooting, though, on the video, right?

A. From the video?

Q. Yes.

A. Yes.

Q. Okay.

A. And all over the news.

Q. Right.

A. Yes.

MS. RUSSELL: Did Detective March show you the shooting portion?

THE WITNESS: No.

BY MR. BROWN:

Q. So the video he showed you, he just showed you McDonald walking, I guess, towards Officer Walsh and Van Dyke, but the video was cut off before the shooting occurred?

A. Yes. It was just the turn and that was it. It wasn't continued all the way.

MR. NEUMER: Can we go off the record for one moment?

MR. BROWN: The time is now 3:10 p.m.

(WHEREUPON, discussion was had off the record.)

MR. NEUMER: The time is 3:12. We'll go back on the record.

BY MR. NEUMER:

Q. Officer Fontaine, I'm now going to show you a portion of the video that was recovered from the in-car video system of Beat 813 Robert vehicle. This is one of the videos that OIG provided to you on February 22, 2016, on DVD.

My colleague, Kris Brown, is going to open the VLC media file titled VIDEO_ TS.IFO on his laptop. File contains six minutes and five seconds of footage. The video has a time stamp on it indicating the date and time the video was recorded.

And we're going to advance the video to the portion time-stamped 9:57 p.m. and 22 seconds. And there's also a corresponding VLC media player time-bar time, which goes from zero to six minutes, five seconds.

And we are at 4:37 on the media player time bar. And, again, we should be at 9:57 and, I think, 22 seconds p.m. in terms of the embedded time stamp.

MR. BROWN: Then we want to go to a little bit before that to capture more of the walking?

MR. NEUMER: Well, I don't think Officer -- what I'm going to first do is play it from here and ask Officer Fontaine to stop the video when she sees her car pull up on the scene.

BY MR. NEUMER:

Q. We can do this a few times, so don't feel any pressure, but why don't we roll the video, and I want you to stop us when you see your vehicle, the vehicle that -- you're a passenger in, correct?

A. Yes.

Q. Pull up on the scene. So we're going to start the video.

(VIDEO BEING PLAYED)

BY THE WITNESS:

A. That's us.

MR. NEUMER: So Officer Fontaine has -- we stopped the video at embedded time stamp October 20th, 2014, 9:57 p.m. and 33 seconds.

BY MR. NEUMER:

Q. Is that correct, Officer Fontaine?

A. Yes.

Q. And you directed us to stop the video because you now see your -- the vehicle you were a passenger in that night, 841 Robert, pull up behind Officers Van Dyke and Walsh; is that correct?

A. Yes.

Q. So what I'm going to do now is, we're going to start the video again, and I want you to point out the turn that you've been -- you referred to a couple times. Is that fair?

A. Yes.

Q. So we're going to start the video. And, again, you can see this a couple times. I want you to direct us to stop the video when you see the turn that you were talking about earlier. So go ahead and start the video.

(VIDEO BEING PLAYED)

BY THE WITNESS:

A. Before that --

BY MR. NEUMER:

Q. We'll go back a few seconds and we'll start again.

(VIDEO BEING PLAYED)

BY THE WITNESS:

A. Stop. You see right here where it looks like he's walking and then...

BY MR. NEUMER:

Q. We have stopped it at 4 minutes and 54 seconds on the VLC media player time bar. There's no time stamp on the -- the time stamp embedded is not visible at the moment on the video footage.

And so, Officer Fontaine, why did you direct us to stop it right here?

A. Because this is where it looks like he went from straight to an angle, a little angle or --

Q. A little angle --

A. -- a twist.

Q. He's making a turn you're saying?

A. Yes.

Q. And is this the turn that Detective March pointed out to you when you were at Area Central and he showed you the video?

A. This wasn't the video. The video he showed me you saw his angle this way (indicating).

Q. You saw whose angle which way?

A. Van -- McDonald, you actually saw him walking, not from the back, but from the side.

Q. From the side?

A. It might be the Dunkin' Donut one?

BY MR. BROWN:

Q. Was it a perspective from further away?

BY THE WITNESS:

A. Yes. It was --

MS. RUSSELL: Let's see the other one, if you don't mind, and then you say if that was the right one.

MR. NEUMER: Let's pull up the Dunkin' Donuts video.

MS. RUSSELL: Or the other car?

BY MR. BROWN:

Q. Is that it? It will take some time for me to get the moment. The vehicles come from this way, and you only get to see a small view from Van Dyke and Walsh like right there.

A. Then it must have been the other one.

MR. NEUMER: For the record, at the moment we are showing Officer Fontaine the Dunkin'

Donuts video surveillance that was provided to Officer Fontaine on DVD on February 22, 2016.

BY MR. NEUMER:

Q. Officer Fontaine, is it fair to say that the Dunkin' Donuts surveillance video footage that we are presently showing you is not what Detective March showed you on the night of October 20th, 2014?

A. Yes.

Q. We're now going to close this out and let's go back to the dash cam footage from --

MR. BROWN: 813.

BY MR. NEUMER:

Q. -- Vehicle 813 Robert. So I'm going to ask you, Officer Fontaine, once we load the file and get it to the appropriate portion, we'll show it to you again, and I'm going to ask you whether it's possible that the 813 Robert dash cam footage is what Detective March showed you on October 20th, 2014. But don't answer just yet. Let's watch the video again and see.

BY MR. BROWN:

Q. And for note, this one is in full-time, so maybe that -- maybe that might

assist you in seeing how it's playing out.

(VIDEO BEING PLAYED)

BY MR. BROWN:

Q. If you want, I can put it slower, frame by frame.

MR. NEUMER: So, for the record, the footage we just showed to Officer Fontaine of the shooting of Laquan McDonald was played at full speed. Previously we showed it to Officer Fontaine at a slowed-down speed.

BY MR. NEUMER:

Q. So, Officer, we'll stop the video. And I want to ask you if you think it's possible that the footage you are watching right now or the footage we showed you is the same footage that Detective March showed you on the night of October 20th, 2014? Do you think that's possible?

A. Yes.

Q. Do you think it's likely that this is the footage Detective March showed you?

A. Yes.

Q. So let's watch again. And I want to -- again, I want -- we've already identified

when your vehicle comes onto the scene. I want you to now to identify for us the turn that Detective March pointed out to you at Area Central on October 20th, 2014.

BY MR. BROWN:

Q. I'm going to ask, would it be easier for you to watch it full speed or would you like it --

A. It has to be slow motion because I can't tell you exactly when --

Q. Sure. No problem.

(VIDEO BEING PLAYED)

BY THE WITNESS:

A. Oh, I'm sorry. I forgot to --

BY MR. BROWN:

Q. That's okay.

MR. NEUMER: We'll go back a few seconds.

(VIDEO BEING PLAYED)

BY THE WITNESS:

A. That -- is that what you want me to say where he turned?

BY MR. NEUMER:

Q. What I want you to identify is what Detective March pointed out to you. I believe

previously you testified Detective March pointed out to you some sort of turn and asked whether you saw the turn when he was showing you the video at Area Central on October 20th, 2014.

So what we want you to identify right now is the turn that Detective March was referring to when he showed you the video. Does that make sense?

A. Yes.

Q. So let's watch it one more time and, again, I want you to focus specifically on the turn that Detective March was referring to.

MS. RUSSELL: If you remember exactly which one he showed you.

(VIDEO BEING PLAYED)

MR. NEUMER: So, for the record, we just showed Officer Fontaine a portion of the 813R vehicle dash cam from about 9:57 -- with the embedded time stamp 9:57 and 28 seconds to 9:57 41 seconds.

BY MR. NEUMER:

Q. Did you see the turn that Detective March was -- mentioned on the night of October 20th, 2014, when he showed you the

video?

A. You know, I'm not sure.

Q. Okay. Can you tell us -- and I'm going to go back.

A. Can I have a minute?

Q. Sure. Take a minute.

MR. NEUMER: The time is 3:24. We'll go off the record.

(WHEREUPON, discussion was had off the record.)

MR. NEUMER: The time is 3:25. We're back on the record.

We're now going to show Officer Fontaine the dash cam video from, I think, 845 Robert. Is that correct?

MR. BROWN: That's correct.

(VIDEO BEING PLAYED)

BY THE WITNESS:

A. No, that's not it.

BY MR. BROWN:

Q. That's not the one Detective March showed you?

A. No.

MS. RUSSELL: Are either of these the one

he showed you?

THE WITNESS: Like I said, I don't...

BY MR. BROWN:

Q. Did the video Detective March showed you appear to be as blurry as --

A. No.

Q. -- this video right here?

A. No.

MR. NEUMER: And, again, for the record, Officer Fontaine is viewing the footage from the 845R vehicle dash cam.

(VIDEO BEING PLAYED)

BY MR. NEUMER:

Q. Officer Fontaine, do you think -- would it help you to watch the 813 Robert dash cam footage additional times to try and identify the turn that Detective March mentioned on the night of October 20th, 2014?

A. Yes.

Q. It would?

MR. BROWN: Okay. So now we'll go back to the 813R video. Would you like to watch it in full speed or the slower speed?

THE WITNESS: No, full speed.

MR. NEUMER: We'll cut to the 9:57 and 28 seconds in the embedded time stamp for the 813 Robert dash cam footage now, and we will show the relevant portion to Officer Fontaine at full speed in an effort to help Officer Fontaine identify the turn that Detective March pointed out to her on the night of October 20th, 2014.

(VIDEO BEING PLAYED)

MS. RUSSELL: The question is do you remember --

THE WITNESS: If that's the one --

MS. RUSSELL: -- Detective March?

THE WITNESS: Yes.

MS. RUSSELL: Are you sure?

BY MR. NEUMER:

Q. So now what I'm going to ask you to do again is have my colleague stop the video -- I want you to have Kris stop the video -- so what we want to do is establish a good record.

If you think you can identify the turn that Detective March pointed out to you -- and if you can't -- I'm not trying to put words in your mouth. You either can or if you don't think you can, that's okay, too, but we're going

to run it one more time and I want you to instruct my colleague to stop the video if you think you identified the turn that Detective March pointed out to you on the night of October 20th, 2014, when he showed you this video.

MS. RUSSELL: So you've identified, you seeing the video, where you have seen the turn, but the question is Detective March that night --

THE WITNESS: Yes.

MS. RUSSELL: Okay? So if you can remember, you can; if you can't, you can't.

MR. NEUMER: So we'll watch it -- maybe go back like three seconds or something.

MR. BROWN: Rewind it one more time?

THE WITNESS: No, I'm not sure.

BY MR. NEUMER:

Q. Do you think that watching it again would help you become more sure -- or would help -- is it fair to say that you've watched the video maybe five to seven times and you're not sure when Detective March -- the exact moment he was -- he referred you to when he

showed you the video?

A. Yes.

Q. Okay.

MR. NEUMER: I think -- did you have any follow-up?

MR. BROWN: I think I have another couple quick ones.

BY MR. BROWN:

Q. I just wanted to ask, prior to the night of the McDonald shooting had you ever been questioned by a detective before?

A. By a detective?

Q. Yes, in this manner that March was questioning you.

A. Not at -- no, not in this situation.

Q. My next question was going to be, are there other situations where you were questioned?

A. On a call. Like if I was on a call and detectives came on scene, yes.

Q. But not in a situation where you were taken back to an area station and questioned about an incident like your observation of an incident?

A. I'm trying to think. I don't recall.
Q. Even in those instances where you weren't taken back to an area, maybe a detective just spoke to you about something else?
A. I have had detectives talk to me about stuff in certain cases.
Q. In relation to your observations as to whatever occurred?
A. Yes.
Q. Okay. In any of those instances, do you recall the detective showing you a video prior to getting your statement?
A. No.
Q. I think from what we were understanding from the -- when you're at the area and when March asked you to come into that office with yourself and then that other person was in there, it didn't sound like there was much conversation that occurred at that meeting, correct?
A. Yes.
Q. Was it -- it safe to say that the stuff -- the statements that are attributed to you in the detective Supplementary Report, those

all came from when March spoke to you near your squad car?

A. Yes.

Q. I just wanted to make sure that -- since he didn't speak to you much at the area, that when he did talk to you about the stuff that's in the report.

A. I can't speak for him, so I don't know, but I'm assuming, yes.

Q. No, I'm kind of asking did you -- the statements that are attributed to you in this report, did you make those statements near your squad car?

A. That one, yes.

Q. Okay.

MR. BROWN: That's all.

BY MR. NEUMER:

Q. The statements that are attributed to you in Exhibit 5 you made to Detective March outside of your squad car at the scene of the Laquan McDonald shooting?

A. Yes.

MS. RUSSELL: Other than the ones she's previously testified to that she did not make.

MR. NEUMER: Understood. Understood.
MR. BROWN: Yes.
BY THE WITNESS:
A. Yes.
BY MR. BROWN:
Q. Yes. Okay. All right.
You mentioned that you weren't certain about the statement in Exhibit 5 about the walking sideways with his body facing east. Can you -- I wanted to get -- if possible, can you elaborate on why you think you might not have made that statement?
A. Because of the fact that I -- I've stated that he was walking southbound swaying the knife. Otherwise, I would understand that I'd be like he was walking actually all the way facing east.
THE WITNESS: Do you know -- how can I say this?
(WHEREUPON, discussion was had off the record between Counsel and Witness.)
BY THE WITNESS:
A. I mean, I just saw him walking

southbound swaying the knife.

BY MR. BROWN:

Q. And that's perfectly fine. I was hoping to get to that language that's in the report that's attributed to you. Is that -- was that language something you typically wouldn't say, like you -- would you say like a person's walking in a direction facing another direction? Is that a statement that you would normally make in a report? Do you get usually that specific with a person's direction as they're walking?

A. Not that detailed. I mean, depending on the situation. But for something like this, it's -- what I witnessed was southbound. Do you know --

Q. I think I understand. So you're saying it's -- depending on the situation, you might have put in your statement that a person was walking in a certain direction, but, in this particular instance, in relation to Exhibit 5, you think McDonald was walking southbound and --

A. Because --

Q. -- that's why you're not sure about that statement being totally accurate?

A. Yes.

Q. Okay.

MR. BROWN: That's all.

BY MR. NEUMER:

Q. Really quickly, with respect to Detective March, did he provide you -- so he showed you the video, right, at Area Central? That's correct, the dash cam -- or he showed you footage of the Laquan McDonald shooting, correct?

A. Yes.

Q. Okay. Did he give you --

MS. RUSSELL: Hold on a second.

(WHEREUPON, discussion was had off the record between Counsel and Witness.)

BY MR. NEUMER:

Q. Did he show you footage of the scene of the Laquan McDonald shooting?

A. Yes.

Q. And he showed you footage of Laquan McDonald walking?

A. Yes.

Q. Is it fair to say you don't know

whether he showed you the actual shooting?

A. Yes.

Q. Is it possible he showed you the shooting?

A. It's possible.

Q. Other than his showing to you of the footage of the scene of the Laquan McDonald shooting, did he provide you with any other information regarding the shooting of Laquan McDonald as you were giving him statements regarding your version of events?

A. I'm sorry, was he...

Q. Did he provide you any other information? He showed you the video. Did he provide you any other details regarding the shooting as you were discussing the -- your witnessing of the shooting?

MS. RUSSELL: I think -- I don't think her testimony was that they were discussing the -- what she witnessed in the room, the video. She did in the car.

BY MR. NEUMER:

Q. At any point in the night of October 20th, 2014, when you were talking to

Detective March, did he provide you details regarding the shooting of Laquan McDonald?

A. No.

Q. Other than showing you the video at Area Central?

A. No.

Q. Nothing else?

A. No.

Q. Did he ever direct you to make certain statements regarding what you witnessed?

A. No.

Q. Did he ever tell you what you said you saw was not accurate?

A. No.

Q. I think now we are going to move on to dash cam. And we want to talk to you about the 841 Robert in-car video system. That 841 Robert is also Vehicle 8948.

Do you have a recollection of the vehicle number you were driving -- you were a passenger in on the night of October 20th, 2014?

A. I don't remember. We change vehicles every day.

Q. If we showed you a report showing

that vehicle 841 Robert was Vehicle Number 8948, would you have any reason to doubt the accuracy of that report?

A. No.

Q. And we'll show you that -- we'll get to that.

So generally what's the purpose of an in-car video system?

A. To make -- I'm sorry. Just to make sure everything's logged in that it's keeping -- that if we arrived on scene -- arrive on a scene of a call or a traffic stop, that we're following, you know, our rules. And if anything goes awry with the subjects being stopped or even can go wrong, it's kind of to protect both parties.

Q. And so that in-car video system, it captures video and audio; is that correct?

A. Yes.

Q. And can you walk us through the ways you interact with the in-car video system as part of your daily duties.

A. You -- well, when you start your tour, you have to log in. The mics do not work

if the camera doesn't work. So if the camera doesn't work, your mics do not work. The mics have to be synced to the camera.

Q. And you sync those mics prior to the start of your tour of duty?

A. To the start of the tour, yeah. Yes. When you turn on your camera at the beginning of your tour, you sync the mics, and then they should all -- everything should be working.

Q. And then throughout the rest of your shift, another -- what other ways do you use the in-car video system for your vehicle?

A. Again, to video any kind of calls, stops, interactions with specific people.

Q. And now I want to talk -- as of October 20th, 2014, what rules and regulations governed your use of the in-car video system?

A. I'm sorry?

Q. Do you know what rules and regulations applied with respect to your or any officer's use of the in-car video system?

A. The use of it? That we have to use it?

Q. (Nodding.)

A. Yes, it's a procedure that we have to use it.

Q. I'm going to show you what we will mark as Exhibit 7. This is Special Order S03-05 issued February 23, 2012.

(WHEREUPON, a certain document was marked Exhibit No. 7, for identification, as of 03/16/2016.)

BY MR. NEUMER:

Q. And this is a Chicago Police Department Special Order pertaining to in-car video systems. I would direct your attention to Section 6 on Page 3 titled Operational Procedures.

So have you seen Exhibit 7, this Special Order before, Officer Fontaine?

A. 6 or 7?

Q. Sorry, it's Exhibit 7. Section 6 of Exhibit 7. But I'm asking you more broadly, have you seen this exhibit, this Special Order prior to today?

A. Yes.

Q. Okay. And where did you come into contact with this Special Order?

A. They have them in the stations.

Q. Did you ever receive training on these procedures?

A. Yes.

Q. Tell us about this training or those trainings.

A. The training was done through eLearning, which is programmed into the computer, where you bring it up and they give you -- they show you how to turn it on, how to turn it off, how it works.

Q. And how long did that training take?

A. I'm not quite sure, but maybe an hour, 45 minutes, hour.

Q. Did you receive any other trainings other than that eLearning training?

A. Not that I recall.

Q. Did you ever go to the academy for a training on in-car video systems?

A. I don't remember.

Q. With respect to that Section 6 on Page -- actually, I think it's Page -- no, it is Page 3, do you see the portion of Section 6(A)(1) where it says, "At the beginning of a

tour of duty" -- I'll insert department members are to -- "visually inspect the in-car video system equipment for damage; obtain the remote transmitter/audio recorder and ensure that it is securely fastened to member's person; follow the startup procedures for the in-car video system as trained and ensure the system is working properly."

Do you see that section?

A. Yes.

Q. Were you familiar with that section?

A. Yes.

Q. Okay. Were you familiar with that section as of October 20th, 2014?

A. Yes.

Q. Did you know that you were to follow those procedures outlined in Section 6(A)(1) of Exhibit 7?

A. Yes.

Q. Okay. Let's see, do you see the note in that same section --

(WHEREUPON, discussion was had off the record between Counsel and Witness.)

MS. RUSSELL: Sorry.

BY MR. NEUMER:

Q. Do you see the note in that same section that states, "Members will immediately notify supervisor if at any time the in-car video system is inoperable, damaged, the equipped vehicle becomes inoperable, or the remote transmitter/audio recorder is missing"?

A. Yes.

Q. Did you ever -- was there ever an occasion where you had to notify your supervisor regarding a damaged in-car video system?

A. Yes.

Q. Okay --

A. Can -- go ahead.

Q. Tell us, how does that process work when you have to notify a supervisor about a damaged in-car video system?

A. The procedure we had at that point was, because we're so short on cars, we -- they assign us a car, and we have to take the car that's assigned to us.

If the equipment's not working, the sergeant by -- sometimes they get stuck in the

station, but by -- when they come out, they'll PDT us and they'll ask us, How's the camera? How's the mics?

Q. Who will come out?

A. The sergeant. We have to send them a message over the computer stating the cameras are working or they're not working or -- when they're not working, there's a ticket number. The ticket number's like a work request that it has to be worked on for the vehicles.

So as long as there's a ticket number, they want us to take the car out. And then we, in turn, will notify the sergeant when he comes out on the street saying, you know what, we have a ticket number, our camera's not working.

Q. So would you notify your -- and I'm talking -- let's direct this all to October 20th, 2014, --

A. Yes.

Q. -- the procedures that are in place as of that time. Would you notify your sergeant every day like, Camera's working or in-car video system is working, or only when it wasn't

working would you talk to your sergeant about it?

A. Every day. It's working every day or it's not working or a ticket number.

Q. So -- okay. So let's say it's not working -- again, going back to that. And I think you touched on this, but like if you try and power on the system or find out it's not working in whatever way, what do you do?

A. Well, if it's not working, like I said, and has a ticket number, we still have to go out.

Q. Okay. And how do you know if it has a ticket number, the vehicle has a ticket number?

A. Because there's an actual -- it says ticket number, and they have it on the camera or they have it somewhere around in the camera.

Q. What if there's no ticket number on the camera?

A. Then we have to notify the sergeant that it's not working and then -- you know, I don't know if he calls -- I don't know what he does, but apparently they're the only ones who

can get a ticket number.

Q. So you call your sergeant, you tell them the in-car video system's not working, and is that it?

A. That's it.

Q. And sergeant does whatever he does. You don't know what he does.

A. Exactly.

Q. Are you familiar with the term "help desk ticket"?

A. Yes.

Q. Is that the -- does that differ from the ticket you were talking about?

A. I'm assuming -- I don't know if that's the same ticket the sergeant gets, I don't know.

Q. But there's like a sticker on -- like say someone had called your supervisor -- say you call your supervisor and report something, in-car video system's not operating, right?

A. Yes.

Q. Are you then supposed to get some sort of sticker or something and put that on the camera?

A. Not a sticker. They just give us a ticket number and we write it down on any piece of paper we have, and then we have to make sure it's somewhere stuck or shoved --

Q. Visible.

A. Visible. On the camera. So whatever --

Q. You can write it on whatever scrap of paper and tape it up there?

A. Mm-hm. Yes.

Q. So, let's see, you were the passenger in the 813 Robert vehicle on October 20th, 2014?

A. No.

Q. 841?

A. Yes.

Q. Right. I apologize. Let's try this again.

You were the passenger in the 841 Robert vehicle on October 20th, 2014, right?

A. Yes.

Q. And 841 Robert, that -- well, let me just back up a little bit.

Were you in the same -- generally, are you in the same vehicle every day as part of

your officer duties?

A. They try to keep you in the same vehicle.

Q. Do you have any recollection, with respect to the vehicle you were in on October 20th, 2014, whether you had been in that vehicle for the days prior?

A. I'm not sure.

Q. But generally you'd be in the same vehicle for a matter of days or weeks? Or tell me how that works.

A. Yes, if everything goes well, yes, then we can have the car almost, you know, months at a time.

Q. Okay. And so the 813 Robert vehicle -- 841 Robert vehicle had an in-car video system, right? For the vehicle you were driving on October 20th, 2014.

A. Yes.

Q. And as of October 20th, 2014, how long had you been either the -- working and driving and being the passenger in CPD vehicles that had in-car video systems?

A. It had been a while since we were in

one with a camera. Is that the question?

Q. Well, say more about what you mean. Prior to October 20th, 2014, you had not been driving vehicles or being a passenger in a vehicle with an in-car video system?

A. There was a lot of -- for the most part, 841 Robert, it's a rapid car, so they get the last --

Q. Rapid?

A. Rapid.

Q. What does that mean?

A. This means that in-progress calls for the whole -- like we have 10 sector, 30 sector, 20 sector.

Q. Okay.

A. So we're not assigned to a beat, so we just kind of float around. And because we're not assigned a beat, we're the last ones to get whatever's left. They want the beat cars out there first, so, basically, whatever's left, they give it to us.

Q. Okay.

A. So a lot of times it's the pool cars that they give the rapid cars, which the pool

cars are cars that -- you know, something's wrong with them.

Q. And so those pool cars don't have in-car video systems?

A. Exactly.

Q. So how long had you been driving or assigned a CPD vehicle that had an in-car video system?

A. I don't recall.

Q. Was it a matter of years, do you think, prior to October 20th, 2014?

A. I don't think it was years, but -- I -- I don't recall because we float around sometimes.

Q. With respect to the vehicle you were driving on October 20th, 2014, do you recall having issues with that vehicle's in-car video system on previous tours?

A. Yes.

Q. Tell us about those issues.

A. The -- well, there had been a ticket number on it for a very -- for a while, and -- see, because they changed it. But a lot of -- that vehicle, the camera wasn't working and it

had a ticket number.

Q. The vehicle you were driving on October 20th, 2014?

A. Passenger, yes.

Q. The in-car video system wasn't working?

A. No.

Q. And you're saying it had a ticket number on it?

A. Yes. I --

Q. I want you to be very clear here. Are you saying that there was a ticket number stickered to the -- somewhere around the camera on the 841 Robert vehicle on the night of October 20th, 2014?

A. Yes.

Q. That's your recollection, that there was a -- some sort of sticker with a ticket number?

A. There was a piece of paper with the ticket number, yes.

Q. So on -- do you recall whether you had driven the 813 -- 841 Robert vehicle on the previous day?

A. I don't recall.

Q. Do you recall what -- so do you recall that 841 Robert vehicle having a sticker on its camera like that previous day, the previous week?

A. Having a ticket number on it, yes.

Q. In the previous week?

A. Yes.

Q. I'm sorry, prior to October 20th, 2014.

A. Yeah, I -- I'm not sure.

MS. RUSSELL: Can we take a quick break?

MR. NEUMER: It's 3:56 p.m. We'll go off the record.

(WHEREUPON, a recess was had.)

MR. NEUMER: The time is 4:03 p.m. We're back on the record.

BY MR. NEUMER:

Q. Officer Fontaine, do you have something you'd like to say clarifying your statement regarding a ticket on the camera of the 841 Robert vehicle on the night of October 20th, 2014?

A. Yes, I'm not sure if there was a

ticket number because we do jump from car to car, so I -- I don't recall.

BY MR. NEUMER:

Q. I want to direct your attention again to the night of October 20th, 2014. Do you recall what sort of procedures you followed at the beginning of your tour with respect to the preparation of the in-car video system for the 841 Robert vehicle?

A. At -- because it was so early in the beginning of the tour, we were still waiting for our sergeant to come out so we can send him a message.

Q. So do you have an independent recollection of attempting to start up the in-car video system for the 841 Robert vehicle on October 20th, 2014?

A. No, we didn't try it because of the --

Q. Sorry, let me -- I'm asking whether you have a specific recollection of October 20th, 2014, and the startup procedures you either attempted or were going to attempt on the night -- on that night. Does that make

sense?

A. Yes.

Q. Okay.

A. Again, because I'm not sure if it had a ticket number or not, I don't -- I don't -- again, depending on if there's no ticket, we try it. But if there's a ticket, we don't. So because I don't know, I can't -- I'm not sure.

Q. You're not sure what kind of protocols you followed with respect --

A. Exactly.

Q. -- in-car video system for the 841 Robert vehicle on October 20th, 2014?

A. Yes.

Q. Do you have any recollection whether you visually inspected the in-car video system for the 841 Robert vehicle for any equipment damage?

A. Yes.

Q. You did?

A. Yes because we -- at the beginning of the tour, we have to walk around the car and make sure if there's any damage outside of it, and then we check inside to make sure there's

nothing left from anyone. And so we did do that.

Q. You and Officer Viramontes?

A. Yes.

Q. And you recall doing that on October 20th, 2014, before the start of your tour?

A. When we get on -- get to the vehicle, that's the first thing we do.

Q. And where is the vehicle located?

A. In the parking lot.

Q. And where is the parking lot located?

A. The district is 3420 West 63rd Street.

Q. Okay. So you recall getting to the parking lot at 3420 West 63rd Street and you and Officer Viramontes doing a visual inspection of the outer --

A. The outside and inside.

Q. So you do an interior and exterior visual inspection of the in-car video system on October 20th, 2014?

A. Yes.

Q. Did you log in to the in-car video

system for the 841 Robert vehicle on October 20th, 2014?

A. To the video part of it?

Q. Well, just the in-car video system you have to log into it, right?

A. We have to log into it. No.

Q. Did you log into the in-car video system for the 841 Robert vehicle on October 20th, 2014?

A. No.

Q. Why not?

A. Again, it wasn't working.

Q. So log-in was not possible?

A. We didn't try it because -- if it had a ticket, we didn't try it. And I remember not trying it.

Q. But you don't --

A. -- I don't remember if there was a ticket or not.

MS. RUSSELL: Can we have a minute, please?

MR. NEUMER: Sure. 4:07 p.m. We'll go off the record.

(WHEREUPON, a recess was had.)

MR. NEUMER: 4:07 p.m. We're back on the

record.

BY MR. NEUMER:

Q. Do you want to make a statement or -- I can't remember what the last question was.

A. About turning on the in-car camera?

Q. Yes.

A. Because I do believe there was a ticket number, that's why I didn't try to log in.

Q. You believe there was like some sort of taped-up number on the in-car video system somewhere on the camera?

A. Yes.

Q. So would there have been any reason for you to sync the microphone to the in-car video system for the 841 Robert vehicle on October 20th, 2014?

A. No.

Q. Because it wasn't working?

A. Exactly.

Q. Okay.

A. Yes.

Q. And there would be no point in verifying that the microphones were synced and

operational because the in-car video system for the 841 Robert vehicle was not working on October 20th, 2014?

A. Yes, you can't sync them if it's not on.

Q. Right. And it's fair to say that there would have been no audio or video recovered from the 841 Robert vehicle's in-car video system the night of October 20th, 2014?

A. Yes.

Q. Because the in-car video system wasn't working?

A. Yes.

Q. And did you at any time on October 20th, 2014, or prior to October 20th, 2014, intentionally tamper with the in-car video system for the 841 Robert vehicle causing it to be nonfunctional?

A. No.

Q. Do you know if Officer Viramontes at any time on October 20th, 2014, or prior to October 20th, 2014, intentionally tampered with the in-car video system for the 841 Robert vehicle on -- causing it to be nonfunctional?

A. No.

MR. NEUMER: At this time we are going to hand you what has been previously marked as Exhibits 8, 9, and 10.

(WHEREUPON, Exhibit No. 8, No. 9 and No. 10 were tendered to the witness.)

BY MR. NEUMER:

Q. This all has to do with the 841 Robert vehicle, and its in-car video system.

So Exhibit 8 is a Supplementary Report created by Sergeant Lance Becvar regarding his findings as to the in-car video systems for five CPD vehicles that were at the scene of the Laquan McDonald shooting including the 841 Robert vehicle.

Exhibit 9 is an in-car camera Video Retrieval Worksheet dated October 20th, 2014, that has notes regarding the five vehicles that were at the scene of the Laquan McDonald shooting including the 841 Robert vehicle.

And then Exhibit 10 is an e-mail dated Friday, July 17, 2015, from Sergeant Lance Becvar to Jonathan Lewin regarding his findings as to the in-car video systems for Vehicle

9- -- well, it says 8949, it's actually referring to 8948, which is the 841 Robert vehicle.

So take a moment. Please look these over, these three exhibits, and let me know when you've had a chance to look these over. You don't -- just let me know when you've had a chance to look these over.

MS. RUSSELL: So how do we know that the -- this 8949, how do we know it's actually not 8949 and it's hers?

BY MR. NEUMER:

Q. Right, so if you look at Exhibits 8 and 9, they refer --

MS. RUSSELL: They flow?

BY MR. NEUMER:

Q. -- 841 Robert vehicle as 8948, both 8 and 9 do. So I think it is fair to say we've also confirmed with Sergeant Lance Becvar that that was a typo, that 8949 is actually 8948, but it is true that it refers to Vehicle 8949.

So I'm proceeding under the assumption that the Vehicle 8949 referenced in the Exhibit 10 e-mail from Lance Becvar to

Jonathan Lewin in actuality refers to the 841 Robert vehicle, 8948.

And with respect to -- I'll direct your attention to exhibit -- why don't we go to Exhibit 8. You'll see that near the bottom of Exhibit 8, which is the Supplementary Report -- you've got it.

With respect to Beat 841 Robert vehicle, 8948, he notes, "Not engaged. Officer reported application error." So my question is, do you recall having a conversation with Sergeant Becvar on the night of October 20th, 2014, regarding the 841 Robert or Vehicle 8948 in-car video system?

A. No.

Q. Do you know who Sergeant Lance Becvar is?

A. No.

Q. Ever heard that name?

A. No.

Q. Do you recall ever having conversations with anyone regarding the in-car video system of the 841 Robert vehicle on the night of October 20th, 2014?

A. No, I don't recall.

Q. So, again, Officer -- sorry, Sergeant Becvar notes in his Supplementary Report that the in-car video system for 841 Robert vehicle was not engaged and that the officer reported application error.

What is the proper protocol for an officer to follow if the in-car video system for their vehicle is not functioning properly?

A. Notify the sergeant.

Q. And did you notify your sergeant on October 20th, 2014, regarding Vehicle 8948 or the 841 Robert vehicle's in-car video system?

A. No, because it was so early in the night.

Q. Okay. Say more. What does that mean that it was early in the night?

A. It was so early in the night because, like I said, until the sergeant comes out, we can't send them a message on the PDT.

Q. And when does he come out?

A. Depending on what he has to do.

Q. So when would it be appropriate to send him a message regarding an inoperable

in-car video system?

A. Usually between -- we usually try between 10:30 and...

Q. 10:30 and after?

A. 10:30, yes, and after.

Q. Did you intend on the night of October 20th, 2014, to contact your sergeant about a malfunctioning in-car video system?

A. Yes.

Q. You did intend to do that?

A. Yes, we were going to let him know that it wasn't working.

Q. At any point in the evening of October 20th, 2014, or the morning of October 21st, 2014, did you notify -- is it Sergeant Franko?

A. Sergeant Franko.

Q. At any time on the night of October 20th, 2014, or the morning of October 21st 2014, did you notify Sergeant Franko about a nonfunctioning in-car video system in the 841 Robert vehicle, Number 8948 and its in-car video system?

A. Not that I recall.

Q. Do you recall whether at any time after October 20th or October 21st you notified Sergeant Franko about a nonfunctioning in-car video system in the 841 Robert vehicle?

A. At -- after the 20th?

Q. Yep, after the 20th, after the 21st, did you ever notify Sergeant Franko about a nonfunctioning --

A. Yes.

Q. -- in-car video system in the 841 Robert vehicle?

A. Yes.

Q. When did you do that?

A. I -- I'm not sure, but they -- I can't remember if I was audio or not, but it -- it happened again where we had a ticket number on our vehicle.

Q. Do you recall whether that was the same vehicle you were driving -- sorry, you were the passenger in on October 20th, 2014?

A. I don't remember.

Q. Do you recall ever notifying Sergeant Franko about an issue with a nonfunctioning in-car video system for the 841 Robert vehicle

after October 20th, 2014?

A. Again --

MS. RUSSELL: Do you remember or not?

BY THE WITNESS:

A. No.

BY MR. NEUMER:

Q. Do you recall filing a help desk ticket with respect to the Vehicle Number 8948 with respect to its nonoperational in-car video system?

A. No.

Q. Any reason --

(WHEREUPON, discussion was had off the record between Counsel and Witness.)

BY THE WITNESS:

A. I don't -- I didn't because we don't do that. Only a sergeant can do that.

BY MR. NEUMER:

Q. Only the sergeant can do the --

A. Only a sergeant --

Q. Help desk ticket?

A. Yes. Not a regular officer. We can't do that.

Q. Can you -- do you have any sense as to why there was no audio recovered from any of the five vehicles, the CPD vehicles that were at the scene of the Laquan McDonald shooting?

A. No.

Q. Were you -- did you know before today that there was no audio recovered from any of those five vehicles at the scene of the Laquan McDonald shooting?

A. Oh, yes.

Q. You did? Were you surprised to hear that none of those five vehicles captured any audio?

A. Yes.

Q. Why were you surprised?

A. I always assumed if the camera's working, the video -- the audio's working. That was my assumption.

Q. Have you ever heard of a practice amongst Chicago police officers to disable the audio component of their vehicles in-car video systems?

A. Have I ever heard of people doing that?

MS. RUSSELL: I think the question was, have you heard of a practice.
BY THE WITNESS:
A. No.
BY MR. NEUMER:
Q. Have you ever heard of occasions where Chicago police officers have disabled intentionally their in-car video systems?
A. No.
Q. Never?
A. No. Not that somebody actually did it, no.
Q. Going to the Notice of Allegations, it is alleged that on or about October 20th, 2014, you failed to ensure the in-car video system for CPD Vehicle 8948 was working properly at the beginning of your tour of duty.
What is your response to that allegation?
A. My response is I -- it happened so early in the night I didn't have a chance to follow our protocol that we're used to because if it was 3:00 in the morning, you would have noticed it would have been done.

Q. But at any time after 10:30 on the night of October 20th, 2014, did you notify your sergeant of an issue with the 8948 vehicle's in-car video system?

A. No because everybody was running around doing other stuff, and I -- I didn't.

(WHEREUPON, discussion was had off the record between Counsel and Witness.)

MS. RUSSELL: Can we go off the record?

MR. NEUMER: Sure. The time is 4:20 p.m. and we'll go off the record.

(WHEREUPON, discussion was had off the record.)

MR. NEUMER: 4:21 p.m. We're back on the record.

BY MR. NEUMER:

Q. Clarifying statement, Officer Fontaine?

A. I didn't notify him because we were already in the area -- we were at the Area.

Q. You were at Area Central at 10:30?

A. No, when -- first of all, everything was going on and then, like I said, I didn't

notify him because when we went to the Area, again, everybody was kind of doing so much different things I didn't have a chance to do it.

Q. Is it fair to say you forgot to notify your sergeant about the inoperable in-car video system for vehicle 841 Robert?

A. Yes.

Q. It is alleged that on or about October 20th, 2014, you failed to immediately notify a supervisor that the in-car video system for CPD Vehicle 8948 was inoperable or damaged. What is your response to that allegation?

A. I didn't notify him right away and also because I assumed there was a -- I thought there was a ticket, so I thought it was already reported.

Q. It is alleged that on or about October 20th, 2014, you failed to record audio and video events with CPD Vehicle 8948's in-car video system during your tour of duty. What is your response to that allegation?

A. I thought it was broken, so that's why it -- there was no video or audio.

Q. Is there any -- are there any documents or -- that you're aware of that would sort of corroborate your statement that there may have been a sticker or a ticket on the camera for the 813 Robert vehicle on October 20th, 2014?

A. No.

Q. Would there be any record that you're aware of that would show that someone had placed a sticker or ticket, taped it up to the camera of the 841 Robert vehicle's -- to that vehicle's camera?

A. The only record would be with whoever the sergeant requests the number through, but that's -- that's the only thing besides having -- or me taking a picture of it, which from now on I will.

Q. If there are no help desk tickets open for that 841 Robert vehicle, I mean, would that -- strike that.

I don't believe there are any help desk tickets open for the 841 Robert vehicle, so how do you explain the lack of a help desk ticket with respect to the 841 Robert vehicle

with your statement that you thought there was a sticker placed on the camera for the vehicle on the night of October 20th, 2014?

A. I don't know.

Q. Is it possible that there was no sticker placed on the camera for the 841 Robert vehicle on the night of October 20th, 2014, and you just forgot to notify your sergeant regarding the nonoperational in-car video system?

A. No.

Q. Not possible?

A. No, because I -- that's one thing that if it -- if there's not a ticket number or something, I do it. This is something that I do.

Q. Yeah, I just -- it's -- you know, I think you've been very forthcoming, and I just -- I think there's perhaps a little bit of a disconnect here.

And I want to give you the opportunity -- this is your, kind of, opportunity to explain to us what might have happened that night. So I -- do you have

anything else to add regarding the...

(WHEREUPON, discussion was had off the record between Counsel and Witness.)

BY THE WITNESS:

A. I mean, looking back, you know, I thought there was a ticket number. Apparently there wasn't. I -- that's -- I don't remember.

MR. NEUMER: Kris, follow-up?

MR. BROWN: Just a couple follow-ups on the dash camera stuff.

BY MR. BROWN:

Q. Those duties you mentioned earlier as far as checking the camera system and the mic system, do those duties hold for the passenger and the driver of a vehicle?

A. Yes.

Q. And if -- and correct me if I'm wrong -- I think you said that if the camera system is operational, you would send a PDT notification to your sergeant and you would also send a notification if the system was not operational, right?

A. Either case, yes.

Q. So in the case where just like for -- I'm not going to say specifically for October 20th, 2014, but if the system isn't working, yourself and your partner would both send a message in the PDT system saying it's not working?

A. No, because we're together, so we'll send the sergeant a message saying we're using this vehicle, camera not working, under ticket number; mic's not working, under ticket number, blah, blah, blah. So we would both send one.

Q. Who would normally send the PDT message?

A. It varies. Whoever -- whoever -- it just varies.

Q. It's not -- there's no rhyme or reason --

A. No.

Q. -- it's not necessarily the driver or the passenger, it's just whoever?

A. Yeah. It's just who signs on first. Like if, say, I'm doing still my check and he's already done with his and he's in there and he just does it, then he'll do it. If it's the

other way around, I'll do it.

So there's -- I mean, for us, there's no rhyme or reason. We just -- either one of us does it.

Q. Okay. Even if there's a note on the car about it not working, you would still put a PDT message in, correct, either yourself or your partner?

A. Yes.

Q. And, in theory, the days preceding whoever used that vehicle -- I'm talking about the 841R vehicle -- they, whoever used the vehicle, would also have put in a PDT message relating to the video system working or not working, correct?

A. I can't answer for everybody. I don't know what they do.

Q. Sure. I'm not trying to -- because I don't know for certain if you drove the car the day before or, you know, if Viramontes was in the car the day before. I'm asking just more so is it just general policy in your district that pretty much whoever is in the car, they're going to send a PDT message to the sergeant if the

video system is either working or not working?

A. Yes.

Q. Do you know if the sergeant ever followed up if he doesn't receive a message about the system not working?

A. He'll send messages. If somebody doesn't send him a message, he'll send a message about your vehicle and stuff.

Q. Do you recall receiving such a message on October 20th or I guess maybe even the next day, October 21st, 2014?

A. No.

Q. Do you recall getting any message maybe in the later days about that one particular day, October 20th, 2014?

A. No.

Q. Other than the PDT message, is there any other notification that you would make to the sergeant or anyone else if there was an issue with the video or, I guess, the audio in the vehicle?

A. No, just the sergeant.

Q. But I mean other than the PDT message, would there be anything else? Would

you do an e-mail or a phone call or anything else?

A. No.

Q. Just PDT message?

A. Yeah, or if we see him on a call face to face. I mean, otherwise, it's just a PDT.

Q. So even if you see him face to face, do you not have to do the PDT for that day?

A. Well, we do. We send a message.

Q. And you send it -- is that because it's policy, or why do you send it even though you've seen him that -- the sergeant that day?

A. To make sure it's notated that we -- so we have proof that we -- that we're covering ourselves.

Q. That makes sense. As far as you know, is that policy or --

A. I don't know.

Q. -- the policy?

A. I don't know.

Q. Earlier you mentioned that you -- that particular day of October 20th, 2014, you didn't send a PDT out because the McDonald incident happened fairly early and you would

normally send a message out around 10:30.

I wanted to ask why is it that you have to wait until 10:30 to send a message? Can't you just send it whenever you notice that the video system is not working?

A. No, the sergeant has to be logged on to his PDT for it to accept messages. So even if we send a message, it says it won't accept it because it's not logged on.

Q. I see. I didn't know. I thought it was like an e-mail.

A. Oh, no.

Q. So the sergeant also has to have his system on to receive a message?

A. Yes.

Q. I guess in order to get it from you.

A. Yes. So even if we say -- that's how we know he's still in the station because if we try and it doesn't go through, it means he's still not out.

Q. Does the system work where, let's say, you send a message and the sergeant doesn't have the system on, that he will receive your message when he turns his system on?

A. I'm not sure.

Q. I guess is it safe to say that you always want to make sure the sergeant has his PDT system on before you send him a message?

A. Well, yes, because I -- to my knowledge, he wouldn't receive my message.

Q. But your system would tell you if you tried to send the message and he didn't get it --

A. Yes.

Q. -- correct?

A. Yes, so you just keep trying.

Q. Okay. And, for whatever reason, the sergeant usually doesn't have his PDT message system on until 10:30?

A. No, whenever he comes out. Again, sometimes -- depending on what he has to do after roll call, he might be out right with us, he might not. So depending on when he comes out, I -- you know.

Q. Okay.

MR. BROWN: Those are all the questions I have.

MR. NEUMER: I'm going to go off the record

for one moment. The time is 4:33 p.m.

(WHEREUPON, discussion was had off the record.)

MR. NEUMER: The time is 4:35 p.m. We're back on the record.

BY MR. NEUMER:

Q. You know, we have no substantive follow-up on any of the previous topics, but we will give you the opportunity -- understanding what we're looking for here today, we try to be thorough, we try to ask you all relevant questions, but we want to give you the opportunity, is there anything else you would like to add today?

Or, put differently, are there any questions that we should have asked you that we didn't?

MS. RUSSELL: Sorry guys.

MR. NEUMER: The time is 4:35 p.m. We'll go off the record.

(WHEREUPON, a recess was had.)

MR. NEUMER: The time is 4:37 p.m. We're back on the record.

BY THE WITNESS:

A. I just wanted to say one thing. I've answered everything as best as I could, as honestly as I could, but it's stressful because you're on TV, grand jury -- I'm sorry -- your name's all over the place...

MS. RUSSELL: Let's take another quick break.

MR. NEUMER: Time is 4:37. We'll go off the record.

(WHEREUPON, a recess was had.)

MR. NEUMER: The time is 4:39 p.m. and we'll go back on the record.

BY THE WITNESS:

A. I just wanted to say I've been in front of the grand jury, the FBI, in the newspapers. Everywhere I turn, my name is there.

From the beginning I've been trying to be honest and remember as best as I can, but with everything being thrown in your face, you start seeing things different. And you don't want to answer wrong or you don't want to say what you think you saw now because you saw

something else.

So, for this, the best of my knowledge, I've answered as best and truthful as I know. That's all I wanted to say.

MR. NEUMER: The time is 4:40 p.m. and we'll go off the record.

(WHEREUPON, the interview was concluded at 4:40 p.m.)

C E R T I F I C A T E O F R E P O R T E R

I, MICHELLE M. YOHLER, a Certified Shorthand Reporter within and for the County of Cook, State of Illinois, do hereby certify:

That previous to the commencement of the examination of the witness, the witness was duly sworn to testify the whole truth concerning the matters herein;

That the foregoing interview transcript was reported stenographically by me, was thereafter reduced to typewriting under my personal direction and constitutes a true record of the testimony given and the proceedings had;

That the said interview was taken before me at the time and place specified;

That I am not a relative or employee or attorney or counsel, nor a relative or employee of such attorney or counsel for any of the parties hereto, nor interested directly or indirectly in the outcome of this action.

IN WITNESS WHEREOF, I do hereunto set my hand and affix my seal of office at Chicago, Illinois, this 18th day of March, 2016.



C.S.R. Certificate No. 84-4531.

Exhibits

Fontaine Exhibit No. 1 3:4 15:22 16:2

Fontaine Exhibit No. 2 3:5 16:11,15

Fontaine Exhibit No. 3 3:6 17:1,5 18:8

Fontaine Exhibit No. 4 3:7 17:15,19 18:12

Fontaine Exhibit No. 5 3:8 18:17,23 19:3,13 108:21,23 110:17 112:19 113:7,14 114:5 115:1 122:11 123:3 124:4,22 128:5 131:3,13 157:19 158:8 159:20

Fontaine Exhibit No. 6 3:10 19:23 20:4,8,14 108:19, 23,24 111:17

Fontaine Exhibit No. 7 3:11 165:4,7, 15,18,19 167:18

Fontaine Exhibit No. 8 3:12 184:5, 10 186:5,6

Fontaine Exhibit No. 9 3:13 184:16

Fontaine Exhibit No. 10 3:14 184:21 185:24

0

03/16/2016 16:3, 16 17:6,20 18:24 20:5 165:8

1

1 15:22 16:2

10 174:13 184:4,6, 21 185:24

10:30 188:3,4,5 193:1,22 202:1,3 203:15

12:18 4:18

12:25 11:19

12:27 11:22

12:30 13:18

12:31 13:22

12:38 19:6

12:40 19:9

12:52 30:18

12:55 30:20

13 101:13

14 7:11

15 58:20 103:9,13 106:18

15-minute 63:11

16 4:18 18:19

17 184:22

1:30 65:21

1:32 65:24

1:53 86:4

2

2 16:11,15 18:5,7 20:19

2-56 5:9 9:1

20 174:14

2012 165:5

2013 101:14,15

2014 19:24 26:5,9, 13,16 27:10 41:1,2 101:4 102:3 103:19 104:14 105:6 106:3,6,21 107:4 109:7 111:18 113:17 114:8 115:18 116:20 117:2 123:2,21 125:1,8, 19,24 128:4,8 129:8 131:7,19 132:9 133:11,23 135:21 136:10,23 143:21 147:8,20 148:17 149:4 150:4,24 152:18 153:7 154:5 161:24 162:21 164:16 167:14 169:19 172:12,19 173:6,18,20 174:3 175:11,16 176:3, 15 177:10,23 178:5,17,22 179:13 180:6,22 181:2,9 182:17 183:3,9,15,16,21, 22 184:17 186:13, 24 187:12 188:7, 14,15,19,20 189:20 190:1 192:15 193:2 194:10,19 195:6 196:3,7 198:3 200:11,15 201:22

2015 18:19 28:2 31:9,10 94:12 184:22

2016 4:18 16:9,13, 23 17:3,13,17 18:2,9 19:19 20:15 28:5 142:9 147:2

20th 19:24 26:5,9, 13,16 27:10 41:1,2 101:4 102:3 103:19 104:14 105:6 106:3,6,20 107:4 109:7 111:18 113:17 114:8 115:18 116:20 117:2 123:2,21 125:1,8, 19,24 128:4,8 129:8 131:7,19 132:9 133:11,23 135:21 136:10,23 143:21 147:8,20 148:17 149:4 150:4,24 152:18 153:7 154:5 161:24 162:21 164:16 167:14 169:19 172:12,19 173:6,18,20 174:3 175:11,16 176:3, 15 177:9,23 178:5, 17,22 179:13 180:6,22 181:2,9 182:17 183:3,9,15, 21,22 184:17 186:12,24 187:12 188:7,14,19 189:2, 5,6,20 190:1 192:14 193:2 194:10,19 195:6 196:3,7 198:3 200:10,15 201:22

21st 188:15,20 189:2,6 200:11

22 16:9,12,22 17:3, 13,17 18:2,9 19:19 20:15 142:8,18,23 147:2

23 165:5

28 150:19 153:2

2:00 86:7

2:02 88:23

2:04 91:12

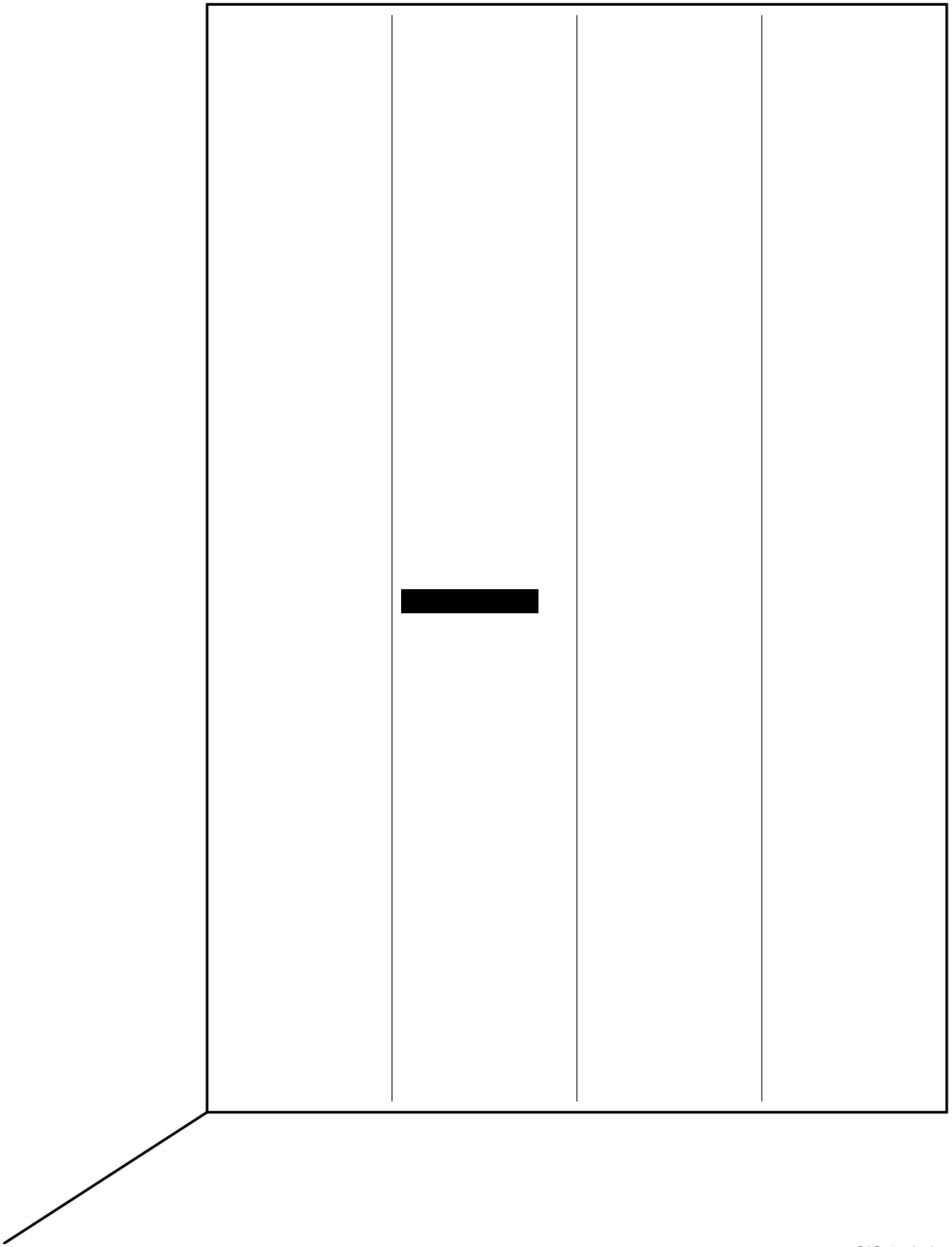
2:05 91:15

2:30 113:22

2:36 114:1

2:43 119:19

2:44 119:22



agency 10:2 24:11
agents 39:13 90:2
agree 83:18 135:17
agreed 13:14,23
agreement 12:9 88:2 95:7,8
ahead 37:13 144:16 168:15
aid 4:6 97:18
air 42:10 43:10 44:16 54:16
allegation 130:11, 16 131:4,15 134:6 136:5,16,19 137:6 192:19 194:13,22
allegations 17:2, 9,12 18:9 21:16 23:7,8 129:4,5 130:10 192:13
alleged 129:7 131:6,18 132:8 133:10,22 135:20 136:9,22 192:14 194:9,18
allowed 9:8
aloud 6:15 7:6,18 8:2,9,19 9:4,8,11
ambulance 47:13
Amendment 28:8
Amicus 4:19
amount 32:12 103:9
and/or 23:20
angle 117:18,20 118:15 119:3,5,6 120:2,7,9 145:13, 14,15,23 146:1
ankle 101:6,12
answering 6:12
answers 24:6
apologize 172:16
apparently 170:24 197:7
appearance 18:8 27:13
appeared 121:10
applicable 12:8
application 186:10 187:6
applied 164:20
approximately 56:15
arbitrator 23:10
area 25:9 63:19,23 64:2,9,14,18,20 65:9,12 67:5,10 68:7 69:13 71:6,21 72:11,16,19,20,21 73:15 74:7,23 75:17 76:2 78:18 79:10 85:2,5 98:8 145:21 149:3 150:4 155:22 156:3,16 157:5 160:7 162:5 193:21,22 194:1
areas 25:8
arguments 12:19 24:20
arm 34:23 115:13, 24 116:6,16,21 117:1 125:3,11 134:2
arrests 96:22
arrive 43:16 97:11 163:11
arrived 32:22 45:4 67:10 107:19 120:5 163:11
asks 66:24 97:13
assert 24:4 28:7
assign 168:21
assigned 168:22 174:16,18 175:7
assignment 26:2, 4,9,10
assist 148:1
Assistant 14:17
associate 104:8
associating 105:14
assume 29:21
assumed 135:3 191:16 194:15
assuming 59:14 69:14 111:8 112:9 157:9 171:14
assumption 185:23 191:18
assurance 12:5
attached 99:17
attacking 34:23 92:23 93:2 115:7, 14 116:1,7,17 117:3,5 122:13 123:6 125:3,12 134:3
attempt 38:12,18 178:23
attempted 178:23
attempting 14:22 178:15
attention 80:8 82:13 112:18 165:12 178:4 186:4
attorney 5:4 22:15 25:1 35:18 39:14 89:9 91:8,22 95:23 96:1
Attorney's 88:10, 15,16 89:5,7,12 90:7,14,21,24 91:24 92:3
attributed 112:20 115:2 124:15,21, 23 130:6 131:2 156:23 157:11,18 159:5
audible 107:7
audio 4:8,12 18:12,14 163:18 183:7 189:15 191:2,7,13,21 194:19,24 200:20
audio's 191:17
author 97:20
authored 94:5 97:4
authoring 97:18
aware 11:5 87:15 88:5 195:2,9
awry 163:14

B

B-r-o-w-n 5:1
Bacerra 70:16,18, 19,21 78:2 104:14, 21 105:2 107:23
back 11:21 13:23 15:20 18:6 19:10 28:22 30:21,23 43:17,20 47:13,15 48:9,11,17 59:14 66:1,11,19,21 67:3 70:3 73:24 80:12 83:1,6 84:8 85:7 86:8 88:8,24 91:16 114:2 119:23 124:20 127:21 135:6 136:19 142:2 144:21 146:3 147:11 149:17 151:4,11 152:21 154:15 155:22 156:3 170:6 172:22 177:17 181:24 193:15 197:6

background 25:5
bad 92:17
bar 142:22 145:6
barely 43:16
Bargaining 12:9
based 10:19 24:5
basically 41:23 58:4 174:20
basis 7:4,23 9:1
bathroom 67:16
beat 18:14 21:22 22:6 26:6 49:21 52:21 53:14,15 57:12 86:24 142:7 174:16,18,19 186:8
beats 51:24
Becvar 184:11,23 185:19,24 186:12, 16 187:3
beginning 164:7 166:24 178:7,11 179:21 192:17
behalf 11:6 12:24 22:13 29:16
Beverly 108:9
big 69:12 70:8 75:24 80:13 98:10, 21 99:17 138:1
birthday 100:16
bit 27:12 66:4 73:9 89:3 93:10 105:8, 9,21 124:2 137:20 143:2 172:22 196:19
Blackberry 14:1
blah 198:11
block 42:16 43:2,9 44:20 45:14
blocked 133:6,8
blocking 43:6 44:2 47:2 132:24
blocks 48:7,8
blurry 152:5
Bob 14:4,5
body 47:11 48:16 66:14,18 122:16 123:12 126:6,14, 20 129:11 131:10 158:9
bottom 87:20 186:5
bought 106:12
break 30:16 91:11, 13 113:21 119:17 177:12
briefly 88:9
bring 166:9
brings 99:12
broadly 165:19
broke 101:5,11
broken 194:23
brought 28:22 52:23 95:1
Brown 5:1 6:7 14:16 25:17 86:9 87:13 88:23 89:1 91:9,12,15,19 94:1 95:18 99:24 108:16 137:12,14 138:14 140:2 141:13,22 142:10 143:1 146:6,17 147:12,22 148:3 149:5,15 151:16, 20 152:3,21 154:16 155:6,8 157:16 158:2,5 159:2 160:3 197:10,12 203:22
Brown's 5:20
Bureau 15:7
Burger 140:18,21
butt 120:18
button 54:23
bye 106:23

C

call 13:12,24 41:19,21 42:7 44:14 47:20 49:15, 24 50:1,13 69:3 78:15 84:14 102:18,19,20 103:1,21 105:8 110:8 155:19 163:12 171:2,19 201:1,5 203:18
called 47:13,15 48:9 69:20 95:7 110:24 171:18
calls 35:24 48:11 82:5,12 102:22 103:23,24 107:15 164:13 170:23 174:12
cam 147:11,19 150:18 151:14 152:11,16 153:3 160:8 162:16
camera 22:2,8 164:1,3,7 169:2 170:17,18,20 171:24 172:6 174:1 175:24 176:13 177:4,21 182:5,12 184:16 195:5,10,12 196:2, 6 197:11,14,19 198:9
camera's 169:15, 23 191:16
cameras 169:6
capture 143:2
captured 191:12
captures 163:18
car 26:7 46:19
51:3 57:16,21 59:14 72:17 118:5 120:10 143:6 146:16 157:2,13, 20 161:21 168:21 169:12 173:13 174:7 178:1,2 179:22 199:6,19, 21,23
cars 49:21 52:21 57:12 168:20 174:19,23,24 175:1,3
case 18:18 19:3,13 21:17 48:21,22,23 49:3,6 51:6,14 52:11 53:9,17,22 54:5,8,14,19,21 55:9,15,18 56:1,23 57:4 59:22 64:10, 13,17 66:12,13 86:11,13,16,21,23 87:19 94:4 109:11, 15,18,21,24 110:4, 11,13,18,21 111:4, 7,13 112:19 113:14,19 114:5, 12 197:24 198:1
cases 156:6
causing 183:17, 24
CBA 12:16 24:15
cell 27:6,9 36:7
Central 63:23 64:2,9,14,18,20 65:9,13 67:10 68:7 71:6,22 72:12,20 74:7,23 76:2 78:18 79:11 85:3,5 98:8 145:21 149:4 150:4 160:7 162:5 193:22
certified 4:3
chain 26:15
chance 89:10 113:2,10 115:1 185:6,8 192:21

194:3

change 85:7 119:11 134:16 162:22

changed 110:6 132:1 133:14,17 175:23

changing 133:21

chaos 42:9

Chapter 5:9

charge 43:13

charges 9:18 10:5,11,17 11:13 12:6

check 179:24 198:22

check-off 103:3, 21,24 105:8

checking 197:14

Chicago 5:2,6,10 6:8 7:3,11,16 8:24 14:7 15:6,12 23:6 112:16 113:5 165:10 191:20 192:7

choosing 8:13

Chris 74:14

circumstances 98:2

city 5:2,6,10 6:8 15:11 23:5 108:1

civilian 43:7 44:3

clarified 92:22 93:6

clarify 88:13 89:4 91:17,20 92:13,14 114:15 137:22

clarifying 66:5 92:12 93:12 177:20 193:18

cleanup 25:11,18

clear 44:11 176:11

close 108:4,5 147:10

closer 51:2 63:2

Code 5:10

colleague 25:10 142:10 153:17 154:2

Collective 12:8

collectively 49:13 59:9

command 15:1 26:15

commander 13:12,14,24 14:4, 9,11,13 15:2,5,14 22:24 26:22,23 27:2

comment 83:9,13 134:23 135:14,17, 18

communicate 135:13

communications 35:20 36:11,15

compare 97:24

compelled 11:1

complaint 101:23

complete 46:3,5 52:10 54:7,9 64:17

completed 54:10, 14 55:9 61:17 64:9

completely 6:13

completing 51:6 54:5 56:23 57:4 59:22 64:13

completion 53:22 55:17 56:1

component 191:21

computer 46:16 70:8 71:6 75:23 77:3 79:15,20,23 80:23 81:22 82:2, 14 99:16 166:9 169:6

computer's 81:11

computers 70:4 79:12

conducted 5:9

conducting 9:22, 24 10:8,21 11:15 23:7 24:8,9

confidential 4:9

confirmed 185:19

confused 50:8 93:8 130:19 138:13

confusion 48:18

conscious 85:24

constitute 7:10 8:24

constitutes 7:1

constitutional 11:12 12:3

consult 8:14

contact 165:24 188:7

contained 22:1

continue 75:21 84:10

continued 141:19

contract 11:8 23:23

control 42:24 44:15 45:8,13 47:1

controlling 41:7

conversation 56:19 57:14 58:12 60:1,4 61:2,10,20, 23 62:3,6 63:12,18 71:7 74:1 79:18 85:16 156:19 186:11

conversations 60:10,14 61:4,9, 13,18,22 62:2,7 74:10 79:9 95:2 97:2,21 98:11,15 186:22

Cook 26:21 27:3 88:14 89:5,8,11 90:7,13,20 92:2

cooperate 6:11

copy 6:2 23:20 49:15 53:1,3 95:19

correct 10:16 13:10,17 14:2 21:23 22:3 27:16 30:2 31:1,16 32:13 33:15 41:3,13 44:12 45:5 56:6 63:13,22 68:4 77:12 78:5 82:7 83:16 86:14 96:7 100:13 114:4,9 115:18 125:14,15 128:19 130:15 143:12,23 144:5 151:15,16 156:20 160:8,10 163:18 197:18 199:7,15 203:11

correctly 30:5

corroborate 195:3

counsel 8:13,16 12:23 13:13,23 14:15 23:3 25:6,10 46:10 91:3 93:17 122:2 127:6 129:17 138:9 139:17 158:21 160:15 167:23 190:14 193:8 197:3

County 88:14 89:5,8,11 90:7,13, 21 92:3

couple 103:22 137:12 144:10,13 155:6 197:10

court 4:3,8,10,15, 19,22 5:13

court-reported 14:14

covering 201:14

coworker 102:8

coworkers 105:7

CPD 5:6 16:12 18:18 19:13 21:17 110:19 131:20 132:10 133:12,24 135:22 136:11 173:22 175:7 184:13 191:3 192:16 194:12,20

crazy 44:17 60:11

create 110:8,13

created 110:17,18 184:11

creates 109:24 112:7

criminal 8:7 9:18, 23 10:5,9,11,14, 17,23 11:4,13 12:6 24:9 29:23

CSR 108:21 109:7, 8

CSRS 110:9

cubicles 67:24 68:16,21 69:16

current 26:1

custom 4:7

cut 141:17 153:1

D

daily 163:22

damage 167:3 179:18,23

damaged 168:6, 12,18 194:12

dash 147:11,19 150:18 151:14 152:11,15 153:3 160:8 162:16 197:11

date 4:18 31:10 37:3 86:23 142:14

dated 16:12 17:3, 16 18:19 19:24 109:6 111:17 184:17,22

daughter 105:19 106:2

daughter's 105:20

David 136:11

day 28:21,24 40:1 84:15 96:14 162:23 169:23 170:3 172:24 176:24 177:4 199:20,21 200:11, 15 201:8,12,22

days 173:7,10 199:10 200:14

decide 97:14

decided 23:10

decision 37:19 60:19 85:24

deemed 11:15

deems 11:10

deliberate 60:19

deliberately 8:23

department 7:3, 16 15:7 112:16 165:11 167:1

Department's 7:12

depending 159:12,17 179:6 187:22 203:17,19

depends 33:11 120:19

depicted 139:21

describe 33:13,18 40:3 68:15 100:23

designees 15:10

desk 80:21 81:10, 13,14,16,17,19,20 171:10 190:7,22 195:18,22,23

detail 36:19 99:10

detailed 8:17 159:12

details 58:8 82:3 128:11,20,22 161:15 162:1

detective 18:21 20:1 34:9,11 38:3 40:12,17,22 46:2 55:20,21,23 56:2, 12,16 57:4,19,23 58:11,17,24 59:19 60:5 61:3,11,20,24 62:4,8 63:9,15 64:24 65:2,16 66:23 71:19,22,24 73:21 80:1 81:10 83:18 87:1 92:9 94:5,8 99:20 109:9 110:16,18 112:9 113:16 114:7 115:5,17,22 122:13,21 123:1,8, 20 124:1,12 128:2, 8,11,12,14,17,23 129:9 130:7,17 131:2,8,20,24 132:10,14,17 133:12,16,24 134:9,10,12,15 135:17,22 136:3, 11,24 137:4,16 139:1,11 141:10 145:20 147:7,19 148:16,21 149:3, 24 150:1,6,12,23 151:21 152:4,17 153:6,12,21 154:4, 9,23 155:11,12 156:3,11,24 157:19 160:6 162:1

detectives 68:18 69:13 110:14 111:7 155:20 156:5

differ 34:20 40:7, 11,16 171:12

differently 128:10

differs 34:19,21

direct 15:9 22:23 43:6 44:3 112:18 134:19 144:14 145:11 162:9 165:12 169:18 178:4 186:3

directed 144:1

directing 59:9

direction 115:12 118:2,22 119:11 132:1 133:14,17, 21 159:8,11,19

direction-wise 117:24

directly 124:3

directs 82:13

disable 191:20

disabled 192:7

discharge 7:4,24 9:2

disciplinary 7:23

disconnect 196:20

discontinued 4:13

discuss 36:20 37:1,8,20 60:22

discussing 161:16,19

discussion 13:20

19:7 46:9 65:22 88:21 91:2 93:16 122:1 127:5 129:16 138:8 139:16 141:23 151:9 158:20 160:14 167:22 190:13 193:7,13 197:2

disk 18:15

district 26:3,7,8 49:18 50:5 52:17 85:7,10,13 104:6 180:13 199:22

document 6:3 9:9 16:1,11,14 17:2,4, 9,16,18 18:22 19:3,16,19,22 20:3 87:19 165:6

documents 95:10,11,20,23 195:2

Donut 146:5

Donuts 22:2,7 146:15 147:1,5

Dora 5:5,11 6:6 14:15 15:8 25:24

doubt 163:2

drinks 67:15,17

drive 64:8,17 99:17

driven 176:23

driver 97:8,9 197:16 198:19

driving 64:13 162:20 173:18,22 174:4 175:6,16 176:2 189:19

drove 64:3,4,6 85:12 199:19

due 84:21

duly 5:15

Dunkin' 22:2,7 146:5,14,24 147:5

duplicative 129:6

duress 22:21

duties 111:12 112:15 163:22 173:1 197:13,15

duty 6:11 164:5 167:1 192:17 194:21

DVD 22:1 142:9 147:2

Dyke 32:11 34:23 35:21 51:9,12 71:1 75:3,6 101:2,3,17, 20,24 107:22 115:7,13,14 116:1, 7,16,17,22 117:3 118:10 120:9,15 121:19,20 122:14, 17 123:6,13 125:3, 12 126:15,21 129:12 131:11,22 132:3,12,15,22 133:7,15,19 134:3 135:24 141:16 144:4 146:21

Dyke's 36:6

E

e-mail 184:21 185:24 201:1 202:11

e-mails 36:4

earlier 88:8 92:20 131:16 137:7,8,15 144:16 197:13 201:21

early 178:10 187:14,17,18 192:21 201:24

easier 149:6

east 122:16 123:12 126:6,15, 21 129:11 131:10 158:9,17

eastbound 127:11

edited 87:5,8,12, 14

effort 153:5

elaborate 158:11

elearning 166:8, 16

else's 87:22

embedded 142:24 143:20 145:8 150:19 153:2

employee 112:16

employment 12:15

end 15:18 25:9,16 106:16

enforcement 10:2 24:11

engaged 186:9 187:5

ensure 38:12 167:4,7 192:15

entire 54:4 124:10

entitled 12:3,22 16:11 17:16 24:19

equipment 167:3 179:17

equipment's 168:23

equipped 168:7

ERA 46:13

error 186:10 187:6

establish 153:19

estimate 52:13 53:21 54:1

estimated 63:11

evening 63:16 188:13

event 31:6 42:1 98:22

events 34:7,8,10 161:11 194:20

eventually 79:22 80:1

everything's 163:10

evidence 7:22

eviscerate 12:20

exact 140:5 154:23

excerpt 18:18 19:4,13 21:17 109:7

exhibit 15:22 16:2, 11,15 17:1,5,15,19 18:8,12,17,23 19:3,13,23 20:4,8, 14 108:19,21,23 110:17 111:17 112:19,21 113:7, 14 114:5 115:1 122:11 123:3 124:4,12,22 128:5 131:3,13 157:19 158:8 159:20 165:4,7,15,18,19, 20 167:18 184:5, 10,16,21 185:24 186:4,5,6

exhibits 16:6,7 18:5,7 20:19 21:6 38:2,6 108:19 109:2 184:4 185:5, 13

expeditious 25:19

experience 102:7

explain 86:20 97:5,6 119:13 120:1 121:9 195:23 196:23

explained 34:16 95:12,13

extent 24:2
exterior 180:20
extra 109:23 110:5
extremely 30:2

F

F-a-h-e-y 35:11
F-a-h-y 35:14
face 201:5,6,7
faces 101:9
facing 122:16 123:12 126:6,15, 21 129:11 131:10 158:9,17 159:8
fact 23:5 33:22 158:13
facts 109:23
Fahy 35:5,10
failed 25:12 131:22 132:11 133:13 192:15 194:10,19
fair 13:2,13 49:12 54:20 77:1 81:14 103:5 111:6 144:10 147:4 154:21 160:24 183:6 185:18 194:5
fairly 201:24
fall 31:10
false 7:13,14 8:22 129:8 130:16 131:7 133:23 135:21 136:10,13, 23 137:1
familiar 61:6 110:10,21 111:18 167:11,13 171:9
fast 60:8
fastened 167:5
fault 61:16
FBI 38:22 39:2,5, 13 40:4,6,10,15,20 88:10 89:3,14 90:2,18 91:6 92:4, 7,15,16 93:12,20, 23 94:3,18,20 95:2,6,9
February 16:9,12, 22 17:3,13,17 18:2,9 19:19 20:15 142:8 147:2 165:5
federal 23:21 27:15,19,22 28:17 29:13,15 31:1
feel 21:7 98:3 126:23 134:24 135:16 143:9
feeling 98:21
felt 32:9
file 142:11,12 147:16
filed 11:6 23:13
files 18:13,15
filing 190:7
fill 48:12 84:21 111:7,13
filled 5:19 6:2 46:7 49:13 86:11 111:3 112:14
filling 84:22 86:23
final 94:4
find 170:8
findings 184:12, 23
fine 21:2 25:20 95:17 115:10 159:3
fire 136:1
fired 135:24
float 174:17 175:13
floor 76:3,4,5
floors 76:7
flow 185:15
flush 73:8 93:9
FO- 69:17
focus 150:11
focussing 124:10
folks 77:14
follow 47:13 66:14 167:6,16 187:8 192:22
follow-up 25:11, 18 99:24 108:13, 16 137:10 155:5 197:9
follow-ups 137:13 197:10
Fontaine 4:14 5:4, 5,11,12,14,16 6:6, 14 7:5,17 8:1,8,18 9:3,10,15 10:6,22 11:1,7,23 12:17,24 13:2,15 14:10,15, 21,22 15:3,8 16:6, 18 17:23 18:13 19:2,15 20:2,7 21:13 25:7,22,24 27:5 30:24 66:3 80:7 86:10 89:2 91:20 100:4 127:20 142:4 143:5,19,23 145:10 146:24 147:2,4,15 148:7, 10 150:17 151:14 152:10,14 153:4,5 165:16 177:19 193:19
Fontaine's 18:20 24:24 108:13 109:8
footage 140:9 142:13 145:9 147:6,11,19 148:7, 14,15,21 152:10, 16 153:3 160:9,18, 21 161:7
FOP 67:13,18 69:17 74:1,3,6,22 75:11,19 77:2
forgot 149:14 194:5 196:8
form 5:17 15:17, 19,22 17:16,22 18:1 21:16 110:15 112:17
format 111:2
forthcoming 196:18
forward 12:20 21:9 24:21 25:19
found 18:15
frame 29:4 148:5
Franko 26:19 27:3 42:20,21 43:10 44:14,22 45:4 48:15 54:11,13 55:14 65:3,15 84:17,18 188:16, 17,21 189:3,7,23
Fraternal 23:12
Friday 184:22
friend 100:24
friends 105:7,16
front 18:6 70:8 75:23 81:16,17,18 110:15 112:10
fruits 8:6
full 115:11 148:9 149:7 152:23,24 153:5
full-time 147:24
functioning 187:9

G

Gaffney 61:23 62:17 70:24 79:1,

10,19 102:3,4,7,10 103:12,16 107:22

game 79:17

Garrity 12:20 23:1 24:20

gave 27:7 40:6,10, 19,20,21 42:18 48:15 93:22,23

general 6:9,12 9:22 10:21 11:9,14 12:5,13,16 13:4 14:17,19 15:11 19:23 20:8,13 21:18 23:14,19,24 109:12,14 111:12, 17 112:1,4,8,14 199:22

General's 5:2 9:17 10:5,12 14:7 15:4 23:6

generally 100:20 109:10 111:6 121:1 163:7 172:23 173:9

gentleman 90:10, 11,12

gestures 45:7

girl 105:9

give 25:9 27:14, 18,21 30:24 31:18 34:6 43:11 52:13 78:4 92:11 131:4 160:12 166:9 172:1 174:21,24 196:21

giving 15:8 105:20 161:10

good 15:14 153:19

governed 164:17

GP- 111:24

GPR 38:3 108:22 109:6 111:19

grabbed 51:2 52:6

grand 23:18,20 24:2,3,13 27:13, 15,19,22 28:10,14, 17 29:7,10,13,15, 22 31:1 33:1 34:6, 12,13 35:2,4,17,21 36:13,18,23 37:1, 2,24 38:12,17 40:8 91:7,23

granted 23:1

Greenwood 108:10

grievance 23:13

group 74:11,24 75:9 137:24

guess 32:13 68:18 94:9 97:18 105:9 120:19 130:19 139:12 141:15 200:10,20 202:16 203:2

gunshots 135:24

guys 59:8 97:21 99:5 100:20 103:4 107:17 121:4

H

hand 5:13,17 45:8 46:8 117:14 184:3

handle 61:1 99:3,4

happen 47:3 75:17

happened 40:1 60:8 77:4 78:21 86:17 98:22 124:7, 17 189:16 192:20 196:24 201:24

hard 99:17

Harvey 74:14,16

he'll 198:24 200:6, 7

head 31:11

hear 14:8,10 55:8 191:11

heard 55:15 111:20,21 136:8 186:19 191:19,23 192:2,6

helps 121:6

Hey 50:15

hit 54:23 55:13

hitting 94:15

hold 160:13 197:15

home 85:8,18,22

hone 129:24

honestly 33:21 63:4

hoping 159:4

hospital 47:12 66:15

hour 28:19 52:14, 15 53:23 166:14

hours 32:8

house 106:12,13

How's 169:2,3

hungry 69:5

hurts 121:7

HX475653 18:20 19:15 20:1

I

IAD 16:8,21 17:11 19:18 20:13,18 21:14,20 22:12 139:12

idea 93:21 112:12 134:11,14

identification 16:2,15 17:5,19 18:23 20:4 165:7

identified 148:24 154:3,7

identify 4:23 124:22 149:2,23 150:5 152:16 153:6,20

imagine 31:3 76:16

immediately 82:13 127:2 168:4 194:10

immunity 28:13

important 29:20 30:2 31:6

in-car 21:21 136:17 142:6 162:17 163:8,17, 21 164:12,17,21 165:11 166:19 167:2,6 168:5,12, 18 169:23 171:3, 20 173:16,23 174:5 175:4,7,17 176:5 178:8,16 179:12,16 180:21, 24 181:4,7 182:5, 11,15 183:1,8,11, 16,23 184:9,12,16, 24 186:14,22 187:4,8,13 188:1, 8,21,23 189:3,10, 24 190:9 191:21 192:8,15 193:4 194:6,11,20 196:9

in-progress 174:12

inaccurate 8:22 113:20 114:13 124:6

inappropriate 76:22

incident 40:4 98:1,5,13 99:9 155:23,24 201:24

incidents 96:22

included 21:21

128:12 129:4 131:13 134:12

includes 6:12

including 4:11 7:24 21:15 75:3 98:4 184:14,20

incomplete 8:23

independent 4:3 178:14

indicating 44:20 46:17 121:4,6 122:8 142:14 145:24

individuals 4:23 5:7 53:5,10 95:6

individuals' 26:24

inform 89:20

information 4:2 67:1 92:12 110:5 161:9,14

information-gathering 53:19

informed 12:3

injunction 11:6 23:13

inoperable 168:6, 7 187:24 194:6,12

insert 167:1

inside 179:24 180:19

inspect 167:2

inspected 179:16

inspection 180:17,21

Inspector 5:2 6:8, 12 9:17,22 10:4, 12,20 11:9,14 12:5,12 13:4 14:7, 17,19 15:4,11 23:6,14,19,24

instance 159:20

instances 156:2, 10

instruct 154:2

instructed 45:22 99:5

instructing 134:24

intend 188:6,10

intentionally 183:16,22 192:8

interact 163:21

interaction 80:5

interactions 102:9 104:20 164:14

interior 180:20

interject 139:19

Internal 15:7

interpreted 45:10

interrogation 23:15

interrupt 136:15

interview 4:5,8 5:11 6:9 7:21 8:5, 13,16 11:3 14:14, 21 16:12,19,22 20:2,18,24 21:13, 15 22:8,11,16 23:9 25:2 39:18,22 93:10 129:9 131:8, 20 132:10 133:12, 24 137:8,9

interviewed 6:7 10:23 38:22 39:2,4 68:3,6 78:16,23 101:22

interviewing 39:9,12 134:17

introduced 38:2

investigation 5:9 6:10 9:23,24 10:1, 3,9,15,20,21,23 11:10,16 12:14 23:8,12,14 24:8,9, 10,12

investigator 5:19 14:16 25:14,17

investigators 23:22

invoking 22:24

involved 76:8 99:1

IPRA 69:22 71:11, 15 77:8,10,13,15 78:4

IPRA'S 67:14

issue 189:23 193:3 200:20

issued 165:5

issues 23:11 175:17,20

J

James 27:2

Jason 122:16 123:12 126:21

Jennifer 5:3 14:15

Jerry 27:3

Jersey 23:2

job 12:10 22:23 49:16,19,22,23 50:16 52:21 53:4 61:1 102:11,12,16

jobs 102:15

Joe 120:9

joint 9:24 24:10

Jonathan 184:23 186:1

Joseph 123:13 126:15,22

July 184:22

jump 178:1

jury 23:18,20 24:2, 3,14 27:13,15,19, 22 28:10,14,17 29:7,10,13,15,22 31:1 33:1 34:6,12, 13 35:2,4,17,21 36:13,18,23 37:1,2 38:1,12,17 40:8 91:7,23

K

K-l-i-m-a-s 15:6

Kato 74:14,16

keeping 163:10

kids 85:21

kind 31:24 34:19 44:19 49:12 51:1,2 52:5 59:8 67:23,24 71:18 72:15 73:17, 20 75:15,20 78:10 92:21 97:13,14,16 98:19,24 99:3 105:21 106:22 119:9 127:12,16, 19 157:10 163:15 164:13 174:17 179:9 194:2 196:22

King 140:19,21

Klimas 13:12,14, 24 14:4,9,11,13 15:2,5,6,14 22:24

knew 51:23

knife 73:13 117:8, 12,13,17 118:9,10 119:15 121:14 128:13,16 158:15 159:1

knowledge 112:2 203:6

Kris 6:7 14:16 108:12 137:10 142:10 153:18 197:9

Kristohper 5:1

L

lack 195:23

Lance 184:11,22 185:19,24 186:16

language 159:4,6

laptop 99:15 142:12

Laquan 13:5,9 14:23 30:10,14 31:15,20 33:15 36:20 37:10,20 38:23 40:16 41:2 72:1 73:5 82:21 83:9,13 118:1 128:15 133:13 148:8 157:21 160:9,19,21 161:7, 9 162:2 184:14,19 191:4,8

law 10:2 24:10

lawyer 35:7 39:15

lawyer's 35:9

lay 68:2

lead 89:14 97:13

leave 21:4 43:7 44:5 47:6 66:18

left 77:23 174:19, 20 180:1

legal 8:12,15 24:20

legally 12:21 24:19

level 120:21

Lewin 184:23 186:1

liability 29:23

lie 140:5

lied 29:21

lieutenant 26:20, 21 27:3

lieutenants 69:15

light 92:13

listen 43:21 135:5

live 107:24 108:9

lives 108:4,5

load 147:15

located 4:19 46:18 180:10,12

log 45:24 163:24 180:24 181:5,6,7 182:8

log-in 181:13

logged 51:24 163:10 202:6,9

long 8:16 28:16 32:9 52:10 58:16, 19 96:9 103:4 104:1 106:16 107:17 166:12 169:11 173:21 175:6

longer 32:8 119:7

looked 44:18,19 117:17 118:4,15, 17 119:5,9 121:15

lose 12:10 22:23

lot 48:18 118:5 174:6,23 175:23 180:11,12,16

loud 55:3 107:10

M

made 7:21 8:5 15:17 22:20,22 23:21 40:12,15,17 87:15 88:4,5 93:12,13 101:23 115:23 122:7,18 123:1,7,15 124:1, 11 129:8 131:7,19 132:9 133:11,23 134:7,8,23 135:18, 21 157:19 158:12

main 69:6,9 70:3

make 11:3,24 20:22 21:1 38:12, 13,18 44:10 47:23 73:21 77:14 89:23 96:22 97:21 107:9 115:4,5,16 117:2 123:9,10,20 128:3 150:8 157:4,12,24 159:9 162:9 163:9 172:3 178:24 179:23,24 182:3 200:18 201:13 203:3

makes 83:9,13 201:16

making 7:13,14 23:4,6 85:24 89:21 115:22 117:13 128:1 135:14 145:17

male 74:22

malfunctioning 188:8

manner 25:19 155:13

March 4:18 18:19, 21 34:9,11,18 38:3 40:12,17,22 55:22, 23 56:2,12,16 57:4,19,23 58:11, 17,24 59:19 60:5 61:3,11,20,24 62:4,8 63:9,15 65:2,16 66:23 71:22,24 73:21 80:1 81:10 83:18 92:9 93:13,21 94:5,8 99:12,20 109:9 113:16 114:7 115:5,17,22 122:13,21 123:1,8, 20 124:1,12 128:2, 8,11,14,23 129:9 130:17 131:8,20, 24 132:10,14,17 133:12,16,24 134:9,10,12,15 135:17,22 136:3, 11,24 137:4,16 139:1,11 141:10 145:20 147:7,19 148:16,21 149:3, 24 150:1,6,12,23 151:21 152:4,17 153:6,12,21 154:4, 9,23 155:13 156:16 157:1,19 160:6 162:1

March's 20:1 128:12,17 130:7 131:2

mark 15:21 16:5, 10 17:1,15 18:17 165:4

marked 5:17 16:1, 14 17:4,18 18:22 19:22 20:3,8,14 108:19,21 165:6 184:3

Marlon 74:14

material 131:19 132:9 133:11 136:13 137:2

materials 20:18 21:4,14,20 22:11, 12

matter 4:1 9:19 173:10 175:10

Mcdonald 13:5,9 14:23 27:15 30:11, 14 31:15,20 33:15 36:12,17,20 37:10, 20 38:20,23 40:16 41:2 60:7 72:1 73:5 82:21 83:10, 14 86:18 96:7 98:1,12 115:12,24 116:6,15,19,21 117:1 118:1,18 120:14 122:15 123:11 125:11 126:5,14,20 127:2

128:15 129:10 131:9,21,23 132:1, 12,16,22 133:13, 17 134:1,2,20 135:23,24 136:12 137:1 140:18 141:15 146:2 148:8 155:10 157:21 159:21 160:9,19,22 161:7, 10 162:2 184:14, 19 191:4,9 201:23

Mcdonald's 47:11

Mcelligott 62:3 70:23 79:1,9,19 103:19 104:2,11 107:23 108:5

Mcnaughton 56:10

meaning 45:18

means 43:13 49:18 174:12 202:19

meant 120:2 121:10

media 142:11,19, 21 145:6

meet 91:6

meeting 88:9 89:3,6,14 90:2,18, 23 91:10,21,24 92:4,7 156:19

meetings 90:20

Member 16:12

member's 167:5

members 167:2 168:4

memorialized 89:18

mentioned 22:6 45:17 74:1 86:10 90:1,17 92:6 93:5 98:9,11 99:11,14 100:8 107:21 119:2 137:15 150:23 152:17 158:7 197:13 201:21

message 169:6 178:13 187:20,24 198:5,8,13 199:7, 13,24 200:4,7,10, 13,17,24 201:4,9 202:1,3,8,14,22,24 203:4,6,8,14

messages 200:6 202:7

mic 197:14

mic's 198:10

Michelle 4:22

Michigan 106:13

microphone 182:15

microphones 182:24

mics 163:24 164:2,4,8 169:3

middle 59:12 120:22 121:3

mind 30:15 146:12

minds 98:23

minute 11:17 65:18 151:5,6 181:20

minutes 29:3 45:1 58:20,22 142:12, 20 145:5 166:14

misconduct 7:22

missing 168:8

misspoke 108:20

misstate 44:12

mixed 33:21

mm-hm 33:6 39:8 45:6 49:11 54:24 55:2 57:6 78:8 81:24 82:6 83:15 85:4 100:7 102:13 103:24 172:10

moderately 129:5

moment 141:21 145:8 146:19,23 154:24 185:4

Mondragon 61:4, 10 62:16 70:14 105:6,12 107:23 108:4

monitor 80:23 81:23 82:2,14 99:15,16

month 27:24

months 173:14

morning 85:20 188:14,19 192:23

motion 127:22 149:9

motions 117:14

Mount 108:10

mouth 153:23

move 25:19 132:22 162:15

moved 66:9 108:2, 5 131:23 132:12, 15

movements 117:3,6

moving 24:21 118:2 127:20

multiple 39:4 107:14

Municipal 5:10 8:24

N

n-e 47:18

N-e-u-m-e-r 4:21

names 27:1 49:7,8 86:14

narrative 46:1 66:5 130:16 136:11,24

nature 39:21 74:10 91:10 107:15

necessarily 198:19

negotiation 94:21 95:22

neighborhood 107:24 108:7

Neumer 4:1,17,21 5:7,16 6:5,7,17 7:8,20 8:4,11,21 9:6,13,20 10:7,14, 19 11:18,21 12:12 13:2,8,11,18,22 14:5,6,10,13,17 15:10,15,21 16:4, 17 17:7,21 18:16 19:1,5,9,11 20:6 21:1,7,11 24:7,22 25:6,15,21 30:17, 20,22 35:8,15 37:16 44:9 46:14 52:2 55:7 56:6,9 60:18 65:20,24 66:2 72:18 74:21 79:7 82:11 86:4,7 95:4 100:2 107:13 108:12,17 109:1,5, 16 113:6,8,22 114:1,3,16,19,22, 23 116:14 117:19 119:19,22 120:3, 12 121:8,17 122:9 127:14,17,20,23 129:23 130:4,5,18, 21,22 132:6,7 133:4 135:11 136:18,21 137:10 141:20 142:1,3 143:3,7,19,22 144:20 145:4 146:14,23 147:3, 13 148:6,11 149:17,22 150:16, 21 151:7,11 152:9, 13 153:1,15

154:14,18 155:4 157:17 158:1 160:4,17 161:22 165:9 168:2 177:13,16,18 178:3 181:21,24 182:2 184:2,7 185:12,16 190:6, 19 192:5 193:11, 15,17 197:9 203:24

Neumer's 14:1

news 141:7

newspaper 94:10, 11

night 37:4,9,22 87:3 96:6 98:16 113:16 114:7 115:17 117:2 123:1,20 125:1,8, 19,23 128:3 140:8 144:3 147:7 148:16 150:23 152:18 153:7 154:4,10 155:10 161:23 162:21 176:14 177:22 178:5,24 183:9 186:12,24 187:15, 17,18 188:6,18 192:21 193:2 196:3,7,24

Nodding 120:17 164:24

nonfunctional 183:18,24

nonfunctioning 188:21 189:3,8,23

nonoperational 190:9 196:9

normal 37:8 96:19,21,23

north 42:17 62:21, 23,24 63:2,5,7

notate 49:20

notated 201:13

note 12:13 24:18 147:23 167:20 168:3 199:5

noted 88:10 92:20

notes 20:1 24:7 34:22 58:12 90:4,8 99:21 109:4,6 139:7 184:18 186:9 187:3

notice 14:20 16:19,22 18:7 22:10 129:3,4 192:13 202:4

noticed 192:24

notification 16:11 17:2,9,12 18:8 21:15,16 197:21, 22 200:18

notified 37:5,6 189:2

notify 168:5,11,17 169:13,17,22 170:21 187:10,11 188:15,20 189:7 193:2,20 194:1,6, 11,14 196:8

notifying 189:22

number 5:6 18:12, 14,19 19:14,24 25:23 27:6,9 36:7 49:19 50:24 53:13, 14,15 57:9,11 87:17,20,23 162:20 163:1 169:8,12,15 170:4, 11,14,15,17,19 171:1 172:2 175:22 176:1,9,12, 19,21 177:6 178:1 179:5 182:8,11 188:22 189:16 190:8 195:14 196:14 197:7 198:10

number's 169:9

numbers 86:14,24

O

O'connor 27:2

O'donnell 26:23

objecting 23:5,9, 16

objections 23:4

obligation 6:19 24:15

observation 155:23

observations 73:22 156:7

observe 96:22

obtain 8:15 167:3

occasion 31:4 54:18 100:18 168:11

occasions 192:6

occur 97:2

occurred 32:21 36:24 39:24 60:23 66:12 96:24 98:16 118:5 125:1 141:17 156:8,19

occurring 33:12 34:4 41:24 42:1

occurs 44:11,13

October 19:24 26:5,9,13,16 27:10 41:1,2 101:4 102:3 103:19 104:14 105:6 106:3,6,20 107:4 109:7 111:18 113:17 114:8 115:18 116:20 117:2 123:2,21 125:1,8, 19,24 128:4,8 129:8 131:7,19 132:9 133:11,23 135:21 136:10,23 143:21 147:8,20 148:17 149:4 150:4,24 152:18 153:7 154:5 161:24 162:21 164:16 167:14 169:19 172:12,19 173:6,18,20 174:3 175:11,16 176:3, 15 177:9,23 178:5, 17,22 179:13 180:6,22 181:2,9 182:17 183:3,9,15, 21,22 184:17 186:12,24 187:12 188:7,14,15,19,20 189:2,20 190:1 192:14 193:2 194:10,19 195:6 196:3,7 198:3 200:10,11,15 201:22

office 5:2 6:8,11 9:21 10:20 11:14 12:5,12 13:4 14:7, 19 15:11 23:6 68:12,13,15,20 80:15,16,18,19,20 81:9 82:5,12 88:11,15,16 89:5, 7,12 90:7,14,21,24 91:24 92:3 137:17, 24 138:24 156:17

officer 4:14 5:4,5, 12,16 6:14,22 7:5, 17 8:1,8,18 9:3,10, 15 10:6,22 11:1,7, 11,23 12:17,24 13:1,2,7,15 14:10, 15,21,22 15:2,3,8 16:6,18 17:23 18:13,20 19:2,15 20:2,7 21:13 24:24 25:7,22 27:5 30:24 32:11 35:21 36:6 42:22 45:12 48:9 49:2,9,10 51:9,12 57:16,20 59:1,10 60:6,20 61:4,10, 14,19,23 62:3,7, 16,17 66:3 67:8,9 70:18 71:1,3 79:9,

10,19 80:7 85:10 86:2,10,14 89:2 91:20 96:4,24 97:4,20 98:4 100:4,9,24 101:2, 3,17,20,24 102:3, 7,10 103:12,16,19 104:2,11,14,21 105:2,6,12 106:6, 11,17,19 107:1,4, 14,18,22 108:13 109:8 110:2,3,23 113:5 115:13 116:1,16,22 117:3 118:17 121:18,19 122:17 125:3,12 126:15 127:20 132:3,11,15 133:7, 15,19 134:3 135:24 141:16 142:4 143:3,5,19, 23 145:10 146:24 147:2,4,15 148:7, 10,12 150:17 151:14 152:10,14 153:4,5 165:16 173:1 177:19 180:3,17 183:20 186:9 187:2,5,8 190:23 193:19

officer's 11:2 164:21

officer-involved 76:9

officers 11:7 36:12,16,21 37:11, 21 38:19 41:6 56:4 62:12 67:20,22 68:8,23,24 69:22, 23 70:6,11,15 71:7,8 75:1,2,12 76:13,22 98:9,12, 15 100:5 107:21 108:14 110:8,13 118:18 120:15 123:12 126:21 129:12 131:11,22 132:21 138:13 144:4 191:20 192:7

officers' 38:14

offices 69:14

official 6:10 7:10

OIG 4:11 9:24 10:8 12:17 21:14 24:7, 13,15,19,21 142:8

OIG'S 10:7

omission 131:19 132:9 133:11

omissions 136:14 137:2

on-call 97:11

open 142:11 195:19,22

operate 138:16

operating 171:20

operational 165:13 183:1 197:20,23

opinion 116:6

opportunity 25:10 131:4 196:22,23

opposed 120:23

oral 7:13,15

order 7:1 12:16 13:1,6,14 15:3,9 20:17 21:12 22:23 23:12 44:14 45:18 47:3,11 48:15 66:8 69:22,23 165:4,11, 16,20,24 202:16

ordered 6:21 48:17 65:9 66:11, 14,19

ordering 60:24

orders 45:7

Ordinance 9:1

organically 99:8

original 109:15,18 110:4

outcome 12:13

outer 180:18

outlined 167:17

overpass 48:2,3

overtime 84:22

P

p.m. 4:18 11:19,22 13:22 19:9 30:18, 20 65:21,24 86:4,7 88:23 91:12,15 113:22 114:1 119:19,22 141:22 142:17,23 143:21 177:13,16 181:21, 24 193:11,15

pad 58:13

paper 43:11 45:18, 21 97:12,15 172:3, 9 176:20

papers 48:15

paperwork 43:14 45:22 47:4,7

paragraph 5:23 6:1,15 7:6,18 8:2, 9,19 9:4,11

paragraphs 112:23

parking 180:11, 12,16

part 6:10 45:14 51:12 55:24 60:20 94:21 96:16 102:10,12 111:12 112:15 163:22 172:24 174:7 181:3

parties 163:16

partner 57:15 96:6,10,15,19 97:7,8 198:4 199:8

partnered 101:16

partners 100:10

parts 33:23

party 4:11 100:17

passenger 97:9 143:12 144:3 162:21 172:11,18 173:22 174:4 176:4 189:20 197:15 198:20

patrol 110:23

pause 136:1

PC 87:17,20,22

PDT 46:13,15,18 48:23 50:3,4 54:16 169:2 187:20 197:20 198:5,12 199:7,13,24 200:17,23 201:4,6, 8,23 202:7 203:4, 14

pencil 58:14

pending 24:24 119:24

people 39:11 49:14 50:19 52:4 65:8 77:5 78:3 99:1 135:2 164:14 191:23

perfectly 159:3

perimeter 41:7

persist 6:24

person 50:22 97:12 138:15,16, 20 139:2,4,7 156:17 159:18 167:5

person's 159:7,11

personal 27:6 36:7

personally 32:9

perspective 146:7

pertaining 165:11

Peter 4:21 6:7 14:6,17 15:10 65:19

phone 13:12 14:3 27:6,9 35:24 36:7, 9 201:1

phones 68:19 78:10

physical 53:1,3

picture 195:16

piece 172:2 176:20

pizza 69:5

place 13:12,24 23:10 39:19 56:19 57:14 67:24 169:21

play 79:16 143:4

played 143:16 144:17,23 148:2,8 149:12,18 150:15 151:17 152:12 153:8

player 142:19,22 145:6

playing 83:3 148:1

plays 82:16,23 83:5,8,12

point 12:23 34:1, 14,16 53:6 73:1,6 80:3 83:23 87:6 94:2 98:9 99:11 117:17 119:4 122:7 126:11 129:2 136:7 144:9 161:23 168:19 182:23 188:13

pointed 145:20 149:3,24 150:1 153:6,21 154:4

points 81:3

police 7:3,10,11, 16 15:6 23:12 112:16 113:5 165:10 191:20 192:7

policy 199:22 201:11,17,19

pool 174:23,24 175:3

portion 43:3 82:16,20,24 122:14 141:11 142:5,17 147:16 150:17 153:4 166:23

posed 15:9

position 9:17 10:5,7,13

possession 24:1, 14,17

postpone 23:15

potentially 29:22

power 170:8

practice 4:7 191:19 192:2

preceding 199:10

preface 12:1

preliminary 4:1 20:21 21:2

preparation 22:16 25:2 35:3,17 178:8

prepare 20:17 21:12 53:16

prepared 48:20, 22 49:3,6

presence 99:10

present 4:3,23 5:8 8:13 36:12,16,22 37:11,21 38:15,19 41:1 57:13 71:1,3 75:2,7

presented 38:1

presently 147:6

pressure 143:9

pressured 135:16

pretty 64:16 76:16,17 90:16 199:23

prevent 24:21

prevented 62:15

previous 129:13 130:8,20,23 131:12 136:2 137:3 175:18 176:24 177:4,5,7

previously 16:19 17:9,23 19:22 108:19,21 148:9 150:1 157:24 184:3

primarily 73:4 124:10

primary 25:14,15

printout 52:19,20 53:4

prior 9:15 20:10 22:8 23:17 24:24 35:2 36:13,18,22 38:11,17 41:13,19, 22 47:7 60:4 61:2, 10,20,23 62:3,7 72:3,5,13 81:8 96:10 100:10 101:4 102:3 103:19 104:14 105:6 106:3,6,8,20 107:4 127:2 131:23 132:2,12, 16,22 133:14,18 155:9 156:12 164:4 165:21 173:7 174:3 175:11 177:9 183:15,21

probable 9:18 10:6,11,12,18 11:13 12:6

problem 31:21 149:11

procedure 165:1 168:19

procedures 165:14 166:3 167:6,17 169:21 178:6,22

proceed 12:21 24:19 42:3 66:8

proceeded 43:2

proceeding 8:7 11:4 12:7 185:22

proceeds 13:1

process 75:20 168:16

product 4:9

proffer 94:21,24 95:7

programmed 166:8

Progress 19:23 20:8,14 21:18 111:17 112:1,4,8, 15

prohibits 7:12

proof 201:14

proper 20:24 32:15 187:7

properly 167:8 187:9 192:16

property 4:10

propose 25:7

protect 163:15

protocol 187:7 192:22

protocols 179:10

provide 4:4 9:16 12:10 16:21 17:11 19:18,21 20:13 23:19 24:16 29:6

66:4 160:6 161:8, 13,15 162:1

provided 4:11 12:17 14:20 16:7,8 18:13,15 20:19 21:14,20 22:12 23:18 38:5 130:16 136:10,23 139:21 142:8 147:1

providing 4:2

Pulaski 42:4,15, 16 43:3,6 44:2 45:15 47:2 48:4 62:23 63:1

pull 49:19 143:6, 14 144:3 146:14

purpose 109:21 112:3 138:20 163:7

pursuant 5:8 10:22

put 6:19,21 12:19 18:6 46:1 49:19 55:10 69:11 86:23 93:1,24 108:18 118:11 119:16 128:10 148:4 153:22 159:18 171:23 199:6,13

puts 34:22

Q

question 8:22 10:10 17:8 18:5 19:12 24:23 31:24 32:24 33:8 43:20, 21 44:1 61:17 69:22,24 92:18 97:15 114:21 119:24 120:19 123:23 124:14,19 125:16 132:18 135:5 153:9 154:9 155:16 174:1 182:4 186:10 192:1

questioned 24:3 70:1 155:11,18,22

questioner 25:16

questioning 31:24 52:9 155:14

questions 6:13, 19,21,22 13:3,8,15 14:22,24 15:4,9 25:5,8,11 30:4 31:15,19 32:10 57:20,24 58:24 59:5,10 63:12 66:24 72:12,15 81:7 83:2,6,22 84:6 89:15 97:13 113:11 203:22

quick 30:16 52:6 91:11,13 113:21 130:13 155:7 177:12

quickly 160:5

R

R-u-s-s-e-l-l 5:4

radio 44:15 47:21

raise 5:13 116:15, 21,24

raised 23:11 34:23 115:13,24 116:6 125:2 134:2

raising 125:11

rapid 136:1 174:7, 9,10,24

read 5:21,24 6:1, 15,16 7:6,18 8:2,9, 19 9:4,8,11 10:24 22:17 43:19 96:1 112:22,24 113:2 130:11 131:3 132:3 135:6,8

reads 115:11

real 52:6 104:20

realize 118:4 120:6

reason 79:14 163:2 182:14 190:12 198:17 199:3 203:13

reasonable 8:14

recall 27:23,24 28:1,3,4,18,20 29:2,11 34:24 38:4,7,9 39:1,16, 18,20 42:9 51:4,5, 8,15 56:8,17 58:13,14 64:15 73:22 75:4 77:22 79:8 87:5,9 88:14 89:10,13 90:4,6, 15,22 91:21,24 94:13,16 95:8,11 98:14 99:15,19,20 101:11 105:14 108:6 115:19,21 128:1,7,10,23 140:13 156:1,11 166:17 175:9,13, 16 176:22 177:1,2, 3 178:2,6 180:5,15 186:11,21 187:1 188:24 189:1,18, 22 190:7 200:9,13

recap 138:23

receipt 17:16,22 18:1 21:16

receive 11:12 166:2,15 200:4 202:14,23 203:6

received 12:4

receiving 22:10 200:9

recently 105:19 124:11

recess 11:20 30:19 86:6 91:14 113:24 119:21 177:15 181:23

recollection 24:5 30:7 31:8 38:5 84:19 95:14 162:19 173:4 176:17 178:15,21 179:15

record 4:8,17,24 11:19,21 13:19,21, 23 18:11 19:5,8,10 30:18,21 43:23 46:10 65:20,23 66:1 86:5,8 88:20, 22,24 91:3,16 93:17 113:23 114:2 117:11 119:20,23 122:2 127:6,17 129:17 135:7 138:9 139:17 141:20,24 142:2 146:23 148:6 150:16 151:8,10,12 152:9 153:19 158:21 160:15 167:23 177:14,17 181:22 182:1 190:14 193:8,10,12,14,16 194:19 195:8,13 197:3 203:24

recorded 142:15

recorder 167:4 168:8

recording 4:9,12

recovered 142:6 183:8 191:2,7

refer 185:14

reference 32:6

referenced 185:23

referred 144:10 154:24

referring 130:24 131:1 150:7,12 185:2

refers 185:21 186:1

reflect 4:17 113:15 114:17 117:11 124:16

reflected 114:6 128:2,5,17
refusal 6:24 7:1 8:21
refuse 6:20 12:10 22:23 28:8
refused 14:24
refuses 23:15,19
regular 110:23 111:1 190:23
regulations 7:2, 12 164:16,20
related 34:8 86:17,21
relates 12:14
relating 199:14
relation 92:24 156:7 159:20
relationship 101:3 102:2 103:18 104:13,16 105:5 106:5,20 107:3 108:14
relationships 100:4
release 84:15
released 84:19 85:2,5
releases 84:16,18
relevant 153:4
remain 6:18 11:12 12:4
remember 34:15, 17 39:10,11 51:19, 20,22 54:17,19 64:23,24 70:24 71:4 75:5 77:20,21 79:3,4,6,24 84:22 92:20 104:5,19 128:6,21 129:1 131:16 150:13 153:10 154:13 162:22 166:20 181:15,18 182:4 189:15,21 190:3 197:8
remote 167:4 168:8
removal 7:24
report 7:10,13,14 18:19 19:4,14,23 20:8,14 21:17,18 45:23 46:3,5 48:12,19,21,22,23 49:3,6,13 51:6,14 52:11 53:9,17,22 54:5,8,14,21 55:9, 11,15,18 56:1,24 57:4 59:13,22 64:10,13,17 66:12, 14,21,22 67:1,5 86:11,13,16,21,23 87:2,15,19 88:2,5 89:21,24 92:22,23 94:4 97:3 109:11, 22 110:1,4,12,19, 24 111:1,4,14,17 112:1,4,8,15,19 113:15,20 114:6, 13 128:5,12 130:2, 7 131:3 134:13 156:24 157:7,12 159:5,10 162:24 163:3 171:19 184:11 186:7 187:3
reported 186:10 187:5 194:17
reporter 4:3,10, 15,22 5:13 43:24 135:8
reporters 4:8,19
reports 38:1 97:19 110:14,22 111:7
representative 8:12,15 67:14 74:23 75:11,19 77:2
representatives 74:2,3,7
representing 89:11 90:13
request 4:12 169:9
requested 23:17
requests 48:12 195:14
reside 108:7
respect 10:2 15:16 18:5 19:13 24:11 63:9 100:8 101:2 122:10 123:5,11 131:21 134:1,22 135:23 160:5 164:20 166:21 173:5 175:15 178:7 179:10 186:3,8 190:8,9 195:24
respond 33:7,11 41:21,23 131:5 135:1
responded 41:20
responding 102:22
response 9:20 107:7 192:18,20 194:13,22
responses 7:9
responsibilities 111:13
responsible 41:6
rest 124:8 164:10
restroom 67:17 69:1
result 7:15
Retrieval 184:17
return 110:4
returned 101:8
review 9:9 20:18 21:13 22:5,11 115:1
reviewed 126:22
reviewing 34:19
Rewind 154:16
rhyme 198:16 199:3
Rick 71:15 77:24
ride 102:14
rights 5:18 6:5 9:7,14,16 10:24 11:2,8 12:4,16 15:22 23:22 28:8 75:16
RINGING 14:3
road 120:22 121:3
Robert 13:12 15:5 18:14 43:11 46:23 48:24 49:20 64:7 85:9 142:7 144:3 147:14,18 151:15 152:15 153:3 162:17,18 163:1 172:12,19,21 173:15,16 174:7 176:14,23 177:3, 22 178:9,16 179:13,17 181:1,8 182:16 183:2,8,17, 23 184:9,15,20 185:2,17 186:2,8, 13,23 187:4,13 188:22 189:4,11, 24 194:7 195:5,11, 19,22,24 196:6
role 86:22
roll 103:1,21 105:7 143:9 203:18
room 68:3,11,20 69:3,6,8,10,12,16 70:3,8 75:24 78:4 80:6,9,11,13,14,15 83:12 84:8 98:10 138:1,16 161:20
rooms 68:14,19, 20 77:6
Rule 7:11

rules 7:2,12 163:13 164:16,19

run 154:1

running 79:23 138:4 193:5

Russell 5:3 9:15 10:4,10,16 11:5 12:23 13:17 14:2, 16 15:20 18:11 20:21 21:5,10 22:17 25:13,20 30:15 35:12,14 37:13 43:19 51:19 55:3 56:4 60:15 65:18 72:16 74:17 79:3 82:8 87:8 88:20 91:11,17 107:9 109:4,12 113:4,21 114:15, 17,20 116:10 117:11 119:18 120:1,18 121:9 127:4 129:22 130:3,13,19 132:5 133:1 135:5 136:15,20 139:19 141:10 146:11,16 150:13 151:24 153:9,12,14 154:7, 12 157:23 160:13 161:18 168:1 177:12 181:20 185:9,15 190:3 192:1 193:10

S

S-p-r-e-y-e 47:18

S-p-r-e-y-n-e 47:19

S03-05 165:4

safe 156:22 203:2

sat 70:4

scenarios 31:23

scene 32:22 36:16,22 37:11,22 38:15,20 41:7,12, 22 42:12 43:8,18 44:5,23 45:5,24 47:6,10,14,24 49:9,15,21 50:22, 23 51:6 53:5,11 54:4 55:19 56:3,13 57:12 61:19 62:11, 12 64:1,18 66:6, 18,22 67:3,22 68:2,10 70:7 72:4 74:3 75:2,13 76:23 100:5 108:15 116:20 120:5 143:6,14 149:1 155:20 157:20 160:18 161:7 163:11 184:14,19 191:4,8

school 85:21

scrap 172:8

Sebastian 61:14, 19 70:14 106:6,11, 17 107:23 108:2

seconds 142:13, 18,20,23 143:21 144:21 145:6 149:17 150:19,20 153:2 154:15

section 25:17 137:11 165:13,18 166:21,23 167:9, 11,14,17,21 168:4

sector 174:13,14

securely 167:5

security 22:2,7

seeking 12:24

sees 143:6

send 55:13,14 169:5 178:12 187:20,24 197:20, 22 198:5,8,11,12 199:24 200:6,7 201:9,10,11,23 202:1,3,4,8,22 203:4,8

senior 13:1,6

sense 31:18 97:17 150:8 179:1 191:1 201:16

sentence 115:3, 11 123:19 125:22 126:1 127:9

sentences 115:4, 6 122:12 124:5 125:17

separate 62:11 96:17

separation 7:16

sequence 120:20

sequential 66:7

sergeant 26:18,19 27:4 41:11,12 42:7,9,18,20,21 43:10 44:14,22 45:4 47:10,16 48:10,11 54:10,11, 13 65:1,3,15 66:16,17,20 84:17, 18 168:24 169:5, 13,22 170:1,21 171:2,6,15 178:12 184:11,22 185:19 186:12,16 187:2, 10,11,19 188:7,16, 17,20 189:3,7,22 190:18,20,21 193:3 194:6 195:14 196:8 197:21 198:8 199:24 200:3,19, 22 201:12 202:6, 13,22 203:3,14

sergeants 67:23 69:15

series 136:13 137:1

serve 7:3 9:1

shift 164:11

shock 76:20

shooting 13:5,9 14:23 15:1 27:16 30:11,14 31:16,20 33:14,18 36:13,17, 18,21,22 37:10,12, 21 38:15,20,23 40:3,7,11,16,18,22 41:6,7,13,22 43:7, 14 44:4,11,13 45:2 48:13 55:19 56:3, 13 57:24 58:9 59:1 60:2,7 61:19 62:11,13 63:13,16 64:2,18 65:10 66:6,9,12 67:3 68:11 70:7 71:8 72:1,4,6,13 74:4 75:3,13 76:9 78:13,19 81:8 82:3,21 85:15 86:1,18 96:7 100:6,11 108:15 126:23 128:4 131:21,23 132:13, 16,23 134:1,20 135:14,23 136:12 137:1 140:9 141:2, 11,17 148:8 155:10 157:21 160:9,19 161:1,4, 8,9,16,17 162:2 184:14,20 191:4,9

short 96:17 168:20

shot 41:3 122:6 132:2 133:14,18

shots 32:12

shoulders 127:21

shoved 172:4

show 67:16 80:3 99:12 137:23,24 141:10 142:5 147:17 151:13 153:4 160:18 163:5 165:3 166:10 195:9

showed 20:20 33:22 71:20,24 72:7,8 73:11,15 134:23 137:16,21 140:7,14 141:14, 15 145:21,23

147:7,19 148:7,9, 15,16,21 150:7,14, 17,24 151:22 152:1,4 154:5 155:1 160:7,8,21 161:1,3,14 162:24

showing 72:13,21 135:13 146:24 147:6 150:3 156:11 161:6 162:4,24

shown 139:10 140:17

shows 80:11

side 62:19,20,21, 22,23,24 63:3,5 69:8 81:12,19,20 138:24 146:3,4

sideways 122:16 123:11 126:6,14, 20 127:10 158:9

sign 9:13 15:18 18:1,7 95:7,10

signed 96:2

signify 88:1

signing 9:16 95:8

signs 198:21

silent 6:18 11:13 12:4

similarly-situated 11:7

sir 15:13

sit 60:22 68:18 83:1,6 84:1

sitting 69:2 78:6

situation 33:10 34:15 76:17 155:15,21 159:13, 17

situations 155:17

sleep 85:23

slight 127:1

slightly 50:8

slip 84:21

slow 121:21 149:9

slowed-down 148:10

slower 148:4 152:23

small 67:24 80:13, 15 146:20

socialize 100:14, 21 103:15 104:10 105:12 106:10,24

socialized 101:19 105:2 106:9 107:6

someone's 80:19, 20

something's 175:1

son's 100:16

sort 21:3 30:23 34:7 37:8 42:24 45:8 66:7 92:12 94:21 150:2 171:23 176:18 178:6 182:10 195:3

sound 156:18

south 42:14 62:22

southbound 66:10 73:13 117:7, 16 118:8,9,24 119:1,7,8,13,14 120:8 121:14 129:10 131:9 140:15,18 158:14 159:1,14,21

speak 22:16 25:1 35:3,16 55:18,24 56:2,10,12,16 58:16 92:2 95:6 96:23 157:5,8

speakerphone 14:6

speaks 67:18

Special 165:4,11, 16,20,24

specific 110:4 127:10 159:10 164:14 178:21

specifically 37:9 98:18 114:12 150:11 198:2

speed 148:9,10 149:7 152:23,24 153:5

spell 4:24 47:17

spoke 55:23 72:5 77:3,13 94:3,18,20 95:9 156:4 157:1

Spreyne 47:16 48:9,10,11,16,17 66:16,17,20

squad 157:2,13,20

stamp 142:13,24 143:20 145:7 150:19 153:2

stand 24:5 129:13, 20 130:8,20 131:12 134:4 136:2 137:3

star 5:5 25:23 50:24 53:13 86:14

stars 49:7,8

start 50:22 66:17, 18,22 143:15 144:8,12,16,22 163:23 164:5,6 178:15 180:6

started 53:6 77:5 104:4

starts 66:23 67:2

startup 167:6 178:22

state 131:22 132:11 133:13

State's 39:14

88:10,14,18 89:5, 8,11 90:7,13,21 92:3

stated 33:23 34:24 92:7 93:4 98:1 113:4,10 129:10 131:9,16 134:2 135:23 137:7 158:14

statement 7:21 8:5,23 9:7,21 11:24 12:2,7,11 18:20 20:22 21:2 22:20 23:21 24:14, 16,24 29:6 38:3,13 40:6,10,15,19,20, 21 78:4 89:17,22 92:8,14 93:13,23 94:8,9,18 109:9 112:20 113:1,2,11 115:1,17,22,23 122:10,19 123:2,7, 16,18,19 124:4,21 125:5,17,21,22 126:9,13,19,23 128:18 129:8,14 130:1,2,3,6,8,20, 23 131:1,7,13 133:23 134:4,7,8, 12 135:22 136:3 139:24 156:12 158:8,12 159:9,18, 24 177:21 182:3 193:18 195:3 196:1

statements 7:9 11:3 38:14 40:12, 17 77:7,9,15 93:12 113:19 114:12,14, 17 115:4 122:23 124:1,11,15,23 125:17 128:1,3 136:13 137:2,4 156:23 157:11,12, 18 161:10 162:10

states 6:6 90:24 168:4

stating 34:24 46:1 113:4 169:6

station 50:5,6,9, 13 77:4 155:22 169:1 202:18

stations 70:9 71:6 75:23 166:1

steady 96:14

step 59:24 60:3

Stephen 27:3

Steve 27:3

stick 31:11 110:11 136:6

sticker 171:17,23 172:1 176:18 177:3 195:4,10 196:2,6

stickered 176:13

stop 21:8 143:5,10 144:1,14 145:2,11 148:12 153:17,18 154:2 163:12

stopped 57:5 143:20 145:5 163:14

stops 164:14

story 38:18 134:16

straight 120:8 145:13

street 45:15 46:6,7 127:11 169:14 180:14,16

stressful 31:4 76:17

strike 117:12 132:4,6 195:20

stuck 168:24 172:4

stuff 44:19 52:17, 18 67:15,24 70:4 77:9 78:11 85:21 105:21 156:6,23 157:6 193:6 197:11 200:8

subject 24:16 25:8,9 29:22 94:24

subject's 12:15 24:13

subjects 29:9 163:14

submit 54:21 55:1,13

submitted 87:2

substance 21:8 86:17

Suite 4:20

summer 31:9

summoned 27:14

superior 6:22 15:1

supervisor 168:5, 11,17 171:18,19 194:11

supplementary 18:18 19:3,14 21:17 46:2 92:23 94:4 109:11,19,22, 24 110:7,12,13,19, 22,24 111:1,4,7,14 112:19 113:14,20 114:6,13 156:24 184:10 186:6 187:3

supposed 171:22

surprised 191:11, 15

surveillance 147:1,5

swaying 73:13 117:8,12,13,14,16 118:8,10 119:9,15 121:14 127:12,16 128:13 158:14 159:1

swear 5:14

swinging 127:21 128:16

sworn 5:15 23:17

sync 38:18 164:4, 8 182:15 183:4

synced 164:3 182:24

system 50:4 142:6 162:17 163:8,17, 21 164:12,17,21 167:3,7 168:6,12, 18 169:24 170:8 173:17 174:5 175:8,18 176:5 178:8,16 179:12, 16 180:21 181:1,4, 8 182:11,16 183:1, 9,11,17,23 184:9 186:14,23 187:4,8, 13 188:1,8,22,23 189:4,10,24 190:10 192:16 193:4 194:7,11,21 196:10 197:14,15, 20,22 198:3,5 199:14 200:1,5 202:5,14,21,23,24 203:4,7,15

system's 171:3, 20

systems 21:22 165:12 166:19 173:23 175:4 184:13,24 191:22 192:8

T

tables 68:17

takes 97:13

taking 23:10 58:11 90:4,7 99:20 195:16

talk 27:12 37:10, 15,17 40:24 49:5 50:22 51:8,11,15 59:19 60:20 61:3 63:15 69:18 74:3,6 76:12,22 77:8 80:2 85:15 86:1 97:16 98:3,19 99:6 100:3 103:3 105:9 106:14 126:12 156:5 157:6 162:16 164:15 170:1

talked 51:5,18 53:10 59:13 60:5 63:10 72:4 74:11, 22,24 75:1 77:10 85:19 93:20 99:9 106:7

talking 45:1 53:4 62:16 65:2 71:10 75:11 89:2 98:23 103:20 104:4 123:24 124:9 144:15 161:24 169:18 171:13 199:11

tamper 183:16

tampered 183:22

tape 172:9

taped 195:10

taped-up 182:11

technical 138:16

telephone 13:16

telling 34:18 115:19 128:7,23 131:17

tells 75:16

tendered 6:4 108:24 139:12 184:6

Tendering 15:20

tenth 115:9

term 110:9 111:19, 20,21 171:9

terms 33:14 60:7 142:23

testified 29:12,14 56:5 150:1 157:24

testify 28:9,13

71:10

testifying 28:16

testimony 23:17, 18,20 24:2,3,4 27:14,18,21 29:19 30:1,24 35:2,4,17, 22 36:13,18,23 38:11,17 40:8,14 129:20 161:19

texting 78:12

texts 36:2

theory 199:10

thereof 8:6

thing 39:24 78:10 103:20,22 105:7 106:7 140:11 180:9 195:15 196:13

things 31:22 72:8 98:23 105:10 107:15 124:24 194:3

thinking 138:3

thought 71:15,16 137:20 194:15,16, 23 196:1 197:7 202:10

ticket 169:8,9,11, 15 170:4,11,14,17, 19 171:1,10,13,15 172:2 175:21 176:1,8,12,18,21 177:6,21 178:1 179:5,6,7 181:15, 19 182:8 189:16 190:8,22 194:16 195:4,10,24 196:14 197:7 198:9,10

tickets 195:18,22

time 4:18 8:15 11:19,22 13:11,18, 22 19:6,9 20:23 22:22 24:5 25:4 28:20 29:4,14 30:20 31:23 32:7,9 33:12,19 34:14,16, 17 39:7 43:5 44:1 54:3,4 56:15 57:3 60:22 62:10 65:24 84:21 86:4,7,24 87:12 88:23 91:7, 12,15 97:12 99:22, 23 103:9 108:18 110:19 112:5,24 113:22 114:1 119:19,22 126:11 134:15 136:7 141:22 142:1,13, 14,19,22,24 143:20 145:6,7 146:18 150:10,19 151:7,11 153:2 154:1,16 168:5 169:22 173:14 177:16 183:14,21 184:2 188:18 189:1 193:1,11

time-bar 142:19

time-stamped 142:17

times 39:4 102:14, 21 103:22 107:15 143:8 144:10,13 152:16 154:22 174:23

titled 17:2 142:11 165:13

today 4:4 5:8 15:10 20:11 129:21 131:1 165:21 191:6

today's 4:17 20:17 21:12 22:8

told 33:1 34:6,11, 13 42:10,11 58:7 69:21 70:5 71:12 73:12 92:7,8,15 93:14 114:18 128:11,14,20 130:14,17,24

top 76:6 113:7

topics 61:9

totally 140:3 159:24

touch 88:9

touched 124:2 170:7

tour 163:24 164:5, 6,8 167:1 178:7,11 179:22 180:7 192:17 194:21

tours 175:18

traffic 42:10,11, 16,24 43:10 44:15, 21 45:8,13 47:1 66:10,11 163:12

trained 167:7

training 166:2,5,7, 12,16,19

trainings 166:6,15

transcript 4:4,7

transmitter/audio 167:4 168:8

traumatic 76:17

trip 85:17 86:2

true 130:4 185:21

truth 33:24

truthful 24:4

truthfully 6:13,20

TS.IFO 142:11

turn 43:17 121:18, 19 126:24 127:1 140:16,24 141:18 144:9,15 145:17, 19 149:2 150:2,3, 6,12,22 152:17 153:6,21 154:3,8 164:7 166:10,11 169:13

turned 81:4 121:16 149:21

turning 72:23 73:5 81:5,6 83:10,14,20 121:22 182:5

turns 73:17,20 202:24

twist 145:16

two-fifths 112:24

type 11:16 31:19 50:2 80:13 97:3

typically 159:6

typo 185:20

U

U.S. 88:15 89:6 91:7,21,24

Uh-huh 34:12

understand 6:6,9, 17,18,20,23 7:8, 11,14,20 8:4,11,21 11:23 26:17 89:19 94:14,22 95:3 124:19 158:15 159:16

understandable 140:3

understanding 109:23 111:24 156:15

Understood 158:1

unduly 8:16

union 8:12,15 11:6

unit 26:1,3,4,7,8, 10 52:5 103:5,6 106:17 107:18

United 90:24

V

Van 32:11 34:23 35:21 36:6 51:9,12 71:1 75:3,6 101:2, 3,17,20,24 107:22 115:7,13,14 116:1, 7,16,17,22 117:3 118:10 120:9,15

121:19,20 122:14, 17 123:6,13 125:3, 12 126:15,21 129:12 131:11,22 132:3,12,15,22 133:7,15,19 134:3 135:24 141:16 144:4 146:2,21

varies 198:14,15

vehicle 21:22,23 22:7 46:20,22 48:23 49:2 50:11 56:20,21 57:5,8 58:1,18 59:18,22, 24 63:10 85:9 118:6,12 120:7 132:24 133:8 142:7 143:11 144:2 147:14 149:1 150:18 152:11 162:18,20 163:1 164:12 168:7 170:14 172:12,19,24 173:3,5,7,10,16,17 174:5 175:7,15,24 176:2,14,23 177:3, 22 178:9,16 179:13,17 180:8, 10 181:1,8 182:16 183:2,17,24 184:9, 15,20,24 185:3,17, 21,23 186:2,9,13, 23 187:4,9,12 188:22 189:4,11, 17,19,24 190:8 192:16 194:7,12, 20 195:5,19,22,24 196:2,7 197:16 198:9 199:11,12, 13 200:8,21

vehicle's 175:17 183:8 187:13 193:3 195:11

vehicles 146:19 162:22 169:10 173:22 174:4 184:13,18 191:3,8, 12,21

Velez 70:20,21 106:19 107:1,24

verbal 115:12

verbatim 4:4

verifying 182:24

version 34:7,8 161:11

versus 23:2

video 21:21 22:1, 6,7,8 33:19,22 34:3 71:20,24 72:7,8,13,22 73:2, 6,11,15,19,22 80:3,11 82:17,20, 24 83:3,5,8,13 92:13,21 93:6 99:12 118:4 120:6, 13,16 121:11,13, 15 126:17,22,24 134:23 135:3,4,13, 18 136:17 137:16, 22,23 138:5,17,24 139:10,11,15,20, 21,22 140:5,13 141:2,3,14,16 142:5,6,11,13,14, 16 143:5,10,15,16, 20 144:1,8,12,14, 16,17,23 145:9,21, 22 146:15 147:1,5, 21 148:2,12 149:12,18 150:4,7, 15 151:1,14,17 152:4,7,12,22 153:8,17,18 154:2, 6,8,22 155:1 156:11 160:7 161:14,20 162:4, 17 163:8,17,18,21 164:12,13,17,21 165:12 166:19 167:3,7 168:6,12, 18 169:23 171:3, 20 173:17,23 174:5 175:4,7,17 176:5 178:8,16 179:12,16 180:21, 24 181:3,4,7 182:11,16 183:1,7, 9,11,16,23 184:9, 12,16,24 186:14, 23 187:4,8,13 188:1,8,21,23 189:4,10,24 190:9 191:17,21 192:8, 15 193:4 194:7,11, 20,21,24 196:9 199:14 200:1,20 202:5

videos 22:5 142:8

view 34:1 117:17 119:4 133:1,3,5,8 146:21

viewing 92:21 152:10

violation 7:2 8:24 12:8 23:22

Viramontes 42:22 45:12 49:2,10 51:1 57:16,20 59:1,4, 10,15 60:6,20 64:5 67:8,9 70:13,14 71:16 78:1 85:10 86:2 87:24 96:4,24 97:4,20 98:4 100:9,15,24 107:22 180:3,17 183:20 199:20

visible 145:8 172:5,6

visual 180:17,21

visually 167:2 179:16

VLC 142:11,19 145:6

voluntarily 22:21

W

wait 21:5 47:18 48:14 69:17 75:21 77:17 78:24 83:1 84:10,13 93:9 202:3

waited 70:5

waiting 52:16 67:18,19 68:3,7 69:9 70:7,12 71:5, 21 76:12 77:2,3,22 78:16,22 79:1,10 178:11

walk 41:15 67:11 68:17 82:2 114:14 115:2 163:20 179:22

walked 51:1

walking 72:22 73:12,13,16 115:6 117:7,16 118:8,9, 15,18,23 119:7,8 120:2,7,10,15,21, 23 121:2,3,5,10,14 122:15 123:11 126:5,14,20 127:10,11 129:10 131:9 132:2 133:18 140:15,18, 23 141:15 143:2 145:3 146:3 158:9, 14,16,24 159:8,11, 19,21 160:22

walks 75:20

Walsh 62:7 71:3 75:3,4 107:4,14, 18,24 118:10 120:15 121:18,19 122:17 123:13 126:16,22 129:12 131:11,22 132:11, 15,21 133:7 141:16 144:4 146:21

wanted 30:4 57:12 62:18 69:18 77:17 79:16 88:13 92:11 93:11 96:3,9 98:3, 13 99:14 135:3 137:22 140:8 155:9 157:4 158:10 202:2

watch 26:12,14 104:22 106:22

147:21 148:23 149:7 150:10 152:15,22 154:14

watched 120:13 154:21

watches 104:24 105:1

watching 33:19 78:3 120:16 148:14 154:19

water 67:17

ways 163:20 164:11

week 102:10,14,22 103:23 107:15 177:5,7

weeks 173:10

Wentworth 63:20 67:6

West 4:20 180:13, 16

whatever's 174:19,20

William 35:5,10

witnessed 32:3, 23 60:6 76:23 125:7,19,23 159:14 161:20 162:10

witnesses 43:7 44:4

witnessing 33:14 161:17

woman-to-woman 105:10

word 49:23

words 153:22

work 4:9 36:14 69:13 96:21 100:15,18,21 101:20 102:7 103:16,21 104:11, 20 105:3,13,15,16, 23 106:7,9,10 107:1,6 110:3 163:24 164:1,2 168:16 169:9 202:21

work-related 107:5

worked 102:4 104:2,18 106:16 169:10

working 10:1 24:10 25:7 40:1,2 103:20 164:9 167:8 168:23 169:7,8,16,23,24 170:1,3,4,6,9,10, 22 171:3 173:21 175:24 176:6 181:12 182:19 183:2,12 188:12 191:17 192:16 198:4,6,9,10 199:6,14,15 200:1, 5 202:5

works 166:11 173:11

Worksheet 184:17

wow 60:11

write 172:2,8

write-up 45:19 94:9 128:17,24

writing 58:14

written 7:13,15 29:6 92:22 93:21, 22

wrong 32:8 114:4 163:15 175:2 197:19

Y

year 101:6 105:24

years 96:12,13,15 100:10 103:9,13 104:4 106:1,18 175:10,12

Yohler 4:22

CITY OF CHICAGO
OFFICE OF INSPECTOR GENERAL

ADVISEMENT OF RIGHTS

I, Det. Fontaine, understand that I am being interviewed by Peter Neimer and Kris Brown from the City of Chicago Office of Inspector General.

DATE 3/16/16 TIME _____ LOCATION 320 W. Adams Ste 320 Chicago IL 6

I understand that this interview is part of an official investigation and that I have a duty to cooperate with the Office of Inspector General, which includes answering all questions completely and truthfully.

I understand that I have no right to remain silent. I understand that I have an obligation to answer questions put to me truthfully. I understand that if I refuse to answer questions put to me, I will be ordered by a superior officer to answer the questions. I further understand and I have been advised that if I persist in my refusal to answer after an order to do so, such further refusal constitutes a violation of the Rules and Regulations of the Chicago Police Department and may serve as the basis for my discharge.

I understand and have been advised that my statements or responses may constitute an official police report. I understand that Rule 14 of the Chicago Police Department's Rules and Regulations prohibits making a false report, written or oral, and I further understand that making such a false report, whether written or oral, may result in my separation from the Chicago Police Department.

I understand that any statement made by me during this interview may be used as evidence of misconduct or as the basis for disciplinary action up to and including removal or discharge.

I understand that any statement made by me during this interview and the fruits thereof cannot be used against me in a criminal proceeding.

I understand that I have the right to have a union representative, or legal counsel of my choosing, present at the interview to consult with, and that I will be given a reasonable time to obtain a union representative or legal counsel as long as the interview is not unduly delayed.

I understand that a refusal to answer any question, or any false, inaccurate, or deliberately incomplete statement by me would constitute a violation of Chicago Municipal Ordinance 2-56, and may serve as the basis for my discharge.

I acknowledge that this statement of my administrative rights has been read aloud to me, and I have been allowed to review this document.

Employee Signature

Witness: _____ Witness: _____

****

WAIVER

Understanding these rights, I wish to answer questions from investigators from the Office of Inspector General without having a union representative or legal counsel present. No promises or threats have been made to me and no pressure or coercion of any kind has been used against me.

Employee Signature: _____



NOTIFICATION OF INTERVIEW TO CPD MEMBER CITY OF CHICAGO OFFICE OF INSPECTOR GENERAL			DATE February 19, 2016
NAME	RANK	STAR NO.	UNIT OF ASSIGNMENT
Dora Fontaine	Police Officer	4484	008

YOUR APPEARANCE IS REQUIRED

AT ☒	Amicus Court Reporters 300 West Adams, Ste. 800 Chicago, IL 60606	ON	DATE February 29, 2016	TIME 9:00 PM

AS ☒ ACCUSED ☐ WITNESS ☐ COMPLAINANT

FOR ☒ A STATEMENT

CONCERNING

False statements made in connection with the October 20, 2014 shooting of Laquan McDonald; the operation of the Chicago Police Department's in-car video system.

YOU ARE TO REPORT TO:

LEAD INVESTIGATOR	TITLE	PHONE NO.	EMAIL
Kristopher Brown	Investigator III	773-478-0221	kbrown@chicagoinspectorgeneral.org

NOTE: You MUST notify the Lead Investigator of your inability to keep this scheduled appointment.

ALSO PRESENT AT THE INTERVIEW WILL BE:

NAME	TITLE	NAME	TITLE
Peter Neumer	Assistant Inspector General	N/A	N/A

THE INTERVIEW WILL BE ☐ AUDIO RECORDED ☒ TRANSCRIBED BY A LIVE REPORTER

TO BE COMPLETED BY INTERVIEWEE IN accordance

ACKNOWLEDGEMENT

Please contact Investigator Brown at (773) 478-0221 to confirm receipt of Notification of Interview and to confirm your attendance at the interview.

I hereby acknowledge receipt of this Notification of Interview

SIGNATURE Dora Fontaine DATE 22 Feb 16

PRINTED NAME Dora Fontaine TIME 2325

EXHIBIT 2 OIG 3 Feb 16

TO BE COMPLETED BY OFFICE OF INSPECTOR GENERAL OR CPD COMPONENT PROVIDING NOTIFICATION TO INTERVIEWEE

NOTIFICATION MADE TO	TITLE, RANK, & UNIT	DATE	TIME
P.O. Fontaine	P.O. Dora Fontaine 4484	22 FEB 2016	2325 HRS.
NOTIFICATION MADE BY	TITLE, RANK, & UNIT	DATE	TIME
Sgt Terrance Coulter # 894	Sgt # 894	22 FEB 2016	2325 HRS



NOTIFICATION OF ALLEGATIONS

CITY OF CHICAGO OFFICE OF INSPECTOR GENERAL

NAME OF ACCUSED	RANK	STAR NO.	UNIT OF ASSIGNMENT
Dora Fontaine	Police Officer	4484	008

City ordinance, and if applicable, collective bargaining agreements, provide that you are entitled to notice of the nature of the allegations against you and the identity of all complainants prior to any interview. Accordingly, you are advised as follows:

COMPLAINANT(S)

1. John J. Escalante, Interim Superintendent of Chicago Police Department (CPD), sent a letter to the City of Chicago Office of Inspector General (OIG) dated January 13, 2016, requesting that OIG conduct an administrative investigation of the following allegations arising out of the October 20, 2014 shooting death of Laquan McDonald (the McDonald Shooting): "whether any officer(s) made false statement on official reports submitted in connection with the shooting of Laquan McDonald on October 20, 2014; whether any officer(s) obstructed or interfered with the investigation of this incident, either individually or in collusion with others; and whether any officer(s) committed any violation of Chicago Police Department rules, policies, or orders in connection with their response and/or handling of this matter." Escalante attached to the letter a copy of Sergeant S. Soria's (Star # 2275) Initiation Report, which raises similar allegations of misconduct with respect to Department members in connection with the McDonald Shooting, and identified that Report as a basis for OIG's administrative investigation.

ALLEGATION(S)

1. On or about October 20, 2014, you provided a false narrative to Detective David March of the Chicago Police Department (CPD) concerning the McDonald Shooting, through a series of false statements and material omissions.

2. On or about October 20, 2014, you made a false statement during an interview with CPD Detective David March of the Chicago Police Department when, with respect to the McDonald Shooting, you stated that McDonald was walking southbound, with his body facing east, toward Officers Van Dyke and Walsh.

3. On or about October 20, 2014, you made a material omission during an interview with CPD Detective March when, with respect to the McDonald Shooting, you failed to state that Officers Van Dyke and Walsh moved towards McDonald prior to the shooting.

4. On or about October 20, 2014, you made a material omission during an interview with CPD Detective March when, with respect to the McDonald Shooting, you failed to state that McDonald changed the direction in which he was walking prior to being shot by Officer Van Dyke.

5. On or about October 20, 2014, you made a false statement during an interview with CPD Detective March when, with respect to the McDonald Shooting, you stated that McDonald raised his right arm toward Officer Van Dyke, as if attacking Van Dyke.

6. On or about October 20, 2014, you made a false statement during an interview with CPD Detective March when, with respect to the McDonald Shooting, you

stated that the gunshots Officer Van Dyke fired at McDonald were rapid fire and without pause.

7. On or about October 20, 2014, you failed to ensure the in-car video system for CPD vehicle 8948 was working properly at the beginning of your tour of duty.

8. On or about October 20, 2014, you failed to immediately notify a supervisor that the in-car video system for CPD vehicle 8948 was inoperable or damaged.

9. On or about October 20, 2014, you failed to audibly record events with CPD vehicle 8948's in-car video system during your tour of duty.

ACKNOWLEDGEMENT

I hereby acknowledge receipt in writing of the identity of the complainant(s) and notice of the nature of the allegation(s) against me.

Signature [signature] Date 22 Feb 16

Printed Name Dora Fontaine Time 2335

WITNESSES

[signature] #834 22 FEB 2016 2335 HRS

City of Chicago Office of Inspector General
740 North Sedgwick Street
Suite 200
Chicago, Illinois 60654

RECEIPT FORM

OIG FILE NO. 15-0564

ON 22 FEB 2016 (DATE) AT 2340 HRS. (TIME)

Sgt. Tamanna Carthen #894 (NAME) Sgt of Police (TITLE)

☐ SEIZED FROM ☐ RECEIVED FROM ☐ RETURNED TO ☒ RELEASED TO

NAME	TITLE	DEPT.
Dora Fontaine	Police Officer	Chicago Police Department

THE FOLLOWING ITEM(S):

1. A City of Chicago Office of Inspector General DVD containing the following materials:

- A copy of the portion of the March 16, 2015 Case Supplementary Report for R.D. No. HX475653 that memorializes Detective David March's October 20, 2014 interview of Dora Fontaine;
- Detective March's October 20, 2014 General Progress Report for R.D. No. HX475653 concerning March's October 20, 2014 interview of Dora Fontaine;
- The October 20, 2014 audio and video files for the in-car video system of beat number 813R;
- The October 20, 2014 audio and video files for the in-car video system of beat number 845R; and
- A October 20, 2014 Dunkin Donuts security video of the Laquan McDonald shooting.

ACKNOWLEDGEMENT

I hereby acknowledge receipt in writing of the above-listed item(s).

Signature Dora Fontaine Date 22 Feb 16

Printed Name Dora Fontaine Time 2340

EXHIBIT 4 OIG 2.16.16

WITNESSES



22 FEB 2016 2340 HRS

CHICAGO POLICE DEPARTMENT

CASE SUPPLEMENTARY REPORT

HX475653

3510 S. Michigan Avenue, Chicago, Illinois 60653

EXC. CLEARED CLOSED (OTHER EXCEPTIONAL)		DETECTIVE SUP. APPROVAL COMPLETE			
Last Offense Cleared/Assault/Battery Classification	IUCR Code	Original Offense Classification			IUCR Code
ASSAULT / Aggravated Po:Knife/Cut Instr	0552	ASSAULT / Aggravated Po:Knife/Cut Instr			0552
Address of Occurrence	Beat of Occur.	No. of Victims	No. of Offenders	No. of Arrestees	SCR No.
4112 S PULASKI RD	815	4	1	1	
Location Type	Location Code	Secondary Location			Hate Crime?
Street	304				NO
Date of Occurrence	UNI Assigned	Date DO Arrived	Fire Related?	Gang Related?	Domestic Related?
20-OCT-2014 21:57	0841R	20-OCT-2014 21:57	NO	NO	NO

Reporting Officer	Star No.	Approving Supervisor	Star No.	Primary Detective Assigned	Star No.
MARCH, David	20563	WOJCIK, Anthony	481	MARCH, David	20563
Date Submitted		Date Approved		Assignment Type	
15-MAR-2015 18:26		16-MAR-2015 00:03		FIELD	

THIS IS A FIELD INVESTIGATION EXC. CLEARED CLOSED (OTHER EXCEPTIONAL) REPORT

[redacted]

HX475653

EXHIBIT 5 016 3/16/16

[redacted]

FONTAINE, Dora -----

stated she was a Chicago Police Officer assigned to the 008th District. She was on duty, in uniform, working on Beat 841R. FONTAINE was working with Police Officer Ricardo VIRAMONTES. The two officers were assigned to a marked vehicle. VIRAMONTES was driving the vehicle and FONTAINE was the passenger.

The two officers responded to the request for assistance made by Beat 815R, regarding a man with a knife at 41st Street and Pulaski Road. Officer VIRAMONTES drove northbound on Pulaski. When they arrived at the scene of this incident, in front of the Dunkin' Donuts restaurant, Officer FONTAINE saw a black male subject, now known as Laquan MCDONALD, walking southbound in the street, with a knife in his right hand. MCDONALD was walking sideways, with his body facing east, toward Officers Jason VAN DYKE and Joseph WALSH. These two officers were standing in the middle of the street, on the right side of their police vehicle, which was facing southbound. FONTAINE heard the officers repeatedly order MCDONALD to "Drop the knife!" MCDONALD ignored the verbal direction and instead, raised his right arm toward Officer VAN DYKE, as if attacking VAN DYKE. At this time VAN DYKE fired multiple shots from his handgun, until MCDONALD fell to the ground and stopped moving his right arm and hand, which still grasped the knife. The gunshots were rapid fire, without pause. Officer WALSH then kicked the knife out of MCDONALD's hand.

[redacted]

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF OPRD CASE REPORT	DATE OF THIS REPORT
20 OCT 2014	2015 FEB 13

OFFENSE CLASSIFICATION—LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	VAN DYKE	5721

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

D FONTAINE

RESPONDED TO REQUEST FOR ASSIST, 2 ISR
MAN W/ KNIFE, 41 + PULASKI
R/V DRIVE W/D PULASKI
WITN THIS? ARRIVED AT SCENE, IN FRONT OF JJD,
SAW O WALKING S/B, IN ST, KNIFE, IN R HAND
O WALKING ~~[illegible]~~ SIDEWAYS, BODY FACING E,
TOWARD JVD + JW
POs STANDING IN ST, ~~FOR~~ SIDE OF THEIR ~~VEHICLE~~ -
VEHICLE FACING S/B
HEARD POs REPEATEDLY: "DROP THE KNIFE!"
O IGNORED, RAISED R ARM TOWARD VD AS IF
ATTACKING VD
VD FIRED MULTIPLE SHOTS UNTIL O FELL TO
GROUND + STOPPED MOVING R ARM + HAND, STILL
GRASPING KNIFE
SHOTS = RAPID FIRE, WITHOUT PAUSE
WALSH THEN KICKED KNIFE FROM O'S HAND

R.D. NO. HX475253

REPORTING OFFICER'S SIGNATURE—STAR NO. 20563 | RECEIVED BY—SUPERVISOR'S SIGNATURE—STAR NO. | DAY—MO.—YR. | TIME

CPD-23.122 (Rev. 7/93)

EXHIBIT 6 OIG 3.16.16

Chicago Police Department

IN-CAR VIDEO SYSTEMS

Special Order S03-05

ISSUE DATE:	23 February 2012	**EFFECTIVE DATE:**	23 February 2012
RESCINDS:	Version dated 20 April 2011, S10-10		
INDEX CATEGORY:	Field Operations		

I. PURPOSE

This directive:

A. implements the use of Department in-car video systems.

B. establishes the policies and procedures for the use, maintenance, and repair of in-car video systems.

C. establishes the roles and responsibilities of Department members affected by the introduction of in-car video systems for the video and audio recording of incidents.

D. establishes the requirements for viewing, retaining, and duplicating digitally recorded incidents.

E. continues the use of the Digitally Recorded Data Viewing/Hold/ Duplication Request (CPD-65.224)

F. identifies the Records Division as the Department repository and viewing location of digitally recorded data created by the in-car video systems.

II. POLICY

The Department is committed to protecting the safety and welfare of its members and the public. The in-car video systems can provide members with an invaluable instrument to enhance criminal prosecution by providing powerful evidence of criminal activity, limit civil liabilities, and objectively document officer conduct during individual interactions. Members assigned to a vehicle equipped with an in-car video system will use it pursuant to this directive.

III. GENERAL INFORMATION

A. There is no expectation of privacy for Department members related to incidents recorded by in-car video systems. Supervisors, members of Bureau of Internal Affairs, and the Independent Police Review Authority (IPRA) investigators may request to review the digitally recorded data from a vehicle equipped with an in-car video system. Any digitally recorded data created by the in-car video system may be used without a Department member's permission for any official Departmental purpose.

B. The in-car video system will **automatically engage audio and video recording** when the vehicle's emergency-roof lights are activated. However, Department members may manually activate the in-car video system without the activation of the emergency equipment. At the conclusion of the incident, Department members must manually disengage all recording processes, regardless of what method activated the in-car video system.

C. The Records Division will be the custodians of the digitally recorded data and will be responsible for the retention, duplication, and viewing of the in-car video systems. The Director, Records Division, will establish retention, viewing, and duplication procedures that provide for inventory control, the security of the digitally recorded data, and authorized duplications.

D. All digitally recorded data created by the in-car video systems will be retained by the Records Division for a minimum of 90 days. Digitally recorded data that is marked and held as having evidentiary or training value will be retained as prescribed by law and established Department policy.

E. In general, minor infractions and minor deviations from Department policy observed through the review of digitally recorded data will not be subject to the disciplinary process and will be treated as a training opportunity.

EXHIBIT 7 OIG 3/24/16

OIG 15-0564 006842

IV. RECORDING GUIDELINES

A. Department members will use only Department-issued video and audio recording equipment.

B. Department members will conform to all laws and Department policies concerning the use of the in-car video system for the video and audio recording of incidents.

1. Department members are lawfully permitted to video record individuals without their consent if they are on the public way or in public view.

2. Department members who are in uniform and have identified their office are lawfully permitted to simultaneously audibly and visually record individuals without their consent whenever:

a. the member is conducting an enforcement stop, **or**

b. the patrol vehicle emergency lights are activated or would otherwise be activated if not for the need to conceal the presence of law enforcement.

NOTE: Any reports completed for an audibly recorded incident, including Traffic Stop Statistical Study - Driver Information Cards (CPD-21.103), Traffic Stop Statistical Study Stickers (CPD-15.516), and Personal Service Citations, must include the initial violation or investigatory need that led to the stop.

NOTE: Department members may audibly record an enforcement stop regardless of the subsequent enforcement action taken.

3. Department members may audibly and visually record an individual with the consent of the individual.

C. Uniformed Department members assigned to vehicles equipped with in-car video systems will activate the system to simultaneously audibly and visually record the entire incident for all enforcement stops.

D. Uniformed Department members assigned to vehicles equipped with in-car video systems will activate the system to visually record the entire incident for all:

1. arrests and transports.

2. nonpursuit emergency vehicle operations.

3. any situation that the member, through training and experience, believes to serve a proper police purpose.

E. During the recording of an incident, Department members will not disengage the in-car video system until the entire incident has been recorded.

NOTE: Department members will be required to justify any disengagement of the in-car video system prior to the entire incident being recorded.

F. If recorded, felony and misdemeanor arrests, motor vehicle pursuits, traffic crashes resulting in property damage, personal injury, or a fatality, DUI incidents, and failure to yield to an emergency vehicle will be automatically stored by the in-car video system indefinitely when the correct event is selected from the postevent pop-up menu. All other incidents will be automatically stored for ninety days.

G. If digitally recorded data will be needed in judicial proceedings beyond ninety days, members will place an extended hold on that digitally recorded data as described in Item VIII of this directive, including but not limited to the following circumstances:

1. Traffic stops other than DUI,

© Chicago Police Department, February 2012

OIG 15-0564 006843

2. Enforcement stops,

3. Other traffic crash investigations, and

4. Stops for citizen assistance.

H. When a complaint against a Department member is received that involves a digitally recorded incident, the investigating member will request an extended hold on the data.

I. Assigned supervisors will request an extended hold on all digitally recorded motor vehicle pursuits and traffic crashes involving Department vehicles.

V. DEPLOYMENT OF THE IN-CAR VIDEO SYSTEMS

A. Commanding officers of units with vehicles equipped with in-car video systems will:

1. ensure that vehicles equipped with in-car video systems are evenly distributed for use by all watches.

NOTE: Commanding officers will ensure the units assigned to traffic duties in district law enforcement use vehicles equipped with in-car video systems.

2. whenever feasible, ensure vehicles equipped with the in-car video systems are deployed every tour of duty and service is requested for inoperable vehicles equipped with in-car video systems.

B. The *station supervisors* will:

1. deploy every vehicle equipped with a functional in-car video system during the tour of duty.

2. ensure digitally recorded data is downloaded from the in-car video systems.

3. whenever operationally feasible, review video of any arrest recorded by the in-car video system as part of the approval of probable cause.

VI. OPERATIONAL PROCEDURES

A. Department members assigned to a Department vehicle equipped with an in-car video system will:

1. at the beginning of a tour of duty:

a. visually inspect the in-car video system equipment for damage.

b. obtain the remote transmitter/audio recorder and ensure it is securely attached to the member's person.

c. follow the start-up procedures for the in-car video system as trained and ensure the system is working properly.

NOTE: Members will immediately notify a supervisor if, at any time, the in-car video system is inoperable, damaged, the equipped vehicle becomes inoperable, or the remote transmitter/audio recorder is missing.

2. during the tour of duty:

a. audibly and visually record events in accordance with this directive.

b. annotate all reports, including Contact Information Cards (CPD-21.101), prepared for an event which has been recorded by listing **"Video Recorded Incident"** at the end of the narrative portion.

OIG 15-0564 006844

c. after an incident has been recorded, use the post-event pop-up menu to select the most serious recorded occurrence as the event type and enter other event information.

NOTE: If the member did not use the postevent pop-up menu to mark the incident as being held for evidence, the member will request an extended hold on digitally recorded data in accordance with Item VIII of this directive.

d. if the in-car video system indicates that the memory required to record incidents is becoming low or if the member observes that less than 30 minutes of recording time is available, download the digitally recorded data.

3. at the conclusion of a tour of duty:

a. verify the in-car video system is working properly.

b. initiate the downloading of the digitally recorded data.

NOTE: Members will immediately notify a supervisor if unable to complete the downloading of digitally recorded data due to technical problems.

c. shut down the in-car video system and logoff the system.

d. return the remote transmitter/audio recorder to the designated area for charging.

B. The sergeant assigned to supervise Department members using Department vehicles equipped with an in-car video system will:

1. monitor subordinates to ensure the in-car video system is used and that digitally recorded data is properly downloaded.

2. ensure that the Help Desk is contacted and a ticket number is obtained whenever any member is unable to use the in-car video system or download digitally recorded data due to technical problems.

3. initiate an investigation when notified of a missing or lost remote transmitter/audio recorder.

4. document on the Supervisor's Management Log (CPD-11.455):

a. whether each vehicle has an in-car video system and if it is functioning.

b. all responses related to malfunctions of vehicles equipped with in-car video systems.

c. digitally recorded data downloaded to land-based terminals, noting any units unable to complete the download and the Help Desk ticket number obtained.

d. any request submitted for an extended hold of digitally recorded data.

e. any instances of additional training, corrective measures, or disciplinary actions.

5. document on the Traffic Pursuit Report (CPD-22.958) or traffic crash report that the incident has been digitally recorded.

6. obtain a complaint register number and order an evidence technician to process the equipment if any damage or malfunction is suspected to have been caused by deliberate (tampering) means.

C. *Station supervisors* will:

1. designate a sergeant responsible for monitoring the downloading of digitally recorded data for the watch.

OIG 15-0564 006845

2. record the total number of vehicles equipped with in-car video systems deployed during the watch and the total number of these vehicle that do not have a functioning in-car video system, if any, on the Watch *Incident* Log (CPD-21.916).

3. ensure the status of vehicles equipped with in-car video systems is recorded on the Personal Equipment Log (CPD-21.919) by recording the word "VIDEO" in the "Camera/Tripod No." column.

4. if an in-car video system malfunctions or the system or vehicle becomes inoperable **during** the tour, record the vehicle and beat numbers and the words "VIDEO DOWN" on the Watch *Incident* Log.

D. When digitally recorded data is determined to have evidentiary or training value, or a complaint against a Department member is received that involves a digitally recorded incident, the supervisor reviewing the recorded data will request an extended hold on the data.

VII. DOWNLOADING DIGITALLY RECORDED DATA FROM THE IN-CAR VIDEO SYSTEM

A. When downloading digitally recorded data from the mobile unit of an in-car video system to a land-based terminal, Department members will:

1. download the data in accordance with the manufacturer's guidelines and training.

2. ensure the download of data was complete and return the vehicle back into service.

B. With the approval of the *station supervisor* in the district of occurrence, special requests for the immediate viewing of digitally recorded data from the *Bureau of Detectives*, *Bureau of Internal Affairs*, or IPRA will be processed for major incidents where an in-car camera system may be reasonably expected to have captured a component of the incident.

1. Major incidents include, but are not limited to:

a. police-involved shootings,

b. serious injury or death to a Department member,

c. serious injury or death to a member of the public.

2. Special requests for viewing digitally recorded data will be made to the *station supervisor* in the district of occurrence, who will:

a. evaluate the request;

b. determine if the need for retrieval outweighs the operational impact of the vehicle being taken out of service; and

c. notify *Crime Prevention and Information Center (CPIC)* of the decision.

3. Special requests will be in the form of one of the following types:

a. Special wireless upload, or

b. Emergency on-site retrieval.

C. Special Wireless Uploads

1. The *station supervisor* in the district of occurrence will take the vehicle out of service and secure it at the unit of assignment or other appropriate location.

2. The supervisor will:

a. verify that the vehicle operator or partner is signed on to the in-car camera system;

b. instruct the member to manually flag the entire tour of duty's available video for upload;

© Chicago Police Department, February 2012

OIG 15-0564 006846

c. instruct the member to initiate a manual upload of this video with the vehicle in range of the facility's wireless hotspot; and

NOTE: If video cannot be uploaded via wireless hotspot, a cradle upload will be used.

d. ensure that the vehicle remains out of service until the upload is complete.

3. Once complete, the *station supervisor* will allow personnel from the *Bureau of Detectives*, *Bureau of Internal Affairs*, or IPRA, as appropriate, to review the uploaded files.

NOTE: For officer-involved shootings when an On-Call Incident Commander (OCIC) will respond, an emergency on-site retrieval will be immediately requested through *CPIC*.

4. The *station supervisor* may identify an alternate vehicle for the member to use while the identified vehicle completes its video upload, as appropriate.

5. If an attempt to wirelessly upload is unsuccessful, members may contact the City of Chicago Help Desk at 4-DATA for assistance.

6. If a wireless upload fails, an emergency on-site retrieval will be conducted.

D. Emergency On-Site Retrieval

1. The *station supervisor* in the district of occurrence will notify *CPIC* of an approved emergency on-site retrieval.

NOTE: An emergency on-site retrieval will only be conducted when an OCIC is responding or a wireless upload fails and contacting the City of Chicago Help Desk at 4-DATA has not resolved the problem.

2. *CPIC* will notify the Public Sector Information Technology (PSIT) Group personnel of a manual video retrieval from the "fail-safe" internal drive request.

3. The *station supervisor* in the district of occurrence will take the identified vehicle out of service during the retrieval process.

4. If the identified vehicle is still in use when the designated supervisor arrives at the unit facility or other appropriate location, the supervisor will report to the vehicle and instruct any member logged onto the system to log off the system.

5. The vehicle will remain out of service until PSIT responds and conducts the video retrieval.

NOTE: On-site review of video will be limited to the series of events and time frame giving rise to the alleged incident.

E. Viewing and Obtaining Copies of In-Car Video Recordings

1. Once retrieval has been completed for the requested time frame, the video may be viewed by personnel from the requesting party at the location of retrieval.

2. Requests for copies of in-car video recordings will be made by completing the form entitled "Digitally Recorded Data Viewing/Hold/Duplication Request" (CPD-65.224) and forwarding it to the Records Division.

F. The Managing Deputy Director, PSIT, will:

1. establish procedures to ensure the security of the digitally recorded data from downloading to storage by the Records Division.

OIG 15-0564 006847

2. develop a system to monitor the memory capacity of the land-based terminals and provide for the security of the downloaded data.

G. If members are unable to download digitally recorded data from the mobile unit of the in-car video system to the land-based terminals due to system inoperability:

1. the *station supervisor* will notify the Help Desk and follow any further instructions given by the responding member of PSIT.

2. A designated member of PSIT will respond to the requesting unit and:

a. ensure the security of the digitally recorded data.

b. perform a manual download of the digitally recorded data.

c. record the manual download on the Help Desk ticket.

VIII. REQUESTING A HOLD FOR DIGITALLY RECORDED DATA

A. Department members will place an extended hold on digitally recorded data they recorded using the postevent pop-up menu on the in-car video system.

B. **Within the first 48 hours** from downloading digitally recorded data from the vehicle, Department members **who do not use the postevent pop-up menu** and request an extended hold on digitally recorded data will request that a supervisor place the extended hold by using the land-based terminal at the district/unit station.

C. **After the first 48 hours** from downloading digitally recorded data from the vehicle, Department members **who do not use the postevent pop-up menu** and request an extended hold on digitally recorded data will:

1. complete the Digitally Recorded Data Viewing/Hold /Duplication Request form.

2. indicate on the form the necessary actions by the Records Division.

3. explain in the narrative portion of the form the reason for the request.

4. submit the form to the *station supervisor/designated unit supervisor* for approval.

5. submit the completed and approved form to the Records Division for processing and retention in accordance with existing records-retention requirements.

D. Department members who wish to remove an extended hold on digitally recorded data will follow the procedures outlined in Item VIII-C of this directive indicating the circumstances requiring the removal of the extended hold.

E. The Director, Records Division, will:

1. develop a cataloging system for storage and retrieval of recordings and procedures for ensuring archives are maintained consistent with Department directives (including the Forms Retention Schedule), applicable state and federal laws, and compliance with all court orders.

2. be responsible for retaining digitally recorded data for which an extended hold was requested as prescribed by law and established Department policy.

IX. VIEWING, RETAINING, AND DUPLICATING DIGITALLY RECORDED DATA

A. All digitally recorded data created by the in-car video systems are the property of the Chicago Police Department. **Dissemination of any digitally recorded data outside the Department is strictly prohibited without specific authorization by the Superintendent or an appointed designee.**

1. Any non-Departmental requests for duplication of digitally recorded data must be approved by the Superintendent or an appointed designee.

© Chicago Police Department, February 2012

OIG 15-0564 006848

2. All approved requests will be forwarded in an expeditious manner to the Director, Records Division, along with:

   a. a completed and approved Digitally Recorded Data Viewing/Hold/Duplication Request form, and

   b. written instructions, including dissemination information, for compliance with the request.

B. Department members assigned to vehicles equipped with in-car video systems and their supervisors are encouraged to use the review/ playback functions of the system for the purposes of:

1. developing familiarity with the functions, capabilities, and limitations of the in-car video systems to create consistent recording techniques which capture relevant actions.
2. searching for and identifying recorded events having evidentiary or training value.
3. reviewing approach and officer safety issues.
4. ensuring consistency with written reports.

C. Reviewing Digitally Recorded Data

Investigating members may view digitally recorded data in the performance of official police business. When it is necessary to view digitally recorded data stored by the Records Division, the following procedures will apply:

1. The requesting Department member will:

   a. prepare a Digitally Recorded Data Viewing / Hold / Duplication Request form, including approval of the requestor's *station supervisor/designated unit supervisor*.

   b. schedule an appointment to view the recorded incident with a Records Division supervisor (or an appointed designee) to ensure the availability of a technician and playback equipment.

   c. present the properly completed and approved form to a Records Division supervisor at the scheduled time.

2. A Records Division supervisor will:

   a. process all approved recorded incident review requests.

   b. assign a technician to assist the requestor in viewing the recorded incident, as required.

D. Obtaining a Video Recording

1. A duplicate copy of selected information may be made to retain that information:

   a. when it is not required that the master video be retained for an indefinite period (e.g., investigation of a routine administrative incident when the punishment is of a summary or minor nature).

   b. when the requesting member determines that a duplicate video of a master video will be sufficient.

2. A duplicate video recording may be obtained by:

   a. completing a Digitally Recorded Data Viewing / Hold / Duplication Request form and submitting the completed form to the *station supervisor/designated unit supervisor* for approval.

   b. notifying the Records Division that a duplicate video recording is required and submit the approved Digitally Recorded Data Viewing/Hold/ Duplication Request form to the Director, Records Division.

OIG 15-0564 006849

c. indicating to the Records Division which information from the digitally recorded data is to be included on the duplicate video recording.

3. When the duplicate video recording has served the purpose for which it was made, the requesting member will ensure that it is immediately returned to the Records Division.

NOTE: A member requesting a duplicate video recording will not make additional copies of it or permit unauthorized persons to duplicate or view it under any circumstances.

E. Special Situations

When the Records Division receives a request for an extended hold of digitally recorded data that indicates it pertains to:

1. **a motor vehicle pursuit or traffic crash involving a Department vehicle**, the Director, Records Division, will ensure a duplicate video is forwarded to the Traffic Review Board.
2. **an incident having training value,** the Director, Records Division, will ensure a duplicate video is forwarded to the *Deputy Chief*, Education and Training Division.

(Items indicated by *italics/double underline* were revised or added.)

Authenticated by: RMJ

Garry F. McCarthy
Superintendent of Police

11-055 / 12-003 EGV/RJN

© Chicago Police Department, February 2012

OIG 15-0564 006850

SUPPLEMENTARY REPORT

20 Oct 14 2157

ASSAULT - AGG PO: KNIFE/CUT INSTR 0552 4000 S KARLOV X 815
P.O. GAFFNEY # 19958 / P.O. VAN DYKE # 12865 X X 9210
3420 W 63RD ST STREET 304

SEE ORIGINAL CASE INCIDENT REPORT

EVENT# IN SUMMARY: R/S CONTACTED BY CPIC AT 1230; 20 OCT 14 FOR IN CAR CAMERA (ICC) VIDEO REVIEW ON SUBJ 4000 S. PULASKI RELATED TO THIS ABOVE LISTED INCIDENT. REQUEST WAS FROM AREA CENTRAL DETECTIVE DIVISION SGT D. GALLAGHER UPON ARRIVAL BT 813R VEH 8779; BT 815R VEH 8489; BT 822 VEH 8765; BT 845R VEH 6412; & BT 841R VEH 8948 WERE SUBJECTS OF ICC VIDEO CHECK/RETRIEVAL. CHECKS OF THESE VEHICLES REVEALED THE LISTED FINDINGS:

BT 813R	VEH 8779	VIDEO RECOVERED [redacted] @ 20141020 215250
BT 815R	VEH 8489	OPERATIONAL BUT DUE TO DISC ERROR NO VIDEO RECORDED
BT 822	VEH 8765	NOT EQUIPPED - OFFICER REPORTED PRIOR ISSUE
BT 845R	VEH 6412	VIDEO RECOVERED [redacted] @ 2014/10/20 215250
BT 841R	VEH 8948	NOT EQUIPPED - OFFICER REPORTED APPLICATION ERROR

RECOVERED VIDEO MANUALLY UPLOADED AND RETAINED 002/RCOD ICC SYSTEM

21 OCT 14

SGT L. BUCHER 1748

HR 475253

EXHIBIT 8 CIG

In Car Camera Video Retrieval Work Sheet

Date & Time of Notification: 20 Oct 14 2230 HRS Related HDT#: OPS CMD

Requestor: Dep Chief McWilliamson Tech: Bocnar

Location of response: 4100 S Pulaski

Type of incident requiring retrieval: Police Involved Shooting - Foreign Officer

Location of incident: 4100 S Pulaski Date & Time of Incident: 20 Oct 14 2147

Related RD#, Event#, and/or CR Log#: HX475653

Vehicles to be checked: [redacted] ★

813R Veh# 8778 POs PC# [redacted] Results: [redacted] @ 20141020 2162 50 2144218 MHDD 30000216

815R Veh# 8489 POs PC# [redacted] Results:

422 Veh# 8765 POs PC# [redacted] Results:

845R Veh# 6442 POs PC# [redacted] Results: [redacted] @ 20141020 215250 2144543 out of range MHDD 00000229

841R Veh# 8948 POs PC# Results: HDT NO OPEN HDT

List additional vehicle to be checked and results on back of this form

Note: Any vehicles identified to be checked, will be evaluated for operational readiness as well. Any deficiencies of the ICC System will be noted i.e. MIC(s) are not sync'd; rear camera not working; cannot upload; etc. Actions to rectify the issue should be taken to render the system FULLY FUNCTIONAL!

Notes of work or activities performed:

8778: MICs in Glove Box Batteries Inserted UPSIDE Down
↳ Fully OP

8489: Processing Videos: Extremely Large Video files

8765: MICs In Charging Cradle; Not Synced to System

6442: No MICs; MIC Charger Disconnected

8948

This Information Disclosed to Supervisors; Dep McWilliamson & OPS Tech: Disc Submitted on Secure Digital Video

EXHIBIT 9 OIG

20 OCt 2014 , HY475653

Becvar, Lance J.

Sent: Friday, July 17, 2015 12:33 PM

To: Lewin, Jonathan H.

Cc: Dolak, Steven E.

Hello Dep Lewin,
Per your request the findings related to the Aggravavted Assault / Police involved Shooting on 20 Oct 2014 Listed under RD# HY 475653:

Findings from thart night-

Veh 8779 Video Recovered Titled [redacted]@20141020215250. No MICs because they were in the Glove Compartment with the batteries inserted umside down - Disabling them

Veh 8489 System not engaged because a very long video (like hours long) was made previous to this event/incident and the system was processing that video and unable to start another video.

Veh 8765 System not engaged, officer related no power. There was no open HDT called in on vehicle. MICs not sync'd to system even though they were in the charging cradles.

Veh 6412 Video Recovered Titled [redacted]@20141020215250 view out of focus. Focusing problem found to be related to a loose cable connection for the camera. No MICs in vehicle and the charging cradles disconnected from power.

Veh 8949 System not engaged, officer reported that there was an application error - Mobile Recorder Start-Up corrupted. No Help Desk Ticket Open for this vehicle.

Sgt Lance Becvar

Mobile Tech Supervisor

Information Services Division

Chicago Police Department
Cell# 312-448-1305
E-mail: lance.becvar@chicagopolice.org



LEGAL DISCLAIMER: This message, including any attachments, contains confidential information and may be legally privileged. Access to this email by anyone other than the intended recipient is unauthorized. If you are not the intended recipient, any review, disclosure, copying, distribution, retention, or any action or inaction taken in reliance on this information is prohibited and may be unlawful. If you are not the intended recipient, please notify the sender and delete the message, any attachments, and any copies thereof from your system.

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 14	20 OCT 14 3

OFFENSE CLASSIFICATION—LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	VANJYKS	5721

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

D FONTAINE

RESPONDED TO REQUEST FOR ASSIST, B/5R
MAN W/KNIFE, 41 + PULASKI
R V DROVE N/B PULASKI
WHEN THEY ARRIVED AT SCENE, D FRONT OF DD,
SAW O WALKING S/B, IN ST, KNIFE IN R HAND
O WALKING ~~S/B~~ SIDEWALK, BODY FACING E,
TOWARD JVS + JW
POs STANDING IN ST, ~~FOR~~ SIDE OF THEIR ~~VEHICLE~~-
TAHOE FACING S/B
HEARD POs REPEATEDLY "DROP THE KNIFE!"
O IGNORED, RAISED R ARM TOWARD VS, AS IF
ATTACKING VS
VS FIRED MULTIPLE SHOTS UNTIL O FELL TO
GROUND + STOPPED MOVING R ARM + HAND, STILL
GRASPING KNIFE
SHOTS = RAPID FIRE, WITHOUT PAUSE
WALSH THEN KICKED KNIFE FROM O'S HAND

R.D. NO. HX475253

[redacted] [redacted]

REPORTING OFFICER'S SIGNATURE—STAR NO.	RECEIVED BY: SUPERVISOR'S SIGNATURE—STAR NO.	DAY—MO.—YR.	TIME
[redacted] 20563	[redacted]		

CPD-23.122 (Rev. 2/83)

GENERAL PROGRESS REPORT
ECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 2014	20 OCT 2014 3

OFFENSE CLASSIFICATION—LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	VAN DYKE	512 1

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

R VIRAMONTES

WHEN HE EXITED VEHICLE AT SCENE,
SAW O WALKING S/B ON PULASKI, IN MIDDLE OF ST
KNIFE IN R HAND
HEARD JVD REPEATEDLY "DROP THE KNIFE!"
O IGNORED TURNED TOWARD JVD + JW
VD FIRED MULTIPLE SHOTS
O FELL TO GROUND BUT CONTINUED TO MOVE
ATTEMPTING TO GET BACK UP, KNIFE STILL IN HAND
VD FIRED AT O CONTINUOUSLY UNTIL O
NO LONGER MOVING

R.D. NO. HX475253

[redacted] STAR NO. 20563 | RECEIVED BY: SUPERVISOR'S SIGNATURE—STAR NO. [redacted] (30) | DAY—MO.—YR. TIME

CPD-23.122 (Rev. 2/83)

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
24 OCT 2014	2014

OFFENSE CLASSIFICATION–LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	VAN DYKE	5121

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

D SEBASTIAN

RESPONDED TO BIJR REQUEST FOR ASSIST,
SUBJECT W/KNIFE
THOUGHT ORIGINAL CALL WAS 40+ KEELER
O HAD PUNCTURED TIRE OF BIJR
MONDRAGON PROBE W/B ON PULASKI FOLLOWING BIJR,
ALSO RESPONDING
W/B ON 40 BEHIND BIJR
SAW O RUNNING SE THROUGH BK LOT TOWARD PULASKI
TOLD MONDRAGON TO DRIVE BACK OUT TO PULASKI TO
ASSIST IN PURSUIT. O RAN OUT TO PULASKI, THEN S/B
BIJR PURSUED IN VEHICLE
BIJR FOLLOWING S/B. SAW KNIFE IN O'S R HAND
O WAVING KNIFE
BIJR STOPPED AHEAD OF O. BETWEEN O + DD
VW + VVD EXITED, DREW HANDGUNS.
O TURNED TOWARD POS, WAVING KNIFE
HEARD POS = "DROP THE KNIFE!" REPEATEDLY
O IGNORED. CONTINUED TO ADVANCE ON POS, WAVING KNIFE
DS HEARD MULTIPLE GUNSHOTS + O FELL TO GROUND —
3 INVOLVED MOVING. DS DO NOT KNOW WHO FIRED. STATE
IN ONE CONTINUOUS BURST. WALSH KICKED KNIFE FROM HAND

R.D. NO. HX475753

REPORTING OFFICER'S SIGNATURE–STAR NO.	RECEIVED BY: SUPERVISOR'S SIGNATURE–STAR NO.	DAY–MO.–YR. TIME
[redacted] 20463	[redacted]	

CPD-23.122 (Rev. 2/83)

GENERAL PROGRESS REPORT
ECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 2014	20 OCT 2014 3

OFFENSE CLASSIFICATION–LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0452	VANDYKE	512

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

J MONDRAGON

DRIVING W/B 40. SAW M/E RUNNING E/B THROUGH BK LOT
MADE U-TURN, BACK OUT TO PULASKI
S/B ON PULASKI
SAW O RUNNING S/B PULASKI, MIDDLE OF ST
AS SHE GOT CLOSER, SAW KNIFE IN R HAND
O WAVING KNIFE
SAW JM + JVD OUTSIDE THEIR TAHOE
HEARD POS REPEATEDLY, "DROP THE KNIFE!" AS
O GOT ~~CLOSER~~ CLOSER + CLOSER TO POS, CONTINUING
TO WAVE KNIFE
AS JM PLACED TRANC INTO P, LOOKED DOWN,
HEARD MULTIPLE CONTINUOUS SHOTS, NO PAUSE
THEN SAW O FALL TO GROUND
DID NOT KNOW WHO FIRED

R.D. NO. HX475763

[redacted] 2063 | RECEIVED BY: SUPERVISOR'S SIGNATURE–STAR NO. [redacted] | DAY–MO.–YR. TIME

CPD-23.122 (Rev. 2/83)

HICAGO POLICE DEPARTMENT

ASE SUPPLEMENTARY REPORT

10 S. Michigan Avenue, Chicago, Illinois 60653
use by Chicago Police - Bureau of Investigative Services Personnel Only)

HX475653

Case id : 9825613
Sup ID : 10992767 CASR301

XC. CLEARED CLOSED (OTHER EXCEPTIONAL) | **DETECTIVE SUP. APPROVAL COMPLETE**

Offense Classification/Re-Classification	IUCR Code	Original Offense Classification			IUCR Code
AULT / Aggravated Po:Knife/Cut Instr	**0552**	ASSAULT / Aggravated Po:Knife/Cut Instr			0552
ddress of Occurrence	Beat of Occur	No of Victims	No of Offenders	No of Arrested	SCR No
112 S PULASKI RD	**815**	4	1	1	
ocation Type	Location Code	Secondary Location			Hate Crime?
Street	**304**				NO
ate of Occurrence	Unit Assigned	Date RO Arrived	Fire Related?	Gang Related?	Domestic Related?
20-OCT-2014 21:57	**0841R**	20-OCT-2014 21:57	NO	NO	NO

Reporting Officer	Star No	Approving Supervisor	Star No	Primary Detective Assigned	Star No
MARCH, David	20563	WOJCIK, Anthony	481	MARCH, David	20563
Date Submitted		Date Approved		Assignment Type	
15-MAR-2015 18:26		16-MAR-2015 00:03		FIELD	

THIS IS A FIELD INVESTIGATION EXC. CLEARED CLOSED (OTHER EXCEPTIONAL) REPORT

VICTIM(S) :

GAFFNEY, Thomas J
Male / White / 41 Years
EMPLOYMENT: Chicago Police Officer #19958 Chicago Police Officer
EMPLOYER BUSINESS NME: Chicago Police Department
BUS: 3420 W 63rd St
Chicago IL
312-747-8730

MCELLIGOTT, Joseph P
Male / White / 36 Years
EMPLOYMENT: Chicago Police Officer #18715 Chicago Police Officer
EMPLOYER BUSINESS NME: Chicago Police Department
BUS: 3420 W 63rd St
Chicago IL
312-747-8730

VAN DYKE, Jason D
Male / White / 36 Years
EMPLOYMENT: Chicago Police Officer #9465 Chicago Police Officer
EMPLOYER BUSINESS NME: Chicago Police Department
BUS: 3420 W 63rd St
Chicago IL
312-747-8730

WALSH, Joseph J
Male / White / 45 Years
EMPLOYMENT: Chicago Police Officer #12865 Chicago Police Officer
EMPLOYER BUSINESS NME: Chicago Police Department
BUS: 3420 W 63rd St
Chicago IL

HX475653

312-747-8730

OFFENDER(S): **MCDONALD, Laquan J** -- In Custody --

ALIAS: "Bon-Bon"
Male / Black / 17 Years
DOB: [redacted]
RES: [redacted]
BIRTH PL: Illinois
DESCRIPTION: 6'02,180,Black Hair, Dreadlocks Hair Style, Brown Eyes, Medium Complexion

ITEM USED:
Weapon
DLN/ID: [redacted]
OTHER IDENTIFICATIONS: **Type -** Other Id
State - Unknown

IR #: 2106340
SID #: IL18550721
ORGANIZATION: NEW BREED
RELATIONSHIP OF VICTIM TO OFFENDER:

GAFFNEY, Thomas No Relationship
MCELLIGOTT, Joseph No Relationship
VAN DYKE, Jason No Relationship
WALSH, Joseph No Relationship

GANG INFORMATION:
LISTED CRIMINAL ORGANIZATION: New Breed
GANG IDENTIFIERS: Other

OFFENDER INJURIES: **MCDONALD, Laquan J**

Type	Weapon Used	Weapon Description
Gun Shot Wound	Handgun	Other -Handgun

Injured by Police
Chicago Fire Department Provided First Aid
EXTENT OF INJURY: Multiple Gsw
HOSPITAL REMOVED BY: Cfd Ambulance 21

HOSPITAL: Mt. Sinai
INJURY TREATMENT: Multiple Gsw
PHYSICIAN NAME: Dr Pitzele
INV #: **13296449**

WEAPON(S): **Evidence**

Smith & Wesson -Us- (Bodyguard,Chief Special) , 5942 , 9 , Semi-Automatic Pistol , Semi-Automatic , 4" , Stainless

SERIAL #: [redacted]

MAGAZINE CAPACITY: 15

Number Of Live Rounds present in the Firearm - 15

Number Of Live Rounds used in the Firearm - 16

The Status Of This Firearm is 628361

PROPERTY TYPE: Other

OWNER: Van Dyke, Jason

POSSESSOR/USER: Van Dyke, Jason

PHONE #: 312 - 747 - 8730

LOCATION FOUND: 5101 S Wentworth Ave

VEHICLE INFO:

Truck , 2010 / Chevrolet / Tahoe / Truck

, Victims Vehicle

VIN: 1GNMCAE0XAR263348 **Evidence**

YEAR (RANGE): 2010

COLOR (TOP/BOTTOM): White / White

OWNER: Chicago Police Department

POSSESSOR/USER: Gaffney, Thomas

PHONE#: 312 - 747 - 8730

LOCATION FOUND: 4102 S Pulaski Rd

LICENSE: MP6581, Law Enforcement (City, County, State, Sos), IL

LOCATION OF INCIDENT:

4112 S Pulaski Rd
Chicago IL
304 - Street

DATE & TIME OF INCIDENT: 20-OCT-2014 21:57

WEATHER AND LIGHTING:

WEATHER: Cloudy & Cool

TEMPERATURE: 50s

LIGHTING: Dark / Artificial Light

LIGHTING SOURCE: Streetlights

DISTANCE: Overhead

MOTIVE CODE(S): Interceding In A Felony

CAUSE CODE(S): Dna

METHOD CODE(S): Offender Shot

CAU CODE(S): Police Related Not Con

FIREARM(S) RECOVERED: **INV #: 13296449** **Evidence**

Smith & Wesson -Us- (Bodyguard,Chief Special) , 5942 , 9 , Semi-

Automatic Pistol , Semi-Automatic , 4" , Stainless
SERIAL #: [redacted]
PROPERTY TYPE: Other

OWNER: Van Dyke, Jason
POSSESSOR/USER: Van Dyke, Jason

PHONE #: 312 - 747 - 8730
LOCATION FOUND: 5101 S Wentworth Ave

MAGAZINE CAPACITY: 15
Number Of Live Rounds present in the Firearm - 15
Number Of Live Rounds used in the Firearm - 16

/EHICLE(S) DAMAGED: **Truck , 2010 / Chevrolet / Tahoe / Truck**
VIN: 1GNMCAE0XAR263348 **Evidence**

YEAR - YEAR RANGE END: 2010
COLOR (TOP/BOTTOM): White / White
OWNER: Chicago Police Department
POSSESSOR/USER: Gaffney, Thomas

PHONE#: 312 - 747 - 8730
LOCATION FOUND: 4102 S Pulaski Rd
LICENSE: MP6581, Law Enforcement (City, County, State, Sos), IL

PERSONNEL ASSIGNED:
Detective/Investigator
MARCH, David M # 20563
Reporting Officer
FONTAINE, Dora # 4484 BEAT: 0841R

WITNESS(ES) :
BACERRA, Arturo
Male / White Hispanic / 32 Years
EMPLOYMENT: Chicago Police Officer #15790 Chicago Police Officer
BUS: 3420 W 63rd St
Chicago IL
312-747-8730
[redacted]
Female / White Hispanic / 29 Years
DOB: [redacted]
RES: 5340 Prairie
[redacted]

OTHER COMMUNICATIONS:
Cellular [redacted]
Phone :
[redacted]

Female / White Hispanic / 19 Years

DOB: [redacted]

RES: [redacted]

BUS: [redacted]

DLN/ID: [redacted]

Male / White Hispanic / 18 Years

DOB: [redacted]

RES: [redacted]

OTHER COMMUNICATIONS:

[redacted]
Phone :

DLN/ID: [redacted]

Female / White Hispanic / 24 Years

DOB: [redacted]

RES: [redacted]

EMPLOYMENT: Shift Manager

BUS: [redacted]

OTHER COMMUNICATIONS:

Cellular [redacted]
Phone :

FONTAINE, Dora

Female / White Hispanic / 47 Years

EMPLOYMENT: Chicago Police Officer #4484 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

[redacted]

Male / White Hispanic / 25 Years

DOB: [redacted]

RES: [redacted]

BUS: [redacted]

OTHER COMMUNICATIONS:

Cellular Phone : [redacted]

SSN: [redacted]

[redacted]

Female / White Hispanic / 30 Years

DOB: [redacted]

RES: [redacted]

OTHER COMMUNICATIONS:

Cellular Phone : [redacted]

[redacted]

Male / White Hispanic / 24 Years

DOB: [redacted]

RES: [redacted]

SSN: [redacted]

DLN/ID: [redacted]

MONDRAGON, Janet

Female / White Hispanic / 37 Years

EMPLOYMENT: Chicago Police Officer #4364 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

SEBASTIAN, Daphne L

Female / White / 45 Years

EMPLOYMENT: Chicago Police Officer #2763 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

VELEZ, Leticia

Female / White Hispanic / 43 Years

EMPLOYMENT: Chicago Police Officer #10385 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

VIRAMONTES, Ricardo

Male / White Hispanic / 41 Years

EMPLOYMENT: Chicago Police Officer #10590 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL

312-747-8730

OTHER INDIVIDUALS INVOLVED:

[redacted] (Additional Victim)
Male / White Hispanic / 43 Years
DOB: [redacted]
RES: [redacted]
EMPLOYMENT: Self-Employed Truck Driver
OTHER COMMUNICATIONS:
Cellular Phone : [redacted]
DLN/ID: [redacted] :

[redacted] (Family Member Notified)
Male / Black / 25 Years
DOB: [redacted]
RES: [redacted]
OTHER COMMUNICATIONS:
Other : [redacted]

[redacted] (Person Interviewed Non-Witness)
Female / White Hispanic / 62 Years
DOB: [redacted]
RES: [redacted]
BUS: [redacted]

[redacted] (Person Interviewed Non-Witness)
Female / White Hispanic / 39 Years
DOB: [redacted]
RES: [redacted]
BUS: [redacted]

CRIME CODE SUMMARY: 0552 - Assault - Aggravated Po:Knife/Cut Instr

OTHER ASSOCIATIONS: 0552 - Assault - Aggravated Po:Knife/Cut Instr

GAFFNEY, Thomas, J (Victim)

MCDONALD, Laquan, J	(Offender)
MCELLIGOTT, Joseph, P	(Victim)
MCDONALD, Laquan, J	(Offender)
MCDONALD, Laquan, J	(Offender)
VAN DYKE, Jason, D	(Victim)
MCDONALD, Laquan, J	(Offender)
WALSH, Joseph, J	(Victim)

ICIDENT NOTIFICATIONS:

NOTIFICATION DATE & TIME: 10/20/2014:230700
REQUEST TYPE: Notification
PERSON NAME: ,Sarlo
STAR #: 13131
EMP #:

NOTIFICATION DATE & TIME: 10/20/2014:231400
REQUEST TYPE: Notification
PERSON NAME: ,Jines
STAR #: 4898
EMP #:

NOTIFICATION DATE & TIME: 10/20/2014:215000
REQUEST TYPE: On Scene
PERSON NAME: ,March
STAR #: 20563
EMP #:

NOTIFICATION DATE & TIME: 10/21/2014:225800
REQUEST TYPE: Notification
PERSON NAME: ,Chibe
STAR #: 7303
EMP #:

NOTIFICATION DATE & TIME: 10/20/2014:235000
REQUEST TYPE: Notification
PERSON NAME: ,Briggs
STAR #:
EMP #: 76

REPORT DISTRIBUTIONS: No Distribution

INVESTIGATION:

AREA CENTRAL FIELD INVESTIGATION:

Exceptionally Cleared Closed /
Other Exceptional Clearance - Death of Offender.

The full format for this investigation is contained in the previous Progress - Scene Report.

INVESTIGATION:

The reporting detective was assigned to the immediate follow-up investigation of this police officer involved shooting incident, by Sergeant Daniel GALLAGHER of this command. The reporting detective proceeded to the scene of the incident at 4112 South Pulaski Road. The officer involved in the shooting was located and interviewed at the scene.

VAN DYKE, Jason D -----

stated he was a Chicago Police Officer assigned to the 008th District. He was on duty, in uniform, working on Beat 845R. VAN DYKE was working with Police Officer Joseph WALSH. The two officers were assigned to Chicago Police Department vehicle number 6412, a marked Chevrolet Tahoe, four door sport utility vehicle. WALSH was driving the vehicle and VAN DYKE was the passenger.

The two officers responded to a request for assistance from Beat 815R, regarding a man with a knife, on 40th Street, west of Pulaski Road. A unit equipped with a taser had also been requested. Officer VAN DYKE heard the radio transmission when Officer Thomas GAFFNEY said the man with a knife had "popped" the tire of GAFFNEY's police vehicle. VAN DYKE understood this to mean the subject had slashed the tire with his knife. As Officer WALSH drove westbound on 40th Street from Pulaski, VAN DYKE observed a black male subject, now known as Laquan MCDONALD, running eastbound in the parking lot of the Burger King restaurant on the southwest corner of 40 Street and Pulaski. MCDONALD was holding a knife in his right hand. VAN DYKE saw Police Officer Joseph MCELLIGOTT pursuing MCDONALD on foot. VAN DYKE also saw a civilian who was standing on 40th Street pointing to MCDONALD.

Officer WALSH drove eastbound in the parking lot, in pursuit of MCDONALD, on the north side of the Burger King restaurant building. WALSH used the police vehicle to block MCDONALD from entering the restaurant. MCDONALD ran out onto Pulaski Road and then turned southbound, running toward a Dunkin' Donuts restaurant, on the east side of Pulaski, south of the Burger King. WALSH positioned the police vehicle between MCDONALD and the Dunkin' Donuts to block his path towards that restaurant. When WALSH slowed the police vehicle alongside MCDONALD, Officer VAN DYKE opened the right front door of the vehicle to exit and confront MCDONALD. WALSH told VAN DYKE to stay in the vehicle as they were too close to MCDONALD to safely exit their vehicle. WALSH drove on southbound and stopped the police vehicle ahead of MCDONALD.

Officer VAN DYKE exited the vehicle on the right side and drew his handgun. As VAN DYKE stood in the street on Pulaski, facing northbound, toward MCDONALD, MCDONALD approached southbound. MCDONALD was holding the knife in his right hand, in an underhand grip, with the blade pointed forward. He was swinging the knife in an aggressive, exaggerated manner. VAN DYKE ordered MCDONALD to "Drop the knife!" multiple times. MCDONALD ignored VAN DYKE's verbal direction to drop the knife and continued to advance toward VAN DYKE.

When MCDONALD got to within 10 to 15 feet of Officer VAN DYKE, MCDONALD looked toward

VAN DYKE. MCDONALD raised the knife across his chest and over his shoulder, pointing the knife at VAN DYKE. VAN DYKE believed MCDONALD was attacking VAN DYKE with the knife, and attempting to kill VAN DYKE. In defense of his life, VAN DYKE backpedaled and fired his handgun at MCDONALD, to stop the attack. MCDONALD fell to the ground but continued to move and continued to grasp the knife, refusing to let go of it. VAN DYKE continued to fire his weapon at MCDONALD as MCDONALD was on the ground, as MCDONALD appeared to be attempting to get up, all the while continuing to point the knife at VAN DYKE. The slide on VAN DYKE's pistol locked in the rearward position, indicating the weapon was empty. VAN DYKE performed a tactical reload of his pistol with a new magazine and then assessed the situation.

MCDONALD was no longer moving and the threat had been mitigated, so Officer VAN DYKE and Officer WALSH approached MCDONALD. MCDONALD was still holding the knife in his right hand. VAN DYKE continued to order MCDONALD to "Drop the knife!" Officer WALSH told VAN DYKE, "I have this." VAN DYKE then used his handgun to cover WALSH as WALSH walked up and forcibly kicked the knife out of MCDONALD's right hand, thereby eliminating the threat to the officers.

Officer WALSH then notified the dispatcher on the police radio that shots had been fired by the police. Officer VAN DYKE requested an ambulance for MCDONALD on the radio.

Officer VAN DYKE's weapon was a Smith and Wesson, nine millimeter, semi-automatic pistol, with a 15 round magazine. VAN DYKE said the pistol was fully loaded at the beginning of his tour of duty, with 15 cartridges in the magazine and one cartridge in the firing chamber.

It was noted that the uniform Officer VAN DYKE was wearing consisted of a light blue long sleeve uniform shirt, with shoulder patches; black body armor vest, with patches; navy blue cargo pants; and equipment belt with handgun and radio.

The reporting detective then interviewed Officer VAN DYKE's partner.

WALSH, Joseph J -----

stated he was a Chicago Police Officer assigned to the 008th District. WALSH related the same facts as his partner, Officer Jason VAN DYKE.

WALSH added that as Laquan MCDONALD ran eastbound through the Burger King parking lot, WALSH used the police vehicle he was driving to block MCDONALD from entering the restaurant.

As MCDONALD ran southbound on Pulaski Road, from the Burger King, WALSH pursued MCDONALD in the police vehicle. WALSH drove southbound in the northbound lanes to get ahead of MCDONALD, keeping the police vehicle between MCDONALD and a Dunkin' Donuts restaurant, on the east side of Pulaski. As their vehicle passed MCDONALD, Officer VAN DYKE opened the right front door of their vehicle, to exit the truck and confront MCDONALD. WALSH, realizing that at this point they were too close to the armed MCDONALD to safely exit the vehicle, told VAN DYKE to wait until they got further ahead of MCDONALD. WALSH drove further south on Pulaski. He stopped his vehicle south of MCDONALD and exited the driver's door as VAN DYKE exited the right side of the vehicle. WALSH drew his handgun when he exited the vehicle.

Officer WALSH came around the rear of the police vehicle and joined Officer VAN DYKE on the right side of the vehicle. WALSH also stood in the street on Pulaski, facing northbound, as MCDONALD walked southbound toward the officers. WALSH ordered MCDONALD to "Drop the knife!" multiple times as MCDONALD approached the officers.

Officer WALSH also backed up, attempting to maintain a safe distance between himself and MCDONALD. MCDONALD ignored the verbal direction given by both WALSH and Officer VAN DYKE, and continued to advance toward the officers. When MCDONALD got to within 12 to 15 feet of the officers he swung the knife toward the officers in an aggressive manner. VAN DYKE opened fire with his handgun and MCDONALD fell to the ground. VAN DYKE continued firing his weapon at MCDONALD as MCDONALD continued moving on the ground, attempting to get up, while still armed with the knife.

When the gunfire stopped and MCDONALD was not moving anymore, WALSH approached MCDONALD with VAN DYKE. WALSH continued to order MCDONALD to "Drop the knife!" multiple times, as MCDONALD was still holding the knife in his right hand. WALSH forcibly kicked the knife out of MCDONALD's hand and then notified the dispatcher on the police radio that shots had been fired by the police. An ambulance was also requested for MCDONALD.

As they waited for the ambulance to respond to the scene, Officer WALSH told MCDONALD to "hang in there," and that an ambulance was on the way.

Officer WALSH said he believed MCDONALD was attacking WALSH and Officer VAN DYKE with the knife and attempting to kill them when the shots were fired. WALSH stated he did not fire his handgun because VAN DYKE was in the line of fire between WALSH and MCDONALD. WALSH thought VAN DYKE fired eight or nine shots total.

It was noted that Officer WALSH wore the same uniform configuration as Officer VAN DYKE.

The officers assigned to Beat 815R were interviewed.

GAFFNEY, Thomas J -----

stated he was a Chicago Police Officer assigned to the 008th District. He was on duty, in uniform, working on Beat 815R. GAFFNEY was working with Police Officer Joseph MCELLIGOTT. The two officers were assigned to Chicago Police Department vehicle number 8489, a marked Chevrolet Tahoe, four door sport utility vehicle. GAFFNEY was driving the vehicle and MCELLIGOTT was the passenger.

The officers responded to an assignment of holding an offender for breaking into trucks at 41st Street and Kildare Avenue. Upon arrival at that location they met an Hispanic couple who told the officers a black male subject, wearing a dark shirt, had attempted to break into trucks parked in the parking lot at that location. The couple told the officers the subject had walked off and was last seen walking eastbound on 40th Street from Kildare.

Officer GAFFNEY drove northbound on Kildare to 40th Street. When he turned eastbound onto 40th Street he saw a black male subject wearing dark clothing, walking eastbound on the sidewalk,

on the south side of the street. Officer MCELLIGOTT exited the police vehicle to approach the subject, now known as Laquan MCDONALD. GAFFNEY stayed in the vehicle in case MCDONALD fled. MCELLIGOTT called to MCDONALD and told him to stop but MCDONALD continued walking eastbound, ignoring MCELLIGOTT. MCDONALD's hands were in his pockets as he walked. MCELLIGOTT told MCDONALD to take his hands out of his pockets. MCDONALD took his hands out of his pockets and MCELLIGOTT told GAFFNEY that MCDONALD had a knife. GAFFNEY then saw a silver colored knife in MCDONALD's right hand. GAFFNEY also saw that MCELLIGOTT had his handgun drawn at this point. MCELLIGOTT repeatedly ordered MCDONALD to "Drop the knife," but MCDONALD ignored these directions. As MCDONALD reached Keeler Avenue, GAFFNEY notified the dispatcher on the police radio that they were following a subject with a knife and requested assistance from a unit equipped with a taser.

MCDONALD continued walking eastbound, Officer MCELLIGOTT following on foot and Officer GAFFNEY following in the police vehicle. As MCDONALD approached Karlov Avenue, GAFFNEY turned the Tahoe southbound onto Karlov and stopped, blocking the crosswalk. GAFFNEY said he wanted to stop MCDONALD before he reached Pulaski Road, a business street where more civilians were present. The area where MCDONALD was first observed was industrial in nature with no other civilians present. When GAFFNEY stopped his vehicle in front of MCDONALD, blocking his path, MCDONALD stabbed the right front tire of the Tahoe with his knife, causing the tire to go flat. GAFFNEY immediately informed the radio dispatcher that MCDONALD had "popped" the tire. MCDONALD attempted to walk around the front of the police vehicle and GAFFNEY drove the Tahoe forward a short distance to continue to block MCDONALD's path. MCDONALD then stabbed at the windshield of the Tahoe with the knife, striking the right side of the windshield. MCDONALD then continued walking eastbound from Karlov.

As MCDONALD approached the Burger King restaurant parking lot at 40th Street and Pulaski, assisting police units arrived, approaching westbound on 40th Street from Pulaski. MCDONALD began to run eastbound through the restaurant parking lot, on the north side of the Burger King building. He ran out onto Pulaski and then turned and ran southbound on Pulaski. Beat 845R pursued MCDONALD in their police vehicle, eastbound through the parking lot, over the curb at Pulaski, then southbound on Pulaski. Officer GAFFNEY lost sight of MCDONALD when he turned southbound on Pulaski.

Because of the flat tire on his vehicle, Officer GAFFNEY did not drive over the curb. As he drove around out onto Pulaski, GAFFNEY heard multiple gunshots in rapid succession. He did not see who was shooting. When he reached Pulaski MCDONALD was lying on the ground.

It was noted that Officer GAFFNEY wore the same uniform configuration as Officer VAN DYKE with the addition of the uniform baseball style cap with embroidered patch.

MCELLIGOTT, Joseph P -----

stated he was a Chicago Police Officer assigned to the 008th District. MCELLIGOTT related the same facts as his partner, Officer Thomas GAFFNEY.

Officer MCELLIGOTT added that after he exited the police vehicle, when Laquan MCDONALD took his hands out of his pockets and MCELLIGOTT saw MCDONALD holding a knife in his right

hand, MCELLIGOTT drew his handgun. He repeatedly ordered MCDONALD to "Drop the knife." MCDONALD ignored MCELLIGOTT's directions and continued to walk eastbound on 40th Street. MCELLIGOTT followed MCDONALD on foot, maintaining a safe distance between himself and the armed MCDONALD.

Officer MCELLIGOTT heard Officer GAFFNEY request assistance and a unit with a taser over the police radio. GAFFNEY attempted to use the police vehicle to block MCDONALD from continuing on toward the Burger King restaurant at Pulaski Road. At this point MCDONALD stabbed the right front tire and the windshield of the police vehicle. MCELLIGOTT began to hear the sirens of approaching assisting police units and MCDONALD began to run toward the Burger King restaurant.

When MCDONALD ran eastbound through the parking lot of the Burger King, Officer MCELLIGOTT ran after MCDONALD in pursuit. MCELLIGOTT ran out into the middle of Pulaski Road in pursuit of MCDONALD. MCELLIGOTT heard multiple gunshots but did not see who fired the shots. The gunfire was continuous, one shot after another. MCELLIGOTT then saw MCDONALD lying on the ground. MCELLIGOTT saw Officer Joseph WALSH kick the knife out of MCDONALD's hand.

It was noted that Officer MCELLIGOTT wore the same uniform configuration as Officer VAN DYKE.

Other officers who responded to this incident were also interviewed.

SEBASTIAN, Daphne L —

stated she was a Chicago Police Officer assigned to the 008th District. She was on duty, in uniform, working on Beat 813R. SEBASTIAN was working with Police Officer Janet MONDRAGON. The two officers were assigned to a marked vehicle. MONDRAGON was driving the vehicle and SEBASTIAN was the passenger.

The two officers responded to the request for assistance made by Beat 815R, regarding a subject with a knife. Officer SEBASTIAN thought the original call for assistance was at 40th Street and Keeler Avenue. The subject had punctured a tire on the police vehicle of Beat 815R. Officer MONDRAGON drove northbound on Pulaski Road, following Beat 845R, as they also responded to the request for assistance. MONDRAGON turned westbound onto 40th Street, behind Beat 845R.

Officer SEBASTIAN observed a black male subject, now known as Laquan MCDONALD, running southeast bound through the parking lot of the Burger King restaurant. Beat 845R pursued MCDONALD in their police vehicle, through the parking lot, toward Pulaski. SEBASTIAN told Officer MONDRAGON to drive back out onto Pulaski to assist in the pursuit. MCDONALD ran out onto Pulaski and continued to run southbound down the middle of the street. Beat 845R pursued MCDONALD in their vehicle, southbound on Pulaski, followed by Beat 813R. As MCDONALD ran southbound on Pulaski, SEBASTIAN saw the knife in his right hand. MCDONALD was waving the knife.

Beat 845R stopped their vehicle ahead of MCDONALD, between MCDONALD and the Dunkin'

Donuts restaurant on the east side of Pulaski. Officers Joseph WALSH and Jason VAN DYKE exited their vehicle and drew their handguns. MCDONALD turned toward the two officers and continued to wave the knife. Sebastian heard the officers repeatedly order MCDONALD to "Drop the knife!" MCDONALD ignored the verbal directions and continued to advance on the officers, waving the knife. Officer SEBASTIAN heard multiple gunshots and MCDONALD fell to the ground, where he continued to move. SEBASTIAN did not know who fired the shots, which were fired in one continuous group. She then saw Officer WALSH kick the knife out of MCDONALD's hand.

MONDRAGON, Janet -----

stated she was a Chicago Police Officer assigned to the 008th District. MONDRAGON related the same facts as her partner, Officer Daphne SEBASTIAN.

Officer MONDRAGON added that as she drove westbound on 40th Street, she saw Officer MCELLIGOTT running eastbound through the Burger King parking lot. She made a U-turn and drove back out onto Pulaski Road. MONDRAGON turned southbound onto Pulaski. She saw Laquan MCDONALD running southbound on Pulaski, in the middle of the street. As she got closer she could see MCDONALD was holding a knife in his right hand. He was waving the knife.

Officer MONDRAGON saw Officers Joseph WALSH and Jason VAN DYKE outside of their police vehicle. She heard the officers repeatedly ordering MCDONALD to "Drop the knife!" as MCDONALD got closer and closer to the officers, continuing to wave the knife. As she was placing her vehicle transmission into Park, MONDRAGON looked down and heard multiple, continuous gunshots, without pause. MONDRAGON then saw MCDONALD fall to the ground. MONDRAGON did not know who fired the shots.

BACERRA, Arturo -----

stated he was a Chicago Police Officer assigned to the 008th District. He was on duty, in uniform, working on Beat 822. BACERRA was working with Police Officer Leticia VELEZ. The two officers were assigned to a marked vehicle. BACERRA was driving the vehicle and VELEZ was the passenger.

Officer BACERRA and his partner responded to the request for assistance made by Beat 815R, regarding a subject who was armed with a knife. BACERRA was driving northbound on Pulaski Road from 47th Street. As he approached the scene of this incident, at 4112 South Pulaski, he observed a black male subject, now known as Laquan MCDONALD, in the middle of the street, flailing his arms. As he got closer, BACERRA observed MCDONALD to be holding a knife in his right hand. BACERRA drove past MCDONALD, with MCDONALD on the left side of the police vehicle, as Beat 845R drove past BACERRA, on the right side of his vehicle, travelling southbound. As BACERRA began to make a U-turn, he heard multiple gunshots. He then saw MCDONALD lying on the ground. BACERRA did not see who fired the shots.

VELEZ, Leticia -----

stated she was a Chicago Police Officer assigned to the 008th District. VELEZ related the same facts as her partner, Officer Arturo BACERRA.

Officer VELEZ added that as they approached the scene she observed Laquan MCDONALD standing in the middle of the street, holding a shiny object in his right hand. She saw him waving the object in the air. Officer BACERRA drove past MCDONALD and began to make a U-turn, when VELEZ heard multiple gunshots, without pause or delay. She then saw MCDONALD fall to the ground. VELEZ did not see who fired the shots. She did see an unknown officer kick the knife from MCDONALD's hand after he was down on the ground.

FONTAINE, Dora -----

stated she was a Chicago Police Officer assigned to the 008th District. She was on duty, in uniform, working on Beat 841R. FONTAINE was working with Police Officer Ricardo VIRAMONTES. The two officers were assigned to a marked vehicle. VIRAMONTES was driving the vehicle and FONTAINE was the passenger.

The two officers responded to the request for assistance made by Beat 815R, regarding a man with a knife at 41st Street and Pulaski Road. Officer VIRAMONTES drove northbound on Pulaski. When they arrived at the scene of this incident, in front of the Dunkin' Donuts restaurant, Officer FONTAINE saw a black male subject, now known as Laquan MCDONALD, walking southbound in the street, with a knife in his right hand. MCDONALD was walking sideways, with his body facing east, toward Officers Jason VAN DYKE and Joseph WALSH. These two officers were standing in the middle of the street, on the right side of their police vehicle, which was facing southbound. FONTAINE heard the officers repeatedly order MCDONALD to "Drop the knife!" MCDONALD ignored the verbal direction and instead, raised his right arm toward Officer VAN DYKE, as if attacking VAN DYKE. At this time VAN DYKE fired multiple shots from his handgun, until MCDONALD fell to the ground and stopped moving his right arm and hand, which still grasped the knife. The gunshots were rapid fire, without pause. Officer WALSH then kicked the knife out of MCDONALD's hand.

VIRAMONTES, Ricardo -----

stated he was a Chicago Police Officer assigned to the 008th District. VIRAMONTES related the same facts as his partner, Officer Dora FONTAINE.

Officer VIRAMONTES added that when he exited his police vehicle, at the scene, he observed a black male subject, now known as Laquan MCDONALD, walking southbound on Pulaski Road, in the middle of the street, holding a knife in his right hand. VIRAMONTES heard Officer Jason VAN DYKE repeatedly order MCDONALD to "Drop the knife!" MCDONALD ignored the verbal direction and turned toward VAN DYKE and his partner, Officer Joseph WALSH. At this time VAN DYKE fired multiple shots from his handgun. MCDONALD fell to the ground but continued to move, attempting to get back up, with the knife still in his hand. VAN DYKE fired his weapon at MCDONALD continuously, until MCDONALD was no longer moving.

The scene of this incident, at 4112 South Pulaski Road, was observed to be a wide commercial street with traffic traveling north and south. There were two traffic lanes and a curb lane in each direction. A wide median separated the northbound and southbound traffic lanes. The scene was just south of the intersection of Pulaski and 41st Street. This was a "T" intersection with 41st Street extending east from Pulaski. In the center median was a left turn lane for northbound traffic

turning west onto 40th Street, further to the north. The Pulaski median was level with the traffic lanes and was striped with yellow paint.

On the west side of Pulaski was a large vacant lot. North of the vacant lot, on the southwest corner of 40th Street and Pulaski, was a Burger King restaurant. On the east side of the street was a Dunkin Donuts restaurant.

The weather was cloudy and cool with the temperature in the 50s. It was dark with good artificial light provided by overhead streetlights. All of the lights were on and functioning normally. There was also artificial light provided by the lighting of the nearby businesses.

In the northbound left turn lane, Chicago Police Department vehicle number 6412, assigned to Beat 845R, was sitting, facing southeast. The vehicle was a marked Chevrolet Tahoe, four door sport utility vehicle. The right front door of the vehicle was open.

In the southbound traffic lanes, in the right lane, a metal folding pocket knife was lying on the pavement. The blade was in the open position. The overall length of the knife was seven inches, with a three inch blade. The knife was in line with the front end of the vehicle of Beat 845R. Just north of the knife were two pools of blood on the pavement. Five metal bullet fragments were lying on the pavement near the blood. North of the blood, scattered in a diagonal pattern from southwest to northeast, across both southbound traffic lanes and the northbound left turn lane, were 16, nine millimeter caliber cartridge cases, lying on the pavement.

Chicago Police Department vehicle number 8489, assigned to Beat 815R, was sitting at the west curb at 4102 South Pulaski. The right front tire of the vehicle was flat, with a large puncture to the sidewall of the tire. The right side of the windshield was scratched from being struck by Laquan MCDONALD's knife.

Mobile Crime Lab Beat 5802 responded to the scene. Video and photographs were taken of the scene. The knife and firearms evidence was collected from the street, as were swabs of the blood. The right front wheel and tire of Chicago Police Department vehicle number 8489 was also recovered. The right front quarter panel of vehicle number 8489 was processed for fingerprints and four ridge impressions were recovered.

A canvass was conducted of the area near the scene of this incident in an attempt to identify and locate witnesses. A number of people were interviewed.

[redacted] -----

stated she was [redacted] at the Burger King restaurant. At approximately 21:55 hours [redacted] observed police officers chasing a black male subject, now known as Laquan MCDONALD, through the parking lot, on the north side of the restaurant building. The officers chased MCDONALD southbound down Pulaski Road, toward the Dunkin' Donuts restaurant. [redacted] then heard multiple gunshots and dove to the ground.

[redacted] permitted access to the Burger King video system. No video of this incident was recorded. The system was not recording at that time. The system was activated and video was

recovered from the system from earlier in the day, showing the view of each of the cameras in the system. It was noted that none of these camera views showed the area of the scene where the confrontation between Laquan MCDONALD and Police Officers Jason VAN DYKE and Joseph WALSH occurred, on Pulaski Road, south of the Burger King restaurant. If the system had been recording at the time of this incident, it would not have recorded any footage of that confrontation.

[redacted] -----

stated he was at the Burger King restaurant, waiting for his girlfriend, [redacted], who was working at the drive-thru window. [redacted] observed a "young black dude" with his hair in dreadlocks, now known as Laquan MCDONALD, running through the parking lot of the restaurant. He was being pursued by police officers. MCDONALD was holding his pants like he might have had a gun or something. MCDONALD then ran southbound on the sidewalk and then out into the street on Pulaski Road. [redacted] last saw MCDONALD running towards the middle of the intersection of 41st Street and Pulaski. MCDONALD appeared confused. [redacted] then turned his attention back to his girlfriend at the drive-thru window. He did not witness the shooting.

[redacted] -----

stated she was working at [redacted] of the Burger King restaurant. She observed a male subject, now known as Laquan MCDONALD, running from the restaurant parking lot, southbound on Pulaski Road, toward the Dunkin' Donuts restaurant. [redacted] heard multiple gunshots and then saw that MCDONALD was lying in the street.

[redacted] -----

stated she was [redacted] of the Burger King restaurant. She did not see or hear anything.

[redacted] -----

stated she was [redacted] of the Burger King restaurant. She did not see or hear anything.

Laquan MCDONALD had been transported to Mount Sinai Hospital by Chicago Fire Department Ambulance 21. He sustained multiple gunshot wounds as documented in the format of this investigation. MCDONALD was treated for his injuries in the emergency room. He succumbed to his wounds and was subsequently pronounced dead by Doctor PITZELE, at 22:42 hours.

Registered Nurse [redacted], recovered three metal bullet fragments from MCDONALD and turned these over to Detective William JOHNSON. These were subsequently turned over to Mobile Crime Lab Beat 5802, who also recovered metal fragments from MCDONALD's sweater.

The reporting detective had learned of the death of Laquan MCDONALD while still at the scene of this incident. The Office of the Medical Examiner of Cook County was notified of MCDONALD's death, and Investigator BRIGGS assigned Medical Examiner's case number 2014 - 01071 to this case.

In the Bureau of Detectives - Area Central office, Evidence Technician Beat 5824 recovered Office Jason VAN DYKE's handgun, a Smith and Wesson, Model 5942, nine millimeter caliber, semi-automatic pistol. The weapon was loaded with one cartridge in the firing chamber and 14 cartridges in the magazine, when recovered.

Beat 5824 took photographs of Officers Jason VAN DYKE, Joseph WALSH, Thomas GAFFNEY and Joseph MCELLIGOTT. Elimination prints, including palm prints, were also taken from Officers GAFFNEY and MCELLIGOTT.

Officer Jason VAN DYKE was re-interviewed for additional detail, in the Area Central office.

VAN DYKE, Jason D ----

related the same sequence of events as documented in his original interview at the scene of this incident.

VAN DYKE additionally articulated the reasoning behind his decision to use deadly force against the offender in this incident, Laquan MCDONALD. VAN DYKE was aware of the radio transmissions from Officer Thomas GAFFNEY, on Beat 815R, that MCDONALD was armed with a knife. VAN DYKE was aware that MCDONALD had attacked the officers on Beat 815R by slashing the tire of their police vehicle.

As he confronted MCDONALD at 4112 South Pulaski Road, VAN DYKE saw that MCDONALD was in fact, armed with a knife, a deadly weapon. VAN DYKE was aware of the widely accepted teaching in law enforcement that an assailant armed with a knife was considered a deadly threat, if within 21 feet, because it was possible for such an assailant to close that distance and attack with the knife before a defensive shot could be fired from a handgun. VAN DYKE was also aware of the existence of throwing knives, which can be thrown from a distance, as well as spring loaded knives, which propel a blade through the air from the knife handle. VAN DYKE also said he recalled a previously issued Chicago Police Department bulletin warning of a weapon which appeared to be a knife but which actually was capable of firing a bullet, making it a firearm.

Subsequently, a search was conducted of the Chicago Police Department, Automated Message Center, to find the bulletin Officer Jason VAN DYKE remembered, regarding the weapon that appeared to be a knife, but was actually a firearm. This bulletin was issued on 04 December 2012. It was Officer Safety Alert number 2012-OSA-297. It was a warning regarding a "revolver knife" which was capable of firing .22 caliber cartridges.

Three witnesses had been transported into the Area Central office from the scene and were interviewed.

[redacted]----

stated she was in the Burger King restaurant parking lot. She saw a subject, now known as Laquan MCDONALD, running southbound on Pulaski Road. [redacted] saw many police officers on the street. She was trying to get her cellular telephone to work, to record video. [redacted] heard eight gunshots fired continuously. She did not see who fired the shots. [redacted] then saw

a police officer pointing a handgun at MCDONALD as he was lying on the ground.

With her permission, [redacted]' telephone was examined for any recorded video footage with negative results.

[redacted]-----

stated he was at the Burger King restaurant drive-thru with [redacted]. He saw a black male subject, now known as Laquan MCDONALD, running from the trucks parked at the rear of the restaurant parking lot. MCDONALD ran eastbound in the parking lot, on the north side of the Burger King building. A police officer was chasing MCDONALD on foot, eastbound through the parking lot, then southbound on Pulaski Road. A Chicago Police Department, Chevrolet Tahoe sport utility vehicle pulled up on Pulaski. MCDONALD ran toward the police vehicle. A police officer exited the vehicle and fired multiple shots from a handgun at MCDONALD. [redacted] thought there was video footage of the incident recorded on [redacted] cellular telephone. As documented in the previous interview of [redacted], her telephone was examined with negative results.

[redacted]-----

stated he was sitting in a truck, parked in the Burger King restaurant parking lot, on the south side of the restaurant building. He was completing some logs. [redacted] observed a black male subject, now known as Laquan MCDONALD, running southbound on Pulaski Road. The police were pursuing MCDONALD. [redacted] heard approximately three gunshots. He did not see who fired the shots. [redacted] exited the cab of his truck and climbed up on top of it. He saw a Chicago Police Department, Chevrolet Tahoe sport utility vehicle, and many police officers on Pulaski Road.

[redacted] insisted on leaving the Area Central office after their initial interviews, and they were transported as they requested.

Sergeant Lance BECVAR responded to the scene and subsequently to the Area Central office. He was able to recover video of this incident from the vehicles assigned to Beats 845R and 813R. This video was uploaded into the system. The reporting detective submitted a request for copies of these two videos which were subsequently inventoried. The reporting detective also requested that the videos be permanently retained. No video of this incident was recovered from the vehicles assigned to Beats 815R, 822 and 841R.

The recovered in-car camera video from Beats 845R and 813R was viewed and found to be consistent with the accounts of all of the witnesses. The video from Beat 813R showed that at the time Officer Jason VAN DYKE fired his handgun at Laquan MCDONALD, VAN DYKE was standing near the east edge of the southbound traffic lanes of Pulaski Road, and MCDONALD was near the lane marking separating the two southbound traffic lanes. The two were separated by the width of one traffic lane. The width of this traffic lane was approximately ten feet.

Recordings of the original 9-1-1 call and the radio transmissions over the Chicago Police Department, Zone 6 radio frequency were obtained from the Office of Emergency Management

and Communication. The recordings were reviewed and subsequently inventoried.

In the 9-1-1 call, a caller who identified himself as [redacted] stated that he was holding a guy for stealing radios from trucks in a trucking yard.

The recorded radio transmissions were consistent with the statements of the police officers involved in this incident. It was determined from the radio transmissions, that the entire interaction of the involved police officers, with Laquan MCDONALD, from the time Beat 815R notified the radio dispatcher that they had made contact with him, and that he was armed with a knife, until Beat 845R notified the dispatcher that shots had been fired by the police, lasted more than four minutes.

The criminal history of Laquan MCDONALD was reviewed. [redacted]

Additionally, there were two documented incidents, under Records Division numbers HS640983 and HT106389, on 01 December 2010 and 05 January 2011. In these incidents officials at the [redacted], elementary school, called the police because of the violent behavior of Laquan MCDONALD. The reports indicated that MCDONALD was a special education student at the school and that this had become a pattern of behavior for MCDONALD. The school officials indicated that MCDONALD had behavioral problems and anger issues. In both incidents MCDONALD was transported to [redacted] for evaluation and treatment.

The family of Laquan MCDONALD was located and notified of his death.

[redacted] -----

stated he was an uncle of Laquan MCDONALD. MCDONALD was living with JOHNSON while MCDONALD "worked out his problems." [redacted] said that MCDONALD attended [redacted] school but was currently suspended. MCDONALD suffered from "hypertension" but refused to take any medication. He stopped taking his prescribed medication approximately two years prior because he said it made him "freak out."

[redacted] last saw MCDONALD on Saturday, 18 October 2014, at approximately 13:00 hours, when MCDONALD left the apartment. He had not been back since. MCDONALD had rung the doorbell earlier in the day on 20 October 2014. [redacted] said they "buzzed" MCDONALD into the building but he never came up to the apartment.

[redacted] had no idea why MCDONALD would be in the area of 41st Street and Pulaski Road. JOHNSON said he would attempt to notify MCDONALD's mother, [redacted].

On Tuesday, 21 October 2014, [redacted] of the 9-1-1 caller, [redacted]" was located and interviewed.

[redacted] -----

stated she was with [redacted], parking a truck in the lot at 41st Street and Kildare Avenue. She saw a black male subject, now known as Laquan MCDONALD, attempting to steal property from vehicles parked in the lot. [redacted] confronted MCDONALD and told him to leave the lot. [redacted] said that MCDONALD did not say anything, but instead, he was "growling" and making strange noises. [redacted] again told MCDONALD to leave the lot and MCDONALD pulled out a knife. MCDONALD swung the knife at [redacted] attempting to cut him. [redacted] had already called 9-1-1 so he backed up and threw his cellular telephone at MCDONALD. MCDONALD then ran from the lot. He ran northbound on Kildare, then eastbound on 40th Street.

[redacted] described MCDONALD as a black male, with his hair in braids. He was wearing a black hood and blue jeans. [redacted] viewed a photograph of Laquan MCDONALD and identified him as the subject in the lot, who had been attempting to steal property from vehicles parked in the lot, and who subsequently threatened [redacted] with a knife, when [redacted] confronted MCDONALD.

On Wednesday, 22 October 2014, the 9-1-1 caller was interviewed.

[redacted] -----

related the same facts as [redacted]. [redacted] re-iterated that Laquan MCDONALD swung his knife at [redacted], attempting to cut him. [redacted] stated he was the person who called 9-1-1 regarding this incident.

A canvass was conducted of the area near the scene of this incident for any recorded video.

There were no Police Observation Devices, or other City of Chicago video cameras in the area.

Recorded video was recovered from three cameras on the exterior of the building housing the Greater Chicago Food Depository, at 4100 West Ann Lurie Place. Two of these videos showed two different views of Laquan MCDONALD walking eastbound on the sidewalk, on the south side of 40th Street, between Keeler and Karlov Avenues. Officer Joseph MCELLIGOTT was following MCDONALD on foot, maintaining a safe distance between himself and MCDONALD, while Officer Thomas GAFFNEY was following MCDONALD in a police vehicle. The third video did not capture any part of this incident.

Recorded video was recovered from two cameras at the Dunkin' Donuts restaurant, at 4113 South Pulaski Road. One of these videos showed the end of this incident, when Officers Jason VAN DYKE and Joseph WALSH stopped their vehicle, exited the vehicle and confronted Laquan MCDONALD. The view in this video is from a distance. The video from the second camera did not capture any part of this incident.

Recorded video was recovered from two cameras from Focal Point, 4141 South Pulaski Road. These videos did not capture any part of this incident.

All of the recovered video was inventoried.

A Major Case Review of this case was conducted at the Illinois State Police Crime Laboratory, on Thursday, 30 October 2014. An Evidence Submission Form was completed per this review.

The assigned personnel became aware of a potential question regarding the integrity of the video recovered from the Burger King restaurant. In an attempt to follow-up on this issue the assigned personnel proceeded to the restaurant on Wednesday, 11 March 2015. Manager, [redacted] was contacted at the restaurant. She stated that the video system at the restaurant had recently been repaired and a new digital video recorder had been installed. [redacted] said that as of this date, 11 of the 16 video ports in the system actually recorded video. This was consistent with the video recovered on the date of this incident. Video was recorded and recovered on 11 of the 16 video ports in the system on that date.

Any additional inquiries regarding the video system at the restaurant were referred to the district manager responsible for that restaurant, [redacted]. He was contacted and related that the day after this incident occurred, personnel from the Independent Police Review Authority, of the City of Chicago, came to the restaurant. They viewed video from the system and took custody of the digital video recorder. The recorder was returned to the restaurant two weeks later. Personnel from the Federal Bureau of Investigation then came to the restaurant and made copies of video from the system. After that some lawyers came to the restaurant with subpoenas to make copies of video from the system. Finally, [redacted] stated that personnel from the Federal Bureau of Investigation had come to the restaurant again, approximately three weeks prior to this interview, and took the digital video recorder. [redacted] did not have any further information regarding the video system.

The assigned personnel also became aware of an article written by [redacted], a professor at the University of Chicago Law School, citing the existence of an unknown witness to this incident. [redacted] was contacted on Thursday, 12 March 2015, in an attempt to interview this witness. [redacted] stated that this witness had already been interviewed by the Independent Police Review Authority and [redacted] did not know if the witness would be willing to be interviewed by the Chicago Police Department. [redacted] said he would contact the witness and provide him with contact information for the assigned personnel.

Based upon all the facts known at this time, and the death of the only offender in this incident, this case is now Exceptionally Cleared Closed / Other Exceptional Clearance - Death of Offender.

The above to-date investigation determined that Laquan MCDONALD was an active assailant who, while armed with a dangerous weapon, used force likely to cause death or serious injury to a private citizen when he attacked [redacted]; threatened the imminent use of force likely to cause death or serious injury when he incised the tire and stabbed the windshield of a Chicago Police Department vehicle occupied by Officer Thomas GAFFNEY; and initiated imminent use of force likely to cause death or serious injury when he initiated an attack on Officers Jason VAN DYKE and Joseph WALSH. The above investigation concluded that Officer Jason VAN DYKE's use of deadly force, the discharging of his duty firearm, was within the bounds of the Chicago Police Department's use of force guidelines, and in conformity with local ordinances and state law.

Based on the above facts, the associated report, under Records Division number HX486155, is now Closed / Non-Criminal.

REPORT OF:

Detective David M MARCH #20563
Sergeant Daniel GALLAGHER #1303
Lieutenant Anthony WOJCIK #481
Bureau of Detectives - Area Central

HICAGO POLICE DEPARTMENT

ASE SUPPLEMENTARY REPORT

10 S. Michigan Avenue, Chicago, Illinois 60653
use by Chicago Police - Bureau of Investigative Services Personnel Only)

HX475653

Case id : 9825613
Sup ID : 10992767 CASR301

XC. CLEARED CLOSED (OTHER EXCEPTIONAL) | **DETECTIVE SUP. APPROVAL COMPLETE**

Offense Classification/Re-Classification	IUCR Code	Original Offense Classification			IUCR Code
AULT / Aggravated Po:Knife/Cut Instr	**0552**	ASSAULT / Aggravated Po:Knife/Cut Instr			0552
ddress of Occurrence	Beat of Occur	No of Victims	No of Offenders	No of Arrested	SCR No
112 S PULASKI RD	**815**	4	1	1	
ocation Type	Location Code	Secondary Location			Hate Crime?
Street	**304**				NO
ate of Occurrence	Unit Assigned	Date RO Arrived	Fire Related?	Gang Related?	Domestic Related?
20-OCT-2014 21:57	**0841R**	20-OCT-2014 21:57	NO	NO	NO

Reporting Officer	Star No	Approving Supervisor	Star No	Primary Detective Assigned	Star No
MARCH, David	20563	WOJCIK, Anthony	481	MARCH, David	20563
Date Submitted		Date Approved		Assignment Type	
15-MAR-2015 18:26		16-MAR-2015 00:03		FIELD	

THIS IS A FIELD INVESTIGATION EXC. CLEARED CLOSED (OTHER EXCEPTIONAL) REPORT

VICTIM(S) :

GAFFNEY, Thomas J
Male / White / 41 Years
EMPLOYMENT: Chicago Police Officer #19958 Chicago Police Officer
EMPLOYER BUSINESS NME: Chicago Police Department
BUS: 3420 W 63rd St
Chicago IL
312-747-8730

MCELLIGOTT, Joseph P
Male / White / 36 Years
EMPLOYMENT: Chicago Police Officer #18715 Chicago Police Officer
EMPLOYER BUSINESS NME: Chicago Police Department
BUS: 3420 W 63rd St
Chicago IL
312-747-8730

VAN DYKE, Jason D
Male / White / 36 Years
EMPLOYMENT: Chicago Police Officer #9465 Chicago Police Officer
EMPLOYER BUSINESS NME: Chicago Police Department
BUS: 3420 W 63rd St
Chicago IL
312-747-8730

WALSH, Joseph J
Male / White / 45 Years
EMPLOYMENT: Chicago Police Officer #12865 Chicago Police Officer
EMPLOYER BUSINESS NME: Chicago Police Department
BUS: 3420 W 63rd St
Chicago IL

HX475653

312-747-8730

OFFENDER(S): **MCDONALD, Laquan J** -- In Custody --

ALIAS: "Bon-Bon"
Male / Black / 17 Years
DOB: [redacted]
RES: [redacted]
BIRTH PL: Illinois
DESCRIPTION: 6'02,180,Black Hair, Dreadlocks Hair Style, Brown Eyes, Medium Complexion

ITEM USED:
Weapon
DLN/ID: [redacted]
OTHER IDENTIFICATIONS: **Type -** Other Id
State - Unknown

IR #: 2106340
SID #: IL18550721
ORGANIZATION: NEW BREED
RELATIONSHIP OF VICTIM TO OFFENDER:

GAFFNEY, Thomas No Relationship
MCELLIGOTT, Joseph No Relationship
VAN DYKE, Jason No Relationship
WALSH, Joseph No Relationship

GANG INFORMATION:
LISTED CRIMINAL ORGANIZATION: New Breed
GANG IDENTIFIERS: Other

OFFENDER INJURIES: **MCDONALD, Laquan J**

Type	Weapon Used	Weapon Description
Gun Shot Wound	Handgun	Other -Handgun

Injured by Police
Chicago Fire Department Provided First Aid
EXTENT OF INJURY: Multiple Gsw
HOSPITAL REMOVED BY: Cfd Ambulance 21

HOSPITAL: Mt. Sinai
INJURY TREATMENT: Multiple Gsw
PHYSICIAN NAME: Dr Pitzele
INV #: **13296449**

WEAPON(S): **Evidence**

Smith & Wesson -Us- (Bodyguard,Chief Special) , 5942 , 9 , Semi-Automatic Pistol , Semi-Automatic , 4" , Stainless

SERIAL #: [redacted]

MAGAZINE CAPACITY: 15

Number Of Live Rounds present in the Firearm - 15

Number Of Live Rounds used in the Firearm - 16

The Status Of This Firearm is 628361

PROPERTY TYPE: Other

OWNER: Van Dyke, Jason

POSSESSOR/USER: Van Dyke, Jason

PHONE #: 312 - 747 - 8730

LOCATION FOUND: 5101 S Wentworth Ave

VEHICLE INFO:

Truck , 2010 / Chevrolet / Tahoe / Truck

, Victims Vehicle

VIN: 1GNMCAE0XAR263348 **Evidence**

YEAR (RANGE): 2010

COLOR (TOP/BOTTOM): White / White

OWNER: Chicago Police Department

POSSESSOR/USER: Gaffney, Thomas

PHONE#: 312 - 747 - 8730

LOCATION FOUND: 4102 S Pulaski Rd

LICENSE: MP6581, Law Enforcement (City, County, State, Sos), IL

LOCATION OF INCIDENT:

4112 S Pulaski Rd
Chicago IL
304 - Street

DATE & TIME OF INCIDENT: 20-OCT-2014 21:57

WEATHER AND LIGHTING:

WEATHER: Cloudy & Cool

TEMPERATURE: 50s

LIGHTING: Dark / Artificial Light

LIGHTING SOURCE: Streetlights

DISTANCE: Overhead

MOTIVE CODE(S): Interceding In A Felony

CAUSE CODE(S): Dna

METHOD CODE(S): Offender Shot

CAU CODE(S): Police Related Not Con

FIREARM(S) RECOVERED: **INV #: 13296449** **Evidence**

Smith & Wesson -Us- (Bodyguard,Chief Special) , 5942 , 9 , Semi-

Automatic Pistol , Semi-Automatic , 4" , Stainless
SERIAL #: [redacted]
PROPERTY TYPE: Other

OWNER: Van Dyke, Jason
POSSESSOR/USER: Van Dyke, Jason

PHONE #: 312 - 747 - 8730
LOCATION FOUND: 5101 S Wentworth Ave

MAGAZINE CAPACITY: 15
Number Of Live Rounds present in the Firearm - 15
Number Of Live Rounds used in the Firearm - 16

/EHICLE(S) DAMAGED: **Truck , 2010 / Chevrolet / Tahoe / Truck**
VIN: 1GNMCAE0XAR263348 **Evidence**

YEAR - YEAR RANGE END: 2010
COLOR (TOP/BOTTOM): White / White
OWNER: Chicago Police Department
POSSESSOR/USER: Gaffney, Thomas

PHONE#: 312 - 747 - 8730
LOCATION FOUND: 4102 S Pulaski Rd
LICENSE: MP6581, Law Enforcement (City, County, State, Sos), IL

PERSONNEL ASSIGNED:
Detective/Investigator
MARCH, David M # 20563
Reporting Officer
FONTAINE, Dora # 4484 BEAT: 0841R

WITNESS(ES) :
BACERRA, Arturo
Male / White Hispanic / 32 Years
EMPLOYMENT: Chicago Police Officer #15790 Chicago Police Officer
BUS: 3420 W 63rd St
Chicago IL
312-747-8730
[redacted]
Female / White Hispanic / 29 Years
DOB: [redacted]
RES: 5340 Prairie
[redacted]

OTHER COMMUNICATIONS:
Cellular [redacted]
Phone :
[redacted]

Female / White Hispanic / 19 Years

DOB: [redacted]

RES: [redacted]

BUS: [redacted]

DLN/ID: [redacted]

Male / White Hispanic / 18 Years

DOB: [redacted]

RES: [redacted]

OTHER COMMUNICATIONS:

[redacted]
Phone :

DLN/ID: [redacted]

Female / White Hispanic / 24 Years

DOB: [redacted]

RES: [redacted]

EMPLOYMENT: Shift Manager

BUS: [redacted]

OTHER COMMUNICATIONS:

Cellular [redacted]
Phone :

FONTAINE, Dora

Female / White Hispanic / 47 Years

EMPLOYMENT: Chicago Police Officer #4484 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

[redacted]

Male / White Hispanic / 25 Years

DOB: [redacted]

RES: [redacted]

BUS: [redacted]

OTHER COMMUNICATIONS:

Cellular Phone : [redacted]

SSN: [redacted]

[redacted]

Female / White Hispanic / 30 Years

DOB: [redacted]

RES: [redacted]

OTHER COMMUNICATIONS:

Cellular Phone : [redacted]

[redacted]

Male / White Hispanic / 24 Years

DOB: [redacted]

RES: [redacted]

SSN: [redacted]

DLN/ID: [redacted]

MONDRAGON, Janet

Female / White Hispanic / 37 Years

EMPLOYMENT: Chicago Police Officer #4364 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

SEBASTIAN, Daphne L

Female / White / 45 Years

EMPLOYMENT: Chicago Police Officer #2763 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

VELEZ, Leticia

Female / White Hispanic / 43 Years

EMPLOYMENT: Chicago Police Officer #10385 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

VIRAMONTES, Ricardo

Male / White Hispanic / 41 Years

EMPLOYMENT: Chicago Police Officer #10590 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL

312-747-8730

OTHER INDIVIDUALS INVOLVED:

[redacted] (Additional Victim)
Male / White Hispanic / 43 Years
DOB: [redacted]
RES: [redacted]
EMPLOYMENT: Self-Employed Truck Driver
OTHER COMMUNICATIONS:
Cellular Phone : [redacted]
DLN/ID: [redacted] :

[redacted] (Family Member Notified)
Male / Black / 25 Years
DOB: [redacted]
RES: [redacted]
OTHER COMMUNICATIONS:
Other : [redacted]

[redacted] (Person Interviewed Non-Witness)
Female / White Hispanic / 62 Years
DOB: [redacted]
RES: [redacted]
BUS: [redacted]

[redacted] (Person Interviewed Non-Witness)
Female / White Hispanic / 39 Years
DOB: [redacted]
RES: [redacted]
BUS: [redacted]

CRIME CODE SUMMARY: 0552 - Assault - Aggravated Po:Knife/Cut Instr

OTHER ASSOCIATIONS: 0552 - Assault - Aggravated Po:Knife/Cut Instr

GAFFNEY, Thomas, J (Victim)

MCDONALD, Laquan, J	(Offender)
MCELLIGOTT, Joseph, P	(Victim)
MCDONALD, Laquan, J	(Offender)
MCDONALD, Laquan, J	(Offender)
VAN DYKE, Jason, D	(Victim)
MCDONALD, Laquan, J	(Offender)
WALSH, Joseph, J	(Victim)

ICIDENT NOTIFICATIONS:

NOTIFICATION DATE & TIME: 10/20/2014:230700
REQUEST TYPE: Notification
PERSON NAME: ,Sarlo
STAR #: 13131
EMP #:

NOTIFICATION DATE & TIME: 10/20/2014:231400
REQUEST TYPE: Notification
PERSON NAME: ,Jines
STAR #: 4898
EMP #:

NOTIFICATION DATE & TIME: 10/20/2014:215000
REQUEST TYPE: On Scene
PERSON NAME: ,March
STAR #: 20563
EMP #:

NOTIFICATION DATE & TIME: 10/21/2014:225800
REQUEST TYPE: Notification
PERSON NAME: ,Chibe
STAR #: 7303
EMP #:

NOTIFICATION DATE & TIME: 10/20/2014:235000
REQUEST TYPE: Notification
PERSON NAME: ,Briggs
STAR #:
EMP #: 76

REPORT DISTRIBUTIONS: No Distribution

INVESTIGATION:

AREA CENTRAL FIELD INVESTIGATION:

Exceptionally Cleared Closed /
Other Exceptional Clearance - Death of Offender.

The full format for this investigation is contained in the previous Progress - Scene Report.

INVESTIGATION:

The reporting detective was assigned to the immediate follow-up investigation of this police officer involved shooting incident, by Sergeant Daniel GALLAGHER of this command. The reporting detective proceeded to the scene of the incident at 4112 South Pulaski Road. The officer involved in the shooting was located and interviewed at the scene.

VAN DYKE, Jason D -----

stated he was a Chicago Police Officer assigned to the 008th District. He was on duty, in uniform, working on Beat 845R. VAN DYKE was working with Police Officer Joseph WALSH. The two officers were assigned to Chicago Police Department vehicle number 6412, a marked Chevrolet Tahoe, four door sport utility vehicle. WALSH was driving the vehicle and VAN DYKE was the passenger.

The two officers responded to a request for assistance from Beat 815R, regarding a man with a knife, on 40th Street, west of Pulaski Road. A unit equipped with a taser had also been requested. Officer VAN DYKE heard the radio transmission when Officer Thomas GAFFNEY said the man with a knife had "popped" the tire of GAFFNEY's police vehicle. VAN DYKE understood this to mean the subject had slashed the tire with his knife. As Officer WALSH drove westbound on 40th Street from Pulaski, VAN DYKE observed a black male subject, now known as Laquan MCDONALD, running eastbound in the parking lot of the Burger King restaurant on the southwest corner of 40 Street and Pulaski. MCDONALD was holding a knife in his right hand. VAN DYKE saw Police Officer Joseph MCELLIGOTT pursuing MCDONALD on foot. VAN DYKE also saw a civilian who was standing on 40th Street pointing to MCDONALD.

Officer WALSH drove eastbound in the parking lot, in pursuit of MCDONALD, on the north side of the Burger King restaurant building. WALSH used the police vehicle to block MCDONALD from entering the restaurant. MCDONALD ran out onto Pulaski Road and then turned southbound, running toward a Dunkin' Donuts restaurant, on the east side of Pulaski, south of the Burger King. WALSH positioned the police vehicle between MCDONALD and the Dunkin' Donuts to block his path towards that restaurant. When WALSH slowed the police vehicle alongside MCDONALD, Officer VAN DYKE opened the right front door of the vehicle to exit and confront MCDONALD. WALSH told VAN DYKE to stay in the vehicle as they were too close to MCDONALD to safely exit their vehicle. WALSH drove on southbound and stopped the police vehicle ahead of MCDONALD.

Officer VAN DYKE exited the vehicle on the right side and drew his handgun. As VAN DYKE stood in the street on Pulaski, facing northbound, toward MCDONALD, MCDONALD approached southbound. MCDONALD was holding the knife in his right hand, in an underhand grip, with the blade pointed forward. He was swinging the knife in an aggressive, exaggerated manner. VAN DYKE ordered MCDONALD to "Drop the knife!" multiple times. MCDONALD ignored VAN DYKE's verbal direction to drop the knife and continued to advance toward VAN DYKE.

When MCDONALD got to within 10 to 15 feet of Officer VAN DYKE, MCDONALD looked toward

VAN DYKE. MCDONALD raised the knife across his chest and over his shoulder, pointing the knife at VAN DYKE. VAN DYKE believed MCDONALD was attacking VAN DYKE with the knife, and attempting to kill VAN DYKE. In defense of his life, VAN DYKE backpedaled and fired his handgun at MCDONALD, to stop the attack. MCDONALD fell to the ground but continued to move and continued to grasp the knife, refusing to let go of it. VAN DYKE continued to fire his weapon at MCDONALD as MCDONALD was on the ground, as MCDONALD appeared to be attempting to get up, all the while continuing to point the knife at VAN DYKE. The slide on VAN DYKE's pistol locked in the rearward position, indicating the weapon was empty. VAN DYKE performed a tactical reload of his pistol with a new magazine and then assessed the situation.

MCDONALD was no longer moving and the threat had been mitigated, so Officer VAN DYKE and Officer WALSH approached MCDONALD. MCDONALD was still holding the knife in his right hand. VAN DYKE continued to order MCDONALD to "Drop the knife!" Officer WALSH told VAN DYKE, "I have this." VAN DYKE then used his handgun to cover WALSH as WALSH walked up and forcibly kicked the knife out of MCDONALD's right hand, thereby eliminating the threat to the officers.

Officer WALSH then notified the dispatcher on the police radio that shots had been fired by the police. Officer VAN DYKE requested an ambulance for MCDONALD on the radio.

Officer VAN DYKE's weapon was a Smith and Wesson, nine millimeter, semi-automatic pistol, with a 15 round magazine. VAN DYKE said the pistol was fully loaded at the beginning of his tour of duty, with 15 cartridges in the magazine and one cartridge in the firing chamber.

It was noted that the uniform Officer VAN DYKE was wearing consisted of a light blue long sleeve uniform shirt, with shoulder patches; black body armor vest, with patches; navy blue cargo pants; and equipment belt with handgun and radio.

The reporting detective then interviewed Officer VAN DYKE's partner.

WALSH, Joseph J -----

stated he was a Chicago Police Officer assigned to the 008th District. WALSH related the same facts as his partner, Officer Jason VAN DYKE.

WALSH added that as Laquan MCDONALD ran eastbound through the Burger King parking lot, WALSH used the police vehicle he was driving to block MCDONALD from entering the restaurant.

As MCDONALD ran southbound on Pulaski Road, from the Burger King, WALSH pursued MCDONALD in the police vehicle. WALSH drove southbound in the northbound lanes to get ahead of MCDONALD, keeping the police vehicle between MCDONALD and a Dunkin' Donuts restaurant, on the east side of Pulaski. As their vehicle passed MCDONALD, Officer VAN DYKE opened the right front door of their vehicle, to exit the truck and confront MCDONALD. WALSH, realizing that at this point they were too close to the armed MCDONALD to safely exit the vehicle, told VAN DYKE to wait until they got further ahead of MCDONALD. WALSH drove further south on Pulaski. He stopped his vehicle south of MCDONALD and exited the driver's door as VAN DYKE exited the right side of the vehicle. WALSH drew his handgun when he exited the vehicle.

Officer WALSH came around the rear of the police vehicle and joined Officer VAN DYKE on the right side of the vehicle. WALSH also stood in the street on Pulaski, facing northbound, as MCDONALD walked southbound toward the officers. WALSH ordered MCDONALD to "Drop the knife!" multiple times as MCDONALD approached the officers.

Officer WALSH also backed up, attempting to maintain a safe distance between himself and MCDONALD. MCDONALD ignored the verbal direction given by both WALSH and Officer VAN DYKE, and continued to advance toward the officers. When MCDONALD got to within 12 to 15 feet of the officers he swung the knife toward the officers in an aggressive manner. VAN DYKE opened fire with his handgun and MCDONALD fell to the ground. VAN DYKE continued firing his weapon at MCDONALD as MCDONALD continued moving on the ground, attempting to get up, while still armed with the knife.

When the gunfire stopped and MCDONALD was not moving anymore, WALSH approached MCDONALD with VAN DYKE. WALSH continued to order MCDONALD to "Drop the knife!" multiple times, as MCDONALD was still holding the knife in his right hand. WALSH forcibly kicked the knife out of MCDONALD's hand and then notified the dispatcher on the police radio that shots had been fired by the police. An ambulance was also requested for MCDONALD.

As they waited for the ambulance to respond to the scene, Officer WALSH told MCDONALD to "hang in there," and that an ambulance was on the way.

Officer WALSH said he believed MCDONALD was attacking WALSH and Officer VAN DYKE with the knife and attempting to kill them when the shots were fired. WALSH stated he did not fire his handgun because VAN DYKE was in the line of fire between WALSH and MCDONALD. WALSH thought VAN DYKE fired eight or nine shots total.

It was noted that Officer WALSH wore the same uniform configuration as Officer VAN DYKE.

The officers assigned to Beat 815R were interviewed.

GAFFNEY, Thomas J -----

stated he was a Chicago Police Officer assigned to the 008th District. He was on duty, in uniform, working on Beat 815R. GAFFNEY was working with Police Officer Joseph MCELLIGOTT. The two officers were assigned to Chicago Police Department vehicle number 8489, a marked Chevrolet Tahoe, four door sport utility vehicle. GAFFNEY was driving the vehicle and MCELLIGOTT was the passenger.

The officers responded to an assignment of holding an offender for breaking into trucks at 41st Street and Kildare Avenue. Upon arrival at that location they met an Hispanic couple who told the officers a black male subject, wearing a dark shirt, had attempted to break into trucks parked in the parking lot at that location. The couple told the officers the subject had walked off and was last seen walking eastbound on 40th Street from Kildare.

Officer GAFFNEY drove northbound on Kildare to 40th Street. When he turned eastbound onto 40th Street he saw a black male subject wearing dark clothing, walking eastbound on the sidewalk,

on the south side of the street. Officer MCELLIGOTT exited the police vehicle to approach the subject, now known as Laquan MCDONALD. GAFFNEY stayed in the vehicle in case MCDONALD fled. MCELLIGOTT called to MCDONALD and told him to stop but MCDONALD continued walking eastbound, ignoring MCELLIGOTT. MCDONALD's hands were in his pockets as he walked. MCELLIGOTT told MCDONALD to take his hands out of his pockets. MCDONALD took his hands out of his pockets and MCELLIGOTT told GAFFNEY that MCDONALD had a knife. GAFFNEY then saw a silver colored knife in MCDONALD's right hand. GAFFNEY also saw that MCELLIGOTT had his handgun drawn at this point. MCELLIGOTT repeatedly ordered MCDONALD to "Drop the knife," but MCDONALD ignored these directions. As MCDONALD reached Keeler Avenue, GAFFNEY notified the dispatcher on the police radio that they were following a subject with a knife and requested assistance from a unit equipped with a taser.

MCDONALD continued walking eastbound, Officer MCELLIGOTT following on foot and Officer GAFFNEY following in the police vehicle. As MCDONALD approached Karlov Avenue, GAFFNEY turned the Tahoe southbound onto Karlov and stopped, blocking the crosswalk. GAFFNEY said he wanted to stop MCDONALD before he reached Pulaski Road, a business street where more civilians were present. The area where MCDONALD was first observed was industrial in nature with no other civilians present. When GAFFNEY stopped his vehicle in front of MCDONALD, blocking his path, MCDONALD stabbed the right front tire of the Tahoe with his knife, causing the tire to go flat. GAFFNEY immediately informed the radio dispatcher that MCDONALD had "popped" the tire. MCDONALD attempted to walk around the front of the police vehicle and GAFFNEY drove the Tahoe forward a short distance to continue to block MCDONALD's path. MCDONALD then stabbed at the windshield of the Tahoe with the knife, striking the right side of the windshield. MCDONALD then continued walking eastbound from Karlov.

As MCDONALD approached the Burger King restaurant parking lot at 40th Street and Pulaski, assisting police units arrived, approaching westbound on 40th Street from Pulaski. MCDONALD began to run eastbound through the restaurant parking lot, on the north side of the Burger King building. He ran out onto Pulaski and then turned and ran southbound on Pulaski. Beat 845R pursued MCDONALD in their police vehicle, eastbound through the parking lot, over the curb at Pulaski, then southbound on Pulaski. Officer GAFFNEY lost sight of MCDONALD when he turned southbound on Pulaski.

Because of the flat tire on his vehicle, Officer GAFFNEY did not drive over the curb. As he drove around out onto Pulaski, GAFFNEY heard multiple gunshots in rapid succession. He did not see who was shooting. When he reached Pulaski MCDONALD was lying on the ground.

It was noted that Officer GAFFNEY wore the same uniform configuration as Officer VAN DYKE with the addition of the uniform baseball style cap with embroidered patch.

MCELLIGOTT, Joseph P -----

stated he was a Chicago Police Officer assigned to the 008th District. MCELLIGOTT related the same facts as his partner, Officer Thomas GAFFNEY.

Officer MCELLIGOTT added that after he exited the police vehicle, when Laquan MCDONALD took his hands out of his pockets and MCELLIGOTT saw MCDONALD holding a knife in his right

hand, MCELLIGOTT drew his handgun. He repeatedly ordered MCDONALD to "Drop the knife." MCDONALD ignored MCELLIGOTT's directions and continued to walk eastbound on 40th Street. MCELLIGOTT followed MCDONALD on foot, maintaining a safe distance between himself and the armed MCDONALD.

Officer MCELLIGOTT heard Officer GAFFNEY request assistance and a unit with a taser over the police radio. GAFFNEY attempted to use the police vehicle to block MCDONALD from continuing on toward the Burger King restaurant at Pulaski Road. At this point MCDONALD stabbed the right front tire and the windshield of the police vehicle. MCELLIGOTT began to hear the sirens of approaching assisting police units and MCDONALD began to run toward the Burger King restaurant.

When MCDONALD ran eastbound through the parking lot of the Burger King, Officer MCELLIGOTT ran after MCDONALD in pursuit. MCELLIGOTT ran out into the middle of Pulaski Road in pursuit of MCDONALD. MCELLIGOTT heard multiple gunshots but did not see who fired the shots. The gunfire was continuous, one shot after another. MCELLIGOTT then saw MCDONALD lying on the ground. MCELLIGOTT saw Officer Joseph WALSH kick the knife out of MCDONALD's hand.

It was noted that Officer MCELLIGOTT wore the same uniform configuration as Officer VAN DYKE.

Other officers who responded to this incident were also interviewed.

SEBASTIAN, Daphne L —

stated she was a Chicago Police Officer assigned to the 008th District. She was on duty, in uniform, working on Beat 813R. SEBASTIAN was working with Police Officer Janet MONDRAGON. The two officers were assigned to a marked vehicle. MONDRAGON was driving the vehicle and SEBASTIAN was the passenger.

The two officers responded to the request for assistance made by Beat 815R, regarding a subject with a knife. Officer SEBASTIAN thought the original call for assistance was at 40th Street and Keeler Avenue. The subject had punctured a tire on the police vehicle of Beat 815R. Officer MONDRAGON drove northbound on Pulaski Road, following Beat 845R, as they also responded to the request for assistance. MONDRAGON turned westbound onto 40th Street, behind Beat 845R.

Officer SEBASTIAN observed a black male subject, now known as Laquan MCDONALD, running southeast bound through the parking lot of the Burger King restaurant. Beat 845R pursued MCDONALD in their police vehicle, through the parking lot, toward Pulaski. SEBASTIAN told Officer MONDRAGON to drive back out onto Pulaski to assist in the pursuit. MCDONALD ran out onto Pulaski and continued to run southbound down the middle of the street. Beat 845R pursued MCDONALD in their vehicle, southbound on Pulaski, followed by Beat 813R. As MCDONALD ran southbound on Pulaski, SEBASTIAN saw the knife in his right hand. MCDONALD was waving the knife.

Beat 845R stopped their vehicle ahead of MCDONALD, between MCDONALD and the Dunkin'

Donuts restaurant on the east side of Pulaski. Officers Joseph WALSH and Jason VAN DYKE exited their vehicle and drew their handguns. MCDONALD turned toward the two officers and continued to wave the knife. Sebastian heard the officers repeatedly order MCDONALD to "Drop the knife!" MCDONALD ignored the verbal directions and continued to advance on the officers, waving the knife. Officer SEBASTIAN heard multiple gunshots and MCDONALD fell to the ground, where he continued to move. SEBASTIAN did not know who fired the shots, which were fired in one continuous group. She then saw Officer WALSH kick the knife out of MCDONALD's hand.

MONDRAGON, Janet -----

stated she was a Chicago Police Officer assigned to the 008th District. MONDRAGON related the same facts as her partner, Officer Daphne SEBASTIAN.

Officer MONDRAGON added that as she drove westbound on 40th Street, she saw Officer MCELLIGOTT running eastbound through the Burger King parking lot. She made a U-turn and drove back out onto Pulaski Road. MONDRAGON turned southbound onto Pulaski. She saw Laquan MCDONALD running southbound on Pulaski, in the middle of the street. As she got closer she could see MCDONALD was holding a knife in his right hand. He was waving the knife.

Officer MONDRAGON saw Officers Joseph WALSH and Jason VAN DYKE outside of their police vehicle. She heard the officers repeatedly ordering MCDONALD to "Drop the knife!" as MCDONALD got closer and closer to the officers, continuing to wave the knife. As she was placing her vehicle transmission into Park, MONDRAGON looked down and heard multiple, continuous gunshots, without pause. MONDRAGON then saw MCDONALD fall to the ground. MONDRAGON did not know who fired the shots.

BACERRA, Arturo -----

stated he was a Chicago Police Officer assigned to the 008th District. He was on duty, in uniform, working on Beat 822. BACERRA was working with Police Officer Leticia VELEZ. The two officers were assigned to a marked vehicle. BACERRA was driving the vehicle and VELEZ was the passenger.

Officer BACERRA and his partner responded to the request for assistance made by Beat 815R, regarding a subject who was armed with a knife. BACERRA was driving northbound on Pulaski Road from 47th Street. As he approached the scene of this incident, at 4112 South Pulaski, he observed a black male subject, now known as Laquan MCDONALD, in the middle of the street, flailing his arms. As he got closer, BACERRA observed MCDONALD to be holding a knife in his right hand. BACERRA drove past MCDONALD, with MCDONALD on the left side of the police vehicle, as Beat 845R drove past BACERRA, on the right side of his vehicle, travelling southbound. As BACERRA began to make a U-turn, he heard multiple gunshots. He then saw MCDONALD lying on the ground. BACERRA did not see who fired the shots.

VELEZ, Leticia -----

stated she was a Chicago Police Officer assigned to the 008th District. VELEZ related the same facts as her partner, Officer Arturo BACERRA.

Officer VELEZ added that as they approached the scene she observed Laquan MCDONALD standing in the middle of the street, holding a shiny object in his right hand. She saw him waving the object in the air. Officer BACERRA drove past MCDONALD and began to make a U-turn, when VELEZ heard multiple gunshots, without pause or delay. She then saw MCDONALD fall to the ground. VELEZ did not see who fired the shots. She did see an unknown officer kick the knife from MCDONALD's hand after he was down on the ground.

FONTAINE, Dora -----

stated she was a Chicago Police Officer assigned to the 008th District. She was on duty, in uniform, working on Beat 841R. FONTAINE was working with Police Officer Ricardo VIRAMONTES. The two officers were assigned to a marked vehicle. VIRAMONTES was driving the vehicle and FONTAINE was the passenger.

The two officers responded to the request for assistance made by Beat 815R, regarding a man with a knife at 41st Street and Pulaski Road. Officer VIRAMONTES drove northbound on Pulaski. When they arrived at the scene of this incident, in front of the Dunkin' Donuts restaurant, Officer FONTAINE saw a black male subject, now known as Laquan MCDONALD, walking southbound in the street, with a knife in his right hand. MCDONALD was walking sideways, with his body facing east, toward Officers Jason VAN DYKE and Joseph WALSH. These two officers were standing in the middle of the street, on the right side of their police vehicle, which was facing southbound. FONTAINE heard the officers repeatedly order MCDONALD to "Drop the knife!" MCDONALD ignored the verbal direction and instead, raised his right arm toward Officer VAN DYKE, as if attacking VAN DYKE. At this time VAN DYKE fired multiple shots from his handgun, until MCDONALD fell to the ground and stopped moving his right arm and hand, which still grasped the knife. The gunshots were rapid fire, without pause. Officer WALSH then kicked the knife out of MCDONALD's hand.

VIRAMONTES, Ricardo -----

stated he was a Chicago Police Officer assigned to the 008th District. VIRAMONTES related the same facts as his partner, Officer Dora FONTAINE.

Officer VIRAMONTES added that when he exited his police vehicle, at the scene, he observed a black male subject, now known as Laquan MCDONALD, walking southbound on Pulaski Road, in the middle of the street, holding a knife in his right hand. VIRAMONTES heard Officer Jason VAN DYKE repeatedly order MCDONALD to "Drop the knife!" MCDONALD ignored the verbal direction and turned toward VAN DYKE and his partner, Officer Joseph WALSH. At this time VAN DYKE fired multiple shots from his handgun. MCDONALD fell to the ground but continued to move, attempting to get back up, with the knife still in his hand. VAN DYKE fired his weapon at MCDONALD continuously, until MCDONALD was no longer moving.

The scene of this incident, at 4112 South Pulaski Road, was observed to be a wide commercial street with traffic traveling north and south. There were two traffic lanes and a curb lane in each direction. A wide median separated the northbound and southbound traffic lanes. The scene was just south of the intersection of Pulaski and 41st Street. This was a "T" intersection with 41st Street extending east from Pulaski. In the center median was a left turn lane for northbound traffic

turning west onto 40th Street, further to the north. The Pulaski median was level with the traffic lanes and was striped with yellow paint.

On the west side of Pulaski was a large vacant lot. North of the vacant lot, on the southwest corner of 40th Street and Pulaski, was a Burger King restaurant. On the east side of the street was a Dunkin Donuts restaurant.

The weather was cloudy and cool with the temperature in the 50s. It was dark with good artificial light provided by overhead streetlights. All of the lights were on and functioning normally. There was also artificial light provided by the lighting of the nearby businesses.

In the northbound left turn lane, Chicago Police Department vehicle number 6412, assigned to Beat 845R, was sitting, facing southeast. The vehicle was a marked Chevrolet Tahoe, four door sport utility vehicle. The right front door of the vehicle was open.

In the southbound traffic lanes, in the right lane, a metal folding pocket knife was lying on the pavement. The blade was in the open position. The overall length of the knife was seven inches, with a three inch blade. The knife was in line with the front end of the vehicle of Beat 845R. Just north of the knife were two pools of blood on the pavement. Five metal bullet fragments were lying on the pavement near the blood. North of the blood, scattered in a diagonal pattern from southwest to northeast, across both southbound traffic lanes and the northbound left turn lane, were 16, nine millimeter caliber cartridge cases, lying on the pavement.

Chicago Police Department vehicle number 8489, assigned to Beat 815R, was sitting at the west curb at 4102 South Pulaski. The right front tire of the vehicle was flat, with a large puncture to the sidewall of the tire. The right side of the windshield was scratched from being struck by Laquan MCDONALD's knife.

Mobile Crime Lab Beat 5802 responded to the scene. Video and photographs were taken of the scene. The knife and firearms evidence was collected from the street, as were swabs of the blood. The right front wheel and tire of Chicago Police Department vehicle number 8489 was also recovered. The right front quarter panel of vehicle number 8489 was processed for fingerprints and four ridge impressions were recovered.

A canvass was conducted of the area near the scene of this incident in an attempt to identify and locate witnesses. A number of people were interviewed.

[redacted] -----

stated she was [redacted] at the Burger King restaurant. At approximately 21:55 hours [redacted] observed police officers chasing a black male subject, now known as Laquan MCDONALD, through the parking lot, on the north side of the restaurant building. The officers chased MCDONALD southbound down Pulaski Road, toward the Dunkin' Donuts restaurant. [redacted] then heard multiple gunshots and dove to the ground.

[redacted] permitted access to the Burger King video system. No video of this incident was recorded. The system was not recording at that time. The system was activated and video was

recovered from the system from earlier in the day, showing the view of each of the cameras in the system. It was noted that none of these camera views showed the area of the scene where the confrontation between Laquan MCDONALD and Police Officers Jason VAN DYKE and Joseph WALSH occurred, on Pulaski Road, south of the Burger King restaurant. If the system had been recording at the time of this incident, it would not have recorded any footage of that confrontation.

[redacted] -----

stated he was at the Burger King restaurant, waiting for his girlfriend, [redacted], who was working at the drive-thru window. [redacted] observed a "young black dude" with his hair in dreadlocks, now known as Laquan MCDONALD, running through the parking lot of the restaurant. He was being pursued by police officers. MCDONALD was holding his pants like he might have had a gun or something. MCDONALD then ran southbound on the sidewalk and then out into the street on Pulaski Road. [redacted] last saw MCDONALD running towards the middle of the intersection of 41st Street and Pulaski. MCDONALD appeared confused. [redacted] then turned his attention back to his girlfriend at the drive-thru window. He did not witness the shooting.

[redacted] -----

stated she was working at [redacted] of the Burger King restaurant. She observed a male subject, now known as Laquan MCDONALD, running from the restaurant parking lot, southbound on Pulaski Road, toward the Dunkin' Donuts restaurant. [redacted] heard multiple gunshots and then saw that MCDONALD was lying in the street.

[redacted] -----

stated she was [redacted] of the Burger King restaurant. She did not see or hear anything.

[redacted] -----

stated she was [redacted] of the Burger King restaurant. She did not see or hear anything.

Laquan MCDONALD had been transported to Mount Sinai Hospital by Chicago Fire Department Ambulance 21. He sustained multiple gunshot wounds as documented in the format of this investigation. MCDONALD was treated for his injuries in the emergency room. He succumbed to his wounds and was subsequently pronounced dead by Doctor PITZELE, at 22:42 hours.

Registered Nurse [redacted], recovered three metal bullet fragments from MCDONALD and turned these over to Detective William JOHNSON. These were subsequently turned over to Mobile Crime Lab Beat 5802, who also recovered metal fragments from MCDONALD's sweater.

The reporting detective had learned of the death of Laquan MCDONALD while still at the scene of this incident. The Office of the Medical Examiner of Cook County was notified of MCDONALD's death, and Investigator BRIGGS assigned Medical Examiner's case number 2014 - 01071 to this case.

In the Bureau of Detectives - Area Central office, Evidence Technician Beat 5824 recovered Office Jason VAN DYKE's handgun, a Smith and Wesson, Model 5942, nine millimeter caliber, semi-automatic pistol. The weapon was loaded with one cartridge in the firing chamber and 14 cartridges in the magazine, when recovered.

Beat 5824 took photographs of Officers Jason VAN DYKE, Joseph WALSH, Thomas GAFFNEY and Joseph MCELLIGOTT. Elimination prints, including palm prints, were also taken from Officers GAFFNEY and MCELLIGOTT.

Officer Jason VAN DYKE was re-interviewed for additional detail, in the Area Central office.

VAN DYKE, Jason D ----

related the same sequence of events as documented in his original interview at the scene of this incident.

VAN DYKE additionally articulated the reasoning behind his decision to use deadly force against the offender in this incident, Laquan MCDONALD. VAN DYKE was aware of the radio transmissions from Officer Thomas GAFFNEY, on Beat 815R, that MCDONALD was armed with a knife. VAN DYKE was aware that MCDONALD had attacked the officers on Beat 815R by slashing the tire of their police vehicle.

As he confronted MCDONALD at 4112 South Pulaski Road, VAN DYKE saw that MCDONALD was in fact, armed with a knife, a deadly weapon. VAN DYKE was aware of the widely accepted teaching in law enforcement that an assailant armed with a knife was considered a deadly threat, if within 21 feet, because it was possible for such an assailant to close that distance and attack with the knife before a defensive shot could be fired from a handgun. VAN DYKE was also aware of the existence of throwing knives, which can be thrown from a distance, as well as spring loaded knives, which propel a blade through the air from the knife handle. VAN DYKE also said he recalled a previously issued Chicago Police Department bulletin warning of a weapon which appeared to be a knife but which actually was capable of firing a bullet, making it a firearm.

Subsequently, a search was conducted of the Chicago Police Department, Automated Message Center, to find the bulletin Officer Jason VAN DYKE remembered, regarding the weapon that appeared to be a knife, but was actually a firearm. This bulletin was issued on 04 December 2012. It was Officer Safety Alert number 2012-OSA-297. It was a warning regarding a "revolver knife" which was capable of firing .22 caliber cartridges.

Three witnesses had been transported into the Area Central office from the scene and were interviewed.

[redacted]----

stated she was in the Burger King restaurant parking lot. She saw a subject, now known as Laquan MCDONALD, running southbound on Pulaski Road. [redacted] saw many police officers on the street. She was trying to get her cellular telephone to work, to record video. [redacted] heard eight gunshots fired continuously. She did not see who fired the shots. [redacted] then saw

a police officer pointing a handgun at MCDONALD as he was lying on the ground.

With her permission, [redacted]' telephone was examined for any recorded video footage with negative results.

[redacted]-----

stated he was at the Burger King restaurant drive-thru with [redacted]. He saw a black male subject, now known as Laquan MCDONALD, running from the trucks parked at the rear of the restaurant parking lot. MCDONALD ran eastbound in the parking lot, on the north side of the Burger King building. A police officer was chasing MCDONALD on foot, eastbound through the parking lot, then southbound on Pulaski Road. A Chicago Police Department, Chevrolet Tahoe sport utility vehicle pulled up on Pulaski. MCDONALD ran toward the police vehicle. A police officer exited the vehicle and fired multiple shots from a handgun at MCDONALD. [redacted] thought there was video footage of the incident recorded on [redacted] cellular telephone. As documented in the previous interview of [redacted], her telephone was examined with negative results.

[redacted]-----

stated he was sitting in a truck, parked in the Burger King restaurant parking lot, on the south side of the restaurant building. He was completing some logs. [redacted] observed a black male subject, now known as Laquan MCDONALD, running southbound on Pulaski Road. The police were pursuing MCDONALD. [redacted] heard approximately three gunshots. He did not see who fired the shots. [redacted] exited the cab of his truck and climbed up on top of it. He saw a Chicago Police Department, Chevrolet Tahoe sport utility vehicle, and many police officers on Pulaski Road.

[redacted] insisted on leaving the Area Central office after their initial interviews, and they were transported as they requested.

Sergeant Lance BECVAR responded to the scene and subsequently to the Area Central office. He was able to recover video of this incident from the vehicles assigned to Beats 845R and 813R. This video was uploaded into the system. The reporting detective submitted a request for copies of these two videos which were subsequently inventoried. The reporting detective also requested that the videos be permanently retained. No video of this incident was recovered from the vehicles assigned to Beats 815R, 822 and 841R.

The recovered in-car camera video from Beats 845R and 813R was viewed and found to be consistent with the accounts of all of the witnesses. The video from Beat 813R showed that at the time Officer Jason VAN DYKE fired his handgun at Laquan MCDONALD, VAN DYKE was standing near the east edge of the southbound traffic lanes of Pulaski Road, and MCDONALD was near the lane marking separating the two southbound traffic lanes. The two were separated by the width of one traffic lane. The width of this traffic lane was approximately ten feet.

Recordings of the original 9-1-1 call and the radio transmissions over the Chicago Police Department, Zone 6 radio frequency were obtained from the Office of Emergency Management

and Communication. The recordings were reviewed and subsequently inventoried.

In the 9-1-1 call, a caller who identified himself as [redacted] stated that he was holding a guy for stealing radios from trucks in a trucking yard.

The recorded radio transmissions were consistent with the statements of the police officers involved in this incident. It was determined from the radio transmissions, that the entire interaction of the involved police officers, with Laquan MCDONALD, from the time Beat 815R notified the radio dispatcher that they had made contact with him, and that he was armed with a knife, until Beat 845R notified the dispatcher that shots had been fired by the police, lasted more than four minutes.

The criminal history of Laquan MCDONALD was reviewed. [redacted]

Additionally, there were two documented incidents, under Records Division numbers HS640983 and HT106389, on 01 December 2010 and 05 January 2011. In these incidents officials at the [redacted], elementary school, called the police because of the violent behavior of Laquan MCDONALD. The reports indicated that MCDONALD was a special education student at the school and that this had become a pattern of behavior for MCDONALD. The school officials indicated that MCDONALD had behavioral problems and anger issues. In both incidents MCDONALD was transported to [redacted] for evaluation and treatment.

The family of Laquan MCDONALD was located and notified of his death.

[redacted] -----

stated he was an uncle of Laquan MCDONALD. MCDONALD was living with JOHNSON while MCDONALD "worked out his problems." [redacted] said that MCDONALD attended [redacted] school but was currently suspended. MCDONALD suffered from "hypertension" but refused to take any medication. He stopped taking his prescribed medication approximately two years prior because he said it made him "freak out."

[redacted] last saw MCDONALD on Saturday, 18 October 2014, at approximately 13:00 hours, when MCDONALD left the apartment. He had not been back since. MCDONALD had rung the doorbell earlier in the day on 20 October 2014. [redacted] said they "buzzed" MCDONALD into the building but he never came up to the apartment.

[redacted] had no idea why MCDONALD would be in the area of 41st Street and Pulaski Road. JOHNSON said he would attempt to notify MCDONALD's mother, [redacted].

On Tuesday, 21 October 2014, [redacted] of the 9-1-1 caller, [redacted]" was located and interviewed.

[redacted] -----

stated she was with [redacted], parking a truck in the lot at 41st Street and Kildare Avenue. She saw a black male subject, now known as Laquan MCDONALD, attempting to steal property from vehicles parked in the lot. [redacted] confronted MCDONALD and told him to leave the lot. [redacted] said that MCDONALD did not say anything, but instead, he was "growling" and making strange noises. [redacted] again told MCDONALD to leave the lot and MCDONALD pulled out a knife. MCDONALD swung the knife at [redacted] attempting to cut him. [redacted] had already called 9-1-1 so he backed up and threw his cellular telephone at MCDONALD. MCDONALD then ran from the lot. He ran northbound on Kildare, then eastbound on 40th Street.

[redacted] described MCDONALD as a black male, with his hair in braids. He was wearing a black hood and blue jeans. [redacted] viewed a photograph of Laquan MCDONALD and identified him as the subject in the lot, who had been attempting to steal property from vehicles parked in the lot, and who subsequently threatened [redacted] with a knife, when [redacted] confronted MCDONALD.

On Wednesday, 22 October 2014, the 9-1-1 caller was interviewed.

[redacted] -----

related the same facts as [redacted]. [redacted] re-iterated that Laquan MCDONALD swung his knife at [redacted], attempting to cut him. [redacted] stated he was the person who called 9-1-1 regarding this incident.

A canvass was conducted of the area near the scene of this incident for any recorded video.

There were no Police Observation Devices, or other City of Chicago video cameras in the area.

Recorded video was recovered from three cameras on the exterior of the building housing the Greater Chicago Food Depository, at 4100 West Ann Lurie Place. Two of these videos showed two different views of Laquan MCDONALD walking eastbound on the sidewalk, on the south side of 40th Street, between Keeler and Karlov Avenues. Officer Joseph MCELLIGOTT was following MCDONALD on foot, maintaining a safe distance between himself and MCDONALD, while Officer Thomas GAFFNEY was following MCDONALD in a police vehicle. The third video did not capture any part of this incident.

Recorded video was recovered from two cameras at the Dunkin' Donuts restaurant, at 4113 South Pulaski Road. One of these videos showed the end of this incident, when Officers Jason VAN DYKE and Joseph WALSH stopped their vehicle, exited the vehicle and confronted Laquan MCDONALD. The view in this video is from a distance. The video from the second camera did not capture any part of this incident.

Recorded video was recovered from two cameras from Focal Point, 4141 South Pulaski Road. These videos did not capture any part of this incident.

All of the recovered video was inventoried.

A Major Case Review of this case was conducted at the Illinois State Police Crime Laboratory, on Thursday, 30 October 2014. An Evidence Submission Form was completed per this review.

The assigned personnel became aware of a potential question regarding the integrity of the video recovered from the Burger King restaurant. In an attempt to follow-up on this issue the assigned personnel proceeded to the restaurant on Wednesday, 11 March 2015. Manager, [redacted] was contacted at the restaurant. She stated that the video system at the restaurant had recently been repaired and a new digital video recorder had been installed. [redacted] said that as of this date, 11 of the 16 video ports in the system actually recorded video. This was consistent with the video recovered on the date of this incident. Video was recorded and recovered on 11 of the 16 video ports in the system on that date.

Any additional inquiries regarding the video system at the restaurant were referred to the district manager responsible for that restaurant, [redacted]. He was contacted and related that the day after this incident occurred, personnel from the Independent Police Review Authority, of the City of Chicago, came to the restaurant. They viewed video from the system and took custody of the digital video recorder. The recorder was returned to the restaurant two weeks later. Personnel from the Federal Bureau of Investigation then came to the restaurant and made copies of video from the system. After that some lawyers came to the restaurant with subpoenas to make copies of video from the system. Finally, [redacted] stated that personnel from the Federal Bureau of Investigation had come to the restaurant again, approximately three weeks prior to this interview, and took the digital video recorder. [redacted] did not have any further information regarding the video system.

The assigned personnel also became aware of an article written by [redacted], a professor at the University of Chicago Law School, citing the existence of an unknown witness to this incident. [redacted] was contacted on Thursday, 12 March 2015, in an attempt to interview this witness. [redacted] stated that this witness had already been interviewed by the Independent Police Review Authority and [redacted] did not know if the witness would be willing to be interviewed by the Chicago Police Department. [redacted] said he would contact the witness and provide him with contact information for the assigned personnel.

Based upon all the facts known at this time, and the death of the only offender in this incident, this case is now Exceptionally Cleared Closed / Other Exceptional Clearance - Death of Offender.

The above to-date investigation determined that Laquan MCDONALD was an active assailant who, while armed with a dangerous weapon, used force likely to cause death or serious injury to a private citizen when he attacked [redacted]; threatened the imminent use of force likely to cause death or serious injury when he incised the tire and stabbed the windshield of a Chicago Police Department vehicle occupied by Officer Thomas GAFFNEY; and initiated imminent use of force likely to cause death or serious injury when he initiated an attack on Officers Jason VAN DYKE and Joseph WALSH. The above investigation concluded that Officer Jason VAN DYKE's use of deadly force, the discharging of his duty firearm, was within the bounds of the Chicago Police Department's use of force guidelines, and in conformity with local ordinances and state law.

Based on the above facts, the associated report, under Records Division number HX486155, is now Closed / Non-Criminal.

REPORT OF:

Detective David M MARCH #20563
Sergeant Daniel GALLAGHER #1303
Lieutenant Anthony WOJCIK #481
Bureau of Detectives - Area Central

ICAGO POLICE DEPARTMENT

ASE SUPPLEMENTARY REPORT

0 S. Michigan Avenue, Chicago, Illinois 60653
use by Chicago Police - Bureau of Investigative Services Personnel Only)

HX475653

Case id : 9825613
Sup id : 10988891 CASR339

ROGRESS-VIOLENT(SCENE) | **DETECTIVE SUP. APPROVAL COMPLETE**

st Offense Classification/Re-Classification	IUCR Code	Original Offense Classification			IUCR Code
AULT / Aggravated Po:Knife/Cut Instr	0552	ASSAULT / Aggravated Po:Knife/Cut Instr			0552
ddress of Occurrence	Beat of Occur	No of Victims	No of Offenders	No of Arrested	SCR No
112 S PULASKI RD	815	4	1	1	
ocation Type	Location Code	Secondary Location			Hate Crime
treet	304				No
ate of Occurrence	Unit Assigned	Date RO Arrived	Fire Related?	Gang Related?	Domestic Related?
0-OCT-2014 21:57	0841R	20-OCT-2014 21:57	NO	NO	NO

eporting Officer	Star No	Approving Supervisor	Star No	Primary Detective Assigned	Star No
MARCH, David	20563	WOJCIK, Anthony	481	MARCH, David	20563
ate Submitted		Date Approved		Assignment Type	
5-MAR-2015 18:23		16-MAR-2015 00:03		FIELD	

HIS IS A FIELD INVESTIGATION PROGRESS-VIOLENT(SCENE) REPORT

/ICTIM(S):

GAFFNEY, Thomas J
Male / White / 41 Years
EMPLOYMENT: Chicago Police Officer #19958

EMPLOYER BUSINESS NME: Chicago Police Department

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

VAN DYKE, Jason D
Male / White / 36 Years
EMPLOYMENT: Chicago Police Officer #9465

EMPLOYER BUSINESS NME: Chicago Police Department

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

WALSH, Joseph J
Male / White / 45 Years
EMPLOYMENT: Chicago Police Officer #12865

EMPLOYER BUSINESS NME: Chicago Police Department

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

HX475653

MCELLIGOTT, Joseph P
Male / White / 36 Years
EMPLOYMENT: Chicago Police Officer #18715

EMPLOYER BUSINESS NME: Chicago Police Department

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

FFENDER(S) **MCDONALD, Laquan J** -- In Custody--

ALIAS: "Bon-Bon"
Male / Black / 17 Years
DOB: [redacted]
DESCRIPTION: 6'02, 180, Black Hair, Dreadlocks Hair Style, Brown Eyes, Medium Complexion
RES: [redacted]
Chicago IL
BIRTH PLACE: Illinois
DLN/ID: [redacted] IL
OTHER IDENTIFICATIONS: **Type -** Other Id
State - Unknown
IR#: 2106340
SID#: IL185507
21
RELATIONSHIP OF VICTIM TO OFFENDER:

GAFFNEY, Thomas J	- No Relationship
MCELLIGOTT, Joseph P	- No Relationship
VAN DYKE, Jason D	- No Relationship
WALSH, Joseph J	- No Relationship

GANG INFORMATION:

-
LISTED CRIMINAL ORGANIZATION: New Breed
GANG IDENTIFIERS: Other

ITEM USED:
Weapon

)FFENDER INJURIES: **MCDONALD, Laquan J**

Type	Weapon Used	Weapon Description
Gun Shot Wound	Handgun	Other - Handgun

Injured by Police
Chicago Fire Department Provided First Aid
EXTENT OF INJURY: Multiple Gsw
HOSPITAL REMOVED BY: Cfd Ambulance 21

INJURY TREATMENT: Multiple Gsw

PHYSICIAN NAME: Dr Pitzele

PON(S): **INV#:** 13296449

Evidence

Smith & Wesson -Us- (Bodyguard,Chief Special), 5942, 9, Semi-Automatic Pistol, Semi-Automatic, 4", Stainless
SERIAL#: [redacted]
PROPERTY TYPE: OTHER

OWNER: Van Dyke, Jason
POSSESSOR/USER: VAN DYKE, JASON

PHONE #: 312 - 747 - 8730
LOCATION FOUND: 5101 S WENTWORTH AVE

Number Of Live Rounds present in the Firearm - 15
Number Of Live Rounds used in the Firearm - 16
The Status Of This Firearm is 628361

EHICLE INFO: **Truck, 2010 / Chevrolet / Tahoe / Truck**
Victim's Vehicle
VIN: 1GNMCAE0XAR263348
YEAR (RANGE): 2010
COLOR(TOP/BOTTOM): White / White
OWNER: Chicago Police Department
POSSESSOR/USER: GAFFNEY, THOMAS
PHONE#: 312 - 747 - 8730
The Vehicle was Seized
LOCATION FOUND: 4102 S PULASKI RD

LICENSE: Mp6581, Law Enforcement (City, County, State, Sos), IL

LOCATION OF INCIDENT:
4112 S Pulaski Rd
Chicago IL
304 - Street

DATE & TIME OF INCIDENT: 20-OCT-2014 21:57

JUST HOMICIDE DESCRIPTION: Criminal Killed By Police Officer

ADDITIONAL JUST HOMICIDE DESCR.: Criminal Attacked Officer That Officer Killed Criminal

WEATHER AND LIGHTING:
WEATHER: Cloudy & Cool
TEMPERATURE: 50s
LIGHTING: Dark / Artificial Light
LIGHTING SOURCE: Streetlights

DISTANCE: Overhead

)TIVE CODE(S): Interceding In A Felony

USE CODE(S): Dna

HOD CODE(S): Offender Shot

U CODE(S): Police Related Not Con

REARM(S) COVERED: **INV #:** **13296449**
Evidence
Smith & Wesson -Us- (Bodyguard,Chief Special), 5942, 9, Semi-Automatic Pistol, Semi-Automatic, 4", Stainless
SERIAL#: [redacted]
PROPERTY TYPE: OTHER

OWNER: Van Dyke, Jason
POSSESSOR/USER: VAN DYKE, JASON

PHONE #: 312 - 747 - 8730
LOCATION FOUND: 5101 S WENTWORTH AVE

Number Of Live Rounds present in the Firearm - 15
Number Of Live Rounds used in the Firearm - 16
The Status Of This Firearm is [redacted]

EHICLE(S) DAMAGED: **Truck, 2010 / Chevrolet / Tahoe / Truck**
Evidence
VIN: 1GNMCAE0XAR263348
YEAR - YEAR RANGE END: 2010

COLOR (TOP/BOTTOM): White / White
OWNER: Chicago Police Department
POSSESSOR/USER: GAFFNEY, THOMAS
PHONE#: 312 - 747 - 8730
LOCATION FOUND: 4102 S PULASKI RD
LICENSE: Mp6581, Law Enforcement (City, County, State, Sos), IL

ERSONNEL ASSIGNED:
Detective/Investigator
MARCH, David M # 20563
Reporting Officer
FONTAINE, Dora # 4484 **BEAT:** 0841R

ITNESS(ES): [redacted]
Male / White Hispanic / 18 Years
DOB: [redacted]
RES: [redacted]bull Ave 1
Chicago IL

OTHER COMMUNICATIONS:
Cellular Phone: [redacted]

DLN/ID: [redacted] - IL
[redacted]
Female / White Hispanic / 19 Years
DOB: [redacted]
RES: [redacted]
Chicago IL
[redacted]

BUS: [redacted]
Chicago IL
[redacted]

DLN/ID: [redacted]

MONDRAGON, Janet

Female / White Hispanic / 37 Years
EMPLOYMENT: Chicago Police Officer #4364

BUS: 3420 W 63rd St
Chicago IL
312-747-8730
[redacted]
Female / White Hispanic / 29 Years
DOB: [redacted]
RES: [redacted]

OTHER COMMUNICATIONS:
Cellular Phone: [redacted]
Female / White Hispanic / 24 Years
DOB: [redacted]
RES: [redacted]
Chicago IL

EMPLOYMENT: Shift Manager

BUS: [redacted]

OTHER COMMUNICATIONS:

Cellular Phone: [redacted]

VELEZ, Leticia

Female / White Hispanic / 43 Years

EMPLOYMENT: Chicago Police Officer #10385

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

BACERRA, Arturo

Male / White Hispanic / 32 Years

EMPLOYMENT: Chicago Police Officer #15790

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

FONTAINE, Dora

Female / White Hispanic / 47 Years

EMPLOYMENT: Chicago Police Officer #4484

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

[redacted]

Female / White Hispanic / 30 Years

DOB: [redacted]

RES: [redacted]
Chicago IL

OTHER COMMUNICATIONS:

Cellular Phone: [redacted]

[redacted]

Male / White Hispanic / 24 Years

DOB: [redacted]

RES: [redacted]

SSN: [redacted]

DLN/ID: [redacted] - IL

SEBASTIAN, Daphne L

Female / White / 45 Years

EMPLOYMENT: Chicago Police Officer #2763

BUS: 3420 W 63rd St
Chicago IL
312-747-
8730

[redacted]

Male / White Hispanic / 25 Years

DOB: [redacted]

RES: [redacted]

BUS: [redacted]

--

OTHER COMMUNICATIONS:

Cellular Phone: [redacted]

SSN: [redacted]

VIRAMONTES, Ricardo

Male / White Hispanic / 41 Years

EMPLOYMENT: Chicago Police Officer #10590

BUS: 3420 W 63rd St
Chicago IL
312-747-
8730

OTHER INDIVIDUALS INVOLVED: [redacted] (Additional Victim)

Male / White Hispanic / 43 Years

DOB: [redacted]

RES: [redacted]

EMPLOYMENT: Self-Employed Truck Driver

OTHER COMMUNICATIONS:

Cellular Phone: [redacted]

DLN/ID: [redacted]

[redacted] (Family Member Notified)

Male / Black / 25 Years
DOB: [redacted]
RES: [redacted]

OTHER COMMUNICATIONS:
Other: [redacted]

[redacted] (Person Interviewed Non-Witness)

Female / White Hispanic / 39 Years
DOB: [redacted]
RES: [redacted]

BUS: [redacted]

[redacted] (Person Interviewed Non-Witness)

Female / White Hispanic / 62 Years
DOB: [redacted]
RES: [redacted]

BUS: [redacted]

CRIME CODE SUMMARY: 0552 - Assault - Aggravated Po:Knife/Cut Instr

IUCR ASSOCIATIONS:

0552 - Assault - Aggravated Po:Knife/Cut Instr

GAFFNEY, Thomas, J	(Victim)	
MCDONALD, Laquan, J		(Offender)
MCELLIGOTT, Joseph, P	(Victim)	
MCDONALD, Laquan, J		(Offender)
VAN DYKE, Jason, D	(Victim)	
MCDONALD, Laquan, J		(Offender)
WALSH, Joseph, J	(Victim)	
MCDONALD, Laquan, J		(Offender)

NCIDENT NOTIFICATION: **NOTIFICATION DATE & TIME:** 10/20/2014:230700

REQUEST TYPE: Notification

PERSON NAME: ,Sarlo

STAR #: 13131

IDENT NOTIFICATION: **NOTIFICATION DATE & TIME:** 10/20/2014:231400

REQUEST TYPE: Notification

PERSON NAME: ,Jines

STAR #: 4898

IDENT NOTIFICATION: **NOTIFICATION DATE & TIME:** 10/20/2014:215000

REQUEST TYPE: On Scene

PERSON NAME: ,March

STAR #: 20563

CIDENT NOTIFICATION: **NOTIFICATION DATE & TIME:** 10/21/2014:225800

REQUEST TYPE: Notification

PERSON NAME: ,Chibe

STAR #: 7303

ICIDENT NOTIFICATION: **NOTIFICATION DATE & TIME:** 10/20/2014:235000

REQUEST TYPE: Notification

PERSON NAME: ,Briggs

EMP #: 76

EPORT DISTRIBUTIONS: No Distribution

NVESTIGATION:

AREA CENTRAL FIELD INVESTIGATION:

Progress - Scene Report.

TYPE OF INCIDENT:

ASSAULT / Aggravated of a Police Officer - Knife
IUCR - 0552.

RECORDS DIVISION NUMBER:

HX475653.

EVENT NUMBER:

1429315878.

DATE AND TIME:

Mon, 20 Oct 2014, 21:57 hours.

LOCATION:

4112 S Pulaski Rd,
on the street - Beat 815.

WEATHER AND LIGHTING:

Cloudy and cool, temperature in the 50s.
Dark with good artificial light provided by overhead streetlights, all on and functioning normally. Additional artificial light provided by lighting of nearby businesses.

DATE AND TIME ASSIGNED:

Mon, 20 Oct 2014, 22:00 hours,
by Sgt D GALLAGHER #1303.

VICTIMS:

VAN DYKE, Jason D,
CPD - PO, #9465,
M / W / 36,
Assigned to 008th District,
3420 W 63rd St,
312-747-8730,
On duty,
Beat 845R,
In uniform -
Light blue long sleeve shirt with shoulder patches,
Black body armor vest with patches,
Navy blue cargo pants,
Equipment belt with handgun and radio,
Marked vehicle -
CPD vehicle # 6412,
Chevrolet Tahoe, four door SUV,
Illinois license plate # M172910.

WALSH, Joseph J,
CPD - PO, #12865
M / W / 45,
Assigned to 008th District,
3420 W 63rd St,
312-747-8730,
On duty,
Beat 845R,
In uniform -

Light blue long sleeve shirt with shoulder patches,
Black body armor vest with patches,
Navy blue cargo pants,
Equipment belt with handgun and radio,
Marked vehicle -
CPD vehicle # 6412,
Chevrolet Tahoe, four door SUV,
Illinois license plate # M172910.

GAFFNEY, Thomas J,
CPD - PO, #19958,
M / W / 41,
Assigned to 008th District,
3420 W 63rd St,
312-747-8730,
On duty,
Beat 815R,
In uniform -
Uniform baseball style cap with embroidered patch,
Light blue long sleeve shirt with shoulder patches,
Black body armor vest with patches,
Navy blue cargo pants,
Equipment belt with handgun and radio,
Marked vehicle -
CPD vehicle # 8489,
Chevrolet Tahoe, four door SUV,
Illinois license plate # MP6581.

MCELLIGOTT, Joseph P,
CPD - PO, #18715,
M / W / 36,
Assigned to 008th District,
3420 W 63rd St,
312-747-8730,
On duty,
Beat 815R,
In uniform -
Light blue long sleeve shirt with shoulder patches,
Black body armor vest with patches,
Navy blue cargo pants,
Equipment belt with handgun and radio,
Marked vehicle -
CPD vehicle # 8489,
Chevrolet Tahoe, four door SUV,
Illinois license plate # MP6581.

ADDITIONAL VICTIMS:

ASSAULT / Aggravated - Knife
IUCR - 0520.

[redacted]
M / WH / 43, DOB [redacted],
[redacted]
Self-employed truck driver,
Gang - None,
IL D/L #[redacted]
SS# [redacted]
FBI# [redacted],
SID# [redacted],
IR# [redacted].

INJURIES:

No injuries to any victims.

OFFENDERS:

Deceased -----
MCDONALD, Laquan J,
Nickname - "Bon-Bon,"
M / B / 17, DOB [redacted],
[redacted]
Gang - New Breeds per CPD records,
6'02",
180 lbs,
Slender build,
Black hair in dreadlocks,
Brown eyes,
Medium complexion,
Il ID # [redacted],
SID# IL18550721,
IR# 2106340.

CLOTHING:

Inventory # 13296470 (Unit 277)
1 - Black hooded sweatshirt,
1 - Black sweatshirt,
1 - Pair blue jean pants,
1 - Pair black boxer shorts underwear,
1 - Pair black socks,
1 - Pair black gym shoes.
Recovered at the Office of the Medical Examiner

by Crime Lab Beat 5809.
To ERPS - No analysis needed at this time.

IDENTIFIED BY:

State of Illinois ID Card on Laquan MCDONALD's person.

FAMILY NOTIFICATION:

[redacted],
M / B / 25, DOB [redacted]
[redacted]
[redacted]
[redacted],
Uncle of Laquan MCDONALD.

INJURIES:

Fatal
1 - GSW to left neck, lodged,
1 - GSW, T & T, entrance left chest, exit rear left shoulder,
1 - GSW to right chest, lodged,
1 - GSW, T & T, entrance outer rear left elbow,
exit inner front left elbow,
1 - GSW, T & T, entrance rear upper right arm,
exit front upper right arm,
1 - GSW, T & T, entrance back of left wrist,
exit front of left forearm,
1 - GSW, T & T, entrance front of right hip, exit inner right thigh,
1 - GSW, T & T, entrance rear upper left shoulder,
exit left shoulder blade,
1 - GSW, T & T, entrance outer rear left elbow,
exit inner rear left elbow,
1 - GSW, T & T, entrance rear right shoulder,
exit upper right back,
1 - GSW to back of right arm, just below elbow, lodged,
1 - GSW to back of right wrist, lodged,
1 - GSW to back of right hand, lodged,
1 - GSW to right buttocks, lodged,
1 - GSW to back of right thigh, lodged,
1 - GSW, graze wound to left side top of head.

TAKEN TO:

Mount Sinai Hospital by CFD Ambulance 21.

PRONOUNCED BY:

Dr PITZELE, at Mount Sinai Hospital,
Mon, 20 Oct 2014, at 22:42 hours.

MEDICAL EXAMINER CASE NUMBER:

2014 - 01071.

WEAPONS:

Offender, MCDONALD, Laquan J -----
Inventory # 13296495 (Unit 277)
1 - Folding knife,
7" overall, 3" blade (Marker C).
Recovered from the street at 4112 S Pulaski Rd,
by Crime Lab Beat 5802. Blade locked open when recovered.
Request for analysis by Latent Prints Section.

Victim, VAN DYKE, Jason D (PO) -----
Inventory # 13296449 (Unit 277)
1 - Smith and Wesson, Model 5942, 9 mm caliber,
semi-automatic pistol, stainless steel, 4" barrel,
serial # [redacted],
1 - 9 mm caliber cartridge from firing chamber,
14 - 9 mm caliber cartridges from magazine,
2 - Fifteen round magazines.
Recovered in the Bureau of Detectives - Area Central office
by ET Beat 5824.
IL FOID card # [redacted],
expiration 01 May 2019,
Chicago registration # [redacted].
Request for analysis by Firearms Section.

VEHICLES:

CPD vehicle damaged by Laquan MCDONALD -
CPD vehicle # 8489,
Beat 815R,
Marked vehicle,
2010 Chevrolet Tahoe, four door SUV, white / white,
VIN - 1GNMCAE0XAR263348,
IL license plate # MP6581.
Right front tire flat after MCDONALD stabbed the tire with a knife,
damage to right side of windshield from knife.

MANNER / MOTIVE:

Laquan MCDONALD was shot and killed by Chicago Police
Officer Jason VAN DYKE while MCDONALD was committing an

aggravated assault with a knife against Officer VAN DYKE and his partner, Chicago Police Officer Joseph WALSH. MCDONALD also committed an aggravated assault with a knife against Chicago Police Officers Thomas GAFFNEY and Joseph MCELLIGOTT, when MCDONALD stabbed the right front tire and windshield of their police vehicle, and an aggravated assault with a knife against civilian, [redacted], immediately prior to being confronted by Officers VAN DYKE and WALSH. / Peace officer interceding in a felony, in the line of duty-Defense of life (Offender apparently attempting to defeat arrest).

REFERENCE NUMBERS:

U # 2014 - 36.

Log # 1072125.

RD# HX486155
HOMICIDE / Justifiable Homicide
IUCR - 0150.

PROPERTY TAKEN:

None.

EVIDENCE:

Video of scene taken by Crime Lab Beat 5802.

Photographs of scene taken by Crime Lab Beat 5802.

Photographs of victim police officers taken by ET Beat 5824.

See Weapons and Clothing categories above.

Inventory # 13296485 (Unit 277)
14 - 9 mm caliber cartridge cases (Markers 1 & 4 - 16).
Recovered from the street at 4112 S Pulaski Rd
by Crime Lab Beat 5802.
Request for analysis by Firearms Section.

Inventory # 13296489 (Unit 277)
2 - 9 mm caliber cartridge cases (Markers 2 & 3).
Recovered from the street at 4112 S Pulaski Rd
by Crime Lab Beat 5802.
Request for analysis by Firearms Section.

Inventory # 13296500 (Unit 277)

1 - Swab box containing two swabs of suspect red blood stains
(Marker B).
Recovered from the street at 4112 S Pulaski Rd
by Crime Lab Beat 5802.
To ERPS - No analysis needed at this time.

Inventory # 13296511 (Unit 277)
5 - Metal fragments (Markers A, D, E, F & G).
Recovered from the street at 4112 S Pulaski Rd
by Crime Lab Beat 5802.
Request for analysis by Firearms Section.

Inventory # 13296523 (Unit 277)
1 - Firestone Firehawk tire with damage, attached to rim.
Recovered from CPD vehicle # 8489 (Beat 815R),
at 4102 S Pulaski Rd, by Crime Lab Beat 5802.
To ERPS - No analysis needed at this time.

Inventory # 13296528 (Unit 277)
4 - Ridge impression lifts.
Recovered from the right front quarter panel of CPD vehicle
8489 (Beat 815R), by Crime Lab Beat 5802.
To ERPS - No analysis needed at this time.

Inventory # 13296534 (Unit 277)
1 - Envelope containing metal fragments,
recovered from the sweater of Laquan MCDONALD,
by Crime Lab Beat 5802,
3 - Metal fragments in a container,
recovered from Laquan MCDONALD at Mount Sinai Hospital,
given to Det W JOHNSON #20169, by RN Allan GAYAN,
turned over to Crime Lab Beat 5802,
at Mount Sinai Hospital.
Request for analysis by Firearms Section.

Inventory # 13296451 (Unit 277)
1 - Set of elimination prints, including palms,
from PO J MCELLIGOTT #18715.
Taken by ET Beat 5824.
To ERPS - No analysis needed at this time.

Inventory # 13296452 (Unit 277)
1 - Set of elimination prints, including palms,
from PO T GAFFNEY #19958.
Taken by ET Beat 5824.
To ERPS - No analysis needed at this time.

Inventory # 13296464 (Unit 277)

1 - Sealed ME blood card.
Recovered at the Office of the Medical Examiner
by Crime Lab Beat 5809.
To ERPS - No analysis needed at this time.

Inventory # 13296668 (Unit 277)
1 - Sealed ME bullet envelope.
Recovered at the Office of the Medical Examiner
by Crime Lab Beat 5809.
Request for analysis by Firearms Section.

Inventory # 13337048 (Unit 610)
1 - CD containing compilation of video.
Created by Det R HAGEN #20606.

Inventory # 13337053 (Unit 610)
1 - CD containing video from the Greater Chicago Food
Depository, 4100 W Ann Lurie Pl.
Recovered by Det J MALIK #20729.

Inventory # 13337056 (Unit 610)
1 - CD containing video from in-car camera, Beat 845R,
1 - CD containing video from in-car camera, Beat 813R.

Inventory # 13337060 (Unit 610)
1 - CD containing video from Dunkin' Donuts, 4113 S Pulaski Rd.
Recovered by Det R HAGEN #20606.

Inventory # 13337065 (Unit 610)
1 - DVD containing video from Focal Point, 4141 S Pulaski Rd.
Recovered by Det J MALIK #20729.

Inventory # 13337077 (Unit 610)
1 - CD containing OEMC audio recording of call to 9-1-1,
1 - CD containing OEMC audio recording
of CPD radio zone 6 transmissions.

Inventory # 13337080 (Unit 610)
1 - CD containing photos from ME autopsy.

Inventory # 13337087 (Unit 610)
1 - State of Illinois ID card, Lequan J MCDONALD,
1 - RTA ADA Paratransit & Reduced Fare Card,
[redacted]
1 - Ventra, CTA ticket,
1 - Receipt for above Ventra, CTA ticket.
Recovered from Laquan MCDONALD at Mount Sinai Hospital.

Inventory # 13394378 (Unit 610)
1 - Disk containing video from in-car camera, Beat 815R (No relevant footage).

Inventory # 13394389 (Unit 610)
3 - DVDs containing video from Burger King restaurant at 4060 S Pulaski Rd (No relevant footage).

Inventory # 13394394 (Unit 610)
1 - DVD containing video from in-car camera, CPD vehicle # 9049 (No relevant footage).

Inventory # 13394398 (Unit 610)
1 - CPD Officer Safety Alert, # 2012-OSA-297.

PERSONNEL ASSIGNED:

Car 41 (Bureau of Patrol - Area Central / OCIC)
D/C D MCNAUGHTON #120

Beat 800
Cmdr J O'DONNELL #13
Beat 800X
Capt D WALSH #107
Beat 810R
Sgt S FRANKO #1381
Beat 830R
Sgt P MCGLYNN #1734
Beat 841R (Original report)
PO D FONTAINE #12698
PO R VIRAMONTES #10590
Beat 821R (Scene)
PO P KENNING #8302
PO R ROSALES #9654
Beat 823R (Scene)
PO D IVANKOVICH #12392
PO J TORRES #19898
Beat 833R (Scene)
PO A VANCE #11830
PO J GEISBUSH #16422
Beat 851R (Scene)
PO L GARCIA #6490
PO E FLAGG #12037
Beat 825R (Scene)
PO M POWER #8661
PO D WAHRER #13454
Beat 842 (Mt Sinai Hospital)
PO T DZIADKOWIEC #15529

PO C GACEK #17853
Beat 846R (Mt Sinai Hospital)
PO L TORRES #10573
PO M VEGA #8526

Beat 9210 (In-car camera system)
Sgt L BECVAR #1748

Beat 5880
Sgt D FRIEL #819
Beat 5802 (Scene)
FI C BRASIC #10201
ET K JUDEH #8825
Beat 5824 (Area Central)
ET P RIDER #9977
Beat 5809 (ME)
FI V RIVERA #11520
Beat 5885 (MIRV)
Det M RICKER #20201

Beat 5100
Cmdr E ROY #62
Beat 5105
Lt A WOJCIK #481
Beat 5107
Lt O VALDEZ #529
Beat 5120
Sgt D GALLAGHER #1303
Beat 5121
Det D MARCH #20563
Beat 5122
Det G JONES #21285
Beat 5131
Det J HALLORAN #20453
Det J MURRAY #21128
Beat 5132
Det F CASALE #21041
Det D HICKEY #20723
Beat 5165B
Det R HAGEN #20606
Det A MANAOIS #20320
Beat 5166A
Det R RANZZONI #20162
Beat 5127
Det V WATHEN #20493
Beat 5193
Det M NESTAD #20505
Det W JOHNSON #20169

Beat 5194
Det A GLAVIANO #21443
Beat 5192
Det T TEAHAN #20462
Beat 5125
Det T CURRAN #20948
Beat 5102D
Det B SVEC #20941
Beat 5142
Det S ESPARZA #20140
Beat 5106B
Det J MALIK #20729

IPRA
Chief of Staff S HIRSCH #3
Supervisor A AMEZAGA #022
Investigator B KILLEN #129
Public Affairs L MERRITT #23

FOP
PO Marlon HARVEY #16468
Kriston KATO
Daniel HERBERT (Attorney)

WITNESSES:

SEBASTIAN, Daphne L,
CPD - PO, #2763,
F / W / 45,
Assigned to 008th District,
3420 W 63rd St,
312-747-8730,
Beat 813R
(Circumstantial witness).

MONDRAGON, Janet,
CPD - PO, #4364,
F / WH / 37,
Assigned to 008th District,
3420 W 63rd St,
312-747-8730,
Beat 813R
(Circumstantial witness).

BACERRA, Arturo,
CPD - PO, #15790,
M / WH / 32,
Assigned to 008th District,

3420 W 63rd St,
312-747-8730,
Beat 822
(Circumstantial witness).

VELEZ, Leticia,
CPD - PO, #10385,
F / WH / 43,
Assigned to 008th District,
3420 W 63rd St,
312-747-8730,
Beat 822
(Circumstantial witness).

FONTAINE, Dora,
CPD - PO, #4484
F / WH / 47,
Assigned to 008th District,
3420 W 63rd St,
312-747-8730,
Beat 841R
(Eyewitness).

VIRAMONTES, Ricardo,
CPD - PO, #10590,
M / WH / 41,
Assigned to 008th District,
3420 W 63rd St,
312-747-8730,
Beat 841R
(Eyewitness).

[redacted],
F / WH / 24, DOB [redacted],
[redacted]
[redacted]
[redacted],
[redacted]
[redacted]
(Circumstantial witness).

[redacted]
M / WH / 18, DOB [redacted],
[redacted],
[redacted]
IL ID # [redacted]
(Circumstantial witness).

[redacted]
F / WH / 19, DOB [redacted],
[redacted]
IL ID # [redacted],
Employee at [redacted],
[redacted]
(Circumstantial witness).

[redacted]
F / WH / 29, DOB [redacted],
[redacted]
Gang - Latin Kings per CPD records,
FBI# [redacted]
SID# [redacted],
IR# [redacted]
(Circumstantial witness).

[redacted]
M / WH / 25, DOB [redacted],
[redacted]
Employed at [redacted],
[redacted]
SS# [redacted]
(Circumstantial witness).

[redacted],
M / WH / 24, DOB [redacted],
[redacted],
IL D/L # [redacted],
SS# [redacted]
(Circumstantial witness).

[redacted]
F / WH / 30, DOB [redacted],
[redacted],
[redacted]
[redacted] (cell)
(Circumstantial witness).

INTERVIEWED:

[redacted]

F / WH / 62, DOB [redacted],
[redacted],
Employee at [redacted],
[redacted].

[redacted],
F / WH / 39, DOB [redacted],
[redacted],
Employee at [redacted],
[redacted]

INVESTIGATION:

The details of this investigation are documented in the following Exceptionally Cleared Closed Report.

REPORT OF:

Detective David M MARCH #20563
Sergeant Daniel GALLAGHER #1303
Lieutenant Anthony WOJCIK #481
Bureau of Detectives - Area Central

ICAGO POLICE DEPARTMENT

ASE SUPPLEMENTARY REPORT

0 S. Michigan Avenue, Chicago, Illinois 60653
use by Chicago Police - Bureau of Investigative Services Personnel Only)

HX475653

Case id : 9825613
Sup id : 10988891 CASR339

ROGRESS-VIOLENT(SCENE) | **DETECTIVE SUP. APPROVAL COMPLETE**

st Offense Classification/Re-Classification	IUCR Code	Original Offense Classification			IUCR Code
AULT / Aggravated Po:Knife/Cut Instr	0552	ASSAULT / Aggravated Po:Knife/Cut Instr			0552
ddress of Occurrence	Beat of Occur	No of Victims	No of Offenders	No of Arrested	SCR No
112 S PULASKI RD	815	4	1	1	
ocation Type	Location Code	Secondary Location			Hate Crime
treet	304				No
ate of Occurrence	Unit Assigned	Date RO Arrived	Fire Related?	Gang Related?	Domestic Related?
0-OCT-2014 21:57	0841R	20-OCT-2014 21:57	NO	NO	NO

eporting Officer	Star No	Approving Supervisor	Star No	Primary Detective Assigned	Star No
MARCH, David	20563	WOJCIK, Anthony	481	MARCH, David	20563
ate Submitted		Date Approved		Assignment Type	
5-MAR-2015 18:23		16-MAR-2015 00:03		FIELD	

HIS IS A FIELD INVESTIGATION PROGRESS-VIOLENT(SCENE) REPORT

/ICTIM(S):

GAFFNEY, Thomas J
Male / White / 41 Years
EMPLOYMENT: Chicago Police Officer #19958

EMPLOYER BUSINESS NME: Chicago Police Department

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

VAN DYKE, Jason D
Male / White / 36 Years
EMPLOYMENT: Chicago Police Officer #9465

EMPLOYER BUSINESS NME: Chicago Police Department

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

WALSH, Joseph J
Male / White / 45 Years
EMPLOYMENT: Chicago Police Officer #12865

EMPLOYER BUSINESS NME: Chicago Police Department

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

HX475653

MCELLIGOTT, Joseph P
Male / White / 36 Years
EMPLOYMENT: Chicago Police Officer #18715

EMPLOYER BUSINESS NME: Chicago Police Department

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

FFENDER(S) **MCDONALD, Laquan J** -- In Custody--

ALIAS: "Bon-Bon"
Male / Black / 17 Years
DOB: [redacted]
DESCRIPTION: 6'02, 180, Black Hair, Dreadlocks Hair Style, Brown Eyes, Medium Complexion
RES: [redacted]
Chicago IL
BIRTH PLACE: Illinois
DLN/ID: [redacted] IL
OTHER IDENTIFICATIONS: **Type -** Other Id
State - Unknown
IR#: 2106340
SID#: IL185507
21
RELATIONSHIP OF VICTIM TO OFFENDER:

GAFFNEY, Thomas J	- No Relationship
MCELLIGOTT, Joseph P	- No Relationship
VAN DYKE, Jason D	- No Relationship
WALSH, Joseph J	- No Relationship

GANG INFORMATION:

-
LISTED CRIMINAL ORGANIZATION: New Breed
GANG IDENTIFIERS: Other

ITEM USED:
Weapon

)FFENDER INJURIES: **MCDONALD, Laquan J**

Type	Weapon Used	Weapon Description
Gun Shot Wound	Handgun	Other - Handgun

Injured by Police
Chicago Fire Department Provided First Aid
EXTENT OF INJURY: Multiple Gsw
HOSPITAL REMOVED BY: Cfd Ambulance 21

INJURY TREATMENT: Multiple Gsw

PHYSICIAN NAME: Dr Pitzele

PON(S): **INV#:** 13296449

Evidence

Smith & Wesson -Us- (Bodyguard,Chief Special), 5942, 9, Semi-Automatic Pistol, Semi-Automatic, 4", Stainless
SERIAL#: [redacted]
PROPERTY TYPE: OTHER

OWNER: Van Dyke, Jason
POSSESSOR/USER: VAN DYKE, JASON

PHONE #: 312 - 747 - 8730
LOCATION FOUND: 5101 S WENTWORTH AVE

Number Of Live Rounds present in the Firearm - 15
Number Of Live Rounds used in the Firearm - 16
The Status Of This Firearm is 628361

EHICLE INFO: **Truck, 2010 / Chevrolet / Tahoe / Truck**
Victim's Vehicle
VIN: 1GNMCAE0XAR263348
YEAR (RANGE): 2010
COLOR(TOP/BOTTOM): White / White
OWNER: Chicago Police Department
POSSESSOR/USER: GAFFNEY, THOMAS
PHONE#: 312 - 747 - 8730
The Vehicle was Seized
LOCATION FOUND: 4102 S PULASKI RD

LICENSE: Mp6581, Law Enforcement (City, County, State, Sos), IL

LOCATION OF INCIDENT:
4112 S Pulaski Rd
Chicago IL
304 - Street

DATE & TIME OF INCIDENT: 20-OCT-2014 21:57

JUST HOMICIDE DESCRIPTION: Criminal Killed By Police Officer

ADDITIONAL JUST HOMICIDE DESCR.: Criminal Attacked Officer That Officer Killed Criminal

WEATHER AND LIGHTING:
WEATHER: Cloudy & Cool
TEMPERATURE: 50s
LIGHTING: Dark / Artificial Light
LIGHTING SOURCE: Streetlights

DISTANCE: Overhead

)TIVE CODE(S): Interceding In A Felony

USE CODE(S): Dna

HOD CODE(S): Offender Shot

U CODE(S): Police Related Not Con

REARM(S) COVERED: **INV #:** **13296449**
Evidence
Smith & Wesson -Us- (Bodyguard,Chief Special), 5942, 9, Semi-Automatic Pistol, Semi-Automatic, 4", Stainless
SERIAL#: [redacted]
PROPERTY TYPE: OTHER

OWNER: Van Dyke, Jason
POSSESSOR/USER: VAN DYKE, JASON

PHONE #: 312 - 747 - 8730
LOCATION FOUND: 5101 S WENTWORTH AVE

Number Of Live Rounds present in the Firearm - 15
Number Of Live Rounds used in the Firearm - 16
The Status Of This Firearm is [redacted]

EHICLE(S) DAMAGED: **Truck, 2010 / Chevrolet / Tahoe / Truck**
Evidence
VIN: 1GNMCAE0XAR263348
YEAR - YEAR RANGE END: 2010

COLOR (TOP/BOTTOM): White / White
OWNER: Chicago Police Department
POSSESSOR/USER: GAFFNEY, THOMAS
PHONE#: 312 - 747 - 8730
LOCATION FOUND: 4102 S PULASKI RD
LICENSE: Mp6581, Law Enforcement (City, County, State, Sos), IL

ERSONNEL ASSIGNED:
Detective/Investigator
MARCH, David M # 20563
Reporting Officer
FONTAINE, Dora # 4484 **BEAT:** 0841R

ITNESS(ES): [redacted]
Male / White Hispanic / 18 Years
DOB: [redacted]
RES: [redacted]bull Ave 1
Chicago IL

OTHER COMMUNICATIONS:
Cellular Phone: [redacted]

DLN/ID: [redacted] - IL
[redacted]
Female / White Hispanic / 19 Years
DOB: [redacted]
RES: [redacted]
Chicago IL
[redacted]

BUS: [redacted]
Chicago IL
[redacted]

DLN/ID: [redacted]

MONDRAGON, Janet

Female / White Hispanic / 37 Years
EMPLOYMENT: Chicago Police Officer #4364

BUS: 3420 W 63rd St
Chicago IL
312-747-8730
[redacted]
Female / White Hispanic / 29 Years
DOB: [redacted]
RES: [redacted]

OTHER COMMUNICATIONS:
Cellular Phone: [redacted]
Female / White Hispanic / 24 Years
DOB: [redacted]
RES: [redacted]
Chicago IL

EMPLOYMENT: Shift Manager

BUS: [redacted]

OTHER COMMUNICATIONS:

Cellular Phone: [redacted]

VELEZ, Leticia

Female / White Hispanic / 43 Years

EMPLOYMENT: Chicago Police Officer #10385

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

BACERRA, Arturo

Male / White Hispanic / 32 Years

EMPLOYMENT: Chicago Police Officer #15790

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

FONTAINE, Dora

Female / White Hispanic / 47 Years

EMPLOYMENT: Chicago Police Officer #4484

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

[redacted]

Female / White Hispanic / 30 Years

DOB: [redacted]

RES: [redacted]
Chicago IL

OTHER COMMUNICATIONS:

Cellular Phone: [redacted]

[redacted]

Male / White Hispanic / 24 Years

DOB: [redacted]

RES: [redacted]

SSN: [redacted]

DLN/ID: [redacted] - IL

SEBASTIAN, Daphne L

Female / White / 45 Years

EMPLOYMENT: Chicago Police Officer #2763

BUS: 3420 W 63rd St
Chicago IL
312-747-
8730

[redacted]

Male / White Hispanic / 25 Years

DOB: [redacted]

RES: [redacted]

BUS: [redacted]

--

OTHER COMMUNICATIONS:

Cellular Phone: [redacted]

SSN: [redacted]

VIRAMONTES, Ricardo

Male / White Hispanic / 41 Years

EMPLOYMENT: Chicago Police Officer #10590

BUS: 3420 W 63rd St
Chicago IL
312-747-
8730

OTHER INDIVIDUALS INVOLVED: [redacted] (Additional Victim)

Male / White Hispanic / 43 Years

DOB: [redacted]

RES: [redacted]

EMPLOYMENT: Self-Employed Truck Driver

OTHER COMMUNICATIONS:

Cellular Phone: [redacted]

DLN/ID: [redacted]

[redacted] (Family Member Notified)

Male / Black / 25 Years
DOB: [redacted]
RES: [redacted]

OTHER COMMUNICATIONS:
Other: [redacted]

[redacted] (Person Interviewed Non-Witness)

Female / White Hispanic / 39 Years
DOB: [redacted]
RES: [redacted]

BUS: [redacted]

[redacted] (Person Interviewed Non-Witness)

Female / White Hispanic / 62 Years
DOB: [redacted]
RES: [redacted]

BUS: [redacted]

CRIME CODE SUMMARY: 0552 - Assault - Aggravated Po:Knife/Cut Instr

IUCR ASSOCIATIONS:

0552 - Assault - Aggravated Po:Knife/Cut Instr

GAFFNEY, Thomas, J	(Victim)	
MCDONALD, Laquan, J		(Offender)
MCELLIGOTT, Joseph, P	(Victim)	
MCDONALD, Laquan, J		(Offender)
VAN DYKE, Jason, D	(Victim)	
MCDONALD, Laquan, J		(Offender)
WALSH, Joseph, J	(Victim)	
MCDONALD, Laquan, J		(Offender)

NCIDENT NOTIFICATION: **NOTIFICATION DATE & TIME:** 10/20/2014:230700

REQUEST TYPE: Notification

PERSON NAME: ,Sarlo

STAR #: 13131

IDENT NOTIFICATION: **NOTIFICATION DATE & TIME:** 10/20/2014:231400

REQUEST TYPE: Notification

PERSON NAME: ,Jines

STAR #: 4898

IDENT NOTIFICATION: **NOTIFICATION DATE & TIME:** 10/20/2014:215000

REQUEST TYPE: On Scene

PERSON NAME: ,March

STAR #: 20563

CIDENT NOTIFICATION: **NOTIFICATION DATE & TIME:** 10/21/2014:225800

REQUEST TYPE: Notification

PERSON NAME: ,Chibe

STAR #: 7303

ICIDENT NOTIFICATION: **NOTIFICATION DATE & TIME:** 10/20/2014:235000

REQUEST TYPE: Notification

PERSON NAME: ,Briggs

EMP #: 76

EPORT DISTRIBUTIONS: No Distribution

NVESTIGATION:

AREA CENTRAL FIELD INVESTIGATION:

Progress - Scene Report.

TYPE OF INCIDENT:

ASSAULT / Aggravated of a Police Officer - Knife
IUCR - 0552.

RECORDS DIVISION NUMBER:

HX475653.

EVENT NUMBER:

1429315878.

DATE AND TIME:

Mon, 20 Oct 2014, 21:57 hours.

LOCATION:

4112 S Pulaski Rd,
on the street - Beat 815.

WEATHER AND LIGHTING:

Cloudy and cool, temperature in the 50s.
Dark with good artificial light provided by overhead streetlights, all on and functioning normally. Additional artificial light provided by lighting of nearby businesses.

DATE AND TIME ASSIGNED:

Mon, 20 Oct 2014, 22:00 hours,
by Sgt D GALLAGHER #1303.

VICTIMS:

VAN DYKE, Jason D,
CPD - PO, #9465,
M / W / 36,
Assigned to 008th District,
3420 W 63rd St,
312-747-8730,
On duty,
Beat 845R,
In uniform -
Light blue long sleeve shirt with shoulder patches,
Black body armor vest with patches,
Navy blue cargo pants,
Equipment belt with handgun and radio,
Marked vehicle -
CPD vehicle # 6412,
Chevrolet Tahoe, four door SUV,
Illinois license plate # M172910.

WALSH, Joseph J,
CPD - PO, #12865
M / W / 45,
Assigned to 008th District,
3420 W 63rd St,
312-747-8730,
On duty,
Beat 845R,
In uniform -

Light blue long sleeve shirt with shoulder patches,
Black body armor vest with patches,
Navy blue cargo pants,
Equipment belt with handgun and radio,
Marked vehicle -
CPD vehicle # 6412,
Chevrolet Tahoe, four door SUV,
Illinois license plate # M172910.

GAFFNEY, Thomas J,
CPD - PO, #19958,
M / W / 41,
Assigned to 008th District,
3420 W 63rd St,
312-747-8730,
On duty,
Beat 815R,
In uniform -
Uniform baseball style cap with embroidered patch,
Light blue long sleeve shirt with shoulder patches,
Black body armor vest with patches,
Navy blue cargo pants,
Equipment belt with handgun and radio,
Marked vehicle -
CPD vehicle # 8489,
Chevrolet Tahoe, four door SUV,
Illinois license plate # MP6581.

MCELLIGOTT, Joseph P,
CPD - PO, #18715,
M / W / 36,
Assigned to 008th District,
3420 W 63rd St,
312-747-8730,
On duty,
Beat 815R,
In uniform -
Light blue long sleeve shirt with shoulder patches,
Black body armor vest with patches,
Navy blue cargo pants,
Equipment belt with handgun and radio,
Marked vehicle -
CPD vehicle # 8489,
Chevrolet Tahoe, four door SUV,
Illinois license plate # MP6581.

ADDITIONAL VICTIMS:

ASSAULT / Aggravated - Knife
IUCR - 0520.

[redacted]
M / WH / 43, DOB [redacted],
[redacted]
Self-employed truck driver,
Gang - None,
IL D/L #[redacted]
SS# [redacted]
FBI# [redacted],
SID# [redacted],
IR# [redacted].

INJURIES:

No injuries to any victims.

OFFENDERS:

Deceased -----
MCDONALD, Laquan J,
Nickname - "Bon-Bon,"
M / B / 17, DOB [redacted],
[redacted]
Gang - New Breeds per CPD records,
6'02",
180 lbs,
Slender build,
Black hair in dreadlocks,
Brown eyes,
Medium complexion,
Il ID # [redacted],
SID# IL18550721,
IR# 2106340.

CLOTHING:

Inventory # 13296470 (Unit 277)
1 - Black hooded sweatshirt,
1 - Black sweatshirt,
1 - Pair blue jean pants,
1 - Pair black boxer shorts underwear,
1 - Pair black socks,
1 - Pair black gym shoes.
Recovered at the Office of the Medical Examiner

by Crime Lab Beat 5809.
To ERPS - No analysis needed at this time.

IDENTIFIED BY:

State of Illinois ID Card on Laquan MCDONALD's person.

FAMILY NOTIFICATION:

[redacted],
M / B / 25, DOB [redacted]
[redacted]
[redacted]
[redacted],
Uncle of Laquan MCDONALD.

INJURIES:

Fatal
1 - GSW to left neck, lodged,
1 - GSW, T & T, entrance left chest, exit rear left shoulder,
1 - GSW to right chest, lodged,
1 - GSW, T & T, entrance outer rear left elbow,
exit inner front left elbow,
1 - GSW, T & T, entrance rear upper right arm,
exit front upper right arm,
1 - GSW, T & T, entrance back of left wrist,
exit front of left forearm,
1 - GSW, T & T, entrance front of right hip, exit inner right thigh,
1 - GSW, T & T, entrance rear upper left shoulder,
exit left shoulder blade,
1 - GSW, T & T, entrance outer rear left elbow,
exit inner rear left elbow,
1 - GSW, T & T, entrance rear right shoulder,
exit upper right back,
1 - GSW to back of right arm, just below elbow, lodged,
1 - GSW to back of right wrist, lodged,
1 - GSW to back of right hand, lodged,
1 - GSW to right buttocks, lodged,
1 - GSW to back of right thigh, lodged,
1 - GSW, graze wound to left side top of head.

TAKEN TO:

Mount Sinai Hospital by CFD Ambulance 21.

PRONOUNCED BY:

Dr PITZELE, at Mount Sinai Hospital,
Mon, 20 Oct 2014, at 22:42 hours.

MEDICAL EXAMINER CASE NUMBER:

2014 - 01071.

WEAPONS:

Offender, MCDONALD, Laquan J -----
Inventory # 13296495 (Unit 277)
1 - Folding knife,
7" overall, 3" blade (Marker C).
Recovered from the street at 4112 S Pulaski Rd,
by Crime Lab Beat 5802. Blade locked open when recovered.
Request for analysis by Latent Prints Section.

Victim, VAN DYKE, Jason D (PO) -----
Inventory # 13296449 (Unit 277)
1 - Smith and Wesson, Model 5942, 9 mm caliber,
semi-automatic pistol, stainless steel, 4" barrel,
serial # [redacted],
1 - 9 mm caliber cartridge from firing chamber,
14 - 9 mm caliber cartridges from magazine,
2 - Fifteen round magazines.
Recovered in the Bureau of Detectives - Area Central office
by ET Beat 5824.
IL FOID card # [redacted],
expiration 01 May 2019,
Chicago registration # [redacted].
Request for analysis by Firearms Section.

VEHICLES:

CPD vehicle damaged by Laquan MCDONALD -
CPD vehicle # 8489,
Beat 815R,
Marked vehicle,
2010 Chevrolet Tahoe, four door SUV, white / white,
VIN - 1GNMCAE0XAR263348,
IL license plate # MP6581.
Right front tire flat after MCDONALD stabbed the tire with a knife,
damage to right side of windshield from knife.

MANNER / MOTIVE:

Laquan MCDONALD was shot and killed by Chicago Police
Officer Jason VAN DYKE while MCDONALD was committing an

aggravated assault with a knife against Officer VAN DYKE and his partner, Chicago Police Officer Joseph WALSH. MCDONALD also committed an aggravated assault with a knife against Chicago Police Officers Thomas GAFFNEY and Joseph MCELLIGOTT, when MCDONALD stabbed the right front tire and windshield of their police vehicle, and an aggravated assault with a knife against civilian, [redacted], immediately prior to being confronted by Officers VAN DYKE and WALSH. / Peace officer interceding in a felony, in the line of duty-Defense of life (Offender apparently attempting to defeat arrest).

REFERENCE NUMBERS:

U # 2014 - 36.

Log # 1072125.

RD# HX486155
HOMICIDE / Justifiable Homicide
IUCR - 0150.

PROPERTY TAKEN:

None.

EVIDENCE:

Video of scene taken by Crime Lab Beat 5802.

Photographs of scene taken by Crime Lab Beat 5802.

Photographs of victim police officers taken by ET Beat 5824.

See Weapons and Clothing categories above.

Inventory # 13296485 (Unit 277)
14 - 9 mm caliber cartridge cases (Markers 1 & 4 - 16).
Recovered from the street at 4112 S Pulaski Rd
by Crime Lab Beat 5802.
Request for analysis by Firearms Section.

Inventory # 13296489 (Unit 277)
2 - 9 mm caliber cartridge cases (Markers 2 & 3).
Recovered from the street at 4112 S Pulaski Rd
by Crime Lab Beat 5802.
Request for analysis by Firearms Section.

Inventory # 13296500 (Unit 277)

1 - Swab box containing two swabs of suspect red blood stains
(Marker B).
Recovered from the street at 4112 S Pulaski Rd
by Crime Lab Beat 5802.
To ERPS - No analysis needed at this time.

Inventory # 13296511 (Unit 277)
5 - Metal fragments (Markers A, D, E, F & G).
Recovered from the street at 4112 S Pulaski Rd
by Crime Lab Beat 5802.
Request for analysis by Firearms Section.

Inventory # 13296523 (Unit 277)
1 - Firestone Firehawk tire with damage, attached to rim.
Recovered from CPD vehicle # 8489 (Beat 815R),
at 4102 S Pulaski Rd, by Crime Lab Beat 5802.
To ERPS - No analysis needed at this time.

Inventory # 13296528 (Unit 277)
4 - Ridge impression lifts.
Recovered from the right front quarter panel of CPD vehicle
8489 (Beat 815R), by Crime Lab Beat 5802.
To ERPS - No analysis needed at this time.

Inventory # 13296534 (Unit 277)
1 - Envelope containing metal fragments,
recovered from the sweater of Laquan MCDONALD,
by Crime Lab Beat 5802,
3 - Metal fragments in a container,
recovered from Laquan MCDONALD at Mount Sinai Hospital,
given to Det W JOHNSON #20169, by RN Allan GAYAN,
turned over to Crime Lab Beat 5802,
at Mount Sinai Hospital.
Request for analysis by Firearms Section.

Inventory # 13296451 (Unit 277)
1 - Set of elimination prints, including palms,
from PO J MCELLIGOTT #18715.
Taken by ET Beat 5824.
To ERPS - No analysis needed at this time.

Inventory # 13296452 (Unit 277)
1 - Set of elimination prints, including palms,
from PO T GAFFNEY #19958.
Taken by ET Beat 5824.
To ERPS - No analysis needed at this time.

Inventory # 13296464 (Unit 277)

1 - Sealed ME blood card.
Recovered at the Office of the Medical Examiner
by Crime Lab Beat 5809.
To ERPS - No analysis needed at this time.

Inventory # 13296668 (Unit 277)
1 - Sealed ME bullet envelope.
Recovered at the Office of the Medical Examiner
by Crime Lab Beat 5809.
Request for analysis by Firearms Section.

Inventory # 13337048 (Unit 610)
1 - CD containing compilation of video.
Created by Det R HAGEN #20606.

Inventory # 13337053 (Unit 610)
1 - CD containing video from the Greater Chicago Food
Depository, 4100 W Ann Lurie Pl.
Recovered by Det J MALIK #20729.

Inventory # 13337056 (Unit 610)
1 - CD containing video from in-car camera, Beat 845R,
1 - CD containing video from in-car camera, Beat 813R.

Inventory # 13337060 (Unit 610)
1 - CD containing video from Dunkin' Donuts, 4113 S Pulaski Rd.
Recovered by Det R HAGEN #20606.

Inventory # 13337065 (Unit 610)
1 - DVD containing video from Focal Point, 4141 S Pulaski Rd.
Recovered by Det J MALIK #20729.

Inventory # 13337077 (Unit 610)
1 - CD containing OEMC audio recording of call to 9-1-1,
1 - CD containing OEMC audio recording
of CPD radio zone 6 transmissions.

Inventory # 13337080 (Unit 610)
1 - CD containing photos from ME autopsy.

Inventory # 13337087 (Unit 610)
1 - State of Illinois ID card, Lequan J MCDONALD,
1 - RTA ADA Paratransit & Reduced Fare Card,
[redacted]
1 - Ventra, CTA ticket,
1 - Receipt for above Ventra, CTA ticket.
Recovered from Laquan MCDONALD at Mount Sinai Hospital.

Inventory # 13394378 (Unit 610)
1 - Disk containing video from in-car camera, Beat 815R (No relevant footage).

Inventory # 13394389 (Unit 610)
3 - DVDs containing video from Burger King restaurant at 4060 S Pulaski Rd (No relevant footage).

Inventory # 13394394 (Unit 610)
1 - DVD containing video from in-car camera, CPD vehicle # 9049 (No relevant footage).

Inventory # 13394398 (Unit 610)
1 - CPD Officer Safety Alert, # 2012-OSA-297.

PERSONNEL ASSIGNED:

Car 41 (Bureau of Patrol - Area Central / OCIC)
D/C D MCNAUGHTON #120

Beat 800
Cmdr J O'DONNELL #13
Beat 800X
Capt D WALSH #107
Beat 810R
Sgt S FRANKO #1381
Beat 830R
Sgt P MCGLYNN #1734
Beat 841R (Original report)
PO D FONTAINE #12698
PO R VIRAMONTES #10590
Beat 821R (Scene)
PO P KENNING #8302
PO R ROSALES #9654
Beat 823R (Scene)
PO D IVANKOVICH #12392
PO J TORRES #19898
Beat 833R (Scene)
PO A VANCE #11830
PO J GEISBUSH #16422
Beat 851R (Scene)
PO L GARCIA #6490
PO E FLAGG #12037
Beat 825R (Scene)
PO M POWER #8661
PO D WAHRER #13454
Beat 842 (Mt Sinai Hospital)
PO T DZIADKOWIEC #15529

PO C GACEK #17853
Beat 846R (Mt Sinai Hospital)
PO L TORRES #10573
PO M VEGA #8526

Beat 9210 (In-car camera system)
Sgt L BECVAR #1748

Beat 5880
Sgt D FRIEL #819
Beat 5802 (Scene)
FI C BRASIC #10201
ET K JUDEH #8825
Beat 5824 (Area Central)
ET P RIDER #9977
Beat 5809 (ME)
FI V RIVERA #11520
Beat 5885 (MIRV)
Det M RICKER #20201

Beat 5100
Cmdr E ROY #62
Beat 5105
Lt A WOJCIK #481
Beat 5107
Lt O VALDEZ #529
Beat 5120
Sgt D GALLAGHER #1303
Beat 5121
Det D MARCH #20563
Beat 5122
Det G JONES #21285
Beat 5131
Det J HALLORAN #20453
Det J MURRAY #21128
Beat 5132
Det F CASALE #21041
Det D HICKEY #20723
Beat 5165B
Det R HAGEN #20606
Det A MANAOIS #20320
Beat 5166A
Det R RANZZONI #20162
Beat 5127
Det V WATHEN #20493
Beat 5193
Det M NESTAD #20505
Det W JOHNSON #20169

Beat 5194
Det A GLAVIANO #21443
Beat 5192
Det T TEAHAN #20462
Beat 5125
Det T CURRAN #20948
Beat 5102D
Det B SVEC #20941
Beat 5142
Det S ESPARZA #20140
Beat 5106B
Det J MALIK #20729

IPRA
Chief of Staff S HIRSCH #3
Supervisor A AMEZAGA #022
Investigator B KILLEN #129
Public Affairs L MERRITT #23

FOP
PO Marlon HARVEY #16468
Kriston KATO
Daniel HERBERT (Attorney)

WITNESSES:

SEBASTIAN, Daphne L,
CPD - PO, #2763,
F / W / 45,
Assigned to 008th District,
3420 W 63rd St,
312-747-8730,
Beat 813R
(Circumstantial witness).

MONDRAGON, Janet,
CPD - PO, #4364,
F / WH / 37,
Assigned to 008th District,
3420 W 63rd St,
312-747-8730,
Beat 813R
(Circumstantial witness).

BACERRA, Arturo,
CPD - PO, #15790,
M / WH / 32,
Assigned to 008th District,

3420 W 63rd St,
312-747-8730,
Beat 822
(Circumstantial witness).

VELEZ, Leticia,
CPD - PO, #10385,
F / WH / 43,
Assigned to 008th District,
3420 W 63rd St,
312-747-8730,
Beat 822
(Circumstantial witness).

FONTAINE, Dora,
CPD - PO, #4484
F / WH / 47,
Assigned to 008th District,
3420 W 63rd St,
312-747-8730,
Beat 841R
(Eyewitness).

VIRAMONTES, Ricardo,
CPD - PO, #10590,
M / WH / 41,
Assigned to 008th District,
3420 W 63rd St,
312-747-8730,
Beat 841R
(Eyewitness).

[redacted],
F / WH / 24, DOB [redacted],
[redacted]
[redacted]
[redacted],
[redacted]
[redacted]
(Circumstantial witness).

[redacted]
M / WH / 18, DOB [redacted],
[redacted],
[redacted]
IL ID # [redacted]
(Circumstantial witness).

[redacted]
F / WH / 19, DOB [redacted],
[redacted]
IL ID # [redacted],
Employee at [redacted],
[redacted]
(Circumstantial witness).

[redacted]
F / WH / 29, DOB [redacted],
[redacted]
Gang - Latin Kings per CPD records,
FBI# [redacted]
SID# [redacted],
IR# [redacted]
(Circumstantial witness).

[redacted]
M / WH / 25, DOB [redacted],
[redacted]
Employed at [redacted],
[redacted]
SS# [redacted]
(Circumstantial witness).

[redacted],
M / WH / 24, DOB [redacted],
[redacted],
IL D/L # [redacted],
SS# [redacted]
(Circumstantial witness).

[redacted]
F / WH / 30, DOB [redacted],
[redacted],
[redacted]
[redacted] (cell)
(Circumstantial witness).

INTERVIEWED:

[redacted]

F / WH / 62, DOB [redacted],
[redacted],
Employee at [redacted],
[redacted].

[redacted],
F / WH / 39, DOB [redacted],
[redacted],
Employee at [redacted],
[redacted]

INVESTIGATION:

The details of this investigation are documented in the following Exceptionally Cleared Closed Report.

REPORT OF:

Detective David M MARCH #20563
Sergeant Daniel GALLAGHER #1303
Lieutenant Anthony WOJCIK #481
Bureau of Detectives - Area Central

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 14	20 OCT 14 3

OFFENSE CLASSIFICATION–LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
AGG Assault / Knife	VANDYKE, JASON	5193

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

VIA CPD # 21

OFFENDER INFO

McDONALD, LEQUAN, J

[redacted]

Chicago IL 60637

[redacted]

IL I.D. [redacted]

26 GSW

M.t. SINAI Hosp.

DR. Pitzele E.R. 04

2242 - D.O.A.

REPORTING OFFICER'S SIGNATURE–STAR NO.	RECEIVED BY: SUPERVISOR'S SIGNATURE–STAR NO.	DAY–MO.–YR.	TIME
[redacted] 20169	[redacted] 1505		

HX 475655

NERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
26 OCT 2014	26 OCT 2014 3

OFFENSE CLASSIFICATION–LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0452	GAFFNEY	5121

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

FOP Kristen KATO
Marlon HARVEY #16468
ATTY Daniel HERBERT

CLOUDY + COOL — 50s
DARK ~~at~~ WITH GOOD ARTIFICIAL LIGHT
OVERHEAD STREET LIGHTS
ON — NORMAL
PULASKI — COMMERCIAL
TWO-WAY N+S
TWO TRAFFIC LANES + CURB LANE IN
EACH DIRECTION
L TURN LANE N/B

VACANT LOT W SIDE
DUNKIN' DONUTS
4113 S PULASKI RD

CFD E34 WASH DOWN

[redacted]

[redacted] 20563 | RECEIVED BY: SUPERVISOR'S SIGNATURE–STAR NO. [redacted] | DAY–MO.–YR. TIME

INV. NO. HX476553

CPD-23.122 (Rev. 2/83)

NERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
26 OCT 2014	26 OCT 2014 3

OFFENSE CLASSIFICATION–LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0452	GAFFNEY	5121

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

FOP Kristen KATO
Marlon HARVEY #16468
ATTY Daniel HERBERT

CLOUDY + COOL — 50s
DARK ~~at~~ WITH GOOD ARTIFICIAL LIGHT
OVERHEAD STREET LIGHTS
ON — NORMAL
PULASKI — COMMERCIAL
TWO-WAY N+S
TWO TRAFFIC LANES + CURB LANE IN
EACH DIRECTION
L TURN LANE N/B

VACANT LOT W SIDE
DUNKIN' DONUTS
4113 S PULASKI RD

CFD E34 WASH DOWN

[redacted]

[redacted] 20563 | RECEIVED BY: SUPERVISOR'S SIGNATURE–STAR NO. [redacted] | DAY–MO.–YR. TIME

INV. NO. HX476553

CPD-23.122 (Rev. 2/83)

In the Matter Of:

IN RE DETECTIVE DAVID MARCH

DETECTIVE DAVID MARCH

July 25, 2016

Amicus
court reporters, inc
300 West Adams St. Ste 800
Chicago, IL 60606
Phone: 312.641.3500
Fax: 312.641.3795
Email: info@amicusreporters.com

CITY OF CHICAGO

OFFICE OF INSPECTOR GENERAL

-INTERVIEW OF DETECTIVE DAVID MARCH-

July 25, 2016

TRANSCRIPT OF INTERVIEW of DETECTIVE DAVID MARCH, taken before MICHELLE M. YOHLER, a Notary Public within and for the County of Cook, State of Illinois, and a Certified Shorthand Reporter of said state, CSR No. 84-4531, at Suite 800, 300 West Adams Street, Chicago, Illinois, on the 25th day of July, 2016 at 9:59 a.m.

APPEARANCES:

OFFICE OF INSPECTOR GENERAL
CITY OF CHICAGO
BY: MR. PETER NEUMER
MS. DEBORAH WITZBURG
(740 North Sedgwick Street, Suite 200
Chicago, Illinois 60654
773.478.8218
pneumer@chicagoinspectorgeneral.org
dwitzburg@chicagoinspectorgeneral.org)

LAWRENCE H. HYMAN AND ASSOCIATES
BY: MR. JAMES P. McKAY, JR.
(111 West Washington Street, Suite 1025
Chicago, Illinois 60602
312.346.6766
jmckay@lhyman.com)
Appeared on behalf of
Detective David March.

REPORTED BY:
MICHELLE M. PAOLETTI YOHLER, CSR, RMR, CRR
Illinois CSR No. 84-4531.

E X A M I N A T I O N S

WITNESS PAGE
DETECTIVE DAVID MARCH
Examination Begins - By Mr. Neumer.... 31
Examination Begins - By Mr. McKay..... 125

E X H I B I T S

MARCH EXHIBITS PAGE
No. 1 - Advisement of Rights..... 5
No. 2 - Notification of Interview..... 31
No. 3 - Notification of Allegations..... 32
No. 4 - Receipt Form..... 33
No. 5 - Medical Examiner Investigations
Case Report..... 34
No. 6 - Original Case Incident Report..... 34

MR. NEUMER: As a preliminary matter, I am providing the following information. An independent certified court reporter is present today to provide a verbatim transcript of this interview.

To aid in the accuracy of the transcript, it is the custom and practice of court reporters to audio record the interview. The recording is the confidential work product property of the court reporter and will not be provided to any party including the OIG. If you request, the audio recording will be discontinued.

So, Detective March, are you okay with the court reporter audio recording this interview?

THE WITNESS: Yes.

MR. NEUMER: Let the record reflect that today's date is July 25th, 2016. The time is 9:59 am. We are located at Amicus Court Reporters, 300 West Adams, Suite 800.

My name is Peter Neumer, the court reporter is Michelle Yohler, and I'd ask that the other individuals present identify

themselves and spell their name for the record.

MS. WITZBURG: Assistant Inspector General, Deborah Witzburg, D-e-b-o-r-a-h W-i-t-z-b-u-r-g.

MR. McKAY: James P. McKay, Jr. Last name is spelled M-c-K-a-y. I'm an attorney, and I represent Detective David March.

THE WITNESS: Detective David March. Last name is spelled M-a-r-c-h.

MR. NEUMER: Detective March, I'm now going to hand you a form that's Advisements of Rights. This has been marked previously as Exhibit 1. This Advisement of Rights form has already been filled in with your name, my name, my colleague Deborah Witzburg's name.

I'm going to ask you to read along with me as I go through this form, and I'm going to ask you to acknowledge after each paragraph that you've read the paragraph.

(WHEREUPON, a certain document was marked March Deposition Exhibit No. 1, for identification, as of 07/25/2016.)

MR. McKAY: Peter, before we begin, can I put something on the record?

MR. NEUMER: For sure.

MR. McKAY: Peter, recently my client, Detective March, was notified of this appearance here this morning. The Notification of Interview describes Detective March as an accused. The appearance suggests that Detective David March's false statements concerning the McDonald shooting and a review and approval of reports containing false statements.

The Notification of Allegations list four allegations premised on John Escalante's letter to the Inspector General dated January 13, 2016. John Escalante's letter references a memo drafted by Sergeant Soria, S-o-r-i-a. That memo was dated on or about July 17, 2015.

The allegations include, number one, that Detective March reviewed and approved an Original Case Incident Report prepared by Officer Dora Fontaine and that report falsely stated that Officer Jason Van Dyke was, quote, injured by offender.

Secondly, that Detective March is accused of assisting in the drafting of the report I just mentioned.

Three, that Detective March made a false statement to Investigator Earl Briggs of the Cook County Medical Examiner's Office when, with respect to the shooting, Officer Briggs' report indicates that McDonald lunged at Chicago police officers.

And the fourth allegation is that Detective March is incompetent in the performance of his duties in the ways enumerated by allegations one through three.

Mr. Neumer, I'm asking you do you believe these new allegations indicate a criminal prosecution is probable against Detective March?

MR. NEUMER: OIG is conducting an administrative investigation. OIG is not conducting a joint investigation and is not working with any other law enforcement agency with respect to this investigation.

MR. McKAY: Thank you. I would ask, however, that you advise Detective March of his Constitutional rights pursuant to Miranda versus Arizona.

It's unclear whether a criminal

investigation is going to take place and, if so, who will be doing that. A special prosecutor has yet to be named regarding any of the police officers not named Jason Van Dyke in this particular case. So, with that said, I ask that you advise Detective March of his Constitutional rights pursuant to Miranda versus Arizona.

MR. NEUMER: The outcome of this administrative investigation relates to the subject's employment and, therefore, under the CBA and General Order, the administrative rights OIG will be providing Detective March are appropriate.

MR. McKAY: Consistent with Detective March's last statement, indeed, Detective March was here for two days on April 26th and 27th of this year. His statement spanned what I estimate to be almost 12 hours.

Mr. Neumer, you were here, the court reporter Michelle Paoletti Yohler was here, Investigator Kris Brown was here, myself, and Detective March were here.

At that time I had asked whether Mr. William Marback's letter to the Chicago

Police Department command staff dated on January 4, 2016, requesting a number of items be provided to the Office of Inspector General, and at that time no answer was given regarding these items that were requested, which include 25 separate things.

I ask you today, Mr. Neumer, are you going to be using any items the Office of Inspector General has received since Mr. Marback's letter of January 4th, 2016, and any subsequent letters issued by either Mr. Marback, you, or any other agent of the Inspector General and Detective March's statement here today?

MR. NEUMER: So the question is, are we going to be using any documents we received since what date was it?

MR. McKAY: January 4, 2016.

MR. NEUMER: It's possible. For certain we will be putting in front of Detective March the two exhibits or documents that we provided as part of the Notice of Interview packet.

So that will be the Medical Examiner Investigation Case Report ME 2014-01071, and

then the Original Case Incident Report with the event number 1429315878.

So those are the two documents that we will be certainly showing Detective March today.

MR. McKAY: We acknowledge receipt of those two documents, Peter, when you forwarded them to me late last week. Thank you.

My question now is, in addition to these two documents, do you intend to use or is it possible you could use any other documents at this statement today besides these two reports?

MR. NEUMER: It is possible.

MR. McKAY: What are they?

MR. NEUMER: When we come to appropriate points in the interview, if documents are necessary, we'll certainly give you and Detective March time to review those documents. But, again, we don't know what we will or won't need to show.

MR. McKAY: Okay. Late last week when you advised me of this second interview of Detective March and provided me the two reports we have just talked about, I had sent you a request for

discovery, essentially where I was asking for you or your office to provide me with any statements of any witnesses that indicate that Detective March was asked to review and approve Officer Fontaine's report that you have provided.

Do you have any statements that you can provide me and Detective March here this morning from other witnesses about Officer Fontaine's report?

MR. NEUMER: So our office has provided Detective March with all the documents required by the CBA and applicable law.

MR. McKAY: Secondly, I asked you in writing and I ask you again today on the record, can you provide me and Detective March with any rule or General Order from the police department or any other agency that indicates that a detective is supposed to review and approve or disapprove of a report prepared by a district police officer?

MR. NEUMER: Again, our office has provided Detective March with all the documents required by the CBA and applicable law.

MR. McKAY: Thank you. Can you provide me with any sworn testimony of Cook County Medical Examiner's Office Investigator Earl Briggs?

MR. NEUMER: Again, our office has provided Detective March with all the documents provided -- required by the CBA.

MR. McKAY: Can you tell me if Investigator Earl Briggs has given a statement to the Office of Inspector General?

MR. NEUMER: Again, OIG has provided Detective March with all the documents and information required by the CBA.

MR. McKAY: Can you tell me whether Investigator Briggs has not given a statement to the Office of Inspector General?

MR. NEUMER: Again, we've provided Detective March with all the documents and information required by the CBA.

MR. McKAY: Thank you. Mr. Neumer, can you tell me -- strike that.

Can you provide to me and Detective March any statements, notes, internal memorandum, or any other documents generated by Investigator Earl Briggs of the Cook County

Medical Examiner's Office besides the report that you gave to me and Detective March late last week?

MR. NEUMER: OIG has provided Detective March with all the documents required by the CBA.

MR. McKAY: Can you tell me -- because I can't read it, frankly -- who Earl Briggs' supervisor was, a signature of which is contained on Page 4 of this four-page report you gave to us late last week? Can you tell us who Mr. Briggs' supervisor is?

MR. NEUMER: Again, in terms of documents and information, we've provided Detective March with all the documents and information required by the CBA.

MR. McKAY: And this is one document you have provided.

MR. NEUMER: Mm-hm. Yes.

MR. McKAY: My question is, who is this person, a signature of which appears above the supervisor line on Page 4? Who is that? For my purpose, for my curiosity as well as Detective March's right to know who his accusers may be,

who is this person? I can't read that signature. Can you?

MR. NEUMER: Again, we've provided Detective March with all the documents and information required by --

MR. McKAY: That doesn't answer my question, Peter. Who is the supervisor?

MR. NEUMER: Right. I mean, the document speaks for itself. And, beyond that, we've provided all the -- Detective March all the documents and information required under the CBA.

MR. McKAY: Are you relying on this document for your interview of Detective March today?

MR. NEUMER: We will be providing this -- we already provided this document to Detective March, and we will be asking him questions regarding this document today.

MR. McKAY: So you will be relying on this document?

MR. NEUMER: I mean, relying on -- I know we will be asking questions about the Medical Examiner's Case Report today.

MR. McKAY: Well, my question is this then, Peter: If you're going to be asking questions about this document, yet you refuse to identify the supervisor of Investigator Briggs, whose name appears in this document, I ask that you not ask Detective March anything about this document if you cannot identify signatures on this document above and beyond Mr. Briggs'. That's fair, don't you agree?

MR. NEUMER: We're going to be asking Detective March questions about his knowledge of this document and what he knows. We're not going to be asking him to speculate about anything beyond the document, so our questions are going to be eminently fair today.

MR. McKAY: Well, if it is clear to you, Ms. Witzburg, or anybody in the Inspector General's Office that there are errors contained in Investigator Briggs' report, which you have tendered, will you or have you or will anybody in your office report to Patrick Blanchard, the Inspector General of Cook County, that the people who generated this report need to be investigated for incompetence?

MR. NEUMER: If we uncover facts that determine a notification is appropriate, certainly we would take appropriate action.

MR. McKAY: All right. Fair enough. Can you provide me with the names of the complainants besides John Escalante and Sergeant Soria and their affidavits, assuming they're civilians and not sworn police officers, that provide a basis for these new allegations.

MR. NEUMER: The Notification of Allegations that OIG provided to Detective March fully complies with the CBA and speaks for itself.

MR. McKAY: Well, if you are basing these new allegations on Mr. John Escalante's letter of January 13th, 2016, and Sergeant Soria's memo of July 15th, 2015, clearly John Escalante's letter suggests that the investigation he's asking your office to conduct be consistent with the Collective Bargaining Agreement, General Orders, and I submit consistent with Illinois State Law.

Illinois State Law clearly mandates that if there is a complainant who is not a

sworn officer alleging some misconduct on behalf of any police officer -- in this case, Detective March -- that complainant's allegations be supported by affidavit.

You have no affidavit to provide me and Detective March today; is that correct?

MR. NEUMER: Again, the Notification of Allegations speaks for itself and we believe fully complies with the CBA and applicable law.

MR. McKAY: Your allegations one through -- strike that -- one and two suggesting that David March has some type of duty to either review and approve Dora Fontaine's report or that he actually assisted her in preparing this report, I submit to you, John Escalante would know that that is absolutely not true.

So if you are alleging numbers one and two allegations based on John Escalante's letter, I would submit to you that is absolutely inconsistent with John Escalante's knowledge of Chicago Police Department procedure, report-writing, and who approves a district police officer's report.

Since I believe in good faith John

Escalante would not allege these things, can you tell me who is?

MR. NEUMER: Again, OIG's position is that the Notice of Allegations complies fully with the CBA and it speaks for itself.

MR. McKAY: I would submit to you then, Mr. Neumer, in all due respect to you and Ms. Witzburg, that without some affidavit of some civilian complainant alleging this stuff, I believe in good faith that it is none other than Mr. Ferguson and your office that is alleging these things without a good faith basis.

With that said, we are objecting to Joseph Ferguson and his office investigating his own allegations, and I request again, as we did back in April, that Mr. Ferguson and his office recuse themselves from his investigation because, two reasons: One, it is wrong for him to investigate his own allegations. That's not fair.

Secondly, we ask that Mr. Ferguson and his office, with all due respect to the both of you, that he recuse himself from this investigation because he's prejudice against

Detective March because of his presence on the Police Accountability Task Force and the report that that task force submitted before they heard one sworn word from Detective March in April in that that report suggests certain findings of the Laquan McDonald shooting that are completely inconsistent with what Detective March told you and Kris Brown on April 26th and April 27th.

And Mr. Ferguson should recuse himself and his agents from any further investigation of this shooting because of that report he put his name on along with the chairperson of the police board, Lori Lightfoot.

So will you recuse yourselves and Mr. Ferguson from this investigation today?

MR. NEUMER: OIG is not going to recuse itself from this investigation, and OIG's position is that it can and is conducting a fair and impartial investigation.

MR. McKAY: As you know, Mr. Neumer, two grievances have been filed in this particular case, one by Chicago FOP. In fact, that grievance had been filed before Detective March gave you sworn testimony on April 26th and

April 27th. Since then, a second grievance has been filed, indeed, by Detective March.

We're objecting to this investigation continuing with those grievances still pending. No arbitrator has ruled on those grievances, and the Inspector General has not agreed to continue this investigation until an arbitrator has ruled on them.

Will you, on behalf of Mr. Ferguson, stop this investigation and wait for the arbitrator to rule on these two grievances?

MR. NEUMER: OIG is not aware of any court order enjoining Detective March's interview and, therefore, having provided the appropriate Notice of Interview, OIG will proceed with the interview.

MR. McKAY: Okay. Of the two reports that you have provided in discovery to Detective March and myself, you have indicated one is Investigator Earl Briggs' Medical Examiner Investigations Case Report.

I would like to ask you, Mr. Neumer, when did you or your office receive Investigator Briggs' report?

MR. NEUMER: Again, OIG has provided Detective March with all the documents and information required by the CBA, and, beyond that, we have a duty of confidentiality.

MR. McKAY: Well, the reason I ask the question is because Detective March was here for one full day and half of a second day. If you did have this report then, Mr. Neumer, why didn't you ask Detective March about Investigator Briggs' report then?

MR. NEUMER: I guess I'll just say we're here today and we have relevant questions to ask today pertaining to our investigation.

MR. McKAY: Well, I appreciate that, but, Peter, if they're relevant questions today -- and, further, if you had this report back then in April, weren't they relevant in April and, if so, why didn't you ask Detective March when you had him for almost two full days in April about this report?

MR. NEUMER: We can't -- our office can't provide details regarding timing. I understand your question and, again, we try and ask all relevant questions as soon as we can.

MR. McKAY: Well, I think timing is relevant. I think out of fundamental fairness of the accused -- and you have accused Detective March, let's make no mistake about that -- out of fundamental fairness, I think timing is relevant.

And if you had this information and he was here and cooperated and gave sworn testimony, why didn't you and Mr. Brown ask him about Investigator Briggs' report then?

MR. NEUMER: Again, we're going to ask questions today.

MR. McKAY: I do know, sir, that regarding Dora Fontaine's report, you did have it in April. Indeed, you marked it as your Exhibit Number 18. For some reason, you chose not to use it, but you did mark it as Exhibit 18.

And I would ask you, Mr. Neumer, why didn't you ask Detective March about Officer Dora Fontaine's report on April 26th or April 27th of this year?

MR. NEUMER: And I think, as I said in the transcript during that interview, we try and ask all relevant questions, we try and be thorough,

and we do our best.

MR. McKAY: The Advisement of Rights form that you have just provided, is this the exact same form that you provided to Detective March on April 26th of this year?

MR. NEUMER: It should be.

MR. McKAY: Well, I am advising Detective March to refuse to answer your questions today on July 25th, 2016, without a direct order by one of his superior officers.

Short of a direct order, I believe Detective March is certainly within his rights, both the rights under the collective bargaining agreement, Illinois State Law, and his Constitution rights not to answer your questions.

Is there going to be a direct order from some superior officer directing Detective March to answer these questions?

MR. NEUMER: Yes, I will contact Commander Klimas right now and have him provide Detective March a direct order.

MR. McKAY: Can you spell Commander Klimas' name for the court reporter.

MR. NEUMER: Sure. It is Robert R-o-b-e-r-t, Klimas K-l-i-m-a-s.

MR. McKAY: Thank you.

(PHONE RINGING)

COMMANDER KLIMAS: Bob Klimas.

MR. NEUMER: Bob, this is Peter Neumer. We are currently in a court-reported interview of Detective David March. His counsel Jim McKay is here. My colleague Deborah Witzburg is here.

And OIG having provided appropriate notice to Detective March of this interview is attempting to ask Detective March questions regarding the Laquan McDonald shooting. He is refusing to answer questions absent a command from his superior officer, so I'm asking you, Commander Klimas, to order Detective March to answer the OIG's questions.

COMMANDER KLIMAS: This is Commander Robert Klimas, K-l-i-m-a-s, with the Chicago Police Department Bureau of Internal Affairs.

Detective March, I'm giving you a direct order to answer all the questions posed to you today by Peter Neumer or his designees from the Office of Inspector General, City of

Chicago.

Do you understand?

THE WITNESS: Yes.

COMMANDER KLIMAS: Thank you very much.

MR. NEUMER: Thanks, Bob.

MR. McKAY: Thank you.

I'd like to put one more thing on the record. Peter, last time you and I talked by telephone, actually it was late last week, Detective March originally had been notified to appear on this past Saturday night at 9:00 p.m.

You had advised me that the date and time for Detective March's second statement was because OIG is required to notify the officer when he is on duty. You were kind enough to continue the statement from Saturday night to this morning, pursuant to my request, actually, and I appreciate that. Thank you.

You also advised me that Detective March's statement, whenever it was going to be continued to, needed to be completed by the end of business hours tomorrow on July 26th. I asked you then why that is the case and I ask you again today why is it that Detective March's

second sworn statement needs to be today or tomorrow at the latest?

MR. NEUMER: I mean, OIG has a duty of confidentiality, so the details regarding our investigation I can't provide any further information.

MR. McKAY: Well, your statement to me over the phone infers that time is of the essence. I think that Detective March has the right to know why, in the OIG's mind, time is of the essence.

MR. NEUMER: I think time is of the essence for every investigation and probably in particular this investigation.

MR. McKAY: If time was of the essence in April when you, at the very least had Officer Dora Fontaine's report, why didn't you ask Detective March about Officer Fontaine's report at that time?

And I submit if you had Earl Briggs' report from the Medical Examiner's Office at that time, why didn't you ask Detective March about that as well if truly time is of the essence in this investigation?

MR. NEUMER: We do try to ask all relevant

questions and be as thorough as possible.

MR. McKAY: With all due respect, Peter, and I understand you and Ms. Witzburg have a job to do, and I appreciate the job you are both doing along with Kristopher Brown, but frankly, with all due respect, none of your answers today to my questions were responsive to my questions, and I object to that in addition to all my other objections. Thank you.

MR. NEUMER: So we were going through our preamble prior to the objections being placed on the record. So at this time I'd ask that the court reporter swear Detective March in.

(WHEREUPON, the witness was duly sworn.)

MR. NEUMER: I'm going to go through the Advisement of Rights form with you, Detective March. Again, I'm going to ask you to read along with me as I go through this advisement, and I'll ask you after each paragraph to acknowledge you have read the paragraph I just read aloud to you.

"I, Detective David March, understand that I am being interviewed by Peter Neumer and Deborah Witzburg from the City of Chicago Office

of Inspector General. I understand that this interview is part of an official investigation and that I have a duty to cooperate with the Office of Inspector General, which includes answering all questions completely and truthfully."

Detective March, do you see the paragraph I just read aloud to you?

THE WITNESS: Yes.

MR. NEUMER: "I understand that I have no right to remain silent. I understand that I have an obligation to answer questions put to me truthfully. I understand if I refuse to answer questions put to me, I will be ordered by a superior officer to answer the question. I further understand and I have been advised that if I persist in my refusal to answer after an order to do so, such further refusal constitutes a violation of the rules and regulations of the Chicago Police Department and may serve as the basis for my discharge."

Detective March, do you see the paragraph I just read aloud to you?

THE WITNESS: Yes.

MR. NEUMER: "I understand and have been advised that my statements and responses may constitute an official police report. I understand that Rule 14 of the Chicago Police Department's rules and regulations prohibits making a false report, written or oral, and I further understand that making such a false report, whether written or oral, may result in my separation from the Chicago Police Department."

Detective March, do you see the paragraph I just read aloud to you?

THE WITNESS: Yes.

MR. NEUMER: "I understand that any statement made by me during this interview may be used as evidence of misconduct or as the basis for disciplinary action up to and including removal or discharge."

Detective March, do you see the paragraph I just read aloud to you?

THE WITNESS: Yes.

MR. NEUMER: "I understand that any statement made by me during this interview and the fruits thereof cannot be used against me in

a criminal proceeding."

Detective March, do you see the paragraph I just read aloud you to?

THE WITNESS: Yes.

MR. NEUMER: "I understand that I have the right to have a union representative or legal counsel of my choosing present at the interview to consult with and that I will be given a reasonable time to obtain a union representative or legal counsel as long as the interview is not unduly delayed."

Detective March, do you see the paragraph I just read aloud to you?

THE WITNESS: Yes.

MR. NEUMER: "I understand that a refusal to answer any question or any false, inaccurate, or deliberately incomplete statement by me would constitute a violation of Chicago Municipal Ordinance 2-56 and may serve as the basis for my discharge."

Detective March, do you see the paragraph I just read aloud to you?

THE WITNESS: Yes.

MR. NEUMER: "I acknowledge that this

statement of my administrative rights has been read aloud to me and I have been allowed to review this document."

Detective March, do you see the paragraph I just read aloud to you?

THE WITNESS: Yes.

MR. NEUMER: At this time I would ask that you sign the Advisement of Rights form, and my colleague and I will witness.

I'm now going to put several exhibits on the record and present them to Detective March to confirm his receipt of the exhibits.

EXAMINATION

BY MR. NEUMER:

Q. First I am going to be handing you what is titled Notification of Interview to CPD member. This is marked as Exhibit 2.

(WHEREUPON, a certain document was marked March Deposition Exhibit No. 2, for identification, as of 07/25/2016.)

BY MR. NEUMER:

Q. This Notification of Interview is dated July 20th, 2016. Detective March, have you seen this Notification of Interview document

prior to today?

A. Yes.

Q. And did BIA provide you with this document on or about July 20th, 2016?

A. Yes.

Q. And is that your signature at the bottom of the page of Exhibit 2?

A. Yes.

Q. I am now going to --

MR. McKAY: Can I retain these exhibits for my file?

MR. NEUMER: No. No. We always keep them. You'll get these when you get the transcript.

BY MR. NEUMER:

Q. I'm now handing you what is titled Notification of Allegations. This is marked as Exhibit 3.

(WHEREUPON, a certain document was marked March Deposition Exhibit No. 3, for identification, as of 07/25/2016.)

BY MR. NEUMER:

Q. Detective March, have you seen this Notification of Allegations prior to today?

A. Yes.

Q. And did BIA provide you with this Exhibit 3, Notification of Allegations, on or about July 20, 2016?

A. Yes.

Q. And is that your signature at the bottom of Page 1 of the Notification of Allegations?

A. Yes.

Q. I am now going to hand you what has previously been marked as Exhibit 4 titled Receipt Form.

(WHEREUPON, a certain document was marked March Deposition Exhibit No. 4, for identification, as of 07/25/2016.)

BY MR. NEUMER:

Q. Detective March, have you seen this Receipt Form prior to today?

A. Yes.

Q. And did BIA provide you with this Receipt Form on or about July 20th, 2016?

A. Yes.

Q. And is that your signature at the bottom of the Receipt Form?

A. Yes.

Q. And I am now going to be handing you what has previously been marked as Exhibit 5.

(WHEREUPON, a certain document was marked March Deposition Exhibit No. 5, for identification, as of 07/25/2016.)

BY MR. NEUMER:

Q. This is a Medical Examiner Investigations Case Report ME2014-01071 dated October 21st, 2014.

Have you seen this document, Detective March, prior to today?

A. Yes.

Q. And did BIA provide you with this Case Report on or about July 20th, 2016?

A. Yes.

Q. And I'm now going to be handing you what has previously been marked Exhibit 6. This is an Original Case Incident Report with the RD number HX475653 and the event number 1429315878, case ID 9825613.

(WHEREUPON, a certain document was marked March Deposition Exhibit No. 6, for identification, as of 07/25/2016.)

BY MR. NEUMER:

Q. Detective March, have you seen this Exhibit 6 Original Case Incident Report prior to today?

A. Yes.

Q. And did BIA provide you with this document on or about July 20th, 2016?

A. Yes.

MR. McKAY: Peter is this report -- you're marking this as Exhibit 6?

MR. NEUMER: Yes.

MR. McKAY: You are not going to keep it Exhibit 18, which is what it was marked by you on April 26th?

MR. NEUMER: Right, we are going to call it Exhibit 6. I think that will be easier for today's purposes to call it Exhibit 6 for the July 25th. But, again --

MR. McKAY: But you'll agree it was your Exhibit 18 back in April?

MR. NEUMER: Right, I don't remember if it was -- if you represent 18, I certainly -- I don't dispute that.

MR. McKAY: All right.

BY MR. NEUMER:

Q. Detective March, did you review any materials in preparation for today's interview?

A. Yes.

Q. And what materials did you review?

A. The documents that I received from Internal Affairs on last Wednesday and then I also reviewed several reports from the investigative file.

Q. Do you remember which reports you reviewed?

A. I believe they were all reports that I authored that we talked about previously.

Q. Okay. In our April 26th and 27th interview?

A. Yes.

Q. Did you review any video in preparation for this interview?

A. No.

Q. Aside from your attorney, who did you speak to in preparation for this interview?

A. No one.

MR. NEUMER: And then before we get started with our questions, I just want to confirm, Jim,

are you okay with OIG providing you with a copy of the transcript of today's interview within 48 hours of the OIG's receipt of that transcript?

MR. McKAY: I have no objection to employing the same procedure of receiving the transcript as the previous transcript in April.

I understand -- if you get the transcript on a Friday, you can't get it to me that same day, but I ask that if the court reporter can provide me with the transcript on, say, a Tuesday or Wednesday, I'd like it the same day you guys get it.

I am relying on you suggesting that the statement should not be more than about an hour. I don't think it would take that long to copy that statement or make a copy of a disk if that's how Ms. Paoletti Yohler is going to provide the transcript to you.

MR. NEUMER: And, just for the record, I think my representation was that OIG's portion of the questioning would take an hour. And we're now, I think, going to --

MR. McKAY: That's fine. I have no

objection consistent with the last statement in April.

MR. NEUMER: And, Jim, we'll work with you to get you it in a very, very reasonable time.

BY MR. NEUMER:

Q. Detective March, could you please state your name, star number for the record.

MR. McKAY: Detective March has something to say.

BY THE WITNESS:

A. Upon advice of counsel, I am refusing to answer any questions without the direct order of a superior officer.

I would like to preface this statement with the following: I believe I am entitled to be informed of my Constitutional right to remain silent. I have received no assurances from the Office of Inspector General that criminal charges are probable. Proceeding with this statement is in violation of the applicable Collective Bargaining Agreement, but I have been advised that I will lose my job if I refuse to provide a statement.

I am not giving this statement

voluntarily but only because I am required to do so by a direct order of Commander Robert Klimas.

I know that if I refuse to participate in this interview or refuse to answer certain questions, I can be disciplined or even fired; therefore, this statement is being compelled.

I am asserting all of my rights under the Supreme Court case of Garrity versus New Jersey, and I am specifically objecting to any sharing or disclosure of this statement or its contents with any prosecutor's office, such as the Cook County State's Attorney's Office or the United States Attorney's Office.

I also object to the sharing or disclosure of this statement or its contents directly or indirectly with anybody else including but not limited to any other federal, state, or city agency, any special prosecutor and his agents, and the media.

I object that this second interview is taking place. I was here for two days on April 26th and April 27th and gave honest answers to all of your questions.

Further, I object that this interview is taking place before an arbitrator has decided the issues that were raised in a grievance filed by me and another grievance filed by Chicago FOP regarding this investigation. The Inspector General has refused to postpone this investigation.

Also on the advice of counsel, I am making the following additional objection: I am objecting to the fact that the City of Chicago Inspector General's Office has refused to identify all of my complainants if they exist.

Under city ordinance, Collective Bargaining Agreements, and my due process rights, I am entitled to notice of the nature of the allegations against me and the identity of all complainants prior to any interview.

The Inspector General's Office has only advised me that Interim Superintendent John J. Escalante and, to a lesser degree, Sergeant S. Soria are the only complainants against me. This can't possibly be true because Escalante's letter to the Inspector General dated January 13, 2016, does not specifically

allege or even suspect me of any misconduct.

Further, the letter refers to Sergeant Soria's memo of July 15th, 2015, which only alleges inattention to duty because of possible tampering with in-car camera mics and improper use of equipment, none of which applies to me, a detective assigned to investigate this police shooting.

I am left to wonder who is the source of the allegations now pending against me. I shouldn't have to do this because I have a right to know and confront my accusers.

The Inspector General's Office is violating my rights of due process by not specifically informing me of the person or persons making these specific allegations. As such, I can only assume the true complainant is the City of Chicago's Inspector General.

I am entitled to an affidavit of any complainant who is not a sworn officer. I have not received one in this case.

I am not waiving the requirement of an affidavit, therefore, I am objecting to the City of Chicago Inspector General's Office

making allegations against me and conducting an investigation into its own allegations.

Finally, I am objecting to the Inspector General's Office conducting any investigation of this shooting because the Inspector General of Chicago is prejudiced against me. This prejudice is evidenced by his participation on the Police Accountability Task Force and their report released April 13, 2016.

This report includes findings made without the benefit of hearing my sworn testimony, considering all of the evidence in this case, and considering all of the applicable law in this case.

The Inspector General has prejudged this case; as such, he and his agents cannot be fair, impartial, and independent investigators in this matter. This objection also applies to Lori E. Lightfoot, president of the Chicago Police Board, who served as the chair of the Police Accountability Task Force.

Thank you.

BY MR. NEUMER:

Q. Detective March, I want to first put

in front of you, Medical Examiner Investigations Case Report ME2014-01071.

I don't think we ever got your name and star number for the record, so if we could start there.

A. My name is Detective David March. My star number is 20563.

Q. And what is your current unit of assignment?

A. I'm assigned to the Bureau of Detectives, Area Central.

Q. Again, we want to ask you a few questions about the Medical Examiner Investigations Case Report ME2014-01071.

From your perspective, what is a Medical Examiner Case Report?

MR. McKAY: Objection, that calls for speculation. You're asking him to guess about some other agency, not even in the City of Chicago, and their reports.

MR. NEUMER: Let me reword the question.

BY MR. NEUMER:

Q. Based on your experience as a detective, what is a Medical Examiner Case

Report?

MR. McKAY: Same objection.

BY THE WITNESS:

A. I cannot specifically speak to exactly what this is. In 34 years at the Chicago Police Department, all of that time working within the County of Cook, I have never seen a report like this.

BY MR. NEUMER:

Q. Okay.

A. I can only assume after reading this report that this document was created as a result of a quick telephone notification that I made to the Office of the Medical Examiner of Cook County. It was not the subject of any kind of investigation or in-depth interview of me by anyone.

Q. Do you have any understanding as to what the purpose of a Medical Examiner Investigations Case Report?

A. Again, I can only assume from reading it that it is meant to document my notification of their office that the Chicago Police Department was involved in a Medical Examiner's

Report.

We have to notify them any time we are dealing with any kind of death that is potentially a Medical Examiner's case, whether it be a natural death, suicide, homicide, whatever.

Q. So have you had communications with Cook County investigators prior to October 20th, 2014, regarding homicides or death investigations?

A. Yes.

Q. Do you have any estimate as to how many times you've communicated with Cook County investigators or Cook County personnel regarding homicides or death investigations?

A. I have no idea, but it was a large number of contacts.

Q. Maybe over 50?

A. Well over 50.

Q. Well over 50. Okay. Have you ever seen a Medical Examiner Investigations Case Report prior to today?

A. I first saw this report last Wednesday when it was presented to me by our

Internal Affairs Division. Prior to that day, I have never seen this type of report.

I have been involved in the prosecution of numerous homicide cases, murder cases in the criminal court system of Cook County, and I have seen the Medical Examiner's protocol documenting their results of their autopsy. I have seen toxicological reports presented by outside laboratories that do work for the Medical Examiner's Office. I have never in my life seen this type of report. I didn't even know they existed.

Q. Okay. When you were communicating with Cook County personnel on previous homicide or death investigations, were you providing -- what type of information were you providing to the Cook County personnel?

A. I'm assuming -- again, I don't know -- the only requirement on us as the Chicago Police Department is to notify them when we come across a potential Medical Examiner's case.

When I call, my purpose is just to let them know that there is a Medical Examiner's

case. The information that they solicit from me, I don't know if there's a checklist that they go down and -- I have no idea how that comes to be.

Q. I got you. So, generally speaking, what type of information do you provide as part of that initial notification?

A. Again, these notifications are made very early on in the investigation. A lot of information that they ask for we may not have at the time, so obviously if we don't have information, we can't provide information.

So based on what we do know at the time of the notification, they will ask us things like the date and time that we discovered the body, the location, the identification -- the identity of the dead body if we know it.

And they ask us for a brief summary of the circumstances under which we became aware of the -- that there was a dead body.

Q. Sure. And I don't want you to speculate. Do you have any understanding of what the Cook County Medical Examiner's Office does with that information?

A. No.

Q. Do you have any understanding as to why the Cook County Medical Examiner's Office is obtaining that information from you, the detective?

MR. McKAY: Again, objection, calls for speculation.

BY THE WITNESS:

A. One reason would be, like I said, we are required to notify them of any potential Medical Examiner's cases. There are many times when we will notify them of the case and their investigator will tell us, "Okay, that's not a case that we're going to deal with, so the body doesn't have to end up here."

A case like that would be a natural death where the victim died of a medical condition that they were being treated for chronically and there was an attending physician.

If we present facts that indicate that that is the case, in those cases, the Medical Examiner will not take the case, so to speak, and they -- because in those cases, the

attending physician will issue the death certificate, and the Medical Examiner's Office really has no need to be involved in the case.

Any other cases where there's any -- and, again, these are their standards and it's their decision where they think there might be suspicious circumstances or potential for suspicious circumstances. If it looks like it's an overdose with no signs of violence, then obviously they're going to have to conduct a toxicology exam to confirm whether or not the cause of death was drugs.

So, again, the criteria is theirs, and all we do is we notify them of what we know at the time and they tell us whether or not they're going to take the case and if they want us to make sure the body ultimately comes to their facility or can be released to the family by a hospital or doctor or whatever.

Q. And do you have any understanding whether the ultimate postmortem examination report relies at all upon the Exhibit 5 report I've put in front of you?

MR. McKAY: Again, that calls for

speculation. I object. He cannot guess about another agency's use of this report or what, if any, other people in that agency relied on.

BY THE WITNESS:

A. Again, I don't know.

BY MR. NEUMER:

Q. Specifically now with respect to the Exhibit 5 report, on the evening of October 20th, 2014, did you have any communication with the Cook County Medical Examiner's Office regarding the McDonald shooting?

A. Yes.

Q. Can you walk us through that communication. Where were you when you had that communication with the ME's Office?

A. I was at the crime scene on Pulaski Road. We had assisting detectives that had responded to Mount Sinai Hospital where Laquan McDonald had been transported for treatment of his injuries.

I believe that the sequence in which this happened was that the detectives at the hospital were present or learned that Laquan

McDonald had been pronounced deceased by the attending physician there.

They -- again, I believe they then informed Sergeant Gallagher, who was the detective supervisor in charge of the scene, that Laquan McDonald was deceased, and then Sergeant Gallagher notified me of the same since the case had been assigned to me.

Upon learning that, as I commonly do on cases where I think I might have more information than the initial primary beat car assigned to the case, rather than have them asking me all this information so they can present it to the Medical Examiner's Office, I will call the Medical Examiner's Office because, again, at that point I feel I had the most information in one place, so to speak.

So I called the Medical Examiner's Office from the scene and spoke with Investigator Briggs to make this notification.

Q. The detectives who were at the hospital, do you recall their names?

A. I don't. I'd have to look at the reports, the file.

Q. And did you use -- we had a discussion I think during our last interview about use of phone. Was it your personal cell phone that you used to call the ME's Office?

A. It's the only phone I have. Like I told you before, the Department does not supply me with a phone. And in this day and age, there were no pay phones near the scene, so it was the only way to make a timely notification.

Q. On Page 1 of the Case Report, it lists under the Notification section date, October 20th, 2014; time, 11:51:59 p.m. Does that time accord with your belief as to when that call between you and Investigator Briggs occurred?

A. I have no personal knowledge at this date of exactly when that telephone call was made by me to the Office of the Medical Examiner, but that time does seem to be accurate to me.

Q. Okay. And so you call Investigator Briggs from the scene, and what did you tell him?

A. At first I told him that, probably --

again, this is not word for word. I don't recall exactly what information was discussed in what order, but I probably -- my first statement to him probably was that I was making a notification of a police officer-involved shooting and that there obviously was a dead body.

Q. Is there just one number that CPD is to call or detectives are to call for the Medical Examiner's Office?

A. Their office has a number of numbers. There is one number that -- I mean, officers will use whatever number -- I can't speak to what other number officers use, and I'm assuming that officers use whatever number they're used to getting an answer at.

Q. Right.

A. I know at that late time, there's one number that is at least supposed to be answered 24 hours a day. Sometimes it doesn't happen, but I call the -- I have that number programmed into my cell phone, and I called that number because, like I said, I have made these notifications on numerous occasions.

Q. Did you know or have any sort of working relationship with Investigator Briggs prior to your phone call on October 20th, 2014?

A. I know I have come across the name before. I can't specifically say that I've ever talked to him on the telephone before. It may have been that I read reports with his name on it.

I was aware that there was an investigator at the Office of the Medical Examiner by the name of Briggs. I -- again, I can't say whether or not I've ever spoken to him before October 20th, 2014, and I don't believe I have ever met him in person. If he was sitting across the table from me today, I'd have no idea if that was him.

Q. Is it fair to say that when you placed the call on the night of October 20th, 2014, that you weren't calling Briggs specifically?

A. No, absolutely not.

Q. It was more of a general hotline or something --

A. I have no idea --

Q. -- calling?

A. -- working there at the time. Again, I was fulfilling our requirements to notify the office, not any specific person.

Q. Okay. At the time you spoke with Investigator Briggs, do you recall whether you had seen video footage of the McDonald shooting?

A. I can't say for certain. I believe I probably have seen -- had seen by that time the infamous dash cam video, if you will. But I certainly had not seen all of the video that we recovered. And, again, I'm not certain, but I believe I did see that footage prior to my call to Briggs.

Q. And I believe that's the 813 Robert video you're referring to.

A. Correct.

Q. I'm going to ask you to look at Page 3 of the Case Report. And, in particular, the paragraph that begins, "Detective March related the following." That's the second full paragraph in the narrative section.

So I want you to take a moment or take as much time as you need to review that

paragraph, and then my question to you after you've had a chance to read through that is whether that paragraph accurately reflects a statement you made to Briggs on October 20th, 2014?

A. That paragraph absolutely does not accurately reflect the facts that I related to Investigator Briggs.

Q. Okay. And let's go line by line. I want you to -- I'm going to ask you two questions regarding each sentence in that paragraph: One, whether you made that statement to Investigator Briggs on the night of October 20th, 2014, and then, two, whether that statement is accurate, okay? So whether you said it to him or not, whether it's accurate. So we'll --

A. I can maybe -- I don't know if this saves any time or not. I can tell you, having read that report, that none of those statements are verbatim statements by me to Investigator Briggs.

The first statement, for example, has a date and a time and a beat car. That

information was transmitted but not in one sentence that said all of that. He would ask me what time the incident occurred; I would provide him with a time. He asked me when it occurred, what date, what address, like that.

This is not anywhere near the verbatim statements that I made to him over the telephone.

Q. Okay. And we're just going to break it down here --

A. And, again, I might want to stress, I did not speak in a paragraph like this. This was all he would ask me a question, I would provide him an answer.

Q. Okay. So that's how -- well, maybe we'll take a step back again to maybe --

A. We can certainly go to whether each individual fact listed there is accurate, but I can tell you categorically the entire paragraph is not my statement, and none of those sentences were said by me in that manner.

Q. Okay.

MR. McKAY: Can I ask you a question? Can you tell me whether or not this telephone

conversation you are about to ask Detective March about, was it recorded in any fashion by Investigator Briggs or anybody from the Cook County Medical Examiner's Office?

MR. NEUMER: Yeah, what I would say in response to that is, there's a duty of confidentiality. And, again, the materials that OIG has provided today, OIG has provided all materials, all information required by the CBA.

MR. McKAY: Well, there's no duty of confidentiality if it's a recording of the accused's statement.

The Collective Bargaining Agreement clearly mandates that you, IPRA, Internal Affairs, whatever agency is investigating a Chicago police officer has a duty to give the officer a recording such as a video or an audio before you ask him questions of it.

If you got it, I demand that you give a copy of that statement to Detective March now before any question continues.

MR. NEUMER: And what I would say in response is, OIG complies with all applicable laws.

MR. McKAY: And I'll take that to mean that you don't have any recorded statement of Detective March by Investigator Briggs or any agent of the Cook County Medical Examiner's Office.

MR. NEUMER: I'll let you draw whatever inferences you'd like, and I'll just say that we comply with all applicable laws, and we are conducting this interview today in accordance with all applicable laws.

MR. McKAY: Okay. Well, with that said, then since you placed this gentleman under oath, if you have a recording that suggests anything inconsistent with what Detective March has previously testified about in April and, more importantly, what he has also generated himself, the reports he created, if you have a recording, please give that to him now. He has a right to it.

And I'm going to ask that he not answer any of your questions unless you're going to tell him that criminal charges of perjury or any other crimes are probable. And if that's the case, you now have a right to Mirandize him

pursuant to the Collective Bargaining Agreement, Illinois State Law, and the United States Constitution.

MR. NEUMER: Yeah, I mean, as we discussed previously this is an administrative investigation. This is not a criminal investigation. We're not partnered with any other bodies on this investigation, so Miranda simply doesn't apply here.

MR. McKAY: All right. My objection is on the record.

Further, if there was a recording, Peter, even if you don't know about it but if there was a recording by Mr. Briggs or anybody from the Cook County Medical Examiner's Office without the consent of Detective March, I would submit that's a violation of the Illinois Eavesdropping Statute, which is a Class III felony.

If you've got it, or, further, if you don't have it but somewhere down the road you do get it, I'm moving to strike whatever Detective March is saying consistent with the order by Commander Klimas, and, further, I'm going to be

asking you to refer Mr. Briggs or anybody from the ME's Office to the Cook County State's Attorney's Office for an investigation on an eavesdropping violation.

Thank you.

MR. NEUMER: Okay.

BY MR. NEUMER:

Q. Detective March, I think we were going to take a step back a little bit. You were giving us some information regarding how this conversation occurred, and I think obviously you placed the call to the ME's Office; is that correct?

A. Correct.

Q. And then you made a notification -- or you notified, again in this case it was Investigator Briggs, that there was a death or a homicide?

A. Yes.

Q. Do you recall -- I mean, is there sort of like a boilerplate language, or do you just -- what do you tell the ME's Office when you notify them?

A. I think I just told you that I don't

know the exact words that I used, but I explained to him that I was calling him to notify him of a police officer-involved shooting incident where the person who had been shot by the officer had been pronounced deceased.

Q. And then following that exchange, did Investigator Briggs proceed to ask you a series of questions?

A. Yes.

Q. Okay. And did you provide information in response to his questions?

A. Yes.

Q. Did you offer any information without it being prompted by a question from Investigator Briggs?

A. Not that I recall.

Q. So is it fair to say that he was conducting an interview of you?

A. I don't know that we would -- that I would characterize it as an interview because there was -- number one, at that point in time in the investigation, I knew that I did not know all of the facts of the investigation. So --

Q. Let --

A. -- I was not in a position to give any totally completely informed statement on anything.

So, like I said, to the best of my knowledge, like I said, maybe he's got a checklist that he goes through and he's asking me to fill in the blanks of his checklist.

Q. Let me take away the characterization of interview. Is it fair to say he was asking you questions and you were providing him information in response to his questions?

A. Yes.

Q. Okay. I want to go back to the second paragraph of the narrative. And I want to go line by line again and -- and, again, it will be two questions: Whether you related the information in the sentence to Investigator Briggs on the night of October 20th, 2014, and then the second question will be whether it is accurate.

So the first sentence is, "Detective March related the following: On or about 2156 hours 19 October, 2014, Chicago Police 8th District beat car 815 Robert responded to

41st and Kildare in reference to a "citizen holding a subject"."

So let me first ask you, Detective March, did you relate the information that is in that first sentence to Investigator Briggs during your phone call on October 20th, 2014?

A. Again, not in those exact words, but most of the information in that first sentence is accurate except for the date of occurrence where he documented that I said or I related that the incident occurred on 19 October 2014.

The telephone call notification that I made to him was made on 20 October 2014 from the scene of the incident, and there is no way that I said that night or any time during the following almost two years now that I've been talking about this incident, there is no way that I referred to this incident as occurring on the 19th of October.

Q. Is it fair to say that you, at some point during your conversation with Investigator Briggs, told him that an 8th District beat car, 815 Robert, responded to 41st and Kildare in reference to a citizen holding a subject?

A. I would have told him something along the lines of some Chicago police officers responded to a call of someone holding a subject for the police at 41st and Kildare.

Again, I'm trying to guess here because I don't recall exactly the words that were used. I assume he asked me probably what beat was involved and I told him 815 Robert, and I'm assuming that him knowing the -- some of the workings and especially the numbering system of the beats and the Chicago Police Department, I think he correctly assumed that 815 Robert was an 8th District beat car. I don't remember telling him it was an 8th District beat car. I think he just assumed that from the beat number.

Q. Next sentence, "Upon arrival, Beat 815 Robert was confronted by the subject who threatened the officers with a four-inch fold knife."

Do you recall relating the information in that second sentence to Investigator Briggs on the night of October 20th, 2014, during your phone call with him?

A. As I just indicated, I would have told him that Beat 815 Robert responded to this assignment. The rest of that sentence is a complete misrepresentation of what I told him that night.

And, again, in dealing with this incident for almost two years now, I have never characterized what happened between Laquan McDonald and the officers assigned to 815 Robert as 815 Robert was confronted by the subject who threatened the officers with a four-inch fold knife.

First of all, as borne out in my -- all of the reports that I have written documenting this incident, at no time did any witness ever say that the officers on Beat 815 Robert were confronted by the subject. The subject being Laquan McDonald.

In fact, it was the other way around. The officers responded to the assignment and they subsequently confronted Laquan McDonald, who they found walking down the street.

I have never characterized what happened between those officers and Laquan

McDonald as him threatening them with a knife in the sense that I'm thinking somebody is brandishing a knife and threatening to cut you. I always characterized this incident as him attacking their vehicle with the knife, where he stabbed the right front tire and then stabbed the windshield. I have never characterized this as him threatening the officers with the knife.

That having been said, I believe that the act of attacking the marked police vehicle associated with two uniformed police officers was, in fact, a threat to the officers, but, again, just to be clear, that is now -- the words that are in this sentence are not the way I would have or have ever portrayed this incident.

The last misrepresentation is that it says that he threatened the officers with a four-inch fold knife. Again, having been at the scene, seeing the knife myself, knowing how I believe every single person -- all personnel employed by the Chicago Police Department in any reports written about this incident, I believe it has been very consistent that the knife has

been referred to as a folding knife, seven inches in overall length with a three-inch blade. I have never and I have never heard anyone else describe the weapon as a four-inch fold knife.

Q. So do you think that second sentence is -- putting aside the question of whether you relayed the information contained in the second sentence to Investigator Briggs, do you think that second sentence is accurate?

A. No.

Q. And it's for the reasons you stated?

A. Yes.

Q. Okay. How about the information in the first sentence, other than the 19th of October language, is the statement -- the first-sentence statement accurate?

A. Aside from the fact that he's got the wrong date, which you just described, and the fact that the words, "citizen holding a subject" are in quotation marks, I don't recall that I said those exact words, but the idea, if you will, of that being a summary of what had occurred is accurate.

Q. Okay. Third sentence, "The subject fled the scene on foot, where at 4112 South Pulaski the subject was stopped by officers assigned to Beat 845 Robert."

First question, did you relay the information contained in that sentence to Investigator Briggs during your phone call on October 20th, 2014?

A. In this sentence, I believe that all of those details or facts described in that sentence are accurate and were relayed by me to Investigator Briggs.

And, again, I can't say that I used those exact words in one complete coherent sentence that says all of that in one sentence.

Q. Okay. Next sentence, "The officers announced their office as Chicago Police Officers and ordered the subject to drop the knife."

First question, did you relay that information to Investigator Briggs during your phone call on October 20th, 2014?

A. Again, not in those exact words, but, yes, that information was relayed to

Investigator Briggs with the exception of the fact that he's got the words, "Chicago police officers" in quotation marks, and I have no -- again, from being out there that night, interviewing all the officers involved, having written a number of reports involving this investigation, and talking about it on numerous occasions, no one -- none of the officers ever told me that the words they said were "Chicago police officers" when they were announcing their office.

And I obviously did not characterize that then to Investigator Briggs. If I had not heard someone say those words, I would not tell him that someone said those words.

Q. Okay.

A. I did tell him that the officers announced their office, and I believe all the reports that I've written said that all of the officers are pretty consistent in saying something along the lines of, "Police, stop. Police, drop the knife." But never do they say, "Chicago police officers, stop. Chicago police officers, drop the knife."

So except for that one clarification, again, that sentence are not the exact words I spoke to him, but the facts detailed in that sentence are accurate.

Q. Next sentence, "The subject lunged at the officers with the knife."

First question, did you relay that information to Investigator Briggs during your phone call on October 20th, 2014?

A. No, I -- again, being a detective -- being a police officer for 34 years and especially being a violent crimes detective for the last 25 years, details of the elements of a criminal offense are the most important thing we deal with.

I mean, when we're determining whether or not we have probable cause to arrest someone, when we're presenting a case to the State's Attorney's Office for the approval of criminal charges, it's very important how the facts are characterized. If you leave facts out, if you use words that don't convey all of the details, you're not conveying an accurate message to whoever.

And especially like with dealing with the State's Attorney's Office, they're they ones -- they're not on scene, they don't talk to all of the people that we do, so it's up to us to accurately relay to them what the facts are because that's what they're going to make their decision as to whether or not they're going to charge and what charge is the most appropriate.

So obviously you don't want to use language that doesn't accurately describe something and you don't want to use language that describes things that didn't happen.

Again, having spoken to every officer that was involved in this incident, no one has ever told me that they saw Laquan McDonald or felt that he was lunging at anyone.

In viewing the video myself, I have never had the impression that I see Laquan McDonald ever lunge at anyone in that video. And, again, in speaking about this case for almost two years, I can say with certainty -- because, again, my awareness of the importance of the details -- I have never described what Laquan McDonald did during this incident as a

lunge.

So the sentence, "The subject lunged at the officers with the knife" is just something that I never said and I did not tell Investigator Briggs.

Q. Okay. Understanding that -- putting aside whether or not you relayed that information -- or relayed -- said the word, "lunged" to Investigator Briggs on the night of October 20th, 2014, do you believe it's an accurate statement to say that the subject lunged at the officers with the knife?

A. No, I believe that's a misrepresentation by Investigator Briggs.

Q. You do not think --

A. And I don't know what he based that on. It certainly wasn't the words I told him because I never told him that Laquan McDonald lunged at anyone.

Q. So you do not think it's accurate to state that McDonald lunged at the officers?

A. Correct.

Q. Do you have any recollection of how you characterized McDonald's actions to Briggs

during your phone call?

A. I -- again, I don't know the exact words that I used. I know from what I saw and how I handled my investigations, I would have said something along the lines of McDonald attacked the officers or began to attack the officers.

Q. Okay --

A. And, again, there's many ways to attack. I wouldn't describe what he did as a lunge.

Q. Next sentence, "Fearing for their life and attempting to stop the threat, one officer, star number 9465, fired 16 rounds from his duty weapon, a Smith & Wesson 9mm handgun striking the subject numerous times."

First question, did you relate the information contained in that sentence to Investigator Briggs during your phone call on October 20th, 2014?

A. Yes, I did relay -- all of the facts detailed in that sentence were related by me to Investigator Briggs, not necessarily in those exact words and certainly not in one sentence

like that.

Q. Okay. And is that sentence accurate?

A. As best I know from what happened at this date.

Q. Okay. Next sentence, "After striking the subject, an ambulance was requested by the officers."

First question, is that -- did you relate the information contained in that sentence to Investigator Briggs during your phone call on October 20th, 2014?

A. Yes, the facts detailed in that sentence are accurate. Again, not the words necessarily that I actually used and certainly not in a sentence like that that I recall.

Q. Okay. But, generally speaking, the information that's contained in that sentence you relayed to Investigator Briggs during your phone call?

A. Yes.

Q. The next paragraph starts, "Upon arrival of Chicago Fire Department ambulance," I want you to review that paragraph, and after you've had a chance to look it over, I want to

ask if you provided the information in that paragraph to Investigator Briggs during your phone call?

A. In the first sentence I would have told him that Chicago Fire Department Ambulance 21 transported McDonald to Mount Sinai Hospital.

Pretty much the rest of that paragraph, aside from the time that he's expired, because I would have told him that McDonald was pronounced dead at 2242 hours, but the rest of that is information that I did not provide to Briggs.

The beginning of the second sentence where it says, "Once at Mount Sinai Hospital, emergency staff were unable to revive the subject," I have no idea what was done at Mount Sinai Hospital. I don't know if they rolled him into the ER and he was a flat-line, that they never found any signs of life; I don't know if they worked on him and performed any procedures in attempting to save his life and were unsuccessful.

So that statement that they were

unable to revive him, I don't know where that comes from. I did not say anything in any faintest resemblance to that statement.

I would have told him, as I told you, that he was pronounced dead at 2242 hours, the name of the doctor, the beat car has it -- Briggs has it spelled one way here, the Original Case Report by Officer Fontaine has it spelled a different way.

The spelling that I got from the detectives at the hospital is different. In fact, it's completely different. If you look at my report, the doctor that is credited with pronouncing Laquan McDonald deceased is Pitzele, I believe it is spelled P-i-t-z-e-l-e, which, depending on what your perspective is, is kind of close to what Briggs has here, but it certainly is not the name that Briggs has here.

After the doctor's name, the rest of that paragraph is basically a description of the injuries sustained by Laquan McDonald, and there is no way that I -- I couldn't have possibly told him any of that information because at the time I made this notification, the only things I

knew at that point were that Jason Van Dyke said he had fired his weapon 16 times and I was aware that Laquan McDonald had been shot multiple times, which means more than once.

I had no idea how many times he was hit, if all 16 shots struck him, if they were lodged or through-and-through injuries, which would create more than one hole, I had no idea anywhere near this kind of description of his injuries. So obviously Briggs got that from some other source, not me.

Q. Is it possible that the two detectives who were at the hospital, would they have had that information?

A. It's certainly possible that those detectives had that information. It's possible anyone from the police department who was present at the hospital with information may have made an additional call to Briggs and provided that information. It's possible that Briggs, in performing his duties, called the hospital to obtain additional information that I didn't know.

But it's obvious -- it's completely

totally obvious to me that the four pages of this report are not a summary of information he received entirely from me. It's obvious to me that he used additional sources and probably additional people to gather all the information he's summarizing in these four pages.

Q. And maybe that's a good segue maybe to kind of go through a little bit and determine what of the information in this Case Report came from you and what information didn't.

So if we could go to Page 1. There's a --

A. Let me ask you this: If you want to simplify things, I've gone through my copy of this report and kind of highlighted the information that I didn't provide him. So maybe that could save you some time, unless you feel obligated to ask every entry.

Q. Maybe we can quickly -- we'll quickly talk about what you did provide. So there's a the Decedent/Subject section on Page 1.

Did you provide Investigator Briggs with the information and the details contained in that Decedent/Subject section?

A. Well, with the exception of the ZIP code for his residence at [redacted], I would have told them that I received the information that the last known address that the Chicago Police Department had for Laquan McDonald was [redacted].

But obviously standing at the scene, I had no idea what the ZIP code is at [redacted]. And at that point I didn't pull out my phone and go on the internet and look up that ZIP code for that address.

So obviously he at some -- from some source -- and I'm assuming he looked it up on the internet or from a ZIP code directory book, if they still make those, he looked up that address and entered it into his report.

So under that Decedent/Subject category, the only information that I did not provide to him is the ZIP code of the residence.

Q. Let's see, in the Notification section on Page 1, fair to say that you provided him your name, title, and star number?

A. Yes.

Q. Did you provide him the beat number

of 5121?

A. Yes.

Q. And did you provide him the police report number of HX475653?

A. Yes. The only information in that section that I don't believe I gave him because I don't remember it and I don't recall ever doing that is the telephone number for my office, which is what that telephone number is. Again, I assume he looked that up from another source.

Q. Okay. In the Discovered section, did you provide him the information in that Discovered section?

A. There is some information that I did not provide. But, first of all, I would like to point out, if you look at that section at the bottom of Page 1 and the first two lines of Page 2, which is a continuation of that section, I think it's obvious if you look through all of the entries or the categories in that section, this is in reference to a dead body. This is the discovery of a dead body.

He has for the first entry,

"Discovered by: Chicago Police beat number 845 Robert." They did not discover a dead body. They were dealing with a live offender from the entire time he was at the scene, and I'm told that when he went into the ambulance, he still had a pulse. So the Chicago Police Department did not encounter a dead body at that point.

So, again, I -- I don't know what he's trying to convey here, but the section should really be, you know -- if you want to be totally accurate, it would probably be that someone at the hospital with the location of Mount Sinai Hospital would be the one to give you information about the discovery of a dead body because that is where he was -- until he was pronounced dead, he was alive.

And I know, again from all the information I received at the scene, that he definitely was still alive at the scene. So it's a technicality, but we're dealing with lawyers here, and that's what they live on is technicalities.

I'm assuming again the address -- he's got, "Discovered by: Chicago Police beat

number 845 Robert," that's Jason Van Dyke and Officer Joe Walsh's beat number.

He uses the address of the 8th District, which I did not provide him. Again, I'm assuming he looked that up in some reference that he's got.

The telephone number is my office telephone number, so I'm not sure why that's in there because I didn't discover the body, and I don't think any of the people from Area Central Bureau of Detective's Office discovered the body. The best I know, the people at the scene that encountered Laquan McDonald were all officers assigned to the 8th District.

"Title: Police officer," "Relationship: Police officer," I'm not sure what he's -- Beat 845 Robert are obviously police officers, but, "Relationship: Police officer." I'm not sure what that's indicating.

Last known alive, I guess that's accurate because the officers saw him alive on the 20th and he was pronounced deceased on the 20th, so that's accurate information. I'm not sure exactly how Briggs determined that.

Discover date and time, again, this is supposed to be in reference to a dead body, and he's got 10/20/2014, 9:56 p.m. That is the time when Jason Van Dyke and Joseph Walsh encountered and confronted Laquan McDonald.

That is not the time -- and, again, he was still alive attacking them with a knife at that time. So I don't know how that figures into Briggs' thinking that that's the time for the discovery of a dead body.

And then condition of body, multiple gunshot wounds, again, he's taking the fact that Laquan McDonald was shot multiple times and putting that in there for the condition of the body.

And I did tell him that McDonald had been shot multiple times but...

Q. How about Place of Occurrence/Incident, did you provide the information on that section to Investigator Briggs?

A. Yes, that would have been information I communicated to him except for the ZIP code of the address of occurrence because, again, I

didn't know the address at that point when I was calling from the scene.

Q. Okay.

A. So obviously he got that from some other source.

Q. And then Identification of Deceased?

A. This is a very confusing category for me personally. If you read my reports, they document the fact that Laquan McDonald was initially tentatively identified by his State of Illinois ID card that he had on his person, and subsequently that identification was confirmed by his fingerprints.

But at the time I made this notification to Briggs, we were working off that tentative identification. "Positive Identification: Coworker," I have no idea what that is supposed to be indicating because there was certainly no coworker of Laquan McDonald that I was aware of that had any contact with police.

Identification means fingerprints. Again, at the time I was making this notification, I knew that as part of the

standard procedure, at some point in time, Laquan McDonald's remains would be fingerprinted, but they had not been fingerprinted at this point.

And I confirmed that by looking at the crime scene processing reports from the forensic investigators. And he was, in fact, I believe, fingerprinted at the Medical Examiner's Office on the following day. I believe it was the 21st when the autopsy was done.

So, again, there's no way that I told him that he was identified by fingerprints at the time I made this notification.

Q. And maybe -- so on the second page in the -- or third page of the report in the narrative section, last full paragraph, "Subject was positively identified by the Chicago Police ICLEAR system based on a prior Chicago Police booking number, IR2106340.

I mean, does that -- how does that relate to the identification of the deceased?

A. To that particular -- specific fact, I was told by -- again, I don't remember who told me, I wrote it on a General Progress

Report, that someone had run, I'm assuming, the information off of the state ID card -- they had run a name-check on him in our database and come up with possible IR number, and I could have provided that to Briggs.

Q. Okay.

A. But, again, that had not -- the IR number is a distinct number assigned to every person that the Chicago Police Department arrests based on their fingerprints, and no fingerprint analysis or match or even fingerprinting process had been completed at the time.

That was someone ran a name-check based on the identifiers from the ID card and came up with that IR number. And I gave that to -- again, that was in my notes -- so I probably did give that number to Briggs as a possible IR number for --

Q. Would you have told Briggs the subject was positively identified by the Chicago Police ICLEAR system during your phone call on October 20th, 2014?

A. No, absolutely not. There's two

issues -- and, again, this goes back to my training and experience after my 34 years as a Chicago police officer.

When you come across a dead body, whether it be a natural or criminal incident, two of the very most important procedures that the police department has to accomplish is to identify the -- positively identify the subject and make a notification to the next of kin.

Identification is made either by having a family member, and not just a friend who knows him for the last five years, but we usually use a blood family relative to view the victim and say, yeah, that's my husband, that's my son, that's my daughter, you know, whatever.

That had not happened because at the time of this notification, we had not made contact with Laquan McDonald's family.

And the other more common way is -- or second more common way, whatever you want to call it, would be through fingerprints, and I just discussed, that had not even started yet.

Q. Do you have any independent -- well, independent of this document -- independent

recollection of what you did tell Investigator Briggs regarding McDonald's identification during your phone call?

A. I would have told him that, like I just told you, we had tentative information coming off the ID card, and I would have told him the same thing, someone ran him in our system and came up with a possible IR number.

Q. Going back to Page 2 of the Case Report, the Pronouncement section, did you provide the information in that section to Investigator Briggs during your phone call on October 20th, 2014?

A. "Place Deceased Pronounced," I would have told him he was pronounced at Mount Sinai Hospital. I did not specify ER because he could have died in surgery. I did not know where in the hospital he would have been pronounced, so I did not say ER. I would tell him hospital.

"Method of Pronouncement: On View," I'm not quite sure what that means.

"Hospital: Mount Sinai Medical Center," I would have told him Mount Sinai, and obviously I gave him the date and time.

And, again, I gave him the doctor's name that I have but, again, going to the credibility of his attention to detail in his report and all the other inaccuracies that are in here, that is not the name of the doctor with the spelling that I gave him.

And I would have gave him -- some of the very most important information we give them is the time of pronouncement and the doctor or the person who pronounces. And I certainly did not -- I did give him the name that I had in my report, but I did not give him this name.

Q. And doctor --

A. Now, it could be that I, in my reports, through my sources, other detectives, they have the wrong spelling and this is the correct spelling. But if that's the case, then Briggs didn't get that from me. Again, he got it from another source.

So, again, the information in these four pages is not entirely exclusively from me. This is a summary of information he gathered from a number of sources.

Q. "Fire Department on Scene," would

you --

A. I would have told him that Ambulance 21 transported the body to the hospital.

Q. Okay. And then going back to the narrative section --

A. And just by way of, again, attention to detail, the bottom of Page 2 "List of Person Interviewed," he's got my name and title and everything. Again, I don't recall giving him the office number. I'm assuming he got that off a list he has. I certainly -- he did not ask me, and I did not provide him with the address of my office. Again, he got that from another source.

Q. In the narrative section, last full paragraph, second sentence, "At the time of this report, it is unknown why the citizen was "holding the subject" since the citizen left the scene and could not be interviewed."

Did you provide the information contained in that sentence to Investigator Briggs on the night of October 20th, 2014?

A. I don't specifically recall relaying

that information to him. It is possible that I did and that statement is accurate, but, again, I don't recall making a statement exactly in that manner. But if he asked me, you know, did we interview the citizen who made the original call, I would have told him no because at that point, we hadn't.

Q. Did you inform Investigator Briggs that there was video of the shooting?

A. I don't recall if we discussed video or not.

Q. Okay. Do you recall whether he asked you if there was video of the shooting?

A. I don't recall.

Q. Generally speaking, do you recall providing Investigator Briggs with any information during your phone call on October 20th, 2014, that is not reflected in the Case Report?

A. It's possible, but I don't -- again, at this late date, I don't recall.

Q. No specific recollection?

A. No, nothing that I know for certain I told him that does not appear here.

MR. NEUMER: Time is 11:35 a.m. We're going to go off the record.

(WHEREUPON, a recess was had.)

MR. NEUMER: Time is 11:43 a.m. We're back on the record.

BY MR. NEUMER:

Q. Still talking about generally the Exhibit 5 Case Report. I wanted to ask you, Detective March, if at any time at the scene of the shooting on October 20th, 2014, at any time at the scene, did you tell a representative from FOP that McDonald lunged at Chicago Police Department officers?

MR. McKAY: Objection, that's outside your Notification of Allegations. Now he's supposed to defend some alleged statement to not Investigator Briggs and not Officer Dora Fontaine? Do you have an FOP report suggesting what, if anything, Detective March may have said?

That is outside your Notification of Allegations, and, as such, he should not be compelled to answer that.

MR. NEUMER: Can we read back the question.

(WHEREUPON, the record was read by the reporter.)

MR. McKAY: That's outside these allegations your office has alleged against Detective March.

Further, I submit, unless you have some report prepared by an FOP representative, you have no good faith basis to ask that question because there's nothing in Investigator Briggs' report about an FOP representative at the scene talking to Detective March.

Further, there's nothing in Officer Dora Fontaine's report, your Exhibit Number 6, that suggests there was an FOP representative talking to Detective March at the scene.

As a result, I ask that you strike that question and move on to something else.

Further, you have all the reports prepared by Detective March in this particular case; indeed, you used several of them at his interview in April. At no time, in no place do any of the reports generated by Detective March indicate he ever interviewed an FOP representative.

The allegations today and the allegations your office made back earlier this year that were the subject of the April 26th and April 27th questioning, at no time do those allegations indicate any false statements to any FOP representative, Mr. Neumer. As such, we ask that that question be stricken and we move on to what other questions are relevant to these new allegations you have alleged.

MR. NEUMER: As you know, Detective March has been ordered to answer OIG's questions, so I would ask that the court reporter read back the question to Detective March.

(WHEREUPON, the previous question was read by the reporter as follows:

"Still talking about generally the Exhibit 5 Case Report. I wanted to ask you, Detective March, if at any time at the scene of the shooting on October 20th, 2014, at any time at the scene, did you tell a representative from FOP that McDonald lunged at Chicago Police Department officers?".)

MR. McKAY: Again, I object. Are you

suggesting, Mr. Neumer, that an FOP representative and his or her statement, whether written or oral, is an official report? Because only official reports in this matter are what John Escalante wanted your office to investigate. I would ask that you answer the question, Mr. Neumer.

MR. NEUMER: The question --

MR. McKAY: He cannot be -- I'm sorry. I mean no disrespect.

Detective March cannot be expected to defend himself by way of ambush. Where does this FOP representative and some alleged conversation, where does that come from? None of the allegations your office has alleged.

What is your good faith basis as an officer of the court to even ask this question, Mr. Neumer?

MR. NEUMER: This question is relevant to our investigation --

MR. McKAY: How so? How so? We ask you to show us the relevance.

MR. NEUMER: Jim, Detective March is under order to answer our questions. I'm going to ask

the court reporter to read him the question.

THE WITNESS: She doesn't need to reread the question again.

BY THE WITNESS:

A. As I said previously in regards to your Exhibit 5, I do not recall ever in the past almost two years ever characterizing or describing anything that Laquan McDonald did on the night of October 20th, 2014, as a lunge to anyone.

I might add on top of that, at the scene that night, I do not remember having any conversation with any representatives from FOP regarding the details of what happened in this incident.

BY MR. NEUMER:

Q. I'm not sure if you're aware, FOP spokesperson Pat Camden described the -- described McDonald's actions to the press that night as a -- that McDonald lunged at the officers. If you know, do you know where FOP spokesperson Pat Camden got that information?

A. How would I possibly know? As I just told you, I don't remember having any

conversation with any representative of FOP. And I can tell you specifically Pat Camden -- and I know who he is -- I did not have any conversation with him at all that night.

And as far as where he got that, I mean, this is America and -- in spite of the conduct of the Inspector General's Office, this is America and people have a right of free speech. Pat Camden can say anything he wants.

I have no control over that, I have no idea what prompted him to say that, and I certainly, if he received information to that effect, I have no idea where it came from.

Q. Okay. And it didn't come from you --

MR. McKAY: I would reiterate, Mr. Neumer, John Escalante's letter we have talked about at length clearly states whether any officers made false statements on official reports submitted in connection with the shooting of Laquan McDonald on October 20th, 2014.

To suggest Pat Camden's statement to the press is an official report is absurd. Agreed or not?

And are we going to ask Detective

March about media reports, whether it's television or print media? That is ridiculous, especially in light of all the false information provided by the media in this case. You going to put them through this type of a sworn statement? I'd love to be asking them some questions under oath.

But, be that as it may, Detective March has answered your question. Whatever Pat Camden said to the media is not relevant to what John Escalante is asking your office to do.

Thank you.

BY MR. NEUMER:

Q. So, Detective March --

A. I'd just like to interject. Just before this exchange, I believe your last comment was that you are not saying that I made a statement like that to Pat Camden? And I would -- you said we're not saying that you made that statement to Pat Camden, but I would say on the record that the clear implication of your last question to me is that I am the source of that statement.

Q. I'm asking you whether --

A. Right --

Q. -- whether you --

A. -- your implication -- because there's no allegation but you're on your little fishing expedition and you're accusing me by implication by that question that I am the source of that statement, and clearly I am not.

Q. Okay.

A. As you just admitted that you knew before you asked the question.

Q. I don't quite follow but okay.

At this time I am going to ask my colleague if she has any cleanup questions with respect to the ME Case Report.

BY MS. WITZBURG:

Q. Just very briefly, Detective, on Page 1 there's a phone number under the Notification section and a phone number under the Discovered section. Those are both 312-747 exchange numbers. Are those both numbers for Area Central?

A. Oh, no. I'm sorry. I misspoke. The number under the Discovered looks like -- it's not -- just looking at it quickly, I thought it

was my office number. It's not. It probably is a number for the 8th District, which is the address right above it.

Q. Okay. So the 8380, is that the Area Central?

A. That is my office number.

Q. Does that phone -- is that specific to you, that exchange --

A. No, that's --

Q. -- is that the Detective Division number?

A. That's the entire office on the second floor.

Q. Okay. And 8730 is not an Area Central number?

A. Correct. Not that I know of. I believe it's the 8th District. I don't know for certain.

Q. Okay. Thank you.

MS. WITZBURG: That's it.

MR. NEUMER: Okay.

BY THE WITNESS:

A. I would just like to, since we didn't go there, make a couple other observations. On

Page 4 that we didn't deal with.

BY MR. NEUMER:

Q. Okay.

A. Near the top there it says there's an entry of "Temperature of Environment: 52 degrees Fahrenheit". There is no way that I told Investigator Briggs that the temperature at the scene that night was 52 degrees.

Again, he obviously went to some internet source or something, some weather site and found -- you know, just looked up the temperature. Because I can see how that would be relevant to the Office of the Medical Examiner, but that certainly didn't come from me as you're suggesting everything else in this report is from me.

And then a short way under that entry, there's an entry for "Photographs Taken on Scene" and it says, "False."

Again, not being familiar with all of the workings of the Medical Examiner's Office, I have no idea what that is indicating. And if that is supposed to be Briggs indicating that I told him that photographs taken at the scene is

false, that is a false representation because at the time of the notification that I made this notification, I don't believe photographs had been taken, but the crime lab, the Forensic Services personnel were on the scene in the process of processing the scene, which included not just photographs but also video.

So that is an inaccurate entry. And, again, it just goes to the credibility of using this report to say that I said anything exactly in the words that he used.

Q. I'm now going to put -- I'm going to take Exhibit 5 back and put Exhibit 6, the Original Case Incident Report in front of you.

(WHEREUPON, the document was tendered to the witness.)

BY MR. NEUMER:

Q. And who completes an Original Case Incident Report?

A. Well, it can potentially be any member of -- any sworn member of the Chicago Police Department.

I believe even with all the civilianization we've gone through, I believe

it's still sworn members only that are -- and maybe I'm wrong, but still to the best of my knowledge, it's only sworn officers that can actually initiate or create an Original Case Incident Report. So in the case of this incident, it would have been whichever officer was assigned to do that task -- to perform that task.

Q. Is it generally officers that complete the Case Incident Reports as opposed to detectives?

A. The vast majority of times, but there are times when a detective will create an original report.

Q. When would a detective create an Original Case Incident Report?

A. In an incident where he becomes aware of the crime and -- just his dealing with it. So, you know, rather than calling to have a beat car assigned and tying them up --

Q. Sure.

A. -- and the detective, the detective will just, you know, save some resources and just create the original report themselves.

Q. Got you. And so what's the review chain for a Case Incident Report?

A. The member who prepares the report, it's all computerized now. We have a system that's called AIRA -- I believe it's A-I-R-A -- which is for creating original computerized incident reports. Officers can do that in the mobile PDTs -- I don't know if that's police data terminal -- that they have in the cars, or they can do it on any computer in the police facility. But, as I said, no longer do we write -- hand-write reports out by hand; it's all done on computer.

And so there's a number of screens that the officer will go through and enter the information that's requested. They enter -- I should specify that they enter the information that they have or are aware of at that time.

All of these are usually what is called as preliminary investigations. When the investigation is just starting, the civilian, if you will, is just initially reporting it to the police, so sometimes the officer making -- initiating the report doesn't have all of the

facts or may be given wrong information by the people they're talking to.

But it's basically that officer goes through the different screens and enters the information that is requested to the best of their knowledge.

Q. And after the officer or, in certain instances detective, completes the Case Incident Report, who next reviews that report?

A. Once the officer has entered all the information and they're satisfied that they have everything the way they want it on the report, on one of the screens, there's a "Submit" button. When they click on that button, it is then considered submitted.

In fact, if you were to look at the system in more detail, a report that has not been submitted yet, somewhere near the top of the report, it will say, "Preliminary" because it has not been submitted. That report is basically nothing; it's just a report in progress.

Once it is submitted, then if you were to print the report up then, it would say

somewhere near the top, "Submitted." And then a supervisor, normally it's a sergeant, would review the report and approve it.

Once the sergeant reviews the report and is in agreement with it or whatever and decides he's ready to approve it, there's a screen in his computer that he clicks on the "Approved" button. At that time, the report becomes approved, and, again, if you were to print a copy of the report after that, it would say, "Approved" somewhere near the top of the report.

Q. Yep. Yep. Okay. Does the detective assigned to a case generally look at the case incident report before it's finalized?

A. No, the vast majority of criminal incidents that are reported by, you know, patrol personnel, there is no detective on the scene. It's a civilian reporting a crime to the officer. The officer enters his information, submits the report. His sergeant approves it or a sergeant will review and approve it.

And then subsequent to that, it will be assigned to a detective. And then that's

like normally the first opportunity the detective has to even know the report exists, much less read it and review it.

Q. So generally speaking, the Case -- the Original Case Incident Report is approved and finalized before a detective even gets assigned?

A. Correct.

Q. Who prepared this Exhibit 6 Original Case Incident Report?

MR. McKAY: Objection to speculation unless he knows.

BY THE WITNESS:

A. I can only speak -- again, I wasn't present when this report was created and submitted in the computer system. I can only go by the computer entries on the last page of this report, but it -- I know that Dora Fontaine was at the scene, I know that she was one of the officers assigned to the car that was assigned to do the original report, and it says reporting officer is Dora Fontaine.

So it was either Dora Fontaine or someone logged into the computer system as Dora

Fontaine. That's the only thing I can say for certain.

Q. Okay.

A. It probably was Dora Fontaine.

Q. Did you direct Officer Fontaine to complete this Case Incident Report?

A. No, her sergeant did. One of the 8th District sergeants assigned their car or her car to, you know, be the quote/unquote paper car to create the Original Case Incident Report.

Q. Did you speak -- I know -- based on our interviews in April, I know you spoke to Officer Fontaine at the scene of the shooting regarding what she had witnessed. Putting those conversations aside, did you speak to Officer Fontaine at the scene of the shooting regarding her completion of this Original Case Incident Report?

A. I believe I just checked with her what classification she was going to use, what address, date and time of occurrence.

And then obviously, as we've already spoken about, I made the notification to the Medical Examiner's Office so I gave her

Investigator Briggs' name and badge number to -- because technically the notification responsibility is the beat car, so I did that for them and gave her the information so it could be entered on the report.

Q. Okay. And so just to -- just for the record, what was the information you provided, the --

A. I told her I notified the Medical Examiner's Office and here's the name of the investigator and here's his number.

Q. Oh, okay. Okay. Is --

A. Which she apparently entered on the report because it is in there and I didn't enter it.

Q. Did you provide Officer Fontaine with any of the other information that is contained in this Exhibit 6 report?

A. No.

Q. Do you know where she would have gotten the information in this report that lists Officer Gaffney, Officer Van Dyke, and Officer Walsh as victims?

A. Either from talking to those

individual officers or from someone else who had spoken to the officers.

Q. Okay. She did not get that information regarding the victims from you?

MR. McKAY: Objection, asked and answered.

BY THE WITNESS:

A. I believe I -- in our previous interview from April, I -- there was a question as to, you know, how this classification, whatever -- I think we had a conversation about who would be listed as a victim -- as victims on this report, and so obviously -- I don't know if Dora Fontaine was part of the conversation I was involved in.

Most of my conversations were with supervisors, and I don't recall if Dora Fontaine was there or not. But it was decided that we would list three victims, Officers Gaffney, Van Dyke, and Walsh.

Q. Right, but you don't have a specific recollection of telling Officer Fontaine, "You should list these three individuals as victims in your Original Case Incident Report"?

A. No, I don't recall that.

Q. Were you responsible for approving this Original Case Incident Report?

A. Absolutely not. As a detective, I have no authority to go into the computer system and approve anyone's report. Only a sergeant and above can do that.

Q. Let me back up, actually. In the Injuries section on Page 1, it says, "Injury info, PO Van Dyke, Number 12865, Jason - victim" and then underneath that it says, "Injured by offender."

Did you direct Officer Fontaine to include that, "Injured by offender" language in the report?

A. No.

Q. Do you have any knowledge as to why Officer Fontaine included that language in the report?

A. I can only speculate as to why that entry is in the report. The most likely reason that I can think of is that, again, as I explained, she was on the computer dealing with different computer screens.

And for this -- I know that for this,

"Injured by offender" entry, it's just a -- I believe they call it a radio button in computer terminology, but it's just a button you click on if that's the entry you want on the report.

My best guess would be that somehow she clicked on that button by accident because at no time did Jason Van Dyke tell me that he was injured, at no time did anyone else tell me that Jason Van Dyke or that anyone else was injured during this incident besides Laquan McDonald.

And I don't know if maybe Dora Fontaine thought he was or someone told her that he was, but I tend to believe that this was more of an accident because here's the thing: When an officer intentionally -- if they have a victim who is injured and they are intentionally clicking on that button to indicate that the victim was injured by the offender, there are then some subsequent drop-down menus that are normally -- a choice is made to also make an entry.

So in that case, let's say if this was -- Van Dyke was injured, you would have the

entry, "injured by offender." It would then say, "nature of injury" and a drop-down menu -- some of the -- not all of the selections, but -- this is not an inclusive list, but some of the -- and, again, these are all computer choices. These are not the words of an officer entering it.

Some of the entries and selections -- or possible selections in the drop-down menu are gunshot wound, stab wound, blunt force trauma, abrasion, bruising, along those lines.

And then there's another drop-down menu for the weapon used or instrument used to inflict the injury. Is it a firearm, is it a knife, is it a blunt instrument, is it hands if someone is punching someone.

So, again, my feeling or my interpretation of this is, if that was an intentional entry by Dora Fontaine, I would expect there to see the entries from the subsequent drop-down menus here. And those are not here, so that makes me think more likely than not, this was -- you know, I'm sure -- I know I have, most people I know have at some

point in time clicked on the wrong button on the computer and gotten a result that they didn't want, and I think that's what happened here.

I might also add that most of the entries from this Original Case Report, once it is approved, when I create a report subsequent to that, the report -- what I'm starting with is not a blank report. I'm starting with the information populated from this report. And then it's up to me to create -- to correct any errors and to update any information if I learn something that's different from what the beat officer had in their report.

And I can tell you from looking at my reports, nowhere in my reports does this injury section appear at all.

Q. Okay.

A. And I don't specifically remember doing this, but when I created a report, I go through all the screens to make sure the information is accurate as far as what I know, and if that box "injured by offender" had been checked, I obviously unchecked it because in my reports, this does not appear.

Q. I got you. Did you review this Exhibit 6 report before it was finalized?

A. No.

Q. Do you --

A. And there's no -- I might also add that there is no evidence anywhere that I had anything to do with the drafting or the reviewing or the approval of this report.

Q. Do you recall when you first saw this Exhibit 6 report?

A. Sometime the following morning after it was approved, I believe.

Q. Your name on Page 4 -- bottom of Page 4 in the Personnel section, your name and PC number are listed, along with the date of -- well, I should ask you, is that your PC number next your name at the bottom of Page 4?

A. Yes.

Q. And then a date and time is -- next to that PC number is October 21st, 2014, 15:01.

What does that time signify?

A. Well, again, Mr. McKay alluded to this at the beginning of this proceeding when he said John Escalante would never have made the

allegations that I am now facing regarding this report because if you just look at this report, it logically tells you what happened here.

The bottom line -- the last line of this page is that Dora Fontaine submitted the report on 21 October 2014 at 0432 hours, which is 4:32 a.m. That is the time the computer assigns. She didn't pick that time; that is the time the computer assigns when she clicks the "Submit" button.

The next time chronologically is the top -- the top line here, Sergeant Stephen Franko, it's got his approval time at 21 October 2014 at 0518 hours, that's 5:18 a.m. That is, again, not a time chosen by Sergeant Franko. When he clicks -- when he goes in there as a supervisor and clicks on the "Approval" button, that time is assigned by the computer.

And, again, First Deputy Superintendent John Escalante would know these things.

My name is on the middle line there, and it says -- my name is associated with a time of 21 October 2014 at 1501 hours, which is

3:01 p.m. on that same day. So it's almost -- it's getting close -- it's about ten hours after Sergeant Franko approved the report.

And, again, First Deputy Superintendent Escalante would know that Dora Fontaine's entry is in regards to when she submitted the report; Sergeant Franko's name is in regards to the time he approved the report; my name is the time at which a supervisor or a detective assigned to the Area Case Management Office went into the computer system and administrative -- knew that I was the assigned detective and went into the system and administratively assigned the job -- this incident to me on 21 October 2014 at 1501 hours.

Again, that's the time it was administratively assigned to me. It was actually assigned to me many hours earlier on the night of the 20th by Sergeant Gallagher verbally in person, but it didn't make it into the computer obviously until all these steps occurred.

And, again, First Deputy Superintendent John Escalante would know all

this and, therefore, never would have made these allegations, two of which -- not just one, two of which I'm looking at regarding this one report.

MR. NEUMER: At this time I'm going to turn it over to my colleague for follow-up questions.

MS. WITZBURG: Thanks.

BY MS. WITZBURG:

Q. Detective, you mentioned that there was a conversation on the scene having to do with who would be designated as a victim; is that right?

A. Correct.

Q. Tell us a little bit more about that conversation. Who else --

MR. McKAY: Objection, this has been asked and answered in April. You were here, Peter, Kris Brown was here, with all due respect to Ms. Witzburg, she was not. That's why she doesn't know about that conversation. You do.

That's not the purpose of this second interview is to do a do-over of the first interview, so I'm objecting to these questions.

And I ask that Ms. Witzburg move on

to questions that are related to yours pursuant to the Collective Bargaining Agreement. She can ask follow-up questions of your questioning, not do a discovery deposition of something she may not have personal knowledge of because she was not present for the April interviews.

MR. NEUMER: I mean, I think the question is reasonable and I would just ask the court reporter to read it back to Mr. -- Detective March.

(WHEREUPON, the record was read by the reporter.)

BY THE WITNESS:

A. Maybe you could repeat the -- ask me what you want to know.

BY MS. WITZBURG:

Q. Who participated in that conversation?

A. I do not recall all of the parties. I know obviously myself was part of it. I believe Sergeant Gallagher was part of it, and ultimately I know Deputy Chief David McNaughton, who was the on-call incident commander, the highest-ranking department member on the scene

in charge of the entire scene, he ultimately weighed in on it.

Q. Okay. And do you know which person who had participated in that conversation gave the information to Officer Fontaine as to who to designate as victims in that report?

A. I don't recall how that information got communicated to her.

Q. Do you recall if it was you?

A. No, I don't recall.

Q. Okay. So it could have been but you're not sure?

MR. McKAY: Objection, asked and answered.

I also ask the record reflect that this questioning, in my mind, is violating Subsection C of Section 6.2 of the Collective Bargaining Agreement which clearly mandates that if there is a second interviewer, that second interviewer will ask follow-up questions for clarification purposes only. She cannot or he cannot conduct questioning of a witness during a second interview after it had already been gone into during the first interview several months ago.

BY MS. WITZBURG:

Q. Detective March, you told us you first saw this report, I believe you said, sometime the following day, sometime on October 21st; is that right?

A. Sometime that morning.

Q. Okay. Generally speaking, when you're assigned to an investigation, when you review the Original Case Incident Report, if you discover something that you consider to be an error in that report, what steps would you take?

A. As I just -- I think I just went into that. When I go in to create my subsequent reports, if there's any information that's inaccurate, I correct it.

If there's additional information that the officer didn't have at the time that I now have, I add that and update the -- I update everything to the most accurate information that I have available to me.

Q. Understood. To ensure the accuracy of your subsequent reports, correct?

A. Correct.

Q. Would you take any steps as far as

correcting the original report itself or noting anywhere that that report contained an error?

A. No, for integrity of the report, once the report is approved by a sergeant, it cannot be changed. That is the original report. Any subsequent reports that need to -- have updated information, you create that information in the updated reports.

Like I said, in this case, I don't specifically remember that, but it makes sense -- I mean, it would most likely be that this obviously does appear, this entry about Van Dyke being injured by offender obviously does appear in the approved version of her report.

So, again, I don't specifically recall this, but it should have carried over and populated my report when I created my report in the computer, and then when I went through all the screens to make sure the information was accurate and update new information that I had, I -- again, that information is not in my report, so, again, I don't specifically recall taking this action, but I probably unchecked

that button so that my report was accurate as far as what the facts were as I knew them.

Q. Okay. And did you record anywhere your impression that the original report contained this inaccurate fact?

A. No, and there's no requirement that I do that.

Q. Thanks.

MR. McKAY: I would object to that question because that's not alleged by the Office of Inspector General in the Notification of Allegations.

He is being asked about either reviewing and approving her report or assisting in the drafting. There is no allegation that he's under some duty to correct a report he did not prepare nor did he approve.

MR. NEUMER: The time is 12:17 p.m. We're going to go off the record.

(WHEREUPON, a recess was had.)

MR. NEUMER: Time is 12:20 p.m. We're back on the record.

BY MR. NEUMER:

Q. Detective March, we have no further

questions for you today; however, understanding the nature of our investigation, if there's any other information you think is -- we should know, now is your opportunity to provide that information on the record.

MR. McKAY: Well, can I ask you a question, Peter? You made -- your office, I should say, made four allegations, three of which are somewhat specific, the fourth one is just an overall allegation based on the first three.

Are you going to specifically ask Detective March whether he admits or denies your allegations?

MR. NEUMER: I mean, I think the -- I think his answers have specifically addressed each of the Notice of Allegations. If there's anything he would like to say regarding allegations one through four, the floor is yours.

MR. McKAY: All right. If I may?

EXAMINATION

BY MR. McKAY:

Q. Detective March, drawing your attention to the Office of Inspector General's Exhibit 3, number one, on October 21st, 2014,

did you review and approve an Original Case Incident Report, which includes an event number of 1429315878 and an RD number of HX475653, even though it falsely stated that Officer Jason Van Dyke was "injured by offender"?

A. My response to the allegation is the allegation is entirely false. I have no authority to review and approve anyone's Original Case Incident Report, and in this case, I did not review and approve the Original Case Incident Report.

Q. Directing your attention to allegation number two of the Inspector General's Exhibit 3.

On or about October 20th, 2014, or October 21st, 2014, did you assist in the drafting of the OCIR which falsely stated that Officer Jason Van Dyke was "injured by offender"?

A. No, I did not assist in the drafting of that report, especially regarding the point at which it states that Officer Van Dyke was, "injured by offender."

Q. In fact, sir, in all of the reports

that you did create, whether they were supplemental reports or GPRs of witness interviews, did you at any time indicate that Officer Jason Van Dyke was injured by Laquan McDonald?

A. No, never.

Q. Regarding allegation number three of Inspector General's Exhibit Number 3, did you, on or about October 20th, 2014, make a false statement to Investigator Earl Briggs of the Cook County Office of the Medical Examiner when, with respect to the McDonald shooting, where Briggs wrote down, "McDonald lunged at the Chicago police officers assigned to Beat 845R with a knife," what do you say about that allegation?

MR. NEUMER: Just for the record, Jim, can you note that you added some additional language to the allegation number three in your recital of it.

MR. McKAY: Well, I will only because you and your office stated Detective March stated to Briggs that McDonald lunged at Chicago police officers. It's Detective March's position he

didn't state that at all to anybody.

BY MR. McKAY:

Q. So I would ask, Detective March, how do you respond to allegation number three of the Inspector General's Exhibit Number 3 as they have specifically alleged?

A. The allegation is entirely false. I never made a false statement to Investigator Briggs especially to the point where it's alleged here that I said that -- or that I stated that McDonald lunged at Chicago police officers assigned to Beat 845 Robert with a knife.

I might also add that has been well documented now in our review of that report, there is a vast array of information contained in that report that no way could have possibly come from me at the time that I made that notification from the scene.

So obviously that report is a summary of a lot of information that Investigator Briggs obtained from a number of different sources, and, as I already detailed in our discussion of that report, it is not a summary of information

he obtained exclusively from me.

I also might add, again as to the credibility of his report being used for any allegations against me and his attention to detail to record facts, the most glaring of which he's got the incident occurring on the wrong date, which does not appear to me to be a typographical error where he just got one number wrong; he got both numbers wrong on the date, the first and the second number. So it doesn't appear to be just a simple typo to me.

Again, so it goes to the credibility of that report being used as a -- regarding his attention to detail and that being used as a factual basis for any allegations against me.

I also might add that there was absolutely no motive for me to misrepresent Laquan McDonald's action during the confrontation with Jason Van Dyke because right from the beginning, I told Investigator Briggs this was a police officer-involved shooting where the offender had been shot and killed. And I told him that the subject, Laquan McDonald, had been struck multiple times by

gunshot wounds.

So there is no way using the word "lunged" as opposed to any other word would have made a difference to the Medical Examiner's Office. It was very clear that night at the scene before the Medical Examiner's Office ever got the body that their ultimate finding was going to be that the cause and manner of death would be multiple gunshot wounds, homicide.

The only question left was whether or not Jason Van Dyke's use of deadly force was justified or not, and the Medical Examiner's Office does not weigh in on that. All they do is make the determination that the cause of death is multiple gunshot wounds, because there's more than one gunshot wound -- and the manner of death is homicide.

And in the terms that the Medical Examiner's Office uses, all that indicates was that this person was killed by another person, not by a car crash or anything else. Whether or not it was a crime or a justifiable homicide or an accident, the Medical Examiner's Office doesn't make that determination. That is

determined through all of the subsequent investigation that was -- is conducted.

So the portrayal of Laquan McDonald's actions in a preliminary notification to the Office of the Medical Examiner would have had no -- absolutely no bearing on their findings in this matter.

And so, therefore, I think, again, that's consistent with me, again, knowing about the importance of details of the elements of a crime and knowing in almost two years of talking about this case, in writing, in verbally, in front of different authorities, I never -- have never used the word, "lunge" or, "lunged" to characterize what Laquan McDonald did that night.

And I wouldn't have used it as quoting of any of my witnesses because none of the witnesses I spoke to ever used the word, "lunge." And, again, as I already said, when I viewed the video, what I viewed I never characterized as a lunge.

So, again, I believe what's in Investigator Briggs' report in addition to his

inaccuracies are his words, using his words, he summarized all of the information he gathered that night.

Q. In your preparation of your official reports in this case, did you ever use the words or the phrase that Laquan McDonald lunged at Chicago police officers?

A. No.

Q. Finally, regarding allegation number four in Exhibit Number 3 of the Office of Inspector General, which alleges that you were incompetent in the performance of your duties in the ways enumerated in allegations one through three, how do you respond?

A. I find it very, very -- I find allegation number four maybe the most offensive allegation that I am facing regarding this investigation, and here's why: My mother and father did a wonderful job raising five children, okay? They taught me the importance of being a conscientious student in school and a conscientious employee in the workforce, the importance to showing to work on time, giving your best effort to anything that you do, okay?

I, over 34 years of employment with the Chicago Police Department -- and no one in the Inspector General's Office probably has any idea, but within the organization of the Chicago Police Department, I have a reputation for being very complete, very thorough, very professional, and very competent, okay?

And I'm not using these words just because I have a Donald Trump ego, okay? People have told me that. Supervisors have told me that. Prosecutors in the State's Attorney's Office of Cook County have told me.

I've dealt with law enforcement agencies at the federal level, state level, county level, city level, other municipalities, and never once -- and you can check my disciplinary record -- has anyone ever made any kind of indication that my work is anything but complete, thorough, professional, and competent.

And I find this allegation, as I said, the most reprehensible and offensive of anything that I encountered so far during the course of this investigation. And I would just caution the Inspector General's Office, who

likes to use these words very generously, to be careful in their terminology because the words they're using during the course of this investigation could very well come back and used to judge their competence and professionalism and thoroughness and completeness.

Q. In addition to that, Detective March, is there anything you wish to add to what you have already testified under oath to?

A. No.

MR. McKAY: Thank you, Mr. Neumer.

MR. NEUMER: The time is 12:31, and this interview is concluded.

(WHEREUPON, the interview was concluded at 12:31 p.m.)

C E R T I F I C A T E O F R E P O R T E R

I, MICHELLE M. YOHLER, a Certified Shorthand Reporter within and for the County of Cook, State of Illinois, do hereby certify:

That previous to the commencement of the examination of the witness, the witness was duly sworn to testify the whole truth concerning the matters herein;

That the foregoing interview transcript was reported stenographically by me, was thereafter reduced to typewriting under my personal direction and constitutes a true record of the testimony given and the proceedings had;

That the said interview was taken before me at the time and place specified;

That I am not a relative or employee or attorney or counsel, nor a relative or employee of such attorney or counsel for any of the parties hereto, nor interested directly or indirectly in the outcome of this action.

IN WITNESS WHEREOF, I do hereunto set my hand and affix my seal of office at Chicago, Illinois, this 26th day of July, 2016.



C.S.R. Certificate No. 84-4531.

Exhibits

March Exhibit No. 1 3:11 5:11,20

March Exhibit No. 2 3:12 31:17,19 32:7

March Exhibit No. 3 3:13 32:17,19 33:2 125:24 126:14 127:8 128:5 132:10

March Exhibit No. 4 3:14 33:10,13

March Exhibit No. 5 3:15 34:2,4 49:22 50:8 93:8 95:17 97:6 103:13

March Exhibit No. 6 3:17 34:17,22 35:3,10,16,17 94:13 103:13 108:9 110:18 116:2,10

0

0432 117:6

0518 117:14

07/25/2016 5:21 31:20 32:20 33:14 34:5,23

1

1 3:11 5:11,20 33:6 52:10 79:11,21 80:21 81:18 100:17 112:8

10/20/2014 84:3

11:35 93:1

11:43 93:4

11:51:59 52:12

12 8:18

125 3:6

12865 112:9

12:17 124:18

12:20 124:21

13 6:12 40:24 42:9

13th 16:16

14 29:4

1429315878 10:2 34:20 126:3

1501 117:24 118:15

15:01 116:20

15th 16:17 41:3

16 74:14 78:2,6

17 6:15

18 22:16,17 35:13, 20,22

19 63:23 64:11

19th 64:19 68:15

2

2 3:12 31:17,19 32:7 81:19 89:9 91:8

2-56 30:19

20 33:3 64:13

2014 34:9 45:9 50:9 52:12 54:3, 13,19 56:5,14 63:18,23 64:6,11, 13 65:23 69:8,22 71:9 73:10 74:20 75:11 87:23 89:13 91:23 92:18 93:10 95:20 97:9 98:20 116:20 117:6,14, 24 118:15 125:24 126:15,16 127:9

2014-01071 9:24

2015 6:15 16:17 41:3

2016 4:19 6:12 9:2, 10,18 16:16 23:9 31:23 32:4 33:3,20 34:14 35:7 40:24 42:9

20563 43:7

20th 31:23 32:4 33:20 34:14 35:7 45:8 50:9 52:12 54:3,13,18 56:4,14 63:18 64:6 65:23 69:8,22 71:9 73:10 74:20 75:11 83:22, 23 87:23 89:13 91:23 92:18 93:10 95:20 97:9 98:20 118:19 126:15 127:9

21 76:6 91:3 117:6, 13,24 118:15

2156 63:23

21st 34:9 86:10 116:20 122:5 125:24 126:16

2242 76:11 77:5

24 53:20

25 9:5 71:13

25th 4:19 23:9 35:18

26th 8:16 19:8,24 22:20 23:5 25:22 35:14 36:14 39:23 95:3

27th 8:16 19:8 20:1 22:21 36:14 39:23 95:4

3

3 3:13 32:17,19 33:2 55:19 125:24 126:14 127:8 128:5 132:10

300 4:21

31 3:5,12

312-747 100:19

32 3:13

33 3:14

34 3:16,17 44:5 71:11 88:2 133:1

3:01 118:1

4

4 3:14 9:2,18 13:10,22 33:10,13 102:1 116:13,14, 17

4112 69:2

41st 64:1,23 65:4

48 37:3

4:32 117:7

4th 9:10

5

5 3:11,15 34:2,4 49:22 50:8 93:8 95:17 97:6 103:13

50 45:18,19,20

501 80:2,6,8

5121 81:1

52 102:6,8

5:18 117:14

6

6 3:17 34:17,22 35:3,10,16,17 94:13 103:13 108:9 110:18 116:2,10

6.2 121:16

8

800 4:21

813 55:15

815 63:24 64:23 65:8,12,17 66:2,9, 10,16

8380 101:4

845 69:4 82:1 83:1, 17 128:12

845R 127:14

8730 101:14

8th 63:24 64:22 65:13,14 83:4,14 101:2,17 109:8

9

9465 74:14

9825613 34:20

9:00 25:11

9:56 84:3

9:59 4:20

9mm 74:15

A

A-i-r-a 105:6

a.m. 93:1,4 117:7, 14

abrasion 114:11

absent 24:14

absolutely 17:16, 19 54:21 56:6 87:24 112:3 129:17 131:6

absurd 98:22

accident 113:6,15 130:23

accomplish 88:7

accord 52:13

accordance 59:9

Accountability 19:2 42:8,21

accuracy 4:6 122:21

accurate 52:19 56:15,16 57:18 63:20 64:9 68:10, 17,24 69:11 71:4, 23 73:11,20 75:2, 13 82:11 83:21,23 92:2 115:21 122:19 123:21 124:1

accurately 56:3,7 72:5,10

accused 6:5,23 22:3

accused's 58:12

accusers 13:24 41:12

accusing 100:5

acknowledge 5:17 10:6 27:20 30:24

act 67:10

action 16:3 29:17 123:24 129:18

actions 73:24 97:19 131:4

Adams 4:21

add 97:11 115:4 116:5 122:18 128:14 129:2,16

added 127:18

addition 10:9 27:8 131:24

additional 40:9 78:19,22 79:4,5 122:16 127:18

address 57:5 80:4,11,16 82:23 83:3 84:24 85:1 91:13 101:3 109:21

addressed 125:15

administrative 7:16 8:9,11 31:1 60:5 118:12

administratively 118:14,17

admits 125:12

admitted 100:9

advice 38:11 40:8

advise 7:21 8:6

advised 10:22 25:12,19 28:16 29:2 38:22 40:19

advisement 3:11 5:12 23:2 27:16,18 31:8

Advisements 5:10

advising 23:7

Affairs 24:20 36:7 46:1 58:15

affidavit 17:4,5 18:8 41:19,23

affidavits 16:7

age 52:7

agencies 133:14

agency 7:18 11:18 39:19 43:19 50:3 58:15

agency's 50:2

agent 9:12 59:4

agents 19:10 39:20 42:16

agree 15:9 35:19

agreed 20:6 98:23

agreement 16:20 23:14 38:21 58:13 60:1 107:5 120:2 121:17

Agreements 40:14

aid 4:6

AIRA 105:5

alive 82:16,19 83:20,21 84:7

allegation 7:7 100:4 124:15 125:10 126:6,7,13 127:7,16,19 128:4, 7 132:9,16,17 133:20

allegations 3:13 6:9,10,16 7:10,12 16:9,11,15 17:3,8, 10,18 18:4,15,19 32:16,23 33:2,7 40:16 41:10,16 42:1,2 93:15,22 94:4 95:1,2,5,9 96:15 117:1 119:2 124:12 125:8,13, 16,17 129:4,15 132:13

allege 18:1 41:1

alleged 93:16 94:4 95:9 96:13,15 124:10 128:6,10

alleges 41:4 132:11

alleging 17:1,17 18:9,11

allowed 31:2

alluded 116:22

aloud 27:21 28:8, 23 29:12,20 30:3, 13,22 31:2,5

ambulance 75:6, 22 76:6 82:5 91:3

ambush 96:12
America 98:6,8
Amicus 4:20
analysis 87:11
announced 69:17 70:18
announcing 70:10
answering 28:5
answers 27:6 39:24 125:15
anyone's 112:5 126:8
apparently 110:13
appearance 6:2,5
appears 13:21 15:5
applicable 11:13, 24 17:9 38:21 42:13 58:23 59:8, 10
applies 41:6 42:18
apply 60:9
approval 6:7 71:19 116:8 117:13,17
approve 11:4,19 17:13 107:3,6,22 112:5 124:17 126:1,8,10
approved 6:17 107:8,9,11 108:5 115:6 116:12 118:3,8 123:4,14
approves 17:22 107:21
approving 112:1 124:14
April 8:16 18:16 19:4,8,24 20:1 21:17,19 22:15,20, 21 23:5 26:15 35:14,20 36:14 37:7 38:2 39:23 42:9 59:15 94:21 95:3,4 109:12 111:8 119:17 120:6
arbitrator 20:5,7, 11 40:2
Area 43:11 83:10 100:21 101:4,14 118:10
Arizona 7:23 8:7
array 128:16
arrest 71:17
arrests 87:10
arrival 65:16 75:22
asserting 39:8
assigned 41:7 43:10 51:8,12 66:9 69:4 83:14 87:8 104:7,20 107:14, 24 108:7,20 109:8 117:18 118:10,12, 14,17,18 122:8 127:14 128:12
assignment 43:9 66:3,20
assigns 117:8,9
assist 126:16,20
Assistant 5:2
assisted 17:14
assisting 6:23 50:18 124:14
assume 41:17 44:11,21 65:7 81:10
assumed 65:12, 15
assuming 16:7 46:18 53:14 65:9 80:13 82:23 83:5 87:1 91:11
assurances 38:18
attack 74:6,10
attacked 74:6
attacking 67:5,10 84:7
attempting 24:12 74:13 76:22
attending 48:19 49:1 51:2
attention 90:3 91:7 125:23 126:12 129:4,14
attorney 5:5 36:20
Attorney's 39:13, 14 61:3 71:19 72:2 133:11
audio 4:8,12,15 58:17
authored 36:13
authorities 131:13
authority 112:4 126:8
autopsy 46:8 86:10
aware 20:12 47:19 54:9 78:2 85:20 97:17 104:17 105:18
awareness 72:22

B

back 18:16 21:16 35:20 57:16 61:9 63:13 88:1 89:9 91:5 93:4,24 95:2, 12 103:13 112:7 120:9 124:21
badge 110:1
bargaining 16:20 23:13 38:21 40:14 58:13 60:1 120:2 121:17
based 17:18 43:23 47:13 73:16 86:18 87:10,15 109:11 125:10
basically 77:20 106:3,21
basing 16:14
basis 16:9 18:12 28:21 29:17 30:19 94:8 96:16 129:15
bearing 131:6
beat 51:11 56:24 63:24 64:22 65:8, 13,14,15,16 66:2, 16 69:4 77:6 80:24 82:1,24 83:2,17 104:19 110:3 115:12 127:14 128:12
beats 65:11
began 74:6
begin 5:22
beginning 76:14 116:23 129:20
begins 3:5,6 55:20
behalf 17:1 20:9
belief 52:13
benefit 42:11
BIA 32:3 33:1,19 34:13 35:6
bit 61:9 79:8 119:14
blade 68:3
Blanchard 15:21
blank 115:8
blanks 63:7
blood 88:13

blunt 114:10,15
board 19:13 42:20
Bob 24:5,6 25:5
bodies 60:8
body 47:16,17,20 48:14 49:17 53:7 81:22,23 82:2,7,15 83:9,12 84:2,10, 11,15 88:4 91:3 130:7
boilerplate 61:21
book 80:14
booking 86:19
borne 66:13
bottom 32:7 33:6, 23 81:18 91:8 116:13,17 117:4
box 115:22
brandishing 67:3
break 57:9
briefly 100:16
Briggs 7:2 12:3,8, 14,24 15:4 51:20 52:14,22 54:2,11, 19 55:6,14 56:4,8, 13,22 58:3 59:3 60:14 61:1,17 62:7,15 63:18 64:5,22 65:22 68:9 69:7,12,21 70:1,13 71:8 73:5,9,14,24 74:19,23 75:10,18 76:2,13 77:7,17,18 78:10,19,21 79:22 83:24 84:21 85:15 87:5,18,20 89:2,12 90:18 91:23 92:8, 16 93:17 102:7,23 127:10,13,23 128:9,21 129:20
Briggs' 7:4 13:8, 12 15:8,19 20:20, 24 21:10 22:10 26:19 84:9 94:10 110:1 131:24
Brown 8:21 19:8 22:9 27:5 119:18
bruising 114:11
Bureau 24:20 43:10 83:11
business 25:22
button 106:14 107:8 113:2,3,6,18 115:1 117:10,17 124:1

C

call 35:15,17 46:23 51:15 52:4,14,17, 21 53:9,21 54:3,18 55:13 61:12 64:6, 12 65:3,23 69:7,22 71:9 74:1,19 75:11,19 76:3 78:19 87:22 88:21 89:3,12 92:6,17 113:2
called 51:18 53:22 78:21 105:5,20
calling 54:19 55:1 62:2 85:2 104:19
calls 43:17 48:6 49:24
cam 55:10
Camden 97:18,22 98:2,9 99:10,18,20
Camden's 98:21
camera 41:5
car 51:11 56:24 63:24 64:22 65:13, 14 77:6 104:20 108:20 109:8,9 110:3 130:21
card 85:11 87:2,15 89:6
carried 123:17
cars 105:10
case 3:16,17 6:18 8:5 9:24 10:1 14:24 17:2 19:22 20:21 25:23 34:8, 14,18,20 35:3 39:9 41:21 42:13,14,16 43:2,14,16,24 44:20 45:4,21 46:22 47:1 48:12, 14,16,22,23 49:3, 16 51:8,12 52:10 55:19 59:24 61:16 71:18 72:20 77:8 79:9 89:9 90:17 92:19 93:8 94:20 95:17 99:4 100:14 103:14,18 104:4,5, 10,16 105:2 106:8 107:14 108:4,5,10 109:6,10,17 111:23 112:2 113:23 115:5 118:10 122:9 123:9 126:1,9,10 131:12 132:5
cases 46:4,5 48:11,22,24 49:4 51:10
categorically 57:19
categories 81:21
category 80:18 85:7
caution 133:24
CBA 8:11 11:13,24 12:6,12,18 13:6,16 14:12 16:12 17:9 18:5 21:3 58:9
cell 52:3 53:22
Center 89:23
Central 43:11 83:10 100:21 101:5,15
certainty 72:21
certificate 49:2
certified 4:3
chain 105:2
chair 42:20
chairperson 19:13
chance 56:2 75:24
changed 123:5
characterization 63:8
characterize 62:20 70:12 131:15
characterized 66:8,23 67:4,7 71:21 73:24 131:22
characterizing 97:7
charge 51:5 72:8 121:1
charges 38:19 59:22 71:20
check 133:16
checked 109:19 115:23
checklist 47:2 63:6,7
Chicago 7:5 8:24 17:21 19:22 24:19 25:1 27:24 28:20 29:4,9 30:18 40:4, 10 41:24 42:6,19 43:20 44:6,23 46:20 58:16 63:23 65:2,11 67:22 69:17 70:2,9,23 75:22 76:5 80:5 82:1,6,24 86:17,18 87:9,21 88:3 93:12 95:22 103:21 127:14,23 128:11 132:7 133:2,4
Chicago's 41:18
Chief 120:22

children 132:20
choice 113:21
choices 114:6
choosing 30:7
chose 22:16
chosen 117:15
chronically 48:19
chronologically 117:11
circumstances 47:19 49:7,8
citizen 64:1,24 68:20 91:18,19 92:5
city 24:24 27:24 39:19 40:10,13 41:18,24 43:19 133:15
civilian 18:9 105:21 107:19
civilianization 103:24
civilians 16:8
clarification 71:1 121:20
Class 60:18
classification 109:20 111:9
cleanup 100:13
clear 15:16 67:13 99:21 130:5
click 106:14 113:3
clicked 113:6 115:1
clicking 113:18
clicks 107:7 117:9,16,17
client 6:1
close 77:17 118:2
code 80:2,8,11,14, 19 84:23
coherent 69:14
colleague 5:13 24:9 31:9 100:13 119:6
collective 16:20 23:13 38:21 40:13 58:13 60:1 120:2 121:16
command 9:1 24:14
commander 23:20,23 24:5,16, 18 25:4 39:2 60:24 120:23
comment 99:17
common 88:19,20
commonly 51:9
communicated 45:13 84:23 121:8
communicating 46:13
communication 50:10,15,16
communications 45:7
compelled 39:7 93:23
competent 133:7, 19
complainant 16:24 18:9 41:17, 20
complainant's 17:3
complainants 16:6 40:12,17,21
complete 66:4 69:14 104:10 109:6 133:6,19
completed 25:21 87:12
completely 19:6 28:5 63:2 77:12 78:24
completes 103:18 106:8
completion 109:17
complies 16:12 17:9 18:4 58:23
comply 59:8
computer 105:10, 13 107:7 108:16, 17,24 112:4,22,23 113:2 114:6 115:2 117:7,9,18 118:11, 21 123:19
computerized 105:4,7
condition 48:18 84:11,14
conduct 16:19 49:10 98:7 121:21
conducted 131:2
conducting 7:15, 17 19:18 42:1,4 59:9 62:18
confidential 4:9
confidentiality 21:4 26:4 58:7,11
confirm 31:12 36:24 49:11
confirmed 85:12 86:5
confront 41:12
confrontation 129:19
confronted 65:17 66:10,17,21 84:5
confusing 85:7
connection 98:19
conscientious 132:21,22
consent 60:16
considered 106:15
consistent 8:14 16:19,21 38:1 60:23 67:24 70:20 131:9
constitute 29:3 30:18
constitutes 28:18
Constitution 23:15 60:3
Constitutional 7:22 8:6 38:16
consult 30:8
contact 23:20 85:20 88:18
contacts 45:17
contained 13:10 15:18 68:8 69:6 74:18 75:9,17 79:23 91:22 110:17 123:2 124:5 128:16
contents 39:12,16
continuation 81:19
continue 20:6 25:16
continued 25:21
continues 58:21
continuing 20:4
control 98:10
conversation 58:1 61:11 64:21 96:14 97:13 98:1,4 111:10,13 119:10, 15,20 120:18 121:4
conversations 109:15 111:15
convey 71:22 82:9

conveying 71:23

Cook 7:3 12:2,24 15:22 39:13 44:7, 15 45:8,13,14 46:5,14,17 47:23 48:3 50:10 58:3 59:4 60:15 61:2 127:11 133:12

cooperate 28:3

cooperated 22:8

copy 37:1,17 58:20 79:14 107:10

correct 17:6 55:17 61:13,14 73:22 90:17 101:16 108:8 115:10 119:13 122:15,22, 23 124:16

correcting 123:1

correctly 65:12

counsel 24:8 30:7,10 38:11 40:8

county 7:3 12:2, 24 15:22 39:13 44:7,15 45:8,13,14 46:6,14,17 47:23 48:3 50:10 58:4 59:4 60:15 61:2 127:11 133:12,15

couple 101:24

court 4:3,8,10,15, 20,22 8:19 20:12 23:24 27:13 37:10 39:9 46:5 95:12 96:17 97:1 120:8

court-reported 24:7

coworker 85:17, 19

CPD 31:16 53:8

crash 130:21

create 78:8 104:4, 13,15,24 109:10 115:6,10 122:13 123:7 127:1

created 44:12 59:17 108:15 115:19 123:18

creating 105:6

credibility 90:3 103:9 129:3,12

credited 77:13

crime 50:17 86:6 103:4 104:18 107:19 130:22 131:11

crimes 59:23 71:12

criminal 7:13,24 30:1 38:19 46:5 59:22 60:6 71:14, 20 88:5 107:16

criteria 49:13

curiosity 13:23

current 43:8

custom 4:7

cut 67:3

D

D-e-b-o-r-a-h 5:3

dash 55:10

data 105:9

database 87:3

date 4:19 9:17 25:12 47:15 52:11, 17 56:24 57:5 64:9 68:19 75:4 84:1 89:24 92:21 109:21 116:15,19 129:7,9

dated 6:11,14 9:1 31:23 34:8 40:24

daughter 88:15

David 3:4 5:6,7 6:6 17:12 24:8 27:22 43:6 120:22

day 21:7 37:10,13 46:1 52:7 53:20 86:9 118:1 122:4

days 8:16 21:19 39:22

dead 47:17,20 53:6 76:11 77:5 81:22,23 82:2,7, 14,16 84:2,10 88:4

deadly 130:11

deal 48:14 71:15 102:1

dealing 45:3 66:6 72:1 82:3,20 104:18 112:22

dealt 133:13

death 45:3,5,9,15 46:15 48:17 49:1, 12 61:17 130:8,15, 17

Deborah 5:3,14 24:9 27:24

deceased 51:1,6 62:5 77:14 83:22 85:6 86:21 89:14

Decedent/subject 79:21,24 80:17

decided 40:2 111:17

decides 107:6

decision 49:6 72:7

defend 93:16 96:12

degree 40:20

degrees 102:6,8

delayed 30:11

deliberately 30:17

demand 58:19

denies 125:12

department 9:1 11:17 17:21 24:20 28:20 29:10 44:6, 24 46:20 52:6 65:11 67:22 75:22 76:5 78:17 80:5 82:6 87:9 88:7 90:24 93:13 95:23 103:22 120:24 133:2,5

Department's 29:5

depending 77:16

deposition 5:20 31:19 32:19 33:13 34:4,22 120:4

Deputy 117:19 118:4,23 120:22

describe 68:4 72:10 74:10

describes 6:4 72:12

describing 97:8

description 77:20 78:9

designate 121:6

designated 119:11

designees 24:23

detail 90:3 91:8 106:17 129:5,14

detailed 71:3 74:22 75:12 128:23

details 21:22 26:4 69:10 71:13,23 72:23 79:23 97:14 131:10

detective 3:4 4:14 5:6,7,9 6:2,4,5,17, 22 7:1,8,14,21 8:6, 12,14,15,22 9:13,

20 10:4,18,22 11:4,8,12,16,19,23 12:5,11,17,21 13:2,4,14,23 14:4, 10,14,17 15:6,11 16:11 17:2,6 19:1, 4,7,23 20:2,13,18 21:2,6,9,18 22:3, 19 23:4,7,12,18,21 24:8,11,12,16,21 25:10,13,19,24 26:9,17,21 27:13, 16,22 28:7,22 29:11,19 30:2,12, 21 31:4,11,23 32:22 33:16 34:11 35:2 36:2 38:6,8 41:7 42:24 43:6,24 48:5 51:5 55:20 58:1,20 59:3,14 60:16,22 61:8 63:21 64:3 71:10, 12 93:9,19 94:5, 11,15,19,22 95:10, 13,18 96:11,23 98:24 99:8,14 100:16 101:10 104:13,15,22 106:8 107:13,18, 24 108:2,6 112:3 118:10,13 119:9 120:9 122:2 124:24 125:12,22 127:22,24 128:3

Detective's 83:11

detectives 43:11 50:18,23 51:21 53:9 77:11 78:13, 16 90:15 104:11

determination 130:14,24

determine 16:2 79:8

determined 83:24 131:1

determining 71:16

died 48:17 89:17

difference 130:4

direct 23:9,11,17, 22 24:22 38:12 39:2 109:5 112:12

directing 23:18 126:12

directly 39:17

directory 80:14

disapprove 11:20

discharge 28:21 29:18 30:20

disciplinary 29:17 133:17

disciplined 39:5

disclosure 39:11, 16

discontinued 4:13

discover 82:2 83:9 84:1 122:10

discovered 47:15 81:12,14 82:1,24 83:11 100:19,23

discovery 11:1 20:18 81:23 82:14 84:10 120:4

discussed 53:2 60:4 88:22 92:10

discussion 52:2 128:23

disk 37:17

dispute 35:23

disrespect 96:10

distinct 87:8

district 11:20 17:22 63:24 64:22 65:13,14 83:4,14 101:2,17 109:8

Division 46:1 101:10

do-over 119:22

doctor 49:19 77:6, 13 90:5,9,13

doctor's 77:19 90:1

document 5:19 13:17 14:8,14,17, 19,21 15:3,5,7,8, 12,14 31:3,18,24 32:4,18 33:12 34:3,10,21 35:7 44:12,22 85:9 88:24 103:15

documented 64:10 128:15

documenting 46:7 66:15

documents 9:16, 21 10:3,7,10,11, 16,18 11:12,23 12:5,11,17,23 13:5,13,15 14:4,11 21:2 36:6

Donald 133:9

Dora 6:19 17:13 22:14,20 26:16 93:17 94:13 108:18,22,23,24 109:4 111:13,16 113:12 114:19 117:5 118:5

drafted 6:13

drafting 6:23 116:7 124:15 126:17,20

draw 59:6

drawing 125:22

drop 69:18 70:22, 24

drop-down 113:20 114:2,9,12, 21

drugs 49:12

due 18:7,22 27:2,6 40:14 41:14 119:18

duly 27:14

duties 7:9 78:21 132:12

duty 17:12 21:4 25:15 26:3 28:3 41:4 58:6,10,16 74:15 124:16

Dyke 6:20 8:4 78:1 83:1 84:4 110:22 111:19 112:9 113:7,9,24 123:13 126:5,18,22 127:4 129:19

Dyke's 130:11

E

Earl 7:2 12:3,8,24 13:8 20:20 26:19 127:10

earlier 95:2 118:18

early 47:9

easier 35:16

eavesdropping 60:18 61:4

effect 98:13

effort 132:24

ego 133:9

elements 71:13 131:10

emergency 76:16

eminently 15:15

employed 67:22

employee 132:22

employing 37:6

employment 8:10 133:1

encounter 82:7

encountered 83:13 84:5 133:22
end 25:21 48:15
enforcement 7:18 133:13
enjoining 20:13
ensure 122:21
enter 105:15,16,17 110:14
entered 80:16 106:10 110:5,13
entering 114:7
enters 106:4 107:20
entire 57:19 82:4 101:12 121:1
entitled 38:16 40:15 41:19
entries 81:21 108:17 114:8,20 115:5
entry 79:18 81:24 102:5,18 103:8 112:20 113:1,4,22 114:1,19 118:6 123:12
enumerated 7:9 132:13
Environment 102:5
equipment 41:6
ER 76:19 89:16,19
error 122:11 123:2 129:8
errors 15:18 115:11
Escalante 16:6 17:15 18:1 40:20 96:5 99:11 116:24 117:20 118:5,24
Escalante's 6:10, 12 16:15,17 17:18, 20 40:23 98:16
essence 26:8,10, 11,14,23
essentially 11:1
estimate 8:18 45:12
evening 50:8
event 10:2 34:19 126:2
evidence 29:16 42:12 116:6
evidenced 42:7
exact 23:3 62:1 64:7 68:22 69:14, 23 71:2 74:2,24
exam 49:11
examination 3:5, 6 31:13 49:21 125:20
Examiner 3:15 9:23 20:20 34:7 43:1,13,16,24 44:14,19 45:21 48:23 52:19 54:11 102:14 127:11 131:5
Examiner's 7:3 12:3 13:1 14:24 26:20 44:24 45:4 46:6,10,21,24 47:23 48:3,11 49:2 50:11 51:14,15,18 53:10 58:4 59:4 60:15 86:8 102:21 109:24 110:10 130:4,6,12,19,23
exception 70:1 80:1
exchange 62:6 99:16 100:20 101:8
exclusively 90:21 129:1
Exhibit 5:11,20 22:15,17 31:17,19 32:7,17,19 33:2, 10,13 34:2,4,17,22 35:3,10,13,16,17, 20 49:22 50:8 93:8 94:13 95:17 97:6 103:13 108:9 110:18 116:2,10 125:24 126:14 127:8 128:5 132:10
exhibits 3:10 9:21 31:10,12 32:10
exist 40:12
existed 46:12
exists 108:2
expect 114:20
expected 96:11
expedition 100:5
experience 43:23 88:2
expired 76:10
explained 62:2 112:22

F

facility 49:18 105:11
facing 117:1 132:17
fact 19:22 40:10 57:18 66:19 67:12 68:18,20 70:2 77:12 84:12 85:9 86:7,22 106:16 124:5 126:24
facts 16:1 48:21 56:7 62:23 69:10 71:3,21 72:5 74:21 75:12 106:1 124:2 129:5
factual 129:15
Fahrenheit 102:6
faintest 77:3
fair 15:9,15 16:4 18:20 19:18 42:17 54:17 62:17 63:9 64:20 80:21
fairness 22:2,5
faith 17:24 18:10, 12 94:8 96:16
false 6:6,8 7:2 29:6,7 30:16 95:5 98:18 99:3 102:19 103:1 126:7 127:9 128:7,8
falsely 6:19 126:4, 17
familiar 102:20
family 49:18 88:11,13,18
fashion 58:2
father 132:19
Fearing 74:12
federal 39:18 133:14
feel 51:16 79:17
feeling 114:17
felony 60:19
felt 72:16
Ferguson 18:11, 14,16,21 19:9,15 20:9
figures 84:8
file 32:11 36:9 51:24
filed 19:21,23 20:2 40:3,4
fill 63:7
filled 5:13
finalized 107:15 108:6 116:2

Finally 42:3 132:9
find 132:15 133:20
finding 130:7
findings 19:5 42:10 131:6
fine 37:24
fingerprint 87:11
fingerprinted 86:3,4,8
fingerprinting 87:12
fingerprints 85:13,22 86:12 87:10 88:21
Fire 75:22 76:5 90:24
firearm 114:14
fired 39:6 74:14 78:2
first-sentence 68:17
fishing 100:5
flat-line 76:19
fled 69:2
floor 101:13 125:18
fold 65:18 66:11 67:19 68:5
folding 68:1
follow 100:11
follow-up 119:6 120:3 121:19
Fontaine 6:19 77:8 93:18 108:18, 22,23 109:1,4,5, 13,16 110:16 111:13,16,21 112:12,17 113:13 114:19 117:5 121:5
Fontaine's 11:5, 10 17:13 22:14,20 26:16,17 94:13 118:6
foot 69:2
footage 55:7,13
FOP 19:22 40:4 93:12,18 94:7,10, 14,23 95:6,22 96:1,13 97:13,17, 21 98:1
force 19:2,3 42:9, 21 114:10 130:11
forensic 86:7 103:4
form 3:14 5:10,12, 16 23:2,4 27:16 31:8 33:11,17,20, 23
forwarded 10:7
found 66:22 76:20 102:11
four-inch 65:18 66:11 67:19 68:4
four-page 13:10
fourth 7:7 125:9
frankly 13:8 27:5
Franko 117:13,15 118:3
Franko's 118:7
free 98:8
Friday 37:9
friend 88:11
front 9:20 43:1 49:23 67:6 103:14 131:13
fruits 29:24
fulfilling 55:3
full 21:7,19 55:21 86:16 91:16
fully 16:12 17:9 18:4
fundamental 22:2,5

G

Gaffney 110:22 111:18
Gallagher 51:4,7 118:19 120:21
Garrity 39:9
gather 79:5
gathered 90:22 132:2
gave 13:2,11 19:24 22:8 39:23 81:6 87:16 89:24 90:1,6,7 109:24 110:4 121:4
general 5:2 6:11 8:11 9:3,9,13 11:17 12:9,15 15:22 16:20 20:6 24:24 28:1,4 38:18 40:6,23 41:18 42:6,15 54:22 86:24 124:11 132:11
General's 15:18 40:11,18 41:13,24 42:4 98:7 125:23 126:13 127:8 128:5 133:3,24
generally 47:5 75:16 92:15 93:7 95:16 104:9 107:14 108:4 122:7
generated 12:23 15:23 59:16 94:22
gentleman 59:12
give 10:17 58:16, 19 59:18 63:1 82:13 87:18 90:8, 11,12
giving 24:21 38:24 61:10 91:10 132:23
glaring 129:5
good 17:24 18:10, 12 79:7 94:8 96:16
GPRS 127:2
grievance 19:23 20:1 40:3,4
grievances 19:21 20:4,5,11
guess 21:11 43:18 50:1 65:5 83:20 113:5
gunshot 84:12 114:10 130:1,9,15, 16
guys 37:13

H

half 21:7
hand 5:10 33:9 105:12
hand-write 105:12
handgun 74:15
handing 31:15 32:15 34:1,16
handled 74:4
hands 114:15
happen 53:20 72:12
happened 50:23 66:8,24 75:3 88:16 97:14 115:3 117:3
heard 19:3 68:3 70:14
hearing 42:11
highest-ranking

120:24
highlighted 79:15
hit 78:6
holding 64:2,24 65:3 68:20 91:19
hole 78:8
homicide 45:5 46:4,14 61:18 130:9,17,22
homicides 45:9, 15
honest 39:23
hospital 49:19 50:19,24 51:22 76:7,15,18 77:11 78:13,18,22 82:12, 13 89:16,18,19,22 91:4
hotline 54:22
hour 37:16,22
hours 8:18 25:22 37:3 53:20 63:23 76:11 77:5 117:6, 14,24 118:2,15,18
husband 88:14
HX475653 34:19 81:4 126:3

I

ICLEAR 86:18 87:22
ID 34:20 85:11 87:2,15 89:6
idea 45:16 47:3 54:15,24 68:22 76:17 78:5,8 80:8 85:17 98:11,13 102:22 133:4
identification 5:21 31:20 32:20 33:14 34:5,23 47:16 85:6,12,16, 17,22 86:21 88:10 89:2
identified 85:10 86:12,17 87:21
identifiers 87:15
identify 4:24 15:3, 7 40:12 88:8
identity 40:16 47:17
Ill 60:18
Illinois 16:21,23 23:14 60:2,17 85:11
impartial 19:19 42:17
implication 99:21 100:3,6
importance ~~72:22~~ 131:10 132:20,23
important 71:14, 20 88:6 90:8
importantly 59:16
impression 72:18 124:4
improper 41:6
in-car 41:5
in-depth 44:16
inaccuracies 90:4 132:1
inaccurate 30:16 103:8 122:15 124:5
inattention 41:4
inches 68:2
incident 3:17 6:18 10:1 34:18 35:3 57:3 62:4 64:11, 14,17,18 66:7,15 67:4,16,23 72:14, 24 88:5 97:15 103:14,19 104:5,6, 10,16,17 105:2,7 106:8 107:15 108:5,10 109:6,10, 18 111:23 112:2 113:10 118:15 120:23 122:9 126:2,9,11 129:6
incidents 107:17
include 6:16 9:5 112:13
included 103:6 112:17
includes 28:4 42:10 126:2
including 4:11 29:18 39:18
inclusive 114:4
incompetence 15:24
incompetent 7:8 132:12
incomplete 30:17
inconsistent 17:20 19:7 59:14
independent 4:3 42:17 88:23,24
indicating 83:19 85:18 102:22,23
indication 133:18
indirectly 39:17
individual 57:18 111:1
individuals 4:24 111:22
infamous 55:10
inferences 59:7
infers 26:8
inflict 114:14
info 112:9
inform 92:8
information 4:2 12:12,18 13:14,15 14:5,11 21:3 22:7 26:6 46:16 47:1,6, 10,12,24 48:4 51:11,13,17 53:2 57:1 58:9 61:10 62:11,13 63:11,17 64:4,8 65:21 68:8, 14 69:6,21,24 71:8 73:8 74:18 75:9,17 76:1,12 77:23 78:14,16,18,20,22 79:2,5,9,10,16,23 80:4,18 81:5,13,15 82:14,18 83:23 84:20,22 87:2 89:5,11 90:8,20,22 91:21 92:1,17 97:22 98:12 99:3 105:16,17 106:1,5, 11 107:20 110:4,7, 17,21 111:4 115:9, 11,21 121:5,7 122:14,16,19 123:7,20,21,22 125:3,5 128:16,21, 24 132:2
informed 38:16 51:4 63:2
informing 41:15
initial 47:7 51:11
initially 85:10 105:22
initiate 104:4
initiating 105:24
injured 6:21 112:10,13 113:1,8, 10,17,19,24 114:1 115:22 123:13 126:5,18,23 127:4
injuries 50:21 77:21 78:7,10 112:8
injury 112:8 114:2, 14 115:15
Inspector 5:2 6:11 9:3,9,13 12:9,

15 15:17,22 20:6 24:24 28:1,4 38:18 40:5,11,18,23 41:13,18,24 42:4, 6,15 98:7 124:11 125:23 126:13 127:8 128:5 132:11 133:3,24

instances 106:8

instrument 114:13,15

integrity 123:3

intend 10:10

intentional 114:19

intentionally 113:16,17

Interim 40:19

interject 99:15

internal 12:22 24:20 36:7 46:1 58:14

internet 80:10,14 102:10

interpretation 114:18

interview 3:12 4:5,8,16 6:4 9:22 10:16,22 14:14 20:13,15,16 22:23 24:7,11 28:2 29:15,23 30:7,10 31:16,22,24 36:3, 15,18,21 37:2 39:4,21 40:1,17 44:16 52:2 59:9 62:18,20 63:9 92:5 94:21 111:8 119:22,23 121:22, 23

interviewed 27:23 91:9,20 94:23

interviewer 121:18,19

interviewing 70:5

interviews 109:12 120:6 127:3

investigate 18:19 41:7 96:6

investigated 15:24

investigating 18:14 58:15

investigation 7:16,17,19 8:1,9 9:24 16:18 18:17, 24 19:11,15,17,19 20:3,7,10 21:13 26:5,12,13,23 28:2 40:5,7 42:2,5 44:16 47:9 60:6,7, 8 61:3 62:22,23 70:7 96:20 105:21 122:8 125:2 131:2 132:18 133:23

investigations 3:15 20:21 34:8 43:1,14 44:20 45:10,15,21 46:15 74:4 105:20

investigative 36:9

investigator 7:2 8:21 12:3,7,14,24 15:4,19 20:20,23 21:10 22:10 48:13 51:20 52:14,21 54:2,10 55:6 56:8, 13,21 58:3 59:3 61:17 62:7,15 63:17 64:5,21 65:22 68:9 69:7, 12,21 70:1,13 71:8 73:5,9,14 74:19,23 75:10,18 76:2 79:22 84:20 89:1, 12 91:22 92:8,16 93:17 94:9 102:7 110:1,11 127:10 128:8,21 129:20 131:24

investigators 42:17 45:8,14 86:7

involved 44:24 46:3 49:3 65:8 70:5 72:14 111:14

involving 70:6

IPRA 58:14

IR 87:4,7,16,19 89:8

IR2106340 86:19

issue 49:1

issued 9:11

issues 40:3 88:1

items 9:2,5,8

J

James 5:4

January 6:12 9:2, 10,18 16:16 40:24

Jason 6:20 8:4 78:1 83:1 84:4 112:9 113:7,9 126:4,18 127:4 129:19 130:11

Jersey 39:10

Jim 24:8 36:24 38:3 96:23 127:17

job 27:3,4 38:22 118:14 132:19

Joe 83:2

John 6:10,12 16:6, 15,17 17:15,18,20, 24 40:20 96:5 98:16 99:11 116:24 117:20 118:24

joint 7:17

Joseph 18:14 84:4

Jr 5:4

July 4:19 6:15 16:17 23:9 25:22 31:23 32:4 33:3,20 34:14 35:7,18 41:3

justifiable 130:22

justified 130:12

K

K-l-i-m-a-s 24:2, 19

Kildare 64:1,23 65:4

killed 129:22 130:20

kin 88:9

kind 25:15 44:15 45:3 77:16 78:9 79:8,15 133:18

Klimas 23:21 24:2,5,16,18,19 25:4 39:2 60:24

Klimas' 23:23

knew 62:22 78:1 85:24 100:9 118:12 124:2

knife 65:19 66:12 67:1,3,5,8,19,20, 24 68:1,5 69:19 70:22,24 71:6 73:3,12 84:7 114:15 127:15 128:13

knowing 65:9 67:20 131:9,11

knowledge 15:11 17:20 52:16 63:5 104:3 106:6 112:16 120:5

Kris 8:21 19:8 119:18

Kristopher 27:5

L

lab 103:4

laboratories 46:9

language 61:21 68:16 72:10,11 112:13,17 127:18

Laquan 19:6 24:13 50:19,24 51:6 66:8,18,21,24 72:15,18,24 73:18 77:14,21 78:3 80:5 83:13 84:5,13 85:9,19 86:2 88:18 97:8 98:19 113:10 127:4 129:18,23 131:3,15 132:6

large 45:16

late 10:8,21 13:2, 11 25:9 53:18 92:21

latest 26:2

law 7:18 11:13,24 16:22,23 17:9 23:14 42:14 60:2 133:13

laws 58:24 59:8,10

lawyers 82:21

learn 115:11

learned 50:24

learning 51:9

leave 71:21

left 41:9 91:19 130:10

legal 30:6,10

length 68:2 98:17

lesser 40:20

letter 6:11,12 8:24 9:10 16:15,18 17:19 40:23 41:2 98:16

letters 9:11

level 133:14,15

life 46:11 74:13 76:20,22

light 99:3

Lightfoot 19:13 42:19

limited 39:18

lines 65:2 70:21 74:5 81:18 114:11

list 6:9 91:8,12 111:18,22 114:4

listed 57:18 111:11 116:15

lists 52:11 110:21

live 82:3,21

located 4:20

location 47:16 82:12

lodged 78:7

logged 108:24

logically 117:3

long 30:10 37:16

longer 105:11

looked 80:13,15 81:10 83:5 102:11

Lori 19:13 42:19

lose 38:22

lot 47:9 128:21

love 99:6

lunge 72:19 73:1 74:11 97:9 131:14, 20,22

lunged 7:5 71:5 73:2,9,12,19,21 93:12 95:22 97:20 127:13,23 128:11 130:3 131:14 132:6

lunging 72:16

M

M-a-r-c-h 5:8

M-c-k-a-y 5:5

made 7:1 29:15,23 42:10 44:14 47:8 52:18 53:23 56:4, 12 57:7 61:15 64:13 77:24 78:19 85:14 86:13 88:10, 17 92:5 95:2 98:17 99:17,19 103:2 109:23 113:21 116:24 119:1 125:7,8 128:8,18 130:4 133:17

majority 104:12 107:16

make 22:4 37:17 49:17 51:20 52:9 72:6 80:15 88:9 101:24 113:21 115:20 118:20 123:20 127:9 130:14,24

makes 114:22 123:10

making 29:6,7 40:9 41:16 42:1 53:4 85:23 92:3 105:23

Management 118:10

mandates 16:23 58:14 121:17

manner 57:21 92:4 130:8,17

Marback 9:12

Marback's 8:24 9:10

March 3:4,10 4:14 5:6,7,9,20 6:2,4, 17,22 7:1,8,14,21 8:6,12,15,22 9:20 10:4,18,23 11:4,8, 12,16,23 12:5,11, 17,22 13:2,5,14 14:4,10,14,18 15:6,11 16:11 17:3,6,12 19:1,4,7, 23 20:2,19 21:2,6, 9,18 22:4,19 23:4, 8,12,19,22 24:8, 11,12,16,21 25:10 26:9,17,21 27:13, 17,22 28:7,22 29:11,19 30:2,12, 21 31:4,12,19,23 32:19,22 33:13,16 34:4,11,22 35:2 36:2 38:6,8 42:24 43:6 55:20 58:2,20 59:3,14 60:16,23 61:8 63:22 64:4 93:9,19 94:5,11, 15,19,22 95:10,13, 18 96:11,23 99:1, 9,14 120:10 122:2 124:24 125:12,22 127:22 128:3

March's 6:6 8:15 9:13 13:24 20:13 25:13,20,24 127:24

mark 22:17

marked 5:11,19 22:15 31:17,18 32:16,18 33:10,12 34:2,3,17,21 35:13 67:10

marking 35:10

marks 68:21 70:3

match 87:11

materials 36:3,5 58:7,9

matter 4:1 42:18 96:4 131:7

Mcdonald 6:7 7:5 19:6 24:13 50:11, 20 51:1,6 55:7 66:9,18,21 67:1

72:15,19,24 73:18, 21 74:5 76:6,11 77:14,21 78:3 80:6 83:13 84:5,13,16 85:9,19 93:12 95:22 97:8,20 98:20 113:11 127:5,12,13,23 128:11 129:24 131:15 132:6

Mcdonald's 73:24 86:2 88:18 89:2 97:19 129:18 131:3

Mckay 3:6 5:4,22 6:1 7:20 8:14 9:18 10:6,14,21 11:14 12:1,7,13,19 13:7, 17,20 14:6,13,20 15:1,16 16:4,14 17:10 18:6 19:20 20:17 21:5,14 22:1,13 23:2,7,23 24:3,8 25:6 26:7, 14 27:2 32:10 35:9,12,19,24 37:5,24 38:8 43:17 44:2 48:6 49:24 57:23 58:10 59:1, 11 60:10 93:14 94:3 95:24 96:9,21 98:15 108:11 111:5 116:22 119:16 121:13 124:9 125:6,19,21 127:21 128:2

Mcnaughton 120:22

ME'S 50:16 52:4 61:2,12,22

ME2014-01071 34:8 43:2,14

means 78:4 85:22 89:21

meant 44:22

media 39:20 99:1, 2,4,10

medical 3:15 7:3 9:23 12:2 13:1 14:23 20:20 26:20 34:7 43:1,13,16,24 44:14,19,24 45:4, 21 46:6,10,21,24 47:23 48:3,11,17, 23 49:2 50:10 51:14,15,18 52:18 53:10 54:10 58:4 59:4 60:15 86:8 89:22 102:13,21 109:24 110:9 127:11 130:4,6,12, 18,23 131:5

member 31:17 88:11 103:21 105:3 120:24

members 104:1

memo 6:13,14 16:16 41:3

memorandum 12:23

mentioned 6:24 119:9

menu 114:2,9,13

menus 113:20 114:21

message 71:24

met 54:14

Method 89:20

Michelle 4:23 8:20

mics 41:5

middle 117:22

mind 26:10 121:15

Miranda 7:22 8:7 60:8

Mirandize 59:24

misconduct 17:1 29:16 41:1

misrepresent 129:17

misrepresentation 66:4 67:17 73:14

misspoke 100:22

mistake 22:4

Mm-hm 13:19

mobile 105:8

moment 55:23

months 121:23

morning 6:3 11:9 25:17 116:11 122:6

mother 132:18

motive 129:17

Mount 50:19 76:6, 15,17 82:13 89:15, 22,23

move 94:17 95:7 119:24

moving 60:22

multiple 78:3 84:11,13,17 129:24 130:9,15

Municipal 30:18

municipalities 133:15

murder 46:4

N

name-check 87:3,14

named 8:3,4

names 16:5 51:22

narrative 55:22 63:14 86:16 91:6, 16

natural 45:5 48:16 88:5

nature 40:15 114:2 125:2

necessarily 74:23 75:14

needed 25:21

Neumer 3:5 4:1, 18,22 5:9,24 7:11, 15 8:8,19 9:7,15, 19 10:13,15 11:11, 22 12:4,10,16,19 13:4,13,19 14:3,8, 16,22 15:10 16:1, 10 17:7 18:3,7 19:16,20 20:12,22 21:1,8,11,21 22:11,18,22 23:6, 20 24:1,6,23 25:5 26:3,11,24 27:10, 15,23 28:10 29:1, 14,22 30:5,15,24 31:7,14,21 32:12, 14,21 33:15 34:6 35:1,11,15,21 36:1,23 37:20 38:3,5 42:23 43:21,22 44:9 50:6 58:5,22 59:6 60:4 61:6,7 93:1,4,6,24 95:6,10 96:1,7,8, 18,19,23 97:16 98:15 99:13 101:21 102:2 103:17 119:5 120:7 124:18,21, 23 125:14 127:17

night 25:11,16 54:18 56:13 63:18 64:15 65:22 66:5 70:4 73:9 91:23 97:9,12,20 98:4 102:8 118:19 130:5 131:16 132:3

North 80:2,6,8

note 127:18

notes 12:22 87:17

notice 9:22 18:4 20:15 24:11 40:15 125:16

notification 3:12,

13 6:3,9 16:2,10 17:7 31:16,22,24 32:16,23 33:2,6 44:13,22 47:7,14 51:20 52:9,11 53:5 61:15 64:12 77:24 80:20 85:15,24 86:13 88:9,17 93:15,21 100:18 103:2,3 109:23 110:2 124:11 128:19 131:4

notifications 47:8 53:24

notified 6:2 25:10 51:7 61:16 110:9

notify 25:14 45:2 46:20 48:10,12 49:14 55:3 61:23 62:3

noting 123:1

number 6:16 9:2 10:2 22:16 34:19, 20 38:7 43:4,7 45:17 53:8,11,12, 13,14,15,19,21,22 62:21 65:15 70:6 74:14 80:22,24 81:4,8,9 82:1 83:1, 2,7,8 86:19 87:4,8, 16,18,19 89:8 90:23 91:11 94:13 100:17,18,23 101:1,2,6,11,15 105:14 110:1,11 112:9 116:15,16, 20 125:24 126:2,3, 13 127:7,8,19 128:4,5,22 129:8, 10 132:10,16

numbering 65:10

numbers 17:17 53:11 100:20 129:9

numerous 46:4 53:24 70:7 74:16

O

oath 59:12 99:7

object 27:8 39:15, 21 40:1 50:1 95:24 124:9

objecting 18:13 20:3 39:10 40:10 41:23 42:3 119:23

objection 37:5 38:1 40:9 42:18 43:17 44:2 48:6 60:10 93:14 108:11 111:5 119:16 121:13

objections 27:9, 11

obligated 79:18

obligation 28:12

observations 101:24

obtain 30:9 78:22

obtained 128:22 129:1

obtaining 48:4

obvious 78:24 79:1,3 81:20

occasions 53:24 70:8

occurred 52:15 57:3,4 61:11 64:11 68:24 118:22

occurrence 64:9 84:24 109:21

Occurrence/ incident 84:19

occurring 64:18 129:6

OCIR 126:17

October 34:9 45:8 50:9 52:12 54:3, 13,18 56:4,14 63:18,23 64:6,11, 13,19 65:23 68:16 69:8,22 71:9 73:10 74:20 75:11 87:23 89:13 91:23 92:18 93:10 95:20 97:9 98:20 116:20 117:6,13,24 118:15 122:5 125:24 126:15,16 127:9

offender 6:21 82:3 112:11,13 113:1,19 114:1 115:22 123:13 126:5,19,23 129:22

offense 71:14

offensive 132:16 133:21

offer 62:13

office 7:3 9:3,8 11:2,11,22 12:3,4, 8,15 13:1 15:18,21 16:19 18:11,14,16, 22 20:23 21:21 24:24 26:20 27:24 28:4 38:18 39:12, 13,14 40:11,18 41:13,24 42:4 44:14,23 46:10 47:23 48:3 49:2 50:11,16 51:14,15, 19 52:4,18 53:10, 11 54:10 55:4 58:4 59:5 60:15 61:2,3, 13,22 69:17 70:11, 18 71:19 72:2 81:9 83:7,11 86:9 91:11,14 94:4 95:2 96:5,15 98:7 99:11 101:1,6,12 102:13, 21 109:24 110:10 118:11 124:10 125:7,23 127:11, 22 130:5,6,13,19, 23 131:5 132:10 133:3,12,24

officer 6:19,20 7:4 11:5,10,21 17:1,2 22:19 23:18 24:15 25:14 26:15,17 28:15 38:13 41:20 58:16,17 62:5 71:11 72:13 74:14 77:8 83:2,15,16,19 88:3 93:17 94:12 96:17 104:6 105:15,23 106:3,7, 10 107:20 108:22 109:5,13,16 110:16,22 111:21 112:12,17 113:16 114:7 115:13 121:5 122:17 126:4,18,22 127:4

officer's 17:23

officer-involved 53:5 62:3 129:21

officers 7:6 8:4 16:8 23:10 53:12, 14,15 65:2,18 66:9,11,16,20,24 67:8,11,12,18 69:3,16,18 70:3,5, 8,10,17,20,23,24 71:6 73:3,12,21 74:6,7 75:7 83:14, 18,21 93:13 95:23 97:21 98:17 104:3, 9 105:7 108:20 111:1,2,18 127:14, 24 128:12 132:7

official 28:2 29:3 96:3,4 98:18,22 132:4

OIG 4:11 7:15,16 8:12 12:10 13:4 16:11 19:16 20:12, 15 21:1 24:10 25:14 26:3 37:1 58:8,23

OIG'S 18:3 19:17 24:17 26:10 37:3, 21 95:11

on-call 120:23

opportunity

108:1 125:4

opposed 104:10 130:3

oral 29:6,8 96:3

order 8:11 11:17 20:13 23:9,11,17, 22 24:16,22 28:18 38:12 39:2 53:3 60:23 96:24

ordered 28:14 69:18 95:11

Orders 16:21

ordinance 30:19 40:13

organization 133:4

original 3:17 6:18 10:1 34:18 35:3 77:7 92:5 103:14, 18 104:4,14,16,24 105:6 108:5,9,21 109:10,17 111:23 112:2 115:5 122:9 123:1,5 124:4 126:1,9,10

originally 25:10

outcome 8:8

overdose 49:9

P

P-i-t-z-e-l-e 77:15

p.m. 25:11 52:12 84:3 118:1 124:18, 21

packet 9:22

pages 79:1,6 90:21

Paoletti 8:20 37:18

paper 109:9

paragraph 5:17, 18 27:19,20 28:8, 23 29:12,20 30:3, 13,22 31:5 55:20, 22 56:1,3,6,12 57:12,19 63:14 75:21,23 76:2,9 77:20 86:16 91:17

part 9:22 28:2 47:6 85:24 111:13 120:20,21

participate 39:4

participated 120:17 121:4

participation 42:8

parties 120:19

partnered 60:7

party 4:11

past 25:11 97:6

Pat 97:18,22 98:2, 9,21 99:9,18,20

Patrick 15:21

patrol 107:17

pay 52:8

PC 116:15,16,20

PDTS 105:8

pending 20:4 41:10

people 15:23 50:3 72:4 79:5 83:10,12 98:8 106:2 114:24 133:9

perform 104:7

performance 7:9 132:12

performed 76:21

performing 78:21

perjury 59:22

persist 28:17

person 13:21 14:1 41:15 54:14 55:4 62:4 67:21 85:11 87:9 90:10 91:8 118:20 121:3 130:20

personal 52:3,16 120:5

personally 85:8

personnel 45:14 46:14,17 67:21 103:5 107:18 116:14

persons 41:16

perspective 43:15 77:16

pertaining 21:13

Peter 4:22 5:22 6:1 10:7 14:7 15:2 21:15 24:6,23 25:8 27:2,23 35:9 60:13 119:17 125:7

phone 24:4 26:8 52:3,4,5,7 53:22 54:3 64:6 65:23 69:7,22 71:9 74:1, 19 75:11,19 76:3 80:10 87:22 89:3, 12 92:17 100:17, 18 101:7

phones 52:8

photographs 102:18,24 103:3,7

phrase 132:6

physician 48:20 49:1 51:2

pick 117:8

Pitzele 77:14

place 8:1 39:22 40:2 51:17 84:18 89:14 94:21

PO 112:9

point 51:16 62:21 64:21 78:1 80:9 81:17 82:7 85:1 86:1,4 92:7 115:1 126:21 128:9

points 10:16

police 7:6 8:3 9:1 11:17,21 16:8 17:2,21,23 19:2,13 24:19 28:20 29:3, 4,9 41:8 42:8,20, 21 44:6,23 46:20 53:5 58:16 62:3 63:23 65:2,4,11 67:10,11,22 69:17 70:2,10,21,22,23 71:11 78:17 80:5 81:3 82:1,6,24 83:15,16,18 85:21 86:17,18 87:9,22 88:3,7 93:12 95:23 103:22 105:9,11, 23 127:14,23 128:11 129:21 132:7 133:2,5

populated 115:9 123:18

portion 37:21

portrayal 131:3

portrayed 67:15

posed 24:22

position 18:3 19:18 63:1 127:24

Positive 85:16

positively 86:17 87:21 88:8

possibly 40:22 77:22 97:23 128:17

postmortem 49:21

postpone 40:6

potential 46:21 48:10 49:7

potentially 45:4 103:20

practice 4:7

preamble 27:11
preface 38:14
prejudged 42:15
prejudice 18:24 42:7
prejudiced 42:6
preliminary 4:1 105:20 106:19 131:4
premised 6:10
preparation 36:3, 18,21 132:4
prepare 124:17
prepared 6:18 11:20 94:7,19 108:9
prepares 105:3
preparing 17:14
presence 19:1
present 4:3,24 30:7 31:11 48:21 50:24 51:14 78:18 108:15 120:6
presented 45:24 46:9
presenting 71:18
president 42:19
press 97:19 98:22
pretty 70:20 76:8
previous 37:7 46:14 95:14 111:7
previously 5:11 33:10 34:2,17 36:13 59:15 60:5 97:5
primary 51:11
print 99:2 106:24 107:10
prior 27:11 32:1, 23 33:17 34:11 35:3 40:17 45:8,22 46:1 54:3 55:13 86:18
probable 7:13 38:19 59:23 71:17
procedure 17:21 37:6 86:1
procedures 76:21 88:6
proceed 20:15 62:7
proceeding 30:1 38:19 116:23
process 40:14 41:14 87:12 103:6
processing 86:6 103:6
product 4:9
professional 133:6,19
programmed 53:21
progress 86:24 106:22
prohibits 29:5
prompted 62:14 98:11
pronounced 51:1 62:5 76:11 77:5 82:16 83:22 89:14, 15,18
pronouncement 89:10,20 90:9
pronounces 90:10
pronouncing 77:14
property 4:10
prosecution 7:13 46:4
prosecutor 8:2 39:19
prosecutor's 39:12
Prosecutors 133:11
protocol 46:7
provide 4:4 11:2, 8,16 12:1,21 16:5, 9 17:5 21:22 23:21 26:5 32:3 33:1,19 34:13 35:6 37:11, 19 38:23 47:6,12 57:3,14 62:10 76:13 79:16,20,22 80:19,24 81:3,13, 16 83:4 84:19 89:11 91:13,21 110:16 125:4
provided 4:11 9:3, 21 10:23 11:6,11, 22 12:4,6,10,16 13:4,14,18 14:3, 10,17 16:11 20:14, 18 21:1 23:3,4 24:10 58:8 76:1 78:20 80:21 87:5 99:4 110:7
providing 4:2 8:12 14:16 37:1 46:15,16 63:10 92:16
Pulaski 50:17 69:3
pull 80:9
pulse 82:6
punching 114:16
purpose 13:23 44:19 46:23 119:21
purposes 35:17 121:20
pursuant 7:22 8:7 25:17 60:1 120:1
put 5:23 19:12 25:7 28:12,14 31:10 42:24 49:23 99:5 103:12,13
putting 9:20 68:7 73:6 84:14 109:14

Q

question 9:15 10:9 13:20 14:7 15:1 21:6,23 28:15 30:16 43:21 56:1 57:13,23 58:21 62:14 63:19 68:7 69:5,20 71:7 74:17 75:8 93:24 94:9,17 95:7,13,14 96:7,8, 17,19 97:1,3 99:9, 22 100:6,10 111:8 120:7 124:9 125:6 130:10
questioning 37:22 95:4 120:3 121:15,21
questions 14:18, 23 15:2,11,14 21:12,15,24 22:12, 24 23:8,16,19 24:12,14,17,22 27:1,7 28:5,12,14 36:24 38:12 39:5, 24 43:13 56:11 58:18 59:21 62:8, 11 63:10,11,16 95:8,11 96:24 99:7 100:13 119:6,23 120:1,3 121:19 125:1
quick 44:13
quickly 79:19 100:24
quotation 68:21 70:3
quote 6:20
quote/unquote 109:9
quoting 131:18

R

R-o-b-e-r-t 24:2
radio 113:2
raised 40:3
raising 132:19
ran 87:14 89:7
read 5:15,18 13:8 14:1 27:17,20,21 28:8,23 29:12,20 30:3,13,22 31:2,5 54:7 56:2,20 85:8 93:24 94:2 95:12, 15 97:1 108:3 120:9,12
reading 44:11,21
ready 107:6
reason 21:5 22:16 48:9 112:20
reasonable 30:9 38:4 120:8
reasons 18:18 68:12
recall 51:22 53:2 55:6 61:20 62:16 65:6,20 68:21 75:15 81:7 91:10, 24 92:3,10,12,14, 15,21 97:6 111:16, 24 116:9 120:19 121:7,9,10 123:17, 23
receipt 3:14 10:6 31:12 33:11,17,20, 23 37:3
receive 20:23
received 9:9,16 36:6 38:17 41:21 79:3 80:3 82:18 98:12
receiving 37:6
recently 6:1
recess 93:3 124:20
recital 127:19
recollection 73:23 89:1 92:22 111:21
record 4:8,18 5:1, 23 11:15 25:8 27:12 31:11 37:20 38:7 43:4 60:11 93:2,5 94:1 99:21 110:7 120:11 121:14 124:3,19, 22 125:5 127:17 129:5 133:17
recorded 58:2 59:2
recording 4:9,12, 15 58:11,17 59:13, 17 60:12,14
recovered 55:12
recuse 18:17,23 19:9,14,16
refer 61:1
reference 64:1,24 81:22 83:6 84:2
references 6:13
referred 64:18 68:1
referring 55:16
refers 41:2
reflect 4:18 56:7 121:14
reflected 92:18
reflects 56:3
refusal 28:17,18 30:15
refuse 15:3 23:8 28:13 38:23 39:3,4
refused 40:6,11
refusing 24:14 38:11
regulations 28:19 29:5
reiterate 98:15
relate 64:4 74:17 75:9 86:21
related 55:21 56:7 63:16,22 64:10 74:22 120:1
relates 8:9
relating 65:20
relationship 54:2 83:16,18
relative 88:13
relay 69:5,20 71:7 72:5 74:21
relayed 68:8 69:11,24 73:7,8 75:18
relaying 91:24
released 42:9 49:18
relevance 96:22
relevant 21:12,15, 17,24 22:2,6,24 26:24 95:8 96:19 99:10 102:13
relied 50:3
relies 49:22
relying 14:13,20, 22 37:14
remain 28:11 38:17
remains 86:2
remember 35:21 36:10 65:13 81:7 86:23 97:12,24 115:18 123:10
removal 29:18
repeat 120:14
report 3:16,17 6:18,19,24 7:5 9:24 10:1 11:5,10, 20 13:1,10 14:24 15:19,21,23 17:13, 15,23 19:2,5,12 20:21,24 21:8,10, 16,20 22:10,14,20 26:16,17,20 29:3, 6,8 34:8,14,18 35:3,9 42:9,10 43:2,14,16 44:1,8, 12,20 45:1,22,23 46:2,11 49:22 50:2,8 52:10 55:19 56:20 77:8,13 79:2,9,15 80:16 81:4 86:15 87:1 89:10 90:4,12 91:18 92:19 93:8, 18 94:7,10,13 95:17 96:3 98:22 100:14 102:16 103:10,14,19 104:5,14,16,24 105:2,3,24 106:9, 12,17,19,20,21,24 107:3,4,8,10,12, 15,21 108:2,5,10, 15,18,21 109:6,10, 18 110:5,14,18,21 111:12,23 112:2,5, 14,18,20 113:4 115:5,6,7,8,9,13, 19 116:2,8,10 117:2,6 118:3,7,8 119:4 121:6 122:3, 9,11 123:1,2,3,4,5, 15,18,23 124:1,4, 14,16 126:2,9,11, 21 128:15,17,20, 24 129:3,13 131:24
report-writing 17:22
reported 107:17
reporter 4:3,10, 15,23 8:20 23:24 27:13 37:11 94:2 95:12,15 97:1 120:9,12
reporters 4:8,21

reporting 105:22 107:19 108:21

reports 6:8 10:12, 23 20:17 36:8,10, 12 43:20 46:8 51:24 54:7 59:17 66:14 67:23 70:6, 19 85:8 86:6 90:15 94:18,22 96:4 98:18 99:1 104:10 105:7,12 115:15, 24 122:14,22 123:6,8 126:24 127:2 132:5

reprehensible 133:21

represent 5:6 35:22

representation 37:21 103:1

representative 30:6,9 93:11 94:7, 10,14,24 95:6,21 96:2,13 98:1

representatives 97:13

reputation 133:5

request 4:12 10:24 18:15 25:17

requested 9:5 75:6 105:16 106:5

requesting 9:2

required 11:12,23 12:6,12,18 13:5,15 14:5,11 21:3 25:14 39:1 48:10 58:9

requirement 41:22 46:19 124:6

requirements 55:3

reread 97:2

resemblance 77:3

residence 80:2,19

resources 104:23

respect 7:4,19 18:7,22 27:2,6 50:7 100:14 119:18 127:12

respond 128:4 132:14

responded 50:19 63:24 64:23 65:3 66:2,20

response 58:6,23 62:11 63:11 126:6

responses 29:2

responsibility 110:3

responsible 112:1

responsive 27:7

rest 66:3 76:8,12 77:19

result 29:8 44:13 94:16 115:2

results 46:7

retain 32:10

review 6:7 10:18 11:4,19 17:13 31:3 36:2,5,17 55:24 75:23 105:1 107:3, 22 108:3 116:1 122:9 126:1,8,10 128:15

reviewed 6:17 36:8,11

reviewing 116:8 124:14

reviews 106:9 107:4

revive 76:16 77:1

reword 43:21

ridiculous 99:2

rights 3:11 5:10, 12 7:22 8:7,11 23:2,12,13,15 27:16 31:1,8 39:8 40:15 41:14

RINGING 24:4

road 50:18 60:21

Robert 24:1,18 39:2 55:15 63:24 64:23 65:8,12,17 66:2,9,10,17 69:4 82:2 83:1,17 128:12

rolled 76:18

rounds 74:14

rule 11:17 20:11 29:4

ruled 20:5,7

rules 28:19 29:5

run 87:1,3

S

S-o-r-i-a 6:14

satisfied 106:11

Saturday 25:11, 16

save 76:22 79:17 104:23

saves 56:19

scene 50:17 51:5, 19 52:8,22 64:14 67:20 69:2 72:3 80:7 82:4,18,19 83:12 85:2 86:6 90:24 91:20 93:9, 11 94:11,15 95:19, 21 97:12 102:8,19, 24 103:5,6 107:18 108:19 109:13,16 119:10 120:24 121:1 128:19 130:6

school 132:21

screen 107:7

screens 105:14 106:4,13 112:23 115:20 123:20

section 52:11 55:22 79:21,24 80:21 81:6,12,14, 17,19,21 82:9 84:20 86:16 89:10, 11 91:6,16 100:18, 19 112:8 115:16 116:14 121:16

segue 79:7

selections 114:3, 8,9

sense 67:2 123:11

sentence 56:11 57:2 63:17,21 64:5,8 65:16,21 66:3 67:14 68:6,9, 10,15 69:1,6,9,11, 15,16 71:2,4,5 73:2 74:12,18,22, 24 75:2,5,10,13, 15,17 76:4,14 91:17,22

sentences 57:20

separate 9:6

separation 29:9

sequence 50:22

sergeant 6:13 16:6,16 40:21 41:3 51:4,7 107:2,4,21, 22 109:7 112:5 117:12,15 118:3,7, 19 120:21 123:4

sergeants 109:8

series 62:7

serve 28:20 30:19

served 42:20

Services 103:5

sharing 39:11,15

shooting 6:7 7:4 19:6,11 24:13 41:8 42:5 50:12 53:6

55:7 62:3 92:9,13 93:10 95:19 98:19 109:13,16 127:12 129:21

short 23:11 102:17

shot 62:4 78:3 84:13,17 129:22

shots 78:6

show 10:20 96:22

showing 10:4 132:23

sign 31:8

signature 13:9,21 14:2 32:6 33:5,22

signatures 15:7

signify 116:21

signs 49:9 76:20

silent 28:11 38:17

simple 129:11

simplify 79:14

simply 60:9

Sinai 50:19 76:6, 15,18 82:13 89:15, 22,23

single 67:21

sir 22:13 126:24

site 102:10

sitting 54:14

Smith 74:15

solicit 47:1

son 88:15

Soria 6:13 16:7 40:21

Soria's 16:16 41:3

sort 54:1 61:21

source 41:9 78:11 80:13 81:11 85:5 90:19 91:15 99:22 100:7 102:10

sources 79:4 90:15,23 128:22

South 69:2

spanned 8:17

speak 36:21 44:4 48:24 51:17 53:13 57:12 108:14 109:11,15

speaking 47:5 72:20 75:16 92:15 108:4 122:7

speaks 14:9 16:12 17:8 18:5

special 8:2 39:19

specific 41:16 55:4 86:22 92:22 101:7 111:20 125:9

specifically 39:10 40:24 41:15 44:4 50:7 54:5,20 91:24 98:2 115:18 123:10,16,23 125:11,15 128:6

speculate 15:13 47:22 112:19

speculation 43:18 48:7 50:1 108:11

speech 98:9

spell 5:1 23:23

spelled 5:5,8 77:7, 8,15

spelling 77:10 90:6,16,17

spite 98:6

spoke 51:19 55:5 71:3 109:12 131:19

spoken 54:12 72:13 109:23 111:2

spokesperson 97:18,22

Springfield 80:2, 6,9

stab 114:10

stabbed 67:6

staff 9:1 76:16

standard 86:1

standards 49:5

standing 80:7

star 38:7 43:4,7 74:14 80:22

start 43:5

started 36:23 88:22

starting 105:21 115:7,8

starts 75:21

state 16:22,23 23:14 38:7 39:19 60:2 73:21 85:10 87:2 128:1 133:14

State's 39:13 61:2 71:19 72:2 133:11

stated 6:20 68:12 126:4,17 127:22 128:11

statement 7:2 8:15,17 9:14 10:12 12:8,14 25:13,16, 20 26:1,7 29:15,23 30:17 31:1 37:15, 17 38:1,15,20,23, 24 39:6,11,16 53:3 56:4,12,15,23 57:20 58:12,20 59:2 63:2 68:16,17 73:11 76:24 77:3 92:2,3 93:16 96:2 98:21 99:6,18,20, 23 100:7 127:10 128:8

statements 6:6,8 11:3,7 12:22 29:2 56:20,21 57:7 95:5 98:18

states 39:14 60:2 98:17 126:22

Statute 60:18

step 57:16 61:9

Stephen 117:12

steps 118:21 122:11,24

stop 20:10 70:21, 23 74:13

stopped 69:3

street 66:22

stress 57:11

stricken 95:7

strike 12:20 17:11 60:22 94:16

striking 74:16 75:5

struck 78:6 129:24

student 132:21

stuff 18:9

subject 44:15 64:24 65:3,17 66:10,17,18 68:20 69:1,3,18 71:5 73:2,11 74:16 75:6 76:17 86:16 87:21 88:8 91:19 95:3 129:23

subject" 64:2

subject's 8:10

submit 16:21 17:15,19 18:6 26:19 60:17 94:6 106:13 117:10

submits 107:21

submitted 19:3 98:18 106:15,18, 20,23 107:1

108:16 117:5 118:7

Subsection 121:16

subsequent 9:11 107:23 113:20 114:21 115:6 122:13,22 123:6 131:1

subsequently 66:21 85:12

suggest 98:21

suggesting 17:11 37:14 93:18 96:1 102:15

suggests 6:5 16:18 19:5 59:13 94:14

suicide 45:5

Suite 4:21

summarized 132:2

summarizing 79:6

summary 47:18 68:23 79:2 90:22 128:20,24

Superintendent 40:19 117:20 118:5,24

superior 23:10,18 24:15 28:15 38:13

supervisor 13:9, 12,22 14:7 15:4 51:5 107:2 117:17 118:9

supervisors 111:16 133:10

supplemental 127:2

supply 52:6

supported 17:4

supposed 11:19 53:19 84:2 85:18 93:15 102:23

Supreme 39:9

surgery 89:17

suspect 41:1

suspicious 49:7,8

sustained 77:21

swear 27:13

sworn 12:2 16:8 17:1 19:4,24 22:8 26:1 27:14 41:20 42:11 99:5 103:21 104:1,3

system 46:5 65:10 86:18 87:22 89:8 105:4 106:17 108:16,24 112:4 118:11,13

T

table 54:15

taking 39:22 40:2 84:12 123:24

talk 72:3 79:20

talked 10:24 25:8 36:13 54:6 98:16

talking 64:17 70:7 93:7 94:11,15 95:16 106:2 110:24 131:11

tampering 41:5

task 19:2,3 42:8, 21 104:7,8

taught 132:20

technicalities 82:22

technicality 82:20

technically 110:2

telephone 25:9 44:13 52:17 54:6 57:8,24 64:12 81:8,9 83:7,8

television 99:2

telling 65:14 111:21

tells 117:3

temperature 102:5,7,12

ten 118:2

tend 113:14

tendered 15:20 103:16

tentative 85:16 89:5

tentatively 85:10

terminal 105:9

terminology 113:3

terms 13:13 130:18

testified 59:15

testimony 12:2 19:24 22:9 42:12

thereof 29:24

thing 25:7 71:14 89:7 109:1 113:15

things 9:6 18:1,12 47:15 72:12 77:24 79:14 117:21

thinking 67:2 84:9

thought 100:24 113:13

threat 67:12 74:13

threatened 65:18 66:11 67:18

threatening 67:1, 3,8

three-inch 68:2

through-and-through 78:7

time 4:19 8:23 9:4 10:18 25:8,13 26:8,10,11,14,18, 21,22 27:12 30:9 31:7 38:4 44:6 45:2 47:11,14,15 49:15 52:12,13,19 53:18 55:2,5,9,24 56:19,24 57:3,4 62:21 64:15 66:15 76:9 77:24 79:17 82:4 84:1,4,6,8,9 85:14,23 86:1,13 87:13 88:17 89:24 90:9 91:17 93:1,4, 9,10 94:21 95:4, 18,20 100:12 103:2 105:18 107:8 109:21 113:7,8 115:1 116:19,21 117:7,8, 9,11,13,15,18,23 118:8,9,16 119:5 122:17 124:18,21 127:3 128:18 132:23

timely 52:9

times 45:13 48:11 74:16 78:2,4,5 84:13,17 104:12, 13 129:24

timing 21:22 22:1, 5

tire 67:6

title 80:22 83:15 91:9

titled 31:16 32:15 33:10

today 4:4 9:7,14 10:5,12 11:15 14:15,19,24 15:15 17:6 19:15 21:12, 13,15 22:12 23:8 24:23 25:24 26:1 27:6 32:1,23 33:17 34:11 35:4 45:22

54:15 58:8 59:9 95:1 125:1

today's 4:19 35:17 36:3 37:2

told 19:7 52:6,24 61:24 64:22 65:1,8 66:2,4 70:9 72:15 73:17,18 76:5,10 77:4,23 80:3 82:4 86:11,23,24 87:20 89:4,5,6,15,23 91:2 92:6,24 97:24 102:7,24 110:9 113:13 122:2 129:20,23 133:10, 12

tomorrow 25:22 26:2

top 97:11 102:4 106:18 107:1,11 117:12

totally 63:2 79:1 82:11

toxicological 46:8

toxicology 49:11

training 88:2

transcript 4:4,7 22:23 32:13 37:2, 4,7,9,11,19

transmitted 57:1

transported 50:20 76:6 91:3

trauma 114:10

treated 48:18

treatment 50:20

true 17:16 40:22 41:17

Trump 133:9

truthfully 28:6,13

Tuesday 37:12

turn 119:5

tying 104:20

type 17:12 46:2, 11,16 47:6 99:5

typo 129:11

typographical 129:8

U

ultimate 49:21 130:7

ultimately 49:17 120:22 121:1

unable 76:16 77:1

unchecked 115:23 123:24

unclear 7:24

uncover 16:1

underneath 112:10

understand 21:22 25:2 27:3,22 28:1, 10,11,13,16 29:1, 4,7,14,22 30:5,15 37:8

understanding 44:18 47:22 48:2 49:20 73:6 125:1

Understood 122:21

unduly 30:11

uniformed 67:11

union 30:6,9

unit 43:8

United 39:14 60:2

unknown 91:18

unsuccessful 76:23

update 115:11 122:18 123:21

updated 123:6,8

V

Van 6:20 8:4 78:1 83:1 84:4 110:22 111:19 112:9 113:7,9,24 123:13 126:5,18,22 127:4 129:19 130:11

vast 104:12 107:16 128:16

vehicle 67:5,10

verbally 118:20 131:12

verbatim 4:4 56:21 57:7

version 123:14

versus 7:22 8:7 39:9

victim 48:17 88:14 111:11 112:9 113:17,19 119:11

victims 110:23 111:4,11,18,22 121:6

video 36:17 55:7, 10,11,16 58:17 72:17,19 92:9,10, 13 103:7 131:21

view 88:13 89:20

viewed 131:21

viewing 72:17

violating 41:14 121:15

violation 28:19 30:18 38:20 60:17 61:4

violence 49:9

violent 71:12

voluntarily 39:1

W

W-i-t-z-b-u-r-g 5:3

wait 20:10

waiving 41:22

walk 50:14

walking 66:22

Walsh 84:4 110:23 111:19

Walsh's 83:2

wanted 93:8 95:17 96:5

ways 7:9 74:9 132:13

weapon 68:4 74:15 78:2 114:13

weather 102:10

Wednesday 36:7 37:12 45:24

week 10:8,21 13:3, 11 25:9

weigh 130:13

weighed 121:2

Wesson 74:15

West 4:21

whichever 104:6

William 8:24

windshield 67:7

witnessed 109:14

witnesses 11:3,9 131:18,19

Witzburg 5:2,3 15:17 18:8 24:9 27:3,24 100:15 101:20 119:7,8,19, 24 120:16 122:1

Witzburg's 5:14

wonderful 132:19

word 19:4 53:1 73:8 130:2,3 131:14,19

words 62:1 64:7 65:6 67:14 68:20, 22 69:14,23 70:2, 9,14,15 71:2,22 73:17 74:3,24 75:13 103:11 114:6 132:1,5 133:8

work 4:9 38:3 46:9 132:23 133:18

worked 76:21

workforce 132:22

working 7:18 44:7 54:2 55:2 85:15

workings 65:10 102:21

wound 114:10 130:16

wounds 84:12 130:1,9,15

write 105:12

writing 11:15 131:12

written 29:6,8 66:14 67:23 70:6, 19 96:3

wrong 18:18 68:19 90:16 104:2 106:1 115:1 129:7, 9

wrote 86:24 127:13

Y

year 8:17 22:21 23:5 95:3

years 44:5 64:16 66:7 71:11,13 72:21 88:2,12 97:7 131:11 133:1

Yohler 4:23 8:20 37:18

Z

ZIP 80:1,8,11,14, 19 84:23

CITY OF CHICAGO
OFFICE OF INSPECTOR GENERAL

ADVISEMENT OF RIGHTS

I, David March, understand that I am being interviewed by Peter Neumer and Deborah Witzburg from the City of Chicago Office of Inspector General.

DATE 7/25/16 TIME _____ LOCATION 300 West Adams Street, Ste. 800, Chicago, IL

I understand that this interview is part of an official investigation and that I have a duty to cooperate with the Office of Inspector General, which includes answering all questions completely and truthfully.

I understand that I have no right to remain silent. I understand that I have an obligation to answer questions put to me truthfully. I understand that if I refuse to answer questions put to me, I will be ordered by a superior officer to answer the questions. I further understand and I have been advised that if I persist in my refusal to answer after an order to do so, such further refusal constitutes a violation of the Rules and Regulations of the Chicago Police Department and may serve as the basis for my discharge.

I understand and have been advised that my statements or responses may constitute an official police report. I understand that Rule 14 of the Chicago Police Department's Rules and Regulations prohibits making a false report, written or oral, and I further understand that making such a false report, whether written or oral, may result in my separation from the Chicago Police Department.

I understand that any statement made by me during this interview may be used as evidence of misconduct or as the basis for disciplinary action up to and including removal or discharge.

I understand that any statement made by me during this interview and the fruits thereof cannot be used against me in a criminal proceeding.

I understand that I have the right to have a union representative, or legal counsel of my choosing, present at the interview to consult with, and that I will be given a reasonable time to obtain a union representative or legal counsel as long as the interview is not unduly delayed.

I understand that a refusal to answer any question, or any false, inaccurate, or deliberately incomplete statement by me would constitute a violation of Chicago Municipal Ordinance 2-56, and may serve as the basis for my discharge.

I acknowledge that this statement of my administrative rights has been read aloud to me, and I have been allowed [illegible] review this document.

[redacted]
Employee Signature

Witness: _____ Witness: [redacted]

****

WAIVER

Understanding these rights, I wish to answer questions from investigators from the Office of Inspector General without having a union representative or legal counsel present. No promises or threats have been made to me and no pressure or coercion of any kind has been used against me.

Employee Signature: _____

EXHIBIT 1 016 7-25-16

NOTIFICATION OF INTERVIEW TO CPD MEMBER CITY OF CHICAGO OFFICE OF INSPECTOR GENERAL			DATE July 20, 2016
NAME	RANK	STAR NO	UNIT OF ASSIGNMENT
David March	Detective	20563	610

YOUR APPEARANCE IS REQUIRED

AT ☒	Amicus Court Reporters 300 West Adams, Ste 800 Chicago, IL 60606	ON	DATE July 23, 2016	TIME 9:00 am

AS ☒ ACCUSED ☐ WITNESS ☐ COMPLAINANT

FOR ☒ A STATEMENT

CONCERNING

Detective David March's false statements concerning the McDonald Shooting and review and approval of reports containing false statements.

YOU ARE TO REPORT TO:

LEAD INVESTIGATOR	TITLE	PHONE NO.	EMAIL
Kristopher Brown	Investigator III	773-478-0221	kbrown@chicagoinspectorgeneral.org

NOTE: You MUST notify the Lead Investigator of your inability to keep this scheduled appointment.

ALSO PRESENT AT THE INTERVIEW WILL BE:

NAME	TITLE	NAME	TITLE
Peter Neumer	Senior Assistant Inspector General	N/A	N/A

THE INTERVIEW WILL BE ☐ AUDIO RECORDED ☒ TRANSCRIBED BY A LIVE REPORTER

TO BE COMPLETED BY INTERVIEWEE (if applicable)

ACKNOWLEDGEMENT

Please contact Investigator Brown at (773) 478-0221 to confirm receipt of Notification of Interview and to confirm your attendance at the interview.

I hereby acknowledge receipt of this Notification of Interview.

SIGNATURE [redacted] DATE 20 JUL 2016

PRINTED NAME David M MARCH TIME 1600

TO BE COMPLETED BY OFFICE OF INSPECTOR GENERAL OR CPD COMPONENT PROVIDING NOTIFICATION TO INTERVIEWEE

NOTIFICATION MADE TO:	TITLE, RANK, & UNIT	DATE	TIME
David March	Detective 610	20 JUL 16	1600
NOTIFICATION MADE BY:	**TITLE, RANK, & UNIT**	**DATE**	**TIME**
Andrew Stewart	Sergeant	20 JUL 16	1600

EXHIBIT 2 OIG 7-23-16

NOTIFICATION OF ALLEGATIONS

CITY OF CHICAGO OFFICE OF INSPECTOR GENERAL

NAME OF ACCUSED	RANK	STAR NO.	UNIT OF ASSIGNMENT
David March	Detective	20563	610

City ordinance, and if applicable, collective bargaining agreements, provide that you are entitled to notice of the nature of the allegations against you and the identity of all complainants prior to any interview. Accordingly, you are advised as follows:

COMPLAINANT(S)

1. John J. Escalante, Interim Superintendent of Chicago Police Department, sent a letter to the City of Chicago Office of Inspector General (OIG) dated January 13, 2016, requesting that OIG conduct an administrative investigation of the following allegations arising out of the October 20, 2014 shooting death of Laquan McDonald (the McDonald Shooting): "whether any officer(s) made false statements on official reports submitted in connection with the shooting of Laquan McDonald on October 20, 2014; whether any officer(s) obstructed or interfered with the investigation of this incident, either individually or in collusion with others; and whether any officer(s) committed any violation of Chicago Police Department rules, policies, or orders in connection with their response and/or handling of this matter." Escalante attached to the letter a copy of Sergeant S. Soria's (Star # 2275) Initiation Report, which raises similar allegations of misconduct with respect to Department members in connection with the McDonald Shooting, and identified that Report as a basis for OIG's administrative investigation.

ALLEGATION(S)

1. On October 21, 2014, you reviewed and approved an Original Case Incident Report, which includes an Event Number of 1429315878 and an R.D. Number of HX475653 (the OCIR), even though it falsely stated that Officer Jason Van Dyke was "Injured by offender."

2. On or about October 20, 2014 or October 21, 2014, you assisted in the drafting of the OCIR, which falsely stated that Officer Jason Van Dyke was "Injured by offender."

3. On or about October 20, 2014, you made a false statement to Investigator Earl Briggs of Cook County's Office of the Medical Examiner when, with respect to the McDonald shooting, you stated that McDonald lunged at Chicago Police Officers assigned to Beat 845R with a knife.

4. You were incompetent in the performance of your duties in the ways enumerated in allegations 1 through 3.

ACKNOWLEDGEMENT

I hereby acknowledge receipt in writing of the identity of the complainant(s) and notice of the nature of the allegation(s) against me.

Signature [redacted] Date 21 JUL 2016

EXHIBIT 3 OIG 7-25-16

David M MARCH 20 JUL 2016

Printed Name Andrew Stewart #7759 Time 1600

WITNESSES

[redacted] 7759

City of Chicago Office of Inspector General
740 North Sedgwick Street
Suite 200
Chicago, Illinois 60654

RECEIPT FORM

OIG FILE NO. 15-0564

ON 22 Jul 2016 (DATE) AT 1600 hrs. (TIME)

Andrew Stuart (NAME) Sergeant (TITLE)

☐ SEIZED FROM ☐ RECEIVED FROM ☐ RETURNED TO ☒ RELEASED TO

NAME	TITLE	DEPT.
David March	Detective	Chicago Police Department

THE FOLLOWING ITEM(S):

- a copy of an October 21, 2014 Cook County Office of Medical Examiner Case Report for ME2014-01071;
- a copy of an October 21, 2014 Original Case Incident Report for R.D. No. HX475653 with the event number 1429315878 and the "Case ID" 9825613 CASR 229.

ACKNOWLEDGEMENT

I hereby acknowledge receipt in writing of the above-listed item(s).

Signature [redacted] Date 22 Jul 2016

Printed Name David M MARCH Time 1600

WITNESSES

[redacted] 1759

EXHIBIT 4 OIG 7-25-16

Medical Examiner Investigations
Case Report
ME2014-01071

Companion Case to:

Case Type: Forensic Institute

Initial Impression: GSW / Police Involved Shooting

Decedent / Subject

Deceased Name: Laquan McDonald

Deceased DOB: [redacted]

Deceased Gender / Race / Age: Male / Black / 17 Y

Deceased Home Address & County: [redacted]
County: Cook County

Deceased Phone: Unknown

Social Security: 000-00-0000

Notification

Date: 10/20/2014 **Time:** 11:51:59 PM

Name: Detective March

Title: Detective

Star: 20563

Telephone Number: 312-747-8380

Agency or institution making notification: Chicago Police Department

Beat: 5121

Police Report #: HX475653

Discovered

Discovered by: Chicago Police Beat # 845R

Address: 3420 W. 63rd Street, Chicago, IL 60629

Phone: 312-747-8730

Title: Police Officer

Relationship: Police Officer

Last known alive: 10/20/2014

Discovered Date/Time: 10/20/2014 9:56:00 PM



OIG 15-0564 016028

OIG 15-0564 016566

Medical Examiner Investigations
Case Report
ME2014-01071

CPR performed: N/A

Condition of body: Multiple GSW

Place of Occurrence / Incident

Address where ORIGINAL Incident occurred: 4112 S. Pulaski Chicago, IL 60632

County of Occurrence: Cook County

Type of Premises: STREET

Time of occurrence: 9:56:00 PM

Date: 10/20/2014

Identification of Deceased:

Positive Identification: Coworker

Identification Means: Fingerprints

Additional ID Info: ICLEAR Chicago IR # 2106340

Pronouncement

Place deceased pronounced: Hospital ER

Method of Pronouncement: On View

Hospital: MOUNT SINAI MEDICAL CENTER

Date and Time: 10/20/2014 10:42:00 PM

Pronounced by: Dr. Titeel

Fire Department on Scene: Chicago Fire Dept # 21

List of Person Interviewed

Name / Relationship or title / Address / Phone Number:

Detective March	Police Officer	Detective	5101 S. Wentworth, Chicago, IL 60609	312-747-8380

Medical Examiner Investigations
Case Report
ME2014-01071

Next of Kin

Next of Kin Name: Unknown Kin

Contact Info: Unknown

Next of Kin notified: ☑ Next of kin unknown

Narrative

On 20 October 2014 at 2351 hours Detective March # 20563 of the Chicago Police Department Area Central Detectives Beat # 5121 notified the Forensic Institute the subject Laquan McDonald had expired at Mt. Sinai Hospital after being shot by an on duty Chicago Police Officer.

Detective March related the following; on or about 2156 hours 19 October 2014 Chicago Police 8th District Beat Car 815R responded to 41st and Kildare in reference to a "Citizen Holding a Subject". Upon arrival Beat # 815R was confronted by the subject who threatened the officers with a 4 inch fold knife. The subject fled the scene on foot where at 4112 S. Pulaski the subject was stopped by officers assigned to Beat # 845R. The officers announced their office as "Chicago Police Officers" and ordered the subject to drop the knife. The subject lunged at the officers with the knife. Fearing for their life and attempting to stop the threat one officer (star # 9465) fired sixteen rounds from his duty weapon a Smith & Wesson 9mm handgun striking the subject numerous times . After striking the subject an ambulance was requested by the officers.

Upon arrival of Chicago Fire Department Ambulance # 21 the subject was transported to Mt. Sinai Hospital. Once at Mt. Sinai Hospital emergency room staff were unable to revive the subject and the subject expired at 2242 hours being pronounced by Doctor Titeel. It appears that the subject sustained the following gunshot wounds, four to the chest, six to the right arm, five to the left arm, one to the rightside torso, two to the back, one to the right hip, two to the left leg front, two to the left leg rear, 2 to the left thigh and three to the right thigh. At this time since the officer fired sixteen times which of the twenty-six gunshot wounds are entrance or exit wounds.

At the time of this incident both officers assigned to Beat # 845R and 815R were in full Chicago Police Department uniform.

The subject was ordered along with all police reports, medical records which included admission blood which was drawn to the Forensic Institute for further examination.

Subject was positively identified by the Chicago Police ICLEAR system based on a prior Chicago Police Booking Number IR2106340. At the time of this report it is unknown why the citizen was "Holding the Subject" since the citizen left the scene and could not be interviewed.

Subject's next of kin has not been notified

Pertinent Information

OIG 15-0564 015030

OIG 15-0564 016568

Medical Examiner Investigations
Case Report
ME2014-01071

Scene: ☐

RI Date/Time leaving for scene from office:

RI Arrival on scene - time:

RI Departure from scene - time:

RI arrival at Institute:

Point of contact: Detective March # 20563

Temperature of Environment: 52 Degree Fahrenheit

Medications/Drugs on scene:

Drug Name	Pharmacy Physician Name Phone No	Rx No Rx Date Dosage Name on Bottle	Number Issued Number Left	Note

Photographs taken on scene: False

Medical History

General Medical History: N/A

Attending Physician: N/A

Last Contact with physician: Unknown

End of Report

[redacted] #76
Investigator

[redacted]
Supervisor

Date and Time completed: 10/21/2014 1:30:31 AM

OIG 15-0564 015031

OIG 15-0564 016569

CHICAGO POLICE DEPARTMENT

ORIGINAL CASE INCIDENT REPORT

3510 S. Michigan Avenue, Chicago, Illinois 60653

RD #: HX475653

EVENT #: 1429315878

INCIDENT

ASSIGNED TO FIELD

IUCR: 0552 - Assault - Aggravated Fo:Knife/Cut Instr

Occurrence Location: 4000 S Karlov Ave
Chicago IL
304 - Street

Beat: 0815

Unit Assigned: 0841R
RO Arrival Date: 20 October 2014 21:57

Occurrence Date: 20 October 2014 21:56

Offenders: 1

VICTIM / OFFENDER

VICTIM - Individual

Name: PO. GAFFNEY #19956, Thomas

Res: 3426 W 63rd St
Chicago IL

Beat: 0823

Beat: 5100

Sobriety: Sober

Demographics

Male

Age: 41 Years

VICTIM - Individual

Name: PO. VAN DYKE #12865, Jason

Res: 3420 W 63rd St
Chicago IL

Beat: 0823

Beat: 5100

Sobriety: Sober

Demographics

Age: 36 Years

VICTIM - Individual

Name: PO. WALSH #12865, Joseph

Res: 3420 W 63rd St
Chicago IL

Beat: 0823

Beat: 5100

Sobriety: Sober

Demographics

Age: 45 Years

INJURIES

Injury Info (PO. VAN DYKE #12865,Jason - Victim)

Injured by offender

SUSPECTS

Suspect # 1

In Custody

Name: MCDONALD, Lequan J

Res: [redacted]
Chicago IL

Beat: 0314

Demographics

Male
Black
6'01,
185 lbs
Brown Eyes
Brown Hair
Dreadlocks Hair Style
Dark Complexion

DOB: [redacted]

Age: 17 years

Birth Place: IL

Suspected of Using: Weapon

EXHIBIT 6 OIG

RD #: HX475653

SUSPEC

Injury Info

		Injury Extent:	Fatal	**Pronounced Date:**	20 October 2014 22:42
CFD First Aid Given?	Yes			**Removed By:**	Ambulance 21
Responding Unit:	Ambulance 21	**Hospital:**	Mt. Sinai	**Removed Date:**	20-OCT-14
		Physician:	Dr. Pitzel		

Type	**Weapon Used**
Gun Shot Wound	Handgun

RELATIONSHIP

RELATIONSHIP

(Victim) **PO. GAFFNEY #19958, Thomas**	is a	No Relationship of	(Offender) **MCDONALD, Lequan,J**
(Victim) **PO. VAN DYKE #12865, Jason**	is a	No Relationship of	(Offender) **MCDONALD, Lequan,J**
(Victim) **PO. WALSH #12865, Joseph**	is a	No Relationship of	(Offender) **MCDONALD, Lequan,J**

DOMESTIC INFO

VEHICLE

Vehicle #1

Vehicle:	Chevrolet - Tahoe - Truck	**Damaged?**	Yes	**Owner:**	City Of Chicago
Style:	Hardtop, 4-Door	**Damaged Descr:**	Tire(S)-Flat, Front Windshield Scratched	**Possessor/User:**	PO. GAFFNEY #19958, THOMAS
Color-Top/Bottom:	White/White	**Theft From?**	No	**Towed?**	No
		Burned?	No		
License Plate #:	Mp6581 - Illinois - Law Enforcement (City, County, State, Sos)	**Destroyed?**	No		
Expires:	01-December-2014	**Recovered?**	No		
		Stolen?	No		

Vehicle Identifiers: Police Squad Car

CLEAR

NOTIFICATIONS

Request Type	Unit	Agency Name	Date	Star #	Name
Notification	177	Forensic Services Division	20 October 2014 23:07	13131	,SARLO

Request Type	Date	Star #	Name
Notification	20 October 2014 23:14	4898	,JINES

Request Type	Unit	Agency Name	Date	Star #	Name
On Scene	610	Detective Area - Central	20 October 2014 21:50	20563	,MARCH

Request Type	Unit	Agency Name	Date	Star #	Name
Notification	116	Deployment Operations Center	21 October 2014 22:58	7303	,CHIBE

Request Type	Date	Empl #	Name
Notification	20 October 2014 23:50	76	,BRIGGS

OIG 15-0564 016572

NARRATIVE

EVENT# 15878 REFER TO DETECTIVE DIVISION SUPPLEMENTARY REPORT.
NOTIFICATION: WATCH COMMANDER OF UNIT LT. KOCH Beat#: Star#: 715 Emp#: Date: 20-OCT-2014 Time: 2250 NOT
NOTIFICATION: STATION SUPERVISOR COMISKEY Beat#: Star#: 1774 Emp#: Date: 21-OCT-2014 Time: 2250 NOT
NOTIFICATION: SERGEANT STEPHEN FRANKO Beat#: 0810R Star#: 1381 Emp#: Date: 21-OCT-2014 Time: 2158 ONS
ASSISTING OFFICER - STAR#: 10590 NAME: RICARDO VIRAMONTES BEAT: 0841R
REPORTING OFFICER - STAR#: 19958 NAME: THOMAS GAFFNEY BEAT: 0815R
REPORTING OFFICER - STAR#: 18715 NAME: JOSEPH MCELLIGOTT BEAT: 0815R
ASSISTING OFFICER - STAR#: 12865 NAME: JOSEPH WALSH BEAT: 0845R
ASSISTING OFFICER - STAR#: 9465 NAME: JASON VAN DYKE BEAT: 0845R
ASSISTING OFFICER - STAR#: 4364 NAME: JANET MONDRAGON BEAT: 0813R
ASSISTING OFFICER - STAR#: 2763 NAME: DAPHNE SEBASTIAN BEAT: 0813R
ASSISTING OFFICER - STAR#: 6442 NAME: TERENCE BRADY BEAT: 0811R
ASSISTING OFFICER - STAR#: 7025 NAME: MICHAEL BELMONTEZ BEAT: 0811R
ASSISTING OFFICER - STAR#: 10385 NAME: LETICIA VELEZ BEAT: 0822
ASSISTING OFFICER - STAR#: 15790 NAME: ARTURO BECERRA BEAT: 0822
ASSISTING OFFICER - STAR#: 9654 NAME: RAUL ROSALES JR BEAT: 0821R
ASSISTING OFFICER - STAR#: 8302 NAME: PATRICK KENNING BEAT: 0821R
SUPERVISOR ON SCENE - STAR#: 1320 NAME: BRYAN SPREYNE BEAT: 0865
SUPERVISOR ON SCENE - STAR#: 1381 NAME: STEPHEN FRANKO BEAT: 0810R
ASSISTING OFFICER - STAR#: 12392 NAME: DAVID IVANKOVICH BEAT: 0823R
ASSISTING OFFICER - STAR#: 19898 NAME: JOSE TORRES BEAT: 0823R
ASSISTING OFFICER - STAR#: 11830 NAME: ANTHONY VANCE BEAT: 0833R
ASSISTING OFFICER - STAR#: 16422 NAME: JAMES GEISBUSH BEAT: 0833R
ASSISTING OFFICER - STAR#: 6490 NAME: LUIS GARCIA BEAT: 0851R
ASSISTING OFFICER - STAR#: 12037 NAME: ELLIOT FLAGG BEAT: 0851R
SUPERVISOR ON SCENE - STAR#: 1734 NAME: PETER MC GLYNN BEAT: 0830R
OTHER SUPPORT - STAR#: 20453 NAME: JOHN HALLORAN BEAT: 5131
OTHER SUPPORT - STAR#: 21128 NAME: JOHN MURRAY BEAT: 5131
OTHER SUPPORT - STAR#: 20563 NAME: DAVID MARCH BEAT: 5121
OTHER SUPPORT - STAR#: 21285 NAME: GREGORY JONES BEAT: 5122
OTHER SUPPORT - STAR#: 20606 NAME: RICHARD HAGEN BEAT: 5165
OTHER SUPPORT - STAR#: 529 NAME: OSVALDO VALDEZ BEAT: 5105
OTHER SUPPORT - STAR#: 62 NAME: EUGENE ROY BEAT: 5100
OTHER SUPPORT - STAR#: 10201 NAME: CARL BRASIC BEAT: 5802
OTHER SUPPORT - STAR#: 8825 NAME: KAMAL JUDEH BEAT: 5802
OTHER SUPPORT - STAR#: 819 NAME: DAVID FRIEL BEAT: 5880
OTHER SUPPORT - STAR#: 20201 NAME: MATTHEW RICKHER BEAT: 5885
OTHER SUPPORT - STAR#: 1303 NAME: DANIEL GALLAGHER BEAT: 5120
ASSISTING OFFICER - STAR#: 20555 NAME: ROBERTO GARCIA BEAT: 5122
- STAR#: 120 NAME: DAVID MC NAUGHTON BEAT: 41
- STAR#: 13 NAME: JAMES O DONNELL BEAT: 0800
- STAR#: 107 NAME: DENNIS WALSH BEAT: 0890
- STAR#: 14193 NAME: MAHMOUD HALEEM BEAT: 0865B
- STAR#: 13516 NAME: IVAN LOPEZ BEAT: 0865B
- STAR#: 10333 NAME: PATRICK KENAH BEAT: 0865C
- STAR#: 14393 NAME: ANDRES ZEPEDA BEAT: 0865C
- STAR#: 13882 NAME: ROBERT SHULTZ BEAT: 0865C

PERSONNEL

	Star No	Emp No	Name	User	Date	Unit	Beat
Approving Supervisor	1381	[redacted]	FRANKO, Stephen, D	([redacted]	21 Oct 2014 05:18	008	
Detective/Investigator	20563	[redacted]	MARCH, David, M	([redacted]	21 Oct 2014 15:01	610	
Reporting Officer	4484	[redacted]	FONTAINE, Dora	[redacted]	21 Oct 2014 04:32	008	0841R

Powered by CLEAR Technologies

Chicago Police Department

General Order G03-02-05

INCIDENTS REQUIRING THE COMPLETION OF A TACTICAL RESPONSE REPORT

ISSUE DATE:	23 September 2002	**EFFECTIVE DATE:**	01 October 2002
RESCINDS:	G02-08-05		
INDEX CATEGORY:	Field Operations		
Rescinded on 30 October 2014 by G03-02-05; 30 October 2014			

I. PURPOSE

This directive identifies incidents which will require the completion of a Tactical Response Report (CPD-11.377). Department members will refer to the Special Order titled "**Incidents Requiring the Completion of a Tactical Response Report**" for reporting and reviewing responsibilities.

II. POLICY

A. The Tactical Response Report will be used to document the following incidents:

1. all incidents which involve a subject fitting the definition of an assailant whose actions are directed against a Department member or directed against another person and the member intervenes.
2. all incidents which involve a subject fitting the definition of an active resister except for incidents in which:
   a. the subject's only action of resisting is fleeing; and
   b. the member's actions did not extend beyond verbal commands and/or control holds utilized in conjunction with handcuffing and searching techniques which do not result in injury or allegation of injury.
3. incidents involving a subject fitting the definition of a passive resister or a cooperative subject when the subject is injured or alleges injury resulting from the member's use of a force option.
4. all incidents involving the discharge of OC spray or other chemical weapon, a Taser, impact munitions, or a firearm.
5. all incidents where a subject obstructs a police officer when the obstructing is a physical act between the subject and the officer.

B. Incidents which do not require documentation on a TRR include:

1. the use of a firm grip hold which does not result in an injury or allegation of injury;
2. that force necessary to overcome passive resistance due to physical disability or intoxication which does not result in injury or allegation of injury;
3. control holds utilized in conjunction with handcuffing and searching techniques which do not result in injury or allegation of injury and which by themselves are not described in Item II-A of this directive;
4. the use of force in an approved training exercise.

C. If the most serious use of force requires an investigation by an On-Call Incident Commander (OCIC), then the findings of all Tactical Response Reports resulting from the use of force by any member in that instance will be the responsibility of that OCIC.

RESCINDED

© Chicago Police Department, September 2002

III. PROCEDURES FOR USE OF THE TACTICAL RESPONSE REPORT

A. Each sworn member or detention aide in the performance of his or her duties who is involved in a reportable use of force incident, as described in Item I-A of this directive, will:

1. immediately notify the member's or detention aide's immediate supervisor that he or she has been involved in a use of force incident.

2. complete a Tactical Response Report, detailing information as requested on the report. Specific instructions for the completion of the form can be found in the Tactical Response Report Form Preparation Instructions.

NOTE: In reportable use of force incidents, each sworn member or detention aide who uses force will complete a TRR; therefore, there may be several such reports completed for a single arrest.

3. make notifications to the Office of Emergency Management and Communications and the desk sergeant in the district of occurrence and record the name of the person receiving the notification in the appropriate case report for all incidents involving the discharge of OC spray, a Taser, impact munitions, or a firearm.

4. ensure that his or her completed TRR is submitted, along with other required reports as indicated in the Department directive entitled "**Processing Persons Under Department Control**," to the watch commander in the district of occurrence.

B. A supervisor who has been notified of an incident as described in Item II-A of this directive will:

1. respond to the scene when the injury to a subject or member is of the severity to require immediate medical attention.

2. ensure that all witnesses are identified, interviewed, and that information is recorded in the appropriate report.

3. request the assignment of an evidence technician to take photographs of subjects who have been involved in a use of force incident and are injured, allege injury, or when otherwise deemed appropriate by the supervisor.

4. ensure that other evidence is handled and processed according to existing Department procedures.

5. review the member's TRR for legibility and completeness and indicate approval of such by signing the appropriate box.

6. complete the TRR for a member who cannot complete the report due to injury.

NOTE: The TRR will not substitute for an Officer's Battery Report. Whenever a member is the victim of a murder or any type of a battery or an assault, whether such charges are placed against an offender or not, the supervisor will complete an Officer's Battery Report.

RESCINDED

© Chicago Police Department, September 2002

7. ensure that a report is completed for the incident, consistent with the guidelines established in the Incident Reporting Guide (IRG) (CPD-63.451).

NOTE: Tactical Response Reports resulting from incidents which would not normally require case reports (e.g., warrant arrests) will require the completion of a case report. Members will refer to the IRG section entitled "Special Case Reporting Index for Use of Force Incidents" for specific reporting instructions.

Terry G. Hillard
Superintendent of Police

00-148 LMT(PMD)

RESCINDED

© Chicago Police Department, September 2002

Chicago Police Department

General Order G03-02-06

WEAPON DISCHARGE INCIDENTS INVOLVING SWORN MEMBERS

ISSUE DATE:	25 September 2002	**EFFECTIVE DATE:**	01 October 2002
RESCINDS:	G02-09		
INDEX CATEGORY:	Field Operations		

Rescinded on 30 October 2014 by G03-02-06; 30 October 2014

I. PURPOSE

This directive outlines Department investigative and reporting procedures in weapon discharge incidents.

II. SCOPE

Under normal circumstances, the provisions of this directive will not apply to:

A. the discharge of a firearm during:

1. Department-sponsored firearms training or practice;
2. firearms practice at a recognized range facility.
3. Department authorized ballistic examination or testing.
4. a licensed hunting activity.

B. the discharge of a Taser in a Department authorized training program.

C. chemical agent use in a Department authorized training program.

III. FIREARMS DISCHARGE INCIDENT NOTIFICATIONS

In addition to other notifications outlined in this directive, for **ANY** firearms discharge incidents, including unintentional discharges and those involving the destruction of an animal:

A. the watch commander in the district of occurrence will ensure Operations Command is notified.

B. Operations Command will notify the Internal Affairs Division (IAD) call-out supervisor of any firearms discharge incident notification.

IV. MANDATORY ALCOHOL AND DRUG TESTING

A. Any sworn Department member, involved in a firearms discharge incident, whether on or off duty, is required to submit to the mandatory alcohol and drug testing, in compliance with this directive and any applicable collective bargaining agreement.

NOTE: This requirement does not apply to the circumstances delineated in Item II-A of this directive.

B. The IAD call-out supervisor will:

1. contact the On-Call Incident Commander (OCIC) or watch commander, as appropriate, and respond to the designated location to conduct the alcohol and drug testing.
2. complete and submit a "Notice of Alcohol and Drug Testing Following a Firearms Discharge Incident" (CPD-44.252).

C. The IAD call-out supervisor will ensure:

1. the involved member submits to the alcohol breath test and will conduct the test according to Department policy.

© Chicago Police Department, September 2002

RESCINDED

2. the alcohol breath test result is provided to the OCIC or watch commander, as appropriate.

3. the involved member submits to the drug test and ensure the urine specimen is:

   a. collected in a manner that will preserve the dignity of the involved member and ensure the integrity of the sample.

   b. collected in the presence of a supervisor of the same sex as the involved member.

   c. retained by the IAD call-out supervisor who will assume the responsibility for ensuring that the urine specimen is properly secured in accordance with established division-level standard operation procedures, pending processing by a medical laboratory.

4. the alcohol and drug testing occurs as soon as practicable after the firearms discharge incident given the overall demands of the investigation.

   NOTE: The member with overall command responsibility, (e.g., OCIC or watch commander), will ensure testing is initiated no later than six hours following the firearms discharge incident.

5. that copies of any associated reports, including the testing and results documentation, are forwarded to the Chief Administrator, Independent Police Review Authority (IPRA) once the testing is completed.

D. If the involved member refuses to provide a breath test or urine specimen pursuant to this process, it is a violation of the Department Rules and Regulations, (e.g., disobedience of an order or directive whether written or oral), and will result in administrative charges against the member, which may include discipline up to and including separation.

E. No discipline shall occur based solely on the results of the alcohol test when the member's actions are consistent with the Department's Use of Force guidelines and the member discharged their weapon off-duty.

Terry G. Hillard
Superintendent of Police

00-148 LMT, MWK

RESCINDED

© Chicago Police Department, September 2002

OIG 15-0564 004069

Chicago Police Department

Special Order S03-02

USE OF FORCE

ISSUE DATE:	25 October 2010	**EFFECTIVE DATE:**	25 October 2010
RESCINDS:			
INDEX CATEGORY:	Field Operations		

Rescinded on 30 October 2014 by S03-02; 30 October 2014

I. PURPOSE

The following addenda describe procedures to be followed for all incidents involving the discharge of OC spray or other chemical weapon, a Taser, impact munitions, or a firearm. Department members will refer to the General Order titled "**Use of Force Guidelines**" for the policy and guidelines governing Use of Force incidents.

ADDENDA:

1. S03-02-01 - Firearm Discharge in Incidents other than the Destruction of Animals
2. S03-02-02 - Other Weapon Discharge Incidents
3. S03-02-03 - Incidents Requiring the Completion of a Tactical Response Report
4. S03-02-04 - CLEAR Automated Tactical Response Report

RESCINDED

© Chicago Police Department, October 2010

Chicago Police Department

Special Order S03-02-01

FIREARM DISCHARGE IN INCIDENTS OTHER THAN THE DESTRUCTION OF ANIMALS

ISSUE DATE:	25 September 2002	**EFFECTIVE DATE:**	01 October 2002
RESCINDS:	G02-09-01		
INDEX CATEGORY:	Field Operations		

Rescinded on 30 October 2014 by G03-02-06; 30 October 2014

I. PURPOSE

This directive:

A. outlines Department investigative and reporting procedures in firearm discharge incidents other than incidents involving the destruction of an animal.

B. introduces the concept of the Round Table Panel Session.

II. ROUND TABLE PANEL SESSION

A. The Round Table Panel Session is a preliminary fact-finding session used to provide a forum for the interview of witnesses and review of available facts relevant to a police-related firearm discharge incident.

B. The Round Table Panel Session will include the following personnel:

1. the On-Call Incident Commander;
2. the area commander of the affected Detective Division area;
3. the watch commander of the district of occurrence;
4. the Detective Division police shooting coordinator for the affected area;
5. other assigned Detective Division personnel;
6. an Assistant State's Attorney;
7. Independent Police Review Authority, and;
8. law enforcement representatives as deemed necessary by the On-Call Incident Commander for the completion of the investigation.

C. The Round Table Panel Session will convene in instances in which:

1. a Department member has discharged his or her firearm and an individual has been killed or injured or:
2. the On-Call Incident Commander, deems that a Round Table Panel Session will aid and facilitate an investigation.

D. Conduct of the Round Table Panel Session

1. The area commander of the affected Detective Division area will be the member responsible for convening the Round Table Panel Session with the approval of the On-Call Incident Commander.
2. The Round Table Panel Session will be convened only after the assigned Detective Division personnel have established factual outlines of events in order to present available evidence and testimony in an understandable sequence.
3. The commander of the affected Detective Division area will designate one individual as interviewer. All questions directed to individuals appearing before the Round Table Panel Session will be asked by and through this designated individual.

© Chicago Police Department, September 2002

OIG 15-0564 004071

4. The interviewer will introduce the members of the Round Table Panel Session to the Department member being interviewed and identify the person in charge of the investigation.

E. Member's Right to Counsel and Representation.

1. Union members have the right to be represented by counsel or a representative of their union as authorized by their collective bargaining agreement.
2. Non-union members have the right to be represented by counsel or a person of their choosing who is not an on-duty member.
3. The counselor/representative may advise the member but may not interfere with the interview.

F. Allegations of Misconduct Against a Member

In any instance in which an allegation of misconduct has been made against a member or when an allegation has been made in which criminal prosecution is probable, the member will be:

1. informed in writing of the nature of the allegations before any interview begins.
2. given statutory administrative proceeding rights or, if the allegation indicates that criminal prosecution is probable against the member, constitutional rights concerning self-incrimination prior to the commencement of the interview.
3. interviewed in a manner following the "Conduct of Investigation" procedures outlined in the Department directive entitled "**Complaint and Disciplinary Procedures**."
4. provided with a copy of any written statement made by the member without any unnecessary delay.
5. allowed reasonable periods of time for personal necessities, meals, telephone calls, and rest.

III. MEMBER'S RESPONSIBILITIES IN FIREARM DISCHARGE INCIDENTS

A. Members who discharge a firearm in the destruction of an animal will follow the procedures described in the Department directive entitled "**Other Weapon Discharge Incidents**."

B. In any other instance where a member has discharged a firearm or has had gunfire directed at his or her person, the member, if physically capable, will:

1. notify the Office of Emergency Management and Communications (OEMC) immediately and provide all relevant information.
2. attend to all required emergency and security duties arising from the incident.
3. provide Department members conducting the investigation with information required to effect arrests and fulfill immediate law enforcement necessities.
4. inform the desk sergeant of the district of occurrence.
5. remain on the scene, if not injured, and report to the watch commander from the district of occurrence upon his or her arrival.
6. ensure that his or her firearm remains holstered and secured until it is submitted to Forensic Services Section personnel.

NOTE: If the involved member is injured and needs to be relieved of his or her firearm prior to receiving medical treatment, the securing member will take possession of the firearm and duty belt and will ensure that the firearm remains holstered and secured.

7. if disarmed during the firearm discharge incident, preserve the firearm as evidence, as it will be processed in compliance with the Department directive entitled "**Crime Scene Processing**."

© Chicago Police Department, September 2002

OIG 15-0564 004072

8. complete a Tactical Response Report (TRR) (CPD-11.377) and other reports at the location designated by the district watch commander responsible for the investigation.

NOTE: When a member who has discharged a firearm is unable to complete the TRR for any reason, it will become the responsibility of a supervisor designated by the watch commander to prepare this report.

9. attend the Round Table Panel Session as directed by supervisory personnel.

10. contact the Professional Counseling Service via telephone within twenty-four hours of the incident to schedule a **mandatory** debriefing.

NOTE: Members who are hospitalized as a result of their involvement in a firearm discharge incident will be contacted by a counselor from the Traumatic Incident Stress Management Program.

C. In any instance where a member has discharged a firearm outside the City of Chicago, the member will:

1. notify the local police agency and this Department's Operations Command.

2. ensure the submission of all reports connected with the incident, including a TRR and a To-From-Subject report, without unnecessary delay.

D. Any member, whether on or off duty, having knowledge of circumstances surrounding a firearm discharge incident or who has been fired upon will:

1. remain on the scene until released by those Department members conducting the investigation.

2. provide those Department members conducting the investigation with required information, assistance, and when requested, oral and written statements.

3. report to the watch commander in the district of occurrence.

E. Member's Statements and Interviews.

1. A member who is involved in a firearm discharge incident will provide an oral report to the person responsible for conducting the investigation without delay and outside the presence of any other individuals.

2. When a member who has discharged a firearm is notified that he or she must give a written statement or an oral statement in the presence of an observer, the interview may be postponed by the officer for a period of time not to exceed two hours.

IV. OFFICE OF EMERGENCY MANAGEMENT AND COMMUNICATIONS (OEMC) RESPONSIBILITIES

In all cases in which a member has discharged a firearm or has had gunfire directed at his or her person, the OEMC will:

A. dispatch sufficient patrol units to the scene.

B. determine if a medical emergency exists and if appropriate:

1. notify the Chicago Fire Department to dispatch emergency medical service units to the scene.

2. inform the emergency room of the receiving hospital.

C. assign a sergeant and a field lieutenant from the district of occurrence to the scene. In the event that a member has been injured, OEMC will assign a supervisor to respond to the medical facility treating the injured member.

© Chicago Police Department, September 2002

OIG 15-0564 004073

D. immediately notify the following in the listed order of priority:

1. the watch commander in the district of occurrence;
2. Operations Command;
3. the appropriate area Detective Division Violent Crimes Unit;
4. the Independent Police Review Authority (IPRA);
5. the involved member's unit of assignment;
6. any other units or agencies as they are requested.

E. not broadcast the name of a Department member who has been involved in a firearm discharge incident over the police radio.

V. ASSIGNED SERGEANT'S RESPONSIBILITIES

In all cases in which a member has discharged a firearm or has had gunfire directed at his or her person, the assigned sergeant will:

A. proceed immediately to the scene.

B. ensure that medical attention is provided and that adequate manpower and equipment are available.

C. establish an inner and outer perimeter at the scene of the incident.

1. The inner perimeter(s) is the area or areas at the scene of the incident where physical evidence is likely to be recovered.
2. The outer perimeter(s) is the area surrounding and encompassing the inner perimeter(s) where assigned personnel can be briefed and deployed.

D. ensure that:

1. no sworn member of any rank handles, inspects, unloads, or otherwise tampers with the involved member's firearm prior to the arrival of Forensic Services Section personnel.
2. unless the member was disarmed, the firearm remains holstered and secured pending the arrival Forensic Services Section personnel.
3. in instances when the Department member was disarmed during the firearm discharge incident, the firearm is preserved as evidence and processed in compliance with the Department directive entitled "**Crime Scene Protection and Processing**."
4. all fired projectiles have been accounted for without contaminating or interfering with the collection and maintenance of evidence.
5. witnesses and other persons (Department member or non-Department member) who may have relevant information are available for on scene interviews.
6. an officer other than the involved member has been assigned to conduct the preliminary investigation, prepare the original case report, and relay additional information to investigating units.

E. confirm that the desk sergeant in the district of occurrence and the member's unit of assignment have been notified.

F. prepare an Officer's Battery Report (CPD-11.451), when necessary, in accordance with the Department directive entitled "**Officer's Battery Reporting Procedures**."

G. complete the supervisor's section of the Tactical Response Report.

NOTE: If the involved member is of the rank of sergeant or higher, the field lieutenant will complete the supervisor's section of the TRR. In the absence of a field lieutenant, the watch commander will complete this task.

H. remain on duty until dismissed by the watch commander.

© Chicago Police Department, September 2002

OIG 15-0564 004074

VI. FIELD LIEUTENANT'S RESPONSIBILITIES

In all cases in which a member has discharged a firearm or has had gunfire directed at his or her person, the field lieutenant from the district of occurrence will:

A. proceed immediately to the location of the incident and assume command of the scene until the arrival of the watch commander.

B. ensure that:

1. the tasks outlined in Items IV-B through IV-D have been or are being performed.
2. a secondary notification regarding the incident is made to Operations Command.

C. confirm that the desk sergeant in the district of occurrence and the member's unit of assignment have been notified.

D. verify the submission of written reports from involved members in conformance with the provisions of this directive.

E. remain on duty until dismissed by the watch commander.

VII. WATCH COMMANDER'S RESPONSIBILITIES

In all cases in which a member has discharged a firearm or has had gunfire directed at his or her person, the watch commander in the district of occurrence will:

A. proceed to the location of the incident and assume command of the scene.

B. ensure that the tasks outlined in Items IV-B through IV-D have been or are being performed.

C. confirm that the following notifications have been made:

1. Operations Command.
2. the appropriate Area Detective Division Violent Crimes Unit.
3. the Independent Police Review Authority (IPRA).
4. the involved member's unit of assignment.
5. any other notifications as appropriate.

D. inform the following persons when a Department member has been injured or killed by gunfire:

1. the district commander of the district of occurrence;
2. the area deputy chief.

E. inform the following persons when an individual has been injured or killed by a firearm discharged by a Department member:

1. the district commander of the district of occurrence;
2. the area deputy chief;
3. the State's Attorney's Office, in accordance with the Department directive entitled "**Felony Review by Cook County State's Attorney**."

F. obtain a Universal (U) Number from the Independent Police Review Authority in all cases in which:

1. a Department member has injured or killed a person by use of a firearm.
2. a Department member has suffered a self-inflicted gunshot wound.

G. contact the On-Call Incident Commander, for authorization if circumstances necessitate the relocation of the investigation from the site of the occurrence.

H. ensure that Forensic Services Section personnel conduct the firearm inspection on-scene in his or her presence. If the watch commander determines that safety concerns or weather conditions preclude the on-scene inspection, the involved member will remain in the continual presence of a

© Chicago Police Department, September 2002

OIG 15-0564 004075

higher-ranking Department member until the inspection is conducted by Forensic Services Section personnel in the affected Area Detective Division.

I. notify the Professional Counseling Service via telephone, providing them with the name, star number, and unit of assignment of the involved member and the date the member was instructed to contact the Professional Counseling Service for a mandatory appointment.

J. assign transportation for the involved member.

K. verify the submission of written reports from involved members in conformance with the provisions of this directive.

L. review all written reports generated by Bureau of Patrol personnel submitted during the preliminary investigation.

M. prior to the end of his or her tour of duty, complete the review process for the submitted Tactical Response Reports by doing the following:

1. For accidental weapon discharge incidents, as defined in the Department directive entitled "**Use of Force Guidelines**," in which no person was killed or injured, the watch commander will:

   a. review all TRRs for legibility and completeness and complete the "Watch Commander/ADS Review" section of the TRR.

   b. obtain a CR number, ensure that CR initiation report is prepared, attach the original of the TRR(s) to the original CR initiation report and forward to IPRA.

   c. ensure that packets containing all related documents as indicated in the "Attachments" box of the TRR are distributed as listed in the "Distribution" box.

2. For all other weapon discharge incidents described in this addendum or when the involved member is the same rank or higher than the watch commander, the watch commander will:

   a. review all TRRs for legibility and completeness but will not complete the "Watch Commander/ADS Review" section of the TRR. All TRRs relating to the incident involving the weapon discharge, including any TRRs documenting a non-shooting member's use of lesser force options, will be submitted to the On-Call Incident Commander for his or her determination of conformity with Department directives.

   b. complete the shooting packet by compiling photocopies of all reports relevant to the incident. The Police Shooting Checklist will serve as a cover sheet for the photocopies and will be distributed as noted on the Checklist.

   c. receive the completed TRR(s) back from the On-Call Incident Commander and ensure that the TRR(s) are attached to the original of the case report documenting the firearm discharge and forwarded through normal channels to the Records Division.

VIII. ON-CALL INCIDENT COMMANDER RESPONSIBILITIES

In all cases in which a member has had gunfire directed at his or her person or has discharged a firearm, the on-duty the On-Call Incident Commander, will:

A. proceed to the scene, assume command of the scene, and ensure that a complete and thorough investigation is conducted of the incident.

B. ensure that all tasks delineated for lesser-ranking personnel have been or are being performed.

C. designate the watch commander responsible for directing the preliminary investigation whenever the incident has occurred in more than one district.

© Chicago Police Department, September 2002

OIG 15-0564 004076

D. personally conduct an investigation into the circumstances surrounding the incident and make a preliminary determination as to whether the conduct of the member conformed to Department guidelines.

NOTE: The occurrence of less serious transgressions may be addressed by the procedures described in the Department directive entitled "**Summary Punishment**."

E. inform the involved member that he or she is required to:

1. call the Professional Counseling Service within twenty-fours hours of the incident.
2. participate in the Traumatic Incident Stress Management Program.

F. prepare the "Watch Commander/ADS Review" section of the TRR as follows:

1. For accidental weapon discharge incidents, as defined in the Department directive entitled "**Use of Force Guidelines**," in which no person was killed or injured, the On-Call Incident Commander will not be responsible for the completion of the "Watch Commander/ADS Review" section of the TRR but may advise the watch commander on the conduct of the investigation.
2. For all other weapon discharge incidents described in this addendum or when the involved member is the same rank or higher than the watch commander, the On-Call Incident Commander will review all TRR(s) for legibility and completeness and complete the "Watch Commander/ADS Review" section of the TRR. The On-Call Incident Commander will receive the original of the TRR(s) from the watch commander conducting the preliminary investigation.

G. return the completed TRR(s) to the watch commander conducting the preliminary investigation.

H. prior to the termination of the tour of duty, submit a report to the Assistant Superintendent , Operations outlining the pertinent facts of the investigation and forward a copy of that report to the Independent Police review Authority.

IX. DETECTIVE DIVISION COMMAND RESPONSIBILITIES

A. In all cases in which a member has been injured or killed by gunfire or has injured or killed a person by use of a firearm, the Detective Division area commander will designate a Detective Division supervisor to serve as the police shooting coordinator for that incident.

B. The police shooting coordinator will:

1. personally respond to the scene of the investigation.
2. ensure the preservation of evidence and identification of witnesses.
3. assume responsibility for the follow-up investigation under the direction of the Detective Division area commander.

X. INDEPENDENT POLICE REVIEW AUTHORITY RESPONSIBILITIES

A. In all cases where a Department member has injured or killed a person by use of a firearm, IPRA will conduct a fair and impartial investigation into the circumstances surrounding the incident and make a determination as to whether the conduct of the member conformed to Department guidelines.

B. IPRA will investigate instances in which a Department member has been involved in a firearm discharge incident outside the Chicago Police Department's jurisdiction and the incident involves allegations of misconduct against the member.

C. In conducting these investigations, IPRA personnel will follow the procedures outlined in this directive.

OIG 15-0564 004077

XI. POST-FIREARM DISCHARGE PROCEDURES

A. Firearm Processing

1. No member of any rank will handle, inspect, unload, or otherwise tamper with the involved member's firearm prior to the arrival of Forensic Services Section personnel. Unless the member was disarmed, the firearm will remain holstered and secured pending the arrival of the watch commander and Forensic Services Section personnel.

2. Forensic Services Section personnel will:

   a. conduct the firearm inspection on scene in the presence of the watch commander.

   b. identify the firearm discharged by the Department member by its make, model, serial number, and other identifiers.

   c. examine the firearm discharged by the Department member to determine the type of cartridges used.

   d. examine the surrounding area to identify the number and location of cartridge casings.

   e. inventory all firearms discharged by the Department member in accordance with established inventory procedures in cases in which:

      (1) an individual has been injured or killed.

      (2) identifiable property damage occurs.

      (3) potential property damage may have occurred. In potential property damage cases, the On-Call Incident Commander, or the Assistant Superintendent, Operations may authorize the responsible member to retain his or her firearm for subsequent personal transport to the Forensic Services Section within ninety-six hours of the incident. The authorization will be noted in the "Comments" field of the eTrack inventory application or in the "Description of Property" section of the Property Inventory formset, as appropriate.

3. If the Department member was disarmed during the firearm discharge incident, the firearm will be preserved as evidence and processed in compliance with the Department directive entitled "**Crime Scene Protection and Processing**."

B. Firearms Training Overview

1. All Department members who have discharged a firearm as described in this addendum will attend a firearms training overview scheduled by the Education and Training Division. Held monthly, the eight-hour training overview will be tailored to the situation and may include, but is not limited to, the topics of the use of deadly force, alternative force response options, tactics for aggressive patrol, and ethics.

2. Attendance at this training overview is mandatory and is not dependent upon the determination by any investigative body responsible for a review of the firearm discharge incident. No connotation as to the appropriateness of the member's actions will attach to a member attending the training overview.

3. The training overview will be considered a tour of duty. Participants will wear the field uniform of the day.

4. Notification Procedure

   a. The Assistant Deputy Superintendent, Education and Training Division will notify command staff members of the existence of members under their commands who are required to attend a scheduled firearms training overview.

   b. Upon receipt of the list of members who are required to attend a scheduled firearms training overview, unit commanders will determine which of the listed members are

© Chicago Police Department, September 2002

OIG 15-0564 004078

scheduled for a regular work day on the designated training date. Members will attend the training overview only when it is on their regularly-scheduled work day.

(1) Unit commanders will supply these members with the name and telephone number of the contact person at the Education and Training Division.

(2) Unit commanders will inform these members that they are required to attend the scheduled training.

(3) Members who have been scheduled to attend a firearms training overview but are unable to due to unknown circumstances at the time of the scheduling (i.e., medical roll, court date) will notify their unit commanders and the designated contact person at the Education and Training Division as soon as these circumstances are known.

(4) Unit commanders will inform the Education and Training Division of members who are on the medical roll or scheduled for a regular day off on the date of the training. Those members will be rescheduled for the next session of the training overview.

Authenticated by:

Terry G. Hillard
Superintendent of Police

00-148 LMT(PMD)

© Chicago Police Department, September 2002

OIG 15-0564 004079

Chicago Police Department

General Order G03-02-05

INCIDENTS REQUIRING THE COMPLETION OF A TACTICAL RESPONSE REPORT

ISSUE DATE:	23 September 2002	**EFFECTIVE DATE:**	01 October 2002
RESCINDS:	G02-08-05		
INDEX CATEGORY:	Field Operations		
Rescinded on 30 October 2014 by G03-02-05; 30 October 2014			

I. PURPOSE

This directive identifies incidents which will require the completion of a Tactical Response Report (CPD-11.377). Department members will refer to the Special Order titled "**Incidents Requiring the Completion of a Tactical Response Report**" for reporting and reviewing responsibilities.

II. POLICY

A. The Tactical Response Report will be used to document the following incidents:

1. all incidents which involve a subject fitting the definition of an assailant whose actions are directed against a Department member or directed against another person and the member intervenes.
2. all incidents which involve a subject fitting the definition of an active resister except for incidents in which:
   a. the subject's only action of resisting is fleeing; and
   b. the member's actions did not extend beyond verbal commands and/or control holds utilized in conjunction with handcuffing and searching techniques which do not result in injury or allegation of injury.
3. incidents involving a subject fitting the definition of a passive resister or a cooperative subject when the subject is injured or alleges injury resulting from the member's use of a force option.
4. all incidents involving the discharge of OC spray or other chemical weapon, a Taser, impact munitions, or a firearm.
5. all incidents where a subject obstructs a police officer when the obstructing is a physical act between the subject and the officer.

B. Incidents which do not require documentation on a TRR include:

1. the use of a firm grip hold which does not result in an injury or allegation of injury;
2. that force necessary to overcome passive resistance due to physical disability or intoxication which does not result in injury or allegation of injury;
3. control holds utilized in conjunction with handcuffing and searching techniques which do not result in injury or allegation of injury and which by themselves are not described in Item II-A of this directive;
4. the use of force in an approved training exercise.

C. If the most serious use of force requires an investigation by an On-Call Incident Commander (OCIC), then the findings of all Tactical Response Reports resulting from the use of force by any member in that instance will be the responsibility of that OCIC.

RESCINDED

© Chicago Police Department, September 2002

III. PROCEDURES FOR USE OF THE TACTICAL RESPONSE REPORT

A. Each sworn member or detention aide in the performance of his or her duties who is involved in a reportable use of force incident, as described in Item I-A of this directive, will:

1. immediately notify the member's or detention aide's immediate supervisor that he or she has been involved in a use of force incident.

2. complete a Tactical Response Report, detailing information as requested on the report. Specific instructions for the completion of the form can be found in the Tactical Response Report Form Preparation Instructions.

NOTE: In reportable use of force incidents, each sworn member or detention aide who uses force will complete a TRR; therefore, there may be several such reports completed for a single arrest.

3. make notifications to the Office of Emergency Management and Communications and the desk sergeant in the district of occurrence and record the name of the person receiving the notification in the appropriate case report for all incidents involving the discharge of OC spray, a Taser, impact munitions, or a firearm.

4. ensure that his or her completed TRR is submitted, along with other required reports as indicated in the Department directive entitled "**Processing Persons Under Department Control**," to the watch commander in the district of occurrence.

B. A supervisor who has been notified of an incident as described in Item II-A of this directive will:

1. respond to the scene when the injury to a subject or member is of the severity to require immediate medical attention.

2. ensure that all witnesses are identified, interviewed, and that information is recorded in the appropriate report.

3. request the assignment of an evidence technician to take photographs of subjects who have been involved in a use of force incident and are injured, allege injury, or when otherwise deemed appropriate by the supervisor.

4. ensure that other evidence is handled and processed according to existing Department procedures.

5. review the member's TRR for legibility and completeness and indicate approval of such by signing the appropriate box.

6. complete the TRR for a member who cannot complete the report due to injury.

NOTE: The TRR will not substitute for an Officer's Battery Report. Whenever a member is the victim of a murder or any type of a battery or an assault, whether such charges are placed against an offender or not, the supervisor will complete an Officer's Battery Report.

RESCINDED

© Chicago Police Department, September 2002

7. ensure that a report is completed for the incident, consistent with the guidelines established in the Incident Reporting Guide (IRG) (CPD-63.451).

NOTE: Tactical Response Reports resulting from incidents which would not normally require case reports (e.g., warrant arrests) will require the completion of a case report. Members will refer to the IRG section entitled "Special Case Reporting Index for Use of Force Incidents" for specific reporting instructions.

Terry G. Hillard
Superintendent of Police

00-148 LMT(PMD)

RESCINDED

© Chicago Police Department, September 2002

Chicago Police Department

General Order G03-02-06

WEAPON DISCHARGE INCIDENTS INVOLVING SWORN MEMBERS

ISSUE DATE:	25 September 2002	**EFFECTIVE DATE:**	01 October 2002
RESCINDS:	G02-09		
INDEX CATEGORY:	Field Operations		

Rescinded on 30 October 2014 by G03-02-06; 30 October 2014

I. PURPOSE

This directive outlines Department investigative and reporting procedures in weapon discharge incidents.

II. SCOPE

Under normal circumstances, the provisions of this directive will not apply to:

A. the discharge of a firearm during:

1. Department-sponsored firearms training or practice;
2. firearms practice at a recognized range facility.
3. Department authorized ballistic examination or testing.
4. a licensed hunting activity.

B. the discharge of a Taser in a Department authorized training program.

C. chemical agent use in a Department authorized training program.

III. FIREARMS DISCHARGE INCIDENT NOTIFICATIONS

In addition to other notifications outlined in this directive, for **ANY** firearms discharge incidents, including unintentional discharges and those involving the destruction of an animal:

A. the watch commander in the district of occurrence will ensure Operations Command is notified.

B. Operations Command will notify the Internal Affairs Division (IAD) call-out supervisor of any firearms discharge incident notification.

IV. MANDATORY ALCOHOL AND DRUG TESTING

A. Any sworn Department member, involved in a firearms discharge incident, whether on or off duty, is required to submit to the mandatory alcohol and drug testing, in compliance with this directive and any applicable collective bargaining agreement.

NOTE: This requirement does not apply to the circumstances delineated in Item II-A of this directive.

B. The IAD call-out supervisor will:

1. contact the On-Call Incident Commander (OCIC) or watch commander, as appropriate, and respond to the designated location to conduct the alcohol and drug testing.
2. complete and submit a "Notice of Alcohol and Drug Testing Following a Firearms Discharge Incident" (CPD-44.252).

C. The IAD call-out supervisor will ensure:

1. the involved member submits to the alcohol breath test and will conduct the test according to Department policy.

© Chicago Police Department, September 2002

RESCINDED

2. the alcohol breath test result is provided to the OCIC or watch commander, as appropriate.

3. the involved member submits to the drug test and ensure the urine specimen is:

   a. collected in a manner that will preserve the dignity of the involved member and ensure the integrity of the sample.

   b. collected in the presence of a supervisor of the same sex as the involved member.

   c. retained by the IAD call-out supervisor who will assume the responsibility for ensuring that the urine specimen is properly secured in accordance with established division-level standard operation procedures, pending processing by a medical laboratory.

4. the alcohol and drug testing occurs as soon as practicable after the firearms discharge incident given the overall demands of the investigation.

   NOTE: The member with overall command responsibility, (e.g., OCIC or watch commander), will ensure testing is initiated no later than six hours following the firearms discharge incident.

5. that copies of any associated reports, including the testing and results documentation, are forwarded to the Chief Administrator, Independent Police Review Authority (IPRA) once the testing is completed.

D. If the involved member refuses to provide a breath test or urine specimen pursuant to this process, it is a violation of the Department Rules and Regulations, (e.g., disobedience of an order or directive whether written or oral), and will result in administrative charges against the member, which may include discipline up to and including separation.

E. No discipline shall occur based solely on the results of the alcohol test when the member's actions are consistent with the Department's Use of Force guidelines and the member discharged their weapon off-duty.

Terry G. Hillard
Superintendent of Police

00-148 LMT, MWK

RESCINDED

© Chicago Police Department, September 2002

OIG 15-0564 004069

Chicago Police Department

Special Order S03-02

USE OF FORCE

ISSUE DATE:	25 October 2010	**EFFECTIVE DATE:**	25 October 2010
RESCINDS:			
INDEX CATEGORY:	Field Operations		

Rescinded on 30 October 2014 by S03-02; 30 October 2014

I. PURPOSE

The following addenda describe procedures to be followed for all incidents involving the discharge of OC spray or other chemical weapon, a Taser, impact munitions, or a firearm. Department members will refer to the General Order titled "**Use of Force Guidelines**" for the policy and guidelines governing Use of Force incidents.

ADDENDA:

1. S03-02-01 - Firearm Discharge in Incidents other than the Destruction of Animals
2. S03-02-02 - Other Weapon Discharge Incidents
3. S03-02-03 - Incidents Requiring the Completion of a Tactical Response Report
4. S03-02-04 - CLEAR Automated Tactical Response Report

RESCINDED

© Chicago Police Department, October 2010

Chicago Police Department

Special Order S03-02-01

FIREARM DISCHARGE IN INCIDENTS OTHER THAN THE DESTRUCTION OF ANIMALS

ISSUE DATE:	25 September 2002	**EFFECTIVE DATE:**	01 October 2002
RESCINDS:	G02-09-01		
INDEX CATEGORY:	Field Operations		

Rescinded on 30 October 2014 by G03-02-06; 30 October 2014

I. PURPOSE

This directive:

A. outlines Department investigative and reporting procedures in firearm discharge incidents other than incidents involving the destruction of an animal.

B. introduces the concept of the Round Table Panel Session.

II. ROUND TABLE PANEL SESSION

A. The Round Table Panel Session is a preliminary fact-finding session used to provide a forum for the interview of witnesses and review of available facts relevant to a police-related firearm discharge incident.

B. The Round Table Panel Session will include the following personnel:

1. the On-Call Incident Commander;
2. the area commander of the affected Detective Division area;
3. the watch commander of the district of occurrence;
4. the Detective Division police shooting coordinator for the affected area;
5. other assigned Detective Division personnel;
6. an Assistant State's Attorney;
7. Independent Police Review Authority, and;
8. law enforcement representatives as deemed necessary by the On-Call Incident Commander for the completion of the investigation.

C. The Round Table Panel Session will convene in instances in which:

1. a Department member has discharged his or her firearm and an individual has been killed or injured or:
2. the On-Call Incident Commander, deems that a Round Table Panel Session will aid and facilitate an investigation.

D. Conduct of the Round Table Panel Session

1. The area commander of the affected Detective Division area will be the member responsible for convening the Round Table Panel Session with the approval of the On-Call Incident Commander.
2. The Round Table Panel Session will be convened only after the assigned Detective Division personnel have established factual outlines of events in order to present available evidence and testimony in an understandable sequence.
3. The commander of the affected Detective Division area will designate one individual as interviewer. All questions directed to individuals appearing before the Round Table Panel Session will be asked by and through this designated individual.

© Chicago Police Department, September 2002

OIG 15-0564 004071

4. The interviewer will introduce the members of the Round Table Panel Session to the Department member being interviewed and identify the person in charge of the investigation.

E. Member's Right to Counsel and Representation.

1. Union members have the right to be represented by counsel or a representative of their union as authorized by their collective bargaining agreement.
2. Non-union members have the right to be represented by counsel or a person of their choosing who is not an on-duty member.
3. The counselor/representative may advise the member but may not interfere with the interview.

F. Allegations of Misconduct Against a Member

In any instance in which an allegation of misconduct has been made against a member or when an allegation has been made in which criminal prosecution is probable, the member will be:

1. informed in writing of the nature of the allegations before any interview begins.
2. given statutory administrative proceeding rights or, if the allegation indicates that criminal prosecution is probable against the member, constitutional rights concerning self-incrimination prior to the commencement of the interview.
3. interviewed in a manner following the "Conduct of Investigation" procedures outlined in the Department directive entitled "**Complaint and Disciplinary Procedures**."
4. provided with a copy of any written statement made by the member without any unnecessary delay.
5. allowed reasonable periods of time for personal necessities, meals, telephone calls, and rest.

III. MEMBER'S RESPONSIBILITIES IN FIREARM DISCHARGE INCIDENTS

A. Members who discharge a firearm in the destruction of an animal will follow the procedures described in the Department directive entitled "**Other Weapon Discharge Incidents**."

B. In any other instance where a member has discharged a firearm or has had gunfire directed at his or her person, the member, if physically capable, will:

1. notify the Office of Emergency Management and Communications (OEMC) immediately and provide all relevant information.
2. attend to all required emergency and security duties arising from the incident.
3. provide Department members conducting the investigation with information required to effect arrests and fulfill immediate law enforcement necessities.
4. inform the desk sergeant of the district of occurrence.
5. remain on the scene, if not injured, and report to the watch commander from the district of occurrence upon his or her arrival.
6. ensure that his or her firearm remains holstered and secured until it is submitted to Forensic Services Section personnel.

NOTE: If the involved member is injured and needs to be relieved of his or her firearm prior to receiving medical treatment, the securing member will take possession of the firearm and duty belt and will ensure that the firearm remains holstered and secured.

7. if disarmed during the firearm discharge incident, preserve the firearm as evidence, as it will be processed in compliance with the Department directive entitled "**Crime Scene Processing**."

© Chicago Police Department, September 2002

OIG 15-0564 004072

8. complete a Tactical Response Report (TRR) (CPD-11.377) and other reports at the location designated by the district watch commander responsible for the investigation.

NOTE: When a member who has discharged a firearm is unable to complete the TRR for any reason, it will become the responsibility of a supervisor designated by the watch commander to prepare this report.

9. attend the Round Table Panel Session as directed by supervisory personnel.

10. contact the Professional Counseling Service via telephone within twenty-four hours of the incident to schedule a **mandatory** debriefing.

NOTE: Members who are hospitalized as a result of their involvement in a firearm discharge incident will be contacted by a counselor from the Traumatic Incident Stress Management Program.

C. In any instance where a member has discharged a firearm outside the City of Chicago, the member will:

1. notify the local police agency and this Department's Operations Command.

2. ensure the submission of all reports connected with the incident, including a TRR and a To-From-Subject report, without unnecessary delay.

D. Any member, whether on or off duty, having knowledge of circumstances surrounding a firearm discharge incident or who has been fired upon will:

1. remain on the scene until released by those Department members conducting the investigation.

2. provide those Department members conducting the investigation with required information, assistance, and when requested, oral and written statements.

3. report to the watch commander in the district of occurrence.

E. Member's Statements and Interviews.

1. A member who is involved in a firearm discharge incident will provide an oral report to the person responsible for conducting the investigation without delay and outside the presence of any other individuals.

2. When a member who has discharged a firearm is notified that he or she must give a written statement or an oral statement in the presence of an observer, the interview may be postponed by the officer for a period of time not to exceed two hours.

IV. OFFICE OF EMERGENCY MANAGEMENT AND COMMUNICATIONS (OEMC) RESPONSIBILITIES

In all cases in which a member has discharged a firearm or has had gunfire directed at his or her person, the OEMC will:

A. dispatch sufficient patrol units to the scene.

B. determine if a medical emergency exists and if appropriate:

1. notify the Chicago Fire Department to dispatch emergency medical service units to the scene.

2. inform the emergency room of the receiving hospital.

C. assign a sergeant and a field lieutenant from the district of occurrence to the scene. In the event that a member has been injured, OEMC will assign a supervisor to respond to the medical facility treating the injured member.

© Chicago Police Department, September 2002

OIG 15-0564 004073

D. immediately notify the following in the listed order of priority:

1. the watch commander in the district of occurrence;
2. Operations Command;
3. the appropriate area Detective Division Violent Crimes Unit;
4. the Independent Police Review Authority (IPRA);
5. the involved member's unit of assignment;
6. any other units or agencies as they are requested.

E. not broadcast the name of a Department member who has been involved in a firearm discharge incident over the police radio.

V. ASSIGNED SERGEANT'S RESPONSIBILITIES

In all cases in which a member has discharged a firearm or has had gunfire directed at his or her person, the assigned sergeant will:

A. proceed immediately to the scene.

B. ensure that medical attention is provided and that adequate manpower and equipment are available.

C. establish an inner and outer perimeter at the scene of the incident.

1. The inner perimeter(s) is the area or areas at the scene of the incident where physical evidence is likely to be recovered.
2. The outer perimeter(s) is the area surrounding and encompassing the inner perimeter(s) where assigned personnel can be briefed and deployed.

D. ensure that:

1. no sworn member of any rank handles, inspects, unloads, or otherwise tampers with the involved member's firearm prior to the arrival of Forensic Services Section personnel.
2. unless the member was disarmed, the firearm remains holstered and secured pending the arrival Forensic Services Section personnel.
3. in instances when the Department member was disarmed during the firearm discharge incident, the firearm is preserved as evidence and processed in compliance with the Department directive entitled "**Crime Scene Protection and Processing**."
4. all fired projectiles have been accounted for without contaminating or interfering with the collection and maintenance of evidence.
5. witnesses and other persons (Department member or non-Department member) who may have relevant information are available for on scene interviews.
6. an officer other than the involved member has been assigned to conduct the preliminary investigation, prepare the original case report, and relay additional information to investigating units.

E. confirm that the desk sergeant in the district of occurrence and the member's unit of assignment have been notified.

F. prepare an Officer's Battery Report (CPD-11.451), when necessary, in accordance with the Department directive entitled "**Officer's Battery Reporting Procedures**."

G. complete the supervisor's section of the Tactical Response Report.

NOTE: If the involved member is of the rank of sergeant or higher, the field lieutenant will complete the supervisor's section of the TRR. In the absence of a field lieutenant, the watch commander will complete this task.

H. remain on duty until dismissed by the watch commander.

© Chicago Police Department, September 2002

OIG 15-0564 004074

VI. FIELD LIEUTENANT'S RESPONSIBILITIES

In all cases in which a member has discharged a firearm or has had gunfire directed at his or her person, the field lieutenant from the district of occurrence will:

A. proceed immediately to the location of the incident and assume command of the scene until the arrival of the watch commander.

B. ensure that:

1. the tasks outlined in Items IV-B through IV-D have been or are being performed.
2. a secondary notification regarding the incident is made to Operations Command.

C. confirm that the desk sergeant in the district of occurrence and the member's unit of assignment have been notified.

D. verify the submission of written reports from involved members in conformance with the provisions of this directive.

E. remain on duty until dismissed by the watch commander.

VII. WATCH COMMANDER'S RESPONSIBILITIES

In all cases in which a member has discharged a firearm or has had gunfire directed at his or her person, the watch commander in the district of occurrence will:

A. proceed to the location of the incident and assume command of the scene.

B. ensure that the tasks outlined in Items IV-B through IV-D have been or are being performed.

C. confirm that the following notifications have been made:

1. Operations Command.
2. the appropriate Area Detective Division Violent Crimes Unit.
3. the Independent Police Review Authority (IPRA).
4. the involved member's unit of assignment.
5. any other notifications as appropriate.

D. inform the following persons when a Department member has been injured or killed by gunfire:

1. the district commander of the district of occurrence;
2. the area deputy chief.

E. inform the following persons when an individual has been injured or killed by a firearm discharged by a Department member:

1. the district commander of the district of occurrence;
2. the area deputy chief;
3. the State's Attorney's Office, in accordance with the Department directive entitled "**Felony Review by Cook County State's Attorney**."

F. obtain a Universal (U) Number from the Independent Police Review Authority in all cases in which:

1. a Department member has injured or killed a person by use of a firearm.
2. a Department member has suffered a self-inflicted gunshot wound.

G. contact the On-Call Incident Commander, for authorization if circumstances necessitate the relocation of the investigation from the site of the occurrence.

H. ensure that Forensic Services Section personnel conduct the firearm inspection on-scene in his or her presence. If the watch commander determines that safety concerns or weather conditions preclude the on-scene inspection, the involved member will remain in the continual presence of a

© Chicago Police Department, September 2002

OIG 15-0564 004075

higher-ranking Department member until the inspection is conducted by Forensic Services Section personnel in the affected Area Detective Division.

I. notify the Professional Counseling Service via telephone, providing them with the name, star number, and unit of assignment of the involved member and the date the member was instructed to contact the Professional Counseling Service for a mandatory appointment.

J. assign transportation for the involved member.

K. verify the submission of written reports from involved members in conformance with the provisions of this directive.

L. review all written reports generated by Bureau of Patrol personnel submitted during the preliminary investigation.

M. prior to the end of his or her tour of duty, complete the review process for the submitted Tactical Response Reports by doing the following:

1. For accidental weapon discharge incidents, as defined in the Department directive entitled "**Use of Force Guidelines**," in which no person was killed or injured, the watch commander will:

   a. review all TRRs for legibility and completeness and complete the "Watch Commander/ADS Review" section of the TRR.

   b. obtain a CR number, ensure that CR initiation report is prepared, attach the original of the TRR(s) to the original CR initiation report and forward to IPRA.

   c. ensure that packets containing all related documents as indicated in the "Attachments" box of the TRR are distributed as listed in the "Distribution" box.

2. For all other weapon discharge incidents described in this addendum or when the involved member is the same rank or higher than the watch commander, the watch commander will:

   a. review all TRRs for legibility and completeness but will not complete the "Watch Commander/ADS Review" section of the TRR. All TRRs relating to the incident involving the weapon discharge, including any TRRs documenting a non-shooting member's use of lesser force options, will be submitted to the On-Call Incident Commander for his or her determination of conformity with Department directives.

   b. complete the shooting packet by compiling photocopies of all reports relevant to the incident. The Police Shooting Checklist will serve as a cover sheet for the photocopies and will be distributed as noted on the Checklist.

   c. receive the completed TRR(s) back from the On-Call Incident Commander and ensure that the TRR(s) are attached to the original of the case report documenting the firearm discharge and forwarded through normal channels to the Records Division.

VIII. ON-CALL INCIDENT COMMANDER RESPONSIBILITIES

In all cases in which a member has had gunfire directed at his or her person or has discharged a firearm, the on-duty the On-Call Incident Commander, will:

A. proceed to the scene, assume command of the scene, and ensure that a complete and thorough investigation is conducted of the incident.

B. ensure that all tasks delineated for lesser-ranking personnel have been or are being performed.

C. designate the watch commander responsible for directing the preliminary investigation whenever the incident has occurred in more than one district.

© Chicago Police Department, September 2002

OIG 15-0564 004076

D. personally conduct an investigation into the circumstances surrounding the incident and make a preliminary determination as to whether the conduct of the member conformed to Department guidelines.

NOTE: The occurrence of less serious transgressions may be addressed by the procedures described in the Department directive entitled "**Summary Punishment**."

E. inform the involved member that he or she is required to:

1. call the Professional Counseling Service within twenty-fours hours of the incident.
2. participate in the Traumatic Incident Stress Management Program.

F. prepare the "Watch Commander/ADS Review" section of the TRR as follows:

1. For accidental weapon discharge incidents, as defined in the Department directive entitled "**Use of Force Guidelines**," in which no person was killed or injured, the On-Call Incident Commander will not be responsible for the completion of the "Watch Commander/ADS Review" section of the TRR but may advise the watch commander on the conduct of the investigation.
2. For all other weapon discharge incidents described in this addendum or when the involved member is the same rank or higher than the watch commander, the On-Call Incident Commander will review all TRR(s) for legibility and completeness and complete the "Watch Commander/ADS Review" section of the TRR. The On-Call Incident Commander will receive the original of the TRR(s) from the watch commander conducting the preliminary investigation.

G. return the completed TRR(s) to the watch commander conducting the preliminary investigation.

H. prior to the termination of the tour of duty, submit a report to the Assistant Superintendent , Operations outlining the pertinent facts of the investigation and forward a copy of that report to the Independent Police review Authority.

IX. DETECTIVE DIVISION COMMAND RESPONSIBILITIES

A. In all cases in which a member has been injured or killed by gunfire or has injured or killed a person by use of a firearm, the Detective Division area commander will designate a Detective Division supervisor to serve as the police shooting coordinator for that incident.

B. The police shooting coordinator will:

1. personally respond to the scene of the investigation.
2. ensure the preservation of evidence and identification of witnesses.
3. assume responsibility for the follow-up investigation under the direction of the Detective Division area commander.

X. INDEPENDENT POLICE REVIEW AUTHORITY RESPONSIBILITIES

A. In all cases where a Department member has injured or killed a person by use of a firearm, IPRA will conduct a fair and impartial investigation into the circumstances surrounding the incident and make a determination as to whether the conduct of the member conformed to Department guidelines.

B. IPRA will investigate instances in which a Department member has been involved in a firearm discharge incident outside the Chicago Police Department's jurisdiction and the incident involves allegations of misconduct against the member.

C. In conducting these investigations, IPRA personnel will follow the procedures outlined in this directive.

OIG 15-0564 004077

XI. POST-FIREARM DISCHARGE PROCEDURES

A. Firearm Processing

1. No member of any rank will handle, inspect, unload, or otherwise tamper with the involved member's firearm prior to the arrival of Forensic Services Section personnel. Unless the member was disarmed, the firearm will remain holstered and secured pending the arrival of the watch commander and Forensic Services Section personnel.

2. Forensic Services Section personnel will:

   a. conduct the firearm inspection on scene in the presence of the watch commander.

   b. identify the firearm discharged by the Department member by its make, model, serial number, and other identifiers.

   c. examine the firearm discharged by the Department member to determine the type of cartridges used.

   d. examine the surrounding area to identify the number and location of cartridge casings.

   e. inventory all firearms discharged by the Department member in accordance with established inventory procedures in cases in which:

      (1) an individual has been injured or killed.

      (2) identifiable property damage occurs.

      (3) potential property damage may have occurred. In potential property damage cases, the On-Call Incident Commander, or the Assistant Superintendent, Operations may authorize the responsible member to retain his or her firearm for subsequent personal transport to the Forensic Services Section within ninety-six hours of the incident. The authorization will be noted in the "Comments" field of the eTrack inventory application or in the "Description of Property" section of the Property Inventory formset, as appropriate.

3. If the Department member was disarmed during the firearm discharge incident, the firearm will be preserved as evidence and processed in compliance with the Department directive entitled "**Crime Scene Protection and Processing**."

B. Firearms Training Overview

1. All Department members who have discharged a firearm as described in this addendum will attend a firearms training overview scheduled by the Education and Training Division. Held monthly, the eight-hour training overview will be tailored to the situation and may include, but is not limited to, the topics of the use of deadly force, alternative force response options, tactics for aggressive patrol, and ethics.

2. Attendance at this training overview is mandatory and is not dependent upon the determination by any investigative body responsible for a review of the firearm discharge incident. No connotation as to the appropriateness of the member's actions will attach to a member attending the training overview.

3. The training overview will be considered a tour of duty. Participants will wear the field uniform of the day.

4. Notification Procedure

   a. The Assistant Deputy Superintendent, Education and Training Division will notify command staff members of the existence of members under their commands who are required to attend a scheduled firearms training overview.

   b. Upon receipt of the list of members who are required to attend a scheduled firearms training overview, unit commanders will determine which of the listed members are

© Chicago Police Department, September 2002

OIG 15-0564 004078

scheduled for a regular work day on the designated training date. Members will attend the training overview only when it is on their regularly-scheduled work day.

(1) Unit commanders will supply these members with the name and telephone number of the contact person at the Education and Training Division.

(2) Unit commanders will inform these members that they are required to attend the scheduled training.

(3) Members who have been scheduled to attend a firearms training overview but are unable to due to unknown circumstances at the time of the scheduling (i.e., medical roll, court date) will notify their unit commanders and the designated contact person at the Education and Training Division as soon as these circumstances are known.

(4) Unit commanders will inform the Education and Training Division of members who are on the medical roll or scheduled for a regular day off on the date of the training. Those members will be rescheduled for the next session of the training overview.

Authenticated by:

Terry G. Hillard
Superintendent of Police

00-148 LMT(PMD)

© Chicago Police Department, September 2002

OIG 15-0564 004079

Chicago Police Department

Special Order S03-05

IN-CAR VIDEO SYSTEMS

ISSUE DATE:	23 February 2012	**EFFECTIVE DATE:**	23 February 2012
RESCINDS:	Version dated 20 April 2011; S10-10		
INDEX CATEGORY:	Field Operations		

I. PURPOSE

This directive:

A. implements the use of Department in-car video systems.

B. establishes the policies and procedures for the use, maintenance, and repair of in-car video systems.

C. establishes the roles and responsibilities of Department members affected by the introduction of in-car video systems for the video and audio recording of incidents.

D. establishes the requirements for viewing, retaining, and duplicating digitally recorded incidents.

E. continues the use of the Digitally Recorded Data Viewing/Hold/ Duplication Request (CPD-65.224).

F. identifies the Records Division as the Department repository and viewing location of digitally recorded data created by the in-car video systems.

II. POLICY

The Department is committed to protecting the safety and welfare of its members and the public. The in-car video systems can provide members with an invaluable instrument to enhance criminal prosecution by providing powerful evidence of criminal activity, limit civil liabilities, and objectively document officer conduct during individual interactions. Members assigned to a vehicle equipped with an in-car video system will use it pursuant to this directive.

III. GENERAL INFORMATION

A. There is no expectation of privacy for Department members related to incidents recorded by in-car video systems. Supervisors, members of Bureau of Internal Affairs, and the Independent Police Review Authority (IPRA) investigators may request to review the digitally recorded data from a vehicle equipped with an in-car video system. Any digitally recorded data created by the in-car video system may be used without a Department member's permission for any official Departmental purpose.

B. The in-car video system will **automatically engage audio and video recording** when the vehicle's emergency-roof lights are activated. However, Department members may manually activate the in-car video system without the activation of the emergency equipment. At the conclusion of the incident, Department members must manually disengage all recording processes, regardless of what method activated the in-car video system.

C. The Records Division will be the custodians of the digitally recorded data and will be responsible for the retention, duplication, and viewing of the in-car video systems. The Director, Records Division, will establish retention, viewing, and duplication procedures that provide for inventory control, the security of the digitally recorded data, and authorized duplications.

D. All digitally recorded data created by the in-car video systems will be retained by the Records Division for a minimum of 90 days. Digitally recorded data that is marked and held as having evidentiary or training value will be retained as prescribed by law and established Department policy.

E. In general, minor infractions and minor deviations from Department policy observed through the review of digitally recorded data will not be subject to the disciplinary process and will be treated as a training opportunity.

© Chicago Police Department, February 2012

OIG 15-0564 003934

IV. RECORDING GUIDELINES

A. Department members will use only Department-issued video and audio recording equipment.

B. Department members will conform to all laws and Department policies concerning the use of the in-car video system for the video and audio recording of incidents.

1. Department members are lawfully permitted to video record individuals without their consent if they are on the public way or in public view.

2. Department members who are in uniform and have identified their office are lawfully permitted to simultaneously audibly and visually record individuals without their consent whenever:

a. the member is conducting an enforcement stop, **or**

b. the patrol vehicle emergency lights are activated or would otherwise be activated if not for the need to conceal the presence of law enforcement.

NOTE: Any reports completed for an audibly recorded incident, including Traffic Stop Statistical Study - Driver Information Cards (CPD-21.103), Traffic Stop Statistical Study Stickers (CPD-15.516), and Personal Service Citations, must include the initial violation or investigatory need that led to the stop.

NOTE: Department members may audibly record an enforcement stop regardless of the subsequent enforcement action taken.

3. Department members may audibly and visually record an individual with the consent of the individual.

C. Uniformed Department members assigned to vehicles equipped with in-car video systems will activate the system to simultaneously audibly and visually record the entire incident for all enforcement stops.

D. Uniformed Department members assigned to vehicles equipped with in-car video systems will activate the system to visually record the entire incident for all:

1. arrests and transports.

2. nonpursuit emergency vehicle operations.

3. any situation that the member, through training and experience, believes to serve a proper police purpose.

E. During the recording of an incident, Department members will not disengage the in-car video system until the entire incident has been recorded.

NOTE: Department members will be required to justify any disengagement of the in-car video system prior to the entire incident being recorded.

F. If recorded, felony and misdemeanor arrests, motor vehicle pursuits, traffic crashes resulting in property damage, personal injury, or a fatality, DUI incidents, and failure to yield to an emergency vehicle will be automatically stored by the in-car video system indefinitely when the correct event is selected from the postevent pop-up menu. All other incidents will be automatically stored for ninety days.

G. If digitally recorded data will be needed in judicial proceedings beyond ninety days, members will place an extended hold on that digitally recorded data as described in Item VIII of this directive, including but not limited to the following circumstances:

1. Traffic stops other than DUI,

© Chicago Police Department, February 2012

OIG 15-0564 003935

2. Enforcement stops,

3. Other traffic crash investigations, and

4. Stops for citizen assistance.

H. When a complaint against a Department member is received that involves a digitally recorded incident, the investigating member will request an extended hold on the data.

I. Assigned supervisors will request an extended hold on all digitally recorded motor vehicle pursuits and traffic crashes involving Department vehicles.

V. DEPLOYMENT OF THE IN-CAR VIDEO SYSTEMS

A. Commanding officers of units with vehicles equipped with in-car video systems will:

1. ensure that vehicles equipped with in-car video systems are evenly distributed for use by all watches.

NOTE: Commanding officers will ensure the units assigned to traffic duties in district law enforcement use vehicles equipped with in-car video systems.

2. whenever feasible, ensure vehicles equipped with the in-car video systems are deployed every tour of duty and service is requested for inoperable vehicles equipped with in-car video systems.

B. The *station supervisors* will:

1. deploy every vehicle equipped with a functional in-car video system during the tour of duty.

2. ensure digitally recorded data is downloaded from the in-car video systems.

3. whenever operationally feasible, review video of any arrest recorded by the in-car video system as part of the approval of probable cause.

VI. OPERATIONAL PROCEDURES

A. Department members assigned to a Department vehicle equipped with an in-car video system will:

1. at the beginning of a tour of duty:

a. visually inspect the in-car video system equipment for damage.

b. obtain the remote transmitter/audio recorder and ensure it is securely attached to the member's person.

c. follow the start-up procedures for the in-car video system as trained and ensure the system is working properly.

NOTE: Members will immediately notify a supervisor if, at any time, the in-car video system is inoperable, damaged, the equipped vehicle becomes inoperable, or the remote transmitter/audio recorder is missing.

2. during the tour of duty:

a. audibly and visually record events in accordance with this directive.

b. annotate all reports, including Contact Information Cards (CPD-21.101), prepared for an event which has been recorded by listing **"Video Recorded Incident"** at the end of the narrative portion.

© Chicago Police Department, February 2012

OIG 15-0564 003936

c. after an incident has been recorded, use the post-event pop-up menu to select the most serious recorded occurrence as the event type and enter other event information.

NOTE: If the member did not use the postevent pop-up menu to mark the incident as being held for evidence, the member will request an extended hold on digitally recorded data in accordance with Item VIII of this directive.

d. if the in-car video system indicates that the memory required to record incidents is becoming low or if the member observes that less than 30 minutes of recording time is available, download the digitally recorded data.

3. at the conclusion of a tour of duty:

a. verify the in-car video system is working properly.

b. initiate the downloading of the digitally recorded data.

NOTE: Members will immediately notify a supervisor if unable to complete the downloading of digitally recorded data due to technical problems.

c. shut down the in-car video system and logoff the system.

d. return the remote transmitter/audio recorder to the designated area for charging.

B. The sergeant assigned to supervise Department members using Department vehicles equipped with an in-car video system will:

1. monitor subordinates to ensure the in-car video system is used and that digitally recorded data is properly downloaded.

2. ensure that the Help Desk is contacted and a ticket number is obtained whenever any member is unable to use the in-car video system or download digitally recorded data due to technical problems.

3. initiate an investigation when notified of a missing or lost remote transmitter/audio recorder.

4. document on the Supervisor's Management Log (CPD-11.455):

a. whether each vehicle has an in-car video system and if it is functioning.

b. all responses related to malfunctions of vehicles equipped with in-car video systems.

c. digitally recorded data downloaded to land-based terminals, noting any units unable to complete the download and the Help Desk ticket number obtained.

d. any request submitted for an extended hold of digitally recorded data.

e. any instances of additional training, corrective measures, or disciplinary actions.

5. document on the Traffic Pursuit Report (CPD-22.958) or traffic crash report that the incident has been digitally recorded.

6. obtain a complaint register number and order an evidence technician to process the equipment if any damage or malfunction is suspected to have been caused by deliberate (tampering) means.

C. *Station supervisors* will:

1. designate a sergeant responsible for monitoring the downloading of digitally recorded data for the watch.

© Chicago Police Department, February 2012

OIG 15-0564 003937

2. record the total number of vehicles equipped with in-car video systems deployed during the watch and the total number of these vehicle that do not have a functioning in-car video system, if any, on the Watch *Incident* Log (CPD-21.916).

3. ensure the status of vehicles equipped with in-car video systems is recorded on the Personal Equipment Log (CPD-21.919) by recording the word "VIDEO" in the "Camera/Tripod No." column.

4. if an in-car video system malfunctions or the system or vehicle becomes inoperable **during** the tour, record the vehicle and beat numbers and the words "VIDEO DOWN" on the Watch *Incident* Log.

D. When digitally recorded data is determined to have evidentiary or training value, or a complaint against a Department member is received that involves a digitally recorded incident, the supervisor reviewing the recorded data will request an extended hold on the data.

VII. DOWNLOADING DIGITALLY RECORDED DATA FROM THE IN-CAR VIDEO SYSTEM

A. When downloading digitally recorded data from the mobile unit of an in-car video system to a land-based terminal, Department members will:

1. download the data in accordance with the manufacturer's guidelines and training.

2. ensure the download of data was complete and return the vehicle back into service.

B. With the approval of the *station supervisor* in the district of occurrence, special requests for the immediate viewing of digitally recorded data from the *Bureau of Detectives*, *Bureau of Internal Affairs*, or IPRA will be processed for major incidents where an in-car camera system may be reasonably expected to have captured a component of the incident.

1. Major incidents include, but are not limited to:

a. police-involved shootings,

b. serious injury or death to a Department member,

c. serious injury or death to a member of the public.

2. Special requests for viewing digitally recorded data will be made to the *station supervisor* in the district of occurrence, who will:

a. evaluate the request;

b. determine if the need for retrieval outweighs the operational impact of the vehicle being taken out of service; and

c. notify *Crime Prevention and Information Center (CPIC)* of the decision.

3. Special requests will be in the form of one of the following types:

a. Special wireless upload, or

b. Emergency on-site retrieval.

C. Special Wireless Uploads

1. The *station supervisor* in the district of occurrence will take the vehicle out of service and secure it at the unit of assignment or other appropriate location.

2. The supervisor will:

a. verify that the vehicle operator or partner is signed on to the in-car camera system;

b. instruct the member to manually flag the entire tour of duty's available video for upload;

© Chicago Police Department, February 2012

OIG 15-0564 003938

c. instruct the member to initiate a manual upload of this video with the vehicle in range of the facility's wireless hotspot; and

NOTE: If video cannot be uploaded via wireless hotspot, a cradle upload will be used.

d. ensure that the vehicle remains out of service until the upload is complete.

3. Once complete, the *station supervisor* will allow personnel from the *Bureau of Detectives*, *Bureau of Internal Affairs*, or IPRA, as appropriate, to review the uploaded files.

NOTE: For officer-involved shootings when an On-Call Incident Commander (OCIC) will respond, an emergency on-site retrieval will be immediately requested through *CPIC*.

4. The *station supervisor* may identify an alternate vehicle for the member to use while the identified vehicle completes its video upload, as appropriate.

5. If an attempt to wirelessly upload is unsuccessful, members may contact the City of Chicago Help Desk at 4-DATA for assistance.

6. If a wireless upload fails, an emergency on-site retrieval will be conducted.

D. Emergency On-Site Retrieval

1. The *station supervisor* in the district of occurrence will notify *CPIC* of an approved emergency on-site retrieval.

NOTE: An emergency on-site retrieval will only be conducted when an OCIC is responding or a wireless upload fails and contacting the City of Chicago Help Desk at 4-DATA has not resolved the problem.

2. *CPIC* will notify the Public Sector Information Technology (PSIT) Group personnel of a manual video retrieval from the "fail-safe" internal drive request.

3. The *station supervisor* in the district of occurrence will take the identified vehicle out of service during the retrieval process.

4. If the identified vehicle is still in use when the designated supervisor arrives at the unit facility or other appropriate location, the supervisor will report to the vehicle and instruct any member logged onto the system to log off the system.

5. The vehicle will remain out of service until PSIT responds and conducts the video retrieval.

NOTE: On-site review of video will be limited to the series of events and time frame giving rise to the alleged incident.

E. Viewing and Obtaining Copies of In-Car Video Recordings

1. Once retrieval has been completed for the requested time frame, the video may be viewed by personnel from the requesting party at the location of retrieval.

2. Requests for copies of in-car video recordings will be made by completing the form entitled "Digitally Recorded Data Viewing/Hold/Duplication Request" (CPD-65.224) and forwarding it to the Records Division.

F. The Managing Deputy Director, PSIT, will:

1. establish procedures to ensure the security of the digitally recorded data from downloading to storage by the Records Division.

© Chicago Police Department, February 2012

OIG 15-0564 003939

2. develop a system to monitor the memory capacity of the land-based terminals and provide for the security of the downloaded data.

G. If members are unable to download digitally recorded data from the mobile unit of the in-car video system to the land-based terminals due to system inoperability:

1. the *station supervisor* will notify the Help Desk and follow any further instructions given by the responding member of PSIT.

2. A designated member of PSIT will respond to the requesting unit and:

a. ensure the security of the digitally recorded data.

b. perform a manual download of the digitally recorded data.

c. record the manual download on the Help Desk ticket.

VIII. REQUESTING A HOLD FOR DIGITALLY RECORDED DATA

A. Department members will place an extended hold on digitally recorded data they recorded using the postevent pop-up menu on the in-car video system.

B. **Within the first 48 hours** from downloading digitally recorded data from the vehicle, Department members **who do not use the postevent pop-up menu** and request an extended hold on digitally recorded data will request that a supervisor place the extended hold by using the land-based terminal at the district/unit station.

C. **After the first 48 hours** from downloading digitally recorded data from the vehicle, Department members **who do not use the postevent pop-up menu** and request an extended hold on digitally recorded data will:

1. complete the Digitally Recorded Data Viewing/Hold /Duplication Request form.

2. indicate on the form the necessary actions by the Records Division.

3. explain in the narrative portion of the form the reason for the request.

4. submit the form to the *station supervisor/designated unit supervisor* for approval.

5. submit the completed and approved form to the Records Division for processing and retention in accordance with existing records-retention requirements.

D. Department members who wish to remove an extended hold on digitally recorded data will follow the procedures outlined in Item VIII-C of this directive indicating the circumstances requiring the removal of the extended hold.

E. The Director, Records Division, will:

1. develop a cataloging system for storage and retrieval of recordings and procedures for ensuring archives are maintained consistent with Department directives (including the Forms Retention Schedule), applicable state and federal laws, and compliance with all court orders.

2. be responsible for retaining digitally recorded data for which an extended hold was requested as prescribed by law and established Department policy.

IX. VIEWING, RETAINING, AND DUPLICATING DIGITALLY RECORDED DATA

A. All digitally recorded data created by the in-car video systems are the property of the Chicago Police Department. **Dissemination of any digitally recorded data outside the Department is strictly prohibited without specific authorization by the Superintendent or an appointed designee.**

1. Any non-Departmental requests for duplication of digitally recorded data must be approved by the Superintendent or an appointed designee.

© Chicago Police Department, February 2012

OIG 15-0564 003940

2. All approved requests will be forwarded in an expeditious manner to the Director, Records Division, along with:

   a. a completed and approved Digitally Recorded Data Viewing/Hold/Duplication Request form, and

   b. written instructions, including dissemination information, for compliance with the request.

B. Department members assigned to vehicles equipped with in-car video systems and their supervisors are encouraged to use the review/ playback functions of the system for the purposes of:

1. developing familiarity with the functions, capabilities, and limitations of the in-car video systems to create consistent recording techniques which capture relevant actions.
2. searching for and identifying recorded events having evidentiary or training value.
3. reviewing approach and officer safety issues.
4. ensuring consistency with written reports.

C. Reviewing Digitally Recorded Data

Investigating members may view digitally recorded data in the performance of official police business. When it is necessary to view digitally recorded data stored by the Records Division, the following procedures will apply:

1. The requesting Department member will:

   a. prepare a Digitally Recorded Data Viewing / Hold / Duplication Request form, including approval of the requestor's *station supervisor/designated unit supervisor*.

   b. schedule an appointment to view the recorded incident with a Records Division supervisor (or an appointed designee) to ensure the availability of a technician and playback equipment.

   c. present the properly completed and approved form to a Records Division supervisor at the scheduled time.

2. A Records Division supervisor will:

   a. process all approved recorded incident review requests.

   b. assign a technician to assist the requestor in viewing the recorded incident, as required.

D. Obtaining a Video Recording

1. A duplicate copy of selected information may be made to retain that information:

   a. when it is not required that the master video be retained for an indefinite period (e.g., investigation of a routine administrative incident when the punishment is of a summary or minor nature).

   b. when the requesting member determines that a duplicate video of a master video will be sufficient.

2. A duplicate video recording may be obtained by:

   a. completing a Digitally Recorded Data Viewing / Hold / Duplication Request form and submitting the completed form to the *station supervisor/designated unit supervisor* for approval.

   b. notifying the Records Division that a duplicate video recording is required and submit the approved Digitally Recorded Data Viewing/Hold/ Duplication Request form to the Director, Records Division.

OIG 15-0564 003941

c. indicating to the Records Division which information from the digitally recorded data is to be included on the duplicate video recording.

3. When the duplicate video recording has served the purpose for which it was made, the requesting member will ensure that it is immediately returned to the Records Division.

NOTE: A member requesting a duplicate video recording will not make additional copies of it or permit unauthorized persons to duplicate or view it under any circumstances.

E. Special Situations

When the Records Division receives a request for an extended hold of digitally recorded data that indicates it pertains to:

1. **a motor vehicle pursuit or traffic crash involving a Department vehicle**, the Director, Records Division, will ensure a duplicate video is forwarded to the Traffic Review Board.

2. **an incident having training value,** the Director, Records Division, will ensure a duplicate video is forwarded to the *Deputy Chief*, Education and Training Division.

(Items indicated by *italics/double underline* were revised or added.)

Authenticated by: RMJ

Garry F. McCarthy
Superintendent of Police

11-055 / 12-003 EGV/RJN

© Chicago Police Department, February 2012

OIG 15-0564 003942

HICAGO POLICE DEPARTMENT

ASE SUPPLEMENTARY REPORT

10 S. Michigan Avenue, Chicago, Illinois 60653
use by Chicago Police - Bureau of Investigative Services Personnel Only)

HX475653

Case id : 9825613
Sup ID : 10992767 CASR301

XC. CLEARED CLOSED (OTHER EXCEPTIONAL) | **DETECTIVE SUP. APPROVAL COMPLETE**

Offense Classification/Re-Classification	IUCR Code	Original Offense Classification			IUCR Code
AULT / Aggravated Po:Knife/Cut Instr	**0552**	ASSAULT / Aggravated Po:Knife/Cut Instr			0552
ddress of Occurrence	Beat of Occur	No of Victims	No of Offenders	No of Arrested	SCR No
112 S PULASKI RD	**815**	4	1	1	
ocation Type	Location Code	Secondary Location			Hate Crime?
Street	**304**				NO
ate of Occurrence	Unit Assigned	Date RO Arrived	Fire Related?	Gang Related?	Domestic Related?
20-OCT-2014 21:57	**0841R**	20-OCT-2014 21:57	NO	NO	NO

Reporting Officer	Star No	Approving Supervisor	Star No	Primary Detective Assigned	Star No
MARCH, David	20563	WOJCIK, Anthony	481	MARCH, David	20563
Date Submitted		Date Approved		Assignment Type	
15-MAR-2015 18:26		16-MAR-2015 00:03		FIELD	

THIS IS A FIELD INVESTIGATION EXC. CLEARED CLOSED (OTHER EXCEPTIONAL) REPORT

VICTIM(S) :

GAFFNEY, Thomas J
Male / White / 41 Years
EMPLOYMENT: Chicago Police Officer #19958 Chicago Police Officer
EMPLOYER BUSINESS NME: Chicago Police Department
BUS: 3420 W 63rd St
Chicago IL
312-747-8730

MCELLIGOTT, Joseph P
Male / White / 36 Years
EMPLOYMENT: Chicago Police Officer #18715 Chicago Police Officer
EMPLOYER BUSINESS NME: Chicago Police Department
BUS: 3420 W 63rd St
Chicago IL
312-747-8730

VAN DYKE, Jason D
Male / White / 36 Years
EMPLOYMENT: Chicago Police Officer #9465 Chicago Police Officer
EMPLOYER BUSINESS NME: Chicago Police Department
BUS: 3420 W 63rd St
Chicago IL
312-747-8730

WALSH, Joseph J
Male / White / 45 Years
EMPLOYMENT: Chicago Police Officer #12865 Chicago Police Officer
EMPLOYER BUSINESS NME: Chicago Police Department
BUS: 3420 W 63rd St
Chicago IL

HX475653

312-747-8730

OFFENDER(S): **MCDONALD, Laquan J** -- In Custody --

ALIAS: "Bon-Bon"
Male / Black / 17 Years
DOB: [redacted]
RES: [redacted]
BIRTH PL: Illinois
DESCRIPTION: 6'02,180,Black Hair, Dreadlocks Hair Style, Brown Eyes, Medium Complexion

ITEM USED:
Weapon
DLN/ID: [redacted]
OTHER IDENTIFICATIONS: **Type -** Other Id
State - Unknown

IR #: 2106340
SID #: IL18550721
ORGANIZATION: NEW BREED
RELATIONSHIP OF VICTIM TO OFFENDER:

GAFFNEY, Thomas No Relationship
MCELLIGOTT, Joseph No Relationship
VAN DYKE, Jason No Relationship
WALSH, Joseph No Relationship

GANG INFORMATION:
LISTED CRIMINAL ORGANIZATION: New Breed
GANG IDENTIFIERS: Other

OFFENDER INJURIES: **MCDONALD, Laquan J**

Type	Weapon Used	Weapon Description
Gun Shot Wound	Handgun	Other -Handgun

Injured by Police
Chicago Fire Department Provided First Aid
EXTENT OF INJURY: Multiple Gsw
HOSPITAL REMOVED BY: Cfd Ambulance 21

HOSPITAL: Mt. Sinai
INJURY TREATMENT: Multiple Gsw
PHYSICIAN NAME: Dr Pitzele
INV #: **13296449**

WEAPON(S): **Evidence**

Smith & Wesson -Us- (Bodyguard,Chief Special) , 5942 , 9 , Semi-Automatic Pistol , Semi-Automatic , 4" , Stainless

SERIAL #: [redacted]

MAGAZINE CAPACITY: 15

Number Of Live Rounds present in the Firearm - 15

Number Of Live Rounds used in the Firearm - 16

The Status Of This Firearm is 628361

PROPERTY TYPE: Other

OWNER: Van Dyke, Jason

POSSESSOR/USER: Van Dyke, Jason

PHONE #: 312 - 747 - 8730

LOCATION FOUND: 5101 S Wentworth Ave

VEHICLE INFO:

Truck , 2010 / Chevrolet / Tahoe / Truck

, Victims Vehicle

VIN: 1GNMCAE0XAR263348 **Evidence**

YEAR (RANGE): 2010

COLOR (TOP/BOTTOM): White / White

OWNER: Chicago Police Department

POSSESSOR/USER: Gaffney, Thomas

PHONE#: 312 - 747 - 8730

LOCATION FOUND: 4102 S Pulaski Rd

LICENSE: MP6581, Law Enforcement (City, County, State, Sos), IL

LOCATION OF INCIDENT:

4112 S Pulaski Rd
Chicago IL
304 - Street

DATE & TIME OF INCIDENT: 20-OCT-2014 21:57

WEATHER AND LIGHTING:

WEATHER: Cloudy & Cool

TEMPERATURE: 50s

LIGHTING: Dark / Artificial Light

LIGHTING SOURCE: Streetlights

DISTANCE: Overhead

MOTIVE CODE(S): Interceding In A Felony

CAUSE CODE(S): Dna

METHOD CODE(S): Offender Shot

CAU CODE(S): Police Related Not Con

FIREARM(S) RECOVERED: **INV #: 13296449** **Evidence**

Smith & Wesson -Us- (Bodyguard,Chief Special) , 5942 , 9 , Semi-

Automatic Pistol , Semi-Automatic , 4" , Stainless
SERIAL #: [redacted]
PROPERTY TYPE: Other

OWNER: Van Dyke, Jason
POSSESSOR/USER: Van Dyke, Jason

PHONE #: 312 - 747 - 8730
LOCATION FOUND: 5101 S Wentworth Ave

MAGAZINE CAPACITY: 15
Number Of Live Rounds present in the Firearm - 15
Number Of Live Rounds used in the Firearm - 16

/EHICLE(S) DAMAGED: **Truck , 2010 / Chevrolet / Tahoe / Truck**
VIN: 1GNMCAE0XAR263348 **Evidence**

YEAR - YEAR RANGE END: 2010
COLOR (TOP/BOTTOM): White / White
OWNER: Chicago Police Department
POSSESSOR/USER: Gaffney, Thomas

PHONE#: 312 - 747 - 8730
LOCATION FOUND: 4102 S Pulaski Rd
LICENSE: MP6581, Law Enforcement (City, County, State, Sos), IL

PERSONNEL ASSIGNED:
Detective/Investigator
MARCH, David M # 20563
Reporting Officer
FONTAINE, Dora # 4484 BEAT: 0841R

WITNESS(ES) :
BACERRA, Arturo
Male / White Hispanic / 32 Years
EMPLOYMENT: Chicago Police Officer #15790 Chicago Police Officer
BUS: 3420 W 63rd St
Chicago IL
312-747-8730
[redacted]
Female / White Hispanic / 29 Years
DOB: [redacted]
RES: 5340 Prairie
[redacted]

OTHER COMMUNICATIONS:
Cellular [redacted]
Phone :
[redacted]

Female / White Hispanic / 19 Years

DOB: [redacted]

RES: [redacted]

BUS: [redacted]

DLN/ID: [redacted]

Male / White Hispanic / 18 Years

DOB: [redacted]

RES: [redacted]

OTHER COMMUNICATIONS:

[redacted]
Phone :

DLN/ID: [redacted]

Female / White Hispanic / 24 Years

DOB: [redacted]

RES: [redacted]

EMPLOYMENT: Shift Manager

BUS: [redacted]

OTHER COMMUNICATIONS:

Cellular [redacted]
Phone :

FONTAINE, Dora

Female / White Hispanic / 47 Years

EMPLOYMENT: Chicago Police Officer #4484 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

[redacted]

Male / White Hispanic / 25 Years

DOB: [redacted]

RES: [redacted]

BUS: [redacted]

OTHER COMMUNICATIONS:

Cellular Phone : [redacted]

SSN: [redacted]

[redacted]

Female / White Hispanic / 30 Years

DOB: [redacted]

RES: [redacted]

OTHER COMMUNICATIONS:

Cellular Phone : [redacted]

[redacted]

Male / White Hispanic / 24 Years

DOB: [redacted]

RES: [redacted]

SSN: [redacted]

DLN/ID: [redacted]

MONDRAGON, Janet

Female / White Hispanic / 37 Years

EMPLOYMENT: Chicago Police Officer #4364 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

SEBASTIAN, Daphne L

Female / White / 45 Years

EMPLOYMENT: Chicago Police Officer #2763 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

VELEZ, Leticia

Female / White Hispanic / 43 Years

EMPLOYMENT: Chicago Police Officer #10385 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

VIRAMONTES, Ricardo

Male / White Hispanic / 41 Years

EMPLOYMENT: Chicago Police Officer #10590 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL

312-747-8730

OTHER INDIVIDUALS INVOLVED:

[redacted] (Additional Victim)
Male / White Hispanic / 43 Years
DOB: [redacted]
RES: [redacted]
EMPLOYMENT: Self-Employed Truck Driver
OTHER COMMUNICATIONS:
Cellular Phone : [redacted]
DLN/ID: [redacted] :

[redacted] (Family Member Notified)
Male / Black / 25 Years
DOB: [redacted]
RES: [redacted]
OTHER COMMUNICATIONS:
Other : [redacted]

[redacted] (Person Interviewed Non-Witness)
Female / White Hispanic / 62 Years
DOB: [redacted]
RES: [redacted]
BUS: [redacted]

[redacted] (Person Interviewed Non-Witness)
Female / White Hispanic / 39 Years
DOB: [redacted]
RES: [redacted]
BUS: [redacted]

CRIME CODE SUMMARY: 0552 - Assault - Aggravated Po:Knife/Cut Instr

OTHER ASSOCIATIONS: 0552 - Assault - Aggravated Po:Knife/Cut Instr

GAFFNEY, Thomas, J (Victim)

MCDONALD, Laquan, J	(Offender)
MCELLIGOTT, Joseph, P	(Victim)
MCDONALD, Laquan, J	(Offender)
MCDONALD, Laquan, J	(Offender)
VAN DYKE, Jason, D	(Victim)
MCDONALD, Laquan, J	(Offender)
WALSH, Joseph, J	(Victim)

ICIDENT NOTIFICATIONS:

NOTIFICATION DATE & TIME: 10/20/2014:230700
REQUEST TYPE: Notification
PERSON NAME: ,Sarlo
STAR #: 13131
EMP #:

NOTIFICATION DATE & TIME: 10/20/2014:231400
REQUEST TYPE: Notification
PERSON NAME: ,Jines
STAR #: 4898
EMP #:

NOTIFICATION DATE & TIME: 10/20/2014:215000
REQUEST TYPE: On Scene
PERSON NAME: ,March
STAR #: 20563
EMP #:

NOTIFICATION DATE & TIME: 10/21/2014:225800
REQUEST TYPE: Notification
PERSON NAME: ,Chibe
STAR #: 7303
EMP #:

NOTIFICATION DATE & TIME: 10/20/2014:235000
REQUEST TYPE: Notification
PERSON NAME: ,Briggs
STAR #:
EMP #: 76

REPORT DISTRIBUTIONS: No Distribution

INVESTIGATION:

AREA CENTRAL FIELD INVESTIGATION:

Exceptionally Cleared Closed /
Other Exceptional Clearance - Death of Offender.

The full format for this investigation is contained in the previous Progress - Scene Report.

INVESTIGATION:

The reporting detective was assigned to the immediate follow-up investigation of this police officer involved shooting incident, by Sergeant Daniel GALLAGHER of this command. The reporting detective proceeded to the scene of the incident at 4112 South Pulaski Road. The officer involved in the shooting was located and interviewed at the scene.

VAN DYKE, Jason D -----

stated he was a Chicago Police Officer assigned to the 008th District. He was on duty, in uniform, working on Beat 845R. VAN DYKE was working with Police Officer Joseph WALSH. The two officers were assigned to Chicago Police Department vehicle number 6412, a marked Chevrolet Tahoe, four door sport utility vehicle. WALSH was driving the vehicle and VAN DYKE was the passenger.

The two officers responded to a request for assistance from Beat 815R, regarding a man with a knife, on 40th Street, west of Pulaski Road. A unit equipped with a taser had also been requested. Officer VAN DYKE heard the radio transmission when Officer Thomas GAFFNEY said the man with a knife had "popped" the tire of GAFFNEY's police vehicle. VAN DYKE understood this to mean the subject had slashed the tire with his knife. As Officer WALSH drove westbound on 40th Street from Pulaski, VAN DYKE observed a black male subject, now known as Laquan MCDONALD, running eastbound in the parking lot of the Burger King restaurant on the southwest corner of 40 Street and Pulaski. MCDONALD was holding a knife in his right hand. VAN DYKE saw Police Officer Joseph MCELLIGOTT pursuing MCDONALD on foot. VAN DYKE also saw a civilian who was standing on 40th Street pointing to MCDONALD.

Officer WALSH drove eastbound in the parking lot, in pursuit of MCDONALD, on the north side of the Burger King restaurant building. WALSH used the police vehicle to block MCDONALD from entering the restaurant. MCDONALD ran out onto Pulaski Road and then turned southbound, running toward a Dunkin' Donuts restaurant, on the east side of Pulaski, south of the Burger King. WALSH positioned the police vehicle between MCDONALD and the Dunkin' Donuts to block his path towards that restaurant. When WALSH slowed the police vehicle alongside MCDONALD, Officer VAN DYKE opened the right front door of the vehicle to exit and confront MCDONALD. WALSH told VAN DYKE to stay in the vehicle as they were too close to MCDONALD to safely exit their vehicle. WALSH drove on southbound and stopped the police vehicle ahead of MCDONALD.

Officer VAN DYKE exited the vehicle on the right side and drew his handgun. As VAN DYKE stood in the street on Pulaski, facing northbound, toward MCDONALD, MCDONALD approached southbound. MCDONALD was holding the knife in his right hand, in an underhand grip, with the blade pointed forward. He was swinging the knife in an aggressive, exaggerated manner. VAN DYKE ordered MCDONALD to "Drop the knife!" multiple times. MCDONALD ignored VAN DYKE's verbal direction to drop the knife and continued to advance toward VAN DYKE.

When MCDONALD got to within 10 to 15 feet of Officer VAN DYKE, MCDONALD looked toward

VAN DYKE. MCDONALD raised the knife across his chest and over his shoulder, pointing the knife at VAN DYKE. VAN DYKE believed MCDONALD was attacking VAN DYKE with the knife, and attempting to kill VAN DYKE. In defense of his life, VAN DYKE backpedaled and fired his handgun at MCDONALD, to stop the attack. MCDONALD fell to the ground but continued to move and continued to grasp the knife, refusing to let go of it. VAN DYKE continued to fire his weapon at MCDONALD as MCDONALD was on the ground, as MCDONALD appeared to be attempting to get up, all the while continuing to point the knife at VAN DYKE. The slide on VAN DYKE's pistol locked in the rearward position, indicating the weapon was empty. VAN DYKE performed a tactical reload of his pistol with a new magazine and then assessed the situation.

MCDONALD was no longer moving and the threat had been mitigated, so Officer VAN DYKE and Officer WALSH approached MCDONALD. MCDONALD was still holding the knife in his right hand. VAN DYKE continued to order MCDONALD to "Drop the knife!" Officer WALSH told VAN DYKE, "I have this." VAN DYKE then used his handgun to cover WALSH as WALSH walked up and forcibly kicked the knife out of MCDONALD's right hand, thereby eliminating the threat to the officers.

Officer WALSH then notified the dispatcher on the police radio that shots had been fired by the police. Officer VAN DYKE requested an ambulance for MCDONALD on the radio.

Officer VAN DYKE's weapon was a Smith and Wesson, nine millimeter, semi-automatic pistol, with a 15 round magazine. VAN DYKE said the pistol was fully loaded at the beginning of his tour of duty, with 15 cartridges in the magazine and one cartridge in the firing chamber.

It was noted that the uniform Officer VAN DYKE was wearing consisted of a light blue long sleeve uniform shirt, with shoulder patches; black body armor vest, with patches; navy blue cargo pants; and equipment belt with handgun and radio.

The reporting detective then interviewed Officer VAN DYKE's partner.

WALSH, Joseph J -----

stated he was a Chicago Police Officer assigned to the 008th District. WALSH related the same facts as his partner, Officer Jason VAN DYKE.

WALSH added that as Laquan MCDONALD ran eastbound through the Burger King parking lot, WALSH used the police vehicle he was driving to block MCDONALD from entering the restaurant.

As MCDONALD ran southbound on Pulaski Road, from the Burger King, WALSH pursued MCDONALD in the police vehicle. WALSH drove southbound in the northbound lanes to get ahead of MCDONALD, keeping the police vehicle between MCDONALD and a Dunkin' Donuts restaurant, on the east side of Pulaski. As their vehicle passed MCDONALD, Officer VAN DYKE opened the right front door of their vehicle, to exit the truck and confront MCDONALD. WALSH, realizing that at this point they were too close to the armed MCDONALD to safely exit the vehicle, told VAN DYKE to wait until they got further ahead of MCDONALD. WALSH drove further south on Pulaski. He stopped his vehicle south of MCDONALD and exited the driver's door as VAN DYKE exited the right side of the vehicle. WALSH drew his handgun when he exited the vehicle.

Officer WALSH came around the rear of the police vehicle and joined Officer VAN DYKE on the right side of the vehicle. WALSH also stood in the street on Pulaski, facing northbound, as MCDONALD walked southbound toward the officers. WALSH ordered MCDONALD to "Drop the knife!" multiple times as MCDONALD approached the officers.

Officer WALSH also backed up, attempting to maintain a safe distance between himself and MCDONALD. MCDONALD ignored the verbal direction given by both WALSH and Officer VAN DYKE, and continued to advance toward the officers. When MCDONALD got to within 12 to 15 feet of the officers he swung the knife toward the officers in an aggressive manner. VAN DYKE opened fire with his handgun and MCDONALD fell to the ground. VAN DYKE continued firing his weapon at MCDONALD as MCDONALD continued moving on the ground, attempting to get up, while still armed with the knife.

When the gunfire stopped and MCDONALD was not moving anymore, WALSH approached MCDONALD with VAN DYKE. WALSH continued to order MCDONALD to "Drop the knife!" multiple times, as MCDONALD was still holding the knife in his right hand. WALSH forcibly kicked the knife out of MCDONALD's hand and then notified the dispatcher on the police radio that shots had been fired by the police. An ambulance was also requested for MCDONALD.

As they waited for the ambulance to respond to the scene, Officer WALSH told MCDONALD to "hang in there," and that an ambulance was on the way.

Officer WALSH said he believed MCDONALD was attacking WALSH and Officer VAN DYKE with the knife and attempting to kill them when the shots were fired. WALSH stated he did not fire his handgun because VAN DYKE was in the line of fire between WALSH and MCDONALD. WALSH thought VAN DYKE fired eight or nine shots total.

It was noted that Officer WALSH wore the same uniform configuration as Officer VAN DYKE.

The officers assigned to Beat 815R were interviewed.

GAFFNEY, Thomas J -----

stated he was a Chicago Police Officer assigned to the 008th District. He was on duty, in uniform, working on Beat 815R. GAFFNEY was working with Police Officer Joseph MCELLIGOTT. The two officers were assigned to Chicago Police Department vehicle number 8489, a marked Chevrolet Tahoe, four door sport utility vehicle. GAFFNEY was driving the vehicle and MCELLIGOTT was the passenger.

The officers responded to an assignment of holding an offender for breaking into trucks at 41st Street and Kildare Avenue. Upon arrival at that location they met an Hispanic couple who told the officers a black male subject, wearing a dark shirt, had attempted to break into trucks parked in the parking lot at that location. The couple told the officers the subject had walked off and was last seen walking eastbound on 40th Street from Kildare.

Officer GAFFNEY drove northbound on Kildare to 40th Street. When he turned eastbound onto 40th Street he saw a black male subject wearing dark clothing, walking eastbound on the sidewalk,

on the south side of the street. Officer MCELLIGOTT exited the police vehicle to approach the subject, now known as Laquan MCDONALD. GAFFNEY stayed in the vehicle in case MCDONALD fled. MCELLIGOTT called to MCDONALD and told him to stop but MCDONALD continued walking eastbound, ignoring MCELLIGOTT. MCDONALD's hands were in his pockets as he walked. MCELLIGOTT told MCDONALD to take his hands out of his pockets. MCDONALD took his hands out of his pockets and MCELLIGOTT told GAFFNEY that MCDONALD had a knife. GAFFNEY then saw a silver colored knife in MCDONALD's right hand. GAFFNEY also saw that MCELLIGOTT had his handgun drawn at this point. MCELLIGOTT repeatedly ordered MCDONALD to "Drop the knife," but MCDONALD ignored these directions. As MCDONALD reached Keeler Avenue, GAFFNEY notified the dispatcher on the police radio that they were following a subject with a knife and requested assistance from a unit equipped with a taser.

MCDONALD continued walking eastbound, Officer MCELLIGOTT following on foot and Officer GAFFNEY following in the police vehicle. As MCDONALD approached Karlov Avenue, GAFFNEY turned the Tahoe southbound onto Karlov and stopped, blocking the crosswalk. GAFFNEY said he wanted to stop MCDONALD before he reached Pulaski Road, a business street where more civilians were present. The area where MCDONALD was first observed was industrial in nature with no other civilians present. When GAFFNEY stopped his vehicle in front of MCDONALD, blocking his path, MCDONALD stabbed the right front tire of the Tahoe with his knife, causing the tire to go flat. GAFFNEY immediately informed the radio dispatcher that MCDONALD had "popped" the tire. MCDONALD attempted to walk around the front of the police vehicle and GAFFNEY drove the Tahoe forward a short distance to continue to block MCDONALD's path. MCDONALD then stabbed at the windshield of the Tahoe with the knife, striking the right side of the windshield. MCDONALD then continued walking eastbound from Karlov.

As MCDONALD approached the Burger King restaurant parking lot at 40th Street and Pulaski, assisting police units arrived, approaching westbound on 40th Street from Pulaski. MCDONALD began to run eastbound through the restaurant parking lot, on the north side of the Burger King building. He ran out onto Pulaski and then turned and ran southbound on Pulaski. Beat 845R pursued MCDONALD in their police vehicle, eastbound through the parking lot, over the curb at Pulaski, then southbound on Pulaski. Officer GAFFNEY lost sight of MCDONALD when he turned southbound on Pulaski.

Because of the flat tire on his vehicle, Officer GAFFNEY did not drive over the curb. As he drove around out onto Pulaski, GAFFNEY heard multiple gunshots in rapid succession. He did not see who was shooting. When he reached Pulaski MCDONALD was lying on the ground.

It was noted that Officer GAFFNEY wore the same uniform configuration as Officer VAN DYKE with the addition of the uniform baseball style cap with embroidered patch.

MCELLIGOTT, Joseph P -----

stated he was a Chicago Police Officer assigned to the 008th District. MCELLIGOTT related the same facts as his partner, Officer Thomas GAFFNEY.

Officer MCELLIGOTT added that after he exited the police vehicle, when Laquan MCDONALD took his hands out of his pockets and MCELLIGOTT saw MCDONALD holding a knife in his right

hand, MCELLIGOTT drew his handgun. He repeatedly ordered MCDONALD to "Drop the knife." MCDONALD ignored MCELLIGOTT's directions and continued to walk eastbound on 40th Street. MCELLIGOTT followed MCDONALD on foot, maintaining a safe distance between himself and the armed MCDONALD.

Officer MCELLIGOTT heard Officer GAFFNEY request assistance and a unit with a taser over the police radio. GAFFNEY attempted to use the police vehicle to block MCDONALD from continuing on toward the Burger King restaurant at Pulaski Road. At this point MCDONALD stabbed the right front tire and the windshield of the police vehicle. MCELLIGOTT began to hear the sirens of approaching assisting police units and MCDONALD began to run toward the Burger King restaurant.

When MCDONALD ran eastbound through the parking lot of the Burger King, Officer MCELLIGOTT ran after MCDONALD in pursuit. MCELLIGOTT ran out into the middle of Pulaski Road in pursuit of MCDONALD. MCELLIGOTT heard multiple gunshots but did not see who fired the shots. The gunfire was continuous, one shot after another. MCELLIGOTT then saw MCDONALD lying on the ground. MCELLIGOTT saw Officer Joseph WALSH kick the knife out of MCDONALD's hand.

It was noted that Officer MCELLIGOTT wore the same uniform configuration as Officer VAN DYKE.

Other officers who responded to this incident were also interviewed.

SEBASTIAN, Daphne L —

stated she was a Chicago Police Officer assigned to the 008th District. She was on duty, in uniform, working on Beat 813R. SEBASTIAN was working with Police Officer Janet MONDRAGON. The two officers were assigned to a marked vehicle. MONDRAGON was driving the vehicle and SEBASTIAN was the passenger.

The two officers responded to the request for assistance made by Beat 815R, regarding a subject with a knife. Officer SEBASTIAN thought the original call for assistance was at 40th Street and Keeler Avenue. The subject had punctured a tire on the police vehicle of Beat 815R. Officer MONDRAGON drove northbound on Pulaski Road, following Beat 845R, as they also responded to the request for assistance. MONDRAGON turned westbound onto 40th Street, behind Beat 845R.

Officer SEBASTIAN observed a black male subject, now known as Laquan MCDONALD, running southeast bound through the parking lot of the Burger King restaurant. Beat 845R pursued MCDONALD in their police vehicle, through the parking lot, toward Pulaski. SEBASTIAN told Officer MONDRAGON to drive back out onto Pulaski to assist in the pursuit. MCDONALD ran out onto Pulaski and continued to run southbound down the middle of the street. Beat 845R pursued MCDONALD in their vehicle, southbound on Pulaski, followed by Beat 813R. As MCDONALD ran southbound on Pulaski, SEBASTIAN saw the knife in his right hand. MCDONALD was waving the knife.

Beat 845R stopped their vehicle ahead of MCDONALD, between MCDONALD and the Dunkin'

Donuts restaurant on the east side of Pulaski. Officers Joseph WALSH and Jason VAN DYKE exited their vehicle and drew their handguns. MCDONALD turned toward the two officers and continued to wave the knife. Sebastian heard the officers repeatedly order MCDONALD to "Drop the knife!" MCDONALD ignored the verbal directions and continued to advance on the officers, waving the knife. Officer SEBASTIAN heard multiple gunshots and MCDONALD fell to the ground, where he continued to move. SEBASTIAN did not know who fired the shots, which were fired in one continuous group. She then saw Officer WALSH kick the knife out of MCDONALD's hand.

MONDRAGON, Janet -----

stated she was a Chicago Police Officer assigned to the 008th District. MONDRAGON related the same facts as her partner, Officer Daphne SEBASTIAN.

Officer MONDRAGON added that as she drove westbound on 40th Street, she saw Officer MCELLIGOTT running eastbound through the Burger King parking lot. She made a U-turn and drove back out onto Pulaski Road. MONDRAGON turned southbound onto Pulaski. She saw Laquan MCDONALD running southbound on Pulaski, in the middle of the street. As she got closer she could see MCDONALD was holding a knife in his right hand. He was waving the knife.

Officer MONDRAGON saw Officers Joseph WALSH and Jason VAN DYKE outside of their police vehicle. She heard the officers repeatedly ordering MCDONALD to "Drop the knife!" as MCDONALD got closer and closer to the officers, continuing to wave the knife. As she was placing her vehicle transmission into Park, MONDRAGON looked down and heard multiple, continuous gunshots, without pause. MONDRAGON then saw MCDONALD fall to the ground. MONDRAGON did not know who fired the shots.

BACERRA, Arturo -----

stated he was a Chicago Police Officer assigned to the 008th District. He was on duty, in uniform, working on Beat 822. BACERRA was working with Police Officer Leticia VELEZ. The two officers were assigned to a marked vehicle. BACERRA was driving the vehicle and VELEZ was the passenger.

Officer BACERRA and his partner responded to the request for assistance made by Beat 815R, regarding a subject who was armed with a knife. BACERRA was driving northbound on Pulaski Road from 47th Street. As he approached the scene of this incident, at 4112 South Pulaski, he observed a black male subject, now known as Laquan MCDONALD, in the middle of the street, flailing his arms. As he got closer, BACERRA observed MCDONALD to be holding a knife in his right hand. BACERRA drove past MCDONALD, with MCDONALD on the left side of the police vehicle, as Beat 845R drove past BACERRA, on the right side of his vehicle, travelling southbound. As BACERRA began to make a U-turn, he heard multiple gunshots. He then saw MCDONALD lying on the ground. BACERRA did not see who fired the shots.

VELEZ, Leticia -----

stated she was a Chicago Police Officer assigned to the 008th District. VELEZ related the same facts as her partner, Officer Arturo BACERRA.

Officer VELEZ added that as they approached the scene she observed Laquan MCDONALD standing in the middle of the street, holding a shiny object in his right hand. She saw him waving the object in the air. Officer BACERRA drove past MCDONALD and began to make a U-turn, when VELEZ heard multiple gunshots, without pause or delay. She then saw MCDONALD fall to the ground. VELEZ did not see who fired the shots. She did see an unknown officer kick the knife from MCDONALD's hand after he was down on the ground.

FONTAINE, Dora -----

stated she was a Chicago Police Officer assigned to the 008th District. She was on duty, in uniform, working on Beat 841R. FONTAINE was working with Police Officer Ricardo VIRAMONTES. The two officers were assigned to a marked vehicle. VIRAMONTES was driving the vehicle and FONTAINE was the passenger.

The two officers responded to the request for assistance made by Beat 815R, regarding a man with a knife at 41st Street and Pulaski Road. Officer VIRAMONTES drove northbound on Pulaski. When they arrived at the scene of this incident, in front of the Dunkin' Donuts restaurant, Officer FONTAINE saw a black male subject, now known as Laquan MCDONALD, walking southbound in the street, with a knife in his right hand. MCDONALD was walking sideways, with his body facing east, toward Officers Jason VAN DYKE and Joseph WALSH. These two officers were standing in the middle of the street, on the right side of their police vehicle, which was facing southbound. FONTAINE heard the officers repeatedly order MCDONALD to "Drop the knife!" MCDONALD ignored the verbal direction and instead, raised his right arm toward Officer VAN DYKE, as if attacking VAN DYKE. At this time VAN DYKE fired multiple shots from his handgun, until MCDONALD fell to the ground and stopped moving his right arm and hand, which still grasped the knife. The gunshots were rapid fire, without pause. Officer WALSH then kicked the knife out of MCDONALD's hand.

VIRAMONTES, Ricardo -----

stated he was a Chicago Police Officer assigned to the 008th District. VIRAMONTES related the same facts as his partner, Officer Dora FONTAINE.

Officer VIRAMONTES added that when he exited his police vehicle, at the scene, he observed a black male subject, now known as Laquan MCDONALD, walking southbound on Pulaski Road, in the middle of the street, holding a knife in his right hand. VIRAMONTES heard Officer Jason VAN DYKE repeatedly order MCDONALD to "Drop the knife!" MCDONALD ignored the verbal direction and turned toward VAN DYKE and his partner, Officer Joseph WALSH. At this time VAN DYKE fired multiple shots from his handgun. MCDONALD fell to the ground but continued to move, attempting to get back up, with the knife still in his hand. VAN DYKE fired his weapon at MCDONALD continuously, until MCDONALD was no longer moving.

The scene of this incident, at 4112 South Pulaski Road, was observed to be a wide commercial street with traffic traveling north and south. There were two traffic lanes and a curb lane in each direction. A wide median separated the northbound and southbound traffic lanes. The scene was just south of the intersection of Pulaski and 41st Street. This was a "T" intersection with 41st Street extending east from Pulaski. In the center median was a left turn lane for northbound traffic

turning west onto 40th Street, further to the north. The Pulaski median was level with the traffic lanes and was striped with yellow paint.

On the west side of Pulaski was a large vacant lot. North of the vacant lot, on the southwest corner of 40th Street and Pulaski, was a Burger King restaurant. On the east side of the street was a Dunkin Donuts restaurant.

The weather was cloudy and cool with the temperature in the 50s. It was dark with good artificial light provided by overhead streetlights. All of the lights were on and functioning normally. There was also artificial light provided by the lighting of the nearby businesses.

In the northbound left turn lane, Chicago Police Department vehicle number 6412, assigned to Beat 845R, was sitting, facing southeast. The vehicle was a marked Chevrolet Tahoe, four door sport utility vehicle. The right front door of the vehicle was open.

In the southbound traffic lanes, in the right lane, a metal folding pocket knife was lying on the pavement. The blade was in the open position. The overall length of the knife was seven inches, with a three inch blade. The knife was in line with the front end of the vehicle of Beat 845R. Just north of the knife were two pools of blood on the pavement. Five metal bullet fragments were lying on the pavement near the blood. North of the blood, scattered in a diagonal pattern from southwest to northeast, across both southbound traffic lanes and the northbound left turn lane, were 16, nine millimeter caliber cartridge cases, lying on the pavement.

Chicago Police Department vehicle number 8489, assigned to Beat 815R, was sitting at the west curb at 4102 South Pulaski. The right front tire of the vehicle was flat, with a large puncture to the sidewall of the tire. The right side of the windshield was scratched from being struck by Laquan MCDONALD's knife.

Mobile Crime Lab Beat 5802 responded to the scene. Video and photographs were taken of the scene. The knife and firearms evidence was collected from the street, as were swabs of the blood. The right front wheel and tire of Chicago Police Department vehicle number 8489 was also recovered. The right front quarter panel of vehicle number 8489 was processed for fingerprints and four ridge impressions were recovered.

A canvass was conducted of the area near the scene of this incident in an attempt to identify and locate witnesses. A number of people were interviewed.

[redacted] -----

stated she was [redacted] at the Burger King restaurant. At approximately 21:55 hours [redacted] observed police officers chasing a black male subject, now known as Laquan MCDONALD, through the parking lot, on the north side of the restaurant building. The officers chased MCDONALD southbound down Pulaski Road, toward the Dunkin' Donuts restaurant. [redacted] then heard multiple gunshots and dove to the ground.

[redacted] permitted access to the Burger King video system. No video of this incident was recorded. The system was not recording at that time. The system was activated and video was

recovered from the system from earlier in the day, showing the view of each of the cameras in the system. It was noted that none of these camera views showed the area of the scene where the confrontation between Laquan MCDONALD and Police Officers Jason VAN DYKE and Joseph WALSH occurred, on Pulaski Road, south of the Burger King restaurant. If the system had been recording at the time of this incident, it would not have recorded any footage of that confrontation.

[redacted] -----

stated he was at the Burger King restaurant, waiting for his girlfriend, [redacted], who was working at the drive-thru window. [redacted] observed a "young black dude" with his hair in dreadlocks, now known as Laquan MCDONALD, running through the parking lot of the restaurant. He was being pursued by police officers. MCDONALD was holding his pants like he might have had a gun or something. MCDONALD then ran southbound on the sidewalk and then out into the street on Pulaski Road. [redacted] last saw MCDONALD running towards the middle of the intersection of 41st Street and Pulaski. MCDONALD appeared confused. [redacted] then turned his attention back to his girlfriend at the drive-thru window. He did not witness the shooting.

[redacted] -----

stated she was working at [redacted] of the Burger King restaurant. She observed a male subject, now known as Laquan MCDONALD, running from the restaurant parking lot, southbound on Pulaski Road, toward the Dunkin' Donuts restaurant. [redacted] heard multiple gunshots and then saw that MCDONALD was lying in the street.

[redacted] -----

stated she was [redacted] of the Burger King restaurant. She did not see or hear anything.

[redacted] -----

stated she was [redacted] of the Burger King restaurant. She did not see or hear anything.

Laquan MCDONALD had been transported to Mount Sinai Hospital by Chicago Fire Department Ambulance 21. He sustained multiple gunshot wounds as documented in the format of this investigation. MCDONALD was treated for his injuries in the emergency room. He succumbed to his wounds and was subsequently pronounced dead by Doctor PITZELE, at 22:42 hours.

Registered Nurse [redacted], recovered three metal bullet fragments from MCDONALD and turned these over to Detective William JOHNSON. These were subsequently turned over to Mobile Crime Lab Beat 5802, who also recovered metal fragments from MCDONALD's sweater.

The reporting detective had learned of the death of Laquan MCDONALD while still at the scene of this incident. The Office of the Medical Examiner of Cook County was notified of MCDONALD's death, and Investigator BRIGGS assigned Medical Examiner's case number 2014 - 01071 to this case.

In the Bureau of Detectives - Area Central office, Evidence Technician Beat 5824 recovered Office Jason VAN DYKE's handgun, a Smith and Wesson, Model 5942, nine millimeter caliber, semi-automatic pistol. The weapon was loaded with one cartridge in the firing chamber and 14 cartridges in the magazine, when recovered.

Beat 5824 took photographs of Officers Jason VAN DYKE, Joseph WALSH, Thomas GAFFNEY and Joseph MCELLIGOTT. Elimination prints, including palm prints, were also taken from Officers GAFFNEY and MCELLIGOTT.

Officer Jason VAN DYKE was re-interviewed for additional detail, in the Area Central office.

VAN DYKE, Jason D ----

related the same sequence of events as documented in his original interview at the scene of this incident.

VAN DYKE additionally articulated the reasoning behind his decision to use deadly force against the offender in this incident, Laquan MCDONALD. VAN DYKE was aware of the radio transmissions from Officer Thomas GAFFNEY, on Beat 815R, that MCDONALD was armed with a knife. VAN DYKE was aware that MCDONALD had attacked the officers on Beat 815R by slashing the tire of their police vehicle.

As he confronted MCDONALD at 4112 South Pulaski Road, VAN DYKE saw that MCDONALD was in fact, armed with a knife, a deadly weapon. VAN DYKE was aware of the widely accepted teaching in law enforcement that an assailant armed with a knife was considered a deadly threat, if within 21 feet, because it was possible for such an assailant to close that distance and attack with the knife before a defensive shot could be fired from a handgun. VAN DYKE was also aware of the existence of throwing knives, which can be thrown from a distance, as well as spring loaded knives, which propel a blade through the air from the knife handle. VAN DYKE also said he recalled a previously issued Chicago Police Department bulletin warning of a weapon which appeared to be a knife but which actually was capable of firing a bullet, making it a firearm.

Subsequently, a search was conducted of the Chicago Police Department, Automated Message Center, to find the bulletin Officer Jason VAN DYKE remembered, regarding the weapon that appeared to be a knife, but was actually a firearm. This bulletin was issued on 04 December 2012. It was Officer Safety Alert number 2012-OSA-297. It was a warning regarding a "revolver knife" which was capable of firing .22 caliber cartridges.

Three witnesses had been transported into the Area Central office from the scene and were interviewed.

[redacted]----

stated she was in the Burger King restaurant parking lot. She saw a subject, now known as Laquan MCDONALD, running southbound on Pulaski Road. [redacted] saw many police officers on the street. She was trying to get her cellular telephone to work, to record video. [redacted] heard eight gunshots fired continuously. She did not see who fired the shots. [redacted] then saw

a police officer pointing a handgun at MCDONALD as he was lying on the ground.

With her permission, [redacted]' telephone was examined for any recorded video footage with negative results.

[redacted]-----

stated he was at the Burger King restaurant drive-thru with [redacted]. He saw a black male subject, now known as Laquan MCDONALD, running from the trucks parked at the rear of the restaurant parking lot. MCDONALD ran eastbound in the parking lot, on the north side of the Burger King building. A police officer was chasing MCDONALD on foot, eastbound through the parking lot, then southbound on Pulaski Road. A Chicago Police Department, Chevrolet Tahoe sport utility vehicle pulled up on Pulaski. MCDONALD ran toward the police vehicle. A police officer exited the vehicle and fired multiple shots from a handgun at MCDONALD. [redacted] thought there was video footage of the incident recorded on [redacted] cellular telephone. As documented in the previous interview of [redacted], her telephone was examined with negative results.

[redacted]-----

stated he was sitting in a truck, parked in the Burger King restaurant parking lot, on the south side of the restaurant building. He was completing some logs. [redacted] observed a black male subject, now known as Laquan MCDONALD, running southbound on Pulaski Road. The police were pursuing MCDONALD. [redacted] heard approximately three gunshots. He did not see who fired the shots. [redacted] exited the cab of his truck and climbed up on top of it. He saw a Chicago Police Department, Chevrolet Tahoe sport utility vehicle, and many police officers on Pulaski Road.

[redacted] insisted on leaving the Area Central office after their initial interviews, and they were transported as they requested.

Sergeant Lance BECVAR responded to the scene and subsequently to the Area Central office. He was able to recover video of this incident from the vehicles assigned to Beats 845R and 813R. This video was uploaded into the system. The reporting detective submitted a request for copies of these two videos which were subsequently inventoried. The reporting detective also requested that the videos be permanently retained. No video of this incident was recovered from the vehicles assigned to Beats 815R, 822 and 841R.

The recovered in-car camera video from Beats 845R and 813R was viewed and found to be consistent with the accounts of all of the witnesses. The video from Beat 813R showed that at the time Officer Jason VAN DYKE fired his handgun at Laquan MCDONALD, VAN DYKE was standing near the east edge of the southbound traffic lanes of Pulaski Road, and MCDONALD was near the lane marking separating the two southbound traffic lanes. The two were separated by the width of one traffic lane. The width of this traffic lane was approximately ten feet.

Recordings of the original 9-1-1 call and the radio transmissions over the Chicago Police Department, Zone 6 radio frequency were obtained from the Office of Emergency Management

and Communication. The recordings were reviewed and subsequently inventoried.

In the 9-1-1 call, a caller who identified himself as [redacted] stated that he was holding a guy for stealing radios from trucks in a trucking yard.

The recorded radio transmissions were consistent with the statements of the police officers involved in this incident. It was determined from the radio transmissions, that the entire interaction of the involved police officers, with Laquan MCDONALD, from the time Beat 815R notified the radio dispatcher that they had made contact with him, and that he was armed with a knife, until Beat 845R notified the dispatcher that shots had been fired by the police, lasted more than four minutes.

The criminal history of Laquan MCDONALD was reviewed. [redacted]

Additionally, there were two documented incidents, under Records Division numbers HS640983 and HT106389, on 01 December 2010 and 05 January 2011. In these incidents officials at the [redacted], elementary school, called the police because of the violent behavior of Laquan MCDONALD. The reports indicated that MCDONALD was a special education student at the school and that this had become a pattern of behavior for MCDONALD. The school officials indicated that MCDONALD had behavioral problems and anger issues. In both incidents MCDONALD was transported to [redacted] for evaluation and treatment.

The family of Laquan MCDONALD was located and notified of his death.

[redacted] -----

stated he was an uncle of Laquan MCDONALD. MCDONALD was living with JOHNSON while MCDONALD "worked out his problems." [redacted] said that MCDONALD attended [redacted] school but was currently suspended. MCDONALD suffered from "hypertension" but refused to take any medication. He stopped taking his prescribed medication approximately two years prior because he said it made him "freak out."

[redacted] last saw MCDONALD on Saturday, 18 October 2014, at approximately 13:00 hours, when MCDONALD left the apartment. He had not been back since. MCDONALD had rung the doorbell earlier in the day on 20 October 2014. [redacted] said they "buzzed" MCDONALD into the building but he never came up to the apartment.

[redacted] had no idea why MCDONALD would be in the area of 41st Street and Pulaski Road. JOHNSON said he would attempt to notify MCDONALD's mother, [redacted].

On Tuesday, 21 October 2014, [redacted] of the 9-1-1 caller, [redacted]" was located and interviewed.

[redacted] -----

stated she was with [redacted], parking a truck in the lot at 41st Street and Kildare Avenue. She saw a black male subject, now known as Laquan MCDONALD, attempting to steal property from vehicles parked in the lot. [redacted] confronted MCDONALD and told him to leave the lot. [redacted] said that MCDONALD did not say anything, but instead, he was "growling" and making strange noises. [redacted] again told MCDONALD to leave the lot and MCDONALD pulled out a knife. MCDONALD swung the knife at [redacted] attempting to cut him. [redacted] had already called 9-1-1 so he backed up and threw his cellular telephone at MCDONALD. MCDONALD then ran from the lot. He ran northbound on Kildare, then eastbound on 40th Street.

[redacted] described MCDONALD as a black male, with his hair in braids. He was wearing a black hood and blue jeans. [redacted] viewed a photograph of Laquan MCDONALD and identified him as the subject in the lot, who had been attempting to steal property from vehicles parked in the lot, and who subsequently threatened [redacted] with a knife, when [redacted] confronted MCDONALD.

On Wednesday, 22 October 2014, the 9-1-1 caller was interviewed.

[redacted] -----

related the same facts as [redacted]. [redacted] re-iterated that Laquan MCDONALD swung his knife at [redacted], attempting to cut him. [redacted] stated he was the person who called 9-1-1 regarding this incident.

A canvass was conducted of the area near the scene of this incident for any recorded video.

There were no Police Observation Devices, or other City of Chicago video cameras in the area.

Recorded video was recovered from three cameras on the exterior of the building housing the Greater Chicago Food Depository, at 4100 West Ann Lurie Place. Two of these videos showed two different views of Laquan MCDONALD walking eastbound on the sidewalk, on the south side of 40th Street, between Keeler and Karlov Avenues. Officer Joseph MCELLIGOTT was following MCDONALD on foot, maintaining a safe distance between himself and MCDONALD, while Officer Thomas GAFFNEY was following MCDONALD in a police vehicle. The third video did not capture any part of this incident.

Recorded video was recovered from two cameras at the Dunkin' Donuts restaurant, at 4113 South Pulaski Road. One of these videos showed the end of this incident, when Officers Jason VAN DYKE and Joseph WALSH stopped their vehicle, exited the vehicle and confronted Laquan MCDONALD. The view in this video is from a distance. The video from the second camera did not capture any part of this incident.

Recorded video was recovered from two cameras from Focal Point, 4141 South Pulaski Road. These videos did not capture any part of this incident.

All of the recovered video was inventoried.

A Major Case Review of this case was conducted at the Illinois State Police Crime Laboratory, on Thursday, 30 October 2014. An Evidence Submission Form was completed per this review.

The assigned personnel became aware of a potential question regarding the integrity of the video recovered from the Burger King restaurant. In an attempt to follow-up on this issue the assigned personnel proceeded to the restaurant on Wednesday, 11 March 2015. Manager, [redacted] was contacted at the restaurant. She stated that the video system at the restaurant had recently been repaired and a new digital video recorder had been installed. [redacted] said that as of this date, 11 of the 16 video ports in the system actually recorded video. This was consistent with the video recovered on the date of this incident. Video was recorded and recovered on 11 of the 16 video ports in the system on that date.

Any additional inquiries regarding the video system at the restaurant were referred to the district manager responsible for that restaurant, [redacted]. He was contacted and related that the day after this incident occurred, personnel from the Independent Police Review Authority, of the City of Chicago, came to the restaurant. They viewed video from the system and took custody of the digital video recorder. The recorder was returned to the restaurant two weeks later. Personnel from the Federal Bureau of Investigation then came to the restaurant and made copies of video from the system. After that some lawyers came to the restaurant with subpoenas to make copies of video from the system. Finally, [redacted] stated that personnel from the Federal Bureau of Investigation had come to the restaurant again, approximately three weeks prior to this interview, and took the digital video recorder. [redacted] did not have any further information regarding the video system.

The assigned personnel also became aware of an article written by [redacted], a professor at the University of Chicago Law School, citing the existence of an unknown witness to this incident. [redacted] was contacted on Thursday, 12 March 2015, in an attempt to interview this witness. [redacted] stated that this witness had already been interviewed by the Independent Police Review Authority and [redacted] did not know if the witness would be willing to be interviewed by the Chicago Police Department. [redacted] said he would contact the witness and provide him with contact information for the assigned personnel.

Based upon all the facts known at this time, and the death of the only offender in this incident, this case is now Exceptionally Cleared Closed / Other Exceptional Clearance - Death of Offender.

The above to-date investigation determined that Laquan MCDONALD was an active assailant who, while armed with a dangerous weapon, used force likely to cause death or serious injury to a private citizen when he attacked [redacted]; threatened the imminent use of force likely to cause death or serious injury when he incised the tire and stabbed the windshield of a Chicago Police Department vehicle occupied by Officer Thomas GAFFNEY; and initiated imminent use of force likely to cause death or serious injury when he initiated an attack on Officers Jason VAN DYKE and Joseph WALSH. The above investigation concluded that Officer Jason VAN DYKE's use of deadly force, the discharging of his duty firearm, was within the bounds of the Chicago Police Department's use of force guidelines, and in conformity with local ordinances and state law.

Based on the above facts, the associated report, under Records Division number HX486155, is now Closed / Non-Criminal.

REPORT OF:

Detective David M MARCH #20563
Sergeant Daniel GALLAGHER #1303
Lieutenant Anthony WOJCIK #481
Bureau of Detectives - Area Central

HICAGO POLICE DEPARTMENT

ASE SUPPLEMENTARY REPORT

10 S. Michigan Avenue, Chicago, Illinois 60653
use by Chicago Police - Bureau of Investigative Services Personnel Only)

HX475653

Case id : 9825613
Sup ID : 10992767 CASR301

XC. CLEARED CLOSED (OTHER EXCEPTIONAL) | **DETECTIVE SUP. APPROVAL COMPLETE**

Offense Classification/Re-Classification	IUCR Code	Original Offense Classification			IUCR Code
AULT / Aggravated Po:Knife/Cut Instr	**0552**	ASSAULT / Aggravated Po:Knife/Cut Instr			0552
ddress of Occurrence	Beat of Occur	No of Victims	No of Offenders	No of Arrested	SCR No
112 S PULASKI RD	**815**	4	1	1	
ocation Type	Location Code	Secondary Location			Hate Crime?
Street	**304**				NO
ate of Occurrence	Unit Assigned	Date RO Arrived	Fire Related?	Gang Related?	Domestic Related?
20-OCT-2014 21:57	**0841R**	20-OCT-2014 21:57	NO	NO	NO

Reporting Officer	Star No	Approving Supervisor	Star No	Primary Detective Assigned	Star No
MARCH, David	20563	WOJCIK, Anthony	481	MARCH, David	20563
Date Submitted		Date Approved		Assignment Type	
15-MAR-2015 18:26		16-MAR-2015 00:03		FIELD	

THIS IS A FIELD INVESTIGATION EXC. CLEARED CLOSED (OTHER EXCEPTIONAL) REPORT

VICTIM(S) :

GAFFNEY, Thomas J
Male / White / 41 Years
EMPLOYMENT: Chicago Police Officer #19958 Chicago Police Officer
EMPLOYER BUSINESS NME: Chicago Police Department
BUS: 3420 W 63rd St
Chicago IL
312-747-8730

MCELLIGOTT, Joseph P
Male / White / 36 Years
EMPLOYMENT: Chicago Police Officer #18715 Chicago Police Officer
EMPLOYER BUSINESS NME: Chicago Police Department
BUS: 3420 W 63rd St
Chicago IL
312-747-8730

VAN DYKE, Jason D
Male / White / 36 Years
EMPLOYMENT: Chicago Police Officer #9465 Chicago Police Officer
EMPLOYER BUSINESS NME: Chicago Police Department
BUS: 3420 W 63rd St
Chicago IL
312-747-8730

WALSH, Joseph J
Male / White / 45 Years
EMPLOYMENT: Chicago Police Officer #12865 Chicago Police Officer
EMPLOYER BUSINESS NME: Chicago Police Department
BUS: 3420 W 63rd St
Chicago IL

HX475653

312-747-8730

OFFENDER(S): **MCDONALD, Laquan J** -- In Custody --

ALIAS: "Bon-Bon"
Male / Black / 17 Years
DOB: [redacted]
RES: [redacted]
BIRTH PL: Illinois
DESCRIPTION: 6'02,180,Black Hair, Dreadlocks Hair Style, Brown Eyes, Medium Complexion

ITEM USED:
Weapon
DLN/ID: [redacted]
OTHER IDENTIFICATIONS: **Type -** Other Id
State - Unknown

IR #: 2106340
SID #: IL18550721
ORGANIZATION: NEW BREED
RELATIONSHIP OF VICTIM TO OFFENDER:

GAFFNEY, Thomas No Relationship
MCELLIGOTT, Joseph No Relationship
VAN DYKE, Jason No Relationship
WALSH, Joseph No Relationship

GANG INFORMATION:
LISTED CRIMINAL ORGANIZATION: New Breed
GANG IDENTIFIERS: Other

OFFENDER INJURIES: **MCDONALD, Laquan J**

Type	Weapon Used	Weapon Description
Gun Shot Wound	Handgun	Other -Handgun

Injured by Police
Chicago Fire Department Provided First Aid
EXTENT OF INJURY: Multiple Gsw
HOSPITAL REMOVED BY: Cfd Ambulance 21

HOSPITAL: Mt. Sinai
INJURY TREATMENT: Multiple Gsw
PHYSICIAN NAME: Dr Pitzele
INV #: **13296449**

WEAPON(S): **Evidence**

Smith & Wesson -Us- (Bodyguard,Chief Special) , 5942 , 9 , Semi-Automatic Pistol , Semi-Automatic , 4" , Stainless

SERIAL #: [redacted]

MAGAZINE CAPACITY: 15

Number Of Live Rounds present in the Firearm - 15

Number Of Live Rounds used in the Firearm - 16

The Status Of This Firearm is 628361

PROPERTY TYPE: Other

OWNER: Van Dyke, Jason

POSSESSOR/USER: Van Dyke, Jason

PHONE #: 312 - 747 - 8730

LOCATION FOUND: 5101 S Wentworth Ave

VEHICLE INFO:

Truck , 2010 / Chevrolet / Tahoe / Truck

, Victims Vehicle

VIN: 1GNMCAE0XAR263348 **Evidence**

YEAR (RANGE): 2010

COLOR (TOP/BOTTOM): White / White

OWNER: Chicago Police Department

POSSESSOR/USER: Gaffney, Thomas

PHONE#: 312 - 747 - 8730

LOCATION FOUND: 4102 S Pulaski Rd

LICENSE: MP6581, Law Enforcement (City, County, State, Sos), IL

LOCATION OF INCIDENT:

4112 S Pulaski Rd
Chicago IL
304 - Street

DATE & TIME OF INCIDENT: 20-OCT-2014 21:57

WEATHER AND LIGHTING:

WEATHER: Cloudy & Cool

TEMPERATURE: 50s

LIGHTING: Dark / Artificial Light

LIGHTING SOURCE: Streetlights

DISTANCE: Overhead

MOTIVE CODE(S): Interceding In A Felony

CAUSE CODE(S): Dna

METHOD CODE(S): Offender Shot

CAU CODE(S): Police Related Not Con

FIREARM(S) RECOVERED: **INV #: 13296449** **Evidence**

Smith & Wesson -Us- (Bodyguard,Chief Special) , 5942 , 9 , Semi-

Automatic Pistol , Semi-Automatic , 4" , Stainless
SERIAL #: [redacted]
PROPERTY TYPE: Other

OWNER: Van Dyke, Jason
POSSESSOR/USER: Van Dyke, Jason

PHONE #: 312 - 747 - 8730
LOCATION FOUND: 5101 S Wentworth Ave

MAGAZINE CAPACITY: 15
Number Of Live Rounds present in the Firearm - 15
Number Of Live Rounds used in the Firearm - 16

/EHICLE(S) DAMAGED: **Truck , 2010 / Chevrolet / Tahoe / Truck**
VIN: 1GNMCAE0XAR263348 **Evidence**

YEAR - YEAR RANGE END: 2010
COLOR (TOP/BOTTOM): White / White
OWNER: Chicago Police Department
POSSESSOR/USER: Gaffney, Thomas

PHONE#: 312 - 747 - 8730
LOCATION FOUND: 4102 S Pulaski Rd
LICENSE: MP6581, Law Enforcement (City, County, State, Sos), IL

PERSONNEL ASSIGNED:
Detective/Investigator
MARCH, David M # 20563
Reporting Officer
FONTAINE, Dora # 4484 BEAT: 0841R

WITNESS(ES) :
BACERRA, Arturo
Male / White Hispanic / 32 Years
EMPLOYMENT: Chicago Police Officer #15790 Chicago Police Officer
BUS: 3420 W 63rd St
Chicago IL
312-747-8730
[redacted]
Female / White Hispanic / 29 Years
DOB: [redacted]
RES: 5340 Prairie
[redacted]

OTHER COMMUNICATIONS:
Cellular [redacted]
Phone :
[redacted]

Female / White Hispanic / 19 Years

DOB: [redacted]

RES: [redacted]

BUS: [redacted]

DLN/ID: [redacted]

Male / White Hispanic / 18 Years

DOB: [redacted]

RES: [redacted]

OTHER COMMUNICATIONS:

[redacted]
Phone :

DLN/ID: [redacted]

Female / White Hispanic / 24 Years

DOB: [redacted]

RES: [redacted]

EMPLOYMENT: Shift Manager

BUS: [redacted]

OTHER COMMUNICATIONS:

Cellular [redacted]
Phone :

FONTAINE, Dora

Female / White Hispanic / 47 Years

EMPLOYMENT: Chicago Police Officer #4484 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

[redacted]

Male / White Hispanic / 25 Years

DOB: [redacted]

RES: [redacted]

BUS: [redacted]

OTHER COMMUNICATIONS:

Cellular Phone : [redacted]

SSN: [redacted]

[redacted]

Female / White Hispanic / 30 Years

DOB: [redacted]

RES: [redacted]

OTHER COMMUNICATIONS:

Cellular Phone : [redacted]

[redacted]

Male / White Hispanic / 24 Years

DOB: [redacted]

RES: [redacted]

SSN: [redacted]

DLN/ID: [redacted]

MONDRAGON, Janet

Female / White Hispanic / 37 Years

EMPLOYMENT: Chicago Police Officer #4364 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

SEBASTIAN, Daphne L

Female / White / 45 Years

EMPLOYMENT: Chicago Police Officer #2763 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

VELEZ, Leticia

Female / White Hispanic / 43 Years

EMPLOYMENT: Chicago Police Officer #10385 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

VIRAMONTES, Ricardo

Male / White Hispanic / 41 Years

EMPLOYMENT: Chicago Police Officer #10590 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL

312-747-8730

OTHER INDIVIDUALS INVOLVED:

[redacted] (Additional Victim)
Male / White Hispanic / 43 Years
DOB: [redacted]
RES: [redacted]
EMPLOYMENT: Self-Employed Truck Driver
OTHER COMMUNICATIONS:
Cellular Phone : [redacted]
DLN/ID: [redacted] :

[redacted] (Family Member Notified)
Male / Black / 25 Years
DOB: [redacted]
RES: [redacted]
OTHER COMMUNICATIONS:
Other : [redacted]

[redacted] (Person Interviewed Non-Witness)
Female / White Hispanic / 62 Years
DOB: [redacted]
RES: [redacted]
BUS: [redacted]

[redacted] (Person Interviewed Non-Witness)
Female / White Hispanic / 39 Years
DOB: [redacted]
RES: [redacted]
BUS: [redacted]

CRIME CODE SUMMARY: 0552 - Assault - Aggravated Po:Knife/Cut Instr

OTHER ASSOCIATIONS: 0552 - Assault - Aggravated Po:Knife/Cut Instr

GAFFNEY, Thomas, J (Victim)

MCDONALD, Laquan, J	(Offender)
MCELLIGOTT, Joseph, P	(Victim)
MCDONALD, Laquan, J	(Offender)
MCDONALD, Laquan, J	(Offender)
VAN DYKE, Jason, D	(Victim)
MCDONALD, Laquan, J	(Offender)
WALSH, Joseph, J	(Victim)

ICIDENT NOTIFICATIONS:

NOTIFICATION DATE & TIME: 10/20/2014:230700
REQUEST TYPE: Notification
PERSON NAME: ,Sarlo
STAR #: 13131
EMP #:

NOTIFICATION DATE & TIME: 10/20/2014:231400
REQUEST TYPE: Notification
PERSON NAME: ,Jines
STAR #: 4898
EMP #:

NOTIFICATION DATE & TIME: 10/20/2014:215000
REQUEST TYPE: On Scene
PERSON NAME: ,March
STAR #: 20563
EMP #:

NOTIFICATION DATE & TIME: 10/21/2014:225800
REQUEST TYPE: Notification
PERSON NAME: ,Chibe
STAR #: 7303
EMP #:

NOTIFICATION DATE & TIME: 10/20/2014:235000
REQUEST TYPE: Notification
PERSON NAME: ,Briggs
STAR #:
EMP #: 76

REPORT DISTRIBUTIONS: No Distribution

INVESTIGATION:

AREA CENTRAL FIELD INVESTIGATION:

Exceptionally Cleared Closed /
Other Exceptional Clearance - Death of Offender.

The full format for this investigation is contained in the previous Progress - Scene Report.

INVESTIGATION:

The reporting detective was assigned to the immediate follow-up investigation of this police officer involved shooting incident, by Sergeant Daniel GALLAGHER of this command. The reporting detective proceeded to the scene of the incident at 4112 South Pulaski Road. The officer involved in the shooting was located and interviewed at the scene.

VAN DYKE, Jason D -----

stated he was a Chicago Police Officer assigned to the 008th District. He was on duty, in uniform, working on Beat 845R. VAN DYKE was working with Police Officer Joseph WALSH. The two officers were assigned to Chicago Police Department vehicle number 6412, a marked Chevrolet Tahoe, four door sport utility vehicle. WALSH was driving the vehicle and VAN DYKE was the passenger.

The two officers responded to a request for assistance from Beat 815R, regarding a man with a knife, on 40th Street, west of Pulaski Road. A unit equipped with a taser had also been requested. Officer VAN DYKE heard the radio transmission when Officer Thomas GAFFNEY said the man with a knife had "popped" the tire of GAFFNEY's police vehicle. VAN DYKE understood this to mean the subject had slashed the tire with his knife. As Officer WALSH drove westbound on 40th Street from Pulaski, VAN DYKE observed a black male subject, now known as Laquan MCDONALD, running eastbound in the parking lot of the Burger King restaurant on the southwest corner of 40 Street and Pulaski. MCDONALD was holding a knife in his right hand. VAN DYKE saw Police Officer Joseph MCELLIGOTT pursuing MCDONALD on foot. VAN DYKE also saw a civilian who was standing on 40th Street pointing to MCDONALD.

Officer WALSH drove eastbound in the parking lot, in pursuit of MCDONALD, on the north side of the Burger King restaurant building. WALSH used the police vehicle to block MCDONALD from entering the restaurant. MCDONALD ran out onto Pulaski Road and then turned southbound, running toward a Dunkin' Donuts restaurant, on the east side of Pulaski, south of the Burger King. WALSH positioned the police vehicle between MCDONALD and the Dunkin' Donuts to block his path towards that restaurant. When WALSH slowed the police vehicle alongside MCDONALD, Officer VAN DYKE opened the right front door of the vehicle to exit and confront MCDONALD. WALSH told VAN DYKE to stay in the vehicle as they were too close to MCDONALD to safely exit their vehicle. WALSH drove on southbound and stopped the police vehicle ahead of MCDONALD.

Officer VAN DYKE exited the vehicle on the right side and drew his handgun. As VAN DYKE stood in the street on Pulaski, facing northbound, toward MCDONALD, MCDONALD approached southbound. MCDONALD was holding the knife in his right hand, in an underhand grip, with the blade pointed forward. He was swinging the knife in an aggressive, exaggerated manner. VAN DYKE ordered MCDONALD to "Drop the knife!" multiple times. MCDONALD ignored VAN DYKE's verbal direction to drop the knife and continued to advance toward VAN DYKE.

When MCDONALD got to within 10 to 15 feet of Officer VAN DYKE, MCDONALD looked toward

VAN DYKE. MCDONALD raised the knife across his chest and over his shoulder, pointing the knife at VAN DYKE. VAN DYKE believed MCDONALD was attacking VAN DYKE with the knife, and attempting to kill VAN DYKE. In defense of his life, VAN DYKE backpedaled and fired his handgun at MCDONALD, to stop the attack. MCDONALD fell to the ground but continued to move and continued to grasp the knife, refusing to let go of it. VAN DYKE continued to fire his weapon at MCDONALD as MCDONALD was on the ground, as MCDONALD appeared to be attempting to get up, all the while continuing to point the knife at VAN DYKE. The slide on VAN DYKE's pistol locked in the rearward position, indicating the weapon was empty. VAN DYKE performed a tactical reload of his pistol with a new magazine and then assessed the situation.

MCDONALD was no longer moving and the threat had been mitigated, so Officer VAN DYKE and Officer WALSH approached MCDONALD. MCDONALD was still holding the knife in his right hand. VAN DYKE continued to order MCDONALD to "Drop the knife!" Officer WALSH told VAN DYKE, "I have this." VAN DYKE then used his handgun to cover WALSH as WALSH walked up and forcibly kicked the knife out of MCDONALD's right hand, thereby eliminating the threat to the officers.

Officer WALSH then notified the dispatcher on the police radio that shots had been fired by the police. Officer VAN DYKE requested an ambulance for MCDONALD on the radio.

Officer VAN DYKE's weapon was a Smith and Wesson, nine millimeter, semi-automatic pistol, with a 15 round magazine. VAN DYKE said the pistol was fully loaded at the beginning of his tour of duty, with 15 cartridges in the magazine and one cartridge in the firing chamber.

It was noted that the uniform Officer VAN DYKE was wearing consisted of a light blue long sleeve uniform shirt, with shoulder patches; black body armor vest, with patches; navy blue cargo pants; and equipment belt with handgun and radio.

The reporting detective then interviewed Officer VAN DYKE's partner.

WALSH, Joseph J -----

stated he was a Chicago Police Officer assigned to the 008th District. WALSH related the same facts as his partner, Officer Jason VAN DYKE.

WALSH added that as Laquan MCDONALD ran eastbound through the Burger King parking lot, WALSH used the police vehicle he was driving to block MCDONALD from entering the restaurant.

As MCDONALD ran southbound on Pulaski Road, from the Burger King, WALSH pursued MCDONALD in the police vehicle. WALSH drove southbound in the northbound lanes to get ahead of MCDONALD, keeping the police vehicle between MCDONALD and a Dunkin' Donuts restaurant, on the east side of Pulaski. As their vehicle passed MCDONALD, Officer VAN DYKE opened the right front door of their vehicle, to exit the truck and confront MCDONALD. WALSH, realizing that at this point they were too close to the armed MCDONALD to safely exit the vehicle, told VAN DYKE to wait until they got further ahead of MCDONALD. WALSH drove further south on Pulaski. He stopped his vehicle south of MCDONALD and exited the driver's door as VAN DYKE exited the right side of the vehicle. WALSH drew his handgun when he exited the vehicle.

Officer WALSH came around the rear of the police vehicle and joined Officer VAN DYKE on the right side of the vehicle. WALSH also stood in the street on Pulaski, facing northbound, as MCDONALD walked southbound toward the officers. WALSH ordered MCDONALD to "Drop the knife!" multiple times as MCDONALD approached the officers.

Officer WALSH also backed up, attempting to maintain a safe distance between himself and MCDONALD. MCDONALD ignored the verbal direction given by both WALSH and Officer VAN DYKE, and continued to advance toward the officers. When MCDONALD got to within 12 to 15 feet of the officers he swung the knife toward the officers in an aggressive manner. VAN DYKE opened fire with his handgun and MCDONALD fell to the ground. VAN DYKE continued firing his weapon at MCDONALD as MCDONALD continued moving on the ground, attempting to get up, while still armed with the knife.

When the gunfire stopped and MCDONALD was not moving anymore, WALSH approached MCDONALD with VAN DYKE. WALSH continued to order MCDONALD to "Drop the knife!" multiple times, as MCDONALD was still holding the knife in his right hand. WALSH forcibly kicked the knife out of MCDONALD's hand and then notified the dispatcher on the police radio that shots had been fired by the police. An ambulance was also requested for MCDONALD.

As they waited for the ambulance to respond to the scene, Officer WALSH told MCDONALD to "hang in there," and that an ambulance was on the way.

Officer WALSH said he believed MCDONALD was attacking WALSH and Officer VAN DYKE with the knife and attempting to kill them when the shots were fired. WALSH stated he did not fire his handgun because VAN DYKE was in the line of fire between WALSH and MCDONALD. WALSH thought VAN DYKE fired eight or nine shots total.

It was noted that Officer WALSH wore the same uniform configuration as Officer VAN DYKE.

The officers assigned to Beat 815R were interviewed.

GAFFNEY, Thomas J -----

stated he was a Chicago Police Officer assigned to the 008th District. He was on duty, in uniform, working on Beat 815R. GAFFNEY was working with Police Officer Joseph MCELLIGOTT. The two officers were assigned to Chicago Police Department vehicle number 8489, a marked Chevrolet Tahoe, four door sport utility vehicle. GAFFNEY was driving the vehicle and MCELLIGOTT was the passenger.

The officers responded to an assignment of holding an offender for breaking into trucks at 41st Street and Kildare Avenue. Upon arrival at that location they met an Hispanic couple who told the officers a black male subject, wearing a dark shirt, had attempted to break into trucks parked in the parking lot at that location. The couple told the officers the subject had walked off and was last seen walking eastbound on 40th Street from Kildare.

Officer GAFFNEY drove northbound on Kildare to 40th Street. When he turned eastbound onto 40th Street he saw a black male subject wearing dark clothing, walking eastbound on the sidewalk,

on the south side of the street. Officer MCELLIGOTT exited the police vehicle to approach the subject, now known as Laquan MCDONALD. GAFFNEY stayed in the vehicle in case MCDONALD fled. MCELLIGOTT called to MCDONALD and told him to stop but MCDONALD continued walking eastbound, ignoring MCELLIGOTT. MCDONALD's hands were in his pockets as he walked. MCELLIGOTT told MCDONALD to take his hands out of his pockets. MCDONALD took his hands out of his pockets and MCELLIGOTT told GAFFNEY that MCDONALD had a knife. GAFFNEY then saw a silver colored knife in MCDONALD's right hand. GAFFNEY also saw that MCELLIGOTT had his handgun drawn at this point. MCELLIGOTT repeatedly ordered MCDONALD to "Drop the knife," but MCDONALD ignored these directions. As MCDONALD reached Keeler Avenue, GAFFNEY notified the dispatcher on the police radio that they were following a subject with a knife and requested assistance from a unit equipped with a taser.

MCDONALD continued walking eastbound, Officer MCELLIGOTT following on foot and Officer GAFFNEY following in the police vehicle. As MCDONALD approached Karlov Avenue, GAFFNEY turned the Tahoe southbound onto Karlov and stopped, blocking the crosswalk. GAFFNEY said he wanted to stop MCDONALD before he reached Pulaski Road, a business street where more civilians were present. The area where MCDONALD was first observed was industrial in nature with no other civilians present. When GAFFNEY stopped his vehicle in front of MCDONALD, blocking his path, MCDONALD stabbed the right front tire of the Tahoe with his knife, causing the tire to go flat. GAFFNEY immediately informed the radio dispatcher that MCDONALD had "popped" the tire. MCDONALD attempted to walk around the front of the police vehicle and GAFFNEY drove the Tahoe forward a short distance to continue to block MCDONALD's path. MCDONALD then stabbed at the windshield of the Tahoe with the knife, striking the right side of the windshield. MCDONALD then continued walking eastbound from Karlov.

As MCDONALD approached the Burger King restaurant parking lot at 40th Street and Pulaski, assisting police units arrived, approaching westbound on 40th Street from Pulaski. MCDONALD began to run eastbound through the restaurant parking lot, on the north side of the Burger King building. He ran out onto Pulaski and then turned and ran southbound on Pulaski. Beat 845R pursued MCDONALD in their police vehicle, eastbound through the parking lot, over the curb at Pulaski, then southbound on Pulaski. Officer GAFFNEY lost sight of MCDONALD when he turned southbound on Pulaski.

Because of the flat tire on his vehicle, Officer GAFFNEY did not drive over the curb. As he drove around out onto Pulaski, GAFFNEY heard multiple gunshots in rapid succession. He did not see who was shooting. When he reached Pulaski MCDONALD was lying on the ground.

It was noted that Officer GAFFNEY wore the same uniform configuration as Officer VAN DYKE with the addition of the uniform baseball style cap with embroidered patch.

MCELLIGOTT, Joseph P -----

stated he was a Chicago Police Officer assigned to the 008th District. MCELLIGOTT related the same facts as his partner, Officer Thomas GAFFNEY.

Officer MCELLIGOTT added that after he exited the police vehicle, when Laquan MCDONALD took his hands out of his pockets and MCELLIGOTT saw MCDONALD holding a knife in his right

hand, MCELLIGOTT drew his handgun. He repeatedly ordered MCDONALD to "Drop the knife." MCDONALD ignored MCELLIGOTT's directions and continued to walk eastbound on 40th Street. MCELLIGOTT followed MCDONALD on foot, maintaining a safe distance between himself and the armed MCDONALD.

Officer MCELLIGOTT heard Officer GAFFNEY request assistance and a unit with a taser over the police radio. GAFFNEY attempted to use the police vehicle to block MCDONALD from continuing on toward the Burger King restaurant at Pulaski Road. At this point MCDONALD stabbed the right front tire and the windshield of the police vehicle. MCELLIGOTT began to hear the sirens of approaching assisting police units and MCDONALD began to run toward the Burger King restaurant.

When MCDONALD ran eastbound through the parking lot of the Burger King, Officer MCELLIGOTT ran after MCDONALD in pursuit. MCELLIGOTT ran out into the middle of Pulaski Road in pursuit of MCDONALD. MCELLIGOTT heard multiple gunshots but did not see who fired the shots. The gunfire was continuous, one shot after another. MCELLIGOTT then saw MCDONALD lying on the ground. MCELLIGOTT saw Officer Joseph WALSH kick the knife out of MCDONALD's hand.

It was noted that Officer MCELLIGOTT wore the same uniform configuration as Officer VAN DYKE.

Other officers who responded to this incident were also interviewed.

SEBASTIAN, Daphne L —

stated she was a Chicago Police Officer assigned to the 008th District. She was on duty, in uniform, working on Beat 813R. SEBASTIAN was working with Police Officer Janet MONDRAGON. The two officers were assigned to a marked vehicle. MONDRAGON was driving the vehicle and SEBASTIAN was the passenger.

The two officers responded to the request for assistance made by Beat 815R, regarding a subject with a knife. Officer SEBASTIAN thought the original call for assistance was at 40th Street and Keeler Avenue. The subject had punctured a tire on the police vehicle of Beat 815R. Officer MONDRAGON drove northbound on Pulaski Road, following Beat 845R, as they also responded to the request for assistance. MONDRAGON turned westbound onto 40th Street, behind Beat 845R.

Officer SEBASTIAN observed a black male subject, now known as Laquan MCDONALD, running southeast bound through the parking lot of the Burger King restaurant. Beat 845R pursued MCDONALD in their police vehicle, through the parking lot, toward Pulaski. SEBASTIAN told Officer MONDRAGON to drive back out onto Pulaski to assist in the pursuit. MCDONALD ran out onto Pulaski and continued to run southbound down the middle of the street. Beat 845R pursued MCDONALD in their vehicle, southbound on Pulaski, followed by Beat 813R. As MCDONALD ran southbound on Pulaski, SEBASTIAN saw the knife in his right hand. MCDONALD was waving the knife.

Beat 845R stopped their vehicle ahead of MCDONALD, between MCDONALD and the Dunkin'

Donuts restaurant on the east side of Pulaski. Officers Joseph WALSH and Jason VAN DYKE exited their vehicle and drew their handguns. MCDONALD turned toward the two officers and continued to wave the knife. Sebastian heard the officers repeatedly order MCDONALD to "Drop the knife!" MCDONALD ignored the verbal directions and continued to advance on the officers, waving the knife. Officer SEBASTIAN heard multiple gunshots and MCDONALD fell to the ground, where he continued to move. SEBASTIAN did not know who fired the shots, which were fired in one continuous group. She then saw Officer WALSH kick the knife out of MCDONALD's hand.

MONDRAGON, Janet -----

stated she was a Chicago Police Officer assigned to the 008th District. MONDRAGON related the same facts as her partner, Officer Daphne SEBASTIAN.

Officer MONDRAGON added that as she drove westbound on 40th Street, she saw Officer MCELLIGOTT running eastbound through the Burger King parking lot. She made a U-turn and drove back out onto Pulaski Road. MONDRAGON turned southbound onto Pulaski. She saw Laquan MCDONALD running southbound on Pulaski, in the middle of the street. As she got closer she could see MCDONALD was holding a knife in his right hand. He was waving the knife.

Officer MONDRAGON saw Officers Joseph WALSH and Jason VAN DYKE outside of their police vehicle. She heard the officers repeatedly ordering MCDONALD to "Drop the knife!" as MCDONALD got closer and closer to the officers, continuing to wave the knife. As she was placing her vehicle transmission into Park, MONDRAGON looked down and heard multiple, continuous gunshots, without pause. MONDRAGON then saw MCDONALD fall to the ground. MONDRAGON did not know who fired the shots.

BACERRA, Arturo -----

stated he was a Chicago Police Officer assigned to the 008th District. He was on duty, in uniform, working on Beat 822. BACERRA was working with Police Officer Leticia VELEZ. The two officers were assigned to a marked vehicle. BACERRA was driving the vehicle and VELEZ was the passenger.

Officer BACERRA and his partner responded to the request for assistance made by Beat 815R, regarding a subject who was armed with a knife. BACERRA was driving northbound on Pulaski Road from 47th Street. As he approached the scene of this incident, at 4112 South Pulaski, he observed a black male subject, now known as Laquan MCDONALD, in the middle of the street, flailing his arms. As he got closer, BACERRA observed MCDONALD to be holding a knife in his right hand. BACERRA drove past MCDONALD, with MCDONALD on the left side of the police vehicle, as Beat 845R drove past BACERRA, on the right side of his vehicle, travelling southbound. As BACERRA began to make a U-turn, he heard multiple gunshots. He then saw MCDONALD lying on the ground. BACERRA did not see who fired the shots.

VELEZ, Leticia -----

stated she was a Chicago Police Officer assigned to the 008th District. VELEZ related the same facts as her partner, Officer Arturo BACERRA.

Officer VELEZ added that as they approached the scene she observed Laquan MCDONALD standing in the middle of the street, holding a shiny object in his right hand. She saw him waving the object in the air. Officer BACERRA drove past MCDONALD and began to make a U-turn, when VELEZ heard multiple gunshots, without pause or delay. She then saw MCDONALD fall to the ground. VELEZ did not see who fired the shots. She did see an unknown officer kick the knife from MCDONALD's hand after he was down on the ground.

FONTAINE, Dora -----

stated she was a Chicago Police Officer assigned to the 008th District. She was on duty, in uniform, working on Beat 841R. FONTAINE was working with Police Officer Ricardo VIRAMONTES. The two officers were assigned to a marked vehicle. VIRAMONTES was driving the vehicle and FONTAINE was the passenger.

The two officers responded to the request for assistance made by Beat 815R, regarding a man with a knife at 41st Street and Pulaski Road. Officer VIRAMONTES drove northbound on Pulaski. When they arrived at the scene of this incident, in front of the Dunkin' Donuts restaurant, Officer FONTAINE saw a black male subject, now known as Laquan MCDONALD, walking southbound in the street, with a knife in his right hand. MCDONALD was walking sideways, with his body facing east, toward Officers Jason VAN DYKE and Joseph WALSH. These two officers were standing in the middle of the street, on the right side of their police vehicle, which was facing southbound. FONTAINE heard the officers repeatedly order MCDONALD to "Drop the knife!" MCDONALD ignored the verbal direction and instead, raised his right arm toward Officer VAN DYKE, as if attacking VAN DYKE. At this time VAN DYKE fired multiple shots from his handgun, until MCDONALD fell to the ground and stopped moving his right arm and hand, which still grasped the knife. The gunshots were rapid fire, without pause. Officer WALSH then kicked the knife out of MCDONALD's hand.

VIRAMONTES, Ricardo -----

stated he was a Chicago Police Officer assigned to the 008th District. VIRAMONTES related the same facts as his partner, Officer Dora FONTAINE.

Officer VIRAMONTES added that when he exited his police vehicle, at the scene, he observed a black male subject, now known as Laquan MCDONALD, walking southbound on Pulaski Road, in the middle of the street, holding a knife in his right hand. VIRAMONTES heard Officer Jason VAN DYKE repeatedly order MCDONALD to "Drop the knife!" MCDONALD ignored the verbal direction and turned toward VAN DYKE and his partner, Officer Joseph WALSH. At this time VAN DYKE fired multiple shots from his handgun. MCDONALD fell to the ground but continued to move, attempting to get back up, with the knife still in his hand. VAN DYKE fired his weapon at MCDONALD continuously, until MCDONALD was no longer moving.

The scene of this incident, at 4112 South Pulaski Road, was observed to be a wide commercial street with traffic traveling north and south. There were two traffic lanes and a curb lane in each direction. A wide median separated the northbound and southbound traffic lanes. The scene was just south of the intersection of Pulaski and 41st Street. This was a "T" intersection with 41st Street extending east from Pulaski. In the center median was a left turn lane for northbound traffic

turning west onto 40th Street, further to the north. The Pulaski median was level with the traffic lanes and was striped with yellow paint.

On the west side of Pulaski was a large vacant lot. North of the vacant lot, on the southwest corner of 40th Street and Pulaski, was a Burger King restaurant. On the east side of the street was a Dunkin Donuts restaurant.

The weather was cloudy and cool with the temperature in the 50s. It was dark with good artificial light provided by overhead streetlights. All of the lights were on and functioning normally. There was also artificial light provided by the lighting of the nearby businesses.

In the northbound left turn lane, Chicago Police Department vehicle number 6412, assigned to Beat 845R, was sitting, facing southeast. The vehicle was a marked Chevrolet Tahoe, four door sport utility vehicle. The right front door of the vehicle was open.

In the southbound traffic lanes, in the right lane, a metal folding pocket knife was lying on the pavement. The blade was in the open position. The overall length of the knife was seven inches, with a three inch blade. The knife was in line with the front end of the vehicle of Beat 845R. Just north of the knife were two pools of blood on the pavement. Five metal bullet fragments were lying on the pavement near the blood. North of the blood, scattered in a diagonal pattern from southwest to northeast, across both southbound traffic lanes and the northbound left turn lane, were 16, nine millimeter caliber cartridge cases, lying on the pavement.

Chicago Police Department vehicle number 8489, assigned to Beat 815R, was sitting at the west curb at 4102 South Pulaski. The right front tire of the vehicle was flat, with a large puncture to the sidewall of the tire. The right side of the windshield was scratched from being struck by Laquan MCDONALD's knife.

Mobile Crime Lab Beat 5802 responded to the scene. Video and photographs were taken of the scene. The knife and firearms evidence was collected from the street, as were swabs of the blood. The right front wheel and tire of Chicago Police Department vehicle number 8489 was also recovered. The right front quarter panel of vehicle number 8489 was processed for fingerprints and four ridge impressions were recovered.

A canvass was conducted of the area near the scene of this incident in an attempt to identify and locate witnesses. A number of people were interviewed.

[redacted] -----

stated she was [redacted] at the Burger King restaurant. At approximately 21:55 hours [redacted] observed police officers chasing a black male subject, now known as Laquan MCDONALD, through the parking lot, on the north side of the restaurant building. The officers chased MCDONALD southbound down Pulaski Road, toward the Dunkin' Donuts restaurant. [redacted] then heard multiple gunshots and dove to the ground.

[redacted] permitted access to the Burger King video system. No video of this incident was recorded. The system was not recording at that time. The system was activated and video was

recovered from the system from earlier in the day, showing the view of each of the cameras in the system. It was noted that none of these camera views showed the area of the scene where the confrontation between Laquan MCDONALD and Police Officers Jason VAN DYKE and Joseph WALSH occurred, on Pulaski Road, south of the Burger King restaurant. If the system had been recording at the time of this incident, it would not have recorded any footage of that confrontation.

[redacted] -----

stated he was at the Burger King restaurant, waiting for his girlfriend, [redacted], who was working at the drive-thru window. [redacted] observed a "young black dude" with his hair in dreadlocks, now known as Laquan MCDONALD, running through the parking lot of the restaurant. He was being pursued by police officers. MCDONALD was holding his pants like he might have had a gun or something. MCDONALD then ran southbound on the sidewalk and then out into the street on Pulaski Road. [redacted] last saw MCDONALD running towards the middle of the intersection of 41st Street and Pulaski. MCDONALD appeared confused. [redacted] then turned his attention back to his girlfriend at the drive-thru window. He did not witness the shooting.

[redacted] -----

stated she was working at [redacted] of the Burger King restaurant. She observed a male subject, now known as Laquan MCDONALD, running from the restaurant parking lot, southbound on Pulaski Road, toward the Dunkin' Donuts restaurant. [redacted] heard multiple gunshots and then saw that MCDONALD was lying in the street.

[redacted] -----

stated she was [redacted] of the Burger King restaurant. She did not see or hear anything.

[redacted] -----

stated she was [redacted] of the Burger King restaurant. She did not see or hear anything.

Laquan MCDONALD had been transported to Mount Sinai Hospital by Chicago Fire Department Ambulance 21. He sustained multiple gunshot wounds as documented in the format of this investigation. MCDONALD was treated for his injuries in the emergency room. He succumbed to his wounds and was subsequently pronounced dead by Doctor PITZELE, at 22:42 hours.

Registered Nurse [redacted], recovered three metal bullet fragments from MCDONALD and turned these over to Detective William JOHNSON. These were subsequently turned over to Mobile Crime Lab Beat 5802, who also recovered metal fragments from MCDONALD's sweater.

The reporting detective had learned of the death of Laquan MCDONALD while still at the scene of this incident. The Office of the Medical Examiner of Cook County was notified of MCDONALD's death, and Investigator BRIGGS assigned Medical Examiner's case number 2014 - 01071 to this case.

In the Bureau of Detectives - Area Central office, Evidence Technician Beat 5824 recovered Office Jason VAN DYKE's handgun, a Smith and Wesson, Model 5942, nine millimeter caliber, semi-automatic pistol. The weapon was loaded with one cartridge in the firing chamber and 14 cartridges in the magazine, when recovered.

Beat 5824 took photographs of Officers Jason VAN DYKE, Joseph WALSH, Thomas GAFFNEY and Joseph MCELLIGOTT. Elimination prints, including palm prints, were also taken from Officers GAFFNEY and MCELLIGOTT.

Officer Jason VAN DYKE was re-interviewed for additional detail, in the Area Central office.

VAN DYKE, Jason D ----

related the same sequence of events as documented in his original interview at the scene of this incident.

VAN DYKE additionally articulated the reasoning behind his decision to use deadly force against the offender in this incident, Laquan MCDONALD. VAN DYKE was aware of the radio transmissions from Officer Thomas GAFFNEY, on Beat 815R, that MCDONALD was armed with a knife. VAN DYKE was aware that MCDONALD had attacked the officers on Beat 815R by slashing the tire of their police vehicle.

As he confronted MCDONALD at 4112 South Pulaski Road, VAN DYKE saw that MCDONALD was in fact, armed with a knife, a deadly weapon. VAN DYKE was aware of the widely accepted teaching in law enforcement that an assailant armed with a knife was considered a deadly threat, if within 21 feet, because it was possible for such an assailant to close that distance and attack with the knife before a defensive shot could be fired from a handgun. VAN DYKE was also aware of the existence of throwing knives, which can be thrown from a distance, as well as spring loaded knives, which propel a blade through the air from the knife handle. VAN DYKE also said he recalled a previously issued Chicago Police Department bulletin warning of a weapon which appeared to be a knife but which actually was capable of firing a bullet, making it a firearm.

Subsequently, a search was conducted of the Chicago Police Department, Automated Message Center, to find the bulletin Officer Jason VAN DYKE remembered, regarding the weapon that appeared to be a knife, but was actually a firearm. This bulletin was issued on 04 December 2012. It was Officer Safety Alert number 2012-OSA-297. It was a warning regarding a "revolver knife" which was capable of firing .22 caliber cartridges.

Three witnesses had been transported into the Area Central office from the scene and were interviewed.

[redacted]----

stated she was in the Burger King restaurant parking lot. She saw a subject, now known as Laquan MCDONALD, running southbound on Pulaski Road. [redacted] saw many police officers on the street. She was trying to get her cellular telephone to work, to record video. [redacted] heard eight gunshots fired continuously. She did not see who fired the shots. [redacted] then saw

a police officer pointing a handgun at MCDONALD as he was lying on the ground.

With her permission, [redacted]' telephone was examined for any recorded video footage with negative results.

[redacted]-----

stated he was at the Burger King restaurant drive-thru with [redacted]. He saw a black male subject, now known as Laquan MCDONALD, running from the trucks parked at the rear of the restaurant parking lot. MCDONALD ran eastbound in the parking lot, on the north side of the Burger King building. A police officer was chasing MCDONALD on foot, eastbound through the parking lot, then southbound on Pulaski Road. A Chicago Police Department, Chevrolet Tahoe sport utility vehicle pulled up on Pulaski. MCDONALD ran toward the police vehicle. A police officer exited the vehicle and fired multiple shots from a handgun at MCDONALD. [redacted] thought there was video footage of the incident recorded on [redacted] cellular telephone. As documented in the previous interview of [redacted], her telephone was examined with negative results.

[redacted]-----

stated he was sitting in a truck, parked in the Burger King restaurant parking lot, on the south side of the restaurant building. He was completing some logs. [redacted] observed a black male subject, now known as Laquan MCDONALD, running southbound on Pulaski Road. The police were pursuing MCDONALD. [redacted] heard approximately three gunshots. He did not see who fired the shots. [redacted] exited the cab of his truck and climbed up on top of it. He saw a Chicago Police Department, Chevrolet Tahoe sport utility vehicle, and many police officers on Pulaski Road.

[redacted] insisted on leaving the Area Central office after their initial interviews, and they were transported as they requested.

Sergeant Lance BECVAR responded to the scene and subsequently to the Area Central office. He was able to recover video of this incident from the vehicles assigned to Beats 845R and 813R. This video was uploaded into the system. The reporting detective submitted a request for copies of these two videos which were subsequently inventoried. The reporting detective also requested that the videos be permanently retained. No video of this incident was recovered from the vehicles assigned to Beats 815R, 822 and 841R.

The recovered in-car camera video from Beats 845R and 813R was viewed and found to be consistent with the accounts of all of the witnesses. The video from Beat 813R showed that at the time Officer Jason VAN DYKE fired his handgun at Laquan MCDONALD, VAN DYKE was standing near the east edge of the southbound traffic lanes of Pulaski Road, and MCDONALD was near the lane marking separating the two southbound traffic lanes. The two were separated by the width of one traffic lane. The width of this traffic lane was approximately ten feet.

Recordings of the original 9-1-1 call and the radio transmissions over the Chicago Police Department, Zone 6 radio frequency were obtained from the Office of Emergency Management

and Communication. The recordings were reviewed and subsequently inventoried.

In the 9-1-1 call, a caller who identified himself as [redacted] stated that he was holding a guy for stealing radios from trucks in a trucking yard.

The recorded radio transmissions were consistent with the statements of the police officers involved in this incident. It was determined from the radio transmissions, that the entire interaction of the involved police officers, with Laquan MCDONALD, from the time Beat 815R notified the radio dispatcher that they had made contact with him, and that he was armed with a knife, until Beat 845R notified the dispatcher that shots had been fired by the police, lasted more than four minutes.

The criminal history of Laquan MCDONALD was reviewed. [redacted]

Additionally, there were two documented incidents, under Records Division numbers HS640983 and HT106389, on 01 December 2010 and 05 January 2011. In these incidents officials at the [redacted], elementary school, called the police because of the violent behavior of Laquan MCDONALD. The reports indicated that MCDONALD was a special education student at the school and that this had become a pattern of behavior for MCDONALD. The school officials indicated that MCDONALD had behavioral problems and anger issues. In both incidents MCDONALD was transported to [redacted] for evaluation and treatment.

The family of Laquan MCDONALD was located and notified of his death.

[redacted] -----

stated he was an uncle of Laquan MCDONALD. MCDONALD was living with JOHNSON while MCDONALD "worked out his problems." [redacted] said that MCDONALD attended [redacted] school but was currently suspended. MCDONALD suffered from "hypertension" but refused to take any medication. He stopped taking his prescribed medication approximately two years prior because he said it made him "freak out."

[redacted] last saw MCDONALD on Saturday, 18 October 2014, at approximately 13:00 hours, when MCDONALD left the apartment. He had not been back since. MCDONALD had rung the doorbell earlier in the day on 20 October 2014. [redacted] said they "buzzed" MCDONALD into the building but he never came up to the apartment.

[redacted] had no idea why MCDONALD would be in the area of 41st Street and Pulaski Road. JOHNSON said he would attempt to notify MCDONALD's mother, [redacted].

On Tuesday, 21 October 2014, [redacted] of the 9-1-1 caller, [redacted]" was located and interviewed.

[redacted] -----

stated she was with [redacted], parking a truck in the lot at 41st Street and Kildare Avenue. She saw a black male subject, now known as Laquan MCDONALD, attempting to steal property from vehicles parked in the lot. [redacted] confronted MCDONALD and told him to leave the lot. [redacted] said that MCDONALD did not say anything, but instead, he was "growling" and making strange noises. [redacted] again told MCDONALD to leave the lot and MCDONALD pulled out a knife. MCDONALD swung the knife at [redacted] attempting to cut him. [redacted] had already called 9-1-1 so he backed up and threw his cellular telephone at MCDONALD. MCDONALD then ran from the lot. He ran northbound on Kildare, then eastbound on 40th Street.

[redacted] described MCDONALD as a black male, with his hair in braids. He was wearing a black hood and blue jeans. [redacted] viewed a photograph of Laquan MCDONALD and identified him as the subject in the lot, who had been attempting to steal property from vehicles parked in the lot, and who subsequently threatened [redacted] with a knife, when [redacted] confronted MCDONALD.

On Wednesday, 22 October 2014, the 9-1-1 caller was interviewed.

[redacted] -----

related the same facts as [redacted]. [redacted] re-iterated that Laquan MCDONALD swung his knife at [redacted], attempting to cut him. [redacted] stated he was the person who called 9-1-1 regarding this incident.

A canvass was conducted of the area near the scene of this incident for any recorded video.

There were no Police Observation Devices, or other City of Chicago video cameras in the area.

Recorded video was recovered from three cameras on the exterior of the building housing the Greater Chicago Food Depository, at 4100 West Ann Lurie Place. Two of these videos showed two different views of Laquan MCDONALD walking eastbound on the sidewalk, on the south side of 40th Street, between Keeler and Karlov Avenues. Officer Joseph MCELLIGOTT was following MCDONALD on foot, maintaining a safe distance between himself and MCDONALD, while Officer Thomas GAFFNEY was following MCDONALD in a police vehicle. The third video did not capture any part of this incident.

Recorded video was recovered from two cameras at the Dunkin' Donuts restaurant, at 4113 South Pulaski Road. One of these videos showed the end of this incident, when Officers Jason VAN DYKE and Joseph WALSH stopped their vehicle, exited the vehicle and confronted Laquan MCDONALD. The view in this video is from a distance. The video from the second camera did not capture any part of this incident.

Recorded video was recovered from two cameras from Focal Point, 4141 South Pulaski Road. These videos did not capture any part of this incident.

All of the recovered video was inventoried.

A Major Case Review of this case was conducted at the Illinois State Police Crime Laboratory, on Thursday, 30 October 2014. An Evidence Submission Form was completed per this review.

The assigned personnel became aware of a potential question regarding the integrity of the video recovered from the Burger King restaurant. In an attempt to follow-up on this issue the assigned personnel proceeded to the restaurant on Wednesday, 11 March 2015. Manager, [redacted] was contacted at the restaurant. She stated that the video system at the restaurant had recently been repaired and a new digital video recorder had been installed. [redacted] said that as of this date, 11 of the 16 video ports in the system actually recorded video. This was consistent with the video recovered on the date of this incident. Video was recorded and recovered on 11 of the 16 video ports in the system on that date.

Any additional inquiries regarding the video system at the restaurant were referred to the district manager responsible for that restaurant, [redacted]. He was contacted and related that the day after this incident occurred, personnel from the Independent Police Review Authority, of the City of Chicago, came to the restaurant. They viewed video from the system and took custody of the digital video recorder. The recorder was returned to the restaurant two weeks later. Personnel from the Federal Bureau of Investigation then came to the restaurant and made copies of video from the system. After that some lawyers came to the restaurant with subpoenas to make copies of video from the system. Finally, [redacted] stated that personnel from the Federal Bureau of Investigation had come to the restaurant again, approximately three weeks prior to this interview, and took the digital video recorder. [redacted] did not have any further information regarding the video system.

The assigned personnel also became aware of an article written by [redacted], a professor at the University of Chicago Law School, citing the existence of an unknown witness to this incident. [redacted] was contacted on Thursday, 12 March 2015, in an attempt to interview this witness. [redacted] stated that this witness had already been interviewed by the Independent Police Review Authority and [redacted] did not know if the witness would be willing to be interviewed by the Chicago Police Department. [redacted] said he would contact the witness and provide him with contact information for the assigned personnel.

Based upon all the facts known at this time, and the death of the only offender in this incident, this case is now Exceptionally Cleared Closed / Other Exceptional Clearance - Death of Offender.

The above to-date investigation determined that Laquan MCDONALD was an active assailant who, while armed with a dangerous weapon, used force likely to cause death or serious injury to a private citizen when he attacked [redacted]; threatened the imminent use of force likely to cause death or serious injury when he incised the tire and stabbed the windshield of a Chicago Police Department vehicle occupied by Officer Thomas GAFFNEY; and initiated imminent use of force likely to cause death or serious injury when he initiated an attack on Officers Jason VAN DYKE and Joseph WALSH. The above investigation concluded that Officer Jason VAN DYKE's use of deadly force, the discharging of his duty firearm, was within the bounds of the Chicago Police Department's use of force guidelines, and in conformity with local ordinances and state law.

Based on the above facts, the associated report, under Records Division number HX486155, is now Closed / Non-Criminal.

REPORT OF:

Detective David M MARCH #20563
Sergeant Daniel GALLAGHER #1303
Lieutenant Anthony WOJCIK #481
Bureau of Detectives - Area Central

One (1) "911" call. Total length of call was 1:20

Disp: Chicago emergency,

Caller: I have a truck right year at 41st and Kildare. I have a parking lot for trucks. I have a guy right hear that stolen the radios

Disp: Are you holding this person?

Caller: Yeah. Just hear.

Disp: OK what is your name please?

Caller: My name is [redacted]

Disp: And which side of Kildare are you?

Caller: Ahhhhhhhhhh

Disp: What is the address of the yard

Caller: Right hear by the yards. 41 and Kildare

Disp: Well I'm looking at a map I see two trucking yards. One on each side of the street

Caller: Yeah, the one that is on the side of the street right. Next to ummm United Rental

OK. OK we will send the police. We will send the police.

OK. Thank you.

……call ended……

STATEMENT OF P.O. JOSEPH McELLIGOTT

CONDUCTED BY INVESTIGATOR KILLEN

ON OCTOBER 21, 2014 AT 0436 HOURS

AT AREA CENTRAL POLICE HEADQUARTERS

LOG# 1072125

Attachment # #144

OIG 15-0564 000482

KILLEN: This is the, this is the audio recorded interview of Officer Joseph McElligott regarding Log number 1072125 U number 14 dash 36. Today is the 21st of October 2014. And the time is approximately 0436 hours. This statement is bein' taken at Area Central Police Headquarters. My name is Investigator Killen, that's spelled K I L L E N. My star number is 1 2 9. Uh also present in the room is uh FOP attorney Dan Herbert. Dan if you would say and spell your first and last names.

HERBERT: Dan, D A N, Herbert, H E R B E R T.

KILLEN: And then FOP Representative Kato, uh Kriston Kato.

KATO: First name is Kriston, K R I S T O N. Last name K A T O. FOP Field Representative.

KILLEN: And Officer McElligott if you would say and spell your first and last names for me.

P.O.MCELLIGOTT: Joseph McElligott, J O S E P H, McElligott, M C E L L I G O T T.

KILLEN: Okay and what's your star number?

P.O.MCELLIGOTT: 1 8 7 1 5. (noise)

KILLEN: And your employee number?

P.O.MCELLIGOTT: [redacted]

KILLEN: And your date of appointment with the Department?

P.O.MCELLIGOTT: 27 August '01.

KILLEN: And your date of birth?

P.O.MCELLIGOTT: [redacted]

KILLEN: And your current unit of assignment?
P.O.MCELLIGOTT: The 8th District.

KILLEN: And how long you been in 8th District?
P.O.MCELLIGOTT: Seven years.

KILLEN: All right. Now you're aware that this statement has the standing of an official Department report. And that any intentional falsification of any answer to any question would be in direct violations of rules and regulations?
P.O.MCELLIGOTT: Yes.

KILLEN: Given that, I'd like to remind you that failure to provide a complete and accurate account of this incident could result in a finding of a violation of Rule 14 with discipline leading up to and including separation from the Chicago Police Department. Do you understand that?
P.O.MCELLIGOTT: Yes.

KILLEN: All right what was your duty status and assignment on 21 October or 20 October 2014 at approximately 2150 hours?
P.O.MCELLIGOTT: This statement is not being given voluntarily but under duress. I am only givin' this statement because I know I will be fired if I refuse.

KILLEN: All right so what was your duty status and assignment last night at (someone coughs) 2150 hours?

P.O.MCELLIGOTT: Full duty.

KILLEN: Okay. What time you start work last night?

P.O.MCELLIGOTT: Uh 2100.

KILLEN: Is that your normal start time?

P.O.MCELLIGOTT: Yes.

KILLEN: Okay and you remember what beat you were assigned?

P.O.MCELLIGOTT: 815 Robert.

KILLEN: Okay and were you assigned a partner?

P.O.MCELLIGOTT: Yes.

KILLEN: And who's your partner?

P.O.MCELLIGOTT: Uh Thomas Gaffney.

KILLEN: All right and you and Officer Gaffney you guys were assigned a vehicle?

P.O.MCELLIGOTT: Yes.

KILLEN: And what kinda vehicle?

P.O.MCELLIGOTT: It's a Chevy Tahoe.

KILLEN: Marked?

P.O.MCELLIGOTT: Yes.

OIG 15-0564 000485

KILLEN: Okay and you and Officer Gaffney are in full uniform?

P.O.MCELLIGOTT: Yes.

KILLEN: Okay and then at about 2150 hours at about 41st and Pulaski you and uh Officer Gaffney were witnesses to a police-involved shooting correct?

P.O.MCELLIGOTT: Correct.

KILLEN: All right and if you would just um from the beginning explain to me what happened?

P.O.MCELLIGOTT: Uh we responded to a call of holding the offender at uh 4100 on Karlov. And um I don't know I forget the exact address.

KILLEN: So you received this, you say responded to the call. You got a call uh via OEMC?

P.O.MCELLIGOTT: Yes.

KILLEN: All right so over the radio you get a call.

P.O.MCELLIGOTT: Holding the offender um somebody's stealing radios out of semi trucks.

KILLEN: Okay. Do you re, do you remember where you and uh, where were you and Officer Gaffney when you got that call?

P.O.MCELLIGOTT: Um we're somewhere along Archer around Kostner.

KILLEN: Okay. So you're south of 41st and Kildare?

P.O.MCELLIGOTT: Correct.

KILLEN: And Officer Gaffney's the driver?
P.O.MCELLIGOTT: He is the driver, yes.

KILLEN: So you guys head over to that --
P.O.MCELLIGOTT: So we head over, we take Kostner up and then uh take 47th to Kildare.

KILLEN: Okay. And what happens when you get there?
P.O.MCELLIGOTT: Um a male Hispanic and a female Hispanic um we pull up to the address and they said um that a male black wearin' a black shirt was in the, tryin' to steal the radios outta the semi. Um he was holding a, a white cord to like a phone, like a charger. And he said he's got my phone. So then he said he's right around the corner. (clears throat) So then we, we drive north to 40th Street and we turn right and then we see a male black with a black shirt.

KILLEN: Okay and what's he doin'?
P.O.MCELLIGOTT: He's standing there and then he kinda turns around when he sees us pull up.

KILLEN: And what happens?
P.O.MCELLIGOTT: At that point I got outta the car and I'm giving 'em commands to stop, turn around. And I noticed he has his left hand in his pocket like in a ball. And in his right hand he's holding something else. And then I tell 'em take his hands out of his pockets; let me see your hands. He doesn't take his hands --

OIG 15-0564 000487

KILLEN: So at this point is he, his back is to you?
P.O.MCELLIGOTT: He's facing me at this point.

KILLEN: Okay.
P.O.MCELLIGOTT: And then he starts turning and walking away. And he's holding one arm out and one hand in his pocket. He continues to walk and uh then he turns again he takes both his hands out and, and at that point he has a knife in his right hand as if he just opened it up, like flipped it open and he's holdin' his hand. At that point I drew my weapon I tell 'em to drop the knife. Um he kinda has this look in his eye like, like maybe he's on some sorta drugs cause it was like his eyes like rolled back. And then he walked, he started walking east again with his hands out and then he's kinda like kinda makin' motions from side to side. He's kinda all over. Goes from the street to the, to the sidewalk. And the whole time my partner is kinda paralleling me. And he's driving and I'm had my flashlight on 'em and I'm tellin' 'em to stop. Tellin' 'em to drop, drop the weapon. Drop the knife.

KILLEN: So you're on foot correct?
P.O.MCELLIGOTT: I'm on foot, walking.

KILLEN: And Officer Gaffney --
P.O.MCELLIGOTT: Walking with some distance between me.

KILLEN: You're behind him correct?
P.O.MCELLIGOTT: I'm yeah I'm behind him.

OIG 15-0564 000488

KILLEN: Behind the offender?
P.O.MCELLIGOTT: Yes.

KILLEN: And Officer Gaffney's paralleling him in the car?
P.O.MCELLIGOTT: He's, he's kinda like as far as I am. Like he's like to my right just a lil bit.

KILLEN: Okay.
P.O.MCELLIGOTT: Or to my left just a lil bit. Um --

KILLEN: Do you close the distance on this guy?
P.O.MCELLIGOTT: We just continue to follow 'em. And um then he, at one point (inaudible) my partner decides to pull towards him. And uh at that point he, the offender turned and like in a downward stabbing motion popped the front tire. My partner um at that point said that he popped the tire. Prior to that though um he had asked for an assist.
HERBERT: (inaudible)
P.O.MCELLIGOTT: He'd asked for somebody to come with a taser. So as we're like tryin' to buy time this happens with the, the tire at uh Keeler. And then um we go a lil bit further and he decide, my partner decides to pull closer to 'em to kinda cause he knew Pulaski was comin' up and there was Burger King and there's a bunch a other stuff where people are. Decides to pull over a lil bit (noise) kinda to veer 'em off so that he'll go up one of the streets cause it's, it's a factory area. And we know it's always like pretty bare.

OIG 15-0564 000489

There's nobody around. Um it's after hours. At that point he um he, he grabs the knife and he, he stabs at the, the windshield. So um then he starts walkin' away. Stabbed at the windshield then he walks away from the squad car. And he's walkin' on the sidewalk again. And then um we can hear the cars comin'. And then once we can kinda see (noise) in the windows we could see the, the blue lights in the reflection and you could hear the, you could hear the sirens now. (noise) That's when he decides to take off runnin'. He just full on sprint. Uh I started runnin' after 'em. My partner's driving the car that has a flat. He's goin' after 'em too. He goes through two semis were parked in the back of the Burger King lot at 40th and Pulaski. He goes through, I go through and then I see another squad car pull. They're right behind 'em. They pull behind 'em, he goes through a sidewalk and then they go, they go around through and they (clears throat) they cut through on the sidewalk as well. Around the north side of Burger King. And then I'm followin' up running and as I get to Pulaski I turn right cause they all turned right. (clears throat) And I got to about the light (noise) I could see a bunch of squad cars comin'. And um (clears throat) I keep runnin' (noise) and then one of 'em is, he's lookin' to do a U turn, one of the other squad cars. Um so instead of getting hit I just stopped and I waved them to go. (noise) (clears throat) And at that point he turned around he, he's goin' um southbound slowly

so I know they're, they're stopping right there. I hear the shots at that point. And uh when I approach I think I was running down maybe the middle that's when I saw the offender layin' on the ground. And at that point Joe Walsh, Officer Walsh uh he kicked, he the gun outta, or not the gun the uh the knife out of his, his right hand. (noise) Which he was still clenching at the time. And then um (noise) asked for an ambulance and that was pretty much it.

KILLEN: (clears throat) So when you guys, you're on 40th and you see, you're kinda walkin' with this guy right? You see 'em with the knife?

P.O.MCELLIGOTT: Hmm huh.

KILLEN: Right?

P.O.MCELLIGOTT: Yes.

HERBERT: Say yes.

KILLEN: So and you see 'em uh uh you described it as a down motion, he stabbed the tire of the car right?

P.O.MCELLIGOTT: Hmm huh.

KILLEN: That's the --

P.O.MCELLIGOTT: Yes.

KILLEN: -- front passenger tire correct?

P.O.MCELLIGOTT: Front passenger tire.

OIG 15-0564 000491

KILLEN: Okay and then you also saw 'em stab the windshield?
P.O.MCELLIGOTT: Yeah.

KILLEN: Right.
P.O.MCELLIGOTT: Yes.

KILLEN: Okay. Uh and you may have said it and I may have missed it, but did you or uh Officer Gaffney get on the radio and say hey this guy's armed. He's got a knife?
P.O.MCELLIGOTT: Yes. Um it was before he said he popped the tire um my partner got on the radio and said (clears throat) said this guy has a knife. Can you send somebody with a taser over here. And then (inaudible) lil time passed by and then (clears throat) that's when the tire incident.

KILLEN: Okay.
P.O.MCELLIGOTT: And then another five, ten seconds (noise) went by and (noise) attacked the car, stabbed the windshield.

KILLEN: So you're, you were warning everybody ahead a time?
P.O.MCELLIGOTT: Yes.

KILLEN: Before you got anything, he had the knife in his hand.
P.O.MCELLIGOTT: Yes. It started with uh we asked for a taser. We said he had a knife. And then we were

OIG 15-0564 000492

giving uh kinda like a play by play (noise) stab, he stabbed our tire, he just popped our tire. And, you know and they're askin' if anybody's heading over there. And we're just waitin' for the assist cars to come.

KILLEN: And I take it you don't carry a taser?
P.O.MCELLIGOTT: I do not.

KILLEN: And then neither does Officer Gaffney correct?
P.O.MCELLIGOTT: No.

KILLEN: Okay. So then you basically follow 'em all the way to Pulaski I take it. Karlov then Keeler somethin' like that.
P.O.MCELLIGOTT: Basically yeah. It was --

KILLEN: And then when the other car comes --
P.O.MCELLIGOTT: At that point he was (noise) he darted towards Pulaski.

KILLEN: Okay.
P.O.MCELLIGOTT: From Karlov to Pulaski he was full on sprinting and I was running after 'em.

KILLEN: And you're after 'em. When he went between the trucks you went between the trucks with 'em?
P.O.MCELLIGOTT: Yeah.

KILLEN: Okay so then when he got to Pulaski he goes south?

OIG 15-0564 000493

P.O.MCELLIGOTT: When he got to Pulaski yeah he head, he went south around, he wrapped around the buildin' and (noise) then Burger King.

KILLEN: And whaddid you mean cause you lost me when you said somebody wanted to make a U turn so you let them go ahead of you.

P.O.MCELLIGOTT: There were cars coming northbound on Pulaski to assist. And they passed up, they passed him up and then came back around.

KILLEN: Oh I gotcha. Okay so he's goin' south --

P.O.MCELLIGOTT: They made a U turn --

KILLEN: I gotcha.

P.O.MCELLIGOTT: Yeah they passed him up and turned around. I don't know if they didn't see 'em or if, what their reasoning was, but they, they made a U turn and they turned kinda like right at me and I just said go and I waved 'em.

KILLEN: Now is he in the street at this time? He is runnin' in the street or is he on the sidewalk?

P.O.MCELLIGOTT: I didn't see him at that point I didn't see him because there were other squad cars in front a me. And I don't want, I finally saw him I was in the median and I ran up towards him and that's when at that point he was already down and the officer, other officer was kickin' the gun, uh knife away.

OIG 15-0564 000494

KILLEN: So were you on the median when you heard the gunshots?
P.O.MCELLIGOTT: I was, I heard the gunshots. There's a traffic light. I heard the gunshots while I was at the traffic light. And then I waved, waved the other car to go and then um by the time I got there there were no more shots.

KILLEN: At the time did you know who was shooting?
P.O.MCELLIGOTT: No I did not.

KILLEN: You didn't see anybody shooting anything like that?
P.O.MCELLIGOTT: No.

KILLEN: Okay. So by the time you got you said then he's already, the offender's already on the ground?
P.O.MCELLIGOTT: Yes.

KILLEN: Is he on his, is he on his back, (noise) his stomach? How's he --
P.O.MCELLIGOTT: He was kinda on his side. On his right side.

KILLEN: And you said he still had the knife?
P.O.MCELLIGOTT: Yeah he was holdin' it. (noise)

KILLEN: In his right hand?
P.O.MCELLIGOTT: In his right hand.

KILLEN: And that was Officer Walsh kicked it from his hand?

OIG 15-0564 000495

P.O.MCELLIGOTT: Yeah.

KILLEN: Okay. And what happens he's placed in custody?
P.O.MCELLIGOTT: Then he was, well he was obviously down, he wasn't movin' anywhere. We're surrounding him and that's (noise) (inaudible) come.

KILLEN: Okay. I mean after the knife gets kicked outta his hand, does anybody touch it to your knowledge?
P.O.MCELLIGOTT: No.

KILLEN: Do you ever touch it?
P.O.MCELLIGOTT: I didn't touch it.

KILLEN: Okay. So you didn't see, you didn't see Officer Van Dyke discharge his weapon at the offender correct?
P.O.MCELLIGOTT: No I saw 'em holding his weapon.

KILLEN: Right.
P.O.MCELLIGOTT: Just kinda (inaudible) (noise)

KILLEN: You heard gunshots but you didn't see --
P.O.MCELLIGOTT: Correct.

KILLEN: Okay. Anything you'd like to add?
P.O.MCELLIGOTT: No.

KILLEN: Everything you told me is a true and accurate account of what occurred?

OIG 15-0564 000496

P.O.MCELLIGOTT: Yes.

KILLEN: All right this will conclude the audio recorded interview of Officer uh Joseph McElligott regarding Log number 1072125 U number 14 dash 36. Today is the 21st of October 2014 and the time is approximately 0451 hours.

OIG 15-0564 000497

I, CAROL A. O'LEARY, do hereby certify or affirm that I have impartially transcribed the foregoing from an audio recording of the above-mentioned proceeding to the best of my ability.

Carol A. O'Leary

Carol A. O'Leary

OIG 15-0564 000498

STATEMENT OF P.O. THOMAS GAFFNEY

CONDUCTED BY INVESTIGATOR KILLEN

ON OCTOBER 21, 2014 AT 0406 HOURS

AT AREA CENTRAL POLICE HEADQUARTERS

LOG # 1072125

Attachment # ~~76~~ ~~85~~ 160

OIG 15-0564 000610

KILLEN: This is the audio recorded interview of Officer Thomas Gaffney regarding Log number 1072125 U number 14 dash 36. Today is the 21st of October 2014. And the time is approximately 0406 hours. This statement is bein' taken at Area Central Police Headquarters at 51st and Wentworth. My name is Investigator Killen, that's spelled K I L L E N. My star number is 1 2 9. Also present is FOP attorney Dan Herbert. (noise) Dan if you would say and spell your first and last names.

HERBERT: Sure Dan, D A N, Herbert, H E R B E R T.

KILLEN: And uh also is uh FOP Representative Kato.

KATO: K R I S T O N. Last name is K A T O. (clears throat) FOP.

KILLEN: And Officer Gaffney if you would say and spell your first and last names for me.

P.O.GAFFNEY: My first name Thomas Gaffney, T H O M A S. G A F F N E Y.

KILLEN: Okay and what's your star number?

P.O.GAFFNEY: 1 9 9 5 8.

KILLEN: And your employee number?

P.O.GAFFNEY: [redacted]

KILLEN: And your uh current unit of assignment? (noise)

P.O.GAFFNEY: 8TH District.

KILLEN: Okay and (noise) what's your date of appointment with the (noise) Department?

P.O.GAFFNEY: Uh 8 July '96.

KILLEN: And your date of birth?

P.O.GAFFNEY: [redacted]

KILLEN: How long you been in 8?

P.O.GAFFNEY: Uh since 2000, 2001 I'm sorry. Summer 2001. (clears throat)

KILLEN: All right and then you're aware that this statement has the standing of an official Department report. And that any intentional falsification of any answer to any question would be in direct violations of rules and regulations?

P.O.GAFFNEY: Yes.

KILLEN: Given that, I (sighs) I'd like to remind you that failure to provide a complete and accurate account of this incident could result in a finding of Rule 14 with discipline leading up to and including separation from the Chicago Police Department. Do you understand that?

P.O.GAFFNEY: Yes.

KILLEN: All right and then you're aware that there are no allegations against you uh regarding this incident correct?

P.O.GAFFNEY: Yes.

KILLEN: Okay. So on 20 October 2014 at approximately 2150 hours what was your duty status and assignment?

OIG 15-0564 000612

P.O.GAFFNEY: Uh this statement is not being given voluntary but under duress. I am only givin' this statement because I know I will be fired if I refuse.

KILLEN: Okay. So yesterday 20 October 2014 approximately 2150 hours what was your duty status?
P.O.GAFFNEY: Um I was on duty workin' Beat 815 Robert.

KILLEN: Okay. And were you uh were you assigned a partner?
P.O.GAFFNEY: Yes I was, Joseph McElligott.

KILLEN: Okay were you uniformed?
P.O.GAFFNEY: Yes.

KILLEN: And so was McElligott right?
P.O.GAFFNEY: Yes.

KILLEN: Okay. And you and Officer McElligott you guys were assigned a car?
P.O.GAFFNEY: Yes.

KILLEN: What kinda car?
P.O.GAFFNEY: Uh squad, marked squad car uh Tahoe.

KILLEN: Okay. Were you the driver or the passenger?
P.O.GAFFNEY: I was the driver.

KILLEN: Okay. And then last night about 2150 hours you and uh Officer McElligott were witnesses to a police-involved shooting correct?

OIG 15-0564 000613

P.O.GAFFNEY: Yes.

KILLEN: All right and um (someone clears throat) if you would, if you'd start from the beginning and just run me through what happened.

P.O.GAFFNEY: Uh we received a call holding offender at forty, 4100 South Kildare. Um there supposedly somebody had broken into a, a truck uh vehicles um tryin' to get radios somethin' like that. So we, we were on Archer approximately Kostner Kenneth. I came uh, came to the (noise) we got the job came uh down Kostner to 47th, 47th to Kildare and Kildare right to 4100 South Kildare.

KILLEN: So you were comin' from the south goin' north correct?

P.O.GAFFNEY: Yes.

KILLEN: Okay. (someone clears throat) So you got the call are you, you were dispatched?

P.O.GAFFNEY: Yes.

KILLEN: OEMC?

P.O.GAFFNEY: Yes.

KILLEN: Radio?

P.O.GAFFNEY: Yes.

KILLEN: Okay. So then when you get to 41st and Kildare what, what happens?

P.O.GAFFNEY: Uh there was a male Hispanic and a female Hispanic uh standing by a gate um to the truck

OIG 15-0564 000614

yard. Um the gate was partially opened and uh the female had a chain in 'er hand and then we stopped and spoke to them.

KILLEN: Whaddid they tell ya?

P.O.GAFFNEY: They said that the guy just went around the corner. Um he was uh in the, in the you know lot tryin' to get um tryin' to get into trucks. Uh he had uh somethin' in his hand, he had uh a wire from a phone in his hand. And he said somethin' about a iPhone, I don't know if he was sayin' that he took an iPhone or he left an iPhone but he said that he went around the corner so then we, we asked 'em you know what he looked like, what he was wearin'? He said he's a male black with the dark shirt. So at that time we, we went up the street and turned the corner. (someone clears throat)

KILLEN: So they, they, did those two, that, did that man and woman tell you which way the, the offender went?

P.O.GAFFNEY: Yes. Yeah he just pointed, he pointed north um and he said he went around the corner.

KILLEN: Okay so then that'd, that's 41st Street?

P.O.GAFFNEY: Yeah towards 40th Street.

KILLEN: Okay. And what happens then?

P.O.GAFFNEY: So we went, we went up the, up the block to 40th Street and we turned um east on 40th Street and we, (inaudible) when we turned we seen um you

OIG 15-0564 000615

know somebody walkin'. So we approached 'em, drove up to 'em and at that time we seen it was a male black with dread locks. You know and he had a dark shirt on. So at that time my, my partner had gotten outta the vehicle (clears throat) and he had his flashlight you know he's shining on 'em. You know tell 'em to come 'ere. So at that time he just kinda had a look, you know a weird look in his face you know like glazed eyes and stuff lookin' at us. So I stayed in my car in case he was gonna run. So at that time you know my partner kind of approached 'em a lil bit more and that's when he, he had seen you know tell 'em to get his hands outta his pocket cause he had one hand in his pocket. And then he had seen something in his you know a shiny object in his hand. And I, I heard 'em say you know he's got a knife. So that's when you know cuz then I, at first I was still in the car so I didn't really see, see the knife at that time. But once my partner said that that's when I kinda looked and I, at that time like I said we're all still walking or still moving. So then the street lights were a lil bit more as we were walkin' I, I seen a knife also in his hand.

KILLEN: Okay so this, so this point when you first see this guy he's on what street?

P.O.GAFFNEY: He's on 40th Street.

KILLEN: And he's, he's headed which way?

P.O.GAFFNEY: Uh east.

OIG 15-0564 000616

KILLEN: So he's headed toward Pulaski?
P.O.GAFFNEY: Yes.

KILLEN: All right is he by himself?
P.O.GAFFNEY: Yes.

KILLEN: Is he, like is he on the sidewalk --
P.O.GAFFNEY: On the, at that time he was on the sidewalk.

KILLEN: Which side of the street would he be on?
P.O.GAFFNEY: Uh south side.

KILLEN: So on the passenger side of your vehicle?
P.O.GAFFNEY: Yes. Yes.

KILLEN: All right so then you guys pull up, you pulled alongside of 'em?
P.O.GAFFNEY: Yes.

KILLEN: And then the officer --
P.O.GAFFNEY: Not quite, well not quite right next to 'em but yeah he was still like I said he was still walking but he was in front of the car. You know like in front of the area as we were walkin' and movin' at the same time.

KILLEN: You're kinda behind 'em?
P.O.GAFFNEY: Yeah, yeah but yeah.

KILLEN: And McElligott gets outta the car?
P.O.GAFFNEY: Yes.

OIG 15-0564 000617

KILLEN: Flashlight in hand.
P.O.GAFFNEY: Yes.

KILLEN: And he says come here?
P.O.GAFFNEY: Well yeah, yeah he starts you know come here. You know get your hand outta your pocket. And you know but he, he like I said he turned around, spun around a couple times and (inaudible) get to walking never said anything to us.

KILLEN: Which hand was in his pocket do you remember?
P.O.GAFFNEY: I think it was his left hand cause he had the other hand had whatever was in his, you know what he had in his hand at the time.

KILLEN: And do you know what was in his hand?
P.O.GAFFNEY: Not at that time I didn't.

KILLEN: Okay.
P.O.GAFFNEY: Like I said my partner, he, when my, my partner said he's got a knife that's when I kinda you know like I said as we were walkin' the street lights got a lil brighter and I was able to kinda look you know look over at the, and then see that he did have, you could tell you know it was in his hand and the blade was stickin' out.

KILLEN: Okay. And when you say he turned around a couple times does he keep 'em goin' east toward Pulaski?
P.O.GAFFNEY: Yeah he, he always kept goin'.

OIG 15-0564 000618

KILLEN: So he never stops?
P.O.GAFFNEY: No he never stopped he just kept walkin'. A couple times he went into the street but not, just like a step or two in the street but he just kept walkin' eastbound.

KILLEN: And he was by himself?
P.O.GAFFNEY: Yes.

KILLEN: All right so then so McElligott approaches 'em and then you hear McElligott say he's got a knife?
P.O.GAFFNEY: Yeah when he said he has a knife that's when I you know that's when I kinda like sat up a lil bit to look, to look, get a better look and that's when I, I seen it too.

KILLEN: Okay that was in his right hand then? Is that --
P.O.GAFFNEY: Yeah, yeah it was in his right hand.

KILLEN: So what happens then?
P.O.GAFFNEY: Uh at that time like I said (noise) my partner still kept you know tellin', that's what he said drop the knife, drop the knife. You know put the knife down whatever. And I got on the radio and you know got on the radio and said you know the guy's got a knn, we're at 40th and Kee, uh Keeler approachin' Keeler. Uh he's got a knife. Could we get another car over here with a taser.

OIG 15-0564 000619

KILLEN: So you don't carry a taser?
P.O.GAFFNEY: No I didn't, no.

KILLEN: McElligott he doesn't carry --
P.O.GAFFNEY: No he didn't have one either.

KILLEN: Okay. So what happens then?
P.O.GAFFNEY: Well like I said we I, I, I called it in then the dispatcher you know asked for other cars and other cars said they were comin'. So we just, we just kept stayin' you know keepin' our distance at the time you know I kept drivin' along. And um we just (noise) kept walkin' with 'em (noise) You know he never you know like came at us or anything at that time. He just kept like walkin', my partner still kept givin' 'em verbal commands and droppin' the knife and you know stop and that type a thing. But you know he just kept walkin' turning around lookin' back at us you know just that weird glaze look.

KILLEN: Did he ever say anything?
P.O.GAFFNEY: No never said a word to us at all.

KILLEN: Okay.
P.O.GAFFNEY: (Clears throat)

KILLEN: So then what happens?
P.O.GAFFNEY: We kept (noise) goin' east. When we're, we're approaching uh Karlov, 40th and Karlov I knew the next block there was the Burger King, there was a truck lot so we were gonna get more

OIG 15-0564 000620

people. So as we approached the, pretty much the corner of Karlov I like kinda turned my car towards him a lil bit on you know and you know to try and maybe get 'em to go down Karlov cause there's more, you know there's just factories so there's no people down that way. So and then uh - -

KILLEN: So the purpose of doin' that is keep 'em away from --

P.O.GAFFNEY: Yeah like try to slow 'em down until other cars got 'ere and make 'em see if he would maybe even go down the side street.

KILLEN: Okay.

P.O.GAFFNEY: You know keep 'em from getting to that more populated area where there were cars and people. (someone clears throat) So when I did that, he kinda like took a step towards and swung his uh, his arm down. When he did that that's when I heard like pssss a sound and I knew that he popped a tire. (noise)

KILLEN: Okay.

P.O.GAFFNEY: And then one, once he did that I got on the radio and said you know squad he just popped our tire. So (clears throat) --

KILLEN: Where's McElligott at this time?

P.O.GAFFNEY: He was still walk but he was, he was still walkin' with us but he was at like towards the back of the car.

OIG 15-0564 000621

KILLEN: Okay.

P.O.GAFFNEY: You know the back you know he still kept his distance. So (noise) (clears throat) once he did that, once he popped the tire again he just with that glazed stare, that glazed eye stare once he did that he like stepped back like took a step back, back away from the car. So I pulled up a lil bit further in front of 'em to you know try and maybe stop 'em or get 'em to go down that street. That's when he just took a step toward me and swung his arm really hard and hit the windshield with the knife.

HERBERT: And if I could just indicate for the record, with his right hand holdin' behind his, behind his head (someone clears throat) bringin' it down in a striking motion.

P.O.GAFFNEY: Yeah he, he as hard as he could he was attempting to break that windshield.

KILLEN: And how many times did he hit the windshield?

P.O.GAFFNEY: Just once. It was just once. Went real hard swing right, right on the windshield.

KILLEN: What happens?

P.O.GAFFNEY: Obviously nothin', I didn't see nothin' break but then he walked around the front of the car and kept walkin' eastbound on 40th Street. And then at that time, maybe 10 to 15 more feet that's when you could hear um some you know some sirens. And then a squad car came off a Pulaski onto 40th Street with their lights on. At that

OIG 15-0564 000622

time he seen that and that's when he started to run. Oh yeah I, I, I (noise) got on the radio and some, one, one of us, I don't remember but somebody did say that he was you know he started to run towards you know towards the, the truck lot, the trucks.

KILLEN: Okay so, so you're still basically sittin' over at 40th and Karlov right? You see 'nother car come up Pulaski?

P.O.GAFFNEY: Yeah that's, yeah he, 'nother car came off Pulaski onto 40th Street.

KILLEN: So --

P.O.GAFFNEY: That, that's when he seen that and that's when he started runnin'.

KILLEN: So when they turn west on 40th he runs --

P.O.GAFFNEY: Yeah he runs --

KILLEN: -- east towards Pulaski?

P.O.GAFFNEY: -- he, he, he's still goin' towards Pulaski but he went off a, off a the sidewalk and um into, it was like a, an empty space where the trucks, the truckers park so they can sleep or whatever. And he (noise) ran that way between two trucks.

KILLEN: Okay. (noise)

P.O.GAFFNEY: So at that time (noise) my partner started runnin' and I drove the car, I drove the car up to the entrance of the Burger King lot and went

OIG 15-0564 000623

into the Burger King lot. And before I did that the other car that came off went into the Burger King lot also. So I just, I seen 'em come outta, between the trucks. I ran, I kept drivin' towards, towards the, the end of the lot, towards Pulaski and that's, he ran and then I stopped cause I (noise) my tire was pretty much flat. So I couldn't get, I wasn't gonna go over the curb and then the other car was behind 'em. He ran into like towards the street and the other car followed 'em went over the curb and followed 'em.

KILLEN: Do you know who, who's that other car you're talkin' about? Do you know who that is?

P.O.GAFFNEY: At the time I didn't but now I know it was 845 Robert.

KILLEN: Okay. And that's the car he's talkin' 'bout Pulaski and --

P.O.GAFFNEY: Yeah.

KILLEN: -- where they U turn and go back at 'em?

P.O.GAFFNEY: That's the one, that's the one yeah that's the one that I, I (noise) know, I found out that was the one that went over the curb, yeah.

KILLEN: Okay so you stop your (someone clears throat) car where then?

P.O.GAFFNEY: Pretty much right behind the parkin' lot. Before, before going over the curb and into the street. (noise)

OIG 15-0564 000624

KILLEN: Okay. And then, and you stopped because of the (noise) flat?

P.O.GAFFNEY: Yeah cause I, I, I didn't wanna, I didn't know if I was gonna make it over the, cuz it was like you know that lil part there's like lil the, the, cement tongue if you will, that, that's the parkin' lot. (noise) You know if I was gonna get over it.

KILLEN: And you see 845 Robert continue.

P.O.GAFFNEY: Yeah they went they continued followin' 'em and went into the street. So I --

KILLEN: And that's Pulaski you're talkin' about?

P.O.GAFFNEY: Yeah. Into Pulaski. So I spun around went behind the park, behind the Burger King you know there's a street, (inaudible) back towards Pulaski where it goes out to the street on Pulaski. (noise)

KILLEN: Okay so, so you don't take the curb at all. You just --

P.O.GAFFNEY: No, no I, I, I turn around, I turned around and went around the parkin' lot to, to get out where there's a, there's the light on 41st Street. (noise)

KILLEN: And that's where your car's stopped?

P.O.GAFFNEY: And then yeah I turned on Pulaski and that's where my, that's where I finally stopped.

OIG 15-0564 000625

KILLEN: That's when, when I saw your car was south, facin' south --
P.O.GAFFNEY: Yes. Yes that's right, that's where I stopped.

KILLEN: Okay so then do you see what happens then after, with, with the offender and 845 Robert then?
P.O.GAFFNEY: No that was all, yeah that was I believe done before I got onto Pulaski. Cause I, I spun around and that's when I, I heard, I started to hear shots before I got onto Pul, I think when I got onto Pulaski there was other cars and stuff in front of me too. So I didn't see what exactly was goin' on.

KILLEN: So you're basically goin' around Burger King.
P.O.GAFFNEY: Yeah that's when the shots I believe that's when the shots started firin'.

KILLEN: You heard gunshots?
P.O.GAFFNEY: Yeah.

KILLEN: At the time did you know who was shootin'?
P.O.GAFFNEY: No I didn't know.

KILLEN: Could you see who was shootin'?
P.O.GAFFNEY: No.

KILLEN: That's because --
P.O.GAFFNEY: Well there's a, yeah well there's a fence also right, opposite side of Burger King where, where we blocked, pretty much blocked. The fence

OIG 15-0564 000626

with uh, like a covering you know covering fence so nobody could see through the fence. Cause they were building some stuff there. So yeah there was that was all blockin' me.

KILLEN: There's (noise) no line a sight.
P.O.GAFFNEY: No, no.

KILLEN: Okay.
P.O.GAFFNEY: No.

KILLEN: So then by the time you, you get south on Pulaski there's no more shooting correct?
P.O.GAFFNEY: I believe yeah I believe so. I don't (noise) remember any shooting at, at, when I got onto Pulaski.

KILLEN: Where (noise) when you got on Pulaski and you're goin' south could you see the offender still?
P.O.GAFFNEY: No not, not until I got outta the car and started to go you know 'round to, to where everything was goin' on.

KILLEN: Where was he?
P.O.GAFFNEY: The offender he was on the ground at the time when I, when I got over there.

KILLEN: Okay. And it's after that then you find out who's shooting what happened?
P.O.GAFFNEY: Yeah, yeah.

OIG 15-0564 000627

KILLEN: Okay. (noise) You didn't see the shooting, you, you (noise) you didn't see Officer Van Dyke discharge the weapon?
P.O.GAFFNEY: No I didn't, no.

KILLEN: Okay. (sighs) And then that, that, (noise) the two people that called 9 1 1 said they were holdin' the offender.
P.O.GAFFNEY: Hmm huh.

KILLEN: Do you have any idea who they are?
P.O.GAFFNEY: No not at the time, no. Cause right when they just said he went around the corner, they gave a quick description. We just wanted to go and you know see if we can catch 'em. We didn't know how long ago it was. Or where he would've went. So we just you know went and see if we could grab 'em and figured they woulda still been there when we got back.

KILLEN: Okay. And then the knife that the offender had, as best you can describe it to me?
P.O.GAFFNEY: Uh all silver, real bright. And prob'ly 'bout four to six inch blade.

KILLEN: Okay. All right. Uh was there anything you'd like to add?
P.O.GAFFNEY: No.

KILLEN: All right everything you told me is a true and accurate account of what occurred?
P.O.GAFFNEY: Yes.

OIG 15-0564 000628

KILLEN: All right this will conclude the audio recorded interview of Officer Thomas Gaffney regarding Log number 1072125 U number 14 dash 36. Today is the 21st of October 2014. The time is approximately 0424 hours.

OIG 15-0564 000629

I, CAROL A. O'LEARY, do hereby certify or affirm that I have impartially transcribed the foregoing from an audio recording of the above-mentioned proceeding to the best of my ability.

Carol A. O'Leary

Carol A. O'Leary

OIG 15-0564 000630

HICAGO POLICE DEPARTMENT

ASE SUPPLEMENTARY REPORT

10 S. Michigan Avenue, Chicago, Illinois 60653
use by Chicago Police - Bureau of Investigative Services Personnel Only)

HX475653

Case id : 9825613
Sup ID : 10992767 CASR301

XC. CLEARED CLOSED (OTHER EXCEPTIONAL) | **DETECTIVE SUP. APPROVAL COMPLETE**

Offense Classification/Re-Classification	IUCR Code	Original Offense Classification			IUCR Code
AULT / Aggravated Po:Knife/Cut Instr	**0552**	ASSAULT / Aggravated Po:Knife/Cut Instr			0552
ddress of Occurrence	Beat of Occur	No of Victims	No of Offenders	No of Arrested	SCR No
112 S PULASKI RD	**815**	4	1	1	
ocation Type	Location Code	Secondary Location			Hate Crime?
Street	**304**				NO
ate of Occurrence	Unit Assigned	Date RO Arrived	Fire Related?	Gang Related?	Domestic Related?
20-OCT-2014 21:57	**0841R**	20-OCT-2014 21:57	NO	NO	NO

Reporting Officer	Star No	Approving Supervisor	Star No	Primary Detective Assigned	Star No
MARCH, David	20563	WOJCIK, Anthony	481	MARCH, David	20563
Date Submitted		Date Approved		Assignment Type	
15-MAR-2015 18:26		16-MAR-2015 00:03		FIELD	

THIS IS A FIELD INVESTIGATION EXC. CLEARED CLOSED (OTHER EXCEPTIONAL) REPORT

VICTIM(S) :

GAFFNEY, Thomas J
Male / White / 41 Years
EMPLOYMENT: Chicago Police Officer #19958 Chicago Police Officer
EMPLOYER BUSINESS NME: Chicago Police Department
BUS: 3420 W 63rd St
Chicago IL
312-747-8730

MCELLIGOTT, Joseph P
Male / White / 36 Years
EMPLOYMENT: Chicago Police Officer #18715 Chicago Police Officer
EMPLOYER BUSINESS NME: Chicago Police Department
BUS: 3420 W 63rd St
Chicago IL
312-747-8730

VAN DYKE, Jason D
Male / White / 36 Years
EMPLOYMENT: Chicago Police Officer #9465 Chicago Police Officer
EMPLOYER BUSINESS NME: Chicago Police Department
BUS: 3420 W 63rd St
Chicago IL
312-747-8730

WALSH, Joseph J
Male / White / 45 Years
EMPLOYMENT: Chicago Police Officer #12865 Chicago Police Officer
EMPLOYER BUSINESS NME: Chicago Police Department
BUS: 3420 W 63rd St
Chicago IL

HX475653

312-747-8730

OFFENDER(S): **MCDONALD, Laquan J** -- In Custody --

ALIAS: "Bon-Bon"
Male / Black / 17 Years
DOB: [redacted]
RES: [redacted]
BIRTH PL: Illinois
DESCRIPTION: 6'02,180,Black Hair, Dreadlocks Hair Style, Brown Eyes, Medium Complexion

ITEM USED:
Weapon
DLN/ID: [redacted]
OTHER IDENTIFICATIONS: **Type -** Other Id
State - Unknown

IR #: 2106340
SID #: IL18550721
ORGANIZATION: NEW BREED
RELATIONSHIP OF VICTIM TO OFFENDER:

GAFFNEY, Thomas No Relationship
MCELLIGOTT, Joseph No Relationship
VAN DYKE, Jason No Relationship
WALSH, Joseph No Relationship

GANG INFORMATION:
LISTED CRIMINAL ORGANIZATION: New Breed
GANG IDENTIFIERS: Other

OFFENDER INJURIES: **MCDONALD, Laquan J**

Type	Weapon Used	Weapon Description
Gun Shot Wound	Handgun	Other -Handgun

Injured by Police
Chicago Fire Department Provided First Aid
EXTENT OF INJURY: Multiple Gsw
HOSPITAL REMOVED BY: Cfd Ambulance 21

HOSPITAL: Mt. Sinai
INJURY TREATMENT: Multiple Gsw
PHYSICIAN NAME: Dr Pitzele
INV #: **13296449**

WEAPON(S): **Evidence**

Smith & Wesson -Us- (Bodyguard,Chief Special) , 5942 , 9 , Semi-Automatic Pistol , Semi-Automatic , 4" , Stainless

SERIAL #: [redacted]

MAGAZINE CAPACITY: 15

Number Of Live Rounds present in the Firearm - 15

Number Of Live Rounds used in the Firearm - 16

The Status Of This Firearm is 628361

PROPERTY TYPE: Other

OWNER: Van Dyke, Jason

POSSESSOR/USER: Van Dyke, Jason

PHONE #: 312 - 747 - 8730

LOCATION FOUND: 5101 S Wentworth Ave

VEHICLE INFO:

Truck , 2010 / Chevrolet / Tahoe / Truck

, Victims Vehicle

VIN: 1GNMCAE0XAR263348 **Evidence**

YEAR (RANGE): 2010

COLOR (TOP/BOTTOM): White / White

OWNER: Chicago Police Department

POSSESSOR/USER: Gaffney, Thomas

PHONE#: 312 - 747 - 8730

LOCATION FOUND: 4102 S Pulaski Rd

LICENSE: MP6581, Law Enforcement (City, County, State, Sos), IL

LOCATION OF INCIDENT:

4112 S Pulaski Rd
Chicago IL
304 - Street

DATE & TIME OF INCIDENT: 20-OCT-2014 21:57

WEATHER AND LIGHTING:

WEATHER: Cloudy & Cool

TEMPERATURE: 50s

LIGHTING: Dark / Artificial Light

LIGHTING SOURCE: Streetlights

DISTANCE: Overhead

MOTIVE CODE(S): Interceding In A Felony

CAUSE CODE(S): Dna

METHOD CODE(S): Offender Shot

CAU CODE(S): Police Related Not Con

FIREARM(S) RECOVERED: **INV #: 13296449** **Evidence**

Smith & Wesson -Us- (Bodyguard,Chief Special) , 5942 , 9 , Semi-

Automatic Pistol , Semi-Automatic , 4" , Stainless
SERIAL #: [redacted]
PROPERTY TYPE: Other

OWNER: Van Dyke, Jason
POSSESSOR/USER: Van Dyke, Jason

PHONE #: 312 - 747 - 8730
LOCATION FOUND: 5101 S Wentworth Ave

MAGAZINE CAPACITY: 15
Number Of Live Rounds present in the Firearm - 15
Number Of Live Rounds used in the Firearm - 16

/EHICLE(S) DAMAGED: **Truck , 2010 / Chevrolet / Tahoe / Truck**
VIN: 1GNMCAE0XAR263348 **Evidence**

YEAR - YEAR RANGE END: 2010
COLOR (TOP/BOTTOM): White / White
OWNER: Chicago Police Department
POSSESSOR/USER: Gaffney, Thomas

PHONE#: 312 - 747 - 8730
LOCATION FOUND: 4102 S Pulaski Rd
LICENSE: MP6581, Law Enforcement (City, County, State, Sos), IL

PERSONNEL ASSIGNED:
Detective/Investigator
MARCH, David M # 20563
Reporting Officer
FONTAINE, Dora # 4484 BEAT: 0841R

WITNESS(ES) :
BACERRA, Arturo
Male / White Hispanic / 32 Years
EMPLOYMENT: Chicago Police Officer #15790 Chicago Police Officer
BUS: 3420 W 63rd St
Chicago IL
312-747-8730
[redacted]
Female / White Hispanic / 29 Years
DOB: [redacted]
RES: 5340 Prairie
[redacted]

OTHER COMMUNICATIONS:
Cellular [redacted]
Phone :
[redacted]

Female / White Hispanic / 19 Years

DOB: [redacted]

RES: [redacted]

BUS: [redacted]

DLN/ID: [redacted]

Male / White Hispanic / 18 Years

DOB: [redacted]

RES: [redacted]

OTHER COMMUNICATIONS:

[redacted]
Phone :

DLN/ID: [redacted]

Female / White Hispanic / 24 Years

DOB: [redacted]

RES: [redacted]

EMPLOYMENT: Shift Manager

BUS: [redacted]

OTHER COMMUNICATIONS:

Cellular [redacted]
Phone :

FONTAINE, Dora

Female / White Hispanic / 47 Years

EMPLOYMENT: Chicago Police Officer #4484 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

[redacted]

Male / White Hispanic / 25 Years

DOB: [redacted]

RES: [redacted]

BUS: [redacted]

OTHER COMMUNICATIONS:

Cellular Phone : [redacted]

SSN: [redacted]

[redacted]

Female / White Hispanic / 30 Years

DOB: [redacted]

RES: [redacted]

OTHER COMMUNICATIONS:

Cellular Phone : [redacted]

[redacted]

Male / White Hispanic / 24 Years

DOB: [redacted]

RES: [redacted]

SSN: [redacted]

DLN/ID: [redacted]

MONDRAGON, Janet

Female / White Hispanic / 37 Years

EMPLOYMENT: Chicago Police Officer #4364 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

SEBASTIAN, Daphne L

Female / White / 45 Years

EMPLOYMENT: Chicago Police Officer #2763 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

VELEZ, Leticia

Female / White Hispanic / 43 Years

EMPLOYMENT: Chicago Police Officer #10385 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

VIRAMONTES, Ricardo

Male / White Hispanic / 41 Years

EMPLOYMENT: Chicago Police Officer #10590 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL

312-747-8730

OTHER INDIVIDUALS INVOLVED:

[redacted] (Additional Victim)
Male / White Hispanic / 43 Years
DOB: [redacted]
RES: [redacted]
EMPLOYMENT: Self-Employed Truck Driver
OTHER COMMUNICATIONS:
Cellular Phone : [redacted]
DLN/ID: [redacted] :

[redacted] (Family Member Notified)
Male / Black / 25 Years
DOB: [redacted]
RES: [redacted]
OTHER COMMUNICATIONS:
Other : [redacted]

[redacted] (Person Interviewed Non-Witness)
Female / White Hispanic / 62 Years
DOB: [redacted]
RES: [redacted]
BUS: [redacted]

[redacted] (Person Interviewed Non-Witness)
Female / White Hispanic / 39 Years
DOB: [redacted]
RES: [redacted]
BUS: [redacted]

CRIME CODE SUMMARY: 0552 - Assault - Aggravated Po:Knife/Cut Instr

OTHER ASSOCIATIONS: 0552 - Assault - Aggravated Po:Knife/Cut Instr

GAFFNEY, Thomas, J (Victim)

MCDONALD, Laquan, J	(Offender)
MCELLIGOTT, Joseph, P	(Victim)
MCDONALD, Laquan, J	(Offender)
MCDONALD, Laquan, J	(Offender)
VAN DYKE, Jason, D	(Victim)
MCDONALD, Laquan, J	(Offender)
WALSH, Joseph, J	(Victim)

ICIDENT NOTIFICATIONS:

NOTIFICATION DATE & TIME: 10/20/2014:230700
REQUEST TYPE: Notification
PERSON NAME: ,Sarlo
STAR #: 13131
EMP #:

NOTIFICATION DATE & TIME: 10/20/2014:231400
REQUEST TYPE: Notification
PERSON NAME: ,Jines
STAR #: 4898
EMP #:

NOTIFICATION DATE & TIME: 10/20/2014:215000
REQUEST TYPE: On Scene
PERSON NAME: ,March
STAR #: 20563
EMP #:

NOTIFICATION DATE & TIME: 10/21/2014:225800
REQUEST TYPE: Notification
PERSON NAME: ,Chibe
STAR #: 7303
EMP #:

NOTIFICATION DATE & TIME: 10/20/2014:235000
REQUEST TYPE: Notification
PERSON NAME: ,Briggs
STAR #:
EMP #: 76

REPORT DISTRIBUTIONS: No Distribution

INVESTIGATION:

AREA CENTRAL FIELD INVESTIGATION:

Exceptionally Cleared Closed /
Other Exceptional Clearance - Death of Offender.

The full format for this investigation is contained in the previous Progress - Scene Report.

INVESTIGATION:

The reporting detective was assigned to the immediate follow-up investigation of this police officer involved shooting incident, by Sergeant Daniel GALLAGHER of this command. The reporting detective proceeded to the scene of the incident at 4112 South Pulaski Road. The officer involved in the shooting was located and interviewed at the scene.

VAN DYKE, Jason D -----

stated he was a Chicago Police Officer assigned to the 008th District. He was on duty, in uniform, working on Beat 845R. VAN DYKE was working with Police Officer Joseph WALSH. The two officers were assigned to Chicago Police Department vehicle number 6412, a marked Chevrolet Tahoe, four door sport utility vehicle. WALSH was driving the vehicle and VAN DYKE was the passenger.

The two officers responded to a request for assistance from Beat 815R, regarding a man with a knife, on 40th Street, west of Pulaski Road. A unit equipped with a taser had also been requested. Officer VAN DYKE heard the radio transmission when Officer Thomas GAFFNEY said the man with a knife had "popped" the tire of GAFFNEY's police vehicle. VAN DYKE understood this to mean the subject had slashed the tire with his knife. As Officer WALSH drove westbound on 40th Street from Pulaski, VAN DYKE observed a black male subject, now known as Laquan MCDONALD, running eastbound in the parking lot of the Burger King restaurant on the southwest corner of 40 Street and Pulaski. MCDONALD was holding a knife in his right hand. VAN DYKE saw Police Officer Joseph MCELLIGOTT pursuing MCDONALD on foot. VAN DYKE also saw a civilian who was standing on 40th Street pointing to MCDONALD.

Officer WALSH drove eastbound in the parking lot, in pursuit of MCDONALD, on the north side of the Burger King restaurant building. WALSH used the police vehicle to block MCDONALD from entering the restaurant. MCDONALD ran out onto Pulaski Road and then turned southbound, running toward a Dunkin' Donuts restaurant, on the east side of Pulaski, south of the Burger King. WALSH positioned the police vehicle between MCDONALD and the Dunkin' Donuts to block his path towards that restaurant. When WALSH slowed the police vehicle alongside MCDONALD, Officer VAN DYKE opened the right front door of the vehicle to exit and confront MCDONALD. WALSH told VAN DYKE to stay in the vehicle as they were too close to MCDONALD to safely exit their vehicle. WALSH drove on southbound and stopped the police vehicle ahead of MCDONALD.

Officer VAN DYKE exited the vehicle on the right side and drew his handgun. As VAN DYKE stood in the street on Pulaski, facing northbound, toward MCDONALD, MCDONALD approached southbound. MCDONALD was holding the knife in his right hand, in an underhand grip, with the blade pointed forward. He was swinging the knife in an aggressive, exaggerated manner. VAN DYKE ordered MCDONALD to "Drop the knife!" multiple times. MCDONALD ignored VAN DYKE's verbal direction to drop the knife and continued to advance toward VAN DYKE.

When MCDONALD got to within 10 to 15 feet of Officer VAN DYKE, MCDONALD looked toward

VAN DYKE. MCDONALD raised the knife across his chest and over his shoulder, pointing the knife at VAN DYKE. VAN DYKE believed MCDONALD was attacking VAN DYKE with the knife, and attempting to kill VAN DYKE. In defense of his life, VAN DYKE backpedaled and fired his handgun at MCDONALD, to stop the attack. MCDONALD fell to the ground but continued to move and continued to grasp the knife, refusing to let go of it. VAN DYKE continued to fire his weapon at MCDONALD as MCDONALD was on the ground, as MCDONALD appeared to be attempting to get up, all the while continuing to point the knife at VAN DYKE. The slide on VAN DYKE's pistol locked in the rearward position, indicating the weapon was empty. VAN DYKE performed a tactical reload of his pistol with a new magazine and then assessed the situation.

MCDONALD was no longer moving and the threat had been mitigated, so Officer VAN DYKE and Officer WALSH approached MCDONALD. MCDONALD was still holding the knife in his right hand. VAN DYKE continued to order MCDONALD to "Drop the knife!" Officer WALSH told VAN DYKE, "I have this." VAN DYKE then used his handgun to cover WALSH as WALSH walked up and forcibly kicked the knife out of MCDONALD's right hand, thereby eliminating the threat to the officers.

Officer WALSH then notified the dispatcher on the police radio that shots had been fired by the police. Officer VAN DYKE requested an ambulance for MCDONALD on the radio.

Officer VAN DYKE's weapon was a Smith and Wesson, nine millimeter, semi-automatic pistol, with a 15 round magazine. VAN DYKE said the pistol was fully loaded at the beginning of his tour of duty, with 15 cartridges in the magazine and one cartridge in the firing chamber.

It was noted that the uniform Officer VAN DYKE was wearing consisted of a light blue long sleeve uniform shirt, with shoulder patches; black body armor vest, with patches; navy blue cargo pants; and equipment belt with handgun and radio.

The reporting detective then interviewed Officer VAN DYKE's partner.

WALSH, Joseph J -----

stated he was a Chicago Police Officer assigned to the 008th District. WALSH related the same facts as his partner, Officer Jason VAN DYKE.

WALSH added that as Laquan MCDONALD ran eastbound through the Burger King parking lot, WALSH used the police vehicle he was driving to block MCDONALD from entering the restaurant.

As MCDONALD ran southbound on Pulaski Road, from the Burger King, WALSH pursued MCDONALD in the police vehicle. WALSH drove southbound in the northbound lanes to get ahead of MCDONALD, keeping the police vehicle between MCDONALD and a Dunkin' Donuts restaurant, on the east side of Pulaski. As their vehicle passed MCDONALD, Officer VAN DYKE opened the right front door of their vehicle, to exit the truck and confront MCDONALD. WALSH, realizing that at this point they were too close to the armed MCDONALD to safely exit the vehicle, told VAN DYKE to wait until they got further ahead of MCDONALD. WALSH drove further south on Pulaski. He stopped his vehicle south of MCDONALD and exited the driver's door as VAN DYKE exited the right side of the vehicle. WALSH drew his handgun when he exited the vehicle.

Officer WALSH came around the rear of the police vehicle and joined Officer VAN DYKE on the right side of the vehicle. WALSH also stood in the street on Pulaski, facing northbound, as MCDONALD walked southbound toward the officers. WALSH ordered MCDONALD to "Drop the knife!" multiple times as MCDONALD approached the officers.

Officer WALSH also backed up, attempting to maintain a safe distance between himself and MCDONALD. MCDONALD ignored the verbal direction given by both WALSH and Officer VAN DYKE, and continued to advance toward the officers. When MCDONALD got to within 12 to 15 feet of the officers he swung the knife toward the officers in an aggressive manner. VAN DYKE opened fire with his handgun and MCDONALD fell to the ground. VAN DYKE continued firing his weapon at MCDONALD as MCDONALD continued moving on the ground, attempting to get up, while still armed with the knife.

When the gunfire stopped and MCDONALD was not moving anymore, WALSH approached MCDONALD with VAN DYKE. WALSH continued to order MCDONALD to "Drop the knife!" multiple times, as MCDONALD was still holding the knife in his right hand. WALSH forcibly kicked the knife out of MCDONALD's hand and then notified the dispatcher on the police radio that shots had been fired by the police. An ambulance was also requested for MCDONALD.

As they waited for the ambulance to respond to the scene, Officer WALSH told MCDONALD to "hang in there," and that an ambulance was on the way.

Officer WALSH said he believed MCDONALD was attacking WALSH and Officer VAN DYKE with the knife and attempting to kill them when the shots were fired. WALSH stated he did not fire his handgun because VAN DYKE was in the line of fire between WALSH and MCDONALD. WALSH thought VAN DYKE fired eight or nine shots total.

It was noted that Officer WALSH wore the same uniform configuration as Officer VAN DYKE.

The officers assigned to Beat 815R were interviewed.

GAFFNEY, Thomas J -----

stated he was a Chicago Police Officer assigned to the 008th District. He was on duty, in uniform, working on Beat 815R. GAFFNEY was working with Police Officer Joseph MCELLIGOTT. The two officers were assigned to Chicago Police Department vehicle number 8489, a marked Chevrolet Tahoe, four door sport utility vehicle. GAFFNEY was driving the vehicle and MCELLIGOTT was the passenger.

The officers responded to an assignment of holding an offender for breaking into trucks at 41st Street and Kildare Avenue. Upon arrival at that location they met an Hispanic couple who told the officers a black male subject, wearing a dark shirt, had attempted to break into trucks parked in the parking lot at that location. The couple told the officers the subject had walked off and was last seen walking eastbound on 40th Street from Kildare.

Officer GAFFNEY drove northbound on Kildare to 40th Street. When he turned eastbound onto 40th Street he saw a black male subject wearing dark clothing, walking eastbound on the sidewalk,

on the south side of the street. Officer MCELLIGOTT exited the police vehicle to approach the subject, now known as Laquan MCDONALD. GAFFNEY stayed in the vehicle in case MCDONALD fled. MCELLIGOTT called to MCDONALD and told him to stop but MCDONALD continued walking eastbound, ignoring MCELLIGOTT. MCDONALD's hands were in his pockets as he walked. MCELLIGOTT told MCDONALD to take his hands out of his pockets. MCDONALD took his hands out of his pockets and MCELLIGOTT told GAFFNEY that MCDONALD had a knife. GAFFNEY then saw a silver colored knife in MCDONALD's right hand. GAFFNEY also saw that MCELLIGOTT had his handgun drawn at this point. MCELLIGOTT repeatedly ordered MCDONALD to "Drop the knife," but MCDONALD ignored these directions. As MCDONALD reached Keeler Avenue, GAFFNEY notified the dispatcher on the police radio that they were following a subject with a knife and requested assistance from a unit equipped with a taser.

MCDONALD continued walking eastbound, Officer MCELLIGOTT following on foot and Officer GAFFNEY following in the police vehicle. As MCDONALD approached Karlov Avenue, GAFFNEY turned the Tahoe southbound onto Karlov and stopped, blocking the crosswalk. GAFFNEY said he wanted to stop MCDONALD before he reached Pulaski Road, a business street where more civilians were present. The area where MCDONALD was first observed was industrial in nature with no other civilians present. When GAFFNEY stopped his vehicle in front of MCDONALD, blocking his path, MCDONALD stabbed the right front tire of the Tahoe with his knife, causing the tire to go flat. GAFFNEY immediately informed the radio dispatcher that MCDONALD had "popped" the tire. MCDONALD attempted to walk around the front of the police vehicle and GAFFNEY drove the Tahoe forward a short distance to continue to block MCDONALD's path. MCDONALD then stabbed at the windshield of the Tahoe with the knife, striking the right side of the windshield. MCDONALD then continued walking eastbound from Karlov.

As MCDONALD approached the Burger King restaurant parking lot at 40th Street and Pulaski, assisting police units arrived, approaching westbound on 40th Street from Pulaski. MCDONALD began to run eastbound through the restaurant parking lot, on the north side of the Burger King building. He ran out onto Pulaski and then turned and ran southbound on Pulaski. Beat 845R pursued MCDONALD in their police vehicle, eastbound through the parking lot, over the curb at Pulaski, then southbound on Pulaski. Officer GAFFNEY lost sight of MCDONALD when he turned southbound on Pulaski.

Because of the flat tire on his vehicle, Officer GAFFNEY did not drive over the curb. As he drove around out onto Pulaski, GAFFNEY heard multiple gunshots in rapid succession. He did not see who was shooting. When he reached Pulaski MCDONALD was lying on the ground.

It was noted that Officer GAFFNEY wore the same uniform configuration as Officer VAN DYKE with the addition of the uniform baseball style cap with embroidered patch.

MCELLIGOTT, Joseph P -----

stated he was a Chicago Police Officer assigned to the 008th District. MCELLIGOTT related the same facts as his partner, Officer Thomas GAFFNEY.

Officer MCELLIGOTT added that after he exited the police vehicle, when Laquan MCDONALD took his hands out of his pockets and MCELLIGOTT saw MCDONALD holding a knife in his right

hand, MCELLIGOTT drew his handgun. He repeatedly ordered MCDONALD to "Drop the knife." MCDONALD ignored MCELLIGOTT's directions and continued to walk eastbound on 40th Street. MCELLIGOTT followed MCDONALD on foot, maintaining a safe distance between himself and the armed MCDONALD.

Officer MCELLIGOTT heard Officer GAFFNEY request assistance and a unit with a taser over the police radio. GAFFNEY attempted to use the police vehicle to block MCDONALD from continuing on toward the Burger King restaurant at Pulaski Road. At this point MCDONALD stabbed the right front tire and the windshield of the police vehicle. MCELLIGOTT began to hear the sirens of approaching assisting police units and MCDONALD began to run toward the Burger King restaurant.

When MCDONALD ran eastbound through the parking lot of the Burger King, Officer MCELLIGOTT ran after MCDONALD in pursuit. MCELLIGOTT ran out into the middle of Pulaski Road in pursuit of MCDONALD. MCELLIGOTT heard multiple gunshots but did not see who fired the shots. The gunfire was continuous, one shot after another. MCELLIGOTT then saw MCDONALD lying on the ground. MCELLIGOTT saw Officer Joseph WALSH kick the knife out of MCDONALD's hand.

It was noted that Officer MCELLIGOTT wore the same uniform configuration as Officer VAN DYKE.

Other officers who responded to this incident were also interviewed.

SEBASTIAN, Daphne L —

stated she was a Chicago Police Officer assigned to the 008th District. She was on duty, in uniform, working on Beat 813R. SEBASTIAN was working with Police Officer Janet MONDRAGON. The two officers were assigned to a marked vehicle. MONDRAGON was driving the vehicle and SEBASTIAN was the passenger.

The two officers responded to the request for assistance made by Beat 815R, regarding a subject with a knife. Officer SEBASTIAN thought the original call for assistance was at 40th Street and Keeler Avenue. The subject had punctured a tire on the police vehicle of Beat 815R. Officer MONDRAGON drove northbound on Pulaski Road, following Beat 845R, as they also responded to the request for assistance. MONDRAGON turned westbound onto 40th Street, behind Beat 845R.

Officer SEBASTIAN observed a black male subject, now known as Laquan MCDONALD, running southeast bound through the parking lot of the Burger King restaurant. Beat 845R pursued MCDONALD in their police vehicle, through the parking lot, toward Pulaski. SEBASTIAN told Officer MONDRAGON to drive back out onto Pulaski to assist in the pursuit. MCDONALD ran out onto Pulaski and continued to run southbound down the middle of the street. Beat 845R pursued MCDONALD in their vehicle, southbound on Pulaski, followed by Beat 813R. As MCDONALD ran southbound on Pulaski, SEBASTIAN saw the knife in his right hand. MCDONALD was waving the knife.

Beat 845R stopped their vehicle ahead of MCDONALD, between MCDONALD and the Dunkin'

Donuts restaurant on the east side of Pulaski. Officers Joseph WALSH and Jason VAN DYKE exited their vehicle and drew their handguns. MCDONALD turned toward the two officers and continued to wave the knife. Sebastian heard the officers repeatedly order MCDONALD to "Drop the knife!" MCDONALD ignored the verbal directions and continued to advance on the officers, waving the knife. Officer SEBASTIAN heard multiple gunshots and MCDONALD fell to the ground, where he continued to move. SEBASTIAN did not know who fired the shots, which were fired in one continuous group. She then saw Officer WALSH kick the knife out of MCDONALD's hand.

MONDRAGON, Janet -----

stated she was a Chicago Police Officer assigned to the 008th District. MONDRAGON related the same facts as her partner, Officer Daphne SEBASTIAN.

Officer MONDRAGON added that as she drove westbound on 40th Street, she saw Officer MCELLIGOTT running eastbound through the Burger King parking lot. She made a U-turn and drove back out onto Pulaski Road. MONDRAGON turned southbound onto Pulaski. She saw Laquan MCDONALD running southbound on Pulaski, in the middle of the street. As she got closer she could see MCDONALD was holding a knife in his right hand. He was waving the knife.

Officer MONDRAGON saw Officers Joseph WALSH and Jason VAN DYKE outside of their police vehicle. She heard the officers repeatedly ordering MCDONALD to "Drop the knife!" as MCDONALD got closer and closer to the officers, continuing to wave the knife. As she was placing her vehicle transmission into Park, MONDRAGON looked down and heard multiple, continuous gunshots, without pause. MONDRAGON then saw MCDONALD fall to the ground. MONDRAGON did not know who fired the shots.

BACERRA, Arturo -----

stated he was a Chicago Police Officer assigned to the 008th District. He was on duty, in uniform, working on Beat 822. BACERRA was working with Police Officer Leticia VELEZ. The two officers were assigned to a marked vehicle. BACERRA was driving the vehicle and VELEZ was the passenger.

Officer BACERRA and his partner responded to the request for assistance made by Beat 815R, regarding a subject who was armed with a knife. BACERRA was driving northbound on Pulaski Road from 47th Street. As he approached the scene of this incident, at 4112 South Pulaski, he observed a black male subject, now known as Laquan MCDONALD, in the middle of the street, flailing his arms. As he got closer, BACERRA observed MCDONALD to be holding a knife in his right hand. BACERRA drove past MCDONALD, with MCDONALD on the left side of the police vehicle, as Beat 845R drove past BACERRA, on the right side of his vehicle, travelling southbound. As BACERRA began to make a U-turn, he heard multiple gunshots. He then saw MCDONALD lying on the ground. BACERRA did not see who fired the shots.

VELEZ, Leticia -----

stated she was a Chicago Police Officer assigned to the 008th District. VELEZ related the same facts as her partner, Officer Arturo BACERRA.

Officer VELEZ added that as they approached the scene she observed Laquan MCDONALD standing in the middle of the street, holding a shiny object in his right hand. She saw him waving the object in the air. Officer BACERRA drove past MCDONALD and began to make a U-turn, when VELEZ heard multiple gunshots, without pause or delay. She then saw MCDONALD fall to the ground. VELEZ did not see who fired the shots. She did see an unknown officer kick the knife from MCDONALD's hand after he was down on the ground.

FONTAINE, Dora -----

stated she was a Chicago Police Officer assigned to the 008th District. She was on duty, in uniform, working on Beat 841R. FONTAINE was working with Police Officer Ricardo VIRAMONTES. The two officers were assigned to a marked vehicle. VIRAMONTES was driving the vehicle and FONTAINE was the passenger.

The two officers responded to the request for assistance made by Beat 815R, regarding a man with a knife at 41st Street and Pulaski Road. Officer VIRAMONTES drove northbound on Pulaski. When they arrived at the scene of this incident, in front of the Dunkin' Donuts restaurant, Officer FONTAINE saw a black male subject, now known as Laquan MCDONALD, walking southbound in the street, with a knife in his right hand. MCDONALD was walking sideways, with his body facing east, toward Officers Jason VAN DYKE and Joseph WALSH. These two officers were standing in the middle of the street, on the right side of their police vehicle, which was facing southbound. FONTAINE heard the officers repeatedly order MCDONALD to "Drop the knife!" MCDONALD ignored the verbal direction and instead, raised his right arm toward Officer VAN DYKE, as if attacking VAN DYKE. At this time VAN DYKE fired multiple shots from his handgun, until MCDONALD fell to the ground and stopped moving his right arm and hand, which still grasped the knife. The gunshots were rapid fire, without pause. Officer WALSH then kicked the knife out of MCDONALD's hand.

VIRAMONTES, Ricardo -----

stated he was a Chicago Police Officer assigned to the 008th District. VIRAMONTES related the same facts as his partner, Officer Dora FONTAINE.

Officer VIRAMONTES added that when he exited his police vehicle, at the scene, he observed a black male subject, now known as Laquan MCDONALD, walking southbound on Pulaski Road, in the middle of the street, holding a knife in his right hand. VIRAMONTES heard Officer Jason VAN DYKE repeatedly order MCDONALD to "Drop the knife!" MCDONALD ignored the verbal direction and turned toward VAN DYKE and his partner, Officer Joseph WALSH. At this time VAN DYKE fired multiple shots from his handgun. MCDONALD fell to the ground but continued to move, attempting to get back up, with the knife still in his hand. VAN DYKE fired his weapon at MCDONALD continuously, until MCDONALD was no longer moving.

The scene of this incident, at 4112 South Pulaski Road, was observed to be a wide commercial street with traffic traveling north and south. There were two traffic lanes and a curb lane in each direction. A wide median separated the northbound and southbound traffic lanes. The scene was just south of the intersection of Pulaski and 41st Street. This was a "T" intersection with 41st Street extending east from Pulaski. In the center median was a left turn lane for northbound traffic

turning west onto 40th Street, further to the north. The Pulaski median was level with the traffic lanes and was striped with yellow paint.

On the west side of Pulaski was a large vacant lot. North of the vacant lot, on the southwest corner of 40th Street and Pulaski, was a Burger King restaurant. On the east side of the street was a Dunkin Donuts restaurant.

The weather was cloudy and cool with the temperature in the 50s. It was dark with good artificial light provided by overhead streetlights. All of the lights were on and functioning normally. There was also artificial light provided by the lighting of the nearby businesses.

In the northbound left turn lane, Chicago Police Department vehicle number 6412, assigned to Beat 845R, was sitting, facing southeast. The vehicle was a marked Chevrolet Tahoe, four door sport utility vehicle. The right front door of the vehicle was open.

In the southbound traffic lanes, in the right lane, a metal folding pocket knife was lying on the pavement. The blade was in the open position. The overall length of the knife was seven inches, with a three inch blade. The knife was in line with the front end of the vehicle of Beat 845R. Just north of the knife were two pools of blood on the pavement. Five metal bullet fragments were lying on the pavement near the blood. North of the blood, scattered in a diagonal pattern from southwest to northeast, across both southbound traffic lanes and the northbound left turn lane, were 16, nine millimeter caliber cartridge cases, lying on the pavement.

Chicago Police Department vehicle number 8489, assigned to Beat 815R, was sitting at the west curb at 4102 South Pulaski. The right front tire of the vehicle was flat, with a large puncture to the sidewall of the tire. The right side of the windshield was scratched from being struck by Laquan MCDONALD's knife.

Mobile Crime Lab Beat 5802 responded to the scene. Video and photographs were taken of the scene. The knife and firearms evidence was collected from the street, as were swabs of the blood. The right front wheel and tire of Chicago Police Department vehicle number 8489 was also recovered. The right front quarter panel of vehicle number 8489 was processed for fingerprints and four ridge impressions were recovered.

A canvass was conducted of the area near the scene of this incident in an attempt to identify and locate witnesses. A number of people were interviewed.

[redacted] -----

stated she was [redacted] at the Burger King restaurant. At approximately 21:55 hours [redacted] observed police officers chasing a black male subject, now known as Laquan MCDONALD, through the parking lot, on the north side of the restaurant building. The officers chased MCDONALD southbound down Pulaski Road, toward the Dunkin' Donuts restaurant. [redacted] then heard multiple gunshots and dove to the ground.

[redacted] permitted access to the Burger King video system. No video of this incident was recorded. The system was not recording at that time. The system was activated and video was

recovered from the system from earlier in the day, showing the view of each of the cameras in the system. It was noted that none of these camera views showed the area of the scene where the confrontation between Laquan MCDONALD and Police Officers Jason VAN DYKE and Joseph WALSH occurred, on Pulaski Road, south of the Burger King restaurant. If the system had been recording at the time of this incident, it would not have recorded any footage of that confrontation.

[redacted] -----

stated he was at the Burger King restaurant, waiting for his girlfriend, [redacted], who was working at the drive-thru window. [redacted] observed a "young black dude" with his hair in dreadlocks, now known as Laquan MCDONALD, running through the parking lot of the restaurant. He was being pursued by police officers. MCDONALD was holding his pants like he might have had a gun or something. MCDONALD then ran southbound on the sidewalk and then out into the street on Pulaski Road. [redacted] last saw MCDONALD running towards the middle of the intersection of 41st Street and Pulaski. MCDONALD appeared confused. [redacted] then turned his attention back to his girlfriend at the drive-thru window. He did not witness the shooting.

[redacted] -----

stated she was working at [redacted] of the Burger King restaurant. She observed a male subject, now known as Laquan MCDONALD, running from the restaurant parking lot, southbound on Pulaski Road, toward the Dunkin' Donuts restaurant. [redacted] heard multiple gunshots and then saw that MCDONALD was lying in the street.

[redacted] -----

stated she was [redacted] of the Burger King restaurant. She did not see or hear anything.

[redacted] -----

stated she was [redacted] of the Burger King restaurant. She did not see or hear anything.

Laquan MCDONALD had been transported to Mount Sinai Hospital by Chicago Fire Department Ambulance 21. He sustained multiple gunshot wounds as documented in the format of this investigation. MCDONALD was treated for his injuries in the emergency room. He succumbed to his wounds and was subsequently pronounced dead by Doctor PITZELE, at 22:42 hours.

Registered Nurse [redacted], recovered three metal bullet fragments from MCDONALD and turned these over to Detective William JOHNSON. These were subsequently turned over to Mobile Crime Lab Beat 5802, who also recovered metal fragments from MCDONALD's sweater.

The reporting detective had learned of the death of Laquan MCDONALD while still at the scene of this incident. The Office of the Medical Examiner of Cook County was notified of MCDONALD's death, and Investigator BRIGGS assigned Medical Examiner's case number 2014 - 01071 to this case.

In the Bureau of Detectives - Area Central office, Evidence Technician Beat 5824 recovered Office Jason VAN DYKE's handgun, a Smith and Wesson, Model 5942, nine millimeter caliber, semi-automatic pistol. The weapon was loaded with one cartridge in the firing chamber and 14 cartridges in the magazine, when recovered.

Beat 5824 took photographs of Officers Jason VAN DYKE, Joseph WALSH, Thomas GAFFNEY and Joseph MCELLIGOTT. Elimination prints, including palm prints, were also taken from Officers GAFFNEY and MCELLIGOTT.

Officer Jason VAN DYKE was re-interviewed for additional detail, in the Area Central office.

VAN DYKE, Jason D ----

related the same sequence of events as documented in his original interview at the scene of this incident.

VAN DYKE additionally articulated the reasoning behind his decision to use deadly force against the offender in this incident, Laquan MCDONALD. VAN DYKE was aware of the radio transmissions from Officer Thomas GAFFNEY, on Beat 815R, that MCDONALD was armed with a knife. VAN DYKE was aware that MCDONALD had attacked the officers on Beat 815R by slashing the tire of their police vehicle.

As he confronted MCDONALD at 4112 South Pulaski Road, VAN DYKE saw that MCDONALD was in fact, armed with a knife, a deadly weapon. VAN DYKE was aware of the widely accepted teaching in law enforcement that an assailant armed with a knife was considered a deadly threat, if within 21 feet, because it was possible for such an assailant to close that distance and attack with the knife before a defensive shot could be fired from a handgun. VAN DYKE was also aware of the existence of throwing knives, which can be thrown from a distance, as well as spring loaded knives, which propel a blade through the air from the knife handle. VAN DYKE also said he recalled a previously issued Chicago Police Department bulletin warning of a weapon which appeared to be a knife but which actually was capable of firing a bullet, making it a firearm.

Subsequently, a search was conducted of the Chicago Police Department, Automated Message Center, to find the bulletin Officer Jason VAN DYKE remembered, regarding the weapon that appeared to be a knife, but was actually a firearm. This bulletin was issued on 04 December 2012. It was Officer Safety Alert number 2012-OSA-297. It was a warning regarding a "revolver knife" which was capable of firing .22 caliber cartridges.

Three witnesses had been transported into the Area Central office from the scene and were interviewed.

[redacted]----

stated she was in the Burger King restaurant parking lot. She saw a subject, now known as Laquan MCDONALD, running southbound on Pulaski Road. [redacted] saw many police officers on the street. She was trying to get her cellular telephone to work, to record video. [redacted] heard eight gunshots fired continuously. She did not see who fired the shots. [redacted] then saw

a police officer pointing a handgun at MCDONALD as he was lying on the ground.

With her permission, [redacted]' telephone was examined for any recorded video footage with negative results.

[redacted]-----

stated he was at the Burger King restaurant drive-thru with [redacted]. He saw a black male subject, now known as Laquan MCDONALD, running from the trucks parked at the rear of the restaurant parking lot. MCDONALD ran eastbound in the parking lot, on the north side of the Burger King building. A police officer was chasing MCDONALD on foot, eastbound through the parking lot, then southbound on Pulaski Road. A Chicago Police Department, Chevrolet Tahoe sport utility vehicle pulled up on Pulaski. MCDONALD ran toward the police vehicle. A police officer exited the vehicle and fired multiple shots from a handgun at MCDONALD. [redacted] thought there was video footage of the incident recorded on [redacted] cellular telephone. As documented in the previous interview of [redacted], her telephone was examined with negative results.

[redacted]-----

stated he was sitting in a truck, parked in the Burger King restaurant parking lot, on the south side of the restaurant building. He was completing some logs. [redacted] observed a black male subject, now known as Laquan MCDONALD, running southbound on Pulaski Road. The police were pursuing MCDONALD. [redacted] heard approximately three gunshots. He did not see who fired the shots. [redacted] exited the cab of his truck and climbed up on top of it. He saw a Chicago Police Department, Chevrolet Tahoe sport utility vehicle, and many police officers on Pulaski Road.

[redacted] insisted on leaving the Area Central office after their initial interviews, and they were transported as they requested.

Sergeant Lance BECVAR responded to the scene and subsequently to the Area Central office. He was able to recover video of this incident from the vehicles assigned to Beats 845R and 813R. This video was uploaded into the system. The reporting detective submitted a request for copies of these two videos which were subsequently inventoried. The reporting detective also requested that the videos be permanently retained. No video of this incident was recovered from the vehicles assigned to Beats 815R, 822 and 841R.

The recovered in-car camera video from Beats 845R and 813R was viewed and found to be consistent with the accounts of all of the witnesses. The video from Beat 813R showed that at the time Officer Jason VAN DYKE fired his handgun at Laquan MCDONALD, VAN DYKE was standing near the east edge of the southbound traffic lanes of Pulaski Road, and MCDONALD was near the lane marking separating the two southbound traffic lanes. The two were separated by the width of one traffic lane. The width of this traffic lane was approximately ten feet.

Recordings of the original 9-1-1 call and the radio transmissions over the Chicago Police Department, Zone 6 radio frequency were obtained from the Office of Emergency Management

and Communication. The recordings were reviewed and subsequently inventoried.

In the 9-1-1 call, a caller who identified himself as [redacted] stated that he was holding a guy for stealing radios from trucks in a trucking yard.

The recorded radio transmissions were consistent with the statements of the police officers involved in this incident. It was determined from the radio transmissions, that the entire interaction of the involved police officers, with Laquan MCDONALD, from the time Beat 815R notified the radio dispatcher that they had made contact with him, and that he was armed with a knife, until Beat 845R notified the dispatcher that shots had been fired by the police, lasted more than four minutes.

The criminal history of Laquan MCDONALD was reviewed. [redacted]

Additionally, there were two documented incidents, under Records Division numbers HS640983 and HT106389, on 01 December 2010 and 05 January 2011. In these incidents officials at the [redacted], elementary school, called the police because of the violent behavior of Laquan MCDONALD. The reports indicated that MCDONALD was a special education student at the school and that this had become a pattern of behavior for MCDONALD. The school officials indicated that MCDONALD had behavioral problems and anger issues. In both incidents MCDONALD was transported to [redacted] for evaluation and treatment.

The family of Laquan MCDONALD was located and notified of his death.

[redacted] -----

stated he was an uncle of Laquan MCDONALD. MCDONALD was living with JOHNSON while MCDONALD "worked out his problems." [redacted] said that MCDONALD attended [redacted] school but was currently suspended. MCDONALD suffered from "hypertension" but refused to take any medication. He stopped taking his prescribed medication approximately two years prior because he said it made him "freak out."

[redacted] last saw MCDONALD on Saturday, 18 October 2014, at approximately 13:00 hours, when MCDONALD left the apartment. He had not been back since. MCDONALD had rung the doorbell earlier in the day on 20 October 2014. [redacted] said they "buzzed" MCDONALD into the building but he never came up to the apartment.

[redacted] had no idea why MCDONALD would be in the area of 41st Street and Pulaski Road. JOHNSON said he would attempt to notify MCDONALD's mother, [redacted].

On Tuesday, 21 October 2014, [redacted] of the 9-1-1 caller, [redacted]" was located and interviewed.

[redacted] -----

stated she was with [redacted], parking a truck in the lot at 41st Street and Kildare Avenue. She saw a black male subject, now known as Laquan MCDONALD, attempting to steal property from vehicles parked in the lot. [redacted] confronted MCDONALD and told him to leave the lot. [redacted] said that MCDONALD did not say anything, but instead, he was "growling" and making strange noises. [redacted] again told MCDONALD to leave the lot and MCDONALD pulled out a knife. MCDONALD swung the knife at [redacted] attempting to cut him. [redacted] had already called 9-1-1 so he backed up and threw his cellular telephone at MCDONALD. MCDONALD then ran from the lot. He ran northbound on Kildare, then eastbound on 40th Street.

[redacted] described MCDONALD as a black male, with his hair in braids. He was wearing a black hood and blue jeans. [redacted] viewed a photograph of Laquan MCDONALD and identified him as the subject in the lot, who had been attempting to steal property from vehicles parked in the lot, and who subsequently threatened [redacted] with a knife, when [redacted] confronted MCDONALD.

On Wednesday, 22 October 2014, the 9-1-1 caller was interviewed.

[redacted] -----

related the same facts as [redacted]. [redacted] re-iterated that Laquan MCDONALD swung his knife at [redacted], attempting to cut him. [redacted] stated he was the person who called 9-1-1 regarding this incident.

A canvass was conducted of the area near the scene of this incident for any recorded video.

There were no Police Observation Devices, or other City of Chicago video cameras in the area.

Recorded video was recovered from three cameras on the exterior of the building housing the Greater Chicago Food Depository, at 4100 West Ann Lurie Place. Two of these videos showed two different views of Laquan MCDONALD walking eastbound on the sidewalk, on the south side of 40th Street, between Keeler and Karlov Avenues. Officer Joseph MCELLIGOTT was following MCDONALD on foot, maintaining a safe distance between himself and MCDONALD, while Officer Thomas GAFFNEY was following MCDONALD in a police vehicle. The third video did not capture any part of this incident.

Recorded video was recovered from two cameras at the Dunkin' Donuts restaurant, at 4113 South Pulaski Road. One of these videos showed the end of this incident, when Officers Jason VAN DYKE and Joseph WALSH stopped their vehicle, exited the vehicle and confronted Laquan MCDONALD. The view in this video is from a distance. The video from the second camera did not capture any part of this incident.

Recorded video was recovered from two cameras from Focal Point, 4141 South Pulaski Road. These videos did not capture any part of this incident.

All of the recovered video was inventoried.

A Major Case Review of this case was conducted at the Illinois State Police Crime Laboratory, on Thursday, 30 October 2014. An Evidence Submission Form was completed per this review.

The assigned personnel became aware of a potential question regarding the integrity of the video recovered from the Burger King restaurant. In an attempt to follow-up on this issue the assigned personnel proceeded to the restaurant on Wednesday, 11 March 2015. Manager, [redacted] was contacted at the restaurant. She stated that the video system at the restaurant had recently been repaired and a new digital video recorder had been installed. [redacted] said that as of this date, 11 of the 16 video ports in the system actually recorded video. This was consistent with the video recovered on the date of this incident. Video was recorded and recovered on 11 of the 16 video ports in the system on that date.

Any additional inquiries regarding the video system at the restaurant were referred to the district manager responsible for that restaurant, [redacted]. He was contacted and related that the day after this incident occurred, personnel from the Independent Police Review Authority, of the City of Chicago, came to the restaurant. They viewed video from the system and took custody of the digital video recorder. The recorder was returned to the restaurant two weeks later. Personnel from the Federal Bureau of Investigation then came to the restaurant and made copies of video from the system. After that some lawyers came to the restaurant with subpoenas to make copies of video from the system. Finally, [redacted] stated that personnel from the Federal Bureau of Investigation had come to the restaurant again, approximately three weeks prior to this interview, and took the digital video recorder. [redacted] did not have any further information regarding the video system.

The assigned personnel also became aware of an article written by [redacted], a professor at the University of Chicago Law School, citing the existence of an unknown witness to this incident. [redacted] was contacted on Thursday, 12 March 2015, in an attempt to interview this witness. [redacted] stated that this witness had already been interviewed by the Independent Police Review Authority and [redacted] did not know if the witness would be willing to be interviewed by the Chicago Police Department. [redacted] said he would contact the witness and provide him with contact information for the assigned personnel.

Based upon all the facts known at this time, and the death of the only offender in this incident, this case is now Exceptionally Cleared Closed / Other Exceptional Clearance - Death of Offender.

The above to-date investigation determined that Laquan MCDONALD was an active assailant who, while armed with a dangerous weapon, used force likely to cause death or serious injury to a private citizen when he attacked [redacted]; threatened the imminent use of force likely to cause death or serious injury when he incised the tire and stabbed the windshield of a Chicago Police Department vehicle occupied by Officer Thomas GAFFNEY; and initiated imminent use of force likely to cause death or serious injury when he initiated an attack on Officers Jason VAN DYKE and Joseph WALSH. The above investigation concluded that Officer Jason VAN DYKE's use of deadly force, the discharging of his duty firearm, was within the bounds of the Chicago Police Department's use of force guidelines, and in conformity with local ordinances and state law.

Based on the above facts, the associated report, under Records Division number HX486155, is now Closed / Non-Criminal.

REPORT OF:

Detective David M MARCH #20563
Sergeant Daniel GALLAGHER #1303
Lieutenant Anthony WOJCIK #481
Bureau of Detectives - Area Central

One (1) "911" call. Total length of call was 1:20

Disp: Chicago emergency,

Caller: I have a truck right year at 41st and Kildare. I have a parking lot for trucks. I have a guy right hear that stolen the radios

Disp: Are you holding this person?

Caller: Yeah. Just hear.

Disp: OK what is your name please?

Caller: My name is [redacted]

Disp: And which side of Kildare are you?

Caller: Ahhhhhhhhhh

Disp: What is the address of the yard

Caller: Right hear by the yards. 41 and Kildare

Disp: Well I'm looking at a map I see two trucking yards. One on each side of the street

Caller: Yeah, the one that is on the side of the street right. Next to ummm United Rental

OK. OK we will send the police. We will send the police.

OK. Thank you.

……call ended……

STATEMENT OF P.O. JOSEPH McELLIGOTT

CONDUCTED BY INVESTIGATOR KILLEN

ON OCTOBER 21, 2014 AT 0436 HOURS

AT AREA CENTRAL POLICE HEADQUARTERS

LOG# 1072125

Attachment # #144

OIG 15-0564 000482

KILLEN: This is the, this is the audio recorded interview of Officer Joseph McElligott regarding Log number 1072125 U number 14 dash 36. Today is the 21st of October 2014. And the time is approximately 0436 hours. This statement is bein' taken at Area Central Police Headquarters. My name is Investigator Killen, that's spelled K I L L E N. My star number is 1 2 9. Uh also present in the room is uh FOP attorney Dan Herbert. Dan if you would say and spell your first and last names.

HERBERT: Dan, D A N, Herbert, H E R B E R T.

KILLEN: And then FOP Representative Kato, uh Kriston Kato.

KATO: First name is Kriston, K R I S T O N. Last name K A T O. FOP Field Representative.

KILLEN: And Officer McElligott if you would say and spell your first and last names for me.

P.O.MCELLIGOTT: Joseph McElligott, J O S E P H, McElligott, M C E L L I G O T T.

KILLEN: Okay and what's your star number?

P.O.MCELLIGOTT: 1 8 7 1 5. (noise)

KILLEN: And your employee number?

P.O.MCELLIGOTT: [redacted]

KILLEN: And your date of appointment with the Department?

P.O.MCELLIGOTT: 27 August '01.

KILLEN: And your date of birth?

P.O.MCELLIGOTT: [redacted]

KILLEN: And your current unit of assignment?
P.O.MCELLIGOTT: The 8th District.

KILLEN: And how long you been in 8th District?
P.O.MCELLIGOTT: Seven years.

KILLEN: All right. Now you're aware that this statement has the standing of an official Department report. And that any intentional falsification of any answer to any question would be in direct violations of rules and regulations?
P.O.MCELLIGOTT: Yes.

KILLEN: Given that, I'd like to remind you that failure to provide a complete and accurate account of this incident could result in a finding of a violation of Rule 14 with discipline leading up to and including separation from the Chicago Police Department. Do you understand that?
P.O.MCELLIGOTT: Yes.

KILLEN: All right what was your duty status and assignment on 21 October or 20 October 2014 at approximately 2150 hours?
P.O.MCELLIGOTT: This statement is not being given voluntarily but under duress. I am only givin' this statement because I know I will be fired if I refuse.

KILLEN: All right so what was your duty status and assignment last night at (someone coughs) 2150 hours?

P.O.MCELLIGOTT: Full duty.

KILLEN: Okay. What time you start work last night?

P.O.MCELLIGOTT: Uh 2100.

KILLEN: Is that your normal start time?

P.O.MCELLIGOTT: Yes.

KILLEN: Okay and you remember what beat you were assigned?

P.O.MCELLIGOTT: 815 Robert.

KILLEN: Okay and were you assigned a partner?

P.O.MCELLIGOTT: Yes.

KILLEN: And who's your partner?

P.O.MCELLIGOTT: Uh Thomas Gaffney.

KILLEN: All right and you and Officer Gaffney you guys were assigned a vehicle?

P.O.MCELLIGOTT: Yes.

KILLEN: And what kinda vehicle?

P.O.MCELLIGOTT: It's a Chevy Tahoe.

KILLEN: Marked?

P.O.MCELLIGOTT: Yes.

OIG 15-0564 000485

KILLEN: Okay and you and Officer Gaffney are in full uniform?

P.O.MCELLIGOTT: Yes.

KILLEN: Okay and then at about 2150 hours at about 41st and Pulaski you and uh Officer Gaffney were witnesses to a police-involved shooting correct?

P.O.MCELLIGOTT: Correct.

KILLEN: All right and if you would just um from the beginning explain to me what happened?

P.O.MCELLIGOTT: Uh we responded to a call of holding the offender at uh 4100 on Karlov. And um I don't know I forget the exact address.

KILLEN: So you received this, you say responded to the call. You got a call uh via OEMC?

P.O.MCELLIGOTT: Yes.

KILLEN: All right so over the radio you get a call.

P.O.MCELLIGOTT: Holding the offender um somebody's stealing radios out of semi trucks.

KILLEN: Okay. Do you re, do you remember where you and uh, where were you and Officer Gaffney when you got that call?

P.O.MCELLIGOTT: Um we're somewhere along Archer around Kostner.

KILLEN: Okay. So you're south of 41st and Kildare?

P.O.MCELLIGOTT: Correct.

KILLEN: And Officer Gaffney's the driver?
P.O.MCELLIGOTT: He is the driver, yes.

KILLEN: So you guys head over to that --
P.O.MCELLIGOTT: So we head over, we take Kostner up and then uh take 47th to Kildare.

KILLEN: Okay. And what happens when you get there?
P.O.MCELLIGOTT: Um a male Hispanic and a female Hispanic um we pull up to the address and they said um that a male black wearin' a black shirt was in the, tryin' to steal the radios outta the semi. Um he was holding a, a white cord to like a phone, like a charger. And he said he's got my phone. So then he said he's right around the corner. (clears throat) So then we, we drive north to 40th Street and we turn right and then we see a male black with a black shirt.

KILLEN: Okay and what's he doin'?
P.O.MCELLIGOTT: He's standing there and then he kinda turns around when he sees us pull up.

KILLEN: And what happens?
P.O.MCELLIGOTT: At that point I got outta the car and I'm giving 'em commands to stop, turn around. And I noticed he has his left hand in his pocket like in a ball. And in his right hand he's holding something else. And then I tell 'em take his hands out of his pockets; let me see your hands. He doesn't take his hands --

OIG 15-0564 000487

KILLEN: So at this point is he, his back is to you?
P.O.MCELLIGOTT: He's facing me at this point.

KILLEN: Okay.
P.O.MCELLIGOTT: And then he starts turning and walking away. And he's holding one arm out and one hand in his pocket. He continues to walk and uh then he turns again he takes both his hands out and, and at that point he has a knife in his right hand as if he just opened it up, like flipped it open and he's holdin' his hand. At that point I drew my weapon I tell 'em to drop the knife. Um he kinda has this look in his eye like, like maybe he's on some sorta drugs cause it was like his eyes like rolled back. And then he walked, he started walking east again with his hands out and then he's kinda like kinda makin' motions from side to side. He's kinda all over. Goes from the street to the, to the sidewalk. And the whole time my partner is kinda paralleling me. And he's driving and I'm had my flashlight on 'em and I'm tellin' 'em to stop. Tellin' 'em to drop, drop the weapon. Drop the knife.

KILLEN: So you're on foot correct?
P.O.MCELLIGOTT: I'm on foot, walking.

KILLEN: And Officer Gaffney --
P.O.MCELLIGOTT: Walking with some distance between me.

KILLEN: You're behind him correct?
P.O.MCELLIGOTT: I'm yeah I'm behind him.

OIG 15-0564 000488

KILLEN: Behind the offender?
P.O.MCELLIGOTT: Yes.

KILLEN: And Officer Gaffney's paralleling him in the car?
P.O.MCELLIGOTT: He's, he's kinda like as far as I am. Like he's like to my right just a lil bit.

KILLEN: Okay.
P.O.MCELLIGOTT: Or to my left just a lil bit. Um --

KILLEN: Do you close the distance on this guy?
P.O.MCELLIGOTT: We just continue to follow 'em. And um then he, at one point (inaudible) my partner decides to pull towards him. And uh at that point he, the offender turned and like in a downward stabbing motion popped the front tire. My partner um at that point said that he popped the tire. Prior to that though um he had asked for an assist.
HERBERT: (inaudible)
P.O.MCELLIGOTT: He'd asked for somebody to come with a taser. So as we're like tryin' to buy time this happens with the, the tire at uh Keeler. And then um we go a lil bit further and he decide, my partner decides to pull closer to 'em to kinda cause he knew Pulaski was comin' up and there was Burger King and there's a bunch a other stuff where people are. Decides to pull over a lil bit (noise) kinda to veer 'em off so that he'll go up one of the streets cause it's, it's a factory area. And we know it's always like pretty bare.

OIG 15-0564 000489

There's nobody around. Um it's after hours. At that point he um he, he grabs the knife and he, he stabs at the, the windshield. So um then he starts walkin' away. Stabbed at the windshield then he walks away from the squad car. And he's walkin' on the sidewalk again. And then um we can hear the cars comin'. And then once we can kinda see (noise) in the windows we could see the, the blue lights in the reflection and you could hear the, you could hear the sirens now. (noise) That's when he decides to take off runnin'. He just full on sprint. Uh I started runnin' after 'em. My partner's driving the car that has a flat. He's goin' after 'em too. He goes through two semis were parked in the back of the Burger King lot at 40th and Pulaski. He goes through, I go through and then I see another squad car pull. They're right behind 'em. They pull behind 'em, he goes through a sidewalk and then they go, they go around through and they (clears throat) they cut through on the sidewalk as well. Around the north side of Burger King. And then I'm followin' up running and as I get to Pulaski I turn right cause they all turned right. (clears throat) And I got to about the light (noise) I could see a bunch of squad cars comin'. And um (clears throat) I keep runnin' (noise) and then one of 'em is, he's lookin' to do a U turn, one of the other squad cars. Um so instead of getting hit I just stopped and I waved them to go. (noise) (clears throat) And at that point he turned around he, he's goin' um southbound slowly

so I know they're, they're stopping right there. I hear the shots at that point. And uh when I approach I think I was running down maybe the middle that's when I saw the offender layin' on the ground. And at that point Joe Walsh, Officer Walsh uh he kicked, he the gun outta, or not the gun the uh the knife out of his, his right hand. (noise) Which he was still clenching at the time. And then um (noise) asked for an ambulance and that was pretty much it.

KILLEN: (clears throat) So when you guys, you're on 40th and you see, you're kinda walkin' with this guy right? You see 'em with the knife?

P.O.MCELLIGOTT: Hmm huh.

KILLEN: Right?

P.O.MCELLIGOTT: Yes.

HERBERT: Say yes.

KILLEN: So and you see 'em uh uh you described it as a down motion, he stabbed the tire of the car right?

P.O.MCELLIGOTT: Hmm huh.

KILLEN: That's the --

P.O.MCELLIGOTT: Yes.

KILLEN: -- front passenger tire correct?

P.O.MCELLIGOTT: Front passenger tire.

OIG 15-0564 000491

KILLEN: Okay and then you also saw 'em stab the windshield?
P.O.MCELLIGOTT: Yeah.

KILLEN: Right.
P.O.MCELLIGOTT: Yes.

KILLEN: Okay. Uh and you may have said it and I may have missed it, but did you or uh Officer Gaffney get on the radio and say hey this guy's armed. He's got a knife?
P.O.MCELLIGOTT: Yes. Um it was before he said he popped the tire um my partner got on the radio and said (clears throat) said this guy has a knife. Can you send somebody with a taser over here. And then (inaudible) lil time passed by and then (clears throat) that's when the tire incident.

KILLEN: Okay.
P.O.MCELLIGOTT: And then another five, ten seconds (noise) went by and (noise) attacked the car, stabbed the windshield.

KILLEN: So you're, you were warning everybody ahead a time?
P.O.MCELLIGOTT: Yes.

KILLEN: Before you got anything, he had the knife in his hand.
P.O.MCELLIGOTT: Yes. It started with uh we asked for a taser. We said he had a knife. And then we were

OIG 15-0564 000492

giving uh kinda like a play by play (noise) stab, he stabbed our tire, he just popped our tire. And, you know and they're askin' if anybody's heading over there. And we're just waitin' for the assist cars to come.

KILLEN: And I take it you don't carry a taser?
P.O.MCELLIGOTT: I do not.

KILLEN: And then neither does Officer Gaffney correct?
P.O.MCELLIGOTT: No.

KILLEN: Okay. So then you basically follow 'em all the way to Pulaski I take it. Karlov then Keeler somethin' like that.
P.O.MCELLIGOTT: Basically yeah. It was --

KILLEN: And then when the other car comes --
P.O.MCELLIGOTT: At that point he was (noise) he darted towards Pulaski.

KILLEN: Okay.
P.O.MCELLIGOTT: From Karlov to Pulaski he was full on sprinting and I was running after 'em.

KILLEN: And you're after 'em. When he went between the trucks you went between the trucks with 'em?
P.O.MCELLIGOTT: Yeah.

KILLEN: Okay so then when he got to Pulaski he goes south?

OIG 15-0564 000493

P.O.MCELLIGOTT: When he got to Pulaski yeah he head, he went south around, he wrapped around the buildin' and (noise) then Burger King.

KILLEN: And whaddid you mean cause you lost me when you said somebody wanted to make a U turn so you let them go ahead of you.

P.O.MCELLIGOTT: There were cars coming northbound on Pulaski to assist. And they passed up, they passed him up and then came back around.

KILLEN: Oh I gotcha. Okay so he's goin' south --

P.O.MCELLIGOTT: They made a U turn --

KILLEN: I gotcha.

P.O.MCELLIGOTT: Yeah they passed him up and turned around. I don't know if they didn't see 'em or if, what their reasoning was, but they, they made a U turn and they turned kinda like right at me and I just said go and I waved 'em.

KILLEN: Now is he in the street at this time? He is runnin' in the street or is he on the sidewalk?

P.O.MCELLIGOTT: I didn't see him at that point I didn't see him because there were other squad cars in front a me. And I don't want, I finally saw him I was in the median and I ran up towards him and that's when at that point he was already down and the officer, other officer was kickin' the gun, uh knife away.

OIG 15-0564 000494

KILLEN: So were you on the median when you heard the gunshots?
P.O.MCELLIGOTT: I was, I heard the gunshots. There's a traffic light. I heard the gunshots while I was at the traffic light. And then I waved, waved the other car to go and then um by the time I got there there were no more shots.

KILLEN: At the time did you know who was shooting?
P.O.MCELLIGOTT: No I did not.

KILLEN: You didn't see anybody shooting anything like that?
P.O.MCELLIGOTT: No.

KILLEN: Okay. So by the time you got you said then he's already, the offender's already on the ground?
P.O.MCELLIGOTT: Yes.

KILLEN: Is he on his, is he on his back, (noise) his stomach? How's he --
P.O.MCELLIGOTT: He was kinda on his side. On his right side.

KILLEN: And you said he still had the knife?
P.O.MCELLIGOTT: Yeah he was holdin' it. (noise)

KILLEN: In his right hand?
P.O.MCELLIGOTT: In his right hand.

KILLEN: And that was Officer Walsh kicked it from his hand?

OIG 15-0564 000495

P.O.MCELLIGOTT: Yeah.

KILLEN: Okay. And what happens he's placed in custody?
P.O.MCELLIGOTT: Then he was, well he was obviously down, he wasn't movin' anywhere. We're surrounding him and that's (noise) (inaudible) come.

KILLEN: Okay. I mean after the knife gets kicked outta his hand, does anybody touch it to your knowledge?
P.O.MCELLIGOTT: No.

KILLEN: Do you ever touch it?
P.O.MCELLIGOTT: I didn't touch it.

KILLEN: Okay. So you didn't see, you didn't see Officer Van Dyke discharge his weapon at the offender correct?
P.O.MCELLIGOTT: No I saw 'em holding his weapon.

KILLEN: Right.
P.O.MCELLIGOTT: Just kinda (inaudible) (noise)

KILLEN: You heard gunshots but you didn't see --
P.O.MCELLIGOTT: Correct.

KILLEN: Okay. Anything you'd like to add?
P.O.MCELLIGOTT: No.

KILLEN: Everything you told me is a true and accurate account of what occurred?

OIG 15-0564 000496

P.O.MCELLIGOTT: Yes.

KILLEN: All right this will conclude the audio recorded interview of Officer uh Joseph McElligott regarding Log number 1072125 U number 14 dash 36. Today is the 21st of October 2014 and the time is approximately 0451 hours.

OIG 15-0564 000497

I, CAROL A. O'LEARY, do hereby certify or affirm that I have impartially transcribed the foregoing from an audio recording of the above-mentioned proceeding to the best of my ability.

Carol A. O'Leary

Carol A. O'Leary

OIG 15-0564 000498

STATEMENT OF P.O. THOMAS GAFFNEY

CONDUCTED BY INVESTIGATOR KILLEN

ON OCTOBER 21, 2014 AT 0406 HOURS

AT AREA CENTRAL POLICE HEADQUARTERS

LOG # 1072125

Attachment # ~~76~~ ~~85~~ 160

OIG 15-0564 000610

KILLEN: This is the audio recorded interview of Officer Thomas Gaffney regarding Log number 1072125 U number 14 dash 36. Today is the 21st of October 2014. And the time is approximately 0406 hours. This statement is bein' taken at Area Central Police Headquarters at 51st and Wentworth. My name is Investigator Killen, that's spelled K I L L E N. My star number is 1 2 9. Also present is FOP attorney Dan Herbert. (noise) Dan if you would say and spell your first and last names.

HERBERT: Sure Dan, D A N, Herbert, H E R B E R T.

KILLEN: And uh also is uh FOP Representative Kato.

KATO: K R I S T O N. Last name is K A T O. (clears throat) FOP.

KILLEN: And Officer Gaffney if you would say and spell your first and last names for me.

P.O.GAFFNEY: My first name Thomas Gaffney, T H O M A S. G A F F N E Y.

KILLEN: Okay and what's your star number?

P.O.GAFFNEY: 1 9 9 5 8.

KILLEN: And your employee number?

P.O.GAFFNEY: [redacted]

KILLEN: And your uh current unit of assignment? (noise)

P.O.GAFFNEY: 8TH District.

KILLEN: Okay and (noise) what's your date of appointment with the (noise) Department?

P.O.GAFFNEY: Uh 8 July '96.

KILLEN: And your date of birth?

P.O.GAFFNEY: [redacted]

KILLEN: How long you been in 8?

P.O.GAFFNEY: Uh since 2000, 2001 I'm sorry. Summer 2001. (clears throat)

KILLEN: All right and then you're aware that this statement has the standing of an official Department report. And that any intentional falsification of any answer to any question would be in direct violations of rules and regulations?

P.O.GAFFNEY: Yes.

KILLEN: Given that, I (sighs) I'd like to remind you that failure to provide a complete and accurate account of this incident could result in a finding of Rule 14 with discipline leading up to and including separation from the Chicago Police Department. Do you understand that?

P.O.GAFFNEY: Yes.

KILLEN: All right and then you're aware that there are no allegations against you uh regarding this incident correct?

P.O.GAFFNEY: Yes.

KILLEN: Okay. So on 20 October 2014 at approximately 2150 hours what was your duty status and assignment?

OIG 15-0564 000612

P.O.GAFFNEY: Uh this statement is not being given voluntary but under duress. I am only givin' this statement because I know I will be fired if I refuse.

KILLEN: Okay. So yesterday 20 October 2014 approximately 2150 hours what was your duty status?
P.O.GAFFNEY: Um I was on duty workin' Beat 815 Robert.

KILLEN: Okay. And were you uh were you assigned a partner?
P.O.GAFFNEY: Yes I was, Joseph McElligott.

KILLEN: Okay were you uniformed?
P.O.GAFFNEY: Yes.

KILLEN: And so was McElligott right?
P.O.GAFFNEY: Yes.

KILLEN: Okay. And you and Officer McElligott you guys were assigned a car?
P.O.GAFFNEY: Yes.

KILLEN: What kinda car?
P.O.GAFFNEY: Uh squad, marked squad car uh Tahoe.

KILLEN: Okay. Were you the driver or the passenger?
P.O.GAFFNEY: I was the driver.

KILLEN: Okay. And then last night about 2150 hours you and uh Officer McElligott were witnesses to a police-involved shooting correct?

OIG 15-0564 000613

P.O.GAFFNEY: Yes.

KILLEN: All right and um (someone clears throat) if you would, if you'd start from the beginning and just run me through what happened.

P.O.GAFFNEY: Uh we received a call holding offender at forty, 4100 South Kildare. Um there supposedly somebody had broken into a, a truck uh vehicles um tryin' to get radios somethin' like that. So we, we were on Archer approximately Kostner Kenneth. I came uh, came to the (noise) we got the job came uh down Kostner to 47th, 47th to Kildare and Kildare right to 4100 South Kildare.

KILLEN: So you were comin' from the south goin' north correct?

P.O.GAFFNEY: Yes.

KILLEN: Okay. (someone clears throat) So you got the call are you, you were dispatched?

P.O.GAFFNEY: Yes.

KILLEN: OEMC?

P.O.GAFFNEY: Yes.

KILLEN: Radio?

P.O.GAFFNEY: Yes.

KILLEN: Okay. So then when you get to 41st and Kildare what, what happens?

P.O.GAFFNEY: Uh there was a male Hispanic and a female Hispanic uh standing by a gate um to the truck

OIG 15-0564 000614

yard. Um the gate was partially opened and uh the female had a chain in 'er hand and then we stopped and spoke to them.

KILLEN: Whaddid they tell ya?

P.O.GAFFNEY: They said that the guy just went around the corner. Um he was uh in the, in the you know lot tryin' to get um tryin' to get into trucks. Uh he had uh somethin' in his hand, he had uh a wire from a phone in his hand. And he said somethin' about a iPhone, I don't know if he was sayin' that he took an iPhone or he left an iPhone but he said that he went around the corner so then we, we asked 'em you know what he looked like, what he was wearin'? He said he's a male black with the dark shirt. So at that time we, we went up the street and turned the corner. (someone clears throat)

KILLEN: So they, they, did those two, that, did that man and woman tell you which way the, the offender went?

P.O.GAFFNEY: Yes. Yeah he just pointed, he pointed north um and he said he went around the corner.

KILLEN: Okay so then that'd, that's 41st Street?

P.O.GAFFNEY: Yeah towards 40th Street.

KILLEN: Okay. And what happens then?

P.O.GAFFNEY: So we went, we went up the, up the block to 40th Street and we turned um east on 40th Street and we, (inaudible) when we turned we seen um you

OIG 15-0564 000615

know somebody walkin'. So we approached 'em, drove up to 'em and at that time we seen it was a male black with dread locks. You know and he had a dark shirt on. So at that time my, my partner had gotten outta the vehicle (clears throat) and he had his flashlight you know he's shining on 'em. You know tell 'em to come 'ere. So at that time he just kinda had a look, you know a weird look in his face you know like glazed eyes and stuff lookin' at us. So I stayed in my car in case he was gonna run. So at that time you know my partner kind of approached 'em a lil bit more and that's when he, he had seen you know tell 'em to get his hands outta his pocket cause he had one hand in his pocket. And then he had seen something in his you know a shiny object in his hand. And I, I heard 'em say you know he's got a knife. So that's when you know cuz then I, at first I was still in the car so I didn't really see, see the knife at that time. But once my partner said that that's when I kinda looked and I, at that time like I said we're all still walking or still moving. So then the street lights were a lil bit more as we were walkin' I, I seen a knife also in his hand.

KILLEN: Okay so this, so this point when you first see this guy he's on what street?

P.O.GAFFNEY: He's on 40th Street.

KILLEN: And he's, he's headed which way?

P.O.GAFFNEY: Uh east.

OIG 15-0564 000616

KILLEN: So he's headed toward Pulaski?
P.O.GAFFNEY: Yes.

KILLEN: All right is he by himself?
P.O.GAFFNEY: Yes.

KILLEN: Is he, like is he on the sidewalk --
P.O.GAFFNEY: On the, at that time he was on the sidewalk.

KILLEN: Which side of the street would he be on?
P.O.GAFFNEY: Uh south side.

KILLEN: So on the passenger side of your vehicle?
P.O.GAFFNEY: Yes. Yes.

KILLEN: All right so then you guys pull up, you pulled alongside of 'em?
P.O.GAFFNEY: Yes.

KILLEN: And then the officer --
P.O.GAFFNEY: Not quite, well not quite right next to 'em but yeah he was still like I said he was still walking but he was in front of the car. You know like in front of the area as we were walkin' and movin' at the same time.

KILLEN: You're kinda behind 'em?
P.O.GAFFNEY: Yeah, yeah but yeah.

KILLEN: And McElligott gets outta the car?
P.O.GAFFNEY: Yes.

OIG 15-0564 000617

KILLEN: Flashlight in hand.
P.O.GAFFNEY: Yes.

KILLEN: And he says come here?
P.O.GAFFNEY: Well yeah, yeah he starts you know come here. You know get your hand outta your pocket. And you know but he, he like I said he turned around, spun around a couple times and (inaudible) get to walking never said anything to us.

KILLEN: Which hand was in his pocket do you remember?
P.O.GAFFNEY: I think it was his left hand cause he had the other hand had whatever was in his, you know what he had in his hand at the time.

KILLEN: And do you know what was in his hand?
P.O.GAFFNEY: Not at that time I didn't.

KILLEN: Okay.
P.O.GAFFNEY: Like I said my partner, he, when my, my partner said he's got a knife that's when I kinda you know like I said as we were walkin' the street lights got a lil brighter and I was able to kinda look you know look over at the, and then see that he did have, you could tell you know it was in his hand and the blade was stickin' out.

KILLEN: Okay. And when you say he turned around a couple times does he keep 'em goin' east toward Pulaski?
P.O.GAFFNEY: Yeah he, he always kept goin'.

OIG 15-0564 000618

KILLEN: So he never stops?
P.O.GAFFNEY: No he never stopped he just kept walkin'. A couple times he went into the street but not, just like a step or two in the street but he just kept walkin' eastbound.

KILLEN: And he was by himself?
P.O.GAFFNEY: Yes.

KILLEN: All right so then so McElligott approaches 'em and then you hear McElligott say he's got a knife?
P.O.GAFFNEY: Yeah when he said he has a knife that's when I you know that's when I kinda like sat up a lil bit to look, to look, get a better look and that's when I, I seen it too.

KILLEN: Okay that was in his right hand then? Is that --
P.O.GAFFNEY: Yeah, yeah it was in his right hand.

KILLEN: So what happens then?
P.O.GAFFNEY: Uh at that time like I said (noise) my partner still kept you know tellin', that's what he said drop the knife, drop the knife. You know put the knife down whatever. And I got on the radio and you know got on the radio and said you know the guy's got a knn, we're at 40th and Kee, uh Keeler approachin' Keeler. Uh he's got a knife. Could we get another car over here with a taser.

OIG 15-0564 000619

KILLEN: So you don't carry a taser?
P.O.GAFFNEY: No I didn't, no.

KILLEN: McElligott he doesn't carry --
P.O.GAFFNEY: No he didn't have one either.

KILLEN: Okay. So what happens then?
P.O.GAFFNEY: Well like I said we I, I, I called it in then the dispatcher you know asked for other cars and other cars said they were comin'. So we just, we just kept stayin' you know keepin' our distance at the time you know I kept drivin' along. And um we just (noise) kept walkin' with 'em (noise) You know he never you know like came at us or anything at that time. He just kept like walkin', my partner still kept givin' 'em verbal commands and droppin' the knife and you know stop and that type a thing. But you know he just kept walkin' turning around lookin' back at us you know just that weird glaze look.

KILLEN: Did he ever say anything?
P.O.GAFFNEY: No never said a word to us at all.

KILLEN: Okay.
P.O.GAFFNEY: (Clears throat)

KILLEN: So then what happens?
P.O.GAFFNEY: We kept (noise) goin' east. When we're, we're approaching uh Karlov, 40th and Karlov I knew the next block there was the Burger King, there was a truck lot so we were gonna get more

OIG 15-0564 000620

people. So as we approached the, pretty much the corner of Karlov I like kinda turned my car towards him a lil bit on you know and you know to try and maybe get 'em to go down Karlov cause there's more, you know there's just factories so there's no people down that way. So and then uh - -

KILLEN: So the purpose of doin' that is keep 'em away from --

P.O.GAFFNEY: Yeah like try to slow 'em down until other cars got 'ere and make 'em see if he would maybe even go down the side street.

KILLEN: Okay.

P.O.GAFFNEY: You know keep 'em from getting to that more populated area where there were cars and people. (someone clears throat) So when I did that, he kinda like took a step towards and swung his uh, his arm down. When he did that that's when I heard like pssss a sound and I knew that he popped a tire. (noise)

KILLEN: Okay.

P.O.GAFFNEY: And then one, once he did that I got on the radio and said you know squad he just popped our tire. So (clears throat) --

KILLEN: Where's McElligott at this time?

P.O.GAFFNEY: He was still walk but he was, he was still walkin' with us but he was at like towards the back of the car.

OIG 15-0564 000621

KILLEN: Okay.

P.O.GAFFNEY: You know the back you know he still kept his distance. So (noise) (clears throat) once he did that, once he popped the tire again he just with that glazed stare, that glazed eye stare once he did that he like stepped back like took a step back, back away from the car. So I pulled up a lil bit further in front of 'em to you know try and maybe stop 'em or get 'em to go down that street. That's when he just took a step toward me and swung his arm really hard and hit the windshield with the knife.

HERBERT: And if I could just indicate for the record, with his right hand holdin' behind his, behind his head (someone clears throat) bringin' it down in a striking motion.

P.O.GAFFNEY: Yeah he, he as hard as he could he was attempting to break that windshield.

KILLEN: And how many times did he hit the windshield?

P.O.GAFFNEY: Just once. It was just once. Went real hard swing right, right on the windshield.

KILLEN: What happens?

P.O.GAFFNEY: Obviously nothin', I didn't see nothin' break but then he walked around the front of the car and kept walkin' eastbound on 40th Street. And then at that time, maybe 10 to 15 more feet that's when you could hear um some you know some sirens. And then a squad car came off a Pulaski onto 40th Street with their lights on. At that

OIG 15-0564 000622

time he seen that and that's when he started to run. Oh yeah I, I, I (noise) got on the radio and some, one, one of us, I don't remember but somebody did say that he was you know he started to run towards you know towards the, the truck lot, the trucks.

KILLEN: Okay so, so you're still basically sittin' over at 40th and Karlov right? You see 'nother car come up Pulaski?

P.O.GAFFNEY: Yeah that's, yeah he, 'nother car came off Pulaski onto 40th Street.

KILLEN: So --

P.O.GAFFNEY: That, that's when he seen that and that's when he started runnin'.

KILLEN: So when they turn west on 40th he runs --

P.O.GAFFNEY: Yeah he runs --

KILLEN: -- east towards Pulaski?

P.O.GAFFNEY: -- he, he, he's still goin' towards Pulaski but he went off a, off a the sidewalk and um into, it was like a, an empty space where the trucks, the truckers park so they can sleep or whatever. And he (noise) ran that way between two trucks.

KILLEN: Okay. (noise)

P.O.GAFFNEY: So at that time (noise) my partner started runnin' and I drove the car, I drove the car up to the entrance of the Burger King lot and went

OIG 15-0564 000623

into the Burger King lot. And before I did that the other car that came off went into the Burger King lot also. So I just, I seen 'em come outta, between the trucks. I ran, I kept drivin' towards, towards the, the end of the lot, towards Pulaski and that's, he ran and then I stopped cause I (noise) my tire was pretty much flat. So I couldn't get, I wasn't gonna go over the curb and then the other car was behind 'em. He ran into like towards the street and the other car followed 'em went over the curb and followed 'em.

KILLEN: Do you know who, who's that other car you're talkin' about? Do you know who that is?

P.O.GAFFNEY: At the time I didn't but now I know it was 845 Robert.

KILLEN: Okay. And that's the car he's talkin' 'bout Pulaski and --

P.O.GAFFNEY: Yeah.

KILLEN: -- where they U turn and go back at 'em?

P.O.GAFFNEY: That's the one, that's the one yeah that's the one that I, I (noise) know, I found out that was the one that went over the curb, yeah.

KILLEN: Okay so you stop your (someone clears throat) car where then?

P.O.GAFFNEY: Pretty much right behind the parkin' lot. Before, before going over the curb and into the street. (noise)

OIG 15-0564 000624

KILLEN: Okay. And then, and you stopped because of the (noise) flat?

P.O.GAFFNEY: Yeah cause I, I, I didn't wanna, I didn't know if I was gonna make it over the, cuz it was like you know that lil part there's like lil the, the, cement tongue if you will, that, that's the parkin' lot. (noise) You know if I was gonna get over it.

KILLEN: And you see 845 Robert continue.

P.O.GAFFNEY: Yeah they went they continued followin' 'em and went into the street. So I --

KILLEN: And that's Pulaski you're talkin' about?

P.O.GAFFNEY: Yeah. Into Pulaski. So I spun around went behind the park, behind the Burger King you know there's a street, (inaudible) back towards Pulaski where it goes out to the street on Pulaski. (noise)

KILLEN: Okay so, so you don't take the curb at all. You just --

P.O.GAFFNEY: No, no I, I, I turn around, I turned around and went around the parkin' lot to, to get out where there's a, there's the light on 41st Street. (noise)

KILLEN: And that's where your car's stopped?

P.O.GAFFNEY: And then yeah I turned on Pulaski and that's where my, that's where I finally stopped.

OIG 15-0564 000625

KILLEN: That's when, when I saw your car was south, facin' south --
P.O.GAFFNEY: Yes. Yes that's right, that's where I stopped.

KILLEN: Okay so then do you see what happens then after, with, with the offender and 845 Robert then?
P.O.GAFFNEY: No that was all, yeah that was I believe done before I got onto Pulaski. Cause I, I spun around and that's when I, I heard, I started to hear shots before I got onto Pul, I think when I got onto Pulaski there was other cars and stuff in front of me too. So I didn't see what exactly was goin' on.

KILLEN: So you're basically goin' around Burger King.
P.O.GAFFNEY: Yeah that's when the shots I believe that's when the shots started firin'.

KILLEN: You heard gunshots?
P.O.GAFFNEY: Yeah.

KILLEN: At the time did you know who was shootin'?
P.O.GAFFNEY: No I didn't know.

KILLEN: Could you see who was shootin'?
P.O.GAFFNEY: No.

KILLEN: That's because --
P.O.GAFFNEY: Well there's a, yeah well there's a fence also right, opposite side of Burger King where, where we blocked, pretty much blocked. The fence

OIG 15-0564 000626

with uh, like a covering you know covering fence so nobody could see through the fence. Cause they were building some stuff there. So yeah there was that was all blockin' me.

KILLEN: There's (noise) no line a sight.
P.O.GAFFNEY: No, no.

KILLEN: Okay.
P.O.GAFFNEY: No.

KILLEN: So then by the time you, you get south on Pulaski there's no more shooting correct?
P.O.GAFFNEY: I believe yeah I believe so. I don't (noise) remember any shooting at, at, when I got onto Pulaski.

KILLEN: Where (noise) when you got on Pulaski and you're goin' south could you see the offender still?
P.O.GAFFNEY: No not, not until I got outta the car and started to go you know 'round to, to where everything was goin' on.

KILLEN: Where was he?
P.O.GAFFNEY: The offender he was on the ground at the time when I, when I got over there.

KILLEN: Okay. And it's after that then you find out who's shooting what happened?
P.O.GAFFNEY: Yeah, yeah.

OIG 15-0564 000627

KILLEN: Okay. (noise) You didn't see the shooting, you, you (noise) you didn't see Officer Van Dyke discharge the weapon?
P.O.GAFFNEY: No I didn't, no.

KILLEN: Okay. (sighs) And then that, that, (noise) the two people that called 9 1 1 said they were holdin' the offender.
P.O.GAFFNEY: Hmm huh.

KILLEN: Do you have any idea who they are?
P.O.GAFFNEY: No not at the time, no. Cause right when they just said he went around the corner, they gave a quick description. We just wanted to go and you know see if we can catch 'em. We didn't know how long ago it was. Or where he would've went. So we just you know went and see if we could grab 'em and figured they woulda still been there when we got back.

KILLEN: Okay. And then the knife that the offender had, as best you can describe it to me?
P.O.GAFFNEY: Uh all silver, real bright. And prob'ly 'bout four to six inch blade.

KILLEN: Okay. All right. Uh was there anything you'd like to add?
P.O.GAFFNEY: No.

KILLEN: All right everything you told me is a true and accurate account of what occurred?
P.O.GAFFNEY: Yes.

OIG 15-0564 000628

KILLEN: All right this will conclude the audio recorded interview of Officer Thomas Gaffney regarding Log number 1072125 U number 14 dash 36. Today is the 21st of October 2014. The time is approximately 0424 hours.

OIG 15-0564 000629

I, CAROL A. O'LEARY, do hereby certify or affirm that I have impartially transcribed the foregoing from an audio recording of the above-mentioned proceeding to the best of my ability.

Carol A. O'Leary

Carol A. O'Leary

OIG 15-0564 000630

HICAGO POLICE DEPARTMENT

ASE SUPPLEMENTARY REPORT

10 S. Michigan Avenue, Chicago, Illinois 60653
use by Chicago Police - Bureau of Investigative Services Personnel Only)

HX475653

Case id : 9825613
Sup ID : 10992767 CASR301

XC. CLEARED CLOSED (OTHER EXCEPTIONAL) | **DETECTIVE SUP. APPROVAL COMPLETE**

Offense Classification/Re-Classification	IUCR Code	Original Offense Classification			IUCR Code
AULT / Aggravated Po:Knife/Cut Instr	**0552**	ASSAULT / Aggravated Po:Knife/Cut Instr			0552
ddress of Occurrence	Beat of Occur	No of Victims	No of Offenders	No of Arrested	SCR No
112 S PULASKI RD	**815**	4	1	1	
ocation Type	Location Code	Secondary Location			Hate Crime?
Street	**304**				NO
ate of Occurrence	Unit Assigned	Date RO Arrived	Fire Related?	Gang Related?	Domestic Related?
20-OCT-2014 21:57	**0841R**	20-OCT-2014 21:57	NO	NO	NO

Reporting Officer	Star No	Approving Supervisor	Star No	Primary Detective Assigned	Star No
MARCH, David	20563	WOJCIK, Anthony	481	MARCH, David	20563
Date Submitted		Date Approved		Assignment Type	
15-MAR-2015 18:26		16-MAR-2015 00:03		FIELD	

THIS IS A FIELD INVESTIGATION EXC. CLEARED CLOSED (OTHER EXCEPTIONAL) REPORT

VICTIM(S) :

GAFFNEY, Thomas J
Male / White / 41 Years
EMPLOYMENT: Chicago Police Officer #19958 Chicago Police Officer
EMPLOYER BUSINESS NME: Chicago Police Department
BUS: 3420 W 63rd St
Chicago IL
312-747-8730

MCELLIGOTT, Joseph P
Male / White / 36 Years
EMPLOYMENT: Chicago Police Officer #18715 Chicago Police Officer
EMPLOYER BUSINESS NME: Chicago Police Department
BUS: 3420 W 63rd St
Chicago IL
312-747-8730

VAN DYKE, Jason D
Male / White / 36 Years
EMPLOYMENT: Chicago Police Officer #9465 Chicago Police Officer
EMPLOYER BUSINESS NME: Chicago Police Department
BUS: 3420 W 63rd St
Chicago IL
312-747-8730

WALSH, Joseph J
Male / White / 45 Years
EMPLOYMENT: Chicago Police Officer #12865 Chicago Police Officer
EMPLOYER BUSINESS NME: Chicago Police Department
BUS: 3420 W 63rd St
Chicago IL

HX475653

312-747-8730

OFFENDER(S): **MCDONALD, Laquan J** -- In Custody --

ALIAS: "Bon-Bon"
Male / Black / 17 Years
DOB: [redacted]
RES: [redacted]
BIRTH PL: Illinois
DESCRIPTION: 6'02,180,Black Hair, Dreadlocks Hair Style, Brown Eyes, Medium Complexion

ITEM USED:
Weapon
DLN/ID: [redacted]
OTHER IDENTIFICATIONS: **Type -** Other Id
State - Unknown

IR #: 2106340
SID #: IL18550721
ORGANIZATION: NEW BREED
RELATIONSHIP OF VICTIM TO OFFENDER:

GAFFNEY, Thomas No Relationship
MCELLIGOTT, Joseph No Relationship
VAN DYKE, Jason No Relationship
WALSH, Joseph No Relationship

GANG INFORMATION:
LISTED CRIMINAL ORGANIZATION: New Breed
GANG IDENTIFIERS: Other

OFFENDER INJURIES: **MCDONALD, Laquan J**

Type	Weapon Used	Weapon Description
Gun Shot Wound	Handgun	Other -Handgun

Injured by Police
Chicago Fire Department Provided First Aid
EXTENT OF INJURY: Multiple Gsw
HOSPITAL REMOVED BY: Cfd Ambulance 21

HOSPITAL: Mt. Sinai
INJURY TREATMENT: Multiple Gsw
PHYSICIAN NAME: Dr Pitzele
INV #: **13296449**

WEAPON(S): **Evidence**

Smith & Wesson -Us- (Bodyguard,Chief Special) , 5942 , 9 , Semi-Automatic Pistol , Semi-Automatic , 4" , Stainless

SERIAL #: [redacted]

MAGAZINE CAPACITY: 15

Number Of Live Rounds present in the Firearm - 15

Number Of Live Rounds used in the Firearm - 16

The Status Of This Firearm is 628361

PROPERTY TYPE: Other

OWNER: Van Dyke, Jason

POSSESSOR/USER: Van Dyke, Jason

PHONE #: 312 - 747 - 8730

LOCATION FOUND: 5101 S Wentworth Ave

VEHICLE INFO:

Truck , 2010 / Chevrolet / Tahoe / Truck

, Victims Vehicle

VIN: 1GNMCAE0XAR263348 **Evidence**

YEAR (RANGE): 2010

COLOR (TOP/BOTTOM): White / White

OWNER: Chicago Police Department

POSSESSOR/USER: Gaffney, Thomas

PHONE#: 312 - 747 - 8730

LOCATION FOUND: 4102 S Pulaski Rd

LICENSE: MP6581, Law Enforcement (City, County, State, Sos), IL

LOCATION OF INCIDENT:

4112 S Pulaski Rd
Chicago IL
304 - Street

DATE & TIME OF INCIDENT: 20-OCT-2014 21:57

WEATHER AND LIGHTING:

WEATHER: Cloudy & Cool

TEMPERATURE: 50s

LIGHTING: Dark / Artificial Light

LIGHTING SOURCE: Streetlights

DISTANCE: Overhead

MOTIVE CODE(S): Interceding In A Felony

CAUSE CODE(S): Dna

METHOD CODE(S): Offender Shot

CAU CODE(S): Police Related Not Con

FIREARM(S) RECOVERED: **INV #: 13296449** **Evidence**

Smith & Wesson -Us- (Bodyguard,Chief Special) , 5942 , 9 , Semi-

Automatic Pistol , Semi-Automatic , 4" , Stainless
SERIAL #: [redacted]
PROPERTY TYPE: Other

OWNER: Van Dyke, Jason
POSSESSOR/USER: Van Dyke, Jason

PHONE #: 312 - 747 - 8730
LOCATION FOUND: 5101 S Wentworth Ave

MAGAZINE CAPACITY: 15
Number Of Live Rounds present in the Firearm - 15
Number Of Live Rounds used in the Firearm - 16

/EHICLE(S) DAMAGED: **Truck , 2010 / Chevrolet / Tahoe / Truck**
VIN: 1GNMCAE0XAR263348 **Evidence**

YEAR - YEAR RANGE END: 2010
COLOR (TOP/BOTTOM): White / White
OWNER: Chicago Police Department
POSSESSOR/USER: Gaffney, Thomas

PHONE#: 312 - 747 - 8730
LOCATION FOUND: 4102 S Pulaski Rd
LICENSE: MP6581, Law Enforcement (City, County, State, Sos), IL

PERSONNEL ASSIGNED:
Detective/Investigator
MARCH, David M # 20563
Reporting Officer
FONTAINE, Dora # 4484 BEAT: 0841R

WITNESS(ES) :
BACERRA, Arturo
Male / White Hispanic / 32 Years
EMPLOYMENT: Chicago Police Officer #15790 Chicago Police Officer
BUS: 3420 W 63rd St
Chicago IL
312-747-8730
[redacted]
Female / White Hispanic / 29 Years
DOB: [redacted]
RES: 5340 Prairie
[redacted]

OTHER COMMUNICATIONS:
Cellular [redacted]
Phone :
[redacted]

Female / White Hispanic / 19 Years

DOB: [redacted]

RES: [redacted]

BUS: [redacted]

DLN/ID: [redacted]

Male / White Hispanic / 18 Years

DOB: [redacted]

RES: [redacted]

OTHER COMMUNICATIONS:

[redacted]
Phone :

DLN/ID: [redacted]

Female / White Hispanic / 24 Years

DOB: [redacted]

RES: [redacted]

EMPLOYMENT: Shift Manager

BUS: [redacted]

OTHER COMMUNICATIONS:

Cellular [redacted]
Phone :

FONTAINE, Dora

Female / White Hispanic / 47 Years

EMPLOYMENT: Chicago Police Officer #4484 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

[redacted]

Male / White Hispanic / 25 Years

DOB: [redacted]

RES: [redacted]

BUS: [redacted]

OTHER COMMUNICATIONS:

Cellular Phone : [redacted]

SSN: [redacted]

[redacted]

Female / White Hispanic / 30 Years

DOB: [redacted]

RES: [redacted]

OTHER COMMUNICATIONS:

Cellular Phone : [redacted]

[redacted]

Male / White Hispanic / 24 Years

DOB: [redacted]

RES: [redacted]

SSN: [redacted]

DLN/ID: [redacted]

MONDRAGON, Janet

Female / White Hispanic / 37 Years

EMPLOYMENT: Chicago Police Officer #4364 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

SEBASTIAN, Daphne L

Female / White / 45 Years

EMPLOYMENT: Chicago Police Officer #2763 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

VELEZ, Leticia

Female / White Hispanic / 43 Years

EMPLOYMENT: Chicago Police Officer #10385 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

VIRAMONTES, Ricardo

Male / White Hispanic / 41 Years

EMPLOYMENT: Chicago Police Officer #10590 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL

312-747-8730

OTHER INDIVIDUALS INVOLVED:

[redacted] (Additional Victim)
Male / White Hispanic / 43 Years
DOB: [redacted]
RES: [redacted]
EMPLOYMENT: Self-Employed Truck Driver
OTHER COMMUNICATIONS:
Cellular Phone : [redacted]
DLN/ID: [redacted] :

[redacted] (Family Member Notified)
Male / Black / 25 Years
DOB: [redacted]
RES: [redacted]
OTHER COMMUNICATIONS:
Other : [redacted]

[redacted] (Person Interviewed Non-Witness)
Female / White Hispanic / 62 Years
DOB: [redacted]
RES: [redacted]
BUS: [redacted]

[redacted] (Person Interviewed Non-Witness)
Female / White Hispanic / 39 Years
DOB: [redacted]
RES: [redacted]
BUS: [redacted]

CRIME CODE SUMMARY: 0552 - Assault - Aggravated Po:Knife/Cut Instr

OTHER ASSOCIATIONS: 0552 - Assault - Aggravated Po:Knife/Cut Instr

GAFFNEY, Thomas, J (Victim)

MCDONALD, Laquan, J	(Offender)
MCELLIGOTT, Joseph, P	(Victim)
MCDONALD, Laquan, J	(Offender)
MCDONALD, Laquan, J	(Offender)
VAN DYKE, Jason, D	(Victim)
MCDONALD, Laquan, J	(Offender)
WALSH, Joseph, J	(Victim)

ICIDENT NOTIFICATIONS:

NOTIFICATION DATE & TIME: 10/20/2014:230700
REQUEST TYPE: Notification
PERSON NAME: ,Sarlo
STAR #: 13131
EMP #:

NOTIFICATION DATE & TIME: 10/20/2014:231400
REQUEST TYPE: Notification
PERSON NAME: ,Jines
STAR #: 4898
EMP #:

NOTIFICATION DATE & TIME: 10/20/2014:215000
REQUEST TYPE: On Scene
PERSON NAME: ,March
STAR #: 20563
EMP #:

NOTIFICATION DATE & TIME: 10/21/2014:225800
REQUEST TYPE: Notification
PERSON NAME: ,Chibe
STAR #: 7303
EMP #:

NOTIFICATION DATE & TIME: 10/20/2014:235000
REQUEST TYPE: Notification
PERSON NAME: ,Briggs
STAR #:
EMP #: 76

REPORT DISTRIBUTIONS: No Distribution

INVESTIGATION:

AREA CENTRAL FIELD INVESTIGATION:

Exceptionally Cleared Closed /
Other Exceptional Clearance - Death of Offender.

The full format for this investigation is contained in the previous Progress - Scene Report.

INVESTIGATION:

The reporting detective was assigned to the immediate follow-up investigation of this police officer involved shooting incident, by Sergeant Daniel GALLAGHER of this command. The reporting detective proceeded to the scene of the incident at 4112 South Pulaski Road. The officer involved in the shooting was located and interviewed at the scene.

VAN DYKE, Jason D -----

stated he was a Chicago Police Officer assigned to the 008th District. He was on duty, in uniform, working on Beat 845R. VAN DYKE was working with Police Officer Joseph WALSH. The two officers were assigned to Chicago Police Department vehicle number 6412, a marked Chevrolet Tahoe, four door sport utility vehicle. WALSH was driving the vehicle and VAN DYKE was the passenger.

The two officers responded to a request for assistance from Beat 815R, regarding a man with a knife, on 40th Street, west of Pulaski Road. A unit equipped with a taser had also been requested. Officer VAN DYKE heard the radio transmission when Officer Thomas GAFFNEY said the man with a knife had "popped" the tire of GAFFNEY's police vehicle. VAN DYKE understood this to mean the subject had slashed the tire with his knife. As Officer WALSH drove westbound on 40th Street from Pulaski, VAN DYKE observed a black male subject, now known as Laquan MCDONALD, running eastbound in the parking lot of the Burger King restaurant on the southwest corner of 40 Street and Pulaski. MCDONALD was holding a knife in his right hand. VAN DYKE saw Police Officer Joseph MCELLIGOTT pursuing MCDONALD on foot. VAN DYKE also saw a civilian who was standing on 40th Street pointing to MCDONALD.

Officer WALSH drove eastbound in the parking lot, in pursuit of MCDONALD, on the north side of the Burger King restaurant building. WALSH used the police vehicle to block MCDONALD from entering the restaurant. MCDONALD ran out onto Pulaski Road and then turned southbound, running toward a Dunkin' Donuts restaurant, on the east side of Pulaski, south of the Burger King. WALSH positioned the police vehicle between MCDONALD and the Dunkin' Donuts to block his path towards that restaurant. When WALSH slowed the police vehicle alongside MCDONALD, Officer VAN DYKE opened the right front door of the vehicle to exit and confront MCDONALD. WALSH told VAN DYKE to stay in the vehicle as they were too close to MCDONALD to safely exit their vehicle. WALSH drove on southbound and stopped the police vehicle ahead of MCDONALD.

Officer VAN DYKE exited the vehicle on the right side and drew his handgun. As VAN DYKE stood in the street on Pulaski, facing northbound, toward MCDONALD, MCDONALD approached southbound. MCDONALD was holding the knife in his right hand, in an underhand grip, with the blade pointed forward. He was swinging the knife in an aggressive, exaggerated manner. VAN DYKE ordered MCDONALD to "Drop the knife!" multiple times. MCDONALD ignored VAN DYKE's verbal direction to drop the knife and continued to advance toward VAN DYKE.

When MCDONALD got to within 10 to 15 feet of Officer VAN DYKE, MCDONALD looked toward

VAN DYKE. MCDONALD raised the knife across his chest and over his shoulder, pointing the knife at VAN DYKE. VAN DYKE believed MCDONALD was attacking VAN DYKE with the knife, and attempting to kill VAN DYKE. In defense of his life, VAN DYKE backpedaled and fired his handgun at MCDONALD, to stop the attack. MCDONALD fell to the ground but continued to move and continued to grasp the knife, refusing to let go of it. VAN DYKE continued to fire his weapon at MCDONALD as MCDONALD was on the ground, as MCDONALD appeared to be attempting to get up, all the while continuing to point the knife at VAN DYKE. The slide on VAN DYKE's pistol locked in the rearward position, indicating the weapon was empty. VAN DYKE performed a tactical reload of his pistol with a new magazine and then assessed the situation.

MCDONALD was no longer moving and the threat had been mitigated, so Officer VAN DYKE and Officer WALSH approached MCDONALD. MCDONALD was still holding the knife in his right hand. VAN DYKE continued to order MCDONALD to "Drop the knife!" Officer WALSH told VAN DYKE, "I have this." VAN DYKE then used his handgun to cover WALSH as WALSH walked up and forcibly kicked the knife out of MCDONALD's right hand, thereby eliminating the threat to the officers.

Officer WALSH then notified the dispatcher on the police radio that shots had been fired by the police. Officer VAN DYKE requested an ambulance for MCDONALD on the radio.

Officer VAN DYKE's weapon was a Smith and Wesson, nine millimeter, semi-automatic pistol, with a 15 round magazine. VAN DYKE said the pistol was fully loaded at the beginning of his tour of duty, with 15 cartridges in the magazine and one cartridge in the firing chamber.

It was noted that the uniform Officer VAN DYKE was wearing consisted of a light blue long sleeve uniform shirt, with shoulder patches; black body armor vest, with patches; navy blue cargo pants; and equipment belt with handgun and radio.

The reporting detective then interviewed Officer VAN DYKE's partner.

WALSH, Joseph J -----

stated he was a Chicago Police Officer assigned to the 008th District. WALSH related the same facts as his partner, Officer Jason VAN DYKE.

WALSH added that as Laquan MCDONALD ran eastbound through the Burger King parking lot, WALSH used the police vehicle he was driving to block MCDONALD from entering the restaurant.

As MCDONALD ran southbound on Pulaski Road, from the Burger King, WALSH pursued MCDONALD in the police vehicle. WALSH drove southbound in the northbound lanes to get ahead of MCDONALD, keeping the police vehicle between MCDONALD and a Dunkin' Donuts restaurant, on the east side of Pulaski. As their vehicle passed MCDONALD, Officer VAN DYKE opened the right front door of their vehicle, to exit the truck and confront MCDONALD. WALSH, realizing that at this point they were too close to the armed MCDONALD to safely exit the vehicle, told VAN DYKE to wait until they got further ahead of MCDONALD. WALSH drove further south on Pulaski. He stopped his vehicle south of MCDONALD and exited the driver's door as VAN DYKE exited the right side of the vehicle. WALSH drew his handgun when he exited the vehicle.

Officer WALSH came around the rear of the police vehicle and joined Officer VAN DYKE on the right side of the vehicle. WALSH also stood in the street on Pulaski, facing northbound, as MCDONALD walked southbound toward the officers. WALSH ordered MCDONALD to "Drop the knife!" multiple times as MCDONALD approached the officers.

Officer WALSH also backed up, attempting to maintain a safe distance between himself and MCDONALD. MCDONALD ignored the verbal direction given by both WALSH and Officer VAN DYKE, and continued to advance toward the officers. When MCDONALD got to within 12 to 15 feet of the officers he swung the knife toward the officers in an aggressive manner. VAN DYKE opened fire with his handgun and MCDONALD fell to the ground. VAN DYKE continued firing his weapon at MCDONALD as MCDONALD continued moving on the ground, attempting to get up, while still armed with the knife.

When the gunfire stopped and MCDONALD was not moving anymore, WALSH approached MCDONALD with VAN DYKE. WALSH continued to order MCDONALD to "Drop the knife!" multiple times, as MCDONALD was still holding the knife in his right hand. WALSH forcibly kicked the knife out of MCDONALD's hand and then notified the dispatcher on the police radio that shots had been fired by the police. An ambulance was also requested for MCDONALD.

As they waited for the ambulance to respond to the scene, Officer WALSH told MCDONALD to "hang in there," and that an ambulance was on the way.

Officer WALSH said he believed MCDONALD was attacking WALSH and Officer VAN DYKE with the knife and attempting to kill them when the shots were fired. WALSH stated he did not fire his handgun because VAN DYKE was in the line of fire between WALSH and MCDONALD. WALSH thought VAN DYKE fired eight or nine shots total.

It was noted that Officer WALSH wore the same uniform configuration as Officer VAN DYKE.

The officers assigned to Beat 815R were interviewed.

GAFFNEY, Thomas J -----

stated he was a Chicago Police Officer assigned to the 008th District. He was on duty, in uniform, working on Beat 815R. GAFFNEY was working with Police Officer Joseph MCELLIGOTT. The two officers were assigned to Chicago Police Department vehicle number 8489, a marked Chevrolet Tahoe, four door sport utility vehicle. GAFFNEY was driving the vehicle and MCELLIGOTT was the passenger.

The officers responded to an assignment of holding an offender for breaking into trucks at 41st Street and Kildare Avenue. Upon arrival at that location they met an Hispanic couple who told the officers a black male subject, wearing a dark shirt, had attempted to break into trucks parked in the parking lot at that location. The couple told the officers the subject had walked off and was last seen walking eastbound on 40th Street from Kildare.

Officer GAFFNEY drove northbound on Kildare to 40th Street. When he turned eastbound onto 40th Street he saw a black male subject wearing dark clothing, walking eastbound on the sidewalk,

on the south side of the street. Officer MCELLIGOTT exited the police vehicle to approach the subject, now known as Laquan MCDONALD. GAFFNEY stayed in the vehicle in case MCDONALD fled. MCELLIGOTT called to MCDONALD and told him to stop but MCDONALD continued walking eastbound, ignoring MCELLIGOTT. MCDONALD's hands were in his pockets as he walked. MCELLIGOTT told MCDONALD to take his hands out of his pockets. MCDONALD took his hands out of his pockets and MCELLIGOTT told GAFFNEY that MCDONALD had a knife. GAFFNEY then saw a silver colored knife in MCDONALD's right hand. GAFFNEY also saw that MCELLIGOTT had his handgun drawn at this point. MCELLIGOTT repeatedly ordered MCDONALD to "Drop the knife," but MCDONALD ignored these directions. As MCDONALD reached Keeler Avenue, GAFFNEY notified the dispatcher on the police radio that they were following a subject with a knife and requested assistance from a unit equipped with a taser.

MCDONALD continued walking eastbound, Officer MCELLIGOTT following on foot and Officer GAFFNEY following in the police vehicle. As MCDONALD approached Karlov Avenue, GAFFNEY turned the Tahoe southbound onto Karlov and stopped, blocking the crosswalk. GAFFNEY said he wanted to stop MCDONALD before he reached Pulaski Road, a business street where more civilians were present. The area where MCDONALD was first observed was industrial in nature with no other civilians present. When GAFFNEY stopped his vehicle in front of MCDONALD, blocking his path, MCDONALD stabbed the right front tire of the Tahoe with his knife, causing the tire to go flat. GAFFNEY immediately informed the radio dispatcher that MCDONALD had "popped" the tire. MCDONALD attempted to walk around the front of the police vehicle and GAFFNEY drove the Tahoe forward a short distance to continue to block MCDONALD's path. MCDONALD then stabbed at the windshield of the Tahoe with the knife, striking the right side of the windshield. MCDONALD then continued walking eastbound from Karlov.

As MCDONALD approached the Burger King restaurant parking lot at 40th Street and Pulaski, assisting police units arrived, approaching westbound on 40th Street from Pulaski. MCDONALD began to run eastbound through the restaurant parking lot, on the north side of the Burger King building. He ran out onto Pulaski and then turned and ran southbound on Pulaski. Beat 845R pursued MCDONALD in their police vehicle, eastbound through the parking lot, over the curb at Pulaski, then southbound on Pulaski. Officer GAFFNEY lost sight of MCDONALD when he turned southbound on Pulaski.

Because of the flat tire on his vehicle, Officer GAFFNEY did not drive over the curb. As he drove around out onto Pulaski, GAFFNEY heard multiple gunshots in rapid succession. He did not see who was shooting. When he reached Pulaski MCDONALD was lying on the ground.

It was noted that Officer GAFFNEY wore the same uniform configuration as Officer VAN DYKE with the addition of the uniform baseball style cap with embroidered patch.

MCELLIGOTT, Joseph P -----

stated he was a Chicago Police Officer assigned to the 008th District. MCELLIGOTT related the same facts as his partner, Officer Thomas GAFFNEY.

Officer MCELLIGOTT added that after he exited the police vehicle, when Laquan MCDONALD took his hands out of his pockets and MCELLIGOTT saw MCDONALD holding a knife in his right

hand, MCELLIGOTT drew his handgun. He repeatedly ordered MCDONALD to "Drop the knife." MCDONALD ignored MCELLIGOTT's directions and continued to walk eastbound on 40th Street. MCELLIGOTT followed MCDONALD on foot, maintaining a safe distance between himself and the armed MCDONALD.

Officer MCELLIGOTT heard Officer GAFFNEY request assistance and a unit with a taser over the police radio. GAFFNEY attempted to use the police vehicle to block MCDONALD from continuing on toward the Burger King restaurant at Pulaski Road. At this point MCDONALD stabbed the right front tire and the windshield of the police vehicle. MCELLIGOTT began to hear the sirens of approaching assisting police units and MCDONALD began to run toward the Burger King restaurant.

When MCDONALD ran eastbound through the parking lot of the Burger King, Officer MCELLIGOTT ran after MCDONALD in pursuit. MCELLIGOTT ran out into the middle of Pulaski Road in pursuit of MCDONALD. MCELLIGOTT heard multiple gunshots but did not see who fired the shots. The gunfire was continuous, one shot after another. MCELLIGOTT then saw MCDONALD lying on the ground. MCELLIGOTT saw Officer Joseph WALSH kick the knife out of MCDONALD's hand.

It was noted that Officer MCELLIGOTT wore the same uniform configuration as Officer VAN DYKE.

Other officers who responded to this incident were also interviewed.

SEBASTIAN, Daphne L —

stated she was a Chicago Police Officer assigned to the 008th District. She was on duty, in uniform, working on Beat 813R. SEBASTIAN was working with Police Officer Janet MONDRAGON. The two officers were assigned to a marked vehicle. MONDRAGON was driving the vehicle and SEBASTIAN was the passenger.

The two officers responded to the request for assistance made by Beat 815R, regarding a subject with a knife. Officer SEBASTIAN thought the original call for assistance was at 40th Street and Keeler Avenue. The subject had punctured a tire on the police vehicle of Beat 815R. Officer MONDRAGON drove northbound on Pulaski Road, following Beat 845R, as they also responded to the request for assistance. MONDRAGON turned westbound onto 40th Street, behind Beat 845R.

Officer SEBASTIAN observed a black male subject, now known as Laquan MCDONALD, running southeast bound through the parking lot of the Burger King restaurant. Beat 845R pursued MCDONALD in their police vehicle, through the parking lot, toward Pulaski. SEBASTIAN told Officer MONDRAGON to drive back out onto Pulaski to assist in the pursuit. MCDONALD ran out onto Pulaski and continued to run southbound down the middle of the street. Beat 845R pursued MCDONALD in their vehicle, southbound on Pulaski, followed by Beat 813R. As MCDONALD ran southbound on Pulaski, SEBASTIAN saw the knife in his right hand. MCDONALD was waving the knife.

Beat 845R stopped their vehicle ahead of MCDONALD, between MCDONALD and the Dunkin'

Donuts restaurant on the east side of Pulaski. Officers Joseph WALSH and Jason VAN DYKE exited their vehicle and drew their handguns. MCDONALD turned toward the two officers and continued to wave the knife. Sebastian heard the officers repeatedly order MCDONALD to "Drop the knife!" MCDONALD ignored the verbal directions and continued to advance on the officers, waving the knife. Officer SEBASTIAN heard multiple gunshots and MCDONALD fell to the ground, where he continued to move. SEBASTIAN did not know who fired the shots, which were fired in one continuous group. She then saw Officer WALSH kick the knife out of MCDONALD's hand.

MONDRAGON, Janet -----

stated she was a Chicago Police Officer assigned to the 008th District. MONDRAGON related the same facts as her partner, Officer Daphne SEBASTIAN.

Officer MONDRAGON added that as she drove westbound on 40th Street, she saw Officer MCELLIGOTT running eastbound through the Burger King parking lot. She made a U-turn and drove back out onto Pulaski Road. MONDRAGON turned southbound onto Pulaski. She saw Laquan MCDONALD running southbound on Pulaski, in the middle of the street. As she got closer she could see MCDONALD was holding a knife in his right hand. He was waving the knife.

Officer MONDRAGON saw Officers Joseph WALSH and Jason VAN DYKE outside of their police vehicle. She heard the officers repeatedly ordering MCDONALD to "Drop the knife!" as MCDONALD got closer and closer to the officers, continuing to wave the knife. As she was placing her vehicle transmission into Park, MONDRAGON looked down and heard multiple, continuous gunshots, without pause. MONDRAGON then saw MCDONALD fall to the ground. MONDRAGON did not know who fired the shots.

BACERRA, Arturo -----

stated he was a Chicago Police Officer assigned to the 008th District. He was on duty, in uniform, working on Beat 822. BACERRA was working with Police Officer Leticia VELEZ. The two officers were assigned to a marked vehicle. BACERRA was driving the vehicle and VELEZ was the passenger.

Officer BACERRA and his partner responded to the request for assistance made by Beat 815R, regarding a subject who was armed with a knife. BACERRA was driving northbound on Pulaski Road from 47th Street. As he approached the scene of this incident, at 4112 South Pulaski, he observed a black male subject, now known as Laquan MCDONALD, in the middle of the street, flailing his arms. As he got closer, BACERRA observed MCDONALD to be holding a knife in his right hand. BACERRA drove past MCDONALD, with MCDONALD on the left side of the police vehicle, as Beat 845R drove past BACERRA, on the right side of his vehicle, travelling southbound. As BACERRA began to make a U-turn, he heard multiple gunshots. He then saw MCDONALD lying on the ground. BACERRA did not see who fired the shots.

VELEZ, Leticia -----

stated she was a Chicago Police Officer assigned to the 008th District. VELEZ related the same facts as her partner, Officer Arturo BACERRA.

Officer VELEZ added that as they approached the scene she observed Laquan MCDONALD standing in the middle of the street, holding a shiny object in his right hand. She saw him waving the object in the air. Officer BACERRA drove past MCDONALD and began to make a U-turn, when VELEZ heard multiple gunshots, without pause or delay. She then saw MCDONALD fall to the ground. VELEZ did not see who fired the shots. She did see an unknown officer kick the knife from MCDONALD's hand after he was down on the ground.

FONTAINE, Dora -----

stated she was a Chicago Police Officer assigned to the 008th District. She was on duty, in uniform, working on Beat 841R. FONTAINE was working with Police Officer Ricardo VIRAMONTES. The two officers were assigned to a marked vehicle. VIRAMONTES was driving the vehicle and FONTAINE was the passenger.

The two officers responded to the request for assistance made by Beat 815R, regarding a man with a knife at 41st Street and Pulaski Road. Officer VIRAMONTES drove northbound on Pulaski. When they arrived at the scene of this incident, in front of the Dunkin' Donuts restaurant, Officer FONTAINE saw a black male subject, now known as Laquan MCDONALD, walking southbound in the street, with a knife in his right hand. MCDONALD was walking sideways, with his body facing east, toward Officers Jason VAN DYKE and Joseph WALSH. These two officers were standing in the middle of the street, on the right side of their police vehicle, which was facing southbound. FONTAINE heard the officers repeatedly order MCDONALD to "Drop the knife!" MCDONALD ignored the verbal direction and instead, raised his right arm toward Officer VAN DYKE, as if attacking VAN DYKE. At this time VAN DYKE fired multiple shots from his handgun, until MCDONALD fell to the ground and stopped moving his right arm and hand, which still grasped the knife. The gunshots were rapid fire, without pause. Officer WALSH then kicked the knife out of MCDONALD's hand.

VIRAMONTES, Ricardo -----

stated he was a Chicago Police Officer assigned to the 008th District. VIRAMONTES related the same facts as his partner, Officer Dora FONTAINE.

Officer VIRAMONTES added that when he exited his police vehicle, at the scene, he observed a black male subject, now known as Laquan MCDONALD, walking southbound on Pulaski Road, in the middle of the street, holding a knife in his right hand. VIRAMONTES heard Officer Jason VAN DYKE repeatedly order MCDONALD to "Drop the knife!" MCDONALD ignored the verbal direction and turned toward VAN DYKE and his partner, Officer Joseph WALSH. At this time VAN DYKE fired multiple shots from his handgun. MCDONALD fell to the ground but continued to move, attempting to get back up, with the knife still in his hand. VAN DYKE fired his weapon at MCDONALD continuously, until MCDONALD was no longer moving.

The scene of this incident, at 4112 South Pulaski Road, was observed to be a wide commercial street with traffic traveling north and south. There were two traffic lanes and a curb lane in each direction. A wide median separated the northbound and southbound traffic lanes. The scene was just south of the intersection of Pulaski and 41st Street. This was a "T" intersection with 41st Street extending east from Pulaski. In the center median was a left turn lane for northbound traffic

turning west onto 40th Street, further to the north. The Pulaski median was level with the traffic lanes and was striped with yellow paint.

On the west side of Pulaski was a large vacant lot. North of the vacant lot, on the southwest corner of 40th Street and Pulaski, was a Burger King restaurant. On the east side of the street was a Dunkin Donuts restaurant.

The weather was cloudy and cool with the temperature in the 50s. It was dark with good artificial light provided by overhead streetlights. All of the lights were on and functioning normally. There was also artificial light provided by the lighting of the nearby businesses.

In the northbound left turn lane, Chicago Police Department vehicle number 6412, assigned to Beat 845R, was sitting, facing southeast. The vehicle was a marked Chevrolet Tahoe, four door sport utility vehicle. The right front door of the vehicle was open.

In the southbound traffic lanes, in the right lane, a metal folding pocket knife was lying on the pavement. The blade was in the open position. The overall length of the knife was seven inches, with a three inch blade. The knife was in line with the front end of the vehicle of Beat 845R. Just north of the knife were two pools of blood on the pavement. Five metal bullet fragments were lying on the pavement near the blood. North of the blood, scattered in a diagonal pattern from southwest to northeast, across both southbound traffic lanes and the northbound left turn lane, were 16, nine millimeter caliber cartridge cases, lying on the pavement.

Chicago Police Department vehicle number 8489, assigned to Beat 815R, was sitting at the west curb at 4102 South Pulaski. The right front tire of the vehicle was flat, with a large puncture to the sidewall of the tire. The right side of the windshield was scratched from being struck by Laquan MCDONALD's knife.

Mobile Crime Lab Beat 5802 responded to the scene. Video and photographs were taken of the scene. The knife and firearms evidence was collected from the street, as were swabs of the blood. The right front wheel and tire of Chicago Police Department vehicle number 8489 was also recovered. The right front quarter panel of vehicle number 8489 was processed for fingerprints and four ridge impressions were recovered.

A canvass was conducted of the area near the scene of this incident in an attempt to identify and locate witnesses. A number of people were interviewed.

[redacted] -----

stated she was [redacted] at the Burger King restaurant. At approximately 21:55 hours [redacted] observed police officers chasing a black male subject, now known as Laquan MCDONALD, through the parking lot, on the north side of the restaurant building. The officers chased MCDONALD southbound down Pulaski Road, toward the Dunkin' Donuts restaurant. [redacted] then heard multiple gunshots and dove to the ground.

[redacted] permitted access to the Burger King video system. No video of this incident was recorded. The system was not recording at that time. The system was activated and video was

recovered from the system from earlier in the day, showing the view of each of the cameras in the system. It was noted that none of these camera views showed the area of the scene where the confrontation between Laquan MCDONALD and Police Officers Jason VAN DYKE and Joseph WALSH occurred, on Pulaski Road, south of the Burger King restaurant. If the system had been recording at the time of this incident, it would not have recorded any footage of that confrontation.

[redacted] -----

stated he was at the Burger King restaurant, waiting for his girlfriend, [redacted], who was working at the drive-thru window. [redacted] observed a "young black dude" with his hair in dreadlocks, now known as Laquan MCDONALD, running through the parking lot of the restaurant. He was being pursued by police officers. MCDONALD was holding his pants like he might have had a gun or something. MCDONALD then ran southbound on the sidewalk and then out into the street on Pulaski Road. [redacted] last saw MCDONALD running towards the middle of the intersection of 41st Street and Pulaski. MCDONALD appeared confused. [redacted] then turned his attention back to his girlfriend at the drive-thru window. He did not witness the shooting.

[redacted] -----

stated she was working at [redacted] of the Burger King restaurant. She observed a male subject, now known as Laquan MCDONALD, running from the restaurant parking lot, southbound on Pulaski Road, toward the Dunkin' Donuts restaurant. [redacted] heard multiple gunshots and then saw that MCDONALD was lying in the street.

[redacted] -----

stated she was [redacted] of the Burger King restaurant. She did not see or hear anything.

[redacted] -----

stated she was [redacted] of the Burger King restaurant. She did not see or hear anything.

Laquan MCDONALD had been transported to Mount Sinai Hospital by Chicago Fire Department Ambulance 21. He sustained multiple gunshot wounds as documented in the format of this investigation. MCDONALD was treated for his injuries in the emergency room. He succumbed to his wounds and was subsequently pronounced dead by Doctor PITZELE, at 22:42 hours.

Registered Nurse [redacted], recovered three metal bullet fragments from MCDONALD and turned these over to Detective William JOHNSON. These were subsequently turned over to Mobile Crime Lab Beat 5802, who also recovered metal fragments from MCDONALD's sweater.

The reporting detective had learned of the death of Laquan MCDONALD while still at the scene of this incident. The Office of the Medical Examiner of Cook County was notified of MCDONALD's death, and Investigator BRIGGS assigned Medical Examiner's case number 2014 - 01071 to this case.

In the Bureau of Detectives - Area Central office, Evidence Technician Beat 5824 recovered Office Jason VAN DYKE's handgun, a Smith and Wesson, Model 5942, nine millimeter caliber, semi-automatic pistol. The weapon was loaded with one cartridge in the firing chamber and 14 cartridges in the magazine, when recovered.

Beat 5824 took photographs of Officers Jason VAN DYKE, Joseph WALSH, Thomas GAFFNEY and Joseph MCELLIGOTT. Elimination prints, including palm prints, were also taken from Officers GAFFNEY and MCELLIGOTT.

Officer Jason VAN DYKE was re-interviewed for additional detail, in the Area Central office.

VAN DYKE, Jason D ----

related the same sequence of events as documented in his original interview at the scene of this incident.

VAN DYKE additionally articulated the reasoning behind his decision to use deadly force against the offender in this incident, Laquan MCDONALD. VAN DYKE was aware of the radio transmissions from Officer Thomas GAFFNEY, on Beat 815R, that MCDONALD was armed with a knife. VAN DYKE was aware that MCDONALD had attacked the officers on Beat 815R by slashing the tire of their police vehicle.

As he confronted MCDONALD at 4112 South Pulaski Road, VAN DYKE saw that MCDONALD was in fact, armed with a knife, a deadly weapon. VAN DYKE was aware of the widely accepted teaching in law enforcement that an assailant armed with a knife was considered a deadly threat, if within 21 feet, because it was possible for such an assailant to close that distance and attack with the knife before a defensive shot could be fired from a handgun. VAN DYKE was also aware of the existence of throwing knives, which can be thrown from a distance, as well as spring loaded knives, which propel a blade through the air from the knife handle. VAN DYKE also said he recalled a previously issued Chicago Police Department bulletin warning of a weapon which appeared to be a knife but which actually was capable of firing a bullet, making it a firearm.

Subsequently, a search was conducted of the Chicago Police Department, Automated Message Center, to find the bulletin Officer Jason VAN DYKE remembered, regarding the weapon that appeared to be a knife, but was actually a firearm. This bulletin was issued on 04 December 2012. It was Officer Safety Alert number 2012-OSA-297. It was a warning regarding a "revolver knife" which was capable of firing .22 caliber cartridges.

Three witnesses had been transported into the Area Central office from the scene and were interviewed.

[redacted]----

stated she was in the Burger King restaurant parking lot. She saw a subject, now known as Laquan MCDONALD, running southbound on Pulaski Road. [redacted] saw many police officers on the street. She was trying to get her cellular telephone to work, to record video. [redacted] heard eight gunshots fired continuously. She did not see who fired the shots. [redacted] then saw

a police officer pointing a handgun at MCDONALD as he was lying on the ground.

With her permission, [redacted]' telephone was examined for any recorded video footage with negative results.

[redacted]-----

stated he was at the Burger King restaurant drive-thru with [redacted]. He saw a black male subject, now known as Laquan MCDONALD, running from the trucks parked at the rear of the restaurant parking lot. MCDONALD ran eastbound in the parking lot, on the north side of the Burger King building. A police officer was chasing MCDONALD on foot, eastbound through the parking lot, then southbound on Pulaski Road. A Chicago Police Department, Chevrolet Tahoe sport utility vehicle pulled up on Pulaski. MCDONALD ran toward the police vehicle. A police officer exited the vehicle and fired multiple shots from a handgun at MCDONALD. [redacted] thought there was video footage of the incident recorded on [redacted] cellular telephone. As documented in the previous interview of [redacted], her telephone was examined with negative results.

[redacted]-----

stated he was sitting in a truck, parked in the Burger King restaurant parking lot, on the south side of the restaurant building. He was completing some logs. [redacted] observed a black male subject, now known as Laquan MCDONALD, running southbound on Pulaski Road. The police were pursuing MCDONALD. [redacted] heard approximately three gunshots. He did not see who fired the shots. [redacted] exited the cab of his truck and climbed up on top of it. He saw a Chicago Police Department, Chevrolet Tahoe sport utility vehicle, and many police officers on Pulaski Road.

[redacted] insisted on leaving the Area Central office after their initial interviews, and they were transported as they requested.

Sergeant Lance BECVAR responded to the scene and subsequently to the Area Central office. He was able to recover video of this incident from the vehicles assigned to Beats 845R and 813R. This video was uploaded into the system. The reporting detective submitted a request for copies of these two videos which were subsequently inventoried. The reporting detective also requested that the videos be permanently retained. No video of this incident was recovered from the vehicles assigned to Beats 815R, 822 and 841R.

The recovered in-car camera video from Beats 845R and 813R was viewed and found to be consistent with the accounts of all of the witnesses. The video from Beat 813R showed that at the time Officer Jason VAN DYKE fired his handgun at Laquan MCDONALD, VAN DYKE was standing near the east edge of the southbound traffic lanes of Pulaski Road, and MCDONALD was near the lane marking separating the two southbound traffic lanes. The two were separated by the width of one traffic lane. The width of this traffic lane was approximately ten feet.

Recordings of the original 9-1-1 call and the radio transmissions over the Chicago Police Department, Zone 6 radio frequency were obtained from the Office of Emergency Management

and Communication. The recordings were reviewed and subsequently inventoried.

In the 9-1-1 call, a caller who identified himself as [redacted] stated that he was holding a guy for stealing radios from trucks in a trucking yard.

The recorded radio transmissions were consistent with the statements of the police officers involved in this incident. It was determined from the radio transmissions, that the entire interaction of the involved police officers, with Laquan MCDONALD, from the time Beat 815R notified the radio dispatcher that they had made contact with him, and that he was armed with a knife, until Beat 845R notified the dispatcher that shots had been fired by the police, lasted more than four minutes.

The criminal history of Laquan MCDONALD was reviewed. [redacted]

Additionally, there were two documented incidents, under Records Division numbers HS640983 and HT106389, on 01 December 2010 and 05 January 2011. In these incidents officials at the [redacted], elementary school, called the police because of the violent behavior of Laquan MCDONALD. The reports indicated that MCDONALD was a special education student at the school and that this had become a pattern of behavior for MCDONALD. The school officials indicated that MCDONALD had behavioral problems and anger issues. In both incidents MCDONALD was transported to [redacted] for evaluation and treatment.

The family of Laquan MCDONALD was located and notified of his death.

[redacted] -----

stated he was an uncle of Laquan MCDONALD. MCDONALD was living with JOHNSON while MCDONALD "worked out his problems." [redacted] said that MCDONALD attended [redacted] school but was currently suspended. MCDONALD suffered from "hypertension" but refused to take any medication. He stopped taking his prescribed medication approximately two years prior because he said it made him "freak out."

[redacted] last saw MCDONALD on Saturday, 18 October 2014, at approximately 13:00 hours, when MCDONALD left the apartment. He had not been back since. MCDONALD had rung the doorbell earlier in the day on 20 October 2014. [redacted] said they "buzzed" MCDONALD into the building but he never came up to the apartment.

[redacted] had no idea why MCDONALD would be in the area of 41st Street and Pulaski Road. JOHNSON said he would attempt to notify MCDONALD's mother, [redacted].

On Tuesday, 21 October 2014, [redacted] of the 9-1-1 caller, [redacted]" was located and interviewed.

[redacted] -----

stated she was with [redacted], parking a truck in the lot at 41st Street and Kildare Avenue. She saw a black male subject, now known as Laquan MCDONALD, attempting to steal property from vehicles parked in the lot. [redacted] confronted MCDONALD and told him to leave the lot. [redacted] said that MCDONALD did not say anything, but instead, he was "growling" and making strange noises. [redacted] again told MCDONALD to leave the lot and MCDONALD pulled out a knife. MCDONALD swung the knife at [redacted] attempting to cut him. [redacted] had already called 9-1-1 so he backed up and threw his cellular telephone at MCDONALD. MCDONALD then ran from the lot. He ran northbound on Kildare, then eastbound on 40th Street.

[redacted] described MCDONALD as a black male, with his hair in braids. He was wearing a black hood and blue jeans. [redacted] viewed a photograph of Laquan MCDONALD and identified him as the subject in the lot, who had been attempting to steal property from vehicles parked in the lot, and who subsequently threatened [redacted] with a knife, when [redacted] confronted MCDONALD.

On Wednesday, 22 October 2014, the 9-1-1 caller was interviewed.

[redacted] -----

related the same facts as [redacted]. [redacted] re-iterated that Laquan MCDONALD swung his knife at [redacted], attempting to cut him. [redacted] stated he was the person who called 9-1-1 regarding this incident.

A canvass was conducted of the area near the scene of this incident for any recorded video.

There were no Police Observation Devices, or other City of Chicago video cameras in the area.

Recorded video was recovered from three cameras on the exterior of the building housing the Greater Chicago Food Depository, at 4100 West Ann Lurie Place. Two of these videos showed two different views of Laquan MCDONALD walking eastbound on the sidewalk, on the south side of 40th Street, between Keeler and Karlov Avenues. Officer Joseph MCELLIGOTT was following MCDONALD on foot, maintaining a safe distance between himself and MCDONALD, while Officer Thomas GAFFNEY was following MCDONALD in a police vehicle. The third video did not capture any part of this incident.

Recorded video was recovered from two cameras at the Dunkin' Donuts restaurant, at 4113 South Pulaski Road. One of these videos showed the end of this incident, when Officers Jason VAN DYKE and Joseph WALSH stopped their vehicle, exited the vehicle and confronted Laquan MCDONALD. The view in this video is from a distance. The video from the second camera did not capture any part of this incident.

Recorded video was recovered from two cameras from Focal Point, 4141 South Pulaski Road. These videos did not capture any part of this incident.

All of the recovered video was inventoried.

A Major Case Review of this case was conducted at the Illinois State Police Crime Laboratory, on Thursday, 30 October 2014. An Evidence Submission Form was completed per this review.

The assigned personnel became aware of a potential question regarding the integrity of the video recovered from the Burger King restaurant. In an attempt to follow-up on this issue the assigned personnel proceeded to the restaurant on Wednesday, 11 March 2015. Manager, [redacted] was contacted at the restaurant. She stated that the video system at the restaurant had recently been repaired and a new digital video recorder had been installed. [redacted] said that as of this date, 11 of the 16 video ports in the system actually recorded video. This was consistent with the video recovered on the date of this incident. Video was recorded and recovered on 11 of the 16 video ports in the system on that date.

Any additional inquiries regarding the video system at the restaurant were referred to the district manager responsible for that restaurant, [redacted]. He was contacted and related that the day after this incident occurred, personnel from the Independent Police Review Authority, of the City of Chicago, came to the restaurant. They viewed video from the system and took custody of the digital video recorder. The recorder was returned to the restaurant two weeks later. Personnel from the Federal Bureau of Investigation then came to the restaurant and made copies of video from the system. After that some lawyers came to the restaurant with subpoenas to make copies of video from the system. Finally, [redacted] stated that personnel from the Federal Bureau of Investigation had come to the restaurant again, approximately three weeks prior to this interview, and took the digital video recorder. [redacted] did not have any further information regarding the video system.

The assigned personnel also became aware of an article written by [redacted], a professor at the University of Chicago Law School, citing the existence of an unknown witness to this incident. [redacted] was contacted on Thursday, 12 March 2015, in an attempt to interview this witness. [redacted] stated that this witness had already been interviewed by the Independent Police Review Authority and [redacted] did not know if the witness would be willing to be interviewed by the Chicago Police Department. [redacted] said he would contact the witness and provide him with contact information for the assigned personnel.

Based upon all the facts known at this time, and the death of the only offender in this incident, this case is now Exceptionally Cleared Closed / Other Exceptional Clearance - Death of Offender.

The above to-date investigation determined that Laquan MCDONALD was an active assailant who, while armed with a dangerous weapon, used force likely to cause death or serious injury to a private citizen when he attacked [redacted]; threatened the imminent use of force likely to cause death or serious injury when he incised the tire and stabbed the windshield of a Chicago Police Department vehicle occupied by Officer Thomas GAFFNEY; and initiated imminent use of force likely to cause death or serious injury when he initiated an attack on Officers Jason VAN DYKE and Joseph WALSH. The above investigation concluded that Officer Jason VAN DYKE's use of deadly force, the discharging of his duty firearm, was within the bounds of the Chicago Police Department's use of force guidelines, and in conformity with local ordinances and state law.

Based on the above facts, the associated report, under Records Division number HX486155, is now Closed / Non-Criminal.

REPORT OF:

Detective David M MARCH #20563
Sergeant Daniel GALLAGHER #1303
Lieutenant Anthony WOJCIK #481
Bureau of Detectives - Area Central

One (1) "911" call. Total length of call was 1:20

Disp: Chicago emergency,

Caller: I have a truck right year at 41st and Kildare. I have a parking lot for trucks. I have a guy right hear that stolen the radios

Disp: Are you holding this person?

Caller: Yeah. Just hear.

Disp: OK what is your name please?

Caller: My name is [redacted]

Disp: And which side of Kildare are you?

Caller: Ahhhhhhhhhh

Disp: What is the address of the yard

Caller: Right hear by the yards. 41 and Kildare

Disp: Well I'm looking at a map I see two trucking yards. One on each side of the street

Caller: Yeah, the one that is on the side of the street right. Next to ummm United Rental

OK. OK we will send the police. We will send the police.

OK. Thank you.

……call ended……

17:49 time stamp

Disp: 815R

815R: 815R

Disp: It's a [redacted] holding a citizen 4100 Kildare by the United Rental. A [redacted] who he caught breaking into trucks and stealing radios, [redacted] holding him

23:17 time stamp
815R: 815R

Disp: 815R

815R: inaudible….. we're at 40th and Keeler. This guy uh is walking away from us and he's got a knife in his hand

Disp:
Alright, anybody have a taser to help out four-o and Keeler for 815R looking for a taser. Armed offender.

812: 812, we'll go over. Coming from Archer and Mulligan

Disp: Alright I got 812 coming. Anyone else closer? 40 and Keeler with a taser

849: 849

Disp: 849?

849: inaudible ……2860……..

Disp: Stand by until I get help for 15R

Disp: I got four – 0, yes, four zero and Keeler. Four zero and Keeler.

815R: He's walking east bound towards Pulaski …….down 40th

Disp: I heard going east bound. What else?

815R: Towards Pulaski. Coming off of Pulaski right by the Burger King.on 40th come off that way

815R: Alright, walking toward Pulaski from Keeler , eastbound on 40th street again, armed with knife

Disp: Anybody with 815R yet?

25:37 time stamp
830: 830

Disp: Anybody close yet? Four – O and Keeler

Unk: inaudible……..

Disp: O.K. we gotta hold man so I can help for 815R asking for a taser for an armed offender with a knife

26:08 time stamp
815R: he popped our tire on our car squad

Disp: Popped? 10-4. Anybody close? Four-O, they're more by Karlov

845R: 45R we are about two blocks away

Disp: 45R ten-four. Again first unit with them, let me know. 15R, Karlov good? Or are you more by Pulaski now?

815R: We're going into the Burger King

Disp: Headed to the Burger King. 45R I see you pulling up

???R: We're heading over there

841R: Throw it in our box

Disp: ……..stopped yet?

Disp: Let me know when he's in custody guys

27:23 time stamp
Unk: Shots fired by the police

Disp: Shots fired by the police

Unk: Shots fired by the police

Unk: get fire over here

Disp: You guys OK ?

Xxxx: (female voice) Everything's fine

Disp: We're using 41st and Pulaski ? Where?

Disp: Any Sergeants headed that way?

810R: 810R I head that way

Disp: 10-4

……responding units transmissions……..

Unk: Block Pulaski from if we can get the State police out hear, I-55 till 47th. Naw, 45th is good. Let's shut down all traffic. We got the intersection shut down here with this.

……..scene management transmissions……

30:42 time stamp
Mobile transmissions cut for notifications…….

30:54 time stamp
There giving a slow down…slow it down……..

….traffic control….helicopter transmissions……..etc.

Event # 1429315878

Type	Location	Date	Pri	DG	Svc Beat	Disp
HOLDCI	3999 W 41ST ST / 4099 S PULASKI RD	20-OCT-2014 21:47:07	1A	008	0821	0552

Source	Response Level	Caller	Phone
E	1	[redacted]	[redacted]

Address of Occurrence	Occ Beat
4100 S KILDARE BL	0815

Event Chronology

Date	Activity	Wkstn	Person	Text
20-OCT-2014 21:45:35	REC			
20-OCT-2014 21:47:07	ENTRY	PCT49	C549513	CallerLocation, CallerName have been changed.
20-OCT-2014 21:47:50	DSP	PD18	D560949	815R
20-OCT-2014 21:48:05	ACK	PMDT6024	PC0V821	815R
20-OCT-2014 21:53:27	CLOC	PD18	D560949	815R [40 KEELER]
20-OCT-2014 21:53:40	MISC	PD18	D560949	knife in hand need tzaer
20-OCT-2014 21:53:43	ASST	PD18	D560949	812
20-OCT-2014 21:53:45	MISC	PADM19	D112780	815R NEED TASER PERKNI [40 KEELER
20-OCT-2014 21:53:48	ACK	PMDT5805	PC0U318	812
20-OCT-2014 21:54:51	MISC	PD18	D560949	walking eb
20-OCT-2014 21:54:53	MISC	PADM19	D112780	15R --- WALKING EB
20-OCT-2014 21:55:08	MISC	PADM19	D112780	TOWARDS PULASKI ?
20-OCT-2014 21:56:14	MISC	PADM19	D108212	popped tire on car
20-OCT-2014 21:56:18	MISC	PD18	D560949	popped tire on car
20-OCT-2014 21:56:20	ASSTER	PADM19	D108212	845R
20-OCT-2014 21:56:22	AUTPRE	PD18	D560949	845R
20-OCT-2014 21:56:22	ASST	PD18	D560949	845R
20-OCT-2014 21:56:33	MISC	PADM19	D108212	by the burger king
20-OCT-2014 21:56:36	MISC	PD18	D560949	headed to bk
20-OCT-2014 21:56:43	MISC	PADM19	D108212	female says were here
20-OCT-2014 21:56:47	ASSTER	PADM19	D108212	821R
20-OCT-2014 21:56:49	AUTPRE	PD18	D560949	821R
20-OCT-2014 21:56:49	ASST	PD18	D560949	821R
20-OCT-2014 21:56:52	ASSTER	PADM19	D108212	841R
20-OCT-2014 21:56:55	AUTPRE	PD18	D560949	841R
20-OCT-2014 21:56:55	ASST	PD18	D560949	841R
20-OCT-2014 21:57:00	MISC	PD18	D560949	to pulaski
20-OCT-2014 21:57:30	MISC	PADM19	D108212	shtosf fired by cpd
20-OCT-2014 21:57:32	MISC	PD18	D560949	shots fired by police
20-OCT-2014 21:57:41	ASST	PD18	D560949	862C
20-OCT-2014 21:57:51	MISC	PD18	D560949	NEEDS EMS
20-OCT-2014 21:57:58	MISC	PD18	D560949	41 PULASKI
20-OCT-2014 21:58:38	MISC	PADM19	D108212	i 55 all of pulski shut down 45 th
20-OCT-2014 21:58:39	MISC	PD18	D560949	SHUT DOWN PULASKI I55 - 45TH ST
20-OCT-2014 21:58:57	MISC	PADM19	D108212	calling state shut down ramps
20-OCT-2014 21:59:04	MISC	PD18	D560949	41 PULASKI DIVERTING TRAFFIC @ 821R

Event # 1429315878

Event Chronology

Date	Activity	Wkstn	Person	Text
20-OCT-2014 21:59:21	MISC	PD18	D560949	821R COVERING SB
20-OCT-2014 21:59:22	DSP	PDT101	D543242	4603
20-OCT-2014 21:59:25	AUTPRE	PD18	D560949	812
20-OCT-2014 21:59:25	ASST	PD18	D560949	812
20-OCT-2014 21:59:35	CLOC	PD18	D560949	812 [43 PULASKI NB]
20-OCT-2014 21:59:43	MISC	PADM19	D108212	state nfy'd sb pulaski shut down from i 55
20-OCT-2014 21:59:44	ASST	PD18	D560949	823R
20-OCT-2014 21:59:49	ASST	PADM19	D108212	843
20-OCT-2014 21:59:54	CLOC	PADM19	D108212	843 [HOLDING I55 RAMP]
20-OCT-2014 22:00:00	CLOC	PD18	D560949	843 [I 55 PULASKI]
20-OCT-2014 22:00:01	ASST	PADM19	D108212	PH2
20-OCT-2014 22:00:09	ASST	PADM19	D108212	851R
20-OCT-2014 22:00:13	ACK	PMDT4691	PC0X830	851R
20-OCT-2014 22:00:26	AUTPRE	PD18	D560949	851R
20-OCT-2014 22:00:26	ASST	PD18	D560949	851R
20-OCT-2014 22:00:29	ACK	PMDT6416	PC0X832	4603
20-OCT-2014 22:00:30	MISC	PADM19	D108212	815R both ok ???
20-OCT-2014 22:00:36	MISC	PADM19	D108212	everyone is ok
20-OCT-2014 22:00:51	MISC	PADM19	D108212	slowdown
20-OCT-2014 22:00:53	MISC	PADM19	D108212	nm
20-OCT-2014 22:00:56	MISC	PADM19	D108212	slowdown
20-OCT-2014 22:00:59	MISC	PD18	D560949	SLOWDOWN
20-OCT-2014 22:01:06	ASST	PADM19	D108212	810R
20-OCT-2014 22:01:16	MISC	PADM19	D108212	810R to get info from officer fired weapon
20-OCT-2014 22:01:19	MISC	PD18	D560949	INFO REQUESTED
20-OCT-2014 22:01:22	MISC	PD18	D560949	NAME & STAR
20-OCT-2014 22:02:20	ASST	PADM19	D108212	811
20-OCT-2014 22:02:27	CLOC	PADM19	D108212	811 [TRAFK SB ON PULASKI]
20-OCT-2014 22:02:34	ASST	PADM19	D108212	833R
20-OCT-2014 22:02:40	CLOC	PADM19	D108212	833R [44TH/PULASKI NB PULASKI]
20-OCT-2014 22:03:00	MISC	PADM19	D108212	810R *9465
20-OCT-2014 22:03:21	CLEAR	PADM19	D108212	PH2
20-OCT-2014 22:04:10	MISC	PADM19	D108212	cut off nb pulaski @ 47th st
20-OCT-2014 22:04:13	ASST	PADM19	D108212	865
20-OCT-2014 22:04:15	ASST	PADM19	D108212	846
20-OCT-2014 22:04:19	MISC	PD18	D50696	CUT47TH ST N/B PULASKI
20-OCT-2014 22:04:23	CLOC	PADM19	D108212	846 [TRAFFK @ 47 PULASKI]
20-OCT-2014 22:04:26	MISC	PADM19	D108212	846 nb
20-OCT-2014 22:05:50	ACK	PMDT5311	PC0AE49	846
20-OCT-2014 22:06:14	ASST	PADM19	D108212	855
20-OCT-2014 22:06:24	CLOC	PADM19	D108212	855 [TRAFFIC NB 45TH/PUASKI]
20-OCT-2014 22:06:29	CLOC	PD18	D50696	855 [45TH /PULASKIN/B]

Event # 1429315878

Event Chronology

Date	Activity	Wkstn	Person	Text
20-OCT-2014 22:06:41	COPYT	PADM19	D108212	Copied To Event(s): #CPD1429316149
20-OCT-2014 22:07:19	MISC	PD18	D50696	CTA NFY TO REROUTE BUSES
20-OCT-2014 22:08:04	CLOC	PADM19	D108212	821R 845R 841R 862C 865 846 4603 812 823R 855 843 851R 810R 815R 833R 811 [41ST/PULASKI]
20-OCT-2014 22:08:26	MISC	PD18	D50696	OEMC WEIDERSTROM NFY
20-OCT-2014 22:09:14	ASSTER	PADM19	D108212	842
20-OCT-2014 22:09:47	MISC	PD18	D50696	CTA SUPV ON THE BRIDGE
20-OCT-2014 22:12:50	ASST	PADM19	D108212	865B
20-OCT-2014 22:12:53	ACK	PMDT4684	PC0Y103	865B
20-OCT-2014 22:15:01	ASST	PADM19	D108212	850
20-OCT-2014 22:15:16	MISC	PADM19	D108212	865 a21 leaving sceen w/offender
20-OCT-2014 22:15:22	PCCHNG	PADM19	D108212	Papercar changed from 815R to 841R
20-OCT-2014 22:15:28	CLOC	PADM19	D108212	841R [A21 W/OFFENDER]
20-OCT-2014 22:15:46	SUPP	PADM19	D108212	Remarks Added
20-OCT-2014 22:15:52	ASST	PADM19	D108212	800X
20-OCT-2014 22:15:53	ACK	PMDT4701	PC0W294	811
20-OCT-2014 22:15:56	ACK	PMDT5173	PC0E418	800X
20-OCT-2014 22:16:32	EVTMSG	PDT97		SHOTS FIRED BY POLICE OFFENDER POSSIBLY STRUCK NFI AT THIS TIME
20-OCT-2014 22:16:54	ENR	PMDT4701	PC0W294	811
20-OCT-2014 22:16:54	ONS	PMDT4701	PC0W294	811
20-OCT-2014 22:17:06	CLOC	PADM19	D108212	842 [FOLOWING A21 TO HOSPITAL]
20-OCT-2014 22:17:16	CLOCX	PADM19	D108212	842 [4100 S KILDARE BL]
20-OCT-2014 22:17:52	CLOC	PADM19	D108212	842 [A21 TO MT SINAI]
20-OCT-2014 22:17:54	CLOCX	PADM19	D108212	841R [4100 S KILDARE BL]
20-OCT-2014 22:19:00	REMINQ	PMDT5311	PC0AE49	846 Veh->LIC/[redacted] LIS/IL
20-OCT-2014 22:19:02	ACK	PMDT4681	PC0S756	850
20-OCT-2014 22:19:20	CLEAR	PADM19	D108212	812
20-OCT-2014 22:19:38	CLEAR	PMDT4701	PC0W294	811
20-OCT-2014 22:21:52	SUPP	PADM19	D108212	Remarks Added
20-OCT-2014 22:22:31	CLEAR	PMDT6416	PC0X832	4603
20-OCT-2014 22:23:24	ASSTOS	PADM19	D108212	813R
20-OCT-2014 22:24:47	ACK	PMDT4706	PC0W483	813R
20-OCT-2014 22:27:36	ACK	PMDT5808	PC0W480	862C
20-OCT-2014 22:33:18	GDISP	PADM19	D108212	841R D/5000
20-OCT-2014 22:33:37	CASERD	PADM19	D108212	RDG Report Number 841R $CPDHX475653 D/5000 By: D108212
20-OCT-2014 22:34:55	SUPP	PADM19	D108212	Remarks Added
20-OCT-2014 22:38:26	COPYT	PDTS103	D557395	Copied To Event(s): #CPD1429316573
20-OCT-2014 22:38:51	MISC	PADM19	D108212	821R has the bus driver unk if supv is on scene

Event # 1429315878

Event Chronology

Date	Activity	Wkstn	Person	Text
20-OCT-2014 22:41:47	SUPP	PADM19	D108212	Remarks Added
20-OCT-2014 22:47:25	ASSTOS	PADM19	D108212	822
20-OCT-2014 22:47:33	ACK	PMDT4677	PC0AD53	822
20-OCT-2014 22:47:38	CLEAR	PMDT4681	PC0S756	850
20-OCT-2014 22:49:01	SUPP	PDT97	D382563	Remarks Added
20-OCT-2014 22:49:03	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted] LIS/IL
20-OCT-2014 22:49:49	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted]5 LIS/IL
20-OCT-2014 22:50:03	CLOC	PADM19	D108212	846 [44TH/PULASK > 53RD/PULASKI]
20-OCT-2014 22:51:08	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL
20-OCT-2014 22:54:30	COPYT	PADM19	D108212	Copied To Event(s): #CPD1429316783
20-OCT-2014 22:55:16	TCMPL	PADM19	D108212	846 , 783
20-OCT-2014 22:56:18	MISC	PADM19	D108212	5169-
20-OCT-2014 22:59:35	MISC	PADM19	D108212	843 tell officers fop guys are there
20-OCT-2014 23:00:29	GDISP	PADM19	D108212	841R D/0552
20-OCT-2014 23:01:29	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:01:45	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:05:27	SUPP	PADM19	D108212	Remarks Added
20-OCT-2014 23:06:21	CHNG	PADM19	D108212	Location: 4100 S KILDARE BL ==> 3999 W 41ST ST / 4099 S PULASKI RD;X Streets: 4100 BL S /4301 BL W 41ST ST ==> / ;LocCmt: BY UNITED RENTAL ==> BY UNITED RENTAL & BURGER KING;Atom: 815 ==> 821;RespArea: 815 ==> 821;RespGroup:815 ==> 821;
20-OCT-2014 23:08:50	REMINQ	PMDT5311	PC0AE49	846 Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:10:09	REMINQ	PMDT4751	PC0X185	841R Per->NAM/[redacted]J DOB[redacted] SEX/M DLS/IL
20-OCT-2014 23:10:09	REMINQ	PMDT4751	PC0X185	841R Per->NAM/[redacted] SEX/M SID/[redacted] DLS/IL
20-OCT-2014 23:10:16	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:11:31	CLEAR	PMDT5311	PC0AE49	846
20-OCT-2014 23:18:57	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted] LIS/IL
20-OCT-2014 23:22:10	REMINQ	PMDT4684	PC0Y103	865B Per->DLN[redacted] DLS/IL
20-OCT-2014 23:22:43	SUPP	PADM19	D108212	Remarks Added
20-OCT-2014 23:23:00	REMINQ	PMDT4684	PC0Y103	865B Per->DBId/54537
20-OCT-2014 23:29:50	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:30:06	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:31:49	REMINQ	PMDT4534	PC0T089	833R Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:35:59	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted] LIS/IL
20-OCT-2014 23:39:23	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL

Event # 1429315878

Event Chronology

Date	Activity	Wkstn	Person	Text
20-OCT-2014 23:43:55	CLEAR	PADM19	D108212	822
20-OCT-2014 23:45:30	ENR	PMDT4751	PC0X185	841R
20-OCT-2014 23:50:50	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted] LIS/IL
20-OCT-2014 23:54:43	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted] LIS/IL
21-OCT-2014 00:09:01	CLEAR	PD18	D50696	862C
21-OCT-2014 00:11:37	CLOC	PADM19	D108212	842 [MT SINAI NEEDS RELIEF]
21-OCT-2014 00:18:09	ASST	PD18	D50696	846R
21-OCT-2014 00:18:25	CLOC	PD18	D50696	846R [MT SINAI W/PRISONER]
21-OCT-2014 00:18:31	ACK	PMDT4685	PC0AK48	846R
21-OCT-2014 00:20:40	CLOC	PADM19	D108212	843 [I55 @ PULASKI TRAFK CONTROL --- RELIEF]
21-OCT-2014 00:27:54	ASST	PD18	D50696	824R
21-OCT-2014 00:27:58	ACK	PMDT4683	PC0T069	824R
21-OCT-2014 00:28:11	CLOC	PD18	D50696	824R [I55 @ PULASKI- TRAFK ON RAMP]
21-OCT-2014 00:31:16	REMINQ	PMDT4683	PC0T069	824R Veh->LIC/[redacted] LIS/IL LIT/ZZ
21-OCT-2014 00:45:40	CLEAR	PADM19	D108212	843
21-OCT-2014 00:55:22	REMINQ	PMDT4534	PC0T089	833R Veh->LIC/[redacted] LIS/IL
21-OCT-2014 00:58:06	REMINQ	PMDT4534	PC0T089	833R Veh->LIC[redacted] LIS/IL
21-OCT-2014 00:58:18	REMINQ	PMDT4534	PC0T089	833R Veh->LIC[redacted]LIS/IL
21-OCT-2014 01:00:51	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted]LIS/IL
21-OCT-2014 01:05:09	REMINQ	PMDT4534	PC0T089	833R Veh->LIC/[redacted] LIS/IL
21-OCT-2014 01:05:28	REMINQ	PMDT4534	PC0T089	833R Veh->LIC/[redacted]-B LIS/IL LIT/TK
21-OCT-2014 01:05:37	REMINQ	PMDT4534	PC0T089	833R Veh->LIC/[redacted] LIS/IL
21-OCT-2014 01:06:44	REMINQ	PMDT4534	PC0T089	833R Veh->LIC[redacted]LIS/IL
21-OCT-2014 01:06:54	REMINQ	PMDT4534	PC0T089	833R Veh->LIC/[redacted] LIS/IL
21-OCT-2014 01:09:59	CLEAR	PADM19	D108212	800X
21-OCT-2014 01:10:24	CLEAR	PMDT4998	PC0X178	842
21-OCT-2014 01:16:16	CLEAR	PADM19	D108212	855
21-OCT-2014 01:16:44	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted]9 LIS/IL
21-OCT-2014 01:18:14	CLEAR	PD18	D50696	865B
21-OCT-2014 01:33:29	AUTPRE	PADM19	D108212	865
21-OCT-2014 01:33:49	CLOC	PADM19	D108212	813R [AREA]
21-OCT-2014 01:33:57	ASST	PADM19	D108212	822
21-OCT-2014 01:34:00	CLOC	PADM19	D108212	822 [AREA]
21-OCT-2014 02:12:02	CLOC	PMDT4751	PC0X185	841R [AREA CENTRAL]
21-OCT-2014 03:10:28	CLOC	PD18	D50696	815R [AREA]
21-OCT-2014 03:16:34	MISC	PD18	D50696	PER 830R PULASKI CAN BE OPENED
21-OCT-2014 03:22:25	CLOC	PMDT6234	PC0Z521	823R [008] reports
21-OCT-2014 03:26:53	CLEAR	PMDT4683	PC0T069	824R
21-OCT-2014 03:36:12	REMINQ	PMDT4507	PC0W970	821R Veh->LIC/[redacted]LIS/IL LIT/TM
21-OCT-2014 03:40:25	REMINQ	PMDT4507	PC0W970	821R Veh->LIC/[redacted] LIS/IL
21-OCT-2014 03:40:45	REMINQ	PMDT4507	PC0W970	821R Veh->LIC/[redacted] LIS/IL

Event # 1429315878

Event Chronology

Date	Activity	Wkstn	Person	Text
21-OCT-2014 03:43:12	CLEAR	PMDT4507	PC0W970	821R
21-OCT-2014 04:03:03	CLOC	PD18	D50696	846R [MT SINAI]
21-OCT-2014 04:03:07	ONS	PD18	D50696	846R
21-OCT-2014 04:09:19	CLOC	PD18	D50696	833R [AREA CENTRAL W/815'S CAR]
21-OCT-2014 04:10:11	CLOC	PD18	D50696	833R [AREA CENTRAL W/815R'S CAR]
21-OCT-2014 04:18:37	CLEAR	PD18	D50696	823R
21-OCT-2014 04:23:43	CLEAR	PMDT4691	PC0X830	851R
21-OCT-2014 04:39:23	CLOC	PD18	D50696	845R [AREA CENTRAL]
21-OCT-2014 04:44:49	CLOC	PADM19	D108212	833R [008]
21-OCT-2014 04:48:06	CLEAR	PADM19	D108212	822
21-OCT-2014 05:11:56	COPYT	PDTS103	DT557395	Copied To Event(s): #CPD1429401913
21-OCT-2014 05:12:32	CLEAR	PADM19	D108212	833R
21-OCT-2014 05:12:50	ONS	PADM19	D108212	841R
21-OCT-2014 05:12:50	ONS	PADM19	D108212	845R
21-OCT-2014 05:12:50	ONS	PADM19	D108212	815R
21-OCT-2014 05:12:50	ONS	PADM19	D108212	813R
21-OCT-2014 05:12:52	ONS	PADM19	D108212	810R
21-OCT-2014 05:15:15	MISC	PADM19	D108212	846R BODY REMOVAL 0511 HRS
21-OCT-2014 05:20:48	CLEAR	PADM19	D108212	846R
21-OCT-2014 05:32:26	CLEAR	PADM19	D108212	810R
21-OCT-2014 06:31:23	SCHOFF	PMDT4659	PC0V684	Unit #845R scheduled for Logoff
21-OCT-2014 07:41:19	SCHOFF	PMDT4751	PC0X185	Unit #841R scheduled for Logoff
21-OCT-2014 07:43:43	CLEAR	PD18	D300971	841R 815R 845R 813R
21-OCT-2014 07:43:43	CLOSE	PD18	D300971	
21-OCT-2014 07:44:00	ROPEN	PD18	D300971	OPEN
21-OCT-2014 07:44:00	DSP	PD18	D300971	813R
21-OCT-2014 07:44:04	ACK	PMDT4706	PC0W483	813R
21-OCT-2014 07:44:09	SCHOFF	PMDT4706	PC0W483	Unit #813R scheduled for Logoff
21-OCT-2014 07:45:06	SCHOFF	PMDT4706	PC0W483	Unit #813R scheduled for Logoff
21-OCT-2014 07:45:34	SCHOFF	PD18	D300971	Unit #813R scheduled for Logoff
21-OCT-2014 07:45:37	CLEAR	PD18	D300971	813R
21-OCT-2014 07:45:37	CLOSE	PD18	D300971	
21-OCT-2014 07:45:52	ROPEN	PD18	D300971	OPEN
21-OCT-2014 07:45:52	DSP	PD18	D300971	815R
21-OCT-2014 08:45:46	ACK	PMDT6024	PC0V821	815R
21-OCT-2014 08:52:57	CLEAR	PD18	D300971	815R
21-OCT-2014 08:52:57	CLOSE	PD18	D300971	
	RMKS			*** WIRELESS CALL ***
	RMKS			holding a male who he caught breaking into trucks and stealing radios nfi
	RMKS			a21 to hospital
	RMKS			a21 to mt sinai confirmd by fireside

Event # 1429315878

Event Chronology

Date	Activity	Wkstn	Person	Text
	RMKS			HAVE SGT OR PAPER CAR CALL CRIME LAB AREA CENTRAL HGSCU OPER COMM NEWS AFFAIRS ASAP
	RMKS			[redacted] il id [redacted] 6'01 185\
	RMKS			EXEC DIR SCHENKEL NOTIFIED @ 2223 HRS 1ST DEP ELLIS NOTIFIED @ 2224 HRS CHIEF OF STAFF BERGER NOTIFIED @ 2226 HRS MANAG DEP , OPER GUIDICE NOTIFIED @ 2228 HRS DEP DIR , 911 OPER HALLOWELL NOTIFIED @ 2229 HRS DIR NEWS AFFAIRS STRATTON NOTIFIED @ 2231 HRS OEMC INVEST UNIT MESSAGE LEFT @ 2236 HRS MAYOR'S DETAIL BURTON NOTIFIED @ 2241 HRS IMD/OC NOTIFIED VIA MESSAGE @ 2217 HRS OEMC WM ORLANDINI NOTIFIED @ 2217 HRS OPER COMM *1804 NOTIFIED @ 2221 HRS [HAVE PC CALL] AREA SOUTH HGSCU DET KRETTEK NOTIFIED @ 2219 HRS [HAVE PC CALL] CRIME LAB SARLO NOTIFIED @ 2221 HRS [HAVE PC CALL][5802 RESPONDING] NEWS AFFAIRS GAINES NOTIFIED @ 2247 HRS 008TH DIST SGT KOMENSKY *1745 NOTIFIED @ 2248 HRS PCO2 JOHNSON -- CW7
	RMKS			offender pronounced @ 2242 hrs per 842
	RMKS			843 - crime lab is on scene

Unit Summary

Event # 1429315878

Unit Summary

Unit	Dispatch	Enroute	Onscene	T	TA	TC	Clear
815R	21:47:50	21:53:27	21-OCT-2014 05:12:50				21-OCT-2014 07:43:43
812	21:53:43						21:59:25
845R	21:56:20	21:56:20					21:56:22
845R	21:56:22	22:08:04	21-OCT-2014 05:12:50				21-OCT-2014 07:43:43
821R	21:56:47	21:56:47					21:56:49
821R	21:56:49	22:08:04					21-OCT-2014 03:43:12
841R	21:56:52	21:56:52					21:56:55
841R	21:56:55	22:08:04	22:17:54				21-OCT-2014 07:43:43
862C	21:57:41	22:08:04					21-OCT-2014 00:09:01
4603	21:59:22	22:08:04					22:22:31
812	21:59:25	21:59:35					22:19:20
823R	21:59:44	22:08:04					21-OCT-2014 04:18:37
843	21:59:49	21:59:54					21-OCT-2014 00:45:40
PH2	22:00:01						22:03:21
851R	22:00:09						22:00:26
851R	22:00:26	22:08:04					21-OCT-2014 04:23:43
810R	22:01:06	22:08:04	21-OCT-2014 05:12:52				21-OCT-2014 05:32:26
811	22:02:20	22:02:27	22:16:54				22:19:38
833R	22:02:34	22:02:40					21-OCT-2014 05:12:32
865	22:04:13	22:08:04					21-OCT-2014 01:33:29
846	22:04:15	22:04:23				22:55:16	23:11:31
855	22:06:14	22:06:24					21-OCT-2014 01:16:16
842	22:09:14	22:09:14	22:17:16				21-OCT-2014 01:10:24
865B	22:12:50						21-OCT-2014 01:18:14
850	22:15:01						22:47:38
800X	22:15:52						21-OCT-2014 01:09:59

Event # 1429315878

Unit Summary

Unit	Dispatch	Enroute	Onscene	T	TA	TC	Clear
813R	22:23:24	21-OCT-2014 01:33:49	22:23:24				21-OCT-2014 07:43:43
822	22:47:25		22:47:25				23:43:55
846R	21-OCT-2014 00:18:09	21-OCT-2014 00:18:25	21-OCT-2014 04:03:07				21-OCT-2014 05:20:48
824R	21-OCT-2014 00:27:54	21-OCT-2014 00:28:11					21-OCT-2014 03:26:53
822	21-OCT-2014 01:33:57	21-OCT-2014 01:34:00					21-OCT-2014 04:48:06
813R	21-OCT-2014 07:44:00						21-OCT-2014 07:45:37
815R	21-OCT-2014 07:45:52						21-OCT-2014 08:52:57

STATEMENT OF P.O. JOSEPH McELLIGOTT

CONDUCTED BY INVESTIGATOR KILLEN

ON OCTOBER 21, 2014 AT 0436 HOURS

AT AREA CENTRAL POLICE HEADQUARTERS

LOG# 1072125

Attachment # #144

OIG 15-0564 000482

KILLEN: This is the, this is the audio recorded interview of Officer Joseph McElligott regarding Log number 1072125 U number 14 dash 36. Today is the 21st of October 2014. And the time is approximately 0436 hours. This statement is bein' taken at Area Central Police Headquarters. My name is Investigator Killen, that's spelled K I L L E N. My star number is 1 2 9. Uh also present in the room is uh FOP attorney Dan Herbert. Dan if you would say and spell your first and last names.

HERBERT: Dan, D A N, Herbert, H E R B E R T.

KILLEN: And then FOP Representative Kato, uh Kriston Kato.

KATO: First name is Kriston, K R I S T O N. Last name K A T O. FOP Field Representative.

KILLEN: And Officer McElligott if you would say and spell your first and last names for me.

P.O.MCELLIGOTT: Joseph McElligott, J O S E P H, McElligott, M C E L L I G O T T.

KILLEN: Okay and what's your star number?

P.O.MCELLIGOTT: 1 8 7 1 5. (noise)

KILLEN: And your employee number?

P.O.MCELLIGOTT: [redacted]

KILLEN: And your date of appointment with the Department?

P.O.MCELLIGOTT: 27 August '01.

KILLEN: And your date of birth?

P.O.MCELLIGOTT: [redacted]

KILLEN: And your current unit of assignment?
P.O.MCELLIGOTT: The 8th District.

KILLEN: And how long you been in 8th District?
P.O.MCELLIGOTT: Seven years.

KILLEN: All right. Now you're aware that this statement has the standing of an official Department report. And that any intentional falsification of any answer to any question would be in direct violations of rules and regulations?
P.O.MCELLIGOTT: Yes.

KILLEN: Given that, I'd like to remind you that failure to provide a complete and accurate account of this incident could result in a finding of a violation of Rule 14 with discipline leading up to and including separation from the Chicago Police Department. Do you understand that?
P.O.MCELLIGOTT: Yes.

KILLEN: All right what was your duty status and assignment on 21 October or 20 October 2014 at approximately 2150 hours?
P.O.MCELLIGOTT: This statement is not being given voluntarily but under duress. I am only givin' this statement because I know I will be fired if I refuse.

KILLEN: All right so what was your duty status and assignment last night at (someone coughs) 2150 hours?

P.O.MCELLIGOTT: Full duty.

KILLEN: Okay. What time you start work last night?

P.O.MCELLIGOTT: Uh 2100.

KILLEN: Is that your normal start time?

P.O.MCELLIGOTT: Yes.

KILLEN: Okay and you remember what beat you were assigned?

P.O.MCELLIGOTT: 815 Robert.

KILLEN: Okay and were you assigned a partner?

P.O.MCELLIGOTT: Yes.

KILLEN: And who's your partner?

P.O.MCELLIGOTT: Uh Thomas Gaffney.

KILLEN: All right and you and Officer Gaffney you guys were assigned a vehicle?

P.O.MCELLIGOTT: Yes.

KILLEN: And what kinda vehicle?

P.O.MCELLIGOTT: It's a Chevy Tahoe.

KILLEN: Marked?

P.O.MCELLIGOTT: Yes.

OIG 15-0564 000485

KILLEN: Okay and you and Officer Gaffney are in full uniform?

P.O.MCELLIGOTT: Yes.

KILLEN: Okay and then at about 2150 hours at about 41st and Pulaski you and uh Officer Gaffney were witnesses to a police-involved shooting correct?

P.O.MCELLIGOTT: Correct.

KILLEN: All right and if you would just um from the beginning explain to me what happened?

P.O.MCELLIGOTT: Uh we responded to a call of holding the offender at uh 4100 on Karlov. And um I don't know I forget the exact address.

KILLEN: So you received this, you say responded to the call. You got a call uh via OEMC?

P.O.MCELLIGOTT: Yes.

KILLEN: All right so over the radio you get a call.

P.O.MCELLIGOTT: Holding the offender um somebody's stealing radios out of semi trucks.

KILLEN: Okay. Do you re, do you remember where you and uh, where were you and Officer Gaffney when you got that call?

P.O.MCELLIGOTT: Um we're somewhere along Archer around Kostner.

KILLEN: Okay. So you're south of 41st and Kildare?

P.O.MCELLIGOTT: Correct.

KILLEN: And Officer Gaffney's the driver?
P.O.MCELLIGOTT: He is the driver, yes.

KILLEN: So you guys head over to that --
P.O.MCELLIGOTT: So we head over, we take Kostner up and then uh take 47th to Kildare.

KILLEN: Okay. And what happens when you get there?
P.O.MCELLIGOTT: Um a male Hispanic and a female Hispanic um we pull up to the address and they said um that a male black wearin' a black shirt was in the, tryin' to steal the radios outta the semi. Um he was holding a, a white cord to like a phone, like a charger. And he said he's got my phone. So then he said he's right around the corner. (clears throat) So then we, we drive north to 40th Street and we turn right and then we see a male black with a black shirt.

KILLEN: Okay and what's he doin'?
P.O.MCELLIGOTT: He's standing there and then he kinda turns around when he sees us pull up.

KILLEN: And what happens?
P.O.MCELLIGOTT: At that point I got outta the car and I'm giving 'em commands to stop, turn around. And I noticed he has his left hand in his pocket like in a ball. And in his right hand he's holding something else. And then I tell 'em take his hands out of his pockets; let me see your hands. He doesn't take his hands --

OIG 15-0564 000487

KILLEN: So at this point is he, his back is to you?
P.O.MCELLIGOTT: He's facing me at this point.

KILLEN: Okay.
P.O.MCELLIGOTT: And then he starts turning and walking away. And he's holding one arm out and one hand in his pocket. He continues to walk and uh then he turns again he takes both his hands out and, and at that point he has a knife in his right hand as if he just opened it up, like flipped it open and he's holdin' his hand. At that point I drew my weapon I tell 'em to drop the knife. Um he kinda has this look in his eye like, like maybe he's on some sorta drugs cause it was like his eyes like rolled back. And then he walked, he started walking east again with his hands out and then he's kinda like kinda makin' motions from side to side. He's kinda all over. Goes from the street to the, to the sidewalk. And the whole time my partner is kinda paralleling me. And he's driving and I'm had my flashlight on 'em and I'm tellin' 'em to stop. Tellin' 'em to drop, drop the weapon. Drop the knife.

KILLEN: So you're on foot correct?
P.O.MCELLIGOTT: I'm on foot, walking.

KILLEN: And Officer Gaffney --
P.O.MCELLIGOTT: Walking with some distance between me.

KILLEN: You're behind him correct?
P.O.MCELLIGOTT: I'm yeah I'm behind him.

OIG 15-0564 000488

KILLEN: Behind the offender?
P.O.MCELLIGOTT: Yes.

KILLEN: And Officer Gaffney's paralleling him in the car?
P.O.MCELLIGOTT: He's, he's kinda like as far as I am. Like he's like to my right just a lil bit.

KILLEN: Okay.
P.O.MCELLIGOTT: Or to my left just a lil bit. Um --

KILLEN: Do you close the distance on this guy?
P.O.MCELLIGOTT: We just continue to follow 'em. And um then he, at one point (inaudible) my partner decides to pull towards him. And uh at that point he, the offender turned and like in a downward stabbing motion popped the front tire. My partner um at that point said that he popped the tire. Prior to that though um he had asked for an assist.
HERBERT: (inaudible)
P.O.MCELLIGOTT: He'd asked for somebody to come with a taser. So as we're like tryin' to buy time this happens with the, the tire at uh Keeler. And then um we go a lil bit further and he decide, my partner decides to pull closer to 'em to kinda cause he knew Pulaski was comin' up and there was Burger King and there's a bunch a other stuff where people are. Decides to pull over a lil bit (noise) kinda to veer 'em off so that he'll go up one of the streets cause it's, it's a factory area. And we know it's always like pretty bare.

OIG 15-0564 000489

There's nobody around. Um it's after hours. At that point he um he, he grabs the knife and he, he stabs at the, the windshield. So um then he starts walkin' away. Stabbed at the windshield then he walks away from the squad car. And he's walkin' on the sidewalk again. And then um we can hear the cars comin'. And then once we can kinda see (noise) in the windows we could see the, the blue lights in the reflection and you could hear the, you could hear the sirens now. (noise) That's when he decides to take off runnin'. He just full on sprint. Uh I started runnin' after 'em. My partner's driving the car that has a flat. He's goin' after 'em too. He goes through two semis were parked in the back of the Burger King lot at 40th and Pulaski. He goes through, I go through and then I see another squad car pull. They're right behind 'em. They pull behind 'em, he goes through a sidewalk and then they go, they go around through and they (clears throat) they cut through on the sidewalk as well. Around the north side of Burger King. And then I'm followin' up running and as I get to Pulaski I turn right cause they all turned right. (clears throat) And I got to about the light (noise) I could see a bunch of squad cars comin'. And um (clears throat) I keep runnin' (noise) and then one of 'em is, he's lookin' to do a U turn, one of the other squad cars. Um so instead of getting hit I just stopped and I waved them to go. (noise) (clears throat) And at that point he turned around he, he's goin' um southbound slowly

so I know they're, they're stopping right there. I hear the shots at that point. And uh when I approach I think I was running down maybe the middle that's when I saw the offender layin' on the ground. And at that point Joe Walsh, Officer Walsh uh he kicked, he the gun outta, or not the gun the uh the knife out of his, his right hand. (noise) Which he was still clenching at the time. And then um (noise) asked for an ambulance and that was pretty much it.

KILLEN: (clears throat) So when you guys, you're on 40th and you see, you're kinda walkin' with this guy right? You see 'em with the knife?

P.O.MCELLIGOTT: Hmm huh.

KILLEN: Right?

P.O.MCELLIGOTT: Yes.

HERBERT: Say yes.

KILLEN: So and you see 'em uh uh you described it as a down motion, he stabbed the tire of the car right?

P.O.MCELLIGOTT: Hmm huh.

KILLEN: That's the --

P.O.MCELLIGOTT: Yes.

KILLEN: -- front passenger tire correct?

P.O.MCELLIGOTT: Front passenger tire.

OIG 15-0564 000491

KILLEN: Okay and then you also saw 'em stab the windshield?
P.O.MCELLIGOTT: Yeah.

KILLEN: Right.
P.O.MCELLIGOTT: Yes.

KILLEN: Okay. Uh and you may have said it and I may have missed it, but did you or uh Officer Gaffney get on the radio and say hey this guy's armed. He's got a knife?
P.O.MCELLIGOTT: Yes. Um it was before he said he popped the tire um my partner got on the radio and said (clears throat) said this guy has a knife. Can you send somebody with a taser over here. And then (inaudible) lil time passed by and then (clears throat) that's when the tire incident.

KILLEN: Okay.
P.O.MCELLIGOTT: And then another five, ten seconds (noise) went by and (noise) attacked the car, stabbed the windshield.

KILLEN: So you're, you were warning everybody ahead a time?
P.O.MCELLIGOTT: Yes.

KILLEN: Before you got anything, he had the knife in his hand.
P.O.MCELLIGOTT: Yes. It started with uh we asked for a taser. We said he had a knife. And then we were

OIG 15-0564 000492

giving uh kinda like a play by play (noise) stab, he stabbed our tire, he just popped our tire. And, you know and they're askin' if anybody's heading over there. And we're just waitin' for the assist cars to come.

KILLEN: And I take it you don't carry a taser?
P.O.MCELLIGOTT: I do not.

KILLEN: And then neither does Officer Gaffney correct?
P.O.MCELLIGOTT: No.

KILLEN: Okay. So then you basically follow 'em all the way to Pulaski I take it. Karlov then Keeler somethin' like that.
P.O.MCELLIGOTT: Basically yeah. It was --

KILLEN: And then when the other car comes --
P.O.MCELLIGOTT: At that point he was (noise) he darted towards Pulaski.

KILLEN: Okay.
P.O.MCELLIGOTT: From Karlov to Pulaski he was full on sprinting and I was running after 'em.

KILLEN: And you're after 'em. When he went between the trucks you went between the trucks with 'em?
P.O.MCELLIGOTT: Yeah.

KILLEN: Okay so then when he got to Pulaski he goes south?

OIG 15-0564 000493

P.O.MCELLIGOTT: When he got to Pulaski yeah he head, he went south around, he wrapped around the buildin' and (noise) then Burger King.

KILLEN: And whaddid you mean cause you lost me when you said somebody wanted to make a U turn so you let them go ahead of you.

P.O.MCELLIGOTT: There were cars coming northbound on Pulaski to assist. And they passed up, they passed him up and then came back around.

KILLEN: Oh I gotcha. Okay so he's goin' south --

P.O.MCELLIGOTT: They made a U turn --

KILLEN: I gotcha.

P.O.MCELLIGOTT: Yeah they passed him up and turned around. I don't know if they didn't see 'em or if, what their reasoning was, but they, they made a U turn and they turned kinda like right at me and I just said go and I waved 'em.

KILLEN: Now is he in the street at this time? He is runnin' in the street or is he on the sidewalk?

P.O.MCELLIGOTT: I didn't see him at that point I didn't see him because there were other squad cars in front a me. And I don't want, I finally saw him I was in the median and I ran up towards him and that's when at that point he was already down and the officer, other officer was kickin' the gun, uh knife away.

OIG 15-0564 000494

KILLEN: So were you on the median when you heard the gunshots?
P.O.MCELLIGOTT: I was, I heard the gunshots. There's a traffic light. I heard the gunshots while I was at the traffic light. And then I waved, waved the other car to go and then um by the time I got there there were no more shots.

KILLEN: At the time did you know who was shooting?
P.O.MCELLIGOTT: No I did not.

KILLEN: You didn't see anybody shooting anything like that?
P.O.MCELLIGOTT: No.

KILLEN: Okay. So by the time you got you said then he's already, the offender's already on the ground?
P.O.MCELLIGOTT: Yes.

KILLEN: Is he on his, is he on his back, (noise) his stomach? How's he --
P.O.MCELLIGOTT: He was kinda on his side. On his right side.

KILLEN: And you said he still had the knife?
P.O.MCELLIGOTT: Yeah he was holdin' it. (noise)

KILLEN: In his right hand?
P.O.MCELLIGOTT: In his right hand.

KILLEN: And that was Officer Walsh kicked it from his hand?

OIG 15-0564 000495

P.O.MCELLIGOTT: Yeah.

KILLEN: Okay. And what happens he's placed in custody?
P.O.MCELLIGOTT: Then he was, well he was obviously down, he wasn't movin' anywhere. We're surrounding him and that's (noise) (inaudible) come.

KILLEN: Okay. I mean after the knife gets kicked outta his hand, does anybody touch it to your knowledge?
P.O.MCELLIGOTT: No.

KILLEN: Do you ever touch it?
P.O.MCELLIGOTT: I didn't touch it.

KILLEN: Okay. So you didn't see, you didn't see Officer Van Dyke discharge his weapon at the offender correct?
P.O.MCELLIGOTT: No I saw 'em holding his weapon.

KILLEN: Right.
P.O.MCELLIGOTT: Just kinda (inaudible) (noise)

KILLEN: You heard gunshots but you didn't see --
P.O.MCELLIGOTT: Correct.

KILLEN: Okay. Anything you'd like to add?
P.O.MCELLIGOTT: No.

KILLEN: Everything you told me is a true and accurate account of what occurred?

OIG 15-0564 000496

P.O.MCELLIGOTT: Yes.

KILLEN: All right this will conclude the audio recorded interview of Officer uh Joseph McElligott regarding Log number 1072125 U number 14 dash 36. Today is the 21st of October 2014 and the time is approximately 0451 hours.

OIG 15-0564 000497

I, CAROL A. O'LEARY, do hereby certify or affirm that I have impartially transcribed the foregoing from an audio recording of the above-mentioned proceeding to the best of my ability.

Carol A. O'Leary

Carol A. O'Leary

OIG 15-0564 000498

STATEMENT OF P.O. THOMAS GAFFNEY

CONDUCTED BY INVESTIGATOR KILLEN

ON OCTOBER 21, 2014 AT 0406 HOURS

AT AREA CENTRAL POLICE HEADQUARTERS

LOG # 1072125

Attachment # ~~76~~ ~~85~~ 160

OIG 15-0564 000610

KILLEN: This is the audio recorded interview of Officer Thomas Gaffney regarding Log number 1072125 U number 14 dash 36. Today is the 21st of October 2014. And the time is approximately 0406 hours. This statement is bein' taken at Area Central Police Headquarters at 51st and Wentworth. My name is Investigator Killen, that's spelled K I L L E N. My star number is 1 2 9. Also present is FOP attorney Dan Herbert. (noise) Dan if you would say and spell your first and last names.

HERBERT: Sure Dan, D A N, Herbert, H E R B E R T.

KILLEN: And uh also is uh FOP Representative Kato.

KATO: K R I S T O N. Last name is K A T O. (clears throat) FOP.

KILLEN: And Officer Gaffney if you would say and spell your first and last names for me.

P.O.GAFFNEY: My first name Thomas Gaffney, T H O M A S. G A F F N E Y.

KILLEN: Okay and what's your star number?

P.O.GAFFNEY: 1 9 9 5 8.

KILLEN: And your employee number?

P.O.GAFFNEY: [redacted]

KILLEN: And your uh current unit of assignment? (noise)

P.O.GAFFNEY: 8TH District.

KILLEN: Okay and (noise) what's your date of appointment with the (noise) Department?

P.O.GAFFNEY: Uh 8 July '96.

KILLEN: And your date of birth?

P.O.GAFFNEY: [redacted]

KILLEN: How long you been in 8?

P.O.GAFFNEY: Uh since 2000, 2001 I'm sorry. Summer 2001. (clears throat)

KILLEN: All right and then you're aware that this statement has the standing of an official Department report. And that any intentional falsification of any answer to any question would be in direct violations of rules and regulations?

P.O.GAFFNEY: Yes.

KILLEN: Given that, I (sighs) I'd like to remind you that failure to provide a complete and accurate account of this incident could result in a finding of Rule 14 with discipline leading up to and including separation from the Chicago Police Department. Do you understand that?

P.O.GAFFNEY: Yes.

KILLEN: All right and then you're aware that there are no allegations against you uh regarding this incident correct?

P.O.GAFFNEY: Yes.

KILLEN: Okay. So on 20 October 2014 at approximately 2150 hours what was your duty status and assignment?

OIG 15-0564 000612

P.O.GAFFNEY: Uh this statement is not being given voluntary but under duress. I am only givin' this statement because I know I will be fired if I refuse.

KILLEN: Okay. So yesterday 20 October 2014 approximately 2150 hours what was your duty status?
P.O.GAFFNEY: Um I was on duty workin' Beat 815 Robert.

KILLEN: Okay. And were you uh were you assigned a partner?
P.O.GAFFNEY: Yes I was, Joseph McElligott.

KILLEN: Okay were you uniformed?
P.O.GAFFNEY: Yes.

KILLEN: And so was McElligott right?
P.O.GAFFNEY: Yes.

KILLEN: Okay. And you and Officer McElligott you guys were assigned a car?
P.O.GAFFNEY: Yes.

KILLEN: What kinda car?
P.O.GAFFNEY: Uh squad, marked squad car uh Tahoe.

KILLEN: Okay. Were you the driver or the passenger?
P.O.GAFFNEY: I was the driver.

KILLEN: Okay. And then last night about 2150 hours you and uh Officer McElligott were witnesses to a police-involved shooting correct?

OIG 15-0564 000613

P.O.GAFFNEY: Yes.

KILLEN: All right and um (someone clears throat) if you would, if you'd start from the beginning and just run me through what happened.

P.O.GAFFNEY: Uh we received a call holding offender at forty, 4100 South Kildare. Um there supposedly somebody had broken into a, a truck uh vehicles um tryin' to get radios somethin' like that. So we, we were on Archer approximately Kostner Kenneth. I came uh, came to the (noise) we got the job came uh down Kostner to 47th, 47th to Kildare and Kildare right to 4100 South Kildare.

KILLEN: So you were comin' from the south goin' north correct?

P.O.GAFFNEY: Yes.

KILLEN: Okay. (someone clears throat) So you got the call are you, you were dispatched?

P.O.GAFFNEY: Yes.

KILLEN: OEMC?

P.O.GAFFNEY: Yes.

KILLEN: Radio?

P.O.GAFFNEY: Yes.

KILLEN: Okay. So then when you get to 41st and Kildare what, what happens?

P.O.GAFFNEY: Uh there was a male Hispanic and a female Hispanic uh standing by a gate um to the truck

OIG 15-0564 000614

yard. Um the gate was partially opened and uh the female had a chain in 'er hand and then we stopped and spoke to them.

KILLEN: Whaddid they tell ya?

P.O.GAFFNEY: They said that the guy just went around the corner. Um he was uh in the, in the you know lot tryin' to get um tryin' to get into trucks. Uh he had uh somethin' in his hand, he had uh a wire from a phone in his hand. And he said somethin' about a iPhone, I don't know if he was sayin' that he took an iPhone or he left an iPhone but he said that he went around the corner so then we, we asked 'em you know what he looked like, what he was wearin'? He said he's a male black with the dark shirt. So at that time we, we went up the street and turned the corner. (someone clears throat)

KILLEN: So they, they, did those two, that, did that man and woman tell you which way the, the offender went?

P.O.GAFFNEY: Yes. Yeah he just pointed, he pointed north um and he said he went around the corner.

KILLEN: Okay so then that'd, that's 41st Street?

P.O.GAFFNEY: Yeah towards 40th Street.

KILLEN: Okay. And what happens then?

P.O.GAFFNEY: So we went, we went up the, up the block to 40th Street and we turned um east on 40th Street and we, (inaudible) when we turned we seen um you

OIG 15-0564 000615

know somebody walkin'. So we approached 'em, drove up to 'em and at that time we seen it was a male black with dread locks. You know and he had a dark shirt on. So at that time my, my partner had gotten outta the vehicle (clears throat) and he had his flashlight you know he's shining on 'em. You know tell 'em to come 'ere. So at that time he just kinda had a look, you know a weird look in his face you know like glazed eyes and stuff lookin' at us. So I stayed in my car in case he was gonna run. So at that time you know my partner kind of approached 'em a lil bit more and that's when he, he had seen you know tell 'em to get his hands outta his pocket cause he had one hand in his pocket. And then he had seen something in his you know a shiny object in his hand. And I, I heard 'em say you know he's got a knife. So that's when you know cuz then I, at first I was still in the car so I didn't really see, see the knife at that time. But once my partner said that that's when I kinda looked and I, at that time like I said we're all still walking or still moving. So then the street lights were a lil bit more as we were walkin' I, I seen a knife also in his hand.

KILLEN: Okay so this, so this point when you first see this guy he's on what street?

P.O.GAFFNEY: He's on 40th Street.

KILLEN: And he's, he's headed which way?

P.O.GAFFNEY: Uh east.

OIG 15-0564 000616

KILLEN: So he's headed toward Pulaski?
P.O.GAFFNEY: Yes.

KILLEN: All right is he by himself?
P.O.GAFFNEY: Yes.

KILLEN: Is he, like is he on the sidewalk --
P.O.GAFFNEY: On the, at that time he was on the sidewalk.

KILLEN: Which side of the street would he be on?
P.O.GAFFNEY: Uh south side.

KILLEN: So on the passenger side of your vehicle?
P.O.GAFFNEY: Yes. Yes.

KILLEN: All right so then you guys pull up, you pulled alongside of 'em?
P.O.GAFFNEY: Yes.

KILLEN: And then the officer --
P.O.GAFFNEY: Not quite, well not quite right next to 'em but yeah he was still like I said he was still walking but he was in front of the car. You know like in front of the area as we were walkin' and movin' at the same time.

KILLEN: You're kinda behind 'em?
P.O.GAFFNEY: Yeah, yeah but yeah.

KILLEN: And McElligott gets outta the car?
P.O.GAFFNEY: Yes.

OIG 15-0564 000617

KILLEN: Flashlight in hand.
P.O.GAFFNEY: Yes.

KILLEN: And he says come here?
P.O.GAFFNEY: Well yeah, yeah he starts you know come here. You know get your hand outta your pocket. And you know but he, he like I said he turned around, spun around a couple times and (inaudible) get to walking never said anything to us.

KILLEN: Which hand was in his pocket do you remember?
P.O.GAFFNEY: I think it was his left hand cause he had the other hand had whatever was in his, you know what he had in his hand at the time.

KILLEN: And do you know what was in his hand?
P.O.GAFFNEY: Not at that time I didn't.

KILLEN: Okay.
P.O.GAFFNEY: Like I said my partner, he, when my, my partner said he's got a knife that's when I kinda you know like I said as we were walkin' the street lights got a lil brighter and I was able to kinda look you know look over at the, and then see that he did have, you could tell you know it was in his hand and the blade was stickin' out.

KILLEN: Okay. And when you say he turned around a couple times does he keep 'em goin' east toward Pulaski?
P.O.GAFFNEY: Yeah he, he always kept goin'.

OIG 15-0564 000618

KILLEN: So he never stops?
P.O.GAFFNEY: No he never stopped he just kept walkin'. A couple times he went into the street but not, just like a step or two in the street but he just kept walkin' eastbound.

KILLEN: And he was by himself?
P.O.GAFFNEY: Yes.

KILLEN: All right so then so McElligott approaches 'em and then you hear McElligott say he's got a knife?
P.O.GAFFNEY: Yeah when he said he has a knife that's when I you know that's when I kinda like sat up a lil bit to look, to look, get a better look and that's when I, I seen it too.

KILLEN: Okay that was in his right hand then? Is that --
P.O.GAFFNEY: Yeah, yeah it was in his right hand.

KILLEN: So what happens then?
P.O.GAFFNEY: Uh at that time like I said (noise) my partner still kept you know tellin', that's what he said drop the knife, drop the knife. You know put the knife down whatever. And I got on the radio and you know got on the radio and said you know the guy's got a knn, we're at 40th and Kee, uh Keeler approachin' Keeler. Uh he's got a knife. Could we get another car over here with a taser.

OIG 15-0564 000619

KILLEN: So you don't carry a taser?
P.O.GAFFNEY: No I didn't, no.

KILLEN: McElligott he doesn't carry --
P.O.GAFFNEY: No he didn't have one either.

KILLEN: Okay. So what happens then?
P.O.GAFFNEY: Well like I said we I, I, I called it in then the dispatcher you know asked for other cars and other cars said they were comin'. So we just, we just kept stayin' you know keepin' our distance at the time you know I kept drivin' along. And um we just (noise) kept walkin' with 'em (noise) You know he never you know like came at us or anything at that time. He just kept like walkin', my partner still kept givin' 'em verbal commands and droppin' the knife and you know stop and that type a thing. But you know he just kept walkin' turning around lookin' back at us you know just that weird glaze look.

KILLEN: Did he ever say anything?
P.O.GAFFNEY: No never said a word to us at all.

KILLEN: Okay.
P.O.GAFFNEY: (Clears throat)

KILLEN: So then what happens?
P.O.GAFFNEY: We kept (noise) goin' east. When we're, we're approaching uh Karlov, 40th and Karlov I knew the next block there was the Burger King, there was a truck lot so we were gonna get more

OIG 15-0564 000620

people. So as we approached the, pretty much the corner of Karlov I like kinda turned my car towards him a lil bit on you know and you know to try and maybe get 'em to go down Karlov cause there's more, you know there's just factories so there's no people down that way. So and then uh - -

KILLEN: So the purpose of doin' that is keep 'em away from --

P.O.GAFFNEY: Yeah like try to slow 'em down until other cars got 'ere and make 'em see if he would maybe even go down the side street.

KILLEN: Okay.

P.O.GAFFNEY: You know keep 'em from getting to that more populated area where there were cars and people. (someone clears throat) So when I did that, he kinda like took a step towards and swung his uh, his arm down. When he did that that's when I heard like pssss a sound and I knew that he popped a tire. (noise)

KILLEN: Okay.

P.O.GAFFNEY: And then one, once he did that I got on the radio and said you know squad he just popped our tire. So (clears throat) --

KILLEN: Where's McElligott at this time?

P.O.GAFFNEY: He was still walk but he was, he was still walkin' with us but he was at like towards the back of the car.

OIG 15-0564 000621

KILLEN: Okay.

P.O.GAFFNEY: You know the back you know he still kept his distance. So (noise) (clears throat) once he did that, once he popped the tire again he just with that glazed stare, that glazed eye stare once he did that he like stepped back like took a step back, back away from the car. So I pulled up a lil bit further in front of 'em to you know try and maybe stop 'em or get 'em to go down that street. That's when he just took a step toward me and swung his arm really hard and hit the windshield with the knife.

HERBERT: And if I could just indicate for the record, with his right hand holdin' behind his, behind his head (someone clears throat) bringin' it down in a striking motion.

P.O.GAFFNEY: Yeah he, he as hard as he could he was attempting to break that windshield.

KILLEN: And how many times did he hit the windshield?

P.O.GAFFNEY: Just once. It was just once. Went real hard swing right, right on the windshield.

KILLEN: What happens?

P.O.GAFFNEY: Obviously nothin', I didn't see nothin' break but then he walked around the front of the car and kept walkin' eastbound on 40th Street. And then at that time, maybe 10 to 15 more feet that's when you could hear um some you know some sirens. And then a squad car came off a Pulaski onto 40th Street with their lights on. At that

OIG 15-0564 000622

time he seen that and that's when he started to run. Oh yeah I, I, I (noise) got on the radio and some, one, one of us, I don't remember but somebody did say that he was you know he started to run towards you know towards the, the truck lot, the trucks.

KILLEN: Okay so, so you're still basically sittin' over at 40th and Karlov right? You see 'nother car come up Pulaski?

P.O.GAFFNEY: Yeah that's, yeah he, 'nother car came off Pulaski onto 40th Street.

KILLEN: So --

P.O.GAFFNEY: That, that's when he seen that and that's when he started runnin'.

KILLEN: So when they turn west on 40th he runs --

P.O.GAFFNEY: Yeah he runs --

KILLEN: -- east towards Pulaski?

P.O.GAFFNEY: -- he, he, he's still goin' towards Pulaski but he went off a, off a the sidewalk and um into, it was like a, an empty space where the trucks, the truckers park so they can sleep or whatever. And he (noise) ran that way between two trucks.

KILLEN: Okay. (noise)

P.O.GAFFNEY: So at that time (noise) my partner started runnin' and I drove the car, I drove the car up to the entrance of the Burger King lot and went

OIG 15-0564 000623

into the Burger King lot. And before I did that the other car that came off went into the Burger King lot also. So I just, I seen 'em come outta, between the trucks. I ran, I kept drivin' towards, towards the, the end of the lot, towards Pulaski and that's, he ran and then I stopped cause I (noise) my tire was pretty much flat. So I couldn't get, I wasn't gonna go over the curb and then the other car was behind 'em. He ran into like towards the street and the other car followed 'em went over the curb and followed 'em.

KILLEN: Do you know who, who's that other car you're talkin' about? Do you know who that is?

P.O.GAFFNEY: At the time I didn't but now I know it was 845 Robert.

KILLEN: Okay. And that's the car he's talkin' 'bout Pulaski and --

P.O.GAFFNEY: Yeah.

KILLEN: -- where they U turn and go back at 'em?

P.O.GAFFNEY: That's the one, that's the one yeah that's the one that I, I (noise) know, I found out that was the one that went over the curb, yeah.

KILLEN: Okay so you stop your (someone clears throat) car where then?

P.O.GAFFNEY: Pretty much right behind the parkin' lot. Before, before going over the curb and into the street. (noise)

OIG 15-0564 000624

KILLEN: Okay. And then, and you stopped because of the (noise) flat?

P.O.GAFFNEY: Yeah cause I, I, I didn't wanna, I didn't know if I was gonna make it over the, cuz it was like you know that lil part there's like lil the, the, cement tongue if you will, that, that's the parkin' lot. (noise) You know if I was gonna get over it.

KILLEN: And you see 845 Robert continue.

P.O.GAFFNEY: Yeah they went they continued followin' 'em and went into the street. So I --

KILLEN: And that's Pulaski you're talkin' about?

P.O.GAFFNEY: Yeah. Into Pulaski. So I spun around went behind the park, behind the Burger King you know there's a street, (inaudible) back towards Pulaski where it goes out to the street on Pulaski. (noise)

KILLEN: Okay so, so you don't take the curb at all. You just --

P.O.GAFFNEY: No, no I, I, I turn around, I turned around and went around the parkin' lot to, to get out where there's a, there's the light on 41st Street. (noise)

KILLEN: And that's where your car's stopped?

P.O.GAFFNEY: And then yeah I turned on Pulaski and that's where my, that's where I finally stopped.

OIG 15-0564 000625

KILLEN: That's when, when I saw your car was south, facin' south --
P.O.GAFFNEY: Yes. Yes that's right, that's where I stopped.

KILLEN: Okay so then do you see what happens then after, with, with the offender and 845 Robert then?
P.O.GAFFNEY: No that was all, yeah that was I believe done before I got onto Pulaski. Cause I, I spun around and that's when I, I heard, I started to hear shots before I got onto Pul, I think when I got onto Pulaski there was other cars and stuff in front of me too. So I didn't see what exactly was goin' on.

KILLEN: So you're basically goin' around Burger King.
P.O.GAFFNEY: Yeah that's when the shots I believe that's when the shots started firin'.

KILLEN: You heard gunshots?
P.O.GAFFNEY: Yeah.

KILLEN: At the time did you know who was shootin'?
P.O.GAFFNEY: No I didn't know.

KILLEN: Could you see who was shootin'?
P.O.GAFFNEY: No.

KILLEN: That's because --
P.O.GAFFNEY: Well there's a, yeah well there's a fence also right, opposite side of Burger King where, where we blocked, pretty much blocked. The fence

OIG 15-0564 000626

with uh, like a covering you know covering fence so nobody could see through the fence. Cause they were building some stuff there. So yeah there was that was all blockin' me.

KILLEN: There's (noise) no line a sight.
P.O.GAFFNEY: No, no.

KILLEN: Okay.
P.O.GAFFNEY: No.

KILLEN: So then by the time you, you get south on Pulaski there's no more shooting correct?
P.O.GAFFNEY: I believe yeah I believe so. I don't (noise) remember any shooting at, at, when I got onto Pulaski.

KILLEN: Where (noise) when you got on Pulaski and you're goin' south could you see the offender still?
P.O.GAFFNEY: No not, not until I got outta the car and started to go you know 'round to, to where everything was goin' on.

KILLEN: Where was he?
P.O.GAFFNEY: The offender he was on the ground at the time when I, when I got over there.

KILLEN: Okay. And it's after that then you find out who's shooting what happened?
P.O.GAFFNEY: Yeah, yeah.

OIG 15-0564 000627

KILLEN: Okay. (noise) You didn't see the shooting, you, you (noise) you didn't see Officer Van Dyke discharge the weapon?
P.O.GAFFNEY: No I didn't, no.

KILLEN: Okay. (sighs) And then that, that, (noise) the two people that called 9 1 1 said they were holdin' the offender.
P.O.GAFFNEY: Hmm huh.

KILLEN: Do you have any idea who they are?
P.O.GAFFNEY: No not at the time, no. Cause right when they just said he went around the corner, they gave a quick description. We just wanted to go and you know see if we can catch 'em. We didn't know how long ago it was. Or where he would've went. So we just you know went and see if we could grab 'em and figured they woulda still been there when we got back.

KILLEN: Okay. And then the knife that the offender had, as best you can describe it to me?
P.O.GAFFNEY: Uh all silver, real bright. And prob'ly 'bout four to six inch blade.

KILLEN: Okay. All right. Uh was there anything you'd like to add?
P.O.GAFFNEY: No.

KILLEN: All right everything you told me is a true and accurate account of what occurred?
P.O.GAFFNEY: Yes.

OIG 15-0564 000628

KILLEN: All right this will conclude the audio recorded interview of Officer Thomas Gaffney regarding Log number 1072125 U number 14 dash 36. Today is the 21st of October 2014. The time is approximately 0424 hours.

OIG 15-0564 000629

I, CAROL A. O'LEARY, do hereby certify or affirm that I have impartially transcribed the foregoing from an audio recording of the above-mentioned proceeding to the best of my ability.

Carol A. O'Leary

Carol A. O'Leary

OIG 15-0564 000630

HICAGO POLICE DEPARTMENT

ASE SUPPLEMENTARY REPORT

10 S. Michigan Avenue, Chicago, Illinois 60653
use by Chicago Police - Bureau of Investigative Services Personnel Only)

HX475653

Case id : 9825613
Sup ID : 10992767 CASR301

XC. CLEARED CLOSED (OTHER EXCEPTIONAL) | **DETECTIVE SUP. APPROVAL COMPLETE**

Offense Classification/Re-Classification	IUCR Code	Original Offense Classification			IUCR Code
AULT / Aggravated Po:Knife/Cut Instr	**0552**	ASSAULT / Aggravated Po:Knife/Cut Instr			0552
ddress of Occurrence	Beat of Occur	No of Victims	No of Offenders	No of Arrested	SCR No
112 S PULASKI RD	**815**	4	1	1	
ocation Type	Location Code	Secondary Location			Hate Crime?
Street	**304**				NO
ate of Occurrence	Unit Assigned	Date RO Arrived	Fire Related?	Gang Related?	Domestic Related?
20-OCT-2014 21:57	**0841R**	20-OCT-2014 21:57	NO	NO	NO

Reporting Officer	Star No	Approving Supervisor	Star No	Primary Detective Assigned	Star No
MARCH, David	20563	WOJCIK, Anthony	481	MARCH, David	20563
Date Submitted		Date Approved		Assignment Type	
15-MAR-2015 18:26		16-MAR-2015 00:03		FIELD	

THIS IS A FIELD INVESTIGATION EXC. CLEARED CLOSED (OTHER EXCEPTIONAL) REPORT

VICTIM(S) :

GAFFNEY, Thomas J
Male / White / 41 Years
EMPLOYMENT: Chicago Police Officer #19958 Chicago Police Officer
EMPLOYER BUSINESS NME: Chicago Police Department
BUS: 3420 W 63rd St
Chicago IL
312-747-8730

MCELLIGOTT, Joseph P
Male / White / 36 Years
EMPLOYMENT: Chicago Police Officer #18715 Chicago Police Officer
EMPLOYER BUSINESS NME: Chicago Police Department
BUS: 3420 W 63rd St
Chicago IL
312-747-8730

VAN DYKE, Jason D
Male / White / 36 Years
EMPLOYMENT: Chicago Police Officer #9465 Chicago Police Officer
EMPLOYER BUSINESS NME: Chicago Police Department
BUS: 3420 W 63rd St
Chicago IL
312-747-8730

WALSH, Joseph J
Male / White / 45 Years
EMPLOYMENT: Chicago Police Officer #12865 Chicago Police Officer
EMPLOYER BUSINESS NME: Chicago Police Department
BUS: 3420 W 63rd St
Chicago IL

HX475653

312-747-8730

OFFENDER(S): **MCDONALD, Laquan J** -- In Custody --

ALIAS: "Bon-Bon"
Male / Black / 17 Years
DOB: [redacted]
RES: [redacted]
BIRTH PL: Illinois
DESCRIPTION: 6'02,180,Black Hair, Dreadlocks Hair Style, Brown Eyes, Medium Complexion

ITEM USED:
Weapon
DLN/ID: [redacted]
OTHER IDENTIFICATIONS: **Type -** Other Id
State - Unknown

IR #: 2106340
SID #: IL18550721
ORGANIZATION: NEW BREED
RELATIONSHIP OF VICTIM TO OFFENDER:

GAFFNEY, Thomas No Relationship
MCELLIGOTT, Joseph No Relationship
VAN DYKE, Jason No Relationship
WALSH, Joseph No Relationship

GANG INFORMATION:
LISTED CRIMINAL ORGANIZATION: New Breed
GANG IDENTIFIERS: Other

OFFENDER INJURIES: **MCDONALD, Laquan J**

Type	Weapon Used	Weapon Description
Gun Shot Wound	Handgun	Other -Handgun

Injured by Police
Chicago Fire Department Provided First Aid
EXTENT OF INJURY: Multiple Gsw
HOSPITAL REMOVED BY: Cfd Ambulance 21

HOSPITAL: Mt. Sinai
INJURY TREATMENT: Multiple Gsw
PHYSICIAN NAME: Dr Pitzele
INV #: **13296449**

WEAPON(S): **Evidence**

Smith & Wesson -Us- (Bodyguard,Chief Special) , 5942 , 9 , Semi-Automatic Pistol , Semi-Automatic , 4" , Stainless

SERIAL #: [redacted]

MAGAZINE CAPACITY: 15

Number Of Live Rounds present in the Firearm - 15

Number Of Live Rounds used in the Firearm - 16

The Status Of This Firearm is 628361

PROPERTY TYPE: Other

OWNER: Van Dyke, Jason

POSSESSOR/USER: Van Dyke, Jason

PHONE #: 312 - 747 - 8730

LOCATION FOUND: 5101 S Wentworth Ave

VEHICLE INFO:

Truck , 2010 / Chevrolet / Tahoe / Truck

, Victims Vehicle

VIN: 1GNMCAE0XAR263348 **Evidence**

YEAR (RANGE): 2010

COLOR (TOP/BOTTOM): White / White

OWNER: Chicago Police Department

POSSESSOR/USER: Gaffney, Thomas

PHONE#: 312 - 747 - 8730

LOCATION FOUND: 4102 S Pulaski Rd

LICENSE: MP6581, Law Enforcement (City, County, State, Sos), IL

LOCATION OF INCIDENT:

4112 S Pulaski Rd
Chicago IL
304 - Street

DATE & TIME OF INCIDENT: 20-OCT-2014 21:57

WEATHER AND LIGHTING:

WEATHER: Cloudy & Cool

TEMPERATURE: 50s

LIGHTING: Dark / Artificial Light

LIGHTING SOURCE: Streetlights

DISTANCE: Overhead

MOTIVE CODE(S): Interceding In A Felony

CAUSE CODE(S): Dna

METHOD CODE(S): Offender Shot

CAU CODE(S): Police Related Not Con

FIREARM(S) RECOVERED: **INV #: 13296449** **Evidence**

Smith & Wesson -Us- (Bodyguard,Chief Special) , 5942 , 9 , Semi-

Automatic Pistol , Semi-Automatic , 4" , Stainless
SERIAL #: [redacted]
PROPERTY TYPE: Other

OWNER: Van Dyke, Jason
POSSESSOR/USER: Van Dyke, Jason

PHONE #: 312 - 747 - 8730
LOCATION FOUND: 5101 S Wentworth Ave

MAGAZINE CAPACITY: 15
Number Of Live Rounds present in the Firearm - 15
Number Of Live Rounds used in the Firearm - 16

/EHICLE(S) DAMAGED: **Truck , 2010 / Chevrolet / Tahoe / Truck**
VIN: 1GNMCAE0XAR263348 **Evidence**

YEAR - YEAR RANGE END: 2010
COLOR (TOP/BOTTOM): White / White
OWNER: Chicago Police Department
POSSESSOR/USER: Gaffney, Thomas

PHONE#: 312 - 747 - 8730
LOCATION FOUND: 4102 S Pulaski Rd
LICENSE: MP6581, Law Enforcement (City, County, State, Sos), IL

PERSONNEL ASSIGNED:
Detective/Investigator
MARCH, David M # 20563
Reporting Officer
FONTAINE, Dora # 4484 BEAT: 0841R

WITNESS(ES) :
BACERRA, Arturo
Male / White Hispanic / 32 Years
EMPLOYMENT: Chicago Police Officer #15790 Chicago Police Officer
BUS: 3420 W 63rd St
Chicago IL
312-747-8730
[redacted]
Female / White Hispanic / 29 Years
DOB: [redacted]
RES: 5340 Prairie
[redacted]

OTHER COMMUNICATIONS:
Cellular [redacted]
Phone :
[redacted]

Female / White Hispanic / 19 Years

DOB: [redacted]

RES: [redacted]

BUS: [redacted]

DLN/ID: [redacted]

Male / White Hispanic / 18 Years

DOB: [redacted]

RES: [redacted]

OTHER COMMUNICATIONS:

[redacted]
Phone :

DLN/ID: [redacted]

Female / White Hispanic / 24 Years

DOB: [redacted]

RES: [redacted]

EMPLOYMENT: Shift Manager

BUS: [redacted]

OTHER COMMUNICATIONS:

Cellular [redacted]
Phone :

FONTAINE, Dora

Female / White Hispanic / 47 Years

EMPLOYMENT: Chicago Police Officer #4484 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

[redacted]

Male / White Hispanic / 25 Years

DOB: [redacted]

RES: [redacted]

BUS: [redacted]

OTHER COMMUNICATIONS:

Cellular Phone : [redacted]

SSN: [redacted]

[redacted]

Female / White Hispanic / 30 Years

DOB: [redacted]

RES: [redacted]

OTHER COMMUNICATIONS:

Cellular Phone : [redacted]

[redacted]

Male / White Hispanic / 24 Years

DOB: [redacted]

RES: [redacted]

SSN: [redacted]

DLN/ID: [redacted]

MONDRAGON, Janet

Female / White Hispanic / 37 Years

EMPLOYMENT: Chicago Police Officer #4364 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

SEBASTIAN, Daphne L

Female / White / 45 Years

EMPLOYMENT: Chicago Police Officer #2763 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

VELEZ, Leticia

Female / White Hispanic / 43 Years

EMPLOYMENT: Chicago Police Officer #10385 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

VIRAMONTES, Ricardo

Male / White Hispanic / 41 Years

EMPLOYMENT: Chicago Police Officer #10590 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL

312-747-8730

OTHER INDIVIDUALS INVOLVED:

[redacted] (Additional Victim)
Male / White Hispanic / 43 Years
DOB: [redacted]
RES: [redacted]
EMPLOYMENT: Self-Employed Truck Driver
OTHER COMMUNICATIONS:
Cellular Phone : [redacted]
DLN/ID: [redacted] :

[redacted] (Family Member Notified)
Male / Black / 25 Years
DOB: [redacted]
RES: [redacted]
OTHER COMMUNICATIONS:
Other : [redacted]

[redacted] (Person Interviewed Non-Witness)
Female / White Hispanic / 62 Years
DOB: [redacted]
RES: [redacted]
BUS: [redacted]

[redacted] (Person Interviewed Non-Witness)
Female / White Hispanic / 39 Years
DOB: [redacted]
RES: [redacted]
BUS: [redacted]

CRIME CODE SUMMARY: 0552 - Assault - Aggravated Po:Knife/Cut Instr

OTHER ASSOCIATIONS: 0552 - Assault - Aggravated Po:Knife/Cut Instr

GAFFNEY, Thomas, J (Victim)

MCDONALD, Laquan, J	(Offender)
MCELLIGOTT, Joseph, P	(Victim)
MCDONALD, Laquan, J	(Offender)
MCDONALD, Laquan, J	(Offender)
VAN DYKE, Jason, D	(Victim)
MCDONALD, Laquan, J	(Offender)
WALSH, Joseph, J	(Victim)

ICIDENT NOTIFICATIONS:

NOTIFICATION DATE & TIME: 10/20/2014:230700
REQUEST TYPE: Notification
PERSON NAME: ,Sarlo
STAR #: 13131
EMP #:

NOTIFICATION DATE & TIME: 10/20/2014:231400
REQUEST TYPE: Notification
PERSON NAME: ,Jines
STAR #: 4898
EMP #:

NOTIFICATION DATE & TIME: 10/20/2014:215000
REQUEST TYPE: On Scene
PERSON NAME: ,March
STAR #: 20563
EMP #:

NOTIFICATION DATE & TIME: 10/21/2014:225800
REQUEST TYPE: Notification
PERSON NAME: ,Chibe
STAR #: 7303
EMP #:

NOTIFICATION DATE & TIME: 10/20/2014:235000
REQUEST TYPE: Notification
PERSON NAME: ,Briggs
STAR #:
EMP #: 76

REPORT DISTRIBUTIONS: No Distribution

INVESTIGATION:

AREA CENTRAL FIELD INVESTIGATION:

Exceptionally Cleared Closed /
Other Exceptional Clearance - Death of Offender.

The full format for this investigation is contained in the previous Progress - Scene Report.

INVESTIGATION:

The reporting detective was assigned to the immediate follow-up investigation of this police officer involved shooting incident, by Sergeant Daniel GALLAGHER of this command. The reporting detective proceeded to the scene of the incident at 4112 South Pulaski Road. The officer involved in the shooting was located and interviewed at the scene.

VAN DYKE, Jason D -----

stated he was a Chicago Police Officer assigned to the 008th District. He was on duty, in uniform, working on Beat 845R. VAN DYKE was working with Police Officer Joseph WALSH. The two officers were assigned to Chicago Police Department vehicle number 6412, a marked Chevrolet Tahoe, four door sport utility vehicle. WALSH was driving the vehicle and VAN DYKE was the passenger.

The two officers responded to a request for assistance from Beat 815R, regarding a man with a knife, on 40th Street, west of Pulaski Road. A unit equipped with a taser had also been requested. Officer VAN DYKE heard the radio transmission when Officer Thomas GAFFNEY said the man with a knife had "popped" the tire of GAFFNEY's police vehicle. VAN DYKE understood this to mean the subject had slashed the tire with his knife. As Officer WALSH drove westbound on 40th Street from Pulaski, VAN DYKE observed a black male subject, now known as Laquan MCDONALD, running eastbound in the parking lot of the Burger King restaurant on the southwest corner of 40 Street and Pulaski. MCDONALD was holding a knife in his right hand. VAN DYKE saw Police Officer Joseph MCELLIGOTT pursuing MCDONALD on foot. VAN DYKE also saw a civilian who was standing on 40th Street pointing to MCDONALD.

Officer WALSH drove eastbound in the parking lot, in pursuit of MCDONALD, on the north side of the Burger King restaurant building. WALSH used the police vehicle to block MCDONALD from entering the restaurant. MCDONALD ran out onto Pulaski Road and then turned southbound, running toward a Dunkin' Donuts restaurant, on the east side of Pulaski, south of the Burger King. WALSH positioned the police vehicle between MCDONALD and the Dunkin' Donuts to block his path towards that restaurant. When WALSH slowed the police vehicle alongside MCDONALD, Officer VAN DYKE opened the right front door of the vehicle to exit and confront MCDONALD. WALSH told VAN DYKE to stay in the vehicle as they were too close to MCDONALD to safely exit their vehicle. WALSH drove on southbound and stopped the police vehicle ahead of MCDONALD.

Officer VAN DYKE exited the vehicle on the right side and drew his handgun. As VAN DYKE stood in the street on Pulaski, facing northbound, toward MCDONALD, MCDONALD approached southbound. MCDONALD was holding the knife in his right hand, in an underhand grip, with the blade pointed forward. He was swinging the knife in an aggressive, exaggerated manner. VAN DYKE ordered MCDONALD to "Drop the knife!" multiple times. MCDONALD ignored VAN DYKE's verbal direction to drop the knife and continued to advance toward VAN DYKE.

When MCDONALD got to within 10 to 15 feet of Officer VAN DYKE, MCDONALD looked toward

VAN DYKE. MCDONALD raised the knife across his chest and over his shoulder, pointing the knife at VAN DYKE. VAN DYKE believed MCDONALD was attacking VAN DYKE with the knife, and attempting to kill VAN DYKE. In defense of his life, VAN DYKE backpedaled and fired his handgun at MCDONALD, to stop the attack. MCDONALD fell to the ground but continued to move and continued to grasp the knife, refusing to let go of it. VAN DYKE continued to fire his weapon at MCDONALD as MCDONALD was on the ground, as MCDONALD appeared to be attempting to get up, all the while continuing to point the knife at VAN DYKE. The slide on VAN DYKE's pistol locked in the rearward position, indicating the weapon was empty. VAN DYKE performed a tactical reload of his pistol with a new magazine and then assessed the situation.

MCDONALD was no longer moving and the threat had been mitigated, so Officer VAN DYKE and Officer WALSH approached MCDONALD. MCDONALD was still holding the knife in his right hand. VAN DYKE continued to order MCDONALD to "Drop the knife!" Officer WALSH told VAN DYKE, "I have this." VAN DYKE then used his handgun to cover WALSH as WALSH walked up and forcibly kicked the knife out of MCDONALD's right hand, thereby eliminating the threat to the officers.

Officer WALSH then notified the dispatcher on the police radio that shots had been fired by the police. Officer VAN DYKE requested an ambulance for MCDONALD on the radio.

Officer VAN DYKE's weapon was a Smith and Wesson, nine millimeter, semi-automatic pistol, with a 15 round magazine. VAN DYKE said the pistol was fully loaded at the beginning of his tour of duty, with 15 cartridges in the magazine and one cartridge in the firing chamber.

It was noted that the uniform Officer VAN DYKE was wearing consisted of a light blue long sleeve uniform shirt, with shoulder patches; black body armor vest, with patches; navy blue cargo pants; and equipment belt with handgun and radio.

The reporting detective then interviewed Officer VAN DYKE's partner.

WALSH, Joseph J -----

stated he was a Chicago Police Officer assigned to the 008th District. WALSH related the same facts as his partner, Officer Jason VAN DYKE.

WALSH added that as Laquan MCDONALD ran eastbound through the Burger King parking lot, WALSH used the police vehicle he was driving to block MCDONALD from entering the restaurant.

As MCDONALD ran southbound on Pulaski Road, from the Burger King, WALSH pursued MCDONALD in the police vehicle. WALSH drove southbound in the northbound lanes to get ahead of MCDONALD, keeping the police vehicle between MCDONALD and a Dunkin' Donuts restaurant, on the east side of Pulaski. As their vehicle passed MCDONALD, Officer VAN DYKE opened the right front door of their vehicle, to exit the truck and confront MCDONALD. WALSH, realizing that at this point they were too close to the armed MCDONALD to safely exit the vehicle, told VAN DYKE to wait until they got further ahead of MCDONALD. WALSH drove further south on Pulaski. He stopped his vehicle south of MCDONALD and exited the driver's door as VAN DYKE exited the right side of the vehicle. WALSH drew his handgun when he exited the vehicle.

Officer WALSH came around the rear of the police vehicle and joined Officer VAN DYKE on the right side of the vehicle. WALSH also stood in the street on Pulaski, facing northbound, as MCDONALD walked southbound toward the officers. WALSH ordered MCDONALD to "Drop the knife!" multiple times as MCDONALD approached the officers.

Officer WALSH also backed up, attempting to maintain a safe distance between himself and MCDONALD. MCDONALD ignored the verbal direction given by both WALSH and Officer VAN DYKE, and continued to advance toward the officers. When MCDONALD got to within 12 to 15 feet of the officers he swung the knife toward the officers in an aggressive manner. VAN DYKE opened fire with his handgun and MCDONALD fell to the ground. VAN DYKE continued firing his weapon at MCDONALD as MCDONALD continued moving on the ground, attempting to get up, while still armed with the knife.

When the gunfire stopped and MCDONALD was not moving anymore, WALSH approached MCDONALD with VAN DYKE. WALSH continued to order MCDONALD to "Drop the knife!" multiple times, as MCDONALD was still holding the knife in his right hand. WALSH forcibly kicked the knife out of MCDONALD's hand and then notified the dispatcher on the police radio that shots had been fired by the police. An ambulance was also requested for MCDONALD.

As they waited for the ambulance to respond to the scene, Officer WALSH told MCDONALD to "hang in there," and that an ambulance was on the way.

Officer WALSH said he believed MCDONALD was attacking WALSH and Officer VAN DYKE with the knife and attempting to kill them when the shots were fired. WALSH stated he did not fire his handgun because VAN DYKE was in the line of fire between WALSH and MCDONALD. WALSH thought VAN DYKE fired eight or nine shots total.

It was noted that Officer WALSH wore the same uniform configuration as Officer VAN DYKE.

The officers assigned to Beat 815R were interviewed.

GAFFNEY, Thomas J -----

stated he was a Chicago Police Officer assigned to the 008th District. He was on duty, in uniform, working on Beat 815R. GAFFNEY was working with Police Officer Joseph MCELLIGOTT. The two officers were assigned to Chicago Police Department vehicle number 8489, a marked Chevrolet Tahoe, four door sport utility vehicle. GAFFNEY was driving the vehicle and MCELLIGOTT was the passenger.

The officers responded to an assignment of holding an offender for breaking into trucks at 41st Street and Kildare Avenue. Upon arrival at that location they met an Hispanic couple who told the officers a black male subject, wearing a dark shirt, had attempted to break into trucks parked in the parking lot at that location. The couple told the officers the subject had walked off and was last seen walking eastbound on 40th Street from Kildare.

Officer GAFFNEY drove northbound on Kildare to 40th Street. When he turned eastbound onto 40th Street he saw a black male subject wearing dark clothing, walking eastbound on the sidewalk,

on the south side of the street. Officer MCELLIGOTT exited the police vehicle to approach the subject, now known as Laquan MCDONALD. GAFFNEY stayed in the vehicle in case MCDONALD fled. MCELLIGOTT called to MCDONALD and told him to stop but MCDONALD continued walking eastbound, ignoring MCELLIGOTT. MCDONALD's hands were in his pockets as he walked. MCELLIGOTT told MCDONALD to take his hands out of his pockets. MCDONALD took his hands out of his pockets and MCELLIGOTT told GAFFNEY that MCDONALD had a knife. GAFFNEY then saw a silver colored knife in MCDONALD's right hand. GAFFNEY also saw that MCELLIGOTT had his handgun drawn at this point. MCELLIGOTT repeatedly ordered MCDONALD to "Drop the knife," but MCDONALD ignored these directions. As MCDONALD reached Keeler Avenue, GAFFNEY notified the dispatcher on the police radio that they were following a subject with a knife and requested assistance from a unit equipped with a taser.

MCDONALD continued walking eastbound, Officer MCELLIGOTT following on foot and Officer GAFFNEY following in the police vehicle. As MCDONALD approached Karlov Avenue, GAFFNEY turned the Tahoe southbound onto Karlov and stopped, blocking the crosswalk. GAFFNEY said he wanted to stop MCDONALD before he reached Pulaski Road, a business street where more civilians were present. The area where MCDONALD was first observed was industrial in nature with no other civilians present. When GAFFNEY stopped his vehicle in front of MCDONALD, blocking his path, MCDONALD stabbed the right front tire of the Tahoe with his knife, causing the tire to go flat. GAFFNEY immediately informed the radio dispatcher that MCDONALD had "popped" the tire. MCDONALD attempted to walk around the front of the police vehicle and GAFFNEY drove the Tahoe forward a short distance to continue to block MCDONALD's path. MCDONALD then stabbed at the windshield of the Tahoe with the knife, striking the right side of the windshield. MCDONALD then continued walking eastbound from Karlov.

As MCDONALD approached the Burger King restaurant parking lot at 40th Street and Pulaski, assisting police units arrived, approaching westbound on 40th Street from Pulaski. MCDONALD began to run eastbound through the restaurant parking lot, on the north side of the Burger King building. He ran out onto Pulaski and then turned and ran southbound on Pulaski. Beat 845R pursued MCDONALD in their police vehicle, eastbound through the parking lot, over the curb at Pulaski, then southbound on Pulaski. Officer GAFFNEY lost sight of MCDONALD when he turned southbound on Pulaski.

Because of the flat tire on his vehicle, Officer GAFFNEY did not drive over the curb. As he drove around out onto Pulaski, GAFFNEY heard multiple gunshots in rapid succession. He did not see who was shooting. When he reached Pulaski MCDONALD was lying on the ground.

It was noted that Officer GAFFNEY wore the same uniform configuration as Officer VAN DYKE with the addition of the uniform baseball style cap with embroidered patch.

MCELLIGOTT, Joseph P -----

stated he was a Chicago Police Officer assigned to the 008th District. MCELLIGOTT related the same facts as his partner, Officer Thomas GAFFNEY.

Officer MCELLIGOTT added that after he exited the police vehicle, when Laquan MCDONALD took his hands out of his pockets and MCELLIGOTT saw MCDONALD holding a knife in his right

hand, MCELLIGOTT drew his handgun. He repeatedly ordered MCDONALD to "Drop the knife." MCDONALD ignored MCELLIGOTT's directions and continued to walk eastbound on 40th Street. MCELLIGOTT followed MCDONALD on foot, maintaining a safe distance between himself and the armed MCDONALD.

Officer MCELLIGOTT heard Officer GAFFNEY request assistance and a unit with a taser over the police radio. GAFFNEY attempted to use the police vehicle to block MCDONALD from continuing on toward the Burger King restaurant at Pulaski Road. At this point MCDONALD stabbed the right front tire and the windshield of the police vehicle. MCELLIGOTT began to hear the sirens of approaching assisting police units and MCDONALD began to run toward the Burger King restaurant.

When MCDONALD ran eastbound through the parking lot of the Burger King, Officer MCELLIGOTT ran after MCDONALD in pursuit. MCELLIGOTT ran out into the middle of Pulaski Road in pursuit of MCDONALD. MCELLIGOTT heard multiple gunshots but did not see who fired the shots. The gunfire was continuous, one shot after another. MCELLIGOTT then saw MCDONALD lying on the ground. MCELLIGOTT saw Officer Joseph WALSH kick the knife out of MCDONALD's hand.

It was noted that Officer MCELLIGOTT wore the same uniform configuration as Officer VAN DYKE.

Other officers who responded to this incident were also interviewed.

SEBASTIAN, Daphne L —

stated she was a Chicago Police Officer assigned to the 008th District. She was on duty, in uniform, working on Beat 813R. SEBASTIAN was working with Police Officer Janet MONDRAGON. The two officers were assigned to a marked vehicle. MONDRAGON was driving the vehicle and SEBASTIAN was the passenger.

The two officers responded to the request for assistance made by Beat 815R, regarding a subject with a knife. Officer SEBASTIAN thought the original call for assistance was at 40th Street and Keeler Avenue. The subject had punctured a tire on the police vehicle of Beat 815R. Officer MONDRAGON drove northbound on Pulaski Road, following Beat 845R, as they also responded to the request for assistance. MONDRAGON turned westbound onto 40th Street, behind Beat 845R.

Officer SEBASTIAN observed a black male subject, now known as Laquan MCDONALD, running southeast bound through the parking lot of the Burger King restaurant. Beat 845R pursued MCDONALD in their police vehicle, through the parking lot, toward Pulaski. SEBASTIAN told Officer MONDRAGON to drive back out onto Pulaski to assist in the pursuit. MCDONALD ran out onto Pulaski and continued to run southbound down the middle of the street. Beat 845R pursued MCDONALD in their vehicle, southbound on Pulaski, followed by Beat 813R. As MCDONALD ran southbound on Pulaski, SEBASTIAN saw the knife in his right hand. MCDONALD was waving the knife.

Beat 845R stopped their vehicle ahead of MCDONALD, between MCDONALD and the Dunkin'

Donuts restaurant on the east side of Pulaski. Officers Joseph WALSH and Jason VAN DYKE exited their vehicle and drew their handguns. MCDONALD turned toward the two officers and continued to wave the knife. Sebastian heard the officers repeatedly order MCDONALD to "Drop the knife!" MCDONALD ignored the verbal directions and continued to advance on the officers, waving the knife. Officer SEBASTIAN heard multiple gunshots and MCDONALD fell to the ground, where he continued to move. SEBASTIAN did not know who fired the shots, which were fired in one continuous group. She then saw Officer WALSH kick the knife out of MCDONALD's hand.

MONDRAGON, Janet -----

stated she was a Chicago Police Officer assigned to the 008th District. MONDRAGON related the same facts as her partner, Officer Daphne SEBASTIAN.

Officer MONDRAGON added that as she drove westbound on 40th Street, she saw Officer MCELLIGOTT running eastbound through the Burger King parking lot. She made a U-turn and drove back out onto Pulaski Road. MONDRAGON turned southbound onto Pulaski. She saw Laquan MCDONALD running southbound on Pulaski, in the middle of the street. As she got closer she could see MCDONALD was holding a knife in his right hand. He was waving the knife.

Officer MONDRAGON saw Officers Joseph WALSH and Jason VAN DYKE outside of their police vehicle. She heard the officers repeatedly ordering MCDONALD to "Drop the knife!" as MCDONALD got closer and closer to the officers, continuing to wave the knife. As she was placing her vehicle transmission into Park, MONDRAGON looked down and heard multiple, continuous gunshots, without pause. MONDRAGON then saw MCDONALD fall to the ground. MONDRAGON did not know who fired the shots.

BACERRA, Arturo -----

stated he was a Chicago Police Officer assigned to the 008th District. He was on duty, in uniform, working on Beat 822. BACERRA was working with Police Officer Leticia VELEZ. The two officers were assigned to a marked vehicle. BACERRA was driving the vehicle and VELEZ was the passenger.

Officer BACERRA and his partner responded to the request for assistance made by Beat 815R, regarding a subject who was armed with a knife. BACERRA was driving northbound on Pulaski Road from 47th Street. As he approached the scene of this incident, at 4112 South Pulaski, he observed a black male subject, now known as Laquan MCDONALD, in the middle of the street, flailing his arms. As he got closer, BACERRA observed MCDONALD to be holding a knife in his right hand. BACERRA drove past MCDONALD, with MCDONALD on the left side of the police vehicle, as Beat 845R drove past BACERRA, on the right side of his vehicle, travelling southbound. As BACERRA began to make a U-turn, he heard multiple gunshots. He then saw MCDONALD lying on the ground. BACERRA did not see who fired the shots.

VELEZ, Leticia -----

stated she was a Chicago Police Officer assigned to the 008th District. VELEZ related the same facts as her partner, Officer Arturo BACERRA.

Officer VELEZ added that as they approached the scene she observed Laquan MCDONALD standing in the middle of the street, holding a shiny object in his right hand. She saw him waving the object in the air. Officer BACERRA drove past MCDONALD and began to make a U-turn, when VELEZ heard multiple gunshots, without pause or delay. She then saw MCDONALD fall to the ground. VELEZ did not see who fired the shots. She did see an unknown officer kick the knife from MCDONALD's hand after he was down on the ground.

FONTAINE, Dora -----

stated she was a Chicago Police Officer assigned to the 008th District. She was on duty, in uniform, working on Beat 841R. FONTAINE was working with Police Officer Ricardo VIRAMONTES. The two officers were assigned to a marked vehicle. VIRAMONTES was driving the vehicle and FONTAINE was the passenger.

The two officers responded to the request for assistance made by Beat 815R, regarding a man with a knife at 41st Street and Pulaski Road. Officer VIRAMONTES drove northbound on Pulaski. When they arrived at the scene of this incident, in front of the Dunkin' Donuts restaurant, Officer FONTAINE saw a black male subject, now known as Laquan MCDONALD, walking southbound in the street, with a knife in his right hand. MCDONALD was walking sideways, with his body facing east, toward Officers Jason VAN DYKE and Joseph WALSH. These two officers were standing in the middle of the street, on the right side of their police vehicle, which was facing southbound. FONTAINE heard the officers repeatedly order MCDONALD to "Drop the knife!" MCDONALD ignored the verbal direction and instead, raised his right arm toward Officer VAN DYKE, as if attacking VAN DYKE. At this time VAN DYKE fired multiple shots from his handgun, until MCDONALD fell to the ground and stopped moving his right arm and hand, which still grasped the knife. The gunshots were rapid fire, without pause. Officer WALSH then kicked the knife out of MCDONALD's hand.

VIRAMONTES, Ricardo -----

stated he was a Chicago Police Officer assigned to the 008th District. VIRAMONTES related the same facts as his partner, Officer Dora FONTAINE.

Officer VIRAMONTES added that when he exited his police vehicle, at the scene, he observed a black male subject, now known as Laquan MCDONALD, walking southbound on Pulaski Road, in the middle of the street, holding a knife in his right hand. VIRAMONTES heard Officer Jason VAN DYKE repeatedly order MCDONALD to "Drop the knife!" MCDONALD ignored the verbal direction and turned toward VAN DYKE and his partner, Officer Joseph WALSH. At this time VAN DYKE fired multiple shots from his handgun. MCDONALD fell to the ground but continued to move, attempting to get back up, with the knife still in his hand. VAN DYKE fired his weapon at MCDONALD continuously, until MCDONALD was no longer moving.

The scene of this incident, at 4112 South Pulaski Road, was observed to be a wide commercial street with traffic traveling north and south. There were two traffic lanes and a curb lane in each direction. A wide median separated the northbound and southbound traffic lanes. The scene was just south of the intersection of Pulaski and 41st Street. This was a "T" intersection with 41st Street extending east from Pulaski. In the center median was a left turn lane for northbound traffic

turning west onto 40th Street, further to the north. The Pulaski median was level with the traffic lanes and was striped with yellow paint.

On the west side of Pulaski was a large vacant lot. North of the vacant lot, on the southwest corner of 40th Street and Pulaski, was a Burger King restaurant. On the east side of the street was a Dunkin Donuts restaurant.

The weather was cloudy and cool with the temperature in the 50s. It was dark with good artificial light provided by overhead streetlights. All of the lights were on and functioning normally. There was also artificial light provided by the lighting of the nearby businesses.

In the northbound left turn lane, Chicago Police Department vehicle number 6412, assigned to Beat 845R, was sitting, facing southeast. The vehicle was a marked Chevrolet Tahoe, four door sport utility vehicle. The right front door of the vehicle was open.

In the southbound traffic lanes, in the right lane, a metal folding pocket knife was lying on the pavement. The blade was in the open position. The overall length of the knife was seven inches, with a three inch blade. The knife was in line with the front end of the vehicle of Beat 845R. Just north of the knife were two pools of blood on the pavement. Five metal bullet fragments were lying on the pavement near the blood. North of the blood, scattered in a diagonal pattern from southwest to northeast, across both southbound traffic lanes and the northbound left turn lane, were 16, nine millimeter caliber cartridge cases, lying on the pavement.

Chicago Police Department vehicle number 8489, assigned to Beat 815R, was sitting at the west curb at 4102 South Pulaski. The right front tire of the vehicle was flat, with a large puncture to the sidewall of the tire. The right side of the windshield was scratched from being struck by Laquan MCDONALD's knife.

Mobile Crime Lab Beat 5802 responded to the scene. Video and photographs were taken of the scene. The knife and firearms evidence was collected from the street, as were swabs of the blood. The right front wheel and tire of Chicago Police Department vehicle number 8489 was also recovered. The right front quarter panel of vehicle number 8489 was processed for fingerprints and four ridge impressions were recovered.

A canvass was conducted of the area near the scene of this incident in an attempt to identify and locate witnesses. A number of people were interviewed.

[redacted] -----

stated she was [redacted] at the Burger King restaurant. At approximately 21:55 hours [redacted] observed police officers chasing a black male subject, now known as Laquan MCDONALD, through the parking lot, on the north side of the restaurant building. The officers chased MCDONALD southbound down Pulaski Road, toward the Dunkin' Donuts restaurant. [redacted] then heard multiple gunshots and dove to the ground.

[redacted] permitted access to the Burger King video system. No video of this incident was recorded. The system was not recording at that time. The system was activated and video was

recovered from the system from earlier in the day, showing the view of each of the cameras in the system. It was noted that none of these camera views showed the area of the scene where the confrontation between Laquan MCDONALD and Police Officers Jason VAN DYKE and Joseph WALSH occurred, on Pulaski Road, south of the Burger King restaurant. If the system had been recording at the time of this incident, it would not have recorded any footage of that confrontation.

[redacted] -----

stated he was at the Burger King restaurant, waiting for his girlfriend, [redacted], who was working at the drive-thru window. [redacted] observed a "young black dude" with his hair in dreadlocks, now known as Laquan MCDONALD, running through the parking lot of the restaurant. He was being pursued by police officers. MCDONALD was holding his pants like he might have had a gun or something. MCDONALD then ran southbound on the sidewalk and then out into the street on Pulaski Road. [redacted] last saw MCDONALD running towards the middle of the intersection of 41st Street and Pulaski. MCDONALD appeared confused. [redacted] then turned his attention back to his girlfriend at the drive-thru window. He did not witness the shooting.

[redacted] -----

stated she was working at [redacted] of the Burger King restaurant. She observed a male subject, now known as Laquan MCDONALD, running from the restaurant parking lot, southbound on Pulaski Road, toward the Dunkin' Donuts restaurant. [redacted] heard multiple gunshots and then saw that MCDONALD was lying in the street.

[redacted] -----

stated she was [redacted] of the Burger King restaurant. She did not see or hear anything.

[redacted] -----

stated she was [redacted] of the Burger King restaurant. She did not see or hear anything.

Laquan MCDONALD had been transported to Mount Sinai Hospital by Chicago Fire Department Ambulance 21. He sustained multiple gunshot wounds as documented in the format of this investigation. MCDONALD was treated for his injuries in the emergency room. He succumbed to his wounds and was subsequently pronounced dead by Doctor PITZELE, at 22:42 hours.

Registered Nurse [redacted], recovered three metal bullet fragments from MCDONALD and turned these over to Detective William JOHNSON. These were subsequently turned over to Mobile Crime Lab Beat 5802, who also recovered metal fragments from MCDONALD's sweater.

The reporting detective had learned of the death of Laquan MCDONALD while still at the scene of this incident. The Office of the Medical Examiner of Cook County was notified of MCDONALD's death, and Investigator BRIGGS assigned Medical Examiner's case number 2014 - 01071 to this case.

In the Bureau of Detectives - Area Central office, Evidence Technician Beat 5824 recovered Office Jason VAN DYKE's handgun, a Smith and Wesson, Model 5942, nine millimeter caliber, semi-automatic pistol. The weapon was loaded with one cartridge in the firing chamber and 14 cartridges in the magazine, when recovered.

Beat 5824 took photographs of Officers Jason VAN DYKE, Joseph WALSH, Thomas GAFFNEY and Joseph MCELLIGOTT. Elimination prints, including palm prints, were also taken from Officers GAFFNEY and MCELLIGOTT.

Officer Jason VAN DYKE was re-interviewed for additional detail, in the Area Central office.

VAN DYKE, Jason D ----

related the same sequence of events as documented in his original interview at the scene of this incident.

VAN DYKE additionally articulated the reasoning behind his decision to use deadly force against the offender in this incident, Laquan MCDONALD. VAN DYKE was aware of the radio transmissions from Officer Thomas GAFFNEY, on Beat 815R, that MCDONALD was armed with a knife. VAN DYKE was aware that MCDONALD had attacked the officers on Beat 815R by slashing the tire of their police vehicle.

As he confronted MCDONALD at 4112 South Pulaski Road, VAN DYKE saw that MCDONALD was in fact, armed with a knife, a deadly weapon. VAN DYKE was aware of the widely accepted teaching in law enforcement that an assailant armed with a knife was considered a deadly threat, if within 21 feet, because it was possible for such an assailant to close that distance and attack with the knife before a defensive shot could be fired from a handgun. VAN DYKE was also aware of the existence of throwing knives, which can be thrown from a distance, as well as spring loaded knives, which propel a blade through the air from the knife handle. VAN DYKE also said he recalled a previously issued Chicago Police Department bulletin warning of a weapon which appeared to be a knife but which actually was capable of firing a bullet, making it a firearm.

Subsequently, a search was conducted of the Chicago Police Department, Automated Message Center, to find the bulletin Officer Jason VAN DYKE remembered, regarding the weapon that appeared to be a knife, but was actually a firearm. This bulletin was issued on 04 December 2012. It was Officer Safety Alert number 2012-OSA-297. It was a warning regarding a "revolver knife" which was capable of firing .22 caliber cartridges.

Three witnesses had been transported into the Area Central office from the scene and were interviewed.

[redacted]----

stated she was in the Burger King restaurant parking lot. She saw a subject, now known as Laquan MCDONALD, running southbound on Pulaski Road. [redacted] saw many police officers on the street. She was trying to get her cellular telephone to work, to record video. [redacted] heard eight gunshots fired continuously. She did not see who fired the shots. [redacted] then saw

a police officer pointing a handgun at MCDONALD as he was lying on the ground.

With her permission, [redacted]' telephone was examined for any recorded video footage with negative results.

[redacted]-----

stated he was at the Burger King restaurant drive-thru with [redacted]. He saw a black male subject, now known as Laquan MCDONALD, running from the trucks parked at the rear of the restaurant parking lot. MCDONALD ran eastbound in the parking lot, on the north side of the Burger King building. A police officer was chasing MCDONALD on foot, eastbound through the parking lot, then southbound on Pulaski Road. A Chicago Police Department, Chevrolet Tahoe sport utility vehicle pulled up on Pulaski. MCDONALD ran toward the police vehicle. A police officer exited the vehicle and fired multiple shots from a handgun at MCDONALD. [redacted] thought there was video footage of the incident recorded on [redacted] cellular telephone. As documented in the previous interview of [redacted], her telephone was examined with negative results.

[redacted]-----

stated he was sitting in a truck, parked in the Burger King restaurant parking lot, on the south side of the restaurant building. He was completing some logs. [redacted] observed a black male subject, now known as Laquan MCDONALD, running southbound on Pulaski Road. The police were pursuing MCDONALD. [redacted] heard approximately three gunshots. He did not see who fired the shots. [redacted] exited the cab of his truck and climbed up on top of it. He saw a Chicago Police Department, Chevrolet Tahoe sport utility vehicle, and many police officers on Pulaski Road.

[redacted] insisted on leaving the Area Central office after their initial interviews, and they were transported as they requested.

Sergeant Lance BECVAR responded to the scene and subsequently to the Area Central office. He was able to recover video of this incident from the vehicles assigned to Beats 845R and 813R. This video was uploaded into the system. The reporting detective submitted a request for copies of these two videos which were subsequently inventoried. The reporting detective also requested that the videos be permanently retained. No video of this incident was recovered from the vehicles assigned to Beats 815R, 822 and 841R.

The recovered in-car camera video from Beats 845R and 813R was viewed and found to be consistent with the accounts of all of the witnesses. The video from Beat 813R showed that at the time Officer Jason VAN DYKE fired his handgun at Laquan MCDONALD, VAN DYKE was standing near the east edge of the southbound traffic lanes of Pulaski Road, and MCDONALD was near the lane marking separating the two southbound traffic lanes. The two were separated by the width of one traffic lane. The width of this traffic lane was approximately ten feet.

Recordings of the original 9-1-1 call and the radio transmissions over the Chicago Police Department, Zone 6 radio frequency were obtained from the Office of Emergency Management

and Communication. The recordings were reviewed and subsequently inventoried.

In the 9-1-1 call, a caller who identified himself as [redacted] stated that he was holding a guy for stealing radios from trucks in a trucking yard.

The recorded radio transmissions were consistent with the statements of the police officers involved in this incident. It was determined from the radio transmissions, that the entire interaction of the involved police officers, with Laquan MCDONALD, from the time Beat 815R notified the radio dispatcher that they had made contact with him, and that he was armed with a knife, until Beat 845R notified the dispatcher that shots had been fired by the police, lasted more than four minutes.

The criminal history of Laquan MCDONALD was reviewed. [redacted]

Additionally, there were two documented incidents, under Records Division numbers HS640983 and HT106389, on 01 December 2010 and 05 January 2011. In these incidents officials at the [redacted], elementary school, called the police because of the violent behavior of Laquan MCDONALD. The reports indicated that MCDONALD was a special education student at the school and that this had become a pattern of behavior for MCDONALD. The school officials indicated that MCDONALD had behavioral problems and anger issues. In both incidents MCDONALD was transported to [redacted] for evaluation and treatment.

The family of Laquan MCDONALD was located and notified of his death.

[redacted] -----

stated he was an uncle of Laquan MCDONALD. MCDONALD was living with JOHNSON while MCDONALD "worked out his problems." [redacted] said that MCDONALD attended [redacted] school but was currently suspended. MCDONALD suffered from "hypertension" but refused to take any medication. He stopped taking his prescribed medication approximately two years prior because he said it made him "freak out."

[redacted] last saw MCDONALD on Saturday, 18 October 2014, at approximately 13:00 hours, when MCDONALD left the apartment. He had not been back since. MCDONALD had rung the doorbell earlier in the day on 20 October 2014. [redacted] said they "buzzed" MCDONALD into the building but he never came up to the apartment.

[redacted] had no idea why MCDONALD would be in the area of 41st Street and Pulaski Road. JOHNSON said he would attempt to notify MCDONALD's mother, [redacted].

On Tuesday, 21 October 2014, [redacted] of the 9-1-1 caller, [redacted]" was located and interviewed.

[redacted] -----

stated she was with [redacted], parking a truck in the lot at 41st Street and Kildare Avenue. She saw a black male subject, now known as Laquan MCDONALD, attempting to steal property from vehicles parked in the lot. [redacted] confronted MCDONALD and told him to leave the lot. [redacted] said that MCDONALD did not say anything, but instead, he was "growling" and making strange noises. [redacted] again told MCDONALD to leave the lot and MCDONALD pulled out a knife. MCDONALD swung the knife at [redacted] attempting to cut him. [redacted] had already called 9-1-1 so he backed up and threw his cellular telephone at MCDONALD. MCDONALD then ran from the lot. He ran northbound on Kildare, then eastbound on 40th Street.

[redacted] described MCDONALD as a black male, with his hair in braids. He was wearing a black hood and blue jeans. [redacted] viewed a photograph of Laquan MCDONALD and identified him as the subject in the lot, who had been attempting to steal property from vehicles parked in the lot, and who subsequently threatened [redacted] with a knife, when [redacted] confronted MCDONALD.

On Wednesday, 22 October 2014, the 9-1-1 caller was interviewed.

[redacted] -----

related the same facts as [redacted]. [redacted] re-iterated that Laquan MCDONALD swung his knife at [redacted], attempting to cut him. [redacted] stated he was the person who called 9-1-1 regarding this incident.

A canvass was conducted of the area near the scene of this incident for any recorded video.

There were no Police Observation Devices, or other City of Chicago video cameras in the area.

Recorded video was recovered from three cameras on the exterior of the building housing the Greater Chicago Food Depository, at 4100 West Ann Lurie Place. Two of these videos showed two different views of Laquan MCDONALD walking eastbound on the sidewalk, on the south side of 40th Street, between Keeler and Karlov Avenues. Officer Joseph MCELLIGOTT was following MCDONALD on foot, maintaining a safe distance between himself and MCDONALD, while Officer Thomas GAFFNEY was following MCDONALD in a police vehicle. The third video did not capture any part of this incident.

Recorded video was recovered from two cameras at the Dunkin' Donuts restaurant, at 4113 South Pulaski Road. One of these videos showed the end of this incident, when Officers Jason VAN DYKE and Joseph WALSH stopped their vehicle, exited the vehicle and confronted Laquan MCDONALD. The view in this video is from a distance. The video from the second camera did not capture any part of this incident.

Recorded video was recovered from two cameras from Focal Point, 4141 South Pulaski Road. These videos did not capture any part of this incident.

All of the recovered video was inventoried.

A Major Case Review of this case was conducted at the Illinois State Police Crime Laboratory, on Thursday, 30 October 2014. An Evidence Submission Form was completed per this review.

The assigned personnel became aware of a potential question regarding the integrity of the video recovered from the Burger King restaurant. In an attempt to follow-up on this issue the assigned personnel proceeded to the restaurant on Wednesday, 11 March 2015. Manager, [redacted] was contacted at the restaurant. She stated that the video system at the restaurant had recently been repaired and a new digital video recorder had been installed. [redacted] said that as of this date, 11 of the 16 video ports in the system actually recorded video. This was consistent with the video recovered on the date of this incident. Video was recorded and recovered on 11 of the 16 video ports in the system on that date.

Any additional inquiries regarding the video system at the restaurant were referred to the district manager responsible for that restaurant, [redacted]. He was contacted and related that the day after this incident occurred, personnel from the Independent Police Review Authority, of the City of Chicago, came to the restaurant. They viewed video from the system and took custody of the digital video recorder. The recorder was returned to the restaurant two weeks later. Personnel from the Federal Bureau of Investigation then came to the restaurant and made copies of video from the system. After that some lawyers came to the restaurant with subpoenas to make copies of video from the system. Finally, [redacted] stated that personnel from the Federal Bureau of Investigation had come to the restaurant again, approximately three weeks prior to this interview, and took the digital video recorder. [redacted] did not have any further information regarding the video system.

The assigned personnel also became aware of an article written by [redacted], a professor at the University of Chicago Law School, citing the existence of an unknown witness to this incident. [redacted] was contacted on Thursday, 12 March 2015, in an attempt to interview this witness. [redacted] stated that this witness had already been interviewed by the Independent Police Review Authority and [redacted] did not know if the witness would be willing to be interviewed by the Chicago Police Department. [redacted] said he would contact the witness and provide him with contact information for the assigned personnel.

Based upon all the facts known at this time, and the death of the only offender in this incident, this case is now Exceptionally Cleared Closed / Other Exceptional Clearance - Death of Offender.

The above to-date investigation determined that Laquan MCDONALD was an active assailant who, while armed with a dangerous weapon, used force likely to cause death or serious injury to a private citizen when he attacked [redacted]; threatened the imminent use of force likely to cause death or serious injury when he incised the tire and stabbed the windshield of a Chicago Police Department vehicle occupied by Officer Thomas GAFFNEY; and initiated imminent use of force likely to cause death or serious injury when he initiated an attack on Officers Jason VAN DYKE and Joseph WALSH. The above investigation concluded that Officer Jason VAN DYKE's use of deadly force, the discharging of his duty firearm, was within the bounds of the Chicago Police Department's use of force guidelines, and in conformity with local ordinances and state law.

Based on the above facts, the associated report, under Records Division number HX486155, is now Closed / Non-Criminal.

REPORT OF:

Detective David M MARCH #20563
Sergeant Daniel GALLAGHER #1303
Lieutenant Anthony WOJCIK #481
Bureau of Detectives - Area Central

One (1) "911" call. Total length of call was 1:20

Disp: Chicago emergency,

Caller: I have a truck right year at 41st and Kildare. I have a parking lot for trucks. I have a guy right hear that stolen the radios

Disp: Are you holding this person?

Caller: Yeah. Just hear.

Disp: OK what is your name please?

Caller: My name is [redacted]

Disp: And which side of Kildare are you?

Caller: Ahhhhhhhhhh

Disp: What is the address of the yard

Caller: Right hear by the yards. 41 and Kildare

Disp: Well I'm looking at a map I see two trucking yards. One on each side of the street

Caller: Yeah, the one that is on the side of the street right. Next to ummm United Rental

OK. OK we will send the police. We will send the police.

OK. Thank you.

……call ended……

Event # 1429315878

Type	Location	Date	Pri	DG	Svc Beat	Disp
HOLDCI	3999 W 41ST ST / 4099 S PULASKI RD	20-OCT-2014 21:47:07	1A	008	0821	0552

Source	Response Level	Caller	Phone
E	1	[redacted]	[redacted]

Address of Occurrence	Occ Beat
4100 S KILDARE BL	0815

Event Chronology

Date	Activity	Wkstn	Person	Text
20-OCT-2014 21:45:35	REC			
20-OCT-2014 21:47:07	ENTRY	PCT49	C549513	CallerLocation, CallerName have been changed.
20-OCT-2014 21:47:50	DSP	PD18	D560949	815R
20-OCT-2014 21:48:05	ACK	PMDT6024	PC0V821	815R
20-OCT-2014 21:53:27	CLOC	PD18	D560949	815R [40 KEELER]
20-OCT-2014 21:53:40	MISC	PD18	D560949	knife in hand need tzaer
20-OCT-2014 21:53:43	ASST	PD18	D560949	812
20-OCT-2014 21:53:45	MISC	PADM19	D112780	815R NEED TASER PERKNI [40 KEELER
20-OCT-2014 21:53:48	ACK	PMDT5805	PC0U318	812
20-OCT-2014 21:54:51	MISC	PD18	D560949	walking eb
20-OCT-2014 21:54:53	MISC	PADM19	D112780	15R --- WALKING EB
20-OCT-2014 21:55:08	MISC	PADM19	D112780	TOWARDS PULASKI ?
20-OCT-2014 21:56:14	MISC	PADM19	D108212	popped tire on car
20-OCT-2014 21:56:18	MISC	PD18	D560949	popped tire on car
20-OCT-2014 21:56:20	ASSTER	PADM19	D108212	845R
20-OCT-2014 21:56:22	AUTPRE	PD18	D560949	845R
20-OCT-2014 21:56:22	ASST	PD18	D560949	845R
20-OCT-2014 21:56:33	MISC	PADM19	D108212	by the burger king
20-OCT-2014 21:56:36	MISC	PD18	D560949	headed to bk
20-OCT-2014 21:56:43	MISC	PADM19	D108212	female says were here
20-OCT-2014 21:56:47	ASSTER	PADM19	D108212	821R
20-OCT-2014 21:56:49	AUTPRE	PD18	D560949	821R
20-OCT-2014 21:56:49	ASST	PD18	D560949	821R
20-OCT-2014 21:56:52	ASSTER	PADM19	D108212	841R
20-OCT-2014 21:56:55	AUTPRE	PD18	D560949	841R
20-OCT-2014 21:56:55	ASST	PD18	D560949	841R
20-OCT-2014 21:57:00	MISC	PD18	D560949	to pulaski
20-OCT-2014 21:57:30	MISC	PADM19	D108212	shtosf fired by cpd
20-OCT-2014 21:57:32	MISC	PD18	D560949	shots fired by police
20-OCT-2014 21:57:41	ASST	PD18	D560949	862C
20-OCT-2014 21:57:51	MISC	PD18	D560949	NEEDS EMS
20-OCT-2014 21:57:58	MISC	PD18	D560949	41 PULASKI
20-OCT-2014 21:58:38	MISC	PADM19	D108212	i 55 all of pulski shut down 45 th
20-OCT-2014 21:58:39	MISC	PD18	D560949	SHUT DOWN PULASKI I55 - 45TH ST
20-OCT-2014 21:58:57	MISC	PADM19	D108212	calling state shut down ramps
20-OCT-2014 21:59:04	MISC	PD18	D560949	41 PULASKI DIVERTING TRAFFIC @ 821R

Event # 1429315878

Event Chronology

Date	Activity	Wkstn	Person	Text
20-OCT-2014 21:59:21	MISC	PD18	D560949	821R COVERING SB
20-OCT-2014 21:59:22	DSP	PDT101	D543242	4603
20-OCT-2014 21:59:25	AUTPRE	PD18	D560949	812
20-OCT-2014 21:59:25	ASST	PD18	D560949	812
20-OCT-2014 21:59:35	CLOC	PD18	D560949	812 [43 PULASKI NB]
20-OCT-2014 21:59:43	MISC	PADM19	D108212	state nfy'd sb pulaski shut down from i 55
20-OCT-2014 21:59:44	ASST	PD18	D560949	823R
20-OCT-2014 21:59:49	ASST	PADM19	D108212	843
20-OCT-2014 21:59:54	CLOC	PADM19	D108212	843 [HOLDING I55 RAMP]
20-OCT-2014 22:00:00	CLOC	PD18	D560949	843 [I 55 PULASKI]
20-OCT-2014 22:00:01	ASST	PADM19	D108212	PH2
20-OCT-2014 22:00:09	ASST	PADM19	D108212	851R
20-OCT-2014 22:00:13	ACK	PMDT4691	PC0X830	851R
20-OCT-2014 22:00:26	AUTPRE	PD18	D560949	851R
20-OCT-2014 22:00:26	ASST	PD18	D560949	851R
20-OCT-2014 22:00:29	ACK	PMDT6416	PC0X832	4603
20-OCT-2014 22:00:30	MISC	PADM19	D108212	815R both ok ???
20-OCT-2014 22:00:36	MISC	PADM19	D108212	everyone is ok
20-OCT-2014 22:00:51	MISC	PADM19	D108212	slowdown
20-OCT-2014 22:00:53	MISC	PADM19	D108212	nm
20-OCT-2014 22:00:56	MISC	PADM19	D108212	slowdown
20-OCT-2014 22:00:59	MISC	PD18	D560949	SLOWDOWN
20-OCT-2014 22:01:06	ASST	PADM19	D108212	810R
20-OCT-2014 22:01:16	MISC	PADM19	D108212	810R to get info from officer fired weapon
20-OCT-2014 22:01:19	MISC	PD18	D560949	INFO REQUESTED
20-OCT-2014 22:01:22	MISC	PD18	D560949	NAME & STAR
20-OCT-2014 22:02:20	ASST	PADM19	D108212	811
20-OCT-2014 22:02:27	CLOC	PADM19	D108212	811 [TRAFK SB ON PULASKI]
20-OCT-2014 22:02:34	ASST	PADM19	D108212	833R
20-OCT-2014 22:02:40	CLOC	PADM19	D108212	833R [44TH/PULASKI NB PULASKI]
20-OCT-2014 22:03:00	MISC	PADM19	D108212	810R *9465
20-OCT-2014 22:03:21	CLEAR	PADM19	D108212	PH2
20-OCT-2014 22:04:10	MISC	PADM19	D108212	cut off nb pulaski @ 47th st
20-OCT-2014 22:04:13	ASST	PADM19	D108212	865
20-OCT-2014 22:04:15	ASST	PADM19	D108212	846
20-OCT-2014 22:04:19	MISC	PD18	D50696	CUT47TH ST N/B PULASKI
20-OCT-2014 22:04:23	CLOC	PADM19	D108212	846 [TRAFFK @ 47 PULASKI]
20-OCT-2014 22:04:26	MISC	PADM19	D108212	846 nb
20-OCT-2014 22:05:50	ACK	PMDT5311	PC0AE49	846
20-OCT-2014 22:06:14	ASST	PADM19	D108212	855
20-OCT-2014 22:06:24	CLOC	PADM19	D108212	855 [TRAFFIC NB 45TH/PUASKI]
20-OCT-2014 22:06:29	CLOC	PD18	D50696	855 [45TH /PULASKIN/B]

Event # 1429315878

Event Chronology

Date	Activity	Wkstn	Person	Text
20-OCT-2014 22:06:41	COPYT	PADM19	D108212	Copied To Event(s): #CPD1429316149
20-OCT-2014 22:07:19	MISC	PD18	D50696	CTA NFY TO REROUTE BUSES
20-OCT-2014 22:08:04	CLOC	PADM19	D108212	821R 845R 841R 862C 865 846 4603 812 823R 855 843 851R 810R 815R 833R 811 [41ST/PULASKI]
20-OCT-2014 22:08:26	MISC	PD18	D50696	OEMC WEIDERSTROM NFY
20-OCT-2014 22:09:14	ASSTER	PADM19	D108212	842
20-OCT-2014 22:09:47	MISC	PD18	D50696	CTA SUPV ON THE BRIDGE
20-OCT-2014 22:12:50	ASST	PADM19	D108212	865B
20-OCT-2014 22:12:53	ACK	PMDT4684	PC0Y103	865B
20-OCT-2014 22:15:01	ASST	PADM19	D108212	850
20-OCT-2014 22:15:16	MISC	PADM19	D108212	865 a21 leaving sceen w/offender
20-OCT-2014 22:15:22	PCCHNG	PADM19	D108212	Papercar changed from 815R to 841R
20-OCT-2014 22:15:28	CLOC	PADM19	D108212	841R [A21 W/OFFENDER]
20-OCT-2014 22:15:46	SUPP	PADM19	D108212	Remarks Added
20-OCT-2014 22:15:52	ASST	PADM19	D108212	800X
20-OCT-2014 22:15:53	ACK	PMDT4701	PC0W294	811
20-OCT-2014 22:15:56	ACK	PMDT5173	PC0E418	800X
20-OCT-2014 22:16:32	EVTMSG	PDT97		SHOTS FIRED BY POLICE OFFENDER POSSIBLY STRUCK NFI AT THIS TIME
20-OCT-2014 22:16:54	ENR	PMDT4701	PC0W294	811
20-OCT-2014 22:16:54	ONS	PMDT4701	PC0W294	811
20-OCT-2014 22:17:06	CLOC	PADM19	D108212	842 [FOLOWING A21 TO HOSPITAL]
20-OCT-2014 22:17:16	CLOCX	PADM19	D108212	842 [4100 S KILDARE BL]
20-OCT-2014 22:17:52	CLOC	PADM19	D108212	842 [A21 TO MT SINAI]
20-OCT-2014 22:17:54	CLOCX	PADM19	D108212	841R [4100 S KILDARE BL]
20-OCT-2014 22:19:00	REMINQ	PMDT5311	PC0AE49	846 Veh->LIC/[redacted] LIS/IL
20-OCT-2014 22:19:02	ACK	PMDT4681	PC0S756	850
20-OCT-2014 22:19:20	CLEAR	PADM19	D108212	812
20-OCT-2014 22:19:38	CLEAR	PMDT4701	PC0W294	811
20-OCT-2014 22:21:52	SUPP	PADM19	D108212	Remarks Added
20-OCT-2014 22:22:31	CLEAR	PMDT6416	PC0X832	4603
20-OCT-2014 22:23:24	ASSTOS	PADM19	D108212	813R
20-OCT-2014 22:24:47	ACK	PMDT4706	PC0W483	813R
20-OCT-2014 22:27:36	ACK	PMDT5808	PC0W480	862C
20-OCT-2014 22:33:18	GDISP	PADM19	D108212	841R D/5000
20-OCT-2014 22:33:37	CASERD	PADM19	D108212	RDG Report Number 841R $CPDHX475653 D/5000 By: D108212
20-OCT-2014 22:34:55	SUPP	PADM19	D108212	Remarks Added
20-OCT-2014 22:38:26	COPYT	PDTS103	D557395	Copied To Event(s): #CPD1429316573
20-OCT-2014 22:38:51	MISC	PADM19	D108212	821R has the bus driver unk if supv is on scene

Event # 1429315878

Event Chronology

Date	Activity	Wkstn	Person	Text
20-OCT-2014 22:41:47	SUPP	PADM19	D108212	Remarks Added
20-OCT-2014 22:47:25	ASSTOS	PADM19	D108212	822
20-OCT-2014 22:47:33	ACK	PMDT4677	PC0AD53	822
20-OCT-2014 22:47:38	CLEAR	PMDT4681	PC0S756	850
20-OCT-2014 22:49:01	SUPP	PDT97	D382563	Remarks Added
20-OCT-2014 22:49:03	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted] LIS/IL
20-OCT-2014 22:49:49	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted]5 LIS/IL
20-OCT-2014 22:50:03	CLOC	PADM19	D108212	846 [44TH/PULASK > 53RD/PULASKI]
20-OCT-2014 22:51:08	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL
20-OCT-2014 22:54:30	COPYT	PADM19	D108212	Copied To Event(s): #CPD1429316783
20-OCT-2014 22:55:16	TCMPL	PADM19	D108212	846 , 783
20-OCT-2014 22:56:18	MISC	PADM19	D108212	5169-
20-OCT-2014 22:59:35	MISC	PADM19	D108212	843 tell officers fop guys are there
20-OCT-2014 23:00:29	GDISP	PADM19	D108212	841R D/0552
20-OCT-2014 23:01:29	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:01:45	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:05:27	SUPP	PADM19	D108212	Remarks Added
20-OCT-2014 23:06:21	CHNG	PADM19	D108212	Location: 4100 S KILDARE BL ==> 3999 W 41ST ST / 4099 S PULASKI RD;X Streets: 4100 BL S /4301 BL W 41ST ST ==> / ;LocCmt: BY UNITED RENTAL ==> BY UNITED RENTAL & BURGER KING;Atom: 815 ==> 821;RespArea: 815 ==> 821;RespGroup:815 ==> 821;
20-OCT-2014 23:08:50	REMINQ	PMDT5311	PC0AE49	846 Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:10:09	REMINQ	PMDT4751	PC0X185	841R Per->NAM/[redacted]J DOB[redacted] SEX/M DLS/IL
20-OCT-2014 23:10:09	REMINQ	PMDT4751	PC0X185	841R Per->NAM/[redacted] SEX/M SID/[redacted] DLS/IL
20-OCT-2014 23:10:16	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:11:31	CLEAR	PMDT5311	PC0AE49	846
20-OCT-2014 23:18:57	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted] LIS/IL
20-OCT-2014 23:22:10	REMINQ	PMDT4684	PC0Y103	865B Per->DLN[redacted] DLS/IL
20-OCT-2014 23:22:43	SUPP	PADM19	D108212	Remarks Added
20-OCT-2014 23:23:00	REMINQ	PMDT4684	PC0Y103	865B Per->DBId/54537
20-OCT-2014 23:29:50	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:30:06	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:31:49	REMINQ	PMDT4534	PC0T089	833R Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:35:59	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted] LIS/IL
20-OCT-2014 23:39:23	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL

Event # 1429315878

Event Chronology

Date	Activity	Wkstn	Person	Text
20-OCT-2014 23:43:55	CLEAR	PADM19	D108212	822
20-OCT-2014 23:45:30	ENR	PMDT4751	PC0X185	841R
20-OCT-2014 23:50:50	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted] LIS/IL
20-OCT-2014 23:54:43	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted] LIS/IL
21-OCT-2014 00:09:01	CLEAR	PD18	D50696	862C
21-OCT-2014 00:11:37	CLOC	PADM19	D108212	842 [MT SINAI NEEDS RELIEF]
21-OCT-2014 00:18:09	ASST	PD18	D50696	846R
21-OCT-2014 00:18:25	CLOC	PD18	D50696	846R [MT SINAI W/PRISONER]
21-OCT-2014 00:18:31	ACK	PMDT4685	PC0AK48	846R
21-OCT-2014 00:20:40	CLOC	PADM19	D108212	843 [I55 @ PULASKI TRAFK CONTROL --- RELIEF]
21-OCT-2014 00:27:54	ASST	PD18	D50696	824R
21-OCT-2014 00:27:58	ACK	PMDT4683	PC0T069	824R
21-OCT-2014 00:28:11	CLOC	PD18	D50696	824R [I55 @ PULASKI- TRAFK ON RAMP]
21-OCT-2014 00:31:16	REMINQ	PMDT4683	PC0T069	824R Veh->LIC/[redacted] LIS/IL LIT/ZZ
21-OCT-2014 00:45:40	CLEAR	PADM19	D108212	843
21-OCT-2014 00:55:22	REMINQ	PMDT4534	PC0T089	833R Veh->LIC/[redacted] LIS/IL
21-OCT-2014 00:58:06	REMINQ	PMDT4534	PC0T089	833R Veh->LIC[redacted] LIS/IL
21-OCT-2014 00:58:18	REMINQ	PMDT4534	PC0T089	833R Veh->LIC[redacted]LIS/IL
21-OCT-2014 01:00:51	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted]LIS/IL
21-OCT-2014 01:05:09	REMINQ	PMDT4534	PC0T089	833R Veh->LIC/[redacted] LIS/IL
21-OCT-2014 01:05:28	REMINQ	PMDT4534	PC0T089	833R Veh->LIC/[redacted]-B LIS/IL LIT/TK
21-OCT-2014 01:05:37	REMINQ	PMDT4534	PC0T089	833R Veh->LIC/[redacted] LIS/IL
21-OCT-2014 01:06:44	REMINQ	PMDT4534	PC0T089	833R Veh->LIC[redacted]LIS/IL
21-OCT-2014 01:06:54	REMINQ	PMDT4534	PC0T089	833R Veh->LIC/[redacted] LIS/IL
21-OCT-2014 01:09:59	CLEAR	PADM19	D108212	800X
21-OCT-2014 01:10:24	CLEAR	PMDT4998	PC0X178	842
21-OCT-2014 01:16:16	CLEAR	PADM19	D108212	855
21-OCT-2014 01:16:44	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted]9 LIS/IL
21-OCT-2014 01:18:14	CLEAR	PD18	D50696	865B
21-OCT-2014 01:33:29	AUTPRE	PADM19	D108212	865
21-OCT-2014 01:33:49	CLOC	PADM19	D108212	813R [AREA]
21-OCT-2014 01:33:57	ASST	PADM19	D108212	822
21-OCT-2014 01:34:00	CLOC	PADM19	D108212	822 [AREA]
21-OCT-2014 02:12:02	CLOC	PMDT4751	PC0X185	841R [AREA CENTRAL]
21-OCT-2014 03:10:28	CLOC	PD18	D50696	815R [AREA]
21-OCT-2014 03:16:34	MISC	PD18	D50696	PER 830R PULASKI CAN BE OPENED
21-OCT-2014 03:22:25	CLOC	PMDT6234	PC0Z521	823R [008] reports
21-OCT-2014 03:26:53	CLEAR	PMDT4683	PC0T069	824R
21-OCT-2014 03:36:12	REMINQ	PMDT4507	PC0W970	821R Veh->LIC/[redacted]LIS/IL LIT/TM
21-OCT-2014 03:40:25	REMINQ	PMDT4507	PC0W970	821R Veh->LIC/[redacted] LIS/IL
21-OCT-2014 03:40:45	REMINQ	PMDT4507	PC0W970	821R Veh->LIC/[redacted] LIS/IL

Event # 1429315878

Event Chronology

Date	Activity	Wkstn	Person	Text
21-OCT-2014 03:43:12	CLEAR	PMDT4507	PC0W970	821R
21-OCT-2014 04:03:03	CLOC	PD18	D50696	846R [MT SINAI]
21-OCT-2014 04:03:07	ONS	PD18	D50696	846R
21-OCT-2014 04:09:19	CLOC	PD18	D50696	833R [AREA CENTRAL W/815'S CAR]
21-OCT-2014 04:10:11	CLOC	PD18	D50696	833R [AREA CENTRAL W/815R'S CAR]
21-OCT-2014 04:18:37	CLEAR	PD18	D50696	823R
21-OCT-2014 04:23:43	CLEAR	PMDT4691	PC0X830	851R
21-OCT-2014 04:39:23	CLOC	PD18	D50696	845R [AREA CENTRAL]
21-OCT-2014 04:44:49	CLOC	PADM19	D108212	833R [008]
21-OCT-2014 04:48:06	CLEAR	PADM19	D108212	822
21-OCT-2014 05:11:56	COPYT	PDTS103	DT557395	Copied To Event(s): #CPD1429401913
21-OCT-2014 05:12:32	CLEAR	PADM19	D108212	833R
21-OCT-2014 05:12:50	ONS	PADM19	D108212	841R
21-OCT-2014 05:12:50	ONS	PADM19	D108212	845R
21-OCT-2014 05:12:50	ONS	PADM19	D108212	815R
21-OCT-2014 05:12:50	ONS	PADM19	D108212	813R
21-OCT-2014 05:12:52	ONS	PADM19	D108212	810R
21-OCT-2014 05:15:15	MISC	PADM19	D108212	846R BODY REMOVAL 0511 HRS
21-OCT-2014 05:20:48	CLEAR	PADM19	D108212	846R
21-OCT-2014 05:32:26	CLEAR	PADM19	D108212	810R
21-OCT-2014 06:31:23	SCHOFF	PMDT4659	PC0V684	Unit #845R scheduled for Logoff
21-OCT-2014 07:41:19	SCHOFF	PMDT4751	PC0X185	Unit #841R scheduled for Logoff
21-OCT-2014 07:43:43	CLEAR	PD18	D300971	841R 815R 845R 813R
21-OCT-2014 07:43:43	CLOSE	PD18	D300971	
21-OCT-2014 07:44:00	ROPEN	PD18	D300971	OPEN
21-OCT-2014 07:44:00	DSP	PD18	D300971	813R
21-OCT-2014 07:44:04	ACK	PMDT4706	PC0W483	813R
21-OCT-2014 07:44:09	SCHOFF	PMDT4706	PC0W483	Unit #813R scheduled for Logoff
21-OCT-2014 07:45:06	SCHOFF	PMDT4706	PC0W483	Unit #813R scheduled for Logoff
21-OCT-2014 07:45:34	SCHOFF	PD18	D300971	Unit #813R scheduled for Logoff
21-OCT-2014 07:45:37	CLEAR	PD18	D300971	813R
21-OCT-2014 07:45:37	CLOSE	PD18	D300971	
21-OCT-2014 07:45:52	ROPEN	PD18	D300971	OPEN
21-OCT-2014 07:45:52	DSP	PD18	D300971	815R
21-OCT-2014 08:45:46	ACK	PMDT6024	PC0V821	815R
21-OCT-2014 08:52:57	CLEAR	PD18	D300971	815R
21-OCT-2014 08:52:57	CLOSE	PD18	D300971	
	RMKS			*** WIRELESS CALL ***
	RMKS			holding a male who he caught breaking into trucks and stealing radios nfi
	RMKS			a21 to hospital
	RMKS			a21 to mt sinai confirmd by fireside

Event # 1429315878

Event Chronology

Date	Activity	Wkstn	Person	Text
	RMKS			HAVE SGT OR PAPER CAR CALL CRIME LAB AREA CENTRAL HGSCU OPER COMM NEWS AFFAIRS ASAP
	RMKS			[redacted] il id [redacted] 6'01 185\
	RMKS			EXEC DIR SCHENKEL NOTIFIED @ 2223 HRS 1ST DEP ELLIS NOTIFIED @ 2224 HRS CHIEF OF STAFF BERGER NOTIFIED @ 2226 HRS MANAG DEP , OPER GUIDICE NOTIFIED @ 2228 HRS DEP DIR , 911 OPER HALLOWELL NOTIFIED @ 2229 HRS DIR NEWS AFFAIRS STRATTON NOTIFIED @ 2231 HRS OEMC INVEST UNIT MESSAGE LEFT @ 2236 HRS MAYOR'S DETAIL BURTON NOTIFIED @ 2241 HRS IMD/OC NOTIFIED VIA MESSAGE @ 2217 HRS OEMC WM ORLANDINI NOTIFIED @ 2217 HRS OPER COMM *1804 NOTIFIED @ 2221 HRS [HAVE PC CALL] AREA SOUTH HGSCU DET KRETTEK NOTIFIED @ 2219 HRS [HAVE PC CALL] CRIME LAB SARLO NOTIFIED @ 2221 HRS [HAVE PC CALL][5802 RESPONDING] NEWS AFFAIRS GAINES NOTIFIED @ 2247 HRS 008TH DIST SGT KOMENSKY *1745 NOTIFIED @ 2248 HRS PCO2 JOHNSON -- CW7
	RMKS			offender pronounced @ 2242 hrs per 842
	RMKS			843 - crime lab is on scene

Unit Summary

Event # 1429315878

Unit Summary

Unit	Dispatch	Enroute	Onscene	T	TA	TC	Clear
815R	21:47:50	21:53:27	21-OCT-2014 05:12:50				21-OCT-2014 07:43:43
812	21:53:43						21:59:25
845R	21:56:20	21:56:20					21:56:22
845R	21:56:22	22:08:04	21-OCT-2014 05:12:50				21-OCT-2014 07:43:43
821R	21:56:47	21:56:47					21:56:49
821R	21:56:49	22:08:04					21-OCT-2014 03:43:12
841R	21:56:52	21:56:52					21:56:55
841R	21:56:55	22:08:04	22:17:54				21-OCT-2014 07:43:43
862C	21:57:41	22:08:04					21-OCT-2014 00:09:01
4603	21:59:22	22:08:04					22:22:31
812	21:59:25	21:59:35					22:19:20
823R	21:59:44	22:08:04					21-OCT-2014 04:18:37
843	21:59:49	21:59:54					21-OCT-2014 00:45:40
PH2	22:00:01						22:03:21
851R	22:00:09						22:00:26
851R	22:00:26	22:08:04					21-OCT-2014 04:23:43
810R	22:01:06	22:08:04	21-OCT-2014 05:12:52				21-OCT-2014 05:32:26
811	22:02:20	22:02:27	22:16:54				22:19:38
833R	22:02:34	22:02:40					21-OCT-2014 05:12:32
865	22:04:13	22:08:04					21-OCT-2014 01:33:29
846	22:04:15	22:04:23				22:55:16	23:11:31
855	22:06:14	22:06:24					21-OCT-2014 01:16:16
842	22:09:14	22:09:14	22:17:16				21-OCT-2014 01:10:24
865B	22:12:50						21-OCT-2014 01:18:14
850	22:15:01						22:47:38
800X	22:15:52						21-OCT-2014 01:09:59

Event # 1429315878

Unit Summary

Unit	Dispatch	Enroute	Onscene	T	TA	TC	Clear
813R	22:23:24	21-OCT-2014 01:33:49	22:23:24				21-OCT-2014 07:43:43
822	22:47:25		22:47:25				23:43:55
846R	21-OCT-2014 00:18:09	21-OCT-2014 00:18:25	21-OCT-2014 04:03:07				21-OCT-2014 05:20:48
824R	21-OCT-2014 00:27:54	21-OCT-2014 00:28:11					21-OCT-2014 03:26:53
822	21-OCT-2014 01:33:57	21-OCT-2014 01:34:00					21-OCT-2014 04:48:06
813R	21-OCT-2014 07:44:00						21-OCT-2014 07:45:37
815R	21-OCT-2014 07:45:52						21-OCT-2014 08:52:57

STATEMENT OF P.O. JOSEPH McELLIGOTT

CONDUCTED BY INVESTIGATOR KILLEN

ON OCTOBER 21, 2014 AT 0436 HOURS

AT AREA CENTRAL POLICE HEADQUARTERS

LOG# 1072125

Attachment # #144

OIG 15-0564 000482

KILLEN: This is the, this is the audio recorded interview of Officer Joseph McElligott regarding Log number 1072125 U number 14 dash 36. Today is the 21st of October 2014. And the time is approximately 0436 hours. This statement is bein' taken at Area Central Police Headquarters. My name is Investigator Killen, that's spelled K I L L E N. My star number is 1 2 9. Uh also present in the room is uh FOP attorney Dan Herbert. Dan if you would say and spell your first and last names.

HERBERT: Dan, D A N, Herbert, H E R B E R T.

KILLEN: And then FOP Representative Kato, uh Kriston Kato.

KATO: First name is Kriston, K R I S T O N. Last name K A T O. FOP Field Representative.

KILLEN: And Officer McElligott if you would say and spell your first and last names for me.

P.O.MCELLIGOTT: Joseph McElligott, J O S E P H, McElligott, M C E L L I G O T T.

KILLEN: Okay and what's your star number?

P.O.MCELLIGOTT: 1 8 7 1 5. (noise)

KILLEN: And your employee number?

P.O.MCELLIGOTT: [redacted]

KILLEN: And your date of appointment with the Department?

P.O.MCELLIGOTT: 27 August '01.

KILLEN: And your date of birth?

P.O.MCELLIGOTT: [redacted]

KILLEN: And your current unit of assignment?
P.O.MCELLIGOTT: The 8th District.

KILLEN: And how long you been in 8th District?
P.O.MCELLIGOTT: Seven years.

KILLEN: All right. Now you're aware that this statement has the standing of an official Department report. And that any intentional falsification of any answer to any question would be in direct violations of rules and regulations?
P.O.MCELLIGOTT: Yes.

KILLEN: Given that, I'd like to remind you that failure to provide a complete and accurate account of this incident could result in a finding of a violation of Rule 14 with discipline leading up to and including separation from the Chicago Police Department. Do you understand that?
P.O.MCELLIGOTT: Yes.

KILLEN: All right what was your duty status and assignment on 21 October or 20 October 2014 at approximately 2150 hours?
P.O.MCELLIGOTT: This statement is not being given voluntarily but under duress. I am only givin' this statement because I know I will be fired if I refuse.

KILLEN: All right so what was your duty status and assignment last night at (someone coughs) 2150 hours?

P.O.MCELLIGOTT: Full duty.

KILLEN: Okay. What time you start work last night?

P.O.MCELLIGOTT: Uh 2100.

KILLEN: Is that your normal start time?

P.O.MCELLIGOTT: Yes.

KILLEN: Okay and you remember what beat you were assigned?

P.O.MCELLIGOTT: 815 Robert.

KILLEN: Okay and were you assigned a partner?

P.O.MCELLIGOTT: Yes.

KILLEN: And who's your partner?

P.O.MCELLIGOTT: Uh Thomas Gaffney.

KILLEN: All right and you and Officer Gaffney you guys were assigned a vehicle?

P.O.MCELLIGOTT: Yes.

KILLEN: And what kinda vehicle?

P.O.MCELLIGOTT: It's a Chevy Tahoe.

KILLEN: Marked?

P.O.MCELLIGOTT: Yes.

OIG 15-0564 000485

KILLEN: Okay and you and Officer Gaffney are in full uniform?

P.O.MCELLIGOTT: Yes.

KILLEN: Okay and then at about 2150 hours at about 41st and Pulaski you and uh Officer Gaffney were witnesses to a police-involved shooting correct?

P.O.MCELLIGOTT: Correct.

KILLEN: All right and if you would just um from the beginning explain to me what happened?

P.O.MCELLIGOTT: Uh we responded to a call of holding the offender at uh 4100 on Karlov. And um I don't know I forget the exact address.

KILLEN: So you received this, you say responded to the call. You got a call uh via OEMC?

P.O.MCELLIGOTT: Yes.

KILLEN: All right so over the radio you get a call.

P.O.MCELLIGOTT: Holding the offender um somebody's stealing radios out of semi trucks.

KILLEN: Okay. Do you re, do you remember where you and uh, where were you and Officer Gaffney when you got that call?

P.O.MCELLIGOTT: Um we're somewhere along Archer around Kostner.

KILLEN: Okay. So you're south of 41st and Kildare?

P.O.MCELLIGOTT: Correct.

KILLEN: And Officer Gaffney's the driver?
P.O.MCELLIGOTT: He is the driver, yes.

KILLEN: So you guys head over to that --
P.O.MCELLIGOTT: So we head over, we take Kostner up and then uh take 47th to Kildare.

KILLEN: Okay. And what happens when you get there?
P.O.MCELLIGOTT: Um a male Hispanic and a female Hispanic um we pull up to the address and they said um that a male black wearin' a black shirt was in the, tryin' to steal the radios outta the semi. Um he was holding a, a white cord to like a phone, like a charger. And he said he's got my phone. So then he said he's right around the corner. (clears throat) So then we, we drive north to 40th Street and we turn right and then we see a male black with a black shirt.

KILLEN: Okay and what's he doin'?
P.O.MCELLIGOTT: He's standing there and then he kinda turns around when he sees us pull up.

KILLEN: And what happens?
P.O.MCELLIGOTT: At that point I got outta the car and I'm giving 'em commands to stop, turn around. And I noticed he has his left hand in his pocket like in a ball. And in his right hand he's holding something else. And then I tell 'em take his hands out of his pockets; let me see your hands. He doesn't take his hands --

OIG 15-0564 000487

KILLEN: So at this point is he, his back is to you?
P.O.MCELLIGOTT: He's facing me at this point.

KILLEN: Okay.
P.O.MCELLIGOTT: And then he starts turning and walking away. And he's holding one arm out and one hand in his pocket. He continues to walk and uh then he turns again he takes both his hands out and, and at that point he has a knife in his right hand as if he just opened it up, like flipped it open and he's holdin' his hand. At that point I drew my weapon I tell 'em to drop the knife. Um he kinda has this look in his eye like, like maybe he's on some sorta drugs cause it was like his eyes like rolled back. And then he walked, he started walking east again with his hands out and then he's kinda like kinda makin' motions from side to side. He's kinda all over. Goes from the street to the, to the sidewalk. And the whole time my partner is kinda paralleling me. And he's driving and I'm had my flashlight on 'em and I'm tellin' 'em to stop. Tellin' 'em to drop, drop the weapon. Drop the knife.

KILLEN: So you're on foot correct?
P.O.MCELLIGOTT: I'm on foot, walking.

KILLEN: And Officer Gaffney --
P.O.MCELLIGOTT: Walking with some distance between me.

KILLEN: You're behind him correct?
P.O.MCELLIGOTT: I'm yeah I'm behind him.

OIG 15-0564 000488

KILLEN: Behind the offender?
P.O.MCELLIGOTT: Yes.

KILLEN: And Officer Gaffney's paralleling him in the car?
P.O.MCELLIGOTT: He's, he's kinda like as far as I am. Like he's like to my right just a lil bit.

KILLEN: Okay.
P.O.MCELLIGOTT: Or to my left just a lil bit. Um --

KILLEN: Do you close the distance on this guy?
P.O.MCELLIGOTT: We just continue to follow 'em. And um then he, at one point (inaudible) my partner decides to pull towards him. And uh at that point he, the offender turned and like in a downward stabbing motion popped the front tire. My partner um at that point said that he popped the tire. Prior to that though um he had asked for an assist.
HERBERT: (inaudible)
P.O.MCELLIGOTT: He'd asked for somebody to come with a taser. So as we're like tryin' to buy time this happens with the, the tire at uh Keeler. And then um we go a lil bit further and he decide, my partner decides to pull closer to 'em to kinda cause he knew Pulaski was comin' up and there was Burger King and there's a bunch a other stuff where people are. Decides to pull over a lil bit (noise) kinda to veer 'em off so that he'll go up one of the streets cause it's, it's a factory area. And we know it's always like pretty bare.

OIG 15-0564 000489

There's nobody around. Um it's after hours. At that point he um he, he grabs the knife and he, he stabs at the, the windshield. So um then he starts walkin' away. Stabbed at the windshield then he walks away from the squad car. And he's walkin' on the sidewalk again. And then um we can hear the cars comin'. And then once we can kinda see (noise) in the windows we could see the, the blue lights in the reflection and you could hear the, you could hear the sirens now. (noise) That's when he decides to take off runnin'. He just full on sprint. Uh I started runnin' after 'em. My partner's driving the car that has a flat. He's goin' after 'em too. He goes through two semis were parked in the back of the Burger King lot at 40th and Pulaski. He goes through, I go through and then I see another squad car pull. They're right behind 'em. They pull behind 'em, he goes through a sidewalk and then they go, they go around through and they (clears throat) they cut through on the sidewalk as well. Around the north side of Burger King. And then I'm followin' up running and as I get to Pulaski I turn right cause they all turned right. (clears throat) And I got to about the light (noise) I could see a bunch of squad cars comin'. And um (clears throat) I keep runnin' (noise) and then one of 'em is, he's lookin' to do a U turn, one of the other squad cars. Um so instead of getting hit I just stopped and I waved them to go. (noise) (clears throat) And at that point he turned around he, he's goin' um southbound slowly

so I know they're, they're stopping right there. I hear the shots at that point. And uh when I approach I think I was running down maybe the middle that's when I saw the offender layin' on the ground. And at that point Joe Walsh, Officer Walsh uh he kicked, he the gun outta, or not the gun the uh the knife out of his, his right hand. (noise) Which he was still clenching at the time. And then um (noise) asked for an ambulance and that was pretty much it.

KILLEN: (clears throat) So when you guys, you're on 40th and you see, you're kinda walkin' with this guy right? You see 'em with the knife?

P.O.MCELLIGOTT: Hmm huh.

KILLEN: Right?

P.O.MCELLIGOTT: Yes.

HERBERT: Say yes.

KILLEN: So and you see 'em uh uh you described it as a down motion, he stabbed the tire of the car right?

P.O.MCELLIGOTT: Hmm huh.

KILLEN: That's the --

P.O.MCELLIGOTT: Yes.

KILLEN: -- front passenger tire correct?

P.O.MCELLIGOTT: Front passenger tire.

OIG 15-0564 000491

KILLEN: Okay and then you also saw 'em stab the windshield?
P.O.MCELLIGOTT: Yeah.

KILLEN: Right.
P.O.MCELLIGOTT: Yes.

KILLEN: Okay. Uh and you may have said it and I may have missed it, but did you or uh Officer Gaffney get on the radio and say hey this guy's armed. He's got a knife?
P.O.MCELLIGOTT: Yes. Um it was before he said he popped the tire um my partner got on the radio and said (clears throat) said this guy has a knife. Can you send somebody with a taser over here. And then (inaudible) lil time passed by and then (clears throat) that's when the tire incident.

KILLEN: Okay.
P.O.MCELLIGOTT: And then another five, ten seconds (noise) went by and (noise) attacked the car, stabbed the windshield.

KILLEN: So you're, you were warning everybody ahead a time?
P.O.MCELLIGOTT: Yes.

KILLEN: Before you got anything, he had the knife in his hand.
P.O.MCELLIGOTT: Yes. It started with uh we asked for a taser. We said he had a knife. And then we were

OIG 15-0564 000492

giving uh kinda like a play by play (noise) stab, he stabbed our tire, he just popped our tire. And, you know and they're askin' if anybody's heading over there. And we're just waitin' for the assist cars to come.

KILLEN: And I take it you don't carry a taser?
P.O.MCELLIGOTT: I do not.

KILLEN: And then neither does Officer Gaffney correct?
P.O.MCELLIGOTT: No.

KILLEN: Okay. So then you basically follow 'em all the way to Pulaski I take it. Karlov then Keeler somethin' like that.
P.O.MCELLIGOTT: Basically yeah. It was --

KILLEN: And then when the other car comes --
P.O.MCELLIGOTT: At that point he was (noise) he darted towards Pulaski.

KILLEN: Okay.
P.O.MCELLIGOTT: From Karlov to Pulaski he was full on sprinting and I was running after 'em.

KILLEN: And you're after 'em. When he went between the trucks you went between the trucks with 'em?
P.O.MCELLIGOTT: Yeah.

KILLEN: Okay so then when he got to Pulaski he goes south?

OIG 15-0564 000493

P.O.MCELLIGOTT: When he got to Pulaski yeah he head, he went south around, he wrapped around the buildin' and (noise) then Burger King.

KILLEN: And whaddid you mean cause you lost me when you said somebody wanted to make a U turn so you let them go ahead of you.

P.O.MCELLIGOTT: There were cars coming northbound on Pulaski to assist. And they passed up, they passed him up and then came back around.

KILLEN: Oh I gotcha. Okay so he's goin' south --

P.O.MCELLIGOTT: They made a U turn --

KILLEN: I gotcha.

P.O.MCELLIGOTT: Yeah they passed him up and turned around. I don't know if they didn't see 'em or if, what their reasoning was, but they, they made a U turn and they turned kinda like right at me and I just said go and I waved 'em.

KILLEN: Now is he in the street at this time? He is runnin' in the street or is he on the sidewalk?

P.O.MCELLIGOTT: I didn't see him at that point I didn't see him because there were other squad cars in front a me. And I don't want, I finally saw him I was in the median and I ran up towards him and that's when at that point he was already down and the officer, other officer was kickin' the gun, uh knife away.

OIG 15-0564 000494

KILLEN: So were you on the median when you heard the gunshots?
P.O.MCELLIGOTT: I was, I heard the gunshots. There's a traffic light. I heard the gunshots while I was at the traffic light. And then I waved, waved the other car to go and then um by the time I got there there were no more shots.

KILLEN: At the time did you know who was shooting?
P.O.MCELLIGOTT: No I did not.

KILLEN: You didn't see anybody shooting anything like that?
P.O.MCELLIGOTT: No.

KILLEN: Okay. So by the time you got you said then he's already, the offender's already on the ground?
P.O.MCELLIGOTT: Yes.

KILLEN: Is he on his, is he on his back, (noise) his stomach? How's he --
P.O.MCELLIGOTT: He was kinda on his side. On his right side.

KILLEN: And you said he still had the knife?
P.O.MCELLIGOTT: Yeah he was holdin' it. (noise)

KILLEN: In his right hand?
P.O.MCELLIGOTT: In his right hand.

KILLEN: And that was Officer Walsh kicked it from his hand?

OIG 15-0564 000495

P.O.MCELLIGOTT: Yeah.

KILLEN: Okay. And what happens he's placed in custody?
P.O.MCELLIGOTT: Then he was, well he was obviously down, he wasn't movin' anywhere. We're surrounding him and that's (noise) (inaudible) come.

KILLEN: Okay. I mean after the knife gets kicked outta his hand, does anybody touch it to your knowledge?
P.O.MCELLIGOTT: No.

KILLEN: Do you ever touch it?
P.O.MCELLIGOTT: I didn't touch it.

KILLEN: Okay. So you didn't see, you didn't see Officer Van Dyke discharge his weapon at the offender correct?
P.O.MCELLIGOTT: No I saw 'em holding his weapon.

KILLEN: Right.
P.O.MCELLIGOTT: Just kinda (inaudible) (noise)

KILLEN: You heard gunshots but you didn't see --
P.O.MCELLIGOTT: Correct.

KILLEN: Okay. Anything you'd like to add?
P.O.MCELLIGOTT: No.

KILLEN: Everything you told me is a true and accurate account of what occurred?

OIG 15-0564 000496

P.O.MCELLIGOTT: Yes.

KILLEN: All right this will conclude the audio recorded interview of Officer uh Joseph McElligott regarding Log number 1072125 U number 14 dash 36. Today is the 21st of October 2014 and the time is approximately 0451 hours.

OIG 15-0564 000497

I, CAROL A. O'LEARY, do hereby certify or affirm that I have impartially transcribed the foregoing from an audio recording of the above-mentioned proceeding to the best of my ability.

Carol A. O'Leary

Carol A. O'Leary

OIG 15-0564 000498

STATEMENT OF P.O. THOMAS GAFFNEY

CONDUCTED BY INVESTIGATOR KILLEN

ON OCTOBER 21, 2014 AT 0406 HOURS

AT AREA CENTRAL POLICE HEADQUARTERS

LOG # 1072125

Attachment # ~~76~~ ~~85~~ 160

OIG 15-0564 000610

KILLEN: This is the audio recorded interview of Officer Thomas Gaffney regarding Log number 1072125 U number 14 dash 36. Today is the 21st of October 2014. And the time is approximately 0406 hours. This statement is bein' taken at Area Central Police Headquarters at 51st and Wentworth. My name is Investigator Killen, that's spelled K I L L E N. My star number is 1 2 9. Also present is FOP attorney Dan Herbert. (noise) Dan if you would say and spell your first and last names.

HERBERT: Sure Dan, D A N, Herbert, H E R B E R T.

KILLEN: And uh also is uh FOP Representative Kato.

KATO: K R I S T O N. Last name is K A T O. (clears throat) FOP.

KILLEN: And Officer Gaffney if you would say and spell your first and last names for me.

P.O.GAFFNEY: My first name Thomas Gaffney, T H O M A S. G A F F N E Y.

KILLEN: Okay and what's your star number?

P.O.GAFFNEY: 1 9 9 5 8.

KILLEN: And your employee number?

P.O.GAFFNEY: [redacted]

KILLEN: And your uh current unit of assignment? (noise)

P.O.GAFFNEY: 8TH District.

KILLEN: Okay and (noise) what's your date of appointment with the (noise) Department?

P.O.GAFFNEY: Uh 8 July '96.

KILLEN: And your date of birth?

P.O.GAFFNEY: [redacted]

KILLEN: How long you been in 8?

P.O.GAFFNEY: Uh since 2000, 2001 I'm sorry. Summer 2001. (clears throat)

KILLEN: All right and then you're aware that this statement has the standing of an official Department report. And that any intentional falsification of any answer to any question would be in direct violations of rules and regulations?

P.O.GAFFNEY: Yes.

KILLEN: Given that, I (sighs) I'd like to remind you that failure to provide a complete and accurate account of this incident could result in a finding of Rule 14 with discipline leading up to and including separation from the Chicago Police Department. Do you understand that?

P.O.GAFFNEY: Yes.

KILLEN: All right and then you're aware that there are no allegations against you uh regarding this incident correct?

P.O.GAFFNEY: Yes.

KILLEN: Okay. So on 20 October 2014 at approximately 2150 hours what was your duty status and assignment?

OIG 15-0564 000612

P.O.GAFFNEY: Uh this statement is not being given voluntary but under duress. I am only givin' this statement because I know I will be fired if I refuse.

KILLEN: Okay. So yesterday 20 October 2014 approximately 2150 hours what was your duty status?
P.O.GAFFNEY: Um I was on duty workin' Beat 815 Robert.

KILLEN: Okay. And were you uh were you assigned a partner?
P.O.GAFFNEY: Yes I was, Joseph McElligott.

KILLEN: Okay were you uniformed?
P.O.GAFFNEY: Yes.

KILLEN: And so was McElligott right?
P.O.GAFFNEY: Yes.

KILLEN: Okay. And you and Officer McElligott you guys were assigned a car?
P.O.GAFFNEY: Yes.

KILLEN: What kinda car?
P.O.GAFFNEY: Uh squad, marked squad car uh Tahoe.

KILLEN: Okay. Were you the driver or the passenger?
P.O.GAFFNEY: I was the driver.

KILLEN: Okay. And then last night about 2150 hours you and uh Officer McElligott were witnesses to a police-involved shooting correct?

OIG 15-0564 000613

P.O.GAFFNEY: Yes.

KILLEN: All right and um (someone clears throat) if you would, if you'd start from the beginning and just run me through what happened.

P.O.GAFFNEY: Uh we received a call holding offender at forty, 4100 South Kildare. Um there supposedly somebody had broken into a, a truck uh vehicles um tryin' to get radios somethin' like that. So we, we were on Archer approximately Kostner Kenneth. I came uh, came to the (noise) we got the job came uh down Kostner to 47th, 47th to Kildare and Kildare right to 4100 South Kildare.

KILLEN: So you were comin' from the south goin' north correct?

P.O.GAFFNEY: Yes.

KILLEN: Okay. (someone clears throat) So you got the call are you, you were dispatched?

P.O.GAFFNEY: Yes.

KILLEN: OEMC?

P.O.GAFFNEY: Yes.

KILLEN: Radio?

P.O.GAFFNEY: Yes.

KILLEN: Okay. So then when you get to 41st and Kildare what, what happens?

P.O.GAFFNEY: Uh there was a male Hispanic and a female Hispanic uh standing by a gate um to the truck

OIG 15-0564 000614

yard. Um the gate was partially opened and uh the female had a chain in 'er hand and then we stopped and spoke to them.

KILLEN: Whaddid they tell ya?

P.O.GAFFNEY: They said that the guy just went around the corner. Um he was uh in the, in the you know lot tryin' to get um tryin' to get into trucks. Uh he had uh somethin' in his hand, he had uh a wire from a phone in his hand. And he said somethin' about a iPhone, I don't know if he was sayin' that he took an iPhone or he left an iPhone but he said that he went around the corner so then we, we asked 'em you know what he looked like, what he was wearin'? He said he's a male black with the dark shirt. So at that time we, we went up the street and turned the corner. (someone clears throat)

KILLEN: So they, they, did those two, that, did that man and woman tell you which way the, the offender went?

P.O.GAFFNEY: Yes. Yeah he just pointed, he pointed north um and he said he went around the corner.

KILLEN: Okay so then that'd, that's 41st Street?

P.O.GAFFNEY: Yeah towards 40th Street.

KILLEN: Okay. And what happens then?

P.O.GAFFNEY: So we went, we went up the, up the block to 40th Street and we turned um east on 40th Street and we, (inaudible) when we turned we seen um you

OIG 15-0564 000615

know somebody walkin'. So we approached 'em, drove up to 'em and at that time we seen it was a male black with dread locks. You know and he had a dark shirt on. So at that time my, my partner had gotten outta the vehicle (clears throat) and he had his flashlight you know he's shining on 'em. You know tell 'em to come 'ere. So at that time he just kinda had a look, you know a weird look in his face you know like glazed eyes and stuff lookin' at us. So I stayed in my car in case he was gonna run. So at that time you know my partner kind of approached 'em a lil bit more and that's when he, he had seen you know tell 'em to get his hands outta his pocket cause he had one hand in his pocket. And then he had seen something in his you know a shiny object in his hand. And I, I heard 'em say you know he's got a knife. So that's when you know cuz then I, at first I was still in the car so I didn't really see, see the knife at that time. But once my partner said that that's when I kinda looked and I, at that time like I said we're all still walking or still moving. So then the street lights were a lil bit more as we were walkin' I, I seen a knife also in his hand.

KILLEN: Okay so this, so this point when you first see this guy he's on what street?

P.O.GAFFNEY: He's on 40th Street.

KILLEN: And he's, he's headed which way?

P.O.GAFFNEY: Uh east.

OIG 15-0564 000616

KILLEN: So he's headed toward Pulaski?
P.O.GAFFNEY: Yes.

KILLEN: All right is he by himself?
P.O.GAFFNEY: Yes.

KILLEN: Is he, like is he on the sidewalk --
P.O.GAFFNEY: On the, at that time he was on the sidewalk.

KILLEN: Which side of the street would he be on?
P.O.GAFFNEY: Uh south side.

KILLEN: So on the passenger side of your vehicle?
P.O.GAFFNEY: Yes. Yes.

KILLEN: All right so then you guys pull up, you pulled alongside of 'em?
P.O.GAFFNEY: Yes.

KILLEN: And then the officer --
P.O.GAFFNEY: Not quite, well not quite right next to 'em but yeah he was still like I said he was still walking but he was in front of the car. You know like in front of the area as we were walkin' and movin' at the same time.

KILLEN: You're kinda behind 'em?
P.O.GAFFNEY: Yeah, yeah but yeah.

KILLEN: And McElligott gets outta the car?
P.O.GAFFNEY: Yes.

OIG 15-0564 000617

KILLEN: Flashlight in hand.
P.O.GAFFNEY: Yes.

KILLEN: And he says come here?
P.O.GAFFNEY: Well yeah, yeah he starts you know come here. You know get your hand outta your pocket. And you know but he, he like I said he turned around, spun around a couple times and (inaudible) get to walking never said anything to us.

KILLEN: Which hand was in his pocket do you remember?
P.O.GAFFNEY: I think it was his left hand cause he had the other hand had whatever was in his, you know what he had in his hand at the time.

KILLEN: And do you know what was in his hand?
P.O.GAFFNEY: Not at that time I didn't.

KILLEN: Okay.
P.O.GAFFNEY: Like I said my partner, he, when my, my partner said he's got a knife that's when I kinda you know like I said as we were walkin' the street lights got a lil brighter and I was able to kinda look you know look over at the, and then see that he did have, you could tell you know it was in his hand and the blade was stickin' out.

KILLEN: Okay. And when you say he turned around a couple times does he keep 'em goin' east toward Pulaski?
P.O.GAFFNEY: Yeah he, he always kept goin'.

OIG 15-0564 000618

KILLEN: So he never stops?
P.O.GAFFNEY: No he never stopped he just kept walkin'. A couple times he went into the street but not, just like a step or two in the street but he just kept walkin' eastbound.

KILLEN: And he was by himself?
P.O.GAFFNEY: Yes.

KILLEN: All right so then so McElligott approaches 'em and then you hear McElligott say he's got a knife?
P.O.GAFFNEY: Yeah when he said he has a knife that's when I you know that's when I kinda like sat up a lil bit to look, to look, get a better look and that's when I, I seen it too.

KILLEN: Okay that was in his right hand then? Is that --
P.O.GAFFNEY: Yeah, yeah it was in his right hand.

KILLEN: So what happens then?
P.O.GAFFNEY: Uh at that time like I said (noise) my partner still kept you know tellin', that's what he said drop the knife, drop the knife. You know put the knife down whatever. And I got on the radio and you know got on the radio and said you know the guy's got a knn, we're at 40th and Kee, uh Keeler approachin' Keeler. Uh he's got a knife. Could we get another car over here with a taser.

OIG 15-0564 000619

KILLEN: So you don't carry a taser?
P.O.GAFFNEY: No I didn't, no.

KILLEN: McElligott he doesn't carry --
P.O.GAFFNEY: No he didn't have one either.

KILLEN: Okay. So what happens then?
P.O.GAFFNEY: Well like I said we I, I, I called it in then the dispatcher you know asked for other cars and other cars said they were comin'. So we just, we just kept stayin' you know keepin' our distance at the time you know I kept drivin' along. And um we just (noise) kept walkin' with 'em (noise) You know he never you know like came at us or anything at that time. He just kept like walkin', my partner still kept givin' 'em verbal commands and droppin' the knife and you know stop and that type a thing. But you know he just kept walkin' turning around lookin' back at us you know just that weird glaze look.

KILLEN: Did he ever say anything?
P.O.GAFFNEY: No never said a word to us at all.

KILLEN: Okay.
P.O.GAFFNEY: (Clears throat)

KILLEN: So then what happens?
P.O.GAFFNEY: We kept (noise) goin' east. When we're, we're approaching uh Karlov, 40th and Karlov I knew the next block there was the Burger King, there was a truck lot so we were gonna get more

OIG 15-0564 000620

people. So as we approached the, pretty much the corner of Karlov I like kinda turned my car towards him a lil bit on you know and you know to try and maybe get 'em to go down Karlov cause there's more, you know there's just factories so there's no people down that way. So and then uh - -

KILLEN: So the purpose of doin' that is keep 'em away from --

P.O.GAFFNEY: Yeah like try to slow 'em down until other cars got 'ere and make 'em see if he would maybe even go down the side street.

KILLEN: Okay.

P.O.GAFFNEY: You know keep 'em from getting to that more populated area where there were cars and people. (someone clears throat) So when I did that, he kinda like took a step towards and swung his uh, his arm down. When he did that that's when I heard like pssss a sound and I knew that he popped a tire. (noise)

KILLEN: Okay.

P.O.GAFFNEY: And then one, once he did that I got on the radio and said you know squad he just popped our tire. So (clears throat) --

KILLEN: Where's McElligott at this time?

P.O.GAFFNEY: He was still walk but he was, he was still walkin' with us but he was at like towards the back of the car.

OIG 15-0564 000621

KILLEN: Okay.

P.O.GAFFNEY: You know the back you know he still kept his distance. So (noise) (clears throat) once he did that, once he popped the tire again he just with that glazed stare, that glazed eye stare once he did that he like stepped back like took a step back, back away from the car. So I pulled up a lil bit further in front of 'em to you know try and maybe stop 'em or get 'em to go down that street. That's when he just took a step toward me and swung his arm really hard and hit the windshield with the knife.

HERBERT: And if I could just indicate for the record, with his right hand holdin' behind his, behind his head (someone clears throat) bringin' it down in a striking motion.

P.O.GAFFNEY: Yeah he, he as hard as he could he was attempting to break that windshield.

KILLEN: And how many times did he hit the windshield?

P.O.GAFFNEY: Just once. It was just once. Went real hard swing right, right on the windshield.

KILLEN: What happens?

P.O.GAFFNEY: Obviously nothin', I didn't see nothin' break but then he walked around the front of the car and kept walkin' eastbound on 40th Street. And then at that time, maybe 10 to 15 more feet that's when you could hear um some you know some sirens. And then a squad car came off a Pulaski onto 40th Street with their lights on. At that

OIG 15-0564 000622

time he seen that and that's when he started to run. Oh yeah I, I, I (noise) got on the radio and some, one, one of us, I don't remember but somebody did say that he was you know he started to run towards you know towards the, the truck lot, the trucks.

KILLEN: Okay so, so you're still basically sittin' over at 40th and Karlov right? You see 'nother car come up Pulaski?

P.O.GAFFNEY: Yeah that's, yeah he, 'nother car came off Pulaski onto 40th Street.

KILLEN: So --

P.O.GAFFNEY: That, that's when he seen that and that's when he started runnin'.

KILLEN: So when they turn west on 40th he runs --

P.O.GAFFNEY: Yeah he runs --

KILLEN: -- east towards Pulaski?

P.O.GAFFNEY: -- he, he, he's still goin' towards Pulaski but he went off a, off a the sidewalk and um into, it was like a, an empty space where the trucks, the truckers park so they can sleep or whatever. And he (noise) ran that way between two trucks.

KILLEN: Okay. (noise)

P.O.GAFFNEY: So at that time (noise) my partner started runnin' and I drove the car, I drove the car up to the entrance of the Burger King lot and went

OIG 15-0564 000623

into the Burger King lot. And before I did that the other car that came off went into the Burger King lot also. So I just, I seen 'em come outta, between the trucks. I ran, I kept drivin' towards, towards the, the end of the lot, towards Pulaski and that's, he ran and then I stopped cause I (noise) my tire was pretty much flat. So I couldn't get, I wasn't gonna go over the curb and then the other car was behind 'em. He ran into like towards the street and the other car followed 'em went over the curb and followed 'em.

KILLEN: Do you know who, who's that other car you're talkin' about? Do you know who that is?

P.O.GAFFNEY: At the time I didn't but now I know it was 845 Robert.

KILLEN: Okay. And that's the car he's talkin' 'bout Pulaski and --

P.O.GAFFNEY: Yeah.

KILLEN: -- where they U turn and go back at 'em?

P.O.GAFFNEY: That's the one, that's the one yeah that's the one that I, I (noise) know, I found out that was the one that went over the curb, yeah.

KILLEN: Okay so you stop your (someone clears throat) car where then?

P.O.GAFFNEY: Pretty much right behind the parkin' lot. Before, before going over the curb and into the street. (noise)

OIG 15-0564 000624

KILLEN: Okay. And then, and you stopped because of the (noise) flat?

P.O.GAFFNEY: Yeah cause I, I, I didn't wanna, I didn't know if I was gonna make it over the, cuz it was like you know that lil part there's like lil the, the, cement tongue if you will, that, that's the parkin' lot. (noise) You know if I was gonna get over it.

KILLEN: And you see 845 Robert continue.

P.O.GAFFNEY: Yeah they went they continued followin' 'em and went into the street. So I --

KILLEN: And that's Pulaski you're talkin' about?

P.O.GAFFNEY: Yeah. Into Pulaski. So I spun around went behind the park, behind the Burger King you know there's a street, (inaudible) back towards Pulaski where it goes out to the street on Pulaski. (noise)

KILLEN: Okay so, so you don't take the curb at all. You just --

P.O.GAFFNEY: No, no I, I, I turn around, I turned around and went around the parkin' lot to, to get out where there's a, there's the light on 41st Street. (noise)

KILLEN: And that's where your car's stopped?

P.O.GAFFNEY: And then yeah I turned on Pulaski and that's where my, that's where I finally stopped.

OIG 15-0564 000625

KILLEN: That's when, when I saw your car was south, facin' south --
P.O.GAFFNEY: Yes. Yes that's right, that's where I stopped.

KILLEN: Okay so then do you see what happens then after, with, with the offender and 845 Robert then?
P.O.GAFFNEY: No that was all, yeah that was I believe done before I got onto Pulaski. Cause I, I spun around and that's when I, I heard, I started to hear shots before I got onto Pul, I think when I got onto Pulaski there was other cars and stuff in front of me too. So I didn't see what exactly was goin' on.

KILLEN: So you're basically goin' around Burger King.
P.O.GAFFNEY: Yeah that's when the shots I believe that's when the shots started firin'.

KILLEN: You heard gunshots?
P.O.GAFFNEY: Yeah.

KILLEN: At the time did you know who was shootin'?
P.O.GAFFNEY: No I didn't know.

KILLEN: Could you see who was shootin'?
P.O.GAFFNEY: No.

KILLEN: That's because --
P.O.GAFFNEY: Well there's a, yeah well there's a fence also right, opposite side of Burger King where, where we blocked, pretty much blocked. The fence

OIG 15-0564 000626

with uh, like a covering you know covering fence so nobody could see through the fence. Cause they were building some stuff there. So yeah there was that was all blockin' me.

KILLEN: There's (noise) no line a sight.
P.O.GAFFNEY: No, no.

KILLEN: Okay.
P.O.GAFFNEY: No.

KILLEN: So then by the time you, you get south on Pulaski there's no more shooting correct?
P.O.GAFFNEY: I believe yeah I believe so. I don't (noise) remember any shooting at, at, when I got onto Pulaski.

KILLEN: Where (noise) when you got on Pulaski and you're goin' south could you see the offender still?
P.O.GAFFNEY: No not, not until I got outta the car and started to go you know 'round to, to where everything was goin' on.

KILLEN: Where was he?
P.O.GAFFNEY: The offender he was on the ground at the time when I, when I got over there.

KILLEN: Okay. And it's after that then you find out who's shooting what happened?
P.O.GAFFNEY: Yeah, yeah.

OIG 15-0564 000627

KILLEN: Okay. (noise) You didn't see the shooting, you, you (noise) you didn't see Officer Van Dyke discharge the weapon?
P.O.GAFFNEY: No I didn't, no.

KILLEN: Okay. (sighs) And then that, that, (noise) the two people that called 9 1 1 said they were holdin' the offender.
P.O.GAFFNEY: Hmm huh.

KILLEN: Do you have any idea who they are?
P.O.GAFFNEY: No not at the time, no. Cause right when they just said he went around the corner, they gave a quick description. We just wanted to go and you know see if we can catch 'em. We didn't know how long ago it was. Or where he would've went. So we just you know went and see if we could grab 'em and figured they woulda still been there when we got back.

KILLEN: Okay. And then the knife that the offender had, as best you can describe it to me?
P.O.GAFFNEY: Uh all silver, real bright. And prob'ly 'bout four to six inch blade.

KILLEN: Okay. All right. Uh was there anything you'd like to add?
P.O.GAFFNEY: No.

KILLEN: All right everything you told me is a true and accurate account of what occurred?
P.O.GAFFNEY: Yes.

OIG 15-0564 000628

KILLEN: All right this will conclude the audio recorded interview of Officer Thomas Gaffney regarding Log number 1072125 U number 14 dash 36. Today is the 21st of October 2014. The time is approximately 0424 hours.

OIG 15-0564 000629

I, CAROL A. O'LEARY, do hereby certify or affirm that I have impartially transcribed the foregoing from an audio recording of the above-mentioned proceeding to the best of my ability.

Carol A. O'Leary

Carol A. O'Leary

OIG 15-0564 000630

HICAGO POLICE DEPARTMENT

ASE SUPPLEMENTARY REPORT

10 S. Michigan Avenue, Chicago, Illinois 60653
use by Chicago Police - Bureau of Investigative Services Personnel Only)

HX475653

Case id : 9825613
Sup ID : 10992767 CASR301

XC. CLEARED CLOSED (OTHER EXCEPTIONAL) | **DETECTIVE SUP. APPROVAL COMPLETE**

Offense Classification/Re-Classification	IUCR Code	Original Offense Classification			IUCR Code
AULT / Aggravated Po:Knife/Cut Instr	**0552**	ASSAULT / Aggravated Po:Knife/Cut Instr			0552
ddress of Occurrence	Beat of Occur	No of Victims	No of Offenders	No of Arrested	SCR No
112 S PULASKI RD	**815**	4	1	1	
ocation Type	Location Code	Secondary Location			Hate Crime?
Street	**304**				NO
ate of Occurrence	Unit Assigned	Date RO Arrived	Fire Related?	Gang Related?	Domestic Related?
20-OCT-2014 21:57	**0841R**	20-OCT-2014 21:57	NO	NO	NO

Reporting Officer	Star No	Approving Supervisor	Star No	Primary Detective Assigned	Star No
MARCH, David	20563	WOJCIK, Anthony	481	MARCH, David	20563
Date Submitted		Date Approved		Assignment Type	
15-MAR-2015 18:26		16-MAR-2015 00:03		FIELD	

THIS IS A FIELD INVESTIGATION EXC. CLEARED CLOSED (OTHER EXCEPTIONAL) REPORT

VICTIM(S) :

GAFFNEY, Thomas J
Male / White / 41 Years
EMPLOYMENT: Chicago Police Officer #19958 Chicago Police Officer
EMPLOYER BUSINESS NME: Chicago Police Department
BUS: 3420 W 63rd St
Chicago IL
312-747-8730

MCELLIGOTT, Joseph P
Male / White / 36 Years
EMPLOYMENT: Chicago Police Officer #18715 Chicago Police Officer
EMPLOYER BUSINESS NME: Chicago Police Department
BUS: 3420 W 63rd St
Chicago IL
312-747-8730

VAN DYKE, Jason D
Male / White / 36 Years
EMPLOYMENT: Chicago Police Officer #9465 Chicago Police Officer
EMPLOYER BUSINESS NME: Chicago Police Department
BUS: 3420 W 63rd St
Chicago IL
312-747-8730

WALSH, Joseph J
Male / White / 45 Years
EMPLOYMENT: Chicago Police Officer #12865 Chicago Police Officer
EMPLOYER BUSINESS NME: Chicago Police Department
BUS: 3420 W 63rd St
Chicago IL

HX475653

312-747-8730

OFFENDER(S): **MCDONALD, Laquan J** -- In Custody --

ALIAS: "Bon-Bon"
Male / Black / 17 Years
DOB: [redacted]
RES: [redacted]
BIRTH PL: Illinois
DESCRIPTION: 6'02,180,Black Hair, Dreadlocks Hair Style, Brown Eyes, Medium Complexion

ITEM USED:
Weapon
DLN/ID: [redacted]
OTHER IDENTIFICATIONS: **Type -** Other Id
State - Unknown

IR #: 2106340
SID #: IL18550721
ORGANIZATION: NEW BREED
RELATIONSHIP OF VICTIM TO OFFENDER:

GAFFNEY, Thomas No Relationship
MCELLIGOTT, Joseph No Relationship
VAN DYKE, Jason No Relationship
WALSH, Joseph No Relationship

GANG INFORMATION:
LISTED CRIMINAL ORGANIZATION: New Breed
GANG IDENTIFIERS: Other

OFFENDER INJURIES: **MCDONALD, Laquan J**

Type	Weapon Used	Weapon Description
Gun Shot Wound	Handgun	Other -Handgun

Injured by Police
Chicago Fire Department Provided First Aid
EXTENT OF INJURY: Multiple Gsw
HOSPITAL REMOVED BY: Cfd Ambulance 21

HOSPITAL: Mt. Sinai
INJURY TREATMENT: Multiple Gsw
PHYSICIAN NAME: Dr Pitzele
INV #: **13296449**

WEAPON(S): **Evidence**

Smith & Wesson -Us- (Bodyguard,Chief Special) , 5942 , 9 , Semi-Automatic Pistol , Semi-Automatic , 4" , Stainless

SERIAL #: [redacted]

MAGAZINE CAPACITY: 15

Number Of Live Rounds present in the Firearm - 15

Number Of Live Rounds used in the Firearm - 16

The Status Of This Firearm is 628361

PROPERTY TYPE: Other

OWNER: Van Dyke, Jason

POSSESSOR/USER: Van Dyke, Jason

PHONE #: 312 - 747 - 8730

LOCATION FOUND: 5101 S Wentworth Ave

VEHICLE INFO:

Truck , 2010 / Chevrolet / Tahoe / Truck

, Victims Vehicle

VIN: 1GNMCAE0XAR263348 **Evidence**

YEAR (RANGE): 2010

COLOR (TOP/BOTTOM): White / White

OWNER: Chicago Police Department

POSSESSOR/USER: Gaffney, Thomas

PHONE#: 312 - 747 - 8730

LOCATION FOUND: 4102 S Pulaski Rd

LICENSE: MP6581, Law Enforcement (City, County, State, Sos), IL

LOCATION OF INCIDENT:

4112 S Pulaski Rd
Chicago IL
304 - Street

DATE & TIME OF INCIDENT: 20-OCT-2014 21:57

WEATHER AND LIGHTING:

WEATHER: Cloudy & Cool

TEMPERATURE: 50s

LIGHTING: Dark / Artificial Light

LIGHTING SOURCE: Streetlights

DISTANCE: Overhead

MOTIVE CODE(S): Interceding In A Felony

CAUSE CODE(S): Dna

METHOD CODE(S): Offender Shot

CAU CODE(S): Police Related Not Con

FIREARM(S) RECOVERED: **INV #: 13296449** **Evidence**

Smith & Wesson -Us- (Bodyguard,Chief Special) , 5942 , 9 , Semi-

Automatic Pistol , Semi-Automatic , 4" , Stainless
SERIAL #: [redacted]
PROPERTY TYPE: Other

OWNER: Van Dyke, Jason
POSSESSOR/USER: Van Dyke, Jason

PHONE #: 312 - 747 - 8730
LOCATION FOUND: 5101 S Wentworth Ave

MAGAZINE CAPACITY: 15
Number Of Live Rounds present in the Firearm - 15
Number Of Live Rounds used in the Firearm - 16

/EHICLE(S) DAMAGED: **Truck , 2010 / Chevrolet / Tahoe / Truck**
VIN: 1GNMCAE0XAR263348 **Evidence**

YEAR - YEAR RANGE END: 2010
COLOR (TOP/BOTTOM): White / White
OWNER: Chicago Police Department
POSSESSOR/USER: Gaffney, Thomas

PHONE#: 312 - 747 - 8730
LOCATION FOUND: 4102 S Pulaski Rd
LICENSE: MP6581, Law Enforcement (City, County, State, Sos), IL

PERSONNEL ASSIGNED:
Detective/Investigator
MARCH, David M # 20563
Reporting Officer
FONTAINE, Dora # 4484 BEAT: 0841R

WITNESS(ES) :
BACERRA, Arturo
Male / White Hispanic / 32 Years
EMPLOYMENT: Chicago Police Officer #15790 Chicago Police Officer
BUS: 3420 W 63rd St
Chicago IL
312-747-8730
[redacted]
Female / White Hispanic / 29 Years
DOB: [redacted]
RES: 5340 Prairie
[redacted]

OTHER COMMUNICATIONS:
Cellular [redacted]
Phone :
[redacted]

Female / White Hispanic / 19 Years

DOB: [redacted]

RES: [redacted]

BUS: [redacted]

DLN/ID: [redacted]

Male / White Hispanic / 18 Years

DOB: [redacted]

RES: [redacted]

OTHER COMMUNICATIONS:

[redacted]
Phone :

DLN/ID: [redacted]

Female / White Hispanic / 24 Years

DOB: [redacted]

RES: [redacted]

EMPLOYMENT: Shift Manager

BUS: [redacted]

OTHER COMMUNICATIONS:

Cellular [redacted]
Phone :

FONTAINE, Dora

Female / White Hispanic / 47 Years

EMPLOYMENT: Chicago Police Officer #4484 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

[redacted]

Male / White Hispanic / 25 Years

DOB: [redacted]

RES: [redacted]

BUS: [redacted]

OTHER COMMUNICATIONS:

Cellular Phone : [redacted]

SSN: [redacted]

[redacted]

Female / White Hispanic / 30 Years

DOB: [redacted]

RES: [redacted]

OTHER COMMUNICATIONS:

Cellular Phone : [redacted]

[redacted]

Male / White Hispanic / 24 Years

DOB: [redacted]

RES: [redacted]

SSN: [redacted]

DLN/ID: [redacted]

MONDRAGON, Janet

Female / White Hispanic / 37 Years

EMPLOYMENT: Chicago Police Officer #4364 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

SEBASTIAN, Daphne L

Female / White / 45 Years

EMPLOYMENT: Chicago Police Officer #2763 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

VELEZ, Leticia

Female / White Hispanic / 43 Years

EMPLOYMENT: Chicago Police Officer #10385 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

VIRAMONTES, Ricardo

Male / White Hispanic / 41 Years

EMPLOYMENT: Chicago Police Officer #10590 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL

312-747-8730

OTHER INDIVIDUALS INVOLVED:

[redacted] (Additional Victim)
Male / White Hispanic / 43 Years
DOB: [redacted]
RES: [redacted]
EMPLOYMENT: Self-Employed Truck Driver
OTHER COMMUNICATIONS:
Cellular Phone : [redacted]
DLN/ID: [redacted] :

[redacted] (Family Member Notified)
Male / Black / 25 Years
DOB: [redacted]
RES: [redacted]
OTHER COMMUNICATIONS:
Other : [redacted]

[redacted] (Person Interviewed Non-Witness)
Female / White Hispanic / 62 Years
DOB: [redacted]
RES: [redacted]
BUS: [redacted]

[redacted] (Person Interviewed Non-Witness)
Female / White Hispanic / 39 Years
DOB: [redacted]
RES: [redacted]
BUS: [redacted]

CRIME CODE SUMMARY: 0552 - Assault - Aggravated Po:Knife/Cut Instr

OTHER ASSOCIATIONS: 0552 - Assault - Aggravated Po:Knife/Cut Instr

GAFFNEY, Thomas, J (Victim)

MCDONALD, Laquan, J	(Offender)
MCELLIGOTT, Joseph, P	(Victim)
MCDONALD, Laquan, J	(Offender)
MCDONALD, Laquan, J	(Offender)
VAN DYKE, Jason, D	(Victim)
MCDONALD, Laquan, J	(Offender)
WALSH, Joseph, J	(Victim)

ICIDENT NOTIFICATIONS:

NOTIFICATION DATE & TIME: 10/20/2014:230700
REQUEST TYPE: Notification
PERSON NAME: ,Sarlo
STAR #: 13131
EMP #:

NOTIFICATION DATE & TIME: 10/20/2014:231400
REQUEST TYPE: Notification
PERSON NAME: ,Jines
STAR #: 4898
EMP #:

NOTIFICATION DATE & TIME: 10/20/2014:215000
REQUEST TYPE: On Scene
PERSON NAME: ,March
STAR #: 20563
EMP #:

NOTIFICATION DATE & TIME: 10/21/2014:225800
REQUEST TYPE: Notification
PERSON NAME: ,Chibe
STAR #: 7303
EMP #:

NOTIFICATION DATE & TIME: 10/20/2014:235000
REQUEST TYPE: Notification
PERSON NAME: ,Briggs
STAR #:
EMP #: 76

REPORT DISTRIBUTIONS: No Distribution

INVESTIGATION:

AREA CENTRAL FIELD INVESTIGATION:

Exceptionally Cleared Closed /
Other Exceptional Clearance - Death of Offender.

The full format for this investigation is contained in the previous Progress - Scene Report.

INVESTIGATION:

The reporting detective was assigned to the immediate follow-up investigation of this police officer involved shooting incident, by Sergeant Daniel GALLAGHER of this command. The reporting detective proceeded to the scene of the incident at 4112 South Pulaski Road. The officer involved in the shooting was located and interviewed at the scene.

VAN DYKE, Jason D -----

stated he was a Chicago Police Officer assigned to the 008th District. He was on duty, in uniform, working on Beat 845R. VAN DYKE was working with Police Officer Joseph WALSH. The two officers were assigned to Chicago Police Department vehicle number 6412, a marked Chevrolet Tahoe, four door sport utility vehicle. WALSH was driving the vehicle and VAN DYKE was the passenger.

The two officers responded to a request for assistance from Beat 815R, regarding a man with a knife, on 40th Street, west of Pulaski Road. A unit equipped with a taser had also been requested. Officer VAN DYKE heard the radio transmission when Officer Thomas GAFFNEY said the man with a knife had "popped" the tire of GAFFNEY's police vehicle. VAN DYKE understood this to mean the subject had slashed the tire with his knife. As Officer WALSH drove westbound on 40th Street from Pulaski, VAN DYKE observed a black male subject, now known as Laquan MCDONALD, running eastbound in the parking lot of the Burger King restaurant on the southwest corner of 40 Street and Pulaski. MCDONALD was holding a knife in his right hand. VAN DYKE saw Police Officer Joseph MCELLIGOTT pursuing MCDONALD on foot. VAN DYKE also saw a civilian who was standing on 40th Street pointing to MCDONALD.

Officer WALSH drove eastbound in the parking lot, in pursuit of MCDONALD, on the north side of the Burger King restaurant building. WALSH used the police vehicle to block MCDONALD from entering the restaurant. MCDONALD ran out onto Pulaski Road and then turned southbound, running toward a Dunkin' Donuts restaurant, on the east side of Pulaski, south of the Burger King. WALSH positioned the police vehicle between MCDONALD and the Dunkin' Donuts to block his path towards that restaurant. When WALSH slowed the police vehicle alongside MCDONALD, Officer VAN DYKE opened the right front door of the vehicle to exit and confront MCDONALD. WALSH told VAN DYKE to stay in the vehicle as they were too close to MCDONALD to safely exit their vehicle. WALSH drove on southbound and stopped the police vehicle ahead of MCDONALD.

Officer VAN DYKE exited the vehicle on the right side and drew his handgun. As VAN DYKE stood in the street on Pulaski, facing northbound, toward MCDONALD, MCDONALD approached southbound. MCDONALD was holding the knife in his right hand, in an underhand grip, with the blade pointed forward. He was swinging the knife in an aggressive, exaggerated manner. VAN DYKE ordered MCDONALD to "Drop the knife!" multiple times. MCDONALD ignored VAN DYKE's verbal direction to drop the knife and continued to advance toward VAN DYKE.

When MCDONALD got to within 10 to 15 feet of Officer VAN DYKE, MCDONALD looked toward

VAN DYKE. MCDONALD raised the knife across his chest and over his shoulder, pointing the knife at VAN DYKE. VAN DYKE believed MCDONALD was attacking VAN DYKE with the knife, and attempting to kill VAN DYKE. In defense of his life, VAN DYKE backpedaled and fired his handgun at MCDONALD, to stop the attack. MCDONALD fell to the ground but continued to move and continued to grasp the knife, refusing to let go of it. VAN DYKE continued to fire his weapon at MCDONALD as MCDONALD was on the ground, as MCDONALD appeared to be attempting to get up, all the while continuing to point the knife at VAN DYKE. The slide on VAN DYKE's pistol locked in the rearward position, indicating the weapon was empty. VAN DYKE performed a tactical reload of his pistol with a new magazine and then assessed the situation.

MCDONALD was no longer moving and the threat had been mitigated, so Officer VAN DYKE and Officer WALSH approached MCDONALD. MCDONALD was still holding the knife in his right hand. VAN DYKE continued to order MCDONALD to "Drop the knife!" Officer WALSH told VAN DYKE, "I have this." VAN DYKE then used his handgun to cover WALSH as WALSH walked up and forcibly kicked the knife out of MCDONALD's right hand, thereby eliminating the threat to the officers.

Officer WALSH then notified the dispatcher on the police radio that shots had been fired by the police. Officer VAN DYKE requested an ambulance for MCDONALD on the radio.

Officer VAN DYKE's weapon was a Smith and Wesson, nine millimeter, semi-automatic pistol, with a 15 round magazine. VAN DYKE said the pistol was fully loaded at the beginning of his tour of duty, with 15 cartridges in the magazine and one cartridge in the firing chamber.

It was noted that the uniform Officer VAN DYKE was wearing consisted of a light blue long sleeve uniform shirt, with shoulder patches; black body armor vest, with patches; navy blue cargo pants; and equipment belt with handgun and radio.

The reporting detective then interviewed Officer VAN DYKE's partner.

WALSH, Joseph J -----

stated he was a Chicago Police Officer assigned to the 008th District. WALSH related the same facts as his partner, Officer Jason VAN DYKE.

WALSH added that as Laquan MCDONALD ran eastbound through the Burger King parking lot, WALSH used the police vehicle he was driving to block MCDONALD from entering the restaurant.

As MCDONALD ran southbound on Pulaski Road, from the Burger King, WALSH pursued MCDONALD in the police vehicle. WALSH drove southbound in the northbound lanes to get ahead of MCDONALD, keeping the police vehicle between MCDONALD and a Dunkin' Donuts restaurant, on the east side of Pulaski. As their vehicle passed MCDONALD, Officer VAN DYKE opened the right front door of their vehicle, to exit the truck and confront MCDONALD. WALSH, realizing that at this point they were too close to the armed MCDONALD to safely exit the vehicle, told VAN DYKE to wait until they got further ahead of MCDONALD. WALSH drove further south on Pulaski. He stopped his vehicle south of MCDONALD and exited the driver's door as VAN DYKE exited the right side of the vehicle. WALSH drew his handgun when he exited the vehicle.

Officer WALSH came around the rear of the police vehicle and joined Officer VAN DYKE on the right side of the vehicle. WALSH also stood in the street on Pulaski, facing northbound, as MCDONALD walked southbound toward the officers. WALSH ordered MCDONALD to "Drop the knife!" multiple times as MCDONALD approached the officers.

Officer WALSH also backed up, attempting to maintain a safe distance between himself and MCDONALD. MCDONALD ignored the verbal direction given by both WALSH and Officer VAN DYKE, and continued to advance toward the officers. When MCDONALD got to within 12 to 15 feet of the officers he swung the knife toward the officers in an aggressive manner. VAN DYKE opened fire with his handgun and MCDONALD fell to the ground. VAN DYKE continued firing his weapon at MCDONALD as MCDONALD continued moving on the ground, attempting to get up, while still armed with the knife.

When the gunfire stopped and MCDONALD was not moving anymore, WALSH approached MCDONALD with VAN DYKE. WALSH continued to order MCDONALD to "Drop the knife!" multiple times, as MCDONALD was still holding the knife in his right hand. WALSH forcibly kicked the knife out of MCDONALD's hand and then notified the dispatcher on the police radio that shots had been fired by the police. An ambulance was also requested for MCDONALD.

As they waited for the ambulance to respond to the scene, Officer WALSH told MCDONALD to "hang in there," and that an ambulance was on the way.

Officer WALSH said he believed MCDONALD was attacking WALSH and Officer VAN DYKE with the knife and attempting to kill them when the shots were fired. WALSH stated he did not fire his handgun because VAN DYKE was in the line of fire between WALSH and MCDONALD. WALSH thought VAN DYKE fired eight or nine shots total.

It was noted that Officer WALSH wore the same uniform configuration as Officer VAN DYKE.

The officers assigned to Beat 815R were interviewed.

GAFFNEY, Thomas J -----

stated he was a Chicago Police Officer assigned to the 008th District. He was on duty, in uniform, working on Beat 815R. GAFFNEY was working with Police Officer Joseph MCELLIGOTT. The two officers were assigned to Chicago Police Department vehicle number 8489, a marked Chevrolet Tahoe, four door sport utility vehicle. GAFFNEY was driving the vehicle and MCELLIGOTT was the passenger.

The officers responded to an assignment of holding an offender for breaking into trucks at 41st Street and Kildare Avenue. Upon arrival at that location they met an Hispanic couple who told the officers a black male subject, wearing a dark shirt, had attempted to break into trucks parked in the parking lot at that location. The couple told the officers the subject had walked off and was last seen walking eastbound on 40th Street from Kildare.

Officer GAFFNEY drove northbound on Kildare to 40th Street. When he turned eastbound onto 40th Street he saw a black male subject wearing dark clothing, walking eastbound on the sidewalk,

on the south side of the street. Officer MCELLIGOTT exited the police vehicle to approach the subject, now known as Laquan MCDONALD. GAFFNEY stayed in the vehicle in case MCDONALD fled. MCELLIGOTT called to MCDONALD and told him to stop but MCDONALD continued walking eastbound, ignoring MCELLIGOTT. MCDONALD's hands were in his pockets as he walked. MCELLIGOTT told MCDONALD to take his hands out of his pockets. MCDONALD took his hands out of his pockets and MCELLIGOTT told GAFFNEY that MCDONALD had a knife. GAFFNEY then saw a silver colored knife in MCDONALD's right hand. GAFFNEY also saw that MCELLIGOTT had his handgun drawn at this point. MCELLIGOTT repeatedly ordered MCDONALD to "Drop the knife," but MCDONALD ignored these directions. As MCDONALD reached Keeler Avenue, GAFFNEY notified the dispatcher on the police radio that they were following a subject with a knife and requested assistance from a unit equipped with a taser.

MCDONALD continued walking eastbound, Officer MCELLIGOTT following on foot and Officer GAFFNEY following in the police vehicle. As MCDONALD approached Karlov Avenue, GAFFNEY turned the Tahoe southbound onto Karlov and stopped, blocking the crosswalk. GAFFNEY said he wanted to stop MCDONALD before he reached Pulaski Road, a business street where more civilians were present. The area where MCDONALD was first observed was industrial in nature with no other civilians present. When GAFFNEY stopped his vehicle in front of MCDONALD, blocking his path, MCDONALD stabbed the right front tire of the Tahoe with his knife, causing the tire to go flat. GAFFNEY immediately informed the radio dispatcher that MCDONALD had "popped" the tire. MCDONALD attempted to walk around the front of the police vehicle and GAFFNEY drove the Tahoe forward a short distance to continue to block MCDONALD's path. MCDONALD then stabbed at the windshield of the Tahoe with the knife, striking the right side of the windshield. MCDONALD then continued walking eastbound from Karlov.

As MCDONALD approached the Burger King restaurant parking lot at 40th Street and Pulaski, assisting police units arrived, approaching westbound on 40th Street from Pulaski. MCDONALD began to run eastbound through the restaurant parking lot, on the north side of the Burger King building. He ran out onto Pulaski and then turned and ran southbound on Pulaski. Beat 845R pursued MCDONALD in their police vehicle, eastbound through the parking lot, over the curb at Pulaski, then southbound on Pulaski. Officer GAFFNEY lost sight of MCDONALD when he turned southbound on Pulaski.

Because of the flat tire on his vehicle, Officer GAFFNEY did not drive over the curb. As he drove around out onto Pulaski, GAFFNEY heard multiple gunshots in rapid succession. He did not see who was shooting. When he reached Pulaski MCDONALD was lying on the ground.

It was noted that Officer GAFFNEY wore the same uniform configuration as Officer VAN DYKE with the addition of the uniform baseball style cap with embroidered patch.

MCELLIGOTT, Joseph P -----

stated he was a Chicago Police Officer assigned to the 008th District. MCELLIGOTT related the same facts as his partner, Officer Thomas GAFFNEY.

Officer MCELLIGOTT added that after he exited the police vehicle, when Laquan MCDONALD took his hands out of his pockets and MCELLIGOTT saw MCDONALD holding a knife in his right

hand, MCELLIGOTT drew his handgun. He repeatedly ordered MCDONALD to "Drop the knife." MCDONALD ignored MCELLIGOTT's directions and continued to walk eastbound on 40th Street. MCELLIGOTT followed MCDONALD on foot, maintaining a safe distance between himself and the armed MCDONALD.

Officer MCELLIGOTT heard Officer GAFFNEY request assistance and a unit with a taser over the police radio. GAFFNEY attempted to use the police vehicle to block MCDONALD from continuing on toward the Burger King restaurant at Pulaski Road. At this point MCDONALD stabbed the right front tire and the windshield of the police vehicle. MCELLIGOTT began to hear the sirens of approaching assisting police units and MCDONALD began to run toward the Burger King restaurant.

When MCDONALD ran eastbound through the parking lot of the Burger King, Officer MCELLIGOTT ran after MCDONALD in pursuit. MCELLIGOTT ran out into the middle of Pulaski Road in pursuit of MCDONALD. MCELLIGOTT heard multiple gunshots but did not see who fired the shots. The gunfire was continuous, one shot after another. MCELLIGOTT then saw MCDONALD lying on the ground. MCELLIGOTT saw Officer Joseph WALSH kick the knife out of MCDONALD's hand.

It was noted that Officer MCELLIGOTT wore the same uniform configuration as Officer VAN DYKE.

Other officers who responded to this incident were also interviewed.

SEBASTIAN, Daphne L —

stated she was a Chicago Police Officer assigned to the 008th District. She was on duty, in uniform, working on Beat 813R. SEBASTIAN was working with Police Officer Janet MONDRAGON. The two officers were assigned to a marked vehicle. MONDRAGON was driving the vehicle and SEBASTIAN was the passenger.

The two officers responded to the request for assistance made by Beat 815R, regarding a subject with a knife. Officer SEBASTIAN thought the original call for assistance was at 40th Street and Keeler Avenue. The subject had punctured a tire on the police vehicle of Beat 815R. Officer MONDRAGON drove northbound on Pulaski Road, following Beat 845R, as they also responded to the request for assistance. MONDRAGON turned westbound onto 40th Street, behind Beat 845R.

Officer SEBASTIAN observed a black male subject, now known as Laquan MCDONALD, running southeast bound through the parking lot of the Burger King restaurant. Beat 845R pursued MCDONALD in their police vehicle, through the parking lot, toward Pulaski. SEBASTIAN told Officer MONDRAGON to drive back out onto Pulaski to assist in the pursuit. MCDONALD ran out onto Pulaski and continued to run southbound down the middle of the street. Beat 845R pursued MCDONALD in their vehicle, southbound on Pulaski, followed by Beat 813R. As MCDONALD ran southbound on Pulaski, SEBASTIAN saw the knife in his right hand. MCDONALD was waving the knife.

Beat 845R stopped their vehicle ahead of MCDONALD, between MCDONALD and the Dunkin'

Donuts restaurant on the east side of Pulaski. Officers Joseph WALSH and Jason VAN DYKE exited their vehicle and drew their handguns. MCDONALD turned toward the two officers and continued to wave the knife. Sebastian heard the officers repeatedly order MCDONALD to "Drop the knife!" MCDONALD ignored the verbal directions and continued to advance on the officers, waving the knife. Officer SEBASTIAN heard multiple gunshots and MCDONALD fell to the ground, where he continued to move. SEBASTIAN did not know who fired the shots, which were fired in one continuous group. She then saw Officer WALSH kick the knife out of MCDONALD's hand.

MONDRAGON, Janet -----

stated she was a Chicago Police Officer assigned to the 008th District. MONDRAGON related the same facts as her partner, Officer Daphne SEBASTIAN.

Officer MONDRAGON added that as she drove westbound on 40th Street, she saw Officer MCELLIGOTT running eastbound through the Burger King parking lot. She made a U-turn and drove back out onto Pulaski Road. MONDRAGON turned southbound onto Pulaski. She saw Laquan MCDONALD running southbound on Pulaski, in the middle of the street. As she got closer she could see MCDONALD was holding a knife in his right hand. He was waving the knife.

Officer MONDRAGON saw Officers Joseph WALSH and Jason VAN DYKE outside of their police vehicle. She heard the officers repeatedly ordering MCDONALD to "Drop the knife!" as MCDONALD got closer and closer to the officers, continuing to wave the knife. As she was placing her vehicle transmission into Park, MONDRAGON looked down and heard multiple, continuous gunshots, without pause. MONDRAGON then saw MCDONALD fall to the ground. MONDRAGON did not know who fired the shots.

BACERRA, Arturo -----

stated he was a Chicago Police Officer assigned to the 008th District. He was on duty, in uniform, working on Beat 822. BACERRA was working with Police Officer Leticia VELEZ. The two officers were assigned to a marked vehicle. BACERRA was driving the vehicle and VELEZ was the passenger.

Officer BACERRA and his partner responded to the request for assistance made by Beat 815R, regarding a subject who was armed with a knife. BACERRA was driving northbound on Pulaski Road from 47th Street. As he approached the scene of this incident, at 4112 South Pulaski, he observed a black male subject, now known as Laquan MCDONALD, in the middle of the street, flailing his arms. As he got closer, BACERRA observed MCDONALD to be holding a knife in his right hand. BACERRA drove past MCDONALD, with MCDONALD on the left side of the police vehicle, as Beat 845R drove past BACERRA, on the right side of his vehicle, travelling southbound. As BACERRA began to make a U-turn, he heard multiple gunshots. He then saw MCDONALD lying on the ground. BACERRA did not see who fired the shots.

VELEZ, Leticia -----

stated she was a Chicago Police Officer assigned to the 008th District. VELEZ related the same facts as her partner, Officer Arturo BACERRA.

Officer VELEZ added that as they approached the scene she observed Laquan MCDONALD standing in the middle of the street, holding a shiny object in his right hand. She saw him waving the object in the air. Officer BACERRA drove past MCDONALD and began to make a U-turn, when VELEZ heard multiple gunshots, without pause or delay. She then saw MCDONALD fall to the ground. VELEZ did not see who fired the shots. She did see an unknown officer kick the knife from MCDONALD's hand after he was down on the ground.

FONTAINE, Dora -----

stated she was a Chicago Police Officer assigned to the 008th District. She was on duty, in uniform, working on Beat 841R. FONTAINE was working with Police Officer Ricardo VIRAMONTES. The two officers were assigned to a marked vehicle. VIRAMONTES was driving the vehicle and FONTAINE was the passenger.

The two officers responded to the request for assistance made by Beat 815R, regarding a man with a knife at 41st Street and Pulaski Road. Officer VIRAMONTES drove northbound on Pulaski. When they arrived at the scene of this incident, in front of the Dunkin' Donuts restaurant, Officer FONTAINE saw a black male subject, now known as Laquan MCDONALD, walking southbound in the street, with a knife in his right hand. MCDONALD was walking sideways, with his body facing east, toward Officers Jason VAN DYKE and Joseph WALSH. These two officers were standing in the middle of the street, on the right side of their police vehicle, which was facing southbound. FONTAINE heard the officers repeatedly order MCDONALD to "Drop the knife!" MCDONALD ignored the verbal direction and instead, raised his right arm toward Officer VAN DYKE, as if attacking VAN DYKE. At this time VAN DYKE fired multiple shots from his handgun, until MCDONALD fell to the ground and stopped moving his right arm and hand, which still grasped the knife. The gunshots were rapid fire, without pause. Officer WALSH then kicked the knife out of MCDONALD's hand.

VIRAMONTES, Ricardo -----

stated he was a Chicago Police Officer assigned to the 008th District. VIRAMONTES related the same facts as his partner, Officer Dora FONTAINE.

Officer VIRAMONTES added that when he exited his police vehicle, at the scene, he observed a black male subject, now known as Laquan MCDONALD, walking southbound on Pulaski Road, in the middle of the street, holding a knife in his right hand. VIRAMONTES heard Officer Jason VAN DYKE repeatedly order MCDONALD to "Drop the knife!" MCDONALD ignored the verbal direction and turned toward VAN DYKE and his partner, Officer Joseph WALSH. At this time VAN DYKE fired multiple shots from his handgun. MCDONALD fell to the ground but continued to move, attempting to get back up, with the knife still in his hand. VAN DYKE fired his weapon at MCDONALD continuously, until MCDONALD was no longer moving.

The scene of this incident, at 4112 South Pulaski Road, was observed to be a wide commercial street with traffic traveling north and south. There were two traffic lanes and a curb lane in each direction. A wide median separated the northbound and southbound traffic lanes. The scene was just south of the intersection of Pulaski and 41st Street. This was a "T" intersection with 41st Street extending east from Pulaski. In the center median was a left turn lane for northbound traffic

turning west onto 40th Street, further to the north. The Pulaski median was level with the traffic lanes and was striped with yellow paint.

On the west side of Pulaski was a large vacant lot. North of the vacant lot, on the southwest corner of 40th Street and Pulaski, was a Burger King restaurant. On the east side of the street was a Dunkin Donuts restaurant.

The weather was cloudy and cool with the temperature in the 50s. It was dark with good artificial light provided by overhead streetlights. All of the lights were on and functioning normally. There was also artificial light provided by the lighting of the nearby businesses.

In the northbound left turn lane, Chicago Police Department vehicle number 6412, assigned to Beat 845R, was sitting, facing southeast. The vehicle was a marked Chevrolet Tahoe, four door sport utility vehicle. The right front door of the vehicle was open.

In the southbound traffic lanes, in the right lane, a metal folding pocket knife was lying on the pavement. The blade was in the open position. The overall length of the knife was seven inches, with a three inch blade. The knife was in line with the front end of the vehicle of Beat 845R. Just north of the knife were two pools of blood on the pavement. Five metal bullet fragments were lying on the pavement near the blood. North of the blood, scattered in a diagonal pattern from southwest to northeast, across both southbound traffic lanes and the northbound left turn lane, were 16, nine millimeter caliber cartridge cases, lying on the pavement.

Chicago Police Department vehicle number 8489, assigned to Beat 815R, was sitting at the west curb at 4102 South Pulaski. The right front tire of the vehicle was flat, with a large puncture to the sidewall of the tire. The right side of the windshield was scratched from being struck by Laquan MCDONALD's knife.

Mobile Crime Lab Beat 5802 responded to the scene. Video and photographs were taken of the scene. The knife and firearms evidence was collected from the street, as were swabs of the blood. The right front wheel and tire of Chicago Police Department vehicle number 8489 was also recovered. The right front quarter panel of vehicle number 8489 was processed for fingerprints and four ridge impressions were recovered.

A canvass was conducted of the area near the scene of this incident in an attempt to identify and locate witnesses. A number of people were interviewed.

[redacted] -----

stated she was [redacted] at the Burger King restaurant. At approximately 21:55 hours [redacted] observed police officers chasing a black male subject, now known as Laquan MCDONALD, through the parking lot, on the north side of the restaurant building. The officers chased MCDONALD southbound down Pulaski Road, toward the Dunkin' Donuts restaurant. [redacted] then heard multiple gunshots and dove to the ground.

[redacted] permitted access to the Burger King video system. No video of this incident was recorded. The system was not recording at that time. The system was activated and video was

recovered from the system from earlier in the day, showing the view of each of the cameras in the system. It was noted that none of these camera views showed the area of the scene where the confrontation between Laquan MCDONALD and Police Officers Jason VAN DYKE and Joseph WALSH occurred, on Pulaski Road, south of the Burger King restaurant. If the system had been recording at the time of this incident, it would not have recorded any footage of that confrontation.

[redacted] -----

stated he was at the Burger King restaurant, waiting for his girlfriend, [redacted], who was working at the drive-thru window. [redacted] observed a "young black dude" with his hair in dreadlocks, now known as Laquan MCDONALD, running through the parking lot of the restaurant. He was being pursued by police officers. MCDONALD was holding his pants like he might have had a gun or something. MCDONALD then ran southbound on the sidewalk and then out into the street on Pulaski Road. [redacted] last saw MCDONALD running towards the middle of the intersection of 41st Street and Pulaski. MCDONALD appeared confused. [redacted] then turned his attention back to his girlfriend at the drive-thru window. He did not witness the shooting.

[redacted] -----

stated she was working at [redacted] of the Burger King restaurant. She observed a male subject, now known as Laquan MCDONALD, running from the restaurant parking lot, southbound on Pulaski Road, toward the Dunkin' Donuts restaurant. [redacted] heard multiple gunshots and then saw that MCDONALD was lying in the street.

[redacted] -----

stated she was [redacted] of the Burger King restaurant. She did not see or hear anything.

[redacted] -----

stated she was [redacted] of the Burger King restaurant. She did not see or hear anything.

Laquan MCDONALD had been transported to Mount Sinai Hospital by Chicago Fire Department Ambulance 21. He sustained multiple gunshot wounds as documented in the format of this investigation. MCDONALD was treated for his injuries in the emergency room. He succumbed to his wounds and was subsequently pronounced dead by Doctor PITZELE, at 22:42 hours.

Registered Nurse [redacted], recovered three metal bullet fragments from MCDONALD and turned these over to Detective William JOHNSON. These were subsequently turned over to Mobile Crime Lab Beat 5802, who also recovered metal fragments from MCDONALD's sweater.

The reporting detective had learned of the death of Laquan MCDONALD while still at the scene of this incident. The Office of the Medical Examiner of Cook County was notified of MCDONALD's death, and Investigator BRIGGS assigned Medical Examiner's case number 2014 - 01071 to this case.

In the Bureau of Detectives - Area Central office, Evidence Technician Beat 5824 recovered Office Jason VAN DYKE's handgun, a Smith and Wesson, Model 5942, nine millimeter caliber, semi-automatic pistol. The weapon was loaded with one cartridge in the firing chamber and 14 cartridges in the magazine, when recovered.

Beat 5824 took photographs of Officers Jason VAN DYKE, Joseph WALSH, Thomas GAFFNEY and Joseph MCELLIGOTT. Elimination prints, including palm prints, were also taken from Officers GAFFNEY and MCELLIGOTT.

Officer Jason VAN DYKE was re-interviewed for additional detail, in the Area Central office.

VAN DYKE, Jason D ----

related the same sequence of events as documented in his original interview at the scene of this incident.

VAN DYKE additionally articulated the reasoning behind his decision to use deadly force against the offender in this incident, Laquan MCDONALD. VAN DYKE was aware of the radio transmissions from Officer Thomas GAFFNEY, on Beat 815R, that MCDONALD was armed with a knife. VAN DYKE was aware that MCDONALD had attacked the officers on Beat 815R by slashing the tire of their police vehicle.

As he confronted MCDONALD at 4112 South Pulaski Road, VAN DYKE saw that MCDONALD was in fact, armed with a knife, a deadly weapon. VAN DYKE was aware of the widely accepted teaching in law enforcement that an assailant armed with a knife was considered a deadly threat, if within 21 feet, because it was possible for such an assailant to close that distance and attack with the knife before a defensive shot could be fired from a handgun. VAN DYKE was also aware of the existence of throwing knives, which can be thrown from a distance, as well as spring loaded knives, which propel a blade through the air from the knife handle. VAN DYKE also said he recalled a previously issued Chicago Police Department bulletin warning of a weapon which appeared to be a knife but which actually was capable of firing a bullet, making it a firearm.

Subsequently, a search was conducted of the Chicago Police Department, Automated Message Center, to find the bulletin Officer Jason VAN DYKE remembered, regarding the weapon that appeared to be a knife, but was actually a firearm. This bulletin was issued on 04 December 2012. It was Officer Safety Alert number 2012-OSA-297. It was a warning regarding a "revolver knife" which was capable of firing .22 caliber cartridges.

Three witnesses had been transported into the Area Central office from the scene and were interviewed.

[redacted]----

stated she was in the Burger King restaurant parking lot. She saw a subject, now known as Laquan MCDONALD, running southbound on Pulaski Road. [redacted] saw many police officers on the street. She was trying to get her cellular telephone to work, to record video. [redacted] heard eight gunshots fired continuously. She did not see who fired the shots. [redacted] then saw

a police officer pointing a handgun at MCDONALD as he was lying on the ground.

With her permission, [redacted]' telephone was examined for any recorded video footage with negative results.

[redacted]-----

stated he was at the Burger King restaurant drive-thru with [redacted]. He saw a black male subject, now known as Laquan MCDONALD, running from the trucks parked at the rear of the restaurant parking lot. MCDONALD ran eastbound in the parking lot, on the north side of the Burger King building. A police officer was chasing MCDONALD on foot, eastbound through the parking lot, then southbound on Pulaski Road. A Chicago Police Department, Chevrolet Tahoe sport utility vehicle pulled up on Pulaski. MCDONALD ran toward the police vehicle. A police officer exited the vehicle and fired multiple shots from a handgun at MCDONALD. [redacted] thought there was video footage of the incident recorded on [redacted] cellular telephone. As documented in the previous interview of [redacted], her telephone was examined with negative results.

[redacted]-----

stated he was sitting in a truck, parked in the Burger King restaurant parking lot, on the south side of the restaurant building. He was completing some logs. [redacted] observed a black male subject, now known as Laquan MCDONALD, running southbound on Pulaski Road. The police were pursuing MCDONALD. [redacted] heard approximately three gunshots. He did not see who fired the shots. [redacted] exited the cab of his truck and climbed up on top of it. He saw a Chicago Police Department, Chevrolet Tahoe sport utility vehicle, and many police officers on Pulaski Road.

[redacted] insisted on leaving the Area Central office after their initial interviews, and they were transported as they requested.

Sergeant Lance BECVAR responded to the scene and subsequently to the Area Central office. He was able to recover video of this incident from the vehicles assigned to Beats 845R and 813R. This video was uploaded into the system. The reporting detective submitted a request for copies of these two videos which were subsequently inventoried. The reporting detective also requested that the videos be permanently retained. No video of this incident was recovered from the vehicles assigned to Beats 815R, 822 and 841R.

The recovered in-car camera video from Beats 845R and 813R was viewed and found to be consistent with the accounts of all of the witnesses. The video from Beat 813R showed that at the time Officer Jason VAN DYKE fired his handgun at Laquan MCDONALD, VAN DYKE was standing near the east edge of the southbound traffic lanes of Pulaski Road, and MCDONALD was near the lane marking separating the two southbound traffic lanes. The two were separated by the width of one traffic lane. The width of this traffic lane was approximately ten feet.

Recordings of the original 9-1-1 call and the radio transmissions over the Chicago Police Department, Zone 6 radio frequency were obtained from the Office of Emergency Management

and Communication. The recordings were reviewed and subsequently inventoried.

In the 9-1-1 call, a caller who identified himself as [redacted] stated that he was holding a guy for stealing radios from trucks in a trucking yard.

The recorded radio transmissions were consistent with the statements of the police officers involved in this incident. It was determined from the radio transmissions, that the entire interaction of the involved police officers, with Laquan MCDONALD, from the time Beat 815R notified the radio dispatcher that they had made contact with him, and that he was armed with a knife, until Beat 845R notified the dispatcher that shots had been fired by the police, lasted more than four minutes.

The criminal history of Laquan MCDONALD was reviewed. [redacted]

Additionally, there were two documented incidents, under Records Division numbers HS640983 and HT106389, on 01 December 2010 and 05 January 2011. In these incidents officials at the [redacted], elementary school, called the police because of the violent behavior of Laquan MCDONALD. The reports indicated that MCDONALD was a special education student at the school and that this had become a pattern of behavior for MCDONALD. The school officials indicated that MCDONALD had behavioral problems and anger issues. In both incidents MCDONALD was transported to [redacted] for evaluation and treatment.

The family of Laquan MCDONALD was located and notified of his death.

[redacted] -----

stated he was an uncle of Laquan MCDONALD. MCDONALD was living with JOHNSON while MCDONALD "worked out his problems." [redacted] said that MCDONALD attended [redacted] school but was currently suspended. MCDONALD suffered from "hypertension" but refused to take any medication. He stopped taking his prescribed medication approximately two years prior because he said it made him "freak out."

[redacted] last saw MCDONALD on Saturday, 18 October 2014, at approximately 13:00 hours, when MCDONALD left the apartment. He had not been back since. MCDONALD had rung the doorbell earlier in the day on 20 October 2014. [redacted] said they "buzzed" MCDONALD into the building but he never came up to the apartment.

[redacted] had no idea why MCDONALD would be in the area of 41st Street and Pulaski Road. JOHNSON said he would attempt to notify MCDONALD's mother, [redacted].

On Tuesday, 21 October 2014, [redacted] of the 9-1-1 caller, [redacted]" was located and interviewed.

[redacted] -----

stated she was with [redacted], parking a truck in the lot at 41st Street and Kildare Avenue. She saw a black male subject, now known as Laquan MCDONALD, attempting to steal property from vehicles parked in the lot. [redacted] confronted MCDONALD and told him to leave the lot. [redacted] said that MCDONALD did not say anything, but instead, he was "growling" and making strange noises. [redacted] again told MCDONALD to leave the lot and MCDONALD pulled out a knife. MCDONALD swung the knife at [redacted] attempting to cut him. [redacted] had already called 9-1-1 so he backed up and threw his cellular telephone at MCDONALD. MCDONALD then ran from the lot. He ran northbound on Kildare, then eastbound on 40th Street.

[redacted] described MCDONALD as a black male, with his hair in braids. He was wearing a black hood and blue jeans. [redacted] viewed a photograph of Laquan MCDONALD and identified him as the subject in the lot, who had been attempting to steal property from vehicles parked in the lot, and who subsequently threatened [redacted] with a knife, when [redacted] confronted MCDONALD.

On Wednesday, 22 October 2014, the 9-1-1 caller was interviewed.

[redacted] -----

related the same facts as [redacted]. [redacted] re-iterated that Laquan MCDONALD swung his knife at [redacted], attempting to cut him. [redacted] stated he was the person who called 9-1-1 regarding this incident.

A canvass was conducted of the area near the scene of this incident for any recorded video.

There were no Police Observation Devices, or other City of Chicago video cameras in the area.

Recorded video was recovered from three cameras on the exterior of the building housing the Greater Chicago Food Depository, at 4100 West Ann Lurie Place. Two of these videos showed two different views of Laquan MCDONALD walking eastbound on the sidewalk, on the south side of 40th Street, between Keeler and Karlov Avenues. Officer Joseph MCELLIGOTT was following MCDONALD on foot, maintaining a safe distance between himself and MCDONALD, while Officer Thomas GAFFNEY was following MCDONALD in a police vehicle. The third video did not capture any part of this incident.

Recorded video was recovered from two cameras at the Dunkin' Donuts restaurant, at 4113 South Pulaski Road. One of these videos showed the end of this incident, when Officers Jason VAN DYKE and Joseph WALSH stopped their vehicle, exited the vehicle and confronted Laquan MCDONALD. The view in this video is from a distance. The video from the second camera did not capture any part of this incident.

Recorded video was recovered from two cameras from Focal Point, 4141 South Pulaski Road. These videos did not capture any part of this incident.

All of the recovered video was inventoried.

A Major Case Review of this case was conducted at the Illinois State Police Crime Laboratory, on Thursday, 30 October 2014. An Evidence Submission Form was completed per this review.

The assigned personnel became aware of a potential question regarding the integrity of the video recovered from the Burger King restaurant. In an attempt to follow-up on this issue the assigned personnel proceeded to the restaurant on Wednesday, 11 March 2015. Manager, [redacted] was contacted at the restaurant. She stated that the video system at the restaurant had recently been repaired and a new digital video recorder had been installed. [redacted] said that as of this date, 11 of the 16 video ports in the system actually recorded video. This was consistent with the video recovered on the date of this incident. Video was recorded and recovered on 11 of the 16 video ports in the system on that date.

Any additional inquiries regarding the video system at the restaurant were referred to the district manager responsible for that restaurant, [redacted]. He was contacted and related that the day after this incident occurred, personnel from the Independent Police Review Authority, of the City of Chicago, came to the restaurant. They viewed video from the system and took custody of the digital video recorder. The recorder was returned to the restaurant two weeks later. Personnel from the Federal Bureau of Investigation then came to the restaurant and made copies of video from the system. After that some lawyers came to the restaurant with subpoenas to make copies of video from the system. Finally, [redacted] stated that personnel from the Federal Bureau of Investigation had come to the restaurant again, approximately three weeks prior to this interview, and took the digital video recorder. [redacted] did not have any further information regarding the video system.

The assigned personnel also became aware of an article written by [redacted], a professor at the University of Chicago Law School, citing the existence of an unknown witness to this incident. [redacted] was contacted on Thursday, 12 March 2015, in an attempt to interview this witness. [redacted] stated that this witness had already been interviewed by the Independent Police Review Authority and [redacted] did not know if the witness would be willing to be interviewed by the Chicago Police Department. [redacted] said he would contact the witness and provide him with contact information for the assigned personnel.

Based upon all the facts known at this time, and the death of the only offender in this incident, this case is now Exceptionally Cleared Closed / Other Exceptional Clearance - Death of Offender.

The above to-date investigation determined that Laquan MCDONALD was an active assailant who, while armed with a dangerous weapon, used force likely to cause death or serious injury to a private citizen when he attacked [redacted]; threatened the imminent use of force likely to cause death or serious injury when he incised the tire and stabbed the windshield of a Chicago Police Department vehicle occupied by Officer Thomas GAFFNEY; and initiated imminent use of force likely to cause death or serious injury when he initiated an attack on Officers Jason VAN DYKE and Joseph WALSH. The above investigation concluded that Officer Jason VAN DYKE's use of deadly force, the discharging of his duty firearm, was within the bounds of the Chicago Police Department's use of force guidelines, and in conformity with local ordinances and state law.

Based on the above facts, the associated report, under Records Division number HX486155, is now Closed / Non-Criminal.

REPORT OF:

Detective David M MARCH #20563
Sergeant Daniel GALLAGHER #1303
Lieutenant Anthony WOJCIK #481
Bureau of Detectives - Area Central

Event # 1429315878

Type	Location	Date	Pri	DG	Svc Beat	Disp
HOLDCI	3999 W 41ST ST / 4099 S PULASKI RD	20-OCT-2014 21:47:07	1A	008	0821	0552

Source	Response Level	Caller	Phone
E	1	[redacted]	[redacted]

Address of Occurrence	Occ Beat
4100 S KILDARE BL	0815

Event Chronology

Date	Activity	Wkstn	Person	Text
20-OCT-2014 21:45:35	REC			
20-OCT-2014 21:47:07	ENTRY	PCT49	C549513	CallerLocation, CallerName have been changed.
20-OCT-2014 21:47:50	DSP	PD18	D560949	815R
20-OCT-2014 21:48:05	ACK	PMDT6024	PC0V821	815R
20-OCT-2014 21:53:27	CLOC	PD18	D560949	815R [40 KEELER]
20-OCT-2014 21:53:40	MISC	PD18	D560949	knife in hand need tzaer
20-OCT-2014 21:53:43	ASST	PD18	D560949	812
20-OCT-2014 21:53:45	MISC	PADM19	D112780	815R NEED TASER PERKNI [40 KEELER
20-OCT-2014 21:53:48	ACK	PMDT5805	PC0U318	812
20-OCT-2014 21:54:51	MISC	PD18	D560949	walking eb
20-OCT-2014 21:54:53	MISC	PADM19	D112780	15R --- WALKING EB
20-OCT-2014 21:55:08	MISC	PADM19	D112780	TOWARDS PULASKI ?
20-OCT-2014 21:56:14	MISC	PADM19	D108212	popped tire on car
20-OCT-2014 21:56:18	MISC	PD18	D560949	popped tire on car
20-OCT-2014 21:56:20	ASSTER	PADM19	D108212	845R
20-OCT-2014 21:56:22	AUTPRE	PD18	D560949	845R
20-OCT-2014 21:56:22	ASST	PD18	D560949	845R
20-OCT-2014 21:56:33	MISC	PADM19	D108212	by the burger king
20-OCT-2014 21:56:36	MISC	PD18	D560949	headed to bk
20-OCT-2014 21:56:43	MISC	PADM19	D108212	female says were here
20-OCT-2014 21:56:47	ASSTER	PADM19	D108212	821R
20-OCT-2014 21:56:49	AUTPRE	PD18	D560949	821R
20-OCT-2014 21:56:49	ASST	PD18	D560949	821R
20-OCT-2014 21:56:52	ASSTER	PADM19	D108212	841R
20-OCT-2014 21:56:55	AUTPRE	PD18	D560949	841R
20-OCT-2014 21:56:55	ASST	PD18	D560949	841R
20-OCT-2014 21:57:00	MISC	PD18	D560949	to pulaski
20-OCT-2014 21:57:30	MISC	PADM19	D108212	shtosf fired by cpd
20-OCT-2014 21:57:32	MISC	PD18	D560949	shots fired by police
20-OCT-2014 21:57:41	ASST	PD18	D560949	862C
20-OCT-2014 21:57:51	MISC	PD18	D560949	NEEDS EMS
20-OCT-2014 21:57:58	MISC	PD18	D560949	41 PULASKI
20-OCT-2014 21:58:38	MISC	PADM19	D108212	i 55 all of pulski shut down 45 th
20-OCT-2014 21:58:39	MISC	PD18	D560949	SHUT DOWN PULASKI I55 - 45TH ST
20-OCT-2014 21:58:57	MISC	PADM19	D108212	calling state shut down ramps
20-OCT-2014 21:59:04	MISC	PD18	D560949	41 PULASKI DIVERTING TRAFFIC @ 821R

Event # 1429315878

Event Chronology

Date	Activity	Wkstn	Person	Text
20-OCT-2014 21:59:21	MISC	PD18	D560949	821R COVERING SB
20-OCT-2014 21:59:22	DSP	PDT101	D543242	4603
20-OCT-2014 21:59:25	AUTPRE	PD18	D560949	812
20-OCT-2014 21:59:25	ASST	PD18	D560949	812
20-OCT-2014 21:59:35	CLOC	PD18	D560949	812 [43 PULASKI NB]
20-OCT-2014 21:59:43	MISC	PADM19	D108212	state nfy'd sb pulaski shut down from i 55
20-OCT-2014 21:59:44	ASST	PD18	D560949	823R
20-OCT-2014 21:59:49	ASST	PADM19	D108212	843
20-OCT-2014 21:59:54	CLOC	PADM19	D108212	843 [HOLDING I55 RAMP]
20-OCT-2014 22:00:00	CLOC	PD18	D560949	843 [I 55 PULASKI]
20-OCT-2014 22:00:01	ASST	PADM19	D108212	PH2
20-OCT-2014 22:00:09	ASST	PADM19	D108212	851R
20-OCT-2014 22:00:13	ACK	PMDT4691	PC0X830	851R
20-OCT-2014 22:00:26	AUTPRE	PD18	D560949	851R
20-OCT-2014 22:00:26	ASST	PD18	D560949	851R
20-OCT-2014 22:00:29	ACK	PMDT6416	PC0X832	4603
20-OCT-2014 22:00:30	MISC	PADM19	D108212	815R both ok ???
20-OCT-2014 22:00:36	MISC	PADM19	D108212	everyone is ok
20-OCT-2014 22:00:51	MISC	PADM19	D108212	slowdown
20-OCT-2014 22:00:53	MISC	PADM19	D108212	nm
20-OCT-2014 22:00:56	MISC	PADM19	D108212	slowdown
20-OCT-2014 22:00:59	MISC	PD18	D560949	SLOWDOWN
20-OCT-2014 22:01:06	ASST	PADM19	D108212	810R
20-OCT-2014 22:01:16	MISC	PADM19	D108212	810R to get info from officer fired weapon
20-OCT-2014 22:01:19	MISC	PD18	D560949	INFO REQUESTED
20-OCT-2014 22:01:22	MISC	PD18	D560949	NAME & STAR
20-OCT-2014 22:02:20	ASST	PADM19	D108212	811
20-OCT-2014 22:02:27	CLOC	PADM19	D108212	811 [TRAFK SB ON PULASKI]
20-OCT-2014 22:02:34	ASST	PADM19	D108212	833R
20-OCT-2014 22:02:40	CLOC	PADM19	D108212	833R [44TH/PULASKI NB PULASKI]
20-OCT-2014 22:03:00	MISC	PADM19	D108212	810R *9465
20-OCT-2014 22:03:21	CLEAR	PADM19	D108212	PH2
20-OCT-2014 22:04:10	MISC	PADM19	D108212	cut off nb pulaski @ 47th st
20-OCT-2014 22:04:13	ASST	PADM19	D108212	865
20-OCT-2014 22:04:15	ASST	PADM19	D108212	846
20-OCT-2014 22:04:19	MISC	PD18	D50696	CUT47TH ST N/B PULASKI
20-OCT-2014 22:04:23	CLOC	PADM19	D108212	846 [TRAFFK @ 47 PULASKI]
20-OCT-2014 22:04:26	MISC	PADM19	D108212	846 nb
20-OCT-2014 22:05:50	ACK	PMDT5311	PC0AE49	846
20-OCT-2014 22:06:14	ASST	PADM19	D108212	855
20-OCT-2014 22:06:24	CLOC	PADM19	D108212	855 [TRAFFIC NB 45TH/PUASKI]
20-OCT-2014 22:06:29	CLOC	PD18	D50696	855 [45TH /PULASKIN/B]

Event # 1429315878

Event Chronology

Date	Activity	Wkstn	Person	Text
20-OCT-2014 22:06:41	COPYT	PADM19	D108212	Copied To Event(s): #CPD1429316149
20-OCT-2014 22:07:19	MISC	PD18	D50696	CTA NFY TO REROUTE BUSES
20-OCT-2014 22:08:04	CLOC	PADM19	D108212	821R 845R 841R 862C 865 846 4603 812 823R 855 843 851R 810R 815R 833R 811 [41ST/PULASKI]
20-OCT-2014 22:08:26	MISC	PD18	D50696	OEMC WEIDERSTROM NFY
20-OCT-2014 22:09:14	ASSTER	PADM19	D108212	842
20-OCT-2014 22:09:47	MISC	PD18	D50696	CTA SUPV ON THE BRIDGE
20-OCT-2014 22:12:50	ASST	PADM19	D108212	865B
20-OCT-2014 22:12:53	ACK	PMDT4684	PC0Y103	865B
20-OCT-2014 22:15:01	ASST	PADM19	D108212	850
20-OCT-2014 22:15:16	MISC	PADM19	D108212	865 a21 leaving sceen w/offender
20-OCT-2014 22:15:22	PCCHNG	PADM19	D108212	Papercar changed from 815R to 841R
20-OCT-2014 22:15:28	CLOC	PADM19	D108212	841R [A21 W/OFFENDER]
20-OCT-2014 22:15:46	SUPP	PADM19	D108212	Remarks Added
20-OCT-2014 22:15:52	ASST	PADM19	D108212	800X
20-OCT-2014 22:15:53	ACK	PMDT4701	PC0W294	811
20-OCT-2014 22:15:56	ACK	PMDT5173	PC0E418	800X
20-OCT-2014 22:16:32	EVTMSG	PDT97		SHOTS FIRED BY POLICE OFFENDER POSSIBLY STRUCK NFI AT THIS TIME
20-OCT-2014 22:16:54	ENR	PMDT4701	PC0W294	811
20-OCT-2014 22:16:54	ONS	PMDT4701	PC0W294	811
20-OCT-2014 22:17:06	CLOC	PADM19	D108212	842 [FOLOWING A21 TO HOSPITAL]
20-OCT-2014 22:17:16	CLOCX	PADM19	D108212	842 [4100 S KILDARE BL]
20-OCT-2014 22:17:52	CLOC	PADM19	D108212	842 [A21 TO MT SINAI]
20-OCT-2014 22:17:54	CLOCX	PADM19	D108212	841R [4100 S KILDARE BL]
20-OCT-2014 22:19:00	REMINQ	PMDT5311	PC0AE49	846 Veh->LIC/[redacted] LIS/IL
20-OCT-2014 22:19:02	ACK	PMDT4681	PC0S756	850
20-OCT-2014 22:19:20	CLEAR	PADM19	D108212	812
20-OCT-2014 22:19:38	CLEAR	PMDT4701	PC0W294	811
20-OCT-2014 22:21:52	SUPP	PADM19	D108212	Remarks Added
20-OCT-2014 22:22:31	CLEAR	PMDT6416	PC0X832	4603
20-OCT-2014 22:23:24	ASSTOS	PADM19	D108212	813R
20-OCT-2014 22:24:47	ACK	PMDT4706	PC0W483	813R
20-OCT-2014 22:27:36	ACK	PMDT5808	PC0W480	862C
20-OCT-2014 22:33:18	GDISP	PADM19	D108212	841R D/5000
20-OCT-2014 22:33:37	CASERD	PADM19	D108212	RDG Report Number 841R $CPDHX475653 D/5000 By: D108212
20-OCT-2014 22:34:55	SUPP	PADM19	D108212	Remarks Added
20-OCT-2014 22:38:26	COPYT	PDTS103	D557395	Copied To Event(s): #CPD1429316573
20-OCT-2014 22:38:51	MISC	PADM19	D108212	821R has the bus driver unk if supv is on scene

Event # 1429315878

Event Chronology

Date	Activity	Wkstn	Person	Text
20-OCT-2014 22:41:47	SUPP	PADM19	D108212	Remarks Added
20-OCT-2014 22:47:25	ASSTOS	PADM19	D108212	822
20-OCT-2014 22:47:33	ACK	PMDT4677	PC0AD53	822
20-OCT-2014 22:47:38	CLEAR	PMDT4681	PC0S756	850
20-OCT-2014 22:49:01	SUPP	PDT97	D382563	Remarks Added
20-OCT-2014 22:49:03	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted] LIS/IL
20-OCT-2014 22:49:49	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted]5 LIS/IL
20-OCT-2014 22:50:03	CLOC	PADM19	D108212	846 [44TH/PULASK > 53RD/PULASKI]
20-OCT-2014 22:51:08	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL
20-OCT-2014 22:54:30	COPYT	PADM19	D108212	Copied To Event(s): #CPD1429316783
20-OCT-2014 22:55:16	TCMPL	PADM19	D108212	846 , 783
20-OCT-2014 22:56:18	MISC	PADM19	D108212	5169-
20-OCT-2014 22:59:35	MISC	PADM19	D108212	843 tell officers fop guys are there
20-OCT-2014 23:00:29	GDISP	PADM19	D108212	841R D/0552
20-OCT-2014 23:01:29	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:01:45	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:05:27	SUPP	PADM19	D108212	Remarks Added
20-OCT-2014 23:06:21	CHNG	PADM19	D108212	Location: 4100 S KILDARE BL ==> 3999 W 41ST ST / 4099 S PULASKI RD;X Streets: 4100 BL S /4301 BL W 41ST ST ==> / ;LocCmt: BY UNITED RENTAL ==> BY UNITED RENTAL & BURGER KING;Atom: 815 ==> 821;RespArea: 815 ==> 821;RespGroup:815 ==> 821;
20-OCT-2014 23:08:50	REMINQ	PMDT5311	PC0AE49	846 Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:10:09	REMINQ	PMDT4751	PC0X185	841R Per->NAM/[redacted]J DOB[redacted] SEX/M DLS/IL
20-OCT-2014 23:10:09	REMINQ	PMDT4751	PC0X185	841R Per->NAM/[redacted] SEX/M SID/[redacted] DLS/IL
20-OCT-2014 23:10:16	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:11:31	CLEAR	PMDT5311	PC0AE49	846
20-OCT-2014 23:18:57	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted] LIS/IL
20-OCT-2014 23:22:10	REMINQ	PMDT4684	PC0Y103	865B Per->DLN[redacted] DLS/IL
20-OCT-2014 23:22:43	SUPP	PADM19	D108212	Remarks Added
20-OCT-2014 23:23:00	REMINQ	PMDT4684	PC0Y103	865B Per->DBId/54537
20-OCT-2014 23:29:50	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:30:06	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:31:49	REMINQ	PMDT4534	PC0T089	833R Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:35:59	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted] LIS/IL
20-OCT-2014 23:39:23	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL

Event # 1429315878

Event Chronology

Date	Activity	Wkstn	Person	Text
20-OCT-2014 23:43:55	CLEAR	PADM19	D108212	822
20-OCT-2014 23:45:30	ENR	PMDT4751	PC0X185	841R
20-OCT-2014 23:50:50	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted] LIS/IL
20-OCT-2014 23:54:43	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted] LIS/IL
21-OCT-2014 00:09:01	CLEAR	PD18	D50696	862C
21-OCT-2014 00:11:37	CLOC	PADM19	D108212	842 [MT SINAI NEEDS RELIEF]
21-OCT-2014 00:18:09	ASST	PD18	D50696	846R
21-OCT-2014 00:18:25	CLOC	PD18	D50696	846R [MT SINAI W/PRISONER]
21-OCT-2014 00:18:31	ACK	PMDT4685	PC0AK48	846R
21-OCT-2014 00:20:40	CLOC	PADM19	D108212	843 [I55 @ PULASKI TRAFK CONTROL --- RELIEF]
21-OCT-2014 00:27:54	ASST	PD18	D50696	824R
21-OCT-2014 00:27:58	ACK	PMDT4683	PC0T069	824R
21-OCT-2014 00:28:11	CLOC	PD18	D50696	824R [I55 @ PULASKI- TRAFK ON RAMP]
21-OCT-2014 00:31:16	REMINQ	PMDT4683	PC0T069	824R Veh->LIC/[redacted] LIS/IL LIT/ZZ
21-OCT-2014 00:45:40	CLEAR	PADM19	D108212	843
21-OCT-2014 00:55:22	REMINQ	PMDT4534	PC0T089	833R Veh->LIC/[redacted] LIS/IL
21-OCT-2014 00:58:06	REMINQ	PMDT4534	PC0T089	833R Veh->LIC[redacted] LIS/IL
21-OCT-2014 00:58:18	REMINQ	PMDT4534	PC0T089	833R Veh->LIC[redacted]LIS/IL
21-OCT-2014 01:00:51	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted]LIS/IL
21-OCT-2014 01:05:09	REMINQ	PMDT4534	PC0T089	833R Veh->LIC/[redacted] LIS/IL
21-OCT-2014 01:05:28	REMINQ	PMDT4534	PC0T089	833R Veh->LIC/[redacted]-B LIS/IL LIT/TK
21-OCT-2014 01:05:37	REMINQ	PMDT4534	PC0T089	833R Veh->LIC/[redacted] LIS/IL
21-OCT-2014 01:06:44	REMINQ	PMDT4534	PC0T089	833R Veh->LIC[redacted]LIS/IL
21-OCT-2014 01:06:54	REMINQ	PMDT4534	PC0T089	833R Veh->LIC/[redacted] LIS/IL
21-OCT-2014 01:09:59	CLEAR	PADM19	D108212	800X
21-OCT-2014 01:10:24	CLEAR	PMDT4998	PC0X178	842
21-OCT-2014 01:16:16	CLEAR	PADM19	D108212	855
21-OCT-2014 01:16:44	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted]9 LIS/IL
21-OCT-2014 01:18:14	CLEAR	PD18	D50696	865B
21-OCT-2014 01:33:29	AUTPRE	PADM19	D108212	865
21-OCT-2014 01:33:49	CLOC	PADM19	D108212	813R [AREA]
21-OCT-2014 01:33:57	ASST	PADM19	D108212	822
21-OCT-2014 01:34:00	CLOC	PADM19	D108212	822 [AREA]
21-OCT-2014 02:12:02	CLOC	PMDT4751	PC0X185	841R [AREA CENTRAL]
21-OCT-2014 03:10:28	CLOC	PD18	D50696	815R [AREA]
21-OCT-2014 03:16:34	MISC	PD18	D50696	PER 830R PULASKI CAN BE OPENED
21-OCT-2014 03:22:25	CLOC	PMDT6234	PC0Z521	823R [008] reports
21-OCT-2014 03:26:53	CLEAR	PMDT4683	PC0T069	824R
21-OCT-2014 03:36:12	REMINQ	PMDT4507	PC0W970	821R Veh->LIC/[redacted]LIS/IL LIT/TM
21-OCT-2014 03:40:25	REMINQ	PMDT4507	PC0W970	821R Veh->LIC/[redacted] LIS/IL
21-OCT-2014 03:40:45	REMINQ	PMDT4507	PC0W970	821R Veh->LIC/[redacted] LIS/IL

Event # 1429315878

Event Chronology

Date	Activity	Wkstn	Person	Text
21-OCT-2014 03:43:12	CLEAR	PMDT4507	PC0W970	821R
21-OCT-2014 04:03:03	CLOC	PD18	D50696	846R [MT SINAI]
21-OCT-2014 04:03:07	ONS	PD18	D50696	846R
21-OCT-2014 04:09:19	CLOC	PD18	D50696	833R [AREA CENTRAL W/815'S CAR]
21-OCT-2014 04:10:11	CLOC	PD18	D50696	833R [AREA CENTRAL W/815R'S CAR]
21-OCT-2014 04:18:37	CLEAR	PD18	D50696	823R
21-OCT-2014 04:23:43	CLEAR	PMDT4691	PC0X830	851R
21-OCT-2014 04:39:23	CLOC	PD18	D50696	845R [AREA CENTRAL]
21-OCT-2014 04:44:49	CLOC	PADM19	D108212	833R [008]
21-OCT-2014 04:48:06	CLEAR	PADM19	D108212	822
21-OCT-2014 05:11:56	COPYT	PDTS103	DT557395	Copied To Event(s): #CPD1429401913
21-OCT-2014 05:12:32	CLEAR	PADM19	D108212	833R
21-OCT-2014 05:12:50	ONS	PADM19	D108212	841R
21-OCT-2014 05:12:50	ONS	PADM19	D108212	845R
21-OCT-2014 05:12:50	ONS	PADM19	D108212	815R
21-OCT-2014 05:12:50	ONS	PADM19	D108212	813R
21-OCT-2014 05:12:52	ONS	PADM19	D108212	810R
21-OCT-2014 05:15:15	MISC	PADM19	D108212	846R BODY REMOVAL 0511 HRS
21-OCT-2014 05:20:48	CLEAR	PADM19	D108212	846R
21-OCT-2014 05:32:26	CLEAR	PADM19	D108212	810R
21-OCT-2014 06:31:23	SCHOFF	PMDT4659	PC0V684	Unit #845R scheduled for Logoff
21-OCT-2014 07:41:19	SCHOFF	PMDT4751	PC0X185	Unit #841R scheduled for Logoff
21-OCT-2014 07:43:43	CLEAR	PD18	D300971	841R 815R 845R 813R
21-OCT-2014 07:43:43	CLOSE	PD18	D300971	
21-OCT-2014 07:44:00	ROPEN	PD18	D300971	OPEN
21-OCT-2014 07:44:00	DSP	PD18	D300971	813R
21-OCT-2014 07:44:04	ACK	PMDT4706	PC0W483	813R
21-OCT-2014 07:44:09	SCHOFF	PMDT4706	PC0W483	Unit #813R scheduled for Logoff
21-OCT-2014 07:45:06	SCHOFF	PMDT4706	PC0W483	Unit #813R scheduled for Logoff
21-OCT-2014 07:45:34	SCHOFF	PD18	D300971	Unit #813R scheduled for Logoff
21-OCT-2014 07:45:37	CLEAR	PD18	D300971	813R
21-OCT-2014 07:45:37	CLOSE	PD18	D300971	
21-OCT-2014 07:45:52	ROPEN	PD18	D300971	OPEN
21-OCT-2014 07:45:52	DSP	PD18	D300971	815R
21-OCT-2014 08:45:46	ACK	PMDT6024	PC0V821	815R
21-OCT-2014 08:52:57	CLEAR	PD18	D300971	815R
21-OCT-2014 08:52:57	CLOSE	PD18	D300971	
	RMKS			*** WIRELESS CALL ***
	RMKS			holding a male who he caught breaking into trucks and stealing radios nfi
	RMKS			a21 to hospital
	RMKS			a21 to mt sinai confirmd by fireside

Event # 1429315878

Event Chronology

Date	Activity	Wkstn	Person	Text
	RMKS			HAVE SGT OR PAPER CAR CALL CRIME LAB AREA CENTRAL HGSCU OPER COMM NEWS AFFAIRS ASAP
	RMKS			[redacted] il id [redacted] 6'01 185\
	RMKS			EXEC DIR SCHENKEL NOTIFIED @ 2223 HRS 1ST DEP ELLIS NOTIFIED @ 2224 HRS CHIEF OF STAFF BERGER NOTIFIED @ 2226 HRS MANAG DEP , OPER GUIDICE NOTIFIED @ 2228 HRS DEP DIR , 911 OPER HALLOWELL NOTIFIED @ 2229 HRS DIR NEWS AFFAIRS STRATTON NOTIFIED @ 2231 HRS OEMC INVEST UNIT MESSAGE LEFT @ 2236 HRS MAYOR'S DETAIL BURTON NOTIFIED @ 2241 HRS IMD/OC NOTIFIED VIA MESSAGE @ 2217 HRS OEMC WM ORLANDINI NOTIFIED @ 2217 HRS OPER COMM *1804 NOTIFIED @ 2221 HRS [HAVE PC CALL] AREA SOUTH HGSCU DET KRETTEK NOTIFIED @ 2219 HRS [HAVE PC CALL] CRIME LAB SARLO NOTIFIED @ 2221 HRS [HAVE PC CALL][5802 RESPONDING] NEWS AFFAIRS GAINES NOTIFIED @ 2247 HRS 008TH DIST SGT KOMENSKY *1745 NOTIFIED @ 2248 HRS PCO2 JOHNSON -- CW7
	RMKS			offender pronounced @ 2242 hrs per 842
	RMKS			843 - crime lab is on scene

Unit Summary

Event # 1429315878

Unit Summary

Unit	Dispatch	Enroute	Onscene	T	TA	TC	Clear
815R	21:47:50	21:53:27	21-OCT-2014 05:12:50				21-OCT-2014 07:43:43
812	21:53:43						21:59:25
845R	21:56:20	21:56:20					21:56:22
845R	21:56:22	22:08:04	21-OCT-2014 05:12:50				21-OCT-2014 07:43:43
821R	21:56:47	21:56:47					21:56:49
821R	21:56:49	22:08:04					21-OCT-2014 03:43:12
841R	21:56:52	21:56:52					21:56:55
841R	21:56:55	22:08:04	22:17:54				21-OCT-2014 07:43:43
862C	21:57:41	22:08:04					21-OCT-2014 00:09:01
4603	21:59:22	22:08:04					22:22:31
812	21:59:25	21:59:35					22:19:20
823R	21:59:44	22:08:04					21-OCT-2014 04:18:37
843	21:59:49	21:59:54					21-OCT-2014 00:45:40
PH2	22:00:01						22:03:21
851R	22:00:09						22:00:26
851R	22:00:26	22:08:04					21-OCT-2014 04:23:43
810R	22:01:06	22:08:04	21-OCT-2014 05:12:52				21-OCT-2014 05:32:26
811	22:02:20	22:02:27	22:16:54				22:19:38
833R	22:02:34	22:02:40					21-OCT-2014 05:12:32
865	22:04:13	22:08:04					21-OCT-2014 01:33:29
846	22:04:15	22:04:23				22:55:16	23:11:31
855	22:06:14	22:06:24					21-OCT-2014 01:16:16
842	22:09:14	22:09:14	22:17:16				21-OCT-2014 01:10:24
865B	22:12:50						21-OCT-2014 01:18:14
850	22:15:01						22:47:38
800X	22:15:52						21-OCT-2014 01:09:59

Event # 1429315878

Unit Summary

Unit	Dispatch	Enroute	Onscene	T	TA	TC	Clear
813R	22:23:24	21-OCT-2014 01:33:49	22:23:24				21-OCT-2014 07:43:43
822	22:47:25		22:47:25				23:43:55
846R	21-OCT-2014 00:18:09	21-OCT-2014 00:18:25	21-OCT-2014 04:03:07				21-OCT-2014 05:20:48
824R	21-OCT-2014 00:27:54	21-OCT-2014 00:28:11					21-OCT-2014 03:26:53
822	21-OCT-2014 01:33:57	21-OCT-2014 01:34:00					21-OCT-2014 04:48:06
813R	21-OCT-2014 07:44:00						21-OCT-2014 07:45:37
815R	21-OCT-2014 07:45:52						21-OCT-2014 08:52:57

STATEMENT OF P.O. THOMAS GAFFNEY

CONDUCTED BY INVESTIGATOR KILLEN

ON OCTOBER 21, 2014 AT 0406 HOURS

AT AREA CENTRAL POLICE HEADQUARTERS

LOG # 1072125

Attachment # ~~76~~ ~~85~~ 160

OIG 15-0564 000610

KILLEN: This is the audio recorded interview of Officer Thomas Gaffney regarding Log number 1072125 U number 14 dash 36. Today is the 21st of October 2014. And the time is approximately 0406 hours. This statement is bein' taken at Area Central Police Headquarters at 51st and Wentworth. My name is Investigator Killen, that's spelled K I L L E N. My star number is 1 2 9. Also present is FOP attorney Dan Herbert. (noise) Dan if you would say and spell your first and last names.

HERBERT: Sure Dan, D A N, Herbert, H E R B E R T.

KILLEN: And uh also is uh FOP Representative Kato.

KATO: K R I S T O N. Last name is K A T O. (clears throat) FOP.

KILLEN: And Officer Gaffney if you would say and spell your first and last names for me.

P.O.GAFFNEY: My first name Thomas Gaffney, T H O M A S. G A F F N E Y.

KILLEN: Okay and what's your star number?

P.O.GAFFNEY: 1 9 9 5 8.

KILLEN: And your employee number?

P.O.GAFFNEY: [redacted].

KILLEN: And your uh current unit of assignment? (noise)

P.O.GAFFNEY: 8TH District.

KILLEN: Okay and (noise) what's your date of appointment with the (noise) Department?

P.O.GAFFNEY: Uh 8 July '96.

KILLEN: And your date of birth?

P.O.GAFFNEY: [redacted].

KILLEN: How long you been in 8?

P.O.GAFFNEY: Uh since 2000, 2001 I'm sorry. Summer 2001. (clears throat)

KILLEN: All right and then you're aware that this statement has the standing of an official Department report. And that any intentional falsification of any answer to any question would be in direct violations of rules and regulations?

P.O.GAFFNEY: Yes.

KILLEN: Given that, I (sighs) I'd like to remind you that failure to provide a complete and accurate account of this incident could result in a finding of Rule 14 with discipline leading up to and including separation from the Chicago Police Department. Do you understand that?

P.O.GAFFNEY: Yes.

KILLEN: All right and then you're aware that there are no allegations against you uh regarding this incident correct?

P.O.GAFFNEY: Yes.

KILLEN: Okay. So on 20 October 2014 at approximately 2150 hours what was your duty status and assignment?

OIG 15-0564 000612

P.O.GAFFNEY: Uh this statement is not being given voluntary but under duress. I am only givin' this statement because I know I will be fired if I refuse.

KILLEN: Okay. So yesterday 20 October 2014 approximately 2150 hours what was your duty status?
P.O.GAFFNEY: Um I was on duty workin' Beat 815 Robert.

KILLEN: Okay. And were you uh were you assigned a partner?
P.O.GAFFNEY: Yes I was, Joseph McElligott.

KILLEN: Okay were you uniformed?
P.O.GAFFNEY: Yes.

KILLEN: And so was McElligott right?
P.O.GAFFNEY: Yes.

KILLEN: Okay. And you and Officer McElligott you guys were assigned a car?
P.O.GAFFNEY: Yes.

KILLEN: What kinda car?
P.O.GAFFNEY: Uh squad, marked squad car uh Tahoe.

KILLEN: Okay. Were you the driver or the passenger?
P.O.GAFFNEY: I was the driver.

KILLEN: Okay. And then last night about 2150 hours you and uh Officer McElligott were witnesses to a police-involved shooting correct?

OIG 15-0564 000613

P.O.GAFFNEY: Yes.

KILLEN: All right and um (someone clears throat) if you would, if you'd start from the beginning and just run me through what happened.

P.O.GAFFNEY: Uh we received a call holding offender at forty, 4100 South Kildare. Um there supposedly somebody had broken into a, a truck uh vehicles um tryin' to get radios somethin' like that. So we, we were on Archer approximately Kostner Kenneth. I came uh, came to the (noise) we got the job came uh down Kostner to 47th, 47th to Kildare and Kildare right to 4100 South Kildare.

KILLEN: So you were comin' from the south goin' north correct?

P.O.GAFFNEY: Yes.

KILLEN: Okay. (someone clears throat) So you got the call are you, you were dispatched?

P.O.GAFFNEY: Yes.

KILLEN: OEMC?

P.O.GAFFNEY: Yes.

KILLEN: Radio?

P.O.GAFFNEY: Yes.

KILLEN: Okay. So then when you get to 41st and Kildare what, what happens?

P.O.GAFFNEY: Uh there was a [redacted] [redacted] and a [redacted] [redacted] uh standing by a gate um to the truck

OIG 15-0564 000614

yard. Um the gate was partially opened and uh the [redacted] had a chain in 'er hand and then we stopped and spoke to them.

KILLEN: Whaddid they tell ya?

P.O.GAFFNEY: They said that the guy just went around the corner. Um he was uh in the, in the you know lot tryin' to get um tryin' to get into trucks. Uh he had uh somethin' in his hand, he had uh a wire from a phone in his hand. And he said somethin' about a iPhone, I don't know if he was sayin' that he took an iPhone or he left an iPhone but he said that he went around the corner so then we, we asked 'em you know what he looked like, what he was wearin'? He said he's a male black with the dark shirt. So at that time we, we went up the street and turned the corner. (someone clears throat)

KILLEN: So they, they, did those two, that, did that [redacted] and [redacted] tell you which way the, the offender went?

P.O.GAFFNEY: Yes. Yeah he just pointed, he pointed north um and he said he went around the corner.

KILLEN: Okay so then that'd, that's 41st Street?

P.O.GAFFNEY: Yeah towards 40th Street.

KILLEN: Okay. And what happens then?

P.O.GAFFNEY: So we went, we went up the, up the block to 40th Street and we turned um east on 40th Street and we, (inaudible) when we turned we seen um you

OIG 15-0564 000615

know somebody walkin'. So we approached 'em, drove up to 'em and at that time we seen it was a male black with dread locks. You know and he had a dark shirt on. So at that time my, my partner had gotten outta the vehicle (clears throat) and he had his flashlight you know he's shining on 'em. You know tell 'em to come 'ere. So at that time he just kinda had a look, you know a weird look in his face you know like glazed eyes and stuff lookin' at us. So I stayed in my car in case he was gonna run. So at that time you know my partner kind of approached 'em a lil bit more and that's when he, he had seen you know tell 'em to get his hands outta his pocket cause he had one hand in his pocket. And then he had seen something in his you know a shiny object in his hand. And I, I heard 'em say you know he's got a knife. So that's when you know cuz then I, at first I was still in the car so I didn't really see, see the knife at that time. But once my partner said that that's when I kinda looked and I, at that time like I said we're all still walking or still moving. So then the street lights were a lil bit more as we were walkin' I, I seen a knife also in his hand.

KILLEN: Okay so this, so this point when you first see this guy he's on what street?

P.O.GAFFNEY: He's on 40th Street.

KILLEN: And he's, he's headed which way?

P.O.GAFFNEY: Uh east.

OIG 15-0564 000616

KILLEN: So he's headed toward Pulaski?
P.O.GAFFNEY: Yes.

KILLEN: All right is he by himself?
P.O.GAFFNEY: Yes.

KILLEN: Is he, like is he on the sidewalk --
P.O.GAFFNEY: On the, at that time he was on the sidewalk.

KILLEN: Which side of the street would he be on?
P.O.GAFFNEY: Uh south side.

KILLEN: So on the passenger side of your vehicle?
P.O.GAFFNEY: Yes. Yes.

KILLEN: All right so then you guys pull up, you pulled alongside of 'em?
P.O.GAFFNEY: Yes.

KILLEN: And then the officer --
P.O.GAFFNEY: Not quite, well not quite right next to 'em but yeah he was still like I said he was still walking but he was in front of the car. You know like in front of the area as we were walkin' and movin' at the same time.

KILLEN: You're kinda behind 'em?
P.O.GAFFNEY: Yeah, yeah but yeah.

KILLEN: And McElligott gets outta the car?
P.O.GAFFNEY: Yes.

OIG 15-0564 000617

KILLEN: Flashlight in hand.
P.O.GAFFNEY: Yes.

KILLEN: And he says come here?
P.O.GAFFNEY: Well yeah, yeah he starts you know come here. You know get your hand outta your pocket. And you know but he, he like I said he turned around, spun around a couple times and (inaudible) get to walking never said anything to us.

KILLEN: Which hand was in his pocket do you remember?
P.O.GAFFNEY: I think it was his left hand cause he had the other hand had whatever was in his, you know what he had in his hand at the time.

KILLEN: And do you know what was in his hand?
P.O.GAFFNEY: Not at that time I didn't.

KILLEN: Okay.
P.O.GAFFNEY: Like I said my partner, he, when my, my partner said he's got a knife that's when I kinda you know like I said as we were walkin' the street lights got a lil brighter and I was able to kinda look you know look over at the, and then see that he did have, you could tell you know it was in his hand and the blade was stickin' out.

KILLEN: Okay. And when you say he turned around a couple times does he keep 'em goin' east toward Pulaski?
P.O.GAFFNEY: Yeah he, he always kept goin'.

OIG 15-0564 000618

KILLEN: So he never stops?
P.O.GAFFNEY: No he never stopped he just kept walkin'. A couple times he went into the street but not, just like a step or two in the street but he just kept walkin' eastbound.

KILLEN: And he was by himself?
P.O.GAFFNEY: Yes.

KILLEN: All right so then so McElligott approaches 'em and then you hear McElligott say he's got a knife?
P.O.GAFFNEY: Yeah when he said he has a knife that's when I you know that's when I kinda like sat up a lil bit to look, to look, get a better look and that's when I, I seen it too.

KILLEN: Okay that was in his right hand then? Is that --
P.O.GAFFNEY: Yeah, yeah it was in his right hand.

KILLEN: So what happens then?
P.O.GAFFNEY: Uh at that time like I said (noise) my partner still kept you know tellin', that's what he said drop the knife, drop the knife. You know put the knife down whatever. And I got on the radio and you know got on the radio and said you know the guy's got a knn, we're at 40th and Kee, uh Keeler approachin' Keeler. Uh he's got a knife. Could we get another car over here with a taser.

OIG 15-0564 000619

KILLEN: So you don't carry a taser?
P.O.GAFFNEY: No I didn't, no.

KILLEN: McElligott he doesn't carry --
P.O.GAFFNEY: No he didn't have one either.

KILLEN: Okay. So what happens then?
P.O.GAFFNEY: Well like I said we I, I, I called it in then the dispatcher you know asked for other cars and other cars said they were comin'. So we just, we just kept stayin' you know keepin' our distance at the time you know I kept drivin' along. And um we just (noise) kept walkin' with 'em (noise) You know he never you know like came at us or anything at that time. He just kept like walkin', my partner still kept givin' 'em verbal commands and droppin' the knife and you know stop and that type a thing. But you know he just kept walkin' turning around lookin' back at us you know just that weird glaze look.

KILLEN: Did he ever say anything?
P.O.GAFFNEY: No never said a word to us at all.

KILLEN: Okay.
P.O.GAFFNEY: (Clears throat)

KILLEN: So then what happens?
P.O.GAFFNEY: We kept (noise) goin' east. When we're, we're approaching uh Karlov, 40th and Karlov I knew the next block there was the Burger King, there was a truck lot so we were gonna get more

OIG 15-0564 000620

people. So as we approached the, pretty much the corner of Karlov I like kinda turned my car towards him a lil bit on you know and you know to try and maybe get 'em to go down Karlov cause there's more, you know there's just factories so there's no people down that way. So and then uh - -

KILLEN: So the purpose of doin' that is keep 'em away from --

P.O.GAFFNEY: Yeah like try to slow 'em down until other cars got 'ere and make 'em see if he would maybe even go down the side street.

KILLEN: Okay.

P.O.GAFFNEY: You know keep 'em from getting to that more populated area where there were cars and people. (someone clears throat) So when I did that, he kinda like took a step towards and swung his uh, his arm down. When he did that that's when I heard like pssss a sound and I knew that he popped a tire. (noise)

KILLEN: Okay.

P.O.GAFFNEY: And then one, once he did that I got on the radio and said you know squad he just popped our tire. So (clears throat) --

KILLEN: Where's McElligott at this time?

P.O.GAFFNEY: He was still walk but he was, he was still walkin' with us but he was at like towards the back of the car.

OIG 15-0564 000621

KILLEN: Okay.

P.O.GAFFNEY: You know the back you know he still kept his distance. So (noise) (clears throat) once he did that, once he popped the tire again he just with that glazed stare, that glazed eye stare once he did that he like stepped back like took a step back, back away from the car. So I pulled up a lil bit further in front of 'em to you know try and maybe stop 'em or get 'em to go down that street. That's when he just took a step toward me and swung his arm really hard and hit the windshield with the knife.

HERBERT: And if I could just indicate for the record, with his right hand holdin' behind his, behind his head (someone clears throat) bringin' it down in a striking motion.

P.O.GAFFNEY: Yeah he, he as hard as he could he was attempting to break that windshield.

KILLEN: And how many times did he hit the windshield?

P.O.GAFFNEY: Just once. It was just once. Went real hard swing right, right on the windshield.

KILLEN: What happens?

P.O.GAFFNEY: Obviously nothin', I didn't see nothin' break but then he walked around the front of the car and kept walkin' eastbound on 40th Street. And then at that time, maybe 10 to 15 more feet that's when you could hear um some you know some sirens. And then a squad car came off a Pulaski onto 40th Street with their lights on. At that

OIG 15-0564 000622

time he seen that and that's when he started to run. Oh yeah I, I, I (noise) got on the radio and some, one, one of us, I don't remember but somebody did say that he was you know he started to run towards you know towards the, the truck lot, the trucks.

KILLEN: Okay so, so you're still basically sittin' over at 40th and Karlov right? You see 'nother car come up Pulaski?

P.O.GAFFNEY: Yeah that's, yeah he, 'nother car came off Pulaski onto 40th Street.

KILLEN: So --

P.O.GAFFNEY: That, that's when he seen that and that's when he started runnin'.

KILLEN: So when they turn west on 40th he runs --

P.O.GAFFNEY: Yeah he runs --

KILLEN: -- east towards Pulaski?

P.O.GAFFNEY: -- he, he, he's still goin' towards Pulaski but he went off a, off a the sidewalk and um into, it was like a, an empty space where the trucks, the truckers park so they can sleep or whatever. And he (noise) ran that way between two trucks.

KILLEN: Okay. (noise)

P.O.GAFFNEY: So at that time (noise) my partner started runnin' and I drove the car, I drove the car up to the entrance of the Burger King lot and went

OIG 15-0564 000623

into the Burger King lot. And before I did that the other car that came off went into the Burger King lot also. So I just, I seen 'em come outta, between the trucks. I ran, I kept drivin' towards, towards the, the end of the lot, towards Pulaski and that's, he ran and then I stopped cause I (noise) my tire was pretty much flat. So I couldn't get, I wasn't gonna go over the curb and then the other car was behind 'em. He ran into like towards the street and the other car followed 'em went over the curb and followed 'em.

KILLEN: Do you know who, who's that other car you're talkin' about? Do you know who that is?

P.O.GAFFNEY: At the time I didn't but now I know it was 845 Robert.

KILLEN: Okay. And that's the car he's talkin' 'bout Pulaski and --

P.O.GAFFNEY: Yeah.

KILLEN: -- where they U turn and go back at 'em?

P.O.GAFFNEY: That's the one, that's the one yeah that's the one that I, I (noise) know, I found out that was the one that went over the curb, yeah.

KILLEN: Okay so you stop your (someone clears throat) car where then?

P.O.GAFFNEY: Pretty much right behind the parkin' lot. Before, before going over the curb and into the street. (noise)

OIG 15-0564 000624

KILLEN: Okay. And then, and you stopped because of the (noise) flat?

P.O.GAFFNEY: Yeah cause I, I, I didn't wanna, I didn't know if I was gonna make it over the, cuz it was like you know that lil part there's like lil the, the, cement tongue if you will, that, that's the parkin' lot. (noise) You know if I was gonna get over it.

KILLEN: And you see 845 Robert continue.

P.O.GAFFNEY: Yeah they went they continued followin' 'em and went into the street. So I --

KILLEN: And that's Pulaski you're talkin' about?

P.O.GAFFNEY: Yeah. Into Pulaski. So I spun around went behind the park, behind the Burger King you know there's a street, (inaudible) back towards Pulaski where it goes out to the street on Pulaski. (noise)

KILLEN: Okay so, so you don't take the curb at all. You just --

P.O.GAFFNEY: No, no I, I, I turn around, I turned around and went around the parkin' lot to, to get out where there's a, there's the light on 41st Street. (noise)

KILLEN: And that's where your car's stopped?

P.O.GAFFNEY: And then yeah I turned on Pulaski and that's where my, that's where I finally stopped.

OIG 15-0564 000625

KILLEN: That's when, when I saw your car was south, facin' south --
P.O.GAFFNEY: Yes. Yes that's right, that's where I stopped.

KILLEN: Okay so then do you see what happens then after, with, with the offender and 845 Robert then?
P.O.GAFFNEY: No that was all, yeah that was I believe done before I got onto Pulaski. Cause I, I spun around and that's when I, I heard, I started to hear shots before I got onto Pul, I think when I got onto Pulaski there was other cars and stuff in front of me too. So I didn't see what exactly was goin' on.

KILLEN: So you're basically goin' around Burger King.
P.O.GAFFNEY: Yeah that's when the shots I believe that's when the shots started firin'.

KILLEN: You heard gunshots?
P.O.GAFFNEY: Yeah.

KILLEN: At the time did you know who was shootin'?
P.O.GAFFNEY: No I didn't know.

KILLEN: Could you see who was shootin'?
P.O.GAFFNEY: No.

KILLEN: That's because --
P.O.GAFFNEY: Well there's a, yeah well there's a fence also right, opposite side of Burger King where, where we blocked, pretty much blocked. The fence

OIG 15-0564 000626

with uh, like a covering you know covering fence so nobody could see through the fence. Cause they were building some stuff there. So yeah there was that was all blockin' me.

KILLEN: There's (noise) no line a sight.
P.O.GAFFNEY: No, no.

KILLEN: Okay.
P.O.GAFFNEY: No.

KILLEN: So then by the time you, you get south on Pulaski there's no more shooting correct?
P.O.GAFFNEY: I believe yeah I believe so. I don't (noise) remember any shooting at, at, when I got onto Pulaski.

KILLEN: Where (noise) when you got on Pulaski and you're goin' south could you see the offender still?
P.O.GAFFNEY: No not, not until I got outta the car and started to go you know 'round to, to where everything was goin' on.

KILLEN: Where was he?
P.O.GAFFNEY: The offender he was on the ground at the time when I, when I got over there.

KILLEN: Okay. And it's after that then you find out who's shooting what happened?
P.O.GAFFNEY: Yeah, yeah.

OIG 15-0564 000627

KILLEN: Okay. (noise) You didn't see the shooting, you, you (noise) you didn't see Officer Van Dyke discharge the weapon?
P.O.GAFFNEY: No I didn't, no.

KILLEN: Okay. (sighs) And then that, that, (noise) the two people that called 9 1 1 said they were holdin' the offender.
P.O.GAFFNEY: Hmm huh.

KILLEN: Do you have any idea who they are?
P.O.GAFFNEY: No not at the time, no. Cause right when they just said he went around the corner, they gave a quick description. We just wanted to go and you know see if we can catch 'em. We didn't know how long ago it was. Or where he would've went. So we just you know went and see if we could grab 'em and figured they woulda still been there when we got back.

KILLEN: Okay. And then the knife that the offender had, as best you can describe it to me?
P.O.GAFFNEY: Uh all silver, real bright. And prob'ly 'bout four to six inch blade.

KILLEN: Okay. All right. Uh was there anything you'd like to add?
P.O.GAFFNEY: No.

KILLEN: All right everything you told me is a true and accurate account of what occurred?
P.O.GAFFNEY: Yes.

OIG 15-0564 000628

KILLEN: All right this will conclude the audio recorded interview of Officer Thomas Gaffney regarding Log number 1072125 U number 14 dash 36. Today is the 21st of October 2014. The time is approximately 0424 hours.

OIG 15-0564 000629

I, CAROL A. O'LEARY, do hereby certify or affirm that I have impartially transcribed the foregoing from an audio recording of the above-mentioned proceeding to the best of my ability.

Carol A. O'Leary

Carol A. O'Leary

OIG 15-0564 000630

HICAGO POLICE DEPARTMENT

ASE SUPPLEMENTARY REPORT

10 S. Michigan Avenue, Chicago, Illinois 60653
use by Chicago Police - Bureau of Investigative Services Personnel Only)

HX475653

Case id : 9825613
Sup ID : 10992767 CASR301

XC. CLEARED CLOSED (OTHER EXCEPTIONAL) | **DETECTIVE SUP. APPROVAL COMPLETE**

Offense Classification/Re-Classification	IUCR Code	Original Offense Classification			IUCR Code
AULT / Aggravated Po:Knife/Cut Instr	**0552**	ASSAULT / Aggravated Po:Knife/Cut Instr			0552
ddress of Occurrence	Beat of Occur	No of Victims	No of Offenders	No of Arrested	SCR No
112 S PULASKI RD	**815**	4	1	1	
ocation Type	Location Code	Secondary Location			Hate Crime?
Street	**304**				NO
ate of Occurrence	Unit Assigned	Date RO Arrived	Fire Related?	Gang Related?	Domestic Related?
20-OCT-2014 21:57	**0841R**	20-OCT-2014 21:57	NO	NO	NO

Reporting Officer	Star No	Approving Supervisor	Star No	Primary Detective Assigned	Star No
MARCH, David	20563	WOJCIK, Anthony	481	MARCH, David	20563
Date Submitted		Date Approved		Assignment Type	
15-MAR-2015 18:26		16-MAR-2015 00:03		FIELD	

THIS IS A FIELD INVESTIGATION EXC. CLEARED CLOSED (OTHER EXCEPTIONAL) REPORT

VICTIM(S) :

GAFFNEY, Thomas J
Male / White / 41 Years
EMPLOYMENT: Chicago Police Officer #19958 Chicago Police Officer
EMPLOYER BUSINESS NME: Chicago Police Department
BUS: 3420 W 63rd St
Chicago IL
312-747-8730

MCELLIGOTT, Joseph P
Male / White / 36 Years
EMPLOYMENT: Chicago Police Officer #18715 Chicago Police Officer
EMPLOYER BUSINESS NME: Chicago Police Department
BUS: 3420 W 63rd St
Chicago IL
312-747-8730

VAN DYKE, Jason D
Male / White / 36 Years
EMPLOYMENT: Chicago Police Officer #9465 Chicago Police Officer
EMPLOYER BUSINESS NME: Chicago Police Department
BUS: 3420 W 63rd St
Chicago IL
312-747-8730

WALSH, Joseph J
Male / White / 45 Years
EMPLOYMENT: Chicago Police Officer #12865 Chicago Police Officer
EMPLOYER BUSINESS NME: Chicago Police Department
BUS: 3420 W 63rd St
Chicago IL

HX475653

312-747-8730

OFFENDER(S): **MCDONALD, Laquan J** -- In Custody --

ALIAS: "Bon-Bon"
Male / Black / 17 Years
DOB: [redacted]
RES: [redacted]
BIRTH PL: Illinois
DESCRIPTION: 6'02,180,Black Hair, Dreadlocks Hair Style, Brown Eyes, Medium Complexion

ITEM USED:
Weapon
DLN/ID: [redacted]
OTHER IDENTIFICATIONS: **Type -** Other Id
State - Unknown

IR #: 2106340
SID #: IL18550721
ORGANIZATION: NEW BREED
RELATIONSHIP OF VICTIM TO OFFENDER:

GAFFNEY, Thomas No Relationship
MCELLIGOTT, Joseph No Relationship
VAN DYKE, Jason No Relationship
WALSH, Joseph No Relationship

GANG INFORMATION:
LISTED CRIMINAL ORGANIZATION: New Breed
GANG IDENTIFIERS: Other

OFFENDER INJURIES: **MCDONALD, Laquan J**

Type	Weapon Used	Weapon Description
Gun Shot Wound	Handgun	Other -Handgun

Injured by Police
Chicago Fire Department Provided First Aid
EXTENT OF INJURY: Multiple Gsw
HOSPITAL REMOVED BY: Cfd Ambulance 21

HOSPITAL: Mt. Sinai
INJURY TREATMENT: Multiple Gsw
PHYSICIAN NAME: Dr Pitzele
INV #: **13296449**

WEAPON(S): **Evidence**

Smith & Wesson -Us- (Bodyguard,Chief Special) , 5942 , 9 , Semi-Automatic Pistol , Semi-Automatic , 4" , Stainless

SERIAL #: [redacted]

MAGAZINE CAPACITY: 15

Number Of Live Rounds present in the Firearm - 15

Number Of Live Rounds used in the Firearm - 16

The Status Of This Firearm is 628361

PROPERTY TYPE: Other

OWNER: Van Dyke, Jason

POSSESSOR/USER: Van Dyke, Jason

PHONE #: 312 - 747 - 8730

LOCATION FOUND: 5101 S Wentworth Ave

VEHICLE INFO:

Truck , 2010 / Chevrolet / Tahoe / Truck

, Victims Vehicle

VIN: 1GNMCAE0XAR263348 **Evidence**

YEAR (RANGE): 2010

COLOR (TOP/BOTTOM): White / White

OWNER: Chicago Police Department

POSSESSOR/USER: Gaffney, Thomas

PHONE#: 312 - 747 - 8730

LOCATION FOUND: 4102 S Pulaski Rd

LICENSE: MP6581, Law Enforcement (City, County, State, Sos), IL

LOCATION OF INCIDENT:

4112 S Pulaski Rd
Chicago IL
304 - Street

DATE & TIME OF INCIDENT: 20-OCT-2014 21:57

WEATHER AND LIGHTING:

WEATHER: Cloudy & Cool

TEMPERATURE: 50s

LIGHTING: Dark / Artificial Light

LIGHTING SOURCE: Streetlights

DISTANCE: Overhead

MOTIVE CODE(S): Interceding In A Felony

CAUSE CODE(S): Dna

METHOD CODE(S): Offender Shot

CAU CODE(S): Police Related Not Con

FIREARM(S) RECOVERED: **INV #: 13296449** **Evidence**

Smith & Wesson -Us- (Bodyguard,Chief Special) , 5942 , 9 , Semi-

Automatic Pistol , Semi-Automatic , 4" , Stainless
SERIAL #: [redacted]
PROPERTY TYPE: Other

OWNER: Van Dyke, Jason
POSSESSOR/USER: Van Dyke, Jason

PHONE #: 312 - 747 - 8730
LOCATION FOUND: 5101 S Wentworth Ave

MAGAZINE CAPACITY: 15
Number Of Live Rounds present in the Firearm - 15
Number Of Live Rounds used in the Firearm - 16

/EHICLE(S) DAMAGED: **Truck , 2010 / Chevrolet / Tahoe / Truck**
VIN: 1GNMCAE0XAR263348 **Evidence**

YEAR - YEAR RANGE END: 2010
COLOR (TOP/BOTTOM): White / White
OWNER: Chicago Police Department
POSSESSOR/USER: Gaffney, Thomas

PHONE#: 312 - 747 - 8730
LOCATION FOUND: 4102 S Pulaski Rd
LICENSE: MP6581, Law Enforcement (City, County, State, Sos), IL

PERSONNEL ASSIGNED:
Detective/Investigator
MARCH, David M # 20563
Reporting Officer
FONTAINE, Dora # 4484 BEAT: 0841R

WITNESS(ES) :
BACERRA, Arturo
Male / White Hispanic / 32 Years
EMPLOYMENT: Chicago Police Officer #15790 Chicago Police Officer
BUS: 3420 W 63rd St
Chicago IL
312-747-8730
[redacted]
Female / White Hispanic / 29 Years
DOB: [redacted]
RES: 5340 Prairie
[redacted]

OTHER COMMUNICATIONS:
Cellular [redacted]
Phone :
[redacted]

Female / White Hispanic / 19 Years

DOB: [redacted]

RES: [redacted]

BUS: [redacted]

DLN/ID: [redacted]

Male / White Hispanic / 18 Years

DOB: [redacted]

RES: [redacted]

OTHER COMMUNICATIONS:

[redacted]
Phone :

DLN/ID: [redacted]

Female / White Hispanic / 24 Years

DOB: [redacted]

RES: [redacted]

EMPLOYMENT: Shift Manager

BUS: [redacted]

OTHER COMMUNICATIONS:

Cellular [redacted]
Phone :

FONTAINE, Dora

Female / White Hispanic / 47 Years

EMPLOYMENT: Chicago Police Officer #4484 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

[redacted]

Male / White Hispanic / 25 Years

DOB: [redacted]

RES: [redacted]

BUS: [redacted]

OTHER COMMUNICATIONS:

Cellular Phone : [redacted]

SSN: [redacted]

[redacted]

Female / White Hispanic / 30 Years

DOB: [redacted]

RES: [redacted]

OTHER COMMUNICATIONS:

Cellular Phone : [redacted]

[redacted]

Male / White Hispanic / 24 Years

DOB: [redacted]

RES: [redacted]

SSN: [redacted]

DLN/ID: [redacted]

MONDRAGON, Janet

Female / White Hispanic / 37 Years

EMPLOYMENT: Chicago Police Officer #4364 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

SEBASTIAN, Daphne L

Female / White / 45 Years

EMPLOYMENT: Chicago Police Officer #2763 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

VELEZ, Leticia

Female / White Hispanic / 43 Years

EMPLOYMENT: Chicago Police Officer #10385 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

VIRAMONTES, Ricardo

Male / White Hispanic / 41 Years

EMPLOYMENT: Chicago Police Officer #10590 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL

312-747-8730

OTHER INDIVIDUALS INVOLVED:

[redacted] (Additional Victim)
Male / White Hispanic / 43 Years
DOB: [redacted]
RES: [redacted]
EMPLOYMENT: Self-Employed Truck Driver
OTHER COMMUNICATIONS:
Cellular Phone : [redacted]
DLN/ID: [redacted] :

[redacted] (Family Member Notified)
Male / Black / 25 Years
DOB: [redacted]
RES: [redacted]
OTHER COMMUNICATIONS:
Other : [redacted]

[redacted] (Person Interviewed Non-Witness)
Female / White Hispanic / 62 Years
DOB: [redacted]
RES: [redacted]
BUS: [redacted]

[redacted] (Person Interviewed Non-Witness)
Female / White Hispanic / 39 Years
DOB: [redacted]
RES: [redacted]
BUS: [redacted]

CRIME CODE SUMMARY: 0552 - Assault - Aggravated Po:Knife/Cut Instr

OTHER ASSOCIATIONS: 0552 - Assault - Aggravated Po:Knife/Cut Instr

GAFFNEY, Thomas, J (Victim)

MCDONALD, Laquan, J	(Offender)
MCELLIGOTT, Joseph, P	(Victim)
MCDONALD, Laquan, J	(Offender)
MCDONALD, Laquan, J	(Offender)
VAN DYKE, Jason, D	(Victim)
MCDONALD, Laquan, J	(Offender)
WALSH, Joseph, J	(Victim)

ICIDENT NOTIFICATIONS:

NOTIFICATION DATE & TIME: 10/20/2014:230700
REQUEST TYPE: Notification
PERSON NAME: ,Sarlo
STAR #: 13131
EMP #:

NOTIFICATION DATE & TIME: 10/20/2014:231400
REQUEST TYPE: Notification
PERSON NAME: ,Jines
STAR #: 4898
EMP #:

NOTIFICATION DATE & TIME: 10/20/2014:215000
REQUEST TYPE: On Scene
PERSON NAME: ,March
STAR #: 20563
EMP #:

NOTIFICATION DATE & TIME: 10/21/2014:225800
REQUEST TYPE: Notification
PERSON NAME: ,Chibe
STAR #: 7303
EMP #:

NOTIFICATION DATE & TIME: 10/20/2014:235000
REQUEST TYPE: Notification
PERSON NAME: ,Briggs
STAR #:
EMP #: 76

REPORT DISTRIBUTIONS: No Distribution

INVESTIGATION:

AREA CENTRAL FIELD INVESTIGATION:

Exceptionally Cleared Closed /
Other Exceptional Clearance - Death of Offender.

The full format for this investigation is contained in the previous Progress - Scene Report.

INVESTIGATION:

The reporting detective was assigned to the immediate follow-up investigation of this police officer involved shooting incident, by Sergeant Daniel GALLAGHER of this command. The reporting detective proceeded to the scene of the incident at 4112 South Pulaski Road. The officer involved in the shooting was located and interviewed at the scene.

VAN DYKE, Jason D -----

stated he was a Chicago Police Officer assigned to the 008th District. He was on duty, in uniform, working on Beat 845R. VAN DYKE was working with Police Officer Joseph WALSH. The two officers were assigned to Chicago Police Department vehicle number 6412, a marked Chevrolet Tahoe, four door sport utility vehicle. WALSH was driving the vehicle and VAN DYKE was the passenger.

The two officers responded to a request for assistance from Beat 815R, regarding a man with a knife, on 40th Street, west of Pulaski Road. A unit equipped with a taser had also been requested. Officer VAN DYKE heard the radio transmission when Officer Thomas GAFFNEY said the man with a knife had "popped" the tire of GAFFNEY's police vehicle. VAN DYKE understood this to mean the subject had slashed the tire with his knife. As Officer WALSH drove westbound on 40th Street from Pulaski, VAN DYKE observed a black male subject, now known as Laquan MCDONALD, running eastbound in the parking lot of the Burger King restaurant on the southwest corner of 40 Street and Pulaski. MCDONALD was holding a knife in his right hand. VAN DYKE saw Police Officer Joseph MCELLIGOTT pursuing MCDONALD on foot. VAN DYKE also saw a civilian who was standing on 40th Street pointing to MCDONALD.

Officer WALSH drove eastbound in the parking lot, in pursuit of MCDONALD, on the north side of the Burger King restaurant building. WALSH used the police vehicle to block MCDONALD from entering the restaurant. MCDONALD ran out onto Pulaski Road and then turned southbound, running toward a Dunkin' Donuts restaurant, on the east side of Pulaski, south of the Burger King. WALSH positioned the police vehicle between MCDONALD and the Dunkin' Donuts to block his path towards that restaurant. When WALSH slowed the police vehicle alongside MCDONALD, Officer VAN DYKE opened the right front door of the vehicle to exit and confront MCDONALD. WALSH told VAN DYKE to stay in the vehicle as they were too close to MCDONALD to safely exit their vehicle. WALSH drove on southbound and stopped the police vehicle ahead of MCDONALD.

Officer VAN DYKE exited the vehicle on the right side and drew his handgun. As VAN DYKE stood in the street on Pulaski, facing northbound, toward MCDONALD, MCDONALD approached southbound. MCDONALD was holding the knife in his right hand, in an underhand grip, with the blade pointed forward. He was swinging the knife in an aggressive, exaggerated manner. VAN DYKE ordered MCDONALD to "Drop the knife!" multiple times. MCDONALD ignored VAN DYKE's verbal direction to drop the knife and continued to advance toward VAN DYKE.

When MCDONALD got to within 10 to 15 feet of Officer VAN DYKE, MCDONALD looked toward

VAN DYKE. MCDONALD raised the knife across his chest and over his shoulder, pointing the knife at VAN DYKE. VAN DYKE believed MCDONALD was attacking VAN DYKE with the knife, and attempting to kill VAN DYKE. In defense of his life, VAN DYKE backpedaled and fired his handgun at MCDONALD, to stop the attack. MCDONALD fell to the ground but continued to move and continued to grasp the knife, refusing to let go of it. VAN DYKE continued to fire his weapon at MCDONALD as MCDONALD was on the ground, as MCDONALD appeared to be attempting to get up, all the while continuing to point the knife at VAN DYKE. The slide on VAN DYKE's pistol locked in the rearward position, indicating the weapon was empty. VAN DYKE performed a tactical reload of his pistol with a new magazine and then assessed the situation.

MCDONALD was no longer moving and the threat had been mitigated, so Officer VAN DYKE and Officer WALSH approached MCDONALD. MCDONALD was still holding the knife in his right hand. VAN DYKE continued to order MCDONALD to "Drop the knife!" Officer WALSH told VAN DYKE, "I have this." VAN DYKE then used his handgun to cover WALSH as WALSH walked up and forcibly kicked the knife out of MCDONALD's right hand, thereby eliminating the threat to the officers.

Officer WALSH then notified the dispatcher on the police radio that shots had been fired by the police. Officer VAN DYKE requested an ambulance for MCDONALD on the radio.

Officer VAN DYKE's weapon was a Smith and Wesson, nine millimeter, semi-automatic pistol, with a 15 round magazine. VAN DYKE said the pistol was fully loaded at the beginning of his tour of duty, with 15 cartridges in the magazine and one cartridge in the firing chamber.

It was noted that the uniform Officer VAN DYKE was wearing consisted of a light blue long sleeve uniform shirt, with shoulder patches; black body armor vest, with patches; navy blue cargo pants; and equipment belt with handgun and radio.

The reporting detective then interviewed Officer VAN DYKE's partner.

WALSH, Joseph J -----

stated he was a Chicago Police Officer assigned to the 008th District. WALSH related the same facts as his partner, Officer Jason VAN DYKE.

WALSH added that as Laquan MCDONALD ran eastbound through the Burger King parking lot, WALSH used the police vehicle he was driving to block MCDONALD from entering the restaurant.

As MCDONALD ran southbound on Pulaski Road, from the Burger King, WALSH pursued MCDONALD in the police vehicle. WALSH drove southbound in the northbound lanes to get ahead of MCDONALD, keeping the police vehicle between MCDONALD and a Dunkin' Donuts restaurant, on the east side of Pulaski. As their vehicle passed MCDONALD, Officer VAN DYKE opened the right front door of their vehicle, to exit the truck and confront MCDONALD. WALSH, realizing that at this point they were too close to the armed MCDONALD to safely exit the vehicle, told VAN DYKE to wait until they got further ahead of MCDONALD. WALSH drove further south on Pulaski. He stopped his vehicle south of MCDONALD and exited the driver's door as VAN DYKE exited the right side of the vehicle. WALSH drew his handgun when he exited the vehicle.

Officer WALSH came around the rear of the police vehicle and joined Officer VAN DYKE on the right side of the vehicle. WALSH also stood in the street on Pulaski, facing northbound, as MCDONALD walked southbound toward the officers. WALSH ordered MCDONALD to "Drop the knife!" multiple times as MCDONALD approached the officers.

Officer WALSH also backed up, attempting to maintain a safe distance between himself and MCDONALD. MCDONALD ignored the verbal direction given by both WALSH and Officer VAN DYKE, and continued to advance toward the officers. When MCDONALD got to within 12 to 15 feet of the officers he swung the knife toward the officers in an aggressive manner. VAN DYKE opened fire with his handgun and MCDONALD fell to the ground. VAN DYKE continued firing his weapon at MCDONALD as MCDONALD continued moving on the ground, attempting to get up, while still armed with the knife.

When the gunfire stopped and MCDONALD was not moving anymore, WALSH approached MCDONALD with VAN DYKE. WALSH continued to order MCDONALD to "Drop the knife!" multiple times, as MCDONALD was still holding the knife in his right hand. WALSH forcibly kicked the knife out of MCDONALD's hand and then notified the dispatcher on the police radio that shots had been fired by the police. An ambulance was also requested for MCDONALD.

As they waited for the ambulance to respond to the scene, Officer WALSH told MCDONALD to "hang in there," and that an ambulance was on the way.

Officer WALSH said he believed MCDONALD was attacking WALSH and Officer VAN DYKE with the knife and attempting to kill them when the shots were fired. WALSH stated he did not fire his handgun because VAN DYKE was in the line of fire between WALSH and MCDONALD. WALSH thought VAN DYKE fired eight or nine shots total.

It was noted that Officer WALSH wore the same uniform configuration as Officer VAN DYKE.

The officers assigned to Beat 815R were interviewed.

GAFFNEY, Thomas J -----

stated he was a Chicago Police Officer assigned to the 008th District. He was on duty, in uniform, working on Beat 815R. GAFFNEY was working with Police Officer Joseph MCELLIGOTT. The two officers were assigned to Chicago Police Department vehicle number 8489, a marked Chevrolet Tahoe, four door sport utility vehicle. GAFFNEY was driving the vehicle and MCELLIGOTT was the passenger.

The officers responded to an assignment of holding an offender for breaking into trucks at 41st Street and Kildare Avenue. Upon arrival at that location they met an Hispanic couple who told the officers a black male subject, wearing a dark shirt, had attempted to break into trucks parked in the parking lot at that location. The couple told the officers the subject had walked off and was last seen walking eastbound on 40th Street from Kildare.

Officer GAFFNEY drove northbound on Kildare to 40th Street. When he turned eastbound onto 40th Street he saw a black male subject wearing dark clothing, walking eastbound on the sidewalk,

on the south side of the street. Officer MCELLIGOTT exited the police vehicle to approach the subject, now known as Laquan MCDONALD. GAFFNEY stayed in the vehicle in case MCDONALD fled. MCELLIGOTT called to MCDONALD and told him to stop but MCDONALD continued walking eastbound, ignoring MCELLIGOTT. MCDONALD's hands were in his pockets as he walked. MCELLIGOTT told MCDONALD to take his hands out of his pockets. MCDONALD took his hands out of his pockets and MCELLIGOTT told GAFFNEY that MCDONALD had a knife. GAFFNEY then saw a silver colored knife in MCDONALD's right hand. GAFFNEY also saw that MCELLIGOTT had his handgun drawn at this point. MCELLIGOTT repeatedly ordered MCDONALD to "Drop the knife," but MCDONALD ignored these directions. As MCDONALD reached Keeler Avenue, GAFFNEY notified the dispatcher on the police radio that they were following a subject with a knife and requested assistance from a unit equipped with a taser.

MCDONALD continued walking eastbound, Officer MCELLIGOTT following on foot and Officer GAFFNEY following in the police vehicle. As MCDONALD approached Karlov Avenue, GAFFNEY turned the Tahoe southbound onto Karlov and stopped, blocking the crosswalk. GAFFNEY said he wanted to stop MCDONALD before he reached Pulaski Road, a business street where more civilians were present. The area where MCDONALD was first observed was industrial in nature with no other civilians present. When GAFFNEY stopped his vehicle in front of MCDONALD, blocking his path, MCDONALD stabbed the right front tire of the Tahoe with his knife, causing the tire to go flat. GAFFNEY immediately informed the radio dispatcher that MCDONALD had "popped" the tire. MCDONALD attempted to walk around the front of the police vehicle and GAFFNEY drove the Tahoe forward a short distance to continue to block MCDONALD's path. MCDONALD then stabbed at the windshield of the Tahoe with the knife, striking the right side of the windshield. MCDONALD then continued walking eastbound from Karlov.

As MCDONALD approached the Burger King restaurant parking lot at 40th Street and Pulaski, assisting police units arrived, approaching westbound on 40th Street from Pulaski. MCDONALD began to run eastbound through the restaurant parking lot, on the north side of the Burger King building. He ran out onto Pulaski and then turned and ran southbound on Pulaski. Beat 845R pursued MCDONALD in their police vehicle, eastbound through the parking lot, over the curb at Pulaski, then southbound on Pulaski. Officer GAFFNEY lost sight of MCDONALD when he turned southbound on Pulaski.

Because of the flat tire on his vehicle, Officer GAFFNEY did not drive over the curb. As he drove around out onto Pulaski, GAFFNEY heard multiple gunshots in rapid succession. He did not see who was shooting. When he reached Pulaski MCDONALD was lying on the ground.

It was noted that Officer GAFFNEY wore the same uniform configuration as Officer VAN DYKE with the addition of the uniform baseball style cap with embroidered patch.

MCELLIGOTT, Joseph P -----

stated he was a Chicago Police Officer assigned to the 008th District. MCELLIGOTT related the same facts as his partner, Officer Thomas GAFFNEY.

Officer MCELLIGOTT added that after he exited the police vehicle, when Laquan MCDONALD took his hands out of his pockets and MCELLIGOTT saw MCDONALD holding a knife in his right

hand, MCELLIGOTT drew his handgun. He repeatedly ordered MCDONALD to "Drop the knife." MCDONALD ignored MCELLIGOTT's directions and continued to walk eastbound on 40th Street. MCELLIGOTT followed MCDONALD on foot, maintaining a safe distance between himself and the armed MCDONALD.

Officer MCELLIGOTT heard Officer GAFFNEY request assistance and a unit with a taser over the police radio. GAFFNEY attempted to use the police vehicle to block MCDONALD from continuing on toward the Burger King restaurant at Pulaski Road. At this point MCDONALD stabbed the right front tire and the windshield of the police vehicle. MCELLIGOTT began to hear the sirens of approaching assisting police units and MCDONALD began to run toward the Burger King restaurant.

When MCDONALD ran eastbound through the parking lot of the Burger King, Officer MCELLIGOTT ran after MCDONALD in pursuit. MCELLIGOTT ran out into the middle of Pulaski Road in pursuit of MCDONALD. MCELLIGOTT heard multiple gunshots but did not see who fired the shots. The gunfire was continuous, one shot after another. MCELLIGOTT then saw MCDONALD lying on the ground. MCELLIGOTT saw Officer Joseph WALSH kick the knife out of MCDONALD's hand.

It was noted that Officer MCELLIGOTT wore the same uniform configuration as Officer VAN DYKE.

Other officers who responded to this incident were also interviewed.

SEBASTIAN, Daphne L —

stated she was a Chicago Police Officer assigned to the 008th District. She was on duty, in uniform, working on Beat 813R. SEBASTIAN was working with Police Officer Janet MONDRAGON. The two officers were assigned to a marked vehicle. MONDRAGON was driving the vehicle and SEBASTIAN was the passenger.

The two officers responded to the request for assistance made by Beat 815R, regarding a subject with a knife. Officer SEBASTIAN thought the original call for assistance was at 40th Street and Keeler Avenue. The subject had punctured a tire on the police vehicle of Beat 815R. Officer MONDRAGON drove northbound on Pulaski Road, following Beat 845R, as they also responded to the request for assistance. MONDRAGON turned westbound onto 40th Street, behind Beat 845R.

Officer SEBASTIAN observed a black male subject, now known as Laquan MCDONALD, running southeast bound through the parking lot of the Burger King restaurant. Beat 845R pursued MCDONALD in their police vehicle, through the parking lot, toward Pulaski. SEBASTIAN told Officer MONDRAGON to drive back out onto Pulaski to assist in the pursuit. MCDONALD ran out onto Pulaski and continued to run southbound down the middle of the street. Beat 845R pursued MCDONALD in their vehicle, southbound on Pulaski, followed by Beat 813R. As MCDONALD ran southbound on Pulaski, SEBASTIAN saw the knife in his right hand. MCDONALD was waving the knife.

Beat 845R stopped their vehicle ahead of MCDONALD, between MCDONALD and the Dunkin'

Donuts restaurant on the east side of Pulaski. Officers Joseph WALSH and Jason VAN DYKE exited their vehicle and drew their handguns. MCDONALD turned toward the two officers and continued to wave the knife. Sebastian heard the officers repeatedly order MCDONALD to "Drop the knife!" MCDONALD ignored the verbal directions and continued to advance on the officers, waving the knife. Officer SEBASTIAN heard multiple gunshots and MCDONALD fell to the ground, where he continued to move. SEBASTIAN did not know who fired the shots, which were fired in one continuous group. She then saw Officer WALSH kick the knife out of MCDONALD's hand.

MONDRAGON, Janet -----

stated she was a Chicago Police Officer assigned to the 008th District. MONDRAGON related the same facts as her partner, Officer Daphne SEBASTIAN.

Officer MONDRAGON added that as she drove westbound on 40th Street, she saw Officer MCELLIGOTT running eastbound through the Burger King parking lot. She made a U-turn and drove back out onto Pulaski Road. MONDRAGON turned southbound onto Pulaski. She saw Laquan MCDONALD running southbound on Pulaski, in the middle of the street. As she got closer she could see MCDONALD was holding a knife in his right hand. He was waving the knife.

Officer MONDRAGON saw Officers Joseph WALSH and Jason VAN DYKE outside of their police vehicle. She heard the officers repeatedly ordering MCDONALD to "Drop the knife!" as MCDONALD got closer and closer to the officers, continuing to wave the knife. As she was placing her vehicle transmission into Park, MONDRAGON looked down and heard multiple, continuous gunshots, without pause. MONDRAGON then saw MCDONALD fall to the ground. MONDRAGON did not know who fired the shots.

BACERRA, Arturo -----

stated he was a Chicago Police Officer assigned to the 008th District. He was on duty, in uniform, working on Beat 822. BACERRA was working with Police Officer Leticia VELEZ. The two officers were assigned to a marked vehicle. BACERRA was driving the vehicle and VELEZ was the passenger.

Officer BACERRA and his partner responded to the request for assistance made by Beat 815R, regarding a subject who was armed with a knife. BACERRA was driving northbound on Pulaski Road from 47th Street. As he approached the scene of this incident, at 4112 South Pulaski, he observed a black male subject, now known as Laquan MCDONALD, in the middle of the street, flailing his arms. As he got closer, BACERRA observed MCDONALD to be holding a knife in his right hand. BACERRA drove past MCDONALD, with MCDONALD on the left side of the police vehicle, as Beat 845R drove past BACERRA, on the right side of his vehicle, travelling southbound. As BACERRA began to make a U-turn, he heard multiple gunshots. He then saw MCDONALD lying on the ground. BACERRA did not see who fired the shots.

VELEZ, Leticia -----

stated she was a Chicago Police Officer assigned to the 008th District. VELEZ related the same facts as her partner, Officer Arturo BACERRA.

Officer VELEZ added that as they approached the scene she observed Laquan MCDONALD standing in the middle of the street, holding a shiny object in his right hand. She saw him waving the object in the air. Officer BACERRA drove past MCDONALD and began to make a U-turn, when VELEZ heard multiple gunshots, without pause or delay. She then saw MCDONALD fall to the ground. VELEZ did not see who fired the shots. She did see an unknown officer kick the knife from MCDONALD's hand after he was down on the ground.

FONTAINE, Dora -----

stated she was a Chicago Police Officer assigned to the 008th District. She was on duty, in uniform, working on Beat 841R. FONTAINE was working with Police Officer Ricardo VIRAMONTES. The two officers were assigned to a marked vehicle. VIRAMONTES was driving the vehicle and FONTAINE was the passenger.

The two officers responded to the request for assistance made by Beat 815R, regarding a man with a knife at 41st Street and Pulaski Road. Officer VIRAMONTES drove northbound on Pulaski. When they arrived at the scene of this incident, in front of the Dunkin' Donuts restaurant, Officer FONTAINE saw a black male subject, now known as Laquan MCDONALD, walking southbound in the street, with a knife in his right hand. MCDONALD was walking sideways, with his body facing east, toward Officers Jason VAN DYKE and Joseph WALSH. These two officers were standing in the middle of the street, on the right side of their police vehicle, which was facing southbound. FONTAINE heard the officers repeatedly order MCDONALD to "Drop the knife!" MCDONALD ignored the verbal direction and instead, raised his right arm toward Officer VAN DYKE, as if attacking VAN DYKE. At this time VAN DYKE fired multiple shots from his handgun, until MCDONALD fell to the ground and stopped moving his right arm and hand, which still grasped the knife. The gunshots were rapid fire, without pause. Officer WALSH then kicked the knife out of MCDONALD's hand.

VIRAMONTES, Ricardo -----

stated he was a Chicago Police Officer assigned to the 008th District. VIRAMONTES related the same facts as his partner, Officer Dora FONTAINE.

Officer VIRAMONTES added that when he exited his police vehicle, at the scene, he observed a black male subject, now known as Laquan MCDONALD, walking southbound on Pulaski Road, in the middle of the street, holding a knife in his right hand. VIRAMONTES heard Officer Jason VAN DYKE repeatedly order MCDONALD to "Drop the knife!" MCDONALD ignored the verbal direction and turned toward VAN DYKE and his partner, Officer Joseph WALSH. At this time VAN DYKE fired multiple shots from his handgun. MCDONALD fell to the ground but continued to move, attempting to get back up, with the knife still in his hand. VAN DYKE fired his weapon at MCDONALD continuously, until MCDONALD was no longer moving.

The scene of this incident, at 4112 South Pulaski Road, was observed to be a wide commercial street with traffic traveling north and south. There were two traffic lanes and a curb lane in each direction. A wide median separated the northbound and southbound traffic lanes. The scene was just south of the intersection of Pulaski and 41st Street. This was a "T" intersection with 41st Street extending east from Pulaski. In the center median was a left turn lane for northbound traffic

turning west onto 40th Street, further to the north. The Pulaski median was level with the traffic lanes and was striped with yellow paint.

On the west side of Pulaski was a large vacant lot. North of the vacant lot, on the southwest corner of 40th Street and Pulaski, was a Burger King restaurant. On the east side of the street was a Dunkin Donuts restaurant.

The weather was cloudy and cool with the temperature in the 50s. It was dark with good artificial light provided by overhead streetlights. All of the lights were on and functioning normally. There was also artificial light provided by the lighting of the nearby businesses.

In the northbound left turn lane, Chicago Police Department vehicle number 6412, assigned to Beat 845R, was sitting, facing southeast. The vehicle was a marked Chevrolet Tahoe, four door sport utility vehicle. The right front door of the vehicle was open.

In the southbound traffic lanes, in the right lane, a metal folding pocket knife was lying on the pavement. The blade was in the open position. The overall length of the knife was seven inches, with a three inch blade. The knife was in line with the front end of the vehicle of Beat 845R. Just north of the knife were two pools of blood on the pavement. Five metal bullet fragments were lying on the pavement near the blood. North of the blood, scattered in a diagonal pattern from southwest to northeast, across both southbound traffic lanes and the northbound left turn lane, were 16, nine millimeter caliber cartridge cases, lying on the pavement.

Chicago Police Department vehicle number 8489, assigned to Beat 815R, was sitting at the west curb at 4102 South Pulaski. The right front tire of the vehicle was flat, with a large puncture to the sidewall of the tire. The right side of the windshield was scratched from being struck by Laquan MCDONALD's knife.

Mobile Crime Lab Beat 5802 responded to the scene. Video and photographs were taken of the scene. The knife and firearms evidence was collected from the street, as were swabs of the blood. The right front wheel and tire of Chicago Police Department vehicle number 8489 was also recovered. The right front quarter panel of vehicle number 8489 was processed for fingerprints and four ridge impressions were recovered.

A canvass was conducted of the area near the scene of this incident in an attempt to identify and locate witnesses. A number of people were interviewed.

[redacted] -----

stated she was [redacted] at the Burger King restaurant. At approximately 21:55 hours [redacted] observed police officers chasing a black male subject, now known as Laquan MCDONALD, through the parking lot, on the north side of the restaurant building. The officers chased MCDONALD southbound down Pulaski Road, toward the Dunkin' Donuts restaurant. [redacted] then heard multiple gunshots and dove to the ground.

[redacted] permitted access to the Burger King video system. No video of this incident was recorded. The system was not recording at that time. The system was activated and video was

recovered from the system from earlier in the day, showing the view of each of the cameras in the system. It was noted that none of these camera views showed the area of the scene where the confrontation between Laquan MCDONALD and Police Officers Jason VAN DYKE and Joseph WALSH occurred, on Pulaski Road, south of the Burger King restaurant. If the system had been recording at the time of this incident, it would not have recorded any footage of that confrontation.

[redacted] -----

stated he was at the Burger King restaurant, waiting for his girlfriend, [redacted], who was working at the drive-thru window. [redacted] observed a "young black dude" with his hair in dreadlocks, now known as Laquan MCDONALD, running through the parking lot of the restaurant. He was being pursued by police officers. MCDONALD was holding his pants like he might have had a gun or something. MCDONALD then ran southbound on the sidewalk and then out into the street on Pulaski Road. [redacted] last saw MCDONALD running towards the middle of the intersection of 41st Street and Pulaski. MCDONALD appeared confused. [redacted] then turned his attention back to his girlfriend at the drive-thru window. He did not witness the shooting.

[redacted] -----

stated she was working at [redacted] of the Burger King restaurant. She observed a male subject, now known as Laquan MCDONALD, running from the restaurant parking lot, southbound on Pulaski Road, toward the Dunkin' Donuts restaurant. [redacted] heard multiple gunshots and then saw that MCDONALD was lying in the street.

[redacted] -----

stated she was [redacted] of the Burger King restaurant. She did not see or hear anything.

[redacted] -----

stated she was [redacted] of the Burger King restaurant. She did not see or hear anything.

Laquan MCDONALD had been transported to Mount Sinai Hospital by Chicago Fire Department Ambulance 21. He sustained multiple gunshot wounds as documented in the format of this investigation. MCDONALD was treated for his injuries in the emergency room. He succumbed to his wounds and was subsequently pronounced dead by Doctor PITZELE, at 22:42 hours.

Registered Nurse [redacted], recovered three metal bullet fragments from MCDONALD and turned these over to Detective William JOHNSON. These were subsequently turned over to Mobile Crime Lab Beat 5802, who also recovered metal fragments from MCDONALD's sweater.

The reporting detective had learned of the death of Laquan MCDONALD while still at the scene of this incident. The Office of the Medical Examiner of Cook County was notified of MCDONALD's death, and Investigator BRIGGS assigned Medical Examiner's case number 2014 - 01071 to this case.

In the Bureau of Detectives - Area Central office, Evidence Technician Beat 5824 recovered Office Jason VAN DYKE's handgun, a Smith and Wesson, Model 5942, nine millimeter caliber, semi-automatic pistol. The weapon was loaded with one cartridge in the firing chamber and 14 cartridges in the magazine, when recovered.

Beat 5824 took photographs of Officers Jason VAN DYKE, Joseph WALSH, Thomas GAFFNEY and Joseph MCELLIGOTT. Elimination prints, including palm prints, were also taken from Officers GAFFNEY and MCELLIGOTT.

Officer Jason VAN DYKE was re-interviewed for additional detail, in the Area Central office.

VAN DYKE, Jason D ----

related the same sequence of events as documented in his original interview at the scene of this incident.

VAN DYKE additionally articulated the reasoning behind his decision to use deadly force against the offender in this incident, Laquan MCDONALD. VAN DYKE was aware of the radio transmissions from Officer Thomas GAFFNEY, on Beat 815R, that MCDONALD was armed with a knife. VAN DYKE was aware that MCDONALD had attacked the officers on Beat 815R by slashing the tire of their police vehicle.

As he confronted MCDONALD at 4112 South Pulaski Road, VAN DYKE saw that MCDONALD was in fact, armed with a knife, a deadly weapon. VAN DYKE was aware of the widely accepted teaching in law enforcement that an assailant armed with a knife was considered a deadly threat, if within 21 feet, because it was possible for such an assailant to close that distance and attack with the knife before a defensive shot could be fired from a handgun. VAN DYKE was also aware of the existence of throwing knives, which can be thrown from a distance, as well as spring loaded knives, which propel a blade through the air from the knife handle. VAN DYKE also said he recalled a previously issued Chicago Police Department bulletin warning of a weapon which appeared to be a knife but which actually was capable of firing a bullet, making it a firearm.

Subsequently, a search was conducted of the Chicago Police Department, Automated Message Center, to find the bulletin Officer Jason VAN DYKE remembered, regarding the weapon that appeared to be a knife, but was actually a firearm. This bulletin was issued on 04 December 2012. It was Officer Safety Alert number 2012-OSA-297. It was a warning regarding a "revolver knife" which was capable of firing .22 caliber cartridges.

Three witnesses had been transported into the Area Central office from the scene and were interviewed.

[redacted]----

stated she was in the Burger King restaurant parking lot. She saw a subject, now known as Laquan MCDONALD, running southbound on Pulaski Road. [redacted] saw many police officers on the street. She was trying to get her cellular telephone to work, to record video. [redacted] heard eight gunshots fired continuously. She did not see who fired the shots. [redacted] then saw

a police officer pointing a handgun at MCDONALD as he was lying on the ground.

With her permission, [redacted]' telephone was examined for any recorded video footage with negative results.

[redacted]-----

stated he was at the Burger King restaurant drive-thru with [redacted]. He saw a black male subject, now known as Laquan MCDONALD, running from the trucks parked at the rear of the restaurant parking lot. MCDONALD ran eastbound in the parking lot, on the north side of the Burger King building. A police officer was chasing MCDONALD on foot, eastbound through the parking lot, then southbound on Pulaski Road. A Chicago Police Department, Chevrolet Tahoe sport utility vehicle pulled up on Pulaski. MCDONALD ran toward the police vehicle. A police officer exited the vehicle and fired multiple shots from a handgun at MCDONALD. [redacted] thought there was video footage of the incident recorded on [redacted] cellular telephone. As documented in the previous interview of [redacted], her telephone was examined with negative results.

[redacted]-----

stated he was sitting in a truck, parked in the Burger King restaurant parking lot, on the south side of the restaurant building. He was completing some logs. [redacted] observed a black male subject, now known as Laquan MCDONALD, running southbound on Pulaski Road. The police were pursuing MCDONALD. [redacted] heard approximately three gunshots. He did not see who fired the shots. [redacted] exited the cab of his truck and climbed up on top of it. He saw a Chicago Police Department, Chevrolet Tahoe sport utility vehicle, and many police officers on Pulaski Road.

[redacted] insisted on leaving the Area Central office after their initial interviews, and they were transported as they requested.

Sergeant Lance BECVAR responded to the scene and subsequently to the Area Central office. He was able to recover video of this incident from the vehicles assigned to Beats 845R and 813R. This video was uploaded into the system. The reporting detective submitted a request for copies of these two videos which were subsequently inventoried. The reporting detective also requested that the videos be permanently retained. No video of this incident was recovered from the vehicles assigned to Beats 815R, 822 and 841R.

The recovered in-car camera video from Beats 845R and 813R was viewed and found to be consistent with the accounts of all of the witnesses. The video from Beat 813R showed that at the time Officer Jason VAN DYKE fired his handgun at Laquan MCDONALD, VAN DYKE was standing near the east edge of the southbound traffic lanes of Pulaski Road, and MCDONALD was near the lane marking separating the two southbound traffic lanes. The two were separated by the width of one traffic lane. The width of this traffic lane was approximately ten feet.

Recordings of the original 9-1-1 call and the radio transmissions over the Chicago Police Department, Zone 6 radio frequency were obtained from the Office of Emergency Management

and Communication. The recordings were reviewed and subsequently inventoried.

In the 9-1-1 call, a caller who identified himself as [redacted] stated that he was holding a guy for stealing radios from trucks in a trucking yard.

The recorded radio transmissions were consistent with the statements of the police officers involved in this incident. It was determined from the radio transmissions, that the entire interaction of the involved police officers, with Laquan MCDONALD, from the time Beat 815R notified the radio dispatcher that they had made contact with him, and that he was armed with a knife, until Beat 845R notified the dispatcher that shots had been fired by the police, lasted more than four minutes.

The criminal history of Laquan MCDONALD was reviewed. [redacted]

Additionally, there were two documented incidents, under Records Division numbers HS640983 and HT106389, on 01 December 2010 and 05 January 2011. In these incidents officials at the [redacted], elementary school, called the police because of the violent behavior of Laquan MCDONALD. The reports indicated that MCDONALD was a special education student at the school and that this had become a pattern of behavior for MCDONALD. The school officials indicated that MCDONALD had behavioral problems and anger issues. In both incidents MCDONALD was transported to [redacted] for evaluation and treatment.

The family of Laquan MCDONALD was located and notified of his death.

[redacted] -----

stated he was an uncle of Laquan MCDONALD. MCDONALD was living with JOHNSON while MCDONALD "worked out his problems." [redacted] said that MCDONALD attended [redacted] school but was currently suspended. MCDONALD suffered from "hypertension" but refused to take any medication. He stopped taking his prescribed medication approximately two years prior because he said it made him "freak out."

[redacted] last saw MCDONALD on Saturday, 18 October 2014, at approximately 13:00 hours, when MCDONALD left the apartment. He had not been back since. MCDONALD had rung the doorbell earlier in the day on 20 October 2014. [redacted] said they "buzzed" MCDONALD into the building but he never came up to the apartment.

[redacted] had no idea why MCDONALD would be in the area of 41st Street and Pulaski Road. JOHNSON said he would attempt to notify MCDONALD's mother, [redacted].

On Tuesday, 21 October 2014, [redacted] of the 9-1-1 caller, [redacted]" was located and interviewed.

[redacted] -----

stated she was with [redacted], parking a truck in the lot at 41st Street and Kildare Avenue. She saw a black male subject, now known as Laquan MCDONALD, attempting to steal property from vehicles parked in the lot. [redacted] confronted MCDONALD and told him to leave the lot. [redacted] said that MCDONALD did not say anything, but instead, he was "growling" and making strange noises. [redacted] again told MCDONALD to leave the lot and MCDONALD pulled out a knife. MCDONALD swung the knife at [redacted] attempting to cut him. [redacted] had already called 9-1-1 so he backed up and threw his cellular telephone at MCDONALD. MCDONALD then ran from the lot. He ran northbound on Kildare, then eastbound on 40th Street.

[redacted] described MCDONALD as a black male, with his hair in braids. He was wearing a black hood and blue jeans. [redacted] viewed a photograph of Laquan MCDONALD and identified him as the subject in the lot, who had been attempting to steal property from vehicles parked in the lot, and who subsequently threatened [redacted] with a knife, when [redacted] confronted MCDONALD.

On Wednesday, 22 October 2014, the 9-1-1 caller was interviewed.

[redacted] -----

related the same facts as [redacted]. [redacted] re-iterated that Laquan MCDONALD swung his knife at [redacted], attempting to cut him. [redacted] stated he was the person who called 9-1-1 regarding this incident.

A canvass was conducted of the area near the scene of this incident for any recorded video.

There were no Police Observation Devices, or other City of Chicago video cameras in the area.

Recorded video was recovered from three cameras on the exterior of the building housing the Greater Chicago Food Depository, at 4100 West Ann Lurie Place. Two of these videos showed two different views of Laquan MCDONALD walking eastbound on the sidewalk, on the south side of 40th Street, between Keeler and Karlov Avenues. Officer Joseph MCELLIGOTT was following MCDONALD on foot, maintaining a safe distance between himself and MCDONALD, while Officer Thomas GAFFNEY was following MCDONALD in a police vehicle. The third video did not capture any part of this incident.

Recorded video was recovered from two cameras at the Dunkin' Donuts restaurant, at 4113 South Pulaski Road. One of these videos showed the end of this incident, when Officers Jason VAN DYKE and Joseph WALSH stopped their vehicle, exited the vehicle and confronted Laquan MCDONALD. The view in this video is from a distance. The video from the second camera did not capture any part of this incident.

Recorded video was recovered from two cameras from Focal Point, 4141 South Pulaski Road. These videos did not capture any part of this incident.

All of the recovered video was inventoried.

A Major Case Review of this case was conducted at the Illinois State Police Crime Laboratory, on Thursday, 30 October 2014. An Evidence Submission Form was completed per this review.

The assigned personnel became aware of a potential question regarding the integrity of the video recovered from the Burger King restaurant. In an attempt to follow-up on this issue the assigned personnel proceeded to the restaurant on Wednesday, 11 March 2015. Manager, [redacted] was contacted at the restaurant. She stated that the video system at the restaurant had recently been repaired and a new digital video recorder had been installed. [redacted] said that as of this date, 11 of the 16 video ports in the system actually recorded video. This was consistent with the video recovered on the date of this incident. Video was recorded and recovered on 11 of the 16 video ports in the system on that date.

Any additional inquiries regarding the video system at the restaurant were referred to the district manager responsible for that restaurant, [redacted]. He was contacted and related that the day after this incident occurred, personnel from the Independent Police Review Authority, of the City of Chicago, came to the restaurant. They viewed video from the system and took custody of the digital video recorder. The recorder was returned to the restaurant two weeks later. Personnel from the Federal Bureau of Investigation then came to the restaurant and made copies of video from the system. After that some lawyers came to the restaurant with subpoenas to make copies of video from the system. Finally, [redacted] stated that personnel from the Federal Bureau of Investigation had come to the restaurant again, approximately three weeks prior to this interview, and took the digital video recorder. [redacted] did not have any further information regarding the video system.

The assigned personnel also became aware of an article written by [redacted], a professor at the University of Chicago Law School, citing the existence of an unknown witness to this incident. [redacted] was contacted on Thursday, 12 March 2015, in an attempt to interview this witness. [redacted] stated that this witness had already been interviewed by the Independent Police Review Authority and [redacted] did not know if the witness would be willing to be interviewed by the Chicago Police Department. [redacted] said he would contact the witness and provide him with contact information for the assigned personnel.

Based upon all the facts known at this time, and the death of the only offender in this incident, this case is now Exceptionally Cleared Closed / Other Exceptional Clearance - Death of Offender.

The above to-date investigation determined that Laquan MCDONALD was an active assailant who, while armed with a dangerous weapon, used force likely to cause death or serious injury to a private citizen when he attacked [redacted]; threatened the imminent use of force likely to cause death or serious injury when he incised the tire and stabbed the windshield of a Chicago Police Department vehicle occupied by Officer Thomas GAFFNEY; and initiated imminent use of force likely to cause death or serious injury when he initiated an attack on Officers Jason VAN DYKE and Joseph WALSH. The above investigation concluded that Officer Jason VAN DYKE's use of deadly force, the discharging of his duty firearm, was within the bounds of the Chicago Police Department's use of force guidelines, and in conformity with local ordinances and state law.

Based on the above facts, the associated report, under Records Division number HX486155, is now Closed / Non-Criminal.

REPORT OF:

Detective David M MARCH #20563
Sergeant Daniel GALLAGHER #1303
Lieutenant Anthony WOJCIK #481
Bureau of Detectives - Area Central

One (1) "911" call. Total length of call was 1:20

Disp: Chicago emergency,

Caller: I have a truck right year at 41st and Kildare. I have a parking lot for trucks. I have a guy right hear that stolen the radios

Disp: Are you holding this person?

Caller: Yeah. Just hear.

Disp: OK what is your name please?

Caller: My name is [redacted]

Disp: And which side of Kildare are you?

Caller: Ahhhhhhhhhh

Disp: What is the address of the yard

Caller: Right hear by the yards. 41 and Kildare

Disp: Well I'm looking at a map I see two trucking yards. One on each side of the street

Caller: Yeah, the one that is on the side of the street right. Next to ummm United Rental

OK. OK we will send the police. We will send the police.

OK. Thank you.

……call ended……

17:49 time stamp

Disp: 815R

815R: 815R

Disp: It's a [redacted] holding a citizen 4100 Kildare by the United Rental. A [redacted] who he caught breaking into trucks and stealing radios, [redacted] holding him

23:17 time stamp
815R: 815R

Disp: 815R

815R: inaudible….. we're at 40th and Keeler. This guy uh is walking away from us and he's got a knife in his hand

Disp:
Alright, anybody have a taser to help out four-o and Keeler for 815R looking for a taser. Armed offender.

812: 812, we'll go over. Coming from Archer and Mulligan

Disp: Alright I got 812 coming. Anyone else closer? 40 and Keeler with a taser

849: 849

Disp: 849?

849: inaudible ……2860……..

Disp: Stand by until I get help for 15R

Disp: I got four – 0, yes, four zero and Keeler. Four zero and Keeler.

815R: He's walking east bound towards Pulaski …….down 40th

Disp: I heard going east bound. What else?

815R: Towards Pulaski. Coming off of Pulaski right by the Burger King.on 40th come off that way

815R: Alright, walking toward Pulaski from Keeler , eastbound on 40th street again, armed with knife

Disp: Anybody with 815R yet?

25:37 time stamp
830: 830

Disp: Anybody close yet? Four – O and Keeler

Unk: inaudible……..

Disp: O.K. we gotta hold man so I can help for 815R asking for a taser for an armed offender with a knife

26:08 time stamp
815R: he popped our tire on our car squad

Disp: Popped? 10-4. Anybody close? Four-O, they're more by Karlov

845R: 45R we are about two blocks away

Disp: 45R ten-four. Again first unit with them, let me know. 15R, Karlov good? Or are you more by Pulaski now?

815R: We're going into the Burger King

Disp: Headed to the Burger King. 45R I see you pulling up

???R: We're heading over there

841R: Throw it in our box

Disp: ……..stopped yet?

Disp: Let me know when he's in custody guys

27:23 time stamp
Unk: Shots fired by the police

Disp: Shots fired by the police

Unk: Shots fired by the police

Unk: get fire over here

Disp: You guys OK ?

Xxxx: (female voice) Everything's fine

Disp: We're using 41st and Pulaski ? Where?

Disp: Any Sergeants headed that way?

810R: 810R I head that way

Disp: 10-4

……responding units transmissions……..

Unk: Block Pulaski from if we can get the State police out hear, I-55 till 47th. Naw, 45th is good. Let's shut down all traffic. We got the intersection shut down here with this.

……..scene management transmissions……

30:42 time stamp
Mobile transmissions cut for notifications…….

30:54 time stamp
There giving a slow down…slow it down……..

….traffic control….helicopter transmissions……..etc.

Event # 1429315878

Type	Location	Date	Pri	DG	Svc Beat	Disp
HOLDCI	3999 W 41ST ST / 4099 S PULASKI RD	20-OCT-2014 21:47:07	1A	008	0821	0552

Source	Response Level	Caller	Phone
E	1	[redacted]	[redacted]

Address of Occurrence	Occ Beat
4100 S KILDARE BL	0815

Event Chronology

Date	Activity	Wkstn	Person	Text
20-OCT-2014 21:45:35	REC			
20-OCT-2014 21:47:07	ENTRY	PCT49	C549513	CallerLocation, CallerName have been changed.
20-OCT-2014 21:47:50	DSP	PD18	D560949	815R
20-OCT-2014 21:48:05	ACK	PMDT6024	PC0V821	815R
20-OCT-2014 21:53:27	CLOC	PD18	D560949	815R [40 KEELER]
20-OCT-2014 21:53:40	MISC	PD18	D560949	knife in hand need tzaer
20-OCT-2014 21:53:43	ASST	PD18	D560949	812
20-OCT-2014 21:53:45	MISC	PADM19	D112780	815R NEED TASER PERKNI [40 KEELER
20-OCT-2014 21:53:48	ACK	PMDT5805	PC0U318	812
20-OCT-2014 21:54:51	MISC	PD18	D560949	walking eb
20-OCT-2014 21:54:53	MISC	PADM19	D112780	15R --- WALKING EB
20-OCT-2014 21:55:08	MISC	PADM19	D112780	TOWARDS PULASKI ?
20-OCT-2014 21:56:14	MISC	PADM19	D108212	popped tire on car
20-OCT-2014 21:56:18	MISC	PD18	D560949	popped tire on car
20-OCT-2014 21:56:20	ASSTER	PADM19	D108212	845R
20-OCT-2014 21:56:22	AUTPRE	PD18	D560949	845R
20-OCT-2014 21:56:22	ASST	PD18	D560949	845R
20-OCT-2014 21:56:33	MISC	PADM19	D108212	by the burger king
20-OCT-2014 21:56:36	MISC	PD18	D560949	headed to bk
20-OCT-2014 21:56:43	MISC	PADM19	D108212	female says were here
20-OCT-2014 21:56:47	ASSTER	PADM19	D108212	821R
20-OCT-2014 21:56:49	AUTPRE	PD18	D560949	821R
20-OCT-2014 21:56:49	ASST	PD18	D560949	821R
20-OCT-2014 21:56:52	ASSTER	PADM19	D108212	841R
20-OCT-2014 21:56:55	AUTPRE	PD18	D560949	841R
20-OCT-2014 21:56:55	ASST	PD18	D560949	841R
20-OCT-2014 21:57:00	MISC	PD18	D560949	to pulaski
20-OCT-2014 21:57:30	MISC	PADM19	D108212	shtosf fired by cpd
20-OCT-2014 21:57:32	MISC	PD18	D560949	shots fired by police
20-OCT-2014 21:57:41	ASST	PD18	D560949	862C
20-OCT-2014 21:57:51	MISC	PD18	D560949	NEEDS EMS
20-OCT-2014 21:57:58	MISC	PD18	D560949	41 PULASKI
20-OCT-2014 21:58:38	MISC	PADM19	D108212	i 55 all of pulski shut down 45 th
20-OCT-2014 21:58:39	MISC	PD18	D560949	SHUT DOWN PULASKI I55 - 45TH ST
20-OCT-2014 21:58:57	MISC	PADM19	D108212	calling state shut down ramps
20-OCT-2014 21:59:04	MISC	PD18	D560949	41 PULASKI DIVERTING TRAFFIC @ 821R

Event # 1429315878

Event Chronology

Date	Activity	Wkstn	Person	Text
20-OCT-2014 21:59:21	MISC	PD18	D560949	821R COVERING SB
20-OCT-2014 21:59:22	DSP	PDT101	D543242	4603
20-OCT-2014 21:59:25	AUTPRE	PD18	D560949	812
20-OCT-2014 21:59:25	ASST	PD18	D560949	812
20-OCT-2014 21:59:35	CLOC	PD18	D560949	812 [43 PULASKI NB]
20-OCT-2014 21:59:43	MISC	PADM19	D108212	state nfy'd sb pulaski shut down from i 55
20-OCT-2014 21:59:44	ASST	PD18	D560949	823R
20-OCT-2014 21:59:49	ASST	PADM19	D108212	843
20-OCT-2014 21:59:54	CLOC	PADM19	D108212	843 [HOLDING I55 RAMP]
20-OCT-2014 22:00:00	CLOC	PD18	D560949	843 [I 55 PULASKI]
20-OCT-2014 22:00:01	ASST	PADM19	D108212	PH2
20-OCT-2014 22:00:09	ASST	PADM19	D108212	851R
20-OCT-2014 22:00:13	ACK	PMDT4691	PC0X830	851R
20-OCT-2014 22:00:26	AUTPRE	PD18	D560949	851R
20-OCT-2014 22:00:26	ASST	PD18	D560949	851R
20-OCT-2014 22:00:29	ACK	PMDT6416	PC0X832	4603
20-OCT-2014 22:00:30	MISC	PADM19	D108212	815R both ok ???
20-OCT-2014 22:00:36	MISC	PADM19	D108212	everyone is ok
20-OCT-2014 22:00:51	MISC	PADM19	D108212	slowdown
20-OCT-2014 22:00:53	MISC	PADM19	D108212	nm
20-OCT-2014 22:00:56	MISC	PADM19	D108212	slowdown
20-OCT-2014 22:00:59	MISC	PD18	D560949	SLOWDOWN
20-OCT-2014 22:01:06	ASST	PADM19	D108212	810R
20-OCT-2014 22:01:16	MISC	PADM19	D108212	810R to get info from officer fired weapon
20-OCT-2014 22:01:19	MISC	PD18	D560949	INFO REQUESTED
20-OCT-2014 22:01:22	MISC	PD18	D560949	NAME & STAR
20-OCT-2014 22:02:20	ASST	PADM19	D108212	811
20-OCT-2014 22:02:27	CLOC	PADM19	D108212	811 [TRAFK SB ON PULASKI]
20-OCT-2014 22:02:34	ASST	PADM19	D108212	833R
20-OCT-2014 22:02:40	CLOC	PADM19	D108212	833R [44TH/PULASKI NB PULASKI]
20-OCT-2014 22:03:00	MISC	PADM19	D108212	810R *9465
20-OCT-2014 22:03:21	CLEAR	PADM19	D108212	PH2
20-OCT-2014 22:04:10	MISC	PADM19	D108212	cut off nb pulaski @ 47th st
20-OCT-2014 22:04:13	ASST	PADM19	D108212	865
20-OCT-2014 22:04:15	ASST	PADM19	D108212	846
20-OCT-2014 22:04:19	MISC	PD18	D50696	CUT47TH ST N/B PULASKI
20-OCT-2014 22:04:23	CLOC	PADM19	D108212	846 [TRAFFK @ 47 PULASKI]
20-OCT-2014 22:04:26	MISC	PADM19	D108212	846 nb
20-OCT-2014 22:05:50	ACK	PMDT5311	PC0AE49	846
20-OCT-2014 22:06:14	ASST	PADM19	D108212	855
20-OCT-2014 22:06:24	CLOC	PADM19	D108212	855 [TRAFFIC NB 45TH/PUASKI]
20-OCT-2014 22:06:29	CLOC	PD18	D50696	855 [45TH /PULASKIN/B]

Event # 1429315878

Event Chronology

Date	Activity	Wkstn	Person	Text
20-OCT-2014 22:06:41	COPYT	PADM19	D108212	Copied To Event(s): #CPD1429316149
20-OCT-2014 22:07:19	MISC	PD18	D50696	CTA NFY TO REROUTE BUSES
20-OCT-2014 22:08:04	CLOC	PADM19	D108212	821R 845R 841R 862C 865 846 4603 812 823R 855 843 851R 810R 815R 833R 811 [41ST/PULASKI]
20-OCT-2014 22:08:26	MISC	PD18	D50696	OEMC WEIDERSTROM NFY
20-OCT-2014 22:09:14	ASSTER	PADM19	D108212	842
20-OCT-2014 22:09:47	MISC	PD18	D50696	CTA SUPV ON THE BRIDGE
20-OCT-2014 22:12:50	ASST	PADM19	D108212	865B
20-OCT-2014 22:12:53	ACK	PMDT4684	PC0Y103	865B
20-OCT-2014 22:15:01	ASST	PADM19	D108212	850
20-OCT-2014 22:15:16	MISC	PADM19	D108212	865 a21 leaving sceen w/offender
20-OCT-2014 22:15:22	PCCHNG	PADM19	D108212	Papercar changed from 815R to 841R
20-OCT-2014 22:15:28	CLOC	PADM19	D108212	841R [A21 W/OFFENDER]
20-OCT-2014 22:15:46	SUPP	PADM19	D108212	Remarks Added
20-OCT-2014 22:15:52	ASST	PADM19	D108212	800X
20-OCT-2014 22:15:53	ACK	PMDT4701	PC0W294	811
20-OCT-2014 22:15:56	ACK	PMDT5173	PC0E418	800X
20-OCT-2014 22:16:32	EVTMSG	PDT97		SHOTS FIRED BY POLICE OFFENDER POSSIBLY STRUCK NFI AT THIS TIME
20-OCT-2014 22:16:54	ENR	PMDT4701	PC0W294	811
20-OCT-2014 22:16:54	ONS	PMDT4701	PC0W294	811
20-OCT-2014 22:17:06	CLOC	PADM19	D108212	842 [FOLOWING A21 TO HOSPITAL]
20-OCT-2014 22:17:16	CLOCX	PADM19	D108212	842 [4100 S KILDARE BL]
20-OCT-2014 22:17:52	CLOC	PADM19	D108212	842 [A21 TO MT SINAI]
20-OCT-2014 22:17:54	CLOCX	PADM19	D108212	841R [4100 S KILDARE BL]
20-OCT-2014 22:19:00	REMINQ	PMDT5311	PC0AE49	846 Veh->LIC/[redacted] LIS/IL
20-OCT-2014 22:19:02	ACK	PMDT4681	PC0S756	850
20-OCT-2014 22:19:20	CLEAR	PADM19	D108212	812
20-OCT-2014 22:19:38	CLEAR	PMDT4701	PC0W294	811
20-OCT-2014 22:21:52	SUPP	PADM19	D108212	Remarks Added
20-OCT-2014 22:22:31	CLEAR	PMDT6416	PC0X832	4603
20-OCT-2014 22:23:24	ASSTOS	PADM19	D108212	813R
20-OCT-2014 22:24:47	ACK	PMDT4706	PC0W483	813R
20-OCT-2014 22:27:36	ACK	PMDT5808	PC0W480	862C
20-OCT-2014 22:33:18	GDISP	PADM19	D108212	841R D/5000
20-OCT-2014 22:33:37	CASERD	PADM19	D108212	RDG Report Number 841R $CPDHX475653 D/5000 By: D108212
20-OCT-2014 22:34:55	SUPP	PADM19	D108212	Remarks Added
20-OCT-2014 22:38:26	COPYT	PDTS103	D557395	Copied To Event(s): #CPD1429316573
20-OCT-2014 22:38:51	MISC	PADM19	D108212	821R has the bus driver unk if supv is on scene

Event # 1429315878

Event Chronology

Date	Activity	Wkstn	Person	Text
20-OCT-2014 22:41:47	SUPP	PADM19	D108212	Remarks Added
20-OCT-2014 22:47:25	ASSTOS	PADM19	D108212	822
20-OCT-2014 22:47:33	ACK	PMDT4677	PC0AD53	822
20-OCT-2014 22:47:38	CLEAR	PMDT4681	PC0S756	850
20-OCT-2014 22:49:01	SUPP	PDT97	D382563	Remarks Added
20-OCT-2014 22:49:03	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted] LIS/IL
20-OCT-2014 22:49:49	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted]5 LIS/IL
20-OCT-2014 22:50:03	CLOC	PADM19	D108212	846 [44TH/PULASK > 53RD/PULASKI]
20-OCT-2014 22:51:08	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL
20-OCT-2014 22:54:30	COPYT	PADM19	D108212	Copied To Event(s): #CPD1429316783
20-OCT-2014 22:55:16	TCMPL	PADM19	D108212	846 , 783
20-OCT-2014 22:56:18	MISC	PADM19	D108212	5169-
20-OCT-2014 22:59:35	MISC	PADM19	D108212	843 tell officers fop guys are there
20-OCT-2014 23:00:29	GDISP	PADM19	D108212	841R D/0552
20-OCT-2014 23:01:29	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:01:45	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:05:27	SUPP	PADM19	D108212	Remarks Added
20-OCT-2014 23:06:21	CHNG	PADM19	D108212	Location: 4100 S KILDARE BL ==> 3999 W 41ST ST / 4099 S PULASKI RD;X Streets: 4100 BL S /4301 BL W 41ST ST ==> / ;LocCmt: BY UNITED RENTAL ==> BY UNITED RENTAL & BURGER KING;Atom: 815 ==> 821;RespArea: 815 ==> 821;RespGroup:815 ==> 821;
20-OCT-2014 23:08:50	REMINQ	PMDT5311	PC0AE49	846 Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:10:09	REMINQ	PMDT4751	PC0X185	841R Per->NAM/[redacted]J DOB[redacted] SEX/M DLS/IL
20-OCT-2014 23:10:09	REMINQ	PMDT4751	PC0X185	841R Per->NAM/[redacted] SEX/M SID/[redacted] DLS/IL
20-OCT-2014 23:10:16	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:11:31	CLEAR	PMDT5311	PC0AE49	846
20-OCT-2014 23:18:57	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted] LIS/IL
20-OCT-2014 23:22:10	REMINQ	PMDT4684	PC0Y103	865B Per->DLN[redacted] DLS/IL
20-OCT-2014 23:22:43	SUPP	PADM19	D108212	Remarks Added
20-OCT-2014 23:23:00	REMINQ	PMDT4684	PC0Y103	865B Per->DBId/54537
20-OCT-2014 23:29:50	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:30:06	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:31:49	REMINQ	PMDT4534	PC0T089	833R Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:35:59	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted] LIS/IL
20-OCT-2014 23:39:23	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL

Event # 1429315878

Event Chronology

Date	Activity	Wkstn	Person	Text
20-OCT-2014 23:43:55	CLEAR	PADM19	D108212	822
20-OCT-2014 23:45:30	ENR	PMDT4751	PC0X185	841R
20-OCT-2014 23:50:50	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted] LIS/IL
20-OCT-2014 23:54:43	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted] LIS/IL
21-OCT-2014 00:09:01	CLEAR	PD18	D50696	862C
21-OCT-2014 00:11:37	CLOC	PADM19	D108212	842 [MT SINAI NEEDS RELIEF]
21-OCT-2014 00:18:09	ASST	PD18	D50696	846R
21-OCT-2014 00:18:25	CLOC	PD18	D50696	846R [MT SINAI W/PRISONER]
21-OCT-2014 00:18:31	ACK	PMDT4685	PC0AK48	846R
21-OCT-2014 00:20:40	CLOC	PADM19	D108212	843 [I55 @ PULASKI TRAFK CONTROL --- RELIEF]
21-OCT-2014 00:27:54	ASST	PD18	D50696	824R
21-OCT-2014 00:27:58	ACK	PMDT4683	PC0T069	824R
21-OCT-2014 00:28:11	CLOC	PD18	D50696	824R [I55 @ PULASKI- TRAFK ON RAMP]
21-OCT-2014 00:31:16	REMINQ	PMDT4683	PC0T069	824R Veh->LIC/[redacted] LIS/IL LIT/ZZ
21-OCT-2014 00:45:40	CLEAR	PADM19	D108212	843
21-OCT-2014 00:55:22	REMINQ	PMDT4534	PC0T089	833R Veh->LIC/[redacted] LIS/IL
21-OCT-2014 00:58:06	REMINQ	PMDT4534	PC0T089	833R Veh->LIC[redacted] LIS/IL
21-OCT-2014 00:58:18	REMINQ	PMDT4534	PC0T089	833R Veh->LIC[redacted]LIS/IL
21-OCT-2014 01:00:51	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted]LIS/IL
21-OCT-2014 01:05:09	REMINQ	PMDT4534	PC0T089	833R Veh->LIC/[redacted] LIS/IL
21-OCT-2014 01:05:28	REMINQ	PMDT4534	PC0T089	833R Veh->LIC/[redacted]-B LIS/IL LIT/TK
21-OCT-2014 01:05:37	REMINQ	PMDT4534	PC0T089	833R Veh->LIC/[redacted] LIS/IL
21-OCT-2014 01:06:44	REMINQ	PMDT4534	PC0T089	833R Veh->LIC[redacted]LIS/IL
21-OCT-2014 01:06:54	REMINQ	PMDT4534	PC0T089	833R Veh->LIC/[redacted] LIS/IL
21-OCT-2014 01:09:59	CLEAR	PADM19	D108212	800X
21-OCT-2014 01:10:24	CLEAR	PMDT4998	PC0X178	842
21-OCT-2014 01:16:16	CLEAR	PADM19	D108212	855
21-OCT-2014 01:16:44	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted]9 LIS/IL
21-OCT-2014 01:18:14	CLEAR	PD18	D50696	865B
21-OCT-2014 01:33:29	AUTPRE	PADM19	D108212	865
21-OCT-2014 01:33:49	CLOC	PADM19	D108212	813R [AREA]
21-OCT-2014 01:33:57	ASST	PADM19	D108212	822
21-OCT-2014 01:34:00	CLOC	PADM19	D108212	822 [AREA]
21-OCT-2014 02:12:02	CLOC	PMDT4751	PC0X185	841R [AREA CENTRAL]
21-OCT-2014 03:10:28	CLOC	PD18	D50696	815R [AREA]
21-OCT-2014 03:16:34	MISC	PD18	D50696	PER 830R PULASKI CAN BE OPENED
21-OCT-2014 03:22:25	CLOC	PMDT6234	PC0Z521	823R [008] reports
21-OCT-2014 03:26:53	CLEAR	PMDT4683	PC0T069	824R
21-OCT-2014 03:36:12	REMINQ	PMDT4507	PC0W970	821R Veh->LIC/[redacted]LIS/IL LIT/TM
21-OCT-2014 03:40:25	REMINQ	PMDT4507	PC0W970	821R Veh->LIC/[redacted] LIS/IL
21-OCT-2014 03:40:45	REMINQ	PMDT4507	PC0W970	821R Veh->LIC/[redacted] LIS/IL

Event # 1429315878

Event Chronology

Date	Activity	Wkstn	Person	Text
21-OCT-2014 03:43:12	CLEAR	PMDT4507	PC0W970	821R
21-OCT-2014 04:03:03	CLOC	PD18	D50696	846R [MT SINAI]
21-OCT-2014 04:03:07	ONS	PD18	D50696	846R
21-OCT-2014 04:09:19	CLOC	PD18	D50696	833R [AREA CENTRAL W/815'S CAR]
21-OCT-2014 04:10:11	CLOC	PD18	D50696	833R [AREA CENTRAL W/815R'S CAR]
21-OCT-2014 04:18:37	CLEAR	PD18	D50696	823R
21-OCT-2014 04:23:43	CLEAR	PMDT4691	PC0X830	851R
21-OCT-2014 04:39:23	CLOC	PD18	D50696	845R [AREA CENTRAL]
21-OCT-2014 04:44:49	CLOC	PADM19	D108212	833R [008]
21-OCT-2014 04:48:06	CLEAR	PADM19	D108212	822
21-OCT-2014 05:11:56	COPYT	PDTS103	DT557395	Copied To Event(s): #CPD1429401913
21-OCT-2014 05:12:32	CLEAR	PADM19	D108212	833R
21-OCT-2014 05:12:50	ONS	PADM19	D108212	841R
21-OCT-2014 05:12:50	ONS	PADM19	D108212	845R
21-OCT-2014 05:12:50	ONS	PADM19	D108212	815R
21-OCT-2014 05:12:50	ONS	PADM19	D108212	813R
21-OCT-2014 05:12:52	ONS	PADM19	D108212	810R
21-OCT-2014 05:15:15	MISC	PADM19	D108212	846R BODY REMOVAL 0511 HRS
21-OCT-2014 05:20:48	CLEAR	PADM19	D108212	846R
21-OCT-2014 05:32:26	CLEAR	PADM19	D108212	810R
21-OCT-2014 06:31:23	SCHOFF	PMDT4659	PC0V684	Unit #845R scheduled for Logoff
21-OCT-2014 07:41:19	SCHOFF	PMDT4751	PC0X185	Unit #841R scheduled for Logoff
21-OCT-2014 07:43:43	CLEAR	PD18	D300971	841R 815R 845R 813R
21-OCT-2014 07:43:43	CLOSE	PD18	D300971	
21-OCT-2014 07:44:00	ROPEN	PD18	D300971	OPEN
21-OCT-2014 07:44:00	DSP	PD18	D300971	813R
21-OCT-2014 07:44:04	ACK	PMDT4706	PC0W483	813R
21-OCT-2014 07:44:09	SCHOFF	PMDT4706	PC0W483	Unit #813R scheduled for Logoff
21-OCT-2014 07:45:06	SCHOFF	PMDT4706	PC0W483	Unit #813R scheduled for Logoff
21-OCT-2014 07:45:34	SCHOFF	PD18	D300971	Unit #813R scheduled for Logoff
21-OCT-2014 07:45:37	CLEAR	PD18	D300971	813R
21-OCT-2014 07:45:37	CLOSE	PD18	D300971	
21-OCT-2014 07:45:52	ROPEN	PD18	D300971	OPEN
21-OCT-2014 07:45:52	DSP	PD18	D300971	815R
21-OCT-2014 08:45:46	ACK	PMDT6024	PC0V821	815R
21-OCT-2014 08:52:57	CLEAR	PD18	D300971	815R
21-OCT-2014 08:52:57	CLOSE	PD18	D300971	
	RMKS			*** WIRELESS CALL ***
	RMKS			holding a male who he caught breaking into trucks and stealing radios nfi
	RMKS			a21 to hospital
	RMKS			a21 to mt sinai confirmd by fireside

Event # 1429315878

Event Chronology

Date	Activity	Wkstn	Person	Text
	RMKS			HAVE SGT OR PAPER CAR CALL CRIME LAB AREA CENTRAL HGSCU OPER COMM NEWS AFFAIRS ASAP
	RMKS			[redacted] il id [redacted] 6'01 185\
	RMKS			EXEC DIR SCHENKEL NOTIFIED @ 2223 HRS 1ST DEP ELLIS NOTIFIED @ 2224 HRS CHIEF OF STAFF BERGER NOTIFIED @ 2226 HRS MANAG DEP , OPER GUIDICE NOTIFIED @ 2228 HRS DEP DIR , 911 OPER HALLOWELL NOTIFIED @ 2229 HRS DIR NEWS AFFAIRS STRATTON NOTIFIED @ 2231 HRS OEMC INVEST UNIT MESSAGE LEFT @ 2236 HRS MAYOR'S DETAIL BURTON NOTIFIED @ 2241 HRS IMD/OC NOTIFIED VIA MESSAGE @ 2217 HRS OEMC WM ORLANDINI NOTIFIED @ 2217 HRS OPER COMM *1804 NOTIFIED @ 2221 HRS [HAVE PC CALL] AREA SOUTH HGSCU DET KRETTEK NOTIFIED @ 2219 HRS [HAVE PC CALL] CRIME LAB SARLO NOTIFIED @ 2221 HRS [HAVE PC CALL][5802 RESPONDING] NEWS AFFAIRS GAINES NOTIFIED @ 2247 HRS 008TH DIST SGT KOMENSKY *1745 NOTIFIED @ 2248 HRS PCO2 JOHNSON -- CW7
	RMKS			offender pronounced @ 2242 hrs per 842
	RMKS			843 - crime lab is on scene

Unit Summary

Event # 1429315878

Unit Summary

Unit	Dispatch	Enroute	Onscene	T	TA	TC	Clear
815R	21:47:50	21:53:27	21-OCT-2014 05:12:50				21-OCT-2014 07:43:43
812	21:53:43						21:59:25
845R	21:56:20	21:56:20					21:56:22
845R	21:56:22	22:08:04	21-OCT-2014 05:12:50				21-OCT-2014 07:43:43
821R	21:56:47	21:56:47					21:56:49
821R	21:56:49	22:08:04					21-OCT-2014 03:43:12
841R	21:56:52	21:56:52					21:56:55
841R	21:56:55	22:08:04	22:17:54				21-OCT-2014 07:43:43
862C	21:57:41	22:08:04					21-OCT-2014 00:09:01
4603	21:59:22	22:08:04					22:22:31
812	21:59:25	21:59:35					22:19:20
823R	21:59:44	22:08:04					21-OCT-2014 04:18:37
843	21:59:49	21:59:54					21-OCT-2014 00:45:40
PH2	22:00:01						22:03:21
851R	22:00:09						22:00:26
851R	22:00:26	22:08:04					21-OCT-2014 04:23:43
810R	22:01:06	22:08:04	21-OCT-2014 05:12:52				21-OCT-2014 05:32:26
811	22:02:20	22:02:27	22:16:54				22:19:38
833R	22:02:34	22:02:40					21-OCT-2014 05:12:32
865	22:04:13	22:08:04					21-OCT-2014 01:33:29
846	22:04:15	22:04:23				22:55:16	23:11:31
855	22:06:14	22:06:24					21-OCT-2014 01:16:16
842	22:09:14	22:09:14	22:17:16				21-OCT-2014 01:10:24
865B	22:12:50						21-OCT-2014 01:18:14
850	22:15:01						22:47:38
800X	22:15:52						21-OCT-2014 01:09:59

Event # 1429315878

Unit Summary

Unit	Dispatch	Enroute	Onscene	T	TA	TC	Clear
813R	22:23:24	21-OCT-2014 01:33:49	22:23:24				21-OCT-2014 07:43:43
822	22:47:25		22:47:25				23:43:55
846R	21-OCT-2014 00:18:09	21-OCT-2014 00:18:25	21-OCT-2014 04:03:07				21-OCT-2014 05:20:48
824R	21-OCT-2014 00:27:54	21-OCT-2014 00:28:11					21-OCT-2014 03:26:53
822	21-OCT-2014 01:33:57	21-OCT-2014 01:34:00					21-OCT-2014 04:48:06
813R	21-OCT-2014 07:44:00						21-OCT-2014 07:45:37
815R	21-OCT-2014 07:45:52						21-OCT-2014 08:52:57

STATEMENT OF P.O. JOSEPH McELLIGOTT

CONDUCTED BY INVESTIGATOR KILLEN

ON OCTOBER 21, 2014 AT 0436 HOURS

AT AREA CENTRAL POLICE HEADQUARTERS

LOG# 1072125

Attachment # #144

OIG 15-0564 000482

KILLEN: This is the, this is the audio recorded interview of Officer Joseph McElligott regarding Log number 1072125 U number 14 dash 36. Today is the 21st of October 2014. And the time is approximately 0436 hours. This statement is bein' taken at Area Central Police Headquarters. My name is Investigator Killen, that's spelled K I L L E N. My star number is 1 2 9. Uh also present in the room is uh FOP attorney Dan Herbert. Dan if you would say and spell your first and last names.

HERBERT: Dan, D A N, Herbert, H E R B E R T.

KILLEN: And then FOP Representative Kato, uh Kriston Kato.

KATO: First name is Kriston, K R I S T O N. Last name K A T O. FOP Field Representative.

KILLEN: And Officer McElligott if you would say and spell your first and last names for me.

P.O.MCELLIGOTT: Joseph McElligott, J O S E P H, McElligott, M C E L L I G O T T.

KILLEN: Okay and what's your star number?

P.O.MCELLIGOTT: 1 8 7 1 5. (noise)

KILLEN: And your employee number?

P.O.MCELLIGOTT: [redacted]

KILLEN: And your date of appointment with the Department?

P.O.MCELLIGOTT: 27 August '01.

KILLEN: And your date of birth?

P.O.MCELLIGOTT: [redacted]

KILLEN: And your current unit of assignment?
P.O.MCELLIGOTT: The 8th District.

KILLEN: And how long you been in 8th District?
P.O.MCELLIGOTT: Seven years.

KILLEN: All right. Now you're aware that this statement has the standing of an official Department report. And that any intentional falsification of any answer to any question would be in direct violations of rules and regulations?
P.O.MCELLIGOTT: Yes.

KILLEN: Given that, I'd like to remind you that failure to provide a complete and accurate account of this incident could result in a finding of a violation of Rule 14 with discipline leading up to and including separation from the Chicago Police Department. Do you understand that?
P.O.MCELLIGOTT: Yes.

KILLEN: All right what was your duty status and assignment on 21 October or 20 October 2014 at approximately 2150 hours?
P.O.MCELLIGOTT: This statement is not being given voluntarily but under duress. I am only givin' this statement because I know I will be fired if I refuse.

KILLEN: All right so what was your duty status and assignment last night at (someone coughs) 2150 hours?

P.O.MCELLIGOTT: Full duty.

KILLEN: Okay. What time you start work last night?

P.O.MCELLIGOTT: Uh 2100.

KILLEN: Is that your normal start time?

P.O.MCELLIGOTT: Yes.

KILLEN: Okay and you remember what beat you were assigned?

P.O.MCELLIGOTT: 815 Robert.

KILLEN: Okay and were you assigned a partner?

P.O.MCELLIGOTT: Yes.

KILLEN: And who's your partner?

P.O.MCELLIGOTT: Uh Thomas Gaffney.

KILLEN: All right and you and Officer Gaffney you guys were assigned a vehicle?

P.O.MCELLIGOTT: Yes.

KILLEN: And what kinda vehicle?

P.O.MCELLIGOTT: It's a Chevy Tahoe.

KILLEN: Marked?

P.O.MCELLIGOTT: Yes.

OIG 15-0564 000485

KILLEN: Okay and you and Officer Gaffney are in full uniform?

P.O.MCELLIGOTT: Yes.

KILLEN: Okay and then at about 2150 hours at about 41st and Pulaski you and uh Officer Gaffney were witnesses to a police-involved shooting correct?

P.O.MCELLIGOTT: Correct.

KILLEN: All right and if you would just um from the beginning explain to me what happened?

P.O.MCELLIGOTT: Uh we responded to a call of holding the offender at uh 4100 on Karlov. And um I don't know I forget the exact address.

KILLEN: So you received this, you say responded to the call. You got a call uh via OEMC?

P.O.MCELLIGOTT: Yes.

KILLEN: All right so over the radio you get a call.

P.O.MCELLIGOTT: Holding the offender um somebody's stealing radios out of semi trucks.

KILLEN: Okay. Do you re, do you remember where you and uh, where were you and Officer Gaffney when you got that call?

P.O.MCELLIGOTT: Um we're somewhere along Archer around Kostner.

KILLEN: Okay. So you're south of 41st and Kildare?

P.O.MCELLIGOTT: Correct.

KILLEN: And Officer Gaffney's the driver?
P.O.MCELLIGOTT: He is the driver, yes.

KILLEN: So you guys head over to that --
P.O.MCELLIGOTT: So we head over, we take Kostner up and then uh take 47th to Kildare.

KILLEN: Okay. And what happens when you get there?
P.O.MCELLIGOTT: Um a male Hispanic and a female Hispanic um we pull up to the address and they said um that a male black wearin' a black shirt was in the, tryin' to steal the radios outta the semi. Um he was holding a, a white cord to like a phone, like a charger. And he said he's got my phone. So then he said he's right around the corner. (clears throat) So then we, we drive north to 40th Street and we turn right and then we see a male black with a black shirt.

KILLEN: Okay and what's he doin'?
P.O.MCELLIGOTT: He's standing there and then he kinda turns around when he sees us pull up.

KILLEN: And what happens?
P.O.MCELLIGOTT: At that point I got outta the car and I'm giving 'em commands to stop, turn around. And I noticed he has his left hand in his pocket like in a ball. And in his right hand he's holding something else. And then I tell 'em take his hands out of his pockets; let me see your hands. He doesn't take his hands --

OIG 15-0564 000487

KILLEN: So at this point is he, his back is to you?
P.O.MCELLIGOTT: He's facing me at this point.

KILLEN: Okay.
P.O.MCELLIGOTT: And then he starts turning and walking away. And he's holding one arm out and one hand in his pocket. He continues to walk and uh then he turns again he takes both his hands out and, and at that point he has a knife in his right hand as if he just opened it up, like flipped it open and he's holdin' his hand. At that point I drew my weapon I tell 'em to drop the knife. Um he kinda has this look in his eye like, like maybe he's on some sorta drugs cause it was like his eyes like rolled back. And then he walked, he started walking east again with his hands out and then he's kinda like kinda makin' motions from side to side. He's kinda all over. Goes from the street to the, to the sidewalk. And the whole time my partner is kinda paralleling me. And he's driving and I'm had my flashlight on 'em and I'm tellin' 'em to stop. Tellin' 'em to drop, drop the weapon. Drop the knife.

KILLEN: So you're on foot correct?
P.O.MCELLIGOTT: I'm on foot, walking.

KILLEN: And Officer Gaffney --
P.O.MCELLIGOTT: Walking with some distance between me.

KILLEN: You're behind him correct?
P.O.MCELLIGOTT: I'm yeah I'm behind him.

OIG 15-0564 000488

KILLEN: Behind the offender?
P.O.MCELLIGOTT: Yes.

KILLEN: And Officer Gaffney's paralleling him in the car?
P.O.MCELLIGOTT: He's, he's kinda like as far as I am. Like he's like to my right just a lil bit.

KILLEN: Okay.
P.O.MCELLIGOTT: Or to my left just a lil bit. Um --

KILLEN: Do you close the distance on this guy?
P.O.MCELLIGOTT: We just continue to follow 'em. And um then he, at one point (inaudible) my partner decides to pull towards him. And uh at that point he, the offender turned and like in a downward stabbing motion popped the front tire. My partner um at that point said that he popped the tire. Prior to that though um he had asked for an assist.
HERBERT: (inaudible)
P.O.MCELLIGOTT: He'd asked for somebody to come with a taser. So as we're like tryin' to buy time this happens with the, the tire at uh Keeler. And then um we go a lil bit further and he decide, my partner decides to pull closer to 'em to kinda cause he knew Pulaski was comin' up and there was Burger King and there's a bunch a other stuff where people are. Decides to pull over a lil bit (noise) kinda to veer 'em off so that he'll go up one of the streets cause it's, it's a factory area. And we know it's always like pretty bare.

OIG 15-0564 000489

There's nobody around. Um it's after hours. At that point he um he, he grabs the knife and he, he stabs at the, the windshield. So um then he starts walkin' away. Stabbed at the windshield then he walks away from the squad car. And he's walkin' on the sidewalk again. And then um we can hear the cars comin'. And then once we can kinda see (noise) in the windows we could see the, the blue lights in the reflection and you could hear the, you could hear the sirens now. (noise) That's when he decides to take off runnin'. He just full on sprint. Uh I started runnin' after 'em. My partner's driving the car that has a flat. He's goin' after 'em too. He goes through two semis were parked in the back of the Burger King lot at 40th and Pulaski. He goes through, I go through and then I see another squad car pull. They're right behind 'em. They pull behind 'em, he goes through a sidewalk and then they go, they go around through and they (clears throat) they cut through on the sidewalk as well. Around the north side of Burger King. And then I'm followin' up running and as I get to Pulaski I turn right cause they all turned right. (clears throat) And I got to about the light (noise) I could see a bunch of squad cars comin'. And um (clears throat) I keep runnin' (noise) and then one of 'em is, he's lookin' to do a U turn, one of the other squad cars. Um so instead of getting hit I just stopped and I waved them to go. (noise) (clears throat) And at that point he turned around he, he's goin' um southbound slowly

so I know they're, they're stopping right there. I hear the shots at that point. And uh when I approach I think I was running down maybe the middle that's when I saw the offender layin' on the ground. And at that point Joe Walsh, Officer Walsh uh he kicked, he the gun outta, or not the gun the uh the knife out of his, his right hand. (noise) Which he was still clenching at the time. And then um (noise) asked for an ambulance and that was pretty much it.

KILLEN: (clears throat) So when you guys, you're on 40th and you see, you're kinda walkin' with this guy right? You see 'em with the knife?

P.O.MCELLIGOTT: Hmm huh.

KILLEN: Right?

P.O.MCELLIGOTT: Yes.

HERBERT: Say yes.

KILLEN: So and you see 'em uh uh you described it as a down motion, he stabbed the tire of the car right?

P.O.MCELLIGOTT: Hmm huh.

KILLEN: That's the --

P.O.MCELLIGOTT: Yes.

KILLEN: -- front passenger tire correct?

P.O.MCELLIGOTT: Front passenger tire.

OIG 15-0564 000491

KILLEN: Okay and then you also saw 'em stab the windshield?
P.O.MCELLIGOTT: Yeah.

KILLEN: Right.
P.O.MCELLIGOTT: Yes.

KILLEN: Okay. Uh and you may have said it and I may have missed it, but did you or uh Officer Gaffney get on the radio and say hey this guy's armed. He's got a knife?
P.O.MCELLIGOTT: Yes. Um it was before he said he popped the tire um my partner got on the radio and said (clears throat) said this guy has a knife. Can you send somebody with a taser over here. And then (inaudible) lil time passed by and then (clears throat) that's when the tire incident.

KILLEN: Okay.
P.O.MCELLIGOTT: And then another five, ten seconds (noise) went by and (noise) attacked the car, stabbed the windshield.

KILLEN: So you're, you were warning everybody ahead a time?
P.O.MCELLIGOTT: Yes.

KILLEN: Before you got anything, he had the knife in his hand.
P.O.MCELLIGOTT: Yes. It started with uh we asked for a taser. We said he had a knife. And then we were

OIG 15-0564 000492

giving uh kinda like a play by play (noise) stab, he stabbed our tire, he just popped our tire. And, you know and they're askin' if anybody's heading over there. And we're just waitin' for the assist cars to come.

KILLEN: And I take it you don't carry a taser?
P.O.MCELLIGOTT: I do not.

KILLEN: And then neither does Officer Gaffney correct?
P.O.MCELLIGOTT: No.

KILLEN: Okay. So then you basically follow 'em all the way to Pulaski I take it. Karlov then Keeler somethin' like that.
P.O.MCELLIGOTT: Basically yeah. It was --

KILLEN: And then when the other car comes --
P.O.MCELLIGOTT: At that point he was (noise) he darted towards Pulaski.

KILLEN: Okay.
P.O.MCELLIGOTT: From Karlov to Pulaski he was full on sprinting and I was running after 'em.

KILLEN: And you're after 'em. When he went between the trucks you went between the trucks with 'em?
P.O.MCELLIGOTT: Yeah.

KILLEN: Okay so then when he got to Pulaski he goes south?

OIG 15-0564 000493

P.O.MCELLIGOTT: When he got to Pulaski yeah he head, he went south around, he wrapped around the buildin' and (noise) then Burger King.

KILLEN: And whaddid you mean cause you lost me when you said somebody wanted to make a U turn so you let them go ahead of you.

P.O.MCELLIGOTT: There were cars coming northbound on Pulaski to assist. And they passed up, they passed him up and then came back around.

KILLEN: Oh I gotcha. Okay so he's goin' south --

P.O.MCELLIGOTT: They made a U turn --

KILLEN: I gotcha.

P.O.MCELLIGOTT: Yeah they passed him up and turned around. I don't know if they didn't see 'em or if, what their reasoning was, but they, they made a U turn and they turned kinda like right at me and I just said go and I waved 'em.

KILLEN: Now is he in the street at this time? He is runnin' in the street or is he on the sidewalk?

P.O.MCELLIGOTT: I didn't see him at that point I didn't see him because there were other squad cars in front a me. And I don't want, I finally saw him I was in the median and I ran up towards him and that's when at that point he was already down and the officer, other officer was kickin' the gun, uh knife away.

OIG 15-0564 000494

KILLEN: So were you on the median when you heard the gunshots?
P.O.MCELLIGOTT: I was, I heard the gunshots. There's a traffic light. I heard the gunshots while I was at the traffic light. And then I waved, waved the other car to go and then um by the time I got there there were no more shots.

KILLEN: At the time did you know who was shooting?
P.O.MCELLIGOTT: No I did not.

KILLEN: You didn't see anybody shooting anything like that?
P.O.MCELLIGOTT: No.

KILLEN: Okay. So by the time you got you said then he's already, the offender's already on the ground?
P.O.MCELLIGOTT: Yes.

KILLEN: Is he on his, is he on his back, (noise) his stomach? How's he --
P.O.MCELLIGOTT: He was kinda on his side. On his right side.

KILLEN: And you said he still had the knife?
P.O.MCELLIGOTT: Yeah he was holdin' it. (noise)

KILLEN: In his right hand?
P.O.MCELLIGOTT: In his right hand.

KILLEN: And that was Officer Walsh kicked it from his hand?

OIG 15-0564 000495

P.O.MCELLIGOTT: Yeah.

KILLEN: Okay. And what happens he's placed in custody?
P.O.MCELLIGOTT: Then he was, well he was obviously down, he wasn't movin' anywhere. We're surrounding him and that's (noise) (inaudible) come.

KILLEN: Okay. I mean after the knife gets kicked outta his hand, does anybody touch it to your knowledge?
P.O.MCELLIGOTT: No.

KILLEN: Do you ever touch it?
P.O.MCELLIGOTT: I didn't touch it.

KILLEN: Okay. So you didn't see, you didn't see Officer Van Dyke discharge his weapon at the offender correct?
P.O.MCELLIGOTT: No I saw 'em holding his weapon.

KILLEN: Right.
P.O.MCELLIGOTT: Just kinda (inaudible) (noise)

KILLEN: You heard gunshots but you didn't see --
P.O.MCELLIGOTT: Correct.

KILLEN: Okay. Anything you'd like to add?
P.O.MCELLIGOTT: No.

KILLEN: Everything you told me is a true and accurate account of what occurred?

OIG 15-0564 000496

P.O.MCELLIGOTT: Yes.

KILLEN: All right this will conclude the audio recorded interview of Officer uh Joseph McElligott regarding Log number 1072125 U number 14 dash 36. Today is the 21st of October 2014 and the time is approximately 0451 hours.

OIG 15-0564 000497

I, CAROL A. O'LEARY, do hereby certify or affirm that I have impartially transcribed the foregoing from an audio recording of the above-mentioned proceeding to the best of my ability.

Carol A. O'Leary

Carol A. O'Leary

OIG 15-0564 000498

STATEMENT OF P.O. THOMAS GAFFNEY

CONDUCTED BY INVESTIGATOR KILLEN

ON OCTOBER 21, 2014 AT 0406 HOURS

AT AREA CENTRAL POLICE HEADQUARTERS

LOG # 1072125

Attachment # ~~76~~ ~~85~~ 160

OIG 15-0564 000610

KILLEN: This is the audio recorded interview of Officer Thomas Gaffney regarding Log number 1072125 U number 14 dash 36. Today is the 21st of October 2014. And the time is approximately 0406 hours. This statement is bein' taken at Area Central Police Headquarters at 51st and Wentworth. My name is Investigator Killen, that's spelled K I L L E N. My star number is 1 2 9. Also present is FOP attorney Dan Herbert. (noise) Dan if you would say and spell your first and last names.

HERBERT: Sure Dan, D A N, Herbert, H E R B E R T.

KILLEN: And uh also is uh FOP Representative Kato.

KATO: K R I S T O N. Last name is K A T O. (clears throat) FOP.

KILLEN: And Officer Gaffney if you would say and spell your first and last names for me.

P.O.GAFFNEY: My first name Thomas Gaffney, T H O M A S. G A F F N E Y.

KILLEN: Okay and what's your star number?

P.O.GAFFNEY: 1 9 9 5 8.

KILLEN: And your employee number?

P.O.GAFFNEY: [redacted].

KILLEN: And your uh current unit of assignment? (noise)

P.O.GAFFNEY: 8TH District.

KILLEN: Okay and (noise) what's your date of appointment with the (noise) Department?

P.O.GAFFNEY: Uh 8 July '96.

KILLEN: And your date of birth?

P.O.GAFFNEY: [redacted].

KILLEN: How long you been in 8?

P.O.GAFFNEY: Uh since 2000, 2001 I'm sorry. Summer 2001. (clears throat)

KILLEN: All right and then you're aware that this statement has the standing of an official Department report. And that any intentional falsification of any answer to any question would be in direct violations of rules and regulations?

P.O.GAFFNEY: Yes.

KILLEN: Given that, I (sighs) I'd like to remind you that failure to provide a complete and accurate account of this incident could result in a finding of Rule 14 with discipline leading up to and including separation from the Chicago Police Department. Do you understand that?

P.O.GAFFNEY: Yes.

KILLEN: All right and then you're aware that there are no allegations against you uh regarding this incident correct?

P.O.GAFFNEY: Yes.

KILLEN: Okay. So on 20 October 2014 at approximately 2150 hours what was your duty status and assignment?

OIG 15-0564 000612

P.O.GAFFNEY: Uh this statement is not being given voluntary but under duress. I am only givin' this statement because I know I will be fired if I refuse.

KILLEN: Okay. So yesterday 20 October 2014 approximately 2150 hours what was your duty status?
P.O.GAFFNEY: Um I was on duty workin' Beat 815 Robert.

KILLEN: Okay. And were you uh were you assigned a partner?
P.O.GAFFNEY: Yes I was, Joseph McElligott.

KILLEN: Okay were you uniformed?
P.O.GAFFNEY: Yes.

KILLEN: And so was McElligott right?
P.O.GAFFNEY: Yes.

KILLEN: Okay. And you and Officer McElligott you guys were assigned a car?
P.O.GAFFNEY: Yes.

KILLEN: What kinda car?
P.O.GAFFNEY: Uh squad, marked squad car uh Tahoe.

KILLEN: Okay. Were you the driver or the passenger?
P.O.GAFFNEY: I was the driver.

KILLEN: Okay. And then last night about 2150 hours you and uh Officer McElligott were witnesses to a police-involved shooting correct?

OIG 15-0564 000613

P.O.GAFFNEY: Yes.

KILLEN: All right and um (someone clears throat) if you would, if you'd start from the beginning and just run me through what happened.

P.O.GAFFNEY: Uh we received a call holding offender at forty, 4100 South Kildare. Um there supposedly somebody had broken into a, a truck uh vehicles um tryin' to get radios somethin' like that. So we, we were on Archer approximately Kostner Kenneth. I came uh, came to the (noise) we got the job came uh down Kostner to 47th, 47th to Kildare and Kildare right to 4100 South Kildare.

KILLEN: So you were comin' from the south goin' north correct?

P.O.GAFFNEY: Yes.

KILLEN: Okay. (someone clears throat) So you got the call are you, you were dispatched?

P.O.GAFFNEY: Yes.

KILLEN: OEMC?

P.O.GAFFNEY: Yes.

KILLEN: Radio?

P.O.GAFFNEY: Yes.

KILLEN: Okay. So then when you get to 41st and Kildare what, what happens?

P.O.GAFFNEY: Uh there was a [redacted] [redacted] and a [redacted] [redacted] uh standing by a gate um to the truck

OIG 15-0564 000614

yard. Um the gate was partially opened and uh the [redacted] had a chain in 'er hand and then we stopped and spoke to them.

KILLEN: Whaddid they tell ya?

P.O.GAFFNEY: They said that the guy just went around the corner. Um he was uh in the, in the you know lot tryin' to get um tryin' to get into trucks. Uh he had uh somethin' in his hand, he had uh a wire from a phone in his hand. And he said somethin' about a iPhone, I don't know if he was sayin' that he took an iPhone or he left an iPhone but he said that he went around the corner so then we, we asked 'em you know what he looked like, what he was wearin'? He said he's a male black with the dark shirt. So at that time we, we went up the street and turned the corner. (someone clears throat)

KILLEN: So they, they, did those two, that, did that [redacted] and [redacted] tell you which way the, the offender went?

P.O.GAFFNEY: Yes. Yeah he just pointed, he pointed north um and he said he went around the corner.

KILLEN: Okay so then that'd, that's 41st Street?

P.O.GAFFNEY: Yeah towards 40th Street.

KILLEN: Okay. And what happens then?

P.O.GAFFNEY: So we went, we went up the, up the block to 40th Street and we turned um east on 40th Street and we, (inaudible) when we turned we seen um you

OIG 15-0564 000615

know somebody walkin'. So we approached 'em, drove up to 'em and at that time we seen it was a male black with dread locks. You know and he had a dark shirt on. So at that time my, my partner had gotten outta the vehicle (clears throat) and he had his flashlight you know he's shining on 'em. You know tell 'em to come 'ere. So at that time he just kinda had a look, you know a weird look in his face you know like glazed eyes and stuff lookin' at us. So I stayed in my car in case he was gonna run. So at that time you know my partner kind of approached 'em a lil bit more and that's when he, he had seen you know tell 'em to get his hands outta his pocket cause he had one hand in his pocket. And then he had seen something in his you know a shiny object in his hand. And I, I heard 'em say you know he's got a knife. So that's when you know cuz then I, at first I was still in the car so I didn't really see, see the knife at that time. But once my partner said that that's when I kinda looked and I, at that time like I said we're all still walking or still moving. So then the street lights were a lil bit more as we were walkin' I, I seen a knife also in his hand.

KILLEN: Okay so this, so this point when you first see this guy he's on what street?

P.O.GAFFNEY: He's on 40th Street.

KILLEN: And he's, he's headed which way?

P.O.GAFFNEY: Uh east.

OIG 15-0564 000616

KILLEN: So he's headed toward Pulaski?
P.O.GAFFNEY: Yes.

KILLEN: All right is he by himself?
P.O.GAFFNEY: Yes.

KILLEN: Is he, like is he on the sidewalk --
P.O.GAFFNEY: On the, at that time he was on the sidewalk.

KILLEN: Which side of the street would he be on?
P.O.GAFFNEY: Uh south side.

KILLEN: So on the passenger side of your vehicle?
P.O.GAFFNEY: Yes. Yes.

KILLEN: All right so then you guys pull up, you pulled alongside of 'em?
P.O.GAFFNEY: Yes.

KILLEN: And then the officer --
P.O.GAFFNEY: Not quite, well not quite right next to 'em but yeah he was still like I said he was still walking but he was in front of the car. You know like in front of the area as we were walkin' and movin' at the same time.

KILLEN: You're kinda behind 'em?
P.O.GAFFNEY: Yeah, yeah but yeah.

KILLEN: And McElligott gets outta the car?
P.O.GAFFNEY: Yes.

OIG 15-0564 000617

KILLEN: Flashlight in hand.
P.O.GAFFNEY: Yes.

KILLEN: And he says come here?
P.O.GAFFNEY: Well yeah, yeah he starts you know come here. You know get your hand outta your pocket. And you know but he, he like I said he turned around, spun around a couple times and (inaudible) get to walking never said anything to us.

KILLEN: Which hand was in his pocket do you remember?
P.O.GAFFNEY: I think it was his left hand cause he had the other hand had whatever was in his, you know what he had in his hand at the time.

KILLEN: And do you know what was in his hand?
P.O.GAFFNEY: Not at that time I didn't.

KILLEN: Okay.
P.O.GAFFNEY: Like I said my partner, he, when my, my partner said he's got a knife that's when I kinda you know like I said as we were walkin' the street lights got a lil brighter and I was able to kinda look you know look over at the, and then see that he did have, you could tell you know it was in his hand and the blade was stickin' out.

KILLEN: Okay. And when you say he turned around a couple times does he keep 'em goin' east toward Pulaski?
P.O.GAFFNEY: Yeah he, he always kept goin'.

OIG 15-0564 000618

KILLEN: So he never stops?
P.O.GAFFNEY: No he never stopped he just kept walkin'. A couple times he went into the street but not, just like a step or two in the street but he just kept walkin' eastbound.

KILLEN: And he was by himself?
P.O.GAFFNEY: Yes.

KILLEN: All right so then so McElligott approaches 'em and then you hear McElligott say he's got a knife?
P.O.GAFFNEY: Yeah when he said he has a knife that's when I you know that's when I kinda like sat up a lil bit to look, to look, get a better look and that's when I, I seen it too.

KILLEN: Okay that was in his right hand then? Is that --
P.O.GAFFNEY: Yeah, yeah it was in his right hand.

KILLEN: So what happens then?
P.O.GAFFNEY: Uh at that time like I said (noise) my partner still kept you know tellin', that's what he said drop the knife, drop the knife. You know put the knife down whatever. And I got on the radio and you know got on the radio and said you know the guy's got a knn, we're at 40th and Kee, uh Keeler approachin' Keeler. Uh he's got a knife. Could we get another car over here with a taser.

OIG 15-0564 000619

KILLEN: So you don't carry a taser?
P.O.GAFFNEY: No I didn't, no.

KILLEN: McElligott he doesn't carry --
P.O.GAFFNEY: No he didn't have one either.

KILLEN: Okay. So what happens then?
P.O.GAFFNEY: Well like I said we I, I, I called it in then the dispatcher you know asked for other cars and other cars said they were comin'. So we just, we just kept stayin' you know keepin' our distance at the time you know I kept drivin' along. And um we just (noise) kept walkin' with 'em (noise) You know he never you know like came at us or anything at that time. He just kept like walkin', my partner still kept givin' 'em verbal commands and droppin' the knife and you know stop and that type a thing. But you know he just kept walkin' turning around lookin' back at us you know just that weird glaze look.

KILLEN: Did he ever say anything?
P.O.GAFFNEY: No never said a word to us at all.

KILLEN: Okay.
P.O.GAFFNEY: (Clears throat)

KILLEN: So then what happens?
P.O.GAFFNEY: We kept (noise) goin' east. When we're, we're approaching uh Karlov, 40th and Karlov I knew the next block there was the Burger King, there was a truck lot so we were gonna get more

OIG 15-0564 000620

people. So as we approached the, pretty much the corner of Karlov I like kinda turned my car towards him a lil bit on you know and you know to try and maybe get 'em to go down Karlov cause there's more, you know there's just factories so there's no people down that way. So and then uh - -

KILLEN: So the purpose of doin' that is keep 'em away from --

P.O.GAFFNEY: Yeah like try to slow 'em down until other cars got 'ere and make 'em see if he would maybe even go down the side street.

KILLEN: Okay.

P.O.GAFFNEY: You know keep 'em from getting to that more populated area where there were cars and people. (someone clears throat) So when I did that, he kinda like took a step towards and swung his uh, his arm down. When he did that that's when I heard like pssss a sound and I knew that he popped a tire. (noise)

KILLEN: Okay.

P.O.GAFFNEY: And then one, once he did that I got on the radio and said you know squad he just popped our tire. So (clears throat) --

KILLEN: Where's McElligott at this time?

P.O.GAFFNEY: He was still walk but he was, he was still walkin' with us but he was at like towards the back of the car.

OIG 15-0564 000621

KILLEN: Okay.

P.O.GAFFNEY: You know the back you know he still kept his distance. So (noise) (clears throat) once he did that, once he popped the tire again he just with that glazed stare, that glazed eye stare once he did that he like stepped back like took a step back, back away from the car. So I pulled up a lil bit further in front of 'em to you know try and maybe stop 'em or get 'em to go down that street. That's when he just took a step toward me and swung his arm really hard and hit the windshield with the knife.

HERBERT: And if I could just indicate for the record, with his right hand holdin' behind his, behind his head (someone clears throat) bringin' it down in a striking motion.

P.O.GAFFNEY: Yeah he, he as hard as he could he was attempting to break that windshield.

KILLEN: And how many times did he hit the windshield?

P.O.GAFFNEY: Just once. It was just once. Went real hard swing right, right on the windshield.

KILLEN: What happens?

P.O.GAFFNEY: Obviously nothin', I didn't see nothin' break but then he walked around the front of the car and kept walkin' eastbound on 40th Street. And then at that time, maybe 10 to 15 more feet that's when you could hear um some you know some sirens. And then a squad car came off a Pulaski onto 40th Street with their lights on. At that

OIG 15-0564 000622

time he seen that and that's when he started to run. Oh yeah I, I, I (noise) got on the radio and some, one, one of us, I don't remember but somebody did say that he was you know he started to run towards you know towards the, the truck lot, the trucks.

KILLEN: Okay so, so you're still basically sittin' over at 40th and Karlov right? You see 'nother car come up Pulaski?

P.O.GAFFNEY: Yeah that's, yeah he, 'nother car came off Pulaski onto 40th Street.

KILLEN: So --

P.O.GAFFNEY: That, that's when he seen that and that's when he started runnin'.

KILLEN: So when they turn west on 40th he runs --

P.O.GAFFNEY: Yeah he runs --

KILLEN: -- east towards Pulaski?

P.O.GAFFNEY: -- he, he, he's still goin' towards Pulaski but he went off a, off a the sidewalk and um into, it was like a, an empty space where the trucks, the truckers park so they can sleep or whatever. And he (noise) ran that way between two trucks.

KILLEN: Okay. (noise)

P.O.GAFFNEY: So at that time (noise) my partner started runnin' and I drove the car, I drove the car up to the entrance of the Burger King lot and went

OIG 15-0564 000623

into the Burger King lot. And before I did that the other car that came off went into the Burger King lot also. So I just, I seen 'em come outta, between the trucks. I ran, I kept drivin' towards, towards the, the end of the lot, towards Pulaski and that's, he ran and then I stopped cause I (noise) my tire was pretty much flat. So I couldn't get, I wasn't gonna go over the curb and then the other car was behind 'em. He ran into like towards the street and the other car followed 'em went over the curb and followed 'em.

KILLEN: Do you know who, who's that other car you're talkin' about? Do you know who that is?

P.O.GAFFNEY: At the time I didn't but now I know it was 845 Robert.

KILLEN: Okay. And that's the car he's talkin' 'bout Pulaski and --

P.O.GAFFNEY: Yeah.

KILLEN: -- where they U turn and go back at 'em?

P.O.GAFFNEY: That's the one, that's the one yeah that's the one that I, I (noise) know, I found out that was the one that went over the curb, yeah.

KILLEN: Okay so you stop your (someone clears throat) car where then?

P.O.GAFFNEY: Pretty much right behind the parkin' lot. Before, before going over the curb and into the street. (noise)

OIG 15-0564 000624

KILLEN: Okay. And then, and you stopped because of the (noise) flat?

P.O.GAFFNEY: Yeah cause I, I, I didn't wanna, I didn't know if I was gonna make it over the, cuz it was like you know that lil part there's like lil the, the, cement tongue if you will, that, that's the parkin' lot. (noise) You know if I was gonna get over it.

KILLEN: And you see 845 Robert continue.

P.O.GAFFNEY: Yeah they went they continued followin' 'em and went into the street. So I --

KILLEN: And that's Pulaski you're talkin' about?

P.O.GAFFNEY: Yeah. Into Pulaski. So I spun around went behind the park, behind the Burger King you know there's a street, (inaudible) back towards Pulaski where it goes out to the street on Pulaski. (noise)

KILLEN: Okay so, so you don't take the curb at all. You just --

P.O.GAFFNEY: No, no I, I, I turn around, I turned around and went around the parkin' lot to, to get out where there's a, there's the light on 41st Street. (noise)

KILLEN: And that's where your car's stopped?

P.O.GAFFNEY: And then yeah I turned on Pulaski and that's where my, that's where I finally stopped.

OIG 15-0564 000625

KILLEN: That's when, when I saw your car was south, facin' south --
P.O.GAFFNEY: Yes. Yes that's right, that's where I stopped.

KILLEN: Okay so then do you see what happens then after, with, with the offender and 845 Robert then?
P.O.GAFFNEY: No that was all, yeah that was I believe done before I got onto Pulaski. Cause I, I spun around and that's when I, I heard, I started to hear shots before I got onto Pul, I think when I got onto Pulaski there was other cars and stuff in front of me too. So I didn't see what exactly was goin' on.

KILLEN: So you're basically goin' around Burger King.
P.O.GAFFNEY: Yeah that's when the shots I believe that's when the shots started firin'.

KILLEN: You heard gunshots?
P.O.GAFFNEY: Yeah.

KILLEN: At the time did you know who was shootin'?
P.O.GAFFNEY: No I didn't know.

KILLEN: Could you see who was shootin'?
P.O.GAFFNEY: No.

KILLEN: That's because --
P.O.GAFFNEY: Well there's a, yeah well there's a fence also right, opposite side of Burger King where, where we blocked, pretty much blocked. The fence

OIG 15-0564 000626

with uh, like a covering you know covering fence so nobody could see through the fence. Cause they were building some stuff there. So yeah there was that was all blockin' me.

KILLEN: There's (noise) no line a sight.
P.O.GAFFNEY: No, no.

KILLEN: Okay.
P.O.GAFFNEY: No.

KILLEN: So then by the time you, you get south on Pulaski there's no more shooting correct?
P.O.GAFFNEY: I believe yeah I believe so. I don't (noise) remember any shooting at, at, when I got onto Pulaski.

KILLEN: Where (noise) when you got on Pulaski and you're goin' south could you see the offender still?
P.O.GAFFNEY: No not, not until I got outta the car and started to go you know 'round to, to where everything was goin' on.

KILLEN: Where was he?
P.O.GAFFNEY: The offender he was on the ground at the time when I, when I got over there.

KILLEN: Okay. And it's after that then you find out who's shooting what happened?
P.O.GAFFNEY: Yeah, yeah.

OIG 15-0564 000627

KILLEN: Okay. (noise) You didn't see the shooting, you, you (noise) you didn't see Officer Van Dyke discharge the weapon?
P.O.GAFFNEY: No I didn't, no.

KILLEN: Okay. (sighs) And then that, that, (noise) the two people that called 9 1 1 said they were holdin' the offender.
P.O.GAFFNEY: Hmm huh.

KILLEN: Do you have any idea who they are?
P.O.GAFFNEY: No not at the time, no. Cause right when they just said he went around the corner, they gave a quick description. We just wanted to go and you know see if we can catch 'em. We didn't know how long ago it was. Or where he would've went. So we just you know went and see if we could grab 'em and figured they woulda still been there when we got back.

KILLEN: Okay. And then the knife that the offender had, as best you can describe it to me?
P.O.GAFFNEY: Uh all silver, real bright. And prob'ly 'bout four to six inch blade.

KILLEN: Okay. All right. Uh was there anything you'd like to add?
P.O.GAFFNEY: No.

KILLEN: All right everything you told me is a true and accurate account of what occurred?
P.O.GAFFNEY: Yes.

OIG 15-0564 000628

KILLEN: All right this will conclude the audio recorded interview of Officer Thomas Gaffney regarding Log number 1072125 U number 14 dash 36. Today is the 21st of October 2014. The time is approximately 0424 hours.

OIG 15-0564 000629

I, CAROL A. O'LEARY, do hereby certify or affirm that I have impartially transcribed the foregoing from an audio recording of the above-mentioned proceeding to the best of my ability.

Carol A. O'Leary

Carol A. O'Leary

OIG 15-0564 000630

HICAGO POLICE DEPARTMENT

ASE SUPPLEMENTARY REPORT

10 S. Michigan Avenue, Chicago, Illinois 60653
use by Chicago Police - Bureau of Investigative Services Personnel Only)

HX475653

Case id : 9825613
Sup ID : 10992767 CASR301

XC. CLEARED CLOSED (OTHER EXCEPTIONAL) | **DETECTIVE SUP. APPROVAL COMPLETE**

Offense Classification/Re-Classification	IUCR Code	Original Offense Classification			IUCR Code
AULT / Aggravated Po:Knife/Cut Instr	**0552**	ASSAULT / Aggravated Po:Knife/Cut Instr			0552
ddress of Occurrence	Beat of Occur	No of Victims	No of Offenders	No of Arrested	SCR No
112 S PULASKI RD	**815**	4	1	1	
ocation Type	Location Code	Secondary Location			Hate Crime?
Street	**304**				NO
ate of Occurrence	Unit Assigned	Date RO Arrived	Fire Related?	Gang Related?	Domestic Related?
20-OCT-2014 21:57	**0841R**	20-OCT-2014 21:57	NO	NO	NO

Reporting Officer	Star No	Approving Supervisor	Star No	Primary Detective Assigned	Star No
MARCH, David	20563	WOJCIK, Anthony	481	MARCH, David	20563
Date Submitted		Date Approved		Assignment Type	
15-MAR-2015 18:26		16-MAR-2015 00:03		FIELD	

THIS IS A FIELD INVESTIGATION EXC. CLEARED CLOSED (OTHER EXCEPTIONAL) REPORT

VICTIM(S) :

GAFFNEY, Thomas J
Male / White / 41 Years
EMPLOYMENT: Chicago Police Officer #19958 Chicago Police Officer
EMPLOYER BUSINESS NME: Chicago Police Department
BUS: 3420 W 63rd St
Chicago IL
312-747-8730

MCELLIGOTT, Joseph P
Male / White / 36 Years
EMPLOYMENT: Chicago Police Officer #18715 Chicago Police Officer
EMPLOYER BUSINESS NME: Chicago Police Department
BUS: 3420 W 63rd St
Chicago IL
312-747-8730

VAN DYKE, Jason D
Male / White / 36 Years
EMPLOYMENT: Chicago Police Officer #9465 Chicago Police Officer
EMPLOYER BUSINESS NME: Chicago Police Department
BUS: 3420 W 63rd St
Chicago IL
312-747-8730

WALSH, Joseph J
Male / White / 45 Years
EMPLOYMENT: Chicago Police Officer #12865 Chicago Police Officer
EMPLOYER BUSINESS NME: Chicago Police Department
BUS: 3420 W 63rd St
Chicago IL

HX475653

312-747-8730

OFFENDER(S): **MCDONALD, Laquan J** -- In Custody --

ALIAS: "Bon-Bon"
Male / Black / 17 Years
DOB: [redacted]
RES: [redacted]
BIRTH PL: Illinois
DESCRIPTION: 6'02,180,Black Hair, Dreadlocks Hair Style, Brown Eyes, Medium Complexion

ITEM USED:
Weapon
DLN/ID: [redacted]
OTHER IDENTIFICATIONS: **Type -** Other Id
State - Unknown

IR #: 2106340
SID #: IL18550721
ORGANIZATION: NEW BREED
RELATIONSHIP OF VICTIM TO OFFENDER:

GAFFNEY, Thomas No Relationship
MCELLIGOTT, Joseph No Relationship
VAN DYKE, Jason No Relationship
WALSH, Joseph No Relationship

GANG INFORMATION:
LISTED CRIMINAL ORGANIZATION: New Breed
GANG IDENTIFIERS: Other

OFFENDER INJURIES: **MCDONALD, Laquan J**

Type	Weapon Used	Weapon Description
Gun Shot Wound	Handgun	Other -Handgun

Injured by Police
Chicago Fire Department Provided First Aid
EXTENT OF INJURY: Multiple Gsw
HOSPITAL REMOVED BY: Cfd Ambulance 21

HOSPITAL: Mt. Sinai
INJURY TREATMENT: Multiple Gsw
PHYSICIAN NAME: Dr Pitzele
INV #: **13296449**

WEAPON(S): **Evidence**

Smith & Wesson -Us- (Bodyguard,Chief Special) , 5942 , 9 , Semi-Automatic Pistol , Semi-Automatic , 4" , Stainless

SERIAL #: [redacted]

MAGAZINE CAPACITY: 15

Number Of Live Rounds present in the Firearm - 15

Number Of Live Rounds used in the Firearm - 16

The Status Of This Firearm is 628361

PROPERTY TYPE: Other

OWNER: Van Dyke, Jason

POSSESSOR/USER: Van Dyke, Jason

PHONE #: 312 - 747 - 8730

LOCATION FOUND: 5101 S Wentworth Ave

VEHICLE INFO:

Truck , 2010 / Chevrolet / Tahoe / Truck

, Victims Vehicle

VIN: 1GNMCAE0XAR263348 **Evidence**

YEAR (RANGE): 2010

COLOR (TOP/BOTTOM): White / White

OWNER: Chicago Police Department

POSSESSOR/USER: Gaffney, Thomas

PHONE#: 312 - 747 - 8730

LOCATION FOUND: 4102 S Pulaski Rd

LICENSE: MP6581, Law Enforcement (City, County, State, Sos), IL

LOCATION OF INCIDENT:

4112 S Pulaski Rd
Chicago IL
304 - Street

DATE & TIME OF INCIDENT: 20-OCT-2014 21:57

WEATHER AND LIGHTING:

WEATHER: Cloudy & Cool

TEMPERATURE: 50s

LIGHTING: Dark / Artificial Light

LIGHTING SOURCE: Streetlights

DISTANCE: Overhead

MOTIVE CODE(S): Interceding In A Felony

CAUSE CODE(S): Dna

METHOD CODE(S): Offender Shot

CAU CODE(S): Police Related Not Con

FIREARM(S) RECOVERED: **INV #: 13296449** **Evidence**

Smith & Wesson -Us- (Bodyguard,Chief Special) , 5942 , 9 , Semi-

Automatic Pistol , Semi-Automatic , 4" , Stainless
SERIAL #: [redacted]
PROPERTY TYPE: Other

OWNER: Van Dyke, Jason
POSSESSOR/USER: Van Dyke, Jason

PHONE #: 312 - 747 - 8730
LOCATION FOUND: 5101 S Wentworth Ave

MAGAZINE CAPACITY: 15
Number Of Live Rounds present in the Firearm - 15
Number Of Live Rounds used in the Firearm - 16

/EHICLE(S) DAMAGED: **Truck , 2010 / Chevrolet / Tahoe / Truck**
VIN: 1GNMCAE0XAR263348 **Evidence**

YEAR - YEAR RANGE END: 2010
COLOR (TOP/BOTTOM): White / White
OWNER: Chicago Police Department
POSSESSOR/USER: Gaffney, Thomas

PHONE#: 312 - 747 - 8730
LOCATION FOUND: 4102 S Pulaski Rd
LICENSE: MP6581, Law Enforcement (City, County, State, Sos), IL

PERSONNEL ASSIGNED:
Detective/Investigator
MARCH, David M # 20563
Reporting Officer
FONTAINE, Dora # 4484 BEAT: 0841R

WITNESS(ES) :
BACERRA, Arturo
Male / White Hispanic / 32 Years
EMPLOYMENT: Chicago Police Officer #15790 Chicago Police Officer
BUS: 3420 W 63rd St
Chicago IL
312-747-8730
[redacted]
Female / White Hispanic / 29 Years
DOB: [redacted]
RES: 5340 Prairie
[redacted]

OTHER COMMUNICATIONS:
Cellular [redacted]
Phone :
[redacted]

Female / White Hispanic / 19 Years

DOB: [redacted]

RES: [redacted]

BUS: [redacted]

DLN/ID: [redacted]

Male / White Hispanic / 18 Years

DOB: [redacted]

RES: [redacted]

OTHER COMMUNICATIONS:

[redacted]
Phone :

DLN/ID: [redacted]

Female / White Hispanic / 24 Years

DOB: [redacted]

RES: [redacted]

EMPLOYMENT: Shift Manager

BUS: [redacted]

OTHER COMMUNICATIONS:

Cellular [redacted]
Phone :

FONTAINE, Dora

Female / White Hispanic / 47 Years

EMPLOYMENT: Chicago Police Officer #4484 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

[redacted]

Male / White Hispanic / 25 Years

DOB: [redacted]

RES: [redacted]

BUS: [redacted]

OTHER COMMUNICATIONS:

Cellular Phone : [redacted]

SSN: [redacted]

[redacted]

Female / White Hispanic / 30 Years

DOB: [redacted]

RES: [redacted]

OTHER COMMUNICATIONS:

Cellular Phone : [redacted]

[redacted]

Male / White Hispanic / 24 Years

DOB: [redacted]

RES: [redacted]

SSN: [redacted]

DLN/ID: [redacted]

MONDRAGON, Janet

Female / White Hispanic / 37 Years

EMPLOYMENT: Chicago Police Officer #4364 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

SEBASTIAN, Daphne L

Female / White / 45 Years

EMPLOYMENT: Chicago Police Officer #2763 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

VELEZ, Leticia

Female / White Hispanic / 43 Years

EMPLOYMENT: Chicago Police Officer #10385 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

VIRAMONTES, Ricardo

Male / White Hispanic / 41 Years

EMPLOYMENT: Chicago Police Officer #10590 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL

312-747-8730

OTHER INDIVIDUALS INVOLVED:

[redacted] (Additional Victim)
Male / White Hispanic / 43 Years
DOB: [redacted]
RES: [redacted]
EMPLOYMENT: Self-Employed Truck Driver
OTHER COMMUNICATIONS:
Cellular Phone : [redacted]
DLN/ID: [redacted] :

[redacted] (Family Member Notified)
Male / Black / 25 Years
DOB: [redacted]
RES: [redacted]
OTHER COMMUNICATIONS:
Other : [redacted]

[redacted] (Person Interviewed Non-Witness)
Female / White Hispanic / 62 Years
DOB: [redacted]
RES: [redacted]
BUS: [redacted]

[redacted] (Person Interviewed Non-Witness)
Female / White Hispanic / 39 Years
DOB: [redacted]
RES: [redacted]
BUS: [redacted]

CRIME CODE SUMMARY: 0552 - Assault - Aggravated Po:Knife/Cut Instr

OTHER ASSOCIATIONS: 0552 - Assault - Aggravated Po:Knife/Cut Instr

GAFFNEY, Thomas, J (Victim)

MCDONALD, Laquan, J	(Offender)
MCELLIGOTT, Joseph, P	(Victim)
MCDONALD, Laquan, J	(Offender)
MCDONALD, Laquan, J	(Offender)
VAN DYKE, Jason, D	(Victim)
MCDONALD, Laquan, J	(Offender)
WALSH, Joseph, J	(Victim)

ICIDENT NOTIFICATIONS:

NOTIFICATION DATE & TIME: 10/20/2014:230700
REQUEST TYPE: Notification
PERSON NAME: ,Sarlo
STAR #: 13131
EMP #:

NOTIFICATION DATE & TIME: 10/20/2014:231400
REQUEST TYPE: Notification
PERSON NAME: ,Jines
STAR #: 4898
EMP #:

NOTIFICATION DATE & TIME: 10/20/2014:215000
REQUEST TYPE: On Scene
PERSON NAME: ,March
STAR #: 20563
EMP #:

NOTIFICATION DATE & TIME: 10/21/2014:225800
REQUEST TYPE: Notification
PERSON NAME: ,Chibe
STAR #: 7303
EMP #:

NOTIFICATION DATE & TIME: 10/20/2014:235000
REQUEST TYPE: Notification
PERSON NAME: ,Briggs
STAR #:
EMP #: 76

REPORT DISTRIBUTIONS: No Distribution

INVESTIGATION:

AREA CENTRAL FIELD INVESTIGATION:

Exceptionally Cleared Closed /
Other Exceptional Clearance - Death of Offender.

The full format for this investigation is contained in the previous Progress - Scene Report.

INVESTIGATION:

The reporting detective was assigned to the immediate follow-up investigation of this police officer involved shooting incident, by Sergeant Daniel GALLAGHER of this command. The reporting detective proceeded to the scene of the incident at 4112 South Pulaski Road. The officer involved in the shooting was located and interviewed at the scene.

VAN DYKE, Jason D -----

stated he was a Chicago Police Officer assigned to the 008th District. He was on duty, in uniform, working on Beat 845R. VAN DYKE was working with Police Officer Joseph WALSH. The two officers were assigned to Chicago Police Department vehicle number 6412, a marked Chevrolet Tahoe, four door sport utility vehicle. WALSH was driving the vehicle and VAN DYKE was the passenger.

The two officers responded to a request for assistance from Beat 815R, regarding a man with a knife, on 40th Street, west of Pulaski Road. A unit equipped with a taser had also been requested. Officer VAN DYKE heard the radio transmission when Officer Thomas GAFFNEY said the man with a knife had "popped" the tire of GAFFNEY's police vehicle. VAN DYKE understood this to mean the subject had slashed the tire with his knife. As Officer WALSH drove westbound on 40th Street from Pulaski, VAN DYKE observed a black male subject, now known as Laquan MCDONALD, running eastbound in the parking lot of the Burger King restaurant on the southwest corner of 40 Street and Pulaski. MCDONALD was holding a knife in his right hand. VAN DYKE saw Police Officer Joseph MCELLIGOTT pursuing MCDONALD on foot. VAN DYKE also saw a civilian who was standing on 40th Street pointing to MCDONALD.

Officer WALSH drove eastbound in the parking lot, in pursuit of MCDONALD, on the north side of the Burger King restaurant building. WALSH used the police vehicle to block MCDONALD from entering the restaurant. MCDONALD ran out onto Pulaski Road and then turned southbound, running toward a Dunkin' Donuts restaurant, on the east side of Pulaski, south of the Burger King. WALSH positioned the police vehicle between MCDONALD and the Dunkin' Donuts to block his path towards that restaurant. When WALSH slowed the police vehicle alongside MCDONALD, Officer VAN DYKE opened the right front door of the vehicle to exit and confront MCDONALD. WALSH told VAN DYKE to stay in the vehicle as they were too close to MCDONALD to safely exit their vehicle. WALSH drove on southbound and stopped the police vehicle ahead of MCDONALD.

Officer VAN DYKE exited the vehicle on the right side and drew his handgun. As VAN DYKE stood in the street on Pulaski, facing northbound, toward MCDONALD, MCDONALD approached southbound. MCDONALD was holding the knife in his right hand, in an underhand grip, with the blade pointed forward. He was swinging the knife in an aggressive, exaggerated manner. VAN DYKE ordered MCDONALD to "Drop the knife!" multiple times. MCDONALD ignored VAN DYKE's verbal direction to drop the knife and continued to advance toward VAN DYKE.

When MCDONALD got to within 10 to 15 feet of Officer VAN DYKE, MCDONALD looked toward

VAN DYKE. MCDONALD raised the knife across his chest and over his shoulder, pointing the knife at VAN DYKE. VAN DYKE believed MCDONALD was attacking VAN DYKE with the knife, and attempting to kill VAN DYKE. In defense of his life, VAN DYKE backpedaled and fired his handgun at MCDONALD, to stop the attack. MCDONALD fell to the ground but continued to move and continued to grasp the knife, refusing to let go of it. VAN DYKE continued to fire his weapon at MCDONALD as MCDONALD was on the ground, as MCDONALD appeared to be attempting to get up, all the while continuing to point the knife at VAN DYKE. The slide on VAN DYKE's pistol locked in the rearward position, indicating the weapon was empty. VAN DYKE performed a tactical reload of his pistol with a new magazine and then assessed the situation.

MCDONALD was no longer moving and the threat had been mitigated, so Officer VAN DYKE and Officer WALSH approached MCDONALD. MCDONALD was still holding the knife in his right hand. VAN DYKE continued to order MCDONALD to "Drop the knife!" Officer WALSH told VAN DYKE, "I have this." VAN DYKE then used his handgun to cover WALSH as WALSH walked up and forcibly kicked the knife out of MCDONALD's right hand, thereby eliminating the threat to the officers.

Officer WALSH then notified the dispatcher on the police radio that shots had been fired by the police. Officer VAN DYKE requested an ambulance for MCDONALD on the radio.

Officer VAN DYKE's weapon was a Smith and Wesson, nine millimeter, semi-automatic pistol, with a 15 round magazine. VAN DYKE said the pistol was fully loaded at the beginning of his tour of duty, with 15 cartridges in the magazine and one cartridge in the firing chamber.

It was noted that the uniform Officer VAN DYKE was wearing consisted of a light blue long sleeve uniform shirt, with shoulder patches; black body armor vest, with patches; navy blue cargo pants; and equipment belt with handgun and radio.

The reporting detective then interviewed Officer VAN DYKE's partner.

WALSH, Joseph J -----

stated he was a Chicago Police Officer assigned to the 008th District. WALSH related the same facts as his partner, Officer Jason VAN DYKE.

WALSH added that as Laquan MCDONALD ran eastbound through the Burger King parking lot, WALSH used the police vehicle he was driving to block MCDONALD from entering the restaurant.

As MCDONALD ran southbound on Pulaski Road, from the Burger King, WALSH pursued MCDONALD in the police vehicle. WALSH drove southbound in the northbound lanes to get ahead of MCDONALD, keeping the police vehicle between MCDONALD and a Dunkin' Donuts restaurant, on the east side of Pulaski. As their vehicle passed MCDONALD, Officer VAN DYKE opened the right front door of their vehicle, to exit the truck and confront MCDONALD. WALSH, realizing that at this point they were too close to the armed MCDONALD to safely exit the vehicle, told VAN DYKE to wait until they got further ahead of MCDONALD. WALSH drove further south on Pulaski. He stopped his vehicle south of MCDONALD and exited the driver's door as VAN DYKE exited the right side of the vehicle. WALSH drew his handgun when he exited the vehicle.

Officer WALSH came around the rear of the police vehicle and joined Officer VAN DYKE on the right side of the vehicle. WALSH also stood in the street on Pulaski, facing northbound, as MCDONALD walked southbound toward the officers. WALSH ordered MCDONALD to "Drop the knife!" multiple times as MCDONALD approached the officers.

Officer WALSH also backed up, attempting to maintain a safe distance between himself and MCDONALD. MCDONALD ignored the verbal direction given by both WALSH and Officer VAN DYKE, and continued to advance toward the officers. When MCDONALD got to within 12 to 15 feet of the officers he swung the knife toward the officers in an aggressive manner. VAN DYKE opened fire with his handgun and MCDONALD fell to the ground. VAN DYKE continued firing his weapon at MCDONALD as MCDONALD continued moving on the ground, attempting to get up, while still armed with the knife.

When the gunfire stopped and MCDONALD was not moving anymore, WALSH approached MCDONALD with VAN DYKE. WALSH continued to order MCDONALD to "Drop the knife!" multiple times, as MCDONALD was still holding the knife in his right hand. WALSH forcibly kicked the knife out of MCDONALD's hand and then notified the dispatcher on the police radio that shots had been fired by the police. An ambulance was also requested for MCDONALD.

As they waited for the ambulance to respond to the scene, Officer WALSH told MCDONALD to "hang in there," and that an ambulance was on the way.

Officer WALSH said he believed MCDONALD was attacking WALSH and Officer VAN DYKE with the knife and attempting to kill them when the shots were fired. WALSH stated he did not fire his handgun because VAN DYKE was in the line of fire between WALSH and MCDONALD. WALSH thought VAN DYKE fired eight or nine shots total.

It was noted that Officer WALSH wore the same uniform configuration as Officer VAN DYKE.

The officers assigned to Beat 815R were interviewed.

GAFFNEY, Thomas J -----

stated he was a Chicago Police Officer assigned to the 008th District. He was on duty, in uniform, working on Beat 815R. GAFFNEY was working with Police Officer Joseph MCELLIGOTT. The two officers were assigned to Chicago Police Department vehicle number 8489, a marked Chevrolet Tahoe, four door sport utility vehicle. GAFFNEY was driving the vehicle and MCELLIGOTT was the passenger.

The officers responded to an assignment of holding an offender for breaking into trucks at 41st Street and Kildare Avenue. Upon arrival at that location they met an Hispanic couple who told the officers a black male subject, wearing a dark shirt, had attempted to break into trucks parked in the parking lot at that location. The couple told the officers the subject had walked off and was last seen walking eastbound on 40th Street from Kildare.

Officer GAFFNEY drove northbound on Kildare to 40th Street. When he turned eastbound onto 40th Street he saw a black male subject wearing dark clothing, walking eastbound on the sidewalk,

on the south side of the street. Officer MCELLIGOTT exited the police vehicle to approach the subject, now known as Laquan MCDONALD. GAFFNEY stayed in the vehicle in case MCDONALD fled. MCELLIGOTT called to MCDONALD and told him to stop but MCDONALD continued walking eastbound, ignoring MCELLIGOTT. MCDONALD's hands were in his pockets as he walked. MCELLIGOTT told MCDONALD to take his hands out of his pockets. MCDONALD took his hands out of his pockets and MCELLIGOTT told GAFFNEY that MCDONALD had a knife. GAFFNEY then saw a silver colored knife in MCDONALD's right hand. GAFFNEY also saw that MCELLIGOTT had his handgun drawn at this point. MCELLIGOTT repeatedly ordered MCDONALD to "Drop the knife," but MCDONALD ignored these directions. As MCDONALD reached Keeler Avenue, GAFFNEY notified the dispatcher on the police radio that they were following a subject with a knife and requested assistance from a unit equipped with a taser.

MCDONALD continued walking eastbound, Officer MCELLIGOTT following on foot and Officer GAFFNEY following in the police vehicle. As MCDONALD approached Karlov Avenue, GAFFNEY turned the Tahoe southbound onto Karlov and stopped, blocking the crosswalk. GAFFNEY said he wanted to stop MCDONALD before he reached Pulaski Road, a business street where more civilians were present. The area where MCDONALD was first observed was industrial in nature with no other civilians present. When GAFFNEY stopped his vehicle in front of MCDONALD, blocking his path, MCDONALD stabbed the right front tire of the Tahoe with his knife, causing the tire to go flat. GAFFNEY immediately informed the radio dispatcher that MCDONALD had "popped" the tire. MCDONALD attempted to walk around the front of the police vehicle and GAFFNEY drove the Tahoe forward a short distance to continue to block MCDONALD's path. MCDONALD then stabbed at the windshield of the Tahoe with the knife, striking the right side of the windshield. MCDONALD then continued walking eastbound from Karlov.

As MCDONALD approached the Burger King restaurant parking lot at 40th Street and Pulaski, assisting police units arrived, approaching westbound on 40th Street from Pulaski. MCDONALD began to run eastbound through the restaurant parking lot, on the north side of the Burger King building. He ran out onto Pulaski and then turned and ran southbound on Pulaski. Beat 845R pursued MCDONALD in their police vehicle, eastbound through the parking lot, over the curb at Pulaski, then southbound on Pulaski. Officer GAFFNEY lost sight of MCDONALD when he turned southbound on Pulaski.

Because of the flat tire on his vehicle, Officer GAFFNEY did not drive over the curb. As he drove around out onto Pulaski, GAFFNEY heard multiple gunshots in rapid succession. He did not see who was shooting. When he reached Pulaski MCDONALD was lying on the ground.

It was noted that Officer GAFFNEY wore the same uniform configuration as Officer VAN DYKE with the addition of the uniform baseball style cap with embroidered patch.

MCELLIGOTT, Joseph P -----

stated he was a Chicago Police Officer assigned to the 008th District. MCELLIGOTT related the same facts as his partner, Officer Thomas GAFFNEY.

Officer MCELLIGOTT added that after he exited the police vehicle, when Laquan MCDONALD took his hands out of his pockets and MCELLIGOTT saw MCDONALD holding a knife in his right

hand, MCELLIGOTT drew his handgun. He repeatedly ordered MCDONALD to "Drop the knife." MCDONALD ignored MCELLIGOTT's directions and continued to walk eastbound on 40th Street. MCELLIGOTT followed MCDONALD on foot, maintaining a safe distance between himself and the armed MCDONALD.

Officer MCELLIGOTT heard Officer GAFFNEY request assistance and a unit with a taser over the police radio. GAFFNEY attempted to use the police vehicle to block MCDONALD from continuing on toward the Burger King restaurant at Pulaski Road. At this point MCDONALD stabbed the right front tire and the windshield of the police vehicle. MCELLIGOTT began to hear the sirens of approaching assisting police units and MCDONALD began to run toward the Burger King restaurant.

When MCDONALD ran eastbound through the parking lot of the Burger King, Officer MCELLIGOTT ran after MCDONALD in pursuit. MCELLIGOTT ran out into the middle of Pulaski Road in pursuit of MCDONALD. MCELLIGOTT heard multiple gunshots but did not see who fired the shots. The gunfire was continuous, one shot after another. MCELLIGOTT then saw MCDONALD lying on the ground. MCELLIGOTT saw Officer Joseph WALSH kick the knife out of MCDONALD's hand.

It was noted that Officer MCELLIGOTT wore the same uniform configuration as Officer VAN DYKE.

Other officers who responded to this incident were also interviewed.

SEBASTIAN, Daphne L —

stated she was a Chicago Police Officer assigned to the 008th District. She was on duty, in uniform, working on Beat 813R. SEBASTIAN was working with Police Officer Janet MONDRAGON. The two officers were assigned to a marked vehicle. MONDRAGON was driving the vehicle and SEBASTIAN was the passenger.

The two officers responded to the request for assistance made by Beat 815R, regarding a subject with a knife. Officer SEBASTIAN thought the original call for assistance was at 40th Street and Keeler Avenue. The subject had punctured a tire on the police vehicle of Beat 815R. Officer MONDRAGON drove northbound on Pulaski Road, following Beat 845R, as they also responded to the request for assistance. MONDRAGON turned westbound onto 40th Street, behind Beat 845R.

Officer SEBASTIAN observed a black male subject, now known as Laquan MCDONALD, running southeast bound through the parking lot of the Burger King restaurant. Beat 845R pursued MCDONALD in their police vehicle, through the parking lot, toward Pulaski. SEBASTIAN told Officer MONDRAGON to drive back out onto Pulaski to assist in the pursuit. MCDONALD ran out onto Pulaski and continued to run southbound down the middle of the street. Beat 845R pursued MCDONALD in their vehicle, southbound on Pulaski, followed by Beat 813R. As MCDONALD ran southbound on Pulaski, SEBASTIAN saw the knife in his right hand. MCDONALD was waving the knife.

Beat 845R stopped their vehicle ahead of MCDONALD, between MCDONALD and the Dunkin'

Donuts restaurant on the east side of Pulaski. Officers Joseph WALSH and Jason VAN DYKE exited their vehicle and drew their handguns. MCDONALD turned toward the two officers and continued to wave the knife. Sebastian heard the officers repeatedly order MCDONALD to "Drop the knife!" MCDONALD ignored the verbal directions and continued to advance on the officers, waving the knife. Officer SEBASTIAN heard multiple gunshots and MCDONALD fell to the ground, where he continued to move. SEBASTIAN did not know who fired the shots, which were fired in one continuous group. She then saw Officer WALSH kick the knife out of MCDONALD's hand.

MONDRAGON, Janet -----

stated she was a Chicago Police Officer assigned to the 008th District. MONDRAGON related the same facts as her partner, Officer Daphne SEBASTIAN.

Officer MONDRAGON added that as she drove westbound on 40th Street, she saw Officer MCELLIGOTT running eastbound through the Burger King parking lot. She made a U-turn and drove back out onto Pulaski Road. MONDRAGON turned southbound onto Pulaski. She saw Laquan MCDONALD running southbound on Pulaski, in the middle of the street. As she got closer she could see MCDONALD was holding a knife in his right hand. He was waving the knife.

Officer MONDRAGON saw Officers Joseph WALSH and Jason VAN DYKE outside of their police vehicle. She heard the officers repeatedly ordering MCDONALD to "Drop the knife!" as MCDONALD got closer and closer to the officers, continuing to wave the knife. As she was placing her vehicle transmission into Park, MONDRAGON looked down and heard multiple, continuous gunshots, without pause. MONDRAGON then saw MCDONALD fall to the ground. MONDRAGON did not know who fired the shots.

BACERRA, Arturo -----

stated he was a Chicago Police Officer assigned to the 008th District. He was on duty, in uniform, working on Beat 822. BACERRA was working with Police Officer Leticia VELEZ. The two officers were assigned to a marked vehicle. BACERRA was driving the vehicle and VELEZ was the passenger.

Officer BACERRA and his partner responded to the request for assistance made by Beat 815R, regarding a subject who was armed with a knife. BACERRA was driving northbound on Pulaski Road from 47th Street. As he approached the scene of this incident, at 4112 South Pulaski, he observed a black male subject, now known as Laquan MCDONALD, in the middle of the street, flailing his arms. As he got closer, BACERRA observed MCDONALD to be holding a knife in his right hand. BACERRA drove past MCDONALD, with MCDONALD on the left side of the police vehicle, as Beat 845R drove past BACERRA, on the right side of his vehicle, travelling southbound. As BACERRA began to make a U-turn, he heard multiple gunshots. He then saw MCDONALD lying on the ground. BACERRA did not see who fired the shots.

VELEZ, Leticia -----

stated she was a Chicago Police Officer assigned to the 008th District. VELEZ related the same facts as her partner, Officer Arturo BACERRA.

Officer VELEZ added that as they approached the scene she observed Laquan MCDONALD standing in the middle of the street, holding a shiny object in his right hand. She saw him waving the object in the air. Officer BACERRA drove past MCDONALD and began to make a U-turn, when VELEZ heard multiple gunshots, without pause or delay. She then saw MCDONALD fall to the ground. VELEZ did not see who fired the shots. She did see an unknown officer kick the knife from MCDONALD's hand after he was down on the ground.

FONTAINE, Dora -----

stated she was a Chicago Police Officer assigned to the 008th District. She was on duty, in uniform, working on Beat 841R. FONTAINE was working with Police Officer Ricardo VIRAMONTES. The two officers were assigned to a marked vehicle. VIRAMONTES was driving the vehicle and FONTAINE was the passenger.

The two officers responded to the request for assistance made by Beat 815R, regarding a man with a knife at 41st Street and Pulaski Road. Officer VIRAMONTES drove northbound on Pulaski. When they arrived at the scene of this incident, in front of the Dunkin' Donuts restaurant, Officer FONTAINE saw a black male subject, now known as Laquan MCDONALD, walking southbound in the street, with a knife in his right hand. MCDONALD was walking sideways, with his body facing east, toward Officers Jason VAN DYKE and Joseph WALSH. These two officers were standing in the middle of the street, on the right side of their police vehicle, which was facing southbound. FONTAINE heard the officers repeatedly order MCDONALD to "Drop the knife!" MCDONALD ignored the verbal direction and instead, raised his right arm toward Officer VAN DYKE, as if attacking VAN DYKE. At this time VAN DYKE fired multiple shots from his handgun, until MCDONALD fell to the ground and stopped moving his right arm and hand, which still grasped the knife. The gunshots were rapid fire, without pause. Officer WALSH then kicked the knife out of MCDONALD's hand.

VIRAMONTES, Ricardo -----

stated he was a Chicago Police Officer assigned to the 008th District. VIRAMONTES related the same facts as his partner, Officer Dora FONTAINE.

Officer VIRAMONTES added that when he exited his police vehicle, at the scene, he observed a black male subject, now known as Laquan MCDONALD, walking southbound on Pulaski Road, in the middle of the street, holding a knife in his right hand. VIRAMONTES heard Officer Jason VAN DYKE repeatedly order MCDONALD to "Drop the knife!" MCDONALD ignored the verbal direction and turned toward VAN DYKE and his partner, Officer Joseph WALSH. At this time VAN DYKE fired multiple shots from his handgun. MCDONALD fell to the ground but continued to move, attempting to get back up, with the knife still in his hand. VAN DYKE fired his weapon at MCDONALD continuously, until MCDONALD was no longer moving.

The scene of this incident, at 4112 South Pulaski Road, was observed to be a wide commercial street with traffic traveling north and south. There were two traffic lanes and a curb lane in each direction. A wide median separated the northbound and southbound traffic lanes. The scene was just south of the intersection of Pulaski and 41st Street. This was a "T" intersection with 41st Street extending east from Pulaski. In the center median was a left turn lane for northbound traffic

turning west onto 40th Street, further to the north. The Pulaski median was level with the traffic lanes and was striped with yellow paint.

On the west side of Pulaski was a large vacant lot. North of the vacant lot, on the southwest corner of 40th Street and Pulaski, was a Burger King restaurant. On the east side of the street was a Dunkin Donuts restaurant.

The weather was cloudy and cool with the temperature in the 50s. It was dark with good artificial light provided by overhead streetlights. All of the lights were on and functioning normally. There was also artificial light provided by the lighting of the nearby businesses.

In the northbound left turn lane, Chicago Police Department vehicle number 6412, assigned to Beat 845R, was sitting, facing southeast. The vehicle was a marked Chevrolet Tahoe, four door sport utility vehicle. The right front door of the vehicle was open.

In the southbound traffic lanes, in the right lane, a metal folding pocket knife was lying on the pavement. The blade was in the open position. The overall length of the knife was seven inches, with a three inch blade. The knife was in line with the front end of the vehicle of Beat 845R. Just north of the knife were two pools of blood on the pavement. Five metal bullet fragments were lying on the pavement near the blood. North of the blood, scattered in a diagonal pattern from southwest to northeast, across both southbound traffic lanes and the northbound left turn lane, were 16, nine millimeter caliber cartridge cases, lying on the pavement.

Chicago Police Department vehicle number 8489, assigned to Beat 815R, was sitting at the west curb at 4102 South Pulaski. The right front tire of the vehicle was flat, with a large puncture to the sidewall of the tire. The right side of the windshield was scratched from being struck by Laquan MCDONALD's knife.

Mobile Crime Lab Beat 5802 responded to the scene. Video and photographs were taken of the scene. The knife and firearms evidence was collected from the street, as were swabs of the blood. The right front wheel and tire of Chicago Police Department vehicle number 8489 was also recovered. The right front quarter panel of vehicle number 8489 was processed for fingerprints and four ridge impressions were recovered.

A canvass was conducted of the area near the scene of this incident in an attempt to identify and locate witnesses. A number of people were interviewed.

[redacted] -----

stated she was [redacted] at the Burger King restaurant. At approximately 21:55 hours [redacted] observed police officers chasing a black male subject, now known as Laquan MCDONALD, through the parking lot, on the north side of the restaurant building. The officers chased MCDONALD southbound down Pulaski Road, toward the Dunkin' Donuts restaurant. [redacted] then heard multiple gunshots and dove to the ground.

[redacted] permitted access to the Burger King video system. No video of this incident was recorded. The system was not recording at that time. The system was activated and video was

recovered from the system from earlier in the day, showing the view of each of the cameras in the system. It was noted that none of these camera views showed the area of the scene where the confrontation between Laquan MCDONALD and Police Officers Jason VAN DYKE and Joseph WALSH occurred, on Pulaski Road, south of the Burger King restaurant. If the system had been recording at the time of this incident, it would not have recorded any footage of that confrontation.

[redacted] -----

stated he was at the Burger King restaurant, waiting for his girlfriend, [redacted], who was working at the drive-thru window. [redacted] observed a "young black dude" with his hair in dreadlocks, now known as Laquan MCDONALD, running through the parking lot of the restaurant. He was being pursued by police officers. MCDONALD was holding his pants like he might have had a gun or something. MCDONALD then ran southbound on the sidewalk and then out into the street on Pulaski Road. [redacted] last saw MCDONALD running towards the middle of the intersection of 41st Street and Pulaski. MCDONALD appeared confused. [redacted] then turned his attention back to his girlfriend at the drive-thru window. He did not witness the shooting.

[redacted] -----

stated she was working at [redacted] of the Burger King restaurant. She observed a male subject, now known as Laquan MCDONALD, running from the restaurant parking lot, southbound on Pulaski Road, toward the Dunkin' Donuts restaurant. [redacted] heard multiple gunshots and then saw that MCDONALD was lying in the street.

[redacted] -----

stated she was [redacted] of the Burger King restaurant. She did not see or hear anything.

[redacted] -----

stated she was [redacted] of the Burger King restaurant. She did not see or hear anything.

Laquan MCDONALD had been transported to Mount Sinai Hospital by Chicago Fire Department Ambulance 21. He sustained multiple gunshot wounds as documented in the format of this investigation. MCDONALD was treated for his injuries in the emergency room. He succumbed to his wounds and was subsequently pronounced dead by Doctor PITZELE, at 22:42 hours.

Registered Nurse [redacted], recovered three metal bullet fragments from MCDONALD and turned these over to Detective William JOHNSON. These were subsequently turned over to Mobile Crime Lab Beat 5802, who also recovered metal fragments from MCDONALD's sweater.

The reporting detective had learned of the death of Laquan MCDONALD while still at the scene of this incident. The Office of the Medical Examiner of Cook County was notified of MCDONALD's death, and Investigator BRIGGS assigned Medical Examiner's case number 2014 - 01071 to this case.

In the Bureau of Detectives - Area Central office, Evidence Technician Beat 5824 recovered Office Jason VAN DYKE's handgun, a Smith and Wesson, Model 5942, nine millimeter caliber, semi-automatic pistol. The weapon was loaded with one cartridge in the firing chamber and 14 cartridges in the magazine, when recovered.

Beat 5824 took photographs of Officers Jason VAN DYKE, Joseph WALSH, Thomas GAFFNEY and Joseph MCELLIGOTT. Elimination prints, including palm prints, were also taken from Officers GAFFNEY and MCELLIGOTT.

Officer Jason VAN DYKE was re-interviewed for additional detail, in the Area Central office.

VAN DYKE, Jason D ----

related the same sequence of events as documented in his original interview at the scene of this incident.

VAN DYKE additionally articulated the reasoning behind his decision to use deadly force against the offender in this incident, Laquan MCDONALD. VAN DYKE was aware of the radio transmissions from Officer Thomas GAFFNEY, on Beat 815R, that MCDONALD was armed with a knife. VAN DYKE was aware that MCDONALD had attacked the officers on Beat 815R by slashing the tire of their police vehicle.

As he confronted MCDONALD at 4112 South Pulaski Road, VAN DYKE saw that MCDONALD was in fact, armed with a knife, a deadly weapon. VAN DYKE was aware of the widely accepted teaching in law enforcement that an assailant armed with a knife was considered a deadly threat, if within 21 feet, because it was possible for such an assailant to close that distance and attack with the knife before a defensive shot could be fired from a handgun. VAN DYKE was also aware of the existence of throwing knives, which can be thrown from a distance, as well as spring loaded knives, which propel a blade through the air from the knife handle. VAN DYKE also said he recalled a previously issued Chicago Police Department bulletin warning of a weapon which appeared to be a knife but which actually was capable of firing a bullet, making it a firearm.

Subsequently, a search was conducted of the Chicago Police Department, Automated Message Center, to find the bulletin Officer Jason VAN DYKE remembered, regarding the weapon that appeared to be a knife, but was actually a firearm. This bulletin was issued on 04 December 2012. It was Officer Safety Alert number 2012-OSA-297. It was a warning regarding a "revolver knife" which was capable of firing .22 caliber cartridges.

Three witnesses had been transported into the Area Central office from the scene and were interviewed.

[redacted]----

stated she was in the Burger King restaurant parking lot. She saw a subject, now known as Laquan MCDONALD, running southbound on Pulaski Road. [redacted] saw many police officers on the street. She was trying to get her cellular telephone to work, to record video. [redacted] heard eight gunshots fired continuously. She did not see who fired the shots. [redacted] then saw

a police officer pointing a handgun at MCDONALD as he was lying on the ground.

With her permission, [redacted]' telephone was examined for any recorded video footage with negative results.

[redacted]-----

stated he was at the Burger King restaurant drive-thru with [redacted]. He saw a black male subject, now known as Laquan MCDONALD, running from the trucks parked at the rear of the restaurant parking lot. MCDONALD ran eastbound in the parking lot, on the north side of the Burger King building. A police officer was chasing MCDONALD on foot, eastbound through the parking lot, then southbound on Pulaski Road. A Chicago Police Department, Chevrolet Tahoe sport utility vehicle pulled up on Pulaski. MCDONALD ran toward the police vehicle. A police officer exited the vehicle and fired multiple shots from a handgun at MCDONALD. [redacted] thought there was video footage of the incident recorded on [redacted] cellular telephone. As documented in the previous interview of [redacted], her telephone was examined with negative results.

[redacted]-----

stated he was sitting in a truck, parked in the Burger King restaurant parking lot, on the south side of the restaurant building. He was completing some logs. [redacted] observed a black male subject, now known as Laquan MCDONALD, running southbound on Pulaski Road. The police were pursuing MCDONALD. [redacted] heard approximately three gunshots. He did not see who fired the shots. [redacted] exited the cab of his truck and climbed up on top of it. He saw a Chicago Police Department, Chevrolet Tahoe sport utility vehicle, and many police officers on Pulaski Road.

[redacted] insisted on leaving the Area Central office after their initial interviews, and they were transported as they requested.

Sergeant Lance BECVAR responded to the scene and subsequently to the Area Central office. He was able to recover video of this incident from the vehicles assigned to Beats 845R and 813R. This video was uploaded into the system. The reporting detective submitted a request for copies of these two videos which were subsequently inventoried. The reporting detective also requested that the videos be permanently retained. No video of this incident was recovered from the vehicles assigned to Beats 815R, 822 and 841R.

The recovered in-car camera video from Beats 845R and 813R was viewed and found to be consistent with the accounts of all of the witnesses. The video from Beat 813R showed that at the time Officer Jason VAN DYKE fired his handgun at Laquan MCDONALD, VAN DYKE was standing near the east edge of the southbound traffic lanes of Pulaski Road, and MCDONALD was near the lane marking separating the two southbound traffic lanes. The two were separated by the width of one traffic lane. The width of this traffic lane was approximately ten feet.

Recordings of the original 9-1-1 call and the radio transmissions over the Chicago Police Department, Zone 6 radio frequency were obtained from the Office of Emergency Management

and Communication. The recordings were reviewed and subsequently inventoried.

In the 9-1-1 call, a caller who identified himself as [redacted] stated that he was holding a guy for stealing radios from trucks in a trucking yard.

The recorded radio transmissions were consistent with the statements of the police officers involved in this incident. It was determined from the radio transmissions, that the entire interaction of the involved police officers, with Laquan MCDONALD, from the time Beat 815R notified the radio dispatcher that they had made contact with him, and that he was armed with a knife, until Beat 845R notified the dispatcher that shots had been fired by the police, lasted more than four minutes.

The criminal history of Laquan MCDONALD was reviewed. [redacted]

Additionally, there were two documented incidents, under Records Division numbers HS640983 and HT106389, on 01 December 2010 and 05 January 2011. In these incidents officials at the [redacted], elementary school, called the police because of the violent behavior of Laquan MCDONALD. The reports indicated that MCDONALD was a special education student at the school and that this had become a pattern of behavior for MCDONALD. The school officials indicated that MCDONALD had behavioral problems and anger issues. In both incidents MCDONALD was transported to [redacted] for evaluation and treatment.

The family of Laquan MCDONALD was located and notified of his death.

[redacted] -----

stated he was an uncle of Laquan MCDONALD. MCDONALD was living with JOHNSON while MCDONALD "worked out his problems." [redacted] said that MCDONALD attended [redacted] school but was currently suspended. MCDONALD suffered from "hypertension" but refused to take any medication. He stopped taking his prescribed medication approximately two years prior because he said it made him "freak out."

[redacted] last saw MCDONALD on Saturday, 18 October 2014, at approximately 13:00 hours, when MCDONALD left the apartment. He had not been back since. MCDONALD had rung the doorbell earlier in the day on 20 October 2014. [redacted] said they "buzzed" MCDONALD into the building but he never came up to the apartment.

[redacted] had no idea why MCDONALD would be in the area of 41st Street and Pulaski Road. JOHNSON said he would attempt to notify MCDONALD's mother, [redacted].

On Tuesday, 21 October 2014, [redacted] of the 9-1-1 caller, [redacted]" was located and interviewed.

[redacted] -----

stated she was with [redacted], parking a truck in the lot at 41st Street and Kildare Avenue. She saw a black male subject, now known as Laquan MCDONALD, attempting to steal property from vehicles parked in the lot. [redacted] confronted MCDONALD and told him to leave the lot. [redacted] said that MCDONALD did not say anything, but instead, he was "growling" and making strange noises. [redacted] again told MCDONALD to leave the lot and MCDONALD pulled out a knife. MCDONALD swung the knife at [redacted] attempting to cut him. [redacted] had already called 9-1-1 so he backed up and threw his cellular telephone at MCDONALD. MCDONALD then ran from the lot. He ran northbound on Kildare, then eastbound on 40th Street.

[redacted] described MCDONALD as a black male, with his hair in braids. He was wearing a black hood and blue jeans. [redacted] viewed a photograph of Laquan MCDONALD and identified him as the subject in the lot, who had been attempting to steal property from vehicles parked in the lot, and who subsequently threatened [redacted] with a knife, when [redacted] confronted MCDONALD.

On Wednesday, 22 October 2014, the 9-1-1 caller was interviewed.

[redacted] -----

related the same facts as [redacted]. [redacted] re-iterated that Laquan MCDONALD swung his knife at [redacted], attempting to cut him. [redacted] stated he was the person who called 9-1-1 regarding this incident.

A canvass was conducted of the area near the scene of this incident for any recorded video.

There were no Police Observation Devices, or other City of Chicago video cameras in the area.

Recorded video was recovered from three cameras on the exterior of the building housing the Greater Chicago Food Depository, at 4100 West Ann Lurie Place. Two of these videos showed two different views of Laquan MCDONALD walking eastbound on the sidewalk, on the south side of 40th Street, between Keeler and Karlov Avenues. Officer Joseph MCELLIGOTT was following MCDONALD on foot, maintaining a safe distance between himself and MCDONALD, while Officer Thomas GAFFNEY was following MCDONALD in a police vehicle. The third video did not capture any part of this incident.

Recorded video was recovered from two cameras at the Dunkin' Donuts restaurant, at 4113 South Pulaski Road. One of these videos showed the end of this incident, when Officers Jason VAN DYKE and Joseph WALSH stopped their vehicle, exited the vehicle and confronted Laquan MCDONALD. The view in this video is from a distance. The video from the second camera did not capture any part of this incident.

Recorded video was recovered from two cameras from Focal Point, 4141 South Pulaski Road. These videos did not capture any part of this incident.

All of the recovered video was inventoried.

A Major Case Review of this case was conducted at the Illinois State Police Crime Laboratory, on Thursday, 30 October 2014. An Evidence Submission Form was completed per this review.

The assigned personnel became aware of a potential question regarding the integrity of the video recovered from the Burger King restaurant. In an attempt to follow-up on this issue the assigned personnel proceeded to the restaurant on Wednesday, 11 March 2015. Manager, [redacted] was contacted at the restaurant. She stated that the video system at the restaurant had recently been repaired and a new digital video recorder had been installed. [redacted] said that as of this date, 11 of the 16 video ports in the system actually recorded video. This was consistent with the video recovered on the date of this incident. Video was recorded and recovered on 11 of the 16 video ports in the system on that date.

Any additional inquiries regarding the video system at the restaurant were referred to the district manager responsible for that restaurant, [redacted]. He was contacted and related that the day after this incident occurred, personnel from the Independent Police Review Authority, of the City of Chicago, came to the restaurant. They viewed video from the system and took custody of the digital video recorder. The recorder was returned to the restaurant two weeks later. Personnel from the Federal Bureau of Investigation then came to the restaurant and made copies of video from the system. After that some lawyers came to the restaurant with subpoenas to make copies of video from the system. Finally, [redacted] stated that personnel from the Federal Bureau of Investigation had come to the restaurant again, approximately three weeks prior to this interview, and took the digital video recorder. [redacted] did not have any further information regarding the video system.

The assigned personnel also became aware of an article written by [redacted], a professor at the University of Chicago Law School, citing the existence of an unknown witness to this incident. [redacted] was contacted on Thursday, 12 March 2015, in an attempt to interview this witness. [redacted] stated that this witness had already been interviewed by the Independent Police Review Authority and [redacted] did not know if the witness would be willing to be interviewed by the Chicago Police Department. [redacted] said he would contact the witness and provide him with contact information for the assigned personnel.

Based upon all the facts known at this time, and the death of the only offender in this incident, this case is now Exceptionally Cleared Closed / Other Exceptional Clearance - Death of Offender.

The above to-date investigation determined that Laquan MCDONALD was an active assailant who, while armed with a dangerous weapon, used force likely to cause death or serious injury to a private citizen when he attacked [redacted]; threatened the imminent use of force likely to cause death or serious injury when he incised the tire and stabbed the windshield of a Chicago Police Department vehicle occupied by Officer Thomas GAFFNEY; and initiated imminent use of force likely to cause death or serious injury when he initiated an attack on Officers Jason VAN DYKE and Joseph WALSH. The above investigation concluded that Officer Jason VAN DYKE's use of deadly force, the discharging of his duty firearm, was within the bounds of the Chicago Police Department's use of force guidelines, and in conformity with local ordinances and state law.

Based on the above facts, the associated report, under Records Division number HX486155, is now Closed / Non-Criminal.

REPORT OF:

Detective David M MARCH #20563
Sergeant Daniel GALLAGHER #1303
Lieutenant Anthony WOJCIK #481
Bureau of Detectives - Area Central

One (1) "911" call. Total length of call was 1:20

Disp: Chicago emergency,

Caller: I have a truck right year at 41st and Kildare. I have a parking lot for trucks. I have a guy right hear that stolen the radios

Disp: Are you holding this person?

Caller: Yeah. Just hear.

Disp: OK what is your name please?

Caller: My name is [redacted]

Disp: And which side of Kildare are you?

Caller: Ahhhhhhhhhh

Disp: What is the address of the yard

Caller: Right hear by the yards. 41 and Kildare

Disp: Well I'm looking at a map I see two trucking yards. One on each side of the street

Caller: Yeah, the one that is on the side of the street right. Next to ummm United Rental

OK. OK we will send the police. We will send the police.

OK. Thank you.

……call ended……

17:49 time stamp

Disp: 815R

815R: 815R

Disp: It's a [redacted] holding a citizen 4100 Kildare by the United Rental. A [redacted] who he caught breaking into trucks and stealing radios, [redacted] holding him

23:17 time stamp
815R: 815R

Disp: 815R

815R: inaudible….. we're at 40th and Keeler. This guy uh is walking away from us and he's got a knife in his hand

Disp:
Alright, anybody have a taser to help out four-o and Keeler for 815R looking for a taser. Armed offender.

812: 812, we'll go over. Coming from Archer and Mulligan

Disp: Alright I got 812 coming. Anyone else closer? 40 and Keeler with a taser

849: 849

Disp: 849?

849: inaudible ……2860……..

Disp: Stand by until I get help for 15R

Disp: I got four – 0, yes, four zero and Keeler. Four zero and Keeler.

815R: He's walking east bound towards Pulaski …….down 40th

Disp: I heard going east bound. What else?

815R: Towards Pulaski. Coming off of Pulaski right by the Burger King.on 40th come off that way

815R: Alright, walking toward Pulaski from Keeler , eastbound on 40th street again, armed with knife

Disp: Anybody with 815R yet?

25:37 time stamp
830: 830

Disp: Anybody close yet? Four – O and Keeler

Unk: inaudible……..

Disp: O.K. we gotta hold man so I can help for 815R asking for a taser for an armed offender with a knife

26:08 time stamp
815R: he popped our tire on our car squad

Disp: Popped? 10-4. Anybody close? Four-O, they're more by Karlov

845R: 45R we are about two blocks away

Disp: 45R ten-four. Again first unit with them, let me know. 15R, Karlov good? Or are you more by Pulaski now?

815R: We're going into the Burger King

Disp: Headed to the Burger King. 45R I see you pulling up

???R: We're heading over there

841R: Throw it in our box

Disp: ……..stopped yet?

Disp: Let me know when he's in custody guys

27:23 time stamp
Unk: Shots fired by the police

Disp: Shots fired by the police

Unk: Shots fired by the police

Unk: get fire over here

Disp: You guys OK ?

Xxxx: (female voice) Everything's fine

Disp: We're using 41st and Pulaski ? Where?

Disp: Any Sergeants headed that way?

810R: 810R I head that way

Disp: 10-4

……responding units transmissions……..

Unk: Block Pulaski from if we can get the State police out hear, I-55 till 47th. Naw, 45th is good. Let's shut down all traffic. We got the intersection shut down here with this.

……..scene management transmissions……

30:42 time stamp
Mobile transmissions cut for notifications…….

30:54 time stamp
There giving a slow down…slow it down……..

….traffic control….helicopter transmissions……..etc.

Event # 1429315878

Type	Location	Date	Pri	DG	Svc Beat	Disp
HOLDCI	3999 W 41ST ST / 4099 S PULASKI RD	20-OCT-2014 21:47:07	1A	008	0821	0552

Source	Response Level	Caller	Phone
E	1	[redacted]	[redacted]

Address of Occurrence	Occ Beat
4100 S KILDARE BL	0815

Event Chronology

Date	Activity	Wkstn	Person	Text
20-OCT-2014 21:45:35	REC			
20-OCT-2014 21:47:07	ENTRY	PCT49	C549513	CallerLocation, CallerName have been changed.
20-OCT-2014 21:47:50	DSP	PD18	D560949	815R
20-OCT-2014 21:48:05	ACK	PMDT6024	PC0V821	815R
20-OCT-2014 21:53:27	CLOC	PD18	D560949	815R [40 KEELER]
20-OCT-2014 21:53:40	MISC	PD18	D560949	knife in hand need tzaer
20-OCT-2014 21:53:43	ASST	PD18	D560949	812
20-OCT-2014 21:53:45	MISC	PADM19	D112780	815R NEED TASER PERKNI [40 KEELER
20-OCT-2014 21:53:48	ACK	PMDT5805	PC0U318	812
20-OCT-2014 21:54:51	MISC	PD18	D560949	walking eb
20-OCT-2014 21:54:53	MISC	PADM19	D112780	15R --- WALKING EB
20-OCT-2014 21:55:08	MISC	PADM19	D112780	TOWARDS PULASKI ?
20-OCT-2014 21:56:14	MISC	PADM19	D108212	popped tire on car
20-OCT-2014 21:56:18	MISC	PD18	D560949	popped tire on car
20-OCT-2014 21:56:20	ASSTER	PADM19	D108212	845R
20-OCT-2014 21:56:22	AUTPRE	PD18	D560949	845R
20-OCT-2014 21:56:22	ASST	PD18	D560949	845R
20-OCT-2014 21:56:33	MISC	PADM19	D108212	by the burger king
20-OCT-2014 21:56:36	MISC	PD18	D560949	headed to bk
20-OCT-2014 21:56:43	MISC	PADM19	D108212	female says were here
20-OCT-2014 21:56:47	ASSTER	PADM19	D108212	821R
20-OCT-2014 21:56:49	AUTPRE	PD18	D560949	821R
20-OCT-2014 21:56:49	ASST	PD18	D560949	821R
20-OCT-2014 21:56:52	ASSTER	PADM19	D108212	841R
20-OCT-2014 21:56:55	AUTPRE	PD18	D560949	841R
20-OCT-2014 21:56:55	ASST	PD18	D560949	841R
20-OCT-2014 21:57:00	MISC	PD18	D560949	to pulaski
20-OCT-2014 21:57:30	MISC	PADM19	D108212	shtosf fired by cpd
20-OCT-2014 21:57:32	MISC	PD18	D560949	shots fired by police
20-OCT-2014 21:57:41	ASST	PD18	D560949	862C
20-OCT-2014 21:57:51	MISC	PD18	D560949	NEEDS EMS
20-OCT-2014 21:57:58	MISC	PD18	D560949	41 PULASKI
20-OCT-2014 21:58:38	MISC	PADM19	D108212	i 55 all of pulski shut down 45 th
20-OCT-2014 21:58:39	MISC	PD18	D560949	SHUT DOWN PULASKI I55 - 45TH ST
20-OCT-2014 21:58:57	MISC	PADM19	D108212	calling state shut down ramps
20-OCT-2014 21:59:04	MISC	PD18	D560949	41 PULASKI DIVERTING TRAFFIC @ 821R

Event # 1429315878

Event Chronology

Date	Activity	Wkstn	Person	Text
20-OCT-2014 21:59:21	MISC	PD18	D560949	821R COVERING SB
20-OCT-2014 21:59:22	DSP	PDT101	D543242	4603
20-OCT-2014 21:59:25	AUTPRE	PD18	D560949	812
20-OCT-2014 21:59:25	ASST	PD18	D560949	812
20-OCT-2014 21:59:35	CLOC	PD18	D560949	812 [43 PULASKI NB]
20-OCT-2014 21:59:43	MISC	PADM19	D108212	state nfy'd sb pulaski shut down from i 55
20-OCT-2014 21:59:44	ASST	PD18	D560949	823R
20-OCT-2014 21:59:49	ASST	PADM19	D108212	843
20-OCT-2014 21:59:54	CLOC	PADM19	D108212	843 [HOLDING I55 RAMP]
20-OCT-2014 22:00:00	CLOC	PD18	D560949	843 [I 55 PULASKI]
20-OCT-2014 22:00:01	ASST	PADM19	D108212	PH2
20-OCT-2014 22:00:09	ASST	PADM19	D108212	851R
20-OCT-2014 22:00:13	ACK	PMDT4691	PC0X830	851R
20-OCT-2014 22:00:26	AUTPRE	PD18	D560949	851R
20-OCT-2014 22:00:26	ASST	PD18	D560949	851R
20-OCT-2014 22:00:29	ACK	PMDT6416	PC0X832	4603
20-OCT-2014 22:00:30	MISC	PADM19	D108212	815R both ok ???
20-OCT-2014 22:00:36	MISC	PADM19	D108212	everyone is ok
20-OCT-2014 22:00:51	MISC	PADM19	D108212	slowdown
20-OCT-2014 22:00:53	MISC	PADM19	D108212	nm
20-OCT-2014 22:00:56	MISC	PADM19	D108212	slowdown
20-OCT-2014 22:00:59	MISC	PD18	D560949	SLOWDOWN
20-OCT-2014 22:01:06	ASST	PADM19	D108212	810R
20-OCT-2014 22:01:16	MISC	PADM19	D108212	810R to get info from officer fired weapon
20-OCT-2014 22:01:19	MISC	PD18	D560949	INFO REQUESTED
20-OCT-2014 22:01:22	MISC	PD18	D560949	NAME & STAR
20-OCT-2014 22:02:20	ASST	PADM19	D108212	811
20-OCT-2014 22:02:27	CLOC	PADM19	D108212	811 [TRAFK SB ON PULASKI]
20-OCT-2014 22:02:34	ASST	PADM19	D108212	833R
20-OCT-2014 22:02:40	CLOC	PADM19	D108212	833R [44TH/PULASKI NB PULASKI]
20-OCT-2014 22:03:00	MISC	PADM19	D108212	810R *9465
20-OCT-2014 22:03:21	CLEAR	PADM19	D108212	PH2
20-OCT-2014 22:04:10	MISC	PADM19	D108212	cut off nb pulaski @ 47th st
20-OCT-2014 22:04:13	ASST	PADM19	D108212	865
20-OCT-2014 22:04:15	ASST	PADM19	D108212	846
20-OCT-2014 22:04:19	MISC	PD18	D50696	CUT47TH ST N/B PULASKI
20-OCT-2014 22:04:23	CLOC	PADM19	D108212	846 [TRAFFK @ 47 PULASKI]
20-OCT-2014 22:04:26	MISC	PADM19	D108212	846 nb
20-OCT-2014 22:05:50	ACK	PMDT5311	PC0AE49	846
20-OCT-2014 22:06:14	ASST	PADM19	D108212	855
20-OCT-2014 22:06:24	CLOC	PADM19	D108212	855 [TRAFFIC NB 45TH/PUASKI]
20-OCT-2014 22:06:29	CLOC	PD18	D50696	855 [45TH /PULASKIN/B]

Event # 1429315878

Event Chronology

Date	Activity	Wkstn	Person	Text
20-OCT-2014 22:06:41	COPYT	PADM19	D108212	Copied To Event(s): #CPD1429316149
20-OCT-2014 22:07:19	MISC	PD18	D50696	CTA NFY TO REROUTE BUSES
20-OCT-2014 22:08:04	CLOC	PADM19	D108212	821R 845R 841R 862C 865 846 4603 812 823R 855 843 851R 810R 815R 833R 811 [41ST/PULASKI]
20-OCT-2014 22:08:26	MISC	PD18	D50696	OEMC WEIDERSTROM NFY
20-OCT-2014 22:09:14	ASSTER	PADM19	D108212	842
20-OCT-2014 22:09:47	MISC	PD18	D50696	CTA SUPV ON THE BRIDGE
20-OCT-2014 22:12:50	ASST	PADM19	D108212	865B
20-OCT-2014 22:12:53	ACK	PMDT4684	PC0Y103	865B
20-OCT-2014 22:15:01	ASST	PADM19	D108212	850
20-OCT-2014 22:15:16	MISC	PADM19	D108212	865 a21 leaving sceen w/offender
20-OCT-2014 22:15:22	PCCHNG	PADM19	D108212	Papercar changed from 815R to 841R
20-OCT-2014 22:15:28	CLOC	PADM19	D108212	841R [A21 W/OFFENDER]
20-OCT-2014 22:15:46	SUPP	PADM19	D108212	Remarks Added
20-OCT-2014 22:15:52	ASST	PADM19	D108212	800X
20-OCT-2014 22:15:53	ACK	PMDT4701	PC0W294	811
20-OCT-2014 22:15:56	ACK	PMDT5173	PC0E418	800X
20-OCT-2014 22:16:32	EVTMSG	PDT97		SHOTS FIRED BY POLICE OFFENDER POSSIBLY STRUCK NFI AT THIS TIME
20-OCT-2014 22:16:54	ENR	PMDT4701	PC0W294	811
20-OCT-2014 22:16:54	ONS	PMDT4701	PC0W294	811
20-OCT-2014 22:17:06	CLOC	PADM19	D108212	842 [FOLOWING A21 TO HOSPITAL]
20-OCT-2014 22:17:16	CLOCX	PADM19	D108212	842 [4100 S KILDARE BL]
20-OCT-2014 22:17:52	CLOC	PADM19	D108212	842 [A21 TO MT SINAI]
20-OCT-2014 22:17:54	CLOCX	PADM19	D108212	841R [4100 S KILDARE BL]
20-OCT-2014 22:19:00	REMINQ	PMDT5311	PC0AE49	846 Veh->LIC/[redacted] LIS/IL
20-OCT-2014 22:19:02	ACK	PMDT4681	PC0S756	850
20-OCT-2014 22:19:20	CLEAR	PADM19	D108212	812
20-OCT-2014 22:19:38	CLEAR	PMDT4701	PC0W294	811
20-OCT-2014 22:21:52	SUPP	PADM19	D108212	Remarks Added
20-OCT-2014 22:22:31	CLEAR	PMDT6416	PC0X832	4603
20-OCT-2014 22:23:24	ASSTOS	PADM19	D108212	813R
20-OCT-2014 22:24:47	ACK	PMDT4706	PC0W483	813R
20-OCT-2014 22:27:36	ACK	PMDT5808	PC0W480	862C
20-OCT-2014 22:33:18	GDISP	PADM19	D108212	841R D/5000
20-OCT-2014 22:33:37	CASERD	PADM19	D108212	RDG Report Number 841R $CPDHX475653 D/5000 By: D108212
20-OCT-2014 22:34:55	SUPP	PADM19	D108212	Remarks Added
20-OCT-2014 22:38:26	COPYT	PDTS103	D557395	Copied To Event(s): #CPD1429316573
20-OCT-2014 22:38:51	MISC	PADM19	D108212	821R has the bus driver unk if supv is on scene

Event # 1429315878

Event Chronology

Date	Activity	Wkstn	Person	Text
20-OCT-2014 22:41:47	SUPP	PADM19	D108212	Remarks Added
20-OCT-2014 22:47:25	ASSTOS	PADM19	D108212	822
20-OCT-2014 22:47:33	ACK	PMDT4677	PC0AD53	822
20-OCT-2014 22:47:38	CLEAR	PMDT4681	PC0S756	850
20-OCT-2014 22:49:01	SUPP	PDT97	D382563	Remarks Added
20-OCT-2014 22:49:03	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted] LIS/IL
20-OCT-2014 22:49:49	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted]5 LIS/IL
20-OCT-2014 22:50:03	CLOC	PADM19	D108212	846 [44TH/PULASK > 53RD/PULASKI]
20-OCT-2014 22:51:08	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL
20-OCT-2014 22:54:30	COPYT	PADM19	D108212	Copied To Event(s): #CPD1429316783
20-OCT-2014 22:55:16	TCMPL	PADM19	D108212	846 , 783
20-OCT-2014 22:56:18	MISC	PADM19	D108212	5169-
20-OCT-2014 22:59:35	MISC	PADM19	D108212	843 tell officers fop guys are there
20-OCT-2014 23:00:29	GDISP	PADM19	D108212	841R D/0552
20-OCT-2014 23:01:29	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:01:45	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:05:27	SUPP	PADM19	D108212	Remarks Added
20-OCT-2014 23:06:21	CHNG	PADM19	D108212	Location: 4100 S KILDARE BL ==> 3999 W 41ST ST / 4099 S PULASKI RD;X Streets: 4100 BL S /4301 BL W 41ST ST ==> / ;LocCmt: BY UNITED RENTAL ==> BY UNITED RENTAL & BURGER KING;Atom: 815 ==> 821;RespArea: 815 ==> 821;RespGroup:815 ==> 821;
20-OCT-2014 23:08:50	REMINQ	PMDT5311	PC0AE49	846 Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:10:09	REMINQ	PMDT4751	PC0X185	841R Per->NAM/[redacted]J DOB[redacted] SEX/M DLS/IL
20-OCT-2014 23:10:09	REMINQ	PMDT4751	PC0X185	841R Per->NAM/[redacted] SEX/M SID/[redacted] DLS/IL
20-OCT-2014 23:10:16	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:11:31	CLEAR	PMDT5311	PC0AE49	846
20-OCT-2014 23:18:57	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted] LIS/IL
20-OCT-2014 23:22:10	REMINQ	PMDT4684	PC0Y103	865B Per->DLN[redacted] DLS/IL
20-OCT-2014 23:22:43	SUPP	PADM19	D108212	Remarks Added
20-OCT-2014 23:23:00	REMINQ	PMDT4684	PC0Y103	865B Per->DBId/54537
20-OCT-2014 23:29:50	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:30:06	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:31:49	REMINQ	PMDT4534	PC0T089	833R Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:35:59	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted] LIS/IL
20-OCT-2014 23:39:23	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL

Event # 1429315878

Event Chronology

Date	Activity	Wkstn	Person	Text
20-OCT-2014 23:43:55	CLEAR	PADM19	D108212	822
20-OCT-2014 23:45:30	ENR	PMDT4751	PC0X185	841R
20-OCT-2014 23:50:50	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted] LIS/IL
20-OCT-2014 23:54:43	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted] LIS/IL
21-OCT-2014 00:09:01	CLEAR	PD18	D50696	862C
21-OCT-2014 00:11:37	CLOC	PADM19	D108212	842 [MT SINAI NEEDS RELIEF]
21-OCT-2014 00:18:09	ASST	PD18	D50696	846R
21-OCT-2014 00:18:25	CLOC	PD18	D50696	846R [MT SINAI W/PRISONER]
21-OCT-2014 00:18:31	ACK	PMDT4685	PC0AK48	846R
21-OCT-2014 00:20:40	CLOC	PADM19	D108212	843 [I55 @ PULASKI TRAFK CONTROL --- RELIEF]
21-OCT-2014 00:27:54	ASST	PD18	D50696	824R
21-OCT-2014 00:27:58	ACK	PMDT4683	PC0T069	824R
21-OCT-2014 00:28:11	CLOC	PD18	D50696	824R [I55 @ PULASKI- TRAFK ON RAMP]
21-OCT-2014 00:31:16	REMINQ	PMDT4683	PC0T069	824R Veh->LIC/[redacted] LIS/IL LIT/ZZ
21-OCT-2014 00:45:40	CLEAR	PADM19	D108212	843
21-OCT-2014 00:55:22	REMINQ	PMDT4534	PC0T089	833R Veh->LIC/[redacted] LIS/IL
21-OCT-2014 00:58:06	REMINQ	PMDT4534	PC0T089	833R Veh->LIC[redacted] LIS/IL
21-OCT-2014 00:58:18	REMINQ	PMDT4534	PC0T089	833R Veh->LIC[redacted]LIS/IL
21-OCT-2014 01:00:51	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted]LIS/IL
21-OCT-2014 01:05:09	REMINQ	PMDT4534	PC0T089	833R Veh->LIC/[redacted] LIS/IL
21-OCT-2014 01:05:28	REMINQ	PMDT4534	PC0T089	833R Veh->LIC/[redacted]-B LIS/IL LIT/TK
21-OCT-2014 01:05:37	REMINQ	PMDT4534	PC0T089	833R Veh->LIC/[redacted] LIS/IL
21-OCT-2014 01:06:44	REMINQ	PMDT4534	PC0T089	833R Veh->LIC[redacted]LIS/IL
21-OCT-2014 01:06:54	REMINQ	PMDT4534	PC0T089	833R Veh->LIC/[redacted] LIS/IL
21-OCT-2014 01:09:59	CLEAR	PADM19	D108212	800X
21-OCT-2014 01:10:24	CLEAR	PMDT4998	PC0X178	842
21-OCT-2014 01:16:16	CLEAR	PADM19	D108212	855
21-OCT-2014 01:16:44	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted]9 LIS/IL
21-OCT-2014 01:18:14	CLEAR	PD18	D50696	865B
21-OCT-2014 01:33:29	AUTPRE	PADM19	D108212	865
21-OCT-2014 01:33:49	CLOC	PADM19	D108212	813R [AREA]
21-OCT-2014 01:33:57	ASST	PADM19	D108212	822
21-OCT-2014 01:34:00	CLOC	PADM19	D108212	822 [AREA]
21-OCT-2014 02:12:02	CLOC	PMDT4751	PC0X185	841R [AREA CENTRAL]
21-OCT-2014 03:10:28	CLOC	PD18	D50696	815R [AREA]
21-OCT-2014 03:16:34	MISC	PD18	D50696	PER 830R PULASKI CAN BE OPENED
21-OCT-2014 03:22:25	CLOC	PMDT6234	PC0Z521	823R [008] reports
21-OCT-2014 03:26:53	CLEAR	PMDT4683	PC0T069	824R
21-OCT-2014 03:36:12	REMINQ	PMDT4507	PC0W970	821R Veh->LIC/[redacted]LIS/IL LIT/TM
21-OCT-2014 03:40:25	REMINQ	PMDT4507	PC0W970	821R Veh->LIC/[redacted] LIS/IL
21-OCT-2014 03:40:45	REMINQ	PMDT4507	PC0W970	821R Veh->LIC/[redacted] LIS/IL

Event # 1429315878

Event Chronology

Date	Activity	Wkstn	Person	Text
21-OCT-2014 03:43:12	CLEAR	PMDT4507	PC0W970	821R
21-OCT-2014 04:03:03	CLOC	PD18	D50696	846R [MT SINAI]
21-OCT-2014 04:03:07	ONS	PD18	D50696	846R
21-OCT-2014 04:09:19	CLOC	PD18	D50696	833R [AREA CENTRAL W/815'S CAR]
21-OCT-2014 04:10:11	CLOC	PD18	D50696	833R [AREA CENTRAL W/815R'S CAR]
21-OCT-2014 04:18:37	CLEAR	PD18	D50696	823R
21-OCT-2014 04:23:43	CLEAR	PMDT4691	PC0X830	851R
21-OCT-2014 04:39:23	CLOC	PD18	D50696	845R [AREA CENTRAL]
21-OCT-2014 04:44:49	CLOC	PADM19	D108212	833R [008]
21-OCT-2014 04:48:06	CLEAR	PADM19	D108212	822
21-OCT-2014 05:11:56	COPYT	PDTS103	DT557395	Copied To Event(s): #CPD1429401913
21-OCT-2014 05:12:32	CLEAR	PADM19	D108212	833R
21-OCT-2014 05:12:50	ONS	PADM19	D108212	841R
21-OCT-2014 05:12:50	ONS	PADM19	D108212	845R
21-OCT-2014 05:12:50	ONS	PADM19	D108212	815R
21-OCT-2014 05:12:50	ONS	PADM19	D108212	813R
21-OCT-2014 05:12:52	ONS	PADM19	D108212	810R
21-OCT-2014 05:15:15	MISC	PADM19	D108212	846R BODY REMOVAL 0511 HRS
21-OCT-2014 05:20:48	CLEAR	PADM19	D108212	846R
21-OCT-2014 05:32:26	CLEAR	PADM19	D108212	810R
21-OCT-2014 06:31:23	SCHOFF	PMDT4659	PC0V684	Unit #845R scheduled for Logoff
21-OCT-2014 07:41:19	SCHOFF	PMDT4751	PC0X185	Unit #841R scheduled for Logoff
21-OCT-2014 07:43:43	CLEAR	PD18	D300971	841R 815R 845R 813R
21-OCT-2014 07:43:43	CLOSE	PD18	D300971	
21-OCT-2014 07:44:00	ROPEN	PD18	D300971	OPEN
21-OCT-2014 07:44:00	DSP	PD18	D300971	813R
21-OCT-2014 07:44:04	ACK	PMDT4706	PC0W483	813R
21-OCT-2014 07:44:09	SCHOFF	PMDT4706	PC0W483	Unit #813R scheduled for Logoff
21-OCT-2014 07:45:06	SCHOFF	PMDT4706	PC0W483	Unit #813R scheduled for Logoff
21-OCT-2014 07:45:34	SCHOFF	PD18	D300971	Unit #813R scheduled for Logoff
21-OCT-2014 07:45:37	CLEAR	PD18	D300971	813R
21-OCT-2014 07:45:37	CLOSE	PD18	D300971	
21-OCT-2014 07:45:52	ROPEN	PD18	D300971	OPEN
21-OCT-2014 07:45:52	DSP	PD18	D300971	815R
21-OCT-2014 08:45:46	ACK	PMDT6024	PC0V821	815R
21-OCT-2014 08:52:57	CLEAR	PD18	D300971	815R
21-OCT-2014 08:52:57	CLOSE	PD18	D300971	
	RMKS			*** WIRELESS CALL ***
	RMKS			holding a male who he caught breaking into trucks and stealing radios nfi
	RMKS			a21 to hospital
	RMKS			a21 to mt sinai confirmd by fireside

Event # 1429315878

Event Chronology

Date	Activity	Wkstn	Person	Text
	RMKS			HAVE SGT OR PAPER CAR CALL CRIME LAB AREA CENTRAL HGSCU OPER COMM NEWS AFFAIRS ASAP
	RMKS			[redacted] il id [redacted] 6'01 185\
	RMKS			EXEC DIR SCHENKEL NOTIFIED @ 2223 HRS 1ST DEP ELLIS NOTIFIED @ 2224 HRS CHIEF OF STAFF BERGER NOTIFIED @ 2226 HRS MANAG DEP , OPER GUIDICE NOTIFIED @ 2228 HRS DEP DIR , 911 OPER HALLOWELL NOTIFIED @ 2229 HRS DIR NEWS AFFAIRS STRATTON NOTIFIED @ 2231 HRS OEMC INVEST UNIT MESSAGE LEFT @ 2236 HRS MAYOR'S DETAIL BURTON NOTIFIED @ 2241 HRS IMD/OC NOTIFIED VIA MESSAGE @ 2217 HRS OEMC WM ORLANDINI NOTIFIED @ 2217 HRS OPER COMM *1804 NOTIFIED @ 2221 HRS [HAVE PC CALL] AREA SOUTH HGSCU DET KRETTEK NOTIFIED @ 2219 HRS [HAVE PC CALL] CRIME LAB SARLO NOTIFIED @ 2221 HRS [HAVE PC CALL][5802 RESPONDING] NEWS AFFAIRS GAINES NOTIFIED @ 2247 HRS 008TH DIST SGT KOMENSKY *1745 NOTIFIED @ 2248 HRS PCO2 JOHNSON -- CW7
	RMKS			offender pronounced @ 2242 hrs per 842
	RMKS			843 - crime lab is on scene

Unit Summary

Event # 1429315878

Unit Summary

Unit	Dispatch	Enroute	Onscene	T	TA	TC	Clear
815R	21:47:50	21:53:27	21-OCT-2014 05:12:50				21-OCT-2014 07:43:43
812	21:53:43						21:59:25
845R	21:56:20	21:56:20					21:56:22
845R	21:56:22	22:08:04	21-OCT-2014 05:12:50				21-OCT-2014 07:43:43
821R	21:56:47	21:56:47					21:56:49
821R	21:56:49	22:08:04					21-OCT-2014 03:43:12
841R	21:56:52	21:56:52					21:56:55
841R	21:56:55	22:08:04	22:17:54				21-OCT-2014 07:43:43
862C	21:57:41	22:08:04					21-OCT-2014 00:09:01
4603	21:59:22	22:08:04					22:22:31
812	21:59:25	21:59:35					22:19:20
823R	21:59:44	22:08:04					21-OCT-2014 04:18:37
843	21:59:49	21:59:54					21-OCT-2014 00:45:40
PH2	22:00:01						22:03:21
851R	22:00:09						22:00:26
851R	22:00:26	22:08:04					21-OCT-2014 04:23:43
810R	22:01:06	22:08:04	21-OCT-2014 05:12:52				21-OCT-2014 05:32:26
811	22:02:20	22:02:27	22:16:54				22:19:38
833R	22:02:34	22:02:40					21-OCT-2014 05:12:32
865	22:04:13	22:08:04					21-OCT-2014 01:33:29
846	22:04:15	22:04:23				22:55:16	23:11:31
855	22:06:14	22:06:24					21-OCT-2014 01:16:16
842	22:09:14	22:09:14	22:17:16				21-OCT-2014 01:10:24
865B	22:12:50						21-OCT-2014 01:18:14
850	22:15:01						22:47:38
800X	22:15:52						21-OCT-2014 01:09:59

Event # 1429315878

Unit Summary

Unit	Dispatch	Enroute	Onscene	T	TA	TC	Clear
813R	22:23:24	21-OCT-2014 01:33:49	22:23:24				21-OCT-2014 07:43:43
822	22:47:25		22:47:25				23:43:55
846R	21-OCT-2014 00:18:09	21-OCT-2014 00:18:25	21-OCT-2014 04:03:07				21-OCT-2014 05:20:48
824R	21-OCT-2014 00:27:54	21-OCT-2014 00:28:11					21-OCT-2014 03:26:53
822	21-OCT-2014 01:33:57	21-OCT-2014 01:34:00					21-OCT-2014 04:48:06
813R	21-OCT-2014 07:44:00						21-OCT-2014 07:45:37
815R	21-OCT-2014 07:45:52						21-OCT-2014 08:52:57

STATEMENT OF P.O. JOSEPH McELLIGOTT

CONDUCTED BY INVESTIGATOR KILLEN

ON OCTOBER 21, 2014 AT 0436 HOURS

AT AREA CENTRAL POLICE HEADQUARTERS

LOG# 1072125

Attachment # #144

OIG 15-0564 000482

KILLEN: This is the, this is the audio recorded interview of Officer Joseph McElligott regarding Log number 1072125 U number 14 dash 36. Today is the 21st of October 2014. And the time is approximately 0436 hours. This statement is bein' taken at Area Central Police Headquarters. My name is Investigator Killen, that's spelled K I L L E N. My star number is 1 2 9. Uh also present in the room is uh FOP attorney Dan Herbert. Dan if you would say and spell your first and last names.

HERBERT: Dan, D A N, Herbert, H E R B E R T.

KILLEN: And then FOP Representative Kato, uh Kriston Kato.

KATO: First name is Kriston, K R I S T O N. Last name K A T O. FOP Field Representative.

KILLEN: And Officer McElligott if you would say and spell your first and last names for me.

P.O.MCELLIGOTT: Joseph McElligott, J O S E P H, McElligott, M C E L L I G O T T.

KILLEN: Okay and what's your star number?

P.O.MCELLIGOTT: 1 8 7 1 5. (noise)

KILLEN: And your employee number?

P.O.MCELLIGOTT: [redacted]

KILLEN: And your date of appointment with the Department?

P.O.MCELLIGOTT: 27 August '01.

KILLEN: And your date of birth?

P.O.MCELLIGOTT: [redacted]

KILLEN: And your current unit of assignment?
P.O.MCELLIGOTT: The 8th District.

KILLEN: And how long you been in 8th District?
P.O.MCELLIGOTT: Seven years.

KILLEN: All right. Now you're aware that this statement has the standing of an official Department report. And that any intentional falsification of any answer to any question would be in direct violations of rules and regulations?
P.O.MCELLIGOTT: Yes.

KILLEN: Given that, I'd like to remind you that failure to provide a complete and accurate account of this incident could result in a finding of a violation of Rule 14 with discipline leading up to and including separation from the Chicago Police Department. Do you understand that?
P.O.MCELLIGOTT: Yes.

KILLEN: All right what was your duty status and assignment on 21 October or 20 October 2014 at approximately 2150 hours?
P.O.MCELLIGOTT: This statement is not being given voluntarily but under duress. I am only givin' this statement because I know I will be fired if I refuse.

KILLEN: All right so what was your duty status and assignment last night at (someone coughs) 2150 hours?

P.O.MCELLIGOTT: Full duty.

KILLEN: Okay. What time you start work last night?

P.O.MCELLIGOTT: Uh 2100.

KILLEN: Is that your normal start time?

P.O.MCELLIGOTT: Yes.

KILLEN: Okay and you remember what beat you were assigned?

P.O.MCELLIGOTT: 815 Robert.

KILLEN: Okay and were you assigned a partner?

P.O.MCELLIGOTT: Yes.

KILLEN: And who's your partner?

P.O.MCELLIGOTT: Uh Thomas Gaffney.

KILLEN: All right and you and Officer Gaffney you guys were assigned a vehicle?

P.O.MCELLIGOTT: Yes.

KILLEN: And what kinda vehicle?

P.O.MCELLIGOTT: It's a Chevy Tahoe.

KILLEN: Marked?

P.O.MCELLIGOTT: Yes.

OIG 15-0564 000485

KILLEN: Okay and you and Officer Gaffney are in full uniform?

P.O.MCELLIGOTT: Yes.

KILLEN: Okay and then at about 2150 hours at about 41st and Pulaski you and uh Officer Gaffney were witnesses to a police-involved shooting correct?

P.O.MCELLIGOTT: Correct.

KILLEN: All right and if you would just um from the beginning explain to me what happened?

P.O.MCELLIGOTT: Uh we responded to a call of holding the offender at uh 4100 on Karlov. And um I don't know I forget the exact address.

KILLEN: So you received this, you say responded to the call. You got a call uh via OEMC?

P.O.MCELLIGOTT: Yes.

KILLEN: All right so over the radio you get a call.

P.O.MCELLIGOTT: Holding the offender um somebody's stealing radios out of semi trucks.

KILLEN: Okay. Do you re, do you remember where you and uh, where were you and Officer Gaffney when you got that call?

P.O.MCELLIGOTT: Um we're somewhere along Archer around Kostner.

KILLEN: Okay. So you're south of 41st and Kildare?

P.O.MCELLIGOTT: Correct.

KILLEN: And Officer Gaffney's the driver?
P.O.MCELLIGOTT: He is the driver, yes.

KILLEN: So you guys head over to that --
P.O.MCELLIGOTT: So we head over, we take Kostner up and then uh take 47th to Kildare.

KILLEN: Okay. And what happens when you get there?
P.O.MCELLIGOTT: Um a male Hispanic and a female Hispanic um we pull up to the address and they said um that a male black wearin' a black shirt was in the, tryin' to steal the radios outta the semi. Um he was holding a, a white cord to like a phone, like a charger. And he said he's got my phone. So then he said he's right around the corner. (clears throat) So then we, we drive north to 40th Street and we turn right and then we see a male black with a black shirt.

KILLEN: Okay and what's he doin'?
P.O.MCELLIGOTT: He's standing there and then he kinda turns around when he sees us pull up.

KILLEN: And what happens?
P.O.MCELLIGOTT: At that point I got outta the car and I'm giving 'em commands to stop, turn around. And I noticed he has his left hand in his pocket like in a ball. And in his right hand he's holding something else. And then I tell 'em take his hands out of his pockets; let me see your hands. He doesn't take his hands --

OIG 15-0564 000487

KILLEN: So at this point is he, his back is to you?
P.O.MCELLIGOTT: He's facing me at this point.

KILLEN: Okay.
P.O.MCELLIGOTT: And then he starts turning and walking away. And he's holding one arm out and one hand in his pocket. He continues to walk and uh then he turns again he takes both his hands out and, and at that point he has a knife in his right hand as if he just opened it up, like flipped it open and he's holdin' his hand. At that point I drew my weapon I tell 'em to drop the knife. Um he kinda has this look in his eye like, like maybe he's on some sorta drugs cause it was like his eyes like rolled back. And then he walked, he started walking east again with his hands out and then he's kinda like kinda makin' motions from side to side. He's kinda all over. Goes from the street to the, to the sidewalk. And the whole time my partner is kinda paralleling me. And he's driving and I'm had my flashlight on 'em and I'm tellin' 'em to stop. Tellin' 'em to drop, drop the weapon. Drop the knife.

KILLEN: So you're on foot correct?
P.O.MCELLIGOTT: I'm on foot, walking.

KILLEN: And Officer Gaffney --
P.O.MCELLIGOTT: Walking with some distance between me.

KILLEN: You're behind him correct?
P.O.MCELLIGOTT: I'm yeah I'm behind him.

OIG 15-0564 000488

KILLEN: Behind the offender?
P.O.MCELLIGOTT: Yes.

KILLEN: And Officer Gaffney's paralleling him in the car?
P.O.MCELLIGOTT: He's, he's kinda like as far as I am. Like he's like to my right just a lil bit.

KILLEN: Okay.
P.O.MCELLIGOTT: Or to my left just a lil bit. Um --

KILLEN: Do you close the distance on this guy?
P.O.MCELLIGOTT: We just continue to follow 'em. And um then he, at one point (inaudible) my partner decides to pull towards him. And uh at that point he, the offender turned and like in a downward stabbing motion popped the front tire. My partner um at that point said that he popped the tire. Prior to that though um he had asked for an assist.
HERBERT: (inaudible)
P.O.MCELLIGOTT: He'd asked for somebody to come with a taser. So as we're like tryin' to buy time this happens with the, the tire at uh Keeler. And then um we go a lil bit further and he decide, my partner decides to pull closer to 'em to kinda cause he knew Pulaski was comin' up and there was Burger King and there's a bunch a other stuff where people are. Decides to pull over a lil bit (noise) kinda to veer 'em off so that he'll go up one of the streets cause it's, it's a factory area. And we know it's always like pretty bare.

OIG 15-0564 000489

There's nobody around. Um it's after hours. At that point he um he, he grabs the knife and he, he stabs at the, the windshield. So um then he starts walkin' away. Stabbed at the windshield then he walks away from the squad car. And he's walkin' on the sidewalk again. And then um we can hear the cars comin'. And then once we can kinda see (noise) in the windows we could see the, the blue lights in the reflection and you could hear the, you could hear the sirens now. (noise) That's when he decides to take off runnin'. He just full on sprint. Uh I started runnin' after 'em. My partner's driving the car that has a flat. He's goin' after 'em too. He goes through two semis were parked in the back of the Burger King lot at 40th and Pulaski. He goes through, I go through and then I see another squad car pull. They're right behind 'em. They pull behind 'em, he goes through a sidewalk and then they go, they go around through and they (clears throat) they cut through on the sidewalk as well. Around the north side of Burger King. And then I'm followin' up running and as I get to Pulaski I turn right cause they all turned right. (clears throat) And I got to about the light (noise) I could see a bunch of squad cars comin'. And um (clears throat) I keep runnin' (noise) and then one of 'em is, he's lookin' to do a U turn, one of the other squad cars. Um so instead of getting hit I just stopped and I waved them to go. (noise) (clears throat) And at that point he turned around he, he's goin' um southbound slowly

so I know they're, they're stopping right there. I hear the shots at that point. And uh when I approach I think I was running down maybe the middle that's when I saw the offender layin' on the ground. And at that point Joe Walsh, Officer Walsh uh he kicked, he the gun outta, or not the gun the uh the knife out of his, his right hand. (noise) Which he was still clenching at the time. And then um (noise) asked for an ambulance and that was pretty much it.

KILLEN: (clears throat) So when you guys, you're on 40th and you see, you're kinda walkin' with this guy right? You see 'em with the knife?

P.O.MCELLIGOTT: Hmm huh.

KILLEN: Right?

P.O.MCELLIGOTT: Yes.

HERBERT: Say yes.

KILLEN: So and you see 'em uh uh you described it as a down motion, he stabbed the tire of the car right?

P.O.MCELLIGOTT: Hmm huh.

KILLEN: That's the --

P.O.MCELLIGOTT: Yes.

KILLEN: -- front passenger tire correct?

P.O.MCELLIGOTT: Front passenger tire.

OIG 15-0564 000491

KILLEN: Okay and then you also saw 'em stab the windshield?
P.O.MCELLIGOTT: Yeah.

KILLEN: Right.
P.O.MCELLIGOTT: Yes.

KILLEN: Okay. Uh and you may have said it and I may have missed it, but did you or uh Officer Gaffney get on the radio and say hey this guy's armed. He's got a knife?
P.O.MCELLIGOTT: Yes. Um it was before he said he popped the tire um my partner got on the radio and said (clears throat) said this guy has a knife. Can you send somebody with a taser over here. And then (inaudible) lil time passed by and then (clears throat) that's when the tire incident.

KILLEN: Okay.
P.O.MCELLIGOTT: And then another five, ten seconds (noise) went by and (noise) attacked the car, stabbed the windshield.

KILLEN: So you're, you were warning everybody ahead a time?
P.O.MCELLIGOTT: Yes.

KILLEN: Before you got anything, he had the knife in his hand.
P.O.MCELLIGOTT: Yes. It started with uh we asked for a taser. We said he had a knife. And then we were

OIG 15-0564 000492

giving uh kinda like a play by play (noise) stab, he stabbed our tire, he just popped our tire. And, you know and they're askin' if anybody's heading over there. And we're just waitin' for the assist cars to come.

KILLEN: And I take it you don't carry a taser?
P.O.MCELLIGOTT: I do not.

KILLEN: And then neither does Officer Gaffney correct?
P.O.MCELLIGOTT: No.

KILLEN: Okay. So then you basically follow 'em all the way to Pulaski I take it. Karlov then Keeler somethin' like that.
P.O.MCELLIGOTT: Basically yeah. It was --

KILLEN: And then when the other car comes --
P.O.MCELLIGOTT: At that point he was (noise) he darted towards Pulaski.

KILLEN: Okay.
P.O.MCELLIGOTT: From Karlov to Pulaski he was full on sprinting and I was running after 'em.

KILLEN: And you're after 'em. When he went between the trucks you went between the trucks with 'em?
P.O.MCELLIGOTT: Yeah.

KILLEN: Okay so then when he got to Pulaski he goes south?

OIG 15-0564 000493

P.O.MCELLIGOTT: When he got to Pulaski yeah he head, he went south around, he wrapped around the buildin' and (noise) then Burger King.

KILLEN: And whaddid you mean cause you lost me when you said somebody wanted to make a U turn so you let them go ahead of you.

P.O.MCELLIGOTT: There were cars coming northbound on Pulaski to assist. And they passed up, they passed him up and then came back around.

KILLEN: Oh I gotcha. Okay so he's goin' south --

P.O.MCELLIGOTT: They made a U turn --

KILLEN: I gotcha.

P.O.MCELLIGOTT: Yeah they passed him up and turned around. I don't know if they didn't see 'em or if, what their reasoning was, but they, they made a U turn and they turned kinda like right at me and I just said go and I waved 'em.

KILLEN: Now is he in the street at this time? He is runnin' in the street or is he on the sidewalk?

P.O.MCELLIGOTT: I didn't see him at that point I didn't see him because there were other squad cars in front a me. And I don't want, I finally saw him I was in the median and I ran up towards him and that's when at that point he was already down and the officer, other officer was kickin' the gun, uh knife away.

OIG 15-0564 000494

KILLEN: So were you on the median when you heard the gunshots?
P.O.MCELLIGOTT: I was, I heard the gunshots. There's a traffic light. I heard the gunshots while I was at the traffic light. And then I waved, waved the other car to go and then um by the time I got there there were no more shots.

KILLEN: At the time did you know who was shooting?
P.O.MCELLIGOTT: No I did not.

KILLEN: You didn't see anybody shooting anything like that?
P.O.MCELLIGOTT: No.

KILLEN: Okay. So by the time you got you said then he's already, the offender's already on the ground?
P.O.MCELLIGOTT: Yes.

KILLEN: Is he on his, is he on his back, (noise) his stomach? How's he --
P.O.MCELLIGOTT: He was kinda on his side. On his right side.

KILLEN: And you said he still had the knife?
P.O.MCELLIGOTT: Yeah he was holdin' it. (noise)

KILLEN: In his right hand?
P.O.MCELLIGOTT: In his right hand.

KILLEN: And that was Officer Walsh kicked it from his hand?

OIG 15-0564 000495

P.O.MCELLIGOTT: Yeah.

KILLEN: Okay. And what happens he's placed in custody?
P.O.MCELLIGOTT: Then he was, well he was obviously down, he wasn't movin' anywhere. We're surrounding him and that's (noise) (inaudible) come.

KILLEN: Okay. I mean after the knife gets kicked outta his hand, does anybody touch it to your knowledge?
P.O.MCELLIGOTT: No.

KILLEN: Do you ever touch it?
P.O.MCELLIGOTT: I didn't touch it.

KILLEN: Okay. So you didn't see, you didn't see Officer Van Dyke discharge his weapon at the offender correct?
P.O.MCELLIGOTT: No I saw 'em holding his weapon.

KILLEN: Right.
P.O.MCELLIGOTT: Just kinda (inaudible) (noise)

KILLEN: You heard gunshots but you didn't see --
P.O.MCELLIGOTT: Correct.

KILLEN: Okay. Anything you'd like to add?
P.O.MCELLIGOTT: No.

KILLEN: Everything you told me is a true and accurate account of what occurred?

OIG 15-0564 000496

P.O.MCELLIGOTT: Yes.

KILLEN: All right this will conclude the audio recorded interview of Officer uh Joseph McElligott regarding Log number 1072125 U number 14 dash 36. Today is the 21st of October 2014 and the time is approximately 0451 hours.

OIG 15-0564 000497

I, CAROL A. O'LEARY, do hereby certify or affirm that I have impartially transcribed the foregoing from an audio recording of the above-mentioned proceeding to the best of my ability.

Carol A. O'Leary

Carol A. O'Leary

OIG 15-0564 000498

STATEMENT OF P.O. THOMAS GAFFNEY

CONDUCTED BY INVESTIGATOR KILLEN

ON OCTOBER 21, 2014 AT 0406 HOURS

AT AREA CENTRAL POLICE HEADQUARTERS

LOG # 1072125

Attachment # ~~76~~ ~~85~~ 160

OIG 15-0564 000610

KILLEN: This is the audio recorded interview of Officer Thomas Gaffney regarding Log number 1072125 U number 14 dash 36. Today is the 21st of October 2014. And the time is approximately 0406 hours. This statement is bein' taken at Area Central Police Headquarters at 51st and Wentworth. My name is Investigator Killen, that's spelled K I L L E N. My star number is 1 2 9. Also present is FOP attorney Dan Herbert. (noise) Dan if you would say and spell your first and last names.

HERBERT: Sure Dan, D A N, Herbert, H E R B E R T.

KILLEN: And uh also is uh FOP Representative Kato.

KATO: K R I S T O N. Last name is K A T O. (clears throat) FOP.

KILLEN: And Officer Gaffney if you would say and spell your first and last names for me.

P.O.GAFFNEY: My first name Thomas Gaffney, T H O M A S. G A F F N E Y.

KILLEN: Okay and what's your star number?

P.O.GAFFNEY: 1 9 9 5 8.

KILLEN: And your employee number?

P.O.GAFFNEY: [redacted].

KILLEN: And your uh current unit of assignment? (noise)

P.O.GAFFNEY: 8TH District.

KILLEN: Okay and (noise) what's your date of appointment with the (noise) Department?

P.O.GAFFNEY: Uh 8 July '96.

KILLEN: And your date of birth?

P.O.GAFFNEY: [redacted].

KILLEN: How long you been in 8?

P.O.GAFFNEY: Uh since 2000, 2001 I'm sorry. Summer 2001. (clears throat)

KILLEN: All right and then you're aware that this statement has the standing of an official Department report. And that any intentional falsification of any answer to any question would be in direct violations of rules and regulations?

P.O.GAFFNEY: Yes.

KILLEN: Given that, I (sighs) I'd like to remind you that failure to provide a complete and accurate account of this incident could result in a finding of Rule 14 with discipline leading up to and including separation from the Chicago Police Department. Do you understand that?

P.O.GAFFNEY: Yes.

KILLEN: All right and then you're aware that there are no allegations against you uh regarding this incident correct?

P.O.GAFFNEY: Yes.

KILLEN: Okay. So on 20 October 2014 at approximately 2150 hours what was your duty status and assignment?

OIG 15-0564 000612

P.O.GAFFNEY: Uh this statement is not being given voluntary but under duress. I am only givin' this statement because I know I will be fired if I refuse.

KILLEN: Okay. So yesterday 20 October 2014 approximately 2150 hours what was your duty status?
P.O.GAFFNEY: Um I was on duty workin' Beat 815 Robert.

KILLEN: Okay. And were you uh were you assigned a partner?
P.O.GAFFNEY: Yes I was, Joseph McElligott.

KILLEN: Okay were you uniformed?
P.O.GAFFNEY: Yes.

KILLEN: And so was McElligott right?
P.O.GAFFNEY: Yes.

KILLEN: Okay. And you and Officer McElligott you guys were assigned a car?
P.O.GAFFNEY: Yes.

KILLEN: What kinda car?
P.O.GAFFNEY: Uh squad, marked squad car uh Tahoe.

KILLEN: Okay. Were you the driver or the passenger?
P.O.GAFFNEY: I was the driver.

KILLEN: Okay. And then last night about 2150 hours you and uh Officer McElligott were witnesses to a police-involved shooting correct?

OIG 15-0564 000613

P.O.GAFFNEY: Yes.

KILLEN: All right and um (someone clears throat) if you would, if you'd start from the beginning and just run me through what happened.

P.O.GAFFNEY: Uh we received a call holding offender at forty, 4100 South Kildare. Um there supposedly somebody had broken into a, a truck uh vehicles um tryin' to get radios somethin' like that. So we, we were on Archer approximately Kostner Kenneth. I came uh, came to the (noise) we got the job came uh down Kostner to 47th, 47th to Kildare and Kildare right to 4100 South Kildare.

KILLEN: So you were comin' from the south goin' north correct?

P.O.GAFFNEY: Yes.

KILLEN: Okay. (someone clears throat) So you got the call are you, you were dispatched?

P.O.GAFFNEY: Yes.

KILLEN: OEMC?

P.O.GAFFNEY: Yes.

KILLEN: Radio?

P.O.GAFFNEY: Yes.

KILLEN: Okay. So then when you get to 41st and Kildare what, what happens?

P.O.GAFFNEY: Uh there was a [redacted] [redacted] and a [redacted] [redacted] uh standing by a gate um to the truck

OIG 15-0564 000614

yard. Um the gate was partially opened and uh the [redacted] had a chain in 'er hand and then we stopped and spoke to them.

KILLEN: Whaddid they tell ya?

P.O.GAFFNEY: They said that the guy just went around the corner. Um he was uh in the, in the you know lot tryin' to get um tryin' to get into trucks. Uh he had uh somethin' in his hand, he had uh a wire from a phone in his hand. And he said somethin' about a iPhone, I don't know if he was sayin' that he took an iPhone or he left an iPhone but he said that he went around the corner so then we, we asked 'em you know what he looked like, what he was wearin'? He said he's a male black with the dark shirt. So at that time we, we went up the street and turned the corner. (someone clears throat)

KILLEN: So they, they, did those two, that, did that [redacted] and [redacted] tell you which way the, the offender went?

P.O.GAFFNEY: Yes. Yeah he just pointed, he pointed north um and he said he went around the corner.

KILLEN: Okay so then that'd, that's 41st Street?

P.O.GAFFNEY: Yeah towards 40th Street.

KILLEN: Okay. And what happens then?

P.O.GAFFNEY: So we went, we went up the, up the block to 40th Street and we turned um east on 40th Street and we, (inaudible) when we turned we seen um you

OIG 15-0564 000615

know somebody walkin'. So we approached 'em, drove up to 'em and at that time we seen it was a male black with dread locks. You know and he had a dark shirt on. So at that time my, my partner had gotten outta the vehicle (clears throat) and he had his flashlight you know he's shining on 'em. You know tell 'em to come 'ere. So at that time he just kinda had a look, you know a weird look in his face you know like glazed eyes and stuff lookin' at us. So I stayed in my car in case he was gonna run. So at that time you know my partner kind of approached 'em a lil bit more and that's when he, he had seen you know tell 'em to get his hands outta his pocket cause he had one hand in his pocket. And then he had seen something in his you know a shiny object in his hand. And I, I heard 'em say you know he's got a knife. So that's when you know cuz then I, at first I was still in the car so I didn't really see, see the knife at that time. But once my partner said that that's when I kinda looked and I, at that time like I said we're all still walking or still moving. So then the street lights were a lil bit more as we were walkin' I, I seen a knife also in his hand.

KILLEN: Okay so this, so this point when you first see this guy he's on what street?

P.O.GAFFNEY: He's on 40th Street.

KILLEN: And he's, he's headed which way?

P.O.GAFFNEY: Uh east.

OIG 15-0564 000616

KILLEN: So he's headed toward Pulaski?
P.O.GAFFNEY: Yes.

KILLEN: All right is he by himself?
P.O.GAFFNEY: Yes.

KILLEN: Is he, like is he on the sidewalk --
P.O.GAFFNEY: On the, at that time he was on the sidewalk.

KILLEN: Which side of the street would he be on?
P.O.GAFFNEY: Uh south side.

KILLEN: So on the passenger side of your vehicle?
P.O.GAFFNEY: Yes. Yes.

KILLEN: All right so then you guys pull up, you pulled alongside of 'em?
P.O.GAFFNEY: Yes.

KILLEN: And then the officer --
P.O.GAFFNEY: Not quite, well not quite right next to 'em but yeah he was still like I said he was still walking but he was in front of the car. You know like in front of the area as we were walkin' and movin' at the same time.

KILLEN: You're kinda behind 'em?
P.O.GAFFNEY: Yeah, yeah but yeah.

KILLEN: And McElligott gets outta the car?
P.O.GAFFNEY: Yes.

OIG 15-0564 000617

KILLEN: Flashlight in hand.
P.O.GAFFNEY: Yes.

KILLEN: And he says come here?
P.O.GAFFNEY: Well yeah, yeah he starts you know come here. You know get your hand outta your pocket. And you know but he, he like I said he turned around, spun around a couple times and (inaudible) get to walking never said anything to us.

KILLEN: Which hand was in his pocket do you remember?
P.O.GAFFNEY: I think it was his left hand cause he had the other hand had whatever was in his, you know what he had in his hand at the time.

KILLEN: And do you know what was in his hand?
P.O.GAFFNEY: Not at that time I didn't.

KILLEN: Okay.
P.O.GAFFNEY: Like I said my partner, he, when my, my partner said he's got a knife that's when I kinda you know like I said as we were walkin' the street lights got a lil brighter and I was able to kinda look you know look over at the, and then see that he did have, you could tell you know it was in his hand and the blade was stickin' out.

KILLEN: Okay. And when you say he turned around a couple times does he keep 'em goin' east toward Pulaski?
P.O.GAFFNEY: Yeah he, he always kept goin'.

OIG 15-0564 000618

KILLEN: So he never stops?
P.O.GAFFNEY: No he never stopped he just kept walkin'. A couple times he went into the street but not, just like a step or two in the street but he just kept walkin' eastbound.

KILLEN: And he was by himself?
P.O.GAFFNEY: Yes.

KILLEN: All right so then so McElligott approaches 'em and then you hear McElligott say he's got a knife?
P.O.GAFFNEY: Yeah when he said he has a knife that's when I you know that's when I kinda like sat up a lil bit to look, to look, get a better look and that's when I, I seen it too.

KILLEN: Okay that was in his right hand then? Is that --
P.O.GAFFNEY: Yeah, yeah it was in his right hand.

KILLEN: So what happens then?
P.O.GAFFNEY: Uh at that time like I said (noise) my partner still kept you know tellin', that's what he said drop the knife, drop the knife. You know put the knife down whatever. And I got on the radio and you know got on the radio and said you know the guy's got a knn, we're at 40th and Kee, uh Keeler approachin' Keeler. Uh he's got a knife. Could we get another car over here with a taser.

OIG 15-0564 000619

KILLEN: So you don't carry a taser?
P.O.GAFFNEY: No I didn't, no.

KILLEN: McElligott he doesn't carry --
P.O.GAFFNEY: No he didn't have one either.

KILLEN: Okay. So what happens then?
P.O.GAFFNEY: Well like I said we I, I, I called it in then the dispatcher you know asked for other cars and other cars said they were comin'. So we just, we just kept stayin' you know keepin' our distance at the time you know I kept drivin' along. And um we just (noise) kept walkin' with 'em (noise) You know he never you know like came at us or anything at that time. He just kept like walkin', my partner still kept givin' 'em verbal commands and droppin' the knife and you know stop and that type a thing. But you know he just kept walkin' turning around lookin' back at us you know just that weird glaze look.

KILLEN: Did he ever say anything?
P.O.GAFFNEY: No never said a word to us at all.

KILLEN: Okay.
P.O.GAFFNEY: (Clears throat)

KILLEN: So then what happens?
P.O.GAFFNEY: We kept (noise) goin' east. When we're, we're approaching uh Karlov, 40th and Karlov I knew the next block there was the Burger King, there was a truck lot so we were gonna get more

OIG 15-0564 000620

people. So as we approached the, pretty much the corner of Karlov I like kinda turned my car towards him a lil bit on you know and you know to try and maybe get 'em to go down Karlov cause there's more, you know there's just factories so there's no people down that way. So and then uh - -

KILLEN: So the purpose of doin' that is keep 'em away from --

P.O.GAFFNEY: Yeah like try to slow 'em down until other cars got 'ere and make 'em see if he would maybe even go down the side street.

KILLEN: Okay.

P.O.GAFFNEY: You know keep 'em from getting to that more populated area where there were cars and people. (someone clears throat) So when I did that, he kinda like took a step towards and swung his uh, his arm down. When he did that that's when I heard like pssss a sound and I knew that he popped a tire. (noise)

KILLEN: Okay.

P.O.GAFFNEY: And then one, once he did that I got on the radio and said you know squad he just popped our tire. So (clears throat) --

KILLEN: Where's McElligott at this time?

P.O.GAFFNEY: He was still walk but he was, he was still walkin' with us but he was at like towards the back of the car.

OIG 15-0564 000621

KILLEN: Okay.

P.O.GAFFNEY: You know the back you know he still kept his distance. So (noise) (clears throat) once he did that, once he popped the tire again he just with that glazed stare, that glazed eye stare once he did that he like stepped back like took a step back, back away from the car. So I pulled up a lil bit further in front of 'em to you know try and maybe stop 'em or get 'em to go down that street. That's when he just took a step toward me and swung his arm really hard and hit the windshield with the knife.

HERBERT: And if I could just indicate for the record, with his right hand holdin' behind his, behind his head (someone clears throat) bringin' it down in a striking motion.

P.O.GAFFNEY: Yeah he, he as hard as he could he was attempting to break that windshield.

KILLEN: And how many times did he hit the windshield?

P.O.GAFFNEY: Just once. It was just once. Went real hard swing right, right on the windshield.

KILLEN: What happens?

P.O.GAFFNEY: Obviously nothin', I didn't see nothin' break but then he walked around the front of the car and kept walkin' eastbound on 40th Street. And then at that time, maybe 10 to 15 more feet that's when you could hear um some you know some sirens. And then a squad car came off a Pulaski onto 40th Street with their lights on. At that

OIG 15-0564 000622

time he seen that and that's when he started to run. Oh yeah I, I, I (noise) got on the radio and some, one, one of us, I don't remember but somebody did say that he was you know he started to run towards you know towards the, the truck lot, the trucks.

KILLEN: Okay so, so you're still basically sittin' over at 40th and Karlov right? You see 'nother car come up Pulaski?

P.O.GAFFNEY: Yeah that's, yeah he, 'nother car came off Pulaski onto 40th Street.

KILLEN: So --

P.O.GAFFNEY: That, that's when he seen that and that's when he started runnin'.

KILLEN: So when they turn west on 40th he runs --

P.O.GAFFNEY: Yeah he runs --

KILLEN: -- east towards Pulaski?

P.O.GAFFNEY: -- he, he, he's still goin' towards Pulaski but he went off a, off a the sidewalk and um into, it was like a, an empty space where the trucks, the truckers park so they can sleep or whatever. And he (noise) ran that way between two trucks.

KILLEN: Okay. (noise)

P.O.GAFFNEY: So at that time (noise) my partner started runnin' and I drove the car, I drove the car up to the entrance of the Burger King lot and went

OIG 15-0564 000623

into the Burger King lot. And before I did that the other car that came off went into the Burger King lot also. So I just, I seen 'em come outta, between the trucks. I ran, I kept drivin' towards, towards the, the end of the lot, towards Pulaski and that's, he ran and then I stopped cause I (noise) my tire was pretty much flat. So I couldn't get, I wasn't gonna go over the curb and then the other car was behind 'em. He ran into like towards the street and the other car followed 'em went over the curb and followed 'em.

KILLEN: Do you know who, who's that other car you're talkin' about? Do you know who that is?

P.O.GAFFNEY: At the time I didn't but now I know it was 845 Robert.

KILLEN: Okay. And that's the car he's talkin' 'bout Pulaski and --

P.O.GAFFNEY: Yeah.

KILLEN: -- where they U turn and go back at 'em?

P.O.GAFFNEY: That's the one, that's the one yeah that's the one that I, I (noise) know, I found out that was the one that went over the curb, yeah.

KILLEN: Okay so you stop your (someone clears throat) car where then?

P.O.GAFFNEY: Pretty much right behind the parkin' lot. Before, before going over the curb and into the street. (noise)

OIG 15-0564 000624

KILLEN: Okay. And then, and you stopped because of the (noise) flat?

P.O.GAFFNEY: Yeah cause I, I, I didn't wanna, I didn't know if I was gonna make it over the, cuz it was like you know that lil part there's like lil the, the, cement tongue if you will, that, that's the parkin' lot. (noise) You know if I was gonna get over it.

KILLEN: And you see 845 Robert continue.

P.O.GAFFNEY: Yeah they went they continued followin' 'em and went into the street. So I --

KILLEN: And that's Pulaski you're talkin' about?

P.O.GAFFNEY: Yeah. Into Pulaski. So I spun around went behind the park, behind the Burger King you know there's a street, (inaudible) back towards Pulaski where it goes out to the street on Pulaski. (noise)

KILLEN: Okay so, so you don't take the curb at all. You just --

P.O.GAFFNEY: No, no I, I, I turn around, I turned around and went around the parkin' lot to, to get out where there's a, there's the light on 41st Street. (noise)

KILLEN: And that's where your car's stopped?

P.O.GAFFNEY: And then yeah I turned on Pulaski and that's where my, that's where I finally stopped.

OIG 15-0564 000625

KILLEN: That's when, when I saw your car was south, facin' south --
P.O.GAFFNEY: Yes. Yes that's right, that's where I stopped.

KILLEN: Okay so then do you see what happens then after, with, with the offender and 845 Robert then?
P.O.GAFFNEY: No that was all, yeah that was I believe done before I got onto Pulaski. Cause I, I spun around and that's when I, I heard, I started to hear shots before I got onto Pul, I think when I got onto Pulaski there was other cars and stuff in front of me too. So I didn't see what exactly was goin' on.

KILLEN: So you're basically goin' around Burger King.
P.O.GAFFNEY: Yeah that's when the shots I believe that's when the shots started firin'.

KILLEN: You heard gunshots?
P.O.GAFFNEY: Yeah.

KILLEN: At the time did you know who was shootin'?
P.O.GAFFNEY: No I didn't know.

KILLEN: Could you see who was shootin'?
P.O.GAFFNEY: No.

KILLEN: That's because --
P.O.GAFFNEY: Well there's a, yeah well there's a fence also right, opposite side of Burger King where, where we blocked, pretty much blocked. The fence

OIG 15-0564 000626

with uh, like a covering you know covering fence so nobody could see through the fence. Cause they were building some stuff there. So yeah there was that was all blockin' me.

KILLEN: There's (noise) no line a sight.
P.O.GAFFNEY: No, no.

KILLEN: Okay.
P.O.GAFFNEY: No.

KILLEN: So then by the time you, you get south on Pulaski there's no more shooting correct?
P.O.GAFFNEY: I believe yeah I believe so. I don't (noise) remember any shooting at, at, when I got onto Pulaski.

KILLEN: Where (noise) when you got on Pulaski and you're goin' south could you see the offender still?
P.O.GAFFNEY: No not, not until I got outta the car and started to go you know 'round to, to where everything was goin' on.

KILLEN: Where was he?
P.O.GAFFNEY: The offender he was on the ground at the time when I, when I got over there.

KILLEN: Okay. And it's after that then you find out who's shooting what happened?
P.O.GAFFNEY: Yeah, yeah.

OIG 15-0564 000627

KILLEN: Okay. (noise) You didn't see the shooting, you, you (noise) you didn't see Officer Van Dyke discharge the weapon?
P.O.GAFFNEY: No I didn't, no.

KILLEN: Okay. (sighs) And then that, that, (noise) the two people that called 9 1 1 said they were holdin' the offender.
P.O.GAFFNEY: Hmm huh.

KILLEN: Do you have any idea who they are?
P.O.GAFFNEY: No not at the time, no. Cause right when they just said he went around the corner, they gave a quick description. We just wanted to go and you know see if we can catch 'em. We didn't know how long ago it was. Or where he would've went. So we just you know went and see if we could grab 'em and figured they woulda still been there when we got back.

KILLEN: Okay. And then the knife that the offender had, as best you can describe it to me?
P.O.GAFFNEY: Uh all silver, real bright. And prob'ly 'bout four to six inch blade.

KILLEN: Okay. All right. Uh was there anything you'd like to add?
P.O.GAFFNEY: No.

KILLEN: All right everything you told me is a true and accurate account of what occurred?
P.O.GAFFNEY: Yes.

OIG 15-0564 000628

KILLEN: All right this will conclude the audio recorded interview of Officer Thomas Gaffney regarding Log number 1072125 U number 14 dash 36. Today is the 21st of October 2014. The time is approximately 0424 hours.

OIG 15-0564 000629

I, CAROL A. O'LEARY, do hereby certify or affirm that I have impartially transcribed the foregoing from an audio recording of the above-mentioned proceeding to the best of my ability.

Carol A. O'Leary

Carol A. O'Leary

OIG 15-0564 000630

HICAGO POLICE DEPARTMENT

ASE SUPPLEMENTARY REPORT

10 S. Michigan Avenue, Chicago, Illinois 60653
use by Chicago Police - Bureau of Investigative Services Personnel Only)

HX475653

Case id : 9825613
Sup ID : 10992767 CASR301

XC. CLEARED CLOSED (OTHER EXCEPTIONAL) | **DETECTIVE SUP. APPROVAL COMPLETE**

Offense Classification/Re-Classification	IUCR Code	Original Offense Classification			IUCR Code
AULT / Aggravated Po:Knife/Cut Instr	**0552**	ASSAULT / Aggravated Po:Knife/Cut Instr			0552
ddress of Occurrence	Beat of Occur	No of Victims	No of Offenders	No of Arrested	SCR No
112 S PULASKI RD	**815**	4	1	1	
ocation Type	Location Code	Secondary Location			Hate Crime?
Street	**304**				NO
ate of Occurrence	Unit Assigned	Date RO Arrived	Fire Related?	Gang Related?	Domestic Related?
20-OCT-2014 21:57	**0841R**	20-OCT-2014 21:57	NO	NO	NO

Reporting Officer	Star No	Approving Supervisor	Star No	Primary Detective Assigned	Star No
MARCH, David	20563	WOJCIK, Anthony	481	MARCH, David	20563
Date Submitted		Date Approved		Assignment Type	
15-MAR-2015 18:26		16-MAR-2015 00:03		FIELD	

THIS IS A FIELD INVESTIGATION EXC. CLEARED CLOSED (OTHER EXCEPTIONAL) REPORT

VICTIM(S) :

GAFFNEY, Thomas J
Male / White / 41 Years
EMPLOYMENT: Chicago Police Officer #19958 Chicago Police Officer
EMPLOYER BUSINESS NME: Chicago Police Department
BUS: 3420 W 63rd St
Chicago IL
312-747-8730

MCELLIGOTT, Joseph P
Male / White / 36 Years
EMPLOYMENT: Chicago Police Officer #18715 Chicago Police Officer
EMPLOYER BUSINESS NME: Chicago Police Department
BUS: 3420 W 63rd St
Chicago IL
312-747-8730

VAN DYKE, Jason D
Male / White / 36 Years
EMPLOYMENT: Chicago Police Officer #9465 Chicago Police Officer
EMPLOYER BUSINESS NME: Chicago Police Department
BUS: 3420 W 63rd St
Chicago IL
312-747-8730

WALSH, Joseph J
Male / White / 45 Years
EMPLOYMENT: Chicago Police Officer #12865 Chicago Police Officer
EMPLOYER BUSINESS NME: Chicago Police Department
BUS: 3420 W 63rd St
Chicago IL

HX475653

312-747-8730

OFFENDER(S): **MCDONALD, Laquan J** -- In Custody --

ALIAS: "Bon-Bon"
Male / Black / 17 Years
DOB: [redacted]
RES: [redacted]
BIRTH PL: Illinois
DESCRIPTION: 6'02,180,Black Hair, Dreadlocks Hair Style, Brown Eyes, Medium Complexion

ITEM USED:
Weapon
DLN/ID: [redacted]
OTHER IDENTIFICATIONS: **Type -** Other Id
State - Unknown

IR #: 2106340
SID #: IL18550721
ORGANIZATION: NEW BREED
RELATIONSHIP OF VICTIM TO OFFENDER:

GAFFNEY, Thomas No Relationship
MCELLIGOTT, Joseph No Relationship
VAN DYKE, Jason No Relationship
WALSH, Joseph No Relationship

GANG INFORMATION:
LISTED CRIMINAL ORGANIZATION: New Breed
GANG IDENTIFIERS: Other

OFFENDER INJURIES: **MCDONALD, Laquan J**

Type	Weapon Used	Weapon Description
Gun Shot Wound	Handgun	Other -Handgun

Injured by Police
Chicago Fire Department Provided First Aid
EXTENT OF INJURY: Multiple Gsw
HOSPITAL REMOVED BY: Cfd Ambulance 21

HOSPITAL: Mt. Sinai
INJURY TREATMENT: Multiple Gsw
PHYSICIAN NAME: Dr Pitzele
INV #: **13296449**

WEAPON(S): **Evidence**

Smith & Wesson -Us- (Bodyguard,Chief Special) , 5942 , 9 , Semi-Automatic Pistol , Semi-Automatic , 4" , Stainless

SERIAL #: [redacted]

MAGAZINE CAPACITY: 15

Number Of Live Rounds present in the Firearm - 15

Number Of Live Rounds used in the Firearm - 16

The Status Of This Firearm is 628361

PROPERTY TYPE: Other

OWNER: Van Dyke, Jason

POSSESSOR/USER: Van Dyke, Jason

PHONE #: 312 - 747 - 8730

LOCATION FOUND: 5101 S Wentworth Ave

VEHICLE INFO:

Truck , 2010 / Chevrolet / Tahoe / Truck

, Victims Vehicle

VIN: 1GNMCAE0XAR263348 **Evidence**

YEAR (RANGE): 2010

COLOR (TOP/BOTTOM): White / White

OWNER: Chicago Police Department

POSSESSOR/USER: Gaffney, Thomas

PHONE#: 312 - 747 - 8730

LOCATION FOUND: 4102 S Pulaski Rd

LICENSE: MP6581, Law Enforcement (City, County, State, Sos), IL

LOCATION OF INCIDENT:

4112 S Pulaski Rd
Chicago IL
304 - Street

DATE & TIME OF INCIDENT: 20-OCT-2014 21:57

WEATHER AND LIGHTING:

WEATHER: Cloudy & Cool

TEMPERATURE: 50s

LIGHTING: Dark / Artificial Light

LIGHTING SOURCE: Streetlights

DISTANCE: Overhead

MOTIVE CODE(S): Interceding In A Felony

CAUSE CODE(S): Dna

METHOD CODE(S): Offender Shot

CAU CODE(S): Police Related Not Con

FIREARM(S) RECOVERED: **INV #: 13296449** **Evidence**

Smith & Wesson -Us- (Bodyguard,Chief Special) , 5942 , 9 , Semi-

Automatic Pistol , Semi-Automatic , 4" , Stainless
SERIAL #: [redacted]
PROPERTY TYPE: Other

OWNER: Van Dyke, Jason
POSSESSOR/USER: Van Dyke, Jason

PHONE #: 312 - 747 - 8730
LOCATION FOUND: 5101 S Wentworth Ave

MAGAZINE CAPACITY: 15
Number Of Live Rounds present in the Firearm - 15
Number Of Live Rounds used in the Firearm - 16

/EHICLE(S) DAMAGED: **Truck , 2010 / Chevrolet / Tahoe / Truck**
VIN: 1GNMCAE0XAR263348 **Evidence**

YEAR - YEAR RANGE END: 2010
COLOR (TOP/BOTTOM): White / White
OWNER: Chicago Police Department
POSSESSOR/USER: Gaffney, Thomas

PHONE#: 312 - 747 - 8730
LOCATION FOUND: 4102 S Pulaski Rd
LICENSE: MP6581, Law Enforcement (City, County, State, Sos), IL

PERSONNEL ASSIGNED:
Detective/Investigator
MARCH, David M # 20563
Reporting Officer
FONTAINE, Dora # 4484 BEAT: 0841R

WITNESS(ES) :
BACERRA, Arturo
Male / White Hispanic / 32 Years
EMPLOYMENT: Chicago Police Officer #15790 Chicago Police Officer
BUS: 3420 W 63rd St
Chicago IL
312-747-8730
[redacted]
Female / White Hispanic / 29 Years
DOB: [redacted]
RES: 5340 Prairie
[redacted]

OTHER COMMUNICATIONS:
Cellular [redacted]
Phone :
[redacted]

Female / White Hispanic / 19 Years

DOB: [redacted]

RES: [redacted]

BUS: [redacted]

DLN/ID: [redacted]

Male / White Hispanic / 18 Years

DOB: [redacted]

RES: [redacted]

OTHER COMMUNICATIONS:

[redacted]
Phone :

DLN/ID: [redacted]

Female / White Hispanic / 24 Years

DOB: [redacted]

RES: [redacted]

EMPLOYMENT: Shift Manager

BUS: [redacted]

OTHER COMMUNICATIONS:

Cellular [redacted]
Phone :

FONTAINE, Dora

Female / White Hispanic / 47 Years

EMPLOYMENT: Chicago Police Officer #4484 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

[redacted]

Male / White Hispanic / 25 Years

DOB: [redacted]

RES: [redacted]

BUS: [redacted]

OTHER COMMUNICATIONS:

Cellular Phone : [redacted]

SSN: [redacted]

[redacted]

Female / White Hispanic / 30 Years

DOB: [redacted]

RES: [redacted]

OTHER COMMUNICATIONS:

Cellular Phone : [redacted]

[redacted]

Male / White Hispanic / 24 Years

DOB: [redacted]

RES: [redacted]

SSN: [redacted]

DLN/ID: [redacted]

MONDRAGON, Janet

Female / White Hispanic / 37 Years

EMPLOYMENT: Chicago Police Officer #4364 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

SEBASTIAN, Daphne L

Female / White / 45 Years

EMPLOYMENT: Chicago Police Officer #2763 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

VELEZ, Leticia

Female / White Hispanic / 43 Years

EMPLOYMENT: Chicago Police Officer #10385 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

VIRAMONTES, Ricardo

Male / White Hispanic / 41 Years

EMPLOYMENT: Chicago Police Officer #10590 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL

312-747-8730

OTHER INDIVIDUALS INVOLVED:

[redacted] (Additional Victim)
Male / White Hispanic / 43 Years
DOB: [redacted]
RES: [redacted]
EMPLOYMENT: Self-Employed Truck Driver
OTHER COMMUNICATIONS:
Cellular Phone : [redacted]
DLN/ID: [redacted] :

[redacted] (Family Member Notified)
Male / Black / 25 Years
DOB: [redacted]
RES: [redacted]
OTHER COMMUNICATIONS:
Other : [redacted]

[redacted] (Person Interviewed Non-Witness)
Female / White Hispanic / 62 Years
DOB: [redacted]
RES: [redacted]
BUS: [redacted]

[redacted] (Person Interviewed Non-Witness)
Female / White Hispanic / 39 Years
DOB: [redacted]
RES: [redacted]
BUS: [redacted]

CRIME CODE SUMMARY: 0552 - Assault - Aggravated Po:Knife/Cut Instr

OTHER ASSOCIATIONS: 0552 - Assault - Aggravated Po:Knife/Cut Instr

GAFFNEY, Thomas, J (Victim)

MCDONALD, Laquan, J	(Offender)
MCELLIGOTT, Joseph, P	(Victim)
MCDONALD, Laquan, J	(Offender)
MCDONALD, Laquan, J	(Offender)
VAN DYKE, Jason, D	(Victim)
MCDONALD, Laquan, J	(Offender)
WALSH, Joseph, J	(Victim)

ICIDENT NOTIFICATIONS:

NOTIFICATION DATE & TIME: 10/20/2014:230700
REQUEST TYPE: Notification
PERSON NAME: ,Sarlo
STAR #: 13131
EMP #:

NOTIFICATION DATE & TIME: 10/20/2014:231400
REQUEST TYPE: Notification
PERSON NAME: ,Jines
STAR #: 4898
EMP #:

NOTIFICATION DATE & TIME: 10/20/2014:215000
REQUEST TYPE: On Scene
PERSON NAME: ,March
STAR #: 20563
EMP #:

NOTIFICATION DATE & TIME: 10/21/2014:225800
REQUEST TYPE: Notification
PERSON NAME: ,Chibe
STAR #: 7303
EMP #:

NOTIFICATION DATE & TIME: 10/20/2014:235000
REQUEST TYPE: Notification
PERSON NAME: ,Briggs
STAR #:
EMP #: 76

REPORT DISTRIBUTIONS: No Distribution

INVESTIGATION:

AREA CENTRAL FIELD INVESTIGATION:

Exceptionally Cleared Closed /
Other Exceptional Clearance - Death of Offender.

The full format for this investigation is contained in the previous Progress - Scene Report.

INVESTIGATION:

The reporting detective was assigned to the immediate follow-up investigation of this police officer involved shooting incident, by Sergeant Daniel GALLAGHER of this command. The reporting detective proceeded to the scene of the incident at 4112 South Pulaski Road. The officer involved in the shooting was located and interviewed at the scene.

VAN DYKE, Jason D -----

stated he was a Chicago Police Officer assigned to the 008th District. He was on duty, in uniform, working on Beat 845R. VAN DYKE was working with Police Officer Joseph WALSH. The two officers were assigned to Chicago Police Department vehicle number 6412, a marked Chevrolet Tahoe, four door sport utility vehicle. WALSH was driving the vehicle and VAN DYKE was the passenger.

The two officers responded to a request for assistance from Beat 815R, regarding a man with a knife, on 40th Street, west of Pulaski Road. A unit equipped with a taser had also been requested. Officer VAN DYKE heard the radio transmission when Officer Thomas GAFFNEY said the man with a knife had "popped" the tire of GAFFNEY's police vehicle. VAN DYKE understood this to mean the subject had slashed the tire with his knife. As Officer WALSH drove westbound on 40th Street from Pulaski, VAN DYKE observed a black male subject, now known as Laquan MCDONALD, running eastbound in the parking lot of the Burger King restaurant on the southwest corner of 40 Street and Pulaski. MCDONALD was holding a knife in his right hand. VAN DYKE saw Police Officer Joseph MCELLIGOTT pursuing MCDONALD on foot. VAN DYKE also saw a civilian who was standing on 40th Street pointing to MCDONALD.

Officer WALSH drove eastbound in the parking lot, in pursuit of MCDONALD, on the north side of the Burger King restaurant building. WALSH used the police vehicle to block MCDONALD from entering the restaurant. MCDONALD ran out onto Pulaski Road and then turned southbound, running toward a Dunkin' Donuts restaurant, on the east side of Pulaski, south of the Burger King. WALSH positioned the police vehicle between MCDONALD and the Dunkin' Donuts to block his path towards that restaurant. When WALSH slowed the police vehicle alongside MCDONALD, Officer VAN DYKE opened the right front door of the vehicle to exit and confront MCDONALD. WALSH told VAN DYKE to stay in the vehicle as they were too close to MCDONALD to safely exit their vehicle. WALSH drove on southbound and stopped the police vehicle ahead of MCDONALD.

Officer VAN DYKE exited the vehicle on the right side and drew his handgun. As VAN DYKE stood in the street on Pulaski, facing northbound, toward MCDONALD, MCDONALD approached southbound. MCDONALD was holding the knife in his right hand, in an underhand grip, with the blade pointed forward. He was swinging the knife in an aggressive, exaggerated manner. VAN DYKE ordered MCDONALD to "Drop the knife!" multiple times. MCDONALD ignored VAN DYKE's verbal direction to drop the knife and continued to advance toward VAN DYKE.

When MCDONALD got to within 10 to 15 feet of Officer VAN DYKE, MCDONALD looked toward

VAN DYKE. MCDONALD raised the knife across his chest and over his shoulder, pointing the knife at VAN DYKE. VAN DYKE believed MCDONALD was attacking VAN DYKE with the knife, and attempting to kill VAN DYKE. In defense of his life, VAN DYKE backpedaled and fired his handgun at MCDONALD, to stop the attack. MCDONALD fell to the ground but continued to move and continued to grasp the knife, refusing to let go of it. VAN DYKE continued to fire his weapon at MCDONALD as MCDONALD was on the ground, as MCDONALD appeared to be attempting to get up, all the while continuing to point the knife at VAN DYKE. The slide on VAN DYKE's pistol locked in the rearward position, indicating the weapon was empty. VAN DYKE performed a tactical reload of his pistol with a new magazine and then assessed the situation.

MCDONALD was no longer moving and the threat had been mitigated, so Officer VAN DYKE and Officer WALSH approached MCDONALD. MCDONALD was still holding the knife in his right hand. VAN DYKE continued to order MCDONALD to "Drop the knife!" Officer WALSH told VAN DYKE, "I have this." VAN DYKE then used his handgun to cover WALSH as WALSH walked up and forcibly kicked the knife out of MCDONALD's right hand, thereby eliminating the threat to the officers.

Officer WALSH then notified the dispatcher on the police radio that shots had been fired by the police. Officer VAN DYKE requested an ambulance for MCDONALD on the radio.

Officer VAN DYKE's weapon was a Smith and Wesson, nine millimeter, semi-automatic pistol, with a 15 round magazine. VAN DYKE said the pistol was fully loaded at the beginning of his tour of duty, with 15 cartridges in the magazine and one cartridge in the firing chamber.

It was noted that the uniform Officer VAN DYKE was wearing consisted of a light blue long sleeve uniform shirt, with shoulder patches; black body armor vest, with patches; navy blue cargo pants; and equipment belt with handgun and radio.

The reporting detective then interviewed Officer VAN DYKE's partner.

WALSH, Joseph J -----

stated he was a Chicago Police Officer assigned to the 008th District. WALSH related the same facts as his partner, Officer Jason VAN DYKE.

WALSH added that as Laquan MCDONALD ran eastbound through the Burger King parking lot, WALSH used the police vehicle he was driving to block MCDONALD from entering the restaurant.

As MCDONALD ran southbound on Pulaski Road, from the Burger King, WALSH pursued MCDONALD in the police vehicle. WALSH drove southbound in the northbound lanes to get ahead of MCDONALD, keeping the police vehicle between MCDONALD and a Dunkin' Donuts restaurant, on the east side of Pulaski. As their vehicle passed MCDONALD, Officer VAN DYKE opened the right front door of their vehicle, to exit the truck and confront MCDONALD. WALSH, realizing that at this point they were too close to the armed MCDONALD to safely exit the vehicle, told VAN DYKE to wait until they got further ahead of MCDONALD. WALSH drove further south on Pulaski. He stopped his vehicle south of MCDONALD and exited the driver's door as VAN DYKE exited the right side of the vehicle. WALSH drew his handgun when he exited the vehicle.

Officer WALSH came around the rear of the police vehicle and joined Officer VAN DYKE on the right side of the vehicle. WALSH also stood in the street on Pulaski, facing northbound, as MCDONALD walked southbound toward the officers. WALSH ordered MCDONALD to "Drop the knife!" multiple times as MCDONALD approached the officers.

Officer WALSH also backed up, attempting to maintain a safe distance between himself and MCDONALD. MCDONALD ignored the verbal direction given by both WALSH and Officer VAN DYKE, and continued to advance toward the officers. When MCDONALD got to within 12 to 15 feet of the officers he swung the knife toward the officers in an aggressive manner. VAN DYKE opened fire with his handgun and MCDONALD fell to the ground. VAN DYKE continued firing his weapon at MCDONALD as MCDONALD continued moving on the ground, attempting to get up, while still armed with the knife.

When the gunfire stopped and MCDONALD was not moving anymore, WALSH approached MCDONALD with VAN DYKE. WALSH continued to order MCDONALD to "Drop the knife!" multiple times, as MCDONALD was still holding the knife in his right hand. WALSH forcibly kicked the knife out of MCDONALD's hand and then notified the dispatcher on the police radio that shots had been fired by the police. An ambulance was also requested for MCDONALD.

As they waited for the ambulance to respond to the scene, Officer WALSH told MCDONALD to "hang in there," and that an ambulance was on the way.

Officer WALSH said he believed MCDONALD was attacking WALSH and Officer VAN DYKE with the knife and attempting to kill them when the shots were fired. WALSH stated he did not fire his handgun because VAN DYKE was in the line of fire between WALSH and MCDONALD. WALSH thought VAN DYKE fired eight or nine shots total.

It was noted that Officer WALSH wore the same uniform configuration as Officer VAN DYKE.

The officers assigned to Beat 815R were interviewed.

GAFFNEY, Thomas J -----

stated he was a Chicago Police Officer assigned to the 008th District. He was on duty, in uniform, working on Beat 815R. GAFFNEY was working with Police Officer Joseph MCELLIGOTT. The two officers were assigned to Chicago Police Department vehicle number 8489, a marked Chevrolet Tahoe, four door sport utility vehicle. GAFFNEY was driving the vehicle and MCELLIGOTT was the passenger.

The officers responded to an assignment of holding an offender for breaking into trucks at 41st Street and Kildare Avenue. Upon arrival at that location they met an Hispanic couple who told the officers a black male subject, wearing a dark shirt, had attempted to break into trucks parked in the parking lot at that location. The couple told the officers the subject had walked off and was last seen walking eastbound on 40th Street from Kildare.

Officer GAFFNEY drove northbound on Kildare to 40th Street. When he turned eastbound onto 40th Street he saw a black male subject wearing dark clothing, walking eastbound on the sidewalk,

on the south side of the street. Officer MCELLIGOTT exited the police vehicle to approach the subject, now known as Laquan MCDONALD. GAFFNEY stayed in the vehicle in case MCDONALD fled. MCELLIGOTT called to MCDONALD and told him to stop but MCDONALD continued walking eastbound, ignoring MCELLIGOTT. MCDONALD's hands were in his pockets as he walked. MCELLIGOTT told MCDONALD to take his hands out of his pockets. MCDONALD took his hands out of his pockets and MCELLIGOTT told GAFFNEY that MCDONALD had a knife. GAFFNEY then saw a silver colored knife in MCDONALD's right hand. GAFFNEY also saw that MCELLIGOTT had his handgun drawn at this point. MCELLIGOTT repeatedly ordered MCDONALD to "Drop the knife," but MCDONALD ignored these directions. As MCDONALD reached Keeler Avenue, GAFFNEY notified the dispatcher on the police radio that they were following a subject with a knife and requested assistance from a unit equipped with a taser.

MCDONALD continued walking eastbound, Officer MCELLIGOTT following on foot and Officer GAFFNEY following in the police vehicle. As MCDONALD approached Karlov Avenue, GAFFNEY turned the Tahoe southbound onto Karlov and stopped, blocking the crosswalk. GAFFNEY said he wanted to stop MCDONALD before he reached Pulaski Road, a business street where more civilians were present. The area where MCDONALD was first observed was industrial in nature with no other civilians present. When GAFFNEY stopped his vehicle in front of MCDONALD, blocking his path, MCDONALD stabbed the right front tire of the Tahoe with his knife, causing the tire to go flat. GAFFNEY immediately informed the radio dispatcher that MCDONALD had "popped" the tire. MCDONALD attempted to walk around the front of the police vehicle and GAFFNEY drove the Tahoe forward a short distance to continue to block MCDONALD's path. MCDONALD then stabbed at the windshield of the Tahoe with the knife, striking the right side of the windshield. MCDONALD then continued walking eastbound from Karlov.

As MCDONALD approached the Burger King restaurant parking lot at 40th Street and Pulaski, assisting police units arrived, approaching westbound on 40th Street from Pulaski. MCDONALD began to run eastbound through the restaurant parking lot, on the north side of the Burger King building. He ran out onto Pulaski and then turned and ran southbound on Pulaski. Beat 845R pursued MCDONALD in their police vehicle, eastbound through the parking lot, over the curb at Pulaski, then southbound on Pulaski. Officer GAFFNEY lost sight of MCDONALD when he turned southbound on Pulaski.

Because of the flat tire on his vehicle, Officer GAFFNEY did not drive over the curb. As he drove around out onto Pulaski, GAFFNEY heard multiple gunshots in rapid succession. He did not see who was shooting. When he reached Pulaski MCDONALD was lying on the ground.

It was noted that Officer GAFFNEY wore the same uniform configuration as Officer VAN DYKE with the addition of the uniform baseball style cap with embroidered patch.

MCELLIGOTT, Joseph P -----

stated he was a Chicago Police Officer assigned to the 008th District. MCELLIGOTT related the same facts as his partner, Officer Thomas GAFFNEY.

Officer MCELLIGOTT added that after he exited the police vehicle, when Laquan MCDONALD took his hands out of his pockets and MCELLIGOTT saw MCDONALD holding a knife in his right

hand, MCELLIGOTT drew his handgun. He repeatedly ordered MCDONALD to "Drop the knife." MCDONALD ignored MCELLIGOTT's directions and continued to walk eastbound on 40th Street. MCELLIGOTT followed MCDONALD on foot, maintaining a safe distance between himself and the armed MCDONALD.

Officer MCELLIGOTT heard Officer GAFFNEY request assistance and a unit with a taser over the police radio. GAFFNEY attempted to use the police vehicle to block MCDONALD from continuing on toward the Burger King restaurant at Pulaski Road. At this point MCDONALD stabbed the right front tire and the windshield of the police vehicle. MCELLIGOTT began to hear the sirens of approaching assisting police units and MCDONALD began to run toward the Burger King restaurant.

When MCDONALD ran eastbound through the parking lot of the Burger King, Officer MCELLIGOTT ran after MCDONALD in pursuit. MCELLIGOTT ran out into the middle of Pulaski Road in pursuit of MCDONALD. MCELLIGOTT heard multiple gunshots but did not see who fired the shots. The gunfire was continuous, one shot after another. MCELLIGOTT then saw MCDONALD lying on the ground. MCELLIGOTT saw Officer Joseph WALSH kick the knife out of MCDONALD's hand.

It was noted that Officer MCELLIGOTT wore the same uniform configuration as Officer VAN DYKE.

Other officers who responded to this incident were also interviewed.

SEBASTIAN, Daphne L —

stated she was a Chicago Police Officer assigned to the 008th District. She was on duty, in uniform, working on Beat 813R. SEBASTIAN was working with Police Officer Janet MONDRAGON. The two officers were assigned to a marked vehicle. MONDRAGON was driving the vehicle and SEBASTIAN was the passenger.

The two officers responded to the request for assistance made by Beat 815R, regarding a subject with a knife. Officer SEBASTIAN thought the original call for assistance was at 40th Street and Keeler Avenue. The subject had punctured a tire on the police vehicle of Beat 815R. Officer MONDRAGON drove northbound on Pulaski Road, following Beat 845R, as they also responded to the request for assistance. MONDRAGON turned westbound onto 40th Street, behind Beat 845R.

Officer SEBASTIAN observed a black male subject, now known as Laquan MCDONALD, running southeast bound through the parking lot of the Burger King restaurant. Beat 845R pursued MCDONALD in their police vehicle, through the parking lot, toward Pulaski. SEBASTIAN told Officer MONDRAGON to drive back out onto Pulaski to assist in the pursuit. MCDONALD ran out onto Pulaski and continued to run southbound down the middle of the street. Beat 845R pursued MCDONALD in their vehicle, southbound on Pulaski, followed by Beat 813R. As MCDONALD ran southbound on Pulaski, SEBASTIAN saw the knife in his right hand. MCDONALD was waving the knife.

Beat 845R stopped their vehicle ahead of MCDONALD, between MCDONALD and the Dunkin'

Donuts restaurant on the east side of Pulaski. Officers Joseph WALSH and Jason VAN DYKE exited their vehicle and drew their handguns. MCDONALD turned toward the two officers and continued to wave the knife. Sebastian heard the officers repeatedly order MCDONALD to "Drop the knife!" MCDONALD ignored the verbal directions and continued to advance on the officers, waving the knife. Officer SEBASTIAN heard multiple gunshots and MCDONALD fell to the ground, where he continued to move. SEBASTIAN did not know who fired the shots, which were fired in one continuous group. She then saw Officer WALSH kick the knife out of MCDONALD's hand.

MONDRAGON, Janet -----

stated she was a Chicago Police Officer assigned to the 008th District. MONDRAGON related the same facts as her partner, Officer Daphne SEBASTIAN.

Officer MONDRAGON added that as she drove westbound on 40th Street, she saw Officer MCELLIGOTT running eastbound through the Burger King parking lot. She made a U-turn and drove back out onto Pulaski Road. MONDRAGON turned southbound onto Pulaski. She saw Laquan MCDONALD running southbound on Pulaski, in the middle of the street. As she got closer she could see MCDONALD was holding a knife in his right hand. He was waving the knife.

Officer MONDRAGON saw Officers Joseph WALSH and Jason VAN DYKE outside of their police vehicle. She heard the officers repeatedly ordering MCDONALD to "Drop the knife!" as MCDONALD got closer and closer to the officers, continuing to wave the knife. As she was placing her vehicle transmission into Park, MONDRAGON looked down and heard multiple, continuous gunshots, without pause. MONDRAGON then saw MCDONALD fall to the ground. MONDRAGON did not know who fired the shots.

BACERRA, Arturo -----

stated he was a Chicago Police Officer assigned to the 008th District. He was on duty, in uniform, working on Beat 822. BACERRA was working with Police Officer Leticia VELEZ. The two officers were assigned to a marked vehicle. BACERRA was driving the vehicle and VELEZ was the passenger.

Officer BACERRA and his partner responded to the request for assistance made by Beat 815R, regarding a subject who was armed with a knife. BACERRA was driving northbound on Pulaski Road from 47th Street. As he approached the scene of this incident, at 4112 South Pulaski, he observed a black male subject, now known as Laquan MCDONALD, in the middle of the street, flailing his arms. As he got closer, BACERRA observed MCDONALD to be holding a knife in his right hand. BACERRA drove past MCDONALD, with MCDONALD on the left side of the police vehicle, as Beat 845R drove past BACERRA, on the right side of his vehicle, travelling southbound. As BACERRA began to make a U-turn, he heard multiple gunshots. He then saw MCDONALD lying on the ground. BACERRA did not see who fired the shots.

VELEZ, Leticia -----

stated she was a Chicago Police Officer assigned to the 008th District. VELEZ related the same facts as her partner, Officer Arturo BACERRA.

Officer VELEZ added that as they approached the scene she observed Laquan MCDONALD standing in the middle of the street, holding a shiny object in his right hand. She saw him waving the object in the air. Officer BACERRA drove past MCDONALD and began to make a U-turn, when VELEZ heard multiple gunshots, without pause or delay. She then saw MCDONALD fall to the ground. VELEZ did not see who fired the shots. She did see an unknown officer kick the knife from MCDONALD's hand after he was down on the ground.

FONTAINE, Dora -----

stated she was a Chicago Police Officer assigned to the 008th District. She was on duty, in uniform, working on Beat 841R. FONTAINE was working with Police Officer Ricardo VIRAMONTES. The two officers were assigned to a marked vehicle. VIRAMONTES was driving the vehicle and FONTAINE was the passenger.

The two officers responded to the request for assistance made by Beat 815R, regarding a man with a knife at 41st Street and Pulaski Road. Officer VIRAMONTES drove northbound on Pulaski. When they arrived at the scene of this incident, in front of the Dunkin' Donuts restaurant, Officer FONTAINE saw a black male subject, now known as Laquan MCDONALD, walking southbound in the street, with a knife in his right hand. MCDONALD was walking sideways, with his body facing east, toward Officers Jason VAN DYKE and Joseph WALSH. These two officers were standing in the middle of the street, on the right side of their police vehicle, which was facing southbound. FONTAINE heard the officers repeatedly order MCDONALD to "Drop the knife!" MCDONALD ignored the verbal direction and instead, raised his right arm toward Officer VAN DYKE, as if attacking VAN DYKE. At this time VAN DYKE fired multiple shots from his handgun, until MCDONALD fell to the ground and stopped moving his right arm and hand, which still grasped the knife. The gunshots were rapid fire, without pause. Officer WALSH then kicked the knife out of MCDONALD's hand.

VIRAMONTES, Ricardo -----

stated he was a Chicago Police Officer assigned to the 008th District. VIRAMONTES related the same facts as his partner, Officer Dora FONTAINE.

Officer VIRAMONTES added that when he exited his police vehicle, at the scene, he observed a black male subject, now known as Laquan MCDONALD, walking southbound on Pulaski Road, in the middle of the street, holding a knife in his right hand. VIRAMONTES heard Officer Jason VAN DYKE repeatedly order MCDONALD to "Drop the knife!" MCDONALD ignored the verbal direction and turned toward VAN DYKE and his partner, Officer Joseph WALSH. At this time VAN DYKE fired multiple shots from his handgun. MCDONALD fell to the ground but continued to move, attempting to get back up, with the knife still in his hand. VAN DYKE fired his weapon at MCDONALD continuously, until MCDONALD was no longer moving.

The scene of this incident, at 4112 South Pulaski Road, was observed to be a wide commercial street with traffic traveling north and south. There were two traffic lanes and a curb lane in each direction. A wide median separated the northbound and southbound traffic lanes. The scene was just south of the intersection of Pulaski and 41st Street. This was a "T" intersection with 41st Street extending east from Pulaski. In the center median was a left turn lane for northbound traffic

turning west onto 40th Street, further to the north. The Pulaski median was level with the traffic lanes and was striped with yellow paint.

On the west side of Pulaski was a large vacant lot. North of the vacant lot, on the southwest corner of 40th Street and Pulaski, was a Burger King restaurant. On the east side of the street was a Dunkin Donuts restaurant.

The weather was cloudy and cool with the temperature in the 50s. It was dark with good artificial light provided by overhead streetlights. All of the lights were on and functioning normally. There was also artificial light provided by the lighting of the nearby businesses.

In the northbound left turn lane, Chicago Police Department vehicle number 6412, assigned to Beat 845R, was sitting, facing southeast. The vehicle was a marked Chevrolet Tahoe, four door sport utility vehicle. The right front door of the vehicle was open.

In the southbound traffic lanes, in the right lane, a metal folding pocket knife was lying on the pavement. The blade was in the open position. The overall length of the knife was seven inches, with a three inch blade. The knife was in line with the front end of the vehicle of Beat 845R. Just north of the knife were two pools of blood on the pavement. Five metal bullet fragments were lying on the pavement near the blood. North of the blood, scattered in a diagonal pattern from southwest to northeast, across both southbound traffic lanes and the northbound left turn lane, were 16, nine millimeter caliber cartridge cases, lying on the pavement.

Chicago Police Department vehicle number 8489, assigned to Beat 815R, was sitting at the west curb at 4102 South Pulaski. The right front tire of the vehicle was flat, with a large puncture to the sidewall of the tire. The right side of the windshield was scratched from being struck by Laquan MCDONALD's knife.

Mobile Crime Lab Beat 5802 responded to the scene. Video and photographs were taken of the scene. The knife and firearms evidence was collected from the street, as were swabs of the blood. The right front wheel and tire of Chicago Police Department vehicle number 8489 was also recovered. The right front quarter panel of vehicle number 8489 was processed for fingerprints and four ridge impressions were recovered.

A canvass was conducted of the area near the scene of this incident in an attempt to identify and locate witnesses. A number of people were interviewed.

[redacted] -----

stated she was [redacted] at the Burger King restaurant. At approximately 21:55 hours [redacted] observed police officers chasing a black male subject, now known as Laquan MCDONALD, through the parking lot, on the north side of the restaurant building. The officers chased MCDONALD southbound down Pulaski Road, toward the Dunkin' Donuts restaurant. [redacted] then heard multiple gunshots and dove to the ground.

[redacted] permitted access to the Burger King video system. No video of this incident was recorded. The system was not recording at that time. The system was activated and video was

recovered from the system from earlier in the day, showing the view of each of the cameras in the system. It was noted that none of these camera views showed the area of the scene where the confrontation between Laquan MCDONALD and Police Officers Jason VAN DYKE and Joseph WALSH occurred, on Pulaski Road, south of the Burger King restaurant. If the system had been recording at the time of this incident, it would not have recorded any footage of that confrontation.

[redacted] -----

stated he was at the Burger King restaurant, waiting for his girlfriend, [redacted], who was working at the drive-thru window. [redacted] observed a "young black dude" with his hair in dreadlocks, now known as Laquan MCDONALD, running through the parking lot of the restaurant. He was being pursued by police officers. MCDONALD was holding his pants like he might have had a gun or something. MCDONALD then ran southbound on the sidewalk and then out into the street on Pulaski Road. [redacted] last saw MCDONALD running towards the middle of the intersection of 41st Street and Pulaski. MCDONALD appeared confused. [redacted] then turned his attention back to his girlfriend at the drive-thru window. He did not witness the shooting.

[redacted] -----

stated she was working at [redacted] of the Burger King restaurant. She observed a male subject, now known as Laquan MCDONALD, running from the restaurant parking lot, southbound on Pulaski Road, toward the Dunkin' Donuts restaurant. [redacted] heard multiple gunshots and then saw that MCDONALD was lying in the street.

[redacted] -----

stated she was [redacted] of the Burger King restaurant. She did not see or hear anything.

[redacted] -----

stated she was [redacted] of the Burger King restaurant. She did not see or hear anything.

Laquan MCDONALD had been transported to Mount Sinai Hospital by Chicago Fire Department Ambulance 21. He sustained multiple gunshot wounds as documented in the format of this investigation. MCDONALD was treated for his injuries in the emergency room. He succumbed to his wounds and was subsequently pronounced dead by Doctor PITZELE, at 22:42 hours.

Registered Nurse [redacted], recovered three metal bullet fragments from MCDONALD and turned these over to Detective William JOHNSON. These were subsequently turned over to Mobile Crime Lab Beat 5802, who also recovered metal fragments from MCDONALD's sweater.

The reporting detective had learned of the death of Laquan MCDONALD while still at the scene of this incident. The Office of the Medical Examiner of Cook County was notified of MCDONALD's death, and Investigator BRIGGS assigned Medical Examiner's case number 2014 - 01071 to this case.

In the Bureau of Detectives - Area Central office, Evidence Technician Beat 5824 recovered Office Jason VAN DYKE's handgun, a Smith and Wesson, Model 5942, nine millimeter caliber, semi-automatic pistol. The weapon was loaded with one cartridge in the firing chamber and 14 cartridges in the magazine, when recovered.

Beat 5824 took photographs of Officers Jason VAN DYKE, Joseph WALSH, Thomas GAFFNEY and Joseph MCELLIGOTT. Elimination prints, including palm prints, were also taken from Officers GAFFNEY and MCELLIGOTT.

Officer Jason VAN DYKE was re-interviewed for additional detail, in the Area Central office.

VAN DYKE, Jason D ----

related the same sequence of events as documented in his original interview at the scene of this incident.

VAN DYKE additionally articulated the reasoning behind his decision to use deadly force against the offender in this incident, Laquan MCDONALD. VAN DYKE was aware of the radio transmissions from Officer Thomas GAFFNEY, on Beat 815R, that MCDONALD was armed with a knife. VAN DYKE was aware that MCDONALD had attacked the officers on Beat 815R by slashing the tire of their police vehicle.

As he confronted MCDONALD at 4112 South Pulaski Road, VAN DYKE saw that MCDONALD was in fact, armed with a knife, a deadly weapon. VAN DYKE was aware of the widely accepted teaching in law enforcement that an assailant armed with a knife was considered a deadly threat, if within 21 feet, because it was possible for such an assailant to close that distance and attack with the knife before a defensive shot could be fired from a handgun. VAN DYKE was also aware of the existence of throwing knives, which can be thrown from a distance, as well as spring loaded knives, which propel a blade through the air from the knife handle. VAN DYKE also said he recalled a previously issued Chicago Police Department bulletin warning of a weapon which appeared to be a knife but which actually was capable of firing a bullet, making it a firearm.

Subsequently, a search was conducted of the Chicago Police Department, Automated Message Center, to find the bulletin Officer Jason VAN DYKE remembered, regarding the weapon that appeared to be a knife, but was actually a firearm. This bulletin was issued on 04 December 2012. It was Officer Safety Alert number 2012-OSA-297. It was a warning regarding a "revolver knife" which was capable of firing .22 caliber cartridges.

Three witnesses had been transported into the Area Central office from the scene and were interviewed.

[redacted]----

stated she was in the Burger King restaurant parking lot. She saw a subject, now known as Laquan MCDONALD, running southbound on Pulaski Road. [redacted] saw many police officers on the street. She was trying to get her cellular telephone to work, to record video. [redacted] heard eight gunshots fired continuously. She did not see who fired the shots. [redacted] then saw

a police officer pointing a handgun at MCDONALD as he was lying on the ground.

With her permission, [redacted]' telephone was examined for any recorded video footage with negative results.

[redacted]-----

stated he was at the Burger King restaurant drive-thru with [redacted]. He saw a black male subject, now known as Laquan MCDONALD, running from the trucks parked at the rear of the restaurant parking lot. MCDONALD ran eastbound in the parking lot, on the north side of the Burger King building. A police officer was chasing MCDONALD on foot, eastbound through the parking lot, then southbound on Pulaski Road. A Chicago Police Department, Chevrolet Tahoe sport utility vehicle pulled up on Pulaski. MCDONALD ran toward the police vehicle. A police officer exited the vehicle and fired multiple shots from a handgun at MCDONALD. [redacted] thought there was video footage of the incident recorded on [redacted] cellular telephone. As documented in the previous interview of [redacted], her telephone was examined with negative results.

[redacted]-----

stated he was sitting in a truck, parked in the Burger King restaurant parking lot, on the south side of the restaurant building. He was completing some logs. [redacted] observed a black male subject, now known as Laquan MCDONALD, running southbound on Pulaski Road. The police were pursuing MCDONALD. [redacted] heard approximately three gunshots. He did not see who fired the shots. [redacted] exited the cab of his truck and climbed up on top of it. He saw a Chicago Police Department, Chevrolet Tahoe sport utility vehicle, and many police officers on Pulaski Road.

[redacted] insisted on leaving the Area Central office after their initial interviews, and they were transported as they requested.

Sergeant Lance BECVAR responded to the scene and subsequently to the Area Central office. He was able to recover video of this incident from the vehicles assigned to Beats 845R and 813R. This video was uploaded into the system. The reporting detective submitted a request for copies of these two videos which were subsequently inventoried. The reporting detective also requested that the videos be permanently retained. No video of this incident was recovered from the vehicles assigned to Beats 815R, 822 and 841R.

The recovered in-car camera video from Beats 845R and 813R was viewed and found to be consistent with the accounts of all of the witnesses. The video from Beat 813R showed that at the time Officer Jason VAN DYKE fired his handgun at Laquan MCDONALD, VAN DYKE was standing near the east edge of the southbound traffic lanes of Pulaski Road, and MCDONALD was near the lane marking separating the two southbound traffic lanes. The two were separated by the width of one traffic lane. The width of this traffic lane was approximately ten feet.

Recordings of the original 9-1-1 call and the radio transmissions over the Chicago Police Department, Zone 6 radio frequency were obtained from the Office of Emergency Management

and Communication. The recordings were reviewed and subsequently inventoried.

In the 9-1-1 call, a caller who identified himself as [redacted] stated that he was holding a guy for stealing radios from trucks in a trucking yard.

The recorded radio transmissions were consistent with the statements of the police officers involved in this incident. It was determined from the radio transmissions, that the entire interaction of the involved police officers, with Laquan MCDONALD, from the time Beat 815R notified the radio dispatcher that they had made contact with him, and that he was armed with a knife, until Beat 845R notified the dispatcher that shots had been fired by the police, lasted more than four minutes.

The criminal history of Laquan MCDONALD was reviewed. [redacted]

Additionally, there were two documented incidents, under Records Division numbers HS640983 and HT106389, on 01 December 2010 and 05 January 2011. In these incidents officials at the [redacted], elementary school, called the police because of the violent behavior of Laquan MCDONALD. The reports indicated that MCDONALD was a special education student at the school and that this had become a pattern of behavior for MCDONALD. The school officials indicated that MCDONALD had behavioral problems and anger issues. In both incidents MCDONALD was transported to [redacted] for evaluation and treatment.

The family of Laquan MCDONALD was located and notified of his death.

[redacted] -----

stated he was an uncle of Laquan MCDONALD. MCDONALD was living with JOHNSON while MCDONALD "worked out his problems." [redacted] said that MCDONALD attended [redacted] school but was currently suspended. MCDONALD suffered from "hypertension" but refused to take any medication. He stopped taking his prescribed medication approximately two years prior because he said it made him "freak out."

[redacted] last saw MCDONALD on Saturday, 18 October 2014, at approximately 13:00 hours, when MCDONALD left the apartment. He had not been back since. MCDONALD had rung the doorbell earlier in the day on 20 October 2014. [redacted] said they "buzzed" MCDONALD into the building but he never came up to the apartment.

[redacted] had no idea why MCDONALD would be in the area of 41st Street and Pulaski Road. JOHNSON said he would attempt to notify MCDONALD's mother, [redacted].

On Tuesday, 21 October 2014, [redacted] of the 9-1-1 caller, [redacted]" was located and interviewed.

[redacted] -----

stated she was with [redacted], parking a truck in the lot at 41st Street and Kildare Avenue. She saw a black male subject, now known as Laquan MCDONALD, attempting to steal property from vehicles parked in the lot. [redacted] confronted MCDONALD and told him to leave the lot. [redacted] said that MCDONALD did not say anything, but instead, he was "growling" and making strange noises. [redacted] again told MCDONALD to leave the lot and MCDONALD pulled out a knife. MCDONALD swung the knife at [redacted] attempting to cut him. [redacted] had already called 9-1-1 so he backed up and threw his cellular telephone at MCDONALD. MCDONALD then ran from the lot. He ran northbound on Kildare, then eastbound on 40th Street.

[redacted] described MCDONALD as a black male, with his hair in braids. He was wearing a black hood and blue jeans. [redacted] viewed a photograph of Laquan MCDONALD and identified him as the subject in the lot, who had been attempting to steal property from vehicles parked in the lot, and who subsequently threatened [redacted] with a knife, when [redacted] confronted MCDONALD.

On Wednesday, 22 October 2014, the 9-1-1 caller was interviewed.

[redacted] -----

related the same facts as [redacted]. [redacted] re-iterated that Laquan MCDONALD swung his knife at [redacted], attempting to cut him. [redacted] stated he was the person who called 9-1-1 regarding this incident.

A canvass was conducted of the area near the scene of this incident for any recorded video.

There were no Police Observation Devices, or other City of Chicago video cameras in the area.

Recorded video was recovered from three cameras on the exterior of the building housing the Greater Chicago Food Depository, at 4100 West Ann Lurie Place. Two of these videos showed two different views of Laquan MCDONALD walking eastbound on the sidewalk, on the south side of 40th Street, between Keeler and Karlov Avenues. Officer Joseph MCELLIGOTT was following MCDONALD on foot, maintaining a safe distance between himself and MCDONALD, while Officer Thomas GAFFNEY was following MCDONALD in a police vehicle. The third video did not capture any part of this incident.

Recorded video was recovered from two cameras at the Dunkin' Donuts restaurant, at 4113 South Pulaski Road. One of these videos showed the end of this incident, when Officers Jason VAN DYKE and Joseph WALSH stopped their vehicle, exited the vehicle and confronted Laquan MCDONALD. The view in this video is from a distance. The video from the second camera did not capture any part of this incident.

Recorded video was recovered from two cameras from Focal Point, 4141 South Pulaski Road. These videos did not capture any part of this incident.

All of the recovered video was inventoried.

A Major Case Review of this case was conducted at the Illinois State Police Crime Laboratory, on Thursday, 30 October 2014. An Evidence Submission Form was completed per this review.

The assigned personnel became aware of a potential question regarding the integrity of the video recovered from the Burger King restaurant. In an attempt to follow-up on this issue the assigned personnel proceeded to the restaurant on Wednesday, 11 March 2015. Manager, [redacted] was contacted at the restaurant. She stated that the video system at the restaurant had recently been repaired and a new digital video recorder had been installed. [redacted] said that as of this date, 11 of the 16 video ports in the system actually recorded video. This was consistent with the video recovered on the date of this incident. Video was recorded and recovered on 11 of the 16 video ports in the system on that date.

Any additional inquiries regarding the video system at the restaurant were referred to the district manager responsible for that restaurant, [redacted]. He was contacted and related that the day after this incident occurred, personnel from the Independent Police Review Authority, of the City of Chicago, came to the restaurant. They viewed video from the system and took custody of the digital video recorder. The recorder was returned to the restaurant two weeks later. Personnel from the Federal Bureau of Investigation then came to the restaurant and made copies of video from the system. After that some lawyers came to the restaurant with subpoenas to make copies of video from the system. Finally, [redacted] stated that personnel from the Federal Bureau of Investigation had come to the restaurant again, approximately three weeks prior to this interview, and took the digital video recorder. [redacted] did not have any further information regarding the video system.

The assigned personnel also became aware of an article written by [redacted], a professor at the University of Chicago Law School, citing the existence of an unknown witness to this incident. [redacted] was contacted on Thursday, 12 March 2015, in an attempt to interview this witness. [redacted] stated that this witness had already been interviewed by the Independent Police Review Authority and [redacted] did not know if the witness would be willing to be interviewed by the Chicago Police Department. [redacted] said he would contact the witness and provide him with contact information for the assigned personnel.

Based upon all the facts known at this time, and the death of the only offender in this incident, this case is now Exceptionally Cleared Closed / Other Exceptional Clearance - Death of Offender.

The above to-date investigation determined that Laquan MCDONALD was an active assailant who, while armed with a dangerous weapon, used force likely to cause death or serious injury to a private citizen when he attacked [redacted]; threatened the imminent use of force likely to cause death or serious injury when he incised the tire and stabbed the windshield of a Chicago Police Department vehicle occupied by Officer Thomas GAFFNEY; and initiated imminent use of force likely to cause death or serious injury when he initiated an attack on Officers Jason VAN DYKE and Joseph WALSH. The above investigation concluded that Officer Jason VAN DYKE's use of deadly force, the discharging of his duty firearm, was within the bounds of the Chicago Police Department's use of force guidelines, and in conformity with local ordinances and state law.

Based on the above facts, the associated report, under Records Division number HX486155, is now Closed / Non-Criminal.

REPORT OF:

Detective David M MARCH #20563
Sergeant Daniel GALLAGHER #1303
Lieutenant Anthony WOJCIK #481
Bureau of Detectives - Area Central

17:49 time stamp

Disp: 815R

815R: 815R

Disp: It's a [redacted] holding a citizen 4100 Kildare by the United Rental. A [redacted] who he caught breaking into trucks and stealing radios, [redacted] holding him

23:17 time stamp
815R: 815R

Disp: 815R

815R: inaudible….. we're at 40th and Keeler. This guy uh is walking away from us and he's got a knife in his hand

Disp:
Alright, anybody have a taser to help out four-o and Keeler for 815R looking for a taser. Armed offender.

812: 812, we'll go over. Coming from Archer and Mulligan

Disp: Alright I got 812 coming. Anyone else closer? 40 and Keeler with a taser

849: 849

Disp: 849?

849: inaudible ……2860……..

Disp: Stand by until I get help for 15R

Disp: I got four – 0, yes, four zero and Keeler. Four zero and Keeler.

815R: He's walking east bound towards Pulaski …….down 40th

Disp: I heard going east bound. What else?

815R: Towards Pulaski. Coming off of Pulaski right by the Burger King.on 40th come off that way

815R: Alright, walking toward Pulaski from Keeler , eastbound on 40th street again, armed with knife

Disp: Anybody with 815R yet?

25:37 time stamp
830: 830

Disp: Anybody close yet? Four – O and Keeler

Unk: inaudible……..

Disp: O.K. we gotta hold man so I can help for 815R asking for a taser for an armed offender with a knife

26:08 time stamp
815R: he popped our tire on our car squad

Disp: Popped? 10-4. Anybody close? Four-O, they're more by Karlov

845R: 45R we are about two blocks away

Disp: 45R ten-four. Again first unit with them, let me know. 15R, Karlov good? Or are you more by Pulaski now?

815R: We're going into the Burger King

Disp: Headed to the Burger King. 45R I see you pulling up

???R: We're heading over there

841R: Throw it in our box

Disp: ……..stopped yet?

Disp: Let me know when he's in custody guys

27:23 time stamp
Unk: Shots fired by the police

Disp: Shots fired by the police

Unk: Shots fired by the police

Unk: get fire over here

Disp: You guys OK ?

Xxxx: (female voice) Everything's fine

Disp: We're using 41st and Pulaski ? Where?

Disp: Any Sergeants headed that way?

810R: 810R I head that way

Disp: 10-4

……responding units transmissions……..

Unk: Block Pulaski from if we can get the State police out hear, I-55 till 47th. Naw, 45th is good. Let's shut down all traffic. We got the intersection shut down here with this.

……..scene management transmissions……

30:42 time stamp
Mobile transmissions cut for notifications…….

30:54 time stamp
There giving a slow down…slow it down……..

….traffic control….helicopter transmissions……..etc.

envelope
& pics # 1
2 photos
per page

RD NO.

HX475653

OFFENSE/INCIDENT

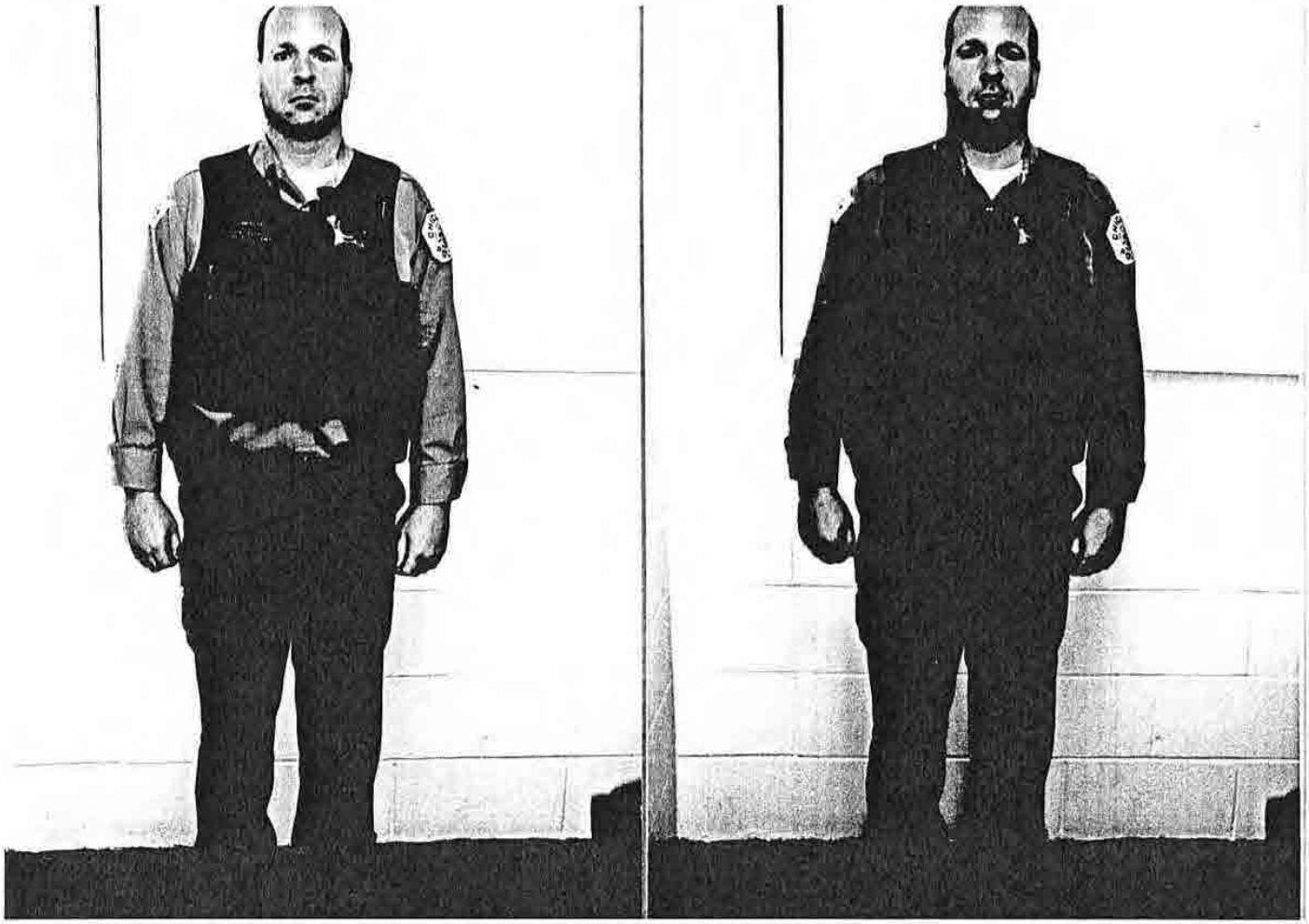
AGGRAVATED ASSAULT
TO POLICE OFFICER

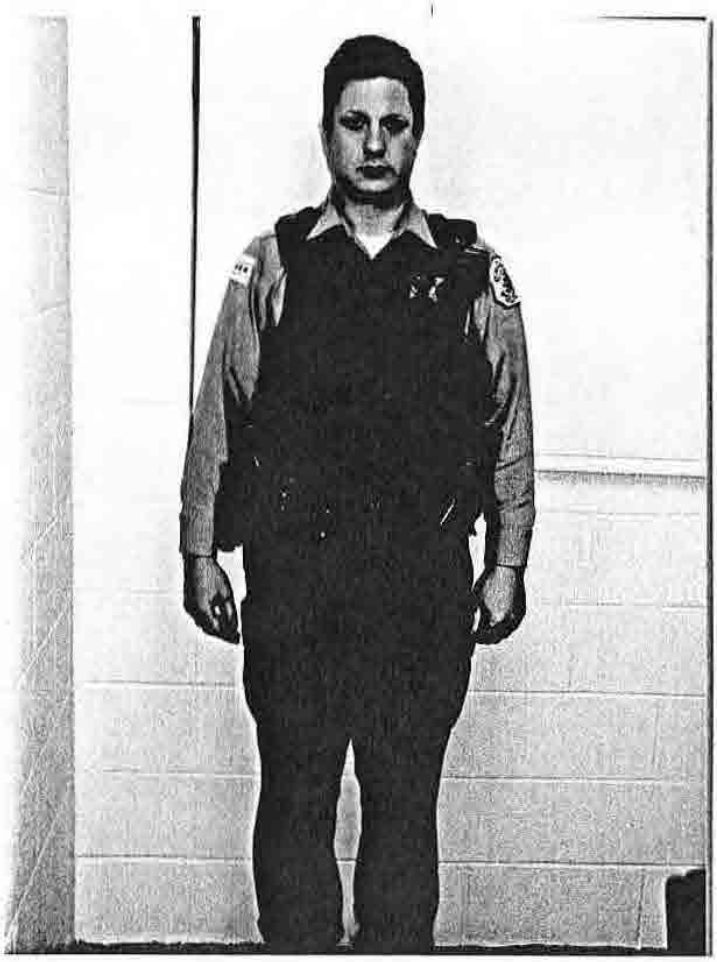
DATE & TIME PHOTOS TAKEN

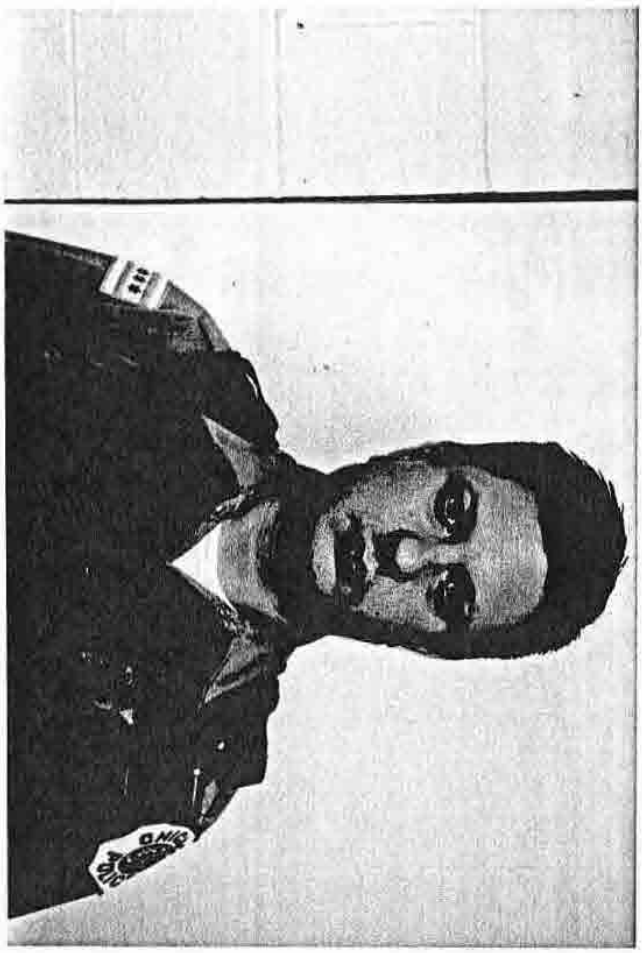
21 OCT. 2014

PHOTOGRAPHER'S NAME	STAR NO.	UNIT
RIDER, P.	9977	277



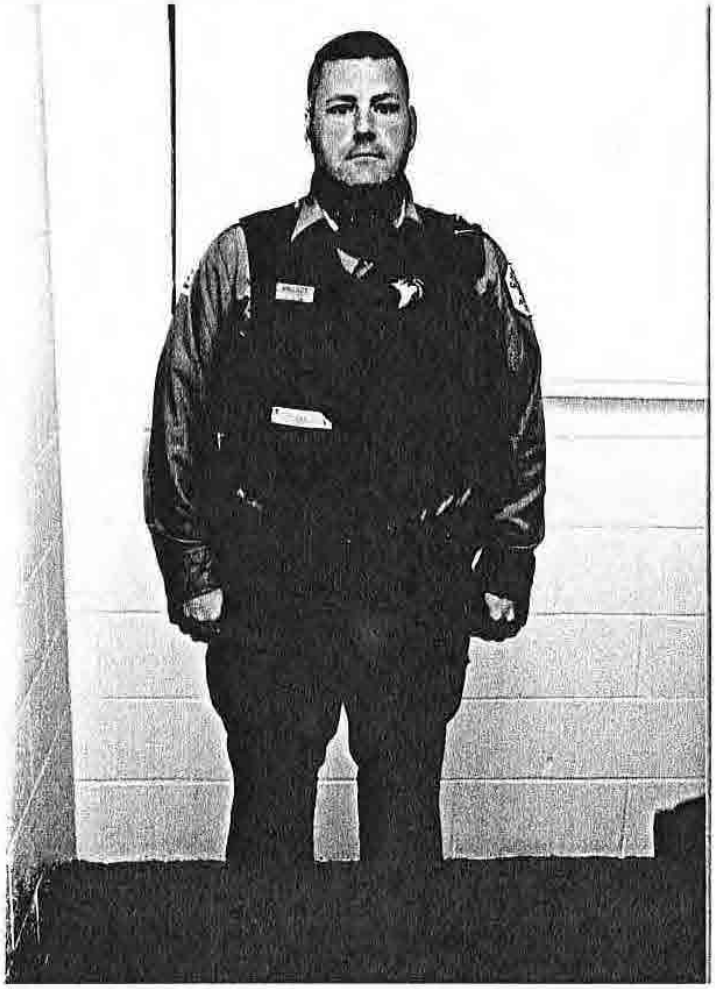


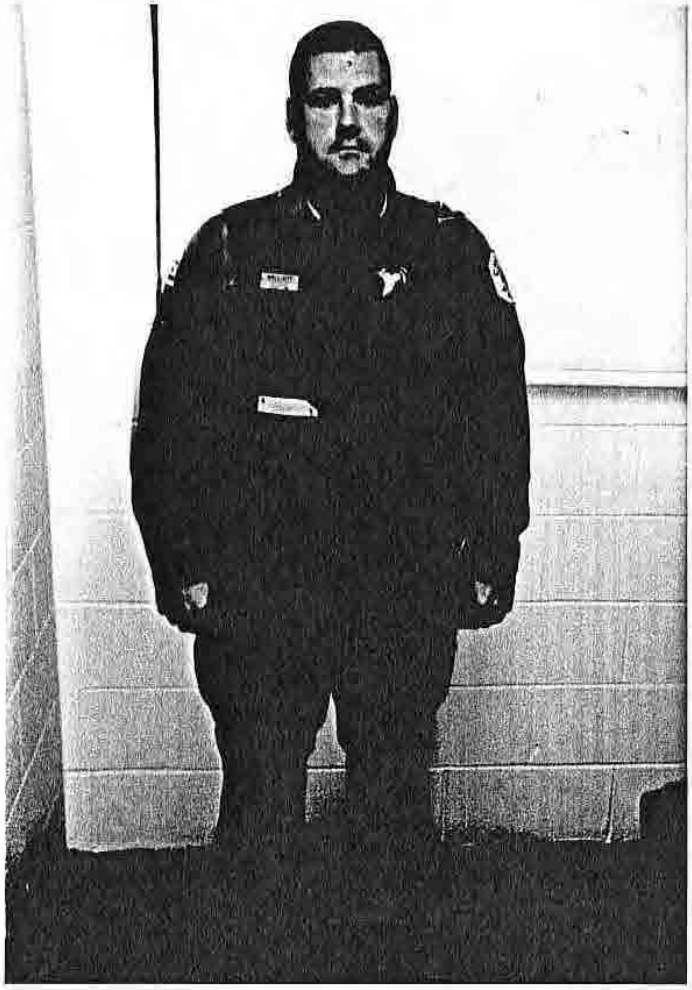
















Event # 1429315878

Type	Location	Date	Pri	DG	Svc Beat	Disp
HOLDCI	3999 W 41ST ST / 4099 S PULASKI RD	20-OCT-2014 21:47:07	1A	008	0821	0552

Source	Response Level	Caller	Phone
E	1	[redacted]	[redacted]

Address of Occurrence	Occ Beat
4100 S KILDARE BL	0815

Event Chronology

Date	Activity	Wkstn	Person	Text
20-OCT-2014 21:45:35	REC			
20-OCT-2014 21:47:07	ENTRY	PCT49	C549513	CallerLocation, CallerName have been changed.
20-OCT-2014 21:47:50	DSP	PD18	D560949	815R
20-OCT-2014 21:48:05	ACK	PMDT6024	PC0V821	815R
20-OCT-2014 21:53:27	CLOC	PD18	D560949	815R [40 KEELER]
20-OCT-2014 21:53:40	MISC	PD18	D560949	knife in hand need tzaer
20-OCT-2014 21:53:43	ASST	PD18	D560949	812
20-OCT-2014 21:53:45	MISC	PADM19	D112780	815R NEED TASER PERKNI [40 KEELER
20-OCT-2014 21:53:48	ACK	PMDT5805	PC0U318	812
20-OCT-2014 21:54:51	MISC	PD18	D560949	walking eb
20-OCT-2014 21:54:53	MISC	PADM19	D112780	15R --- WALKING EB
20-OCT-2014 21:55:08	MISC	PADM19	D112780	TOWARDS PULASKI ?
20-OCT-2014 21:56:14	MISC	PADM19	D108212	popped tire on car
20-OCT-2014 21:56:18	MISC	PD18	D560949	popped tire on car
20-OCT-2014 21:56:20	ASSTER	PADM19	D108212	845R
20-OCT-2014 21:56:22	AUTPRE	PD18	D560949	845R
20-OCT-2014 21:56:22	ASST	PD18	D560949	845R
20-OCT-2014 21:56:33	MISC	PADM19	D108212	by the burger king
20-OCT-2014 21:56:36	MISC	PD18	D560949	headed to bk
20-OCT-2014 21:56:43	MISC	PADM19	D108212	female says were here
20-OCT-2014 21:56:47	ASSTER	PADM19	D108212	821R
20-OCT-2014 21:56:49	AUTPRE	PD18	D560949	821R
20-OCT-2014 21:56:49	ASST	PD18	D560949	821R
20-OCT-2014 21:56:52	ASSTER	PADM19	D108212	841R
20-OCT-2014 21:56:55	AUTPRE	PD18	D560949	841R
20-OCT-2014 21:56:55	ASST	PD18	D560949	841R
20-OCT-2014 21:57:00	MISC	PD18	D560949	to pulaski
20-OCT-2014 21:57:30	MISC	PADM19	D108212	shtosf fired by cpd
20-OCT-2014 21:57:32	MISC	PD18	D560949	shots fired by police
20-OCT-2014 21:57:41	ASST	PD18	D560949	862C
20-OCT-2014 21:57:51	MISC	PD18	D560949	NEEDS EMS
20-OCT-2014 21:57:58	MISC	PD18	D560949	41 PULASKI
20-OCT-2014 21:58:38	MISC	PADM19	D108212	i 55 all of pulski shut down 45 th
20-OCT-2014 21:58:39	MISC	PD18	D560949	SHUT DOWN PULASKI I55 - 45TH ST
20-OCT-2014 21:58:57	MISC	PADM19	D108212	calling state shut down ramps
20-OCT-2014 21:59:04	MISC	PD18	D560949	41 PULASKI DIVERTING TRAFFIC @ 821R

Event # 1429315878

Event Chronology

Date	Activity	Wkstn	Person	Text
20-OCT-2014 21:59:21	MISC	PD18	D560949	821R COVERING SB
20-OCT-2014 21:59:22	DSP	PDT101	D543242	4603
20-OCT-2014 21:59:25	AUTPRE	PD18	D560949	812
20-OCT-2014 21:59:25	ASST	PD18	D560949	812
20-OCT-2014 21:59:35	CLOC	PD18	D560949	812 [43 PULASKI NB]
20-OCT-2014 21:59:43	MISC	PADM19	D108212	state nfy'd sb pulaski shut down from i 55
20-OCT-2014 21:59:44	ASST	PD18	D560949	823R
20-OCT-2014 21:59:49	ASST	PADM19	D108212	843
20-OCT-2014 21:59:54	CLOC	PADM19	D108212	843 [HOLDING I55 RAMP]
20-OCT-2014 22:00:00	CLOC	PD18	D560949	843 [I 55 PULASKI]
20-OCT-2014 22:00:01	ASST	PADM19	D108212	PH2
20-OCT-2014 22:00:09	ASST	PADM19	D108212	851R
20-OCT-2014 22:00:13	ACK	PMDT4691	PC0X830	851R
20-OCT-2014 22:00:26	AUTPRE	PD18	D560949	851R
20-OCT-2014 22:00:26	ASST	PD18	D560949	851R
20-OCT-2014 22:00:29	ACK	PMDT6416	PC0X832	4603
20-OCT-2014 22:00:30	MISC	PADM19	D108212	815R both ok ???
20-OCT-2014 22:00:36	MISC	PADM19	D108212	everyone is ok
20-OCT-2014 22:00:51	MISC	PADM19	D108212	slowdown
20-OCT-2014 22:00:53	MISC	PADM19	D108212	nm
20-OCT-2014 22:00:56	MISC	PADM19	D108212	slowdown
20-OCT-2014 22:00:59	MISC	PD18	D560949	SLOWDOWN
20-OCT-2014 22:01:06	ASST	PADM19	D108212	810R
20-OCT-2014 22:01:16	MISC	PADM19	D108212	810R to get info from officer fired weapon
20-OCT-2014 22:01:19	MISC	PD18	D560949	INFO REQUESTED
20-OCT-2014 22:01:22	MISC	PD18	D560949	NAME & STAR
20-OCT-2014 22:02:20	ASST	PADM19	D108212	811
20-OCT-2014 22:02:27	CLOC	PADM19	D108212	811 [TRAFK SB ON PULASKI]
20-OCT-2014 22:02:34	ASST	PADM19	D108212	833R
20-OCT-2014 22:02:40	CLOC	PADM19	D108212	833R [44TH/PULASKI NB PULASKI]
20-OCT-2014 22:03:00	MISC	PADM19	D108212	810R *9465
20-OCT-2014 22:03:21	CLEAR	PADM19	D108212	PH2
20-OCT-2014 22:04:10	MISC	PADM19	D108212	cut off nb pulaski @ 47th st
20-OCT-2014 22:04:13	ASST	PADM19	D108212	865
20-OCT-2014 22:04:15	ASST	PADM19	D108212	846
20-OCT-2014 22:04:19	MISC	PD18	D50696	CUT47TH ST N/B PULASKI
20-OCT-2014 22:04:23	CLOC	PADM19	D108212	846 [TRAFFK @ 47 PULASKI]
20-OCT-2014 22:04:26	MISC	PADM19	D108212	846 nb
20-OCT-2014 22:05:50	ACK	PMDT5311	PC0AE49	846
20-OCT-2014 22:06:14	ASST	PADM19	D108212	855
20-OCT-2014 22:06:24	CLOC	PADM19	D108212	855 [TRAFFIC NB 45TH/PUASKI]
20-OCT-2014 22:06:29	CLOC	PD18	D50696	855 [45TH /PULASKIN/B]

Event # 1429315878

Event Chronology

Date	Activity	Wkstn	Person	Text
20-OCT-2014 22:06:41	COPYT	PADM19	D108212	Copied To Event(s): #CPD1429316149
20-OCT-2014 22:07:19	MISC	PD18	D50696	CTA NFY TO REROUTE BUSES
20-OCT-2014 22:08:04	CLOC	PADM19	D108212	821R 845R 841R 862C 865 846 4603 812 823R 855 843 851R 810R 815R 833R 811 [41ST/PULASKI]
20-OCT-2014 22:08:26	MISC	PD18	D50696	OEMC WEIDERSTROM NFY
20-OCT-2014 22:09:14	ASSTER	PADM19	D108212	842
20-OCT-2014 22:09:47	MISC	PD18	D50696	CTA SUPV ON THE BRIDGE
20-OCT-2014 22:12:50	ASST	PADM19	D108212	865B
20-OCT-2014 22:12:53	ACK	PMDT4684	PC0Y103	865B
20-OCT-2014 22:15:01	ASST	PADM19	D108212	850
20-OCT-2014 22:15:16	MISC	PADM19	D108212	865 a21 leaving sceen w/offender
20-OCT-2014 22:15:22	PCCHNG	PADM19	D108212	Papercar changed from 815R to 841R
20-OCT-2014 22:15:28	CLOC	PADM19	D108212	841R [A21 W/OFFENDER]
20-OCT-2014 22:15:46	SUPP	PADM19	D108212	Remarks Added
20-OCT-2014 22:15:52	ASST	PADM19	D108212	800X
20-OCT-2014 22:15:53	ACK	PMDT4701	PC0W294	811
20-OCT-2014 22:15:56	ACK	PMDT5173	PC0E418	800X
20-OCT-2014 22:16:32	EVTMSG	PDT97		SHOTS FIRED BY POLICE OFFENDER POSSIBLY STRUCK NFI AT THIS TIME
20-OCT-2014 22:16:54	ENR	PMDT4701	PC0W294	811
20-OCT-2014 22:16:54	ONS	PMDT4701	PC0W294	811
20-OCT-2014 22:17:06	CLOC	PADM19	D108212	842 [FOLOWING A21 TO HOSPITAL]
20-OCT-2014 22:17:16	CLOCX	PADM19	D108212	842 [4100 S KILDARE BL]
20-OCT-2014 22:17:52	CLOC	PADM19	D108212	842 [A21 TO MT SINAI]
20-OCT-2014 22:17:54	CLOCX	PADM19	D108212	841R [4100 S KILDARE BL]
20-OCT-2014 22:19:00	REMINQ	PMDT5311	PC0AE49	846 Veh->LIC/[redacted] LIS/IL
20-OCT-2014 22:19:02	ACK	PMDT4681	PC0S756	850
20-OCT-2014 22:19:20	CLEAR	PADM19	D108212	812
20-OCT-2014 22:19:38	CLEAR	PMDT4701	PC0W294	811
20-OCT-2014 22:21:52	SUPP	PADM19	D108212	Remarks Added
20-OCT-2014 22:22:31	CLEAR	PMDT6416	PC0X832	4603
20-OCT-2014 22:23:24	ASSTOS	PADM19	D108212	813R
20-OCT-2014 22:24:47	ACK	PMDT4706	PC0W483	813R
20-OCT-2014 22:27:36	ACK	PMDT5808	PC0W480	862C
20-OCT-2014 22:33:18	GDISP	PADM19	D108212	841R D/5000
20-OCT-2014 22:33:37	CASERD	PADM19	D108212	RDG Report Number 841R $CPDHX475653 D/5000 By: D108212
20-OCT-2014 22:34:55	SUPP	PADM19	D108212	Remarks Added
20-OCT-2014 22:38:26	COPYT	PDTS103	D557395	Copied To Event(s): #CPD1429316573
20-OCT-2014 22:38:51	MISC	PADM19	D108212	821R has the bus driver unk if supv is on scene

Event # 1429315878

Event Chronology

Date	Activity	Wkstn	Person	Text
20-OCT-2014 22:41:47	SUPP	PADM19	D108212	Remarks Added
20-OCT-2014 22:47:25	ASSTOS	PADM19	D108212	822
20-OCT-2014 22:47:33	ACK	PMDT4677	PC0AD53	822
20-OCT-2014 22:47:38	CLEAR	PMDT4681	PC0S756	850
20-OCT-2014 22:49:01	SUPP	PDT97	D382563	Remarks Added
20-OCT-2014 22:49:03	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted] LIS/IL
20-OCT-2014 22:49:49	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted]5 LIS/IL
20-OCT-2014 22:50:03	CLOC	PADM19	D108212	846 [44TH/PULASK > 53RD/PULASKI]
20-OCT-2014 22:51:08	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL
20-OCT-2014 22:54:30	COPYT	PADM19	D108212	Copied To Event(s): #CPD1429316783
20-OCT-2014 22:55:16	TCMPL	PADM19	D108212	846 , 783
20-OCT-2014 22:56:18	MISC	PADM19	D108212	5169-
20-OCT-2014 22:59:35	MISC	PADM19	D108212	843 tell officers fop guys are there
20-OCT-2014 23:00:29	GDISP	PADM19	D108212	841R D/0552
20-OCT-2014 23:01:29	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:01:45	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:05:27	SUPP	PADM19	D108212	Remarks Added
20-OCT-2014 23:06:21	CHNG	PADM19	D108212	Location: 4100 S KILDARE BL ==> 3999 W 41ST ST / 4099 S PULASKI RD;X Streets: 4100 BL S /4301 BL W 41ST ST ==> / ;LocCmt: BY UNITED RENTAL ==> BY UNITED RENTAL & BURGER KING;Atom: 815 ==> 821;RespArea: 815 ==> 821;RespGroup:815 ==> 821;
20-OCT-2014 23:08:50	REMINQ	PMDT5311	PC0AE49	846 Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:10:09	REMINQ	PMDT4751	PC0X185	841R Per->NAM/[redacted]J DOB[redacted] SEX/M DLS/IL
20-OCT-2014 23:10:09	REMINQ	PMDT4751	PC0X185	841R Per->NAM/[redacted] SEX/M SID/[redacted] DLS/IL
20-OCT-2014 23:10:16	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:11:31	CLEAR	PMDT5311	PC0AE49	846
20-OCT-2014 23:18:57	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted] LIS/IL
20-OCT-2014 23:22:10	REMINQ	PMDT4684	PC0Y103	865B Per->DLN[redacted] DLS/IL
20-OCT-2014 23:22:43	SUPP	PADM19	D108212	Remarks Added
20-OCT-2014 23:23:00	REMINQ	PMDT4684	PC0Y103	865B Per->DBId/54537
20-OCT-2014 23:29:50	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:30:06	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:31:49	REMINQ	PMDT4534	PC0T089	833R Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:35:59	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted] LIS/IL
20-OCT-2014 23:39:23	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL

Event # 1429315878

Event Chronology

Date	Activity	Wkstn	Person	Text
20-OCT-2014 23:43:55	CLEAR	PADM19	D108212	822
20-OCT-2014 23:45:30	ENR	PMDT4751	PC0X185	841R
20-OCT-2014 23:50:50	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted] LIS/IL
20-OCT-2014 23:54:43	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted] LIS/IL
21-OCT-2014 00:09:01	CLEAR	PD18	D50696	862C
21-OCT-2014 00:11:37	CLOC	PADM19	D108212	842 [MT SINAI NEEDS RELIEF]
21-OCT-2014 00:18:09	ASST	PD18	D50696	846R
21-OCT-2014 00:18:25	CLOC	PD18	D50696	846R [MT SINAI W/PRISONER]
21-OCT-2014 00:18:31	ACK	PMDT4685	PC0AK48	846R
21-OCT-2014 00:20:40	CLOC	PADM19	D108212	843 [I55 @ PULASKI TRAFK CONTROL --- RELIEF]
21-OCT-2014 00:27:54	ASST	PD18	D50696	824R
21-OCT-2014 00:27:58	ACK	PMDT4683	PC0T069	824R
21-OCT-2014 00:28:11	CLOC	PD18	D50696	824R [I55 @ PULASKI- TRAFK ON RAMP]
21-OCT-2014 00:31:16	REMINQ	PMDT4683	PC0T069	824R Veh->LIC/[redacted] LIS/IL LIT/ZZ
21-OCT-2014 00:45:40	CLEAR	PADM19	D108212	843
21-OCT-2014 00:55:22	REMINQ	PMDT4534	PC0T089	833R Veh->LIC/[redacted] LIS/IL
21-OCT-2014 00:58:06	REMINQ	PMDT4534	PC0T089	833R Veh->LIC[redacted] LIS/IL
21-OCT-2014 00:58:18	REMINQ	PMDT4534	PC0T089	833R Veh->LIC[redacted]LIS/IL
21-OCT-2014 01:00:51	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted]LIS/IL
21-OCT-2014 01:05:09	REMINQ	PMDT4534	PC0T089	833R Veh->LIC/[redacted] LIS/IL
21-OCT-2014 01:05:28	REMINQ	PMDT4534	PC0T089	833R Veh->LIC/[redacted]-B LIS/IL LIT/TK
21-OCT-2014 01:05:37	REMINQ	PMDT4534	PC0T089	833R Veh->LIC/[redacted] LIS/IL
21-OCT-2014 01:06:44	REMINQ	PMDT4534	PC0T089	833R Veh->LIC[redacted]LIS/IL
21-OCT-2014 01:06:54	REMINQ	PMDT4534	PC0T089	833R Veh->LIC/[redacted] LIS/IL
21-OCT-2014 01:09:59	CLEAR	PADM19	D108212	800X
21-OCT-2014 01:10:24	CLEAR	PMDT4998	PC0X178	842
21-OCT-2014 01:16:16	CLEAR	PADM19	D108212	855
21-OCT-2014 01:16:44	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted]9 LIS/IL
21-OCT-2014 01:18:14	CLEAR	PD18	D50696	865B
21-OCT-2014 01:33:29	AUTPRE	PADM19	D108212	865
21-OCT-2014 01:33:49	CLOC	PADM19	D108212	813R [AREA]
21-OCT-2014 01:33:57	ASST	PADM19	D108212	822
21-OCT-2014 01:34:00	CLOC	PADM19	D108212	822 [AREA]
21-OCT-2014 02:12:02	CLOC	PMDT4751	PC0X185	841R [AREA CENTRAL]
21-OCT-2014 03:10:28	CLOC	PD18	D50696	815R [AREA]
21-OCT-2014 03:16:34	MISC	PD18	D50696	PER 830R PULASKI CAN BE OPENED
21-OCT-2014 03:22:25	CLOC	PMDT6234	PC0Z521	823R [008] reports
21-OCT-2014 03:26:53	CLEAR	PMDT4683	PC0T069	824R
21-OCT-2014 03:36:12	REMINQ	PMDT4507	PC0W970	821R Veh->LIC/[redacted]LIS/IL LIT/TM
21-OCT-2014 03:40:25	REMINQ	PMDT4507	PC0W970	821R Veh->LIC/[redacted] LIS/IL
21-OCT-2014 03:40:45	REMINQ	PMDT4507	PC0W970	821R Veh->LIC/[redacted] LIS/IL

Event # 1429315878

Event Chronology

Date	Activity	Wkstn	Person	Text
21-OCT-2014 03:43:12	CLEAR	PMDT4507	PC0W970	821R
21-OCT-2014 04:03:03	CLOC	PD18	D50696	846R [MT SINAI]
21-OCT-2014 04:03:07	ONS	PD18	D50696	846R
21-OCT-2014 04:09:19	CLOC	PD18	D50696	833R [AREA CENTRAL W/815'S CAR]
21-OCT-2014 04:10:11	CLOC	PD18	D50696	833R [AREA CENTRAL W/815R'S CAR]
21-OCT-2014 04:18:37	CLEAR	PD18	D50696	823R
21-OCT-2014 04:23:43	CLEAR	PMDT4691	PC0X830	851R
21-OCT-2014 04:39:23	CLOC	PD18	D50696	845R [AREA CENTRAL]
21-OCT-2014 04:44:49	CLOC	PADM19	D108212	833R [008]
21-OCT-2014 04:48:06	CLEAR	PADM19	D108212	822
21-OCT-2014 05:11:56	COPYT	PDTS103	DT557395	Copied To Event(s): #CPD1429401913
21-OCT-2014 05:12:32	CLEAR	PADM19	D108212	833R
21-OCT-2014 05:12:50	ONS	PADM19	D108212	841R
21-OCT-2014 05:12:50	ONS	PADM19	D108212	845R
21-OCT-2014 05:12:50	ONS	PADM19	D108212	815R
21-OCT-2014 05:12:50	ONS	PADM19	D108212	813R
21-OCT-2014 05:12:52	ONS	PADM19	D108212	810R
21-OCT-2014 05:15:15	MISC	PADM19	D108212	846R BODY REMOVAL 0511 HRS
21-OCT-2014 05:20:48	CLEAR	PADM19	D108212	846R
21-OCT-2014 05:32:26	CLEAR	PADM19	D108212	810R
21-OCT-2014 06:31:23	SCHOFF	PMDT4659	PC0V684	Unit #845R scheduled for Logoff
21-OCT-2014 07:41:19	SCHOFF	PMDT4751	PC0X185	Unit #841R scheduled for Logoff
21-OCT-2014 07:43:43	CLEAR	PD18	D300971	841R 815R 845R 813R
21-OCT-2014 07:43:43	CLOSE	PD18	D300971	
21-OCT-2014 07:44:00	ROPEN	PD18	D300971	OPEN
21-OCT-2014 07:44:00	DSP	PD18	D300971	813R
21-OCT-2014 07:44:04	ACK	PMDT4706	PC0W483	813R
21-OCT-2014 07:44:09	SCHOFF	PMDT4706	PC0W483	Unit #813R scheduled for Logoff
21-OCT-2014 07:45:06	SCHOFF	PMDT4706	PC0W483	Unit #813R scheduled for Logoff
21-OCT-2014 07:45:34	SCHOFF	PD18	D300971	Unit #813R scheduled for Logoff
21-OCT-2014 07:45:37	CLEAR	PD18	D300971	813R
21-OCT-2014 07:45:37	CLOSE	PD18	D300971	
21-OCT-2014 07:45:52	ROPEN	PD18	D300971	OPEN
21-OCT-2014 07:45:52	DSP	PD18	D300971	815R
21-OCT-2014 08:45:46	ACK	PMDT6024	PC0V821	815R
21-OCT-2014 08:52:57	CLEAR	PD18	D300971	815R
21-OCT-2014 08:52:57	CLOSE	PD18	D300971	
	RMKS			*** WIRELESS CALL ***
	RMKS			holding a male who he caught breaking into trucks and stealing radios nfi
	RMKS			a21 to hospital
	RMKS			a21 to mt sinai confirmd by fireside

Event # 1429315878

Event Chronology

Date	Activity	Wkstn	Person	Text
	RMKS			HAVE SGT OR PAPER CAR CALL CRIME LAB AREA CENTRAL HGSCU OPER COMM NEWS AFFAIRS ASAP
	RMKS			[redacted] il id [redacted] 6'01 185\
	RMKS			EXEC DIR SCHENKEL NOTIFIED @ 2223 HRS 1ST DEP ELLIS NOTIFIED @ 2224 HRS CHIEF OF STAFF BERGER NOTIFIED @ 2226 HRS MANAG DEP , OPER GUIDICE NOTIFIED @ 2228 HRS DEP DIR , 911 OPER HALLOWELL NOTIFIED @ 2229 HRS DIR NEWS AFFAIRS STRATTON NOTIFIED @ 2231 HRS OEMC INVEST UNIT MESSAGE LEFT @ 2236 HRS MAYOR'S DETAIL BURTON NOTIFIED @ 2241 HRS IMD/OC NOTIFIED VIA MESSAGE @ 2217 HRS OEMC WM ORLANDINI NOTIFIED @ 2217 HRS OPER COMM *1804 NOTIFIED @ 2221 HRS [HAVE PC CALL] AREA SOUTH HGSCU DET KRETTEK NOTIFIED @ 2219 HRS [HAVE PC CALL] CRIME LAB SARLO NOTIFIED @ 2221 HRS [HAVE PC CALL][5802 RESPONDING] NEWS AFFAIRS GAINES NOTIFIED @ 2247 HRS 008TH DIST SGT KOMENSKY *1745 NOTIFIED @ 2248 HRS PCO2 JOHNSON -- CW7
	RMKS			offender pronounced @ 2242 hrs per 842
	RMKS			843 - crime lab is on scene

Unit Summary

Event # 1429315878

Unit Summary

Unit	Dispatch	Enroute	Onscene	T	TA	TC	Clear
815R	21:47:50	21:53:27	21-OCT-2014 05:12:50				21-OCT-2014 07:43:43
812	21:53:43						21:59:25
845R	21:56:20	21:56:20					21:56:22
845R	21:56:22	22:08:04	21-OCT-2014 05:12:50				21-OCT-2014 07:43:43
821R	21:56:47	21:56:47					21:56:49
821R	21:56:49	22:08:04					21-OCT-2014 03:43:12
841R	21:56:52	21:56:52					21:56:55
841R	21:56:55	22:08:04	22:17:54				21-OCT-2014 07:43:43
862C	21:57:41	22:08:04					21-OCT-2014 00:09:01
4603	21:59:22	22:08:04					22:22:31
812	21:59:25	21:59:35					22:19:20
823R	21:59:44	22:08:04					21-OCT-2014 04:18:37
843	21:59:49	21:59:54					21-OCT-2014 00:45:40
PH2	22:00:01						22:03:21
851R	22:00:09						22:00:26
851R	22:00:26	22:08:04					21-OCT-2014 04:23:43
810R	22:01:06	22:08:04	21-OCT-2014 05:12:52				21-OCT-2014 05:32:26
811	22:02:20	22:02:27	22:16:54				22:19:38
833R	22:02:34	22:02:40					21-OCT-2014 05:12:32
865	22:04:13	22:08:04					21-OCT-2014 01:33:29
846	22:04:15	22:04:23				22:55:16	23:11:31
855	22:06:14	22:06:24					21-OCT-2014 01:16:16
842	22:09:14	22:09:14	22:17:16				21-OCT-2014 01:10:24
865B	22:12:50						21-OCT-2014 01:18:14
850	22:15:01						22:47:38
800X	22:15:52						21-OCT-2014 01:09:59

Event # 1429315878

Unit Summary

Unit	Dispatch	Enroute	Onscene	T	TA	TC	Clear
813R	22:23:24	21-OCT-2014 01:33:49	22:23:24				21-OCT-2014 07:43:43
822	22:47:25		22:47:25				23:43:55
846R	21-OCT-2014 00:18:09	21-OCT-2014 00:18:25	21-OCT-2014 04:03:07				21-OCT-2014 05:20:48
824R	21-OCT-2014 00:27:54	21-OCT-2014 00:28:11					21-OCT-2014 03:26:53
822	21-OCT-2014 01:33:57	21-OCT-2014 01:34:00					21-OCT-2014 04:48:06
813R	21-OCT-2014 07:44:00						21-OCT-2014 07:45:37
815R	21-OCT-2014 07:45:52						21-OCT-2014 08:52:57

STATEMENT OF P.O. THOMAS GAFFNEY

CONDUCTED BY INVESTIGATOR KILLEN

ON OCTOBER 21, 2014 AT 0406 HOURS

AT AREA CENTRAL POLICE HEADQUARTERS

LOG # 1072125

Attachment # ~~76~~ ~~85~~ 160

OIG 15-0564 000610

KILLEN: This is the audio recorded interview of Officer Thomas Gaffney regarding Log number 1072125 U number 14 dash 36. Today is the 21st of October 2014. And the time is approximately 0406 hours. This statement is bein' taken at Area Central Police Headquarters at 51st and Wentworth. My name is Investigator Killen, that's spelled K I L L E N. My star number is 1 2 9. Also present is FOP attorney Dan Herbert. (noise) Dan if you would say and spell your first and last names.

HERBERT: Sure Dan, D A N, Herbert, H E R B E R T.

KILLEN: And uh also is uh FOP Representative Kato.

KATO: K R I S T O N. Last name is K A T O. (clears throat) FOP.

KILLEN: And Officer Gaffney if you would say and spell your first and last names for me.

P.O.GAFFNEY: My first name Thomas Gaffney, T H O M A S. G A F F N E Y.

KILLEN: Okay and what's your star number?

P.O.GAFFNEY: 1 9 9 5 8.

KILLEN: And your employee number?

P.O.GAFFNEY: [redacted].

KILLEN: And your uh current unit of assignment? (noise)

P.O.GAFFNEY: 8TH District.

KILLEN: Okay and (noise) what's your date of appointment with the (noise) Department?

P.O.GAFFNEY: Uh 8 July '96.

KILLEN: And your date of birth?

P.O.GAFFNEY: [redacted].

KILLEN: How long you been in 8?

P.O.GAFFNEY: Uh since 2000, 2001 I'm sorry. Summer 2001. (clears throat)

KILLEN: All right and then you're aware that this statement has the standing of an official Department report. And that any intentional falsification of any answer to any question would be in direct violations of rules and regulations?

P.O.GAFFNEY: Yes.

KILLEN: Given that, I (sighs) I'd like to remind you that failure to provide a complete and accurate account of this incident could result in a finding of Rule 14 with discipline leading up to and including separation from the Chicago Police Department. Do you understand that?

P.O.GAFFNEY: Yes.

KILLEN: All right and then you're aware that there are no allegations against you uh regarding this incident correct?

P.O.GAFFNEY: Yes.

KILLEN: Okay. So on 20 October 2014 at approximately 2150 hours what was your duty status and assignment?

OIG 15-0564 000612

P.O.GAFFNEY: Uh this statement is not being given voluntary but under duress. I am only givin' this statement because I know I will be fired if I refuse.

KILLEN: Okay. So yesterday 20 October 2014 approximately 2150 hours what was your duty status?
P.O.GAFFNEY: Um I was on duty workin' Beat 815 Robert.

KILLEN: Okay. And were you uh were you assigned a partner?
P.O.GAFFNEY: Yes I was, Joseph McElligott.

KILLEN: Okay were you uniformed?
P.O.GAFFNEY: Yes.

KILLEN: And so was McElligott right?
P.O.GAFFNEY: Yes.

KILLEN: Okay. And you and Officer McElligott you guys were assigned a car?
P.O.GAFFNEY: Yes.

KILLEN: What kinda car?
P.O.GAFFNEY: Uh squad, marked squad car uh Tahoe.

KILLEN: Okay. Were you the driver or the passenger?
P.O.GAFFNEY: I was the driver.

KILLEN: Okay. And then last night about 2150 hours you and uh Officer McElligott were witnesses to a police-involved shooting correct?

OIG 15-0564 000613

P.O.GAFFNEY: Yes.

KILLEN: All right and um (someone clears throat) if you would, if you'd start from the beginning and just run me through what happened.

P.O.GAFFNEY: Uh we received a call holding offender at forty, 4100 South Kildare. Um there supposedly somebody had broken into a, a truck uh vehicles um tryin' to get radios somethin' like that. So we, we were on Archer approximately Kostner Kenneth. I came uh, came to the (noise) we got the job came uh down Kostner to 47th, 47th to Kildare and Kildare right to 4100 South Kildare.

KILLEN: So you were comin' from the south goin' north correct?

P.O.GAFFNEY: Yes.

KILLEN: Okay. (someone clears throat) So you got the call are you, you were dispatched?

P.O.GAFFNEY: Yes.

KILLEN: OEMC?

P.O.GAFFNEY: Yes.

KILLEN: Radio?

P.O.GAFFNEY: Yes.

KILLEN: Okay. So then when you get to 41st and Kildare what, what happens?

P.O.GAFFNEY: Uh there was a [redacted] [redacted] and a [redacted] [redacted] uh standing by a gate um to the truck

OIG 15-0564 000614

yard. Um the gate was partially opened and uh the [redacted] had a chain in 'er hand and then we stopped and spoke to them.

KILLEN: Whaddid they tell ya?

P.O.GAFFNEY: They said that the guy just went around the corner. Um he was uh in the, in the you know lot tryin' to get um tryin' to get into trucks. Uh he had uh somethin' in his hand, he had uh a wire from a phone in his hand. And he said somethin' about a iPhone, I don't know if he was sayin' that he took an iPhone or he left an iPhone but he said that he went around the corner so then we, we asked 'em you know what he looked like, what he was wearin'? He said he's a male black with the dark shirt. So at that time we, we went up the street and turned the corner. (someone clears throat)

KILLEN: So they, they, did those two, that, did that [redacted] and [redacted] tell you which way the, the offender went?

P.O.GAFFNEY: Yes. Yeah he just pointed, he pointed north um and he said he went around the corner.

KILLEN: Okay so then that'd, that's 41st Street?

P.O.GAFFNEY: Yeah towards 40th Street.

KILLEN: Okay. And what happens then?

P.O.GAFFNEY: So we went, we went up the, up the block to 40th Street and we turned um east on 40th Street and we, (inaudible) when we turned we seen um you

OIG 15-0564 000615

know somebody walkin'. So we approached 'em, drove up to 'em and at that time we seen it was a male black with dread locks. You know and he had a dark shirt on. So at that time my, my partner had gotten outta the vehicle (clears throat) and he had his flashlight you know he's shining on 'em. You know tell 'em to come 'ere. So at that time he just kinda had a look, you know a weird look in his face you know like glazed eyes and stuff lookin' at us. So I stayed in my car in case he was gonna run. So at that time you know my partner kind of approached 'em a lil bit more and that's when he, he had seen you know tell 'em to get his hands outta his pocket cause he had one hand in his pocket. And then he had seen something in his you know a shiny object in his hand. And I, I heard 'em say you know he's got a knife. So that's when you know cuz then I, at first I was still in the car so I didn't really see, see the knife at that time. But once my partner said that that's when I kinda looked and I, at that time like I said we're all still walking or still moving. So then the street lights were a lil bit more as we were walkin' I, I seen a knife also in his hand.

KILLEN: Okay so this, so this point when you first see this guy he's on what street?

P.O.GAFFNEY: He's on 40th Street.

KILLEN: And he's, he's headed which way?

P.O.GAFFNEY: Uh east.

OIG 15-0564 000616

KILLEN: So he's headed toward Pulaski?
P.O.GAFFNEY: Yes.

KILLEN: All right is he by himself?
P.O.GAFFNEY: Yes.

KILLEN: Is he, like is he on the sidewalk --
P.O.GAFFNEY: On the, at that time he was on the sidewalk.

KILLEN: Which side of the street would he be on?
P.O.GAFFNEY: Uh south side.

KILLEN: So on the passenger side of your vehicle?
P.O.GAFFNEY: Yes. Yes.

KILLEN: All right so then you guys pull up, you pulled alongside of 'em?
P.O.GAFFNEY: Yes.

KILLEN: And then the officer --
P.O.GAFFNEY: Not quite, well not quite right next to 'em but yeah he was still like I said he was still walking but he was in front of the car. You know like in front of the area as we were walkin' and movin' at the same time.

KILLEN: You're kinda behind 'em?
P.O.GAFFNEY: Yeah, yeah but yeah.

KILLEN: And McElligott gets outta the car?
P.O.GAFFNEY: Yes.

OIG 15-0564 000617

KILLEN: Flashlight in hand.
P.O.GAFFNEY: Yes.

KILLEN: And he says come here?
P.O.GAFFNEY: Well yeah, yeah he starts you know come here. You know get your hand outta your pocket. And you know but he, he like I said he turned around, spun around a couple times and (inaudible) get to walking never said anything to us.

KILLEN: Which hand was in his pocket do you remember?
P.O.GAFFNEY: I think it was his left hand cause he had the other hand had whatever was in his, you know what he had in his hand at the time.

KILLEN: And do you know what was in his hand?
P.O.GAFFNEY: Not at that time I didn't.

KILLEN: Okay.
P.O.GAFFNEY: Like I said my partner, he, when my, my partner said he's got a knife that's when I kinda you know like I said as we were walkin' the street lights got a lil brighter and I was able to kinda look you know look over at the, and then see that he did have, you could tell you know it was in his hand and the blade was stickin' out.

KILLEN: Okay. And when you say he turned around a couple times does he keep 'em goin' east toward Pulaski?
P.O.GAFFNEY: Yeah he, he always kept goin'.

OIG 15-0564 000618

KILLEN: So he never stops?
P.O.GAFFNEY: No he never stopped he just kept walkin'. A couple times he went into the street but not, just like a step or two in the street but he just kept walkin' eastbound.

KILLEN: And he was by himself?
P.O.GAFFNEY: Yes.

KILLEN: All right so then so McElligott approaches 'em and then you hear McElligott say he's got a knife?
P.O.GAFFNEY: Yeah when he said he has a knife that's when I you know that's when I kinda like sat up a lil bit to look, to look, get a better look and that's when I, I seen it too.

KILLEN: Okay that was in his right hand then? Is that --
P.O.GAFFNEY: Yeah, yeah it was in his right hand.

KILLEN: So what happens then?
P.O.GAFFNEY: Uh at that time like I said (noise) my partner still kept you know tellin', that's what he said drop the knife, drop the knife. You know put the knife down whatever. And I got on the radio and you know got on the radio and said you know the guy's got a knn, we're at 40th and Kee, uh Keeler approachin' Keeler. Uh he's got a knife. Could we get another car over here with a taser.

OIG 15-0564 000619

KILLEN: So you don't carry a taser?
P.O.GAFFNEY: No I didn't, no.

KILLEN: McElligott he doesn't carry --
P.O.GAFFNEY: No he didn't have one either.

KILLEN: Okay. So what happens then?
P.O.GAFFNEY: Well like I said we I, I, I called it in then the dispatcher you know asked for other cars and other cars said they were comin'. So we just, we just kept stayin' you know keepin' our distance at the time you know I kept drivin' along. And um we just (noise) kept walkin' with 'em (noise) You know he never you know like came at us or anything at that time. He just kept like walkin', my partner still kept givin' 'em verbal commands and droppin' the knife and you know stop and that type a thing. But you know he just kept walkin' turning around lookin' back at us you know just that weird glaze look.

KILLEN: Did he ever say anything?
P.O.GAFFNEY: No never said a word to us at all.

KILLEN: Okay.
P.O.GAFFNEY: (Clears throat)

KILLEN: So then what happens?
P.O.GAFFNEY: We kept (noise) goin' east. When we're, we're approaching uh Karlov, 40th and Karlov I knew the next block there was the Burger King, there was a truck lot so we were gonna get more

OIG 15-0564 000620

people. So as we approached the, pretty much the corner of Karlov I like kinda turned my car towards him a lil bit on you know and you know to try and maybe get 'em to go down Karlov cause there's more, you know there's just factories so there's no people down that way. So and then uh - -

KILLEN: So the purpose of doin' that is keep 'em away from --

P.O.GAFFNEY: Yeah like try to slow 'em down until other cars got 'ere and make 'em see if he would maybe even go down the side street.

KILLEN: Okay.

P.O.GAFFNEY: You know keep 'em from getting to that more populated area where there were cars and people. (someone clears throat) So when I did that, he kinda like took a step towards and swung his uh, his arm down. When he did that that's when I heard like pssss a sound and I knew that he popped a tire. (noise)

KILLEN: Okay.

P.O.GAFFNEY: And then one, once he did that I got on the radio and said you know squad he just popped our tire. So (clears throat) --

KILLEN: Where's McElligott at this time?

P.O.GAFFNEY: He was still walk but he was, he was still walkin' with us but he was at like towards the back of the car.

OIG 15-0564 000621

KILLEN: Okay.

P.O.GAFFNEY: You know the back you know he still kept his distance. So (noise) (clears throat) once he did that, once he popped the tire again he just with that glazed stare, that glazed eye stare once he did that he like stepped back like took a step back, back away from the car. So I pulled up a lil bit further in front of 'em to you know try and maybe stop 'em or get 'em to go down that street. That's when he just took a step toward me and swung his arm really hard and hit the windshield with the knife.

HERBERT: And if I could just indicate for the record, with his right hand holdin' behind his, behind his head (someone clears throat) bringin' it down in a striking motion.

P.O.GAFFNEY: Yeah he, he as hard as he could he was attempting to break that windshield.

KILLEN: And how many times did he hit the windshield?

P.O.GAFFNEY: Just once. It was just once. Went real hard swing right, right on the windshield.

KILLEN: What happens?

P.O.GAFFNEY: Obviously nothin', I didn't see nothin' break but then he walked around the front of the car and kept walkin' eastbound on 40th Street. And then at that time, maybe 10 to 15 more feet that's when you could hear um some you know some sirens. And then a squad car came off a Pulaski onto 40th Street with their lights on. At that

OIG 15-0564 000622

time he seen that and that's when he started to run. Oh yeah I, I, I (noise) got on the radio and some, one, one of us, I don't remember but somebody did say that he was you know he started to run towards you know towards the, the truck lot, the trucks.

KILLEN: Okay so, so you're still basically sittin' over at 40th and Karlov right? You see 'nother car come up Pulaski?

P.O.GAFFNEY: Yeah that's, yeah he, 'nother car came off Pulaski onto 40th Street.

KILLEN: So --

P.O.GAFFNEY: That, that's when he seen that and that's when he started runnin'.

KILLEN: So when they turn west on 40th he runs --

P.O.GAFFNEY: Yeah he runs --

KILLEN: -- east towards Pulaski?

P.O.GAFFNEY: -- he, he, he's still goin' towards Pulaski but he went off a, off a the sidewalk and um into, it was like a, an empty space where the trucks, the truckers park so they can sleep or whatever. And he (noise) ran that way between two trucks.

KILLEN: Okay. (noise)

P.O.GAFFNEY: So at that time (noise) my partner started runnin' and I drove the car, I drove the car up to the entrance of the Burger King lot and went

OIG 15-0564 000623

into the Burger King lot. And before I did that the other car that came off went into the Burger King lot also. So I just, I seen 'em come outta, between the trucks. I ran, I kept drivin' towards, towards the, the end of the lot, towards Pulaski and that's, he ran and then I stopped cause I (noise) my tire was pretty much flat. So I couldn't get, I wasn't gonna go over the curb and then the other car was behind 'em. He ran into like towards the street and the other car followed 'em went over the curb and followed 'em.

KILLEN: Do you know who, who's that other car you're talkin' about? Do you know who that is?

P.O.GAFFNEY: At the time I didn't but now I know it was 845 Robert.

KILLEN: Okay. And that's the car he's talkin' 'bout Pulaski and --

P.O.GAFFNEY: Yeah.

KILLEN: -- where they U turn and go back at 'em?

P.O.GAFFNEY: That's the one, that's the one yeah that's the one that I, I (noise) know, I found out that was the one that went over the curb, yeah.

KILLEN: Okay so you stop your (someone clears throat) car where then?

P.O.GAFFNEY: Pretty much right behind the parkin' lot. Before, before going over the curb and into the street. (noise)

OIG 15-0564 000624

KILLEN: Okay. And then, and you stopped because of the (noise) flat?

P.O.GAFFNEY: Yeah cause I, I, I didn't wanna, I didn't know if I was gonna make it over the, cuz it was like you know that lil part there's like lil the, the, cement tongue if you will, that, that's the parkin' lot. (noise) You know if I was gonna get over it.

KILLEN: And you see 845 Robert continue.

P.O.GAFFNEY: Yeah they went they continued followin' 'em and went into the street. So I --

KILLEN: And that's Pulaski you're talkin' about?

P.O.GAFFNEY: Yeah. Into Pulaski. So I spun around went behind the park, behind the Burger King you know there's a street, (inaudible) back towards Pulaski where it goes out to the street on Pulaski. (noise)

KILLEN: Okay so, so you don't take the curb at all. You just --

P.O.GAFFNEY: No, no I, I, I turn around, I turned around and went around the parkin' lot to, to get out where there's a, there's the light on 41st Street. (noise)

KILLEN: And that's where your car's stopped?

P.O.GAFFNEY: And then yeah I turned on Pulaski and that's where my, that's where I finally stopped.

OIG 15-0564 000625

KILLEN: That's when, when I saw your car was south, facin' south --
P.O.GAFFNEY: Yes. Yes that's right, that's where I stopped.

KILLEN: Okay so then do you see what happens then after, with, with the offender and 845 Robert then?
P.O.GAFFNEY: No that was all, yeah that was I believe done before I got onto Pulaski. Cause I, I spun around and that's when I, I heard, I started to hear shots before I got onto Pul, I think when I got onto Pulaski there was other cars and stuff in front of me too. So I didn't see what exactly was goin' on.

KILLEN: So you're basically goin' around Burger King.
P.O.GAFFNEY: Yeah that's when the shots I believe that's when the shots started firin'.

KILLEN: You heard gunshots?
P.O.GAFFNEY: Yeah.

KILLEN: At the time did you know who was shootin'?
P.O.GAFFNEY: No I didn't know.

KILLEN: Could you see who was shootin'?
P.O.GAFFNEY: No.

KILLEN: That's because --
P.O.GAFFNEY: Well there's a, yeah well there's a fence also right, opposite side of Burger King where, where we blocked, pretty much blocked. The fence

OIG 15-0564 000626

with uh, like a covering you know covering fence so nobody could see through the fence. Cause they were building some stuff there. So yeah there was that was all blockin' me.

KILLEN: There's (noise) no line a sight.
P.O.GAFFNEY: No, no.

KILLEN: Okay.
P.O.GAFFNEY: No.

KILLEN: So then by the time you, you get south on Pulaski there's no more shooting correct?
P.O.GAFFNEY: I believe yeah I believe so. I don't (noise) remember any shooting at, at, when I got onto Pulaski.

KILLEN: Where (noise) when you got on Pulaski and you're goin' south could you see the offender still?
P.O.GAFFNEY: No not, not until I got outta the car and started to go you know 'round to, to where everything was goin' on.

KILLEN: Where was he?
P.O.GAFFNEY: The offender he was on the ground at the time when I, when I got over there.

KILLEN: Okay. And it's after that then you find out who's shooting what happened?
P.O.GAFFNEY: Yeah, yeah.

OIG 15-0564 000627

KILLEN: Okay. (noise) You didn't see the shooting, you, you (noise) you didn't see Officer Van Dyke discharge the weapon?
P.O.GAFFNEY: No I didn't, no.

KILLEN: Okay. (sighs) And then that, that, (noise) the two people that called 9 1 1 said they were holdin' the offender.
P.O.GAFFNEY: Hmm huh.

KILLEN: Do you have any idea who they are?
P.O.GAFFNEY: No not at the time, no. Cause right when they just said he went around the corner, they gave a quick description. We just wanted to go and you know see if we can catch 'em. We didn't know how long ago it was. Or where he would've went. So we just you know went and see if we could grab 'em and figured they woulda still been there when we got back.

KILLEN: Okay. And then the knife that the offender had, as best you can describe it to me?
P.O.GAFFNEY: Uh all silver, real bright. And prob'ly 'bout four to six inch blade.

KILLEN: Okay. All right. Uh was there anything you'd like to add?
P.O.GAFFNEY: No.

KILLEN: All right everything you told me is a true and accurate account of what occurred?
P.O.GAFFNEY: Yes.

OIG 15-0564 000628

KILLEN: All right this will conclude the audio recorded interview of Officer Thomas Gaffney regarding Log number 1072125 U number 14 dash 36. Today is the 21st of October 2014. The time is approximately 0424 hours.

OIG 15-0564 000629

I, CAROL A. O'LEARY, do hereby certify or affirm that I have impartially transcribed the foregoing from an audio recording of the above-mentioned proceeding to the best of my ability.

Carol A. O'Leary

Carol A. O'Leary

OIG 15-0564 000630

envelope
& pics # 1
2 photos
per page

RD NO.

HX475653

OFFENSE/INCIDENT

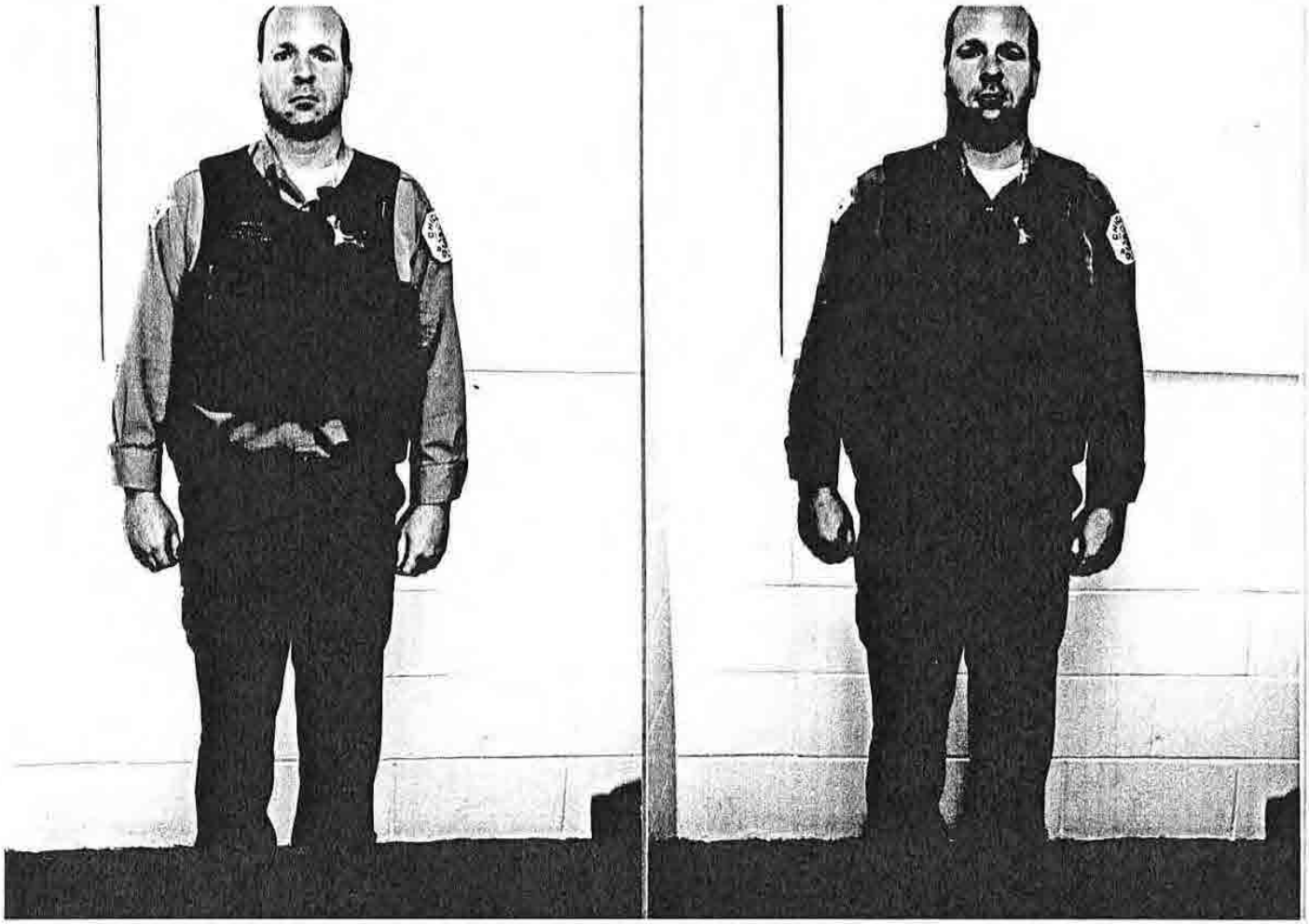
AGGRAVATED ASSAULT
TO POLICE OFFICER

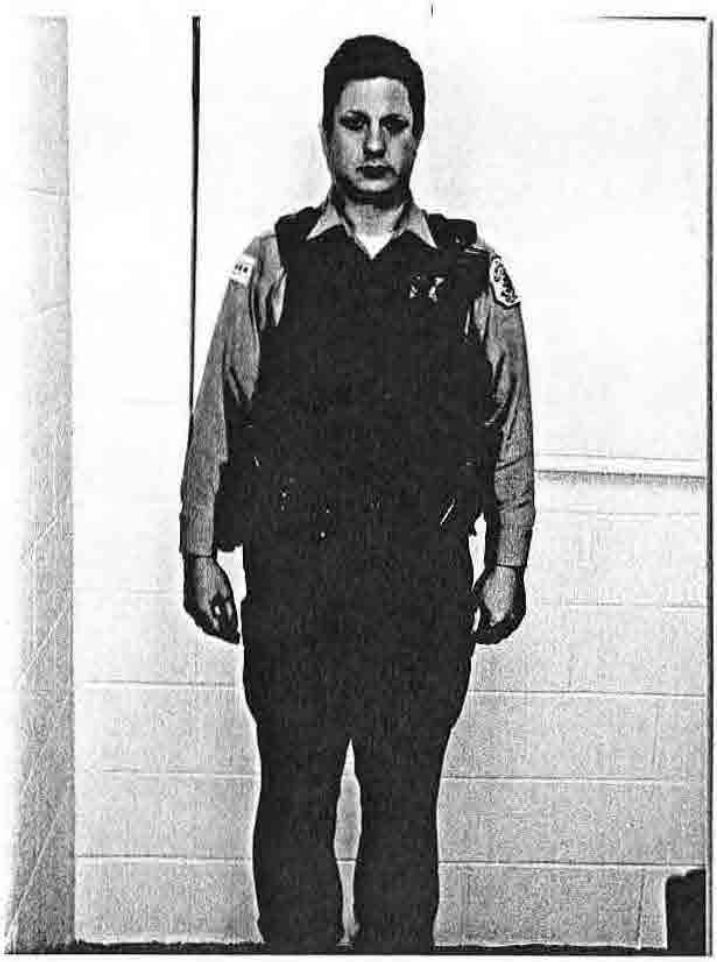
DATE & TIME PHOTOS TAKEN

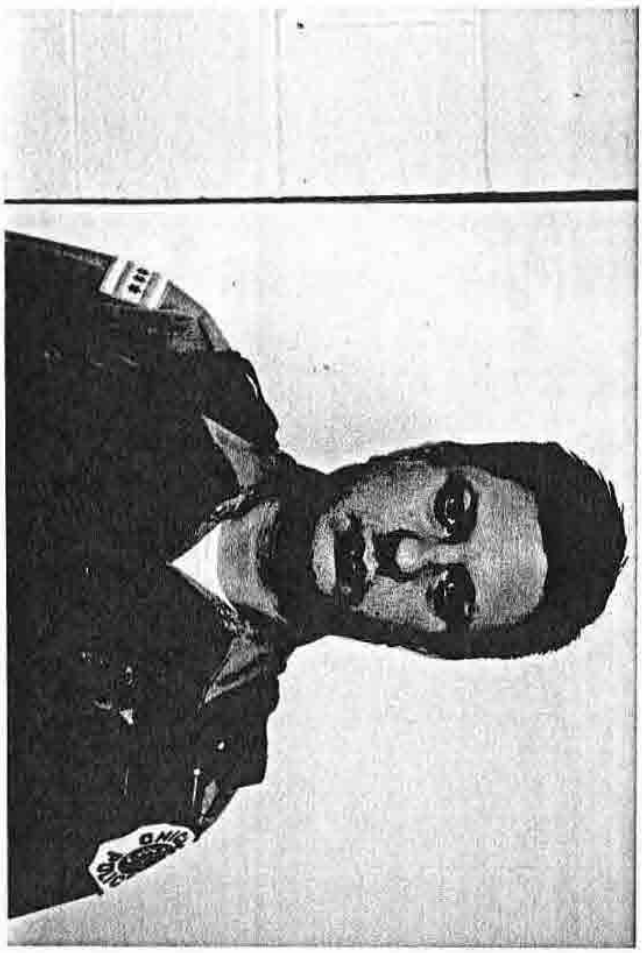
21 OCT. 2014

PHOTOGRAPHER'S NAME	STAR NO.	UNIT
RIDER, P.	9977	277



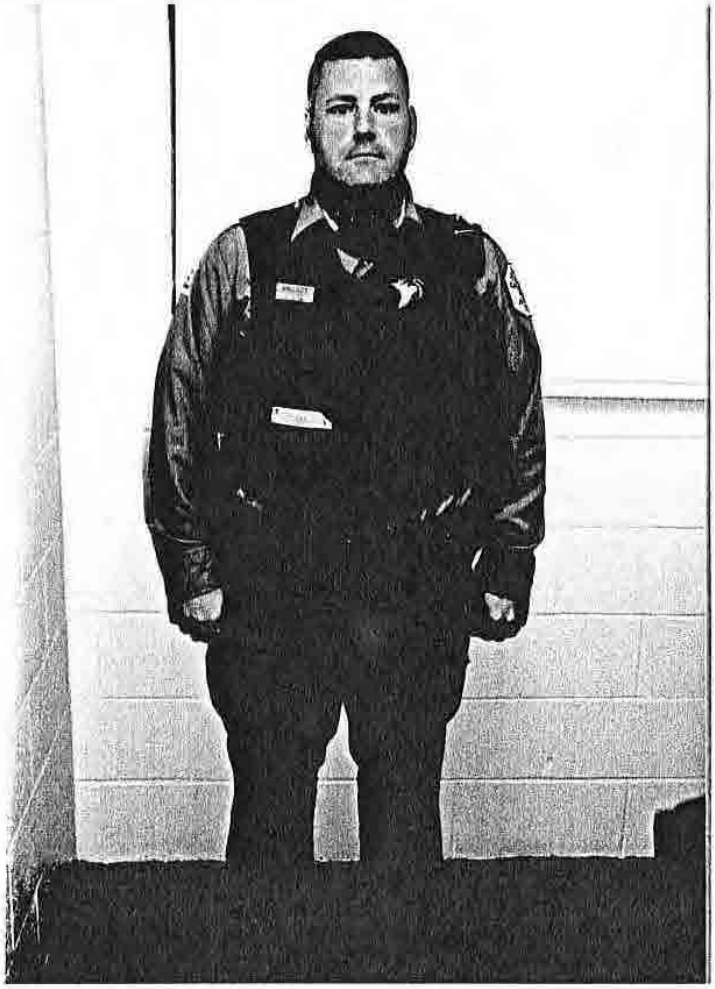


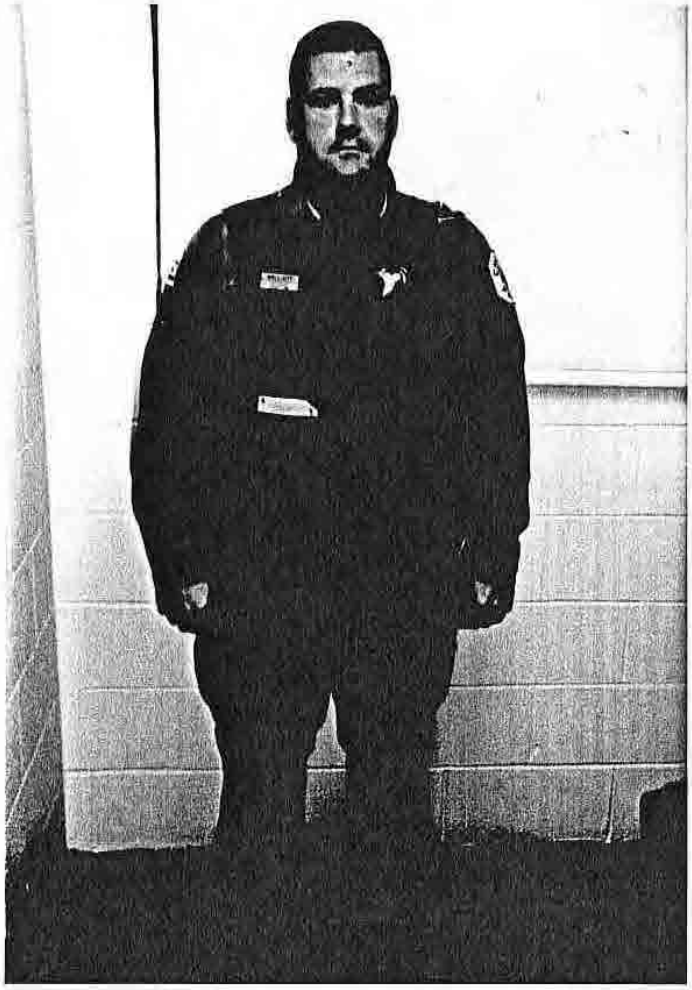
















17:49 time stamp

Disp: 815R

815R: 815R

Disp: It's a [redacted] holding a citizen 4100 Kildare by the United Rental. A [redacted] who he caught breaking into trucks and stealing radios, [redacted] holding him

23:17 time stamp
815R: 815R

Disp: 815R

815R: inaudible….. we're at 40th and Keeler. This guy uh is walking away from us and he's got a knife in his hand

Disp:
Alright, anybody have a taser to help out four-o and Keeler for 815R looking for a taser. Armed offender.

812: 812, we'll go over. Coming from Archer and Mulligan

Disp: Alright I got 812 coming. Anyone else closer? 40 and Keeler with a taser

849: 849

Disp: 849?

849: inaudible ……2860……..

Disp: Stand by until I get help for 15R

Disp: I got four – 0, yes, four zero and Keeler. Four zero and Keeler.

815R: He's walking east bound towards Pulaski …….down 40th

Disp: I heard going east bound. What else?

815R: Towards Pulaski. Coming off of Pulaski right by the Burger King.on 40th come off that way

815R: Alright, walking toward Pulaski from Keeler , eastbound on 40th street again, armed with knife

Disp: Anybody with 815R yet?

25:37 time stamp
830: 830

Disp: Anybody close yet? Four – O and Keeler

Unk: inaudible……..

Disp: O.K. we gotta hold man so I can help for 815R asking for a taser for an armed offender with a knife

26:08 time stamp
815R: he popped our tire on our car squad

Disp: Popped? 10-4. Anybody close? Four-O, they're more by Karlov

845R: 45R we are about two blocks away

Disp: 45R ten-four. Again first unit with them, let me know. 15R, Karlov good? Or are you more by Pulaski now?

815R: We're going into the Burger King

Disp: Headed to the Burger King. 45R I see you pulling up

???R: We're heading over there

841R: Throw it in our box

Disp: ……..stopped yet?

Disp: Let me know when he's in custody guys

27:23 time stamp
Unk: Shots fired by the police

Disp: Shots fired by the police

Unk: Shots fired by the police

Unk: get fire over here

Disp: You guys OK ?

Xxxx: (female voice) Everything's fine

Disp: We're using 41st and Pulaski ? Where?

Disp: Any Sergeants headed that way?

810R: 810R I head that way

Disp: 10-4

……responding units transmissions……..

Unk: Block Pulaski from if we can get the State police out hear, I-55 till 47th. Naw, 45th is good. Let's shut down all traffic. We got the intersection shut down here with this.

……..scene management transmissions……

30:42 time stamp
Mobile transmissions cut for notifications…….

30:54 time stamp
There giving a slow down…slow it down……..

….traffic control….helicopter transmissions……..etc.

envelope
& pics # 1
2 photos
per page

RD NO.

HX475653

OFFENSE/INCIDENT

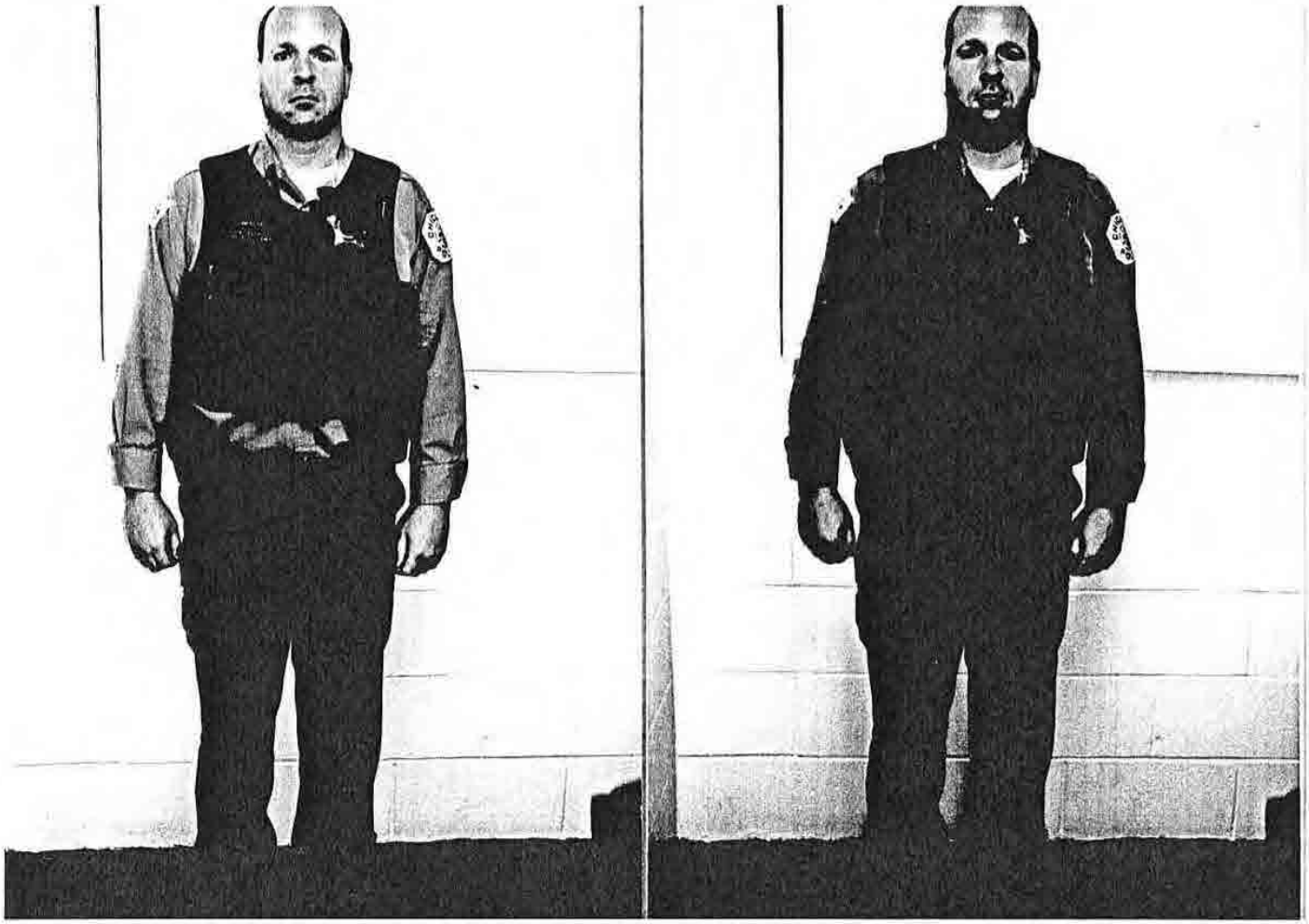
AGGRAVATED ASSAULT
TO POLICE OFFICER

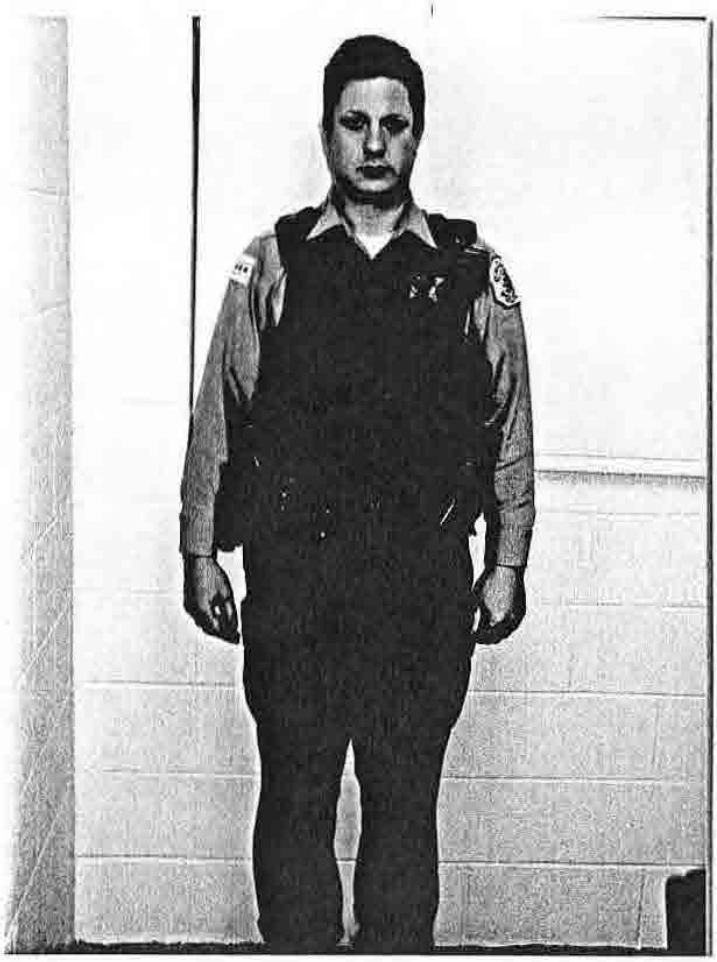
DATE & TIME PHOTOS TAKEN

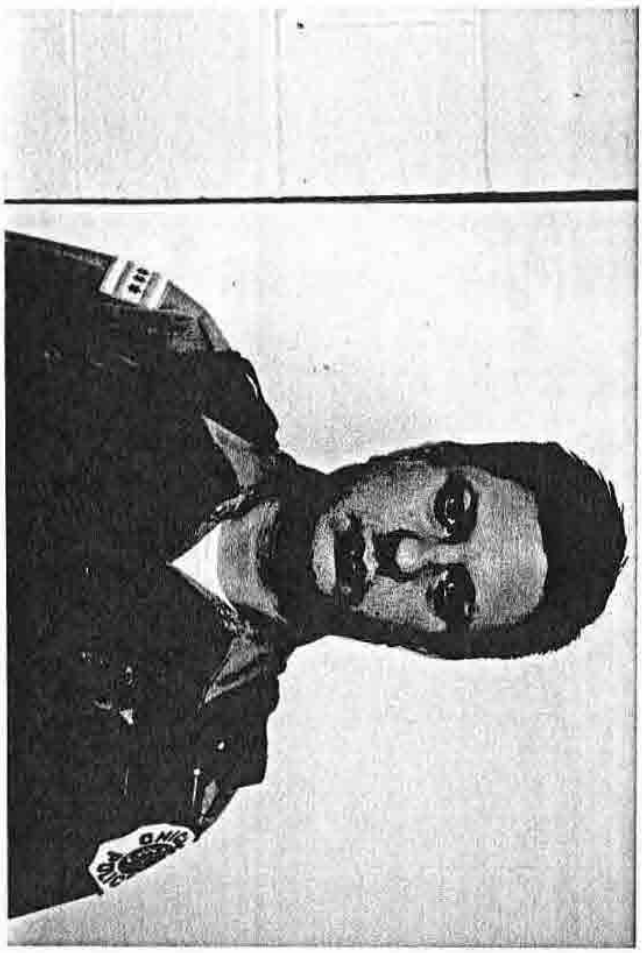
21 OCT. 2014

PHOTOGRAPHER'S NAME	STAR NO.	UNIT
RIDER, P.	9977	277



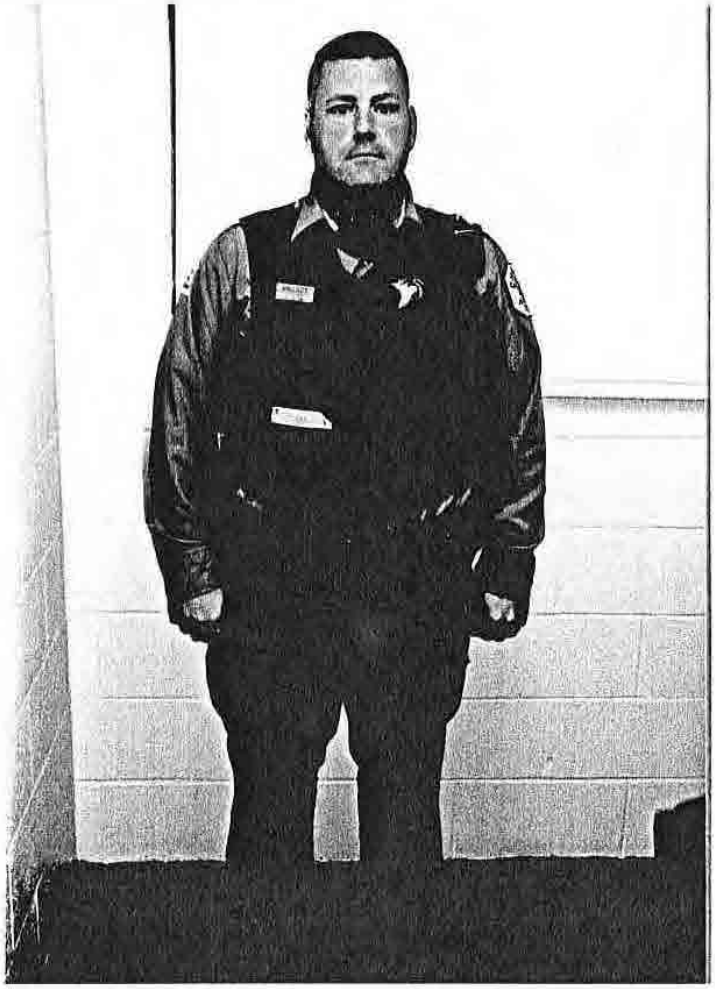


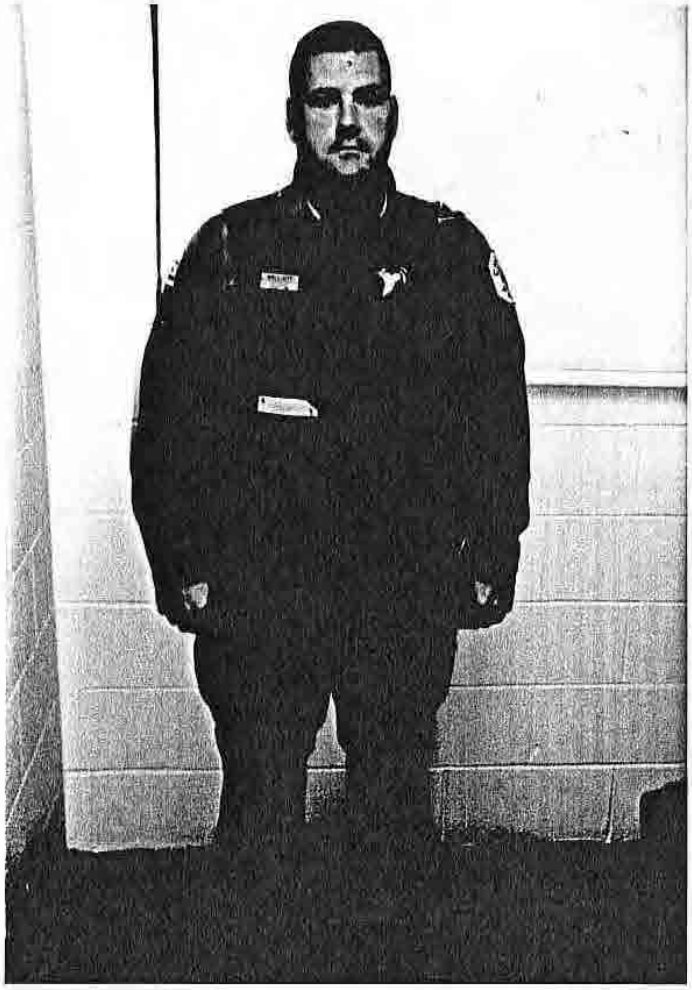
















Event # 1429315878

Type	Location	Date	Pri	DG	Svc Beat	Disp
HOLDCI	3999 W 41ST ST / 4099 S PULASKI RD	20-OCT-2014 21:47:07	1A	008	0821	0552

Source	Response Level	Caller	Phone
E	1	[redacted]	[redacted]

Address of Occurrence	Occ Beat
4100 S KILDARE BL	0815

Event Chronology

Date	Activity	Wkstn	Person	Text
20-OCT-2014 21:45:35	REC			
20-OCT-2014 21:47:07	ENTRY	PCT49	C549513	CallerLocation, CallerName have been changed.
20-OCT-2014 21:47:50	DSP	PD18	D560949	815R
20-OCT-2014 21:48:05	ACK	PMDT6024	PC0V821	815R
20-OCT-2014 21:53:27	CLOC	PD18	D560949	815R [40 KEELER]
20-OCT-2014 21:53:40	MISC	PD18	D560949	knife in hand need tzaer
20-OCT-2014 21:53:43	ASST	PD18	D560949	812
20-OCT-2014 21:53:45	MISC	PADM19	D112780	815R NEED TASER PERKNI [40 KEELER
20-OCT-2014 21:53:48	ACK	PMDT5805	PC0U318	812
20-OCT-2014 21:54:51	MISC	PD18	D560949	walking eb
20-OCT-2014 21:54:53	MISC	PADM19	D112780	15R --- WALKING EB
20-OCT-2014 21:55:08	MISC	PADM19	D112780	TOWARDS PULASKI ?
20-OCT-2014 21:56:14	MISC	PADM19	D108212	popped tire on car
20-OCT-2014 21:56:18	MISC	PD18	D560949	popped tire on car
20-OCT-2014 21:56:20	ASSTER	PADM19	D108212	845R
20-OCT-2014 21:56:22	AUTPRE	PD18	D560949	845R
20-OCT-2014 21:56:22	ASST	PD18	D560949	845R
20-OCT-2014 21:56:33	MISC	PADM19	D108212	by the burger king
20-OCT-2014 21:56:36	MISC	PD18	D560949	headed to bk
20-OCT-2014 21:56:43	MISC	PADM19	D108212	female says were here
20-OCT-2014 21:56:47	ASSTER	PADM19	D108212	821R
20-OCT-2014 21:56:49	AUTPRE	PD18	D560949	821R
20-OCT-2014 21:56:49	ASST	PD18	D560949	821R
20-OCT-2014 21:56:52	ASSTER	PADM19	D108212	841R
20-OCT-2014 21:56:55	AUTPRE	PD18	D560949	841R
20-OCT-2014 21:56:55	ASST	PD18	D560949	841R
20-OCT-2014 21:57:00	MISC	PD18	D560949	to pulaski
20-OCT-2014 21:57:30	MISC	PADM19	D108212	shtosf fired by cpd
20-OCT-2014 21:57:32	MISC	PD18	D560949	shots fired by police
20-OCT-2014 21:57:41	ASST	PD18	D560949	862C
20-OCT-2014 21:57:51	MISC	PD18	D560949	NEEDS EMS
20-OCT-2014 21:57:58	MISC	PD18	D560949	41 PULASKI
20-OCT-2014 21:58:38	MISC	PADM19	D108212	i 55 all of pulski shut down 45 th
20-OCT-2014 21:58:39	MISC	PD18	D560949	SHUT DOWN PULASKI I55 - 45TH ST
20-OCT-2014 21:58:57	MISC	PADM19	D108212	calling state shut down ramps
20-OCT-2014 21:59:04	MISC	PD18	D560949	41 PULASKI DIVERTING TRAFFIC @ 821R

Event # 1429315878

Event Chronology

Date	Activity	Wkstn	Person	Text
20-OCT-2014 21:59:21	MISC	PD18	D560949	821R COVERING SB
20-OCT-2014 21:59:22	DSP	PDT101	D543242	4603
20-OCT-2014 21:59:25	AUTPRE	PD18	D560949	812
20-OCT-2014 21:59:25	ASST	PD18	D560949	812
20-OCT-2014 21:59:35	CLOC	PD18	D560949	812 [43 PULASKI NB]
20-OCT-2014 21:59:43	MISC	PADM19	D108212	state nfy'd sb pulaski shut down from i 55
20-OCT-2014 21:59:44	ASST	PD18	D560949	823R
20-OCT-2014 21:59:49	ASST	PADM19	D108212	843
20-OCT-2014 21:59:54	CLOC	PADM19	D108212	843 [HOLDING I55 RAMP]
20-OCT-2014 22:00:00	CLOC	PD18	D560949	843 [I 55 PULASKI]
20-OCT-2014 22:00:01	ASST	PADM19	D108212	PH2
20-OCT-2014 22:00:09	ASST	PADM19	D108212	851R
20-OCT-2014 22:00:13	ACK	PMDT4691	PC0X830	851R
20-OCT-2014 22:00:26	AUTPRE	PD18	D560949	851R
20-OCT-2014 22:00:26	ASST	PD18	D560949	851R
20-OCT-2014 22:00:29	ACK	PMDT6416	PC0X832	4603
20-OCT-2014 22:00:30	MISC	PADM19	D108212	815R both ok ???
20-OCT-2014 22:00:36	MISC	PADM19	D108212	everyone is ok
20-OCT-2014 22:00:51	MISC	PADM19	D108212	slowdown
20-OCT-2014 22:00:53	MISC	PADM19	D108212	nm
20-OCT-2014 22:00:56	MISC	PADM19	D108212	slowdown
20-OCT-2014 22:00:59	MISC	PD18	D560949	SLOWDOWN
20-OCT-2014 22:01:06	ASST	PADM19	D108212	810R
20-OCT-2014 22:01:16	MISC	PADM19	D108212	810R to get info from officer fired weapon
20-OCT-2014 22:01:19	MISC	PD18	D560949	INFO REQUESTED
20-OCT-2014 22:01:22	MISC	PD18	D560949	NAME & STAR
20-OCT-2014 22:02:20	ASST	PADM19	D108212	811
20-OCT-2014 22:02:27	CLOC	PADM19	D108212	811 [TRAFK SB ON PULASKI]
20-OCT-2014 22:02:34	ASST	PADM19	D108212	833R
20-OCT-2014 22:02:40	CLOC	PADM19	D108212	833R [44TH/PULASKI NB PULASKI]
20-OCT-2014 22:03:00	MISC	PADM19	D108212	810R *9465
20-OCT-2014 22:03:21	CLEAR	PADM19	D108212	PH2
20-OCT-2014 22:04:10	MISC	PADM19	D108212	cut off nb pulaski @ 47th st
20-OCT-2014 22:04:13	ASST	PADM19	D108212	865
20-OCT-2014 22:04:15	ASST	PADM19	D108212	846
20-OCT-2014 22:04:19	MISC	PD18	D50696	CUT47TH ST N/B PULASKI
20-OCT-2014 22:04:23	CLOC	PADM19	D108212	846 [TRAFFK @ 47 PULASKI]
20-OCT-2014 22:04:26	MISC	PADM19	D108212	846 nb
20-OCT-2014 22:05:50	ACK	PMDT5311	PC0AE49	846
20-OCT-2014 22:06:14	ASST	PADM19	D108212	855
20-OCT-2014 22:06:24	CLOC	PADM19	D108212	855 [TRAFFIC NB 45TH/PUASKI]
20-OCT-2014 22:06:29	CLOC	PD18	D50696	855 [45TH /PULASKIN/B]

Event # 1429315878

Event Chronology

Date	Activity	Wkstn	Person	Text
20-OCT-2014 22:06:41	COPYT	PADM19	D108212	Copied To Event(s): #CPD1429316149
20-OCT-2014 22:07:19	MISC	PD18	D50696	CTA NFY TO REROUTE BUSES
20-OCT-2014 22:08:04	CLOC	PADM19	D108212	821R 845R 841R 862C 865 846 4603 812 823R 855 843 851R 810R 815R 833R 811 [41ST/PULASKI]
20-OCT-2014 22:08:26	MISC	PD18	D50696	OEMC WEIDERSTROM NFY
20-OCT-2014 22:09:14	ASSTER	PADM19	D108212	842
20-OCT-2014 22:09:47	MISC	PD18	D50696	CTA SUPV ON THE BRIDGE
20-OCT-2014 22:12:50	ASST	PADM19	D108212	865B
20-OCT-2014 22:12:53	ACK	PMDT4684	PC0Y103	865B
20-OCT-2014 22:15:01	ASST	PADM19	D108212	850
20-OCT-2014 22:15:16	MISC	PADM19	D108212	865 a21 leaving sceen w/offender
20-OCT-2014 22:15:22	PCCHNG	PADM19	D108212	Papercar changed from 815R to 841R
20-OCT-2014 22:15:28	CLOC	PADM19	D108212	841R [A21 W/OFFENDER]
20-OCT-2014 22:15:46	SUPP	PADM19	D108212	Remarks Added
20-OCT-2014 22:15:52	ASST	PADM19	D108212	800X
20-OCT-2014 22:15:53	ACK	PMDT4701	PC0W294	811
20-OCT-2014 22:15:56	ACK	PMDT5173	PC0E418	800X
20-OCT-2014 22:16:32	EVTMSG	PDT97		SHOTS FIRED BY POLICE OFFENDER POSSIBLY STRUCK NFI AT THIS TIME
20-OCT-2014 22:16:54	ENR	PMDT4701	PC0W294	811
20-OCT-2014 22:16:54	ONS	PMDT4701	PC0W294	811
20-OCT-2014 22:17:06	CLOC	PADM19	D108212	842 [FOLOWING A21 TO HOSPITAL]
20-OCT-2014 22:17:16	CLOCX	PADM19	D108212	842 [4100 S KILDARE BL]
20-OCT-2014 22:17:52	CLOC	PADM19	D108212	842 [A21 TO MT SINAI]
20-OCT-2014 22:17:54	CLOCX	PADM19	D108212	841R [4100 S KILDARE BL]
20-OCT-2014 22:19:00	REMINQ	PMDT5311	PC0AE49	846 Veh->LIC/[redacted] LIS/IL
20-OCT-2014 22:19:02	ACK	PMDT4681	PC0S756	850
20-OCT-2014 22:19:20	CLEAR	PADM19	D108212	812
20-OCT-2014 22:19:38	CLEAR	PMDT4701	PC0W294	811
20-OCT-2014 22:21:52	SUPP	PADM19	D108212	Remarks Added
20-OCT-2014 22:22:31	CLEAR	PMDT6416	PC0X832	4603
20-OCT-2014 22:23:24	ASSTOS	PADM19	D108212	813R
20-OCT-2014 22:24:47	ACK	PMDT4706	PC0W483	813R
20-OCT-2014 22:27:36	ACK	PMDT5808	PC0W480	862C
20-OCT-2014 22:33:18	GDISP	PADM19	D108212	841R D/5000
20-OCT-2014 22:33:37	CASERD	PADM19	D108212	RDG Report Number 841R $CPDHX475653 D/5000 By: D108212
20-OCT-2014 22:34:55	SUPP	PADM19	D108212	Remarks Added
20-OCT-2014 22:38:26	COPYT	PDTS103	D557395	Copied To Event(s): #CPD1429316573
20-OCT-2014 22:38:51	MISC	PADM19	D108212	821R has the bus driver unk if supv is on scene

Event # 1429315878

Event Chronology

Date	Activity	Wkstn	Person	Text
20-OCT-2014 22:41:47	SUPP	PADM19	D108212	Remarks Added
20-OCT-2014 22:47:25	ASSTOS	PADM19	D108212	822
20-OCT-2014 22:47:33	ACK	PMDT4677	PC0AD53	822
20-OCT-2014 22:47:38	CLEAR	PMDT4681	PC0S756	850
20-OCT-2014 22:49:01	SUPP	PDT97	D382563	Remarks Added
20-OCT-2014 22:49:03	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted] LIS/IL
20-OCT-2014 22:49:49	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted]5 LIS/IL
20-OCT-2014 22:50:03	CLOC	PADM19	D108212	846 [44TH/PULASK > 53RD/PULASKI]
20-OCT-2014 22:51:08	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL
20-OCT-2014 22:54:30	COPYT	PADM19	D108212	Copied To Event(s): #CPD1429316783
20-OCT-2014 22:55:16	TCMPL	PADM19	D108212	846 , 783
20-OCT-2014 22:56:18	MISC	PADM19	D108212	5169-
20-OCT-2014 22:59:35	MISC	PADM19	D108212	843 tell officers fop guys are there
20-OCT-2014 23:00:29	GDISP	PADM19	D108212	841R D/0552
20-OCT-2014 23:01:29	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:01:45	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:05:27	SUPP	PADM19	D108212	Remarks Added
20-OCT-2014 23:06:21	CHNG	PADM19	D108212	Location: 4100 S KILDARE BL ==> 3999 W 41ST ST / 4099 S PULASKI RD;X Streets: 4100 BL S /4301 BL W 41ST ST ==> / ;LocCmt: BY UNITED RENTAL ==> BY UNITED RENTAL & BURGER KING;Atom: 815 ==> 821;RespArea: 815 ==> 821;RespGroup:815 ==> 821;
20-OCT-2014 23:08:50	REMINQ	PMDT5311	PC0AE49	846 Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:10:09	REMINQ	PMDT4751	PC0X185	841R Per->NAM/[redacted]J DOB[redacted] SEX/M DLS/IL
20-OCT-2014 23:10:09	REMINQ	PMDT4751	PC0X185	841R Per->NAM/[redacted] SEX/M SID/[redacted] DLS/IL
20-OCT-2014 23:10:16	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:11:31	CLEAR	PMDT5311	PC0AE49	846
20-OCT-2014 23:18:57	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted] LIS/IL
20-OCT-2014 23:22:10	REMINQ	PMDT4684	PC0Y103	865B Per->DLN[redacted] DLS/IL
20-OCT-2014 23:22:43	SUPP	PADM19	D108212	Remarks Added
20-OCT-2014 23:23:00	REMINQ	PMDT4684	PC0Y103	865B Per->DBId/54537
20-OCT-2014 23:29:50	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:30:06	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:31:49	REMINQ	PMDT4534	PC0T089	833R Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:35:59	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted] LIS/IL
20-OCT-2014 23:39:23	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL

Event # 1429315878

Event Chronology

Date	Activity	Wkstn	Person	Text
20-OCT-2014 23:43:55	CLEAR	PADM19	D108212	822
20-OCT-2014 23:45:30	ENR	PMDT4751	PC0X185	841R
20-OCT-2014 23:50:50	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted] LIS/IL
20-OCT-2014 23:54:43	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted] LIS/IL
21-OCT-2014 00:09:01	CLEAR	PD18	D50696	862C
21-OCT-2014 00:11:37	CLOC	PADM19	D108212	842 [MT SINAI NEEDS RELIEF]
21-OCT-2014 00:18:09	ASST	PD18	D50696	846R
21-OCT-2014 00:18:25	CLOC	PD18	D50696	846R [MT SINAI W/PRISONER]
21-OCT-2014 00:18:31	ACK	PMDT4685	PC0AK48	846R
21-OCT-2014 00:20:40	CLOC	PADM19	D108212	843 [I55 @ PULASKI TRAFK CONTROL --- RELIEF]
21-OCT-2014 00:27:54	ASST	PD18	D50696	824R
21-OCT-2014 00:27:58	ACK	PMDT4683	PC0T069	824R
21-OCT-2014 00:28:11	CLOC	PD18	D50696	824R [I55 @ PULASKI- TRAFK ON RAMP]
21-OCT-2014 00:31:16	REMINQ	PMDT4683	PC0T069	824R Veh->LIC/[redacted] LIS/IL LIT/ZZ
21-OCT-2014 00:45:40	CLEAR	PADM19	D108212	843
21-OCT-2014 00:55:22	REMINQ	PMDT4534	PC0T089	833R Veh->LIC/[redacted] LIS/IL
21-OCT-2014 00:58:06	REMINQ	PMDT4534	PC0T089	833R Veh->LIC[redacted] LIS/IL
21-OCT-2014 00:58:18	REMINQ	PMDT4534	PC0T089	833R Veh->LIC[redacted]LIS/IL
21-OCT-2014 01:00:51	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted]LIS/IL
21-OCT-2014 01:05:09	REMINQ	PMDT4534	PC0T089	833R Veh->LIC/[redacted] LIS/IL
21-OCT-2014 01:05:28	REMINQ	PMDT4534	PC0T089	833R Veh->LIC/[redacted]-B LIS/IL LIT/TK
21-OCT-2014 01:05:37	REMINQ	PMDT4534	PC0T089	833R Veh->LIC/[redacted] LIS/IL
21-OCT-2014 01:06:44	REMINQ	PMDT4534	PC0T089	833R Veh->LIC[redacted]LIS/IL
21-OCT-2014 01:06:54	REMINQ	PMDT4534	PC0T089	833R Veh->LIC/[redacted] LIS/IL
21-OCT-2014 01:09:59	CLEAR	PADM19	D108212	800X
21-OCT-2014 01:10:24	CLEAR	PMDT4998	PC0X178	842
21-OCT-2014 01:16:16	CLEAR	PADM19	D108212	855
21-OCT-2014 01:16:44	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted]9 LIS/IL
21-OCT-2014 01:18:14	CLEAR	PD18	D50696	865B
21-OCT-2014 01:33:29	AUTPRE	PADM19	D108212	865
21-OCT-2014 01:33:49	CLOC	PADM19	D108212	813R [AREA]
21-OCT-2014 01:33:57	ASST	PADM19	D108212	822
21-OCT-2014 01:34:00	CLOC	PADM19	D108212	822 [AREA]
21-OCT-2014 02:12:02	CLOC	PMDT4751	PC0X185	841R [AREA CENTRAL]
21-OCT-2014 03:10:28	CLOC	PD18	D50696	815R [AREA]
21-OCT-2014 03:16:34	MISC	PD18	D50696	PER 830R PULASKI CAN BE OPENED
21-OCT-2014 03:22:25	CLOC	PMDT6234	PC0Z521	823R [008] reports
21-OCT-2014 03:26:53	CLEAR	PMDT4683	PC0T069	824R
21-OCT-2014 03:36:12	REMINQ	PMDT4507	PC0W970	821R Veh->LIC/[redacted]LIS/IL LIT/TM
21-OCT-2014 03:40:25	REMINQ	PMDT4507	PC0W970	821R Veh->LIC/[redacted] LIS/IL
21-OCT-2014 03:40:45	REMINQ	PMDT4507	PC0W970	821R Veh->LIC/[redacted] LIS/IL

Event # 1429315878

Event Chronology

Date	Activity	Wkstn	Person	Text
21-OCT-2014 03:43:12	CLEAR	PMDT4507	PC0W970	821R
21-OCT-2014 04:03:03	CLOC	PD18	D50696	846R [MT SINAI]
21-OCT-2014 04:03:07	ONS	PD18	D50696	846R
21-OCT-2014 04:09:19	CLOC	PD18	D50696	833R [AREA CENTRAL W/815'S CAR]
21-OCT-2014 04:10:11	CLOC	PD18	D50696	833R [AREA CENTRAL W/815R'S CAR]
21-OCT-2014 04:18:37	CLEAR	PD18	D50696	823R
21-OCT-2014 04:23:43	CLEAR	PMDT4691	PC0X830	851R
21-OCT-2014 04:39:23	CLOC	PD18	D50696	845R [AREA CENTRAL]
21-OCT-2014 04:44:49	CLOC	PADM19	D108212	833R [008]
21-OCT-2014 04:48:06	CLEAR	PADM19	D108212	822
21-OCT-2014 05:11:56	COPYT	PDTS103	DT557395	Copied To Event(s): #CPD1429401913
21-OCT-2014 05:12:32	CLEAR	PADM19	D108212	833R
21-OCT-2014 05:12:50	ONS	PADM19	D108212	841R
21-OCT-2014 05:12:50	ONS	PADM19	D108212	845R
21-OCT-2014 05:12:50	ONS	PADM19	D108212	815R
21-OCT-2014 05:12:50	ONS	PADM19	D108212	813R
21-OCT-2014 05:12:52	ONS	PADM19	D108212	810R
21-OCT-2014 05:15:15	MISC	PADM19	D108212	846R BODY REMOVAL 0511 HRS
21-OCT-2014 05:20:48	CLEAR	PADM19	D108212	846R
21-OCT-2014 05:32:26	CLEAR	PADM19	D108212	810R
21-OCT-2014 06:31:23	SCHOFF	PMDT4659	PC0V684	Unit #845R scheduled for Logoff
21-OCT-2014 07:41:19	SCHOFF	PMDT4751	PC0X185	Unit #841R scheduled for Logoff
21-OCT-2014 07:43:43	CLEAR	PD18	D300971	841R 815R 845R 813R
21-OCT-2014 07:43:43	CLOSE	PD18	D300971	
21-OCT-2014 07:44:00	ROPEN	PD18	D300971	OPEN
21-OCT-2014 07:44:00	DSP	PD18	D300971	813R
21-OCT-2014 07:44:04	ACK	PMDT4706	PC0W483	813R
21-OCT-2014 07:44:09	SCHOFF	PMDT4706	PC0W483	Unit #813R scheduled for Logoff
21-OCT-2014 07:45:06	SCHOFF	PMDT4706	PC0W483	Unit #813R scheduled for Logoff
21-OCT-2014 07:45:34	SCHOFF	PD18	D300971	Unit #813R scheduled for Logoff
21-OCT-2014 07:45:37	CLEAR	PD18	D300971	813R
21-OCT-2014 07:45:37	CLOSE	PD18	D300971	
21-OCT-2014 07:45:52	ROPEN	PD18	D300971	OPEN
21-OCT-2014 07:45:52	DSP	PD18	D300971	815R
21-OCT-2014 08:45:46	ACK	PMDT6024	PC0V821	815R
21-OCT-2014 08:52:57	CLEAR	PD18	D300971	815R
21-OCT-2014 08:52:57	CLOSE	PD18	D300971	
	RMKS			*** WIRELESS CALL ***
	RMKS			holding a male who he caught breaking into trucks and stealing radios nfi
	RMKS			a21 to hospital
	RMKS			a21 to mt sinai confirmd by fireside

Event # 1429315878

Event Chronology

Date	Activity	Wkstn	Person	Text
	RMKS			HAVE SGT OR PAPER CAR CALL CRIME LAB AREA CENTRAL HGSCU OPER COMM NEWS AFFAIRS ASAP
	RMKS			[redacted] il id [redacted] 6'01 185\
	RMKS			EXEC DIR SCHENKEL NOTIFIED @ 2223 HRS 1ST DEP ELLIS NOTIFIED @ 2224 HRS CHIEF OF STAFF BERGER NOTIFIED @ 2226 HRS MANAG DEP , OPER GUIDICE NOTIFIED @ 2228 HRS DEP DIR , 911 OPER HALLOWELL NOTIFIED @ 2229 HRS DIR NEWS AFFAIRS STRATTON NOTIFIED @ 2231 HRS OEMC INVEST UNIT MESSAGE LEFT @ 2236 HRS MAYOR'S DETAIL BURTON NOTIFIED @ 2241 HRS IMD/OC NOTIFIED VIA MESSAGE @ 2217 HRS OEMC WM ORLANDINI NOTIFIED @ 2217 HRS OPER COMM *1804 NOTIFIED @ 2221 HRS [HAVE PC CALL] AREA SOUTH HGSCU DET KRETTEK NOTIFIED @ 2219 HRS [HAVE PC CALL] CRIME LAB SARLO NOTIFIED @ 2221 HRS [HAVE PC CALL][5802 RESPONDING] NEWS AFFAIRS GAINES NOTIFIED @ 2247 HRS 008TH DIST SGT KOMENSKY *1745 NOTIFIED @ 2248 HRS PCO2 JOHNSON -- CW7
	RMKS			offender pronounced @ 2242 hrs per 842
	RMKS			843 - crime lab is on scene

Unit Summary

Event # 1429315878

Unit Summary

Unit	Dispatch	Enroute	Onscene	T	TA	TC	Clear
815R	21:47:50	21:53:27	21-OCT-2014 05:12:50				21-OCT-2014 07:43:43
812	21:53:43						21:59:25
845R	21:56:20	21:56:20					21:56:22
845R	21:56:22	22:08:04	21-OCT-2014 05:12:50				21-OCT-2014 07:43:43
821R	21:56:47	21:56:47					21:56:49
821R	21:56:49	22:08:04					21-OCT-2014 03:43:12
841R	21:56:52	21:56:52					21:56:55
841R	21:56:55	22:08:04	22:17:54				21-OCT-2014 07:43:43
862C	21:57:41	22:08:04					21-OCT-2014 00:09:01
4603	21:59:22	22:08:04					22:22:31
812	21:59:25	21:59:35					22:19:20
823R	21:59:44	22:08:04					21-OCT-2014 04:18:37
843	21:59:49	21:59:54					21-OCT-2014 00:45:40
PH2	22:00:01						22:03:21
851R	22:00:09						22:00:26
851R	22:00:26	22:08:04					21-OCT-2014 04:23:43
810R	22:01:06	22:08:04	21-OCT-2014 05:12:52				21-OCT-2014 05:32:26
811	22:02:20	22:02:27	22:16:54				22:19:38
833R	22:02:34	22:02:40					21-OCT-2014 05:12:32
865	22:04:13	22:08:04					21-OCT-2014 01:33:29
846	22:04:15	22:04:23				22:55:16	23:11:31
855	22:06:14	22:06:24					21-OCT-2014 01:16:16
842	22:09:14	22:09:14	22:17:16				21-OCT-2014 01:10:24
865B	22:12:50						21-OCT-2014 01:18:14
850	22:15:01						22:47:38
800X	22:15:52						21-OCT-2014 01:09:59

Event # 1429315878

Unit Summary

Unit	Dispatch	Enroute	Onscene	T	TA	TC	Clear
813R	22:23:24	21-OCT-2014 01:33:49	22:23:24				21-OCT-2014 07:43:43
822	22:47:25		22:47:25				23:43:55
846R	21-OCT-2014 00:18:09	21-OCT-2014 00:18:25	21-OCT-2014 04:03:07				21-OCT-2014 05:20:48
824R	21-OCT-2014 00:27:54	21-OCT-2014 00:28:11					21-OCT-2014 03:26:53
822	21-OCT-2014 01:33:57	21-OCT-2014 01:34:00					21-OCT-2014 04:48:06
813R	21-OCT-2014 07:44:00						21-OCT-2014 07:45:37
815R	21-OCT-2014 07:45:52						21-OCT-2014 08:52:57

STATEMENT OF P.O. THOMAS GAFFNEY

CONDUCTED BY INVESTIGATOR KILLEN

ON OCTOBER 21, 2014 AT 0406 HOURS

AT AREA CENTRAL POLICE HEADQUARTERS

LOG # 1072125

Attachment # ~~76~~ ~~85~~ 160

OIG 15-0564 000610

KILLEN: This is the audio recorded interview of Officer Thomas Gaffney regarding Log number 1072125 U number 14 dash 36. Today is the 21st of October 2014. And the time is approximately 0406 hours. This statement is bein' taken at Area Central Police Headquarters at 51st and Wentworth. My name is Investigator Killen, that's spelled K I L L E N. My star number is 1 2 9. Also present is FOP attorney Dan Herbert. (noise) Dan if you would say and spell your first and last names.

HERBERT: Sure Dan, D A N, Herbert, H E R B E R T.

KILLEN: And uh also is uh FOP Representative Kato.

KATO: K R I S T O N. Last name is K A T O. (clears throat) FOP.

KILLEN: And Officer Gaffney if you would say and spell your first and last names for me.

P.O.GAFFNEY: My first name Thomas Gaffney, T H O M A S. G A F F N E Y.

KILLEN: Okay and what's your star number?

P.O.GAFFNEY: 1 9 9 5 8.

KILLEN: And your employee number?

P.O.GAFFNEY: [redacted].

KILLEN: And your uh current unit of assignment? (noise)

P.O.GAFFNEY: 8TH District.

KILLEN: Okay and (noise) what's your date of appointment with the (noise) Department?

P.O.GAFFNEY: Uh 8 July '96.

KILLEN: And your date of birth?

P.O.GAFFNEY: [redacted].

KILLEN: How long you been in 8?

P.O.GAFFNEY: Uh since 2000, 2001 I'm sorry. Summer 2001. (clears throat)

KILLEN: All right and then you're aware that this statement has the standing of an official Department report. And that any intentional falsification of any answer to any question would be in direct violations of rules and regulations?

P.O.GAFFNEY: Yes.

KILLEN: Given that, I (sighs) I'd like to remind you that failure to provide a complete and accurate account of this incident could result in a finding of Rule 14 with discipline leading up to and including separation from the Chicago Police Department. Do you understand that?

P.O.GAFFNEY: Yes.

KILLEN: All right and then you're aware that there are no allegations against you uh regarding this incident correct?

P.O.GAFFNEY: Yes.

KILLEN: Okay. So on 20 October 2014 at approximately 2150 hours what was your duty status and assignment?

OIG 15-0564 000612

P.O.GAFFNEY: Uh this statement is not being given voluntary but under duress. I am only givin' this statement because I know I will be fired if I refuse.

KILLEN: Okay. So yesterday 20 October 2014 approximately 2150 hours what was your duty status?
P.O.GAFFNEY: Um I was on duty workin' Beat 815 Robert.

KILLEN: Okay. And were you uh were you assigned a partner?
P.O.GAFFNEY: Yes I was, Joseph McElligott.

KILLEN: Okay were you uniformed?
P.O.GAFFNEY: Yes.

KILLEN: And so was McElligott right?
P.O.GAFFNEY: Yes.

KILLEN: Okay. And you and Officer McElligott you guys were assigned a car?
P.O.GAFFNEY: Yes.

KILLEN: What kinda car?
P.O.GAFFNEY: Uh squad, marked squad car uh Tahoe.

KILLEN: Okay. Were you the driver or the passenger?
P.O.GAFFNEY: I was the driver.

KILLEN: Okay. And then last night about 2150 hours you and uh Officer McElligott were witnesses to a police-involved shooting correct?

OIG 15-0564 000613

P.O.GAFFNEY: Yes.

KILLEN: All right and um (someone clears throat) if you would, if you'd start from the beginning and just run me through what happened.

P.O.GAFFNEY: Uh we received a call holding offender at forty, 4100 South Kildare. Um there supposedly somebody had broken into a, a truck uh vehicles um tryin' to get radios somethin' like that. So we, we were on Archer approximately Kostner Kenneth. I came uh, came to the (noise) we got the job came uh down Kostner to 47th, 47th to Kildare and Kildare right to 4100 South Kildare.

KILLEN: So you were comin' from the south goin' north correct?

P.O.GAFFNEY: Yes.

KILLEN: Okay. (someone clears throat) So you got the call are you, you were dispatched?

P.O.GAFFNEY: Yes.

KILLEN: OEMC?

P.O.GAFFNEY: Yes.

KILLEN: Radio?

P.O.GAFFNEY: Yes.

KILLEN: Okay. So then when you get to 41st and Kildare what, what happens?

P.O.GAFFNEY: Uh there was a [redacted] [redacted] and a [redacted] [redacted] uh standing by a gate um to the truck

OIG 15-0564 000614

yard. Um the gate was partially opened and uh the [redacted] had a chain in 'er hand and then we stopped and spoke to them.

KILLEN: Whaddid they tell ya?

P.O.GAFFNEY: They said that the guy just went around the corner. Um he was uh in the, in the you know lot tryin' to get um tryin' to get into trucks. Uh he had uh somethin' in his hand, he had uh a wire from a phone in his hand. And he said somethin' about a iPhone, I don't know if he was sayin' that he took an iPhone or he left an iPhone but he said that he went around the corner so then we, we asked 'em you know what he looked like, what he was wearin'? He said he's a male black with the dark shirt. So at that time we, we went up the street and turned the corner. (someone clears throat)

KILLEN: So they, they, did those two, that, did that [redacted] and [redacted] tell you which way the, the offender went?

P.O.GAFFNEY: Yes. Yeah he just pointed, he pointed north um and he said he went around the corner.

KILLEN: Okay so then that'd, that's 41st Street?

P.O.GAFFNEY: Yeah towards 40th Street.

KILLEN: Okay. And what happens then?

P.O.GAFFNEY: So we went, we went up the, up the block to 40th Street and we turned um east on 40th Street and we, (inaudible) when we turned we seen um you

OIG 15-0564 000615

know somebody walkin'. So we approached 'em, drove up to 'em and at that time we seen it was a male black with dread locks. You know and he had a dark shirt on. So at that time my, my partner had gotten outta the vehicle (clears throat) and he had his flashlight you know he's shining on 'em. You know tell 'em to come 'ere. So at that time he just kinda had a look, you know a weird look in his face you know like glazed eyes and stuff lookin' at us. So I stayed in my car in case he was gonna run. So at that time you know my partner kind of approached 'em a lil bit more and that's when he, he had seen you know tell 'em to get his hands outta his pocket cause he had one hand in his pocket. And then he had seen something in his you know a shiny object in his hand. And I, I heard 'em say you know he's got a knife. So that's when you know cuz then I, at first I was still in the car so I didn't really see, see the knife at that time. But once my partner said that that's when I kinda looked and I, at that time like I said we're all still walking or still moving. So then the street lights were a lil bit more as we were walkin' I, I seen a knife also in his hand.

KILLEN: Okay so this, so this point when you first see this guy he's on what street?

P.O.GAFFNEY: He's on 40th Street.

KILLEN: And he's, he's headed which way?

P.O.GAFFNEY: Uh east.

OIG 15-0564 000616

KILLEN: So he's headed toward Pulaski?
P.O.GAFFNEY: Yes.

KILLEN: All right is he by himself?
P.O.GAFFNEY: Yes.

KILLEN: Is he, like is he on the sidewalk --
P.O.GAFFNEY: On the, at that time he was on the sidewalk.

KILLEN: Which side of the street would he be on?
P.O.GAFFNEY: Uh south side.

KILLEN: So on the passenger side of your vehicle?
P.O.GAFFNEY: Yes. Yes.

KILLEN: All right so then you guys pull up, you pulled alongside of 'em?
P.O.GAFFNEY: Yes.

KILLEN: And then the officer --
P.O.GAFFNEY: Not quite, well not quite right next to 'em but yeah he was still like I said he was still walking but he was in front of the car. You know like in front of the area as we were walkin' and movin' at the same time.

KILLEN: You're kinda behind 'em?
P.O.GAFFNEY: Yeah, yeah but yeah.

KILLEN: And McElligott gets outta the car?
P.O.GAFFNEY: Yes.

OIG 15-0564 000617

KILLEN: Flashlight in hand.
P.O.GAFFNEY: Yes.

KILLEN: And he says come here?
P.O.GAFFNEY: Well yeah, yeah he starts you know come here. You know get your hand outta your pocket. And you know but he, he like I said he turned around, spun around a couple times and (inaudible) get to walking never said anything to us.

KILLEN: Which hand was in his pocket do you remember?
P.O.GAFFNEY: I think it was his left hand cause he had the other hand had whatever was in his, you know what he had in his hand at the time.

KILLEN: And do you know what was in his hand?
P.O.GAFFNEY: Not at that time I didn't.

KILLEN: Okay.
P.O.GAFFNEY: Like I said my partner, he, when my, my partner said he's got a knife that's when I kinda you know like I said as we were walkin' the street lights got a lil brighter and I was able to kinda look you know look over at the, and then see that he did have, you could tell you know it was in his hand and the blade was stickin' out.

KILLEN: Okay. And when you say he turned around a couple times does he keep 'em goin' east toward Pulaski?
P.O.GAFFNEY: Yeah he, he always kept goin'.

OIG 15-0564 000618

KILLEN: So he never stops?
P.O.GAFFNEY: No he never stopped he just kept walkin'. A couple times he went into the street but not, just like a step or two in the street but he just kept walkin' eastbound.

KILLEN: And he was by himself?
P.O.GAFFNEY: Yes.

KILLEN: All right so then so McElligott approaches 'em and then you hear McElligott say he's got a knife?
P.O.GAFFNEY: Yeah when he said he has a knife that's when I you know that's when I kinda like sat up a lil bit to look, to look, get a better look and that's when I, I seen it too.

KILLEN: Okay that was in his right hand then? Is that --
P.O.GAFFNEY: Yeah, yeah it was in his right hand.

KILLEN: So what happens then?
P.O.GAFFNEY: Uh at that time like I said (noise) my partner still kept you know tellin', that's what he said drop the knife, drop the knife. You know put the knife down whatever. And I got on the radio and you know got on the radio and said you know the guy's got a knn, we're at 40th and Kee, uh Keeler approachin' Keeler. Uh he's got a knife. Could we get another car over here with a taser.

OIG 15-0564 000619

KILLEN: So you don't carry a taser?
P.O.GAFFNEY: No I didn't, no.

KILLEN: McElligott he doesn't carry --
P.O.GAFFNEY: No he didn't have one either.

KILLEN: Okay. So what happens then?
P.O.GAFFNEY: Well like I said we I, I, I called it in then the dispatcher you know asked for other cars and other cars said they were comin'. So we just, we just kept stayin' you know keepin' our distance at the time you know I kept drivin' along. And um we just (noise) kept walkin' with 'em (noise) You know he never you know like came at us or anything at that time. He just kept like walkin', my partner still kept givin' 'em verbal commands and droppin' the knife and you know stop and that type a thing. But you know he just kept walkin' turning around lookin' back at us you know just that weird glaze look.

KILLEN: Did he ever say anything?
P.O.GAFFNEY: No never said a word to us at all.

KILLEN: Okay.
P.O.GAFFNEY: (Clears throat)

KILLEN: So then what happens?
P.O.GAFFNEY: We kept (noise) goin' east. When we're, we're approaching uh Karlov, 40th and Karlov I knew the next block there was the Burger King, there was a truck lot so we were gonna get more

OIG 15-0564 000620

people. So as we approached the, pretty much the corner of Karlov I like kinda turned my car towards him a lil bit on you know and you know to try and maybe get 'em to go down Karlov cause there's more, you know there's just factories so there's no people down that way. So and then uh - -

KILLEN: So the purpose of doin' that is keep 'em away from --

P.O.GAFFNEY: Yeah like try to slow 'em down until other cars got 'ere and make 'em see if he would maybe even go down the side street.

KILLEN: Okay.

P.O.GAFFNEY: You know keep 'em from getting to that more populated area where there were cars and people. (someone clears throat) So when I did that, he kinda like took a step towards and swung his uh, his arm down. When he did that that's when I heard like pssss a sound and I knew that he popped a tire. (noise)

KILLEN: Okay.

P.O.GAFFNEY: And then one, once he did that I got on the radio and said you know squad he just popped our tire. So (clears throat) --

KILLEN: Where's McElligott at this time?

P.O.GAFFNEY: He was still walk but he was, he was still walkin' with us but he was at like towards the back of the car.

OIG 15-0564 000621

KILLEN: Okay.

P.O.GAFFNEY: You know the back you know he still kept his distance. So (noise) (clears throat) once he did that, once he popped the tire again he just with that glazed stare, that glazed eye stare once he did that he like stepped back like took a step back, back away from the car. So I pulled up a lil bit further in front of 'em to you know try and maybe stop 'em or get 'em to go down that street. That's when he just took a step toward me and swung his arm really hard and hit the windshield with the knife.

HERBERT: And if I could just indicate for the record, with his right hand holdin' behind his, behind his head (someone clears throat) bringin' it down in a striking motion.

P.O.GAFFNEY: Yeah he, he as hard as he could he was attempting to break that windshield.

KILLEN: And how many times did he hit the windshield?

P.O.GAFFNEY: Just once. It was just once. Went real hard swing right, right on the windshield.

KILLEN: What happens?

P.O.GAFFNEY: Obviously nothin', I didn't see nothin' break but then he walked around the front of the car and kept walkin' eastbound on 40th Street. And then at that time, maybe 10 to 15 more feet that's when you could hear um some you know some sirens. And then a squad car came off a Pulaski onto 40th Street with their lights on. At that

OIG 15-0564 000622

time he seen that and that's when he started to run. Oh yeah I, I, I (noise) got on the radio and some, one, one of us, I don't remember but somebody did say that he was you know he started to run towards you know towards the, the truck lot, the trucks.

KILLEN: Okay so, so you're still basically sittin' over at 40th and Karlov right? You see 'nother car come up Pulaski?

P.O.GAFFNEY: Yeah that's, yeah he, 'nother car came off Pulaski onto 40th Street.

KILLEN: So --

P.O.GAFFNEY: That, that's when he seen that and that's when he started runnin'.

KILLEN: So when they turn west on 40th he runs --

P.O.GAFFNEY: Yeah he runs --

KILLEN: -- east towards Pulaski?

P.O.GAFFNEY: -- he, he, he's still goin' towards Pulaski but he went off a, off a the sidewalk and um into, it was like a, an empty space where the trucks, the truckers park so they can sleep or whatever. And he (noise) ran that way between two trucks.

KILLEN: Okay. (noise)

P.O.GAFFNEY: So at that time (noise) my partner started runnin' and I drove the car, I drove the car up to the entrance of the Burger King lot and went

OIG 15-0564 000623

into the Burger King lot. And before I did that the other car that came off went into the Burger King lot also. So I just, I seen 'em come outta, between the trucks. I ran, I kept drivin' towards, towards the, the end of the lot, towards Pulaski and that's, he ran and then I stopped cause I (noise) my tire was pretty much flat. So I couldn't get, I wasn't gonna go over the curb and then the other car was behind 'em. He ran into like towards the street and the other car followed 'em went over the curb and followed 'em.

KILLEN: Do you know who, who's that other car you're talkin' about? Do you know who that is?

P.O.GAFFNEY: At the time I didn't but now I know it was 845 Robert.

KILLEN: Okay. And that's the car he's talkin' 'bout Pulaski and --

P.O.GAFFNEY: Yeah.

KILLEN: -- where they U turn and go back at 'em?

P.O.GAFFNEY: That's the one, that's the one yeah that's the one that I, I (noise) know, I found out that was the one that went over the curb, yeah.

KILLEN: Okay so you stop your (someone clears throat) car where then?

P.O.GAFFNEY: Pretty much right behind the parkin' lot. Before, before going over the curb and into the street. (noise)

OIG 15-0564 000624

KILLEN: Okay. And then, and you stopped because of the (noise) flat?

P.O.GAFFNEY: Yeah cause I, I, I didn't wanna, I didn't know if I was gonna make it over the, cuz it was like you know that lil part there's like lil the, the, cement tongue if you will, that, that's the parkin' lot. (noise) You know if I was gonna get over it.

KILLEN: And you see 845 Robert continue.

P.O.GAFFNEY: Yeah they went they continued followin' 'em and went into the street. So I --

KILLEN: And that's Pulaski you're talkin' about?

P.O.GAFFNEY: Yeah. Into Pulaski. So I spun around went behind the park, behind the Burger King you know there's a street, (inaudible) back towards Pulaski where it goes out to the street on Pulaski. (noise)

KILLEN: Okay so, so you don't take the curb at all. You just --

P.O.GAFFNEY: No, no I, I, I turn around, I turned around and went around the parkin' lot to, to get out where there's a, there's the light on 41st Street. (noise)

KILLEN: And that's where your car's stopped?

P.O.GAFFNEY: And then yeah I turned on Pulaski and that's where my, that's where I finally stopped.

OIG 15-0564 000625

KILLEN: That's when, when I saw your car was south, facin' south --
P.O.GAFFNEY: Yes. Yes that's right, that's where I stopped.

KILLEN: Okay so then do you see what happens then after, with, with the offender and 845 Robert then?
P.O.GAFFNEY: No that was all, yeah that was I believe done before I got onto Pulaski. Cause I, I spun around and that's when I, I heard, I started to hear shots before I got onto Pul, I think when I got onto Pulaski there was other cars and stuff in front of me too. So I didn't see what exactly was goin' on.

KILLEN: So you're basically goin' around Burger King.
P.O.GAFFNEY: Yeah that's when the shots I believe that's when the shots started firin'.

KILLEN: You heard gunshots?
P.O.GAFFNEY: Yeah.

KILLEN: At the time did you know who was shootin'?
P.O.GAFFNEY: No I didn't know.

KILLEN: Could you see who was shootin'?
P.O.GAFFNEY: No.

KILLEN: That's because --
P.O.GAFFNEY: Well there's a, yeah well there's a fence also right, opposite side of Burger King where, where we blocked, pretty much blocked. The fence

OIG 15-0564 000626

with uh, like a covering you know covering fence so nobody could see through the fence. Cause they were building some stuff there. So yeah there was that was all blockin' me.

KILLEN: There's (noise) no line a sight.
P.O.GAFFNEY: No, no.

KILLEN: Okay.
P.O.GAFFNEY: No.

KILLEN: So then by the time you, you get south on Pulaski there's no more shooting correct?
P.O.GAFFNEY: I believe yeah I believe so. I don't (noise) remember any shooting at, at, when I got onto Pulaski.

KILLEN: Where (noise) when you got on Pulaski and you're goin' south could you see the offender still?
P.O.GAFFNEY: No not, not until I got outta the car and started to go you know 'round to, to where everything was goin' on.

KILLEN: Where was he?
P.O.GAFFNEY: The offender he was on the ground at the time when I, when I got over there.

KILLEN: Okay. And it's after that then you find out who's shooting what happened?
P.O.GAFFNEY: Yeah, yeah.

OIG 15-0564 000627

KILLEN: Okay. (noise) You didn't see the shooting, you, you (noise) you didn't see Officer Van Dyke discharge the weapon?
P.O.GAFFNEY: No I didn't, no.

KILLEN: Okay. (sighs) And then that, that, (noise) the two people that called 9 1 1 said they were holdin' the offender.
P.O.GAFFNEY: Hmm huh.

KILLEN: Do you have any idea who they are?
P.O.GAFFNEY: No not at the time, no. Cause right when they just said he went around the corner, they gave a quick description. We just wanted to go and you know see if we can catch 'em. We didn't know how long ago it was. Or where he would've went. So we just you know went and see if we could grab 'em and figured they woulda still been there when we got back.

KILLEN: Okay. And then the knife that the offender had, as best you can describe it to me?
P.O.GAFFNEY: Uh all silver, real bright. And prob'ly 'bout four to six inch blade.

KILLEN: Okay. All right. Uh was there anything you'd like to add?
P.O.GAFFNEY: No.

KILLEN: All right everything you told me is a true and accurate account of what occurred?
P.O.GAFFNEY: Yes.

OIG 15-0564 000628

KILLEN: All right this will conclude the audio recorded interview of Officer Thomas Gaffney regarding Log number 1072125 U number 14 dash 36. Today is the 21st of October 2014. The time is approximately 0424 hours.

OIG 15-0564 000629

I, CAROL A. O'LEARY, do hereby certify or affirm that I have impartially transcribed the foregoing from an audio recording of the above-mentioned proceeding to the best of my ability.

Carol A. O'Leary

Carol A. O'Leary

OIG 15-0564 000630

envelope
& pics # 1
2 photos
per page

RD NO.

HX475653

OFFENSE/INCIDENT

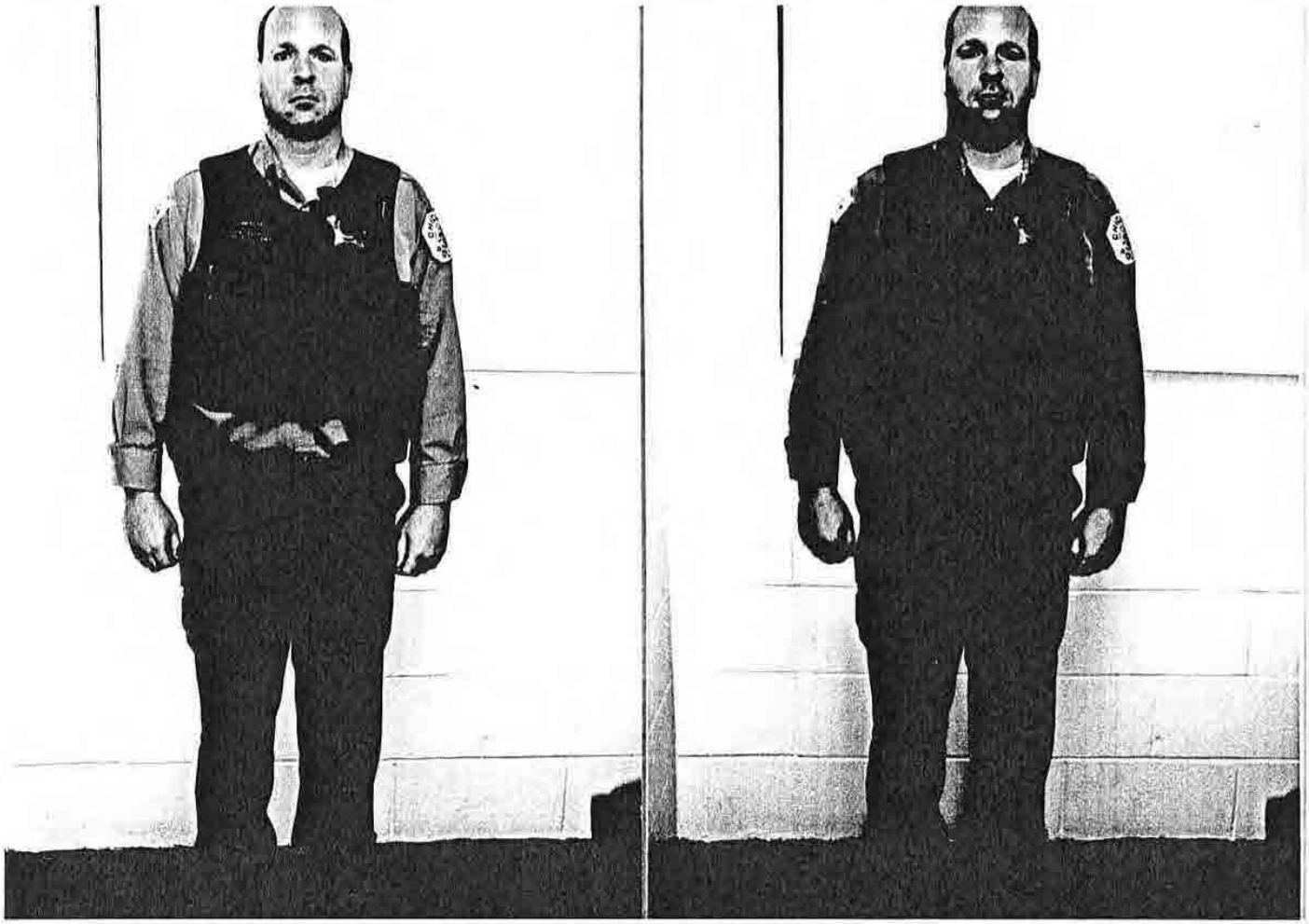
AGGRAVATED ASSAULT
TO POLICE OFFICER

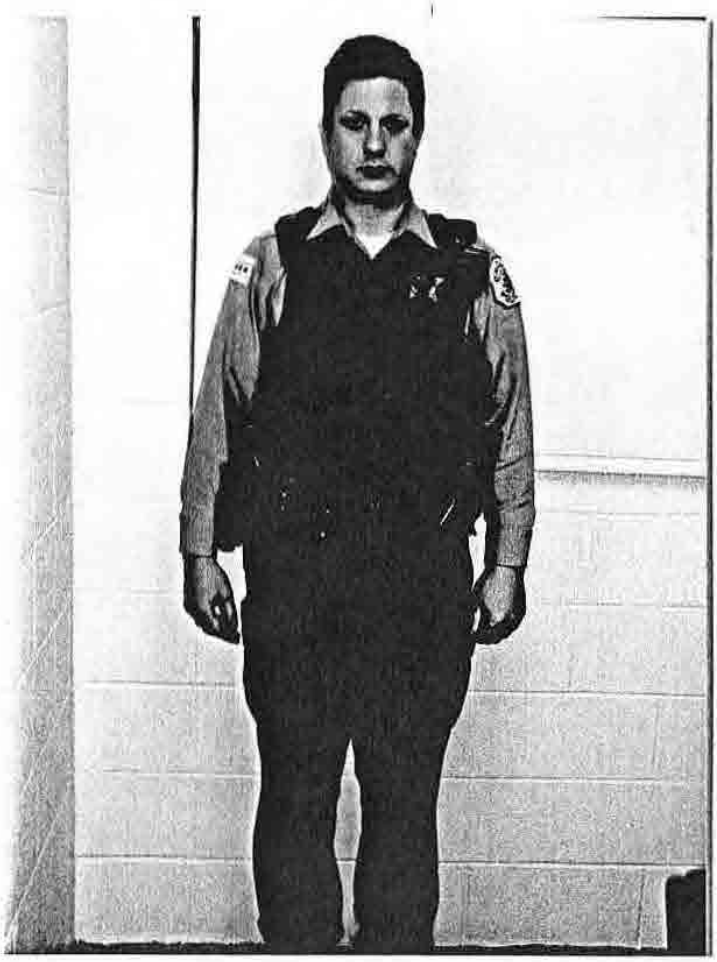
DATE & TIME PHOTOS TAKEN

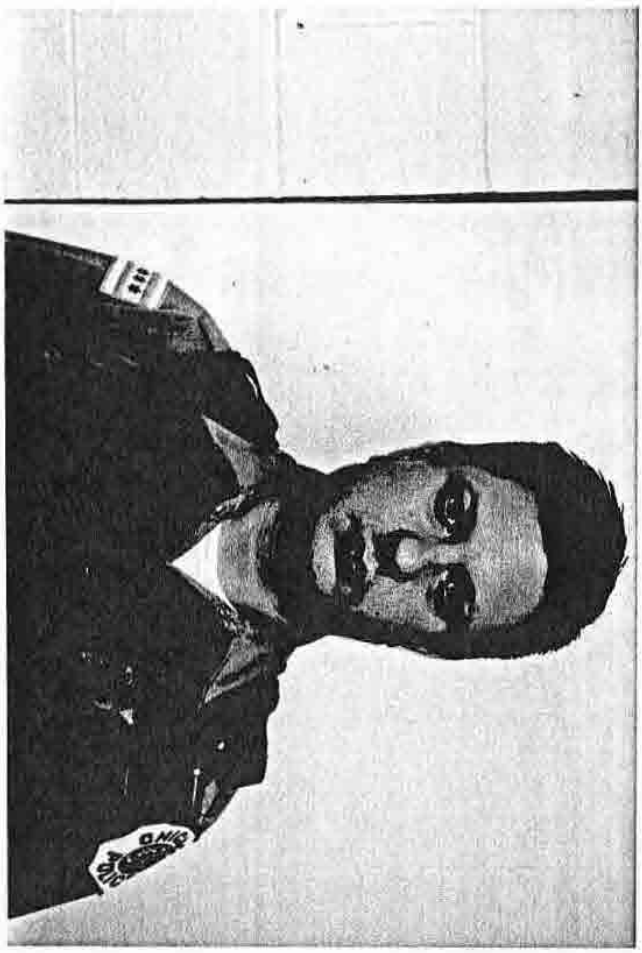
21 OCT. 2014

PHOTOGRAPHER'S NAME	STAR NO.	UNIT
RIDER, P.	9977	277



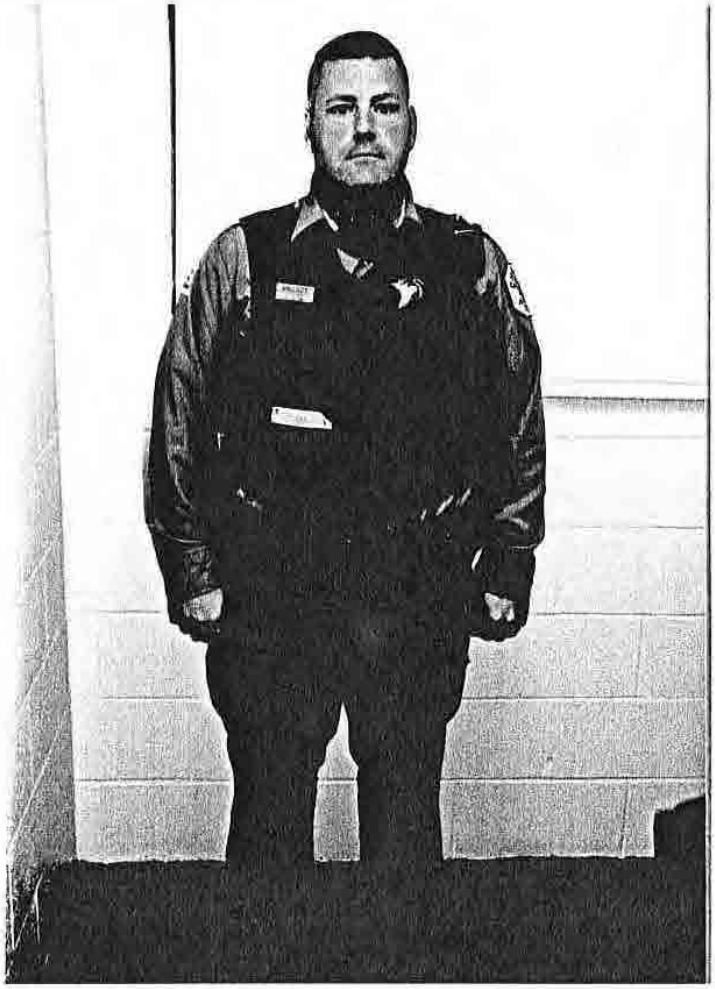


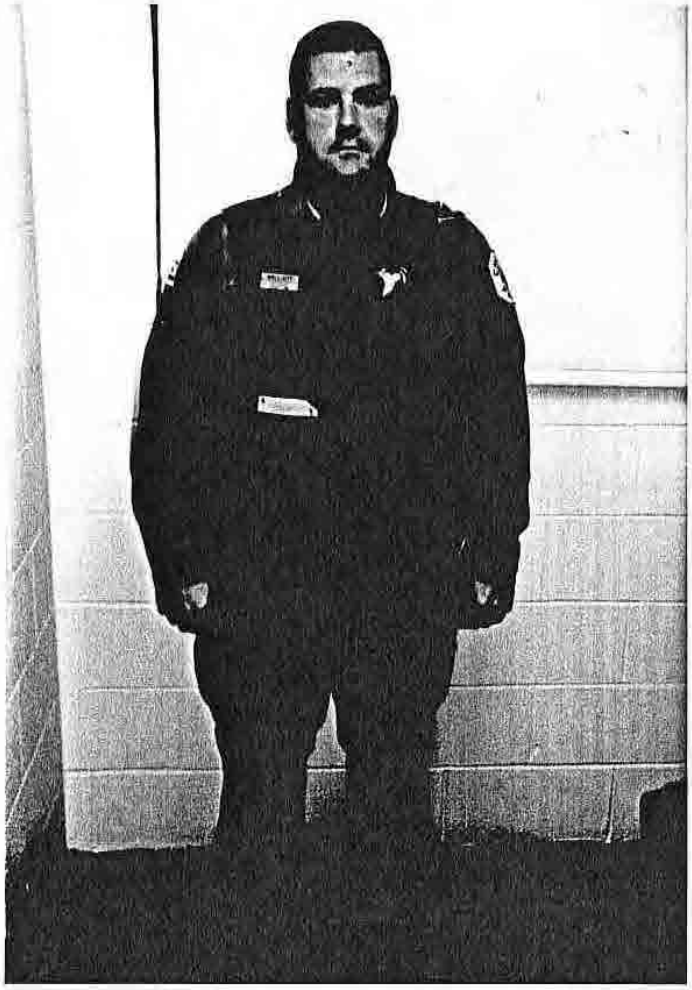
















Event # 1429315878

Type	Location	Date	Pri	DG	Svc Beat	Disp
HOLDCI	3999 W 41ST ST / 4099 S PULASKI RD	20-OCT-2014 21:47:07	1A	008	0821	0552

Source	Response Level	Caller	Phone
E	1	[redacted]	[redacted]

Address of Occurrence	Occ Beat
4100 S KILDARE BL	0815

Event Chronology

Date	Activity	Wkstn	Person	Text
20-OCT-2014 21:45:35	REC			
20-OCT-2014 21:47:07	ENTRY	PCT49	C549513	CallerLocation, CallerName have been changed.
20-OCT-2014 21:47:50	DSP	PD18	D560949	815R
20-OCT-2014 21:48:05	ACK	PMDT6024	PC0V821	815R
20-OCT-2014 21:53:27	CLOC	PD18	D560949	815R [40 KEELER]
20-OCT-2014 21:53:40	MISC	PD18	D560949	knife in hand need tzaer
20-OCT-2014 21:53:43	ASST	PD18	D560949	812
20-OCT-2014 21:53:45	MISC	PADM19	D112780	815R NEED TASER PERKNI [40 KEELER
20-OCT-2014 21:53:48	ACK	PMDT5805	PC0U318	812
20-OCT-2014 21:54:51	MISC	PD18	D560949	walking eb
20-OCT-2014 21:54:53	MISC	PADM19	D112780	15R --- WALKING EB
20-OCT-2014 21:55:08	MISC	PADM19	D112780	TOWARDS PULASKI ?
20-OCT-2014 21:56:14	MISC	PADM19	D108212	popped tire on car
20-OCT-2014 21:56:18	MISC	PD18	D560949	popped tire on car
20-OCT-2014 21:56:20	ASSTER	PADM19	D108212	845R
20-OCT-2014 21:56:22	AUTPRE	PD18	D560949	845R
20-OCT-2014 21:56:22	ASST	PD18	D560949	845R
20-OCT-2014 21:56:33	MISC	PADM19	D108212	by the burger king
20-OCT-2014 21:56:36	MISC	PD18	D560949	headed to bk
20-OCT-2014 21:56:43	MISC	PADM19	D108212	female says were here
20-OCT-2014 21:56:47	ASSTER	PADM19	D108212	821R
20-OCT-2014 21:56:49	AUTPRE	PD18	D560949	821R
20-OCT-2014 21:56:49	ASST	PD18	D560949	821R
20-OCT-2014 21:56:52	ASSTER	PADM19	D108212	841R
20-OCT-2014 21:56:55	AUTPRE	PD18	D560949	841R
20-OCT-2014 21:56:55	ASST	PD18	D560949	841R
20-OCT-2014 21:57:00	MISC	PD18	D560949	to pulaski
20-OCT-2014 21:57:30	MISC	PADM19	D108212	shtosf fired by cpd
20-OCT-2014 21:57:32	MISC	PD18	D560949	shots fired by police
20-OCT-2014 21:57:41	ASST	PD18	D560949	862C
20-OCT-2014 21:57:51	MISC	PD18	D560949	NEEDS EMS
20-OCT-2014 21:57:58	MISC	PD18	D560949	41 PULASKI
20-OCT-2014 21:58:38	MISC	PADM19	D108212	i 55 all of pulski shut down 45 th
20-OCT-2014 21:58:39	MISC	PD18	D560949	SHUT DOWN PULASKI I55 - 45TH ST
20-OCT-2014 21:58:57	MISC	PADM19	D108212	calling state shut down ramps
20-OCT-2014 21:59:04	MISC	PD18	D560949	41 PULASKI DIVERTING TRAFFIC @ 821R

Event # 1429315878

Event Chronology

Date	Activity	Wkstn	Person	Text
20-OCT-2014 21:59:21	MISC	PD18	D560949	821R COVERING SB
20-OCT-2014 21:59:22	DSP	PDT101	D543242	4603
20-OCT-2014 21:59:25	AUTPRE	PD18	D560949	812
20-OCT-2014 21:59:25	ASST	PD18	D560949	812
20-OCT-2014 21:59:35	CLOC	PD18	D560949	812 [43 PULASKI NB]
20-OCT-2014 21:59:43	MISC	PADM19	D108212	state nfy'd sb pulaski shut down from i 55
20-OCT-2014 21:59:44	ASST	PD18	D560949	823R
20-OCT-2014 21:59:49	ASST	PADM19	D108212	843
20-OCT-2014 21:59:54	CLOC	PADM19	D108212	843 [HOLDING I55 RAMP]
20-OCT-2014 22:00:00	CLOC	PD18	D560949	843 [I 55 PULASKI]
20-OCT-2014 22:00:01	ASST	PADM19	D108212	PH2
20-OCT-2014 22:00:09	ASST	PADM19	D108212	851R
20-OCT-2014 22:00:13	ACK	PMDT4691	PC0X830	851R
20-OCT-2014 22:00:26	AUTPRE	PD18	D560949	851R
20-OCT-2014 22:00:26	ASST	PD18	D560949	851R
20-OCT-2014 22:00:29	ACK	PMDT6416	PC0X832	4603
20-OCT-2014 22:00:30	MISC	PADM19	D108212	815R both ok ???
20-OCT-2014 22:00:36	MISC	PADM19	D108212	everyone is ok
20-OCT-2014 22:00:51	MISC	PADM19	D108212	slowdown
20-OCT-2014 22:00:53	MISC	PADM19	D108212	nm
20-OCT-2014 22:00:56	MISC	PADM19	D108212	slowdown
20-OCT-2014 22:00:59	MISC	PD18	D560949	SLOWDOWN
20-OCT-2014 22:01:06	ASST	PADM19	D108212	810R
20-OCT-2014 22:01:16	MISC	PADM19	D108212	810R to get info from officer fired weapon
20-OCT-2014 22:01:19	MISC	PD18	D560949	INFO REQUESTED
20-OCT-2014 22:01:22	MISC	PD18	D560949	NAME & STAR
20-OCT-2014 22:02:20	ASST	PADM19	D108212	811
20-OCT-2014 22:02:27	CLOC	PADM19	D108212	811 [TRAFK SB ON PULASKI]
20-OCT-2014 22:02:34	ASST	PADM19	D108212	833R
20-OCT-2014 22:02:40	CLOC	PADM19	D108212	833R [44TH/PULASKI NB PULASKI]
20-OCT-2014 22:03:00	MISC	PADM19	D108212	810R *9465
20-OCT-2014 22:03:21	CLEAR	PADM19	D108212	PH2
20-OCT-2014 22:04:10	MISC	PADM19	D108212	cut off nb pulaski @ 47th st
20-OCT-2014 22:04:13	ASST	PADM19	D108212	865
20-OCT-2014 22:04:15	ASST	PADM19	D108212	846
20-OCT-2014 22:04:19	MISC	PD18	D50696	CUT47TH ST N/B PULASKI
20-OCT-2014 22:04:23	CLOC	PADM19	D108212	846 [TRAFFK @ 47 PULASKI]
20-OCT-2014 22:04:26	MISC	PADM19	D108212	846 nb
20-OCT-2014 22:05:50	ACK	PMDT5311	PC0AE49	846
20-OCT-2014 22:06:14	ASST	PADM19	D108212	855
20-OCT-2014 22:06:24	CLOC	PADM19	D108212	855 [TRAFFIC NB 45TH/PUASKI]
20-OCT-2014 22:06:29	CLOC	PD18	D50696	855 [45TH /PULASKIN/B]

Event # 1429315878

Event Chronology

Date	Activity	Wkstn	Person	Text
20-OCT-2014 22:06:41	COPYT	PADM19	D108212	Copied To Event(s): #CPD1429316149
20-OCT-2014 22:07:19	MISC	PD18	D50696	CTA NFY TO REROUTE BUSES
20-OCT-2014 22:08:04	CLOC	PADM19	D108212	821R 845R 841R 862C 865 846 4603 812 823R 855 843 851R 810R 815R 833R 811 [41ST/PULASKI]
20-OCT-2014 22:08:26	MISC	PD18	D50696	OEMC WEIDERSTROM NFY
20-OCT-2014 22:09:14	ASSTER	PADM19	D108212	842
20-OCT-2014 22:09:47	MISC	PD18	D50696	CTA SUPV ON THE BRIDGE
20-OCT-2014 22:12:50	ASST	PADM19	D108212	865B
20-OCT-2014 22:12:53	ACK	PMDT4684	PC0Y103	865B
20-OCT-2014 22:15:01	ASST	PADM19	D108212	850
20-OCT-2014 22:15:16	MISC	PADM19	D108212	865 a21 leaving sceen w/offender
20-OCT-2014 22:15:22	PCCHNG	PADM19	D108212	Papercar changed from 815R to 841R
20-OCT-2014 22:15:28	CLOC	PADM19	D108212	841R [A21 W/OFFENDER]
20-OCT-2014 22:15:46	SUPP	PADM19	D108212	Remarks Added
20-OCT-2014 22:15:52	ASST	PADM19	D108212	800X
20-OCT-2014 22:15:53	ACK	PMDT4701	PC0W294	811
20-OCT-2014 22:15:56	ACK	PMDT5173	PC0E418	800X
20-OCT-2014 22:16:32	EVTMSG	PDT97		SHOTS FIRED BY POLICE OFFENDER POSSIBLY STRUCK NFI AT THIS TIME
20-OCT-2014 22:16:54	ENR	PMDT4701	PC0W294	811
20-OCT-2014 22:16:54	ONS	PMDT4701	PC0W294	811
20-OCT-2014 22:17:06	CLOC	PADM19	D108212	842 [FOLOWING A21 TO HOSPITAL]
20-OCT-2014 22:17:16	CLOCX	PADM19	D108212	842 [4100 S KILDARE BL]
20-OCT-2014 22:17:52	CLOC	PADM19	D108212	842 [A21 TO MT SINAI]
20-OCT-2014 22:17:54	CLOCX	PADM19	D108212	841R [4100 S KILDARE BL]
20-OCT-2014 22:19:00	REMINQ	PMDT5311	PC0AE49	846 Veh->LIC/[redacted] LIS/IL
20-OCT-2014 22:19:02	ACK	PMDT4681	PC0S756	850
20-OCT-2014 22:19:20	CLEAR	PADM19	D108212	812
20-OCT-2014 22:19:38	CLEAR	PMDT4701	PC0W294	811
20-OCT-2014 22:21:52	SUPP	PADM19	D108212	Remarks Added
20-OCT-2014 22:22:31	CLEAR	PMDT6416	PC0X832	4603
20-OCT-2014 22:23:24	ASSTOS	PADM19	D108212	813R
20-OCT-2014 22:24:47	ACK	PMDT4706	PC0W483	813R
20-OCT-2014 22:27:36	ACK	PMDT5808	PC0W480	862C
20-OCT-2014 22:33:18	GDISP	PADM19	D108212	841R D/5000
20-OCT-2014 22:33:37	CASERD	PADM19	D108212	RDG Report Number 841R $CPDHX475653 D/5000 By: D108212
20-OCT-2014 22:34:55	SUPP	PADM19	D108212	Remarks Added
20-OCT-2014 22:38:26	COPYT	PDTS103	D557395	Copied To Event(s): #CPD1429316573
20-OCT-2014 22:38:51	MISC	PADM19	D108212	821R has the bus driver unk if supv is on scene

Event # 1429315878

Event Chronology

Date	Activity	Wkstn	Person	Text
20-OCT-2014 22:41:47	SUPP	PADM19	D108212	Remarks Added
20-OCT-2014 22:47:25	ASSTOS	PADM19	D108212	822
20-OCT-2014 22:47:33	ACK	PMDT4677	PC0AD53	822
20-OCT-2014 22:47:38	CLEAR	PMDT4681	PC0S756	850
20-OCT-2014 22:49:01	SUPP	PDT97	D382563	Remarks Added
20-OCT-2014 22:49:03	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted] LIS/IL
20-OCT-2014 22:49:49	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted]5 LIS/IL
20-OCT-2014 22:50:03	CLOC	PADM19	D108212	846 [44TH/PULASK > 53RD/PULASKI]
20-OCT-2014 22:51:08	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL
20-OCT-2014 22:54:30	COPYT	PADM19	D108212	Copied To Event(s): #CPD1429316783
20-OCT-2014 22:55:16	TCMPL	PADM19	D108212	846 , 783
20-OCT-2014 22:56:18	MISC	PADM19	D108212	5169-
20-OCT-2014 22:59:35	MISC	PADM19	D108212	843 tell officers fop guys are there
20-OCT-2014 23:00:29	GDISP	PADM19	D108212	841R D/0552
20-OCT-2014 23:01:29	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:01:45	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:05:27	SUPP	PADM19	D108212	Remarks Added
20-OCT-2014 23:06:21	CHNG	PADM19	D108212	Location: 4100 S KILDARE BL ==> 3999 W 41ST ST / 4099 S PULASKI RD;X Streets: 4100 BL S /4301 BL W 41ST ST ==> / ;LocCmt: BY UNITED RENTAL ==> BY UNITED RENTAL & BURGER KING;Atom: 815 ==> 821;RespArea: 815 ==> 821;RespGroup:815 ==> 821;
20-OCT-2014 23:08:50	REMINQ	PMDT5311	PC0AE49	846 Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:10:09	REMINQ	PMDT4751	PC0X185	841R Per->NAM/[redacted]J DOB[redacted] SEX/M DLS/IL
20-OCT-2014 23:10:09	REMINQ	PMDT4751	PC0X185	841R Per->NAM/[redacted] SEX/M SID/[redacted] DLS/IL
20-OCT-2014 23:10:16	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:11:31	CLEAR	PMDT5311	PC0AE49	846
20-OCT-2014 23:18:57	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted] LIS/IL
20-OCT-2014 23:22:10	REMINQ	PMDT4684	PC0Y103	865B Per->DLN[redacted] DLS/IL
20-OCT-2014 23:22:43	SUPP	PADM19	D108212	Remarks Added
20-OCT-2014 23:23:00	REMINQ	PMDT4684	PC0Y103	865B Per->DBId/54537
20-OCT-2014 23:29:50	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:30:06	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:31:49	REMINQ	PMDT4534	PC0T089	833R Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:35:59	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted] LIS/IL
20-OCT-2014 23:39:23	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL

Event # 1429315878

Event Chronology

Date	Activity	Wkstn	Person	Text
20-OCT-2014 23:43:55	CLEAR	PADM19	D108212	822
20-OCT-2014 23:45:30	ENR	PMDT4751	PC0X185	841R
20-OCT-2014 23:50:50	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted] LIS/IL
20-OCT-2014 23:54:43	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted] LIS/IL
21-OCT-2014 00:09:01	CLEAR	PD18	D50696	862C
21-OCT-2014 00:11:37	CLOC	PADM19	D108212	842 [MT SINAI NEEDS RELIEF]
21-OCT-2014 00:18:09	ASST	PD18	D50696	846R
21-OCT-2014 00:18:25	CLOC	PD18	D50696	846R [MT SINAI W/PRISONER]
21-OCT-2014 00:18:31	ACK	PMDT4685	PC0AK48	846R
21-OCT-2014 00:20:40	CLOC	PADM19	D108212	843 [I55 @ PULASKI TRAFK CONTROL --- RELIEF]
21-OCT-2014 00:27:54	ASST	PD18	D50696	824R
21-OCT-2014 00:27:58	ACK	PMDT4683	PC0T069	824R
21-OCT-2014 00:28:11	CLOC	PD18	D50696	824R [I55 @ PULASKI- TRAFK ON RAMP]
21-OCT-2014 00:31:16	REMINQ	PMDT4683	PC0T069	824R Veh->LIC/[redacted] LIS/IL LIT/ZZ
21-OCT-2014 00:45:40	CLEAR	PADM19	D108212	843
21-OCT-2014 00:55:22	REMINQ	PMDT4534	PC0T089	833R Veh->LIC/[redacted] LIS/IL
21-OCT-2014 00:58:06	REMINQ	PMDT4534	PC0T089	833R Veh->LIC[redacted] LIS/IL
21-OCT-2014 00:58:18	REMINQ	PMDT4534	PC0T089	833R Veh->LIC[redacted]LIS/IL
21-OCT-2014 01:00:51	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted]LIS/IL
21-OCT-2014 01:05:09	REMINQ	PMDT4534	PC0T089	833R Veh->LIC/[redacted] LIS/IL
21-OCT-2014 01:05:28	REMINQ	PMDT4534	PC0T089	833R Veh->LIC/[redacted]-B LIS/IL LIT/TK
21-OCT-2014 01:05:37	REMINQ	PMDT4534	PC0T089	833R Veh->LIC/[redacted] LIS/IL
21-OCT-2014 01:06:44	REMINQ	PMDT4534	PC0T089	833R Veh->LIC[redacted]LIS/IL
21-OCT-2014 01:06:54	REMINQ	PMDT4534	PC0T089	833R Veh->LIC/[redacted] LIS/IL
21-OCT-2014 01:09:59	CLEAR	PADM19	D108212	800X
21-OCT-2014 01:10:24	CLEAR	PMDT4998	PC0X178	842
21-OCT-2014 01:16:16	CLEAR	PADM19	D108212	855
21-OCT-2014 01:16:44	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted]9 LIS/IL
21-OCT-2014 01:18:14	CLEAR	PD18	D50696	865B
21-OCT-2014 01:33:29	AUTPRE	PADM19	D108212	865
21-OCT-2014 01:33:49	CLOC	PADM19	D108212	813R [AREA]
21-OCT-2014 01:33:57	ASST	PADM19	D108212	822
21-OCT-2014 01:34:00	CLOC	PADM19	D108212	822 [AREA]
21-OCT-2014 02:12:02	CLOC	PMDT4751	PC0X185	841R [AREA CENTRAL]
21-OCT-2014 03:10:28	CLOC	PD18	D50696	815R [AREA]
21-OCT-2014 03:16:34	MISC	PD18	D50696	PER 830R PULASKI CAN BE OPENED
21-OCT-2014 03:22:25	CLOC	PMDT6234	PC0Z521	823R [008] reports
21-OCT-2014 03:26:53	CLEAR	PMDT4683	PC0T069	824R
21-OCT-2014 03:36:12	REMINQ	PMDT4507	PC0W970	821R Veh->LIC/[redacted]LIS/IL LIT/TM
21-OCT-2014 03:40:25	REMINQ	PMDT4507	PC0W970	821R Veh->LIC/[redacted] LIS/IL
21-OCT-2014 03:40:45	REMINQ	PMDT4507	PC0W970	821R Veh->LIC/[redacted] LIS/IL

Event # 1429315878

Event Chronology

Date	Activity	Wkstn	Person	Text
21-OCT-2014 03:43:12	CLEAR	PMDT4507	PC0W970	821R
21-OCT-2014 04:03:03	CLOC	PD18	D50696	846R [MT SINAI]
21-OCT-2014 04:03:07	ONS	PD18	D50696	846R
21-OCT-2014 04:09:19	CLOC	PD18	D50696	833R [AREA CENTRAL W/815'S CAR]
21-OCT-2014 04:10:11	CLOC	PD18	D50696	833R [AREA CENTRAL W/815R'S CAR]
21-OCT-2014 04:18:37	CLEAR	PD18	D50696	823R
21-OCT-2014 04:23:43	CLEAR	PMDT4691	PC0X830	851R
21-OCT-2014 04:39:23	CLOC	PD18	D50696	845R [AREA CENTRAL]
21-OCT-2014 04:44:49	CLOC	PADM19	D108212	833R [008]
21-OCT-2014 04:48:06	CLEAR	PADM19	D108212	822
21-OCT-2014 05:11:56	COPYT	PDTS103	DT557395	Copied To Event(s): #CPD1429401913
21-OCT-2014 05:12:32	CLEAR	PADM19	D108212	833R
21-OCT-2014 05:12:50	ONS	PADM19	D108212	841R
21-OCT-2014 05:12:50	ONS	PADM19	D108212	845R
21-OCT-2014 05:12:50	ONS	PADM19	D108212	815R
21-OCT-2014 05:12:50	ONS	PADM19	D108212	813R
21-OCT-2014 05:12:52	ONS	PADM19	D108212	810R
21-OCT-2014 05:15:15	MISC	PADM19	D108212	846R BODY REMOVAL 0511 HRS
21-OCT-2014 05:20:48	CLEAR	PADM19	D108212	846R
21-OCT-2014 05:32:26	CLEAR	PADM19	D108212	810R
21-OCT-2014 06:31:23	SCHOFF	PMDT4659	PC0V684	Unit #845R scheduled for Logoff
21-OCT-2014 07:41:19	SCHOFF	PMDT4751	PC0X185	Unit #841R scheduled for Logoff
21-OCT-2014 07:43:43	CLEAR	PD18	D300971	841R 815R 845R 813R
21-OCT-2014 07:43:43	CLOSE	PD18	D300971	
21-OCT-2014 07:44:00	ROPEN	PD18	D300971	OPEN
21-OCT-2014 07:44:00	DSP	PD18	D300971	813R
21-OCT-2014 07:44:04	ACK	PMDT4706	PC0W483	813R
21-OCT-2014 07:44:09	SCHOFF	PMDT4706	PC0W483	Unit #813R scheduled for Logoff
21-OCT-2014 07:45:06	SCHOFF	PMDT4706	PC0W483	Unit #813R scheduled for Logoff
21-OCT-2014 07:45:34	SCHOFF	PD18	D300971	Unit #813R scheduled for Logoff
21-OCT-2014 07:45:37	CLEAR	PD18	D300971	813R
21-OCT-2014 07:45:37	CLOSE	PD18	D300971	
21-OCT-2014 07:45:52	ROPEN	PD18	D300971	OPEN
21-OCT-2014 07:45:52	DSP	PD18	D300971	815R
21-OCT-2014 08:45:46	ACK	PMDT6024	PC0V821	815R
21-OCT-2014 08:52:57	CLEAR	PD18	D300971	815R
21-OCT-2014 08:52:57	CLOSE	PD18	D300971	
	RMKS			*** WIRELESS CALL ***
	RMKS			holding a male who he caught breaking into trucks and stealing radios nfi
	RMKS			a21 to hospital
	RMKS			a21 to mt sinai confirmd by fireside

Event # 1429315878

Event Chronology

Date	Activity	Wkstn	Person	Text
	RMKS			HAVE SGT OR PAPER CAR CALL CRIME LAB AREA CENTRAL HGSCU OPER COMM NEWS AFFAIRS ASAP
	RMKS			[redacted] il id [redacted] 6'01 185\
	RMKS			EXEC DIR SCHENKEL NOTIFIED @ 2223 HRS 1ST DEP ELLIS NOTIFIED @ 2224 HRS CHIEF OF STAFF BERGER NOTIFIED @ 2226 HRS MANAG DEP , OPER GUIDICE NOTIFIED @ 2228 HRS DEP DIR , 911 OPER HALLOWELL NOTIFIED @ 2229 HRS DIR NEWS AFFAIRS STRATTON NOTIFIED @ 2231 HRS OEMC INVEST UNIT MESSAGE LEFT @ 2236 HRS MAYOR'S DETAIL BURTON NOTIFIED @ 2241 HRS IMD/OC NOTIFIED VIA MESSAGE @ 2217 HRS OEMC WM ORLANDINI NOTIFIED @ 2217 HRS OPER COMM *1804 NOTIFIED @ 2221 HRS [HAVE PC CALL] AREA SOUTH HGSCU DET KRETTEK NOTIFIED @ 2219 HRS [HAVE PC CALL] CRIME LAB SARLO NOTIFIED @ 2221 HRS [HAVE PC CALL][5802 RESPONDING] NEWS AFFAIRS GAINES NOTIFIED @ 2247 HRS 008TH DIST SGT KOMENSKY *1745 NOTIFIED @ 2248 HRS PCO2 JOHNSON -- CW7
	RMKS			offender pronounced @ 2242 hrs per 842
	RMKS			843 - crime lab is on scene

Unit Summary

Event # 1429315878

Unit Summary

Unit	Dispatch	Enroute	Onscene	T	TA	TC	Clear
815R	21:47:50	21:53:27	21-OCT-2014 05:12:50				21-OCT-2014 07:43:43
812	21:53:43						21:59:25
845R	21:56:20	21:56:20					21:56:22
845R	21:56:22	22:08:04	21-OCT-2014 05:12:50				21-OCT-2014 07:43:43
821R	21:56:47	21:56:47					21:56:49
821R	21:56:49	22:08:04					21-OCT-2014 03:43:12
841R	21:56:52	21:56:52					21:56:55
841R	21:56:55	22:08:04	22:17:54				21-OCT-2014 07:43:43
862C	21:57:41	22:08:04					21-OCT-2014 00:09:01
4603	21:59:22	22:08:04					22:22:31
812	21:59:25	21:59:35					22:19:20
823R	21:59:44	22:08:04					21-OCT-2014 04:18:37
843	21:59:49	21:59:54					21-OCT-2014 00:45:40
PH2	22:00:01						22:03:21
851R	22:00:09						22:00:26
851R	22:00:26	22:08:04					21-OCT-2014 04:23:43
810R	22:01:06	22:08:04	21-OCT-2014 05:12:52				21-OCT-2014 05:32:26
811	22:02:20	22:02:27	22:16:54				22:19:38
833R	22:02:34	22:02:40					21-OCT-2014 05:12:32
865	22:04:13	22:08:04					21-OCT-2014 01:33:29
846	22:04:15	22:04:23				22:55:16	23:11:31
855	22:06:14	22:06:24					21-OCT-2014 01:16:16
842	22:09:14	22:09:14	22:17:16				21-OCT-2014 01:10:24
865B	22:12:50						21-OCT-2014 01:18:14
850	22:15:01						22:47:38
800X	22:15:52						21-OCT-2014 01:09:59

Event # 1429315878

Unit Summary

Unit	Dispatch	Enroute	Onscene	T	TA	TC	Clear
813R	22:23:24	21-OCT-2014 01:33:49	22:23:24				21-OCT-2014 07:43:43
822	22:47:25		22:47:25				23:43:55
846R	21-OCT-2014 00:18:09	21-OCT-2014 00:18:25	21-OCT-2014 04:03:07				21-OCT-2014 05:20:48
824R	21-OCT-2014 00:27:54	21-OCT-2014 00:28:11					21-OCT-2014 03:26:53
822	21-OCT-2014 01:33:57	21-OCT-2014 01:34:00					21-OCT-2014 04:48:06
813R	21-OCT-2014 07:44:00						21-OCT-2014 07:45:37
815R	21-OCT-2014 07:45:52						21-OCT-2014 08:52:57

STATEMENT OF P.O. THOMAS GAFFNEY

CONDUCTED BY INVESTIGATOR KILLEN

ON OCTOBER 21, 2014 AT 0406 HOURS

AT AREA CENTRAL POLICE HEADQUARTERS

LOG # 1072125

Attachment # ~~76~~ ~~85~~ 160

OIG 15-0564 000610

KILLEN: This is the audio recorded interview of Officer Thomas Gaffney regarding Log number 1072125 U number 14 dash 36. Today is the 21st of October 2014. And the time is approximately 0406 hours. This statement is bein' taken at Area Central Police Headquarters at 51st and Wentworth. My name is Investigator Killen, that's spelled K I L L E N. My star number is 1 2 9. Also present is FOP attorney Dan Herbert. (noise) Dan if you would say and spell your first and last names.

HERBERT: Sure Dan, D A N, Herbert, H E R B E R T.

KILLEN: And uh also is uh FOP Representative Kato.

KATO: K R I S T O N. Last name is K A T O. (clears throat) FOP.

KILLEN: And Officer Gaffney if you would say and spell your first and last names for me.

P.O.GAFFNEY: My first name Thomas Gaffney, T H O M A S. G A F F N E Y.

KILLEN: Okay and what's your star number?

P.O.GAFFNEY: 1 9 9 5 8.

KILLEN: And your employee number?

P.O.GAFFNEY: [redacted].

KILLEN: And your uh current unit of assignment? (noise)

P.O.GAFFNEY: 8TH District.

KILLEN: Okay and (noise) what's your date of appointment with the (noise) Department?

P.O.GAFFNEY: Uh 8 July '96.

KILLEN: And your date of birth?

P.O.GAFFNEY: [redacted].

KILLEN: How long you been in 8?

P.O.GAFFNEY: Uh since 2000, 2001 I'm sorry. Summer 2001. (clears throat)

KILLEN: All right and then you're aware that this statement has the standing of an official Department report. And that any intentional falsification of any answer to any question would be in direct violations of rules and regulations?

P.O.GAFFNEY: Yes.

KILLEN: Given that, I (sighs) I'd like to remind you that failure to provide a complete and accurate account of this incident could result in a finding of Rule 14 with discipline leading up to and including separation from the Chicago Police Department. Do you understand that?

P.O.GAFFNEY: Yes.

KILLEN: All right and then you're aware that there are no allegations against you uh regarding this incident correct?

P.O.GAFFNEY: Yes.

KILLEN: Okay. So on 20 October 2014 at approximately 2150 hours what was your duty status and assignment?

OIG 15-0564 000612

P.O.GAFFNEY: Uh this statement is not being given voluntary but under duress. I am only givin' this statement because I know I will be fired if I refuse.

KILLEN: Okay. So yesterday 20 October 2014 approximately 2150 hours what was your duty status?
P.O.GAFFNEY: Um I was on duty workin' Beat 815 Robert.

KILLEN: Okay. And were you uh were you assigned a partner?
P.O.GAFFNEY: Yes I was, Joseph McElligott.

KILLEN: Okay were you uniformed?
P.O.GAFFNEY: Yes.

KILLEN: And so was McElligott right?
P.O.GAFFNEY: Yes.

KILLEN: Okay. And you and Officer McElligott you guys were assigned a car?
P.O.GAFFNEY: Yes.

KILLEN: What kinda car?
P.O.GAFFNEY: Uh squad, marked squad car uh Tahoe.

KILLEN: Okay. Were you the driver or the passenger?
P.O.GAFFNEY: I was the driver.

KILLEN: Okay. And then last night about 2150 hours you and uh Officer McElligott were witnesses to a police-involved shooting correct?

OIG 15-0564 000613

P.O.GAFFNEY: Yes.

KILLEN: All right and um (someone clears throat) if you would, if you'd start from the beginning and just run me through what happened.

P.O.GAFFNEY: Uh we received a call holding offender at forty, 4100 South Kildare. Um there supposedly somebody had broken into a, a truck uh vehicles um tryin' to get radios somethin' like that. So we, we were on Archer approximately Kostner Kenneth. I came uh, came to the (noise) we got the job came uh down Kostner to 47th, 47th to Kildare and Kildare right to 4100 South Kildare.

KILLEN: So you were comin' from the south goin' north correct?

P.O.GAFFNEY: Yes.

KILLEN: Okay. (someone clears throat) So you got the call are you, you were dispatched?

P.O.GAFFNEY: Yes.

KILLEN: OEMC?

P.O.GAFFNEY: Yes.

KILLEN: Radio?

P.O.GAFFNEY: Yes.

KILLEN: Okay. So then when you get to 41st and Kildare what, what happens?

P.O.GAFFNEY: Uh there was a [redacted] [redacted] and a [redacted] [redacted] uh standing by a gate um to the truck

OIG 15-0564 000614

yard. Um the gate was partially opened and uh the [redacted] had a chain in 'er hand and then we stopped and spoke to them.

KILLEN: Whaddid they tell ya?

P.O.GAFFNEY: They said that the guy just went around the corner. Um he was uh in the, in the you know lot tryin' to get um tryin' to get into trucks. Uh he had uh somethin' in his hand, he had uh a wire from a phone in his hand. And he said somethin' about a iPhone, I don't know if he was sayin' that he took an iPhone or he left an iPhone but he said that he went around the corner so then we, we asked 'em you know what he looked like, what he was wearin'? He said he's a male black with the dark shirt. So at that time we, we went up the street and turned the corner. (someone clears throat)

KILLEN: So they, they, did those two, that, did that [redacted] and [redacted] tell you which way the, the offender went?

P.O.GAFFNEY: Yes. Yeah he just pointed, he pointed north um and he said he went around the corner.

KILLEN: Okay so then that'd, that's 41st Street?

P.O.GAFFNEY: Yeah towards 40th Street.

KILLEN: Okay. And what happens then?

P.O.GAFFNEY: So we went, we went up the, up the block to 40th Street and we turned um east on 40th Street and we, (inaudible) when we turned we seen um you

OIG 15-0564 000615

know somebody walkin'. So we approached 'em, drove up to 'em and at that time we seen it was a male black with dread locks. You know and he had a dark shirt on. So at that time my, my partner had gotten outta the vehicle (clears throat) and he had his flashlight you know he's shining on 'em. You know tell 'em to come 'ere. So at that time he just kinda had a look, you know a weird look in his face you know like glazed eyes and stuff lookin' at us. So I stayed in my car in case he was gonna run. So at that time you know my partner kind of approached 'em a lil bit more and that's when he, he had seen you know tell 'em to get his hands outta his pocket cause he had one hand in his pocket. And then he had seen something in his you know a shiny object in his hand. And I, I heard 'em say you know he's got a knife. So that's when you know cuz then I, at first I was still in the car so I didn't really see, see the knife at that time. But once my partner said that that's when I kinda looked and I, at that time like I said we're all still walking or still moving. So then the street lights were a lil bit more as we were walkin' I, I seen a knife also in his hand.

KILLEN: Okay so this, so this point when you first see this guy he's on what street?

P.O.GAFFNEY: He's on 40th Street.

KILLEN: And he's, he's headed which way?

P.O.GAFFNEY: Uh east.

OIG 15-0564 000616

KILLEN: So he's headed toward Pulaski?
P.O.GAFFNEY: Yes.

KILLEN: All right is he by himself?
P.O.GAFFNEY: Yes.

KILLEN: Is he, like is he on the sidewalk --
P.O.GAFFNEY: On the, at that time he was on the sidewalk.

KILLEN: Which side of the street would he be on?
P.O.GAFFNEY: Uh south side.

KILLEN: So on the passenger side of your vehicle?
P.O.GAFFNEY: Yes. Yes.

KILLEN: All right so then you guys pull up, you pulled alongside of 'em?
P.O.GAFFNEY: Yes.

KILLEN: And then the officer --
P.O.GAFFNEY: Not quite, well not quite right next to 'em but yeah he was still like I said he was still walking but he was in front of the car. You know like in front of the area as we were walkin' and movin' at the same time.

KILLEN: You're kinda behind 'em?
P.O.GAFFNEY: Yeah, yeah but yeah.

KILLEN: And McElligott gets outta the car?
P.O.GAFFNEY: Yes.

OIG 15-0564 000617

KILLEN: Flashlight in hand.
P.O.GAFFNEY: Yes.

KILLEN: And he says come here?
P.O.GAFFNEY: Well yeah, yeah he starts you know come here. You know get your hand outta your pocket. And you know but he, he like I said he turned around, spun around a couple times and (inaudible) get to walking never said anything to us.

KILLEN: Which hand was in his pocket do you remember?
P.O.GAFFNEY: I think it was his left hand cause he had the other hand had whatever was in his, you know what he had in his hand at the time.

KILLEN: And do you know what was in his hand?
P.O.GAFFNEY: Not at that time I didn't.

KILLEN: Okay.
P.O.GAFFNEY: Like I said my partner, he, when my, my partner said he's got a knife that's when I kinda you know like I said as we were walkin' the street lights got a lil brighter and I was able to kinda look you know look over at the, and then see that he did have, you could tell you know it was in his hand and the blade was stickin' out.

KILLEN: Okay. And when you say he turned around a couple times does he keep 'em goin' east toward Pulaski?
P.O.GAFFNEY: Yeah he, he always kept goin'.

OIG 15-0564 000618

KILLEN: So he never stops?
P.O.GAFFNEY: No he never stopped he just kept walkin'. A couple times he went into the street but not, just like a step or two in the street but he just kept walkin' eastbound.

KILLEN: And he was by himself?
P.O.GAFFNEY: Yes.

KILLEN: All right so then so McElligott approaches 'em and then you hear McElligott say he's got a knife?
P.O.GAFFNEY: Yeah when he said he has a knife that's when I you know that's when I kinda like sat up a lil bit to look, to look, get a better look and that's when I, I seen it too.

KILLEN: Okay that was in his right hand then? Is that --
P.O.GAFFNEY: Yeah, yeah it was in his right hand.

KILLEN: So what happens then?
P.O.GAFFNEY: Uh at that time like I said (noise) my partner still kept you know tellin', that's what he said drop the knife, drop the knife. You know put the knife down whatever. And I got on the radio and you know got on the radio and said you know the guy's got a knn, we're at 40th and Kee, uh Keeler approachin' Keeler. Uh he's got a knife. Could we get another car over here with a taser.

OIG 15-0564 000619

KILLEN: So you don't carry a taser?
P.O.GAFFNEY: No I didn't, no.

KILLEN: McElligott he doesn't carry --
P.O.GAFFNEY: No he didn't have one either.

KILLEN: Okay. So what happens then?
P.O.GAFFNEY: Well like I said we I, I, I called it in then the dispatcher you know asked for other cars and other cars said they were comin'. So we just, we just kept stayin' you know keepin' our distance at the time you know I kept drivin' along. And um we just (noise) kept walkin' with 'em (noise) You know he never you know like came at us or anything at that time. He just kept like walkin', my partner still kept givin' 'em verbal commands and droppin' the knife and you know stop and that type a thing. But you know he just kept walkin' turning around lookin' back at us you know just that weird glaze look.

KILLEN: Did he ever say anything?
P.O.GAFFNEY: No never said a word to us at all.

KILLEN: Okay.
P.O.GAFFNEY: (Clears throat)

KILLEN: So then what happens?
P.O.GAFFNEY: We kept (noise) goin' east. When we're, we're approaching uh Karlov, 40th and Karlov I knew the next block there was the Burger King, there was a truck lot so we were gonna get more

OIG 15-0564 000620

people. So as we approached the, pretty much the corner of Karlov I like kinda turned my car towards him a lil bit on you know and you know to try and maybe get 'em to go down Karlov cause there's more, you know there's just factories so there's no people down that way. So and then uh - -

KILLEN: So the purpose of doin' that is keep 'em away from --

P.O.GAFFNEY: Yeah like try to slow 'em down until other cars got 'ere and make 'em see if he would maybe even go down the side street.

KILLEN: Okay.

P.O.GAFFNEY: You know keep 'em from getting to that more populated area where there were cars and people. (someone clears throat) So when I did that, he kinda like took a step towards and swung his uh, his arm down. When he did that that's when I heard like pssss a sound and I knew that he popped a tire. (noise)

KILLEN: Okay.

P.O.GAFFNEY: And then one, once he did that I got on the radio and said you know squad he just popped our tire. So (clears throat) --

KILLEN: Where's McElligott at this time?

P.O.GAFFNEY: He was still walk but he was, he was still walkin' with us but he was at like towards the back of the car.

OIG 15-0564 000621

KILLEN: Okay.

P.O.GAFFNEY: You know the back you know he still kept his distance. So (noise) (clears throat) once he did that, once he popped the tire again he just with that glazed stare, that glazed eye stare once he did that he like stepped back like took a step back, back away from the car. So I pulled up a lil bit further in front of 'em to you know try and maybe stop 'em or get 'em to go down that street. That's when he just took a step toward me and swung his arm really hard and hit the windshield with the knife.

HERBERT: And if I could just indicate for the record, with his right hand holdin' behind his, behind his head (someone clears throat) bringin' it down in a striking motion.

P.O.GAFFNEY: Yeah he, he as hard as he could he was attempting to break that windshield.

KILLEN: And how many times did he hit the windshield?

P.O.GAFFNEY: Just once. It was just once. Went real hard swing right, right on the windshield.

KILLEN: What happens?

P.O.GAFFNEY: Obviously nothin', I didn't see nothin' break but then he walked around the front of the car and kept walkin' eastbound on 40th Street. And then at that time, maybe 10 to 15 more feet that's when you could hear um some you know some sirens. And then a squad car came off a Pulaski onto 40th Street with their lights on. At that

OIG 15-0564 000622

time he seen that and that's when he started to run. Oh yeah I, I, I (noise) got on the radio and some, one, one of us, I don't remember but somebody did say that he was you know he started to run towards you know towards the, the truck lot, the trucks.

KILLEN: Okay so, so you're still basically sittin' over at 40th and Karlov right? You see 'nother car come up Pulaski?

P.O.GAFFNEY: Yeah that's, yeah he, 'nother car came off Pulaski onto 40th Street.

KILLEN: So --

P.O.GAFFNEY: That, that's when he seen that and that's when he started runnin'.

KILLEN: So when they turn west on 40th he runs --

P.O.GAFFNEY: Yeah he runs --

KILLEN: -- east towards Pulaski?

P.O.GAFFNEY: -- he, he, he's still goin' towards Pulaski but he went off a, off a the sidewalk and um into, it was like a, an empty space where the trucks, the truckers park so they can sleep or whatever. And he (noise) ran that way between two trucks.

KILLEN: Okay. (noise)

P.O.GAFFNEY: So at that time (noise) my partner started runnin' and I drove the car, I drove the car up to the entrance of the Burger King lot and went

OIG 15-0564 000623

into the Burger King lot. And before I did that the other car that came off went into the Burger King lot also. So I just, I seen 'em come outta, between the trucks. I ran, I kept drivin' towards, towards the, the end of the lot, towards Pulaski and that's, he ran and then I stopped cause I (noise) my tire was pretty much flat. So I couldn't get, I wasn't gonna go over the curb and then the other car was behind 'em. He ran into like towards the street and the other car followed 'em went over the curb and followed 'em.

KILLEN: Do you know who, who's that other car you're talkin' about? Do you know who that is?

P.O.GAFFNEY: At the time I didn't but now I know it was 845 Robert.

KILLEN: Okay. And that's the car he's talkin' 'bout Pulaski and --

P.O.GAFFNEY: Yeah.

KILLEN: -- where they U turn and go back at 'em?

P.O.GAFFNEY: That's the one, that's the one yeah that's the one that I, I (noise) know, I found out that was the one that went over the curb, yeah.

KILLEN: Okay so you stop your (someone clears throat) car where then?

P.O.GAFFNEY: Pretty much right behind the parkin' lot. Before, before going over the curb and into the street. (noise)

OIG 15-0564 000624

KILLEN: Okay. And then, and you stopped because of the (noise) flat?

P.O.GAFFNEY: Yeah cause I, I, I didn't wanna, I didn't know if I was gonna make it over the, cuz it was like you know that lil part there's like lil the, the, cement tongue if you will, that, that's the parkin' lot. (noise) You know if I was gonna get over it.

KILLEN: And you see 845 Robert continue.

P.O.GAFFNEY: Yeah they went they continued followin' 'em and went into the street. So I --

KILLEN: And that's Pulaski you're talkin' about?

P.O.GAFFNEY: Yeah. Into Pulaski. So I spun around went behind the park, behind the Burger King you know there's a street, (inaudible) back towards Pulaski where it goes out to the street on Pulaski. (noise)

KILLEN: Okay so, so you don't take the curb at all. You just --

P.O.GAFFNEY: No, no I, I, I turn around, I turned around and went around the parkin' lot to, to get out where there's a, there's the light on 41st Street. (noise)

KILLEN: And that's where your car's stopped?

P.O.GAFFNEY: And then yeah I turned on Pulaski and that's where my, that's where I finally stopped.

OIG 15-0564 000625

KILLEN: That's when, when I saw your car was south, facin' south --
P.O.GAFFNEY: Yes. Yes that's right, that's where I stopped.

KILLEN: Okay so then do you see what happens then after, with, with the offender and 845 Robert then?
P.O.GAFFNEY: No that was all, yeah that was I believe done before I got onto Pulaski. Cause I, I spun around and that's when I, I heard, I started to hear shots before I got onto Pul, I think when I got onto Pulaski there was other cars and stuff in front of me too. So I didn't see what exactly was goin' on.

KILLEN: So you're basically goin' around Burger King.
P.O.GAFFNEY: Yeah that's when the shots I believe that's when the shots started firin'.

KILLEN: You heard gunshots?
P.O.GAFFNEY: Yeah.

KILLEN: At the time did you know who was shootin'?
P.O.GAFFNEY: No I didn't know.

KILLEN: Could you see who was shootin'?
P.O.GAFFNEY: No.

KILLEN: That's because --
P.O.GAFFNEY: Well there's a, yeah well there's a fence also right, opposite side of Burger King where, where we blocked, pretty much blocked. The fence

OIG 15-0564 000626

with uh, like a covering you know covering fence so nobody could see through the fence. Cause they were building some stuff there. So yeah there was that was all blockin' me.

KILLEN: There's (noise) no line a sight.
P.O.GAFFNEY: No, no.

KILLEN: Okay.
P.O.GAFFNEY: No.

KILLEN: So then by the time you, you get south on Pulaski there's no more shooting correct?
P.O.GAFFNEY: I believe yeah I believe so. I don't (noise) remember any shooting at, at, when I got onto Pulaski.

KILLEN: Where (noise) when you got on Pulaski and you're goin' south could you see the offender still?
P.O.GAFFNEY: No not, not until I got outta the car and started to go you know 'round to, to where everything was goin' on.

KILLEN: Where was he?
P.O.GAFFNEY: The offender he was on the ground at the time when I, when I got over there.

KILLEN: Okay. And it's after that then you find out who's shooting what happened?
P.O.GAFFNEY: Yeah, yeah.

OIG 15-0564 000627

KILLEN: Okay. (noise) You didn't see the shooting, you, you (noise) you didn't see Officer Van Dyke discharge the weapon?
P.O.GAFFNEY: No I didn't, no.

KILLEN: Okay. (sighs) And then that, that, (noise) the two people that called 9 1 1 said they were holdin' the offender.
P.O.GAFFNEY: Hmm huh.

KILLEN: Do you have any idea who they are?
P.O.GAFFNEY: No not at the time, no. Cause right when they just said he went around the corner, they gave a quick description. We just wanted to go and you know see if we can catch 'em. We didn't know how long ago it was. Or where he would've went. So we just you know went and see if we could grab 'em and figured they woulda still been there when we got back.

KILLEN: Okay. And then the knife that the offender had, as best you can describe it to me?
P.O.GAFFNEY: Uh all silver, real bright. And prob'ly 'bout four to six inch blade.

KILLEN: Okay. All right. Uh was there anything you'd like to add?
P.O.GAFFNEY: No.

KILLEN: All right everything you told me is a true and accurate account of what occurred?
P.O.GAFFNEY: Yes.

OIG 15-0564 000628

KILLEN: All right this will conclude the audio recorded interview of Officer Thomas Gaffney regarding Log number 1072125 U number 14 dash 36. Today is the 21st of October 2014. The time is approximately 0424 hours.

OIG 15-0564 000629

I, CAROL A. O'LEARY, do hereby certify or affirm that I have impartially transcribed the foregoing from an audio recording of the above-mentioned proceeding to the best of my ability.

Carol A. O'Leary

Carol A. O'Leary

OIG 15-0564 000630

Event # 1429315878

Type	Location	Date	Pri	DG	Svc Beat	Disp
HOLDCI	3999 W 41ST ST / 4099 S PULASKI RD	20-OCT-2014 21:47:07	1A	008	0821	0552

Source	Response Level	Caller	Phone
E	1	[redacted]	[redacted]

Address of Occurrence	Occ Beat
4100 S KILDARE BL	0815

Event Chronology

Date	Activity	Wkstn	Person	Text
20-OCT-2014 21:45:35	REC			
20-OCT-2014 21:47:07	ENTRY	PCT49	C549513	CallerLocation, CallerName have been changed.
20-OCT-2014 21:47:50	DSP	PD18	D560949	815R
20-OCT-2014 21:48:05	ACK	PMDT6024	PC0V821	815R
20-OCT-2014 21:53:27	CLOC	PD18	D560949	815R [40 KEELER]
20-OCT-2014 21:53:40	MISC	PD18	D560949	knife in hand need tzaer
20-OCT-2014 21:53:43	ASST	PD18	D560949	812
20-OCT-2014 21:53:45	MISC	PADM19	D112780	815R NEED TASER PERKNI [40 KEELER
20-OCT-2014 21:53:48	ACK	PMDT5805	PC0U318	812
20-OCT-2014 21:54:51	MISC	PD18	D560949	walking eb
20-OCT-2014 21:54:53	MISC	PADM19	D112780	15R --- WALKING EB
20-OCT-2014 21:55:08	MISC	PADM19	D112780	TOWARDS PULASKI ?
20-OCT-2014 21:56:14	MISC	PADM19	D108212	popped tire on car
20-OCT-2014 21:56:18	MISC	PD18	D560949	popped tire on car
20-OCT-2014 21:56:20	ASSTER	PADM19	D108212	845R
20-OCT-2014 21:56:22	AUTPRE	PD18	D560949	845R
20-OCT-2014 21:56:22	ASST	PD18	D560949	845R
20-OCT-2014 21:56:33	MISC	PADM19	D108212	by the burger king
20-OCT-2014 21:56:36	MISC	PD18	D560949	headed to bk
20-OCT-2014 21:56:43	MISC	PADM19	D108212	female says were here
20-OCT-2014 21:56:47	ASSTER	PADM19	D108212	821R
20-OCT-2014 21:56:49	AUTPRE	PD18	D560949	821R
20-OCT-2014 21:56:49	ASST	PD18	D560949	821R
20-OCT-2014 21:56:52	ASSTER	PADM19	D108212	841R
20-OCT-2014 21:56:55	AUTPRE	PD18	D560949	841R
20-OCT-2014 21:56:55	ASST	PD18	D560949	841R
20-OCT-2014 21:57:00	MISC	PD18	D560949	to pulaski
20-OCT-2014 21:57:30	MISC	PADM19	D108212	shtosf fired by cpd
20-OCT-2014 21:57:32	MISC	PD18	D560949	shots fired by police
20-OCT-2014 21:57:41	ASST	PD18	D560949	862C
20-OCT-2014 21:57:51	MISC	PD18	D560949	NEEDS EMS
20-OCT-2014 21:57:58	MISC	PD18	D560949	41 PULASKI
20-OCT-2014 21:58:38	MISC	PADM19	D108212	i 55 all of pulski shut down 45 th
20-OCT-2014 21:58:39	MISC	PD18	D560949	SHUT DOWN PULASKI I55 - 45TH ST
20-OCT-2014 21:58:57	MISC	PADM19	D108212	calling state shut down ramps
20-OCT-2014 21:59:04	MISC	PD18	D560949	41 PULASKI DIVERTING TRAFFIC @ 821R

Event # 1429315878

Event Chronology

Date	Activity	Wkstn	Person	Text
20-OCT-2014 21:59:21	MISC	PD18	D560949	821R COVERING SB
20-OCT-2014 21:59:22	DSP	PDT101	D543242	4603
20-OCT-2014 21:59:25	AUTPRE	PD18	D560949	812
20-OCT-2014 21:59:25	ASST	PD18	D560949	812
20-OCT-2014 21:59:35	CLOC	PD18	D560949	812 [43 PULASKI NB]
20-OCT-2014 21:59:43	MISC	PADM19	D108212	state nfy'd sb pulaski shut down from i 55
20-OCT-2014 21:59:44	ASST	PD18	D560949	823R
20-OCT-2014 21:59:49	ASST	PADM19	D108212	843
20-OCT-2014 21:59:54	CLOC	PADM19	D108212	843 [HOLDING I55 RAMP]
20-OCT-2014 22:00:00	CLOC	PD18	D560949	843 [I 55 PULASKI]
20-OCT-2014 22:00:01	ASST	PADM19	D108212	PH2
20-OCT-2014 22:00:09	ASST	PADM19	D108212	851R
20-OCT-2014 22:00:13	ACK	PMDT4691	PC0X830	851R
20-OCT-2014 22:00:26	AUTPRE	PD18	D560949	851R
20-OCT-2014 22:00:26	ASST	PD18	D560949	851R
20-OCT-2014 22:00:29	ACK	PMDT6416	PC0X832	4603
20-OCT-2014 22:00:30	MISC	PADM19	D108212	815R both ok ???
20-OCT-2014 22:00:36	MISC	PADM19	D108212	everyone is ok
20-OCT-2014 22:00:51	MISC	PADM19	D108212	slowdown
20-OCT-2014 22:00:53	MISC	PADM19	D108212	nm
20-OCT-2014 22:00:56	MISC	PADM19	D108212	slowdown
20-OCT-2014 22:00:59	MISC	PD18	D560949	SLOWDOWN
20-OCT-2014 22:01:06	ASST	PADM19	D108212	810R
20-OCT-2014 22:01:16	MISC	PADM19	D108212	810R to get info from officer fired weapon
20-OCT-2014 22:01:19	MISC	PD18	D560949	INFO REQUESTED
20-OCT-2014 22:01:22	MISC	PD18	D560949	NAME & STAR
20-OCT-2014 22:02:20	ASST	PADM19	D108212	811
20-OCT-2014 22:02:27	CLOC	PADM19	D108212	811 [TRAFK SB ON PULASKI]
20-OCT-2014 22:02:34	ASST	PADM19	D108212	833R
20-OCT-2014 22:02:40	CLOC	PADM19	D108212	833R [44TH/PULASKI NB PULASKI]
20-OCT-2014 22:03:00	MISC	PADM19	D108212	810R *9465
20-OCT-2014 22:03:21	CLEAR	PADM19	D108212	PH2
20-OCT-2014 22:04:10	MISC	PADM19	D108212	cut off nb pulaski @ 47th st
20-OCT-2014 22:04:13	ASST	PADM19	D108212	865
20-OCT-2014 22:04:15	ASST	PADM19	D108212	846
20-OCT-2014 22:04:19	MISC	PD18	D50696	CUT47TH ST N/B PULASKI
20-OCT-2014 22:04:23	CLOC	PADM19	D108212	846 [TRAFFK @ 47 PULASKI]
20-OCT-2014 22:04:26	MISC	PADM19	D108212	846 nb
20-OCT-2014 22:05:50	ACK	PMDT5311	PC0AE49	846
20-OCT-2014 22:06:14	ASST	PADM19	D108212	855
20-OCT-2014 22:06:24	CLOC	PADM19	D108212	855 [TRAFFIC NB 45TH/PUASKI]
20-OCT-2014 22:06:29	CLOC	PD18	D50696	855 [45TH /PULASKIN/B]

Event # 1429315878

Event Chronology

Date	Activity	Wkstn	Person	Text
20-OCT-2014 22:06:41	COPYT	PADM19	D108212	Copied To Event(s): #CPD1429316149
20-OCT-2014 22:07:19	MISC	PD18	D50696	CTA NFY TO REROUTE BUSES
20-OCT-2014 22:08:04	CLOC	PADM19	D108212	821R 845R 841R 862C 865 846 4603 812 823R 855 843 851R 810R 815R 833R 811 [41ST/PULASKI]
20-OCT-2014 22:08:26	MISC	PD18	D50696	OEMC WEIDERSTROM NFY
20-OCT-2014 22:09:14	ASSTER	PADM19	D108212	842
20-OCT-2014 22:09:47	MISC	PD18	D50696	CTA SUPV ON THE BRIDGE
20-OCT-2014 22:12:50	ASST	PADM19	D108212	865B
20-OCT-2014 22:12:53	ACK	PMDT4684	PC0Y103	865B
20-OCT-2014 22:15:01	ASST	PADM19	D108212	850
20-OCT-2014 22:15:16	MISC	PADM19	D108212	865 a21 leaving sceen w/offender
20-OCT-2014 22:15:22	PCCHNG	PADM19	D108212	Papercar changed from 815R to 841R
20-OCT-2014 22:15:28	CLOC	PADM19	D108212	841R [A21 W/OFFENDER]
20-OCT-2014 22:15:46	SUPP	PADM19	D108212	Remarks Added
20-OCT-2014 22:15:52	ASST	PADM19	D108212	800X
20-OCT-2014 22:15:53	ACK	PMDT4701	PC0W294	811
20-OCT-2014 22:15:56	ACK	PMDT5173	PC0E418	800X
20-OCT-2014 22:16:32	EVTMSG	PDT97		SHOTS FIRED BY POLICE OFFENDER POSSIBLY STRUCK NFI AT THIS TIME
20-OCT-2014 22:16:54	ENR	PMDT4701	PC0W294	811
20-OCT-2014 22:16:54	ONS	PMDT4701	PC0W294	811
20-OCT-2014 22:17:06	CLOC	PADM19	D108212	842 [FOLOWING A21 TO HOSPITAL]
20-OCT-2014 22:17:16	CLOCX	PADM19	D108212	842 [4100 S KILDARE BL]
20-OCT-2014 22:17:52	CLOC	PADM19	D108212	842 [A21 TO MT SINAI]
20-OCT-2014 22:17:54	CLOCX	PADM19	D108212	841R [4100 S KILDARE BL]
20-OCT-2014 22:19:00	REMINQ	PMDT5311	PC0AE49	846 Veh->LIC/[redacted] LIS/IL
20-OCT-2014 22:19:02	ACK	PMDT4681	PC0S756	850
20-OCT-2014 22:19:20	CLEAR	PADM19	D108212	812
20-OCT-2014 22:19:38	CLEAR	PMDT4701	PC0W294	811
20-OCT-2014 22:21:52	SUPP	PADM19	D108212	Remarks Added
20-OCT-2014 22:22:31	CLEAR	PMDT6416	PC0X832	4603
20-OCT-2014 22:23:24	ASSTOS	PADM19	D108212	813R
20-OCT-2014 22:24:47	ACK	PMDT4706	PC0W483	813R
20-OCT-2014 22:27:36	ACK	PMDT5808	PC0W480	862C
20-OCT-2014 22:33:18	GDISP	PADM19	D108212	841R D/5000
20-OCT-2014 22:33:37	CASERD	PADM19	D108212	RDG Report Number 841R $CPDHX475653 D/5000 By: D108212
20-OCT-2014 22:34:55	SUPP	PADM19	D108212	Remarks Added
20-OCT-2014 22:38:26	COPYT	PDTS103	D557395	Copied To Event(s): #CPD1429316573
20-OCT-2014 22:38:51	MISC	PADM19	D108212	821R has the bus driver unk if supv is on scene

Event # 1429315878

Event Chronology

Date	Activity	Wkstn	Person	Text
20-OCT-2014 22:41:47	SUPP	PADM19	D108212	Remarks Added
20-OCT-2014 22:47:25	ASSTOS	PADM19	D108212	822
20-OCT-2014 22:47:33	ACK	PMDT4677	PC0AD53	822
20-OCT-2014 22:47:38	CLEAR	PMDT4681	PC0S756	850
20-OCT-2014 22:49:01	SUPP	PDT97	D382563	Remarks Added
20-OCT-2014 22:49:03	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted] LIS/IL
20-OCT-2014 22:49:49	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted]5 LIS/IL
20-OCT-2014 22:50:03	CLOC	PADM19	D108212	846 [44TH/PULASK > 53RD/PULASKI]
20-OCT-2014 22:51:08	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL
20-OCT-2014 22:54:30	COPYT	PADM19	D108212	Copied To Event(s): #CPD1429316783
20-OCT-2014 22:55:16	TCMPL	PADM19	D108212	846 , 783
20-OCT-2014 22:56:18	MISC	PADM19	D108212	5169-
20-OCT-2014 22:59:35	MISC	PADM19	D108212	843 tell officers fop guys are there
20-OCT-2014 23:00:29	GDISP	PADM19	D108212	841R D/0552
20-OCT-2014 23:01:29	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:01:45	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:05:27	SUPP	PADM19	D108212	Remarks Added
20-OCT-2014 23:06:21	CHNG	PADM19	D108212	Location: 4100 S KILDARE BL ==> 3999 W 41ST ST / 4099 S PULASKI RD;X Streets: 4100 BL S /4301 BL W 41ST ST ==> / ;LocCmt: BY UNITED RENTAL ==> BY UNITED RENTAL & BURGER KING;Atom: 815 ==> 821;RespArea: 815 ==> 821;RespGroup:815 ==> 821;
20-OCT-2014 23:08:50	REMINQ	PMDT5311	PC0AE49	846 Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:10:09	REMINQ	PMDT4751	PC0X185	841R Per->NAM/[redacted]J DOB[redacted] SEX/M DLS/IL
20-OCT-2014 23:10:09	REMINQ	PMDT4751	PC0X185	841R Per->NAM/[redacted] SEX/M SID/[redacted] DLS/IL
20-OCT-2014 23:10:16	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:11:31	CLEAR	PMDT5311	PC0AE49	846
20-OCT-2014 23:18:57	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted] LIS/IL
20-OCT-2014 23:22:10	REMINQ	PMDT4684	PC0Y103	865B Per->DLN[redacted] DLS/IL
20-OCT-2014 23:22:43	SUPP	PADM19	D108212	Remarks Added
20-OCT-2014 23:23:00	REMINQ	PMDT4684	PC0Y103	865B Per->DBId/54537
20-OCT-2014 23:29:50	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:30:06	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:31:49	REMINQ	PMDT4534	PC0T089	833R Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:35:59	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted] LIS/IL
20-OCT-2014 23:39:23	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL

Event # 1429315878

Event Chronology

Date	Activity	Wkstn	Person	Text
20-OCT-2014 23:43:55	CLEAR	PADM19	D108212	822
20-OCT-2014 23:45:30	ENR	PMDT4751	PC0X185	841R
20-OCT-2014 23:50:50	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted] LIS/IL
20-OCT-2014 23:54:43	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted] LIS/IL
21-OCT-2014 00:09:01	CLEAR	PD18	D50696	862C
21-OCT-2014 00:11:37	CLOC	PADM19	D108212	842 [MT SINAI NEEDS RELIEF]
21-OCT-2014 00:18:09	ASST	PD18	D50696	846R
21-OCT-2014 00:18:25	CLOC	PD18	D50696	846R [MT SINAI W/PRISONER]
21-OCT-2014 00:18:31	ACK	PMDT4685	PC0AK48	846R
21-OCT-2014 00:20:40	CLOC	PADM19	D108212	843 [I55 @ PULASKI TRAFK CONTROL --- RELIEF]
21-OCT-2014 00:27:54	ASST	PD18	D50696	824R
21-OCT-2014 00:27:58	ACK	PMDT4683	PC0T069	824R
21-OCT-2014 00:28:11	CLOC	PD18	D50696	824R [I55 @ PULASKI- TRAFK ON RAMP]
21-OCT-2014 00:31:16	REMINQ	PMDT4683	PC0T069	824R Veh->LIC/[redacted] LIS/IL LIT/ZZ
21-OCT-2014 00:45:40	CLEAR	PADM19	D108212	843
21-OCT-2014 00:55:22	REMINQ	PMDT4534	PC0T089	833R Veh->LIC/[redacted] LIS/IL
21-OCT-2014 00:58:06	REMINQ	PMDT4534	PC0T089	833R Veh->LIC[redacted] LIS/IL
21-OCT-2014 00:58:18	REMINQ	PMDT4534	PC0T089	833R Veh->LIC[redacted]LIS/IL
21-OCT-2014 01:00:51	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted]LIS/IL
21-OCT-2014 01:05:09	REMINQ	PMDT4534	PC0T089	833R Veh->LIC/[redacted] LIS/IL
21-OCT-2014 01:05:28	REMINQ	PMDT4534	PC0T089	833R Veh->LIC/[redacted]-B LIS/IL LIT/TK
21-OCT-2014 01:05:37	REMINQ	PMDT4534	PC0T089	833R Veh->LIC/[redacted] LIS/IL
21-OCT-2014 01:06:44	REMINQ	PMDT4534	PC0T089	833R Veh->LIC[redacted]LIS/IL
21-OCT-2014 01:06:54	REMINQ	PMDT4534	PC0T089	833R Veh->LIC/[redacted] LIS/IL
21-OCT-2014 01:09:59	CLEAR	PADM19	D108212	800X
21-OCT-2014 01:10:24	CLEAR	PMDT4998	PC0X178	842
21-OCT-2014 01:16:16	CLEAR	PADM19	D108212	855
21-OCT-2014 01:16:44	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted]9 LIS/IL
21-OCT-2014 01:18:14	CLEAR	PD18	D50696	865B
21-OCT-2014 01:33:29	AUTPRE	PADM19	D108212	865
21-OCT-2014 01:33:49	CLOC	PADM19	D108212	813R [AREA]
21-OCT-2014 01:33:57	ASST	PADM19	D108212	822
21-OCT-2014 01:34:00	CLOC	PADM19	D108212	822 [AREA]
21-OCT-2014 02:12:02	CLOC	PMDT4751	PC0X185	841R [AREA CENTRAL]
21-OCT-2014 03:10:28	CLOC	PD18	D50696	815R [AREA]
21-OCT-2014 03:16:34	MISC	PD18	D50696	PER 830R PULASKI CAN BE OPENED
21-OCT-2014 03:22:25	CLOC	PMDT6234	PC0Z521	823R [008] reports
21-OCT-2014 03:26:53	CLEAR	PMDT4683	PC0T069	824R
21-OCT-2014 03:36:12	REMINQ	PMDT4507	PC0W970	821R Veh->LIC/[redacted]LIS/IL LIT/TM
21-OCT-2014 03:40:25	REMINQ	PMDT4507	PC0W970	821R Veh->LIC/[redacted] LIS/IL
21-OCT-2014 03:40:45	REMINQ	PMDT4507	PC0W970	821R Veh->LIC/[redacted] LIS/IL

Event # 1429315878

Event Chronology

Date	Activity	Wkstn	Person	Text
21-OCT-2014 03:43:12	CLEAR	PMDT4507	PC0W970	821R
21-OCT-2014 04:03:03	CLOC	PD18	D50696	846R [MT SINAI]
21-OCT-2014 04:03:07	ONS	PD18	D50696	846R
21-OCT-2014 04:09:19	CLOC	PD18	D50696	833R [AREA CENTRAL W/815'S CAR]
21-OCT-2014 04:10:11	CLOC	PD18	D50696	833R [AREA CENTRAL W/815R'S CAR]
21-OCT-2014 04:18:37	CLEAR	PD18	D50696	823R
21-OCT-2014 04:23:43	CLEAR	PMDT4691	PC0X830	851R
21-OCT-2014 04:39:23	CLOC	PD18	D50696	845R [AREA CENTRAL]
21-OCT-2014 04:44:49	CLOC	PADM19	D108212	833R [008]
21-OCT-2014 04:48:06	CLEAR	PADM19	D108212	822
21-OCT-2014 05:11:56	COPYT	PDTS103	DT557395	Copied To Event(s): #CPD1429401913
21-OCT-2014 05:12:32	CLEAR	PADM19	D108212	833R
21-OCT-2014 05:12:50	ONS	PADM19	D108212	841R
21-OCT-2014 05:12:50	ONS	PADM19	D108212	845R
21-OCT-2014 05:12:50	ONS	PADM19	D108212	815R
21-OCT-2014 05:12:50	ONS	PADM19	D108212	813R
21-OCT-2014 05:12:52	ONS	PADM19	D108212	810R
21-OCT-2014 05:15:15	MISC	PADM19	D108212	846R BODY REMOVAL 0511 HRS
21-OCT-2014 05:20:48	CLEAR	PADM19	D108212	846R
21-OCT-2014 05:32:26	CLEAR	PADM19	D108212	810R
21-OCT-2014 06:31:23	SCHOFF	PMDT4659	PC0V684	Unit #845R scheduled for Logoff
21-OCT-2014 07:41:19	SCHOFF	PMDT4751	PC0X185	Unit #841R scheduled for Logoff
21-OCT-2014 07:43:43	CLEAR	PD18	D300971	841R 815R 845R 813R
21-OCT-2014 07:43:43	CLOSE	PD18	D300971	
21-OCT-2014 07:44:00	ROPEN	PD18	D300971	OPEN
21-OCT-2014 07:44:00	DSP	PD18	D300971	813R
21-OCT-2014 07:44:04	ACK	PMDT4706	PC0W483	813R
21-OCT-2014 07:44:09	SCHOFF	PMDT4706	PC0W483	Unit #813R scheduled for Logoff
21-OCT-2014 07:45:06	SCHOFF	PMDT4706	PC0W483	Unit #813R scheduled for Logoff
21-OCT-2014 07:45:34	SCHOFF	PD18	D300971	Unit #813R scheduled for Logoff
21-OCT-2014 07:45:37	CLEAR	PD18	D300971	813R
21-OCT-2014 07:45:37	CLOSE	PD18	D300971	
21-OCT-2014 07:45:52	ROPEN	PD18	D300971	OPEN
21-OCT-2014 07:45:52	DSP	PD18	D300971	815R
21-OCT-2014 08:45:46	ACK	PMDT6024	PC0V821	815R
21-OCT-2014 08:52:57	CLEAR	PD18	D300971	815R
21-OCT-2014 08:52:57	CLOSE	PD18	D300971	
	RMKS			*** WIRELESS CALL ***
	RMKS			holding a male who he caught breaking into trucks and stealing radios nfi
	RMKS			a21 to hospital
	RMKS			a21 to mt sinai confirmd by fireside

Event # 1429315878

Event Chronology

Date	Activity	Wkstn	Person	Text
	RMKS			HAVE SGT OR PAPER CAR CALL CRIME LAB AREA CENTRAL HGSCU OPER COMM NEWS AFFAIRS ASAP
	RMKS			[redacted] il id [redacted] 6'01 185\
	RMKS			EXEC DIR SCHENKEL NOTIFIED @ 2223 HRS 1ST DEP ELLIS NOTIFIED @ 2224 HRS CHIEF OF STAFF BERGER NOTIFIED @ 2226 HRS MANAG DEP , OPER GUIDICE NOTIFIED @ 2228 HRS DEP DIR , 911 OPER HALLOWELL NOTIFIED @ 2229 HRS DIR NEWS AFFAIRS STRATTON NOTIFIED @ 2231 HRS OEMC INVEST UNIT MESSAGE LEFT @ 2236 HRS MAYOR'S DETAIL BURTON NOTIFIED @ 2241 HRS IMD/OC NOTIFIED VIA MESSAGE @ 2217 HRS OEMC WM ORLANDINI NOTIFIED @ 2217 HRS OPER COMM *1804 NOTIFIED @ 2221 HRS [HAVE PC CALL] AREA SOUTH HGSCU DET KRETTEK NOTIFIED @ 2219 HRS [HAVE PC CALL] CRIME LAB SARLO NOTIFIED @ 2221 HRS [HAVE PC CALL][5802 RESPONDING] NEWS AFFAIRS GAINES NOTIFIED @ 2247 HRS 008TH DIST SGT KOMENSKY *1745 NOTIFIED @ 2248 HRS PCO2 JOHNSON -- CW7
	RMKS			offender pronounced @ 2242 hrs per 842
	RMKS			843 - crime lab is on scene

Unit Summary

Event # 1429315878

Unit Summary

Unit	Dispatch	Enroute	Onscene	T	TA	TC	Clear
815R	21:47:50	21:53:27	21-OCT-2014 05:12:50				21-OCT-2014 07:43:43
812	21:53:43						21:59:25
845R	21:56:20	21:56:20					21:56:22
845R	21:56:22	22:08:04	21-OCT-2014 05:12:50				21-OCT-2014 07:43:43
821R	21:56:47	21:56:47					21:56:49
821R	21:56:49	22:08:04					21-OCT-2014 03:43:12
841R	21:56:52	21:56:52					21:56:55
841R	21:56:55	22:08:04	22:17:54				21-OCT-2014 07:43:43
862C	21:57:41	22:08:04					21-OCT-2014 00:09:01
4603	21:59:22	22:08:04					22:22:31
812	21:59:25	21:59:35					22:19:20
823R	21:59:44	22:08:04					21-OCT-2014 04:18:37
843	21:59:49	21:59:54					21-OCT-2014 00:45:40
PH2	22:00:01						22:03:21
851R	22:00:09						22:00:26
851R	22:00:26	22:08:04					21-OCT-2014 04:23:43
810R	22:01:06	22:08:04	21-OCT-2014 05:12:52				21-OCT-2014 05:32:26
811	22:02:20	22:02:27	22:16:54				22:19:38
833R	22:02:34	22:02:40					21-OCT-2014 05:12:32
865	22:04:13	22:08:04					21-OCT-2014 01:33:29
846	22:04:15	22:04:23				22:55:16	23:11:31
855	22:06:14	22:06:24					21-OCT-2014 01:16:16
842	22:09:14	22:09:14	22:17:16				21-OCT-2014 01:10:24
865B	22:12:50						21-OCT-2014 01:18:14
850	22:15:01						22:47:38
800X	22:15:52						21-OCT-2014 01:09:59

Event # 1429315878

Unit Summary

Unit	Dispatch	Enroute	Onscene	T	TA	TC	Clear
813R	22:23:24	21-OCT-2014 01:33:49	22:23:24				21-OCT-2014 07:43:43
822	22:47:25		22:47:25				23:43:55
846R	21-OCT-2014 00:18:09	21-OCT-2014 00:18:25	21-OCT-2014 04:03:07				21-OCT-2014 05:20:48
824R	21-OCT-2014 00:27:54	21-OCT-2014 00:28:11					21-OCT-2014 03:26:53
822	21-OCT-2014 01:33:57	21-OCT-2014 01:34:00					21-OCT-2014 04:48:06
813R	21-OCT-2014 07:44:00						21-OCT-2014 07:45:37
815R	21-OCT-2014 07:45:52						21-OCT-2014 08:52:57

LabCorp
Laboratory Corporation of America

Patient Report

Specimen ID: 057-139-1180-0
Control ID: B0019005042

Acct #: 12122732 **Phone:** (312) 997-4477 **Rte:** 16

MCDONALD, LAQUAN

COOK COUNTY MEDICAL EXAMINER
2121 W HARRISON
CHICAGO IL 60612

Patient Details
DOB: 09/25/1997
Age(y/m/d): 017/05/01
Gender: M **SSN:**
Patient ID: ME2014-01071

Specimen Details
Date collected: 02/26/2015 1119 Local
Date entered: 02/26/2015
Date reported: 02/27/2015 0903 ET

Physician Details
Ordering: D MEANS
Referring:
ID:
NPI:

General Comments & Additional Information
Clinical Info: TOX 14-3614 1ML OF CAVITY
Clinical Info: BLOOD SPUN DOWN

Alternate Control Number: B0019005042 **Alternate Patient ID:** ME2014-01071

Ordered Items
Valproic Acid (Depakote)(R),S

TESTS	RESULT	FLAG	UNITS	REFERENCE INTERVAL	LAB
Valproic Acid (Depakote)(R),S					
	<4	Low	ug/mL	50 - 100	01

Verified by repeat analysis

Detection Limit = 4
<4 indicates None Detected
Toxicity may occur at levels of 100-500. Measurements of free unbound valproic acid may improve the assessment of clinical response.

01 CB LabCorp Dublin
6370 Wilcox Road, Dublin, OH 43016-1269
Nathan Scanzillo, PhD

For inquiries, the physician may contact **Branch: 800-597-8026 Lab: 800-282-7300**

Date Issued: 02/27/15 0903 ET **FINAL REPORT** Page 1 of 1

This document contains private and confidential health information protected by state and federal law.
If you have received this document in error, please call 800-282-7300

© 1995-2015 Laboratory Corporation of America® Holdings
All Rights Reserved - Enterprise Report Version: 1.00

envelope
& pics # 1
2 photos
per page

RD NO.

HX475653

OFFENSE/INCIDENT

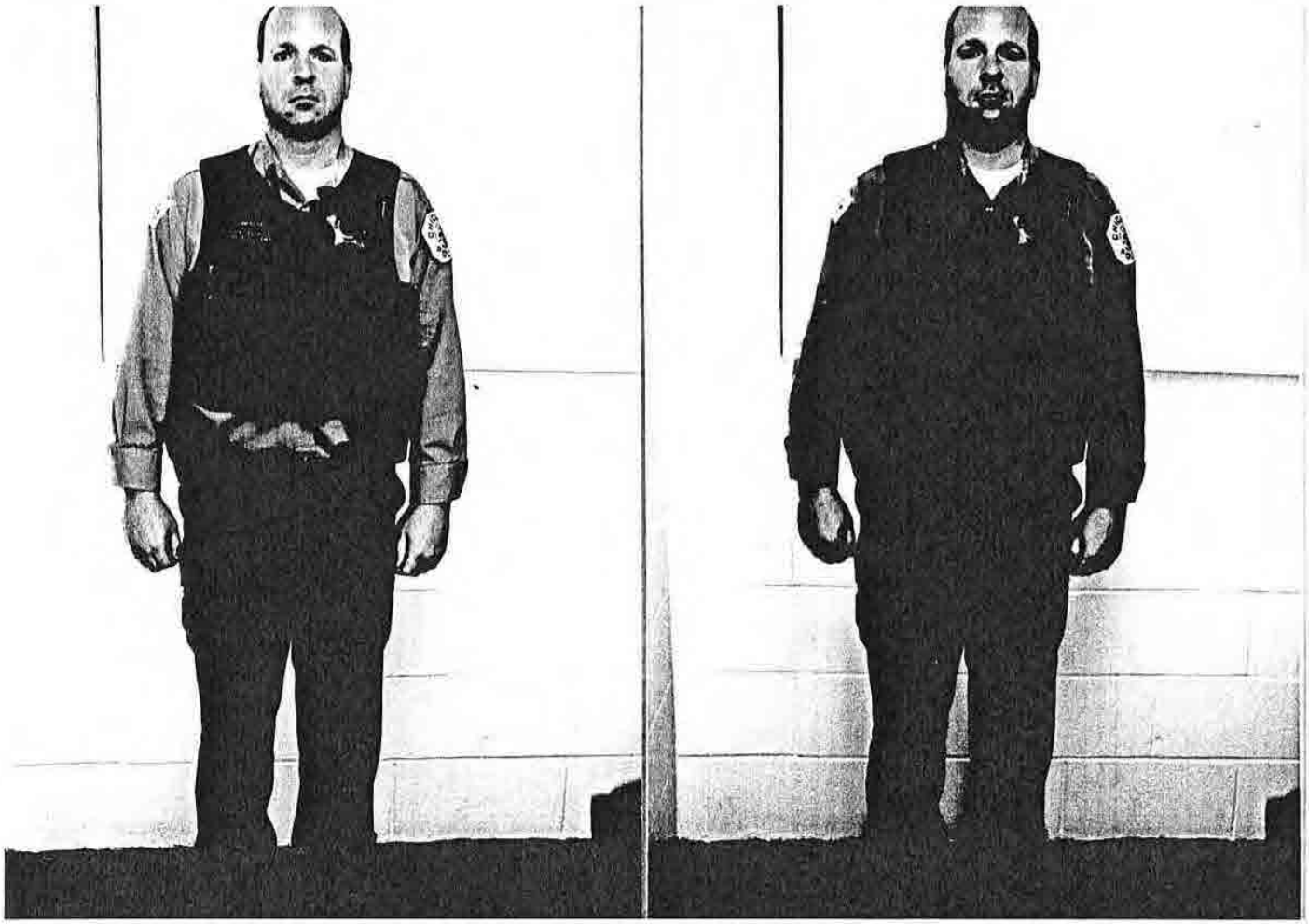
AGGRAVATED ASSAULT
TO POLICE OFFICER

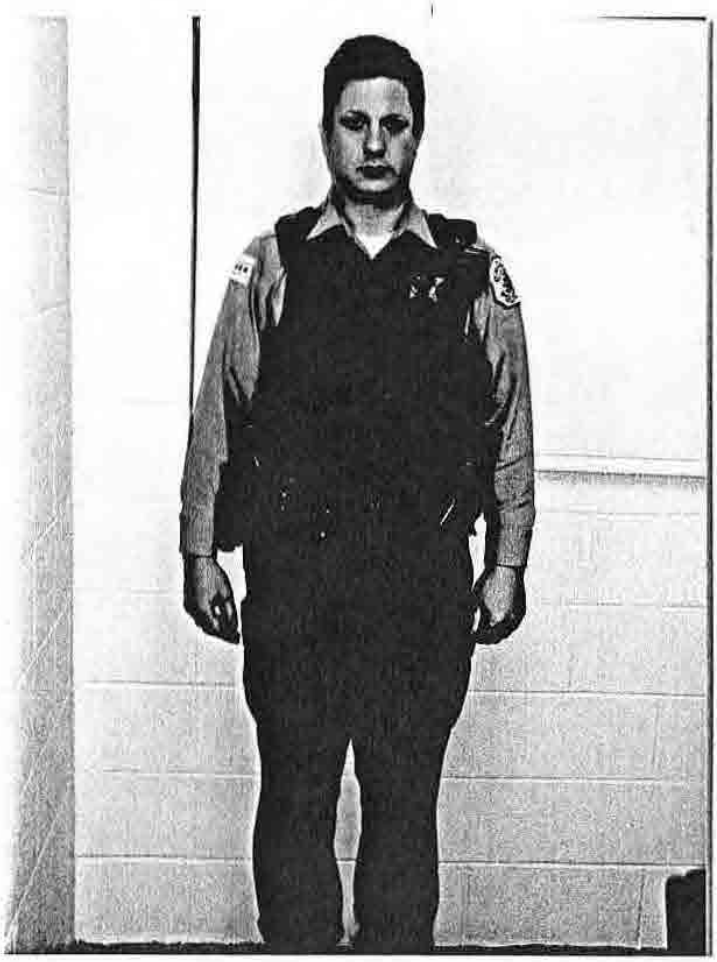
DATE & TIME PHOTOS TAKEN

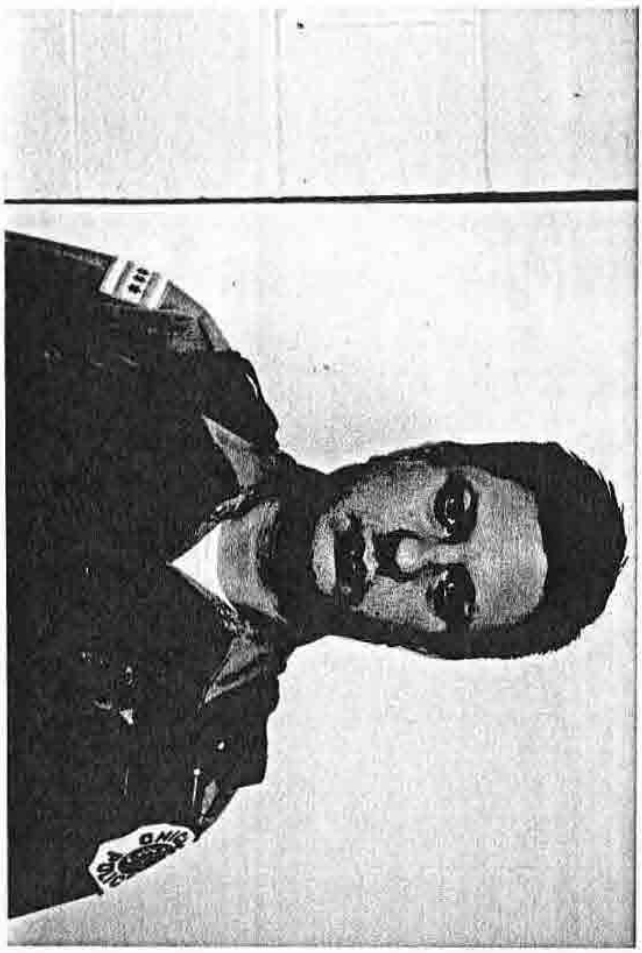
21 OCT. 2014

PHOTOGRAPHER'S NAME	STAR NO.	UNIT
RIDER, P.	9977	277



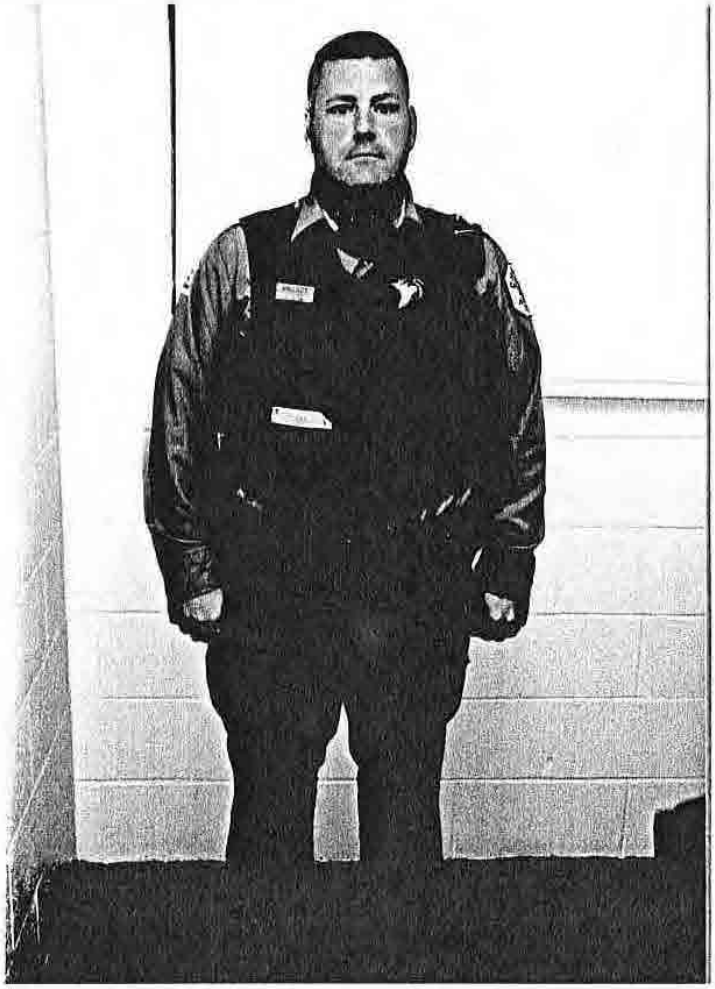


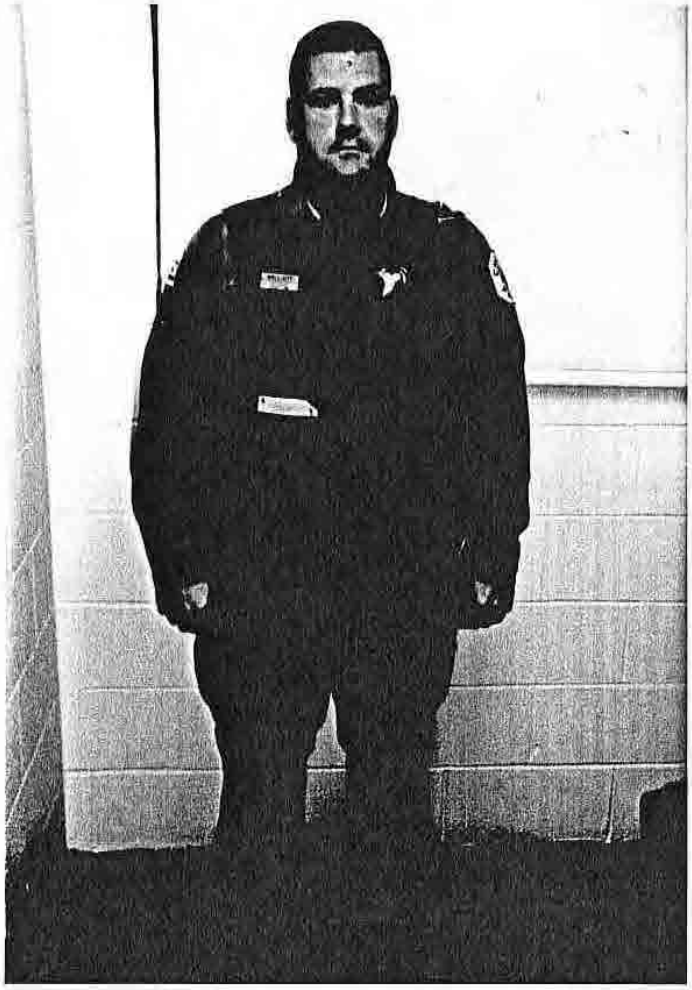
















envelope
& pics # 1
2 photos
per page

RD NO.

HX475653

OFFENSE/INCIDENT

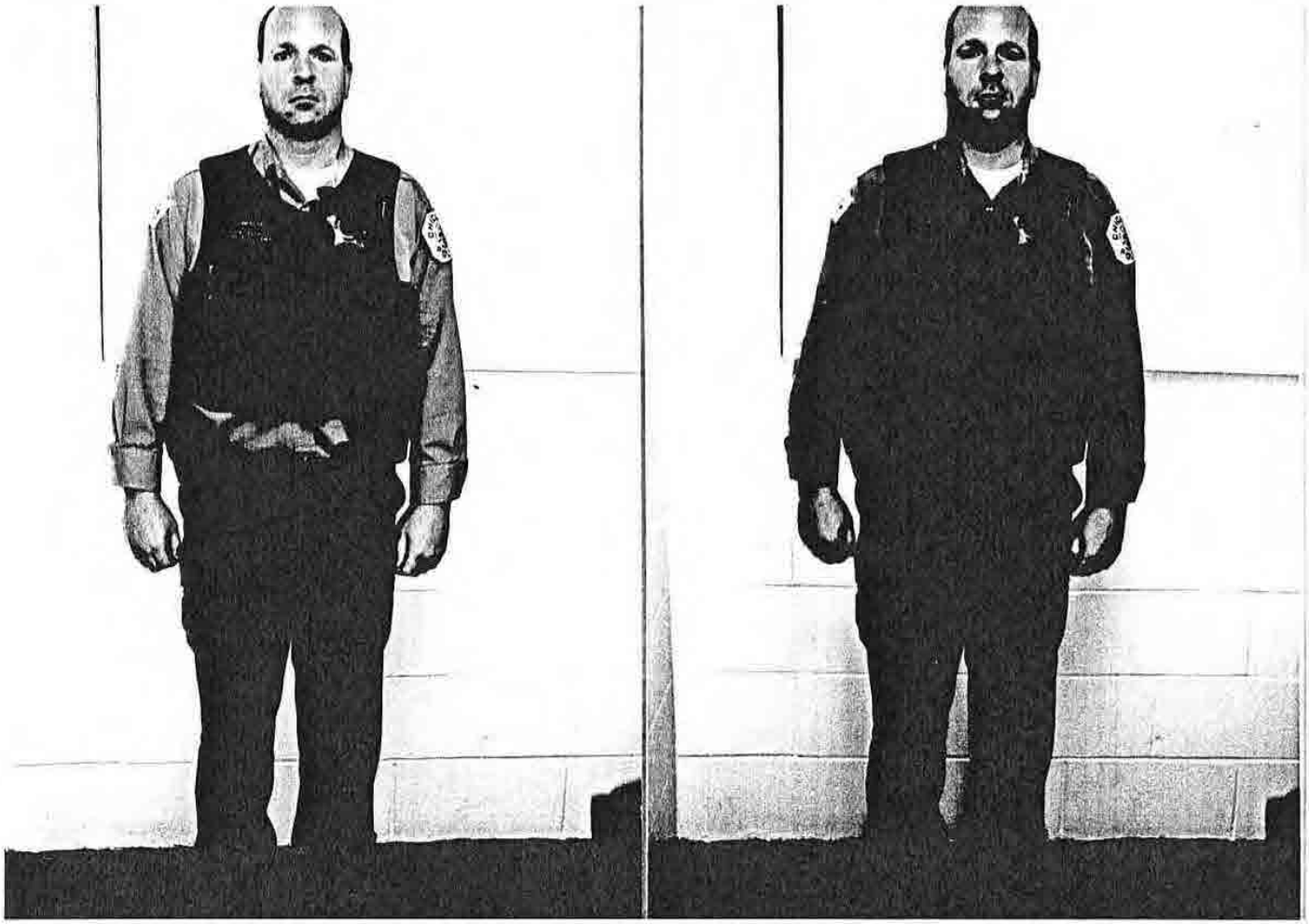
AGGRAVATED ASSAULT
TO POLICE OFFICER

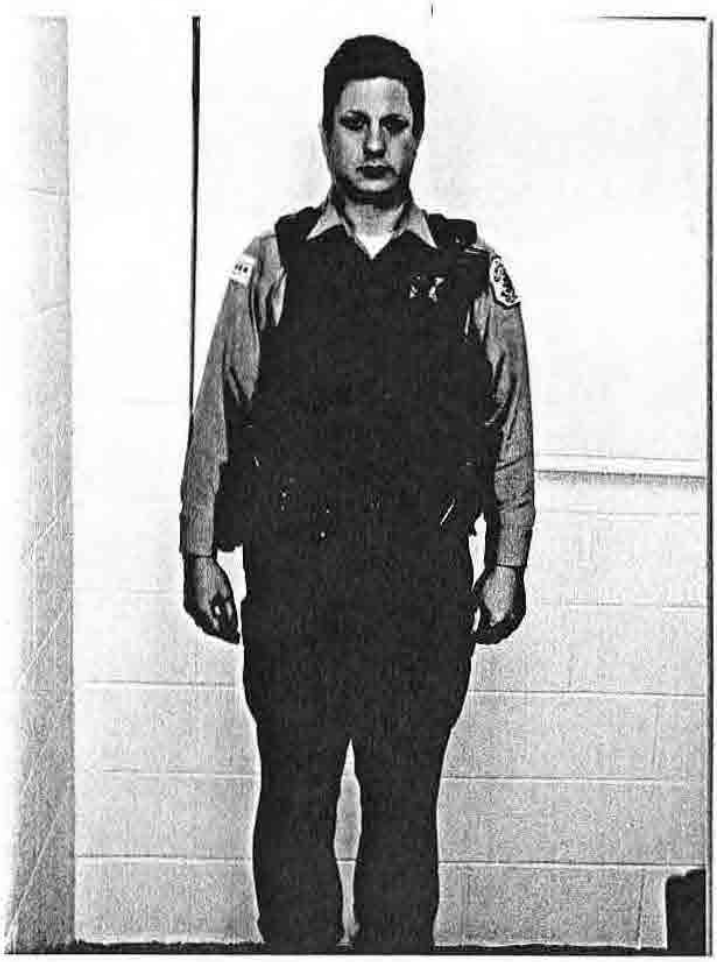
DATE & TIME PHOTOS TAKEN

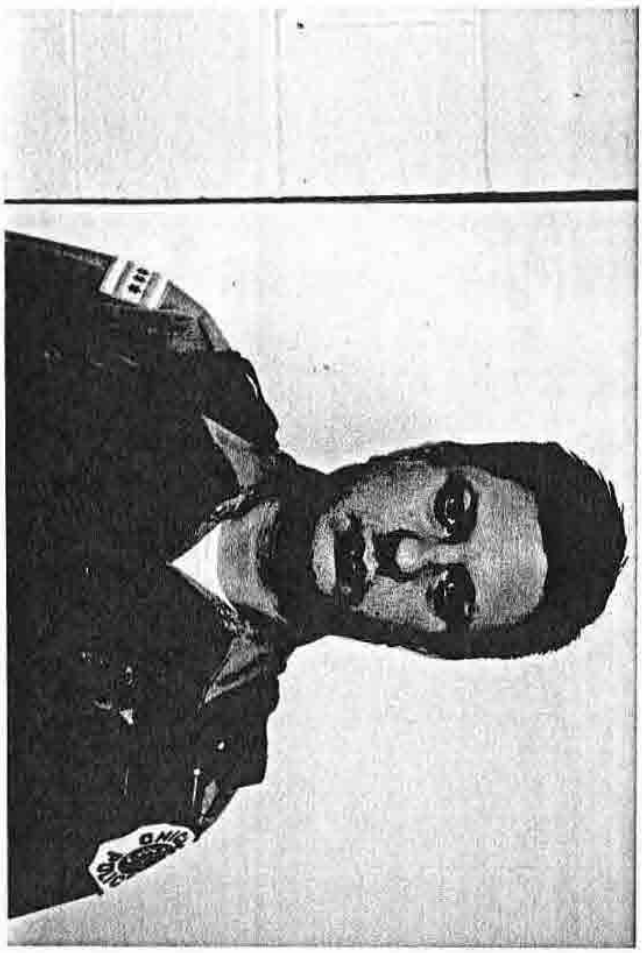
21 OCT. 2014

PHOTOGRAPHER'S NAME	STAR NO.	UNIT
RIDER, P.	9977	277



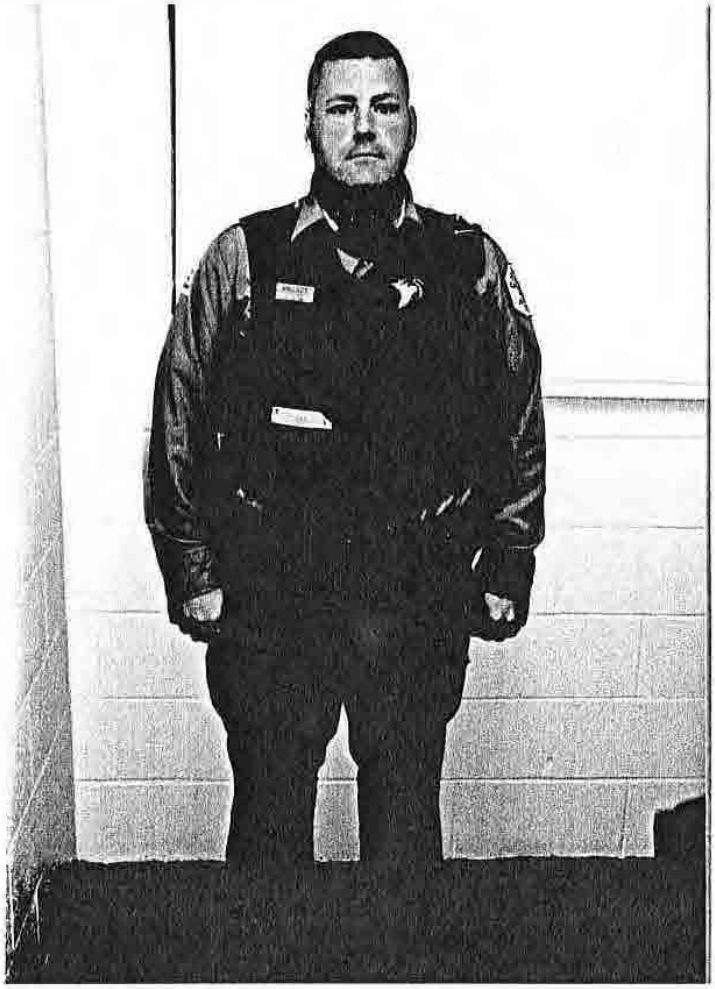


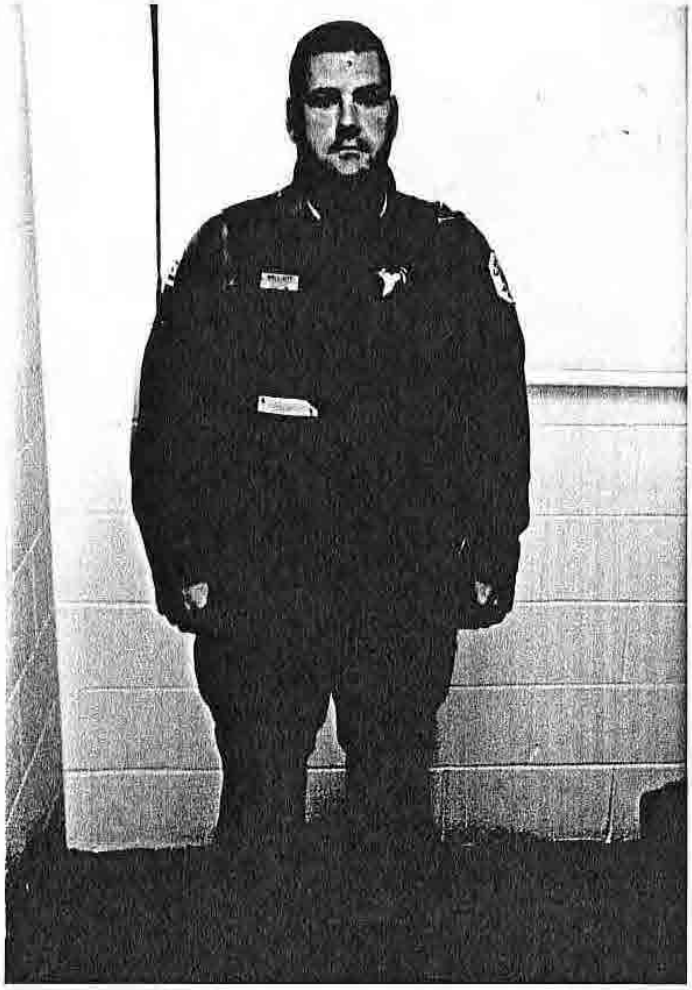
















Event # 1429315878

Type	Location	Date	Pri	DG	Svc Beat	Disp
HOLDCI	3999 W 41ST ST / 4099 S PULASKI RD	20-OCT-2014 21:47:07	1A	008	0821	0552

Source	Response Level	Caller	Phone
E	1	[redacted]	[redacted]

Address of Occurrence	Occ Beat
4100 S KILDARE BL	0815

Event Chronology

Date	Activity	Wkstn	Person	Text
20-OCT-2014 21:45:35	REC			
20-OCT-2014 21:47:07	ENTRY	PCT49	C549513	CallerLocation, CallerName have been changed.
20-OCT-2014 21:47:50	DSP	PD18	D560949	815R
20-OCT-2014 21:48:05	ACK	PMDT6024	PC0V821	815R
20-OCT-2014 21:53:27	CLOC	PD18	D560949	815R [40 KEELER]
20-OCT-2014 21:53:40	MISC	PD18	D560949	knife in hand need tzaer
20-OCT-2014 21:53:43	ASST	PD18	D560949	812
20-OCT-2014 21:53:45	MISC	PADM19	D112780	815R NEED TASER PERKNI [40 KEELER
20-OCT-2014 21:53:48	ACK	PMDT5805	PC0U318	812
20-OCT-2014 21:54:51	MISC	PD18	D560949	walking eb
20-OCT-2014 21:54:53	MISC	PADM19	D112780	15R --- WALKING EB
20-OCT-2014 21:55:08	MISC	PADM19	D112780	TOWARDS PULASKI ?
20-OCT-2014 21:56:14	MISC	PADM19	D108212	popped tire on car
20-OCT-2014 21:56:18	MISC	PD18	D560949	popped tire on car
20-OCT-2014 21:56:20	ASSTER	PADM19	D108212	845R
20-OCT-2014 21:56:22	AUTPRE	PD18	D560949	845R
20-OCT-2014 21:56:22	ASST	PD18	D560949	845R
20-OCT-2014 21:56:33	MISC	PADM19	D108212	by the burger king
20-OCT-2014 21:56:36	MISC	PD18	D560949	headed to bk
20-OCT-2014 21:56:43	MISC	PADM19	D108212	female says were here
20-OCT-2014 21:56:47	ASSTER	PADM19	D108212	821R
20-OCT-2014 21:56:49	AUTPRE	PD18	D560949	821R
20-OCT-2014 21:56:49	ASST	PD18	D560949	821R
20-OCT-2014 21:56:52	ASSTER	PADM19	D108212	841R
20-OCT-2014 21:56:55	AUTPRE	PD18	D560949	841R
20-OCT-2014 21:56:55	ASST	PD18	D560949	841R
20-OCT-2014 21:57:00	MISC	PD18	D560949	to pulaski
20-OCT-2014 21:57:30	MISC	PADM19	D108212	shtosf fired by cpd
20-OCT-2014 21:57:32	MISC	PD18	D560949	shots fired by police
20-OCT-2014 21:57:41	ASST	PD18	D560949	862C
20-OCT-2014 21:57:51	MISC	PD18	D560949	NEEDS EMS
20-OCT-2014 21:57:58	MISC	PD18	D560949	41 PULASKI
20-OCT-2014 21:58:38	MISC	PADM19	D108212	i 55 all of pulski shut down 45 th
20-OCT-2014 21:58:39	MISC	PD18	D560949	SHUT DOWN PULASKI I55 - 45TH ST
20-OCT-2014 21:58:57	MISC	PADM19	D108212	calling state shut down ramps
20-OCT-2014 21:59:04	MISC	PD18	D560949	41 PULASKI DIVERTING TRAFFIC @ 821R

Event # 1429315878

Event Chronology

Date	Activity	Wkstn	Person	Text
20-OCT-2014 21:59:21	MISC	PD18	D560949	821R COVERING SB
20-OCT-2014 21:59:22	DSP	PDT101	D543242	4603
20-OCT-2014 21:59:25	AUTPRE	PD18	D560949	812
20-OCT-2014 21:59:25	ASST	PD18	D560949	812
20-OCT-2014 21:59:35	CLOC	PD18	D560949	812 [43 PULASKI NB]
20-OCT-2014 21:59:43	MISC	PADM19	D108212	state nfy'd sb pulaski shut down from i 55
20-OCT-2014 21:59:44	ASST	PD18	D560949	823R
20-OCT-2014 21:59:49	ASST	PADM19	D108212	843
20-OCT-2014 21:59:54	CLOC	PADM19	D108212	843 [HOLDING I55 RAMP]
20-OCT-2014 22:00:00	CLOC	PD18	D560949	843 [I 55 PULASKI]
20-OCT-2014 22:00:01	ASST	PADM19	D108212	PH2
20-OCT-2014 22:00:09	ASST	PADM19	D108212	851R
20-OCT-2014 22:00:13	ACK	PMDT4691	PC0X830	851R
20-OCT-2014 22:00:26	AUTPRE	PD18	D560949	851R
20-OCT-2014 22:00:26	ASST	PD18	D560949	851R
20-OCT-2014 22:00:29	ACK	PMDT6416	PC0X832	4603
20-OCT-2014 22:00:30	MISC	PADM19	D108212	815R both ok ???
20-OCT-2014 22:00:36	MISC	PADM19	D108212	everyone is ok
20-OCT-2014 22:00:51	MISC	PADM19	D108212	slowdown
20-OCT-2014 22:00:53	MISC	PADM19	D108212	nm
20-OCT-2014 22:00:56	MISC	PADM19	D108212	slowdown
20-OCT-2014 22:00:59	MISC	PD18	D560949	SLOWDOWN
20-OCT-2014 22:01:06	ASST	PADM19	D108212	810R
20-OCT-2014 22:01:16	MISC	PADM19	D108212	810R to get info from officer fired weapon
20-OCT-2014 22:01:19	MISC	PD18	D560949	INFO REQUESTED
20-OCT-2014 22:01:22	MISC	PD18	D560949	NAME & STAR
20-OCT-2014 22:02:20	ASST	PADM19	D108212	811
20-OCT-2014 22:02:27	CLOC	PADM19	D108212	811 [TRAFK SB ON PULASKI]
20-OCT-2014 22:02:34	ASST	PADM19	D108212	833R
20-OCT-2014 22:02:40	CLOC	PADM19	D108212	833R [44TH/PULASKI NB PULASKI]
20-OCT-2014 22:03:00	MISC	PADM19	D108212	810R *9465
20-OCT-2014 22:03:21	CLEAR	PADM19	D108212	PH2
20-OCT-2014 22:04:10	MISC	PADM19	D108212	cut off nb pulaski @ 47th st
20-OCT-2014 22:04:13	ASST	PADM19	D108212	865
20-OCT-2014 22:04:15	ASST	PADM19	D108212	846
20-OCT-2014 22:04:19	MISC	PD18	D50696	CUT47TH ST N/B PULASKI
20-OCT-2014 22:04:23	CLOC	PADM19	D108212	846 [TRAFFK @ 47 PULASKI]
20-OCT-2014 22:04:26	MISC	PADM19	D108212	846 nb
20-OCT-2014 22:05:50	ACK	PMDT5311	PC0AE49	846
20-OCT-2014 22:06:14	ASST	PADM19	D108212	855
20-OCT-2014 22:06:24	CLOC	PADM19	D108212	855 [TRAFFIC NB 45TH/PUASKI]
20-OCT-2014 22:06:29	CLOC	PD18	D50696	855 [45TH /PULASKIN/B]

Event # 1429315878

Event Chronology

Date	Activity	Wkstn	Person	Text
20-OCT-2014 22:06:41	COPYT	PADM19	D108212	Copied To Event(s): #CPD1429316149
20-OCT-2014 22:07:19	MISC	PD18	D50696	CTA NFY TO REROUTE BUSES
20-OCT-2014 22:08:04	CLOC	PADM19	D108212	821R 845R 841R 862C 865 846 4603 812 823R 855 843 851R 810R 815R 833R 811 [41ST/PULASKI]
20-OCT-2014 22:08:26	MISC	PD18	D50696	OEMC WEIDERSTROM NFY
20-OCT-2014 22:09:14	ASSTER	PADM19	D108212	842
20-OCT-2014 22:09:47	MISC	PD18	D50696	CTA SUPV ON THE BRIDGE
20-OCT-2014 22:12:50	ASST	PADM19	D108212	865B
20-OCT-2014 22:12:53	ACK	PMDT4684	PC0Y103	865B
20-OCT-2014 22:15:01	ASST	PADM19	D108212	850
20-OCT-2014 22:15:16	MISC	PADM19	D108212	865 a21 leaving sceen w/offender
20-OCT-2014 22:15:22	PCCHNG	PADM19	D108212	Papercar changed from 815R to 841R
20-OCT-2014 22:15:28	CLOC	PADM19	D108212	841R [A21 W/OFFENDER]
20-OCT-2014 22:15:46	SUPP	PADM19	D108212	Remarks Added
20-OCT-2014 22:15:52	ASST	PADM19	D108212	800X
20-OCT-2014 22:15:53	ACK	PMDT4701	PC0W294	811
20-OCT-2014 22:15:56	ACK	PMDT5173	PC0E418	800X
20-OCT-2014 22:16:32	EVTMSG	PDT97		SHOTS FIRED BY POLICE OFFENDER POSSIBLY STRUCK NFI AT THIS TIME
20-OCT-2014 22:16:54	ENR	PMDT4701	PC0W294	811
20-OCT-2014 22:16:54	ONS	PMDT4701	PC0W294	811
20-OCT-2014 22:17:06	CLOC	PADM19	D108212	842 [FOLOWING A21 TO HOSPITAL]
20-OCT-2014 22:17:16	CLOCX	PADM19	D108212	842 [4100 S KILDARE BL]
20-OCT-2014 22:17:52	CLOC	PADM19	D108212	842 [A21 TO MT SINAI]
20-OCT-2014 22:17:54	CLOCX	PADM19	D108212	841R [4100 S KILDARE BL]
20-OCT-2014 22:19:00	REMINQ	PMDT5311	PC0AE49	846 Veh->LIC/[redacted] LIS/IL
20-OCT-2014 22:19:02	ACK	PMDT4681	PC0S756	850
20-OCT-2014 22:19:20	CLEAR	PADM19	D108212	812
20-OCT-2014 22:19:38	CLEAR	PMDT4701	PC0W294	811
20-OCT-2014 22:21:52	SUPP	PADM19	D108212	Remarks Added
20-OCT-2014 22:22:31	CLEAR	PMDT6416	PC0X832	4603
20-OCT-2014 22:23:24	ASSTOS	PADM19	D108212	813R
20-OCT-2014 22:24:47	ACK	PMDT4706	PC0W483	813R
20-OCT-2014 22:27:36	ACK	PMDT5808	PC0W480	862C
20-OCT-2014 22:33:18	GDISP	PADM19	D108212	841R D/5000
20-OCT-2014 22:33:37	CASERD	PADM19	D108212	RDG Report Number 841R $CPDHX475653 D/5000 By: D108212
20-OCT-2014 22:34:55	SUPP	PADM19	D108212	Remarks Added
20-OCT-2014 22:38:26	COPYT	PDTS103	D557395	Copied To Event(s): #CPD1429316573
20-OCT-2014 22:38:51	MISC	PADM19	D108212	821R has the bus driver unk if supv is on scene

Event # 1429315878

Event Chronology

Date	Activity	Wkstn	Person	Text
20-OCT-2014 22:41:47	SUPP	PADM19	D108212	Remarks Added
20-OCT-2014 22:47:25	ASSTOS	PADM19	D108212	822
20-OCT-2014 22:47:33	ACK	PMDT4677	PC0AD53	822
20-OCT-2014 22:47:38	CLEAR	PMDT4681	PC0S756	850
20-OCT-2014 22:49:01	SUPP	PDT97	D382563	Remarks Added
20-OCT-2014 22:49:03	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted] LIS/IL
20-OCT-2014 22:49:49	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted]5 LIS/IL
20-OCT-2014 22:50:03	CLOC	PADM19	D108212	846 [44TH/PULASK > 53RD/PULASKI]
20-OCT-2014 22:51:08	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL
20-OCT-2014 22:54:30	COPYT	PADM19	D108212	Copied To Event(s): #CPD1429316783
20-OCT-2014 22:55:16	TCMPL	PADM19	D108212	846 , 783
20-OCT-2014 22:56:18	MISC	PADM19	D108212	5169-
20-OCT-2014 22:59:35	MISC	PADM19	D108212	843 tell officers fop guys are there
20-OCT-2014 23:00:29	GDISP	PADM19	D108212	841R D/0552
20-OCT-2014 23:01:29	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:01:45	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:05:27	SUPP	PADM19	D108212	Remarks Added
20-OCT-2014 23:06:21	CHNG	PADM19	D108212	Location: 4100 S KILDARE BL ==> 3999 W 41ST ST / 4099 S PULASKI RD;X Streets: 4100 BL S /4301 BL W 41ST ST ==> / ;LocCmt: BY UNITED RENTAL ==> BY UNITED RENTAL & BURGER KING;Atom: 815 ==> 821;RespArea: 815 ==> 821;RespGroup:815 ==> 821;
20-OCT-2014 23:08:50	REMINQ	PMDT5311	PC0AE49	846 Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:10:09	REMINQ	PMDT4751	PC0X185	841R Per->NAM/[redacted]J DOB[redacted] SEX/M DLS/IL
20-OCT-2014 23:10:09	REMINQ	PMDT4751	PC0X185	841R Per->NAM/[redacted] SEX/M SID/[redacted] DLS/IL
20-OCT-2014 23:10:16	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:11:31	CLEAR	PMDT5311	PC0AE49	846
20-OCT-2014 23:18:57	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted] LIS/IL
20-OCT-2014 23:22:10	REMINQ	PMDT4684	PC0Y103	865B Per->DLN[redacted] DLS/IL
20-OCT-2014 23:22:43	SUPP	PADM19	D108212	Remarks Added
20-OCT-2014 23:23:00	REMINQ	PMDT4684	PC0Y103	865B Per->DBId/54537
20-OCT-2014 23:29:50	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:30:06	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:31:49	REMINQ	PMDT4534	PC0T089	833R Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:35:59	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted] LIS/IL
20-OCT-2014 23:39:23	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL

Event # 1429315878

Event Chronology

Date	Activity	Wkstn	Person	Text
20-OCT-2014 23:43:55	CLEAR	PADM19	D108212	822
20-OCT-2014 23:45:30	ENR	PMDT4751	PC0X185	841R
20-OCT-2014 23:50:50	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted] LIS/IL
20-OCT-2014 23:54:43	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted] LIS/IL
21-OCT-2014 00:09:01	CLEAR	PD18	D50696	862C
21-OCT-2014 00:11:37	CLOC	PADM19	D108212	842 [MT SINAI NEEDS RELIEF]
21-OCT-2014 00:18:09	ASST	PD18	D50696	846R
21-OCT-2014 00:18:25	CLOC	PD18	D50696	846R [MT SINAI W/PRISONER]
21-OCT-2014 00:18:31	ACK	PMDT4685	PC0AK48	846R
21-OCT-2014 00:20:40	CLOC	PADM19	D108212	843 [I55 @ PULASKI TRAFK CONTROL --- RELIEF]
21-OCT-2014 00:27:54	ASST	PD18	D50696	824R
21-OCT-2014 00:27:58	ACK	PMDT4683	PC0T069	824R
21-OCT-2014 00:28:11	CLOC	PD18	D50696	824R [I55 @ PULASKI- TRAFK ON RAMP]
21-OCT-2014 00:31:16	REMINQ	PMDT4683	PC0T069	824R Veh->LIC/[redacted] LIS/IL LIT/ZZ
21-OCT-2014 00:45:40	CLEAR	PADM19	D108212	843
21-OCT-2014 00:55:22	REMINQ	PMDT4534	PC0T089	833R Veh->LIC/[redacted] LIS/IL
21-OCT-2014 00:58:06	REMINQ	PMDT4534	PC0T089	833R Veh->LIC[redacted] LIS/IL
21-OCT-2014 00:58:18	REMINQ	PMDT4534	PC0T089	833R Veh->LIC[redacted]LIS/IL
21-OCT-2014 01:00:51	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted]LIS/IL
21-OCT-2014 01:05:09	REMINQ	PMDT4534	PC0T089	833R Veh->LIC/[redacted] LIS/IL
21-OCT-2014 01:05:28	REMINQ	PMDT4534	PC0T089	833R Veh->LIC/[redacted]-B LIS/IL LIT/TK
21-OCT-2014 01:05:37	REMINQ	PMDT4534	PC0T089	833R Veh->LIC/[redacted] LIS/IL
21-OCT-2014 01:06:44	REMINQ	PMDT4534	PC0T089	833R Veh->LIC[redacted]LIS/IL
21-OCT-2014 01:06:54	REMINQ	PMDT4534	PC0T089	833R Veh->LIC/[redacted] LIS/IL
21-OCT-2014 01:09:59	CLEAR	PADM19	D108212	800X
21-OCT-2014 01:10:24	CLEAR	PMDT4998	PC0X178	842
21-OCT-2014 01:16:16	CLEAR	PADM19	D108212	855
21-OCT-2014 01:16:44	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted]9 LIS/IL
21-OCT-2014 01:18:14	CLEAR	PD18	D50696	865B
21-OCT-2014 01:33:29	AUTPRE	PADM19	D108212	865
21-OCT-2014 01:33:49	CLOC	PADM19	D108212	813R [AREA]
21-OCT-2014 01:33:57	ASST	PADM19	D108212	822
21-OCT-2014 01:34:00	CLOC	PADM19	D108212	822 [AREA]
21-OCT-2014 02:12:02	CLOC	PMDT4751	PC0X185	841R [AREA CENTRAL]
21-OCT-2014 03:10:28	CLOC	PD18	D50696	815R [AREA]
21-OCT-2014 03:16:34	MISC	PD18	D50696	PER 830R PULASKI CAN BE OPENED
21-OCT-2014 03:22:25	CLOC	PMDT6234	PC0Z521	823R [008] reports
21-OCT-2014 03:26:53	CLEAR	PMDT4683	PC0T069	824R
21-OCT-2014 03:36:12	REMINQ	PMDT4507	PC0W970	821R Veh->LIC/[redacted]LIS/IL LIT/TM
21-OCT-2014 03:40:25	REMINQ	PMDT4507	PC0W970	821R Veh->LIC/[redacted] LIS/IL
21-OCT-2014 03:40:45	REMINQ	PMDT4507	PC0W970	821R Veh->LIC/[redacted] LIS/IL

Event # 1429315878

Event Chronology

Date	Activity	Wkstn	Person	Text
21-OCT-2014 03:43:12	CLEAR	PMDT4507	PC0W970	821R
21-OCT-2014 04:03:03	CLOC	PD18	D50696	846R [MT SINAI]
21-OCT-2014 04:03:07	ONS	PD18	D50696	846R
21-OCT-2014 04:09:19	CLOC	PD18	D50696	833R [AREA CENTRAL W/815'S CAR]
21-OCT-2014 04:10:11	CLOC	PD18	D50696	833R [AREA CENTRAL W/815R'S CAR]
21-OCT-2014 04:18:37	CLEAR	PD18	D50696	823R
21-OCT-2014 04:23:43	CLEAR	PMDT4691	PC0X830	851R
21-OCT-2014 04:39:23	CLOC	PD18	D50696	845R [AREA CENTRAL]
21-OCT-2014 04:44:49	CLOC	PADM19	D108212	833R [008]
21-OCT-2014 04:48:06	CLEAR	PADM19	D108212	822
21-OCT-2014 05:11:56	COPYT	PDTS103	DT557395	Copied To Event(s): #CPD1429401913
21-OCT-2014 05:12:32	CLEAR	PADM19	D108212	833R
21-OCT-2014 05:12:50	ONS	PADM19	D108212	841R
21-OCT-2014 05:12:50	ONS	PADM19	D108212	845R
21-OCT-2014 05:12:50	ONS	PADM19	D108212	815R
21-OCT-2014 05:12:50	ONS	PADM19	D108212	813R
21-OCT-2014 05:12:52	ONS	PADM19	D108212	810R
21-OCT-2014 05:15:15	MISC	PADM19	D108212	846R BODY REMOVAL 0511 HRS
21-OCT-2014 05:20:48	CLEAR	PADM19	D108212	846R
21-OCT-2014 05:32:26	CLEAR	PADM19	D108212	810R
21-OCT-2014 06:31:23	SCHOFF	PMDT4659	PC0V684	Unit #845R scheduled for Logoff
21-OCT-2014 07:41:19	SCHOFF	PMDT4751	PC0X185	Unit #841R scheduled for Logoff
21-OCT-2014 07:43:43	CLEAR	PD18	D300971	841R 815R 845R 813R
21-OCT-2014 07:43:43	CLOSE	PD18	D300971	
21-OCT-2014 07:44:00	ROPEN	PD18	D300971	OPEN
21-OCT-2014 07:44:00	DSP	PD18	D300971	813R
21-OCT-2014 07:44:04	ACK	PMDT4706	PC0W483	813R
21-OCT-2014 07:44:09	SCHOFF	PMDT4706	PC0W483	Unit #813R scheduled for Logoff
21-OCT-2014 07:45:06	SCHOFF	PMDT4706	PC0W483	Unit #813R scheduled for Logoff
21-OCT-2014 07:45:34	SCHOFF	PD18	D300971	Unit #813R scheduled for Logoff
21-OCT-2014 07:45:37	CLEAR	PD18	D300971	813R
21-OCT-2014 07:45:37	CLOSE	PD18	D300971	
21-OCT-2014 07:45:52	ROPEN	PD18	D300971	OPEN
21-OCT-2014 07:45:52	DSP	PD18	D300971	815R
21-OCT-2014 08:45:46	ACK	PMDT6024	PC0V821	815R
21-OCT-2014 08:52:57	CLEAR	PD18	D300971	815R
21-OCT-2014 08:52:57	CLOSE	PD18	D300971	
	RMKS			*** WIRELESS CALL ***
	RMKS			holding a male who he caught breaking into trucks and stealing radios nfi
	RMKS			a21 to hospital
	RMKS			a21 to mt sinai confirmd by fireside

Event # 1429315878

Event Chronology

Date	Activity	Wkstn	Person	Text
	RMKS			HAVE SGT OR PAPER CAR CALL CRIME LAB AREA CENTRAL HGSCU OPER COMM NEWS AFFAIRS ASAP
	RMKS			[redacted] il id [redacted] 6'01 185\
	RMKS			EXEC DIR SCHENKEL NOTIFIED @ 2223 HRS 1ST DEP ELLIS NOTIFIED @ 2224 HRS CHIEF OF STAFF BERGER NOTIFIED @ 2226 HRS MANAG DEP , OPER GUIDICE NOTIFIED @ 2228 HRS DEP DIR , 911 OPER HALLOWELL NOTIFIED @ 2229 HRS DIR NEWS AFFAIRS STRATTON NOTIFIED @ 2231 HRS OEMC INVEST UNIT MESSAGE LEFT @ 2236 HRS MAYOR'S DETAIL BURTON NOTIFIED @ 2241 HRS IMD/OC NOTIFIED VIA MESSAGE @ 2217 HRS OEMC WM ORLANDINI NOTIFIED @ 2217 HRS OPER COMM *1804 NOTIFIED @ 2221 HRS [HAVE PC CALL] AREA SOUTH HGSCU DET KRETTEK NOTIFIED @ 2219 HRS [HAVE PC CALL] CRIME LAB SARLO NOTIFIED @ 2221 HRS [HAVE PC CALL][5802 RESPONDING] NEWS AFFAIRS GAINES NOTIFIED @ 2247 HRS 008TH DIST SGT KOMENSKY *1745 NOTIFIED @ 2248 HRS PCO2 JOHNSON -- CW7
	RMKS			offender pronounced @ 2242 hrs per 842
	RMKS			843 - crime lab is on scene

Unit Summary

Event # 1429315878

Unit Summary

Unit	Dispatch	Enroute	Onscene	T	TA	TC	Clear
815R	21:47:50	21:53:27	21-OCT-2014 05:12:50				21-OCT-2014 07:43:43
812	21:53:43						21:59:25
845R	21:56:20	21:56:20					21:56:22
845R	21:56:22	22:08:04	21-OCT-2014 05:12:50				21-OCT-2014 07:43:43
821R	21:56:47	21:56:47					21:56:49
821R	21:56:49	22:08:04					21-OCT-2014 03:43:12
841R	21:56:52	21:56:52					21:56:55
841R	21:56:55	22:08:04	22:17:54				21-OCT-2014 07:43:43
862C	21:57:41	22:08:04					21-OCT-2014 00:09:01
4603	21:59:22	22:08:04					22:22:31
812	21:59:25	21:59:35					22:19:20
823R	21:59:44	22:08:04					21-OCT-2014 04:18:37
843	21:59:49	21:59:54					21-OCT-2014 00:45:40
PH2	22:00:01						22:03:21
851R	22:00:09						22:00:26
851R	22:00:26	22:08:04					21-OCT-2014 04:23:43
810R	22:01:06	22:08:04	21-OCT-2014 05:12:52				21-OCT-2014 05:32:26
811	22:02:20	22:02:27	22:16:54				22:19:38
833R	22:02:34	22:02:40					21-OCT-2014 05:12:32
865	22:04:13	22:08:04					21-OCT-2014 01:33:29
846	22:04:15	22:04:23				22:55:16	23:11:31
855	22:06:14	22:06:24					21-OCT-2014 01:16:16
842	22:09:14	22:09:14	22:17:16				21-OCT-2014 01:10:24
865B	22:12:50						21-OCT-2014 01:18:14
850	22:15:01						22:47:38
800X	22:15:52						21-OCT-2014 01:09:59

Event # 1429315878

Unit Summary

Unit	Dispatch	Enroute	Onscene	T	TA	TC	Clear
813R	22:23:24	21-OCT-2014 01:33:49	22:23:24				21-OCT-2014 07:43:43
822	22:47:25		22:47:25				23:43:55
846R	21-OCT-2014 00:18:09	21-OCT-2014 00:18:25	21-OCT-2014 04:03:07				21-OCT-2014 05:20:48
824R	21-OCT-2014 00:27:54	21-OCT-2014 00:28:11					21-OCT-2014 03:26:53
822	21-OCT-2014 01:33:57	21-OCT-2014 01:34:00					21-OCT-2014 04:48:06
813R	21-OCT-2014 07:44:00						21-OCT-2014 07:45:37
815R	21-OCT-2014 07:45:52						21-OCT-2014 08:52:57

OFFICER'S BATTERY REPORT
CHICAGO POLICE DEPARTMENT

RD NO. HX475653

INSTRUCTIONS: This form is to be completed for all incidents when: (1) a sworn member is the victim of a murder, aggravated battery, battery, aggravated assault, or assault while performing a police function either on-duty or off-duty, (2) a detention aide is the victim of a murder, aggravated battery, battery, aggravated assault, or assault while in the performance of his or her duties.

"X APPLICABLE BOXES"

OFFICER INFORMATION

NAME (LAST - FIRST - M.I.): VAN DYKE, JASON D

STAR NO.	POSITION
9465	POLICE OFFICER
DATE OF APPOINTMENT: 25-JUN-2001	EMPLOYEE NO.: [redacted]
UNIT OF ASSIGNMENT: 008	BEAT/CALL NO.: 0845R

SEX: [X] 1. M [ ] 2. F | RACE: WHITE | DOB: [redacted]

HEIGHT: 602 | WEIGHT: 180

TYPE OF ASSIGNMENT WHEN BATTERY OCCURRED

[X] 1. ON DUTY
- [X] A. UNIFORM, PATROL DUTY
- [ ] B. UNIFORM, OTHER DUTY
  - Describe _____
- [ ] C. CITIZEN'S DRESS
- [ ] D. TACTICAL
- [ ] E. B.I.S. UNIT
- [ ] F. SPECIAL EMPLOYMENT
- [ ] G. OTHER _____

[ ] 2. OFF DUTY

[ ] 3. SPECIAL EMPLOYMENT

[ ] 4. SECONDARY / OTHER

WORKING:
- [ ] A. ALONE
- [X] B. WITH ONE PARTNER
- [ ] C. WITH MULTIPLE PARTNERS
  - How many? _____

PATROL TYPE:
- [X] A. SQUAD CAR
- [ ] B. FOOT
- [ ] C. BICYCLE
- [ ] D. APV/MOTORCYCLE
- [ ] E. SQUADROL
- [ ] F. OTHER _____

TYPE OF ACTIVITY

- [ ] A. AMBUSH -NO WARNING
- [ ] B. TRAFFIC STOP/PURSUIT
- [ ] C. INVESTIGATING SUSPICIOUS PERSON
- [ ] D. DISTURBANCE - DOMESTIC
- [ ] E. DISTURBANCE - MENTAL PATIENT
- [ ] F. DISTURBANCE - RIOT/MOB ACTION/CIVIL DISORDER
- [ ] G. DISTURBANCE - OTHER
- [ ] H. MAN WITH A GUN
- [ ] I. PURSUING/ARRESTING OFFENDER (Specify)
  - CHARGE _____ IUCR CODE _____
- [ ] J. PROCESSING/TRANSPORTING/GUARDING A PRISONER (Specify)
  - ORIGINAL CHARGE _____ ORIGINAL IUCR CODE _____
- [X] K. OTHER

TYPE OF INJURY TO OFFICER

- [ ] A. FATAL
- [ ] B. NON-FATAL - MAJOR INJURY (Broken Bones/Serious Lacerations/ Internal Injuries)
- [ ] C. NON-FATAL - MINOR INJURY (Bruises/Swelling/Minor Abrasions)
- [X] D. NONE APPARENT/NONE

LIGHTING CONDITIONS AT INCIDENT

- [ ] A. DAYLIGHT
- [ ] B. NIGHT
- [ ] C. DAWN
- [ ] D. DUSK
- [X] E. ARTIFICIAL LIGHT
  - [ ] 1. POOR
  - [X] 2. GOOD

INCIDENT INFORMATION

[ ] 1. INDOOR [X] 2. OUTDOOR

ADDRESS OF OCCURRENCE: 4112 S PULASKI RD

CITY: [X] CHICAGO [ ] | STATE (If outside Chicago):

LOCATION CODE: 304-STREET | BEAT OF OCCURRENCE: 0815

DATE OF OCCURRENCE: 20-OCT-2014 | TIME: 21:57:00 | DAY OF WEEK: MONDAY

NO. OF OFFICERS BATTERED: 3

WERE THERE ASSISTING UNITS ON SCENE? 1. [X] YES 2. [ ] NO

IF YES HOW MANY ASSISTING OFFICERS WERE PRESENT AT TIME BATTERY (EXCLUDING YOU OR YOUR PARTNERS) ? 8

MANNER OF ATTACK

- [ ] 01. SHOT
- [ ] 02. SHOT AT
- [X] 03. STABBED/CUT (INCLUDING ACTUAL ATTEMPT)
- [ ] 04. STRUCK/BLUNT FORCE (INCLUDING ACTUAL ATTEMPT)
- [ ] 05. OTHER (INCLUDING VERBAL THREATS)

TYPE OF WEAPON/THREAT

(Check all that apply):

- [ ] A. FIREARM CALIBER _____
  - [ ] 1. REVOLVER
  - [ ] 2. SEMI-AUTOMATIC
  - [ ] 3. RIFLE
  - [ ] 4. SHOTGUN
- [ ] B. VEHICLE
  - [ ] 1. OFFICER STRUCK WITH VEHICLE
  - [ ] 2. ATTEMPTED TO STRIKE OFFICER WITH VEHICLE
- [X] C. KNIFE/OTHER CUTTING INSTRUMENT
- [ ] D. HANDS/FISTS
- [ ] E. FEET
- [ ] F. MOUTH (SPIT, BITE, ETC.)
- [ ] G. VERBAL THREAT (ASSAULT)
- [X] H. OTHER (SPECIFY) /SWINGING KNIFE
- [ ] I. BLUNT INSTRUMENT

FIREARM USE INFORMATION (Check all that apply):

- [ ] A. OFFICER AT GUNPOINT
- [ ] B. OFFICER'S OWN WEAPON OBTAINED
- [ ] C. ATTEMPTED TO OBTAIN OFFICER'S OWN WEAPON

OFFENDER INFORMATION

SEX: [X] 1. M [ ] 2. F | RACE: BLACK | DOB: 25-SEP-1997

CB NO. | IR NO.

WAS THE OFFENDER'S ACTIVITY:

DRUG RELATED?
- [ ] 1. YES
- [ ] 2. NO
- [X] 3. UNKNOWN

GANG RELATED?
- [ ] 1. YES
- [ ] 2. NO
- [X] 3. UNKNOWN

NO. OF OFFENDERS PRESENT? 1

WEATHER CONDITIONS

- [X] A. CLEAR
- [ ] B. RAIN
- [ ] C. SNOW
- [ ] D. FOG / SMOKE / HAZE
- [ ] E. SLEET / HAIL
- [ ] F. SEVERE CROSS WIND
- [ ] G. OTHER

APPROXIMATE OUTDOOR TEMPERATURE: 50 °F

CPD-11.451 (REV. 1/04)

Unusual Circumstances Regarding Officer Control Tactics and Safety: (If you need more space use additional sheets).

OFFENDER'S ACTIONS WERE UNPROVOKED.

REPORTING MEMBER - SIGNATURE	STAR NO.	WATCH COMMANDER /UNIT COMMANDING OFFICER- SIGNATURE	STAR NO.
VAN DYKE, JASON D	9465	MC NAUGHTON, DAVID R	120

CPD-11.451 (REV. 1/04)

TACTICAL RESPONSE REPORT/Chicago Police Department

MEMBER INVOLVED

1. DATE OF INCIDENT	TIME	2. ADDRESS OF OCCURRENCE	3. LOCATION CODE	4. BEAT/OCCUR
20-OCT-2014	21:57:00	4112 S PULASKI RD CHICAGO, IL 60632	304	0815

5. POSITION	6. LAST NAME	7. FIRST NAME	8. STAR NO.	9. SEX	10. RACE CODE	11. AGE	12. HT	13. WT
9161	VAN DYKE	JASON D	9465	[X] 01 M [ ] 02 F	WHI	[redacted]	602	180

14. DATE OF APPT.	15. EMPLOYEE NO.	16. UNIT & BEAT OF ASSIGNMENT	17. DUTY STATUS	18. MEMBER INJURED?	19. MEMBER IN UNIFORM?
25-JUN-2001	[redacted]	008 0845R	[X] 01 On [ ] 02 Off	[ ] 01 Yes [X] 02 No	[X] 01 Yes [ ] 02 No

SUBJECT INFORMATION [ ] DNA

20. LAST NAME	21. FIRST NAME	22. MI	23. SEX	24. RACE	25. D.O.B.	26. HT.	27. WT.
MCDONALD	LEQUAN		[X] 01 M [ ] 02 F	BLK	25-SEP-1997	601	185

28. ADDRESS	29. TELEPHONE NO.	30. WAS SUBJECT ARMED? KNIFE/OTHER CUTTING INSTRUMENT, OTHER (SPECIFY)	31. SUBJECT INJURED?	32. SUBJECT ALLEGED INJURY?
[redacted] IL 60637		[X] 01 Yes [ ] 02 No	[X] 01 Yes [ ] 02 No	[ ] 01 Yes [X] 02 No

33. WHERE WAS MEDICAL TREATMENT OBTAINED?	34. BY WHOM?	35. CONDITION
MOUNT SINAI HOSPITAL	DR. PITZEL	[X] 03 Hospitalized [ ] 01 Apparently Normal [ ] 02 Under Influence [ ] 04 Not Hospitalized [ ] 05 Refused Medical Aid

36. CHARGES PLACED	37. CB NO.	IR NO
[ ] DNA		[ ] DNA

REASON FOR USE OF FORCE (Check all that apply) [ ] 38. DNA

	PASSIVE RESISTER	ACTIVE RESISTER	ASSAILANT:ASSAULT	ASSAILANT:BATTERY	ASSAILANT:DEADLY FORCE
SUBJECT'S ACTIONS	DID NOT FOLLOW VERBAL DIRECTION [X] STIFFENED (DEAD WEIGHT) [ ] OTHER	FLED [ ] PULLED AWAY [ ] OTHER	IMMINENT THREAT OF BATTERY [X] OTHER	ATTACK WITH WEAPON [X] ATTACK WITHOUT WEAPON [ ] OTHER	USES FORCE LIKELY TO CAUSE DEATH OR GREAT BODILY HARM [X] WEAPON [X] OTHER
MEMBER'S RESPONSE	MEMBER PRESENCE [X] VERBAL COMMANDS [X] ESCORT HOLDS [ ] WRISTLOCK [ ] ARMBAR [ ] PRESSURE SENSITIVE AREAS [ ] CONTROL INSTRUMENT [ ] OC/CHEMICAL WEAPON W/AUTHORIZATION [ ] OTHER	OPEN HAND STRIKE [ ] TAKE DOWN / EMERGENCY HANDCUFFING [ ] OC CHEMICAL WEAPON [ ] CANINE [ ] TASER (Probe Discharge) [ ] TASER (Contact Stun) [ ] TASER (Laser Targeted) [ ] TASER (Spark Displayed) [ ] OTHER	ELBOW STRIKE [ ] CLOSED HAND STRIKE/PUNCH [ ] IMPACT WEAPON (Describe in Box 40) [ ] OTHER	KNEE STRIKE [ ] KICKS [ ] IMPACT MUNITION (Describe in Box 40) [ ]	FIREARM [X] OTHER

WEAPON DISCHARGE INCIDENT [ ] 39. DNA

* OC/CHEMICAL WEAPON AUTHORIZED BY (NAME)	POSITION	STAR NO.	UNIT

40. ADDITIONAL INFORMATION: **OFFENDER'S WEAPON WAS A KNIFE IN HIS HAND.**

41. WEAPON TYPE	42. INCIDENT OCCURRED	43. LIGHTING CONDITIONS	44. WEATHER CONDITIONS
[X] 04 SEMI-AUTO PISTOL [ ] 01 REVOLVER [ ] 05 CHEMICAL WEAPON [ ] 02 RIFLE [ ] 06 TASER (Probe Discharge) [ ] 03 SHOTGUN [ ] 07 OTHER	[ ] Indoors [X] Outdoors	[ ] 01 Daylight [ ] 02 Night [ ] 03 Dawn [ ] 04 Dusk [ ] 05 Poor Artificial [X] 06 Good Artificial	CLEAR

45. MAKE/MANUFACTURER	46. MODEL	47. BARREL LENGTH	48. CALIBER/GAUGE
SMITH & WESSON -US- (BODYGUARD,CHIEF SPECIAL)	5943	5	9 MM

49. TASER DART ID NO.	50. WEAPON SERIAL No. (Include Letters)	51. CHICAGO GUN REG. NO.	52. IL FIREARM OWNER ID. NO.	53. HANDGUN CERTIFICATE NO.
	TDU5969	628361	95380037	

54. SPECIAL WEAPON CERTIFICATE NO.	55. PROPERTY INVENTORY NO.	56. TYPE OF AMMUNITION USED	57. NO. OF WEAPONS DISCHARGED BY THIS MEMBER	58. TOTAL NO. OF SHOTS MEMBER FIRED
		Department Issued	1	16

59. WHO FIRED FIRST SHOT	60. WAS FIREARM RELOADED DURING INCIDENT	61. NO OF CATORIDGES/ SHOT SHELLS RELOADED	62. HOW WAS MEMBER'S HANDGUN WORN	70. EVENT NO.
[X] 01 MEMBER [ ] 02 OFFENDER [ ] 03 OTHER (SPECIFY)	[X] 01 YES [ ] 02 NO	15	[X] 01 RT. SIDE (WAIST) [ ] 02 LT. SIDE (WAIST) [ ] 03 OTHER (Specify)	1429315878

63. HOW WAS MEMBER'S HANDGUN DRAWN	64. SPECIFY METHOD/EQUIPMENT USED TO RELOAD	65. DID MEMBER USE SIGHTS
[X] 01 STRONG SIDE DRAW [ ] 02 CROSS DRAW [ ] 03 OTHER (Specify)	BY MAGAZINE	[ ] 01 YES [X] 02 NO

66. DESCRIBE PROTECTIVE COVER USED (LIGHT POLES, DOORWAYS, CAR, FURNITURE, ETC)	67. DISTANCE BETWEEN INVOLVED MEMBER & OFFENDER WHEN FIRST SHOT WAS FIRED
NONE	[ ] 01 0 - 05 FT [ ] 02 05 - 10 FT. [X] 03 10 - 15 FT. [ ] 04 OVER 15 FT.

68. PERSON/OBJECT STRUCK AS RESULT OF THE DISCHARGE OF MEMBERS WEAPON	69. POSITION OF MEMBER DISCHARGING WEAPON
[X] 01 PERSON [ ] 02 OBJECT [ ] 03 BOTH [ ] 04 UNKNOWN	[X] 01 STANDING [ ] 02 LYING DOWN [ ] 03 SITTING [ ] 04 KNEELING [ ] 05 OTHER (SPECIFY)

CASE INFO. 72.

NOTIFICATIONS (OC OR TASER INCIDENT): [ ] OEMC [ ] DSS & LT./DIST. OF OCCUR. [ ] CPIC

NOTIFICATIONS (FIREARM INCIDENT): [X] OEMC [X] DSS/DIST. OF OCCUR & OCIC [X] CPIC [X] DET. DIV.

Members will ensure that all required notifications and all witnesses to this use of force are documented in the appropiate case report.

71. R.D. NO. HX475653

SIGNATURES

73. REPORTING MEMBER (Print Name)	STAR/EMPLOYEE NO.	SIGNATURE
VAN DYKE, JASON D 21-OCT-2014 04:41:45	[redacted]	[redacted]

Reviewing supervisor will ensure the legibility and completeness of this report and attest by entering the required information below.

74. REVIEWING SUPERVISOR (Print Name)	STAR NO.	SIGNATURE	DATE REVIEWED	TIME
FRANKO, STEPHEN D	1381	[redacted]	21-OCT-2014	04:44:58

CB.11.2.7 (REV. 10/07)

LIEUTENANT OR ABOVE/OCIC REVIEW

THE ON-CALL INCIDENT COMMANDER (OCIC) WILL COMPLETE THE REVIEW SECTION FOR 1.) ALL INCIDENTS INVOLVING THE DISCHARGE OF A FIREARM BY A DEPARTMENT MEMBER; 2.) ALL INCIDENTS INVOLVING THE SERIOUS INJURY OR DEATH OF A MEMBER OF THE PUBLIC SUBSEQUENT TO INTERACTIONS WITH A DEPARTMENT MEMBER; 3.) ANY LESSER USE OF FORCE BY A DEPARTMENT MEMBER WHEN THAT USE OF FORCE STEMS FROM THE SAME INCIDENT DESCRIBED HERE IN 1 OR 2.

THE ASSIGNED INVESTIGATING SUPERVISOR THE RANK OF LIEUTENANT OR ABOVE FROM THE DISTRICT OF OCCURRENCE WILL COMPLETE THE REVIEW SECTION FOR ALL OTHER INCIDENTS.

75. SUBJECT'S STATEMENT REGARDING THE USE OF FORCE ☐ DNA ☐ REFUSED ☒ UNABLE TO INTERVIEW (Specify Reason)

Subject is deceased.

76. LIEUTENANT OR ABOVE/OCIC RATIONALE FOR BOX 77 FINDING

Based upon information available at the time of this report it is the preliminary determination of the undersigned that Officer Van Dyke fired his weapon in compliance with Department policy. Officer Van Dyke fired his weapon in fear of his life when the offender while armed with a knife continued to approach and refused all verbal direction.

77. LIEUTENANT OR ABOVE/OCIC FINDING BASED UPON CURRENTLY AVAILABLE INFORMATION:

☒ I HAVE CONCLUDED THAT THE MEMBER'S ACTIONS WERE IN COMPLIANCE WITH DEPARTMENT PROCEDURES AND DIRECTIVES.

☐ I HAVE CONCLUDED THAT FURTHER INVESTIGATION IS REQUIRED.

LOG NO./CRNO. 1072125 OBTAINED

78. LIEUTENANT OR ABOVE/OCIC (Print Name)	SIGNATURE	DATE COMPLETED TIME
MC NAUGHTON, DAVID R	[redacted]	21-OCT-2014 04:58:37

79. DISTRIBUTION OF ORIGINAL TRR:

A TRR PACKET, INCLUDING THE TRR AND COPIES OF THE BELOW LISTED ATTACHMENTS WILL BE FORWARDED TO THE INDEPENDENT POLICE REVIEW AUTHORITY

ATTACHMENTS - PHOTOCOPIES OF:

☐ CASE REPORT ☐ SUPPLEMENTARY REPORT ☐ I.O.D. REPORT

☐ ARREST REPORT ☒ OFFICER BATTERY REPORT ☐ CR INITIATION REPORT

☐ TO-FROM-SUBJECT REPORTS FROM DEPARTMENT WITNESS(ES)

80. TOTAL TRR's THIS EVENT No.: 1

OFFICER'S BATTERY REPORT
CHICAGO POLICE DEPARTMENT

RD NO. **HX475653**

INSTRUCTIONS: This form is to be completed for all incidents when: (1) a sworn member is the victim of a murder, aggravated battery, battery, aggravated assault, or assault while performing a police function either on-duty or off-duty, (2) a detention aide is the victim of a murder, aggravated battery, battery, aggravated assault, or assault while in the performance of his or her duties.

"X APPLICABLE BOXES"

OFFICER INFORMATION

NAME (LAST - FIRST - M.I.): **WALSH, JOSEPH J**

STAR NO.	POSITION
12865	POLICE OFFICER
DATE OF APPOINTMENT: 29-JUN-1998	EMPLOYEE NO.: [redacted]
UNIT OF ASSIGNMENT: 008	BEAT/CALL NO.: 0845R

SEX	RACE	DOB
☒ 1. M ☐ 2. F	WHITE	[redacted]
HEIGHT: 600	WEIGHT: 190	

TYPE OF ASSIGNMENT WHEN BATTERY OCCURRED

☒ 1. ON DUTY
- ☒ A. UNIFORM, PATROL DUTY
- ☐ B. UNIFORM, OTHER DUTY — Describe _____
- ☐ C. CITIZEN'S DRESS
- ☐ D. TACTICAL
- ☐ E. B.I.S. UNIT
- ☐ F. SPECIAL EMPLOYMENT
- ☐ G. OTHER _____

☐ 2. OFF DUTY

☐ 3. SPECIAL EMPLOYMENT

☐ 4. SECONDARY / OTHER

WORKING:
- ☐ A. ALONE
- ☒ B. WITH ONE PARTNER
- ☐ C. WITH MULTIPLE PARTNERS — How many? _____

PATROL TYPE:
- ☒ A. SQUAD CAR
- ☐ B. FOOT
- ☐ C. BICYCLE
- ☐ D. APV/MOTORCYCLE
- ☐ E. SQUADROL
- ☐ F. OTHER _____

TYPE OF ACTIVITY

- ☐ A. AMBUSH -NO WARNING
- ☐ B. TRAFFIC STOP/PURSUIT
- ☐ C. INVESTIGATING SUSPICIOUS PERSON
- ☐ D. DISTURBANCE - DOMESTIC
- ☐ E. DISTURBANCE - MENTAL PATIENT
- ☐ F. DISTURBANCE - RIOT/MOB ACTION/CIVIL DISORDER
- ☐ G. DISTURBANCE - OTHER
- ☐ H. MAN WITH A GUN
- ☐ I. PURSUING/ARRESTING OFFENDER (Specify) CHARGE _____ IUCR CODE _____
- ☐ J. PROCESSING/TRANSPORTING/GUARDING A PRISONER (Specify ORIGINAL CHARGE _____ ORIGINAL IUCR CODE _____
- ☒ K. OTHER

TYPE OF INJURY TO OFFICER

- ☐ A. FATAL
- ☐ B. NON-FATAL - MAJOR INJURY (Broken Bones/Serious Lacerations/ Internal Injuries)
- ☐ C. NON-FATAL - MINOR INJURY (Bruises/Swelling/Minor Abrasions)
- ☒ D. NONE APPARENT/NONE

LIGHTING CONDITIONS AT INCIDENT

- ☐ A. DAYLIGHT
- ☐ B. NIGHT
- ☐ C. DAWN
- ☐ D. DUSK
- ☒ E. ARTIFICIAL LIGHT — ☐ 1. POOR ☒ 2. GOOD

INCIDENT INFORMATION

☐ 1. INDOOR ☒ 2. OUTDOOR

ADDRESS OF OCCURRENCE: **4112 S PULASKI RD**

CITY	STATE (If outside Chicago)
☒ CHICAGO ☐	
LOCATION CODE: 304-STREET	BEAT OF OCCURRENCE: 0815

DATE OF OCCURRENCE	TIME	DAY OF WEEK
20-OCT-2014	21:57:00	MONDAY

NO. OF OFFICERS BATTERED: 3

WERE THERE ASSISTING UNITS ON SCENE? 1. ☒ YES 2. ☐ NO

IF YES HOW MANY ASSISTING OFFICERS WERE PRESENT AT TIME BATTERY (EXCLUDING YOU OR YOUR PARTNERS) ? 8

MANNER OF ATTACK

- ☐ 01. SHOT
- ☐ 02. SHOT AT
- ☒ 03. STABBED/CUT (INCLUDING ACTUAL ATTEMPT)
- ☐ 04. STRUCK/BLUNT FORCE (INCLUDING ACTUAL ATTEMPT)
- ☐ 05. OTHER (INCLUDING VERBAL THREATS)

TYPE OF WEAPON/THREAT

(Check all that apply):
- ☐ A. FIREARM CALIBER _____
  - ☐ 1. REVOLVER
  - ☐ 2. SEMI-AUTOMATIC
  - ☐ 3. RIFLE
  - ☐ 4. SHOTGUN
- ☐ B. VEHICLE
  - ☐ 1. OFFICER STRUCK WITH VEHICLE
  - ☐ 2. ATTEMPTED TO STRIKE OFFICER WITH VEHICLE
- ☐ C. KNIFE/OTHER CUTTING INSTRUMENT
- ☐ D. HANDS/FISTS
- ☐ E. FEET
- ☐ F. MOUTH (SPIT, BITE, ETC.)
- ☐ G. VERBAL THREAT (ASSAULT)
- ☒ H. OTHER (SPECIFY) /SWINGING KNIFE
- ☐ I. BLUNT INSTRUMENT

FIREARM USE INFORMATION (Check all that apply):
- ☐ A. OFFICER AT GUNPOINT
- ☐ B. OFFICER'S OWN WEAPON OBTAINED
- ☐ C. ATTEMPTED TO OBTAIN OFFICER'S OWN WEAPON

OFFENDER INFORMATION

SEX	RACE	DOB
☒ 1. M ☐ 2. F	BLACK	25-SEP-1997
CB NO.	IR NO.	

WAS THE OFFENDER'S ACTIVITY:

DRUG RELATED?	GANG RELATED?
☐ 1. YES	☐ 1. YES
☐ 2. NO	☐ 2. NO
☒ 3. UNKNOWN	☒ 3. UNKNOWN

NO. OF OFFENDERS PRESENT? 1

WEATHER CONDITIONS

- ☒ A. CLEAR
- ☐ B. RAIN
- ☐ C. SNOW
- ☐ D. FOG / SMOKE / HAZE
- ☐ E. SLEET / HAIL
- ☐ F. SEVERE CROSS WIND
- ☐ G. OTHER

APPROXIMATE OUTDOOR TEMPERATURE: 50 °F

CPD-11.451 (REV. 1/04)

Unusual Circumstances Regarding Officer Control Tactics and Safety: (If you need more space use additional sheets).

REPORTING MEMBER - SIGNATURE	STAR NO.	WATCH COMMANDER /UNIT COMMANDING OFFICER- SIGNATURE	STAR NO.
WALSH, JOSEPH J	12865 [redacted]	MC NAUGHTON, DAVID R	120 [redacted]

CPD-11.451 (REV. 1/04)

TACTICAL RESPONSE REPORT/Chicago Police Department

MEMBER INVOLVED

1. DATE OF INCIDENT	TIME	2. ADDRESS OF OCCURRENCE	3. LOCATION CODE	4. BEAT/OCCUR
20-OCT-2014	21:57:00	4112 S PULASKI RD CHICAGO, IL 60632	304	0815

5. POSITION	6. LAST NAME	7. FIRST NAME	8. STAR NO.	9. SEX	10. RACE CODE	11. AGE	12. HT.	13. WT.
9161	WALSH	JOSEPH J	12865	☒ 01 M ☐ 02 F	WHI	[redacted]	600	190

14. DATE OF APPT.	15. EMPLOYEE NO.	16. UNIT & BEAT OF ASSIGNMENT	17. DUTY STATUS	18. MEMBER INJURED?	19. MEMBER IN UNIFORM?
29-JUN-1998	10016	008 0845R	☒ 01 On ☐ 02 Off	☐ 01 Yes ☒ 02 No	☒ 01 Yes ☐ 02 No

SUBJECT INFORMATION ☐ DNA

20. LAST NAME	21. FIRST NAME	22. MI	23. SEX	24. RACE	25. D.O.B.	26. HT.	27. WT.
MCDONALD	LEQUAN	J	☒ 01 M ☐ 02 F	BLK	25-SEP-1997	601	185

28. ADDRESS	29. TELEPHONE NO.	30. WAS SUBJECT ARMED? OTHER (SPECIFY)	31. SUBJECT INJURED?	32. SUBJECT ALLEGED INJURY?
[redacted] IL 60637		☒ 01 Yes ☐ 02 No	☒ 01 Yes ☐ 02 No	☐ 01 Yes ☒ 02 No

33. WHERE WAS MEDICAL TREATMENT OBTAINED?	34. BY WHOM?	35. CONDITION
	DR. PITZEL	☒ 03 Hospitalized ☐ 01 Apparently Normal ☐ 02 Under Influence ☐ 04 Not Hospitalized ☐ 05 Refused Medical Aid

36. CHARGES PLACED ☐ DNA | 37. CB NO. | IR NO. ☐ DNA

REASON FOR USE OF FORCE (Check all that apply) 38. ☐ DNA

	PASSIVE RESISTER	ACTIVE RESISTER	ASSAILANT: ASSAULT	ASSAILANT: BATTERY	ASSAILANT: DEADLY FORCE
SUBJECT'S ACTIONS	DID NOT FOLLOW VERBAL DIRECTION ☒ STIFFENED (DEAD WEIGHT) ☐ OTHER	FLED ☐ PULLED AWAY ☐ OTHER	IMMINENT THREAT OF BATTERY ☒ OTHER	ATTACK WITH WEAPON ☒ ATTACK WITHOUT WEAPON ☐ OTHER	USES FORCE LIKELY TO CAUSE DEATH OR GREAT BODILY HARM ☒ WEAPON ☒ OTHER
MEMBER'S RESPONSE	MEMBER PRESENCE ☒ VERBAL COMMANDS ☒ ESCORT HOLDS ☐ WRISTLOCK ☐ ARMBAR ☐ PRESSURE SENSITIVE AREAS ☐ CONTROL INSTRUMENT ☐ OC/CHEMICAL WEAPON W/AUTHORIZATION ☐ OTHER	OPEN HAND STRIKE ☐ TAKE DOWN / EMERGENCY HANDCUFFING ☐ OC CHEMICAL WEAPON ☐ CANINE ☐ TASER (Probe Discharge) ☐ TASER (Contact Stun) ☐ TASER (Laser Targeted) ☐ TASER (Spark Displayed) ☐ OTHER	ELBOW STRIKE ☐ CLOSED HAND STRIKE/PUNCH ☐ IMPACT WEAPON (Describe in Box 40) ☐ OTHER	KNEE STRIKE ☐ KICKS ☐ IMPACT MUNITION (Describe in Box 40) ☐	FIREARM ☐ OTHER

WEAPON DISCHARGE INCIDENT 39. ☒ DNA

* OC/CHEMICAL WEAPON AUTHORIZED BY (NAME)	POSITION	STAR NO.	UNIT

40. ADDITIONAL INFORMATION: **OFFENDER ARMED WITH KNIFE.**

41. WEAPON TYPE	42. INCIDENT OCCURRED	43. LIGHTING CONDITIONS	44. WEATHER CONDITIONS
☐ 01 REVOLVER ☐ 04 SEMI-AUTO PISTOL ☐ 02 RIFLE ☐ 05 CHEMICAL WEAPON ☐ 03 SHOTGUN ☐ 06 TASER (Probe Discharge) ☐ 07 OTHER	☐ Indoors ☒ Outdoors	☐ 02 Night ☐ 03 Dawn ☐ 04 Dusk ☐ 05 Poor Artificial ☒ 06 Good Artificial	CLEAR

45. MAKE/MANUFACTURER	46. MODEL	47. BARREL LENGTH	48. CALIBER/GAUGE

49. TASER DART ID NO.	50. WEAPON SERIAL No. (Include Letters)	51. CHICAGO GUN REG. NO.	52. IL FIREARM OWNER ID. NO.	53. HANDGUN CERTIFICATE NO.

54. SPECIAL WEAPON CERTIFICATE NO.	55. PROPERTY INVENTORY NO.	56. TYPE OF AMMUNITION USED	57 NO. OF WEAPONS DISCHARGED BY THIS MEMBER	58. TOTAL NO. OF SHOTS MEMBER FIRED

59. WHO FIRED FIRST SHOT	60. WAS FIREARM RELOADED DURING INCIDENT	61. NO OF CATDRIDGES/ SHOT SHELLS RELOADED	62. HOW WAS MEMBER'S HANDGUN WORN	70. EVENT NO.
☐ 01 MEMBER ☐ 02 OFFENDER ☐ 03 OTHER (SPECIFY)	☐ 01 YES ☐ 02 NO		☐ 01 RT. SIDE (WAIST) ☐ 02 LT. SIDE (WAIST) ☐ 03 OTHER (Specify)	1429315878

63. HOW WAS MEMBER'S HANDGUN DRAWN	64. SPECIFY METHOD/EQUIPMENT USED TO RELOAD	65. DID MEMBER USE SIGHTS
☐ 01 STRONG SIDE DRAW ☐ 02 CROSS DRAW ☐ 03 OTHER (Specify)		☐ 01 YES ☐ 02 NO

66. DESCRIBE PROTECTIVE COVER USED (LIGHT POLES, DOORWAYS, CAR, FURNITURE, ETC)	67. DISTANCE BETWEEN INVOLVED MEMBER & OFFENDER WHEN FIRST SHOT WAS FIRED
	☐ 01 0 - 05 FT. ☐ 02 05 - 10 FT. ☐ 03 10 - 15 FT ☐ 04 OVER 15 FT.

68. PERSON/OBJECT STRUCK AS RESULT OF THE DISCHARGE OF MEMBERS WEAPON	69. POSITION OF MEMBER DISCHARGING WEAPON
☐ 01 PERSON ☐ 02 OBJECT ☐ 03 BOTH ☐ 04 UNKNOWN	☐ 01 STANDING ☐ 02 LYING DOWN ☐ 03 SITTING ☐ 04 KNEELING ☐ 05 OTHER (SPECIFY)

CASE INFO. 72.

NOTIFICATIONS (OC OR TASER INCIDENT): ☐ OEMC ☐ DSS & LT./DIST. OF OCCUR. ☐ CPIC

NOTIFICATIONS (FIREARM INCIDENT): ☐ OEMC ☐ DSS/DIST. OF OCCUR & OCIC ☐ CPIC ☐ DET. DIV.

Members will ensure that all required notifications and all witnesses to this use of force are documented in the appropriate case report.

71. R.D. NO. HX475653

SIGNATURES

73. REPORTING MEMBER (Print Name)	STAR/EMPLOYEE NO.	SIGNATURE
WALSH, JOSEPH J 21-OCT-2014 05:04:40	12865 [redacted]	[redacted]

Reviewing supervisor will ensure the legibility and completeness of this report and attest by entering the required information below.

74. REVIEWING SUPERVISOR (Print Name)	STAR NO.	SIGNATURE	DATE REVIEWED	TIME
FRANKO, STEPHEN D	1381	[redacted]	21-OCT-2014	05:07:32

CB 377 (REV. 10/07)

LIEUTENANT OR ABOVE/OCIC REVIEW

THE ON-CALL INCIDENT COMMANDER (OCIC) WILL COMPLETE THE REVIEW SECTION FOR 1.) ALL INCIDENTS INVOLVING THE DISCHARGE OF A FIREARM BY A DEPARTMENT MEMBER; 2.) ALL INCIDENTS INVOLVING THE SERIOUS INJURY OR DEATH OF A MEMBER OF THE PUBLIC SUBSEQUENT TO INTERACTIONS WITH A DEPARTMENT MEMBER; 3.) ANY LESSER USE OF FORCE BY A DEPARTMENT MEMBER WHEN THAT USE OF FORCE STEMS FROM THE SAME INCIDENT DESCRIBED HERE IN 1 OR 2.

THE ASSIGNED INVESTIGATING SUPERVISOR THE RANK OF LIEUTENANT OR ABOVE FROM THE DISTRICT OF OCCURRENCE WILL COMPLETE THE REVIEW SECTION FOR ALL OTHER INCIDENTS.

75. SUBJECT'S STATEMENT REGARDING THE USE OF FORCE ☐ DNA ☐ REFUSED ☒ UNABLE TO INTERVIEW (Specify Reason)

Subject is deceased.

76. LIEUTENANT OR ABOVE/OCIC RATIONALE FOR BOX 77 FINDING

Officer Walsh's actions were in compliance with the Department's use of force policy.

77. LIEUTENANT OR ABOVE/OCIC FINDING BASED UPON CURRENTLY AVAILABLE INFORMATION:

☒ I HAVE CONCLUDED THAT THE MEMBER'S ACTIONS WERE IN COMPLIANCE WITH DEPARTMENT PROCEDURES AND DIRECTIVES.

☐ I HAVE CONCLUDED THAT FURTHER INVESTIGATION IS REQUIRED.

LOG NO./CRNO. 1072125 OBTAINED

78. LIEUTENANT OR ABOVE/OCIC (Print Name)	SIGNATURE	DATE COMPLETED TIME
MC NAUGHTON, DAVID R	[redacted]	21-OCT-2014 05:12:27

79. DISTRIBUTION OF ORIGINAL TRR:

A TRR PACKET, INCLUDING THE TRR AND COPIES OF THE BELOW LISTED ATTACHMENTS WILL BE FORWARDED TO THE INDEPENDENT POLICE REVIEW AUTHORITY

ATTACHMENTS - PHOTOCOPIES OF:
☐ SUPPLEMENTARY REPORT ☐ I.O.D. REPORT
☐ CASE REPORT ☒ OFFICER BATTERY REPORT ☐ CR INITIATION REPORT
☐ ARREST REPORT ☐ TO-FROM-SUBJECT REPORTS FROM DEPARTMENT WITNESS(ES)

80. TOTAL TRR's THIS EVENT No. 2

OFFICER'S BATTERY REPORT
CHICAGO POLICE DEPARTMENT

RD NO. **HX475653**

INSTRUCTIONS: This form is to be completed for all incidents when: (1) a sworn member is the victim of a murder, aggravated battery, battery, aggravated assault, or assault while performing a police function either on-duty or off-duty, (2) a detention aide is the victim of a murder, aggravated battery, battery, aggravated assault, or assault while in the performance of his or her duties.

"X APPLICABLE BOXES"

OFFICER INFORMATION

NAME (LAST - FIRST - M.I.): **GAFFNEY, THOMAS J**

STAR NO.	POSITION
19958	POLICE OFFICER
DATE OF APPOINTMENT: 08-JUL-1996	EMPLOYEE NO.: [redacted]
UNIT OF ASSIGNMENT: 008	BEAT/CALL NO.: 0815R

SEX	RACE	DOB
☒ 1. M ☐ 2. F	WHITE	[redacted]

HEIGHT	WEIGHT
600	195

TYPE OF ASSIGNMENT WHEN BATTERY OCCURRED

☒ 1. ON DUTY
- ☒ A. UNIFORM, PATROL DUTY
- ☐ B. UNIFORM, OTHER DUTY — Describe _____
- ☐ C. CITIZEN'S DRESS
- ☐ D. TACTICAL
- ☐ E. B.I.S. UNIT
- ☐ F. SPECIAL EMPLOYMENT
- ☐ G. OTHER _____

☐ 2. OFF DUTY

☐ 3. SPECIAL EMPLOYMENT

☐ 4. SECONDARY / OTHER

WORKING:
- ☐ A. ALONE
- ☒ B. WITH ONE PARTNER
- ☐ C. WITH MULTIPLE PARTNERS — How many? _____

PATROL TYPE:
- ☒ A. SQUAD CAR
- ☐ B. FOOT
- ☐ C. BICYCLE
- ☐ D. APV/MOTORCYCLE
- ☐ E. SQUADROL
- ☐ F. OTHER _____

TYPE OF ACTIVITY

- ☐ A. AMBUSH -NO WARNING
- ☐ B. TRAFFIC STOP/PURSUIT
- ☐ C. INVESTIGATING SUSPICIOUS PERSON
- ☐ D. DISTURBANCE - DOMESTIC
- ☐ E. DISTURBANCE - MENTAL PATIENT
- ☐ F. DISTURBANCE - RIOT/MOB ACTION/CIVIL DISORDER
- ☐ G. DISTURBANCE - OTHER
- ☐ H. MAN WITH A GUN
- ☐ I. PURSUING/ARRESTING OFFENDER (Specify) CHARGE _____ IUCR CODE _____
- ☐ J. PROCESSING/TRANSPORTING/GUARDING A PRISONER (Specify ORIGINAL CHARGE _____ ORIGINAL IUCR CODE _____
- ☒ K. OTHER

TYPE OF INJURY TO OFFICER

- ☐ A. FATAL
- ☐ B. NON-FATAL - MAJOR INJURY (Broken Bones/Serious Lacerations/ Internal Injuries)
- ☐ C. NON-FATAL - MINOR INJURY (Bruises/Swelling/Minor Abrasions)
- ☒ D. NONE APPARENT/NONE

LIGHTING CONDITIONS AT INCIDENT

- ☐ A. DAYLIGHT
- ☐ B. NIGHT
- ☐ C. DAWN
- ☐ D. DUSK
- ☒ E. ARTIFICIAL LIGHT
  - ☐ 1. POOR
  - ☒ 2. GOOD

INCIDENT INFORMATION

☐ 1. INDOOR ☒ 2. OUTDOOR

ADDRESS OF OCCURRENCE: 4000 1/2 S KARLOV AVE

CITY	STATE (If outside Chicago)
☒ CHICAGO ☐	
LOCATION CODE: 304-STREET	BEAT OF OCCURRENCE: 0815

DATE OF OCCURRENCE	TIME	DAY OF WEEK
20-OCT-2014	21:56:00	MONDAY

NO. OF OFFICERS BATTERED: 3

WERE THERE ASSISTING UNITS ON SCENE? 1. ☒ YES 2. ☐ NO

IF YES HOW MANY ASSISTING OFFICERS WERE PRESENT AT TIME BATTERY (EXCLUDING YOU OR YOUR PARTNERS) ? 8

MANNER OF ATTACK

- ☐ 01. SHOT
- ☐ 02. SHOT AT
- ☒ 03. STABBED/CUT (INCLUDING ACTUAL ATTEMPT)
- ☐ 04. STRUCK/BLUNT FORCE (INCLUDING ACTUAL ATTEMPT)
- ☐ 05. OTHER (INCLUDING VERBAL THREATS)

TYPE OF WEAPON/THREAT

(Check all that apply):

- ☐ A. FIREARM CALIBER _____
  - ☐ 1. REVOLVER
  - ☐ 2. SEMI-AUTOMATIC
  - ☐ 3. RIFLE
  - ☐ 4. SHOTGUN
- ☐ B. VEHICLE
  - ☐ 1. OFFICER STRUCK WITH VEHICLE
  - ☐ 2. ATTEMPTED TO STRIKE OFFICER WITH VEHICLE
- ☒ C. KNIFE/OTHER CUTTING INSTRUMENT
- ☐ D. HANDS/FISTS
- ☐ E. FEET
- ☐ F. MOUTH (SPIT, BITE, ETC.)
- ☐ G. VERBAL THREAT (ASSAULT)
- ☒ H. OTHER (SPECIFY) /SWINGING KNIFE
- ☐ I. BLUNT INSTRUMENT

FIREARM USE INFORMATION (Check all that apply):
- ☐ A. OFFICER AT GUNPOINT
- ☐ B. OFFICER'S OWN WEAPON OBTAINED
- ☐ C. ATTEMPTED TO OBTAIN OFFICER'S OWN WEAPON

OFFENDER INFORMATION

SEX	RACE	DOB
☒ 1. M ☐ 2. F	BLACK	25-SEP-1997

CB NO.	IR NO.

WAS THE OFFENDER'S ACTIVITY:

DRUG RELATED?	GANG RELATED?
☐ 1. YES	☐ 1. YES
☐ 2. NO	☐ 2. NO
☒ 3. UNKNOWN	☒ 3. UNKNOWN

NO. OF OFFENDERS PRESENT? 1

WEATHER CONDITIONS

- ☒ A. CLEAR
- ☐ B. RAIN
- ☐ C. SNOW
- ☐ D. FOG / SMOKE / HAZE
- ☐ E. SLEET / HAIL
- ☐ F. SEVERE CROSS WIND
- ☐ G. OTHER

APPROXIMATE OUTDOOR TEMPERATURE: 50 °F

CPD-11.451 (REV. 1/04)

Unusual Circumstances Regarding Officer Control Tactics and Safety: (If you need more space use additional sheets).

REPORTING MEMBER - SIGNATURE	STAR NO.	WATCH COMMANDER /UNIT COMMANDING OFFICER- SIGNATURE	STAR NO.
GAFFNEY, THOMAS J	19958 [redacted]	MC NAUGHTON, DAVID R	120 [redacted]

CPD-11.451 (REV. 1/04)

TACTICAL RESPONSE REPORT/Chicago Police Department

1. DATE OF INCIDENT	TIME	2. ADDRESS OF OCCURRENCE	3. LOCATION CODE	4. BEAT/OCCUR
20-OCT-2014	21:56:00	4000 1/2 S KARLOV AVE CHICAGO, IL 60632	304	0815

MEMBER INVOLVED

5. POSITION	6. LAST NAME	7. FIRST NAME	8. STAR NO.	9. SEX	10. RACE CODE	11. AGE	12. HT.	13. WT.
9161	GAFFNEY	THOMAS J	19958	☒ 01 M ☐ 02 F	WHI	[redacted]	600	195

14. DATE OF APPT	15. EMPLOYEE NO.	16. UNIT & BEAT OF ASSIGNMENT	17. DUTY STATUS	18. MEMBER INJURED?	19. MEMBER IN UNIFORM?
08-JUL-1996	[redacted]	008 0815R	☒ 01 On ☐ 02 Off	☐ 01 Yes ☒ 02 No	☒ 01 Yes ☐ 02 No

SUBJECT INFORMATION ☐ DNA

20. LAST NAME	21. FIRST NAME	22. M.I.	23. SEX	24. RACE	25. D.O.B.	26. HT.	27. WT.
MCDONALD	LEQUAN	J	☒ 01 M ☐ 02 F	BLK	25-SEP-1997	601	185

28. ADDRESS	29. TELEPHONE NO.	30. WAS SUBJECT ARMED? KNIFE/OTHER CUTTING INSTRUMENT, OTHER (SPECIFY)	31. SUBJECT INJURED?	32. SUBJECT ALLEGED INJURY?
[redacted]		☒ 01 Yes ☐ 02 No	☒ 01 Yes ☐ 02 No	☐ 01 Yes ☒ 02 No

33. WHERE WAS MEDICAL TREATMENT OBTAINED?

34. BY WHOM? DR PITZEL

35. CONDITION ☐ 01 Apparently Normal ☐ 02 Under Influence ☒ 03 Hospitalized ☐ 04 Not Hospitalized ☐ 05 Refused Medical Aid

36. CHARGES PLACED ☐ DNA

37. CB NO. IR NO. ☐ DNA

REASON FOR USE OF FORCE (Check all that apply) 38. ☐ DNA

	PASSIVE RESISTER	ACTIVE RESISTER	ASSAILANT:ASSAULT	ASSAILANT:BATTERY	ASSAILANT:DEADLY FORCE
SUBJECT'S ACTIONS	DID NOT FOLLOW VERBAL DIRECTION ☒ STIFFENED (DEAD WEIGHT) ☐ OTHER	FLED ☐ PULLED AWAY ☐ OTHER	IMMINENT THREAT OF BATTERY ☒ OTHER	ATTACK WITH WEAPON ☒ ATTACK WITHOUT WEAPON ☐ OTHER	USES FORCE LIKELY TO CAUSE DEATH OR GREAT BODILY HARM ☒ WEAPON ☒ OTHER

MEMBER'S RESPONSE				
MEMBER PRESENCE ☒	OPEN HAND STRIKE ☐	ELBOW STRIKE ☐	KNEE STRIKE ☐	FIREARM ☐
VERBAL COMMANDS ☐	TAKE DOWN / EMERGENCY HANDCUFFING ☐	CLOSED HAND STRIKE/PUNCH ☐	KICKS ☐	OTHER
ESCORT HOLDS ☐	OC CHEMICAL WEAPON ☐	IMPACT WEAPON (Describe in Box 40) ☐	IMPACT MUNITION (Describe in Box 40) ☐	
WRISTLOCK ☐	CANINE ☐	OTHER		
ARMBAR ☐	TASER (Probe Discharge) ☐			
PRESSURE SENSITIVE AREAS ☐	TASER (Contact Stun) ☐			
CONTROL INSTRUMENT ☐	TASER (Laser Targeted) ☐			
OC/CHEMICAL WEAPON W/AUTHORIZATION ☐	TASER (Spark Displayed) ☐			
OTHER	OTHER			

WEAPON DISCHARGE INCIDENT 39. ☒ DNA

* OC/CHEMICAL WEAPON AUTHORIZED BY (NAME)	POSITION	STAR NO.	UNIT

40. ADDITIONAL INFORMATION: SUBJECT ARMED WITH KNIFE

41. WEAPON TYPE	42. INCIDENT OCCURRED	43. LIGHTING CONDITIONS	44. WEATHER CONDITIONS
☐ 01 REVOLVER ☐ 04 SEMI-AUTO PISTOL ☐ 02 RIFLE ☐ 05 CHEMICAL WEAPON ☐ 03 SHOTGUN ☐ 06 TASER (Probe Discharge) ☐ 07 OTHER	☐ Indoors ☒ Outdoors	☐ 02 Night ☐ 03 Dawn ☐ 04 Dusk ☐ 05 Poor Artificial ☒ 06 Good Artificial ☐ 01 Daylight	CLEAR

45. MAKE/MANUFACTURER	46. MODEL	47. BARREL LENGTH	48. CALIBER/GAUGE

49. TASER DART ID NO.	50. WEAPON SERIAL No. (Include Letters)	51. CHICAGO GUN REG. NO.	52. IL FIREARM OWNER ID. NO.	53. HANDGUN CERTIFICATE NO.

54. SPECIAL WEAPON CERTIFICATE NO.	55. PROPERTY INVENTORY NO.	56. TYPE OF AMMUNITION USED	57. NO. OF WEAPONS DISCHARGED BY THIS MEMBER	58. TOTAL NO. OF SHOTS MEMBER FIRED

59. WHO FIRED FIRST SHOT	60. WAS FIREARM RELOADED DURING INCIDENT	61. NO OF CARTRIDGES/ SHOT SHELLS RELOADED	62. HOW WAS MEMBER'S HANDGUN WORN	70. EVENT NO.
☐ 01 MEMBER ☐ 02 OFFENDER ☐ 03 OTHER (SPECIFY)	☐ 01 YES ☐ 02 NO		☐ 01 RT. SIDE (WAIST) ☐ 02 LT. SIDE (WAIST) ☐ 03 OTHER (Specify)	1429315878

63. HOW WAS MEMBER'S HANDGUN DRAWN	64. SPECIFY METHOD/EQUIPMENT USED TO RELOAD	65. DID MEMBER USE SIGHTS
☐ 01 STRONG SIDE DRAW ☐ 02 CROSS DRAW ☐ 03 OTHER (Specify)		☐ 01 YES ☐ 02 NO

66. DESCRIBE PROTECTIVE COVER USED (LIGHT POLES, DOORWAYS, CAR, FURNITURE, ETC)	67. DISTANCE BETWEEN INVOLVED MEMBER & OFFENDER WHEN FIRST SHOT WAS FIRED
	☐ 01 0 - 05 FT. ☐ 02 05 - 10 FT. ☐ 03 10 - 15 FT. ☐ 04 OVER 15 FT.

68. PERSON/OBJECT STRUCK AS RESULT OF THE DISCHARGE OF MEMBERS WEAPON	69. POSITION OF MEMBER DISCHARGING WEAPON
☐ 01 PERSON ☐ 02 OBJECT ☐ 03 BOTH ☐ 04 UNKNOWN	☐ 01 STANDING ☐ 02 LYING DOWN ☐ 03 SITTING ☐ 04 KNEELING ☐ 05 OTHER (SPECIFY)

CASE INFO. 72.

NOTIFICATIONS (OC OR TASER INCIDENT): ☐ OEMC ☐ DSS & LT./DIST. OF OCCUR. ☐ CPIC

NOTIFICATIONS (FIREARM INCIDENT): ☐ OEMC ☐ DSS/DIST. OF OCCUR & OCIC ☐ CPIC ☐ DET. DIV.

Members will ensure that all required notifications and all witnesses to this use of force are documented in the appropiate case report.

71. R.D. NO. HX475653

SIGNATURES

73. REPORTING MEMBER (Print Name)	STAR/EMPLOYEE NO	SIGNATURE
GAFFNEY, THOMAS J 21-OCT-2014 05:15:34	19958 [redacted]	[redacted]

Reviewing supervisor will ensure the legibility and completeness of this report and attest by entering the required information below.

74. REVIEWING SUPERVISOR (Print Name)	STAR NO.	SIGNATURE	DATE REVIEWED TIME
FRANKO, STEPHEN D	1381	[redacted]	21-OCT-2014 05:17:15

11.3.7 (REV. 10/07)

LIEUTENANT OR ABOVE/OCIC REVIEW

THE ON-CALL INCIDENT COMMANDER (OCIC) WILL COMPLETE THE REVIEW SECTION FOR 1.) ALL INCIDENTS INVOLVING THE DISCHARGE OF A FIREARM BY A DEPARTMENT MEMBER; 2.) ALL INCIDENTS INVOLVING THE SERIOUS INJURY OR DEATH OF A MEMBER OF THE PUBLIC SUBSEQUENT TO INTERACTIONS WITH A DEPARTMENT MEMBER; 3.) ANY LESSER USE OF FORCE BY A DEPARTMENT MEMBER WHEN THAT USE OF FORCE STEMS FROM THE SAME INCIDENT DESCRIBED HERE IN 1 OR 2.

THE ASSIGNED INVESTIGATING SUPERVISOR THE RANK OF LIEUTENANT OR ABOVE FROM THE DISTRICT OF OCCURRENCE WILL COMPLETE THE REVIEW SECTION FOR ALL OTHER INCIDENTS

75. SUBJECT'S STATEMENT REGARDING THE USE OF FORCE ☐ ONA ☐ REFUSED ☒ UNABLE TO INTERVIEW (Specify Reason)

Subject is deceased.

76. LIEUTENANT OR ABOVE/OCIC RATIONALE FOR BOX 77 FINDING

Officer Gaffney's actions were in compliance with the Department's Use of Force policy.

77. LIEUTENANT OR ABOVE/OCIC FINDING BASED UPON CURRENTLY AVAILABLE INFORMATION:

☒ I HAVE CONCLUDED THAT THE MEMBER'S ACTIONS WERE IN COMPLIANCE WITH DEPARTMENT PROCEDURES AND DIRECTIVES.

☐ I HAVE CONCLUDED THAT FURTHER INVESTIGATION IS REQUIRED.

LOG NO./CRNO. 1072125 OBTAINED

78. LIEUTENANT OR ABOVE/OCIC (Print Name)	SIGNATURE	DATE COMPLETED TIME
MC NAUGHTON, DAVID R	[redacted]	21-OCT-2014 05:20:49

79. DISTRIBUTION OF ORIGINAL TRR

A TRR PACKET, INCLUDING THE TRR AND COPIES OF THE BELOW LISTED ATTACHMENTS WILL BE FORWARDED TO THE INDEPENDENT POLICE REVIEW AUTHORITY.

ATTACHMENTS - PHOTOCOPIES OF:
☐ CASE REPORT ☐ ARREST REPORT ☐ SUPPLEMENTARY REPORT ☒ OFFICER BATTERY REPORT ☐ TO-FROM-SUBJECT REPORTS FROM DEPARTMENT WITNESS(ES) ☐ I.O.D. REPORT ☐ CR INITIATION REPORT

80. TOTAL TRR's THIS EVENT No. 3

Event # 1429315878

Type	Location	Date	Pri	DG	Svc Beat	Disp
HOLDCI	3999 W 41ST ST / 4099 S PULASKI RD	20-OCT-2014 21:47:07	1A	008	0821	0552

Source	Response Level	Caller	Phone
E	1	[redacted]	[redacted]

Address of Occurrence	Occ Beat
4100 S KILDARE BL	0815

Event Chronology

Date	Activity	Wkstn	Person	Text
20-OCT-2014 21:45:35	REC			
20-OCT-2014 21:47:07	ENTRY	PCT49	C549513	CallerLocation, CallerName have been changed.
20-OCT-2014 21:47:50	DSP	PD18	D560949	815R
20-OCT-2014 21:48:05	ACK	PMDT6024	PC0V821	815R
20-OCT-2014 21:53:27	CLOC	PD18	D560949	815R [40 KEELER]
20-OCT-2014 21:53:40	MISC	PD18	D560949	knife in hand need tzaer
20-OCT-2014 21:53:43	ASST	PD18	D560949	812
20-OCT-2014 21:53:45	MISC	PADM19	D112780	815R NEED TASER PERKNI [40 KEELER
20-OCT-2014 21:53:48	ACK	PMDT5805	PC0U318	812
20-OCT-2014 21:54:51	MISC	PD18	D560949	walking eb
20-OCT-2014 21:54:53	MISC	PADM19	D112780	15R --- WALKING EB
20-OCT-2014 21:55:08	MISC	PADM19	D112780	TOWARDS PULASKI ?
20-OCT-2014 21:56:14	MISC	PADM19	D108212	popped tire on car
20-OCT-2014 21:56:18	MISC	PD18	D560949	popped tire on car
20-OCT-2014 21:56:20	ASSTER	PADM19	D108212	845R
20-OCT-2014 21:56:22	AUTPRE	PD18	D560949	845R
20-OCT-2014 21:56:22	ASST	PD18	D560949	845R
20-OCT-2014 21:56:33	MISC	PADM19	D108212	by the burger king
20-OCT-2014 21:56:36	MISC	PD18	D560949	headed to bk
20-OCT-2014 21:56:43	MISC	PADM19	D108212	female says were here
20-OCT-2014 21:56:47	ASSTER	PADM19	D108212	821R
20-OCT-2014 21:56:49	AUTPRE	PD18	D560949	821R
20-OCT-2014 21:56:49	ASST	PD18	D560949	821R
20-OCT-2014 21:56:52	ASSTER	PADM19	D108212	841R
20-OCT-2014 21:56:55	AUTPRE	PD18	D560949	841R
20-OCT-2014 21:56:55	ASST	PD18	D560949	841R
20-OCT-2014 21:57:00	MISC	PD18	D560949	to pulaski
20-OCT-2014 21:57:30	MISC	PADM19	D108212	shtosf fired by cpd
20-OCT-2014 21:57:32	MISC	PD18	D560949	shots fired by police
20-OCT-2014 21:57:41	ASST	PD18	D560949	862C
20-OCT-2014 21:57:51	MISC	PD18	D560949	NEEDS EMS
20-OCT-2014 21:57:58	MISC	PD18	D560949	41 PULASKI
20-OCT-2014 21:58:38	MISC	PADM19	D108212	i 55 all of pulski shut down 45 th
20-OCT-2014 21:58:39	MISC	PD18	D560949	SHUT DOWN PULASKI I55 - 45TH ST
20-OCT-2014 21:58:57	MISC	PADM19	D108212	calling state shut down ramps
20-OCT-2014 21:59:04	MISC	PD18	D560949	41 PULASKI DIVERTING TRAFFIC @ 821R

Event # 1429315878

Event Chronology

Date	Activity	Wkstn	Person	Text
20-OCT-2014 21:59:21	MISC	PD18	D560949	821R COVERING SB
20-OCT-2014 21:59:22	DSP	PDT101	D543242	4603
20-OCT-2014 21:59:25	AUTPRE	PD18	D560949	812
20-OCT-2014 21:59:25	ASST	PD18	D560949	812
20-OCT-2014 21:59:35	CLOC	PD18	D560949	812 [43 PULASKI NB]
20-OCT-2014 21:59:43	MISC	PADM19	D108212	state nfy'd sb pulaski shut down from i 55
20-OCT-2014 21:59:44	ASST	PD18	D560949	823R
20-OCT-2014 21:59:49	ASST	PADM19	D108212	843
20-OCT-2014 21:59:54	CLOC	PADM19	D108212	843 [HOLDING I55 RAMP]
20-OCT-2014 22:00:00	CLOC	PD18	D560949	843 [I 55 PULASKI]
20-OCT-2014 22:00:01	ASST	PADM19	D108212	PH2
20-OCT-2014 22:00:09	ASST	PADM19	D108212	851R
20-OCT-2014 22:00:13	ACK	PMDT4691	PC0X830	851R
20-OCT-2014 22:00:26	AUTPRE	PD18	D560949	851R
20-OCT-2014 22:00:26	ASST	PD18	D560949	851R
20-OCT-2014 22:00:29	ACK	PMDT6416	PC0X832	4603
20-OCT-2014 22:00:30	MISC	PADM19	D108212	815R both ok ???
20-OCT-2014 22:00:36	MISC	PADM19	D108212	everyone is ok
20-OCT-2014 22:00:51	MISC	PADM19	D108212	slowdown
20-OCT-2014 22:00:53	MISC	PADM19	D108212	nm
20-OCT-2014 22:00:56	MISC	PADM19	D108212	slowdown
20-OCT-2014 22:00:59	MISC	PD18	D560949	SLOWDOWN
20-OCT-2014 22:01:06	ASST	PADM19	D108212	810R
20-OCT-2014 22:01:16	MISC	PADM19	D108212	810R to get info from officer fired weapon
20-OCT-2014 22:01:19	MISC	PD18	D560949	INFO REQUESTED
20-OCT-2014 22:01:22	MISC	PD18	D560949	NAME & STAR
20-OCT-2014 22:02:20	ASST	PADM19	D108212	811
20-OCT-2014 22:02:27	CLOC	PADM19	D108212	811 [TRAFK SB ON PULASKI]
20-OCT-2014 22:02:34	ASST	PADM19	D108212	833R
20-OCT-2014 22:02:40	CLOC	PADM19	D108212	833R [44TH/PULASKI NB PULASKI]
20-OCT-2014 22:03:00	MISC	PADM19	D108212	810R *9465
20-OCT-2014 22:03:21	CLEAR	PADM19	D108212	PH2
20-OCT-2014 22:04:10	MISC	PADM19	D108212	cut off nb pulaski @ 47th st
20-OCT-2014 22:04:13	ASST	PADM19	D108212	865
20-OCT-2014 22:04:15	ASST	PADM19	D108212	846
20-OCT-2014 22:04:19	MISC	PD18	D50696	CUT47TH ST N/B PULASKI
20-OCT-2014 22:04:23	CLOC	PADM19	D108212	846 [TRAFFK @ 47 PULASKI]
20-OCT-2014 22:04:26	MISC	PADM19	D108212	846 nb
20-OCT-2014 22:05:50	ACK	PMDT5311	PC0AE49	846
20-OCT-2014 22:06:14	ASST	PADM19	D108212	855
20-OCT-2014 22:06:24	CLOC	PADM19	D108212	855 [TRAFFIC NB 45TH/PUASKI]
20-OCT-2014 22:06:29	CLOC	PD18	D50696	855 [45TH /PULASKIN/B]

Event # 1429315878

Event Chronology

Date	Activity	Wkstn	Person	Text
20-OCT-2014 22:06:41	COPYT	PADM19	D108212	Copied To Event(s): #CPD1429316149
20-OCT-2014 22:07:19	MISC	PD18	D50696	CTA NFY TO REROUTE BUSES
20-OCT-2014 22:08:04	CLOC	PADM19	D108212	821R 845R 841R 862C 865 846 4603 812 823R 855 843 851R 810R 815R 833R 811 [41ST/PULASKI]
20-OCT-2014 22:08:26	MISC	PD18	D50696	OEMC WEIDERSTROM NFY
20-OCT-2014 22:09:14	ASSTER	PADM19	D108212	842
20-OCT-2014 22:09:47	MISC	PD18	D50696	CTA SUPV ON THE BRIDGE
20-OCT-2014 22:12:50	ASST	PADM19	D108212	865B
20-OCT-2014 22:12:53	ACK	PMDT4684	PC0Y103	865B
20-OCT-2014 22:15:01	ASST	PADM19	D108212	850
20-OCT-2014 22:15:16	MISC	PADM19	D108212	865 a21 leaving sceen w/offender
20-OCT-2014 22:15:22	PCCHNG	PADM19	D108212	Papercar changed from 815R to 841R
20-OCT-2014 22:15:28	CLOC	PADM19	D108212	841R [A21 W/OFFENDER]
20-OCT-2014 22:15:46	SUPP	PADM19	D108212	Remarks Added
20-OCT-2014 22:15:52	ASST	PADM19	D108212	800X
20-OCT-2014 22:15:53	ACK	PMDT4701	PC0W294	811
20-OCT-2014 22:15:56	ACK	PMDT5173	PC0E418	800X
20-OCT-2014 22:16:32	EVTMSG	PDT97		SHOTS FIRED BY POLICE OFFENDER POSSIBLY STRUCK NFI AT THIS TIME
20-OCT-2014 22:16:54	ENR	PMDT4701	PC0W294	811
20-OCT-2014 22:16:54	ONS	PMDT4701	PC0W294	811
20-OCT-2014 22:17:06	CLOC	PADM19	D108212	842 [FOLOWING A21 TO HOSPITAL]
20-OCT-2014 22:17:16	CLOCX	PADM19	D108212	842 [4100 S KILDARE BL]
20-OCT-2014 22:17:52	CLOC	PADM19	D108212	842 [A21 TO MT SINAI]
20-OCT-2014 22:17:54	CLOCX	PADM19	D108212	841R [4100 S KILDARE BL]
20-OCT-2014 22:19:00	REMINQ	PMDT5311	PC0AE49	846 Veh->LIC/[redacted] LIS/IL
20-OCT-2014 22:19:02	ACK	PMDT4681	PC0S756	850
20-OCT-2014 22:19:20	CLEAR	PADM19	D108212	812
20-OCT-2014 22:19:38	CLEAR	PMDT4701	PC0W294	811
20-OCT-2014 22:21:52	SUPP	PADM19	D108212	Remarks Added
20-OCT-2014 22:22:31	CLEAR	PMDT6416	PC0X832	4603
20-OCT-2014 22:23:24	ASSTOS	PADM19	D108212	813R
20-OCT-2014 22:24:47	ACK	PMDT4706	PC0W483	813R
20-OCT-2014 22:27:36	ACK	PMDT5808	PC0W480	862C
20-OCT-2014 22:33:18	GDISP	PADM19	D108212	841R D/5000
20-OCT-2014 22:33:37	CASERD	PADM19	D108212	RDG Report Number 841R $CPDHX475653 D/5000 By: D108212
20-OCT-2014 22:34:55	SUPP	PADM19	D108212	Remarks Added
20-OCT-2014 22:38:26	COPYT	PDTS103	D557395	Copied To Event(s): #CPD1429316573
20-OCT-2014 22:38:51	MISC	PADM19	D108212	821R has the bus driver unk if supv is on scene

Event # 1429315878

Event Chronology

Date	Activity	Wkstn	Person	Text
20-OCT-2014 22:41:47	SUPP	PADM19	D108212	Remarks Added
20-OCT-2014 22:47:25	ASSTOS	PADM19	D108212	822
20-OCT-2014 22:47:33	ACK	PMDT4677	PC0AD53	822
20-OCT-2014 22:47:38	CLEAR	PMDT4681	PC0S756	850
20-OCT-2014 22:49:01	SUPP	PDT97	D382563	Remarks Added
20-OCT-2014 22:49:03	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted] LIS/IL
20-OCT-2014 22:49:49	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted]5 LIS/IL
20-OCT-2014 22:50:03	CLOC	PADM19	D108212	846 [44TH/PULASK > 53RD/PULASKI]
20-OCT-2014 22:51:08	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL
20-OCT-2014 22:54:30	COPYT	PADM19	D108212	Copied To Event(s): #CPD1429316783
20-OCT-2014 22:55:16	TCMPL	PADM19	D108212	846 , 783
20-OCT-2014 22:56:18	MISC	PADM19	D108212	5169-
20-OCT-2014 22:59:35	MISC	PADM19	D108212	843 tell officers fop guys are there
20-OCT-2014 23:00:29	GDISP	PADM19	D108212	841R D/0552
20-OCT-2014 23:01:29	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:01:45	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:05:27	SUPP	PADM19	D108212	Remarks Added
20-OCT-2014 23:06:21	CHNG	PADM19	D108212	Location: 4100 S KILDARE BL ==> 3999 W 41ST ST / 4099 S PULASKI RD;X Streets: 4100 BL S /4301 BL W 41ST ST ==> / ;LocCmt: BY UNITED RENTAL ==> BY UNITED RENTAL & BURGER KING;Atom: 815 ==> 821;RespArea: 815 ==> 821;RespGroup:815 ==> 821;
20-OCT-2014 23:08:50	REMINQ	PMDT5311	PC0AE49	846 Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:10:09	REMINQ	PMDT4751	PC0X185	841R Per->NAM/[redacted]J DOB[redacted] SEX/M DLS/IL
20-OCT-2014 23:10:09	REMINQ	PMDT4751	PC0X185	841R Per->NAM/[redacted] SEX/M SID/[redacted] DLS/IL
20-OCT-2014 23:10:16	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:11:31	CLEAR	PMDT5311	PC0AE49	846
20-OCT-2014 23:18:57	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted] LIS/IL
20-OCT-2014 23:22:10	REMINQ	PMDT4684	PC0Y103	865B Per->DLN[redacted] DLS/IL
20-OCT-2014 23:22:43	SUPP	PADM19	D108212	Remarks Added
20-OCT-2014 23:23:00	REMINQ	PMDT4684	PC0Y103	865B Per->DBId/54537
20-OCT-2014 23:29:50	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:30:06	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:31:49	REMINQ	PMDT4534	PC0T089	833R Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:35:59	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted] LIS/IL
20-OCT-2014 23:39:23	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL

Event # 1429315878

Event Chronology

Date	Activity	Wkstn	Person	Text
20-OCT-2014 23:43:55	CLEAR	PADM19	D108212	822
20-OCT-2014 23:45:30	ENR	PMDT4751	PC0X185	841R
20-OCT-2014 23:50:50	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted] LIS/IL
20-OCT-2014 23:54:43	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted] LIS/IL
21-OCT-2014 00:09:01	CLEAR	PD18	D50696	862C
21-OCT-2014 00:11:37	CLOC	PADM19	D108212	842 [MT SINAI NEEDS RELIEF]
21-OCT-2014 00:18:09	ASST	PD18	D50696	846R
21-OCT-2014 00:18:25	CLOC	PD18	D50696	846R [MT SINAI W/PRISONER]
21-OCT-2014 00:18:31	ACK	PMDT4685	PC0AK48	846R
21-OCT-2014 00:20:40	CLOC	PADM19	D108212	843 [I55 @ PULASKI TRAFK CONTROL --- RELIEF]
21-OCT-2014 00:27:54	ASST	PD18	D50696	824R
21-OCT-2014 00:27:58	ACK	PMDT4683	PC0T069	824R
21-OCT-2014 00:28:11	CLOC	PD18	D50696	824R [I55 @ PULASKI- TRAFK ON RAMP]
21-OCT-2014 00:31:16	REMINQ	PMDT4683	PC0T069	824R Veh->LIC/[redacted] LIS/IL LIT/ZZ
21-OCT-2014 00:45:40	CLEAR	PADM19	D108212	843
21-OCT-2014 00:55:22	REMINQ	PMDT4534	PC0T089	833R Veh->LIC/[redacted] LIS/IL
21-OCT-2014 00:58:06	REMINQ	PMDT4534	PC0T089	833R Veh->LIC[redacted] LIS/IL
21-OCT-2014 00:58:18	REMINQ	PMDT4534	PC0T089	833R Veh->LIC[redacted]LIS/IL
21-OCT-2014 01:00:51	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted]LIS/IL
21-OCT-2014 01:05:09	REMINQ	PMDT4534	PC0T089	833R Veh->LIC/[redacted] LIS/IL
21-OCT-2014 01:05:28	REMINQ	PMDT4534	PC0T089	833R Veh->LIC/[redacted]-B LIS/IL LIT/TK
21-OCT-2014 01:05:37	REMINQ	PMDT4534	PC0T089	833R Veh->LIC/[redacted] LIS/IL
21-OCT-2014 01:06:44	REMINQ	PMDT4534	PC0T089	833R Veh->LIC[redacted]LIS/IL
21-OCT-2014 01:06:54	REMINQ	PMDT4534	PC0T089	833R Veh->LIC/[redacted] LIS/IL
21-OCT-2014 01:09:59	CLEAR	PADM19	D108212	800X
21-OCT-2014 01:10:24	CLEAR	PMDT4998	PC0X178	842
21-OCT-2014 01:16:16	CLEAR	PADM19	D108212	855
21-OCT-2014 01:16:44	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted]9 LIS/IL
21-OCT-2014 01:18:14	CLEAR	PD18	D50696	865B
21-OCT-2014 01:33:29	AUTPRE	PADM19	D108212	865
21-OCT-2014 01:33:49	CLOC	PADM19	D108212	813R [AREA]
21-OCT-2014 01:33:57	ASST	PADM19	D108212	822
21-OCT-2014 01:34:00	CLOC	PADM19	D108212	822 [AREA]
21-OCT-2014 02:12:02	CLOC	PMDT4751	PC0X185	841R [AREA CENTRAL]
21-OCT-2014 03:10:28	CLOC	PD18	D50696	815R [AREA]
21-OCT-2014 03:16:34	MISC	PD18	D50696	PER 830R PULASKI CAN BE OPENED
21-OCT-2014 03:22:25	CLOC	PMDT6234	PC0Z521	823R [008] reports
21-OCT-2014 03:26:53	CLEAR	PMDT4683	PC0T069	824R
21-OCT-2014 03:36:12	REMINQ	PMDT4507	PC0W970	821R Veh->LIC/[redacted]LIS/IL LIT/TM
21-OCT-2014 03:40:25	REMINQ	PMDT4507	PC0W970	821R Veh->LIC/[redacted] LIS/IL
21-OCT-2014 03:40:45	REMINQ	PMDT4507	PC0W970	821R Veh->LIC/[redacted] LIS/IL

Event # 1429315878

Event Chronology

Date	Activity	Wkstn	Person	Text
21-OCT-2014 03:43:12	CLEAR	PMDT4507	PC0W970	821R
21-OCT-2014 04:03:03	CLOC	PD18	D50696	846R [MT SINAI]
21-OCT-2014 04:03:07	ONS	PD18	D50696	846R
21-OCT-2014 04:09:19	CLOC	PD18	D50696	833R [AREA CENTRAL W/815'S CAR]
21-OCT-2014 04:10:11	CLOC	PD18	D50696	833R [AREA CENTRAL W/815R'S CAR]
21-OCT-2014 04:18:37	CLEAR	PD18	D50696	823R
21-OCT-2014 04:23:43	CLEAR	PMDT4691	PC0X830	851R
21-OCT-2014 04:39:23	CLOC	PD18	D50696	845R [AREA CENTRAL]
21-OCT-2014 04:44:49	CLOC	PADM19	D108212	833R [008]
21-OCT-2014 04:48:06	CLEAR	PADM19	D108212	822
21-OCT-2014 05:11:56	COPYT	PDTS103	DT557395	Copied To Event(s): #CPD1429401913
21-OCT-2014 05:12:32	CLEAR	PADM19	D108212	833R
21-OCT-2014 05:12:50	ONS	PADM19	D108212	841R
21-OCT-2014 05:12:50	ONS	PADM19	D108212	845R
21-OCT-2014 05:12:50	ONS	PADM19	D108212	815R
21-OCT-2014 05:12:50	ONS	PADM19	D108212	813R
21-OCT-2014 05:12:52	ONS	PADM19	D108212	810R
21-OCT-2014 05:15:15	MISC	PADM19	D108212	846R BODY REMOVAL 0511 HRS
21-OCT-2014 05:20:48	CLEAR	PADM19	D108212	846R
21-OCT-2014 05:32:26	CLEAR	PADM19	D108212	810R
21-OCT-2014 06:31:23	SCHOFF	PMDT4659	PC0V684	Unit #845R scheduled for Logoff
21-OCT-2014 07:41:19	SCHOFF	PMDT4751	PC0X185	Unit #841R scheduled for Logoff
21-OCT-2014 07:43:43	CLEAR	PD18	D300971	841R 815R 845R 813R
21-OCT-2014 07:43:43	CLOSE	PD18	D300971	
21-OCT-2014 07:44:00	ROPEN	PD18	D300971	OPEN
21-OCT-2014 07:44:00	DSP	PD18	D300971	813R
21-OCT-2014 07:44:04	ACK	PMDT4706	PC0W483	813R
21-OCT-2014 07:44:09	SCHOFF	PMDT4706	PC0W483	Unit #813R scheduled for Logoff
21-OCT-2014 07:45:06	SCHOFF	PMDT4706	PC0W483	Unit #813R scheduled for Logoff
21-OCT-2014 07:45:34	SCHOFF	PD18	D300971	Unit #813R scheduled for Logoff
21-OCT-2014 07:45:37	CLEAR	PD18	D300971	813R
21-OCT-2014 07:45:37	CLOSE	PD18	D300971	
21-OCT-2014 07:45:52	ROPEN	PD18	D300971	OPEN
21-OCT-2014 07:45:52	DSP	PD18	D300971	815R
21-OCT-2014 08:45:46	ACK	PMDT6024	PC0V821	815R
21-OCT-2014 08:52:57	CLEAR	PD18	D300971	815R
21-OCT-2014 08:52:57	CLOSE	PD18	D300971	
	RMKS			*** WIRELESS CALL ***
	RMKS			holding a male who he caught breaking into trucks and stealing radios nfi
	RMKS			a21 to hospital
	RMKS			a21 to mt sinai confirmd by fireside

Event # 1429315878

Event Chronology

Date	Activity	Wkstn	Person	Text
	RMKS			HAVE SGT OR PAPER CAR CALL CRIME LAB AREA CENTRAL HGSCU OPER COMM NEWS AFFAIRS ASAP
	RMKS			[redacted] il id [redacted] 6'01 185\
	RMKS			EXEC DIR SCHENKEL NOTIFIED @ 2223 HRS 1ST DEP ELLIS NOTIFIED @ 2224 HRS CHIEF OF STAFF BERGER NOTIFIED @ 2226 HRS MANAG DEP , OPER GUIDICE NOTIFIED @ 2228 HRS DEP DIR , 911 OPER HALLOWELL NOTIFIED @ 2229 HRS DIR NEWS AFFAIRS STRATTON NOTIFIED @ 2231 HRS OEMC INVEST UNIT MESSAGE LEFT @ 2236 HRS MAYOR'S DETAIL BURTON NOTIFIED @ 2241 HRS IMD/OC NOTIFIED VIA MESSAGE @ 2217 HRS OEMC WM ORLANDINI NOTIFIED @ 2217 HRS OPER COMM *1804 NOTIFIED @ 2221 HRS [HAVE PC CALL] AREA SOUTH HGSCU DET KRETTEK NOTIFIED @ 2219 HRS [HAVE PC CALL] CRIME LAB SARLO NOTIFIED @ 2221 HRS [HAVE PC CALL][5802 RESPONDING] NEWS AFFAIRS GAINES NOTIFIED @ 2247 HRS 008TH DIST SGT KOMENSKY *1745 NOTIFIED @ 2248 HRS PCO2 JOHNSON -- CW7
	RMKS			offender pronounced @ 2242 hrs per 842
	RMKS			843 - crime lab is on scene

Unit Summary

Event # 1429315878

Unit Summary

Unit	Dispatch	Enroute	Onscene	T	TA	TC	Clear
815R	21:47:50	21:53:27	21-OCT-2014 05:12:50				21-OCT-2014 07:43:43
812	21:53:43						21:59:25
845R	21:56:20	21:56:20					21:56:22
845R	21:56:22	22:08:04	21-OCT-2014 05:12:50				21-OCT-2014 07:43:43
821R	21:56:47	21:56:47					21:56:49
821R	21:56:49	22:08:04					21-OCT-2014 03:43:12
841R	21:56:52	21:56:52					21:56:55
841R	21:56:55	22:08:04	22:17:54				21-OCT-2014 07:43:43
862C	21:57:41	22:08:04					21-OCT-2014 00:09:01
4603	21:59:22	22:08:04					22:22:31
812	21:59:25	21:59:35					22:19:20
823R	21:59:44	22:08:04					21-OCT-2014 04:18:37
843	21:59:49	21:59:54					21-OCT-2014 00:45:40
PH2	22:00:01						22:03:21
851R	22:00:09						22:00:26
851R	22:00:26	22:08:04					21-OCT-2014 04:23:43
810R	22:01:06	22:08:04	21-OCT-2014 05:12:52				21-OCT-2014 05:32:26
811	22:02:20	22:02:27	22:16:54				22:19:38
833R	22:02:34	22:02:40					21-OCT-2014 05:12:32
865	22:04:13	22:08:04					21-OCT-2014 01:33:29
846	22:04:15	22:04:23				22:55:16	23:11:31
855	22:06:14	22:06:24					21-OCT-2014 01:16:16
842	22:09:14	22:09:14	22:17:16				21-OCT-2014 01:10:24
865B	22:12:50						21-OCT-2014 01:18:14
850	22:15:01						22:47:38
800X	22:15:52						21-OCT-2014 01:09:59

Event # 1429315878

Unit Summary

Unit	Dispatch	Enroute	Onscene	T	TA	TC	Clear
813R	22:23:24	21-OCT-2014 01:33:49	22:23:24				21-OCT-2014 07:43:43
822	22:47:25		22:47:25				23:43:55
846R	21-OCT-2014 00:18:09	21-OCT-2014 00:18:25	21-OCT-2014 04:03:07				21-OCT-2014 05:20:48
824R	21-OCT-2014 00:27:54	21-OCT-2014 00:28:11					21-OCT-2014 03:26:53
822	21-OCT-2014 01:33:57	21-OCT-2014 01:34:00					21-OCT-2014 04:48:06
813R	21-OCT-2014 07:44:00						21-OCT-2014 07:45:37
815R	21-OCT-2014 07:45:52						21-OCT-2014 08:52:57

HICAGO POLICE DEPARTMENT

ASE SUPPLEMENTARY REPORT

10 S. Michigan Avenue, Chicago, Illinois 60653
use by Chicago Police - Bureau of Investigative Services Personnel Only)

HX475653

Case id : 9825613
Sup ID : 10992767 CASR301

XC. CLEARED CLOSED (OTHER EXCEPTIONAL) | **DETECTIVE SUP. APPROVAL COMPLETE**

Offense Classification/Re-Classification	IUCR Code	Original Offense Classification			IUCR Code
AULT / Aggravated Po:Knife/Cut Instr	**0552**	ASSAULT / Aggravated Po:Knife/Cut Instr			0552
ddress of Occurrence	Beat of Occur	No of Victims	No of Offenders	No of Arrested	SCR No
112 S PULASKI RD	**815**	4	1	1	
ocation Type	Location Code	Secondary Location			Hate Crime?
Street	**304**				NO
ate of Occurrence	Unit Assigned	Date RO Arrived	Fire Related?	Gang Related?	Domestic Related?
20-OCT-2014 21:57	**0841R**	20-OCT-2014 21:57	NO	NO	NO

Reporting Officer	Star No	Approving Supervisor	Star No	Primary Detective Assigned	Star No
MARCH, David	20563	WOJCIK, Anthony	481	MARCH, David	20563
Date Submitted		Date Approved		Assignment Type	
15-MAR-2015 18:26		16-MAR-2015 00:03		FIELD	

THIS IS A FIELD INVESTIGATION EXC. CLEARED CLOSED (OTHER EXCEPTIONAL) REPORT

VICTIM(S) :

GAFFNEY, Thomas J
Male / White / 41 Years
EMPLOYMENT: Chicago Police Officer #19958 Chicago Police Officer
EMPLOYER BUSINESS NME: Chicago Police Department
BUS: 3420 W 63rd St
Chicago IL
312-747-8730

MCELLIGOTT, Joseph P
Male / White / 36 Years
EMPLOYMENT: Chicago Police Officer #18715 Chicago Police Officer
EMPLOYER BUSINESS NME: Chicago Police Department
BUS: 3420 W 63rd St
Chicago IL
312-747-8730

VAN DYKE, Jason D
Male / White / 36 Years
EMPLOYMENT: Chicago Police Officer #9465 Chicago Police Officer
EMPLOYER BUSINESS NME: Chicago Police Department
BUS: 3420 W 63rd St
Chicago IL
312-747-8730

WALSH, Joseph J
Male / White / 45 Years
EMPLOYMENT: Chicago Police Officer #12865 Chicago Police Officer
EMPLOYER BUSINESS NME: Chicago Police Department
BUS: 3420 W 63rd St
Chicago IL

HX475653

312-747-8730

OFFENDER(S): **MCDONALD, Laquan J** -- In Custody --

ALIAS: "Bon-Bon"
Male / Black / 17 Years
DOB: [redacted]
RES: [redacted]
BIRTH PL: Illinois
DESCRIPTION: 6'02,180,Black Hair, Dreadlocks Hair Style, Brown Eyes, Medium Complexion

ITEM USED:
Weapon
DLN/ID: [redacted]
OTHER IDENTIFICATIONS: **Type -** Other Id
State - Unknown

IR #: 2106340
SID #: IL18550721
ORGANIZATION: NEW BREED
RELATIONSHIP OF VICTIM TO OFFENDER:

GAFFNEY, Thomas No Relationship
MCELLIGOTT, Joseph No Relationship
VAN DYKE, Jason No Relationship
WALSH, Joseph No Relationship

GANG INFORMATION:
LISTED CRIMINAL ORGANIZATION: New Breed
GANG IDENTIFIERS: Other

OFFENDER INJURIES: **MCDONALD, Laquan J**

Type	Weapon Used	Weapon Description
Gun Shot Wound	Handgun	Other -Handgun

Injured by Police
Chicago Fire Department Provided First Aid
EXTENT OF INJURY: Multiple Gsw
HOSPITAL REMOVED BY: Cfd Ambulance 21

HOSPITAL: Mt. Sinai
INJURY TREATMENT: Multiple Gsw
PHYSICIAN NAME: Dr Pitzele
INV #: **13296449**

WEAPON(S): **Evidence**

Smith & Wesson -Us- (Bodyguard,Chief Special) , 5942 , 9 , Semi-Automatic Pistol , Semi-Automatic , 4" , Stainless

SERIAL #: [redacted]

MAGAZINE CAPACITY: 15

Number Of Live Rounds present in the Firearm - 15

Number Of Live Rounds used in the Firearm - 16

The Status Of This Firearm is 628361

PROPERTY TYPE: Other

OWNER: Van Dyke, Jason

POSSESSOR/USER: Van Dyke, Jason

PHONE #: 312 - 747 - 8730

LOCATION FOUND: 5101 S Wentworth Ave

VEHICLE INFO:

Truck , 2010 / Chevrolet / Tahoe / Truck

, Victims Vehicle

VIN: 1GNMCAE0XAR263348 **Evidence**

YEAR (RANGE): 2010

COLOR (TOP/BOTTOM): White / White

OWNER: Chicago Police Department

POSSESSOR/USER: Gaffney, Thomas

PHONE#: 312 - 747 - 8730

LOCATION FOUND: 4102 S Pulaski Rd

LICENSE: MP6581, Law Enforcement (City, County, State, Sos), IL

LOCATION OF INCIDENT:

4112 S Pulaski Rd
Chicago IL
304 - Street

DATE & TIME OF INCIDENT: 20-OCT-2014 21:57

WEATHER AND LIGHTING:

WEATHER: Cloudy & Cool

TEMPERATURE: 50s

LIGHTING: Dark / Artificial Light

LIGHTING SOURCE: Streetlights

DISTANCE: Overhead

MOTIVE CODE(S): Interceding In A Felony

CAUSE CODE(S): Dna

METHOD CODE(S): Offender Shot

CAU CODE(S): Police Related Not Con

FIREARM(S) RECOVERED: **INV #: 13296449** **Evidence**

Smith & Wesson -Us- (Bodyguard,Chief Special) , 5942 , 9 , Semi-

Automatic Pistol , Semi-Automatic , 4" , Stainless
SERIAL #: [redacted]
PROPERTY TYPE: Other

OWNER: Van Dyke, Jason
POSSESSOR/USER: Van Dyke, Jason

PHONE #: 312 - 747 - 8730
LOCATION FOUND: 5101 S Wentworth Ave

MAGAZINE CAPACITY: 15
Number Of Live Rounds present in the Firearm - 15
Number Of Live Rounds used in the Firearm - 16

/EHICLE(S) DAMAGED: **Truck , 2010 / Chevrolet / Tahoe / Truck**
VIN: 1GNMCAE0XAR263348 **Evidence**

YEAR - YEAR RANGE END: 2010
COLOR (TOP/BOTTOM): White / White
OWNER: Chicago Police Department
POSSESSOR/USER: Gaffney, Thomas

PHONE#: 312 - 747 - 8730
LOCATION FOUND: 4102 S Pulaski Rd
LICENSE: MP6581, Law Enforcement (City, County, State, Sos), IL

PERSONNEL ASSIGNED:
Detective/Investigator
MARCH, David M # 20563
Reporting Officer
FONTAINE, Dora # 4484 BEAT: 0841R

WITNESS(ES) :
BACERRA, Arturo
Male / White Hispanic / 32 Years
EMPLOYMENT: Chicago Police Officer #15790 Chicago Police Officer
BUS: 3420 W 63rd St
Chicago IL
312-747-8730
[redacted]
Female / White Hispanic / 29 Years
DOB: [redacted]
RES: 5340 Prairie
[redacted]

OTHER COMMUNICATIONS:
Cellular [redacted]
Phone :
[redacted]

Female / White Hispanic / 19 Years

DOB: [redacted]

RES: [redacted]

BUS: [redacted]

DLN/ID: [redacted]

Male / White Hispanic / 18 Years

DOB: [redacted]

RES: [redacted]

OTHER COMMUNICATIONS:

[redacted]
Phone :

DLN/ID: [redacted]

Female / White Hispanic / 24 Years

DOB: [redacted]

RES: [redacted]

EMPLOYMENT: Shift Manager

BUS: [redacted]

OTHER COMMUNICATIONS:

Cellular [redacted]
Phone :

FONTAINE, Dora

Female / White Hispanic / 47 Years

EMPLOYMENT: Chicago Police Officer #4484 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

[redacted]

Male / White Hispanic / 25 Years

DOB: [redacted]

RES: [redacted]

BUS: [redacted]

OTHER COMMUNICATIONS:

Cellular Phone : [redacted]

SSN: [redacted]

[redacted]

Female / White Hispanic / 30 Years

DOB: [redacted]

RES: [redacted]

OTHER COMMUNICATIONS:

Cellular Phone : [redacted]

[redacted]

Male / White Hispanic / 24 Years

DOB: [redacted]

RES: [redacted]

SSN: [redacted]

DLN/ID: [redacted]

MONDRAGON, Janet

Female / White Hispanic / 37 Years

EMPLOYMENT: Chicago Police Officer #4364 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

SEBASTIAN, Daphne L

Female / White / 45 Years

EMPLOYMENT: Chicago Police Officer #2763 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

VELEZ, Leticia

Female / White Hispanic / 43 Years

EMPLOYMENT: Chicago Police Officer #10385 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

VIRAMONTES, Ricardo

Male / White Hispanic / 41 Years

EMPLOYMENT: Chicago Police Officer #10590 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL

312-747-8730

OTHER INDIVIDUALS INVOLVED:

[redacted] (Additional Victim)
Male / White Hispanic / 43 Years
DOB: [redacted]
RES: [redacted]
EMPLOYMENT: Self-Employed Truck Driver
OTHER COMMUNICATIONS:
Cellular Phone : [redacted]
DLN/ID: [redacted] :

[redacted] (Family Member Notified)
Male / Black / 25 Years
DOB: [redacted]
RES: [redacted]
OTHER COMMUNICATIONS:
Other : [redacted]

[redacted] (Person Interviewed Non-Witness)
Female / White Hispanic / 62 Years
DOB: [redacted]
RES: [redacted]
BUS: [redacted]

[redacted] (Person Interviewed Non-Witness)
Female / White Hispanic / 39 Years
DOB: [redacted]
RES: [redacted]
BUS: [redacted]

CRIME CODE SUMMARY: 0552 - Assault - Aggravated Po:Knife/Cut Instr

OTHER ASSOCIATIONS: 0552 - Assault - Aggravated Po:Knife/Cut Instr

GAFFNEY, Thomas, J (Victim)

MCDONALD, Laquan, J	(Offender)
MCELLIGOTT, Joseph, P	(Victim)
MCDONALD, Laquan, J	(Offender)
MCDONALD, Laquan, J	(Offender)
VAN DYKE, Jason, D	(Victim)
MCDONALD, Laquan, J	(Offender)
WALSH, Joseph, J	(Victim)

ICIDENT NOTIFICATIONS:

NOTIFICATION DATE & TIME: 10/20/2014:230700
REQUEST TYPE: Notification
PERSON NAME: ,Sarlo
STAR #: 13131
EMP #:

NOTIFICATION DATE & TIME: 10/20/2014:231400
REQUEST TYPE: Notification
PERSON NAME: ,Jines
STAR #: 4898
EMP #:

NOTIFICATION DATE & TIME: 10/20/2014:215000
REQUEST TYPE: On Scene
PERSON NAME: ,March
STAR #: 20563
EMP #:

NOTIFICATION DATE & TIME: 10/21/2014:225800
REQUEST TYPE: Notification
PERSON NAME: ,Chibe
STAR #: 7303
EMP #:

NOTIFICATION DATE & TIME: 10/20/2014:235000
REQUEST TYPE: Notification
PERSON NAME: ,Briggs
STAR #:
EMP #: 76

REPORT DISTRIBUTIONS: No Distribution

INVESTIGATION:

AREA CENTRAL FIELD INVESTIGATION:

Exceptionally Cleared Closed /
Other Exceptional Clearance - Death of Offender.

The full format for this investigation is contained in the previous Progress - Scene Report.

INVESTIGATION:

The reporting detective was assigned to the immediate follow-up investigation of this police officer involved shooting incident, by Sergeant Daniel GALLAGHER of this command. The reporting detective proceeded to the scene of the incident at 4112 South Pulaski Road. The officer involved in the shooting was located and interviewed at the scene.

VAN DYKE, Jason D -----

stated he was a Chicago Police Officer assigned to the 008th District. He was on duty, in uniform, working on Beat 845R. VAN DYKE was working with Police Officer Joseph WALSH. The two officers were assigned to Chicago Police Department vehicle number 6412, a marked Chevrolet Tahoe, four door sport utility vehicle. WALSH was driving the vehicle and VAN DYKE was the passenger.

The two officers responded to a request for assistance from Beat 815R, regarding a man with a knife, on 40th Street, west of Pulaski Road. A unit equipped with a taser had also been requested. Officer VAN DYKE heard the radio transmission when Officer Thomas GAFFNEY said the man with a knife had "popped" the tire of GAFFNEY's police vehicle. VAN DYKE understood this to mean the subject had slashed the tire with his knife. As Officer WALSH drove westbound on 40th Street from Pulaski, VAN DYKE observed a black male subject, now known as Laquan MCDONALD, running eastbound in the parking lot of the Burger King restaurant on the southwest corner of 40 Street and Pulaski. MCDONALD was holding a knife in his right hand. VAN DYKE saw Police Officer Joseph MCELLIGOTT pursuing MCDONALD on foot. VAN DYKE also saw a civilian who was standing on 40th Street pointing to MCDONALD.

Officer WALSH drove eastbound in the parking lot, in pursuit of MCDONALD, on the north side of the Burger King restaurant building. WALSH used the police vehicle to block MCDONALD from entering the restaurant. MCDONALD ran out onto Pulaski Road and then turned southbound, running toward a Dunkin' Donuts restaurant, on the east side of Pulaski, south of the Burger King. WALSH positioned the police vehicle between MCDONALD and the Dunkin' Donuts to block his path towards that restaurant. When WALSH slowed the police vehicle alongside MCDONALD, Officer VAN DYKE opened the right front door of the vehicle to exit and confront MCDONALD. WALSH told VAN DYKE to stay in the vehicle as they were too close to MCDONALD to safely exit their vehicle. WALSH drove on southbound and stopped the police vehicle ahead of MCDONALD.

Officer VAN DYKE exited the vehicle on the right side and drew his handgun. As VAN DYKE stood in the street on Pulaski, facing northbound, toward MCDONALD, MCDONALD approached southbound. MCDONALD was holding the knife in his right hand, in an underhand grip, with the blade pointed forward. He was swinging the knife in an aggressive, exaggerated manner. VAN DYKE ordered MCDONALD to "Drop the knife!" multiple times. MCDONALD ignored VAN DYKE's verbal direction to drop the knife and continued to advance toward VAN DYKE.

When MCDONALD got to within 10 to 15 feet of Officer VAN DYKE, MCDONALD looked toward

VAN DYKE. MCDONALD raised the knife across his chest and over his shoulder, pointing the knife at VAN DYKE. VAN DYKE believed MCDONALD was attacking VAN DYKE with the knife, and attempting to kill VAN DYKE. In defense of his life, VAN DYKE backpedaled and fired his handgun at MCDONALD, to stop the attack. MCDONALD fell to the ground but continued to move and continued to grasp the knife, refusing to let go of it. VAN DYKE continued to fire his weapon at MCDONALD as MCDONALD was on the ground, as MCDONALD appeared to be attempting to get up, all the while continuing to point the knife at VAN DYKE. The slide on VAN DYKE's pistol locked in the rearward position, indicating the weapon was empty. VAN DYKE performed a tactical reload of his pistol with a new magazine and then assessed the situation.

MCDONALD was no longer moving and the threat had been mitigated, so Officer VAN DYKE and Officer WALSH approached MCDONALD. MCDONALD was still holding the knife in his right hand. VAN DYKE continued to order MCDONALD to "Drop the knife!" Officer WALSH told VAN DYKE, "I have this." VAN DYKE then used his handgun to cover WALSH as WALSH walked up and forcibly kicked the knife out of MCDONALD's right hand, thereby eliminating the threat to the officers.

Officer WALSH then notified the dispatcher on the police radio that shots had been fired by the police. Officer VAN DYKE requested an ambulance for MCDONALD on the radio.

Officer VAN DYKE's weapon was a Smith and Wesson, nine millimeter, semi-automatic pistol, with a 15 round magazine. VAN DYKE said the pistol was fully loaded at the beginning of his tour of duty, with 15 cartridges in the magazine and one cartridge in the firing chamber.

It was noted that the uniform Officer VAN DYKE was wearing consisted of a light blue long sleeve uniform shirt, with shoulder patches; black body armor vest, with patches; navy blue cargo pants; and equipment belt with handgun and radio.

The reporting detective then interviewed Officer VAN DYKE's partner.

WALSH, Joseph J -----

stated he was a Chicago Police Officer assigned to the 008th District. WALSH related the same facts as his partner, Officer Jason VAN DYKE.

WALSH added that as Laquan MCDONALD ran eastbound through the Burger King parking lot, WALSH used the police vehicle he was driving to block MCDONALD from entering the restaurant.

As MCDONALD ran southbound on Pulaski Road, from the Burger King, WALSH pursued MCDONALD in the police vehicle. WALSH drove southbound in the northbound lanes to get ahead of MCDONALD, keeping the police vehicle between MCDONALD and a Dunkin' Donuts restaurant, on the east side of Pulaski. As their vehicle passed MCDONALD, Officer VAN DYKE opened the right front door of their vehicle, to exit the truck and confront MCDONALD. WALSH, realizing that at this point they were too close to the armed MCDONALD to safely exit the vehicle, told VAN DYKE to wait until they got further ahead of MCDONALD. WALSH drove further south on Pulaski. He stopped his vehicle south of MCDONALD and exited the driver's door as VAN DYKE exited the right side of the vehicle. WALSH drew his handgun when he exited the vehicle.

Officer WALSH came around the rear of the police vehicle and joined Officer VAN DYKE on the right side of the vehicle. WALSH also stood in the street on Pulaski, facing northbound, as MCDONALD walked southbound toward the officers. WALSH ordered MCDONALD to "Drop the knife!" multiple times as MCDONALD approached the officers.

Officer WALSH also backed up, attempting to maintain a safe distance between himself and MCDONALD. MCDONALD ignored the verbal direction given by both WALSH and Officer VAN DYKE, and continued to advance toward the officers. When MCDONALD got to within 12 to 15 feet of the officers he swung the knife toward the officers in an aggressive manner. VAN DYKE opened fire with his handgun and MCDONALD fell to the ground. VAN DYKE continued firing his weapon at MCDONALD as MCDONALD continued moving on the ground, attempting to get up, while still armed with the knife.

When the gunfire stopped and MCDONALD was not moving anymore, WALSH approached MCDONALD with VAN DYKE. WALSH continued to order MCDONALD to "Drop the knife!" multiple times, as MCDONALD was still holding the knife in his right hand. WALSH forcibly kicked the knife out of MCDONALD's hand and then notified the dispatcher on the police radio that shots had been fired by the police. An ambulance was also requested for MCDONALD.

As they waited for the ambulance to respond to the scene, Officer WALSH told MCDONALD to "hang in there," and that an ambulance was on the way.

Officer WALSH said he believed MCDONALD was attacking WALSH and Officer VAN DYKE with the knife and attempting to kill them when the shots were fired. WALSH stated he did not fire his handgun because VAN DYKE was in the line of fire between WALSH and MCDONALD. WALSH thought VAN DYKE fired eight or nine shots total.

It was noted that Officer WALSH wore the same uniform configuration as Officer VAN DYKE.

The officers assigned to Beat 815R were interviewed.

GAFFNEY, Thomas J -----

stated he was a Chicago Police Officer assigned to the 008th District. He was on duty, in uniform, working on Beat 815R. GAFFNEY was working with Police Officer Joseph MCELLIGOTT. The two officers were assigned to Chicago Police Department vehicle number 8489, a marked Chevrolet Tahoe, four door sport utility vehicle. GAFFNEY was driving the vehicle and MCELLIGOTT was the passenger.

The officers responded to an assignment of holding an offender for breaking into trucks at 41st Street and Kildare Avenue. Upon arrival at that location they met an Hispanic couple who told the officers a black male subject, wearing a dark shirt, had attempted to break into trucks parked in the parking lot at that location. The couple told the officers the subject had walked off and was last seen walking eastbound on 40th Street from Kildare.

Officer GAFFNEY drove northbound on Kildare to 40th Street. When he turned eastbound onto 40th Street he saw a black male subject wearing dark clothing, walking eastbound on the sidewalk,

on the south side of the street. Officer MCELLIGOTT exited the police vehicle to approach the subject, now known as Laquan MCDONALD. GAFFNEY stayed in the vehicle in case MCDONALD fled. MCELLIGOTT called to MCDONALD and told him to stop but MCDONALD continued walking eastbound, ignoring MCELLIGOTT. MCDONALD's hands were in his pockets as he walked. MCELLIGOTT told MCDONALD to take his hands out of his pockets. MCDONALD took his hands out of his pockets and MCELLIGOTT told GAFFNEY that MCDONALD had a knife. GAFFNEY then saw a silver colored knife in MCDONALD's right hand. GAFFNEY also saw that MCELLIGOTT had his handgun drawn at this point. MCELLIGOTT repeatedly ordered MCDONALD to "Drop the knife," but MCDONALD ignored these directions. As MCDONALD reached Keeler Avenue, GAFFNEY notified the dispatcher on the police radio that they were following a subject with a knife and requested assistance from a unit equipped with a taser.

MCDONALD continued walking eastbound, Officer MCELLIGOTT following on foot and Officer GAFFNEY following in the police vehicle. As MCDONALD approached Karlov Avenue, GAFFNEY turned the Tahoe southbound onto Karlov and stopped, blocking the crosswalk. GAFFNEY said he wanted to stop MCDONALD before he reached Pulaski Road, a business street where more civilians were present. The area where MCDONALD was first observed was industrial in nature with no other civilians present. When GAFFNEY stopped his vehicle in front of MCDONALD, blocking his path, MCDONALD stabbed the right front tire of the Tahoe with his knife, causing the tire to go flat. GAFFNEY immediately informed the radio dispatcher that MCDONALD had "popped" the tire. MCDONALD attempted to walk around the front of the police vehicle and GAFFNEY drove the Tahoe forward a short distance to continue to block MCDONALD's path. MCDONALD then stabbed at the windshield of the Tahoe with the knife, striking the right side of the windshield. MCDONALD then continued walking eastbound from Karlov.

As MCDONALD approached the Burger King restaurant parking lot at 40th Street and Pulaski, assisting police units arrived, approaching westbound on 40th Street from Pulaski. MCDONALD began to run eastbound through the restaurant parking lot, on the north side of the Burger King building. He ran out onto Pulaski and then turned and ran southbound on Pulaski. Beat 845R pursued MCDONALD in their police vehicle, eastbound through the parking lot, over the curb at Pulaski, then southbound on Pulaski. Officer GAFFNEY lost sight of MCDONALD when he turned southbound on Pulaski.

Because of the flat tire on his vehicle, Officer GAFFNEY did not drive over the curb. As he drove around out onto Pulaski, GAFFNEY heard multiple gunshots in rapid succession. He did not see who was shooting. When he reached Pulaski MCDONALD was lying on the ground.

It was noted that Officer GAFFNEY wore the same uniform configuration as Officer VAN DYKE with the addition of the uniform baseball style cap with embroidered patch.

MCELLIGOTT, Joseph P -----

stated he was a Chicago Police Officer assigned to the 008th District. MCELLIGOTT related the same facts as his partner, Officer Thomas GAFFNEY.

Officer MCELLIGOTT added that after he exited the police vehicle, when Laquan MCDONALD took his hands out of his pockets and MCELLIGOTT saw MCDONALD holding a knife in his right

hand, MCELLIGOTT drew his handgun. He repeatedly ordered MCDONALD to "Drop the knife." MCDONALD ignored MCELLIGOTT's directions and continued to walk eastbound on 40th Street. MCELLIGOTT followed MCDONALD on foot, maintaining a safe distance between himself and the armed MCDONALD.

Officer MCELLIGOTT heard Officer GAFFNEY request assistance and a unit with a taser over the police radio. GAFFNEY attempted to use the police vehicle to block MCDONALD from continuing on toward the Burger King restaurant at Pulaski Road. At this point MCDONALD stabbed the right front tire and the windshield of the police vehicle. MCELLIGOTT began to hear the sirens of approaching assisting police units and MCDONALD began to run toward the Burger King restaurant.

When MCDONALD ran eastbound through the parking lot of the Burger King, Officer MCELLIGOTT ran after MCDONALD in pursuit. MCELLIGOTT ran out into the middle of Pulaski Road in pursuit of MCDONALD. MCELLIGOTT heard multiple gunshots but did not see who fired the shots. The gunfire was continuous, one shot after another. MCELLIGOTT then saw MCDONALD lying on the ground. MCELLIGOTT saw Officer Joseph WALSH kick the knife out of MCDONALD's hand.

It was noted that Officer MCELLIGOTT wore the same uniform configuration as Officer VAN DYKE.

Other officers who responded to this incident were also interviewed.

SEBASTIAN, Daphne L —

stated she was a Chicago Police Officer assigned to the 008th District. She was on duty, in uniform, working on Beat 813R. SEBASTIAN was working with Police Officer Janet MONDRAGON. The two officers were assigned to a marked vehicle. MONDRAGON was driving the vehicle and SEBASTIAN was the passenger.

The two officers responded to the request for assistance made by Beat 815R, regarding a subject with a knife. Officer SEBASTIAN thought the original call for assistance was at 40th Street and Keeler Avenue. The subject had punctured a tire on the police vehicle of Beat 815R. Officer MONDRAGON drove northbound on Pulaski Road, following Beat 845R, as they also responded to the request for assistance. MONDRAGON turned westbound onto 40th Street, behind Beat 845R.

Officer SEBASTIAN observed a black male subject, now known as Laquan MCDONALD, running southeast bound through the parking lot of the Burger King restaurant. Beat 845R pursued MCDONALD in their police vehicle, through the parking lot, toward Pulaski. SEBASTIAN told Officer MONDRAGON to drive back out onto Pulaski to assist in the pursuit. MCDONALD ran out onto Pulaski and continued to run southbound down the middle of the street. Beat 845R pursued MCDONALD in their vehicle, southbound on Pulaski, followed by Beat 813R. As MCDONALD ran southbound on Pulaski, SEBASTIAN saw the knife in his right hand. MCDONALD was waving the knife.

Beat 845R stopped their vehicle ahead of MCDONALD, between MCDONALD and the Dunkin'

Donuts restaurant on the east side of Pulaski. Officers Joseph WALSH and Jason VAN DYKE exited their vehicle and drew their handguns. MCDONALD turned toward the two officers and continued to wave the knife. Sebastian heard the officers repeatedly order MCDONALD to "Drop the knife!" MCDONALD ignored the verbal directions and continued to advance on the officers, waving the knife. Officer SEBASTIAN heard multiple gunshots and MCDONALD fell to the ground, where he continued to move. SEBASTIAN did not know who fired the shots, which were fired in one continuous group. She then saw Officer WALSH kick the knife out of MCDONALD's hand.

MONDRAGON, Janet -----

stated she was a Chicago Police Officer assigned to the 008th District. MONDRAGON related the same facts as her partner, Officer Daphne SEBASTIAN.

Officer MONDRAGON added that as she drove westbound on 40th Street, she saw Officer MCELLIGOTT running eastbound through the Burger King parking lot. She made a U-turn and drove back out onto Pulaski Road. MONDRAGON turned southbound onto Pulaski. She saw Laquan MCDONALD running southbound on Pulaski, in the middle of the street. As she got closer she could see MCDONALD was holding a knife in his right hand. He was waving the knife.

Officer MONDRAGON saw Officers Joseph WALSH and Jason VAN DYKE outside of their police vehicle. She heard the officers repeatedly ordering MCDONALD to "Drop the knife!" as MCDONALD got closer and closer to the officers, continuing to wave the knife. As she was placing her vehicle transmission into Park, MONDRAGON looked down and heard multiple, continuous gunshots, without pause. MONDRAGON then saw MCDONALD fall to the ground. MONDRAGON did not know who fired the shots.

BACERRA, Arturo -----

stated he was a Chicago Police Officer assigned to the 008th District. He was on duty, in uniform, working on Beat 822. BACERRA was working with Police Officer Leticia VELEZ. The two officers were assigned to a marked vehicle. BACERRA was driving the vehicle and VELEZ was the passenger.

Officer BACERRA and his partner responded to the request for assistance made by Beat 815R, regarding a subject who was armed with a knife. BACERRA was driving northbound on Pulaski Road from 47th Street. As he approached the scene of this incident, at 4112 South Pulaski, he observed a black male subject, now known as Laquan MCDONALD, in the middle of the street, flailing his arms. As he got closer, BACERRA observed MCDONALD to be holding a knife in his right hand. BACERRA drove past MCDONALD, with MCDONALD on the left side of the police vehicle, as Beat 845R drove past BACERRA, on the right side of his vehicle, travelling southbound. As BACERRA began to make a U-turn, he heard multiple gunshots. He then saw MCDONALD lying on the ground. BACERRA did not see who fired the shots.

VELEZ, Leticia -----

stated she was a Chicago Police Officer assigned to the 008th District. VELEZ related the same facts as her partner, Officer Arturo BACERRA.

Officer VELEZ added that as they approached the scene she observed Laquan MCDONALD standing in the middle of the street, holding a shiny object in his right hand. She saw him waving the object in the air. Officer BACERRA drove past MCDONALD and began to make a U-turn, when VELEZ heard multiple gunshots, without pause or delay. She then saw MCDONALD fall to the ground. VELEZ did not see who fired the shots. She did see an unknown officer kick the knife from MCDONALD's hand after he was down on the ground.

FONTAINE, Dora -----

stated she was a Chicago Police Officer assigned to the 008th District. She was on duty, in uniform, working on Beat 841R. FONTAINE was working with Police Officer Ricardo VIRAMONTES. The two officers were assigned to a marked vehicle. VIRAMONTES was driving the vehicle and FONTAINE was the passenger.

The two officers responded to the request for assistance made by Beat 815R, regarding a man with a knife at 41st Street and Pulaski Road. Officer VIRAMONTES drove northbound on Pulaski. When they arrived at the scene of this incident, in front of the Dunkin' Donuts restaurant, Officer FONTAINE saw a black male subject, now known as Laquan MCDONALD, walking southbound in the street, with a knife in his right hand. MCDONALD was walking sideways, with his body facing east, toward Officers Jason VAN DYKE and Joseph WALSH. These two officers were standing in the middle of the street, on the right side of their police vehicle, which was facing southbound. FONTAINE heard the officers repeatedly order MCDONALD to "Drop the knife!" MCDONALD ignored the verbal direction and instead, raised his right arm toward Officer VAN DYKE, as if attacking VAN DYKE. At this time VAN DYKE fired multiple shots from his handgun, until MCDONALD fell to the ground and stopped moving his right arm and hand, which still grasped the knife. The gunshots were rapid fire, without pause. Officer WALSH then kicked the knife out of MCDONALD's hand.

VIRAMONTES, Ricardo -----

stated he was a Chicago Police Officer assigned to the 008th District. VIRAMONTES related the same facts as his partner, Officer Dora FONTAINE.

Officer VIRAMONTES added that when he exited his police vehicle, at the scene, he observed a black male subject, now known as Laquan MCDONALD, walking southbound on Pulaski Road, in the middle of the street, holding a knife in his right hand. VIRAMONTES heard Officer Jason VAN DYKE repeatedly order MCDONALD to "Drop the knife!" MCDONALD ignored the verbal direction and turned toward VAN DYKE and his partner, Officer Joseph WALSH. At this time VAN DYKE fired multiple shots from his handgun. MCDONALD fell to the ground but continued to move, attempting to get back up, with the knife still in his hand. VAN DYKE fired his weapon at MCDONALD continuously, until MCDONALD was no longer moving.

The scene of this incident, at 4112 South Pulaski Road, was observed to be a wide commercial street with traffic traveling north and south. There were two traffic lanes and a curb lane in each direction. A wide median separated the northbound and southbound traffic lanes. The scene was just south of the intersection of Pulaski and 41st Street. This was a "T" intersection with 41st Street extending east from Pulaski. In the center median was a left turn lane for northbound traffic

turning west onto 40th Street, further to the north. The Pulaski median was level with the traffic lanes and was striped with yellow paint.

On the west side of Pulaski was a large vacant lot. North of the vacant lot, on the southwest corner of 40th Street and Pulaski, was a Burger King restaurant. On the east side of the street was a Dunkin Donuts restaurant.

The weather was cloudy and cool with the temperature in the 50s. It was dark with good artificial light provided by overhead streetlights. All of the lights were on and functioning normally. There was also artificial light provided by the lighting of the nearby businesses.

In the northbound left turn lane, Chicago Police Department vehicle number 6412, assigned to Beat 845R, was sitting, facing southeast. The vehicle was a marked Chevrolet Tahoe, four door sport utility vehicle. The right front door of the vehicle was open.

In the southbound traffic lanes, in the right lane, a metal folding pocket knife was lying on the pavement. The blade was in the open position. The overall length of the knife was seven inches, with a three inch blade. The knife was in line with the front end of the vehicle of Beat 845R. Just north of the knife were two pools of blood on the pavement. Five metal bullet fragments were lying on the pavement near the blood. North of the blood, scattered in a diagonal pattern from southwest to northeast, across both southbound traffic lanes and the northbound left turn lane, were 16, nine millimeter caliber cartridge cases, lying on the pavement.

Chicago Police Department vehicle number 8489, assigned to Beat 815R, was sitting at the west curb at 4102 South Pulaski. The right front tire of the vehicle was flat, with a large puncture to the sidewall of the tire. The right side of the windshield was scratched from being struck by Laquan MCDONALD's knife.

Mobile Crime Lab Beat 5802 responded to the scene. Video and photographs were taken of the scene. The knife and firearms evidence was collected from the street, as were swabs of the blood. The right front wheel and tire of Chicago Police Department vehicle number 8489 was also recovered. The right front quarter panel of vehicle number 8489 was processed for fingerprints and four ridge impressions were recovered.

A canvass was conducted of the area near the scene of this incident in an attempt to identify and locate witnesses. A number of people were interviewed.

[redacted] -----

stated she was [redacted] at the Burger King restaurant. At approximately 21:55 hours [redacted] observed police officers chasing a black male subject, now known as Laquan MCDONALD, through the parking lot, on the north side of the restaurant building. The officers chased MCDONALD southbound down Pulaski Road, toward the Dunkin' Donuts restaurant. [redacted] then heard multiple gunshots and dove to the ground.

[redacted] permitted access to the Burger King video system. No video of this incident was recorded. The system was not recording at that time. The system was activated and video was

recovered from the system from earlier in the day, showing the view of each of the cameras in the system. It was noted that none of these camera views showed the area of the scene where the confrontation between Laquan MCDONALD and Police Officers Jason VAN DYKE and Joseph WALSH occurred, on Pulaski Road, south of the Burger King restaurant. If the system had been recording at the time of this incident, it would not have recorded any footage of that confrontation.

[redacted] -----

stated he was at the Burger King restaurant, waiting for his girlfriend, [redacted], who was working at the drive-thru window. [redacted] observed a "young black dude" with his hair in dreadlocks, now known as Laquan MCDONALD, running through the parking lot of the restaurant. He was being pursued by police officers. MCDONALD was holding his pants like he might have had a gun or something. MCDONALD then ran southbound on the sidewalk and then out into the street on Pulaski Road. [redacted] last saw MCDONALD running towards the middle of the intersection of 41st Street and Pulaski. MCDONALD appeared confused. [redacted] then turned his attention back to his girlfriend at the drive-thru window. He did not witness the shooting.

[redacted] -----

stated she was working at [redacted] of the Burger King restaurant. She observed a male subject, now known as Laquan MCDONALD, running from the restaurant parking lot, southbound on Pulaski Road, toward the Dunkin' Donuts restaurant. [redacted] heard multiple gunshots and then saw that MCDONALD was lying in the street.

[redacted] -----

stated she was [redacted] of the Burger King restaurant. She did not see or hear anything.

[redacted] -----

stated she was [redacted] of the Burger King restaurant. She did not see or hear anything.

Laquan MCDONALD had been transported to Mount Sinai Hospital by Chicago Fire Department Ambulance 21. He sustained multiple gunshot wounds as documented in the format of this investigation. MCDONALD was treated for his injuries in the emergency room. He succumbed to his wounds and was subsequently pronounced dead by Doctor PITZELE, at 22:42 hours.

Registered Nurse [redacted], recovered three metal bullet fragments from MCDONALD and turned these over to Detective William JOHNSON. These were subsequently turned over to Mobile Crime Lab Beat 5802, who also recovered metal fragments from MCDONALD's sweater.

The reporting detective had learned of the death of Laquan MCDONALD while still at the scene of this incident. The Office of the Medical Examiner of Cook County was notified of MCDONALD's death, and Investigator BRIGGS assigned Medical Examiner's case number 2014 - 01071 to this case.

In the Bureau of Detectives - Area Central office, Evidence Technician Beat 5824 recovered Office Jason VAN DYKE's handgun, a Smith and Wesson, Model 5942, nine millimeter caliber, semi-automatic pistol. The weapon was loaded with one cartridge in the firing chamber and 14 cartridges in the magazine, when recovered.

Beat 5824 took photographs of Officers Jason VAN DYKE, Joseph WALSH, Thomas GAFFNEY and Joseph MCELLIGOTT. Elimination prints, including palm prints, were also taken from Officers GAFFNEY and MCELLIGOTT.

Officer Jason VAN DYKE was re-interviewed for additional detail, in the Area Central office.

VAN DYKE, Jason D ----

related the same sequence of events as documented in his original interview at the scene of this incident.

VAN DYKE additionally articulated the reasoning behind his decision to use deadly force against the offender in this incident, Laquan MCDONALD. VAN DYKE was aware of the radio transmissions from Officer Thomas GAFFNEY, on Beat 815R, that MCDONALD was armed with a knife. VAN DYKE was aware that MCDONALD had attacked the officers on Beat 815R by slashing the tire of their police vehicle.

As he confronted MCDONALD at 4112 South Pulaski Road, VAN DYKE saw that MCDONALD was in fact, armed with a knife, a deadly weapon. VAN DYKE was aware of the widely accepted teaching in law enforcement that an assailant armed with a knife was considered a deadly threat, if within 21 feet, because it was possible for such an assailant to close that distance and attack with the knife before a defensive shot could be fired from a handgun. VAN DYKE was also aware of the existence of throwing knives, which can be thrown from a distance, as well as spring loaded knives, which propel a blade through the air from the knife handle. VAN DYKE also said he recalled a previously issued Chicago Police Department bulletin warning of a weapon which appeared to be a knife but which actually was capable of firing a bullet, making it a firearm.

Subsequently, a search was conducted of the Chicago Police Department, Automated Message Center, to find the bulletin Officer Jason VAN DYKE remembered, regarding the weapon that appeared to be a knife, but was actually a firearm. This bulletin was issued on 04 December 2012. It was Officer Safety Alert number 2012-OSA-297. It was a warning regarding a "revolver knife" which was capable of firing .22 caliber cartridges.

Three witnesses had been transported into the Area Central office from the scene and were interviewed.

[redacted]----

stated she was in the Burger King restaurant parking lot. She saw a subject, now known as Laquan MCDONALD, running southbound on Pulaski Road. [redacted] saw many police officers on the street. She was trying to get her cellular telephone to work, to record video. [redacted] heard eight gunshots fired continuously. She did not see who fired the shots. [redacted] then saw

a police officer pointing a handgun at MCDONALD as he was lying on the ground.

With her permission, [redacted]' telephone was examined for any recorded video footage with negative results.

[redacted]-----

stated he was at the Burger King restaurant drive-thru with [redacted]. He saw a black male subject, now known as Laquan MCDONALD, running from the trucks parked at the rear of the restaurant parking lot. MCDONALD ran eastbound in the parking lot, on the north side of the Burger King building. A police officer was chasing MCDONALD on foot, eastbound through the parking lot, then southbound on Pulaski Road. A Chicago Police Department, Chevrolet Tahoe sport utility vehicle pulled up on Pulaski. MCDONALD ran toward the police vehicle. A police officer exited the vehicle and fired multiple shots from a handgun at MCDONALD. [redacted] thought there was video footage of the incident recorded on [redacted] cellular telephone. As documented in the previous interview of [redacted], her telephone was examined with negative results.

[redacted]-----

stated he was sitting in a truck, parked in the Burger King restaurant parking lot, on the south side of the restaurant building. He was completing some logs. [redacted] observed a black male subject, now known as Laquan MCDONALD, running southbound on Pulaski Road. The police were pursuing MCDONALD. [redacted] heard approximately three gunshots. He did not see who fired the shots. [redacted] exited the cab of his truck and climbed up on top of it. He saw a Chicago Police Department, Chevrolet Tahoe sport utility vehicle, and many police officers on Pulaski Road.

[redacted] insisted on leaving the Area Central office after their initial interviews, and they were transported as they requested.

Sergeant Lance BECVAR responded to the scene and subsequently to the Area Central office. He was able to recover video of this incident from the vehicles assigned to Beats 845R and 813R. This video was uploaded into the system. The reporting detective submitted a request for copies of these two videos which were subsequently inventoried. The reporting detective also requested that the videos be permanently retained. No video of this incident was recovered from the vehicles assigned to Beats 815R, 822 and 841R.

The recovered in-car camera video from Beats 845R and 813R was viewed and found to be consistent with the accounts of all of the witnesses. The video from Beat 813R showed that at the time Officer Jason VAN DYKE fired his handgun at Laquan MCDONALD, VAN DYKE was standing near the east edge of the southbound traffic lanes of Pulaski Road, and MCDONALD was near the lane marking separating the two southbound traffic lanes. The two were separated by the width of one traffic lane. The width of this traffic lane was approximately ten feet.

Recordings of the original 9-1-1 call and the radio transmissions over the Chicago Police Department, Zone 6 radio frequency were obtained from the Office of Emergency Management

and Communication. The recordings were reviewed and subsequently inventoried.

In the 9-1-1 call, a caller who identified himself as [redacted] stated that he was holding a guy for stealing radios from trucks in a trucking yard.

The recorded radio transmissions were consistent with the statements of the police officers involved in this incident. It was determined from the radio transmissions, that the entire interaction of the involved police officers, with Laquan MCDONALD, from the time Beat 815R notified the radio dispatcher that they had made contact with him, and that he was armed with a knife, until Beat 845R notified the dispatcher that shots had been fired by the police, lasted more than four minutes.

The criminal history of Laquan MCDONALD was reviewed. [redacted]

Additionally, there were two documented incidents, under Records Division numbers HS640983 and HT106389, on 01 December 2010 and 05 January 2011. In these incidents officials at the [redacted], elementary school, called the police because of the violent behavior of Laquan MCDONALD. The reports indicated that MCDONALD was a special education student at the school and that this had become a pattern of behavior for MCDONALD. The school officials indicated that MCDONALD had behavioral problems and anger issues. In both incidents MCDONALD was transported to [redacted] for evaluation and treatment.

The family of Laquan MCDONALD was located and notified of his death.

[redacted] -----

stated he was an uncle of Laquan MCDONALD. MCDONALD was living with JOHNSON while MCDONALD "worked out his problems." [redacted] said that MCDONALD attended [redacted] school but was currently suspended. MCDONALD suffered from "hypertension" but refused to take any medication. He stopped taking his prescribed medication approximately two years prior because he said it made him "freak out."

[redacted] last saw MCDONALD on Saturday, 18 October 2014, at approximately 13:00 hours, when MCDONALD left the apartment. He had not been back since. MCDONALD had rung the doorbell earlier in the day on 20 October 2014. [redacted] said they "buzzed" MCDONALD into the building but he never came up to the apartment.

[redacted] had no idea why MCDONALD would be in the area of 41st Street and Pulaski Road. JOHNSON said he would attempt to notify MCDONALD's mother, [redacted].

On Tuesday, 21 October 2014, [redacted] of the 9-1-1 caller, [redacted]" was located and interviewed.

[redacted] -----

stated she was with [redacted], parking a truck in the lot at 41st Street and Kildare Avenue. She saw a black male subject, now known as Laquan MCDONALD, attempting to steal property from vehicles parked in the lot. [redacted] confronted MCDONALD and told him to leave the lot. [redacted] said that MCDONALD did not say anything, but instead, he was "growling" and making strange noises. [redacted] again told MCDONALD to leave the lot and MCDONALD pulled out a knife. MCDONALD swung the knife at [redacted] attempting to cut him. [redacted] had already called 9-1-1 so he backed up and threw his cellular telephone at MCDONALD. MCDONALD then ran from the lot. He ran northbound on Kildare, then eastbound on 40th Street.

[redacted] described MCDONALD as a black male, with his hair in braids. He was wearing a black hood and blue jeans. [redacted] viewed a photograph of Laquan MCDONALD and identified him as the subject in the lot, who had been attempting to steal property from vehicles parked in the lot, and who subsequently threatened [redacted] with a knife, when [redacted] confronted MCDONALD.

On Wednesday, 22 October 2014, the 9-1-1 caller was interviewed.

[redacted] -----

related the same facts as [redacted]. [redacted] re-iterated that Laquan MCDONALD swung his knife at [redacted], attempting to cut him. [redacted] stated he was the person who called 9-1-1 regarding this incident.

A canvass was conducted of the area near the scene of this incident for any recorded video.

There were no Police Observation Devices, or other City of Chicago video cameras in the area.

Recorded video was recovered from three cameras on the exterior of the building housing the Greater Chicago Food Depository, at 4100 West Ann Lurie Place. Two of these videos showed two different views of Laquan MCDONALD walking eastbound on the sidewalk, on the south side of 40th Street, between Keeler and Karlov Avenues. Officer Joseph MCELLIGOTT was following MCDONALD on foot, maintaining a safe distance between himself and MCDONALD, while Officer Thomas GAFFNEY was following MCDONALD in a police vehicle. The third video did not capture any part of this incident.

Recorded video was recovered from two cameras at the Dunkin' Donuts restaurant, at 4113 South Pulaski Road. One of these videos showed the end of this incident, when Officers Jason VAN DYKE and Joseph WALSH stopped their vehicle, exited the vehicle and confronted Laquan MCDONALD. The view in this video is from a distance. The video from the second camera did not capture any part of this incident.

Recorded video was recovered from two cameras from Focal Point, 4141 South Pulaski Road. These videos did not capture any part of this incident.

All of the recovered video was inventoried.

A Major Case Review of this case was conducted at the Illinois State Police Crime Laboratory, on Thursday, 30 October 2014. An Evidence Submission Form was completed per this review.

The assigned personnel became aware of a potential question regarding the integrity of the video recovered from the Burger King restaurant. In an attempt to follow-up on this issue the assigned personnel proceeded to the restaurant on Wednesday, 11 March 2015. Manager, [redacted] was contacted at the restaurant. She stated that the video system at the restaurant had recently been repaired and a new digital video recorder had been installed. [redacted] said that as of this date, 11 of the 16 video ports in the system actually recorded video. This was consistent with the video recovered on the date of this incident. Video was recorded and recovered on 11 of the 16 video ports in the system on that date.

Any additional inquiries regarding the video system at the restaurant were referred to the district manager responsible for that restaurant, [redacted]. He was contacted and related that the day after this incident occurred, personnel from the Independent Police Review Authority, of the City of Chicago, came to the restaurant. They viewed video from the system and took custody of the digital video recorder. The recorder was returned to the restaurant two weeks later. Personnel from the Federal Bureau of Investigation then came to the restaurant and made copies of video from the system. After that some lawyers came to the restaurant with subpoenas to make copies of video from the system. Finally, [redacted] stated that personnel from the Federal Bureau of Investigation had come to the restaurant again, approximately three weeks prior to this interview, and took the digital video recorder. [redacted] did not have any further information regarding the video system.

The assigned personnel also became aware of an article written by [redacted], a professor at the University of Chicago Law School, citing the existence of an unknown witness to this incident. [redacted] was contacted on Thursday, 12 March 2015, in an attempt to interview this witness. [redacted] stated that this witness had already been interviewed by the Independent Police Review Authority and [redacted] did not know if the witness would be willing to be interviewed by the Chicago Police Department. [redacted] said he would contact the witness and provide him with contact information for the assigned personnel.

Based upon all the facts known at this time, and the death of the only offender in this incident, this case is now Exceptionally Cleared Closed / Other Exceptional Clearance - Death of Offender.

The above to-date investigation determined that Laquan MCDONALD was an active assailant who, while armed with a dangerous weapon, used force likely to cause death or serious injury to a private citizen when he attacked [redacted]; threatened the imminent use of force likely to cause death or serious injury when he incised the tire and stabbed the windshield of a Chicago Police Department vehicle occupied by Officer Thomas GAFFNEY; and initiated imminent use of force likely to cause death or serious injury when he initiated an attack on Officers Jason VAN DYKE and Joseph WALSH. The above investigation concluded that Officer Jason VAN DYKE's use of deadly force, the discharging of his duty firearm, was within the bounds of the Chicago Police Department's use of force guidelines, and in conformity with local ordinances and state law.

Based on the above facts, the associated report, under Records Division number HX486155, is now Closed / Non-Criminal.

REPORT OF:

Detective David M MARCH #20563
Sergeant Daniel GALLAGHER #1303
Lieutenant Anthony WOJCIK #481
Bureau of Detectives - Area Central

OFFICER'S BATTERY REPORT
CHICAGO POLICE DEPARTMENT

RD NO. HX475653

INSTRUCTIONS: This form is to be completed for all incidents when: (1) a sworn member is the victim of a murder, aggravated battery, battery, aggravated assault, or assault while performing a police function either on-duty or off-duty, (2) a detention aide is the victim of a murder, aggravated battery, battery, aggravated assault, or assault while in the performance of his or her duties.

"X APPLICABLE BOXES"

OFFICER INFORMATION

NAME (LAST - FIRST - M.I.): VAN DYKE, JASON D

STAR NO.	POSITION
9465	POLICE OFFICER
DATE OF APPOINTMENT: 25-JUN-2001	EMPLOYEE NO.: [redacted]
UNIT OF ASSIGNMENT: 008	BEAT/CALL NO.: 0845R

SEX: [X] 1. M [ ] 2. F | RACE: WHITE | DOB: [redacted]

HEIGHT: 602 | WEIGHT: 180

TYPE OF ASSIGNMENT WHEN BATTERY OCCURRED

[X] 1. ON DUTY
- [X] A. UNIFORM, PATROL DUTY
- [ ] B. UNIFORM, OTHER DUTY
  - Describe _____
- [ ] C. CITIZEN'S DRESS
- [ ] D. TACTICAL
- [ ] E. B.I.S. UNIT
- [ ] F. SPECIAL EMPLOYMENT
- [ ] G. OTHER _____

[ ] 2. OFF DUTY

[ ] 3. SPECIAL EMPLOYMENT

[ ] 4. SECONDARY / OTHER

WORKING:
- [ ] A. ALONE
- [X] B. WITH ONE PARTNER
- [ ] C. WITH MULTIPLE PARTNERS
  - How many? _____

PATROL TYPE:
- [X] A. SQUAD CAR
- [ ] B. FOOT
- [ ] C. BICYCLE
- [ ] D. APV/MOTORCYCLE
- [ ] E. SQUADROL
- [ ] F. OTHER _____

TYPE OF ACTIVITY

- [ ] A. AMBUSH -NO WARNING
- [ ] B. TRAFFIC STOP/PURSUIT
- [ ] C. INVESTIGATING SUSPICIOUS PERSON
- [ ] D. DISTURBANCE - DOMESTIC
- [ ] E. DISTURBANCE - MENTAL PATIENT
- [ ] F. DISTURBANCE - RIOT/MOB ACTION/CIVIL DISORDER
- [ ] G. DISTURBANCE - OTHER
- [ ] H. MAN WITH A GUN
- [ ] I. PURSUING/ARRESTING OFFENDER (Specify)
  - CHARGE _____ IUCR CODE _____
- [ ] J. PROCESSING/TRANSPORTING/GUARDING A PRISONER (Specify)
  - ORIGINAL CHARGE _____ ORIGINAL IUCR CODE _____
- [X] K. OTHER

TYPE OF INJURY TO OFFICER

- [ ] A. FATAL
- [ ] B. NON-FATAL - MAJOR INJURY (Broken Bones/Serious Lacerations/ Internal Injuries)
- [ ] C. NON-FATAL - MINOR INJURY (Bruises/Swelling/Minor Abrasions)
- [X] D. NONE APPARENT/NONE

LIGHTING CONDITIONS AT INCIDENT

- [ ] A. DAYLIGHT
- [ ] B. NIGHT
- [ ] C. DAWN
- [ ] D. DUSK
- [X] E. ARTIFICIAL LIGHT
  - [ ] 1. POOR
  - [X] 2. GOOD

INCIDENT INFORMATION

[ ] 1. INDOOR [X] 2. OUTDOOR

ADDRESS OF OCCURRENCE: 4112 S PULASKI RD

CITY: [X] CHICAGO [ ] | STATE (If outside Chicago):

LOCATION CODE: 304-STREET | BEAT OF OCCURRENCE: 0815

DATE OF OCCURRENCE: 20-OCT-2014 | TIME: 21:57:00 | DAY OF WEEK: MONDAY

NO. OF OFFICERS BATTERED: 3

WERE THERE ASSISTING UNITS ON SCENE? 1. [X] YES 2. [ ] NO

IF YES HOW MANY ASSISTING OFFICERS WERE PRESENT AT TIME BATTERY (EXCLUDING YOU OR YOUR PARTNERS) ? 8

MANNER OF ATTACK

- [ ] 01. SHOT
- [ ] 02. SHOT AT
- [X] 03. STABBED/CUT (INCLUDING ACTUAL ATTEMPT)
- [ ] 04. STRUCK/BLUNT FORCE (INCLUDING ACTUAL ATTEMPT)
- [ ] 05. OTHER (INCLUDING VERBAL THREATS)

TYPE OF WEAPON/THREAT

(Check all that apply):

- [ ] A. FIREARM CALIBER _____
  - [ ] 1. REVOLVER
  - [ ] 2. SEMI-AUTOMATIC
  - [ ] 3. RIFLE
  - [ ] 4. SHOTGUN
- [ ] B. VEHICLE
  - [ ] 1. OFFICER STRUCK WITH VEHICLE
  - [ ] 2. ATTEMPTED TO STRIKE OFFICER WITH VEHICLE
- [X] C. KNIFE/OTHER CUTTING INSTRUMENT
- [ ] D. HANDS/FISTS
- [ ] E. FEET
- [ ] F. MOUTH (SPIT, BITE, ETC.)
- [ ] G. VERBAL THREAT (ASSAULT)
- [X] H. OTHER (SPECIFY) /SWINGING KNIFE
- [ ] I. BLUNT INSTRUMENT

FIREARM USE INFORMATION (Check all that apply):

- [ ] A. OFFICER AT GUNPOINT
- [ ] B. OFFICER'S OWN WEAPON OBTAINED
- [ ] C. ATTEMPTED TO OBTAIN OFFICER'S OWN WEAPON

OFFENDER INFORMATION

SEX: [X] 1. M [ ] 2. F | RACE: BLACK | DOB: 25-SEP-1997

CB NO. | IR NO.

WAS THE OFFENDER'S ACTIVITY:

DRUG RELATED?
- [ ] 1. YES
- [ ] 2. NO
- [X] 3. UNKNOWN

GANG RELATED?
- [ ] 1. YES
- [ ] 2. NO
- [X] 3. UNKNOWN

NO. OF OFFENDERS PRESENT? 1

WEATHER CONDITIONS

- [X] A. CLEAR
- [ ] B. RAIN
- [ ] C. SNOW
- [ ] D. FOG / SMOKE / HAZE
- [ ] E. SLEET / HAIL
- [ ] F. SEVERE CROSS WIND
- [ ] G. OTHER

APPROXIMATE OUTDOOR TEMPERATURE: 50 °F

CPD-11.451 (REV. 1/04)

Unusual Circumstances Regarding Officer Control Tactics and Safety: (If you need more space use additional sheets).

OFFENDER'S ACTIONS WERE UNPROVOKED.

REPORTING MEMBER - SIGNATURE	STAR NO.	WATCH COMMANDER /UNIT COMMANDING OFFICER- SIGNATURE	STAR NO.
VAN DYKE, JASON D	9465	MC NAUGHTON, DAVID R	120

CPD-11.451 (REV. 1/04)

TACTICAL RESPONSE REPORT/Chicago Police Department

MEMBER INVOLVED

1. DATE OF INCIDENT	TIME	2. ADDRESS OF OCCURRENCE	3. LOCATION CODE	4. BEAT/OCCUR
20-OCT-2014	21:57:00	4112 S PULASKI RD CHICAGO, IL 60632	304	0815

5. POSITION	6. LAST NAME	7. FIRST NAME	8. STAR NO.	9. SEX	10. RACE CODE	11. AGE	12. HT	13. WT
9161	VAN DYKE	JASON D	9465	[X] 01 M [ ] 02 F	WHI	[redacted]	602	180

14. DATE OF APPT.	15. EMPLOYEE NO.	16. UNIT & BEAT OF ASSIGNMENT	17. DUTY STATUS	18. MEMBER INJURED?	19. MEMBER IN UNIFORM?
25-JUN-2001	[redacted]	008 0845R	[X] 01 On [ ] 02 Off	[ ] 01 Yes [X] 02 No	[X] 01 Yes [ ] 02 No

SUBJECT INFORMATION [ ] DNA

20. LAST NAME	21. FIRST NAME	22. MI	23. SEX	24. RACE	25. D.O.B.	26. HT.	27. WT.
MCDONALD	LEQUAN		[X] 01 M [ ] 02 F	BLK	25-SEP-1997	601	185

28. ADDRESS	29. TELEPHONE NO.	30. WAS SUBJECT ARMED? KNIFE/OTHER CUTTING INSTRUMENT, OTHER (SPECIFY)	31. SUBJECT INJURED?	32. SUBJECT ALLEGED INJURY?
[redacted] IL 60637		[X] 01 Yes [ ] 02 No	[X] 01 Yes [ ] 02 No	[ ] 01 Yes [X] 02 No

33. WHERE WAS MEDICAL TREATMENT OBTAINED?	34. BY WHOM?	35. CONDITION
MOUNT SINAI HOSPITAL	DR. PITZEL	[X] 03 Hospitalized [ ] 01 Apparently Normal [ ] 02 Under Influence [ ] 04 Not Hospitalized [ ] 05 Refused Medical Aid

36. CHARGES PLACED	37. CB NO.	IR NO
[ ] DNA		[ ] DNA

REASON FOR USE OF FORCE (Check all that apply) [ ] 38. DNA

	PASSIVE RESISTER	ACTIVE RESISTER	ASSAILANT:ASSAULT	ASSAILANT:BATTERY	ASSAILANT:DEADLY FORCE
SUBJECT'S ACTIONS	DID NOT FOLLOW VERBAL DIRECTION [X] STIFFENED (DEAD WEIGHT) [ ] OTHER	FLED [ ] PULLED AWAY [ ] OTHER	IMMINENT THREAT OF BATTERY [X] OTHER	ATTACK WITH WEAPON [X] ATTACK WITHOUT WEAPON [ ] OTHER	USES FORCE LIKELY TO CAUSE DEATH OR GREAT BODILY HARM [X] WEAPON [X] OTHER
MEMBER'S RESPONSE	MEMBER PRESENCE [X] VERBAL COMMANDS [X] ESCORT HOLDS [ ] WRISTLOCK [ ] ARMBAR [ ] PRESSURE SENSITIVE AREAS [ ] CONTROL INSTRUMENT [ ] OC/CHEMICAL WEAPON W/AUTHORIZATION [ ] OTHER	OPEN HAND STRIKE [ ] TAKE DOWN / EMERGENCY HANDCUFFING [ ] OC CHEMICAL WEAPON [ ] CANINE [ ] TASER (Probe Discharge) [ ] TASER (Contact Stun) [ ] TASER (Laser Targeted) [ ] TASER (Spark Displayed) [ ] OTHER	ELBOW STRIKE [ ] CLOSED HAND STRIKE/PUNCH [ ] IMPACT WEAPON (Describe in Box 40) [ ] OTHER	KNEE STRIKE [ ] KICKS [ ] IMPACT MUNITION (Describe in Box 40) [ ]	FIREARM [X] OTHER

WEAPON DISCHARGE INCIDENT [ ] 39. DNA

* OC/CHEMICAL WEAPON AUTHORIZED BY (NAME)	POSITION	STAR NO.	UNIT

40. ADDITIONAL INFORMATION: **OFFENDER'S WEAPON WAS A KNIFE IN HIS HAND.**

41. WEAPON TYPE	42. INCIDENT OCCURRED	43. LIGHTING CONDITIONS	44. WEATHER CONDITIONS
[X] 04 SEMI-AUTO PISTOL [ ] 01 REVOLVER [ ] 05 CHEMICAL WEAPON [ ] 02 RIFLE [ ] 06 TASER (Probe Discharge) [ ] 03 SHOTGUN [ ] 07 OTHER	[ ] Indoors [X] Outdoors	[ ] 01 Daylight [ ] 02 Night [ ] 03 Dawn [ ] 04 Dusk [ ] 05 Poor Artificial [X] 06 Good Artificial	CLEAR

45. MAKE/MANUFACTURER	46. MODEL	47. BARREL LENGTH	48. CALIBER/GAUGE
SMITH & WESSON -US- (BODYGUARD,CHIEF SPECIAL)	5943	5	9 MM

49. TASER DART ID NO.	50. WEAPON SERIAL No. (Include Letters)	51. CHICAGO GUN REG. NO.	52. IL FIREARM OWNER ID. NO.	53. HANDGUN CERTIFICATE NO.
	TDU5969	628361	95380037	

54. SPECIAL WEAPON CERTIFICATE NO.	55. PROPERTY INVENTORY NO.	56. TYPE OF AMMUNITION USED	57. NO. OF WEAPONS DISCHARGED BY THIS MEMBER	58. TOTAL NO. OF SHOTS MEMBER FIRED
		Department Issued	1	16

59. WHO FIRED FIRST SHOT	60. WAS FIREARM RELOADED DURING INCIDENT	61. NO OF CATORIDGES/ SHOT SHELLS RELOADED	62. HOW WAS MEMBER'S HANDGUN WORN	70. EVENT NO.
[X] 01 MEMBER [ ] 02 OFFENDER [ ] 03 OTHER (SPECIFY)	[X] 01 YES [ ] 02 NO	15	[X] 01 RT. SIDE (WAIST) [ ] 02 LT. SIDE (WAIST) [ ] 03 OTHER (Specify)	1429315878

63. HOW WAS MEMBER'S HANDGUN DRAWN	64. SPECIFY METHOD/EQUIPMENT USED TO RELOAD	65. DID MEMBER USE SIGHTS
[X] 01 STRONG SIDE DRAW [ ] 02 CROSS DRAW [ ] 03 OTHER (Specify)	BY MAGAZINE	[ ] 01 YES [X] 02 NO

66. DESCRIBE PROTECTIVE COVER USED (LIGHT POLES, DOORWAYS, CAR, FURNITURE, ETC)	67. DISTANCE BETWEEN INVOLVED MEMBER & OFFENDER WHEN FIRST SHOT WAS FIRED
NONE	[ ] 01 0 - 05 FT [ ] 02 05 - 10 FT. [X] 03 10 - 15 FT. [ ] 04 OVER 15 FT.

68. PERSON/OBJECT STRUCK AS RESULT OF THE DISCHARGE OF MEMBERS WEAPON	69. POSITION OF MEMBER DISCHARGING WEAPON
[X] 01 PERSON [ ] 02 OBJECT [ ] 03 BOTH [ ] 04 UNKNOWN	[X] 01 STANDING [ ] 02 LYING DOWN [ ] 03 SITTING [ ] 04 KNEELING [ ] 05 OTHER (SPECIFY)

CASE INFO. 72.

NOTIFICATIONS (OC OR TASER INCIDENT): [ ] OEMC [ ] DSS & LT./DIST. OF OCCUR. [ ] CPIC

NOTIFICATIONS (FIREARM INCIDENT): [X] OEMC [X] DSS/DIST. OF OCCUR & OCIC [X] CPIC [X] DET. DIV.

Members will ensure that all required notifications and all witnesses to this use of force are documented in the appropiate case report.

71. R.D. NO. HX475653

SIGNATURES

73. REPORTING MEMBER (Print Name)	STAR/EMPLOYEE NO.	SIGNATURE
VAN DYKE, JASON D 21-OCT-2014 04:41:45	[redacted]	[redacted]

Reviewing supervisor will ensure the legibility and completeness of this report and attest by entering the required information below.

74. REVIEWING SUPERVISOR (Print Name)	STAR NO.	SIGNATURE	DATE REVIEWED	TIME
FRANKO, STEPHEN D	1381	[redacted]	21-OCT-2014	04:44:58

CB.11.2.7 (REV. 10/07)

LIEUTENANT OR ABOVE/OCIC REVIEW

THE ON-CALL INCIDENT COMMANDER (OCIC) WILL COMPLETE THE REVIEW SECTION FOR 1.) ALL INCIDENTS INVOLVING THE DISCHARGE OF A FIREARM BY A DEPARTMENT MEMBER; 2.) ALL INCIDENTS INVOLVING THE SERIOUS INJURY OR DEATH OF A MEMBER OF THE PUBLIC SUBSEQUENT TO INTERACTIONS WITH A DEPARTMENT MEMBER; 3.) ANY LESSER USE OF FORCE BY A DEPARTMENT MEMBER WHEN THAT USE OF FORCE STEMS FROM THE SAME INCIDENT DESCRIBED HERE IN 1 OR 2.

THE ASSIGNED INVESTIGATING SUPERVISOR THE RANK OF LIEUTENANT OR ABOVE FROM THE DISTRICT OF OCCURRENCE WILL COMPLETE THE REVIEW SECTION FOR ALL OTHER INCIDENTS.

75. SUBJECT'S STATEMENT REGARDING THE USE OF FORCE ☐ DNA ☐ REFUSED ☒ UNABLE TO INTERVIEW (Specify Reason)

Subject is deceased.

76. LIEUTENANT OR ABOVE/OCIC RATIONALE FOR BOX 77 FINDING

Based upon information available at the time of this report it is the preliminary determination of the undersigned that Officer Van Dyke fired his weapon in compliance with Department policy. Officer Van Dyke fired his weapon in fear of his life when the offender while armed with a knife continued to approach and refused all verbal direction.

77. LIEUTENANT OR ABOVE/OCIC FINDING BASED UPON CURRENTLY AVAILABLE INFORMATION:

☒ I HAVE CONCLUDED THAT THE MEMBER'S ACTIONS WERE IN COMPLIANCE WITH DEPARTMENT PROCEDURES AND DIRECTIVES.

☐ I HAVE CONCLUDED THAT FURTHER INVESTIGATION IS REQUIRED.

LOG NO./CRNO. 1072125 OBTAINED

78. LIEUTENANT OR ABOVE/OCIC (Print Name)	SIGNATURE	DATE COMPLETED TIME
MC NAUGHTON, DAVID R	[redacted]	21-OCT-2014 04:58:37

79. DISTRIBUTION OF ORIGINAL TRR:

A TRR PACKET, INCLUDING THE TRR AND COPIES OF THE BELOW LISTED ATTACHMENTS WILL BE FORWARDED TO THE INDEPENDENT POLICE REVIEW AUTHORITY

ATTACHMENTS - PHOTOCOPIES OF:

☐ CASE REPORT ☐ SUPPLEMENTARY REPORT ☐ I.O.D. REPORT

☐ ARREST REPORT ☒ OFFICER BATTERY REPORT ☐ CR INITIATION REPORT

☐ TO-FROM-SUBJECT REPORTS FROM DEPARTMENT WITNESS(ES)

80. TOTAL TRR's THIS EVENT No.: 1

OFFICER'S BATTERY REPORT
CHICAGO POLICE DEPARTMENT

RD NO. **HX475653**

INSTRUCTIONS: This form is to be completed for all incidents when: (1) a sworn member is the victim of a murder, aggravated battery, battery, aggravated assault, or assault while performing a police function either on-duty or off-duty, (2) a detention aide is the victim of a murder, aggravated battery, battery, aggravated assault, or assault while in the performance of his or her duties.

"X APPLICABLE BOXES"

OFFICER INFORMATION

NAME (LAST - FIRST - M.I.): **WALSH, JOSEPH J**

STAR NO.	POSITION
12865	POLICE OFFICER
DATE OF APPOINTMENT: 29-JUN-1998	EMPLOYEE NO.: [redacted]
UNIT OF ASSIGNMENT: 008	BEAT/CALL NO.: 0845R

SEX	RACE	DOB
☒ 1. M ☐ 2. F	WHITE	[redacted]
HEIGHT: 600	WEIGHT: 190	

TYPE OF ASSIGNMENT WHEN BATTERY OCCURRED

☒ 1. ON DUTY
- ☒ A. UNIFORM, PATROL DUTY
- ☐ B. UNIFORM, OTHER DUTY — Describe _____
- ☐ C. CITIZEN'S DRESS
- ☐ D. TACTICAL
- ☐ E. B.I.S. UNIT
- ☐ F. SPECIAL EMPLOYMENT
- ☐ G. OTHER _____

☐ 2. OFF DUTY

☐ 3. SPECIAL EMPLOYMENT

☐ 4. SECONDARY / OTHER

WORKING:
- ☐ A. ALONE
- ☒ B. WITH ONE PARTNER
- ☐ C. WITH MULTIPLE PARTNERS — How many? _____

PATROL TYPE:
- ☒ A. SQUAD CAR
- ☐ B. FOOT
- ☐ C. BICYCLE
- ☐ D. APV/MOTORCYCLE
- ☐ E. SQUADROL
- ☐ F. OTHER _____

TYPE OF ACTIVITY

- ☐ A. AMBUSH -NO WARNING
- ☐ B. TRAFFIC STOP/PURSUIT
- ☐ C. INVESTIGATING SUSPICIOUS PERSON
- ☐ D. DISTURBANCE - DOMESTIC
- ☐ E. DISTURBANCE - MENTAL PATIENT
- ☐ F. DISTURBANCE - RIOT/MOB ACTION/CIVIL DISORDER
- ☐ G. DISTURBANCE - OTHER
- ☐ H. MAN WITH A GUN
- ☐ I. PURSUING/ARRESTING OFFENDER (Specify) CHARGE _____ IUCR CODE _____
- ☐ J. PROCESSING/TRANSPORTING/GUARDING A PRISONER (Specify ORIGINAL CHARGE _____ ORIGINAL IUCR CODE _____
- ☒ K. OTHER

TYPE OF INJURY TO OFFICER

- ☐ A. FATAL
- ☐ B. NON-FATAL - MAJOR INJURY (Broken Bones/Serious Lacerations/ Internal Injuries)
- ☐ C. NON-FATAL - MINOR INJURY (Bruises/Swelling/Minor Abrasions)
- ☒ D. NONE APPARENT/NONE

LIGHTING CONDITIONS AT INCIDENT

- ☐ A. DAYLIGHT
- ☐ B. NIGHT
- ☐ C. DAWN
- ☐ D. DUSK
- ☒ E. ARTIFICIAL LIGHT — ☐ 1. POOR ☒ 2. GOOD

INCIDENT INFORMATION

☐ 1. INDOOR ☒ 2. OUTDOOR

ADDRESS OF OCCURRENCE: **4112 S PULASKI RD**

CITY	STATE (If outside Chicago)
☒ CHICAGO ☐	
LOCATION CODE: 304-STREET	BEAT OF OCCURRENCE: 0815

DATE OF OCCURRENCE	TIME	DAY OF WEEK
20-OCT-2014	21:57:00	MONDAY

NO. OF OFFICERS BATTERED: 3

WERE THERE ASSISTING UNITS ON SCENE? 1. ☒ YES 2. ☐ NO

IF YES HOW MANY ASSISTING OFFICERS WERE PRESENT AT TIME BATTERY (EXCLUDING YOU OR YOUR PARTNERS) ? 8

MANNER OF ATTACK

- ☐ 01. SHOT
- ☐ 02. SHOT AT
- ☒ 03. STABBED/CUT (INCLUDING ACTUAL ATTEMPT)
- ☐ 04. STRUCK/BLUNT FORCE (INCLUDING ACTUAL ATTEMPT)
- ☐ 05. OTHER (INCLUDING VERBAL THREATS)

TYPE OF WEAPON/THREAT

(Check all that apply):
- ☐ A. FIREARM CALIBER _____
  - ☐ 1. REVOLVER
  - ☐ 2. SEMI-AUTOMATIC
  - ☐ 3. RIFLE
  - ☐ 4. SHOTGUN
- ☐ B. VEHICLE
  - ☐ 1. OFFICER STRUCK WITH VEHICLE
  - ☐ 2. ATTEMPTED TO STRIKE OFFICER WITH VEHICLE
- ☐ C. KNIFE/OTHER CUTTING INSTRUMENT
- ☐ D. HANDS/FISTS
- ☐ E. FEET
- ☐ F. MOUTH (SPIT, BITE, ETC.)
- ☐ G. VERBAL THREAT (ASSAULT)
- ☒ H. OTHER (SPECIFY) /SWINGING KNIFE
- ☐ I. BLUNT INSTRUMENT

FIREARM USE INFORMATION (Check all that apply):
- ☐ A. OFFICER AT GUNPOINT
- ☐ B. OFFICER'S OWN WEAPON OBTAINED
- ☐ C. ATTEMPTED TO OBTAIN OFFICER'S OWN WEAPON

OFFENDER INFORMATION

SEX	RACE	DOB
☒ 1. M ☐ 2. F	BLACK	25-SEP-1997
CB NO.	IR NO.	

WAS THE OFFENDER'S ACTIVITY:

DRUG RELATED?	GANG RELATED?
☐ 1. YES	☐ 1. YES
☐ 2. NO	☐ 2. NO
☒ 3. UNKNOWN	☒ 3. UNKNOWN

NO. OF OFFENDERS PRESENT? 1

WEATHER CONDITIONS

- ☒ A. CLEAR
- ☐ B. RAIN
- ☐ C. SNOW
- ☐ D. FOG / SMOKE / HAZE
- ☐ E. SLEET / HAIL
- ☐ F. SEVERE CROSS WIND
- ☐ G. OTHER

APPROXIMATE OUTDOOR TEMPERATURE: 50 °F

CPD-11.451 (REV. 1/04)

Unusual Circumstances Regarding Officer Control Tactics and Safety: (If you need more space use additional sheets).

REPORTING MEMBER - SIGNATURE	STAR NO.	WATCH COMMANDER /UNIT COMMANDING OFFICER- SIGNATURE	STAR NO.
WALSH, JOSEPH J	12865 [redacted]	MC NAUGHTON, DAVID R	120 [redacted]

CPD-11.451 (REV. 1/04)

TACTICAL RESPONSE REPORT/Chicago Police Department

MEMBER INVOLVED

1. DATE OF INCIDENT	TIME	2. ADDRESS OF OCCURRENCE	3. LOCATION CODE	4. BEAT/OCCUR
20-OCT-2014	21:57:00	4112 S PULASKI RD CHICAGO, IL 60632	304	0815

5. POSITION	6. LAST NAME	7. FIRST NAME	8. STAR NO.	9. SEX	10. RACE CODE	11. AGE	12. HT.	13. WT.
9161	WALSH	JOSEPH J	12865	☒ 01 M ☐ 02 F	WHI	[redacted]	600	190

14. DATE OF APPT.	15. EMPLOYEE NO.	16. UNIT & BEAT OF ASSIGNMENT	17. DUTY STATUS	18. MEMBER INJURED?	19. MEMBER IN UNIFORM?
29-JUN-1998	10016	008 0845R	☒ 01 On ☐ 02 Off	☐ 01 Yes ☒ 02 No	☒ 01 Yes ☐ 02 No

SUBJECT INFORMATION ☐ DNA

20. LAST NAME	21. FIRST NAME	22. MI	23. SEX	24. RACE	25. D.O.B.	26. HT.	27. WT.
MCDONALD	LEQUAN	J	☒ 01 M ☐ 02 F	BLK	25-SEP-1997	601	185

28. ADDRESS	29. TELEPHONE NO.	30. WAS SUBJECT ARMED? OTHER (SPECIFY)	31. SUBJECT INJURED?	32. SUBJECT ALLEGED INJURY?
[redacted] IL 60637		☒ 01 Yes ☐ 02 No	☒ 01 Yes ☐ 02 No	☐ 01 Yes ☒ 02 No

33. WHERE WAS MEDICAL TREATMENT OBTAINED?	34. BY WHOM?	35. CONDITION
	DR. PITZEL	☒ 03 Hospitalized ☐ 01 Apparently Normal ☐ 02 Under Influence ☐ 04 Not Hospitalized ☐ 05 Refused Medical Aid

36. CHARGES PLACED ☐ DNA | 37. CB NO. | IR NO. ☐ DNA

REASON FOR USE OF FORCE (Check all that apply) 38. ☐ DNA

	PASSIVE RESISTER	ACTIVE RESISTER	ASSAILANT: ASSAULT	ASSAILANT: BATTERY	ASSAILANT: DEADLY FORCE
SUBJECT'S ACTIONS	DID NOT FOLLOW VERBAL DIRECTION ☒ STIFFENED (DEAD WEIGHT) ☐ OTHER	FLED ☐ PULLED AWAY ☐ OTHER	IMMINENT THREAT OF BATTERY ☒ OTHER	ATTACK WITH WEAPON ☒ ATTACK WITHOUT WEAPON ☐ OTHER	USES FORCE LIKELY TO CAUSE DEATH OR GREAT BODILY HARM ☒ WEAPON ☒ OTHER
MEMBER'S RESPONSE	MEMBER PRESENCE ☒ VERBAL COMMANDS ☒ ESCORT HOLDS ☐ WRISTLOCK ☐ ARMBAR ☐ PRESSURE SENSITIVE AREAS ☐ CONTROL INSTRUMENT ☐ OC/CHEMICAL WEAPON W/AUTHORIZATION ☐ OTHER	OPEN HAND STRIKE ☐ TAKE DOWN / EMERGENCY HANDCUFFING ☐ OC CHEMICAL WEAPON ☐ CANINE ☐ TASER (Probe Discharge) ☐ TASER (Contact Stun) ☐ TASER (Laser Targeted) ☐ TASER (Spark Displayed) ☐ OTHER	ELBOW STRIKE ☐ CLOSED HAND STRIKE/PUNCH ☐ IMPACT WEAPON (Describe in Box 40) ☐ OTHER	KNEE STRIKE ☐ KICKS ☐ IMPACT MUNITION (Describe in Box 40) ☐	FIREARM ☐ OTHER

WEAPON DISCHARGE INCIDENT 39. ☒ DNA

* OC/CHEMICAL WEAPON AUTHORIZED BY (NAME)	POSITION	STAR NO.	UNIT

40. ADDITIONAL INFORMATION: **OFFENDER ARMED WITH KNIFE.**

41. WEAPON TYPE	42. INCIDENT OCCURRED	43. LIGHTING CONDITIONS	44. WEATHER CONDITIONS
☐ 01 REVOLVER ☐ 04 SEMI-AUTO PISTOL ☐ 02 RIFLE ☐ 05 CHEMICAL WEAPON ☐ 03 SHOTGUN ☐ 06 TASER (Probe Discharge) ☐ 07 OTHER	☐ Indoors ☒ Outdoors	☐ 02 Night ☐ 03 Dawn ☐ 04 Dusk ☐ 05 Poor Artificial ☒ 06 Good Artificial	CLEAR

45. MAKE/MANUFACTURER	46. MODEL	47. BARREL LENGTH	48. CALIBER/GAUGE

49. TASER DART ID NO.	50. WEAPON SERIAL No. (Include Letters)	51. CHICAGO GUN REG. NO.	52. IL FIREARM OWNER ID. NO.	53. HANDGUN CERTIFICATE NO.

54. SPECIAL WEAPON CERTIFICATE NO.	55. PROPERTY INVENTORY NO.	56. TYPE OF AMMUNITION USED	57 NO. OF WEAPONS DISCHARGED BY THIS MEMBER	58. TOTAL NO. OF SHOTS MEMBER FIRED

59. WHO FIRED FIRST SHOT	60. WAS FIREARM RELOADED DURING INCIDENT	61. NO OF CATDRIDGES/ SHOT SHELLS RELOADED	62. HOW WAS MEMBER'S HANDGUN WORN	70. EVENT NO.
☐ 01 MEMBER ☐ 02 OFFENDER ☐ 03 OTHER (SPECIFY)	☐ 01 YES ☐ 02 NO		☐ 01 RT. SIDE (WAIST) ☐ 02 LT. SIDE (WAIST) ☐ 03 OTHER (Specify)	1429315878

63. HOW WAS MEMBER'S HANDGUN DRAWN	64. SPECIFY METHOD/EQUIPMENT USED TO RELOAD	65. DID MEMBER USE SIGHTS
☐ 01 STRONG SIDE DRAW ☐ 02 CROSS DRAW ☐ 03 OTHER (Specify)		☐ 01 YES ☐ 02 NO

66. DESCRIBE PROTECTIVE COVER USED (LIGHT POLES, DOORWAYS, CAR, FURNITURE, ETC)	67. DISTANCE BETWEEN INVOLVED MEMBER & OFFENDER WHEN FIRST SHOT WAS FIRED
	☐ 01 0 - 05 FT. ☐ 02 05 - 10 FT. ☐ 03 10 - 15 FT ☐ 04 OVER 15 FT.

68. PERSON/OBJECT STRUCK AS RESULT OF THE DISCHARGE OF MEMBERS WEAPON	69. POSITION OF MEMBER DISCHARGING WEAPON
☐ 01 PERSON ☐ 02 OBJECT ☐ 03 BOTH ☐ 04 UNKNOWN	☐ 01 STANDING ☐ 02 LYING DOWN ☐ 03 SITTING ☐ 04 KNEELING ☐ 05 OTHER (SPECIFY)

CASE INFO. 72.

NOTIFICATIONS (OC OR TASER INCIDENT): ☐ OEMC ☐ DSS & LT./DIST. OF OCCUR. ☐ CPIC

NOTIFICATIONS (FIREARM INCIDENT): ☐ OEMC ☐ DSS/DIST. OF OCCUR & OCIC ☐ CPIC ☐ DET. DIV.

Members will ensure that all required notifications and all witnesses to this use of force are documented in the appropriate case report.

71. R.D. NO. HX475653

SIGNATURES

73. REPORTING MEMBER (Print Name)	STAR/EMPLOYEE NO.	SIGNATURE
WALSH, JOSEPH J 21-OCT-2014 05:04:40	12865 [redacted]	[redacted]

Reviewing supervisor will ensure the legibility and completeness of this report and attest by entering the required information below.

74. REVIEWING SUPERVISOR (Print Name)	STAR NO.	SIGNATURE	DATE REVIEWED	TIME
FRANKO, STEPHEN D	1381	[redacted]	21-OCT-2014	05:07:32

CB 377 (REV. 10/07)

LIEUTENANT OR ABOVE/OCIC REVIEW

THE ON-CALL INCIDENT COMMANDER (OCIC) WILL COMPLETE THE REVIEW SECTION FOR 1.) ALL INCIDENTS INVOLVING THE DISCHARGE OF A FIREARM BY A DEPARTMENT MEMBER; 2.) ALL INCIDENTS INVOLVING THE SERIOUS INJURY OR DEATH OF A MEMBER OF THE PUBLIC SUBSEQUENT TO INTERACTIONS WITH A DEPARTMENT MEMBER; 3.) ANY LESSER USE OF FORCE BY A DEPARTMENT MEMBER WHEN THAT USE OF FORCE STEMS FROM THE SAME INCIDENT DESCRIBED HERE IN 1 OR 2.

THE ASSIGNED INVESTIGATING SUPERVISOR THE RANK OF LIEUTENANT OR ABOVE FROM THE DISTRICT OF OCCURRENCE WILL COMPLETE THE REVIEW SECTION FOR ALL OTHER INCIDENTS.

75. SUBJECT'S STATEMENT REGARDING THE USE OF FORCE ☐ DNA ☐ REFUSED ☒ UNABLE TO INTERVIEW (Specify Reason)

Subject is deceased.

76. LIEUTENANT OR ABOVE/OCIC RATIONALE FOR BOX 77 FINDING

Officer Walsh's actions were in compliance with the Department's use of force policy.

77. LIEUTENANT OR ABOVE/OCIC FINDING BASED UPON CURRENTLY AVAILABLE INFORMATION:

☒ I HAVE CONCLUDED THAT THE MEMBER'S ACTIONS WERE IN COMPLIANCE WITH DEPARTMENT PROCEDURES AND DIRECTIVES.

☐ I HAVE CONCLUDED THAT FURTHER INVESTIGATION IS REQUIRED.

LOG NO./CRNO. 1072125 OBTAINED

78. LIEUTENANT OR ABOVE/OCIC (Print Name)	SIGNATURE	DATE COMPLETED TIME
MC NAUGHTON, DAVID R	[redacted]	21-OCT-2014 05:12:27

79. DISTRIBUTION OF ORIGINAL TRR:

A TRR PACKET, INCLUDING THE TRR AND COPIES OF THE BELOW LISTED ATTACHMENTS WILL BE FORWARDED TO THE INDEPENDENT POLICE REVIEW AUTHORITY

ATTACHMENTS - PHOTOCOPIES OF:
☐ SUPPLEMENTARY REPORT ☐ I.O.D. REPORT
☐ CASE REPORT ☒ OFFICER BATTERY REPORT ☐ CR INITIATION REPORT
☐ ARREST REPORT ☐ TO-FROM-SUBJECT REPORTS FROM DEPARTMENT WITNESS(ES)

80. TOTAL TRR's THIS EVENT No. 2

OFFICER'S BATTERY REPORT
CHICAGO POLICE DEPARTMENT

RD NO. **HX475653**

INSTRUCTIONS: This form is to be completed for all incidents when: (1) a sworn member is the victim of a murder, aggravated battery, battery, aggravated assault, or assault while performing a police function either on-duty or off-duty, (2) a detention aide is the victim of a murder, aggravated battery, battery, aggravated assault, or assault while in the performance of his or her duties.

"X APPLICABLE BOXES"

OFFICER INFORMATION

NAME (LAST - FIRST - M.I.): **GAFFNEY, THOMAS J**

STAR NO.	POSITION
19958	POLICE OFFICER
DATE OF APPOINTMENT: 08-JUL-1996	EMPLOYEE NO.: [redacted]
UNIT OF ASSIGNMENT: 008	BEAT/CALL NO.: 0815R

SEX	RACE	DOB
☒ 1. M ☐ 2. F	WHITE	[redacted]

HEIGHT	WEIGHT
600	195

TYPE OF ASSIGNMENT WHEN BATTERY OCCURRED

☒ 1. ON DUTY
- ☒ A. UNIFORM, PATROL DUTY
- ☐ B. UNIFORM, OTHER DUTY — Describe _____
- ☐ C. CITIZEN'S DRESS
- ☐ D. TACTICAL
- ☐ E. B.I.S. UNIT
- ☐ F. SPECIAL EMPLOYMENT
- ☐ G. OTHER _____

☐ 2. OFF DUTY

☐ 3. SPECIAL EMPLOYMENT

☐ 4. SECONDARY / OTHER

WORKING:
- ☐ A. ALONE
- ☒ B. WITH ONE PARTNER
- ☐ C. WITH MULTIPLE PARTNERS — How many? _____

PATROL TYPE:
- ☒ A. SQUAD CAR
- ☐ B. FOOT
- ☐ C. BICYCLE
- ☐ D. APV/MOTORCYCLE
- ☐ E. SQUADROL
- ☐ F. OTHER _____

TYPE OF ACTIVITY

- ☐ A. AMBUSH -NO WARNING
- ☐ B. TRAFFIC STOP/PURSUIT
- ☐ C. INVESTIGATING SUSPICIOUS PERSON
- ☐ D. DISTURBANCE - DOMESTIC
- ☐ E. DISTURBANCE - MENTAL PATIENT
- ☐ F. DISTURBANCE - RIOT/MOB ACTION/CIVIL DISORDER
- ☐ G. DISTURBANCE - OTHER
- ☐ H. MAN WITH A GUN
- ☐ I. PURSUING/ARRESTING OFFENDER (Specify) CHARGE _____ IUCR CODE _____
- ☐ J. PROCESSING/TRANSPORTING/GUARDING A PRISONER (Specify ORIGINAL CHARGE _____ ORIGINAL IUCR CODE _____
- ☒ K. OTHER

TYPE OF INJURY TO OFFICER

- ☐ A. FATAL
- ☐ B. NON-FATAL - MAJOR INJURY (Broken Bones/Serious Lacerations/ Internal Injuries)
- ☐ C. NON-FATAL - MINOR INJURY (Bruises/Swelling/Minor Abrasions)
- ☒ D. NONE APPARENT/NONE

LIGHTING CONDITIONS AT INCIDENT

- ☐ A. DAYLIGHT
- ☐ B. NIGHT
- ☐ C. DAWN
- ☐ D. DUSK
- ☒ E. ARTIFICIAL LIGHT
  - ☐ 1. POOR
  - ☒ 2. GOOD

INCIDENT INFORMATION

☐ 1. INDOOR ☒ 2. OUTDOOR

ADDRESS OF OCCURRENCE: 4000 1/2 S KARLOV AVE

CITY	STATE (If outside Chicago)
☒ CHICAGO ☐	
LOCATION CODE: 304-STREET	BEAT OF OCCURRENCE: 0815

DATE OF OCCURRENCE	TIME	DAY OF WEEK
20-OCT-2014	21:56:00	MONDAY

NO. OF OFFICERS BATTERED: 3

WERE THERE ASSISTING UNITS ON SCENE? 1. ☒ YES 2. ☐ NO

IF YES HOW MANY ASSISTING OFFICERS WERE PRESENT AT TIME BATTERY (EXCLUDING YOU OR YOUR PARTNERS) ? 8

MANNER OF ATTACK

- ☐ 01. SHOT
- ☐ 02. SHOT AT
- ☒ 03. STABBED/CUT (INCLUDING ACTUAL ATTEMPT)
- ☐ 04. STRUCK/BLUNT FORCE (INCLUDING ACTUAL ATTEMPT)
- ☐ 05. OTHER (INCLUDING VERBAL THREATS)

TYPE OF WEAPON/THREAT

(Check all that apply):

- ☐ A. FIREARM CALIBER _____
  - ☐ 1. REVOLVER
  - ☐ 2. SEMI-AUTOMATIC
  - ☐ 3. RIFLE
  - ☐ 4. SHOTGUN
- ☐ B. VEHICLE
  - ☐ 1. OFFICER STRUCK WITH VEHICLE
  - ☐ 2. ATTEMPTED TO STRIKE OFFICER WITH VEHICLE
- ☒ C. KNIFE/OTHER CUTTING INSTRUMENT
- ☐ D. HANDS/FISTS
- ☐ E. FEET
- ☐ F. MOUTH (SPIT, BITE, ETC.)
- ☐ G. VERBAL THREAT (ASSAULT)
- ☒ H. OTHER (SPECIFY) /SWINGING KNIFE
- ☐ I. BLUNT INSTRUMENT

FIREARM USE INFORMATION (Check all that apply):
- ☐ A. OFFICER AT GUNPOINT
- ☐ B. OFFICER'S OWN WEAPON OBTAINED
- ☐ C. ATTEMPTED TO OBTAIN OFFICER'S OWN WEAPON

OFFENDER INFORMATION

SEX	RACE	DOB
☒ 1. M ☐ 2. F	BLACK	25-SEP-1997

CB NO.	IR NO.

WAS THE OFFENDER'S ACTIVITY:

DRUG RELATED?	GANG RELATED?
☐ 1. YES	☐ 1. YES
☐ 2. NO	☐ 2. NO
☒ 3. UNKNOWN	☒ 3. UNKNOWN

NO. OF OFFENDERS PRESENT? 1

WEATHER CONDITIONS

- ☒ A. CLEAR
- ☐ B. RAIN
- ☐ C. SNOW
- ☐ D. FOG / SMOKE / HAZE
- ☐ E. SLEET / HAIL
- ☐ F. SEVERE CROSS WIND
- ☐ G. OTHER

APPROXIMATE OUTDOOR TEMPERATURE: 50 °F

CPD-11.451 (REV. 1/04)

Unusual Circumstances Regarding Officer Control Tactics and Safety: (If you need more space use additional sheets).

REPORTING MEMBER - SIGNATURE	STAR NO.	WATCH COMMANDER /UNIT COMMANDING OFFICER- SIGNATURE	STAR NO.
GAFFNEY, THOMAS J	19958 [redacted]	MC NAUGHTON, DAVID R	120 [redacted]

CPD-11.451 (REV. 1/04)

TACTICAL RESPONSE REPORT/Chicago Police Department

1. DATE OF INCIDENT	TIME	2. ADDRESS OF OCCURRENCE	3. LOCATION CODE	4. BEAT/OCCUR
20-OCT-2014	21:56:00	4000 1/2 S KARLOV AVE CHICAGO, IL 60632	304	0815

MEMBER INVOLVED

5. POSITION	6. LAST NAME	7. FIRST NAME	8. STAR NO.	9. SEX	10. RACE CODE	11. AGE	12. HT.	13. WT.
9161	GAFFNEY	THOMAS J	19958	☒ 01 M ☐ 02 F	WHI	[redacted]	600	195

14. DATE OF APPT	15. EMPLOYEE NO.	16. UNIT & BEAT OF ASSIGNMENT	17. DUTY STATUS	18. MEMBER INJURED?	19. MEMBER IN UNIFORM?
08-JUL-1996	[redacted]	008 0815R	☒ 01 On ☐ 02 Off	☐ 01 Yes ☒ 02 No	☒ 01 Yes ☐ 02 No

SUBJECT INFORMATION ☐ DNA

20. LAST NAME	21. FIRST NAME	22. M.I.	23. SEX	24. RACE	25. D.O.B.	26. HT.	27. WT.
MCDONALD	LEQUAN	J	☒ 01 M ☐ 02 F	BLK	25-SEP-1997	601	185

28. ADDRESS	29. TELEPHONE NO.	30. WAS SUBJECT ARMED? KNIFE/OTHER CUTTING INSTRUMENT, OTHER (SPECIFY)	31. SUBJECT INJURED?	32. SUBJECT ALLEGED INJURY?
[redacted]		☒ 01 Yes ☐ 02 No	☒ 01 Yes ☐ 02 No	☐ 01 Yes ☒ 02 No

33. WHERE WAS MEDICAL TREATMENT OBTAINED?

34. BY WHOM? DR PITZEL

35. CONDITION ☐ 01 Apparently Normal ☐ 02 Under Influence ☒ 03 Hospitalized ☐ 04 Not Hospitalized ☐ 05 Refused Medical Aid

36. CHARGES PLACED ☐ DNA

37. CB NO. IR NO. ☐ DNA

REASON FOR USE OF FORCE (Check all that apply) 38. ☐ DNA

	PASSIVE RESISTER	ACTIVE RESISTER	ASSAILANT:ASSAULT	ASSAILANT:BATTERY	ASSAILANT:DEADLY FORCE
SUBJECT'S ACTIONS	DID NOT FOLLOW VERBAL DIRECTION ☒ STIFFENED (DEAD WEIGHT) ☐ OTHER	FLED ☐ PULLED AWAY ☐ OTHER	IMMINENT THREAT OF BATTERY ☒ OTHER	ATTACK WITH WEAPON ☒ ATTACK WITHOUT WEAPON ☐ OTHER	USES FORCE LIKELY TO CAUSE DEATH OR GREAT BODILY HARM ☒ WEAPON ☒ OTHER

MEMBER'S RESPONSE				
MEMBER PRESENCE ☒	OPEN HAND STRIKE ☐	ELBOW STRIKE ☐	KNEE STRIKE ☐	FIREARM ☐
VERBAL COMMANDS ☐	TAKE DOWN / EMERGENCY HANDCUFFING ☐	CLOSED HAND STRIKE/PUNCH ☐	KICKS ☐	OTHER
ESCORT HOLDS ☐	OC CHEMICAL WEAPON ☐	IMPACT WEAPON (Describe in Box 40) ☐	IMPACT MUNITION (Describe in Box 40) ☐	
WRISTLOCK ☐	CANINE ☐	OTHER		
ARMBAR ☐	TASER (Probe Discharge) ☐			
PRESSURE SENSITIVE AREAS ☐	TASER (Contact Stun) ☐			
CONTROL INSTRUMENT ☐	TASER (Laser Targeted) ☐			
OC/CHEMICAL WEAPON W/AUTHORIZATION ☐	TASER (Spark Displayed) ☐			
OTHER	OTHER			

WEAPON DISCHARGE INCIDENT 39. ☒ DNA

* OC/CHEMICAL WEAPON AUTHORIZED BY (NAME)	POSITION	STAR NO.	UNIT

40. ADDITIONAL INFORMATION: SUBJECT ARMED WITH KNIFE

41. WEAPON TYPE	42. INCIDENT OCCURRED	43. LIGHTING CONDITIONS	44. WEATHER CONDITIONS
☐ 01 REVOLVER ☐ 04 SEMI-AUTO PISTOL ☐ 02 RIFLE ☐ 05 CHEMICAL WEAPON ☐ 03 SHOTGUN ☐ 06 TASER (Probe Discharge) ☐ 07 OTHER	☐ Indoors ☒ Outdoors	☐ 02 Night ☐ 03 Dawn ☐ 04 Dusk ☐ 05 Poor Artificial ☒ 06 Good Artificial ☐ 01 Daylight	CLEAR

45. MAKE/MANUFACTURER	46. MODEL	47. BARREL LENGTH	48. CALIBER/GAUGE

49. TASER DART ID NO.	50. WEAPON SERIAL No. (Include Letters)	51. CHICAGO GUN REG. NO.	52. IL FIREARM OWNER ID. NO.	53. HANDGUN CERTIFICATE NO.

54. SPECIAL WEAPON CERTIFICATE NO.	55. PROPERTY INVENTORY NO.	56. TYPE OF AMMUNITION USED	57. NO. OF WEAPONS DISCHARGED BY THIS MEMBER	58. TOTAL NO. OF SHOTS MEMBER FIRED

59. WHO FIRED FIRST SHOT	60. WAS FIREARM RELOADED DURING INCIDENT	61. NO OF CARTRIDGES/ SHOT SHELLS RELOADED	62. HOW WAS MEMBER'S HANDGUN WORN	70. EVENT NO.
☐ 01 MEMBER ☐ 02 OFFENDER ☐ 03 OTHER (SPECIFY)	☐ 01 YES ☐ 02 NO		☐ 01 RT. SIDE (WAIST) ☐ 02 LT. SIDE (WAIST) ☐ 03 OTHER (Specify)	1429315878

63. HOW WAS MEMBER'S HANDGUN DRAWN	64. SPECIFY METHOD/EQUIPMENT USED TO RELOAD	65. DID MEMBER USE SIGHTS
☐ 01 STRONG SIDE DRAW ☐ 02 CROSS DRAW ☐ 03 OTHER (Specify)		☐ 01 YES ☐ 02 NO

66. DESCRIBE PROTECTIVE COVER USED (LIGHT POLES, DOORWAYS, CAR, FURNITURE, ETC)	67. DISTANCE BETWEEN INVOLVED MEMBER & OFFENDER WHEN FIRST SHOT WAS FIRED
	☐ 01 0 - 05 FT. ☐ 02 05 - 10 FT. ☐ 03 10 - 15 FT. ☐ 04 OVER 15 FT.

68. PERSON/OBJECT STRUCK AS RESULT OF THE DISCHARGE OF MEMBERS WEAPON	69. POSITION OF MEMBER DISCHARGING WEAPON
☐ 01 PERSON ☐ 02 OBJECT ☐ 03 BOTH ☐ 04 UNKNOWN	☐ 01 STANDING ☐ 02 LYING DOWN ☐ 03 SITTING ☐ 04 KNEELING ☐ 05 OTHER (SPECIFY)

CASE INFO. 72.

NOTIFICATIONS (OC OR TASER INCIDENT): ☐ OEMC ☐ DSS & LT./DIST. OF OCCUR. ☐ CPIC

NOTIFICATIONS (FIREARM INCIDENT): ☐ OEMC ☐ DSS/DIST. OF OCCUR & OCIC ☐ CPIC ☐ DET. DIV.

Members will ensure that all required notifications and all witnesses to this use of force are documented in the appropiate case report.

71. R.D. NO. HX475653

SIGNATURES

73. REPORTING MEMBER (Print Name)	STAR/EMPLOYEE NO	SIGNATURE
GAFFNEY, THOMAS J 21-OCT-2014 05:15:34	19958 [redacted]	[redacted]

Reviewing supervisor will ensure the legibility and completeness of this report and attest by entering the required information below.

74. REVIEWING SUPERVISOR (Print Name)	STAR NO.	SIGNATURE	DATE REVIEWED TIME
FRANKO, STEPHEN D	1381	[redacted]	21-OCT-2014 05:17:15

11.3.7 (REV. 10/07)

LIEUTENANT OR ABOVE/OCIC REVIEW

THE ON-CALL INCIDENT COMMANDER (OCIC) WILL COMPLETE THE REVIEW SECTION FOR 1.) ALL INCIDENTS INVOLVING THE DISCHARGE OF A FIREARM BY A DEPARTMENT MEMBER; 2.) ALL INCIDENTS INVOLVING THE SERIOUS INJURY OR DEATH OF A MEMBER OF THE PUBLIC SUBSEQUENT TO INTERACTIONS WITH A DEPARTMENT MEMBER; 3.) ANY LESSER USE OF FORCE BY A DEPARTMENT MEMBER WHEN THAT USE OF FORCE STEMS FROM THE SAME INCIDENT DESCRIBED HERE IN 1 OR 2.

THE ASSIGNED INVESTIGATING SUPERVISOR THE RANK OF LIEUTENANT OR ABOVE FROM THE DISTRICT OF OCCURRENCE WILL COMPLETE THE REVIEW SECTION FOR ALL OTHER INCIDENTS

75. SUBJECT'S STATEMENT REGARDING THE USE OF FORCE ☐ ONA ☐ REFUSED ☒ UNABLE TO INTERVIEW (Specify Reason)

Subject is deceased.

76. LIEUTENANT OR ABOVE/OCIC RATIONALE FOR BOX 77 FINDING

Officer Gaffney's actions were in compliance with the Department's Use of Force policy.

77. LIEUTENANT OR ABOVE/OCIC FINDING BASED UPON CURRENTLY AVAILABLE INFORMATION:

☒ I HAVE CONCLUDED THAT THE MEMBER'S ACTIONS WERE IN COMPLIANCE WITH DEPARTMENT PROCEDURES AND DIRECTIVES.

☐ I HAVE CONCLUDED THAT FURTHER INVESTIGATION IS REQUIRED.

LOG NO./CRNO. 1072125 OBTAINED

78. LIEUTENANT OR ABOVE/OCIC (Print Name)	SIGNATURE	DATE COMPLETED TIME
MC NAUGHTON, DAVID R	[redacted]	21-OCT-2014 05:20:49

79. DISTRIBUTION OF ORIGINAL TRR

A TRR PACKET, INCLUDING THE TRR AND COPIES OF THE BELOW LISTED ATTACHMENTS WILL BE FORWARDED TO THE INDEPENDENT POLICE REVIEW AUTHORITY.

ATTACHMENTS - PHOTOCOPIES OF:
☐ CASE REPORT ☐ ARREST REPORT ☐ SUPPLEMENTARY REPORT ☒ OFFICER BATTERY REPORT ☐ TO-FROM-SUBJECT REPORTS FROM DEPARTMENT WITNESS(ES) ☐ I.O.D. REPORT ☐ CR INITIATION REPORT

80. TOTAL TRR's THIS EVENT No. 3

OFFICER'S BATTERY REPORT
CHICAGO POLICE DEPARTMENT

RD NO. **HX475653**

INSTRUCTIONS: This form is to be completed for all incidents when: (1) a sworn member is the victim of a murder, aggravated battery, battery, aggravated assault, or assault while performing a police function either on-duty or off-duty, (2) a detention aide is the victim of a murder, aggravated battery, battery, aggravated assault, or assault while in the performance of his or her duties.

"X APPLICABLE BOXES"

OFFICER INFORMATION

NAME (LAST - FIRST - M.I.): **WALSH, JOSEPH J**

STAR NO.	POSITION
12865	POLICE OFFICER
DATE OF APPOINTMENT: 29-JUN-1998	EMPLOYEE NO.: [redacted]
UNIT OF ASSIGNMENT: 008	BEAT/CALL NO.: 0845R

SEX	RACE	DOB
☒ 1. M ☐ 2. F	WHITE	[redacted]

HEIGHT	WEIGHT
600	190

TYPE OF ASSIGNMENT WHEN BATTERY OCCURRED

☒ 1. ON DUTY
- ☒ A. UNIFORM, PATROL DUTY
- ☐ B. UNIFORM, OTHER DUTY — Describe _____
- ☐ C. CITIZEN'S DRESS
- ☐ D. TACTICAL
- ☐ E. B.I.S. UNIT
- ☐ F. SPECIAL EMPLOYMENT
- ☐ G. OTHER _____

☐ 2. OFF DUTY

☐ 3. SPECIAL EMPLOYMENT

☐ 4. SECONDARY / OTHER

WORKING:
- ☐ A. ALONE
- ☒ B. WITH ONE PARTNER
- ☐ C. WITH MULTIPLE PARTNERS — How many? _____

PATROL TYPE:
- ☒ A. SQUAD CAR
- ☐ B. FOOT
- ☐ C. BICYCLE
- ☐ D. APV/MOTORCYCLE
- ☐ E. SQUADROL
- ☐ F. OTHER _____

TYPE OF ACTIVITY

- ☐ A. AMBUSH -NO WARNING
- ☐ B. TRAFFIC STOP/PURSUIT
- ☐ C. INVESTIGATING SUSPICIOUS PERSON
- ☐ D. DISTURBANCE - DOMESTIC
- ☐ E. DISTURBANCE - MENTAL PATIENT
- ☐ F. DISTURBANCE - RIOT/MOB ACTION/CIVIL DISORDER
- ☐ G. DISTURBANCE - OTHER
- ☐ H. MAN WITH A GUN
- ☐ I. PURSUING/ARRESTING OFFENDER (Specify) CHARGE _____ IUCR CODE _____
- ☐ J. PROCESSING/TRANSPORTING/GUARDING A PRISONER (Specify ORIGINAL CHARGE _____ ORIGINAL IUCR CODE _____
- ☒ K. OTHER

TYPE OF INJURY TO OFFICER

- ☐ A. FATAL
- ☐ B. NON-FATAL - MAJOR INJURY (Broken Bones/Serious Lacerations/ Internal Injuries)
- ☐ C. NON-FATAL - MINOR INJURY (Bruises/Swelling/Minor Abrasions)
- ☒ D. NONE APPARENT/NONE

LIGHTING CONDITIONS AT INCIDENT

- ☐ A. DAYLIGHT
- ☐ B. NIGHT
- ☐ C. DAWN
- ☐ D. DUSK
- ☒ E. ARTIFICIAL LIGHT
  - ☐ 1. POOR
  - ☒ 2. GOOD

INCIDENT INFORMATION

☐ 1. INDOOR ☒ 2. OUTDOOR

ADDRESS OF OCCURRENCE: **4112 S PULASKI RD**

CITY	STATE (If outside Chicago)
☒ CHICAGO ☐	

LOCATION CODE	BEAT OF OCCURRENCE
304-STREET	0815

DATE OF OCCURRENCE	TIME	DAY OF WEEK
20-OCT-2014	21:57:00	MONDAY

NO. OF OFFICERS BATTERED: 3

WERE THERE ASSISTING UNITS ON SCENE? 1. ☒ YES 2. ☐ NO

IF YES HOW MANY ASSISTING OFFICERS WERE PRESENT AT TIME BATTERY (EXCLUDING YOU OR YOUR PARTNERS) ? 8

MANNER OF ATTACK

- ☐ 01. SHOT
- ☐ 02. SHOT AT
- ☒ 03. STABBED/CUT (INCLUDING ACTUAL ATTEMPT)
- ☐ 04. STRUCK/BLUNT FORCE (INCLUDING ACTUAL ATTEMPT)
- ☐ 05. OTHER (INCLUDING VERBAL THREATS)

TYPE OF WEAPON/THREAT

(Check all that apply):

- ☐ A. FIREARM CALIBER _____
  - ☐ 1. REVOLVER
  - ☐ 2. SEMI-AUTOMATIC
  - ☐ 3. RIFLE
  - ☐ 4. SHOTGUN
- ☐ B. VEHICLE
  - ☐ 1. OFFICER STRUCK WITH VEHICLE
  - ☐ 2. ATTEMPTED TO STRIKE OFFICER WITH VEHICLE
- ☐ C. KNIFE/OTHER CUTTING INSTRUMENT
- ☐ D. HANDS/FISTS
- ☐ E. FEET
- ☐ F. MOUTH (SPIT, BITE, ETC.)
- ☐ G. VERBAL THREAT (ASSAULT)
- ☒ H. OTHER (SPECIFY) /SWINGING KNIFE
- ☐ I. BLUNT INSTRUMENT

FIREARM USE INFORMATION (Check all that apply):
- ☐ A. OFFICER AT GUNPOINT
- ☐ B. OFFICER'S OWN WEAPON OBTAINED
- ☐ C. ATTEMPTED TO OBTAIN OFFICER'S OWN WEAPON

OFFENDER INFORMATION

SEX	RACE	DOB
☒ 1. M ☐ 2. F	BLACK	25-SEP-1997

CB NO.	IR NO.

WAS THE OFFENDER'S ACTIVITY:

DRUG RELATED?	GANG RELATED?
☐ 1. YES	☐ 1. YES
☐ 2. NO	☐ 2. NO
☒ 3. UNKNOWN	☒ 3. UNKNOWN

NO. OF OFFENDERS PRESENT? 1

WEATHER CONDITIONS

- ☒ A. CLEAR
- ☐ B. RAIN
- ☐ C. SNOW
- ☐ D. FOG / SMOKE / HAZE
- ☐ E. SLEET / HAIL
- ☐ F. SEVERE CROSS WIND
- ☐ G. OTHER

APPROXIMATE OUTDOOR TEMPERATURE: 50 °F

CPD-11.451 (REV. 1/04)

Unusual Circumstances Regarding Officer Control Tactics and Safety: (If you need more space use additional sheets).

REPORTING MEMBER - SIGNATURE	STAR NO.	WATCH COMMANDER /UNIT COMMANDING OFFICER- SIGNATURE	STAR NO.
WALSH, JOSEPH J	12865	MC NAUGHTON, DAVID R	120

CPD-11.451 (REV. 1/04)

TACTICAL RESPONSE REPORT/Chicago Police Department

MEMBER INVOLVED

1. DATE OF INCIDENT	TIME	2. ADDRESS OF OCCURRENCE	3. LOCATION CODE	4. BEAT/OCCUR
20-OCT-2014	21:57:00	4112 S PULASKI RD CHICAGO, IL 60632	304	0815

5. POSITION	6. LAST NAME	7. FIRST NAME	8. STAR NO.	9. SEX	10. RACE CODE	11. AGE	12. HT.	13. WT.
9161	WALSH	JOSEPH J	12865	☒ 01 M ☐ 02 F	WHI	[redacted]	600	190

14. DATE OF APPT.	15. EMPLOYEE NO.	16. UNIT & BEAT OF ASSIGNMENT	17. DUTY STATUS	18. MEMBER INJURED?	19. MEMBER IN UNIFORM?
29-JUN-1998	[redacted]	008 0845R	☒ 01 On ☐ 02 Off	☐ 01 Yes ☒ 02 No	☒ 01 Yes ☐ 02 No

SUBJECT INFORMATION ☐ DNA

20. LAST NAME	21. FIRST NAME	22. MI	23. SEX	24. RACE	25. D.O.B.	26. HT.	27. WT.
MCDONALD	LEQUAN	J	☒ 01 M ☐ 02 F	BLK	25-SEP-1997	601	185

28. ADDRESS	29. TELEPHONE NO.	30. WAS SUBJECT ARMED? OTHER (SPECIFY)	31. SUBJECT INJURED?	32. SUBJECT ALLEGED INJURY?
[redacted] IL 60637		☒ 01 Yes ☐ 02 No	☒ 01 Yes ☐ 02 No	☐ 01 Yes ☒ 02 No

33. WHERE WAS MEDICAL TREATMENT OBTAINED?	34. BY WHOM?	35. CONDITION
	DR. PITZEL	☒ 03 Hospitalized ☐ 01 Apparently Normal ☐ 02 Under Influence ☐ 04 Not Hospitalized ☐ 05 Refused Medical Aid

36. CHARGES PLACED ☐ DNA | 37. CB NO. | IR NO. ☐ DNA

REASON FOR USE OF FORCE (Check all that apply) 38. ☐ DNA

	PASSIVE RESISTER	ACTIVE RESISTER	ASSAILANT: ASSAULT	ASSAILANT: BATTERY	ASSAILANT: DEADLY FORCE
SUBJECT'S ACTIONS	DID NOT FOLLOW VERBAL DIRECTION ☒ STIFFENED (DEAD WEIGHT) ☐ OTHER	FLED ☐ PULLED AWAY ☐ OTHER	IMMINENT THREAT OF BATTERY ☒ OTHER	ATTACK WITH WEAPON ☒ ATTACK WITHOUT WEAPON ☐ OTHER	USES FORCE LIKELY TO CAUSE DEATH OR GREAT BODILY HARM ☒ WEAPON ☒ OTHER

MEMBER'S RESPONSE				
MEMBER PRESENCE ☒	OPEN HAND STRIKE ☐	ELBOW STRIKE ☐	KNEE STRIKE ☐	FIREARM ☐
VERBAL COMMANDS ☒	TAKE DOWN / EMERGENCY HANDCUFFING ☐	CLOSED HAND STRIKE/PUNCH ☐	KICKS ☐	OTHER
ESCORT HOLDS ☐	OC CHEMICAL WEAPON ☐	IMPACT WEAPON (Describe in Box 40) ☐	IMPACT MUNITION (Describe in Box 40) ☐	
WRISTLOCK ☐	CANINE ☐			
ARMBAR ☐	TASER (Probe Discharge) ☐			
PRESSURE SENSITIVE AREAS ☐	TASER (Contact Stun) ☐			
CONTROL INSTRUMENT ☐	TASER (Laser Targeted) ☐			
OC/CHEMICAL WEAPON W/AUTHORIZATION ☐	TASER (Spark Displayed) ☐	OTHER		
OTHER	OTHER			

WEAPON DISCHARGE INCIDENT 39. ☒ DNA

* OC/CHEMICAL WEAPON AUTHORIZED BY (NAME)	POSITION	STAR NO.	UNIT

40. ADDITIONAL INFORMATION: **OFFENDER ARMED WITH KNIFE.**

41. WEAPON TYPE	42. INCIDENT OCCURRED	43. LIGHTING CONDITIONS	44. WEATHER CONDITIONS
☐ 01 REVOLVER ☐ 04 SEMI-AUTO PISTOL ☐ 02 RIFLE ☐ 05 CHEMICAL WEAPON ☐ 03 SHOTGUN ☐ 06 TASER (Probe Discharge) ☐ 07 OTHER	☐ Indoors ☒ Outdoors	☐ 02 Night ☐ 03 Dawn ☐ 04 Dusk ☐ 05 Poor Artificial ☒ 06 Good Artificial	CLEAR

45. MAKE/MANUFACTURER	46. MODEL	47. BARREL LENGTH	48. CALIBER/GAUGE

49. TASER DART ID NO.	50. WEAPON SERIAL No. (Include Letters)	51. CHICAGO GUN REG. NO.	52. IL FIREARM OWNER ID. NO.	53. HANDGUN CERTIFICATE NO.

54. SPECIAL WEAPON CERTIFICATE NO.	55. PROPERTY INVENTORY NO.	56. TYPE OF AMMUNITION USED	57 NO. OF WEAPONS DISCHARGED BY THIS MEMBER	58. TOTAL NO. OF SHOTS MEMBER FIRED

59. WHO FIRED FIRST SHOT	60. WAS FIREARM RELOADED DURING INCIDENT	61. NO OF CATDRIDGES/ SHOT SHELLS RELOADED	62. HOW WAS MEMBER'S HANDGUN WORN	70. EVENT NO.
☐ 01 MEMBER ☐ 02 OFFENDER ☐ 03 OTHER (SPECIFY)	☐ 01 YES ☐ 02 NO		☐ 01 RT. SIDE (WAIST) ☐ 02 LT. SIDE (WAIST) ☐ 03 OTHER (Specify)	1429315878

63. HOW WAS MEMBER'S HANDGUN DRAWN	64. SPECIFY METHOD/EQUIPMENT USED TO RELOAD	65. DID MEMBER USE SIGHTS
☐ 01 STRONG SIDE DRAW ☐ 02 CROSS DRAW ☐ 03 OTHER (Specify)		☐ 01 YES ☐ 02 NO

66. DESCRIBE PROTECTIVE COVER USED (LIGHT POLES, DOORWAYS, CAR, FURNITURE, ETC)	67. DISTANCE BETWEEN INVOLVED MEMBER & OFFENDER WHEN FIRST SHOT WAS FIRED
	☐ 01 0 - 05 FT. ☐ 02 05 - 10 FT. ☐ 03 10 - 15 FT ☐ 04 OVER 15 FT.

68. PERSON/OBJECT STRUCK AS RESULT OF THE DISCHARGE OF MEMBERS WEAPON	69. POSITION OF MEMBER DISCHARGING WEAPON
☐ 01 PERSON ☐ 02 OBJECT ☐ 03 BOTH ☐ 04 UNKNOWN	☐ 01 STANDING ☐ 02 LYING DOWN ☐ 03 SITTING ☐ 04 KNEELING ☐ 05 OTHER (SPECIFY)

CASE INFO. 72.

NOTIFICATIONS (OC OR TASER INCIDENT): ☐ OEMC ☐ DSS & LT./DIST. OF OCCUR. ☐ CPIC

NOTIFICATIONS (FIREARM INCIDENT): ☐ OEMC ☐ DSS/DIST. OF OCCUR & OCIC ☐ CPIC ☐ DET. DIV.

Members will ensure that all required notifications and all witnesses to this use of force are documented in the appropriate case report.

71. R.D. NO. HX475653

SIGNATURES

73. REPORTING MEMBER (Print Name)	STAR/EMPLOYEE NO.	SIGNATURE
WALSH, JOSEPH J 21-OCT-2014 05:04:40	12865 [redacted]	[redacted]

Reviewing supervisor will ensure the legibility and completeness of this report and attest by entering the required information below.

74. REVIEWING SUPERVISOR (Print Name)	STAR NO.	SIGNATURE	DATE REVIEWED	TIME
FRANKO, STEPHEN D	1381	[redacted]	21-OCT-2014	05:07:32

CB 377 (REV. 10/07)

LIEUTENANT OR ABOVE/OCIC REVIEW

THE ON-CALL INCIDENT COMMANDER (OCIC) WILL COMPLETE THE REVIEW SECTION FOR 1.) ALL INCIDENTS INVOLVING THE DISCHARGE OF A FIREARM BY A DEPARTMENT MEMBER; 2.) ALL INCIDENTS INVOLVING THE SERIOUS INJURY OR DEATH OF A MEMBER OF THE PUBLIC SUBSEQUENT TO INTERACTIONS WITH A DEPARTMENT MEMBER; 3.) ANY LESSER USE OF FORCE BY A DEPARTMENT MEMBER WHEN THAT USE OF FORCE STEMS FROM THE SAME INCIDENT DESCRIBED HERE IN 1 OR 2.

THE ASSIGNED INVESTIGATING SUPERVISOR THE RANK OF LIEUTENANT OR ABOVE FROM THE DISTRICT OF OCCURRENCE WILL COMPLETE THE REVIEW SECTION FOR ALL OTHER INCIDENTS.

75. SUBJECT'S STATEMENT REGARDING THE USE OF FORCE ☐ DNA ☐ REFUSED ☒ UNABLE TO INTERVIEW (Specify Reason)

Subject is deceased.

76. LIEUTENANT OR ABOVE/OCIC RATIONALE FOR BOX 77 FINDING

Officer Walsh's actions were in compliance with the Department's use of force policy.

77. LIEUTENANT OR ABOVE/OCIC FINDING BASED UPON CURRENTLY AVAILABLE INFORMATION:

☒ I HAVE CONCLUDED THAT THE MEMBER'S ACTIONS WERE IN COMPLIANCE WITH DEPARTMENT PROCEDURES AND DIRECTIVES.

☐ I HAVE CONCLUDED THAT FURTHER INVESTIGATION IS REQUIRED.

LOG NO./CRNO. 1072125 OBTAINED

78. LIEUTENANT OR ABOVE/OCIC (Print Name)	SIGNATURE	DATE COMPLETED TIME
MC NAUGHTON, DAVID R	[redacted]	21-OCT-2014 05:12:27

79. DISTRIBUTION OF ORIGINAL TRR:

A TRR PACKET, INCLUDING THE TRR AND COPIES OF THE BELOW LISTED ATTACHMENTS WILL BE FORWARDED TO THE INDEPENDENT POLICE REVIEW AUTHORITY

ATTACHMENTS - PHOTOCOPIES OF:
☐ SUPPLEMENTARY REPORT ☐ I.O.D. REPORT
☐ CASE REPORT ☒ OFFICER BATTERY REPORT ☐ CR INITIATION REPORT
☐ ARREST REPORT ☐ TO-FROM-SUBJECT REPORTS FROM DEPARTMENT WITNESS(ES)

80. TOTAL TRR's THIS EVENT No. 2

Event # 1429315878

Type	Location	Date	Pri	DG	Svc Beat	Disp
HOLDCI	3999 W 41ST ST / 4099 S PULASKI RD	20-OCT-2014 21:47:07	1A	008	0821	0552

Source	Response Level	Caller	Phone
E	1	[redacted]	[redacted]

Address of Occurrence	Occ Beat
4100 S KILDARE BL	0815

Event Chronology

Date	Activity	Wkstn	Person	Text
20-OCT-2014 21:45:35	REC			
20-OCT-2014 21:47:07	ENTRY	PCT49	C549513	CallerLocation, CallerName have been changed.
20-OCT-2014 21:47:50	DSP	PD18	D560949	815R
20-OCT-2014 21:48:05	ACK	PMDT6024	PC0V821	815R
20-OCT-2014 21:53:27	CLOC	PD18	D560949	815R [40 KEELER]
20-OCT-2014 21:53:40	MISC	PD18	D560949	knife in hand need tzaer
20-OCT-2014 21:53:43	ASST	PD18	D560949	812
20-OCT-2014 21:53:45	MISC	PADM19	D112780	815R NEED TASER PERKNI [40 KEELER
20-OCT-2014 21:53:48	ACK	PMDT5805	PC0U318	812
20-OCT-2014 21:54:51	MISC	PD18	D560949	walking eb
20-OCT-2014 21:54:53	MISC	PADM19	D112780	15R --- WALKING EB
20-OCT-2014 21:55:08	MISC	PADM19	D112780	TOWARDS PULASKI ?
20-OCT-2014 21:56:14	MISC	PADM19	D108212	popped tire on car
20-OCT-2014 21:56:18	MISC	PD18	D560949	popped tire on car
20-OCT-2014 21:56:20	ASSTER	PADM19	D108212	845R
20-OCT-2014 21:56:22	AUTPRE	PD18	D560949	845R
20-OCT-2014 21:56:22	ASST	PD18	D560949	845R
20-OCT-2014 21:56:33	MISC	PADM19	D108212	by the burger king
20-OCT-2014 21:56:36	MISC	PD18	D560949	headed to bk
20-OCT-2014 21:56:43	MISC	PADM19	D108212	female says were here
20-OCT-2014 21:56:47	ASSTER	PADM19	D108212	821R
20-OCT-2014 21:56:49	AUTPRE	PD18	D560949	821R
20-OCT-2014 21:56:49	ASST	PD18	D560949	821R
20-OCT-2014 21:56:52	ASSTER	PADM19	D108212	841R
20-OCT-2014 21:56:55	AUTPRE	PD18	D560949	841R
20-OCT-2014 21:56:55	ASST	PD18	D560949	841R
20-OCT-2014 21:57:00	MISC	PD18	D560949	to pulaski
20-OCT-2014 21:57:30	MISC	PADM19	D108212	shtosf fired by cpd
20-OCT-2014 21:57:32	MISC	PD18	D560949	shots fired by police
20-OCT-2014 21:57:41	ASST	PD18	D560949	862C
20-OCT-2014 21:57:51	MISC	PD18	D560949	NEEDS EMS
20-OCT-2014 21:57:58	MISC	PD18	D560949	41 PULASKI
20-OCT-2014 21:58:38	MISC	PADM19	D108212	i 55 all of pulski shut down 45 th
20-OCT-2014 21:58:39	MISC	PD18	D560949	SHUT DOWN PULASKI I55 - 45TH ST
20-OCT-2014 21:58:57	MISC	PADM19	D108212	calling state shut down ramps
20-OCT-2014 21:59:04	MISC	PD18	D560949	41 PULASKI DIVERTING TRAFFIC @ 821R

Event # 1429315878

Event Chronology

Date	Activity	Wkstn	Person	Text
20-OCT-2014 21:59:21	MISC	PD18	D560949	821R COVERING SB
20-OCT-2014 21:59:22	DSP	PDT101	D543242	4603
20-OCT-2014 21:59:25	AUTPRE	PD18	D560949	812
20-OCT-2014 21:59:25	ASST	PD18	D560949	812
20-OCT-2014 21:59:35	CLOC	PD18	D560949	812 [43 PULASKI NB]
20-OCT-2014 21:59:43	MISC	PADM19	D108212	state nfy'd sb pulaski shut down from i 55
20-OCT-2014 21:59:44	ASST	PD18	D560949	823R
20-OCT-2014 21:59:49	ASST	PADM19	D108212	843
20-OCT-2014 21:59:54	CLOC	PADM19	D108212	843 [HOLDING I55 RAMP]
20-OCT-2014 22:00:00	CLOC	PD18	D560949	843 [I 55 PULASKI]
20-OCT-2014 22:00:01	ASST	PADM19	D108212	PH2
20-OCT-2014 22:00:09	ASST	PADM19	D108212	851R
20-OCT-2014 22:00:13	ACK	PMDT4691	PC0X830	851R
20-OCT-2014 22:00:26	AUTPRE	PD18	D560949	851R
20-OCT-2014 22:00:26	ASST	PD18	D560949	851R
20-OCT-2014 22:00:29	ACK	PMDT6416	PC0X832	4603
20-OCT-2014 22:00:30	MISC	PADM19	D108212	815R both ok ???
20-OCT-2014 22:00:36	MISC	PADM19	D108212	everyone is ok
20-OCT-2014 22:00:51	MISC	PADM19	D108212	slowdown
20-OCT-2014 22:00:53	MISC	PADM19	D108212	nm
20-OCT-2014 22:00:56	MISC	PADM19	D108212	slowdown
20-OCT-2014 22:00:59	MISC	PD18	D560949	SLOWDOWN
20-OCT-2014 22:01:06	ASST	PADM19	D108212	810R
20-OCT-2014 22:01:16	MISC	PADM19	D108212	810R to get info from officer fired weapon
20-OCT-2014 22:01:19	MISC	PD18	D560949	INFO REQUESTED
20-OCT-2014 22:01:22	MISC	PD18	D560949	NAME & STAR
20-OCT-2014 22:02:20	ASST	PADM19	D108212	811
20-OCT-2014 22:02:27	CLOC	PADM19	D108212	811 [TRAFK SB ON PULASKI]
20-OCT-2014 22:02:34	ASST	PADM19	D108212	833R
20-OCT-2014 22:02:40	CLOC	PADM19	D108212	833R [44TH/PULASKI NB PULASKI]
20-OCT-2014 22:03:00	MISC	PADM19	D108212	810R *9465
20-OCT-2014 22:03:21	CLEAR	PADM19	D108212	PH2
20-OCT-2014 22:04:10	MISC	PADM19	D108212	cut off nb pulaski @ 47th st
20-OCT-2014 22:04:13	ASST	PADM19	D108212	865
20-OCT-2014 22:04:15	ASST	PADM19	D108212	846
20-OCT-2014 22:04:19	MISC	PD18	D50696	CUT47TH ST N/B PULASKI
20-OCT-2014 22:04:23	CLOC	PADM19	D108212	846 [TRAFFK @ 47 PULASKI]
20-OCT-2014 22:04:26	MISC	PADM19	D108212	846 nb
20-OCT-2014 22:05:50	ACK	PMDT5311	PC0AE49	846
20-OCT-2014 22:06:14	ASST	PADM19	D108212	855
20-OCT-2014 22:06:24	CLOC	PADM19	D108212	855 [TRAFFIC NB 45TH/PUASKI]
20-OCT-2014 22:06:29	CLOC	PD18	D50696	855 [45TH /PULASKIN/B]

Event # 1429315878

Event Chronology

Date	Activity	Wkstn	Person	Text
20-OCT-2014 22:06:41	COPYT	PADM19	D108212	Copied To Event(s): #CPD1429316149
20-OCT-2014 22:07:19	MISC	PD18	D50696	CTA NFY TO REROUTE BUSES
20-OCT-2014 22:08:04	CLOC	PADM19	D108212	821R 845R 841R 862C 865 846 4603 812 823R 855 843 851R 810R 815R 833R 811 [41ST/PULASKI]
20-OCT-2014 22:08:26	MISC	PD18	D50696	OEMC WEIDERSTROM NFY
20-OCT-2014 22:09:14	ASSTER	PADM19	D108212	842
20-OCT-2014 22:09:47	MISC	PD18	D50696	CTA SUPV ON THE BRIDGE
20-OCT-2014 22:12:50	ASST	PADM19	D108212	865B
20-OCT-2014 22:12:53	ACK	PMDT4684	PC0Y103	865B
20-OCT-2014 22:15:01	ASST	PADM19	D108212	850
20-OCT-2014 22:15:16	MISC	PADM19	D108212	865 a21 leaving sceen w/offender
20-OCT-2014 22:15:22	PCCHNG	PADM19	D108212	Papercar changed from 815R to 841R
20-OCT-2014 22:15:28	CLOC	PADM19	D108212	841R [A21 W/OFFENDER]
20-OCT-2014 22:15:46	SUPP	PADM19	D108212	Remarks Added
20-OCT-2014 22:15:52	ASST	PADM19	D108212	800X
20-OCT-2014 22:15:53	ACK	PMDT4701	PC0W294	811
20-OCT-2014 22:15:56	ACK	PMDT5173	PC0E418	800X
20-OCT-2014 22:16:32	EVTMSG	PDT97		SHOTS FIRED BY POLICE OFFENDER POSSIBLY STRUCK NFI AT THIS TIME
20-OCT-2014 22:16:54	ENR	PMDT4701	PC0W294	811
20-OCT-2014 22:16:54	ONS	PMDT4701	PC0W294	811
20-OCT-2014 22:17:06	CLOC	PADM19	D108212	842 [FOLOWING A21 TO HOSPITAL]
20-OCT-2014 22:17:16	CLOCX	PADM19	D108212	842 [4100 S KILDARE BL]
20-OCT-2014 22:17:52	CLOC	PADM19	D108212	842 [A21 TO MT SINAI]
20-OCT-2014 22:17:54	CLOCX	PADM19	D108212	841R [4100 S KILDARE BL]
20-OCT-2014 22:19:00	REMINQ	PMDT5311	PC0AE49	846 Veh->LIC/[redacted] LIS/IL
20-OCT-2014 22:19:02	ACK	PMDT4681	PC0S756	850
20-OCT-2014 22:19:20	CLEAR	PADM19	D108212	812
20-OCT-2014 22:19:38	CLEAR	PMDT4701	PC0W294	811
20-OCT-2014 22:21:52	SUPP	PADM19	D108212	Remarks Added
20-OCT-2014 22:22:31	CLEAR	PMDT6416	PC0X832	4603
20-OCT-2014 22:23:24	ASSTOS	PADM19	D108212	813R
20-OCT-2014 22:24:47	ACK	PMDT4706	PC0W483	813R
20-OCT-2014 22:27:36	ACK	PMDT5808	PC0W480	862C
20-OCT-2014 22:33:18	GDISP	PADM19	D108212	841R D/5000
20-OCT-2014 22:33:37	CASERD	PADM19	D108212	RDG Report Number 841R $CPDHX475653 D/5000 By: D108212
20-OCT-2014 22:34:55	SUPP	PADM19	D108212	Remarks Added
20-OCT-2014 22:38:26	COPYT	PDTS103	D557395	Copied To Event(s): #CPD1429316573
20-OCT-2014 22:38:51	MISC	PADM19	D108212	821R has the bus driver unk if supv is on scene

Event # 1429315878

Event Chronology

Date	Activity	Wkstn	Person	Text
20-OCT-2014 22:41:47	SUPP	PADM19	D108212	Remarks Added
20-OCT-2014 22:47:25	ASSTOS	PADM19	D108212	822
20-OCT-2014 22:47:33	ACK	PMDT4677	PC0AD53	822
20-OCT-2014 22:47:38	CLEAR	PMDT4681	PC0S756	850
20-OCT-2014 22:49:01	SUPP	PDT97	D382563	Remarks Added
20-OCT-2014 22:49:03	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted] LIS/IL
20-OCT-2014 22:49:49	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted]5 LIS/IL
20-OCT-2014 22:50:03	CLOC	PADM19	D108212	846 [44TH/PULASK > 53RD/PULASKI]
20-OCT-2014 22:51:08	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL
20-OCT-2014 22:54:30	COPYT	PADM19	D108212	Copied To Event(s): #CPD1429316783
20-OCT-2014 22:55:16	TCMPL	PADM19	D108212	846 , 783
20-OCT-2014 22:56:18	MISC	PADM19	D108212	5169-
20-OCT-2014 22:59:35	MISC	PADM19	D108212	843 tell officers fop guys are there
20-OCT-2014 23:00:29	GDISP	PADM19	D108212	841R D/0552
20-OCT-2014 23:01:29	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:01:45	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:05:27	SUPP	PADM19	D108212	Remarks Added
20-OCT-2014 23:06:21	CHNG	PADM19	D108212	Location: 4100 S KILDARE BL ==> 3999 W 41ST ST / 4099 S PULASKI RD;X Streets: 4100 BL S /4301 BL W 41ST ST ==> / ;LocCmt: BY UNITED RENTAL ==> BY UNITED RENTAL & BURGER KING;Atom: 815 ==> 821;RespArea: 815 ==> 821;RespGroup:815 ==> 821;
20-OCT-2014 23:08:50	REMINQ	PMDT5311	PC0AE49	846 Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:10:09	REMINQ	PMDT4751	PC0X185	841R Per->NAM/[redacted]J DOB[redacted] SEX/M DLS/IL
20-OCT-2014 23:10:09	REMINQ	PMDT4751	PC0X185	841R Per->NAM/[redacted] SEX/M SID/[redacted] DLS/IL
20-OCT-2014 23:10:16	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:11:31	CLEAR	PMDT5311	PC0AE49	846
20-OCT-2014 23:18:57	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted] LIS/IL
20-OCT-2014 23:22:10	REMINQ	PMDT4684	PC0Y103	865B Per->DLN[redacted] DLS/IL
20-OCT-2014 23:22:43	SUPP	PADM19	D108212	Remarks Added
20-OCT-2014 23:23:00	REMINQ	PMDT4684	PC0Y103	865B Per->DBId/54537
20-OCT-2014 23:29:50	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:30:06	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:31:49	REMINQ	PMDT4534	PC0T089	833R Per->DLN/[redacted] DLS/IL
20-OCT-2014 23:35:59	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted] LIS/IL
20-OCT-2014 23:39:23	REMINQ	PMDT4684	PC0Y103	865B Per->DLN/[redacted] DLS/IL

Event # 1429315878

Event Chronology

Date	Activity	Wkstn	Person	Text
20-OCT-2014 23:43:55	CLEAR	PADM19	D108212	822
20-OCT-2014 23:45:30	ENR	PMDT4751	PC0X185	841R
20-OCT-2014 23:50:50	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted] LIS/IL
20-OCT-2014 23:54:43	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted] LIS/IL
21-OCT-2014 00:09:01	CLEAR	PD18	D50696	862C
21-OCT-2014 00:11:37	CLOC	PADM19	D108212	842 [MT SINAI NEEDS RELIEF]
21-OCT-2014 00:18:09	ASST	PD18	D50696	846R
21-OCT-2014 00:18:25	CLOC	PD18	D50696	846R [MT SINAI W/PRISONER]
21-OCT-2014 00:18:31	ACK	PMDT4685	PC0AK48	846R
21-OCT-2014 00:20:40	CLOC	PADM19	D108212	843 [I55 @ PULASKI TRAFK CONTROL --- RELIEF]
21-OCT-2014 00:27:54	ASST	PD18	D50696	824R
21-OCT-2014 00:27:58	ACK	PMDT4683	PC0T069	824R
21-OCT-2014 00:28:11	CLOC	PD18	D50696	824R [I55 @ PULASKI- TRAFK ON RAMP]
21-OCT-2014 00:31:16	REMINQ	PMDT4683	PC0T069	824R Veh->LIC/[redacted] LIS/IL LIT/ZZ
21-OCT-2014 00:45:40	CLEAR	PADM19	D108212	843
21-OCT-2014 00:55:22	REMINQ	PMDT4534	PC0T089	833R Veh->LIC/[redacted] LIS/IL
21-OCT-2014 00:58:06	REMINQ	PMDT4534	PC0T089	833R Veh->LIC[redacted] LIS/IL
21-OCT-2014 00:58:18	REMINQ	PMDT4534	PC0T089	833R Veh->LIC[redacted]LIS/IL
21-OCT-2014 01:00:51	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted]LIS/IL
21-OCT-2014 01:05:09	REMINQ	PMDT4534	PC0T089	833R Veh->LIC/[redacted] LIS/IL
21-OCT-2014 01:05:28	REMINQ	PMDT4534	PC0T089	833R Veh->LIC/[redacted]-B LIS/IL LIT/TK
21-OCT-2014 01:05:37	REMINQ	PMDT4534	PC0T089	833R Veh->LIC/[redacted] LIS/IL
21-OCT-2014 01:06:44	REMINQ	PMDT4534	PC0T089	833R Veh->LIC[redacted]LIS/IL
21-OCT-2014 01:06:54	REMINQ	PMDT4534	PC0T089	833R Veh->LIC/[redacted] LIS/IL
21-OCT-2014 01:09:59	CLEAR	PADM19	D108212	800X
21-OCT-2014 01:10:24	CLEAR	PMDT4998	PC0X178	842
21-OCT-2014 01:16:16	CLEAR	PADM19	D108212	855
21-OCT-2014 01:16:44	REMINQ	PMDT4684	PC0Y103	865B Veh->LIC/[redacted]9 LIS/IL
21-OCT-2014 01:18:14	CLEAR	PD18	D50696	865B
21-OCT-2014 01:33:29	AUTPRE	PADM19	D108212	865
21-OCT-2014 01:33:49	CLOC	PADM19	D108212	813R [AREA]
21-OCT-2014 01:33:57	ASST	PADM19	D108212	822
21-OCT-2014 01:34:00	CLOC	PADM19	D108212	822 [AREA]
21-OCT-2014 02:12:02	CLOC	PMDT4751	PC0X185	841R [AREA CENTRAL]
21-OCT-2014 03:10:28	CLOC	PD18	D50696	815R [AREA]
21-OCT-2014 03:16:34	MISC	PD18	D50696	PER 830R PULASKI CAN BE OPENED
21-OCT-2014 03:22:25	CLOC	PMDT6234	PC0Z521	823R [008] reports
21-OCT-2014 03:26:53	CLEAR	PMDT4683	PC0T069	824R
21-OCT-2014 03:36:12	REMINQ	PMDT4507	PC0W970	821R Veh->LIC/[redacted]LIS/IL LIT/TM
21-OCT-2014 03:40:25	REMINQ	PMDT4507	PC0W970	821R Veh->LIC/[redacted] LIS/IL
21-OCT-2014 03:40:45	REMINQ	PMDT4507	PC0W970	821R Veh->LIC/[redacted] LIS/IL

Event # 1429315878

Event Chronology

Date	Activity	Wkstn	Person	Text
21-OCT-2014 03:43:12	CLEAR	PMDT4507	PC0W970	821R
21-OCT-2014 04:03:03	CLOC	PD18	D50696	846R [MT SINAI]
21-OCT-2014 04:03:07	ONS	PD18	D50696	846R
21-OCT-2014 04:09:19	CLOC	PD18	D50696	833R [AREA CENTRAL W/815'S CAR]
21-OCT-2014 04:10:11	CLOC	PD18	D50696	833R [AREA CENTRAL W/815R'S CAR]
21-OCT-2014 04:18:37	CLEAR	PD18	D50696	823R
21-OCT-2014 04:23:43	CLEAR	PMDT4691	PC0X830	851R
21-OCT-2014 04:39:23	CLOC	PD18	D50696	845R [AREA CENTRAL]
21-OCT-2014 04:44:49	CLOC	PADM19	D108212	833R [008]
21-OCT-2014 04:48:06	CLEAR	PADM19	D108212	822
21-OCT-2014 05:11:56	COPYT	PDTS103	DT557395	Copied To Event(s): #CPD1429401913
21-OCT-2014 05:12:32	CLEAR	PADM19	D108212	833R
21-OCT-2014 05:12:50	ONS	PADM19	D108212	841R
21-OCT-2014 05:12:50	ONS	PADM19	D108212	845R
21-OCT-2014 05:12:50	ONS	PADM19	D108212	815R
21-OCT-2014 05:12:50	ONS	PADM19	D108212	813R
21-OCT-2014 05:12:52	ONS	PADM19	D108212	810R
21-OCT-2014 05:15:15	MISC	PADM19	D108212	846R BODY REMOVAL 0511 HRS
21-OCT-2014 05:20:48	CLEAR	PADM19	D108212	846R
21-OCT-2014 05:32:26	CLEAR	PADM19	D108212	810R
21-OCT-2014 06:31:23	SCHOFF	PMDT4659	PC0V684	Unit #845R scheduled for Logoff
21-OCT-2014 07:41:19	SCHOFF	PMDT4751	PC0X185	Unit #841R scheduled for Logoff
21-OCT-2014 07:43:43	CLEAR	PD18	D300971	841R 815R 845R 813R
21-OCT-2014 07:43:43	CLOSE	PD18	D300971	
21-OCT-2014 07:44:00	ROPEN	PD18	D300971	OPEN
21-OCT-2014 07:44:00	DSP	PD18	D300971	813R
21-OCT-2014 07:44:04	ACK	PMDT4706	PC0W483	813R
21-OCT-2014 07:44:09	SCHOFF	PMDT4706	PC0W483	Unit #813R scheduled for Logoff
21-OCT-2014 07:45:06	SCHOFF	PMDT4706	PC0W483	Unit #813R scheduled for Logoff
21-OCT-2014 07:45:34	SCHOFF	PD18	D300971	Unit #813R scheduled for Logoff
21-OCT-2014 07:45:37	CLEAR	PD18	D300971	813R
21-OCT-2014 07:45:37	CLOSE	PD18	D300971	
21-OCT-2014 07:45:52	ROPEN	PD18	D300971	OPEN
21-OCT-2014 07:45:52	DSP	PD18	D300971	815R
21-OCT-2014 08:45:46	ACK	PMDT6024	PC0V821	815R
21-OCT-2014 08:52:57	CLEAR	PD18	D300971	815R
21-OCT-2014 08:52:57	CLOSE	PD18	D300971	
	RMKS			*** WIRELESS CALL ***
	RMKS			holding a male who he caught breaking into trucks and stealing radios nfi
	RMKS			a21 to hospital
	RMKS			a21 to mt sinai confirmd by fireside

Event # 1429315878

Event Chronology

Date	Activity	Wkstn	Person	Text
	RMKS			HAVE SGT OR PAPER CAR CALL CRIME LAB AREA CENTRAL HGSCU OPER COMM NEWS AFFAIRS ASAP
	RMKS			[redacted] il id [redacted] 6'01 185\
	RMKS			EXEC DIR SCHENKEL NOTIFIED @ 2223 HRS 1ST DEP ELLIS NOTIFIED @ 2224 HRS CHIEF OF STAFF BERGER NOTIFIED @ 2226 HRS MANAG DEP , OPER GUIDICE NOTIFIED @ 2228 HRS DEP DIR , 911 OPER HALLOWELL NOTIFIED @ 2229 HRS DIR NEWS AFFAIRS STRATTON NOTIFIED @ 2231 HRS OEMC INVEST UNIT MESSAGE LEFT @ 2236 HRS MAYOR'S DETAIL BURTON NOTIFIED @ 2241 HRS IMD/OC NOTIFIED VIA MESSAGE @ 2217 HRS OEMC WM ORLANDINI NOTIFIED @ 2217 HRS OPER COMM *1804 NOTIFIED @ 2221 HRS [HAVE PC CALL] AREA SOUTH HGSCU DET KRETTEK NOTIFIED @ 2219 HRS [HAVE PC CALL] CRIME LAB SARLO NOTIFIED @ 2221 HRS [HAVE PC CALL][5802 RESPONDING] NEWS AFFAIRS GAINES NOTIFIED @ 2247 HRS 008TH DIST SGT KOMENSKY *1745 NOTIFIED @ 2248 HRS PCO2 JOHNSON -- CW7
	RMKS			offender pronounced @ 2242 hrs per 842
	RMKS			843 - crime lab is on scene

Unit Summary

Event # 1429315878

Unit Summary

Unit	Dispatch	Enroute	Onscene	T	TA	TC	Clear
815R	21:47:50	21:53:27	21-OCT-2014 05:12:50				21-OCT-2014 07:43:43
812	21:53:43						21:59:25
845R	21:56:20	21:56:20					21:56:22
845R	21:56:22	22:08:04	21-OCT-2014 05:12:50				21-OCT-2014 07:43:43
821R	21:56:47	21:56:47					21:56:49
821R	21:56:49	22:08:04					21-OCT-2014 03:43:12
841R	21:56:52	21:56:52					21:56:55
841R	21:56:55	22:08:04	22:17:54				21-OCT-2014 07:43:43
862C	21:57:41	22:08:04					21-OCT-2014 00:09:01
4603	21:59:22	22:08:04					22:22:31
812	21:59:25	21:59:35					22:19:20
823R	21:59:44	22:08:04					21-OCT-2014 04:18:37
843	21:59:49	21:59:54					21-OCT-2014 00:45:40
PH2	22:00:01						22:03:21
851R	22:00:09						22:00:26
851R	22:00:26	22:08:04					21-OCT-2014 04:23:43
810R	22:01:06	22:08:04	21-OCT-2014 05:12:52				21-OCT-2014 05:32:26
811	22:02:20	22:02:27	22:16:54				22:19:38
833R	22:02:34	22:02:40					21-OCT-2014 05:12:32
865	22:04:13	22:08:04					21-OCT-2014 01:33:29
846	22:04:15	22:04:23				22:55:16	23:11:31
855	22:06:14	22:06:24					21-OCT-2014 01:16:16
842	22:09:14	22:09:14	22:17:16				21-OCT-2014 01:10:24
865B	22:12:50						21-OCT-2014 01:18:14
850	22:15:01						22:47:38
800X	22:15:52						21-OCT-2014 01:09:59

Event # 1429315878

Unit Summary

Unit	Dispatch	Enroute	Onscene	T	TA	TC	Clear
813R	22:23:24	21-OCT-2014 01:33:49	22:23:24				21-OCT-2014 07:43:43
822	22:47:25		22:47:25				23:43:55
846R	21-OCT-2014 00:18:09	21-OCT-2014 00:18:25	21-OCT-2014 04:03:07				21-OCT-2014 05:20:48
824R	21-OCT-2014 00:27:54	21-OCT-2014 00:28:11					21-OCT-2014 03:26:53
822	21-OCT-2014 01:33:57	21-OCT-2014 01:34:00					21-OCT-2014 04:48:06
813R	21-OCT-2014 07:44:00						21-OCT-2014 07:45:37
815R	21-OCT-2014 07:45:52						21-OCT-2014 08:52:57

HICAGO POLICE DEPARTMENT

ASE SUPPLEMENTARY REPORT

10 S. Michigan Avenue, Chicago, Illinois 60653
use by Chicago Police - Bureau of Investigative Services Personnel Only)

HX475653

Case id : 9825613
Sup ID : 10992767 CASR301

XC. CLEARED CLOSED (OTHER EXCEPTIONAL) | **DETECTIVE SUP. APPROVAL COMPLETE**

Offense Classification/Re-Classification	IUCR Code	Original Offense Classification			IUCR Code
AULT / Aggravated Po:Knife/Cut Instr	**0552**	ASSAULT / Aggravated Po:Knife/Cut Instr			0552
ddress of Occurrence	Beat of Occur	No of Victims	No of Offenders	No of Arrested	SCR No
112 S PULASKI RD	**815**	4	1	1	
ocation Type	Location Code	Secondary Location			Hate Crime?
Street	**304**				NO
ate of Occurrence	Unit Assigned	Date RO Arrived	Fire Related?	Gang Related?	Domestic Related?
20-OCT-2014 21:57	**0841R**	20-OCT-2014 21:57	NO	NO	NO

Reporting Officer	Star No	Approving Supervisor	Star No	Primary Detective Assigned	Star No
MARCH, David	20563	WOJCIK, Anthony	481	MARCH, David	20563
Date Submitted		Date Approved		Assignment Type	
15-MAR-2015 18:26		16-MAR-2015 00:03		FIELD	

THIS IS A FIELD INVESTIGATION EXC. CLEARED CLOSED (OTHER EXCEPTIONAL) REPORT

VICTIM(S) :

GAFFNEY, Thomas J
Male / White / 41 Years
EMPLOYMENT: Chicago Police Officer #19958 Chicago Police Officer
EMPLOYER BUSINESS NME: Chicago Police Department
BUS: 3420 W 63rd St
Chicago IL
312-747-8730

MCELLIGOTT, Joseph P
Male / White / 36 Years
EMPLOYMENT: Chicago Police Officer #18715 Chicago Police Officer
EMPLOYER BUSINESS NME: Chicago Police Department
BUS: 3420 W 63rd St
Chicago IL
312-747-8730

VAN DYKE, Jason D
Male / White / 36 Years
EMPLOYMENT: Chicago Police Officer #9465 Chicago Police Officer
EMPLOYER BUSINESS NME: Chicago Police Department
BUS: 3420 W 63rd St
Chicago IL
312-747-8730

WALSH, Joseph J
Male / White / 45 Years
EMPLOYMENT: Chicago Police Officer #12865 Chicago Police Officer
EMPLOYER BUSINESS NME: Chicago Police Department
BUS: 3420 W 63rd St
Chicago IL

HX475653

312-747-8730

OFFENDER(S): **MCDONALD, Laquan J** -- In Custody --

ALIAS: "Bon-Bon"
Male / Black / 17 Years
DOB: [redacted]
RES: [redacted]
BIRTH PL: Illinois
DESCRIPTION: 6'02,180,Black Hair, Dreadlocks Hair Style, Brown Eyes, Medium Complexion

ITEM USED:
Weapon
DLN/ID: [redacted]
OTHER IDENTIFICATIONS: **Type -** Other Id
State - Unknown

IR #: 2106340
SID #: IL18550721
ORGANIZATION: NEW BREED
RELATIONSHIP OF VICTIM TO OFFENDER:

GAFFNEY, Thomas No Relationship
MCELLIGOTT, Joseph No Relationship
VAN DYKE, Jason No Relationship
WALSH, Joseph No Relationship

GANG INFORMATION:
LISTED CRIMINAL ORGANIZATION: New Breed
GANG IDENTIFIERS: Other

OFFENDER INJURIES: **MCDONALD, Laquan J**

Type	Weapon Used	Weapon Description
Gun Shot Wound	Handgun	Other -Handgun

Injured by Police
Chicago Fire Department Provided First Aid
EXTENT OF INJURY: Multiple Gsw
HOSPITAL REMOVED BY: Cfd Ambulance 21

HOSPITAL: Mt. Sinai
INJURY TREATMENT: Multiple Gsw
PHYSICIAN NAME: Dr Pitzele
INV #: **13296449**

WEAPON(S): **Evidence**

Smith & Wesson -Us- (Bodyguard,Chief Special) , 5942 , 9 , Semi-Automatic Pistol , Semi-Automatic , 4" , Stainless

SERIAL #: [redacted]

MAGAZINE CAPACITY: 15

Number Of Live Rounds present in the Firearm - 15

Number Of Live Rounds used in the Firearm - 16

The Status Of This Firearm is 628361

PROPERTY TYPE: Other

OWNER: Van Dyke, Jason

POSSESSOR/USER: Van Dyke, Jason

PHONE #: 312 - 747 - 8730

LOCATION FOUND: 5101 S Wentworth Ave

VEHICLE INFO:

Truck , 2010 / Chevrolet / Tahoe / Truck

, Victims Vehicle

VIN: 1GNMCAE0XAR263348 **Evidence**

YEAR (RANGE): 2010

COLOR (TOP/BOTTOM): White / White

OWNER: Chicago Police Department

POSSESSOR/USER: Gaffney, Thomas

PHONE#: 312 - 747 - 8730

LOCATION FOUND: 4102 S Pulaski Rd

LICENSE: MP6581, Law Enforcement (City, County, State, Sos), IL

LOCATION OF INCIDENT:

4112 S Pulaski Rd
Chicago IL
304 - Street

DATE & TIME OF INCIDENT: 20-OCT-2014 21:57

WEATHER AND LIGHTING:

WEATHER: Cloudy & Cool

TEMPERATURE: 50s

LIGHTING: Dark / Artificial Light

LIGHTING SOURCE: Streetlights

DISTANCE: Overhead

MOTIVE CODE(S): Interceding In A Felony

CAUSE CODE(S): Dna

METHOD CODE(S): Offender Shot

CAU CODE(S): Police Related Not Con

FIREARM(S) RECOVERED: **INV #: 13296449** **Evidence**

Smith & Wesson -Us- (Bodyguard,Chief Special) , 5942 , 9 , Semi-

Automatic Pistol , Semi-Automatic , 4" , Stainless
SERIAL #: [redacted]
PROPERTY TYPE: Other

OWNER: Van Dyke, Jason
POSSESSOR/USER: Van Dyke, Jason

PHONE #: 312 - 747 - 8730
LOCATION FOUND: 5101 S Wentworth Ave

MAGAZINE CAPACITY: 15
Number Of Live Rounds present in the Firearm - 15
Number Of Live Rounds used in the Firearm - 16

/EHICLE(S) DAMAGED: **Truck , 2010 / Chevrolet / Tahoe / Truck**
VIN: 1GNMCAE0XAR263348 **Evidence**

YEAR - YEAR RANGE END: 2010
COLOR (TOP/BOTTOM): White / White
OWNER: Chicago Police Department
POSSESSOR/USER: Gaffney, Thomas

PHONE#: 312 - 747 - 8730
LOCATION FOUND: 4102 S Pulaski Rd
LICENSE: MP6581, Law Enforcement (City, County, State, Sos), IL

PERSONNEL ASSIGNED:
Detective/Investigator
MARCH, David M # 20563
Reporting Officer
FONTAINE, Dora # 4484 BEAT: 0841R

WITNESS(ES) :
BACERRA, Arturo
Male / White Hispanic / 32 Years
EMPLOYMENT: Chicago Police Officer #15790 Chicago Police Officer
BUS: 3420 W 63rd St
Chicago IL
312-747-8730
[redacted]
Female / White Hispanic / 29 Years
DOB: [redacted]
RES: 5340 Prairie
[redacted]

OTHER COMMUNICATIONS:
Cellular [redacted]
Phone :
[redacted]

Female / White Hispanic / 19 Years

DOB: [redacted]

RES: [redacted]

BUS: [redacted]

DLN/ID: [redacted]

Male / White Hispanic / 18 Years

DOB: [redacted]

RES: [redacted]

OTHER COMMUNICATIONS:

[redacted]
Phone :

DLN/ID: [redacted]

Female / White Hispanic / 24 Years

DOB: [redacted]

RES: [redacted]

EMPLOYMENT: Shift Manager

BUS: [redacted]

OTHER COMMUNICATIONS:

Cellular [redacted]
Phone :

FONTAINE, Dora

Female / White Hispanic / 47 Years

EMPLOYMENT: Chicago Police Officer #4484 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

[redacted]

Male / White Hispanic / 25 Years

DOB: [redacted]

RES: [redacted]

BUS: [redacted]

OTHER COMMUNICATIONS:

Cellular Phone : [redacted]

SSN: [redacted]

[redacted]

Female / White Hispanic / 30 Years

DOB: [redacted]

RES: [redacted]

OTHER COMMUNICATIONS:

Cellular Phone : [redacted]

[redacted]

Male / White Hispanic / 24 Years

DOB: [redacted]

RES: [redacted]

SSN: [redacted]

DLN/ID: [redacted]

MONDRAGON, Janet

Female / White Hispanic / 37 Years

EMPLOYMENT: Chicago Police Officer #4364 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

SEBASTIAN, Daphne L

Female / White / 45 Years

EMPLOYMENT: Chicago Police Officer #2763 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

VELEZ, Leticia

Female / White Hispanic / 43 Years

EMPLOYMENT: Chicago Police Officer #10385 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

VIRAMONTES, Ricardo

Male / White Hispanic / 41 Years

EMPLOYMENT: Chicago Police Officer #10590 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL

312-747-8730

OTHER INDIVIDUALS INVOLVED:

[redacted] (Additional Victim)
Male / White Hispanic / 43 Years
DOB: [redacted]
RES: [redacted]
EMPLOYMENT: Self-Employed Truck Driver
OTHER COMMUNICATIONS:
Cellular Phone : [redacted]
DLN/ID: [redacted] :

[redacted] (Family Member Notified)
Male / Black / 25 Years
DOB: [redacted]
RES: [redacted]
OTHER COMMUNICATIONS:
Other : [redacted]

[redacted] (Person Interviewed Non-Witness)
Female / White Hispanic / 62 Years
DOB: [redacted]
RES: [redacted]
BUS: [redacted]

[redacted] (Person Interviewed Non-Witness)
Female / White Hispanic / 39 Years
DOB: [redacted]
RES: [redacted]
BUS: [redacted]

CRIME CODE SUMMARY: 0552 - Assault - Aggravated Po:Knife/Cut Instr

OTHER ASSOCIATIONS: 0552 - Assault - Aggravated Po:Knife/Cut Instr

GAFFNEY, Thomas, J (Victim)

MCDONALD, Laquan, J	(Offender)
MCELLIGOTT, Joseph, P	(Victim)
MCDONALD, Laquan, J	(Offender)
MCDONALD, Laquan, J	(Offender)
VAN DYKE, Jason, D	(Victim)
MCDONALD, Laquan, J	(Offender)
WALSH, Joseph, J	(Victim)

ICIDENT NOTIFICATIONS:

NOTIFICATION DATE & TIME: 10/20/2014:230700
REQUEST TYPE: Notification
PERSON NAME: ,Sarlo
STAR #: 13131
EMP #:

NOTIFICATION DATE & TIME: 10/20/2014:231400
REQUEST TYPE: Notification
PERSON NAME: ,Jines
STAR #: 4898
EMP #:

NOTIFICATION DATE & TIME: 10/20/2014:215000
REQUEST TYPE: On Scene
PERSON NAME: ,March
STAR #: 20563
EMP #:

NOTIFICATION DATE & TIME: 10/21/2014:225800
REQUEST TYPE: Notification
PERSON NAME: ,Chibe
STAR #: 7303
EMP #:

NOTIFICATION DATE & TIME: 10/20/2014:235000
REQUEST TYPE: Notification
PERSON NAME: ,Briggs
STAR #:
EMP #: 76

REPORT DISTRIBUTIONS: No Distribution

INVESTIGATION:

AREA CENTRAL FIELD INVESTIGATION:

Exceptionally Cleared Closed /
Other Exceptional Clearance - Death of Offender.

The full format for this investigation is contained in the previous Progress - Scene Report.

INVESTIGATION:

The reporting detective was assigned to the immediate follow-up investigation of this police officer involved shooting incident, by Sergeant Daniel GALLAGHER of this command. The reporting detective proceeded to the scene of the incident at 4112 South Pulaski Road. The officer involved in the shooting was located and interviewed at the scene.

VAN DYKE, Jason D -----

stated he was a Chicago Police Officer assigned to the 008th District. He was on duty, in uniform, working on Beat 845R. VAN DYKE was working with Police Officer Joseph WALSH. The two officers were assigned to Chicago Police Department vehicle number 6412, a marked Chevrolet Tahoe, four door sport utility vehicle. WALSH was driving the vehicle and VAN DYKE was the passenger.

The two officers responded to a request for assistance from Beat 815R, regarding a man with a knife, on 40th Street, west of Pulaski Road. A unit equipped with a taser had also been requested. Officer VAN DYKE heard the radio transmission when Officer Thomas GAFFNEY said the man with a knife had "popped" the tire of GAFFNEY's police vehicle. VAN DYKE understood this to mean the subject had slashed the tire with his knife. As Officer WALSH drove westbound on 40th Street from Pulaski, VAN DYKE observed a black male subject, now known as Laquan MCDONALD, running eastbound in the parking lot of the Burger King restaurant on the southwest corner of 40 Street and Pulaski. MCDONALD was holding a knife in his right hand. VAN DYKE saw Police Officer Joseph MCELLIGOTT pursuing MCDONALD on foot. VAN DYKE also saw a civilian who was standing on 40th Street pointing to MCDONALD.

Officer WALSH drove eastbound in the parking lot, in pursuit of MCDONALD, on the north side of the Burger King restaurant building. WALSH used the police vehicle to block MCDONALD from entering the restaurant. MCDONALD ran out onto Pulaski Road and then turned southbound, running toward a Dunkin' Donuts restaurant, on the east side of Pulaski, south of the Burger King. WALSH positioned the police vehicle between MCDONALD and the Dunkin' Donuts to block his path towards that restaurant. When WALSH slowed the police vehicle alongside MCDONALD, Officer VAN DYKE opened the right front door of the vehicle to exit and confront MCDONALD. WALSH told VAN DYKE to stay in the vehicle as they were too close to MCDONALD to safely exit their vehicle. WALSH drove on southbound and stopped the police vehicle ahead of MCDONALD.

Officer VAN DYKE exited the vehicle on the right side and drew his handgun. As VAN DYKE stood in the street on Pulaski, facing northbound, toward MCDONALD, MCDONALD approached southbound. MCDONALD was holding the knife in his right hand, in an underhand grip, with the blade pointed forward. He was swinging the knife in an aggressive, exaggerated manner. VAN DYKE ordered MCDONALD to "Drop the knife!" multiple times. MCDONALD ignored VAN DYKE's verbal direction to drop the knife and continued to advance toward VAN DYKE.

When MCDONALD got to within 10 to 15 feet of Officer VAN DYKE, MCDONALD looked toward

VAN DYKE. MCDONALD raised the knife across his chest and over his shoulder, pointing the knife at VAN DYKE. VAN DYKE believed MCDONALD was attacking VAN DYKE with the knife, and attempting to kill VAN DYKE. In defense of his life, VAN DYKE backpedaled and fired his handgun at MCDONALD, to stop the attack. MCDONALD fell to the ground but continued to move and continued to grasp the knife, refusing to let go of it. VAN DYKE continued to fire his weapon at MCDONALD as MCDONALD was on the ground, as MCDONALD appeared to be attempting to get up, all the while continuing to point the knife at VAN DYKE. The slide on VAN DYKE's pistol locked in the rearward position, indicating the weapon was empty. VAN DYKE performed a tactical reload of his pistol with a new magazine and then assessed the situation.

MCDONALD was no longer moving and the threat had been mitigated, so Officer VAN DYKE and Officer WALSH approached MCDONALD. MCDONALD was still holding the knife in his right hand. VAN DYKE continued to order MCDONALD to "Drop the knife!" Officer WALSH told VAN DYKE, "I have this." VAN DYKE then used his handgun to cover WALSH as WALSH walked up and forcibly kicked the knife out of MCDONALD's right hand, thereby eliminating the threat to the officers.

Officer WALSH then notified the dispatcher on the police radio that shots had been fired by the police. Officer VAN DYKE requested an ambulance for MCDONALD on the radio.

Officer VAN DYKE's weapon was a Smith and Wesson, nine millimeter, semi-automatic pistol, with a 15 round magazine. VAN DYKE said the pistol was fully loaded at the beginning of his tour of duty, with 15 cartridges in the magazine and one cartridge in the firing chamber.

It was noted that the uniform Officer VAN DYKE was wearing consisted of a light blue long sleeve uniform shirt, with shoulder patches; black body armor vest, with patches; navy blue cargo pants; and equipment belt with handgun and radio.

The reporting detective then interviewed Officer VAN DYKE's partner.

WALSH, Joseph J -----

stated he was a Chicago Police Officer assigned to the 008th District. WALSH related the same facts as his partner, Officer Jason VAN DYKE.

WALSH added that as Laquan MCDONALD ran eastbound through the Burger King parking lot, WALSH used the police vehicle he was driving to block MCDONALD from entering the restaurant.

As MCDONALD ran southbound on Pulaski Road, from the Burger King, WALSH pursued MCDONALD in the police vehicle. WALSH drove southbound in the northbound lanes to get ahead of MCDONALD, keeping the police vehicle between MCDONALD and a Dunkin' Donuts restaurant, on the east side of Pulaski. As their vehicle passed MCDONALD, Officer VAN DYKE opened the right front door of their vehicle, to exit the truck and confront MCDONALD. WALSH, realizing that at this point they were too close to the armed MCDONALD to safely exit the vehicle, told VAN DYKE to wait until they got further ahead of MCDONALD. WALSH drove further south on Pulaski. He stopped his vehicle south of MCDONALD and exited the driver's door as VAN DYKE exited the right side of the vehicle. WALSH drew his handgun when he exited the vehicle.

Officer WALSH came around the rear of the police vehicle and joined Officer VAN DYKE on the right side of the vehicle. WALSH also stood in the street on Pulaski, facing northbound, as MCDONALD walked southbound toward the officers. WALSH ordered MCDONALD to "Drop the knife!" multiple times as MCDONALD approached the officers.

Officer WALSH also backed up, attempting to maintain a safe distance between himself and MCDONALD. MCDONALD ignored the verbal direction given by both WALSH and Officer VAN DYKE, and continued to advance toward the officers. When MCDONALD got to within 12 to 15 feet of the officers he swung the knife toward the officers in an aggressive manner. VAN DYKE opened fire with his handgun and MCDONALD fell to the ground. VAN DYKE continued firing his weapon at MCDONALD as MCDONALD continued moving on the ground, attempting to get up, while still armed with the knife.

When the gunfire stopped and MCDONALD was not moving anymore, WALSH approached MCDONALD with VAN DYKE. WALSH continued to order MCDONALD to "Drop the knife!" multiple times, as MCDONALD was still holding the knife in his right hand. WALSH forcibly kicked the knife out of MCDONALD's hand and then notified the dispatcher on the police radio that shots had been fired by the police. An ambulance was also requested for MCDONALD.

As they waited for the ambulance to respond to the scene, Officer WALSH told MCDONALD to "hang in there," and that an ambulance was on the way.

Officer WALSH said he believed MCDONALD was attacking WALSH and Officer VAN DYKE with the knife and attempting to kill them when the shots were fired. WALSH stated he did not fire his handgun because VAN DYKE was in the line of fire between WALSH and MCDONALD. WALSH thought VAN DYKE fired eight or nine shots total.

It was noted that Officer WALSH wore the same uniform configuration as Officer VAN DYKE.

The officers assigned to Beat 815R were interviewed.

GAFFNEY, Thomas J -----

stated he was a Chicago Police Officer assigned to the 008th District. He was on duty, in uniform, working on Beat 815R. GAFFNEY was working with Police Officer Joseph MCELLIGOTT. The two officers were assigned to Chicago Police Department vehicle number 8489, a marked Chevrolet Tahoe, four door sport utility vehicle. GAFFNEY was driving the vehicle and MCELLIGOTT was the passenger.

The officers responded to an assignment of holding an offender for breaking into trucks at 41st Street and Kildare Avenue. Upon arrival at that location they met an Hispanic couple who told the officers a black male subject, wearing a dark shirt, had attempted to break into trucks parked in the parking lot at that location. The couple told the officers the subject had walked off and was last seen walking eastbound on 40th Street from Kildare.

Officer GAFFNEY drove northbound on Kildare to 40th Street. When he turned eastbound onto 40th Street he saw a black male subject wearing dark clothing, walking eastbound on the sidewalk,

on the south side of the street. Officer MCELLIGOTT exited the police vehicle to approach the subject, now known as Laquan MCDONALD. GAFFNEY stayed in the vehicle in case MCDONALD fled. MCELLIGOTT called to MCDONALD and told him to stop but MCDONALD continued walking eastbound, ignoring MCELLIGOTT. MCDONALD's hands were in his pockets as he walked. MCELLIGOTT told MCDONALD to take his hands out of his pockets. MCDONALD took his hands out of his pockets and MCELLIGOTT told GAFFNEY that MCDONALD had a knife. GAFFNEY then saw a silver colored knife in MCDONALD's right hand. GAFFNEY also saw that MCELLIGOTT had his handgun drawn at this point. MCELLIGOTT repeatedly ordered MCDONALD to "Drop the knife," but MCDONALD ignored these directions. As MCDONALD reached Keeler Avenue, GAFFNEY notified the dispatcher on the police radio that they were following a subject with a knife and requested assistance from a unit equipped with a taser.

MCDONALD continued walking eastbound, Officer MCELLIGOTT following on foot and Officer GAFFNEY following in the police vehicle. As MCDONALD approached Karlov Avenue, GAFFNEY turned the Tahoe southbound onto Karlov and stopped, blocking the crosswalk. GAFFNEY said he wanted to stop MCDONALD before he reached Pulaski Road, a business street where more civilians were present. The area where MCDONALD was first observed was industrial in nature with no other civilians present. When GAFFNEY stopped his vehicle in front of MCDONALD, blocking his path, MCDONALD stabbed the right front tire of the Tahoe with his knife, causing the tire to go flat. GAFFNEY immediately informed the radio dispatcher that MCDONALD had "popped" the tire. MCDONALD attempted to walk around the front of the police vehicle and GAFFNEY drove the Tahoe forward a short distance to continue to block MCDONALD's path. MCDONALD then stabbed at the windshield of the Tahoe with the knife, striking the right side of the windshield. MCDONALD then continued walking eastbound from Karlov.

As MCDONALD approached the Burger King restaurant parking lot at 40th Street and Pulaski, assisting police units arrived, approaching westbound on 40th Street from Pulaski. MCDONALD began to run eastbound through the restaurant parking lot, on the north side of the Burger King building. He ran out onto Pulaski and then turned and ran southbound on Pulaski. Beat 845R pursued MCDONALD in their police vehicle, eastbound through the parking lot, over the curb at Pulaski, then southbound on Pulaski. Officer GAFFNEY lost sight of MCDONALD when he turned southbound on Pulaski.

Because of the flat tire on his vehicle, Officer GAFFNEY did not drive over the curb. As he drove around out onto Pulaski, GAFFNEY heard multiple gunshots in rapid succession. He did not see who was shooting. When he reached Pulaski MCDONALD was lying on the ground.

It was noted that Officer GAFFNEY wore the same uniform configuration as Officer VAN DYKE with the addition of the uniform baseball style cap with embroidered patch.

MCELLIGOTT, Joseph P -----

stated he was a Chicago Police Officer assigned to the 008th District. MCELLIGOTT related the same facts as his partner, Officer Thomas GAFFNEY.

Officer MCELLIGOTT added that after he exited the police vehicle, when Laquan MCDONALD took his hands out of his pockets and MCELLIGOTT saw MCDONALD holding a knife in his right

hand, MCELLIGOTT drew his handgun. He repeatedly ordered MCDONALD to "Drop the knife." MCDONALD ignored MCELLIGOTT's directions and continued to walk eastbound on 40th Street. MCELLIGOTT followed MCDONALD on foot, maintaining a safe distance between himself and the armed MCDONALD.

Officer MCELLIGOTT heard Officer GAFFNEY request assistance and a unit with a taser over the police radio. GAFFNEY attempted to use the police vehicle to block MCDONALD from continuing on toward the Burger King restaurant at Pulaski Road. At this point MCDONALD stabbed the right front tire and the windshield of the police vehicle. MCELLIGOTT began to hear the sirens of approaching assisting police units and MCDONALD began to run toward the Burger King restaurant.

When MCDONALD ran eastbound through the parking lot of the Burger King, Officer MCELLIGOTT ran after MCDONALD in pursuit. MCELLIGOTT ran out into the middle of Pulaski Road in pursuit of MCDONALD. MCELLIGOTT heard multiple gunshots but did not see who fired the shots. The gunfire was continuous, one shot after another. MCELLIGOTT then saw MCDONALD lying on the ground. MCELLIGOTT saw Officer Joseph WALSH kick the knife out of MCDONALD's hand.

It was noted that Officer MCELLIGOTT wore the same uniform configuration as Officer VAN DYKE.

Other officers who responded to this incident were also interviewed.

SEBASTIAN, Daphne L —

stated she was a Chicago Police Officer assigned to the 008th District. She was on duty, in uniform, working on Beat 813R. SEBASTIAN was working with Police Officer Janet MONDRAGON. The two officers were assigned to a marked vehicle. MONDRAGON was driving the vehicle and SEBASTIAN was the passenger.

The two officers responded to the request for assistance made by Beat 815R, regarding a subject with a knife. Officer SEBASTIAN thought the original call for assistance was at 40th Street and Keeler Avenue. The subject had punctured a tire on the police vehicle of Beat 815R. Officer MONDRAGON drove northbound on Pulaski Road, following Beat 845R, as they also responded to the request for assistance. MONDRAGON turned westbound onto 40th Street, behind Beat 845R.

Officer SEBASTIAN observed a black male subject, now known as Laquan MCDONALD, running southeast bound through the parking lot of the Burger King restaurant. Beat 845R pursued MCDONALD in their police vehicle, through the parking lot, toward Pulaski. SEBASTIAN told Officer MONDRAGON to drive back out onto Pulaski to assist in the pursuit. MCDONALD ran out onto Pulaski and continued to run southbound down the middle of the street. Beat 845R pursued MCDONALD in their vehicle, southbound on Pulaski, followed by Beat 813R. As MCDONALD ran southbound on Pulaski, SEBASTIAN saw the knife in his right hand. MCDONALD was waving the knife.

Beat 845R stopped their vehicle ahead of MCDONALD, between MCDONALD and the Dunkin'

Donuts restaurant on the east side of Pulaski. Officers Joseph WALSH and Jason VAN DYKE exited their vehicle and drew their handguns. MCDONALD turned toward the two officers and continued to wave the knife. Sebastian heard the officers repeatedly order MCDONALD to "Drop the knife!" MCDONALD ignored the verbal directions and continued to advance on the officers, waving the knife. Officer SEBASTIAN heard multiple gunshots and MCDONALD fell to the ground, where he continued to move. SEBASTIAN did not know who fired the shots, which were fired in one continuous group. She then saw Officer WALSH kick the knife out of MCDONALD's hand.

MONDRAGON, Janet -----

stated she was a Chicago Police Officer assigned to the 008th District. MONDRAGON related the same facts as her partner, Officer Daphne SEBASTIAN.

Officer MONDRAGON added that as she drove westbound on 40th Street, she saw Officer MCELLIGOTT running eastbound through the Burger King parking lot. She made a U-turn and drove back out onto Pulaski Road. MONDRAGON turned southbound onto Pulaski. She saw Laquan MCDONALD running southbound on Pulaski, in the middle of the street. As she got closer she could see MCDONALD was holding a knife in his right hand. He was waving the knife.

Officer MONDRAGON saw Officers Joseph WALSH and Jason VAN DYKE outside of their police vehicle. She heard the officers repeatedly ordering MCDONALD to "Drop the knife!" as MCDONALD got closer and closer to the officers, continuing to wave the knife. As she was placing her vehicle transmission into Park, MONDRAGON looked down and heard multiple, continuous gunshots, without pause. MONDRAGON then saw MCDONALD fall to the ground. MONDRAGON did not know who fired the shots.

BACERRA, Arturo -----

stated he was a Chicago Police Officer assigned to the 008th District. He was on duty, in uniform, working on Beat 822. BACERRA was working with Police Officer Leticia VELEZ. The two officers were assigned to a marked vehicle. BACERRA was driving the vehicle and VELEZ was the passenger.

Officer BACERRA and his partner responded to the request for assistance made by Beat 815R, regarding a subject who was armed with a knife. BACERRA was driving northbound on Pulaski Road from 47th Street. As he approached the scene of this incident, at 4112 South Pulaski, he observed a black male subject, now known as Laquan MCDONALD, in the middle of the street, flailing his arms. As he got closer, BACERRA observed MCDONALD to be holding a knife in his right hand. BACERRA drove past MCDONALD, with MCDONALD on the left side of the police vehicle, as Beat 845R drove past BACERRA, on the right side of his vehicle, travelling southbound. As BACERRA began to make a U-turn, he heard multiple gunshots. He then saw MCDONALD lying on the ground. BACERRA did not see who fired the shots.

VELEZ, Leticia -----

stated she was a Chicago Police Officer assigned to the 008th District. VELEZ related the same facts as her partner, Officer Arturo BACERRA.

Officer VELEZ added that as they approached the scene she observed Laquan MCDONALD standing in the middle of the street, holding a shiny object in his right hand. She saw him waving the object in the air. Officer BACERRA drove past MCDONALD and began to make a U-turn, when VELEZ heard multiple gunshots, without pause or delay. She then saw MCDONALD fall to the ground. VELEZ did not see who fired the shots. She did see an unknown officer kick the knife from MCDONALD's hand after he was down on the ground.

FONTAINE, Dora -----

stated she was a Chicago Police Officer assigned to the 008th District. She was on duty, in uniform, working on Beat 841R. FONTAINE was working with Police Officer Ricardo VIRAMONTES. The two officers were assigned to a marked vehicle. VIRAMONTES was driving the vehicle and FONTAINE was the passenger.

The two officers responded to the request for assistance made by Beat 815R, regarding a man with a knife at 41st Street and Pulaski Road. Officer VIRAMONTES drove northbound on Pulaski. When they arrived at the scene of this incident, in front of the Dunkin' Donuts restaurant, Officer FONTAINE saw a black male subject, now known as Laquan MCDONALD, walking southbound in the street, with a knife in his right hand. MCDONALD was walking sideways, with his body facing east, toward Officers Jason VAN DYKE and Joseph WALSH. These two officers were standing in the middle of the street, on the right side of their police vehicle, which was facing southbound. FONTAINE heard the officers repeatedly order MCDONALD to "Drop the knife!" MCDONALD ignored the verbal direction and instead, raised his right arm toward Officer VAN DYKE, as if attacking VAN DYKE. At this time VAN DYKE fired multiple shots from his handgun, until MCDONALD fell to the ground and stopped moving his right arm and hand, which still grasped the knife. The gunshots were rapid fire, without pause. Officer WALSH then kicked the knife out of MCDONALD's hand.

VIRAMONTES, Ricardo -----

stated he was a Chicago Police Officer assigned to the 008th District. VIRAMONTES related the same facts as his partner, Officer Dora FONTAINE.

Officer VIRAMONTES added that when he exited his police vehicle, at the scene, he observed a black male subject, now known as Laquan MCDONALD, walking southbound on Pulaski Road, in the middle of the street, holding a knife in his right hand. VIRAMONTES heard Officer Jason VAN DYKE repeatedly order MCDONALD to "Drop the knife!" MCDONALD ignored the verbal direction and turned toward VAN DYKE and his partner, Officer Joseph WALSH. At this time VAN DYKE fired multiple shots from his handgun. MCDONALD fell to the ground but continued to move, attempting to get back up, with the knife still in his hand. VAN DYKE fired his weapon at MCDONALD continuously, until MCDONALD was no longer moving.

The scene of this incident, at 4112 South Pulaski Road, was observed to be a wide commercial street with traffic traveling north and south. There were two traffic lanes and a curb lane in each direction. A wide median separated the northbound and southbound traffic lanes. The scene was just south of the intersection of Pulaski and 41st Street. This was a "T" intersection with 41st Street extending east from Pulaski. In the center median was a left turn lane for northbound traffic

turning west onto 40th Street, further to the north. The Pulaski median was level with the traffic lanes and was striped with yellow paint.

On the west side of Pulaski was a large vacant lot. North of the vacant lot, on the southwest corner of 40th Street and Pulaski, was a Burger King restaurant. On the east side of the street was a Dunkin Donuts restaurant.

The weather was cloudy and cool with the temperature in the 50s. It was dark with good artificial light provided by overhead streetlights. All of the lights were on and functioning normally. There was also artificial light provided by the lighting of the nearby businesses.

In the northbound left turn lane, Chicago Police Department vehicle number 6412, assigned to Beat 845R, was sitting, facing southeast. The vehicle was a marked Chevrolet Tahoe, four door sport utility vehicle. The right front door of the vehicle was open.

In the southbound traffic lanes, in the right lane, a metal folding pocket knife was lying on the pavement. The blade was in the open position. The overall length of the knife was seven inches, with a three inch blade. The knife was in line with the front end of the vehicle of Beat 845R. Just north of the knife were two pools of blood on the pavement. Five metal bullet fragments were lying on the pavement near the blood. North of the blood, scattered in a diagonal pattern from southwest to northeast, across both southbound traffic lanes and the northbound left turn lane, were 16, nine millimeter caliber cartridge cases, lying on the pavement.

Chicago Police Department vehicle number 8489, assigned to Beat 815R, was sitting at the west curb at 4102 South Pulaski. The right front tire of the vehicle was flat, with a large puncture to the sidewall of the tire. The right side of the windshield was scratched from being struck by Laquan MCDONALD's knife.

Mobile Crime Lab Beat 5802 responded to the scene. Video and photographs were taken of the scene. The knife and firearms evidence was collected from the street, as were swabs of the blood. The right front wheel and tire of Chicago Police Department vehicle number 8489 was also recovered. The right front quarter panel of vehicle number 8489 was processed for fingerprints and four ridge impressions were recovered.

A canvass was conducted of the area near the scene of this incident in an attempt to identify and locate witnesses. A number of people were interviewed.

[redacted] -----

stated she was [redacted] at the Burger King restaurant. At approximately 21:55 hours [redacted] observed police officers chasing a black male subject, now known as Laquan MCDONALD, through the parking lot, on the north side of the restaurant building. The officers chased MCDONALD southbound down Pulaski Road, toward the Dunkin' Donuts restaurant. [redacted] then heard multiple gunshots and dove to the ground.

[redacted] permitted access to the Burger King video system. No video of this incident was recorded. The system was not recording at that time. The system was activated and video was

recovered from the system from earlier in the day, showing the view of each of the cameras in the system. It was noted that none of these camera views showed the area of the scene where the confrontation between Laquan MCDONALD and Police Officers Jason VAN DYKE and Joseph WALSH occurred, on Pulaski Road, south of the Burger King restaurant. If the system had been recording at the time of this incident, it would not have recorded any footage of that confrontation.

[redacted] -----

stated he was at the Burger King restaurant, waiting for his girlfriend, [redacted], who was working at the drive-thru window. [redacted] observed a "young black dude" with his hair in dreadlocks, now known as Laquan MCDONALD, running through the parking lot of the restaurant. He was being pursued by police officers. MCDONALD was holding his pants like he might have had a gun or something. MCDONALD then ran southbound on the sidewalk and then out into the street on Pulaski Road. [redacted] last saw MCDONALD running towards the middle of the intersection of 41st Street and Pulaski. MCDONALD appeared confused. [redacted] then turned his attention back to his girlfriend at the drive-thru window. He did not witness the shooting.

[redacted] -----

stated she was working at [redacted] of the Burger King restaurant. She observed a male subject, now known as Laquan MCDONALD, running from the restaurant parking lot, southbound on Pulaski Road, toward the Dunkin' Donuts restaurant. [redacted] heard multiple gunshots and then saw that MCDONALD was lying in the street.

[redacted] -----

stated she was [redacted] of the Burger King restaurant. She did not see or hear anything.

[redacted] -----

stated she was [redacted] of the Burger King restaurant. She did not see or hear anything.

Laquan MCDONALD had been transported to Mount Sinai Hospital by Chicago Fire Department Ambulance 21. He sustained multiple gunshot wounds as documented in the format of this investigation. MCDONALD was treated for his injuries in the emergency room. He succumbed to his wounds and was subsequently pronounced dead by Doctor PITZELE, at 22:42 hours.

Registered Nurse [redacted], recovered three metal bullet fragments from MCDONALD and turned these over to Detective William JOHNSON. These were subsequently turned over to Mobile Crime Lab Beat 5802, who also recovered metal fragments from MCDONALD's sweater.

The reporting detective had learned of the death of Laquan MCDONALD while still at the scene of this incident. The Office of the Medical Examiner of Cook County was notified of MCDONALD's death, and Investigator BRIGGS assigned Medical Examiner's case number 2014 - 01071 to this case.

In the Bureau of Detectives - Area Central office, Evidence Technician Beat 5824 recovered Office Jason VAN DYKE's handgun, a Smith and Wesson, Model 5942, nine millimeter caliber, semi-automatic pistol. The weapon was loaded with one cartridge in the firing chamber and 14 cartridges in the magazine, when recovered.

Beat 5824 took photographs of Officers Jason VAN DYKE, Joseph WALSH, Thomas GAFFNEY and Joseph MCELLIGOTT. Elimination prints, including palm prints, were also taken from Officers GAFFNEY and MCELLIGOTT.

Officer Jason VAN DYKE was re-interviewed for additional detail, in the Area Central office.

VAN DYKE, Jason D ----

related the same sequence of events as documented in his original interview at the scene of this incident.

VAN DYKE additionally articulated the reasoning behind his decision to use deadly force against the offender in this incident, Laquan MCDONALD. VAN DYKE was aware of the radio transmissions from Officer Thomas GAFFNEY, on Beat 815R, that MCDONALD was armed with a knife. VAN DYKE was aware that MCDONALD had attacked the officers on Beat 815R by slashing the tire of their police vehicle.

As he confronted MCDONALD at 4112 South Pulaski Road, VAN DYKE saw that MCDONALD was in fact, armed with a knife, a deadly weapon. VAN DYKE was aware of the widely accepted teaching in law enforcement that an assailant armed with a knife was considered a deadly threat, if within 21 feet, because it was possible for such an assailant to close that distance and attack with the knife before a defensive shot could be fired from a handgun. VAN DYKE was also aware of the existence of throwing knives, which can be thrown from a distance, as well as spring loaded knives, which propel a blade through the air from the knife handle. VAN DYKE also said he recalled a previously issued Chicago Police Department bulletin warning of a weapon which appeared to be a knife but which actually was capable of firing a bullet, making it a firearm.

Subsequently, a search was conducted of the Chicago Police Department, Automated Message Center, to find the bulletin Officer Jason VAN DYKE remembered, regarding the weapon that appeared to be a knife, but was actually a firearm. This bulletin was issued on 04 December 2012. It was Officer Safety Alert number 2012-OSA-297. It was a warning regarding a "revolver knife" which was capable of firing .22 caliber cartridges.

Three witnesses had been transported into the Area Central office from the scene and were interviewed.

[redacted]----

stated she was in the Burger King restaurant parking lot. She saw a subject, now known as Laquan MCDONALD, running southbound on Pulaski Road. [redacted] saw many police officers on the street. She was trying to get her cellular telephone to work, to record video. [redacted] heard eight gunshots fired continuously. She did not see who fired the shots. [redacted] then saw

a police officer pointing a handgun at MCDONALD as he was lying on the ground.

With her permission, [redacted]' telephone was examined for any recorded video footage with negative results.

[redacted]-----

stated he was at the Burger King restaurant drive-thru with [redacted]. He saw a black male subject, now known as Laquan MCDONALD, running from the trucks parked at the rear of the restaurant parking lot. MCDONALD ran eastbound in the parking lot, on the north side of the Burger King building. A police officer was chasing MCDONALD on foot, eastbound through the parking lot, then southbound on Pulaski Road. A Chicago Police Department, Chevrolet Tahoe sport utility vehicle pulled up on Pulaski. MCDONALD ran toward the police vehicle. A police officer exited the vehicle and fired multiple shots from a handgun at MCDONALD. [redacted] thought there was video footage of the incident recorded on [redacted] cellular telephone. As documented in the previous interview of [redacted], her telephone was examined with negative results.

[redacted]-----

stated he was sitting in a truck, parked in the Burger King restaurant parking lot, on the south side of the restaurant building. He was completing some logs. [redacted] observed a black male subject, now known as Laquan MCDONALD, running southbound on Pulaski Road. The police were pursuing MCDONALD. [redacted] heard approximately three gunshots. He did not see who fired the shots. [redacted] exited the cab of his truck and climbed up on top of it. He saw a Chicago Police Department, Chevrolet Tahoe sport utility vehicle, and many police officers on Pulaski Road.

[redacted] insisted on leaving the Area Central office after their initial interviews, and they were transported as they requested.

Sergeant Lance BECVAR responded to the scene and subsequently to the Area Central office. He was able to recover video of this incident from the vehicles assigned to Beats 845R and 813R. This video was uploaded into the system. The reporting detective submitted a request for copies of these two videos which were subsequently inventoried. The reporting detective also requested that the videos be permanently retained. No video of this incident was recovered from the vehicles assigned to Beats 815R, 822 and 841R.

The recovered in-car camera video from Beats 845R and 813R was viewed and found to be consistent with the accounts of all of the witnesses. The video from Beat 813R showed that at the time Officer Jason VAN DYKE fired his handgun at Laquan MCDONALD, VAN DYKE was standing near the east edge of the southbound traffic lanes of Pulaski Road, and MCDONALD was near the lane marking separating the two southbound traffic lanes. The two were separated by the width of one traffic lane. The width of this traffic lane was approximately ten feet.

Recordings of the original 9-1-1 call and the radio transmissions over the Chicago Police Department, Zone 6 radio frequency were obtained from the Office of Emergency Management

and Communication. The recordings were reviewed and subsequently inventoried.

In the 9-1-1 call, a caller who identified himself as [redacted] stated that he was holding a guy for stealing radios from trucks in a trucking yard.

The recorded radio transmissions were consistent with the statements of the police officers involved in this incident. It was determined from the radio transmissions, that the entire interaction of the involved police officers, with Laquan MCDONALD, from the time Beat 815R notified the radio dispatcher that they had made contact with him, and that he was armed with a knife, until Beat 845R notified the dispatcher that shots had been fired by the police, lasted more than four minutes.

The criminal history of Laquan MCDONALD was reviewed. [redacted]

Additionally, there were two documented incidents, under Records Division numbers HS640983 and HT106389, on 01 December 2010 and 05 January 2011. In these incidents officials at the [redacted], elementary school, called the police because of the violent behavior of Laquan MCDONALD. The reports indicated that MCDONALD was a special education student at the school and that this had become a pattern of behavior for MCDONALD. The school officials indicated that MCDONALD had behavioral problems and anger issues. In both incidents MCDONALD was transported to [redacted] for evaluation and treatment.

The family of Laquan MCDONALD was located and notified of his death.

[redacted] -----

stated he was an uncle of Laquan MCDONALD. MCDONALD was living with JOHNSON while MCDONALD "worked out his problems." [redacted] said that MCDONALD attended [redacted] school but was currently suspended. MCDONALD suffered from "hypertension" but refused to take any medication. He stopped taking his prescribed medication approximately two years prior because he said it made him "freak out."

[redacted] last saw MCDONALD on Saturday, 18 October 2014, at approximately 13:00 hours, when MCDONALD left the apartment. He had not been back since. MCDONALD had rung the doorbell earlier in the day on 20 October 2014. [redacted] said they "buzzed" MCDONALD into the building but he never came up to the apartment.

[redacted] had no idea why MCDONALD would be in the area of 41st Street and Pulaski Road. JOHNSON said he would attempt to notify MCDONALD's mother, [redacted].

On Tuesday, 21 October 2014, [redacted] of the 9-1-1 caller, [redacted]" was located and interviewed.

[redacted] -----

stated she was with [redacted], parking a truck in the lot at 41st Street and Kildare Avenue. She saw a black male subject, now known as Laquan MCDONALD, attempting to steal property from vehicles parked in the lot. [redacted] confronted MCDONALD and told him to leave the lot. [redacted] said that MCDONALD did not say anything, but instead, he was "growling" and making strange noises. [redacted] again told MCDONALD to leave the lot and MCDONALD pulled out a knife. MCDONALD swung the knife at [redacted] attempting to cut him. [redacted] had already called 9-1-1 so he backed up and threw his cellular telephone at MCDONALD. MCDONALD then ran from the lot. He ran northbound on Kildare, then eastbound on 40th Street.

[redacted] described MCDONALD as a black male, with his hair in braids. He was wearing a black hood and blue jeans. [redacted] viewed a photograph of Laquan MCDONALD and identified him as the subject in the lot, who had been attempting to steal property from vehicles parked in the lot, and who subsequently threatened [redacted] with a knife, when [redacted] confronted MCDONALD.

On Wednesday, 22 October 2014, the 9-1-1 caller was interviewed.

[redacted] -----

related the same facts as [redacted]. [redacted] re-iterated that Laquan MCDONALD swung his knife at [redacted], attempting to cut him. [redacted] stated he was the person who called 9-1-1 regarding this incident.

A canvass was conducted of the area near the scene of this incident for any recorded video.

There were no Police Observation Devices, or other City of Chicago video cameras in the area.

Recorded video was recovered from three cameras on the exterior of the building housing the Greater Chicago Food Depository, at 4100 West Ann Lurie Place. Two of these videos showed two different views of Laquan MCDONALD walking eastbound on the sidewalk, on the south side of 40th Street, between Keeler and Karlov Avenues. Officer Joseph MCELLIGOTT was following MCDONALD on foot, maintaining a safe distance between himself and MCDONALD, while Officer Thomas GAFFNEY was following MCDONALD in a police vehicle. The third video did not capture any part of this incident.

Recorded video was recovered from two cameras at the Dunkin' Donuts restaurant, at 4113 South Pulaski Road. One of these videos showed the end of this incident, when Officers Jason VAN DYKE and Joseph WALSH stopped their vehicle, exited the vehicle and confronted Laquan MCDONALD. The view in this video is from a distance. The video from the second camera did not capture any part of this incident.

Recorded video was recovered from two cameras from Focal Point, 4141 South Pulaski Road. These videos did not capture any part of this incident.

All of the recovered video was inventoried.

A Major Case Review of this case was conducted at the Illinois State Police Crime Laboratory, on Thursday, 30 October 2014. An Evidence Submission Form was completed per this review.

The assigned personnel became aware of a potential question regarding the integrity of the video recovered from the Burger King restaurant. In an attempt to follow-up on this issue the assigned personnel proceeded to the restaurant on Wednesday, 11 March 2015. Manager, [redacted] was contacted at the restaurant. She stated that the video system at the restaurant had recently been repaired and a new digital video recorder had been installed. [redacted] said that as of this date, 11 of the 16 video ports in the system actually recorded video. This was consistent with the video recovered on the date of this incident. Video was recorded and recovered on 11 of the 16 video ports in the system on that date.

Any additional inquiries regarding the video system at the restaurant were referred to the district manager responsible for that restaurant, [redacted]. He was contacted and related that the day after this incident occurred, personnel from the Independent Police Review Authority, of the City of Chicago, came to the restaurant. They viewed video from the system and took custody of the digital video recorder. The recorder was returned to the restaurant two weeks later. Personnel from the Federal Bureau of Investigation then came to the restaurant and made copies of video from the system. After that some lawyers came to the restaurant with subpoenas to make copies of video from the system. Finally, [redacted] stated that personnel from the Federal Bureau of Investigation had come to the restaurant again, approximately three weeks prior to this interview, and took the digital video recorder. [redacted] did not have any further information regarding the video system.

The assigned personnel also became aware of an article written by [redacted], a professor at the University of Chicago Law School, citing the existence of an unknown witness to this incident. [redacted] was contacted on Thursday, 12 March 2015, in an attempt to interview this witness. [redacted] stated that this witness had already been interviewed by the Independent Police Review Authority and [redacted] did not know if the witness would be willing to be interviewed by the Chicago Police Department. [redacted] said he would contact the witness and provide him with contact information for the assigned personnel.

Based upon all the facts known at this time, and the death of the only offender in this incident, this case is now Exceptionally Cleared Closed / Other Exceptional Clearance - Death of Offender.

The above to-date investigation determined that Laquan MCDONALD was an active assailant who, while armed with a dangerous weapon, used force likely to cause death or serious injury to a private citizen when he attacked [redacted]; threatened the imminent use of force likely to cause death or serious injury when he incised the tire and stabbed the windshield of a Chicago Police Department vehicle occupied by Officer Thomas GAFFNEY; and initiated imminent use of force likely to cause death or serious injury when he initiated an attack on Officers Jason VAN DYKE and Joseph WALSH. The above investigation concluded that Officer Jason VAN DYKE's use of deadly force, the discharging of his duty firearm, was within the bounds of the Chicago Police Department's use of force guidelines, and in conformity with local ordinances and state law.

Based on the above facts, the associated report, under Records Division number HX486155, is now Closed / Non-Criminal.

REPORT OF:

Detective David M MARCH #20563
Sergeant Daniel GALLAGHER #1303
Lieutenant Anthony WOJCIK #481
Bureau of Detectives - Area Central

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 14	20 OCT 14 3

OFFENSE CLASSIFICATION–LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	VANJYKS	5721

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

D FONTAINE

RESPONDED TO REQUEST FOR ASSIST, B/SR
MAN W/KNIFE, 41 + PULASKI
R V DROVE N/B PULASKI
WHEN THEY ARRIVED AT SCENE, IN FRONT OF DD,
SAW O WALKING S/B, IN ST, KNIFE IN R HAND
O WALKING SIDEWALK, BODY FACING E,
TOWARD JVS + JW
POs STANDING IN ST, SIDE OF THEIR TABLE-
TABLE FACING S/B
HEARD POs REPEATEDLY "DROP THE KNIFE!"
O IGNORED, RAISED R ARM TOWARD VS, AS IF
ATTACKING VS
VS FIRED MULTIPLE SHOTS UNTIL O FELL TO
GROUND + STOPPED MOVING R ARM + HAND, STILL
GRASPING KNIFE
SHOTS = RAPID FIRE, WITHOUT PAUSE
WALSH THEN KICKED KNIFE FROM O'S HAND

R.D. NO. HX475253

REPORTING OFFICER'S SIGNATURE–STAR NO.	RECEIVED BY: SUPERVISOR'S SIGNATURE–STAR NO.	DAY–MO.–YR.	TIME
20563			

CPD-23.122 (Rev. 2/83)

GENERAL PROGRESS REPORT
ECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 2014	30 OCT 2014 3

OFFENSE CLASSIFICATION—LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	VAN DYKE	512 1

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

R VIRAMONTES

WHEN HE EXITED VEHICLE AT SCENE,
SAW O WALKING S/B ON PULASKI, IN MIDDLE OF ST
KNIFE IN R HAND
HEARD JVD REPEATEDLY "DROP THE KNIFE!"
O IGNORED TURNED TOWARD JVD + JW
VD FIRED MULTIPLE SHOTS
O FELL TO GROUND BUT CONTINUED TO MOVE
ATTEMPTING TO GET BACK UP, KNIFE STILL IN HAND
VD FIRED AT O CONTINUOUSLY UNTIL O
NO LONGER MOVING

R.D. NO. HX475253

REPORTING OFFICER'S SIGNATURE—STAR NO. 20563 | RECEIVED BY: SUPERVISOR'S SIGNATURE—STAR NO. (30) | DAY—MO.—YR. TIME

CPD-23.122 (Rev. 2/83)

OFFICER'S BATTERY REPORT
CHICAGO POLICE DEPARTMENT

RD NO. HX475653

INSTRUCTIONS: This form is to be completed for all incidents when: (1) a sworn member is the victim of a murder, aggravated battery, battery, aggravated assault, or assault while performing a police function either on-duty or off-duty, (2) a detention aide is the victim of a murder, aggravated battery, battery, aggravated assault, or assault while in the performance of his or her duties.

"X APPLICABLE BOXES"

OFFICER INFORMATION

NAME (LAST - FIRST - M.I.): VAN DYKE, JASON D

STAR NO.	POSITION
9465	POLICE OFFICER
DATE OF APPOINTMENT: 25-JUN-2001	EMPLOYEE NO.: [redacted]
UNIT OF ASSIGNMENT: 008	BEAT/CALL NO.: 0845R

SEX: [X] 1. M [ ] 2. F | RACE: WHITE | DOB: [redacted]

HEIGHT: 602 | WEIGHT: 180

TYPE OF ASSIGNMENT WHEN BATTERY OCCURRED

[X] 1. ON DUTY
- [X] A. UNIFORM, PATROL DUTY
- [ ] B. UNIFORM, OTHER DUTY
  - Describe _____
- [ ] C. CITIZEN'S DRESS
- [ ] D. TACTICAL
- [ ] E. B.I.S. UNIT
- [ ] F. SPECIAL EMPLOYMENT
- [ ] G. OTHER _____

[ ] 2. OFF DUTY

[ ] 3. SPECIAL EMPLOYMENT

[ ] 4. SECONDARY / OTHER

WORKING:
- [ ] A. ALONE
- [X] B. WITH ONE PARTNER
- [ ] C. WITH MULTIPLE PARTNERS
  - How many? _____

PATROL TYPE:
- [X] A. SQUAD CAR
- [ ] B. FOOT
- [ ] C. BICYCLE
- [ ] D. APV/MOTORCYCLE
- [ ] E. SQUADROL
- [ ] F. OTHER _____

TYPE OF ACTIVITY

- [ ] A. AMBUSH -NO WARNING
- [ ] B. TRAFFIC STOP/PURSUIT
- [ ] C. INVESTIGATING SUSPICIOUS PERSON
- [ ] D. DISTURBANCE - DOMESTIC
- [ ] E. DISTURBANCE - MENTAL PATIENT
- [ ] F. DISTURBANCE - RIOT/MOB ACTION/CIVIL DISORDER
- [ ] G. DISTURBANCE - OTHER
- [ ] H. MAN WITH A GUN
- [ ] I. PURSUING/ARRESTING OFFENDER (Specify)
  - CHARGE _____ IUCR CODE _____
- [ ] J. PROCESSING/TRANSPORTING/GUARDING A PRISONER (Specify)
  - ORIGINAL CHARGE _____ ORIGINAL IUCR CODE _____
- [X] K. OTHER

TYPE OF INJURY TO OFFICER

- [ ] A. FATAL
- [ ] B. NON-FATAL - MAJOR INJURY (Broken Bones/Serious Lacerations/ Internal Injuries)
- [ ] C. NON-FATAL - MINOR INJURY (Bruises/Swelling/Minor Abrasions)
- [X] D. NONE APPARENT/NONE

LIGHTING CONDITIONS AT INCIDENT

- [ ] A. DAYLIGHT
- [ ] B. NIGHT
- [ ] C. DAWN
- [ ] D. DUSK
- [X] E. ARTIFICIAL LIGHT
  - [ ] 1. POOR
  - [X] 2. GOOD

INCIDENT INFORMATION

[ ] 1. INDOOR [X] 2. OUTDOOR

ADDRESS OF OCCURRENCE: 4112 S PULASKI RD

CITY: [X] CHICAGO [ ] | STATE (If outside Chicago):

LOCATION CODE: 304-STREET | BEAT OF OCCURRENCE: 0815

DATE OF OCCURRENCE: 20-OCT-2014 | TIME: 21:57:00 | DAY OF WEEK: MONDAY

NO. OF OFFICERS BATTERED: 3

WERE THERE ASSISTING UNITS ON SCENE? 1. [X] YES 2. [ ] NO

IF YES HOW MANY ASSISTING OFFICERS WERE PRESENT AT TIME BATTERY (EXCLUDING YOU OR YOUR PARTNERS) ? 8

MANNER OF ATTACK

- [ ] 01. SHOT
- [ ] 02. SHOT AT
- [X] 03. STABBED/CUT (INCLUDING ACTUAL ATTEMPT)
- [ ] 04. STRUCK/BLUNT FORCE (INCLUDING ACTUAL ATTEMPT)
- [ ] 05. OTHER (INCLUDING VERBAL THREATS)

TYPE OF WEAPON/THREAT

(Check all that apply):

- [ ] A. FIREARM CALIBER _____
  - [ ] 1. REVOLVER
  - [ ] 2. SEMI-AUTOMATIC
  - [ ] 3. RIFLE
  - [ ] 4. SHOTGUN
- [ ] B. VEHICLE
  - [ ] 1. OFFICER STRUCK WITH VEHICLE
  - [ ] 2. ATTEMPTED TO STRIKE OFFICER WITH VEHICLE
- [X] C. KNIFE/OTHER CUTTING INSTRUMENT
- [ ] D. HANDS/FISTS
- [ ] E. FEET
- [ ] F. MOUTH (SPIT, BITE, ETC.)
- [ ] G. VERBAL THREAT (ASSAULT)
- [X] H. OTHER (SPECIFY) /SWINGING KNIFE
- [ ] I. BLUNT INSTRUMENT

FIREARM USE INFORMATION (Check all that apply):

- [ ] A. OFFICER AT GUNPOINT
- [ ] B. OFFICER'S OWN WEAPON OBTAINED
- [ ] C. ATTEMPTED TO OBTAIN OFFICER'S OWN WEAPON

OFFENDER INFORMATION

SEX: [X] 1. M [ ] 2. F | RACE: BLACK | DOB: 25-SEP-1997

CB NO. | IR NO.

WAS THE OFFENDER'S ACTIVITY:

DRUG RELATED?
- [ ] 1. YES
- [ ] 2. NO
- [X] 3. UNKNOWN

GANG RELATED?
- [ ] 1. YES
- [ ] 2. NO
- [X] 3. UNKNOWN

NO. OF OFFENDERS PRESENT? 1

WEATHER CONDITIONS

- [X] A. CLEAR
- [ ] B. RAIN
- [ ] C. SNOW
- [ ] D. FOG / SMOKE / HAZE
- [ ] E. SLEET / HAIL
- [ ] F. SEVERE CROSS WIND
- [ ] G. OTHER

APPROXIMATE OUTDOOR TEMPERATURE: 50 °F

CPD-11.451 (REV. 1/04)

Unusual Circumstances Regarding Officer Control Tactics and Safety: (If you need more space use additional sheets).

OFFENDER'S ACTIONS WERE UNPROVOKED.

REPORTING MEMBER - SIGNATURE	STAR NO.	WATCH COMMANDER /UNIT COMMANDING OFFICER- SIGNATURE	STAR NO.
VAN DYKE, JASON D	9465	MC NAUGHTON, DAVID R	120

CPD-11.451 (REV. 1/04)

TACTICAL RESPONSE REPORT/Chicago Police Department

MEMBER INVOLVED

1. DATE OF INCIDENT	TIME	2. ADDRESS OF OCCURRENCE	3. LOCATION CODE	4. BEAT/OCCUR
20-OCT-2014	21:57:00	4112 S PULASKI RD CHICAGO, IL 60632	304	0815

5. POSITION	6. LAST NAME	7. FIRST NAME	8. STAR NO.	9. SEX	10. RACE CODE	11. AGE	12. HT	13. WT
9161	VAN DYKE	JASON D	9465	[X] 01 M [ ] 02 F	WHI	[redacted]	602	180

14. DATE OF APPT.	15. EMPLOYEE NO.	16. UNIT & BEAT OF ASSIGNMENT	17. DUTY STATUS	18. MEMBER INJURED?	19. MEMBER IN UNIFORM?
25-JUN-2001	[redacted]	008 0845R	[X] 01 On [ ] 02 Off	[ ] 01 Yes [X] 02 No	[X] 01 Yes [ ] 02 No

SUBJECT INFORMATION [ ] DNA

20. LAST NAME	21. FIRST NAME	22. MI	23. SEX	24. RACE	25. D.O.B.	26. HT.	27. WT.
MCDONALD	LEQUAN		[X] 01 M [ ] 02 F	BLK	25-SEP-1997	601	185

28. ADDRESS	29. TELEPHONE NO.	30. WAS SUBJECT ARMED? KNIFE/OTHER CUTTING INSTRUMENT, OTHER (SPECIFY)	31. SUBJECT INJURED?	32. SUBJECT ALLEGED INJURY?
[redacted] IL 60637		[X] 01 Yes [ ] 02 No	[X] 01 Yes [ ] 02 No	[ ] 01 Yes [X] 02 No

33. WHERE WAS MEDICAL TREATMENT OBTAINED?	34. BY WHOM?	35. CONDITION
MOUNT SINAI HOSPITAL	DR. PITZEL	[X] 03 Hospitalized [ ] 01 Apparently Normal [ ] 02 Under Influence [ ] 04 Not Hospitalized [ ] 05 Refused Medical Aid

36. CHARGES PLACED	37. CB NO.	IR NO
[ ] DNA		[ ] DNA

REASON FOR USE OF FORCE (Check all that apply) [ ] 38. DNA

	PASSIVE RESISTER	ACTIVE RESISTER	ASSAILANT:ASSAULT	ASSAILANT:BATTERY	ASSAILANT:DEADLY FORCE
SUBJECT'S ACTIONS	DID NOT FOLLOW VERBAL DIRECTION [X] STIFFENED (DEAD WEIGHT) [ ] OTHER	FLED [ ] PULLED AWAY [ ] OTHER	IMMINENT THREAT OF BATTERY [X] OTHER	ATTACK WITH WEAPON [X] ATTACK WITHOUT WEAPON [ ] OTHER	USES FORCE LIKELY TO CAUSE DEATH OR GREAT BODILY HARM [X] WEAPON [X] OTHER
MEMBER'S RESPONSE	MEMBER PRESENCE [X] VERBAL COMMANDS [X] ESCORT HOLDS [ ] WRISTLOCK [ ] ARMBAR [ ] PRESSURE SENSITIVE AREAS [ ] CONTROL INSTRUMENT [ ] OC/CHEMICAL WEAPON W/AUTHORIZATION [ ] OTHER	OPEN HAND STRIKE [ ] TAKE DOWN / EMERGENCY HANDCUFFING [ ] OC CHEMICAL WEAPON [ ] CANINE [ ] TASER (Probe Discharge) [ ] TASER (Contact Stun) [ ] TASER (Laser Targeted) [ ] TASER (Spark Displayed) [ ] OTHER	ELBOW STRIKE [ ] CLOSED HAND STRIKE/PUNCH [ ] IMPACT WEAPON (Describe in Box 40) [ ] OTHER	KNEE STRIKE [ ] KICKS [ ] IMPACT MUNITION (Describe in Box 40) [ ]	FIREARM [X] OTHER

WEAPON DISCHARGE INCIDENT [ ] 39. DNA

* OC/CHEMICAL WEAPON AUTHORIZED BY (NAME)	POSITION	STAR NO.	UNIT

40. ADDITIONAL INFORMATION: **OFFENDER'S WEAPON WAS A KNIFE IN HIS HAND.**

41. WEAPON TYPE	42. INCIDENT OCCURRED	43. LIGHTING CONDITIONS	44. WEATHER CONDITIONS
[X] 04 SEMI-AUTO PISTOL [ ] 01 REVOLVER [ ] 05 CHEMICAL WEAPON [ ] 02 RIFLE [ ] 06 TASER (Probe Discharge) [ ] 03 SHOTGUN [ ] 07 OTHER	[ ] Indoors [X] Outdoors	[ ] 01 Daylight [ ] 02 Night [ ] 03 Dawn [ ] 04 Dusk [ ] 05 Poor Artificial [X] 06 Good Artificial	CLEAR

45. MAKE/MANUFACTURER	46. MODEL	47. BARREL LENGTH	48. CALIBER/GAUGE
SMITH & WESSON -US- (BODYGUARD,CHIEF SPECIAL)	5943	5	9 MM

49. TASER DART ID NO.	50. WEAPON SERIAL No. (Include Letters)	51. CHICAGO GUN REG. NO.	52. IL FIREARM OWNER ID. NO.	53. HANDGUN CERTIFICATE NO.
	TDU5969	628361	95380037	

54. SPECIAL WEAPON CERTIFICATE NO.	55. PROPERTY INVENTORY NO.	56. TYPE OF AMMUNITION USED	57. NO. OF WEAPONS DISCHARGED BY THIS MEMBER	58. TOTAL NO. OF SHOTS MEMBER FIRED
		Department Issued	1	16

59. WHO FIRED FIRST SHOT	60. WAS FIREARM RELOADED DURING INCIDENT	61. NO OF CATORIDGES/ SHOT SHELLS RELOADED	62. HOW WAS MEMBER'S HANDGUN WORN	70. EVENT NO.
[X] 01 MEMBER [ ] 02 OFFENDER [ ] 03 OTHER (SPECIFY)	[X] 01 YES [ ] 02 NO	15	[X] 01 RT. SIDE (WAIST) [ ] 02 LT. SIDE (WAIST) [ ] 03 OTHER (Specify)	1429315878

63. HOW WAS MEMBER'S HANDGUN DRAWN	64. SPECIFY METHOD/EQUIPMENT USED TO RELOAD	65. DID MEMBER USE SIGHTS
[X] 01 STRONG SIDE DRAW [ ] 02 CROSS DRAW [ ] 03 OTHER (Specify)	BY MAGAZINE	[ ] 01 YES [X] 02 NO

66. DESCRIBE PROTECTIVE COVER USED (LIGHT POLES, DOORWAYS, CAR, FURNITURE, ETC)	67. DISTANCE BETWEEN INVOLVED MEMBER & OFFENDER WHEN FIRST SHOT WAS FIRED
NONE	[ ] 01 0 - 05 FT [ ] 02 05 - 10 FT. [X] 03 10 - 15 FT. [ ] 04 OVER 15 FT.

68. PERSON/OBJECT STRUCK AS RESULT OF THE DISCHARGE OF MEMBERS WEAPON	69. POSITION OF MEMBER DISCHARGING WEAPON
[X] 01 PERSON [ ] 02 OBJECT [ ] 03 BOTH [ ] 04 UNKNOWN	[X] 01 STANDING [ ] 02 LYING DOWN [ ] 03 SITTING [ ] 04 KNEELING [ ] 05 OTHER (SPECIFY)

CASE INFO. 72.

NOTIFICATIONS (OC OR TASER INCIDENT): [ ] OEMC [ ] DSS & LT./DIST. OF OCCUR. [ ] CPIC

NOTIFICATIONS (FIREARM INCIDENT): [X] OEMC [X] DSS/DIST. OF OCCUR & OCIC [X] CPIC [X] DET. DIV.

Members will ensure that all required notifications and all witnesses to this use of force are documented in the appropiate case report.

71. R.D. NO. HX475653

SIGNATURES

73. REPORTING MEMBER (Print Name)	STAR/EMPLOYEE NO.	SIGNATURE
VAN DYKE, JASON D 21-OCT-2014 04:41:45	[redacted]	[redacted]

Reviewing supervisor will ensure the legibility and completeness of this report and attest by entering the required information below.

74. REVIEWING SUPERVISOR (Print Name)	STAR NO.	SIGNATURE	DATE REVIEWED	TIME
FRANKO, STEPHEN D	1381	[redacted]	21-OCT-2014	04:44:58

CB.11.2.7 (REV. 10/07)

LIEUTENANT OR ABOVE/OCIC REVIEW

THE ON-CALL INCIDENT COMMANDER (OCIC) WILL COMPLETE THE REVIEW SECTION FOR 1.) ALL INCIDENTS INVOLVING THE DISCHARGE OF A FIREARM BY A DEPARTMENT MEMBER; 2.) ALL INCIDENTS INVOLVING THE SERIOUS INJURY OR DEATH OF A MEMBER OF THE PUBLIC SUBSEQUENT TO INTERACTIONS WITH A DEPARTMENT MEMBER; 3.) ANY LESSER USE OF FORCE BY A DEPARTMENT MEMBER WHEN THAT USE OF FORCE STEMS FROM THE SAME INCIDENT DESCRIBED HERE IN 1 OR 2.

THE ASSIGNED INVESTIGATING SUPERVISOR THE RANK OF LIEUTENANT OR ABOVE FROM THE DISTRICT OF OCCURRENCE WILL COMPLETE THE REVIEW SECTION FOR ALL OTHER INCIDENTS.

75. SUBJECT'S STATEMENT REGARDING THE USE OF FORCE ☐ DNA ☐ REFUSED ☒ UNABLE TO INTERVIEW (Specify Reason)

Subject is deceased.

76. LIEUTENANT OR ABOVE/OCIC RATIONALE FOR BOX 77 FINDING

Based upon information available at the time of this report it is the preliminary determination of the undersigned that Officer Van Dyke fired his weapon in compliance with Department policy. Officer Van Dyke fired his weapon in fear of his life when the offender while armed with a knife continued to approach and refused all verbal direction.

77. LIEUTENANT OR ABOVE/OCIC FINDING BASED UPON CURRENTLY AVAILABLE INFORMATION:

☒ I HAVE CONCLUDED THAT THE MEMBER'S ACTIONS WERE IN COMPLIANCE WITH DEPARTMENT PROCEDURES AND DIRECTIVES.

☐ I HAVE CONCLUDED THAT FURTHER INVESTIGATION IS REQUIRED.

LOG NO./CRNO. 1072125 OBTAINED

78. LIEUTENANT OR ABOVE/OCIC (Print Name)	SIGNATURE	DATE COMPLETED TIME
MC NAUGHTON, DAVID R	[redacted]	21-OCT-2014 04:58:37

79. DISTRIBUTION OF ORIGINAL TRR:

A TRR PACKET, INCLUDING THE TRR AND COPIES OF THE BELOW LISTED ATTACHMENTS WILL BE FORWARDED TO THE INDEPENDENT POLICE REVIEW AUTHORITY

ATTACHMENTS - PHOTOCOPIES OF:

☐ CASE REPORT ☐ SUPPLEMENTARY REPORT ☐ I.O.D. REPORT

☐ ARREST REPORT ☒ OFFICER BATTERY REPORT ☐ CR INITIATION REPORT

☐ TO-FROM-SUBJECT REPORTS FROM DEPARTMENT WITNESS(ES)

80. TOTAL TRR's THIS EVENT No.: 1

OFFICER'S BATTERY REPORT
CHICAGO POLICE DEPARTMENT

RD NO. **HX475653**

INSTRUCTIONS: This form is to be completed for all incidents when: (1) a sworn member is the victim of a murder, aggravated battery, battery, aggravated assault, or assault while performing a police function either on-duty or off-duty, (2) a detention aide is the victim of a murder, aggravated battery, battery, aggravated assault, or assault while in the performance of his or her duties.

"X APPLICABLE BOXES"

OFFICER INFORMATION

NAME (LAST - FIRST - M.I.): **WALSH, JOSEPH J**

STAR NO.	POSITION
12865	POLICE OFFICER
DATE OF APPOINTMENT: 29-JUN-1998	EMPLOYEE NO.: [redacted]
UNIT OF ASSIGNMENT: 008	BEAT/CALL NO.: 0845R

SEX	RACE	DOB
☒ 1. M ☐ 2. F	WHITE	[redacted]
HEIGHT: 600	WEIGHT: 190	

TYPE OF ASSIGNMENT WHEN BATTERY OCCURRED

☒ 1. ON DUTY
- ☒ A. UNIFORM, PATROL DUTY
- ☐ B. UNIFORM, OTHER DUTY — Describe _____
- ☐ C. CITIZEN'S DRESS
- ☐ D. TACTICAL
- ☐ E. B.I.S. UNIT
- ☐ F. SPECIAL EMPLOYMENT
- ☐ G. OTHER _____

☐ 2. OFF DUTY

☐ 3. SPECIAL EMPLOYMENT

☐ 4. SECONDARY / OTHER

WORKING:
- ☐ A. ALONE
- ☒ B. WITH ONE PARTNER
- ☐ C. WITH MULTIPLE PARTNERS — How many? _____

PATROL TYPE:
- ☒ A. SQUAD CAR
- ☐ B. FOOT
- ☐ C. BICYCLE
- ☐ D. APV/MOTORCYCLE
- ☐ E. SQUADROL
- ☐ F. OTHER _____

TYPE OF ACTIVITY

- ☐ A. AMBUSH -NO WARNING
- ☐ B. TRAFFIC STOP/PURSUIT
- ☐ C. INVESTIGATING SUSPICIOUS PERSON
- ☐ D. DISTURBANCE - DOMESTIC
- ☐ E. DISTURBANCE - MENTAL PATIENT
- ☐ F. DISTURBANCE - RIOT/MOB ACTION/CIVIL DISORDER
- ☐ G. DISTURBANCE - OTHER
- ☐ H. MAN WITH A GUN
- ☐ I. PURSUING/ARRESTING OFFENDER (Specify) CHARGE _____ IUCR CODE _____
- ☐ J. PROCESSING/TRANSPORTING/GUARDING A PRISONER (Specify ORIGINAL CHARGE _____ ORIGINAL IUCR CODE _____
- ☒ K. OTHER

TYPE OF INJURY TO OFFICER

- ☐ A. FATAL
- ☐ B. NON-FATAL - MAJOR INJURY (Broken Bones/Serious Lacerations/ Internal Injuries)
- ☐ C. NON-FATAL - MINOR INJURY (Bruises/Swelling/Minor Abrasions)
- ☒ D. NONE APPARENT/NONE

LIGHTING CONDITIONS AT INCIDENT

- ☐ A. DAYLIGHT
- ☐ B. NIGHT
- ☐ C. DAWN
- ☐ D. DUSK
- ☒ E. ARTIFICIAL LIGHT — ☐ 1. POOR ☒ 2. GOOD

INCIDENT INFORMATION

☐ 1. INDOOR ☒ 2. OUTDOOR

ADDRESS OF OCCURRENCE: **4112 S PULASKI RD**

CITY	STATE (If outside Chicago)
☒ CHICAGO ☐	
LOCATION CODE: 304-STREET	BEAT OF OCCURRENCE: 0815

DATE OF OCCURRENCE	TIME	DAY OF WEEK
20-OCT-2014	21:57:00	MONDAY

NO. OF OFFICERS BATTERED: 3

WERE THERE ASSISTING UNITS ON SCENE? 1. ☒ YES 2. ☐ NO

IF YES HOW MANY ASSISTING OFFICERS WERE PRESENT AT TIME BATTERY (EXCLUDING YOU OR YOUR PARTNERS) ? 8

MANNER OF ATTACK

- ☐ 01. SHOT
- ☐ 02. SHOT AT
- ☒ 03. STABBED/CUT (INCLUDING ACTUAL ATTEMPT)
- ☐ 04. STRUCK/BLUNT FORCE (INCLUDING ACTUAL ATTEMPT)
- ☐ 05. OTHER (INCLUDING VERBAL THREATS)

TYPE OF WEAPON/THREAT

(Check all that apply):
- ☐ A. FIREARM CALIBER _____
  - ☐ 1. REVOLVER
  - ☐ 2. SEMI-AUTOMATIC
  - ☐ 3. RIFLE
  - ☐ 4. SHOTGUN
- ☐ B. VEHICLE
  - ☐ 1. OFFICER STRUCK WITH VEHICLE
  - ☐ 2. ATTEMPTED TO STRIKE OFFICER WITH VEHICLE
- ☐ C. KNIFE/OTHER CUTTING INSTRUMENT
- ☐ D. HANDS/FISTS
- ☐ E. FEET
- ☐ F. MOUTH (SPIT, BITE, ETC.)
- ☐ G. VERBAL THREAT (ASSAULT)
- ☒ H. OTHER (SPECIFY) /SWINGING KNIFE
- ☐ I. BLUNT INSTRUMENT

FIREARM USE INFORMATION (Check all that apply):
- ☐ A. OFFICER AT GUNPOINT
- ☐ B. OFFICER'S OWN WEAPON OBTAINED
- ☐ C. ATTEMPTED TO OBTAIN OFFICER'S OWN WEAPON

OFFENDER INFORMATION

SEX	RACE	DOB
☒ 1. M ☐ 2. F	BLACK	25-SEP-1997
CB NO.	IR NO.	

WAS THE OFFENDER'S ACTIVITY:

DRUG RELATED?	GANG RELATED?
☐ 1. YES	☐ 1. YES
☐ 2. NO	☐ 2. NO
☒ 3. UNKNOWN	☒ 3. UNKNOWN

NO. OF OFFENDERS PRESENT? 1

WEATHER CONDITIONS

- ☒ A. CLEAR
- ☐ B. RAIN
- ☐ C. SNOW
- ☐ D. FOG / SMOKE / HAZE
- ☐ E. SLEET / HAIL
- ☐ F. SEVERE CROSS WIND
- ☐ G. OTHER

APPROXIMATE OUTDOOR TEMPERATURE: 50 °F

CPD-11.451 (REV. 1/04)

Unusual Circumstances Regarding Officer Control Tactics and Safety: (If you need more space use additional sheets).

REPORTING MEMBER - SIGNATURE	STAR NO.	WATCH COMMANDER /UNIT COMMANDING OFFICER- SIGNATURE	STAR NO.
WALSH, JOSEPH J	12865 [redacted]	MC NAUGHTON, DAVID R	120 [redacted]

CPD-11.451 (REV. 1/04)

TACTICAL RESPONSE REPORT/Chicago Police Department

MEMBER INVOLVED

1. DATE OF INCIDENT	TIME	2. ADDRESS OF OCCURRENCE	3. LOCATION CODE	4. BEAT/OCCUR
20-OCT-2014	21:57:00	4112 S PULASKI RD CHICAGO, IL 60632	304	0815

5. POSITION	6. LAST NAME	7. FIRST NAME	8. STAR NO.	9. SEX	10. RACE CODE	11. AGE	12. HT.	13. WT.
9161	WALSH	JOSEPH J	12865	☒ 01 M ☐ 02 F	WHI	[redacted]	600	190

14. DATE OF APPT.	15. EMPLOYEE NO.	16. UNIT & BEAT OF ASSIGNMENT	17. DUTY STATUS	18. MEMBER INJURED?	19. MEMBER IN UNIFORM?
29-JUN-1998	10016	008 0845R	☒ 01 On ☐ 02 Off	☐ 01 Yes ☒ 02 No	☒ 01 Yes ☐ 02 No

SUBJECT INFORMATION ☐ DNA

20. LAST NAME	21. FIRST NAME	22. MI	23. SEX	24. RACE	25. D.O.B.	26. HT.	27. WT.
MCDONALD	LEQUAN	J	☒ 01 M ☐ 02 F	BLK	25-SEP-1997	601	185

28. ADDRESS	29. TELEPHONE NO.	30. WAS SUBJECT ARMED? OTHER (SPECIFY)	31. SUBJECT INJURED?	32. SUBJECT ALLEGED INJURY?
[redacted] IL 60637		☒ 01 Yes ☐ 02 No	☒ 01 Yes ☐ 02 No	☐ 01 Yes ☒ 02 No

33. WHERE WAS MEDICAL TREATMENT OBTAINED?	34. BY WHOM?	35. CONDITION
	DR. PITZEL	☒ 03 Hospitalized ☐ 01 Apparently Normal ☐ 02 Under Influence ☐ 04 Not Hospitalized ☐ 05 Refused Medical Aid

36. CHARGES PLACED ☐ DNA | 37. CB NO. | IR NO. ☐ DNA

REASON FOR USE OF FORCE (Check all that apply) 38. ☐ DNA

	PASSIVE RESISTER	ACTIVE RESISTER	ASSAILANT: ASSAULT	ASSAILANT: BATTERY	ASSAILANT: DEADLY FORCE
SUBJECT'S ACTIONS	DID NOT FOLLOW VERBAL DIRECTION ☒ STIFFENED (DEAD WEIGHT) ☐ OTHER	FLED ☐ PULLED AWAY ☐ OTHER	IMMINENT THREAT OF BATTERY ☒ OTHER	ATTACK WITH WEAPON ☒ ATTACK WITHOUT WEAPON ☐ OTHER	USES FORCE LIKELY TO CAUSE DEATH OR GREAT BODILY HARM ☒ WEAPON ☒ OTHER
MEMBER'S RESPONSE	MEMBER PRESENCE ☒ VERBAL COMMANDS ☒ ESCORT HOLDS ☐ WRISTLOCK ☐ ARMBAR ☐ PRESSURE SENSITIVE AREAS ☐ CONTROL INSTRUMENT ☐ OC/CHEMICAL WEAPON W/AUTHORIZATION ☐ OTHER	OPEN HAND STRIKE ☐ TAKE DOWN / EMERGENCY HANDCUFFING ☐ OC CHEMICAL WEAPON ☐ CANINE ☐ TASER (Probe Discharge) ☐ TASER (Contact Stun) ☐ TASER (Laser Targeted) ☐ TASER (Spark Displayed) ☐ OTHER	ELBOW STRIKE ☐ CLOSED HAND STRIKE/PUNCH ☐ IMPACT WEAPON (Describe in Box 40) ☐ OTHER	KNEE STRIKE ☐ KICKS ☐ IMPACT MUNITION (Describe in Box 40) ☐	FIREARM ☐ OTHER

WEAPON DISCHARGE INCIDENT 39. ☒ DNA

* OC/CHEMICAL WEAPON AUTHORIZED BY (NAME)	POSITION	STAR NO.	UNIT

40. ADDITIONAL INFORMATION: **OFFENDER ARMED WITH KNIFE.**

41. WEAPON TYPE	42. INCIDENT OCCURRED	43. LIGHTING CONDITIONS	44. WEATHER CONDITIONS
☐ 01 REVOLVER ☐ 04 SEMI-AUTO PISTOL ☐ 02 RIFLE ☐ 05 CHEMICAL WEAPON ☐ 03 SHOTGUN ☐ 06 TASER (Probe Discharge) ☐ 07 OTHER	☐ Indoors ☒ Outdoors	☐ 02 Night ☐ 03 Dawn ☐ 04 Dusk ☐ 05 Poor Artificial ☒ 06 Good Artificial	CLEAR

45. MAKE/MANUFACTURER	46. MODEL	47. BARREL LENGTH	48. CALIBER/GAUGE

49. TASER DART ID NO.	50. WEAPON SERIAL No. (Include Letters)	51. CHICAGO GUN REG. NO.	52. IL FIREARM OWNER ID. NO.	53. HANDGUN CERTIFICATE NO.

54. SPECIAL WEAPON CERTIFICATE NO.	55. PROPERTY INVENTORY NO.	56. TYPE OF AMMUNITION USED	57 NO. OF WEAPONS DISCHARGED BY THIS MEMBER	58. TOTAL NO. OF SHOTS MEMBER FIRED

59. WHO FIRED FIRST SHOT	60. WAS FIREARM RELOADED DURING INCIDENT	61. NO OF CATDRIDGES/ SHOT SHELLS RELOADED	62. HOW WAS MEMBER'S HANDGUN WORN	70. EVENT NO.
☐ 01 MEMBER ☐ 02 OFFENDER ☐ 03 OTHER (SPECIFY)	☐ 01 YES ☐ 02 NO		☐ 01 RT. SIDE (WAIST) ☐ 02 LT. SIDE (WAIST) ☐ 03 OTHER (Specify)	1429315878

63. HOW WAS MEMBER'S HANDGUN DRAWN	64. SPECIFY METHOD/EQUIPMENT USED TO RELOAD	65. DID MEMBER USE SIGHTS
☐ 01 STRONG SIDE DRAW ☐ 02 CROSS DRAW ☐ 03 OTHER (Specify)		☐ 01 YES ☐ 02 NO

66. DESCRIBE PROTECTIVE COVER USED (LIGHT POLES, DOORWAYS, CAR, FURNITURE, ETC)	67. DISTANCE BETWEEN INVOLVED MEMBER & OFFENDER WHEN FIRST SHOT WAS FIRED
	☐ 01 0 - 05 FT. ☐ 02 05 - 10 FT. ☐ 03 10 - 15 FT ☐ 04 OVER 15 FT.

68. PERSON/OBJECT STRUCK AS RESULT OF THE DISCHARGE OF MEMBERS WEAPON	69. POSITION OF MEMBER DISCHARGING WEAPON
☐ 01 PERSON ☐ 02 OBJECT ☐ 03 BOTH ☐ 04 UNKNOWN	☐ 01 STANDING ☐ 02 LYING DOWN ☐ 03 SITTING ☐ 04 KNEELING ☐ 05 OTHER (SPECIFY)

CASE INFO. 72.

NOTIFICATIONS (OC OR TASER INCIDENT): ☐ OEMC ☐ DSS & LT./DIST. OF OCCUR. ☐ CPIC

NOTIFICATIONS (FIREARM INCIDENT): ☐ OEMC ☐ DSS/DIST. OF OCCUR & OCIC ☐ CPIC ☐ DET. DIV.

Members will ensure that all required notifications and all witnesses to this use of force are documented in the appropriate case report.

71. R.D. NO. HX475653

SIGNATURES

73. REPORTING MEMBER (Print Name)	STAR/EMPLOYEE NO.	SIGNATURE
WALSH, JOSEPH J 21-OCT-2014 05:04:40	12865 [redacted]	[redacted]

Reviewing supervisor will ensure the legibility and completeness of this report and attest by entering the required information below.

74. REVIEWING SUPERVISOR (Print Name)	STAR NO.	SIGNATURE	DATE REVIEWED	TIME
FRANKO, STEPHEN D	1381	[redacted]	21-OCT-2014	05:07:32

CB 377 (REV. 10/07)

LIEUTENANT OR ABOVE/OCIC REVIEW

THE ON-CALL INCIDENT COMMANDER (OCIC) WILL COMPLETE THE REVIEW SECTION FOR 1.) ALL INCIDENTS INVOLVING THE DISCHARGE OF A FIREARM BY A DEPARTMENT MEMBER; 2.) ALL INCIDENTS INVOLVING THE SERIOUS INJURY OR DEATH OF A MEMBER OF THE PUBLIC SUBSEQUENT TO INTERACTIONS WITH A DEPARTMENT MEMBER; 3.) ANY LESSER USE OF FORCE BY A DEPARTMENT MEMBER WHEN THAT USE OF FORCE STEMS FROM THE SAME INCIDENT DESCRIBED HERE IN 1 OR 2.

THE ASSIGNED INVESTIGATING SUPERVISOR THE RANK OF LIEUTENANT OR ABOVE FROM THE DISTRICT OF OCCURRENCE WILL COMPLETE THE REVIEW SECTION FOR ALL OTHER INCIDENTS.

75. SUBJECT'S STATEMENT REGARDING THE USE OF FORCE ☐ DNA ☐ REFUSED ☒ UNABLE TO INTERVIEW (Specify Reason)

Subject is deceased.

76. LIEUTENANT OR ABOVE/OCIC RATIONALE FOR BOX 77 FINDING

Officer Walsh's actions were in compliance with the Department's use of force policy.

77. LIEUTENANT OR ABOVE/OCIC FINDING BASED UPON CURRENTLY AVAILABLE INFORMATION:

☒ I HAVE CONCLUDED THAT THE MEMBER'S ACTIONS WERE IN COMPLIANCE WITH DEPARTMENT PROCEDURES AND DIRECTIVES.

☐ I HAVE CONCLUDED THAT FURTHER INVESTIGATION IS REQUIRED.

LOG NO./CRNO. 1072125 OBTAINED

78. LIEUTENANT OR ABOVE/OCIC (Print Name)	SIGNATURE	DATE COMPLETED TIME
MC NAUGHTON, DAVID R	[redacted]	21-OCT-2014 05:12:27

79. DISTRIBUTION OF ORIGINAL TRR:

A TRR PACKET, INCLUDING THE TRR AND COPIES OF THE BELOW LISTED ATTACHMENTS WILL BE FORWARDED TO THE INDEPENDENT POLICE REVIEW AUTHORITY

ATTACHMENTS - PHOTOCOPIES OF:
☐ SUPPLEMENTARY REPORT ☐ I.O.D. REPORT
☐ CASE REPORT ☒ OFFICER BATTERY REPORT ☐ CR INITIATION REPORT
☐ ARREST REPORT ☐ TO-FROM-SUBJECT REPORTS FROM DEPARTMENT WITNESS(ES)

80. TOTAL TRR's THIS EVENT No. 2

OFFICER'S BATTERY REPORT
CHICAGO POLICE DEPARTMENT

RD NO. **HX475653**

INSTRUCTIONS: This form is to be completed for all incidents when: (1) a sworn member is the victim of a murder, aggravated battery, battery, aggravated assault, or assault while performing a police function either on-duty or off-duty, (2) a detention aide is the victim of a murder, aggravated battery, battery, aggravated assault, or assault while in the performance of his or her duties.

"X APPLICABLE BOXES"

OFFICER INFORMATION

NAME (LAST - FIRST - M.I.): **GAFFNEY, THOMAS J**

STAR NO.	POSITION
19958	POLICE OFFICER
DATE OF APPOINTMENT: 08-JUL-1996	EMPLOYEE NO.: [redacted]
UNIT OF ASSIGNMENT: 008	BEAT/CALL NO.: 0815R

SEX	RACE	DOB
☒ 1. M ☐ 2. F	WHITE	[redacted]

HEIGHT	WEIGHT
600	195

TYPE OF ASSIGNMENT WHEN BATTERY OCCURRED

☒ 1. ON DUTY
- ☒ A. UNIFORM, PATROL DUTY
- ☐ B. UNIFORM, OTHER DUTY — Describe _____
- ☐ C. CITIZEN'S DRESS
- ☐ D. TACTICAL
- ☐ E. B.I.S. UNIT
- ☐ F. SPECIAL EMPLOYMENT
- ☐ G. OTHER _____

☐ 2. OFF DUTY

☐ 3. SPECIAL EMPLOYMENT

☐ 4. SECONDARY / OTHER

WORKING:
- ☐ A. ALONE
- ☒ B. WITH ONE PARTNER
- ☐ C. WITH MULTIPLE PARTNERS — How many? _____

PATROL TYPE:
- ☒ A. SQUAD CAR
- ☐ B. FOOT
- ☐ C. BICYCLE
- ☐ D. APV/MOTORCYCLE
- ☐ E. SQUADROL
- ☐ F. OTHER _____

TYPE OF ACTIVITY

- ☐ A. AMBUSH -NO WARNING
- ☐ B. TRAFFIC STOP/PURSUIT
- ☐ C. INVESTIGATING SUSPICIOUS PERSON
- ☐ D. DISTURBANCE - DOMESTIC
- ☐ E. DISTURBANCE - MENTAL PATIENT
- ☐ F. DISTURBANCE - RIOT/MOB ACTION/CIVIL DISORDER
- ☐ G. DISTURBANCE - OTHER
- ☐ H. MAN WITH A GUN
- ☐ I. PURSUING/ARRESTING OFFENDER (Specify) CHARGE _____ IUCR CODE _____
- ☐ J. PROCESSING/TRANSPORTING/GUARDING A PRISONER (Specify ORIGINAL CHARGE _____ ORIGINAL IUCR CODE _____
- ☒ K. OTHER

TYPE OF INJURY TO OFFICER

- ☐ A. FATAL
- ☐ B. NON-FATAL - MAJOR INJURY (Broken Bones/Serious Lacerations/ Internal Injuries)
- ☐ C. NON-FATAL - MINOR INJURY (Bruises/Swelling/Minor Abrasions)
- ☒ D. NONE APPARENT/NONE

LIGHTING CONDITIONS AT INCIDENT

- ☐ A. DAYLIGHT
- ☐ B. NIGHT
- ☐ C. DAWN
- ☐ D. DUSK
- ☒ E. ARTIFICIAL LIGHT
  - ☐ 1. POOR
  - ☒ 2. GOOD

INCIDENT INFORMATION

☐ 1. INDOOR ☒ 2. OUTDOOR

ADDRESS OF OCCURRENCE: 4000 1/2 S KARLOV AVE

CITY	STATE (If outside Chicago)
☒ CHICAGO ☐	
LOCATION CODE: 304-STREET	BEAT OF OCCURRENCE: 0815

DATE OF OCCURRENCE	TIME	DAY OF WEEK
20-OCT-2014	21:56:00	MONDAY

NO. OF OFFICERS BATTERED: 3

WERE THERE ASSISTING UNITS ON SCENE? 1. ☒ YES 2. ☐ NO

IF YES HOW MANY ASSISTING OFFICERS WERE PRESENT AT TIME BATTERY (EXCLUDING YOU OR YOUR PARTNERS) ? 8

MANNER OF ATTACK

- ☐ 01. SHOT
- ☐ 02. SHOT AT
- ☒ 03. STABBED/CUT (INCLUDING ACTUAL ATTEMPT)
- ☐ 04. STRUCK/BLUNT FORCE (INCLUDING ACTUAL ATTEMPT)
- ☐ 05. OTHER (INCLUDING VERBAL THREATS)

TYPE OF WEAPON/THREAT

(Check all that apply):

- ☐ A. FIREARM CALIBER _____
  - ☐ 1. REVOLVER
  - ☐ 2. SEMI-AUTOMATIC
  - ☐ 3. RIFLE
  - ☐ 4. SHOTGUN
- ☐ B. VEHICLE
  - ☐ 1. OFFICER STRUCK WITH VEHICLE
  - ☐ 2. ATTEMPTED TO STRIKE OFFICER WITH VEHICLE
- ☒ C. KNIFE/OTHER CUTTING INSTRUMENT
- ☐ D. HANDS/FISTS
- ☐ E. FEET
- ☐ F. MOUTH (SPIT, BITE, ETC.)
- ☐ G. VERBAL THREAT (ASSAULT)
- ☒ H. OTHER (SPECIFY) /SWINGING KNIFE
- ☐ I. BLUNT INSTRUMENT

FIREARM USE INFORMATION (Check all that apply):
- ☐ A. OFFICER AT GUNPOINT
- ☐ B. OFFICER'S OWN WEAPON OBTAINED
- ☐ C. ATTEMPTED TO OBTAIN OFFICER'S OWN WEAPON

OFFENDER INFORMATION

SEX	RACE	DOB
☒ 1. M ☐ 2. F	BLACK	25-SEP-1997

CB NO.	IR NO.

WAS THE OFFENDER'S ACTIVITY:

DRUG RELATED?	GANG RELATED?
☐ 1. YES	☐ 1. YES
☐ 2. NO	☐ 2. NO
☒ 3. UNKNOWN	☒ 3. UNKNOWN

NO. OF OFFENDERS PRESENT? 1

WEATHER CONDITIONS

- ☒ A. CLEAR
- ☐ B. RAIN
- ☐ C. SNOW
- ☐ D. FOG / SMOKE / HAZE
- ☐ E. SLEET / HAIL
- ☐ F. SEVERE CROSS WIND
- ☐ G. OTHER

APPROXIMATE OUTDOOR TEMPERATURE: 50 °F

CPD-11.451 (REV. 1/04)

Unusual Circumstances Regarding Officer Control Tactics and Safety: (If you need more space use additional sheets).

REPORTING MEMBER - SIGNATURE	STAR NO.	WATCH COMMANDER /UNIT COMMANDING OFFICER- SIGNATURE	STAR NO.
GAFFNEY, THOMAS J	19958 [redacted]	MC NAUGHTON, DAVID R	120 [redacted]

CPD-11.451 (REV. 1/04)

TACTICAL RESPONSE REPORT/Chicago Police Department

1. DATE OF INCIDENT	TIME	2. ADDRESS OF OCCURRENCE	3. LOCATION CODE	4. BEAT/OCCUR
20-OCT-2014	21:56:00	4000 1/2 S KARLOV AVE CHICAGO, IL 60632	304	0815

MEMBER INVOLVED

5. POSITION	6. LAST NAME	7. FIRST NAME	8. STAR NO.	9. SEX	10. RACE CODE	11. AGE	12. HT.	13. WT.
9161	GAFFNEY	THOMAS J	19958	☒ 01 M ☐ 02 F	WHI	[redacted]	600	195

14. DATE OF APPT	15. EMPLOYEE NO.	16. UNIT & BEAT OF ASSIGNMENT	17. DUTY STATUS	18. MEMBER INJURED?	19. MEMBER IN UNIFORM?
08-JUL-1996	[redacted]	008 0815R	☒ 01 On ☐ 02 Off	☐ 01 Yes ☒ 02 No	☒ 01 Yes ☐ 02 No

SUBJECT INFORMATION ☐ DNA

20. LAST NAME	21. FIRST NAME	22. M.I.	23. SEX	24. RACE	25. D.O.B.	26. HT.	27. WT.
MCDONALD	LEQUAN	J	☒ 01 M ☐ 02 F	BLK	25-SEP-1997	601	185

28. ADDRESS	29. TELEPHONE NO.	30. WAS SUBJECT ARMED? KNIFE/OTHER CUTTING INSTRUMENT, OTHER (SPECIFY)	31. SUBJECT INJURED?	32. SUBJECT ALLEGED INJURY?
[redacted]		☒ 01 Yes ☐ 02 No	☒ 01 Yes ☐ 02 No	☐ 01 Yes ☒ 02 No

33. WHERE WAS MEDICAL TREATMENT OBTAINED?

34. BY WHOM? DR PITZEL

35. CONDITION ☐ 01 Apparently Normal ☐ 02 Under Influence ☒ 03 Hospitalized ☐ 04 Not Hospitalized ☐ 05 Refused Medical Aid

36. CHARGES PLACED ☐ DNA

37. CB NO. IR NO. ☐ DNA

REASON FOR USE OF FORCE (Check all that apply) 38. ☐ DNA

	PASSIVE RESISTER	ACTIVE RESISTER	ASSAILANT:ASSAULT	ASSAILANT:BATTERY	ASSAILANT:DEADLY FORCE
SUBJECT'S ACTIONS	DID NOT FOLLOW VERBAL DIRECTION ☒ STIFFENED (DEAD WEIGHT) ☐ OTHER	FLED ☐ PULLED AWAY ☐ OTHER	IMMINENT THREAT OF BATTERY ☒ OTHER	ATTACK WITH WEAPON ☒ ATTACK WITHOUT WEAPON ☐ OTHER	USES FORCE LIKELY TO CAUSE DEATH OR GREAT BODILY HARM ☒ WEAPON ☒ OTHER

MEMBER'S RESPONSE				
MEMBER PRESENCE ☒	OPEN HAND STRIKE ☐	ELBOW STRIKE ☐	KNEE STRIKE ☐	FIREARM ☐
VERBAL COMMANDS ☐	TAKE DOWN / EMERGENCY HANDCUFFING ☐	CLOSED HAND STRIKE/PUNCH ☐	KICKS ☐	OTHER
ESCORT HOLDS ☐	OC CHEMICAL WEAPON ☐	IMPACT WEAPON (Describe in Box 40) ☐	IMPACT MUNITION (Describe in Box 40) ☐	
WRISTLOCK ☐	CANINE ☐	OTHER		
ARMBAR ☐	TASER (Probe Discharge) ☐			
PRESSURE SENSITIVE AREAS ☐	TASER (Contact Stun) ☐			
CONTROL INSTRUMENT ☐	TASER (Laser Targeted) ☐			
OC/CHEMICAL WEAPON W/AUTHORIZATION ☐	TASER (Spark Displayed) ☐			
OTHER	OTHER			

WEAPON DISCHARGE INCIDENT 39. ☒ DNA

* OC/CHEMICAL WEAPON AUTHORIZED BY (NAME)	POSITION	STAR NO.	UNIT

40. ADDITIONAL INFORMATION: SUBJECT ARMED WITH KNIFE

41. WEAPON TYPE	42. INCIDENT OCCURRED	43. LIGHTING CONDITIONS	44. WEATHER CONDITIONS
☐ 01 REVOLVER ☐ 04 SEMI-AUTO PISTOL ☐ 02 RIFLE ☐ 05 CHEMICAL WEAPON ☐ 03 SHOTGUN ☐ 06 TASER (Probe Discharge) ☐ 07 OTHER	☐ Indoors ☒ Outdoors	☐ 02 Night ☐ 03 Dawn ☐ 04 Dusk ☐ 05 Poor Artificial ☒ 06 Good Artificial ☐ 01 Daylight	CLEAR

45. MAKE/MANUFACTURER	46. MODEL	47. BARREL LENGTH	48. CALIBER/GAUGE

49. TASER DART ID NO.	50. WEAPON SERIAL No. (Include Letters)	51. CHICAGO GUN REG. NO.	52. IL FIREARM OWNER ID. NO.	53. HANDGUN CERTIFICATE NO.

54. SPECIAL WEAPON CERTIFICATE NO.	55. PROPERTY INVENTORY NO.	56. TYPE OF AMMUNITION USED	57. NO. OF WEAPONS DISCHARGED BY THIS MEMBER	58. TOTAL NO. OF SHOTS MEMBER FIRED

59. WHO FIRED FIRST SHOT	60. WAS FIREARM RELOADED DURING INCIDENT	61. NO OF CARTRIDGES/ SHOT SHELLS RELOADED	62. HOW WAS MEMBER'S HANDGUN WORN	70. EVENT NO.
☐ 01 MEMBER ☐ 02 OFFENDER ☐ 03 OTHER (SPECIFY)	☐ 01 YES ☐ 02 NO		☐ 01 RT. SIDE (WAIST) ☐ 02 LT. SIDE (WAIST) ☐ 03 OTHER (Specify)	1429315878

63. HOW WAS MEMBER'S HANDGUN DRAWN	64. SPECIFY METHOD/EQUIPMENT USED TO RELOAD	65. DID MEMBER USE SIGHTS
☐ 01 STRONG SIDE DRAW ☐ 02 CROSS DRAW ☐ 03 OTHER (Specify)		☐ 01 YES ☐ 02 NO

66. DESCRIBE PROTECTIVE COVER USED (LIGHT POLES, DOORWAYS, CAR, FURNITURE, ETC)	67. DISTANCE BETWEEN INVOLVED MEMBER & OFFENDER WHEN FIRST SHOT WAS FIRED
	☐ 01 0 - 05 FT. ☐ 02 05 - 10 FT. ☐ 03 10 - 15 FT. ☐ 04 OVER 15 FT.

68. PERSON/OBJECT STRUCK AS RESULT OF THE DISCHARGE OF MEMBERS WEAPON	69. POSITION OF MEMBER DISCHARGING WEAPON
☐ 01 PERSON ☐ 02 OBJECT ☐ 03 BOTH ☐ 04 UNKNOWN	☐ 01 STANDING ☐ 02 LYING DOWN ☐ 03 SITTING ☐ 04 KNEELING ☐ 05 OTHER (SPECIFY)

CASE INFO. 72.

NOTIFICATIONS (OC OR TASER INCIDENT): ☐ OEMC ☐ DSS & LT./DIST. OF OCCUR. ☐ CPIC

NOTIFICATIONS (FIREARM INCIDENT): ☐ OEMC ☐ DSS/DIST. OF OCCUR & OCIC ☐ CPIC ☐ DET. DIV.

Members will ensure that all required notifications and all witnesses to this use of force are documented in the appropiate case report.

71. R.D. NO. HX475653

SIGNATURES

73. REPORTING MEMBER (Print Name)	STAR/EMPLOYEE NO	SIGNATURE
GAFFNEY, THOMAS J 21-OCT-2014 05:15:34	19958 [redacted]	[redacted]

Reviewing supervisor will ensure the legibility and completeness of this report and attest by entering the required information below.

74. REVIEWING SUPERVISOR (Print Name)	STAR NO.	SIGNATURE	DATE REVIEWED TIME
FRANKO, STEPHEN D	1381	[redacted]	21-OCT-2014 05:17:15

11.3.7 (REV. 10/07)

LIEUTENANT OR ABOVE/OCIC REVIEW

THE ON-CALL INCIDENT COMMANDER (OCIC) WILL COMPLETE THE REVIEW SECTION FOR 1.) ALL INCIDENTS INVOLVING THE DISCHARGE OF A FIREARM BY A DEPARTMENT MEMBER; 2.) ALL INCIDENTS INVOLVING THE SERIOUS INJURY OR DEATH OF A MEMBER OF THE PUBLIC SUBSEQUENT TO INTERACTIONS WITH A DEPARTMENT MEMBER; 3.) ANY LESSER USE OF FORCE BY A DEPARTMENT MEMBER WHEN THAT USE OF FORCE STEMS FROM THE SAME INCIDENT DESCRIBED HERE IN 1 OR 2.

THE ASSIGNED INVESTIGATING SUPERVISOR THE RANK OF LIEUTENANT OR ABOVE FROM THE DISTRICT OF OCCURRENCE WILL COMPLETE THE REVIEW SECTION FOR ALL OTHER INCIDENTS

75. SUBJECT'S STATEMENT REGARDING THE USE OF FORCE ☐ ONA ☐ REFUSED ☒ UNABLE TO INTERVIEW (Specify Reason)

Subject is deceased.

76. LIEUTENANT OR ABOVE/OCIC RATIONALE FOR BOX 77 FINDING

Officer Gaffney's actions were in compliance with the Department's Use of Force policy.

77. LIEUTENANT OR ABOVE/OCIC FINDING BASED UPON CURRENTLY AVAILABLE INFORMATION:

☒ I HAVE CONCLUDED THAT THE MEMBER'S ACTIONS WERE IN COMPLIANCE WITH DEPARTMENT PROCEDURES AND DIRECTIVES.

☐ I HAVE CONCLUDED THAT FURTHER INVESTIGATION IS REQUIRED.

LOG NO./CRNO. 1072125 OBTAINED

78. LIEUTENANT OR ABOVE/OCIC (Print Name)	SIGNATURE	DATE COMPLETED TIME
MC NAUGHTON, DAVID R	[redacted]	21-OCT-2014 05:20:49

79. DISTRIBUTION OF ORIGINAL TRR

A TRR PACKET, INCLUDING THE TRR AND COPIES OF THE BELOW LISTED ATTACHMENTS WILL BE FORWARDED TO THE INDEPENDENT POLICE REVIEW AUTHORITY.

ATTACHMENTS - PHOTOCOPIES OF:
☐ CASE REPORT ☐ ARREST REPORT ☐ SUPPLEMENTARY REPORT ☒ OFFICER BATTERY REPORT ☐ TO-FROM-SUBJECT REPORTS FROM DEPARTMENT WITNESS(ES) ☐ I.O.D. REPORT ☐ CR INITIATION REPORT

80. TOTAL TRR's THIS EVENT No. 3

ERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 2014	20 OCT 2014 3

OFFENSE CLASSIFICATION–LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	WALSH J [illegible]	5121

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

J WALSH P1 OF 2

WHEN O E/B IN BK LOT, USED VEH TO BLOCK
D FROM BK
O S/B ON PULASKI FROM BK. WALSH IN PURSUIT
S/B IN N/B LANES TO GET AHEAD OF O
KEPT VEH BETWEEN O + VS
AS THEY PASSED O VS ATTEMPTED TO EXT/CONFRONT
WALSH = TOO CLOSE, WAIT
DROVE FURTHER S
STOPPED S OF O
BOTH EXITED VEH
WALSH DREW HANDGUN
AROUND REAR OF TAHOE
JOINED VS
<TOO> IN ST FACING N/B AS O APPROACHED S/B
WALSH = "DROP THE KNIFE!" MULTIPLE TIMES
WALSH BACKED UP, ATTEMPTING TO MAINTAIN SAFE DISTANCE
O IGNORED DIRECTIONS, CONTINUED TO ADVANCE
AT 12-15 FT O SWUNG KNIFE AT POV IN
AGGRESSIVE MANNER

R.D. NO. HX475653

REPORTING OFFICER'S SIGNATURE–STAR NO.	RECEIVED BY: SUPERVISOR'S SIGNATURE–STAR NO.	DAY–MO.–YR. TIME
[signature] 20563	[signature]	

PD-23.122 (Rev. 2/83)

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 2014	20 OCT 2014 3

OFFENSE CLASSIFICATION—LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	VAN DYKE	512

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

J WALSH P2 OF 2

VS OPENED FIRE
O FELL TO GROUND
VS CONTINUED FIRING AS O CONTINUED MOVING,
ATTEMPTING GET UP, STILL ARMED W/KNIFE
WHEN GUNFIRE STOPPED, O NOT MOVING
POs APPROACHED O
WALSH CONTINUED, "DROP THE KNIFE!" MULTIPLE X
O STILL HOLDING KNIFE IN R HAND
WALSH FORCIBLY KICKED KNIFE FROM HAND
NOTIFIED DISPATCHER — SHOTS FIRED BY POLICE
AMBULANCE WAS ALSO REQUESTED
WHILE WAITING FOR AMBULANCE, TOLD O
"HANG IN THERE." AMBULANCE ON WAY
WALSH BELIEVED O WAS ATTACKING POs W/KNIFE,
ATTEMPTING TO KILL POs WHEN SHOTS FIRED
WALSH DID NOT FIRE BECAUSE VS IN LINE OF FIRE
THOUGHT VS FIRED 8-9 SHOTS

R.D. NO. HX475653

REPORTING OFFICER'S SIGNATURE—STAR NO.	RECEIVED BY: SUPERVISOR'S SIGNATURE—STAR NO.	DAY—MO.—YR. TIME
Kevin M Walsh 20563		

PD-23.122 (Rev. 2/83)

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 2014	20 OCT 2014 3

OFFENSE CLASSIFICATION–LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0052	VANDYKE	5121

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

T GAGNEY P1 OF 2

RESPONDED TO ASSIGNMENT
HOLDING O FOR BREAKING INTO TRUCKS, 41 + KILDARE
MET HISPANIC COUPLE
O = M/B, DARK SHIRT, ATTEMPTED TO BREAK INTO TRUCKS
LAST SEEN E/B 40 FROM KILDARE
DROVE N/B KILDARE, E/B 40
SAW M/B, DARK CLOTHING, E/B ON S SIDEWALK
McE EXTEN VEH TO APPROACH O ON FOOT
GAFFNEY STAYED IN VEH IN CASE O FLED
McE TOLD O TO STOP BUT O IGNORED/CONTINUED
WALKING HANDS IN POCKETS
McE TOLD O - HANDS OUT OF POCKETS
HANDS OUT of POCKETS
McE TOLD G - HE HAS KNIFE
SAW SILVER KNIFE IN R HAND
S McE HAD DRAWN HANDGUN
McE = "DROP THE KNIFE!" REPEATED LY
O IGNORED
AT KEELER TG NOTIFIED DISPATCHER
O = KNIFE — TASER REQUESTED

R.D. NO. HX475653

REPORTING OFFICER'S SIGNATURE–STAR NO. 20563 | RECEIVED BY: SUPERVISOR'S SIGNATURE–STAR NO. | DAY–MO.–YR. TIME

PD-23.122 (Rev. 2/83)

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 2014	28 OCT 2014 2

OFFENSE CLASSIFICATION—LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	VAN DYKE	5121

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

T GAFFNEY P 2 OF 2

O CONTINUED E/B POS FOLLOWING
AT KARLOV TO TURNED TAHOE S/B + STOPPED,
BLOCKING CROSSWALK
WAITED TO STOP O BEFORE PULASKI
BUSINESS ST — MORE CIVILIANS
WITNESS TO STOPPED IN FRONT OF O,
O STABBED R FRONT TIRE — FLAT
TO TOLD DISPATCHER O "POPPED" TIRE
O ATTEMPTED TO WALK AROUND FRONT OF TAHOE
DROVE FORWARD A LITTLE - CONTINUED TO BLOCK O
O STABBED WINDSHIELD — R SIDE
O CONTINUED E/B FROM KARLOV
AS O APPROACHED BK LOT ASSISTING UNITS ARRIVED
W/B ON 4D,
O RAN E/B THROUGH LOT N SIDE OF BK
ONTO PULASKI — THEN S/B
E/B R PURSUED OVER CURB — IN THEIR TAHOE
TO LOST SIGHT OF O
BECAUSE OF FEAT, TO DID NOT PURSUE. DROVE
AROUND, OUT TO PULASKI, HEARD MULTIPLE GUNSHOT
IN RAPID SUCCESSION DID NOT SEE WHO/WHERE. AT PULASKI SAW O ON GROUND

R.D. NO. HX472563

REPORTING OFFICER'S SIGNATURE/STAR NO.	RECEIVED BY: SUPERVISOR'S SIGNATURE—STAR NO.	DAY—MO.—YR. TIME
[signature] 20563	[signature] 1301	

CPD-23.122 (Rev. 2/83)

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 2014	20 OCT 2014 3

OFFENSE CLASSIFICATION–LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0312	VANSPIKE	0121

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

813R SEBASTIAN, Daphne L PASSENGER
#2763
F/W/45

MONDRAGON, Janet DRIVER
#4364
F/WH/37

822 BACERRA, Arturo DRIVER
#15790
M/WH/32

VELEZ, Leticia PASSENGER
#10385
F/WH/43

841R FONTAINE, Dora PASSENGER
#4484
F/WH/47

VIRAMONTES, Ricardo DRIVER
#10590
M/WH/41

R.D. NO. HX475253

REPORTING OFFICER'S SIGNATURE–STAR NO. 20563 | RECEIVED BY: SUPERVISOR'S SIGNATURE–STAR NO. | DAY–MO.–YR. TIME

PD-23.122 (Rev. 2/83)

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 2014	20 OCT 2014 3

OFFENSE CLASSIFICATION–LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	VAN DYKE	5121

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

J McELLIGOTT

AFTER EXITING TAHOE, WHOM O TOOK HAND OUT OF POCKET SAW KNIFE IN R HAND.
DREW HANDGUN
"DROP THE KNIFE!" REPEATEDLY
O IGNORED, CONTINUED E/B 40
FOLLOWED ON FOOT AT SAFE DISTANCE
HEARD TG REQUEST ASSIST / TASER ON RADIO
TG ATTEMPTED TO BLOCK O W/TAHOE TO KEEP O FROM EK
O STABBED R FRONT TIRE + WINDSHIELD
McE BEGAN TO HEAR SIRENS - ASSIST UNITS
O BEGAN TO RUN TOWARD EK
O RAN E/B THROUGH EK LOT. McE IN PURSUIT
McE RAN OUT & TO ~~PUL~~ PULASKI
HEARD MULTIPLE GUNSHOTS. I DID NOT SEE WHO FIRED
SHOTS WERE CONTINUOUS, ONE AFTER ANOTHER
McE THEN SAW O ON GROUND
SAW WALCH KICK KNIFE FROM HAND

R.D. NO. HX475253

REPORTING OFFICER'S SIGNATURE–STAR NO. 20563 | RECEIVED BY: SUPERVISOR'S SIGNATURE–STAR NO. | DAY–MO.–YR. TIME

CPD-23.122 (Rev. 2/83)

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
24 OCT 2014	2000 R043

OFFENSE CLASSIFICATION–LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	VAN DYKE	512I

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

D SEBASTIAN

RESPONDED TO 815R REQUEST FOR ASSIST,
SUBJECT W/KNIFE
THOUGHT ORIGINAL CALL WAS 40+ KEELER
O HAD PUNCTURED TIRE OF 815R
MONDRAGON PROBE N/B ON PULASKI FOLLOWING 845R,
ALSO RESPONDING
W/B ON 40 BEHIND 845R
SAW O RUNNING SE THROUGH BK LOT TOWARD PULASKI
TOLD MONDRAGON TO DRIVE BACK OUT TO PULASKI TO
ASSIST IN PURSUIT. O RAN OUT TO PULASKI, THEN S/B
845R PURSUED IN VEHICLE
2BR FOLLOWING S/B. SAW KNIFE IN O'S R HAND
O WAVING KNIFE
845R STOPPED AHEAD OF O. BETWEEN O + DD
VW + VVD EXITED, DREW HANDGUNS.
O TURNED TOWARD POS, WAVING KNIFE
HEARD POS = "DROP THE KNIFE!" REPEATEDLY
O IGNORED. CONTINUED TO ADVANCE ON POS, WAVING KNIFE
DS HEARD MULTIPLE GUNSHOTS + O FELL TO GROUND —
3 INVOLVED MOVING. DS DO NOT KNOW WHO FIRED. STATE
IN ONE CONTINUOUS BURST. WALSH KICKED KNIFE FROM HAND

R.D. NO. HX475653

REPORTING OFFICER'S SIGNATURE–STAR NO.	RECEIVED BY: SUPERVISOR'S SIGNATURE–STAR NO.	DAY–MO.–YR. TIME
Dan Sebastian 20563		

CPD-23.122 (Rev. 2/83)

GENERAL PROGRESS REPORT
ECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 2014	20 OCT 2014 3

OFFENSE CLASSIFICATION–LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0452	VANDYKE	512

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

J MONDRAGON

DRIVING W/B 40. SAW M/E RUNNING E/B THROUGH BK LOT
MADE U-TURN, BACK OUT TO PULASKI
S/B ON PULASKI
SAW 0 RUNNING S/A PULASKI, MIDDLE OF ST
AS SHE GOT CLOSER, SAW KNIFE IN R HAND
0 WAVING KNIFE
SAW JW + JVD OUTSIDE THEIR TAHOE
HEARD POs REPEATEDLY, "DROP THE KNIFE!" AS
0 GOT ~~CLOSER~~ CLOSER + CLOSER TO POs, CONTINUING
TO WAVE KNIFE
AS J M PLACED TRANS INTO P, LOOKED DOWN,
HEARD MULTIPLE CONTINUOUS SHOTS, NO PAUSE
THEN SAW 0 FALL TO GROUND
DID NOT KNOW WHO FIRED

R.D. NO. HX475763

REPORTING OFFICER'S SIGNATURE–STAR NO. 20563 | RECEIVED BY: SUPERVISOR'S SIGNATURE–STAR NO. | DAY–MO.–YR. TIME

CPD-23.122 (Rev. 2/83)

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 2014	20 OCT 2014 3

OFFENSE CLASSIFICATION–LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	VAN DYKE	5121

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

A BACERRA

RESPONDED TO REQUEST A 2 ASSIST, ENR
SUBJECT ARMED W/KNIFE
DRIVING WID PULASKI, FROM 47
AS HE APPROACHED SCENE, SAW O IN MIDDLE OF ST,
FLAILING ARMS
AS AB GOT CLOSER, SAW KNIFE IN R HAND
DROVE PAST O. O ON L SIDE
B4 OR DROVE PAST ON R SIDE, S/B
MADE U-TURN, HEARD MULTIPLE SHOTS
THEN SAW O LYING ON GROUND
DID NOT SEE WHO FIRED

R.D. NO. HX425653

REPORTING OFFICER'S SIGNATURE–STAR NO. 20563 | RECEIVED BY: SUPERVISOR'S SIGNATURE–STAR NO. | DAY--MO.--YR. TIME

CPD-23.122 (Rev. 2/83)

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 14	20 OCT 14 3

OFFENSE CLASSIFICATION—LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
OV52	VAN DYKE	5121

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

L VELEZ

AS THEY APPROACHED SCENE, SAW O IN MIDDLE OF ST. SHINY OBJECT IN R HAND
O WAVING OBJECT IN AIR
A B DROVE PAST O
BEGAN TO MAKE U-TURN
LV HEARD MULTIPLE GUNSHOTS, WITHOUT PAUSE OR DELAY
SAW O FALL TO GROUND
DID NOT SEE WHO FIRED
SAW UNKNOWN PO KICK KNIFE FROM O'S HAND

R.D. NO. HX475253

REPORTING OFFICER'S SIGNATURE—STAR NO.	RECEIVED BY: SUPERVISOR'S SIGNATURE—STAR NO.	DAY–MO.–YR. TIME
20563	1303	

CPD-23.122 (Rev. 2/83)

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 14	20 OCT 14 3

OFFENSE CLASSIFICATION–LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	VANJYKS	5721

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

D FONTAINE

RESPONDED TO REQUEST FOR ASSIST, B/SR
MAN W/KNIFE, 41 + PULASKI
R V DROVE N/B PULASKI
WHEN THEY ARRIVED AT SCENE, IN FRONT OF DD,
SAW O WALKING S/B, IN ST, KNIFE IN R HAND
O WALKING SIDEWALK, BODY FACING E,
TOWARD JVS + JW
POs STANDING IN ST, SIDE OF THEIR TABLE-
TABLE FACING S/B
HEARD POs REPEATEDLY "DROP THE KNIFE!"
O IGNORED, RAISED R ARM TOWARD VS, AS IF
ATTACKING VS
VS FIRED MULTIPLE SHOTS UNTIL O FELL TO
GROUND + STOPPED MOVING R ARM + HAND, STILL
GRASPING KNIFE
SHOTS = RAPID FIRE, WITHOUT PAUSE
WALSH THEN KICKED KNIFE FROM O'S HAND

R.D. NO. HX475253

REPORTING OFFICER'S SIGNATURE–STAR NO.	RECEIVED BY: SUPERVISOR'S SIGNATURE–STAR NO.	DAY–MO.–YR.	TIME
20563			

CPD-23.122 (Rev. 2/83)

GENERAL PROGRESS REPORT
ECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 2014	30 OCT 2014 3

OFFENSE CLASSIFICATION—LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	VAN DYKE	512 1

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

R VIRAMONTES

WHEN HE EXITED VEHICLE AT SCENE,
SAW O WALKING S/B ON PULASKI, IN MIDDLE OF ST
KNIFE IN R HAND
HEARD JVD REPEATEDLY "DROP THE KNIFE!"
O IGNORED TURNED TOWARD JVD + JW
VD FIRED MULTIPLE SHOTS
O FELL TO GROUND BUT CONTINUED TO MOVE
ATTEMPTING TO GET BACK UP, KNIFE STILL IN HAND
VD FIRED AT O CONTINUOUSLY UNTIL O
NO LONGER MOVING

R.D. NO. HX475253

REPORTING OFFICER'S SIGNATURE—STAR NO. 20563 | RECEIVED BY: SUPERVISOR'S SIGNATURE—STAR NO. (30) | DAY—MO.—YR. TIME

CPD-23.122 (Rev. 2/83)

GENERAL PROGRESS REPORT
ECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 2014	20 OCT 2014 3

OFFENSE CLASSIFICATION–LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0452	VANDYKE	512

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

J MONDRAGON

DRIVING W/B 40. SAW M/E RUNNING E/B THROUGH BK LOT
MADE U-TURN, BACK OUT TO PULASKI
S/B ON PULASKI
SAW 0 RUNNING S/A PULASKI, MIDDLE OF ST
AS SHE GOT CLOSER, SAW KNIFE IN R HAND
0 WAVING KNIFE
SAW JW + JVD OUTSIDE THEIR TAHOE
HEARD POs REPEATEDLY, "DROP THE KNIFE!" AS
0 GOT ~~CLOSER~~ CLOSER + CLOSER TO POs, CONTINUING
TO WAVE KNIFE
AS J M PLACED TRANS INTO P, LOOKED DOWN,
HEARD MULTIPLE CONTINUOUS SHOTS, NO PAUSE
THEN SAW 0 FALL TO GROUND
DID NOT KNOW WHO FIRED

R.D. NO. HX475763

REPORTING OFFICER'S SIGNATURE–STAR NO. 20563 | RECEIVED BY: SUPERVISOR'S SIGNATURE–STAR NO. | DAY–MO.–YR. TIME

CPD-23.122 (Rev. 2/83)

STATEMENT OF P.O. DAPHNE SEBASTIAN

CONDUCTED BY INVESTIGATOR KILLEN

ON OCTOBER 21, 2014 AT 0507 HOURS

AT AREA CENTRAL POLICE HEADQUARTERS

LOG# 1072125
Attachment ~~FE~~ 158

OIG 15-0564 000583

KILLEN: This is the audio recorded interview of Officer Daphne regarding Log number 1072125 U number 14 dash 36. Today (NOISE) is the 21st of October 2014. And the time is approximately 0507 hours. This statement is bein' taken at Area Central Police Headquarters. Uh my name is Investigator Killen, that's spelled K I L L E N. My star number is 1 2 9. (noise) Present is uh Attorney Dan Herbert. Dan if you would.

HERBERT: D A N, Herbert, H E R B E R T.

KILLEN: And also FOP Rep Kriston Kato.

KATO: K R I S T O N. Last name is K A T O. FOP field representative.

KILLEN: And then Officer Sebastian if you would say and spell your first and last names for me.

P.O.SEBASTIAN: My first name is Daphne, D A P H N E. My last name is Sebastian, S E B A S T I A N.

KILLEN: And what's your star number?

P.O.SEBASTIAN: 2 7 6 3.

KILLEN: And your employee number?

P.O.SEBASTIAN: [redacted]

KILLEN: And your date of appointment with the Department?

P.O.SEBASTIAN: 30 September '02.

KILLEN: And your date of birth?

P.O.SEBASTIAN: [redacted]

KILLEN: And your current unit of assignment?
P.O.SEBASTIAN: 8th District.

KILLEN: How long you been assigned to 8?
P.O.SEBASTIAN: The entire time, 12 years. Well after the Academy, so 11.

KILLEN: All right and are you prepared to give a statement now?
P.O.SEBASTIAN: Yes.

KILLEN: Okay.
P.O.SEBASTIAN: Uh this statement is not being given voluntary but under duress. I am only giving this statement because I know I will be fired if I refuse.

KILLEN: And you're aware that this statement has the standing of an official Department report. And that any intentional falsification of any question, any answer to any question would be in direct violation of Department rules and regulations?
P.O.SEBASTIAN: Yes.

KILLEN: Given that, I'd like to remind you that failure to provide a complete and accurate account of this incident could result in a finding of Rule 14 with uh discipline leading up to and including separation from the Chicago Police Department. Do you understand that?
P.O.SEBASTIAN: Yes.

OIG 15-0564 000585

KILLEN: All right so what was your duty status and assignment on 20 October 2000, 2014 at approximately 2150 hours?

P.O.SEBASTIAN: On duty. Full uniform um working Beat 813 Robert with a partner.

KILLEN: Okay who's your partner?

P.O.SEBASTIAN: Janet Mondragon.

KILLEN: Okay and where was uh what's your regular start time?

P.O.SEBASTIAN: 2100.

KILLEN: Okay. And then uh I know you said you were in full uniform. So was Officer Mondragon?

P.O.SEBASTIAN: Yes sir.

KILLEN: And you and Officer Mondragon were assigned a vehicle?

P.O.SEBASTIAN: Yes.

KILLEN: What kinda vehicle?

P.O.SEBASTIAN: Uh marked vehicle number 8 7 7 9.

KILLEN: That a car, Tahoe?

P.O.SEBASTIAN: That's a, uh Explorer.

KILLEN: Okay. All right and then on 20 October 2014 approximately 2150 hours you and Officer Mondragon were witness to a police-involved shooting correct?

OIG 15-0564 000586

P.O.SEBASTIAN: Correct.

KILLEN: And if you would just from the beginning just explain to me what happened?

P.O.SEBASTIAN: Uh we were responding to a call for uh to assist Beat 815 Robert. Um they had called to get a taser because they said that their offender had a knife.

KILLEN: And do you recall where you were at when you received that?

P.O.SEBASTIAN: Uh right around 55th and Kostner.

KILLEN: Okay. And you received, you're getting all that information over the radio correct?

P.O.SEBASTIAN: Correct.

KILLEN: Dispatch?

P.O.SEBASTIAN: Hmm huh.

KILLEN: Okay. Um and then were you the driver or passenger?

P.O.SEBASTIAN: I was the passenger.

KILLEN: So then Officer Mondragon and you drive over to where, 815 --

P.O.SEBASTIAN: Is calling for help, yes.

KILLEN: Okay and what happens when you get there?

P.O.SEBASTIAN: Um as we're in route I would get further information that the offender is going eastbound towards uh the Burger King, towards Pulaski on

foot. That he has a knife in hand. And then um additionally that he punctured the tire of 815 Robert's car. We were northbound on Pulaski um behind 845 Robert. Uh we turned westbound on 40th Street which is just, the street just north of the Burger King parking lot. Um as we got to the Burger King parking lot 845 Robert went into the parking lot um and we uh had information that the offender was running through that parking lot. Um --

KILLEN: You got that information over the radio?

P.O.SEBASTIAN: Over the radio, hmm huh. Yes. Um I see the offender at quite a distance. My partner does not. Um I tell her, we decide to go out onto Pulaski to try and cut the offender off on Pulaski. (noise) So she turns goes back on 40th Street and then goes to Pulaski southbound. (noise) Once we get southbound on Pulaski we get to 41st Street where the offender is uh running in front of like southbound um in the middle of the street of Pulaski. Like in front of our car, away from us. (noise)

KILLEN: So the first time you see (noise) the offender where are you?

P.O.SEBASTIAN: First (noise) time I see the offender is when (noise) we're um turning around in the Burger King parking lot. The driveway of the Burger King.

KILLEN: So that's after you come up Pulaski onto 40th and into the parking lot?
P.O.SEBASTIAN: Correct. Yes.

KILLEN: So you're basically just going back around?
P.O.SEBASTIAN: Yes.

KILLEN: And when you see him he's runnin'?
P.O.SEBASTIAN: He's runnin' yes.

KILLEN: Which way does he go?
P.O.SEBASTIAN: He's running uh southeast basically through the parking (noise) lot.

KILLEN: So toward Pulaski from --
P.O.SEBASTIAN: Correct.

KILLEN: -- 40th Street.
P.O.SEBASTIAN: Yes.

KILLEN: And when you see 'em you see 'em with a knife?
P.O.SEBASTIAN: I did not see a knife at that time. No.

KILLEN: If you had to guess at how far away he was, when you first saw 'em?
P.O.SEBASTIAN: Uh well we were at one end of the parking lot so all the way to the other, I mean several yards. Prob'ly (noise) 50 yards.

KILLEN: (noise) Okay. So then by the time Officer Mondragon's able to turn it around get back onto Pulaski and go south --

OIG 15-0564 000589

P.O.SEBASTIAN: Hmm huh.

KILLEN: -- the offender is, is that when he's running south in the street?

P.O.SEBASTIAN: Correct. (noise) He's already in the street running south.

KILLEN: And then --

P.O.SEBASTIAN: At that time I can see the knife in his hand as we're getting closer to him (noise) I can see the knife. Um he has it in his right hand and he's actually waving it back and forth. Like front to back. Moving his arm back and forth as he's um maybe like a fast walk, slow run southbound on Pulaski.

KILLEN: Okay so what happens? So he's goin' south, you guys are goin' south.

P.O.SEBASTIAN: Hmm huh.

KILLEN: What happens?

P.O.SEBASTIAN: Um --

HERBERT: Got to say yes.

P.O.SEBASTIAN: Yes.

HERBERT: No hmm huh's.

P.O.SEBASTIAN: Oh sorry. Yes.

HERBERT: That's okay.

P.O.SEBASTIAN: Uh we get to 41st Street um 845 Robert is already Officers Walsh and Van Dyke are already out of the car. Um we see the offender um in the street still waving his, his arm with the knife.

OIG 15-0564 000590

Uh I heard several shots fired and the offender fell to the ground.

KILLEN: At the time did you know who was shooting?
P.O.SEBASTIAN: I did not.

KILLEN: Did you see like Officer Van Dyke out there gun pointed at 'em?
P.O.SEBASTIAN: I saw Officer Van Dyke and, and Officer Walsh both had their guns drawn. But my attention at the time of the shots fired were towards the offender. Cause we were still in motion. We were still moving --

KILLEN: Goin' south on --
P.O.SEBASTIAN: Yeah we were still moving. Cause we were slow you know goin' slow at the time. (noise)

KILLEN: So when you, when you're goin' slow south on Pulaski where's the offender?
P.O.SEBASTIAN: He's in front of us.

KILLEN: He's still in, in the street?
P.O.SEBASTIAN: Hmm huh. Yes, yes.

KILLEN: You see he's wavin' a knife back and forth is he wavin' it at somebody or whaddoes he do?
P.O.SEBASTIAN: He was (noise) waving it (noise) before he got towards 845 Robert he was just swinging his arm back and forth. I mean he's doing all kinds of like twisting body motions as he's walking. (noise) Um when he got closer to them and they

OIG 15-0564 000591

got outta the vehicle, it (noise) he turned his body towards them like the knife like (noise) in a motion towards them. His, (noise) his right arm did. (noise)

KILLEN: And did you see where Officers Van, Van Dyke and Walsh came from? Or did they come north on Pulaski toward 'em or --

P.O.SEBASTIAN: No. They were, they had also come from, they went southbound and they were like in the, um they were in the northbound lanes. And they went down past him um in front of him at a great distance. So they were several feet --

KILLEN: So they went south on the other side of the street in the northbound lanes?

P.O.SEBASTIAN: Yeah. Yeah.

KILLEN: They went south.

P.O.SEBASTIAN: They went south like, like cause this, the offender was walking kinda down the middle of the street. So they went in the northbound lanes and then kind of cut across in, in, in front of him.

KILLEN: Okay.

P.O.SEBASTIAN: Okay as to stop 'em. There was a Dunkin' Donuts on the (noise) uh east side of the street. So kind of in between him and the Dunkin' Donuts basically (noise) what it was.

KILLEN: Does he stop walking when they cut in front of 'em?

OIG 15-0564 000592

P.O.SEBASTIAN: No he doesn't. He's still moving.

KILLEN: Is that when he turns, so he faces --
P.O.SEBASTIAN: Hmm huh yeah he's still, he's still moving yes.

KILLEN: And you see, you saw Officers Van Dyke and Walsh get outta the car?
P.O.SEBASTIAN: I saw them outta the car, yes.

KILLEN: Okay saw them with guns drawn?
P.O.SEBASTIAN: I did.

KILLEN: Pointed at the offender?
P.O.SEBASTIAN: Yes.

KILLEN: But you didn't see who was shootin'?
P.O.SEBASTIAN: I did not.

KILLEN: At the time you couldn't tell?
P.O.SEBASTIAN: At the, at that time honestly at that time my attention was towards the offender. (someone clears throat)

KILLEN: And then, but you heard gunshots?
P.O.SEBASTIAN: Hmm huh. Heard gunshots.

KILLEN: Okay. Could you guess at how many you heard?
P.O.SEBASTIAN: I, I really don't know.

KILLEN: And what happens after you hear the gunshots?

OIG 15-0564 000593

P.O.SEBASTIAN: We get out of the vehicle. My partner stops the vehicle, we get out. Um actually (noise) we get out, we see that the offender is no longer a threat. As, as my partner comes out of the car, she notices that the southbound traffic is coming like uh citizens vehicles coming towards the, the crime scene. Cuz they're coming off of a hill, off of the expressway. (noise) So um you know (noise) there were plenty of officers over there attending to that. Our attention turned to the traffic and stopping the citizens from driving into the crime scene. (noise)

KILLEN: And when you say the offender's no longer a threat, whadda you mean by that?

P.O.SEBASTIAN: I didn't see that there was any more movement. Um Officer Walsh, I saw Officer Walsh (noise) um kick the knife, the, he still had the knife in his hand. (noise) You could see that. And he kicked it away from 'em and it was no more, I didn't see any movement from the offender.

KILLEN: So is the offender still standing at this time or is he --

P.O.SEBASTIAN: Oh no he's on the ground.

KILLEN: Okay.

P.O.SEBASTIAN: Yeah he's on the ground.

KILLEN: So after the gunshots he's on the ground?

P.O.SEBASTIAN: Yes.

OIG 15-0564 000594

KILLEN: And then Officer Walsh kicks the knife from his hand.

P.O.SEBASTIAN: Hmm huh. Yes.

KILLEN: And that's what you mean by he's no longer a threat now?

P.O.SEBASTIAN: Yes.

KILLEN: Okay. All right. All right is there anything you'd like to add?

P.O.SEBASTIAN: No.

KILLEN: And everything you told me is a true and accurate account of what occurred?

P.O.SEBASTIAN: Yes sir.

KILLEN: All right this will uh conclude the audio recorded interview of Officer Daphne Sebastian regarding Log number 1072125 U number 14 dash 36. Today is the 21st of October 2014. The time is approximately 0519 hours.

OIG 15-0564 000595

I, CAROL A. O'LEARY, do hereby certify or affirm that I have impartially transcribed the foregoing from an audio recording of the above-mentioned proceeding to the best of my ability.

Carol A. O'Leary

Carol A. O'Leary

OIG 15-0564 000596

STATEMENT OF P.O. JANET MONDRAGON

CONDUCTED BY INVESTIGATOR KILLEN

ON OCTOBER 21, 2014 AT 0529 HOURS

AT AREA CENTRAL POLICE HEADQUARTERS

1072125

Attachment # 159

OIG 15-0564 000597

KILLEN: This is the audio recorded interview of Officer Janet Mondragon regarding Log number 1072125 U number 14 dash 36. Today is the 21st of October 2014. And the time is approximately 0529 hours. This statement is bein' taken at Area Central Police Headquarters. My name is Investigator Killen, that's spelled K I L L E N. My star number is 1 2 9. Also present in the room is uh attorney Dan Herbert. If you would Dan.

HERBERT: Sure Dan, D A N, Herbert, H E R B E R T.

KILLEN: And uh also is uh FOP Field Representative Kriston Kato.

KATO: First name is Kriston, K R I S T O N. Last name K A T O. FOP Field Representative.

KILLEN: All right Officer Mondragon if you would say and spell your first and last names for me.

P.O.MONDRAGON: Um Officer Janet, J A N E T, Mondragon, M O N D R A G O N.

KILLEN: All right and what's your star number?

P.O.MONDRAGON: 4 3 6 4.

KILLEN: And your employee number?

P.O.MONDRAGON: [redacted]

KILLEN: All right and your date of appointment with the Department?

P.O.MONDRAGON: April 1st, 2007.

KILLEN: All right and your date of birth?

OIG 15-0564 000598

P.O.MONDRAGON: Uh [redacted]

KILLEN: All right and your current unit of assignment is?
P.O.MONDRAGON: Eight.

KILLEN: Okay and how long you been to 8th District?
P.O.MONDRAGON: Um since I started so seven and half years ago.

KILLEN: Since the beginning?
P.O.MONDRAGON: Yes.

KILLEN: Okay. And are you prepared to give the statement?
P.O.MONDRAGON: Yes. This statement is not being given voluntarily but under duress. I'm only givin' this statement because I know I will be fired if I refuse.

KILLEN: And you are aware that this statement has the standing of an official Department report. And that any intentional falsification of any answer to any question would be in direct violations of rules and regulations? Do you understand that?
P.O.MONDRAGON: Yes.

KILLEN: Given that, I'd like to remind you that failure to provide a complete and accurate account of this incident could result in a finding of a violation of Rule 14 with discipline leading up to and including separation from the Chicago Police Department. Do you understand that?

P.O.MONDRAGON: Yes.

KILLEN: All right then on 20 October 2014 at approximately 2150 hours what was your duty status and assignment?

P.O.MONDRAGON: We were on routine patrol.

KILLEN: Okay so we'll start with uh on 20 October 2014 what time did you start work?

P.O.MONDRAGON: 2100.

KILLEN: And you were assigned a partner?

P.O.MONDRAGON: Yes.

KILLEN: And who's your partner?

P.O.MONDRAGON: Uh Officer Sebastian.

KILLEN: Okay. And you and Officer Sebastian the two of you were in full uniform?

P.O.MONDRAGON: Yes.

KILLEN: And you and Officer Sebastian you were assigned a vehicle?

P.O.MONDRAGON: Yes.

KILLEN: And what kinda vehicle?

P.O.MONDRAGON: Um marked squad car.

KILLEN: Okay was that a car or a Tahoe?

P.O.MONDRAGON: It's a Ford Explorer.

OIG 15-0564 000600

KILLEN: Ford Explorer. Okay. Uh do you remember the outside number on it?
P.O.MONDRAGON: Yes. 8 7 7 9.

KILLEN: Were you the driver or the passenger?
P.O.MONDRAGON: Driver.

KILLEN: Okay. And then on 20 October 2014 at approximately 2150 hours you and Officer Sebastian were witnesses to a police-involved shooting correct?
P.O.MONDRAGON: Yes.

KILLEN: Okay. And start from the beginning just tell me how you became involved in that?
P.O.MONDRAGON: Uh we were responding to a call the officers were askin' for more cars.

KILLEN: Okay do you remember why they were askin' for more cars?
P.O.MONDRAGON: Uh yes they stated that um they had a call about someone breakin' into cars. And uh the offender that was on scene um had a knife. So they were lookin' for a car with a taser.

KILLEN: Okay. Do you carry a taser?
P.O.MONDRAGON: No.

KILLEN: Does Officer Sebastian?
P.O.MONDRAGON: No.

OIG 15-0564 000601

KILLEN: So you, you and you hear the call over the radio correct?

P.O.MONDRAGON: Yes.

KILLEN: So you're going as one of the assists?

P.O.MONDRAGON: Yes.

KILLEN: Okay. Do you remember where you were at when you heard the call?

P.O.MONDRAGON: We were around 55th and uh what's that Kostner.

KILLEN: So then so you drive --

P.O.MONDRAGON: We were driving westbound on 55th Street.

KILLEN: Okay so the, the call for the assist would be where?

P.O.MONDRAGON: It was uh I believe 40th and uh Kildare.

KILLEN: So you, you, you had that (inaudible)

P.O.MONDRAGON: Yes.

KILLEN: Okay so do you come up Pulaski?

P.O.MONDRAGON: Actually I went down Kostner, northbound on Kostner.

KILLEN: Okay.

P.O.MONDRAGON: From 55th.

KILLEN: Okay so start from the beginning so you go north on Kostner and what happens?

OIG 15-0564 000602

P.O.MONDRAGON: Uh I go northbound on Kostner then I take Archer Avenue and then I go down Pulaski.

KILLEN: Okay.

P.O.MONDRAGON: Going northbound towards 40th.

KILLEN: And what happens when you get to 40th?

P.O.MONDRAGON: Uh when we get, well when we get to 40th uh there's a car in front of us already. Which I believe it's 845 Robert. So I'm right behind them and uh when we get to 40th Street they turn, I turn right behind 'em. Um as I'm turning I see the officer running.

KILLEN: You know who that is?

P.O.MONDRAGON: Um Officer McElligott.

KILLEN: Okay.

P.O.MONDRAGON: I see 'em running across the Burger King parking lot. There's a Burger King there.

KILLEN: Hmm huh.

P.O.MONDRAGON: He's running. So as he's running I come and I see 845 Robert keeps going and I do a turn to go back onto Pulaski.

KILLEN: Okay so when you saw Officer McElligott did you see the offender also?

P.O.MONDRAGON: I didn't see him.

KILLEN: Okay so the only person you see if Officer McElligott?

OIG 15-0564 000603

P.O.MONDRAGON: I, yeah outta the corner of my eye I saw --

KILLEN: Okay so you go north on Pulaski when you get to 40th you turn left?

P.O.MONDRAGON: I turn left, yeah.

KILLEN: Okay and then you turn around --

P.O.MONDRAGON: I do a kind of like a U turn and come back onto --

KILLEN: -- on Pulaski.

P.O.MONDRAGON: -- Pulaski yes.

KILLEN: And then what happens, which way do you go?

P.O.MONDRAGON: Uh when I come back onto Pulaski I'm going south and as I'm approaching 41st Street I see the offender he's uh running. And uh there's another squad car coming towards us. So we're kinda goin' like this. And then 45 Robert's going around them.

KILLEN: Okay. So the offender is he on the sidewalk or is he in the street?

P.O.MONDRAGON: He's on the, on the middle of the street.

KILLEN: And he's going --

P.O.MONDRAGON: On the intersection.

KILLEN: So he's on Pulaski?

P.O.MONDRAGON: Yeah he's running.

KILLEN: Which direction is he goin'?

OIG 15-0564 000604

P.O.MONDRAGON: Uh southbound.

KILLEN: Okay so you're behind him goin' south?
P.O.MONDRAGON: We're yeah. I'm right behind.

KILLEN: And who's comin' atcha?
P.O.MONDRAGON: Believe, well now I know it's 22.

KILLEN: Oh okay.
P.O.MONDRAGON: Afternoons they were facin' this way.

KILLEN: Okay so what happens as your, so you're goin' south. You're, you're basically followin' the offender.
P.O.MONDRAGON: Yes.

KILLEN: Okay and when you see the offender that's the first time you see the offender then right when he's on Pulaski?
P.O.MONDRAGON: Oh I saw 'em as soon as I come out on Pulaski. I saw 'em he was running. So once I got closer yes.

KILLEN: Did you see 'em with a knife in his hand?
P.O.MONDRAGON: I, at first I just saw 'em goin' like this. Wavin' his hand up and down, up and down. Until I got closer that's when I saw the knife.

KILLEN: Okay. So as you get closer you see a knife, what happens then?
P.O.MONDRAGON: Um as I get closer you know um he's waving the knife. He's movin' around. He's like not

OIG 15-0564 000605

completely running but he's like I don't know jogging, I could say. And as we come you know I'm right behind 'em next thing you know I hear um, I see officers um Walsh get outta their vehicle and I hear them say drop the knife, drop the knife, drop the knife. And he's just you know wavin' it. And then that's when I hear shots fired. (noise)

KILLEN: Was the offender facin' Officer Walsh and his partner when, when he was wavin' that (inaudible) and all that?

P.O.MONDRAGON: Honestly I, I (noise) how would I recall.

KILLEN: Okay. And then you, you hear drop the knife, drop the knife.

P.O.MONDRAGON: Yeah several times. They said drop the knife, drop the knife.

KILLEN: And in, are you still moving, you still driving?

P.O.MONDRAGON: I'm still move, slowly cause we, like I said we were right behind 'em. So I'm drivin' slowly right behind 'em as he's runnin'. (noise)

KILLEN: So then (noise) and then you hear the gunshots correct?

P.O.MONDRAGON: Yes.

KILLEN: At that time did you know who was shooting?

P.O.MONDRAGON: No.

OIG 15-0564 000606

KILLEN: You didn't see like muzzle flashes or see nothin' like that?
P.O.MONDRAGON: No.

KILLEN: Okay. Uh and you heard more than one gunshot?
P.O.MONDRAGON: Yes.

KILLEN: If you had to guess at how many you heard?
P.O.MONDRAGON: Several.

KILLEN: And what happens after you hear those gunshots?
P.O.MONDRAGON: After I hear the you know I'm like I said I'm still moving and I see the offender drop down. And um honestly after that it's just I remember I got out of the car and actually I turned this way cause I saw traffic comin' our way. So I went over there and put my flashlight so they could start going the other, you know like turning around. I didn't want 'em to come towards where the officers were.

KILLEN: That's the traffic from behind you?
P.O.MONDRAGON: Yeah.

KILLEN: So it woulda been comin' from the expressway?
P.O.MONDRAGON: Yeah the --

KILLEN: Okay so you go north on Pulaski and direct traffic?
P.O.MONDRAGON: Yes I get outta the, my vehicle and I turn around and I see the traffic coming that's when I start.

OIG 15-0564 000607

KILLEN: All right. And at the time you didn't know who was shooting correct?

P.O.MONDRAGON: No.

KILLEN: Okay. All right is there anything you'd like to add?

P.O.MONDRAGON: No.

KILLEN: And everything you told me is a true and accurate account of what occurred?

P.O.MONDRAGON: Yes.

KILLEN: All right this will conclude the audio recorded interview of Officer uh Janet Mondragon regarding Log number 1072125 U number 14 dash 36. Today is the 21st of October 2014 and the time is approximately 0540 hours.

OIG 15-0564 000608

I, CAROL A. O'LEARY, do hereby certify or affirm that I have impartially transcribed the foregoing from an audio recording of the above-mentioned proceeding to the best of my ability.

Carol A. O'Leary

Carol A. O'Leary

OIG 15-0564 000609

HICAGO POLICE DEPARTMENT

ASE SUPPLEMENTARY REPORT

10 S. Michigan Avenue, Chicago, Illinois 60653
use by Chicago Police - Bureau of Investigative Services Personnel Only)

HX475653

Case id : 9825613
Sup ID : 10992767 CASR301

XC. CLEARED CLOSED (OTHER EXCEPTIONAL) | **DETECTIVE SUP. APPROVAL COMPLETE**

Offense Classification/Re-Classification	IUCR Code	Original Offense Classification			IUCR Code
AULT / Aggravated Po:Knife/Cut Instr	**0552**	ASSAULT / Aggravated Po:Knife/Cut Instr			0552
ddress of Occurrence	Beat of Occur	No of Victims	No of Offenders	No of Arrested	SCR No
112 S PULASKI RD	**815**	4	1	1	
ocation Type	Location Code	Secondary Location			Hate Crime?
Street	**304**				NO
ate of Occurrence	Unit Assigned	Date RO Arrived	Fire Related?	Gang Related?	Domestic Related?
20-OCT-2014 21:57	**0841R**	20-OCT-2014 21:57	NO	NO	NO

Reporting Officer	Star No	Approving Supervisor	Star No	Primary Detective Assigned	Star No
MARCH, David	20563	WOJCIK, Anthony	481	MARCH, David	20563
Date Submitted		Date Approved		Assignment Type	
15-MAR-2015 18:26		16-MAR-2015 00:03		FIELD	

THIS IS A FIELD INVESTIGATION EXC. CLEARED CLOSED (OTHER EXCEPTIONAL) REPORT

VICTIM(S) :

GAFFNEY, Thomas J
Male / White / 41 Years
EMPLOYMENT: Chicago Police Officer #19958 Chicago Police Officer
EMPLOYER BUSINESS NME: Chicago Police Department
BUS: 3420 W 63rd St
Chicago IL
312-747-8730

MCELLIGOTT, Joseph P
Male / White / 36 Years
EMPLOYMENT: Chicago Police Officer #18715 Chicago Police Officer
EMPLOYER BUSINESS NME: Chicago Police Department
BUS: 3420 W 63rd St
Chicago IL
312-747-8730

VAN DYKE, Jason D
Male / White / 36 Years
EMPLOYMENT: Chicago Police Officer #9465 Chicago Police Officer
EMPLOYER BUSINESS NME: Chicago Police Department
BUS: 3420 W 63rd St
Chicago IL
312-747-8730

WALSH, Joseph J
Male / White / 45 Years
EMPLOYMENT: Chicago Police Officer #12865 Chicago Police Officer
EMPLOYER BUSINESS NME: Chicago Police Department
BUS: 3420 W 63rd St
Chicago IL

HX475653

312-747-8730

OFFENDER(S): **MCDONALD, Laquan J** -- In Custody --

ALIAS: "Bon-Bon"
Male / Black / 17 Years
DOB: [redacted]
RES: [redacted]
BIRTH PL: Illinois
DESCRIPTION: 6'02,180,Black Hair, Dreadlocks Hair Style, Brown Eyes, Medium Complexion

ITEM USED:
Weapon
DLN/ID: [redacted]
OTHER IDENTIFICATIONS: **Type -** Other Id
State - Unknown

IR #: 2106340
SID #: IL18550721
ORGANIZATION: NEW BREED
RELATIONSHIP OF VICTIM TO OFFENDER:

GAFFNEY, Thomas No Relationship
MCELLIGOTT, Joseph No Relationship
VAN DYKE, Jason No Relationship
WALSH, Joseph No Relationship

GANG INFORMATION:
LISTED CRIMINAL ORGANIZATION: New Breed
GANG IDENTIFIERS: Other

OFFENDER INJURIES: **MCDONALD, Laquan J**

Type	Weapon Used	Weapon Description
Gun Shot Wound	Handgun	Other -Handgun

Injured by Police
Chicago Fire Department Provided First Aid
EXTENT OF INJURY: Multiple Gsw
HOSPITAL REMOVED BY: Cfd Ambulance 21

HOSPITAL: Mt. Sinai
INJURY TREATMENT: Multiple Gsw
PHYSICIAN NAME: Dr Pitzele
INV #: **13296449**

WEAPON(S): **Evidence**

Smith & Wesson -Us- (Bodyguard,Chief Special) , 5942 , 9 , Semi-Automatic Pistol , Semi-Automatic , 4" , Stainless

SERIAL #: [redacted]

MAGAZINE CAPACITY: 15

Number Of Live Rounds present in the Firearm - 15

Number Of Live Rounds used in the Firearm - 16

The Status Of This Firearm is 628361

PROPERTY TYPE: Other

OWNER: Van Dyke, Jason

POSSESSOR/USER: Van Dyke, Jason

PHONE #: 312 - 747 - 8730

LOCATION FOUND: 5101 S Wentworth Ave

VEHICLE INFO:

Truck , 2010 / Chevrolet / Tahoe / Truck

, Victims Vehicle

VIN: 1GNMCAE0XAR263348 **Evidence**

YEAR (RANGE): 2010

COLOR (TOP/BOTTOM): White / White

OWNER: Chicago Police Department

POSSESSOR/USER: Gaffney, Thomas

PHONE#: 312 - 747 - 8730

LOCATION FOUND: 4102 S Pulaski Rd

LICENSE: MP6581, Law Enforcement (City, County, State, Sos), IL

LOCATION OF INCIDENT:

4112 S Pulaski Rd
Chicago IL
304 - Street

DATE & TIME OF INCIDENT: 20-OCT-2014 21:57

WEATHER AND LIGHTING:

WEATHER: Cloudy & Cool

TEMPERATURE: 50s

LIGHTING: Dark / Artificial Light

LIGHTING SOURCE: Streetlights

DISTANCE: Overhead

MOTIVE CODE(S): Interceding In A Felony

CAUSE CODE(S): Dna

METHOD CODE(S): Offender Shot

CAU CODE(S): Police Related Not Con

FIREARM(S) RECOVERED: **INV #: 13296449** **Evidence**

Smith & Wesson -Us- (Bodyguard,Chief Special) , 5942 , 9 , Semi-

Automatic Pistol , Semi-Automatic , 4" , Stainless
SERIAL #: [redacted]
PROPERTY TYPE: Other

OWNER: Van Dyke, Jason
POSSESSOR/USER: Van Dyke, Jason

PHONE #: 312 - 747 - 8730
LOCATION FOUND: 5101 S Wentworth Ave

MAGAZINE CAPACITY: 15
Number Of Live Rounds present in the Firearm - 15
Number Of Live Rounds used in the Firearm - 16

/EHICLE(S) DAMAGED: **Truck , 2010 / Chevrolet / Tahoe / Truck**
VIN: 1GNMCAE0XAR263348 **Evidence**

YEAR - YEAR RANGE END: 2010
COLOR (TOP/BOTTOM): White / White
OWNER: Chicago Police Department
POSSESSOR/USER: Gaffney, Thomas

PHONE#: 312 - 747 - 8730
LOCATION FOUND: 4102 S Pulaski Rd
LICENSE: MP6581, Law Enforcement (City, County, State, Sos), IL

PERSONNEL ASSIGNED:
Detective/Investigator
MARCH, David M # 20563
Reporting Officer
FONTAINE, Dora # 4484 BEAT: 0841R

WITNESS(ES) :
BACERRA, Arturo
Male / White Hispanic / 32 Years
EMPLOYMENT: Chicago Police Officer #15790 Chicago Police Officer
BUS: 3420 W 63rd St
Chicago IL
312-747-8730
[redacted]
Female / White Hispanic / 29 Years
DOB: [redacted]
RES: 5340 Prairie
[redacted]

OTHER COMMUNICATIONS:
Cellular [redacted]
Phone :
[redacted]

Female / White Hispanic / 19 Years

DOB: [redacted]

RES: [redacted]

BUS: [redacted]

DLN/ID: [redacted]

Male / White Hispanic / 18 Years

DOB: [redacted]

RES: [redacted]

OTHER COMMUNICATIONS:

[redacted]
Phone :

DLN/ID: [redacted]

Female / White Hispanic / 24 Years

DOB: [redacted]

RES: [redacted]

EMPLOYMENT: Shift Manager

BUS: [redacted]

OTHER COMMUNICATIONS:

Cellular [redacted]
Phone :

FONTAINE, Dora

Female / White Hispanic / 47 Years

EMPLOYMENT: Chicago Police Officer #4484 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

[redacted]

Male / White Hispanic / 25 Years

DOB: [redacted]

RES: [redacted]

BUS: [redacted]

OTHER COMMUNICATIONS:

Cellular Phone : [redacted]

SSN: [redacted]

[redacted]

Female / White Hispanic / 30 Years

DOB: [redacted]

RES: [redacted]

OTHER COMMUNICATIONS:

Cellular Phone : [redacted]

[redacted]

Male / White Hispanic / 24 Years

DOB: [redacted]

RES: [redacted]

SSN: [redacted]

DLN/ID: [redacted]

MONDRAGON, Janet

Female / White Hispanic / 37 Years

EMPLOYMENT: Chicago Police Officer #4364 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

SEBASTIAN, Daphne L

Female / White / 45 Years

EMPLOYMENT: Chicago Police Officer #2763 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

VELEZ, Leticia

Female / White Hispanic / 43 Years

EMPLOYMENT: Chicago Police Officer #10385 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

VIRAMONTES, Ricardo

Male / White Hispanic / 41 Years

EMPLOYMENT: Chicago Police Officer #10590 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL

312-747-8730

OTHER INDIVIDUALS INVOLVED:

[redacted] (Additional Victim)
Male / White Hispanic / 43 Years
DOB: [redacted]
RES: [redacted]
EMPLOYMENT: Self-Employed Truck Driver
OTHER COMMUNICATIONS:
Cellular Phone : [redacted]
DLN/ID: [redacted] :

[redacted] (Family Member Notified)
Male / Black / 25 Years
DOB: [redacted]
RES: [redacted]
OTHER COMMUNICATIONS:
Other : [redacted]

[redacted] (Person Interviewed Non-Witness)
Female / White Hispanic / 62 Years
DOB: [redacted]
RES: [redacted]
BUS: [redacted]

[redacted] (Person Interviewed Non-Witness)
Female / White Hispanic / 39 Years
DOB: [redacted]
RES: [redacted]
BUS: [redacted]

CRIME CODE SUMMARY: 0552 - Assault - Aggravated Po:Knife/Cut Instr

OTHER ASSOCIATIONS: 0552 - Assault - Aggravated Po:Knife/Cut Instr

GAFFNEY, Thomas, J (Victim)

MCDONALD, Laquan, J	(Offender)
MCELLIGOTT, Joseph, P	(Victim)
MCDONALD, Laquan, J	(Offender)
MCDONALD, Laquan, J	(Offender)
VAN DYKE, Jason, D	(Victim)
MCDONALD, Laquan, J	(Offender)
WALSH, Joseph, J	(Victim)

ICIDENT NOTIFICATIONS:

NOTIFICATION DATE & TIME: 10/20/2014:230700
REQUEST TYPE: Notification
PERSON NAME: ,Sarlo
STAR #: 13131
EMP #:

NOTIFICATION DATE & TIME: 10/20/2014:231400
REQUEST TYPE: Notification
PERSON NAME: ,Jines
STAR #: 4898
EMP #:

NOTIFICATION DATE & TIME: 10/20/2014:215000
REQUEST TYPE: On Scene
PERSON NAME: ,March
STAR #: 20563
EMP #:

NOTIFICATION DATE & TIME: 10/21/2014:225800
REQUEST TYPE: Notification
PERSON NAME: ,Chibe
STAR #: 7303
EMP #:

NOTIFICATION DATE & TIME: 10/20/2014:235000
REQUEST TYPE: Notification
PERSON NAME: ,Briggs
STAR #:
EMP #: 76

REPORT DISTRIBUTIONS: No Distribution

INVESTIGATION:

AREA CENTRAL FIELD INVESTIGATION:

Exceptionally Cleared Closed /
Other Exceptional Clearance - Death of Offender.

The full format for this investigation is contained in the previous Progress - Scene Report.

INVESTIGATION:

The reporting detective was assigned to the immediate follow-up investigation of this police officer involved shooting incident, by Sergeant Daniel GALLAGHER of this command. The reporting detective proceeded to the scene of the incident at 4112 South Pulaski Road. The officer involved in the shooting was located and interviewed at the scene.

VAN DYKE, Jason D -----

stated he was a Chicago Police Officer assigned to the 008th District. He was on duty, in uniform, working on Beat 845R. VAN DYKE was working with Police Officer Joseph WALSH. The two officers were assigned to Chicago Police Department vehicle number 6412, a marked Chevrolet Tahoe, four door sport utility vehicle. WALSH was driving the vehicle and VAN DYKE was the passenger.

The two officers responded to a request for assistance from Beat 815R, regarding a man with a knife, on 40th Street, west of Pulaski Road. A unit equipped with a taser had also been requested. Officer VAN DYKE heard the radio transmission when Officer Thomas GAFFNEY said the man with a knife had "popped" the tire of GAFFNEY's police vehicle. VAN DYKE understood this to mean the subject had slashed the tire with his knife. As Officer WALSH drove westbound on 40th Street from Pulaski, VAN DYKE observed a black male subject, now known as Laquan MCDONALD, running eastbound in the parking lot of the Burger King restaurant on the southwest corner of 40 Street and Pulaski. MCDONALD was holding a knife in his right hand. VAN DYKE saw Police Officer Joseph MCELLIGOTT pursuing MCDONALD on foot. VAN DYKE also saw a civilian who was standing on 40th Street pointing to MCDONALD.

Officer WALSH drove eastbound in the parking lot, in pursuit of MCDONALD, on the north side of the Burger King restaurant building. WALSH used the police vehicle to block MCDONALD from entering the restaurant. MCDONALD ran out onto Pulaski Road and then turned southbound, running toward a Dunkin' Donuts restaurant, on the east side of Pulaski, south of the Burger King. WALSH positioned the police vehicle between MCDONALD and the Dunkin' Donuts to block his path towards that restaurant. When WALSH slowed the police vehicle alongside MCDONALD, Officer VAN DYKE opened the right front door of the vehicle to exit and confront MCDONALD. WALSH told VAN DYKE to stay in the vehicle as they were too close to MCDONALD to safely exit their vehicle. WALSH drove on southbound and stopped the police vehicle ahead of MCDONALD.

Officer VAN DYKE exited the vehicle on the right side and drew his handgun. As VAN DYKE stood in the street on Pulaski, facing northbound, toward MCDONALD, MCDONALD approached southbound. MCDONALD was holding the knife in his right hand, in an underhand grip, with the blade pointed forward. He was swinging the knife in an aggressive, exaggerated manner. VAN DYKE ordered MCDONALD to "Drop the knife!" multiple times. MCDONALD ignored VAN DYKE's verbal direction to drop the knife and continued to advance toward VAN DYKE.

When MCDONALD got to within 10 to 15 feet of Officer VAN DYKE, MCDONALD looked toward

VAN DYKE. MCDONALD raised the knife across his chest and over his shoulder, pointing the knife at VAN DYKE. VAN DYKE believed MCDONALD was attacking VAN DYKE with the knife, and attempting to kill VAN DYKE. In defense of his life, VAN DYKE backpedaled and fired his handgun at MCDONALD, to stop the attack. MCDONALD fell to the ground but continued to move and continued to grasp the knife, refusing to let go of it. VAN DYKE continued to fire his weapon at MCDONALD as MCDONALD was on the ground, as MCDONALD appeared to be attempting to get up, all the while continuing to point the knife at VAN DYKE. The slide on VAN DYKE's pistol locked in the rearward position, indicating the weapon was empty. VAN DYKE performed a tactical reload of his pistol with a new magazine and then assessed the situation.

MCDONALD was no longer moving and the threat had been mitigated, so Officer VAN DYKE and Officer WALSH approached MCDONALD. MCDONALD was still holding the knife in his right hand. VAN DYKE continued to order MCDONALD to "Drop the knife!" Officer WALSH told VAN DYKE, "I have this." VAN DYKE then used his handgun to cover WALSH as WALSH walked up and forcibly kicked the knife out of MCDONALD's right hand, thereby eliminating the threat to the officers.

Officer WALSH then notified the dispatcher on the police radio that shots had been fired by the police. Officer VAN DYKE requested an ambulance for MCDONALD on the radio.

Officer VAN DYKE's weapon was a Smith and Wesson, nine millimeter, semi-automatic pistol, with a 15 round magazine. VAN DYKE said the pistol was fully loaded at the beginning of his tour of duty, with 15 cartridges in the magazine and one cartridge in the firing chamber.

It was noted that the uniform Officer VAN DYKE was wearing consisted of a light blue long sleeve uniform shirt, with shoulder patches; black body armor vest, with patches; navy blue cargo pants; and equipment belt with handgun and radio.

The reporting detective then interviewed Officer VAN DYKE's partner.

WALSH, Joseph J -----

stated he was a Chicago Police Officer assigned to the 008th District. WALSH related the same facts as his partner, Officer Jason VAN DYKE.

WALSH added that as Laquan MCDONALD ran eastbound through the Burger King parking lot, WALSH used the police vehicle he was driving to block MCDONALD from entering the restaurant.

As MCDONALD ran southbound on Pulaski Road, from the Burger King, WALSH pursued MCDONALD in the police vehicle. WALSH drove southbound in the northbound lanes to get ahead of MCDONALD, keeping the police vehicle between MCDONALD and a Dunkin' Donuts restaurant, on the east side of Pulaski. As their vehicle passed MCDONALD, Officer VAN DYKE opened the right front door of their vehicle, to exit the truck and confront MCDONALD. WALSH, realizing that at this point they were too close to the armed MCDONALD to safely exit the vehicle, told VAN DYKE to wait until they got further ahead of MCDONALD. WALSH drove further south on Pulaski. He stopped his vehicle south of MCDONALD and exited the driver's door as VAN DYKE exited the right side of the vehicle. WALSH drew his handgun when he exited the vehicle.

Officer WALSH came around the rear of the police vehicle and joined Officer VAN DYKE on the right side of the vehicle. WALSH also stood in the street on Pulaski, facing northbound, as MCDONALD walked southbound toward the officers. WALSH ordered MCDONALD to "Drop the knife!" multiple times as MCDONALD approached the officers.

Officer WALSH also backed up, attempting to maintain a safe distance between himself and MCDONALD. MCDONALD ignored the verbal direction given by both WALSH and Officer VAN DYKE, and continued to advance toward the officers. When MCDONALD got to within 12 to 15 feet of the officers he swung the knife toward the officers in an aggressive manner. VAN DYKE opened fire with his handgun and MCDONALD fell to the ground. VAN DYKE continued firing his weapon at MCDONALD as MCDONALD continued moving on the ground, attempting to get up, while still armed with the knife.

When the gunfire stopped and MCDONALD was not moving anymore, WALSH approached MCDONALD with VAN DYKE. WALSH continued to order MCDONALD to "Drop the knife!" multiple times, as MCDONALD was still holding the knife in his right hand. WALSH forcibly kicked the knife out of MCDONALD's hand and then notified the dispatcher on the police radio that shots had been fired by the police. An ambulance was also requested for MCDONALD.

As they waited for the ambulance to respond to the scene, Officer WALSH told MCDONALD to "hang in there," and that an ambulance was on the way.

Officer WALSH said he believed MCDONALD was attacking WALSH and Officer VAN DYKE with the knife and attempting to kill them when the shots were fired. WALSH stated he did not fire his handgun because VAN DYKE was in the line of fire between WALSH and MCDONALD. WALSH thought VAN DYKE fired eight or nine shots total.

It was noted that Officer WALSH wore the same uniform configuration as Officer VAN DYKE.

The officers assigned to Beat 815R were interviewed.

GAFFNEY, Thomas J -----

stated he was a Chicago Police Officer assigned to the 008th District. He was on duty, in uniform, working on Beat 815R. GAFFNEY was working with Police Officer Joseph MCELLIGOTT. The two officers were assigned to Chicago Police Department vehicle number 8489, a marked Chevrolet Tahoe, four door sport utility vehicle. GAFFNEY was driving the vehicle and MCELLIGOTT was the passenger.

The officers responded to an assignment of holding an offender for breaking into trucks at 41st Street and Kildare Avenue. Upon arrival at that location they met an Hispanic couple who told the officers a black male subject, wearing a dark shirt, had attempted to break into trucks parked in the parking lot at that location. The couple told the officers the subject had walked off and was last seen walking eastbound on 40th Street from Kildare.

Officer GAFFNEY drove northbound on Kildare to 40th Street. When he turned eastbound onto 40th Street he saw a black male subject wearing dark clothing, walking eastbound on the sidewalk,

on the south side of the street. Officer MCELLIGOTT exited the police vehicle to approach the subject, now known as Laquan MCDONALD. GAFFNEY stayed in the vehicle in case MCDONALD fled. MCELLIGOTT called to MCDONALD and told him to stop but MCDONALD continued walking eastbound, ignoring MCELLIGOTT. MCDONALD's hands were in his pockets as he walked. MCELLIGOTT told MCDONALD to take his hands out of his pockets. MCDONALD took his hands out of his pockets and MCELLIGOTT told GAFFNEY that MCDONALD had a knife. GAFFNEY then saw a silver colored knife in MCDONALD's right hand. GAFFNEY also saw that MCELLIGOTT had his handgun drawn at this point. MCELLIGOTT repeatedly ordered MCDONALD to "Drop the knife," but MCDONALD ignored these directions. As MCDONALD reached Keeler Avenue, GAFFNEY notified the dispatcher on the police radio that they were following a subject with a knife and requested assistance from a unit equipped with a taser.

MCDONALD continued walking eastbound, Officer MCELLIGOTT following on foot and Officer GAFFNEY following in the police vehicle. As MCDONALD approached Karlov Avenue, GAFFNEY turned the Tahoe southbound onto Karlov and stopped, blocking the crosswalk. GAFFNEY said he wanted to stop MCDONALD before he reached Pulaski Road, a business street where more civilians were present. The area where MCDONALD was first observed was industrial in nature with no other civilians present. When GAFFNEY stopped his vehicle in front of MCDONALD, blocking his path, MCDONALD stabbed the right front tire of the Tahoe with his knife, causing the tire to go flat. GAFFNEY immediately informed the radio dispatcher that MCDONALD had "popped" the tire. MCDONALD attempted to walk around the front of the police vehicle and GAFFNEY drove the Tahoe forward a short distance to continue to block MCDONALD's path. MCDONALD then stabbed at the windshield of the Tahoe with the knife, striking the right side of the windshield. MCDONALD then continued walking eastbound from Karlov.

As MCDONALD approached the Burger King restaurant parking lot at 40th Street and Pulaski, assisting police units arrived, approaching westbound on 40th Street from Pulaski. MCDONALD began to run eastbound through the restaurant parking lot, on the north side of the Burger King building. He ran out onto Pulaski and then turned and ran southbound on Pulaski. Beat 845R pursued MCDONALD in their police vehicle, eastbound through the parking lot, over the curb at Pulaski, then southbound on Pulaski. Officer GAFFNEY lost sight of MCDONALD when he turned southbound on Pulaski.

Because of the flat tire on his vehicle, Officer GAFFNEY did not drive over the curb. As he drove around out onto Pulaski, GAFFNEY heard multiple gunshots in rapid succession. He did not see who was shooting. When he reached Pulaski MCDONALD was lying on the ground.

It was noted that Officer GAFFNEY wore the same uniform configuration as Officer VAN DYKE with the addition of the uniform baseball style cap with embroidered patch.

MCELLIGOTT, Joseph P -----

stated he was a Chicago Police Officer assigned to the 008th District. MCELLIGOTT related the same facts as his partner, Officer Thomas GAFFNEY.

Officer MCELLIGOTT added that after he exited the police vehicle, when Laquan MCDONALD took his hands out of his pockets and MCELLIGOTT saw MCDONALD holding a knife in his right

hand, MCELLIGOTT drew his handgun. He repeatedly ordered MCDONALD to "Drop the knife." MCDONALD ignored MCELLIGOTT's directions and continued to walk eastbound on 40th Street. MCELLIGOTT followed MCDONALD on foot, maintaining a safe distance between himself and the armed MCDONALD.

Officer MCELLIGOTT heard Officer GAFFNEY request assistance and a unit with a taser over the police radio. GAFFNEY attempted to use the police vehicle to block MCDONALD from continuing on toward the Burger King restaurant at Pulaski Road. At this point MCDONALD stabbed the right front tire and the windshield of the police vehicle. MCELLIGOTT began to hear the sirens of approaching assisting police units and MCDONALD began to run toward the Burger King restaurant.

When MCDONALD ran eastbound through the parking lot of the Burger King, Officer MCELLIGOTT ran after MCDONALD in pursuit. MCELLIGOTT ran out into the middle of Pulaski Road in pursuit of MCDONALD. MCELLIGOTT heard multiple gunshots but did not see who fired the shots. The gunfire was continuous, one shot after another. MCELLIGOTT then saw MCDONALD lying on the ground. MCELLIGOTT saw Officer Joseph WALSH kick the knife out of MCDONALD's hand.

It was noted that Officer MCELLIGOTT wore the same uniform configuration as Officer VAN DYKE.

Other officers who responded to this incident were also interviewed.

SEBASTIAN, Daphne L —

stated she was a Chicago Police Officer assigned to the 008th District. She was on duty, in uniform, working on Beat 813R. SEBASTIAN was working with Police Officer Janet MONDRAGON. The two officers were assigned to a marked vehicle. MONDRAGON was driving the vehicle and SEBASTIAN was the passenger.

The two officers responded to the request for assistance made by Beat 815R, regarding a subject with a knife. Officer SEBASTIAN thought the original call for assistance was at 40th Street and Keeler Avenue. The subject had punctured a tire on the police vehicle of Beat 815R. Officer MONDRAGON drove northbound on Pulaski Road, following Beat 845R, as they also responded to the request for assistance. MONDRAGON turned westbound onto 40th Street, behind Beat 845R.

Officer SEBASTIAN observed a black male subject, now known as Laquan MCDONALD, running southeast bound through the parking lot of the Burger King restaurant. Beat 845R pursued MCDONALD in their police vehicle, through the parking lot, toward Pulaski. SEBASTIAN told Officer MONDRAGON to drive back out onto Pulaski to assist in the pursuit. MCDONALD ran out onto Pulaski and continued to run southbound down the middle of the street. Beat 845R pursued MCDONALD in their vehicle, southbound on Pulaski, followed by Beat 813R. As MCDONALD ran southbound on Pulaski, SEBASTIAN saw the knife in his right hand. MCDONALD was waving the knife.

Beat 845R stopped their vehicle ahead of MCDONALD, between MCDONALD and the Dunkin'

Donuts restaurant on the east side of Pulaski. Officers Joseph WALSH and Jason VAN DYKE exited their vehicle and drew their handguns. MCDONALD turned toward the two officers and continued to wave the knife. Sebastian heard the officers repeatedly order MCDONALD to "Drop the knife!" MCDONALD ignored the verbal directions and continued to advance on the officers, waving the knife. Officer SEBASTIAN heard multiple gunshots and MCDONALD fell to the ground, where he continued to move. SEBASTIAN did not know who fired the shots, which were fired in one continuous group. She then saw Officer WALSH kick the knife out of MCDONALD's hand.

MONDRAGON, Janet -----

stated she was a Chicago Police Officer assigned to the 008th District. MONDRAGON related the same facts as her partner, Officer Daphne SEBASTIAN.

Officer MONDRAGON added that as she drove westbound on 40th Street, she saw Officer MCELLIGOTT running eastbound through the Burger King parking lot. She made a U-turn and drove back out onto Pulaski Road. MONDRAGON turned southbound onto Pulaski. She saw Laquan MCDONALD running southbound on Pulaski, in the middle of the street. As she got closer she could see MCDONALD was holding a knife in his right hand. He was waving the knife.

Officer MONDRAGON saw Officers Joseph WALSH and Jason VAN DYKE outside of their police vehicle. She heard the officers repeatedly ordering MCDONALD to "Drop the knife!" as MCDONALD got closer and closer to the officers, continuing to wave the knife. As she was placing her vehicle transmission into Park, MONDRAGON looked down and heard multiple, continuous gunshots, without pause. MONDRAGON then saw MCDONALD fall to the ground. MONDRAGON did not know who fired the shots.

BACERRA, Arturo -----

stated he was a Chicago Police Officer assigned to the 008th District. He was on duty, in uniform, working on Beat 822. BACERRA was working with Police Officer Leticia VELEZ. The two officers were assigned to a marked vehicle. BACERRA was driving the vehicle and VELEZ was the passenger.

Officer BACERRA and his partner responded to the request for assistance made by Beat 815R, regarding a subject who was armed with a knife. BACERRA was driving northbound on Pulaski Road from 47th Street. As he approached the scene of this incident, at 4112 South Pulaski, he observed a black male subject, now known as Laquan MCDONALD, in the middle of the street, flailing his arms. As he got closer, BACERRA observed MCDONALD to be holding a knife in his right hand. BACERRA drove past MCDONALD, with MCDONALD on the left side of the police vehicle, as Beat 845R drove past BACERRA, on the right side of his vehicle, travelling southbound. As BACERRA began to make a U-turn, he heard multiple gunshots. He then saw MCDONALD lying on the ground. BACERRA did not see who fired the shots.

VELEZ, Leticia -----

stated she was a Chicago Police Officer assigned to the 008th District. VELEZ related the same facts as her partner, Officer Arturo BACERRA.

Officer VELEZ added that as they approached the scene she observed Laquan MCDONALD standing in the middle of the street, holding a shiny object in his right hand. She saw him waving the object in the air. Officer BACERRA drove past MCDONALD and began to make a U-turn, when VELEZ heard multiple gunshots, without pause or delay. She then saw MCDONALD fall to the ground. VELEZ did not see who fired the shots. She did see an unknown officer kick the knife from MCDONALD's hand after he was down on the ground.

FONTAINE, Dora -----

stated she was a Chicago Police Officer assigned to the 008th District. She was on duty, in uniform, working on Beat 841R. FONTAINE was working with Police Officer Ricardo VIRAMONTES. The two officers were assigned to a marked vehicle. VIRAMONTES was driving the vehicle and FONTAINE was the passenger.

The two officers responded to the request for assistance made by Beat 815R, regarding a man with a knife at 41st Street and Pulaski Road. Officer VIRAMONTES drove northbound on Pulaski. When they arrived at the scene of this incident, in front of the Dunkin' Donuts restaurant, Officer FONTAINE saw a black male subject, now known as Laquan MCDONALD, walking southbound in the street, with a knife in his right hand. MCDONALD was walking sideways, with his body facing east, toward Officers Jason VAN DYKE and Joseph WALSH. These two officers were standing in the middle of the street, on the right side of their police vehicle, which was facing southbound. FONTAINE heard the officers repeatedly order MCDONALD to "Drop the knife!" MCDONALD ignored the verbal direction and instead, raised his right arm toward Officer VAN DYKE, as if attacking VAN DYKE. At this time VAN DYKE fired multiple shots from his handgun, until MCDONALD fell to the ground and stopped moving his right arm and hand, which still grasped the knife. The gunshots were rapid fire, without pause. Officer WALSH then kicked the knife out of MCDONALD's hand.

VIRAMONTES, Ricardo -----

stated he was a Chicago Police Officer assigned to the 008th District. VIRAMONTES related the same facts as his partner, Officer Dora FONTAINE.

Officer VIRAMONTES added that when he exited his police vehicle, at the scene, he observed a black male subject, now known as Laquan MCDONALD, walking southbound on Pulaski Road, in the middle of the street, holding a knife in his right hand. VIRAMONTES heard Officer Jason VAN DYKE repeatedly order MCDONALD to "Drop the knife!" MCDONALD ignored the verbal direction and turned toward VAN DYKE and his partner, Officer Joseph WALSH. At this time VAN DYKE fired multiple shots from his handgun. MCDONALD fell to the ground but continued to move, attempting to get back up, with the knife still in his hand. VAN DYKE fired his weapon at MCDONALD continuously, until MCDONALD was no longer moving.

The scene of this incident, at 4112 South Pulaski Road, was observed to be a wide commercial street with traffic traveling north and south. There were two traffic lanes and a curb lane in each direction. A wide median separated the northbound and southbound traffic lanes. The scene was just south of the intersection of Pulaski and 41st Street. This was a "T" intersection with 41st Street extending east from Pulaski. In the center median was a left turn lane for northbound traffic

turning west onto 40th Street, further to the north. The Pulaski median was level with the traffic lanes and was striped with yellow paint.

On the west side of Pulaski was a large vacant lot. North of the vacant lot, on the southwest corner of 40th Street and Pulaski, was a Burger King restaurant. On the east side of the street was a Dunkin Donuts restaurant.

The weather was cloudy and cool with the temperature in the 50s. It was dark with good artificial light provided by overhead streetlights. All of the lights were on and functioning normally. There was also artificial light provided by the lighting of the nearby businesses.

In the northbound left turn lane, Chicago Police Department vehicle number 6412, assigned to Beat 845R, was sitting, facing southeast. The vehicle was a marked Chevrolet Tahoe, four door sport utility vehicle. The right front door of the vehicle was open.

In the southbound traffic lanes, in the right lane, a metal folding pocket knife was lying on the pavement. The blade was in the open position. The overall length of the knife was seven inches, with a three inch blade. The knife was in line with the front end of the vehicle of Beat 845R. Just north of the knife were two pools of blood on the pavement. Five metal bullet fragments were lying on the pavement near the blood. North of the blood, scattered in a diagonal pattern from southwest to northeast, across both southbound traffic lanes and the northbound left turn lane, were 16, nine millimeter caliber cartridge cases, lying on the pavement.

Chicago Police Department vehicle number 8489, assigned to Beat 815R, was sitting at the west curb at 4102 South Pulaski. The right front tire of the vehicle was flat, with a large puncture to the sidewall of the tire. The right side of the windshield was scratched from being struck by Laquan MCDONALD's knife.

Mobile Crime Lab Beat 5802 responded to the scene. Video and photographs were taken of the scene. The knife and firearms evidence was collected from the street, as were swabs of the blood. The right front wheel and tire of Chicago Police Department vehicle number 8489 was also recovered. The right front quarter panel of vehicle number 8489 was processed for fingerprints and four ridge impressions were recovered.

A canvass was conducted of the area near the scene of this incident in an attempt to identify and locate witnesses. A number of people were interviewed.

[redacted] -----

stated she was [redacted] at the Burger King restaurant. At approximately 21:55 hours [redacted] observed police officers chasing a black male subject, now known as Laquan MCDONALD, through the parking lot, on the north side of the restaurant building. The officers chased MCDONALD southbound down Pulaski Road, toward the Dunkin' Donuts restaurant. [redacted] then heard multiple gunshots and dove to the ground.

[redacted] permitted access to the Burger King video system. No video of this incident was recorded. The system was not recording at that time. The system was activated and video was

recovered from the system from earlier in the day, showing the view of each of the cameras in the system. It was noted that none of these camera views showed the area of the scene where the confrontation between Laquan MCDONALD and Police Officers Jason VAN DYKE and Joseph WALSH occurred, on Pulaski Road, south of the Burger King restaurant. If the system had been recording at the time of this incident, it would not have recorded any footage of that confrontation.

[redacted] -----

stated he was at the Burger King restaurant, waiting for his girlfriend, [redacted], who was working at the drive-thru window. [redacted] observed a "young black dude" with his hair in dreadlocks, now known as Laquan MCDONALD, running through the parking lot of the restaurant. He was being pursued by police officers. MCDONALD was holding his pants like he might have had a gun or something. MCDONALD then ran southbound on the sidewalk and then out into the street on Pulaski Road. [redacted] last saw MCDONALD running towards the middle of the intersection of 41st Street and Pulaski. MCDONALD appeared confused. [redacted] then turned his attention back to his girlfriend at the drive-thru window. He did not witness the shooting.

[redacted] -----

stated she was working at [redacted] of the Burger King restaurant. She observed a male subject, now known as Laquan MCDONALD, running from the restaurant parking lot, southbound on Pulaski Road, toward the Dunkin' Donuts restaurant. [redacted] heard multiple gunshots and then saw that MCDONALD was lying in the street.

[redacted] -----

stated she was [redacted] of the Burger King restaurant. She did not see or hear anything.

[redacted] -----

stated she was [redacted] of the Burger King restaurant. She did not see or hear anything.

Laquan MCDONALD had been transported to Mount Sinai Hospital by Chicago Fire Department Ambulance 21. He sustained multiple gunshot wounds as documented in the format of this investigation. MCDONALD was treated for his injuries in the emergency room. He succumbed to his wounds and was subsequently pronounced dead by Doctor PITZELE, at 22:42 hours.

Registered Nurse [redacted], recovered three metal bullet fragments from MCDONALD and turned these over to Detective William JOHNSON. These were subsequently turned over to Mobile Crime Lab Beat 5802, who also recovered metal fragments from MCDONALD's sweater.

The reporting detective had learned of the death of Laquan MCDONALD while still at the scene of this incident. The Office of the Medical Examiner of Cook County was notified of MCDONALD's death, and Investigator BRIGGS assigned Medical Examiner's case number 2014 - 01071 to this case.

In the Bureau of Detectives - Area Central office, Evidence Technician Beat 5824 recovered Office Jason VAN DYKE's handgun, a Smith and Wesson, Model 5942, nine millimeter caliber, semi-automatic pistol. The weapon was loaded with one cartridge in the firing chamber and 14 cartridges in the magazine, when recovered.

Beat 5824 took photographs of Officers Jason VAN DYKE, Joseph WALSH, Thomas GAFFNEY and Joseph MCELLIGOTT. Elimination prints, including palm prints, were also taken from Officers GAFFNEY and MCELLIGOTT.

Officer Jason VAN DYKE was re-interviewed for additional detail, in the Area Central office.

VAN DYKE, Jason D ----

related the same sequence of events as documented in his original interview at the scene of this incident.

VAN DYKE additionally articulated the reasoning behind his decision to use deadly force against the offender in this incident, Laquan MCDONALD. VAN DYKE was aware of the radio transmissions from Officer Thomas GAFFNEY, on Beat 815R, that MCDONALD was armed with a knife. VAN DYKE was aware that MCDONALD had attacked the officers on Beat 815R by slashing the tire of their police vehicle.

As he confronted MCDONALD at 4112 South Pulaski Road, VAN DYKE saw that MCDONALD was in fact, armed with a knife, a deadly weapon. VAN DYKE was aware of the widely accepted teaching in law enforcement that an assailant armed with a knife was considered a deadly threat, if within 21 feet, because it was possible for such an assailant to close that distance and attack with the knife before a defensive shot could be fired from a handgun. VAN DYKE was also aware of the existence of throwing knives, which can be thrown from a distance, as well as spring loaded knives, which propel a blade through the air from the knife handle. VAN DYKE also said he recalled a previously issued Chicago Police Department bulletin warning of a weapon which appeared to be a knife but which actually was capable of firing a bullet, making it a firearm.

Subsequently, a search was conducted of the Chicago Police Department, Automated Message Center, to find the bulletin Officer Jason VAN DYKE remembered, regarding the weapon that appeared to be a knife, but was actually a firearm. This bulletin was issued on 04 December 2012. It was Officer Safety Alert number 2012-OSA-297. It was a warning regarding a "revolver knife" which was capable of firing .22 caliber cartridges.

Three witnesses had been transported into the Area Central office from the scene and were interviewed.

[redacted]----

stated she was in the Burger King restaurant parking lot. She saw a subject, now known as Laquan MCDONALD, running southbound on Pulaski Road. [redacted] saw many police officers on the street. She was trying to get her cellular telephone to work, to record video. [redacted] heard eight gunshots fired continuously. She did not see who fired the shots. [redacted] then saw

a police officer pointing a handgun at MCDONALD as he was lying on the ground.

With her permission, [redacted]' telephone was examined for any recorded video footage with negative results.

[redacted]-----

stated he was at the Burger King restaurant drive-thru with [redacted]. He saw a black male subject, now known as Laquan MCDONALD, running from the trucks parked at the rear of the restaurant parking lot. MCDONALD ran eastbound in the parking lot, on the north side of the Burger King building. A police officer was chasing MCDONALD on foot, eastbound through the parking lot, then southbound on Pulaski Road. A Chicago Police Department, Chevrolet Tahoe sport utility vehicle pulled up on Pulaski. MCDONALD ran toward the police vehicle. A police officer exited the vehicle and fired multiple shots from a handgun at MCDONALD. [redacted] thought there was video footage of the incident recorded on [redacted] cellular telephone. As documented in the previous interview of [redacted], her telephone was examined with negative results.

[redacted]-----

stated he was sitting in a truck, parked in the Burger King restaurant parking lot, on the south side of the restaurant building. He was completing some logs. [redacted] observed a black male subject, now known as Laquan MCDONALD, running southbound on Pulaski Road. The police were pursuing MCDONALD. [redacted] heard approximately three gunshots. He did not see who fired the shots. [redacted] exited the cab of his truck and climbed up on top of it. He saw a Chicago Police Department, Chevrolet Tahoe sport utility vehicle, and many police officers on Pulaski Road.

[redacted] insisted on leaving the Area Central office after their initial interviews, and they were transported as they requested.

Sergeant Lance BECVAR responded to the scene and subsequently to the Area Central office. He was able to recover video of this incident from the vehicles assigned to Beats 845R and 813R. This video was uploaded into the system. The reporting detective submitted a request for copies of these two videos which were subsequently inventoried. The reporting detective also requested that the videos be permanently retained. No video of this incident was recovered from the vehicles assigned to Beats 815R, 822 and 841R.

The recovered in-car camera video from Beats 845R and 813R was viewed and found to be consistent with the accounts of all of the witnesses. The video from Beat 813R showed that at the time Officer Jason VAN DYKE fired his handgun at Laquan MCDONALD, VAN DYKE was standing near the east edge of the southbound traffic lanes of Pulaski Road, and MCDONALD was near the lane marking separating the two southbound traffic lanes. The two were separated by the width of one traffic lane. The width of this traffic lane was approximately ten feet.

Recordings of the original 9-1-1 call and the radio transmissions over the Chicago Police Department, Zone 6 radio frequency were obtained from the Office of Emergency Management

and Communication. The recordings were reviewed and subsequently inventoried.

In the 9-1-1 call, a caller who identified himself as [redacted] stated that he was holding a guy for stealing radios from trucks in a trucking yard.

The recorded radio transmissions were consistent with the statements of the police officers involved in this incident. It was determined from the radio transmissions, that the entire interaction of the involved police officers, with Laquan MCDONALD, from the time Beat 815R notified the radio dispatcher that they had made contact with him, and that he was armed with a knife, until Beat 845R notified the dispatcher that shots had been fired by the police, lasted more than four minutes.

The criminal history of Laquan MCDONALD was reviewed. [redacted]

Additionally, there were two documented incidents, under Records Division numbers HS640983 and HT106389, on 01 December 2010 and 05 January 2011. In these incidents officials at the [redacted], elementary school, called the police because of the violent behavior of Laquan MCDONALD. The reports indicated that MCDONALD was a special education student at the school and that this had become a pattern of behavior for MCDONALD. The school officials indicated that MCDONALD had behavioral problems and anger issues. In both incidents MCDONALD was transported to [redacted] for evaluation and treatment.

The family of Laquan MCDONALD was located and notified of his death.

[redacted] -----

stated he was an uncle of Laquan MCDONALD. MCDONALD was living with JOHNSON while MCDONALD "worked out his problems." [redacted] said that MCDONALD attended [redacted] school but was currently suspended. MCDONALD suffered from "hypertension" but refused to take any medication. He stopped taking his prescribed medication approximately two years prior because he said it made him "freak out."

[redacted] last saw MCDONALD on Saturday, 18 October 2014, at approximately 13:00 hours, when MCDONALD left the apartment. He had not been back since. MCDONALD had rung the doorbell earlier in the day on 20 October 2014. [redacted] said they "buzzed" MCDONALD into the building but he never came up to the apartment.

[redacted] had no idea why MCDONALD would be in the area of 41st Street and Pulaski Road. JOHNSON said he would attempt to notify MCDONALD's mother, [redacted].

On Tuesday, 21 October 2014, [redacted] of the 9-1-1 caller, [redacted]" was located and interviewed.

[redacted] -----

stated she was with [redacted], parking a truck in the lot at 41st Street and Kildare Avenue. She saw a black male subject, now known as Laquan MCDONALD, attempting to steal property from vehicles parked in the lot. [redacted] confronted MCDONALD and told him to leave the lot. [redacted] said that MCDONALD did not say anything, but instead, he was "growling" and making strange noises. [redacted] again told MCDONALD to leave the lot and MCDONALD pulled out a knife. MCDONALD swung the knife at [redacted] attempting to cut him. [redacted] had already called 9-1-1 so he backed up and threw his cellular telephone at MCDONALD. MCDONALD then ran from the lot. He ran northbound on Kildare, then eastbound on 40th Street.

[redacted] described MCDONALD as a black male, with his hair in braids. He was wearing a black hood and blue jeans. [redacted] viewed a photograph of Laquan MCDONALD and identified him as the subject in the lot, who had been attempting to steal property from vehicles parked in the lot, and who subsequently threatened [redacted] with a knife, when [redacted] confronted MCDONALD.

On Wednesday, 22 October 2014, the 9-1-1 caller was interviewed.

[redacted] -----

related the same facts as [redacted]. [redacted] re-iterated that Laquan MCDONALD swung his knife at [redacted], attempting to cut him. [redacted] stated he was the person who called 9-1-1 regarding this incident.

A canvass was conducted of the area near the scene of this incident for any recorded video.

There were no Police Observation Devices, or other City of Chicago video cameras in the area.

Recorded video was recovered from three cameras on the exterior of the building housing the Greater Chicago Food Depository, at 4100 West Ann Lurie Place. Two of these videos showed two different views of Laquan MCDONALD walking eastbound on the sidewalk, on the south side of 40th Street, between Keeler and Karlov Avenues. Officer Joseph MCELLIGOTT was following MCDONALD on foot, maintaining a safe distance between himself and MCDONALD, while Officer Thomas GAFFNEY was following MCDONALD in a police vehicle. The third video did not capture any part of this incident.

Recorded video was recovered from two cameras at the Dunkin' Donuts restaurant, at 4113 South Pulaski Road. One of these videos showed the end of this incident, when Officers Jason VAN DYKE and Joseph WALSH stopped their vehicle, exited the vehicle and confronted Laquan MCDONALD. The view in this video is from a distance. The video from the second camera did not capture any part of this incident.

Recorded video was recovered from two cameras from Focal Point, 4141 South Pulaski Road. These videos did not capture any part of this incident.

All of the recovered video was inventoried.

A Major Case Review of this case was conducted at the Illinois State Police Crime Laboratory, on Thursday, 30 October 2014. An Evidence Submission Form was completed per this review.

The assigned personnel became aware of a potential question regarding the integrity of the video recovered from the Burger King restaurant. In an attempt to follow-up on this issue the assigned personnel proceeded to the restaurant on Wednesday, 11 March 2015. Manager, [redacted] was contacted at the restaurant. She stated that the video system at the restaurant had recently been repaired and a new digital video recorder had been installed. [redacted] said that as of this date, 11 of the 16 video ports in the system actually recorded video. This was consistent with the video recovered on the date of this incident. Video was recorded and recovered on 11 of the 16 video ports in the system on that date.

Any additional inquiries regarding the video system at the restaurant were referred to the district manager responsible for that restaurant, [redacted]. He was contacted and related that the day after this incident occurred, personnel from the Independent Police Review Authority, of the City of Chicago, came to the restaurant. They viewed video from the system and took custody of the digital video recorder. The recorder was returned to the restaurant two weeks later. Personnel from the Federal Bureau of Investigation then came to the restaurant and made copies of video from the system. After that some lawyers came to the restaurant with subpoenas to make copies of video from the system. Finally, [redacted] stated that personnel from the Federal Bureau of Investigation had come to the restaurant again, approximately three weeks prior to this interview, and took the digital video recorder. [redacted] did not have any further information regarding the video system.

The assigned personnel also became aware of an article written by [redacted], a professor at the University of Chicago Law School, citing the existence of an unknown witness to this incident. [redacted] was contacted on Thursday, 12 March 2015, in an attempt to interview this witness. [redacted] stated that this witness had already been interviewed by the Independent Police Review Authority and [redacted] did not know if the witness would be willing to be interviewed by the Chicago Police Department. [redacted] said he would contact the witness and provide him with contact information for the assigned personnel.

Based upon all the facts known at this time, and the death of the only offender in this incident, this case is now Exceptionally Cleared Closed / Other Exceptional Clearance - Death of Offender.

The above to-date investigation determined that Laquan MCDONALD was an active assailant who, while armed with a dangerous weapon, used force likely to cause death or serious injury to a private citizen when he attacked [redacted]; threatened the imminent use of force likely to cause death or serious injury when he incised the tire and stabbed the windshield of a Chicago Police Department vehicle occupied by Officer Thomas GAFFNEY; and initiated imminent use of force likely to cause death or serious injury when he initiated an attack on Officers Jason VAN DYKE and Joseph WALSH. The above investigation concluded that Officer Jason VAN DYKE's use of deadly force, the discharging of his duty firearm, was within the bounds of the Chicago Police Department's use of force guidelines, and in conformity with local ordinances and state law.

Based on the above facts, the associated report, under Records Division number HX486155, is now Closed / Non-Criminal.

REPORT OF:

Detective David M MARCH #20563
Sergeant Daniel GALLAGHER #1303
Lieutenant Anthony WOJCIK #481
Bureau of Detectives - Area Central

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 2014	20 OCT 2014 3

OFFENSE CLASSIFICATION–LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0052	VANDYKE	5121

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

T GAGNEY P1 OF 2

RESPONDED TO ASSIGNMENT
HOLDING O FOR BREAKING INTO TRUCKS, 41 + KILDARE
MET HISPANIC COUPLE
O = M/B, DARK SHIRT, ATTEMPTED TO BREAK INTO TRUCKS
LAST SEEN E/B 40 FROM KILDARE
DROVE N/B KILDARE, E/B 40
SAW M/B, DARK CLOTHING, E/B ON S SIDEWALK
McE EXTEN VEH TO APPROACH O ON FOOT
GAFFNEY STAYED IN VEH IN CASE O FLED
McE TOLD O TO STOP BUT O IGNORED/CONTINUED
WALKING HANDS IN POCKETS
McE TOLD O - HANDS OUT OF POCKETS
HANDS OUT of POCKETS
McE TOLD G - HE HAS KNIFE
SAW SILVER KNIFE IN R HAND
S McE HAD DRAWN HANDGUN
McE = "DROP THE KNIFE!" REPEATED LY
O IGNORED
AT KEELER TG NOTIFIED DISPATCHER
O = KNIFE — TASER REQUESTED

R.D. NO. HX475653

REPORTING OFFICER'S SIGNATURE–STAR NO. 20563 | RECEIVED BY: SUPERVISOR'S SIGNATURE–STAR NO. | DAY–MO.–YR. TIME

PD-23.122 (Rev. 2/83)

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 2014	28 OCT 2014 2

OFFENSE CLASSIFICATION—LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	VAN DYKE	5121

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

T GAFFNEY P 2 OF 2

O CONTINUED E/B POS FOLLOWING
AT KARLOV TO TURNED TAHOE S/B + STOPPED,
BLOCKING CROSSWALK
WAITED TO STOP O BEFORE PULASKI
BUSINESS ST — MORE CIVILIANS
WITNESS TO STOPPED IN FRONT OF O,
O STABBED R FRONT TIRE — FLAT
TO TOLD DISPATCHER O "POPPED" TIRE
O ATTEMPTED TO WALK AROUND FRONT OF TAHOE
DROVE FORWARD A LITTLE - CONTINUED TO BLOCK O
O STABBED WINDSHIELD — R SIDE
O CONTINUED E/B FROM KARLOV
AS O APPROACHED BK LOT ASSISTING UNITS ARRIVED
W/B ON 4D,
O RAN E/B THROUGH LOT N SIDE OF BK
ONTO PULASKI — THEN S/B
E/B R PURSUED OVER CURB — IN THEIR TAHOE
TO LOST SIGHT OF O
BECAUSE OF FEAT, TO DID NOT PURSUE. DROVE
AROUND, OUT TO PULASKI, HEARD MULTIPLE GUNSHOT
IN RAPID SUCCESSION DID NOT SEE WHO/WHERE. AT PULASKI SAW O ON GROUND

R.D. NO. HX472563

REPORTING OFFICER'S SIGNATURE/STAR NO.	RECEIVED BY: SUPERVISOR'S SIGNATURE—STAR NO.	DAY—MO.—YR. TIME
[signature] 20563	[signature] 1301	

CPD-23.122 (Rev. 2/83)

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 2014	20 OCT 2014 3

OFFENSE CLASSIFICATION–LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	VAN DYKE	5121

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

J McELLIGOTT

AFTER EXITING TAHOE, WHOM O TOOK HAND OUT OF POCKET SAW KNIFE IN R HAND.
DREW HANDGUN
"DROP THE KNIFE!" REPEATEDLY
O IGNORED, CONTINUED E/B 40
FOLLOWED ON FOOT AT SAFE DISTANCE
HEARD TG REQUEST ASSIST / TASER ON RADIO
TG ATTEMPTED TO BLOCK O W/TAHOE TO KEEP O FROM EK
O STABBED R FRONT TIRE + WINDSHIELD
McE BEGAN TO HEAR SIRENS - ASSIST UNITS
O BEGAN TO RUN TOWARD EK
O RAN E/B THROUGH EK LOT. McE IN PURSUIT
McE RAN OUT & TO ~~PUL~~ PULASKI
HEARD MULTIPLE GUNSHOTS. I DID NOT SEE WHO FIRED
SHOTS WERE CONTINUOUS, ONE AFTER ANOTHER
McE THEN SAW O ON GROUND
SAW WALCH KICK KNIFE FROM HAND

R.D. NO. HX475253

REPORTING OFFICER'S SIGNATURE–STAR NO. 20563 | RECEIVED BY: SUPERVISOR'S SIGNATURE–STAR NO. | DAY–MO.–YR. TIME

CPD-23.122 (Rev. 2/83)

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 2014	20 OCT 2014 3

OFFENSE CLASSIFICATION–LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	VAN DYKE	5121

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

A BACERRA

RESPONDED TO REQUEST A 2 ASSIST, 8 NR
SUBJECT ARMED W/KNIFE
DRIVING WID PULASKI, FROM 47
AS HE APPROACHED SCENE, SAW O IN MIDDLE OF ST,
FLAILING ARMS
AS AB GOT CLOSER, SAW KNIFE IN R HAND
DROVE PAST O. O ON L SIDE
B4 OR DROVE PAST ON R SIDE, S/B
MADE U-TURN, HEARD MULTIPLE SHOTS
THEN SAW O LYING ON GROUND
DID NOT SEE WHO FIRED

R.D. NO. HX425653

REPORTING OFFICER'S SIGNATURE–STAR NO. 20563 | RECEIVED BY: SUPERVISOR'S SIGNATURE–STAR NO. | DAY--MO.--YR. TIME

CPD-23.122 (Rev. 2/83)

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 14	20 OCT 14 3

OFFENSE CLASSIFICATION—LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
OV52	VAN DYKE	5121

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

L VELEZ

AS THEY APPROACHED SCENE, SAW O IN MIDDLE OF ST. SHINY OBJECT IN R HAND
O WAVING OBJECT IN AIR
A B DROVE PAST O
BEGAN TO MAKE U-TURN
LV HEARD MULTIPLE GUNSHOTS, WITHOUT PAUSE OR DELAY
SAW O FALL TO GROUND
DID NOT SEE WHO FIRED
SAW UNKNOWN PO KICK KNIFE FROM O'S HAND

R.D. NO. HX475253

REPORTING OFFICER'S SIGNATURE—STAR NO.	RECEIVED BY: SUPERVISOR'S SIGNATURE—STAR NO.	DAY–MO.–YR. TIME
20563	1303	

CPD-23.122 (Rev. 2/83)

OFFICER'S BATTERY REPORT
CHICAGO POLICE DEPARTMENT

RD NO. HX475653

INSTRUCTIONS: This form is to be completed for all incidents when: (1) a sworn member is the victim of a murder, aggravated battery, battery, aggravated assault, or assault while performing a police function either on-duty or off-duty, (2) a detention aide is the victim of a murder, aggravated battery, battery, aggravated assault, or assault while in the performance of his or her duties.

"X APPLICABLE BOXES"

OFFICER INFORMATION

NAME (LAST - FIRST - M.I.): VAN DYKE, JASON D

STAR NO.	POSITION
9465	POLICE OFFICER
DATE OF APPOINTMENT: 25-JUN-2001	EMPLOYEE NO.: [redacted]
UNIT OF ASSIGNMENT: 008	BEAT/CALL NO.: 0845R

SEX: [X] 1. M [ ] 2. F | RACE: WHITE | DOB: [redacted]

HEIGHT: 602 | WEIGHT: 180

TYPE OF ASSIGNMENT WHEN BATTERY OCCURRED

[X] 1. ON DUTY
- [X] A. UNIFORM, PATROL DUTY
- [ ] B. UNIFORM, OTHER DUTY
  - Describe _____
- [ ] C. CITIZEN'S DRESS
- [ ] D. TACTICAL
- [ ] E. B.I.S. UNIT
- [ ] F. SPECIAL EMPLOYMENT
- [ ] G. OTHER _____

[ ] 2. OFF DUTY

[ ] 3. SPECIAL EMPLOYMENT

[ ] 4. SECONDARY / OTHER

WORKING:
- [ ] A. ALONE
- [X] B. WITH ONE PARTNER
- [ ] C. WITH MULTIPLE PARTNERS
  - How many? _____

PATROL TYPE:
- [X] A. SQUAD CAR
- [ ] B. FOOT
- [ ] C. BICYCLE
- [ ] D. APV/MOTORCYCLE
- [ ] E. SQUADROL
- [ ] F. OTHER _____

TYPE OF ACTIVITY

- [ ] A. AMBUSH -NO WARNING
- [ ] B. TRAFFIC STOP/PURSUIT
- [ ] C. INVESTIGATING SUSPICIOUS PERSON
- [ ] D. DISTURBANCE - DOMESTIC
- [ ] E. DISTURBANCE - MENTAL PATIENT
- [ ] F. DISTURBANCE - RIOT/MOB ACTION/CIVIL DISORDER
- [ ] G. DISTURBANCE - OTHER
- [ ] H. MAN WITH A GUN
- [ ] I. PURSUING/ARRESTING OFFENDER (Specify)
  - CHARGE _____ IUCR CODE _____
- [ ] J. PROCESSING/TRANSPORTING/GUARDING A PRISONER (Specify)
  - ORIGINAL CHARGE _____ ORIGINAL IUCR CODE _____
- [X] K. OTHER

TYPE OF INJURY TO OFFICER

- [ ] A. FATAL
- [ ] B. NON-FATAL - MAJOR INJURY (Broken Bones/Serious Lacerations/ Internal Injuries)
- [ ] C. NON-FATAL - MINOR INJURY (Bruises/Swelling/Minor Abrasions)
- [X] D. NONE APPARENT/NONE

LIGHTING CONDITIONS AT INCIDENT

- [ ] A. DAYLIGHT
- [ ] B. NIGHT
- [ ] C. DAWN
- [ ] D. DUSK
- [X] E. ARTIFICIAL LIGHT
  - [ ] 1. POOR
  - [X] 2. GOOD

INCIDENT INFORMATION

[ ] 1. INDOOR [X] 2. OUTDOOR

ADDRESS OF OCCURRENCE: 4112 S PULASKI RD

CITY: [X] CHICAGO [ ] | STATE (If outside Chicago):

LOCATION CODE: 304-STREET | BEAT OF OCCURRENCE: 0815

DATE OF OCCURRENCE: 20-OCT-2014 | TIME: 21:57:00 | DAY OF WEEK: MONDAY

NO. OF OFFICERS BATTERED: 3

WERE THERE ASSISTING UNITS ON SCENE? 1. [X] YES 2. [ ] NO

IF YES HOW MANY ASSISTING OFFICERS WERE PRESENT AT TIME BATTERY (EXCLUDING YOU OR YOUR PARTNERS) ? 8

MANNER OF ATTACK

- [ ] 01. SHOT
- [ ] 02. SHOT AT
- [X] 03. STABBED/CUT (INCLUDING ACTUAL ATTEMPT)
- [ ] 04. STRUCK/BLUNT FORCE (INCLUDING ACTUAL ATTEMPT)
- [ ] 05. OTHER (INCLUDING VERBAL THREATS)

TYPE OF WEAPON/THREAT

(Check all that apply):

- [ ] A. FIREARM CALIBER _____
  - [ ] 1. REVOLVER
  - [ ] 2. SEMI-AUTOMATIC
  - [ ] 3. RIFLE
  - [ ] 4. SHOTGUN
- [ ] B. VEHICLE
  - [ ] 1. OFFICER STRUCK WITH VEHICLE
  - [ ] 2. ATTEMPTED TO STRIKE OFFICER WITH VEHICLE
- [X] C. KNIFE/OTHER CUTTING INSTRUMENT
- [ ] D. HANDS/FISTS
- [ ] E. FEET
- [ ] F. MOUTH (SPIT, BITE, ETC.)
- [ ] G. VERBAL THREAT (ASSAULT)
- [X] H. OTHER (SPECIFY) /SWINGING KNIFE
- [ ] I. BLUNT INSTRUMENT

FIREARM USE INFORMATION (Check all that apply):

- [ ] A. OFFICER AT GUNPOINT
- [ ] B. OFFICER'S OWN WEAPON OBTAINED
- [ ] C. ATTEMPTED TO OBTAIN OFFICER'S OWN WEAPON

OFFENDER INFORMATION

SEX: [X] 1. M [ ] 2. F | RACE: BLACK | DOB: 25-SEP-1997

CB NO. | IR NO.

WAS THE OFFENDER'S ACTIVITY:

DRUG RELATED?
- [ ] 1. YES
- [ ] 2. NO
- [X] 3. UNKNOWN

GANG RELATED?
- [ ] 1. YES
- [ ] 2. NO
- [X] 3. UNKNOWN

NO. OF OFFENDERS PRESENT? 1

WEATHER CONDITIONS

- [X] A. CLEAR
- [ ] B. RAIN
- [ ] C. SNOW
- [ ] D. FOG / SMOKE / HAZE
- [ ] E. SLEET / HAIL
- [ ] F. SEVERE CROSS WIND
- [ ] G. OTHER

APPROXIMATE OUTDOOR TEMPERATURE: 50 °F

CPD-11.451 (REV. 1/04)

Unusual Circumstances Regarding Officer Control Tactics and Safety: (If you need more space use additional sheets).

OFFENDER'S ACTIONS WERE UNPROVOKED.

REPORTING MEMBER - SIGNATURE	STAR NO.	WATCH COMMANDER /UNIT COMMANDING OFFICER- SIGNATURE	STAR NO.
VAN DYKE, JASON D	9465	MC NAUGHTON, DAVID R	120

CPD-11.451 (REV. 1/04)

TACTICAL RESPONSE REPORT/Chicago Police Department

MEMBER INVOLVED

1. DATE OF INCIDENT	TIME	2. ADDRESS OF OCCURRENCE	3. LOCATION CODE	4. BEAT/OCCUR
20-OCT-2014	21:57:00	4112 S PULASKI RD CHICAGO, IL 60632	304	0815

5. POSITION	6. LAST NAME	7. FIRST NAME	8. STAR NO.	9. SEX	10. RACE CODE	11. AGE	12. HT	13. WT
9161	VAN DYKE	JASON D	9465	[X] 01 M [ ] 02 F	WHI	[redacted]	602	180

14. DATE OF APPT.	15. EMPLOYEE NO.	16. UNIT & BEAT OF ASSIGNMENT	17. DUTY STATUS	18. MEMBER INJURED?	19. MEMBER IN UNIFORM?
25-JUN-2001	[redacted]	008 0845R	[X] 01 On [ ] 02 Off	[ ] 01 Yes [X] 02 No	[X] 01 Yes [ ] 02 No

SUBJECT INFORMATION [ ] DNA

20. LAST NAME	21. FIRST NAME	22. MI	23. SEX	24. RACE	25. D.O.B.	26. HT.	27. WT.
MCDONALD	LEQUAN		[X] 01 M [ ] 02 F	BLK	25-SEP-1997	601	185

28. ADDRESS	29. TELEPHONE NO.	30. WAS SUBJECT ARMED? KNIFE/OTHER CUTTING INSTRUMENT, OTHER (SPECIFY)	31. SUBJECT INJURED?	32. SUBJECT ALLEGED INJURY?
[redacted] IL 60637		[X] 01 Yes [ ] 02 No	[X] 01 Yes [ ] 02 No	[ ] 01 Yes [X] 02 No

33. WHERE WAS MEDICAL TREATMENT OBTAINED?	34. BY WHOM?	35. CONDITION
MOUNT SINAI HOSPITAL	DR. PITZEL	[X] 03 Hospitalized [ ] 01 Apparently Normal [ ] 02 Under Influence [ ] 04 Not Hospitalized [ ] 05 Refused Medical Aid

36. CHARGES PLACED	37. CB NO.	IR NO
[ ] DNA		[ ] DNA

REASON FOR USE OF FORCE (Check all that apply) [ ] 38. DNA

	PASSIVE RESISTER	ACTIVE RESISTER	ASSAILANT:ASSAULT	ASSAILANT:BATTERY	ASSAILANT:DEADLY FORCE
SUBJECT'S ACTIONS	DID NOT FOLLOW VERBAL DIRECTION [X] STIFFENED (DEAD WEIGHT) [ ] OTHER	FLED [ ] PULLED AWAY [ ] OTHER	IMMINENT THREAT OF BATTERY [X] OTHER	ATTACK WITH WEAPON [X] ATTACK WITHOUT WEAPON [ ] OTHER	USES FORCE LIKELY TO CAUSE DEATH OR GREAT BODILY HARM [X] WEAPON [X] OTHER
MEMBER'S RESPONSE	MEMBER PRESENCE [X] VERBAL COMMANDS [X] ESCORT HOLDS [ ] WRISTLOCK [ ] ARMBAR [ ] PRESSURE SENSITIVE AREAS [ ] CONTROL INSTRUMENT [ ] OC/CHEMICAL WEAPON W/AUTHORIZATION [ ] OTHER	OPEN HAND STRIKE [ ] TAKE DOWN / EMERGENCY HANDCUFFING [ ] OC CHEMICAL WEAPON [ ] CANINE [ ] TASER (Probe Discharge) [ ] TASER (Contact Stun) [ ] TASER (Laser Targeted) [ ] TASER (Spark Displayed) [ ] OTHER	ELBOW STRIKE [ ] CLOSED HAND STRIKE/PUNCH [ ] IMPACT WEAPON (Describe in Box 40) [ ] OTHER	KNEE STRIKE [ ] KICKS [ ] IMPACT MUNITION (Describe in Box 40) [ ]	FIREARM [X] OTHER

WEAPON DISCHARGE INCIDENT [ ] 39. DNA

* OC/CHEMICAL WEAPON AUTHORIZED BY (NAME)	POSITION	STAR NO.	UNIT

40. ADDITIONAL INFORMATION: **OFFENDER'S WEAPON WAS A KNIFE IN HIS HAND.**

41. WEAPON TYPE	42. INCIDENT OCCURRED	43. LIGHTING CONDITIONS	44. WEATHER CONDITIONS
[X] 04 SEMI-AUTO PISTOL [ ] 01 REVOLVER [ ] 05 CHEMICAL WEAPON [ ] 02 RIFLE [ ] 06 TASER (Probe Discharge) [ ] 03 SHOTGUN [ ] 07 OTHER	[ ] Indoors [X] Outdoors	[ ] 01 Daylight [ ] 02 Night [ ] 03 Dawn [ ] 04 Dusk [ ] 05 Poor Artificial [X] 06 Good Artificial	CLEAR

45. MAKE/MANUFACTURER	46. MODEL	47. BARREL LENGTH	48. CALIBER/GAUGE
SMITH & WESSON -US- (BODYGUARD,CHIEF SPECIAL)	5943	5	9 MM

49. TASER DART ID NO.	50. WEAPON SERIAL No. (Include Letters)	51. CHICAGO GUN REG. NO.	52. IL FIREARM OWNER ID. NO.	53. HANDGUN CERTIFICATE NO.
	TDU5969	628361	95380037	

54. SPECIAL WEAPON CERTIFICATE NO.	55. PROPERTY INVENTORY NO.	56. TYPE OF AMMUNITION USED	57. NO. OF WEAPONS DISCHARGED BY THIS MEMBER	58. TOTAL NO. OF SHOTS MEMBER FIRED
		Department Issued	1	16

59. WHO FIRED FIRST SHOT	60. WAS FIREARM RELOADED DURING INCIDENT	61. NO OF CATORIDGES/ SHOT SHELLS RELOADED	62. HOW WAS MEMBER'S HANDGUN WORN	70. EVENT NO.
[X] 01 MEMBER [ ] 02 OFFENDER [ ] 03 OTHER (SPECIFY)	[X] 01 YES [ ] 02 NO	15	[X] 01 RT. SIDE (WAIST) [ ] 02 LT. SIDE (WAIST) [ ] 03 OTHER (Specify)	1429315878

63. HOW WAS MEMBER'S HANDGUN DRAWN	64. SPECIFY METHOD/EQUIPMENT USED TO RELOAD	65. DID MEMBER USE SIGHTS
[X] 01 STRONG SIDE DRAW [ ] 02 CROSS DRAW [ ] 03 OTHER (Specify)	BY MAGAZINE	[ ] 01 YES [X] 02 NO

66. DESCRIBE PROTECTIVE COVER USED (LIGHT POLES, DOORWAYS, CAR, FURNITURE, ETC)	67. DISTANCE BETWEEN INVOLVED MEMBER & OFFENDER WHEN FIRST SHOT WAS FIRED
NONE	[ ] 01 0 - 05 FT [ ] 02 05 - 10 FT. [X] 03 10 - 15 FT. [ ] 04 OVER 15 FT.

68. PERSON/OBJECT STRUCK AS RESULT OF THE DISCHARGE OF MEMBERS WEAPON	69. POSITION OF MEMBER DISCHARGING WEAPON
[X] 01 PERSON [ ] 02 OBJECT [ ] 03 BOTH [ ] 04 UNKNOWN	[X] 01 STANDING [ ] 02 LYING DOWN [ ] 03 SITTING [ ] 04 KNEELING [ ] 05 OTHER (SPECIFY)

CASE INFO. 72.

NOTIFICATIONS (OC OR TASER INCIDENT): [ ] OEMC [ ] DSS & LT./DIST. OF OCCUR. [ ] CPIC

NOTIFICATIONS (FIREARM INCIDENT): [X] OEMC [X] DSS/DIST. OF OCCUR & OCIC [X] CPIC [X] DET. DIV.

Members will ensure that all required notifications and all witnesses to this use of force are documented in the appropiate case report.

71. R.D. NO. HX475653

SIGNATURES

73. REPORTING MEMBER (Print Name)	STAR/EMPLOYEE NO.	SIGNATURE
VAN DYKE, JASON D 21-OCT-2014 04:41:45	[redacted]	[redacted]

Reviewing supervisor will ensure the legibility and completeness of this report and attest by entering the required information below.

74. REVIEWING SUPERVISOR (Print Name)	STAR NO.	SIGNATURE	DATE REVIEWED	TIME
FRANKO, STEPHEN D	1381	[redacted]	21-OCT-2014	04:44:58

CB.11.2.7 (REV. 10/07)

LIEUTENANT OR ABOVE/OCIC REVIEW

THE ON-CALL INCIDENT COMMANDER (OCIC) WILL COMPLETE THE REVIEW SECTION FOR 1.) ALL INCIDENTS INVOLVING THE DISCHARGE OF A FIREARM BY A DEPARTMENT MEMBER; 2.) ALL INCIDENTS INVOLVING THE SERIOUS INJURY OR DEATH OF A MEMBER OF THE PUBLIC SUBSEQUENT TO INTERACTIONS WITH A DEPARTMENT MEMBER; 3.) ANY LESSER USE OF FORCE BY A DEPARTMENT MEMBER WHEN THAT USE OF FORCE STEMS FROM THE SAME INCIDENT DESCRIBED HERE IN 1 OR 2.

THE ASSIGNED INVESTIGATING SUPERVISOR THE RANK OF LIEUTENANT OR ABOVE FROM THE DISTRICT OF OCCURRENCE WILL COMPLETE THE REVIEW SECTION FOR ALL OTHER INCIDENTS.

75. SUBJECT'S STATEMENT REGARDING THE USE OF FORCE ☐ DNA ☐ REFUSED ☒ UNABLE TO INTERVIEW (Specify Reason)

Subject is deceased.

76. LIEUTENANT OR ABOVE/OCIC RATIONALE FOR BOX 77 FINDING

Based upon information available at the time of this report it is the preliminary determination of the undersigned that Officer Van Dyke fired his weapon in compliance with Department policy. Officer Van Dyke fired his weapon in fear of his life when the offender while armed with a knife continued to approach and refused all verbal direction.

77. LIEUTENANT OR ABOVE/OCIC FINDING BASED UPON CURRENTLY AVAILABLE INFORMATION:

☒ I HAVE CONCLUDED THAT THE MEMBER'S ACTIONS WERE IN COMPLIANCE WITH DEPARTMENT PROCEDURES AND DIRECTIVES.

☐ I HAVE CONCLUDED THAT FURTHER INVESTIGATION IS REQUIRED.

LOG NO./CRNO. 1072125 OBTAINED

78. LIEUTENANT OR ABOVE/OCIC (Print Name)	SIGNATURE	DATE COMPLETED TIME
MC NAUGHTON, DAVID R	[redacted]	21-OCT-2014 04:58:37

79. DISTRIBUTION OF ORIGINAL TRR:

A TRR PACKET, INCLUDING THE TRR AND COPIES OF THE BELOW LISTED ATTACHMENTS WILL BE FORWARDED TO THE INDEPENDENT POLICE REVIEW AUTHORITY

ATTACHMENTS - PHOTOCOPIES OF:

☐ CASE REPORT ☐ SUPPLEMENTARY REPORT ☐ I.O.D. REPORT

☐ ARREST REPORT ☒ OFFICER BATTERY REPORT ☐ CR INITIATION REPORT

☐ TO-FROM-SUBJECT REPORTS FROM DEPARTMENT WITNESS(ES)

80. TOTAL TRR's THIS EVENT No.: 1

OFFICER'S BATTERY REPORT
CHICAGO POLICE DEPARTMENT

RD NO. **HX475653**

INSTRUCTIONS: This form is to be completed for all incidents when: (1) a sworn member is the victim of a murder, aggravated battery, battery, aggravated assault, or assault while performing a police function either on-duty or off-duty, (2) a detention aide is the victim of a murder, aggravated battery, battery, aggravated assault, or assault while in the performance of his or her duties.

"X APPLICABLE BOXES"

OFFICER INFORMATION

NAME (LAST - FIRST - M.I.): **WALSH, JOSEPH J**

STAR NO.	POSITION
12865	POLICE OFFICER
DATE OF APPOINTMENT: 29-JUN-1998	EMPLOYEE NO.: [redacted]
UNIT OF ASSIGNMENT: 008	BEAT/CALL NO.: 0845R

SEX	RACE	DOB
☒ 1. M ☐ 2. F	WHITE	[redacted]
HEIGHT: 600	WEIGHT: 190	

TYPE OF ASSIGNMENT WHEN BATTERY OCCURRED

☒ 1. ON DUTY
- ☒ A. UNIFORM, PATROL DUTY
- ☐ B. UNIFORM, OTHER DUTY — Describe _____
- ☐ C. CITIZEN'S DRESS
- ☐ D. TACTICAL
- ☐ E. B.I.S. UNIT
- ☐ F. SPECIAL EMPLOYMENT
- ☐ G. OTHER _____

☐ 2. OFF DUTY

☐ 3. SPECIAL EMPLOYMENT

☐ 4. SECONDARY / OTHER

WORKING:
- ☐ A. ALONE
- ☒ B. WITH ONE PARTNER
- ☐ C. WITH MULTIPLE PARTNERS — How many? _____

PATROL TYPE:
- ☒ A. SQUAD CAR
- ☐ B. FOOT
- ☐ C. BICYCLE
- ☐ D. APV/MOTORCYCLE
- ☐ E. SQUADROL
- ☐ F. OTHER _____

TYPE OF ACTIVITY

- ☐ A. AMBUSH -NO WARNING
- ☐ B. TRAFFIC STOP/PURSUIT
- ☐ C. INVESTIGATING SUSPICIOUS PERSON
- ☐ D. DISTURBANCE - DOMESTIC
- ☐ E. DISTURBANCE - MENTAL PATIENT
- ☐ F. DISTURBANCE - RIOT/MOB ACTION/CIVIL DISORDER
- ☐ G. DISTURBANCE - OTHER
- ☐ H. MAN WITH A GUN
- ☐ I. PURSUING/ARRESTING OFFENDER (Specify) CHARGE _____ IUCR CODE _____
- ☐ J. PROCESSING/TRANSPORTING/GUARDING A PRISONER (Specify ORIGINAL CHARGE _____ ORIGINAL IUCR CODE _____
- ☒ K. OTHER

TYPE OF INJURY TO OFFICER

- ☐ A. FATAL
- ☐ B. NON-FATAL - MAJOR INJURY (Broken Bones/Serious Lacerations/ Internal Injuries)
- ☐ C. NON-FATAL - MINOR INJURY (Bruises/Swelling/Minor Abrasions)
- ☒ D. NONE APPARENT/NONE

LIGHTING CONDITIONS AT INCIDENT

- ☐ A. DAYLIGHT
- ☐ B. NIGHT
- ☐ C. DAWN
- ☐ D. DUSK
- ☒ E. ARTIFICIAL LIGHT — ☐ 1. POOR ☒ 2. GOOD

INCIDENT INFORMATION

☐ 1. INDOOR ☒ 2. OUTDOOR

ADDRESS OF OCCURRENCE: **4112 S PULASKI RD**

CITY	STATE (If outside Chicago)
☒ CHICAGO ☐	
LOCATION CODE: 304-STREET	BEAT OF OCCURRENCE: 0815

DATE OF OCCURRENCE	TIME	DAY OF WEEK
20-OCT-2014	21:57:00	MONDAY

NO. OF OFFICERS BATTERED: 3

WERE THERE ASSISTING UNITS ON SCENE? 1. ☒ YES 2. ☐ NO

IF YES HOW MANY ASSISTING OFFICERS WERE PRESENT AT TIME BATTERY (EXCLUDING YOU OR YOUR PARTNERS) ? 8

MANNER OF ATTACK

- ☐ 01. SHOT
- ☐ 02. SHOT AT
- ☒ 03. STABBED/CUT (INCLUDING ACTUAL ATTEMPT)
- ☐ 04. STRUCK/BLUNT FORCE (INCLUDING ACTUAL ATTEMPT)
- ☐ 05. OTHER (INCLUDING VERBAL THREATS)

TYPE OF WEAPON/THREAT

(Check all that apply):
- ☐ A. FIREARM CALIBER _____
  - ☐ 1. REVOLVER
  - ☐ 2. SEMI-AUTOMATIC
  - ☐ 3. RIFLE
  - ☐ 4. SHOTGUN
- ☐ B. VEHICLE
  - ☐ 1. OFFICER STRUCK WITH VEHICLE
  - ☐ 2. ATTEMPTED TO STRIKE OFFICER WITH VEHICLE
- ☐ C. KNIFE/OTHER CUTTING INSTRUMENT
- ☐ D. HANDS/FISTS
- ☐ E. FEET
- ☐ F. MOUTH (SPIT, BITE, ETC.)
- ☐ G. VERBAL THREAT (ASSAULT)
- ☒ H. OTHER (SPECIFY) /SWINGING KNIFE
- ☐ I. BLUNT INSTRUMENT

FIREARM USE INFORMATION (Check all that apply):
- ☐ A. OFFICER AT GUNPOINT
- ☐ B. OFFICER'S OWN WEAPON OBTAINED
- ☐ C. ATTEMPTED TO OBTAIN OFFICER'S OWN WEAPON

OFFENDER INFORMATION

SEX	RACE	DOB
☒ 1. M ☐ 2. F	BLACK	25-SEP-1997
CB NO.	IR NO.	

WAS THE OFFENDER'S ACTIVITY:

DRUG RELATED?	GANG RELATED?
☐ 1. YES	☐ 1. YES
☐ 2. NO	☐ 2. NO
☒ 3. UNKNOWN	☒ 3. UNKNOWN

NO. OF OFFENDERS PRESENT? 1

WEATHER CONDITIONS

- ☒ A. CLEAR
- ☐ B. RAIN
- ☐ C. SNOW
- ☐ D. FOG / SMOKE / HAZE
- ☐ E. SLEET / HAIL
- ☐ F. SEVERE CROSS WIND
- ☐ G. OTHER

APPROXIMATE OUTDOOR TEMPERATURE: 50 °F

CPD-11.451 (REV. 1/04)

Unusual Circumstances Regarding Officer Control Tactics and Safety: (If you need more space use additional sheets).

REPORTING MEMBER - SIGNATURE	STAR NO.	WATCH COMMANDER /UNIT COMMANDING OFFICER- SIGNATURE	STAR NO.
WALSH, JOSEPH J	12865 [redacted]	MC NAUGHTON, DAVID R	120 [redacted]

CPD-11.451 (REV. 1/04)

TACTICAL RESPONSE REPORT/Chicago Police Department

MEMBER INVOLVED

1. DATE OF INCIDENT	TIME	2. ADDRESS OF OCCURRENCE	3. LOCATION CODE	4. BEAT/OCCUR
20-OCT-2014	21:57:00	4112 S PULASKI RD CHICAGO, IL 60632	304	0815

5. POSITION	6. LAST NAME	7. FIRST NAME	8. STAR NO.	9. SEX	10. RACE CODE	11. AGE	12. HT.	13. WT.
9161	WALSH	JOSEPH J	12865	☒ 01 M ☐ 02 F	WHI	[redacted]	600	190

14. DATE OF APPT.	15. EMPLOYEE NO.	16. UNIT & BEAT OF ASSIGNMENT	17. DUTY STATUS	18. MEMBER INJURED?	19. MEMBER IN UNIFORM?
29-JUN-1998	10016	008 0845R	☒ 01 On ☐ 02 Off	☐ 01 Yes ☒ 02 No	☒ 01 Yes ☐ 02 No

SUBJECT INFORMATION ☐ DNA

20. LAST NAME	21. FIRST NAME	22. MI	23. SEX	24. RACE	25. D.O.B.	26. HT.	27. WT.
MCDONALD	LEQUAN	J	☒ 01 M ☐ 02 F	BLK	25-SEP-1997	601	185

28. ADDRESS	29. TELEPHONE NO.	30. WAS SUBJECT ARMED? OTHER (SPECIFY)	31. SUBJECT INJURED?	32. SUBJECT ALLEGED INJURY?
[redacted] IL 60637		☒ 01 Yes ☐ 02 No	☒ 01 Yes ☐ 02 No	☐ 01 Yes ☒ 02 No

33. WHERE WAS MEDICAL TREATMENT OBTAINED?	34. BY WHOM?	35. CONDITION
	DR. PITZEL	☒ 03 Hospitalized ☐ 01 Apparently Normal ☐ 02 Under Influence ☐ 04 Not Hospitalized ☐ 05 Refused Medical Aid

36. CHARGES PLACED ☐ DNA | 37. CB NO. | IR NO. ☐ DNA

REASON FOR USE OF FORCE (Check all that apply) 38. ☐ DNA

	PASSIVE RESISTER	ACTIVE RESISTER	ASSAILANT: ASSAULT	ASSAILANT: BATTERY	ASSAILANT: DEADLY FORCE
SUBJECT'S ACTIONS	DID NOT FOLLOW VERBAL DIRECTION ☒ STIFFENED (DEAD WEIGHT) ☐ OTHER	FLED ☐ PULLED AWAY ☐ OTHER	IMMINENT THREAT OF BATTERY ☒ OTHER	ATTACK WITH WEAPON ☒ ATTACK WITHOUT WEAPON ☐ OTHER	USES FORCE LIKELY TO CAUSE DEATH OR GREAT BODILY HARM ☒ WEAPON ☒ OTHER
MEMBER'S RESPONSE	MEMBER PRESENCE ☒ VERBAL COMMANDS ☒ ESCORT HOLDS ☐ WRISTLOCK ☐ ARMBAR ☐ PRESSURE SENSITIVE AREAS ☐ CONTROL INSTRUMENT ☐ OC/CHEMICAL WEAPON W/AUTHORIZATION ☐ OTHER	OPEN HAND STRIKE ☐ TAKE DOWN / EMERGENCY HANDCUFFING ☐ OC CHEMICAL WEAPON ☐ CANINE ☐ TASER (Probe Discharge) ☐ TASER (Contact Stun) ☐ TASER (Laser Targeted) ☐ TASER (Spark Displayed) ☐ OTHER	ELBOW STRIKE ☐ CLOSED HAND STRIKE/PUNCH ☐ IMPACT WEAPON (Describe in Box 40) ☐ OTHER	KNEE STRIKE ☐ KICKS ☐ IMPACT MUNITION (Describe in Box 40) ☐	FIREARM ☐ OTHER

WEAPON DISCHARGE INCIDENT 39. ☒ DNA

* OC/CHEMICAL WEAPON AUTHORIZED BY (NAME)	POSITION	STAR NO.	UNIT

40. ADDITIONAL INFORMATION: **OFFENDER ARMED WITH KNIFE.**

41. WEAPON TYPE	42. INCIDENT OCCURRED	43. LIGHTING CONDITIONS	44. WEATHER CONDITIONS
☐ 01 REVOLVER ☐ 04 SEMI-AUTO PISTOL ☐ 02 RIFLE ☐ 05 CHEMICAL WEAPON ☐ 03 SHOTGUN ☐ 06 TASER (Probe Discharge) ☐ 07 OTHER	☐ Indoors ☒ Outdoors	☐ 02 Night ☐ 03 Dawn ☐ 04 Dusk ☐ 05 Poor Artificial ☒ 06 Good Artificial	CLEAR

45. MAKE/MANUFACTURER	46. MODEL	47. BARREL LENGTH	48. CALIBER/GAUGE

49. TASER DART ID NO.	50. WEAPON SERIAL No. (Include Letters)	51. CHICAGO GUN REG. NO.	52. IL FIREARM OWNER ID. NO.	53. HANDGUN CERTIFICATE NO.

54. SPECIAL WEAPON CERTIFICATE NO.	55. PROPERTY INVENTORY NO.	56. TYPE OF AMMUNITION USED	57 NO. OF WEAPONS DISCHARGED BY THIS MEMBER	58. TOTAL NO. OF SHOTS MEMBER FIRED

59. WHO FIRED FIRST SHOT	60. WAS FIREARM RELOADED DURING INCIDENT	61. NO OF CATDRIDGES/ SHOT SHELLS RELOADED	62. HOW WAS MEMBER'S HANDGUN WORN	70. EVENT NO.
☐ 01 MEMBER ☐ 02 OFFENDER ☐ 03 OTHER (SPECIFY)	☐ 01 YES ☐ 02 NO		☐ 01 RT. SIDE (WAIST) ☐ 02 LT. SIDE (WAIST) ☐ 03 OTHER (Specify)	1429315878

63. HOW WAS MEMBER'S HANDGUN DRAWN	64. SPECIFY METHOD/EQUIPMENT USED TO RELOAD	65. DID MEMBER USE SIGHTS
☐ 01 STRONG SIDE DRAW ☐ 02 CROSS DRAW ☐ 03 OTHER (Specify)		☐ 01 YES ☐ 02 NO

66. DESCRIBE PROTECTIVE COVER USED (LIGHT POLES, DOORWAYS, CAR, FURNITURE, ETC)	67. DISTANCE BETWEEN INVOLVED MEMBER & OFFENDER WHEN FIRST SHOT WAS FIRED
	☐ 01 0 - 05 FT. ☐ 02 05 - 10 FT. ☐ 03 10 - 15 FT ☐ 04 OVER 15 FT.

68. PERSON/OBJECT STRUCK AS RESULT OF THE DISCHARGE OF MEMBERS WEAPON	69. POSITION OF MEMBER DISCHARGING WEAPON
☐ 01 PERSON ☐ 02 OBJECT ☐ 03 BOTH ☐ 04 UNKNOWN	☐ 01 STANDING ☐ 02 LYING DOWN ☐ 03 SITTING ☐ 04 KNEELING ☐ 05 OTHER (SPECIFY)

CASE INFO. 72.

NOTIFICATIONS (OC OR TASER INCIDENT): ☐ OEMC ☐ DSS & LT./DIST. OF OCCUR. ☐ CPIC

NOTIFICATIONS (FIREARM INCIDENT): ☐ OEMC ☐ DSS/DIST. OF OCCUR & OCIC ☐ CPIC ☐ DET. DIV.

Members will ensure that all required notifications and all witnesses to this use of force are documented in the appropriate case report.

71. R.D. NO. HX475653

SIGNATURES

73. REPORTING MEMBER (Print Name)	STAR/EMPLOYEE NO.	SIGNATURE
WALSH, JOSEPH J 21-OCT-2014 05:04:40	12865 [redacted]	[redacted]

Reviewing supervisor will ensure the legibility and completeness of this report and attest by entering the required information below.

74. REVIEWING SUPERVISOR (Print Name)	STAR NO.	SIGNATURE	DATE REVIEWED	TIME
FRANKO, STEPHEN D	1381	[redacted]	21-OCT-2014	05:07:32

CB 377 (REV. 10/07)

LIEUTENANT OR ABOVE/OCIC REVIEW

THE ON-CALL INCIDENT COMMANDER (OCIC) WILL COMPLETE THE REVIEW SECTION FOR 1.) ALL INCIDENTS INVOLVING THE DISCHARGE OF A FIREARM BY A DEPARTMENT MEMBER; 2.) ALL INCIDENTS INVOLVING THE SERIOUS INJURY OR DEATH OF A MEMBER OF THE PUBLIC SUBSEQUENT TO INTERACTIONS WITH A DEPARTMENT MEMBER; 3.) ANY LESSER USE OF FORCE BY A DEPARTMENT MEMBER WHEN THAT USE OF FORCE STEMS FROM THE SAME INCIDENT DESCRIBED HERE IN 1 OR 2.

THE ASSIGNED INVESTIGATING SUPERVISOR THE RANK OF LIEUTENANT OR ABOVE FROM THE DISTRICT OF OCCURRENCE WILL COMPLETE THE REVIEW SECTION FOR ALL OTHER INCIDENTS.

75. SUBJECT'S STATEMENT REGARDING THE USE OF FORCE ☐ DNA ☐ REFUSED ☒ UNABLE TO INTERVIEW (Specify Reason)

Subject is deceased.

76. LIEUTENANT OR ABOVE/OCIC RATIONALE FOR BOX 77 FINDING

Officer Walsh's actions were in compliance with the Department's use of force policy.

77. LIEUTENANT OR ABOVE/OCIC FINDING BASED UPON CURRENTLY AVAILABLE INFORMATION:

☒ I HAVE CONCLUDED THAT THE MEMBER'S ACTIONS WERE IN COMPLIANCE WITH DEPARTMENT PROCEDURES AND DIRECTIVES.

☐ I HAVE CONCLUDED THAT FURTHER INVESTIGATION IS REQUIRED.

LOG NO./CRNO. 1072125 OBTAINED

78. LIEUTENANT OR ABOVE/OCIC (Print Name)	SIGNATURE	DATE COMPLETED TIME
MC NAUGHTON, DAVID R	[redacted]	21-OCT-2014 05:12:27

79. DISTRIBUTION OF ORIGINAL TRR:

A TRR PACKET, INCLUDING THE TRR AND COPIES OF THE BELOW LISTED ATTACHMENTS WILL BE FORWARDED TO THE INDEPENDENT POLICE REVIEW AUTHORITY

ATTACHMENTS - PHOTOCOPIES OF:
☐ SUPPLEMENTARY REPORT ☐ I.O.D. REPORT
☐ CASE REPORT ☒ OFFICER BATTERY REPORT ☐ CR INITIATION REPORT
☐ ARREST REPORT ☐ TO-FROM-SUBJECT REPORTS FROM DEPARTMENT WITNESS(ES)

80. TOTAL TRR's THIS EVENT No. 2

OFFICER'S BATTERY REPORT
CHICAGO POLICE DEPARTMENT

RD NO. **HX475653**

INSTRUCTIONS: This form is to be completed for all incidents when: (1) a sworn member is the victim of a murder, aggravated battery, battery, aggravated assault, or assault while performing a police function either on-duty or off-duty, (2) a detention aide is the victim of a murder, aggravated battery, battery, aggravated assault, or assault while in the performance of his or her duties.

"X APPLICABLE BOXES"

OFFICER INFORMATION

NAME (LAST - FIRST - M.I.): **GAFFNEY, THOMAS J**

STAR NO.	POSITION
19958	POLICE OFFICER
DATE OF APPOINTMENT: 08-JUL-1996	EMPLOYEE NO.: [redacted]
UNIT OF ASSIGNMENT: 008	BEAT/CALL NO.: 0815R

SEX	RACE	DOB
☒ 1. M ☐ 2. F	WHITE	[redacted]

HEIGHT	WEIGHT
600	195

TYPE OF ASSIGNMENT WHEN BATTERY OCCURRED

☒ 1. ON DUTY
- ☒ A. UNIFORM, PATROL DUTY
- ☐ B. UNIFORM, OTHER DUTY — Describe _____
- ☐ C. CITIZEN'S DRESS
- ☐ D. TACTICAL
- ☐ E. B.I.S. UNIT
- ☐ F. SPECIAL EMPLOYMENT
- ☐ G. OTHER _____

☐ 2. OFF DUTY

☐ 3. SPECIAL EMPLOYMENT

☐ 4. SECONDARY / OTHER

WORKING:
- ☐ A. ALONE
- ☒ B. WITH ONE PARTNER
- ☐ C. WITH MULTIPLE PARTNERS — How many? _____

PATROL TYPE:
- ☒ A. SQUAD CAR
- ☐ B. FOOT
- ☐ C. BICYCLE
- ☐ D. APV/MOTORCYCLE
- ☐ E. SQUADROL
- ☐ F. OTHER _____

TYPE OF ACTIVITY

- ☐ A. AMBUSH -NO WARNING
- ☐ B. TRAFFIC STOP/PURSUIT
- ☐ C. INVESTIGATING SUSPICIOUS PERSON
- ☐ D. DISTURBANCE - DOMESTIC
- ☐ E. DISTURBANCE - MENTAL PATIENT
- ☐ F. DISTURBANCE - RIOT/MOB ACTION/CIVIL DISORDER
- ☐ G. DISTURBANCE - OTHER
- ☐ H. MAN WITH A GUN
- ☐ I. PURSUING/ARRESTING OFFENDER (Specify) CHARGE _____ IUCR CODE _____
- ☐ J. PROCESSING/TRANSPORTING/GUARDING A PRISONER (Specify ORIGINAL CHARGE _____ ORIGINAL IUCR CODE _____
- ☒ K. OTHER

TYPE OF INJURY TO OFFICER

- ☐ A. FATAL
- ☐ B. NON-FATAL - MAJOR INJURY (Broken Bones/Serious Lacerations/ Internal Injuries)
- ☐ C. NON-FATAL - MINOR INJURY (Bruises/Swelling/Minor Abrasions)
- ☒ D. NONE APPARENT/NONE

LIGHTING CONDITIONS AT INCIDENT

- ☐ A. DAYLIGHT
- ☐ B. NIGHT
- ☐ C. DAWN
- ☐ D. DUSK
- ☒ E. ARTIFICIAL LIGHT
  - ☐ 1. POOR
  - ☒ 2. GOOD

INCIDENT INFORMATION

☐ 1. INDOOR ☒ 2. OUTDOOR

ADDRESS OF OCCURRENCE: 4000 1/2 S KARLOV AVE

CITY	STATE (If outside Chicago)
☒ CHICAGO ☐	
LOCATION CODE: 304-STREET	BEAT OF OCCURRENCE: 0815

DATE OF OCCURRENCE	TIME	DAY OF WEEK
20-OCT-2014	21:56:00	MONDAY

NO. OF OFFICERS BATTERED: 3

WERE THERE ASSISTING UNITS ON SCENE? 1. ☒ YES 2. ☐ NO

IF YES HOW MANY ASSISTING OFFICERS WERE PRESENT AT TIME BATTERY (EXCLUDING YOU OR YOUR PARTNERS) ? 8

MANNER OF ATTACK

- ☐ 01. SHOT
- ☐ 02. SHOT AT
- ☒ 03. STABBED/CUT (INCLUDING ACTUAL ATTEMPT)
- ☐ 04. STRUCK/BLUNT FORCE (INCLUDING ACTUAL ATTEMPT)
- ☐ 05. OTHER (INCLUDING VERBAL THREATS)

TYPE OF WEAPON/THREAT

(Check all that apply):

- ☐ A. FIREARM CALIBER _____
  - ☐ 1. REVOLVER
  - ☐ 2. SEMI-AUTOMATIC
  - ☐ 3. RIFLE
  - ☐ 4. SHOTGUN
- ☐ B. VEHICLE
  - ☐ 1. OFFICER STRUCK WITH VEHICLE
  - ☐ 2. ATTEMPTED TO STRIKE OFFICER WITH VEHICLE
- ☒ C. KNIFE/OTHER CUTTING INSTRUMENT
- ☐ D. HANDS/FISTS
- ☐ E. FEET
- ☐ F. MOUTH (SPIT, BITE, ETC.)
- ☐ G. VERBAL THREAT (ASSAULT)
- ☒ H. OTHER (SPECIFY) /SWINGING KNIFE
- ☐ I. BLUNT INSTRUMENT

FIREARM USE INFORMATION (Check all that apply):
- ☐ A. OFFICER AT GUNPOINT
- ☐ B. OFFICER'S OWN WEAPON OBTAINED
- ☐ C. ATTEMPTED TO OBTAIN OFFICER'S OWN WEAPON

OFFENDER INFORMATION

SEX	RACE	DOB
☒ 1. M ☐ 2. F	BLACK	25-SEP-1997

CB NO.	IR NO.

WAS THE OFFENDER'S ACTIVITY:

DRUG RELATED?	GANG RELATED?
☐ 1. YES	☐ 1. YES
☐ 2. NO	☐ 2. NO
☒ 3. UNKNOWN	☒ 3. UNKNOWN

NO. OF OFFENDERS PRESENT? 1

WEATHER CONDITIONS

- ☒ A. CLEAR
- ☐ B. RAIN
- ☐ C. SNOW
- ☐ D. FOG / SMOKE / HAZE
- ☐ E. SLEET / HAIL
- ☐ F. SEVERE CROSS WIND
- ☐ G. OTHER

APPROXIMATE OUTDOOR TEMPERATURE: 50 °F

CPD-11.451 (REV. 1/04)

Unusual Circumstances Regarding Officer Control Tactics and Safety: (If you need more space use additional sheets).

REPORTING MEMBER - SIGNATURE	STAR NO.	WATCH COMMANDER /UNIT COMMANDING OFFICER- SIGNATURE	STAR NO.
GAFFNEY, THOMAS J	19958 [redacted]	MC NAUGHTON, DAVID R	120 [redacted]

CPD-11.451 (REV. 1/04)

TACTICAL RESPONSE REPORT/Chicago Police Department

1. DATE OF INCIDENT	TIME	2. ADDRESS OF OCCURRENCE	3. LOCATION CODE	4. BEAT/OCCUR
20-OCT-2014	21:56:00	4000 1/2 S KARLOV AVE CHICAGO, IL 60632	304	0815

MEMBER INVOLVED

5. POSITION	6. LAST NAME	7. FIRST NAME	8. STAR NO.	9. SEX	10. RACE CODE	11. AGE	12. HT.	13. WT.
9161	GAFFNEY	THOMAS J	19958	☒ 01 M ☐ 02 F	WHI	[redacted]	600	195

14. DATE OF APPT	15. EMPLOYEE NO.	16. UNIT & BEAT OF ASSIGNMENT	17. DUTY STATUS	18. MEMBER INJURED?	19. MEMBER IN UNIFORM?
08-JUL-1996	[redacted]	008 0815R	☒ 01 On ☐ 02 Off	☐ 01 Yes ☒ 02 No	☒ 01 Yes ☐ 02 No

SUBJECT INFORMATION ☐ DNA

20. LAST NAME	21. FIRST NAME	22. M.I.	23. SEX	24. RACE	25. D.O.B.	26. HT.	27. WT.
MCDONALD	LEQUAN	J	☒ 01 M ☐ 02 F	BLK	25-SEP-1997	601	185

28. ADDRESS	29. TELEPHONE NO.	30. WAS SUBJECT ARMED? KNIFE/OTHER CUTTING INSTRUMENT, OTHER (SPECIFY)	31. SUBJECT INJURED?	32. SUBJECT ALLEGED INJURY?
[redacted]		☒ 01 Yes ☐ 02 No	☒ 01 Yes ☐ 02 No	☐ 01 Yes ☒ 02 No

33. WHERE WAS MEDICAL TREATMENT OBTAINED?

34. BY WHOM? DR PITZEL

35. CONDITION ☐ 01 Apparently Normal ☐ 02 Under Influence ☒ 03 Hospitalized ☐ 04 Not Hospitalized ☐ 05 Refused Medical Aid

36. CHARGES PLACED ☐ DNA

37. CB NO. IR NO. ☐ DNA

REASON FOR USE OF FORCE (Check all that apply) 38. ☐ DNA

	PASSIVE RESISTER	ACTIVE RESISTER	ASSAILANT:ASSAULT	ASSAILANT:BATTERY	ASSAILANT:DEADLY FORCE
SUBJECT'S ACTIONS	DID NOT FOLLOW VERBAL DIRECTION ☒ STIFFENED (DEAD WEIGHT) ☐ OTHER	FLED ☐ PULLED AWAY ☐ OTHER	IMMINENT THREAT OF BATTERY ☒ OTHER	ATTACK WITH WEAPON ☒ ATTACK WITHOUT WEAPON ☐ OTHER	USES FORCE LIKELY TO CAUSE DEATH OR GREAT BODILY HARM ☒ WEAPON ☒ OTHER

MEMBER'S RESPONSE				
MEMBER PRESENCE ☒	OPEN HAND STRIKE ☐	ELBOW STRIKE ☐	KNEE STRIKE ☐	FIREARM ☐
VERBAL COMMANDS ☐	TAKE DOWN / EMERGENCY HANDCUFFING ☐	CLOSED HAND STRIKE/PUNCH ☐	KICKS ☐	OTHER
ESCORT HOLDS ☐	OC CHEMICAL WEAPON ☐	IMPACT WEAPON (Describe in Box 40) ☐	IMPACT MUNITION (Describe in Box 40) ☐	
WRISTLOCK ☐	CANINE ☐	OTHER		
ARMBAR ☐	TASER (Probe Discharge) ☐			
PRESSURE SENSITIVE AREAS ☐	TASER (Contact Stun) ☐			
CONTROL INSTRUMENT ☐	TASER (Laser Targeted) ☐			
OC/CHEMICAL WEAPON W/AUTHORIZATION ☐	TASER (Spark Displayed) ☐			
OTHER	OTHER			

WEAPON DISCHARGE INCIDENT 39. ☒ DNA

* OC/CHEMICAL WEAPON AUTHORIZED BY (NAME)	POSITION	STAR NO.	UNIT

40. ADDITIONAL INFORMATION: SUBJECT ARMED WITH KNIFE

41. WEAPON TYPE	42. INCIDENT OCCURRED	43. LIGHTING CONDITIONS	44. WEATHER CONDITIONS
☐ 01 REVOLVER ☐ 04 SEMI-AUTO PISTOL ☐ 02 RIFLE ☐ 05 CHEMICAL WEAPON ☐ 03 SHOTGUN ☐ 06 TASER (Probe Discharge) ☐ 07 OTHER	☐ Indoors ☒ Outdoors	☐ 02 Night ☐ 03 Dawn ☐ 04 Dusk ☐ 05 Poor Artificial ☒ 06 Good Artificial ☐ 01 Daylight	CLEAR

45. MAKE/MANUFACTURER	46. MODEL	47. BARREL LENGTH	48. CALIBER/GAUGE

49. TASER DART ID NO.	50. WEAPON SERIAL No. (Include Letters)	51. CHICAGO GUN REG. NO.	52. IL FIREARM OWNER ID. NO.	53. HANDGUN CERTIFICATE NO.

54. SPECIAL WEAPON CERTIFICATE NO.	55. PROPERTY INVENTORY NO.	56. TYPE OF AMMUNITION USED	57. NO. OF WEAPONS DISCHARGED BY THIS MEMBER	58. TOTAL NO. OF SHOTS MEMBER FIRED

59. WHO FIRED FIRST SHOT	60. WAS FIREARM RELOADED DURING INCIDENT	61. NO OF CARTRIDGES/ SHOT SHELLS RELOADED	62. HOW WAS MEMBER'S HANDGUN WORN	70. EVENT NO.
☐ 01 MEMBER ☐ 02 OFFENDER ☐ 03 OTHER (SPECIFY)	☐ 01 YES ☐ 02 NO		☐ 01 RT. SIDE (WAIST) ☐ 02 LT. SIDE (WAIST) ☐ 03 OTHER (Specify)	1429315878

63. HOW WAS MEMBER'S HANDGUN DRAWN	64. SPECIFY METHOD/EQUIPMENT USED TO RELOAD	65. DID MEMBER USE SIGHTS
☐ 01 STRONG SIDE DRAW ☐ 02 CROSS DRAW ☐ 03 OTHER (Specify)		☐ 01 YES ☐ 02 NO

66. DESCRIBE PROTECTIVE COVER USED (LIGHT POLES, DOORWAYS, CAR, FURNITURE, ETC)	67. DISTANCE BETWEEN INVOLVED MEMBER & OFFENDER WHEN FIRST SHOT WAS FIRED
	☐ 01 0 - 05 FT. ☐ 02 05 - 10 FT. ☐ 03 10 - 15 FT. ☐ 04 OVER 15 FT.

68. PERSON/OBJECT STRUCK AS RESULT OF THE DISCHARGE OF MEMBERS WEAPON	69. POSITION OF MEMBER DISCHARGING WEAPON
☐ 01 PERSON ☐ 02 OBJECT ☐ 03 BOTH ☐ 04 UNKNOWN	☐ 01 STANDING ☐ 02 LYING DOWN ☐ 03 SITTING ☐ 04 KNEELING ☐ 05 OTHER (SPECIFY)

CASE INFO. 72.

NOTIFICATIONS (OC OR TASER INCIDENT): ☐ OEMC ☐ DSS & LT./DIST. OF OCCUR. ☐ CPIC

NOTIFICATIONS (FIREARM INCIDENT): ☐ OEMC ☐ DSS/DIST. OF OCCUR & OCIC ☐ CPIC ☐ DET. DIV.

Members will ensure that all required notifications and all witnesses to this use of force are documented in the appropiate case report.

71. R.D. NO. HX475653

SIGNATURES

73. REPORTING MEMBER (Print Name)	STAR/EMPLOYEE NO	SIGNATURE
GAFFNEY, THOMAS J 21-OCT-2014 05:15:34	19958 [redacted]	[redacted]

Reviewing supervisor will ensure the legibility and completeness of this report and attest by entering the required information below.

74. REVIEWING SUPERVISOR (Print Name)	STAR NO.	SIGNATURE	DATE REVIEWED TIME
FRANKO, STEPHEN D	1381	[redacted]	21-OCT-2014 05:17:15

11.3.7 (REV. 10/07)

LIEUTENANT OR ABOVE/OCIC REVIEW

THE ON-CALL INCIDENT COMMANDER (OCIC) WILL COMPLETE THE REVIEW SECTION FOR 1.) ALL INCIDENTS INVOLVING THE DISCHARGE OF A FIREARM BY A DEPARTMENT MEMBER; 2.) ALL INCIDENTS INVOLVING THE SERIOUS INJURY OR DEATH OF A MEMBER OF THE PUBLIC SUBSEQUENT TO INTERACTIONS WITH A DEPARTMENT MEMBER; 3.) ANY LESSER USE OF FORCE BY A DEPARTMENT MEMBER WHEN THAT USE OF FORCE STEMS FROM THE SAME INCIDENT DESCRIBED HERE IN 1 OR 2.

THE ASSIGNED INVESTIGATING SUPERVISOR THE RANK OF LIEUTENANT OR ABOVE FROM THE DISTRICT OF OCCURRENCE WILL COMPLETE THE REVIEW SECTION FOR ALL OTHER INCIDENTS

75. SUBJECT'S STATEMENT REGARDING THE USE OF FORCE ☐ ONA ☐ REFUSED ☒ UNABLE TO INTERVIEW (Specify Reason)

Subject is deceased.

76. LIEUTENANT OR ABOVE/OCIC RATIONALE FOR BOX 77 FINDING

Officer Gaffney's actions were in compliance with the Department's Use of Force policy.

77. LIEUTENANT OR ABOVE/OCIC FINDING BASED UPON CURRENTLY AVAILABLE INFORMATION:

☒ I HAVE CONCLUDED THAT THE MEMBER'S ACTIONS WERE IN COMPLIANCE WITH DEPARTMENT PROCEDURES AND DIRECTIVES.

☐ I HAVE CONCLUDED THAT FURTHER INVESTIGATION IS REQUIRED.

LOG NO./CRNO. 1072125 OBTAINED

78. LIEUTENANT OR ABOVE/OCIC (Print Name)	SIGNATURE	DATE COMPLETED TIME
MC NAUGHTON, DAVID R	[redacted]	21-OCT-2014 05:20:49

79. DISTRIBUTION OF ORIGINAL TRR

A TRR PACKET, INCLUDING THE TRR AND COPIES OF THE BELOW LISTED ATTACHMENTS WILL BE FORWARDED TO THE INDEPENDENT POLICE REVIEW AUTHORITY.

ATTACHMENTS - PHOTOCOPIES OF:
☐ CASE REPORT ☐ ARREST REPORT ☐ SUPPLEMENTARY REPORT ☒ OFFICER BATTERY REPORT ☐ TO-FROM-SUBJECT REPORTS FROM DEPARTMENT WITNESS(ES) ☐ I.O.D. REPORT ☐ CR INITIATION REPORT

80. TOTAL TRR's THIS EVENT No. 3

OFFICER'S BATTERY REPORT
CHICAGO POLICE DEPARTMENT

RD NO. **HX475653**

INSTRUCTIONS: This form is to be completed for all incidents when: (1) a sworn member is the victim of a murder, aggravated battery, battery, aggravated assault, or assault while performing a police function either on-duty or off-duty, (2) a detention aide is the victim of a murder, aggravated battery, battery, aggravated assault, or assault while in the performance of his or her duties.

"X APPLICABLE BOXES"

OFFICER INFORMATION

NAME (LAST - FIRST - M.I.): **WALSH, JOSEPH J**

STAR NO.	POSITION
12865	POLICE OFFICER
DATE OF APPOINTMENT: 29-JUN-1998	EMPLOYEE NO.: [redacted]
UNIT OF ASSIGNMENT: 008	BEAT/CALL NO.: 0845R

SEX	RACE	DOB
☒ 1. M ☐ 2. F	WHITE	[redacted]

HEIGHT	WEIGHT
600	190

TYPE OF ASSIGNMENT WHEN BATTERY OCCURRED

☒ 1. ON DUTY
- ☒ A. UNIFORM, PATROL DUTY
- ☐ B. UNIFORM, OTHER DUTY — Describe _____
- ☐ C. CITIZEN'S DRESS
- ☐ D. TACTICAL
- ☐ E. B.I.S. UNIT
- ☐ F. SPECIAL EMPLOYMENT
- ☐ G. OTHER _____

☐ 2. OFF DUTY

☐ 3. SPECIAL EMPLOYMENT

☐ 4. SECONDARY / OTHER

WORKING:
- ☐ A. ALONE
- ☒ B. WITH ONE PARTNER
- ☐ C. WITH MULTIPLE PARTNERS — How many? _____

PATROL TYPE:
- ☒ A. SQUAD CAR
- ☐ B. FOOT
- ☐ C. BICYCLE
- ☐ D. APV/MOTORCYCLE
- ☐ E. SQUADROL
- ☐ F. OTHER _____

TYPE OF ACTIVITY

- ☐ A. AMBUSH -NO WARNING
- ☐ B. TRAFFIC STOP/PURSUIT
- ☐ C. INVESTIGATING SUSPICIOUS PERSON
- ☐ D. DISTURBANCE - DOMESTIC
- ☐ E. DISTURBANCE - MENTAL PATIENT
- ☐ F. DISTURBANCE - RIOT/MOB ACTION/CIVIL DISORDER
- ☐ G. DISTURBANCE - OTHER
- ☐ H. MAN WITH A GUN
- ☐ I. PURSUING/ARRESTING OFFENDER (Specify) CHARGE _____ IUCR CODE _____
- ☐ J. PROCESSING/TRANSPORTING/GUARDING A PRISONER (Specify ORIGINAL CHARGE _____ ORIGINAL IUCR CODE _____
- ☒ K. OTHER

TYPE OF INJURY TO OFFICER

- ☐ A. FATAL
- ☐ B. NON-FATAL - MAJOR INJURY (Broken Bones/Serious Lacerations/ Internal Injuries)
- ☐ C. NON-FATAL - MINOR INJURY (Bruises/Swelling/Minor Abrasions)
- ☒ D. NONE APPARENT/NONE

LIGHTING CONDITIONS AT INCIDENT

- ☐ A. DAYLIGHT
- ☐ B. NIGHT
- ☐ C. DAWN
- ☐ D. DUSK
- ☒ E. ARTIFICIAL LIGHT
  - ☐ 1. POOR
  - ☒ 2. GOOD

INCIDENT INFORMATION

☐ 1. INDOOR ☒ 2. OUTDOOR

ADDRESS OF OCCURRENCE: **4112 S PULASKI RD**

CITY	STATE (If outside Chicago)
☒ CHICAGO ☐	

LOCATION CODE	BEAT OF OCCURRENCE
304-STREET	0815

DATE OF OCCURRENCE	TIME	DAY OF WEEK
20-OCT-2014	21:57:00	MONDAY

NO. OF OFFICERS BATTERED: 3

WERE THERE ASSISTING UNITS ON SCENE? 1. ☒ YES 2. ☐ NO

IF YES HOW MANY ASSISTING OFFICERS WERE PRESENT AT TIME BATTERY (EXCLUDING YOU OR YOUR PARTNERS) ? 8

MANNER OF ATTACK

- ☐ 01. SHOT
- ☐ 02. SHOT AT
- ☒ 03. STABBED/CUT (INCLUDING ACTUAL ATTEMPT)
- ☐ 04. STRUCK/BLUNT FORCE (INCLUDING ACTUAL ATTEMPT)
- ☐ 05. OTHER (INCLUDING VERBAL THREATS)

TYPE OF WEAPON/THREAT

(Check all that apply):

- ☐ A. FIREARM CALIBER _____
  - ☐ 1. REVOLVER
  - ☐ 2. SEMI-AUTOMATIC
  - ☐ 3. RIFLE
  - ☐ 4. SHOTGUN
- ☐ B. VEHICLE
  - ☐ 1. OFFICER STRUCK WITH VEHICLE
  - ☐ 2. ATTEMPTED TO STRIKE OFFICER WITH VEHICLE
- ☐ C. KNIFE/OTHER CUTTING INSTRUMENT
- ☐ D. HANDS/FISTS
- ☐ E. FEET
- ☐ F. MOUTH (SPIT, BITE, ETC.)
- ☐ G. VERBAL THREAT (ASSAULT)
- ☒ H. OTHER (SPECIFY) /SWINGING KNIFE
- ☐ I. BLUNT INSTRUMENT

FIREARM USE INFORMATION (Check all that apply):
- ☐ A. OFFICER AT GUNPOINT
- ☐ B. OFFICER'S OWN WEAPON OBTAINED
- ☐ C. ATTEMPTED TO OBTAIN OFFICER'S OWN WEAPON

OFFENDER INFORMATION

SEX	RACE	DOB
☒ 1. M ☐ 2. F	BLACK	25-SEP-1997

CB NO.	IR NO.

WAS THE OFFENDER'S ACTIVITY:

DRUG RELATED?	GANG RELATED?
☐ 1. YES	☐ 1. YES
☐ 2. NO	☐ 2. NO
☒ 3. UNKNOWN	☒ 3. UNKNOWN

NO. OF OFFENDERS PRESENT? 1

WEATHER CONDITIONS

- ☒ A. CLEAR
- ☐ B. RAIN
- ☐ C. SNOW
- ☐ D. FOG / SMOKE / HAZE
- ☐ E. SLEET / HAIL
- ☐ F. SEVERE CROSS WIND
- ☐ G. OTHER

APPROXIMATE OUTDOOR TEMPERATURE: 50 °F

CPD-11.451 (REV. 1/04)

Unusual Circumstances Regarding Officer Control Tactics and Safety: (If you need more space use additional sheets).

REPORTING MEMBER - SIGNATURE	STAR NO.	WATCH COMMANDER /UNIT COMMANDING OFFICER- SIGNATURE	STAR NO.
WALSH, JOSEPH J	12865	MC NAUGHTON, DAVID R	120

CPD-11.451 (REV. 1/04)

TACTICAL RESPONSE REPORT/Chicago Police Department

MEMBER INVOLVED

1. DATE OF INCIDENT	TIME	2. ADDRESS OF OCCURRENCE	3. LOCATION CODE	4. BEAT/OCCUR
20-OCT-2014	21:57:00	4112 S PULASKI RD CHICAGO, IL 60632	304	0815

5. POSITION	6. LAST NAME	7. FIRST NAME	8. STAR NO.	9. SEX	10. RACE CODE	11. AGE	12. HT.	13. WT.
9161	WALSH	JOSEPH J	12865	☒ 01 M ☐ 02 F	WHI	[redacted]	600	190

14. DATE OF APPT.	15. EMPLOYEE NO.	16. UNIT & BEAT OF ASSIGNMENT	17. DUTY STATUS	18. MEMBER INJURED?	19. MEMBER IN UNIFORM?
29-JUN-1998	[redacted]	008 0845R	☒ 01 On ☐ 02 Off	☐ 01 Yes ☒ 02 No	☒ 01 Yes ☐ 02 No

SUBJECT INFORMATION ☐ DNA

20. LAST NAME	21. FIRST NAME	22. MI	23. SEX	24. RACE	25. D.O.B.	26. HT.	27. WT.
MCDONALD	LEQUAN	J	☒ 01 M ☐ 02 F	BLK	25-SEP-1997	601	185

28. ADDRESS	29. TELEPHONE NO.	30. WAS SUBJECT ARMED? OTHER (SPECIFY)	31. SUBJECT INJURED?	32. SUBJECT ALLEGED INJURY?
[redacted] IL 60637		☒ 01 Yes ☐ 02 No	☒ 01 Yes ☐ 02 No	☐ 01 Yes ☒ 02 No

33. WHERE WAS MEDICAL TREATMENT OBTAINED?	34. BY WHOM?	35. CONDITION
	DR. PITZEL	☒ 03 Hospitalized ☐ 01 Apparently Normal ☐ 02 Under Influence ☐ 04 Not Hospitalized ☐ 05 Refused Medical Aid

36. CHARGES PLACED ☐ DNA | 37. CB NO. | IR NO. ☐ DNA

REASON FOR USE OF FORCE (Check all that apply) 38. ☐ DNA

	PASSIVE RESISTER	ACTIVE RESISTER	ASSAILANT: ASSAULT	ASSAILANT: BATTERY	ASSAILANT: DEADLY FORCE
SUBJECT'S ACTIONS	DID NOT FOLLOW VERBAL DIRECTION ☒ STIFFENED (DEAD WEIGHT) ☐ OTHER	FLED ☐ PULLED AWAY ☐ OTHER	IMMINENT THREAT OF BATTERY ☒ OTHER	ATTACK WITH WEAPON ☒ ATTACK WITHOUT WEAPON ☐ OTHER	USES FORCE LIKELY TO CAUSE DEATH OR GREAT BODILY HARM ☒ WEAPON ☒ OTHER

MEMBER'S RESPONSE				
MEMBER PRESENCE ☒	OPEN HAND STRIKE ☐	ELBOW STRIKE ☐	KNEE STRIKE ☐	FIREARM ☐
VERBAL COMMANDS ☒	TAKE DOWN / EMERGENCY HANDCUFFING ☐	CLOSED HAND STRIKE/PUNCH ☐	KICKS ☐	OTHER
ESCORT HOLDS ☐	OC CHEMICAL WEAPON ☐	IMPACT WEAPON (Describe in Box 40) ☐	IMPACT MUNITION (Describe in Box 40) ☐	
WRISTLOCK ☐	CANINE ☐			
ARMBAR ☐	TASER (Probe Discharge) ☐			
PRESSURE SENSITIVE AREAS ☐	TASER (Contact Stun) ☐			
CONTROL INSTRUMENT ☐	TASER (Laser Targeted) ☐			
OC/CHEMICAL WEAPON W/AUTHORIZATION ☐	TASER (Spark Displayed) ☐	OTHER		
OTHER	OTHER			

WEAPON DISCHARGE INCIDENT 39. ☒ DNA

* OC/CHEMICAL WEAPON AUTHORIZED BY (NAME)	POSITION	STAR NO.	UNIT

40. ADDITIONAL INFORMATION: **OFFENDER ARMED WITH KNIFE.**

41. WEAPON TYPE	42. INCIDENT OCCURRED	43. LIGHTING CONDITIONS	44. WEATHER CONDITIONS
☐ 01 REVOLVER ☐ 04 SEMI-AUTO PISTOL ☐ 02 RIFLE ☐ 05 CHEMICAL WEAPON ☐ 03 SHOTGUN ☐ 06 TASER (Probe Discharge) ☐ 07 OTHER	☐ Indoors ☒ Outdoors	☐ 02 Night ☐ 03 Dawn ☐ 04 Dusk ☐ 05 Poor Artificial ☒ 06 Good Artificial	CLEAR

45. MAKE/MANUFACTURER	46. MODEL	47. BARREL LENGTH	48. CALIBER/GAUGE

49. TASER DART ID NO.	50. WEAPON SERIAL No. (Include Letters)	51. CHICAGO GUN REG. NO.	52. IL FIREARM OWNER ID. NO.	53. HANDGUN CERTIFICATE NO.

54. SPECIAL WEAPON CERTIFICATE NO.	55. PROPERTY INVENTORY NO.	56. TYPE OF AMMUNITION USED	57 NO. OF WEAPONS DISCHARGED BY THIS MEMBER	58. TOTAL NO. OF SHOTS MEMBER FIRED

59. WHO FIRED FIRST SHOT	60. WAS FIREARM RELOADED DURING INCIDENT	61. NO OF CATDRIDGES/ SHOT SHELLS RELOADED	62. HOW WAS MEMBER'S HANDGUN WORN	70. EVENT NO.
☐ 01 MEMBER ☐ 02 OFFENDER ☐ 03 OTHER (SPECIFY)	☐ 01 YES ☐ 02 NO		☐ 01 RT. SIDE (WAIST) ☐ 02 LT. SIDE (WAIST) ☐ 03 OTHER (Specify)	1429315878

63. HOW WAS MEMBER'S HANDGUN DRAWN	64. SPECIFY METHOD/EQUIPMENT USED TO RELOAD	65. DID MEMBER USE SIGHTS
☐ 01 STRONG SIDE DRAW ☐ 02 CROSS DRAW ☐ 03 OTHER (Specify)		☐ 01 YES ☐ 02 NO

66. DESCRIBE PROTECTIVE COVER USED (LIGHT POLES, DOORWAYS, CAR, FURNITURE, ETC)	67. DISTANCE BETWEEN INVOLVED MEMBER & OFFENDER WHEN FIRST SHOT WAS FIRED
	☐ 01 0 - 05 FT. ☐ 02 05 - 10 FT. ☐ 03 10 - 15 FT ☐ 04 OVER 15 FT.

68. PERSON/OBJECT STRUCK AS RESULT OF THE DISCHARGE OF MEMBERS WEAPON	69. POSITION OF MEMBER DISCHARGING WEAPON
☐ 01 PERSON ☐ 02 OBJECT ☐ 03 BOTH ☐ 04 UNKNOWN	☐ 01 STANDING ☐ 02 LYING DOWN ☐ 03 SITTING ☐ 04 KNEELING ☐ 05 OTHER (SPECIFY)

CASE INFO. 72.

NOTIFICATIONS (OC OR TASER INCIDENT): ☐ OEMC ☐ DSS & LT./DIST. OF OCCUR. ☐ CPIC

NOTIFICATIONS (FIREARM INCIDENT): ☐ OEMC ☐ DSS/DIST. OF OCCUR & OCIC ☐ CPIC ☐ DET. DIV.

Members will ensure that all required notifications and all witnesses to this use of force are documented in the appropriate case report.

71. R.D. NO. HX475653

SIGNATURES

73. REPORTING MEMBER (Print Name)	STAR/EMPLOYEE NO.	SIGNATURE
WALSH, JOSEPH J 21-OCT-2014 05:04:40	12865 [redacted]	[redacted]

Reviewing supervisor will ensure the legibility and completeness of this report and attest by entering the required information below.

74. REVIEWING SUPERVISOR (Print Name)	STAR NO.	SIGNATURE	DATE REVIEWED	TIME
FRANKO, STEPHEN D	1381	[redacted]	21-OCT-2014	05:07:32

CB 377 (REV. 10/07)

LIEUTENANT OR ABOVE/OCIC REVIEW

THE ON-CALL INCIDENT COMMANDER (OCIC) WILL COMPLETE THE REVIEW SECTION FOR 1.) ALL INCIDENTS INVOLVING THE DISCHARGE OF A FIREARM BY A DEPARTMENT MEMBER; 2.) ALL INCIDENTS INVOLVING THE SERIOUS INJURY OR DEATH OF A MEMBER OF THE PUBLIC SUBSEQUENT TO INTERACTIONS WITH A DEPARTMENT MEMBER; 3.) ANY LESSER USE OF FORCE BY A DEPARTMENT MEMBER WHEN THAT USE OF FORCE STEMS FROM THE SAME INCIDENT DESCRIBED HERE IN 1 OR 2.

THE ASSIGNED INVESTIGATING SUPERVISOR THE RANK OF LIEUTENANT OR ABOVE FROM THE DISTRICT OF OCCURRENCE WILL COMPLETE THE REVIEW SECTION FOR ALL OTHER INCIDENTS.

75. SUBJECT'S STATEMENT REGARDING THE USE OF FORCE ☐ DNA ☐ REFUSED ☒ UNABLE TO INTERVIEW (Specify Reason)

Subject is deceased.

76. LIEUTENANT OR ABOVE/OCIC RATIONALE FOR BOX 77 FINDING

Officer Walsh's actions were in compliance with the Department's use of force policy.

77. LIEUTENANT OR ABOVE/OCIC FINDING BASED UPON CURRENTLY AVAILABLE INFORMATION:

☒ I HAVE CONCLUDED THAT THE MEMBER'S ACTIONS WERE IN COMPLIANCE WITH DEPARTMENT PROCEDURES AND DIRECTIVES.

☐ I HAVE CONCLUDED THAT FURTHER INVESTIGATION IS REQUIRED.

LOG NO./CRNO. 1072125 OBTAINED

78. LIEUTENANT OR ABOVE/OCIC (Print Name)	SIGNATURE	DATE COMPLETED TIME
MC NAUGHTON, DAVID R	[redacted]	21-OCT-2014 05:12:27

79. DISTRIBUTION OF ORIGINAL TRR:

A TRR PACKET, INCLUDING THE TRR AND COPIES OF THE BELOW LISTED ATTACHMENTS WILL BE FORWARDED TO THE INDEPENDENT POLICE REVIEW AUTHORITY

ATTACHMENTS - PHOTOCOPIES OF:
☐ SUPPLEMENTARY REPORT ☐ I.O.D. REPORT
☐ CASE REPORT ☒ OFFICER BATTERY REPORT ☐ CR INITIATION REPORT
☐ ARREST REPORT ☐ TO-FROM-SUBJECT REPORTS FROM DEPARTMENT WITNESS(ES)

80. TOTAL TRR's THIS EVENT No. 2

STATEMENT OF P.O. JOSEPH McELLIGOTT

CONDUCTED BY INVESTIGATOR KILLEN

ON OCTOBER 21, 2014 AT 0436 HOURS

AT AREA CENTRAL POLICE HEADQUARTERS

LOG# 1072125

Attachment # #144

OIG 15-0564 000482

KILLEN: This is the, this is the audio recorded interview of Officer Joseph McElligott regarding Log number 1072125 U number 14 dash 36. Today is the 21st of October 2014. And the time is approximately 0436 hours. This statement is bein' taken at Area Central Police Headquarters. My name is Investigator Killen, that's spelled K I L L E N. My star number is 1 2 9. Uh also present in the room is uh FOP attorney Dan Herbert. Dan if you would say and spell your first and last names.

HERBERT: Dan, D A N, Herbert, H E R B E R T.

KILLEN: And then FOP Representative Kato, uh Kriston Kato.

KATO: First name is Kriston, K R I S T O N. Last name K A T O. FOP Field Representative.

KILLEN: And Officer McElligott if you would say and spell your first and last names for me.

P.O.MCELLIGOTT: Joseph McElligott, J O S E P H, McElligott, M C E L L I G O T T.

KILLEN: Okay and what's your star number?

P.O.MCELLIGOTT: 1 8 7 1 5. (noise)

KILLEN: And your employee number?

P.O.MCELLIGOTT: [redacted]

KILLEN: And your date of appointment with the Department?

P.O.MCELLIGOTT: 27 August '01.

KILLEN: And your date of birth?

P.O.MCELLIGOTT: [redacted]

KILLEN: And your current unit of assignment?
P.O.MCELLIGOTT: The 8th District.

KILLEN: And how long you been in 8th District?
P.O.MCELLIGOTT: Seven years.

KILLEN: All right. Now you're aware that this statement has the standing of an official Department report. And that any intentional falsification of any answer to any question would be in direct violations of rules and regulations?
P.O.MCELLIGOTT: Yes.

KILLEN: Given that, I'd like to remind you that failure to provide a complete and accurate account of this incident could result in a finding of a violation of Rule 14 with discipline leading up to and including separation from the Chicago Police Department. Do you understand that?
P.O.MCELLIGOTT: Yes.

KILLEN: All right what was your duty status and assignment on 21 October or 20 October 2014 at approximately 2150 hours?
P.O.MCELLIGOTT: This statement is not being given voluntarily but under duress. I am only givin' this statement because I know I will be fired if I refuse.

KILLEN: All right so what was your duty status and assignment last night at (someone coughs) 2150 hours?

P.O.MCELLIGOTT: Full duty.

KILLEN: Okay. What time you start work last night?

P.O.MCELLIGOTT: Uh 2100.

KILLEN: Is that your normal start time?

P.O.MCELLIGOTT: Yes.

KILLEN: Okay and you remember what beat you were assigned?

P.O.MCELLIGOTT: 815 Robert.

KILLEN: Okay and were you assigned a partner?

P.O.MCELLIGOTT: Yes.

KILLEN: And who's your partner?

P.O.MCELLIGOTT: Uh Thomas Gaffney.

KILLEN: All right and you and Officer Gaffney you guys were assigned a vehicle?

P.O.MCELLIGOTT: Yes.

KILLEN: And what kinda vehicle?

P.O.MCELLIGOTT: It's a Chevy Tahoe.

KILLEN: Marked?

P.O.MCELLIGOTT: Yes.

OIG 15-0564 000485

KILLEN: Okay and you and Officer Gaffney are in full uniform?

P.O.MCELLIGOTT: Yes.

KILLEN: Okay and then at about 2150 hours at about 41st and Pulaski you and uh Officer Gaffney were witnesses to a police-involved shooting correct?

P.O.MCELLIGOTT: Correct.

KILLEN: All right and if you would just um from the beginning explain to me what happened?

P.O.MCELLIGOTT: Uh we responded to a call of holding the offender at uh 4100 on Karlov. And um I don't know I forget the exact address.

KILLEN: So you received this, you say responded to the call. You got a call uh via OEMC?

P.O.MCELLIGOTT: Yes.

KILLEN: All right so over the radio you get a call.

P.O.MCELLIGOTT: Holding the offender um somebody's stealing radios out of semi trucks.

KILLEN: Okay. Do you re, do you remember where you and uh, where were you and Officer Gaffney when you got that call?

P.O.MCELLIGOTT: Um we're somewhere along Archer around Kostner.

KILLEN: Okay. So you're south of 41st and Kildare?

P.O.MCELLIGOTT: Correct.

KILLEN: And Officer Gaffney's the driver?
P.O.MCELLIGOTT: He is the driver, yes.

KILLEN: So you guys head over to that --
P.O.MCELLIGOTT: So we head over, we take Kostner up and then uh take 47th to Kildare.

KILLEN: Okay. And what happens when you get there?
P.O.MCELLIGOTT: Um a male Hispanic and a female Hispanic um we pull up to the address and they said um that a male black wearin' a black shirt was in the, tryin' to steal the radios outta the semi. Um he was holding a, a white cord to like a phone, like a charger. And he said he's got my phone. So then he said he's right around the corner. (clears throat) So then we, we drive north to 40th Street and we turn right and then we see a male black with a black shirt.

KILLEN: Okay and what's he doin'?
P.O.MCELLIGOTT: He's standing there and then he kinda turns around when he sees us pull up.

KILLEN: And what happens?
P.O.MCELLIGOTT: At that point I got outta the car and I'm giving 'em commands to stop, turn around. And I noticed he has his left hand in his pocket like in a ball. And in his right hand he's holding something else. And then I tell 'em take his hands out of his pockets; let me see your hands. He doesn't take his hands --

OIG 15-0564 000487

KILLEN: So at this point is he, his back is to you?
P.O.MCELLIGOTT: He's facing me at this point.

KILLEN: Okay.
P.O.MCELLIGOTT: And then he starts turning and walking away. And he's holding one arm out and one hand in his pocket. He continues to walk and uh then he turns again he takes both his hands out and, and at that point he has a knife in his right hand as if he just opened it up, like flipped it open and he's holdin' his hand. At that point I drew my weapon I tell 'em to drop the knife. Um he kinda has this look in his eye like, like maybe he's on some sorta drugs cause it was like his eyes like rolled back. And then he walked, he started walking east again with his hands out and then he's kinda like kinda makin' motions from side to side. He's kinda all over. Goes from the street to the, to the sidewalk. And the whole time my partner is kinda paralleling me. And he's driving and I'm had my flashlight on 'em and I'm tellin' 'em to stop. Tellin' 'em to drop, drop the weapon. Drop the knife.

KILLEN: So you're on foot correct?
P.O.MCELLIGOTT: I'm on foot, walking.

KILLEN: And Officer Gaffney --
P.O.MCELLIGOTT: Walking with some distance between me.

KILLEN: You're behind him correct?
P.O.MCELLIGOTT: I'm yeah I'm behind him.

OIG 15-0564 000488

KILLEN: Behind the offender?
P.O.MCELLIGOTT: Yes.

KILLEN: And Officer Gaffney's paralleling him in the car?
P.O.MCELLIGOTT: He's, he's kinda like as far as I am. Like he's like to my right just a lil bit.

KILLEN: Okay.
P.O.MCELLIGOTT: Or to my left just a lil bit. Um --

KILLEN: Do you close the distance on this guy?
P.O.MCELLIGOTT: We just continue to follow 'em. And um then he, at one point (inaudible) my partner decides to pull towards him. And uh at that point he, the offender turned and like in a downward stabbing motion popped the front tire. My partner um at that point said that he popped the tire. Prior to that though um he had asked for an assist.
HERBERT: (inaudible)
P.O.MCELLIGOTT: He'd asked for somebody to come with a taser. So as we're like tryin' to buy time this happens with the, the tire at uh Keeler. And then um we go a lil bit further and he decide, my partner decides to pull closer to 'em to kinda cause he knew Pulaski was comin' up and there was Burger King and there's a bunch a other stuff where people are. Decides to pull over a lil bit (noise) kinda to veer 'em off so that he'll go up one of the streets cause it's, it's a factory area. And we know it's always like pretty bare.

OIG 15-0564 000489

There's nobody around. Um it's after hours. At that point he um he, he grabs the knife and he, he stabs at the, the windshield. So um then he starts walkin' away. Stabbed at the windshield then he walks away from the squad car. And he's walkin' on the sidewalk again. And then um we can hear the cars comin'. And then once we can kinda see (noise) in the windows we could see the, the blue lights in the reflection and you could hear the, you could hear the sirens now. (noise) That's when he decides to take off runnin'. He just full on sprint. Uh I started runnin' after 'em. My partner's driving the car that has a flat. He's goin' after 'em too. He goes through two semis were parked in the back of the Burger King lot at 40th and Pulaski. He goes through, I go through and then I see another squad car pull. They're right behind 'em. They pull behind 'em, he goes through a sidewalk and then they go, they go around through and they (clears throat) they cut through on the sidewalk as well. Around the north side of Burger King. And then I'm followin' up running and as I get to Pulaski I turn right cause they all turned right. (clears throat) And I got to about the light (noise) I could see a bunch of squad cars comin'. And um (clears throat) I keep runnin' (noise) and then one of 'em is, he's lookin' to do a U turn, one of the other squad cars. Um so instead of getting hit I just stopped and I waved them to go. (noise) (clears throat) And at that point he turned around he, he's goin' um southbound slowly

so I know they're, they're stopping right there. I hear the shots at that point. And uh when I approach I think I was running down maybe the middle that's when I saw the offender layin' on the ground. And at that point Joe Walsh, Officer Walsh uh he kicked, he the gun outta, or not the gun the uh the knife out of his, his right hand. (noise) Which he was still clenching at the time. And then um (noise) asked for an ambulance and that was pretty much it.

KILLEN: (clears throat) So when you guys, you're on 40th and you see, you're kinda walkin' with this guy right? You see 'em with the knife?

P.O.MCELLIGOTT: Hmm huh.

KILLEN: Right?

P.O.MCELLIGOTT: Yes.

HERBERT: Say yes.

KILLEN: So and you see 'em uh uh you described it as a down motion, he stabbed the tire of the car right?

P.O.MCELLIGOTT: Hmm huh.

KILLEN: That's the --

P.O.MCELLIGOTT: Yes.

KILLEN: -- front passenger tire correct?

P.O.MCELLIGOTT: Front passenger tire.

OIG 15-0564 000491

KILLEN: Okay and then you also saw 'em stab the windshield?
P.O.MCELLIGOTT: Yeah.

KILLEN: Right.
P.O.MCELLIGOTT: Yes.

KILLEN: Okay. Uh and you may have said it and I may have missed it, but did you or uh Officer Gaffney get on the radio and say hey this guy's armed. He's got a knife?
P.O.MCELLIGOTT: Yes. Um it was before he said he popped the tire um my partner got on the radio and said (clears throat) said this guy has a knife. Can you send somebody with a taser over here. And then (inaudible) lil time passed by and then (clears throat) that's when the tire incident.

KILLEN: Okay.
P.O.MCELLIGOTT: And then another five, ten seconds (noise) went by and (noise) attacked the car, stabbed the windshield.

KILLEN: So you're, you were warning everybody ahead a time?
P.O.MCELLIGOTT: Yes.

KILLEN: Before you got anything, he had the knife in his hand.
P.O.MCELLIGOTT: Yes. It started with uh we asked for a taser. We said he had a knife. And then we were

OIG 15-0564 000492

giving uh kinda like a play by play (noise) stab, he stabbed our tire, he just popped our tire. And, you know and they're askin' if anybody's heading over there. And we're just waitin' for the assist cars to come.

KILLEN: And I take it you don't carry a taser?
P.O.MCELLIGOTT: I do not.

KILLEN: And then neither does Officer Gaffney correct?
P.O.MCELLIGOTT: No.

KILLEN: Okay. So then you basically follow 'em all the way to Pulaski I take it. Karlov then Keeler somethin' like that.
P.O.MCELLIGOTT: Basically yeah. It was --

KILLEN: And then when the other car comes --
P.O.MCELLIGOTT: At that point he was (noise) he darted towards Pulaski.

KILLEN: Okay.
P.O.MCELLIGOTT: From Karlov to Pulaski he was full on sprinting and I was running after 'em.

KILLEN: And you're after 'em. When he went between the trucks you went between the trucks with 'em?
P.O.MCELLIGOTT: Yeah.

KILLEN: Okay so then when he got to Pulaski he goes south?

OIG 15-0564 000493

P.O.MCELLIGOTT: When he got to Pulaski yeah he head, he went south around, he wrapped around the buildin' and (noise) then Burger King.

KILLEN: And whaddid you mean cause you lost me when you said somebody wanted to make a U turn so you let them go ahead of you.

P.O.MCELLIGOTT: There were cars coming northbound on Pulaski to assist. And they passed up, they passed him up and then came back around.

KILLEN: Oh I gotcha. Okay so he's goin' south --

P.O.MCELLIGOTT: They made a U turn --

KILLEN: I gotcha.

P.O.MCELLIGOTT: Yeah they passed him up and turned around. I don't know if they didn't see 'em or if, what their reasoning was, but they, they made a U turn and they turned kinda like right at me and I just said go and I waved 'em.

KILLEN: Now is he in the street at this time? He is runnin' in the street or is he on the sidewalk?

P.O.MCELLIGOTT: I didn't see him at that point I didn't see him because there were other squad cars in front a me. And I don't want, I finally saw him I was in the median and I ran up towards him and that's when at that point he was already down and the officer, other officer was kickin' the gun, uh knife away.

OIG 15-0564 000494

KILLEN: So were you on the median when you heard the gunshots?
P.O.MCELLIGOTT: I was, I heard the gunshots. There's a traffic light. I heard the gunshots while I was at the traffic light. And then I waved, waved the other car to go and then um by the time I got there there were no more shots.

KILLEN: At the time did you know who was shooting?
P.O.MCELLIGOTT: No I did not.

KILLEN: You didn't see anybody shooting anything like that?
P.O.MCELLIGOTT: No.

KILLEN: Okay. So by the time you got you said then he's already, the offender's already on the ground?
P.O.MCELLIGOTT: Yes.

KILLEN: Is he on his, is he on his back, (noise) his stomach? How's he --
P.O.MCELLIGOTT: He was kinda on his side. On his right side.

KILLEN: And you said he still had the knife?
P.O.MCELLIGOTT: Yeah he was holdin' it. (noise)

KILLEN: In his right hand?
P.O.MCELLIGOTT: In his right hand.

KILLEN: And that was Officer Walsh kicked it from his hand?

OIG 15-0564 000495

P.O.MCELLIGOTT: Yeah.

KILLEN: Okay. And what happens he's placed in custody?
P.O.MCELLIGOTT: Then he was, well he was obviously down, he wasn't movin' anywhere. We're surrounding him and that's (noise) (inaudible) come.

KILLEN: Okay. I mean after the knife gets kicked outta his hand, does anybody touch it to your knowledge?
P.O.MCELLIGOTT: No.

KILLEN: Do you ever touch it?
P.O.MCELLIGOTT: I didn't touch it.

KILLEN: Okay. So you didn't see, you didn't see Officer Van Dyke discharge his weapon at the offender correct?
P.O.MCELLIGOTT: No I saw 'em holding his weapon.

KILLEN: Right.
P.O.MCELLIGOTT: Just kinda (inaudible) (noise)

KILLEN: You heard gunshots but you didn't see --
P.O.MCELLIGOTT: Correct.

KILLEN: Okay. Anything you'd like to add?
P.O.MCELLIGOTT: No.

KILLEN: Everything you told me is a true and accurate account of what occurred?

OIG 15-0564 000496

P.O.MCELLIGOTT: Yes.

KILLEN: All right this will conclude the audio recorded interview of Officer uh Joseph McElligott regarding Log number 1072125 U number 14 dash 36. Today is the 21st of October 2014 and the time is approximately 0451 hours.

OIG 15-0564 000497

I, CAROL A. O'LEARY, do hereby certify or affirm that I have impartially transcribed the foregoing from an audio recording of the above-mentioned proceeding to the best of my ability.

Carol A. O'Leary

Carol A. O'Leary

OIG 15-0564 000498

STATEMENT OF P.O. THOMAS GAFFNEY

CONDUCTED BY INVESTIGATOR KILLEN

ON OCTOBER 21, 2014 AT 0406 HOURS

AT AREA CENTRAL POLICE HEADQUARTERS

LOG # 1072125

Attachment # ~~76~~ ~~85~~ 160

OIG 15-0564 000610

KILLEN: This is the audio recorded interview of Officer Thomas Gaffney regarding Log number 1072125 U number 14 dash 36. Today is the 21st of October 2014. And the time is approximately 0406 hours. This statement is bein' taken at Area Central Police Headquarters at 51st and Wentworth. My name is Investigator Killen, that's spelled K I L L E N. My star number is 1 2 9. Also present is FOP attorney Dan Herbert. (noise) Dan if you would say and spell your first and last names.

HERBERT: Sure Dan, D A N, Herbert, H E R B E R T.

KILLEN: And uh also is uh FOP Representative Kato.

KATO: K R I S T O N. Last name is K A T O. (clears throat) FOP.

KILLEN: And Officer Gaffney if you would say and spell your first and last names for me.

P.O.GAFFNEY: My first name Thomas Gaffney, T H O M A S. G A F F N E Y.

KILLEN: Okay and what's your star number?

P.O.GAFFNEY: 1 9 9 5 8.

KILLEN: And your employee number?

P.O.GAFFNEY: [redacted]

KILLEN: And your uh current unit of assignment? (noise)

P.O.GAFFNEY: 8TH District.

KILLEN: Okay and (noise) what's your date of appointment with the (noise) Department?

P.O.GAFFNEY: Uh 8 July '96.

KILLEN: And your date of birth?

P.O.GAFFNEY: [redacted]

KILLEN: How long you been in 8?

P.O.GAFFNEY: Uh since 2000, 2001 I'm sorry. Summer 2001. (clears throat)

KILLEN: All right and then you're aware that this statement has the standing of an official Department report. And that any intentional falsification of any answer to any question would be in direct violations of rules and regulations?

P.O.GAFFNEY: Yes.

KILLEN: Given that, I (sighs) I'd like to remind you that failure to provide a complete and accurate account of this incident could result in a finding of Rule 14 with discipline leading up to and including separation from the Chicago Police Department. Do you understand that?

P.O.GAFFNEY: Yes.

KILLEN: All right and then you're aware that there are no allegations against you uh regarding this incident correct?

P.O.GAFFNEY: Yes.

KILLEN: Okay. So on 20 October 2014 at approximately 2150 hours what was your duty status and assignment?

OIG 15-0564 000612

P.O.GAFFNEY: Uh this statement is not being given voluntary but under duress. I am only givin' this statement because I know I will be fired if I refuse.

KILLEN: Okay. So yesterday 20 October 2014 approximately 2150 hours what was your duty status?
P.O.GAFFNEY: Um I was on duty workin' Beat 815 Robert.

KILLEN: Okay. And were you uh were you assigned a partner?
P.O.GAFFNEY: Yes I was, Joseph McElligott.

KILLEN: Okay were you uniformed?
P.O.GAFFNEY: Yes.

KILLEN: And so was McElligott right?
P.O.GAFFNEY: Yes.

KILLEN: Okay. And you and Officer McElligott you guys were assigned a car?
P.O.GAFFNEY: Yes.

KILLEN: What kinda car?
P.O.GAFFNEY: Uh squad, marked squad car uh Tahoe.

KILLEN: Okay. Were you the driver or the passenger?
P.O.GAFFNEY: I was the driver.

KILLEN: Okay. And then last night about 2150 hours you and uh Officer McElligott were witnesses to a police-involved shooting correct?

OIG 15-0564 000613

P.O.GAFFNEY: Yes.

KILLEN: All right and um (someone clears throat) if you would, if you'd start from the beginning and just run me through what happened.

P.O.GAFFNEY: Uh we received a call holding offender at forty, 4100 South Kildare. Um there supposedly somebody had broken into a, a truck uh vehicles um tryin' to get radios somethin' like that. So we, we were on Archer approximately Kostner Kenneth. I came uh, came to the (noise) we got the job came uh down Kostner to 47th, 47th to Kildare and Kildare right to 4100 South Kildare.

KILLEN: So you were comin' from the south goin' north correct?

P.O.GAFFNEY: Yes.

KILLEN: Okay. (someone clears throat) So you got the call are you, you were dispatched?

P.O.GAFFNEY: Yes.

KILLEN: OEMC?

P.O.GAFFNEY: Yes.

KILLEN: Radio?

P.O.GAFFNEY: Yes.

KILLEN: Okay. So then when you get to 41st and Kildare what, what happens?

P.O.GAFFNEY: Uh there was a male Hispanic and a female Hispanic uh standing by a gate um to the truck

OIG 15-0564 000614

yard. Um the gate was partially opened and uh the female had a chain in 'er hand and then we stopped and spoke to them.

KILLEN: Whaddid they tell ya?

P.O.GAFFNEY: They said that the guy just went around the corner. Um he was uh in the, in the you know lot tryin' to get um tryin' to get into trucks. Uh he had uh somethin' in his hand, he had uh a wire from a phone in his hand. And he said somethin' about a iPhone, I don't know if he was sayin' that he took an iPhone or he left an iPhone but he said that he went around the corner so then we, we asked 'em you know what he looked like, what he was wearin'? He said he's a male black with the dark shirt. So at that time we, we went up the street and turned the corner. (someone clears throat)

KILLEN: So they, they, did those two, that, did that man and woman tell you which way the, the offender went?

P.O.GAFFNEY: Yes. Yeah he just pointed, he pointed north um and he said he went around the corner.

KILLEN: Okay so then that'd, that's 41st Street?

P.O.GAFFNEY: Yeah towards 40th Street.

KILLEN: Okay. And what happens then?

P.O.GAFFNEY: So we went, we went up the, up the block to 40th Street and we turned um east on 40th Street and we, (inaudible) when we turned we seen um you

OIG 15-0564 000615

know somebody walkin'. So we approached 'em, drove up to 'em and at that time we seen it was a male black with dread locks. You know and he had a dark shirt on. So at that time my, my partner had gotten outta the vehicle (clears throat) and he had his flashlight you know he's shining on 'em. You know tell 'em to come 'ere. So at that time he just kinda had a look, you know a weird look in his face you know like glazed eyes and stuff lookin' at us. So I stayed in my car in case he was gonna run. So at that time you know my partner kind of approached 'em a lil bit more and that's when he, he had seen you know tell 'em to get his hands outta his pocket cause he had one hand in his pocket. And then he had seen something in his you know a shiny object in his hand. And I, I heard 'em say you know he's got a knife. So that's when you know cuz then I, at first I was still in the car so I didn't really see, see the knife at that time. But once my partner said that that's when I kinda looked and I, at that time like I said we're all still walking or still moving. So then the street lights were a lil bit more as we were walkin' I, I seen a knife also in his hand.

KILLEN: Okay so this, so this point when you first see this guy he's on what street?

P.O.GAFFNEY: He's on 40th Street.

KILLEN: And he's, he's headed which way?

P.O.GAFFNEY: Uh east.

OIG 15-0564 000616

KILLEN: So he's headed toward Pulaski?
P.O.GAFFNEY: Yes.

KILLEN: All right is he by himself?
P.O.GAFFNEY: Yes.

KILLEN: Is he, like is he on the sidewalk --
P.O.GAFFNEY: On the, at that time he was on the sidewalk.

KILLEN: Which side of the street would he be on?
P.O.GAFFNEY: Uh south side.

KILLEN: So on the passenger side of your vehicle?
P.O.GAFFNEY: Yes. Yes.

KILLEN: All right so then you guys pull up, you pulled alongside of 'em?
P.O.GAFFNEY: Yes.

KILLEN: And then the officer --
P.O.GAFFNEY: Not quite, well not quite right next to 'em but yeah he was still like I said he was still walking but he was in front of the car. You know like in front of the area as we were walkin' and movin' at the same time.

KILLEN: You're kinda behind 'em?
P.O.GAFFNEY: Yeah, yeah but yeah.

KILLEN: And McElligott gets outta the car?
P.O.GAFFNEY: Yes.

OIG 15-0564 000617

KILLEN: Flashlight in hand.
P.O.GAFFNEY: Yes.

KILLEN: And he says come here?
P.O.GAFFNEY: Well yeah, yeah he starts you know come here. You know get your hand outta your pocket. And you know but he, he like I said he turned around, spun around a couple times and (inaudible) get to walking never said anything to us.

KILLEN: Which hand was in his pocket do you remember?
P.O.GAFFNEY: I think it was his left hand cause he had the other hand had whatever was in his, you know what he had in his hand at the time.

KILLEN: And do you know what was in his hand?
P.O.GAFFNEY: Not at that time I didn't.

KILLEN: Okay.
P.O.GAFFNEY: Like I said my partner, he, when my, my partner said he's got a knife that's when I kinda you know like I said as we were walkin' the street lights got a lil brighter and I was able to kinda look you know look over at the, and then see that he did have, you could tell you know it was in his hand and the blade was stickin' out.

KILLEN: Okay. And when you say he turned around a couple times does he keep 'em goin' east toward Pulaski?
P.O.GAFFNEY: Yeah he, he always kept goin'.

OIG 15-0564 000618

KILLEN: So he never stops?
P.O.GAFFNEY: No he never stopped he just kept walkin'. A couple times he went into the street but not, just like a step or two in the street but he just kept walkin' eastbound.

KILLEN: And he was by himself?
P.O.GAFFNEY: Yes.

KILLEN: All right so then so McElligott approaches 'em and then you hear McElligott say he's got a knife?
P.O.GAFFNEY: Yeah when he said he has a knife that's when I you know that's when I kinda like sat up a lil bit to look, to look, get a better look and that's when I, I seen it too.

KILLEN: Okay that was in his right hand then? Is that --
P.O.GAFFNEY: Yeah, yeah it was in his right hand.

KILLEN: So what happens then?
P.O.GAFFNEY: Uh at that time like I said (noise) my partner still kept you know tellin', that's what he said drop the knife, drop the knife. You know put the knife down whatever. And I got on the radio and you know got on the radio and said you know the guy's got a knn, we're at 40th and Kee, uh Keeler approachin' Keeler. Uh he's got a knife. Could we get another car over here with a taser.

OIG 15-0564 000619

KILLEN: So you don't carry a taser?
P.O.GAFFNEY: No I didn't, no.

KILLEN: McElligott he doesn't carry --
P.O.GAFFNEY: No he didn't have one either.

KILLEN: Okay. So what happens then?
P.O.GAFFNEY: Well like I said we I, I, I called it in then the dispatcher you know asked for other cars and other cars said they were comin'. So we just, we just kept stayin' you know keepin' our distance at the time you know I kept drivin' along. And um we just (noise) kept walkin' with 'em (noise) You know he never you know like came at us or anything at that time. He just kept like walkin', my partner still kept givin' 'em verbal commands and droppin' the knife and you know stop and that type a thing. But you know he just kept walkin' turning around lookin' back at us you know just that weird glaze look.

KILLEN: Did he ever say anything?
P.O.GAFFNEY: No never said a word to us at all.

KILLEN: Okay.
P.O.GAFFNEY: (Clears throat)

KILLEN: So then what happens?
P.O.GAFFNEY: We kept (noise) goin' east. When we're, we're approaching uh Karlov, 40th and Karlov I knew the next block there was the Burger King, there was a truck lot so we were gonna get more

OIG 15-0564 000620

people. So as we approached the, pretty much the corner of Karlov I like kinda turned my car towards him a lil bit on you know and you know to try and maybe get 'em to go down Karlov cause there's more, you know there's just factories so there's no people down that way. So and then uh - -

KILLEN: So the purpose of doin' that is keep 'em away from --

P.O.GAFFNEY: Yeah like try to slow 'em down until other cars got 'ere and make 'em see if he would maybe even go down the side street.

KILLEN: Okay.

P.O.GAFFNEY: You know keep 'em from getting to that more populated area where there were cars and people. (someone clears throat) So when I did that, he kinda like took a step towards and swung his uh, his arm down. When he did that that's when I heard like pssss a sound and I knew that he popped a tire. (noise)

KILLEN: Okay.

P.O.GAFFNEY: And then one, once he did that I got on the radio and said you know squad he just popped our tire. So (clears throat) --

KILLEN: Where's McElligott at this time?

P.O.GAFFNEY: He was still walk but he was, he was still walkin' with us but he was at like towards the back of the car.

OIG 15-0564 000621

KILLEN: Okay.

P.O.GAFFNEY: You know the back you know he still kept his distance. So (noise) (clears throat) once he did that, once he popped the tire again he just with that glazed stare, that glazed eye stare once he did that he like stepped back like took a step back, back away from the car. So I pulled up a lil bit further in front of 'em to you know try and maybe stop 'em or get 'em to go down that street. That's when he just took a step toward me and swung his arm really hard and hit the windshield with the knife.

HERBERT: And if I could just indicate for the record, with his right hand holdin' behind his, behind his head (someone clears throat) bringin' it down in a striking motion.

P.O.GAFFNEY: Yeah he, he as hard as he could he was attempting to break that windshield.

KILLEN: And how many times did he hit the windshield?

P.O.GAFFNEY: Just once. It was just once. Went real hard swing right, right on the windshield.

KILLEN: What happens?

P.O.GAFFNEY: Obviously nothin', I didn't see nothin' break but then he walked around the front of the car and kept walkin' eastbound on 40th Street. And then at that time, maybe 10 to 15 more feet that's when you could hear um some you know some sirens. And then a squad car came off a Pulaski onto 40th Street with their lights on. At that

OIG 15-0564 000622

time he seen that and that's when he started to run. Oh yeah I, I, I (noise) got on the radio and some, one, one of us, I don't remember but somebody did say that he was you know he started to run towards you know towards the, the truck lot, the trucks.

KILLEN: Okay so, so you're still basically sittin' over at 40th and Karlov right? You see 'nother car come up Pulaski?

P.O.GAFFNEY: Yeah that's, yeah he, 'nother car came off Pulaski onto 40th Street.

KILLEN: So --

P.O.GAFFNEY: That, that's when he seen that and that's when he started runnin'.

KILLEN: So when they turn west on 40th he runs --

P.O.GAFFNEY: Yeah he runs --

KILLEN: -- east towards Pulaski?

P.O.GAFFNEY: -- he, he, he's still goin' towards Pulaski but he went off a, off a the sidewalk and um into, it was like a, an empty space where the trucks, the truckers park so they can sleep or whatever. And he (noise) ran that way between two trucks.

KILLEN: Okay. (noise)

P.O.GAFFNEY: So at that time (noise) my partner started runnin' and I drove the car, I drove the car up to the entrance of the Burger King lot and went

OIG 15-0564 000623

into the Burger King lot. And before I did that the other car that came off went into the Burger King lot also. So I just, I seen 'em come outta, between the trucks. I ran, I kept drivin' towards, towards the, the end of the lot, towards Pulaski and that's, he ran and then I stopped cause I (noise) my tire was pretty much flat. So I couldn't get, I wasn't gonna go over the curb and then the other car was behind 'em. He ran into like towards the street and the other car followed 'em went over the curb and followed 'em.

KILLEN: Do you know who, who's that other car you're talkin' about? Do you know who that is?

P.O.GAFFNEY: At the time I didn't but now I know it was 845 Robert.

KILLEN: Okay. And that's the car he's talkin' 'bout Pulaski and --

P.O.GAFFNEY: Yeah.

KILLEN: -- where they U turn and go back at 'em?

P.O.GAFFNEY: That's the one, that's the one yeah that's the one that I, I (noise) know, I found out that was the one that went over the curb, yeah.

KILLEN: Okay so you stop your (someone clears throat) car where then?

P.O.GAFFNEY: Pretty much right behind the parkin' lot. Before, before going over the curb and into the street. (noise)

OIG 15-0564 000624

KILLEN: Okay. And then, and you stopped because of the (noise) flat?

P.O.GAFFNEY: Yeah cause I, I, I didn't wanna, I didn't know if I was gonna make it over the, cuz it was like you know that lil part there's like lil the, the, cement tongue if you will, that, that's the parkin' lot. (noise) You know if I was gonna get over it.

KILLEN: And you see 845 Robert continue.

P.O.GAFFNEY: Yeah they went they continued followin' 'em and went into the street. So I --

KILLEN: And that's Pulaski you're talkin' about?

P.O.GAFFNEY: Yeah. Into Pulaski. So I spun around went behind the park, behind the Burger King you know there's a street, (inaudible) back towards Pulaski where it goes out to the street on Pulaski. (noise)

KILLEN: Okay so, so you don't take the curb at all. You just --

P.O.GAFFNEY: No, no I, I, I turn around, I turned around and went around the parkin' lot to, to get out where there's a, there's the light on 41st Street. (noise)

KILLEN: And that's where your car's stopped?

P.O.GAFFNEY: And then yeah I turned on Pulaski and that's where my, that's where I finally stopped.

OIG 15-0564 000625

KILLEN: That's when, when I saw your car was south, facin' south --
P.O.GAFFNEY: Yes. Yes that's right, that's where I stopped.

KILLEN: Okay so then do you see what happens then after, with, with the offender and 845 Robert then?
P.O.GAFFNEY: No that was all, yeah that was I believe done before I got onto Pulaski. Cause I, I spun around and that's when I, I heard, I started to hear shots before I got onto Pul, I think when I got onto Pulaski there was other cars and stuff in front of me too. So I didn't see what exactly was goin' on.

KILLEN: So you're basically goin' around Burger King.
P.O.GAFFNEY: Yeah that's when the shots I believe that's when the shots started firin'.

KILLEN: You heard gunshots?
P.O.GAFFNEY: Yeah.

KILLEN: At the time did you know who was shootin'?
P.O.GAFFNEY: No I didn't know.

KILLEN: Could you see who was shootin'?
P.O.GAFFNEY: No.

KILLEN: That's because --
P.O.GAFFNEY: Well there's a, yeah well there's a fence also right, opposite side of Burger King where, where we blocked, pretty much blocked. The fence

OIG 15-0564 000626

with uh, like a covering you know covering fence so nobody could see through the fence. Cause they were building some stuff there. So yeah there was that was all blockin' me.

KILLEN: There's (noise) no line a sight.
P.O.GAFFNEY: No, no.

KILLEN: Okay.
P.O.GAFFNEY: No.

KILLEN: So then by the time you, you get south on Pulaski there's no more shooting correct?
P.O.GAFFNEY: I believe yeah I believe so. I don't (noise) remember any shooting at, at, when I got onto Pulaski.

KILLEN: Where (noise) when you got on Pulaski and you're goin' south could you see the offender still?
P.O.GAFFNEY: No not, not until I got outta the car and started to go you know 'round to, to where everything was goin' on.

KILLEN: Where was he?
P.O.GAFFNEY: The offender he was on the ground at the time when I, when I got over there.

KILLEN: Okay. And it's after that then you find out who's shooting what happened?
P.O.GAFFNEY: Yeah, yeah.

OIG 15-0564 000627

KILLEN: Okay. (noise) You didn't see the shooting, you, you (noise) you didn't see Officer Van Dyke discharge the weapon?
P.O.GAFFNEY: No I didn't, no.

KILLEN: Okay. (sighs) And then that, that, (noise) the two people that called 9 1 1 said they were holdin' the offender.
P.O.GAFFNEY: Hmm huh.

KILLEN: Do you have any idea who they are?
P.O.GAFFNEY: No not at the time, no. Cause right when they just said he went around the corner, they gave a quick description. We just wanted to go and you know see if we can catch 'em. We didn't know how long ago it was. Or where he would've went. So we just you know went and see if we could grab 'em and figured they woulda still been there when we got back.

KILLEN: Okay. And then the knife that the offender had, as best you can describe it to me?
P.O.GAFFNEY: Uh all silver, real bright. And prob'ly 'bout four to six inch blade.

KILLEN: Okay. All right. Uh was there anything you'd like to add?
P.O.GAFFNEY: No.

KILLEN: All right everything you told me is a true and accurate account of what occurred?
P.O.GAFFNEY: Yes.

OIG 15-0564 000628

KILLEN: All right this will conclude the audio recorded interview of Officer Thomas Gaffney regarding Log number 1072125 U number 14 dash 36. Today is the 21st of October 2014. The time is approximately 0424 hours.

OIG 15-0564 000629

I, CAROL A. O'LEARY, do hereby certify or affirm that I have impartially transcribed the foregoing from an audio recording of the above-mentioned proceeding to the best of my ability.

Carol A. O'Leary

Carol A. O'Leary

OIG 15-0564 000630

SUPPLEMENTARY REPORT

CHICAGO POLICE

20 Oct 14 2157

ASSAULT-AGG PO: KNIFE/CUT INSTR 0552 | 4000 S KARLOV | 815

P.O. GAFFNEY # 19958 / P.O. VAN DYKE # 12805 | 9210

342D W 63RD ST | STREET | 304

PROPERTY

1 MONEY	2 JEWELRY	3 FURS	4 CLOTHING	5 OFFICE EQUIPMENT	6 TV, RADIO, STEREO	PROPERTY INVENTORY NOS.
T $ / R	T $ / R	T $ / R	T $ / R	T $ / R	T $ / R	

7 HOUSEHOLD GOODS	8 CONSUM. GOODS	9 FIREARMS	10 NARC. DANGEROUS DRUGS	11 OTHER	12 NONE
T $ / R	T $ / R	T $ / R	T $ / R	T $ / R	T / R

OFFENDERS

13 OFFENDER'S NAME (OR DESCRIBE CLOTHING, ETC.)	14 HOME ADDRESS	15 SEX-RACE CODE	AGE	HEIGHT	WEIGHT	EYES	HAIR	COMPL.
1								
2	SEE ORIGINAL CASE INCIDENT REPORT							

14 C.B. NO.	I.R. NO. Y.D. NO. OR J.D.A. NO.	OFFENDER REL. CODE	C.B. NO.	I.R. NO. Y.D. NO. OR J.D.A. NO.	OFFENDER REL. CODE	15 NO. ARRESTS ADDITIONAL INFO NO.
OFF 1			OFF 2			

16 OFF'S VEHICLE	YEAR	MAKE	BODY STYLE	COLOR	VIN	STATE LICENSE NO.	STATE
USED STOLEN							

NARRATIVE

EVENT# IN SUMMARY: R/S CONTACTED BY CPIC AT 2230, 20 OCT 14 FOR IN CAR CAMERA (ICC) VIDEO RETRIEVAL ON SCENE 4100 S. PULASKI RELATED TO THE ABOVE LISTED INCIDENT. REQUEST WAS FROM AREA CENTRAL DETECTIVE DIVISION SGT D GALLAGHER UPON ARRIVAL BT 813R VEH# 8779; BT 815R VEH# 8486; BT 822 VEH# 8765; BT 845R VEH# 6412; & BT 841R VEH# 8948 WERE SUBJECTS OF ICC VIDEO CHECK/RETRIEVAL. CHECKS OF THESE VEHICLES REVEALED THE LISTED FINDINGS:

BT 813R	VEH# 8779	VIDEO RECORDED PCOZ400@20141020215250
BT 815R	VEH# 8486	OPERATIONAL BUT DUE TO DISC ERROR NO VIDEO RECORDED
BT 822	VEH# 8765	NOT ENGAGED - OFFICER REPORTED POWER ISSUE
BT 845R	VEH# 6412	VIDEO RECOVERED PCOS571@20141020215250
BT 841R	VEH# 8948	NOT ENGAGED - OFFICER REPORTED APPLICATION ERROR

RECOVERED VIDEO MANUALLY UPLOADED AND RETRIEVED 002/ACOD ICC SYSTEM

14K 455653

CONTINUED OTHER SIDE

23 EXTRA COPIES REQUIRED (NO. & RECIPIENT)	31 DATE THIS REPORT SUBMITTED (DAY-MO-YR)	TIME	32 SUPERVISOR APPROVING (PRINT NAME)	STAR NO.
	21 OCT 14			
33 REPORTING OFFICER (PRINT NAME) STAR NO.	34 REPORTING OFFICER (PRINT NAME) STAR NO.		SIGNATURE	
SIGNATURE SGT J BECERRA 1748	SIGNATURE		35 DATE APPROVED (DAY-MO-YR)	TIME

CPD 11.4[illegible] (REV. 8/95) *MUST BE COMPLETED IN ALL CASES

HICAGO POLICE DEPARTMENT

ASE SUPPLEMENTARY REPORT

10 S. Michigan Avenue, Chicago, Illinois 60653
use by Chicago Police - Bureau of Investigative Services Personnel Only)

HX475653

Case id : 9825613
Sup ID : 10992767 CASR301

XC. CLEARED CLOSED (OTHER EXCEPTIONAL) | **DETECTIVE SUP. APPROVAL COMPLETE**

Offense Classification/Re-Classification	IUCR Code	Original Offense Classification			IUCR Code
AULT / Aggravated Po:Knife/Cut Instr	**0552**	ASSAULT / Aggravated Po:Knife/Cut Instr			0552
ddress of Occurrence	Beat of Occur	No of Victims	No of Offenders	No of Arrested	SCR No
112 S PULASKI RD	**815**	4	1	1	
ocation Type	Location Code	Secondary Location			Hate Crime?
Street	**304**				NO
ate of Occurrence	Unit Assigned	Date RO Arrived	Fire Related?	Gang Related?	Domestic Related?
20-OCT-2014 21:57	**0841R**	20-OCT-2014 21:57	NO	NO	NO

Reporting Officer	Star No	Approving Supervisor	Star No	Primary Detective Assigned	Star No
MARCH, David	20563	WOJCIK, Anthony	481	MARCH, David	20563
Date Submitted		Date Approved		Assignment Type	
15-MAR-2015 18:26		16-MAR-2015 00:03		FIELD	

THIS IS A FIELD INVESTIGATION EXC. CLEARED CLOSED (OTHER EXCEPTIONAL) REPORT

VICTIM(S) :

GAFFNEY, Thomas J
Male / White / 41 Years
EMPLOYMENT: Chicago Police Officer #19958 Chicago Police Officer
EMPLOYER BUSINESS NME: Chicago Police Department
BUS: 3420 W 63rd St
Chicago IL
312-747-8730

MCELLIGOTT, Joseph P
Male / White / 36 Years
EMPLOYMENT: Chicago Police Officer #18715 Chicago Police Officer
EMPLOYER BUSINESS NME: Chicago Police Department
BUS: 3420 W 63rd St
Chicago IL
312-747-8730

VAN DYKE, Jason D
Male / White / 36 Years
EMPLOYMENT: Chicago Police Officer #9465 Chicago Police Officer
EMPLOYER BUSINESS NME: Chicago Police Department
BUS: 3420 W 63rd St
Chicago IL
312-747-8730

WALSH, Joseph J
Male / White / 45 Years
EMPLOYMENT: Chicago Police Officer #12865 Chicago Police Officer
EMPLOYER BUSINESS NME: Chicago Police Department
BUS: 3420 W 63rd St
Chicago IL

HX475653

312-747-8730

OFFENDER(S): **MCDONALD, Laquan J** -- In Custody --

ALIAS: "Bon-Bon"
Male / Black / 17 Years
DOB: [redacted]
RES: [redacted]
BIRTH PL: Illinois
DESCRIPTION: 6'02,180,Black Hair, Dreadlocks Hair Style, Brown Eyes, Medium Complexion

ITEM USED:
Weapon
DLN/ID: [redacted]
OTHER IDENTIFICATIONS: **Type -** Other Id
State - Unknown

IR #: 2106340
SID #: IL18550721
ORGANIZATION: NEW BREED
RELATIONSHIP OF VICTIM TO OFFENDER:

GAFFNEY, Thomas No Relationship
MCELLIGOTT, Joseph No Relationship
VAN DYKE, Jason No Relationship
WALSH, Joseph No Relationship

GANG INFORMATION:
LISTED CRIMINAL ORGANIZATION: New Breed
GANG IDENTIFIERS: Other

OFFENDER INJURIES: **MCDONALD, Laquan J**

Type	Weapon Used	Weapon Description
Gun Shot Wound	Handgun	Other -Handgun

Injured by Police
Chicago Fire Department Provided First Aid
EXTENT OF INJURY: Multiple Gsw
HOSPITAL REMOVED BY: Cfd Ambulance 21

HOSPITAL: Mt. Sinai
INJURY TREATMENT: Multiple Gsw
PHYSICIAN NAME: Dr Pitzele
INV #: **13296449**

WEAPON(S): **Evidence**

Smith & Wesson -Us- (Bodyguard,Chief Special) , 5942 , 9 , Semi-Automatic Pistol , Semi-Automatic , 4" , Stainless

SERIAL #: [redacted]

MAGAZINE CAPACITY: 15

Number Of Live Rounds present in the Firearm - 15

Number Of Live Rounds used in the Firearm - 16

The Status Of This Firearm is 628361

PROPERTY TYPE: Other

OWNER: Van Dyke, Jason

POSSESSOR/USER: Van Dyke, Jason

PHONE #: 312 - 747 - 8730

LOCATION FOUND: 5101 S Wentworth Ave

VEHICLE INFO:

Truck , 2010 / Chevrolet / Tahoe / Truck

, Victims Vehicle

VIN: 1GNMCAE0XAR263348 **Evidence**

YEAR (RANGE): 2010

COLOR (TOP/BOTTOM): White / White

OWNER: Chicago Police Department

POSSESSOR/USER: Gaffney, Thomas

PHONE#: 312 - 747 - 8730

LOCATION FOUND: 4102 S Pulaski Rd

LICENSE: MP6581, Law Enforcement (City, County, State, Sos), IL

LOCATION OF INCIDENT:

4112 S Pulaski Rd
Chicago IL
304 - Street

DATE & TIME OF INCIDENT: 20-OCT-2014 21:57

WEATHER AND LIGHTING:

WEATHER: Cloudy & Cool

TEMPERATURE: 50s

LIGHTING: Dark / Artificial Light

LIGHTING SOURCE: Streetlights

DISTANCE: Overhead

MOTIVE CODE(S): Interceding In A Felony

CAUSE CODE(S): Dna

METHOD CODE(S): Offender Shot

CAU CODE(S): Police Related Not Con

FIREARM(S) RECOVERED: **INV #: 13296449** **Evidence**

Smith & Wesson -Us- (Bodyguard,Chief Special) , 5942 , 9 , Semi-

Automatic Pistol , Semi-Automatic , 4" , Stainless
SERIAL #: [redacted]
PROPERTY TYPE: Other

OWNER: Van Dyke, Jason
POSSESSOR/USER: Van Dyke, Jason

PHONE #: 312 - 747 - 8730
LOCATION FOUND: 5101 S Wentworth Ave

MAGAZINE CAPACITY: 15
Number Of Live Rounds present in the Firearm - 15
Number Of Live Rounds used in the Firearm - 16

/EHICLE(S) DAMAGED: **Truck , 2010 / Chevrolet / Tahoe / Truck**
VIN: 1GNMCAE0XAR263348 **Evidence**

YEAR - YEAR RANGE END: 2010
COLOR (TOP/BOTTOM): White / White
OWNER: Chicago Police Department
POSSESSOR/USER: Gaffney, Thomas

PHONE#: 312 - 747 - 8730
LOCATION FOUND: 4102 S Pulaski Rd
LICENSE: MP6581, Law Enforcement (City, County, State, Sos), IL

PERSONNEL ASSIGNED:
Detective/Investigator
MARCH, David M # 20563
Reporting Officer
FONTAINE, Dora # 4484 BEAT: 0841R

WITNESS(ES) :
BACERRA, Arturo
Male / White Hispanic / 32 Years
EMPLOYMENT: Chicago Police Officer #15790 Chicago Police Officer
BUS: 3420 W 63rd St
Chicago IL
312-747-8730
[redacted]
Female / White Hispanic / 29 Years
DOB: [redacted]
RES: 5340 Prairie
[redacted]

OTHER COMMUNICATIONS:
Cellular [redacted]
Phone :
[redacted]

Female / White Hispanic / 19 Years

DOB: [redacted]

RES: [redacted]

BUS: [redacted]

DLN/ID: [redacted]

Male / White Hispanic / 18 Years

DOB: [redacted]

RES: [redacted]

OTHER COMMUNICATIONS:

[redacted]
Phone :

DLN/ID: [redacted]

Female / White Hispanic / 24 Years

DOB: [redacted]

RES: [redacted]

EMPLOYMENT: Shift Manager

BUS: [redacted]

OTHER COMMUNICATIONS:

Cellular [redacted]
Phone :

FONTAINE, Dora

Female / White Hispanic / 47 Years

EMPLOYMENT: Chicago Police Officer #4484 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

[redacted]

Male / White Hispanic / 25 Years

DOB: [redacted]

RES: [redacted]

BUS: [redacted]

OTHER COMMUNICATIONS:

Cellular Phone : [redacted]

SSN: [redacted]

[redacted]

Female / White Hispanic / 30 Years

DOB: [redacted]

RES: [redacted]

OTHER COMMUNICATIONS:

Cellular Phone : [redacted]

[redacted]

Male / White Hispanic / 24 Years

DOB: [redacted]

RES: [redacted]

SSN: [redacted]

DLN/ID: [redacted]

MONDRAGON, Janet

Female / White Hispanic / 37 Years

EMPLOYMENT: Chicago Police Officer #4364 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

SEBASTIAN, Daphne L

Female / White / 45 Years

EMPLOYMENT: Chicago Police Officer #2763 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

VELEZ, Leticia

Female / White Hispanic / 43 Years

EMPLOYMENT: Chicago Police Officer #10385 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

VIRAMONTES, Ricardo

Male / White Hispanic / 41 Years

EMPLOYMENT: Chicago Police Officer #10590 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL

312-747-8730

OTHER INDIVIDUALS INVOLVED:

[redacted] (Additional Victim)
Male / White Hispanic / 43 Years
DOB: [redacted]
RES: [redacted]
EMPLOYMENT: Self-Employed Truck Driver
OTHER COMMUNICATIONS:
Cellular Phone : [redacted]
DLN/ID: [redacted] :

[redacted] (Family Member Notified)
Male / Black / 25 Years
DOB: [redacted]
RES: [redacted]
OTHER COMMUNICATIONS:
Other : [redacted]

[redacted] (Person Interviewed Non-Witness)
Female / White Hispanic / 62 Years
DOB: [redacted]
RES: [redacted]
BUS: [redacted]

[redacted] (Person Interviewed Non-Witness)
Female / White Hispanic / 39 Years
DOB: [redacted]
RES: [redacted]
BUS: [redacted]

CRIME CODE SUMMARY: 0552 - Assault - Aggravated Po:Knife/Cut Instr

OTHER ASSOCIATIONS: 0552 - Assault - Aggravated Po:Knife/Cut Instr

GAFFNEY, Thomas, J (Victim)

MCDONALD, Laquan, J	(Offender)
MCELLIGOTT, Joseph, P	(Victim)
MCDONALD, Laquan, J	(Offender)
MCDONALD, Laquan, J	(Offender)
VAN DYKE, Jason, D	(Victim)
MCDONALD, Laquan, J	(Offender)
WALSH, Joseph, J	(Victim)

ICIDENT NOTIFICATIONS:

NOTIFICATION DATE & TIME: 10/20/2014:230700
REQUEST TYPE: Notification
PERSON NAME: ,Sarlo
STAR #: 13131
EMP #:

NOTIFICATION DATE & TIME: 10/20/2014:231400
REQUEST TYPE: Notification
PERSON NAME: ,Jines
STAR #: 4898
EMP #:

NOTIFICATION DATE & TIME: 10/20/2014:215000
REQUEST TYPE: On Scene
PERSON NAME: ,March
STAR #: 20563
EMP #:

NOTIFICATION DATE & TIME: 10/21/2014:225800
REQUEST TYPE: Notification
PERSON NAME: ,Chibe
STAR #: 7303
EMP #:

NOTIFICATION DATE & TIME: 10/20/2014:235000
REQUEST TYPE: Notification
PERSON NAME: ,Briggs
STAR #:
EMP #: 76

REPORT DISTRIBUTIONS: No Distribution

INVESTIGATION:

AREA CENTRAL FIELD INVESTIGATION:

Exceptionally Cleared Closed /
Other Exceptional Clearance - Death of Offender.

The full format for this investigation is contained in the previous Progress - Scene Report.

INVESTIGATION:

The reporting detective was assigned to the immediate follow-up investigation of this police officer involved shooting incident, by Sergeant Daniel GALLAGHER of this command. The reporting detective proceeded to the scene of the incident at 4112 South Pulaski Road. The officer involved in the shooting was located and interviewed at the scene.

VAN DYKE, Jason D -----

stated he was a Chicago Police Officer assigned to the 008th District. He was on duty, in uniform, working on Beat 845R. VAN DYKE was working with Police Officer Joseph WALSH. The two officers were assigned to Chicago Police Department vehicle number 6412, a marked Chevrolet Tahoe, four door sport utility vehicle. WALSH was driving the vehicle and VAN DYKE was the passenger.

The two officers responded to a request for assistance from Beat 815R, regarding a man with a knife, on 40th Street, west of Pulaski Road. A unit equipped with a taser had also been requested. Officer VAN DYKE heard the radio transmission when Officer Thomas GAFFNEY said the man with a knife had "popped" the tire of GAFFNEY's police vehicle. VAN DYKE understood this to mean the subject had slashed the tire with his knife. As Officer WALSH drove westbound on 40th Street from Pulaski, VAN DYKE observed a black male subject, now known as Laquan MCDONALD, running eastbound in the parking lot of the Burger King restaurant on the southwest corner of 40 Street and Pulaski. MCDONALD was holding a knife in his right hand. VAN DYKE saw Police Officer Joseph MCELLIGOTT pursuing MCDONALD on foot. VAN DYKE also saw a civilian who was standing on 40th Street pointing to MCDONALD.

Officer WALSH drove eastbound in the parking lot, in pursuit of MCDONALD, on the north side of the Burger King restaurant building. WALSH used the police vehicle to block MCDONALD from entering the restaurant. MCDONALD ran out onto Pulaski Road and then turned southbound, running toward a Dunkin' Donuts restaurant, on the east side of Pulaski, south of the Burger King. WALSH positioned the police vehicle between MCDONALD and the Dunkin' Donuts to block his path towards that restaurant. When WALSH slowed the police vehicle alongside MCDONALD, Officer VAN DYKE opened the right front door of the vehicle to exit and confront MCDONALD. WALSH told VAN DYKE to stay in the vehicle as they were too close to MCDONALD to safely exit their vehicle. WALSH drove on southbound and stopped the police vehicle ahead of MCDONALD.

Officer VAN DYKE exited the vehicle on the right side and drew his handgun. As VAN DYKE stood in the street on Pulaski, facing northbound, toward MCDONALD, MCDONALD approached southbound. MCDONALD was holding the knife in his right hand, in an underhand grip, with the blade pointed forward. He was swinging the knife in an aggressive, exaggerated manner. VAN DYKE ordered MCDONALD to "Drop the knife!" multiple times. MCDONALD ignored VAN DYKE's verbal direction to drop the knife and continued to advance toward VAN DYKE.

When MCDONALD got to within 10 to 15 feet of Officer VAN DYKE, MCDONALD looked toward

VAN DYKE. MCDONALD raised the knife across his chest and over his shoulder, pointing the knife at VAN DYKE. VAN DYKE believed MCDONALD was attacking VAN DYKE with the knife, and attempting to kill VAN DYKE. In defense of his life, VAN DYKE backpedaled and fired his handgun at MCDONALD, to stop the attack. MCDONALD fell to the ground but continued to move and continued to grasp the knife, refusing to let go of it. VAN DYKE continued to fire his weapon at MCDONALD as MCDONALD was on the ground, as MCDONALD appeared to be attempting to get up, all the while continuing to point the knife at VAN DYKE. The slide on VAN DYKE's pistol locked in the rearward position, indicating the weapon was empty. VAN DYKE performed a tactical reload of his pistol with a new magazine and then assessed the situation.

MCDONALD was no longer moving and the threat had been mitigated, so Officer VAN DYKE and Officer WALSH approached MCDONALD. MCDONALD was still holding the knife in his right hand. VAN DYKE continued to order MCDONALD to "Drop the knife!" Officer WALSH told VAN DYKE, "I have this." VAN DYKE then used his handgun to cover WALSH as WALSH walked up and forcibly kicked the knife out of MCDONALD's right hand, thereby eliminating the threat to the officers.

Officer WALSH then notified the dispatcher on the police radio that shots had been fired by the police. Officer VAN DYKE requested an ambulance for MCDONALD on the radio.

Officer VAN DYKE's weapon was a Smith and Wesson, nine millimeter, semi-automatic pistol, with a 15 round magazine. VAN DYKE said the pistol was fully loaded at the beginning of his tour of duty, with 15 cartridges in the magazine and one cartridge in the firing chamber.

It was noted that the uniform Officer VAN DYKE was wearing consisted of a light blue long sleeve uniform shirt, with shoulder patches; black body armor vest, with patches; navy blue cargo pants; and equipment belt with handgun and radio.

The reporting detective then interviewed Officer VAN DYKE's partner.

WALSH, Joseph J -----

stated he was a Chicago Police Officer assigned to the 008th District. WALSH related the same facts as his partner, Officer Jason VAN DYKE.

WALSH added that as Laquan MCDONALD ran eastbound through the Burger King parking lot, WALSH used the police vehicle he was driving to block MCDONALD from entering the restaurant.

As MCDONALD ran southbound on Pulaski Road, from the Burger King, WALSH pursued MCDONALD in the police vehicle. WALSH drove southbound in the northbound lanes to get ahead of MCDONALD, keeping the police vehicle between MCDONALD and a Dunkin' Donuts restaurant, on the east side of Pulaski. As their vehicle passed MCDONALD, Officer VAN DYKE opened the right front door of their vehicle, to exit the truck and confront MCDONALD. WALSH, realizing that at this point they were too close to the armed MCDONALD to safely exit the vehicle, told VAN DYKE to wait until they got further ahead of MCDONALD. WALSH drove further south on Pulaski. He stopped his vehicle south of MCDONALD and exited the driver's door as VAN DYKE exited the right side of the vehicle. WALSH drew his handgun when he exited the vehicle.

Officer WALSH came around the rear of the police vehicle and joined Officer VAN DYKE on the right side of the vehicle. WALSH also stood in the street on Pulaski, facing northbound, as MCDONALD walked southbound toward the officers. WALSH ordered MCDONALD to "Drop the knife!" multiple times as MCDONALD approached the officers.

Officer WALSH also backed up, attempting to maintain a safe distance between himself and MCDONALD. MCDONALD ignored the verbal direction given by both WALSH and Officer VAN DYKE, and continued to advance toward the officers. When MCDONALD got to within 12 to 15 feet of the officers he swung the knife toward the officers in an aggressive manner. VAN DYKE opened fire with his handgun and MCDONALD fell to the ground. VAN DYKE continued firing his weapon at MCDONALD as MCDONALD continued moving on the ground, attempting to get up, while still armed with the knife.

When the gunfire stopped and MCDONALD was not moving anymore, WALSH approached MCDONALD with VAN DYKE. WALSH continued to order MCDONALD to "Drop the knife!" multiple times, as MCDONALD was still holding the knife in his right hand. WALSH forcibly kicked the knife out of MCDONALD's hand and then notified the dispatcher on the police radio that shots had been fired by the police. An ambulance was also requested for MCDONALD.

As they waited for the ambulance to respond to the scene, Officer WALSH told MCDONALD to "hang in there," and that an ambulance was on the way.

Officer WALSH said he believed MCDONALD was attacking WALSH and Officer VAN DYKE with the knife and attempting to kill them when the shots were fired. WALSH stated he did not fire his handgun because VAN DYKE was in the line of fire between WALSH and MCDONALD. WALSH thought VAN DYKE fired eight or nine shots total.

It was noted that Officer WALSH wore the same uniform configuration as Officer VAN DYKE.

The officers assigned to Beat 815R were interviewed.

GAFFNEY, Thomas J -----

stated he was a Chicago Police Officer assigned to the 008th District. He was on duty, in uniform, working on Beat 815R. GAFFNEY was working with Police Officer Joseph MCELLIGOTT. The two officers were assigned to Chicago Police Department vehicle number 8489, a marked Chevrolet Tahoe, four door sport utility vehicle. GAFFNEY was driving the vehicle and MCELLIGOTT was the passenger.

The officers responded to an assignment of holding an offender for breaking into trucks at 41st Street and Kildare Avenue. Upon arrival at that location they met an Hispanic couple who told the officers a black male subject, wearing a dark shirt, had attempted to break into trucks parked in the parking lot at that location. The couple told the officers the subject had walked off and was last seen walking eastbound on 40th Street from Kildare.

Officer GAFFNEY drove northbound on Kildare to 40th Street. When he turned eastbound onto 40th Street he saw a black male subject wearing dark clothing, walking eastbound on the sidewalk,

on the south side of the street. Officer MCELLIGOTT exited the police vehicle to approach the subject, now known as Laquan MCDONALD. GAFFNEY stayed in the vehicle in case MCDONALD fled. MCELLIGOTT called to MCDONALD and told him to stop but MCDONALD continued walking eastbound, ignoring MCELLIGOTT. MCDONALD's hands were in his pockets as he walked. MCELLIGOTT told MCDONALD to take his hands out of his pockets. MCDONALD took his hands out of his pockets and MCELLIGOTT told GAFFNEY that MCDONALD had a knife. GAFFNEY then saw a silver colored knife in MCDONALD's right hand. GAFFNEY also saw that MCELLIGOTT had his handgun drawn at this point. MCELLIGOTT repeatedly ordered MCDONALD to "Drop the knife," but MCDONALD ignored these directions. As MCDONALD reached Keeler Avenue, GAFFNEY notified the dispatcher on the police radio that they were following a subject with a knife and requested assistance from a unit equipped with a taser.

MCDONALD continued walking eastbound, Officer MCELLIGOTT following on foot and Officer GAFFNEY following in the police vehicle. As MCDONALD approached Karlov Avenue, GAFFNEY turned the Tahoe southbound onto Karlov and stopped, blocking the crosswalk. GAFFNEY said he wanted to stop MCDONALD before he reached Pulaski Road, a business street where more civilians were present. The area where MCDONALD was first observed was industrial in nature with no other civilians present. When GAFFNEY stopped his vehicle in front of MCDONALD, blocking his path, MCDONALD stabbed the right front tire of the Tahoe with his knife, causing the tire to go flat. GAFFNEY immediately informed the radio dispatcher that MCDONALD had "popped" the tire. MCDONALD attempted to walk around the front of the police vehicle and GAFFNEY drove the Tahoe forward a short distance to continue to block MCDONALD's path. MCDONALD then stabbed at the windshield of the Tahoe with the knife, striking the right side of the windshield. MCDONALD then continued walking eastbound from Karlov.

As MCDONALD approached the Burger King restaurant parking lot at 40th Street and Pulaski, assisting police units arrived, approaching westbound on 40th Street from Pulaski. MCDONALD began to run eastbound through the restaurant parking lot, on the north side of the Burger King building. He ran out onto Pulaski and then turned and ran southbound on Pulaski. Beat 845R pursued MCDONALD in their police vehicle, eastbound through the parking lot, over the curb at Pulaski, then southbound on Pulaski. Officer GAFFNEY lost sight of MCDONALD when he turned southbound on Pulaski.

Because of the flat tire on his vehicle, Officer GAFFNEY did not drive over the curb. As he drove around out onto Pulaski, GAFFNEY heard multiple gunshots in rapid succession. He did not see who was shooting. When he reached Pulaski MCDONALD was lying on the ground.

It was noted that Officer GAFFNEY wore the same uniform configuration as Officer VAN DYKE with the addition of the uniform baseball style cap with embroidered patch.

MCELLIGOTT, Joseph P -----

stated he was a Chicago Police Officer assigned to the 008th District. MCELLIGOTT related the same facts as his partner, Officer Thomas GAFFNEY.

Officer MCELLIGOTT added that after he exited the police vehicle, when Laquan MCDONALD took his hands out of his pockets and MCELLIGOTT saw MCDONALD holding a knife in his right

hand, MCELLIGOTT drew his handgun. He repeatedly ordered MCDONALD to "Drop the knife." MCDONALD ignored MCELLIGOTT's directions and continued to walk eastbound on 40th Street. MCELLIGOTT followed MCDONALD on foot, maintaining a safe distance between himself and the armed MCDONALD.

Officer MCELLIGOTT heard Officer GAFFNEY request assistance and a unit with a taser over the police radio. GAFFNEY attempted to use the police vehicle to block MCDONALD from continuing on toward the Burger King restaurant at Pulaski Road. At this point MCDONALD stabbed the right front tire and the windshield of the police vehicle. MCELLIGOTT began to hear the sirens of approaching assisting police units and MCDONALD began to run toward the Burger King restaurant.

When MCDONALD ran eastbound through the parking lot of the Burger King, Officer MCELLIGOTT ran after MCDONALD in pursuit. MCELLIGOTT ran out into the middle of Pulaski Road in pursuit of MCDONALD. MCELLIGOTT heard multiple gunshots but did not see who fired the shots. The gunfire was continuous, one shot after another. MCELLIGOTT then saw MCDONALD lying on the ground. MCELLIGOTT saw Officer Joseph WALSH kick the knife out of MCDONALD's hand.

It was noted that Officer MCELLIGOTT wore the same uniform configuration as Officer VAN DYKE.

Other officers who responded to this incident were also interviewed.

SEBASTIAN, Daphne L —

stated she was a Chicago Police Officer assigned to the 008th District. She was on duty, in uniform, working on Beat 813R. SEBASTIAN was working with Police Officer Janet MONDRAGON. The two officers were assigned to a marked vehicle. MONDRAGON was driving the vehicle and SEBASTIAN was the passenger.

The two officers responded to the request for assistance made by Beat 815R, regarding a subject with a knife. Officer SEBASTIAN thought the original call for assistance was at 40th Street and Keeler Avenue. The subject had punctured a tire on the police vehicle of Beat 815R. Officer MONDRAGON drove northbound on Pulaski Road, following Beat 845R, as they also responded to the request for assistance. MONDRAGON turned westbound onto 40th Street, behind Beat 845R.

Officer SEBASTIAN observed a black male subject, now known as Laquan MCDONALD, running southeast bound through the parking lot of the Burger King restaurant. Beat 845R pursued MCDONALD in their police vehicle, through the parking lot, toward Pulaski. SEBASTIAN told Officer MONDRAGON to drive back out onto Pulaski to assist in the pursuit. MCDONALD ran out onto Pulaski and continued to run southbound down the middle of the street. Beat 845R pursued MCDONALD in their vehicle, southbound on Pulaski, followed by Beat 813R. As MCDONALD ran southbound on Pulaski, SEBASTIAN saw the knife in his right hand. MCDONALD was waving the knife.

Beat 845R stopped their vehicle ahead of MCDONALD, between MCDONALD and the Dunkin'

Donuts restaurant on the east side of Pulaski. Officers Joseph WALSH and Jason VAN DYKE exited their vehicle and drew their handguns. MCDONALD turned toward the two officers and continued to wave the knife. Sebastian heard the officers repeatedly order MCDONALD to "Drop the knife!" MCDONALD ignored the verbal directions and continued to advance on the officers, waving the knife. Officer SEBASTIAN heard multiple gunshots and MCDONALD fell to the ground, where he continued to move. SEBASTIAN did not know who fired the shots, which were fired in one continuous group. She then saw Officer WALSH kick the knife out of MCDONALD's hand.

MONDRAGON, Janet -----

stated she was a Chicago Police Officer assigned to the 008th District. MONDRAGON related the same facts as her partner, Officer Daphne SEBASTIAN.

Officer MONDRAGON added that as she drove westbound on 40th Street, she saw Officer MCELLIGOTT running eastbound through the Burger King parking lot. She made a U-turn and drove back out onto Pulaski Road. MONDRAGON turned southbound onto Pulaski. She saw Laquan MCDONALD running southbound on Pulaski, in the middle of the street. As she got closer she could see MCDONALD was holding a knife in his right hand. He was waving the knife.

Officer MONDRAGON saw Officers Joseph WALSH and Jason VAN DYKE outside of their police vehicle. She heard the officers repeatedly ordering MCDONALD to "Drop the knife!" as MCDONALD got closer and closer to the officers, continuing to wave the knife. As she was placing her vehicle transmission into Park, MONDRAGON looked down and heard multiple, continuous gunshots, without pause. MONDRAGON then saw MCDONALD fall to the ground. MONDRAGON did not know who fired the shots.

BACERRA, Arturo -----

stated he was a Chicago Police Officer assigned to the 008th District. He was on duty, in uniform, working on Beat 822. BACERRA was working with Police Officer Leticia VELEZ. The two officers were assigned to a marked vehicle. BACERRA was driving the vehicle and VELEZ was the passenger.

Officer BACERRA and his partner responded to the request for assistance made by Beat 815R, regarding a subject who was armed with a knife. BACERRA was driving northbound on Pulaski Road from 47th Street. As he approached the scene of this incident, at 4112 South Pulaski, he observed a black male subject, now known as Laquan MCDONALD, in the middle of the street, flailing his arms. As he got closer, BACERRA observed MCDONALD to be holding a knife in his right hand. BACERRA drove past MCDONALD, with MCDONALD on the left side of the police vehicle, as Beat 845R drove past BACERRA, on the right side of his vehicle, travelling southbound. As BACERRA began to make a U-turn, he heard multiple gunshots. He then saw MCDONALD lying on the ground. BACERRA did not see who fired the shots.

VELEZ, Leticia -----

stated she was a Chicago Police Officer assigned to the 008th District. VELEZ related the same facts as her partner, Officer Arturo BACERRA.

Officer VELEZ added that as they approached the scene she observed Laquan MCDONALD standing in the middle of the street, holding a shiny object in his right hand. She saw him waving the object in the air. Officer BACERRA drove past MCDONALD and began to make a U-turn, when VELEZ heard multiple gunshots, without pause or delay. She then saw MCDONALD fall to the ground. VELEZ did not see who fired the shots. She did see an unknown officer kick the knife from MCDONALD's hand after he was down on the ground.

FONTAINE, Dora -----

stated she was a Chicago Police Officer assigned to the 008th District. She was on duty, in uniform, working on Beat 841R. FONTAINE was working with Police Officer Ricardo VIRAMONTES. The two officers were assigned to a marked vehicle. VIRAMONTES was driving the vehicle and FONTAINE was the passenger.

The two officers responded to the request for assistance made by Beat 815R, regarding a man with a knife at 41st Street and Pulaski Road. Officer VIRAMONTES drove northbound on Pulaski. When they arrived at the scene of this incident, in front of the Dunkin' Donuts restaurant, Officer FONTAINE saw a black male subject, now known as Laquan MCDONALD, walking southbound in the street, with a knife in his right hand. MCDONALD was walking sideways, with his body facing east, toward Officers Jason VAN DYKE and Joseph WALSH. These two officers were standing in the middle of the street, on the right side of their police vehicle, which was facing southbound. FONTAINE heard the officers repeatedly order MCDONALD to "Drop the knife!" MCDONALD ignored the verbal direction and instead, raised his right arm toward Officer VAN DYKE, as if attacking VAN DYKE. At this time VAN DYKE fired multiple shots from his handgun, until MCDONALD fell to the ground and stopped moving his right arm and hand, which still grasped the knife. The gunshots were rapid fire, without pause. Officer WALSH then kicked the knife out of MCDONALD's hand.

VIRAMONTES, Ricardo -----

stated he was a Chicago Police Officer assigned to the 008th District. VIRAMONTES related the same facts as his partner, Officer Dora FONTAINE.

Officer VIRAMONTES added that when he exited his police vehicle, at the scene, he observed a black male subject, now known as Laquan MCDONALD, walking southbound on Pulaski Road, in the middle of the street, holding a knife in his right hand. VIRAMONTES heard Officer Jason VAN DYKE repeatedly order MCDONALD to "Drop the knife!" MCDONALD ignored the verbal direction and turned toward VAN DYKE and his partner, Officer Joseph WALSH. At this time VAN DYKE fired multiple shots from his handgun. MCDONALD fell to the ground but continued to move, attempting to get back up, with the knife still in his hand. VAN DYKE fired his weapon at MCDONALD continuously, until MCDONALD was no longer moving.

The scene of this incident, at 4112 South Pulaski Road, was observed to be a wide commercial street with traffic traveling north and south. There were two traffic lanes and a curb lane in each direction. A wide median separated the northbound and southbound traffic lanes. The scene was just south of the intersection of Pulaski and 41st Street. This was a "T" intersection with 41st Street extending east from Pulaski. In the center median was a left turn lane for northbound traffic

turning west onto 40th Street, further to the north. The Pulaski median was level with the traffic lanes and was striped with yellow paint.

On the west side of Pulaski was a large vacant lot. North of the vacant lot, on the southwest corner of 40th Street and Pulaski, was a Burger King restaurant. On the east side of the street was a Dunkin Donuts restaurant.

The weather was cloudy and cool with the temperature in the 50s. It was dark with good artificial light provided by overhead streetlights. All of the lights were on and functioning normally. There was also artificial light provided by the lighting of the nearby businesses.

In the northbound left turn lane, Chicago Police Department vehicle number 6412, assigned to Beat 845R, was sitting, facing southeast. The vehicle was a marked Chevrolet Tahoe, four door sport utility vehicle. The right front door of the vehicle was open.

In the southbound traffic lanes, in the right lane, a metal folding pocket knife was lying on the pavement. The blade was in the open position. The overall length of the knife was seven inches, with a three inch blade. The knife was in line with the front end of the vehicle of Beat 845R. Just north of the knife were two pools of blood on the pavement. Five metal bullet fragments were lying on the pavement near the blood. North of the blood, scattered in a diagonal pattern from southwest to northeast, across both southbound traffic lanes and the northbound left turn lane, were 16, nine millimeter caliber cartridge cases, lying on the pavement.

Chicago Police Department vehicle number 8489, assigned to Beat 815R, was sitting at the west curb at 4102 South Pulaski. The right front tire of the vehicle was flat, with a large puncture to the sidewall of the tire. The right side of the windshield was scratched from being struck by Laquan MCDONALD's knife.

Mobile Crime Lab Beat 5802 responded to the scene. Video and photographs were taken of the scene. The knife and firearms evidence was collected from the street, as were swabs of the blood. The right front wheel and tire of Chicago Police Department vehicle number 8489 was also recovered. The right front quarter panel of vehicle number 8489 was processed for fingerprints and four ridge impressions were recovered.

A canvass was conducted of the area near the scene of this incident in an attempt to identify and locate witnesses. A number of people were interviewed.

[redacted] -----

stated she was [redacted] at the Burger King restaurant. At approximately 21:55 hours [redacted] observed police officers chasing a black male subject, now known as Laquan MCDONALD, through the parking lot, on the north side of the restaurant building. The officers chased MCDONALD southbound down Pulaski Road, toward the Dunkin' Donuts restaurant. [redacted] then heard multiple gunshots and dove to the ground.

[redacted] permitted access to the Burger King video system. No video of this incident was recorded. The system was not recording at that time. The system was activated and video was

recovered from the system from earlier in the day, showing the view of each of the cameras in the system. It was noted that none of these camera views showed the area of the scene where the confrontation between Laquan MCDONALD and Police Officers Jason VAN DYKE and Joseph WALSH occurred, on Pulaski Road, south of the Burger King restaurant. If the system had been recording at the time of this incident, it would not have recorded any footage of that confrontation.

[redacted] -----

stated he was at the Burger King restaurant, waiting for his girlfriend, [redacted], who was working at the drive-thru window. [redacted] observed a "young black dude" with his hair in dreadlocks, now known as Laquan MCDONALD, running through the parking lot of the restaurant. He was being pursued by police officers. MCDONALD was holding his pants like he might have had a gun or something. MCDONALD then ran southbound on the sidewalk and then out into the street on Pulaski Road. [redacted] last saw MCDONALD running towards the middle of the intersection of 41st Street and Pulaski. MCDONALD appeared confused. [redacted] then turned his attention back to his girlfriend at the drive-thru window. He did not witness the shooting.

[redacted] -----

stated she was working at [redacted] of the Burger King restaurant. She observed a male subject, now known as Laquan MCDONALD, running from the restaurant parking lot, southbound on Pulaski Road, toward the Dunkin' Donuts restaurant. [redacted] heard multiple gunshots and then saw that MCDONALD was lying in the street.

[redacted] -----

stated she was [redacted] of the Burger King restaurant. She did not see or hear anything.

[redacted] -----

stated she was [redacted] of the Burger King restaurant. She did not see or hear anything.

Laquan MCDONALD had been transported to Mount Sinai Hospital by Chicago Fire Department Ambulance 21. He sustained multiple gunshot wounds as documented in the format of this investigation. MCDONALD was treated for his injuries in the emergency room. He succumbed to his wounds and was subsequently pronounced dead by Doctor PITZELE, at 22:42 hours.

Registered Nurse [redacted], recovered three metal bullet fragments from MCDONALD and turned these over to Detective William JOHNSON. These were subsequently turned over to Mobile Crime Lab Beat 5802, who also recovered metal fragments from MCDONALD's sweater.

The reporting detective had learned of the death of Laquan MCDONALD while still at the scene of this incident. The Office of the Medical Examiner of Cook County was notified of MCDONALD's death, and Investigator BRIGGS assigned Medical Examiner's case number 2014 - 01071 to this case.

In the Bureau of Detectives - Area Central office, Evidence Technician Beat 5824 recovered Office Jason VAN DYKE's handgun, a Smith and Wesson, Model 5942, nine millimeter caliber, semi-automatic pistol. The weapon was loaded with one cartridge in the firing chamber and 14 cartridges in the magazine, when recovered.

Beat 5824 took photographs of Officers Jason VAN DYKE, Joseph WALSH, Thomas GAFFNEY and Joseph MCELLIGOTT. Elimination prints, including palm prints, were also taken from Officers GAFFNEY and MCELLIGOTT.

Officer Jason VAN DYKE was re-interviewed for additional detail, in the Area Central office.

VAN DYKE, Jason D ----

related the same sequence of events as documented in his original interview at the scene of this incident.

VAN DYKE additionally articulated the reasoning behind his decision to use deadly force against the offender in this incident, Laquan MCDONALD. VAN DYKE was aware of the radio transmissions from Officer Thomas GAFFNEY, on Beat 815R, that MCDONALD was armed with a knife. VAN DYKE was aware that MCDONALD had attacked the officers on Beat 815R by slashing the tire of their police vehicle.

As he confronted MCDONALD at 4112 South Pulaski Road, VAN DYKE saw that MCDONALD was in fact, armed with a knife, a deadly weapon. VAN DYKE was aware of the widely accepted teaching in law enforcement that an assailant armed with a knife was considered a deadly threat, if within 21 feet, because it was possible for such an assailant to close that distance and attack with the knife before a defensive shot could be fired from a handgun. VAN DYKE was also aware of the existence of throwing knives, which can be thrown from a distance, as well as spring loaded knives, which propel a blade through the air from the knife handle. VAN DYKE also said he recalled a previously issued Chicago Police Department bulletin warning of a weapon which appeared to be a knife but which actually was capable of firing a bullet, making it a firearm.

Subsequently, a search was conducted of the Chicago Police Department, Automated Message Center, to find the bulletin Officer Jason VAN DYKE remembered, regarding the weapon that appeared to be a knife, but was actually a firearm. This bulletin was issued on 04 December 2012. It was Officer Safety Alert number 2012-OSA-297. It was a warning regarding a "revolver knife" which was capable of firing .22 caliber cartridges.

Three witnesses had been transported into the Area Central office from the scene and were interviewed.

[redacted]----

stated she was in the Burger King restaurant parking lot. She saw a subject, now known as Laquan MCDONALD, running southbound on Pulaski Road. [redacted] saw many police officers on the street. She was trying to get her cellular telephone to work, to record video. [redacted] heard eight gunshots fired continuously. She did not see who fired the shots. [redacted] then saw

a police officer pointing a handgun at MCDONALD as he was lying on the ground.

With her permission, [redacted]' telephone was examined for any recorded video footage with negative results.

[redacted]-----

stated he was at the Burger King restaurant drive-thru with [redacted]. He saw a black male subject, now known as Laquan MCDONALD, running from the trucks parked at the rear of the restaurant parking lot. MCDONALD ran eastbound in the parking lot, on the north side of the Burger King building. A police officer was chasing MCDONALD on foot, eastbound through the parking lot, then southbound on Pulaski Road. A Chicago Police Department, Chevrolet Tahoe sport utility vehicle pulled up on Pulaski. MCDONALD ran toward the police vehicle. A police officer exited the vehicle and fired multiple shots from a handgun at MCDONALD. [redacted] thought there was video footage of the incident recorded on [redacted] cellular telephone. As documented in the previous interview of [redacted], her telephone was examined with negative results.

[redacted]-----

stated he was sitting in a truck, parked in the Burger King restaurant parking lot, on the south side of the restaurant building. He was completing some logs. [redacted] observed a black male subject, now known as Laquan MCDONALD, running southbound on Pulaski Road. The police were pursuing MCDONALD. [redacted] heard approximately three gunshots. He did not see who fired the shots. [redacted] exited the cab of his truck and climbed up on top of it. He saw a Chicago Police Department, Chevrolet Tahoe sport utility vehicle, and many police officers on Pulaski Road.

[redacted] insisted on leaving the Area Central office after their initial interviews, and they were transported as they requested.

Sergeant Lance BECVAR responded to the scene and subsequently to the Area Central office. He was able to recover video of this incident from the vehicles assigned to Beats 845R and 813R. This video was uploaded into the system. The reporting detective submitted a request for copies of these two videos which were subsequently inventoried. The reporting detective also requested that the videos be permanently retained. No video of this incident was recovered from the vehicles assigned to Beats 815R, 822 and 841R.

The recovered in-car camera video from Beats 845R and 813R was viewed and found to be consistent with the accounts of all of the witnesses. The video from Beat 813R showed that at the time Officer Jason VAN DYKE fired his handgun at Laquan MCDONALD, VAN DYKE was standing near the east edge of the southbound traffic lanes of Pulaski Road, and MCDONALD was near the lane marking separating the two southbound traffic lanes. The two were separated by the width of one traffic lane. The width of this traffic lane was approximately ten feet.

Recordings of the original 9-1-1 call and the radio transmissions over the Chicago Police Department, Zone 6 radio frequency were obtained from the Office of Emergency Management

and Communication. The recordings were reviewed and subsequently inventoried.

In the 9-1-1 call, a caller who identified himself as [redacted] stated that he was holding a guy for stealing radios from trucks in a trucking yard.

The recorded radio transmissions were consistent with the statements of the police officers involved in this incident. It was determined from the radio transmissions, that the entire interaction of the involved police officers, with Laquan MCDONALD, from the time Beat 815R notified the radio dispatcher that they had made contact with him, and that he was armed with a knife, until Beat 845R notified the dispatcher that shots had been fired by the police, lasted more than four minutes.

The criminal history of Laquan MCDONALD was reviewed. [redacted]

Additionally, there were two documented incidents, under Records Division numbers HS640983 and HT106389, on 01 December 2010 and 05 January 2011. In these incidents officials at the [redacted], elementary school, called the police because of the violent behavior of Laquan MCDONALD. The reports indicated that MCDONALD was a special education student at the school and that this had become a pattern of behavior for MCDONALD. The school officials indicated that MCDONALD had behavioral problems and anger issues. In both incidents MCDONALD was transported to [redacted] for evaluation and treatment.

The family of Laquan MCDONALD was located and notified of his death.

[redacted] -----

stated he was an uncle of Laquan MCDONALD. MCDONALD was living with JOHNSON while MCDONALD "worked out his problems." [redacted] said that MCDONALD attended [redacted] school but was currently suspended. MCDONALD suffered from "hypertension" but refused to take any medication. He stopped taking his prescribed medication approximately two years prior because he said it made him "freak out."

[redacted] last saw MCDONALD on Saturday, 18 October 2014, at approximately 13:00 hours, when MCDONALD left the apartment. He had not been back since. MCDONALD had rung the doorbell earlier in the day on 20 October 2014. [redacted] said they "buzzed" MCDONALD into the building but he never came up to the apartment.

[redacted] had no idea why MCDONALD would be in the area of 41st Street and Pulaski Road. JOHNSON said he would attempt to notify MCDONALD's mother, [redacted].

On Tuesday, 21 October 2014, [redacted] of the 9-1-1 caller, [redacted]" was located and interviewed.

[redacted] -----

stated she was with [redacted], parking a truck in the lot at 41st Street and Kildare Avenue. She saw a black male subject, now known as Laquan MCDONALD, attempting to steal property from vehicles parked in the lot. [redacted] confronted MCDONALD and told him to leave the lot. [redacted] said that MCDONALD did not say anything, but instead, he was "growling" and making strange noises. [redacted] again told MCDONALD to leave the lot and MCDONALD pulled out a knife. MCDONALD swung the knife at [redacted] attempting to cut him. [redacted] had already called 9-1-1 so he backed up and threw his cellular telephone at MCDONALD. MCDONALD then ran from the lot. He ran northbound on Kildare, then eastbound on 40th Street.

[redacted] described MCDONALD as a black male, with his hair in braids. He was wearing a black hood and blue jeans. [redacted] viewed a photograph of Laquan MCDONALD and identified him as the subject in the lot, who had been attempting to steal property from vehicles parked in the lot, and who subsequently threatened [redacted] with a knife, when [redacted] confronted MCDONALD.

On Wednesday, 22 October 2014, the 9-1-1 caller was interviewed.

[redacted] -----

related the same facts as [redacted]. [redacted] re-iterated that Laquan MCDONALD swung his knife at [redacted], attempting to cut him. [redacted] stated he was the person who called 9-1-1 regarding this incident.

A canvass was conducted of the area near the scene of this incident for any recorded video.

There were no Police Observation Devices, or other City of Chicago video cameras in the area.

Recorded video was recovered from three cameras on the exterior of the building housing the Greater Chicago Food Depository, at 4100 West Ann Lurie Place. Two of these videos showed two different views of Laquan MCDONALD walking eastbound on the sidewalk, on the south side of 40th Street, between Keeler and Karlov Avenues. Officer Joseph MCELLIGOTT was following MCDONALD on foot, maintaining a safe distance between himself and MCDONALD, while Officer Thomas GAFFNEY was following MCDONALD in a police vehicle. The third video did not capture any part of this incident.

Recorded video was recovered from two cameras at the Dunkin' Donuts restaurant, at 4113 South Pulaski Road. One of these videos showed the end of this incident, when Officers Jason VAN DYKE and Joseph WALSH stopped their vehicle, exited the vehicle and confronted Laquan MCDONALD. The view in this video is from a distance. The video from the second camera did not capture any part of this incident.

Recorded video was recovered from two cameras from Focal Point, 4141 South Pulaski Road. These videos did not capture any part of this incident.

All of the recovered video was inventoried.

A Major Case Review of this case was conducted at the Illinois State Police Crime Laboratory, on Thursday, 30 October 2014. An Evidence Submission Form was completed per this review.

The assigned personnel became aware of a potential question regarding the integrity of the video recovered from the Burger King restaurant. In an attempt to follow-up on this issue the assigned personnel proceeded to the restaurant on Wednesday, 11 March 2015. Manager, [redacted] was contacted at the restaurant. She stated that the video system at the restaurant had recently been repaired and a new digital video recorder had been installed. [redacted] said that as of this date, 11 of the 16 video ports in the system actually recorded video. This was consistent with the video recovered on the date of this incident. Video was recorded and recovered on 11 of the 16 video ports in the system on that date.

Any additional inquiries regarding the video system at the restaurant were referred to the district manager responsible for that restaurant, [redacted]. He was contacted and related that the day after this incident occurred, personnel from the Independent Police Review Authority, of the City of Chicago, came to the restaurant. They viewed video from the system and took custody of the digital video recorder. The recorder was returned to the restaurant two weeks later. Personnel from the Federal Bureau of Investigation then came to the restaurant and made copies of video from the system. After that some lawyers came to the restaurant with subpoenas to make copies of video from the system. Finally, [redacted] stated that personnel from the Federal Bureau of Investigation had come to the restaurant again, approximately three weeks prior to this interview, and took the digital video recorder. [redacted] did not have any further information regarding the video system.

The assigned personnel also became aware of an article written by [redacted], a professor at the University of Chicago Law School, citing the existence of an unknown witness to this incident. [redacted] was contacted on Thursday, 12 March 2015, in an attempt to interview this witness. [redacted] stated that this witness had already been interviewed by the Independent Police Review Authority and [redacted] did not know if the witness would be willing to be interviewed by the Chicago Police Department. [redacted] said he would contact the witness and provide him with contact information for the assigned personnel.

Based upon all the facts known at this time, and the death of the only offender in this incident, this case is now Exceptionally Cleared Closed / Other Exceptional Clearance - Death of Offender.

The above to-date investigation determined that Laquan MCDONALD was an active assailant who, while armed with a dangerous weapon, used force likely to cause death or serious injury to a private citizen when he attacked [redacted]; threatened the imminent use of force likely to cause death or serious injury when he incised the tire and stabbed the windshield of a Chicago Police Department vehicle occupied by Officer Thomas GAFFNEY; and initiated imminent use of force likely to cause death or serious injury when he initiated an attack on Officers Jason VAN DYKE and Joseph WALSH. The above investigation concluded that Officer Jason VAN DYKE's use of deadly force, the discharging of his duty firearm, was within the bounds of the Chicago Police Department's use of force guidelines, and in conformity with local ordinances and state law.

Based on the above facts, the associated report, under Records Division number HX486155, is now Closed / Non-Criminal.

REPORT OF:

Detective David M MARCH #20563
Sergeant Daniel GALLAGHER #1303
Lieutenant Anthony WOJCIK #481
Bureau of Detectives - Area Central

SUPPLEMENTARY REPORT

CHICAGO POLICE

20 Oct 14 2157

ASSAULT-AGG PO: KNIFE/CUT INSTR 0552 | 4000 S KARLOV | 815

P.O. GAFFNEY # 19958 / P.O. VAN DYKE # 12805 | 9210

342D W 63RD ST | STREET | 304

PROPERTY

1 MONEY	2 JEWELRY	3 FURS	4 CLOTHING	5 OFFICE EQUIPMENT	6 TV, RADIO, STEREO	PROPERTY INVENTORY NOS.
T $ / R	T $ / R	T $ / R	T $ / R	T $ / R	T $ / R	

7 HOUSEHOLD GOODS	8 CONSUM. GOODS	9 FIREARMS	10 NARC. DANGEROUS DRUGS	11 OTHER	12 NONE
T $ / R	T $ / R	T $ / R	T $ / R	T $ / R	T / R

OFFENDERS

13 OFFENDER'S NAME (OR DESCRIBE CLOTHING, ETC.)	14 HOME ADDRESS	15 SEX-RACE CODE	AGE	HEIGHT	WEIGHT	EYES	HAIR	COMPL.
1								
2	SEE ORIGINAL CASE INCIDENT REPORT							

14 C.B. NO.	I.R. NO. Y.D. NO. OR J.D.A. NO.	OFFENDER REL. CODE	C.B. NO.	I.R. NO. Y.D. NO. OR J.D.A. NO.	OFFENDER REL. CODE	15 NO. ARRESTS ADDITIONAL INFO NO.
OFF 1			OFF 2			

16 OFF'S VEHICLE	YEAR	MAKE	BODY STYLE	COLOR	VIN	STATE LICENSE NO.	STATE
USED STOLEN							

NARRATIVE

EVENT# IN SUMMARY: R/S CONTACTED BY CPIC AT 2230, 20 OCT 14 FOR IN CAR CAMERA (ICC) VIDEO RETRIEVAL ON SCENE 4100 S. PULASKI RELATED TO THE ABOVE LISTED INCIDENT. REQUEST WAS FROM AREA CENTRAL DETECTIVE DIVISION SGT D GALLAGHER UPON ARRIVAL BT 813R VEH# 8779; BT 815R VEH# 8486; BT 822 VEH# 8765; BT 845R VEH# 6412; & BT 841R VEH# 8948 WERE SUBJECTS OF ICC VIDEO CHECK/RETRIEVAL. CHECKS OF THESE VEHICLES REVEALED THE LISTED FINDINGS:

BT 813R	VEH# 8779	VIDEO RECORDED PCOZ400@20141020215250
BT 815R	VEH# 8486	OPERATIONAL BUT DUE TO DISC ERROR NO VIDEO RECORDED
BT 822	VEH# 8765	NOT ENGAGED - OFFICER REPORTED POWER ISSUE
BT 845R	VEH# 6412	VIDEO RECOVERED PCOS571@20141020215250
BT 841R	VEH# 8948	NOT ENGAGED - OFFICER REPORTED APPLICATION ERROR

RECOVERED VIDEO MANUALLY UPLOADED AND RETRIEVED 002/ACOD ICC SYSTEM

14K 455653

CONTINUED OTHER SIDE

23 EXTRA COPIES REQUIRED (NO. & RECIPIENT)	31 DATE THIS REPORT SUBMITTED (DAY-MO-YR)	TIME	32 SUPERVISOR APPROVING (PRINT NAME)	STAR NO.
	21 OCT 14			
33 REPORTING OFFICER (PRINT NAME) STAR NO.	34 REPORTING OFFICER (PRINT NAME) STAR NO.		SIGNATURE	
SIGNATURE SGT J BECERRA 1748	SIGNATURE		35 DATE APPROVED (DAY-MO-YR)	TIME

CPD 11.4[illegible] (REV. 8/95) *MUST BE COMPLETED IN ALL CASES

In Car Camera Video Retrieval Work Sheet

Date & Time of Notification: 20 Oct 14 2230 HRS Related HDT# OPS CMD

Requestor: Dsp Citlak McNaughton Tech: Bogvar

Location of response: 4100 S Pulaski

Type of Incident requiring retrieval: Police Involved Shooting - Fatal: Offender

Location of Incident: 4100 S Pulaski Date & Time of Incident 20 Oct 14 21:47

Related RD#, Event#, and/or CR Log#: HX475653

Vehicles to be checked:

813R Veh# 8779 POs PC#: [redacted] Results: [redacted] @20141020 ~~214218~~ 216250 MHDD 30000216

815R Veh# 8489 POs PC#: [redacted] Results:

822 Veh# 8765 POs PC#: [redacted] Results:

845R Veh# 642 POs PC#: [redacted] Results: [redacted] @20141020 ~~214543~~ 215250 out of focus MHDD 00003227

841R Veh# 8948 POs PC#: Results: HDT NO OPEN HDT

List additional Vehicle to be checked and results on back of this form

Note: Any vehicles identified to be checked, will be evaluated for operational readiness as well. Any deficiencies of the ICC System will be noted i.e. MIC(s) are not sync'd; rear camera not working; cannot upload; etc. Actions to rectify the issue should be taken to render the system FULLY FUNCTIONAL!

Notes of work or activities performed:

8779: MICs IN GLOVE BOX PORTABLES INSERTED UPSIDE DOWN
↳ FULLY OP

8489: PROCESSING VIDEOS: EXTREMELY LARGE VIDEO FILES

8765: MICs IN CHARGING CRADLE; NOT SYNC'D TO SYSTEM

642: NO MICs; MIC CHARGER DISCONNECTED

8948

THIS INFORMATION DISCUSSED TO DETECTIVES; DC MCNAUGHTON; & OOS TM.

Tech: DIST SUPERVISORS ON SCENE DURING VIEWING

20 OCt 2014 , HY475653

Becvar, Lance J.

Sent: Friday, July 17, 2015 12:33 PM

To: Lewin, Jonathan H.

Cc: Dziak, Steven E.

Hello Dep Lewin,
Per your request the findings related to the Aggravavted Assault / Police involved Shooting on 20 Oct 2014 Listed under RD# HY 475653:

Findings from thart night-

Veh 8779 Video Recovered Titled PC0Z400@20141020215250, No MICs because they were in the Glove Compartment with the batteries inserted unside down - Disabling them.

Veh 8489 System not engaged because a very long video (like hours long) was made previous to this event/incident and the system was processing that video and unable to start another video.

Veh 8765 System not engaged, officer related no power. There was no open HDT called in on vehicle. MICs not sync'd to system even though they were in the charging cradles.

Veh 6412 Video Recovered Titled PC0S571@20141020215250 view out of focus. Foucsing problem found to be related to a loose cable connection for the camera. No MICs in vehicle and the charging cradles disconnected from power.

Veh 8949 System not engaged, officer reported that there was an application error - Mobile Recorder Start-Up corrupted. No Help Desk Ticket Open for this vehicle.

Sgt Lance Becvar

MobileTech Supervisor

Information Services Division

Chicago Police Department
Cell# 312-446-3305
E-mail: lance.becvar@chicagopolice.org

LEGAL DISCLAIMER: This message, including any attachments, contains confidential information and may be legally privileged. Access to this email by anyone other than the intended recipient is unauthorized. If you are not the intended recipient, any review, disclosure, copying, distribution, retention, or any action or inaction taken in reliance on this information is prohibited and may be unlawful. If you are not the intended recipient, please notify the sender and delete the message, any attachments, and any copies thereof from your system.

Opt-Out: +

HICAGO POLICE DEPARTMENT

ASE SUPPLEMENTARY REPORT

10 S. Michigan Avenue, Chicago, Illinois 60653
use by Chicago Police - Bureau of Investigative Services Personnel Only)

HX475653

Case id : 9825613
Sup ID : 10992767 CASR301

XC. CLEARED CLOSED (OTHER EXCEPTIONAL) | **DETECTIVE SUP. APPROVAL COMPLETE**

Offense Classification/Re-Classification	IUCR Code	Original Offense Classification			IUCR Code
AULT / Aggravated Po:Knife/Cut Instr	**0552**	ASSAULT / Aggravated Po:Knife/Cut Instr			0552
ddress of Occurrence	Beat of Occur	No of Victims	No of Offenders	No of Arrested	SCR No
112 S PULASKI RD	**815**	4	1	1	
ocation Type	Location Code	Secondary Location			Hate Crime?
Street	**304**				NO
ate of Occurrence	Unit Assigned	Date RO Arrived	Fire Related?	Gang Related?	Domestic Related?
20-OCT-2014 21:57	**0841R**	20-OCT-2014 21:57	NO	NO	NO

Reporting Officer	Star No	Approving Supervisor	Star No	Primary Detective Assigned	Star No
MARCH, David	20563	WOJCIK, Anthony	481	MARCH, David	20563
Date Submitted		Date Approved		Assignment Type	
15-MAR-2015 18:26		16-MAR-2015 00:03		FIELD	

THIS IS A FIELD INVESTIGATION EXC. CLEARED CLOSED (OTHER EXCEPTIONAL) REPORT

VICTIM(S) :

GAFFNEY, Thomas J
Male / White / 41 Years
EMPLOYMENT: Chicago Police Officer #19958 Chicago Police Officer
EMPLOYER BUSINESS NME: Chicago Police Department
BUS: 3420 W 63rd St
Chicago IL
312-747-8730

MCELLIGOTT, Joseph P
Male / White / 36 Years
EMPLOYMENT: Chicago Police Officer #18715 Chicago Police Officer
EMPLOYER BUSINESS NME: Chicago Police Department
BUS: 3420 W 63rd St
Chicago IL
312-747-8730

VAN DYKE, Jason D
Male / White / 36 Years
EMPLOYMENT: Chicago Police Officer #9465 Chicago Police Officer
EMPLOYER BUSINESS NME: Chicago Police Department
BUS: 3420 W 63rd St
Chicago IL
312-747-8730

WALSH, Joseph J
Male / White / 45 Years
EMPLOYMENT: Chicago Police Officer #12865 Chicago Police Officer
EMPLOYER BUSINESS NME: Chicago Police Department
BUS: 3420 W 63rd St
Chicago IL

HX475653

312-747-8730

OFFENDER(S): **MCDONALD, Laquan J** -- In Custody --

ALIAS: "Bon-Bon"
Male / Black / 17 Years
DOB: [redacted]
RES: [redacted]
BIRTH PL: Illinois
DESCRIPTION: 6'02,180,Black Hair, Dreadlocks Hair Style, Brown Eyes, Medium Complexion

ITEM USED:
Weapon
DLN/ID: [redacted]
OTHER IDENTIFICATIONS: **Type -** Other Id
State - Unknown

IR #: 2106340
SID #: IL18550721
ORGANIZATION: NEW BREED
RELATIONSHIP OF VICTIM TO OFFENDER:

GAFFNEY, Thomas No Relationship
MCELLIGOTT, Joseph No Relationship
VAN DYKE, Jason No Relationship
WALSH, Joseph No Relationship

GANG INFORMATION:
LISTED CRIMINAL ORGANIZATION: New Breed
GANG IDENTIFIERS: Other

OFFENDER INJURIES: **MCDONALD, Laquan J**

Type	Weapon Used	Weapon Description
Gun Shot Wound	Handgun	Other -Handgun

Injured by Police
Chicago Fire Department Provided First Aid
EXTENT OF INJURY: Multiple Gsw
HOSPITAL REMOVED BY: Cfd Ambulance 21

HOSPITAL: Mt. Sinai
INJURY TREATMENT: Multiple Gsw
PHYSICIAN NAME: Dr Pitzele
INV #: **13296449**

WEAPON(S): **Evidence**

Smith & Wesson -Us- (Bodyguard,Chief Special) , 5942 , 9 , Semi-Automatic Pistol , Semi-Automatic , 4" , Stainless

SERIAL #: [redacted]

MAGAZINE CAPACITY: 15

Number Of Live Rounds present in the Firearm - 15

Number Of Live Rounds used in the Firearm - 16

The Status Of This Firearm is 628361

PROPERTY TYPE: Other

OWNER: Van Dyke, Jason

POSSESSOR/USER: Van Dyke, Jason

PHONE #: 312 - 747 - 8730

LOCATION FOUND: 5101 S Wentworth Ave

VEHICLE INFO:

Truck , 2010 / Chevrolet / Tahoe / Truck

, Victims Vehicle

VIN: 1GNMCAE0XAR263348 **Evidence**

YEAR (RANGE): 2010

COLOR (TOP/BOTTOM): White / White

OWNER: Chicago Police Department

POSSESSOR/USER: Gaffney, Thomas

PHONE#: 312 - 747 - 8730

LOCATION FOUND: 4102 S Pulaski Rd

LICENSE: MP6581, Law Enforcement (City, County, State, Sos), IL

LOCATION OF INCIDENT:

4112 S Pulaski Rd
Chicago IL
304 - Street

DATE & TIME OF INCIDENT: 20-OCT-2014 21:57

WEATHER AND LIGHTING:

WEATHER: Cloudy & Cool

TEMPERATURE: 50s

LIGHTING: Dark / Artificial Light

LIGHTING SOURCE: Streetlights

DISTANCE: Overhead

MOTIVE CODE(S): Interceding In A Felony

CAUSE CODE(S): Dna

METHOD CODE(S): Offender Shot

CAU CODE(S): Police Related Not Con

FIREARM(S) RECOVERED: **INV #: 13296449** **Evidence**

Smith & Wesson -Us- (Bodyguard,Chief Special) , 5942 , 9 , Semi-

Automatic Pistol , Semi-Automatic , 4" , Stainless
SERIAL #: [redacted]
PROPERTY TYPE: Other

OWNER: Van Dyke, Jason
POSSESSOR/USER: Van Dyke, Jason

PHONE #: 312 - 747 - 8730
LOCATION FOUND: 5101 S Wentworth Ave

MAGAZINE CAPACITY: 15
Number Of Live Rounds present in the Firearm - 15
Number Of Live Rounds used in the Firearm - 16

/EHICLE(S) DAMAGED: **Truck , 2010 / Chevrolet / Tahoe / Truck**
VIN: 1GNMCAE0XAR263348 **Evidence**

YEAR - YEAR RANGE END: 2010
COLOR (TOP/BOTTOM): White / White
OWNER: Chicago Police Department
POSSESSOR/USER: Gaffney, Thomas

PHONE#: 312 - 747 - 8730
LOCATION FOUND: 4102 S Pulaski Rd
LICENSE: MP6581, Law Enforcement (City, County, State, Sos), IL

PERSONNEL ASSIGNED:
Detective/Investigator
MARCH, David M # 20563
Reporting Officer
FONTAINE, Dora # 4484 BEAT: 0841R

WITNESS(ES) :
BACERRA, Arturo
Male / White Hispanic / 32 Years
EMPLOYMENT: Chicago Police Officer #15790 Chicago Police Officer
BUS: 3420 W 63rd St
Chicago IL
312-747-8730
[redacted]
Female / White Hispanic / 29 Years
DOB: [redacted]
RES: 5340 Prairie
[redacted]

OTHER COMMUNICATIONS:
Cellular [redacted]
Phone :
[redacted]

Female / White Hispanic / 19 Years

DOB: [redacted]

RES: [redacted]

BUS: [redacted]

DLN/ID: [redacted]

Male / White Hispanic / 18 Years

DOB: [redacted]

RES: [redacted]

OTHER COMMUNICATIONS:

[redacted]
Phone :

DLN/ID: [redacted]

Female / White Hispanic / 24 Years

DOB: [redacted]

RES: [redacted]

EMPLOYMENT: Shift Manager

BUS: [redacted]

OTHER COMMUNICATIONS:

Cellular [redacted]
Phone :

FONTAINE, Dora

Female / White Hispanic / 47 Years

EMPLOYMENT: Chicago Police Officer #4484 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

[redacted]

Male / White Hispanic / 25 Years

DOB: [redacted]

RES: [redacted]

BUS: [redacted]

OTHER COMMUNICATIONS:

Cellular Phone : [redacted]

SSN: [redacted]

[redacted]

Female / White Hispanic / 30 Years

DOB: [redacted]

RES: [redacted]

OTHER COMMUNICATIONS:

Cellular Phone : [redacted]

[redacted]

Male / White Hispanic / 24 Years

DOB: [redacted]

RES: [redacted]

SSN: [redacted]

DLN/ID: [redacted]

MONDRAGON, Janet

Female / White Hispanic / 37 Years

EMPLOYMENT: Chicago Police Officer #4364 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

SEBASTIAN, Daphne L

Female / White / 45 Years

EMPLOYMENT: Chicago Police Officer #2763 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

VELEZ, Leticia

Female / White Hispanic / 43 Years

EMPLOYMENT: Chicago Police Officer #10385 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

VIRAMONTES, Ricardo

Male / White Hispanic / 41 Years

EMPLOYMENT: Chicago Police Officer #10590 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL

312-747-8730

OTHER INDIVIDUALS INVOLVED:

[redacted] (Additional Victim)
Male / White Hispanic / 43 Years
DOB: [redacted]
RES: [redacted]
EMPLOYMENT: Self-Employed Truck Driver
OTHER COMMUNICATIONS:
Cellular Phone : [redacted]
DLN/ID: [redacted] :

[redacted] (Family Member Notified)
Male / Black / 25 Years
DOB: [redacted]
RES: [redacted]
OTHER COMMUNICATIONS:
Other : [redacted]

[redacted] (Person Interviewed Non-Witness)
Female / White Hispanic / 62 Years
DOB: [redacted]
RES: [redacted]
BUS: [redacted]

[redacted] (Person Interviewed Non-Witness)
Female / White Hispanic / 39 Years
DOB: [redacted]
RES: [redacted]
BUS: [redacted]

CRIME CODE SUMMARY: 0552 - Assault - Aggravated Po:Knife/Cut Instr

OTHER ASSOCIATIONS: 0552 - Assault - Aggravated Po:Knife/Cut Instr

GAFFNEY, Thomas, J (Victim)

MCDONALD, Laquan, J	(Offender)
MCELLIGOTT, Joseph, P	(Victim)
MCDONALD, Laquan, J	(Offender)
MCDONALD, Laquan, J	(Offender)
VAN DYKE, Jason, D	(Victim)
MCDONALD, Laquan, J	(Offender)
WALSH, Joseph, J	(Victim)

ICIDENT NOTIFICATIONS:

NOTIFICATION DATE & TIME: 10/20/2014:230700
REQUEST TYPE: Notification
PERSON NAME: ,Sarlo
STAR #: 13131
EMP #:

NOTIFICATION DATE & TIME: 10/20/2014:231400
REQUEST TYPE: Notification
PERSON NAME: ,Jines
STAR #: 4898
EMP #:

NOTIFICATION DATE & TIME: 10/20/2014:215000
REQUEST TYPE: On Scene
PERSON NAME: ,March
STAR #: 20563
EMP #:

NOTIFICATION DATE & TIME: 10/21/2014:225800
REQUEST TYPE: Notification
PERSON NAME: ,Chibe
STAR #: 7303
EMP #:

NOTIFICATION DATE & TIME: 10/20/2014:235000
REQUEST TYPE: Notification
PERSON NAME: ,Briggs
STAR #:
EMP #: 76

REPORT DISTRIBUTIONS: No Distribution

INVESTIGATION:

AREA CENTRAL FIELD INVESTIGATION:

Exceptionally Cleared Closed /
Other Exceptional Clearance - Death of Offender.

The full format for this investigation is contained in the previous Progress - Scene Report.

INVESTIGATION:

The reporting detective was assigned to the immediate follow-up investigation of this police officer involved shooting incident, by Sergeant Daniel GALLAGHER of this command. The reporting detective proceeded to the scene of the incident at 4112 South Pulaski Road. The officer involved in the shooting was located and interviewed at the scene.

VAN DYKE, Jason D -----

stated he was a Chicago Police Officer assigned to the 008th District. He was on duty, in uniform, working on Beat 845R. VAN DYKE was working with Police Officer Joseph WALSH. The two officers were assigned to Chicago Police Department vehicle number 6412, a marked Chevrolet Tahoe, four door sport utility vehicle. WALSH was driving the vehicle and VAN DYKE was the passenger.

The two officers responded to a request for assistance from Beat 815R, regarding a man with a knife, on 40th Street, west of Pulaski Road. A unit equipped with a taser had also been requested. Officer VAN DYKE heard the radio transmission when Officer Thomas GAFFNEY said the man with a knife had "popped" the tire of GAFFNEY's police vehicle. VAN DYKE understood this to mean the subject had slashed the tire with his knife. As Officer WALSH drove westbound on 40th Street from Pulaski, VAN DYKE observed a black male subject, now known as Laquan MCDONALD, running eastbound in the parking lot of the Burger King restaurant on the southwest corner of 40 Street and Pulaski. MCDONALD was holding a knife in his right hand. VAN DYKE saw Police Officer Joseph MCELLIGOTT pursuing MCDONALD on foot. VAN DYKE also saw a civilian who was standing on 40th Street pointing to MCDONALD.

Officer WALSH drove eastbound in the parking lot, in pursuit of MCDONALD, on the north side of the Burger King restaurant building. WALSH used the police vehicle to block MCDONALD from entering the restaurant. MCDONALD ran out onto Pulaski Road and then turned southbound, running toward a Dunkin' Donuts restaurant, on the east side of Pulaski, south of the Burger King. WALSH positioned the police vehicle between MCDONALD and the Dunkin' Donuts to block his path towards that restaurant. When WALSH slowed the police vehicle alongside MCDONALD, Officer VAN DYKE opened the right front door of the vehicle to exit and confront MCDONALD. WALSH told VAN DYKE to stay in the vehicle as they were too close to MCDONALD to safely exit their vehicle. WALSH drove on southbound and stopped the police vehicle ahead of MCDONALD.

Officer VAN DYKE exited the vehicle on the right side and drew his handgun. As VAN DYKE stood in the street on Pulaski, facing northbound, toward MCDONALD, MCDONALD approached southbound. MCDONALD was holding the knife in his right hand, in an underhand grip, with the blade pointed forward. He was swinging the knife in an aggressive, exaggerated manner. VAN DYKE ordered MCDONALD to "Drop the knife!" multiple times. MCDONALD ignored VAN DYKE's verbal direction to drop the knife and continued to advance toward VAN DYKE.

When MCDONALD got to within 10 to 15 feet of Officer VAN DYKE, MCDONALD looked toward

VAN DYKE. MCDONALD raised the knife across his chest and over his shoulder, pointing the knife at VAN DYKE. VAN DYKE believed MCDONALD was attacking VAN DYKE with the knife, and attempting to kill VAN DYKE. In defense of his life, VAN DYKE backpedaled and fired his handgun at MCDONALD, to stop the attack. MCDONALD fell to the ground but continued to move and continued to grasp the knife, refusing to let go of it. VAN DYKE continued to fire his weapon at MCDONALD as MCDONALD was on the ground, as MCDONALD appeared to be attempting to get up, all the while continuing to point the knife at VAN DYKE. The slide on VAN DYKE's pistol locked in the rearward position, indicating the weapon was empty. VAN DYKE performed a tactical reload of his pistol with a new magazine and then assessed the situation.

MCDONALD was no longer moving and the threat had been mitigated, so Officer VAN DYKE and Officer WALSH approached MCDONALD. MCDONALD was still holding the knife in his right hand. VAN DYKE continued to order MCDONALD to "Drop the knife!" Officer WALSH told VAN DYKE, "I have this." VAN DYKE then used his handgun to cover WALSH as WALSH walked up and forcibly kicked the knife out of MCDONALD's right hand, thereby eliminating the threat to the officers.

Officer WALSH then notified the dispatcher on the police radio that shots had been fired by the police. Officer VAN DYKE requested an ambulance for MCDONALD on the radio.

Officer VAN DYKE's weapon was a Smith and Wesson, nine millimeter, semi-automatic pistol, with a 15 round magazine. VAN DYKE said the pistol was fully loaded at the beginning of his tour of duty, with 15 cartridges in the magazine and one cartridge in the firing chamber.

It was noted that the uniform Officer VAN DYKE was wearing consisted of a light blue long sleeve uniform shirt, with shoulder patches; black body armor vest, with patches; navy blue cargo pants; and equipment belt with handgun and radio.

The reporting detective then interviewed Officer VAN DYKE's partner.

WALSH, Joseph J -----

stated he was a Chicago Police Officer assigned to the 008th District. WALSH related the same facts as his partner, Officer Jason VAN DYKE.

WALSH added that as Laquan MCDONALD ran eastbound through the Burger King parking lot, WALSH used the police vehicle he was driving to block MCDONALD from entering the restaurant.

As MCDONALD ran southbound on Pulaski Road, from the Burger King, WALSH pursued MCDONALD in the police vehicle. WALSH drove southbound in the northbound lanes to get ahead of MCDONALD, keeping the police vehicle between MCDONALD and a Dunkin' Donuts restaurant, on the east side of Pulaski. As their vehicle passed MCDONALD, Officer VAN DYKE opened the right front door of their vehicle, to exit the truck and confront MCDONALD. WALSH, realizing that at this point they were too close to the armed MCDONALD to safely exit the vehicle, told VAN DYKE to wait until they got further ahead of MCDONALD. WALSH drove further south on Pulaski. He stopped his vehicle south of MCDONALD and exited the driver's door as VAN DYKE exited the right side of the vehicle. WALSH drew his handgun when he exited the vehicle.

Officer WALSH came around the rear of the police vehicle and joined Officer VAN DYKE on the right side of the vehicle. WALSH also stood in the street on Pulaski, facing northbound, as MCDONALD walked southbound toward the officers. WALSH ordered MCDONALD to "Drop the knife!" multiple times as MCDONALD approached the officers.

Officer WALSH also backed up, attempting to maintain a safe distance between himself and MCDONALD. MCDONALD ignored the verbal direction given by both WALSH and Officer VAN DYKE, and continued to advance toward the officers. When MCDONALD got to within 12 to 15 feet of the officers he swung the knife toward the officers in an aggressive manner. VAN DYKE opened fire with his handgun and MCDONALD fell to the ground. VAN DYKE continued firing his weapon at MCDONALD as MCDONALD continued moving on the ground, attempting to get up, while still armed with the knife.

When the gunfire stopped and MCDONALD was not moving anymore, WALSH approached MCDONALD with VAN DYKE. WALSH continued to order MCDONALD to "Drop the knife!" multiple times, as MCDONALD was still holding the knife in his right hand. WALSH forcibly kicked the knife out of MCDONALD's hand and then notified the dispatcher on the police radio that shots had been fired by the police. An ambulance was also requested for MCDONALD.

As they waited for the ambulance to respond to the scene, Officer WALSH told MCDONALD to "hang in there," and that an ambulance was on the way.

Officer WALSH said he believed MCDONALD was attacking WALSH and Officer VAN DYKE with the knife and attempting to kill them when the shots were fired. WALSH stated he did not fire his handgun because VAN DYKE was in the line of fire between WALSH and MCDONALD. WALSH thought VAN DYKE fired eight or nine shots total.

It was noted that Officer WALSH wore the same uniform configuration as Officer VAN DYKE.

The officers assigned to Beat 815R were interviewed.

GAFFNEY, Thomas J -----

stated he was a Chicago Police Officer assigned to the 008th District. He was on duty, in uniform, working on Beat 815R. GAFFNEY was working with Police Officer Joseph MCELLIGOTT. The two officers were assigned to Chicago Police Department vehicle number 8489, a marked Chevrolet Tahoe, four door sport utility vehicle. GAFFNEY was driving the vehicle and MCELLIGOTT was the passenger.

The officers responded to an assignment of holding an offender for breaking into trucks at 41st Street and Kildare Avenue. Upon arrival at that location they met an Hispanic couple who told the officers a black male subject, wearing a dark shirt, had attempted to break into trucks parked in the parking lot at that location. The couple told the officers the subject had walked off and was last seen walking eastbound on 40th Street from Kildare.

Officer GAFFNEY drove northbound on Kildare to 40th Street. When he turned eastbound onto 40th Street he saw a black male subject wearing dark clothing, walking eastbound on the sidewalk,

on the south side of the street. Officer MCELLIGOTT exited the police vehicle to approach the subject, now known as Laquan MCDONALD. GAFFNEY stayed in the vehicle in case MCDONALD fled. MCELLIGOTT called to MCDONALD and told him to stop but MCDONALD continued walking eastbound, ignoring MCELLIGOTT. MCDONALD's hands were in his pockets as he walked. MCELLIGOTT told MCDONALD to take his hands out of his pockets. MCDONALD took his hands out of his pockets and MCELLIGOTT told GAFFNEY that MCDONALD had a knife. GAFFNEY then saw a silver colored knife in MCDONALD's right hand. GAFFNEY also saw that MCELLIGOTT had his handgun drawn at this point. MCELLIGOTT repeatedly ordered MCDONALD to "Drop the knife," but MCDONALD ignored these directions. As MCDONALD reached Keeler Avenue, GAFFNEY notified the dispatcher on the police radio that they were following a subject with a knife and requested assistance from a unit equipped with a taser.

MCDONALD continued walking eastbound, Officer MCELLIGOTT following on foot and Officer GAFFNEY following in the police vehicle. As MCDONALD approached Karlov Avenue, GAFFNEY turned the Tahoe southbound onto Karlov and stopped, blocking the crosswalk. GAFFNEY said he wanted to stop MCDONALD before he reached Pulaski Road, a business street where more civilians were present. The area where MCDONALD was first observed was industrial in nature with no other civilians present. When GAFFNEY stopped his vehicle in front of MCDONALD, blocking his path, MCDONALD stabbed the right front tire of the Tahoe with his knife, causing the tire to go flat. GAFFNEY immediately informed the radio dispatcher that MCDONALD had "popped" the tire. MCDONALD attempted to walk around the front of the police vehicle and GAFFNEY drove the Tahoe forward a short distance to continue to block MCDONALD's path. MCDONALD then stabbed at the windshield of the Tahoe with the knife, striking the right side of the windshield. MCDONALD then continued walking eastbound from Karlov.

As MCDONALD approached the Burger King restaurant parking lot at 40th Street and Pulaski, assisting police units arrived, approaching westbound on 40th Street from Pulaski. MCDONALD began to run eastbound through the restaurant parking lot, on the north side of the Burger King building. He ran out onto Pulaski and then turned and ran southbound on Pulaski. Beat 845R pursued MCDONALD in their police vehicle, eastbound through the parking lot, over the curb at Pulaski, then southbound on Pulaski. Officer GAFFNEY lost sight of MCDONALD when he turned southbound on Pulaski.

Because of the flat tire on his vehicle, Officer GAFFNEY did not drive over the curb. As he drove around out onto Pulaski, GAFFNEY heard multiple gunshots in rapid succession. He did not see who was shooting. When he reached Pulaski MCDONALD was lying on the ground.

It was noted that Officer GAFFNEY wore the same uniform configuration as Officer VAN DYKE with the addition of the uniform baseball style cap with embroidered patch.

MCELLIGOTT, Joseph P -----

stated he was a Chicago Police Officer assigned to the 008th District. MCELLIGOTT related the same facts as his partner, Officer Thomas GAFFNEY.

Officer MCELLIGOTT added that after he exited the police vehicle, when Laquan MCDONALD took his hands out of his pockets and MCELLIGOTT saw MCDONALD holding a knife in his right

hand, MCELLIGOTT drew his handgun. He repeatedly ordered MCDONALD to "Drop the knife." MCDONALD ignored MCELLIGOTT's directions and continued to walk eastbound on 40th Street. MCELLIGOTT followed MCDONALD on foot, maintaining a safe distance between himself and the armed MCDONALD.

Officer MCELLIGOTT heard Officer GAFFNEY request assistance and a unit with a taser over the police radio. GAFFNEY attempted to use the police vehicle to block MCDONALD from continuing on toward the Burger King restaurant at Pulaski Road. At this point MCDONALD stabbed the right front tire and the windshield of the police vehicle. MCELLIGOTT began to hear the sirens of approaching assisting police units and MCDONALD began to run toward the Burger King restaurant.

When MCDONALD ran eastbound through the parking lot of the Burger King, Officer MCELLIGOTT ran after MCDONALD in pursuit. MCELLIGOTT ran out into the middle of Pulaski Road in pursuit of MCDONALD. MCELLIGOTT heard multiple gunshots but did not see who fired the shots. The gunfire was continuous, one shot after another. MCELLIGOTT then saw MCDONALD lying on the ground. MCELLIGOTT saw Officer Joseph WALSH kick the knife out of MCDONALD's hand.

It was noted that Officer MCELLIGOTT wore the same uniform configuration as Officer VAN DYKE.

Other officers who responded to this incident were also interviewed.

SEBASTIAN, Daphne L —

stated she was a Chicago Police Officer assigned to the 008th District. She was on duty, in uniform, working on Beat 813R. SEBASTIAN was working with Police Officer Janet MONDRAGON. The two officers were assigned to a marked vehicle. MONDRAGON was driving the vehicle and SEBASTIAN was the passenger.

The two officers responded to the request for assistance made by Beat 815R, regarding a subject with a knife. Officer SEBASTIAN thought the original call for assistance was at 40th Street and Keeler Avenue. The subject had punctured a tire on the police vehicle of Beat 815R. Officer MONDRAGON drove northbound on Pulaski Road, following Beat 845R, as they also responded to the request for assistance. MONDRAGON turned westbound onto 40th Street, behind Beat 845R.

Officer SEBASTIAN observed a black male subject, now known as Laquan MCDONALD, running southeast bound through the parking lot of the Burger King restaurant. Beat 845R pursued MCDONALD in their police vehicle, through the parking lot, toward Pulaski. SEBASTIAN told Officer MONDRAGON to drive back out onto Pulaski to assist in the pursuit. MCDONALD ran out onto Pulaski and continued to run southbound down the middle of the street. Beat 845R pursued MCDONALD in their vehicle, southbound on Pulaski, followed by Beat 813R. As MCDONALD ran southbound on Pulaski, SEBASTIAN saw the knife in his right hand. MCDONALD was waving the knife.

Beat 845R stopped their vehicle ahead of MCDONALD, between MCDONALD and the Dunkin'

Donuts restaurant on the east side of Pulaski. Officers Joseph WALSH and Jason VAN DYKE exited their vehicle and drew their handguns. MCDONALD turned toward the two officers and continued to wave the knife. Sebastian heard the officers repeatedly order MCDONALD to "Drop the knife!" MCDONALD ignored the verbal directions and continued to advance on the officers, waving the knife. Officer SEBASTIAN heard multiple gunshots and MCDONALD fell to the ground, where he continued to move. SEBASTIAN did not know who fired the shots, which were fired in one continuous group. She then saw Officer WALSH kick the knife out of MCDONALD's hand.

MONDRAGON, Janet -----

stated she was a Chicago Police Officer assigned to the 008th District. MONDRAGON related the same facts as her partner, Officer Daphne SEBASTIAN.

Officer MONDRAGON added that as she drove westbound on 40th Street, she saw Officer MCELLIGOTT running eastbound through the Burger King parking lot. She made a U-turn and drove back out onto Pulaski Road. MONDRAGON turned southbound onto Pulaski. She saw Laquan MCDONALD running southbound on Pulaski, in the middle of the street. As she got closer she could see MCDONALD was holding a knife in his right hand. He was waving the knife.

Officer MONDRAGON saw Officers Joseph WALSH and Jason VAN DYKE outside of their police vehicle. She heard the officers repeatedly ordering MCDONALD to "Drop the knife!" as MCDONALD got closer and closer to the officers, continuing to wave the knife. As she was placing her vehicle transmission into Park, MONDRAGON looked down and heard multiple, continuous gunshots, without pause. MONDRAGON then saw MCDONALD fall to the ground. MONDRAGON did not know who fired the shots.

BACERRA, Arturo -----

stated he was a Chicago Police Officer assigned to the 008th District. He was on duty, in uniform, working on Beat 822. BACERRA was working with Police Officer Leticia VELEZ. The two officers were assigned to a marked vehicle. BACERRA was driving the vehicle and VELEZ was the passenger.

Officer BACERRA and his partner responded to the request for assistance made by Beat 815R, regarding a subject who was armed with a knife. BACERRA was driving northbound on Pulaski Road from 47th Street. As he approached the scene of this incident, at 4112 South Pulaski, he observed a black male subject, now known as Laquan MCDONALD, in the middle of the street, flailing his arms. As he got closer, BACERRA observed MCDONALD to be holding a knife in his right hand. BACERRA drove past MCDONALD, with MCDONALD on the left side of the police vehicle, as Beat 845R drove past BACERRA, on the right side of his vehicle, travelling southbound. As BACERRA began to make a U-turn, he heard multiple gunshots. He then saw MCDONALD lying on the ground. BACERRA did not see who fired the shots.

VELEZ, Leticia -----

stated she was a Chicago Police Officer assigned to the 008th District. VELEZ related the same facts as her partner, Officer Arturo BACERRA.

Officer VELEZ added that as they approached the scene she observed Laquan MCDONALD standing in the middle of the street, holding a shiny object in his right hand. She saw him waving the object in the air. Officer BACERRA drove past MCDONALD and began to make a U-turn, when VELEZ heard multiple gunshots, without pause or delay. She then saw MCDONALD fall to the ground. VELEZ did not see who fired the shots. She did see an unknown officer kick the knife from MCDONALD's hand after he was down on the ground.

FONTAINE, Dora -----

stated she was a Chicago Police Officer assigned to the 008th District. She was on duty, in uniform, working on Beat 841R. FONTAINE was working with Police Officer Ricardo VIRAMONTES. The two officers were assigned to a marked vehicle. VIRAMONTES was driving the vehicle and FONTAINE was the passenger.

The two officers responded to the request for assistance made by Beat 815R, regarding a man with a knife at 41st Street and Pulaski Road. Officer VIRAMONTES drove northbound on Pulaski. When they arrived at the scene of this incident, in front of the Dunkin' Donuts restaurant, Officer FONTAINE saw a black male subject, now known as Laquan MCDONALD, walking southbound in the street, with a knife in his right hand. MCDONALD was walking sideways, with his body facing east, toward Officers Jason VAN DYKE and Joseph WALSH. These two officers were standing in the middle of the street, on the right side of their police vehicle, which was facing southbound. FONTAINE heard the officers repeatedly order MCDONALD to "Drop the knife!" MCDONALD ignored the verbal direction and instead, raised his right arm toward Officer VAN DYKE, as if attacking VAN DYKE. At this time VAN DYKE fired multiple shots from his handgun, until MCDONALD fell to the ground and stopped moving his right arm and hand, which still grasped the knife. The gunshots were rapid fire, without pause. Officer WALSH then kicked the knife out of MCDONALD's hand.

VIRAMONTES, Ricardo -----

stated he was a Chicago Police Officer assigned to the 008th District. VIRAMONTES related the same facts as his partner, Officer Dora FONTAINE.

Officer VIRAMONTES added that when he exited his police vehicle, at the scene, he observed a black male subject, now known as Laquan MCDONALD, walking southbound on Pulaski Road, in the middle of the street, holding a knife in his right hand. VIRAMONTES heard Officer Jason VAN DYKE repeatedly order MCDONALD to "Drop the knife!" MCDONALD ignored the verbal direction and turned toward VAN DYKE and his partner, Officer Joseph WALSH. At this time VAN DYKE fired multiple shots from his handgun. MCDONALD fell to the ground but continued to move, attempting to get back up, with the knife still in his hand. VAN DYKE fired his weapon at MCDONALD continuously, until MCDONALD was no longer moving.

The scene of this incident, at 4112 South Pulaski Road, was observed to be a wide commercial street with traffic traveling north and south. There were two traffic lanes and a curb lane in each direction. A wide median separated the northbound and southbound traffic lanes. The scene was just south of the intersection of Pulaski and 41st Street. This was a "T" intersection with 41st Street extending east from Pulaski. In the center median was a left turn lane for northbound traffic

turning west onto 40th Street, further to the north. The Pulaski median was level with the traffic lanes and was striped with yellow paint.

On the west side of Pulaski was a large vacant lot. North of the vacant lot, on the southwest corner of 40th Street and Pulaski, was a Burger King restaurant. On the east side of the street was a Dunkin Donuts restaurant.

The weather was cloudy and cool with the temperature in the 50s. It was dark with good artificial light provided by overhead streetlights. All of the lights were on and functioning normally. There was also artificial light provided by the lighting of the nearby businesses.

In the northbound left turn lane, Chicago Police Department vehicle number 6412, assigned to Beat 845R, was sitting, facing southeast. The vehicle was a marked Chevrolet Tahoe, four door sport utility vehicle. The right front door of the vehicle was open.

In the southbound traffic lanes, in the right lane, a metal folding pocket knife was lying on the pavement. The blade was in the open position. The overall length of the knife was seven inches, with a three inch blade. The knife was in line with the front end of the vehicle of Beat 845R. Just north of the knife were two pools of blood on the pavement. Five metal bullet fragments were lying on the pavement near the blood. North of the blood, scattered in a diagonal pattern from southwest to northeast, across both southbound traffic lanes and the northbound left turn lane, were 16, nine millimeter caliber cartridge cases, lying on the pavement.

Chicago Police Department vehicle number 8489, assigned to Beat 815R, was sitting at the west curb at 4102 South Pulaski. The right front tire of the vehicle was flat, with a large puncture to the sidewall of the tire. The right side of the windshield was scratched from being struck by Laquan MCDONALD's knife.

Mobile Crime Lab Beat 5802 responded to the scene. Video and photographs were taken of the scene. The knife and firearms evidence was collected from the street, as were swabs of the blood. The right front wheel and tire of Chicago Police Department vehicle number 8489 was also recovered. The right front quarter panel of vehicle number 8489 was processed for fingerprints and four ridge impressions were recovered.

A canvass was conducted of the area near the scene of this incident in an attempt to identify and locate witnesses. A number of people were interviewed.

[redacted] -----

stated she was [redacted] at the Burger King restaurant. At approximately 21:55 hours [redacted] observed police officers chasing a black male subject, now known as Laquan MCDONALD, through the parking lot, on the north side of the restaurant building. The officers chased MCDONALD southbound down Pulaski Road, toward the Dunkin' Donuts restaurant. [redacted] then heard multiple gunshots and dove to the ground.

[redacted] permitted access to the Burger King video system. No video of this incident was recorded. The system was not recording at that time. The system was activated and video was

recovered from the system from earlier in the day, showing the view of each of the cameras in the system. It was noted that none of these camera views showed the area of the scene where the confrontation between Laquan MCDONALD and Police Officers Jason VAN DYKE and Joseph WALSH occurred, on Pulaski Road, south of the Burger King restaurant. If the system had been recording at the time of this incident, it would not have recorded any footage of that confrontation.

[redacted] -----

stated he was at the Burger King restaurant, waiting for his girlfriend, [redacted], who was working at the drive-thru window. [redacted] observed a "young black dude" with his hair in dreadlocks, now known as Laquan MCDONALD, running through the parking lot of the restaurant. He was being pursued by police officers. MCDONALD was holding his pants like he might have had a gun or something. MCDONALD then ran southbound on the sidewalk and then out into the street on Pulaski Road. [redacted] last saw MCDONALD running towards the middle of the intersection of 41st Street and Pulaski. MCDONALD appeared confused. [redacted] then turned his attention back to his girlfriend at the drive-thru window. He did not witness the shooting.

[redacted] -----

stated she was working at [redacted] of the Burger King restaurant. She observed a male subject, now known as Laquan MCDONALD, running from the restaurant parking lot, southbound on Pulaski Road, toward the Dunkin' Donuts restaurant. [redacted] heard multiple gunshots and then saw that MCDONALD was lying in the street.

[redacted] -----

stated she was [redacted] of the Burger King restaurant. She did not see or hear anything.

[redacted] -----

stated she was [redacted] of the Burger King restaurant. She did not see or hear anything.

Laquan MCDONALD had been transported to Mount Sinai Hospital by Chicago Fire Department Ambulance 21. He sustained multiple gunshot wounds as documented in the format of this investigation. MCDONALD was treated for his injuries in the emergency room. He succumbed to his wounds and was subsequently pronounced dead by Doctor PITZELE, at 22:42 hours.

Registered Nurse [redacted], recovered three metal bullet fragments from MCDONALD and turned these over to Detective William JOHNSON. These were subsequently turned over to Mobile Crime Lab Beat 5802, who also recovered metal fragments from MCDONALD's sweater.

The reporting detective had learned of the death of Laquan MCDONALD while still at the scene of this incident. The Office of the Medical Examiner of Cook County was notified of MCDONALD's death, and Investigator BRIGGS assigned Medical Examiner's case number 2014 - 01071 to this case.

In the Bureau of Detectives - Area Central office, Evidence Technician Beat 5824 recovered Office Jason VAN DYKE's handgun, a Smith and Wesson, Model 5942, nine millimeter caliber, semi-automatic pistol. The weapon was loaded with one cartridge in the firing chamber and 14 cartridges in the magazine, when recovered.

Beat 5824 took photographs of Officers Jason VAN DYKE, Joseph WALSH, Thomas GAFFNEY and Joseph MCELLIGOTT. Elimination prints, including palm prints, were also taken from Officers GAFFNEY and MCELLIGOTT.

Officer Jason VAN DYKE was re-interviewed for additional detail, in the Area Central office.

VAN DYKE, Jason D ----

related the same sequence of events as documented in his original interview at the scene of this incident.

VAN DYKE additionally articulated the reasoning behind his decision to use deadly force against the offender in this incident, Laquan MCDONALD. VAN DYKE was aware of the radio transmissions from Officer Thomas GAFFNEY, on Beat 815R, that MCDONALD was armed with a knife. VAN DYKE was aware that MCDONALD had attacked the officers on Beat 815R by slashing the tire of their police vehicle.

As he confronted MCDONALD at 4112 South Pulaski Road, VAN DYKE saw that MCDONALD was in fact, armed with a knife, a deadly weapon. VAN DYKE was aware of the widely accepted teaching in law enforcement that an assailant armed with a knife was considered a deadly threat, if within 21 feet, because it was possible for such an assailant to close that distance and attack with the knife before a defensive shot could be fired from a handgun. VAN DYKE was also aware of the existence of throwing knives, which can be thrown from a distance, as well as spring loaded knives, which propel a blade through the air from the knife handle. VAN DYKE also said he recalled a previously issued Chicago Police Department bulletin warning of a weapon which appeared to be a knife but which actually was capable of firing a bullet, making it a firearm.

Subsequently, a search was conducted of the Chicago Police Department, Automated Message Center, to find the bulletin Officer Jason VAN DYKE remembered, regarding the weapon that appeared to be a knife, but was actually a firearm. This bulletin was issued on 04 December 2012. It was Officer Safety Alert number 2012-OSA-297. It was a warning regarding a "revolver knife" which was capable of firing .22 caliber cartridges.

Three witnesses had been transported into the Area Central office from the scene and were interviewed.

[redacted]----

stated she was in the Burger King restaurant parking lot. She saw a subject, now known as Laquan MCDONALD, running southbound on Pulaski Road. [redacted] saw many police officers on the street. She was trying to get her cellular telephone to work, to record video. [redacted] heard eight gunshots fired continuously. She did not see who fired the shots. [redacted] then saw

a police officer pointing a handgun at MCDONALD as he was lying on the ground.

With her permission, [redacted]' telephone was examined for any recorded video footage with negative results.

[redacted]-----

stated he was at the Burger King restaurant drive-thru with [redacted]. He saw a black male subject, now known as Laquan MCDONALD, running from the trucks parked at the rear of the restaurant parking lot. MCDONALD ran eastbound in the parking lot, on the north side of the Burger King building. A police officer was chasing MCDONALD on foot, eastbound through the parking lot, then southbound on Pulaski Road. A Chicago Police Department, Chevrolet Tahoe sport utility vehicle pulled up on Pulaski. MCDONALD ran toward the police vehicle. A police officer exited the vehicle and fired multiple shots from a handgun at MCDONALD. [redacted] thought there was video footage of the incident recorded on [redacted] cellular telephone. As documented in the previous interview of [redacted], her telephone was examined with negative results.

[redacted]-----

stated he was sitting in a truck, parked in the Burger King restaurant parking lot, on the south side of the restaurant building. He was completing some logs. [redacted] observed a black male subject, now known as Laquan MCDONALD, running southbound on Pulaski Road. The police were pursuing MCDONALD. [redacted] heard approximately three gunshots. He did not see who fired the shots. [redacted] exited the cab of his truck and climbed up on top of it. He saw a Chicago Police Department, Chevrolet Tahoe sport utility vehicle, and many police officers on Pulaski Road.

[redacted] insisted on leaving the Area Central office after their initial interviews, and they were transported as they requested.

Sergeant Lance BECVAR responded to the scene and subsequently to the Area Central office. He was able to recover video of this incident from the vehicles assigned to Beats 845R and 813R. This video was uploaded into the system. The reporting detective submitted a request for copies of these two videos which were subsequently inventoried. The reporting detective also requested that the videos be permanently retained. No video of this incident was recovered from the vehicles assigned to Beats 815R, 822 and 841R.

The recovered in-car camera video from Beats 845R and 813R was viewed and found to be consistent with the accounts of all of the witnesses. The video from Beat 813R showed that at the time Officer Jason VAN DYKE fired his handgun at Laquan MCDONALD, VAN DYKE was standing near the east edge of the southbound traffic lanes of Pulaski Road, and MCDONALD was near the lane marking separating the two southbound traffic lanes. The two were separated by the width of one traffic lane. The width of this traffic lane was approximately ten feet.

Recordings of the original 9-1-1 call and the radio transmissions over the Chicago Police Department, Zone 6 radio frequency were obtained from the Office of Emergency Management

and Communication. The recordings were reviewed and subsequently inventoried.

In the 9-1-1 call, a caller who identified himself as [redacted] stated that he was holding a guy for stealing radios from trucks in a trucking yard.

The recorded radio transmissions were consistent with the statements of the police officers involved in this incident. It was determined from the radio transmissions, that the entire interaction of the involved police officers, with Laquan MCDONALD, from the time Beat 815R notified the radio dispatcher that they had made contact with him, and that he was armed with a knife, until Beat 845R notified the dispatcher that shots had been fired by the police, lasted more than four minutes.

The criminal history of Laquan MCDONALD was reviewed. [redacted]

Additionally, there were two documented incidents, under Records Division numbers HS640983 and HT106389, on 01 December 2010 and 05 January 2011. In these incidents officials at the [redacted], elementary school, called the police because of the violent behavior of Laquan MCDONALD. The reports indicated that MCDONALD was a special education student at the school and that this had become a pattern of behavior for MCDONALD. The school officials indicated that MCDONALD had behavioral problems and anger issues. In both incidents MCDONALD was transported to [redacted] for evaluation and treatment.

The family of Laquan MCDONALD was located and notified of his death.

[redacted] -----

stated he was an uncle of Laquan MCDONALD. MCDONALD was living with JOHNSON while MCDONALD "worked out his problems." [redacted] said that MCDONALD attended [redacted] school but was currently suspended. MCDONALD suffered from "hypertension" but refused to take any medication. He stopped taking his prescribed medication approximately two years prior because he said it made him "freak out."

[redacted] last saw MCDONALD on Saturday, 18 October 2014, at approximately 13:00 hours, when MCDONALD left the apartment. He had not been back since. MCDONALD had rung the doorbell earlier in the day on 20 October 2014. [redacted] said they "buzzed" MCDONALD into the building but he never came up to the apartment.

[redacted] had no idea why MCDONALD would be in the area of 41st Street and Pulaski Road. JOHNSON said he would attempt to notify MCDONALD's mother, [redacted].

On Tuesday, 21 October 2014, [redacted] of the 9-1-1 caller, [redacted]" was located and interviewed.

[redacted] -----

stated she was with [redacted], parking a truck in the lot at 41st Street and Kildare Avenue. She saw a black male subject, now known as Laquan MCDONALD, attempting to steal property from vehicles parked in the lot. [redacted] confronted MCDONALD and told him to leave the lot. [redacted] said that MCDONALD did not say anything, but instead, he was "growling" and making strange noises. [redacted] again told MCDONALD to leave the lot and MCDONALD pulled out a knife. MCDONALD swung the knife at [redacted] attempting to cut him. [redacted] had already called 9-1-1 so he backed up and threw his cellular telephone at MCDONALD. MCDONALD then ran from the lot. He ran northbound on Kildare, then eastbound on 40th Street.

[redacted] described MCDONALD as a black male, with his hair in braids. He was wearing a black hood and blue jeans. [redacted] viewed a photograph of Laquan MCDONALD and identified him as the subject in the lot, who had been attempting to steal property from vehicles parked in the lot, and who subsequently threatened [redacted] with a knife, when [redacted] confronted MCDONALD.

On Wednesday, 22 October 2014, the 9-1-1 caller was interviewed.

[redacted] -----

related the same facts as [redacted]. [redacted] re-iterated that Laquan MCDONALD swung his knife at [redacted], attempting to cut him. [redacted] stated he was the person who called 9-1-1 regarding this incident.

A canvass was conducted of the area near the scene of this incident for any recorded video.

There were no Police Observation Devices, or other City of Chicago video cameras in the area.

Recorded video was recovered from three cameras on the exterior of the building housing the Greater Chicago Food Depository, at 4100 West Ann Lurie Place. Two of these videos showed two different views of Laquan MCDONALD walking eastbound on the sidewalk, on the south side of 40th Street, between Keeler and Karlov Avenues. Officer Joseph MCELLIGOTT was following MCDONALD on foot, maintaining a safe distance between himself and MCDONALD, while Officer Thomas GAFFNEY was following MCDONALD in a police vehicle. The third video did not capture any part of this incident.

Recorded video was recovered from two cameras at the Dunkin' Donuts restaurant, at 4113 South Pulaski Road. One of these videos showed the end of this incident, when Officers Jason VAN DYKE and Joseph WALSH stopped their vehicle, exited the vehicle and confronted Laquan MCDONALD. The view in this video is from a distance. The video from the second camera did not capture any part of this incident.

Recorded video was recovered from two cameras from Focal Point, 4141 South Pulaski Road. These videos did not capture any part of this incident.

All of the recovered video was inventoried.

A Major Case Review of this case was conducted at the Illinois State Police Crime Laboratory, on Thursday, 30 October 2014. An Evidence Submission Form was completed per this review.

The assigned personnel became aware of a potential question regarding the integrity of the video recovered from the Burger King restaurant. In an attempt to follow-up on this issue the assigned personnel proceeded to the restaurant on Wednesday, 11 March 2015. Manager, [redacted] was contacted at the restaurant. She stated that the video system at the restaurant had recently been repaired and a new digital video recorder had been installed. [redacted] said that as of this date, 11 of the 16 video ports in the system actually recorded video. This was consistent with the video recovered on the date of this incident. Video was recorded and recovered on 11 of the 16 video ports in the system on that date.

Any additional inquiries regarding the video system at the restaurant were referred to the district manager responsible for that restaurant, [redacted]. He was contacted and related that the day after this incident occurred, personnel from the Independent Police Review Authority, of the City of Chicago, came to the restaurant. They viewed video from the system and took custody of the digital video recorder. The recorder was returned to the restaurant two weeks later. Personnel from the Federal Bureau of Investigation then came to the restaurant and made copies of video from the system. After that some lawyers came to the restaurant with subpoenas to make copies of video from the system. Finally, [redacted] stated that personnel from the Federal Bureau of Investigation had come to the restaurant again, approximately three weeks prior to this interview, and took the digital video recorder. [redacted] did not have any further information regarding the video system.

The assigned personnel also became aware of an article written by [redacted], a professor at the University of Chicago Law School, citing the existence of an unknown witness to this incident. [redacted] was contacted on Thursday, 12 March 2015, in an attempt to interview this witness. [redacted] stated that this witness had already been interviewed by the Independent Police Review Authority and [redacted] did not know if the witness would be willing to be interviewed by the Chicago Police Department. [redacted] said he would contact the witness and provide him with contact information for the assigned personnel.

Based upon all the facts known at this time, and the death of the only offender in this incident, this case is now Exceptionally Cleared Closed / Other Exceptional Clearance - Death of Offender.

The above to-date investigation determined that Laquan MCDONALD was an active assailant who, while armed with a dangerous weapon, used force likely to cause death or serious injury to a private citizen when he attacked [redacted]; threatened the imminent use of force likely to cause death or serious injury when he incised the tire and stabbed the windshield of a Chicago Police Department vehicle occupied by Officer Thomas GAFFNEY; and initiated imminent use of force likely to cause death or serious injury when he initiated an attack on Officers Jason VAN DYKE and Joseph WALSH. The above investigation concluded that Officer Jason VAN DYKE's use of deadly force, the discharging of his duty firearm, was within the bounds of the Chicago Police Department's use of force guidelines, and in conformity with local ordinances and state law.

Based on the above facts, the associated report, under Records Division number HX486155, is now Closed / Non-Criminal.

REPORT OF:

Detective David M MARCH #20563
Sergeant Daniel GALLAGHER #1303
Lieutenant Anthony WOJCIK #481
Bureau of Detectives - Area Central

OFFICER'S BATTERY REPORT
CHICAGO POLICE DEPARTMENT

RD NO. HX475653

INSTRUCTIONS: This form is to be completed for all incidents when: (1) a sworn member is the victim of a murder, aggravated battery, battery, aggravated assault, or assault while performing a police function either on-duty or off-duty, (2) a detention aide is the victim of a murder, aggravated battery, battery, aggravated assault, or assault while in the performance of his or her duties.

"X APPLICABLE BOXES"

OFFICER INFORMATION

NAME (LAST - FIRST - M.I.): VAN DYKE, JASON D

STAR NO.	POSITION
9465	POLICE OFFICER
DATE OF APPOINTMENT: 25-JUN-2001	EMPLOYEE NO.: [redacted]
UNIT OF ASSIGNMENT: 008	BEAT/CALL NO.: 0845R

SEX: [X] 1. M [ ] 2. F | RACE: WHITE | DOB: [redacted]

HEIGHT: 602 | WEIGHT: 180

TYPE OF ASSIGNMENT WHEN BATTERY OCCURRED

[X] 1. ON DUTY
- [X] A. UNIFORM, PATROL DUTY
- [ ] B. UNIFORM, OTHER DUTY
  - Describe _____
- [ ] C. CITIZEN'S DRESS
- [ ] D. TACTICAL
- [ ] E. B.I.S. UNIT
- [ ] F. SPECIAL EMPLOYMENT
- [ ] G. OTHER _____

[ ] 2. OFF DUTY

[ ] 3. SPECIAL EMPLOYMENT

[ ] 4. SECONDARY / OTHER

WORKING:
- [ ] A. ALONE
- [X] B. WITH ONE PARTNER
- [ ] C. WITH MULTIPLE PARTNERS
  - How many? _____

PATROL TYPE:
- [X] A. SQUAD CAR
- [ ] B. FOOT
- [ ] C. BICYCLE
- [ ] D. APV/MOTORCYCLE
- [ ] E. SQUADROL
- [ ] F. OTHER _____

TYPE OF ACTIVITY

- [ ] A. AMBUSH -NO WARNING
- [ ] B. TRAFFIC STOP/PURSUIT
- [ ] C. INVESTIGATING SUSPICIOUS PERSON
- [ ] D. DISTURBANCE - DOMESTIC
- [ ] E. DISTURBANCE - MENTAL PATIENT
- [ ] F. DISTURBANCE - RIOT/MOB ACTION/CIVIL DISORDER
- [ ] G. DISTURBANCE - OTHER
- [ ] H. MAN WITH A GUN
- [ ] I. PURSUING/ARRESTING OFFENDER (Specify)
  - CHARGE _____ IUCR CODE _____
- [ ] J. PROCESSING/TRANSPORTING/GUARDING A PRISONER (Specify)
  - ORIGINAL CHARGE _____ ORIGINAL IUCR CODE _____
- [X] K. OTHER

TYPE OF INJURY TO OFFICER

- [ ] A. FATAL
- [ ] B. NON-FATAL - MAJOR INJURY (Broken Bones/Serious Lacerations/ Internal Injuries)
- [ ] C. NON-FATAL - MINOR INJURY (Bruises/Swelling/Minor Abrasions)
- [X] D. NONE APPARENT/NONE

LIGHTING CONDITIONS AT INCIDENT

- [ ] A. DAYLIGHT
- [ ] B. NIGHT
- [ ] C. DAWN
- [ ] D. DUSK
- [X] E. ARTIFICIAL LIGHT
  - [ ] 1. POOR
  - [X] 2. GOOD

INCIDENT INFORMATION

[ ] 1. INDOOR [X] 2. OUTDOOR

ADDRESS OF OCCURRENCE: 4112 S PULASKI RD

CITY: [X] CHICAGO [ ] | STATE (If outside Chicago):

LOCATION CODE: 304-STREET | BEAT OF OCCURRENCE: 0815

DATE OF OCCURRENCE: 20-OCT-2014 | TIME: 21:57:00 | DAY OF WEEK: MONDAY

NO. OF OFFICERS BATTERED: 3

WERE THERE ASSISTING UNITS ON SCENE? 1. [X] YES 2. [ ] NO

IF YES HOW MANY ASSISTING OFFICERS WERE PRESENT AT TIME BATTERY (EXCLUDING YOU OR YOUR PARTNERS) ? 8

MANNER OF ATTACK

- [ ] 01. SHOT
- [ ] 02. SHOT AT
- [X] 03. STABBED/CUT (INCLUDING ACTUAL ATTEMPT)
- [ ] 04. STRUCK/BLUNT FORCE (INCLUDING ACTUAL ATTEMPT)
- [ ] 05. OTHER (INCLUDING VERBAL THREATS)

TYPE OF WEAPON/THREAT

(Check all that apply):

- [ ] A. FIREARM CALIBER _____
  - [ ] 1. REVOLVER
  - [ ] 2. SEMI-AUTOMATIC
  - [ ] 3. RIFLE
  - [ ] 4. SHOTGUN
- [ ] B. VEHICLE
  - [ ] 1. OFFICER STRUCK WITH VEHICLE
  - [ ] 2. ATTEMPTED TO STRIKE OFFICER WITH VEHICLE
- [X] C. KNIFE/OTHER CUTTING INSTRUMENT
- [ ] D. HANDS/FISTS
- [ ] E. FEET
- [ ] F. MOUTH (SPIT, BITE, ETC.)
- [ ] G. VERBAL THREAT (ASSAULT)
- [X] H. OTHER (SPECIFY) /SWINGING KNIFE
- [ ] I. BLUNT INSTRUMENT

FIREARM USE INFORMATION (Check all that apply):

- [ ] A. OFFICER AT GUNPOINT
- [ ] B. OFFICER'S OWN WEAPON OBTAINED
- [ ] C. ATTEMPTED TO OBTAIN OFFICER'S OWN WEAPON

OFFENDER INFORMATION

SEX: [X] 1. M [ ] 2. F | RACE: BLACK | DOB: 25-SEP-1997

CB NO. | IR NO.

WAS THE OFFENDER'S ACTIVITY:

DRUG RELATED?
- [ ] 1. YES
- [ ] 2. NO
- [X] 3. UNKNOWN

GANG RELATED?
- [ ] 1. YES
- [ ] 2. NO
- [X] 3. UNKNOWN

NO. OF OFFENDERS PRESENT? 1

WEATHER CONDITIONS

- [X] A. CLEAR
- [ ] B. RAIN
- [ ] C. SNOW
- [ ] D. FOG / SMOKE / HAZE
- [ ] E. SLEET / HAIL
- [ ] F. SEVERE CROSS WIND
- [ ] G. OTHER

APPROXIMATE OUTDOOR TEMPERATURE: 50 °F

CPD-11.451 (REV. 1/04)

Unusual Circumstances Regarding Officer Control Tactics and Safety: (If you need more space use additional sheets).

OFFENDER'S ACTIONS WERE UNPROVOKED.

REPORTING MEMBER - SIGNATURE	STAR NO.	WATCH COMMANDER /UNIT COMMANDING OFFICER- SIGNATURE	STAR NO.
VAN DYKE, JASON D	9465	MC NAUGHTON, DAVID R	120

CPD-11.451 (REV. 1/04)

TACTICAL RESPONSE REPORT/Chicago Police Department

MEMBER INVOLVED

1. DATE OF INCIDENT	TIME	2. ADDRESS OF OCCURRENCE	3. LOCATION CODE	4. BEAT/OCCUR
20-OCT-2014	21:57:00	4112 S PULASKI RD CHICAGO, IL 60632	304	0815

5. POSITION	6. LAST NAME	7. FIRST NAME	8. STAR NO.	9. SEX	10. RACE CODE	11. AGE	12. HT	13. WT
9161	VAN DYKE	JASON D	9465	[X] 01 M [ ] 02 F	WHI	[redacted]	602	180

14. DATE OF APPT.	15. EMPLOYEE NO.	16. UNIT & BEAT OF ASSIGNMENT	17. DUTY STATUS	18. MEMBER INJURED?	19. MEMBER IN UNIFORM?
25-JUN-2001	[redacted]	008 0845R	[X] 01 On [ ] 02 Off	[ ] 01 Yes [X] 02 No	[X] 01 Yes [ ] 02 No

SUBJECT INFORMATION [ ] DNA

20. LAST NAME	21. FIRST NAME	22. MI	23. SEX	24. RACE	25. D.O.B.	26. HT.	27. WT.
MCDONALD	LEQUAN		[X] 01 M [ ] 02 F	BLK	25-SEP-1997	601	185

28. ADDRESS	29. TELEPHONE NO.	30. WAS SUBJECT ARMED? KNIFE/OTHER CUTTING INSTRUMENT, OTHER (SPECIFY)	31. SUBJECT INJURED?	32. SUBJECT ALLEGED INJURY?
[redacted] IL 60637		[X] 01 Yes [ ] 02 No	[X] 01 Yes [ ] 02 No	[ ] 01 Yes [X] 02 No

33. WHERE WAS MEDICAL TREATMENT OBTAINED?	34. BY WHOM?	35. CONDITION
MOUNT SINAI HOSPITAL	DR. PITZEL	[X] 03 Hospitalized [ ] 01 Apparently Normal [ ] 02 Under Influence [ ] 04 Not Hospitalized [ ] 05 Refused Medical Aid

36. CHARGES PLACED	37. CB NO.	IR NO
[ ] DNA		[ ] DNA

REASON FOR USE OF FORCE (Check all that apply) [ ] 38. DNA

	PASSIVE RESISTER	ACTIVE RESISTER	ASSAILANT:ASSAULT	ASSAILANT:BATTERY	ASSAILANT:DEADLY FORCE
SUBJECT'S ACTIONS	DID NOT FOLLOW VERBAL DIRECTION [X] STIFFENED (DEAD WEIGHT) [ ] OTHER	FLED [ ] PULLED AWAY [ ] OTHER	IMMINENT THREAT OF BATTERY [X] OTHER	ATTACK WITH WEAPON [X] ATTACK WITHOUT WEAPON [ ] OTHER	USES FORCE LIKELY TO CAUSE DEATH OR GREAT BODILY HARM [X] WEAPON [X] OTHER
MEMBER'S RESPONSE	MEMBER PRESENCE [X] VERBAL COMMANDS [X] ESCORT HOLDS [ ] WRISTLOCK [ ] ARMBAR [ ] PRESSURE SENSITIVE AREAS [ ] CONTROL INSTRUMENT [ ] OC/CHEMICAL WEAPON W/AUTHORIZATION [ ] OTHER	OPEN HAND STRIKE [ ] TAKE DOWN / EMERGENCY HANDCUFFING [ ] OC CHEMICAL WEAPON [ ] CANINE [ ] TASER (Probe Discharge) [ ] TASER (Contact Stun) [ ] TASER (Laser Targeted) [ ] TASER (Spark Displayed) [ ] OTHER	ELBOW STRIKE [ ] CLOSED HAND STRIKE/PUNCH [ ] IMPACT WEAPON (Describe in Box 40) [ ] OTHER	KNEE STRIKE [ ] KICKS [ ] IMPACT MUNITION (Describe in Box 40) [ ]	FIREARM [X] OTHER

WEAPON DISCHARGE INCIDENT [ ] 39. DNA

* OC/CHEMICAL WEAPON AUTHORIZED BY (NAME)	POSITION	STAR NO.	UNIT

40. ADDITIONAL INFORMATION: **OFFENDER'S WEAPON WAS A KNIFE IN HIS HAND.**

41. WEAPON TYPE	42. INCIDENT OCCURRED	43. LIGHTING CONDITIONS	44. WEATHER CONDITIONS
[X] 04 SEMI-AUTO PISTOL [ ] 01 REVOLVER [ ] 05 CHEMICAL WEAPON [ ] 02 RIFLE [ ] 06 TASER (Probe Discharge) [ ] 03 SHOTGUN [ ] 07 OTHER	[ ] Indoors [X] Outdoors	[ ] 01 Daylight [ ] 02 Night [ ] 03 Dawn [ ] 04 Dusk [ ] 05 Poor Artificial [X] 06 Good Artificial	CLEAR

45. MAKE/MANUFACTURER	46. MODEL	47. BARREL LENGTH	48. CALIBER/GAUGE
SMITH & WESSON -US- (BODYGUARD,CHIEF SPECIAL)	5943	5	9 MM

49. TASER DART ID NO.	50. WEAPON SERIAL No. (Include Letters)	51. CHICAGO GUN REG. NO.	52. IL FIREARM OWNER ID. NO.	53. HANDGUN CERTIFICATE NO.
	TDU5969	628361	95380037	

54. SPECIAL WEAPON CERTIFICATE NO.	55. PROPERTY INVENTORY NO.	56. TYPE OF AMMUNITION USED	57. NO. OF WEAPONS DISCHARGED BY THIS MEMBER	58. TOTAL NO. OF SHOTS MEMBER FIRED
		Department Issued	1	16

59. WHO FIRED FIRST SHOT	60. WAS FIREARM RELOADED DURING INCIDENT	61. NO OF CATORIDGES/ SHOT SHELLS RELOADED	62. HOW WAS MEMBER'S HANDGUN WORN	70. EVENT NO.
[X] 01 MEMBER [ ] 02 OFFENDER [ ] 03 OTHER (SPECIFY)	[X] 01 YES [ ] 02 NO	15	[X] 01 RT. SIDE (WAIST) [ ] 02 LT. SIDE (WAIST) [ ] 03 OTHER (Specify)	1429315878

63. HOW WAS MEMBER'S HANDGUN DRAWN	64. SPECIFY METHOD/EQUIPMENT USED TO RELOAD	65. DID MEMBER USE SIGHTS
[X] 01 STRONG SIDE DRAW [ ] 02 CROSS DRAW [ ] 03 OTHER (Specify)	BY MAGAZINE	[ ] 01 YES [X] 02 NO

66. DESCRIBE PROTECTIVE COVER USED (LIGHT POLES, DOORWAYS, CAR, FURNITURE, ETC)	67. DISTANCE BETWEEN INVOLVED MEMBER & OFFENDER WHEN FIRST SHOT WAS FIRED
NONE	[ ] 01 0 - 05 FT [ ] 02 05 - 10 FT. [X] 03 10 - 15 FT. [ ] 04 OVER 15 FT.

68. PERSON/OBJECT STRUCK AS RESULT OF THE DISCHARGE OF MEMBERS WEAPON	69. POSITION OF MEMBER DISCHARGING WEAPON
[X] 01 PERSON [ ] 02 OBJECT [ ] 03 BOTH [ ] 04 UNKNOWN	[X] 01 STANDING [ ] 02 LYING DOWN [ ] 03 SITTING [ ] 04 KNEELING [ ] 05 OTHER (SPECIFY)

CASE INFO. 72.

NOTIFICATIONS (OC OR TASER INCIDENT): [ ] OEMC [ ] DSS & LT./DIST. OF OCCUR. [ ] CPIC

NOTIFICATIONS (FIREARM INCIDENT): [X] OEMC [X] DSS/DIST. OF OCCUR & OCIC [X] CPIC [X] DET. DIV.

Members will ensure that all required notifications and all witnesses to this use of force are documented in the appropiate case report.

71. R.D. NO. HX475653

SIGNATURES

73. REPORTING MEMBER (Print Name)	STAR/EMPLOYEE NO.	SIGNATURE
VAN DYKE, JASON D 21-OCT-2014 04:41:45	[redacted]	[redacted]

Reviewing supervisor will ensure the legibility and completeness of this report and attest by entering the required information below.

74. REVIEWING SUPERVISOR (Print Name)	STAR NO.	SIGNATURE	DATE REVIEWED	TIME
FRANKO, STEPHEN D	1381	[redacted]	21-OCT-2014	04:44:58

CB.11.2.7 (REV. 10/07)

LIEUTENANT OR ABOVE/OCIC REVIEW

THE ON-CALL INCIDENT COMMANDER (OCIC) WILL COMPLETE THE REVIEW SECTION FOR 1.) ALL INCIDENTS INVOLVING THE DISCHARGE OF A FIREARM BY A DEPARTMENT MEMBER; 2.) ALL INCIDENTS INVOLVING THE SERIOUS INJURY OR DEATH OF A MEMBER OF THE PUBLIC SUBSEQUENT TO INTERACTIONS WITH A DEPARTMENT MEMBER; 3.) ANY LESSER USE OF FORCE BY A DEPARTMENT MEMBER WHEN THAT USE OF FORCE STEMS FROM THE SAME INCIDENT DESCRIBED HERE IN 1 OR 2.

THE ASSIGNED INVESTIGATING SUPERVISOR THE RANK OF LIEUTENANT OR ABOVE FROM THE DISTRICT OF OCCURRENCE WILL COMPLETE THE REVIEW SECTION FOR ALL OTHER INCIDENTS.

75. SUBJECT'S STATEMENT REGARDING THE USE OF FORCE ☐ DNA ☐ REFUSED ☒ UNABLE TO INTERVIEW (Specify Reason)

Subject is deceased.

76. LIEUTENANT OR ABOVE/OCIC RATIONALE FOR BOX 77 FINDING

Based upon information available at the time of this report it is the preliminary determination of the undersigned that Officer Van Dyke fired his weapon in compliance with Department policy. Officer Van Dyke fired his weapon in fear of his life when the offender while armed with a knife continued to approach and refused all verbal direction.

77. LIEUTENANT OR ABOVE/OCIC FINDING BASED UPON CURRENTLY AVAILABLE INFORMATION:

☒ I HAVE CONCLUDED THAT THE MEMBER'S ACTIONS WERE IN COMPLIANCE WITH DEPARTMENT PROCEDURES AND DIRECTIVES.

☐ I HAVE CONCLUDED THAT FURTHER INVESTIGATION IS REQUIRED.

LOG NO./CRNO. 1072125 OBTAINED

78. LIEUTENANT OR ABOVE/OCIC (Print Name)	SIGNATURE	DATE COMPLETED TIME
MC NAUGHTON, DAVID R	[redacted]	21-OCT-2014 04:58:37

79. DISTRIBUTION OF ORIGINAL TRR:

A TRR PACKET, INCLUDING THE TRR AND COPIES OF THE BELOW LISTED ATTACHMENTS WILL BE FORWARDED TO THE INDEPENDENT POLICE REVIEW AUTHORITY

ATTACHMENTS - PHOTOCOPIES OF:

☐ CASE REPORT ☐ SUPPLEMENTARY REPORT ☐ I.O.D. REPORT

☐ ARREST REPORT ☒ OFFICER BATTERY REPORT ☐ CR INITIATION REPORT

☐ TO-FROM-SUBJECT REPORTS FROM DEPARTMENT WITNESS(ES)

80. TOTAL TRR's THIS EVENT No.: 1

OFFICER'S BATTERY REPORT
CHICAGO POLICE DEPARTMENT

RD NO. **HX475653**

INSTRUCTIONS: This form is to be completed for all incidents when: (1) a sworn member is the victim of a murder, aggravated battery, battery, aggravated assault, or assault while performing a police function either on-duty or off-duty, (2) a detention aide is the victim of a murder, aggravated battery, battery, aggravated assault, or assault while in the performance of his or her duties.

"X APPLICABLE BOXES"

OFFICER INFORMATION

NAME (LAST - FIRST - M.I.): **WALSH, JOSEPH J**

STAR NO.	POSITION
12865	POLICE OFFICER
DATE OF APPOINTMENT: 29-JUN-1998	EMPLOYEE NO.: [redacted]
UNIT OF ASSIGNMENT: 008	BEAT/CALL NO.: 0845R

SEX	RACE	DOB
☒ 1. M ☐ 2. F	WHITE	[redacted]
HEIGHT: 600	WEIGHT: 190	

TYPE OF ASSIGNMENT WHEN BATTERY OCCURRED

☒ 1. ON DUTY
- ☒ A. UNIFORM, PATROL DUTY
- ☐ B. UNIFORM, OTHER DUTY — Describe _____
- ☐ C. CITIZEN'S DRESS
- ☐ D. TACTICAL
- ☐ E. B.I.S. UNIT
- ☐ F. SPECIAL EMPLOYMENT
- ☐ G. OTHER _____

☐ 2. OFF DUTY

☐ 3. SPECIAL EMPLOYMENT

☐ 4. SECONDARY / OTHER

WORKING:
- ☐ A. ALONE
- ☒ B. WITH ONE PARTNER
- ☐ C. WITH MULTIPLE PARTNERS — How many? _____

PATROL TYPE:
- ☒ A. SQUAD CAR
- ☐ B. FOOT
- ☐ C. BICYCLE
- ☐ D. APV/MOTORCYCLE
- ☐ E. SQUADROL
- ☐ F. OTHER _____

TYPE OF ACTIVITY

- ☐ A. AMBUSH -NO WARNING
- ☐ B. TRAFFIC STOP/PURSUIT
- ☐ C. INVESTIGATING SUSPICIOUS PERSON
- ☐ D. DISTURBANCE - DOMESTIC
- ☐ E. DISTURBANCE - MENTAL PATIENT
- ☐ F. DISTURBANCE - RIOT/MOB ACTION/CIVIL DISORDER
- ☐ G. DISTURBANCE - OTHER
- ☐ H. MAN WITH A GUN
- ☐ I. PURSUING/ARRESTING OFFENDER (Specify) CHARGE _____ IUCR CODE _____
- ☐ J. PROCESSING/TRANSPORTING/GUARDING A PRISONER (Specify ORIGINAL CHARGE _____ ORIGINAL IUCR CODE _____
- ☒ K. OTHER

TYPE OF INJURY TO OFFICER

- ☐ A. FATAL
- ☐ B. NON-FATAL - MAJOR INJURY (Broken Bones/Serious Lacerations/ Internal Injuries)
- ☐ C. NON-FATAL - MINOR INJURY (Bruises/Swelling/Minor Abrasions)
- ☒ D. NONE APPARENT/NONE

LIGHTING CONDITIONS AT INCIDENT

- ☐ A. DAYLIGHT
- ☐ B. NIGHT
- ☐ C. DAWN
- ☐ D. DUSK
- ☒ E. ARTIFICIAL LIGHT — ☐ 1. POOR ☒ 2. GOOD

INCIDENT INFORMATION

☐ 1. INDOOR ☒ 2. OUTDOOR

ADDRESS OF OCCURRENCE: **4112 S PULASKI RD**

CITY	STATE (If outside Chicago)
☒ CHICAGO ☐	
LOCATION CODE: 304-STREET	BEAT OF OCCURRENCE: 0815

DATE OF OCCURRENCE	TIME	DAY OF WEEK
20-OCT-2014	21:57:00	MONDAY

NO. OF OFFICERS BATTERED: 3

WERE THERE ASSISTING UNITS ON SCENE? 1. ☒ YES 2. ☐ NO

IF YES HOW MANY ASSISTING OFFICERS WERE PRESENT AT TIME BATTERY (EXCLUDING YOU OR YOUR PARTNERS) ? 8

MANNER OF ATTACK

- ☐ 01. SHOT
- ☐ 02. SHOT AT
- ☒ 03. STABBED/CUT (INCLUDING ACTUAL ATTEMPT)
- ☐ 04. STRUCK/BLUNT FORCE (INCLUDING ACTUAL ATTEMPT)
- ☐ 05. OTHER (INCLUDING VERBAL THREATS)

TYPE OF WEAPON/THREAT

(Check all that apply):
- ☐ A. FIREARM CALIBER _____
  - ☐ 1. REVOLVER
  - ☐ 2. SEMI-AUTOMATIC
  - ☐ 3. RIFLE
  - ☐ 4. SHOTGUN
- ☐ B. VEHICLE
  - ☐ 1. OFFICER STRUCK WITH VEHICLE
  - ☐ 2. ATTEMPTED TO STRIKE OFFICER WITH VEHICLE
- ☐ C. KNIFE/OTHER CUTTING INSTRUMENT
- ☐ D. HANDS/FISTS
- ☐ E. FEET
- ☐ F. MOUTH (SPIT, BITE, ETC.)
- ☐ G. VERBAL THREAT (ASSAULT)
- ☒ H. OTHER (SPECIFY) /SWINGING KNIFE
- ☐ I. BLUNT INSTRUMENT

FIREARM USE INFORMATION (Check all that apply):
- ☐ A. OFFICER AT GUNPOINT
- ☐ B. OFFICER'S OWN WEAPON OBTAINED
- ☐ C. ATTEMPTED TO OBTAIN OFFICER'S OWN WEAPON

OFFENDER INFORMATION

SEX	RACE	DOB
☒ 1. M ☐ 2. F	BLACK	25-SEP-1997
CB NO.	IR NO.	

WAS THE OFFENDER'S ACTIVITY:

DRUG RELATED?	GANG RELATED?
☐ 1. YES	☐ 1. YES
☐ 2. NO	☐ 2. NO
☒ 3. UNKNOWN	☒ 3. UNKNOWN

NO. OF OFFENDERS PRESENT? 1

WEATHER CONDITIONS

- ☒ A. CLEAR
- ☐ B. RAIN
- ☐ C. SNOW
- ☐ D. FOG / SMOKE / HAZE
- ☐ E. SLEET / HAIL
- ☐ F. SEVERE CROSS WIND
- ☐ G. OTHER

APPROXIMATE OUTDOOR TEMPERATURE: 50 °F

CPD-11.451 (REV. 1/04)

Unusual Circumstances Regarding Officer Control Tactics and Safety: (If you need more space use additional sheets).

REPORTING MEMBER - SIGNATURE	STAR NO.	WATCH COMMANDER /UNIT COMMANDING OFFICER- SIGNATURE	STAR NO.
WALSH, JOSEPH J	12865 [redacted]	MC NAUGHTON, DAVID R	120 [redacted]

CPD-11.451 (REV. 1/04)

TACTICAL RESPONSE REPORT/Chicago Police Department

MEMBER INVOLVED

1. DATE OF INCIDENT	TIME	2. ADDRESS OF OCCURRENCE	3. LOCATION CODE	4. BEAT/OCCUR
20-OCT-2014	21:57:00	4112 S PULASKI RD CHICAGO, IL 60632	304	0815

5. POSITION	6. LAST NAME	7. FIRST NAME	8. STAR NO.	9. SEX	10. RACE CODE	11. AGE	12. HT.	13. WT.
9161	WALSH	JOSEPH J	12865	☒ 01 M ☐ 02 F	WHI	[redacted]	600	190

14. DATE OF APPT.	15. EMPLOYEE NO.	16. UNIT & BEAT OF ASSIGNMENT	17. DUTY STATUS	18. MEMBER INJURED?	19. MEMBER IN UNIFORM?
29-JUN-1998	10016	008 0845R	☒ 01 On ☐ 02 Off	☐ 01 Yes ☒ 02 No	☒ 01 Yes ☐ 02 No

SUBJECT INFORMATION ☐ DNA

20. LAST NAME	21. FIRST NAME	22. MI	23. SEX	24. RACE	25. D.O.B.	26. HT.	27. WT.
MCDONALD	LEQUAN	J	☒ 01 M ☐ 02 F	BLK	25-SEP-1997	601	185

28. ADDRESS	29. TELEPHONE NO.	30. WAS SUBJECT ARMED? OTHER (SPECIFY)	31. SUBJECT INJURED?	32. SUBJECT ALLEGED INJURY?
[redacted] IL 60637		☒ 01 Yes ☐ 02 No	☒ 01 Yes ☐ 02 No	☐ 01 Yes ☒ 02 No

33. WHERE WAS MEDICAL TREATMENT OBTAINED?	34. BY WHOM?	35. CONDITION
	DR. PITZEL	☒ 03 Hospitalized ☐ 01 Apparently Normal ☐ 02 Under Influence ☐ 04 Not Hospitalized ☐ 05 Refused Medical Aid

36. CHARGES PLACED ☐ DNA | 37. CB NO. | IR NO. ☐ DNA

REASON FOR USE OF FORCE (Check all that apply) 38. ☐ DNA

	PASSIVE RESISTER	ACTIVE RESISTER	ASSAILANT: ASSAULT	ASSAILANT: BATTERY	ASSAILANT: DEADLY FORCE
SUBJECT'S ACTIONS	DID NOT FOLLOW VERBAL DIRECTION ☒ STIFFENED (DEAD WEIGHT) ☐ OTHER	FLED ☐ PULLED AWAY ☐ OTHER	IMMINENT THREAT OF BATTERY ☒ OTHER	ATTACK WITH WEAPON ☒ ATTACK WITHOUT WEAPON ☐ OTHER	USES FORCE LIKELY TO CAUSE DEATH OR GREAT BODILY HARM ☒ WEAPON ☒ OTHER
MEMBER'S RESPONSE	MEMBER PRESENCE ☒ VERBAL COMMANDS ☒ ESCORT HOLDS ☐ WRISTLOCK ☐ ARMBAR ☐ PRESSURE SENSITIVE AREAS ☐ CONTROL INSTRUMENT ☐ OC/CHEMICAL WEAPON W/AUTHORIZATION ☐ OTHER	OPEN HAND STRIKE ☐ TAKE DOWN / EMERGENCY HANDCUFFING ☐ OC CHEMICAL WEAPON ☐ CANINE ☐ TASER (Probe Discharge) ☐ TASER (Contact Stun) ☐ TASER (Laser Targeted) ☐ TASER (Spark Displayed) ☐ OTHER	ELBOW STRIKE ☐ CLOSED HAND STRIKE/PUNCH ☐ IMPACT WEAPON (Describe in Box 40) ☐ OTHER	KNEE STRIKE ☐ KICKS ☐ IMPACT MUNITION (Describe in Box 40) ☐	FIREARM ☐ OTHER

WEAPON DISCHARGE INCIDENT 39. ☒ DNA

* OC/CHEMICAL WEAPON AUTHORIZED BY (NAME)	POSITION	STAR NO.	UNIT

40. ADDITIONAL INFORMATION: **OFFENDER ARMED WITH KNIFE.**

41. WEAPON TYPE	42. INCIDENT OCCURRED	43. LIGHTING CONDITIONS	44. WEATHER CONDITIONS
☐ 01 REVOLVER ☐ 04 SEMI-AUTO PISTOL ☐ 02 RIFLE ☐ 05 CHEMICAL WEAPON ☐ 03 SHOTGUN ☐ 06 TASER (Probe Discharge) ☐ 07 OTHER	☐ Indoors ☒ Outdoors	☐ 02 Night ☐ 03 Dawn ☐ 04 Dusk ☐ 05 Poor Artificial ☒ 06 Good Artificial	CLEAR

45. MAKE/MANUFACTURER	46. MODEL	47. BARREL LENGTH	48. CALIBER/GAUGE

49. TASER DART ID NO.	50. WEAPON SERIAL No. (Include Letters)	51. CHICAGO GUN REG. NO.	52. IL FIREARM OWNER ID. NO.	53. HANDGUN CERTIFICATE NO.

54. SPECIAL WEAPON CERTIFICATE NO.	55. PROPERTY INVENTORY NO.	56. TYPE OF AMMUNITION USED	57 NO. OF WEAPONS DISCHARGED BY THIS MEMBER	58. TOTAL NO. OF SHOTS MEMBER FIRED

59. WHO FIRED FIRST SHOT	60. WAS FIREARM RELOADED DURING INCIDENT	61. NO OF CATDRIDGES/ SHOT SHELLS RELOADED	62. HOW WAS MEMBER'S HANDGUN WORN	70. EVENT NO.
☐ 01 MEMBER ☐ 02 OFFENDER ☐ 03 OTHER (SPECIFY)	☐ 01 YES ☐ 02 NO		☐ 01 RT. SIDE (WAIST) ☐ 02 LT. SIDE (WAIST) ☐ 03 OTHER (Specify)	1429315878

63. HOW WAS MEMBER'S HANDGUN DRAWN	64. SPECIFY METHOD/EQUIPMENT USED TO RELOAD	65. DID MEMBER USE SIGHTS
☐ 01 STRONG SIDE DRAW ☐ 02 CROSS DRAW ☐ 03 OTHER (Specify)		☐ 01 YES ☐ 02 NO

66. DESCRIBE PROTECTIVE COVER USED (LIGHT POLES, DOORWAYS, CAR, FURNITURE, ETC)	67. DISTANCE BETWEEN INVOLVED MEMBER & OFFENDER WHEN FIRST SHOT WAS FIRED
	☐ 01 0 - 05 FT. ☐ 02 05 - 10 FT. ☐ 03 10 - 15 FT ☐ 04 OVER 15 FT.

68. PERSON/OBJECT STRUCK AS RESULT OF THE DISCHARGE OF MEMBERS WEAPON	69. POSITION OF MEMBER DISCHARGING WEAPON
☐ 01 PERSON ☐ 02 OBJECT ☐ 03 BOTH ☐ 04 UNKNOWN	☐ 01 STANDING ☐ 02 LYING DOWN ☐ 03 SITTING ☐ 04 KNEELING ☐ 05 OTHER (SPECIFY)

CASE INFO. 72.

NOTIFICATIONS (OC OR TASER INCIDENT): ☐ OEMC ☐ DSS & LT./DIST. OF OCCUR. ☐ CPIC

NOTIFICATIONS (FIREARM INCIDENT): ☐ OEMC ☐ DSS/DIST. OF OCCUR & OCIC ☐ CPIC ☐ DET. DIV.

Members will ensure that all required notifications and all witnesses to this use of force are documented in the appropriate case report.

71. R.D. NO. HX475653

SIGNATURES

73. REPORTING MEMBER (Print Name)	STAR/EMPLOYEE NO.	SIGNATURE
WALSH, JOSEPH J 21-OCT-2014 05:04:40	12865 [redacted]	[redacted]

Reviewing supervisor will ensure the legibility and completeness of this report and attest by entering the required information below.

74. REVIEWING SUPERVISOR (Print Name)	STAR NO.	SIGNATURE	DATE REVIEWED	TIME
FRANKO, STEPHEN D	1381	[redacted]	21-OCT-2014	05:07:32

CB 377 (REV. 10/07)

LIEUTENANT OR ABOVE/OCIC REVIEW

THE ON-CALL INCIDENT COMMANDER (OCIC) WILL COMPLETE THE REVIEW SECTION FOR 1.) ALL INCIDENTS INVOLVING THE DISCHARGE OF A FIREARM BY A DEPARTMENT MEMBER; 2.) ALL INCIDENTS INVOLVING THE SERIOUS INJURY OR DEATH OF A MEMBER OF THE PUBLIC SUBSEQUENT TO INTERACTIONS WITH A DEPARTMENT MEMBER; 3.) ANY LESSER USE OF FORCE BY A DEPARTMENT MEMBER WHEN THAT USE OF FORCE STEMS FROM THE SAME INCIDENT DESCRIBED HERE IN 1 OR 2.

THE ASSIGNED INVESTIGATING SUPERVISOR THE RANK OF LIEUTENANT OR ABOVE FROM THE DISTRICT OF OCCURRENCE WILL COMPLETE THE REVIEW SECTION FOR ALL OTHER INCIDENTS.

75. SUBJECT'S STATEMENT REGARDING THE USE OF FORCE ☐ DNA ☐ REFUSED ☒ UNABLE TO INTERVIEW (Specify Reason)

Subject is deceased.

76. LIEUTENANT OR ABOVE/OCIC RATIONALE FOR BOX 77 FINDING

Officer Walsh's actions were in compliance with the Department's use of force policy.

77. LIEUTENANT OR ABOVE/OCIC FINDING BASED UPON CURRENTLY AVAILABLE INFORMATION:

☒ I HAVE CONCLUDED THAT THE MEMBER'S ACTIONS WERE IN COMPLIANCE WITH DEPARTMENT PROCEDURES AND DIRECTIVES.

☐ I HAVE CONCLUDED THAT FURTHER INVESTIGATION IS REQUIRED.

LOG NO./CRNO. 1072125 OBTAINED

78. LIEUTENANT OR ABOVE/OCIC (Print Name)	SIGNATURE	DATE COMPLETED TIME
MC NAUGHTON, DAVID R	[redacted]	21-OCT-2014 05:12:27

79. DISTRIBUTION OF ORIGINAL TRR:

A TRR PACKET, INCLUDING THE TRR AND COPIES OF THE BELOW LISTED ATTACHMENTS WILL BE FORWARDED TO THE INDEPENDENT POLICE REVIEW AUTHORITY

ATTACHMENTS - PHOTOCOPIES OF:
☐ SUPPLEMENTARY REPORT ☐ I.O.D. REPORT
☐ CASE REPORT ☒ OFFICER BATTERY REPORT ☐ CR INITIATION REPORT
☐ ARREST REPORT ☐ TO-FROM-SUBJECT REPORTS FROM DEPARTMENT WITNESS(ES)

80. TOTAL TRR's THIS EVENT No. 2

OFFICER'S BATTERY REPORT
CHICAGO POLICE DEPARTMENT

RD NO. **HX475653**

INSTRUCTIONS: This form is to be completed for all incidents when: (1) a sworn member is the victim of a murder, aggravated battery, battery, aggravated assault, or assault while performing a police function either on-duty or off-duty, (2) a detention aide is the victim of a murder, aggravated battery, battery, aggravated assault, or assault while in the performance of his or her duties.

"X APPLICABLE BOXES"

OFFICER INFORMATION

NAME (LAST - FIRST - M.I.): **GAFFNEY, THOMAS J**

STAR NO.	POSITION
19958	POLICE OFFICER
DATE OF APPOINTMENT: 08-JUL-1996	EMPLOYEE NO.: [redacted]
UNIT OF ASSIGNMENT: 008	BEAT/CALL NO.: 0815R

SEX	RACE	DOB
☒ 1. M ☐ 2. F	WHITE	[redacted]

HEIGHT	WEIGHT
600	195

TYPE OF ASSIGNMENT WHEN BATTERY OCCURRED

☒ 1. ON DUTY
- ☒ A. UNIFORM, PATROL DUTY
- ☐ B. UNIFORM, OTHER DUTY — Describe _____
- ☐ C. CITIZEN'S DRESS
- ☐ D. TACTICAL
- ☐ E. B.I.S. UNIT
- ☐ F. SPECIAL EMPLOYMENT
- ☐ G. OTHER _____

☐ 2. OFF DUTY

☐ 3. SPECIAL EMPLOYMENT

☐ 4. SECONDARY / OTHER

WORKING:
- ☐ A. ALONE
- ☒ B. WITH ONE PARTNER
- ☐ C. WITH MULTIPLE PARTNERS — How many? _____

PATROL TYPE:
- ☒ A. SQUAD CAR
- ☐ B. FOOT
- ☐ C. BICYCLE
- ☐ D. APV/MOTORCYCLE
- ☐ E. SQUADROL
- ☐ F. OTHER _____

TYPE OF ACTIVITY

- ☐ A. AMBUSH -NO WARNING
- ☐ B. TRAFFIC STOP/PURSUIT
- ☐ C. INVESTIGATING SUSPICIOUS PERSON
- ☐ D. DISTURBANCE - DOMESTIC
- ☐ E. DISTURBANCE - MENTAL PATIENT
- ☐ F. DISTURBANCE - RIOT/MOB ACTION/CIVIL DISORDER
- ☐ G. DISTURBANCE - OTHER
- ☐ H. MAN WITH A GUN
- ☐ I. PURSUING/ARRESTING OFFENDER (Specify) CHARGE _____ IUCR CODE _____
- ☐ J. PROCESSING/TRANSPORTING/GUARDING A PRISONER (Specify ORIGINAL CHARGE _____ ORIGINAL IUCR CODE _____
- ☒ K. OTHER

TYPE OF INJURY TO OFFICER

- ☐ A. FATAL
- ☐ B. NON-FATAL - MAJOR INJURY (Broken Bones/Serious Lacerations/ Internal Injuries)
- ☐ C. NON-FATAL - MINOR INJURY (Bruises/Swelling/Minor Abrasions)
- ☒ D. NONE APPARENT/NONE

LIGHTING CONDITIONS AT INCIDENT

- ☐ A. DAYLIGHT
- ☐ B. NIGHT
- ☐ C. DAWN
- ☐ D. DUSK
- ☒ E. ARTIFICIAL LIGHT
  - ☐ 1. POOR
  - ☒ 2. GOOD

INCIDENT INFORMATION

☐ 1. INDOOR ☒ 2. OUTDOOR

ADDRESS OF OCCURRENCE: 4000 1/2 S KARLOV AVE

CITY	STATE (If outside Chicago)
☒ CHICAGO ☐	
LOCATION CODE: 304-STREET	BEAT OF OCCURRENCE: 0815

DATE OF OCCURRENCE	TIME	DAY OF WEEK
20-OCT-2014	21:56:00	MONDAY

NO. OF OFFICERS BATTERED: 3

WERE THERE ASSISTING UNITS ON SCENE? 1. ☒ YES 2. ☐ NO

IF YES HOW MANY ASSISTING OFFICERS WERE PRESENT AT TIME BATTERY (EXCLUDING YOU OR YOUR PARTNERS) ? 8

MANNER OF ATTACK

- ☐ 01. SHOT
- ☐ 02. SHOT AT
- ☒ 03. STABBED/CUT (INCLUDING ACTUAL ATTEMPT)
- ☐ 04. STRUCK/BLUNT FORCE (INCLUDING ACTUAL ATTEMPT)
- ☐ 05. OTHER (INCLUDING VERBAL THREATS)

TYPE OF WEAPON/THREAT

(Check all that apply):

- ☐ A. FIREARM CALIBER _____
  - ☐ 1. REVOLVER
  - ☐ 2. SEMI-AUTOMATIC
  - ☐ 3. RIFLE
  - ☐ 4. SHOTGUN
- ☐ B. VEHICLE
  - ☐ 1. OFFICER STRUCK WITH VEHICLE
  - ☐ 2. ATTEMPTED TO STRIKE OFFICER WITH VEHICLE
- ☒ C. KNIFE/OTHER CUTTING INSTRUMENT
- ☐ D. HANDS/FISTS
- ☐ E. FEET
- ☐ F. MOUTH (SPIT, BITE, ETC.)
- ☐ G. VERBAL THREAT (ASSAULT)
- ☒ H. OTHER (SPECIFY) /SWINGING KNIFE
- ☐ I. BLUNT INSTRUMENT

FIREARM USE INFORMATION (Check all that apply):
- ☐ A. OFFICER AT GUNPOINT
- ☐ B. OFFICER'S OWN WEAPON OBTAINED
- ☐ C. ATTEMPTED TO OBTAIN OFFICER'S OWN WEAPON

OFFENDER INFORMATION

SEX	RACE	DOB
☒ 1. M ☐ 2. F	BLACK	25-SEP-1997

CB NO.	IR NO.

WAS THE OFFENDER'S ACTIVITY:

DRUG RELATED?	GANG RELATED?
☐ 1. YES	☐ 1. YES
☐ 2. NO	☐ 2. NO
☒ 3. UNKNOWN	☒ 3. UNKNOWN

NO. OF OFFENDERS PRESENT? 1

WEATHER CONDITIONS

- ☒ A. CLEAR
- ☐ B. RAIN
- ☐ C. SNOW
- ☐ D. FOG / SMOKE / HAZE
- ☐ E. SLEET / HAIL
- ☐ F. SEVERE CROSS WIND
- ☐ G. OTHER

APPROXIMATE OUTDOOR TEMPERATURE: 50 °F

CPD-11.451 (REV. 1/04)

Unusual Circumstances Regarding Officer Control Tactics and Safety: (If you need more space use additional sheets).

REPORTING MEMBER - SIGNATURE	STAR NO.	WATCH COMMANDER /UNIT COMMANDING OFFICER- SIGNATURE	STAR NO.
GAFFNEY, THOMAS J	19958 [redacted]	MC NAUGHTON, DAVID R	120 [redacted]

CPD-11.451 (REV. 1/04)

TACTICAL RESPONSE REPORT/Chicago Police Department

1. DATE OF INCIDENT	TIME	2. ADDRESS OF OCCURRENCE	3. LOCATION CODE	4. BEAT/OCCUR
20-OCT-2014	21:56:00	4000 1/2 S KARLOV AVE CHICAGO, IL 60632	304	0815

MEMBER INVOLVED

5. POSITION	6. LAST NAME	7. FIRST NAME	8. STAR NO.	9. SEX	10. RACE CODE	11. AGE	12. HT.	13. WT.
9161	GAFFNEY	THOMAS J	19958	☒ 01 M ☐ 02 F	WHI	[redacted]	600	195

14. DATE OF APPT	15. EMPLOYEE NO.	16. UNIT & BEAT OF ASSIGNMENT	17. DUTY STATUS	18. MEMBER INJURED?	19. MEMBER IN UNIFORM?
08-JUL-1996	[redacted]	008 0815R	☒ 01 On ☐ 02 Off	☐ 01 Yes ☒ 02 No	☒ 01 Yes ☐ 02 No

SUBJECT INFORMATION ☐ DNA

20. LAST NAME	21. FIRST NAME	22. M.I.	23. SEX	24. RACE	25. D.O.B.	26. HT.	27. WT.
MCDONALD	LEQUAN	J	☒ 01 M ☐ 02 F	BLK	25-SEP-1997	601	185

28. ADDRESS	29. TELEPHONE NO.	30. WAS SUBJECT ARMED? KNIFE/OTHER CUTTING INSTRUMENT, OTHER (SPECIFY)	31. SUBJECT INJURED?	32. SUBJECT ALLEGED INJURY?
[redacted]		☒ 01 Yes ☐ 02 No	☒ 01 Yes ☐ 02 No	☐ 01 Yes ☒ 02 No

33. WHERE WAS MEDICAL TREATMENT OBTAINED?

34. BY WHOM? DR PITZEL

35. CONDITION ☐ 01 Apparently Normal ☐ 02 Under Influence ☒ 03 Hospitalized ☐ 04 Not Hospitalized ☐ 05 Refused Medical Aid

36. CHARGES PLACED ☐ DNA

37. CB NO. IR NO. ☐ DNA

REASON FOR USE OF FORCE (Check all that apply) 38. ☐ DNA

	PASSIVE RESISTER	ACTIVE RESISTER	ASSAILANT:ASSAULT	ASSAILANT:BATTERY	ASSAILANT:DEADLY FORCE
SUBJECT'S ACTIONS	DID NOT FOLLOW VERBAL DIRECTION ☒ STIFFENED (DEAD WEIGHT) ☐ OTHER	FLED ☐ PULLED AWAY ☐ OTHER	IMMINENT THREAT OF BATTERY ☒ OTHER	ATTACK WITH WEAPON ☒ ATTACK WITHOUT WEAPON ☐ OTHER	USES FORCE LIKELY TO CAUSE DEATH OR GREAT BODILY HARM ☒ WEAPON ☒ OTHER

MEMBER'S RESPONSE				
MEMBER PRESENCE ☒	OPEN HAND STRIKE ☐	ELBOW STRIKE ☐	KNEE STRIKE ☐	FIREARM ☐
VERBAL COMMANDS ☐	TAKE DOWN / EMERGENCY HANDCUFFING ☐	CLOSED HAND STRIKE/PUNCH ☐	KICKS ☐	OTHER
ESCORT HOLDS ☐	OC CHEMICAL WEAPON ☐	IMPACT WEAPON (Describe in Box 40) ☐	IMPACT MUNITION (Describe in Box 40) ☐	
WRISTLOCK ☐	CANINE ☐	OTHER		
ARMBAR ☐	TASER (Probe Discharge) ☐			
PRESSURE SENSITIVE AREAS ☐	TASER (Contact Stun) ☐			
CONTROL INSTRUMENT ☐	TASER (Laser Targeted) ☐			
OC/CHEMICAL WEAPON W/AUTHORIZATION ☐	TASER (Spark Displayed) ☐			
OTHER	OTHER			

WEAPON DISCHARGE INCIDENT 39. ☒ DNA

* OC/CHEMICAL WEAPON AUTHORIZED BY (NAME)	POSITION	STAR NO.	UNIT

40. ADDITIONAL INFORMATION: SUBJECT ARMED WITH KNIFE

41. WEAPON TYPE	42. INCIDENT OCCURRED	43. LIGHTING CONDITIONS	44. WEATHER CONDITIONS
☐ 01 REVOLVER ☐ 04 SEMI-AUTO PISTOL ☐ 02 RIFLE ☐ 05 CHEMICAL WEAPON ☐ 03 SHOTGUN ☐ 06 TASER (Probe Discharge) ☐ 07 OTHER	☐ Indoors ☒ Outdoors	☐ 02 Night ☐ 03 Dawn ☐ 04 Dusk ☐ 05 Poor Artificial ☒ 06 Good Artificial ☐ 01 Daylight	CLEAR

45. MAKE/MANUFACTURER	46. MODEL	47. BARREL LENGTH	48. CALIBER/GAUGE

49. TASER DART ID NO.	50. WEAPON SERIAL No. (Include Letters)	51. CHICAGO GUN REG. NO.	52. IL FIREARM OWNER ID. NO.	53. HANDGUN CERTIFICATE NO.

54. SPECIAL WEAPON CERTIFICATE NO.	55. PROPERTY INVENTORY NO.	56. TYPE OF AMMUNITION USED	57. NO. OF WEAPONS DISCHARGED BY THIS MEMBER	58. TOTAL NO. OF SHOTS MEMBER FIRED

59. WHO FIRED FIRST SHOT	60. WAS FIREARM RELOADED DURING INCIDENT	61. NO OF CARTRIDGES/ SHOT SHELLS RELOADED	62. HOW WAS MEMBER'S HANDGUN WORN	70. EVENT NO.
☐ 01 MEMBER ☐ 02 OFFENDER ☐ 03 OTHER (SPECIFY)	☐ 01 YES ☐ 02 NO		☐ 01 RT. SIDE (WAIST) ☐ 02 LT. SIDE (WAIST) ☐ 03 OTHER (Specify)	1429315878

63. HOW WAS MEMBER'S HANDGUN DRAWN	64. SPECIFY METHOD/EQUIPMENT USED TO RELOAD	65. DID MEMBER USE SIGHTS
☐ 01 STRONG SIDE DRAW ☐ 02 CROSS DRAW ☐ 03 OTHER (Specify)		☐ 01 YES ☐ 02 NO

66. DESCRIBE PROTECTIVE COVER USED (LIGHT POLES, DOORWAYS, CAR, FURNITURE, ETC)	67. DISTANCE BETWEEN INVOLVED MEMBER & OFFENDER WHEN FIRST SHOT WAS FIRED
	☐ 01 0 - 05 FT. ☐ 02 05 - 10 FT. ☐ 03 10 - 15 FT. ☐ 04 OVER 15 FT.

68. PERSON/OBJECT STRUCK AS RESULT OF THE DISCHARGE OF MEMBERS WEAPON	69. POSITION OF MEMBER DISCHARGING WEAPON
☐ 01 PERSON ☐ 02 OBJECT ☐ 03 BOTH ☐ 04 UNKNOWN	☐ 01 STANDING ☐ 02 LYING DOWN ☐ 03 SITTING ☐ 04 KNEELING ☐ 05 OTHER (SPECIFY)

CASE INFO. 72.

NOTIFICATIONS (OC OR TASER INCIDENT): ☐ OEMC ☐ DSS & LT./DIST. OF OCCUR. ☐ CPIC

NOTIFICATIONS (FIREARM INCIDENT): ☐ OEMC ☐ DSS/DIST. OF OCCUR & OCIC ☐ CPIC ☐ DET. DIV.

Members will ensure that all required notifications and all witnesses to this use of force are documented in the appropiate case report.

71. R.D. NO. HX475653

SIGNATURES

73. REPORTING MEMBER (Print Name)	STAR/EMPLOYEE NO	SIGNATURE
GAFFNEY, THOMAS J 21-OCT-2014 05:15:34	19958 [redacted]	[redacted]

Reviewing supervisor will ensure the legibility and completeness of this report and attest by entering the required information below.

74. REVIEWING SUPERVISOR (Print Name)	STAR NO.	SIGNATURE	DATE REVIEWED TIME
FRANKO, STEPHEN D	1381	[redacted]	21-OCT-2014 05:17:15

11.3.7 (REV. 10/07)

LIEUTENANT OR ABOVE/OCIC REVIEW

THE ON-CALL INCIDENT COMMANDER (OCIC) WILL COMPLETE THE REVIEW SECTION FOR 1.) ALL INCIDENTS INVOLVING THE DISCHARGE OF A FIREARM BY A DEPARTMENT MEMBER; 2.) ALL INCIDENTS INVOLVING THE SERIOUS INJURY OR DEATH OF A MEMBER OF THE PUBLIC SUBSEQUENT TO INTERACTIONS WITH A DEPARTMENT MEMBER; 3.) ANY LESSER USE OF FORCE BY A DEPARTMENT MEMBER WHEN THAT USE OF FORCE STEMS FROM THE SAME INCIDENT DESCRIBED HERE IN 1 OR 2.

THE ASSIGNED INVESTIGATING SUPERVISOR THE RANK OF LIEUTENANT OR ABOVE FROM THE DISTRICT OF OCCURRENCE WILL COMPLETE THE REVIEW SECTION FOR ALL OTHER INCIDENTS

75. SUBJECT'S STATEMENT REGARDING THE USE OF FORCE ☐ ONA ☐ REFUSED ☒ UNABLE TO INTERVIEW (Specify Reason)

Subject is deceased.

76. LIEUTENANT OR ABOVE/OCIC RATIONALE FOR BOX 77 FINDING

Officer Gaffney's actions were in compliance with the Department's Use of Force policy.

77. LIEUTENANT OR ABOVE/OCIC FINDING BASED UPON CURRENTLY AVAILABLE INFORMATION:

☒ I HAVE CONCLUDED THAT THE MEMBER'S ACTIONS WERE IN COMPLIANCE WITH DEPARTMENT PROCEDURES AND DIRECTIVES.

☐ I HAVE CONCLUDED THAT FURTHER INVESTIGATION IS REQUIRED.

LOG NO./CRNO. 1072125 OBTAINED

78. LIEUTENANT OR ABOVE/OCIC (Print Name)	SIGNATURE	DATE COMPLETED TIME
MC NAUGHTON, DAVID R	[redacted]	21-OCT-2014 05:20:49

79. DISTRIBUTION OF ORIGINAL TRR

A TRR PACKET, INCLUDING THE TRR AND COPIES OF THE BELOW LISTED ATTACHMENTS WILL BE FORWARDED TO THE INDEPENDENT POLICE REVIEW AUTHORITY.

ATTACHMENTS - PHOTOCOPIES OF:
☐ CASE REPORT ☐ ARREST REPORT ☐ SUPPLEMENTARY REPORT ☒ OFFICER BATTERY REPORT ☐ TO-FROM-SUBJECT REPORTS FROM DEPARTMENT WITNESS(ES) ☐ I.O.D. REPORT ☐ CR INITIATION REPORT

80. TOTAL TRR's THIS EVENT No. 3

SUPPLEMENTARY REPORT

CHICAGO POLICE

20 Oct 14 2157

ASSAULT-AGG PO: KNIFE/CUT INSTR 0552 | 4000 S KARLOV | 815

P.O. GAFFNEY # 19958 / P.O. VAN DYKE # 12805 | 9210

342D W 63RD ST | STREET | 304

PROPERTY

1 MONEY	2 JEWELRY	3 FURS	4 CLOTHING	5 OFFICE EQUIPMENT	6 TV, RADIO, STEREO	PROPERTY INVENTORY NOS.
T $ / R	T $ / R	T $ / R	T $ / R	T $ / R	T $ / R	

7 HOUSEHOLD GOODS	8 CONSUM. GOODS	9 FIREARMS	10 NARC. DANGEROUS DRUGS	11 OTHER	12 NONE
T $ / R	T $ / R	T $ / R	T $ / R	T $ / R	T / R

OFFENDERS

13 OFFENDER'S NAME (OR DESCRIBE CLOTHING, ETC.)	14 HOME ADDRESS	15 SEX-RACE CODE	AGE	HEIGHT	WEIGHT	EYES	HAIR	COMPL.
1								
2	SEE ORIGINAL CASE INCIDENT REPORT							

14 C.B. NO.	I.R. NO. Y.D. NO. OR J.D.A. NO.	OFFENDER REL. CODE	C.B. NO.	I.R. NO. Y.D. NO. OR J.D.A. NO.	OFFENDER REL. CODE	15 NO. ARRESTS ADDITIONAL INFO NO.
OFF 1			OFF 2			

16 OFF'S VEHICLE	YEAR	MAKE	BODY STYLE	COLOR	VIN	STATE LICENSE NO.	STATE
USED STOLEN							

NARRATIVE

EVENT# IN SUMMARY: R/S CONTACTED BY CPIC AT 2230, 20 OCT 14 FOR IN CAR CAMERA (ICC) VIDEO RETRIEVAL ON SCENE 4100 S. PULASKI RELATED TO THE ABOVE LISTED INCIDENT. REQUEST WAS FROM AREA CENTRAL DETECTIVE DIVISION SGT D GALLAGHER UPON ARRIVAL BT 813R VEH# 8779; BT 815R VEH# 8486; BT 822 VEH# 8765; BT 845R VEH# 6412; & BT 841R VEH# 8948 WERE SUBJECTS OF ICC VIDEO CHECK/RETRIEVAL. CHECKS OF THESE VEHICLES REVEALED THE LISTED FINDINGS:

BT 813R	VEH# 8779	VIDEO RECORDED PCOZ400@20141020215250
BT 815R	VEH# 8486	OPERATIONAL BUT DUE TO DISC ERROR NO VIDEO RECORDED
BT 822	VEH# 8765	NOT ENGAGED - OFFICER REPORTED POWER ISSUE
BT 845R	VEH# 6412	VIDEO RECOVERED PCOS571@20141020215250
BT 841R	VEH# 8948	NOT ENGAGED - OFFICER REPORTED APPLICATION ERROR

RECOVERED VIDEO MANUALLY UPLOADED AND RETRIEVED 002/ACOD ICC SYSTEM

14K 455653

CONTINUED OTHER SIDE

23 EXTRA COPIES REQUIRED (NO. & RECIPIENT)	31 DATE THIS REPORT SUBMITTED (DAY-MO-YR)	TIME	32 SUPERVISOR APPROVING (PRINT NAME)	STAR NO.
	21 OCT 14			
33 REPORTING OFFICER (PRINT NAME) STAR NO.	34 REPORTING OFFICER (PRINT NAME) STAR NO.		SIGNATURE	
SIGNATURE SGT J BECERRA 1748	SIGNATURE		35 DATE APPROVED (DAY-MO-YR)	TIME

CPD 11.4[illegible] (REV. 8/95) *MUST BE COMPLETED IN ALL CASES

In Car Camera Video Retrieval Work Sheet

Date & Time of Notification: 20 Oct 14 2230 HRS Related HDT# OPS CMD

Requestor: Dsp Citlak McNaughton Tech: Bogvar

Location of response: 4100 S Pulaski

Type of Incident requiring retrieval: Police Involved Shooting - Fatal: Offender

Location of Incident: 4100 S Pulaski Date & Time of Incident 20 Oct 14 21:47

Related RD#, Event#, and/or CR Log#: HX475653

Vehicles to be checked:

813R Veh# 8779 POs PC#: [redacted] Results: [redacted] @20141020 ~~214218~~ 216250 MHDD 30000216

815R Veh# 8489 POs PC#: [redacted] Results:

822 Veh# 8765 POs PC#: [redacted] Results:

845R Veh# 642 POs PC#: [redacted] Results: [redacted] @20141020 ~~214543~~ 215250 out of focus MHDD 00003227

841R Veh# 8948 POs PC#: Results: HDT NO OPEN HDT

List additional Vehicle to be checked and results on back of this form

Note: Any vehicles identified to be checked, will be evaluated for operational readiness as well. Any deficiencies of the ICC System will be noted i.e. MIC(s) are not sync'd; rear camera not working; cannot upload; etc. Actions to rectify the issue should be taken to render the system FULLY FUNCTIONAL!

Notes of work or activities performed:

8779: MICs IN GLOVE BOX PORTABLES INSERTED UPSIDE DOWN
↳ FULLY OP

8489: PROCESSING VIDEOS: EXTREMELY LARGE VIDEO FILES

8765: MICs IN CHARGING CRADLE; NOT SYNC'D TO SYSTEM

642: NO MICs; MIC CHARGER DISCONNECTED

8948

THIS INFORMATION DISCUSSED TO DETECTIVES; DC MCNAUGHTON; & OOS TM.

Tech: DIST SUPERVISORS ON SCENE DURING VIEWING

20 OCt 2014 , HY475653

Becvar, Lance J.

Sent: Friday, July 17, 2015 12:33 PM

To: Lewin, Jonathan H.

Cc: Dziak, Steven E.

Hello Dep Lewin,
Per your request the findings related to the Aggravavted Assault / Police involved Shooting on 20 Oct 2014 Listed under RD# HY 475653:

Findings from thart night-

Veh 8779 Video Recovered Titled PC0Z400@20141020215250, No MICs because they were in the Glove Compartment with the batteries inserted unside down - Disabling them.

Veh 8489 System not engaged because a very long video (like hours long) was made previous to this event/incident and the system was processing that video and unable to start another video.

Veh 8765 System not engaged, officer related no power. There was no open HDT called in on vehicle. MICs not sync'd to system even though they were in the charging cradles.

Veh 6412 Video Recovered Titled PC0S571@20141020215250 view out of focus. Foucsing problem found to be related to a loose cable connection for the camera. No MICs in vehicle and the charging cradles disconnected from power.

Veh 8949 System not engaged, officer reported that there was an application error - Mobile Recorder Start-Up corrupted. No Help Desk Ticket Open for this vehicle.

Sgt Lance Becvar

MobileTech Supervisor

Information Services Division

Chicago Police Department
Cell# 312-446-3305
E-mail: lance.becvar@chicagopolice.org

LEGAL DISCLAIMER: This message, including any attachments, contains confidential information and may be legally privileged. Access to this email by anyone other than the intended recipient is unauthorized. If you are not the intended recipient, any review, disclosure, copying, distribution, retention, or any action or inaction taken in reliance on this information is prohibited and may be unlawful. If you are not the intended recipient, please notify the sender and delete the message, any attachments, and any copies thereof from your system.

Opt-Out: +

CHICAGO POLICE DEPARTMENT

ORIGINAL CASE INCIDENT REPORT

3510 S. Michigan Avenue, Chicago, Illinois 60653
(For use by Chicago Police Department Personnel Only)
CPD-11.388(Rev.03-13)

RD #: HX475653
EVENT #: 1429315878
Case ID: [redacted] Database

INCIDENT

ASSIGNED TO FIELD

IUCR: 0552 - Assault - Aggravated Po:Knife/Cut Instr

Occurrence Location: 4000 S Karlov Ave
Chicago IL
304 - Street

Beat: 0815

Occurrence Date: 20 October 2014 21:56

Unit Assigned: 0841R
RO Arrival Date: 20 October 2014 21:57
Offenders: 1

VICTIM / NON OFFENDER

VICTIM - Individual

Name: PO, GAFFNEY #19958, Thomas

Res: 3420 W 63rd St
Chicago IL

Beat: 0823

Beat: 5100

Sobriety: Sober

Demographics

Male Age: 41 Years

VICTIM - Individual

Name: PO, VAN DYKE #12865, Jason

Res: 3420 W 63rd St
Chicago IL

Beat: 0823

Beat: 5100

Sobriety: Sober

Demographics

Age: 36 Years

VICTIM - Individual

Name: PO, WALSH #12865, Joseph

Res: 3420 W 63rd St
Chicago IL

Beat: 0823

Beat: 5100

Sobriety: Sober

Demographics

Age: 45 Years

INJURIES

Injury Info (PO, VAN DYKE #12865,Jason - Victim)

Injured by offender

SUSPECTS

Suspect # 1

In Custody

Name: MCDONALD, Lequan J

Res: [redacted]

Beat: 0314

Demographics

Male
Black
6'01,
185 lbs
Brown Eyes
Brown Hair
Dreadlocks Hair Style
Dark Complexion

DOB: 25 September 1997
Age: 17 years
Birth Place: IL

Suspected of Using: Weapon

RD #: HX475653

CLEAR Version

SUSPECT

Injury Info

		Injury Extent:	Fatal	Pronounced Date:	20 October 2014 22:42
CFD First Aid Given?	Yes			Removed By:	Ambulance 21
Responding Unit:	Ambulance 21	Hospital:	Mt. Sinai	Removed Date:	20-OCT-14
		Physician:	Dr. Pitzel		

Type	Weapon Used
Gun Shot Wound	Handgun

RELATIONSHIP

RELATIONSHIP

(Victim) PO. GAFFNEY #19958, Thomas	is a	No Relationship of	(Offender) MCDONALD, Lequan,J
(Victim) PO. VAN DYKE #12865, Jason	is a	No Relationship of	(Offender) MCDONALD, Lequan,J
(Victim) PO. WALSH #12865, Joseph	is a	No Relationship of	(Offender) MCDONALD, Lequan,J

DOMESTIC INFO

VEHICLE

Vehicle #1

Vehicle:	Chevrolet - Tahoe - Truck	Damaged?	Yes	Owner:	City Of Chicago
Style:	Hardtop, 4-Door	Damaged Descr:	Tire(S)-Flat, Front Windshield Scratched	Possessor/User:	PO. GAFFNEY #19958, THOMAS
Color-Top/Bottom:	White/White	Theft From?	No	Towed?	No
		Burned?	No		
License Plate #:	Mp6581 - Illinois - Law Enforcement (City, County, State, Sos)	Destroyed?	No		
Expires:	01-December-2014	Recovered?	No		
		Stolen?	No		

Vehicle Identifiers: Police Squad Car

OIG 15-0564 003017

NOTIFICATIONS

Request Type	Unit	Agency Name	Date	Star #	Name
Notification	177	Forensic Services Division	20 October 2014 23:07	13131	,SARLO

Request Type	Date	Star #	Name
Notification	20 October 2014 23:14	4898	,JINES

Request Type	Unit	Agency Name	Date	Star #	Name
On Scene	610	Detective Area - Central	20 October 2014 21:50	20563	,MARCH

Request Type	Unit	Agency Name	Date	Star #	Name
Notification	116	Deployment Operations Center	21 October 2014 22:58	7303	,CHIBE

Request Type	Date	Empl #	Name
Notification	20 October 2014 23:50	76	,BRIGGS

OIG 15-0564 003018

NARRATIVE

EVENT# 15878 REFER TO DETECTIVE DIVISION SUPPLEMENTARY REPORT.
NOTIFICATION: WATCH COMMANDER OF UNIT: LT. KOCH Beat#: Star#: 715 Emp#: Date: 20-OCT-2014 Time: 2250 NOT
NOTIFICATION: STATION SUPERVISOR: COMISKEY Beat#: Star#: 1774 Emp#: Date: 21-OCT-2014 Time: 2250 NOT
NOTIFICATION: SERGEANT STEPHEN FRANKO Beat#: 0810R Star#: 1381 Emp#: Date: 21-OCT-2014 Time: 2158 ONS
ASSISTING OFFICER - STAR#: 10690 NAME: RICARDO VIRAMONTES BEAT: 0841R
REPORTING OFFICER - STAR#: 19958 NAME: THOMAS GAFFNEY BEAT: 0815R
REPORTING OFFICER - STAR#: 18715 NAME: JOSEPH MCELLIGOTT BEAT: 0815R
ASSISTING OFFICER - STAR#: 12865 NAME: JOSEPH WALSH BEAT: 0845R
ASSISTING OFFICER - STAR#: 9465 NAME: JASON VAN DYKE BEAT: 0845R
ASSISTING OFFICER - STAR#: 4364 NAME: JANET MONDRAGON BEAT: 0813R
ASSISTING OFFICER - STAR#: 2763 NAME: DAPHNE SEBASTIAN BEAT: 0813R
ASSISTING OFFICER - STAR#: 6442 NAME: TERENCE BRADY BEAT: 0811R
ASSISTING OFFICER - STAR#: 7025 NAME: MICHAEL BELMONTEZ BEAT: 0811R
ASSISTING OFFICER - STAR#: 10385 NAME: LETICIA VELEZ BEAT: 0822
ASSISTING OFFICER - STAR#: 15790 NAME: ARTURO BECERRA BEAT: 0822
ASSISTING OFFICER - STAR#: 9654 NAME: RAUL ROSALES JR BEAT: 0821R
ASSISTING OFFICER - STAR#: 8302 NAME: PATRICK KENNING BEAT: 0821R
SUPERVISOR ON SCENE - STAR#: 1320 NAME: BRYAN SPREYNE BEAT: 0865
SUPERVISOR ON SCENE - STAR#: 1381 NAME: STEPHEN FRANKO BEAT: 0810R
ASSISTING OFFICER - STAR#: 12392 NAME: DAVID IVANKOVICH BEAT: 0823R
ASSISTING OFFICER - STAR#: 19896 NAME: JOSE TORRES BEAT: 0823R
ASSISTING OFFICER - STAR#: 11630 NAME: ANTHONY VANCE BEAT: 0833R
ASSISTING OFFICER - STAR#: 16422 NAME: JAMES GEISBUSH BEAT: 0833R
ASSISTING OFFICER - STAR#: 6490 NAME: LUIS GARCIA BEAT: 0851R
ASSISTING OFFICER - STAR#: 12037 NAME: ELLIOT FLAGG BEAT: 0851R
SUPERVISOR ON SCENE - STAR#: 1734 NAME: PETER MC GLYNN BEAT: 0830R
OTHER SUPPORT - STAR#: 20453 NAME: JOHN HALLORAN BEAT: 5131
OTHER SUPPORT - STAR#: 21128 NAME: JOHN MURRAY BEAT: 5131
OTHER SUPPORT - STAR#: 20563 NAME: DAVID MARCH BEAT: 5121
OTHER SUPPORT - STAR#: 21285 NAME: GREGORY JONES BEAT: 5122
OTHER SUPPORT - STAR#: 20606 NAME: RICHARD HAGEN BEAT: 5165
OTHER SUPPORT - STAR#: 529 NAME: OSVALDO VALDEZ BEAT: 5105
OTHER SUPPORT - STAR#: 62 NAME: EUGENE ROY BEAT: 5100
OTHER SUPPORT - STAR#: 10201 NAME: CARL BRASIC BEAT: 5802
OTHER SUPPORT - STAR#: 8825 NAME: KAMAL JUDEH BEAT: 5802
OTHER SUPPORT - STAR#: 819 NAME: DAVID FRIEL BEAT: 5880
OTHER SUPPORT - STAR#: 20201 NAME: MATTHEW RICKHER BEAT: 5885
OTHER SUPPORT - STAR#: 1303 NAME: DANIEL GALLAGHER BEAT: 5120
ASSISTING OFFICER - STAR#: 20555 NAME: ROBERTO GARCIA BEAT: 5122
- STAR#: 120 NAME: DAVID MC NAUGHTON BEAT: 41
- STAR#: 13 NAME: JAMES O DONNELL BEAT: 0800
- STAR#: 107 NAME: DENNIS WALSH BEAT: 0890
- STAR#: 14193 NAME: MAHMOUD HALEEM BEAT: 0865B
- STAR#: 13516 NAME: IVAN LOPEZ BEAT: 0865B
- STAR#: 10333 NAME: PATRICK KENAH BEAT: 0865C
- STAR#: 14393 NAME: ANDRES ZEPEDA BEAT: 0865C
- STAR#: 13882 NAME: ROBERT SHULTZ BEAT: 0865C

PERSONNEL

	Star No	Emp No	Name	User	Date	Unit	Beat
Approving Supervisor	1381	[redacted]	FRANKO, Stephen, D	[redacted]	21 Oct 2014 05:15	008	
Detective/Investigator	20563		MARCH, David, M		21 Oct 2014 15:01	610	
Reporting Officer	4454		FONTAINE, Dora		21 Oct 2014 04:32	008	0841R

OIG 15-0564 003019

ERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 10CT2014	20 OCT 2014 3

OFFENSE CLASSIFICATION–LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	VAN DYKE	512I

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

J VAN DYKE P1 OF 3

RESPONDED TO 815R REQUEST FOR ASSIST.
MAW W/KNIFE. 40TH W OF PULASKI.
TASER REQUESTED.
HEARD GAFFNEY — O "POPPED" TIRE ON RADIO.
VD = O SLASHED TIRE W/KNIFE.
W/B ON 40TH SAW O = M/B.
RUNNING E/B IN BK LOT.
KNIFE IN R HAND.
McELLIGOTT PURSUING ON FOOT.
CIVILIAN ON 40TH POINTING TO O.
WALSH DRIVE E/B INTO LOT IN PURSUIT.
N SIDE OF BK.
USED VEHICLE TO BLOCK O FROM BK.
O RAN OUT ONTO PULASKI, THEN S/B.
TOWARD DD
WALSH KEPT VEH BETWEEN O + DD.
VD OPENED DOOR TO EXIT + CONFRONT O.
WALSH — NO, TOO CLOSE.
DROVE FURTHER S.
STOPPED AHEAD OF O

R.D. NO. HX425653

[redacted] E–STAR NO. 20563 | RECEIVED BY: SUPERVISOR'S SIGNATURE–STAR NO. 1500 | DAY–MO.–YR. TIME

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 2014	20 OCT 2014 3

OFFENSE CLASSIFICATION–LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	VAN DYKE	512

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

J VAN DYKE P2 OF 3

VD EXITED VEH. DREW HANDGUN
STOOD IN ST, FACING NB, TOWARD O
O COMING S/B
KNIFE IN R HAND, UNDERHAND GRIP, BLADE FORWARD
SWINGING KNIFE IN AGGRESSIVE, EXAGGERATED MANNER
VD = "DROP THE KNIFE!" MULTIPLE TIMES
O IGNORED DIRECTIONS. CONTINUED TO ADVANCE
WHEN O WITHIN 10-15 FT, LOOKED AT VD
RAISED KNIFE ACROSS CHEST, OVER SHOULDER
POINTED KNIFE AT VD
VD BELIEVED O WAS ATTACKING W/KNIFE
TRYING TO KILL VD
IN DEFENSE OF HIS LIFE VD BACKPEDALED + FIRED
O FELL TO GROUND, CONTINUED TO MOVE/GRASP KNIFE
VD CONTINUED FIRING. O APPEARED TO BE
ATTEMPTING TO GET UP, STILL HOLDING KNIFE
POINTING AT VD
SLIDE ON PISTOL LOCKED – WEAPON EMPTY
TACTICAL RELOAD
ASSESSED

R.D. NO. HX475253

[redacted] STAR NO. 20563 | RECEIVED BY: SUPERVISOR'S SIGNATURE–STAR NO. | DAY–MO.–YR. TIME

CPD-23.122 (Rev. 2/83)

ERAL PROGRESS REPORT
ECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 2014	20 OCT 2014 3

OFFENSE CLASSIFICATION–LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	VAN DYKE	512

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

J VAN DYKE P 3 OF 3

O NO LONGER MOVING. THREAT MITIGATED
VD + WALSH APPROACHED O
STILL HOLDING KNIFE IN R HAND
VD CONTINUED, "DROP THE KNIFE!"
WALSH = "I HAVE THIS."
VD COVERED WALSH AS WALSH WALKED UP TO O
FORCIBLY KICKED KNIFE FROM O'S HAND
THREAT ELIMINATED
WALSH = SHOTS FIRED BY POLICE" ON RADIO
VD = REQUESTED AMBULANCE

R.D. NO. HX425653

[redacted] –STAR NO. 20563 | RECEIVED BY: SUPERVISOR'S SIGNATURE–STAR NO. | DAY–MO.–YR. TIME

PD-23.122 (Rev. 2/83)

ERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 2014	20 OCT 2014 3

OFFENSE CLASSIFICATION–LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	WALSH J [illegible]	5121

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

J WALSH P1 OF 2

WHEN O E/B IN BK LOT, USED VEH TO BLOCK
D FROM BK
O S/B ON PULASKI FROM BK. WALSH IN PURSUIT
S/B IN N/B LANES TO GET AHEAD OF O
KEPT VEH BETWEEN O + VS
AS THEY PASSED O VS ATTEMPTED TO EXT/CONFRONT
WALSH = TOO CLOSE, WAIT
DROVE FURTHER S
STOPPED S OF O
BOTH EXITED VEH
WALSH DREW HANDGUN
AROUND REAR OF TAHOE
JOINED VS
<TOO> IN ST FACING N/B AS O APPROACHED S/B
WALSH = "DROP THE KNIFE!" MULTIPLE TIMES
WALSH BACKED UP, ATTEMPTING TO MAINTAIN SAFE DISTANCE
O IGNORED DIRECTIONS, CONTINUED TO ADVANCE
AT 12-15 FT O SWUNG KNIFE AT POV IN
AGGRESSIVE MANNER

R.D. NO. HX475653

[redacted] STAR NO. 20563 | RECEIVED BY: SUPERVISOR'S SIGNATURE–STAR NO. [redacted] | DAY–MO.–YR. TIME

PD-23.122 (Rev. 2/83)

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 2014	20 OCT 2014 3

OFFENSE CLASSIFICATION—LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	VAN DYKE	512

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

J WALSH P2 OF 2

VD OPENED FIRE
O FELL TO GROUND
VD CONTINUED FIRING AS O CONTINUED MOVING, ATTEMPTING GET UP, STILL ARMED W/KNIFE
WHEN GUNFIRE STOPPED, O NOT MOVING
POs APPROACHED O
WALSH CONTINUED, "DROP THE KNIFE!" MULTIPLE X
O STILL HOLDING KNIFE IN R HAND
WALSH FORCIBLY KICKED KNIFE FROM HAND
NOTIFIED DISPATCHER — SHOTS FIRED BY POLICE
AMBULANCE WAS ALSO REQUESTED
WHILE WAITING FOR AMBULANCE, TOLD O "HANG IN THERE." AMBULANCE ON WAY
WALSH BELIEVED O WAS ATTACKING POs W/KNIFE, ATTEMPTING TO KILL POs WHEN SHOTS FIRED
WALSH DID NOT FIRE BECAUSE VD IN LINE OF FIRE
THOUGHT VD FIRED 8-9 SHOTS

R.D. NO. HX475653

[redacted] STAR NO. 20763 | RECEIVED BY: SUPERVISOR [redacted] STAR NO. [redacted] | DAY—MO.—YR. TIME

PD-23.122 (Rev. 2/83)

Chicago Police Department
Office of News Affairs

Garry F. McCarthy
Superintendent

Marty Maloney
Director

For Immediate Release
October 21, 2014

Contact: Office of News Affairs
312-745-6110

Preliminary Statement on Police Involved Shooting – 4100 Block of S. Pulaski

On Monday, October 20, 2014, at approximately 9:45 pm, officers assigned to the 008th District (Chicago Lawn) were investigating a 911 call of a male subject who was breaking into vehicles in the vicinity of the 4100 block of S. Karlov. Responding uniformed officers approached a subject who produced a knife and proceeded to puncture the front passenger tire and damage the front windshield of their marked Chicago Police vehicle. The offender fled on foot with officers in pursuit. Near the intersection of 4100 S. Pulaski, uniformed officers confronted the armed offender who refused to comply with orders to drop the knife and continued to approach the officers. As a result of this action, the officer discharged his weapon striking the offender. The offender was transported to an area hospital where he succumbed to his injuries. No officers were injured during the incident.

This matter remains under investigation and all further media inquiries can be directed to the Independent Police Review Authority at 312-446-3298.

###

OIG 15-0564 003852

SUPPLEMENTARY REPORT

CHICAGO POLICE

20 Oct 14 2157

ASSAULT-AGG PO: KNIFE/CUT INSTR 0552 | 4000 S KARLOV | 815

P.O. GAFFNEY # 19958 / P.O. VAN DYKE # 12805 | 9210

342D W 63RD ST | STREET | 304

PROPERTY

1 MONEY	2 JEWELRY	3 FURS	4 CLOTHING	5 OFFICE EQUIPMENT	6 TV, RADIO, STEREO	PROPERTY INVENTORY NOS.
T $ / R	T $ / R	T $ / R	T $ / R	T $ / R	T $ / R	

7 HOUSEHOLD GOODS	8 CONSUM. GOODS	9 FIREARMS	10 NARC. DANGEROUS DRUGS	11 OTHER	12 NONE
T $ / R	T $ / R	T $ / R	T $ / R	T $ / R	T / R

OFFENDERS

13 OFFENDER'S NAME (OR DESCRIBE CLOTHING, ETC.)	14 HOME ADDRESS	15 SEX-RACE CODE	AGE	HEIGHT	WEIGHT	EYES	HAIR	COMPL.
1								
2	SEE ORIGINAL CASE INCIDENT REPORT							

14 C.B. NO.	I.R. NO. Y.D. NO. OR J.D.A. NO.	OFFENDER REL. CODE	C.B. NO.	I.R. NO. Y.D. NO. OR J.D.A. NO.	OFFENDER REL. CODE	15 NO. ARRESTS ADDITIONAL INFO NO.
OFF 1			OFF 2			

16 OFF'S VEHICLE	YEAR	MAKE	BODY STYLE	COLOR	VIN	STATE LICENSE NO.	STATE
USED STOLEN							

NARRATIVE

EVENT# IN SUMMARY: R/S CONTACTED BY CPIC AT 2230, 20 OCT 14 FOR IN CAR CAMERA (ICC) VIDEO RETRIEVAL ON SCENE 4100 S. PULASKI RELATED TO THE ABOVE LISTED INCIDENT. REQUEST WAS FROM AREA CENTRAL DETECTIVE DIVISION SGT D GALLAGHER UPON ARRIVAL BT 813R VEH# 8779; BT 815R VEH# 8486; BT 822 VEH# 8765; BT 845R VEH# 6412; & BT 841R VEH# 8948 WERE SUBJECTS OF ICC VIDEO CHECK/RETRIEVAL. CHECKS OF THESE VEHICLES REVEALED THE LISTED FINDINGS:

BT 813R	VEH# 8779	VIDEO RECORDED PCOZ400@20141020215250
BT 815R	VEH# 8486	OPERATIONAL BUT DUE TO DISC ERROR NO VIDEO RECORDED
BT 822	VEH# 8765	NOT ENGAGED - OFFICER REPORTED POWER ISSUE
BT 845R	VEH# 6412	VIDEO RECOVERED PCOS571@20141020215250
BT 841R	VEH# 8948	NOT ENGAGED - OFFICER REPORTED APPLICATION ERROR

RECOVERED VIDEO MANUALLY UPLOADED AND RETRIEVED 002/ACOD ICC SYSTEM

14K 455653

CONTINUED OTHER SIDE

23 EXTRA COPIES REQUIRED (NO. & RECIPIENT)	31 DATE THIS REPORT SUBMITTED (DAY-MO-YR)	TIME	32 SUPERVISOR APPROVING (PRINT NAME)	STAR NO.
	21 OCT 14			
33 REPORTING OFFICER (PRINT NAME) STAR NO.	34 REPORTING OFFICER (PRINT NAME) STAR NO.		SIGNATURE	
SIGNATURE SGT J BECERRA 1748	SIGNATURE		35 DATE APPROVED (DAY-MO-YR)	TIME

CPD 11.4[illegible] (REV. 8/95) *MUST BE COMPLETED IN ALL CASES

INDEPENDENT POLICE REVIEW AUTHORITY
Log #1072125 / U #14-36

TO:	Chief Administrator Independent Police Review Authority
FROM:	Inv. Brian Killen, #129
SUBJECT:	Log #1072125 U# 14-36
REFERENCE:	RD# HX475-653 (Aggravated Assault to PO/Knife)
DATE/TIME:	20 October 2014; 2159 hours
LOCATION:	4112 S. Pulaski Road Beat 815
INVOLVED OFFICER #1:	VAN DYKE, Jason; Chicago Police Officer; Star #9465; Unit 008; M/W; Employee #[redacted]; DOA: 25JUN01; On-Duty; In Uniform; Beat 845R.
OFFICER #1's WEAPON:	Smith & Wesson; Model #5943; Semi-Automatic; 9 mm; Serial #TDU5969; City Registration #628361; FOID #95380037; Fired (16) times
OFFICER #1's INJURIES:	None Reported.
OFFICER #2:	GAFFNEY, Thomas; Chicago Police Officer; Star #19958; Unit 008; M/W; Employee #[redacted]; DOA: 08JUL96; On-Duty; In Uniform; Beat 815R.
OFFICER #2's WEAPON:	Did not fire.
OFFICER #2's INJURIES:	None Reported.
OFFICER #3:	MC ELLIGOTT, Joseph; Chicago Police Officer; Star #18715; Unit 008; M/W; Employee #[redacted]; DOA: 27AUG01; On-Duty; In Uniform; Beat 815R.

LOG# 1072125

Attachment # 4

OFFICER #3's WEAPON: Did not fire.

OFFICER #3's INJURIES: None Reported.

OFFICER #4: SEBASTIAN, Daphne, Chicago Police Officer; Star #2763; Unit 008; F/W; Employee #[redacted]; DOA: 30SEP02; On-Duty; In Uniform; Beat 813R.

OFFICER #4's WEAPON: Did not fire.

OFFICER #4's INJURIES: None Reported.

OFFICER #5: MONDRAGON, Janet; Chicago Police Officer; Star #4364; Unit 008; F/H; Employee #[redacted] DOA: 02APR07; On-Duty; In Uniform; Beat 813R.

OFFICER #5's WEAPON: Did not fire.

OFFICER #5's INJURIES: None Reported.

OFFICER #6: WALSH, Joseph; Chicago Police Officer; Star #12865; Unit 008; M/W; Employee #[redacted] DOA: 29JUN98; On-Duty; In Uniform; Beat 845R.

OFFICER #6's WEAPON: Did not fire.

OFFICER #6's INJURIES: None Reported.

INDEPENDENT POLICE REVIEW AUTHORITY
Log #1072125 / U #14-36

SUBJECT:	MC DONALD, Laquan; M/B; DOB: 25SEP97; SS# Unknown; IR #1291225; Address: [redacted], Telephone: Unknown.
SUBJECT's INJURIES:	Multiple gunshot wounds. Transported to Mt. Sinai Hospital. Deceased.
IPRA NOTIFICATONS:	IPRA Chief Administrator Scott Ando Chief of Staff Steven Hirsch Director of Public Affairs Larry Merritt IPRA Supervisor Alexis Amezaga IPRA Inv. Brian Killen
TIME OF IPRA NOTIFICATION:	2234 hours.
TIME IPRA ARRIVED ON SCENE:	2315 hrs.

OBSERVATIONS OF SCENE:

The weather was clear and night time. The location of incident (4112 S. Pulaski Avenue) was illuminated with artificial lighting. The location of incident is a commercial area.

PRELIMINARY STATEMENT FROM WALK-THROUGH:

Chief of Staff Hirsch, Supervisor Amezaga, and Investigator Killen responded to the scene. Inv. Nufio responded to Mt. Sinai Hospital. The following information was provided by On-Scene Incident Commander Dave McNaughton during a walk-through of the scene, it is based upon multiple layers of hearsay and is not verbatim. At 0100 hours, OCIC Dave McNaughton conducted the walk-thru.

OCIC McNaughton stated that at approximately 2156 hours, Officers Thomas Gaffney and Joseph McElligott (Beat 815R) responded to a 911 call of citizens holding an offender at the truck yard at 4100 S. Kildare. Upon arrival two citizens, a male/Hispanic and a female/Hispanic, informed

Officers Gaffney and McElligott that they saw a male/black subject (NKA Lequan McDonald) breaking into the trucks and that McDonald walked east on 40th Street. The two citizens also stated that McDonald was holding something in his hand. Officers Gaffney and McElligott drove east on 40th Street and observed McDonald walking east on the sidewalk on the south side of the street. The officers also observed that McDonald had his left hand in his pocket and in his right hand he held a knife. Officer McElligott exited the passenger side of the vehicle and attempted to detain McDonald while Officer Gaffney continued to drive their vehicle on the street parallel to McDonald. Officer Gaffney also radioed for assistance and specifically asked for a unit with a taser because McDonald was armed with a knife. McDonald continued to walk east with McElligott following him on foot and Officer Gaffney driving the police vehicle in the street. When they reached Karlov Street McDonald stabbed the front passenger tire of the officers' vehicle and then repeatedly stabbed the vehicle's windshield on the passenger side. Officer Gaffney continued to radio for assistance. McDonald then ran east toward Pulaski Road. Officer McElligott chased McDonald on foot southeast across Burger King's parking lot and then south in the middle of Pulaski Road. Officers Joseph Walsh and Jason Van Dyke (Beat 845R) joined the chase at this time. Officer Walsh drove their vehicle south past McDonald and stopped in front of him in the northbound lanes of Pulaski Road. Officers Walsh and Van Dyke exited their vehicle with their weapons drawn and ordered McDonald to drop his knife. McDonald did not drop his knife, and instead walked toward Officer Van Dyke in an aggressive manner by waving the knife back and forth. Officer Van Dyke then discharged his firearm sixteen times, striking McDonald several times. McDonald fell to the ground still holding the knife. Officer Walsh kicked the knife from McDonald's hand. McDonald was subsequently transported from the location of incident to the hospital by ambulance.

IDENTIFICATION OF WITNESSES (CPD and PUBLIC):

OCIC McNaughton also stated that police personnel were still attempting to locate the two citizens that telephoned 911, as well as a third citizen who may have witnessed the incident. OCIC McNaughton did not have any names or contact information for any of the possible civilian witnesses at the time of the walk-thru.

OTHER RELEVANT INFORMATION:

Multiple expended casings and a silver knife with a gold-colored handle were observed scattered about Pulaski Road. During the walk-thru OCIC McNaughton stated several of the police vehicles have in-car cameras and that they were attempting to retrieve all of the recordings. OCIC McNaughton noted that based on the position of the police vehicle driven by Officers Sebastian and Mondragon (Beat 813R) at the time of the incident, their in-car camera may have the best line-of-sight to the incident.

INDEPENDENT POLICE REVIEW AUTHORITY
Log #1072125 / U #14-36

Inv. Brian Killen, #129

APPROVED:

Supervisor #022

OIG 15-0564 000033

HICAGO POLICE DEPARTMENT

ASE SUPPLEMENTARY REPORT

10 S. Michigan Avenue, Chicago, Illinois 60653
use by Chicago Police - Bureau of Investigative Services Personnel Only)

HX475653

Case id : 9825613
Sup ID : 10992767 CASR301

XC. CLEARED CLOSED (OTHER EXCEPTIONAL) | **DETECTIVE SUP. APPROVAL COMPLETE**

Offense Classification/Re-Classification	IUCR Code	Original Offense Classification			IUCR Code
AULT / Aggravated Po:Knife/Cut Instr	**0552**	ASSAULT / Aggravated Po:Knife/Cut Instr			0552
ddress of Occurrence	Beat of Occur	No of Victims	No of Offenders	No of Arrested	SCR No
112 S PULASKI RD	**815**	4	1	1	
ocation Type	Location Code	Secondary Location			Hate Crime?
Street	**304**				NO
ate of Occurrence	Unit Assigned	Date RO Arrived	Fire Related?	Gang Related?	Domestic Related?
20-OCT-2014 21:57	**0841R**	20-OCT-2014 21:57	NO	NO	NO

Reporting Officer	Star No	Approving Supervisor	Star No	Primary Detective Assigned	Star No
MARCH, David	20563	WOJCIK, Anthony	481	MARCH, David	20563
Date Submitted		Date Approved		Assignment Type	
15-MAR-2015 18:26		16-MAR-2015 00:03		FIELD	

THIS IS A FIELD INVESTIGATION EXC. CLEARED CLOSED (OTHER EXCEPTIONAL) REPORT

VICTIM(S) :

GAFFNEY, Thomas J
Male / White / 41 Years
EMPLOYMENT: Chicago Police Officer #19958 Chicago Police Officer
EMPLOYER BUSINESS NME: Chicago Police Department
BUS: 3420 W 63rd St
Chicago IL
312-747-8730

MCELLIGOTT, Joseph P
Male / White / 36 Years
EMPLOYMENT: Chicago Police Officer #18715 Chicago Police Officer
EMPLOYER BUSINESS NME: Chicago Police Department
BUS: 3420 W 63rd St
Chicago IL
312-747-8730

VAN DYKE, Jason D
Male / White / 36 Years
EMPLOYMENT: Chicago Police Officer #9465 Chicago Police Officer
EMPLOYER BUSINESS NME: Chicago Police Department
BUS: 3420 W 63rd St
Chicago IL
312-747-8730

WALSH, Joseph J
Male / White / 45 Years
EMPLOYMENT: Chicago Police Officer #12865 Chicago Police Officer
EMPLOYER BUSINESS NME: Chicago Police Department
BUS: 3420 W 63rd St
Chicago IL

HX475653

312-747-8730

OFFENDER(S): **MCDONALD, Laquan J** -- In Custody --

ALIAS: "Bon-Bon"
Male / Black / 17 Years
DOB: [redacted]
RES: [redacted]
BIRTH PL: Illinois
DESCRIPTION: 6'02,180,Black Hair, Dreadlocks Hair Style, Brown Eyes, Medium Complexion

ITEM USED:
Weapon
DLN/ID: [redacted]
OTHER IDENTIFICATIONS: **Type -** Other Id
State - Unknown

IR #: 2106340
SID #: IL18550721
ORGANIZATION: NEW BREED
RELATIONSHIP OF VICTIM TO OFFENDER:

GAFFNEY, Thomas No Relationship
MCELLIGOTT, Joseph No Relationship
VAN DYKE, Jason No Relationship
WALSH, Joseph No Relationship

GANG INFORMATION:
LISTED CRIMINAL ORGANIZATION: New Breed
GANG IDENTIFIERS: Other

OFFENDER INJURIES: **MCDONALD, Laquan J**

Type	Weapon Used	Weapon Description
Gun Shot Wound	Handgun	Other -Handgun

Injured by Police
Chicago Fire Department Provided First Aid
EXTENT OF INJURY: Multiple Gsw
HOSPITAL REMOVED BY: Cfd Ambulance 21

HOSPITAL: Mt. Sinai
INJURY TREATMENT: Multiple Gsw
PHYSICIAN NAME: Dr Pitzele
INV #: **13296449**

WEAPON(S): **Evidence**

Smith & Wesson -Us- (Bodyguard,Chief Special) , 5942 , 9 , Semi-Automatic Pistol , Semi-Automatic , 4" , Stainless

SERIAL #: [redacted]

MAGAZINE CAPACITY: 15

Number Of Live Rounds present in the Firearm - 15

Number Of Live Rounds used in the Firearm - 16

The Status Of This Firearm is 628361

PROPERTY TYPE: Other

OWNER: Van Dyke, Jason

POSSESSOR/USER: Van Dyke, Jason

PHONE #: 312 - 747 - 8730

LOCATION FOUND: 5101 S Wentworth Ave

VEHICLE INFO:

Truck , 2010 / Chevrolet / Tahoe / Truck

, Victims Vehicle

VIN: 1GNMCAE0XAR263348 **Evidence**

YEAR (RANGE): 2010

COLOR (TOP/BOTTOM): White / White

OWNER: Chicago Police Department

POSSESSOR/USER: Gaffney, Thomas

PHONE#: 312 - 747 - 8730

LOCATION FOUND: 4102 S Pulaski Rd

LICENSE: MP6581, Law Enforcement (City, County, State, Sos), IL

LOCATION OF INCIDENT:

4112 S Pulaski Rd
Chicago IL
304 - Street

DATE & TIME OF INCIDENT: 20-OCT-2014 21:57

WEATHER AND LIGHTING:

WEATHER: Cloudy & Cool

TEMPERATURE: 50s

LIGHTING: Dark / Artificial Light

LIGHTING SOURCE: Streetlights

DISTANCE: Overhead

MOTIVE CODE(S): Interceding In A Felony

CAUSE CODE(S): Dna

METHOD CODE(S): Offender Shot

CAU CODE(S): Police Related Not Con

FIREARM(S) RECOVERED: **INV #: 13296449** **Evidence**

Smith & Wesson -Us- (Bodyguard,Chief Special) , 5942 , 9 , Semi-

Automatic Pistol , Semi-Automatic , 4" , Stainless
SERIAL #: [redacted]
PROPERTY TYPE: Other

OWNER: Van Dyke, Jason
POSSESSOR/USER: Van Dyke, Jason

PHONE #: 312 - 747 - 8730
LOCATION FOUND: 5101 S Wentworth Ave

MAGAZINE CAPACITY: 15
Number Of Live Rounds present in the Firearm - 15
Number Of Live Rounds used in the Firearm - 16

/EHICLE(S) DAMAGED: **Truck , 2010 / Chevrolet / Tahoe / Truck**
VIN: 1GNMCAE0XAR263348 **Evidence**

YEAR - YEAR RANGE END: 2010
COLOR (TOP/BOTTOM): White / White
OWNER: Chicago Police Department
POSSESSOR/USER: Gaffney, Thomas

PHONE#: 312 - 747 - 8730
LOCATION FOUND: 4102 S Pulaski Rd
LICENSE: MP6581, Law Enforcement (City, County, State, Sos), IL

PERSONNEL ASSIGNED:
Detective/Investigator
MARCH, David M # 20563
Reporting Officer
FONTAINE, Dora # 4484 BEAT: 0841R

WITNESS(ES) :
BACERRA, Arturo
Male / White Hispanic / 32 Years
EMPLOYMENT: Chicago Police Officer #15790 Chicago Police Officer
BUS: 3420 W 63rd St
Chicago IL
312-747-8730
[redacted]
Female / White Hispanic / 29 Years
DOB: [redacted]
RES: 5340 Prairie
[redacted]

OTHER COMMUNICATIONS:
Cellular [redacted]
Phone :
[redacted]

Female / White Hispanic / 19 Years

DOB: [redacted]

RES: [redacted]

BUS: [redacted]

DLN/ID: [redacted]

Male / White Hispanic / 18 Years

DOB: [redacted]

RES: [redacted]

OTHER COMMUNICATIONS:

[redacted]
Phone :

DLN/ID: [redacted]

Female / White Hispanic / 24 Years

DOB: [redacted]

RES: [redacted]

EMPLOYMENT: Shift Manager

BUS: [redacted]

OTHER COMMUNICATIONS:

Cellular [redacted]
Phone :

FONTAINE, Dora

Female / White Hispanic / 47 Years

EMPLOYMENT: Chicago Police Officer #4484 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

[redacted]

Male / White Hispanic / 25 Years

DOB: [redacted]

RES: [redacted]

BUS: [redacted]

OTHER COMMUNICATIONS:

Cellular Phone : [redacted]

SSN: [redacted]

[redacted]

Female / White Hispanic / 30 Years

DOB: [redacted]

RES: [redacted]

OTHER COMMUNICATIONS:

Cellular Phone : [redacted]

[redacted]

Male / White Hispanic / 24 Years

DOB: [redacted]

RES: [redacted]

SSN: [redacted]

DLN/ID: [redacted]

MONDRAGON, Janet

Female / White Hispanic / 37 Years

EMPLOYMENT: Chicago Police Officer #4364 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

SEBASTIAN, Daphne L

Female / White / 45 Years

EMPLOYMENT: Chicago Police Officer #2763 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

VELEZ, Leticia

Female / White Hispanic / 43 Years

EMPLOYMENT: Chicago Police Officer #10385 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

VIRAMONTES, Ricardo

Male / White Hispanic / 41 Years

EMPLOYMENT: Chicago Police Officer #10590 Chicago Police Officer

BUS: 3420 W 63rd St
Chicago IL

312-747-8730

OTHER INDIVIDUALS INVOLVED:

[redacted] (Additional Victim)
Male / White Hispanic / 43 Years
DOB: [redacted]
RES: [redacted]
EMPLOYMENT: Self-Employed Truck Driver
OTHER COMMUNICATIONS:
Cellular Phone : [redacted]
DLN/ID: [redacted] :

[redacted] (Family Member Notified)
Male / Black / 25 Years
DOB: [redacted]
RES: [redacted]
OTHER COMMUNICATIONS:
Other : [redacted]

[redacted] (Person Interviewed Non-Witness)
Female / White Hispanic / 62 Years
DOB: [redacted]
RES: [redacted]
BUS: [redacted]

[redacted] (Person Interviewed Non-Witness)
Female / White Hispanic / 39 Years
DOB: [redacted]
RES: [redacted]
BUS: [redacted]

CRIME CODE SUMMARY: 0552 - Assault - Aggravated Po:Knife/Cut Instr

OTHER ASSOCIATIONS: 0552 - Assault - Aggravated Po:Knife/Cut Instr

GAFFNEY, Thomas, J (Victim)

MCDONALD, Laquan, J	(Offender)
MCELLIGOTT, Joseph, P	(Victim)
MCDONALD, Laquan, J	(Offender)
MCDONALD, Laquan, J	(Offender)
VAN DYKE, Jason, D	(Victim)
MCDONALD, Laquan, J	(Offender)
WALSH, Joseph, J	(Victim)

ICIDENT NOTIFICATIONS:

NOTIFICATION DATE & TIME: 10/20/2014:230700
REQUEST TYPE: Notification
PERSON NAME: ,Sarlo
STAR #: 13131
EMP #:

NOTIFICATION DATE & TIME: 10/20/2014:231400
REQUEST TYPE: Notification
PERSON NAME: ,Jines
STAR #: 4898
EMP #:

NOTIFICATION DATE & TIME: 10/20/2014:215000
REQUEST TYPE: On Scene
PERSON NAME: ,March
STAR #: 20563
EMP #:

NOTIFICATION DATE & TIME: 10/21/2014:225800
REQUEST TYPE: Notification
PERSON NAME: ,Chibe
STAR #: 7303
EMP #:

NOTIFICATION DATE & TIME: 10/20/2014:235000
REQUEST TYPE: Notification
PERSON NAME: ,Briggs
STAR #:
EMP #: 76

REPORT DISTRIBUTIONS: No Distribution

INVESTIGATION:

AREA CENTRAL FIELD INVESTIGATION:

Exceptionally Cleared Closed /
Other Exceptional Clearance - Death of Offender.

The full format for this investigation is contained in the previous Progress - Scene Report.

INVESTIGATION:

The reporting detective was assigned to the immediate follow-up investigation of this police officer involved shooting incident, by Sergeant Daniel GALLAGHER of this command. The reporting detective proceeded to the scene of the incident at 4112 South Pulaski Road. The officer involved in the shooting was located and interviewed at the scene.

VAN DYKE, Jason D -----

stated he was a Chicago Police Officer assigned to the 008th District. He was on duty, in uniform, working on Beat 845R. VAN DYKE was working with Police Officer Joseph WALSH. The two officers were assigned to Chicago Police Department vehicle number 6412, a marked Chevrolet Tahoe, four door sport utility vehicle. WALSH was driving the vehicle and VAN DYKE was the passenger.

The two officers responded to a request for assistance from Beat 815R, regarding a man with a knife, on 40th Street, west of Pulaski Road. A unit equipped with a taser had also been requested. Officer VAN DYKE heard the radio transmission when Officer Thomas GAFFNEY said the man with a knife had "popped" the tire of GAFFNEY's police vehicle. VAN DYKE understood this to mean the subject had slashed the tire with his knife. As Officer WALSH drove westbound on 40th Street from Pulaski, VAN DYKE observed a black male subject, now known as Laquan MCDONALD, running eastbound in the parking lot of the Burger King restaurant on the southwest corner of 40 Street and Pulaski. MCDONALD was holding a knife in his right hand. VAN DYKE saw Police Officer Joseph MCELLIGOTT pursuing MCDONALD on foot. VAN DYKE also saw a civilian who was standing on 40th Street pointing to MCDONALD.

Officer WALSH drove eastbound in the parking lot, in pursuit of MCDONALD, on the north side of the Burger King restaurant building. WALSH used the police vehicle to block MCDONALD from entering the restaurant. MCDONALD ran out onto Pulaski Road and then turned southbound, running toward a Dunkin' Donuts restaurant, on the east side of Pulaski, south of the Burger King. WALSH positioned the police vehicle between MCDONALD and the Dunkin' Donuts to block his path towards that restaurant. When WALSH slowed the police vehicle alongside MCDONALD, Officer VAN DYKE opened the right front door of the vehicle to exit and confront MCDONALD. WALSH told VAN DYKE to stay in the vehicle as they were too close to MCDONALD to safely exit their vehicle. WALSH drove on southbound and stopped the police vehicle ahead of MCDONALD.

Officer VAN DYKE exited the vehicle on the right side and drew his handgun. As VAN DYKE stood in the street on Pulaski, facing northbound, toward MCDONALD, MCDONALD approached southbound. MCDONALD was holding the knife in his right hand, in an underhand grip, with the blade pointed forward. He was swinging the knife in an aggressive, exaggerated manner. VAN DYKE ordered MCDONALD to "Drop the knife!" multiple times. MCDONALD ignored VAN DYKE's verbal direction to drop the knife and continued to advance toward VAN DYKE.

When MCDONALD got to within 10 to 15 feet of Officer VAN DYKE, MCDONALD looked toward

VAN DYKE. MCDONALD raised the knife across his chest and over his shoulder, pointing the knife at VAN DYKE. VAN DYKE believed MCDONALD was attacking VAN DYKE with the knife, and attempting to kill VAN DYKE. In defense of his life, VAN DYKE backpedaled and fired his handgun at MCDONALD, to stop the attack. MCDONALD fell to the ground but continued to move and continued to grasp the knife, refusing to let go of it. VAN DYKE continued to fire his weapon at MCDONALD as MCDONALD was on the ground, as MCDONALD appeared to be attempting to get up, all the while continuing to point the knife at VAN DYKE. The slide on VAN DYKE's pistol locked in the rearward position, indicating the weapon was empty. VAN DYKE performed a tactical reload of his pistol with a new magazine and then assessed the situation.

MCDONALD was no longer moving and the threat had been mitigated, so Officer VAN DYKE and Officer WALSH approached MCDONALD. MCDONALD was still holding the knife in his right hand. VAN DYKE continued to order MCDONALD to "Drop the knife!" Officer WALSH told VAN DYKE, "I have this." VAN DYKE then used his handgun to cover WALSH as WALSH walked up and forcibly kicked the knife out of MCDONALD's right hand, thereby eliminating the threat to the officers.

Officer WALSH then notified the dispatcher on the police radio that shots had been fired by the police. Officer VAN DYKE requested an ambulance for MCDONALD on the radio.

Officer VAN DYKE's weapon was a Smith and Wesson, nine millimeter, semi-automatic pistol, with a 15 round magazine. VAN DYKE said the pistol was fully loaded at the beginning of his tour of duty, with 15 cartridges in the magazine and one cartridge in the firing chamber.

It was noted that the uniform Officer VAN DYKE was wearing consisted of a light blue long sleeve uniform shirt, with shoulder patches; black body armor vest, with patches; navy blue cargo pants; and equipment belt with handgun and radio.

The reporting detective then interviewed Officer VAN DYKE's partner.

WALSH, Joseph J -----

stated he was a Chicago Police Officer assigned to the 008th District. WALSH related the same facts as his partner, Officer Jason VAN DYKE.

WALSH added that as Laquan MCDONALD ran eastbound through the Burger King parking lot, WALSH used the police vehicle he was driving to block MCDONALD from entering the restaurant.

As MCDONALD ran southbound on Pulaski Road, from the Burger King, WALSH pursued MCDONALD in the police vehicle. WALSH drove southbound in the northbound lanes to get ahead of MCDONALD, keeping the police vehicle between MCDONALD and a Dunkin' Donuts restaurant, on the east side of Pulaski. As their vehicle passed MCDONALD, Officer VAN DYKE opened the right front door of their vehicle, to exit the truck and confront MCDONALD. WALSH, realizing that at this point they were too close to the armed MCDONALD to safely exit the vehicle, told VAN DYKE to wait until they got further ahead of MCDONALD. WALSH drove further south on Pulaski. He stopped his vehicle south of MCDONALD and exited the driver's door as VAN DYKE exited the right side of the vehicle. WALSH drew his handgun when he exited the vehicle.

Officer WALSH came around the rear of the police vehicle and joined Officer VAN DYKE on the right side of the vehicle. WALSH also stood in the street on Pulaski, facing northbound, as MCDONALD walked southbound toward the officers. WALSH ordered MCDONALD to "Drop the knife!" multiple times as MCDONALD approached the officers.

Officer WALSH also backed up, attempting to maintain a safe distance between himself and MCDONALD. MCDONALD ignored the verbal direction given by both WALSH and Officer VAN DYKE, and continued to advance toward the officers. When MCDONALD got to within 12 to 15 feet of the officers he swung the knife toward the officers in an aggressive manner. VAN DYKE opened fire with his handgun and MCDONALD fell to the ground. VAN DYKE continued firing his weapon at MCDONALD as MCDONALD continued moving on the ground, attempting to get up, while still armed with the knife.

When the gunfire stopped and MCDONALD was not moving anymore, WALSH approached MCDONALD with VAN DYKE. WALSH continued to order MCDONALD to "Drop the knife!" multiple times, as MCDONALD was still holding the knife in his right hand. WALSH forcibly kicked the knife out of MCDONALD's hand and then notified the dispatcher on the police radio that shots had been fired by the police. An ambulance was also requested for MCDONALD.

As they waited for the ambulance to respond to the scene, Officer WALSH told MCDONALD to "hang in there," and that an ambulance was on the way.

Officer WALSH said he believed MCDONALD was attacking WALSH and Officer VAN DYKE with the knife and attempting to kill them when the shots were fired. WALSH stated he did not fire his handgun because VAN DYKE was in the line of fire between WALSH and MCDONALD. WALSH thought VAN DYKE fired eight or nine shots total.

It was noted that Officer WALSH wore the same uniform configuration as Officer VAN DYKE.

The officers assigned to Beat 815R were interviewed.

GAFFNEY, Thomas J -----

stated he was a Chicago Police Officer assigned to the 008th District. He was on duty, in uniform, working on Beat 815R. GAFFNEY was working with Police Officer Joseph MCELLIGOTT. The two officers were assigned to Chicago Police Department vehicle number 8489, a marked Chevrolet Tahoe, four door sport utility vehicle. GAFFNEY was driving the vehicle and MCELLIGOTT was the passenger.

The officers responded to an assignment of holding an offender for breaking into trucks at 41st Street and Kildare Avenue. Upon arrival at that location they met an Hispanic couple who told the officers a black male subject, wearing a dark shirt, had attempted to break into trucks parked in the parking lot at that location. The couple told the officers the subject had walked off and was last seen walking eastbound on 40th Street from Kildare.

Officer GAFFNEY drove northbound on Kildare to 40th Street. When he turned eastbound onto 40th Street he saw a black male subject wearing dark clothing, walking eastbound on the sidewalk,

on the south side of the street. Officer MCELLIGOTT exited the police vehicle to approach the subject, now known as Laquan MCDONALD. GAFFNEY stayed in the vehicle in case MCDONALD fled. MCELLIGOTT called to MCDONALD and told him to stop but MCDONALD continued walking eastbound, ignoring MCELLIGOTT. MCDONALD's hands were in his pockets as he walked. MCELLIGOTT told MCDONALD to take his hands out of his pockets. MCDONALD took his hands out of his pockets and MCELLIGOTT told GAFFNEY that MCDONALD had a knife. GAFFNEY then saw a silver colored knife in MCDONALD's right hand. GAFFNEY also saw that MCELLIGOTT had his handgun drawn at this point. MCELLIGOTT repeatedly ordered MCDONALD to "Drop the knife," but MCDONALD ignored these directions. As MCDONALD reached Keeler Avenue, GAFFNEY notified the dispatcher on the police radio that they were following a subject with a knife and requested assistance from a unit equipped with a taser.

MCDONALD continued walking eastbound, Officer MCELLIGOTT following on foot and Officer GAFFNEY following in the police vehicle. As MCDONALD approached Karlov Avenue, GAFFNEY turned the Tahoe southbound onto Karlov and stopped, blocking the crosswalk. GAFFNEY said he wanted to stop MCDONALD before he reached Pulaski Road, a business street where more civilians were present. The area where MCDONALD was first observed was industrial in nature with no other civilians present. When GAFFNEY stopped his vehicle in front of MCDONALD, blocking his path, MCDONALD stabbed the right front tire of the Tahoe with his knife, causing the tire to go flat. GAFFNEY immediately informed the radio dispatcher that MCDONALD had "popped" the tire. MCDONALD attempted to walk around the front of the police vehicle and GAFFNEY drove the Tahoe forward a short distance to continue to block MCDONALD's path. MCDONALD then stabbed at the windshield of the Tahoe with the knife, striking the right side of the windshield. MCDONALD then continued walking eastbound from Karlov.

As MCDONALD approached the Burger King restaurant parking lot at 40th Street and Pulaski, assisting police units arrived, approaching westbound on 40th Street from Pulaski. MCDONALD began to run eastbound through the restaurant parking lot, on the north side of the Burger King building. He ran out onto Pulaski and then turned and ran southbound on Pulaski. Beat 845R pursued MCDONALD in their police vehicle, eastbound through the parking lot, over the curb at Pulaski, then southbound on Pulaski. Officer GAFFNEY lost sight of MCDONALD when he turned southbound on Pulaski.

Because of the flat tire on his vehicle, Officer GAFFNEY did not drive over the curb. As he drove around out onto Pulaski, GAFFNEY heard multiple gunshots in rapid succession. He did not see who was shooting. When he reached Pulaski MCDONALD was lying on the ground.

It was noted that Officer GAFFNEY wore the same uniform configuration as Officer VAN DYKE with the addition of the uniform baseball style cap with embroidered patch.

MCELLIGOTT, Joseph P -----

stated he was a Chicago Police Officer assigned to the 008th District. MCELLIGOTT related the same facts as his partner, Officer Thomas GAFFNEY.

Officer MCELLIGOTT added that after he exited the police vehicle, when Laquan MCDONALD took his hands out of his pockets and MCELLIGOTT saw MCDONALD holding a knife in his right

hand, MCELLIGOTT drew his handgun. He repeatedly ordered MCDONALD to "Drop the knife." MCDONALD ignored MCELLIGOTT's directions and continued to walk eastbound on 40th Street. MCELLIGOTT followed MCDONALD on foot, maintaining a safe distance between himself and the armed MCDONALD.

Officer MCELLIGOTT heard Officer GAFFNEY request assistance and a unit with a taser over the police radio. GAFFNEY attempted to use the police vehicle to block MCDONALD from continuing on toward the Burger King restaurant at Pulaski Road. At this point MCDONALD stabbed the right front tire and the windshield of the police vehicle. MCELLIGOTT began to hear the sirens of approaching assisting police units and MCDONALD began to run toward the Burger King restaurant.

When MCDONALD ran eastbound through the parking lot of the Burger King, Officer MCELLIGOTT ran after MCDONALD in pursuit. MCELLIGOTT ran out into the middle of Pulaski Road in pursuit of MCDONALD. MCELLIGOTT heard multiple gunshots but did not see who fired the shots. The gunfire was continuous, one shot after another. MCELLIGOTT then saw MCDONALD lying on the ground. MCELLIGOTT saw Officer Joseph WALSH kick the knife out of MCDONALD's hand.

It was noted that Officer MCELLIGOTT wore the same uniform configuration as Officer VAN DYKE.

Other officers who responded to this incident were also interviewed.

SEBASTIAN, Daphne L —

stated she was a Chicago Police Officer assigned to the 008th District. She was on duty, in uniform, working on Beat 813R. SEBASTIAN was working with Police Officer Janet MONDRAGON. The two officers were assigned to a marked vehicle. MONDRAGON was driving the vehicle and SEBASTIAN was the passenger.

The two officers responded to the request for assistance made by Beat 815R, regarding a subject with a knife. Officer SEBASTIAN thought the original call for assistance was at 40th Street and Keeler Avenue. The subject had punctured a tire on the police vehicle of Beat 815R. Officer MONDRAGON drove northbound on Pulaski Road, following Beat 845R, as they also responded to the request for assistance. MONDRAGON turned westbound onto 40th Street, behind Beat 845R.

Officer SEBASTIAN observed a black male subject, now known as Laquan MCDONALD, running southeast bound through the parking lot of the Burger King restaurant. Beat 845R pursued MCDONALD in their police vehicle, through the parking lot, toward Pulaski. SEBASTIAN told Officer MONDRAGON to drive back out onto Pulaski to assist in the pursuit. MCDONALD ran out onto Pulaski and continued to run southbound down the middle of the street. Beat 845R pursued MCDONALD in their vehicle, southbound on Pulaski, followed by Beat 813R. As MCDONALD ran southbound on Pulaski, SEBASTIAN saw the knife in his right hand. MCDONALD was waving the knife.

Beat 845R stopped their vehicle ahead of MCDONALD, between MCDONALD and the Dunkin'

Donuts restaurant on the east side of Pulaski. Officers Joseph WALSH and Jason VAN DYKE exited their vehicle and drew their handguns. MCDONALD turned toward the two officers and continued to wave the knife. Sebastian heard the officers repeatedly order MCDONALD to "Drop the knife!" MCDONALD ignored the verbal directions and continued to advance on the officers, waving the knife. Officer SEBASTIAN heard multiple gunshots and MCDONALD fell to the ground, where he continued to move. SEBASTIAN did not know who fired the shots, which were fired in one continuous group. She then saw Officer WALSH kick the knife out of MCDONALD's hand.

MONDRAGON, Janet -----

stated she was a Chicago Police Officer assigned to the 008th District. MONDRAGON related the same facts as her partner, Officer Daphne SEBASTIAN.

Officer MONDRAGON added that as she drove westbound on 40th Street, she saw Officer MCELLIGOTT running eastbound through the Burger King parking lot. She made a U-turn and drove back out onto Pulaski Road. MONDRAGON turned southbound onto Pulaski. She saw Laquan MCDONALD running southbound on Pulaski, in the middle of the street. As she got closer she could see MCDONALD was holding a knife in his right hand. He was waving the knife.

Officer MONDRAGON saw Officers Joseph WALSH and Jason VAN DYKE outside of their police vehicle. She heard the officers repeatedly ordering MCDONALD to "Drop the knife!" as MCDONALD got closer and closer to the officers, continuing to wave the knife. As she was placing her vehicle transmission into Park, MONDRAGON looked down and heard multiple, continuous gunshots, without pause. MONDRAGON then saw MCDONALD fall to the ground. MONDRAGON did not know who fired the shots.

BACERRA, Arturo -----

stated he was a Chicago Police Officer assigned to the 008th District. He was on duty, in uniform, working on Beat 822. BACERRA was working with Police Officer Leticia VELEZ. The two officers were assigned to a marked vehicle. BACERRA was driving the vehicle and VELEZ was the passenger.

Officer BACERRA and his partner responded to the request for assistance made by Beat 815R, regarding a subject who was armed with a knife. BACERRA was driving northbound on Pulaski Road from 47th Street. As he approached the scene of this incident, at 4112 South Pulaski, he observed a black male subject, now known as Laquan MCDONALD, in the middle of the street, flailing his arms. As he got closer, BACERRA observed MCDONALD to be holding a knife in his right hand. BACERRA drove past MCDONALD, with MCDONALD on the left side of the police vehicle, as Beat 845R drove past BACERRA, on the right side of his vehicle, travelling southbound. As BACERRA began to make a U-turn, he heard multiple gunshots. He then saw MCDONALD lying on the ground. BACERRA did not see who fired the shots.

VELEZ, Leticia -----

stated she was a Chicago Police Officer assigned to the 008th District. VELEZ related the same facts as her partner, Officer Arturo BACERRA.

Officer VELEZ added that as they approached the scene she observed Laquan MCDONALD standing in the middle of the street, holding a shiny object in his right hand. She saw him waving the object in the air. Officer BACERRA drove past MCDONALD and began to make a U-turn, when VELEZ heard multiple gunshots, without pause or delay. She then saw MCDONALD fall to the ground. VELEZ did not see who fired the shots. She did see an unknown officer kick the knife from MCDONALD's hand after he was down on the ground.

FONTAINE, Dora -----

stated she was a Chicago Police Officer assigned to the 008th District. She was on duty, in uniform, working on Beat 841R. FONTAINE was working with Police Officer Ricardo VIRAMONTES. The two officers were assigned to a marked vehicle. VIRAMONTES was driving the vehicle and FONTAINE was the passenger.

The two officers responded to the request for assistance made by Beat 815R, regarding a man with a knife at 41st Street and Pulaski Road. Officer VIRAMONTES drove northbound on Pulaski. When they arrived at the scene of this incident, in front of the Dunkin' Donuts restaurant, Officer FONTAINE saw a black male subject, now known as Laquan MCDONALD, walking southbound in the street, with a knife in his right hand. MCDONALD was walking sideways, with his body facing east, toward Officers Jason VAN DYKE and Joseph WALSH. These two officers were standing in the middle of the street, on the right side of their police vehicle, which was facing southbound. FONTAINE heard the officers repeatedly order MCDONALD to "Drop the knife!" MCDONALD ignored the verbal direction and instead, raised his right arm toward Officer VAN DYKE, as if attacking VAN DYKE. At this time VAN DYKE fired multiple shots from his handgun, until MCDONALD fell to the ground and stopped moving his right arm and hand, which still grasped the knife. The gunshots were rapid fire, without pause. Officer WALSH then kicked the knife out of MCDONALD's hand.

VIRAMONTES, Ricardo -----

stated he was a Chicago Police Officer assigned to the 008th District. VIRAMONTES related the same facts as his partner, Officer Dora FONTAINE.

Officer VIRAMONTES added that when he exited his police vehicle, at the scene, he observed a black male subject, now known as Laquan MCDONALD, walking southbound on Pulaski Road, in the middle of the street, holding a knife in his right hand. VIRAMONTES heard Officer Jason VAN DYKE repeatedly order MCDONALD to "Drop the knife!" MCDONALD ignored the verbal direction and turned toward VAN DYKE and his partner, Officer Joseph WALSH. At this time VAN DYKE fired multiple shots from his handgun. MCDONALD fell to the ground but continued to move, attempting to get back up, with the knife still in his hand. VAN DYKE fired his weapon at MCDONALD continuously, until MCDONALD was no longer moving.

The scene of this incident, at 4112 South Pulaski Road, was observed to be a wide commercial street with traffic traveling north and south. There were two traffic lanes and a curb lane in each direction. A wide median separated the northbound and southbound traffic lanes. The scene was just south of the intersection of Pulaski and 41st Street. This was a "T" intersection with 41st Street extending east from Pulaski. In the center median was a left turn lane for northbound traffic

turning west onto 40th Street, further to the north. The Pulaski median was level with the traffic lanes and was striped with yellow paint.

On the west side of Pulaski was a large vacant lot. North of the vacant lot, on the southwest corner of 40th Street and Pulaski, was a Burger King restaurant. On the east side of the street was a Dunkin Donuts restaurant.

The weather was cloudy and cool with the temperature in the 50s. It was dark with good artificial light provided by overhead streetlights. All of the lights were on and functioning normally. There was also artificial light provided by the lighting of the nearby businesses.

In the northbound left turn lane, Chicago Police Department vehicle number 6412, assigned to Beat 845R, was sitting, facing southeast. The vehicle was a marked Chevrolet Tahoe, four door sport utility vehicle. The right front door of the vehicle was open.

In the southbound traffic lanes, in the right lane, a metal folding pocket knife was lying on the pavement. The blade was in the open position. The overall length of the knife was seven inches, with a three inch blade. The knife was in line with the front end of the vehicle of Beat 845R. Just north of the knife were two pools of blood on the pavement. Five metal bullet fragments were lying on the pavement near the blood. North of the blood, scattered in a diagonal pattern from southwest to northeast, across both southbound traffic lanes and the northbound left turn lane, were 16, nine millimeter caliber cartridge cases, lying on the pavement.

Chicago Police Department vehicle number 8489, assigned to Beat 815R, was sitting at the west curb at 4102 South Pulaski. The right front tire of the vehicle was flat, with a large puncture to the sidewall of the tire. The right side of the windshield was scratched from being struck by Laquan MCDONALD's knife.

Mobile Crime Lab Beat 5802 responded to the scene. Video and photographs were taken of the scene. The knife and firearms evidence was collected from the street, as were swabs of the blood. The right front wheel and tire of Chicago Police Department vehicle number 8489 was also recovered. The right front quarter panel of vehicle number 8489 was processed for fingerprints and four ridge impressions were recovered.

A canvass was conducted of the area near the scene of this incident in an attempt to identify and locate witnesses. A number of people were interviewed.

[redacted] -----

stated she was [redacted] at the Burger King restaurant. At approximately 21:55 hours [redacted] observed police officers chasing a black male subject, now known as Laquan MCDONALD, through the parking lot, on the north side of the restaurant building. The officers chased MCDONALD southbound down Pulaski Road, toward the Dunkin' Donuts restaurant. [redacted] then heard multiple gunshots and dove to the ground.

[redacted] permitted access to the Burger King video system. No video of this incident was recorded. The system was not recording at that time. The system was activated and video was

recovered from the system from earlier in the day, showing the view of each of the cameras in the system. It was noted that none of these camera views showed the area of the scene where the confrontation between Laquan MCDONALD and Police Officers Jason VAN DYKE and Joseph WALSH occurred, on Pulaski Road, south of the Burger King restaurant. If the system had been recording at the time of this incident, it would not have recorded any footage of that confrontation.

[redacted] -----

stated he was at the Burger King restaurant, waiting for his girlfriend, [redacted], who was working at the drive-thru window. [redacted] observed a "young black dude" with his hair in dreadlocks, now known as Laquan MCDONALD, running through the parking lot of the restaurant. He was being pursued by police officers. MCDONALD was holding his pants like he might have had a gun or something. MCDONALD then ran southbound on the sidewalk and then out into the street on Pulaski Road. [redacted] last saw MCDONALD running towards the middle of the intersection of 41st Street and Pulaski. MCDONALD appeared confused. [redacted] then turned his attention back to his girlfriend at the drive-thru window. He did not witness the shooting.

[redacted] -----

stated she was working at [redacted] of the Burger King restaurant. She observed a male subject, now known as Laquan MCDONALD, running from the restaurant parking lot, southbound on Pulaski Road, toward the Dunkin' Donuts restaurant. [redacted] heard multiple gunshots and then saw that MCDONALD was lying in the street.

[redacted] -----

stated she was [redacted] of the Burger King restaurant. She did not see or hear anything.

[redacted] -----

stated she was [redacted] of the Burger King restaurant. She did not see or hear anything.

Laquan MCDONALD had been transported to Mount Sinai Hospital by Chicago Fire Department Ambulance 21. He sustained multiple gunshot wounds as documented in the format of this investigation. MCDONALD was treated for his injuries in the emergency room. He succumbed to his wounds and was subsequently pronounced dead by Doctor PITZELE, at 22:42 hours.

Registered Nurse [redacted], recovered three metal bullet fragments from MCDONALD and turned these over to Detective William JOHNSON. These were subsequently turned over to Mobile Crime Lab Beat 5802, who also recovered metal fragments from MCDONALD's sweater.

The reporting detective had learned of the death of Laquan MCDONALD while still at the scene of this incident. The Office of the Medical Examiner of Cook County was notified of MCDONALD's death, and Investigator BRIGGS assigned Medical Examiner's case number 2014 - 01071 to this case.

In the Bureau of Detectives - Area Central office, Evidence Technician Beat 5824 recovered Office Jason VAN DYKE's handgun, a Smith and Wesson, Model 5942, nine millimeter caliber, semi-automatic pistol. The weapon was loaded with one cartridge in the firing chamber and 14 cartridges in the magazine, when recovered.

Beat 5824 took photographs of Officers Jason VAN DYKE, Joseph WALSH, Thomas GAFFNEY and Joseph MCELLIGOTT. Elimination prints, including palm prints, were also taken from Officers GAFFNEY and MCELLIGOTT.

Officer Jason VAN DYKE was re-interviewed for additional detail, in the Area Central office.

VAN DYKE, Jason D ----

related the same sequence of events as documented in his original interview at the scene of this incident.

VAN DYKE additionally articulated the reasoning behind his decision to use deadly force against the offender in this incident, Laquan MCDONALD. VAN DYKE was aware of the radio transmissions from Officer Thomas GAFFNEY, on Beat 815R, that MCDONALD was armed with a knife. VAN DYKE was aware that MCDONALD had attacked the officers on Beat 815R by slashing the tire of their police vehicle.

As he confronted MCDONALD at 4112 South Pulaski Road, VAN DYKE saw that MCDONALD was in fact, armed with a knife, a deadly weapon. VAN DYKE was aware of the widely accepted teaching in law enforcement that an assailant armed with a knife was considered a deadly threat, if within 21 feet, because it was possible for such an assailant to close that distance and attack with the knife before a defensive shot could be fired from a handgun. VAN DYKE was also aware of the existence of throwing knives, which can be thrown from a distance, as well as spring loaded knives, which propel a blade through the air from the knife handle. VAN DYKE also said he recalled a previously issued Chicago Police Department bulletin warning of a weapon which appeared to be a knife but which actually was capable of firing a bullet, making it a firearm.

Subsequently, a search was conducted of the Chicago Police Department, Automated Message Center, to find the bulletin Officer Jason VAN DYKE remembered, regarding the weapon that appeared to be a knife, but was actually a firearm. This bulletin was issued on 04 December 2012. It was Officer Safety Alert number 2012-OSA-297. It was a warning regarding a "revolver knife" which was capable of firing .22 caliber cartridges.

Three witnesses had been transported into the Area Central office from the scene and were interviewed.

[redacted]----

stated she was in the Burger King restaurant parking lot. She saw a subject, now known as Laquan MCDONALD, running southbound on Pulaski Road. [redacted] saw many police officers on the street. She was trying to get her cellular telephone to work, to record video. [redacted] heard eight gunshots fired continuously. She did not see who fired the shots. [redacted] then saw

a police officer pointing a handgun at MCDONALD as he was lying on the ground.

With her permission, [redacted]' telephone was examined for any recorded video footage with negative results.

[redacted]-----

stated he was at the Burger King restaurant drive-thru with [redacted]. He saw a black male subject, now known as Laquan MCDONALD, running from the trucks parked at the rear of the restaurant parking lot. MCDONALD ran eastbound in the parking lot, on the north side of the Burger King building. A police officer was chasing MCDONALD on foot, eastbound through the parking lot, then southbound on Pulaski Road. A Chicago Police Department, Chevrolet Tahoe sport utility vehicle pulled up on Pulaski. MCDONALD ran toward the police vehicle. A police officer exited the vehicle and fired multiple shots from a handgun at MCDONALD. [redacted] thought there was video footage of the incident recorded on [redacted] cellular telephone. As documented in the previous interview of [redacted], her telephone was examined with negative results.

[redacted]-----

stated he was sitting in a truck, parked in the Burger King restaurant parking lot, on the south side of the restaurant building. He was completing some logs. [redacted] observed a black male subject, now known as Laquan MCDONALD, running southbound on Pulaski Road. The police were pursuing MCDONALD. [redacted] heard approximately three gunshots. He did not see who fired the shots. [redacted] exited the cab of his truck and climbed up on top of it. He saw a Chicago Police Department, Chevrolet Tahoe sport utility vehicle, and many police officers on Pulaski Road.

[redacted] insisted on leaving the Area Central office after their initial interviews, and they were transported as they requested.

Sergeant Lance BECVAR responded to the scene and subsequently to the Area Central office. He was able to recover video of this incident from the vehicles assigned to Beats 845R and 813R. This video was uploaded into the system. The reporting detective submitted a request for copies of these two videos which were subsequently inventoried. The reporting detective also requested that the videos be permanently retained. No video of this incident was recovered from the vehicles assigned to Beats 815R, 822 and 841R.

The recovered in-car camera video from Beats 845R and 813R was viewed and found to be consistent with the accounts of all of the witnesses. The video from Beat 813R showed that at the time Officer Jason VAN DYKE fired his handgun at Laquan MCDONALD, VAN DYKE was standing near the east edge of the southbound traffic lanes of Pulaski Road, and MCDONALD was near the lane marking separating the two southbound traffic lanes. The two were separated by the width of one traffic lane. The width of this traffic lane was approximately ten feet.

Recordings of the original 9-1-1 call and the radio transmissions over the Chicago Police Department, Zone 6 radio frequency were obtained from the Office of Emergency Management

and Communication. The recordings were reviewed and subsequently inventoried.

In the 9-1-1 call, a caller who identified himself as [redacted] stated that he was holding a guy for stealing radios from trucks in a trucking yard.

The recorded radio transmissions were consistent with the statements of the police officers involved in this incident. It was determined from the radio transmissions, that the entire interaction of the involved police officers, with Laquan MCDONALD, from the time Beat 815R notified the radio dispatcher that they had made contact with him, and that he was armed with a knife, until Beat 845R notified the dispatcher that shots had been fired by the police, lasted more than four minutes.

The criminal history of Laquan MCDONALD was reviewed. [redacted]

Additionally, there were two documented incidents, under Records Division numbers HS640983 and HT106389, on 01 December 2010 and 05 January 2011. In these incidents officials at the [redacted], elementary school, called the police because of the violent behavior of Laquan MCDONALD. The reports indicated that MCDONALD was a special education student at the school and that this had become a pattern of behavior for MCDONALD. The school officials indicated that MCDONALD had behavioral problems and anger issues. In both incidents MCDONALD was transported to [redacted] for evaluation and treatment.

The family of Laquan MCDONALD was located and notified of his death.

[redacted] -----

stated he was an uncle of Laquan MCDONALD. MCDONALD was living with JOHNSON while MCDONALD "worked out his problems." [redacted] said that MCDONALD attended [redacted] school but was currently suspended. MCDONALD suffered from "hypertension" but refused to take any medication. He stopped taking his prescribed medication approximately two years prior because he said it made him "freak out."

[redacted] last saw MCDONALD on Saturday, 18 October 2014, at approximately 13:00 hours, when MCDONALD left the apartment. He had not been back since. MCDONALD had rung the doorbell earlier in the day on 20 October 2014. [redacted] said they "buzzed" MCDONALD into the building but he never came up to the apartment.

[redacted] had no idea why MCDONALD would be in the area of 41st Street and Pulaski Road. JOHNSON said he would attempt to notify MCDONALD's mother, [redacted].

On Tuesday, 21 October 2014, [redacted] of the 9-1-1 caller, [redacted]" was located and interviewed.

[redacted] -----

stated she was with [redacted], parking a truck in the lot at 41st Street and Kildare Avenue. She saw a black male subject, now known as Laquan MCDONALD, attempting to steal property from vehicles parked in the lot. [redacted] confronted MCDONALD and told him to leave the lot. [redacted] said that MCDONALD did not say anything, but instead, he was "growling" and making strange noises. [redacted] again told MCDONALD to leave the lot and MCDONALD pulled out a knife. MCDONALD swung the knife at [redacted] attempting to cut him. [redacted] had already called 9-1-1 so he backed up and threw his cellular telephone at MCDONALD. MCDONALD then ran from the lot. He ran northbound on Kildare, then eastbound on 40th Street.

[redacted] described MCDONALD as a black male, with his hair in braids. He was wearing a black hood and blue jeans. [redacted] viewed a photograph of Laquan MCDONALD and identified him as the subject in the lot, who had been attempting to steal property from vehicles parked in the lot, and who subsequently threatened [redacted] with a knife, when [redacted] confronted MCDONALD.

On Wednesday, 22 October 2014, the 9-1-1 caller was interviewed.

[redacted] -----

related the same facts as [redacted]. [redacted] re-iterated that Laquan MCDONALD swung his knife at [redacted], attempting to cut him. [redacted] stated he was the person who called 9-1-1 regarding this incident.

A canvass was conducted of the area near the scene of this incident for any recorded video.

There were no Police Observation Devices, or other City of Chicago video cameras in the area.

Recorded video was recovered from three cameras on the exterior of the building housing the Greater Chicago Food Depository, at 4100 West Ann Lurie Place. Two of these videos showed two different views of Laquan MCDONALD walking eastbound on the sidewalk, on the south side of 40th Street, between Keeler and Karlov Avenues. Officer Joseph MCELLIGOTT was following MCDONALD on foot, maintaining a safe distance between himself and MCDONALD, while Officer Thomas GAFFNEY was following MCDONALD in a police vehicle. The third video did not capture any part of this incident.

Recorded video was recovered from two cameras at the Dunkin' Donuts restaurant, at 4113 South Pulaski Road. One of these videos showed the end of this incident, when Officers Jason VAN DYKE and Joseph WALSH stopped their vehicle, exited the vehicle and confronted Laquan MCDONALD. The view in this video is from a distance. The video from the second camera did not capture any part of this incident.

Recorded video was recovered from two cameras from Focal Point, 4141 South Pulaski Road. These videos did not capture any part of this incident.

All of the recovered video was inventoried.

A Major Case Review of this case was conducted at the Illinois State Police Crime Laboratory, on Thursday, 30 October 2014. An Evidence Submission Form was completed per this review.

The assigned personnel became aware of a potential question regarding the integrity of the video recovered from the Burger King restaurant. In an attempt to follow-up on this issue the assigned personnel proceeded to the restaurant on Wednesday, 11 March 2015. Manager, [redacted] was contacted at the restaurant. She stated that the video system at the restaurant had recently been repaired and a new digital video recorder had been installed. [redacted] said that as of this date, 11 of the 16 video ports in the system actually recorded video. This was consistent with the video recovered on the date of this incident. Video was recorded and recovered on 11 of the 16 video ports in the system on that date.

Any additional inquiries regarding the video system at the restaurant were referred to the district manager responsible for that restaurant, [redacted]. He was contacted and related that the day after this incident occurred, personnel from the Independent Police Review Authority, of the City of Chicago, came to the restaurant. They viewed video from the system and took custody of the digital video recorder. The recorder was returned to the restaurant two weeks later. Personnel from the Federal Bureau of Investigation then came to the restaurant and made copies of video from the system. After that some lawyers came to the restaurant with subpoenas to make copies of video from the system. Finally, [redacted] stated that personnel from the Federal Bureau of Investigation had come to the restaurant again, approximately three weeks prior to this interview, and took the digital video recorder. [redacted] did not have any further information regarding the video system.

The assigned personnel also became aware of an article written by [redacted], a professor at the University of Chicago Law School, citing the existence of an unknown witness to this incident. [redacted] was contacted on Thursday, 12 March 2015, in an attempt to interview this witness. [redacted] stated that this witness had already been interviewed by the Independent Police Review Authority and [redacted] did not know if the witness would be willing to be interviewed by the Chicago Police Department. [redacted] said he would contact the witness and provide him with contact information for the assigned personnel.

Based upon all the facts known at this time, and the death of the only offender in this incident, this case is now Exceptionally Cleared Closed / Other Exceptional Clearance - Death of Offender.

The above to-date investigation determined that Laquan MCDONALD was an active assailant who, while armed with a dangerous weapon, used force likely to cause death or serious injury to a private citizen when he attacked [redacted]; threatened the imminent use of force likely to cause death or serious injury when he incised the tire and stabbed the windshield of a Chicago Police Department vehicle occupied by Officer Thomas GAFFNEY; and initiated imminent use of force likely to cause death or serious injury when he initiated an attack on Officers Jason VAN DYKE and Joseph WALSH. The above investigation concluded that Officer Jason VAN DYKE's use of deadly force, the discharging of his duty firearm, was within the bounds of the Chicago Police Department's use of force guidelines, and in conformity with local ordinances and state law.

Based on the above facts, the associated report, under Records Division number HX486155, is now Closed / Non-Criminal.

REPORT OF:

Detective David M MARCH #20563
Sergeant Daniel GALLAGHER #1303
Lieutenant Anthony WOJCIK #481
Bureau of Detectives - Area Central

ERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 2014	20 OCT 2014 3

OFFENSE CLASSIFICATION–LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	WALSH J [illegible]	5121

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

J WALSH P1 OF 2

WHEN O E/B IN BK LOT, USED VEH TO BLOCK
D FROM BK
O S/B ON PULASKI FROM BK. WALSH IN PURSUIT
S/B IN N/B LANES TO GET AHEAD OF O
KEPT VEH BETWEEN O + VS
AS THEY PASSED O VS ATTEMPTED TO EXT/CONFRONT
WALSH = TOO CLOSE, WAIT
DROVE FURTHER S
STOPPED S OF O
BOTH EXITED VEH
WALSH DREW HANDGUN
AROUND REAR OF TAHOE
JOINED VS
<TOO> IN ST FACING N/B AS O APPROACHED S/B
WALSH = "DROP THE KNIFE!" MULTIPLE TIMES
WALSH BACKED UP, ATTEMPTING TO MAINTAIN SAFE DISTANCE
O IGNORED DIRECTIONS, CONTINUED TO ADVANCE
AT 12-15 FT O SWUNG KNIFE AT POV IN
AGGRESSIVE MANNER

R.D. NO. HX475653

[redacted] STAR NO. 20563 | RECEIVED BY: SUPERVISOR'S SIGNATURE–STAR NO. [redacted] | DAY–MO.–YR. TIME

PD-23.122 (Rev. 2/83)

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 2014	20 OCT 2014 3

OFFENSE CLASSIFICATION—LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	VAN DYKE	512

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

J WALSH P2 OF 2

VD OPENED FIRE
O FELL TO GROUND
VD CONTINUED FIRING AS O CONTINUED MOVING, ATTEMPTING GET UP, STILL ARMED W/KNIFE
WHEN GUNFIRE STOPPED, O NOT MOVING
POs APPROACHED O
WALSH CONTINUED, "DROP THE KNIFE!" MULTIPLE X
O STILL HOLDING KNIFE IN R HAND
WALSH FORCIBLY KICKED KNIFE FROM HAND
NOTIFIED DISPATCHER — SHOTS FIRED BY POLICE
AMBULANCE WAS ALSO REQUESTED
WHILE WAITING FOR AMBULANCE, TOLD O "HANG IN THERE." AMBULANCE ON WAY
WALSH BELIEVED O WAS ATTACKING POs W/KNIFE, ATTEMPTING TO KILL POs WHEN SHOTS FIRED
WALSH DID NOT FIRE BECAUSE VD IN LINE OF FIRE
THOUGHT VD FIRED 8-9 SHOTS

R.D. NO. HX475653

[redacted] STAR NO. 20763 | RECEIVED BY: SUPERVISOR [redacted] STAR NO. [redacted] | DAY—MO.—YR. TIME

PD-23.122 (Rev. 2/83)

In Car Camera Video Retrieval Work Sheet

Date & Time of Notification: 20 Oct 14 2230 HRS Related HDT# OPS CMD

Requestor: Dsp Citlak McNaughton Tech: Bogvar

Location of response: 4100 S Pulaski

Type of Incident requiring retrieval: Police Involved Shooting - Fatal: Offender

Location of Incident: 4100 S Pulaski Date & Time of Incident 20 Oct 14 21:47

Related RD#, Event#, and/or CR Log#: HX475653

Vehicles to be checked:

813R Veh# 8779 POs PC#: [redacted] Results: [redacted] @20141020 ~~214218~~ 216250 MHDD 30000216

815R Veh# 8489 POs PC#: [redacted] Results:

822 Veh# 8765 POs PC#: [redacted] Results:

845R Veh# 642 POs PC#: [redacted] Results: [redacted] @20141020 ~~214543~~ 215250 out of focus MHDD 00003227

841R Veh# 8948 POs PC#: Results: HDT NO OPEN HDT

List additional Vehicle to be checked and results on back of this form

Note: Any vehicles identified to be checked, will be evaluated for operational readiness as well. Any deficiencies of the ICC System will be noted i.e. MIC(s) are not sync'd; rear camera not working; cannot upload; etc. Actions to rectify the issue should be taken to render the system FULLY FUNCTIONAL!

Notes of work or activities performed:

8779: MICs IN GLOVE BOX PORTABLES INSERTED UPSIDE DOWN
↳ FULLY OP

8489: PROCESSING VIDEOS: EXTREMELY LARGE VIDEO FILES

8765: MICs IN CHARGING CRADLE; NOT SYNC'D TO SYSTEM

642: NO MICs; MIC CHARGER DISCONNECTED

8948

THIS INFORMATION DISCUSSED TO DETECTIVES; DC MCNAUGHTON; & OOS TM.

Tech: DIST SUPERVISORS ON SCENE DURING VIEWING

STATEMENT OF P.O. JOSEPH WALSH

CONDUCTED BY INVESTIGATOR KILLEN

ON OCTOBER 21, 2014 AT 0547 HOURS

AT AREA CENTRAL POLICE HEADQUARTERS

LOG# 1072125
Attachment# 95

OIG 15-0564 000352

KILLEN: This is the audio recorded interview of Officer Joseph Walsh regarding Log number 1072125 U number 14 dash 36. Today is the 21st of October 2014. And the time is approximately 0547 hours. This statement is bein' taken at Area Central Police Headquarters. My name is Investigator Killen, that's spelled K I L L E N. My star number is 1 2 9. Also present is uh attorney Dan Herbert. Dan if you would say and spell your first and last names.

HERBERT: Sure Dan, D A N, Herbert, H E R B E R T.

KILLEN: And then uh also present in the room is FOP Field Representative Kriston Kato.

KATO: First name is Kriston, K R I S T O N. Last name K A T O. FOP Field Representative.

KILLEN: And then Officer Walsh if you would say and spell your first and last names for me.

P.O.WALSH: Joseph Walsh, W A L S H.

KILLEN: All right and your star number?

P.O.WALSH: 1 2 8 6 5.

KILLEN: And your employee number?

P.O.WALSH: [redacted]

KILLEN: And your date of appointment with the Department?

P.O.WALSH: 29 June 1998.

KILLEN: And your date of birth?

P.O.WALSH: [redacted]

KILLEN: And your current unit of assignment?
P.O.WALSH: 8th District.

KILLEN: And how long you been in 8?
P.O.WALSH: Approximately 14 years.

KILLEN: All right and you're aware that this statement has the standing of an official Department report. And that any intentional falsification to any answer to any question would be in direct violation of Department rules and regulations?
P.O.WALSH: Yes.

KILLEN: Given that, I'd like to remind you that failure to provide a complete and accurate account of this incident could result in a finding of a violation of Rule 14 with discipline leading up to and including separation from the Chicago Police Department. Do you understand that?
P.O.WALSH: Yes.

KILLEN: All right then what was your duty status and assignment on 20 October 2014 at approximately 2150 hours?
P.O.WALSH: This statement is not being given voluntarily but under duress. I'm only givin' this statement because I know I will be fired if I refuse.

KILLEN: Okay. So last night 20 October 2014 about 2150 hours what was your duty status?

P.O.WALSH: I was assigned to uh Beat 845 Robert.

KILLEN: What time did you start work last night?
P.O.WALSH: 2100 hours.

KILLEN: Okay you were assigned a partner?
P.O.WALSH: Yes.

KILLEN: And who's your partner?
P.O.WALSH: Jason Van Dyke.

KILLEN: Okay and you and Officer Van Dyke you guys were in full uniform?
P.O.WALSH: Yes.

KILLEN: And you and Officer Van Dyke were assigned a vehicle?
P.O.WALSH: Yes.

KILLEN: And what kinda vehicle were you assigned?
P.O.WALSH: Chevy Tahoe.

KILLEN: Marked?
P.O.WALSH: Yes.

KILLEN: Do you know the outside number on it?
P.O.WALSH: Yes.

KILLEN: What is it?
P.O.WALSH: 6412.

OIG 15-0564 000355

KILLEN: And then last night were you the driver or passenger?
P.O.WALSH: Driver.

KILLEN: And then 20 October 2014 at approximately 2150 hours uh you were a witness to a police-involved shooting correct?
P.O.WALSH: Yes.

KILLEN: Okay and if you would starting from the beginning explain to me how you became involved in this incident.
P.O.WALSH: I responded to an assist call that 815 Robert had requested uh assistance uh call of a man with a knife.

KILLEN: And you become aware of the request uh via OEMC correct?
P.O.WALSH: Yes.

KILLEN: Over the radio?
P.O.WALSH: Yes.

KILLEN: Okay do you recall where you were at when you first heard the uh radio assist?
P.O.WALSH: Yes.

KILLEN: Where were you?
P.O.WALSH: 5900 South Pulaski.

KILLEN: Were you on a job?
P.O.WALSH: No.

KILLEN: Just routine patrol?
P.O.WALSH: I was just leaving uh local 7 Eleven convenience store.

KILLEN: Okay so this is like right after roll call then?
P.O.WALSH: Correct.

KILLEN: Okay. So you hear the, you heard over the radio.
P.O.WALSH: Yes.

KILLEN: Were you actually dispatched the job or you just goin' cause you overheard it?
P.O.WALSH: Just because I heard uh the officers call for an assist.

KILLEN: Okay. And do you know, at the time did you know why they needed an assist?
P.O.WALSH: They called that there was a man with a, a knife.

KILLEN: Okay do you recall where that was at?
P.O.WALSH: Um 40th and Pulas, approachin' 40th and Pulaski.

KILLEN: Okay. So you hear the 815 call for the assist, man with a knife correct?
P.O.WALSH: Yes.

KILLEN: So you leave the 7 Eleven.
P.O.WALSH: Leave the parking lot of the 7 Eleven.

OIG 15-0564 000357

KILLEN: Okay so you and Officer Van Dyke and you drive, right?
P.O.WALSH: Yes.

KILLEN: So you head to 40th and Pulaski just about?
P.O.WALSH: Yes.

KILLEN: And what happens when you get there? What happens?
P.O.WALSH: Observe a uh, male black in the Burger King parking lot running with a knife in his hand. Uh being followed from behind by Officer Joseph McElligott.

KILLEN: Okay.
P.O.WALSH: On foot.

KILLEN: Prior to this you knew Officer Joseph McElligott correct?
P.O.WALSH: Excuse me?

KILLEN: Did you know Officer Joseph McElligott before this night?
P.O.WALSH: Yes.

KILLEN: Okay. So you recognized 'em when you saw 'em runnin' through the parkin' lot?
P.O.WALSH: Yes.

KILLEN: What about the man he was chasin'? You ever see him before?
P.O.WALSH: No.

OIG 15-0564 000358

KILLEN: Okay so when you see this are you, are you on Pulaski when you first see this happen?

P.O.WALSH: No I'm on 40th Street pulling into the uh Burger King parking lot.

KILLEN: Okay so you, you left the 7 Eleven parking lot, you drive north on Pulaski correct?

P.O.WALSH: Yes.

KILLEN: And then you get to 40th?

P.O.WALSH: Correct.

KILLEN: And you go west?

P.O.WALSH: West.

KILLEN: And then is that when you see McElligott chasin' the offender?

P.O.WALSH: Uh no not until I turned into the uh Burger King parking lot. Off of 40th Street.

KILLEN: And what prompted you to turn into the parking lot?

P.O.WALSH: Because uh there was a citizen standing on 40th Street who pointed in the direction of the Burger King lot that drew my attention to that uh area.

KILLEN: Okay. And where, where exactly was the citizen?

P.O.WALSH: Citizen was on 40th Street on the north side of uh 40th Street uh standing next to a white vehicle that was parked on the street.

KILLEN: Would be like the west side of Pulaski, the east side of Pulaski?

P.O.WALSH: It was the uh, uh west side of Pulaski on 40th Street which uh the individual was standin' on the north side of 40th Street.

KILLEN: Okay so the northwest corner, the intersection there then, 40th and Pulaski?

P.O.WALSH: Well not the intersection probably uh a hundred or hundred and fifty feet uh west of uh Pulaski.

KILLEN: Okay. So he draws your attention to the parking lot?

P.O.WALSH: He just pointed yes.

KILLEN: Right.

P.O.WALSH: Yeah and forced me to look over and I seen an individual uh running.

KILLEN: Okay and then that's the offender correct?

P.O.WALSH: Correct.

KILLEN: And you see 'em runnin' with a knife?

P.O.WALSH: Yes.

KILLEN: Okay. Do you remember what hand he had it in?

P.O.WALSH: Right hand.

KILLEN: Okay so you go into the parking lot?

P.O.WALSH: Yes.

OIG 15-0564 000360

KILLEN: And what happens from there?

P.O.WALSH: Uh the offender continues to run in a eastward direction. Uh I give chase in the vehicle, in the police car. And um my intentions were to not let that offender get into the Burger King entry door so I positioned my vehicle um in, in a way to force him not to make entry into that store which that's what I believed he was gonna attempt to do.

KILLEN: Okay. And what happens from there?

P.O.WALSH: He uh, he bypassed the restaurant uh ran across the sidewalk, ran into the roadway into the southbound lanes. And then uh ran southbound.

KILLEN: So at that point then he's southbound, he's in the street, he's in Pulaski, he's on Pulaski.

P.O.WALSH: Yeah.

KILLEN: Headin' southbound on Pulaski Avenue?

P.O.WALSH: Yes.

KILLEN: Okay and where you at at this point?

P.O.WALSH: Uh I, I follow behind him. I jumped the curb over the sidewalk into the uh southbound lanes. Uh from the southbound lanes I drive left of center um into the um northbound lanes traveling southbound.

KILLEN: Okay. And why did you, why did you do that?

OIG 15-0564 000361

P.O.WALSH: Um there were uh vehicles in, in, in the way.

KILLEN: Okay. Uh are you still behind the offender at this point?

P.O.WALSH: No uh tryin' to advance in front of him. So parallel at one point and then uh attempted to pass him.

KILLEN: So you get around 'em?

P.O.WALSH: Yes.

KILLEN: And what happens then?

P.O.WALSH: Um exit the my vehicle along with Officer Van Dyke. Uh I run uh to the back of my vehicle and um I drew my weapon and I began to give verbal commands yelling drop the knife numerous times.

KILLEN: And whaddoes the offender do?

P.O.WALSH: Continues to run in my direction. Uh flailing a knife in his right hand. And um continue towards us.

KILLEN: Does he close the distance?

P.O.WALSH: Yes he does.

KILLEN: Okay. And how close does he get to you, to you I guess? If you had to guess.

P.O.WALSH: Uh I back up uh and retreat several feet while he was closin' the distance approximately 12 to 15 feet.

OIG 15-0564 000362

KILLEN: And at that point is there anything between you and the offender?
P.O.WALSH: Yes.

KILLEN: What is?
P.O.WALSH: Officer Van Dyke.

KILLEN: Other than Officer Van Dyke is there anything, could you, if you had to gain cover could you?
P.O.WALSH: No.

KILLEN: Okay. What, what's between Officer Van Dyke and the offender?
P.O.WALSH: Nothing.

KILLEN: If you had to guess distance between Officer Van Dyke and the offender?
P.O.WALSH: Ten feet.

KILLEN: Does the offender continuously close the distance?
P.O.WALSH: Yes.

KILLEN: Continuously approaches?
P.O.WALSH: Yes.

KILLEN: Has the knife in his hand?
P.O.WALSH: Yes.

KILLEN: You said he was flailing it?
P.O.WALSH: Yes.

OIG 15-0564 000363

KILLEN: And what happens then?
P.O.WALSH: Officer Van Dyke uh discharges his weapon.

KILLEN: Okay. More than once?
P.O.WALSH: Yes.

KILLEN: If you had to guess at how many times he fired?
P.O.WALSH: Eight or nine.

KILLEN: Did you fire?
P.O.WALSH: No.

KILLEN: Why not?
P.O.WALSH: Because uh Officer Van Dyke was on my right hand side in my uh line of fire.

KILLEN: Okay. So you don't fire outta, outta concern you might strike Officer Van Dyke?
P.O.WALSH: Yes.

KILLEN: Okay. So after Officer Van Dyke discharges his firearm what happens?
P.O.WALSH: I then uh approach the offender and uh tell him to uh drop the knife from his uh his grasp. And uh he refused and I stepped on his hand and I uh I pulled the knife and kicked it from his uh, his clenched fist.

KILLEN: So this point he's on the ground correct?
P.O.WALSH: Yes.

OIG 15-0564 000364

KILLEN: Okay so Officer Van Dyke discharges his firearm, the offender falls to the ground?
P.O.WALSH: Yes.

KILLEN: Okay and at that point you guys approach, you approach?
P.O.WALSH: I approach.

KILLEN: Okay and you stepped on his, still in his right hand when he fell down the knife?
P.O.WALSH: Yes.

KILLEN: And you had to pull it from his right hand?
P.O.WALSH: I used my, my boot, stepped on his hand and had to pull it from his clenched uh hand.

KILLEN: Okay and after you pull it from his clenched hand what happens?
P.O.WALSH: Uh I called on the radio that there were shots fired by the police. And uh called for uh an ambulance.

KILLEN: Okay. And whaddid you do with the knife?
P.O.WALSH: I left it in the, on the street.

KILLEN: Okay. And as far as you're aware is that where it stayed the entire time?
P.O.WALSH: Yes.

KILLEN: Any other officers touch it?
P.O.WALSH: No.

OIG 15-0564 000365

KILLEN: Okay and that's where it was recovered?
P.O.WALSH: Yes.

KILLEN: Okay. All right. Is there anything you'd like to add?
P.O.WALSH: Not at this time.

KILLEN: And everything you stated is a true and accurate account of what occurred?
P.O.WALSH: Yes.

KILLEN: All right this will conclude the audio recorded interview of Officer Joseph Walsh regarding Log number 1072125 U number 14 dash 36. Today is the 21st of October 2014 and the time is approximately 0600 hours.

OIG 15-0564 000366

I, CAROL A. O'LEARY, do hereby certify or affirm that I have impartially transcribed the foregoing from an audio recording of the above-mentioned proceeding to the best of my ability.

Carol A. O'Leary

Carol A. O'Leary

OIG 15-0564 000367

20 OCt 2014 , HY475653

Becvar, Lance J.

Sent: Friday, July 17, 2015 12:33 PM

To: Lewin, Jonathan H.

Cc: Dziak, Steven E.

Hello Dep Lewin,
Per your request the findings related to the Aggravavted Assault / Police involved Shooting on 20 Oct 2014 Listed under RD# HY 475653:

Findings from thart night-

Veh 8779 Video Recovered Titled PC0Z400@20141020215250, No MICs because they were in the Glove Compartment with the batteries inserted unside down - Disabling them.

Veh 8489 System not engaged because a very long video (like hours long) was made previous to this event/incident and the system was processing that video and unable to start another video.

Veh 8765 System not engaged, officer related no power. There was no open HDT called in on vehicle. MICs not sync'd to system even though they were in the charging cradles.

Veh 6412 Video Recovered Titled PC0S571@20141020215250 view out of focus. Foucsing problem found to be related to a loose cable connection for the camera. No MICs in vehicle and the charging cradles disconnected from power.

Veh 8949 System not engaged, officer reported that there was an application error - Mobile Recorder Start-Up corrupted. No Help Desk Ticket Open for this vehicle.

Sgt Lance Becvar

MobileTech Supervisor

Information Services Division

Chicago Police Department
Cell# 312-446-3305
E-mail: lance.becvar@chicagopolice.org

LEGAL DISCLAIMER: This message, including any attachments, contains confidential information and may be legally privileged. Access to this email by anyone other than the intended recipient is unauthorized. If you are not the intended recipient, any review, disclosure, copying, distribution, retention, or any action or inaction taken in reliance on this information is prohibited and may be unlawful. If you are not the intended recipient, please notify the sender and delete the message, any attachments, and any copies thereof from your system.

Opt-Out: +

ERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 2014	20 OCT 2014 3

OFFENSE CLASSIFICATION–LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	WALSH J [illegible]	5121

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

J WALSH P1 OF 2

WHEN O E/B IN BK LOT, USED VEH TO BLOCK
D FROM BK
O S/B ON PULASKI FROM BK. WALSH IN PURSUIT
S/B IN N/B LANES TO GET AHEAD OF O
KEPT VEH BETWEEN O + VS
AS THEY PASSED O VS ATTEMPTED TO EXT/CONFRONT
WALSH = TOO CLOSE, WAIT
DROVE FURTHER S
STOPPED S OF O
BOTH EXITED VEH
WALSH DREW HANDGUN
AROUND REAR OF TAHOE
JOINED VS
<TOO> IN ST FACING N/B AS O APPROACHED S/B
WALSH = "DROP THE KNIFE!" MULTIPLE TIMES
WALSH BACKED UP, ATTEMPTING TO MAINTAIN SAFE DISTANCE
O IGNORED DIRECTIONS, CONTINUED TO ADVANCE
AT 12-15 FT O SWUNG KNIFE AT POV IN
AGGRESSIVE MANNER

R.D. NO. HX475653

REPORTING OFFICER'S SIGNATURE–STAR NO.	RECEIVED BY: SUPERVISOR'S SIGNATURE–STAR NO.	DAY–MO.–YR. TIME
[signature] 20563	[signature]	

PD-23.122 (Rev. 2/83)

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 2014	20 OCT 2014 3

OFFENSE CLASSIFICATION—LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	VAN DYKE	512

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

J WALSH P2 OF 2

VS OPENED FIRE
O FELL TO GROUND
VS CONTINUED FIRING AS O CONTINUED MOVING,
ATTEMPTING GET UP, STILL ARMED W/KNIFE
WHEN GUNFIRE STOPPED, O NOT MOVING
POs APPROACHED O
WALSH CONTINUED, "DROP THE KNIFE!" MULTIPLE X
O STILL HOLDING KNIFE IN R HAND
WALSH FORCIBLY KICKED KNIFE FROM HAND
NOTIFIED DISPATCHER — SHOTS FIRED BY POLICE
AMBULANCE WAS ALSO REQUESTED
WHILE WAITING FOR AMBULANCE, TOLD O
"HANG IN THERE." AMBULANCE ON WAY
WALSH BELIEVED O WAS ATTACKING POs W/KNIFE,
ATTEMPTING TO KILL POs WHEN SHOTS FIRED
WALSH DID NOT FIRE BECAUSE VS IN LINE OF FIRE
THOUGHT VS FIRED 8-9 SHOTS

R.D. NO. HX475653

REPORTING OFFICER'S SIGNATURE—STAR NO.	RECEIVED BY: SUPERVISOR'S SIGNATURE—STAR NO.	DAY—MO.—YR. TIME
Kevin M Walsh 20563		

PD-23.122 (Rev. 2/83)

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 2014	20 OCT 2014 3

OFFENSE CLASSIFICATION–LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0052	VANDYKE	5121

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

T GAGNEY P1 OF 2

RESPONDED TO ASSIGNMENT
HOLDING O FOR BREAKING INTO TRUCKS, 41 + KILDARE
MET HISPANIC COUPLE
O = M/B, DARK SHIRT, ATTEMPTED TO BREAK INTO TRUCKS
LAST SEEN E/B 40 FROM KILDARE
DROVE N/B KILDARE, E/B 40
SAW M/B, DARK CLOTHING, E/B ON S SIDEWALK
McE EXTEN VEH TO APPROACH O ON FOOT
GAFFNEY STAYED IN VEH IN CASE O FLED
McE TOLD O TO STOP BUT O IGNORED/CONTINUED
WALKING HANDS IN POCKETS
McE TOLD O - HANDS OUT OF POCKETS
HANDS OUT of POCKETS
McE TOLD G - HE HAS KNIFE
SAW SILVER KNIFE IN R HAND
S McE HAD DRAWN HANDGUN
McE = "DROP THE KNIFE!" REPEATED LY
O IGNORED
AT KEELER TG NOTIFIED DISPATCHER
O = KNIFE — TASER REQUESTED

R.D. NO. HX475653

REPORTING OFFICER'S SIGNATURE–STAR NO. 20563 | RECEIVED BY: SUPERVISOR'S SIGNATURE–STAR NO. | DAY–MO.–YR. TIME

PD-23.122 (Rev. 2/83)

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 2014	28 OCT 2014 2

OFFENSE CLASSIFICATION—LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	VAN DYKE	5121

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

T GAFFNEY P 2 OF 2

O CONTINUED E/B POS FOLLOWING
AT KARLOV TO TURNED TAHOE S/B + STOPPED,
BLOCKING CROSSWALK
WAITED TO STOP O BEFORE PULASKI
BUSINESS ST — MORE CIVILIANS
WITNESS TO STOPPED IN FRONT OF O,
O STABBED R FRONT TIRE — FLAT
TO TOLD DISPATCHER O "POPPED" TIRE
O ATTEMPTED TO WALK AROUND FRONT OF TAHOE
DROVE FORWARD A LITTLE - CONTINUED TO BLOCK O
O STABBED WINDSHIELD — R SIDE
O CONTINUED E/B FROM KARLOV
AS O APPROACHED BK LOT ASSISTING UNITS ARRIVED
W/B ON 4D,
O RAN E/B THROUGH LOT N SIDE OF BK
ONTO PULASKI — THEN S/B
E/B R PURSUED OVER CURB — IN THEIR TAHOE
TO LOST SIGHT OF O
BECAUSE OF FEAT, TO DID NOT PURSUE. DROVE
AROUND, OUT TO PULASKI, HEARD MULTIPLE GUNSHOT
IN RAPID SUCCESSION DID NOT SEE WHO/WHERE. AT PULASKI SAW O ON GROUND

R.D. NO. HX472563

REPORTING OFFICER'S SIGNATURE/STAR NO.	RECEIVED BY: SUPERVISOR'S SIGNATURE—STAR NO.	DAY—MO.—YR. TIME
[signature] 20563	[signature] 1301	

CPD-23.122 (Rev. 2/83)

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 2014	20 OCT 2014 3

OFFENSE CLASSIFICATION–LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0312	VANSPIKE	0121

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

813R SEBASTIAN, Daphne L PASSENGER
#2763
F/W/45

MONDRAGON, Janet DRIVER
#4364
F/WH/37

822 BACERRA, Arturo DRIVER
#15790
M/WH/32

VELEZ, Leticia PASSENGER
#10385
F/WH/43

841R FONTAINE, Dora PASSENGER
#4484
F/WH/47

VIRAMONTES, Ricardo DRIVER
#10590
M/WH/41

R.D. NO. HX475253

REPORTING OFFICER'S SIGNATURE–STAR NO. 20563 | RECEIVED BY: SUPERVISOR'S SIGNATURE–STAR NO. | DAY–MO.–YR. TIME

PD-23.122 (Rev. 2/83)

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 2014	20 OCT 2014 3

OFFENSE CLASSIFICATION–LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	VAN DYKE	5121

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

J McELLIGOTT

AFTER EXITING TAHOE, WHOM O TOOK HAND OUT OF POCKET SAW KNIFE IN R HAND.
DREW HANDGUN
"DROP THE KNIFE!" REPEATEDLY
O IGNORED, CONTINUED E/B 40
FOLLOWED ON FOOT AT SAFE DISTANCE
HEARD TG REQUEST ASSIST / TASER ON RADIO
TG ATTEMPTED TO BLOCK O W/TAHOE TO KEEP O FROM EK
O STABBED R FRONT TIRE + WINDSHIELD
McE BEGAN TO HEAR SIRENS - ASSIST UNITS
O BEGAN TO RUN TOWARD EK
O RAN E/B THROUGH EK LOT. McE IN PURSUIT
McE RAN OUT & TO ~~PUL~~ PULASKI
HEARD MULTIPLE GUNSHOTS. I DID NOT SEE WHO FIRED
SHOTS WERE CONTINUOUS, ONE AFTER ANOTHER
McE THEN SAW O ON GROUND
SAW WALCH KICK KNIFE FROM HAND

R.D. NO. HX475253

REPORTING OFFICER'S SIGNATURE–STAR NO. 20563 | RECEIVED BY: SUPERVISOR'S SIGNATURE–STAR NO. | DAY–MO.–YR. TIME

CPD-23.122 (Rev. 2/83)

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
24 OCT 2014	2000 R043

OFFENSE CLASSIFICATION–LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	VAN DYKE	512I

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

D SEBASTIAN

RESPONDED TO 815R REQUEST FOR ASSIST,
SUBJECT W/KNIFE
THOUGHT ORIGINAL CALL WAS 40+ KEELER
O HAD PUNCTURED TIRE OF 815R
MONDRAGON PROBE N/B ON PULASKI FOLLOWING 845R,
ALSO RESPONDING
W/B ON 40 BEHIND 845R
SAW O RUNNING SE THROUGH BK LOT TOWARD PULASKI
TOLD MONDRAGON TO DRIVE BACK OUT TO PULASKI TO
ASSIST IN PURSUIT. O RAN OUT TO PULASKI, THEN S/B
845R PURSUED IN VEHICLE
2BR FOLLOWING S/B. SAW KNIFE IN O'S R HAND
O WAVING KNIFE
845R STOPPED AHEAD OF O. BETWEEN O + DD
VW + VVD EXITED, DREW HANDGUNS.
O TURNED TOWARD POS, WAVING KNIFE
HEARD POS = "DROP THE KNIFE!" REPEATEDLY
O IGNORED. CONTINUED TO ADVANCE ON POS, WAVING KNIFE
DS HEARD MULTIPLE GUNSHOTS + O FELL TO GROUND —
3 INVOLVED MOVING. DS DO NOT KNOW WHO FIRED. STATE
IN ONE CONTINUOUS BURST. WALSH KICKED KNIFE FROM HAND

R.D. NO. HX475653

REPORTING OFFICER'S SIGNATURE–STAR NO.	RECEIVED BY: SUPERVISOR'S SIGNATURE–STAR NO.	DAY–MO.–YR. TIME
Dan Sebastian 20563		

CPD-23.122 (Rev. 2/83)

GENERAL PROGRESS REPORT
ECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 2014	20 OCT 2014 3

OFFENSE CLASSIFICATION–LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0452	VANDYKE	512

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

J MONDRAGON

DRIVING W/B 40. SAW M/E RUNNING E/B THROUGH BK LOT
MADE U-TURN, BACK OUT TO PULASKI
S/B ON PULASKI
SAW 0 RUNNING S/A PULASKI, MIDDLE OF ST
AS SHE GOT CLOSER, SAW KNIFE IN R HAND
0 WAVING KNIFE
SAW JW + JVD OUTSIDE THEIR TAHOE
HEARD POs REPEATEDLY, "DROP THE KNIFE!" AS
0 GOT ~~CLOSER~~ CLOSER + CLOSER TO POs, CONTINUING
TO WAVE KNIFE
AS J M PLACED TRANS INTO P, LOOKED DOWN,
HEARD MULTIPLE CONTINUOUS SHOTS, NO PAUSE
THEN SAW 0 FALL TO GROUND
DID NOT KNOW WHO FIRED

R.D. NO. HX475763

REPORTING OFFICER'S SIGNATURE–STAR NO. 20563 | RECEIVED BY: SUPERVISOR'S SIGNATURE–STAR NO. | DAY–MO.–YR. TIME

CPD-23.122 (Rev. 2/83)

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 2014	20 OCT 2014 3

OFFENSE CLASSIFICATION–LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	VAN DYKE	5121

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

A BACERRA

RESPONDED TO REQUEST A 2 ASSIST, 8 NR
SUBJECT ARMED W/KNIFE
DRIVING WID PULASKI, FROM 47
AS HE APPROACHED SCENE, SAW O IN MIDDLE OF ST,
FLAILING ARMS
AS AB GOT CLOSER, SAW KNIFE IN R HAND
DROVE PAST O. O ON L SIDE
B4 OR DROVE PAST ON R SIDE, S/B
MADE U-TURN, HEARD MULTIPLE SHOTS
THEN SAW O LYING ON GROUND
DID NOT SEE WHO FIRED

R.D. NO. HX425653

REPORTING OFFICER'S SIGNATURE–STAR NO. 20563 | RECEIVED BY: SUPERVISOR'S SIGNATURE–STAR NO. | DAY--MO.--YR. TIME

CPD-23.122 (Rev. 2/83)

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 14	20 OCT 14 3

OFFENSE CLASSIFICATION—LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
OV52	VAN DYKE	5121

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

L VELEZ

AS THEY APPROACHED SCENE, SAW O IN MIDDLE OF ST. SHINY OBJECT IN R HAND
O WAVING OBJECT IN AIR
A B DROVE PAST O
BEGAN TO MAKE U-TURN
LV HEARD MULTIPLE GUNSHOTS, WITHOUT PAUSE OR DELAY
SAW O FALL TO GROUND
DID NOT SEE WHO FIRED
SAW UNKNOWN PO KICK KNIFE FROM O'S HAND

R.D. NO. HX475253

REPORTING OFFICER'S SIGNATURE—STAR NO.	RECEIVED BY: SUPERVISOR'S SIGNATURE—STAR NO.	DAY–MO.–YR. TIME
20563	1303	

CPD-23.122 (Rev. 2/83)

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 14	20 OCT 14 3

OFFENSE CLASSIFICATION–LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	VANJYKS	5721

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

D FONTAINE

RESPONDED TO REQUEST FOR ASSIST, B/SR
MAN W/KNIFE, 41 + PULASKI
R V DROVE N/B PULASKI
WHEN THEY ARRIVED AT SCENE, IN FRONT OF DD,
SAW O WALKING S/B, IN ST, KNIFE IN R HAND
O WALKING SIDEWALK, BODY FACING E,
TOWARD JVS + JW
POs STANDING IN ST, SIDE OF THEIR TABLE-
TABLE FACING S/B
HEARD POs REPEATEDLY "DROP THE KNIFE!"
O IGNORED, RAISED R ARM TOWARD VS, AS IF
ATTACKING VS
VS FIRED MULTIPLE SHOTS UNTIL O FELL TO
GROUND + STOPPED MOVING R ARM + HAND, STILL
GRASPING KNIFE
SHOTS = RAPID FIRE, WITHOUT PAUSE
WALSH THEN KICKED KNIFE FROM O'S HAND

R.D. NO. HX475253

REPORTING OFFICER'S SIGNATURE–STAR NO.	RECEIVED BY: SUPERVISOR'S SIGNATURE–STAR NO.	DAY–MO.–YR.	TIME
20563			

CPD-23.122 (Rev. 2/83)

GENERAL PROGRESS REPORT
ECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 2014	30 OCT 2014 3

OFFENSE CLASSIFICATION—LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	VAN DYKE	512 1

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

R VIRAMONTES

WHEN HE EXITED VEHICLE AT SCENE,
SAW O WALKING S/B ON PULASKI, IN MIDDLE OF ST
KNIFE IN R HAND
HEARD JVD REPEATEDLY "DROP THE KNIFE!"
O IGNORED TURNED TOWARD JVD + JW
VD FIRED MULTIPLE SHOTS
O FELL TO GROUND BUT CONTINUED TO MOVE
ATTEMPTING TO GET BACK UP, KNIFE STILL IN HAND
VD FIRED AT O CONTINUOUSLY UNTIL O
NO LONGER MOVING

R.D. NO. HX475253

REPORTING OFFICER'S SIGNATURE—STAR NO. 20563 | RECEIVED BY: SUPERVISOR'S SIGNATURE—STAR NO. (30) | DAY—MO.—YR. TIME

CPD-23.122 (Rev. 2/83)

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 14	20 OCT 14 3

OFFENSE CLASSIFICATION—LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	VANJYKS	5721

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

D FONTAINE

RESPONDED TO REQUEST FOR ASSIST, B/5R
MAN W/KNIFE, 41 + PULASKI
R V DROVE N/B PULASKI
WHEN THEY ARRIVED AT SCENE, D FRONT OF DD,
SAW O WALKING S/B, IN ST, KNIFE IN R HAND
O WALKING ~~S/B~~ SIDEWALK, BODY FACING E,
TOWARD JVS + JW
POs STANDING IN ST, ~~FOR~~ SIDE OF THEIR ~~VEHICLE~~-
TAHOE FACING S/B
HEARD POs REPEATEDLY "DROP THE KNIFE!"
O IGNORED, RAISED R ARM TOWARD VS, AS IF
ATTACKING VS
VS FIRED MULTIPLE SHOTS UNTIL O FELL TO
GROUND + STOPPED MOVING R ARM + HAND, STILL
GRASPING KNIFE
SHOTS = RAPID FIRE, WITHOUT PAUSE
WALSH THEN KICKED KNIFE FROM O'S HAND

R.D. NO. HX475253

[redacted] [redacted]

REPORTING OFFICER'S SIGNATURE—STAR NO.	RECEIVED BY: SUPERVISOR'S SIGNATURE—STAR NO.	DAY—MO.—YR.	TIME
[redacted] 20563	[redacted]		

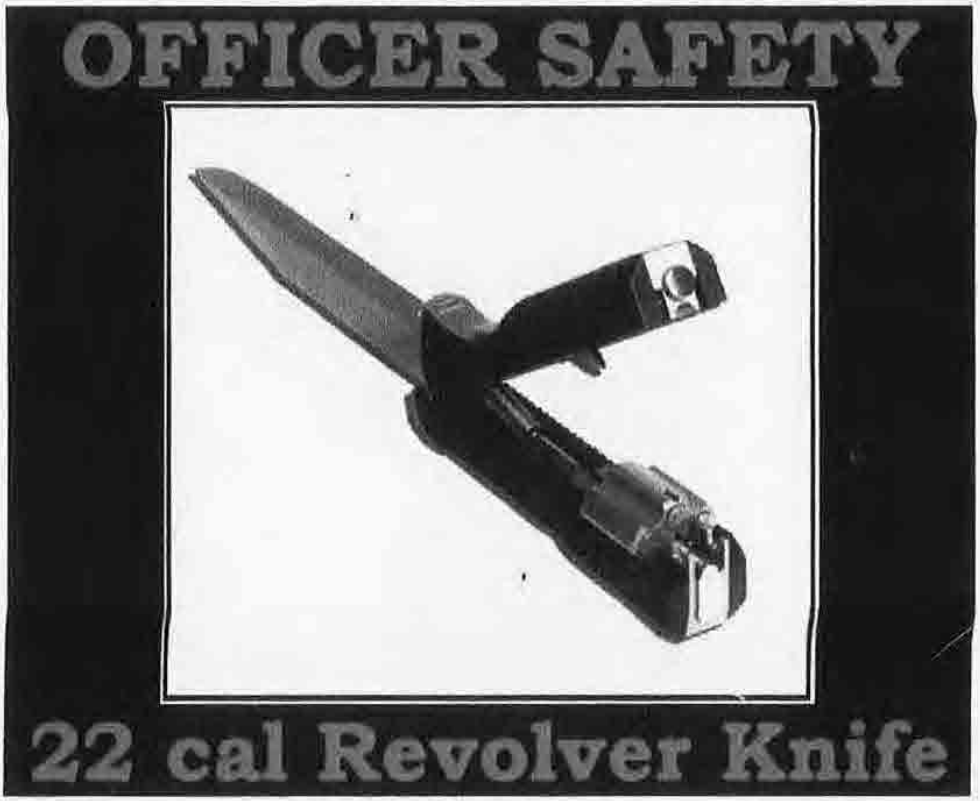
CPD-23.122 (Rev. 2/83)

04 Dec 2012 2012-OSA-297

CRIME CONTROL STRATEGIES
DEPLOYMENT OPERATIONS CENTER

REFERENCE: Knife Revolver

OFFICER SAFETY ALERT



A Midwest intelligence organization is sharing the above captioned photograph for officer safety and awareness.

Officers should take note of the "Revolver Knife" and remain cognizant of its threat to personal safety.

If an officer recovers any such weapon, they are asked to notify CPIC.

Deployment Analytical Group

This Information Bulletin can be viewed through the Deployment Operations Center link on the Chicago Police Department Intranet
Bell 312-745-5669 Pax 0100 Fax 312-745-6927

THE CONTENT OF THIS DOCUMENT IS LAW ENFORCEMENT SENSITIVE (LES) AND IS FOR OFFICIAL USE ONLY (FOUO). Any further disclosure or dissemination of this document or the information contained herein is strictly prohibited without the approval of the Chicago Police Department's Deployment Operations Center. Elements of this document may be subject to 28 CFR Part 23. Illinois DL or ID images are only for use as authorized by 625 ILCS 5/6-110.1 and 92 Ill. Adm. Code 1030.140. This information shall not be released to the media or the general al public.

FAILURE TO ADHERE TO THESE POLICIES MAY RESULT IN CIVIL, CRIMINAL OR DISCIPLINARY ACTION.

SUPPLEMENTARY REPORT

CHICAGO POLICE

20 Oct 14 2157

ASSAULT-AGG PO: KNIFE/CUT INSTR 0552 | 4000 S KARLOV | 815

P.O. GAFFNEY # 19958 / P.O. VAN DYKE # 12805 | 9210

342D W 63RD ST | STREET | 304

PROPERTY

1 MONEY	2 JEWELRY	3 FURS	4 CLOTHING	5 OFFICE EQUIPMENT	6 TV, RADIO, STEREO	PROPERTY INVENTORY NOS.
T $ / R	T $ / R	T $ / R	T $ / R	T $ / R	T $ / R	

7 HOUSEHOLD GOODS	8 CONSUM. GOODS	9 FIREARMS	10 NARC. DANGEROUS DRUGS	11 OTHER	12 NONE
T $ / R	T $ / R	T $ / R	T $ / R	T $ / R	T / R

OFFENDERS

13 OFFENDER'S NAME (OR DESCRIBE CLOTHING, ETC.)	14 HOME ADDRESS	15 SEX-RACE CODE	AGE	HEIGHT	WEIGHT	EYES	HAIR	COMPL.
1								
2	SEE ORIGINAL CASE INCIDENT REPORT							

14 C.B. NO.	I.R. NO. Y.D. NO. OR J.D.A. NO.	OFFENDER REL. CODE	C.B. NO.	I.R. NO. Y.D. NO. OR J.D.A. NO.	OFFENDER REL. CODE	15 NO. ARRESTS ADDITIONAL INFO NO.
OFF 1			OFF 2			

16 OFF'S VEHICLE	YEAR	MAKE	BODY STYLE	COLOR	VIN	STATE LICENSE NO.	STATE
USED STOLEN							

NARRATIVE

EVENT# IN SUMMARY: R/S CONTACTED BY CPIC AT 2230, 20 OCT 14 FOR IN CAR CAMERA (ICC) VIDEO RETRIEVAL ON SCENE 4100 S. PULASKI RELATED TO THE ABOVE LISTED INCIDENT. REQUEST WAS FROM AREA CENTRAL DETECTIVE DIVISION SGT D GALLAGHER UPON ARRIVAL BT 813R VEH# 8779; BT 815R VEH# 8486; BT 822 VEH# 8765; BT 845R VEH# 6412; & BT 841R VEH# 8948 WERE SUBJECTS OF ICC VIDEO CHECK/RETRIEVAL. CHECKS OF THESE VEHICLES REVEALED THE LISTED FINDINGS:

BT 813R	VEH# 8779	VIDEO RECORDED PCOZ400@20141020215250
BT 815R	VEH# 8486	OPERATIONAL BUT DUE TO DISC ERROR NO VIDEO RECORDED
BT 822	VEH# 8765	NOT ENGAGED - OFFICER REPORTED POWER ISSUE
BT 845R	VEH# 6412	VIDEO RECOVERED PCOS571@20141020215250
BT 841R	VEH# 8948	NOT ENGAGED - OFFICER REPORTED APPLICATION ERROR

RECOVERED VIDEO MANUALLY UPLOADED AND RETRIEVED 002/ACOD ICC SYSTEM

14K 455653

CONTINUED OTHER SIDE

23 EXTRA COPIES REQUIRED (NO. & RECIPIENT)	31 DATE THIS REPORT SUBMITTED (DAY-MO-YR)	TIME	32 SUPERVISOR APPROVING (PRINT NAME)	STAR NO.
	21 OCT 14			
33 REPORTING OFFICER (PRINT NAME) STAR NO.	34 REPORTING OFFICER (PRINT NAME) STAR NO.		SIGNATURE	
SIGNATURE SGT J BECERRA 1748	SIGNATURE		35 DATE APPROVED (DAY-MO-YR)	TIME

CPD 11.4[illegible] (REV. 8/95) *MUST BE COMPLETED IN ALL CASES

STATEMENT OF P.O. JASON VAN DYKE

CONDUCTED BY INVESTIGATOR KILLEN

ON OCTOBER 22, 2014 AT 1147 HOURS

AT THE INDEPENDENT POLICE REVIEW AUTHORITY

1072125

#1162

OIG 15-0564 000632

KILLEN: This is the audio recorded interview of Officer Jason Van Dyke regarding Log number 1072125 U number 14 dash 36. Today is the 22nd of October 2014. And the time is approximately 1147 hours. This statement is bein' taken at the offices of the Independent Police Review Authority at 1615 West Chicago Avenue. My name is Investigator Killen, that's spelled K I L L E N. My star number is 1 2 9. Present in the room is also uh FOP Field Rep uh Kriston Kato.

KATO: Kristen Kato, K R I S T O N. Last name is K A T O. FOP Field Representative.

KILLEN: Uh and also uh Attorney Thomas Rebholz.

REBHOLZ: Uh Attorney Thomas Rebholz, T H O M A S, R E B H O L Z.

KILLEN: Okay. And then Officer Van Dyke if you would say and spell your first name and last names for me.

P.O.VAN DYKE: Jason Van Dyke. J A S O N. V A N, D Y K E.

KILLEN: And uh what's your star number?

P.O.VAN DYKE: 9 4 6 5.

KILLEN: And your employee number?

P.O.VAN DYKE: [redacted]

KILLEN: All right. And your date of appointment with the Department?

P.O.VAN DYKE: 25 June 2001.

KILLEN: And your date of birth?

P.O.VAN DYKE: [redacted]

KILLEN: And your current unit of assignment?
P.O.VAN DYKE: 8th District.

KILLEN: How long you been assigned to 8?
P.O.VAN DYKE: Uh since January of this year.

KILLEN: Where were you before that?
P.O.VAN DYKE: 7th District.

KILLEN: Okay. (clears throat) And you're now prepared to give a statement regarding this incident?
P.O.VAN DYKE: Yes.

KILLEN: All right and you're aware that this statement has the standing of an official Department report. And that any intentional falsification to any answer to any question would be in direct violation of Department rules and regulations?
P.O.VAN DYKE: Yes.

KILLEN: Given that, I'd like to remind you that failure to provide a complete and accurate account of this incident could result in a finding of a violation of Rule 14 with discipline leading up to and including separation from the Chicago Police Department. Do you understand?
P.O.VAN DYKE: Yes.

KILLEN: All right and before we do start, any um, this device that we're usin' to record this is really

sensitive. So any whispered conversation you might have it'll pick it up. So you need to, if you wanna talk to the attorney raise your hand we'll pause it. We'll let you have your conversation then we'll continue on okay?

P.O.VAN DYKE: Yes.

KILLEN: All right so on 20 October 2014 at approximately 2156 hours what was your duty status and assignment?

P.O.VAN DYKE: Uh this statement is not being given voluntarily but under duress. I'm only giving this statement at this time because I know that I will loose my job if I refuse the direct order given to me.

KILLEN: Okay so same question October 20th approximately 2156 hours what was your duty status?

P.O.VAN DYKE: I was assigned to the Chicago Police Department.

KILLEN: Were you on duty?

P.O.VAN DYKE: Yes I was.

KILLEN: Okay. What time did you start work that night?

P.O.VAN DYKE: 2100 hours.

KILLEN: Okay and uh were you assigned a partner?

P.O.VAN DYKE: Yes I was.

KILLEN: Who's your partner?

P.O.VAN DYKE: Uh Joe Walsh.

OIG 15-0564 000635

KILLEN: All right and were you and Officer Walsh full uniform?
P.O.VAN DYKE: Uh we were in full uniform in a marked squad car.

KILLEN: Okay were you in a car, Tahoe, what were you in?
P.O.VAN DYKE: We were in a Tahoe.

KILLEN: Okay marked?
P.O.VAN DYKE: Yes.

KILLEN: Do you remember the outside number on it?
P.O.VAN DYKE: No I do not.

KILLEN: Do you remember what beat you were assigned?
P.O.VAN DYKE: Um 845 Robert.

KILLEN: Okay. And then so on 20 October 2014 your, your shift started 2100 hours correct?
P.O.VAN DYKE: Yes sir.

KILLEN: What would you be 2100 to 0600?
P.O.VAN DYKE: Yes.

KILLEN: Okay is that, that's your regular shift?
P.O.VAN DYKE: Um no I'm a relief officer.

KILLEN: Okay so you kinda bounce a lil bit?
P.O.VAN DYKE: Yes.

KILLEN: Okay. (clears throat) A midnight guy --

P.O.VAN DYKE: Yes.

KILLEN: -- essentially. All right. Did you work the night before?

P.O.VAN DYKE: No I did not.

KILLEN: So the 20th of October is like your Monday?

P.O.VAN DYKE: Yes.

KILLEN: Okay. Prior to, prior to showin' up to work on the 20th of October where were ya?

P.O.VAN DYKE: Um I was at home. And I had a part-time job that day.

KILLEN: Oh whadda you do?

P.O.VAN DYKE: Um I worked at uh the Wal-Mart in Cicero.

KILLEN: Security?

P.O.VAN DYKE: Yes.

KILLEN: Okay.

P.O.VAN DYKE: For Moneray.

KILLEN: Did you go, go from Moneray Security work, you work for Moneray Security?

P.O.VAN DYKE: Yes.

KILLEN: I gotcha. Did you go from your part-time job to, to the 8th District and work? Or did you go from home to 8?

P.O.VAN DYKE: I went from home to 8.

OIG 15-0564 000637

KILLEN: Okay. All right and then on 20 October 2014 approximately 2156 hours you were involved in a police shooting correct?

P.O.VAN DYKE: Yes.

KILLEN: All right. And if you would just start from the beginning explain what happened that night that brought you, brought you there?

P.O.VAN DYKE: Um I heard um 815 Robert requesting assistance and we responded.

KILLEN: Okay. So (inaudible) so 20, so on 20 October 2014 you start work at 2100 hours correct?

P.O.VAN DYKE: Yes.

KILLEN: So you get there you have roll call?

P.O.VAN DYKE: Yes.

KILLEN: What time do you have roll call at? About?

P.O.VAN DYKE: Around 2100, 2110.

KILLEN: Okay. And if you remember approximately what time did you get out of roll call?

P.O.VAN DYKE: Maybe 20 minutes later.

KILLEN: Okay so say somewhere between 2130, 2140?

P.O.VAN DYKE: Yes.

KILLEN: All right so you and Officer Walsh you go get your car?

P.O.VAN DYKE: Yes.

OIG 15-0564 000638

KILLEN: You guys get in the car. You leave the 8th District.

P.O.VAN DYKE: Yes.

KILLEN: And whadda you do immediately from leaving the 8th District?

P.O.VAN DYKE: Um we drove and we got some coffee at the 7 Eleven on 59th and Pulaski.

KILLEN: Okay. Is that where you're at when you hear the call that the 815 Robert needs assistance?

P.O.VAN DYKE: We were leaving there.

KILLEN: Okay. So you get your coffee and the call you're talkin' about you hear over the radio correct?

P.O.VAN DYKE: Yes.

KILLEN: Were you assigned the job? Or did you just hear it?

P.O.VAN DYKE: Um we didn't hear their initial job. We heard them requesting assistance.

KILLEN: Okay do you remember exactly what kinda assistance they were lookin' for or why?

P.O.VAN DYKE: Um they were requesting a taser for an individual.

KILLEN: Okay do you remember where they were at when they requested it?

P.O.VAN DYKE: They were around 40th and, 41st and one of the K streets. I don't remember.

OIG 15-0564 000639

KILLEN: Okay. (clears throat) So uh so you and Officer Walsh you leave the 7 Eleven parking lot basically?

P.O.VAN DYKE: We were already on Pulaski.

KILLEN: Okay but you just left the park, you just left 7 Eleven?

P.O.VAN DYKE: Right.

KILLEN: Who's drivin'?

P.O.VAN DYKE: Joe Walsh.

KILLEN: Okay. So you immediately then go to say 40th and whatever K street there, the 815 Robert were at?

P.O.VAN DYKE: Um yeah we were proceedin' southbound, yes.

KILLEN: Okay so you head toward --

P.O.VAN DYKE: I'm sorry northbound.

KILLEN: You see 'em north on Pulaski towards 40th Street?

P.O.VAN DYKE: Yes.

KILLEN: Okay. So you guys go lights and sirens?

P.O.VAN DYKE: Yes.

KILLEN: All right so you guys go straight from let's just say from 7 Eleven to 40th and Pulaski that's where you're headed?

P.O.VAN DYKE: Yes.

KILLEN: And what happens there?

OIG 15-0564 000640

P.O.VAN DYKE: Um once we get closer heard also over the air that um subject, they're still askin' for a taser and that the uh, the subject is armed uh with a knife. And that he had just slashed one of their tires.

KILLEN: So that's over the radio you hear all this correct?

P.O.VAN DYKE: Yes.

KILLEN: All right. Do you carry a taser?

P.O.VAN DYKE: No I do not.

KILLEN: Does Officer Walsh?

P.O.VAN DYKE: I don't know that.

KILLEN: Okay.

P.O.VAN DYKE: That night I don't think he had one.

KILLEN: Okay. And Officer Walsh he would be your regular partner correct?

P.O.VAN DYKE: No.

KILLEN: Okay oh you said he was.

P.O.VAN DYKE: Yes.

KILLEN: You really bounce around then.

P.O.VAN DYKE: Yes I do.

KILLEN: Okay. So you and Officer Walsh you get to 40th and this is about Karlov is where this happens

OIG 15-0564 000641

at. Or starts off at Karlov and these guys and, and toward Pulaski.

P.O.VAN DYKE: I yeah I don't know what K street it was. I just --

KILLEN: No I'm, I'm tellin' ya.

P.O.VAN DYKE: Okay.

KILLEN: All right so, so you guys get to, so you get to 40th and Pulaski and what happens?

P.O.VAN DYKE: Um we, we head um westbound on 40th Street. We're right there at the Burger King um he's givin' out that the guy's runnin' eastbound towards Pulaski um I'm sorry. One of the officers of 815 Robert is givin' out a description over the air that the offender's runnin' eastbound towards Pulaski and he's at the Burger King lot. Um I see Officer McElligott on foot um approaching into the Burger King lot. I see the offender running eastbound through the Burger King parking lot.

KILLEN: Okay. Do you remember the description given out over the radio of the offender?

P.O.VAN DYKE: No.

KILLEN: But when you see the guy runnin' through the parkin' lot --

P.O.VAN DYKE: I see the guy runnin' through the parkin' lot with the knife.

OIG 15-0564 000642

KILLEN: Okay. And as best you can describe to me what that man looks like?
P.O.VAN DYKE: Uh he's a male black, braids. He had a black jacket on and blue jeans.

KILLEN: And you saw 'em with a knife?
P.O.VAN DYKE: Yes I did in his right hand.

KILLEN: He's runnin', he, he's runnin' east through the parking lot?
P.O.VAN DYKE: He's runnin' east and on a diagonal towards the uh Burger King.

KILLEN: And when you see this where you at?
P.O.VAN DYKE: We're about getting, we're basically at the mouth of the parking lot.

KILLEN: Burger King?
P.O.VAN DYKE: Yes.

KILLEN: What happens then? So you see this guy runnin' and you see Officer McElligott on foot after 'em correct?
P.O.VAN DYKE: Yes.

KILLEN: Okay and what happens?
P.O.VAN DYKE: We enter the parking lot. We kinda cut 'em off from goin' into the Burger King. See another squad car approaching on our left. And it looks like we're going to be able to pin 'em in. He continues running eastbound towards Pulaski. We continue to follow him on to Pulaski and at that

OIG 15-0564 000643

point he starts running southbound on, in the middle of Pulaski.

KILLEN: So at this point you have, you have neither of you, you or Officer Walsh have exited the squad car?

P.O.VAN DYKE: No.

KILLEN: Okay. So then when the offender runs south on Pulaski you continue south after 'em?

P.O.VAN DYKE: Yes.

KILLEN: And what happens from there?

P.O.VAN DYKE: Um we get a lil bit closer to 'em because it looks like he's tryin' to run towards the Dunkin' Donuts cause he's continually makin' a beeline towards the nearest um, nearest building. We cut 'em off again. There's another squad car approaching and he diverts um back into the um southbound lanes on Pulaski. And at that point we go around the other squad cars and we get ahead of 'em by about five or six car lengths.

KILLEN: Okay. And what you mean is you went, you went further south on Pulaski right?

P.O.VAN DYKE: Yes we did.

KILLEN: The chase continued south on Pulaski?

P.O.VAN DYKE: Yes it did.

KILLEN: And so you get ahead of 'em?

P.O.VAN DYKE: Yes.

OIG 15-0564 000644

KILLEN: And what happens?
P.O.VAN DYKE: Um we parked the squad car kind of on an angle in the middle of Pulaski so he can't keep on running down the road.

KILLEN: Okay.
P.O.VAN DYKE: Um I exit the vehicle. Uh I see 'em runnin' wavin' this knife with his right hand you know under, it in an under position. I give 'em verbal commands to drop the knife. I'm yellin' at 'em drop the knife.

KILLEN: Okay. When you guys, you park your car on Pulaski correct?
P.O.VAN DYKE: I'm sorry?

KILLEN: The car, your car gets stopped on Pulaski?
P.O.VAN DYKE: Yes it does.

KILLEN: Is there traffic, is there regular traffic on Pulaski at that point do you remember?
P.O.VAN DYKE: I don't remember really any being there.

KILLEN: Okay. And he's --
P.O.VAN DYKE: I'm focused on him.

KILLEN: Right I know. And he's still on Pulaski and he's in the southbound lanes still runnin' south though right?
P.O.VAN DYKE: Yes.

OIG 15-0564 000645

KILLEN: You said he was kinda makin' that beeline between say Burger King and the Dunkin' Donuts on the east side of Pulaski?
P.O.VAN DYKE: Correct.

KILLEN: So you, you stop. You get out, pistol drawn.
P.O.VAN DYKE: Yes.

KILLEN: And order 'em to put the knife down.
P.O.VAN DYKE: Yes I do.

KILLEN: And you say he's wavin' it at, as best you can describe what you were doin' with your hand there?
P.O.VAN DYKE: He's wavin' it in an, he's clenchin' it. Um with the blade forward underneath and he's wavin' it um from you know his right side towards his left in an upward fashion.

KILLEN: Okay. Him doin' that make you think he was gonna put the knife down?
P.O.VAN DYKE: No.

KILLEN: You took that to be a threatening --
P.O.VAN DYKE: Yeah he was wavin' it upwards --
REBHOLZ: Chest level.
P.O.VAN DYKE: -- yeah at my chest. Chest level.

KILLEN: As if he wanted to he could stab you?
P.O.VAN DYKE: Yes.

OIG 15-0564 000646

KILLEN: Okay. And how far, so you get out and he's doin' this with the knife. How far are you from him at this point if you guess?

P.O.VAN DYKE: I would say I was approximately ten to fifteen feet away from him.

KILLEN: And he's facin' you?

P.O.VAN DYKE: He's, he's comin' towards me.

KILLEN: Okay. So he's closin' the distance between you and him?

P.O.VAN DYKE: He is and I'm back pedalin'.

KILLEN: Okay and at that point what's between you and him?

P.O.VAN DYKE: Nothing.

KILLEN: And what's behind you? Do you know?

P.O.VAN DYKE: I have no idea.

KILLEN: Do you know where Officer Walsh was at at this time?

P.O.VAN DYKE: I have no idea.

KILLEN: All right what about any other officers. Did you see them too?

P.O.VAN DYKE: I saw some squad cars approaching from the um thc north. Um that's about it.

KILLEN: Okay. And I know you said it before, I'm gonna assume your attention is focused on the man with the knife.

OIG 15-0564 000647

P.O.VAN DYKE: Yes.

KILLEN: Okay. And he's closin' the distance between you and him and you're back pedalin' did you say?
P.O.VAN DYKE: Yes I am.

KILLEN: Is he runnin' toward you?
P.O.VAN DYKE: He's walkin' really fast almost like ah almost like a jog I think.

KILLEN: Okay. And that's when he's doin' the wavin' with the knife?
P.O.VAN DYKE: Yes.

KILLEN: And what, what happens? So he's closin' the distance. You're back pedalin' and what happens?
P.O.VAN DYKE: He's gettin', he's gettin' closer to me. I could see that there's nobody to my right. There's nothin' in front a me. There's nothin' to my left. I keep on orderin' 'em drop the knife, drop the knife, drop the knife. He doesn't drop the knife. He's still wavin' the knife at me. I'm thinkin' he's, he's goin' do somethin' to me.

KILLEN: And whaddid you think was he was gonna do?
P.O.VAN DYKE: I think he's going to try and take my life away from me.

KILLEN: And what happens?
P.O.VAN DYKE: I shoot 'em.

OIG 15-0564 000648

KILLEN: Okay. Do you know how many times you fired?
P.O.VAN DYKE: I shot 16 rounds.

KILLEN: You know that now?
P.O.VAN DYKE: I know that because my weapon went into slide lock.

KILLEN: Oh so at the moment, at the time you knew that, you were aware of that?
P.O.VAN DYKE: Yes.

KILLEN: Okay. And so when your pistol goes into slide lock do you think, do you know that you emptied the clip or do you think like it's a malfunction?
P.O.VAN DYKE: I know I emptied the magazine.

KILLEN: Okay. So you weren't afraid of a malfunction?
P.O.VAN DYKE: No.

KILLEN: And whadda you do? So the slide locks and whadda you do with your pistol?
P.O.VAN DYKE: I did a tactical reload.

KILLEN: Okay. And do you fire again?
P.O.VAN DYKE: No I do not.

KILLEN: Why not?
P.O.VAN DYKE: Um I felt that the threat was eliminated. Um my partner, Officer Walsh said Jason back up I have this. Um I covered him while he approached and kicked the knife outta the offender's hand.

OIG 15-0564 000649

KILLEN: Okay and when you say the threat's been eliminated, why is the threat eliminated?
P.O.VAN DYKE: Um the subject was now layin' on the ground. Um he wasn't makin' any efforts to get up.

KILLEN: And Officer Walsh had to kick the knife from his hand?
P.O.VAN DYKE: Yes he had to forcefully kick the knife out of his hand.

KILLEN: So the offender falls to the ground and he's still got the knife?
P.O.VAN DYKE: He still has the knife. He's you know we're still yellin' at 'em drop the knife.

KILLEN: Okay. So then Officer Walsh tells you to back up, he's got this.
P.O.VAN DYKE: Right.

KILLEN: He approaches the offender.
P.O.VAN DYKE: He approaches the offender and he, he kicks it out of his hand.

KILLEN: And that whole time you're what the cover officer at that point?
P.O.VAN DYKE: Yes.

KILLEN: Okay so and do you know what happens right after that then?
P.O.VAN DYKE: After that um Officer Walsh gets over the air and um says shots fired by the police. I remember shouting we need an ambulance. Um I, I

OIG 15-0564 000650

think I keyed it up over the radio. I don't remember if I did or did not, but I shouted we need an ambulance.

KILLEN: All right and then that's when all the other officers start runnin' up, gettin' there correct?

P.O.VAN DYKE: Yes.

KILLEN: Okay. All right. At any time did you, did you handle that knife?

P.O.VAN DYKE: No I did not.

KILLEN: So Officer Walsh kicks it as it remains on the ground?

P.O.VAN DYKE: Yes.

KILLEN: Are you aware of any officer pickin' it up or touching or handlin' it in any way?

P.O.VAN DYKE: No I think it was just the um the crime lab recovered it.

KILLEN: Okay. So where they recovered it as far as you know is where it laid the entire time?

P.O.VAN DYKE: Yes.

KILLEN: Okay. And then just goin' back to when you discharged your firearm, do you remember, were you, were you standing still when you fired or were you movin'?

P.O.VAN DYKE: I think I was moving.

OIG 15-0564 000651

KILLEN: Do you think, do you think you were still movin' backwards?
P.O.VAN DYKE: Yes.

KILLEN: Okay. Do you remember how you held the pistol?
P.O.VAN DYKE: Yes.

KILLEN: How?
P.O.VAN DYKE: Held it in front of me. Um two hands.

KILLEN: Are you right handed or left handed?
P.O.VAN DYKE: I'm right handed.

KILLEN: All right so your right hand dominant.
P.O.VAN DYKE: Yes.

KILLEN: So your left hand was for support?
P.O.VAN DYKE: Yes.

KILLEN: Is that what you're doin'. And do you use sights?
P.O.VAN DYKE: No I do not.

KILLEN: Okay. Before I forget what kinda pistol did you have?
P.O.VAN DYKE: Um it's was a Smith & Wesson um 5943 9 millimeter.

KILLEN: It was fully loaded?
P.O.VAN DYKE: Yes it was.

KILLEN: So what's that 15?

OIG 15-0564 000652

P.O.VAN DYKE: 15 plus one.

KILLEN: Okay. All right at the time did you have any other firearm on you?
P.O.VAN DYKE: No I did not.

KILLEN: Do you own any other firearms?
P.O.VAN DYKE: Yes I do.

KILLEN: What do you own?
P.O.VAN DYKE: I own a um a Chief Special 38 Revolver.

KILLEN: That's it?
P.O.VAN DYKE: That's it.

KILLEN: Okay. All right. So you, you, you're fully loaded. 16 rounds fired. Slide lock, you do tactical reload but you don't fire again?
P.O.VAN DYKE: I do not.

KILLEN: All right so then when, when your weapon is recovered by the crime lab, that's what they got, they got the reloaded firearm?
P.O.VAN DYKE: Yes sir.

KILLEN: So the clip is 15?
P.O.VAN DYKE: I'm sorry?

KILLEN: Did you put one in the chamber and then 15 or is the 15 from the clip?
P.O.VAN DYKE: 15 from the magazine.

OIG 15-0564 000653

KILLEN: Okay. All right. And you weren't injured at all correct?

P.O.VAN DYKE: No sir.

KILLEN: To the best of your recollection can you estimate how close you were when, or how close you and the offender were to each other when you fired your weapon at 'em?

P.O.VAN DYKE: I would say it was approximately 10 to 15 feet.

KILLEN: Okay. All right. And as far as you were, you're the only police officer that fired correct?

P.O.VAN DYKE: Yes sir.

KILLEN: Okay. All right. Is there anything you'd like to add?

P.O.VAN DYKE: No sir.

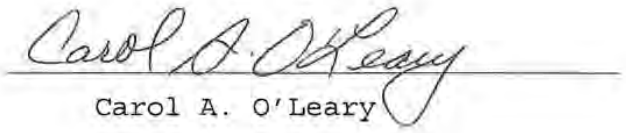
KILLEN: Everything you told me is a true and accurate account of what occurred?

P.O.VAN DYKE: Yes sir.

KILLEN: All right this will conclude the audio recorded interview of Officer Jason Van Dyke regarding Log number 1072125 U number 14 dash 36. Today's the 22nd of October 2014. The time's approximately 1206 hours.

OIG 15-0564 000654

I, CAROL A. O'LEARY, do hereby certify or affirm that I have impartially transcribed the foregoing from an audio recording of the above-mentioned proceeding to the best of my ability.



Carol A. O'Leary

OIG 15-0564 000655

Amicus
court reporters, inc
300 West Adams St. Ste 800
Chicago, IL 60606
Phone: 312.641.3500
Fax: 312.641.3795
Email: info@amicusreporters.com

CITY OF CHICAGO

INSPECTOR GENERAL'S OFFICE

OFFICE OF INSPECTOR GENERAL

INTERVIEW OF:

LETICIA VELEZ

TRANSCRIPT OF PROCEEDINGS had in the above-entitled cause on the 21st day of September A.D. 2016

APPEARANCES:

INSPECTOR GENERAL'S OFFICE
740 North Sedgwick, Suite 200,
Chicago, Illinois 60654,
773-478-3878, by:
MR. PETER NEUMER
Assistant Inspector General
pneumer@chicagoinspectorgeneral.org
MR. RAUL VALDEZ
Investigator I
rvaldez@chicagoinspectorgeneral.org,
Appeared on behalf of the Inspector General's Office;

LAW OFFICES OF WILLIAM N. FAHY, LTD.
206 South Jefferson Street
Suite 100
Chicago, Illinois 60661
312-655-1100, by:
MR. WILLIAM N. FAHY
Attorney
wnfahy@fahylawoffice.com,
Appeared on behalf of the Interviewee.

I N D E X

LETICIA VELEZ		EXAMINATION
BY MR. NEUMER		5, 60, etc.
BY MR. VALDEZ		54, 85, etc.

E X H I B I T S

VELEZ		PAGE
Exhibit 1	Advisement of Rights form	8
Exhibit 2	9/14/16 Interview Notification	11
Exhibit 3	Notification of Allegations	11
Exhibit 4	9/15/16 receipt form	12
Exhibit 5	CPD Case Supplementary Report	13
Exhibit 6	10/20/14 General Progress Report, RD number HX475653 with Detective March's notes	13
Exhibit 7	Special Order 03-05	96
Exhibit 8	In-Car Video Retrieval Worksheet	112
Exhibit 9	Case Supplementary Report, event number 15878	114

(Original exhibits sent to Mr. Neumer.)

MR. NEUMER: As a preliminary matter, I am providing the following information: An independent certified court reporter is present today to provide a verbatim transcript of this interview. To aid in the accuracy of the transcript, it is the custom and practice of court reporters to audio-record the interview.

The recording is the confidential work product property of the court reporter and will not be provided to any party, including the OIG. If you request, the audio recording will be discontinued.

So, Officer Velez, are you okay with the court reporter audio-recording this interview?

MR. FAHY: We have no objection to that.

MR. NEUMER: Okay. Let the record reflect that today's date is September 21, 2016. The time is 3:55 p.m. We are located at Amicus Court Reporters, 300 West Adams, Suite 800.

My name is Peter Neumer, the court reporter is Andrew Pitts, and I would ask that the other individuals present identify themselves and spell their names for record.

MR. VALDEZ: Investigator Raul Valdez; V-A-L-D-E-Z.

MR. FAHY: My name is Will Fahy. Last name is spelled F-A-H-Y.

THE INTERVIEWEE: Officer Leticia Velez, V-E-L-E-Z, 10385.

MR. NEUMER: There are no other individuals present.

We are here today pursuant to an investigation being conducted under Chapter 2-56 of the Municipal Code of the City of Chicago. We are here for an interview of Officer Velez.

Officer Velez, would you please raise your right hand, and the court reporter will swear you in.

MR. VALDEZ: I have instructed my client not to be sworn. This is an administrative statement. So I am refusing to have her sworn for this statement.

MR. NEUMER: Okay.

LETICIA VELEZ,

called as an Interviewee herein, having been first administered an oath, was examined and testified as follows:

EXAMINATION

BY MR. NEUMER:

Q. Officer Velez, I am now going to hand you

a form that is marked Advisement of Rights. Actually, I will give you this one (indicating) just because it has your name. This form has already been filled in with your name, my name, and Investigator Valdez's name.

I am going to ask you to read along with me as I go through this Advisement form, and I will ask you after each paragraph to acknowledge you have read the paragraph.

So the Advisement states, "I, Officer Leticia Velez, understand that I am being interviewed by Peter Neumer and Raul Valdez from the City of Chicago Office of Inspector General. I understand that this interview is part of an official investigation and that I have the duty to cooperate with the Office of Inspector General, which includes answering all questions completely and truthfully."

Officer Velez, do you see the paragraph I just read aloud to you?

A. Yes.

Q. "I understand that I have no right to remain silent. I understand that I have an obligation to answer questions put to me

truthfully. I understand that if I refuse to answer questions put to me, I would be ordered by a superior officer to answer the questions.

I further understand and I have been advised that if I persist in my refusal to answer after an order to do so, such further refusal constitutes a violation of the rules and regulations of the Chicago Police Department and may serve as the basis for my discharge."

Officer Velez, do you see the paragraph I just read aloud to you?

A. Yes.

Q. "I understand and I have been advised that my statements and responses may constitute an official police report. I understand that Rule 14 of the Chicago Police Department's rules and regulations prohibits making a false report, written or oral, and I further understand that making such a false report, whether written or oral, may result in my separation from the Chicago Police Department."

Do you see the paragraph I just read aloud to you?

A. Yes.

Q. "I understand that any statement made by me during this interview may be used as evidence of misconduct or as the basis for disciplinary action up to and including removal or discharge."

Officer Velez, do you see the paragraph I just read aloud to you?

A. Yes.

Q. "I understand that any statement made by me during this interview and the fruits thereof cannot be used against me in a criminal proceeding."

Officer Velez, do you see the paragraph I just read aloud to you?

A. Yes.

Q. "I understand that I have the right to have a union representative or legal counsel of my choosing present at the interview to consult with and that I will be given a reasonable time to obtain a union representative or legal counsel as long as the interview is not unduly delayed."

Do you see the paragraph I just read aloud to you?

A. Yes.

Q. "I understand that a refusal to answer

any question or any false, inaccurate, or deliberately incomplete statement by me would constitute a violation of Chicago Municipal Ordinance 2-56 and may serve as the basis for my discharge."

Do you see the paragraph I just read aloud to you?

A. Yes.

Q. "I acknowledge that this statement of my administrative rights has been read aloud to me and I have been allowed to review this document."

Do you see the paragraph I just read aloud to you?

A. Yes.

Q. Officer Velez, I would ask you to sign the Advisement, and then we can witness that Advisement.

MR. NEUMER: And we will mark that as Exhibit 1.

(Whereupon, Velez Exhibit 1 was marked for identification.)

MR. FAHY: While you are marking that as an exhibit, there is something my client would like to state for the record.

THE INTERVIEWEE: This statement is not being given voluntarily but under duress. I am only giving this statement because I know I will be fired if I refuse.

MR. NEUMER: Okay.

BY MR. NEUMER:

Q. I am now going to mark several exhibits to get them on the record and present them to Officer Velez to confirm her prior receipt of these exhibits.

So I am now handing you what is marked as Notification of Interview. And we are going to mark this as Exhibit 2. It is dated September 14, 2016.

Officer Velez, have you seen this Notification of Interview prior to today's interview?

A. Yes.

Q. And did BIA provide you with this document on or about September 15, 2016?

A. Yes.

Q. And is that your signature at the bottom of the Notification?

A. Yes.

MR. NEUMER: We will mark that Notification as Exhibit 2.

(Whereupon, Velez Exhibit 2 was marked for identification.)

BY MR. NEUMER:

Q. Okay. And I am now handing you what we will mark as Exhibit 3, which is a Notification of Allegations. Officer Velez, have you seen this Notification of Allegations prior to today's interview?

A. Yes.

Q. And did BIA provide you with this document on or about September 15, 2016?

A. Yes.

Q. And is that your signature on page 2 of the Notification of Allegations?

A. Yeah.

MR. NEUMER: Okay. I will now mark this as Exhibit 3.

(Whereupon, Velez Exhibit 3 was marked for identification.)

BY MR. NEUMER:

Q. Okay. I am now handing you what we will mark as Exhibit 4. It is a receipt form.

Officer Velez, have you seen this receipt form prior to today's interview?

A. Yes.

Q. And did BIA provide you with this receipt form on or about September 15, 2016?

A. Yes.

Q. And is that your signature on page 2 of the receipt form?

A. Yes.

MR. NEUMER: Okay. We will now mark this as Exhibit 4.

(Whereupon, Velez Exhibit 4 was marked for identification.)

BY MR. NEUMER:

Q. Officer Velez, I am now handing you what we will mark as Exhibit 5. This is an excerpt of a CPD Case Supplementary Report dated March 16, 2015, with the RD number HX475653 containing your statement to Detective March.

Have you seen this document prior to today's interview?

A. Yes.

Q. And did BIA provide you with this document on or about September 15, 2016?

A. Yes.

MR. NEUMER: Okay. And I will mark that as Exhibit 5 now.

(Whereupon, Velez Exhibit 5 was marked for identification.)

BY MR. NEUMER:

Q. And I have now put in front of you what we will mark as Exhibit 6, a General Progress Report dated October 20, 2014, with the RD number HX475653 containing Detective March's notes of his interview of you.

Have you seen this document prior to today's interview?

A. Yes.

Q. And did BIA provide you with this document on or about September 15, 2016?

A. Yes.

MR. NEUMER: Okay. I am going mark that as Exhibit 6.

(Whereupon, Velez Exhibit 6 was marked for identification.)

BY MR. NEUMER:

Q. In order to prepare for today's interview, did you review the materials that BIA

provided you?

A. The disk?

Q. Yes.

A. Yes.

Q. And so that includes the Exhibit 6 General Progress Report?

A. Yes.

Q. And the Exhibit 5 Case Supplementary Report?

A. Yes.

Q. And that disk that BIA provided you, that included video from the in-car video systems of vehicles 813 Robert and 845 Robert; is that correct?

A. I'm not positive, so --

Q. Do you recall that the disk that BIA provided you contained video?

A. There -- yes.

Q. Okay. Did you review the video that was contained on the disk that the BIA provided you?

A. Not all of the video. There's only the one video of the shooting.

Q. Okay. And you reviewed that video prior to today's interview?

A. Yes.

Q. Since receiving the Notice of Interview, did you review any materials other than the materials that BIA provided you?

A. Would you repeat that?

Q. Sure. So after receiving the Notice of Interview for today's interview, did you review any materials other than the materials that BIA provided you?

A. Any other materials? No.

Q. Okay. Aside from your attorney, did you speak to anyone else in preparation for this interview?

A. No.

MR. NEUMER: And before we get into our questions, Counsel, I just wanted to confirm that you were okay with the IG providing Officer Velez with a transcript of today's interview within 72 hours of the IG's receipt of that transcript.

MR. VALDEZ: Yes.

MR. NEUMER: Okay.

BY MR. NEUMER:

Q. So Officer Velez, I just want to start with a little background. Could you state your

name, Star number, and current unit of assignment?

A. Yes. My name, Officer Leticia Velez. My Star number is 10385. I work in District 8 on the third watch.

Q. Okay. And what was your unit of assignment on October 20, 2014?

A. I was working a beat car. It was beat 822.

Q. And were you on the third watch as of October 20, 2014?

A. Yes, I was.

Q. What was your chain of command as of October 20, 2014?

MR. VALDEZ: On October of 2014?

MR. NEUMER: Yes.

MR. VALDEZ: Okay.

BY THE INTERVIEWEE:

A. My chain of command in terms --

BY MR. NEUMER:

Q. Your sergeant, your lieutenant.

A. We would report to our sector sergeant.

Q. And who was that?

A. I believe it was Sergeant Tulley.

Q. Sergeant Tulley. Do you know how you

spell that last name?

A. No, I do not.

Q. Okay. Do you recall who the lieutenant was who was --

A. I do not.

Q. Okay. Do you ever use your cell phone as part of your work responsibilities?

A. Yes.

Q. Could you state your personal cell phone number for the record?

A. Yes. It's [redacted].

Q. And was that the same number you had on October 20, 2014?

A. Yes.

Q. So I want to talk to you about October 20, 2014. You were present when Laquan McDonald was shot; is that correct?

A. Yes.

Q. And at the time of the shooting, you were in the 822 vehicle; is that correct?

A. Yes.

Q. And Officer Arturo Bacerra was driving that vehicle at the time of the shooting; is that correct?

A. Yes.

Q. Was Officer Bacerra your partner that evening?

A. Yes.

Q. And was he your regular partner at that time?

A. Yes.

Q. How long had the two of you been partners for?

A. I don't know. I do not know exactly.

Q. So I'm talking about as of October 20, 2014. Do you think you and Officer Bacerra had partners for more than a year?

A. Yes.

Q. Okay.

A. Yes.

Q. More than three years?

A. I don't know. I don't know.

Q. Okay. So it was more than a year though?

A. Yes.

Q. I want you to walk us through your actions immediately following the shooting. And maybe we could start with where did Officer Bacerra park the 822 vehicle?

A. I don't know exactly where he parked it. He did make a U-turn because we had approached.

Q. Okay. And so immediately -- so do you have any sense of ultimately where that car came to a stop?

A. I don't know. Just when you make a U-turn, came -- I don't know if I'm answering your question correctly, but he just made a complete U-turn. So --

Q. Yeah. Right. I mean, I guess, do you know whether the vehicle was north of Officer Van Dyke's vehicle or whether it was near the intersection? You know, was it on the east or west side of Pulaski?

A. After we made the U-turn? We were facing south at that point.

Q. Do you recall about how far your vehicle was from Officer Van Dyke's vehicle?

A. I do not.

Q. Do you recall about how far your -- so you were facing south. Okay.

Would you have been able to see Laquan McDonald's body from the vantage point of the vehicle when you were stopped?

A. Yes.

Q. Do you recall about how far away you were from Laquan McDonald when the vehicle was stopped?

A. I do not, not -- no.

Q. Do you think it was more than 50 feet that that vehicle was away from Laquan McDonald?

A. I do not know. I'm not really good with the numbers, so I don't want to say, "Yeah, 25 feet, 50 feet." I don't know. I don't feel comfortable with that.

Q. Okay. So there was a U-turn?

A. Yes.

Q. And the 822 vehicle came to a stop, and it was facing south on Pulaski; is that correct?

A. Yes.

Q. Okay. Sometimes the court reporter can't pick up nods or shakes of the head.

A. Correct.

Q. So I might just ask you to --

A. Sure. Yes.

Q. Just so the record is clear.

Okay. So you are facing south on Pulaski, and once the vehicle was stopped, you could see Laquan McDonald's body? Is that fair to

say?

A. Yes.

Q. Okay. And could you also see Officer Van Dyke and Walsh's vehicle?

A. I could not. I was focused on Laquan.

Q. Okay.

A. So it's not that I could not see it; I didn't veer to look in that direction.

Q. I got you. Were there any other vehicles between the 822 vehicle, your vehicle, and Laquan McDonald's body?

A. I don't believe so.

Q. Okay.

A. There were other cars in the area, but to tell you which beat, I do not know their beats because these are midnight vehicles.

Q. Sure. And those vehicles were not between the 822 vehicle and Laquan McDonald's body?

A. No, I don't believe so. No.

Q. They weren't obstructing your view of --

A. Correct.

Q. -- of his body? Okay.

So once Officer Bacerra had stopped the vehicle, what happened next?

A. When he stopped the vehicle, we exited the vehicle. I exited the vehicle.

Q. And what did you do once you exited the vehicle?

A. I walked to the front or the nose of our car. I didn't take many steps past that.

Q. And once you got to the nose of the vehicle, what did you do then?

A. I had my gun unholstered. I obviously put it -- holstered it. I just stood there until they were -- it was done. I wasn't sure who was doing shooting when I saw Laquan McDonald fall to the ground.

Q. So when you got out of your vehicle, were there still shots being fired?

A. Yes.

Q. And do you have any sense of how many shots were fired once you got out of your vehicle?

A. No, sir, I don't.

Q. And so you get out of the passenger side of the vehicle, and you go to the front of the 822 vehicle?

A. Yes.

Q. And you had unholstered your weapon; is

that correct?

A. I had my gun, like, when I was coming out, it was unsnapped.

Q. And so there were shots being fired. Do you know who was firing those shots?

A. I did not. Both of -- I saw both of the officers in a ready stance position, but my main focus was on Laquan.

Q. And he was on the ground at that time?

A. Yes, he had already fallen to the ground.

Q. Were there any words being said by anyone?

A. I don't know exactly who, but I did hear prior to the shooting happening for him to drop the knife.

Q. Do you recall whether you heard that when you were making the U-turn, or do you recall when you heard that "drop the knife"?

A. I do not.

Q. Was it before you got out of your vehicle that you heard "drop the knife"?

A. I don't know for certain.

Q. And do you recall where Officer Bacerra

was while you were at the nose of the vehicle?

A. No.

Q. Do you recall if he got out of the vehicle as well?

A. I do recall him getting out of the vehicle as well.

Q. Was that -- sorry. Go ahead.

A. Yeah, but for -- he wasn't standing, like, right next to me. So --

Q. Sure. Do you recall him getting out of the vehicle around the same time you got out around the vehicle?

A. Yes.

Q. So you're making a U-turn. The vehicle stops. You get out of the vehicle. You unhook your weapon?

A. It was a snap. It's snapped.

Q. You unsnapped your weapon?

A. Yeah.

Q. Okay. And then you go to the front of the vehicle, and you see shots being fired at McDonald?

A. Yes.

Q. And walk me through what you are doing

before those shots were fired?

A. I'm just standing there watching.

Q. Okay. Okay. And what happens after those shots stop being fired?

A. I observed one of the officers that was in the ready stance position where the shots were coming from kick the knife.

Q. Okay. And what happened after the knife was kicked?

A. What did I do, or what --

Q. Yeah.

A. I ended up trying to get in touch with FOP to let them know there was a police-involved shooting.

Q. Is that protocol to call FOP?

A. People were starting to make notifications. There were officers that were on the radio requesting an ambulance, requesting a supervisor.

Q. Did anyone instruct you to call FOP?

A. No, sir.

Q. So who did you call from FOP?

A. I didn't speak to anybody. The line was busy. So I wasn't able to make any type of

notification.

Q. So is it fair to say that the first thing you did after the knife was kicked from Laquan McDonald's hand was to call FOP on your cell phone?

A. I mean, I did other stuff, you know. I looked around to make sure everything is okay. Did they need me to block traffic? Did I need to send pedestrians a different way? You know, you have to start protecting the crime scene. I had made calls and --

Q. Yeah. So walk us through some of those --

A. I had to make the calls.

Q. Walk us through some of those activities, if you could. You mentioned protecting the crime scene, traffic; were those things that you were being directed to do?

A. No. I believe it's just my experience. We're still waiting for more officers to come. We need tape. We need to try to, you know, protect the area with the tape.

Q. Sure.

A. Stop cars from coming onto, you know, where we're at. Everything was pretty much being

taken care of by other officers on scene.

Q. So how did you go about it? Did you direct traffic at all?

A. I did not, because there was already somebody on the northbound -- there was a car there blocking traffic.

Q. On Pulaski?

A. On -- yeah, southbound so no cars could come, and I believe there was already cars northbound. Who I don't know.

Q. I think you mentioned protecting the crime scene or the integrity of the crime scene. Did you take any steps in furtherance of that goal?

A. After I was -- I called FOP. Somebody answered, and they were like, "We're already talking to somebody from the 8th District."

"Okay." I hang up. We're trying to look for shell casings, anything else that they may need.

Q. Okay. Do you have FOP's number on your cell phone?

A. Yes, I do.

Q. And so you spoke to someone, and they said, "We're already talking to someone"?

A. We're -- yeah. "We're already on the line with somebody else."

Q. And so was that the last communication via telephone with FOP that night?

A. Yes.

Q. So after you had that phone call with FOP, what did you do next?

A. We remained on scene, waited for a supervisor to get there. They told us, you know, "Stick around."

Q. Do you recall who the supervisor was that told you to wait around?

A. Not exactly, no, I don't.

Q. Did you have any conversations with Officer Bacerra while you were waiting at the scene?

A. When I was waiting at the scene, the only thing was we were -- I told him he needed to move the vehicle because the ambulance still needed to come through. And he told me that the camera person, the person that handles the in-car video camera system, was on scene and he needed to speak with me.

Q. So Officer Bacerra told you that the

camera person was on scene and needed to talk to you?

A. Yes.

Q. And so did Officer Bacerra end up moving the 822 vehicle?

A. He did.

Q. Do you recall where he moved it to?

A. He moved it off to the side -- I believe it was in the northbound lane -- just got out of the street to face the correct direction of travel. There was actually cars in the vicinity also that needed to get through.

Q. So he moved it so it was facing northbound in the northbound lane of Pulaski?

A. Yes.

Q. And so at some point, did you speak with the camera person?

A. Yes.

Q. Do you recall the nature of that conversation?

A. He was upset. He said, "What happened with the camera?"

I'm like, "I had tried numerous times to log on," and he seemed upset.

He said, "You know, you tried so many times, it's like slapping somebody on the back of the head, that you didn't even give the camera the opportunity to think, to log on," is what he said.

And I was just like, "Okay. I had attempted."

Q. Were you making those attempts to log in after the shooting or before the shooting?

A. No, sir. No. Mine was before the shooting.

Q. Okay.

A. During my tour of duty.

Q. You had made multiple attempts to log in to the in-car video system?

A. Yes.

Q. And those attempts were unsuccessful?

A. Correct.

Q. Was there any other additional conversation with -- do you recall the name of that in-car video person?

A. I do not.

Q. Okay. Did you have any other conversation with him?

A. No.

Q. Who did you speak to after you spoke to the in-car camera person?

A. I didn't speak to anybody. I was just kind of upset that he said that to me.

Q. Do you recall talking to a detective at some point while at the scene of the shooting?

A. No.

Q. Do you recall talking to a detective while you were at area central?

A. I don't recall who I spoke to, if it was -- I don't know who it was that I spoke to.

Q. Do you recall talking to or giving an account of the events you had witnessed to someone from CPD while you were at the scene of the shooting?

A. An account of the events that had occurred?

Q. Yeah, the McDonald shooting.

A. We were told, "You guys are on video. You have to remain on scene. You're going to have to go to the area." That's what we were told by midnight's supervisor. I don't know who he is.

Q. Okay. So the midnight supervisor told you remain on scene and that you would have to go

to area central?

A. Yes.

Q. Did anyone from CPD ask you while you were at the scene of the shooting for details? Did they say, "Officer Velez, what did you see"? Did anyone ask you those questions --

A. No.

Q. -- while at the scene?

A. No, sir.

Q. Did anyone from CPD ask you what you had witnessed when you -- did you eventually go to area central?

A. Yes, we did.

Q. Was it you and Officer Bacerra who went to area central?

A. Yes.

Q. And how did you guys get to area central?

A. He drove in beat 822.

Q. So you and Officer Bacerra drove to area central in the 822 vehicle?

A. Yes.

Q. Once you got to area central, did anyone from CPD take a statement from you regarding what you had witnessed at the scene of the shooting?

MR. FAHY: When you say "take a statement," if you could clarify it.

MR. NEUMER: Sure.

BY MR. NEUMER:

Q. Did anyone ask you questions regarding what you had witnessed?

A. No, not specifically.

Q. How about generally? Did anyone ask you questions about what you had witnessed, at area central?

A. I'm not sure how to answer that because I didn't -- was not aware if I was being interviewed. You know, "What happened, what did you see," you know, I didn't get that, "Officer Velez, you know, explain to us what happened and what you saw."

So I didn't have an opportunity to explain what I saw, what I had I had observed. It was very brief when they spoke to us. I don't know who I spoke to. It was very, very brief.

Q. Okay. So someone spoke to you briefly?

A. Yes.

Q. And did they ask you any questions?

A. They asked us if we saw what happened.

Q. And was this at the scene of the shooting or at area central?

A. This was at area central.

Q. Okay. And I believe what you were saying was he "asked us." Who is the "us"?

A. Oh, my partner and I.

Q. And this person was with CPD, presumably?

A. Presumably.

Q. Yeah? Do you recall what they were wearing, what attire they had on?

A. He appeared Asian. I don't know if it was an FOP rep. I don't know who this person was.

Q. Where were you located when this questioning occurred?

A. We were at area central.

Q. And were you in a side room, up on the second floor in the main area there?

A. There's like an office, because the main room is where all the detectives are, so on the side, like, in the office.

Q. Just like in a small office to the side?

A. Yes.

Q. Did this person ask you and Officer Bacerra to come with him so he could ask you

questions?

A. No.

Q. How did you all end up in this side office together?

A. Everybody was in the room. Everybody was just milling around pretty much waiting to be spoken to and waiting for IPRA to speak to us.

Q. And were you waiting in the big main area?

A. With the detectives? No, sir. This is the area where the detectives hang out, and there is like another room or an office to the side.

Q. And so were all the officer witnesses in that small room off to the side?

A. Yeah. They were all spread out on that side.

Q. Was anyone else present when you and Officer Bacerra were being asked questions?

A. In terms, like --

Q. Other officers or --

A. No, because those are the midnight officers. We don't really know or talk to them. It's just me and my partner kind of like hanging around.

Q. And did this person just approach the two of you?

A. Yeah. He's like, "Where were you? What did you guys see?" You know, "Which one is your car?" Like, we are in one of the vehicles that's on camera, it's in the video, and he asked us what we saw.

Q. And do you recall what you personally told him?

A. I do not.

Q. Do you recall what Officer Bacerra said in response to his question?

A. No.

Q. Okay. I am going to hand you both Exhibit 5 and Exhibit 6. Exhibit 5 is a Case Supplementary Report or, rather, an excerpt of a case supplementary report for HX475653 reporting Officer David March, date approved March 16, 2015, and it has some statements attributed to Officer Velez.

I am also going to hand you a general progress report dated October 20, 2014, that is signed by Detective David March and contains his notes. And Officer Bell is his name; he is at the

top of that.

MR. FAHY: Before you do that, could I take a brief break?

MR. NEUMER: Sure. The time is 4:31, and we'll go off the record.

MR. FAHY: Thanks.

(Whereupon, a break was taken.)

MR. NEUMER: Time is 4:32 p.m. We are back on the record.

BY MR. NEUMER:

Q. Officer Velez, I was handing you Exhibit 5, the Case Supplementary Report that includes an account of what is purportedly your statement, and Exhibit 6, which is a general progress report that contains notes and that has your name on it.

So we will start with Exhibit 5, and if you could look at the statement that is attributed to you in Exhibit 5. Do you have any recollection of providing this statement to a detective either at the scene or at the scene of the shooting or at area central? I'm focused on the bottom of the page on the two paragraphs under your name.

A. I may have spoken to somebody, I don't

know who, but this doesn't -- I would not have said -- I mean, "She saw him waving object in the air," that's not something I would have said. That's not accurate.

Q. Okay. And we'll get into this. We'll go line by line on this in a little bit.

A. Okay.

Q. Right now, I just want to sort of determine, try and establish when, where, and to whom you made a statement. So we will get into the accuracy of each one of these lines in a little bit.

A. Okay.

Q. But do you have a sense as to where you were when you -- do you think this statement and the general progress report, the notes there, do you think these were -- this was a conversation that took place at the scene of the shooting?

A. I couldn't tell you. I don't know.

Q. So no real recollection of -- I guess, you do remember being asked a couple of questions at area central, right?

A. Yes.

Q. And other than those questions, do you

recall answering any other questions from any other individuals, whether at area central or the scene of the shooting?

A. No, sir, I do not.

Q. Is it possible that a detective asked you questions at the scene of the shooting?

A. It could be possible, but I do not recall.

Q. So you mentioned talking to an in-car video person who was coming to take -- who had some involvement with the in-car videos at the scene of the shooting?

A. Yes.

Q. Do you recall after talking to that person, did you talk to any other individuals at the scene?

A. No, sir, I do not recall.

Q. Did you have any conversations with Officer Van Dyke at the scene of the shooting?

A. No.

Q. Did you have any conversations with Officer Walsh at the scene of the shooting?

A. No.

Q. How about Officer Sebastian, Daphne

Sebastian? Did you have any conversations with her at the scene of the shooting?

A. No.

Q. How about Officer Janet Mondragon? Did you have any conversations with her?

A. I did. I asked her if her camera was on.

Q. Okay. And do you recall what she said?

A. She said yes.

Q. Okay. Did you have any other conversations with Officer Mondragon on the night of October 20, 2014?

A. No.

Q. How about Officer Dora Fontaine? Did you have any conversations with her at the scene?

A. No.

Q. How about Officer Ricardo Viramontes, any conversations?

A. No. No.

Q. Was there anything that prevented you from talking to the other officers at the scene of the shooting?

A. I didn't see Dora and Rick. I don't recall seeing them.

Q. Okay.

A. So no. And I don't know the other officers. I don't speak to Van Dyke or to Walsh. I don't know them to carry a conversation with them.

Q. Did you have any conversations with Officer Bacerra -- you mentioned moving of the car, right? Did you have any other conversations with Officer Bacerra while you were at the scene of the shooting?

A. No, sir.

Q. You never discussed the shooting at all and what your thoughts were about it with Officer Bacerra?

A. We may have spoken about what we were planning, you know. We didn't have a Taser. That was discussed.

Q. And that was you and Officer Bacerra?

A. Yes.

Q. And what was the nature of that conversation?

A. We were actually going to take our lunch, our scheduled lunch, and we didn't take our lunch. And I said, "You know, we're going to be

here all night now."

Q. Okay. Was there some discussion about whether a Taser would have been helpful at the scene?

A. Yes. I did not have a Taser. He did not have a Taser. So that's why I didn't understand why we responded if we didn't have a Taser.

Q. And what did Officer Bacerra say?

A. He said he didn't understand why I didn't want to go.

Q. Generally, when is it appropriate or when do other officers respond to a scene such as the interaction McDonald was having with the officers that evening? So what factors go into whether you should respond to the scene?

A. When it's a 10-1.

Q. And what's a --

A. If I have a tool or if I have a report that somebody is requesting, then I, you know, will go.

Q. And you were just questioning the purpose of you going to the scene without a Taser?

A. Yes.

Q. Were there any other conversations with Officer Bacerra you can recall regarding the shooting that took place at the scene?

A. No.

Q. At any time while you were at the scene, did you hear Officer Van Dyke describing the shooting?

A. No. I didn't even go by him.

Q. So you never saw Van Dyke talking to anyone at the scene?

A. No, sir.

Q. Did you ever hear any detectives describing the shooting to police officers?

A. No.

Q. Do you recall seeing Officer Bacerra talking to a detective at the scene of the shooting?

A. No, sir, I do not.

Q. Did you talk to any FOP representatives at the scene, not over the phone, but in person?

A. No, sir.

Q. At any time while you were at the scene of the shooting, did you see video of the shooting?

A. Yes, I did.

Q. Okay. Tell us about that. Where were you when you saw video of the shooting at the scene?

A. When I saw the video? It was in -- I believe it was 13 Roberts.

Q. 813 Robert?

A. Yeah.

Q. Okay.

A. And they were saving it. So usually what you do is to save it, it has to spool or go back and then -- and she played it. Janet played the video.

Q. Okay.

A. So I saw part of the video, and then I left. I'm like, "They're going need this." And that was all that took place.

Q. So Officer Mondragon was playing the --

A. She was saving it.

Q. Oh, she was saving it?

A. She was saving the video.

Q. Okay.

A. Which would have to be uploaded.

Q. Okay. But it --

A. They had captured what had transpired.

Q. Right. And so as she was saving it, there was some playback as well?

A. Yes.

Q. That you could see?

A. Yes.

Q. And so where were you? Were you outside the vehicle, inside the vehicle?

A. I was standing outside peering in while she was --

Q. While she was --

A. Doing different things saving it.

Q. Was anyone else present while Officer Mondragon was saving the video?

A. No. I don't remember anybody else by us. I don't recall. No.

Q. So your recollection is that she was inside the vehicle and you were outside the vehicle?

A. Yes.

Q. And what did you see on that video?

A. I don't remember what I saw exactly, so I'm not going to tell you this is what happened or what I saw.

Q. Did you see your vehicle on the video?

A. Yes.

Q. And is that why you were saying, "We're going need to stick around"?

A. No. A supervisor saw the video, said we had to stick around. "You guys are on it." So we stuck around. We didn't take off. We're like they're going to tell us to remain on scene. We will remain on scene. We have -- you know, we were there.

Q. Did you see the shooting when you watched the video?

A. I watched -- I did see it on the video, but yes.

Q. What was your reaction when you saw the shooting on the video?

A. That the whole thing wasn't really captured.

Q. So what do you mean by that? Flesh that out for us.

A. The fact that when they were recording, when they recorded, the angle of the vehicle didn't catch the whole panoramic view of everybody that was there.

Q. Okay.

A. That's --

Q. Okay. So you couldn't see everything from the 813 Robert dash cam? Is that --

A. It looked like you could see part of it.

Q. Okay. But it wasn't the whole scene?

A. It's what you're seeing on -- the media is showing.

Q. Was that your reaction when you first saw it on the night of October 20th?

A. No. No, I don't know what I was thinking right then and there, but they had the actual -- the shooting was on video. You know, I didn't see from, like, the beginning to the end, you know. I didn't see all of that at that point.

Q. Okay. Did you see any other video of the shooting that night?

A. No.

Q. Did you see any footage from Dunkin' Donuts?

A. No, sir.

Q. When you were at area central, did you see the video again?

A. No. They actually didn't allow us to sit there and watch the video.

Q. Who didn't allow you?

A. I don't know who, but we were told to go have a seat. Nobody was allowed to sit there and crowd around, you know. They were trying to conduct their investigation. I don't know who it was. I don't know who they are, but I did not sit there, you know, by the computer and watch the video in the office, if that's what you're asking me. No, I did not.

Q. Were there people watching the video at a computer in area central?

A. Detectives were.

Q. Okay. So detectives at area central were watching --

A. Or plainclothes people, I should say, because I don't know who or what, so excuse me.

Q. Fair. So plainclothes people were watching the video on a computer at area central?

A. Yes.

Q. And did somebody verbally say, "You guys sit here. Don't watch the video"?

A. They just told us to move out of the way. "Go have a seat."

Q. Did you make any attempt to see the

video? Did you try and see the video when you were at area central?

A. No, telling me to sit down and have a seat and they're going speak to me, then I'll sit down and I'll wait. That's all. I'm not going to, you know, jump the gun. Just tell me what you need me to do.

Q. You mentioned that you and Officer Bacerra drove the 822 vehicle to area central after you left the scene of the shooting; is that correct?

A. Yes. Yeah.

Q. Do you have any recollection around what time you left the scene of the shooting?

A. No, I do not.

Q. So the shooting occurs just before 10:00 p.m. on October 20, 2014.

A. Okay.

Q. Do you think that you left the scene of the shooting before midnight, so that would be about two hours?

A. To go to the area? Perhaps. I don't know. I really don't know.

Q. Do you have any estimate of how long you

were at the scene of the shooting?

A. No, I don't.

Q. Had the ambulance already come to the scene by the time -- or were you present at the scene of the shooting when you ambulance arrived?

A. I'm sure I was, yeah.

Q. Did you have any conversation with any supervisors when you were at the scene?

A. As soon as I was told we were going to have to go to the area.

Q. How about after that?

A. No. I don't recall. No.

Q. Were you given any directives regarding any investigative tasks while you were at the scene?

A. Investigative tasks?

Q. Sure. You know, like you mentioned, like preserving the crime scene, looking for shells, anything like that?

A. That's about it. Just looking, you know, pulled out our flashlight, we're trying to see if there were any other casings. Was I given a direct order to do that? I do not recall that. I don't know.

Q. Other than being directed to go to area central, do you recall receiving any other directives while you were at the scene?

A. No. Anything specific? I do not recall, no.

Q. When you and Officer Bacerra arrived at area central, who else was present?

A. Who was at the scene? We ended up seeing, but I didn't know who it was, but it was Van Dyke, his partner Walsh. I know who these people are now. Of course, I think, Janet and her partner Daphne. Dora and them showed up later. My partner.

Q. Dora and Rick?

A. Rick.

Q. Did you speak to any of those officers you just named while you were at area central?

A. No.

Q. At any time while you were at area central, did you hear Van Dyke describe the shooting to other officers?

A. No.

Q. At any time while you were at area central, did Van Dyke describe the shooting to you?

A. No.

Q. You never were interviewed by IPRA at area central, right?

A. No, sir.

Q. Is it fair to say you were mostly sitting around while at area central?

A. That's what it felt like. That's correct.

Q. You mentioned, I believe you said, it might have been someone from CPD, perhaps of Asian descent, asked a couple of questions of you and Officer Bacerra?

A. It was somebody who spoke to us for a few minutes.

Q. Other than those questions, did anyone else while you were at area central ask questions of you?

A. No. Not that I remember, but no.

Q. So what happened eventually? How did you know it was okay to leave?

A. We were told that IPRA wasn't going to speak to anybody else. So we were like, "What are we going to do? Can we leave?"

They said, "Yeah, you guys can leave."

Q. Do you recall who told you that?

A. No.

Q. And so at that point, you left area central?

A. We left. I don't know what time, but we were there long.

Q. Hours?

A. Felt like hours, yes. You have to look at my overtime slip that we had submitted. I don't know.

Q. And where did you and Officer Bacerra go after you left area central?

A. We drove back to the station, and we submitted our overtime slip to the watch commander, and we left.

Q. Okay. And we touched on this. I just want to be specific, but did you have any relationship, work or otherwise, with Officer Van Dyke prior to October 20 of 2014?

A. No. I didn't know him.

Q. Did you know Officer Walsh prior to October 20, 2014?

A. No.

MR. NEUMER: Will, I was going to change topics

here and give Raul a chance to ask some cleanup questions I won't be asking. Is that okay?

MR. FAHY: That's fine.

EXAMINATION

BY MR. VALDEZ:

Q. Just some additional background. I know we went over some stuff.

A. Sure.

Q. But your date of appointment?

A. I came in January 2000.

Q. Were you always on patrol since January 2000?

A. I did CAPS, so yeah.

Q. Okay. But that's still kind of a patrol division?

A. Yes. Yes.

Q. And prior to this shooting that we are discussing today, were you a witness to any other police shootings prior to this day?

A. No.

Q. And how about after that to today? Have you been in any other police-involved shootings?

A. No.

Q. You mentioned a 10-1. Can you just

describe a 10-1 for the record?

A. A 10-1 is an emergency. There are officers that are calling for help. They could be outnumbered, somebody could be shooting at them. It's like a distress call.

Q. Essentially, a request for assistance, right?

A. Yes.

Q. Do you recall if this was a 10-1, if there was a call for a 10-1 that evening?

A. I do not recall that, but they did sound like they needed some more officers. They needed somebody with a Taser.

Q. Hence the response, right?

A. Hence the response.

Q. Do you recall the presence of anyone else at the scene that you didn't mention to my partner, any supervisors? For example, I know you said that Sergeant Tulley was your supervisor that evening?

A. Yeah, I don't remember seeing him there, I don't.

Q. Okay. That's not a problem.

A. Yeah, so --

Q. Any other supervisors that you could

recall by name?

A. No, sir.

Q. Do you know at least rank of the person who asked you to go to area central?

A. Do I know the rank of the supervisor?

Q. Correct.

A. Probably sergeant. I believe it was a sergeant.

Q. But you just don't recall which sergeant it would have been?

A. Correct.

Q. You mentioned that you saw the video in 813 Robert as it was being saved, or portions of the video, correct?

A. Yes.

Q. Do you know if anybody else -- at least did you witness anybody else viewing the video who was at the scene?

A. No, sir.

Q. Immediately after the shooting or at least during shooting and toward the end of the shooting, you mentioned you got out of your vehicle, unholstered your weapon, correct?

A. Yes. It was --

Q. Unsnapped. Excuse me.

A. Yeah.

Q. You didn't unholster --

A. It was unsnapped.

Q. After that point, the shooting is done, you said you were standing in front of your vehicle. And at that point, you just kind of go around to assess whether or not you need to see shell casings, assess whether or not there needs to be crowd control done.

Were there any other actions that you could recall that you took on?

A. No. I don't -- I don't recall.

Q. And I know you said you don't recall how long you were there for. Your shift started at 3:30 that day, correct?

A. Yes.

Q. Do you know if your official shift was over by the time you left the scene?

A. It was getting close to.

Q. Getting close to that time?

A. Yeah. So yes.

Q. It would have been closer to midnight-ish?

A. Yes.

Q. Okay. And I know the exact times --

A. Maybe, yeah.

Q. -- it's going to be real difficult, but around the time of the close of your shift, at that point, a supervisor, probably a sergeant, comes up to you and tells you, "Hey, your vehicle was on the video. We need you to go to area central"?

A. Yeah.

Q. Any other specifics that you can recall from those interactions from the scene of the shooting to going to area central?

A. No.

Q. And you mentioned the -- we went over a little bit of the statement. To your recollection, you don't recall giving an official statement to anyone, correct?

A. Correct. If I spoke to somebody, I don't know who it was. I don't know -- because I'm looking at this, who this detective is (indicating). I don't know who David March is.

Q. Okay.

A. And I see his name here, that I had given him a statement. I don't know who that is.

I don't remember speaking to him.

Q. The only person you do remember giving your recollection of events to was an Asian person at area central, correct?

A. It appeared that way, yes.

Q. Could you describe him for me?

A. Just Asian.

Q. Was he tall, short? I mean, can you give me like a height?

A. We were sitting down.

Q. Sitting down? Okay.

A. I was sitting down. He sat next to us, but I don't recall --

Q. Do you recall if he introduced himself?

A. He probably did, but I don't know who it was, because then the FOP rep --

Q. Was he an older gentleman? I'm sorry.

A. I don't know. You know, I don't know. Perhaps --

Q. Was he an older gentleman or a younger gentleman?

A. He was older than us, than me.

Q. Would you say like was he possibly, like, retired age?

A. I don't know. Yeah.

Q. Okay. And how about his build? Was he a heavyset guy, a thinner guy?

A. Medium. I do not recall. I don't recall. I really don't.

Q. Okay. No, not a problem.

A. I'm sorry.

FURTHER EXAMINATION

BY MR. NEUMER:

Q. Okay. Officer Velez, I want to take you back to the Exhibit 5 and Exhibit 6 and back up a little bit.

And so Exhibit 5 at the top is labelled "Case Supplementary Report." What is a Case Supplementary Report?

A. This is not something that we use. This is the detective division.

Q. Do you have any familiarity with case supplementary reports?

A. Not with the detectives' forms that they use, no, sir.

Q. So you are really not too familiar with --

A. No.

Q. Detectives fill this out, is that -- or complete these?

A. Yes. Yeah, this is all from the detectives. This is not patrol. It says detective division there.

Q. So you really have minimal interaction with case supplementary reports or general progress reports?

A. Yeah, I don't come in contact with these other ones.

Q. Do you have any understanding of what the purpose of a case supplementary report is?

A. Well, a supplemental report? Is -- no, I don't. I'm not trying to explain it. Like, you know what, I don't.

Q. Okay. That's fair. How about a general progress report? Do you have a general understanding of what a general progress report is?

A. No, sir, I don't.

Q. Okay. I want to direct your attention to the bottom of page 2 of Exhibit 5, the case supplementary report, and I want to walk through the statement that is attributed to you, Officer Velez.

A. Okay.

Q. And go through one line at a time, and I want to ask you whether the statement is accurate and when you recall making it to a CPD representative. Okay?

A. Okay.

Q. So I'll just start in the second paragraph. "Officer Velez added as they approached the scene, she observed Laquan McDonald standing in the middle of the street holding a shiny object in his right hand."

So my first question is do you recall making that statement to a CPD representative on the night of October 20, 2014?

A. It's possible, because I did -- I do recall that I did see somebody, but to whom? I do not recall too whom.

Q. Okay. So you made some statements regarding what you had witnessed, but you don't recall to whom?

A. To -- correct.

Q. The second question: Is that statement accurate? Is that what you saw on the night of October 20, 2014?

A. I saw him holding -- Laquan McDonald standing in the middle of the street as we had approached in our vehicle. He held a shiny object in his right hand and holding his left side is what I had observed. So this is not completely accurate.

Q. So you mentioned holding his left side?

A. Yes.

Q. Okay. Is that what you told CPD the night of October 20, 2014?

A. I didn't speak to anybody to give them a statement.

Q. Okay. Sorry.

A. You know, for me to give my interview.

Q. Okay. So when you mentioned holding his left side, that was just what you observed that night?

A. This is what I had observed --

Q. Okay.

A. -- personally. So --

Q. Okay. Do you recall relating that information, that you had seen Laquan McDonald holding his left side, to any CPD representatives the night of October 20, 2014?

A. No.

Q. Okay. Understanding that you saw him, you saw Laquan McDonald holding his left side, is everything else in that statement accurate?

A. In the entire paragraph?

Q. No. No. Sorry.

A. Oh, just this sentence?

Q. Again, it's "Officer Velez added that as they approached the scene, she observed Laquan McDonald standing in the middle of the street holding a shiny object in his right hand."

A. Yeah, with the exception that he was holding the left side, it would be correct. They didn't include that --

Q. Okay.

A. -- about the left side.

Q. But everything they did include is accurate. Is that fair to say?

A. Not quite, because we are approaching, he is kind of approaching us too. So just "standing" to me is just remaining in the middle of the street.

Q. So how would you word it?

A. Huh. "As 822 approached, they observed

Laquan McDonald also approaching while standing in the middle," or something --

Q. He was moving, is your point, right?

A. He was moving, and we were coming, yeah. So "holding" --

Q. So he was moving. He wasn't standing in the middle of the street. Is that fair to say?

A. He was in the middle of the street, but just standing there not moving is not correct.

Q. Okay. Is it accurate to say that he was holding a shiny object in his right hand?

A. Yes.

Q. So next sentence: "She saw him waving the object in the air."

Do you recall making that statement to a CPD representative on the night of October 20, 2014?

A. No, I don't.

Q. Okay. Is that statement accurate?

A. That's not accurate in terms of waving, to me, an object in the air. This is waving an object in the air is above your head (indicating).

Q. So for the record --

A. That's not correct.

Q. -- you are moving your hand above your head?

A. Above my head.

Q. Okay. Well, how would you characterize Laquan McDonald's activities?

A. Holding the object in his right hand with his hand to the side, like extended to the side.

Q. Okay. Next statement or next sentence: "Officer Bacerra drove past McDonald and began to make a U-turn when Velez heard multiple gunshots without pause or delay."

First question: Do you recall making this statement to a CPD representative on the night of October 20, 2014?

A. I do not recall speaking to anybody --

Q. Right.

A. -- in terms of the two-minute, very brief conversation.

Q. Is it possible that you made that statement to a CPD representative on the night of October 20, 2014?

A. It could be possible. I don't recall.

Q. My second question is, is that sentence

accurate? Is that what happened?

A. "Officer Bacerra drove past McDonald and began to make a U-turn." That is correct. When I heard the gunshots being made at McDonald, I didn't see who did them. Yeah. He fell to the ground --

Q. Well, let's just stick to that one sentence for now, so we just can be --

A. Okay.

Q. So is it accurate to say -- so the sentence says, "Officer Bacerra drove past McDonald, began to make a U-turn, when Velez heard multiple gunshots without pause or delay."

Is that what happened? Is that statement accurate?

A. They were continuous gunshots, yes.

Q. Okay. So that statement is accurate, that sentence?

A. With the continuous -- they're using their terminology of "without pause or delay."

Q. And you would say continuously?

A. So continuous --

Q. Okay.

A. -- gunshots.

Q. Okay. So if we substitute "continuous"

for "without pause or delay," is that statement accurate?

A. Heard -- well, multiple gunshots should be suffice. I mean --

Q. I guess, do you see any other -- do you see any inaccuracies in that sentence I just read to you?

A. I did hear the multiple gunshots, and they were continuous. So --

Q. And Officer Bacerra did drive past McDonald to begin to make a U-turn?

A. Yes. Yes.

Q. Okay. Next sentence: "She then saw McDonald fall to the ground."

Understanding that you don't recall making a statement to CPD other than the questions you answered at area central, is it possible you made that statement, "She then saw McDonald fall to the ground," to a CPD representative on the night of October 20, 2014?

A. I don't recall making this statement. Okay?

Q. I guess my question is a little different. Is it possible --

A. That I spoke to somebody? Yes.

Q. No. Is it possible that you made that statement, "She then saw McDonald fall to the ground," to a CPD representative on October 20, 2014?

A. I would have said that I saw McDonald fall to the ground while he was still -- you know, while the shots were still being, you know, shot.

Q. Okay. Let's just focus on this sentence for right now.

So my question is whether it is possible that you made that statement, "She then saw McDonald fall to the ground," to a CPD representative on the night of October 20, 2014.

A. It's possible.

Q. The next question is, is that statement accurate?

A. Yes.

Q. Okay.

A. I just want to interject also.

Q. Sure.

A. It is correct. You know, this is all based on the video as well. So --

Q. Yeah. No, I mean, we're just -- I'm just

trying to --

A. So I don't want to say something which my memory -- I've already watched the video. So am I going off of what I saw at that time or the video? I mean, what are we --

Q. Yeah. No, so when I'm asking you whether these statements are accurate, it is whether that's what actually happened. Right?

A. So then, yeah, it actually did happen that he did fall to the ground, and it is on the video as well showing him fall to the ground. It's being shot.

Q. Okay. Next sentence: "Velez did not see who fired the shots."

Is it possible that you made that statement to a CPD representative or employee on the night of October 20, 2014?

A. It's possible. I don't recall. I did not see who it was. Then I did not know who it was firing the shots. And, well, we know now today who it was.

Q. And so you would say that is an accurate statement?

A. Yes.

Q. Okay. Next sentence: "She did see an unknown officer kick the knife from McDonald's hand after he was down on the ground."

Is it possible you made that statement to a CPD --

A. Yes.

Q. -- representative on the night of October 20, 2014?

A. Yes.

Q. And is that statement accurate?

A. Yes.

Q. So I want you to -- going into this statement a little bit, you heard the gunshots while Officer Bacerra was completing his U-turn? Is that fair to say?

A. Yes.

Q. And then it was then you got out of the vehicle while shots were still being fired after Officer Bacerra had completed the U-turn?

A. Can you repeat that?

Q. Sure. So after Officer Bacerra completed the U-turn and the car came to a stop, you got out of the vehicle and saw additional shots being fired?

A. Yes.

Q. Do you recall telling anyone from CPD that you had seen McDonald get shot while he was on the ground?

A. I did not. I didn't give a statement, didn't know when I was giving a statement to give this information.

Q. Okay.

A. If somebody spoke to me.

Q. When you were at area central and there was someone who asked you couple of questions about what you had seen, do you recall telling that person that McDonald was on the ground and additional shots were fired?

A. Do I remember saying that to that person? I don't remember. But they wrote that I heard multiple gunshots without pause or delay and saw him fall to the ground. He's obviously still being shot. He's falling to the ground.

Q. Did you see Walsh and Van Dyke with their guns drawn and pointed at McDonald?

A. Yes.

Q. Okay. Did you see them firing their weapons at all?

A. I knew that a gun was being fired because I could hear it. I didn't know who it was shooting.

Q. Do you know how far away Van Dyke and Walsh were from McDonald at the time of the shooting?

A. No. I'd have to see the video. No. Don't know what their distance is.

Q. Upon witnessing this shooting and seeing the shots fired at McDonald when he was on the ground, did you have any reaction to that?

A. It was horrific to see that. I kind of froze. I've never witnessed that, and I will have 17 years in January, and I've never seen anything, never witnessed a police shooting out of my years of experience. So, yeah, it was horrific to see.

Q. Could you see a reason for those shots to be fired when McDonald was on the ground?

MR. FAHY: You know, at this point I am going to object. You are asking her to speculate why another officer discharged his weapon in a certain circumstance, and it is completely unfair for her to try to speculate what that officer was thinking as to why he continued to fire the shots.

MR. NEUMER: Your objection is noted for the record. I will ask the court reporter to read back the question.

(Whereupon, the record was read by the reporter as requested.)

THE INTERVIEWEE: I can answer that or --

BY THE INTERVIEWEE:

A. I don't know what his reason was because I was at a different position or angle. So I could not explain what his reasoning is. He would be the only one to explain that.

BY MR. NEUMER:

Q. I am going to direct your attention to the Notice of Allegations, just so you can -- direct your attention to number 2 there.

"It is alleged that on or about October 20, 2014, you made a false statement during an interview with Detective March when, with respect to the McDonald shooting, you stated that you did not see who fired shots."

What is your response to that allegation?

A. I did not make a false statement during an interview at any time that I recall to Detective David March in respect to the McDonald shooting,

that I stated I did not see who fired the shots. So I never -- I do not recall speaking to Detective March.

Q. Do you have anything else to add regarding that allegation?

A. I did not see who fired the shots. I was not familiar with the two officers that were standing in the ready stance position. I've never worked with them. I don't know them.

Q. "It is alleged that on or about October 20, 2014, you made a material omission during an interview with Detective David March when, with respect to the McDonald shooting, you failed to state that you saw McDonald being shot while he was on the ground."

What is your response to that allegation?

A. I did not make a material omission on or about October 20, 2014, during an interview with Detective David March in respect to this McDonald shooting. I did not make the admission that McDonald was being shot while he was on the ground.

Q. With respect to Exhibit 6, so Exhibit 6 is --

MR. FAHY: Before we go there, excuse me, could

we just take a break?

MR. NEUMER: Sure. The time is 5:18, and we will go off the record.

(Whereupon, a break was taken.)

MR. NEUMER: Time is 5:21 p.m. We will go back on the record.

BY MR. NEUMER:

Q. Officer Velez, I want to -- so I --

A. Excuse me. Could I just clarify that number 2 of the false statement during an interview with CPD Detective March that I stated I didn't see who fired the shots, I didn't know if it was Walsh or if it was Van Dyke. I didn't know who was firing the shots. I want that to show that I didn't know who they were, who was shooting.

Q. You knew shots were being --

A. They were both in a ready stance position.

Q. Okay. So you saw -- I mean, you didn't know that it was Van Dyke or Walsh, but you saw two people who you later --

A. I didn't know that it was Van Dyke that was the one that was shooting. I found out later that it was him, because I don't know them or him.

Q. Do you recall how you found out that it was Van Dyke who had done the shooting?

A. When we went up to the area.

Q. And --

A. It was confirmed Van Dyke was the one that shot. It was not Walsh.

Q. Did someone say that to you, or --

A. I don't -- I don't recall how I received that information. They're all -- everybody was talking about it. Everybody who was there said it was Van Dyke. I remember asking my partner, I'm like, "Was it Walsh?" I believed -- I had believed that it was Walsh the whole time. My partner said no, that it was -- it was Van Dyke; it wasn't Walsh. He had clarified that.

Q. And do you recall when you and Officer Bacerra had that conversation?

A. On our way to the -- on our way to the area.

Q. While you were in the 822 car?

A. Yes.

Q. Did you have any other discussions regarding -- did you talk about whether the shooting was justified at all?

A. We talked about how crazy it was to witness that shooting.

Q. Did you have any conversations about, "I don't know if all those -- if he needed to fire all those shots," anything like that?

A. Yes.

Q. And what was that? Tell us about that conversation.

A. Just that it was a lot. Moving on to number 3 where I saw him being shot, he was on the ground, he was standing up when he was getting shot; he was down on the ground, he was getting shot. So --

Q. Did Officer Bacerra agree that it was a lot of shots to be fired?

A. Yes.

Q. Was there any further conversation regarding the number of shots fired?

A. Not that I recall.

Q. Okay. I want to point your attention to the General Progress Report. I think it's -- is that Exhibit 5 or 6?

A. It's 6.

Q. Okay. So this General Progress Report is

dated October 20, 2014. That is the night of the shooting. It has the name "L. Velez" at the top, and it is signed by Detective David March, and it has notes, and I will just read that into the record.

"As they approached the scene, saw O," presumably offender, "in middle of street, shiny object in R hand," presumably the right hand, "O waving object in air. AB," presumably Arturo Bacerra, "drove past O, began to make U-turn. LV heard multiple gunshots without pause or delay, saw O fall to the ground. Did not see who fired. Saw unknown PO kick knife from O's hand."

So these are Detective March's notes, and they are, in this case, notes of an interview that purportedly took place.

Understanding that you don't recall speaking to really anyone at the scene of the shooting, is it your position that Detective March fabricated these notes?

A. I don't know. Like I said, I do not remember speaking to the detective, and these are things I wouldn't have necessarily said in that context. I wouldn't have said "waving the object

in the air." And then the -- "saw the offender fall to the ground." I didn't see who fired. I didn't know which officer, who the officer was that fired, but obviously, one of the two officers was firing, but I didn't say that.

Q. I mean, is it possible that this detective, Detective March, spoke with you at the scene of the shooting and took notes regarding that conversation?

A. It could be possible, but I don't remember.

Q. Okay.

A. I don't know.

Q. Well, now, directing your attention back to the supplementary --

A. Okay.

Q. Your statement in the supplementary report. Do you feel that this statement attributed to you fully captures what you saw on the night of October 20, 2014?

A. No.

Q. Okay.

MR. FAHY: Well, I mean, it's a summary. So, I mean, how could I ever fully capture what a witness

saw?

MR. NEUMER: That's fair.

BY MR. NEUMER:

Q. I think you mentioned that you saw Laquan McDonald holding his left side?

A. Yes.

Q. And that is not contained in this statement.

Are there any other observations or things you witnessed that night that are not contained in this statement?

A. Well, the fact that I had saw him holding his side, I had believed he had a gun, you know, that is not in there. He was holding a shiny object. He was not waving it up over his head or in the air; it was to the side. His hand was extended.

When the Officers Walsh and Van Dyke go around us, we make our U-turn, you know, that's all captured on the video. But in terms of my statement seeing, you know, seeing this, this is not what I said or what I would have stated in terms of my statement.

Q. Are there any other important facts or

observations you made on the night of October 20, 2014, that are not captured in the statement that is attributed to you?

A. Well, the gunshots were continuous when he was standing, and he fell to the ground and he was still being shot, and --

Q. I mean, if anything --

A. Yeah, I'm like -- I mean, those things are not in there.

Q. I mean, I guess, put differently, if someone had taken your statement that night, if someone had asked you to walk them through everything you saw that night, what facts would you have related to them that are not apparent -- and I know we've walked through a couple of them, and I am just trying to see if there is anything additional other than what we have already talked about.

A. Yes.

Q. If there is not, that's fine. If there is anything else that you think you would have relayed to someone taking your statement, then --

A. I've already stated what I would have said and what I would not have stated.

Q. Directing your attention to the Notice of Allegations, number 1, "It is alleged that on or about October 20, 2014, you provided a false narrative to Detective David March of the Chicago police department concerning the McDonald shooting," what is your response to that allegation?

A. That I did not provide a false narrative.

Q. Do you have anything else to add on that allegation?

A. I would add that I don't recall speaking to him. I don't know who I spoke to, who took my statement, if there was somebody I spoke to concerning this shooting. So I obviously spoke to somebody, but who was it? I don't know who took my statement. And that's for them to say that it was a false narrative, not intentional at all for me to give any false narratives or statements or admissions of anything.

Q. Did anyone at any time at the scene of the shooting pressure you to make a statement regarding the shooting?

A. No, sir.

Q. Did anyone pressure you in any way to hold back from stating what you saw?

A. No.

Q. Did anyone tell you, "Don't tell anyone that you saw McDonald get shot while he was on the ground"?

A. No.

Q. No?

A. No. It wasn't even asked. He was being shot when he was standing. He was being shot when he fell to the ground. It was -- it was being shot. I mean --

Q. So no one while at the scene or area central ever in any way suggested you should do anything other than tell the whole truth regarding what you had witnessed?

A. Say that again. What?

MR. NEUMER: Could you read my question back.

(Whereupon, the record was read by the reporter as requested.)

BY THE INTERVIEWEE:

A. Yeah, we told the truth. "Tell us what happened." Who was it? I don't know. Yeah, nobody ever said to not tell the truth; tell the

truth, tell you what we observed, what we witnessed.

MR. NEUMER: Okay. Follow-up?

MR. VALDEZ: Sure.

FURTHER EXAMINATION

BY MR. VALDEZ:

Q. I think you mentioned that you did see the video, correct?

A. Yes.

Q. Subsequent to the shooting, whatever timing that was. But in the video, we see 822, which you're a passenger in, driving southbound on Pulaski, correct?

A. Yes.

Q. Officer Van Dyke and Officer Walsh's vehicle?

A. Oh, you said we were going southbound? We weren't going southbound; we were going northbound and --

Q. Northbound. I'm sorry. Correct. Northbound in the southbound lanes?

A. No.

Q. No, northbound in the northbound lanes.

A. We were in the northbound lane.

Q. As you passed Officer Walsh and Officer Van Dyke's vehicle, we see your vehicle proceed northbound, and then you are out of the picture, correct?

A. Yes.

Q. Can you explain to us what happens as you are out of the frame, what we don't see on the video? Can you kind of walk me through that, please?

A. Bacerra makes the U-turn. While he is making the U-turn, the shots are already being fired.

Q. Okay.

A. I'm the passenger. I'm trying to see what's happening. Since he's driving, he's looking forward to make the U-turn and put the car in park. I'm trying to see as much as I can. My main focus was more on McDonald, just watching him. That was my focus.

Makes that U-turn, we're there, you know, jump out of the car, stop at the nose of the squad car.

Q. As you're making the U-turn, do you recall the placement of your vehicle? Are you at

the intersection already? I know there's a light there right by the Burger King?

A. No, that's too far.

Q. That's too far?

A. Yeah.

Q. So you were a little further south than that?

A. There's the Dunkin' Donuts. The Burger King is over here (indicating). Yeah, we're between Dunkin' Donuts and Burger King.

Q. Okay. And do you know what prompted Bacerra to make a U-turn on the vehicle?

A. He was moving out of the way because Laquan McDonald had already passed us.

Q. So he comes --

A. That's the reason why, so he was making the U-turn.

Q. Because you are pointed in the opposite direction --

A. Yes.

Q. -- of his direction of travel?

A. Correct.

Q. As Officer Bacerra was making the U-turn, was there anything in front of you that you recall,

or did you not see anything in front of the vehicle? Were there any other officers?

A. There were other officers. I don't know who they were. And -- I don't know. I really don't know. I just remember we were making the U-turn. So there were other officers that were going, some on foot -- who are they, I don't know -- and then the other vehicle that caught the video.

Q. Okay.

A. So --

Q. And you said as he began to make the U-turn, you already heard shots, correct?

A. Yeah. We were -- it was a -- it was seconds.

Q. Seconds? Okay.

A. It's fast. It doesn't take you long to make the a U-turn.

Q. Right.

A. So it's happening while we're making that turn and I'm still trying to turn around to see, but I'm watching McDonald.

Q. Right. Now, I could understand that you're looking across Bacerra's shoulder at that

point?

A. Yes.

Q. Because he is the driver of the vehicle. Can you estimate how many seconds the shooting took place over?

A. I cannot. I really cannot. We would have to watch the video. I really don't know.

Q. Okay. Not a problem.

A. Yeah, it's fast.

Q. Fast?

A. Yes.

Q. And your eyes are fixed on Laquan the entire time?

A. Yes.

Q. You mentioned that you thought he had a gun?

A. I did.

Q. Was that the reason your eyes were fixed on him?

A. Yes.

Q. And I know we talked about the U-turn. You said you recalled some officers on foot?

A. Yes.

Q. Is there one specifically that you recall, anybody waving you to complete the U-turn? Did you have to stop and make the U-turn?

A. I don't know who they are because they're midnight officers.

Q. Does that at least ring a bell?

A. Yes.

Q. That you recall Bacerra stopping the vehicle and an officer waving him to complete the U-turn?

A. Yes.

Q. Okay. So as you are making the U-turn, somebody is in front of you?

A. Yeah.

Q. Bacerra stops, and that officer then waves you to complete the U-turn?

A. Yes.

Q. Okay. And now I am going to fast-forward a bit to the statement.

A. Okay.

Q. Do you know who Detective March is at all?

A. I do not.

Q. Okay. Now, at the scene, I could

understand there's probably a lot of things going on, a lot of people, moving around, things of that nature. What is the reason, at least if you could let me know, why don't you recall giving a statement? Was it that nobody took a statement, or you just don't recall giving one?

A. I didn't -- I don't remember or recall giving that statement or a statement. I feel if you are going to give a statement, we're going to speak one on one. "Okay," you know, "write down" -- you know, "What's your name?" You know, "What happened? How old are you?"

You know, when we go door to door and we try to get witnesses, these are questions that we ask. This is why.

Q. So was it the lack of formality that you're saying you didn't give a statement? So if we take out the formality part of it, do you recall speaking to anybody at the scene about what you witnessed?

A. I don't remember speaking to anybody at the crime scene. I really don't.

Q. Okay.

A. I just don't. But we did speak to

somebody when we were at the detective -- at this area. Okay? I really don't remember. The person that I did speak to was the camera guy.

Q. Got it.

A. The sergeant, you know. But I don't. And if I did, I don't remember.

FURTHER EXAMINATION

BY MR. NEUMER:

Q. Just one quick follow-up.

With respect to McDonald, what made you think he had a gun when you came approaching the scene?

A. Because the way the call came through and he's running down the street, he's holding his side, and he's adjusting his pants. Maybe he didn't have a gun, but here I am thinking worst-case scenario of a person breaking into cars or trucks.

You have police visibility. Officers are telling you to stop. There's got to be more to it. Okay. Maybe you don't have a gun. Maybe you're just on drugs. I don't know. So worst-case scenario, always assume, you know, or be prepared for the worst is the reason being.

MR. NEUMER: I think Investigator Valdez is going to ask you some questions about in-car video systems.

THE INTERVIEWEE: Okay.

FURTHER EXAMINATION

BY MR. VALDEZ:

Q. So we'll get into in-car videos. Is it fair to call them dash cams? Is that fair enough for you?

A. Sure. Fair.

Q. Okay. So what is a dash cam?

A. Dash camera, a camera on the dash of the squad car. Some of them had them or have them now, I believe, on the top where the window -- no, the camera is on the -- in the window, windshield, and sometimes they have this screen that you can see where the video is up on the top. Sometimes they're just on your dash. They have moved those because it's an obstruction.

On all of them, I don't know, but I know -- I actually think ours is on the top of 822's vehicle, and it records. Anytime you activate your lights, it'll begin to record.

Q. Okay.

MR. NEUMER: Could I just pause? Could we just go off the record for a very quick minute? Time is 5:42.

(Whereupon, a break was taken.)

MR. VALDEZ: Time is still 5:42, and we will go back on the record.

BY MR. VALDEZ:

Q. So the dash cam, we are discussing dash cams. You mentioned there was some different placement in terms of where the screens are.

The vehicle that you were in on October 20, 2014, do you recall what type of vehicle that was?

A. Oh, gosh. Not the Tahoe.

Q. The Explorer, Ford?

A. It's a Ford Explorer, it's -- our car number was 8765 is the vehicle that we were utilizing that day.

Q. Got it. Do you recall where the monitor placement was on that vehicle?

A. I don't.

Q. Okay.

A. We've since received a new -- well, they've received a new squad car. I don't work the

car anymore, so --

Q. Okay. The dash cam, they also capture audio; is that correct?

A. Yes.

Q. Can you walk me through the start of your tour, you get to your vehicle, kind of what the process is in terms of using the dash cam?

A. You have to try to log in. There's a screen that -- a virtual screen that pops up, and you put your PC number, your password, your partner, and then the beat that you are working, and that's how you try to log on.

Q. Are there any other steps in terms of utilizing the system that you have to take upon entering the vehicle?

A. Recently, from -- I had just gotten back from vacation, and they said that they wanted to speak into the mics, state your name and state your beat and, I believe, the date.

Q. Do you recall when that directive was given?

A. I do not, but it was not 2014, around that time.

Q. It was sometime thereafter?

A. It was after that.

Q. Do you know what rules kind of governed the use of the dash cam at that time, October 20, 2014?

A. The rules that govern it?

Q. Correct, like --

A. I do not, no.

Q. -- special orders or general orders maybe?

A. I know for the domestics, you are supposed to keep the camera running. Is that what you are asking me, that kind of stuff?

Q. Yeah, is there a general order or special order?

A. There is a general order.

Q. Okay.

A. You are supposed to keep your camera running. DUI's. Of course this, you know, shooting.

Q. Okay. What I will do is I will put -- just so we have it there, I'll introduce Exhibit 7.

(Whereupon, Velez Exhibit 7 was marked for identification.)

BY MR. VALDEZ:

Q. What this is, is Special Order 03-05. It is titled In-Car Video Systems.

A. Okay.

Q. The effective date is 23 February of 2012. Okay?

A. Of 23 February?

Q. Top right-hand side there.

A. Okay. Okay.

Q. So that would have been before --

A. This was when it was issued?

Q. Correct. Correct.

A. Okay.

Q. What I want to do is just draw your attention to section 6, and that will be on page 3 of 9.

A. Okay.

Q. Specifically where it says, "At the beginning of the tour of duty, a department member is to visually inspect the in-car video system equipment for damage, obtain the remote transmitter audio recorder, and make sure that it is securely attached to the member's person, and follow the startup procedures for the in-car video system as

trained and ensure the system is working properly."

Were you aware of those procedures at the time?

A. Yes.

Q. So in terms of the log-in, I know you mentioned putting in the PC number. Is it also part of the startup procedure to attach the microphone at the time?

A. You're supposed to have microphone on your person.

Q. On your person?

A. Uh-huh.

Q. Okay. Did you receive any type of training prior to getting a vehicle with a dash cam?

A. We did receive training for the camera.

Q. Do you recall when that was?

A. I do not.

Q. Was it years before this, before October 20, 2014?

A. Yes.

Q. Do you know where it was at? Did you do the academy training, or did they do it something --

A. We went to the academy for the training.

Q. Was it, like, an all-day training? Does that ring a bell?

A. I think it was all day, the tour of duty.

Q. Okay. And you were the passenger in the vehicle, 822, correct?

A. Yes.

Q. Is that the same vehicle that you had used in other tours?

A. Other tours? You mean --

Q. So other watches? Was that your regular vehicle, 8765?

A. 8765 was -- at that time?

Q. At that time.

A. It was the assigned vehicle for 822.

Q. That was something that you had used in previous watches, previous days that you have worked?

A. Yes -- or not watches, because I have only been on third watch.

Q. Third watch. Okay.

A. Yeah.

Q. So other days that you worked, we'll call

it.

You have said that the video turns on when you use the emergency lights, correct?

A. Yes.

Q. Are there any other times that the video turns on?

A. You can turn it on yourself if you -- there's a button that you can press and it can be activated.

Q. And what is your PC number, Officer?

A. PC [redacted]

Q. And was that the same PC number that you had on October 20th?

A. Yes.

Q. 2014?

A. Yes.

Q. Now, that evening, yes, for October 20, 2014, did you follow the startup procedures when you entered the vehicle?

A. I don't remember if I did it right away. It's something --

Q. Is it something you routinely do?

A. Yeah, you're supposed to. You know, if you get a call and you go to the call, sometimes

throughout the tour, you do it, but yeah, so no, I don't remember if I logged on immediately, right away. I wasn't able to. We had tried throughout the day, and I was not successful. So --

Q. Is it --

A. If that's successful, just wait for the -- you just have to give it some time and then you try back again to log back on.

Q. Okay. So you started your tour -- well, you started your shift at 3:30. You did roll, correct?

A. We had the roll call, and we are usually out maybe almost by 4:00.

Q. Okay. So by 4:00. So you get to the vehicle. You are the passenger. Is it normal for the passenger to log in, or do you and Officer Bacerra switch off? How does that work?

A. We switch off.

Q. So this day, you were the one who was attempting to log in?

A. Yeah, I did. I attempted.

Q. And you said when you tried to log in, it would not allow you to do so?

A. It was not successful, correct.

Q. Do you recall why it wasn't successful, or was it just the system was acting up?

A. It was acting up. You couldn't -- we couldn't get the startup screen to log in, so sometimes --

Q. So it wasn't coming up to --

A. Sometimes you have to shut it down and then restart it, like a reboot, so that you could do it.

Q. Okay. So you never got to the screen where you were able to put in your PC number?

A. Correct. There were a few times that I did, but there was like a delay, so it wasn't registering.

Q. Initially, though -- and go ahead. Finish your thought. I'm sorry.

A. I was going to say no, and then so what we do is you just shut it down and then we restart. Sometimes it's too much memory. You have to go back and try to upload.

Q. So that day -- and I know we're going back some time here.

A. Sure.

Q. But you get in, you attempt to log in; it

doesn't allow you to log in. Do you guys drive away from the District at that point?

A. Yes.

Q. You go about your day.

Do you know when the next time you tried to log in was, approximately how much time had passed?

A. No, sir, I do not.

Q. Do you know how many times you attempted to log in that day?

A. No.

Q. Were there any issues with the dash cam on days prior to that?

A. I don't remember.

Q. And if there are issues with the vehicle or with the dash cam, what's the process that you have for --

A. If there's an issue, you would notify the supervisor. Supervisor gets a ticket number from the hot desk or --

Q. Okay. And your supervisor was Sergeant Tulley; is that correct?

A. That particular day, he was, but any other days, you have other supervisors. So yeah.

Q. Okay. So the process is you report, "Hey, I have an issue," how do you go about making that report, making that notification?

A. You get on the radio, and you let them know.

Q. So it's via the radio?

A. You could do the radio.

Q. Do you ever use PDT?

A. You could do it either/or.

Q. Have you done both?

A. I'm sure I have. I don't know.

Q. Do you have, like, a regular way?

A. Did I do it that day? No, I didn't do it that day. I didn't notify him that day.

Q. So you had an issue with the system, you weren't able to log on, and you said you didn't notice -- didn't let the supervisor know?

A. I did not.

Q. Was there any reason that you didn't let him know that day?

A. No. I failed to do that.

Q. So throughout the shift, the camera was not working. You said you attempted to log in. You didn't notify the supervisor. Did he ask at

all? Is it normal for the supervisor to ask if your dash cam was working?

A. Yes, he asks for a meet. I am usually -- I didn't speak to him because I'm the passenger, my partner is the driver. So if he had a conversation, I don't know.

Q. Got it. Okay.

Are you ever the driver of the vehicle?

A. Yes.

Q. When you are the driver and you are the person communicating with the supervisor, is it normal for the supervisor to ask? At that time, was it normal?

A. You let him know. You tell him.

Q. So it is not something that they prompt you to say, "Hey, do you have any issues with your camera"?

A. Well, now it's different. Now they ask, "Is it working or not?" If it's not, then give me your ticket number.

Q. Okay. So back then though, it was --

A. This is in 2014.

Q. Got it. So was it just something that it wasn't made a priority back then where it is now?

I mean, is that a fair statement?

A. That sounds fair enough.

Q. Okay. So you attempted to log in. It wasn't working for you. Do you recall if that vehicle had a ticket, an open ticket on it?

A. I do not.

Q. When there is an open ticket when there is something reported, what is the process? I guess, well, how do you know that a vehicle has a ticket number on it?

A. There's usually -- the ticket number is actually written, and it's on the screen. They will put it on the screen.

Q. Like a Post-It or something like that?

A. Yes.

Q. So when you had that number, do you report that to the supervisor?

A. Yes.

Q. And do you know at all how the supervisor goes about documenting those issues?

A. I do not.

Q. So all you do is oral report to the supervisor, and from there the supervisor does --

A. If we have a ticket number, we let him

know the car has -- "We have a ticket number for the camera. It's not functioning."

Q. Okay.

A. Or if it's not functioning because it will not go on, then he will get the ticket number.

Q. Got it. And he lets you know the ticket number?

A. Yes.

Q. And you post it onto the --

A. Yes.

Q. -- the dash cam?

A. Either that, or one time I know they had us just call it in, call the problem in, and you get a ticket number, have the officer get it.

Q. So you would call IT and do that yourself?

A. Yeah, either/or, so just it has to be report.

Q. Got it. In the normal course of duty at that time, where did you keep the microphones for the vehicle?

A. They're usually on the -- where the mic holder is. And since we were not able to log on, we didn't take the microphones. So we didn't have

them on our person because we weren't able to log on or, you know, get this working.

Q. So the dash cam wasn't working; there is no need to attach the microphone?

A. There is no need for that. You're not logged on.

Q. If the dash cam was working, would you attach the microphones?

A. Yes. Yes, because the --

Q. Okay. So it wasn't something that you intentionally left it there?

A. Correct.

Q. It's not something you normally did? Did you normal leave the microphones in the charging cradle?

A. We would, and then we were told that inspectors are writing people up, so you are responsible for carrying that mic at all times.

Q. Okay. Do you recall a process for syncing the microphones at that time?

A. I know what the process is. Did we sync that day or -- no, we did not.

Q. And what is the process to sync them?

A. There is one where it's got, like, two

prongs, and you put it up on the --

Q. In the unit?

A. Yeah, in the unit, so that's how you sync it. And then you make sure that both of the mics are synced, mic 1, mic 2.

Q. And is that are something you have to do at every tour or --

A. Yes.

Q. Okay.

A. You do it in the beginning of your tour.

Q. Okay. Now, you said you have reason -- there was no audio, obviously, so there was no video, so there was no way for you --

A. We weren't able to log in, so we didn't get the mics.

Q. Sorry. Got it. And you didn't report it to the supervisor?

A. And I failed to report it to my supervisor, yes.

Q. And when you met with the -- we'll call him the video tech.

A. Yes.

Q. After the shooting, the video tech shows up, and he tries to pull video from the system.

Are you present when he is doing that?

A. I'm not.

Q. Okay. Who was present?

A. I believe my partner was. He is the one that called me to him.

Q. Got it. So the first time you see him, Officer Bacerra says, "Hey, this guy wants to talk to you"?

A. Yeah.

Q. You don't recall his name?

A. No, I don't know.

Q. Do you recall anything about the way he looked or anything like that?

A. No, I'm not going to -- I don't.

Q. Okay. No, no problem. So I know we went over it a little bit, but just for the sake of this conversation, how did that happen? What did you guys speak about?

A. When he called me over?

Q. Yes.

A. He said, "What's up with the camera?"

And it's like, "Well, I tried numerous times, you know, to try to log on, and I didn't have any luck."

And he said, "Well, you know what? It's like when somebody slaps you on the back of the head numerous times and you can't think or get your thoughts together," is what he said to me.

Q. Okay.

A. So I was like a little offended. It's like, "Well, you know, you can't point the finger." It was like, "Well, he's driving. Why didn't he log on," you know, and now it's like I'm -- it's my fault now?

Q. Okay. Did he have you log in at all at that point or attempt to log in?

A. No. No.

Q. Do you know if he was able to log in?

A. I do not, because after -- so when the camera person came and they were doing whatever they were doing and then Arturo came, he's like, "He wants you," I don't know what transpired during that time. I don't know. So I wasn't there until I was summoned to go and speak to him. So no, I don't know.

Q. Was anybody else present when you were speaking with him?

A. Just Bacerra.

Q. Okay. Did he have Bacerra log in at some point or at least attempt to log in?

A. Not that I know of.

Q. Not when you were there?

A. Yeah, not that I know of.

Q. Okay. Did you relate to the video guy that there was no power? Do you recall using those -- that statement at all?

A. I don't know. I don't know. I don't think so.

Q. What I will do is I will just put another exhibit in front of you, just so we can --

A. Okay.

Q. -- maybe figure out what was said, if it refreshes your memory. So what we will do is we will introduce this, and this is going to be Exhibit 8, and we will call this the In-Car Video Retrieval Worksheet.

(Whereupon, Velez Exhibit 8 was marked for identification.)

BY MR. VALDEZ:

Q. So you will see it has a date and time notification, some other pertinent information, but what we can do is scroll down to the middle of the

page. Your vehicle is 822, correct?

A. Yeah.

Q. Vehicle number is 8765, which we have established, and those PC numbers that are there, I believe the bottom one there is yours; is that correct?

A. Where? I'm not familiar with -- are you up on top?

Q. I'm sorry. I'm at the middle of the page, left-hand side.

A. Left-hand side. Yeah, 822, 8765.

Q. Got it.

A. Yeah. It's Arturo and me.

Q. Okay. So --

A. PC0A is him, and I'm PC0U.

Q. Okay. Now, if we scroll down all the way to the bottom of the page --

A. Okay.

Q. -- we see "8765, mics in charging cradle not synced to the system."

A. Okay.

Q. Was that something that you told him, or is this --

A. I did not.

Q. Did not tell him that. Okay.

A. Yeah. No, I did not.

Q. And then what I will do is I will put another exhibit in front of you. We will call this Exhibit 9.

(Whereupon, Velez Exhibit 9 was marked for identification.)

BY MR. VALDEZ:

Q. And that is also part of a case supplementary. I believe some of the information is cut off, but what it represents is event number 15878?

A. Uh-huh.

Q. That number doesn't mean anything to you, correct?

A. If that's an event number pertaining to the McDonald case, it may be, so I don't know.

Q. Got it. Okay. Well, we will go down to the information that is attributed to you, and this is for beat 822 down at the bottom there.

A. Okay.

Q. Vehicle 8765.

A. Okay.

Q. "Not engaged."

Do you have any idea what "not engaged" means?

A. No, I don't.

Q. Okay. And, "Officer reported power issue"? Do you recall reporting a power issue or telling them something about a power issue?

A. I do not.

Q. Okay.

A. I really don't.

Q. It's possible that your partner did say something like that?

A. It's possible.

Q. But you didn't witness anything of that nature? You didn't hear Officer Bacerra tell him, "We have a power issue"?

A. No, I don't.

Q. Okay. Can you explain why -- and this is not just for your vehicle, but why none of the vehicles that were on the scene had any type of audio?

A. I do not. I cannot. I don't know why.

Q. At the time, like you said, it wasn't something that was maybe a priority? Is that a possible reason?

A. It could be one of the reasons, but also because there's a lot of ticket numbers.

Q. So is it something a lot of the dash cams aren't working?

A. Yes.

Q. In your time working in vehicles with dash cams, if you had to give me a ballpark percentage of how often they don't work, would you be able to do that?

A. I couldn't do that now. I work inside now.

Q. Okay.

A. But when it is reported, it's over eight cameras. There's always ticket numbers. They're not working.

Q. I see. Can you think of any reason for that? Are they older cameras?

A. No, I don't know. I really don't know why.

Q. Okay.

A. I just don't know why the ticket numbers.

Q. Okay. So what we will do is I think we can just go straight to the allegations and give

you an opportunity to respond to those.

A. Okay.

Q. And that is part of my exhibit 3. And what we can do is go down to allegation number 4.

A. Okay.

Q. Which reads, "On or about October 20, 2014, you failed to ensure the in-car video system for CPD vehicle 8765 was working properly at the beginning of your tour of duty."

What is your response to that allegation?

A. Yes, I did. It did fail. I mean, I didn't notify a supervisor, so I wasn't able to log on.

Q. Okay.

A. I didn't log on. I wasn't able to.

Q. And I think, just in all fairness, you did say that you attempted to log in, but it was the system that didn't allow you to log in, correct?

A. Correct.

Q. But you did get into the vehicle, and you did attempt to log in?

A. I had attempted several times, numerous times to do it, and I didn't have any luck.

Q. Got it. And what we can do now is just move to allegation number 5.

A. Sure.

Q. "On or about October 20, 2014, you failed to immediately notify a supervisor that the in-car video system for CPD vehicle 8765 was inoperable or damaged?

A. That's correct. I failed to tell the supervisor.

Q. Anything else about that one that you would like to respond to?

A. No.

Q. And we can just move to number 6: "On or about October 20, 2014, you failed to audibly record events with CPD vehicle 8765's in-car video system during your tour of duty"?

A. Yes. I believe that goes back to number 5. If it was inoperable, it wasn't able to audibly record the events because I wasn't able to log on. So that's correct.

Q. Right. And you stated that the reason the microphones were in the charging cradle is because the system wasn't working, correct?

A. Correct.

MR. VALDEZ: Okay.

FURTHER EXAMINATION

BY MR. NEUMER:

Q. Let's see. Just a couple of follow-up questions here.

Officer Velez, on October 20, 2014, at the beginning of your tour, did you visually inspect the in-car video system equipment for damage?

A. It would be visible. The dash cam is right on -- right in front of you. It was -- but an actual, like, let me sit here and inspect thorough, no, sir.

Q. As of October 20, 2014, was it your general practice to sync the microphones upon entering your vehicle?

A. It was not my general practice, not until it was brought to our attention that we needed to sync our mics, which it was -- we had to. So --

Q. And when was it brought to your attention?

A. I believe it was more like this year.

Q. In 2016?

A. 2016, yes.

Q. Okay. With respect to the 822 vehicle's in-car video system, did you or Officer Bacerra intentionally render the system inoperable?

A. No, sir.

Q. I want to talk to you a little bit about Grand Jury.

A. Okay.

Q. Have you given testimony before a Grand Jury regarding the McDonald shooting?

A. I don't get it. I don't understand.

Q. Have you received a Grand Jury subpoena to appear before a Grand Jury?

A. I did speak to the Grand Jury. Yes, I did.

Q. Okay. Do you recall when you spoke before the Grand Jury?

A. I do not.

Q. Do you recall whether that was a state Grand Jury or federal Grand Jury? Did it take place at 26th and Cal or --

A. No, I believe it was federal.

Q. Do you think it took place at 219 South Dearborn?

A. I don't remember. Possibly. I don't know.

Q. Okay. About how long did you testify before the Grand Jury?

A. How long was I there speaking to them? I don't know how long I stayed there. I don't know.

Q. Were you asked questions regarding the Laquan McDonald shooting?

A. Yes.

Q. Did you describe the shooting incident to the Grand Jury?

MR. VALDEZ: You know, at this point, I am going to object. You are now asking her about Grand Jury testimony that is supposed to be secret in the substance of it. Unless you are going to tender her a copy of her Grand Jury testimony, I am going to object to her and I am going to instruct her not to answer any questions about what she was asked or what answers she gave at the Grand Jury.

She testified in front of the Grand Jury. That's really all you need to know. It was about this incident. I mean, if you are going to start getting into specific questions about what she was

asked other than the general of it being involving this incident, she can't be answering those questions.

BY MR. NEUMER:

Q. Well, we'll stay general for the moment and say were you asked about the shooting of Laquan McDonald?

A. Yes.

Q. And were you asked to describe that shooting?

A. I don't recall. I don't know. I would have to see transcripts.

Q. Prior to your Grand Jury testimony, outside of any conversations with counsel, who did you speak to in preparation for that testimony?

A. Nobody.

Q. Were you ever interviewed by the FBI regarding this matter?

A. Yes.

Q. Do you recall about when you were interviewed with them?

A. I don't. I do not.

Q. Do you recall where that interview took place?

A. 26th and California.

Q. Do you recall who was present for that interview other than yourself?

A. My counsel, well, the FBI agent and two other individuals. I don't know.

Q. And what were you asked during that interview?

MR. VALDEZ: Again, I am going to object to the question in terms of if you want to ask her if she was asked about this incident, that's fine.

MR. NEUMER: Yeah, and I think that's the question.

BY MR. NEUMER:

Q. Did they ask you questions about the McDonald shooting?

A. Yes.

Q. And did they ask you to describe that shooting?

A. I don't recall what they asked specifically or exactly. I really don't remember, but it was --

MR. VALDEZ: And it should also be noted for the record that we have not been provided any 302s from the FBI. We have not been provided any reports

from the State's Attorney's Office with regards to this particular interview. So if you want to ask substance other than the general topic, we would ask that you provide those documents for her to use before she gives her specific answers.

BY MR. NEUMER:

Q. So you appeared before the Grand Jury, and you were interviewed by the FBI.

Have you testified or been interviewed by anyone else regarding this matter, regarding the shooting?

A. No.

MR. VALDEZ: You know, could we just take a quick break? It is 6:11, and we will go off the record.

(Whereupon, a break was taken.)

MR. VALDEZ: Okay. The time is now 6:12, and we are back on the record.

MR. NEUMER: Back on the record.

BY MR. NEUMER:

Q. So, more generally speaking, obviously, this whole matter has been in the news a lot lately. Have you had any conversations with your fellow officers regarding developments over the

past month or two regarding this incident?

A. Developments as to what's transpiring, or what is your question?

Q. Yeah. Have you been following news articles regarding this matter over the last, let's say, month or two?

A. I was trying not to know anything that was happening with it.

Q. I guess, more broadly speaking, we try and ask all relevant questions --

A. Sure.

Q. -- and try and make sure we get all relevant information, and we do that to the best of our ability. Sometimes, though, we don't ask all of the most relevant questions.

So understanding what we are looking at here today, is there any information you think we should know that we did not ask about?

A. No, sir.

MR. NEUMER: Okay. Our interview is concluded. The time is 6:13 p.m., and we are off the record.

(Which were all proceedings in the above-entitled interview on this date.)

STATE OF ILLINOIS)
) SS:
COUNTY OF C O O K)

I, ANDREW ROBERT PITTS, C.S.R. No. 84-4575, a Certified Shorthand Reporter within and for the County of Cook and State of Illinois, do hereby certify:

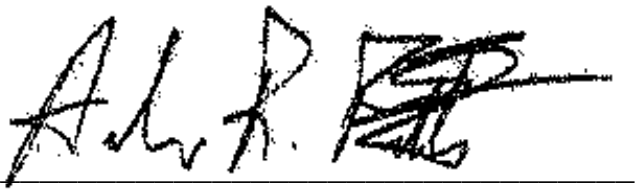
That previous to the commencement of the examination of the Interviewee, the Interviewee was duly sworn to testify the whole truth concerning the matters herein;

That the foregoing interview transcript was reported stenographically by me, was thereafter reduced to typewriting under my personal direction and constitutes a true record of the testimony given and the proceeding had;

That the said interview was taken before me at the time and place specified;

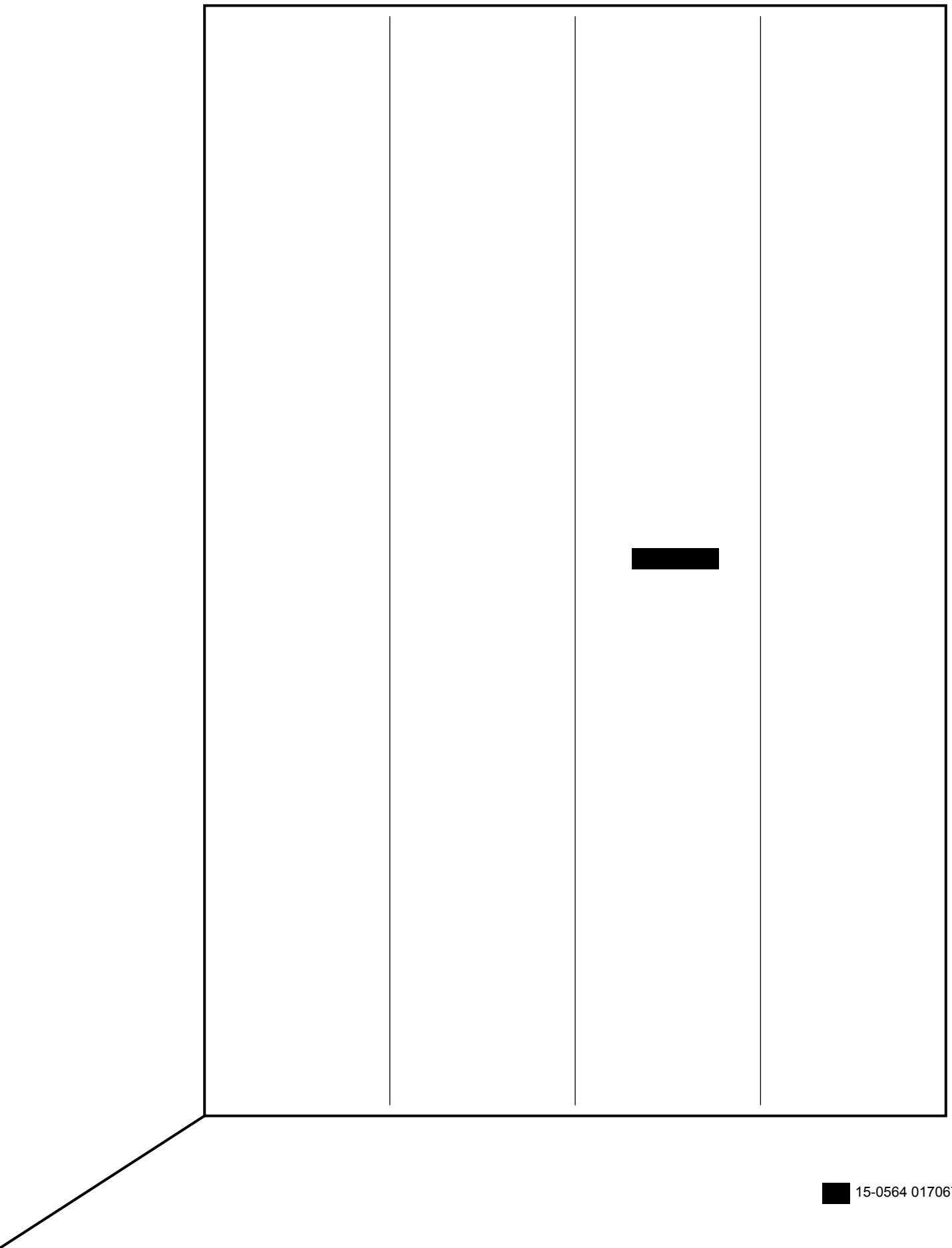
That I am not a relative or employee or attorney or counsel, nor a relative or employee of such attorney or counsel for any of the parties hereto, nor interested directly or indirectly in the outcome of this action.

IN WITNESS WHEREOF, I do hereunto set my hand and affix my seal of office at Chicago, Illinois this 5th day of October, 2016.

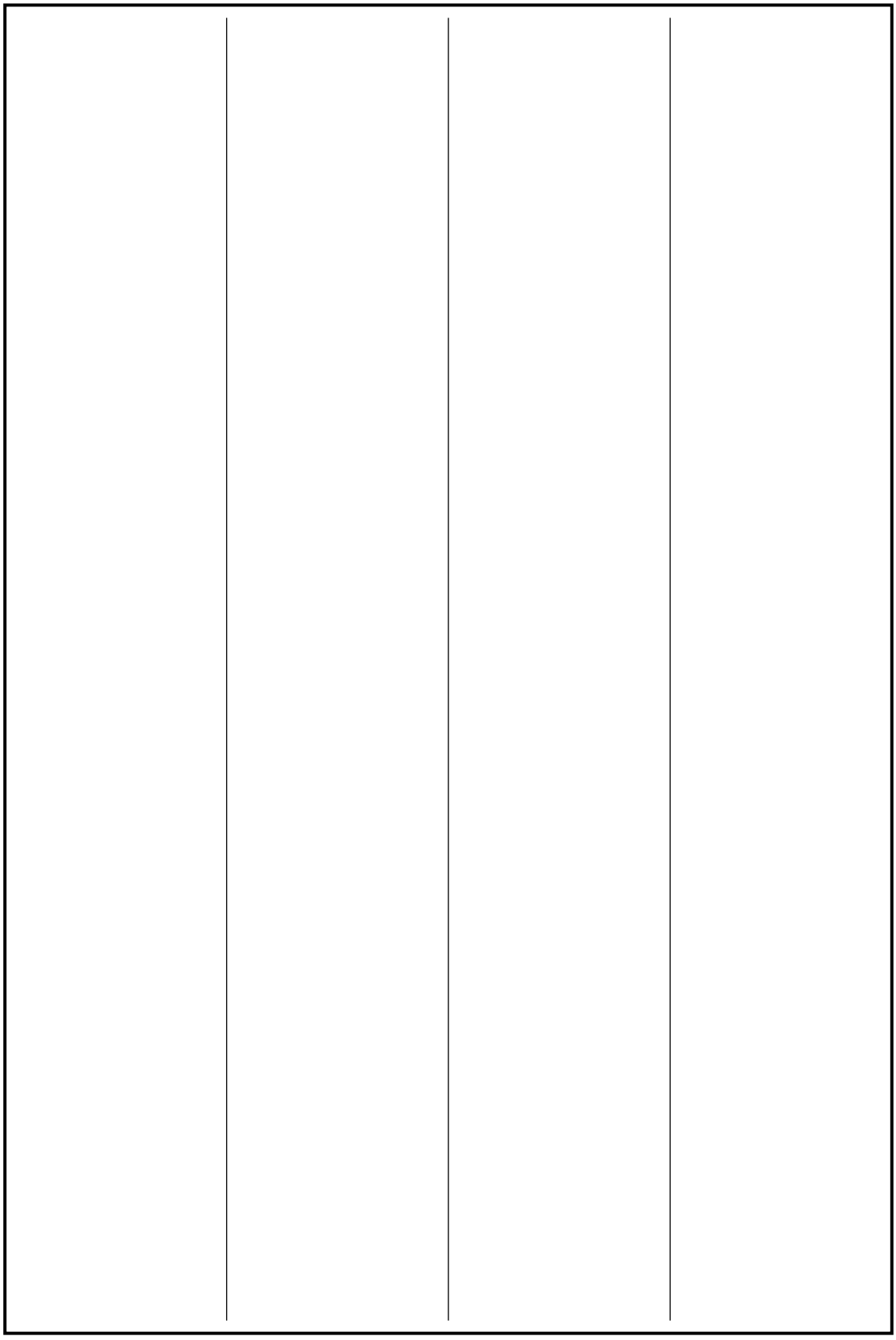


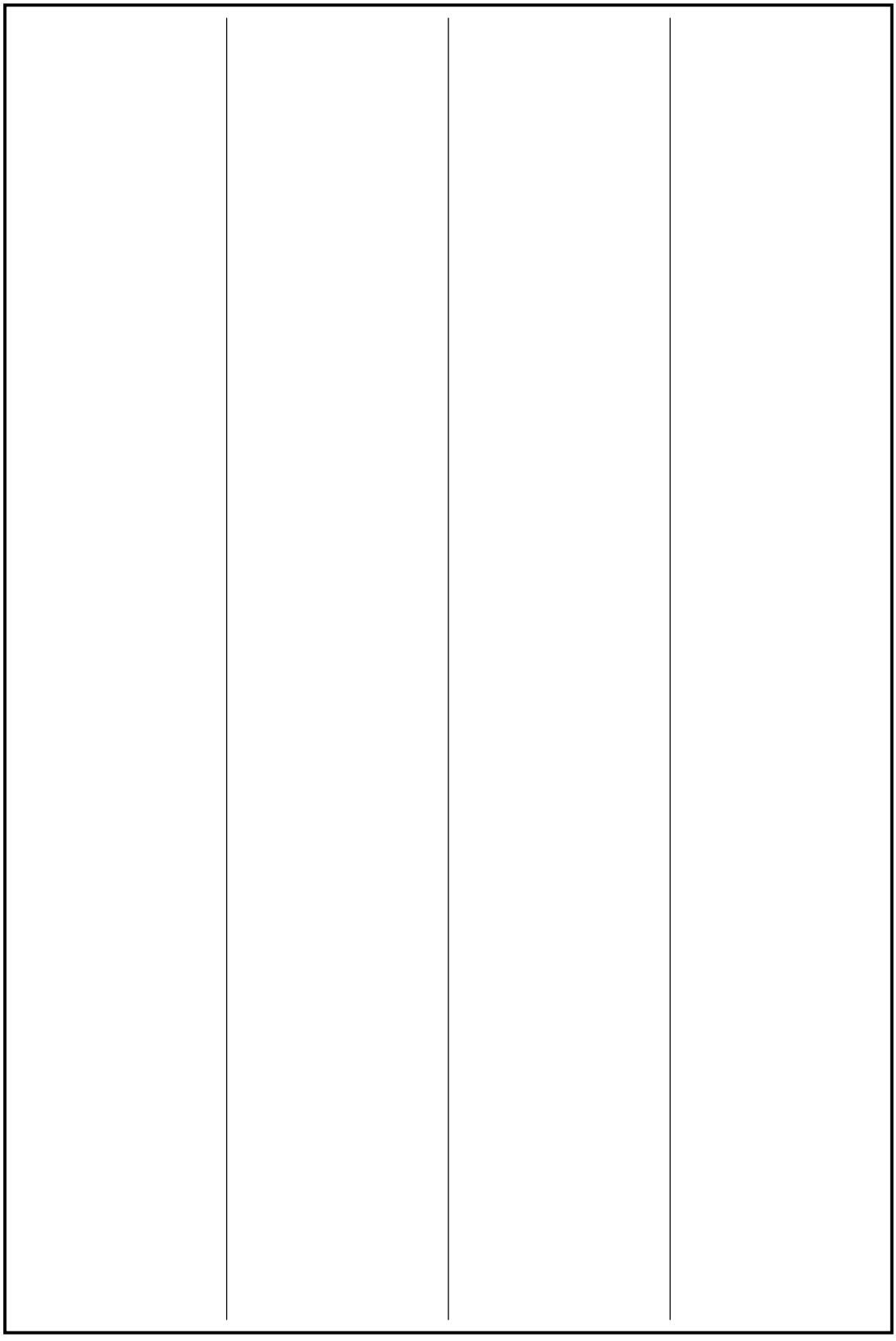
Certified Shorthand Reporter
Cook County, Illinois
My commission expires May 31, 2017

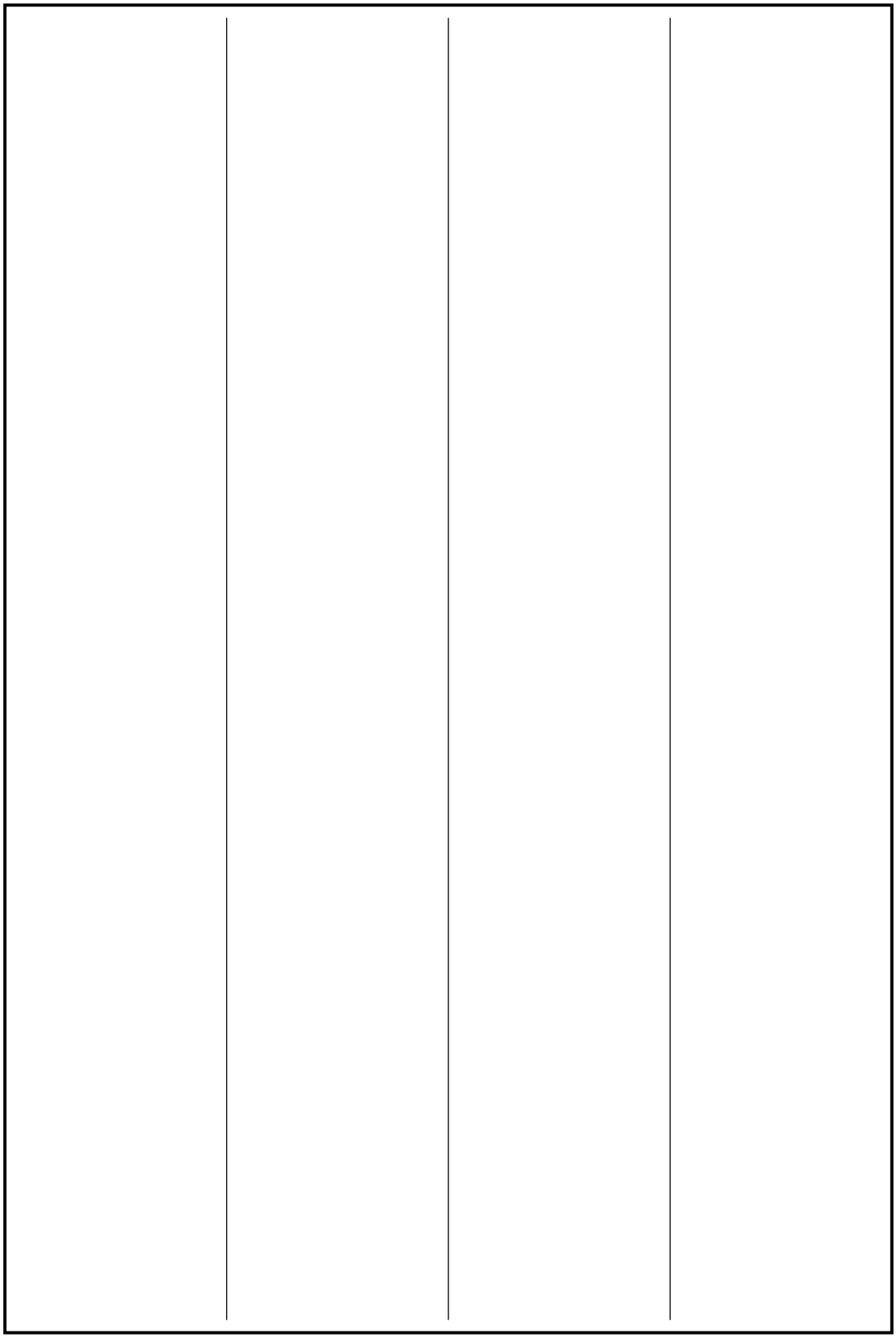
C.S.R. Certificate No. 84-4575.

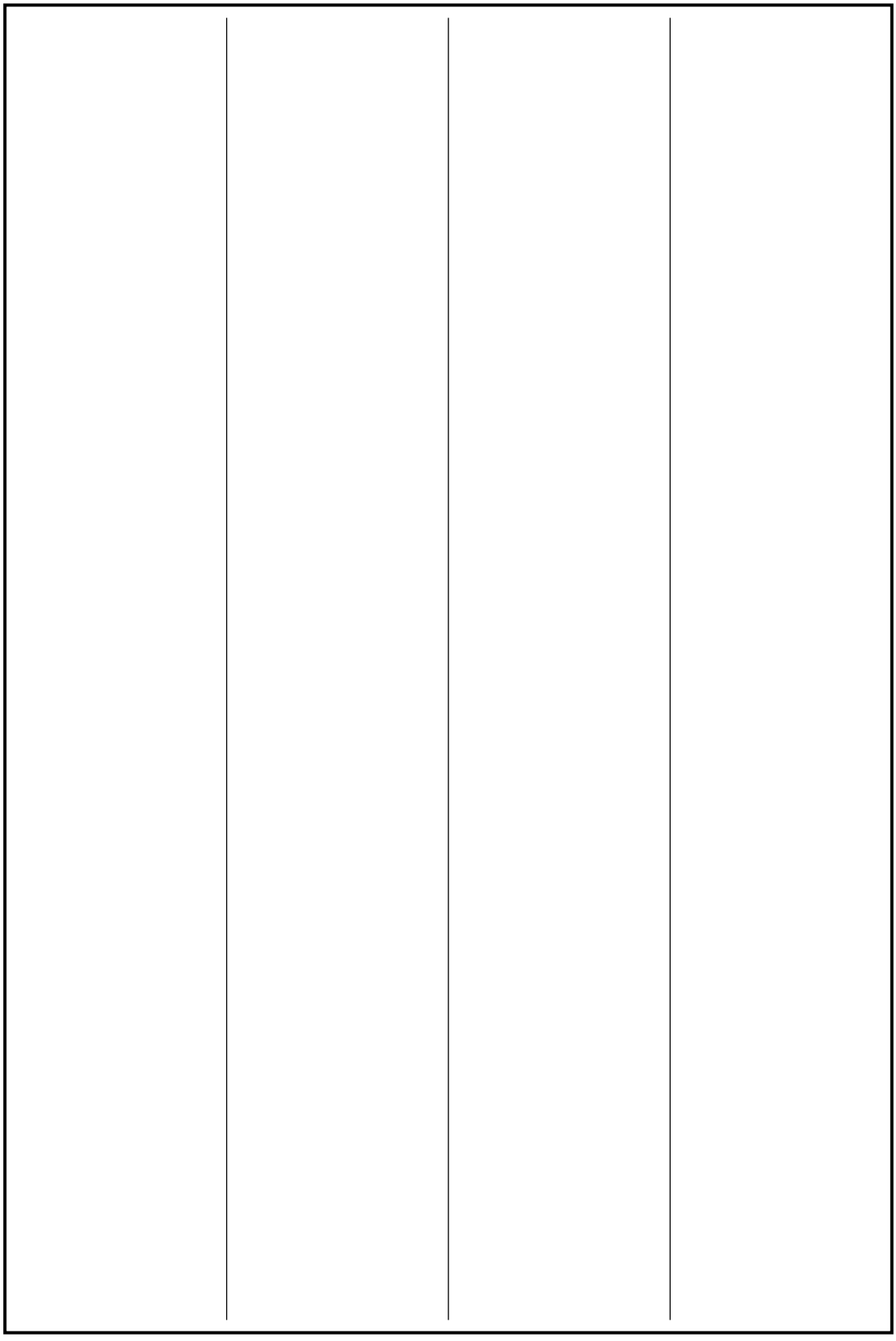


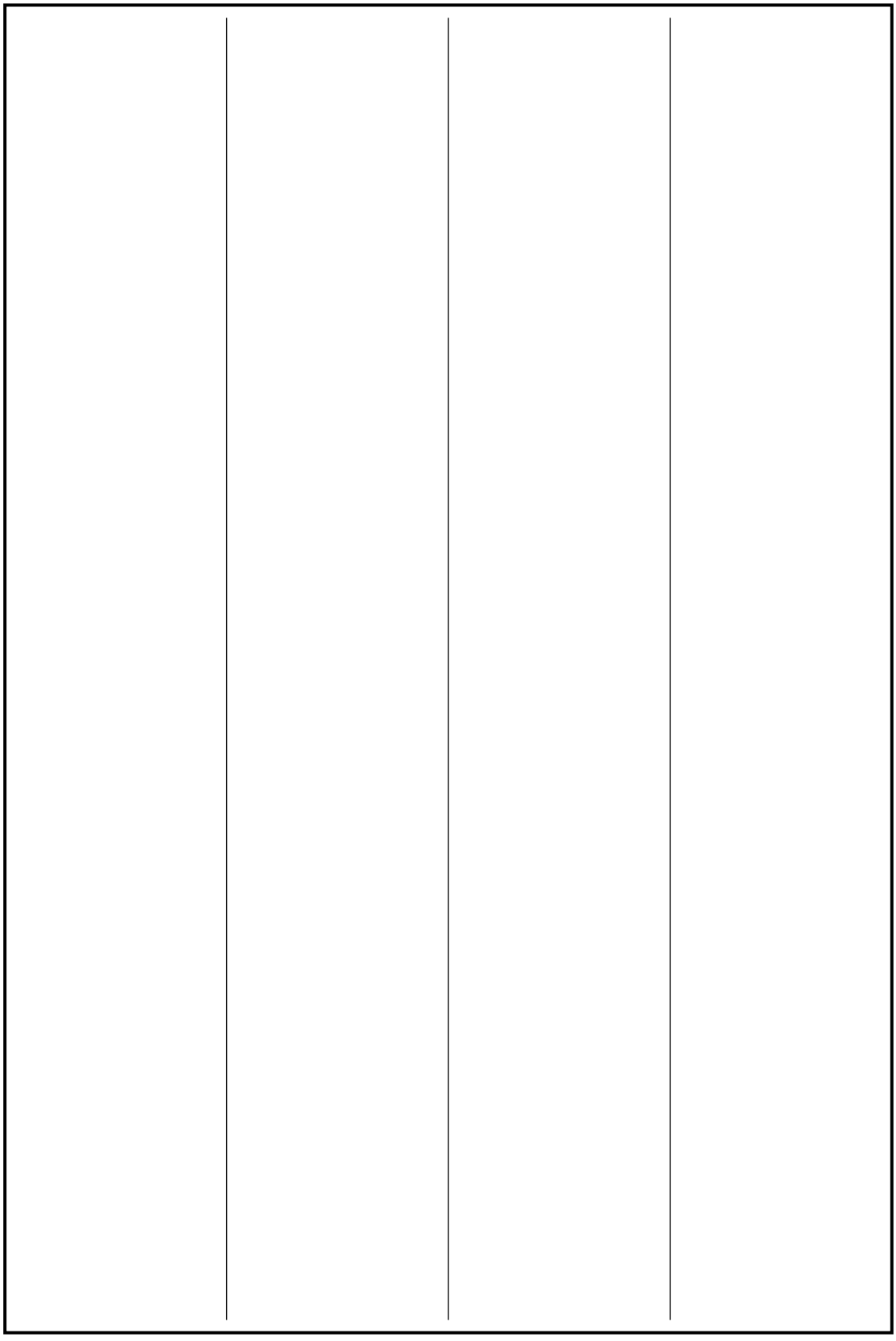
[redacted] 15-0564 017067

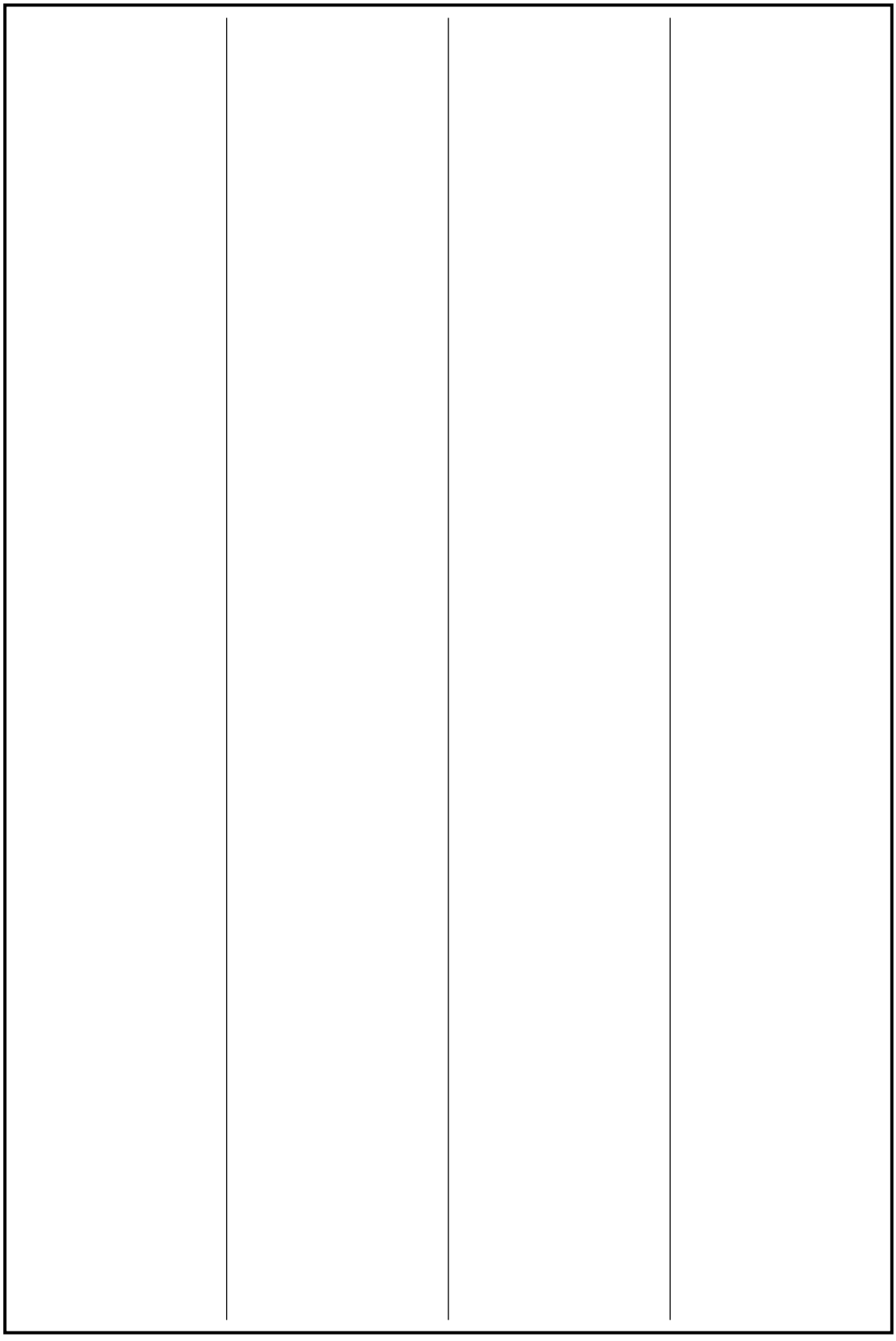


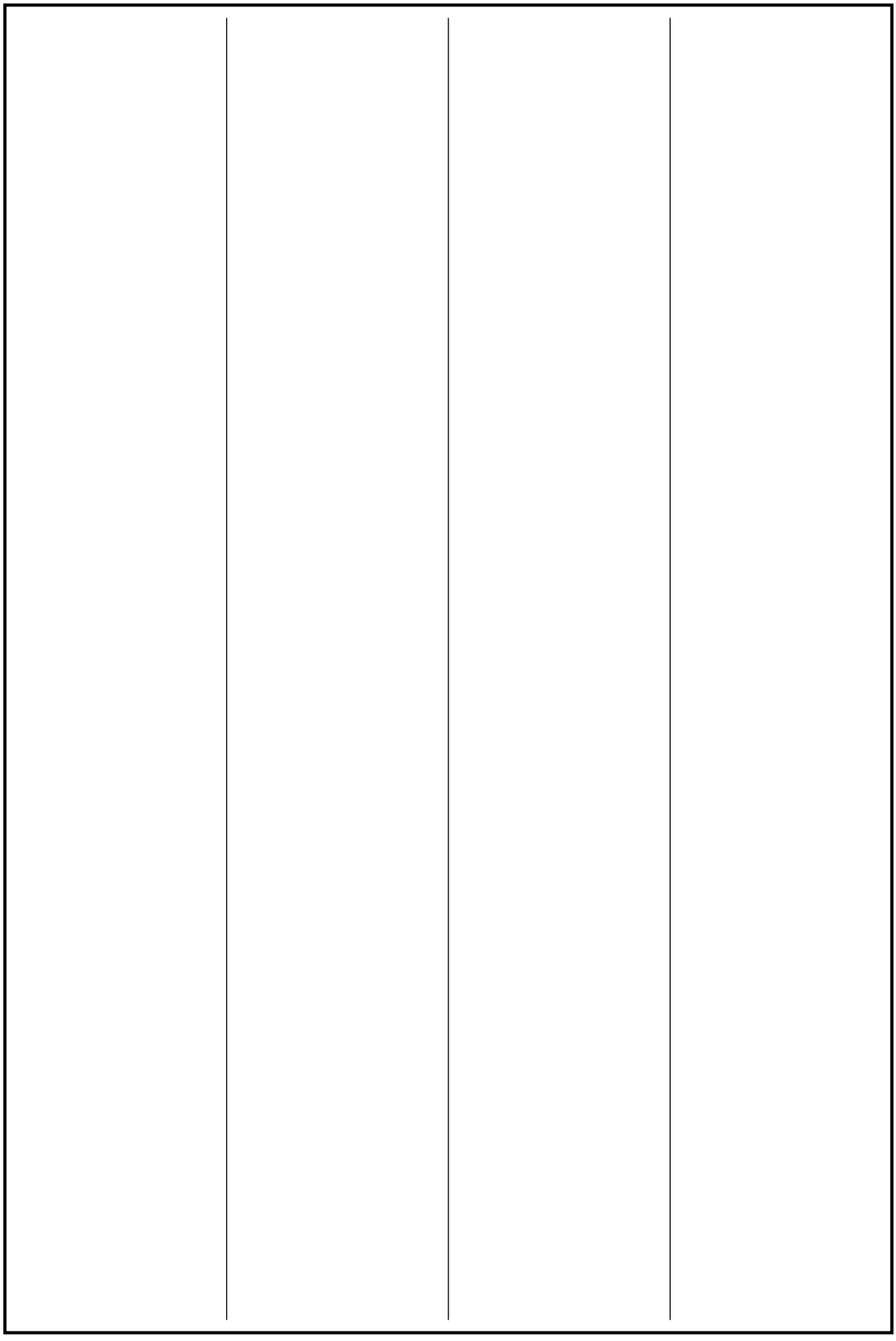


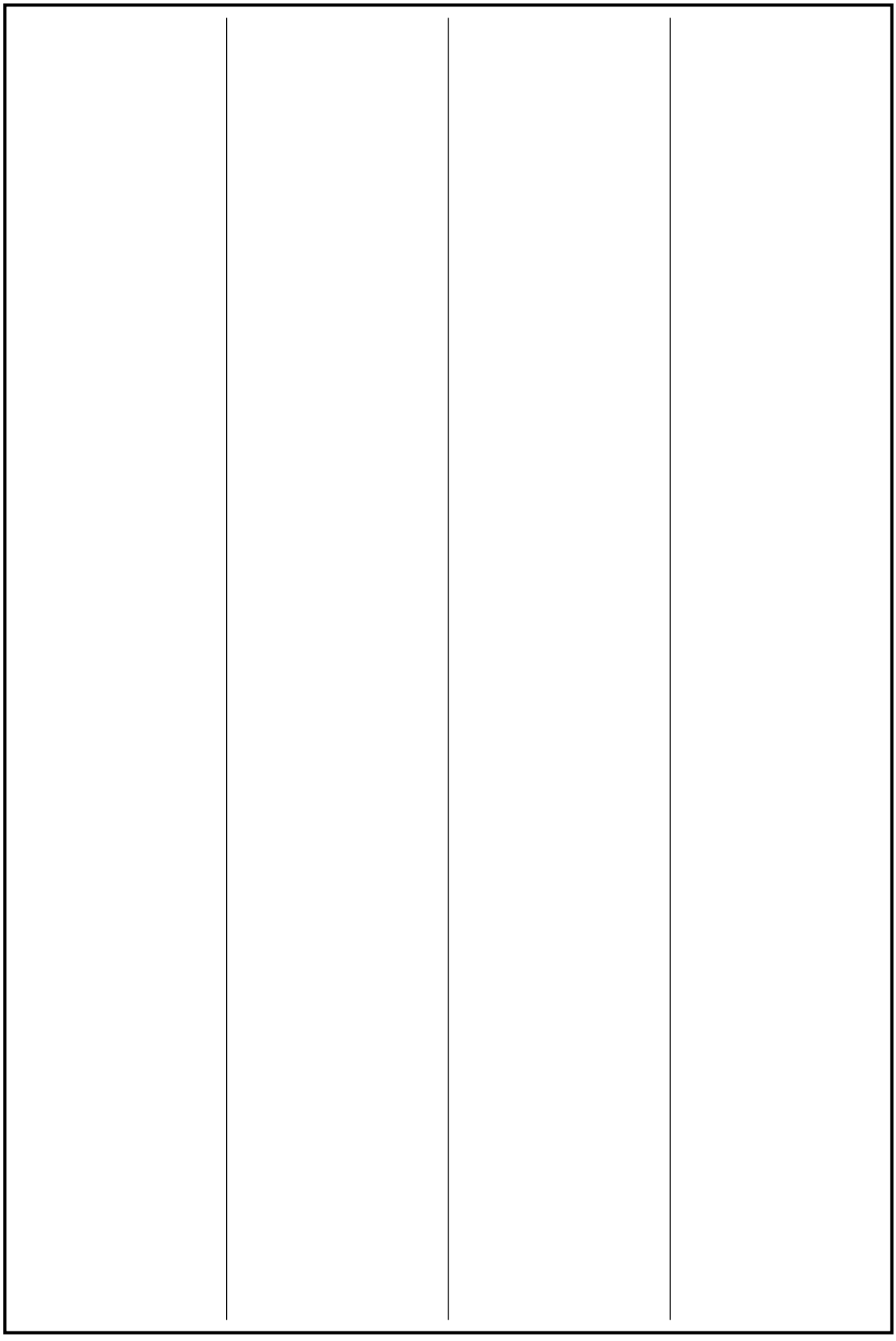


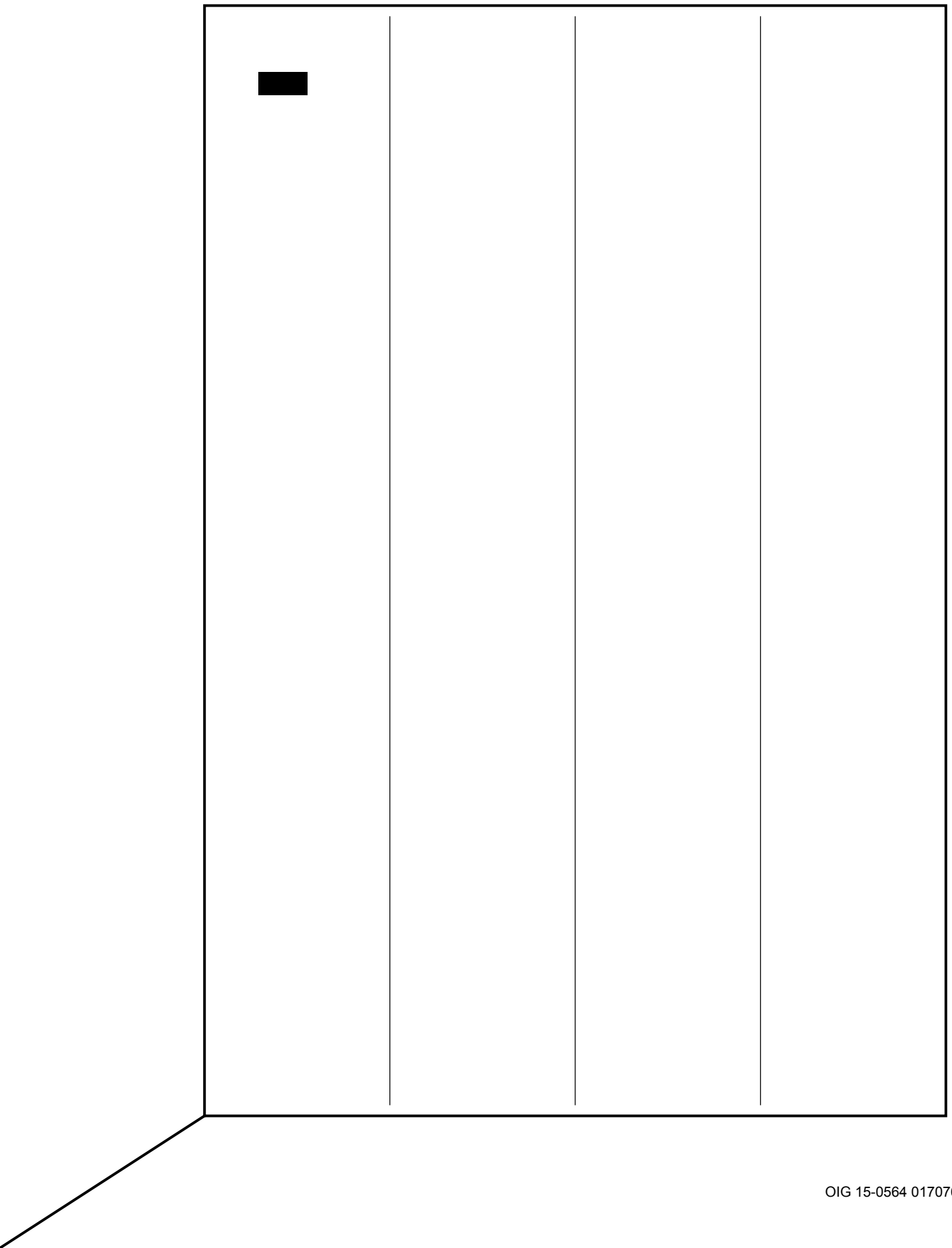


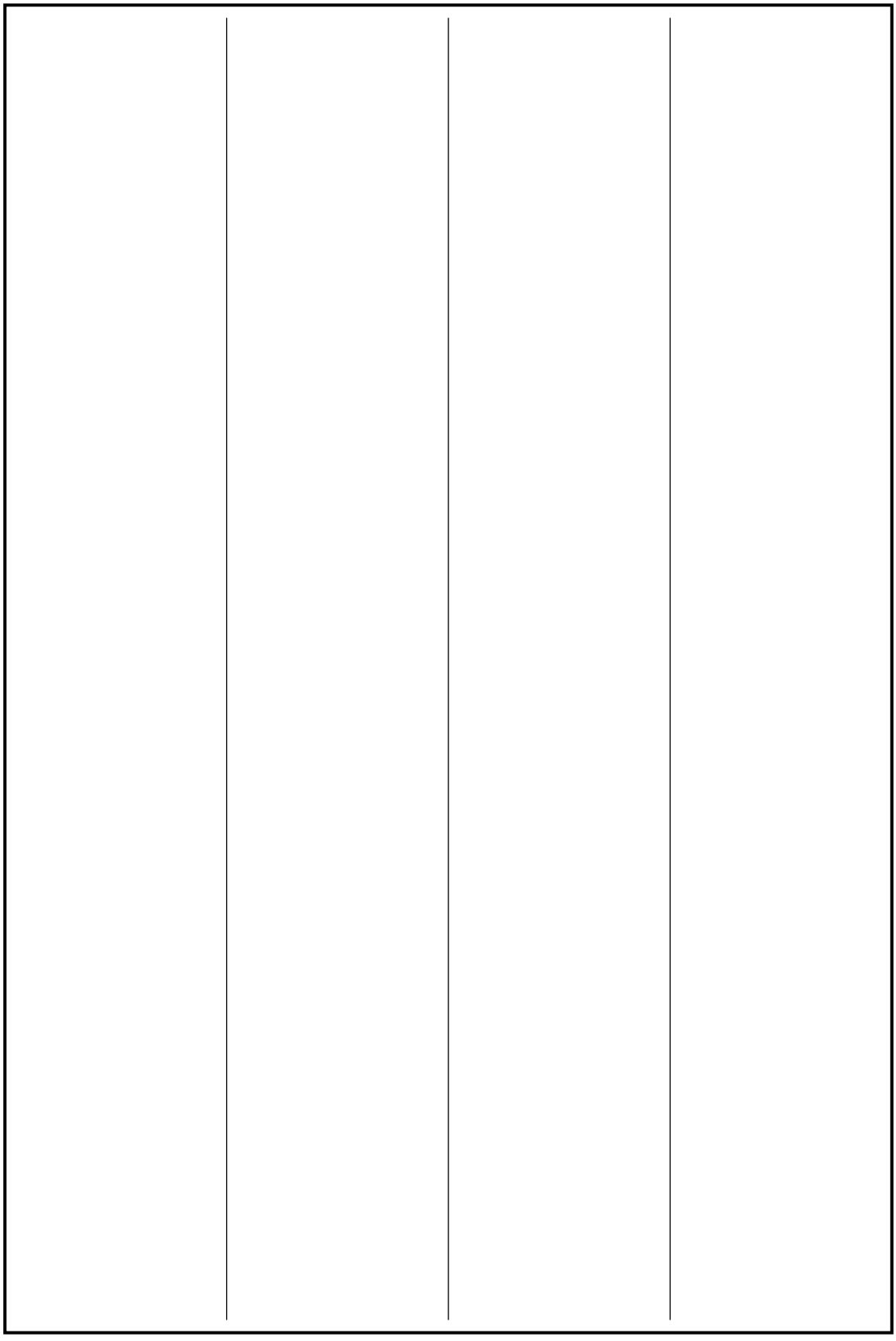


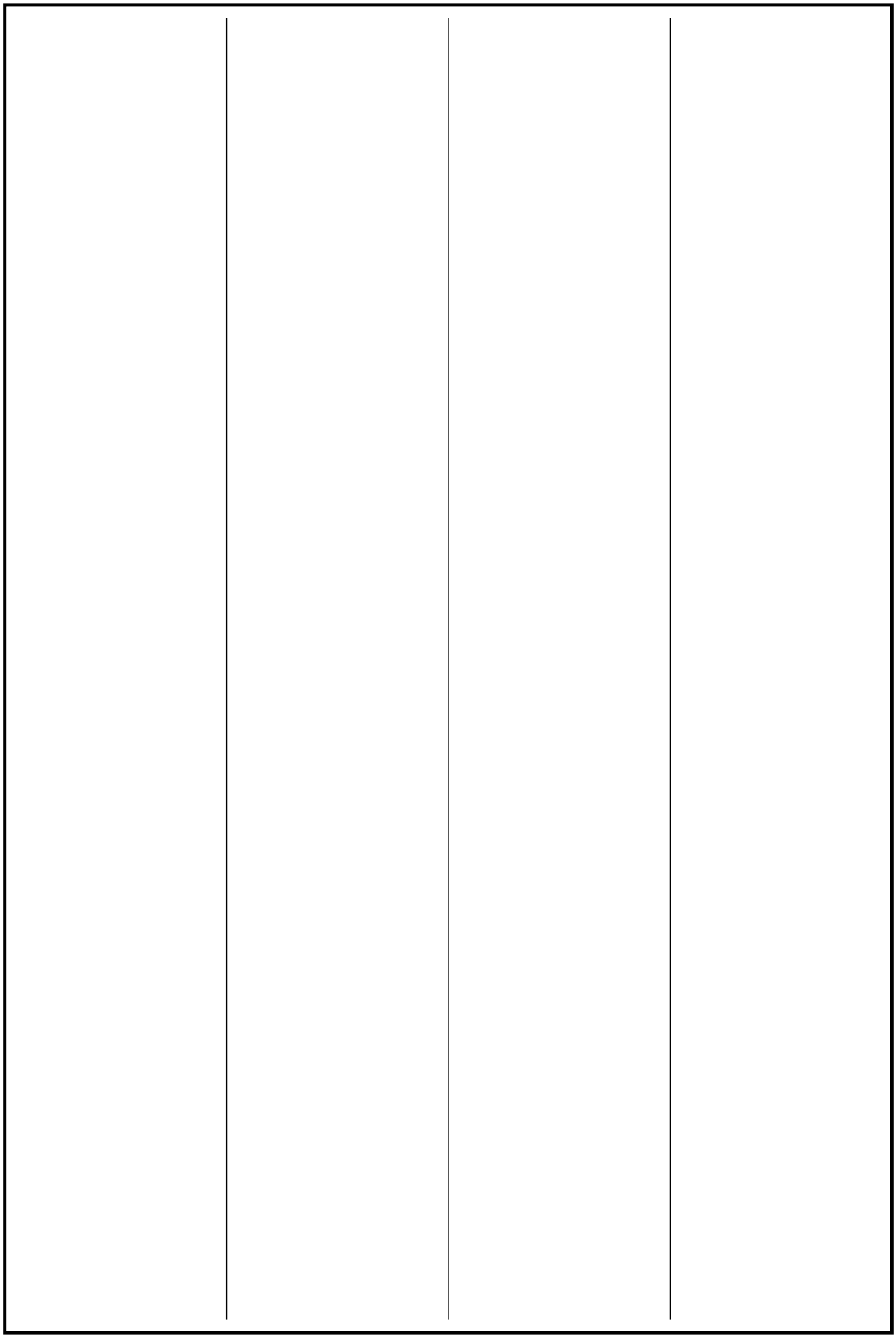


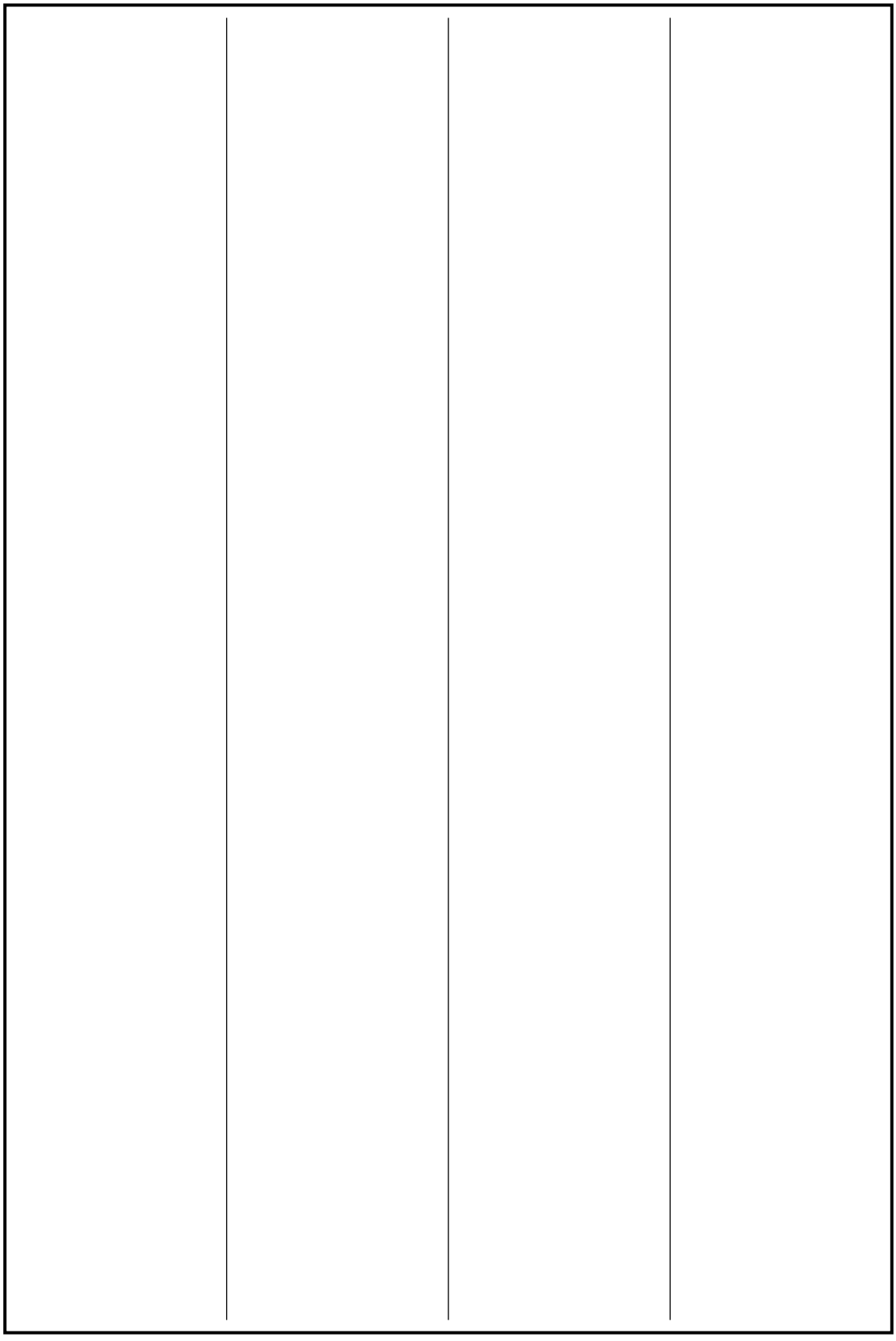


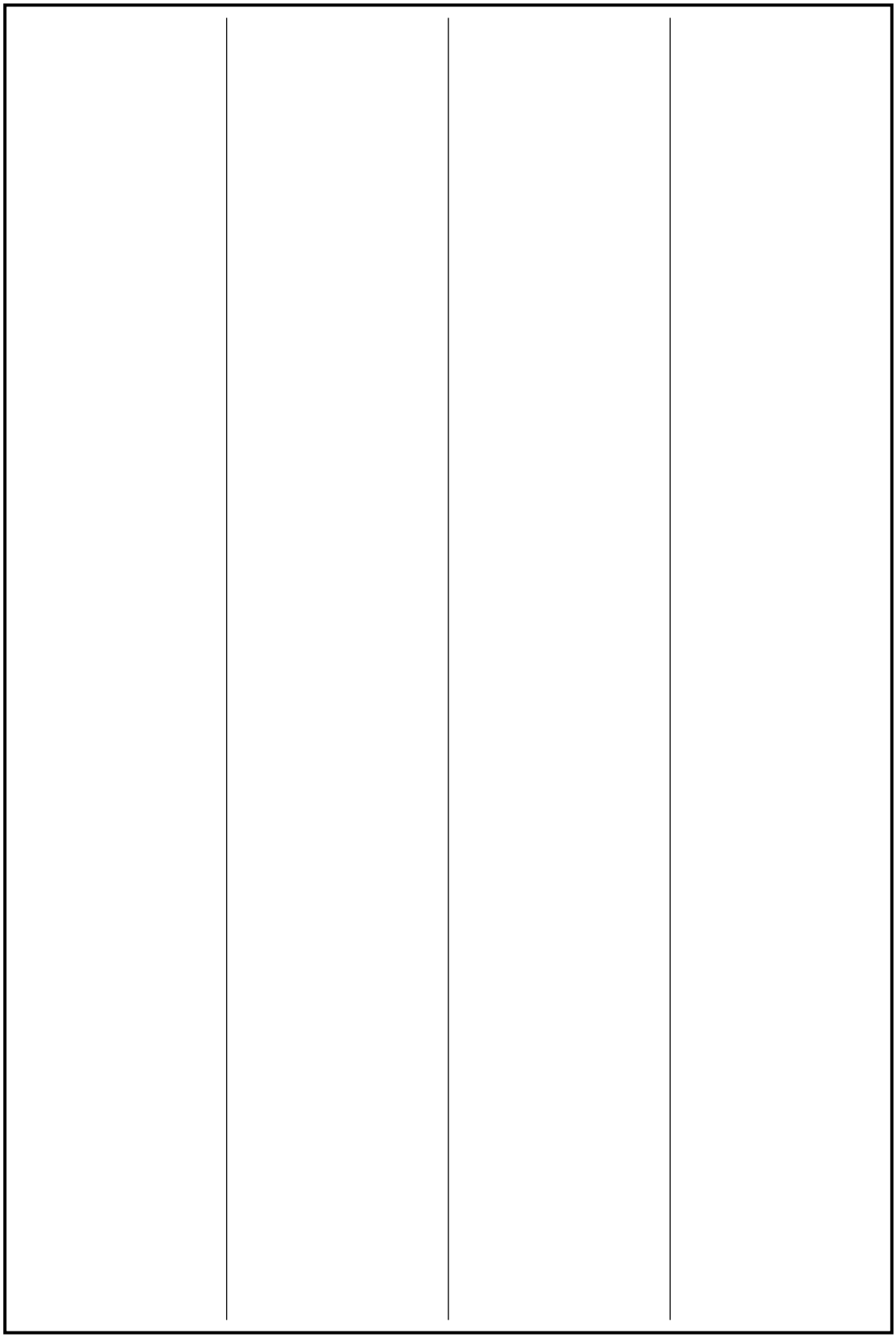


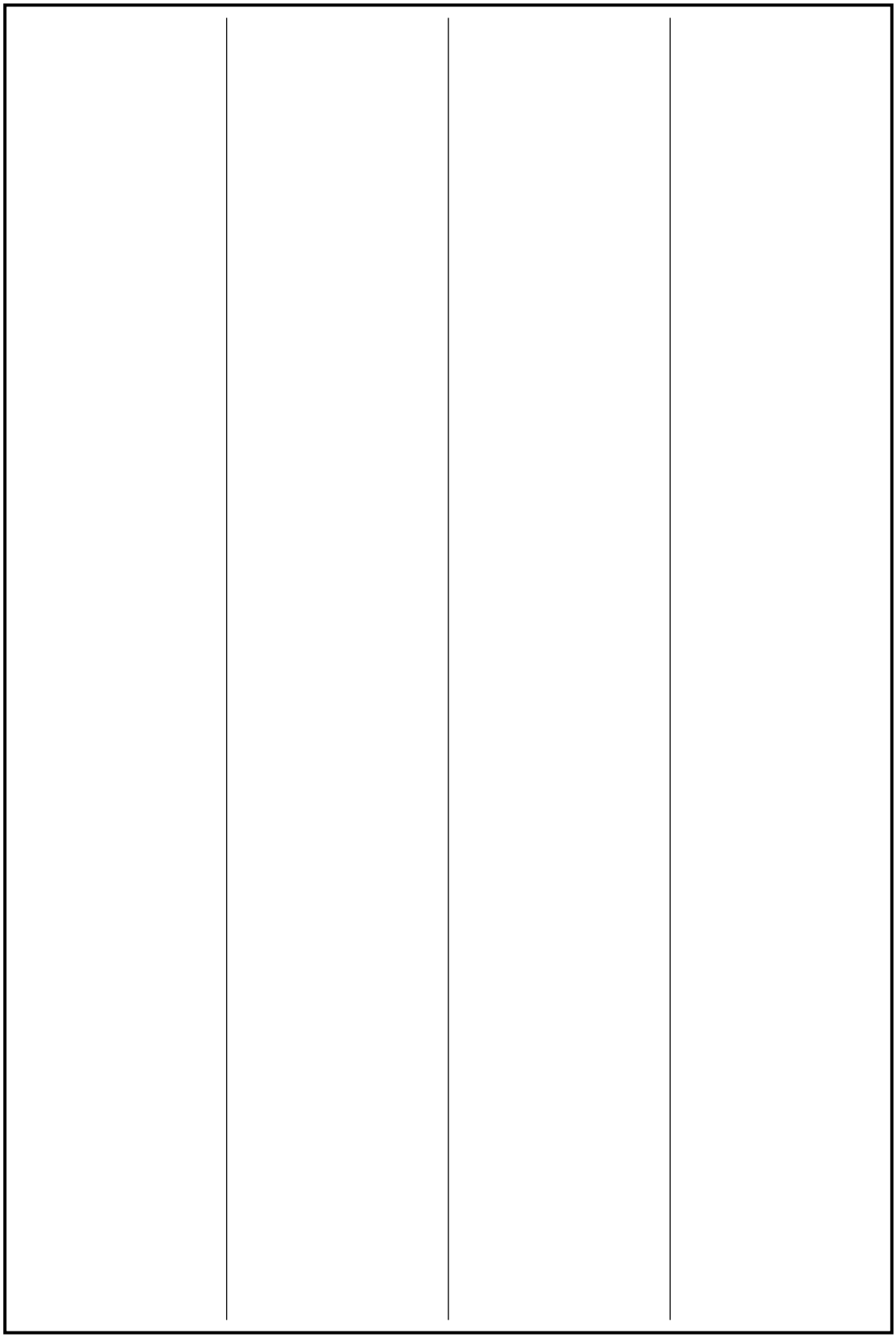












CITY OF CHICAGO
OFFICE OF INSPECTOR GENERAL

ADVISEMENT OF RIGHTS

I, Officer Leticia Velez, understand that I am being interviewed by Peter Neumer and Raul Valdez from the City of Chicago Office of Inspector General.

DATE 9/21/16 TIME _____ LOCATION 300 W. Adams, Ste 500 Chicago, IL

I understand that this interview is part of an official investigation and that I have a duty to cooperate with the Office of Inspector General, which includes answering all questions completely and truthfully.

I understand that I have no right to remain silent. I understand that I have an obligation to answer questions put to me truthfully. I understand that if I refuse to answer questions put to me, I will be ordered by a superior officer to answer the questions. I further understand and I have been advised that if I persist in my refusal to answer after an order to do so, such further refusal constitutes a violation of the Rules and Regulations of the Chicago Police Department and may serve as the basis for my discharge.

I understand and have been advised that my statements or responses may constitute an official police report. I understand that Rule 14 of the Chicago Police Department's Rules and Regulations prohibits making a false report, written or oral, and I further understand that making such a false report, whether written or oral, may result in my separation from the Chicago Police Department.

I understand that any statement made by me during this interview may be used as evidence of misconduct or as the basis for disciplinary action up to and including removal or discharge.

I understand that any statement made by me during this interview and the fruits thereof cannot be used against me in a criminal proceeding.

I understand that I have the right to have a union representative, or legal counsel of my choosing, present at the interview to consult with, and that I will be given a reasonable time to obtain a union representative or legal counsel as long as the interview is not unduly delayed.

I understand that a refusal to answer any question, or any false, inaccurate, or deliberately incomplete statement by me would constitute a violation of Chicago Municipal Ordinance 2-56, and may serve as the basis for my discharge.

I acknowledge that this statement of my administrative rights has been read aloud to me, and I have been allowed to review this document.

Employee Signature

EXHIBIT 1
DATE 9/21/16
AmicusReporters.com

Witness: _____ Witness: _____

****

WAIVER

Understanding these rights, I wish to answer questions from investigators from the Office of Inspector General without having a union representative or legal counsel present. No promises or threats have been made to me and no pressure or coercion of any kind has been used against me.

Employee Signature: _____

NOTIFICATION OF INTERVIEW TO CPD MEMBER

CITY OF CHICAGO OFFICE OF INSPECTOR GENERAL

DATE: September 14, 2016

NAME	RANK	STAR NO.	UNIT OF ASSIGNMENT
Leticia Velez	Police officer	10385	008

YOUR APPEARANCE IS REQUIRED

AT		ON	DATE	TIME
☒	Amicus Court Reporters 300 West Adams, Ste 800 Chicago, IL 60606		September 21, 2016	4:00 PM

AS ☒ ACCUSED ☐ WITNESS ☐ COMPLAINANT

FOR ☒ A STATEMENT

CONCERNING

False statements and material omissions made in connection with the October 20, 2014 shooting of Laquan McDonald; the operation of the Chicago Police Department's in-car video system.

YOU ARE TO REPORT TO:

LEAD INVESTIGATOR	TITLE	PHONE NO.	EMAIL
Raul Valdez	Investigator III	773-478-5228	rvaldez@chicagoinspectorgeneral.org

NOTE: You MUST notify the Lead Investigator of your inability to keep this scheduled appointment.

ALSO PRESENT AT THE INTERVIEW WILL BE:

NAME	TITLE	NAME	TITLE
Sarah Ansari	Assistant Inspector General	N/A	N/A

THE INTERVIEW WILL BE ☐ AUDIO RECORDED ☒ TRANSCRIBED BY A LIVE REPORTER

TO BE COMPLETED BY INTERVIEWEE (if applicable)

ACKNOWLEDGEMENT

Please contact Investigator Valdez at (773) 478-5228 to confirm receipt of Notification of Interview and to confirm your attendance at the interview.

I hereby acknowledge receipt of this Notification of Interview.

SIGNATURE: Leticia Velez DATE: 15 Sept '16

PRINTED NAME: Leticia Velez TIME: 1905

EXHIBIT 2
DATE 9/21/16
AmicusReporters.com

TO BE COMPLETED BY OFFICE OF INSPECTOR GENERAL OR CPD COMPONENT PROVIDING NOTIFICATION TO INTERVIEWEE

NOTIFICATION MADE TO	TITLE, RANK, & UNIT	DATE	TIME

NOTIFICATION MADE BY	TITLE, RANK, & UNIT	DATE	TIME

NOTIFICATION OF ALLEGATIONS

CITY OF CHICAGO OFFICE OF INSPECTOR GENERAL

NAME OF ACCUSED	RANK	STAR NO	UNIT OF ASSIGNMENT
Leticia Velez	Police Officer	10385	008 - 822

City ordinance, and if applicable, collective bargaining agreements, provide that you are entitled to notice of the nature of the allegations against you and the identity of all complainants prior to any interview. Accordingly, you are advised as follows:

COMPLAINANT(S)

4. John J. Escalante, Interim Superintendent of Chicago Police Department (CPD), sent a letter to the City of Chicago Office of Inspector General (OIG) dated January 13, 2016, requesting that OIG conduct an administrative investigation of the following allegations arising out of the October 20, 2014 shooting death of Laquan McDonald (the McDonald Shooting): "whether any officer(s) made false statement on official reports submitted in connection with the shooting of Laquan McDonald on October 20, 2014; whether any officer(s) obstructed or interfered with the investigation of this incident, either individually or in collusion with others; and whether any officer(s) committed any violation of Chicago Police Department rules, policies, or orders in connection with their response and/or handling of this matter." Escalante attached to the letter a copy of Sergeant S. Soria's (Star # 2275) Initiation Report, which raises similar allegations of misconduct with respect to Department members in connection with the McDonald Shooting, and identified that Report as a basis for OIG's administrative investigation.

ALLEGATION(S)

1. On or about October 20, 2014, you provided a false narrative to Detective David March of the Chicago Police Department (CPD) concerning the McDonald Shooting.

2. On or about October 20, 2014, you made a false statement during an interview with CPD Detective David March when, with respect to the McDonald shooting, you stated that you did not see who fired shots.

3. On or about October 20, 2014, you made a material omission during an interview with CPD David March when, with respect to the McDonald shooting, you failed to state that you saw McDonald being shot while he was on the ground.

4. On or about October 20, 2014, you failed to ensure the in-car video system for CPD vehicle 8765 was working properly at the beginning of your tour of duty.

5. On or about October 20, 2014, you failed to immediately notify a supervisor that the in-car video system for CPD vehicle 8765 was inoperable or damaged.

6. On or about October 20, 2014, you failed to audibly record events with CPD vehicle 8765's in-car video system during your tour of duty.



ACKNOWLEDGEMENT

I hereby acknowledge receipt in writing of the identity of the complainant(s) and notice of the nature of the allegation(s) against me.

Signature Leticia Velez Date 15 Sept 2016

Printed Name Leticia Velez Time 1906

WITNESSES

IPPS

City of Chicago Office of Inspector General
740 North Sedgwick Street
Suite 200
Chicago, Illinois 60654

RECEIPT FORM

OIG FILE NO. 15-0564

ON 15 SEP 16 (DATE) AT 1510 (TIME)

JAMES FIEDLER (NAME) SERGEANT (TITLE)

☐ SEIZED FROM ☐ RECEIVED FROM ☐ RETURNED TO ☒ RELEASED TO

NAME	TITLE	DEPT.
Leticia Velez	Police Officer	Chicago Police Department

THE FOLLOWING ITEM(S):

1. A City of Chicago Office of Inspector General DVD containing the following materials:

- a copy of the portion of the March 16, 2015 Case Supplementary Report for R.D. No. HX475653 that memorializes Detective David March's October 20, 2014 interview of Leticia Velez;
- Detective March's October 20, 2014 General Progress Report for R.D. No. HX475653 concerning March's October 20, 2014 interview of Leticia Velez;
- The October 20, 2014 audio and video files for the in-car video system of beat number 813R;
- The October 20, 2014 audio and video files for the in-car video system of beat number 845R;
- The October 20, 2014 Dunkin Donuts security video of the Laquan McDonald shooting.

EXHIBIT 4
DATE 9/21/16
AmicusReporters.com

ACKNOWLEDGEMENT

I hereby acknowledge receipt in writing of the above-listed item(s).

Signature Leticia Vela Date 15 Sept 2016

Printed Name Leticia Vela Time 1907

WITNESSES

CHICAGO POLICE DEPARTMENT

CASE SUPPLEMENTARY REPORT

3510 S. Michigan Avenue, Chicago, Illinois 60653

(For use by Chicago Police / Bureau of Investigative Services Personnel Only)

HX475653

Case Id: [redacted] RD#/Inv Id: [redacted]

Sup ID: [redacted] Unit/Det: [redacted]

EXC. CLEARED CLOSED (OTHER EXCEPTIONAL)		DETECTIVE SUP. APPROVAL COMPLETE			
Last Offense Classification/Re-Classification	IUCR Code	Original Offense Classification			IUCR Code
ASSAULT / Aggravated Po:Knife/Cut Instr	0552	ASSAULT / Aggravated Po:Knife/Cut Instr			0552
Address of Occurrence	Beat of Occur	No of Victims	No of Offenders	No of Arrestee	SCR No
4112 S PULASKI RD	815	4	1	1	
Location Type	Location Code	Secondary Location			Hate Crime?
Street	304				NO
Date of Occurrence	Unit Assigned	Date RO Arrived	Tow Related?	Gang Related?	Domestic Related?
20-OCT-2014 21:57	0841R	20-OCT-2014 21:57	NO	NO	NO

Reporting Officer	Star No	Approving Supervisor	Star No	Primary Detective Assigned	Star No
MARCH, David	20563	WOJCIK, Anthony	481	MARCH, David	20563
Date Submitted		Date Approved		Assignment Type	
15-MAR-2015 16:26		16-MAR-2015 00:03		FIELD	

THIS IS A FIELD INVESTIGATION EXC. CLEARED CLOSED (OTHER EXCEPTIONAL) REPORT

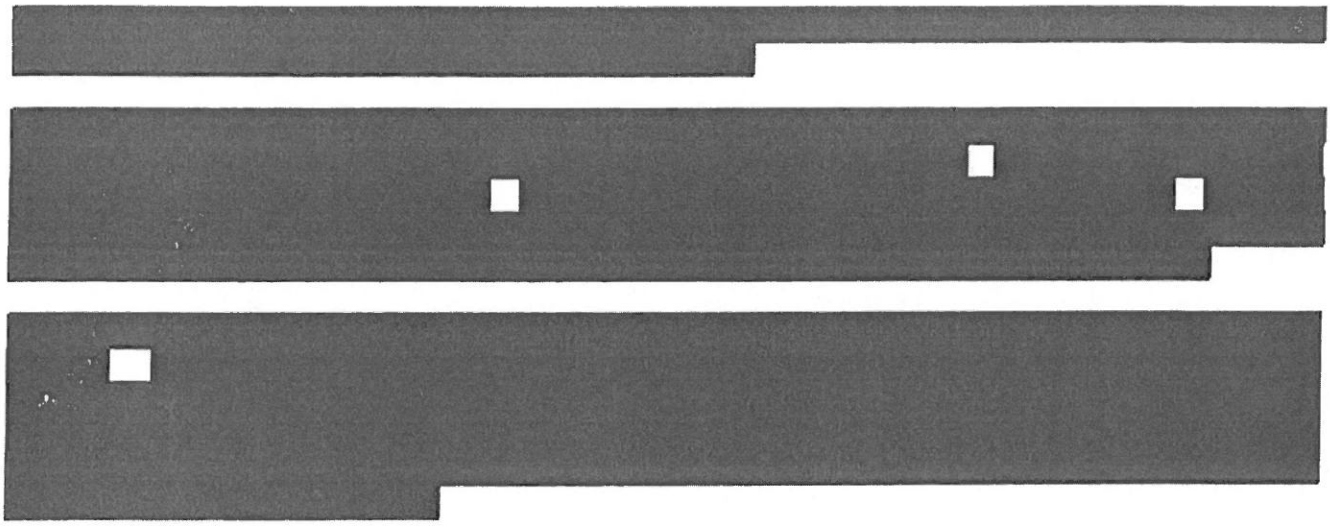
[redacted]

EXHIBIT 5

DATE 12/1/16

AmicusReporters.com

HX475653



BACERRA, Arturo -----

stated he was a Chicago Police Officer assigned to the 008th District. He was on duty, in uniform, working on Beat 822. BACERRA was working with Police Officer Leticia VELEZ. The two officers were assigned to a marked vehicle. BACERRA was driving the vehicle and VELEZ was the passenger.

Officer BACERRA and his partner responded to the request for assistance made by Beat 815R, regarding a subject who was armed with a knife. BACERRA was driving northbound on Pulaski Road from 47th Street. As he approached the scene of this incident, at 4112 South Pulaski, he observed a black male subject, now known as Laquan MCDONALD, in the middle of the street, flailing his arms. As he got closer, BACERRA observed MCDONALD to be holding a knife in his right hand. BACERRA drove past MCDONALD, with MCDONALD on the left side of the police vehicle, as Beat 845R drove past BACERRA, on the right side of his vehicle, travelling southbound. As BACERRA began to make a U-turn, he heard multiple gunshots. He then saw MCDONALD lying on the ground. BACERRA did not see who fired the shots.

VELEZ, Leticia -----

stated she was a Chicago Police Officer assigned to the 008th District. VELEZ related the same facts as her partner, Officer Arturo BACERRA.

Officer VELEZ added that as they approached the scene she observed Laquan MCDONALD standing in the middle of the street, holding a shiny object in his right hand. She saw him waving the object in the air. Officer BACERRA drove past MCDONALD and began to make a U-turn, when VELEZ heard multiple gunshots, without pause or delay. She then saw MCDONALD fall to the ground. VELEZ did not see who fired the shots. She did see an unknown officer kick the knife from MCDONALD's hand after he was down on the ground.

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT	DATE OF THIS REPORT
20 OCT 2014	20 OCT 2014 3

OFFENSE CLASSIFICATION - LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	VAN DYKE	5121

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

L VELEZ

AS THEY APPROACHED SCENE, SAW O IN MIDDLE OF ST SHINY OBJECT IN R HAND
O WAVING OBJECT IN AIR
A B DROVE PAST O
BEGAN TO MAKE U-TURN
L V HEARD MULTIPLE GUNSHOTS, WITHOUT PAUSE OR DELAY
SAW O FALL TO GROUND
DID NOT SEE WHO FIRED
SAW UNKNOWN PO KICK KNIFE FROM O'S HAND

R.D. NO. HX475153

REPORTING OFFICER'S SIGNATURE - STAR NO.	RECEIVED BY SUPERVISOR'S SIGNATURE - STAR NO.	DAY - MO. - YR.	TIME
25562	1303		

CPD-23.132 (Rev. 2/03)

EXHIBIT 6
DATE 9/21/16
AmicusReporters.com

Chicago Police Department

Special Order S03-05

IN-CAR VIDEO SYSTEMS

ISSUE DATE:	23 February 2012	**EFFECTIVE DATE:**	23 February 2012
RESCINDS:	Version dated 20 April 2011; S10-10		
INDEX CATEGORY:	Field Operations		

I. PURPOSE

This directive:

A. implements the use of Department in-car video systems.

B. establishes the policies and procedures for the use, maintenance, and repair of in-car video systems.

C. establishes the roles and responsibilities of Department members affected by the introduction of in-car video systems for the video and audio recording of incidents.

D. establishes the requirements for viewing, retaining, and duplicating digitally recorded incidents.

E. continues the use of the Digitally Recorded Data Viewing/Hold/ Duplication Request (CPD-65.224).

F. identifies the Records Division as the Department repository and viewing location of digitally recorded data created by the in-car video systems.

II. POLICY

The Department is committed to protecting the safety and welfare of its members and the public. The in-car video systems can provide members with an invaluable instrument to enhance criminal prosecution by providing powerful evidence of criminal activity, limit civil liabilities, and objectively document officer conduct during individual interactions. Members assigned to a vehicle equipped with an in-car video system will use it pursuant to this directive.

III. GENERAL INFORMATION

A. There is no expectation of privacy for Department members related to incidents recorded by in-car video systems. Supervisors, members of Bureau of Internal Affairs, and the Independent Police Review Authority (IPRA) investigators may request to review the digitally recorded data from a vehicle equipped with an in-car video system. Any digitally recorded data created by the in-car video system may be used without a Department member's permission for any official Departmental purpose.

B. The in-car video system will **automatically engage audio and video recording** when the vehicle's emergency-roof lights are activated. However, Department members may manually activate the in-car video system without the activation of the emergency equipment. At the conclusion of the incident, Department members must manually disengage all recording processes, regardless of what method activated the in-car video system.

C. The Records Division will be the custodians of the digitally recorded data and will be responsible for the retention, duplication, and viewing of the in-car video systems. The Director, Records Division, will establish retention, viewing, and duplication procedures that provide for inventory control, the security of the digitally recorded data, and authorized duplications.

D. All digitally recorded data created by the in-car video systems will be retained by the Records Division for a minimum of 90 days. Digitally recorded data that is marked and held as having evidentiary or training value will be retained as prescribed by law and established Department policy.

E. In general, minor infractions and minor deviations from Department policy observed through the review of digitally recorded data will not be subject to the disciplinary process and will be treated as a training opportunity.

EXHIBIT 7
DATE 12/17/15
AmicusReporters.com

IV. RECORDING GUIDELINES

A. Department members will use only Department-issued video and audio recording equipment.

B. Department members will conform to all laws and Department policies concerning the use of the in-car video system for the video and audio recording of incidents.

1. Department members are lawfully permitted to video record individuals without their consent if they are on the public way or in public view.

2. Department members who are in uniform and have identified their office are lawfully permitted to simultaneously audibly and visually record individuals without their consent whenever:

a. the member is conducting an enforcement stop, **or**

b. the patrol vehicle emergency lights are activated or would otherwise be activated if not for the need to conceal the presence of law enforcement.

NOTE: Any reports completed for an audibly recorded incident, including Traffic Stop Statistical Study - Driver Information Cards (CPD-21.103), Traffic Stop Statistical Study Stickers (CPD-15.516), and Personal Service Citations, must include the initial violation or investigatory need that led to the stop.

NOTE: Department members may audibly record an enforcement stop regardless of the subsequent enforcement action taken.

3. Department members may audibly and visually record an individual with the consent of the individual.

C. Uniformed Department members assigned to vehicles equipped with in-car video systems will activate the system to simultaneously audibly and visually record the entire incident for all enforcement stops.

D. Uniformed Department members assigned to vehicles equipped with in-car video systems will activate the system to visually record the entire incident for all:

1. arrests and transports.

2. nonpursuit emergency vehicle operations.

3. any situation that the member, through training and experience, believes to serve a proper police purpose.

E. During the recording of an incident, Department members will not disengage the in-car video system until the entire incident has been recorded.

NOTE: Department members will be required to justify any disengagement of the in-car video system prior to the entire incident being recorded.

F. If recorded, felony and misdemeanor arrests, motor vehicle pursuits, traffic crashes resulting in property damage, personal injury, or a fatality, DUI incidents, and failure to yield to an emergency vehicle will be automatically stored by the in-car video system indefinitely when the correct event is selected from the postevent pop-up menu. All other incidents will be automatically stored for ninety days.

G. If digitally recorded data will be needed in judicial proceedings beyond ninety days, members will place an extended hold on that digitally recorded data as described in Item VIII of this directive, including but not limited to the following circumstances:

1. Traffic stops other than DUI,

© Chicago Police Department, February 2012

OIG 15-0564 017092

2. Enforcement stops,

3. Other traffic crash investigations, and

4. Stops for citizen assistance.

H. When a complaint against a Department member is received that involves a digitally recorded incident, the investigating member will request an extended hold on the data.

I. Assigned supervisors will request an extended hold on all digitally recorded motor vehicle pursuits and traffic crashes involving Department vehicles.

V. DEPLOYMENT OF THE IN-CAR VIDEO SYSTEMS

A. Commanding officers of units with vehicles equipped with in-car video systems will:

1. ensure that vehicles equipped with in-car video systems are evenly distributed for use by all watches.

NOTE: Commanding officers will ensure the units assigned to traffic duties in district law enforcement use vehicles equipped with in-car video systems.

2. whenever feasible, ensure vehicles equipped with the in-car video systems are deployed every tour of duty and service is requested for inoperable vehicles equipped with in-car video systems.

B. The *station supervisors* will:

1. deploy every vehicle equipped with a functional in-car video system during the tour of duty.

2. ensure digitally recorded data is downloaded from the in-car video systems.

3. whenever operationally feasible, review video of any arrest recorded by the in-car video system as part of the approval of probable cause.

VI. OPERATIONAL PROCEDURES

A. Department members assigned to a Department vehicle equipped with an in-car video system will:

1. at the beginning of a tour of duty:

a. visually inspect the in-car video system equipment for damage.

b. obtain the remote transmitter/audio recorder and ensure it is securely attached to the member's person.

c. follow the start-up procedures for the in-car video system as trained and ensure the system is working properly.

NOTE: Members will immediately notify a supervisor if, at any time, the in-car video system is inoperable, damaged, the equipped vehicle becomes inoperable, or the remote transmitter/audio recorder is missing.

2. during the tour of duty:

a. audibly and visually record events in accordance with this directive.

b. annotate all reports, including Contact Information Cards (CPD-21.101), prepared for an event which has been recorded by listing **"Video Recorded Incident"** at the end of the narrative portion.

© Chicago Police Department, February 2012

OIG 15-0564 017093

c. after an incident has been recorded, use the post-event pop-up menu to select the most serious recorded occurrence as the event type and enter other event information.

NOTE: If the member did not use the postevent pop-up menu to mark the incident as being held for evidence, the member will request an extended hold on digitally recorded data in accordance with Item VIII of this directive.

d. if the in-car video system indicates that the memory required to record incidents is becoming low or if the member observes that less than 30 minutes of recording time is available, download the digitally recorded data.

3. at the conclusion of a tour of duty:

a. verify the in-car video system is working properly.

b. initiate the downloading of the digitally recorded data.

NOTE: Members will immediately notify a supervisor if unable to complete the downloading of digitally recorded data due to technical problems.

c. shut down the in-car video system and logoff the system.

d. return the remote transmitter/audio recorder to the designated area for charging.

B. The sergeant assigned to supervise Department members using Department vehicles equipped with an in-car video system will:

1. monitor subordinates to ensure the in-car video system is used and that digitally recorded data is properly downloaded.

2. ensure that the Help Desk is contacted and a ticket number is obtained whenever any member is unable to use the in-car video system or download digitally recorded data due to technical problems.

3. initiate an investigation when notified of a missing or lost remote transmitter/audio recorder.

4. document on the Supervisor's Management Log (CPD-11.455):

a. whether each vehicle has an in-car video system and if it is functioning.

b. all responses related to malfunctions of vehicles equipped with in-car video systems.

c. digitally recorded data downloaded to land-based terminals, noting any units unable to complete the download and the Help Desk ticket number obtained.

d. any request submitted for an extended hold of digitally recorded data.

e. any instances of additional training, corrective measures, or disciplinary actions.

5. document on the Traffic Pursuit Report (CPD-22.958) or traffic crash report that the incident has been digitally recorded.

6. obtain a complaint register number and order an evidence technician to process the equipment if any damage or malfunction is suspected to have been caused by deliberate (tampering) means.

C. *Station supervisors* will:

1. designate a sergeant responsible for monitoring the downloading of digitally recorded data for the watch.

© Chicago Police Department, February 2012

OIG 15-0564 017094

2. record the total number of vehicles equipped with in-car video systems deployed during the watch and the total number of these vehicle that do not have a functioning in-car video system, if any, on the Watch *Incident* Log (CPD-21.916).

3. ensure the status of vehicles equipped with in-car video systems is recorded on the Personal Equipment Log (CPD-21.919) by recording the word "VIDEO" in the "Camera/Tripod No." column.

4. if an in-car video system malfunctions or the system or vehicle becomes inoperable **during** the tour, record the vehicle and beat numbers and the words "VIDEO DOWN" on the Watch *Incident* Log.

D. When digitally recorded data is determined to have evidentiary or training value, or a complaint against a Department member is received that involves a digitally recorded incident, the supervisor reviewing the recorded data will request an extended hold on the data.

VII. DOWNLOADING DIGITALLY RECORDED DATA FROM THE IN-CAR VIDEO SYSTEM

A. When downloading digitally recorded data from the mobile unit of an in-car video system to a land-based terminal, Department members will:

1. download the data in accordance with the manufacturer's guidelines and training.

2. ensure the download of data was complete and return the vehicle back into service.

B. With the approval of the *station supervisor* in the district of occurrence, special requests for the immediate viewing of digitally recorded data from the *Bureau of Detectives*, *Bureau of Internal Affairs*, or IPRA will be processed for major incidents where an in-car camera system may be reasonably expected to have captured a component of the incident.

1. Major incidents include, but are not limited to:

a. police-involved shootings,

b. serious injury or death to a Department member,

c. serious injury or death to a member of the public.

2. Special requests for viewing digitally recorded data will be made to the *station supervisor* in the district of occurrence, who will:

a. evaluate the request;

b. determine if the need for retrieval outweighs the operational impact of the vehicle being taken out of service; and

c. notify *Crime Prevention and Information Center (CPIC)* of the decision.

3. Special requests will be in the form of one of the following types:

a. Special wireless upload, or

b. Emergency on-site retrieval.

C. Special Wireless Uploads

1. The *station supervisor* in the district of occurrence will take the vehicle out of service and secure it at the unit of assignment or other appropriate location.

2. The supervisor will:

a. verify that the vehicle operator or partner is signed on to the in-car camera system;

b. instruct the member to manually flag the entire tour of duty's available video for upload;

© Chicago Police Department, February 2012

OIG 15-0564 017095

c. instruct the member to initiate a manual upload of this video with the vehicle in range of the facility's wireless hotspot; and

NOTE: If video cannot be uploaded via wireless hotspot, a cradle upload will be used.

d. ensure that the vehicle remains out of service until the upload is complete.

3. Once complete, the *station supervisor* will allow personnel from the *Bureau of Detectives*, *Bureau of Internal Affairs*, or IPRA, as appropriate, to review the uploaded files.

NOTE: For officer-involved shootings when an On-Call Incident Commander (OCIC) will respond, an emergency on-site retrieval will be immediately requested through *CPIC*.

4. The *station supervisor* may identify an alternate vehicle for the member to use while the identified vehicle completes its video upload, as appropriate.

5. If an attempt to wirelessly upload is unsuccessful, members may contact the City of Chicago Help Desk at 4-DATA for assistance.

6. If a wireless upload fails, an emergency on-site retrieval will be conducted.

D. Emergency On-Site Retrieval

1. The *station supervisor* in the district of occurrence will notify *CPIC* of an approved emergency on-site retrieval.

NOTE: An emergency on-site retrieval will only be conducted when an OCIC is responding or a wireless upload fails and contacting the City of Chicago Help Desk at 4-DATA has not resolved the problem.

2. *CPIC* will notify the Public Sector Information Technology (PSIT) Group personnel of a manual video retrieval from the "fail-safe" internal drive request.

3. The *station supervisor* in the district of occurrence will take the identified vehicle out of service during the retrieval process.

4. If the identified vehicle is still in use when the designated supervisor arrives at the unit facility or other appropriate location, the supervisor will report to the vehicle and instruct any member logged onto the system to log off the system.

5. The vehicle will remain out of service until PSIT responds and conducts the video retrieval.

NOTE: On-site review of video will be limited to the series of events and time frame giving rise to the alleged incident.

E. Viewing and Obtaining Copies of In-Car Video Recordings

1. Once retrieval has been completed for the requested time frame, the video may be viewed by personnel from the requesting party at the location of retrieval.

2. Requests for copies of in-car video recordings will be made by completing the form entitled "Digitally Recorded Data Viewing/Hold/Duplication Request" (CPD-65.224) and forwarding it to the Records Division.

F. The Managing Deputy Director, PSIT, will:

1. establish procedures to ensure the security of the digitally recorded data from downloading to storage by the Records Division.

© Chicago Police Department, February 2012

OIG 15-0564 017096

2. develop a system to monitor the memory capacity of the land-based terminals and provide for the security of the downloaded data.

G. If members are unable to download digitally recorded data from the mobile unit of the in-car video system to the land-based terminals due to system inoperability:

1. the *station supervisor* will notify the Help Desk and follow any further instructions given by the responding member of PSIT.

2. A designated member of PSIT will respond to the requesting unit and:

a. ensure the security of the digitally recorded data.

b. perform a manual download of the digitally recorded data.

c. record the manual download on the Help Desk ticket.

VIII. REQUESTING A HOLD FOR DIGITALLY RECORDED DATA

A. Department members will place an extended hold on digitally recorded data they recorded using the postevent pop-up menu on the in-car video system.

B. **Within the first 48 hours** from downloading digitally recorded data from the vehicle, Department members **who do not use the postevent pop-up menu** and request an extended hold on digitally recorded data will request that a supervisor place the extended hold by using the land-based terminal at the district/unit station.

C. **After the first 48 hours** from downloading digitally recorded data from the vehicle, Department members **who do not use the postevent pop-up menu** and request an extended hold on digitally recorded data will:

1. complete the Digitally Recorded Data Viewing/Hold /Duplication Request form.

2. indicate on the form the necessary actions by the Records Division.

3. explain in the narrative portion of the form the reason for the request.

4. submit the form to the *station supervisor/designated unit supervisor* for approval.

5. submit the completed and approved form to the Records Division for processing and retention in accordance with existing records-retention requirements.

D. Department members who wish to remove an extended hold on digitally recorded data will follow the procedures outlined in Item VIII-C of this directive indicating the circumstances requiring the removal of the extended hold.

E. The Director, Records Division, will:

1. develop a cataloging system for storage and retrieval of recordings and procedures for ensuring archives are maintained consistent with Department directives (including the Forms Retention Schedule), applicable state and federal laws, and compliance with all court orders.

2. be responsible for retaining digitally recorded data for which an extended hold was requested as prescribed by law and established Department policy.

IX. VIEWING, RETAINING, AND DUPLICATING DIGITALLY RECORDED DATA

A. All digitally recorded data created by the in-car video systems are the property of the Chicago Police Department. **Dissemination of any digitally recorded data outside the Department is strictly prohibited without specific authorization by the Superintendent or an appointed designee.**

1. Any non-Departmental requests for duplication of digitally recorded data must be approved by the Superintendent or an appointed designee.

© Chicago Police Department, February 2012

OIG 15-0564 017097

2. All approved requests will be forwarded in an expeditious manner to the Director, Records Division, along with:

   a. a completed and approved Digitally Recorded Data Viewing/Hold/Duplication Request form, and

   b. written instructions, including dissemination information, for compliance with the request.

B. Department members assigned to vehicles equipped with in-car video systems and their supervisors are encouraged to use the review/ playback functions of the system for the purposes of:

1. developing familiarity with the functions, capabilities, and limitations of the in-car video systems to create consistent recording techniques which capture relevant actions.
2. searching for and identifying recorded events having evidentiary or training value.
3. reviewing approach and officer safety issues.
4. ensuring consistency with written reports.

C. Reviewing Digitally Recorded Data

Investigating members may view digitally recorded data in the performance of official police business. When it is necessary to view digitally recorded data stored by the Records Division, the following procedures will apply:

1. The requesting Department member will:

   a. prepare a Digitally Recorded Data Viewing / Hold / Duplication Request form, including approval of the requestor's *station supervisor/designated unit supervisor*.

   b. schedule an appointment to view the recorded incident with a Records Division supervisor (or an appointed designee) to ensure the availability of a technician and playback equipment.

   c. present the properly completed and approved form to a Records Division supervisor at the scheduled time.

2. A Records Division supervisor will:

   a. process all approved recorded incident review requests.

   b. assign a technician to assist the requestor in viewing the recorded incident, as required.

D. Obtaining a Video Recording

1. A duplicate copy of selected information may be made to retain that information:

   a. when it is not required that the master video be retained for an indefinite period (e.g., investigation of a routine administrative incident when the punishment is of a summary or minor nature).

   b. when the requesting member determines that a duplicate video of a master video will be sufficient.

2. A duplicate video recording may be obtained by:

   a. completing a Digitally Recorded Data Viewing / Hold / Duplication Request form and submitting the completed form to the *station supervisor/designated unit supervisor* for approval.

   b. notifying the Records Division that a duplicate video recording is required and submit the approved Digitally Recorded Data Viewing/Hold/ Duplication Request form to the Director, Records Division.

© Chicago Police Department, February 2012

c. indicating to the Records Division which information from the digitally recorded data is to be included on the duplicate video recording.

3. When the duplicate video recording has served the purpose for which it was made, the requesting member will ensure that it is immediately returned to the Records Division.

NOTE: A member requesting a duplicate video recording will not make additional copies of it or permit unauthorized persons to duplicate or view it under any circumstances.

E. Special Situations

When the Records Division receives a request for an extended hold of digitally recorded data that indicates it pertains to:

1. **a motor vehicle pursuit or traffic crash involving a Department vehicle**, the Director, Records Division, will ensure a duplicate video is forwarded to the Traffic Review Board.

2. **an incident having training value,** the Director, Records Division, will ensure a duplicate video is forwarded to the *Deputy Chief*, Education and Training Division.

(Items indicated by *italics/double underline* were revised or added.)

Authenticated by: RMJ

Garry F. McCarthy
Superintendent of Police

11-055 / 12-003 EGV/RJN

© Chicago Police Department, February 2012

OIG 15-0564 017099

In Car Camera Video Retrieval Work Sheet

Date & Time of Notification: 20 Oct 14 2230 Hrs Related HDT#: OPS CMD

Requestor: Dep Chief McWashington Tech: Bonar

Location of response: 4100 S Pulaski

Type of Incident requiring retrieval: Police Involved Shooting - Fatal: Officer

Location of Incident: 4100 S Pulaski Date & Time of Incident: 20 Oct 14 2147

Related RD#, Event#, and/or CR Log#: HX475653

Vehicles to be checked:

813R Veh# 8778 POs PC# [redacted] Results: [redacted] @20141020 2162 50 2144218 MHDD 30000214

815R Veh# 8489 POs PC# [redacted] Results:

822 Veh# 8765 POs PC# [redacted] Results:

845R Veh# 6412 POs PC# [redacted] Results: [redacted] @20141020 215250 2144543 out of range MHDD 00003227

841R Veh# 8948 POs PC#: Results: HOT NO OPEN HOT

List additional Vehicle to be checked and results on back of this form

Note: Any vehicles identified to be checked, will be evaluated for operational readiness as well. Any deficiencies of the ICC System will be noted i.e. MIC(s) are not sync'd; rear camera not working; cannot upload; etc. Actions to rectify the issue should be taken to render the system FULLY FUNCTIONAL!

Notes of work or activities performed:

8778: MICs In Glove Box. Batteries Inserted UPSIDE Down
↳ Fully OP

8489: Processing Videos: extremely large Video files

8765: MICs In Charging Cradle; Not Sync'd to System

6412: No MICs; MIC Charger Disconnected

8948

This Information Disclosed to Detectives; Dc McWashington; & OOS Tech: Dept Supervisors on Scene During Viewings

EXHIBIT 8
DATE 9-21-17
AmicusReporters.com

ASSAULT - AGG PO: KNAPP/CUT JUSTR 0552 4000 S KARLOV 815
P.O. GAFFNEY # 19958 / P.O. VAN DYKE # 12865 9210
3420 W 63RD ST STREET 304

SEE ORIGINAL CASE INCIDENT REPORT

EVENT # 15878 IN SUMMARY: R/S CONTACTED BY CPIC AT 1230, 20 OCT 14 FOR IN CAR CAMERA (ICC) VIDEO RETRIEVAL ON SEVERAL 4100 S. PULASKI RELATED TO THE ABOVE LISTED INCIDENT. REQUEST WAS FROM AREA CENTRAL DETECTIVE DIVISION SGT D. GALLAGHER UPON ARRIVAL BT 813R VEH 8779; BT 815R VEH 8489; BT 822 VEH 8765; BT 845R VEH 6412; & BT 841R VEH 8948 WERE SUBJECTS OF ICC VIDEO CHECK/RETRIEVAL. CHECKS OF THESE VEHICLES REVEALED THE LISTED FINDINGS:

BT 813R	VEH 8779	VIDEO RECORDED [redacted] @ 20141020 215250
BT 815R	VEH 8489	OPERATIONAL BUT DUE TO DOC ERROR NO VIDEO RECORDED
BT 822	VEH 8765	NOT EQUIPPED - OFFICER REPORTED POWER ISSUES
BT 845R	VEH 6412	VIDEO RECOVERED [redacted] @ 2014 1020 215250
BT 841R	VEH 8948	NOT EQUIPPED - OFFICER REPORTED APPLICATION ERROR

RECOVERED VIDEO MANUALLY UPLOADED AND RETRIEVED 002/ACOD ICC SYSTEM

21 OCT 14 0000 GALLAGHER [illegible]

SGT L BUCKNER 1748

21 OCT 14 0900

14X 4756653

MARCH

EXHIBIT 4
DATE 9-21-17
AmicusReporters.com

ERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 2014	20 OCT 2014 3

OFFENSE CLASSIFICATION–LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	WALSH J [illegible]	5121

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

J WALSH P1 OF 2

WHEN O E/B IN BK LOT, USED VEH TO BLOCK
D FROM BK
O S/B ON PULASKI FROM BK. WALSH IN PURSUIT
S/B IN N/B LANES TO GET AHEAD OF O
KEPT VEH BETWEEN O + VS
AS THEY PASSED O VS ATTEMPTED TO EXT/CONFRONT
WALSH = TOO CLOSE, WAIT
DROVE FURTHER S
STOPPED S OF O
BOTH EXITED VEH
WALSH DREW HANDGUN
AROUND REAR OF TAHOE
JOINED VS
<TOO> IN ST FACING N/B AS O APPROACHED S/B
WALSH = "DROP THE KNIFE!" MULTIPLE TIMES
WALSH BACKED UP, ATTEMPTING TO MAINTAIN SAFE DISTANCE
O IGNORED DIRECTIONS, CONTINUED TO ADVANCE
AT 12-15 FT O SWUNG KNIFE AT POV IN
AGGRESSIVE MANNER

R.D. NO. HX475653

REPORTING OFFICER'S SIGNATURE–STAR NO.	RECEIVED BY: SUPERVISOR'S SIGNATURE–STAR NO.	DAY–MO.–YR. TIME
[signature] 20563	[signature]	

PD-23.122 (Rev. 2/83)

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 2014	20 OCT 2014 3

OFFENSE CLASSIFICATION—LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	VAN DYKE	512

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

J WALSH P2 OF 2

VS OPENED FIRE
O FELL TO GROUND
VS CONTINUED FIRING AS O CONTINUED MOVING,
ATTEMPTING GET UP, STILL ARMED W/KNIFE
WHEN GUNFIRE STOPPED, O NOT MOVING
POs APPROACHED O
WALSH CONTINUED, "DROP THE KNIFE!" MULTIPLE X
O STILL HOLDING KNIFE IN R HAND
WALSH FORCIBLY KICKED KNIFE FROM HAND
NOTIFIED DISPATCHER — SHOTS FIRED BY POLICE
AMBULANCE WAS ALSO REQUESTED
WHILE WAITING FOR AMBULANCE, TOLD O
"HANG IN THERE." AMBULANCE ON WAY
WALSH BELIEVED O WAS ATTACKING POs W/KNIFE,
ATTEMPTING TO KILL POs WHEN SHOTS FIRED
WALSH DID NOT FIRE BECAUSE VS IN LINE OF FIRE
THOUGHT VS FIRED 8-9 SHOTS

R.D. NO. HX475653

REPORTING OFFICER'S SIGNATURE—STAR NO.	RECEIVED BY: SUPERVISOR'S SIGNATURE—STAR NO.	DAY—MO.—YR. TIME
Kevin M Walsh 20563		

PD-23.122 (Rev. 2/83)

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 2014	20 OCT 2014 3

OFFENSE CLASSIFICATION–LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0052	VANDYKE	5121

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

T GAGNEY P1 OF 2

RESPONDED TO ASSIGNMENT
HOLDING O FOR BREAKING INTO TRUCKS, 41 + KILDARE
MET HISPANIC COUPLE
O = M/B, DARK SHIRT, ATTEMPTED TO BREAK INTO TRUCKS
LAST SEEN E/B 40 FROM KILDARE
DROVE N/B KILDARE, E/B 40
SAW M/B, DARK CLOTHING, E/B ON S SIDEWALK
McE EXTEN VEH TO APPROACH O ON FOOT
GAFFNEY STAYED IN VEH IN CASE O FLED
McE TOLD O TO STOP BUT O IGNORED/CONTINUED
WALKING HANDS IN POCKETS
McE TOLD O - HANDS OUT OF POCKETS
HANDS OUT of POCKETS
McE TOLD G - HE HAS KNIFE
SAW SILVER KNIFE IN R HAND
S McE HAD DRAWN HANDGUN
McE = "DROP THE KNIFE!" REPEATED LY
O IGNORED
AT KEELER TG NOTIFIED DISPATCHER
O = KNIFE — TASER REQUESTED

R.D. NO. HX475653

REPORTING OFFICER'S SIGNATURE–STAR NO. 20563 | RECEIVED BY: SUPERVISOR'S SIGNATURE–STAR NO. | DAY–MO.–YR. TIME

PD-23.122 (Rev. 2/83)

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 2014	28 OCT 2014 2

OFFENSE CLASSIFICATION—LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	VAN DYKE	5121

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

T GAFFNEY P 2 OF 2

O CONTINUED E/B POS FOLLOWING
AT KARLOV TO TURNED TAHOE S/B + STOPPED,
BLOCKING CROSSWALK
WAITED TO STOP O BEFORE PULASKI
BUSINESS ST — MORE CIVILIANS
WITNESS TO STOPPED IN FRONT OF O,
O STABBED R FRONT TIRE — FLAT
TO TOLD DISPATCHER O "POPPED" TIRE
O ATTEMPTED TO WALK AROUND FRONT OF TAHOE
DROVE FORWARD A LITTLE - CONTINUED TO BLOCK O
O STABBED WINDSHIELD — R SIDE
O CONTINUED E/B FROM KARLOV
AS O APPROACHED BK LOT ASSISTING UNITS ARRIVED
W/B ON 4D,
O RAN E/B THROUGH LOT N SIDE OF BK
ONTO PULASKI — THEN S/B
E/B R PURSUED OVER CURB — IN THEIR TAHOE
TO LOST SIGHT OF O
BECAUSE OF FEAT, TO DID NOT PURSUE. DROVE
AROUND, OUT TO PULASKI, HEARD MULTIPLE GUNSHOT
IN RAPID SUCCESSION DID NOT SEE WHO/WHERE. AT PULASKI SAW O ON GROUND

R.D. NO. HX472563

REPORTING OFFICER'S SIGNATURE/STAR NO.	RECEIVED BY: SUPERVISOR'S SIGNATURE—STAR NO.	DAY—MO.—YR. TIME
[signature] 20563	[signature] 1301	

CPD-23.122 (Rev. 2/83)

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 2014	20 OCT 2014 3

OFFENSE CLASSIFICATION–LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0312	VANSPIKE	0121

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

813R SEBASTIAN, Daphne L PASSENGER
#2763
F/W/45

MONDRAGON, Janet DRIVER
#4364
F/WH/37

822 BACERRA, Arturo DRIVER
#15790
M/WH/32

VELEZ, Leticia PASSENGER
#10385
F/WH/43

841R FONTAINE, Dora PASSENGER
#4484
F/WH/47

VIRAMONTES, Ricardo DRIVER
#10590
M/WH/41

R.D. NO. HX475253

REPORTING OFFICER'S SIGNATURE–STAR NO. 20563 | RECEIVED BY: SUPERVISOR'S SIGNATURE–STAR NO. | DAY–MO.–YR. TIME

PD-23.122 (Rev. 2/83)

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 2014	20 OCT 2014 3

OFFENSE CLASSIFICATION–LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	VAN DYKE	5121

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

J McELLIGOTT

AFTER EXITING TAHOE, WHOM O TOOK HAND OUT OF POCKET SAW KNIFE IN R HAND.
DREW HANDGUN
"DROP THE KNIFE!" REPEATEDLY
O IGNORED, CONTINUED E/B 40
FOLLOWED ON FOOT AT SAFE DISTANCE
HEARD TG REQUEST ASSIST / TASER ON RADIO
TG ATTEMPTED TO BLOCK O W/TAHOE TO KEEP O FROM EK
O STABBED R FRONT TIRE + WINDSHIELD
McE BEGAN TO HEAR SIRENS - ASSIST UNITS
O BEGAN TO RUN TOWARD EK
O RAN E/B THROUGH EK LOT. McE IN PURSUIT
McE RAN OUT & TO ~~PUL~~ PULASKI
HEARD MULTIPLE GUNSHOTS. I DID NOT SEE WHO FIRED
SHOTS WERE CONTINUOUS, ONE AFTER ANOTHER
McE THEN SAW O ON GROUND
SAW WALCH KICK KNIFE FROM HAND

R.D. NO. HX475253

REPORTING OFFICER'S SIGNATURE–STAR NO. 20563 | RECEIVED BY: SUPERVISOR'S SIGNATURE–STAR NO. | DAY–MO.–YR. TIME

CPD-23.122 (Rev. 2/83)

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
24 OCT 2014	2000 R043

OFFENSE CLASSIFICATION–LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	VAN DYKE	512I

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

D SEBASTIAN

RESPONDED TO 815R REQUEST FOR ASSIST,
SUBJECT W/KNIFE
THOUGHT ORIGINAL CALL WAS 40+ KEELER
O HAD PUNCTURED TIRE OF 815R
MONDRAGON PROBE N/B ON PULASKI FOLLOWING 845R,
ALSO RESPONDING
W/B ON 40 BEHIND 845R
SAW O RUNNING SE THROUGH BK LOT TOWARD PULASKI
TOLD MONDRAGON TO DRIVE BACK OUT TO PULASKI TO
ASSIST IN PURSUIT. O RAN OUT TO PULASKI, THEN S/B
845R PURSUED IN VEHICLE
2BR FOLLOWING S/B. SAW KNIFE IN O'S R HAND
O WAVING KNIFE
845R STOPPED AHEAD OF O. BETWEEN O + DD
VW + VVD EXITED, DREW HANDGUNS.
O TURNED TOWARD POS, WAVING KNIFE
HEARD POS = "DROP THE KNIFE!" REPEATEDLY
O IGNORED. CONTINUED TO ADVANCE ON POS, WAVING KNIFE
DS HEARD MULTIPLE GUNSHOTS + O FELL TO GROUND —
3 INVOLVED MOVING. DS DO NOT KNOW WHO FIRED. STATE
IN ONE CONTINUOUS BURST. WALSH KICKED KNIFE FROM HAND

R.D. NO. HX475653

REPORTING OFFICER'S SIGNATURE–STAR NO.	RECEIVED BY: SUPERVISOR'S SIGNATURE–STAR NO.	DAY–MO.–YR. TIME
Dan Sebastian 20563		

CPD-23.122 (Rev. 2/83)

GENERAL PROGRESS REPORT
ECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 2014	20 OCT 2014 3

OFFENSE CLASSIFICATION–LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0452	VANDYKE	512

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

J MONDRAGON

DRIVING W/B 40. SAW M/E RUNNING E/B THROUGH BK LOT
MADE U-TURN, BACK OUT TO PULASKI
S/B ON PULASKI
SAW 0 RUNNING S/A PULASKI, MIDDLE OF ST
AS SHE GOT CLOSER, SAW KNIFE IN R HAND
0 WAVING KNIFE
SAW JW + JVD OUTSIDE THEIR TAHOE
HEARD POs REPEATEDLY, "DROP THE KNIFE!" AS
0 GOT ~~CLOSER~~ CLOSER + CLOSER TO POs, CONTINUING
TO WAVE KNIFE
AS J M PLACED TRANS INTO P, LOOKED DOWN,
HEARD MULTIPLE CONTINUOUS SHOTS, NO PAUSE
THEN SAW 0 FALL TO GROUND
DID NOT KNOW WHO FIRED

R.D. NO. HX475763

REPORTING OFFICER'S SIGNATURE–STAR NO. 20563 | RECEIVED BY: SUPERVISOR'S SIGNATURE–STAR NO. | DAY–MO.–YR. TIME

CPD-23.122 (Rev. 2/83)

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 2014	20 OCT 2014 3

OFFENSE CLASSIFICATION–LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	VAN DYKE	5121

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

A BACERRA

RESPONDED TO REQUEST A 2 ASSIST, 8 NR
SUBJECT ARMED W/KNIFE
DRIVING WID PULASKI, FROM 47
AS HE APPROACHED SCENE, SAW O IN MIDDLE OF ST,
FLAILING ARMS
AS AB GOT CLOSER, SAW KNIFE IN R HAND
DROVE PAST O. O ON L SIDE
B4 OR DROVE PAST ON R SIDE, S/B
MADE U-TURN, HEARD MULTIPLE SHOTS
THEN SAW O LYING ON GROUND
DID NOT SEE WHO FIRED

R.D. NO. HX425653

REPORTING OFFICER'S SIGNATURE–STAR NO. 20563 | RECEIVED BY: SUPERVISOR'S SIGNATURE–STAR NO. | DAY--MO.--YR. TIME

CPD-23.122 (Rev. 2/83)

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 14	20 OCT 14 3

OFFENSE CLASSIFICATION—LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
OV52	VAN DYKE	5121

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

L VELEZ

AS THEY APPROACHED SCENE, SAW O IN MIDDLE OF ST. SHINY OBJECT IN R HAND
O WAVING OBJECT IN AIR
A B DROVE PAST O
BEGAN TO MAKE U-TURN
LV HEARD MULTIPLE GUNSHOTS, WITHOUT PAUSE OR DELAY
SAW O FALL TO GROUND
DID NOT SEE WHO FIRED
SAW UNKNOWN PO KICK KNIFE FROM O'S HAND

R.D. NO. HX475253

REPORTING OFFICER'S SIGNATURE—STAR NO.	RECEIVED BY: SUPERVISOR'S SIGNATURE—STAR NO.	DAY–MO.–YR. TIME
20563	1303	

CPD-23.122 (Rev. 2/83)

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 14	20 OCT 14 3

OFFENSE CLASSIFICATION–LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	VANJYKS	5721

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

D FONTAINE

RESPONDED TO REQUEST FOR ASSIST, B/SR
MAN W/KNIFE, 41 + PULASKI
R V DROVE N/B PULASKI
WHEN THEY ARRIVED AT SCENE, IN FRONT OF DD,
SAW O WALKING S/B, IN ST, KNIFE IN R HAND
O WALKING SIDEWALK, BODY FACING E,
TOWARD JVS + JW
POs STANDING IN ST, SIDE OF THEIR TABLE-
TABLE FACING S/B
HEARD POs REPEATEDLY "DROP THE KNIFE!"
O IGNORED, RAISED R ARM TOWARD VS, AS IF
ATTACKING VS
VS FIRED MULTIPLE SHOTS UNTIL O FELL TO
GROUND + STOPPED MOVING R ARM + HAND, STILL
GRASPING KNIFE
SHOTS = RAPID FIRE, WITHOUT PAUSE
WALSH THEN KICKED KNIFE FROM O'S HAND

R.D. NO. HX475253

REPORTING OFFICER'S SIGNATURE–STAR NO.	RECEIVED BY: SUPERVISOR'S SIGNATURE–STAR NO.	DAY–MO.–YR.	TIME
20563			

CPD-23.122 (Rev. 2/83)

GENERAL PROGRESS REPORT
ECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 2014	30 OCT 2014 3

OFFENSE CLASSIFICATION—LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	VAN DYKE	512 1

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

R VIRAMONTES

WHEN HE EXITED VEHICLE AT SCENE,
SAW O WALKING S/B ON PULASKI, IN MIDDLE OF ST
KNIFE IN R HAND
HEARD JVD REPEATEDLY "DROP THE KNIFE!"
O IGNORED TURNED TOWARD JVD + JW
VD FIRED MULTIPLE SHOTS
O FELL TO GROUND BUT CONTINUED TO MOVE
ATTEMPTING TO GET BACK UP, KNIFE STILL IN HAND
VD FIRED AT O CONTINUOUSLY UNTIL O
NO LONGER MOVING

R.D. NO. HX475253

REPORTING OFFICER'S SIGNATURE—STAR NO. 20563 | RECEIVED BY: SUPERVISOR'S SIGNATURE—STAR NO. (30) | DAY—MO.—YR. TIME

CPD-23.122 (Rev. 2/83)

GENERAL PROGRESS REPORT
ECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 2014	20 OCT 2014 3

OFFENSE CLASSIFICATION—LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	VAN DYKE	512 1

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

R VIRAMONTES

WHEN HE EXITED VEHICLE AT SCENE,
SAW O WALKING S/B ON PULASKI, IN MIDDLE OF ST
KNIFE IN R HAND
HEARD JVD REPEATEDLY "DROP THE KNIFE!"
O IGNORED TURNED TOWARD JVD + JW
VD FIRED MULTIPLE SHOTS
O FELL TO GROUND BUT CONTINUED TO MOVE
ATTEMPTING TO GET BACK UP, KNIFE STILL IN HAND
VD FIRED AT O CONTINUOUSLY UNTIL O
NO LONGER MOVING

R.D. NO. HX475253

[redacted] STAR NO. 20563 | RECEIVED BY: SUPERVISOR'S SIGNATURE—STAR NO. [redacted] (30) | DAY—MO.—YR. TIME

CPD-23.122 (Rev. 2/83)

PDT_Messages_01

OFFICE OF EMERGENCY MANAGEMENT & COMMUNICATIONS

PDT MESSAGES

From: 20-OCT-2014 20:30:00 **to** 20-OCT-2014 23:30:00 **Page:** 1

PDTs: PMDT4699
Units: 810R
Persid:
Text:

Msgnumber	Creation Date	Sender Wkstn	Sender PID	Sender Unit	Message	Receiver Wkstn	Receiver PID	Receiver Unit
883735103	20-OCT-2014 21:38:44	PMDT6024	[redacted]	815R	8489 cam working	PMDT4699	[redacted]	810,810R
883735116	20-OCT-2014 21:39:03	PMDT4699		810,810R	THIS IS A SYSTEM GENERATED ACKNOWLEDGEMENT MESSAGE. STEPHEN D FRANKO on workstation PMDT4699 received message number 883735103 at 21:39:03 on 20-Oct-14	PMDT6024		815R
883735585	20-OCT-2014 21:45:17	PMDT4663		811R	8884 tix 6914947	PMDT4699		810,810R
883735677	20-OCT-2014 21:46:02	PMDT4699		810,810R	car & camera	PMDT4706		813R
883735677	20-OCT-2014 21:46:02	PMDT4699		810,810R	car & camera	PMDT4751		841R
883735706	20-OCT-2014 21:46:29	PMDT4706		813R	8779 working...TGIF :)	PMDT4699		810,810R
883735714	20-OCT-2014 21:46:40	PMDT4751		841R	8948 ticket#10668611	PMDT4699		810,810R
883735725	20-OCT-2014 21:46:44	PMDT4699		810,810R	THIS IS A SYSTEM GENERATED ACKNOWLEDGEMENT MESSAGE. STEPHEN D FRANKO on workstation PMDT4699 received message number 883735706 at 21:46:44 on 20-Oct-14	PMDT4706		813R
883735770	20-OCT-2014 21:47:11	PMDT4699		810,810R	yay	PMDT4706		813R
883735787	20-OCT-2014 21:47:25	PMDT4699		810,810R	THIS IS A SYSTEM GENERATED ACKNOWLEDGEMENT MESSAGE. STEPHEN D FRANKO on workstation PMDT4699 received message number 883735714 at 21:47:25 on 20-Oct-14	PMDT4751		841R
883736998	20-OCT-2014 21:59:59	PMDT5200		811R,835R,865B	+ we r stuck by a train on 79th central park	PMDT4699		810,810R
883745466	20-OCT-2014 23:29:53	PMDT5182		812R	car 9076 and camera is working	PMDT4699		810,810R

FOUO - Not for public dissemination without the sender's knowledge. This document contains sensitive communications and cannot be shared without written authorization of the Office of Emergency Management and Communications (OEMC).

LOG# 107125
Attachment 54

20 OCt 2014 , HY475653

Becvar, Lance J.

Sent: Friday, July 17, 2015 12:33 PM

To: Lewin, Jonathan H.

Cc: Dziak, Steven E.

Hello Dep Lewin,
Per your request the findings related to the Aggravavted Assault / Police involved Shooting on 20 Oct 2014 Listed under RD# HY 475653:

Findings from thart night-

Veh 8779 Video Recovered Titled PC0Z400@20141020215250, No MICs because they were in the Glove Compartment with the batteries inserted unside down - Disabling them.

Veh 8489 System not engaged because a very long video (like hours long) was made previous to this event/incident and the system was processing that video and unable to start another video.

Veh 8765 System not engaged, officer related no power. There was no open HDT called in on vehicle. MICs not sync'd to system even though they were in the charging cradles.

Veh 6412 Video Recovered Titled PC0S571@20141020215250 view out of focus. Foucsing problem found to be related to a loose cable connection for the camera. No MICs in vehicle and the charging cradles disconnected from power.

Veh 8949 System not engaged, officer reported that there was an application error - Mobile Recorder Start-Up corrupted. No Help Desk Ticket Open for this vehicle.

Sgt Lance Becvar

MobileTech Supervisor

Information Services Division

Chicago Police Department
Cell# 312-446-3305
E-mail: lance.becvar@chicagopolice.org

LEGAL DISCLAIMER: This message, including any attachments, contains confidential information and may be legally privileged. Access to this email by anyone other than the intended recipient is unauthorized. If you are not the intended recipient, any review, disclosure, copying, distribution, retention, or any action or inaction taken in reliance on this information is prohibited and may be unlawful. If you are not the intended recipient, please notify the sender and delete the message, any attachments, and any copies thereof from your system.

Opt-Out: +

ERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 2014	20 OCT 2014 3

OFFENSE CLASSIFICATION–LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	WALSH J [illegible]	5121

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

J WALSH P1 OF 2

WHEN O E/B IN BK LOT, USED VEH TO BLOCK
D FROM BK
O S/B ON PULASKI FROM BK. WALSH IN PURSUIT
S/B IN N/B LANES TO GET AHEAD OF O
KEPT VEH BETWEEN O + VS
AS THEY PASSED O VS ATTEMPTED TO EXT/CONFRONT
WALSH = TOO CLOSE, WAIT
DROVE FURTHER S
STOPPED S OF O
BOTH EXITED VEH
WALSH DREW HANDGUN
AROUND REAR OF TAHOE
JOINED VS
<TOO> IN ST FACING N/B AS O APPROACHED S/B
WALSH = "DROP THE KNIFE!" MULTIPLE TIMES
WALSH BACKED UP, ATTEMPTING TO MAINTAIN SAFE DISTANCE
O IGNORED DIRECTIONS, CONTINUED TO ADVANCE
AT 12-15 FT O SWUNG KNIFE AT POV IN
AGGRESSIVE MANNER

R.D. NO. HX475653

REPORTING OFFICER'S SIGNATURE–STAR NO.	RECEIVED BY: SUPERVISOR'S SIGNATURE–STAR NO.	DAY–MO.–YR. TIME
[signature] 20563	[signature]	

PD-23.122 (Rev. 2/83)

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 2014	20 OCT 2014 3

OFFENSE CLASSIFICATION—LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	VAN DYKE	512

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

J WALSH P2 OF 2

VS OPENED FIRE
O FELL TO GROUND
VS CONTINUED FIRING AS O CONTINUED MOVING,
ATTEMPTING GET UP, STILL ARMED W/KNIFE
WHEN GUNFIRE STOPPED, O NOT MOVING
POs APPROACHED O
WALSH CONTINUED, "DROP THE KNIFE!" MULTIPLE X
O STILL HOLDING KNIFE IN R HAND
WALSH FORCIBLY KICKED KNIFE FROM HAND
NOTIFIED DISPATCHER — SHOTS FIRED BY POLICE
AMBULANCE WAS ALSO REQUESTED
WHILE WAITING FOR AMBULANCE, TOLD O
"HANG IN THERE." AMBULANCE ON WAY
WALSH BELIEVED O WAS ATTACKING POs W/KNIFE,
ATTEMPTING TO KILL POs WHEN SHOTS FIRED
WALSH DID NOT FIRE BECAUSE VS IN LINE OF FIRE
THOUGHT VS FIRED 8-9 SHOTS

R.D. NO. HX475653

REPORTING OFFICER'S SIGNATURE—STAR NO.	RECEIVED BY: SUPERVISOR'S SIGNATURE—STAR NO.	DAY—MO.—YR. TIME
Kevin M Walsh 20563		

PD-23.122 (Rev. 2/83)

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 2014	20 OCT 2014 3

OFFENSE CLASSIFICATION–LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0052	VANDYKE	5121

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

T GAGNEY P1 OF 2

RESPONDED TO ASSIGNMENT
HOLDING O FOR BREAKING INTO TRUCKS, 41 + KILDARE
MET HISPANIC COUPLE
O = M/B, DARK SHIRT, ATTEMPTED TO BREAK INTO TRUCKS
LAST SEEN E/B 40 FROM KILDARE
DROVE N/B KILDARE, E/B 40
SAW M/B, DARK CLOTHING, E/B ON S SIDEWALK
McE EXTEN VEH TO APPROACH O ON FOOT
GAFFNEY STAYED IN VEH IN CASE O FLED
McE TOLD O TO STOP BUT O IGNORED/CONTINUED
WALKING HANDS IN POCKETS
McE TOLD O - HANDS OUT OF POCKETS
HANDS OUT of POCKETS
McE TOLD G - HE HAS KNIFE
SAW SILVER KNIFE IN R HAND
S McE HAD DRAWN HANDGUN
McE = "DROP THE KNIFE!" REPEATED LY
O IGNORED
AT KEELER TG NOTIFIED DISPATCHER
O = KNIFE — TASER REQUESTED

R.D. NO. HX475653

REPORTING OFFICER'S SIGNATURE–STAR NO. 20563 | RECEIVED BY: SUPERVISOR'S SIGNATURE–STAR NO. | DAY–MO.–YR. TIME

PD-23.122 (Rev. 2/83)

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 2014	28 OCT 2014 2

OFFENSE CLASSIFICATION—LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	VAN DYKE	5121

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

T GAFFNEY P 2 OF 2

O CONTINUED E/B POS FOLLOWING
AT KARLOV TO TURNED TAHOE S/B + STOPPED,
BLOCKING CROSSWALK
WAITED TO STOP O BEFORE PULASKI
BUSINESS ST — MORE CIVILIANS
WITNESS TO STOPPED IN FRONT OF O,
O STABBED R FRONT TIRE — FLAT
TO TOLD DISPATCHER O "POPPED" TIRE
O ATTEMPTED TO WALK AROUND FRONT OF TAHOE
DROVE FORWARD A LITTLE - CONTINUED TO BLOCK O
O STABBED WINDSHIELD — R SIDE
O CONTINUED E/B FROM KARLOV
AS O APPROACHED BK LOT ASSISTING UNITS ARRIVED
W/B ON 4D,
O RAN E/B THROUGH LOT N SIDE OF BK
ONTO PULASKI — THEN S/B
E/B R PURSUED OVER CURB — IN THEIR TAHOE
TO LOST SIGHT OF O
BECAUSE OF FEAT, TO DID NOT PURSUE. DROVE
AROUND, OUT TO PULASKI, HEARD MULTIPLE GUNSHOT
IN RAPID SUCCESSION DID NOT SEE WHO/WHERE. AT PULASKI SAW O ON GROUND

R.D. NO. HX472563

REPORTING OFFICER'S SIGNATURE/STAR NO.	RECEIVED BY: SUPERVISOR'S SIGNATURE—STAR NO.	DAY—MO.—YR. TIME
[signature] 20563	[signature] 1301	

CPD-23.122 (Rev. 2/83)

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 2014	20 OCT 2014 3

OFFENSE CLASSIFICATION–LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0312	VANSPIKE	0121

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

813R SEBASTIAN, Daphne L PASSENGER
#2763
F/W/45

MONDRAGON, Janet DRIVER
#4364
F/WH/37

822 BACERRA, Arturo DRIVER
#15790
M/WH/32

VELEZ, Leticia PASSENGER
#10385
F/WH/43

841R FONTAINE, Dora PASSENGER
#4484
F/WH/47

VIRAMONTES, Ricardo DRIVER
#10590
M/WH/41

R.D. NO. HX475253

REPORTING OFFICER'S SIGNATURE–STAR NO. 20563 | RECEIVED BY: SUPERVISOR'S SIGNATURE–STAR NO. | DAY–MO.–YR. TIME

PD-23.122 (Rev. 2/83)

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 2014	20 OCT 2014 3

OFFENSE CLASSIFICATION–LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	VAN DYKE	5121

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

J McELLIGOTT

AFTER EXITING TAHOE, WHOM O TOOK HAND OUT OF POCKET SAW KNIFE IN R HAND.
DREW HANDGUN
"DROP THE KNIFE!" REPEATEDLY
O IGNORED, CONTINUED E/B 40
FOLLOWED ON FOOT AT SAFE DISTANCE
HEARD TG REQUEST ASSIST / TASER ON RADIO
TG ATTEMPTED TO BLOCK O W/TAHOE TO KEEP O FROM EK
O STABBED R FRONT TIRE + WINDSHIELD
McE BEGAN TO HEAR SIRENS - ASSIST UNITS
O BEGAN TO RUN TOWARD EK
O RAN E/B THROUGH EK LOT. McE IN PURSUIT
McE RAN OUT & TO ~~PUL~~ PULASKI
HEARD MULTIPLE GUNSHOTS. I DID NOT SEE WHO FIRED
SHOTS WERE CONTINUOUS, ONE AFTER ANOTHER
McE THEN SAW O ON GROUND
SAW WALCH KICK KNIFE FROM HAND

R.D. NO. HX475253

REPORTING OFFICER'S SIGNATURE–STAR NO. 20563 | RECEIVED BY: SUPERVISOR'S SIGNATURE–STAR NO. | DAY–MO.–YR. TIME

CPD-23.122 (Rev. 2/83)

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
24 OCT 2014	2000 R043

OFFENSE CLASSIFICATION–LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	VAN DYKE	512I

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

D SEBASTIAN

RESPONDED TO 815R REQUEST FOR ASSIST,
SUBJECT W/KNIFE
THOUGHT ORIGINAL CALL WAS 40+ KEELER
O HAD PUNCTURED TIRE OF 815R
MONDRAGON PROBE N/B ON PULASKI FOLLOWING 845R,
ALSO RESPONDING
W/B ON 40 BEHIND 845R
SAW O RUNNING SE THROUGH BK LOT TOWARD PULASKI
TOLD MONDRAGON TO DRIVE BACK OUT TO PULASKI TO
ASSIST IN PURSUIT. O RAN OUT TO PULASKI, THEN S/B
845R PURSUED IN VEHICLE
2BR FOLLOWING S/B. SAW KNIFE IN O'S R HAND
O WAVING KNIFE
845R STOPPED AHEAD OF O. BETWEEN O + DD
VW + VVD EXITED, DREW HANDGUNS.
O TURNED TOWARD POS, WAVING KNIFE
HEARD POS = "DROP THE KNIFE!" REPEATEDLY
O IGNORED. CONTINUED TO ADVANCE ON POS, WAVING KNIFE
DS HEARD MULTIPLE GUNSHOTS + O FELL TO GROUND —
3 INVOLVED MOVING. DS DO NOT KNOW WHO FIRED. STATE
IN ONE CONTINUOUS BURST. WALSH KICKED KNIFE FROM HAND

R.D. NO. HX475653

REPORTING OFFICER'S SIGNATURE–STAR NO.	RECEIVED BY: SUPERVISOR'S SIGNATURE–STAR NO.	DAY–MO.–YR. TIME
Dan Sebastian 20563		

CPD-23.122 (Rev. 2/83)

GENERAL PROGRESS REPORT
ECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 2014	20 OCT 2014 3

OFFENSE CLASSIFICATION–LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0452	VANDYKE	512

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

J MONDRAGON

DRIVING W/B 40. SAW M/E RUNNING E/B THROUGH BK LOT
MADE U-TURN, BACK OUT TO PULASKI
S/B ON PULASKI
SAW 0 RUNNING S/A PULASKI, MIDDLE OF ST
AS SHE GOT CLOSER, SAW KNIFE IN R HAND
0 WAVING KNIFE
SAW JW + JVD OUTSIDE THEIR TAHOE
HEARD POs REPEATEDLY, "DROP THE KNIFE!" AS
0 GOT ~~CLOSER~~ CLOSER + CLOSER TO POs, CONTINUING
TO WAVE KNIFE
AS J M PLACED TRANS INTO P, LOOKED DOWN,
HEARD MULTIPLE CONTINUOUS SHOTS, NO PAUSE
THEN SAW 0 FALL TO GROUND
DID NOT KNOW WHO FIRED

R.D. NO. HX475763

REPORTING OFFICER'S SIGNATURE–STAR NO. 20563 | RECEIVED BY: SUPERVISOR'S SIGNATURE–STAR NO. | DAY–MO.–YR. TIME

CPD-23.122 (Rev. 2/83)

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 2014	20 OCT 2014 3

OFFENSE CLASSIFICATION–LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	VAN DYKE	5121

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

A BACERRA

RESPONDED TO REQUEST A 2 ASSIST, 8 NR
SUBJECT ARMED W/KNIFE
DRIVING WID PULASKI, FROM 47
AS HE APPROACHED SCENE, SAW O IN MIDDLE OF ST,
FLAILING ARMS
AS AB GOT CLOSER, SAW KNIFE IN R HAND
DROVE PAST O. O ON L SIDE
B4 OR DROVE PAST ON R SIDE, S/B
MADE U-TURN, HEARD MULTIPLE SHOTS
THEN SAW O LYING ON GROUND
DID NOT SEE WHO FIRED

R.D. NO. HX425653

REPORTING OFFICER'S SIGNATURE–STAR NO. 20563 | RECEIVED BY: SUPERVISOR'S SIGNATURE–STAR NO. | DAY--MO.--YR. TIME

CPD-23.122 (Rev. 2/83)

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 14	20 OCT 14 3

OFFENSE CLASSIFICATION—LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
OV52	VAN DYKE	5121

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

L VELEZ

AS THEY APPROACHED SCENE, SAW O IN MIDDLE OF ST. SHINY OBJECT IN R HAND
O WAVING OBJECT IN AIR
A B DROVE PAST O
BEGAN TO MAKE U-TURN
LV HEARD MULTIPLE GUNSHOTS, WITHOUT PAUSE OR DELAY
SAW O FALL TO GROUND
DID NOT SEE WHO FIRED
SAW UNKNOWN PO KICK KNIFE FROM O'S HAND

R.D. NO. HX475253

REPORTING OFFICER'S SIGNATURE—STAR NO.	RECEIVED BY: SUPERVISOR'S SIGNATURE—STAR NO.	DAY–MO.–YR. TIME
20563	1303	

CPD-23.122 (Rev. 2/83)

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 14	20 OCT 14 3

OFFENSE CLASSIFICATION–LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	VANJYKS	5721

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

D FONTAINE

RESPONDED TO REQUEST FOR ASSIST, B/SR
MAN W/KNIFE, 41 + PULASKI
R V DROVE N/B PULASKI
WHEN THEY ARRIVED AT SCENE, IN FRONT OF DD,
SAW O WALKING S/B, IN ST, KNIFE IN R HAND
O WALKING SIDEWALK, BODY FACING E,
TOWARD JVS + JW
POs STANDING IN ST, SIDE OF THEIR TABLE-
TABLE FACING S/B
HEARD POs REPEATEDLY "DROP THE KNIFE!"
O IGNORED, RAISED R ARM TOWARD VS, AS IF
ATTACKING VS
VS FIRED MULTIPLE SHOTS UNTIL O FELL TO
GROUND + STOPPED MOVING R ARM + HAND, STILL
GRASPING KNIFE
SHOTS = RAPID FIRE, WITHOUT PAUSE
WALSH THEN KICKED KNIFE FROM O'S HAND

R.D. NO. HX475253

REPORTING OFFICER'S SIGNATURE–STAR NO.	RECEIVED BY: SUPERVISOR'S SIGNATURE–STAR NO.	DAY–MO.–YR.	TIME
20563			

CPD-23.122 (Rev. 2/83)

GENERAL PROGRESS REPORT
ECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 2014	30 OCT 2014 3

OFFENSE CLASSIFICATION—LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	VAN DYKE	512 1

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

R VIRAMONTES

WHEN HE EXITED VEHICLE AT SCENE,
SAW O WALKING S/B ON PULASKI, IN MIDDLE OF ST
KNIFE IN R HAND
HEARD JVD REPEATEDLY "DROP THE KNIFE!"
O IGNORED TURNED TOWARD JVD + JW
VD FIRED MULTIPLE SHOTS
O FELL TO GROUND BUT CONTINUED TO MOVE
ATTEMPTING TO GET BACK UP, KNIFE STILL IN HAND
VD FIRED AT O CONTINUOUSLY UNTIL O
NO LONGER MOVING

R.D. NO. HX475253

REPORTING OFFICER'S SIGNATURE—STAR NO. 20563 | RECEIVED BY: SUPERVISOR'S SIGNATURE—STAR NO. (30) | DAY—MO.—YR. TIME

CPD-23.122 (Rev. 2/83)

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
24 OCT 2014	2014

OFFENSE CLASSIFICATION–LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	VAN DYKE	5121

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

D SEBASTIAN

RESPONDED TO BIJR REQUEST FOR ASSIST,
SUBJECT W/KNIFE
THOUGHT ORIGINAL CALL WAS 40+ KEELER
O HAD PUNCTURED TIRE OF BIJR
MONDRAGON PROBE W/B ON PULASKI FOLLOWING BIJR,
ALSO RESPONDING
W/B ON 40 BEHIND BIJR
SAW O RUNNING SE THROUGH BK LOT TOWARD PULASKI
TOLD MONDRAGON TO DRIVE BACK OUT TO PULASKI TO
ASSIST IN PURSUIT. O RAN OUT TO PULASKI, THEN S/B
BIJR PURSUED IN VEHICLE
BIJR FOLLOWING S/B. SAW KNIFE IN O'S R HAND
O WAVING KNIFE
BIJR STOPPED AHEAD OF O. BETWEEN O + DD
VW + VVD EXITED, DREW HANDGUNS.
O TURNED TOWARD POS, WAVING KNIFE
HEARD POS = "DROP THE KNIFE!" REPEATEDLY
O IGNORED. CONTINUED TO ADVANCE ON POS, WAVING KNIFE
DS HEARD MULTIPLE GUNSHOTS + O FELL TO GROUND —
3 INVOLVED MOVING. DS DO NOT KNOW WHO FIRED. STATE
IN ONE CONTINUOUS BURST. WALSH KICKED KNIFE FROM HAND

R.D. NO. HX475753

REPORTING OFFICER'S SIGNATURE–STAR NO.	RECEIVED BY: SUPERVISOR'S SIGNATURE–STAR NO.	DAY–MO.–YR. TIME
[redacted] 20463	[redacted]	

CPD-23.122 (Rev. 2/83)

SUPPLEMENTARY REPORT

CHICAGO POLICE

20 Oct 14 2157

ASSAULT-AGG PO: KNIFE/CUT INSTR 0552 | 4000 S KARLOV | 815

P.O. GAFFNEY # 19958 / P.O. VAN DYKE # 12805 | 9210

342D W 63RD ST | STREET | 304

PROPERTY

1 MONEY	2 JEWELRY	3 FURS	4 CLOTHING	5 OFFICE EQUIPMENT	6 TV, RADIO, STEREO	PROPERTY INVENTORY NOS.
T $ / R	T $ / R	T $ / R	T $ / R	T $ / R	T $ / R	

7 HOUSEHOLD GOODS	8 CONSUM. GOODS	9 FIREARMS	10 NARC. DANGEROUS DRUGS	11 OTHER	12 NONE
T $ / R	T $ / R	T $ / R	T $ / R	T $ / R	T / R

OFFENDERS

13 OFFENDER'S NAME (OR DESCRIBE CLOTHING, ETC.)	14 HOME ADDRESS	15 SEX-RACE CODE	AGE	HEIGHT	WEIGHT	EYES	HAIR	COMPL.
1								
2	SEE ORIGINAL CASE INCIDENT REPORT							

14 C.B. NO.	I.R. NO. Y.D. NO. OR J.D.A. NO.	OFFENDER REL. CODE	C.B. NO.	I.R. NO. Y.D. NO. OR J.D.A. NO.	OFFENDER REL. CODE	15 NO. ARRESTS ADDITIONAL INFO NO.
OFF 1			OFF 2			

16 OFF'S VEHICLE	YEAR	MAKE	BODY STYLE	COLOR	VIN	STATE LICENSE NO.	STATE
USED STOLEN							

NARRATIVE

EVENT# IN SUMMARY: R/S CONTACTED BY CPIC AT 2230, 20 OCT 14 FOR IN CAR CAMERA (ICC) VIDEO RETRIEVAL ON SCENE 4100 S. PULASKI RELATED TO THE ABOVE LISTED INCIDENT. REQUEST WAS FROM AREA CENTRAL DETECTIVE DIVISION SGT D GALLAGHER UPON ARRIVAL BT 813R VEH# 8779; BT 815R VEH# 8486; BT 822 VEH# 8765; BT 845R VEH# 6412; & BT 841R VEH# 8948 WERE SUBJECTS OF ICC VIDEO CHECK/RETRIEVAL. CHECKS OF THESE VEHICLES REVEALED THE LISTED FINDINGS:

BT 813R	VEH# 8779	VIDEO RECORDED PCOZ400@20141020215250
BT 815R	VEH# 8486	OPERATIONAL BUT DUE TO DISC ERROR NO VIDEO RECORDED
BT 822	VEH# 8765	NOT ENGAGED - OFFICER REPORTED POWER ISSUE
BT 845R	VEH# 6412	VIDEO RECOVERED PCOS571@20141020215250
BT 841R	VEH# 8948	NOT ENGAGED - OFFICER REPORTED APPLICATION ERROR

RECOVERED VIDEO MANUALLY UPLOADED AND RETRIEVED 002/ACOD ICC SYSTEM

14K 455653

CONTINUED OTHER SIDE

23 EXTRA COPIES REQUIRED (NO. & RECIPIENT)	31 DATE THIS REPORT SUBMITTED (DAY-MO-YR)	TIME	32 SUPERVISOR APPROVING (PRINT NAME)	STAR NO.
	21 OCT 14			
33 REPORTING OFFICER (PRINT NAME) STAR NO.	34 REPORTING OFFICER (PRINT NAME) STAR NO.		SIGNATURE	
SIGNATURE SGT J BECERRA 1748	SIGNATURE		35 DATE APPROVED (DAY-MO-YR)	TIME

CPD 11.4[illegible] (REV. 8/95) *MUST BE COMPLETED IN ALL CASES

In Car Camera Video Retrieval Work Sheet

Date & Time of Notification: 20 Oct 14 2230 HRS Related HDT# OPS CMD

Requestor: Dsp Citlak McNaughton Tech: Bogvar

Location of response: 4100 S Pulaski

Type of Incident requiring retrieval: Police Involved Shooting - Fatal: Offender

Location of Incident: 4100 S Pulaski Date & Time of Incident 20 Oct 14 21:47

Related RD#, Event#, and/or CR Log#: HX475653

Vehicles to be checked:

813R Veh# 8779 POs PC#: [redacted] Results: [redacted] @20141020 ~~214218~~ 216250 MHDD 30000216

815R Veh# 8489 POs PC#: [redacted] Results:

822 Veh# 8765 POs PC#: [redacted] Results:

845R Veh# 642 POs PC#: [redacted] Results: [redacted] @20141020 ~~214543~~ 215250 out of focus MHDD 00003227

841R Veh# 8948 POs PC#: Results: HDT NO OPEN HDT

List additional Vehicle to be checked and results on back of this form

Note: Any vehicles identified to be checked, will be evaluated for operational readiness as well. Any deficiencies of the ICC System will be noted i.e. MIC(s) are not sync'd; rear camera not working; cannot upload; etc. Actions to rectify the issue should be taken to render the system FULLY FUNCTIONAL!

Notes of work or activities performed:

8779: MICs IN GLOVE BOX PORTABLES INSERTED UPSIDE DOWN
↳ FULLY OP

8489: PROCESSING VIDEOS: EXTREMELY LARGE VIDEO FILES

8765: MICs IN CHARGING CRADLE; NOT SYNC'D TO SYSTEM

642: NO MICs; MIC CHARGER DISCONNECTED

8948

THIS INFORMATION DISCUSSED TO DETECTIVES; DC MCNAUGHTON; & OOS TM.

Tech: DIST SUPERVISORS ON SCENE DURING VIEWING

ERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 2014	20 OCT 2014 3

OFFENSE CLASSIFICATION–LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	WALSH J [illegible]	5121

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

J WALSH P1 OF 2

WHEN O E/B IN BK LOT, USED VEH TO BLOCK
D FROM BK
O S/B ON PULASKI FROM BK. WALSH IN PURSUIT
S/B IN N/B LANES TO GET AHEAD OF O
KEPT VEH BETWEEN O + VS
AS THEY PASSED O VS ATTEMPTED TO EXT/CONFRONT
WALSH = TOO CLOSE, WAIT
DROVE FURTHER S
STOPPED S OF O
BOTH EXITED VEH
WALSH DREW HANDGUN
AROUND REAR OF TAHOE
JOINED VS
<TOO> IN ST FACING N/B AS O APPROACHED S/B
WALSH = "DROP THE KNIFE!" MULTIPLE TIMES
WALSH BACKED UP, ATTEMPTING TO MAINTAIN SAFE DISTANCE
O IGNORED DIRECTIONS, CONTINUED TO ADVANCE
AT 12-15 FT O SWUNG KNIFE AT POV IN
AGGRESSIVE MANNER

R.D. NO. HX475653

REPORTING OFFICER'S SIGNATURE–STAR NO.	RECEIVED BY: SUPERVISOR'S SIGNATURE–STAR NO.	DAY–MO.–YR. TIME
[signature] 20563	[signature]	

PD-23.122 (Rev. 2/83)

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 2014	20 OCT 2014 3

OFFENSE CLASSIFICATION—LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	VAN DYKE	512

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

J WALSH P2 OF 2

VS OPENED FIRE
O FELL TO GROUND
VS CONTINUED FIRING AS O CONTINUED MOVING,
ATTEMPTING GET UP, STILL ARMED W/KNIFE
WHEN GUNFIRE STOPPED, O NOT MOVING
POs APPROACHED O
WALSH CONTINUED, "DROP THE KNIFE!" MULTIPLE X
O STILL HOLDING KNIFE IN R HAND
WALSH FORCIBLY KICKED KNIFE FROM HAND
NOTIFIED DISPATCHER — SHOTS FIRED BY POLICE
AMBULANCE WAS ALSO REQUESTED
WHILE WAITING FOR AMBULANCE, TOLD O
"HANG IN THERE." AMBULANCE ON WAY
WALSH BELIEVED O WAS ATTACKING POs W/KNIFE,
ATTEMPTING TO KILL POs WHEN SHOTS FIRED
WALSH DID NOT FIRE BECAUSE VS IN LINE OF FIRE
THOUGHT VS FIRED 8-9 SHOTS

R.D. NO. HX475653

REPORTING OFFICER'S SIGNATURE—STAR NO.	RECEIVED BY: SUPERVISOR'S SIGNATURE—STAR NO.	DAY—MO.—YR. TIME
Kevin M Walsh 20563		

PD-23.122 (Rev. 2/83)

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 2014	20 OCT 2014 3

OFFENSE CLASSIFICATION–LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0052	VANDYKE	5121

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

T GAGNEY P1 OF 2

RESPONDED TO ASSIGNMENT
HOLDING O FOR BREAKING INTO TRUCKS, 41 + KILDARE
MET HISPANIC COUPLE
O = M/B, DARK SHIRT, ATTEMPTED TO BREAK INTO TRUCKS
LAST SEEN E/B 40 FROM KILDARE
DROVE N/B KILDARE, E/B 40
SAW M/B, DARK CLOTHING, E/B ON S SIDEWALK
McE EXTEN VEH TO APPROACH O ON FOOT
GAFFNEY STAYED IN VEH IN CASE O FLED
McE TOLD O TO STOP BUT O IGNORED/CONTINUED
WALKING HANDS IN POCKETS
McE TOLD O - HANDS OUT OF POCKETS
HANDS OUT of POCKETS
McE TOLD G - HE HAS KNIFE
SAW SILVER KNIFE IN R HAND
S McE HAD DRAWN HANDGUN
McE = "DROP THE KNIFE!" REPEATED LY
O IGNORED
AT KEELER TG NOTIFIED DISPATCHER
O = KNIFE — TASER REQUESTED

R.D. NO. HX475653

REPORTING OFFICER'S SIGNATURE–STAR NO. 20563 | RECEIVED BY: SUPERVISOR'S SIGNATURE–STAR NO. | DAY–MO.–YR. TIME

PD-23.122 (Rev. 2/83)

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 2014	28 OCT 2014 2

OFFENSE CLASSIFICATION—LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	VAN DYKE	5121

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

T GAFFNEY P 2 OF 2

O CONTINUED E/B POS FOLLOWING
AT KARLOV TO TURNED TAHOE S/B + STOPPED,
BLOCKING CROSSWALK
WAITED TO STOP O BEFORE PULASKI
BUSINESS ST — MORE CIVILIANS
WITNESS TO STOPPED IN FRONT OF O,
O STABBED R FRONT TIRE — FLAT
TO TOLD DISPATCHER O "POPPED" TIRE
O ATTEMPTED TO WALK AROUND FRONT OF TAHOE
DROVE FORWARD A LITTLE - CONTINUED TO BLOCK O
O STABBED WINDSHIELD — R SIDE
O CONTINUED E/B FROM KARLOV
AS O APPROACHED BK LOT ASSISTING UNITS ARRIVED
W/B ON 4D,
O RAN E/B THROUGH LOT N SIDE OF BK
ONTO PULASKI — THEN S/B
E/B R PURSUED OVER CURB — IN THEIR TAHOE
TO LOST SIGHT OF O
BECAUSE OF FEAT, TO DID NOT PURSUE. DROVE
AROUND, OUT TO PULASKI, HEARD MULTIPLE GUNSHOT
IN RAPID SUCCESSION DID NOT SEE WHO/WHERE. AT PULASKI SAW O ON GROUND

R.D. NO. HX472563

REPORTING OFFICER'S SIGNATURE/STAR NO.	RECEIVED BY: SUPERVISOR'S SIGNATURE—STAR NO.	DAY—MO.—YR. TIME
[signature] 20563	[signature] 1301	

CPD-23.122 (Rev. 2/83)

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 2014	20 OCT 2014 3

OFFENSE CLASSIFICATION–LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0312	VANSPIKE	0121

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

813R SEBASTIAN, Daphne L PASSENGER
#2763
F/W/45

MONDRAGON, Janet DRIVER
#4364
F/WH/37

822 BACERRA, Arturo DRIVER
#15790
M/WH/32

VELEZ, Leticia PASSENGER
#10385
F/WH/43

841R FONTAINE, Dora PASSENGER
#4484
F/WH/47

VIRAMONTES, Ricardo DRIVER
#10590
M/WH/41

R.D. NO. HX475253

REPORTING OFFICER'S SIGNATURE–STAR NO. 20563 | RECEIVED BY: SUPERVISOR'S SIGNATURE–STAR NO. | DAY–MO.–YR. TIME

PD-23.122 (Rev. 2/83)

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 2014	20 OCT 2014 3

OFFENSE CLASSIFICATION–LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	VAN DYKE	5121

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

J McELLIGOTT

AFTER EXITING TAHOE, WHOM O TOOK HAND OUT OF POCKET SAW KNIFE IN R HAND.
DREW HANDGUN
"DROP THE KNIFE!" REPEATEDLY
O IGNORED, CONTINUED E/B 40
FOLLOWED ON FOOT AT SAFE DISTANCE
HEARD TG REQUEST ASSIST / TASER ON RADIO
TG ATTEMPTED TO BLOCK O W/TAHOE TO KEEP O FROM EK
O STABBED R FRONT TIRE + WINDSHIELD
McE BEGAN TO HEAR SIRENS - ASSIST UNITS
O BEGAN TO RUN TOWARD EK
O RAN E/B THROUGH EK LOT. McE IN PURSUIT
McE RAN OUT & TO ~~PUL~~ PULASKI
HEARD MULTIPLE GUNSHOTS. I DID NOT SEE WHO FIRED
SHOTS WERE CONTINUOUS, ONE AFTER ANOTHER
McE THEN SAW O ON GROUND
SAW WALCH KICK KNIFE FROM HAND

R.D. NO. HX475253

REPORTING OFFICER'S SIGNATURE–STAR NO. 20563 | RECEIVED BY: SUPERVISOR'S SIGNATURE–STAR NO. | DAY–MO.–YR. TIME

CPD-23.122 (Rev. 2/83)

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
24 OCT 2014	2000 R043

OFFENSE CLASSIFICATION–LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	VAN DYKE	512I

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

D SEBASTIAN

RESPONDED TO 815R REQUEST FOR ASSIST,
SUBJECT W/KNIFE
THOUGHT ORIGINAL CALL WAS 40+ KEELER
O HAD PUNCTURED TIRE OF 815R
MONDRAGON PROBE N/B ON PULASKI FOLLOWING 845R,
ALSO RESPONDING
W/B ON 40 BEHIND 845R
SAW O RUNNING SE THROUGH BK LOT TOWARD PULASKI
TOLD MONDRAGON TO DRIVE BACK OUT TO PULASKI TO
ASSIST IN PURSUIT. O RAN OUT TO PULASKI, THEN S/B
845R PURSUED IN VEHICLE
2BR FOLLOWING S/B. SAW KNIFE IN O'S R HAND
O WAVING KNIFE
845R STOPPED AHEAD OF O. BETWEEN O + DD
VW + VVD EXITED, DREW HANDGUNS.
O TURNED TOWARD POS, WAVING KNIFE
HEARD POS = "DROP THE KNIFE!" REPEATEDLY
O IGNORED. CONTINUED TO ADVANCE ON POS, WAVING KNIFE
DS HEARD MULTIPLE GUNSHOTS + O FELL TO GROUND —
3 INVOLVED MOVING. DS DO NOT KNOW WHO FIRED. STATE
IN ONE CONTINUOUS BURST. WALSH KICKED KNIFE FROM HAND

R.D. NO. HX475653

REPORTING OFFICER'S SIGNATURE–STAR NO.	RECEIVED BY: SUPERVISOR'S SIGNATURE–STAR NO.	DAY–MO.–YR. TIME
Dan Sebastian 20563		

CPD-23.122 (Rev. 2/83)

GENERAL PROGRESS REPORT
ECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 2014	20 OCT 2014 3

OFFENSE CLASSIFICATION–LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0452	VANDYKE	512

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

J MONDRAGON

DRIVING W/B 40. SAW M/E RUNNING E/B THROUGH BK LOT
MADE U-TURN, BACK OUT TO PULASKI
S/B ON PULASKI
SAW 0 RUNNING S/A PULASKI, MIDDLE OF ST
AS SHE GOT CLOSER, SAW KNIFE IN R HAND
0 WAVING KNIFE
SAW JW + JVD OUTSIDE THEIR TAHOE
HEARD POs REPEATEDLY, "DROP THE KNIFE!" AS
0 GOT ~~CLOSER~~ CLOSER + CLOSER TO POs, CONTINUING
TO WAVE KNIFE
AS J M PLACED TRANS INTO P, LOOKED DOWN,
HEARD MULTIPLE CONTINUOUS SHOTS, NO PAUSE
THEN SAW 0 FALL TO GROUND
DID NOT KNOW WHO FIRED

R.D. NO. HX475763

REPORTING OFFICER'S SIGNATURE–STAR NO. 20563 | RECEIVED BY: SUPERVISOR'S SIGNATURE–STAR NO. | DAY–MO.–YR. TIME

CPD-23.122 (Rev. 2/83)

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 2014	20 OCT 2014 3

OFFENSE CLASSIFICATION–LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	VAN DYKE	5121

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

A BACERRA

RESPONDED TO REQUEST A 2 ASSIST, 8 NR
SUBJECT ARMED W/KNIFE
DRIVING WID PULASKI, FROM 47
AS HE APPROACHED SCENE, SAW O IN MIDDLE OF ST,
FLAILING ARMS
AS AB GOT CLOSER, SAW KNIFE IN R HAND
DROVE PAST O. O ON L SIDE
B4 OR DROVE PAST ON R SIDE, S/B
MADE U-TURN, HEARD MULTIPLE SHOTS
THEN SAW O LYING ON GROUND
DID NOT SEE WHO FIRED

R.D. NO. HX425653

REPORTING OFFICER'S SIGNATURE–STAR NO. 20563 | RECEIVED BY: SUPERVISOR'S SIGNATURE–STAR NO. | DAY--MO.--YR. TIME

CPD-23.122 (Rev. 2/83)

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 14	20 OCT 14 3

OFFENSE CLASSIFICATION—LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
OV52	VAN DYKE	5121

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

L VELEZ

AS THEY APPROACHED SCENE, SAW O IN MIDDLE OF ST. SHINY OBJECT IN R HAND
O WAVING OBJECT IN AIR
A B DROVE PAST O
BEGAN TO MAKE U-TURN
LV HEARD MULTIPLE GUNSHOTS, WITHOUT PAUSE OR DELAY
SAW O FALL TO GROUND
DID NOT SEE WHO FIRED
SAW UNKNOWN PO KICK KNIFE FROM O'S HAND

R.D. NO. HX475253

REPORTING OFFICER'S SIGNATURE—STAR NO.	RECEIVED BY: SUPERVISOR'S SIGNATURE—STAR NO.	DAY–MO.–YR. TIME
20563	1303	

CPD-23.122 (Rev. 2/83)

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 14	20 OCT 14 3

OFFENSE CLASSIFICATION–LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	VANJYKS	5721

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

D FONTAINE

RESPONDED TO REQUEST FOR ASSIST, B/SR
MAN W/KNIFE, 41 + PULASKI
R V DROVE N/B PULASKI
WHEN THEY ARRIVED AT SCENE, IN FRONT OF DD,
SAW O WALKING S/B, IN ST, KNIFE IN R HAND
O WALKING SIDEWALK, BODY FACING E,
TOWARD JVS + JW
POs STANDING IN ST, SIDE OF THEIR TABLE-
TABLE FACING S/B
HEARD POs REPEATEDLY "DROP THE KNIFE!"
O IGNORED, RAISED R ARM TOWARD VS, AS IF
ATTACKING VS
VS FIRED MULTIPLE SHOTS UNTIL O FELL TO
GROUND + STOPPED MOVING R ARM + HAND, STILL
GRASPING KNIFE
SHOTS = RAPID FIRE, WITHOUT PAUSE
WALSH THEN KICKED KNIFE FROM O'S HAND

R.D. NO. HX475253

REPORTING OFFICER'S SIGNATURE–STAR NO.	RECEIVED BY: SUPERVISOR'S SIGNATURE–STAR NO.	DAY–MO.–YR.	TIME
20563			

CPD-23.122 (Rev. 2/83)

GENERAL PROGRESS REPORT
ECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 2014	30 OCT 2014 3

OFFENSE CLASSIFICATION—LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	VAN DYKE	512 1

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

R VIRAMONTES

WHEN HE EXITED VEHICLE AT SCENE,
SAW O WALKING S/B ON PULASKI, IN MIDDLE OF ST
KNIFE IN R HAND
HEARD JVD REPEATEDLY "DROP THE KNIFE!"
O IGNORED TURNED TOWARD JVD + JW
VD FIRED MULTIPLE SHOTS
O FELL TO GROUND BUT CONTINUED TO MOVE
ATTEMPTING TO GET BACK UP, KNIFE STILL IN HAND
VD FIRED AT O CONTINUOUSLY UNTIL O
NO LONGER MOVING

R.D. NO. HX475253

REPORTING OFFICER'S SIGNATURE—STAR NO. 20563 | RECEIVED BY: SUPERVISOR'S SIGNATURE—STAR NO. (30) | DAY—MO.—YR. TIME

CPD-23.122 (Rev. 2/83)

GENERAL PROGRESS REPORT
ECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 2014	20 OCT 2014 3

OFFENSE CLASSIFICATION–LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0452	VANDYKE	512

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

J MONDRAGON

DRIVING W/B 40. SAW M/E RUNNING E/B THROUGH BK LOT
MADE U-TURN, BACK OUT TO PULASKI
S/B ON PULASKI
SAW O RUNNING S/B PULASKI, MIDDLE OF ST
AS SHE GOT CLOSER, SAW KNIFE IN R HAND
O WAVING KNIFE
SAW JM + JVD OUTSIDE THEIR TAHOE
HEARD POS REPEATEDLY, "DROP THE KNIFE!" AS
O GOT ~~CLOSER~~ CLOSER + CLOSER TO POS, CONTINUING
TO WAVE KNIFE
AS JM PLACED TRANC INTO P, LOOKED DOWN,
HEARD MULTIPLE CONTINUOUS SHOTS, NO PAUSE
THEN SAW O FALL TO GROUND
DID NOT KNOW WHO FIRED

R.D. NO. HX475763

[redacted] 2063 | RECEIVED BY: SUPERVISOR'S SIGNATURE–STAR NO. [redacted] | DAY–MO.–YR. TIME

CPD-23.122 (Rev. 2/83)

In Car Camera Video Retrieval Work Sheet

Date & Time of Notification: 20 Oct 14 2230 HRS Related HDT# OPS CMD

Requestor: Dsp Citlak McNaughton Tech: Bogvar

Location of response: 4100 S Pulaski

Type of Incident requiring retrieval: Police Involved Shooting - Fatal: Offender

Location of Incident: 4100 S Pulaski Date & Time of Incident 20 Oct 14 21:47

Related RD#, Event#, and/or CR Log#: HX475653

Vehicles to be checked:

813R Veh# 8779 POs PC#: [redacted] Results: [redacted] @20141020 ~~214218~~ 216250 MHDD 30000216

815R Veh# 8489 POs PC#: [redacted] Results:

822 Veh# 8765 POs PC#: [redacted] Results:

845R Veh# 642 POs PC#: [redacted] Results: [redacted] @20141020 ~~214543~~ 215250 out of focus MHDD 00003227

841R Veh# 8948 POs PC#: Results: HDT NO OPEN HDT

List additional Vehicle to be checked and results on back of this form

Note: Any vehicles identified to be checked, will be evaluated for operational readiness as well. Any deficiencies of the ICC System will be noted i.e. MIC(s) are not sync'd; rear camera not working; cannot upload; etc. Actions to rectify the issue should be taken to render the system FULLY FUNCTIONAL!

Notes of work or activities performed:

8779: MICs IN GLOVE BOX PORTABLES INSERTED UPSIDE DOWN
↳ FULLY OP

8489: PROCESSING VIDEOS: EXTREMELY LARGE VIDEO FILES

8765: MICs IN CHARGING CRADLE; NOT SYNC'D TO SYSTEM

642: NO MICs; MIC CHARGER DISCONNECTED

8948

THIS INFORMATION DISCUSSED TO DETECTIVES; DC MCNAUGHTON; & OOS TM.

Tech: DIST SUPERVISORS ON SCENE DURING VIEWING



Mobile Recorder User Manual

COBAN® Technologies Inc.
12503 Exchange Drive, Suite 536
Stafford, Texas 77477

Tel: 1-281-277-8288
Fax: 1-281-277-8256

http://www.cobantech.com

Table of Contents

Introduction **4**

Login **4**
Turn On the Mobile Recorder 4
Login to the Mobile Recorder 5
Sync the Wireless Microphone 6
Other Login Options 7
Manually Start the Application 7
Minimize/Maximize the Application Window 8

Camera View Screen **9**

Recording **11**
Start a Recording Manually 11
Stop Recording 12
Use Wireless Mic to Start Recording 12
Wireless Mic Alerts 12
Other Recording Options 12

Event Type **13**
Select an Event Type 13

Snapshot **15**
Take Snapshot 15
Review Snapshots 16

Bookmark **16**
Set a Bookmark in Mobile Recorder 16

More Functions **17**
Access the More Menu 17
System Summary 18
Close Shot 19
View Snapshots 20
Pre-Event Playback 21
Equipment Test 23
Sync GPS Time 24
Edit Event Data 25
Offender Data Screen *26*
Violation Selection Screen *27*
IP Address 28
Record Indicator 29
Traffic Watch 30
Night Mode 31
Color Mode 32

Camera Control **33**
Brightness Control 33
Zoom Control 33
Focus Control 33

Auto Zoom **34**

Playback Video **35**

Switch Officer **37**

Upload Videos **38**
Wireless Upload 38
Automatic Wireless Upload 40
Specifying Videos to Upload/Retain 40

OIG 15-0564 008964

MHDD Upload 41
Wired Upload 43
Exit the System **45**
Mobile Recorder Quick Reference Guide **47**

OIG 15-0564 008965

Introduction

The COBAN mobile recorder is the front line of the Digital Video Management System (DVMS). The mobile recorder support up to three audio/video channels and can record two channels of audio and two channels of video streams simultaneously to the in-car CPU.

	Audio Channels Supported	Video Channels Supported	Video Format
TopCam-G2	2	3*	MPEG 1 / 2
EDGE	3	3*	H.264

*Only two video channels can be recorded simultaneously.

This information is stored in the Mobile Hard Disk Drive until it can be transferred to the BOClient.

This manual addresses the steps needed to properly use the Mobile recording system.

Login

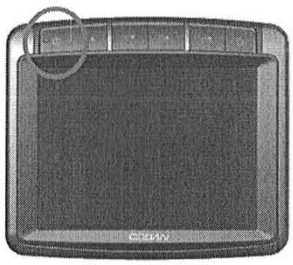
Based on the system settings configured by the department users may need to login to the mobile recorder system using a valid user ID and password at the beginning of each shift. Other login types are described on page 7. This information allows the mobile recorder system to transfer videos taken during the shift to BOClient to be properly stored and classified in the DVMS. Complete the steps described in this section to login to the mobile recorder system.

Turn On the Mobile Recorder

1. Start the vehicle.
2. Turn on the mobile recorder using the On/Off switch on the monitor.
3. Allow the system to boot up.



TOPCAM-G2



EDGE

OIG 15-0564 008966

Login to the Mobile Recorder

1. After the mobile recording system has been powered up, the Mobile Start Recorder software will initiate and display the Officer Login screen.
2. The officer ID should be automatically entered into the appropriate field from information input during MHDD checkout. If not, enter the appropriate **Officer ID** in the field provided.

Note: Tap **Officer ID** or **Password** to access the virtual keypad.



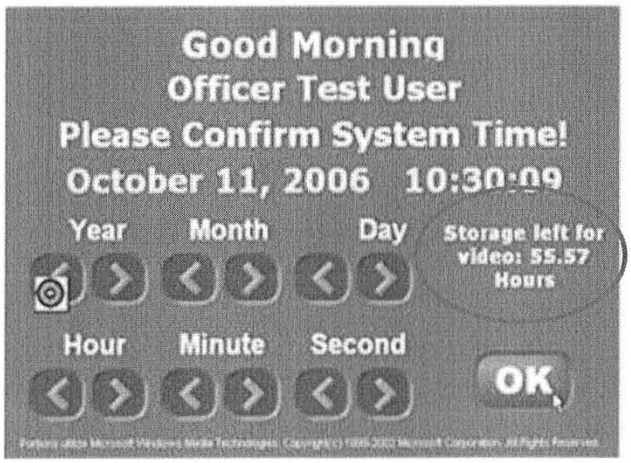
3. Type your password using the virtual keypad then tap **OK**.
4. Tap **Login**.



5. The System Time and Date screen will appear.
6. Change the system time and date if it is incorrect using the appropriate arrow keys.
7. Take note of the estimated remaining recording time. Storage remaining for video recording is displayed above the **OK** button.

Note: A warning prompt will be displayed if available recording time is less than 4 hours. The system will not allow the MHDD to be used if it has less than ??? time remaining.

8. Tap **OK.**



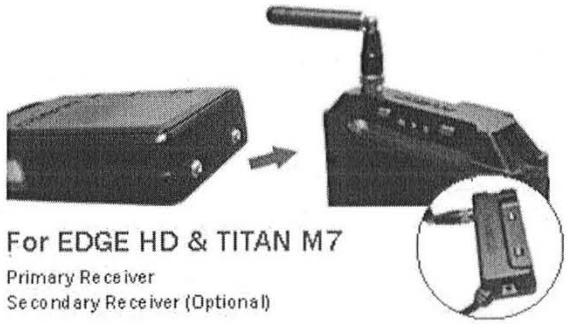
OIG 15-0564 008967

Note: A successful Login will show the Officer ID number on the bottom right of the Camera View screen.



Sync the Wireless Microphone

1. Locate the contacts at the bottom of the wireless mic.
2. Press the wireless microphone contacts directly on top of the receiver's register contacts.
3. A confirmation tone will sound to indicate the receiver and the microphone have synchronized their frequencies.
4. The wireless microphone is now on standby mode and ready for use.



Note: Syncing a second microphone to the same receiver will replace and nullify the first microphone.

OIG 15-0564 008968

Other Login Options

The system administrator for the DVMS can enable one of four different login capabilities. These four different options are described below:

Quick login – Automatically logs in an officer after they login once, as long as the same hard drive is used in the same unit (typically used in take home vehicles).

Emergency login – If this option is enabled, when the user starts the mobile recording system and the light bar is activated, the system will boot into record mode automatically. If the light bar is not activated, the system will remain at the login screen.

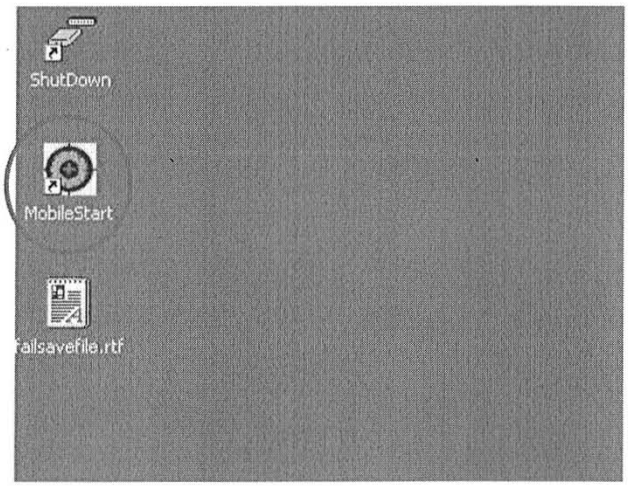
Delayed login – If this option is enabled the officer can startup the mobile unit and will get a login prompt for 30 seconds. If the officer does not login within 30 seconds the mobile recorder program will start automatically with the ability to record a video. At the end of the recording period, once the stop button is pressed, the officer is prompted to login.

Windows login – The administrator may set BOClient to use MSWindows login credentials and automatically login to BO Client. Note that users will need to logoff from the current Windows session so that others will not gain access to DVMS system with other users' access rights (this feature requires MDT integration or a connection to the department network).

Manually Start the Application

1. The system is designed to start automatically. If the system does not automatically start contact the system administrator or locate the application icon on the display screen.
2. Tap the Mobile Start icon to start the application.





OIG 15-0564 008969

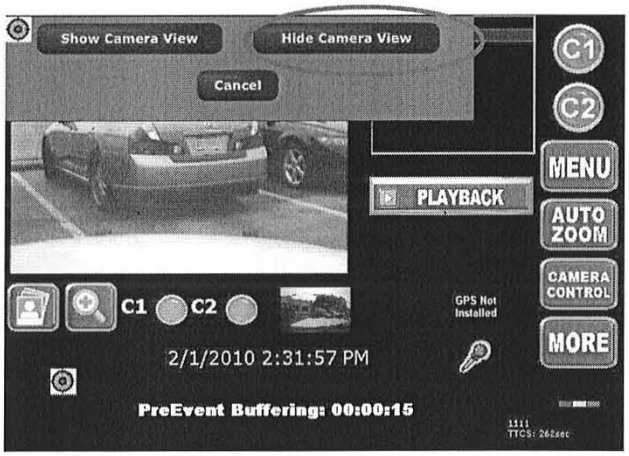
Minimize/Maximize the Application Window

1. Tap the application icon to minimize the window.



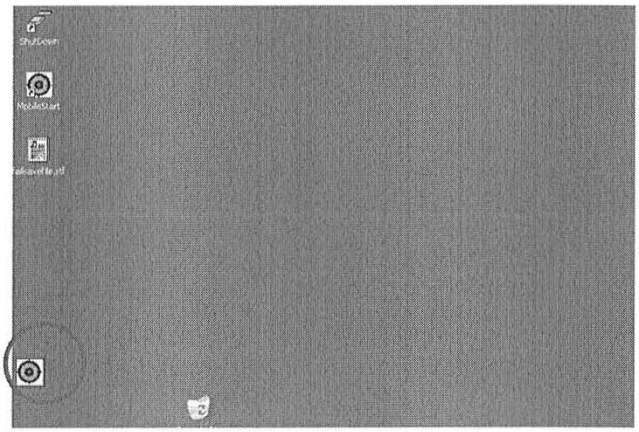


2. Tap **Hide Camera View** to minimize the application window and access the desktop.



3. Tap the application icon to return to the Camera View screen.





OIG 15-0564 008970

Camera View Screen

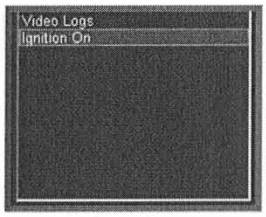
The Camera View screen displays the camera input and provides options for the user to start recording, create bookmarks, take snapshots of the video and other functions. It also provides icons that indicate the light bar status, radar gun reading, GPS indicator (if installed), and the in-car microphone ON / OFF status.

At the bottom of this screen, it shows the Pre-Event Buffering time, which indicates the length of video that is being pre-recorded prior to User pressing the Record button.





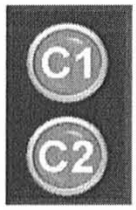
Camera Preview



Video Logs



Playback Function



Record Buttons



Snapshot



Zoom In



Recording Indicators



Secondary Camera View



Minimize/Enlarge Button



Date and Time



Mic Icon



Light Bar Indicator



Function Buttons

Buffer Setting

OIG 15-0564 008971

Camera Preview – The camera preview displays the image as seen through the camera lens. The default image is set as the front facing camera. The system supports a spot exposure feature. Tap the brightest portion of the camera preview screen to automatically dim the preview screen for five seconds. This feature is useful for when lights are making portions of the preview too bright to see.

Video Log - The Video Log documents readings and status from various devices connect to the mobile recording system such as, light bar status, microphone status, bookmark, etc.

Snapshot Function – Tapping the snapshot icon will save a JPG freeze frame image of the video displayed on the camera preview screen. A preview of the snapshot will be displayed immediately beneath the snapshot icon for 15 seconds. Take a snapshot of the rear camera view by clicking on the C2 camera indicator to change the camera preview to secondary camera, then tap the snapshot icon.

Minimize/Enlarge Button – The minimize/enlarge button will minimize or enlarge the mobile recorder application and allow users the ability to access other programs on the computer.

Recording Indicators – The recording indicators blink red to signify which camera is recording. If no cameras are recording, the indicators will not blink. Users can tap on the recording indicators to make that cameras view active in the Camera Preview screen. When there is only one camera installed on the vehicle, the user will not see a C1 and C2 camera indicator. When three cameras are installed in the system, tapping the C2 camera indicator will toggle between camera's two and three.

Date and Time – The Date and Time display is set during the login sequence and continuously displays the current date and time.

Buffer Setting – The Pre-Event Buffer is set by the System Administrator through COBAN's BOClient application. The Pre-Event Buffer display is a reminder to the user that all recordings are provided with a pre-event recording. This buffer can be adjusted through BOClient or in some cases through mobile recorder.

Mic Icon – The wireless microphone icon will blink when the covert microphone is recording audio.

Light Bar Indicator – the light bar indicator will blink when the vehicles light bar is activated.

Function Buttons – The function buttons provide users the access to greater functionality, including:

The **Menu** button provides access to Camera View, Playback, Switch User, or Exit functions.

Bookmark Icon – Tap the bookmark icon to mark a spot in a video for later review or to pinpoint an action on the recording.

Auto Zoom - When tapped, the system will automatically zoom the camera, pause for 3 seconds and zoom back to user's original zoom setting. There is no need to manually disengage the button when this feature is used.

Camera Control - Press Camera Control to access manual camera zoom, brightness and focus capabilities.

More - Allows users the ability to access additional system features and functions.

Secondary Camera View - If installed, will be configured as C2 and the second camera's view will appear below the primary camera image next to C2 indicator.

Playback Functions – The playback feature allows user to play previously recorded video, enter / edit video event data, send selected video wirelessly (if wireless option is purchased) and manually retain video. (Please refer to Page 17 for more details)

Record Buttons – The user may initiate a recording by pressing the wireless microphone, turning on the light bar or siren (if equipped as a system trigger), or pressing the **Record** icons on the screen.

OIG 15-0564 008972

Recording

The core feature of the mobile recording system is its ability to quickly and accurately capture videos when the user initiates a recording. The COBAN mobile recording system incorporates a multitude of options to start a recording, and to view videos as they are being recorded. These options are detailed in the following section.

Start a Recording Manually



1. Tap the camera 1 icon  to begin a recording using the primary camera via the video recorder.

2. Tap the camera 2 icon  to begin a recording using the secondary camera via the video recorder.

Note: If the vehicle has three cameras, the user can switch the display between camera 2 and camera 3 by double tapping the camera 2 indicator beneath the video image display.



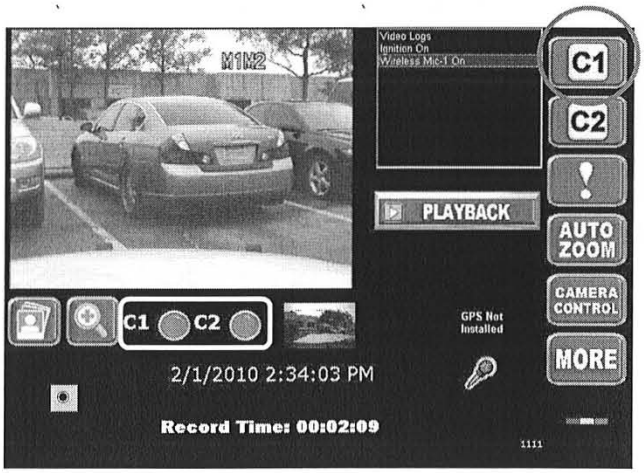
Note: The camera 1 icon will be shown as a white square when the mobile recorder is actively recording a video.

Not Recording Recording



3. The recording indicators will blink red to signify which cameras are actively recording.

Note: While in record mode, the preview screen provides the ability to set bookmarks by pressing the bookmark icon (see page 16 for more information on this feature).



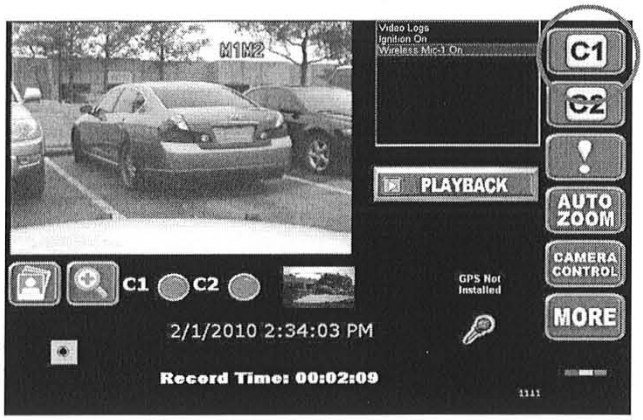
OIG 15-0564 008973

Stop Recording

1. Tap the camera 1 icon 

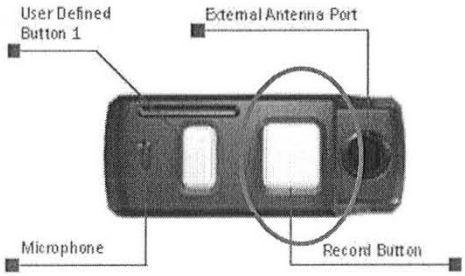
to stop recoding using the primary camera.
2. Tap the camera 2 icon 

to stop the recording on the secondary camera.



Use Wireless Mic to Start Recording

1. Press the Record button (larger button) on the wireless mic once.
2. This action will initiate the mobile recorder to record both audio and video data via the mobile recorder.
3. The wireless mic will vibrate twice and the record button will flash green to indicate that the mobile recording system has started a recording, depending on which mode it is in (see table below).



Wireless Mic Alerts

1. The wireless mic will flash color coded LEDs and/or vibrate to alert users of status changes and wireless mic maintenance alerts.
2. See the table to the right to decipher the alerts.

Alert \ Mode	Vibrations	LED/ Vibrate
Recording	2	Green LED / 2
Mute	2	Green Blinking LED / 2
Out of Range	1	Yellow LED / 1
Low Battery	1 each min	Green LED / 1 (blinks every 4 seconds)

Other Recording Options

The system administrator can set other recording start and stop options via the system settings in BOClient, including:

- Light bar activation
- Siren activation
- Vehicle speed activation
- Weapons rack activation

The middle button of the wireless mic is configurable so that it can be used for the following purposes:

- Bookmark
- Mute
- Stop recording

OIG 15-0564 008974

Event Type

If enabled, the Event Type screen will pop up immediately after the user stops a video recording. Classifying a recording with an event type helps the DVMS save the video, and allows meta-data and other details about the video to be stored with the recording as well as sets the retention criteria for each video. The mobile recorder system will return to the Camera View Screen and Wireless Microphone will also return to standby once the video has been linked to an event type. In instances where both cameras are recording the system will give the user the option to carry over the event data to the secondary camera.

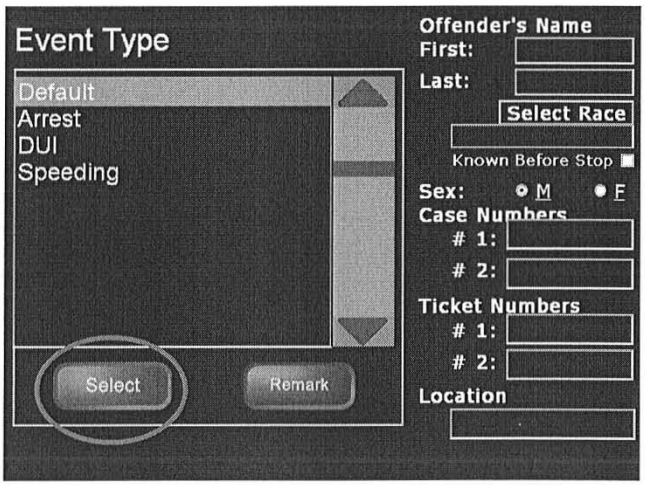
Select an Event Type

1. Tap the camera icon C1 or C2 to stop recording.



2. The Event Type screen will appear.
3. Tap the appropriate event type to classify the video that was recorded. The Event Type will be highlighted in light blue when it is selected.
4. Tap **Select** to enter the event type.

Note: Events can be added or removed from the event type list by the system administrator through BOClient.



OIG 15-0564 008975

5. Tap any of the text fields to display the virtual keypad.
6. Type information regarding the recording using the virtual keypad then tap **OK**.



OIG 15-0564 008976

Snapshot

Using the snapshot feature will take a JPG freeze frame image of the video displayed on the preview screen. A preview of the snapshot will be displayed immediately beneath the snapshot icon for 15 seconds. This feature works for any camera installed on the system, but only the camera view shown on the preview screen is available for snapshot.

Take Snapshot

1. Tap snapshot icon  to take a JPG freeze frame of the image on the camera view screen.



2. Tap the preview that appears beneath the snapshot icon to enlarge the snapshot.

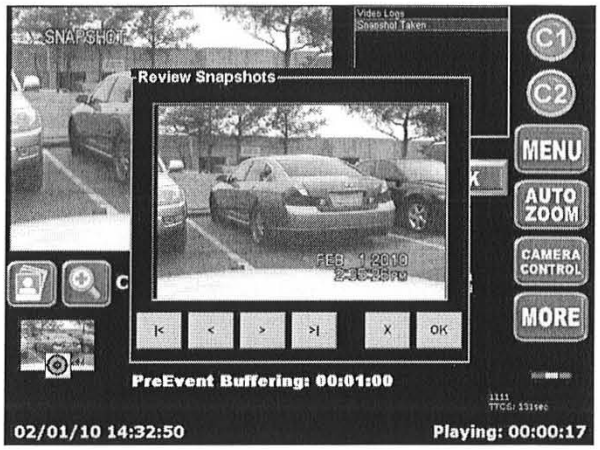
Note: The snapshot preview will be displayed for approximately 15 seconds.



OIG 15-0564 008977

Review Snapshots

1. Use the arrow keys to scroll through the snapshots saved in the mobile recorder system.
2. Click **X** to delete snapshots.
3. Click **OK** to return to the Camera View screen.



Bookmark

Bookmarks are used to mark points in a video that the reviewer or user feels are significant. Bookmarks also allow users to quickly locate these significant points of videos during a review.

Set a Bookmark in Mobile Recorder

1. Start a video recording (see page 11 for more information on recording).
2. Tap the bookmark icon on the right side of the screen.



3. An entry will be displayed in the Video Log.

Note: The bookmark icon will not be displayed unless the mobile recorder is actively recording.



OIG 15-0564 008978

More Functions

Tap MORE to access additional system features/functions such as:

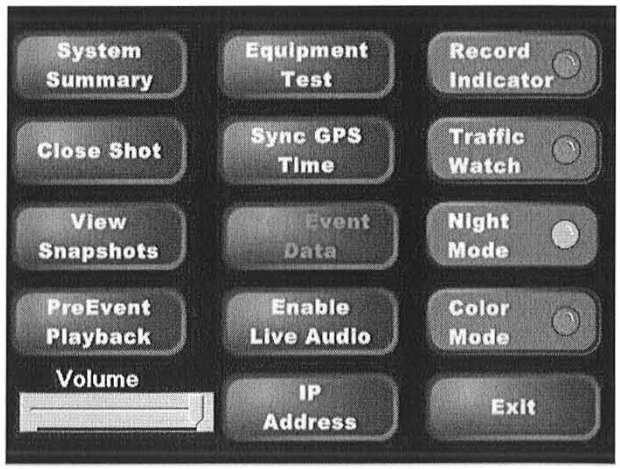
- System Summary
- Close Shot
- View Snapshot
- Pre-Event Playback
- Volume
- Equipment Test
- Sync GPS Time
- Edit Event Data
- Enable Live Audio
- IP Address
- Record Indicator
- Traffic Watch
- Night Mode
- Color Mode
- Exit

Access the More Menu

1. Tap **MORE** on the Camera Preview screen.



2. Tap the appropriate button to access the additional functions.



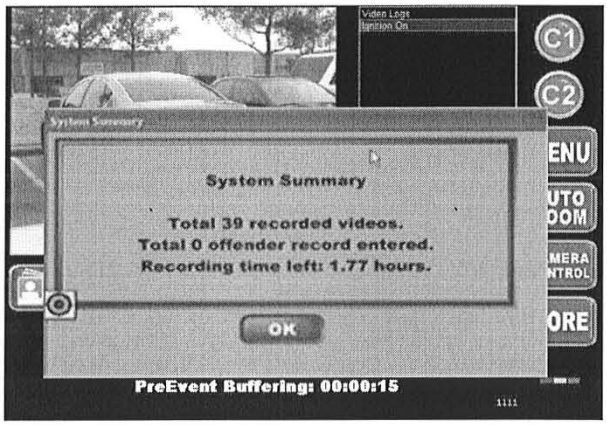
OIG 15-0564 008979

System Summary

1. Tap **System Summary**.



2. A popup window will appear that shows:
   - Total number of videos recorded
   - Total offender records entered
   - Recording time left



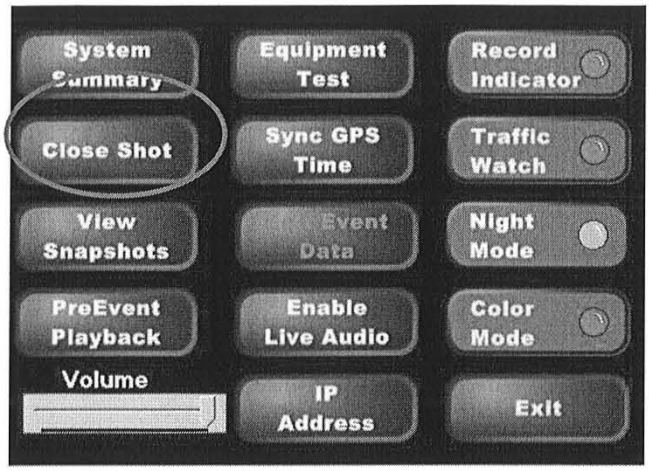
OIG 15-0564 008980

Close Shot

COBAN's mobile recorder camera is designed to focus beyond the vehicle's windshield. This point of focus ensures that rain drops or other debris on the windshield do not negatively affect the picture.

Users may use close shot mode to bring the focus point down to within one inch from the camera for 5 seconds. During this time, a snapshot will be taken for later review.

1. Position the ID or other object approximately 1 inch from the camera's lens.

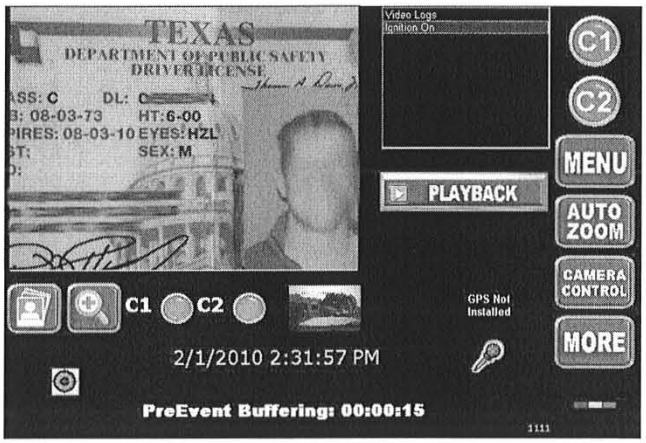


2. Tap **Close Shot**.



Standard View

3. The camera will re-focus and take a snapshot JPG image that will be saved in the snapshots file (see page 16 for more information on reviewing snapshots).



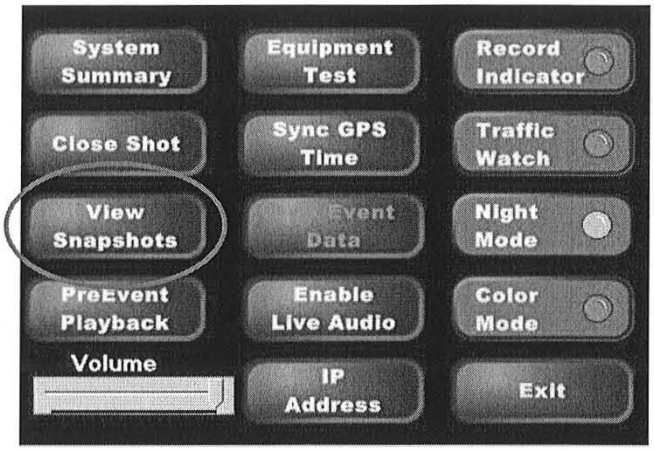
Close Shot View

OIG 15-0564 008981

View Snapshots

Snapshots, those taken via the snapshot function on the camera view screen or those taken utilizing the close shot function, are stored in the same place. Access these files by:

1. Tap **View Snapshots**.



2. Use the arrow keys to scroll through the snapshots in the mobile recorder system.
3. Click **X** to delete snapshots.
4. Click **OK** to return to Camera View screen.

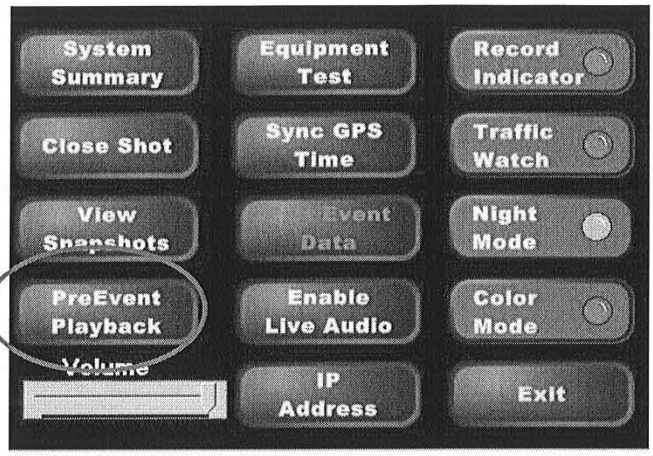


OIG 15-0564 008982

Pre-Event Playback

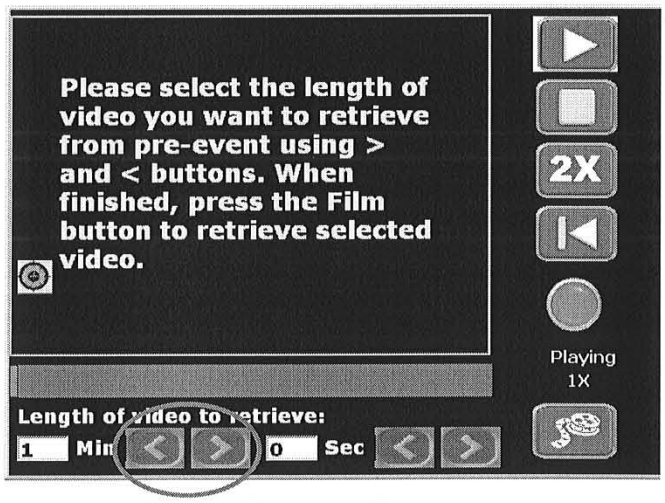
Pre-event buffer, or the length of video that will precede a recording when the record icon is activated can be adjusted, but only prior to a recording.

Another useful feature of the pre-event playback is a feature that allows the users to go back to any point in time that occurred since that user logged onto the mobile recorder system. The pre-event buffer starts at the time a user logs on or switches users (see page Switch Officer37 for information on switching officers).



1. Tap **Pre-Event Playback**.

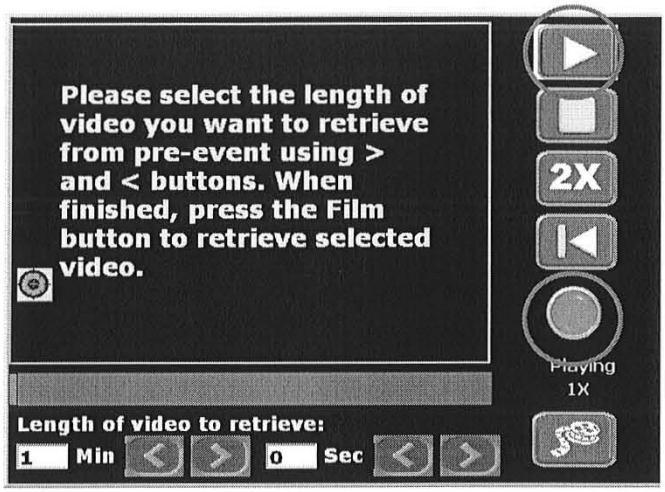
2. Tap the left and right arrow buttons to adjust the length of the pre-event section in minutes.



OIG 15-0564 008983

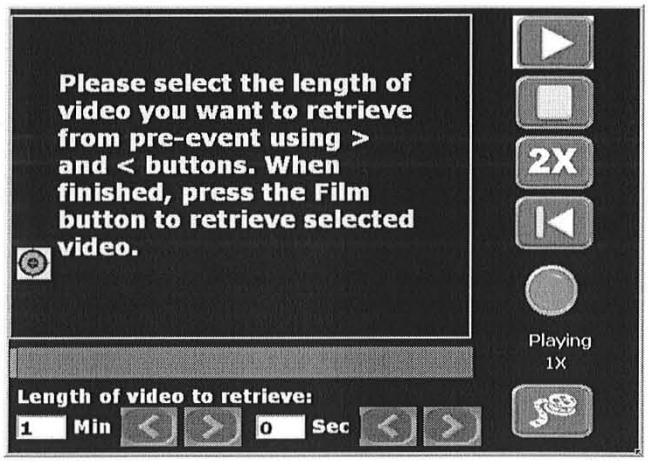
3. Tap  to view the past minutes that the officer has input.
4. Tap  to record the past minutes.
5. Tap the record button.

Note: Another useful feature of this capability is to view past minutes of a currently recording video to review what was said or happened and verify facts.



6. Tap the extract button  to retrieve the selected length of pre-event. This allows the user to playback and attach a longer pre-event segment than is defined in the back-office system.
7. The extra length of pre-event is included in the saved video.

Note: It is possible to adjust pre-event to append video to a previously recorded video by adjusting the pre-event buffer to a point prior to the recording's start time, ie. to append ten minutes of pre-event to a video recorded from 8:00 to 8:15, adjust the pre-event buffer to a value greater than fifteen minutes.

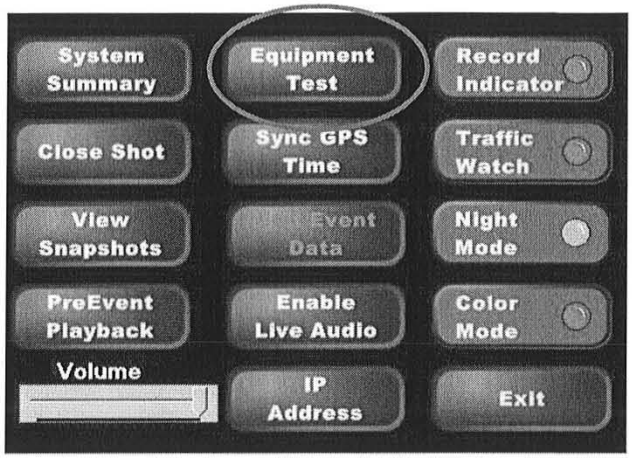


OIG 15-0564 008984

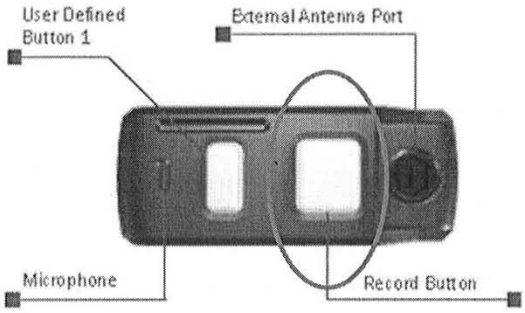
Equipment Test

The Equipment Test feature allows the user to test the wireless mic and the covert mic without triggering a recording.

1. Ensure that the wireless mic is synchronized to the mobile recorder (see page 6 for information on syncing the wireless mic).
2. Tap Equipment Test.



3. The wireless mic will beep twice and flash green if the system is properly synchronized.
4. Press the record button on the wireless mic.



5. The microphone icon will be shown with flashing electrifying icons indicating that the microphone is active, if the covert mic is working properly.

Note: A feedback whine may be produced by the microphone during this test.

6. Also, the text M1 will appear at the top right of the camera preview screen to indicate that wireless 1 is active.
7. Note: When two mics are used, M1 and M2 will appear in the camera preview.



OIG 15-0564 008985

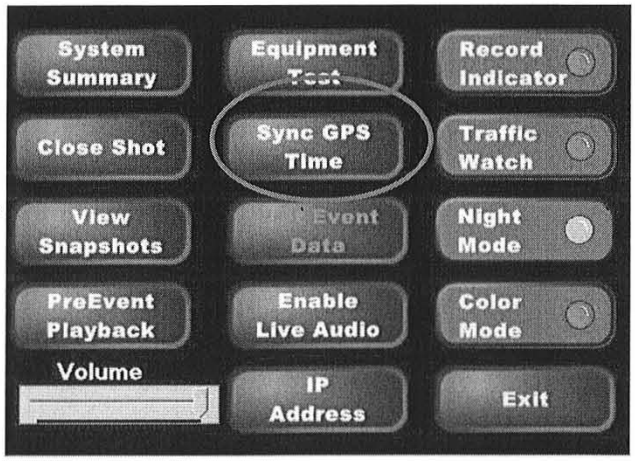
8. Tap Click here to exit Test Mode to exit the test.



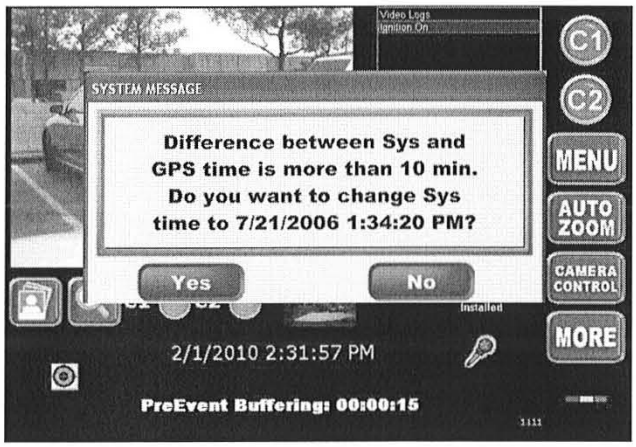
Sync GPS Time

This feature syncs the video clock to GPS time clock if the time is off by more than 10 minutes. This feature will only work if GPS is installed on the mobile recorder system.

1. Tap **Sync GPS Time**.



2. A popup window will appear providing the user with the difference between the system time and the GPS time.
3. Tap **Yes** to synchronize the system time to the GPS time.



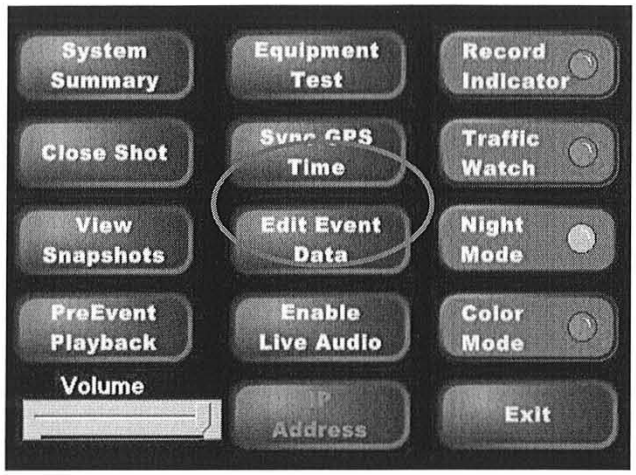
OIG 15-0564 008986

Edit Event Data

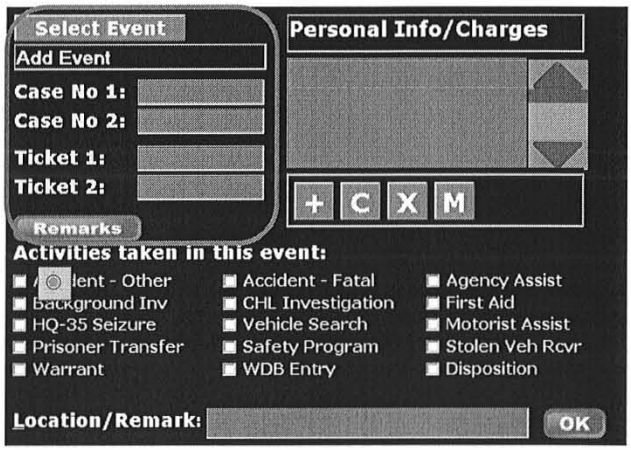
Each recorded video is linked with an event type. Events can be defined as traffic stop, accident, assistance, or any other definable event type. Each event may have multiple data points including offender information, user activities, location description, and remarks.

1. To access the Event Data screen, tap **Edit Event Data**.

Note: This option will be grayed out if the system is not recording.



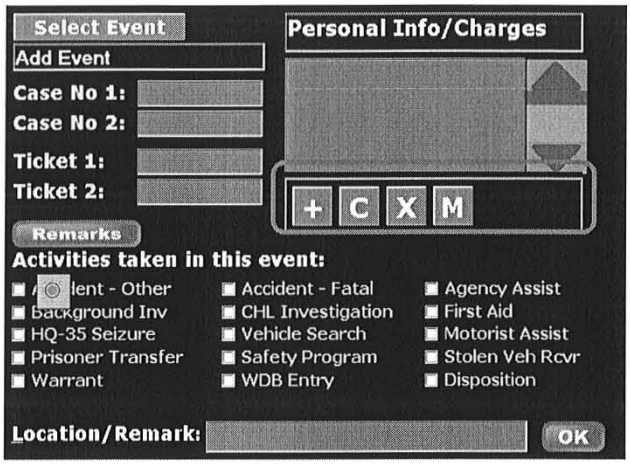
2. Tap **Select Event**.
3. Select the event type from the pre-defined event list.
4. Once event type is selected, the user may then start adding personal information of offenders, or select the applicable activities.
5. Enter case numbers and ticket numbers in the fields provided at the top left of the screen.
6. Tap **Remarks** to enter comments regarding the video event.
7. Check the activities boxes to describe the activities taken during the video event.



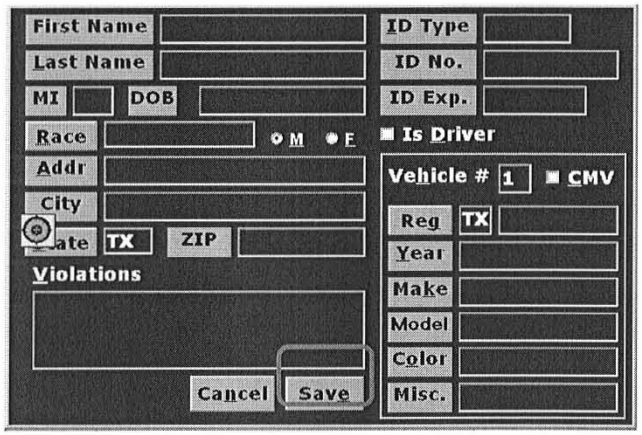
OIG 15-0564 008987

Offender Data Screen

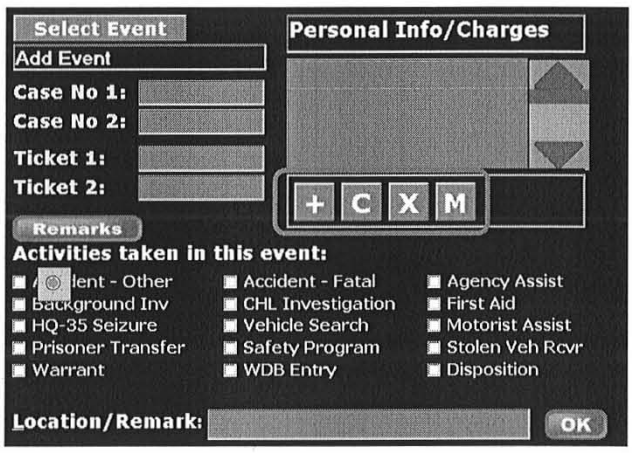
1. Tap + from the Edit Event Data screen to enter the offender data screen.



2. Enter offender data in the fields provided in the Offender Data screen.
3. Tap **Save** when the entries are completed.
4. Tap the Violations field to access the Violations Selection screen (see page 27 for more information on entering violations data).



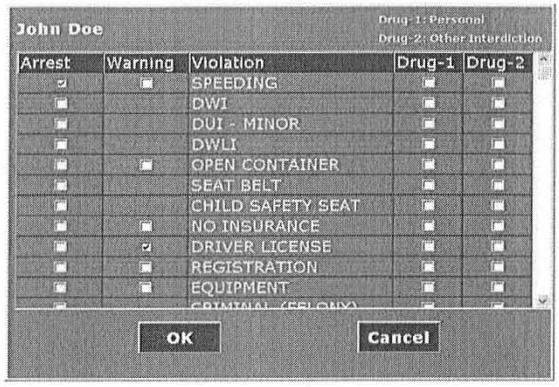
5. Tap C to access the offender data and edit data regarding the event.
6. Tap X to delete offender data.
7. Tap M to move offender data from one event to another.
8. Tap the field next to **Location/Remark** to enter text regarding the location of the video event.



OIG 15-0564 008988

Violation Selection Screen

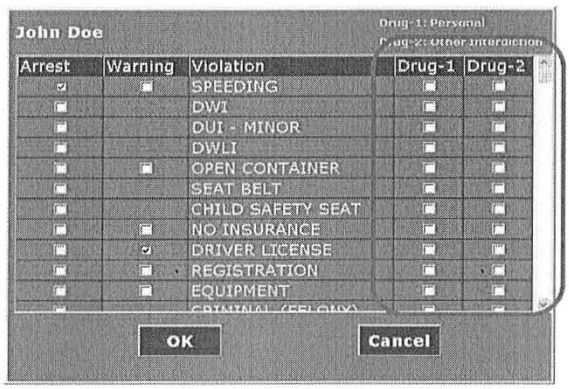
1. Tap the Violations field in the Offender Data screen (as described on page 26) to access the Violation Selection screen.
2. For events where a warning or an arrest took place, check the appropriate box across from the appropriate violation.



3. For events involving drug interdiction, the user can check the box in the Drug-1 or Drug-2 column across from the appropriate violation.

Note: Drug-1 is commonly used to indicate personal use of the drug; Drug-2 is for other drug interdictions (such as Drug Trafficking or Dealing).

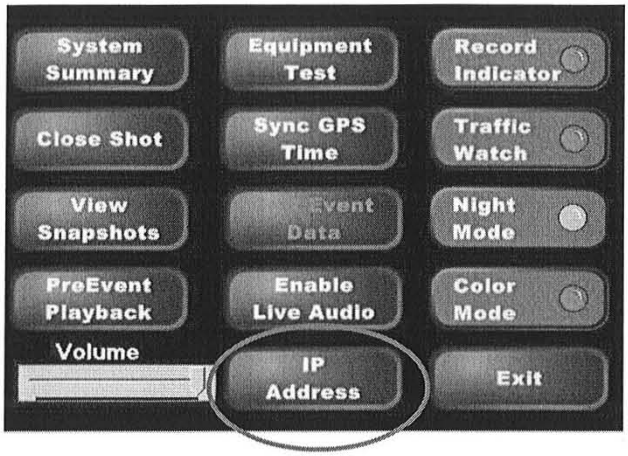
4. Tap **OK** to return to the Offender's Data screen.



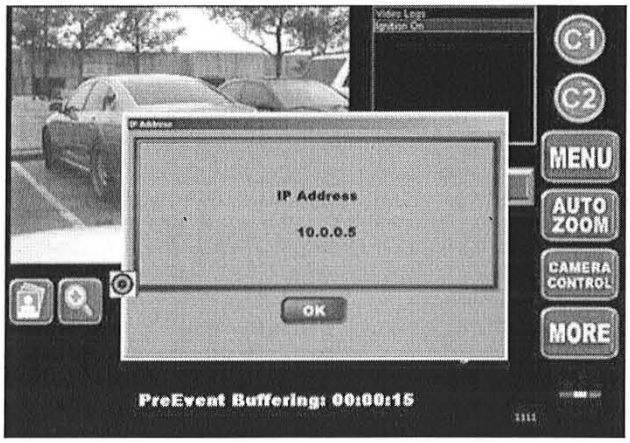
OIG 15-0564 008989

IP Address

1. Tap **IP Address** to display the IP address of the vehicle.



2. A popup window will appear providing the IP address information.
3. Click **OK** to return to the **Main Menu** screen.

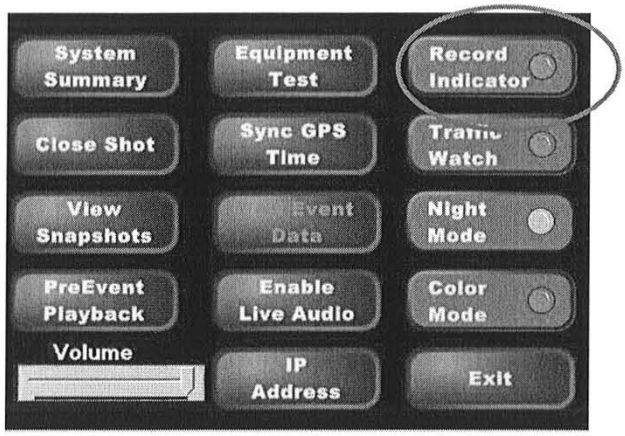


OIG 15-0564 008990

Record Indicator

A red LED light is situated on the front of the COBAN camera in order to signify to users whether or not the system is recording. It is situated to be seen through the front windshield when the user is outside the vehicle.

1. Tap **Record Indicator** to deactivate the red LED on the camera.



2. Tap **Record Indicator** a second time to activate the red LED on the camera.

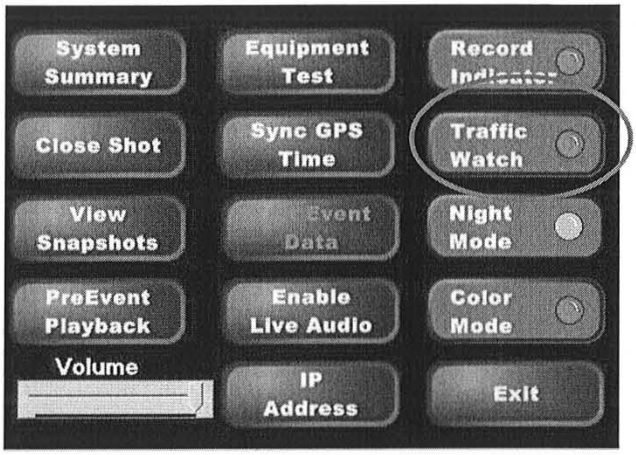


OIG 15-0564 008991

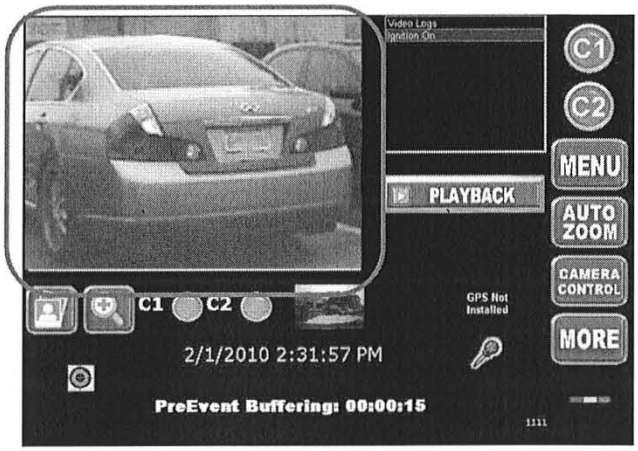
Traffic Watch

The traffic watch allows users the ability to zoom out as soon as the record button is tapped.

1. Tap **Traffic Watch** to turn on the traffic watch function.



2. The screen shot on the right shows a preview where the user is focusing on the license plate of the vehicle in the frame.



3. When a recording is started the camera will automatically zoom out to obtain the entire scene.

Note: When traffic watch is disabled the manual zoom button stays active.

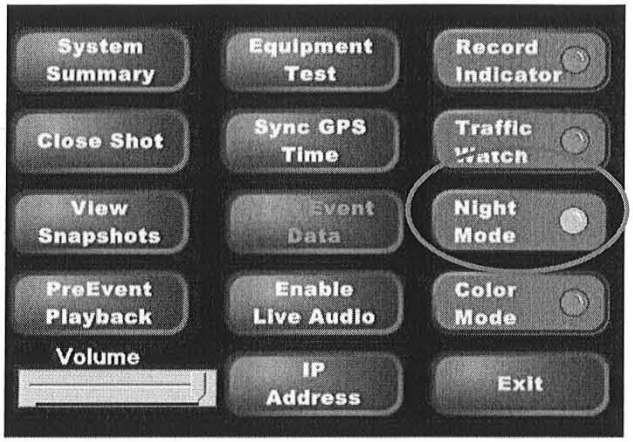


OIG 15-0564 008992

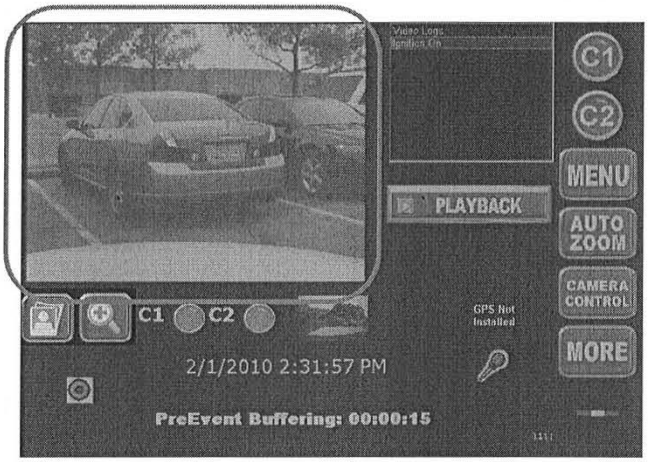
Night Mode

Night Mode dims the in-car monitor for clarity and provides less glare during covert conditions.

1. Tap **Night Mode** to activate night mode and reduce the brightness of the monitor.



2. The preview screen will dim slightly.



3. Tap **Night Mode** again to deactivate night mode and return the monitor to the default brightness settings.

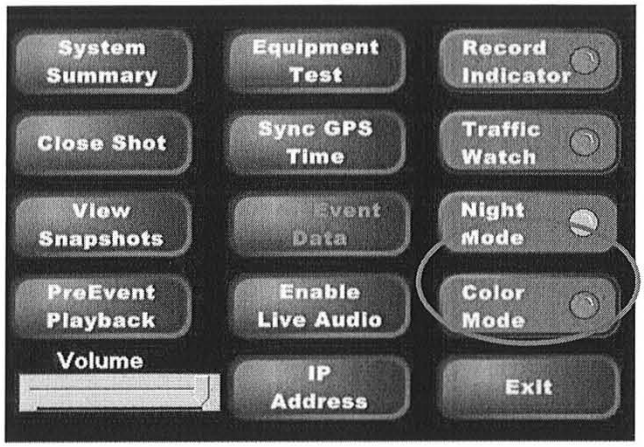


OIG 15-0564 008993

Color Mode

By default, color mode is enabled in the mobile recording system. There are times when it may be useful to disable color mode in order to enhance lighting and reduce glare. This feature is useful for capturing tire skid marks on roads or during dusk and dawn light conditions.

1. Tap **Color Mode** on the Menu screen to activate a black and white preview.



2. The preview screen will change from color to black and white.



3. Tap **Color Mode** again on the Menu screen to re-activate color mode and deactivate black and white preview.

Note: When in Black and White mode, the video recording will record in black and white only.



OIG 15-0564 008994

Camera Control

COBAN mobile recorder systems allow users the ability to manually adjust the zoom, brightness and focus using the touch screen monitor. The specifics of accessing and utilizing these functions are described below:

Brightness Control

1. Tap **Camera Control** to access the brightness control functionality.
2. Use the arrow keys to increase or decrease the brightness of the preview screen.
3. Tap **Reset** to return to the default settings.
4. Tap **Exit** to return to the Camera Preview screen.



Zoom Control

1. Tap **Camera Control** to access the brightness control functionality.
2. Tap 

to access the zoom control functionality.
3. Use the arrow keys to increase or decrease the brightness of the Camera Preview screen.
4. Tap **Exit** to return to the Camera Preview screen.



Focus Control

1. Tap **Camera Control** to access the brightness control functionality.
2. Tap 

to access the focus control functionality.
3. Use the arrow keys to change the focus of the Camera Preview screen.
4. Tap **Exit** to return to the Camera Preview screen.



OIG 15-0564 008995

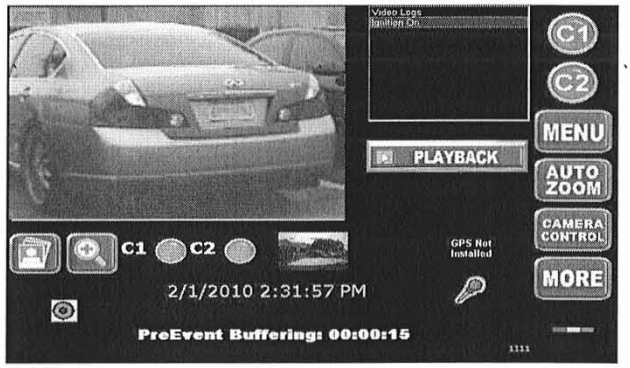
Auto Zoom

The auto zoom feature allows users the ability to zoom in on a subject automatically. Complete the following steps to utilize the auto zoom feature. This feature is especially useful when zooming in on a license plate or zooming in on a subject during a recording.

1. Adjust the camera to center the preview screen on the subject to zoom in on.



2. Tap **AUTO ZOOM** on the right of the Camera Preview screen to automatically zoom in on a subject in the preview screen automatically.



Note: If the in-car set up has been configured to take a snapshot during auto zoom the system will automatically take a snapshot once the camera has zoomed in on the subject. The snapshot will be shown below **SNAPSHOT** for approximately 15 seconds. The snapshot will be saved with the other snapshots taken during that shift (see page 15 for more information on snapshots).

3. The camera will zoom out automatically.



OIG 15-0564 008996

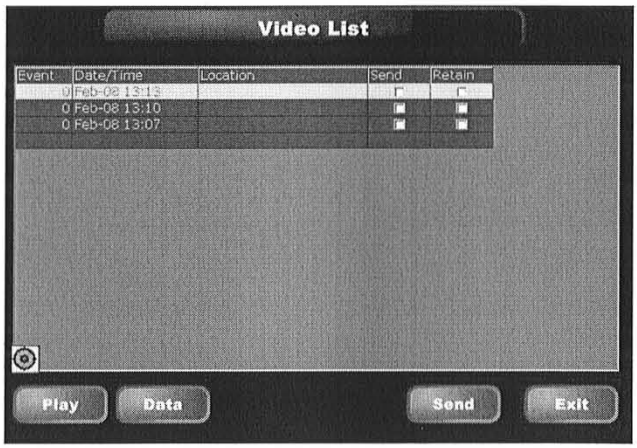
Playback Video

COBAN BOClient is a software application used to review videos at the department once the videos are uploaded from the mobile recorder system. In some cases users have found it necessary and useful to review videos in the field or immediately after recording them. The Playback Video feature allows users the capability to review videos from the mobile recorder system display in the vehicle.

1. Tap **PLAYBACK** on the right side of the screen to access the playback function.



2. The Video List screen will appear and list video's stored on the MHDD by date and time taken. Location and Event will also be displayed.
3. Tap the video to play. The video will be highlighted in light green when selected.
4. Tap **Play** at the bottom of the screen.



Note: Tap **Data** to access the Offender Data screen (see page 26 for more information on the Offender Data screen).

Note: Check the box in the Retain column to have the video classified as "retained" in BOClient. See the BOClient User's Manual for more information on retaining videos. This feature is usually used for videos that may have been misclassified as a different event type immediately following the recording.

OIG 15-0564 008997

5. Tap  to set a bookmark in the video.
6. Tap  to pause the video.
7. Tap  to play the video at double speed.
8. Tap  to rewind the video to the starting point.
9. Use the track bar at the bottom of the screen to move through the video.



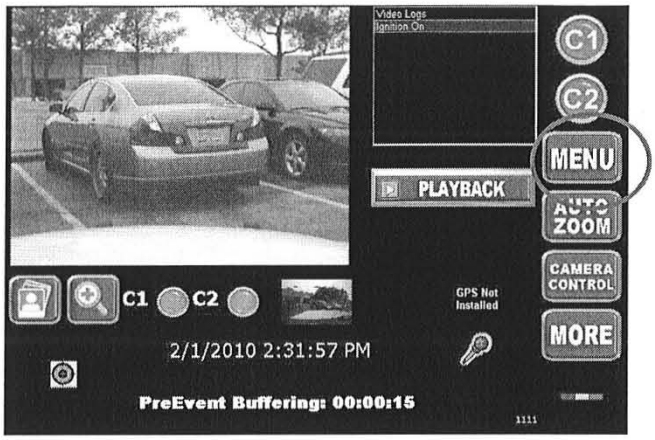
10. Use the audio channel buttons at the bottom right of the screen to toggle on and off the audio channels.
11. Tap  to stop the video playback and return to the Video List screen.



OIG 15-0564 008998

Switch Officer

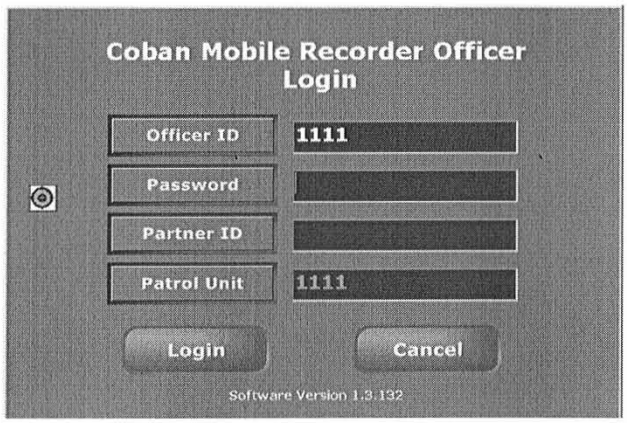
1. Tap **MENU** on the right side of the screen.



2. The Officer Login screen will appear.

Note: Tap the field titles, ie. **Officer ID**, **Password** to access the Virtual Keypad.

3. Enter the officer ID and password in the appropriate fields and tap **OK**.



OIG 15-0564 008999

Upload Videos

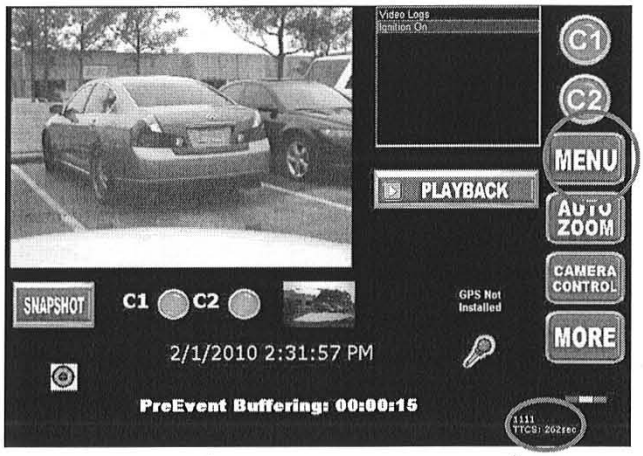
The COBAN mobile recorder system allows for the transfer of videos to the server or sub server at the department in any one of several different methods, including:

- Mobile Hard Disk Drive upload
- Wireless Upload (automatically or on command)
- Wired Ethernet

Wireless Upload

Users in departments that utilize the wireless upload capability will have TTCS (time to connect to server) countdown at the bottom right of the Camera Preview screen.

1. Tap **MENU** from the Camera Preview screen.



2. Tap **EXIT SYSTEM** at the bottom of the screen.



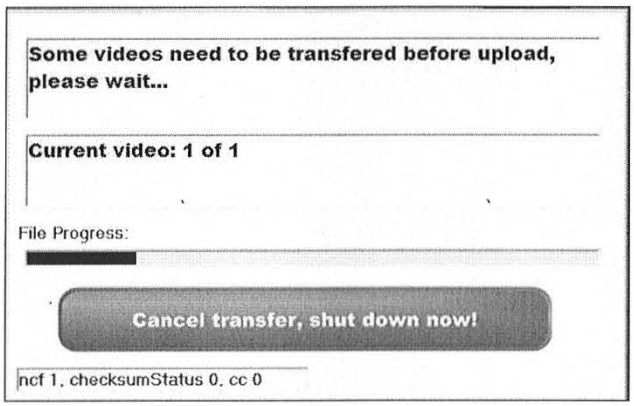
OIG 15-0564 009000

3. Tap **Upload & Stay On** or **Upload & Shutdown** to upload videos.



4. The mobile recorder system will process all videos for upload.

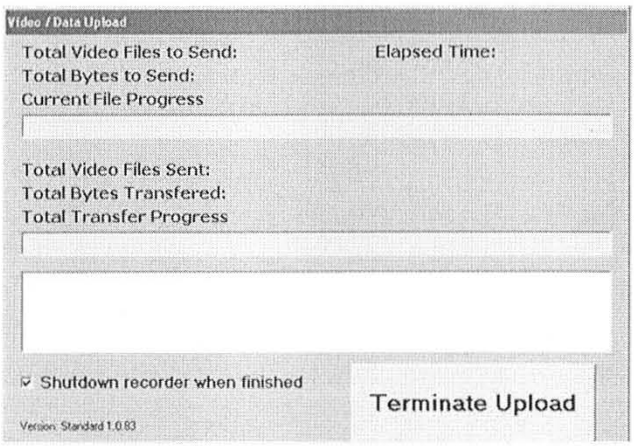
Note: In some cases the mobile recorder system must finish processing videos before it can properly shutdown or upload videos. The User can turn off the vehicle and leave as the movile recorder system will automatically proceed with the upload and shutdown operation once the video processing is complete.



5. The mobile recorder system will begin to upload the videos and show progress of the upload.

CAUTION: Do NOT remove the MHDD during this upload process.

Note: If the **Upload and Shutdown** option was selected, the mobile recorder system will automatically shut down when the upload is complete.

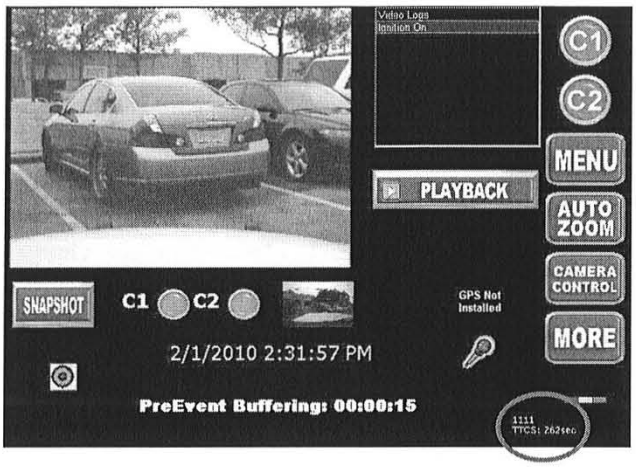


OIG 15-0564 009001

Automatic Wireless Upload

Departments that utilize the wireless upload capability will have TTCS (time to connect to server) countdown at the bottom right of the Camera Preview screen.

All videos that have been processed by the system and are in the Video List are automatically uploaded to the server or sub server based on the BOClient settings and department protocols.

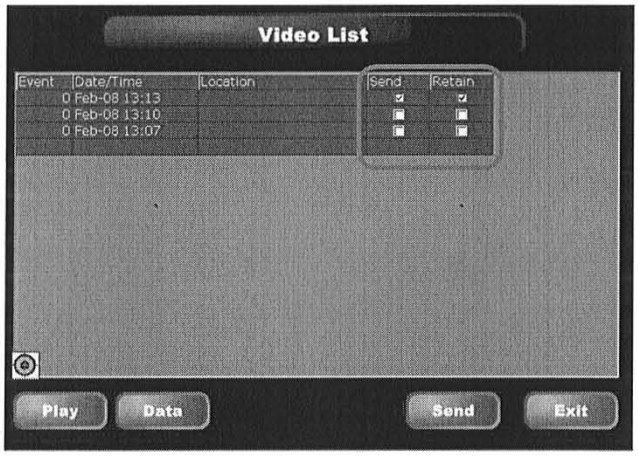


Specifying Videos to Upload/Retain

1. Users can designate that the system send specific videos immediately to the server from the Video List screen (see page 35 for information on accessing the Video List screen).

Note: Check the box in the Retain column to have the video classified as "retained" in BOClient. See the BOClient User's Manual for more information on retaining videos.

2. Check the box next to the video and tap **Send** at the bottom of the screen.



3. A popup screen will appear informing the user whether or not the videos were successfully uploaded.
4. Tap **OK** in the popup window to proceed.
5. The video will be marked as **<SENT>** in the video list following a successful upload.



OIG 15-0564 009002

MHDD Upload

Users must check in and check out Mobile Hard Disk Drives (MHDD) to upload videos in departments that do not utilize the wireless upload capability.

1. Tap **MENU** on the Camera Preview screen.



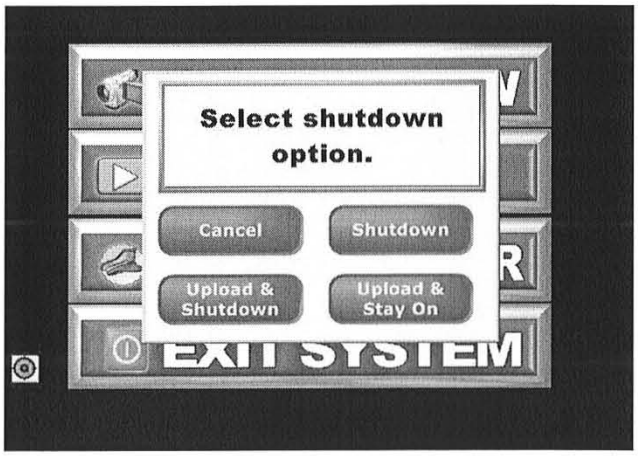
2. Tap **EXIT SYSTEM**.



3. Tap **Shutdown** to shutdown the mobile recorder system.
4. Use a key to unlock and remove the MHDD from the mobile recorder system.

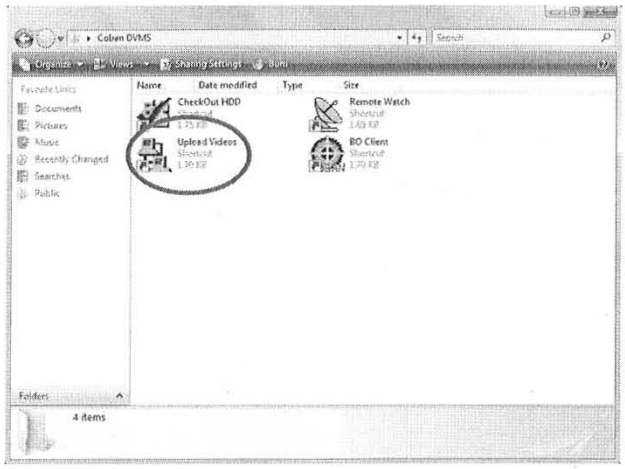
Note: In most departments a key can be requested from the System Administrator.

CAUTION: Do NOT remove the MHDD while this system is running.



OIG 15-0564 009003

5. Insert the MHDD in the upload cradle in the department or sub-station.

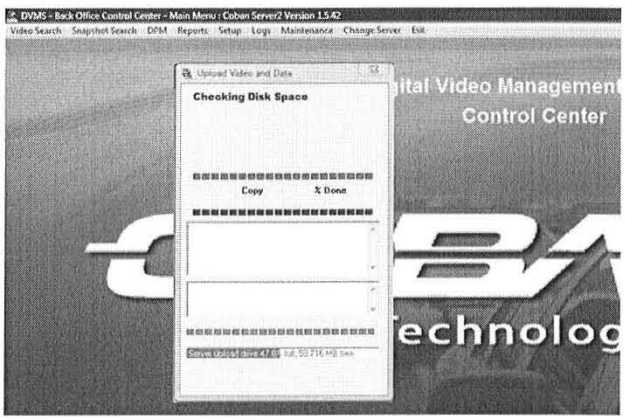


6. An upload popup window will appear. Enter the serial number of the MHDD if it is not automatically entered into the field provided.
7. Check the appropriate box to check out the hard disk after upload and the system will run the checkout application automatically after uploading.

CAUTION: Do not remove MHDD from the cradle during the upload process. Removing the MHDD from the cradle could result in loss of data.

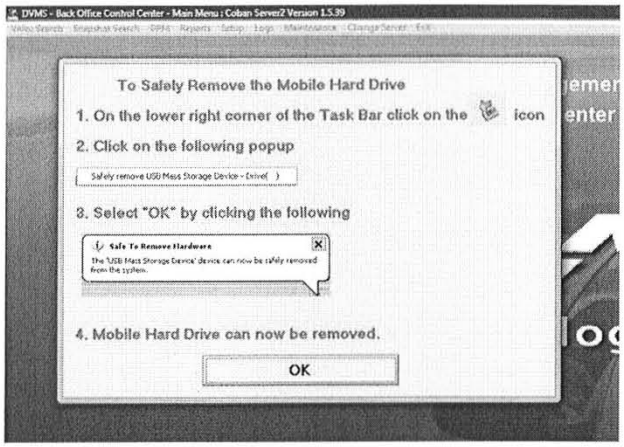


8. A message box will show the progress of the upload and check out process.



OIG 15-0564 009004

9. Follow the directions to safely remove the MHDD from the cradle.



Wired Upload

The mobile recording system provides the capability to download videos via Ethernet cable directly from the CPU. System administrators must specify that the Ethernet plug will be used for the function to enable this feature.

1. Plug an Ethernet cable into the Ethernet plug of the CPU.
2. Tap **MENU** from the Camera Preview screen.



3. Tap **EXIT SYSTEM** at the bottom of the screen.



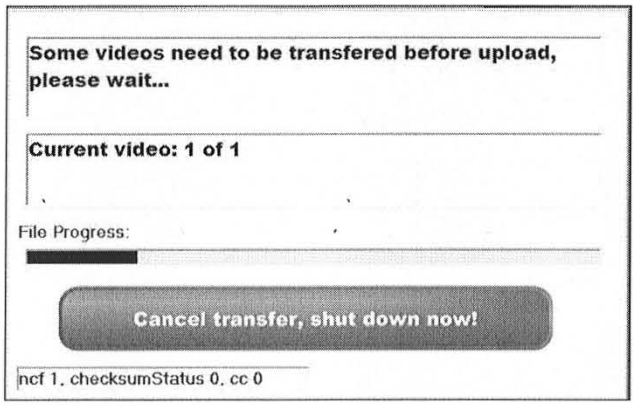
OIG 15-0564 009005

4. Tap **Upload & Stay On** or **Upload & Shutdown** to upload videos.



5. The mobile recorder system will process all videos for upload.

Note: In some cases the mobile recorder system must finish processing videos before it can properly shutdown or upload videos. The User can turn off the vehicle and leave as the movile recorder system will automatically proceed with the upload and shutdown operation once the video processing is complete.

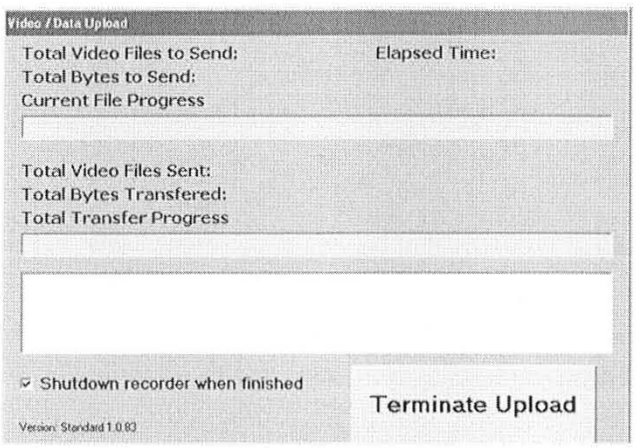


6. The mobile recorder system will begin to upload the videos and show progress of the upload.

CAUTION: Do NOT remove the MHDD or unplug the Ethernet cable during this upload process.

Note: If the **Upload and Shutdown** option was selected, the mobile recorder system will automatically shut down when the upload is complete.

7. Disconnect the Ethernet cable once the upload is complete.

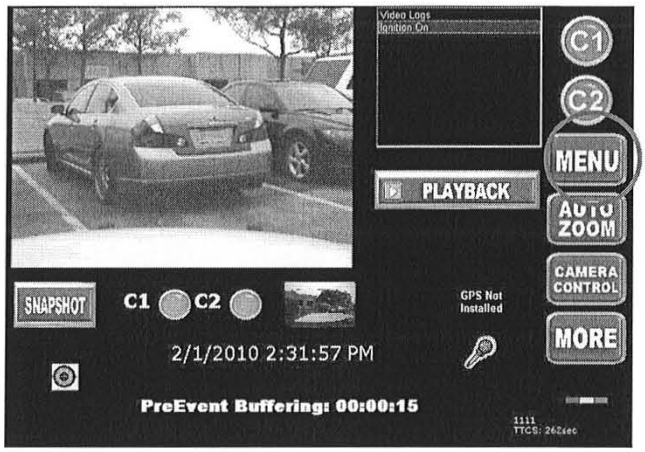


OIG 15-0564 009006

Exit the System

The mobile recorder system is capable of automatically shutting down following the upload and processing of videos stored in the MHDD. This enables users to select the shutdown option, turn off the vehicle, and leave with the confidence of knowing the data stored on the system will not be lost.

1. Tap **MENU** from the Camera View screen.

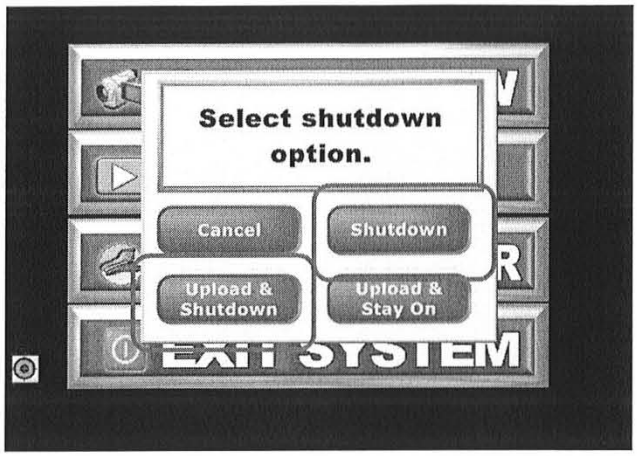


2. Tap **EXIT SYSTEM** at the bottom of the screen.



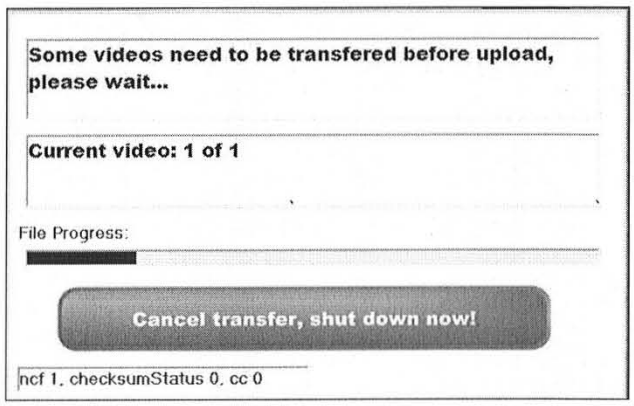
OIG 15-0564 009007

3. For wireless upload, tap **Shutdown** or **Upload & Shutdown** to shutdown the mobile recorder system.



Note: **Upload & Shutdown** will upload videos prior to shutdown (see page 38 for more information on this function.)

4. The mobile recorder system will process all videos for upload.



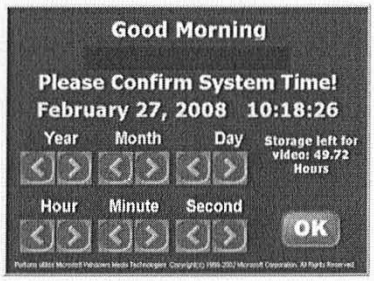
Note: In some cases the mobile recorder system must finish processing vidoes before it can properly shutdown or upload videos. The User can turn off the vehicle and leave as the movile recorder system will automatically proceed with the upload and shutdown operation once the video processing is complete.

OIG 15-0564 009008

MobileRecorder Cheat Sheet

LOGIN



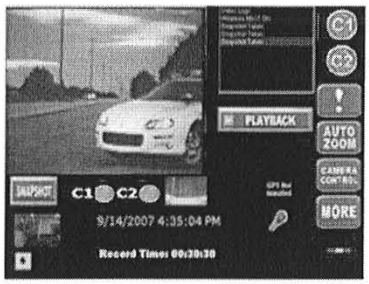


* Press OFFICER ID, PASSWORD, PARTNER ID or PATROL UNIT buttons for Virtual Keypad.

* Press Login to advance to Date and Time confirmation and Press OK.

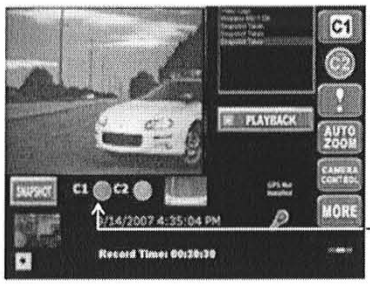
START RECORDING

* Auto start recording by: **activating light bar** or **pressing record button** on mic.



← Press **C1** to start front camera

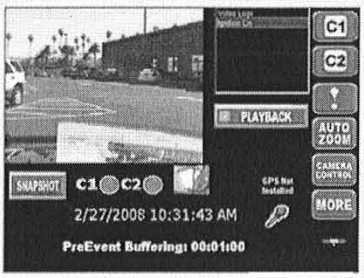
← Press **C2** to start rear camera



← Front camera recording indicator

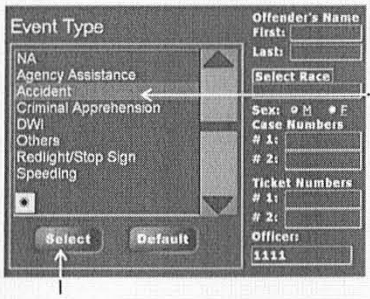
STOP RECORDING

* The Event Type screen appears when a recording is stopped.



← Press **C1** to stop front camera.

← Press **C2** to stop rear camera.



← Select an event.

Press **SELECT** to return to Camera View screen.

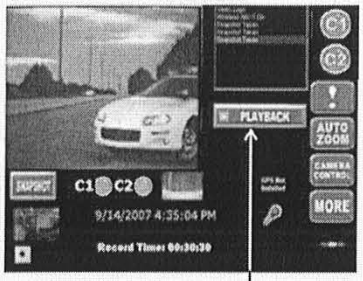
TAKE A SNAPSHOT

Press **SNAPSHOT** to take a snapshot. →

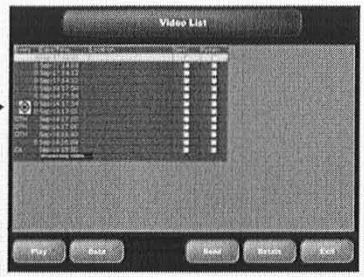


Tap the preview to go to Snapshot screen.

VIDEO PLAYBACK



Press PLAYBACK.



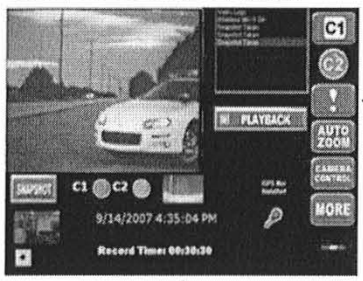
Select a video.

Press PLAY.



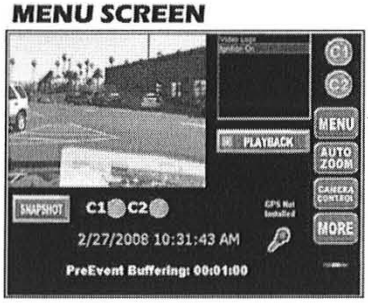
Review videos, bookmark or play at 2X speed.

CREATE BOOKMARKS

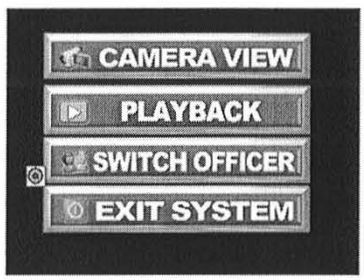


Press ! to create a bookmark.

MENU SCREEN

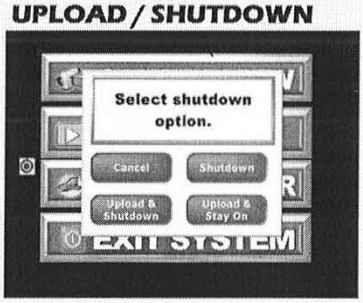


Press MENU.

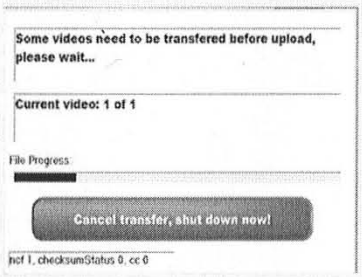


Press Exit System Shutdown

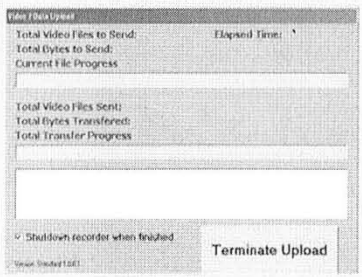
UPLOAD / SHUTDOWN



Press SHUTDOWN or UPLOAD & SHUTDOWN.

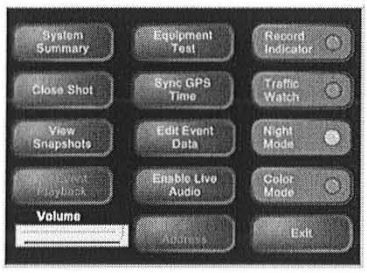


If videos have not automatically been uploaded, the system will begin an upload.



The system will shutdown automatically.

MORE FUNCTIONS



SYSTEM SUMMARY: Provides the number of recorded videos, number of offender records entered and available recording time with existing mobile hard drive.
CLOSE SHOT: Close shot reduces focus point down to within one inch from the camera for 5 seconds. During this time, a snapshot will be taken for later review.
VIEW SNAPSHOT: Allows the user to view all saved snapshots. Double tap the snapshot to enlarge the photo, double tap again to return to original size.
PRE-EVENT PLAYBACK: Allows the user to playback the pre-event video to manually determine when they would like to start a recording.
EQUIPMENT TEST: Allows the user to test equipment settings for the in-car unit.
EDIT EVENT DATA: Allows the user to edit / add event data to a video while it is being recorded.
IP ADDRESS: Displays the IP address of the recording unit.
RECORD INDICATOR: Allows the user to activate or disable the red LED indicator in front of the camera. The LED is used to alert the user of the camera's recording status.
TRAFFIC WATCH: Will adjust back from manual zoom to user selected zoom setting in the back office, when recording is triggered.
NIGHT MODE: Dims the in-car monitor for clarity and reduce glares.
COLOR MODE: By default, color mode is ON, turning it OFF will revert camera to black and white mode which may be useful at night to enhance lighting and reduce glare.

Coban Technical Support
Mon - Fri / 8 am - 6 pm / 281.277.8288
www.cobantech.com



Mobile Recorder User Manual

COBAN® Technologies Inc.
12503 Exchange Drive, Suite 536
Stafford, Texas 77477

Tel: 1-281-277-8288
Fax: 1-281-277-8256

http://www.cobantech.com

Table of Contents

Introduction **4**

Login **4**
Turn On the Mobile Recorder 4
Login to the Mobile Recorder 5
Sync the Wireless Microphone 6
Other Login Options 7
Manually Start the Application 7
Minimize/Maximize the Application Window 8

Camera View Screen **9**

Recording **11**
Start a Recording Manually 11
Stop Recording 12
Use Wireless Mic to Start Recording 12
Wireless Mic Alerts 12
Other Recording Options 12

Event Type **13**
Select an Event Type 13

Snapshot **15**
Take Snapshot 15
Review Snapshots 16

Bookmark **16**
Set a Bookmark in Mobile Recorder 16

More Functions **17**
Access the More Menu 17
System Summary 18
Close Shot 19
View Snapshots 20
Pre-Event Playback 21
Equipment Test 23
Sync GPS Time 24
Edit Event Data 25
Offender Data Screen *26*
Violation Selection Screen *27*
IP Address 28
Record Indicator 29
Traffic Watch 30
Night Mode 31
Color Mode 32

Camera Control **33**
Brightness Control 33
Zoom Control 33
Focus Control 33

Auto Zoom **34**

Playback Video **35**

Switch Officer **37**

Upload Videos **38**
Wireless Upload 38
Automatic Wireless Upload 40
Specifying Videos to Upload/Retain 40

OIG 15-0564 008964

MHDD Upload 41
Wired Upload 43
Exit the System **45**
Mobile Recorder Quick Reference Guide **47**

OIG 15-0564 008965

Introduction

The COBAN mobile recorder is the front line of the Digital Video Management System (DVMS). The mobile recorder support up to three audio/video channels and can record two channels of audio and two channels of video streams simultaneously to the in-car CPU.

	Audio Channels Supported	Video Channels Supported	Video Format
TopCam-G2	2	3*	MPEG 1 / 2
EDGE	3	3*	H.264

*Only two video channels can be recorded simultaneously.

This information is stored in the Mobile Hard Disk Drive until it can be transferred to the BOClient.

This manual addresses the steps needed to properly use the Mobile recording system.

Login

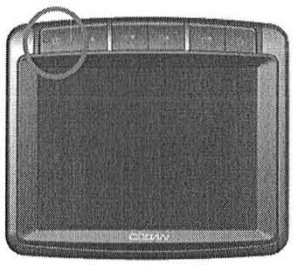
Based on the system settings configured by the department users may need to login to the mobile recorder system using a valid user ID and password at the beginning of each shift. Other login types are described on page 7. This information allows the mobile recorder system to transfer videos taken during the shift to BOClient to be properly stored and classified in the DVMS. Complete the steps described in this section to login to the mobile recorder system.

Turn On the Mobile Recorder

1. Start the vehicle.
2. Turn on the mobile recorder using the On/Off switch on the monitor.
3. Allow the system to boot up.



TOPCAM-G2



EDGE

OIG 15-0564 008966

Login to the Mobile Recorder

1. After the mobile recording system has been powered up, the Mobile Start Recorder software will initiate and display the Officer Login screen.
2. The officer ID should be automatically entered into the appropriate field from information input during MHDD checkout. If not, enter the appropriate **Officer ID** in the field provided.

Note: Tap **Officer ID** or **Password** to access the virtual keypad.



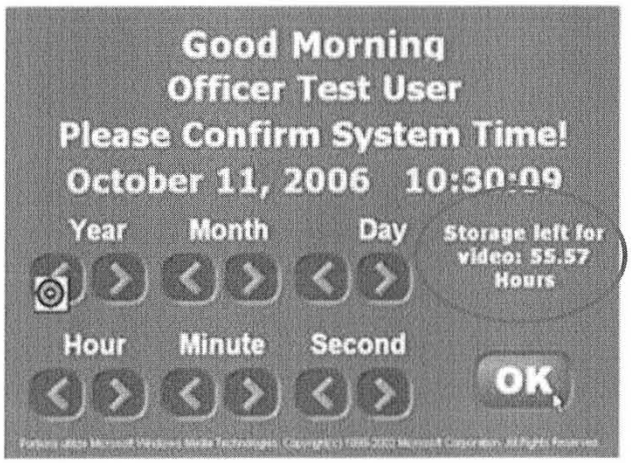
3. Type your password using the virtual keypad then tap **OK**.
4. Tap **Login**.



5. The System Time and Date screen will appear.
6. Change the system time and date if it is incorrect using the appropriate arrow keys.
7. Take note of the estimated remaining recording time. Storage remaining for video recording is displayed above the **OK** button.

Note: A warning prompt will be displayed if available recording time is less than 4 hours. The system will not allow the MHDD to be used if it has less than ??? time remaining.

8. Tap **OK.**



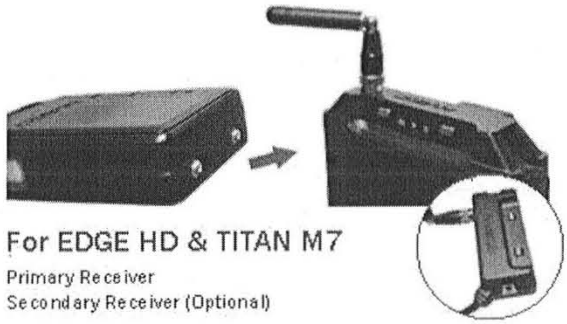
OIG 15-0564 008967

Note: A successful Login will show the Officer ID number on the bottom right of the Camera View screen.



Sync the Wireless Microphone

1. Locate the contacts at the bottom of the wireless mic.
2. Press the wireless microphone contacts directly on top of the receiver's register contacts.
3. A confirmation tone will sound to indicate the receiver and the microphone have synchronized their frequencies.
4. The wireless microphone is now on standby mode and ready for use.



Note: Syncing a second microphone to the same receiver will replace and nullify the first microphone.

OIG 15-0564 008968

Other Login Options

The system administrator for the DVMS can enable one of four different login capabilities. These four different options are described below:

Quick login – Automatically logs in an officer after they login once, as long as the same hard drive is used in the same unit (typically used in take home vehicles).

Emergency login – If this option is enabled, when the user starts the mobile recording system and the light bar is activated, the system will boot into record mode automatically. If the light bar is not activated, the system will remain at the login screen.

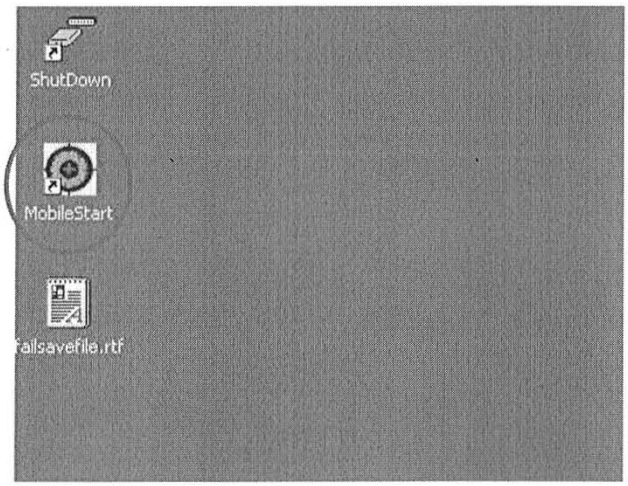
Delayed login – If this option is enabled the officer can startup the mobile unit and will get a login prompt for 30 seconds. If the officer does not login within 30 seconds the mobile recorder program will start automatically with the ability to record a video. At the end of the recording period, once the stop button is pressed, the officer is prompted to login.

Windows login – The administrator may set BOClient to use MSWindows login credentials and automatically login to BO Client. Note that users will need to logoff from the current Windows session so that others will not gain access to DVMS system with other users' access rights (this feature requires MDT integration or a connection to the department network).

Manually Start the Application

1. The system is designed to start automatically. If the system does not automatically start contact the system administrator or locate the application icon on the display screen.
2. Tap the Mobile Start icon to start the application.





OIG 15-0564 008969

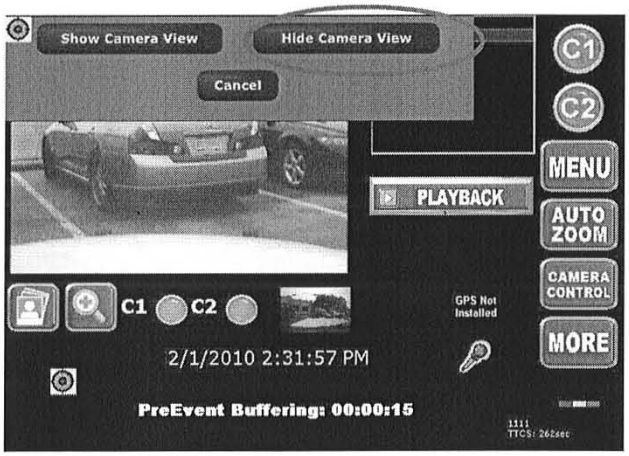
Minimize/Maximize the Application Window

1. Tap the application icon to minimize the window.



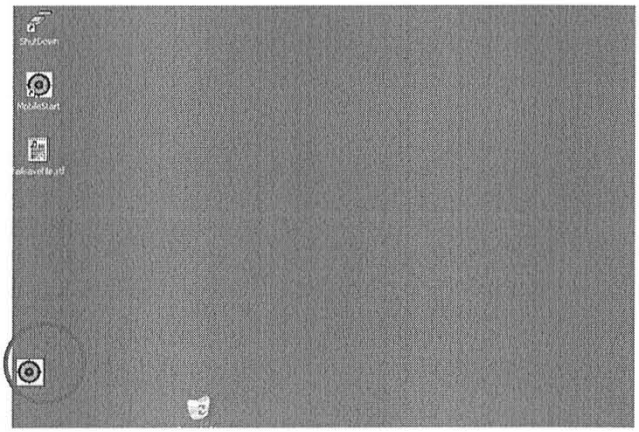


2. Tap **Hide Camera View** to minimize the application window and access the desktop.



3. Tap the application icon to return to the Camera View screen.





OIG 15-0564 008970

Camera View Screen

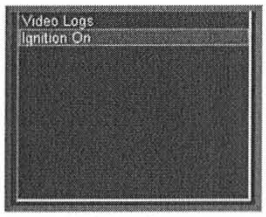
The Camera View screen displays the camera input and provides options for the user to start recording, create bookmarks, take snapshots of the video and other functions. It also provides icons that indicate the light bar status, radar gun reading, GPS indicator (if installed), and the in-car microphone ON / OFF status.

At the bottom of this screen, it shows the Pre-Event Buffering time, which indicates the length of video that is being pre-recorded prior to User pressing the Record button.





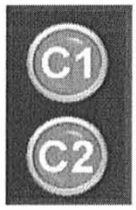
Camera Preview



Video Logs



Playback Function



Record Buttons



Snapshot



Zoom In



Recording Indicators



Secondary Camera View



Minimize/Enlarge Button



Date and Time



Mic Icon



Light Bar Indicator



Function Buttons

Buffer Setting

OIG 15-0564 008971

Camera Preview – The camera preview displays the image as seen through the camera lens. The default image is set as the front facing camera. The system supports a spot exposure feature. Tap the brightest portion of the camera preview screen to automatically dim the preview screen for five seconds. This feature is useful for when lights are making portions of the preview too bright to see.

Video Log - The Video Log documents readings and status from various devices connect to the mobile recording system such as, light bar status, microphone status, bookmark, etc.

Snapshot Function – Tapping the snapshot icon will save a JPG freeze frame image of the video displayed on the camera preview screen. A preview of the snapshot will be displayed immediately beneath the snapshot icon for 15 seconds. Take a snapshot of the rear camera view by clicking on the C2 camera indicator to change the camera preview to secondary camera, then tap the snapshot icon.

Minimize/Enlarge Button – The minimize/enlarge button will minimize or enlarge the mobile recorder application and allow users the ability to access other programs on the computer.

Recording Indicators – The recording indicators blink red to signify which camera is recording. If no cameras are recording, the indicators will not blink. Users can tap on the recording indicators to make that cameras view active in the Camera Preview screen. When there is only one camera installed on the vehicle, the user will not see a C1 and C2 camera indicator. When three cameras are installed in the system, tapping the C2 camera indicator will toggle between camera's two and three.

Date and Time – The Date and Time display is set during the login sequence and continuously displays the current date and time.

Buffer Setting – The Pre-Event Buffer is set by the System Administrator through COBAN's BOClient application. The Pre-Event Buffer display is a reminder to the user that all recordings are provided with a pre-event recording. This buffer can be adjusted through BOClient or in some cases through mobile recorder.

Mic Icon – The wireless microphone icon will blink when the covert microphone is recording audio.

Light Bar Indicator – the light bar indicator will blink when the vehicles light bar is activated.

Function Buttons – The function buttons provide users the access to greater functionality, including:

The **Menu** button provides access to Camera View, Playback, Switch User, or Exit functions.

Bookmark Icon – Tap the bookmark icon to mark a spot in a video for later review or to pinpoint an action on the recording.

Auto Zoom - When tapped, the system will automatically zoom the camera, pause for 3 seconds and zoom back to user's original zoom setting. There is no need to manually disengage the button when this feature is used.

Camera Control - Press Camera Control to access manual camera zoom, brightness and focus capabilities.

More - Allows users the ability to access additional system features and functions.

Secondary Camera View - If installed, will be configured as C2 and the second camera's view will appear below the primary camera image next to C2 indicator.

Playback Functions – The playback feature allows user to play previously recorded video, enter / edit video event data, send selected video wirelessly (if wireless option is purchased) and manually retain video. (Please refer to Page 17 for more details)

Record Buttons – The user may initiate a recording by pressing the wireless microphone, turning on the light bar or siren (if equipped as a system trigger), or pressing the **Record** icons on the screen.

OIG 15-0564 008972

Recording

The core feature of the mobile recording system is its ability to quickly and accurately capture videos when the user initiates a recording. The COBAN mobile recording system incorporates a multitude of options to start a recording, and to view videos as they are being recorded. These options are detailed in the following section.

Start a Recording Manually



1. Tap the camera 1 icon  to begin a recording using the primary camera via the video recorder.

2. Tap the camera 2 icon  to begin a recording using the secondary camera via the video recorder.

Note: If the vehicle has three cameras, the user can switch the display between camera 2 and camera 3 by double tapping the camera 2 indicator beneath the video image display.



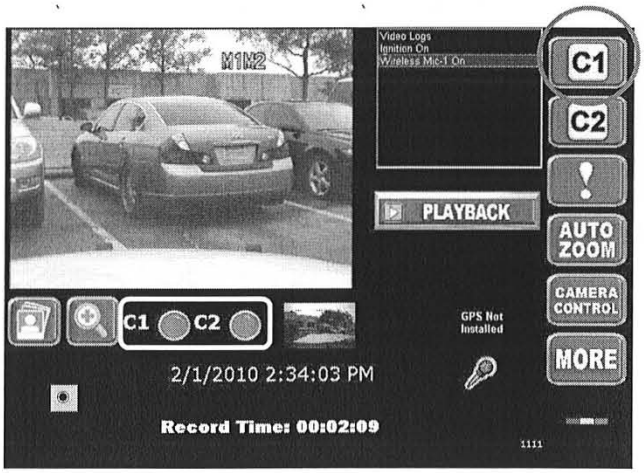
Note: The camera 1 icon will be shown as a white square when the mobile recorder is actively recording a video.

Not Recording Recording



3. The recording indicators will blink red to signify which cameras are actively recording.

Note: While in record mode, the preview screen provides the ability to set bookmarks by pressing the bookmark icon (see page 16 for more information on this feature).



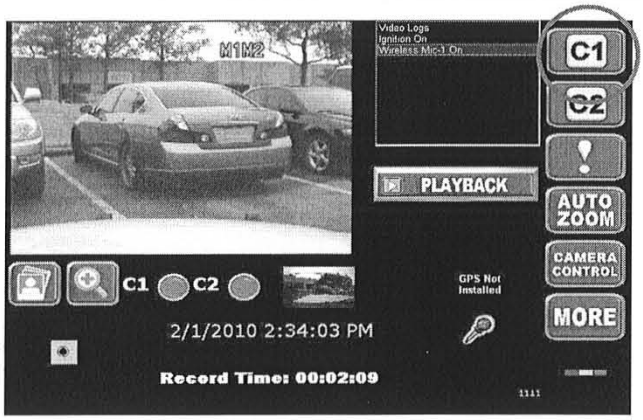
OIG 15-0564 008973

Stop Recording

1. Tap the camera 1 icon 

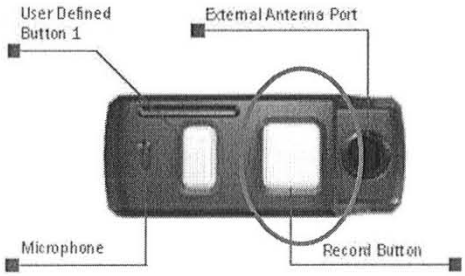
to stop recoding using the primary camera.
2. Tap the camera 2 icon 

to stop the recording on the secondary camera.



Use Wireless Mic to Start Recording

1. Press the Record button (larger button) on the wireless mic once.
2. This action will initiate the mobile recorder to record both audio and video data via the mobile recorder.
3. The wireless mic will vibrate twice and the record button will flash green to indicate that the mobile recording system has started a recording, depending on which mode it is in (see table below).



Wireless Mic Alerts

1. The wireless mic will flash color coded LEDs and/or vibrate to alert users of status changes and wireless mic maintenance alerts.
2. See the table to the right to decipher the alerts.

Alert \ Mode	Vibrations	LED/ Vibrate
Recording	2	Green LED / 2
Mute	2	Green Blinking LED / 2
Out of Range	1	Yellow LED / 1
Low Battery	1 each min	Green LED / 1 (blinks every 4 seconds)

Other Recording Options

The system administrator can set other recording start and stop options via the system settings in BOClient, including:

- Light bar activation
- Siren activation
- Vehicle speed activation
- Weapons rack activation

The middle button of the wireless mic is configurable so that it can be used for the following purposes:

- Bookmark
- Mute
- Stop recording

OIG 15-0564 008974

Event Type

If enabled, the Event Type screen will pop up immediately after the user stops a video recording. Classifying a recording with an event type helps the DVMS save the video, and allows meta-data and other details about the video to be stored with the recording as well as sets the retention criteria for each video. The mobile recorder system will return to the Camera View Screen and Wireless Microphone will also return to standby once the video has been linked to an event type. In instances where both cameras are recording the system will give the user the option to carry over the event data to the secondary camera.

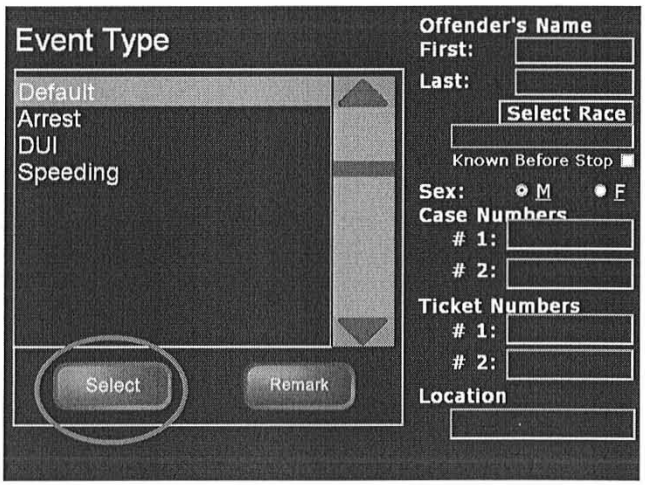
Select an Event Type

1. Tap the camera icon C1 or C2 to stop recording.



2. The Event Type screen will appear.
3. Tap the appropriate event type to classify the video that was recorded. The Event Type will be highlighted in light blue when it is selected.
4. Tap **Select** to enter the event type.

Note: Events can be added or removed from the event type list by the system administrator through BOClient.



OIG 15-0564 008975

5. Tap any of the text fields to display the virtual keypad.
6. Type information regarding the recording using the virtual keypad then tap **OK**.



OIG 15-0564 008976

Snapshot

Using the snapshot feature will take a JPG freeze frame image of the video displayed on the preview screen. A preview of the snapshot will be displayed immediately beneath the snapshot icon for 15 seconds. This feature works for any camera installed on the system, but only the camera view shown on the preview screen is available for snapshot.

Take Snapshot

1. Tap snapshot icon  to take a JPG freeze frame of the image on the camera view screen.



2. Tap the preview that appears beneath the snapshot icon to enlarge the snapshot.

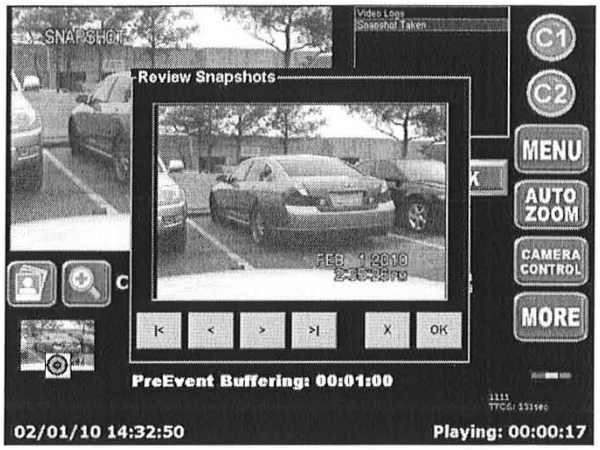
Note: The snapshot preview will be displayed for approximately 15 seconds.



OIG 15-0564 008977

Review Snapshots

1. Use the arrow keys to scroll through the snapshots saved in the mobile recorder system.
2. Click **X** to delete snapshots.
3. Click **OK** to return to the Camera View screen.



Bookmark

Bookmarks are used to mark points in a video that the reviewer or user feels are significant. Bookmarks also allow users to quickly locate these significant points of videos during a review.

Set a Bookmark in Mobile Recorder

1. Start a video recording (see page 11 for more information on recording).
2. Tap the bookmark icon on the right side of the screen.



3. An entry will be displayed in the Video Log.

Note: The bookmark icon will not be displayed unless the mobile recorder is actively recording.



OIG 15-0564 008978

More Functions

Tap MORE to access additional system features/functions such as:

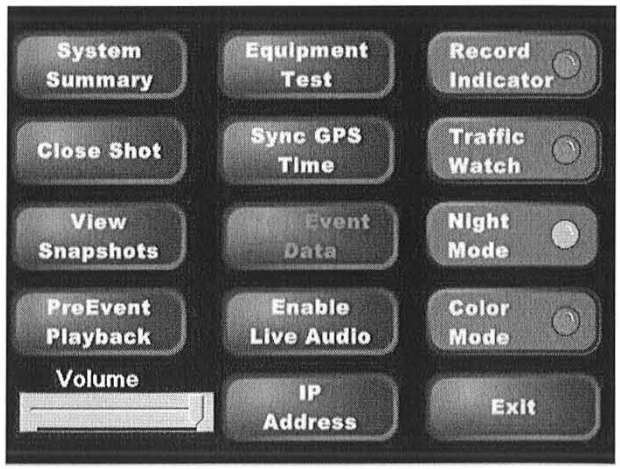
- System Summary
- Close Shot
- View Snapshot
- Pre-Event Playback
- Volume
- Equipment Test
- Sync GPS Time
- Edit Event Data
- Enable Live Audio
- IP Address
- Record Indicator
- Traffic Watch
- Night Mode
- Color Mode
- Exit

Access the More Menu

1. Tap **MORE** on the Camera Preview screen.



2. Tap the appropriate button to access the additional functions.



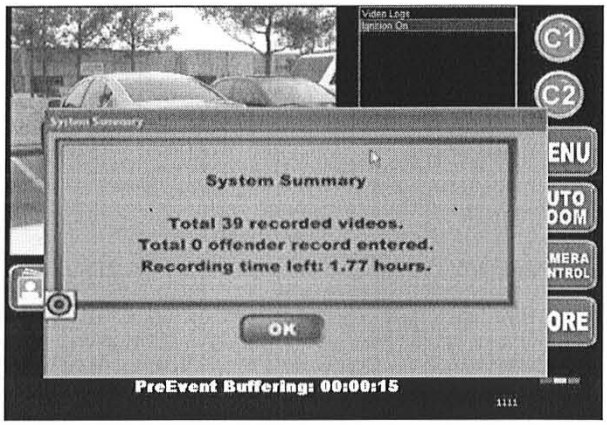
OIG 15-0564 008979

System Summary

1. Tap **System Summary**.



2. A popup window will appear that shows:
   - Total number of videos recorded
   - Total offender records entered
   - Recording time left



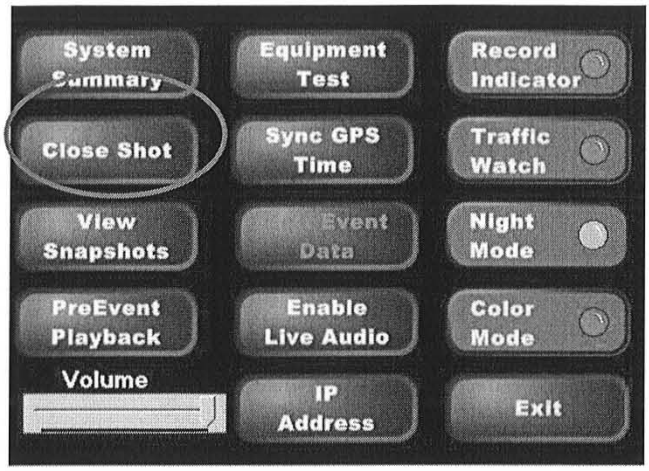
OIG 15-0564 008980

Close Shot

COBAN's mobile recorder camera is designed to focus beyond the vehicle's windshield. This point of focus ensures that rain drops or other debris on the windshield do not negatively affect the picture.

Users may use close shot mode to bring the focus point down to within one inch from the camera for 5 seconds. During this time, a snapshot will be taken for later review.

1. Position the ID or other object approximately 1 inch from the camera's lens.

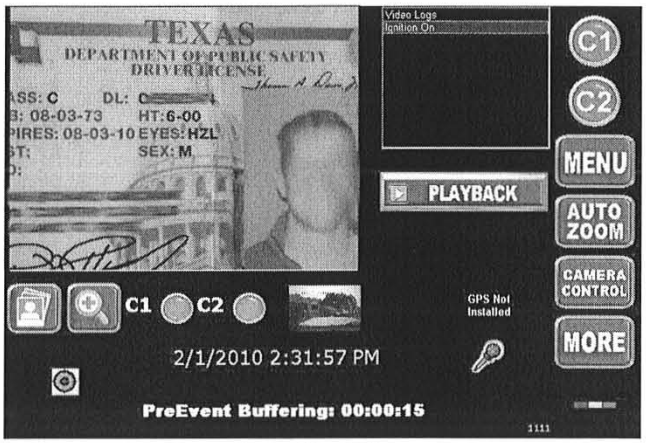


2. Tap **Close Shot**.



Standard View

3. The camera will re-focus and take a snapshot JPG image that will be saved in the snapshots file (see page 16 for more information on reviewing snapshots).



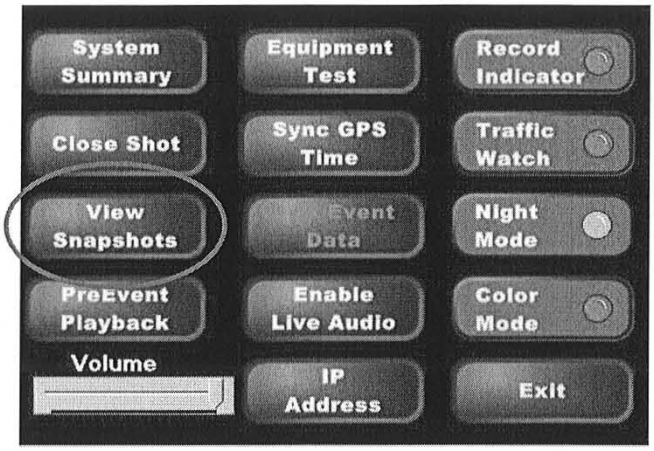
Close Shot View

OIG 15-0564 008981

View Snapshots

Snapshots, those taken via the snapshot function on the camera view screen or those taken utilizing the close shot function, are stored in the same place. Access these files by:

1. Tap **View Snapshots**.



2. Use the arrow keys to scroll through the snapshots in the mobile recorder system.
3. Click **X** to delete snapshots.
4. Click **OK** to return to Camera View screen.

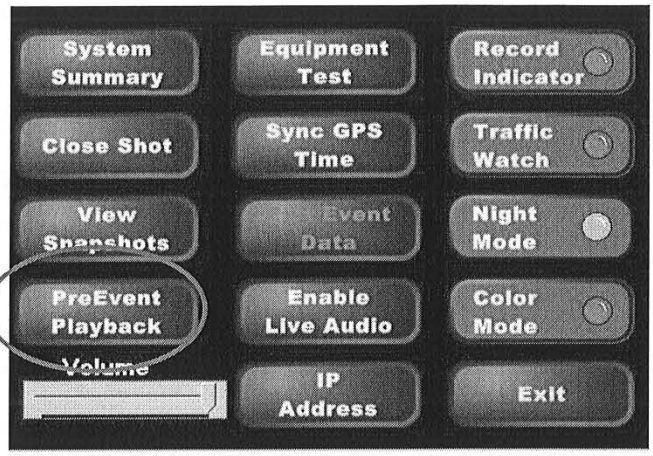


OIG 15-0564 008982

Pre-Event Playback

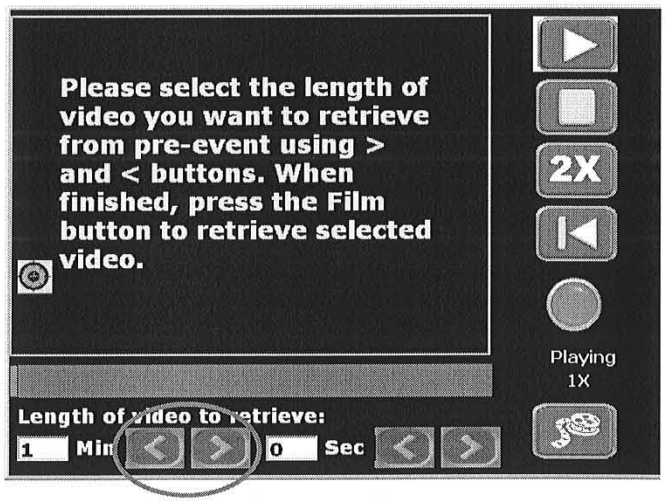
Pre-event buffer, or the length of video that will precede a recording when the record icon is activated can be adjusted, but only prior to a recording.

Another useful feature of the pre-event playback is a feature that allows the users to go back to any point in time that occurred since that user logged onto the mobile recorder system. The pre-event buffer starts at the time a user logs on or switches users (see page Switch Officer37 for information on switching officers).



1. Tap **Pre-Event Playback**.

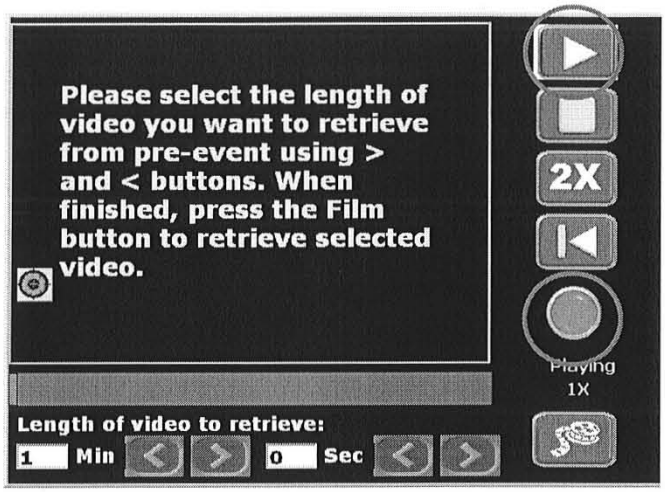
2. Tap the left and right arrow buttons to adjust the length of the pre-event section in minutes.



OIG 15-0564 008983

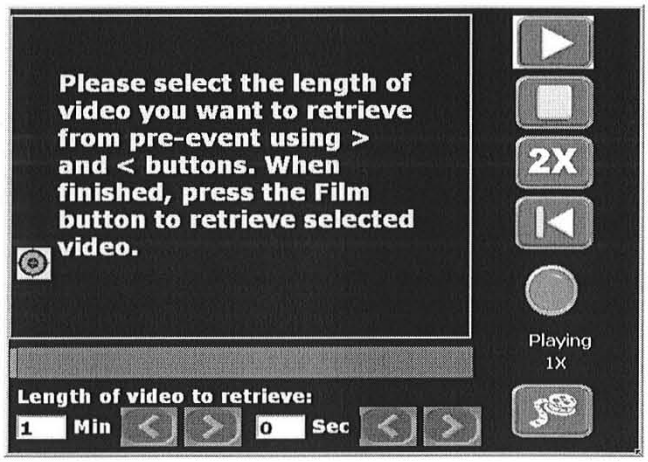
3. Tap  to view the past minutes that the officer has input.
4. Tap  to record the past minutes.
5. Tap the record button.

Note: Another useful feature of this capability is to view past minutes of a currently recording video to review what was said or happened and verify facts.



6. Tap the extract button  to retrieve the selected length of pre-event. This allows the user to playback and attach a longer pre-event segment than is defined in the back-office system.
7. The extra length of pre-event is included in the saved video.

Note: It is possible to adjust pre-event to append video to a previously recorded video by adjusting the pre-event buffer to a point prior to the recording's start time, ie. to append ten minutes of pre-event to a video recorded from 8:00 to 8:15, adjust the pre-event buffer to a value greater than fifteen minutes.

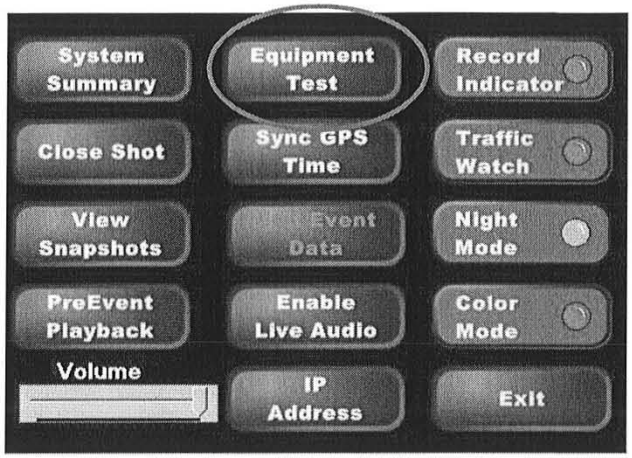


OIG 15-0564 008984

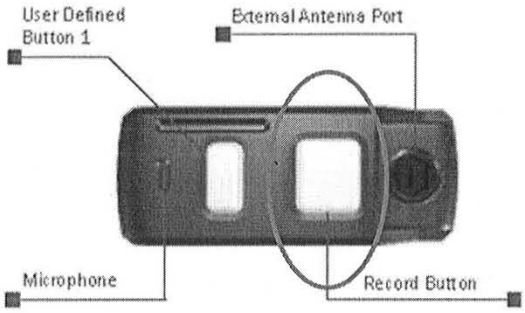
Equipment Test

The Equipment Test feature allows the user to test the wireless mic and the covert mic without triggering a recording.

1. Ensure that the wireless mic is synchronized to the mobile recorder (see page 6 for information on syncing the wireless mic).
2. Tap Equipment Test.



3. The wireless mic will beep twice and flash green if the system is properly synchronized.
4. Press the record button on the wireless mic.



5. The microphone icon will be shown with flashing electrifying icons indicating that the microphone is active, if the covert mic is working properly.

Note: A feedback whine may be produced by the microphone during this test.

6. Also, the text M1 will appear at the top right of the camera preview screen to indicate that wireless 1 is active.
7. Note: When two mics are used, M1 and M2 will appear in the camera preview.



OIG 15-0564 008985

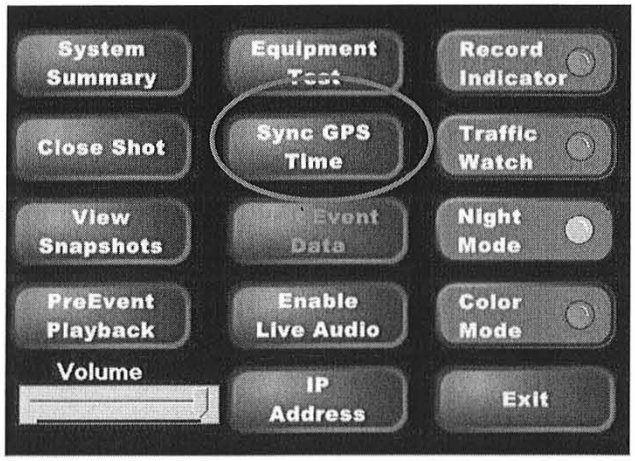
8. Tap Click here to exit Test Mode to exit the test.



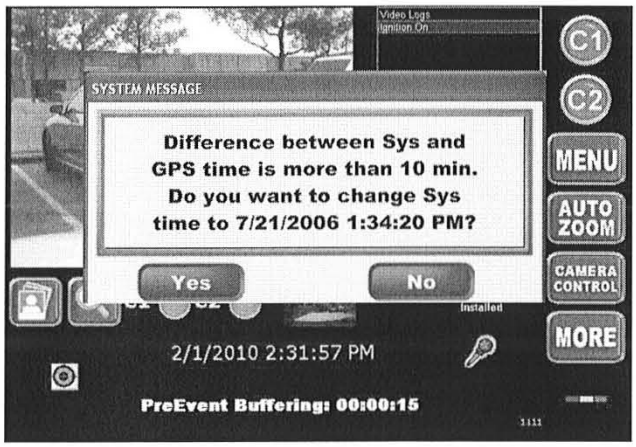
Sync GPS Time

This feature syncs the video clock to GPS time clock if the time is off by more than 10 minutes. This feature will only work if GPS is installed on the mobile recorder system.

1. Tap **Sync GPS Time**.



2. A popup window will appear providing the user with the difference between the system time and the GPS time.
3. Tap **Yes** to synchronize the system time to the GPS time.



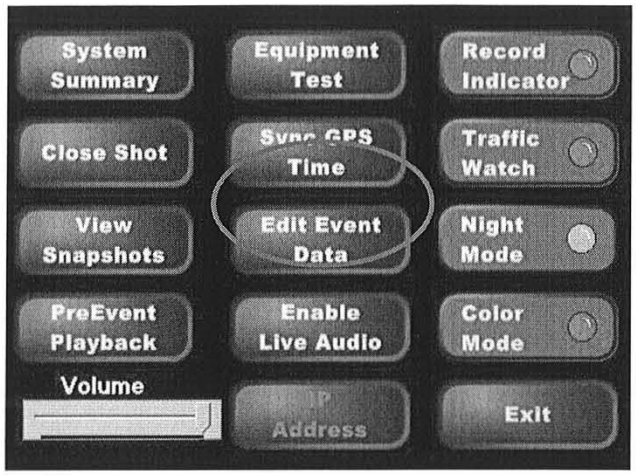
OIG 15-0564 008986

Edit Event Data

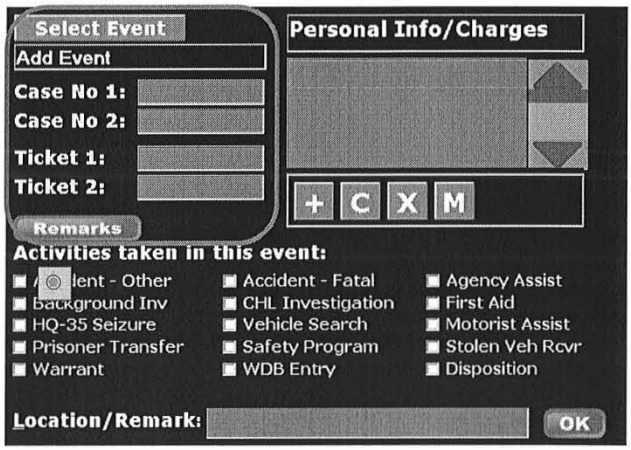
Each recorded video is linked with an event type. Events can be defined as traffic stop, accident, assistance, or any other definable event type. Each event may have multiple data points including offender information, user activities, location description, and remarks.

1. To access the Event Data screen, tap **Edit Event Data**.

Note: This option will be grayed out if the system is not recording.



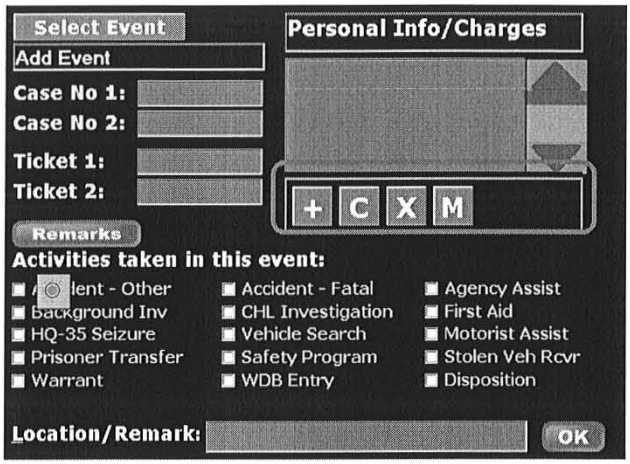
2. Tap **Select Event**.
3. Select the event type from the pre-defined event list.
4. Once event type is selected, the user may then start adding personal information of offenders, or select the applicable activities.
5. Enter case numbers and ticket numbers in the fields provided at the top left of the screen.
6. Tap **Remarks** to enter comments regarding the video event.
7. Check the activities boxes to describe the activities taken during the video event.



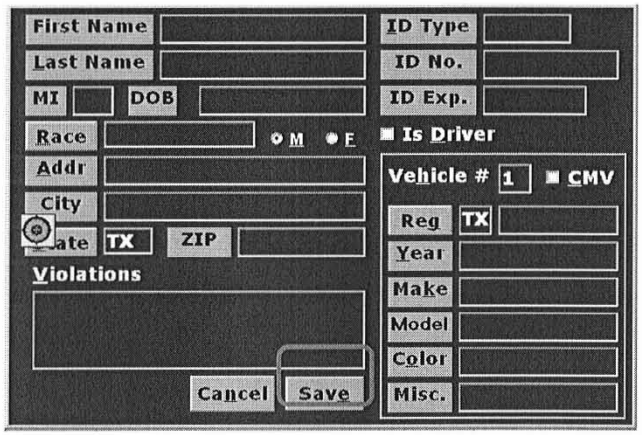
OIG 15-0564 008987

Offender Data Screen

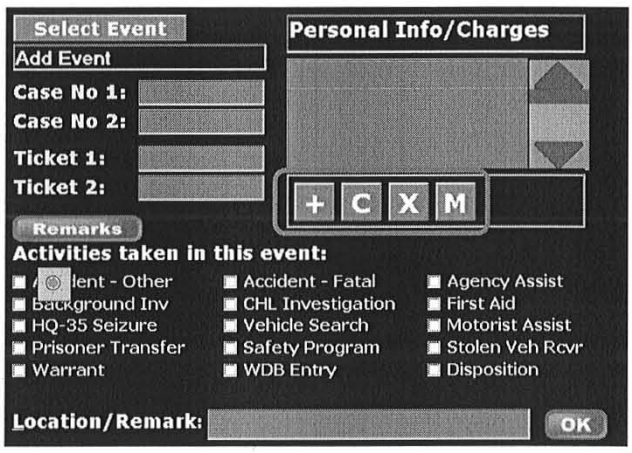
1. Tap + from the Edit Event Data screen to enter the offender data screen.



2. Enter offender data in the fields provided in the Offender Data screen.
3. Tap **Save** when the entries are completed.
4. Tap the Violations field to access the Violations Selection screen (see page 27 for more information on entering violations data).



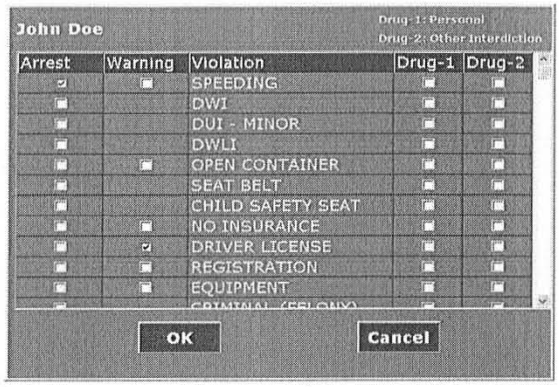
5. Tap C to access the offender data and edit data regarding the event.
6. Tap X to delete offender data.
7. Tap M to move offender data from one event to another.
8. Tap the field next to **Location/Remark** to enter text regarding the location of the video event.



OIG 15-0564 008988

Violation Selection Screen

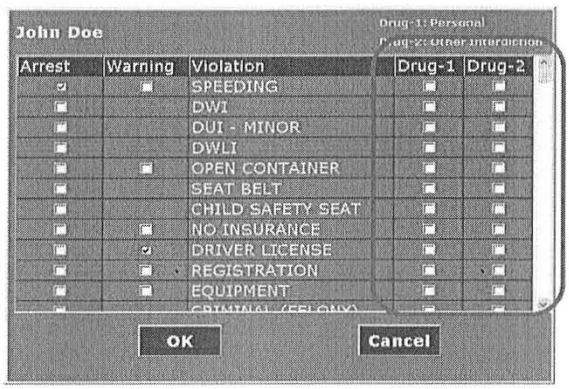
1. Tap the Violations field in the Offender Data screen (as described on page 26) to access the Violation Selection screen.
2. For events where a warning or an arrest took place, check the appropriate box across from the appropriate violation.



3. For events involving drug interdiction, the user can check the box in the Drug-1 or Drug-2 column across from the appropriate violation.

Note: Drug-1 is commonly used to indicate personal use of the drug; Drug-2 is for other drug interdictions (such as Drug Trafficking or Dealing).

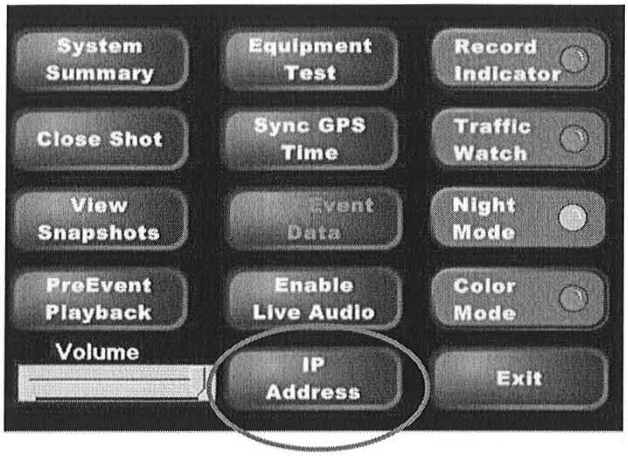
4. Tap **OK** to return to the Offender's Data screen.



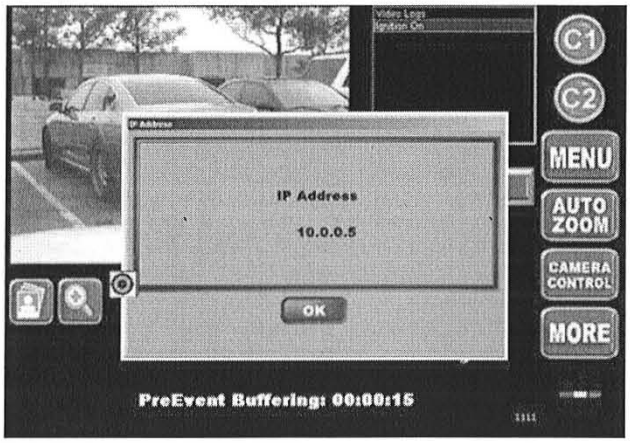
OIG 15-0564 008989

IP Address

1. Tap **IP Address** to display the IP address of the vehicle.



2. A popup window will appear providing the IP address information.
3. Click **OK** to return to the **Main Menu** screen.

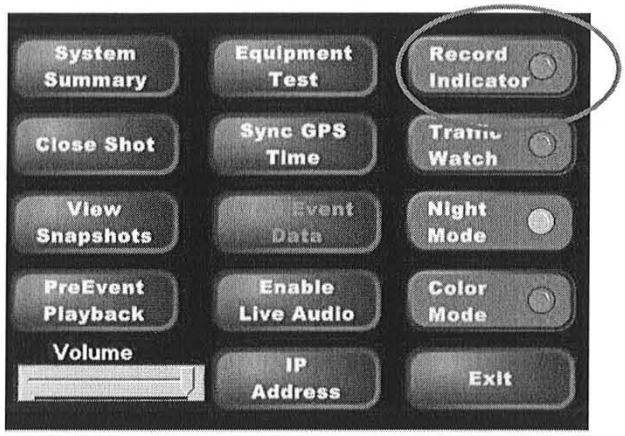


OIG 15-0564 008990

Record Indicator

A red LED light is situated on the front of the COBAN camera in order to signify to users whether or not the system is recording. It is situated to be seen through the front windshield when the user is outside the vehicle.

1. Tap **Record Indicator** to deactivate the red LED on the camera.



2. Tap **Record Indicator** a second time to activate the red LED on the camera.

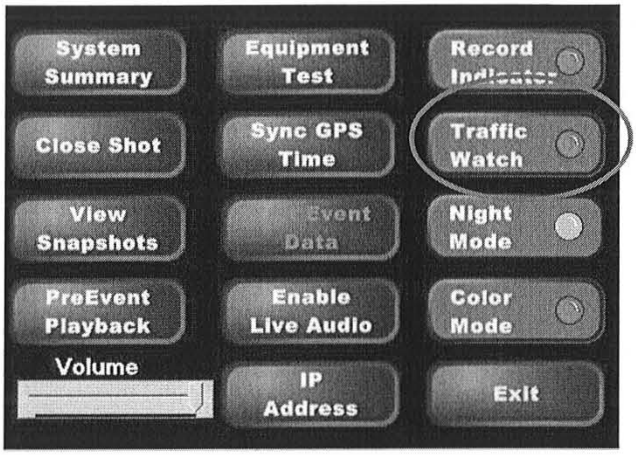


OIG 15-0564 008991

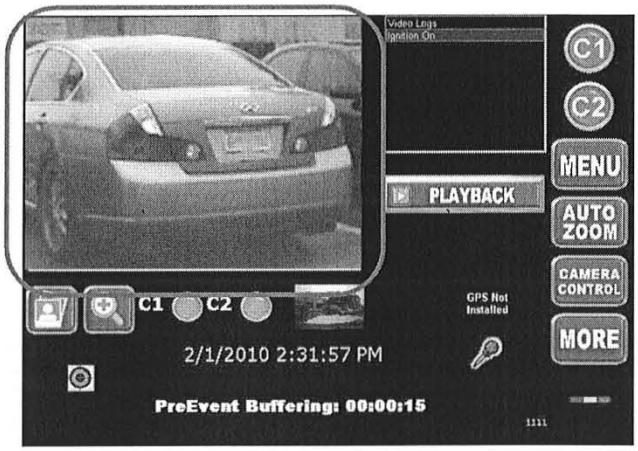
Traffic Watch

The traffic watch allows users the ability to zoom out as soon as the record button is tapped.

1. Tap **Traffic Watch** to turn on the traffic watch function.



2. The screen shot on the right shows a preview where the user is focusing on the license plate of the vehicle in the frame.



3. When a recording is started the camera will automatically zoom out to obtain the entire scene.

Note: When traffic watch is disabled the manual zoom button stays active.

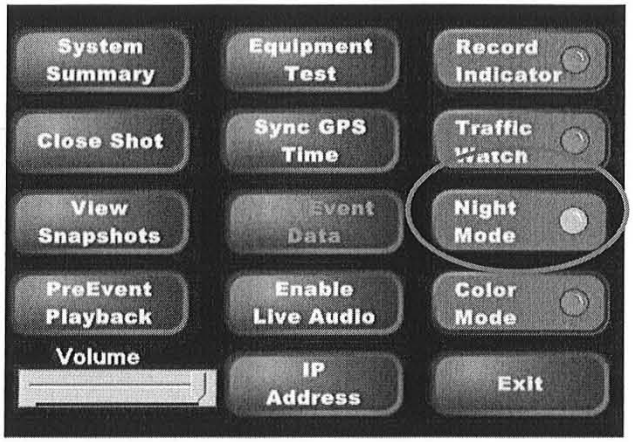


OIG 15-0564 008992

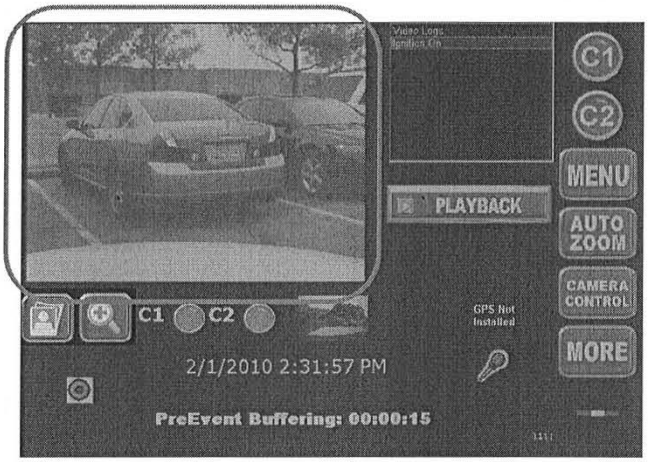
Night Mode

Night Mode dims the in-car monitor for clarity and provides less glare during covert conditions.

1. Tap **Night Mode** to activate night mode and reduce the brightness of the monitor.



2. The preview screen will dim slightly.



3. Tap **Night Mode** again to deactivate night mode and return the monitor to the default brightness settings.

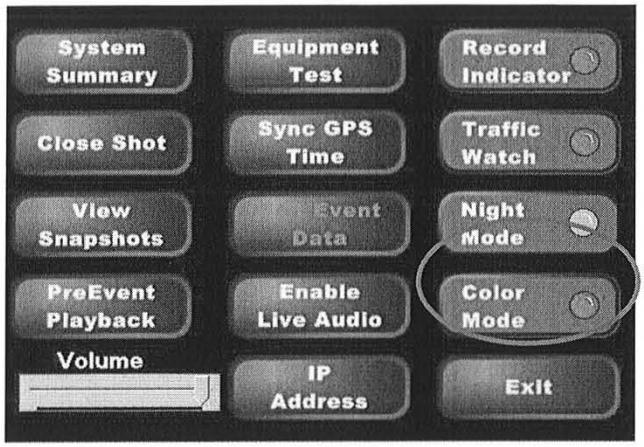


OIG 15-0564 008993

Color Mode

By default, color mode is enabled in the mobile recording system. There are times when it may be useful to disable color mode in order to enhance lighting and reduce glare. This feature is useful for capturing tire skid marks on roads or during dusk and dawn light conditions.

1. Tap **Color Mode** on the Menu screen to activate a black and white preview.



2. The preview screen will change from color to black and white.



3. Tap **Color Mode** again on the Menu screen to re-activate color mode and deactivate black and white preview.

Note: When in Black and White mode, the video recording will record in black and white only.



OIG 15-0564 008994

Camera Control

COBAN mobile recorder systems allow users the ability to manually adjust the zoom, brightness and focus using the touch screen monitor. The specifics of accessing and utilizing these functions are described below:

Brightness Control

1. Tap **Camera Control** to access the brightness control functionality.
2. Use the arrow keys to increase or decrease the brightness of the preview screen.
3. Tap **Reset** to return to the default settings.
4. Tap **Exit** to return to the Camera Preview screen.



Zoom Control

1. Tap **Camera Control** to access the brightness control functionality.
2. Tap 

to access the zoom control functionality.
3. Use the arrow keys to increase or decrease the brightness of the Camera Preview screen.
4. Tap **Exit** to return to the Camera Preview screen.



Focus Control

1. Tap **Camera Control** to access the brightness control functionality.
2. Tap 

to access the focus control functionality.
3. Use the arrow keys to change the focus of the Camera Preview screen.
4. Tap **Exit** to return to the Camera Preview screen.



OIG 15-0564 008995

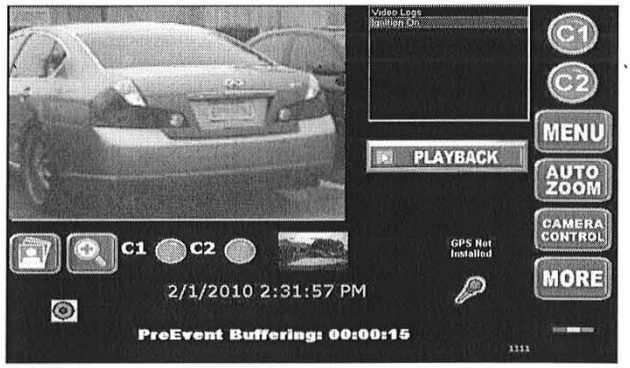
Auto Zoom

The auto zoom feature allows users the ability to zoom in on a subject automatically. Complete the following steps to utilize the auto zoom feature. This feature is especially useful when zooming in on a license plate or zooming in on a subject during a recording.

1. Adjust the camera to center the preview screen on the subject to zoom in on.



2. Tap **AUTO ZOOM** on the right of the Camera Preview screen to automatically zoom in on a subject in the preview screen automatically.



Note: If the in-car set up has been configured to take a snapshot during auto zoom the system will automatically take a snapshot once the camera has zoomed in on the subject. The snapshot will be shown below **SNAPSHOT** for approximately 15 seconds. The snapshot will be saved with the other snapshots taken during that shift (see page 15 for more information on snapshots).

3. The camera will zoom out automatically.



OIG 15-0564 008996

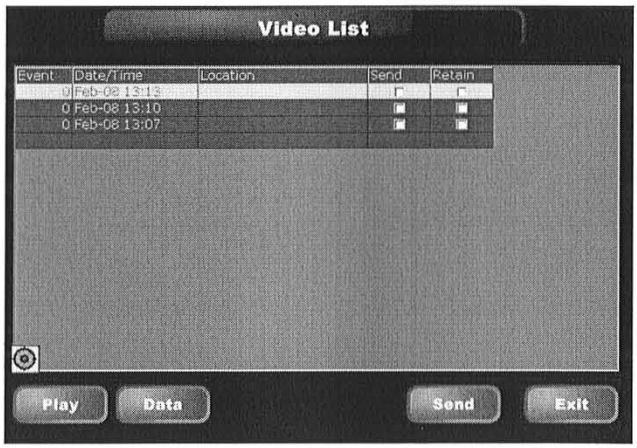
Playback Video

COBAN BOClient is a software application used to review videos at the department once the videos are uploaded from the mobile recorder system. In some cases users have found it necessary and useful to review videos in the field or immediately after recording them. The Playback Video feature allows users the capability to review videos from the mobile recorder system display in the vehicle.

1. Tap **PLAYBACK** on the right side of the screen to access the playback function.



2. The Video List screen will appear and list video's stored on the MHDD by date and time taken. Location and Event will also be displayed.
3. Tap the video to play. The video will be highlighted in light green when selected.
4. Tap **Play** at the bottom of the screen.



Note: Tap **Data** to access the Offender Data screen (see page 26 for more information on the Offender Data screen).

Note: Check the box in the Retain column to have the video classified as "retained" in BOClient. See the BOClient User's Manual for more information on retaining videos. This feature is usually used for videos that may have been misclassified as a different event type immediately following the recording.

OIG 15-0564 008997

5. Tap  to set a bookmark in the video.
6. Tap  to pause the video.
7. Tap  to play the video at double speed.
8. Tap  to rewind the video to the starting point.
9. Use the track bar at the bottom of the screen to move through the video.



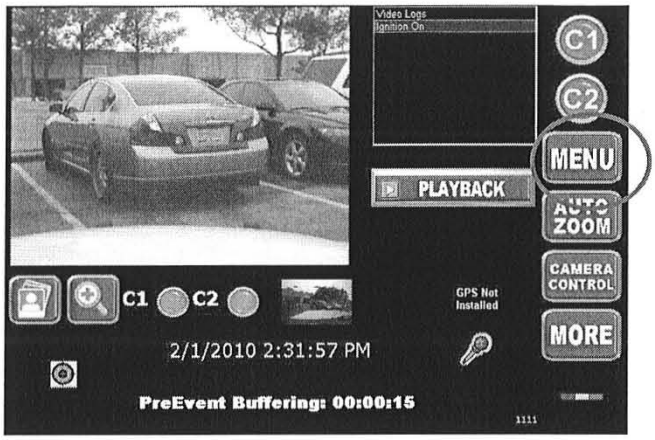
10. Use the audio channel buttons at the bottom right of the screen to toggle on and off the audio channels.
11. Tap  to stop the video playback and return to the Video List screen.



OIG 15-0564 008998

Switch Officer

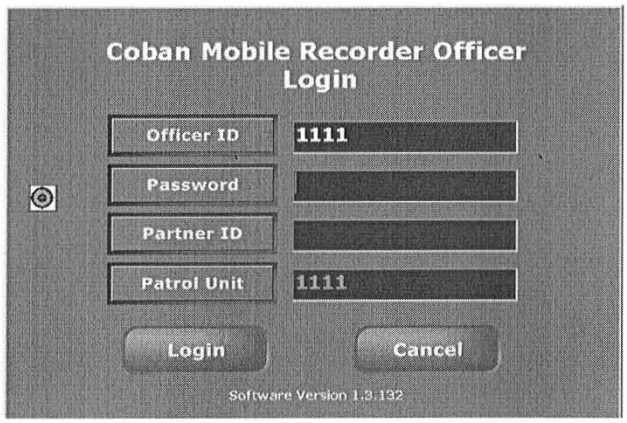
1. Tap **MENU** on the right side of the screen.



2. The Officer Login screen will appear.

Note: Tap the field titles, ie. **Officer ID**, **Password** to access the Virtual Keypad.

3. Enter the officer ID and password in the appropriate fields and tap **OK**.



OIG 15-0564 008999

Upload Videos

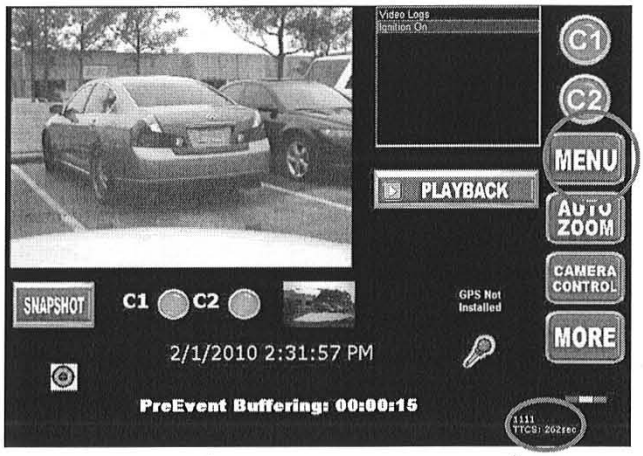
The COBAN mobile recorder system allows for the transfer of videos to the server or sub server at the department in any one of several different methods, including:

- Mobile Hard Disk Drive upload
- Wireless Upload (automatically or on command)
- Wired Ethernet

Wireless Upload

Users in departments that utilize the wireless upload capability will have TTCS (time to connect to server) countdown at the bottom right of the Camera Preview screen.

1. Tap **MENU** from the Camera Preview screen.



2. Tap **EXIT SYSTEM** at the bottom of the screen.



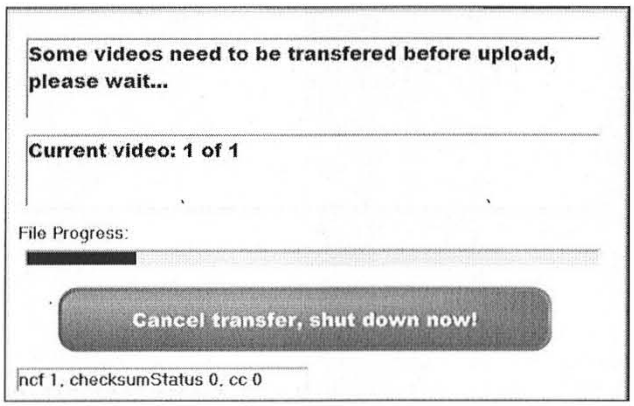
OIG 15-0564 009000

3. Tap **Upload & Stay On** or **Upload & Shutdown** to upload videos.



4. The mobile recorder system will process all videos for upload.

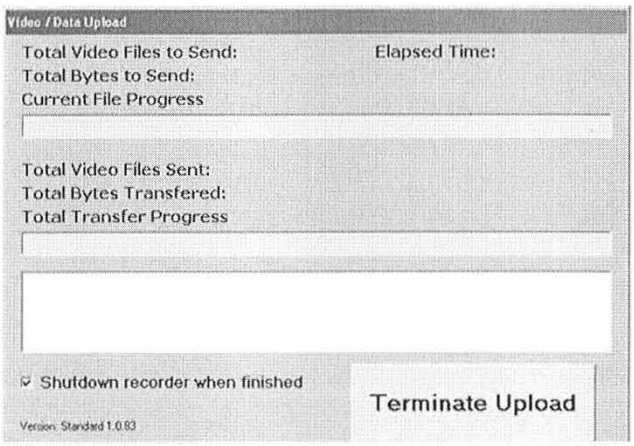
Note: In some cases the mobile recorder system must finish processing videos before it can properly shutdown or upload videos. The User can turn off the vehicle and leave as the movile recorder system will automatically proceed with the upload and shutdown operation once the video processing is complete.



5. The mobile recorder system will begin to upload the videos and show progress of the upload.

CAUTION: Do NOT remove the MHDD during this upload process.

Note: If the **Upload and Shutdown** option was selected, the mobile recorder system will automatically shut down when the upload is complete.

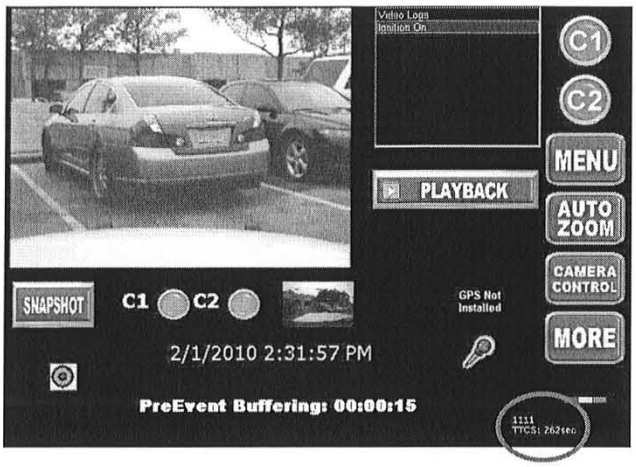


OIG 15-0564 009001

Automatic Wireless Upload

Departments that utilize the wireless upload capability will have TTCS (time to connect to server) countdown at the bottom right of the Camera Preview screen.

All videos that have been processed by the system and are in the Video List are automatically uploaded to the server or sub server based on the BOClient settings and department protocols.

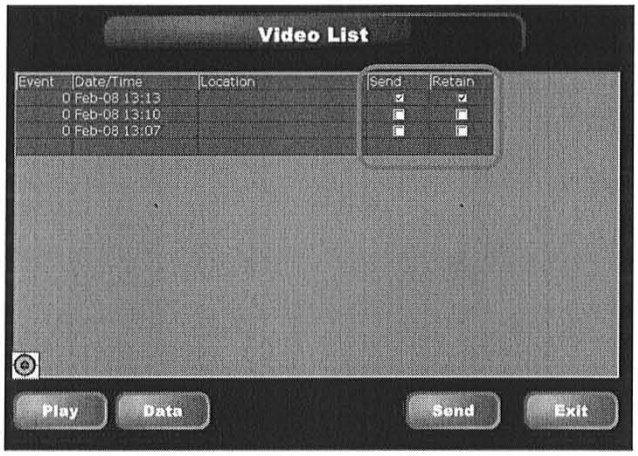


Specifying Videos to Upload/Retain

1. Users can designate that the system send specific videos immediately to the server from the Video List screen (see page 35 for information on accessing the Video List screen).

Note: Check the box in the Retain column to have the video classified as "retained" in BOClient. See the BOClient User's Manual for more information on retaining videos.

2. Check the box next to the video and tap **Send** at the bottom of the screen.



3. A popup screen will appear informing the user whether or not the videos were successfully uploaded.
4. Tap **OK** in the popup window to proceed.
5. The video will be marked as **<SENT>** in the video list following a successful upload.



OIG 15-0564 009002

MHDD Upload

Users must check in and check out Mobile Hard Disk Drives (MHDD) to upload videos in departments that do not utilize the wireless upload capability.

1. Tap **MENU** on the Camera Preview screen.



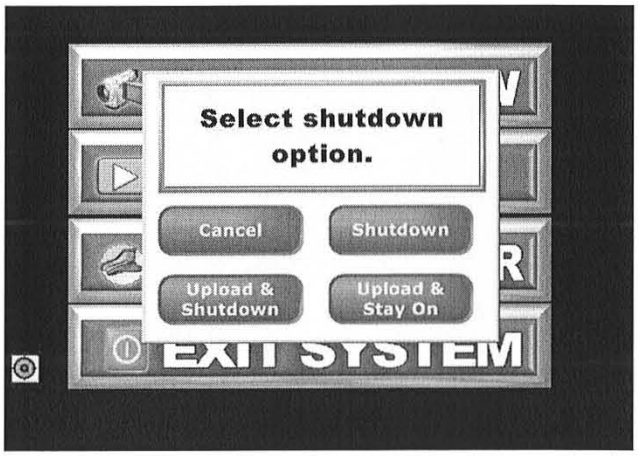
2. Tap **EXIT SYSTEM**.



3. Tap **Shutdown** to shutdown the mobile recorder system.
4. Use a key to unlock and remove the MHDD from the mobile recorder system.

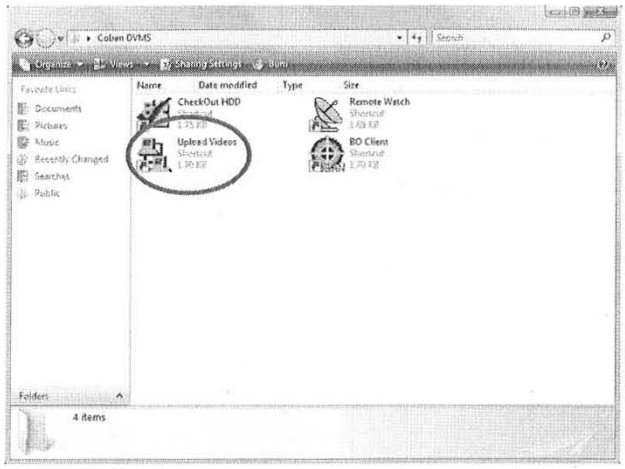
Note: In most departments a key can be requested from the System Administrator.

CAUTION: Do NOT remove the MHDD while this system is running.



OIG 15-0564 009003

5. Insert the MHDD in the upload cradle in the department or sub-station.

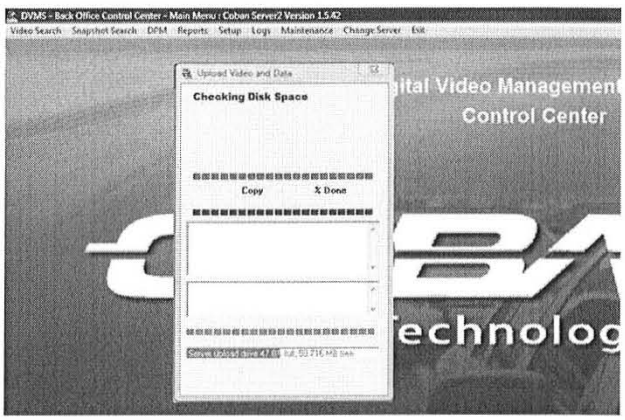


6. An upload popup window will appear. Enter the serial number of the MHDD if it is not automatically entered into the field provided.
7. Check the appropriate box to check out the hard disk after upload and the system will run the checkout application automatically after uploading.

CAUTION: Do not remove MHDD from the cradle during the upload process. Removing the MHDD from the cradle could result in loss of data.

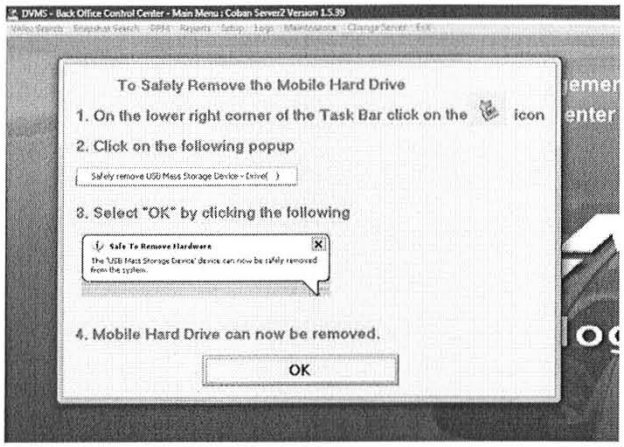


8. A message box will show the progress of the upload and check out process.



OIG 15-0564 009004

9. Follow the directions to safely remove the MHDD from the cradle.



Wired Upload

The mobile recording system provides the capability to download videos via Ethernet cable directly from the CPU. System administrators must specify that the Ethernet plug will be used for the function to enable this feature.

1. Plug an Ethernet cable into the Ethernet plug of the CPU.
2. Tap **MENU** from the Camera Preview screen.



3. Tap **EXIT SYSTEM** at the bottom of the screen.



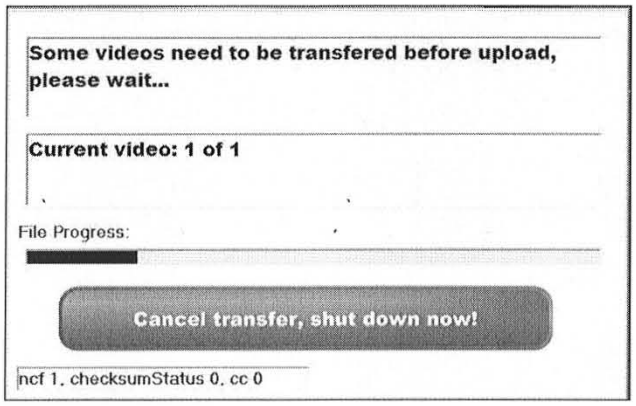
OIG 15-0564 009005

4. Tap **Upload & Stay On** or **Upload & Shutdown** to upload videos.



5. The mobile recorder system will process all videos for upload.

Note: In some cases the mobile recorder system must finish processing videos before it can properly shutdown or upload videos. The User can turn off the vehicle and leave as the movile recorder system will automatically proceed with the upload and shutdown operation once the video processing is complete.

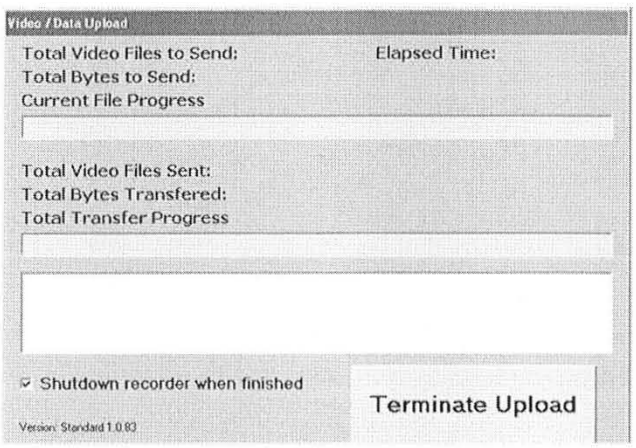


6. The mobile recorder system will begin to upload the videos and show progress of the upload.

CAUTION: Do NOT remove the MHDD or unplug the Ethernet cable during this upload process.

Note: If the **Upload and Shutdown** option was selected, the mobile recorder system will automatically shut down when the upload is complete.

7. Disconnect the Ethernet cable once the upload is complete.

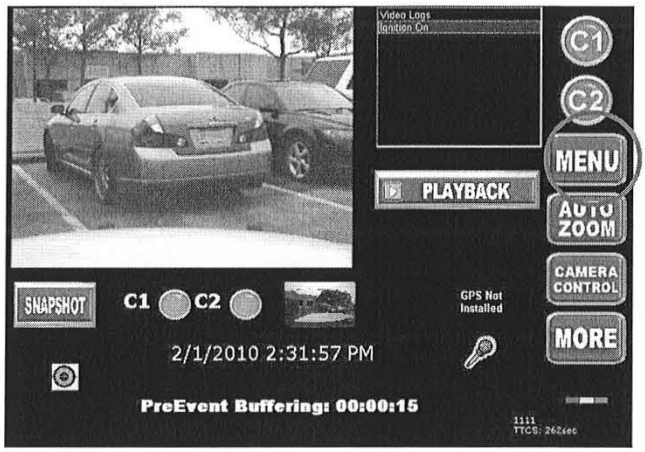


OIG 15-0564 009006

Exit the System

The mobile recorder system is capable of automatically shutting down following the upload and processing of videos stored in the MHDD. This enables users to select the shutdown option, turn off the vehicle, and leave with the confidence of knowing the data stored on the system will not be lost.

1. Tap **MENU** from the Camera View screen.

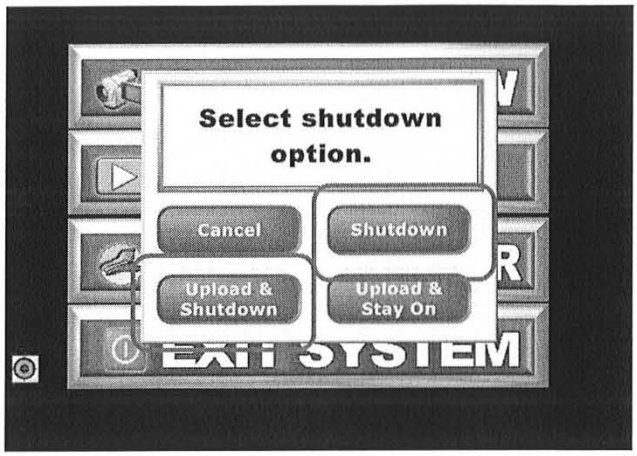


2. Tap **EXIT SYSTEM** at the bottom of the screen.



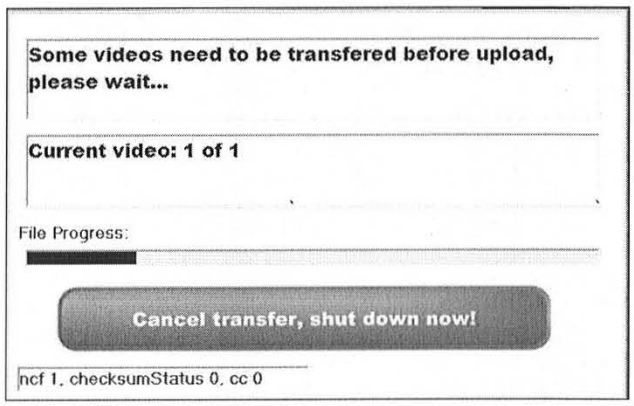
OIG 15-0564 009007

3. For wireless upload, tap **Shutdown** or **Upload & Shutdown** to shutdown the mobile recorder system.



Note: **Upload & Shutdown** will upload videos prior to shutdown (see page 38 for more information on this function.)

4. The mobile recorder system will process all videos for upload.



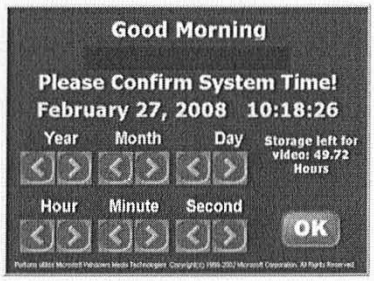
Note: In some cases the mobile recorder system must finish processing vidoes before it can properly shutdown or upload videos. The User can turn off the vehicle and leave as the movile recorder system will automatically proceed with the upload and shutdown operation once the video processing is complete.

OIG 15-0564 009008

MobileRecorder Cheat Sheet

LOGIN



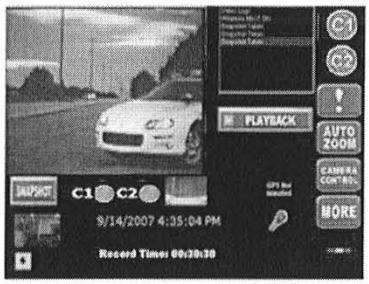


* Press OFFICER ID, PASSWORD, PARTNER ID or PATROL UNIT buttons for Virtual Keypad.

* Press Login to advance to Date and Time confirmation and Press OK.

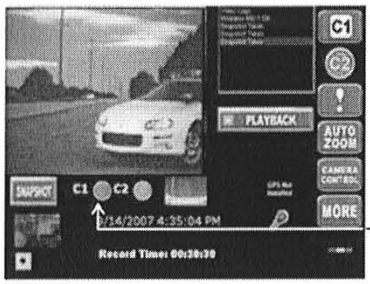
START RECORDING

* Auto start recording by: **activating light bar** or **pressing record button** on mic.



← Press **C1** to start front camera

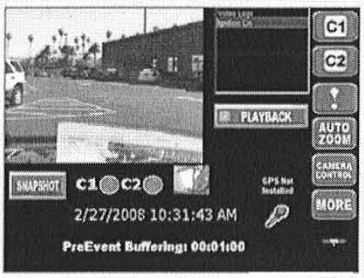
← Press **C2** to start rear camera



← Front camera recording indicator

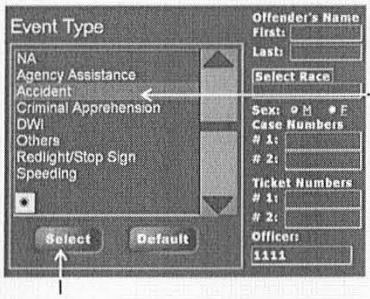
STOP RECORDING

* The Event Type screen appears when a recording is stopped.



← Press **C1** to stop front camera.

← Press **C2** to stop rear camera.



← Select an event.

Press **SELECT** to return to Camera View screen.

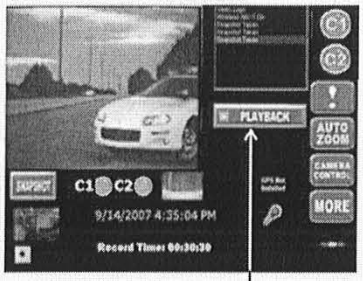
TAKE A SNAPSHOT

Press **SNAPSHOT** to take a snapshot. →

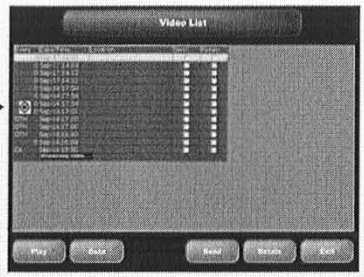


Tap the preview to go to Snapshot screen.

VIDEO PLAYBACK



Press PLAYBACK.



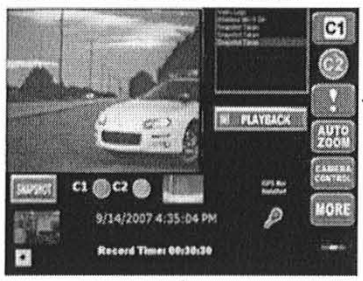
Select a video.

Press PLAY.



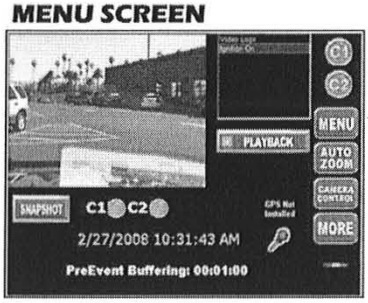
Review videos, bookmark or play at 2X speed.

CREATE BOOKMARKS

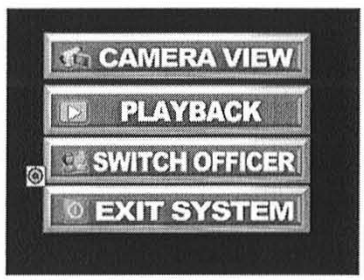


Press ! to create a bookmark.

MENU SCREEN

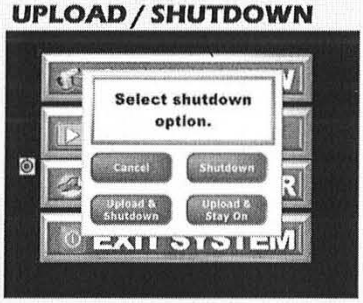


Press MENU.

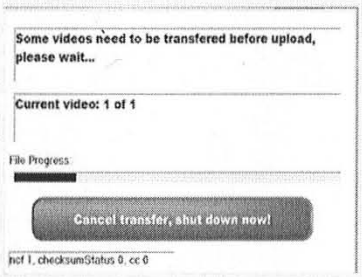


Press Exit System Shutdown

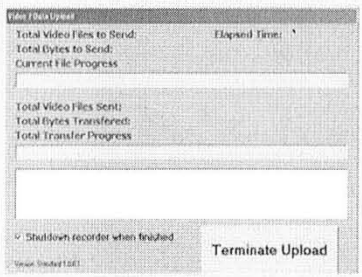
UPLOAD / SHUTDOWN



Press SHUTDOWN or UPLOAD & SHUTDOWN.

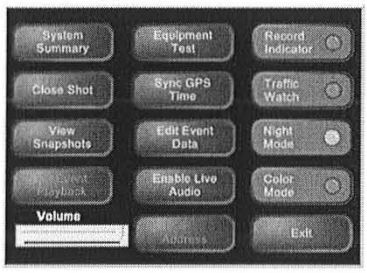


If videos have not automatically been uploaded, the system will begin an upload.



The system will shutdown automatically.

MORE FUNCTIONS



SYSTEM SUMMARY: Provides the number of recorded videos, number of offender records entered and available recording time with existing mobile hard drive.
CLOSE SHOT: Close shot reduces focus point down to within one inch from the camera for 5 seconds. During this time, a snapshot will be taken for later review.
VIEW SNAPSHOT: Allows the user to view all saved snapshots. Double tap the snapshot to enlarge the photo, double tap again to return to original size.
PRE-EVENT PLAYBACK: Allows the user to playback the pre-event video to manually determine when they would like to start a recording.
EQUIPMENT TEST: Allows the user to test equipment settings for the in-car unit.
EDIT EVENT DATA: Allows the user to edit / add event data to a video while it is being recorded.
IP ADDRESS: Displays the IP address of the recording unit.
RECORD INDICATOR: Allows the user to activate or disable the red LED indicator in front of the camera. The LED is used to alert the user of the camera's recording status.
TRAFFIC WATCH: Will adjust back from manual zoom to user selected zoom setting in the back office, when recording is triggered.
NIGHT MODE: Dims the in-car monitor for clarity and reduce glares.
COLOR MODE: By default, color mode is ON, turning it OFF will revert camera to black and white mode which may be useful at night to enhance lighting and reduce glare.

Coban Technical Support
Mon - Fri / 8 am - 6 pm / 281.277.8288
www.cobantech.com

Amicus
court reporters, inc
300 West Adams St. Ste 800
Chicago, IL 60606
Phone: 312.641.3500
Fax: 312.641.3795
Email: info@amicusreporters.com

STATE OF ILLINOIS
SS:
COUNTY OF C O O K

IN RE:

INTERVIEW OF ARTURO BECERRA

The INTERVIEW of ARTURO BECERRA, taken at 300 West Adams Street, Chicago, Illinois, on September 23, 2016, at 11:00 a.m.

PRESENT:

OFFICE OF THE INSPECTOR GENERAL,
CITY OF CHICAGO,
(740 North Sedgwick Street, Suite 200
Chicago, Illinois 60654), by
MS. SARAH ANSARI and
MR. MATTHEW JACOB

LAW OFFICES OF WILLIAM N. FAHY, LTD.
(206 South Jefferson Street
Chicago, Illinois 60661), by
MR. WILLIAM N. FAHY

REPORTED BY: CHERYL L. SANDECKI, CSR, RPR
LICENSE NO.: 084-03710
JOB NO.: 103552

INDEX

WITNESS	EXAMINATION
ARTURO BECERRA	
EXAMINATION BY MS. ANSARI	5

EXHIBITS

NUMBER		MARKED FOR ID
Becerra Deposition Exhibit		
Exhibit 1	Advisement of Rights	9
Exhibit 2	Notification of Interview	9
Exhibit 3	Notification of Allegations	10
Exhibit 4	Receipt Form	10
Exhibit 5	CPD Case Supplementary Report	11
Exhibit 6	General Progress Note	11
Exhibit 7	Special Order	55
Exhibit 8	Case Incident Report	62
Exhibit 9	In-Car Video Retrieval Worksheet	62
Exhibit 10	E-mail	62

MS. ANSARI: As a preliminary matter, I am providing the following information. An independent certified court reporter is present today to provide a verbatim transcript of this interview. To aid in the accuracy of the transcript, it is the custom and practice of court reporters to audio record the interview. The recording is the confidential work product property of the court reporter and will not be provided to any party, including the OIG. If you request, the audio recording will be discontinued.

So, Officer Becerra, are you okay with the court reporter audio recording the interview?

OFFICER BECERRA: Yes.

MR. FAHY: No objection.

MS. ANSARI: Let the record reflect that today's date is September 23rd, 2016. The time is 11:50 a.m.

We are located at Amicus Court Reporters, 300 West Adams, Suite 300.

My name is Sarah Ansari. The court reporter is Cheryl Sandecki. And I would ask

that the other individuals present identify themselves and spell their name for the record.

MR. JACOB: Matthew Jacob, J-A-C-O-B, investigator with the office of the Inspector General of the City of Chicago.

MR. FAHY: My name is Will Fahy. My first name is W-I-L-L; last name, F-A-H-Y.

OFFICER BECERRA: My name is Arturo Becerra. Last name is spelled B, as in boy, E-C-E-R-R-A.

MS. ANSARI: There are no other individuals present.

We are here today pursuant to an investigation being conducted under Chapter 2-56 of the Municipal Code of the City of Chicago. We are here for an interview of Officer Arturo Becerra.

Officer, would you please raise your right hand and the court reporter will swear you in.

MR. FAHY: I have instructed my client not to be sworn in. This is an administrative statement, so there is no need for him to be sworn in.

MS. ANSARI: Okay.

EXAMINATION

BY MS. ANSARI:

Q. Officer, I'm now going to hand you a form that is marked Advisement of Rights. This has already been filled in with your name, my name and Investigator Jacob's name.

I'm going to ask you to read along with me, as I go through it, and I will ask you after each paragraph to acknowledge you have read and understood the paragraph.

"I understand that this interview is part of an official investigation and that I have a duty to cooperate with the Office of Inspector General, which includes answering all questions completely and truthfully."

Do you understand?

A. Yes.

Q. "I understand that I have no right to remain silent. I understand that I have an obligation to answer questions put to me truthfully. I understand that if I refuse to answer questions put to me, I will be ordered by a superior officer to answer the questions. I further understand and I have been advised that

if I persist in my refusal to answer after an order to do so, such further refusal constitutes a violation of the rules and regulations of the Chicago Police Department and may serve as the basis for my discharge."

Do you understand?

A. Yes.

Q. "I understand that I have been advised that my statements or responses may constitute an official police report. I understand that Rule 14 of the Chicago Police Department's Rules and Regulations prohibits making a false report, written or oral. And I further understand that making such a false report, whether written or oral, may result in my separation from the Chicago Police Department."

Do you understand?

A. Yes.

Q. "I understand that any statement made by me during this interview may be used as evidence of misconduct or as the basis for disciplinary action up to and including removal or discharge."

Do you understand?

A. Yes.

Q. "I understand that any statement made by me during this interview and the fruits thereof cannot be used against me in a criminal proceeding."

Do you understand?

A. Yes.

Q. "I understand that I have the right to have a union representative or legal counsel of my choosing present at the interview to consult with and that I will be given a reasonable time to obtain a union representative or legal counsel as long as the interview is not unduly delayed."

Do you understand?

A. Yes.

Q. "I understand the refusal to answer any question or any false, inaccurate, or deliberately incomplete statement by me would constitute a violation of Chicago Municipal Ordinance 2-56 and may serve as the basis for my discharge."

Do you understand?

A. Yes.

Q. "I acknowledge that the statement of my administrative rights has been read aloud to me and I have been allowed to review this document."

A. Yes.

Q. So we will ask that you please sign this document, Officer Becerra.

And do you go by "Arthur" or "Art"?

A. "Art."

Q. Art. Do you prefer Art or should I call you --

A. Art is fine.

MR. FAHY: Before we proceed anything further, there is something my client would like to say for the record.

OFFICER BECERRA: This statement is not being given voluntarily but under duress. I'm only giving this statement because I know I will be fired if I refuse.

MS. ANSARI: Okay. And for the record, I am going to witness the Advisement of Rights and so will Investigator Jacob. And we will mark that as Exhibit 1.

(Whereupon, Becerra Deposition Exhibit 1 was marked for identification.)

BY MS. ANSARI:

Q. Before we kind of get into the questioning, I'm going to mark a bunch of service documents as an exhibit. So these are the things that were provided to you when you were served with the allegations.

So we will mark as Exhibit 2 a Notification of Interview dated September 14th, 2016.

Officer Becerra, did you receive this on September 14th, 2016?

A. Yes.

Q. Okay.

(Whereupon, Becerra Deposition Exhibit 2 was marked for identification.)

BY MS. ANSARI:

Q. I'm marking as Exhibit 3 a Notification of Allegations dated September 14, 2016.

Officer Becerra, did you receive this document --

A. Yes.

Q. -- on September 14th?

A. Yes.

(Whereupon, Becerra Deposition Exhibit 3 was marked for identification.)

BY MS. ANSARI:

Q. I'm marking as Exhibit 4 a document entitled Receipt Form dated September 14, 2016. Did you receive this form on September 14th?

A. Yes.

(Whereupon, Becerra Deposition Exhibit 4 was marked for identification.)

BY MS. ANSARI:

Q. I'm marking as Exhibit 5 an excerpt of a CPD Case Supplementary Report dated March 16, 2015, with RD Number HX475653 containing Officer Becerra's statement to Detective March. Did you receive this on September 14th?

A. Yes.

(Whereupon, Becerra Deposition Exhibit 5 was marked for identification.)

BY MS. ANSARI:

Q. I'm marking as Exhibit 6 a general progress report dated October 20th, 2014, with an RD Number HX475653 containing Detective March's notes of his interview of Officer Becerra.

Did you receive this on September 14th?

A. Yes.

(Whereupon, Becerra Deposition Exhibit 6 was marked for identification.)

BY MS. ANSARI:

Q. In order to prepare for today's interview, did you review the materials we provided?

A. Yes.

Q. Those materials also included video from the in-car video systems of vehicles 813R and 845R; is that correct?

A. Yes.

Q. Were you able to view those videos?

A. Yes.

Q. And did you view video from the Dunkin' Donuts' security camera that was provided to you?

A. Yes.

Q. Since receiving your Notice of Interview, did you review any materials other than the materials we've provided you?

A. No.

Q. Aside from your attorney, who did you speak to in preparation for this interview?

A. Nobody.

MS. ANSARI: And, Counsel, before we begin, is it permissible to provide the transcript within 72 hours of our receipt of it or will you request --

MR. FAHY: That's fine.

MS. ANSARI: Okay. Thank you.

BY MS. ANSARI:

Q. Officer Becerra, what is your Star Number and your -- what is your Star Number?

A. 15790.

Q. Okay. And your current unit of assignment?

A. Chicago Police District 8.

Q. Okay. What watch are you on?

A. Third watch.

Q. Third watch. Was that your assignment on the night of October 20th, 2014?

A. Yes.

Q. What are the hours for third watch?

A. 1530 to 0030.

Q. Okay. What was your chain of command as of October 20th, 2014? So your sergeant, lieutenant? Who did you report to?

A. Sergeant.

Q. And what was his name or her name?

A. I don't recall.

Q. Okay. What about who was your lieutenant?

A. I don't -- I don't remember.

Q. Okay. Who are your sergeant and lieutenant currently?

A. Sergeant Huffman currently and Lieutenant Moravec.

Q. What was your personal cell phone number as of October 20th, 2014?

A. 312-[redacted]

Q. Did you ever use your personal cell phone for CPD business?

A. Yes.

Q. Do you have a Department issued cell phone?

A. No.

Q. Okay. So you were -- so we will go to the night of October 20th and we will kind of talk about it in two parts, like what happened at the scene and then anything that happened at Area Central.

So we will start -- really my questions are going to be focused on what was actually going on at the scene.

A. Okay.

Q. So you were present when Laquan McDonald was shot on October 20th, 2014, correct?

A. Yes.

Q. Okay. At the time of the issuing, you were in -- you were -- it was beat 822R, correct? You were part of beat 822R?

A. 822.

Q. Okay. So R is for the first watch?

A. For midnights.
Q. So it was just 822.
And you were driving your vehicle at the time of the shooting, correct?
A. Yes.
Q. Okay. Leticia Velez was -- Officer Leticia Velez was in the passenger seat?
A. Yes.
Q. And she was your partner that evening, correct?
A. Yes.
Q. Okay. Was she a regular partner?
A. Yes.
Q. Okay. How long -- how long have you -- had you guys been partners?
A. I don't really -- probably, if I would have to guess, two years, one to two years.
Q. Is she currently your partner?
A. No.
Q. When did she stop being your partner?
A. Maybe six to eight months ago.
Q. Okay. Outside of work, did you ever socialize with Officer Velez?
A. Yes.

Q. So are you guys friends?

A. Yes.

Q. Do your families hang out?

A. Not -- I mean, we are friends.

Q. Okay.

A. Yeah.

Q. Okay. So I guess I kind of want to start from the beginning that night when you start with -- kind of tell us when you first heard something was going on and what happened all the way up to the shooting, if you can give us a narrative.

A. Okay. We were sitting in the vehicle, in our vehicle for lunch at approximately 53rd and Pulaski -- I'm sorry 53rd and St. Louis, 53rd and St. Louis.

We heard over the radio an officer screaming for a taser.

Q. What time was that?

A. I don't remember.

Q. Approximately what time would your lunch normally be?

A. Oh, I would probably have to say probably late at like 10 o'clock, 10:00 p.m.

around.

Q. Okay.

A. Maybe early by 11:00, somewhere around there.

Q. Okay.

A. I decided to go and assist the officer. I just started driving to that direction. I heard 41st and Pulaski as the location. Just going lights and sirens down Pulaski northbound. And I could see the other officers in the distance. What I mean by that, I could see the blue lights, that there were other officers on scene.

So I was driving northbound. As I got closer, I started to see an individual in the middle of the street. I didn't know who it was. As we were driving closer, then I sort of realized that this might be our offender that was -- that was being called upon. He was approaching my vehicle.

I saw a knife in his hand. I was shocked. It was -- that he was actually walking towards us. I didn't feel -- I didn't feel -- I didn't feel safe and comfortable with the

distance and I noticed he started walking away from us. And then I proceeded to drive past him to make a U-turn. As I was making the U-turn, I heard shots being fired.

And then I exited the vehicle. I saw the officer shooting the -- the subject. The shooting stopped. I felt like the situation was under control. Felt better.

And then I went back to find my partner and make sure she was okay. And that's pretty much it.

Q. Okay. So let's kind of go through that.

So you first heard of something going on. You said you heard an officer over the radio, you said, screaming for a taser, correct?

A. Yes.

Q. Did you guys have a taser on you?

A. No.

Q. Did you hear other officers responding over the radio?

A. Yes.

Q. You said you started driving northbound on Pulaski. As you got closer, you saw the

individual, which you now know as Laquan McDonald, in the middle of the street.

A. Yes.

Q. Was he walking or running? How did he look? Kind of describe him.

A. I would say walking with a -- with sort of like a skip.

Q. Okay. And he was approaching your vehicle you said?

A. It felt that way, yes.

Q. Okay. You said you were shocked he was walking towards you and what do you mean by that? Or why were you shocked?

A. I was coming for an assist, and I just didn't realize that this subject could be walking in front of me.

Q. Okay. So you weren't expecting someone to be kind of like that close to you, essentially, is what you are saying?

A. Correct, correct.

Q. You said at one point McDonald started to walk away from your vehicle?

A. Yeah, I initially thought that he was going to come to my vehicle maybe reach towards

my door. But he wasn't looking in my direction, so I know I wanted -- I didn't feel comfortable and safe with the distance. So I wanted to move the car out of the way and kind of make a U-turn and kind of get -- get a better distance.

Q. Okay. And so for the U-turn, when you drove past him to make the U-turn, kind of what did you see once -- you said that you saw -- you heard shots being fired.

Did you actually see the first shot being fired or were you still kind of making the U-turn? I guess I'm trying to get the timing.

A. Right. No, I never saw those shots. I was in the middle of the turn making the U-turn when I heard the shots.

Q. Okay. The first shot?

A. The first initial sound of the -- of the weapon, yes.

Q. Okay. And then you stopped your car and you said you exited the vehicle?

A. That's correct.

Q. Okay. And then you saw more shots being fired?

A. That's correct.

Q. So when you exited your vehicle, McDonald was already on the ground, correct?

A. Correct.

Q. Okay. I know we know now the number of shots. But at the time, what was your perception of how many shots were being fired or how many shots had been fired?

A. I heard multiple shots.

Q. Okay. And what was your reaction to the multiple shots?

A. I was shocked, you know. It's not every day you hear gun shots that close.

Q. Did Officer Velez also get out of the car?

A. I believe so. I never -- I didn't -- I didn't see -- I was walking towards the scene, so I didn't necessarily know what my partner was doing.

Q. Okay. And you -- why did you decide to immediately get out of the car once you immediately made the U-turn?

A. I wanted to assist the officer.

Q. Okay.

MS. ANSARI: Matt, do you have any questions

about the actual shooting or can we go to what happened after?

MR. JACOB: Do you recall who it was that called over the radio for the taser?

OFFICER BECERRA: No, I don't know.

MR. JACOB: That's really all I had.

MS. ANSARI: Okay.

BY MS. ANSARI:

Q. So you said -- so right after the shooting, can you walk us through what happened on the scene?

A. From what point?

Q. From McDonald -- the shots being done all the way up until you left for Area Central.

A. Okay. I went back to check up on my partner, make sure she was okay. It was a traumatic event.

And then I believe we got back into the vehicle and we had to move the vehicle to make way for other officers, the sergeant and then -- just to -- to remove ourselves from the immediate area.

Q. Right.

A. We parked, sort of, at the perimeter,

probably about -- facing northbound on the east side of the street. And we, basically, stood there and were waiting for the direction from our supervisors.

Q. Okay. So I will interrupt you there and we can kind of go through.

A. Okay.

Q. So you went back to check on your partner, she -- did you guys talk about what you had just seen kind of initially?

A. I think initially we were both shocked. We didn't really discuss anything as -- we were just like "Are you okay?" And she asked me -- "Yes." She asked me if I was okay. I said, "Yes."

Q. And had you ever -- have you ever witnessed a shooting before this incident?

A. No.

Q. Okay. And had your partner that you know of?

A. Not that I know of.

Q. Not just a police-involved shooting, but you had never witnessed any shooting on the job?

A. No.

Q. Okay. So can you walk us through the people -- besides your partner, you told us her -- but the people you kind of talked to at the scene of the shooting that you can recall.

So we can start with did you speak with Officer VanDyke?

A. No.

Q. No. Why not?

A. Just wasn't the -- I didn't think about talking to him.

Q. Okay. Did you speak with his partner, Officer Walsh?

A. No.

Q. Did you know them before this?

A. VanDyke, no. I think his name is Walsh, Joe Walsh.

Q. Joseph Walsh.

A. I might have seen him in passing in the hallways, in the police district.

Q. But these aren't people that you really even socialized with at work?

A. No.

Q. What about the other officers at the

scene, did you speak with -- who witnessed the shooting. Did you speak with Officer Daphne Sebastian?

A. No.

Q. Do you know her?

A. I know of her.

Q. Okay. But same thing, not --

A. No. Right.

Q. Okay. And what about Officer Janet Mondragon?

A. I know of her.

Q. And you didn't talk to her at the scene?

A. No.

Q. Officer Joseph McElligott, did you talk to him at the scene?

A. No.

Q. And do you know him that well?

A. No, not that well. I know of him too.

Q. Okay. And last --

A. I got to remind you, it's midnight officers and afternoon officers, it's kind of hard. It's two different shifts, two different times.

Q. Right. Understood. It's just for the record, I have to go through and ask them.

A. Okay.

Q. And did you -- you said you didn't speak with Officer McElligott or Officer Daphne, correct, that night?

A. Correct.

Q. What about Officers Dora Fontaine and Ricardo Viramontes?

A. Same.

Q. You didn't speak with them that night?

A. No, don't know them.

Q. Who was the sergeant on the scene that night or your sergeant that you would have reported to?

A. I don't remember.

Q. Does Sergeant Franko sound familiar?

A. He sounds familiar, but I believe that's the midnight sergeant, if I'm not...

Q. Okay. Did you see Commander Eugene Roy out there?

A. I don't know. I don't remember.

Q. Okay. What about David McNaughton?

A. I don't remember.

Q. So who did you talk to at the scene of the shooting besides your partner?

A. Possibly the sergeant on scene.

Q. Anyone else?

A. I'm sure -- I'm sure there was -- there was -- I don't remember. But I'm sure there was other officers that maybe were asking me a question. I couldn't tell you exactly who.

Q. Okay. Did you talk to -- did you talk to any detectives at the scene?

A. Possibly.

Q. So just jumping for the whole night, did you talk to a detective at all at any point that night?

A. I'm sure, yes.

Q. You are not sure whether it was at Area Central or whether it was at the scene?

A. Yes.

Q. Okay. But you do recall talking to the detective and giving a statement, correct, about what you had seen?

A. Right. He asked me what I saw.

Q. And at the time did you know who the detective was who you gave your statement to?

A. No.

Q. Okay. And now you -- you know that person to be Detective March, correct?

A. Well, I mean --

Q. Could it have been someone different taking your statement?

A. Yes, yes, I'm not a hundred percent sure. I don't know the name.

Q. Okay. So we will go back to your conversation with the detective, obviously. But was there anyone else that you recall speaking with at the scene?

A. No, I don't. I don't really remember.

Q. Okay. So you said you and your partner were kind of standing around waiting to be told what to your knowledge. Did anyone give you any direction? Were you guys directing traffic?

A. Yeah, I believe -- I believe it might have been the sergeant that instructed us to drive to the area, that the detectives wanted to talk to us.

Q. So at the scene, how long were you at the scene, do you think? It was after the shooting -- from after the shooting until when

you went to the area?

A. If I had to guess, maybe, I don't know, 30, 45 minutes maybe, an hour, somewhere around there.

Q. Do you recall -- did it seem like there was still a lot of people on the scene --

A. Yes.

Q. -- when you left?

A. Yes.

Q. So it seems like you were on the earlier end of going to the area compared to a lot of the other officers?

A. I wouldn't know. I don't.

Q. Okay. When you were at the scene, did you guys do anything or you just waited and then you were told to go to the area?

A. That's correct.

Q. At any time while you are at the scene, did you hear Officer VanDyke say anything or describe the shooting?

A. No.

Q. Did you hear any other officers describing the shooting?

A. No.

Q. Did you see individuals watching a dash cam video of the shooting at the scene?

A. Who are individuals? What do you mean?

Q. Anyone. Anyone watching the 813R dash cam?

A. I'm sure of it. Yeah, I'm sure there was officers watching.

Q. Okay. So at the scene, did anyone come to check your dash cam?

A. I believe it was -- yeah, there was an officer in plainclothes that was checking our cameras.

Q. Can you describe that conversation, when it happened?

A. He looked like he was a technician, a police technician. He had his keyboard there and was trying to log onto the cameras, our cameras.

Q. Okay. And you did see him going around to other vehicles to see -- check their cameras?

A. I didn't see. I know he came to ours.

Q. Did you see people at the scene -- sorry, you said I'm sure of -- I'm going to reask this question.

But did you see people at the scene watching other dash cam videos?

A. I believe the sergeant was, as far as I can remember.

Q. Okay. So watching the dash cam video from what you believed to be 813R, the main video?

A. Yeah, one of them. I don't know exactly what car, what -- what number that car was.

Q. Okay. So at the scene of the shooting, did you talk to any FOP representatives?

A. At the scene?

Q. At the scene?

A. No.

Q. Okay. Do you recall any FOP reps being at the scene?

A. No, I don't recall.

Q. Okay. And just to be clear, at the scene you didn't see any video of the shooting?

A. No.

Q. Did your partner, Officer Velez?

A. Let me go back on that. I think -- from what I can remember, I believe the sergeant

called us over to the car and pointed at the camera and says, "Is this your vehicle?" So at that point, then I saw the camera where he was pointing at my vehicle and I said, "Yes." And then that's when he said, "Okay, they want to talk to you at Area."

Q. Sorry. Your -- he pointed -- he came to your vehicle, correct?

A. No. He called us over to another vehicle.

Q. Okay. Okay. He called you over to a different officer's vehicle?

A. Yes. One of the vehicles came and said, "822, the sergeant needs to see you." And then I went over to the sergeant and he was inside a vehicle and he pointed to the camera and said, "Is this your vehicle?"

Q. Your vehicle on the video?

A. Correct.

Q. Got it. And you said yes?

A. Yes.

Q. Okay. And then what did he say?

A. "They need to see you in the Area" or "go to the Area," something of that sort.

Q. So why -- he -- why did he say go to the Area, was it because they could see that you guys saw the shooting on the video?

A. That we were in the area, correct.

Q. Got it. Is that the video that we now know to be 813R's dash cam video?

A. I'm not a hundred percent sure. But most likely that's the camera.

Q. And what -- did you see the whole shooting on the video when the sergeant pointed it out to you?

A. No.

Q. What parts do you recall seeing?

A. When my vehicle was in the shot, he specifically said, "Is that your vehicle?"

Q. Okay.

A. And then that's when I said yes. So they said, "Okay. Go to the Area."

So that's when I walked back to the car and I got to my partner and we walked to the area.

Q. Okay. And did he pause it and you walked out?

A. I didn't stay. As soon as he said

leave, I left.

Q. Can you describe the sergeant for me? You don't recall his name, you said, right?

A. No, no.

Q. Can you describe what he looked like?

A. I'm not even sure. He was Caucasian. Sorry.

Q. Okay. Big guy? Was he bald? Did he have a lot of hair?

A. I don't remember.

Q. Okay. So you said you weren't sure if you talked to detectives at the scene. But it sounds like you do recall talking to detectives at Area Central?

A. Yeah. That I'm more sure about, that it was Area Central.

Q. So let's just -- do you have any questions about anything else at the scene?

MR. JACOB: Do you know where VanDyke is at the scene at all when you are there?

OFFICER BECERRA: Yeah, I didn't know his name. I know the officer.

MR. JACOB: The officer who shot -- who fired the shots.

OFFICER BECERRA: Now I know, yes.

MR. JACOB: Okay. Do you know where he was at the scene relative to where all the activity was happening?

OFFICER BECERRA: Yeah, I saw him right in front of me.

MR. JACOB: Did you see him speaking to anybody or was he by himself?

OFFICER BECERRA: I don't know after that. I saw the scene and I just quickly went back.

MR. JACOB: That's all.

BY MS. ANSARI:

Q. So about what time did you leave for Area Central?

A. Oh, I don't -- I don't recall. I would probably say, like I said, 45 minutes, maybe 45 minutes to an hour after the scene.

Q. After the shooting?

A. After the shooting.

Q. Okay. How did you get to Area Central?

A. We drove in the squad car.

Q. Okay. And did you drive?

A. Yes.

Q. It was just you and Officer Velez?

A. Yes.

Q. Okay. Did you have any conversations with your partner about the shooting on the way to Area Central?

A. I don't remember really. I mean, there was probably something to the effect of, you know, we were just -- it was a traumatic event. We were more like silent at first and then kind of like wow, you know, the fact that it happened.

Q. And did you -- how many conversations about the number of shots being fired being excessive or what your opinions were on that?

A. I do remember saying something like it was multiple shots. I remember conversating about that, like.

Q. And what -- what about those shots?

A. Well, just we heard -- it was many shots, you know.

Q. And did you guys kind of talk about how that seemed like it was too many or --

A. No. We were just more like it was multiple shots kind of thing.

Q. Okay. So about what time -- how long

did it take you to get to Area Central? It's a 15-minute drive.

A. Yeah, 15-, 20-minute drive.

Q. Okay. Once you got to Area Central, can you just walk us through what happened there, just from start to when you left?

A. We sat at one of the tables there. There is computers there and all the officers are around. And, basically, just stood there. And at this point we were just waiting for instructions. Maybe somebody comes up to us and asks us some questions.

But basically sit there, it's our time to relax and calm down, you know.

And then I remember some time maybe one of the plainclothes officers asked me what did you see or what happened or where were you, some of those questions. I gave him my memory of what happened, what I saw. And then he probably wrote it down. And that's as far as I -- I know.

Q. Okay. So when you guys were at Area Central -- when you got to Area Central, what other officers were in blue shirts, people who

were -- actually witnessed the shooting? Were any of those officers already there?

A. Yes, I believe so.

Q. Okay. Do you know who?

A. Yeah. I know Walsh. I remember seeing Walsh and VanDyke now, Mondragon, Daphne I think her name is, those are the kind of ones I remember.

Q. Okay. Did you guys, while you were waiting in the main area, were you talking or did you guys talk about the shooting?

A. No. Everyone was just -- no, we were -- me and my partner were separate. We had like -- what I mean by separate, we had some distance and we were just sitting there and kind of like taking our time to relax.

Q. Okay. So there wasn't any conversation among the officers about what had happened and what you had seen?

A. I mean the others, I don't know. As far as me and my partner, no.

Q. That involved you?

A. Yeah. No.

Q. Okay. Did you see people at Area

Central watching any video?

A. I remember that there was -- there was video on one of -- one of the detective's desks.

Q. Did you watch it?

A. I'm sure they were -- they were -- they were playing it. I don't know if I was actually in the -- I can't remember if I was that close to the video. But I think I remember seeing that the video was playing somewhere like in the background on the computers.

Q. Okay. Were people kind of like huddled around it trying to see what happened on the video?

A. Yeah, it was scattered. Some were, some weren't.

Q. Okay. Did you see detectives -- did you see other officers watching the video with detectives?

A. I don't know.

Q. Okay. Did you see any FOP representatives at Area Central?

A. It's kind of -- it's kind of hard. I don't know exactly who is a FOP representative. There's -- there is a lot of people. I don't

know exactly who is who.

Q. Did you talk to any FOP reps at the scene --

A. I don't know.

Q. -- at the Area Central?

A. Yeah, I don't even know.

Q. So you talked to a detective at the scene, correct -- I'm sorry, at Area Central, correct?

A. Yeah, it was a plainclothes officer. I would assume he was a detective of some sort.

Q. Okay. What did he look like?

A. I don't even know.

Q. Was it just one detective or did you talk to multiple detectives?

A. I think there was -- there was maybe multiple detectives asking me different types of questions, so I don't know. It wasn't -- it wasn't like we were sitting down one on one. I don't know. It was more like a group of plainclothes officers.

Q. Okay. And did anyone -- was anyone writing anything down while you were saying what you saw?

A. Perhaps.

Q. Okay. Where was Officer Velez at the time? Was she with you while you were giving a statement?

A. Yes.

Q. Were you giving the statement together or was it -- did they take you separately to tell --

A. No. We were in close proximity, but maybe not -- I mean, not right next to each other. But in the general area --

Q. Okay.

A. -- she was around.

Q. So it wasn't a conversation to get -- they weren't asking you questions together? You were in separate --

A. Kind of, yeah, like in a scattered setting.

Q. Okay. Could you hear what she was saying to the detectives about what she saw?

A. No. There was a lot of people talking.

Q. Okay. Do you remember where exactly you were in the -- were you in the main room in the area -- at Area Central when you were

talking to the detectives?

A. Yeah, I think it was the main room at one of the tables there.

Q. Okay. So you said a lot of people were around?

A. Oh, yes.

Q. Was anyone who wasn't a detective involved in your statement to them? Was any -- you said multiple detectives were talking to you about what you had seen. Were there any other officers that were part of that conversation, officers or sergeant or other personnel?

A. What do you mean, talking to who?

Q. While you were talking to the detectives, you said you were having a conversation with plainclothes officers so we assume they were detectives. Was there any one else part of the -- that conversation when you were describing the shooting?

A. Not with me.

Q. Okay. About how long had you been at Area Central before you talked to the detectives?

A. How long before I talked to a

detective?

Q. Uh-huh. How long had you been waiting?

A. Man, I don't know. 30 minutes maybe. I don't -- I don't know.

Q. Okay. So I'm going to hand back Exhibit 5 and 6 to you. I will ask you a couple background questions and we will just go over these.

So do you know what a case supplementary report is?

A. Yes.

Q. Okay. Who creates these?

A. Sometimes we do and sometimes the detectives do.

Q. Okay. What is the purpose of a case supplementary report?

A. To, you know, add facts to the original report.

Q. Okay. And then the next one, the handwritten notes, Exhibit 6?

A. Okay.

Q. So that's a general progress report. Have you seen these before?

A. No.

Q. Okay. Do you -- do you know what they are and who creates them?

A. I know what they are now, yes, and who creates them, yes.

Q. What are they now -- or what are they?

A. I believe this is the detective's kind of like notes.

Q. Okay. So if you can turn to page 2 of Exhibit 5, please. So I'm going to go through the statements in your -- so this Exhibit 6, like we said -- or Exhibit 5 is Detective March's case supplementary report and it contains a summary of what you said to him that evening.

A. Okay.

Q. So I'm just going to go over it line by line.

A. Okay.

Q. And I'm going to ask you first if you made that statement and second whether it's actually accurate. Okay?

A. Okay.

Q. So just for the record your name is spelled wrong in this, correct?

A. Correct.
Q. Okay. So it's B-E --
A. -- C-E-R-R-A, right.
Q. Okay. [As read]: Officer Becerra and his partner responded to the request for assistance made by Beat 815R regarding a subject who was armed with a knife.
Did you say that to detectives on the night of October 20th?
A. I didn't say the 815R. I didn't know exactly who it was.
Q. Okay. Is that statement accurate besides what you just pointed out?
A. Yes, correct.
Q. Okay. [As read]: Becerra was driving northbound on Pulaski Road from 47th Street.
Did you say that to the detective?
A. Yeah. I mean, when -- when he says from 47th Street, I was coming from St. Louis. So it was all the way from 51st Street. So I don't remember -- I don't know, maybe he asked me. But I don't know about 47th Street.
Q. Okay. [As read]: As he approached the scene of this incident at 4112 South Pulaski, he

observed a black male subject now known as Laquan McDonald in the middle of the street flailing his arms.

Do you recall making that statement to Detective March or what you thought was the detective?

A. Yeah, part of the statement. The flailing of his arms, I -- I described it as he was waving his -- his arms kind of by his side, kind of thing, kind of like jiggling it with his hand, the knife.

Q. Okay.

MR. FAHY: For the record he is indicating with his right hand.

BY MS. ANSARI:

Q. So you don't recall saying that McDonald was flailing his arms, using the word "flailing"?

A. No.

Q. Okay. Otherwise, is that statement accurate?

A. Yes.

Q. [As read]: As he got closer, Becerra observed McDonald to be holding a knife in his

right hand. Did you say that to --

A. Yes.

Q. -- Detective March? And is that accurate?

A. Yes.

Q. [As read]: Becerra drove past McDonald with McDonald on the left side of the police vehicle as beat 845R drove past Becerra on the right side of his vehicle traveling southbound.

Did you say that to the detective?

A. Part of it. The -- just to have every -- the left side is the driver's side, which would be my side. He was right by my side.

I didn't know -- I don't know the numbers 845 Robert, so I wouldn't have specifically said 845 Robert. I don't know who it was.

And, you know, at the time I was driving. I don't know who exactly was around me. I had to keep my eyes on him and move away. I just didn't feel comfortable at that distance.

Q. So I guess, please correct me if I'm putting the wrong words in your mouth, but you did observe McDonald on the left side of the

police vehicle on your side, correct?

A. Correct.

Q. Okay. But you weren't sure if the other car drove on the right side of your vehicle?

A. Correct.

Q. Okay. Because you were focused on McDonald?

A. Correct.

Q. Okay. [As read]: As Becerra began to make a U-turn, he heard multiple gun shots.

Did you tell that to the detective?

A. Yes.

Q. Is that correct?

A. Yes.

Q. [As read]: He then saw McDonald lying on the ground.

Did you --

A. It should be when I exited vehicle, then I -- I saw him on the ground.

Q. So do you recall telling the detective that you had exited the vehicle --

A. Yes.

Q. -- and then saw him?

A. Yes.

Q. And then it says [as read]: Becerra did not see who fired the shots.

Did you tell that to the detectives?

A. Yeah, that's -- that's -- what I described as, as I was in my vehicle making the U-turn, I heard the shots. It was behind me, you know, I was making the turn. So I didn't see those initial -- or I would say the beginning of the shots.

As I exited my vehicle, then I saw the officer shooting McDonald.

Q. Okay. And you -- and you said that to the detectives that night?

A. Yes.

Q. Okay. So that part of the statement is not accurate -- not accurately recorded?

A. No. And you know, I don't -- I don't know, maybe I was rushed or maybe he didn't kind of finish the paragraph, I don't know.

Q. Okay. What direction was your vehicle facing when you stopped it and got out?

A. I'm not -- I'm not certain.

Q. Okay. Do you know how far away you --

your vehicle -- you -- how far away did you stop the vehicle away from McDonald?

A. I don't know exactly.

Q. Okay. And when you got out of the vehicle, did you walk kind of towards -- I mean, there is, obviously, shots going. But can you kind of describe where you were in relation to --

A. Yeah. I was -- I exited the vehicle and the officer was right in front of me. So I was kind of like on his right side.

Q. Got it. Okay. And you mean Officers Walsh and VanDyke, correct?

A. Right, correct.

Q. Okay. Did you say anything to the detectives or anyone that night about the -- about whether the number of shots fired were excessive?

A. No. They would ask me, you know, how many shots. I said I just heard multiple. I couldn't tell -- I couldn't tell you exact number.

Q. Okay.

MS. ANSARI: I was going to the allegations.

Do you want to follow up?

MR. JACOB: Yeah. Did you -- do you recall telling the detective after you had gotten out of the vehicle seeing the officer shooting McDonald while he was on the ground?

OFFICER BECERRA: Yes, I do remember saying that.

MR. JACOB: Is there anything else from this statement that you feel the detective either edited or omitted?

MR. FAHY: Other than what he has already described?

MR. JACOB: Other than what you have already described, yes.

OFFICER BECERRA: No, no.

MR. JACOB: That being the only example or omission?

OFFICER BECERRA: Correct.

MR. JACOB: That's all.

BY MS. ANSARI:

Q. Okay. So let's go back to Exhibit 2 -- I'm sorry, 3. So this is a little bit repetitive. But as a matter of procedure, I'm going to read the allegations.

A. Okay.
Q. The ones that are relating to the CSR.
A. Okay.
Q. And just to give you a chance to respond. You have kind of already told us what your response is, but just for the record.
A. Okay.
Q. So it's alleged that on or about October 20th, 2014, you provided a false narrative to Detective David March of the Chicago Police Department concerning the McDonald shooting.
What is your response to that allegation?
A. That's incorrect.
Q. It is alleged that on or about October 20, 2014, you made a false statement during an interview with the CPD Detective David March when, with respect to the McDonald shooting, you stated that you did not see who fired the shots?
A. That's incorrect.
Q. Okay. It is alleged that on or about October 20, 2014, you made a material omission

during an interview with CPD Detective David March when, with respect to the McDonald shooting, you failed to state that you saw McDonald being shot while he was on the ground?

A. That's incorrect.

Q. Okay. So now we are going to go to questions relating to the dash cam system. So can you walk us through the way -- the ways that you as an officer use your vehicle's in-car video system through your shift. Can you -- start that over.

As a general practice, around the time of October 20th, 2014, what was your practice with related -- with regards to the dash cam at the start of your shift, through your shift?

A. Yeah, we enter the -- we get into the squad car. We turn on the camera and those cameras have a mind of its own. You know, it's they will work one minute, a few minutes later they won't work. Sometimes it will work the whole tour. It's just very temperamental. These cameras in our squad car. And it's connected with the microphones.

So what we do is we -- we sign on to

the cameras. Everything works, it's a great day. Sometimes there is problems and the supervisor will ask us is the camera working, is it not working, and then we will say, you know, it's got some problems or so and so, just give him a report of what's going on with the camera.

Q. Okay. And do they only turn on when you go lights and sirens or how does - how are they recording throughout the night?

A. From my understanding it's they activate when you turn on your emergency lights.

Q. Okay. So as of October 2014, what rules or regulations governed your use of the in-car audio and video system?

A. Can you repeat that again?

Q. Sorry. Are you aware of any special orders or general orders that describe what you are supposed to do with the in-car video systems?

A. I'm sure there is a general order. I will have to read it again.

Q. Well I will give it to you. So I will enter as Exhibit 7, the special order SO-3-05 relating to in-car video systems.

(Whereupon, Becerra Deposition Exhibit 7 was marked for identification.)

BY MS. ANSARI:

Q. So I want to direct your attention to Section 6 of the special order titled "operational procedures."

A. Okay.

Q. It's on page 3. Specifically where it says that [as read]: At the beginning of a tour of duty, a department member is to visually inspect the in-car video system equipment for damage, obtain the remote transmitter audio recorder and ensure it is securely attached to the member's person and follow the startup procedures for in-car video system as trained and ensure the system is working properly.

Were you aware of that procedure?

A. I mean yeah. Like I said, I would have to look at this to really make sure one, two or three points. But there is a general under -- I have a general understanding of it.

Q. And as a general practice, are those things you would do at the beginning of your --

A. Yes.
Q. -- tour of duty?
A. Yes.
Q. So you would normally -- you would attach the microphone to your person before a tour of duty, correct?
A. Yes.
Q. Okay. Did you receive training on these procedures, on -- or just training on how to use the dash cam systems?
A. That's hard to say because -- yeah, I don't exactly remember if I was trained or not.
Q. Okay. Okay. And you can see on that page it says [as read]: Note, members will immediately notify a supervisor if at any time in-car video system becomes inoperable, damaged, the vehicle becomes inoperable or the remote transmitter audio recording was missing.
Was that your regular practice to notify a supervisor if your system wasn't working?
A. Yes. But -- what usually happens is that the supervisor, he would ask us -- there would be sometime during the tour he would

check -- he checks -- check up on us, how are you doing, how are you doing, how is the camera working. And then usually if there was a problem, we would tell him at that particular time.

Q. Okay. So it wasn't kind of a proactive going to tell the supervisor; you would wait until they checked in with you to tell?

A. Right. Because there has been some instances where we will turn on the camera and it will work fine. We will exit the vehicle, grab a cup of coffee, come back and the camera is down, which normally it shouldn't be. So then we will have to turn it back on and it will work perfectly.

So there is always some chance where it's working now, a few minutes later, it just sends a little signal and it doesn't work. It's very temperamental.

Q. Okay. So you stated that you were the driver of the vehicle on October 20th, 2014, correct?

A. Yes.

Q. Okay. Do you know that the vehicle

number -- we have it being referred to as 8765. Do you know that that's the name of the vehicle -- the vehicle number?

A. Yeah, I think it is.

Q. So your vehicle that night had an in-car video system, correct?

A. Yes.

Q. Okay. Was that the car that you were generally assigned to?

A. Generally, yes.

Q. Okay. At the time -- as of that date, how long had you worked in the squad car with an in-car video system?

A. I don't know exactly. I can't recall as -- I have six years on the job. I can't recall the first day, day one, when I got out of the academy training. I can't recall if there was a camera installed in the -- in the cars. So I don't know exactly when it got implemented.

Q. What's your PC Number?

A. Zero -- PC [redacted]

Q. Okay. So on previous tours, did you have any issues with that vehicle's in-car video system?

A. Yes.

Q. What were they?

A. From what I can remember, it would -- it would turn off at -- it would, like, short, you know, there would be some kind of short where it would not make the camera active.

Q. Okay. So it would turn off, essentially?

A. Not completely turn off. It would like freeze. The system would freeze for some time.

Q. So about how often did you have issues?

A. I really want to say every day.

Q. Okay.

A. But it's -- it's high volume.

Q. Okay. So who did you report those issues to?

A. You know, when the sergeant would come and check up on us, I would tell him, "Hey the camera is, you know, freezing again." Or -- "Today it's fine." Or "It's freezing, it's not working."

And then he would generally get a report, I guess, a work number.

Q. A ticket number?

A. Ticket number.

Q. Okay. So you would report that to your supervisor and he would get the ticket?

A. That's correct.

Q. Okay. So the night of October 20th, 2014, or I guess the day when you started your shift, can you walk us through what you did with respect to the in-car video system that day?

A. Sure. We got into the vehicle. I remember my partner signing onto the camera. And then she said something like, "Oh, it's not working." And then we tried -- we were troubling shooting. I said, "Okay, let's turn off the car and press the power button and restart the camera."

We did that. The camera was -- it was making some -- you know, making -- there was some lines like it was going to reboot and it just didn't -- I don't know if it fully rebooted.

Q. Okay. So you had issues with it at the beginning of that tour?

A. Oh, yes. Yes.

Q. And did you report those issues?

A. Yeah, we didn't really get a chance to report those issues. You know, we usually wait until the supervisor comes and says, "How are you doing? How -- how is -- how is the camera? Does it work?" Or "How is your vehicle?" in general.

Q. Okay. So that night you didn't report any issues with your -- or on that tour, you didn't report any issues with your dash camera?

A. Well, we didn't -- yes, we didn't really get a chance to. We didn't get -- the opportunity didn't arise to like, oh, let's meet up with the sergeant and tell him.

Q. Okay. Where did you keep your microphone -- well, so because the video wasn't working, is that why -- where did you keep your microphones for that day?

A. Yeah, it was -- it was in the dock, in the charging dock.

Q. And you kept them on the dock?

A. Because the camera wasn't -- yeah, it was just -- it was acting up.

Q. Okay. So I'm going to enter into evidence three exhibits. So these are going to

be -- so the first exhibit and we will mark that as Exhibit 8 is an original case incident report regarding -- filled out by Sergeant Lance Becvar regarding the dash cameras of the vehicles which we -- that were on the scene that night.

The second I'm marking as Exhibit 9 is an in-car camera video retrieval worksheet.

And the third, we will mark it Exhibit 10, is an e-mail from Sergeant Lance Becvar to Jonathan Lewin.

(Whereupon, Becerra Deposition Exhibit 8 was marked for identification.)

(Whereupon, Becerra Deposition Exhibit 9 was marked for identification.)

(Whereupon, Becerra Deposition Exhibit 10 was marked for identification.)

BY MS. ANSARI:

Q. So if you can see on Exhibit 8 the firsthand written document. It notes -- it says [as read]: Beat 822R vehicle 8765 not engaged. Officer reported power issues. And then you can

see on the second, vehicle 8765 [as read]: Mics charging in cradle, not synced to system.

A. Okay.

Q. In the third exhibit [as read]: Vehicle 8765 system not engaged. Officer related no power. There is no open HDT called in on vehicle. Mics not synced to system even though they were in the charger cradle.

Can you explain -- you already kind of did this, but to go over it again. Can you explain why the system was not engaged?

A. Yeah. There was issues with the camera, technical issues.

Q. Okay. Do you recall having a conversation with Sergeant Lance Becvar on October 20th regarding your in-car video system?

A. No, I don't recall a conversation. I know, he was maybe talking to my partner.

Q. Okay. But you did say there was a technician trying to get video from your car?

A. That's correct.

Q. And kind of what did that conversation -- what was he --

A. Well, I was -- we were outside of the

car while he was in and him and my partner were talking because she was the one -- I'm the driver. So she's -- the passenger usually makes sure -- you know, we both make sure. But she is the one that's actually putting her numbers into the camera.

Q. Okay. Got it.

And your -- and you and -- you and your partner, Officer Velez, didn't file any open -- didn't file a help desk ticket with regard to the vehicle's in-car video system that night; is that correct?

A. Yeah, we -- we never got an opportunity to do so, yeah.

Q. Okay. So Becvar's e-mail, that's the Exhibit 10, says that the mics for the vehicle were not synced. Why were they not synced?

A. The system wasn't turning on.

Q. Okay. So can the mics be synced if the video is not working?

A. I don't know.

Q. Okay.

MR. JACOB: Just a couple follow-ups.

MR. FAHY: Before we go to your follow-ups,

could we have two minutes?

MS. ANSARI: Sure. We are going off the record. It is 12:14 p.m.

(Whereupon, a recess was had at 12:14 p.m., after which the deposition was resumed at 12:16 p.m. as follows:)

MS. ANSARI: We will go back on the record. It's 12:18 p.m.

Matt, you have a couple follow-ups on the dash cam.

MR. JACOB: Just really quick. I don't remember if you addressed this already. But at what point during your tour is the sergeant checking in that allows you to say, yeah, our video camera is not working correctly?

OFFICER BECERRA: Yeah, usually within the first couple hours of the tour.

MR. JACOB: So just over the radio or on the phone or --

OFFICER BECERRA: Usually once to -- yeah, over the PDT, over the computer. Or sometimes he will meet up face to face with us.

MR. JACOB: Okay. And it's at that point

that you let them know, yeah, this wasn't working today.

And it's not necessarily incumbent upon you to fill out the help desk ticket, but it's the sergeant's responsibilities?

OFFICER BECERRA: Well, I mean, yeah, that was -- I was under the impression of it that way. It's hard to say now because now there is -- it seems to be the rules are more intact as far as the procedures. You know, it's more talked about more. So it's at the beginning of the tour, we have to notify the supervisor and do that.

But at that particular time, it was more we used that, it was more that we met him or talked to him through the computer that we would tell him the information.

MR. JACOB: That was -- you said that's the impression that you had at that time. You said you don't recall necessarily being trained on how to operate the dash cam video system?

OFFICER BECERRA: Yeah, it's hard -- it's hard to really say. There is a lot of training. I can't -- I can't exactly remember if -- I

don't know. I don't remember if it was a training through our computer system where we just do the training or somebody physically told us what to do. It's -- it's kind of hard.

MR. JACOB: Or a video you may have watched?

OFFICER BECERRA: Right. Exactly. I don't know exactly what happened.

MR. JACOB: But had it happened, would it have been something that both you and Velez would participate in together? Do you two normally participate in trainings together?

OFFICER BECERRA: No, I think -- well, it depends.

MR. JACOB: Or at least at that point in time she would be your partner at that time?

OFFICER BECERRA: Yeah, it depends because if it's on the computer, then it's individually. But if it's like a group setting where someone comes in and shows us, it would be a group.

So I don't know exactly what kind of training she got.

MR. JACOB: That's all.

BY MS. ANSARI:

Q. So let's turn back to Exhibit 3, and

those are the allegations. I will read through those.

It is alleged that on or about October 20th, 2014, you failed to ensure the in-car video system for CPD vehicle 8765 was working properly at the beginning of your tour of duty.

What is your response to that allegation?

A. Yeah, that's accurate.

Q. Okay. It is alleged that on or about October 20th, 2014, you failed to immediately notify a supervisor that the in-car video system for CPD vehicle 8765 was inoperable or damaged.

What is your response to that allegation?

A. Yeah, again, probably accurate.

Q. It is alleged that on or about October 20, 2014, you failed to audibly record events with CPD vehicle 8765's in-car video system during your tour of duty.

What is your response to that allegation?

A. Yeah, accurate.

Q. Okay. So I'm going to move on to just a couple more questions. Did you give testimony in a grand jury regarding the Laquan McDonald shooting?

A. Yes.

Q. Okay. About when did that happen?

A. I don't know exactly when.

Q. Was it like summer, fall, winter?

A. Maybe six to eight months ago. I don't remember.

Q. Okay. Was it the federal grand jury, was it at the -- do you know where it was or was it a state grand jury?

A. I think it was the federal building.

Q. Federal building.

A. Yeah.

Q. Did you talk to FBI agents before your interview?

A. Yes, yes.

Q. Okay. Is anything that you did -- did they show you documents during your testimony or the FBI?

MR. FAHY: You know what, I'm going to object to any questions about the federal grand jury,

unless you are going to provide him with a copy of his transcripts. And also, I mean, it's an active and ongoing grand jury investigation. So unless you are going to give him the benefit of his grand jury testimony to review, I'm going to object and ask him not to answer any questions about what was asked, other than it was regarding this incident.

MS. ANSARI: Okay.

BY MS. ANSARI:

Q. Okay. So, obviously, this has been in the news a lot. Have you been kind of keeping up on the news regarding the McDonald shooting?

A. No.

Q. You haven't been?

A. No.

Q. Okay. Did you see the dash cam video on the news when it was disseminated to the public?

A. Yeah, I think I saw it on the website, yeah.

Q. Okay. Have you had any conversations with your fellow officers, including your partner -- or including your former partner or

your current partner, regarding recent developments related to the McDonald shooting? So kind of what the discipline has been coming down?

A. No. It's just -- it's been a very traumatic incident. I just I don't -- I kind of stayed away, you know. I don't want to talk to anybody. I don't want to discuss it.

MS. ANSARI: Okay. So is there -- I don't -- do you have any follow-up questions?

MR. JACOB: Really quick, you said you were at the scene about 30 to 45 minutes or so --

OFFICER BECERRA: After?

MR. JACOB: -- after the shooting.

OFFICER BECERRA: Okay.

MR. JACOB: Did an ambulance arrive while you were there?

OFFICER BECERRA: Oh, yes.

MR. JACOB: Okay. And then McDonald was attended to?

OFFICER BECERRA: Oh, yes.

MR. JACOB: Do you recall how much time passed between the shooting and when the ambulance arrived?

OFFICER BECERRA: Oh, it was very quick the ambulance arrived.

MR. JACOB: Do you know was he pronounced dead at the scene?

OFFICER BECERRA: I don't know.

MR. JACOB: Okay. That's all.

BY MS. ANSARI:

Q. Officer, was he still moving after all the shots had been fired?

A. I didn't -- I didn't get that close.

MS. ANSARI: Okay. So we don't have any other questions. Do you have anything or do you want to -- that you want to add for the record or say before we conclude?

OFFICER BECERRA: No. No.

MS. ANSARI: Okay. Then it is 12:25 p.m. and we will go off the record.

(End of interview.)

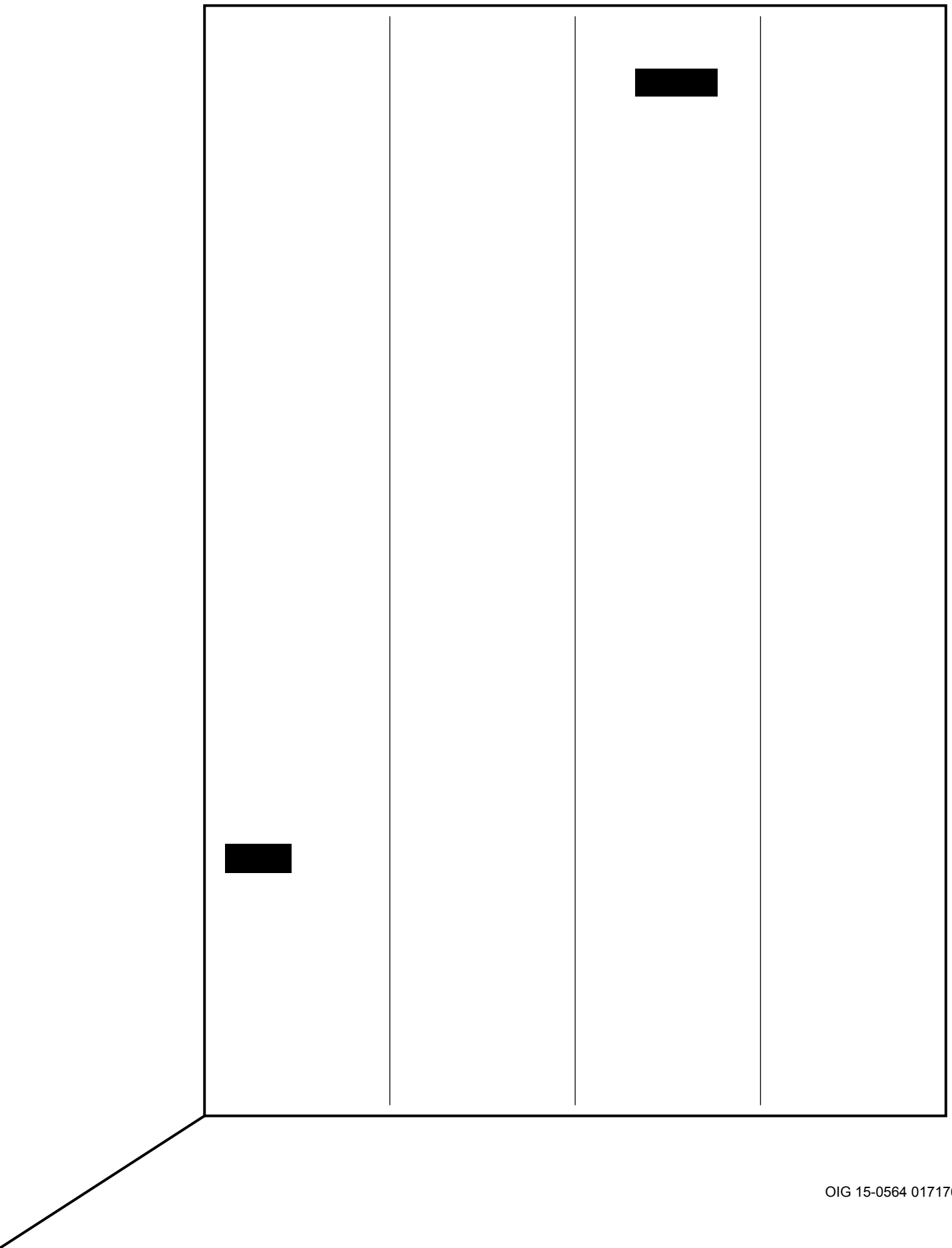
STATE OF ILLINOIS)
) SS:
COUNTY OF LAKE)

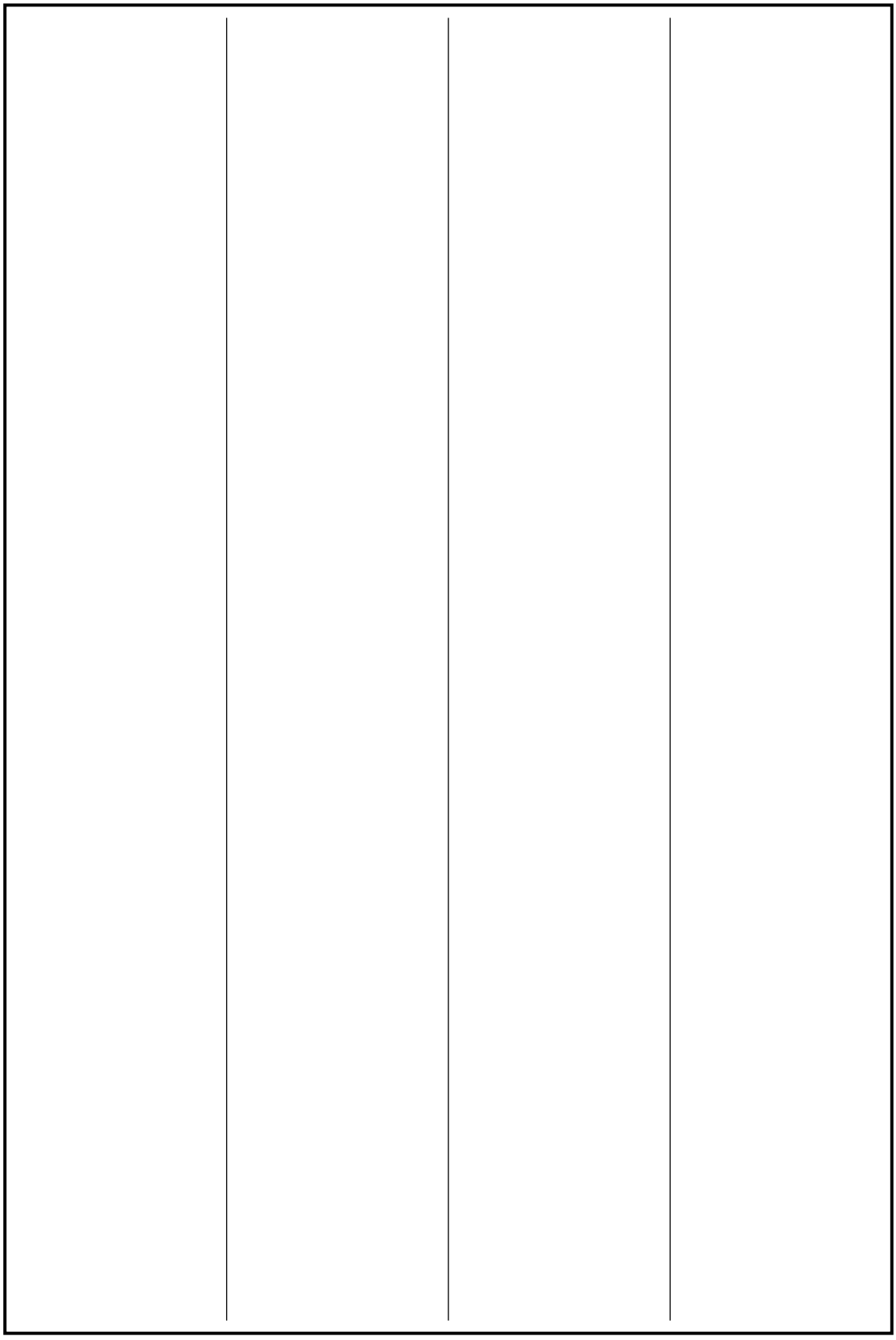
I, Cheryl L. Sandecki, a Notary Public within and for the County of Lake and State of Illinois, and a Certified Shorthand Reporter of the State of Illinois, do hereby certify that I reported in shorthand the proceedings had at the taking of said interview and that the foregoing is a true, complete, and correct transcript of my shorthand notes so taken as aforesaid, and contains all the proceedings given at said interview.

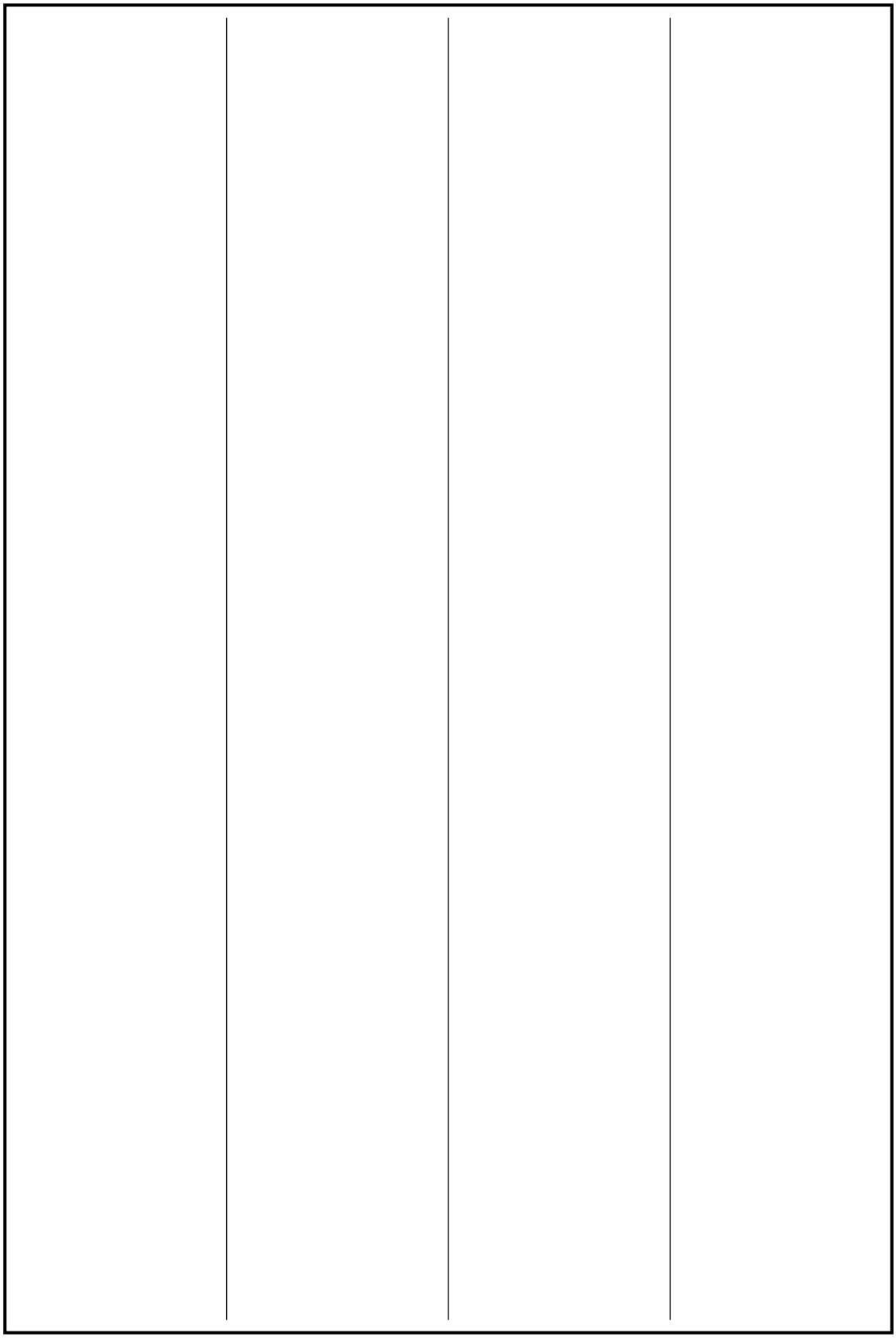
Cheryl Sandecki

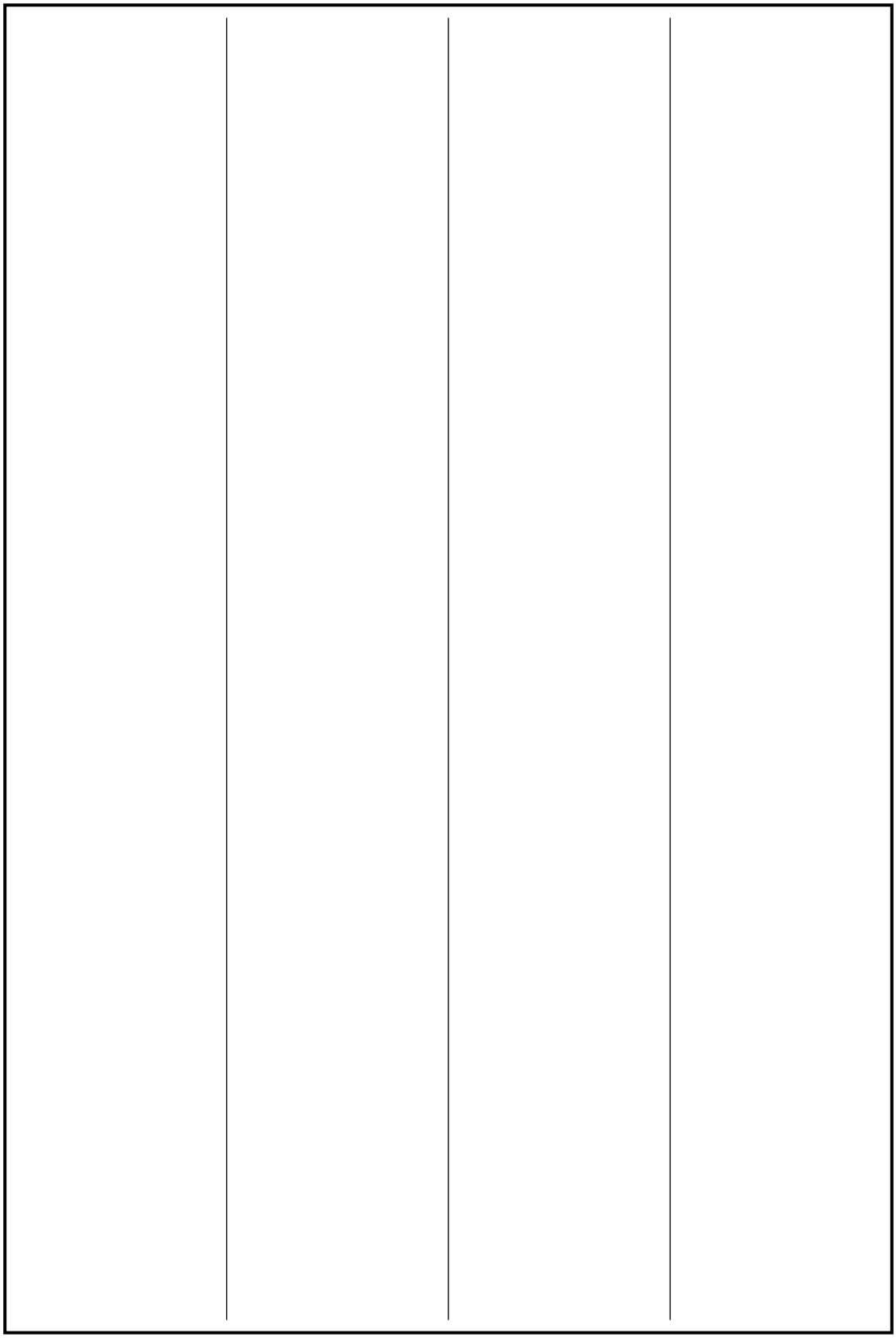
_____

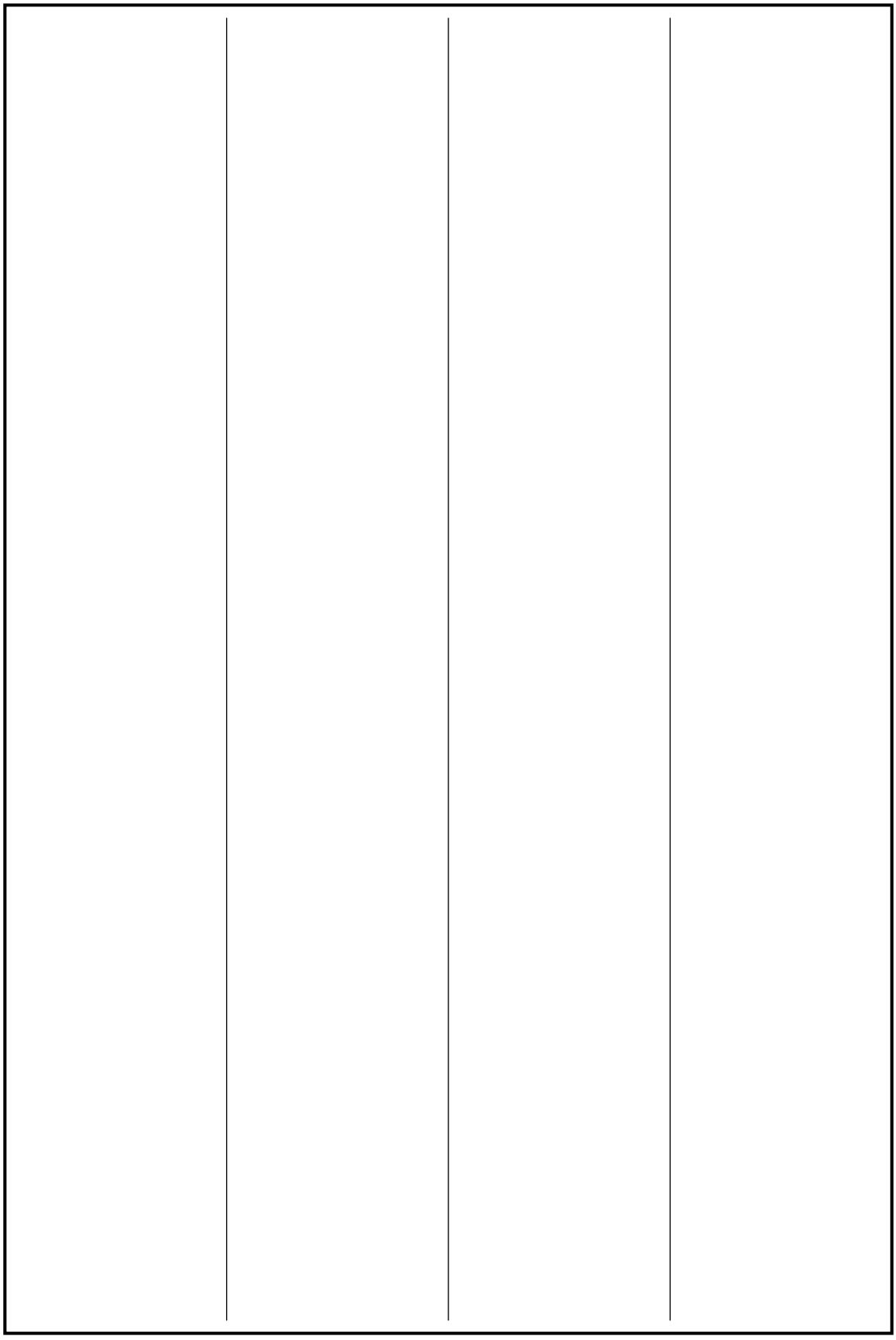
Notary Public, Lake County, Illinois
C.S.R. License No. 084-03710

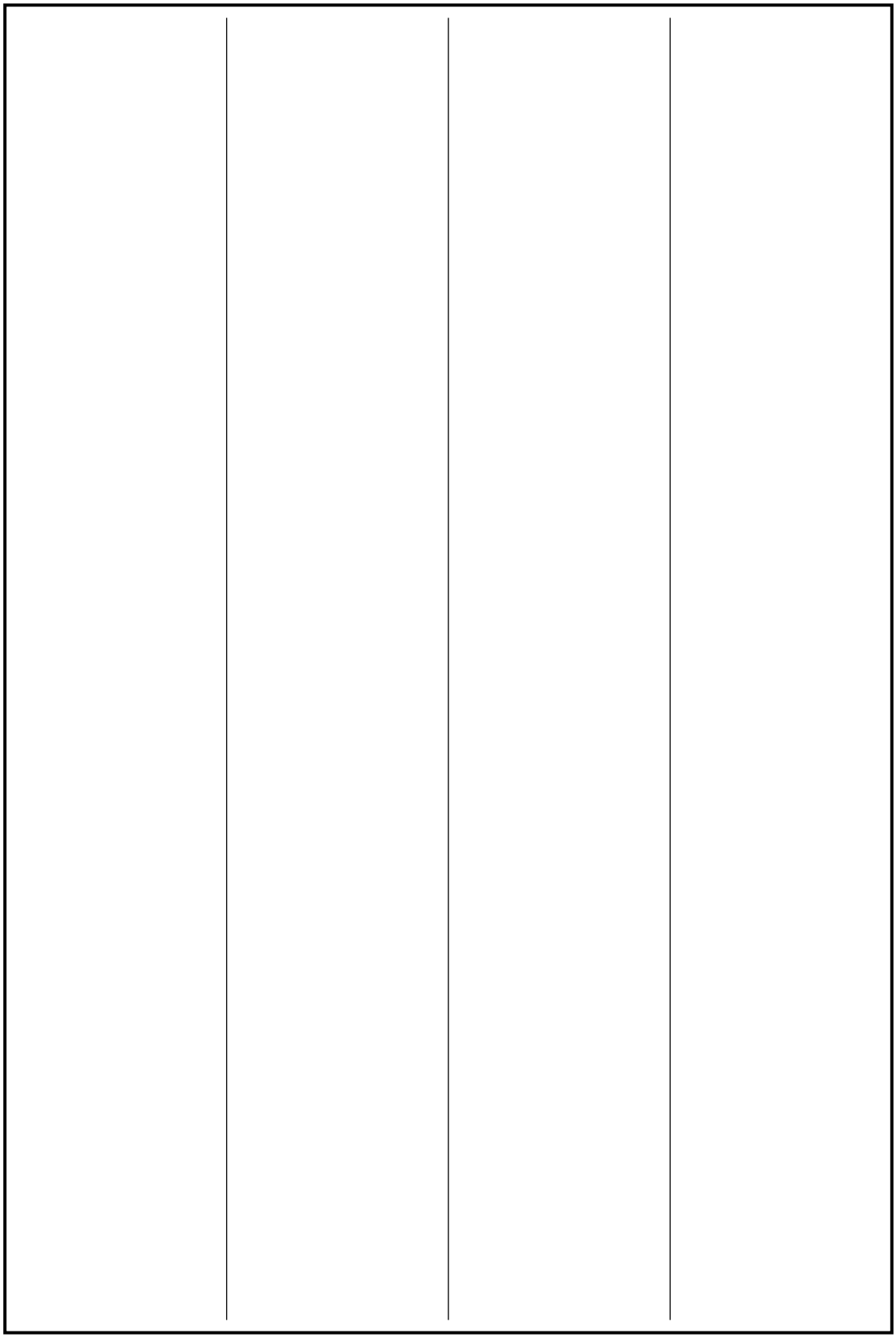


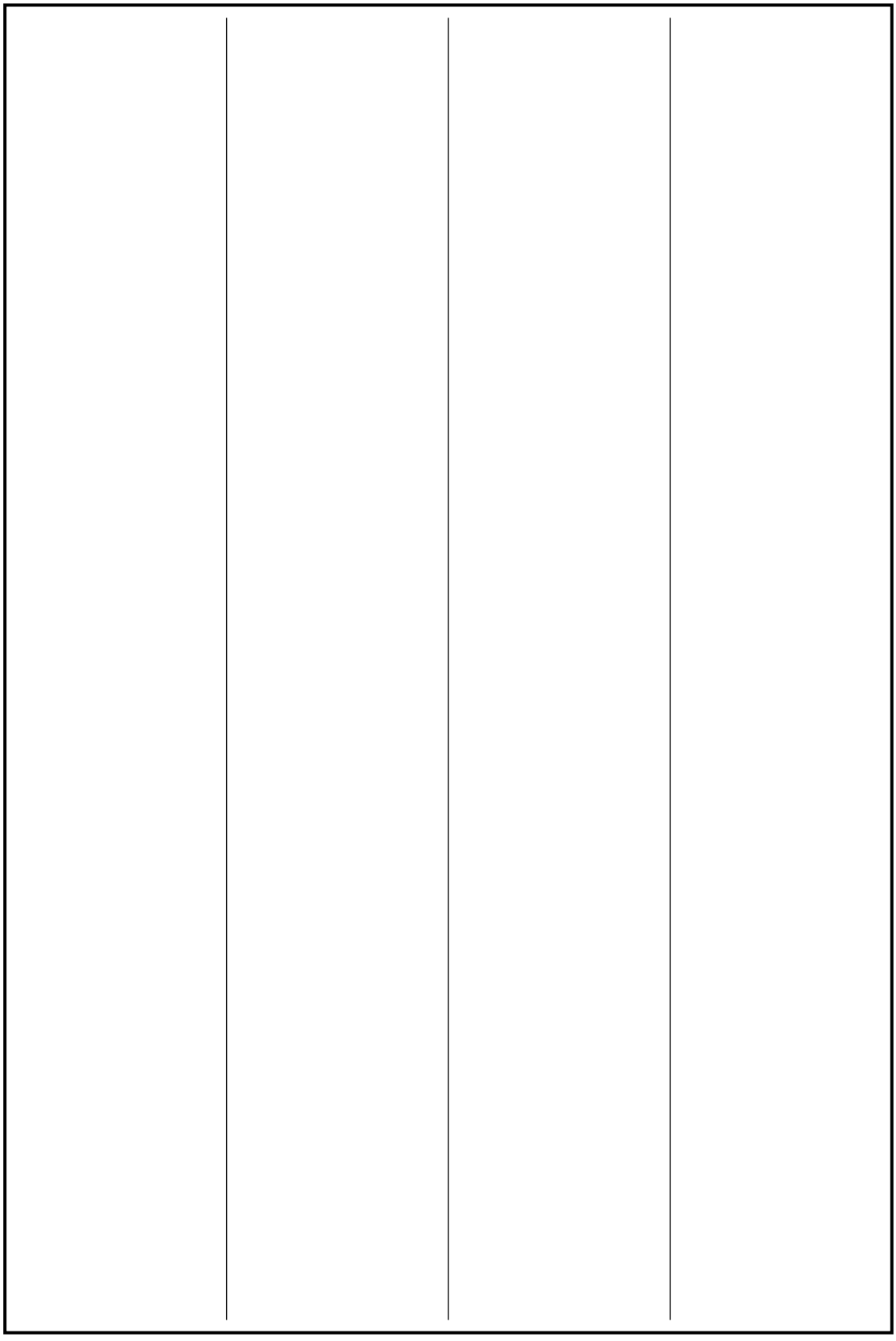


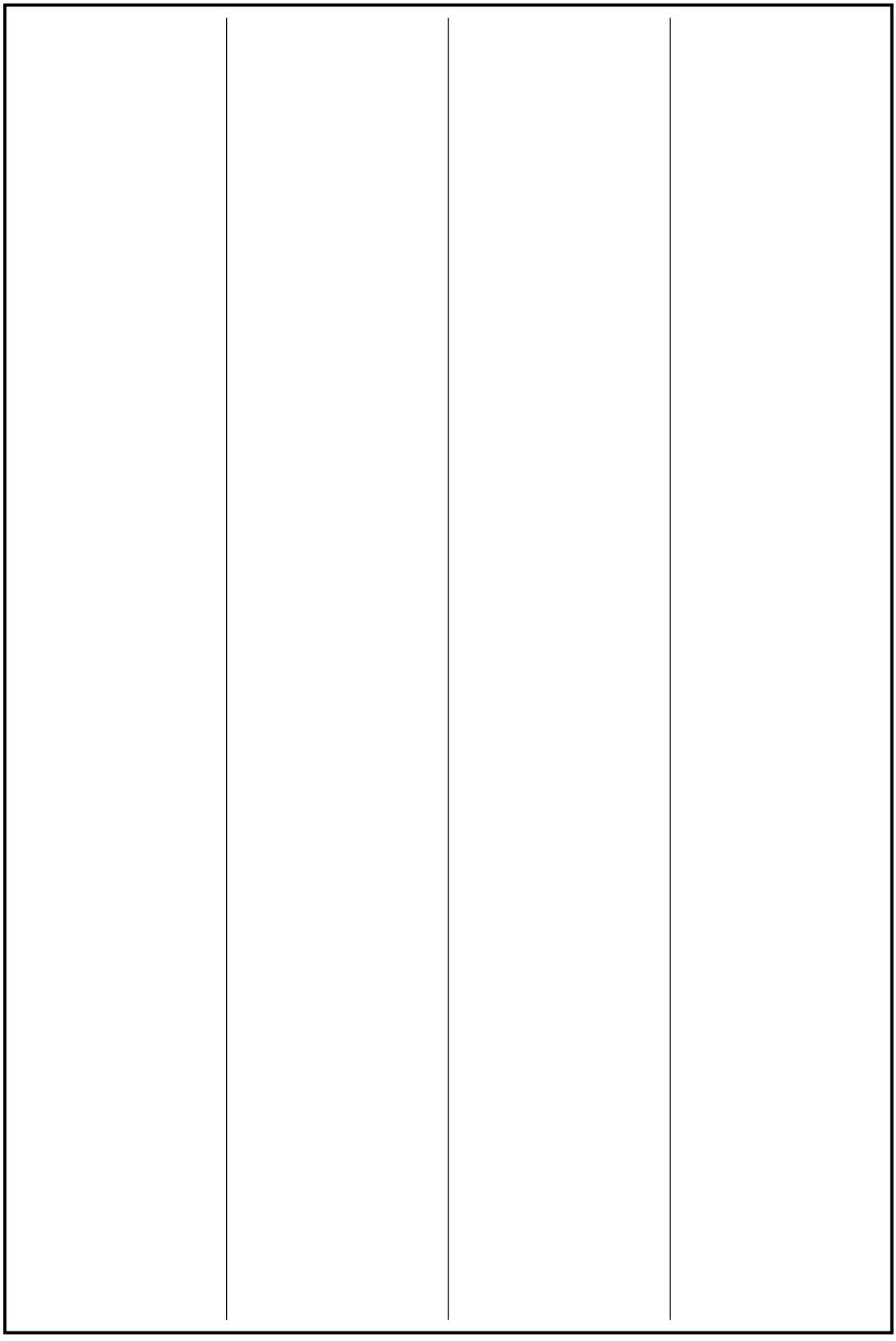


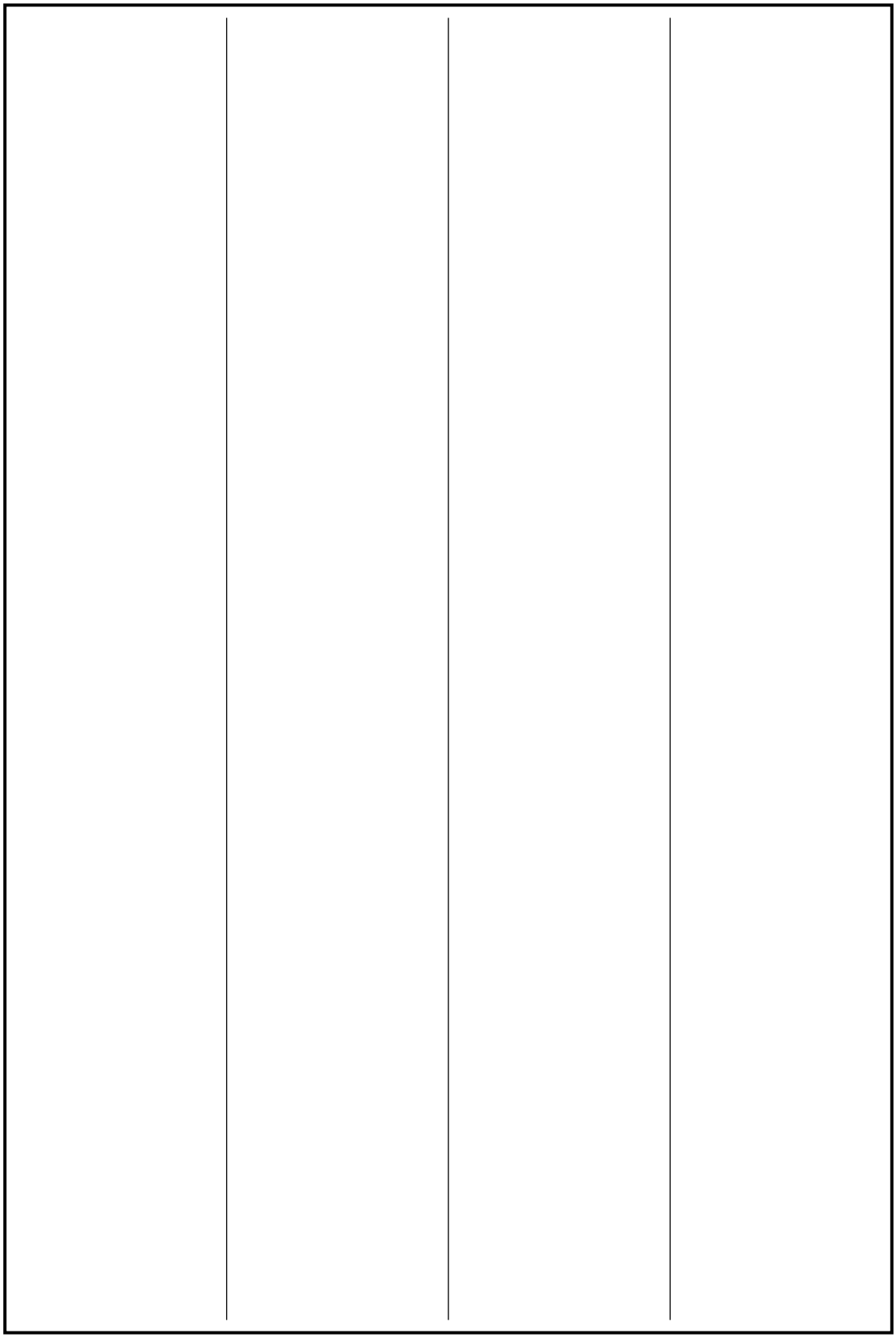


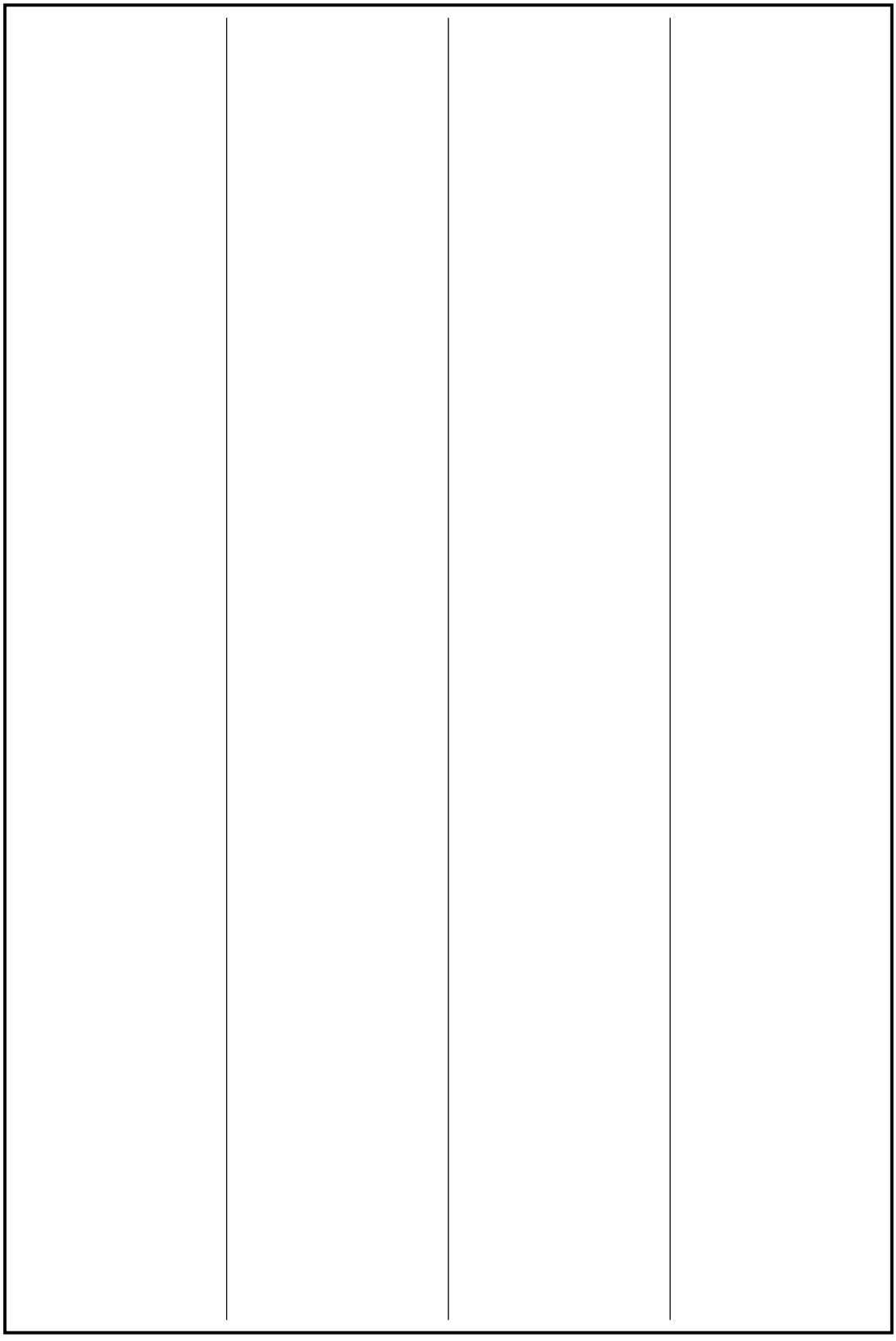


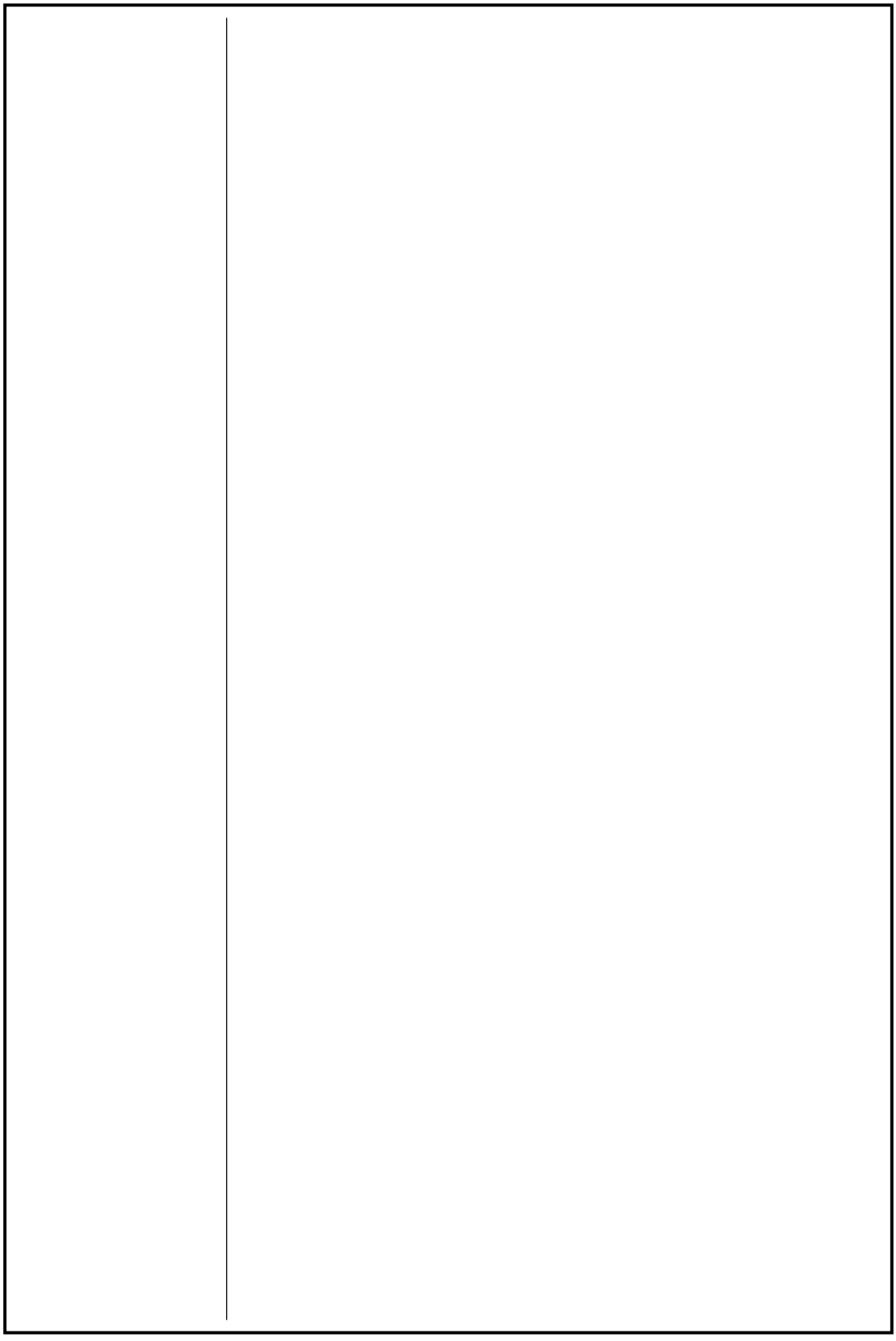












CITY OF CHICAGO
OFFICE OF INSPECTOR GENERAL

ADVISEMENT OF RIGHTS

I, Arturo Becerra, understand that I am being interviewed by Sarah Ansari and Matthew Jacob from the City of Chicago Office of Inspector General.

DATE 9/23 TIME _____ LOCATION Amicus Court Reporters, 300 W. Adams.

I understand that this interview is part of an official investigation and that I have a duty to cooperate with the Office of Inspector General, which includes answering all questions completely and truthfully.

I understand that I have no right to remain silent. I understand that I have an obligation to answer questions put to me truthfully. I understand that if I refuse to answer questions put to me, I will be ordered by a superior officer to answer the questions. I further understand and I have been advised that if I persist in my refusal to answer after an order to do so, such further refusal constitutes a violation of the Rules and Regulations of the Chicago Police Department and may serve as the basis for my discharge.

I understand and have been advised that my statements or responses may constitute an official police report. I understand that Rule 14 of the Chicago Police Department's Rules and Regulations prohibits making a false report, written or oral, and I further understand that making such a false report, whether written or oral, may result in my separation from the Chicago Police Department.

I understand that any statement made by me during this interview may be used as evidence of misconduct or as the basis for disciplinary action up to and including removal or discharge.

I understand that any statement made by me during this interview and the fruits thereof cannot be used against me in a criminal proceeding.

I understand that I have the right to have a union representative, or legal counsel of my choosing, present at the interview to consult with, and that I will be given a reasonable time to obtain a union representative or legal counsel as long as the interview is not unduly delayed.

I understand that a refusal to answer any question, or any false, inaccurate, or deliberately incomplete statement by me would constitute a violation of Chicago Municipal Ordinance 2-56, and may serve as the basis for my discharge.

I acknowledge that this statement of my administrative rights has been read aloud to me, and I have been allowed to review this document.

Employee Signature



Witness: Sarah Ansari Witness: Matthew Jacob

****

WAIVER

Understanding these rights, I wish to answer questions from investigators from the Office of Inspector General without having a union representative or legal counsel present. No promises or threats have been made to me and no pressure or coercion of any kind has been used against me.

Employee Signature: _____

NOTIFICATION OF INTERVIEW TO CPD MEMBER CITY OF CHICAGO OFFICE OF INSPECTOR GENERAL			DATE September 14, 2016
NAME	RANK	STAR NO.	UNIT OF ASSIGNMENT
Arturo Becerra	Police Officer	15790	008

YOUR APPEARANCE IS REQUIRED

AT ☒	Amicus Court Reporters 300 West Adams, Ste. 800 Chicago, IL 60606	ON	DATE September 23, 2016	TIME 4:00 PM

AS ☒ ACCUSED ☐ WITNESS ☐ COMPLAINANT

FOR ☒ A STATEMENT

CONCERNING
False statements and material omissions made in connection with the October 20, 2014 shooting of Laquan McDonald; the operation of the Chicago Police Department's in-car video system.

YOU ARE TO REPORT TO:

LEAD INVESTIGATOR	TITLE	PHONE NO.	EMAIL
Raul Valdez	Investigator III	773-478-5228	rvaldez@chicagoinspectorgeneral.org

NOTE: You MUST notify the Lead Investigator of your inability to keep this scheduled appointment.

ALSO PRESENT AT THE INTERVIEW WILL BE:

NAME	TITLE	NAME	TITLE
Peter Neumer	Senior Assistant Inspector General	N/A	N/A

THE INTERVIEW WILL BE ☐ AUDIO RECORDED ☒ TRANSCRIBED BY A LIVE REPORTER

TO BE COMPLETED BY INTERVIEWEE (if applicable)

ACKNOWLEDGEMENT

Please contact Investigator Valdez at (773) 478-5228 to confirm receipt of Notification of Interview and to confirm your attendance at the interview.

I hereby acknowledge receipt of this Notification of Interview.

EXHIBIT
RECEIVED 9/14/16 LAS

SIGNATURE _____ DATE 14 SEP 16

PRINTED NAME ARTURO BECERRA TIME 1650 HRS

TO BE COMPLETED BY OFFICE OF INSPECTOR GENERAL OR CPD COMPONENT PROVIDING NOTIFICATION TO INTERVIEWEE

NOTIFICATION MADE TO	TITLE, RANK, & UNIT	DATE	TIME
NOTIFICATION MADE BY	**TITLE, RANK, & UNIT**	**DATE**	**TIME**

NOTIFICATION OF ALLEGATIONS

CITY OF CHICAGO OFFICE OF INSPECTOR GENERAL

NAME OF ACCUSED	RANK	STAR NO.	UNIT OF ASSIGNMENT
Arturo Becerra	Police Officer	15790	008 - 822

City ordinance, and if applicable, collective bargaining agreements, provide that you are entitled to notice of the nature of the allegations against you and the identity of all complainants prior to any interview. Accordingly, you are advised as follows.

COMPLAINANT(S)

4. John J. Escalante, Interim Superintendent of Chicago Police Department (CPD), sent a letter to the City of Chicago Office of Inspector General (OIG) dated January 13, 2016, requesting that OIG conduct an administrative investigation of the following allegations arising out of the October 20, 2014 shooting death of Laquan McDonald (the McDonald Shooting): "whether any officer(s) made false statement on official reports submitted in connection with the shooting of LAquan McDonald on October 20, 2014; whether any officer(s) obstructed or interfered with the investigation of this incident, either individually or in collusion with others; and whether any officer(s) committed any violation of Chicago Police Department rules, policies, or orders in connection with their response and/or handling of this matter." Escalante attached to the letter a copy of Sergeant S. Soria's (Star # 2275) Initiation Report, which raises similar allegations of misconduct with respect to Department members in connection with the McDonald Shooting, and identified that Report as a basis for OIG's administrative investigation.

ALLEGATION(S)

1. On or about October 20, 2014, you provided a false narrative to Detective David March of the Chicago Police Department (CPD) concerning the McDonald Shooting.

2. On or about October 20, 2014, you made a false statement during an interview with CPD Detective David March when, with respect to the McDonald shooting, you stated that you did not see who fired shots.

3. On or about October 20, 2014, you made a material omission during an interview with CPD David March when, with respect to the McDonald shooting, you failed to state that you saw McDonald being shot while he was on the ground.

4. On or about October 20, 2014, you failed to ensure the in-car video system for CPD vehicle 8765 was working properly at the beginning of your tour of duty.

5. On or about October 20, 2014, you failed to immediately notify a supervisor that the in-car video system for CPD vehicle 8765 was inoperable or damaged.

6. On or about October 20, 2014, you failed to audibly record events with CPD vehicle 8765's in-car video system during your tour of duty.



OIG 15-0564 017189

ACKNOWLEDGEMENT

I hereby acknowledge receipt in writing of the identity of the complainant(s) and notice of the nature of the allegation(s) against me.

Signature _____ Date 14 SEP 16

Printed Name ARTURO BECERRA Time 1655 HRS

WITNESSES

_____ _____

City of Chicago Office of Inspector General
740 North Sedgwick Street
Suite 200
Chicago, Illinois 60654

RECEIPT FORM

OIG FILE NO 15-0564

ON 14 Sep 16 (DATE) AT 1630 (TIME)

SGT J. FIEDLER #1885 (NAME) SERGEANT (TITLE)

☐ SEIZED FROM ☐ RECEIVED FROM ☐ RETURNED TO ☒ RELEASED TO

NAME	TITLE	DEPT
Arturo Becerra	Police Officer	Chicago Police Department

THE FOLLOWING ITEM(S):

1. A City of Chicago Office of Inspector General DVD containing the following materials:

   - a copy of the portion of the March 16, 2015 Case Supplementary Report for R.D. No. HX475653 that memorializes Detective David March's October 20, 2014 interview of Arturo Becerra;
   - Detective March's October 20, 2014 General Progress Report for R.D. No. HX475653 concerning March's October 20, 2014 interview of Arturo Becerra;
   - The October 20, 2014 audio and video files for the in-car video system of beat number 813R;
   - The October 20, 2014 audio and video files for the in-car video system of beat number 845R;
   - The October 20, 2014 Dunkin Donuts security video of the Laquan McDonald shooting.



ACKNOWLEDGEMENT

I hereby acknowledge receipt in writing of the above-listed item(s).

Signature _____ Date 14 SEP 16

Printed Name ARTURO BECERRA Time 1655 HRS

WITNESSES

_____ _____

CHICAGO POLICE DEPARTMENT

CASE SUPPLEMENTARY REPORT

3510 S. Michigan Avenue, Chicago, Illinois 60653

(This area for Chicago Police - Bureau of Investigative Services Personnel Only)

HX475653

Case Id: 08Byte
Bat ID: 03660 (or) 04SR001

EXC. CLEARED CLOSED (OTHER EXCEPTIONAL) | **DETECTIVE SUP. APPROVAL COMPLETE**

Last Offense Classification/Re-Classification	IUCR Code	Original Offense Classification			IUCR Code
ASSAULT / Aggravated Po:Knife/Cut Instr	0552	ASSAULT / Aggravated Po:Knife/Cut Instr			0552
Address of Occurrence	Beat of Occur.	No of Victims	No of Offenders	No of Arrestee	SCR No
4112 S PULASKI RD	815	4	1	1	
Location Type	Location Code	Secondary Location			Hate Crime?
Street	304				NO
Date of Occurrence	Unit Assigned	Date RD Arrived	Tac Related?	Gang Related?	Domestic Related?
20-OCT-2014 21:57	0841R	20-OCT-2014 21:57	NO	NO	NO

Reporting Officer	Star No	Approving Supervisor	Star No	Primary Detective Assigned	Star No
MARCH, David	20563	WOJCIK, Anthony	481	MARCH, David	20563
Date Submitted		Date Approved		Assignment Type	
15-MAR-2015 18:25		16-MAR-2015 00:03		FIELD	

THIS IS A FIELD INVESTIGATION EXC. CLEARED CLOSED (OTHER EXCEPTIONAL) REPORT

[redacted]

HX475653

EXHIBIT
Accera 5
4/28/16 CD

[redacted]

BACERRA, Arturo -----

stated he was a Chicago Police Officer assigned to the 008th District. He was on duty, in uniform, working on Beat 822. BACERRA was working with Police Officer Leticia VELEZ. The two officers were assigned to a marked vehicle. BACERRA was driving the vehicle and VELEZ was the passenger.

Officer BACERRA and his partner responded to the request for assistance made by Beat 815R, regarding a subject who was armed with a knife. BACERRA was driving northbound on Pulaski Road from 47th Street. As he approached the scene of this incident, at 4112 South Pulaski, he observed a black male subject, now known as Laquan MCDONALD, in the middle of the street, flailing his arms. As he got closer, BACERRA observed MCDONALD to be holding a knife in his right hand. BACERRA drove past MCDONALD, with MCDONALD on the left side of the police vehicle, as Beat 845R drove past BACERRA, on the right side of his vehicle, travelling southbound. As BACERRA began to make a U-turn, he heard multiple gunshots. He then saw MCDONALD lying on the ground. BACERRA did not see who fired the shots.

[redacted]

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 2014	2 NOV 2014 3

OFFENSE CLASSIFICATION – LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	VAN DYKE	5121

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

A BACERRA

RESPONDED TO REQUEST FOR ASSIST, B/S/R
SUBJECT ARMED W/KNIFE
DRIVING WHITE PU TRUCK FROM 47
AS HE APPROACHED SCENE, SAW O IN MIDDLE OF ST,
FLAILING ARMS
AS A/B EOT CLOSER, SAW KNIFE IN R HAND
DRIVE PAST O E ON L SIDE
B/O/R DRIVE PAST ON R SIDE, S/B
MADE U-TURN, HEARD MULTIPLE SHOTS
THEN SAW O LYING ON GROUND
DID NOT SEE WHO FIRED

EXHIBIT
Grand 6
11-12-14 (E)

HX425253

REPORTING OFFICER'S SIGNATURE – STAR NO.
20563

RECEIVED BY: SUPERVISOR'S SIGNATURE – STAR NO. | DAY – MO – YR – TIME

CPD-73.122 (Rev. 2/83)

Chicago Police Department

Special Order S03-05

IN-CAR VIDEO SYSTEMS

ISSUE DATE:	23 February 2012	**EFFECTIVE DATE:**	23 February 2012
RESCINDS:	Version dated 20 April 2011; S10-10		
INDEX CATEGORY:	Field Operations		

I. PURPOSE

This directive:

A. implements the use of Department in-car video systems.

B. establishes the policies and procedures for the use, maintenance, and repair of in-car video systems.

C. establishes the roles and responsibilities of Department members affected by the introduction of in-car video systems for the video and audio recording of incidents.

D. establishes the requirements for viewing, retaining, and duplicating digitally recorded incidents.

E. continues the use of the Digitally Recorded Data Viewing/Hold/ Duplication Request (CPD-65.224).

F. identifies the Records Division as the Department repository and viewing location of digitally recorded data created by the in-car video systems.

II. POLICY

The Department is committed to protecting the safety and welfare of its members and the public. The in-car video systems can provide members with an invaluable instrument to enhance criminal prosecution by providing powerful evidence of criminal activity, limit civil liabilities, and objectively document officer conduct during individual interactions. Members assigned to a vehicle equipped with an in-car video system will use it pursuant to this directive.

III. GENERAL INFORMATION

A. There is no expectation of privacy for Department members related to incidents recorded by in-car video systems. Supervisors, members of Bureau of Internal Affairs, and the Independent Police Review Authority (IPRA) investigators may request to review the digitally recorded data from a vehicle equipped with an in-car video system. Any digitally recorded data created by the in-car video system may be used without a Department member's permission for any official Departmental purpose.

B. The in-car video system will **automatically engage audio and video recording** when the vehicle's emergency-roof lights are activated. However, Department members may manually activate the in-car video system without the activation of the emergency equipment. At the conclusion of the incident, Department members must manually disengage all recording processes, regardless of what method activated the in-car video system.

C. The Records Division will be the custodians of the digitally recorded data and will be responsible for the retention, duplication, and viewing of the in-car video systems. The Director, Records Division, will establish retention, viewing, and duplication procedures that provide for inventory control, the security of the digitally recorded data, and authorized duplications.

D. All digitally recorded data created by the in-car video systems will be retained by the Records Division for a minimum of 90 days. Digitally recorded data that is marked and held as having evidentiary or training value will be retained as prescribed by law and established Department policy.

E. In general, minor infractions and minor deviations from Department policy observed through the review of digitally recorded data will not be subject to the disciplinary process and will be treated as a training opportunity.



© Chicago Police Department, February 2012

OIG 15-0564 017196

IV. RECORDING GUIDELINES

A. Department members will use only Department-issued video and audio recording equipment.

B. Department members will conform to all laws and Department policies concerning the use of the in-car video system for the video and audio recording of incidents.

1. Department members are lawfully permitted to video record individuals without their consent if they are on the public way or in public view.

2. Department members who are in uniform and have identified their office are lawfully permitted to simultaneously audibly and visually record individuals without their consent whenever:

a. the member is conducting an enforcement stop, **or**

b. the patrol vehicle emergency lights are activated or would otherwise be activated if not for the need to conceal the presence of law enforcement.

NOTE: Any reports completed for an audibly recorded incident, including Traffic Stop Statistical Study - Driver Information Cards (CPD-21.103), Traffic Stop Statistical Study Stickers (CPD-15.516), and Personal Service Citations, must include the initial violation or investigatory need that led to the stop.

NOTE: Department members may audibly record an enforcement stop regardless of the subsequent enforcement action taken.

3. Department members may audibly and visually record an individual with the consent of the individual.

C. Uniformed Department members assigned to vehicles equipped with in-car video systems will activate the system to simultaneously audibly and visually record the entire incident for all enforcement stops.

D. Uniformed Department members assigned to vehicles equipped with in-car video systems will activate the system to visually record the entire incident for all:

1. arrests and transports.

2. nonpursuit emergency vehicle operations.

3. any situation that the member, through training and experience, believes to serve a proper police purpose.

E. During the recording of an incident, Department members will not disengage the in-car video system until the entire incident has been recorded.

NOTE: Department members will be required to justify any disengagement of the in-car video system prior to the entire incident being recorded.

F. If recorded, felony and misdemeanor arrests, motor vehicle pursuits, traffic crashes resulting in property damage, personal injury, or a fatality, DUI incidents, and failure to yield to an emergency vehicle will be automatically stored by the in-car video system indefinitely when the correct event is selected from the postevent pop-up menu. All other incidents will be automatically stored for ninety days.

G. If digitally recorded data will be needed in judicial proceedings beyond ninety days, members will place an extended hold on that digitally recorded data as described in Item VIII of this directive, including but not limited to the following circumstances:

1. Traffic stops other than DUI,

OIG 15-0564 017197

2. Enforcement stops,

3. Other traffic crash investigations, and

4. Stops for citizen assistance.

H. When a complaint against a Department member is received that involves a digitally recorded incident, the investigating member will request an extended hold on the data.

I. Assigned supervisors will request an extended hold on all digitally recorded motor vehicle pursuits and traffic crashes involving Department vehicles.

V. DEPLOYMENT OF THE IN-CAR VIDEO SYSTEMS

A. Commanding officers of units with vehicles equipped with in-car video systems will:

1. ensure that vehicles equipped with in-car video systems are evenly distributed for use by all watches.

NOTE: Commanding officers will ensure the units assigned to traffic duties in district law enforcement use vehicles equipped with in-car video systems.

2. whenever feasible, ensure vehicles equipped with the in-car video systems are deployed every tour of duty and service is requested for inoperable vehicles equipped with in-car video systems.

B. The *station supervisors* will:

1. deploy every vehicle equipped with a functional in-car video system during the tour of duty.

2. ensure digitally recorded data is downloaded from the in-car video systems.

3. whenever operationally feasible, review video of any arrest recorded by the in-car video system as part of the approval of probable cause.

VI. OPERATIONAL PROCEDURES

A. Department members assigned to a Department vehicle equipped with an in-car video system will:

1. at the beginning of a tour of duty:

a. visually inspect the in-car video system equipment for damage.

b. obtain the remote transmitter/audio recorder and ensure it is securely attached to the member's person.

c. follow the start-up procedures for the in-car video system as trained and ensure the system is working properly.

NOTE: Members will immediately notify a supervisor if, at any time, the in-car video system is inoperable, damaged, the equipped vehicle becomes inoperable, or the remote transmitter/audio recorder is missing.

2. during the tour of duty:

a. audibly and visually record events in accordance with this directive.

b. annotate all reports, including Contact Information Cards (CPD-21.101), prepared for an event which has been recorded by listing **"Video Recorded Incident"** at the end of the narrative portion.

© Chicago Police Department, February 2012

OIG 15-0564 017198

c. after an incident has been recorded, use the post-event pop-up menu to select the most serious recorded occurrence as the event type and enter other event information.

NOTE: If the member did not use the postevent pop-up menu to mark the incident as being held for evidence, the member will request an extended hold on digitally recorded data in accordance with Item VIII of this directive.

d. if the in-car video system indicates that the memory required to record incidents is becoming low or if the member observes that less than 30 minutes of recording time is available, download the digitally recorded data.

3. at the conclusion of a tour of duty:

a. verify the in-car video system is working properly.

b. initiate the downloading of the digitally recorded data.

NOTE: Members will immediately notify a supervisor if unable to complete the downloading of digitally recorded data due to technical problems.

c. shut down the in-car video system and logoff the system.

d. return the remote transmitter/audio recorder to the designated area for charging.

B. The sergeant assigned to supervise Department members using Department vehicles equipped with an in-car video system will:

1. monitor subordinates to ensure the in-car video system is used and that digitally recorded data is properly downloaded.

2. ensure that the Help Desk is contacted and a ticket number is obtained whenever any member is unable to use the in-car video system or download digitally recorded data due to technical problems.

3. initiate an investigation when notified of a missing or lost remote transmitter/audio recorder.

4. document on the Supervisor's Management Log (CPD-11.455):

a. whether each vehicle has an in-car video system and if it is functioning.

b. all responses related to malfunctions of vehicles equipped with in-car video systems.

c. digitally recorded data downloaded to land-based terminals, noting any units unable to complete the download and the Help Desk ticket number obtained.

d. any request submitted for an extended hold of digitally recorded data.

e. any instances of additional training, corrective measures, or disciplinary actions.

5. document on the Traffic Pursuit Report (CPD-22.958) or traffic crash report that the incident has been digitally recorded.

6. obtain a complaint register number and order an evidence technician to process the equipment if any damage or malfunction is suspected to have been caused by deliberate (tampering) means.

C. *Station supervisors* will:

1. designate a sergeant responsible for monitoring the downloading of digitally recorded data for the watch.

© Chicago Police Department, February 2012

OIG 15-0564 017199

2. record the total number of vehicles equipped with in-car video systems deployed during the watch and the total number of these vehicle that do not have a functioning in-car video system, if any, on the Watch *Incident* Log (CPD-21.916).

3. ensure the status of vehicles equipped with in-car video systems is recorded on the Personal Equipment Log (CPD-21.919) by recording the word "VIDEO" in the "Camera/Tripod No." column.

4. if an in-car video system malfunctions or the system or vehicle becomes inoperable **during** the tour, record the vehicle and beat numbers and the words "VIDEO DOWN" on the Watch *Incident* Log.

D. When digitally recorded data is determined to have evidentiary or training value, or a complaint against a Department member is received that involves a digitally recorded incident, the supervisor reviewing the recorded data will request an extended hold on the data.

VII. DOWNLOADING DIGITALLY RECORDED DATA FROM THE IN-CAR VIDEO SYSTEM

A. When downloading digitally recorded data from the mobile unit of an in-car video system to a land-based terminal, Department members will:

1. download the data in accordance with the manufacturer's guidelines and training.

2. ensure the download of data was complete and return the vehicle back into service.

B. With the approval of the *station supervisor* in the district of occurrence, special requests for the immediate viewing of digitally recorded data from the *Bureau of Detectives*, *Bureau of Internal Affairs*, or IPRA will be processed for major incidents where an in-car camera system may be reasonably expected to have captured a component of the incident.

1. Major incidents include, but are not limited to:

a. police-involved shootings,

b. serious injury or death to a Department member,

c. serious injury or death to a member of the public.

2. Special requests for viewing digitally recorded data will be made to the *station supervisor* in the district of occurrence, who will:

a. evaluate the request;

b. determine if the need for retrieval outweighs the operational impact of the vehicle being taken out of service; and

c. notify *Crime Prevention and Information Center (CPIC)* of the decision.

3. Special requests will be in the form of one of the following types:

a. Special wireless upload, or

b. Emergency on-site retrieval.

C. Special Wireless Uploads

1. The *station supervisor* in the district of occurrence will take the vehicle out of service and secure it at the unit of assignment or other appropriate location.

2. The supervisor will:

a. verify that the vehicle operator or partner is signed on to the in-car camera system;

b. instruct the member to manually flag the entire tour of duty's available video for upload;

© Chicago Police Department, February 2012

OIG 15-0564 017200

c. instruct the member to initiate a manual upload of this video with the vehicle in range of the facility's wireless hotspot; and

NOTE: If video cannot be uploaded via wireless hotspot, a cradle upload will be used.

d. ensure that the vehicle remains out of service until the upload is complete.

3. Once complete, the *station supervisor* will allow personnel from the *Bureau of Detectives*, *Bureau of Internal Affairs*, or IPRA, as appropriate, to review the uploaded files.

NOTE: For officer-involved shootings when an On-Call Incident Commander (OCIC) will respond, an emergency on-site retrieval will be immediately requested through *CPIC*.

4. The *station supervisor* may identify an alternate vehicle for the member to use while the identified vehicle completes its video upload, as appropriate.

5. If an attempt to wirelessly upload is unsuccessful, members may contact the City of Chicago Help Desk at 4-DATA for assistance.

6. If a wireless upload fails, an emergency on-site retrieval will be conducted.

D. Emergency On-Site Retrieval

1. The *station supervisor* in the district of occurrence will notify *CPIC* of an approved emergency on-site retrieval.

NOTE: An emergency on-site retrieval will only be conducted when an OCIC is responding or a wireless upload fails and contacting the City of Chicago Help Desk at 4-DATA has not resolved the problem.

2. *CPIC* will notify the Public Sector Information Technology (PSIT) Group personnel of a manual video retrieval from the "fail-safe" internal drive request.

3. The *station supervisor* in the district of occurrence will take the identified vehicle out of service during the retrieval process.

4. If the identified vehicle is still in use when the designated supervisor arrives at the unit facility or other appropriate location, the supervisor will report to the vehicle and instruct any member logged onto the system to log off the system.

5. The vehicle will remain out of service until PSIT responds and conducts the video retrieval.

NOTE: On-site review of video will be limited to the series of events and time frame giving rise to the alleged incident.

E. Viewing and Obtaining Copies of In-Car Video Recordings

1. Once retrieval has been completed for the requested time frame, the video may be viewed by personnel from the requesting party at the location of retrieval.

2. Requests for copies of in-car video recordings will be made by completing the form entitled "Digitally Recorded Data Viewing/Hold/Duplication Request" (CPD-65.224) and forwarding it to the Records Division.

F. The Managing Deputy Director, PSIT, will:

1. establish procedures to ensure the security of the digitally recorded data from downloading to storage by the Records Division.

OIG 15-0564 017201

2. develop a system to monitor the memory capacity of the land-based terminals and provide for the security of the downloaded data.

G. If members are unable to download digitally recorded data from the mobile unit of the in-car video system to the land-based terminals due to system inoperability:

1. the *station supervisor* will notify the Help Desk and follow any further instructions given by the responding member of PSIT.

2. A designated member of PSIT will respond to the requesting unit and:

a. ensure the security of the digitally recorded data.

b. perform a manual download of the digitally recorded data.

c. record the manual download on the Help Desk ticket.

VIII. REQUESTING A HOLD FOR DIGITALLY RECORDED DATA

A. Department members will place an extended hold on digitally recorded data they recorded using the postevent pop-up menu on the in-car video system.

B. **Within the first 48 hours** from downloading digitally recorded data from the vehicle, Department members **who do not use the postevent pop-up menu** and request an extended hold on digitally recorded data will request that a supervisor place the extended hold by using the land-based terminal at the district/unit station.

C. **After the first 48 hours** from downloading digitally recorded data from the vehicle, Department members **who do not use the postevent pop-up menu** and request an extended hold on digitally recorded data will:

1. complete the Digitally Recorded Data Viewing/Hold /Duplication Request form.

2. indicate on the form the necessary actions by the Records Division.

3. explain in the narrative portion of the form the reason for the request.

4. submit the form to the *station supervisor/designated unit supervisor* for approval.

5. submit the completed and approved form to the Records Division for processing and retention in accordance with existing records-retention requirements.

D. Department members who wish to remove an extended hold on digitally recorded data will follow the procedures outlined in Item VIII-C of this directive indicating the circumstances requiring the removal of the extended hold.

E. The Director, Records Division, will:

1. develop a cataloging system for storage and retrieval of recordings and procedures for ensuring archives are maintained consistent with Department directives (including the Forms Retention Schedule), applicable state and federal laws, and compliance with all court orders.

2. be responsible for retaining digitally recorded data for which an extended hold was requested as prescribed by law and established Department policy.

IX. VIEWING, RETAINING, AND DUPLICATING DIGITALLY RECORDED DATA

A. All digitally recorded data created by the in-car video systems are the property of the Chicago Police Department. **Dissemination of any digitally recorded data outside the Department is strictly prohibited without specific authorization by the Superintendent or an appointed designee.**

1. Any non-Departmental requests for duplication of digitally recorded data must be approved by the Superintendent or an appointed designee.

© Chicago Police Department, February 2012

OIG 15-0564 017202

2. All approved requests will be forwarded in an expeditious manner to the Director, Records Division, along with:

   a. a completed and approved Digitally Recorded Data Viewing/Hold/Duplication Request form, and

   b. written instructions, including dissemination information, for compliance with the request.

B. Department members assigned to vehicles equipped with in-car video systems and their supervisors are encouraged to use the review/ playback functions of the system for the purposes of:

1. developing familiarity with the functions, capabilities, and limitations of the in-car video systems to create consistent recording techniques which capture relevant actions.
2. searching for and identifying recorded events having evidentiary or training value.
3. reviewing approach and officer safety issues.
4. ensuring consistency with written reports.

C. Reviewing Digitally Recorded Data

Investigating members may view digitally recorded data in the performance of official police business. When it is necessary to view digitally recorded data stored by the Records Division, the following procedures will apply:

1. The requesting Department member will:

   a. prepare a Digitally Recorded Data Viewing / Hold / Duplication Request form, including approval of the requestor's *station supervisor/designated unit supervisor*.

   b. schedule an appointment to view the recorded incident with a Records Division supervisor (or an appointed designee) to ensure the availability of a technician and playback equipment.

   c. present the properly completed and approved form to a Records Division supervisor at the scheduled time.

2. A Records Division supervisor will:

   a. process all approved recorded incident review requests.

   b. assign a technician to assist the requestor in viewing the recorded incident, as required.

D. Obtaining a Video Recording

1. A duplicate copy of selected information may be made to retain that information:

   a. when it is not required that the master video be retained for an indefinite period (e.g., investigation of a routine administrative incident when the punishment is of a summary or minor nature).

   b. when the requesting member determines that a duplicate video of a master video will be sufficient.

2. A duplicate video recording may be obtained by:

   a. completing a Digitally Recorded Data Viewing / Hold / Duplication Request form and submitting the completed form to the *station supervisor/designated unit supervisor* for approval.

   b. notifying the Records Division that a duplicate video recording is required and submit the approved Digitally Recorded Data Viewing/Hold/ Duplication Request form to the Director, Records Division.

c. indicating to the Records Division which information from the digitally recorded data is to be included on the duplicate video recording.

3. When the duplicate video recording has served the purpose for which it was made, the requesting member will ensure that it is immediately returned to the Records Division.

NOTE: A member requesting a duplicate video recording will not make additional copies of it or permit unauthorized persons to duplicate or view it under any circumstances.

E. Special Situations

When the Records Division receives a request for an extended hold of digitally recorded data that indicates it pertains to:

1. **a motor vehicle pursuit or traffic crash involving a Department vehicle**, the Director, Records Division, will ensure a duplicate video is forwarded to the Traffic Review Board.
2. **an incident having training value,** the Director, Records Division, will ensure a duplicate video is forwarded to the *Deputy Chief*, Education and Training Division.

(Items indicated by *italics/double underline* were revised or added.)

Authenticated by: RMJ

Garry F. McCarthy
Superintendent of Police

11-055 / 12-003 EGV/RJN

© Chicago Police Department, February 2012

SUPPLEMENTARY REPORT

20 OCT 14 2157

ASSAULT - AGGR PO: KNAPP/CAT INSTR 0552 4000 S KARLOV 815

P.O. GAFFNEY # 19958 / P.O. VAN DYKE # 12805 9210

3420 W 63RD ST STREET 304

SEE ORIGINAL CASE INCIDENT REPORT

EVENT# IN SUMMARY: R/S CONTACTED BY CPIC AT 2230, 20 OCT 14 FOR IN CAR CAMERA (ICC) VIDEO RETRIEVAL ON SCENE 4100 S. PULASKI RELATED TO THE ABOVE LISTED INCIDENT. REQUEST WAS FROM AREA CENTRAL DETECTIVE DIVISION SGT D. GALLAGHER UPON ARRIVAL BT 813R VEH# 8779; BT 815R VEH# 8487; BT 822 VEH# 8765; BT 845R VEH# 6412; & BT 841R VEH# 8948 WERE SUBJECTS OF ICC VIDEO CHECK/RETRIEVAL. CHECKS OF THESE VEHICLES REVEALED THE LISTED FINDINGS:

BT 813R	VEH# 8779	VIDEO RECOVERED [redacted] @ 20141020 215250
BT 815R	VEH# 8487	OPERATIONAL ERR DUE TO DOC ERROR NO VIDEO RECORDED
BT 822	VEH# 8765	NOT GENERATED - OFFICER REPORTED POWER ISSUE
BT 845R	VEH# 6412	VIDEO RECOVERED [redacted] @ 2014 1020 215250
BT 841R	VEH# 8948	NOT GENERATED - OFFICER REPORTED APPLICATION ERROR

RECOVERED VIDEO MANUALLY UPLOADED AND RETRIEVED OOZ/ICC SYSTEM

4756 53

21 OCT 14

SGT J BUCKNER 1748

JJ Buckner

EXHIBIT

OIG 15-0564 017205

In Car Camera Video Retrieval Work Sheet

Date & Time of Notification: 20 Oct 14 2230 Hrs Related HDT#: OPS CMD

Requestor: Det Cittaf McWilliston Tech: Bonar

Location of response: 4100 S Pulaski

Type of Incident requiring retrieval: Police Involved Shooting - Fatal Officer

Location of incident: 4100 S Pulaski Date & Time of Incident: 30 Oct 14 2147

Related RD#, Event#, and/or CR Log#: 14X475653

Vehicles to be checked:

813R Veh# 8778 POs PC#: [redacted] * Results: [redacted] @20141020 215250 2144218 MHDD 30000214

815R Veh# 8489 POs PC#: [redacted] Results:

532 Veh# 8765 POs PC#: [redacted] Results:

845R Veh# 642 POs PC#: [redacted] Results: [redacted] @20141020 215250 2144543 Out of Range MHDD 00003227

841R Veh# 8948 POs PC#: Results: HDT No Open HDT

List additional Vehicle to be checked and results on back of this form

Note: Any vehicles identified to be checked, will be evaluated for operational readiness as well. Any deficiencies of the ICC System will be noted i.e. MIC(s) are not sync'd; rear camera not working; cannot upload; etc. Actions to rectify the issue should be taken to render the system FULLY FUNCTIONAL!

Notes of work or activities performed:

8778: MICs In Glove Box Partially Inserted Upside Down
↳ Fully OP

8489: Processing Videos: Extremely Large Video Files

8765: MICs In Charging Cradle; Not Sync'd to System

642R: No MICs; MIC Charger Disconnected

8948

This Information Disclosed to Detectives; Dc McWilliston; & DOS Tech: Dist Supervisors on Scene During Viewing

EXHIBIT 9

20 OCt 2014 , HY475653

Becvar, Lance J.

Sent: Friday, July 17, 2015 12:33 PM
To: Lewin, Jonathan H.
Cc: Drisk, Steven E

Hello Dep Lewin,
Per your request the findings related to the Aggravavted Assault / Police involved Shooting on 20 Oct 2014 Listed under RD# HY 475653:

Findings from thart night-

Veh 8779 Video Recovered Titled [redacted]@20141020215250, No MICs because they were in the Glove Compartment with the batteries inserted unside down - Disabling them

Veh 8489 System not engaged because a very long video (like hours long) was made previous to this event/incident and the system was processing that video and unable to start another video.

Veh 8765 System not engaged, officer related no power. There was no open HDT called in on vehicle. MICs not sync'd to system even though they were in the charging cradles.

Veh 6412 Video Recovered Titled [redacted]@20141020215250 view out of focus. Foucsing problem found to be related to a loose cable connection for the camera. No MICs in vehicle and the charging cradles disconnected from power.

Veh 8949 System not engaged, officer reported that there was an application error - Mobile Recorder Start-Up corrupted. No Help Desk Ticket Open for this vehicle.

Sgt Lance Becvar

MobileTech Supervisor

Information Services Division

Chicago Police Department
Cell# 312-[redacted]
E-mail: lance.becvar@chicagopolice.org



LEGAL DISCLAIMER: This message, including any attachments, contains confidential information and may be legally privileged. Access to this email by anyone other than the intended recipient is unauthorized. If you are not the intended recipient, any review, disclosure, copying, distribution, retention, or any action or inaction taken in reliance on this information is prohibited and may be unlawful. If you are not the intended recipient, please notify the sender and delete the message, any attachments, and any copies thereof from your system.

SUPERVISOR'S MANAGEMENT LOG CHICAGO POLICE DEPARTMENT	SUPERVISOR'S NAME	STAR NO.	WATCH	UNIT / BEAT	VEHICLE NO.	DATE
	Stephen Franko	1381	1	008/810	9020	20 OCT 14

PERSONNEL & ASSIGNMENTS			ACTIVITY AND OBSERVATIONS			
			TIME	LOCATION	TIME	LOCATION
CALL NO. 811R	NAME Durkin, Daniel	STAR NO. 15473	0127	52ND & NATCHEZ	0348	56TH & MOBILE
OUTSIDE NO. 8884	NAME Brady, Terry	STAR NO. 6442	PRIORITY PROBLEMS/DIRECTED MISSION ASSIGNED: Burglaries 5500 - 5900 / Harlem - Oak Park			☒ LUNCH TAKEN
DAILY ASSIGNMENT ACTIVITY REPORT DEFICIENCIES			IN-CAR CAMERA ☐ NO ☐ YES ☐ OPERABLE & LOGGED ON ☐ INOPERABLE (If inoperable, give Help Desk Ticket #) 6919947		TIME	
CALL NO. 812R	NAME Vega, Martha	STAR NO. 8526	2340	63RD & LOWELL	0145	50TH & LECLAIRE
OUTSIDE NO. 8021	NAME Krawczyk, Tom	STAR NO. 13171	PRIORITY PROBLEMS/DIRECTED MISSION ASSIGNED: Burglaries 6000 - 6400 / Melvina - Natoma			☒ LUNCH TAKEN
DAILY ASSIGNMENT ACTIVITY REPORT DEFICIENCIES			IN-CAR CAMERA ☒ NO ☐ YES ☐ OPERABLE & LOGGED ON ☐ INOPERABLE (If inoperable, give Help Desk Ticket #)		TIME	
CALL NO. 813R	NAME Mondragon, Janet	STAR NO. 4364	2330	63RD & HOMAN	0211	47TH & LAWNDALE
OUTSIDE NO. 8779	NAME Sebastian, Daphne	STAR NO. 2763	PRIORITY PROBLEMS/DIRECTED MISSION ASSIGNED: Burglaries 5900 - 6500 / Pulaski - Kolmar			☒ LUNCH TAKEN
DAILY ASSIGNMENT ACTIVITY REPORT DEFICIENCIES			IN-CAR CAMERA ☐ NO ☒ YES ☐ OPERABLE & LOGGED ON ☐ INOPERABLE (If inoperable, give Help Desk Ticket #)		TIME	
CALL NO. 814R	NAME Guzman, William	STAR NO. 5894	2320	55TH & PULASKI	0340	58TH & CENTRAL
OUTSIDE NO. 8885	NAME Rosas, Fili	STAR NO. 10126	PRIORITY PROBLEMS/ DIRECTED MISSION ASSIGNED: Narcotics 4300 - 4700 / Laramie - Cicero			☒ LUNCH TAKEN
DAILY ASSIGNMENT ACTIVITY REPORT DEFICIENCIES			IN-CAR CAMERA ☐ NO ☒ YES ☐ OPERABLE & LOGGED ON ☐ INOPERABLE (If inoperable, give Help Desk Ticket #)		TIME	
CALL NO. 815R	NAME McElligott, Joseph	STAR NO. 18715	0115	43RD & UGENIA	0354	ANDREW & KEDVALE
OUTSIDE NO. 8489	NAME Gaffney, Thomas	STAR NO. 19958	PRIORITY PROBLEMS/DIRECTED MISSION ASSIGNED: Burglaries 4700 - 5300 / Keating - Keeler			☒ LUNCH TAKEN
DAILY ASSIGNMENT ACTIVITY REPORT DEFICIENCIES			IN-CAR CAMERA ☐ NO ☒ YES ☐ OPERABLE & LOGGED ON ☐ INOPERABLE (If inoperable, give Help Desk Ticket #)		TIME	
CALL NO. 831R	NAME Konrath, David	STAR NO. 13148	2234	67TH & ROCKWELL	0318	71ST & ST. LOUIS
OUTSIDE NO. 9019	NAME Dixon, Marlon	STAR NO. 13948	PRIORITY PROBLEMS/DIRECTED MISSION ASSIGNED: Robberies 6800 - 7200 / California - Rockwell			☒ LUNCH TAKEN
DAILY ASSIGNMENT ACTIVITY REPORT DEFICIENCIES			IN-CAR CAMERA ☐ NO ☒ YES ☐ OPERABLE & LOGGED ON ☐ INOPERABLE (If inoperable, give Help Desk Ticket #)		TIME	
CALL NO. 833R	NAME Belmontez, Michael	STAR NO. 7025	0058	71ST & PULASKI	0500	63RD & HOMAN
OUTSIDE NO. 8351	NAME Vance, Anthony	STAR NO. 11830	PRIORITY PROBLEMS/DIRECTED MISSION ASSIGNED: Burglaries 6500 - 7700 / Cicero - Lawndale			☒ LUNCH TAKEN
DAILY ASSIGNMENT ACTIVITY REPORT DEFICIENCIES			IN-CAR CAMERA ☐ NO ☐ YES ☐ OPERABLE & LOGGED ON ☐ INOPERABLE (If inoperable, give Help Desk Ticket #) 9731629		TIME	
CALL NO. 835R	NAME Richardson, Dawn	STAR NO. 12809	0105	67TH & MAPLEWOOD	0325	83RD & KEDZIE
OUTSIDE NO. 8812	NAME Smith, Brandy	STAR NO. 14517	PRIORITY PROBLEMS/DIRECTED MISSION ASSIGNED: Burglaries 7900 - 8300 / California - Rockwell			☒ LUNCH TAKEN
DAILY ASSIGNMENT ACTIVITY REPORT DEFICIENCIES			IN-CAR CAMERA ☐ NO ☒ YES ☐ OPERABLE & LOGGED ON ☐ INOPERABLE (If inoperable, give Help Desk Ticket #)		TIME	
CALL NO. 841R	NAME Fontaine, Dora	STAR NO. 4484	2328	45TH & KARLOV	0225	37TH & IRON
OUTSIDE NO. 9049	NAME Viramontes, Rick	STAR NO. 10590	PRIORITY PROBLEMS/DIRECTED MISSION ASSIGNED			☒ LUNCH TAKEN
DAILY ASSIGNMENT ACTIVITY REPORT DEFICIENCIES			IN-CAR CAMERA ☐ NO ☒ YES ☐ OPERABLE & LOGGED ON ☐ INOPERABLE (If inoperable, give Help Desk Ticket #)		TIME	

CPD-11.455 (Rev. 10/11)

DELAYED RESPONSE RADIO ASSIGNMENTS/RADIO ASSIGNMENT PENDING (RAP) NOTIFICATIONS

TIME NOTIFIED BY OEMC	BEAT	ASSIGNMENTS PENDING	TIME DISPOSITION

ASSIGNED MISSIONS (TYPE, LOCATION, TIMES)

PARK CHECKS (LIST PARK NAME, CONTACT PERSON, TIME) ☐ MISSION RELATED

☐ MISSION RELATED

ASSIGNMENTS/RADIO CALLS RESPONDED TO / OEMC INTERVENTIONS Note: Check appropriate box to indicate when an assignment / call is Domestic Violence (DV) or Abandoned Building (AB) related.

TYPE OF ASSIGNMENT / CALL		ADDRESS	TIME ARRIVED	TIME COMPLETED	ACTION TAKEN / NATURE OF INCIDENT / DISPOSITION
GOA	☐DV ☐AB	3420 W. 63RD ST.	0015	0055	SEE V/C
SUSPCL	☐DV ☐AB	5000 S. LAMON	0130	0155	814R, 812R, 8[illegible]R
	☐DV ☐AB				
	☐DV ☐AB				
	☐DV ☐AB				
	☐DV ☐AB				
	☐DV ☐AB				
	☐DV ☐AB				
	☐DV ☐AB				
	☐DV ☐AB				
	☐DV ☐AB				
	☐DV ☐AB				
	☐DV ☐AB				
	☐DV ☐AB				
	☐DV ☐AB				
	☐DV ☐AB				

CONDUCTED CHECK OFF ROLL CALL ☒ YES ☐ NO (IF NO, EXPLAIN BELOW IN NARRATIVE.)

NARRATIVE / COMMENTS (ITEMS TO BE DOCUMENTED INCLUDE CHECKS OF LICENSED ESTABLISHMENTS, SCHOOLS, TRANSPORTATION FACILITIES & SHOPPING CENTERS. PRIORITY PROBLEMS FOR FOLLOW UP BY NEXT WATCH. ADDITIONALLY, ANY ITEMS REQUIRED BY OTHER DIRECTIVES CAN BE INCLUDED HERE.)

ROLL CALL: 2100-2130 WAITING FOR VEHICLE UNTIL 2215 HRS
GDS: 37TH & LAMON 0215-0240
LUNCH: 0415-0445

SUPERVISING SERGEANT'S SIGNATURE	STAR NO.	DATE	WATCH COMMANDER'S SIGNATURE	STAR NO.	DATE
	1381	20 OCT 14	Capt. D. Walsh 107		21 OCT 2014
FIELD LIEUTENANT'S SIGNATURE	STAR NO.	DATE	DISTRICT COMMANDER'S SIGNATURE		DATE
		20 OCT 2014			22 OCT 14

20 OCt 2014 , HY475653

Becvar, Lance J.

Sent: Friday, July 17, 2015 12:33 PM

To: Lewin, Jonathan H.

Cc: Dziak, Steven E.

Hello Dep Lewin,
Per your request the findings related to the Aggravavted Assault / Police involved Shooting on 20 Oct 2014 Listed under RD# HY 475653:

Findings from thart night-

Veh 8779 Video Recovered Titled PC0Z400@20141020215250, No MICs because they were in the Glove Compartment with the batteries inserted unside down - Disabling them.

Veh 8489 System not engaged because a very long video (like hours long) was made previous to this event/incident and the system was processing that video and unable to start another video.

Veh 8765 System not engaged, officer related no power. There was no open HDT called in on vehicle. MICs not sync'd to system even though they were in the charging cradles.

Veh 6412 Video Recovered Titled PC0S571@20141020215250 view out of focus. Foucsing problem found to be related to a loose cable connection for the camera. No MICs in vehicle and the charging cradles disconnected from power.

Veh 8949 System not engaged, officer reported that there was an application error - Mobile Recorder Start-Up corrupted. No Help Desk Ticket Open for this vehicle.

Sgt Lance Becvar

MobileTech Supervisor

Information Services Division

Chicago Police Department
Cell# 312-446-3305
E-mail: lance.becvar@chicagopolice.org

LEGAL DISCLAIMER: This message, including any attachments, contains confidential information and may be legally privileged. Access to this email by anyone other than the intended recipient is unauthorized. If you are not the intended recipient, any review, disclosure, copying, distribution, retention, or any action or inaction taken in reliance on this information is prohibited and may be unlawful. If you are not the intended recipient, please notify the sender and delete the message, any attachments, and any copies thereof from your system.

Opt-Out: +

ERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 2014	20 OCT 2014 3

OFFENSE CLASSIFICATION–LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	WALSH J [illegible]	5121

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

J WALSH P1 OF 2

WHEN O E/B IN BK LOT, USED VEH TO BLOCK
D FROM BK
O S/B ON PULASKI FROM BK. WALSH IN PURSUIT
S/B IN N/B LANES TO GET AHEAD OF O
KEPT VEH BETWEEN O + VS
AS THEY PASSED O VS ATTEMPTED TO EXT/CONFRONT
WALSH = TOO CLOSE, WAIT
DROVE FURTHER S
STOPPED S OF O
BOTH EXITED VEH
WALSH DREW HANDGUN
AROUND REAR OF TAHOE
JOINED VS
<TOO> IN ST FACING N/B AS O APPROACHED S/B
WALSH = "DROP THE KNIFE!" MULTIPLE TIMES
WALSH BACKED UP, ATTEMPTING TO MAINTAIN SAFE DISTANCE
O IGNORED DIRECTIONS, CONTINUED TO ADVANCE
AT 12-15 FT O SWUNG KNIFE AT POV IN
AGGRESSIVE MANNER

R.D. NO. HX475653

REPORTING OFFICER'S SIGNATURE–STAR NO.	RECEIVED BY: SUPERVISOR'S SIGNATURE–STAR NO.	DAY–MO.–YR. TIME
[signature] 20563	[signature]	

PD-23.122 (Rev. 2/83)

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 2014	20 OCT 2014 3

OFFENSE CLASSIFICATION—LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	VAN DYKE	512

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

J WALSH P2 OF 2

VS OPENED FIRE
O FELL TO GROUND
VS CONTINUED FIRING AS O CONTINUED MOVING,
ATTEMPTING GET UP, STILL ARMED W/KNIFE
WHEN GUNFIRE STOPPED, O NOT MOVING
POs APPROACHED O
WALSH CONTINUED, "DROP THE KNIFE!" MULTIPLE X
O STILL HOLDING KNIFE IN R HAND
WALSH FORCIBLY KICKED KNIFE FROM HAND
NOTIFIED DISPATCHER — SHOTS FIRED BY POLICE
AMBULANCE WAS ALSO REQUESTED
WHILE WAITING FOR AMBULANCE, TOLD O
"HANG IN THERE." AMBULANCE ON WAY
WALSH BELIEVED O WAS ATTACKING POs W/KNIFE,
ATTEMPTING TO KILL POs WHEN SHOTS FIRED
WALSH DID NOT FIRE BECAUSE VS IN LINE OF FIRE
THOUGHT VS FIRED 8-9 SHOTS

R.D. NO. HX475653

REPORTING OFFICER'S SIGNATURE—STAR NO.	RECEIVED BY: SUPERVISOR'S SIGNATURE—STAR NO.	DAY—MO.—YR. TIME
Kevin M Walsh 20563		

PD-23.122 (Rev. 2/83)

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 2014	20 OCT 2014 3

OFFENSE CLASSIFICATION–LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0052	VANDYKE	5121

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

T GAGNEY P1 OF 2

RESPONDED TO ASSIGNMENT
HOLDING O FOR BREAKING INTO TRUCKS, 41 + KILDARE
MET HISPANIC COUPLE
O = M/B, DARK SHIRT, ATTEMPTED TO BREAK INTO TRUCKS
LAST SEEN E/B 40 FROM KILDARE
DROVE N/B KILDARE, E/B 40
SAW M/B, DARK CLOTHING, E/B ON S SIDEWALK
McE EXTEN VEH TO APPROACH O ON FOOT
GAFFNEY STAYED IN VEH IN CASE O FLED
McE TOLD O TO STOP BUT O IGNORED/CONTINUED
WALKING HANDS IN POCKETS
McE TOLD O - HANDS OUT OF POCKETS
HANDS OUT of POCKETS
McE TOLD G - HE HAS KNIFE
SAW SILVER KNIFE IN R HAND
S McE HAD DRAWN HANDGUN
McE = "DROP THE KNIFE!" REPEATED LY
O IGNORED
AT KEELER TG NOTIFIED DISPATCHER
O = KNIFE — TASER REQUESTED

R.D. NO. HX475653

REPORTING OFFICER'S SIGNATURE–STAR NO. 20563 | RECEIVED BY: SUPERVISOR'S SIGNATURE–STAR NO. | DAY–MO.–YR. TIME

PD-23.122 (Rev. 2/83)

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 2014	28 OCT 2014 2

OFFENSE CLASSIFICATION—LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	VAN DYKE	5121

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

T GAFFNEY P 2 OF 2

O CONTINUED E/B POS FOLLOWING
AT KARLOV TO TURNED TAHOE S/B + STOPPED,
BLOCKING CROSSWALK
WAITED TO STOP O BEFORE PULASKI
BUSINESS ST — MORE CIVILIANS
WITNESS TO STOPPED IN FRONT OF O,
O STABBED R FRONT TIRE — FLAT
TO TOLD DISPATCHER O "POPPED" TIRE
O ATTEMPTED TO WALK AROUND FRONT OF TAHOE
DROVE FORWARD A LITTLE - CONTINUED TO BLOCK O
O STABBED WINDSHIELD — R SIDE
O CONTINUED E/B FROM KARLOV
AS O APPROACHED BK LOT ASSISTING UNITS ARRIVED
W/B ON 4D,
O RAN E/B THROUGH LOT N SIDE OF BK
ONTO PULASKI — THEN S/B
E/B R PURSUED OVER CURB — IN THEIR TAHOE
TO LOST SIGHT OF O
BECAUSE OF FEAT, TO DID NOT PURSUE. DROVE
AROUND, OUT TO PULASKI, HEARD MULTIPLE GUNSHOT
IN RAPID SUCCESSION DID NOT SEE WHO/WHERE. AT PULASKI SAW O ON GROUND

R.D. NO. HX472563

REPORTING OFFICER'S SIGNATURE/STAR NO.	RECEIVED BY: SUPERVISOR'S SIGNATURE—STAR NO.	DAY—MO.—YR. TIME
[signature] 20563	[signature] 1301	

CPD-23.122 (Rev. 2/83)

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 2014	20 OCT 2014 3

OFFENSE CLASSIFICATION–LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0312	VANSPIKE	0121

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

813R SEBASTIAN, Daphne L PASSENGER
#2763
F/W/45

MONDRAGON, Janet DRIVER
#4364
F/WH/37

822 BACERRA, Arturo DRIVER
#15790
M/WH/32

VELEZ, Leticia PASSENGER
#10385
F/WH/43

841R FONTAINE, Dora PASSENGER
#4484
F/WH/47

VIRAMONTES, Ricardo DRIVER
#10590
M/WH/41

R.D. NO. HX475253

REPORTING OFFICER'S SIGNATURE–STAR NO. 20563 | RECEIVED BY: SUPERVISOR'S SIGNATURE–STAR NO. | DAY–MO.–YR. TIME

PD-23.122 (Rev. 2/83)

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 2014	20 OCT 2014 3

OFFENSE CLASSIFICATION–LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	VAN DYKE	5121

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

J McELLIGOTT

AFTER EXITING TAHOE, WHOM O TOOK HAND OUT OF POCKET SAW KNIFE IN R HAND.
DREW HANDGUN
"DROP THE KNIFE!" REPEATEDLY
O IGNORED, CONTINUED E/B 40
FOLLOWED ON FOOT AT SAFE DISTANCE
HEARD TG REQUEST ASSIST / TASER ON RADIO
TG ATTEMPTED TO BLOCK O W/TAHOE TO KEEP O FROM EK
O STABBED R FRONT TIRE + WINDSHIELD
McE BEGAN TO HEAR SIRENS - ASSIST UNITS
O BEGAN TO RUN TOWARD EK
O RAN E/B THROUGH EK LOT. McE IN PURSUIT
McE RAN OUT & TO ~~PUL~~ PULASKI
HEARD MULTIPLE GUNSHOTS. I DID NOT SEE WHO FIRED
SHOTS WERE CONTINUOUS, ONE AFTER ANOTHER
McE THEN SAW O ON GROUND
SAW WALCH KICK KNIFE FROM HAND

R.D. NO. HX475253

REPORTING OFFICER'S SIGNATURE–STAR NO. 20563 | RECEIVED BY: SUPERVISOR'S SIGNATURE–STAR NO. | DAY–MO.–YR. TIME

CPD-23.122 (Rev. 2/83)

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
24 OCT 2014	2000 R043

OFFENSE CLASSIFICATION–LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	VAN DYKE	512I

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

D SEBASTIAN

RESPONDED TO 815R REQUEST FOR ASSIST,
SUBJECT W/KNIFE
THOUGHT ORIGINAL CALL WAS 40+ KEELER
O HAD PUNCTURED TIRE OF 815R
MONDRAGON PROBE N/B ON PULASKI FOLLOWING 845R,
ALSO RESPONDING
W/B ON 40 BEHIND 845R
SAW O RUNNING SE THROUGH BK LOT TOWARD PULASKI
TOLD MONDRAGON TO DRIVE BACK OUT TO PULASKI TO
ASSIST IN PURSUIT. O RAN OUT TO PULASKI, THEN S/B
845R PURSUED IN VEHICLE
2BR FOLLOWING S/B. SAW KNIFE IN O'S R HAND
O WAVING KNIFE
845R STOPPED AHEAD OF O. BETWEEN O + DD
VW + VVD EXITED, DREW HANDGUNS.
O TURNED TOWARD POS, WAVING KNIFE
HEARD POS = "DROP THE KNIFE!" REPEATEDLY
O IGNORED. CONTINUED TO ADVANCE ON POS, WAVING KNIFE
DS HEARD MULTIPLE GUNSHOTS + O FELL TO GROUND —
3 INVOLVED MOVING. DS DO NOT KNOW WHO FIRED. STATE
IN ONE CONTINUOUS BURST. WALSH KICKED KNIFE FROM HAND

R.D. NO. HX475653

REPORTING OFFICER'S SIGNATURE–STAR NO.	RECEIVED BY: SUPERVISOR'S SIGNATURE–STAR NO.	DAY–MO.–YR. TIME
Dan Sebastian 20563		

CPD-23.122 (Rev. 2/83)

GENERAL PROGRESS REPORT
ECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 2014	20 OCT 2014 3

OFFENSE CLASSIFICATION–LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0452	VANDYKE	512

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

J MONDRAGON

DRIVING W/B 40. SAW M/E RUNNING E/B THROUGH BK LOT
MADE U-TURN, BACK OUT TO PULASKI
S/B ON PULASKI
SAW 0 RUNNING S/A PULASKI, MIDDLE OF ST
AS SHE GOT CLOSER, SAW KNIFE IN R HAND
0 WAVING KNIFE
SAW JW + JVD OUTSIDE THEIR TAHOE
HEARD POs REPEATEDLY, "DROP THE KNIFE!" AS
0 GOT ~~CLOSER~~ CLOSER + CLOSER TO POs, CONTINUING
TO WAVE KNIFE
AS J M PLACED TRANS INTO P, LOOKED DOWN,
HEARD MULTIPLE CONTINUOUS SHOTS, NO PAUSE
THEN SAW 0 FALL TO GROUND
DID NOT KNOW WHO FIRED

R.D. NO. HX475763

REPORTING OFFICER'S SIGNATURE–STAR NO. 20563 | RECEIVED BY: SUPERVISOR'S SIGNATURE–STAR NO. | DAY–MO.–YR. TIME

CPD-23.122 (Rev. 2/83)

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 2014	20 OCT 2014 3

OFFENSE CLASSIFICATION–LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	VAN DYKE	5121

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

A BACERRA

RESPONDED TO REQUEST A 2 ASSIST, ENR
SUBJECT ARMED W/KNIFE
DRIVING WID PULASKI, FROM 47
AS HE APPROACHED SCENE, SAW O IN MIDDLE OF ST,
FLAILING ARMS
AS AB GOT CLOSER, SAW KNIFE IN R HAND
DROVE PAST O. O ON L SIDE
B4 OR DROVE PAST ON R SIDE, S/B
MADE U-TURN, HEARD MULTIPLE SHOTS
THEN SAW O LYING ON GROUND
DID NOT SEE WHO FIRED

R.D. NO. HX425653

REPORTING OFFICER'S SIGNATURE–STAR NO. 20563 | RECEIVED BY: SUPERVISOR'S SIGNATURE–STAR NO. | DAY--MO.--YR. TIME

CPD-23.122 (Rev. 2/83)

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 14	20 OCT 14 3

OFFENSE CLASSIFICATION—LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
OV52	VAN DYKE	5121

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

L VELEZ

AS THEY APPROACHED SCENE, SAW O IN MIDDLE OF ST. SHINY OBJECT IN R HAND
O WAVING OBJECT IN AIR
A B DROVE PAST O
BEGAN TO MAKE U-TURN
LV HEARD MULTIPLE GUNSHOTS, WITHOUT PAUSE OR DELAY
SAW O FALL TO GROUND
DID NOT SEE WHO FIRED
SAW UNKNOWN PO KICK KNIFE FROM O'S HAND

R.D. NO. HX475253

REPORTING OFFICER'S SIGNATURE—STAR NO.	RECEIVED BY: SUPERVISOR'S SIGNATURE—STAR NO.	DAY–MO.–YR. TIME
20563	1303	

CPD-23.122 (Rev. 2/83)

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 14	20 OCT 14 3

OFFENSE CLASSIFICATION–LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	VANJYKS	5721

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

D FONTAINE

RESPONDED TO REQUEST FOR ASSIST, B/SR
MAN W/KNIFE, 41 + PULASKI
R V DROVE N/B PULASKI
WHEN THEY ARRIVED AT SCENE, IN FRONT OF DD,
SAW O WALKING S/B, IN ST, KNIFE IN R HAND
O WALKING SIDEWALK, BODY FACING E,
TOWARD JVS + JW
POs STANDING IN ST, SIDE OF THEIR TABLE-
TABLE FACING S/B
HEARD POs REPEATEDLY "DROP THE KNIFE!"
O IGNORED, RAISED R ARM TOWARD VS, AS IF
ATTACKING VS
VS FIRED MULTIPLE SHOTS UNTIL O FELL TO
GROUND + STOPPED MOVING R ARM + HAND, STILL
GRASPING KNIFE
SHOTS = RAPID FIRE, WITHOUT PAUSE
WALSH THEN KICKED KNIFE FROM O'S HAND

R.D. NO. HX475253

REPORTING OFFICER'S SIGNATURE–STAR NO.	RECEIVED BY: SUPERVISOR'S SIGNATURE–STAR NO.	DAY–MO.–YR.	TIME
20563			

CPD-23.122 (Rev. 2/83)

GENERAL PROGRESS REPORT
ECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 2014	30 OCT 2014 3

OFFENSE CLASSIFICATION—LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	VAN DYKE	512 1

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

R VIRAMONTES

WHEN HE EXITED VEHICLE AT SCENE,
SAW O WALKING S/B ON PULASKI, IN MIDDLE OF ST
KNIFE IN R HAND
HEARD JVD REPEATEDLY "DROP THE KNIFE!"
O IGNORED TURNED TOWARD JVD + JW
VD FIRED MULTIPLE SHOTS
O FELL TO GROUND BUT CONTINUED TO MOVE
ATTEMPTING TO GET BACK UP, KNIFE STILL IN HAND
VD FIRED AT O CONTINUOUSLY UNTIL O
NO LONGER MOVING

R.D. NO. HX475253

REPORTING OFFICER'S SIGNATURE—STAR NO. 20563 | RECEIVED BY: SUPERVISOR'S SIGNATURE—STAR NO. (30) | DAY—MO.—YR. TIME

CPD-23.122 (Rev. 2/83)



Mobile Recorder User Manual

COBAN® Technologies Inc.
12503 Exchange Drive, Suite 536
Stafford, Texas 77477

Tel: 1-281-277-8288
Fax: 1-281-277-8256

http://www.cobantech.com

Table of Contents

Introduction **4**

Login **4**
Turn On the Mobile Recorder 4
Login to the Mobile Recorder 5
Sync the Wireless Microphone 6
Other Login Options 7
Manually Start the Application 7
Minimize/Maximize the Application Window 8

Camera View Screen **9**

Recording **11**
Start a Recording Manually 11
Stop Recording 12
Use Wireless Mic to Start Recording 12
Wireless Mic Alerts 12
Other Recording Options 12

Event Type **13**
Select an Event Type 13

Snapshot **15**
Take Snapshot 15
Review Snapshots 16

Bookmark **16**
Set a Bookmark in Mobile Recorder 16

More Functions **17**
Access the More Menu 17
System Summary 18
Close Shot 19
View Snapshots 20
Pre-Event Playback 21
Equipment Test 23
Sync GPS Time 24
Edit Event Data 25
Offender Data Screen *26*
Violation Selection Screen *27*
IP Address 28
Record Indicator 29
Traffic Watch 30
Night Mode 31
Color Mode 32

Camera Control **33**
Brightness Control 33
Zoom Control 33
Focus Control 33

Auto Zoom **34**

Playback Video **35**

Switch Officer **37**

Upload Videos **38**
Wireless Upload 38
Automatic Wireless Upload 40
Specifying Videos to Upload/Retain 40

OIG 15-0564 008964

MHDD Upload 41
Wired Upload 43
Exit the System **45**
Mobile Recorder Quick Reference Guide **47**

OIG 15-0564 008965

Introduction

The COBAN mobile recorder is the front line of the Digital Video Management System (DVMS). The mobile recorder support up to three audio/video channels and can record two channels of audio and two channels of video streams simultaneously to the in-car CPU.

	Audio Channels Supported	Video Channels Supported	Video Format
TopCam-G2	2	3*	MPEG 1 / 2
EDGE	3	3*	H.264

*Only two video channels can be recorded simultaneously.

This information is stored in the Mobile Hard Disk Drive until it can be transferred to the BOClient.

This manual addresses the steps needed to properly use the Mobile recording system.

Login

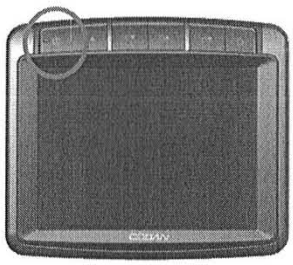
Based on the system settings configured by the department users may need to login to the mobile recorder system using a valid user ID and password at the beginning of each shift. Other login types are described on page 7. This information allows the mobile recorder system to transfer videos taken during the shift to BOClient to be properly stored and classified in the DVMS. Complete the steps described in this section to login to the mobile recorder system.

Turn On the Mobile Recorder

1. Start the vehicle.
2. Turn on the mobile recorder using the On/Off switch on the monitor.
3. Allow the system to boot up.



TOPCAM-G2



EDGE

OIG 15-0564 008966

Login to the Mobile Recorder

1. After the mobile recording system has been powered up, the Mobile Start Recorder software will initiate and display the Officer Login screen.
2. The officer ID should be automatically entered into the appropriate field from information input during MHDD checkout. If not, enter the appropriate **Officer ID** in the field provided.

Note: Tap **Officer ID** or **Password** to access the virtual keypad.



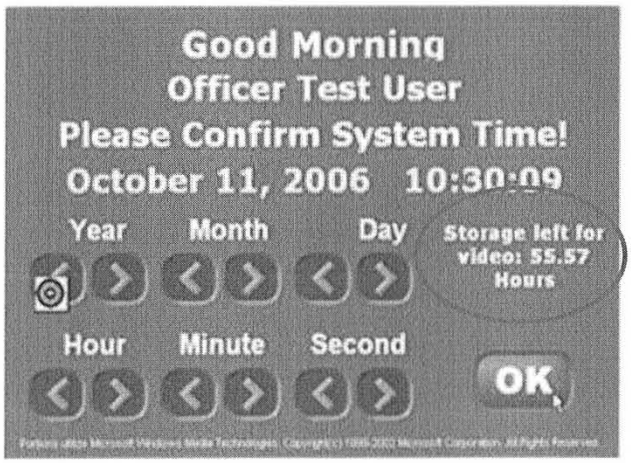
3. Type your password using the virtual keypad then tap **OK**.
4. Tap **Login**.



5. The System Time and Date screen will appear.
6. Change the system time and date if it is incorrect using the appropriate arrow keys.
7. Take note of the estimated remaining recording time. Storage remaining for video recording is displayed above the **OK** button.

Note: A warning prompt will be displayed if available recording time is less than 4 hours. The system will not allow the MHDD to be used if it has less than ??? time remaining.

8. Tap **OK.**



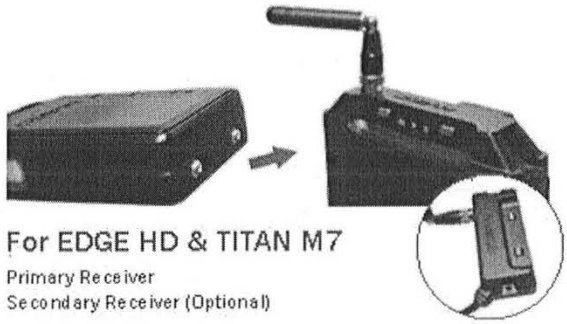
OIG 15-0564 008967

Note: A successful Login will show the Officer ID number on the bottom right of the Camera View screen.



Sync the Wireless Microphone

1. Locate the contacts at the bottom of the wireless mic.
2. Press the wireless microphone contacts directly on top of the receiver's register contacts.
3. A confirmation tone will sound to indicate the receiver and the microphone have synchronized their frequencies.
4. The wireless microphone is now on standby mode and ready for use.



Note: Syncing a second microphone to the same receiver will replace and nullify the first microphone.

OIG 15-0564 008968

Other Login Options

The system administrator for the DVMS can enable one of four different login capabilities. These four different options are described below:

Quick login – Automatically logs in an officer after they login once, as long as the same hard drive is used in the same unit (typically used in take home vehicles).

Emergency login – If this option is enabled, when the user starts the mobile recording system and the light bar is activated, the system will boot into record mode automatically. If the light bar is not activated, the system will remain at the login screen.

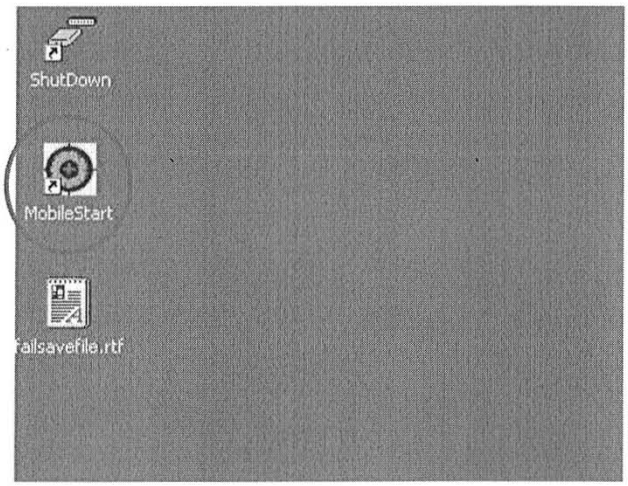
Delayed login – If this option is enabled the officer can startup the mobile unit and will get a login prompt for 30 seconds. If the officer does not login within 30 seconds the mobile recorder program will start automatically with the ability to record a video. At the end of the recording period, once the stop button is pressed, the officer is prompted to login.

Windows login – The administrator may set BOClient to use MSWindows login credentials and automatically login to BO Client. Note that users will need to logoff from the current Windows session so that others will not gain access to DVMS system with other users' access rights (this feature requires MDT integration or a connection to the department network).

Manually Start the Application

1. The system is designed to start automatically. If the system does not automatically start contact the system administrator or locate the application icon on the display screen.
2. Tap the Mobile Start icon to start the application.





OIG 15-0564 008969

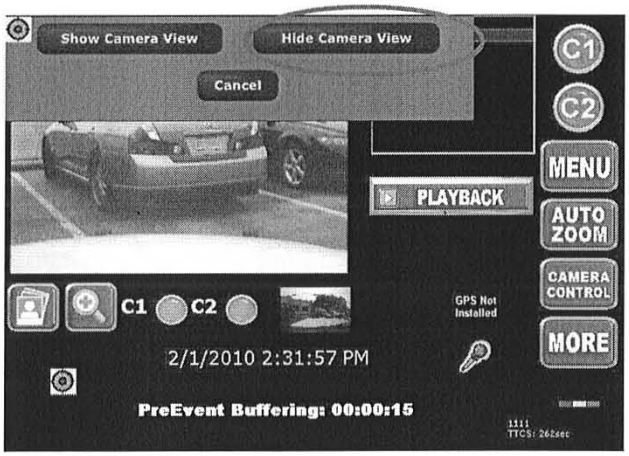
Minimize/Maximize the Application Window

1. Tap the application icon to minimize the window.



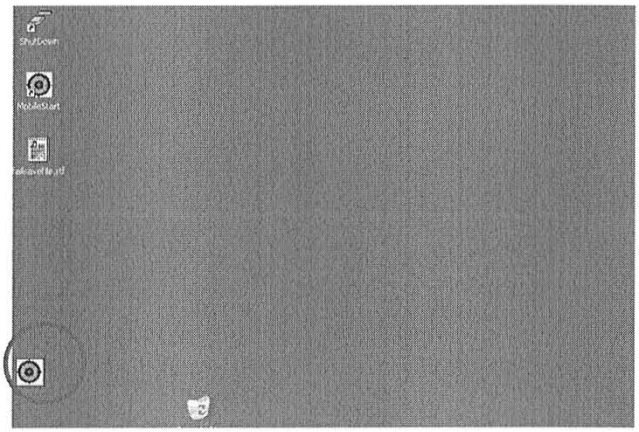


2. Tap **Hide Camera View** to minimize the application window and access the desktop.



3. Tap the application icon to return to the Camera View screen.





OIG 15-0564 008970

Camera View Screen

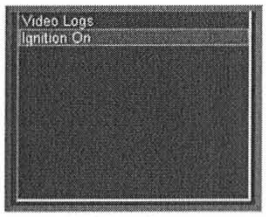
The Camera View screen displays the camera input and provides options for the user to start recording, create bookmarks, take snapshots of the video and other functions. It also provides icons that indicate the light bar status, radar gun reading, GPS indicator (if installed), and the in-car microphone ON / OFF status.

At the bottom of this screen, it shows the Pre-Event Buffering time, which indicates the length of video that is being pre-recorded prior to User pressing the Record button.





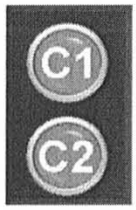
Camera Preview



Video Logs



Playback Function



Record Buttons



Snapshot



Zoom In



Recording Indicators



Secondary Camera View



Minimize/Enlarge Button



Date and Time



Mic Icon



Light Bar Indicator



Function Buttons

Buffer Setting

OIG 15-0564 008971

Camera Preview – The camera preview displays the image as seen through the camera lens. The default image is set as the front facing camera. The system supports a spot exposure feature. Tap the brightest portion of the camera preview screen to automatically dim the preview screen for five seconds. This feature is useful for when lights are making portions of the preview too bright to see.

Video Log - The Video Log documents readings and status from various devices connect to the mobile recording system such as, light bar status, microphone status, bookmark, etc.

Snapshot Function – Tapping the snapshot icon will save a JPG freeze frame image of the video displayed on the camera preview screen. A preview of the snapshot will be displayed immediately beneath the snapshot icon for 15 seconds. Take a snapshot of the rear camera view by clicking on the C2 camera indicator to change the camera preview to secondary camera, then tap the snapshot icon.

Minimize/Enlarge Button – The minimize/enlarge button will minimize or enlarge the mobile recorder application and allow users the ability to access other programs on the computer.

Recording Indicators – The recording indicators blink red to signify which camera is recording. If no cameras are recording, the indicators will not blink. Users can tap on the recording indicators to make that cameras view active in the Camera Preview screen. When there is only one camera installed on the vehicle, the user will not see a C1 and C2 camera indicator. When three cameras are installed in the system, tapping the C2 camera indicator will toggle between camera's two and three.

Date and Time – The Date and Time display is set during the login sequence and continuously displays the current date and time.

Buffer Setting – The Pre-Event Buffer is set by the System Administrator through COBAN's BOClient application. The Pre-Event Buffer display is a reminder to the user that all recordings are provided with a pre-event recording. This buffer can be adjusted through BOClient or in some cases through mobile recorder.

Mic Icon – The wireless microphone icon will blink when the covert microphone is recording audio.

Light Bar Indicator – the light bar indicator will blink when the vehicles light bar is activated.

Function Buttons – The function buttons provide users the access to greater functionality, including:

The **Menu** button provides access to Camera View, Playback, Switch User, or Exit functions.

Bookmark Icon – Tap the bookmark icon to mark a spot in a video for later review or to pinpoint an action on the recording.

Auto Zoom - When tapped, the system will automatically zoom the camera, pause for 3 seconds and zoom back to user's original zoom setting. There is no need to manually disengage the button when this feature is used.

Camera Control - Press Camera Control to access manual camera zoom, brightness and focus capabilities.

More - Allows users the ability to access additional system features and functions.

Secondary Camera View - If installed, will be configured as C2 and the second camera's view will appear below the primary camera image next to C2 indicator.

Playback Functions – The playback feature allows user to play previously recorded video, enter / edit video event data, send selected video wirelessly (if wireless option is purchased) and manually retain video. (Please refer to Page 17 for more details)

Record Buttons – The user may initiate a recording by pressing the wireless microphone, turning on the light bar or siren (if equipped as a system trigger), or pressing the **Record** icons on the screen.

OIG 15-0564 008972

Recording

The core feature of the mobile recording system is its ability to quickly and accurately capture videos when the user initiates a recording. The COBAN mobile recording system incorporates a multitude of options to start a recording, and to view videos as they are being recorded. These options are detailed in the following section.

Start a Recording Manually



1. Tap the camera 1 icon  to begin a recording using the primary camera via the video recorder.

2. Tap the camera 2 icon  to begin a recording using the secondary camera via the video recorder.

Note: If the vehicle has three cameras, the user can switch the display between camera 2 and camera 3 by double tapping the camera 2 indicator beneath the video image display.



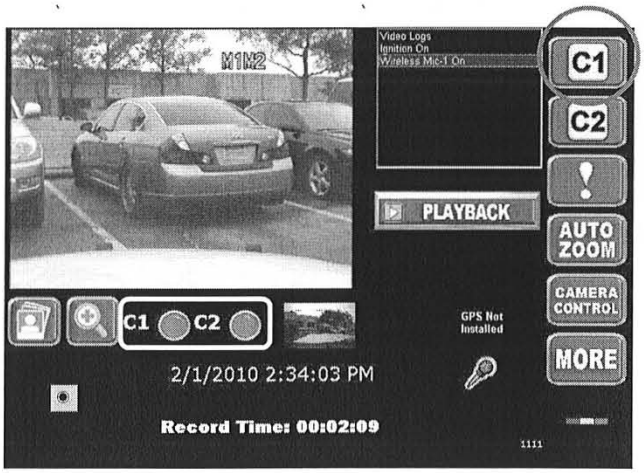
Note: The camera 1 icon will be shown as a white square when the mobile recorder is actively recording a video.

Not Recording Recording



3. The recording indicators will blink red to signify which cameras are actively recording.

Note: While in record mode, the preview screen provides the ability to set bookmarks by pressing the bookmark icon (see page 16 for more information on this feature).



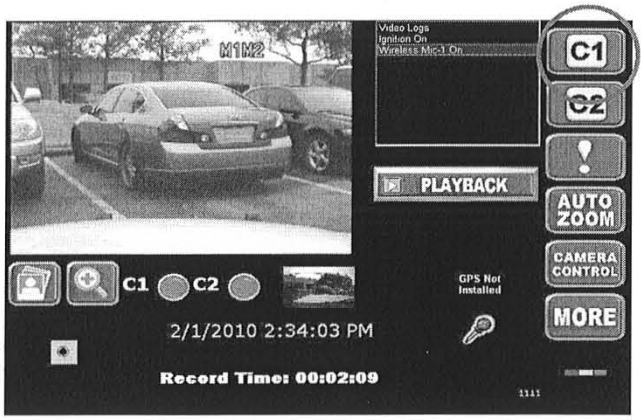
OIG 15-0564 008973

Stop Recording

1. Tap the camera 1 icon 

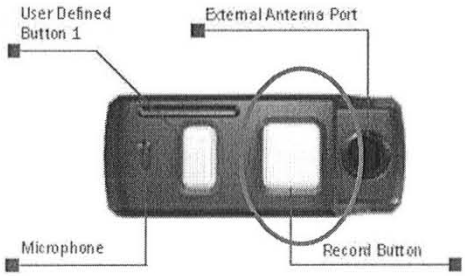
to stop recoding using the primary camera.
2. Tap the camera 2 icon 

to stop the recording on the secondary camera.



Use Wireless Mic to Start Recording

1. Press the Record button (larger button) on the wireless mic once.
2. This action will initiate the mobile recorder to record both audio and video data via the mobile recorder.
3. The wireless mic will vibrate twice and the record button will flash green to indicate that the mobile recording system has started a recording, depending on which mode it is in (see table below).



Wireless Mic Alerts

1. The wireless mic will flash color coded LEDs and/or vibrate to alert users of status changes and wireless mic maintenance alerts.
2. See the table to the right to decipher the alerts.

Alert \ Mode	Vibrations	LED/ Vibrate
Recording	2	Green LED / 2
Mute	2	Green Blinking LED / 2
Out of Range	1	Yellow LED / 1
Low Battery	1 each min	Green LED / 1 (blinks every 4 seconds)

Other Recording Options

The system administrator can set other recording start and stop options via the system settings in BOClient, including:

- Light bar activation
- Siren activation
- Vehicle speed activation
- Weapons rack activation

The middle button of the wireless mic is configurable so that it can be used for the following purposes:

- Bookmark
- Mute
- Stop recording

OIG 15-0564 008974

Event Type

If enabled, the Event Type screen will pop up immediately after the user stops a video recording. Classifying a recording with an event type helps the DVMS save the video, and allows meta-data and other details about the video to be stored with the recording as well as sets the retention criteria for each video. The mobile recorder system will return to the Camera View Screen and Wireless Microphone will also return to standby once the video has been linked to an event type. In instances where both cameras are recording the system will give the user the option to carry over the event data to the secondary camera.

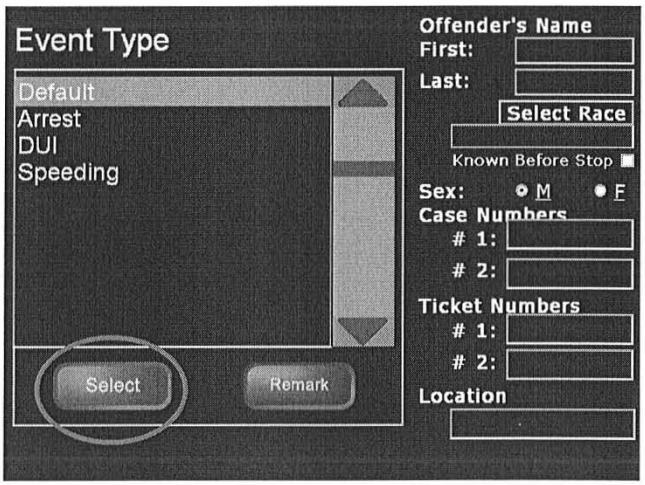
Select an Event Type

1. Tap the camera icon C1 or C2 to stop recording.



2. The Event Type screen will appear.
3. Tap the appropriate event type to classify the video that was recorded. The Event Type will be highlighted in light blue when it is selected.
4. Tap **Select** to enter the event type.

Note: Events can be added or removed from the event type list by the system administrator through BOClient.



OIG 15-0564 008975

5. Tap any of the text fields to display the virtual keypad.
6. Type information regarding the recording using the virtual keypad then tap **OK**.



OIG 15-0564 008976

Snapshot

Using the snapshot feature will take a JPG freeze frame image of the video displayed on the preview screen. A preview of the snapshot will be displayed immediately beneath the snapshot icon for 15 seconds. This feature works for any camera installed on the system, but only the camera view shown on the preview screen is available for snapshot.

Take Snapshot

1. Tap snapshot icon  to take a JPG freeze frame of the image on the camera view screen.



2. Tap the preview that appears beneath the snapshot icon to enlarge the snapshot.

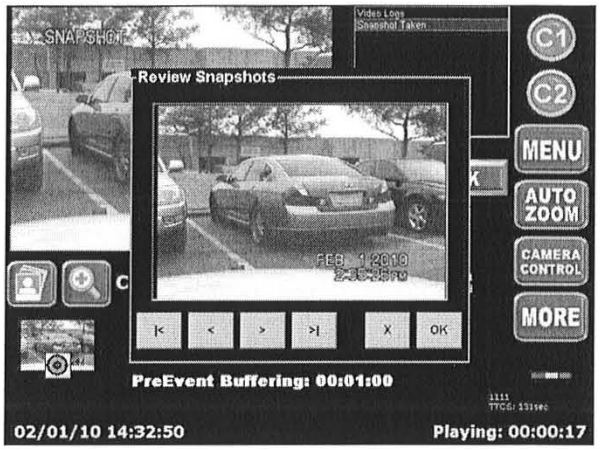
Note: The snapshot preview will be displayed for approximately 15 seconds.



OIG 15-0564 008977

Review Snapshots

1. Use the arrow keys to scroll through the snapshots saved in the mobile recorder system.
2. Click **X** to delete snapshots.
3. Click **OK** to return to the Camera View screen.



Bookmark

Bookmarks are used to mark points in a video that the reviewer or user feels are significant. Bookmarks also allow users to quickly locate these significant points of videos during a review.

Set a Bookmark in Mobile Recorder

1. Start a video recording (see page 11 for more information on recording).
2. Tap the bookmark icon on the right side of the screen.



3. An entry will be displayed in the Video Log.

Note: The bookmark icon will not be displayed unless the mobile recorder is actively recording.



OIG 15-0564 008978

More Functions

Tap MORE to access additional system features/functions such as:

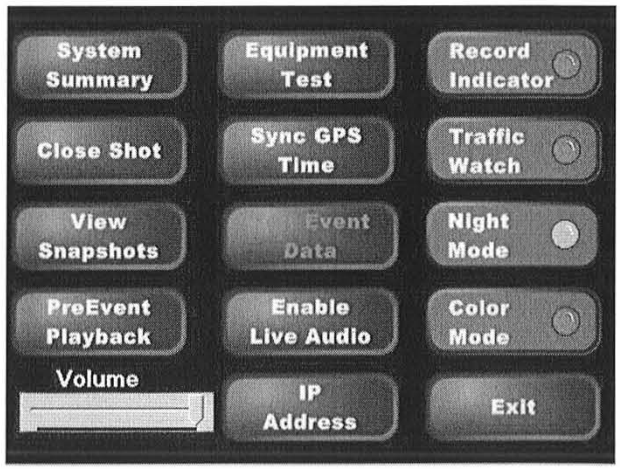
- System Summary
- Close Shot
- View Snapshot
- Pre-Event Playback
- Volume
- Equipment Test
- Sync GPS Time
- Edit Event Data
- Enable Live Audio
- IP Address
- Record Indicator
- Traffic Watch
- Night Mode
- Color Mode
- Exit

Access the More Menu

1. Tap **MORE** on the Camera Preview screen.



2. Tap the appropriate button to access the additional functions.



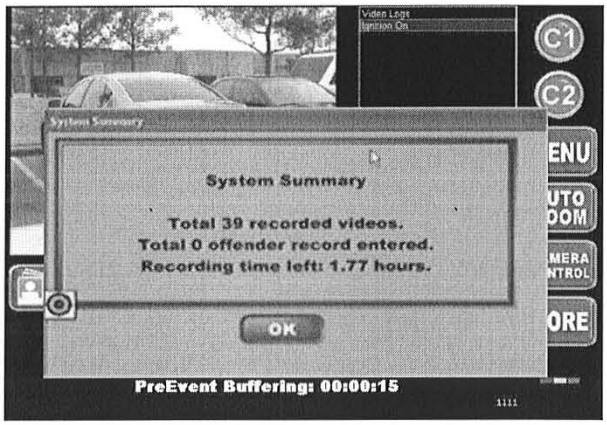
OIG 15-0564 008979

System Summary

1. Tap **System Summary**.



2. A popup window will appear that shows:
   - Total number of videos recorded
   - Total offender records entered
   - Recording time left



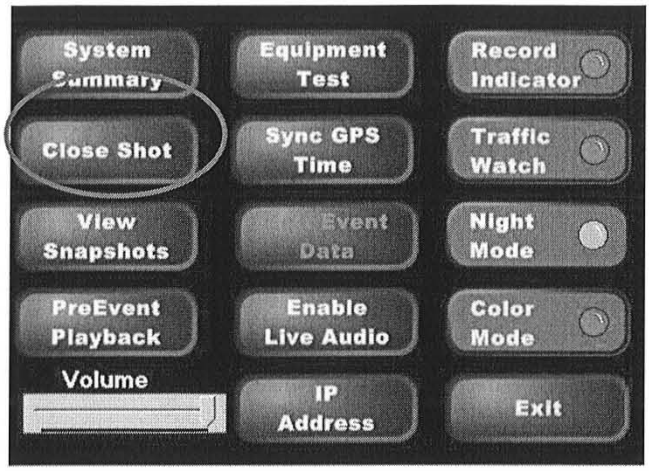
OIG 15-0564 008980

Close Shot

COBAN's mobile recorder camera is designed to focus beyond the vehicle's windshield. This point of focus ensures that rain drops or other debris on the windshield do not negatively affect the picture.

Users may use close shot mode to bring the focus point down to within one inch from the camera for 5 seconds. During this time, a snapshot will be taken for later review.

1. Position the ID or other object approximately 1 inch from the camera's lens.

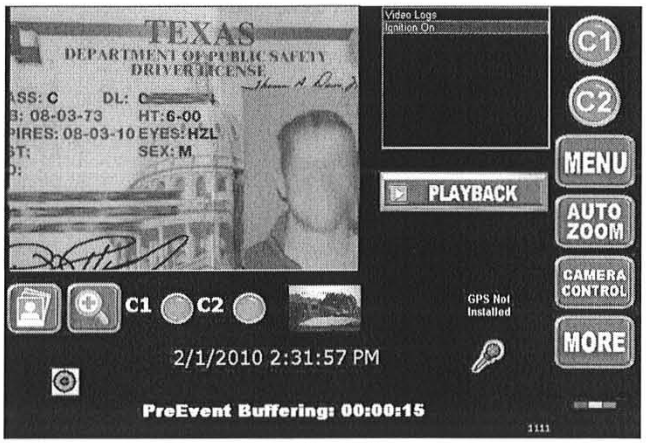


2. Tap **Close Shot**.



Standard View

3. The camera will re-focus and take a snapshot JPG image that will be saved in the snapshots file (see page 16 for more information on reviewing snapshots).



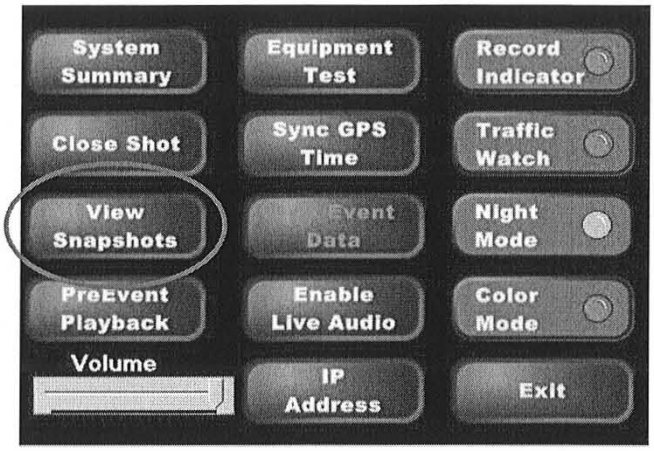
Close Shot View

OIG 15-0564 008981

View Snapshots

Snapshots, those taken via the snapshot function on the camera view screen or those taken utilizing the close shot function, are stored in the same place. Access these files by:

1. Tap **View Snapshots**.



2. Use the arrow keys to scroll through the snapshots in the mobile recorder system.
3. Click **X** to delete snapshots.
4. Click **OK** to return to Camera View screen.

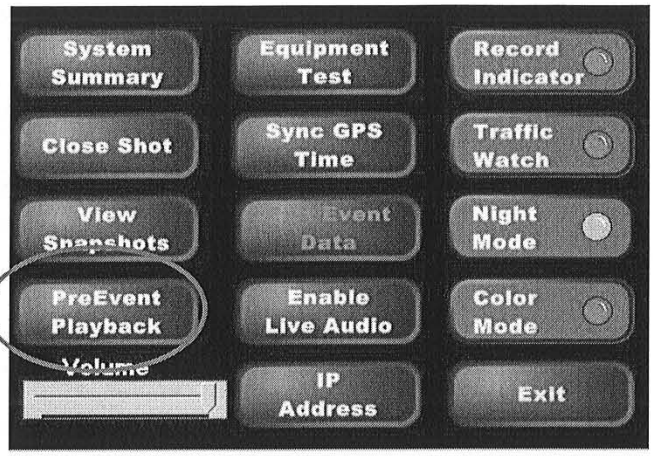


OIG 15-0564 008982

Pre-Event Playback

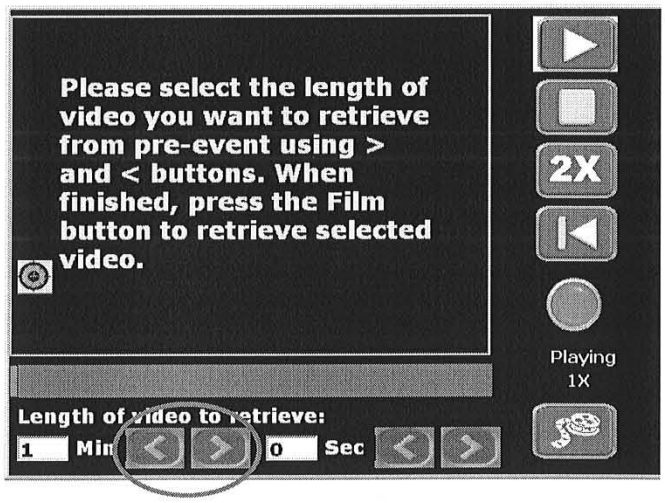
Pre-event buffer, or the length of video that will precede a recording when the record icon is activated can be adjusted, but only prior to a recording.

Another useful feature of the pre-event playback is a feature that allows the users to go back to any point in time that occurred since that user logged onto the mobile recorder system. The pre-event buffer starts at the time a user logs on or switches users (see page Switch Officer37 for information on switching officers).



1. Tap **Pre-Event Playback**.

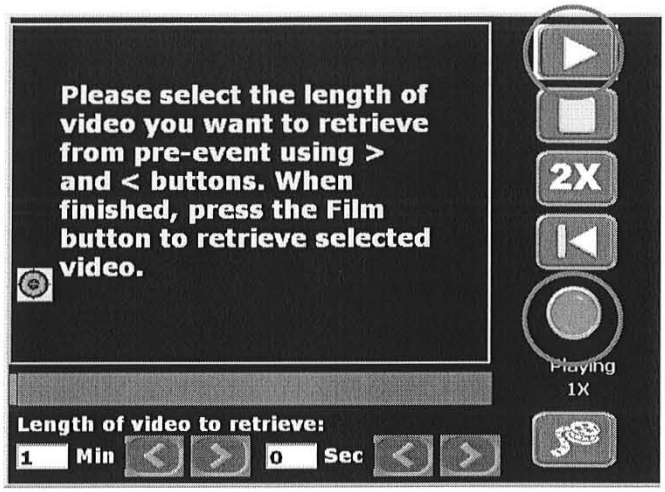
2. Tap the left and right arrow buttons to adjust the length of the pre-event section in minutes.



OIG 15-0564 008983

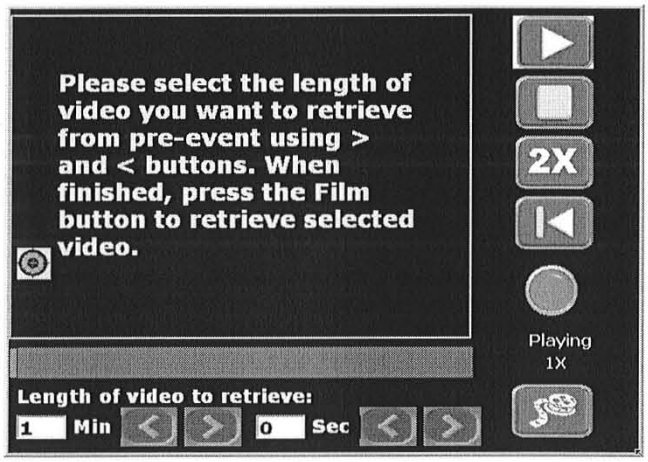
3. Tap  to view the past minutes that the officer has input.
4. Tap  to record the past minutes.
5. Tap the record button.

Note: Another useful feature of this capability is to view past minutes of a currently recording video to review what was said or happened and verify facts.



6. Tap the extract button  to retrieve the selected length of pre-event. This allows the user to playback and attach a longer pre-event segment than is defined in the back-office system.
7. The extra length of pre-event is included in the saved video.

Note: It is possible to adjust pre-event to append video to a previously recorded video by adjusting the pre-event buffer to a point prior to the recording's start time, ie. to append ten minutes of pre-event to a video recorded from 8:00 to 8:15, adjust the pre-event buffer to a value greater than fifteen minutes.

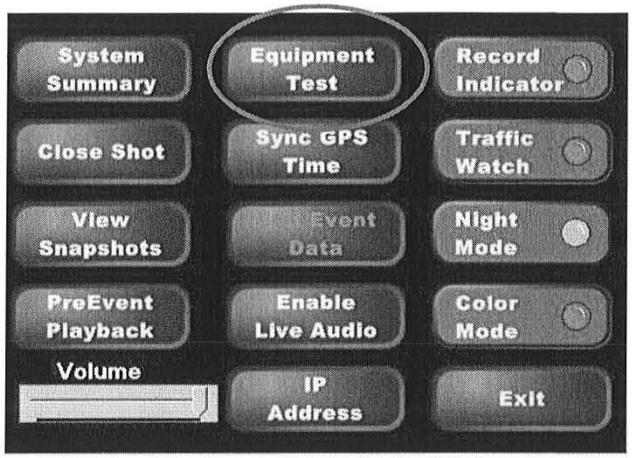


OIG 15-0564 008984

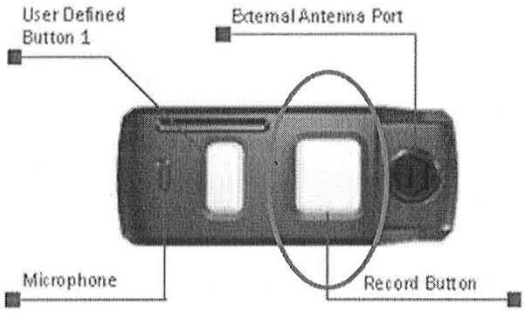
Equipment Test

The Equipment Test feature allows the user to test the wireless mic and the covert mic without triggering a recording.

1. Ensure that the wireless mic is synchronized to the mobile recorder (see page 6 for information on syncing the wireless mic).
2. Tap Equipment Test.



3. The wireless mic will beep twice and flash green if the system is properly synchronized.
4. Press the record button on the wireless mic.



5. The microphone icon will be shown with flashing electrifying icons indicating that the microphone is active, if the covert mic is working properly.

Note: A feedback whine may be produced by the microphone during this test.

6. Also, the text M1 will appear at the top right of the camera preview screen to indicate that wireless 1 is active.
7. Note: When two mics are used, M1 and M2 will appear in the camera preview.



OIG 15-0564 008985

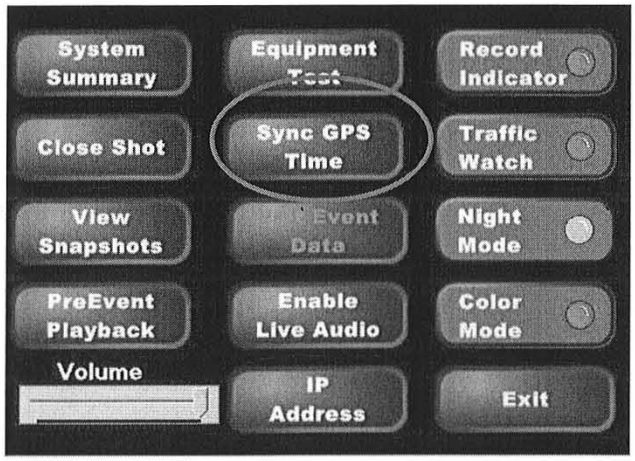
8. Tap Click here to exit Test Mode to exit the test.



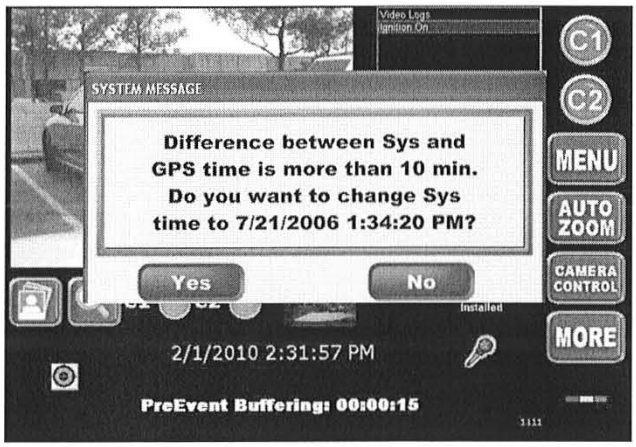
Sync GPS Time

This feature syncs the video clock to GPS time clock if the time is off by more than 10 minutes. This feature will only work if GPS is installed on the mobile recorder system.

1. Tap **Sync GPS Time**.



2. A popup window will appear providing the user with the difference between the system time and the GPS time.
3. Tap **Yes** to synchronize the system time to the GPS time.



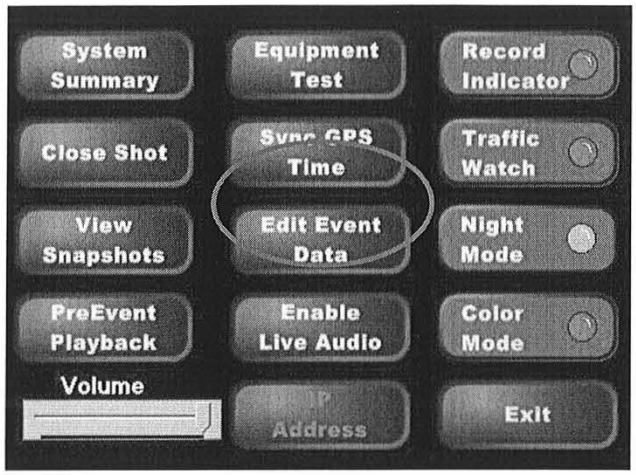
OIG 15-0564 008986

Edit Event Data

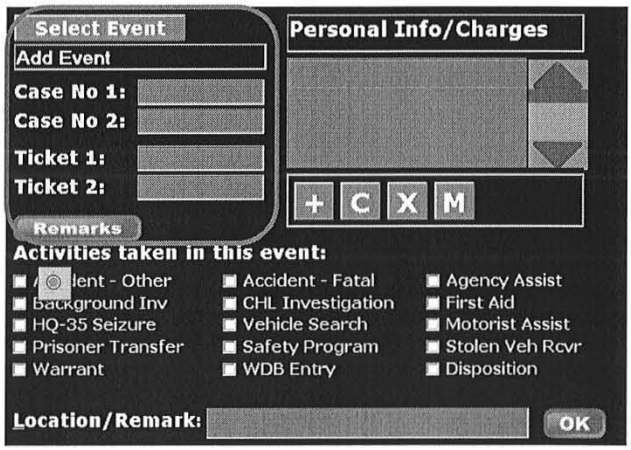
Each recorded video is linked with an event type. Events can be defined as traffic stop, accident, assistance, or any other definable event type. Each event may have multiple data points including offender information, user activities, location description, and remarks.

1. To access the Event Data screen, tap **Edit Event Data**.

Note: This option will be grayed out if the system is not recording.



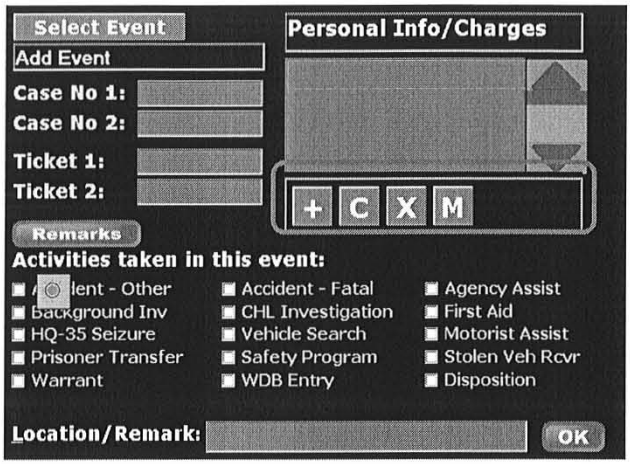
2. Tap **Select Event**.
3. Select the event type from the pre-defined event list.
4. Once event type is selected, the user may then start adding personal information of offenders, or select the applicable activities.
5. Enter case numbers and ticket numbers in the fields provided at the top left of the screen.
6. Tap **Remarks** to enter comments regarding the video event.
7. Check the activities boxes to describe the activities taken during the video event.



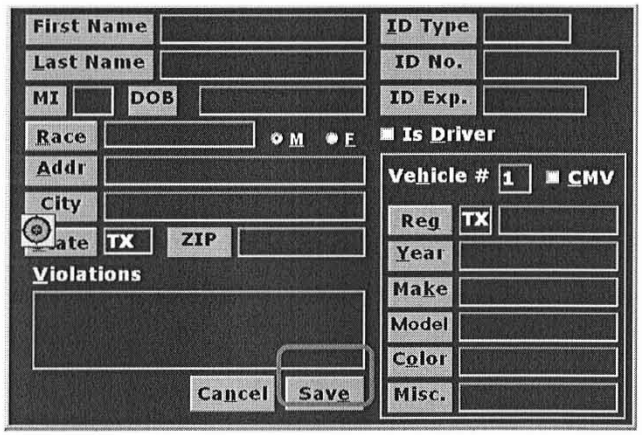
OIG 15-0564 008987

Offender Data Screen

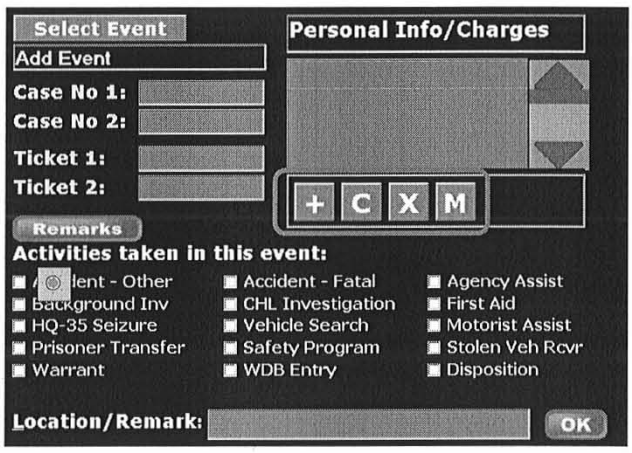
1. Tap + from the Edit Event Data screen to enter the offender data screen.



2. Enter offender data in the fields provided in the Offender Data screen.
3. Tap **Save** when the entries are completed.
4. Tap the Violations field to access the Violations Selection screen (see page 27 for more information on entering violations data).



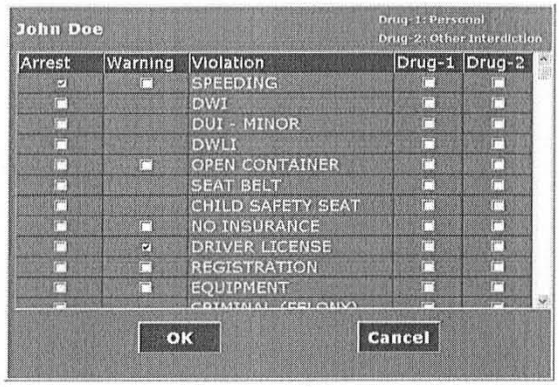
5. Tap C to access the offender data and edit data regarding the event.
6. Tap X to delete offender data.
7. Tap M to move offender data from one event to another.
8. Tap the field next to **Location/Remark** to enter text regarding the location of the video event.



OIG 15-0564 008988

Violation Selection Screen

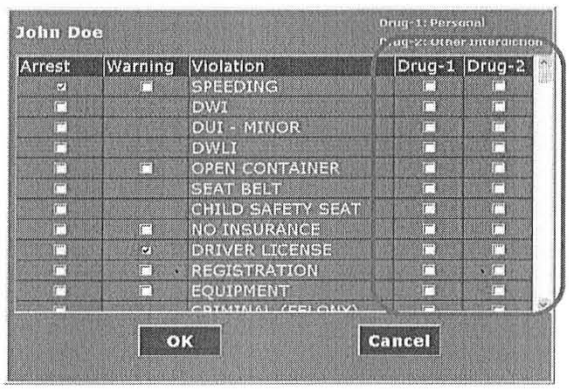
1. Tap the Violations field in the Offender Data screen (as described on page 26) to access the Violation Selection screen.
2. For events where a warning or an arrest took place, check the appropriate box across from the appropriate violation.



3. For events involving drug interdiction, the user can check the box in the Drug-1 or Drug-2 column across from the appropriate violation.

Note: Drug-1 is commonly used to indicate personal use of the drug; Drug-2 is for other drug interdictions (such as Drug Trafficking or Dealing).

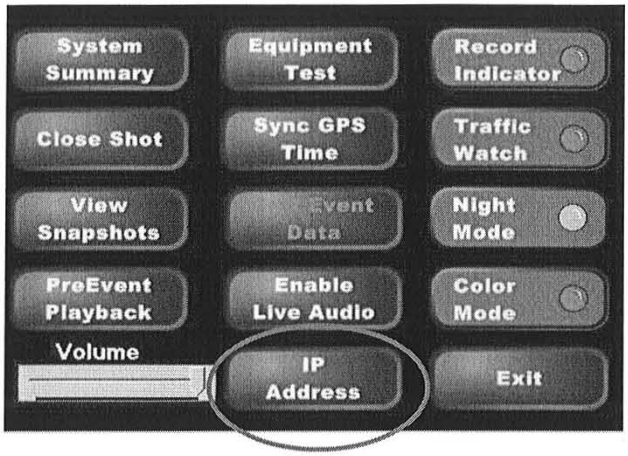
4. Tap **OK** to return to the Offender's Data screen.



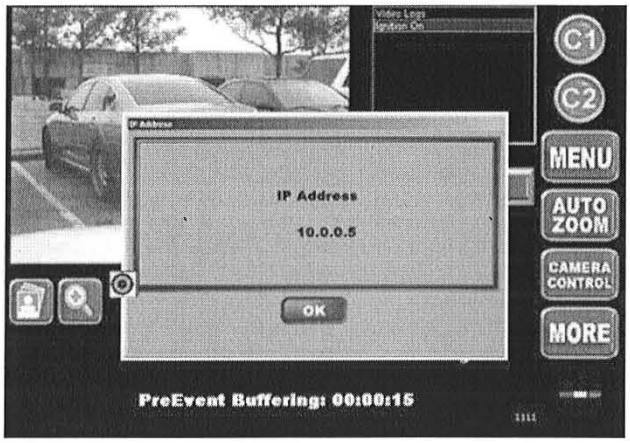
OIG 15-0564 008989

IP Address

1. Tap **IP Address** to display the IP address of the vehicle.



2. A popup window will appear providing the IP address information.
3. Click **OK** to return to the **Main Menu** screen.

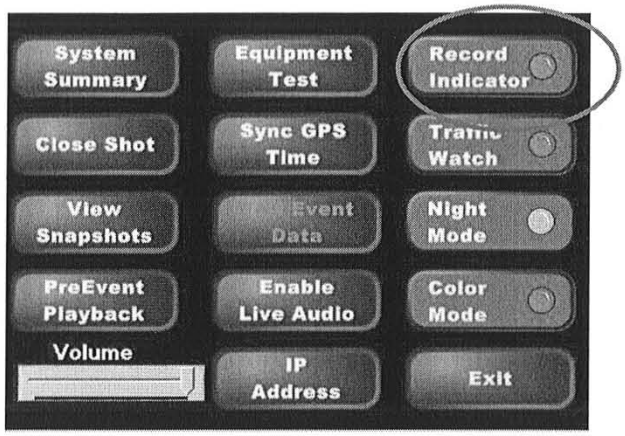


OIG 15-0564 008990

Record Indicator

A red LED light is situated on the front of the COBAN camera in order to signify to users whether or not the system is recording. It is situated to be seen through the front windshield when the user is outside the vehicle.

1. Tap **Record Indicator** to deactivate the red LED on the camera.



2. Tap **Record Indicator** a second time to activate the red LED on the camera.

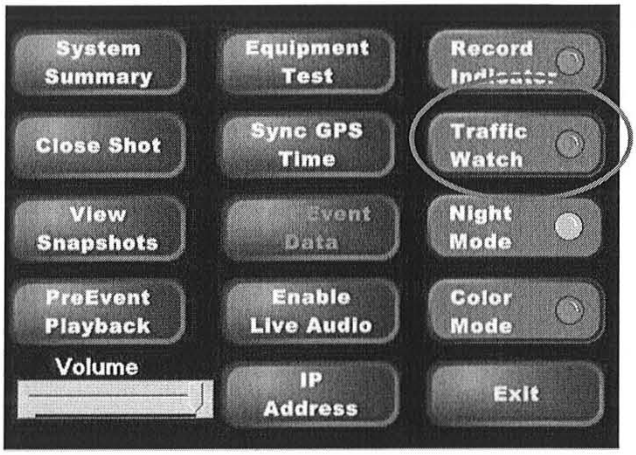


OIG 15-0564 008991

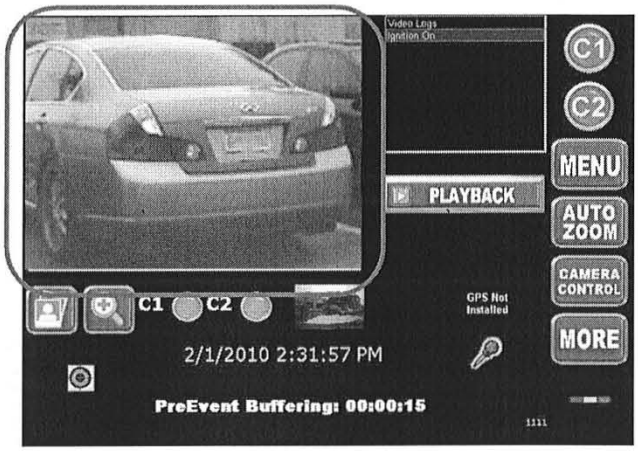
Traffic Watch

The traffic watch allows users the ability to zoom out as soon as the record button is tapped.

1. Tap **Traffic Watch** to turn on the traffic watch function.



2. The screen shot on the right shows a preview where the user is focusing on the license plate of the vehicle in the frame.



3. When a recording is started the camera will automatically zoom out to obtain the entire scene.

Note: When traffic watch is disabled the manual zoom button stays active.

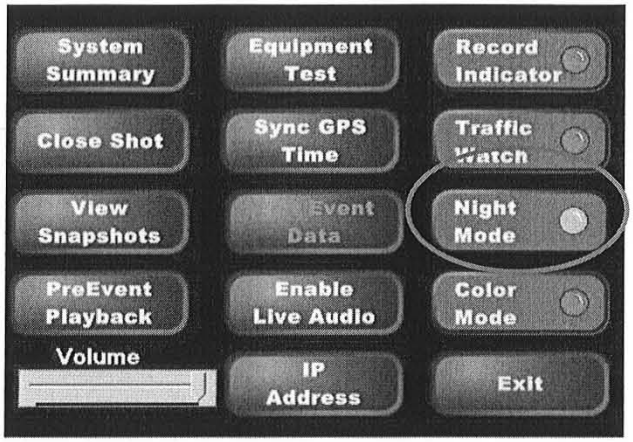


OIG 15-0564 008992

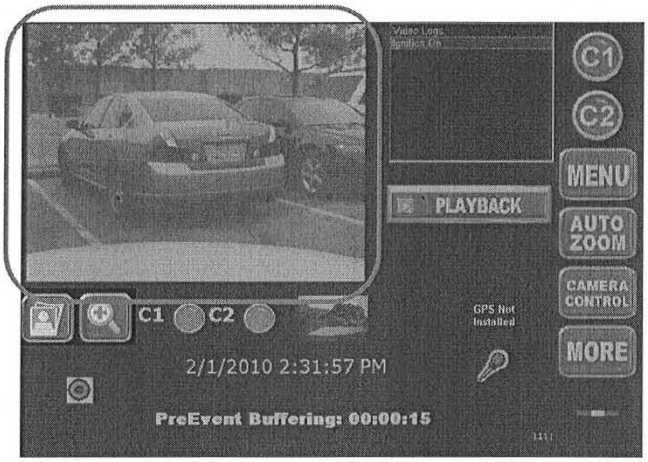
Night Mode

Night Mode dims the in-car monitor for clarity and provides less glare during covert conditions.

1. Tap **Night Mode** to activate night mode and reduce the brightness of the monitor.



2. The preview screen will dim slightly.



3. Tap **Night Mode** again to deactivate night mode and return the monitor to the default brightness settings.

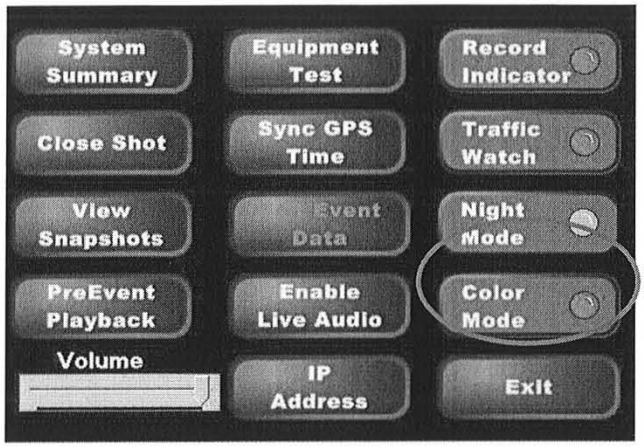


OIG 15-0564 008993

Color Mode

By default, color mode is enabled in the mobile recording system. There are times when it may be useful to disable color mode in order to enhance lighting and reduce glare. This feature is useful for capturing tire skid marks on roads or during dusk and dawn light conditions.

1. Tap **Color Mode** on the Menu screen to activate a black and white preview.



2. The preview screen will change from color to black and white.



3. Tap **Color Mode** again on the Menu screen to re-activate color mode and deactivate black and white preview.

Note: When in Black and White mode, the video recording will record in black and white only.



OIG 15-0564 008994

Camera Control

COBAN mobile recorder systems allow users the ability to manually adjust the zoom, brightness and focus using the touch screen monitor. The specifics of accessing and utilizing these functions are described below:

Brightness Control

1. Tap **Camera Control** to access the brightness control functionality.
2. Use the arrow keys to increase or decrease the brightness of the preview screen.
3. Tap **Reset** to return to the default settings.
4. Tap **Exit** to return to the Camera Preview screen.



Zoom Control

1. Tap **Camera Control** to access the brightness control functionality.
2. Tap 

to access the zoom control functionality.
3. Use the arrow keys to increase or decrease the brightness of the Camera Preview screen.
4. Tap **Exit** to return to the Camera Preview screen.



Focus Control

1. Tap **Camera Control** to access the brightness control functionality.
2. Tap 

to access the focus control functionality.
3. Use the arrow keys to change the focus of the Camera Preview screen.
4. Tap **Exit** to return to the Camera Preview screen.



OIG 15-0564 008995

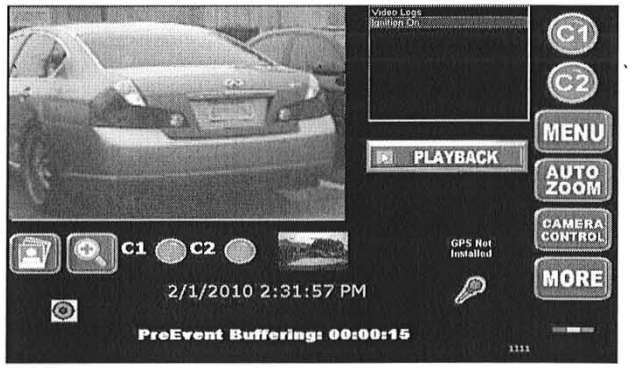
Auto Zoom

The auto zoom feature allows users the ability to zoom in on a subject automatically. Complete the following steps to utilize the auto zoom feature. This feature is especially useful when zooming in on a license plate or zooming in on a subject during a recording.

1. Adjust the camera to center the preview screen on the subject to zoom in on.



2. Tap **AUTO ZOOM** on the right of the Camera Preview screen to automatically zoom in on a subject in the preview screen automatically.



Note: If the in-car set up has been configured to take a snapshot during auto zoom the system will automatically take a snapshot once the camera has zoomed in on the subject. The snapshot will be shown below **SNAPSHOT** for approximately 15 seconds. The snapshot will be saved with the other snapshots taken during that shift (see page 15 for more information on snapshots).

3. The camera will zoom out automatically.



OIG 15-0564 008996

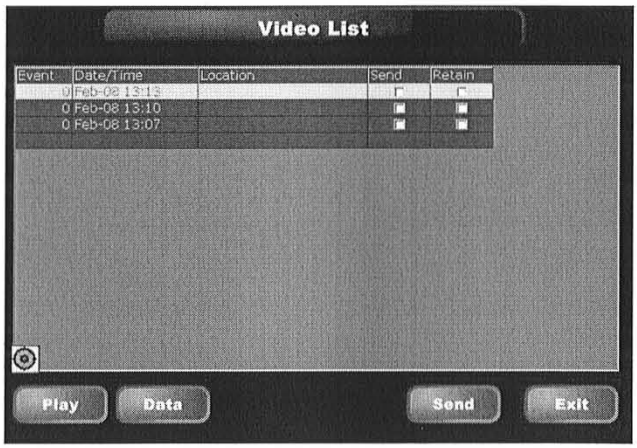
Playback Video

COBAN BOClient is a software application used to review videos at the department once the videos are uploaded from the mobile recorder system. In some cases users have found it necessary and useful to review videos in the field or immediately after recording them. The Playback Video feature allows users the capability to review videos from the mobile recorder system display in the vehicle.

1. Tap **PLAYBACK** on the right side of the screen to access the playback function.



2. The Video List screen will appear and list video's stored on the MHDD by date and time taken. Location and Event will also be displayed.
3. Tap the video to play. The video will be highlighted in light green when selected.
4. Tap **Play** at the bottom of the screen.



Note: Tap **Data** to access the Offender Data screen (see page 26 for more information on the Offender Data screen).

Note: Check the box in the Retain column to have the video classified as "retained" in BOClient. See the BOClient User's Manual for more information on retaining videos. This feature is usually used for videos that may have been misclassified as a different event type immediately following the recording.

OIG 15-0564 008997

5. Tap  to set a bookmark in the video.
6. Tap  to pause the video.
7. Tap  to play the video at double speed.
8. Tap  to rewind the video to the starting point.
9. Use the track bar at the bottom of the screen to move through the video.



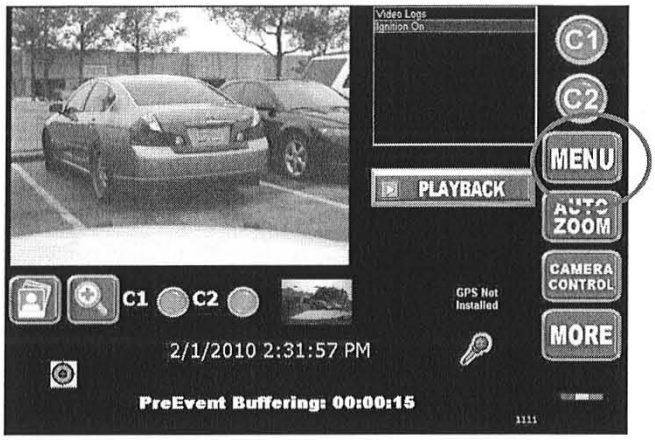
10. Use the audio channel buttons at the bottom right of the screen to toggle on and off the audio channels.
11. Tap  to stop the video playback and return to the Video List screen.



OIG 15-0564 008998

Switch Officer

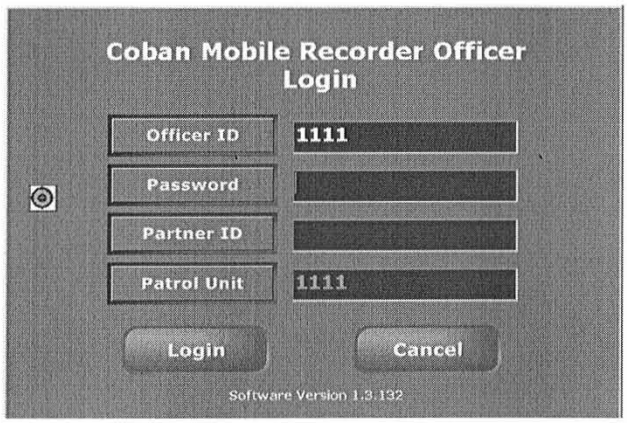
1. Tap **MENU** on the right side of the screen.



2. The Officer Login screen will appear.

Note: Tap the field titles, ie. **Officer ID**, **Password** to access the Virtual Keypad.

3. Enter the officer ID and password in the appropriate fields and tap **OK**.



OIG 15-0564 008999

Upload Videos

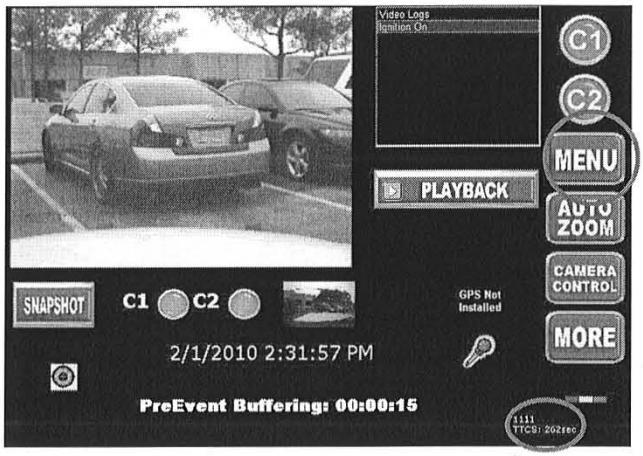
The COBAN mobile recorder system allows for the transfer of videos to the server or sub server at the department in any one of several different methods, including:

- Mobile Hard Disk Drive upload
- Wireless Upload (automatically or on command)
- Wired Ethernet

Wireless Upload

Users in departments that utilize the wireless upload capability will have TTCS (time to connect to server) countdown at the bottom right of the Camera Preview screen.

1. Tap **MENU** from the Camera Preview screen.



2. Tap **EXIT SYSTEM** at the bottom of the screen.



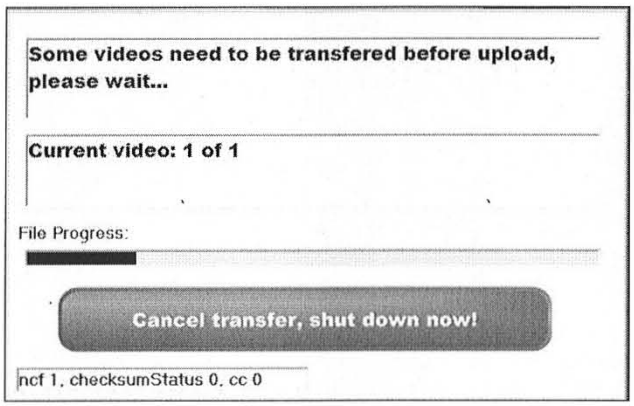
OIG 15-0564 009000

3. Tap **Upload & Stay On** or **Upload & Shutdown** to upload videos.



4. The mobile recorder system will process all videos for upload.

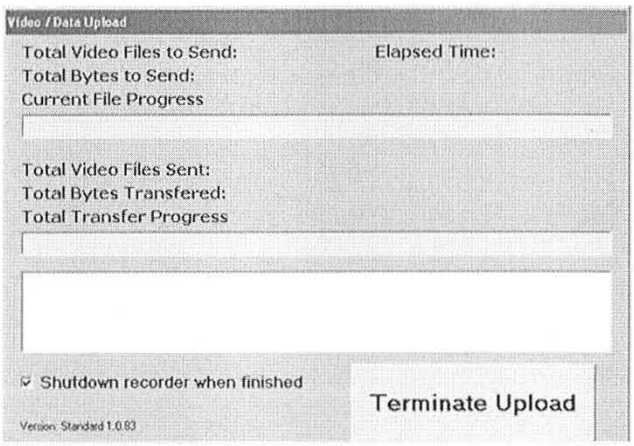
Note: In some cases the mobile recorder system must finish processing videos before it can properly shutdown or upload videos. The User can turn off the vehicle and leave as the movile recorder system will automatically proceed with the upload and shutdown operation once the video processing is complete.



5. The mobile recorder system will begin to upload the videos and show progress of the upload.

CAUTION: Do NOT remove the MHDD during this upload process.

Note: If the **Upload and Shutdown** option was selected, the mobile recorder system will automatically shut down when the upload is complete.

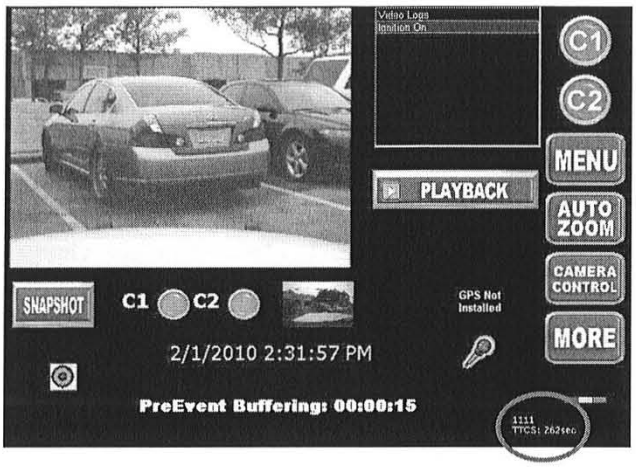


OIG 15-0564 009001

Automatic Wireless Upload

Departments that utilize the wireless upload capability will have TTCS (time to connect to server) countdown at the bottom right of the Camera Preview screen.

All videos that have been processed by the system and are in the Video List are automatically uploaded to the server or sub server based on the BOClient settings and department protocols.

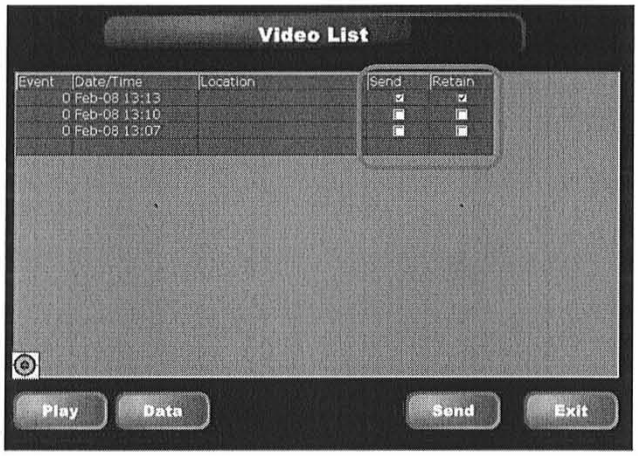


Specifying Videos to Upload/Retain

1. Users can designate that the system send specific videos immediately to the server from the Video List screen (see page 35 for information on accessing the Video List screen).

Note: Check the box in the Retain column to have the video classified as "retained" in BOClient. See the BOClient User's Manual for more information on retaining videos.

2. Check the box next to the video and tap **Send** at the bottom of the screen.



3. A popup screen will appear informing the user whether or not the videos were successfully uploaded.
4. Tap **OK** in the popup window to proceed.
5. The video will be marked as **<SENT>** in the video list following a successful upload.



OIG 15-0564 009002

MHDD Upload

Users must check in and check out Mobile Hard Disk Drives (MHDD) to upload videos in departments that do not utilize the wireless upload capability.

1. Tap **MENU** on the Camera Preview screen.



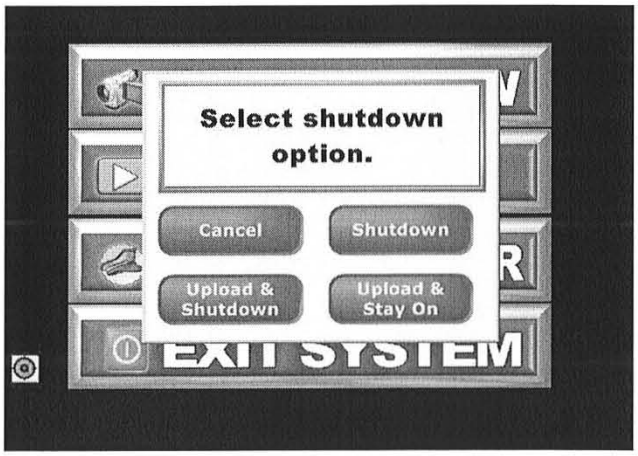
2. Tap **EXIT SYSTEM**.



3. Tap **Shutdown** to shutdown the mobile recorder system.
4. Use a key to unlock and remove the MHDD from the mobile recorder system.

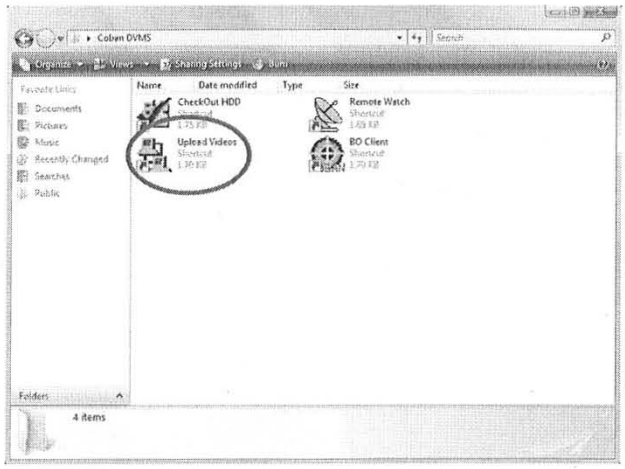
Note: In most departments a key can be requested from the System Administrator.

CAUTION: Do NOT remove the MHDD while this system is running.



OIG 15-0564 009003

5. Insert the MHDD in the upload cradle in the department or sub-station.

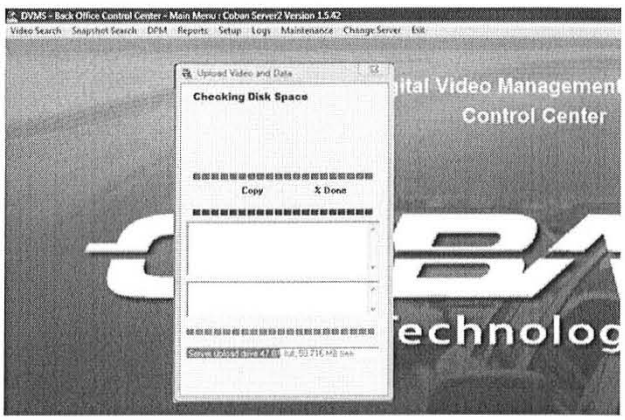


6. An upload popup window will appear. Enter the serial number of the MHDD if it is not automatically entered into the field provided.
7. Check the appropriate box to check out the hard disk after upload and the system will run the checkout application automatically after uploading.

CAUTION: Do not remove MHDD from the cradle during the upload process. Removing the MHDD from the cradle could result in loss of data.

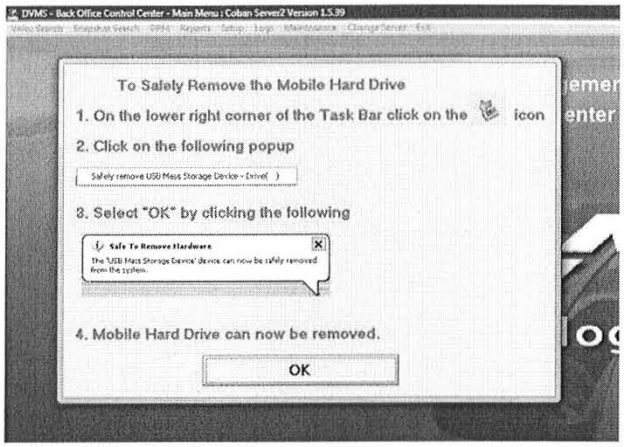


8. A message box will show the progress of the upload and check out process.



OIG 15-0564 009004

9. Follow the directions to safely remove the MHDD from the cradle.



Wired Upload

The mobile recording system provides the capability to download videos via Ethernet cable directly from the CPU. System administrators must specify that the Ethernet plug will be used for the function to enable this feature.

1. Plug an Ethernet cable into the Ethernet plug of the CPU.
2. Tap **MENU** from the Camera Preview screen.



3. Tap **EXIT SYSTEM** at the bottom of the screen.



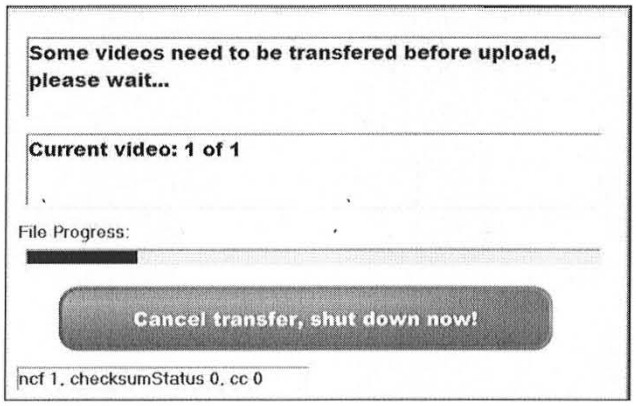
OIG 15-0564 009005

4. Tap **Upload & Stay On** or **Upload & Shutdown** to upload videos.



5. The mobile recorder system will process all videos for upload.

Note: In some cases the mobile recorder system must finish processing videos before it can properly shutdown or upload videos. The User can turn off the vehicle and leave as the movile recorder system will automatically proceed with the upload and shutdown operation once the video processing is complete.

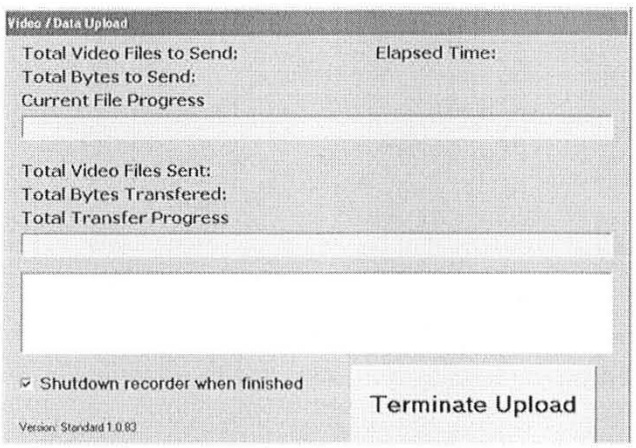


6. The mobile recorder system will begin to upload the videos and show progress of the upload.

CAUTION: Do NOT remove the MHDD or unplug the Ethernet cable during this upload process.

Note: If the **Upload and Shutdown** option was selected, the mobile recorder system will automatically shut down when the upload is complete.

7. Disconnect the Ethernet cable once the upload is complete.

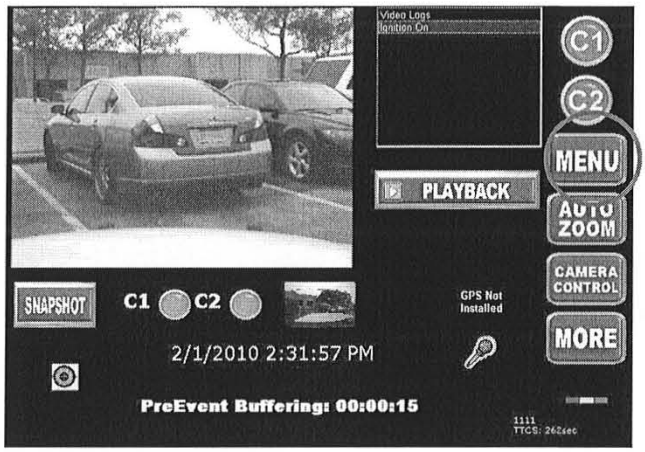


OIG 15-0564 009006

Exit the System

The mobile recorder system is capable of automatically shutting down following the upload and processing of videos stored in the MHDD. This enables users to select the shutdown option, turn off the vehicle, and leave with the confidence of knowing the data stored on the system will not be lost.

1. Tap **MENU** from the Camera View screen.

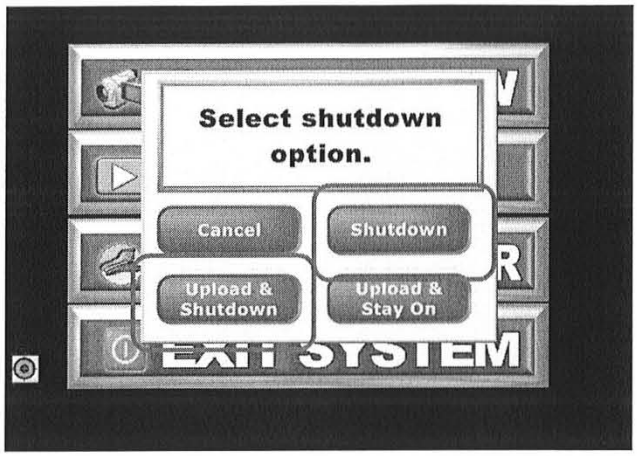


2. Tap **EXIT SYSTEM** at the bottom of the screen.



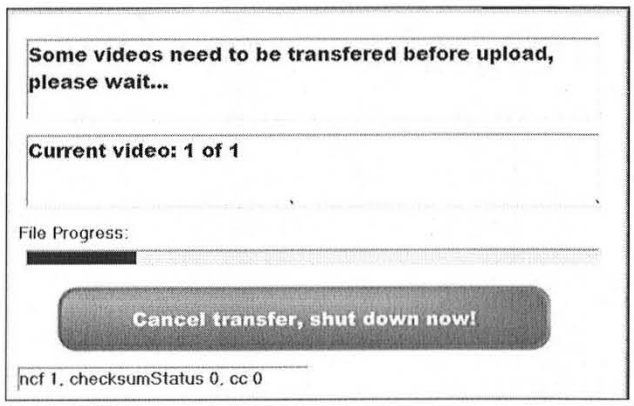
OIG 15-0564 009007

3. For wireless upload, tap **Shutdown** or **Upload & Shutdown** to shutdown the mobile recorder system.



Note: **Upload & Shutdown** will upload videos prior to shutdown (see page 38 for more information on this function.)

4. The mobile recorder system will process all videos for upload.



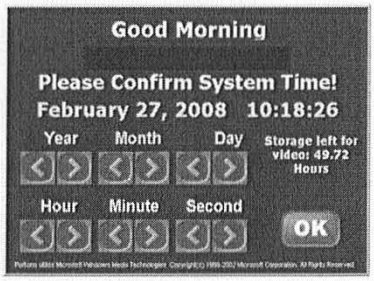
Note: In some cases the mobile recorder system must finish processing vidoes before it can properly shutdown or upload videos. The User can turn off the vehicle and leave as the movile recorder system will automatically proceed with the upload and shutdown operation once the video processing is complete.

OIG 15-0564 009008

MobileRecorder Cheat Sheet

LOGIN



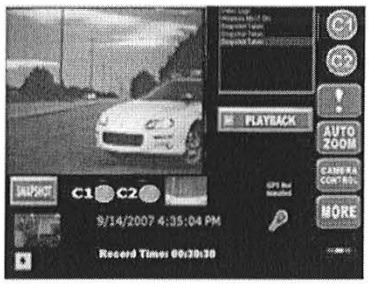


* Press OFFICER ID, PASSWORD, PARTNER ID or PATROL UNIT buttons for Virtual Keypad.

* Press Login to advance to Date and Time confirmation and Press OK.

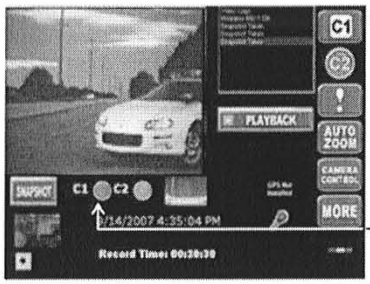
START RECORDING

* Auto start recording by: **activating light bar** or **pressing record button** on mic.



← Press **C1** to start front camera

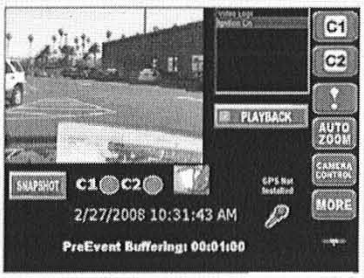
← Press **C2** to start rear camera



← Front camera recording indicator

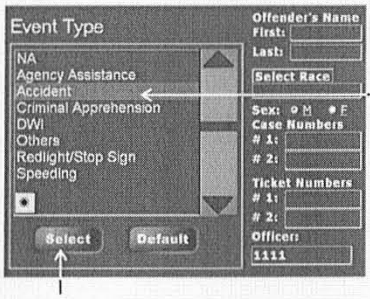
STOP RECORDING

* The Event Type screen appears when a recording is stopped.



← Press **C1** to stop front camera.

← Press **C2** to stop rear camera.



← Select an event.

Press **SELECT** to return to Camera View screen.

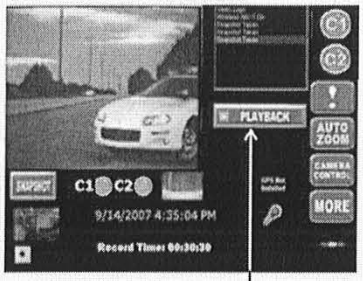
TAKE A SNAPSHOT

Press **SNAPSHOT** to take a snapshot. →

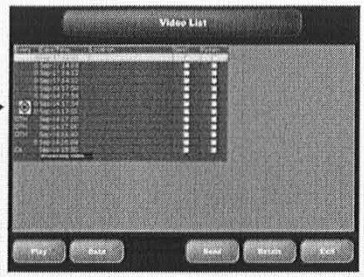


Tap the preview to go to Snapshot screen.

VIDEO PLAYBACK



Press PLAYBACK.



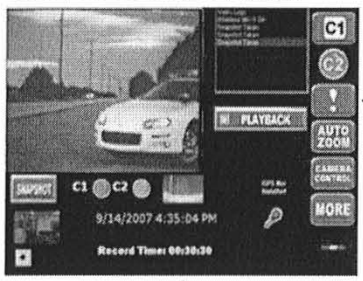
Select a video.

Press PLAY.



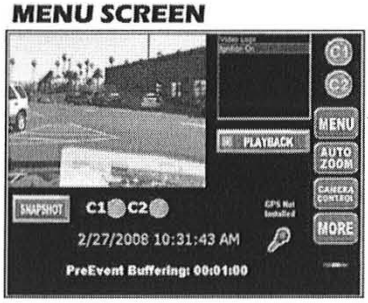
Review videos, bookmark or play at 2X speed.

CREATE BOOKMARKS

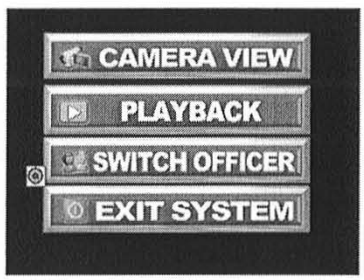


Press ! to create a bookmark.

MENU SCREEN

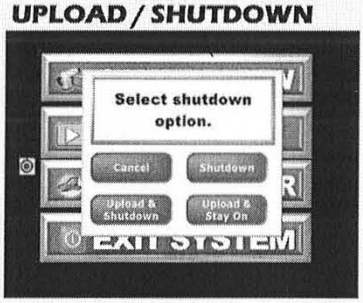


Press MENU.

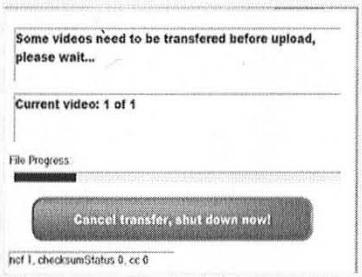


Press Exit System Shutdown

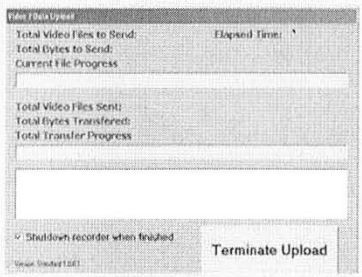
UPLOAD / SHUTDOWN



Press SHUTDOWN or UPLOAD & SHUTDOWN.

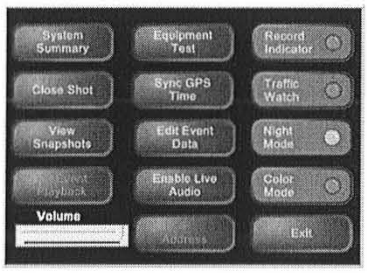


If videos have not automatically been uploaded, the system will begin an upload.



The system will shutdown automatically.

MORE FUNCTIONS



SYSTEM SUMMARY: Provides the number of recorded videos, number of offender records entered and available recording time with existing mobile hard drive.
CLOSE SHOT: Close shot reduces focus point down to within one inch from the camera for 5 seconds. During this time, a snapshot will be taken for later review.
VIEW SNAPSHOT: Allows the user to view all saved snapshots. Double tap the snapshot to enlarge the photo, double tap again to return to original size.
PRE-EVENT PLAYBACK: Allows the user to playback the pre-event video to manually determine when they would like to start a recording.
EQUIPMENT TEST: Allows the user to test equipment settings for the in-car unit.
EDIT EVENT DATA: Allows the user to edit / add event data to a video while it is being recorded.
IP ADDRESS: Displays the IP address of the recording unit.
RECORD INDICATOR: Allows the user to activate or disable the red LED indicator in front of the camera. The LED is used to alert the user of the camera's recording status.
TRAFFIC WATCH: Will adjust back from manual zoom to user selected zoom setting in the back office, when recording is triggered.
NIGHT MODE: Dims the in-car monitor for clarity and reduce glares.
COLOR MODE: By default, color mode is ON, turning it OFF will revert camera to black and white mode which may be useful at night to enhance lighting and reduce glare.

Coban Technical Support
Mon - Fri / 8 am - 6 pm / 281.277.8288
www.cobantech.com

PDT_Messages_01

OFFICE OF EMERGENCY MANAGEMENT & COMMUNICATIONS

PDT MESSAGES

From: 20-OCT-2014 20:30:00 **to** 20-OCT-2014 23:30:00 **Page:** 1

PDTs: PMDT4699
Units: 810R
Persid:
Text:

Msgnumber	Creation Date	Sender Wkstn	Sender PID	Sender Unit	Message	Receiver Wkstn	Receiver PID	Receiver Unit
883735103	20-OCT-2014 21:38:44	PMDT6024	[redacted]	815R	8489 cam working	PMDT4699	[redacted]	810,810R
883735116	20-OCT-2014 21:39:03	PMDT4699		810,810R	THIS IS A SYSTEM GENERATED ACKNOWLEDGEMENT MESSAGE. STEPHEN D FRANKO on workstation PMDT4699 received message number 883735103 at 21:39:03 on 20-Oct-14	PMDT6024		815R
883735585	20-OCT-2014 21:45:17	PMDT4663		811R	8884 tix 6914947	PMDT4699		810,810R
883735677	20-OCT-2014 21:46:02	PMDT4699		810,810R	car & camera	PMDT4706		813R
883735677	20-OCT-2014 21:46:02	PMDT4699		810,810R	car & camera	PMDT4751		841R
883735706	20-OCT-2014 21:46:29	PMDT4706		813R	8779 working...TGIF :)	PMDT4699		810,810R
883735714	20-OCT-2014 21:46:40	PMDT4751		841R	8948 ticket#10668611	PMDT4699		810,810R
883735725	20-OCT-2014 21:46:44	PMDT4699		810,810R	THIS IS A SYSTEM GENERATED ACKNOWLEDGEMENT MESSAGE. STEPHEN D FRANKO on workstation PMDT4699 received message number 883735706 at 21:46:44 on 20-Oct-14	PMDT4706		813R
883735770	20-OCT-2014 21:47:11	PMDT4699		810,810R	yay	PMDT4706		813R
883735787	20-OCT-2014 21:47:25	PMDT4699		810,810R	THIS IS A SYSTEM GENERATED ACKNOWLEDGEMENT MESSAGE. STEPHEN D FRANKO on workstation PMDT4699 received message number 883735714 at 21:47:25 on 20-Oct-14	PMDT4751		841R
883736998	20-OCT-2014 21:59:59	PMDT5200		811R,835R,865B	+ we r stuck by a train on 79th central park	PMDT4699		810,810R
883745466	20-OCT-2014 23:29:53	PMDT5182		812R	car 9076 and camera is working	PMDT4699		810,810R

FOUO - Not for public dissemination without the sender's knowledge. This document contains sensitive communications and cannot be shared without written authorization of the Office of Emergency Management and Communications (OEMC).

LOG# 1072125
Attachment 54

ICAGO POLICE DEPARTMENT

ASE SUPPLEMENTARY REPORT

0 S. Michigan Avenue, Chicago, Illinois 60653
use by Chicago Police - Bureau of Investigative Services Personnel Only)

HX475653

Case id : 9825613
Sup id : 10988891 CASR339

ROGRESS-VIOLENT(SCENE) | **DETECTIVE SUP. APPROVAL COMPLETE**

st Offense Classification/Re-Classification	IUCR Code	Original Offense Classification			IUCR Code
AULT / Aggravated Po:Knife/Cut Instr	0552	ASSAULT / Aggravated Po:Knife/Cut Instr			0552
ddress of Occurrence	Beat of Occur	No of Victims	No of Offenders	No of Arrested	SCR No
112 S PULASKI RD	815	4	1	1	
ocation Type	Location Code	Secondary Location			Hate Crime
treet	304				No
ate of Occurrence	Unit Assigned	Date RO Arrived	Fire Related?	Gang Related?	Domestic Related?
0-OCT-2014 21:57	0841R	20-OCT-2014 21:57	NO	NO	NO

eporting Officer	Star No	Approving Supervisor	Star No	Primary Detective Assigned	Star No
MARCH, David	20563	WOJCIK, Anthony	481	MARCH, David	20563
ate Submitted		Date Approved		Assignment Type	
5-MAR-2015 18:23		16-MAR-2015 00:03		FIELD	

HIS IS A FIELD INVESTIGATION PROGRESS-VIOLENT(SCENE) REPORT

/ICTIM(S):

GAFFNEY, Thomas J
Male / White / 41 Years
EMPLOYMENT: Chicago Police Officer #19958

EMPLOYER BUSINESS NME: Chicago Police Department

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

VAN DYKE, Jason D
Male / White / 36 Years
EMPLOYMENT: Chicago Police Officer #9465

EMPLOYER BUSINESS NME: Chicago Police Department

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

WALSH, Joseph J
Male / White / 45 Years
EMPLOYMENT: Chicago Police Officer #12865

EMPLOYER BUSINESS NME: Chicago Police Department

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

HX475653

MCELLIGOTT, Joseph P
Male / White / 36 Years
EMPLOYMENT: Chicago Police Officer #18715

EMPLOYER BUSINESS NME: Chicago Police Department

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

FFENDER(S) **MCDONALD, Laquan J** -- In Custody--

ALIAS: "Bon-Bon"
Male / Black / 17 Years
DOB: 25-SEP-1997
DESCRIPTION: 6'02, 180, Black Hair, Dreadlocks Hair Style, Brown Eyes, Medium Complexion
RES: [redacted]

BIRTH PLACE: Illinois
DLN/ID: [redacted] IL
OTHER IDENTIFICATIONS: **Type -** Other Id
State - Unknown

IR#: 2106340
SID#: IL185507
21

RELATIONSHIP OF VICTIM TO OFFENDER:

GAFFNEY, Thomas J	- No Relationship
MCELLIGOTT, Joseph P	- No Relationship
VAN DYKE, Jason D	- No Relationship
WALSH, Joseph J	- No Relationship

GANG INFORMATION:

-

LISTED CRIMINAL ORGANIZATION: New Breed

GANG IDENTIFIERS: Other

ITEM USED:
Weapon

)FFENDER INJURIES: **MCDONALD, Laquan J**

Type	Weapon Used	Weapon Description
Gun Shot Wound	Handgun	Other - Handgun

Injured by Police
Chicago Fire Department Provided First Aid
EXTENT OF INJURY: Multiple Gsw
HOSPITAL REMOVED BY: Cfd Ambulance 21

INJURY TREATMENT: Multiple Gsw

PHYSICIAN NAME: Dr Pitzele

PON(S): **INV#:** **13296449**

Evidence

Smith & Wesson -Us- (Bodyguard,Chief Special), 5942, 9, Semi-Automatic Pistol, Semi-Automatic, 4", Stainless
SERIAL#: TDU5969
PROPERTY TYPE: OTHER

OWNER: Van Dyke, Jason
POSSESSOR/USER: VAN DYKE, JASON

PHONE #: 312 - 747 - 8730
LOCATION FOUND: 5101 S WENTWORTH AVE

Number Of Live Rounds present in the Firearm - 15
Number Of Live Rounds used in the Firearm - 16
The Status Of This Firearm is 628361

EHICLE INFO: **Truck, 2010 / Chevrolet / Tahoe / Truck**
Victim's Vehicle
VIN: 1GNMCAE0XAR263348
YEAR (RANGE): 2010
COLOR(TOP/BOTTOM): White / White
OWNER: Chicago Police Department
POSSESSOR/USER: GAFFNEY, THOMAS
PHONE#: 312 - 747 - 8730
The Vehicle was Seized
LOCATION FOUND: 4102 S PULASKI RD

LICENSE: Mp6581, Law Enforcement (City, County, State, Sos), IL

LOCATION OF INCIDENT:
4112 S Pulaski Rd
Chicago IL
304 - Street

DATE & TIME OF INCIDENT:
20-OCT-2014 21:57

JUST HOMICIDE DESCRIPTION: Criminal Killed By Police Officer

ADDITIONAL JUST HOMICIDE DESCR.: Criminal Attacked Officer That Officer Killed Criminal

WEATHER AND LIGHTING:
WEATHER: Cloudy & Cool
TEMPERATURE: 50s
LIGHTING: Dark / Artificial Light
LIGHTING SOURCE: Streetlights

DISTANCE: Overhead

)TIVE CODE(S): Interceding In A Felony

USE CODE(S): Dna

HOD CODE(S): Offender Shot

U CODE(S): Police Related Not Con

REARM(S) COVERED: **INV #:** **13296449**
Evidence

Smith & Wesson -Us- (Bodyguard,Chief Special), 5942, 9, Semi-Automatic Pistol, Semi-Automatic, 4", Stainless

SERIAL#: TDU5969

PROPERTY TYPE: OTHER

OWNER: Van Dyke, Jason

POSSESSOR/USER: VAN DYKE, JASON

PHONE #: 312 - 747 - 8730

LOCATION FOUND: 5101 S WENTWORTH AVE

Number Of Live Rounds present in the Firearm - 15
Number Of Live Rounds used in the Firearm - 16
The Status Of This Firearm is 628361

EHICLE(S) DAMAGED: **Truck, 2010 / Chevrolet / Tahoe / Truck**
Evidence

VIN: 1GNMCAE0XAR263348

YEAR - YEAR RANGE END: 2010

COLOR (TOP/BOTTOM): White / White

OWNER: Chicago Police Department

POSSESSOR/USER: GAFFNEY, THOMAS

PHONE#: 312 - 747 - 8730

LOCATION FOUND: 4102 S PULASKI RD

LICENSE: Mp6581, Law Enforcement (City, County, State, Sos), IL

PERSONNEL ASSIGNED:

Detective/Investigator
MARCH, David M # 20563

Reporting Officer
FONTAINE, Dora # 4484 **BEAT:** 0841R

WITNESS(ES): [redacted]

[redacted]

MONDRAGON, Janet

Female / White Hispanic / 37 Years
EMPLOYMENT: Chicago Police Officer #4364

BUS: 3420 W 63rd St
Chicago IL
312-747-
8730

[redacted]

[redacted]

OTHER COMMUNICATIONS:

Cellular Phone: [redacted]

VELEZ, Leticia

Female / White Hispanic / 43 Years

EMPLOYMENT: Chicago Police Officer #10385

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

BACERRA, Arturo

Male / White Hispanic / 32 Years

EMPLOYMENT: Chicago Police Officer #15790

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

FONTAINE, Dora

Female / White Hispanic / 47 Years

EMPLOYMENT: Chicago Police Officer #4484

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

[redacted]

DLN/ID: [redacted] - IL

SEBASTIAN, Daphne L

Female / White / 45 Years

EMPLOYMENT: Chicago Police Officer #2763

BUS: 3420 W 63rd St
Chicago IL
312-747-
8730

[redacted]

VIRAMONTES, Ricardo

Male / White Hispanic / 41 Years

EMPLOYMENT: Chicago Police Officer #10590

BUS: 3420 W 63rd St
Chicago IL
312-747-
8730

OTHER INDIVIDUALS INVOLVED:

[redacted] (Additional Victim)

(Family Member Notified)

[redacted]

(Person Interviewed
Non-Witness)

[redacted]

(Person Interviewed
Non-Witness)

CRIME CODE SUMMARY: 0552 - Assault - Aggravated Po:Knife/Cut Instr

IUCR ASSOCIATIONS:

0552 - Assault - Aggravated Po:Knife/Cut Instr

GAFFNEY, Thomas, J	(Victim)	
MCDONALD, Laquan, J		(Offender)
MCELLIGOTT, Joseph, P	(Victim)	
MCDONALD, Laquan, J		(Offender)
VAN DYKE, Jason, D	(Victim)	
MCDONALD, Laquan, J		(Offender)
WALSH, Joseph, J	(Victim)	
MCDONALD, Laquan, J		(Offender)

NCIDENT NOTIFICATION: **NOTIFICATION DATE & TIME:** 10/20/2014:230700

REQUEST TYPE: Notification

PERSON NAME: ,Sarlo

STAR #: 13131

IDENT NOTIFICATION: **NOTIFICATION DATE & TIME:** 10/20/2014:231400

REQUEST TYPE: Notification

PERSON NAME: ,Jines

STAR #: 4898

IDENT NOTIFICATION: **NOTIFICATION DATE & TIME:** 10/20/2014:215000

REQUEST TYPE: On Scene

PERSON NAME: ,March

STAR #: 20563

CIDENT NOTIFICATION: **NOTIFICATION DATE & TIME:** 10/21/2014:225800

REQUEST TYPE: Notification

PERSON NAME: ,Chibe

STAR #: 7303

ICIDENT NOTIFICATION: **NOTIFICATION DATE & TIME:** 10/20/2014:235000

REQUEST TYPE: Notification

PERSON NAME: ,Briggs

EMP #: 76

EPORT DISTRIBUTIONS: No Distribution

NVESTIGATION:

AREA CENTRAL FIELD INVESTIGATION:

Progress - Scene Report.

TYPE OF INCIDENT:

ASSAULT / Aggravated of a Police Officer - Knife
IUCR - 0552.

RECORDS DIVISION NUMBER:

HX475653.

EVENT NUMBER:

1429315878.

DATE AND TIME:

Mon, 20 Oct 2014, 21:57 hours.

LOCATION:

4112 S Pulaski Rd,
on the street - Beat 815.

WEATHER AND LIGHTING:

Cloudy and cool, temperature in the 50s.
Dark with good artificial light provided by overhead streetlights, all on and functioning normally. Additional artificial light provided by lighting of nearby businesses.

DATE AND TIME ASSIGNED:

Mon, 20 Oct 2014, 22:00 hours,
by Sgt D GALLAGHER #1303.

VICTIMS:

VAN DYKE, Jason D,
CPD - PO, #9465,
M / W / 36,
Assigned to 008th District,
3420 W 63rd St,
312-747-8730,
On duty,
Beat 845R,
In uniform -
Light blue long sleeve shirt with shoulder patches,
Black body armor vest with patches,
Navy blue cargo pants,
Equipment belt with handgun and radio,
Marked vehicle -
CPD vehicle # 6412,
Chevrolet Tahoe, four door SUV,
Illinois license plate # M172910.

WALSH, Joseph J,
CPD - PO, #12865
M / W / 45,
Assigned to 008th District,
3420 W 63rd St,
312-747-8730,
On duty,
Beat 845R,
In uniform -

Light blue long sleeve shirt with shoulder patches,
Black body armor vest with patches,
Navy blue cargo pants,
Equipment belt with handgun and radio,
Marked vehicle -
CPD vehicle # 6412,
Chevrolet Tahoe, four door SUV,
Illinois license plate # M172910.

GAFFNEY, Thomas J,
CPD - PO, #19958,
M / W / 41,
Assigned to 008th District,
3420 W 63rd St,
312-747-8730,
On duty,
Beat 815R,
In uniform -
Uniform baseball style cap with embroidered patch,
Light blue long sleeve shirt with shoulder patches,
Black body armor vest with patches,
Navy blue cargo pants,
Equipment belt with handgun and radio,
Marked vehicle -
CPD vehicle # 8489,
Chevrolet Tahoe, four door SUV,
Illinois license plate # MP6581.

MCELLIGOTT, Joseph P,
CPD - PO, #18715,
M / W / 36,
Assigned to 008th District,
3420 W 63rd St,
312-747-8730,
On duty,
Beat 815R,
In uniform -
Light blue long sleeve shirt with shoulder patches,
Black body armor vest with patches,
Navy blue cargo pants,
Equipment belt with handgun and radio,
Marked vehicle -
CPD vehicle # 8489,
Chevrolet Tahoe, four door SUV,
Illinois license plate # MP6581.

ADDITIONAL VICTIMS:

ASSAULT / Aggravated - Knife
IUCR - 0520.

[redacted]

INJURIES:

No injuries to any victims.

OFFENDERS:

Deceased -----
MCDONALD, Laquan J,
Nickname - "Bon-Bon,"
M / B / 17, DOB 25 Sep 1997,
[redacted]
Gang - New Breeds per CPD records,
6'02",
180 lbs,
Slender build,
Black hair in dreadlocks,
Brown eyes,
Medium complexion,
Il ID # [redacted]
SID# IL18550721,
IR# 2106340.

CLOTHING:

Inventory # 13296470 (Unit 277)
1 - Black hooded sweatshirt,
1 - Black sweatshirt,
1 - Pair blue jean pants,
1 - Pair black boxer shorts underwear,
1 - Pair black socks,
1 - Pair black gym shoes.
Recovered at the Office of the Medical Examiner

by Crime Lab Beat 5809.
To ERPS - No analysis needed at this time.

IDENTIFIED BY:

State of Illinois ID Card on Laquan MCDONALD's person.

FAMILY NOTIFICATION:

[redacted]
Uncle of Laquan MCDONALD.

INJURIES:

Fatal
1 - GSW to left neck, lodged,
1 - GSW, T & T, entrance left chest, exit rear left shoulder,
1 - GSW to right chest, lodged,
1 - GSW, T & T, entrance outer rear left elbow,
exit inner front left elbow,
1 - GSW, T & T, entrance rear upper right arm,
exit front upper right arm,
1 - GSW, T & T, entrance back of left wrist,
exit front of left forearm,
1 - GSW, T & T, entrance front of right hip, exit inner right thigh,
1 - GSW, T & T, entrance rear upper left shoulder,
exit left shoulder blade,
1 - GSW, T & T, entrance outer rear left elbow,
exit inner rear left elbow,
1 - GSW, T & T, entrance rear right shoulder,
exit upper right back,
1 - GSW to back of right arm, just below elbow, lodged,
1 - GSW to back of right wrist, lodged,
1 - GSW to back of right hand, lodged,
1 - GSW to right buttocks, lodged,
1 - GSW to back of right thigh, lodged,
1 - GSW, graze wound to left side top of head.

TAKEN TO:

Mount Sinai Hospital by CFD Ambulance 21.

PRONOUNCED BY:

Dr PITZELE, at Mount Sinai Hospital,
Mon, 20 Oct 2014, at 22:42 hours.

MEDICAL EXAMINER CASE NUMBER:

2014 - 01071.

WEAPONS:

Offender, MCDONALD, Laquan J -----
Inventory # 13296495 (Unit 277)
1 - Folding knife,
7" overall, 3" blade (Marker C).
Recovered from the street at 4112 S Pulaski Rd,
by Crime Lab Beat 5802. Blade locked open when recovered.
Request for analysis by Latent Prints Section.

Victim, VAN DYKE, Jason D (PO) -----
Inventory # 13296449 (Unit 277)
1 - Smith and Wesson, Model 5942, 9 mm caliber,
semi-automatic pistol, stainless steel, 4" barrel,
serial # TDU5969,
1 - 9 mm caliber cartridge from firing chamber,
14 - 9 mm caliber cartridges from magazine,
2 - Fifteen round magazines.
Recovered in the Bureau of Detectives - Area Central office
by ET Beat 5824.
IL FOID card # 95380037,
expiration 01 May 2019,
Chicago registration # 628361.
Request for analysis by Firearms Section.

VEHICLES:

CPD vehicle damaged by Laquan MCDONALD -
CPD vehicle # 8489,
Beat 815R,
Marked vehicle,
2010 Chevrolet Tahoe, four door SUV, white / white,
VIN - 1GNMCAE0XAR263348,
IL license plate # MP6581.
Right front tire flat after MCDONALD stabbed the tire with a knife,
damage to right side of windshield from knife.

MANNER / MOTIVE:

Laquan MCDONALD was shot and killed by Chicago Police
Officer Jason VAN DYKE while MCDONALD was committing an

aggravated assault with a knife against Officer VAN DYKE and his partner, Chicago Police Officer Joseph WALSH. MCDONALD also committed an aggravated assault with a knife against Chicago Police Officers Thomas GAFFNEY and Joseph MCELLIGOTT, when MCDONALD stabbed the right front tire and windshield of their police vehicle, and an aggravated assault with a knife against civilian, Rudy BARILLAS, immediately prior to being confronted by Officers VAN DYKE and WALSH. / Peace officer interceding in a felony, in the line of duty-Defense of life (Offender apparently attempting to defeat arrest).

REFERENCE NUMBERS:

U # 2014 - 36.

Log # 1072125.

RD# HX486155
HOMICIDE / Justifiable Homicide
IUCR - 0150.

PROPERTY TAKEN:

None.

EVIDENCE:

Video of scene taken by Crime Lab Beat 5802.

Photographs of scene taken by Crime Lab Beat 5802.

Photographs of victim police officers taken by ET Beat 5824.

See Weapons and Clothing categories above.

Inventory # 13296485 (Unit 277)
14 - 9 mm caliber cartridge cases (Markers 1 & 4 - 16).
Recovered from the street at 4112 S Pulaski Rd
by Crime Lab Beat 5802.
Request for analysis by Firearms Section.

Inventory # 13296489 (Unit 277)
2 - 9 mm caliber cartridge cases (Markers 2 & 3).
Recovered from the street at 4112 S Pulaski Rd
by Crime Lab Beat 5802.
Request for analysis by Firearms Section.

Inventory # 13296500 (Unit 277)

1 - Swab box containing two swabs of suspect red blood stains
(Marker B).
Recovered from the street at 4112 S Pulaski Rd
by Crime Lab Beat 5802.
To ERPS - No analysis needed at this time.

Inventory # 13296511 (Unit 277)
5 - Metal fragments (Markers A, D, E, F & G).
Recovered from the street at 4112 S Pulaski Rd
by Crime Lab Beat 5802.
Request for analysis by Firearms Section.

Inventory # 13296523 (Unit 277)
1 - Firestone Firehawk tire with damage, attached to rim.
Recovered from CPD vehicle # 8489 (Beat 815R),
at 4102 S Pulaski Rd, by Crime Lab Beat 5802.
To ERPS - No analysis needed at this time.

Inventory # 13296528 (Unit 277)
4 - Ridge impression lifts.
Recovered from the right front quarter panel of CPD vehicle
8489 (Beat 815R), by Crime Lab Beat 5802.
To ERPS - No analysis needed at this time.

Inventory # 13296534 (Unit 277)
1 - Envelope containing metal fragments,
recovered from the sweater of Laquan MCDONALD,
by Crime Lab Beat 5802,
3 - Metal fragments in a container,
recovered from Laquan MCDONALD at Mount Sinai Hospital,
given to Det W JOHNSON #20169, by RN Allan GAYAN,
turned over to Crime Lab Beat 5802,
at Mount Sinai Hospital.
Request for analysis by Firearms Section.

Inventory # 13296451 (Unit 277)
1 - Set of elimination prints, including palms,
from PO J MCELLIGOTT #18715.
Taken by ET Beat 5824.
To ERPS - No analysis needed at this time.

Inventory # 13296452 (Unit 277)
1 - Set of elimination prints, including palms,
from PO T GAFFNEY #19958.
Taken by ET Beat 5824.
To ERPS - No analysis needed at this time.

Inventory # 13296464 (Unit 277)

1 - Sealed ME blood card.
Recovered at the Office of the Medical Examiner
by Crime Lab Beat 5809.
To ERPS - No analysis needed at this time.

Inventory # 13296668 (Unit 277)
1 - Sealed ME bullet envelope.
Recovered at the Office of the Medical Examiner
by Crime Lab Beat 5809.
Request for analysis by Firearms Section.

Inventory # 13337048 (Unit 610)
1 - CD containing compilation of video.
Created by Det R HAGEN #20606.

Inventory # 13337053 (Unit 610)
1 - CD containing video from the Greater Chicago Food
Depository, 4100 W Ann Lurie Pl.
Recovered by Det J MALIK #20729.

Inventory # 13337056 (Unit 610)
1 - CD containing video from in-car camera, Beat 845R,
1 - CD containing video from in-car camera, Beat 813R.

Inventory # 13337060 (Unit 610)
1 - CD containing video from Dunkin' Donuts, 4113 S Pulaski Rd.
Recovered by Det R HAGEN #20606.

Inventory # 13337065 (Unit 610)
1 - DVD containing video from Focal Point, 4141 S Pulaski Rd.
Recovered by Det J MALIK #20729.

Inventory # 13337077 (Unit 610)
1 - CD containing OEMC audio recording of call to 9-1-1,
1 - CD containing OEMC audio recording
of CPD radio zone 6 transmissions.

Inventory # 13337080 (Unit 610)
1 - CD containing photos from ME autopsy.

Inventory # 13337087 (Unit 610)
1 - State of Illinois ID card, Lequan J MCDONALD,
1 - RTA ADA Paratransit & Reduced Fare Card,
Earnest THOMAS,
1 - Ventra, CTA ticket,
1 - Receipt for above Ventra, CTA ticket.
Recovered from Laquan MCDONALD at Mount Sinai Hospital.

Inventory # 13394378 (Unit 610)
1 - Disk containing video from in-car camera, Beat 815R (No relevant footage).

Inventory # 13394389 (Unit 610)
3 - DVDs containing video from Burger King restaurant at 4060 S Pulaski Rd (No relevant footage).

Inventory # 13394394 (Unit 610)
1 - DVD containing video from in-car camera, CPD vehicle # 9049 (No relevant footage).

Inventory # 13394398 (Unit 610)
1 - CPD Officer Safety Alert, # 2012-OSA-297.

PERSONNEL ASSIGNED:

Car 41 (Bureau of Patrol - Area Central / OCIC)
D/C D MCNAUGHTON #120

Beat 800
Cmdr J O'DONNELL #13
Beat 800X
Capt D WALSH #107
Beat 810R
Sgt S FRANKO #1381
Beat 830R
Sgt P MCGLYNN #1734
Beat 841R (Original report)
PO D FONTAINE #12698
PO R VIRAMONTES #10590
Beat 821R (Scene)
PO P KENNING #8302
PO R ROSALES #9654
Beat 823R (Scene)
PO D IVANKOVICH #12392
PO J TORRES #19898
Beat 833R (Scene)
PO A VANCE #11830
PO J GEISBUSH #16422
Beat 851R (Scene)
PO L GARCIA #6490
PO E FLAGG #12037
Beat 825R (Scene)
PO M POWER #8661
PO D WAHRER #13454
Beat 842 (Mt Sinai Hospital)
PO T DZIADKOWIEC #15529

PO C GACEK #17853
Beat 846R (Mt Sinai Hospital)
PO L TORRES #10573
PO M VEGA #8526

Beat 9210 (In-car camera system)
Sgt L BECVAR #1748

Beat 5880
Sgt D FRIEL #819
Beat 5802 (Scene)
FI C BRASIC #10201
ET K JUDEH #8825
Beat 5824 (Area Central)
ET P RIDER #9977
Beat 5809 (ME)
FI V RIVERA #11520
Beat 5885 (MIRV)
Det M RICKER #20201

Beat 5100
Cmdr E ROY #62
Beat 5105
Lt A WOJCIK #481
Beat 5107
Lt O VALDEZ #529
Beat 5120
Sgt D GALLAGHER #1303
Beat 5121
Det D MARCH #20563
Beat 5122
Det G JONES #21285
Beat 5131
Det J HALLORAN #20453
Det J MURRAY #21128
Beat 5132
Det F CASALE #21041
Det D HICKEY #20723
Beat 5165B
Det R HAGEN #20606
Det A MANAOIS #20320
Beat 5166A
Det R RANZZONI #20162
Beat 5127
Det V WATHEN #20493
Beat 5193
Det M NESTAD #20505
Det W JOHNSON #20169

Beat 5194
Det A GLAVIANO #21443
Beat 5192
Det T TEAHAN #20462
Beat 5125
Det T CURRAN #20948
Beat 5102D
Det B SVEC #20941
Beat 5142
Det S ESPARZA #20140
Beat 5106B
Det J MALIK #20729

IPRA
Chief of Staff S HIRSCH #3
Supervisor A AMEZAGA #022
Investigator B KILLEN #129
Public Affairs L MERRITT #23

FOP
PO Marlon HARVEY #16468
Kriston KATO
Daniel HERBERT (Attorney)

WITNESSES:

SEBASTIAN, Daphne L,
CPD - PO, #2763,
F / W / 45,
Assigned to 008th District,
3420 W 63rd St,
312-747-8730,
Beat 813R
(Circumstantial witness).

MONDRAGON, Janet,
CPD - PO, #4364,
F / WH / 37,
Assigned to 008th District,
3420 W 63rd St,
312-747-8730,
Beat 813R
(Circumstantial witness).

BACERRA, Arturo,
CPD - PO, #15790,
M / WH / 32,
Assigned to 008th District,

3420 W 63rd St,
312-747-8730,
Beat 822
(Circumstantial witness).

VELEZ, Leticia,
CPD - PO, #10385,
F / WH / 43,
Assigned to 008th District,
3420 W 63rd St,
312-747-8730,
Beat 822
(Circumstantial witness).

FONTAINE, Dora,
CPD - PO, #4484
F / WH / 47,
Assigned to 008th District,
3420 W 63rd St,
312-747-8730,
Beat 841R
(Eyewitness).

VIRAMONTES, Ricardo,
CPD - PO, #10590,
M / WH / 41,
Assigned to 008th District,
3420 W 63rd St,
312-747-8730,
Beat 841R
(Eyewitness).

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

INTERVIEWED:

[redacted]

[redacted]

INVESTIGATION:

The details of this investigation are documented in the following Exceptionally Cleared Closed Report.

REPORT OF:

Detective David M MARCH #20563
Sergeant Daniel GALLAGHER #1303
Lieutenant Anthony WOJCIK #481
Bureau of Detectives - Area Central

ICAGO POLICE DEPARTMENT

ASE SUPPLEMENTARY REPORT

0 S. Michigan Avenue, Chicago, Illinois 60653
use by Chicago Police - Bureau of Investigative Services Personnel Only)

HX475653

Case id : 9825613
Sup id : 10988891 CASR339

ROGRESS-VIOLENT(SCENE) | **DETECTIVE SUP. APPROVAL COMPLETE**

st Offense Classification/Re-Classification	IUCR Code	Original Offense Classification			IUCR Code
AULT / Aggravated Po:Knife/Cut Instr	0552	ASSAULT / Aggravated Po:Knife/Cut Instr			0552
ddress of Occurrence	Beat of Occur	No of Victims	No of Offenders	No of Arrested	SCR No
112 S PULASKI RD	815	4	1	1	
ocation Type	Location Code	Secondary Location			Hate Crime
treet	304				No
ate of Occurrence	Unit Assigned	Date RO Arrived	Fire Related?	Gang Related?	Domestic Related?
0-OCT-2014 21:57	0841R	20-OCT-2014 21:57	NO	NO	NO

eporting Officer	Star No	Approving Supervisor	Star No	Primary Detective Assigned	Star No
MARCH, David	20563	WOJCIK, Anthony	481	MARCH, David	20563
ate Submitted		Date Approved		Assignment Type	
5-MAR-2015 18:23		16-MAR-2015 00:03		FIELD	

HIS IS A FIELD INVESTIGATION PROGRESS-VIOLENT(SCENE) REPORT

/ICTIM(S):

GAFFNEY, Thomas J
Male / White / 41 Years
EMPLOYMENT: Chicago Police Officer #19958

EMPLOYER BUSINESS NME: Chicago Police Department

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

VAN DYKE, Jason D
Male / White / 36 Years
EMPLOYMENT: Chicago Police Officer #9465

EMPLOYER BUSINESS NME: Chicago Police Department

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

WALSH, Joseph J
Male / White / 45 Years
EMPLOYMENT: Chicago Police Officer #12865

EMPLOYER BUSINESS NME: Chicago Police Department

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

HX475653

MCELLIGOTT, Joseph P
Male / White / 36 Years
EMPLOYMENT: Chicago Police Officer #18715

EMPLOYER BUSINESS NME: Chicago Police Department

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

FFENDER(S) **MCDONALD, Laquan J** -- In Custody--

ALIAS: "Bon-Bon"
Male / Black / 17 Years
DOB: 25-SEP-1997
DESCRIPTION: 6'02, 180, Black Hair, Dreadlocks Hair Style, Brown Eyes, Medium Complexion
RES: [redacted]

BIRTH PLACE: Illinois
DLN/ID: [redacted] IL
OTHER IDENTIFICATIONS: **Type -** Other Id
State - Unknown

IR#: 2106340
SID#: IL185507
21

RELATIONSHIP OF VICTIM TO OFFENDER:

GAFFNEY, Thomas J	- No Relationship
MCELLIGOTT, Joseph P	- No Relationship
VAN DYKE, Jason D	- No Relationship
WALSH, Joseph J	- No Relationship

GANG INFORMATION:

-

LISTED CRIMINAL ORGANIZATION: New Breed

GANG IDENTIFIERS: Other

ITEM USED:
Weapon

)FFENDER INJURIES: **MCDONALD, Laquan J**

Type	Weapon Used	Weapon Description
Gun Shot Wound	Handgun	Other - Handgun

Injured by Police
Chicago Fire Department Provided First Aid
EXTENT OF INJURY: Multiple Gsw
HOSPITAL REMOVED BY: Cfd Ambulance 21

INJURY TREATMENT: Multiple Gsw

PHYSICIAN NAME: Dr Pitzele

PON(S): **INV#:** **13296449**

Evidence

Smith & Wesson -Us- (Bodyguard,Chief Special), 5942, 9, Semi-Automatic Pistol, Semi-Automatic, 4", Stainless
SERIAL#: TDU5969
PROPERTY TYPE: OTHER

OWNER: Van Dyke, Jason
POSSESSOR/USER: VAN DYKE, JASON

PHONE #: 312 - 747 - 8730
LOCATION FOUND: 5101 S WENTWORTH AVE

Number Of Live Rounds present in the Firearm - 15
Number Of Live Rounds used in the Firearm - 16
The Status Of This Firearm is 628361

EHICLE INFO: **Truck, 2010 / Chevrolet / Tahoe / Truck**
Victim's Vehicle
VIN: 1GNMCAE0XAR263348
YEAR (RANGE): 2010
COLOR(TOP/BOTTOM): White / White
OWNER: Chicago Police Department
POSSESSOR/USER: GAFFNEY, THOMAS
PHONE#: 312 - 747 - 8730
The Vehicle was Seized
LOCATION FOUND: 4102 S PULASKI RD

LICENSE: Mp6581, Law Enforcement (City, County, State, Sos), IL

LOCATION OF INCIDENT:
4112 S Pulaski Rd
Chicago IL
304 - Street

DATE & TIME OF INCIDENT:
20-OCT-2014 21:57

JUST HOMICIDE DESCRIPTION: Criminal Killed By Police Officer

ADDITIONAL JUST HOMICIDE DESCR.: Criminal Attacked Officer That Officer Killed Criminal

WEATHER AND LIGHTING:
WEATHER: Cloudy & Cool
TEMPERATURE: 50s
LIGHTING: Dark / Artificial Light
LIGHTING SOURCE: Streetlights

DISTANCE: Overhead

)TIVE CODE(S): Interceding In A Felony

USE CODE(S): Dna

HOD CODE(S): Offender Shot

U CODE(S): Police Related Not Con

REARM(S) COVERED: **INV #:** **13296449**
Evidence

Smith & Wesson -Us- (Bodyguard,Chief Special), 5942, 9, Semi-Automatic Pistol, Semi-Automatic, 4", Stainless

SERIAL#: TDU5969

PROPERTY TYPE: OTHER

OWNER: Van Dyke, Jason

POSSESSOR/USER: VAN DYKE, JASON

PHONE #: 312 - 747 - 8730

LOCATION FOUND: 5101 S WENTWORTH AVE

Number Of Live Rounds present in the Firearm - 15
Number Of Live Rounds used in the Firearm - 16
The Status Of This Firearm is 628361

EHICLE(S) DAMAGED: **Truck, 2010 / Chevrolet / Tahoe / Truck**
Evidence

VIN: 1GNMCAE0XAR263348

YEAR - YEAR RANGE END: 2010

COLOR (TOP/BOTTOM): White / White

OWNER: Chicago Police Department

POSSESSOR/USER: GAFFNEY, THOMAS

PHONE#: 312 - 747 - 8730

LOCATION FOUND: 4102 S PULASKI RD

LICENSE: Mp6581, Law Enforcement (City, County, State, Sos), IL

PERSONNEL ASSIGNED:

Detective/Investigator
MARCH, David M # 20563

Reporting Officer
FONTAINE, Dora # 4484 **BEAT:** 0841R

WITNESS(ES): [redacted]

[redacted]

MONDRAGON, Janet

Female / White Hispanic / 37 Years
EMPLOYMENT: Chicago Police Officer #4364

BUS: 3420 W 63rd St
Chicago IL
312-747-
8730

[redacted]

[redacted]

OTHER COMMUNICATIONS:

Cellular Phone: [redacted]

VELEZ, Leticia

Female / White Hispanic / 43 Years

EMPLOYMENT: Chicago Police Officer #10385

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

BACERRA, Arturo

Male / White Hispanic / 32 Years

EMPLOYMENT: Chicago Police Officer #15790

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

FONTAINE, Dora

Female / White Hispanic / 47 Years

EMPLOYMENT: Chicago Police Officer #4484

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

[redacted]

DLN/ID: [redacted] - IL

SEBASTIAN, Daphne L

Female / White / 45 Years

EMPLOYMENT: Chicago Police Officer #2763

BUS: 3420 W 63rd St
Chicago IL
312-747-
8730

[redacted]

VIRAMONTES, Ricardo

Male / White Hispanic / 41 Years

EMPLOYMENT: Chicago Police Officer #10590

BUS: 3420 W 63rd St
Chicago IL
312-747-
8730

OTHER INDIVIDUALS INVOLVED:

[redacted] (Additional Victim)

(Family Member Notified)

[redacted]

(Person Interviewed
Non-Witness)

[redacted]

(Person Interviewed
Non-Witness)

CRIME CODE SUMMARY: 0552 - Assault - Aggravated Po:Knife/Cut Instr

IUCR ASSOCIATIONS:

0552 - Assault - Aggravated Po:Knife/Cut Instr

GAFFNEY, Thomas, J	(Victim)	
MCDONALD, Laquan, J		(Offender)
MCELLIGOTT, Joseph, P	(Victim)	
MCDONALD, Laquan, J		(Offender)
VAN DYKE, Jason, D	(Victim)	
MCDONALD, Laquan, J		(Offender)
WALSH, Joseph, J	(Victim)	
MCDONALD, Laquan, J		(Offender)

NCIDENT NOTIFICATION: **NOTIFICATION DATE & TIME:** 10/20/2014:230700

REQUEST TYPE: Notification

PERSON NAME: ,Sarlo

STAR #: 13131

IDENT NOTIFICATION: **NOTIFICATION DATE & TIME:** 10/20/2014:231400

REQUEST TYPE: Notification

PERSON NAME: ,Jines

STAR #: 4898

IDENT NOTIFICATION: **NOTIFICATION DATE & TIME:** 10/20/2014:215000

REQUEST TYPE: On Scene

PERSON NAME: ,March

STAR #: 20563

CIDENT NOTIFICATION: **NOTIFICATION DATE & TIME:** 10/21/2014:225800

REQUEST TYPE: Notification

PERSON NAME: ,Chibe

STAR #: 7303

ICIDENT NOTIFICATION: **NOTIFICATION DATE & TIME:** 10/20/2014:235000

REQUEST TYPE: Notification

PERSON NAME: ,Briggs

EMP #: 76

EPORT DISTRIBUTIONS: No Distribution

NVESTIGATION:

AREA CENTRAL FIELD INVESTIGATION:

Progress - Scene Report.

TYPE OF INCIDENT:

ASSAULT / Aggravated of a Police Officer - Knife
IUCR - 0552.

RECORDS DIVISION NUMBER:

HX475653.

EVENT NUMBER:

1429315878.

DATE AND TIME:

Mon, 20 Oct 2014, 21:57 hours.

LOCATION:

4112 S Pulaski Rd,
on the street - Beat 815.

WEATHER AND LIGHTING:

Cloudy and cool, temperature in the 50s.
Dark with good artificial light provided by overhead streetlights, all on and functioning normally. Additional artificial light provided by lighting of nearby businesses.

DATE AND TIME ASSIGNED:

Mon, 20 Oct 2014, 22:00 hours,
by Sgt D GALLAGHER #1303.

VICTIMS:

VAN DYKE, Jason D,
CPD - PO, #9465,
M / W / 36,
Assigned to 008th District,
3420 W 63rd St,
312-747-8730,
On duty,
Beat 845R,
In uniform -
Light blue long sleeve shirt with shoulder patches,
Black body armor vest with patches,
Navy blue cargo pants,
Equipment belt with handgun and radio,
Marked vehicle -
CPD vehicle # 6412,
Chevrolet Tahoe, four door SUV,
Illinois license plate # M172910.

WALSH, Joseph J,
CPD - PO, #12865
M / W / 45,
Assigned to 008th District,
3420 W 63rd St,
312-747-8730,
On duty,
Beat 845R,
In uniform -

Light blue long sleeve shirt with shoulder patches,
Black body armor vest with patches,
Navy blue cargo pants,
Equipment belt with handgun and radio,
Marked vehicle -
CPD vehicle # 6412,
Chevrolet Tahoe, four door SUV,
Illinois license plate # M172910.

GAFFNEY, Thomas J,
CPD - PO, #19958,
M / W / 41,
Assigned to 008th District,
3420 W 63rd St,
312-747-8730,
On duty,
Beat 815R,
In uniform -
Uniform baseball style cap with embroidered patch,
Light blue long sleeve shirt with shoulder patches,
Black body armor vest with patches,
Navy blue cargo pants,
Equipment belt with handgun and radio,
Marked vehicle -
CPD vehicle # 8489,
Chevrolet Tahoe, four door SUV,
Illinois license plate # MP6581.

MCELLIGOTT, Joseph P,
CPD - PO, #18715,
M / W / 36,
Assigned to 008th District,
3420 W 63rd St,
312-747-8730,
On duty,
Beat 815R,
In uniform -
Light blue long sleeve shirt with shoulder patches,
Black body armor vest with patches,
Navy blue cargo pants,
Equipment belt with handgun and radio,
Marked vehicle -
CPD vehicle # 8489,
Chevrolet Tahoe, four door SUV,
Illinois license plate # MP6581.

ADDITIONAL VICTIMS:

ASSAULT / Aggravated - Knife
IUCR - 0520.

[redacted]

INJURIES:

No injuries to any victims.

OFFENDERS:

Deceased -----
MCDONALD, Laquan J,
Nickname - "Bon-Bon,"
M / B / 17, DOB 25 Sep 1997,
[redacted]
Gang - New Breeds per CPD records,
6'02",
180 lbs,
Slender build,
Black hair in dreadlocks,
Brown eyes,
Medium complexion,
Il ID # [redacted]
SID# IL18550721,
IR# 2106340.

CLOTHING:

Inventory # 13296470 (Unit 277)
1 - Black hooded sweatshirt,
1 - Black sweatshirt,
1 - Pair blue jean pants,
1 - Pair black boxer shorts underwear,
1 - Pair black socks,
1 - Pair black gym shoes.
Recovered at the Office of the Medical Examiner

by Crime Lab Beat 5809.
To ERPS - No analysis needed at this time.

IDENTIFIED BY:

State of Illinois ID Card on Laquan MCDONALD's person.

FAMILY NOTIFICATION:

[redacted]
Uncle of Laquan MCDONALD.

INJURIES:

Fatal
1 - GSW to left neck, lodged,
1 - GSW, T & T, entrance left chest, exit rear left shoulder,
1 - GSW to right chest, lodged,
1 - GSW, T & T, entrance outer rear left elbow,
exit inner front left elbow,
1 - GSW, T & T, entrance rear upper right arm,
exit front upper right arm,
1 - GSW, T & T, entrance back of left wrist,
exit front of left forearm,
1 - GSW, T & T, entrance front of right hip, exit inner right thigh,
1 - GSW, T & T, entrance rear upper left shoulder,
exit left shoulder blade,
1 - GSW, T & T, entrance outer rear left elbow,
exit inner rear left elbow,
1 - GSW, T & T, entrance rear right shoulder,
exit upper right back,
1 - GSW to back of right arm, just below elbow, lodged,
1 - GSW to back of right wrist, lodged,
1 - GSW to back of right hand, lodged,
1 - GSW to right buttocks, lodged,
1 - GSW to back of right thigh, lodged,
1 - GSW, graze wound to left side top of head.

TAKEN TO:

Mount Sinai Hospital by CFD Ambulance 21.

PRONOUNCED BY:

Dr PITZELE, at Mount Sinai Hospital,
Mon, 20 Oct 2014, at 22:42 hours.

MEDICAL EXAMINER CASE NUMBER:

2014 - 01071.

WEAPONS:

Offender, MCDONALD, Laquan J -----
Inventory # 13296495 (Unit 277)
1 - Folding knife,
7" overall, 3" blade (Marker C).
Recovered from the street at 4112 S Pulaski Rd,
by Crime Lab Beat 5802. Blade locked open when recovered.
Request for analysis by Latent Prints Section.

Victim, VAN DYKE, Jason D (PO) -----
Inventory # 13296449 (Unit 277)
1 - Smith and Wesson, Model 5942, 9 mm caliber,
semi-automatic pistol, stainless steel, 4" barrel,
serial # TDU5969,
1 - 9 mm caliber cartridge from firing chamber,
14 - 9 mm caliber cartridges from magazine,
2 - Fifteen round magazines.
Recovered in the Bureau of Detectives - Area Central office
by ET Beat 5824.
IL FOID card # 95380037,
expiration 01 May 2019,
Chicago registration # 628361.
Request for analysis by Firearms Section.

VEHICLES:

CPD vehicle damaged by Laquan MCDONALD -
CPD vehicle # 8489,
Beat 815R,
Marked vehicle,
2010 Chevrolet Tahoe, four door SUV, white / white,
VIN - 1GNMCAE0XAR263348,
IL license plate # MP6581.
Right front tire flat after MCDONALD stabbed the tire with a knife,
damage to right side of windshield from knife.

MANNER / MOTIVE:

Laquan MCDONALD was shot and killed by Chicago Police
Officer Jason VAN DYKE while MCDONALD was committing an

aggravated assault with a knife against Officer VAN DYKE and his partner, Chicago Police Officer Joseph WALSH. MCDONALD also committed an aggravated assault with a knife against Chicago Police Officers Thomas GAFFNEY and Joseph MCELLIGOTT, when MCDONALD stabbed the right front tire and windshield of their police vehicle, and an aggravated assault with a knife against civilian, Rudy BARILLAS, immediately prior to being confronted by Officers VAN DYKE and WALSH. / Peace officer interceding in a felony, in the line of duty-Defense of life (Offender apparently attempting to defeat arrest).

REFERENCE NUMBERS:

U # 2014 - 36.

Log # 1072125.

RD# HX486155
HOMICIDE / Justifiable Homicide
IUCR - 0150.

PROPERTY TAKEN:

None.

EVIDENCE:

Video of scene taken by Crime Lab Beat 5802.

Photographs of scene taken by Crime Lab Beat 5802.

Photographs of victim police officers taken by ET Beat 5824.

See Weapons and Clothing categories above.

Inventory # 13296485 (Unit 277)
14 - 9 mm caliber cartridge cases (Markers 1 & 4 - 16).
Recovered from the street at 4112 S Pulaski Rd
by Crime Lab Beat 5802.
Request for analysis by Firearms Section.

Inventory # 13296489 (Unit 277)
2 - 9 mm caliber cartridge cases (Markers 2 & 3).
Recovered from the street at 4112 S Pulaski Rd
by Crime Lab Beat 5802.
Request for analysis by Firearms Section.

Inventory # 13296500 (Unit 277)

1 - Swab box containing two swabs of suspect red blood stains
(Marker B).
Recovered from the street at 4112 S Pulaski Rd
by Crime Lab Beat 5802.
To ERPS - No analysis needed at this time.

Inventory # 13296511 (Unit 277)
5 - Metal fragments (Markers A, D, E, F & G).
Recovered from the street at 4112 S Pulaski Rd
by Crime Lab Beat 5802.
Request for analysis by Firearms Section.

Inventory # 13296523 (Unit 277)
1 - Firestone Firehawk tire with damage, attached to rim.
Recovered from CPD vehicle # 8489 (Beat 815R),
at 4102 S Pulaski Rd, by Crime Lab Beat 5802.
To ERPS - No analysis needed at this time.

Inventory # 13296528 (Unit 277)
4 - Ridge impression lifts.
Recovered from the right front quarter panel of CPD vehicle
8489 (Beat 815R), by Crime Lab Beat 5802.
To ERPS - No analysis needed at this time.

Inventory # 13296534 (Unit 277)
1 - Envelope containing metal fragments,
recovered from the sweater of Laquan MCDONALD,
by Crime Lab Beat 5802,
3 - Metal fragments in a container,
recovered from Laquan MCDONALD at Mount Sinai Hospital,
given to Det W JOHNSON #20169, by RN Allan GAYAN,
turned over to Crime Lab Beat 5802,
at Mount Sinai Hospital.
Request for analysis by Firearms Section.

Inventory # 13296451 (Unit 277)
1 - Set of elimination prints, including palms,
from PO J MCELLIGOTT #18715.
Taken by ET Beat 5824.
To ERPS - No analysis needed at this time.

Inventory # 13296452 (Unit 277)
1 - Set of elimination prints, including palms,
from PO T GAFFNEY #19958.
Taken by ET Beat 5824.
To ERPS - No analysis needed at this time.

Inventory # 13296464 (Unit 277)

1 - Sealed ME blood card.
Recovered at the Office of the Medical Examiner
by Crime Lab Beat 5809.
To ERPS - No analysis needed at this time.

Inventory # 13296668 (Unit 277)
1 - Sealed ME bullet envelope.
Recovered at the Office of the Medical Examiner
by Crime Lab Beat 5809.
Request for analysis by Firearms Section.

Inventory # 13337048 (Unit 610)
1 - CD containing compilation of video.
Created by Det R HAGEN #20606.

Inventory # 13337053 (Unit 610)
1 - CD containing video from the Greater Chicago Food
Depository, 4100 W Ann Lurie Pl.
Recovered by Det J MALIK #20729.

Inventory # 13337056 (Unit 610)
1 - CD containing video from in-car camera, Beat 845R,
1 - CD containing video from in-car camera, Beat 813R.

Inventory # 13337060 (Unit 610)
1 - CD containing video from Dunkin' Donuts, 4113 S Pulaski Rd.
Recovered by Det R HAGEN #20606.

Inventory # 13337065 (Unit 610)
1 - DVD containing video from Focal Point, 4141 S Pulaski Rd.
Recovered by Det J MALIK #20729.

Inventory # 13337077 (Unit 610)
1 - CD containing OEMC audio recording of call to 9-1-1,
1 - CD containing OEMC audio recording
of CPD radio zone 6 transmissions.

Inventory # 13337080 (Unit 610)
1 - CD containing photos from ME autopsy.

Inventory # 13337087 (Unit 610)
1 - State of Illinois ID card, Lequan J MCDONALD,
1 - RTA ADA Paratransit & Reduced Fare Card,
Earnest THOMAS,
1 - Ventra, CTA ticket,
1 - Receipt for above Ventra, CTA ticket.
Recovered from Laquan MCDONALD at Mount Sinai Hospital.

Inventory # 13394378 (Unit 610)
1 - Disk containing video from in-car camera, Beat 815R (No relevant footage).

Inventory # 13394389 (Unit 610)
3 - DVDs containing video from Burger King restaurant at 4060 S Pulaski Rd (No relevant footage).

Inventory # 13394394 (Unit 610)
1 - DVD containing video from in-car camera, CPD vehicle # 9049 (No relevant footage).

Inventory # 13394398 (Unit 610)
1 - CPD Officer Safety Alert, # 2012-OSA-297.

PERSONNEL ASSIGNED:

Car 41 (Bureau of Patrol - Area Central / OCIC)
D/C D MCNAUGHTON #120

Beat 800
Cmdr J O'DONNELL #13
Beat 800X
Capt D WALSH #107
Beat 810R
Sgt S FRANKO #1381
Beat 830R
Sgt P MCGLYNN #1734
Beat 841R (Original report)
PO D FONTAINE #12698
PO R VIRAMONTES #10590
Beat 821R (Scene)
PO P KENNING #8302
PO R ROSALES #9654
Beat 823R (Scene)
PO D IVANKOVICH #12392
PO J TORRES #19898
Beat 833R (Scene)
PO A VANCE #11830
PO J GEISBUSH #16422
Beat 851R (Scene)
PO L GARCIA #6490
PO E FLAGG #12037
Beat 825R (Scene)
PO M POWER #8661
PO D WAHRER #13454
Beat 842 (Mt Sinai Hospital)
PO T DZIADKOWIEC #15529

PO C GACEK #17853
Beat 846R (Mt Sinai Hospital)
PO L TORRES #10573
PO M VEGA #8526

Beat 9210 (In-car camera system)
Sgt L BECVAR #1748

Beat 5880
Sgt D FRIEL #819
Beat 5802 (Scene)
FI C BRASIC #10201
ET K JUDEH #8825
Beat 5824 (Area Central)
ET P RIDER #9977
Beat 5809 (ME)
FI V RIVERA #11520
Beat 5885 (MIRV)
Det M RICKER #20201

Beat 5100
Cmdr E ROY #62
Beat 5105
Lt A WOJCIK #481
Beat 5107
Lt O VALDEZ #529
Beat 5120
Sgt D GALLAGHER #1303
Beat 5121
Det D MARCH #20563
Beat 5122
Det G JONES #21285
Beat 5131
Det J HALLORAN #20453
Det J MURRAY #21128
Beat 5132
Det F CASALE #21041
Det D HICKEY #20723
Beat 5165B
Det R HAGEN #20606
Det A MANAOIS #20320
Beat 5166A
Det R RANZZONI #20162
Beat 5127
Det V WATHEN #20493
Beat 5193
Det M NESTAD #20505
Det W JOHNSON #20169

Beat 5194
Det A GLAVIANO #21443
Beat 5192
Det T TEAHAN #20462
Beat 5125
Det T CURRAN #20948
Beat 5102D
Det B SVEC #20941
Beat 5142
Det S ESPARZA #20140
Beat 5106B
Det J MALIK #20729

IPRA
Chief of Staff S HIRSCH #3
Supervisor A AMEZAGA #022
Investigator B KILLEN #129
Public Affairs L MERRITT #23

FOP
PO Marlon HARVEY #16468
Kriston KATO
Daniel HERBERT (Attorney)

WITNESSES:

SEBASTIAN, Daphne L,
CPD - PO, #2763,
F / W / 45,
Assigned to 008th District,
3420 W 63rd St,
312-747-8730,
Beat 813R
(Circumstantial witness).

MONDRAGON, Janet,
CPD - PO, #4364,
F / WH / 37,
Assigned to 008th District,
3420 W 63rd St,
312-747-8730,
Beat 813R
(Circumstantial witness).

BACERRA, Arturo,
CPD - PO, #15790,
M / WH / 32,
Assigned to 008th District,

3420 W 63rd St,
312-747-8730,
Beat 822
(Circumstantial witness).

VELEZ, Leticia,
CPD - PO, #10385,
F / WH / 43,
Assigned to 008th District,
3420 W 63rd St,
312-747-8730,
Beat 822
(Circumstantial witness).

FONTAINE, Dora,
CPD - PO, #4484
F / WH / 47,
Assigned to 008th District,
3420 W 63rd St,
312-747-8730,
Beat 841R
(Eyewitness).

VIRAMONTES, Ricardo,
CPD - PO, #10590,
M / WH / 41,
Assigned to 008th District,
3420 W 63rd St,
312-747-8730,
Beat 841R
(Eyewitness).

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

INTERVIEWED:

[redacted]

[redacted]

INVESTIGATION:

The details of this investigation are documented in the following Exceptionally Cleared Closed Report.

REPORT OF:

Detective David M MARCH #20563
Sergeant Daniel GALLAGHER #1303
Lieutenant Anthony WOJCIK #481
Bureau of Detectives - Area Central



Mobile Recorder User Manual

COBAN® Technologies Inc.
12503 Exchange Drive, Suite 536
Stafford, Texas 77477

Tel: 1-281-277-8288
Fax: 1-281-277-8256

http://www.cobantech.com

Table of Contents

Introduction **4**

Login **4**
Turn On the Mobile Recorder 4
Login to the Mobile Recorder 5
Sync the Wireless Microphone 6
Other Login Options 7
Manually Start the Application 7
Minimize/Maximize the Application Window 8

Camera View Screen **9**

Recording **11**
Start a Recording Manually 11
Stop Recording 12
Use Wireless Mic to Start Recording 12
Wireless Mic Alerts 12
Other Recording Options 12

Event Type **13**
Select an Event Type 13

Snapshot **15**
Take Snapshot 15
Review Snapshots 16

Bookmark **16**
Set a Bookmark in Mobile Recorder 16

More Functions **17**
Access the More Menu 17
System Summary 18
Close Shot 19
View Snapshots 20
Pre-Event Playback 21
Equipment Test 23
Sync GPS Time 24
Edit Event Data 25
Offender Data Screen *26*
Violation Selection Screen *27*
IP Address 28
Record Indicator 29
Traffic Watch 30
Night Mode 31
Color Mode 32

Camera Control **33**
Brightness Control 33
Zoom Control 33
Focus Control 33

Auto Zoom **34**

Playback Video **35**

Switch Officer **37**

Upload Videos **38**
Wireless Upload 38
Automatic Wireless Upload 40
Specifying Videos to Upload/Retain 40

OIG 15-0564 008964

MHDD Upload 41
Wired Upload 43
Exit the System **45**
Mobile Recorder Quick Reference Guide **47**

OIG 15-0564 008965

Introduction

The COBAN mobile recorder is the front line of the Digital Video Management System (DVMS). The mobile recorder support up to three audio/video channels and can record two channels of audio and two channels of video streams simultaneously to the in-car CPU.

	Audio Channels Supported	Video Channels Supported	Video Format
TopCam-G2	2	3*	MPEG 1 / 2
EDGE	3	3*	H.264

*Only two video channels can be recorded simultaneously.

This information is stored in the Mobile Hard Disk Drive until it can be transferred to the BOClient.

This manual addresses the steps needed to properly use the Mobile recording system.

Login

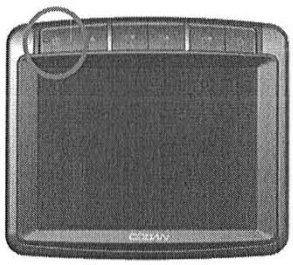
Based on the system settings configured by the department users may need to login to the mobile recorder system using a valid user ID and password at the beginning of each shift. Other login types are described on page 7. This information allows the mobile recorder system to transfer videos taken during the shift to BOClient to be properly stored and classified in the DVMS. Complete the steps described in this section to login to the mobile recorder system.

Turn On the Mobile Recorder

1. Start the vehicle.
2. Turn on the mobile recorder using the On/Off switch on the monitor.
3. Allow the system to boot up.



TOPCAM-G2



EDGE

OIG 15-0564 008966

Login to the Mobile Recorder

1. After the mobile recording system has been powered up, the Mobile Start Recorder software will initiate and display the Officer Login screen.
2. The officer ID should be automatically entered into the appropriate field from information input during MHDD checkout. If not, enter the appropriate **Officer ID** in the field provided.

Note: Tap **Officer ID** or **Password** to access the virtual keypad.



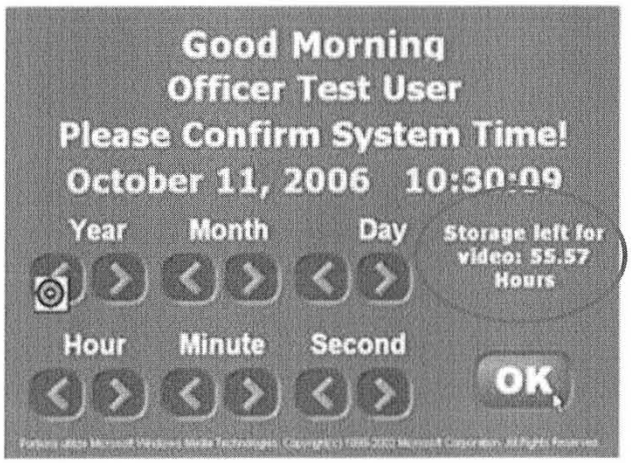
3. Type your password using the virtual keypad then tap **OK**.
4. Tap **Login**.



5. The System Time and Date screen will appear.
6. Change the system time and date if it is incorrect using the appropriate arrow keys.
7. Take note of the estimated remaining recording time. Storage remaining for video recording is displayed above the **OK** button.

Note: A warning prompt will be displayed if available recording time is less than 4 hours. The system will not allow the MHDD to be used if it has less than ??? time remaining.

8. Tap **OK.**



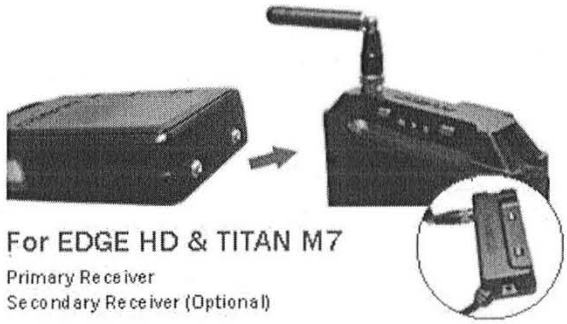
OIG 15-0564 008967

Note: A successful Login will show the Officer ID number on the bottom right of the Camera View screen.



Sync the Wireless Microphone

1. Locate the contacts at the bottom of the wireless mic.
2. Press the wireless microphone contacts directly on top of the receiver's register contacts.
3. A confirmation tone will sound to indicate the receiver and the microphone have synchronized their frequencies.
4. The wireless microphone is now on standby mode and ready for use.



Note: Syncing a second microphone to the same receiver will replace and nullify the first microphone.

OIG 15-0564 008968

Other Login Options

The system administrator for the DVMS can enable one of four different login capabilities. These four different options are described below:

Quick login – Automatically logs in an officer after they login once, as long as the same hard drive is used in the same unit (typically used in take home vehicles).

Emergency login – If this option is enabled, when the user starts the mobile recording system and the light bar is activated, the system will boot into record mode automatically. If the light bar is not activated, the system will remain at the login screen.

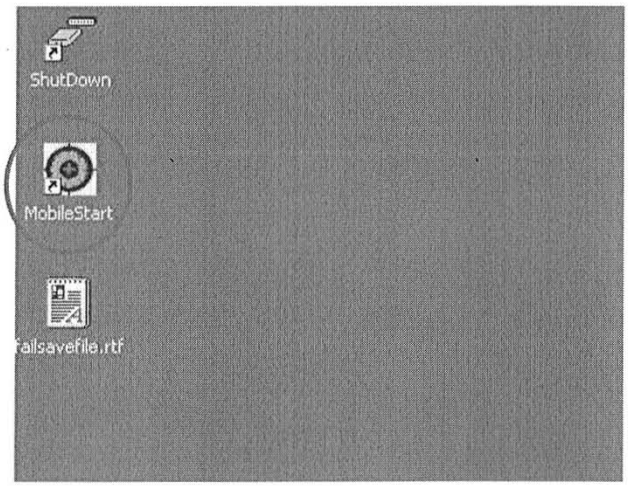
Delayed login – If this option is enabled the officer can startup the mobile unit and will get a login prompt for 30 seconds. If the officer does not login within 30 seconds the mobile recorder program will start automatically with the ability to record a video. At the end of the recording period, once the stop button is pressed, the officer is prompted to login.

Windows login – The administrator may set BOClient to use MSWindows login credentials and automatically login to BO Client. Note that users will need to logoff from the current Windows session so that others will not gain access to DVMS system with other users' access rights (this feature requires MDT integration or a connection to the department network).

Manually Start the Application

1. The system is designed to start automatically. If the system does not automatically start contact the system administrator or locate the application icon on the display screen.
2. Tap the Mobile Start icon to start the application.





OIG 15-0564 008969

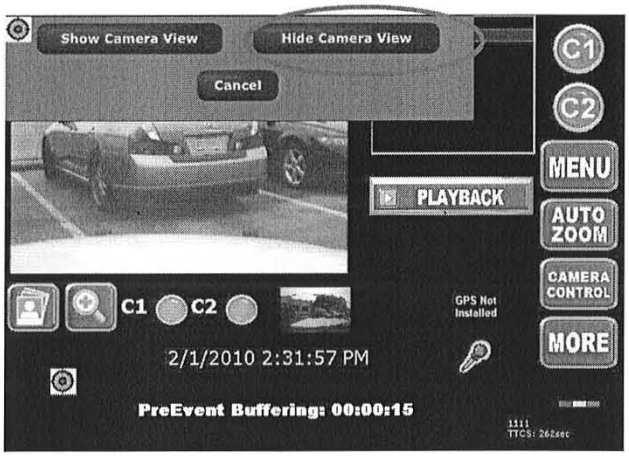
Minimize/Maximize the Application Window

1. Tap the application icon to minimize the window.



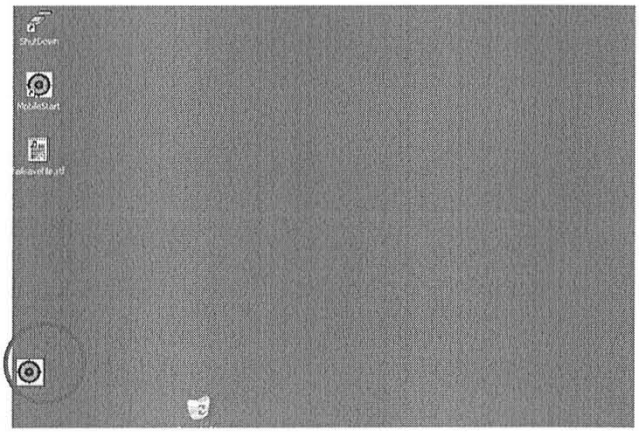


2. Tap **Hide Camera View** to minimize the application window and access the desktop.



3. Tap the application icon to return to the Camera View screen.





OIG 15-0564 008970

Camera View Screen

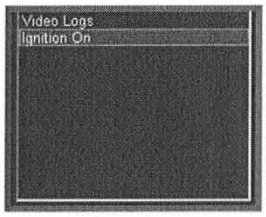
The Camera View screen displays the camera input and provides options for the user to start recording, create bookmarks, take snapshots of the video and other functions. It also provides icons that indicate the light bar status, radar gun reading, GPS indicator (if installed), and the in-car microphone ON / OFF status.

At the bottom of this screen, it shows the Pre-Event Buffering time, which indicates the length of video that is being pre-recorded prior to User pressing the Record button.





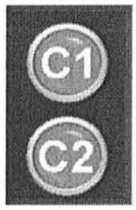
Camera Preview



Video Logs



Playback Function



Record Buttons



Snapshot



Zoom In



Recording Indicators



Secondary Camera View



Minimize/Enlarge Button



Date and Time



Mic Icon



Light Bar Indicator



Function Buttons

Buffer Setting

OIG 15-0564 008971

Camera Preview – The camera preview displays the image as seen through the camera lens. The default image is set as the front facing camera. The system supports a spot exposure feature. Tap the brightest portion of the camera preview screen to automatically dim the preview screen for five seconds. This feature is useful for when lights are making portions of the preview too bright to see.

Video Log - The Video Log documents readings and status from various devices connect to the mobile recording system such as, light bar status, microphone status, bookmark, etc.

Snapshot Function – Tapping the snapshot icon will save a JPG freeze frame image of the video displayed on the camera preview screen. A preview of the snapshot will be displayed immediately beneath the snapshot icon for 15 seconds. Take a snapshot of the rear camera view by clicking on the C2 camera indicator to change the camera preview to secondary camera, then tap the snapshot icon.

Minimize/Enlarge Button – The minimize/enlarge button will minimize or enlarge the mobile recorder application and allow users the ability to access other programs on the computer.

Recording Indicators – The recording indicators blink red to signify which camera is recording. If no cameras are recording, the indicators will not blink. Users can tap on the recording indicators to make that cameras view active in the Camera Preview screen. When there is only one camera installed on the vehicle, the user will not see a C1 and C2 camera indicator. When three cameras are installed in the system, tapping the C2 camera indicator will toggle between camera's two and three.

Date and Time – The Date and Time display is set during the login sequence and continuously displays the current date and time.

Buffer Setting – The Pre-Event Buffer is set by the System Administrator through COBAN's BOClient application. The Pre-Event Buffer display is a reminder to the user that all recordings are provided with a pre-event recording. This buffer can be adjusted through BOClient or in some cases through mobile recorder.

Mic Icon – The wireless microphone icon will blink when the covert microphone is recording audio.

Light Bar Indicator – the light bar indicator will blink when the vehicles light bar is activated.

Function Buttons – The function buttons provide users the access to greater functionality, including:

The **Menu** button provides access to Camera View, Playback, Switch User, or Exit functions.

Bookmark Icon – Tap the bookmark icon to mark a spot in a video for later review or to pinpoint an action on the recording.

Auto Zoom - When tapped, the system will automatically zoom the camera, pause for 3 seconds and zoom back to user's original zoom setting. There is no need to manually disengage the button when this feature is used.

Camera Control - Press Camera Control to access manual camera zoom, brightness and focus capabilities.

More - Allows users the ability to access additional system features and functions.

Secondary Camera View - If installed, will be configured as C2 and the second camera's view will appear below the primary camera image next to C2 indicator.

Playback Functions – The playback feature allows user to play previously recorded video, enter / edit video event data, send selected video wirelessly (if wireless option is purchased) and manually retain video. (Please refer to Page 17 for more details)

Record Buttons – The user may initiate a recording by pressing the wireless microphone, turning on the light bar or siren (if equipped as a system trigger), or pressing the **Record** icons on the screen.

OIG 15-0564 008972

Recording

The core feature of the mobile recording system is its ability to quickly and accurately capture videos when the user initiates a recording. The COBAN mobile recording system incorporates a multitude of options to start a recording, and to view videos as they are being recorded. These options are detailed in the following section.

Start a Recording Manually



1. Tap the camera 1 icon  to begin a recording using the primary camera via the video recorder.

2. Tap the camera 2 icon  to begin a recording using the secondary camera via the video recorder.

Note: If the vehicle has three cameras, the user can switch the display between camera 2 and camera 3 by double tapping the camera 2 indicator beneath the video image display.



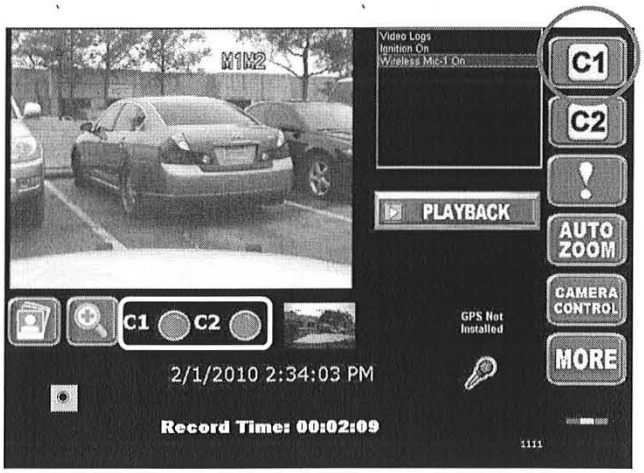
Note: The camera 1 icon will be shown as a white square when the mobile recorder is actively recording a video.

Not Recording Recording



3. The recording indicators will blink red to signify which cameras are actively recording.

Note: While in record mode, the preview screen provides the ability to set bookmarks by pressing the bookmark icon (see page 16 for more information on this feature).



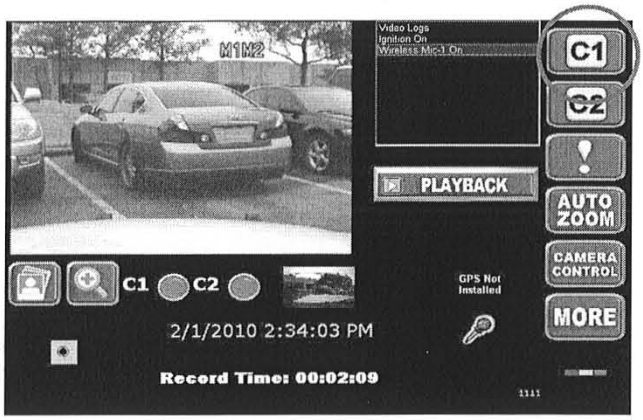
OIG 15-0564 008973

Stop Recording

1. Tap the camera 1 icon 

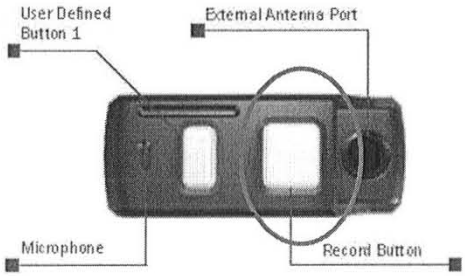
to stop recoding using the primary camera.
2. Tap the camera 2 icon 

to stop the recording on the secondary camera.



Use Wireless Mic to Start Recording

1. Press the Record button (larger button) on the wireless mic once.
2. This action will initiate the mobile recorder to record both audio and video data via the mobile recorder.
3. The wireless mic will vibrate twice and the record button will flash green to indicate that the mobile recording system has started a recording, depending on which mode it is in (see table below).



Wireless Mic Alerts

1. The wireless mic will flash color coded LEDs and/or vibrate to alert users of status changes and wireless mic maintenance alerts.
2. See the table to the right to decipher the alerts.

Alert \ Mode	Vibrations	LED/ Vibrate
Recording	2	Green LED / 2
Mute	2	Green Blinking LED / 2
Out of Range	1	Yellow LED / 1
Low Battery	1 each min	Green LED / 1 (blinks every 4 seconds)

Other Recording Options

The system administrator can set other recording start and stop options via the system settings in BOClient, including:

- Light bar activation
- Siren activation
- Vehicle speed activation
- Weapons rack activation

The middle button of the wireless mic is configurable so that it can be used for the following purposes:

- Bookmark
- Mute
- Stop recording

OIG 15-0564 008974

Event Type

If enabled, the Event Type screen will pop up immediately after the user stops a video recording. Classifying a recording with an event type helps the DVMS save the video, and allows meta-data and other details about the video to be stored with the recording as well as sets the retention criteria for each video. The mobile recorder system will return to the Camera View Screen and Wireless Microphone will also return to standby once the video has been linked to an event type. In instances where both cameras are recording the system will give the user the option to carry over the event data to the secondary camera.

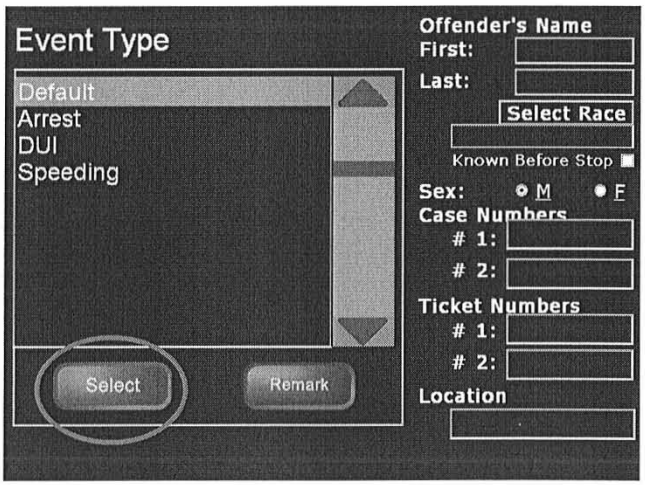
Select an Event Type

1. Tap the camera icon C1 or C2 to stop recording.



2. The Event Type screen will appear.
3. Tap the appropriate event type to classify the video that was recorded. The Event Type will be highlighted in light blue when it is selected.
4. Tap **Select** to enter the event type.

Note: Events can be added or removed from the event type list by the system administrator through BOClient.



OIG 15-0564 008975

5. Tap any of the text fields to display the virtual keypad.
6. Type information regarding the recording using the virtual keypad then tap **OK**.



OIG 15-0564 008976

Snapshot

Using the snapshot feature will take a JPG freeze frame image of the video displayed on the preview screen. A preview of the snapshot will be displayed immediately beneath the snapshot icon for 15 seconds. This feature works for any camera installed on the system, but only the camera view shown on the preview screen is available for snapshot.

Take Snapshot

1. Tap snapshot icon  to take a JPG freeze frame of the image on the camera view screen.



2. Tap the preview that appears beneath the snapshot icon to enlarge the snapshot.

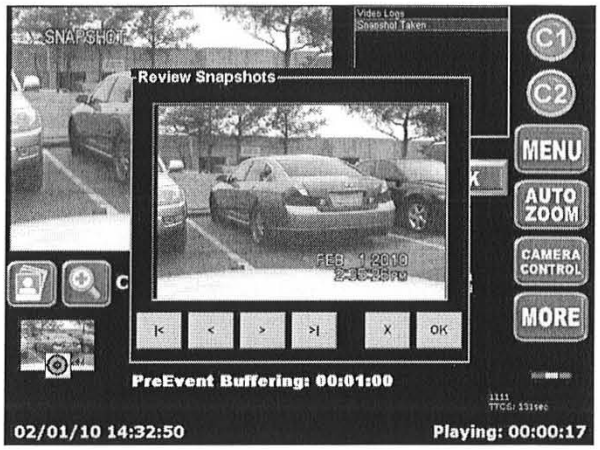
Note: The snapshot preview will be displayed for approximately 15 seconds.



OIG 15-0564 008977

Review Snapshots

1. Use the arrow keys to scroll through the snapshots saved in the mobile recorder system.
2. Click **X** to delete snapshots.
3. Click **OK** to return to the Camera View screen.



Bookmark

Bookmarks are used to mark points in a video that the reviewer or user feels are significant. Bookmarks also allow users to quickly locate these significant points of videos during a review.

Set a Bookmark in Mobile Recorder

1. Start a video recording (see page 11 for more information on recording).
2. Tap the bookmark icon on the right side of the screen.



3. An entry will be displayed in the Video Log.

Note: The bookmark icon will not be displayed unless the mobile recorder is actively recording.



OIG 15-0564 008978

More Functions

Tap MORE to access additional system features/functions such as:

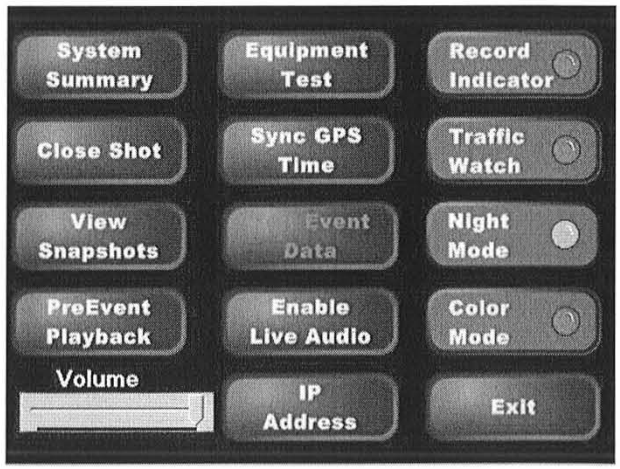
- System Summary
- Close Shot
- View Snapshot
- Pre-Event Playback
- Volume
- Equipment Test
- Sync GPS Time
- Edit Event Data
- Enable Live Audio
- IP Address
- Record Indicator
- Traffic Watch
- Night Mode
- Color Mode
- Exit

Access the More Menu

1. Tap **MORE** on the Camera Preview screen.



2. Tap the appropriate button to access the additional functions.



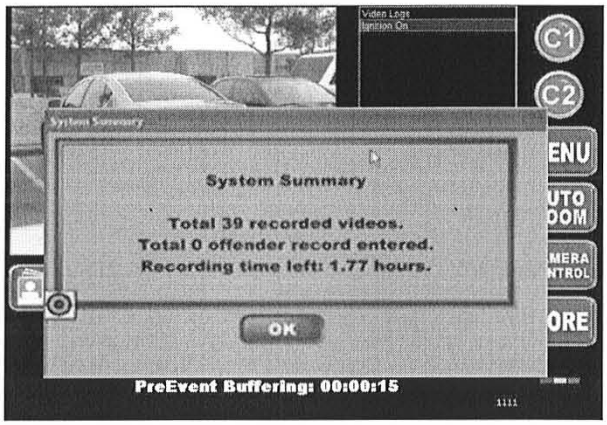
OIG 15-0564 008979

System Summary

1. Tap **System Summary**.



2. A popup window will appear that shows:
   - Total number of videos recorded
   - Total offender records entered
   - Recording time left



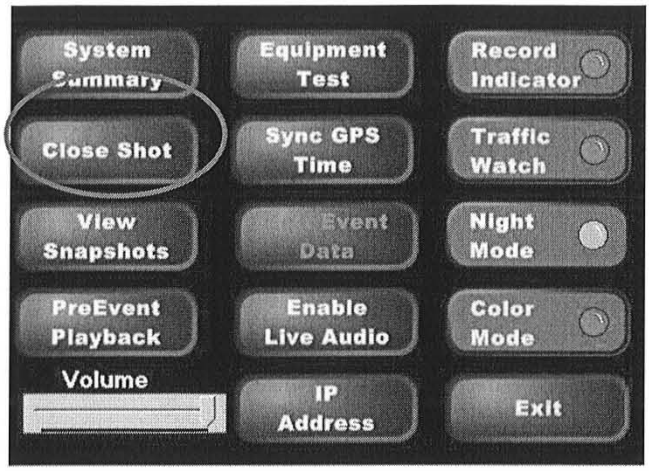
OIG 15-0564 008980

Close Shot

COBAN's mobile recorder camera is designed to focus beyond the vehicle's windshield. This point of focus ensures that rain drops or other debris on the windshield do not negatively affect the picture.

Users may use close shot mode to bring the focus point down to within one inch from the camera for 5 seconds. During this time, a snapshot will be taken for later review.

1. Position the ID or other object approximately 1 inch from the camera's lens.

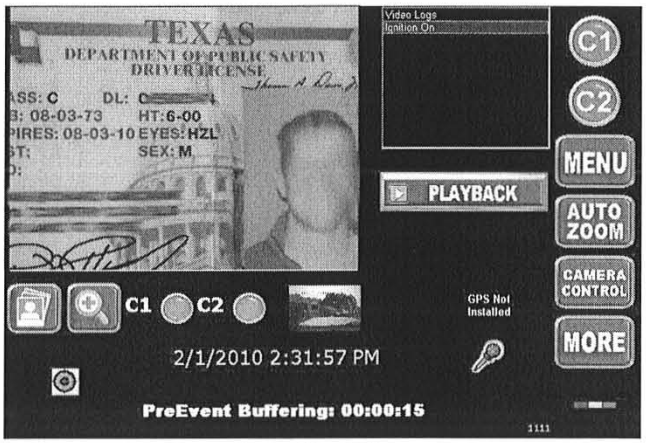


2. Tap **Close Shot**.



Standard View

3. The camera will re-focus and take a snapshot JPG image that will be saved in the snapshots file (see page 16 for more information on reviewing snapshots).



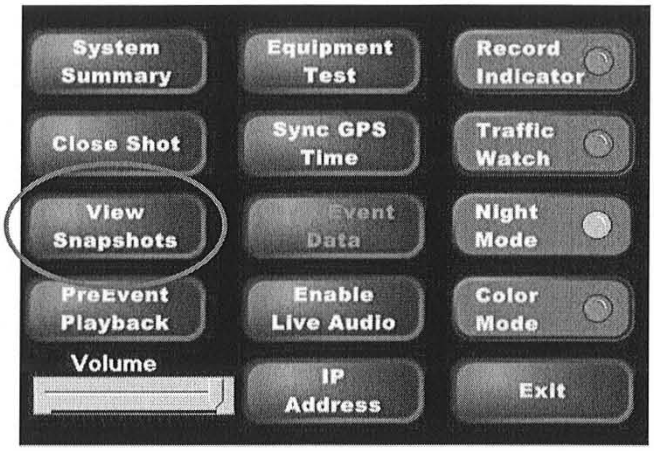
Close Shot View

OIG 15-0564 008981

View Snapshots

Snapshots, those taken via the snapshot function on the camera view screen or those taken utilizing the close shot function, are stored in the same place. Access these files by:

1. Tap **View Snapshots**.



2. Use the arrow keys to scroll through the snapshots in the mobile recorder system.
3. Click **X** to delete snapshots.
4. Click **OK** to return to Camera View screen.

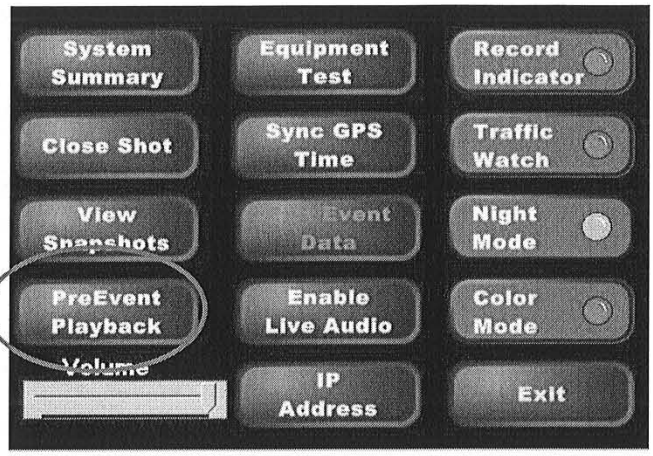


OIG 15-0564 008982

Pre-Event Playback

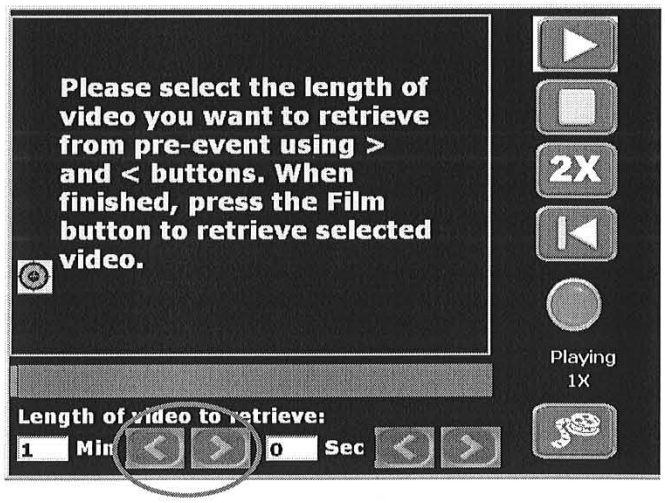
Pre-event buffer, or the length of video that will precede a recording when the record icon is activated can be adjusted, but only prior to a recording.

Another useful feature of the pre-event playback is a feature that allows the users to go back to any point in time that occurred since that user logged onto the mobile recorder system. The pre-event buffer starts at the time a user logs on or switches users (see page Switch Officer37 for information on switching officers).



1. Tap **Pre-Event Playback**.

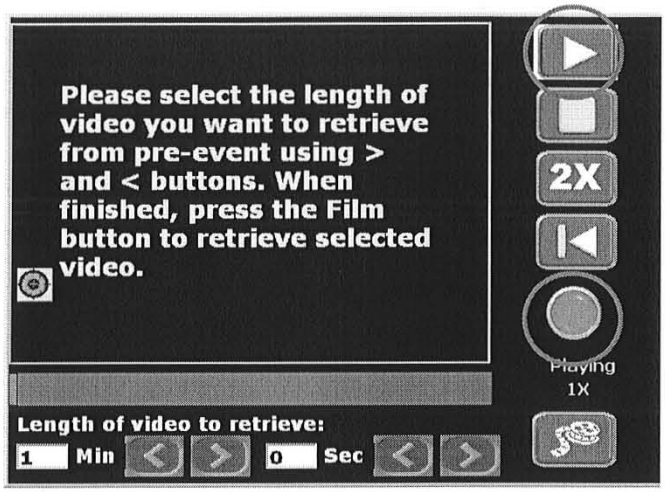
2. Tap the left and right arrow buttons to adjust the length of the pre-event section in minutes.



OIG 15-0564 008983

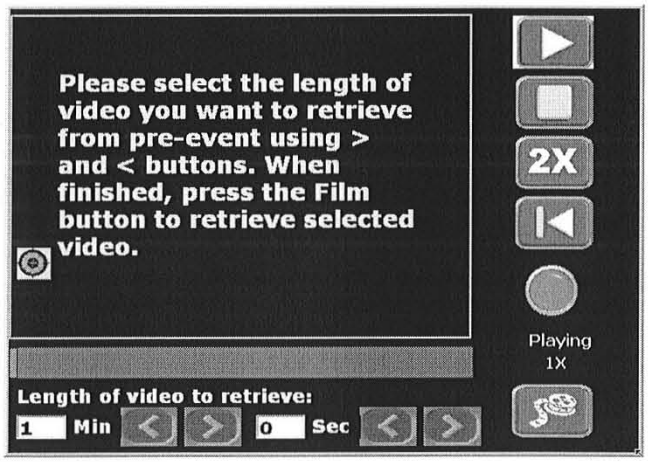
3. Tap  to view the past minutes that the officer has input.
4. Tap  to record the past minutes.
5. Tap the record button.

Note: Another useful feature of this capability is to view past minutes of a currently recording video to review what was said or happened and verify facts.



6. Tap the extract button  to retrieve the selected length of pre-event. This allows the user to playback and attach a longer pre-event segment than is defined in the back-office system.
7. The extra length of pre-event is included in the saved video.

Note: It is possible to adjust pre-event to append video to a previously recorded video by adjusting the pre-event buffer to a point prior to the recording's start time, ie. to append ten minutes of pre-event to a video recorded from 8:00 to 8:15, adjust the pre-event buffer to a value greater than fifteen minutes.

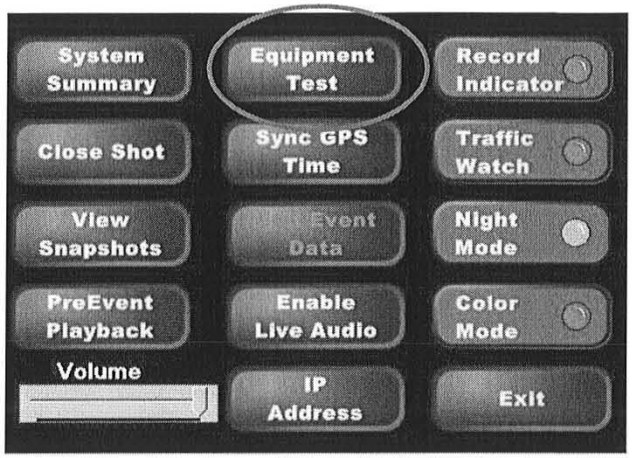


OIG 15-0564 008984

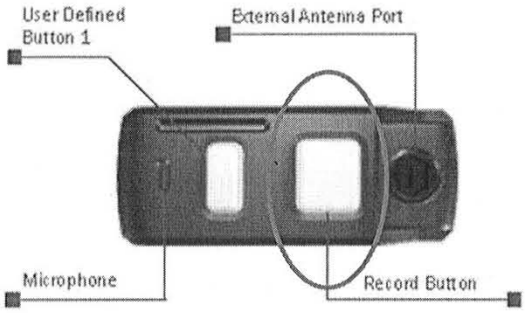
Equipment Test

The Equipment Test feature allows the user to test the wireless mic and the covert mic without triggering a recording.

1. Ensure that the wireless mic is synchronized to the mobile recorder (see page 6 for information on syncing the wireless mic).
2. Tap Equipment Test.



3. The wireless mic will beep twice and flash green if the system is properly synchronized.
4. Press the record button on the wireless mic.



5. The microphone icon will be shown with flashing electrifying icons indicating that the microphone is active, if the covert mic is working properly.

Note: A feedback whine may be produced by the microphone during this test.

6. Also, the text M1 will appear at the top right of the camera preview screen to indicate that wireless 1 is active.
7. Note: When two mics are used, M1 and M2 will appear in the camera preview.



OIG 15-0564 008985

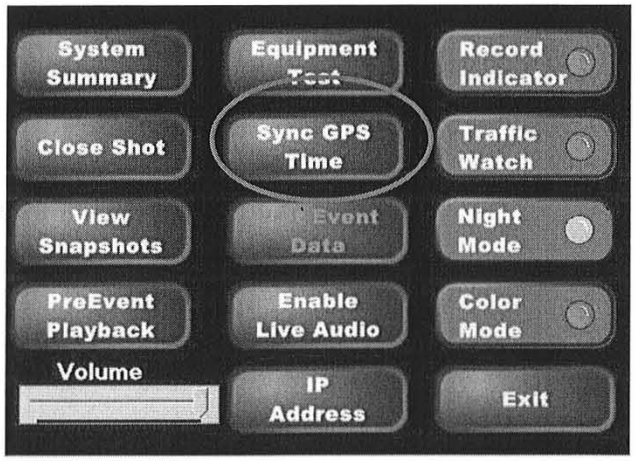
8. Tap Click here to exit Test Mode to exit the test.



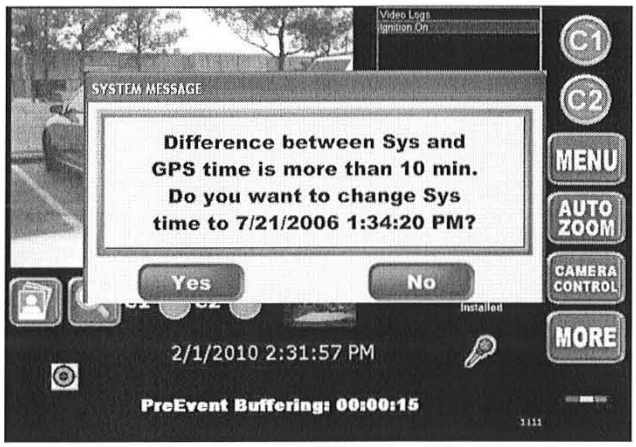
Sync GPS Time

This feature syncs the video clock to GPS time clock if the time is off by more than 10 minutes. This feature will only work if GPS is installed on the mobile recorder system.

1. Tap **Sync GPS Time**.



2. A popup window will appear providing the user with the difference between the system time and the GPS time.
3. Tap **Yes** to synchronize the system time to the GPS time.



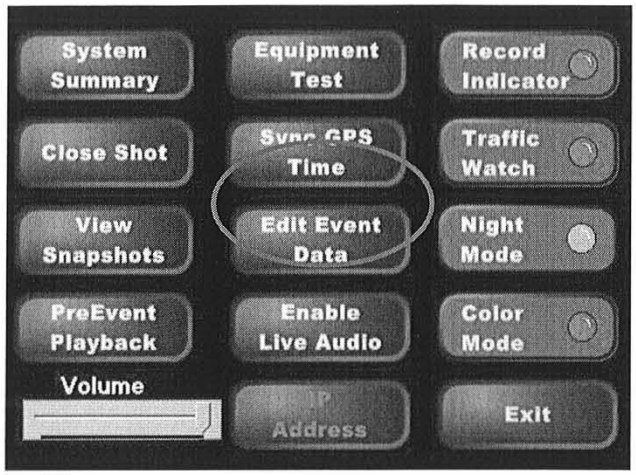
OIG 15-0564 008986

Edit Event Data

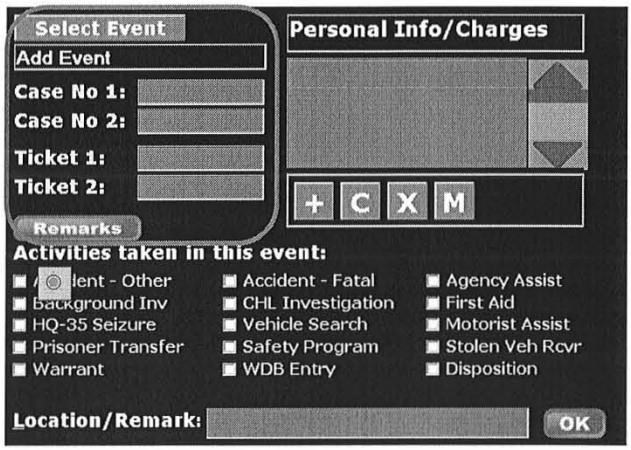
Each recorded video is linked with an event type. Events can be defined as traffic stop, accident, assistance, or any other definable event type. Each event may have multiple data points including offender information, user activities, location description, and remarks.

1. To access the Event Data screen, tap **Edit Event Data**.

Note: This option will be grayed out if the system is not recording.



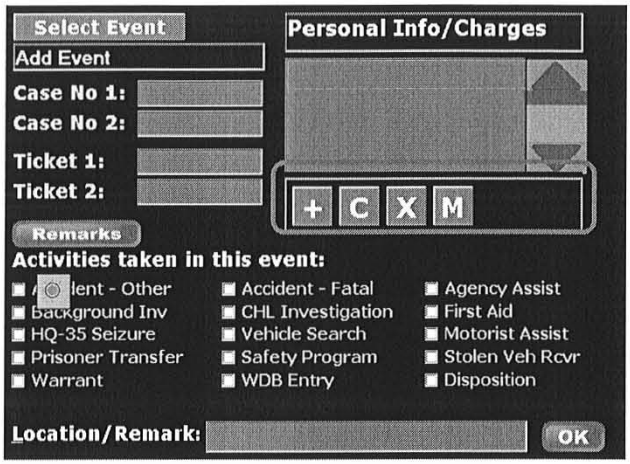
2. Tap **Select Event**.
3. Select the event type from the pre-defined event list.
4. Once event type is selected, the user may then start adding personal information of offenders, or select the applicable activities.
5. Enter case numbers and ticket numbers in the fields provided at the top left of the screen.
6. Tap **Remarks** to enter comments regarding the video event.
7. Check the activities boxes to describe the activities taken during the video event.



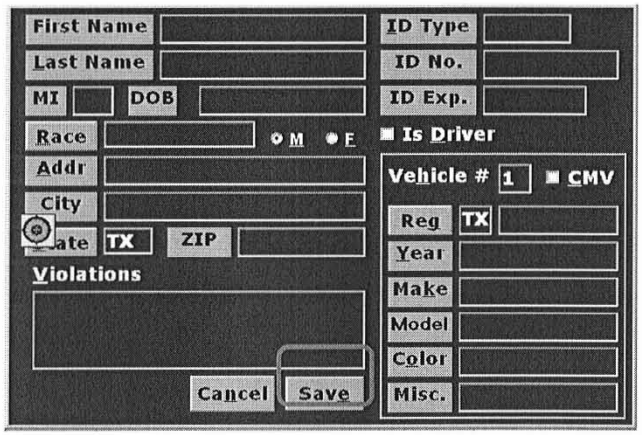
OIG 15-0564 008987

Offender Data Screen

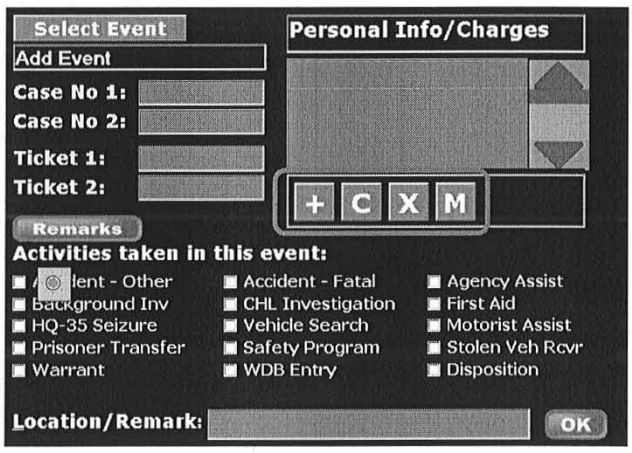
1. Tap + from the Edit Event Data screen to enter the offender data screen.



2. Enter offender data in the fields provided in the Offender Data screen.
3. Tap **Save** when the entries are completed.
4. Tap the Violations field to access the Violations Selection screen (see page 27 for more information on entering violations data).



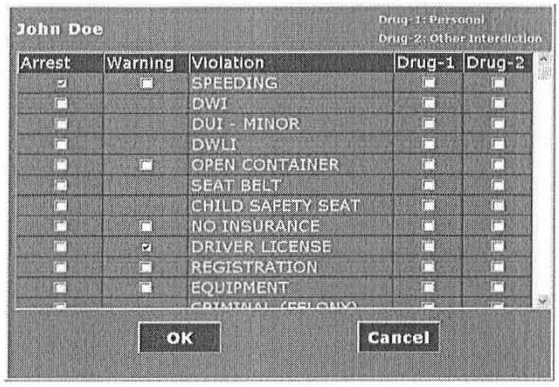
5. Tap C to access the offender data and edit data regarding the event.
6. Tap X to delete offender data.
7. Tap M to move offender data from one event to another.
8. Tap the field next to **Location/Remark** to enter text regarding the location of the video event.



OIG 15-0564 008988

Violation Selection Screen

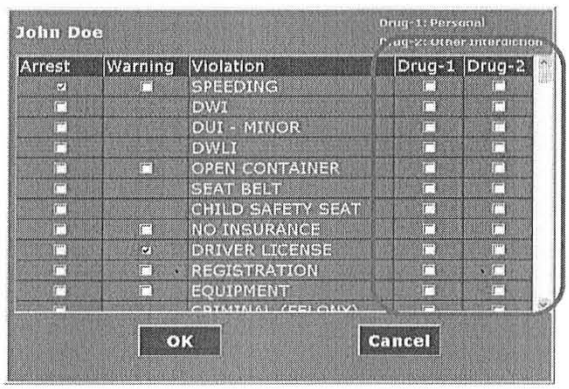
1. Tap the Violations field in the Offender Data screen (as described on page 26) to access the Violation Selection screen.
2. For events where a warning or an arrest took place, check the appropriate box across from the appropriate violation.



3. For events involving drug interdiction, the user can check the box in the Drug-1 or Drug-2 column across from the appropriate violation.

Note: Drug-1 is commonly used to indicate personal use of the drug; Drug-2 is for other drug interdictions (such as Drug Trafficking or Dealing).

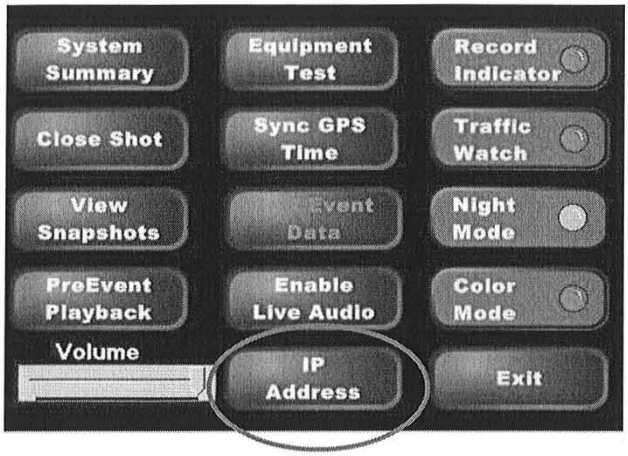
4. Tap **OK** to return to the Offender's Data screen.



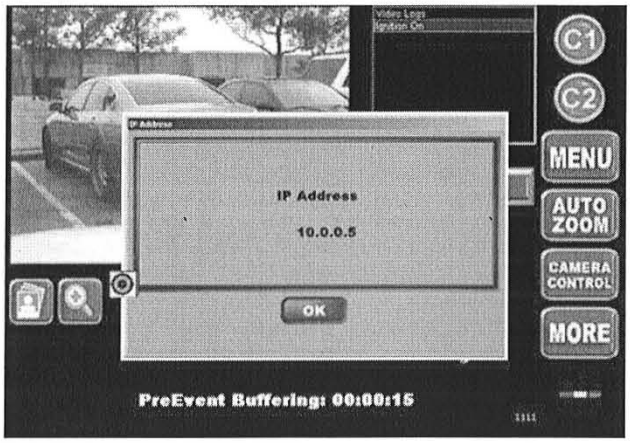
OIG 15-0564 008989

IP Address

1. Tap **IP Address** to display the IP address of the vehicle.



2. A popup window will appear providing the IP address information.
3. Click **OK** to return to the **Main Menu** screen.

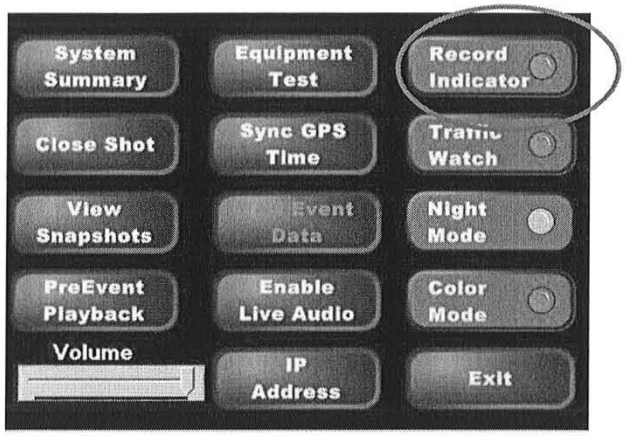


OIG 15-0564 008990

Record Indicator

A red LED light is situated on the front of the COBAN camera in order to signify to users whether or not the system is recording. It is situated to be seen through the front windshield when the user is outside the vehicle.

1. Tap **Record Indicator** to deactivate the red LED on the camera.



2. Tap **Record Indicator** a second time to activate the red LED on the camera.

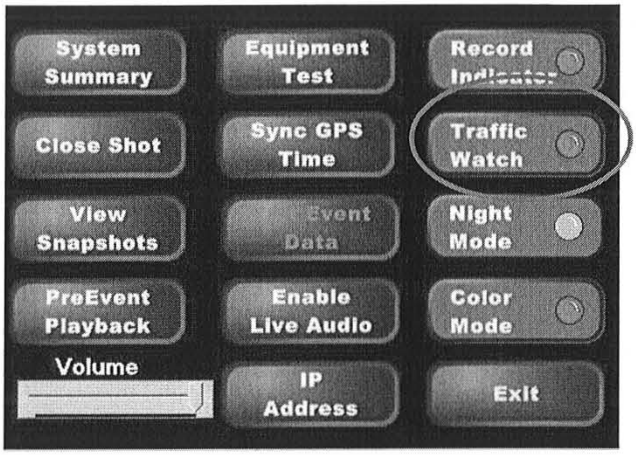


OIG 15-0564 008991

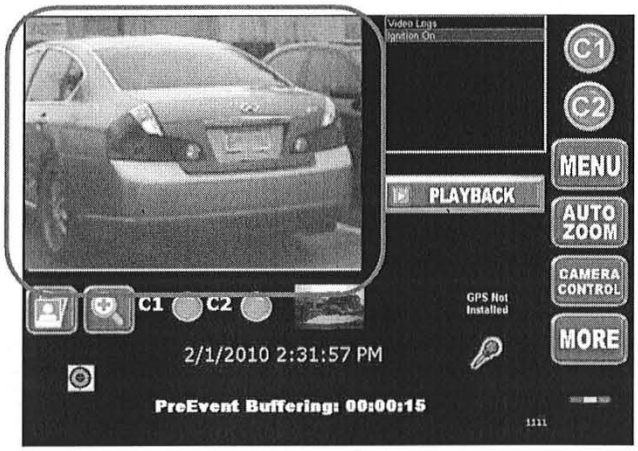
Traffic Watch

The traffic watch allows users the ability to zoom out as soon as the record button is tapped.

1. Tap **Traffic Watch** to turn on the traffic watch function.



2. The screen shot on the right shows a preview where the user is focusing on the license plate of the vehicle in the frame.



3. When a recording is started the camera will automatically zoom out to obtain the entire scene.

Note: When traffic watch is disabled the manual zoom button stays active.

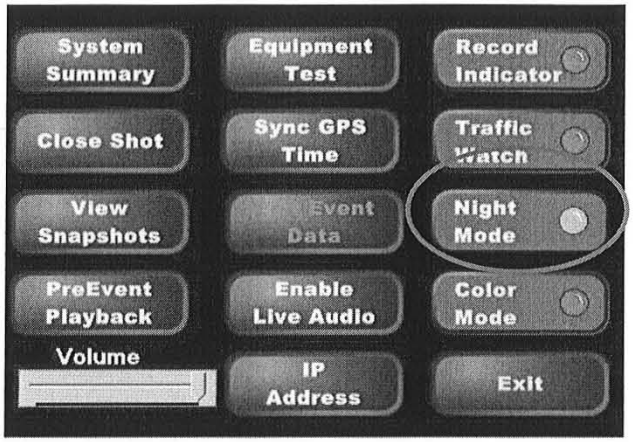


OIG 15-0564 008992

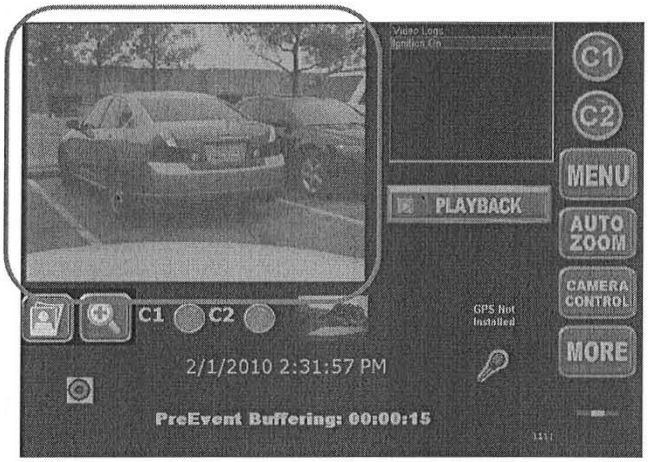
Night Mode

Night Mode dims the in-car monitor for clarity and provides less glare during covert conditions.

1. Tap **Night Mode** to activate night mode and reduce the brightness of the monitor.



2. The preview screen will dim slightly.



3. Tap **Night Mode** again to deactivate night mode and return the monitor to the default brightness settings.

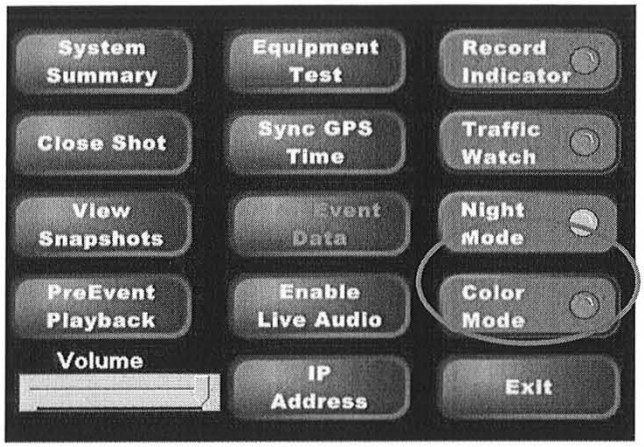


OIG 15-0564 008993

Color Mode

By default, color mode is enabled in the mobile recording system. There are times when it may be useful to disable color mode in order to enhance lighting and reduce glare. This feature is useful for capturing tire skid marks on roads or during dusk and dawn light conditions.

1. Tap **Color Mode** on the Menu screen to activate a black and white preview.



2. The preview screen will change from color to black and white.



3. Tap **Color Mode** again on the Menu screen to re-activate color mode and deactivate black and white preview.

Note: When in Black and White mode, the video recording will record in black and white only.



OIG 15-0564 008994

Camera Control

COBAN mobile recorder systems allow users the ability to manually adjust the zoom, brightness and focus using the touch screen monitor. The specifics of accessing and utilizing these functions are described below:

Brightness Control

1. Tap **Camera Control** to access the brightness control functionality.
2. Use the arrow keys to increase or decrease the brightness of the preview screen.
3. Tap **Reset** to return to the default settings.
4. Tap **Exit** to return to the Camera Preview screen.



Zoom Control

1. Tap **Camera Control** to access the brightness control functionality.
2. Tap 

to access the zoom control functionality.
3. Use the arrow keys to increase or decrease the brightness of the Camera Preview screen.
4. Tap **Exit** to return to the Camera Preview screen.



Focus Control

1. Tap **Camera Control** to access the brightness control functionality.
2. Tap 

to access the focus control functionality.
3. Use the arrow keys to change the focus of the Camera Preview screen.
4. Tap **Exit** to return to the Camera Preview screen.



OIG 15-0564 008995

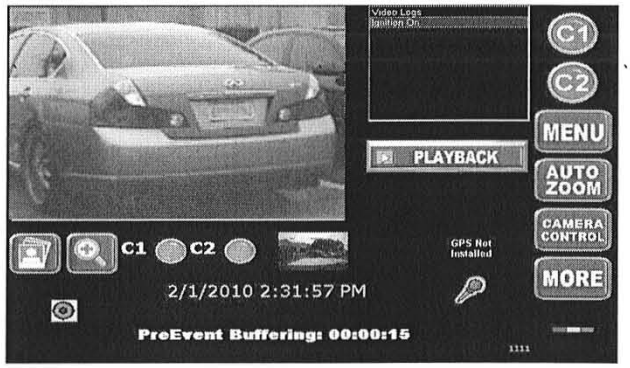
Auto Zoom

The auto zoom feature allows users the ability to zoom in on a subject automatically. Complete the following steps to utilize the auto zoom feature. This feature is especially useful when zooming in on a license plate or zooming in on a subject during a recording.

1. Adjust the camera to center the preview screen on the subject to zoom in on.



2. Tap **AUTO ZOOM** on the right of the Camera Preview screen to automatically zoom in on a subject in the preview screen automatically.



Note: If the in-car set up has been configured to take a snapshot during auto zoom the system will automatically take a snapshot once the camera has zoomed in on the subject. The snapshot will be shown below **SNAPSHOT** for approximately 15 seconds. The snapshot will be saved with the other snapshots taken during that shift (see page 15 for more information on snapshots).

3. The camera will zoom out automatically.



OIG 15-0564 008996

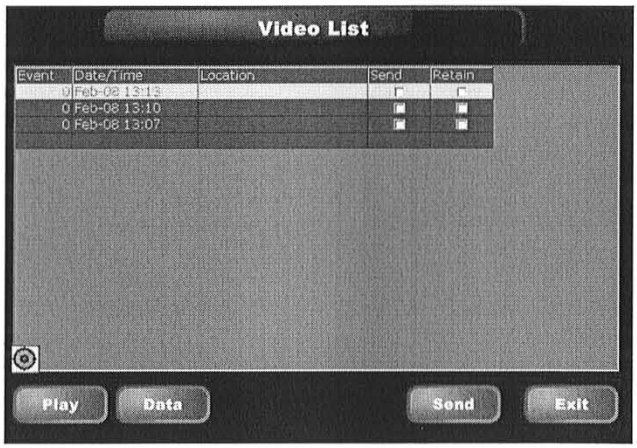
Playback Video

COBAN BOClient is a software application used to review videos at the department once the videos are uploaded from the mobile recorder system. In some cases users have found it necessary and useful to review videos in the field or immediately after recording them. The Playback Video feature allows users the capability to review videos from the mobile recorder system display in the vehicle.

1. Tap **PLAYBACK** on the right side of the screen to access the playback function.



2. The Video List screen will appear and list video's stored on the MHDD by date and time taken. Location and Event will also be displayed.
3. Tap the video to play. The video will be highlighted in light green when selected.
4. Tap **Play** at the bottom of the screen.



Note: Tap **Data** to access the Offender Data screen (see page 26 for more information on the Offender Data screen).

Note: Check the box in the Retain column to have the video classified as "retained" in BOClient. See the BOClient User's Manual for more information on retaining videos. This feature is usually used for videos that may have been misclassified as a different event type immediately following the recording.

OIG 15-0564 008997

5. Tap  to set a bookmark in the video.
6. Tap  to pause the video.
7. Tap  to play the video at double speed.
8. Tap  to rewind the video to the starting point.
9. Use the track bar at the bottom of the screen to move through the video.



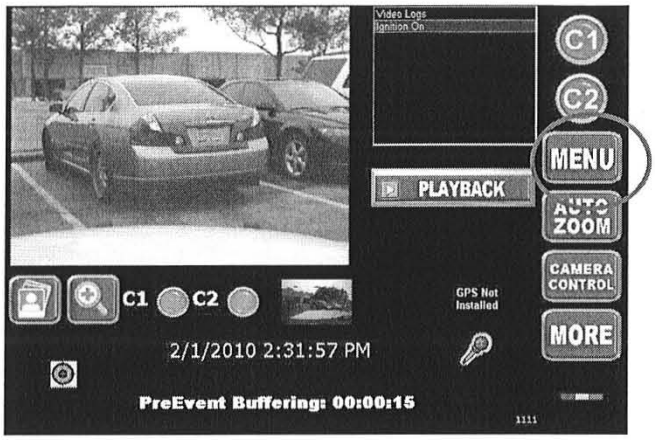
10. Use the audio channel buttons at the bottom right of the screen to toggle on and off the audio channels.
11. Tap  to stop the video playback and return to the Video List screen.



OIG 15-0564 008998

Switch Officer

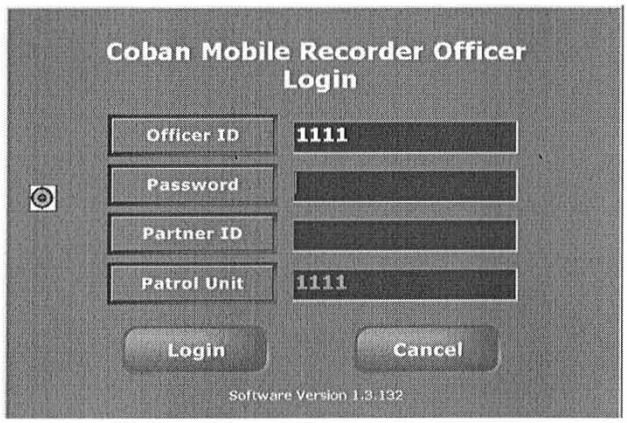
1. Tap **MENU** on the right side of the screen.



2. The Officer Login screen will appear.

Note: Tap the field titles, ie. **Officer ID**, **Password** to access the Virtual Keypad.

3. Enter the officer ID and password in the appropriate fields and tap **OK**.



OIG 15-0564 008999

Upload Videos

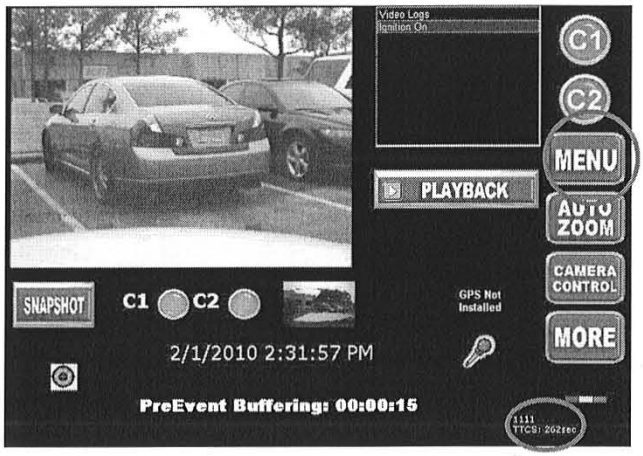
The COBAN mobile recorder system allows for the transfer of videos to the server or sub server at the department in any one of several different methods, including:

- Mobile Hard Disk Drive upload
- Wireless Upload (automatically or on command)
- Wired Ethernet

Wireless Upload

Users in departments that utilize the wireless upload capability will have TTCS (time to connect to server) countdown at the bottom right of the Camera Preview screen.

1. Tap **MENU** from the Camera Preview screen.



2. Tap **EXIT SYSTEM** at the bottom of the screen.



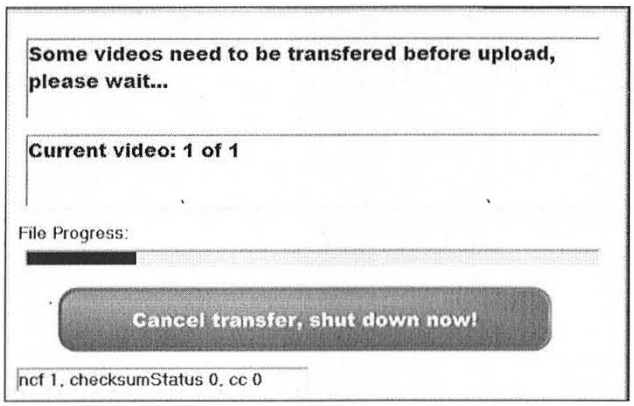
OIG 15-0564 009000

3. Tap **Upload & Stay On** or **Upload & Shutdown** to upload videos.



4. The mobile recorder system will process all videos for upload.

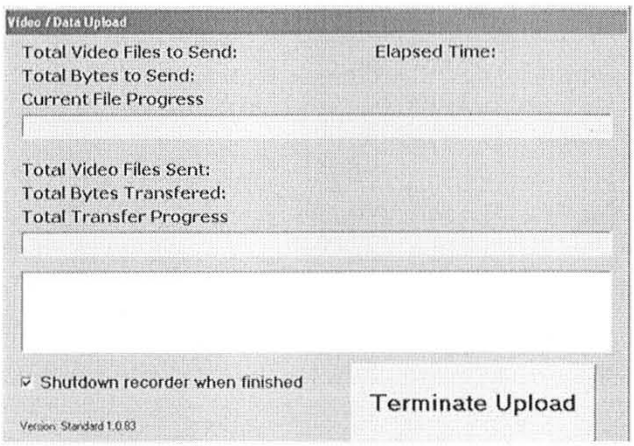
Note: In some cases the mobile recorder system must finish processing videos before it can properly shutdown or upload videos. The User can turn off the vehicle and leave as the movile recorder system will automatically proceed with the upload and shutdown operation once the video processing is complete.



5. The mobile recorder system will begin to upload the videos and show progress of the upload.

CAUTION: Do NOT remove the MHDD during this upload process.

Note: If the **Upload and Shutdown** option was selected, the mobile recorder system will automatically shut down when the upload is complete.

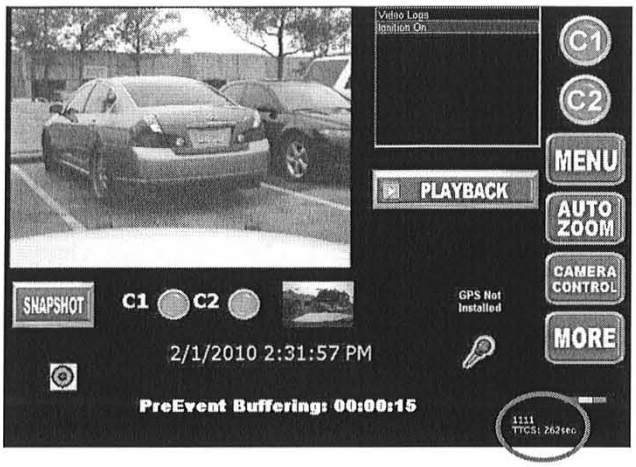


OIG 15-0564 009001

Automatic Wireless Upload

Departments that utilize the wireless upload capability will have TTCS (time to connect to server) countdown at the bottom right of the Camera Preview screen.

All videos that have been processed by the system and are in the Video List are automatically uploaded to the server or sub server based on the BOClient settings and department protocols.

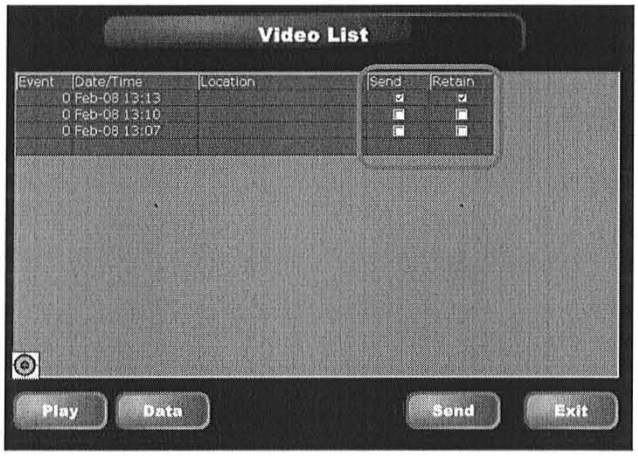


Specifying Videos to Upload/Retain

1. Users can designate that the system send specific videos immediately to the server from the Video List screen (see page 35 for information on accessing the Video List screen).

Note: Check the box in the Retain column to have the video classified as "retained" in BOClient. See the BOClient User's Manual for more information on retaining videos.

2. Check the box next to the video and tap **Send** at the bottom of the screen.



3. A popup screen will appear informing the user whether or not the videos were successfully uploaded.
4. Tap **OK** in the popup window to proceed.
5. The video will be marked as **<SENT>** in the video list following a successful upload.



OIG 15-0564 009002

MHDD Upload

Users must check in and check out Mobile Hard Disk Drives (MHDD) to upload videos in departments that do not utilize the wireless upload capability.

1. Tap **MENU** on the Camera Preview screen.



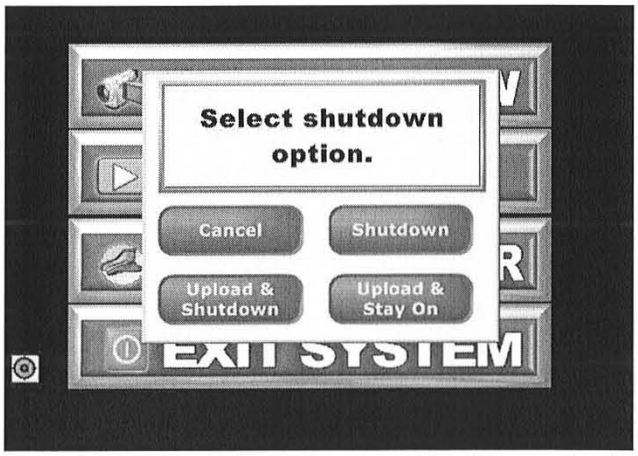
2. Tap **EXIT SYSTEM**.



3. Tap **Shutdown** to shutdown the mobile recorder system.
4. Use a key to unlock and remove the MHDD from the mobile recorder system.

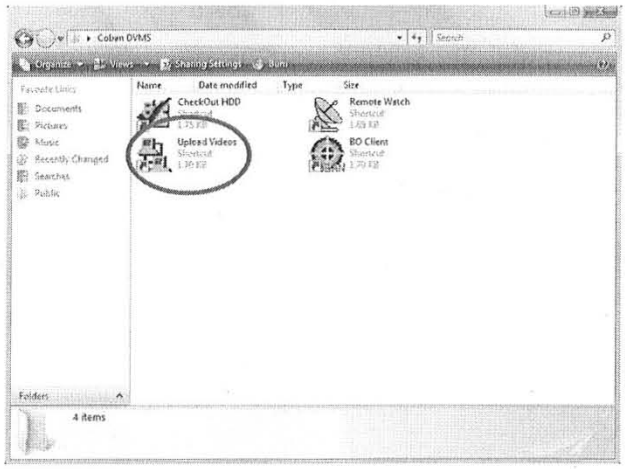
Note: In most departments a key can be requested from the System Administrator.

CAUTION: Do NOT remove the MHDD while this system is running.



OIG 15-0564 009003

5. Insert the MHDD in the upload cradle in the department or sub-station.

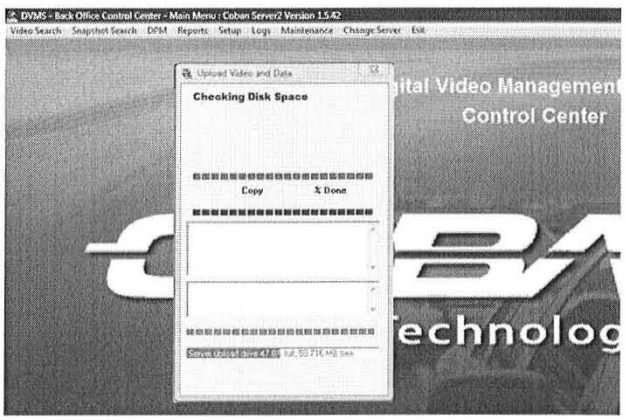


6. An upload popup window will appear. Enter the serial number of the MHDD if it is not automatically entered into the field provided.
7. Check the appropriate box to check out the hard disk after upload and the system will run the checkout application automatically after uploading.

CAUTION: Do not remove MHDD from the cradle during the upload process. Removing the MHDD from the cradle could result in loss of data.

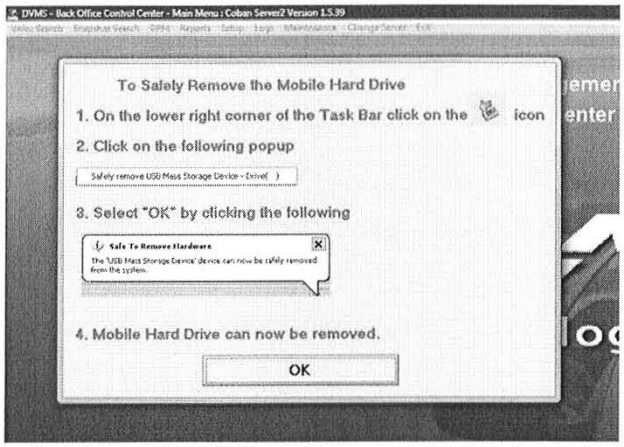


8. A message box will show the progress of the upload and check out process.



OIG 15-0564 009004

9. Follow the directions to safely remove the MHDD from the cradle.



Wired Upload

The mobile recording system provides the capability to download videos via Ethernet cable directly from the CPU. System administrators must specify that the Ethernet plug will be used for the function to enable this feature.

1. Plug an Ethernet cable into the Ethernet plug of the CPU.
2. Tap **MENU** from the Camera Preview screen.



3. Tap **EXIT SYSTEM** at the bottom of the screen.



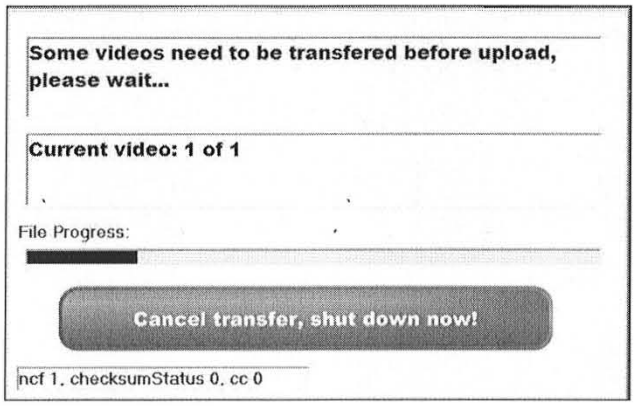
OIG 15-0564 009005

4. Tap **Upload & Stay On** or **Upload & Shutdown** to upload videos.



5. The mobile recorder system will process all videos for upload.

Note: In some cases the mobile recorder system must finish processing videos before it can properly shutdown or upload videos. The User can turn off the vehicle and leave as the movile recorder system will automatically proceed with the upload and shutdown operation once the video processing is complete.

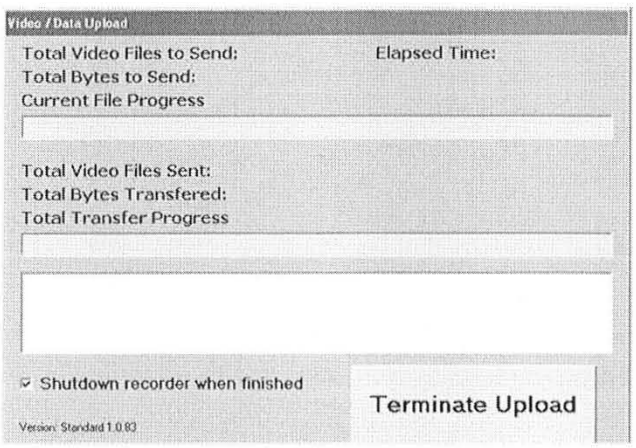


6. The mobile recorder system will begin to upload the videos and show progress of the upload.

CAUTION: Do NOT remove the MHDD or unplug the Ethernet cable during this upload process.

Note: If the **Upload and Shutdown** option was selected, the mobile recorder system will automatically shut down when the upload is complete.

7. Disconnect the Ethernet cable once the upload is complete.

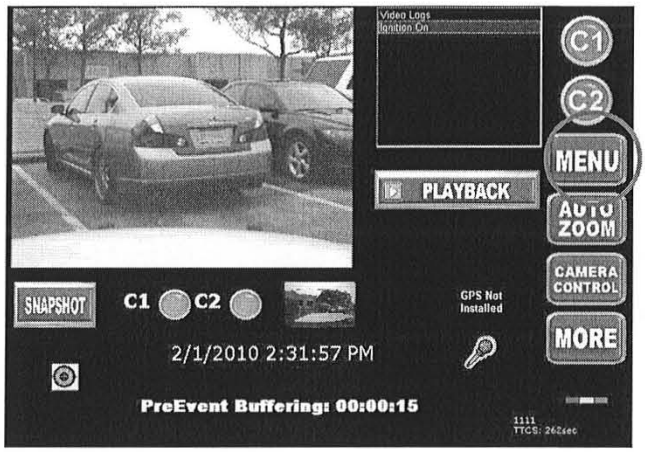


OIG 15-0564 009006

Exit the System

The mobile recorder system is capable of automatically shutting down following the upload and processing of videos stored in the MHDD. This enables users to select the shutdown option, turn off the vehicle, and leave with the confidence of knowing the data stored on the system will not be lost.

1. Tap **MENU** from the Camera View screen.

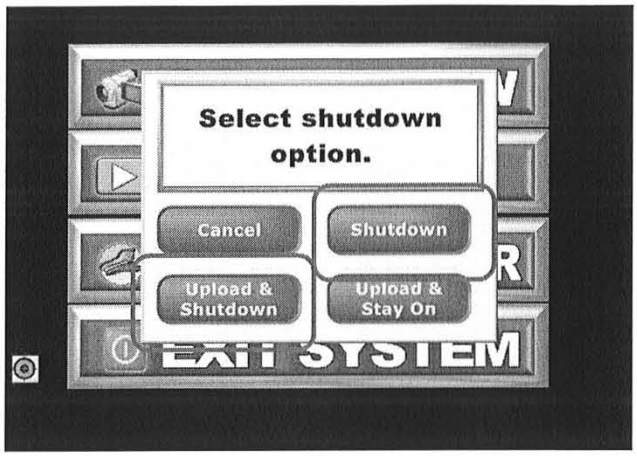


2. Tap **EXIT SYSTEM** at the bottom of the screen.



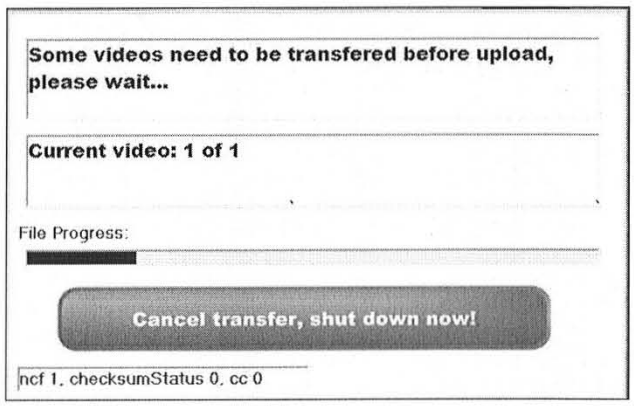
OIG 15-0564 009007

3. For wireless upload, tap **Shutdown** or **Upload & Shutdown** to shutdown the mobile recorder system.



Note: **Upload & Shutdown** will upload videos prior to shutdown (see page 38 for more information on this function.)

4. The mobile recorder system will process all videos for upload.



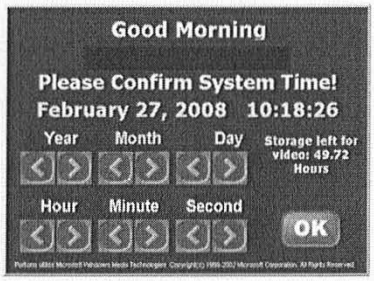
Note: In some cases the mobile recorder system must finish processing vidoes before it can properly shutdown or upload videos. The User can turn off the vehicle and leave as the movile recorder system will automatically proceed with the upload and shutdown operation once the video processing is complete.

OIG 15-0564 009008

MobileRecorder Cheat Sheet

LOGIN



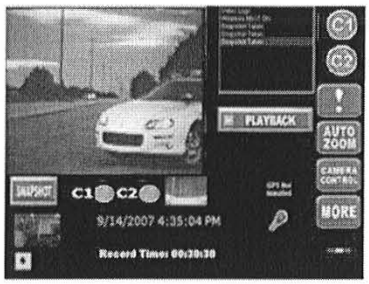


* Press OFFICER ID, PASSWORD, PARTNER ID or PATROL UNIT buttons for Virtual Keypad.

* Press Login to advance to Date and Time confirmation and Press OK.

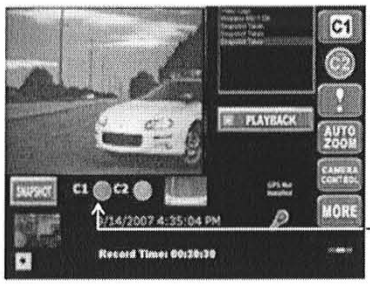
START RECORDING

* Auto start recording by: **activating light bar** or **pressing record button** on mic.



← Press **C1** to start front camera

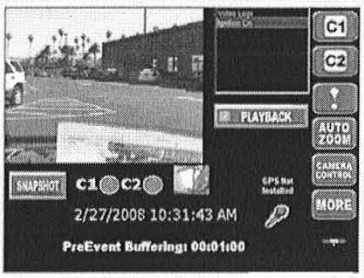
← Press **C2** to start rear camera



← Front camera recording indicator

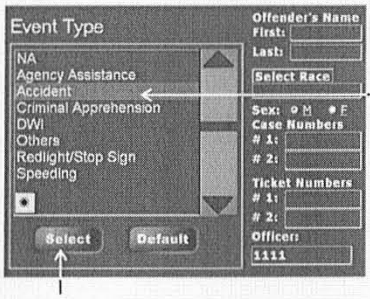
STOP RECORDING

* The Event Type screen appears when a recording is stopped.



← Press **C1** to stop front camera.

← Press **C2** to stop rear camera.



← Select an event.

Press **SELECT** to return to Camera View screen.

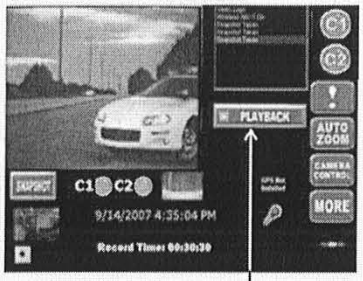
TAKE A SNAPSHOT

Press **SNAPSHOT** to take a snapshot. →

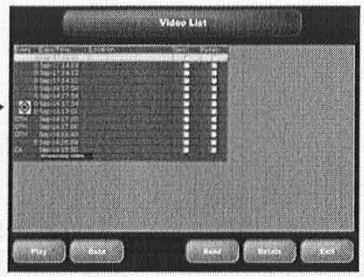


Tap the preview to go to Snapshot screen.

VIDEO PLAYBACK



Press PLAYBACK.



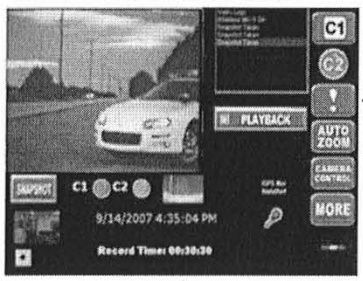
Select a video.

Press PLAY.



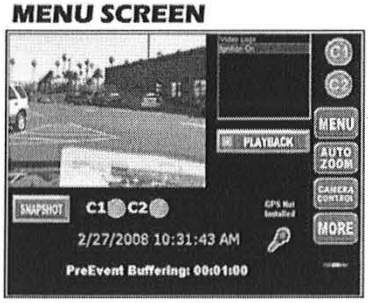
Review videos, bookmark or play at 2X speed.

CREATE BOOKMARKS

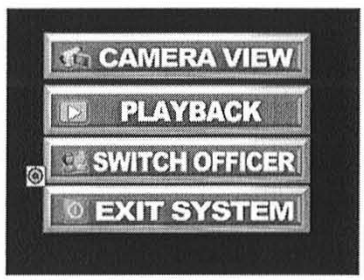


Press ! to create a bookmark.

MENU SCREEN

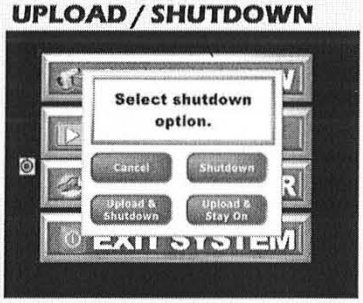


Press MENU.

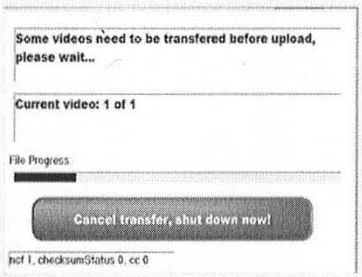


Press Exit System Shutdown

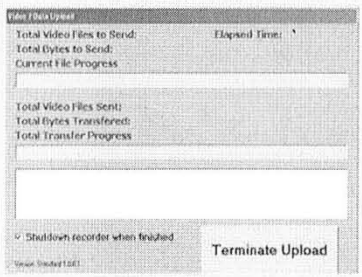
UPLOAD / SHUTDOWN



Press SHUTDOWN or UPLOAD & SHUTDOWN.

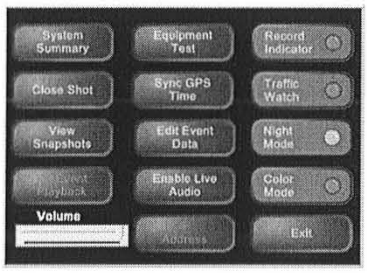


If videos have not automatically been uploaded, the system will begin an upload.



The system will shutdown automatically.

MORE FUNCTIONS



SYSTEM SUMMARY: Provides the number of recorded videos, number of offender records entered and available recording time with existing mobile hard drive.
CLOSE SHOT: Close shot reduces focus point down to within one inch from the camera for 5 seconds. During this time, a snapshot will be taken for later review.
VIEW SNAPSHOT: Allows the user to view all saved snapshots. Double tap the snapshot to enlarge the photo, double tap again to return to original size.
PRE-EVENT PLAYBACK: Allows the user to playback the pre-event video to manually determine when they would like to start a recording.
EQUIPMENT TEST: Allows the user to test equipment settings for the in-car unit.
EDIT EVENT DATA: Allows the user to edit / add event data to a video while it is being recorded.
IP ADDRESS: Displays the IP address of the recording unit.
RECORD INDICATOR: Allows the user to activate or disable the red LED indicator in front of the camera. The LED is used to alert the user of the camera's recording status.
TRAFFIC WATCH: Will adjust back from manual zoom to user selected zoom setting in the back office, when recording is triggered.
NIGHT MODE: Dims the in-car monitor for clarity and reduce glares.
COLOR MODE: By default, color mode is ON, turning it OFF will revert camera to black and white mode which may be useful at night to enhance lighting and reduce glare.

Coban Technical Support
Mon - Fri / 8 am - 6 pm / 281.277.8288
www.cobantech.com

ICAGO POLICE DEPARTMENT

ASE SUPPLEMENTARY REPORT

0 S. Michigan Avenue, Chicago, Illinois 60653
use by Chicago Police - Bureau of Investigative Services Personnel Only)

HX475653

Case id : 9825613
Sup id : 10988891 CASR339

ROGRESS-VIOLENT(SCENE) | **DETECTIVE SUP. APPROVAL COMPLETE**

st Offense Classification/Re-Classification	IUCR Code	Original Offense Classification			IUCR Code
AULT / Aggravated Po:Knife/Cut Instr	0552	ASSAULT / Aggravated Po:Knife/Cut Instr			0552
ddress of Occurrence	Beat of Occur	No of Victims	No of Offenders	No of Arrested	SCR No
112 S PULASKI RD	815	4	1	1	
ocation Type	Location Code	Secondary Location			Hate Crime
treet	304				No
ate of Occurrence	Unit Assigned	Date RO Arrived	Fire Related?	Gang Related?	Domestic Related?
0-OCT-2014 21:57	0841R	20-OCT-2014 21:57	NO	NO	NO

eporting Officer	Star No	Approving Supervisor	Star No	Primary Detective Assigned	Star No
MARCH, David	20563	WOJCIK, Anthony	481	MARCH, David	20563
ate Submitted		Date Approved		Assignment Type	
5-MAR-2015 18:23		16-MAR-2015 00:03		FIELD	

HIS IS A FIELD INVESTIGATION PROGRESS-VIOLENT(SCENE) REPORT

/ICTIM(S):

GAFFNEY, Thomas J
Male / White / 41 Years
EMPLOYMENT: Chicago Police Officer #19958

EMPLOYER BUSINESS NME: Chicago Police Department

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

VAN DYKE, Jason D
Male / White / 36 Years
EMPLOYMENT: Chicago Police Officer #9465

EMPLOYER BUSINESS NME: Chicago Police Department

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

WALSH, Joseph J
Male / White / 45 Years
EMPLOYMENT: Chicago Police Officer #12865

EMPLOYER BUSINESS NME: Chicago Police Department

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

HX475653

MCELLIGOTT, Joseph P
Male / White / 36 Years
EMPLOYMENT: Chicago Police Officer #18715

EMPLOYER BUSINESS NME: Chicago Police Department

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

FFENDER(S) **MCDONALD, Laquan J** -- In Custody--

ALIAS: "Bon-Bon"
Male / Black / 17 Years
DOB: 25-SEP-1997
DESCRIPTION: 6'02, 180, Black Hair, Dreadlocks Hair Style, Brown Eyes, Medium Complexion
RES: [redacted]

BIRTH PLACE: Illinois
DLN/ID: [redacted] IL
OTHER IDENTIFICATIONS: **Type -** Other Id
State - Unknown

IR#: 2106340
SID#: IL185507
21

RELATIONSHIP OF VICTIM TO OFFENDER:

GAFFNEY, Thomas J	- No Relationship
MCELLIGOTT, Joseph P	- No Relationship
VAN DYKE, Jason D	- No Relationship
WALSH, Joseph J	- No Relationship

GANG INFORMATION:

-

LISTED CRIMINAL ORGANIZATION: New Breed

GANG IDENTIFIERS: Other

ITEM USED:
Weapon

)FFENDER INJURIES: **MCDONALD, Laquan J**

Type	Weapon Used	Weapon Description
Gun Shot Wound	Handgun	Other - Handgun

Injured by Police
Chicago Fire Department Provided First Aid
EXTENT OF INJURY: Multiple Gsw
HOSPITAL REMOVED BY: Cfd Ambulance 21

INJURY TREATMENT: Multiple Gsw

PHYSICIAN NAME: Dr Pitzele

PON(S): **INV#:** **13296449**

Evidence

Smith & Wesson -Us- (Bodyguard,Chief Special), 5942, 9, Semi-Automatic Pistol, Semi-Automatic, 4", Stainless
SERIAL#: TDU5969
PROPERTY TYPE: OTHER

OWNER: Van Dyke, Jason
POSSESSOR/USER: VAN DYKE, JASON

PHONE #: 312 - 747 - 8730
LOCATION FOUND: 5101 S WENTWORTH AVE

Number Of Live Rounds present in the Firearm - 15
Number Of Live Rounds used in the Firearm - 16
The Status Of This Firearm is 628361

EHICLE INFO: **Truck, 2010 / Chevrolet / Tahoe / Truck**
Victim's Vehicle
VIN: 1GNMCAE0XAR263348
YEAR (RANGE): 2010
COLOR(TOP/BOTTOM): White / White
OWNER: Chicago Police Department
POSSESSOR/USER: GAFFNEY, THOMAS
PHONE#: 312 - 747 - 8730
The Vehicle was Seized
LOCATION FOUND: 4102 S PULASKI RD

LICENSE: Mp6581, Law Enforcement (City, County, State, Sos), IL

LOCATION OF INCIDENT:
4112 S Pulaski Rd
Chicago IL
304 - Street

DATE & TIME OF INCIDENT:
20-OCT-2014 21:57

JUST HOMICIDE DESCRIPTION: Criminal Killed By Police Officer

ADDITIONAL JUST HOMICIDE DESCR.: Criminal Attacked Officer That Officer Killed Criminal

WEATHER AND LIGHTING:
WEATHER: Cloudy & Cool
TEMPERATURE: 50s
LIGHTING: Dark / Artificial Light
LIGHTING SOURCE: Streetlights

DISTANCE: Overhead

)TIVE CODE(S): Interceding In A Felony

USE CODE(S): Dna

HOD CODE(S): Offender Shot

U CODE(S): Police Related Not Con

REARM(S) COVERED: **INV #:** **13296449**
Evidence

Smith & Wesson -Us- (Bodyguard,Chief Special), 5942, 9, Semi-Automatic Pistol, Semi-Automatic, 4", Stainless

SERIAL#: TDU5969

PROPERTY TYPE: OTHER

OWNER: Van Dyke, Jason

POSSESSOR/USER: VAN DYKE, JASON

PHONE #: 312 - 747 - 8730

LOCATION FOUND: 5101 S WENTWORTH AVE

Number Of Live Rounds present in the Firearm - 15
Number Of Live Rounds used in the Firearm - 16
The Status Of This Firearm is 628361

EHICLE(S) DAMAGED: **Truck, 2010 / Chevrolet / Tahoe / Truck**
Evidence

VIN: 1GNMCAE0XAR263348

YEAR - YEAR RANGE END: 2010

COLOR (TOP/BOTTOM): White / White

OWNER: Chicago Police Department

POSSESSOR/USER: GAFFNEY, THOMAS

PHONE#: 312 - 747 - 8730

LOCATION FOUND: 4102 S PULASKI RD

LICENSE: Mp6581, Law Enforcement (City, County, State, Sos), IL

PERSONNEL ASSIGNED:

Detective/Investigator
MARCH, David M # 20563

Reporting Officer
FONTAINE, Dora # 4484 **BEAT:** 0841R

WITNESS(ES): [redacted]

[redacted]

MONDRAGON, Janet

Female / White Hispanic / 37 Years
EMPLOYMENT: Chicago Police Officer #4364

BUS: 3420 W 63rd St
Chicago IL
312-747-
8730

[redacted]

[redacted]

OTHER COMMUNICATIONS:

Cellular Phone: [redacted]

VELEZ, Leticia

Female / White Hispanic / 43 Years

EMPLOYMENT: Chicago Police Officer #10385

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

BACERRA, Arturo

Male / White Hispanic / 32 Years

EMPLOYMENT: Chicago Police Officer #15790

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

FONTAINE, Dora

Female / White Hispanic / 47 Years

EMPLOYMENT: Chicago Police Officer #4484

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

[redacted]

DLN/ID: [redacted] - IL

SEBASTIAN, Daphne L

Female / White / 45 Years

EMPLOYMENT: Chicago Police Officer #2763

BUS: 3420 W 63rd St
Chicago IL
312-747-
8730

[redacted]

VIRAMONTES, Ricardo

Male / White Hispanic / 41 Years

EMPLOYMENT: Chicago Police Officer #10590

BUS: 3420 W 63rd St
Chicago IL
312-747-
8730

OTHER INDIVIDUALS INVOLVED:

[redacted] (Additional Victim)

(Family Member Notified)

[redacted]

(Person Interviewed
Non-Witness)

[redacted]

(Person Interviewed
Non-Witness)

CRIME CODE SUMMARY: 0552 - Assault - Aggravated Po:Knife/Cut Instr

IUCR ASSOCIATIONS:

0552 - Assault - Aggravated Po:Knife/Cut Instr

GAFFNEY, Thomas, J	(Victim)	
MCDONALD, Laquan, J		(Offender)
MCELLIGOTT, Joseph, P	(Victim)	
MCDONALD, Laquan, J		(Offender)
VAN DYKE, Jason, D	(Victim)	
MCDONALD, Laquan, J		(Offender)
WALSH, Joseph, J	(Victim)	
MCDONALD, Laquan, J		(Offender)

NCIDENT NOTIFICATION: **NOTIFICATION DATE & TIME:** 10/20/2014:230700

REQUEST TYPE: Notification

PERSON NAME: ,Sarlo

STAR #: 13131

IDENT NOTIFICATION: **NOTIFICATION DATE & TIME:** 10/20/2014:231400

REQUEST TYPE: Notification

PERSON NAME: ,Jines

STAR #: 4898

IDENT NOTIFICATION: **NOTIFICATION DATE & TIME:** 10/20/2014:215000

REQUEST TYPE: On Scene

PERSON NAME: ,March

STAR #: 20563

CIDENT NOTIFICATION: **NOTIFICATION DATE & TIME:** 10/21/2014:225800

REQUEST TYPE: Notification

PERSON NAME: ,Chibe

STAR #: 7303

ICIDENT NOTIFICATION: **NOTIFICATION DATE & TIME:** 10/20/2014:235000

REQUEST TYPE: Notification

PERSON NAME: ,Briggs

EMP #: 76

EPORT DISTRIBUTIONS: No Distribution

NVESTIGATION:

AREA CENTRAL FIELD INVESTIGATION:

Progress - Scene Report.

TYPE OF INCIDENT:

ASSAULT / Aggravated of a Police Officer - Knife
IUCR - 0552.

RECORDS DIVISION NUMBER:

HX475653.

EVENT NUMBER:

1429315878.

DATE AND TIME:

Mon, 20 Oct 2014, 21:57 hours.

LOCATION:

4112 S Pulaski Rd,
on the street - Beat 815.

WEATHER AND LIGHTING:

Cloudy and cool, temperature in the 50s.
Dark with good artificial light provided by overhead streetlights, all on and functioning normally. Additional artificial light provided by lighting of nearby businesses.

DATE AND TIME ASSIGNED:

Mon, 20 Oct 2014, 22:00 hours,
by Sgt D GALLAGHER #1303.

VICTIMS:

VAN DYKE, Jason D,
CPD - PO, #9465,
M / W / 36,
Assigned to 008th District,
3420 W 63rd St,
312-747-8730,
On duty,
Beat 845R,
In uniform -
Light blue long sleeve shirt with shoulder patches,
Black body armor vest with patches,
Navy blue cargo pants,
Equipment belt with handgun and radio,
Marked vehicle -
CPD vehicle # 6412,
Chevrolet Tahoe, four door SUV,
Illinois license plate # M172910.

WALSH, Joseph J,
CPD - PO, #12865
M / W / 45,
Assigned to 008th District,
3420 W 63rd St,
312-747-8730,
On duty,
Beat 845R,
In uniform -

Light blue long sleeve shirt with shoulder patches,
Black body armor vest with patches,
Navy blue cargo pants,
Equipment belt with handgun and radio,
Marked vehicle -
CPD vehicle # 6412,
Chevrolet Tahoe, four door SUV,
Illinois license plate # M172910.

GAFFNEY, Thomas J,
CPD - PO, #19958,
M / W / 41,
Assigned to 008th District,
3420 W 63rd St,
312-747-8730,
On duty,
Beat 815R,
In uniform -
Uniform baseball style cap with embroidered patch,
Light blue long sleeve shirt with shoulder patches,
Black body armor vest with patches,
Navy blue cargo pants,
Equipment belt with handgun and radio,
Marked vehicle -
CPD vehicle # 8489,
Chevrolet Tahoe, four door SUV,
Illinois license plate # MP6581.

MCELLIGOTT, Joseph P,
CPD - PO, #18715,
M / W / 36,
Assigned to 008th District,
3420 W 63rd St,
312-747-8730,
On duty,
Beat 815R,
In uniform -
Light blue long sleeve shirt with shoulder patches,
Black body armor vest with patches,
Navy blue cargo pants,
Equipment belt with handgun and radio,
Marked vehicle -
CPD vehicle # 8489,
Chevrolet Tahoe, four door SUV,
Illinois license plate # MP6581.

ADDITIONAL VICTIMS:

ASSAULT / Aggravated - Knife
IUCR - 0520.

[redacted]

INJURIES:

No injuries to any victims.

OFFENDERS:

Deceased -----
MCDONALD, Laquan J,
Nickname - "Bon-Bon,"
M / B / 17, DOB 25 Sep 1997,
[redacted]
Gang - New Breeds per CPD records,
6'02",
180 lbs,
Slender build,
Black hair in dreadlocks,
Brown eyes,
Medium complexion,
Il ID # [redacted]
SID# IL18550721,
IR# 2106340.

CLOTHING:

Inventory # 13296470 (Unit 277)
1 - Black hooded sweatshirt,
1 - Black sweatshirt,
1 - Pair blue jean pants,
1 - Pair black boxer shorts underwear,
1 - Pair black socks,
1 - Pair black gym shoes.
Recovered at the Office of the Medical Examiner

by Crime Lab Beat 5809.
To ERPS - No analysis needed at this time.

IDENTIFIED BY:

State of Illinois ID Card on Laquan MCDONALD's person.

FAMILY NOTIFICATION:

[redacted]
Uncle of Laquan MCDONALD.

INJURIES:

Fatal
1 - GSW to left neck, lodged,
1 - GSW, T & T, entrance left chest, exit rear left shoulder,
1 - GSW to right chest, lodged,
1 - GSW, T & T, entrance outer rear left elbow,
exit inner front left elbow,
1 - GSW, T & T, entrance rear upper right arm,
exit front upper right arm,
1 - GSW, T & T, entrance back of left wrist,
exit front of left forearm,
1 - GSW, T & T, entrance front of right hip, exit inner right thigh,
1 - GSW, T & T, entrance rear upper left shoulder,
exit left shoulder blade,
1 - GSW, T & T, entrance outer rear left elbow,
exit inner rear left elbow,
1 - GSW, T & T, entrance rear right shoulder,
exit upper right back,
1 - GSW to back of right arm, just below elbow, lodged,
1 - GSW to back of right wrist, lodged,
1 - GSW to back of right hand, lodged,
1 - GSW to right buttocks, lodged,
1 - GSW to back of right thigh, lodged,
1 - GSW, graze wound to left side top of head.

TAKEN TO:

Mount Sinai Hospital by CFD Ambulance 21.

PRONOUNCED BY:

Dr PITZELE, at Mount Sinai Hospital,
Mon, 20 Oct 2014, at 22:42 hours.

MEDICAL EXAMINER CASE NUMBER:

2014 - 01071.

WEAPONS:

Offender, MCDONALD, Laquan J -----
Inventory # 13296495 (Unit 277)
1 - Folding knife,
7" overall, 3" blade (Marker C).
Recovered from the street at 4112 S Pulaski Rd,
by Crime Lab Beat 5802. Blade locked open when recovered.
Request for analysis by Latent Prints Section.

Victim, VAN DYKE, Jason D (PO) -----
Inventory # 13296449 (Unit 277)
1 - Smith and Wesson, Model 5942, 9 mm caliber,
semi-automatic pistol, stainless steel, 4" barrel,
serial # TDU5969,
1 - 9 mm caliber cartridge from firing chamber,
14 - 9 mm caliber cartridges from magazine,
2 - Fifteen round magazines.
Recovered in the Bureau of Detectives - Area Central office
by ET Beat 5824.
IL FOID card # 95380037,
expiration 01 May 2019,
Chicago registration # 628361.
Request for analysis by Firearms Section.

VEHICLES:

CPD vehicle damaged by Laquan MCDONALD -
CPD vehicle # 8489,
Beat 815R,
Marked vehicle,
2010 Chevrolet Tahoe, four door SUV, white / white,
VIN - 1GNMCAE0XAR263348,
IL license plate # MP6581.
Right front tire flat after MCDONALD stabbed the tire with a knife,
damage to right side of windshield from knife.

MANNER / MOTIVE:

Laquan MCDONALD was shot and killed by Chicago Police
Officer Jason VAN DYKE while MCDONALD was committing an

aggravated assault with a knife against Officer VAN DYKE and his partner, Chicago Police Officer Joseph WALSH. MCDONALD also committed an aggravated assault with a knife against Chicago Police Officers Thomas GAFFNEY and Joseph MCELLIGOTT, when MCDONALD stabbed the right front tire and windshield of their police vehicle, and an aggravated assault with a knife against civilian, Rudy BARILLAS, immediately prior to being confronted by Officers VAN DYKE and WALSH. / Peace officer interceding in a felony, in the line of duty-Defense of life (Offender apparently attempting to defeat arrest).

REFERENCE NUMBERS:

U # 2014 - 36.

Log # 1072125.

RD# HX486155
HOMICIDE / Justifiable Homicide
IUCR - 0150.

PROPERTY TAKEN:

None.

EVIDENCE:

Video of scene taken by Crime Lab Beat 5802.

Photographs of scene taken by Crime Lab Beat 5802.

Photographs of victim police officers taken by ET Beat 5824.

See Weapons and Clothing categories above.

Inventory # 13296485 (Unit 277)
14 - 9 mm caliber cartridge cases (Markers 1 & 4 - 16).
Recovered from the street at 4112 S Pulaski Rd
by Crime Lab Beat 5802.
Request for analysis by Firearms Section.

Inventory # 13296489 (Unit 277)
2 - 9 mm caliber cartridge cases (Markers 2 & 3).
Recovered from the street at 4112 S Pulaski Rd
by Crime Lab Beat 5802.
Request for analysis by Firearms Section.

Inventory # 13296500 (Unit 277)

1 - Swab box containing two swabs of suspect red blood stains
(Marker B).
Recovered from the street at 4112 S Pulaski Rd
by Crime Lab Beat 5802.
To ERPS - No analysis needed at this time.

Inventory # 13296511 (Unit 277)
5 - Metal fragments (Markers A, D, E, F & G).
Recovered from the street at 4112 S Pulaski Rd
by Crime Lab Beat 5802.
Request for analysis by Firearms Section.

Inventory # 13296523 (Unit 277)
1 - Firestone Firehawk tire with damage, attached to rim.
Recovered from CPD vehicle # 8489 (Beat 815R),
at 4102 S Pulaski Rd, by Crime Lab Beat 5802.
To ERPS - No analysis needed at this time.

Inventory # 13296528 (Unit 277)
4 - Ridge impression lifts.
Recovered from the right front quarter panel of CPD vehicle
8489 (Beat 815R), by Crime Lab Beat 5802.
To ERPS - No analysis needed at this time.

Inventory # 13296534 (Unit 277)
1 - Envelope containing metal fragments,
recovered from the sweater of Laquan MCDONALD,
by Crime Lab Beat 5802,
3 - Metal fragments in a container,
recovered from Laquan MCDONALD at Mount Sinai Hospital,
given to Det W JOHNSON #20169, by RN Allan GAYAN,
turned over to Crime Lab Beat 5802,
at Mount Sinai Hospital.
Request for analysis by Firearms Section.

Inventory # 13296451 (Unit 277)
1 - Set of elimination prints, including palms,
from PO J MCELLIGOTT #18715.
Taken by ET Beat 5824.
To ERPS - No analysis needed at this time.

Inventory # 13296452 (Unit 277)
1 - Set of elimination prints, including palms,
from PO T GAFFNEY #19958.
Taken by ET Beat 5824.
To ERPS - No analysis needed at this time.

Inventory # 13296464 (Unit 277)

1 - Sealed ME blood card.
Recovered at the Office of the Medical Examiner
by Crime Lab Beat 5809.
To ERPS - No analysis needed at this time.

Inventory # 13296668 (Unit 277)
1 - Sealed ME bullet envelope.
Recovered at the Office of the Medical Examiner
by Crime Lab Beat 5809.
Request for analysis by Firearms Section.

Inventory # 13337048 (Unit 610)
1 - CD containing compilation of video.
Created by Det R HAGEN #20606.

Inventory # 13337053 (Unit 610)
1 - CD containing video from the Greater Chicago Food
Depository, 4100 W Ann Lurie Pl.
Recovered by Det J MALIK #20729.

Inventory # 13337056 (Unit 610)
1 - CD containing video from in-car camera, Beat 845R,
1 - CD containing video from in-car camera, Beat 813R.

Inventory # 13337060 (Unit 610)
1 - CD containing video from Dunkin' Donuts, 4113 S Pulaski Rd.
Recovered by Det R HAGEN #20606.

Inventory # 13337065 (Unit 610)
1 - DVD containing video from Focal Point, 4141 S Pulaski Rd.
Recovered by Det J MALIK #20729.

Inventory # 13337077 (Unit 610)
1 - CD containing OEMC audio recording of call to 9-1-1,
1 - CD containing OEMC audio recording
of CPD radio zone 6 transmissions.

Inventory # 13337080 (Unit 610)
1 - CD containing photos from ME autopsy.

Inventory # 13337087 (Unit 610)
1 - State of Illinois ID card, Lequan J MCDONALD,
1 - RTA ADA Paratransit & Reduced Fare Card,
Earnest THOMAS,
1 - Ventra, CTA ticket,
1 - Receipt for above Ventra, CTA ticket.
Recovered from Laquan MCDONALD at Mount Sinai Hospital.

Inventory # 13394378 (Unit 610)
1 - Disk containing video from in-car camera, Beat 815R (No relevant footage).

Inventory # 13394389 (Unit 610)
3 - DVDs containing video from Burger King restaurant at 4060 S Pulaski Rd (No relevant footage).

Inventory # 13394394 (Unit 610)
1 - DVD containing video from in-car camera, CPD vehicle # 9049 (No relevant footage).

Inventory # 13394398 (Unit 610)
1 - CPD Officer Safety Alert, # 2012-OSA-297.

PERSONNEL ASSIGNED:

Car 41 (Bureau of Patrol - Area Central / OCIC)
D/C D MCNAUGHTON #120

Beat 800
Cmdr J O'DONNELL #13
Beat 800X
Capt D WALSH #107
Beat 810R
Sgt S FRANKO #1381
Beat 830R
Sgt P MCGLYNN #1734
Beat 841R (Original report)
PO D FONTAINE #12698
PO R VIRAMONTES #10590
Beat 821R (Scene)
PO P KENNING #8302
PO R ROSALES #9654
Beat 823R (Scene)
PO D IVANKOVICH #12392
PO J TORRES #19898
Beat 833R (Scene)
PO A VANCE #11830
PO J GEISBUSH #16422
Beat 851R (Scene)
PO L GARCIA #6490
PO E FLAGG #12037
Beat 825R (Scene)
PO M POWER #8661
PO D WAHRER #13454
Beat 842 (Mt Sinai Hospital)
PO T DZIADKOWIEC #15529

PO C GACEK #17853
Beat 846R (Mt Sinai Hospital)
PO L TORRES #10573
PO M VEGA #8526

Beat 9210 (In-car camera system)
Sgt L BECVAR #1748

Beat 5880
Sgt D FRIEL #819
Beat 5802 (Scene)
FI C BRASIC #10201
ET K JUDEH #8825
Beat 5824 (Area Central)
ET P RIDER #9977
Beat 5809 (ME)
FI V RIVERA #11520
Beat 5885 (MIRV)
Det M RICKER #20201

Beat 5100
Cmdr E ROY #62
Beat 5105
Lt A WOJCIK #481
Beat 5107
Lt O VALDEZ #529
Beat 5120
Sgt D GALLAGHER #1303
Beat 5121
Det D MARCH #20563
Beat 5122
Det G JONES #21285
Beat 5131
Det J HALLORAN #20453
Det J MURRAY #21128
Beat 5132
Det F CASALE #21041
Det D HICKEY #20723
Beat 5165B
Det R HAGEN #20606
Det A MANAOIS #20320
Beat 5166A
Det R RANZZONI #20162
Beat 5127
Det V WATHEN #20493
Beat 5193
Det M NESTAD #20505
Det W JOHNSON #20169

Beat 5194
Det A GLAVIANO #21443
Beat 5192
Det T TEAHAN #20462
Beat 5125
Det T CURRAN #20948
Beat 5102D
Det B SVEC #20941
Beat 5142
Det S ESPARZA #20140
Beat 5106B
Det J MALIK #20729

IPRA
Chief of Staff S HIRSCH #3
Supervisor A AMEZAGA #022
Investigator B KILLEN #129
Public Affairs L MERRITT #23

FOP
PO Marlon HARVEY #16468
Kriston KATO
Daniel HERBERT (Attorney)

WITNESSES:

SEBASTIAN, Daphne L,
CPD - PO, #2763,
F / W / 45,
Assigned to 008th District,
3420 W 63rd St,
312-747-8730,
Beat 813R
(Circumstantial witness).

MONDRAGON, Janet,
CPD - PO, #4364,
F / WH / 37,
Assigned to 008th District,
3420 W 63rd St,
312-747-8730,
Beat 813R
(Circumstantial witness).

BACERRA, Arturo,
CPD - PO, #15790,
M / WH / 32,
Assigned to 008th District,

3420 W 63rd St,
312-747-8730,
Beat 822
(Circumstantial witness).

VELEZ, Leticia,
CPD - PO, #10385,
F / WH / 43,
Assigned to 008th District,
3420 W 63rd St,
312-747-8730,
Beat 822
(Circumstantial witness).

FONTAINE, Dora,
CPD - PO, #4484
F / WH / 47,
Assigned to 008th District,
3420 W 63rd St,
312-747-8730,
Beat 841R
(Eyewitness).

VIRAMONTES, Ricardo,
CPD - PO, #10590,
M / WH / 41,
Assigned to 008th District,
3420 W 63rd St,
312-747-8730,
Beat 841R
(Eyewitness).

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

INTERVIEWED:

[redacted]

[redacted]

INVESTIGATION:

The details of this investigation are documented in the following Exceptionally Cleared Closed Report.

REPORT OF:

Detective David M MARCH #20563
Sergeant Daniel GALLAGHER #1303
Lieutenant Anthony WOJCIK #481
Bureau of Detectives - Area Central



Mobile Recorder User Manual

COBAN® Technologies Inc.
12503 Exchange Drive, Suite 536
Stafford, Texas 77477

Tel: 1-281-277-8288
Fax: 1-281-277-8256

http://www.cobantech.com

Table of Contents

Introduction **4**

Login **4**
Turn On the Mobile Recorder 4
Login to the Mobile Recorder 5
Sync the Wireless Microphone 6
Other Login Options 7
Manually Start the Application 7
Minimize/Maximize the Application Window 8

Camera View Screen **9**

Recording **11**
Start a Recording Manually 11
Stop Recording 12
Use Wireless Mic to Start Recording 12
Wireless Mic Alerts 12
Other Recording Options 12

Event Type **13**
Select an Event Type 13

Snapshot **15**
Take Snapshot 15
Review Snapshots 16

Bookmark **16**
Set a Bookmark in Mobile Recorder 16

More Functions **17**
Access the More Menu 17
System Summary 18
Close Shot 19
View Snapshots 20
Pre-Event Playback 21
Equipment Test 23
Sync GPS Time 24
Edit Event Data 25
Offender Data Screen *26*
Violation Selection Screen *27*
IP Address 28
Record Indicator 29
Traffic Watch 30
Night Mode 31
Color Mode 32

Camera Control **33**
Brightness Control 33
Zoom Control 33
Focus Control 33

Auto Zoom **34**

Playback Video **35**

Switch Officer **37**

Upload Videos **38**
Wireless Upload 38
Automatic Wireless Upload 40
Specifying Videos to Upload/Retain 40

OIG 15-0564 008964

MHDD Upload 41
Wired Upload 43
Exit the System **45**
Mobile Recorder Quick Reference Guide **47**

OIG 15-0564 008965

Introduction

The COBAN mobile recorder is the front line of the Digital Video Management System (DVMS). The mobile recorder support up to three audio/video channels and can record two channels of audio and two channels of video streams simultaneously to the in-car CPU.

	Audio Channels Supported	Video Channels Supported	Video Format
TopCam-G2	2	3*	MPEG 1 / 2
EDGE	3	3*	H.264

*Only two video channels can be recorded simultaneously.

This information is stored in the Mobile Hard Disk Drive until it can be transferred to the BOClient.

This manual addresses the steps needed to properly use the Mobile recording system.

Login

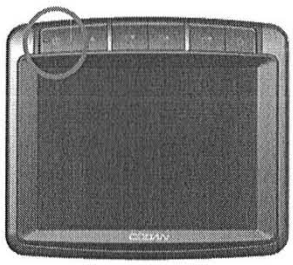
Based on the system settings configured by the department users may need to login to the mobile recorder system using a valid user ID and password at the beginning of each shift. Other login types are described on page 7. This information allows the mobile recorder system to transfer videos taken during the shift to BOClient to be properly stored and classified in the DVMS. Complete the steps described in this section to login to the mobile recorder system.

Turn On the Mobile Recorder

1. Start the vehicle.
2. Turn on the mobile recorder using the On/Off switch on the monitor.
3. Allow the system to boot up.



TOPCAM-G2



EDGE

OIG 15-0564 008966

Login to the Mobile Recorder

1. After the mobile recording system has been powered up, the Mobile Start Recorder software will initiate and display the Officer Login screen.
2. The officer ID should be automatically entered into the appropriate field from information input during MHDD checkout. If not, enter the appropriate **Officer ID** in the field provided.

Note: Tap **Officer ID** or **Password** to access the virtual keypad.



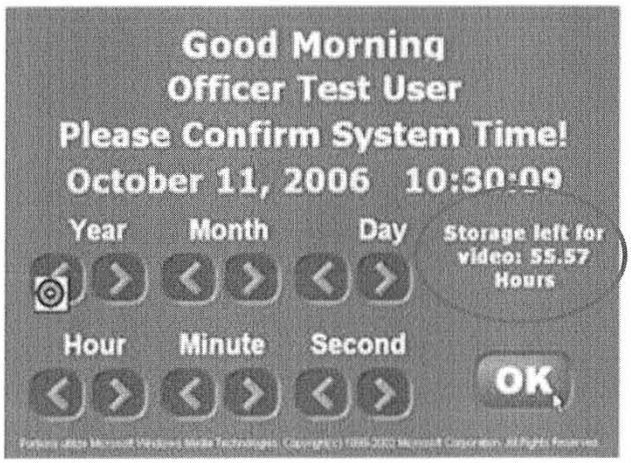
3. Type your password using the virtual keypad then tap **OK**.
4. Tap **Login**.



5. The System Time and Date screen will appear.
6. Change the system time and date if it is incorrect using the appropriate arrow keys.
7. Take note of the estimated remaining recording time. Storage remaining for video recording is displayed above the **OK** button.

Note: A warning prompt will be displayed if available recording time is less than 4 hours. The system will not allow the MHDD to be used if it has less than ??? time remaining.

8. Tap **OK.**



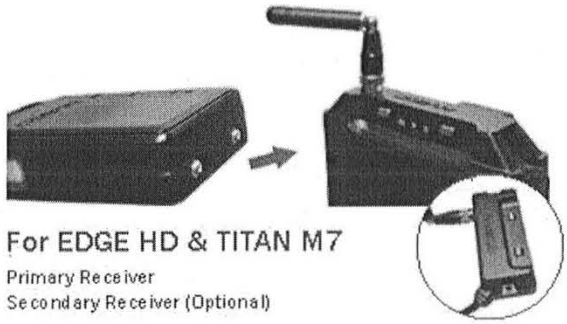
OIG 15-0564 008967

Note: A successful Login will show the Officer ID number on the bottom right of the Camera View screen.



Sync the Wireless Microphone

1. Locate the contacts at the bottom of the wireless mic.
2. Press the wireless microphone contacts directly on top of the receiver's register contacts.
3. A confirmation tone will sound to indicate the receiver and the microphone have synchronized their frequencies.
4. The wireless microphone is now on standby mode and ready for use.



Note: Syncing a second microphone to the same receiver will replace and nullify the first microphone.

OIG 15-0564 008968

Other Login Options

The system administrator for the DVMS can enable one of four different login capabilities. These four different options are described below:

Quick login – Automatically logs in an officer after they login once, as long as the same hard drive is used in the same unit (typically used in take home vehicles).

Emergency login – If this option is enabled, when the user starts the mobile recording system and the light bar is activated, the system will boot into record mode automatically. If the light bar is not activated, the system will remain at the login screen.

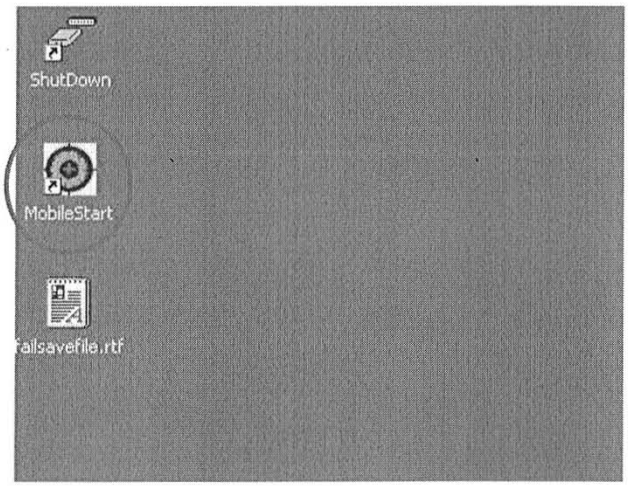
Delayed login – If this option is enabled the officer can startup the mobile unit and will get a login prompt for 30 seconds. If the officer does not login within 30 seconds the mobile recorder program will start automatically with the ability to record a video. At the end of the recording period, once the stop button is pressed, the officer is prompted to login.

Windows login – The administrator may set BOClient to use MSWindows login credentials and automatically login to BO Client. Note that users will need to logoff from the current Windows session so that others will not gain access to DVMS system with other users' access rights (this feature requires MDT integration or a connection to the department network).

Manually Start the Application

1. The system is designed to start automatically. If the system does not automatically start contact the system administrator or locate the application icon on the display screen.
2. Tap the Mobile Start icon to start the application.





OIG 15-0564 008969

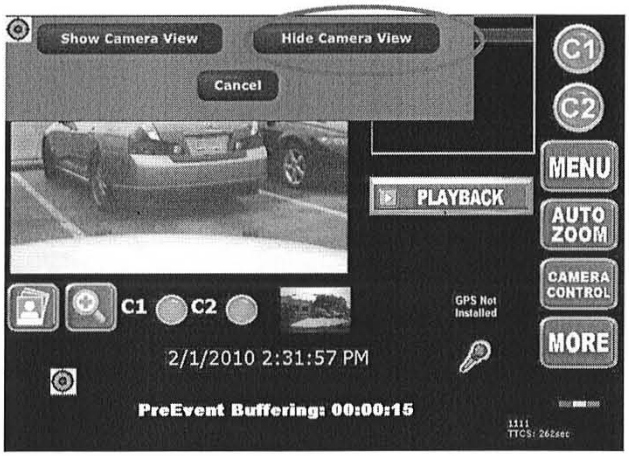
Minimize/Maximize the Application Window

1. Tap the application icon to minimize the window.



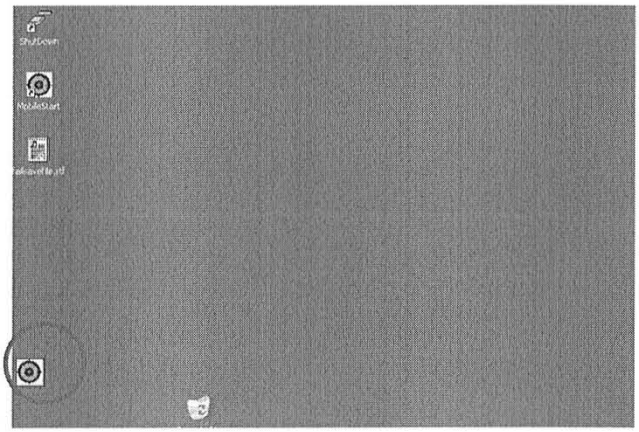


2. Tap **Hide Camera View** to minimize the application window and access the desktop.



3. Tap the application icon to return to the Camera View screen.





OIG 15-0564 008970

Camera View Screen

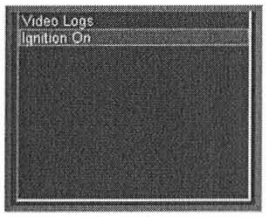
The Camera View screen displays the camera input and provides options for the user to start recording, create bookmarks, take snapshots of the video and other functions. It also provides icons that indicate the light bar status, radar gun reading, GPS indicator (if installed), and the in-car microphone ON / OFF status.

At the bottom of this screen, it shows the Pre-Event Buffering time, which indicates the length of video that is being pre-recorded prior to User pressing the Record button.





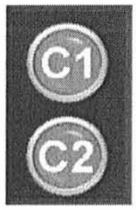
Camera Preview



Video Logs



Playback Function



Record Buttons



Snapshot



Zoom In



Recording Indicators



Secondary Camera View



Minimize/Enlarge Button



Date and Time



Mic Icon



Light Bar Indicator



Function Buttons

Buffer Setting

OIG 15-0564 008971

Camera Preview – The camera preview displays the image as seen through the camera lens. The default image is set as the front facing camera. The system supports a spot exposure feature. Tap the brightest portion of the camera preview screen to automatically dim the preview screen for five seconds. This feature is useful for when lights are making portions of the preview too bright to see.

Video Log - The Video Log documents readings and status from various devices connect to the mobile recording system such as, light bar status, microphone status, bookmark, etc.

Snapshot Function – Tapping the snapshot icon will save a JPG freeze frame image of the video displayed on the camera preview screen. A preview of the snapshot will be displayed immediately beneath the snapshot icon for 15 seconds. Take a snapshot of the rear camera view by clicking on the C2 camera indicator to change the camera preview to secondary camera, then tap the snapshot icon.

Minimize/Enlarge Button – The minimize/enlarge button will minimize or enlarge the mobile recorder application and allow users the ability to access other programs on the computer.

Recording Indicators – The recording indicators blink red to signify which camera is recording. If no cameras are recording, the indicators will not blink. Users can tap on the recording indicators to make that cameras view active in the Camera Preview screen. When there is only one camera installed on the vehicle, the user will not see a C1 and C2 camera indicator. When three cameras are installed in the system, tapping the C2 camera indicator will toggle between camera's two and three.

Date and Time – The Date and Time display is set during the login sequence and continuously displays the current date and time.

Buffer Setting – The Pre-Event Buffer is set by the System Administrator through COBAN's BOClient application. The Pre-Event Buffer display is a reminder to the user that all recordings are provided with a pre-event recording. This buffer can be adjusted through BOClient or in some cases through mobile recorder.

Mic Icon – The wireless microphone icon will blink when the covert microphone is recording audio.

Light Bar Indicator – the light bar indicator will blink when the vehicles light bar is activated.

Function Buttons – The function buttons provide users the access to greater functionality, including:

The **Menu** button provides access to Camera View, Playback, Switch User, or Exit functions.

Bookmark Icon – Tap the bookmark icon to mark a spot in a video for later review or to pinpoint an action on the recording.

Auto Zoom - When tapped, the system will automatically zoom the camera, pause for 3 seconds and zoom back to user's original zoom setting. There is no need to manually disengage the button when this feature is used.

Camera Control - Press Camera Control to access manual camera zoom, brightness and focus capabilities.

More - Allows users the ability to access additional system features and functions.

Secondary Camera View - If installed, will be configured as C2 and the second camera's view will appear below the primary camera image next to C2 indicator.

Playback Functions – The playback feature allows user to play previously recorded video, enter / edit video event data, send selected video wirelessly (if wireless option is purchased) and manually retain video. (Please refer to Page 17 for more details)

Record Buttons – The user may initiate a recording by pressing the wireless microphone, turning on the light bar or siren (if equipped as a system trigger), or pressing the **Record** icons on the screen.

OIG 15-0564 008972

Recording

The core feature of the mobile recording system is its ability to quickly and accurately capture videos when the user initiates a recording. The COBAN mobile recording system incorporates a multitude of options to start a recording, and to view videos as they are being recorded. These options are detailed in the following section.

Start a Recording Manually



1. Tap the camera 1 icon  to begin a recording using the primary camera via the video recorder.

2. Tap the camera 2 icon  to begin a recording using the secondary camera via the video recorder.

Note: If the vehicle has three cameras, the user can switch the display between camera 2 and camera 3 by double tapping the camera 2 indicator beneath the video image display.



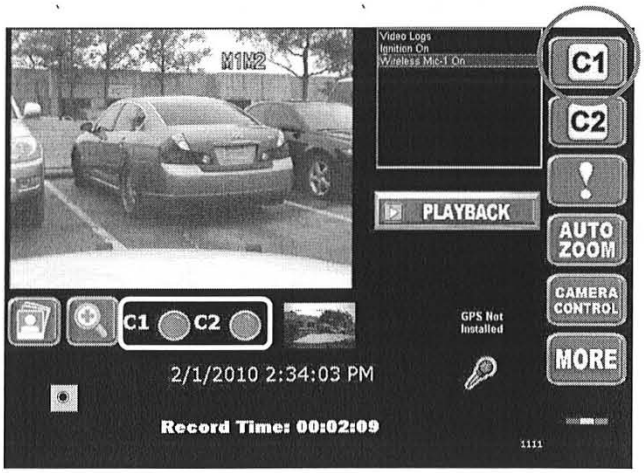
Note: The camera 1 icon will be shown as a white square when the mobile recorder is actively recording a video.

Not Recording Recording



3. The recording indicators will blink red to signify which cameras are actively recording.

Note: While in record mode, the preview screen provides the ability to set bookmarks by pressing the bookmark icon (see page 16 for more information on this feature).



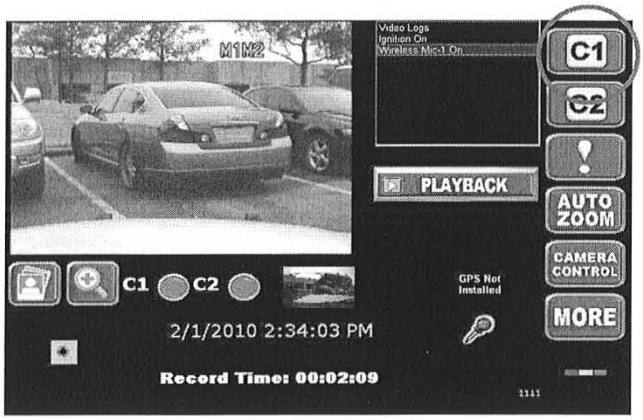
OIG 15-0564 008973

Stop Recording

1. Tap the camera 1 icon 

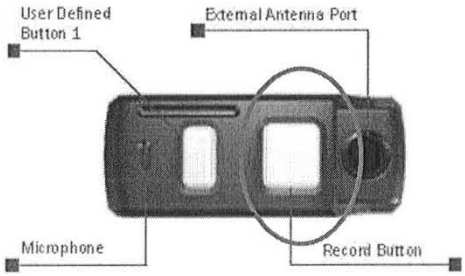
to stop recoding using the primary camera.
2. Tap the camera 2 icon 

to stop the recording on the secondary camera.



Use Wireless Mic to Start Recording

1. Press the Record button (larger button) on the wireless mic once.
2. This action will initiate the mobile recorder to record both audio and video data via the mobile recorder.
3. The wireless mic will vibrate twice and the record button will flash green to indicate that the mobile recording system has started a recording, depending on which mode it is in (see table below).



Wireless Mic Alerts

1. The wireless mic will flash color coded LEDs and/or vibrate to alert users of status changes and wireless mic maintenance alerts.
2. See the table to the right to decipher the alerts.

Alert \ Mode	Vibrations	LED/ Vibrate
Recording	2	Green LED / 2
Mute	2	Green Blinking LED / 2
Out of Range	1	Yellow LED / 1
Low Battery	1 each min	Green LED / 1 (blinks every 4 seconds)

Other Recording Options

The system administrator can set other recording start and stop options via the system settings in BOClient, including:

- Light bar activation
- Siren activation
- Vehicle speed activation
- Weapons rack activation

The middle button of the wireless mic is configurable so that it can be used for the following purposes:

- Bookmark
- Mute
- Stop recording

OIG 15-0564 008974

Event Type

If enabled, the Event Type screen will pop up immediately after the user stops a video recording. Classifying a recording with an event type helps the DVMS save the video, and allows meta-data and other details about the video to be stored with the recording as well as sets the retention criteria for each video. The mobile recorder system will return to the Camera View Screen and Wireless Microphone will also return to standby once the video has been linked to an event type. In instances where both cameras are recording the system will give the user the option to carry over the event data to the secondary camera.

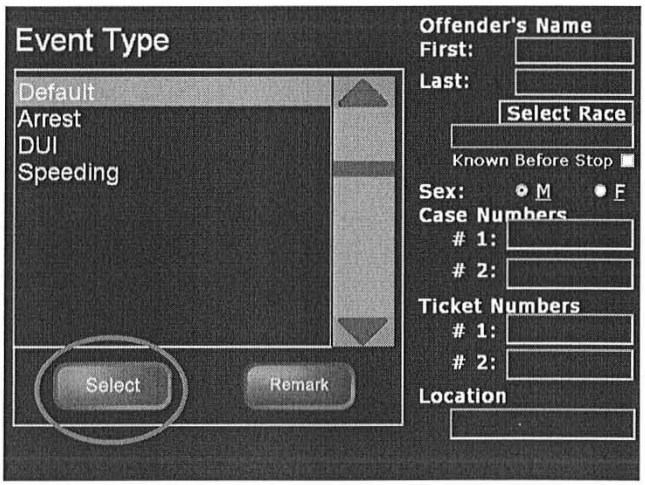
Select an Event Type

1. Tap the camera icon C1 or C2 to stop recording.



2. The Event Type screen will appear.
3. Tap the appropriate event type to classify the video that was recorded. The Event Type will be highlighted in light blue when it is selected.
4. Tap **Select** to enter the event type.

Note: Events can be added or removed from the event type list by the system administrator through BOClient.



OIG 15-0564 008975

5. Tap any of the text fields to display the virtual keypad.
6. Type information regarding the recording using the virtual keypad then tap **OK**.



OIG 15-0564 008976

Snapshot

Using the snapshot feature will take a JPG freeze frame image of the video displayed on the preview screen. A preview of the snapshot will be displayed immediately beneath the snapshot icon for 15 seconds. This feature works for any camera installed on the system, but only the camera view shown on the preview screen is available for snapshot.

Take Snapshot

1. Tap snapshot icon  to take a JPG freeze frame of the image on the camera view screen.



2. Tap the preview that appears beneath the snapshot icon to enlarge the snapshot.

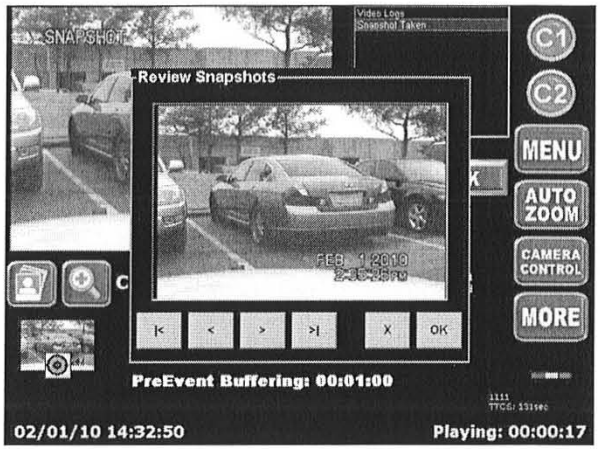
Note: The snapshot preview will be displayed for approximately 15 seconds.



OIG 15-0564 008977

Review Snapshots

1. Use the arrow keys to scroll through the snapshots saved in the mobile recorder system.
2. Click **X** to delete snapshots.
3. Click **OK** to return to the Camera View screen.



Bookmark

Bookmarks are used to mark points in a video that the reviewer or user feels are significant. Bookmarks also allow users to quickly locate these significant points of videos during a review.

Set a Bookmark in Mobile Recorder

1. Start a video recording (see page 11 for more information on recording).
2. Tap the bookmark icon on the right side of the screen.



3. An entry will be displayed in the Video Log.

Note: The bookmark icon will not be displayed unless the mobile recorder is actively recording.



OIG 15-0564 008978

More Functions

Tap MORE to access additional system features/functions such as:

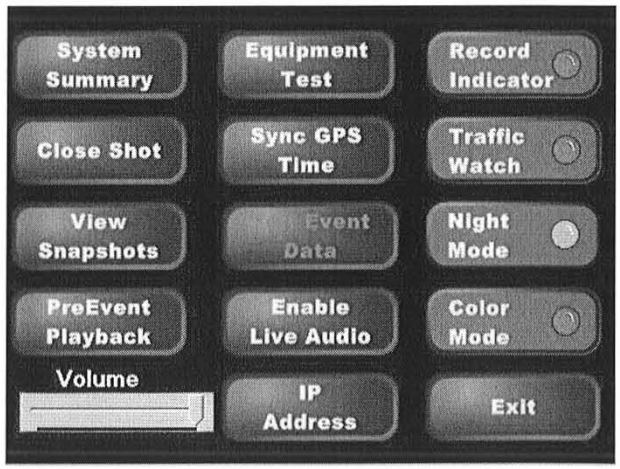
- System Summary
- Close Shot
- View Snapshot
- Pre-Event Playback
- Volume
- Equipment Test
- Sync GPS Time
- Edit Event Data
- Enable Live Audio
- IP Address
- Record Indicator
- Traffic Watch
- Night Mode
- Color Mode
- Exit

Access the More Menu

1. Tap **MORE** on the Camera Preview screen.



2. Tap the appropriate button to access the additional functions.



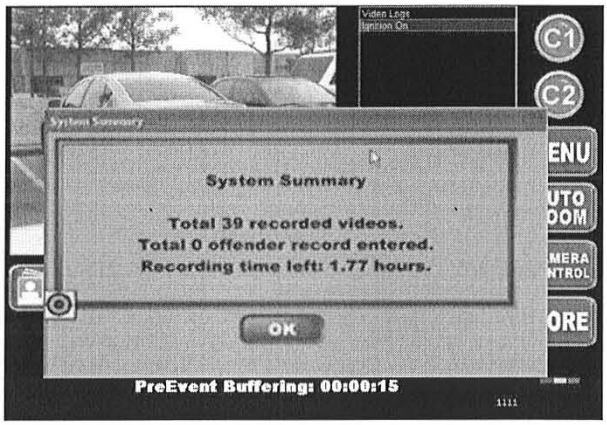
OIG 15-0564 008979

System Summary

1. Tap **System Summary**.



2. A popup window will appear that shows:
   - Total number of videos recorded
   - Total offender records entered
   - Recording time left



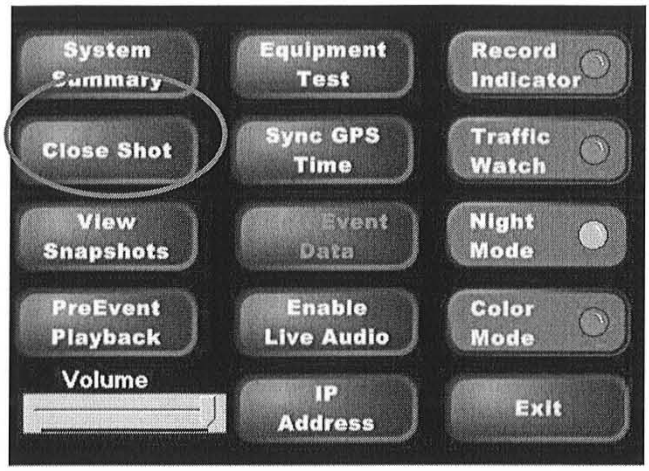
OIG 15-0564 008980

Close Shot

COBAN's mobile recorder camera is designed to focus beyond the vehicle's windshield. This point of focus ensures that rain drops or other debris on the windshield do not negatively affect the picture.

Users may use close shot mode to bring the focus point down to within one inch from the camera for 5 seconds. During this time, a snapshot will be taken for later review.

1. Position the ID or other object approximately 1 inch from the camera's lens.

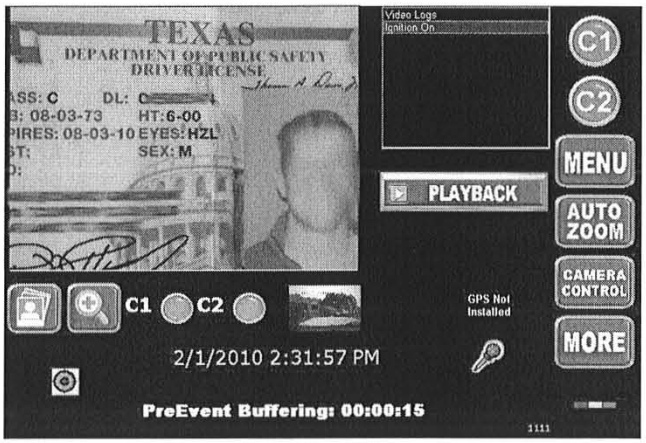


2. Tap **Close Shot**.



Standard View

3. The camera will re-focus and take a snapshot JPG image that will be saved in the snapshots file (see page 16 for more information on reviewing snapshots).



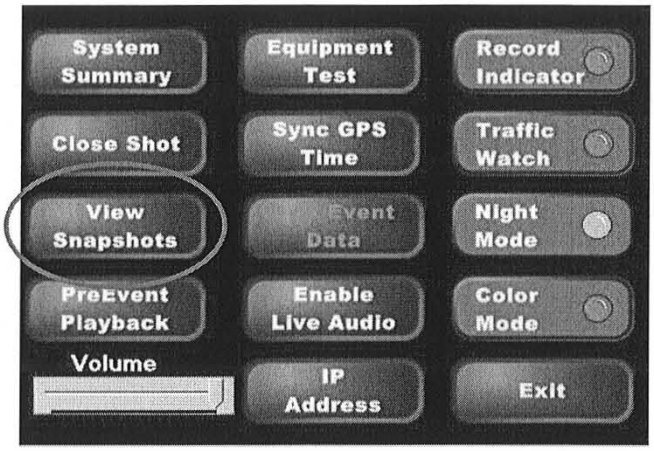
Close Shot View

OIG 15-0564 008981

View Snapshots

Snapshots, those taken via the snapshot function on the camera view screen or those taken utilizing the close shot function, are stored in the same place. Access these files by:

1. Tap **View Snapshots**.



2. Use the arrow keys to scroll through the snapshots in the mobile recorder system.
3. Click **X** to delete snapshots.
4. Click **OK** to return to Camera View screen.

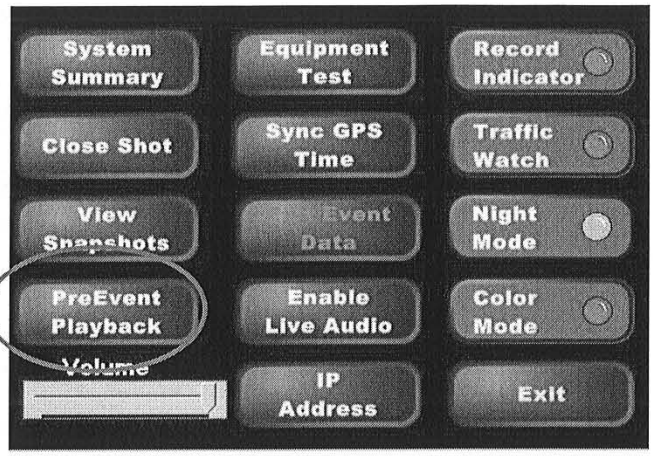


OIG 15-0564 008982

Pre-Event Playback

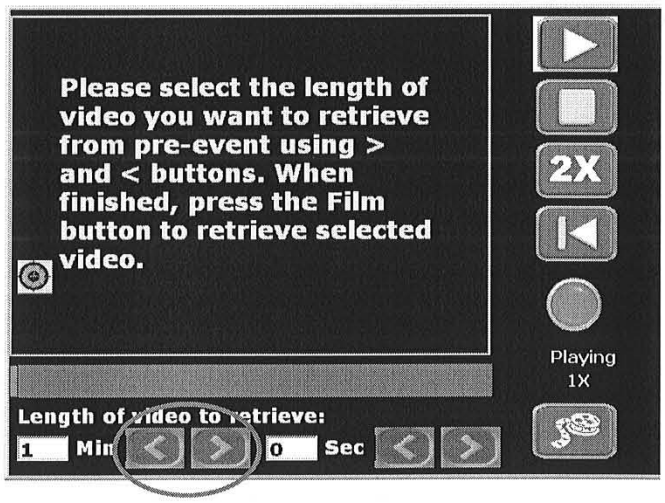
Pre-event buffer, or the length of video that will precede a recording when the record icon is activated can be adjusted, but only prior to a recording.

Another useful feature of the pre-event playback is a feature that allows the users to go back to any point in time that occurred since that user logged onto the mobile recorder system. The pre-event buffer starts at the time a user logs on or switches users (see page Switch Officer37 for information on switching officers).



1. Tap **Pre-Event Playback**.

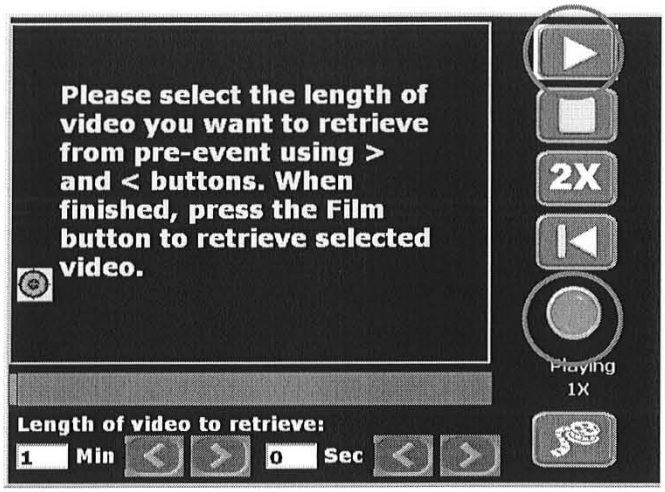
2. Tap the left and right arrow buttons to adjust the length of the pre-event section in minutes.



OIG 15-0564 008983

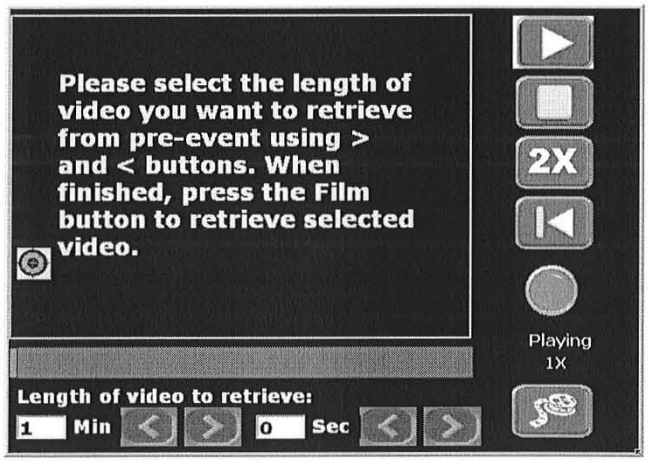
3. Tap  to view the past minutes that the officer has input.
4. Tap  to record the past minutes.
5. Tap the record button.

Note: Another useful feature of this capability is to view past minutes of a currently recording video to review what was said or happened and verify facts.



6. Tap the extract button  to retrieve the selected length of pre-event. This allows the user to playback and attach a longer pre-event segment than is defined in the back-office system.
7. The extra length of pre-event is included in the saved video.

Note: It is possible to adjust pre-event to append video to a previously recorded video by adjusting the pre-event buffer to a point prior to the recording's start time, ie. to append ten minutes of pre-event to a video recorded from 8:00 to 8:15, adjust the pre-event buffer to a value greater than fifteen minutes.

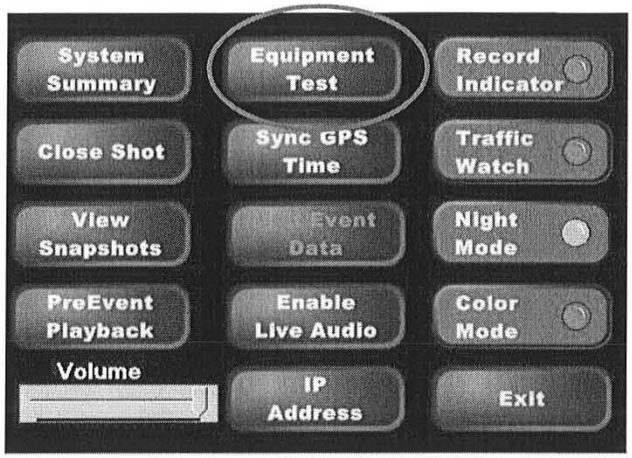


OIG 15-0564 008984

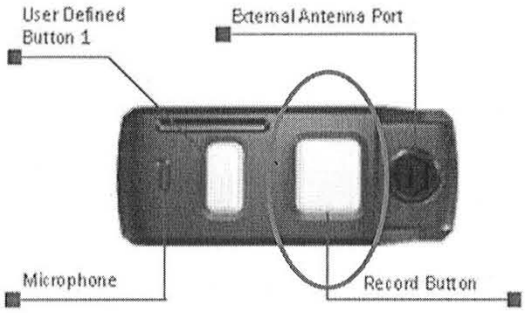
Equipment Test

The Equipment Test feature allows the user to test the wireless mic and the covert mic without triggering a recording.

1. Ensure that the wireless mic is synchronized to the mobile recorder (see page 6 for information on syncing the wireless mic).
2. Tap Equipment Test.



3. The wireless mic will beep twice and flash green if the system is properly synchronized.
4. Press the record button on the wireless mic.



5. The microphone icon will be shown with flashing electrifying icons indicating that the microphone is active, if the covert mic is working properly.

Note: A feedback whine may be produced by the microphone during this test.

6. Also, the text M1 will appear at the top right of the camera preview screen to indicate that wireless 1 is active.
7. Note: When two mics are used, M1 and M2 will appear in the camera preview.



OIG 15-0564 008985

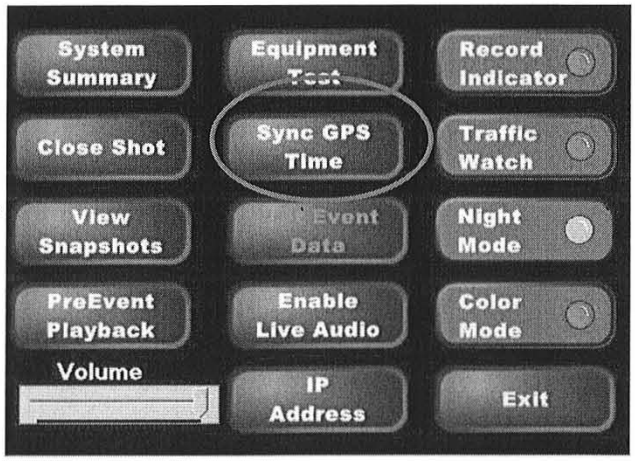
8. Tap Click here to exit Test Mode to exit the test.



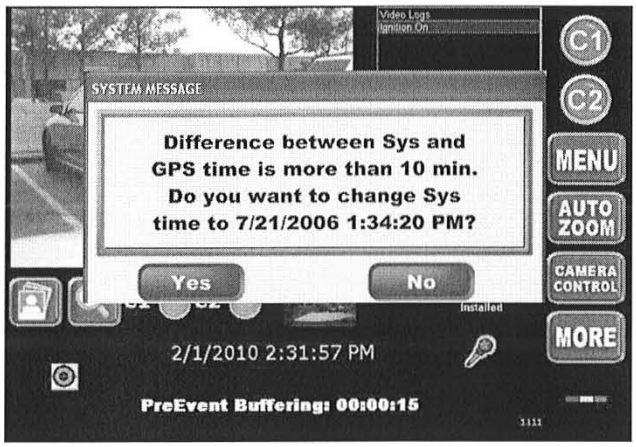
Sync GPS Time

This feature syncs the video clock to GPS time clock if the time is off by more than 10 minutes. This feature will only work if GPS is installed on the mobile recorder system.

1. Tap **Sync GPS Time**.



2. A popup window will appear providing the user with the difference between the system time and the GPS time.
3. Tap **Yes** to synchronize the system time to the GPS time.



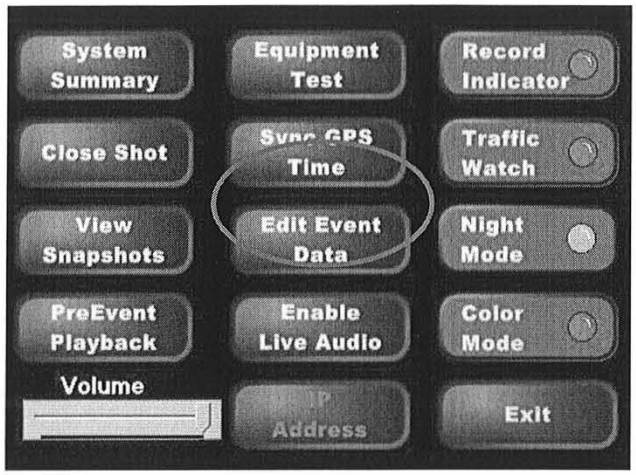
OIG 15-0564 008986

Edit Event Data

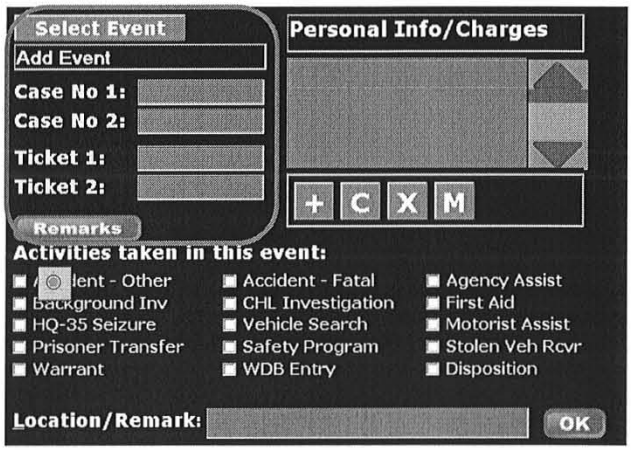
Each recorded video is linked with an event type. Events can be defined as traffic stop, accident, assistance, or any other definable event type. Each event may have multiple data points including offender information, user activities, location description, and remarks.

1. To access the Event Data screen, tap **Edit Event Data**.

Note: This option will be grayed out if the system is not recording.



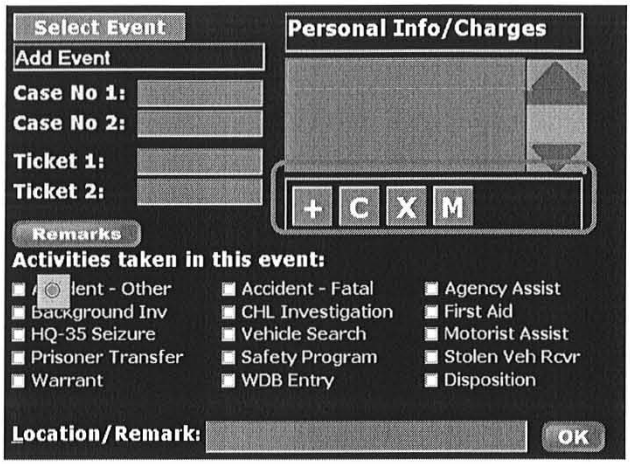
2. Tap **Select Event**.
3. Select the event type from the pre-defined event list.
4. Once event type is selected, the user may then start adding personal information of offenders, or select the applicable activities.
5. Enter case numbers and ticket numbers in the fields provided at the top left of the screen.
6. Tap **Remarks** to enter comments regarding the video event.
7. Check the activities boxes to describe the activities taken during the video event.



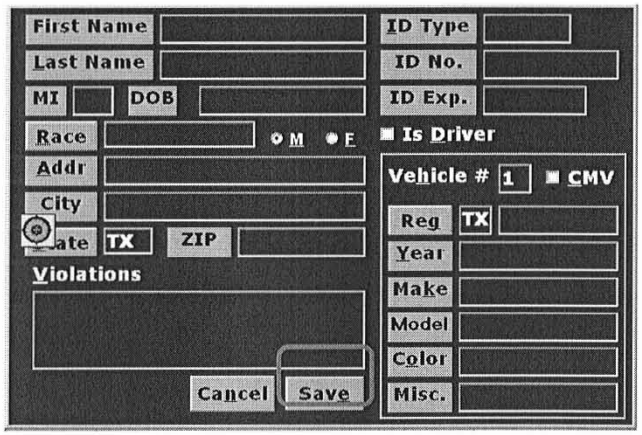
OIG 15-0564 008987

Offender Data Screen

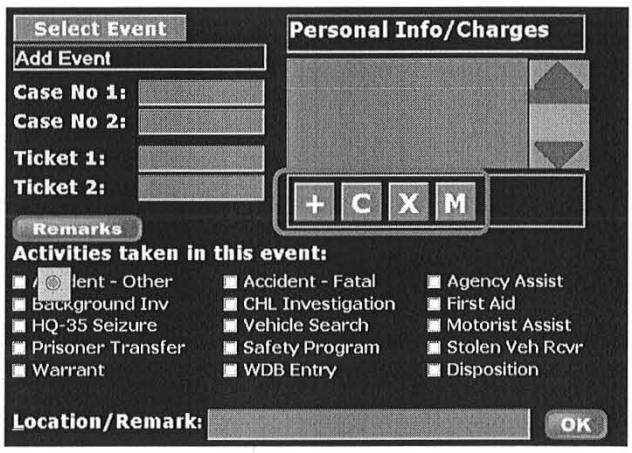
1. Tap + from the Edit Event Data screen to enter the offender data screen.



2. Enter offender data in the fields provided in the Offender Data screen.
3. Tap **Save** when the entries are completed.
4. Tap the Violations field to access the Violations Selection screen (see page 27 for more information on entering violations data).



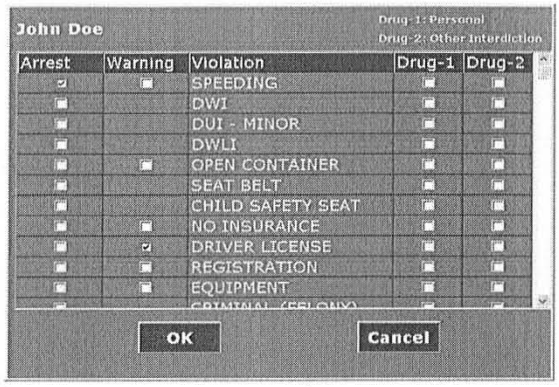
5. Tap C to access the offender data and edit data regarding the event.
6. Tap X to delete offender data.
7. Tap M to move offender data from one event to another.
8. Tap the field next to **Location/Remark** to enter text regarding the location of the video event.



OIG 15-0564 008988

Violation Selection Screen

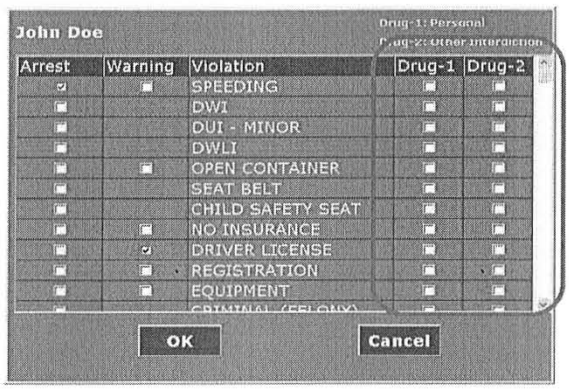
1. Tap the Violations field in the Offender Data screen (as described on page 26) to access the Violation Selection screen.
2. For events where a warning or an arrest took place, check the appropriate box across from the appropriate violation.



3. For events involving drug interdiction, the user can check the box in the Drug-1 or Drug-2 column across from the appropriate violation.

Note: Drug-1 is commonly used to indicate personal use of the drug; Drug-2 is for other drug interdictions (such as Drug Trafficking or Dealing).

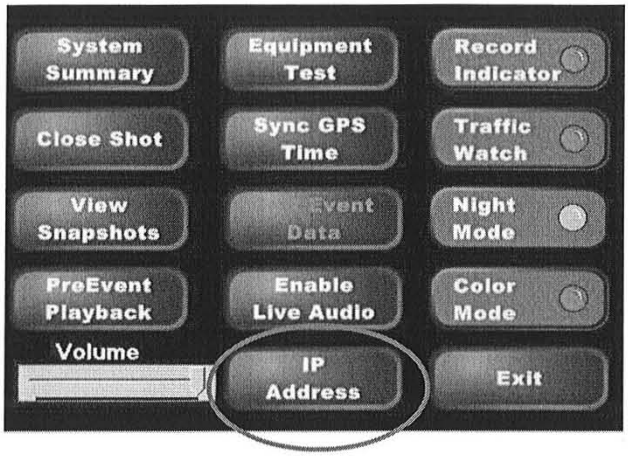
4. Tap **OK** to return to the Offender's Data screen.



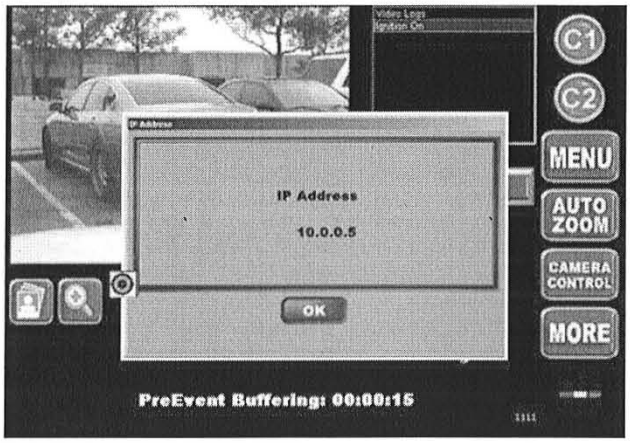
OIG 15-0564 008989

IP Address

1. Tap **IP Address** to display the IP address of the vehicle.



2. A popup window will appear providing the IP address information.
3. Click **OK** to return to the **Main Menu** screen.

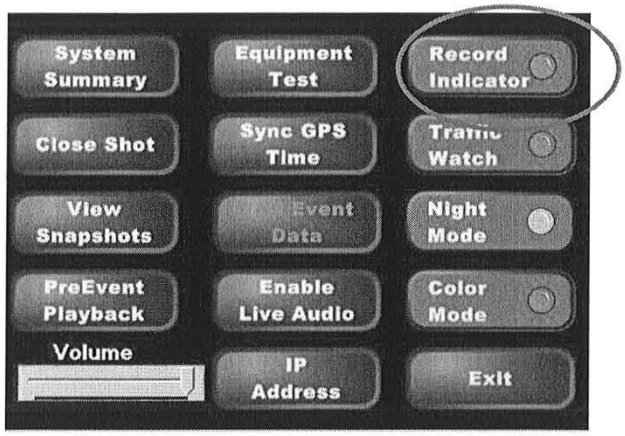


OIG 15-0564 008990

Record Indicator

A red LED light is situated on the front of the COBAN camera in order to signify to users whether or not the system is recording. It is situated to be seen through the front windshield when the user is outside the vehicle.

1. Tap **Record Indicator** to deactivate the red LED on the camera.



2. Tap **Record Indicator** a second time to activate the red LED on the camera.

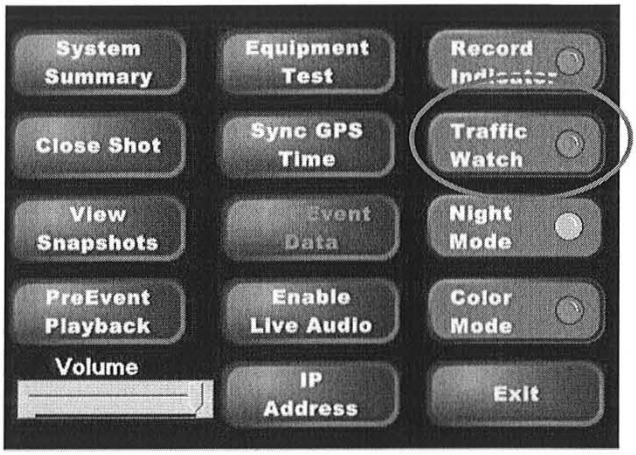


OIG 15-0564 008991

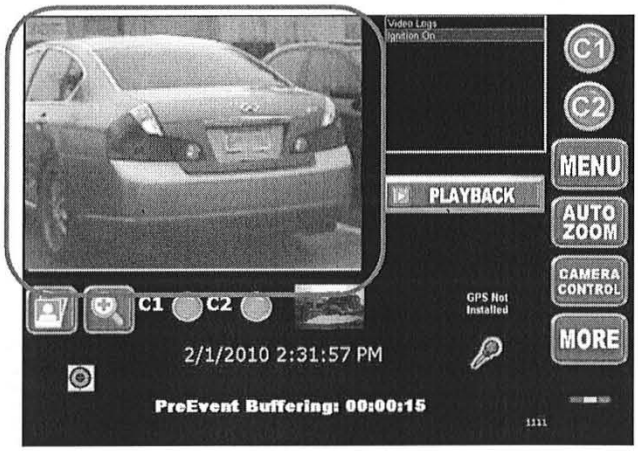
Traffic Watch

The traffic watch allows users the ability to zoom out as soon as the record button is tapped.

1. Tap **Traffic Watch** to turn on the traffic watch function.



2. The screen shot on the right shows a preview where the user is focusing on the license plate of the vehicle in the frame.



3. When a recording is started the camera will automatically zoom out to obtain the entire scene.

Note: When traffic watch is disabled the manual zoom button stays active.

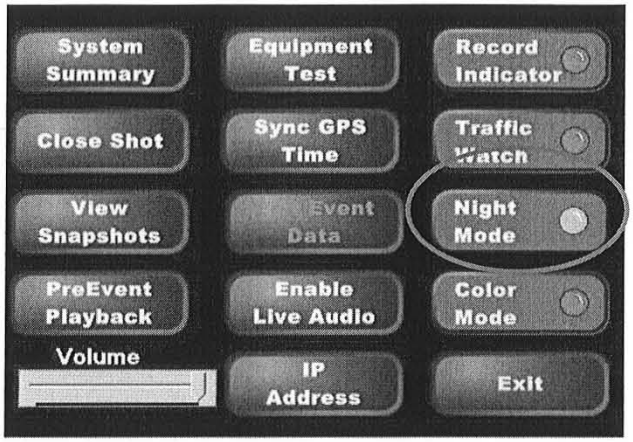


OIG 15-0564 008992

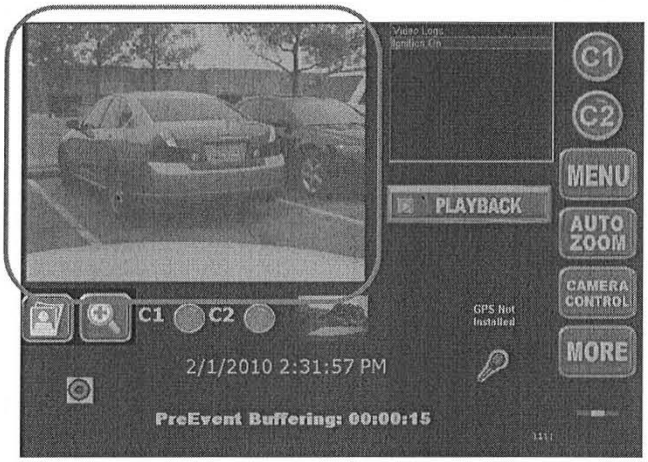
Night Mode

Night Mode dims the in-car monitor for clarity and provides less glare during covert conditions.

1. Tap **Night Mode** to activate night mode and reduce the brightness of the monitor.



2. The preview screen will dim slightly.



3. Tap **Night Mode** again to deactivate night mode and return the monitor to the default brightness settings.

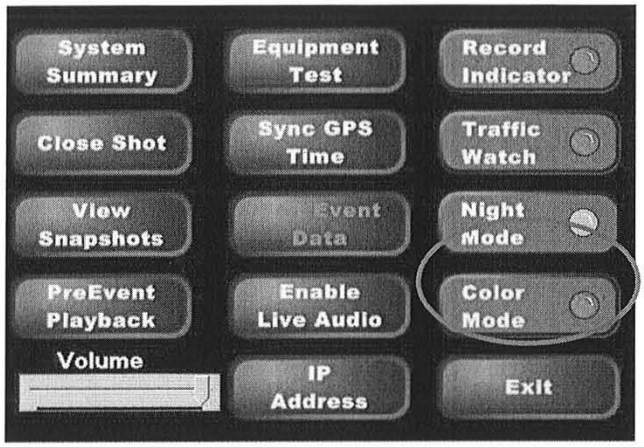


OIG 15-0564 008993

Color Mode

By default, color mode is enabled in the mobile recording system. There are times when it may be useful to disable color mode in order to enhance lighting and reduce glare. This feature is useful for capturing tire skid marks on roads or during dusk and dawn light conditions.

1. Tap **Color Mode** on the Menu screen to activate a black and white preview.



2. The preview screen will change from color to black and white.



3. Tap **Color Mode** again on the Menu screen to re-activate color mode and deactivate black and white preview.

Note: When in Black and White mode, the video recording will record in black and white only.



OIG 15-0564 008994

Camera Control

COBAN mobile recorder systems allow users the ability to manually adjust the zoom, brightness and focus using the touch screen monitor. The specifics of accessing and utilizing these functions are described below:

Brightness Control

1. Tap **Camera Control** to access the brightness control functionality.
2. Use the arrow keys to increase or decrease the brightness of the preview screen.
3. Tap **Reset** to return to the default settings.
4. Tap **Exit** to return to the Camera Preview screen.



Zoom Control

1. Tap **Camera Control** to access the brightness control functionality.
2. Tap 

to access the zoom control functionality.
3. Use the arrow keys to increase or decrease the brightness of the Camera Preview screen.
4. Tap **Exit** to return to the Camera Preview screen.



Focus Control

1. Tap **Camera Control** to access the brightness control functionality.
2. Tap 

to access the focus control functionality.
3. Use the arrow keys to change the focus of the Camera Preview screen.
4. Tap **Exit** to return to the Camera Preview screen.



OIG 15-0564 008995

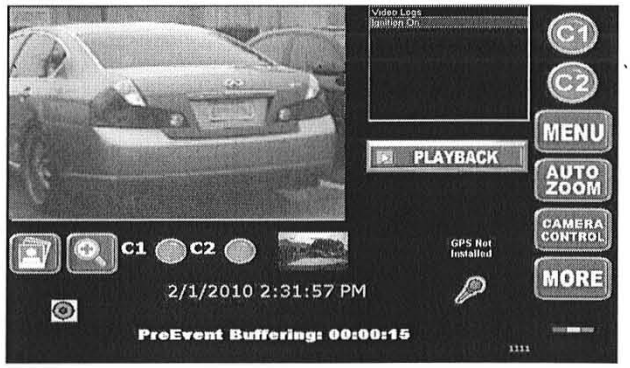
Auto Zoom

The auto zoom feature allows users the ability to zoom in on a subject automatically. Complete the following steps to utilize the auto zoom feature. This feature is especially useful when zooming in on a license plate or zooming in on a subject during a recording.

1. Adjust the camera to center the preview screen on the subject to zoom in on.



2. Tap **AUTO ZOOM** on the right of the Camera Preview screen to automatically zoom in on a subject in the preview screen automatically.



Note: If the in-car set up has been configured to take a snapshot during auto zoom the system will automatically take a snapshot once the camera has zoomed in on the subject. The snapshot will be shown below **SNAPSHOT** for approximately 15 seconds. The snapshot will be saved with the other snapshots taken during that shift (see page 15 for more information on snapshots).

3. The camera will zoom out automatically.



OIG 15-0564 008996

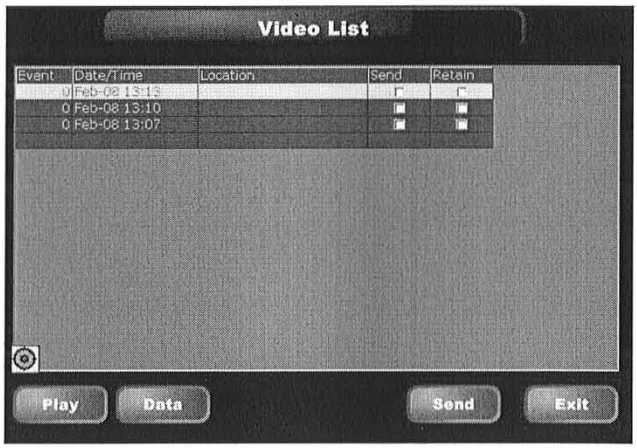
Playback Video

COBAN BOClient is a software application used to review videos at the department once the videos are uploaded from the mobile recorder system. In some cases users have found it necessary and useful to review videos in the field or immediately after recording them. The Playback Video feature allows users the capability to review videos from the mobile recorder system display in the vehicle.

1. Tap **PLAYBACK** on the right side of the screen to access the playback function.



2. The Video List screen will appear and list video's stored on the MHDD by date and time taken. Location and Event will also be displayed.
3. Tap the video to play. The video will be highlighted in light green when selected.
4. Tap **Play** at the bottom of the screen.



Note: Tap **Data** to access the Offender Data screen (see page 26 for more information on the Offender Data screen).

Note: Check the box in the Retain column to have the video classified as "retained" in BOClient. See the BOClient User's Manual for more information on retaining videos. This feature is usually used for videos that may have been misclassified as a different event type immediately following the recording.

OIG 15-0564 008997

5. Tap  to set a bookmark in the video.
6. Tap  to pause the video.
7. Tap  to play the video at double speed.
8. Tap  to rewind the video to the starting point.
9. Use the track bar at the bottom of the screen to move through the video.



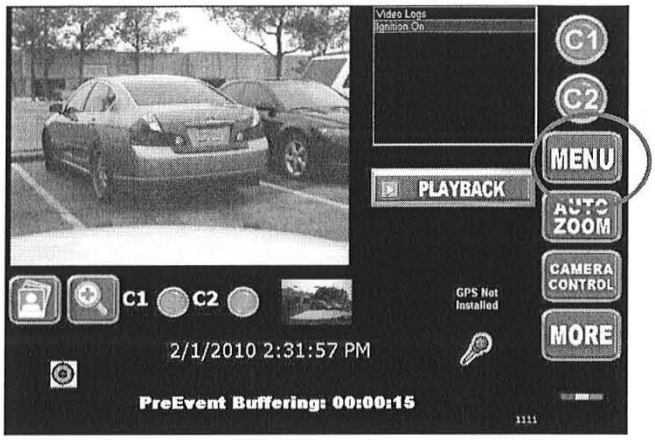
10. Use the audio channel buttons at the bottom right of the screen to toggle on and off the audio channels.
11. Tap  to stop the video playback and return to the Video List screen.



OIG 15-0564 008998

Switch Officer

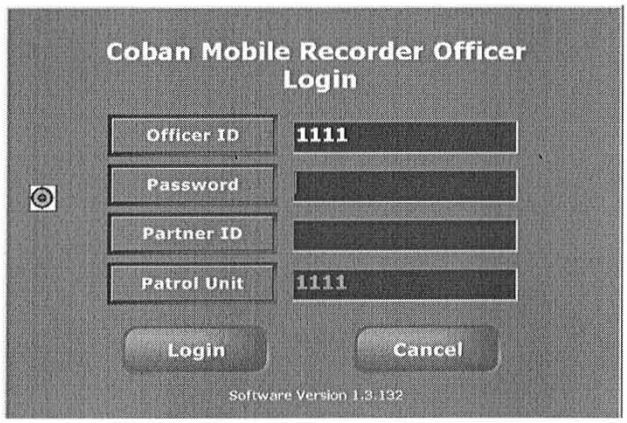
1. Tap **MENU** on the right side of the screen.



2. The Officer Login screen will appear.

Note: Tap the field titles, ie. **Officer ID**, **Password** to access the Virtual Keypad.

3. Enter the officer ID and password in the appropriate fields and tap **OK**.



OIG 15-0564 008999

Upload Videos

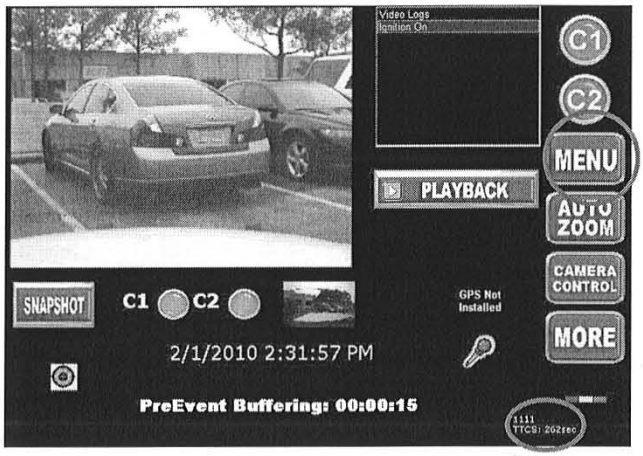
The COBAN mobile recorder system allows for the transfer of videos to the server or sub server at the department in any one of several different methods, including:

- Mobile Hard Disk Drive upload
- Wireless Upload (automatically or on command)
- Wired Ethernet

Wireless Upload

Users in departments that utilize the wireless upload capability will have TTCS (time to connect to server) countdown at the bottom right of the Camera Preview screen.

1. Tap **MENU** from the Camera Preview screen.



2. Tap **EXIT SYSTEM** at the bottom of the screen.



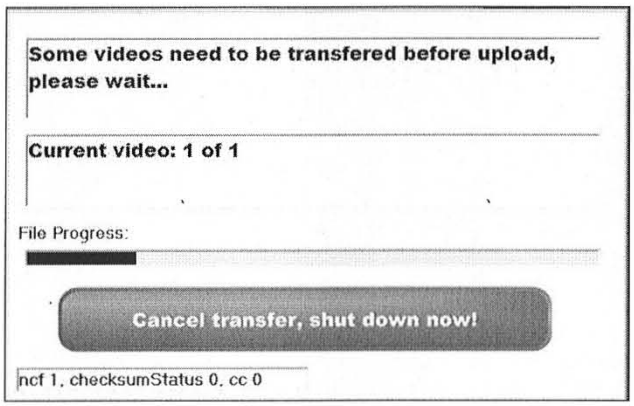
OIG 15-0564 009000

3. Tap **Upload & Stay On** or **Upload & Shutdown** to upload videos.



4. The mobile recorder system will process all videos for upload.

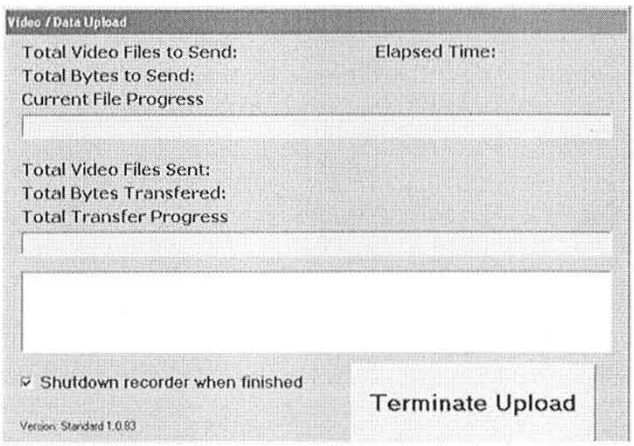
Note: In some cases the mobile recorder system must finish processing videos before it can properly shutdown or upload videos. The User can turn off the vehicle and leave as the movile recorder system will automatically proceed with the upload and shutdown operation once the video processing is complete.



5. The mobile recorder system will begin to upload the videos and show progress of the upload.

CAUTION: Do NOT remove the MHDD during this upload process.

Note: If the **Upload and Shutdown** option was selected, the mobile recorder system will automatically shut down when the upload is complete.

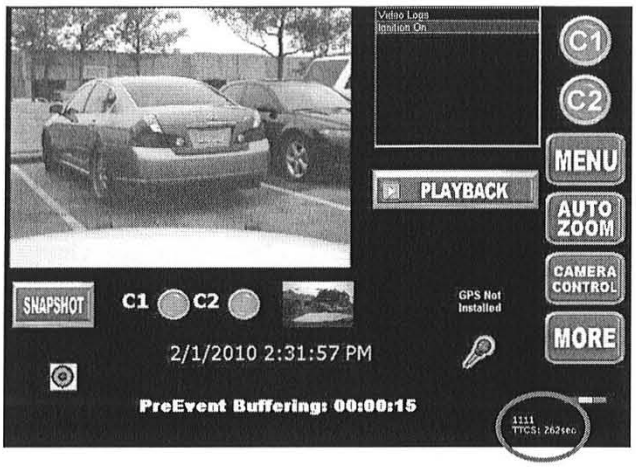


OIG 15-0564 009001

Automatic Wireless Upload

Departments that utilize the wireless upload capability will have TTCS (time to connect to server) countdown at the bottom right of the Camera Preview screen.

All videos that have been processed by the system and are in the Video List are automatically uploaded to the server or sub server based on the BOClient settings and department protocols.

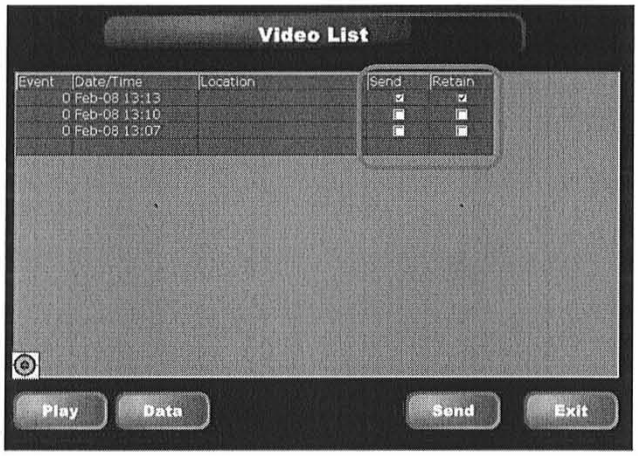


Specifying Videos to Upload/Retain

1. Users can designate that the system send specific videos immediately to the server from the Video List screen (see page 35 for information on accessing the Video List screen).

Note: Check the box in the Retain column to have the video classified as "retained" in BOClient. See the BOClient User's Manual for more information on retaining videos.

2. Check the box next to the video and tap **Send** at the bottom of the screen.



3. A popup screen will appear informing the user whether or not the videos were successfully uploaded.
4. Tap **OK** in the popup window to proceed.
5. The video will be marked as **<SENT>** in the video list following a successful upload.



OIG 15-0564 009002

MHDD Upload

Users must check in and check out Mobile Hard Disk Drives (MHDD) to upload videos in departments that do not utilize the wireless upload capability.

1. Tap **MENU** on the Camera Preview screen.



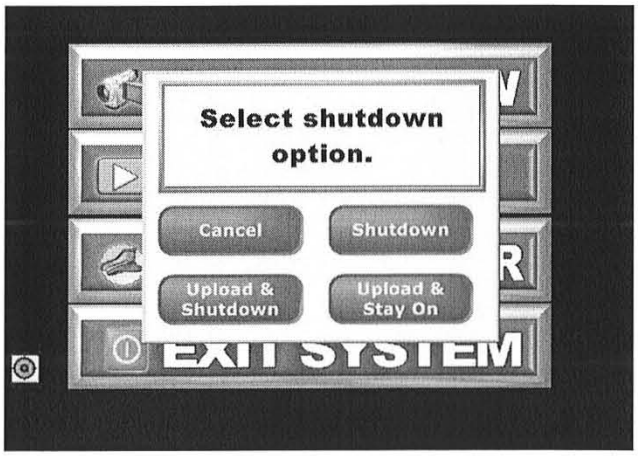
2. Tap **EXIT SYSTEM**.



3. Tap **Shutdown** to shutdown the mobile recorder system.
4. Use a key to unlock and remove the MHDD from the mobile recorder system.

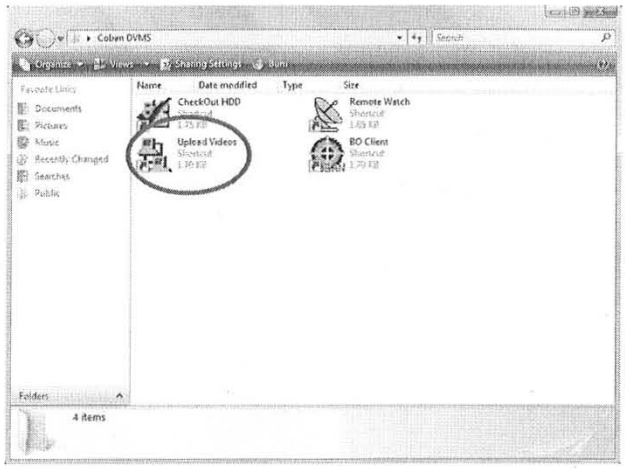
Note: In most departments a key can be requested from the System Administrator.

CAUTION: Do NOT remove the MHDD while this system is running.



OIG 15-0564 009003

5. Insert the MHDD in the upload cradle in the department or sub-station.

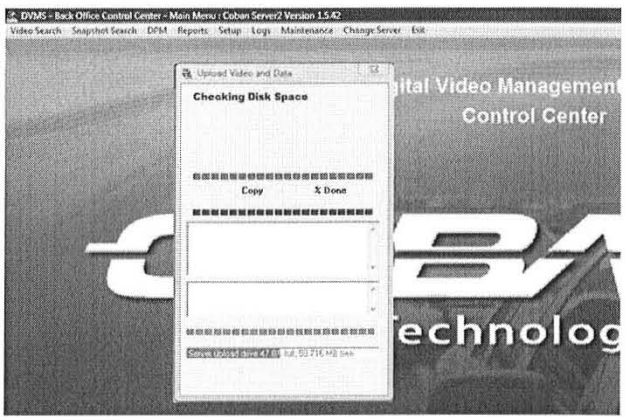


6. An upload popup window will appear. Enter the serial number of the MHDD if it is not automatically entered into the field provided.
7. Check the appropriate box to check out the hard disk after upload and the system will run the checkout application automatically after uploading.

CAUTION: Do not remove MHDD from the cradle during the upload process. Removing the MHDD from the cradle could result in loss of data.

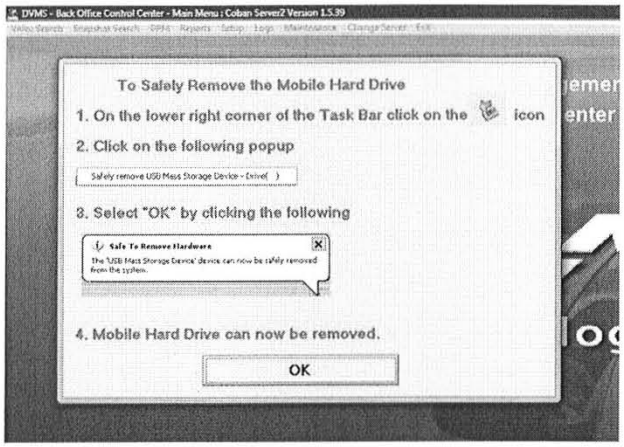


8. A message box will show the progress of the upload and check out process.



OIG 15-0564 009004

9. Follow the directions to safely remove the MHDD from the cradle.



Wired Upload

The mobile recording system provides the capability to download videos via Ethernet cable directly from the CPU. System administrators must specify that the Ethernet plug will be used for the function to enable this feature.

1. Plug an Ethernet cable into the Ethernet plug of the CPU.
2. Tap **MENU** from the Camera Preview screen.



3. Tap **EXIT SYSTEM** at the bottom of the screen.



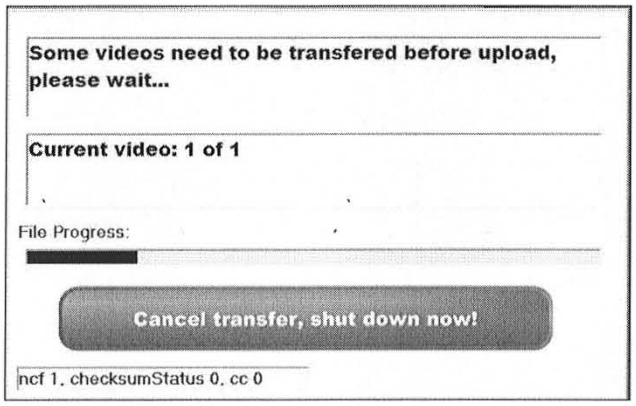
OIG 15-0564 009005

4. Tap **Upload & Stay On** or **Upload & Shutdown** to upload videos.



5. The mobile recorder system will process all videos for upload.

Note: In some cases the mobile recorder system must finish processing videos before it can properly shutdown or upload videos. The User can turn off the vehicle and leave as the movile recorder system will automatically proceed with the upload and shutdown operation once the video processing is complete.

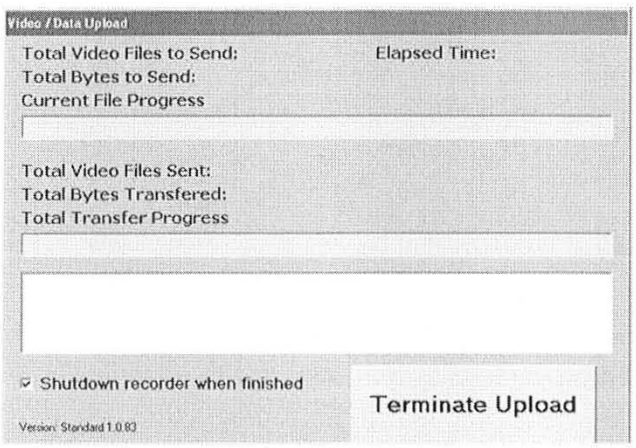


6. The mobile recorder system will begin to upload the videos and show progress of the upload.

CAUTION: Do NOT remove the MHDD or unplug the Ethernet cable during this upload process.

Note: If the **Upload and Shutdown** option was selected, the mobile recorder system will automatically shut down when the upload is complete.

7. Disconnect the Ethernet cable once the upload is complete.

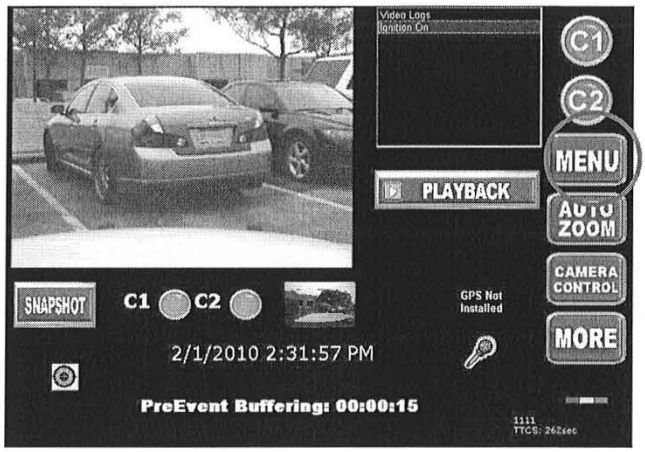


OIG 15-0564 009006

Exit the System

The mobile recorder system is capable of automatically shutting down following the upload and processing of videos stored in the MHDD. This enables users to select the shutdown option, turn off the vehicle, and leave with the confidence of knowing the data stored on the system will not be lost.

1. Tap **MENU** from the Camera View screen.

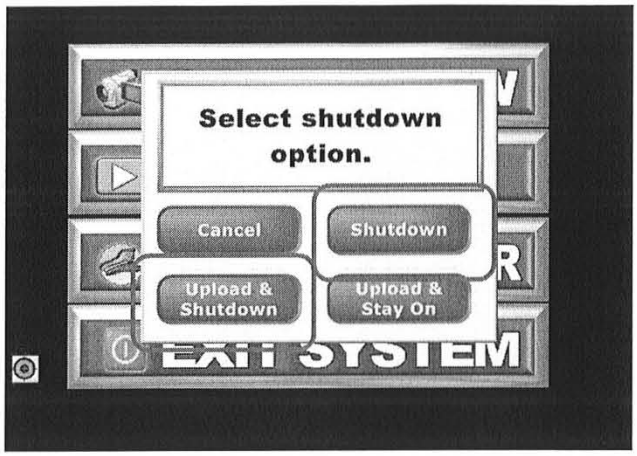


2. Tap **EXIT SYSTEM** at the bottom of the screen.



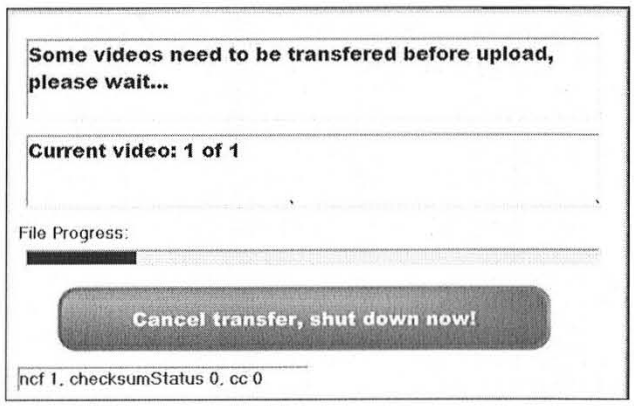
OIG 15-0564 009007

3. For wireless upload, tap **Shutdown** or **Upload & Shutdown** to shutdown the mobile recorder system.



Note: **Upload & Shutdown** will upload videos prior to shutdown (see page 38 for more information on this function.)

4. The mobile recorder system will process all videos for upload.



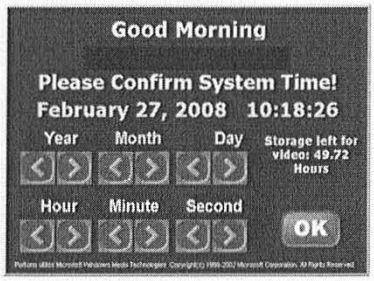
Note: In some cases the mobile recorder system must finish processing vidoes before it can properly shutdown or upload videos. The User can turn off the vehicle and leave as the movile recorder system will automatically proceed with the upload and shutdown operation once the video processing is complete.

OIG 15-0564 009008

MobileRecorder Cheat Sheet

LOGIN



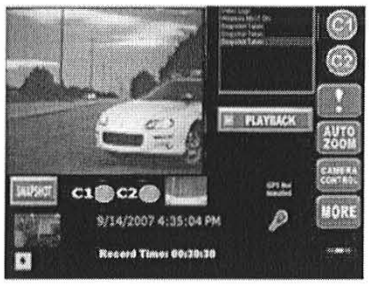


* Press OFFICER ID, PASSWORD, PARTNER ID or PATROL UNIT buttons for Virtual Keypad.

* Press Login to advance to Date and Time confirmation and Press OK.

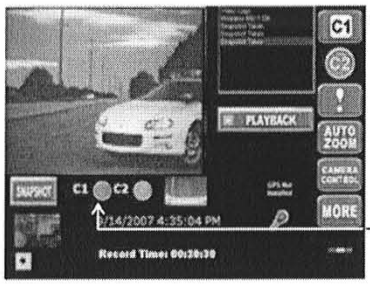
START RECORDING

* Auto start recording by: **activating light bar** or **pressing record button** on mic.



← Press **C1** to start front camera

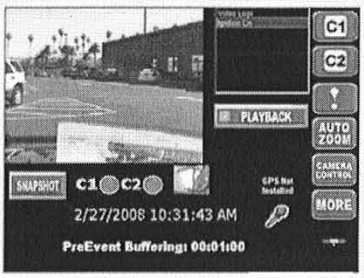
← Press **C2** to start rear camera



← Front camera recording indicator

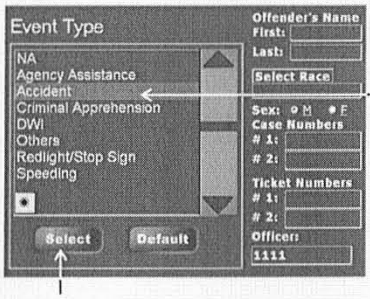
STOP RECORDING

* The Event Type screen appears when a recording is stopped.



← Press **C1** to stop front camera.

← Press **C2** to stop rear camera.



← Select an event.

Press **SELECT** to return to Camera View screen.

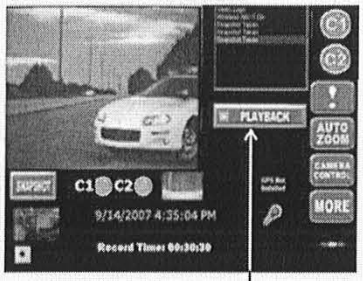
TAKE A SNAPSHOT

Press **SNAPSHOT** to take a snapshot. →

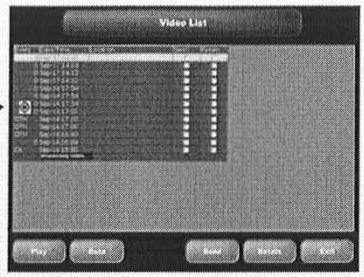


Tap the preview to go to Snapshot screen.

VIDEO PLAYBACK



Press PLAYBACK.



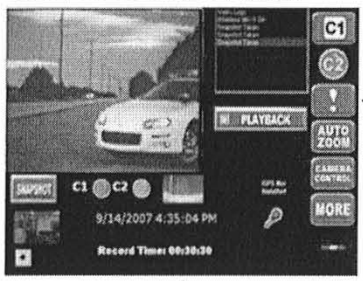
Select a video.

Press PLAY.



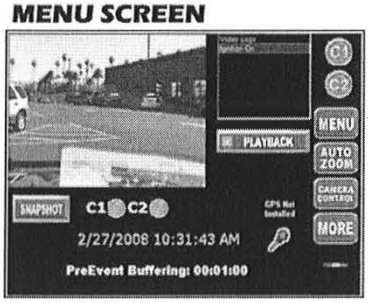
Review videos, bookmark or play at 2X speed.

CREATE BOOKMARKS

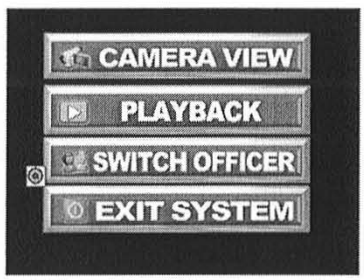


Press ! to create a bookmark.

MENU SCREEN

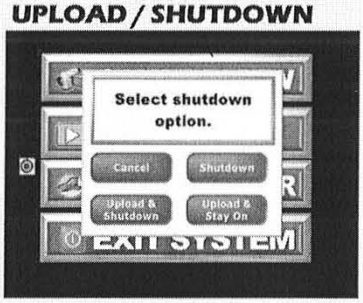


Press MENU.

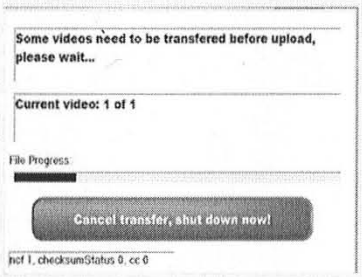


Press Exit System Shutdown

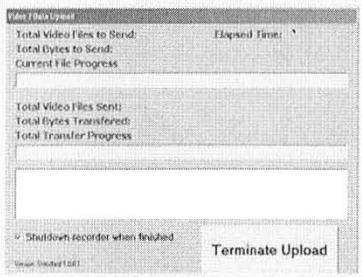
UPLOAD / SHUTDOWN



Press SHUTDOWN or UPLOAD & SHUTDOWN.

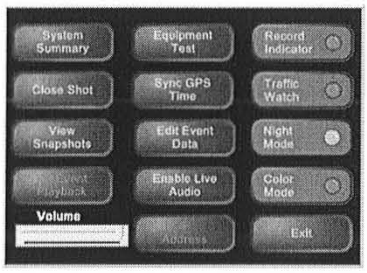


If videos have not automatically been uploaded, the system will begin an upload.



The system will shutdown automatically.

MORE FUNCTIONS



SYSTEM SUMMARY: Provides the number of recorded videos, number of offender records entered and available recording time with existing mobile hard drive.
CLOSE SHOT: Close shot reduces focus point down to within one inch from the camera for 5 seconds. During this time, a snapshot will be taken for later review.
VIEW SNAPSHOT: Allows the user to view all saved snapshots. Double tap the snapshot to enlarge the photo, double tap again to return to original size.
PRE-EVENT PLAYBACK: Allows the user to playback the pre-event video to manually determine when they would like to start a recording.
EQUIPMENT TEST: Allows the user to test equipment settings for the in-car unit.
EDIT EVENT DATA: Allows the user to edit / add event data to a video while it is being recorded.
IP ADDRESS: Displays the IP address of the recording unit.
RECORD INDICATOR: Allows the user to activate or disable the red LED indicator in front of the camera. The LED is used to alert the user of the camera's recording status.
TRAFFIC WATCH: Will adjust back from manual zoom to user selected zoom setting in the back office, when recording is triggered.
NIGHT MODE: Dims the in-car monitor for clarity and reduce glares.
COLOR MODE: By default, color mode is ON, turning it OFF will revert camera to black and white mode which may be useful at night to enhance lighting and reduce glare.

Coban Technical Support
Mon - Fri / 8 am - 6 pm / 281.277.8288
www.cobantech.com

CHICAGO POLICE DEPARTMENT

Major Incident Notification Detail

CPD - 11.605 (10/94) - C

CONFID ENTIAL

Area: 1
Reporting Unit: 610
Incident No: 73204
Deployment Level: UNK

Time Period	Crime/Incident RD Number Dist of Occurrence	Summary
0500 - 0900	0552 - Assault - Aggravated Po:Knife/Cut Instr **Area:** 1 **District:** 008 **Beat:** 0815 **RD No:** HX475653 **No of Victims:** 3 **No of Offenders:** 1 **Updated Date:** 21-OCT-2014 05:17 **Reason For Update:**	**Notification Date:** 21-OCT-2014 04:05 **Date and Time:** 20-OCT-2014 21:56 **Location:** 4000 S KARLOV AVE CHICAGO IL 60632 303 - SIDEWALK **Victim #1:** **Star #:**19958 **Emp #:** [redacted] **On Duty** GAFFNEY, THOMAS J Male/White/41 Years 6'00" , 195 lbs **Date of Appointment:** 08-JUL-96 **Victim #2:** **Star #:**12865 **Emp #:** [redacted] **On Duty** WALSH, JOSEPH J Male/White/46 Years 6'00" , 190 lbs **Date of Appointment:** 29-JUN-98 **Victim #3:** **Star #:**9465 **Emp #:** [redacted] **On Duty** VAN DYKE, JASON D Male/White/36 Years 6'02" , 180 lbs **Date of Appointment:** 25-JUN-01 **Offender #1:** MC DONALD, LAQUAN Male/Black/17 Years [redacted] **IR No:** 2106340 **Gang Affiliation:** New Breed **Buy Bust Requested:** NO

Powered by: CLEAR Technology

CHICAGO POLICE DEPARTMENT
Major Incident Notification Detail
CPD - 11.485 (10/04) - C

CONFID
ENTIAL

Area: 1
Reporting Unit: 610
Incident No: 73204
Deployment Level: UNK

Time Period	Crime/Incident RD Number Dist of Occurrence	Summary
		Use of Weapon: USED **Weapon Recovery:** RECOVERED **Weapon Description:** OFFENDER'S WEAPON: FOLDING KNIFE. OFFICER'S WEAPON: SMITH AND WESSON MODEL 5943 9MM STAINLESS FINISH WITH SERIAL NUMBER TDU5969 SEMI-AUTOMATIC HANDGUN. **Involved Personnel:** **Notification Made By** GALLAGHER, Daniel A Emp #: [redacted] Star #: 1303 Agency: Chicago Police Dept **Detective Assigned** MARCH, David M Emp #: [redacted] Star #: 20563 Agency: Chicago Police Dept **Narrative:** Beat 815R responded to an OEMC call of a holding an offender who was breaking into trailers at 4100 S. Kildare. Beat 815R arrived on scene and spoke to the complainant who pointed to the offender who had fled on foot. Beat 815R pursued the offender in their marked vehicle to 4000 S. Karlov, at which time the offender who was acting irrational and was armed with a knife, punctured their front passenger tire, and then struck the windshield with his knife. Beat 815R requested a taser and additional units to respond and assist with the apprehension of the offender. Beat 845R responded to 4112 S. Pulaski and observed the offender still armed with a knife walking in traffic. Beat 845R exited their vehicle and ordered the offender to drop his knife. The offender refused all verbal commands and continued to approach the officers while still armed with his knife. Beat 845R fearing for his life discharged his weapon. The offender sustained numerous gun shot wounds and was transported to Mt. Sinai Hospital where he was subsequently pronounced at 2242 Hours.

Generated by CLEAR Data Analysis

CHICAGO POLICE DEPARTMENT

ORIGINAL CASE INCIDENT REPORT

3510 S. Michigan Avenue, Chicago, Illinois 60653
(For use by Chicago Police Department Personnel Only)
CPD-11.388(6/03)-C)

RD #: HX486155
EVENT #: 1430116812
Case ID: 9837884 CASR229

This Document is not an official copy. It is a computerized version of data entered from an original case report. A copy of the original case report can be obtained from the Records Division

INCIDENT

ASSIGNED TO FIELD

IUCR: 0520 - Assault - Aggravated:Knife/Cutting Instr

Occurrence Location: 4101 S Kildare Blvd
Chicago IL 60632
304 - Street

Beat: 0815

Unit Assigned: 5121
RO Arrival Date: 20 October 2014 22:15

Occurrence Date: 20 October 2014 21:47

NON OFFENDER

VICTIM

Name: [redacted]

Res: [redacted] #HOUSE **Beat:** 0824
Chicago IL 60629
[redacted]

Beat: 5100

Demographics

Male
White Hispanic

DOB: [redacted]
Age: 43 Years

INJURIES

Injury Info [redacted] **- Victim)**

Type	Other Weapon Used
None Visible	Other - Knife

SUSPECT

Suspect # 1

Name: MCDONALD, Laquan J

Res: [redacted]

Beat: 0722

Demographics

Male
Black

DOB: [redacted]
Age: 17 years

RELATIONSHIP

RELATIONSHIP

(Victim) [redacted] is a No Relationship of (Offender) **MCDONALD, Laquan,J**

DOMESTIC INFO

DOMESTIC INFO

RD #: HX486155

powered by CLEAR Technology

NARRATIVE

ADDITIONAL VICTIMS: IUCR 0552

GAFFNEY, Thomas J,
CPD PO, #19958,
M / W / 41.

VAN DYKE, Jason D
CPD PO, #9465,
M / W / 36.

WALSH, Joseph J,
CPD PO, #12865,
M / W / 45.

INVESTIGATION:

The offender in this incident, Laquan MCDONALD, committed an aggravated assault against the victim, [redacted], by attempting to cut [redacted] with a knife. [redacted] called 9-1-1. Chicago Police Officers Thomas GAFFNEY, Jason VAN DYKE and Joseph WALSH responded to [redacted]' call. MCDONALD committed aggravated assaults against the three officers, finally forcing Officer VAN DYKE, in defense of his life, to shoot and kill MCDONALD. Details of this investigation are reported under the HOMICIDE / Justifiable, recorded under Records Division number HX475653.

PERSONNEL

	Star No	Emp No	Name	User	Date	Unit	Beat
Approving Supervisor	1303	[redacted]	**GALLAGHER, Daniel, A**	([redacted]	29 Oct 2014 22:06	610	
Detective/Investigator	20563	[redacted]	**MARCH, David, M**	[redacted])	29 Oct 2014 22:07	610	
Reporting Officer	20563	[redacted]	**MARCH, David, M**	[redacted])	29 Oct 2014 21:05	610	5121

CLEAR Technology

CHICAGO POLICE DEPARTMENT

ORIGINAL CASE INCIDENT REPORT

3510 S. Michigan Avenue, Chicago, Illinois 60653
(For use by Chicago Police Department Personnel Only)
CPD-11.388(6/03)-C)

RD #: HX486155
EVENT #: 1430116812
Case ID: 9837884 CASR229

This Document is not an official copy. It is a computerized version of data entered from an original case report. A copy of the original case report can be obtained from the Records Division

INCIDENT

ASSIGNED TO FIELD

IUCR: 0520 - Assault - Aggravated:Knife/Cutting Instr

Occurrence Location: 4101 S Kildare Blvd
Chicago IL 60632
304 - Street

Beat: 0815

Unit Assigned: 5121
RO Arrival Date: 20 October 2014 22:15

Occurrence Date: 20 October 2014 21:47

NON OFFENDER

VICTIM

Name: BARILLAS, Rudy C

Res: [redacted]

Beat: 0824

Beat: 5100

Demographics

Male
White Hispanic

DOB: [redacted]
Age: 43 Years

INJURIES

Injury Info (BARILLAS,Rudy C - Victim)

Type	Other Weapon Used
None Visible	Other - Knife

SUSPECT

Suspect # 1

Name: MCDONALD, Laquan J

Res: [redacted]

Beat: 0722

Demographics

Male
Black

DOB: 25 September 1997
Age: 17 years

RELATIONSHIP

RELATIONSHIP

(Victim) **BARILLAS, Rudy,C** is a No Relationship of (Offender) **MCDONALD, Laquan,J**

DOMESTIC INFO

RD #: HX486155

processed by CLEAR technology

NARRATIVE

ADDITIONAL VICTIMS: IUCR 0552

GAFFNEY, Thomas J,
CPD PO, #19958,
M / W / 41.

VAN DYKE, Jason D
CPD PO, #9465,
M / W / 36.

WALSH, Joseph J,
CPD PO, #12865,
M / W / 45.

INVESTIGATION:

The offender in this incident, Laquan MCDONALD, committed an aggravated assault against the victim, Rudy BARILLAS, by attempting to cut BARILLAS with a knife. BARILLAS called 9-1-1. Chicago Police Officers Thomas GAFFNEY, Jason VAN DYKE and Joseph WALSH responded to BARILLAS' call. MCDONALD committed aggravated assaults against the three officers, finally forcing Officer VAN DYKE, in defense of his life, to shoot and kill MCDONALD. Details of this investigation are reported under the HOMICIDE / Justifiable, recorded under Records Division number HX475653.

PERSONNEL

	Star No	Emp No	Name	User	Date	Unit	Beat
Approving Supervisor	1303	[redacted]	**GALLAGHER, Daniel, A**	[redacted]	29 Oct 2014 22:06	610	
Detective/Investigator	20563		**MARCH, David, M**		29 Oct 2014 22:07	610	
Reporting Officer	20563		**MARCH, David, M**		29 Oct 2014 21:05	610	5121

CLEAR Technology

REQUEST FOR TIME EXTENSION - COMPLAINT REGISTER INVESTIGATION NO.: 311019
CHICAGO POLICE DEPARTMENT

DATE OF REQUEST: 06 mar 06

TO: SUPERINTENDENT OF POLICE
ATTENTION: ADMINISTRATOR IN CHARGE, OFFICE OF PROFESSIONAL STANDARDS
ASSISTANT DEPUTY SUPERINTENDENT, INTERNAL AFFAIRS DIVISION

FROM - INVESTIGATOR'S NAME	RANK	STAR NO.	UNIT
LINDA FRANKO	FNV	217	113

AN EXTENSION OF 30 DAYS IS REQUESTED TO COMPLETE THIS COMPLAINT REGISTER INVESTIGATION FOR REASON(S) INDICATED BELOW:

- ☐ ACCUSED UNAVAILABLE FOR INTERVIEW (GIVE REASON AND EXPECTED DATE OF RETURN)
- ☐ COMPLAINANT/WITNESS UNAVAILABLE FOR INTERVIEW (GIVE NAME AND REASON)
- ☐ REPORTS, RECORDS, STATEMENTS, LABORATORY TESTS UNAVAILABLE (SPECIFY) DATE CERTIFIED LETTER SENT: _____
- ☒ OTHER (DESCRIBE) last witnesses - 3 of them

DATE CASE ASSIGNED	ELAPSED TIME OF INVESTIGATION	NO. OF PRIOR REQUESTS
06 Feb 06	30 DAYS	—

INVESTIGATOR'S SIGNATURE	APPROVED - UNIT COMMANDING OFFICER
Linda Franko #217	

ADDITIONAL REQUEST FOR TIME EXTENSION

DATE OF REQUEST: 06 Apr 06

FROM - INVESTIGATOR'S NAME	RANK	STAR NO.	UNIT
LINDA FRANKO	FNV	217	113

AN EXTENSION OF 30 DAYS IS REQUESTED TO COMPLETE THIS COMPLAINT REGISTER INVESTIGATION FOR REASON(S) INDICATED BELOW:

- ☐ ACCUSED UNAVAILABLE FOR INTERVIEW (GIVE REASON AND EXPECTED DATE OF RETURN)
- ☐ COMPLAINANT/WITNESS UNAVAILABLE FOR INTERVIEW (GIVE NAME AND REASON)
- ☐ REPORTS, RECORDS, STATEMENTS, LABORATORY TESTS UNAVAILABLE (SPECIFY) DATE CERTIFIED LETTER SENT: _____
- ☒ OTHER (DESCRIBE) last witnesses - waiting for photos

DATE CASE ASSIGNED	ELAPSED TIME OF INVESTIGATION	NO. OF PRIOR REQUESTS
06 Feb 06	60 DAYS	1

INVESTIGATOR'S SIGNATURE	APPROVED - UNIT COMMANDING OFFICER
Linda Franko #217	

ADDITIONAL REQUEST FOR TIME EXTENSION

DATE OF REQUEST: 06 mayo

FROM - INVESTIGATOR'S NAME	RANK	STAR NO.	UNIT
LINDA FRANKO	FNV	217	113

AN EXTENSION OF 30 DAYS IS REQUESTED TO COMPLETE THIS COMPLAINT REGISTER INVESTIGATION FOR REASON(S) INDICATED BELOW:

- ☐ ACCUSED UNAVAILABLE FOR INTERVIEW (GIVE REASON AND EXPECTED DATE OF RETURN)
- ☐ COMPLAINANT/WITNESS UNAVAILABLE FOR INTERVIEW (GIVE NAME AND REASON)
- ☐ REPORTS, RECORDS, STATEMENTS, LABORATORY TESTS UNAVAILABLE (SPECIFY) DATE CERTIFIED LETTER SENT: _____
- ☒ OTHER (DESCRIBE) Witnesses missed scheduled appts

DATE CASE ASSIGNED	ELAPSED TIME OF INVESTIGATION	NO. OF PRIOR REQUESTS
06 Feb 06	90 DAYS	2

INVESTIGATOR'S SIGNATURE	APPROVED - UNIT COMMANDING OFFICER
Linda Franko #217	

ATTACHMENT NO.	C.R. NO
56	311019

CPD-44 .114 (REV. 2/04)

REQUEST FOR TIME EXTENSION - COMPLAINT REGISTER INVESTIGATION NO.: 311019
CHICAGO POLICE DEPARTMENT

DATE OF REQUEST: 06 Jun 06

TO: SUPERINTENDENT OF POLICE
ATTENTION: ADMINISTRATOR IN CHARGE, OFFICE OF PROFESSIONAL STANDARDS
ASSISTANT DEPUTY SUPERINTENDENT, INTERNAL AFFAIRS DIVISION

FROM - INVESTIGATOR'S NAME	RANK	STAR NO.	UNIT
LINDA FRANKO	INV	217	113

AN EXTENSION OF 30 DAYS IS REQUESTED TO COMPLETE THIS COMPLAINT REGISTER INVESTIGATION FOR REASON(S) INDICATED BELOW:

- ☐ ACCUSED UNAVAILABLE FOR INTERVIEW (GIVE REASON AND EXPECTED DATE OF RETURN)
- ☐ COMPLAINANT/WITNESS UNAVAILABLE FOR INTERVIEW (GIVE NAME AND REASON)
- ☐ REPORTS, RECORDS, STATEMENTS, LABORATORY TESTS UNAVAILABLE (SPECIFY) DATE CERTIFIED LETTER SENT:
- ☒ OTHER (DESCRIBE) Request reports for acc officer

DATE CASE ASSIGNED	ELAPSED TIME OF INVESTIGATION	NO. OF PRIOR REQUESTS
04 Feb 06	120 DAYS	3

INVESTIGATOR'S SIGNATURE	APPROVED - UNIT COMMANDING OFFICER
Linda Franko #217	

ADDITIONAL REQUEST FOR TIME EXTENSION

DATE OF REQUEST: 06 Jul 06

FROM - INVESTIGATOR'S NAME	RANK	STAR NO.	UNIT
LINDA FRANKO	INV	217	113

AN EXTENSION OF 30 DAYS IS REQUESTED TO COMPLETE THIS COMPLAINT REGISTER INVESTIGATION FOR REASON(S) INDICATED BELOW:

- ☐ ACCUSED UNAVAILABLE FOR INTERVIEW (GIVE REASON AND EXPECTED DATE OF RETURN)
- ☐ COMPLAINANT/WITNESS UNAVAILABLE FOR INTERVIEW (GIVE NAME AND REASON)
- ☐ REPORTS, RECORDS, STATEMENTS, LABORATORY TESTS UNAVAILABLE (SPECIFY) DATE CERTIFIED LETTER SENT:
- ☒ OTHER (DESCRIBE) R/I on furl 15 Jul - 25 Jul 06

DATE CASE ASSIGNED	ELAPSED TIME OF INVESTIGATION	NO. OF PRIOR REQUESTS
04 Feb 04	150 DAYS	4

INVESTIGATOR'S SIGNATURE	APPROVED - UNIT COMMANDING OFFICER
Linda Franko #217	

ADDITIONAL REQUEST FOR TIME EXTENSION

DATE OF REQUEST: 06 Aug 06

FROM - INVESTIGATOR'S NAME	RANK	STAR NO.	UNIT
LINDA FRANKO	INV	217	113

AN EXTENSION OF 30 DAYS IS REQUESTED TO COMPLETE THIS COMPLAINT REGISTER INVESTIGATION FOR REASON(S) INDICATED BELOW:

- ☐ ACCUSED UNAVAILABLE FOR INTERVIEW (GIVE REASON AND EXPECTED DATE OF RETURN)
- ☐ COMPLAINANT/WITNESS UNAVAILABLE FOR INTERVIEW (GIVE NAME AND REASON)
- ☐ REPORTS, RECORDS, STATEMENTS, LABORATORY TESTS UNAVAILABLE (SPECIFY) DATE CERTIFIED LETTER SENT:
- ☒ OTHER (DESCRIBE) R/I on furl 24 Aug - 06 Sep 06

DATE CASE ASSIGNED	ELAPSED TIME OF INVESTIGATION	NO. OF PRIOR REQUESTS
06 Feb 06	180 DAYS	5

INVESTIGATOR'S SIGNATURE	APPROVED - UNIT COMMANDING OFFICER
Linda Franko #217	

ATTACHMENT NO.	C.R. NO
56	311019

CPD-44 .114 (REV. 2/04)

In the Matter Of:

IN RE DORA FONTAINE

DORA FONTAINE

March 16, 2016

Amicus
court reporters, inc
300 West Adams St. Ste 800
Chicago, IL 60606
Phone: 312.641.3500
Fax: 312.641.3795
Email: info@amicusreporters.com

CITY OF CHICAGO

OFFICE OF INSPECTOR GENERAL

-INTERVIEW OF DORA FONTAINE-

March 16, 2016

TRANSCRIPT OF INTERVIEW of DORA FONTAINE, taken before MICHELLE M. YOHLER, a Notary Public within and for the County of Cook, State of Illinois, and a Certified Shorthand Reporter of said state, CSR No. 84-4531, at Suite 800, 300 West Adams Street, Chicago, Illinois, on March 16, 2016 at 12:18 p.m.

APPEARANCES:

OFFICE OF INSPECTOR GENERAL
CITY OF Chicago
BY: MR. PETER NEUMER
MR. KRISTOPHER BROWN
(740 North Sedgwick Street, Suite 200
Chicago, Illinois 60654
773.478.8218
pneumer@chicagoinspectorgeneral.org
kbrown@chicagoinspectorgeneral.org)

J. RUSSELL LAW, LLC
BY: JENNIFER W. RUSSELL
(206 South Jefferson
Chicago, Illinois 60661
312.207.1220
jennifer.russell@jrusselllaw.com)
Appeared on behalf of Dora Fontaine.

REPORTED BY:
MICHELLE M. PAOLETTI YOHLER, CSR, RPR, CRR
Illinois CSR No. 84-4531.

E X H I B I T S

EXHIBITS	PAGE
No. 1 - Advisement of Rights.....	16
No. 2 - Notification of Interview.....	16
No. 3 - Notification of Allegations.....	17
No. 4 - Receipt Form.....	17
No. 5 - Case Supplementary Report Excerpt.....	18
No. 6 - General Progress Report.....	20
No. 7 - Special Order S03-05.....	165
No. 8 - Becvar Supplementary Report.....	184
No. 9 - Video Retrieval Worksheet.....	184
No. 10 - July 17, 2015 e-mail.....	184

MR. NEUMER: As a preliminary matter, I am providing the following information. An independent certified court reporter is present today to provide a verbatim transcript of this interview.

To aid in the accuracy of the transcript, it is the custom and practice of court reporters to audio record the interview. The recording is the confidential work product property of the court reporter and will not be provided to any party including the OIG. If you request, the audio recording will be discontinued.

So, Officer Fontaine, are you okay with the court reporter?

THE WITNESS: Yes.

MR. NEUMER: Let the record reflect today's date is March 16, 2016. The time is 12:18 p.m. We are located at Amicus Court Reporters, 300 West Adams, Suite 800.

My name Peter Neumer, N-e-u-m-e-r, the court reporter is Michelle Yohler, and I'd ask that the other individuals present identify themselves and spell their name for the record.

MR. BROWN: Kristohper Brown, B-r-o-w-n, City of Chicago Inspector General's Office.

MS. RUSSELL: Jennifer Russell, R-u-s-s-e-l-l, attorney for Officer Fontaine.

THE WITNESS: Officer Dora Fontaine, Star Number 4484, City of Chicago, CPD.

MR. NEUMER: There are no other individuals present. We are here today pursuant to an investigation being conducted under Chapter 2-56 of the Municipal Code of the City of Chicago. We're here for an interview of Dora Fontaine.

Officer Fontaine, would you please raise your right hand, and if the court reporter could swear Ms. Fontaine in.

(WHEREUPON, the witness was duly sworn.)

MR. NEUMER: Officer Fontaine, I am now going to hand you a form that is marked Advisement of Rights. This has already been filled in with your name, my name, Investigator Brown's name.

And I'm going to ask that you read along with me as I go through, and then I would just ask you -- after each paragraph, I'll ask you to acknowledge that you have read the

paragraph that I have just read. So here's a copy that's already been filled in.

(WHEREUPON, the document was tendered to the witness.)

MR. NEUMER: So the Advisement of Rights states, "I, Dora Fontaine, understand that I am being interviewed by Peter Neumer and Kris Brown from the City of Chicago Office of Inspector General. I understand that this interview is part of an official investigation and that I have a duty to cooperate with the Office of Inspector General which includes answering all questions completely and truthfully."

Officer Fontaine, do you see the paragraph I just read aloud to you?

THE WITNESS: I have read it.

MR. NEUMER: "I understand that I have no right to remain silent. I understand that I have an obligation to answer questions put to me truthfully. I understand if I refuse to answer questions put to me, I will be ordered by a superior officer to answer the questions. I further understand and I have been advised that if I persist in my refusal to answer after an

order to do so, such further refusal constitutes a violation of the rules and regulations of the Chicago Police Department and may serve as the basis for my discharge."

Officer Fontaine, do you see the paragraph I just read aloud to you?

THE WITNESS: I have.

MR. NEUMER: "I understand and have been advised that my statements and responses may constitute an official police report. I understand that Rule 14 of the Chicago Police Department's rules and regulations prohibits making a false report, written or oral, and I further understand making such false report, whether written or oral, may result in my separation from the Chicago Police Department."

Officer Fontaine, do you see the paragraph I just read aloud to you?

THE WITNESS: Yes, I have.

MR. NEUMER: "I understand that any statement made by me during this interview may be used as evidence of misconduct or as the basis for disciplinary action up to and including removal or discharge."

Officer Fontaine, do you see the paragraph I just read aloud to you?

THE WITNESS: Yes, I have.

MR. NEUMER: "I understand that any statement made by me during this interview and the fruits thereof cannot be used against me in a criminal proceeding."

Officer Fontaine, do you see the paragraph I just read aloud to you?

THE WITNESS: Yes, I have.

MR. NEUMER: "I understand that I have the right to have a union representative or legal counsel of my choosing present at the interview to consult with and I will be given a reasonable time to obtain a union representative or legal counsel as long as the interview is not unduly detailed."

Officer Fontaine, do you see the paragraph I just read aloud to you?

THE WITNESS: Yes, I have.

MR. NEUMER: "I understand that a refusal to answer any question or any false, inaccurate, or deliberately incomplete statement by me would constitute a violation of Chicago Municipal

Ordinance 2-56 and may serve as the basis for my discharge."

Officer Fontaine, do you see the paragraph I just read aloud to you?

THE WITNESS: Yes, I have.

MR. NEUMER: "I acknowledge that this statement of my administrative rights has been read aloud to me and I have been allowed to review this document."

Officer Fontaine, do you see the paragraph I just read aloud to you?

THE WITNESS: Yes, I have.

MR. NEUMER: I would now ask you to sign the Advisement of Rights.

MS. RUSSELL: Prior to Officer Fontaine signing these rights, can you please provide me the Inspector General's position on whether they believe that criminal charges are probable in this matter.

MR. NEUMER: So in response to your statement, I would tell you that the Office of Inspector General is conducting an administrative investigation, not a criminal investigation. OIG is not conducting a joint

investigation and is not working with any other law enforcement agency with respect to this investigation.

MS. RUSSELL: So is it the Inspector General's position that criminal charges are not probable against Officer Fontaine?

MR. NEUMER: It is the OIG's position that this is -- that the OIG is not conducting a criminal investigation.

MS. RUSSELL: So my question was, do you believe criminal charges are probable or not probable? What is the Inspector General's position on that?

MR. NEUMER: We don't have a criminal investigation here.

MS. RUSSELL: So is it correct to say that you believe that criminal charges are not probable?

MR. NEUMER: What we can say is, based on the investigation that the Office of Inspector General is conducting, this investigation pursuant to which Officer Fontaine is being interviewed, it is not a criminal investigation.

We are the -- the rights we just read

Officer Fontaine are compelled administrative rights, and, as Officer's been advised, the statements you make during this interview cannot be used against you in a criminal proceeding.

MS. RUSSELL: So as you are aware, the union has filed an injunction on behalf of Officer Fontaine and similarly-situated officers regarding their rights per the contract, regardless of whether the Inspector General deems their investigation administrative or otherwise, that the officer has the right to receive her constitutional advisements to remain silent if criminal charges are probable, not whether the Office of Inspector General is conducting an administrative or has deemed it any other type of investigation.

Can we take a minute?

MR. NEUMER: Sure. We'll go off the record. The time is 12:25 p.m.

(WHEREUPON, a recess was had.)

MR. NEUMER: We're back on the record. The time is 12:27 p.m.

Officer Fontaine, I understand you have a statement you would like to make?

THE WITNESS: I would like to preface the statement with the following: I believe I am entitled to be informed of my Constitutional rights to remain silent. I have received no assurance from the Office of Inspector General that criminal charges are not probable.

Proceeding with this statement is in violation of the applicable Collective Bargaining Agreement, but I have been advised that I will lose my job if I refuse to provide a statement.

MR. NEUMER: The Office of Inspector General would note that the outcome of this administrative investigation relates to the subject's employment, and, therefore, under the CBA and General Order the administrative rights OIG has provided Officer Fontaine are appropriate.

In addition, the arguments being put forward would eviscerate Garrity, and we are going to proceed as we believe we are legally entitled to.

MS. RUSSELL: At this point, as counsel on behalf of Officer Fontaine, we are seeking an

order from a senior officer before she proceeds.
MR. NEUMER: Officer Fontaine, is it fair to say that you will not answer questions from the Office of Inspector General regarding the Laquan McDonald shooting?
THE WITNESS: Absent an order of a senior officer.
MR. NEUMER: You will not answer questions regarding the Laquan McDonald shooting?
THE WITNESS: Correct.
MR. NEUMER: At this time I am going to place a phone call to Commander Robert Klimas.
Counsel, is it fair to say that you agreed that we could have Commander Klimas order Officer Fontaine to answer questions via telephone?
MS. RUSSELL: Correct.
MR. NEUMER: The time is 12:30 and we're going to go off the record.
(WHEREUPON, discussion was had off the record.)
MR. NEUMER: The time is 12:31 p.m. We'll go back on the record. Counsel has agreed to have us place the call to Commander Klimas via

Mr. Neumer's Blackberry.

MS. RUSSELL: That's correct.

(PHONE RINGING.)

COMMANDER KLIMAS: Bob Klimas.

MR. NEUMER: Bob, I have you on speakerphone. This is Peter Neumer from the Chicago Inspector General's Office. Can you hear me?

COMMANDER KLIMAS: Yes, I can.

MR. NEUMER: Officer Fontaine, can you hear Commander Klimas?

THE WITNESS: Yes, I can.

MR. NEUMER: Commander Klimas, we are currently in a court-reported interview of Officer Dora Fontaine. Her counsel, Jennifer Russell, is here, Investigator Kris Brown, and Assistant Inspector General Peter Neumer are all here.

The Office of Inspector General, having provided appropriate notice to Officer Fontaine of this interview, is attempting to ask Officer Fontaine questions regarding the Laquan McDonald shooting. She has refused to answer questions regarding the

shooting absent a command from her superior officer, so I am asking you, Commander Klimas, to order Officer Fontaine to answer the Inspector General's questions.

COMMANDER KLIMAS: This is Commander Robert Klimas, K-l-i-m-a-s, with the Chicago Police Department, Bureau of Internal Affairs.

Officer Dora Fontaine, I'm giving you a direct order to answer all the questions posed to you today by Peter Neumer or his designees from the Office of Inspector General, City of Chicago.

THE WITNESS: Thank you. Yes, sir.

COMMANDER KLIMAS: Very good. Thank you.

MR. NEUMER: Thank you.

So with respect to -- I think where we were was the advisement form. We had made it through the end and we had asked that you sign the advisement form.

MS. RUSSELL: Tendering it back to you.

MR. NEUMER: And we are going to mark this Advisement of Rights form as Exhibit 1.

(WHEREUPON, a certain document was marked Exhibit No. 1, for identification, as of 03/16/2016.)

BY MR. NEUMER:

Q. And now I am going to mark several exhibits now. Officer Fontaine, these are exhibits that should have been provided to you, and I think were provided to you by IAD on February 22, 2016.

So first is what we're going to mark as Exhibit 2, a document entitled Notification of Interview for CPD Member dated February 22, 2016.

(WHEREUPON, a certain document was marked Exhibit No. 2, for identification, as of 03/16/2016.)

BY MR. NEUMER:

Q. Officer Fontaine, have you seen this Notice of Interview previously?

A. Yes.

Q. And did IAD provide you with this Notice of Interview on or about February 22, 2016?

A. Yes.

Q. I am now going to mark as Exhibit 3 a document titled Notification of Allegations also dated February 22, 2016.

(WHEREUPON, a certain document was marked Exhibit No. 3, for identification, as of 03/16/2016.)

BY MR. NEUMER:

Q. Same question, have you seen the Notification of Allegations document previously?

A. Yes.

Q. And did IAD provide you with this Notification of Allegations on or about February 22, 2016?

A. Yes.

Q. I am now going to mark as Exhibit 4 a document entitled Receipt Form dated February 22, 2016.

(WHEREUPON, a certain document was marked Exhibit No. 4, for identification, as of 03/16/2016.)

BY MR. NEUMER:

Q. Have you seen this receipt form previously, Officer Fontaine?

A. Yes.

Q. And did you sign this Receipt Form on February 22, 2016?

A. Yes.

Q. And actually I should ask you the same question with respect to Exhibits 2 and 3, which I'll just put back in front of you.

Did you sign Exhibits 2, the Notice of Appearance, and Exhibit 3, the Notification of Allegations on February 22, 2016?

A. Yes.

MS. RUSSELL: For the record, regarding Exhibit Number 4, while it indicates that audio files were provided to Officer Fontaine from Beat Number 813 Robert and 845 Robert, no audio files were found on the disk she was provided.

BY MR. NEUMER:

Q. I'm now going to mark as Exhibit 5 what is an excerpt of a CPD Case Supplementary Report dated March 16, 2015, with the RD Number HX475653 containing Officer Fontaine's statement to Detective March?

(WHEREUPON, a certain document was marked Exhibit No. 5, for identification, as of 03/16/2016.)

BY MR. NEUMER:

Q. Officer Fontaine, have you seen the Exhibit 5 document, the Case Supplementary Report excerpt?

MR. NEUMER: We'll go off the record. The time is 12:38.

(WHEREUPON, discussion was had off the record.)

MR. NEUMER: The time is 12:40 p.m. We're back on the record.

BY MR. NEUMER:

Q. So I will ask you the question again. With respect to Exhibit 5, excerpt of a CPD Case Supplementary Report with the RD Number HX475653, Officer Fontaine, have you seen this document before?

A. Yes.

Q. And did IAD provide you with this document on or about February 22, 2016?

A. Yes.

Q. I am now going to provide you with a document that has been previously marked Exhibit 6. This is a General Progress Report dated October 20th, 2014, with the RD Number

HX475653 containing Detective March's notes of his interview with Officer Fontaine.

(WHEREUPON, a certain document was marked Exhibit No. 6, for identification, as of 03/16/2016.)

BY MR. NEUMER:

Q. Officer Fontaine, have you seen the General Progress Report marked as Exhibit 6?

A. Yes.

Q. I should say, have you seen it prior to today?

A. Yes.

Q. Did IAD provide you with the General Progress Report marked as Exhibit 6 on or about February 22, 2016?

A. Yes.

Q. In order to prepare for today's interview, did you review the materials that IAD provided you, the Exhibits 2, 3, 4, 5, and 6 we showed you?

MS. RUSSELL: She has a preliminary statement she wants to make. Is now the appropriate time or when we get into the interview proper?

MR. NEUMER: I think if you want to make that preliminary statement now, that's fine. I'm just going to ask about sort of these materials. So I'll leave it up to you.

MS. RUSSELL: Let's just wait until after the exhibits.

MR. NEUMER: And then if you feel we're getting too far into the substance, stop me and we'll go forward.

MS. RUSSELL: Okay.

BY MR. NEUMER:

Q. In order to prepare for today's interview, Officer Fontaine, did you review the materials that IAD provided you from OIG including the Notification of Interview, the Notification of Allegations, the Receipt Form, the excerpt of a CPD Case Supplementary Report, and a General Progress Report?

A. Yes.

Q. And the materials that IAD provided you also included video from an in-car video systems of Beat 813R vehicle and the Beat 845R vehicle; is that correct?

A. Yes.

Q. And that DVD also contained video from a Dunkin' Donuts security camera as well; is that correct?

A. Yes.

Q. Did you review those videos I mentioned, the Beat 813R video, the Beat 845R vehicle video, and the Dunkin' Donuts security camera video prior to today's interview?

A. Yes.

Q. Since receiving our Notice of Interview, did you review any materials other than the materials provided to you by IAD on our behalf?

A. No.

Q. Aside from your attorney, who did you speak to in preparation for this interview?

MS. RUSSELL: I'm going to have her read them now.

BY THE WITNESS:

A. This statement is not being made voluntarily but under duress and is only being made at this time because I know that I will lose my job if I refuse direct order being given to me by Commander Klimas. I am invoking each

and every right granted to me under Garrity versus New Jersey.

Also on the advice of counsel I am making the following additional objections: I am objecting to the fact that the City of Chicago Inspector General's Office is making allegations against me and conducting an investigation into its own allegations.

I am objecting that this interview is taking place before an arbitrator has decided the issues that were raised in regards to the investigation. The Fraternal Order of Police has filed a grievance and injunction regarding this investigation, and the Inspector General refuses to postpone this interrogation.

I am also objecting that I have requested my prior sworn testimony, namely the testimony I provided to the grand jury. The Inspector General refuses to provide me with a copy of my grand jury testimony and/or any other statement I have made to the federal investigators in violation of my rights under the contract.

The Inspector General indicated that

it is not -- that it does not have possession of my grand jury testimony. To the extent I am questioned about any grand jury testimony, I assert that the testimony is truthful and was based upon my recollection at the time. I stand by all of my answers.

MR. NEUMER: OIG again notes that we are conducting an administrative investigation, not a criminal investigation. We're not conducting a joint investigation or working with any law enforcement agency with respect to this investigation.

OIG does not have the subject's grand jury statement in its possession, and under the CBA, the OIG does not have an obligation to provide the subject a statement that's not in its possession.

In addition, we would note that the OIG is legally entitled to proceed and there are no legal arguments under Garrity that would prevent OIG from moving forward here.

BY MR. NEUMER:

Q. I believe the question that was pending prior to Officer Fontaine's statement

was, aside from your attorney, who did you speak to in preparation for this interview?

A. No one.

Q. At this time, I want to ask you some background questions.

MR. NEUMER: Counsel, the way we would propose working is, I'm asking Officer Fontaine questions regarding different subject areas. At the end of a subject area, I would give my counsel -- my colleague here an opportunity to ask cleanup questions, any follow-up questions that I failed to ask. Is that --

MS. RUSSELL: That's acceptable. You'll be the primary investigator?

MR. NEUMER: I'm going to be the primary questioner, and then, again, at the end of each section, I'll see if Investigator Brown has any follow-up cleanup. I think in that way we can move forward in the most expeditious manner.

MS. RUSSELL: That's fine.

BY MR. NEUMER:

Q. Officer Fontaine, what is your name and star number?

A. Dora Fontaine, 4484.

Q. And what's your current unit of assignment?

A. Unit 8, District 8.

Q. What was your unit of assignment on October 20th, 2014?

A. I'm sorry, is it a beat -- the beat car? Or the unit is 8, District 8.

Q. So District 8 was your unit of assignment on October 20th, 2014?

A. The unit of assignment, that's where I was at.

Q. And what watch were you on as of October 20th, 2014?

A. First watch.

Q. What was your chain of command as of October 20th, 2014?

A. I don't understand.

Q. Who was your sergeant --

A. Oh, my sergeant was Sergeant Franko.

Q. Lieutenant?

A. Lieutenant was Lieutenant Cook.

Q. Commander?

A. Commander O'Donnell.

Q. And do you know those individuals'

first names?

A. James O'Connor was the commander; Jerry Cook, lieutenant; Stephen -- Steve Franko, sergeant.

Q. Officer Fontaine, what's your personal cell phone number?

A. [redacted]. I'm sorry, I gave you too many. It's [redacted].

Q. Was that the same cell phone number you had as of October 20th, 2014?

A. Yes.

Q. I want to talk to you a little bit about your appearance before the grand jury. You were summoned to give testimony before a federal grand jury regarding the McDonald shooting; is that correct?

A. Yes.

Q. And did you give testimony before a federal grand jury?

A. Yes.

Q. When did you give testimony before the federal grand jury?

A. I don't recall.

Q. Do you recall a month?

A. No, I don't recall.
Q. Was it in 2015?
A. I don't recall.
Q. Was it -- you don't recall whether it was 2016?
A. No.
Q. Was it -- well, did you assert your rights under the Fifth Amendment and refuse to testify?
A. At the grand jury?
Q. Yes.
A. No.
Q. Were you given immunity to testify before the grand jury?
A. No.
Q. How long were you testifying before the federal grand jury?
A. I don't recall.
Q. More than an hour?
A. I don't recall the time.
Q. It wasn't more than a day, was it? You weren't brought back for another?
A. No, it wasn't.
Q. So it was less than a day?

A. Yes.
Q. But you don't recall whether it was as brief as five minutes or --
A. No, I don't know the time frame on that.
Q. Did you provide a written statement to the grand jury?
A. No.
Q. What subjects were you asked about before the grand jury?
A. I don't recall.
Q. So have you testified before a federal grand jury as the -- ever before? Is this the only time you've ever testified before a federal grand jury?
A. On behalf of myself?
Q. Yes.
A. Yes.
Q. And that testimony, would you consider it to be relatively important in that I assume that if you had -- if you lied to the grand jury, that would potentially subject you to criminal liability?
A. Yes.

Q. So the accuracy of your testimony was extremely important; isn't that correct?

A. Yes.

Q. You wanted to answer the questions you were asked correctly, right?

A. Yes.

Q. So you have no recollection as to what you were asked?

A. No.

Q. Were you asked about the Laquan McDonald shooting?

A. Yes.

Q. And what were you asked about the Laquan McDonald shooting?

MS. RUSSELL: Do you mind if we take a quick break?

MR. NEUMER: Sure. We'll go off the record. 12:52 p.m.

(WHEREUPON, a recess was had.)

MR. NEUMER: The time is 12:55 p.m. We'll go back on the record.

BY MR. NEUMER:

Q. I just want to sort of go back. Officer Fontaine, you did give testimony before

a federal grand jury, correct?

A. Yes.

Q. And, again, I would imagine that was a stressful occasion?

A. Yes.

Q. And an important event for you?

A. Yes.

Q. Any recollection of, as you were going through, was it like summer of 2015, was it fall of 2015? I would think that date would stick out in your head perhaps.

A. It doesn't. I don't know why, but it doesn't.

Q. Okay. I believe you said you were asked questions about the Laquan McDonald shooting; is that correct?

A. Yes.

Q. And can you give us a sense of what type of questions you were asked about the Laquan McDonald shooting?

A. I -- I -- the problem is that there was so many different things going on at the time, different scenarios going on, the questioning, the kind of question. So I was

asked about what I saw.

Q. Okay.

A. What I witnessed. If I would do anything different. Why he did what he did.

Q. Okay.

A. And in that reference, that's why, with the time, it seemed to me like more than three hours or longer, but I could be wrong. But for me personally, it felt like a long time.

Q. So you were asked questions about why Officer Van Dyke did what he did?

A. Or the amount of shots was it correct, I guess.

Q. Were his --

A. Was it proper.

Q. -- actions appropriate?

A. Yes.

Q. And what did you say when they asked you whether his actions were appropriate?

A. I can't answer for anyone else but myself. I don't know what occurred before I arrived on scene. I don't know what he saw. I don't know what he witnessed, so I can't answer that question.

Q. Is that what you told the grand jury?
A. Yes.
Q. And when they asked you if -- I think you said you were asked whether you would do anything different; is that what --
A. Mm-hm.
Q. And how did you respond when asked that question?
A. Unless you're in that -- unless you're in a situation, you don't know how you're going to respond, so it all depends on what's occurring at the time.
Q. You were asked to describe what you saw in terms of witnessing the shooting of Laquan McDonald; is that correct?
A. Yes.
Q. And what did you say when you were asked to describe the shooting?
A. At this time, watching the video and everything else that's coming about it, it's -- honestly, I -- it's all mixed up because of the fact that once they showed me the video, certain parts were different than what I stated.
So, again, I tried to tell the truth

as much as I could, but, again, my point of view and my -- what I saw, you know, might look different in a video and that's what's occurring, so I -- that's -- I...

Q. Okay. So you were saying that -- you told the grand jury that -- did you give them sort of a different version of events than the version of events you related to Detective March?

A. Did I tell them different events from what I told Detective March?

Q. Uh-huh, the grand jury.

A. The grand jury, I told them what I saw at that point in time, what was -- what I remember of the situation. That's what I explained to them at that point in time.

At that time, I had -- I remember telling March what I saw. And, again, after reviewing everything, it -- it kind of differs.

Q. And in what way does it differ?

A. It differs because, by looking at his notes, there's -- where he puts that I said he raised his arm as if attacking Van Dyke, I never stated that or I don't recall stating that to

him.

Q. Prior to your grand jury testimony, who did you speak to about -- in preparation for your grand jury testimony?

THE WITNESS: William Fahy?

BY THE WITNESS:

A. My lawyer.

BY MR. NEUMER:

Q. And what was your lawyer's name?

A. William Fahy.

Q. Is that F-a-h-e-y?

MS. RUSSELL: No, I think there is no "E."

THE WITNESS: Just the "Y."

MS. RUSSELL: F-a-h-y.

BY MR. NEUMER:

Q. Did you speak to anyone else in preparation for your grand jury testimony other than your attorney?

A. No.

Q. Did you have any communications with Officer Van Dyke before your grand jury testimony?

A. No.

Q. No phone calls?

A. Nope.
Q. No texts?
A. Nope.
Q. No e-mails?
A. Nope.
Q. Do you know Officer Van Dyke's personal cell phone number?
A. Nope.
Q. Do you have it in your phone?
A. Nope.
Q. Did you have communications with any of the other officers present at the McDonald shooting prior to your grand jury testimony?
A. I work with them.
Q. Did you have communications with the other officers present at the scene of the McDonald shooting regarding the McDonald shooting prior to your grand jury testimony?
A. Like in detail what's going on or --
Q. Did you discuss the Laquan McDonald shooting with any of the other officers who were present at the scene of the shooting prior to your grand jury testimony?
A. About what occurred or just -- we did

discuss like, Oh, I'm going to the grand jury. They asked me, Are you going to the grand jury this date? Yes.

But about that night, no. Just about, you know, Oh, I got notified for this. Did you get notified for this?

Q. I would think that, you know, it would be normal to sort of discuss what you saw that night. Were you specifically trying not to talk about the Laquan McDonald shooting with the other officers who were present at the scene of the shooting?

MS. RUSSELL: It's okay. Go ahead.

BY THE WITNESS:

A. No, I didn't want to talk about it.

BY MR. NEUMER:

Q. You didn't want to talk about it?

A. No.

Q. So it was your own decision that I'm not going to discuss the Laquan McDonald shooting with any of the other officers present who were at the scene that night?

A. Yeah.

Q. At the -- when you were at the grand

jury, were you presented with any of the reports we've just introduced as exhibits, your statement to Detective March, the GPR?

A. I don't recall.

Q. No recollection of being provided with any exhibits?

A. No, I don't recall.

Q. Is it possible -- you just don't recall one way or the other?

A. No, I don't.

Q. Prior to your testimony before the grand jury, did you make any attempt to ensure that the statement you were going to make accorded with the other officers' statements who were present at the scene of the shooting?

A. I'm sorry?

Q. Prior to your grand jury testimony, did you make any attempt to sync up your story with the other officers who were present at the scene of the McDonald shooting?

A. No.

Q. Were you interviewed by the FBI regarding the Laquan McDonald shooting?

A. Yes.

Q. Do you recall when you were interviewed by the FBI?

A. No.

Q. Were you interviewed multiple times by the FBI?

A. No, just --

Q. Just one time?

A. -- once, mm-hm.

Q. Who was interviewing you?

A. I don't remember.

Q. Do you remember how many people were interviewing you?

A. I want to say it was two FBI agents and I think it was a State's Attorney and my lawyer and myself --

Q. Do you recall --

A. -- I think.

Q. Do you recall where that interview took place?

A. I don't recall.

Q. And what was the nature of that interview? What did they ask you; what did you say?

A. The same thing, about what occurred

that day, what happened, what was I working, who was I working with, what I saw.

Q. And did you describe the shooting incident to the FBI?

A. Yes.

Q. Did the statement you gave to the FBI regarding the shooting differ at all from your grand jury testimony?

A. No.

Q. Did the statement you gave to the FBI regarding the shooting differ at all from the statements you made to Detective March?

A. I'm sorry, what was it?

Q. Did the testimony -- well, did the statement you made to the FBI regarding the Laquan McDonald shooting, did that differ at all from the statements you made to Detective March regarding the shooting?

A. Not the statement I gave, no.

Q. So the statement you gave to the FBI was the same as the statement you gave to Detective March regarding the shooting?

A. Yes.

Q. I want to talk to you now about

October 20th, 2014. You were present on October 20th, 2014, when Laquan McDonald was shot, correct?

A. Yes.

Q. And do you know following the shooting which officers were responsible for controlling the perimeter of the shooting scene?

A. They sent us and anybody -- I don't know anybody else.

Q. Who's the "they"?

A. I'm sorry, the sergeant.

Q. The sergeant sent you to the scene of -- prior to the shooting, correct?

A. No. No. No.

Q. Okay. Walk me through it. Walk me through it.

A. Sorry.

Q. It's okay.

A. Prior -- there was a call coming out. That's how we responded.

Q. So you get a call; you respond to the scene prior to the shooting?

A. We respond and it's a -- basically it's occurring.

Q. There's an event that's occurring?

A. Yes.

Q. Yes. So you proceed to 41st and Pulaski?

A. Yes.

Q. And tell us then where does the sergeant call come in?

A. When we get there, everything is chaos. The sergeant -- I don't recall if he went over the air and told us to go do traffic or he went like -- or told us to do traffic on scene.

Q. Okay.

A. But we went towards going south.

Q. On Pulaski?

A. On Pulaski. To block off the traffic coming north.

Q. Okay. So which sergeant gave you that?

A. Sergeant Franko.

Q. So Sergeant Franko gives you and -- Officer Viramontes, is it?

A. Yes.

Q. To sort of do traffic control?

A. Yes.

Q. And then you proceeded to block off a portion of Pulaski?

A. Yes.

Q. So at any time while you were blocking off Pulaski, did you ever direct any civilian witnesses to the shooting to leave the scene?

A. No -- well, we were sent to block traffic. Then Sergeant Franko goes over the air and says give 41 Robert the paper.

Q. What does that mean?

A. Which means that we're in charge of having to do the paperwork for the shooting.

Q. Okay.

A. So we arrive, we're barely getting off, we turn around, and we go back to the scene.

MS. RUSSELL: Let me just -- can you read back the question.

So listen to the question he asked you.

(WHEREUPON, THE RECORD WAS

BY THE REPORTER AS FOLLOWS:)

"QUESTION: So at any time while you were blocking off Pulaski, did you ever direct any civilian witnesses to the shooting to leave the scene?"

BY THE WITNESS:

A. No.

BY MR. NEUMER:

Q. I just want to make sure we're all clear here. So the shooting occurs -- and correct me if I misstate anything.

The shooting occurs, you get, I'll call it an order, from Sergeant Franko over the radio to do traffic control?

A. I'm not sure if it was over the air or not. It was -- everything was going crazy. I -- we looked at him and then, you know, we -- I looked at him and stuff, and then he kind of went like that (indicating), so it's block off traffic.

Q. So it was -- Sergeant Franko was on the scene?

A. Yes.

Q. And are we talking like minutes after the shooting?

A. I don't know.

Q. So Sergeant Franko has arrived on the scene, correct?

A. Mm-hm.

Q. He orders you -- or he gestures you sort of with his hand to do traffic control?

A. Yeah.

Q. You interpreted it to say --

A. Yes.

Q. -- Officer Viramontes and I are on traffic control?

Okay. So then you block off part of the street on Pulaski?

A. Yes.

Q. And then you mentioned you got an order to do some paper. Is that -- meaning like do the write-up for --

A. Yes.

Q. -- or what is that paper? What is the paperwork that you were instructed to do?

A. It's a report, and you just have to log in everybody who's on scene as best as you

can and put a narrative stating to "See Detective Supplementary," that's it.

Q. And did you complete that report?

A. Yes.

Q. Where did you complete that report?

A. On the street.

Q. On the street. So you filled it out by hand?

(WHEREUPON, discussion was had off the record between Counsel and Witness.)

BY THE WITNESS:

A. Oh, on the PDT. On ERA.

BY MR. NEUMER:

Q. Tell me what a PDT is.

A. It's like a computer, like this (indicating).

Q. So where was that PDT located?

A. It was in the car.

Q. In your vehicle?

A. Yes.

Q. And your vehicle was -- so you were 841 Robert, right?

A. Yes.

Q. So you were doing traffic control and blocking off Pulaski, right? And then did anything else happen before you got this order to do the paperwork?

A. No.

Q. And did you ever leave the scene prior to doing the paperwork?

A. Yes.

Q. Tell us about that.

A. Another sergeant was on scene. They order us to go with the body, McDonald's body, to the hospital. So we were on our way to follow the ambulance. We got called back to the scene.

Q. And who called you back?

A. Sergeant Spreyne.

Q. How do you spell that name?

A. S-p-r-e-y-e -- wait, n-e. S-p-r-e-y-n-e.

Q. And did that call come over the radio?

A. Yes.

Q. How far did you make it away from the scene?

A. Where were we? We were on the overpass.

Q. On the overpass...

A. Pulaski. So I want to say -- yeah.

Q. About how far away is that?

A. Oh, how far away? Like four or five blocks.

Q. So four or five blocks and then you get called back by Officer Spreyne?

A. Yes. Sergeant Spreyne.

Q. Sergeant Spreyne calls you back and says -- requests that you fill out a report regarding the shooting?

A. Yes, it -- wait, I'm trying to think. Franko gave us the order to do the papers. Spreyne sent us with the body and then he ordered us -- Spreyne ordered us back, yeah. A lot of confusion.

Q. Sure. What's the name of this report that you prepared?

A. It's a case report.

Q. Case report. Okay. So you prepared this case report on the PDT in your vehicle 841 Robert?

A. Yes.
Q. Was Officer Viramontes in the vehicle with you while you prepared this case report?
A. Yes.
Q. Did you talk to anyone as you prepared this case report?
A. We asked for names and stars.
Q. Who did you ask for names and stars?
A. Any officer we saw on scene.
Q. So was it you and Officer Viramontes?
A. Mm-hm.
Q. Is it fair to say you kind of collectively filled out this report?
A. Yes, but there was so many people on scene, we had to call and get a copy of the job --
Q. What's --
A. -- which means, in the district, you can pull up our job, put in our number, 841 Robert, and it will notate everybody who's on scene, all the beat cars.
Q. So what's a job again? When you use the word, "job"?
A. That's the call. I'm sorry. The

call.

Q. So you can type it in and it will -- on your PDT?

A. Not our PDT. In the system. In the district. At the station.

Q. Oh, at the station?

A. Yeah.

Q. Okay. So I'm slightly confused. But you didn't go to the station?

A. No.

Q. You were at the vehicle?

A. Yes.

Q. Did you call someone at the station?

A. Yes.

Q. And you said, Hey, I'm on this job --

A. Can you please do that. Because we were trying to get everybody, but there was so many people, we were -- I didn't want to miss anybody.

Q. Sure. So did you first, though, start to go around the scene in person to talk to everyone who was at the scene to get their star number?

A. Viramontes kind of walked around, and I kind of grabbed whoever I saw closer to me here by the car so...

Q. So do you recall who you -- well -- yeah, do you recall who you talked to at the scene as far as completing this case report?

A. No, there was --

Q. Do you recall any -- did you talk to Officer Van Dyke?

A. No. No.

Q. You know you didn't talk to Officer Van Dyke as part of --

A. No.

Q. -- this case report? Okay.

Do you recall anyone who you did talk to?

A. Who did -- I'm trying to think of who I talked to. I mean, from the other --

MS. RUSSELL: If you don't remember, you don't remember.

BY THE WITNESS:

A. Yeah, I don't remember because since I knew some of them, I knew them and I knew their beats, so I just, you know, logged them

down.

BY MR. NEUMER:

Q. Sure.

A. But there was other people who weren't there from our unit that I kind of grabbed real quick, but I don't -- I didn't -- I didn't know who it was.

Q. I'm going to -- well, I'll keep going on this line of questioning.

How long did it take you to complete this case report?

A. I'm not sure. I'm not sure.

Q. Give me your best estimate.

A. Maybe an hour.

Q. Hour?

A. Maybe. Because we were waiting for stuff to come to us from the district.

Q. What stuff?

A. The printout.

Q. What's the printout?

A. Of the job of all the beat cars.

Q. Oh, they sent that to you?

A. Yes, somebody actually brought it over to me.

Q. Physical copy of it?

A. Yes.

Q. Okay. So you get a physical copy of the printout of the job and you're talking to various individuals on the scene?

A. No, at that point I started doing the --

Q. But you had --

A. -- the case report.

Q. You had talked to various individuals on the scene just to get their --

A. Yes.

Q. -- star number?

A. And beat number.

Q. And beat number. Okay.

Anything else that you did to prepare that case report?

A. That's it.

Q. Any other information-gathering?

A. No, that was it.

Q. And so your best estimate is the completion of that case report took about an hour?

A. Yeah. Maybe less, but yeah.

Q. Again, I'm -- just best estimate. Could be more, could be less?

A. Yeah, I'm not quite sure the time.

Q. Were you on scene the entire time you were completing that case report?

A. Yes.

Q. And what do you do once you complete a case report?

A. Once we complete it, we let the sergeant know it's completed.

Q. And would that be Sergeant Franko?

A. Yes.

Q. And how do you let Sergeant Franko know your case report is completed?

A. We usually -- we either do it over the air or on the PDT.

Q. Do you remember what you did on this occasion?

A. I don't remember on this case.

Q. Did you ever -- once -- is it fair to say you submit a case report?

A. Yes.

Q. Do you hit a button --

A. Mm-hm.

Q. "Submit" or something like that?

A. Mm-hm.

MS. RUSSELL: Answer out loud like "yes" or "no."

BY THE WITNESS:

A. Yes. I'm sorry.

BY MR. NEUMER:

Q. Did you ever hear anything further after you completed that case report? Did anyone ask you about what you had put in that report?

A. No.

Q. So once you hit "send" or "submit," send it on to Franko, that was the last you heard of that case report?

A. Yes.

Q. So other than the completion of the case report, who else did you speak to at the scene of the shooting?

A. The detective.

Q. Which detective?

A. March.

Q. So you spoke to Detective March. Did you speak to anyone -- again, not as part of the

completion of the case report, but other than Detective March, did you speak to anyone else at the scene of the shooting?

MS. RUSSELL: Other than the officers she already testified to?

MR. NEUMER: Correct.

BY THE WITNESS:

A. Not that I recall.

BY MR. NEUMER:

Q. Did you speak to a Mr. McNaughton?

A. No.

Q. So you did speak to Detective March at the scene of the shooting?

A. Yes.

Q. At approximately what time did you speak to Detective March?

A. I don't recall.

Q. Where were you and where was he when this conversation took place?

A. In my vehicle.

Q. You were in your vehicle, okay.

A. Yes.

Q. Were you completing your case report --

A. Yes.
Q. -- when he came by?
Okay. So during the time you were completing your case report, Detective March stopped by your vehicle?
A. Mm-hm. Yes.
Q. And what did he say to you when he came up to your vehicle?
A. He asked for the RD number and -- I'm really not sure exactly what he asked, but I know it was the RD number, and I think some of the beat cars he wanted to know was on scene.
Q. Was anyone else present when this conversation took place?
A. My partner.
Q. Officer Viramontes was in the car as well?
A. Yes.
Q. Did Detective March ask Officer Viramontes any questions when he came up to the car?
A. I don't know.
Q. Did Detective March ask you any questions about the shooting itself when he came

up to your vehicle?

A. Yes.

Q. What did he ask you?

A. Basically like where were we and if we saw anything.

Q. And what did you tell him?

A. I told him that I had seen something.

Q. Did you get into the details of the shooting?

A. Yes.

Q. Okay. Was Detective March taking notes during this conversation?

A. I don't recall. He had a pad and pencil, but I don't recall him writing anything down.

Q. How long did you speak to Detective March when he was outside your vehicle?

A. It wasn't long.

Q. Less than 15 minutes?

A. Yes.

Q. Was it like less than five minutes?

A. I don't know.

Q. And did Detective March ask questions

about the shooting of Officer Viramontes?

A. No.

Q. It was just --

A. I'm sorry, did he ask Viramontes questions?

Q. Sure. Yes.

A. Yes.

Q. Did he -- was he asking you guys kind of like collectively, or was he directing the questions to you or Officer Viramontes?

A. He came to me and then I think he went to him because I was in the middle of doing the report. So after he talked to me, I got back in the car, I'm assuming he went and asked Viramontes.

Q. But you don't know?

A. No.

Q. So did you get outside the vehicle to talk to Detective March?

A. Yes.

Q. So he comes over, you're in the vehicle completing the case report?

A. Yes.

Q. And then you step outside the vehicle

to have a conversation with him regarding the shooting?

A. Yes, he asked me to step out.

Q. So prior to your conversation with Detective March, had you talked to Officer Viramontes about what you witnessed in terms of the McDonald shooting?

A. No. It happened so fast and we were going here, here, and there, so no.

Q. There were no conversations between the two of you as to, wow, that was crazy or anything?

A. No.

Q. No conversations --

MS. RUSSELL: She answered.

BY THE WITNESS:

A. No.

BY MR. NEUMER:

Q. Was that a deliberate decision on your part not to talk to Officer Viramontes?

A. No, there was so much going on, you don't have time to try to sit there and discuss what occurred because you're trying to do what they're ordering you to do and you're trying to

handle your job.

Q. Prior to conversation with Detective March, did you talk to -- did you have any conversations with Officer Mondragon?

A. No.

Q. Is that name familiar to you?

A. Yes.

Q. Okay. But you didn't have any conversations at all about any topics with Officer Mondragon prior to your conversation with Detective March?

A. No.

Q. Did you have any conversations with Officer Sebastian?

A. No.

Q. I'm sorry, my fault, I should have completed my question.

Did you have any conversations with Officer Sebastian at the scene of the shooting prior to your conversation with Detective March?

A. No.

Q. Did you have any conversations with Officer Gaffney prior to your conversation with Detective March?

A. No.
Q. Did you have any conversations with Officer McElligott prior to your conversation with Detective March?
A. No.
Q. How about any conversation with Officer Walsh prior to your conversations with Detective March?
A. No.
Q. At any time while you were at the scene of the shooting, did anyone separate you from the other officers who were at the scene of the shooting?
A. No.
Q. So nothing would have prevented you from talking to, say, Officer Mondragon or Officer Gaffney?
A. No. If I wanted -- no, because -- they were on that side; we were on this side.
Q. Which side were they?
A. They were on the north side; I was on the south side.
Q. North side of Pulaski?
A. They were on the north side of

Pulaski.

Q. Closer to -- they were on the north side by like 41st?

A. Honestly, they -- all I know is that they were on the north side. I don't know where.

Q. They were further north than you?

A. Yes.

Q. With respect to Detective March, you talked to him outside the vehicle. I think you estimated it was less than a 15-minute conversation. He asked you questions about the shooting. Is that correct?

A. Yes.

Q. And did you talk to Detective March again that evening regarding the shooting?

A. Yes.

Q. Tell us about that conversation.

A. It was when we went to the area.

Q. And that's at 51st and Wentworth --

A. Yes.

Q. -- is that correct.

Area Central?

A. Yes.

Q. How did you get from the scene of the shooting to Area Central?

A. We drove over there.

Q. Who drove?

A. Viramontes.

Q. And you drove the 841 --

A. Robert.

Q. Okay. So is that -- did you drive over to Area Central after you completed the case report?

A. Yes.

Q. Did you do anything between completing the case report and driving over to Area Central?

A. Not that I recall, no.

Q. So pretty much as soon as you complete the case report, you drive from the scene of the shooting to Area Central?

A. Yes.

Q. Were you asked to go to Area Central?

A. Yes.

Q. Who asked you?

A. I don't remember. I don't remember. I don't remember if it was a detective or the

sergeant.

Q. Are you talking about Detective March or Sergeant Franko?

A. Yes.

Q. Okay. Is it likely that one of those two --

A. Yes.

Q. -- were the people that, would you say, ordered you to go to Area Central?

A. Well, we have to go after a shooting, so yes.

Q. So they said you have to go to Area Central?

A. Well, yes.

Q. Either Sergeant Franko or Detective March?

A. Yes.

MS. RUSSELL: Can we take one minute, Peter?

MR. NEUMER: We'll go off the record. It is 1:30 p.m.

(WHEREUPON, discussion was had off the record.)

MR. NEUMER: The time is 1:32 p.m. We're

back on the record.

BY MR. NEUMER:

Q. And, Officer Fontaine, I think you were going to provide a little bit of a clarifying narrative as to where you were following the scene of the shooting and what activities you were doing sort of in sequential order. So please proceed.

A. Okay. After the shooting, we moved southbound to do traffic. We went to go do traffic. We were ordered to come back to where the shooting occurred to do the case report.

Once we were there doing the case report, we were ordered to follow the body to the hospital.

Q. And that's Sergeant Spreyne?

A. Sergeant Spreyne. So we start -- we leave the scene again, start following the body. We were ordered to come back --

Q. By Sergeant Spreyne.

A. -- to do the report, and we come back on scene. We start doing the report, and then Detective March comes up to us and starts asking us questions about -- he asks us about the

information -- some information about the report that we have, and then he starts asking us about the shooting. So now we're back on scene.

Then after that, we're done with the report and everything, we go to the area, 51st and Wentworth --

Q. And that's you and Officer Viramontes?

A. Me and Officer Viramontes.

Q. So once you arrived at Area Central, just walk us through where do you go? What happens?

A. Once we get there, there's an FOP representative and IPRA's there. And they tell us they have drinks and stuff, and they say you can use the bathroom. They show us where the restroom is, water, drinks, whatever. And then they have us waiting until the FOP speaks to us.

Q. Who's waiting?

A. All the officers.

Q. Okay.

A. There's all the officers on scene, the sergeants, and they're in -- it's kind of a small place, so it's kind of cubicles and stuff.

So it's --

Q. So lay the scene. You get there. You're waiting in a room to be interviewed; is that correct?

A. That's -- yes, we're there to be interviewed by --

Q. So you're waiting at Area Central and there are other officers --

A. Yes.

Q. -- who were at the scene of the shooting in this room with you?

A. It's like an office.

Q. In an office. Okay.

A. And there's rooms.

Q. Describe this office to -- it's got cubicles?

A. When you walk in, there's tables where I guess the detectives sit and answer phones. And then over here you have rooms, and in the rooms -- it's like an office room, and it has cubicles.

Q. Okay.

A. So there's officers in there, there's officers out there, there's officers in the

restroom.

Q. And where are you sitting in this, I'll call it, room?

A. I'm outside. We're outside and then they had pizza so if anybody was hungry.

Q. So you're outside the main room?

A. Yes, at first we're outside --

Q. And is it like a side room, or where are you waiting when you're outside this main room?

A. There -- how should I put it? It's like you have a big room and then it's where all the detectives work. That's their area of work. In the offices, I'm assuming it's for like sergeants and lieutenants. So then there's one room where they have cubicles and they said we're going to wait for FO- -- I think FOP was there and wanted to talk to us.

Q. Okay.

A. And then they called us in. We went in there, and then they said, okay, they told officers in order -- IPRA was going to question officers and in what order they were going to question them and who was going to be

questioned.

And then once we said okay, we went back out into this main room, and they have computers and stuff, and we sat there and just waited until they told us what to do next.

Q. So you and the other officers who were at the scene of the shooting were waiting in the big room in front of some of the computer stations?

A. Yes.

Q. And what other officers were there when -- waiting with you?

A. It was Viramontes -- it was Viramontes, Mondragon, Sebastian. There was two other officers from afternoon.

Q. Bacerra?

A. I don't -- what's the name?

Q. Officer Bacerra?

A. Bacerra.

Q. And Velez?

A. Bacerra and Velez.

Q. Okay.

A. Them two. Who else? McElligott and Gaffney. I think that's all I remember.

Q. Was Officer Van Dyke present?

A. No.

Q. Was Officer Walsh present?

A. I don't remember.

Q. When you were waiting at those computer stations at Area Central with the other officers, did you have any conversation with those other officers about the shooting?

A. No. They just -- they -- it was more like they were talking about having to testify to IPRA. They asked me if I had to, and I'm like, No, they haven't told us that we have to. And that was it.

Like just, So you goes ain't going to IPRA? I'm like, So far no. Me and Rick thought we were going to be -- me and Viramontes thought we were going to be the last one.

So everybody was kind of like, you know -- oh, then the detective came and he showed us the video -- he showed me the video.

Q. So while you were waiting at Area Central -- was it Detective March?

A. Yes.

Q. Detective March showed you the video

of the Laquan McDonald shooting?

A. Yes.

Q. Okay. Was this prior -- now, I know you talked to him at the scene of the shooting. Was this prior to when you spoke to him again about the shooting?

A. He showed me the video and he -- you know, he showed me a few things from the video. And I was like, Oh, yeah, this and that. But that was it.

Q. Okay. Was he asking -- at Area Central, was he asking you questions about the shooting prior to showing you the video?

A. Yes.

Q. What kind of questions was he asking?

MS. RUSSELL: Is this in the Area or at the car?

BY MR. NEUMER:

Q. Sorry, in the area. So everything right now is at Area Central?

A. At the Area. Yeah, he was showing me the video and he says, When he was walking -- he says, "It looks as if he's turning here." And I was like, "Oh, it does."

Q. Did he point out anything else about the video?

A. No.

Q. It was primarily that he was -- okay. That he was -- that Laquan McDonald was turning at some point in the video?

A. Yes.

Q. And what did he -- like, flush that out a little bit more for us. What was he saying? Like how did that come up?

A. He just showed me the video and he was walking -- because I had told him he was walking southbound swaying the knife.

And then that's when -- when we were at the Area, then he showed me the video and he's like, "Oh, is this where he's walking?" "Yes." He goes, "You see he kind of turns around?" And I'm like, "Oh, yeah, he" -- looking at the video, I said it does look like he kind of turns.

Q. Did Detective March make any other observations about the video that you recall?

A. No.

Q. I want to -- we'll get back to that

conversation. I want to -- you mentioned FOP representatives. I want to first ask you, did you talk to any FOP representatives at the scene of the shooting?

A. No.

Q. Did you talk to any FOP representatives at Area Central?

A. Yes.

Q. And what did you -- what were the nature of those conversations?

A. He talked to us as a group.

Q. Who is the "he"?

A. I can't think of his name.

Q. Is it Marlon Harvey? Chris Kato?

A. I can't think of his name.

Q. Not Mr. Harvey or not Mr. Kato?

MS. RUSSELL: If you don't know, say you don't know.

BY THE WITNESS:

A. I don't know.

BY MR. NEUMER:

Q. So you talked to a male FOP representative at Area Central?

A. He talked to all of us as a group.

Q. He talked to the officers -- the officers who were present at the scene of the shooting, not including Van Dyke or Walsh?

A. Yeah, I don't recall Walsh. I'm not sure if he was there or not. I can't remember.

Q. And you don't believe that Van Dyke was present and among the --

A. No, he wasn't.

Q. -- the group?

A. No, I don't think he was either.

Q. So an FOP representative is talking to the officers who -- most of the officers who were at the scene of the shooting. What does he say?

A. He kind of -- he just -- what did he say? He tells us about our rights and like what's going to happen at the area with us and what we have to do, and that's it.

Q. And so after the FOP representative kind of walks you through what the process will be, then you continue to wait --

A. Yes.

Q. Again in front of computer stations in the big room --

A. Yes.
Q. -- at Area Central?
Is that on the first floor, second floor?
A. I want to say it's the second floor because it's on top, so I want to say it's two floors there.
Q. Had you been involved in an officer-involved shooting before?
A. Never.
Q. Never. So this was the first.
Did you, while you were waiting, talk with any of the other officers about what you had just seen?
A. No.
Q. I mean, I can imagine it's pretty traumatic, pretty stressful situation. There was no --
A. No. I just -- I don't know. I think I was like in shock, I -- I don't know.
Q. Do you think it would have been inappropriate to talk to the other officers at the scene about what you had just witnessed?
A. I -- yes.

Q. So is it fair to say that after you were waiting -- after the FOP representative spoke to you, you were waiting at the computer station -- just tell us what happened next.

A. People started going in, doing --

Q. Different rooms?

A. -- doing their statements.

No, to go talk to IPRA, to do their statements and stuff.

Q. Okay. You never talked to IPRA?

A. No.

Q. Correct?

A. No, we never spoke to IPRA.

Q. So folks are going to make their statements to IPRA. Then what happens next?

A. They weren't sure if we were going to go or not, so they wanted us to wait.

Q. Who wasn't sure?

A. Who was it? I'm not sure. I can't remember who was the one advising us to go. No, I don't remember who.

Q. Do you recall who you were waiting next to? Like who was to your right and left?

A. I know Rick was one of

them -- Viramontes was one of them. I want to say Bacerra, I'm not sure.

Q. So you're watching people go into the room to get -- give a statement to IPRA, correct?

A. We were sitting down -- I was sitting down.

Q. Mm-hm. Sure.

A. And, you know, everybody was just like kind of doing their own thing on the phones and stuff like that.

Q. Yep. Was anyone texting you about the shooting at all?

A. No.

Q. Anyone call you while you were waiting to be interviewed --

A. No.

Q. -- at Area Central about the shooting?

A. No.

Q. So what happened next while you're waiting? You're seeing them go in to get interviewed; what happens next?

A. They just tell us to wait. We're

waiting. I think McElligott and Gaffney come up to us -- I'm trying to think.

MS. RUSSELL: If you don't remember, say you don't remember.

BY THE WITNESS:

A. I don't remember.

BY MR. NEUMER:

Q. Do you recall having any conversations with Officer McElligott or Officer Gaffney while you were waiting at Area Central?

A. One of the computers were down, and we were trying to get on it.

Q. For what reason were you trying to get on the computer?

A. I think somebody wanted to play a game or something.

Q. So did you have a conversation with Officer McElligott or Officer Gaffney about the computer that was down?

A. I -- yes, I think I did.

Q. And did you eventually get that computer up and running?

A. I don't remember.

Q. Eventually does Detective March come and get you to talk to you?

A. To show the video at one point. That's it.

Q. So tell us about the interaction. Is he in a room and comes out and says, Officer Fontaine? Or how does he get your attention?

A. Yes, he's in a room. He comes out and says, Can you come here with me? And we go into the room and he shows me the video, and that's it. I come back out.

Q. Is the room small, big? What type of room is it?

A. It's a small room. It's an office.

Q. It's somebody -- is it his office or --

A. I don't know if it's his office or someone's office, but it's an office.

Q. It's someone's office. There's a desk?

A. Yes.

Q. A computer monitor?

A. Yes.

Q. And what does he say -- what does he say to you?

A. He just points out that, "Is that where he turned?" And he goes, "See? It's like he's turning." And I was like, "Yeah, he does look like he's turning."

Q. Did he ask you questions about the shooting prior to -- while you're in this office, so you're in an office. Is he behind a desk, Detective March?

A. No, because he's -- the computer's like right here, and we're both on this side of the desk.

Q. Both behind the desk; is that fair to say?

A. In front of the desk.

Q. In front of the desk?

A. Yeah, I think it's in front or on the side of the desk.

Q. You're on the same side of the desk?

A. Yes.

Q. And you're both looking at a computer monitor?

A. Mm-hm.

Q. Before you're looking at that computer monitor, did he ask you to walk him through the details of the shooting?

A. No.

Q. So he calls you into the office?

A. Mm-hm.

Q. Correct?

MS. RUSSELL: Yes?

BY THE WITNESS:

A. Yes. I'm so sorry.

BY MR. NEUMER:

Q. He calls you into the office and immediately directs your attention to the computer monitor?

A. Yes.

Q. And then he plays a portion of a video --

A. Yes.

Q. -- for you?

And that portion of the video contains the shooting of Laquan McDonald?

A. Yes.

Q. And what happens after he plays that portion of the video?

A. I go back and sit down and wait.
Q. Okay. But does he ask you questions while the video is playing about the video?
A. No.
Q. He plays the video. Does he ask you any questions before you go back to sit down?
A. No.
Q. Is that -- after he plays the video, is that when he makes a comment about Laquan McDonald turning?
A. Yes.
Q. So you're in the room, he plays the video for you, and makes a comment about Laquan McDonald turning?
A. Mm-hm.
Q. Is that correct?
A. Yes. Yes.
Q. And you agree with Detective March? Or what do you say when he says, Oh, it looks like he's turning here?
A. I said, Yes, it does.
Q. Did he ask you any questions at that point?
A. No.

Q. And he said, Okay, you can go sit down?

A. Yes, that's it.

Q. That's it?

A. That was it.

Q. No other questions?

A. No.

Q. You go back into the other room then?

A. Yes.

Q. Do you continue to wait there?

A. Yes.

Q. What happens next?

A. We just wait. And then they don't call us. They say they're going to call us another day, and then they release us.

Q. Who releases you?

A. Sergeant Franko.

Q. Sergeant Franko releases you. Do you have a recollection as to when he released you?

A. No. It -- it was after 6:00 because we did fill out a -- it's a time due slip whenever you do overtime. So I remember filling one of those out, so it had to be after 6:00.

Q. So it was after 6:00 a.m. --

A. Yes.
Q. -- you were released from Area Central?
A. Mm-hm. Yes.
Q. You were released from Area Central, and then where do you go?
A. I go back to the district, change, and go home.
Q. Did you take the 841 Robert vehicle with Officer Viramontes to go to the district?
A. Yes.
Q. So the two of you drove together to the district?
A. Yes.
Q. Did you talk about the shooting at all during that conversation -- or, sorry, during that trip?
A. No. No. We just went home. We talked about that -- what we were -- I talked about what I had to do in the morning because I had to take the kids to school and stuff, and that was it. I just said I got to get home and get some sleep.
Q. Were you making a conscious decision

not to talk about the shooting with Officer Viramontes during that trip?

A. Yes.

MR. NEUMER: The time is 1:53 p.m. Why don't we go off the record.

(WHEREUPON, a recess was had.)

MR. NEUMER: The time is 2:00 p.m. We're back on the record.

BY MR. BROWN:

Q. Officer Fontaine, you mentioned to us about a case report you filled out?

A. Yes.

Q. In that case report, it contains officer names and star numbers; is that correct?

A. Yes.

Q. Did that case report contain any substance as to what happened related to the McDonald shooting?

A. No.

Q. Do you want to explain anything further related to the case report?

A. It just has the -- my role when filling out the case report is you put the date, the time, the beat numbers, and just "see

detective sup."

Q. And you said you submitted the report that night?

A. Yes.

Q. Do you recall if it was edited after that point?

A. No.

MS. RUSSELL: No it wasn't edited or no you don't recall?

BY THE WITNESS:

A. No, I don't -- it -- it was not edited at that time.

BY MR. BROWN:

Q. Had it been edited, would you have been made aware of any changes to the report?

A. I should have been because it was under my PC number.

Q. So if we were to see that this document, this case report, it would have your PC number at the bottom?

A. Yes.

Q. Would it have anybody else's PC number?

A. Viramontes.

Q. And would that signify that he's in agreement with everything in the report?

A. Yes.

Q. So if changes were made to the report, he should have been made aware of those changes as well?

A. Yes.

Q. Going back to a little earlier. I briefly want to touch on the meeting with the FBI. You noted that the State's Attorney's Office was also there?

A. Yes.

Q. I just wanted to clarify, do you recall if it was the Cook County State's Attorney's Office was there, or was it the U.S. Attorney's Office?

A. I'm not sure.

THE WITNESS: Was it the State's -- I'm not sure.

MS. RUSSELL: Off the record.

(WHEREUPON, discussion was had off the record.)

MR. BROWN: The time is now 2:02 p.m. and we'll go back on the record.

BY MR. BROWN:

Q. Officer Fontaine, we were talking a little bit about the meeting with the FBI, and I'm just trying to clarify as to if it was the Cook County State's Attorney's Office that was also at the meeting, or was it the U.S. Attorney's Office?

A. It was the Cook County State's Attorney.

Q. Okay. Do you recall by chance who was there representing the Cook County State's Attorney's Office?

A. I don't recall.

Q. At that meeting, was the FBI the lead on the questions?

A. Yes.

Q. Did they tell you that your statement would be memorialized in any way?

A. I don't understand.

Q. I'm sorry, did they inform you that they were going to be making report of your statement?

A. No, not that they were going to make a report.

Q. Did you see -- you mentioned there were two FBI agents there at the meeting?

A. Yes.

Q. Do you recall them taking any notes?

A. Yes, they did.

Q. Do you recall whoever was there from the Cook County State's Attorney's Office taking any notes?

A. Yes, he was.

Q. So that was a gentleman?

A. That was a gentleman, yes.

Q. Anybody else besides the gentleman there representing the Cook County State's Attorney's Office?

A. No, not that I recall.

Q. And I think -- I'm pretty sure you already mentioned this, but it was just the one meeting with the FBI?

A. Yes.

Q. Any other meetings with the Cook County State's Attorney's Office?

A. Not that I recall, no.

Q. Did you ever have a meeting with the United States Attorney's Office?

A. No.
(WHEREUPON, discussion was had off the record between Counsel and Witness.)
BY THE WITNESS:
A. Yes, I did meet with the FBI before the grand jury one time -- I'm sorry, the U.S. Attorney.
BY MR. BROWN:
Q. What was the nature of that meeting?
MS. RUSSELL: We'll take a quick break.
MR. BROWN: The time is 2:04 p.m. and we'll take a quick break.
(WHEREUPON, a recess was had.)
MR. BROWN: The time is now 2:05 p.m. We'll go back on the record.
MS. RUSSELL: Can she clarify that last answer?
BY MR. BROWN:
Q. Officer Fontaine, please clarify.
A. I don't recall meeting with the U.S. Attorney.
Q. So before the grand jury you don't recall meeting with the U.S. Attorney's Office?

A. No.
Q. And you didn't speak to the Cook County State's Attorney's Office after that meeting with the FBI?
A. No.
Q. I believe you mentioned in that meeting with the FBI you stated that you told them the same statement as what you told March -- I'm sorry, Detective March?
A. Yes.
Q. I wanted to ask, did you give them any sort of clarifying information such as, In light of the video, this is going to clarify my statement? Or did you say anything to clarify what you told the FBI?
A. To the FBI?
Q. Yes. I'm sorry. That was a bad question.
A. That's okay.
Q. I remember you noted earlier that you said after viewing the video, that kind of clarified what was written in the report, the Supplementary Report about, "as if attacking" in relation to?

A. I didn't know he had put "as if attacking."

Q. And we're going to get into that --

A. Oh, I'm sorry, you just stated --

Q. You had mentioned something about it was clarified after you saw the video; is that accurate?

A. I'm still confused.

Q. Okay. Maybe I'll wait until we flush this out a little bit later in the interview, but I just wanted to see if there was any clarifying statements you made to the FBI in regards to you made the same statement to March as what you told them?

A. Okay.

(WHEREUPON, discussion was had off the record between Counsel and Witness.)

BY THE WITNESS:

A. When I talked to the FBI, I didn't know what March had written. I had no idea what he had written. That's why when I gave my statement to the FBI, I gave them my statement. I didn't know what he had put down.

BY MR. BROWN:

Q. I'm sorry. Okay. So at the point when you spoke to the FBI, you had not seen the final Case Supplementary Report that would have been authored by Detective March?

A. No.

Q. All right. When did you see the -- first see that statement by Detective March -- or I guess the write-up of your statement?

A. In the newspaper.

Q. In the newspaper. Okay. All right. And was that sometime in 2015?

A. Yes -- I don't recall.

Q. I definitely understand. I'm not going to keep hitting you about --

A. Yeah, I don't recall.

Q. You're just certain that you saw the statement after you spoke with the FBI?

A. Yes.

Q. When you spoke with the FBI, was that part of any sort of proffer negotiation?

A. I don't understand what you're saying.

Q. Was the subject of a proffer ever

brought up to you in regards to your conversations with the FBI?

A. I still don't understand.

BY MR. NEUMER:

Q. I think maybe I can -- so sometimes when individuals speak with the FBI, they'll sign what's called a proffer agreement. Do you recall signing any agreement right before you spoke to the FBI?

A. I did sign documents.

Q. Do you recall what those documents said at all? Were they explained to you?

A. They were explained to me, but --

Q. Do you have any recollection as to what...

A. No.

Q. That's fine.

BY MR. BROWN:

Q. Were you given a copy of the documents?

A. No.

Q. Was the negotiation about the documents, was that between your attorney and someone else?

A. Yes. My attorney was there. He read them with me and everything and I signed them.

Q. I just wanted to ask about Officer Viramontes?

A. Yes.

Q. He was your partner that night of the McDonald shooting, correct?

A. Yes.

Q. I wanted to ask, how long had he been your partner prior to that?

A. I think we've been going on five years.

Q. Five years. Okay.

Like a steady every day he's been your partner for five years?

A. For the most part because when we're short, they separate us.

Q. Absent some other changes, he's your normal partner?

A. Yes.

Q. In the normal course of your work as you observe incidents or have to make arrests, would it be normal for you to speak with Officer Viramontes as to whatever has occurred?

A. Yes.

Q. And would those conversations occur before any type of report that would need to be authored by you or Officer Viramontes?

A. Can I explain --

Q. Sure, definitely explain.

A. -- when we partner up -- when you partner up, you're the driver and then there's the driver and the passenger.

Q. Okay.

A. When you arrive on-call, most of the time the person doing the paper is the one that kind of takes the lead and asks the questions and everything to decide more or less what kind of paper it is. Unless they have a question, then we kind of talk about it. So in that sense, yes.

Q. So to aid in, I guess, authoring whatever reports either you or Officer Viramontes would need to author, you guys would have conversations to make sure you're on the same page?

A. Yes.

Q. I just want to compare that with the

McDonald incident. You already stated that, because of the circumstances with that one, you didn't feel like you wanted to talk with anyone, including Officer Viramontes, about the incident?

A. Yes.

Q. Got you. Okay.

When you were at Area Central, you mentioned that at one point, the officers were all together in the big room. I know you mentioned that you didn't have conversations with any of the officers about the McDonald incident, but I wanted to ask you, do you know if -- or did you recall if any of the other officers were having conversations as to what occurred that night?

A. No. Like I said -- no, not that anybody was specifically having them, but everybody was just kind of trying to talk about something else.

Q. So was it like a feeling of a big event has happened and let's try to get our minds off of it by talking about other things?

A. Kind of. I think that -- especially

people who have never been involved, you don't know how to -- what you should say, what you shouldn't say, how you handle it, so you kind of handle it your own way.

Q. Sure. No one instructed you guys not to talk about it?

A. No.

Q. It's something that came organically; it's just no one talked about the incident?

A. Not like detail in my presence, no.

Q. You mentioned that at some point March brings you in to show you the video?

A. Yes.

Q. I wanted to ask, you mentioned it was on a monitor. Do you recall if it was a laptop such as this, or was it like a computer monitor attached to like a hard -- like a big hard drive or something?

A. I don't recall.

Q. Do you recall Detective March taking any notes?

A. At that time, no.

Q. At that time.

MR. BROWN: That's all the follow-up I

have.

BY MR. NEUMER:

Q. I want to talk to you, Officer Fontaine, about your relationships with the various officers who were at the scene of the shooting.

A. Mm-hm.

Q. I think you mentioned, with respect to Officer Viramontes, you and he had been partners for about five years prior to the shooting --

A. Yes.

Q. -- is that correct?

And did you ever socialize with Viramontes outside of work?

A. Once he came to my son's birthday party.

Q. So one occasion outside of work?

A. That I can think of, yeah.

Q. So generally you guys did not socialize outside of work?

A. No.

Q. Would you describe yourself as a friend of Officer Viramontes?

A. Yes.
Q. With respect to Officer Van Dyke, what was your relationship with Officer Van Dyke prior to October 20th, 2014?
A. I really don't know him. I broke my ankle, and I was off for almost a whole year --
Q. Okay.
A. -- and when I returned, I saw new faces, and he was one of them. But I never really -- I didn't know him.
Q. Do you recall when you broke your ankle?
A. '13 I want to say.
Q. 2013?
A. 2013 I want to say.
Q. Have you ever partnered up with Officer Van Dyke?
A. No.
Q. Have you ever socialized with Officer Van Dyke outside of work?
A. No.
Q. Were you ever interviewed regarding a complaint someone made regarding Officer Van Dyke?

A. No.

Q. What was your relationship with Officer Gaffney prior to October 20th, 2014?

A. Gaffney, I've worked with him. I've known him.

Q. So how would you -- what was your work experience with Officer Gaffney?

A. Just coworker.

Q. How often would you have interactions like during a week with Officer Gaffney as part of your job?

A. As part of my job?

Q. Mm-hm.

A. Few times a week because if we ride on their jobs.

Q. And so that is their -- a job again is --

A. I'm sorry, a call.

Q. A call. Okay.

A. A call.

Q. So you would see him a few times a week responding to calls?

A. Yes.

Q. Okay.

A. At roll call.
Q. Okay.
A. Check-off. You just talk, you know.
Q. And how long had you guys been in the same, fair to say, unit?
A. Unit?
Q. Yeah.
A. I think we've been there the same amount of time, which is almost 15 years.
Q. Oh, okay.
A. I want to say we were -- yeah.
Q. So you've known Officer Gaffney for about 15 years?
A. Yes.
Q. And did you ever socialize with Officer Gaffney outside of work?
A. No.
Q. What was your relationship with Officer McElligott prior to October 20th, 2014?
A. Same thing, working, talking while at work and roll call, check-off.
Q. Same thing, see him a couple times a week on calls?
A. On calls or check-off, mm-hm.

Q. And how long had the two -- had you and Officer McElligott worked together?

A. With him I want to say the last three years I think we started talking more because I don't -- I don't remember when he came to the district.

Q. Okay.

A. And I didn't really associate with him.

Q. Ever socialize with Officer McElligott outside of work?

A. No.

Q. What was your relationship with Officer Bacerra prior to October 20th, 2014?

A. None.

Q. No relationship?

A. No.

Q. Never worked with him?

A. No -- that I can remember, no.

Q. No real interactions at work with Officer Bacerra?

A. Not really. He's on third watch.

Q. Okay. So you're on different watches?

A. Different watches.
Q. Never socialized with Officer Bacerra outside of the work?
A. No.
Q. What's your relationship with Officer Mondragon prior to October 20th, 2014?
A. Friends, coworkers. Same thing, roll call, check-off. We do a little bit more -- we talk a little bit more, I guess, girl to girl, more woman-to-woman things.
Q. Sure. Sure. So would you ever socialize with Officer Mondragon outside of work?
A. I don't recall ever associating with her outside of work.
Q. So work friends?
A. Yes.
Q. Okay.
A. Just recently now she had a daughter, so I've been giving her some of my daughter's stuff, so we kind of -- a little bit more --
Q. Okay.
A. -- outside of work.
Q. Is that in the last year or so?

A. Yes, two years.
Q. Was that -- did she have her daughter prior to October 20th, 2014?
A. Yes. Yes, I think so. Yes.
Q. What was your relationship with Officer Sebastian prior to October 20th, 2014?
A. Same thing, we talked at work and everything. And, prior to that, I don't think we socialized out of work.
Q. Do you socialize outside of work with Officer Sebastian now?
A. We have because she bought a house in Michigan and we have a house in Michigan, so we're -- we talk about that and --
Q. I got you. Do any -- well, I'll get through the end. How long have you worked with Officer Sebastian in the same unit?
A. About 15 years.
Q. Officer Velez, what was your relationship with her prior to October 20th, 2014?
A. Just -- she's third watch, so kind of seeing her, hi, bye, how you doing, that's it.
Q. And you never socialize with

Officer Velez outside of work?

A. No.

Q. What was your relationship with Officer Walsh prior to October 20th, 2014?

A. Just work-related.

Q. Never socialized outside of work?

A. (No audible response.)

Q. Would you say --

MS. RUSSELL: Make sure you answer out loud.

BY THE WITNESS:

A. No.

BY MR. NEUMER:

Q. Would you see Officer Walsh multiple times a week on calls and things of that nature?

A. Not as many, but I saw him in a few.

Q. And how long had you guys been in the same unit, you and Officer Walsh?

A. I'm not sure when he arrived to eight.

Q. Do any of the officers I mentioned, Officer Viramontes, Officer Van Dyke, Gaffney, McElligott, Bacerra, Mondragon, Sebastian, Velez, Walsh, live in your neighborhood in the

city?

A. Sebastian used to and she moved out.

Q. Okay.

A. Mondragon lives close now. She just moved in. And I think McElligott lives close, too. And I think that's it that I can recall.

Q. And what neighborhood do you reside in?

A. I live in Beverly. They live in Mount Greenwood.

Q. Got you.

MR. NEUMER: Kris, do you have any follow-up regarding Officer Fontaine's relationship with the other officers at the scene of the shooting?

MR. BROWN: I have no follow-up.

BY MR. NEUMER:

Q. At this time we're going to put Exhibits 6 -- previously marked as Exhibit 6 and 7 -- I think I misspoke. What's been previously marked as Exhibit 5 and 6, the CSR and the GPR.

(WHEREUPON, Exhibit No. 5 and Exhibit No. 6 were tendered to the witness.)

BY MR. NEUMER:

Q. So, again, that's Exhibits 5 and 6. The --

MS. RUSSELL: The notes are 6, okay.

BY MR. NEUMER:

Q. Notes are 6, the GPR dated October 20th, 2014. And the CSR -- the excerpt of the CSR containing Officer Fontaine's statement to Detective March.

So first, generally, I want to ask you what is a Case Supplementary Report?

MS. RUSSELL: In general.

BY THE WITNESS:

A. In general, it's something that's added on to an original case.

BY MR. NEUMER:

Q. Okay.

A. Because there's an original case first and then any supplementary is something added on to that.

Q. What's the purpose of a Case Supplementary Report?

A. My understanding is just extra facts.

Q. And who creates a Case Supplementary

Report?

A. Any officer that's -- any officer that's like -- any officer that has to work on a specific -- return to the original case report that they have extra information about it or anything has changed, they would be able to do a supplementary.

Q. Do officers create -- can I call them CSRs? Is that a term that --

A. I'm not familiar with that.

Q. Okay. We'll stick with Case Supplementary Report.

Do officers create Case Supplementary Reports, or is it detectives?

A. This here -- the form in front of me is a detective.

Q. So Exhibit 5 was created by a detective. Have you ever created a Case Supplementary Report in your time with CPD?

A. Yes.

Q. So you are familiar with Case Supplementary Reports?

A. When a regular patrol officer does it, it's called Supplementary Report, just a

regular Supplementary Report. It's a different format than this.

Q. Okay. Okay. So have you ever filled out a Case Supplementary Report?

A. No.

Q. So is it fair to say that generally detectives fill out Case Supplementary Reports?

A. I'm assuming, yes.

Q. But you -- do you not know one way or another?

A. I don't.

Q. It's not part of your general duties and responsibilities to fill out a Case Supplementary Report?

A. No.

Q. I'm now going to ask you about Exhibit 6, the General Progress Report dated October 20th, 2014. Are you familiar with the term GPR? Can I use that term?

A. I've never heard of that term.

Q. Never heard of that term?

A. No.

Q. Well, I'll ask you, what's your understanding as to what a GP- -- or what a

General Progress Report is?

A. I have no knowledge.

Q. Do you know what the purpose of a General Progress Report is?

A. I don't. This is the first time I've seen one.

Q. Okay. Do you know who creates a General Progress Report?

A. I'm assuming the detective with this in front of me.

Q. Okay. But you have no --

A. I have no idea who would -- who would do this.

Q. And you've never filled out a General Progress Report as part of your duties as a Chicago Police Department employee?

A. No, not this form.

Q. I want to direct your attention to Exhibit 5, the Case Supplementary Report, and the statement that is attributed to you in that exhibit. I think it's on the third page.

I would ask now that you read what is I think two paragraphs about a third or two-fifths of the page. Take your time. Read

that statement and let me know when you've had a chance to thoroughly read the statement.

A. You said the second one?

MS. RUSSELL: Stating with, "stated she was a Chicago Police Officer"?

MR. NEUMER: Right. Exactly. So at the top of the third page of Exhibit 5.

BY MR. NEUMER:

Q. Just to yourself. Just so you have a chance to see what is stated and then we'll ask you a few questions about that statement.

BY THE WITNESS:

A. Okay.

Q. Does Exhibit 5, Case Supplementary Report, accurately you -- accurately reflect what you said to Detective March on the night of October 20th, 2014?

A. No.

Q. What statements in the Case Supplementary Report are inaccurate?

MS. RUSSELL: Can we take a quick break?

MR. NEUMER: The time is 2:30 p.m. We'll go off the record.

(WHEREUPON, a recess was had.)

MR. NEUMER: The time is 2:36 p.m. We're back on the record.

BY MR. NEUMER:

Q. And, correct me if I'm wrong, I believe I asked you if the Exhibit 5, Case Supplementary Report, accurately reflected what you said to Detective March on the night of October 20th, 2014. I believe you said no; is that correct?

A. Yes.

Q. And then I believe I asked you which statements specifically in the Case Supplementary Report are inaccurate. So if you could walk us through what statements --

MS. RUSSELL: Can I clarify?

MR. NEUMER: Sure.

MS. RUSSELL: What statements don't reflect what she told him?

MR. NEUMER: Yes.

MS. RUSSELL: I think that's a different question.

MR. NEUMER: Sure. Sure.

BY MR. NEUMER:

Q. So let's go with that. You've had a

chance to review the Exhibit 5 statement attributed to you. So can you walk us through which -- sentence by sentence or whatever sentences you did not make -- or statements you did not make to Detective March.

A. The sentences walking towards Van Dyke as if attacking Van Dyke.

Q. Okay.

A. I'm sorry, that's the tenth.

Q. Yep, I got you. That's fine.

So the sentence in full reads, "McDonald ignored the verbal direction, instead raised his right arm toward Officer Van Dyke as if attacking Van Dyke"?

A. Yes.

Q. And you're saying you did not make that statement to Detective March on the night of October 20th, 2014; is that correct?

A. Yes. I don't recall telling him that.

Q. So when you say you don't recall making that statement to Detective March, is it possible that you made the statement that McDonald raised his right arm toward

Officer Van Dyke as if attacking Van Dyke?

A. No.

Q. No, it's not possible?

A. No.

Q. Is it accurate to say that, in your opinion, McDonald raised his right arm toward Van Dyke as if attacking Van Dyke?

A. I'm sorry?

Q. I'm saying that -- I think you've --

MS. RUSSELL: Did you see that? Did you see --

BY THE WITNESS:

A. No.

BY MR. NEUMER:

Q. You did not see McDonald raise his right arm toward Officer Van Dyke as if attacking Van Dyke?

A. No.

Q. Did you see McDonald -- when you were at the scene on October 20th, 2014, did you see McDonald raise his right arm toward Officer Van Dyke?

A. No.

Q. You did not see him raise his right

arm. Did you see him -- did you see McDonald on the night of October 20th, 2014, make any attacking movements toward Officer Van Dyke?

A. Yes.

Q. Tell us about those attacking movements.

A. Well, he was walking southbound, swaying the knife.

Q. Okay.

A. And from --

MS. RUSSELL: Let the record reflect that the witness is swaying a knife -- no, strike that. She's not swaying a knife. She's making swaying motions with her right hand.

BY THE WITNESS:

A. So he's walking southbound swaying the knife, and from my point of view, it looked like he was coming in an angle.

BY MR. NEUMER:

Q. So tell us about -- an angle in what way?

A. Like he was coming towards them but not --

Q. So let's try this direction-wise.

When you first see Laquan McDonald, what direction is he moving in?

A. He -- okay, after you -- after I looked at the video, I didn't even realize I was still in the car when a lot of this occurred, what I saw. I was still in the vehicle.

Q. Okay.

A. He was walking southbound swaying the knife walking -- he was walking southbound swaying the knife and Van Dyke and Walsh were -- how should I put it? They were outside their vehicle.

Q. Okay.

A. And from where I was looking at it on an angle, it looked like he was walking almost towards them.

Q. It looked to you like officer -- or that McDonald was walking towards the officers?

A. Yeah.

Q. Okay.

A. Like in their line.

Q. Again, what -- so what direction was he walking?

A. Southbound.

Q. Southbound. Okay.

And then you mentioned he was at an angle. What did you mean by that?

A. From the point of view I had, it looked as if he was on an angle.

Q. An angle to what? Are you saying he was no longer walking southbound?

A. He was still walking southbound, but it looked like he was kind of swaying over. Okay, there's --

Q. Did he change direction or...

A. No, he was -- he was going -- he was coming southbound -- how should I explain?

He was still coming southbound swaying the knife, and when I -- when I saw him -- how should I put it?

THE WITNESS: Can we take a break?

MS. RUSSELL: Sure.

MR. NEUMER: The time is 2:43 p.m. We'll go off the record.

(WHEREUPON, a recess was had.)

MR. NEUMER: The time is 2:44 p.m. We're back on record.

What question was pending?

MS. RUSSELL: She was trying to explain what she meant by him walking at an angle.

MR. NEUMER: Okay.

BY THE WITNESS:

A. When I arrived on scene, I didn't realize until I saw the video I was still in the vehicle. So by the angle I'm in, he's walking southbound but because he's straight and I'm in the angle and Van Dyke and Joe are out of their car, it almost seemed to me as if he was walking towards them.

BY MR. NEUMER:

Q. Having watched the video, do you think it is accurate to say that McDonald was walking towards Officers Walsh and Van Dyke?

A. After watching the video?

Q. (Nodding).

MS. RUSSELL: Can I butt in? So I know what the question is, but I guess it depends like where you are in the sequence.

So at one level he is walking towards them, he's in the middle of the road, he's walking towards them as opposed to away from them.

Is that what you're asking generally? like, is he walking towards them; is he away from the middle of the road? I could be walking towards you guys coming this way (indicating) or I could be walking towards you going this way (indicating). I'm not sure if that helps or hurts.

MR. NEUMER: Sure.

MS. RUSSELL: But maybe you can explain what you meant by it appeared he's walking towards you or what you saw in the video.

BY THE WITNESS:

A. I mean, what I saw in the video, he was still walking southbound swaying the knife. And when I looked at the video, it did seem as if he turned, but --

BY MR. NEUMER:

Q. Did he turn toward Officer Walsh and Van Dyke, or did he turn away from Officer Walsh and Van Dyke?

A. If you slow it down slow enough, it looks as if he's turning towards them.

(WHEREUPON, discussion was had off the record between Counsel and Witness.)

BY THE WITNESS:

A. But I'm not sure. But that's -- but I'm not sure if that's because he was shot at that point, that that's what made him (indicating), yes.

BY MR. NEUMER:

Q. So with respect to the statement in Exhibit 5, is there -- are there any of these other sentences that you never said to Detective March, other than the "as if attacking Van Dyke" portion?

A. The one about, "McDonald was walking sideways with his body facing east towards Jason Van Dyke and Officer Walsh," that I'm not sure.

Q. You don't know whether you made that statement --

A. No.

Q. -- to Detective March?

A. No, that one I'm not sure.

Q. Are there any other statements that you either know for certain or you are not sure

whether you made to Detective March on the night of October 20th, 2014, in the statement in Exhibit 5?

A. That's it.

Q. So you -- tell me, with respect to, "as if attacking Van Dyke," do you know whether or not you made that statement to Detective March?

A. I did not make it.

Q. You did not make it. And then with respect to "McDonald was walking sideways with his body facing east towards Officers Jason Van Dyke and Joseph Walsh" --

A. No.

Q. -- you don't know whether you made that statement?

A. No.

Q. Every other statement in -- every other sentence in this statement you think you did make to Detective March on the night of October 20th, 2014?

A. Yes.

Q. And, now, different question. Is -- so we've been talking about whether or not you

made these statements to Detective March. We touched on it a little bit, but I want to ask it directly.

Look at the statement in Exhibit 5. Are there any of these sentences that you consider to be inaccurate; it's not actually what happened?

A. For the rest of them?

Q. For -- I'm talking about the entire -- so we were focussing primarily just recently on whether you made the statements in this exhibit to Detective March.

Now I'm going to ask you a different question. I'm going to ask whether the statements in -- that are attributed to you are accurate. Do they reflect what actually happened?

A. No.

Q. Do you understand the question that I'm -- and so, as you look back at this -- as you look over the statement attributed to you in Exhibit 5, I want to identify for me which, if any, of the statements that are attributed to you are not accurate, that's not how things

occurred on the night of October 20th, 2014.

A. The one where he -- where he raised his arm towards Officer Van Dyke as if attacking him.

Q. So that statement is not accurate?

A. Not that I know of.

Q. Not -- that's not what you witnessed on the night of October 20th, 2014?

A. Yes.

Q. Right. So you did not witness McDonald raising his right arm toward Officer Van Dyke as if attacking Van Dyke?

A. Yes.

Q. That's correct?

A. That's correct.

Q. So same question now. Are there any other statements or sentences in the statement that are not accurate according to what you witnessed on the night of October 20th, 2014?

A. No.

Q. So every other statement -- every other sentence in your statement is accurate according to what you witnessed on the night of October 20th, 2014?

A. Yes. Except that one sentence that I wasn't sure.

Q. Right.

A. Okay.

Q. Except for the "McDonald was walking sideways with his body facing east" --

A. Yes.

Q. -- you're not sure whether that statement is accurate?

A. I'm not sure if I said it at that point in time.

Q. Let's talk about the accuracy of that statement. Do you think it's accurate that McDonald was walking sideways with his body facing east towards Officer Van Dyke and Joseph Walsh?

A. Well, now that I look at the video, again, it does look accurate.

Q. Your statement -- or the statement, "McDonald was walking sideways with his body facing east towards Officers Jason Van Dyke and Joseph Walsh," having reviewed the video of the shooting, you feel that statement is accurate?

A. Because of that turn? In the video

there's like a slight turn --

Q. Immediately prior to McDonald -- well, at what --

MS. RUSSELL: Let me.

(WHEREUPON, discussion was had off the record between Counsel and Witness.)

BY THE WITNESS:

A. For that sentence, to be more specific, it's not that he was walking sideways eastbound through the street; he was walking swaying, so he's kind of -- you know, what I mean?

BY MR. NEUMER:

Q. Sure.

A. Swaying. So kind of --

MR. NEUMER: For the record --

BY THE WITNESS:

A. -- kind of in and out.

MR. NEUMER: -- Officer Fontaine is moving her shoulders back and forth in a swinging motion.

BY MR. NEUMER:

Q. Let's see, I want to ask you whether

you recall making any statements to Detective March that are not reflected on the night of -- make any statements on the night of October 20th, 2014, regarding the shooting that are not reflected in the Exhibit 5 report --

A. No, I don't remember.

Q. So you don't recall telling Detective March anything on October 20th, 2014, that is not in here?

Or, put differently, do you recall any details you told Detective March that you don't see included in Detective March's report?

A. The swaying of the knife.

Q. So Detective March didn't -- you told him that the -- that Laquan McDonald was swinging the knife, and you don't see that reflected in Detective March's write-up of your statement?

A. Correct. Yes.

Q. Any other details that you told --

A. Not that I remember.

Q. I'll just -- any other details you recall telling Detective March that you don't see in his write-up?

A. Not that I remember.

Q. Okay. So at this point, I'm going to go through some of the notice -- some of the allegations that are included in the Notice of Allegations. Some of this will be moderately duplicative but...

It is alleged that on or about October 20th, 2014, you made a false statement during an interview with Detective March when you stated that McDonald was walking southbound with his body facing east toward Officers Van Dyke and Walsh.

Do you stand by your previous statement?

A. The -- I'm sorry.

(WHEREUPON, discussion was had off the record between Counsel and Witness.)

BY THE WITNESS:

A. I stand by my testimony that I've given you today.

MS. RUSSELL: Is that what you're asking?

BY MR. NEUMER:

Q. It is, but I'd like to really hone in

on, in particular, your statement -- the statement in the report --

MS. RUSSELL: That's not her statement.

MR. NEUMER: Well, that's true.

BY MR. NEUMER:

Q. The statement that is attributed to you in Detective March's report and whether you stand by that previous statement or if there's anything you'd like to add regarding the allegations.

So let me read the allegation again --

MS. RUSSELL: Really quick, before you do, other than what she's already told you was not correct? Do you see what I'm saying? The allegation is you provided a false narrative to Detective March. I mean, she's told you --

MR. NEUMER: And I --

MS. RUSSELL: So I guess I'm confused by "Do you stand by your previous statement."

MR. NEUMER: Sure -- oh, sorry. I got you.

BY MR. NEUMER:

Q. So when I say, "previous statement," I'm not referring to anything you've told us

today. What I'm referring to is the statement that is attributed to you in Detective March's report, the Exhibit 5 report. And so I'll read the allegation again and give you an opportunity to respond.

So it is alleged that on or about October 20th, 2014, you made a false statement during an interview with Detective March when you stated that McDonald was walking southbound with his body facing east toward Officers Van Dyke and Walsh.

Do you stand by your previous statement as included in Exhibit 5, or is there anything you'd like to add regarding this allegation?

A. As I stated earlier, I don't remember telling him that.

Q. Okay. It is alleged that on or about October 20th, 2014, you made a material omission during an interview with CPD Detective March when, with respect to the McDonald shooting, you failed to state that Officers Van Dyke and Walsh moved towards McDonald prior to the shooting.

Why didn't you tell Detective March

that McDonald changed the direction in which he was walking prior to being shot by Officer Van Dyke -- let me read that again. Strike that.

MS. RUSSELL: I think you're on four.

MR. NEUMER: Strike that.

BY MR. NEUMER:

Q. It is alleged that on or about October 20th, 2014, you made a material omission during an interview with CPD Detective March when you failed to state that Officer Walsh and Van Dyke moved towards McDonald prior to the shooting.

Why didn't you tell Detective March that Officer Walsh and Officer Van Dyke moved towards McDonald prior to the shooting?

A. Detective March never asked me that question and --

Q. Okay.

A. And I never saw that.

Q. You never saw Officers Walsh and Van Dyke move towards McDonald prior to the shooting?

A. No, their vehicle was blocking them.

MS. RUSSELL: From her view.
BY THE WITNESS:
A. From my view --
BY MR. NEUMER:
Q. From your view --
A. -- they were blocked.
Q. Officer Walsh and Officer Van Dyke were blocked from your view by their vehicle?
A. Yes.
Q. It is alleged that on or about October 20th, 2014, you made a material omission during an interview with CPD Detective March when you failed to state that Laquan McDonald changed direction prior to being shot by Officer Van Dyke.
Why didn't you tell Detective March that McDonald changed the direction in which he was walking prior to being shot by Officer Van Dyke?
A. I didn't see that. I didn't see him changing direction.
Q. Okay. It is alleged that on or about October 20th, 2014, you made a false statement during an interview with CPD Detective March

when, with respect to the McDonald shooting, you stated that McDonald raised his right arm toward Officer Van Dyke as if attacking Van Dyke.

Do you stand by that statement, or is there anything you would like to add regarding this allegation?

A. I never made that statement.

Q. You never made that statement to Detective March.

A. To Detective March.

Q. Right. Do you have any idea why Detective March included that statement in his report?

A. I have no idea.

Q. Did Detective March at any time ever ask you to change your story about -- when he was interviewing you?

A. No.

Q. Did he ever direct you what to say regarding the McDonald shooting?

A. No.

Q. How about with respect to when he showed the video and he made a comment; did you feel as if he was instructing you how to

respond?

A. I -- different people were looking at the video, so I just assumed he wanted us to see the video.

MS. RUSSELL: Listen to his question.

Can you read it back.

(WHEREUPON, the record was read by the reporter.)

BY THE WITNESS:

A. No.

BY MR. NEUMER:

Q. Do you know what he was trying to communicate to you by showing the video and making a comment on the shooting?

A. No.

Q. Did you feel pressured by Detective March to agree with his comment -- the comment that he made regarding the video?

A. No.

Q. It is alleged on or about October 20th, 2014, that you made a false statement to CPD Detective March when, with respect to McDonald shooting, you stated that the gunshots Officer Van Dyke fired at McDonald

were rapid fire and without pause.

Do you stand by your previous statement to Detective March, or is there anything you would like to add regarding this allegation?

A. No, that's -- I stick to that. I -- that's -- at that point in time, that's what I heard.

Q. It is alleged that on or about October 20th, 2014, you provided a false narrative to Detective David March of the CPD concerning the McDonald shooting through a series of false statements or material omissions --

MS. RUSSELL: I'm sorry to interrupt you, but what allegation are you on? My next one is in-car video.

MR. NEUMER: Right. So this is one. We're back to allegation one.

MS. RUSSELL: I see. Okay. Got it.

BY MR. NEUMER:

Q. So it is alleged that on or about October 20th, 2014, you provided a false narrative to Detective March concerning the

McDonald shooting through a series of false statements and material omissions.

Do you stand by your previous statements to Detective March, or is there anything you would like to add regarding this allegation?

A. Just what I stated earlier.

Q. Earlier in this interview?

A. In this interview.

MR. NEUMER: Kris, do you have follow-up on this section?

MR. BROWN: Yeah, I've got a couple of follow-ups.

BY MR. BROWN:

Q. You mentioned earlier that Detective March showed you a video in an office --

A. Yes.

Q. -- is that accurate?

Just a little bit ago I thought you might have said something about he showed us the video. I just wanted to get you to clarify, did he just show you the video by yourself in the office, or did he show the whole group in the

big room?

A. It was me, him, and I want to -- I -- as I'm thinking about it, I think there was somebody else in there that was running the video.

Q. Okay.

A. So I -- I'm sorry.

(WHEREUPON, discussion was had off the record between Counsel and Witness.)

BY THE WITNESS:

A. No, I'm sorry, I'm getting you confused. There was no other officers, just me.

BY MR. BROWN:

Q. And the other person that was in the room, that was a technical person to operate the video?

A. I don't know. I don't know.

Q. Sure. You didn't know what the purpose of -- for that other person, you don't know why they were there?

A. No, I don't.

Q. Just to recap, when you were in the side office looking at the video, it was just

yourself, Detective March, and this other person?

A. Yes.

Q. Did the other person say anything to you?

A. No.

Q. Did the other person take any notes as far as you know?

A. No.

Q. In the video that was shown to you by Detective March, was that the same video as what was tendered to you by IAD, I guess via us?

A. I can't answer that because -- it's not that I can't; I don't know. I don't know.

Q. Was it the same video that --

(WHEREUPON, discussion was had off the record between Counsel and Witness.)

MS. RUSSELL: Let me interject. I think the video that she saw was the actions as depicted on the video that was provided to her. Whether it was the same video, she can't be certain.

Is that an accurate statement?

THE WITNESS: Yes.
BY MR. BROWN:
Q. And that's totally understandable. I'm not definitely trying to get you to say it's lie the exact same video --
A. Oh, okay.
Q. -- who knows what he showed that night. I just wanted to get you to say if it was the same footage, like the shooting --
A. Yes.
Q. -- was the same thing that you saw. Okay.
Do you recall how much of the video he showed you?
A. Just the walking southbound and him -- like I said, that little turn.
Q. So just -- you were just shown McDonald walking southbound from the Burger King --
A. I don't even think it was all the way from the Burger King.
Q. Okay.
A. I think it was just him walking and that turn -- that little turn.

Q. You did get to see the actual shooting, though, on the video, right?

A. From the video?

Q. Yes.

A. Yes.

Q. Okay.

A. And all over the news.

Q. Right.

A. Yes.

MS. RUSSELL: Did Detective March show you the shooting portion?

THE WITNESS: No.

BY MR. BROWN:

Q. So the video he showed you, he just showed you McDonald walking, I guess, towards Officer Walsh and Van Dyke, but the video was cut off before the shooting occurred?

A. Yes. It was just the turn and that was it. It wasn't continued all the way.

MR. NEUMER: Can we go off the record for one moment?

MR. BROWN: The time is now 3:10 p.m.

(WHEREUPON, discussion was had off the record.)

MR. NEUMER: The time is 3:12. We'll go back on the record.

BY MR. NEUMER:

Q. Officer Fontaine, I'm now going to show you a portion of the video that was recovered from the in-car video system of Beat 813 Robert vehicle. This is one of the videos that OIG provided to you on February 22, 2016, on DVD.

My colleague, Kris Brown, is going to open the VLC media file titled VIDEO_ TS.IFO on his laptop. File contains six minutes and five seconds of footage. The video has a time stamp on it indicating the date and time the video was recorded.

And we're going to advance the video to the portion time-stamped 9:57 p.m. and 22 seconds. And there's also a corresponding VLC media player time-bar time, which goes from zero to six minutes, five seconds.

And we are at 4:37 on the media player time bar. And, again, we should be at 9:57 and, I think, 22 seconds p.m. in terms of the embedded time stamp.

MR. BROWN: Then we want to go to a little bit before that to capture more of the walking?

MR. NEUMER: Well, I don't think Officer -- what I'm going to first do is play it from here and ask Officer Fontaine to stop the video when she sees her car pull up on the scene.

BY MR. NEUMER:

Q. We can do this a few times, so don't feel any pressure, but why don't we roll the video, and I want you to stop us when you see your vehicle, the vehicle that -- you're a passenger in, correct?

A. Yes.

Q. Pull up on the scene. So we're going to start the video.

(VIDEO BEING PLAYED)

BY THE WITNESS:

A. That's us.

MR. NEUMER: So Officer Fontaine has -- we stopped the video at embedded time stamp October 20th, 2014, 9:57 p.m. and 33 seconds.

BY MR. NEUMER:

Q. Is that correct, Officer Fontaine?

A. Yes.

Q. And you directed us to stop the video because you now see your -- the vehicle you were a passenger in that night, 841 Robert, pull up behind Officers Van Dyke and Walsh; is that correct?

A. Yes.

Q. So what I'm going to do now is, we're going to start the video again, and I want you to point out the turn that you've been -- you referred to a couple times. Is that fair?

A. Yes.

Q. So we're going to start the video. And, again, you can see this a couple times. I want you to direct us to stop the video when you see the turn that you were talking about earlier. So go ahead and start the video.

(VIDEO BEING PLAYED)

BY THE WITNESS:

A. Before that --

BY MR. NEUMER:

Q. We'll go back a few seconds and we'll start again.

(VIDEO BEING PLAYED)

BY THE WITNESS:

A. Stop. You see right here where it looks like he's walking and then...

BY MR. NEUMER:

Q. We have stopped it at 4 minutes and 54 seconds on the VLC media player time bar. There's no time stamp on the -- the time stamp embedded is not visible at the moment on the video footage.

And so, Officer Fontaine, why did you direct us to stop it right here?

A. Because this is where it looks like he went from straight to an angle, a little angle or --

Q. A little angle --

A. -- a twist.

Q. He's making a turn you're saying?

A. Yes.

Q. And is this the turn that Detective March pointed out to you when you were at Area Central and he showed you the video?

A. This wasn't the video. The video he showed me you saw his angle this way (indicating).

Q. You saw whose angle which way?

A. Van -- McDonald, you actually saw him walking, not from the back, but from the side.

Q. From the side?

A. It might be the Dunkin' Donut one?

BY MR. BROWN:

Q. Was it a perspective from further away?

BY THE WITNESS:

A. Yes. It was --

MS. RUSSELL: Let's see the other one, if you don't mind, and then you say if that was the right one.

MR. NEUMER: Let's pull up the Dunkin' Donuts video.

MS. RUSSELL: Or the other car?

BY MR. BROWN:

Q. Is that it? It will take some time for me to get the moment. The vehicles come from this way, and you only get to see a small view from Van Dyke and Walsh like right there.

A. Then it must have been the other one.

MR. NEUMER: For the record, at the moment we are showing Officer Fontaine the Dunkin'

Donuts video surveillance that was provided to Officer Fontaine on DVD on February 22, 2016.

BY MR. NEUMER:

Q. Officer Fontaine, is it fair to say that the Dunkin' Donuts surveillance video footage that we are presently showing you is not what Detective March showed you on the night of October 20th, 2014?

A. Yes.

Q. We're now going to close this out and let's go back to the dash cam footage from --

MR. BROWN: 813.

BY MR. NEUMER:

Q. -- Vehicle 813 Robert. So I'm going to ask you, Officer Fontaine, once we load the file and get it to the appropriate portion, we'll show it to you again, and I'm going to ask you whether it's possible that the 813 Robert dash cam footage is what Detective March showed you on October 20th, 2014. But don't answer just yet. Let's watch the video again and see.

BY MR. BROWN:

Q. And for note, this one is in full-time, so maybe that -- maybe that might

assist you in seeing how it's playing out.

(VIDEO BEING PLAYED)

BY MR. BROWN:

Q. If you want, I can put it slower, frame by frame.

MR. NEUMER: So, for the record, the footage we just showed to Officer Fontaine of the shooting of Laquan McDonald was played at full speed. Previously we showed it to Officer Fontaine at a slowed-down speed.

BY MR. NEUMER:

Q. So, Officer, we'll stop the video. And I want to ask you if you think it's possible that the footage you are watching right now or the footage we showed you is the same footage that Detective March showed you on the night of October 20th, 2014? Do you think that's possible?

A. Yes.

Q. Do you think it's likely that this is the footage Detective March showed you?

A. Yes.

Q. So let's watch again. And I want to -- again, I want -- we've already identified

when your vehicle comes onto the scene. I want you to now to identify for us the turn that Detective March pointed out to you at Area Central on October 20th, 2014.

BY MR. BROWN:

Q. I'm going to ask, would it be easier for you to watch it full speed or would you like it --

A. It has to be slow motion because I can't tell you exactly when --

Q. Sure. No problem.

(VIDEO BEING PLAYED)

BY THE WITNESS:

A. Oh, I'm sorry. I forgot to --

BY MR. BROWN:

Q. That's okay.

MR. NEUMER: We'll go back a few seconds.

(VIDEO BEING PLAYED)

BY THE WITNESS:

A. That -- is that what you want me to say where he turned?

BY MR. NEUMER:

Q. What I want you to identify is what Detective March pointed out to you. I believe

previously you testified Detective March pointed out to you some sort of turn and asked whether you saw the turn when he was showing you the video at Area Central on October 20th, 2014.

So what we want you to identify right now is the turn that Detective March was referring to when he showed you the video. Does that make sense?

A. Yes.

Q. So let's watch it one more time and, again, I want you to focus specifically on the turn that Detective March was referring to.

MS. RUSSELL: If you remember exactly which one he showed you.

(VIDEO BEING PLAYED)

MR. NEUMER: So, for the record, we just showed Officer Fontaine a portion of the 813R vehicle dash cam from about 9:57 -- with the embedded time stamp 9:57 and 28 seconds to 9:57 41 seconds.

BY MR. NEUMER:

Q. Did you see the turn that Detective March was -- mentioned on the night of October 20th, 2014, when he showed you the

video?

A. You know, I'm not sure.

Q. Okay. Can you tell us -- and I'm going to go back.

A. Can I have a minute?

Q. Sure. Take a minute.

MR. NEUMER: The time is 3:24. We'll go off the record.

(WHEREUPON, discussion was had off the record.)

MR. NEUMER: The time is 3:25. We're back on the record.

We're now going to show Officer Fontaine the dash cam video from, I think, 845 Robert. Is that correct?

MR. BROWN: That's correct.

(VIDEO BEING PLAYED)

BY THE WITNESS:

A. No, that's not it.

BY MR. BROWN:

Q. That's not the one Detective March showed you?

A. No.

MS. RUSSELL: Are either of these the one

he showed you?

THE WITNESS: Like I said, I don't...

BY MR. BROWN:

Q. Did the video Detective March showed you appear to be as blurry as --

A. No.

Q. -- this video right here?

A. No.

MR. NEUMER: And, again, for the record, Officer Fontaine is viewing the footage from the 845R vehicle dash cam.

(VIDEO BEING PLAYED)

BY MR. NEUMER:

Q. Officer Fontaine, do you think -- would it help you to watch the 813 Robert dash cam footage additional times to try and identify the turn that Detective March mentioned on the night of October 20th, 2014?

A. Yes.

Q. It would?

MR. BROWN: Okay. So now we'll go back to the 813R video. Would you like to watch it in full speed or the slower speed?

THE WITNESS: No, full speed.

MR. NEUMER: We'll cut to the 9:57 and 28 seconds in the embedded time stamp for the 813 Robert dash cam footage now, and we will show the relevant portion to Officer Fontaine at full speed in an effort to help Officer Fontaine identify the turn that Detective March pointed out to her on the night of October 20th, 2014.

(VIDEO BEING PLAYED)

MS. RUSSELL: The question is do you remember --

THE WITNESS: If that's the one --

MS. RUSSELL: -- Detective March?

THE WITNESS: Yes.

MS. RUSSELL: Are you sure?

BY MR. NEUMER:

Q. So now what I'm going to ask you to do again is have my colleague stop the video -- I want you to have Kris stop the video -- so what we want to do is establish a good record.

If you think you can identify the turn that Detective March pointed out to you -- and if you can't -- I'm not trying to put words in your mouth. You either can or if you don't think you can, that's okay, too, but we're going

to run it one more time and I want you to instruct my colleague to stop the video if you think you identified the turn that Detective March pointed out to you on the night of October 20th, 2014, when he showed you this video.

MS. RUSSELL: So you've identified, you seeing the video, where you have seen the turn, but the question is Detective March that night --

THE WITNESS: Yes.

MS. RUSSELL: Okay? So if you can remember, you can; if you can't, you can't.

MR. NEUMER: So we'll watch it -- maybe go back like three seconds or something.

MR. BROWN: Rewind it one more time?

THE WITNESS: No, I'm not sure.

BY MR. NEUMER:

Q. Do you think that watching it again would help you become more sure -- or would help -- is it fair to say that you've watched the video maybe five to seven times and you're not sure when Detective March -- the exact moment he was -- he referred you to when he

showed you the video?

A. Yes.

Q. Okay.

MR. NEUMER: I think -- did you have any follow-up?

MR. BROWN: I think I have another couple quick ones.

BY MR. BROWN:

Q. I just wanted to ask, prior to the night of the McDonald shooting had you ever been questioned by a detective before?

A. By a detective?

Q. Yes, in this manner that March was questioning you.

A. Not at -- no, not in this situation.

Q. My next question was going to be, are there other situations where you were questioned?

A. On a call. Like if I was on a call and detectives came on scene, yes.

Q. But not in a situation where you were taken back to an area station and questioned about an incident like your observation of an incident?

A. I'm trying to think. I don't recall.
Q. Even in those instances where you weren't taken back to an area, maybe a detective just spoke to you about something else?
A. I have had detectives talk to me about stuff in certain cases.
Q. In relation to your observations as to whatever occurred?
A. Yes.
Q. Okay. In any of those instances, do you recall the detective showing you a video prior to getting your statement?
A. No.
Q. I think from what we were understanding from the -- when you're at the area and when March asked you to come into that office with yourself and then that other person was in there, it didn't sound like there was much conversation that occurred at that meeting, correct?
A. Yes.
Q. Was it -- it safe to say that the stuff -- the statements that are attributed to you in the detective Supplementary Report, those

all came from when March spoke to you near your squad car?

A. Yes.

Q. I just wanted to make sure that -- since he didn't speak to you much at the area, that when he did talk to you about the stuff that's in the report.

A. I can't speak for him, so I don't know, but I'm assuming, yes.

Q. No, I'm kind of asking did you -- the statements that are attributed to you in this report, did you make those statements near your squad car?

A. That one, yes.

Q. Okay.

MR. BROWN: That's all.

BY MR. NEUMER:

Q. The statements that are attributed to you in Exhibit 5 you made to Detective March outside of your squad car at the scene of the Laquan McDonald shooting?

A. Yes.

MS. RUSSELL: Other than the ones she's previously testified to that she did not make.

MR. NEUMER: Understood. Understood.
MR. BROWN: Yes.
BY THE WITNESS:
A. Yes.
BY MR. BROWN:
Q. Yes. Okay. All right.
You mentioned that you weren't certain about the statement in Exhibit 5 about the walking sideways with his body facing east. Can you -- I wanted to get -- if possible, can you elaborate on why you think you might not have made that statement?
A. Because of the fact that I -- I've stated that he was walking southbound swaying the knife. Otherwise, I would understand that I'd be like he was walking actually all the way facing east.
THE WITNESS: Do you know -- how can I say this?
(WHEREUPON, discussion was had off the record between Counsel and Witness.)
BY THE WITNESS:
A. I mean, I just saw him walking

southbound swaying the knife.

BY MR. BROWN:

Q. And that's perfectly fine. I was hoping to get to that language that's in the report that's attributed to you. Is that -- was that language something you typically wouldn't say, like you -- would you say like a person's walking in a direction facing another direction? Is that a statement that you would normally make in a report? Do you get usually that specific with a person's direction as they're walking?

A. Not that detailed. I mean, depending on the situation. But for something like this, it's -- what I witnessed was southbound. Do you know --

Q. I think I understand. So you're saying it's -- depending on the situation, you might have put in your statement that a person was walking in a certain direction, but, in this particular instance, in relation to Exhibit 5, you think McDonald was walking southbound and --

A. Because --

Q. -- that's why you're not sure about that statement being totally accurate?

A. Yes.

Q. Okay.

MR. BROWN: That's all.

BY MR. NEUMER:

Q. Really quickly, with respect to Detective March, did he provide you -- so he showed you the video, right, at Area Central? That's correct, the dash cam -- or he showed you footage of the Laquan McDonald shooting, correct?

A. Yes.

Q. Okay. Did he give you --

MS. RUSSELL: Hold on a second.

(WHEREUPON, discussion was had off the record between Counsel and Witness.)

BY MR. NEUMER:

Q. Did he show you footage of the scene of the Laquan McDonald shooting?

A. Yes.

Q. And he showed you footage of Laquan McDonald walking?

A. Yes.

Q. Is it fair to say you don't know

whether he showed you the actual shooting?

A. Yes.

Q. Is it possible he showed you the shooting?

A. It's possible.

Q. Other than his showing to you of the footage of the scene of the Laquan McDonald shooting, did he provide you with any other information regarding the shooting of Laquan McDonald as you were giving him statements regarding your version of events?

A. I'm sorry, was he...

Q. Did he provide you any other information? He showed you the video. Did he provide you any other details regarding the shooting as you were discussing the -- your witnessing of the shooting?

MS. RUSSELL: I think -- I don't think her testimony was that they were discussing the -- what she witnessed in the room, the video. She did in the car.

BY MR. NEUMER:

Q. At any point in the night of October 20th, 2014, when you were talking to

Detective March, did he provide you details regarding the shooting of Laquan McDonald?

A. No.

Q. Other than showing you the video at Area Central?

A. No.

Q. Nothing else?

A. No.

Q. Did he ever direct you to make certain statements regarding what you witnessed?

A. No.

Q. Did he ever tell you what you said you saw was not accurate?

A. No.

Q. I think now we are going to move on to dash cam. And we want to talk to you about the 841 Robert in-car video system. That 841 Robert is also Vehicle 8948.

Do you have a recollection of the vehicle number you were driving -- you were a passenger in on the night of October 20th, 2014?

A. I don't remember. We change vehicles every day.

Q. If we showed you a report showing

that vehicle 841 Robert was Vehicle Number 8948, would you have any reason to doubt the accuracy of that report?

A. No.

Q. And we'll show you that -- we'll get to that.

So generally what's the purpose of an in-car video system?

A. To make -- I'm sorry. Just to make sure everything's logged in that it's keeping -- that if we arrived on scene -- arrive on a scene of a call or a traffic stop, that we're following, you know, our rules. And if anything goes awry with the subjects being stopped or even can go wrong, it's kind of to protect both parties.

Q. And so that in-car video system, it captures video and audio; is that correct?

A. Yes.

Q. And can you walk us through the ways you interact with the in-car video system as part of your daily duties.

A. You -- well, when you start your tour, you have to log in. The mics do not work

if the camera doesn't work. So if the camera doesn't work, your mics do not work. The mics have to be synced to the camera.

Q. And you sync those mics prior to the start of your tour of duty?

A. To the start of the tour, yeah. Yes. When you turn on your camera at the beginning of your tour, you sync the mics, and then they should all -- everything should be working.

Q. And then throughout the rest of your shift, another -- what other ways do you use the in-car video system for your vehicle?

A. Again, to video any kind of calls, stops, interactions with specific people.

Q. And now I want to talk -- as of October 20th, 2014, what rules and regulations governed your use of the in-car video system?

A. I'm sorry?

Q. Do you know what rules and regulations applied with respect to your or any officer's use of the in-car video system?

A. The use of it? That we have to use it?

Q. (Nodding.)

A. Yes, it's a procedure that we have to use it.

Q. I'm going to show you what we will mark as Exhibit 7. This is Special Order S03-05 issued February 23, 2012.

(WHEREUPON, a certain document was marked Exhibit No. 7, for identification, as of 03/16/2016.)

BY MR. NEUMER:

Q. And this is a Chicago Police Department Special Order pertaining to in-car video systems. I would direct your attention to Section 6 on Page 3 titled Operational Procedures.

So have you seen Exhibit 7, this Special Order before, Officer Fontaine?

A. 6 or 7?

Q. Sorry, it's Exhibit 7. Section 6 of Exhibit 7. But I'm asking you more broadly, have you seen this exhibit, this Special Order prior to today?

A. Yes.

Q. Okay. And where did you come into contact with this Special Order?

A. They have them in the stations.

Q. Did you ever receive training on these procedures?

A. Yes.

Q. Tell us about this training or those trainings.

A. The training was done through eLearning, which is programmed into the computer, where you bring it up and they give you -- they show you how to turn it on, how to turn it off, how it works.

Q. And how long did that training take?

A. I'm not quite sure, but maybe an hour, 45 minutes, hour.

Q. Did you receive any other trainings other than that eLearning training?

A. Not that I recall.

Q. Did you ever go to the academy for a training on in-car video systems?

A. I don't remember.

Q. With respect to that Section 6 on Page -- actually, I think it's Page -- no, it is Page 3, do you see the portion of Section 6(A)(1) where it says, "At the beginning of a

tour of duty" -- I'll insert department members are to -- "visually inspect the in-car video system equipment for damage; obtain the remote transmitter/audio recorder and ensure that it is securely fastened to member's person; follow the startup procedures for the in-car video system as trained and ensure the system is working properly."

Do you see that section?

A. Yes.

Q. Were you familiar with that section?

A. Yes.

Q. Okay. Were you familiar with that section as of October 20th, 2014?

A. Yes.

Q. Did you know that you were to follow those procedures outlined in Section 6(A)(1) of Exhibit 7?

A. Yes.

Q. Okay. Let's see, do you see the note in that same section --

(WHEREUPON, discussion was had off the record between Counsel and Witness.)

MS. RUSSELL: Sorry.

BY MR. NEUMER:

Q. Do you see the note in that same section that states, "Members will immediately notify supervisor if at any time the in-car video system is inoperable, damaged, the equipped vehicle becomes inoperable, or the remote transmitter/audio recorder is missing"?

A. Yes.

Q. Did you ever -- was there ever an occasion where you had to notify your supervisor regarding a damaged in-car video system?

A. Yes.

Q. Okay --

A. Can -- go ahead.

Q. Tell us, how does that process work when you have to notify a supervisor about a damaged in-car video system?

A. The procedure we had at that point was, because we're so short on cars, we -- they assign us a car, and we have to take the car that's assigned to us.

If the equipment's not working, the sergeant by -- sometimes they get stuck in the

station, but by -- when they come out, they'll PDT us and they'll ask us, How's the camera? How's the mics?

Q. Who will come out?

A. The sergeant. We have to send them a message over the computer stating the cameras are working or they're not working or -- when they're not working, there's a ticket number. The ticket number's like a work request that it has to be worked on for the vehicles.

So as long as there's a ticket number, they want us to take the car out. And then we, in turn, will notify the sergeant when he comes out on the street saying, you know what, we have a ticket number, our camera's not working.

Q. So would you notify your -- and I'm talking -- let's direct this all to October 20th, 2014, --

A. Yes.

Q. -- the procedures that are in place as of that time. Would you notify your sergeant every day like, Camera's working or in-car video system is working, or only when it wasn't

working would you talk to your sergeant about it?

A. Every day. It's working every day or it's not working or a ticket number.

Q. So -- okay. So let's say it's not working -- again, going back to that. And I think you touched on this, but like if you try and power on the system or find out it's not working in whatever way, what do you do?

A. Well, if it's not working, like I said, and has a ticket number, we still have to go out.

Q. Okay. And how do you know if it has a ticket number, the vehicle has a ticket number?

A. Because there's an actual -- it says ticket number, and they have it on the camera or they have it somewhere around in the camera.

Q. What if there's no ticket number on the camera?

A. Then we have to notify the sergeant that it's not working and then -- you know, I don't know if he calls -- I don't know what he does, but apparently they're the only ones who

can get a ticket number.

Q. So you call your sergeant, you tell them the in-car video system's not working, and is that it?

A. That's it.

Q. And sergeant does whatever he does. You don't know what he does.

A. Exactly.

Q. Are you familiar with the term "help desk ticket"?

A. Yes.

Q. Is that the -- does that differ from the ticket you were talking about?

A. I'm assuming -- I don't know if that's the same ticket the sergeant gets, I don't know.

Q. But there's like a sticker on -- like say someone had called your supervisor -- say you call your supervisor and report something, in-car video system's not operating, right?

A. Yes.

Q. Are you then supposed to get some sort of sticker or something and put that on the camera?

A. Not a sticker. They just give us a ticket number and we write it down on any piece of paper we have, and then we have to make sure it's somewhere stuck or shoved --

Q. Visible.

A. Visible. On the camera. So whatever --

Q. You can write it on whatever scrap of paper and tape it up there?

A. Mm-hm. Yes.

Q. So, let's see, you were the passenger in the 813 Robert vehicle on October 20th, 2014?

A. No.

Q. 841?

A. Yes.

Q. Right. I apologize. Let's try this again.

You were the passenger in the 841 Robert vehicle on October 20th, 2014, right?

A. Yes.

Q. And 841 Robert, that -- well, let me just back up a little bit.

Were you in the same -- generally, are you in the same vehicle every day as part of

your officer duties?

A. They try to keep you in the same vehicle.

Q. Do you have any recollection, with respect to the vehicle you were in on October 20th, 2014, whether you had been in that vehicle for the days prior?

A. I'm not sure.

Q. But generally you'd be in the same vehicle for a matter of days or weeks? Or tell me how that works.

A. Yes, if everything goes well, yes, then we can have the car almost, you know, months at a time.

Q. Okay. And so the 813 Robert vehicle -- 841 Robert vehicle had an in-car video system, right? For the vehicle you were driving on October 20th, 2014.

A. Yes.

Q. And as of October 20th, 2014, how long had you been either the -- working and driving and being the passenger in CPD vehicles that had in-car video systems?

A. It had been a while since we were in

one with a camera. Is that the question?

Q. Well, say more about what you mean. Prior to October 20th, 2014, you had not been driving vehicles or being a passenger in a vehicle with an in-car video system?

A. There was a lot of -- for the most part, 841 Robert, it's a rapid car, so they get the last --

Q. Rapid?

A. Rapid.

Q. What does that mean?

A. This means that in-progress calls for the whole -- like we have 10 sector, 30 sector, 20 sector.

Q. Okay.

A. So we're not assigned to a beat, so we just kind of float around. And because we're not assigned a beat, we're the last ones to get whatever's left. They want the beat cars out there first, so, basically, whatever's left, they give it to us.

Q. Okay.

A. So a lot of times it's the pool cars that they give the rapid cars, which the pool

cars are cars that -- you know, something's wrong with them.

Q. And so those pool cars don't have in-car video systems?

A. Exactly.

Q. So how long had you been driving or assigned a CPD vehicle that had an in-car video system?

A. I don't recall.

Q. Was it a matter of years, do you think, prior to October 20th, 2014?

A. I don't think it was years, but -- I -- I don't recall because we float around sometimes.

Q. With respect to the vehicle you were driving on October 20th, 2014, do you recall having issues with that vehicle's in-car video system on previous tours?

A. Yes.

Q. Tell us about those issues.

A. The -- well, there had been a ticket number on it for a very -- for a while, and -- see, because they changed it. But a lot of -- that vehicle, the camera wasn't working and it

had a ticket number.

Q. The vehicle you were driving on October 20th, 2014?

A. Passenger, yes.

Q. The in-car video system wasn't working?

A. No.

Q. And you're saying it had a ticket number on it?

A. Yes. I --

Q. I want you to be very clear here. Are you saying that there was a ticket number stickered to the -- somewhere around the camera on the 841 Robert vehicle on the night of October 20th, 2014?

A. Yes.

Q. That's your recollection, that there was a -- some sort of sticker with a ticket number?

A. There was a piece of paper with the ticket number, yes.

Q. So on -- do you recall whether you had driven the 813 -- 841 Robert vehicle on the previous day?

A. I don't recall.

Q. Do you recall what -- so do you recall that 841 Robert vehicle having a sticker on its camera like that previous day, the previous week?

A. Having a ticket number on it, yes.

Q. In the previous week?

A. Yes.

Q. I'm sorry, prior to October 20th, 2014.

A. Yeah, I -- I'm not sure.

MS. RUSSELL: Can we take a quick break?

MR. NEUMER: It's 3:56 p.m. We'll go off the record.

(WHEREUPON, a recess was had.)

MR. NEUMER: The time is 4:03 p.m. We're back on the record.

BY MR. NEUMER:

Q. Officer Fontaine, do you have something you'd like to say clarifying your statement regarding a ticket on the camera of the 841 Robert vehicle on the night of October 20th, 2014?

A. Yes, I'm not sure if there was a

ticket number because we do jump from car to car, so I -- I don't recall.

BY MR. NEUMER:

Q. I want to direct your attention again to the night of October 20th, 2014. Do you recall what sort of procedures you followed at the beginning of your tour with respect to the preparation of the in-car video system for the 841 Robert vehicle?

A. At -- because it was so early in the beginning of the tour, we were still waiting for our sergeant to come out so we can send him a message.

Q. So do you have an independent recollection of attempting to start up the in-car video system for the 841 Robert vehicle on October 20th, 2014?

A. No, we didn't try it because of the --

Q. Sorry, let me -- I'm asking whether you have a specific recollection of October 20th, 2014, and the startup procedures you either attempted or were going to attempt on the night -- on that night. Does that make

sense?

A. Yes.

Q. Okay.

A. Again, because I'm not sure if it had a ticket number or not, I don't -- I don't -- again, depending on if there's no ticket, we try it. But if there's a ticket, we don't. So because I don't know, I can't -- I'm not sure.

Q. You're not sure what kind of protocols you followed with respect --

A. Exactly.

Q. -- in-car video system for the 841 Robert vehicle on October 20th, 2014?

A. Yes.

Q. Do you have any recollection whether you visually inspected the in-car video system for the 841 Robert vehicle for any equipment damage?

A. Yes.

Q. You did?

A. Yes because we -- at the beginning of the tour, we have to walk around the car and make sure if there's any damage outside of it, and then we check inside to make sure there's

nothing left from anyone. And so we did do that.

Q. You and Officer Viramontes?

A. Yes.

Q. And you recall doing that on October 20th, 2014, before the start of your tour?

A. When we get on -- get to the vehicle, that's the first thing we do.

Q. And where is the vehicle located?

A. In the parking lot.

Q. And where is the parking lot located?

A. The district is 3420 West 63rd Street.

Q. Okay. So you recall getting to the parking lot at 3420 West 63rd Street and you and Officer Viramontes doing a visual inspection of the outer --

A. The outside and inside.

Q. So you do an interior and exterior visual inspection of the in-car video system on October 20th, 2014?

A. Yes.

Q. Did you log in to the in-car video

system for the 841 Robert vehicle on October 20th, 2014?

A. To the video part of it?

Q. Well, just the in-car video system you have to log into it, right?

A. We have to log into it. No.

Q. Did you log into the in-car video system for the 841 Robert vehicle on October 20th, 2014?

A. No.

Q. Why not?

A. Again, it wasn't working.

Q. So log-in was not possible?

A. We didn't try it because -- if it had a ticket, we didn't try it. And I remember not trying it.

Q. But you don't --

A. -- I don't remember if there was a ticket or not.

MS. RUSSELL: Can we have a minute, please?

MR. NEUMER: Sure. 4:07 p.m. We'll go off the record.

(WHEREUPON, a recess was had.)

MR. NEUMER: 4:07 p.m. We're back on the

record.

BY MR. NEUMER:

Q. Do you want to make a statement or -- I can't remember what the last question was.

A. About turning on the in-car camera?

Q. Yes.

A. Because I do believe there was a ticket number, that's why I didn't try to log in.

Q. You believe there was like some sort of taped-up number on the in-car video system somewhere on the camera?

A. Yes.

Q. So would there have been any reason for you to sync the microphone to the in-car video system for the 841 Robert vehicle on October 20th, 2014?

A. No.

Q. Because it wasn't working?

A. Exactly.

Q. Okay.

A. Yes.

Q. And there would be no point in verifying that the microphones were synced and

operational because the in-car video system for the 841 Robert vehicle was not working on October 20th, 2014?

A. Yes, you can't sync them if it's not on.

Q. Right. And it's fair to say that there would have been no audio or video recovered from the 841 Robert vehicle's in-car video system the night of October 20th, 2014?

A. Yes.

Q. Because the in-car video system wasn't working?

A. Yes.

Q. And did you at any time on October 20th, 2014, or prior to October 20th, 2014, intentionally tamper with the in-car video system for the 841 Robert vehicle causing it to be nonfunctional?

A. No.

Q. Do you know if Officer Viramontes at any time on October 20th, 2014, or prior to October 20th, 2014, intentionally tampered with the in-car video system for the 841 Robert vehicle on -- causing it to be nonfunctional?

A. No.

MR. NEUMER: At this time we are going to hand you what has been previously marked as Exhibits 8, 9, and 10.

(WHEREUPON, Exhibit No. 8, No. 9 and No. 10 were tendered to the witness.)

BY MR. NEUMER:

Q. This all has to do with the 841 Robert vehicle, and its in-car video system.

So Exhibit 8 is a Supplementary Report created by Sergeant Lance Becvar regarding his findings as to the in-car video systems for five CPD vehicles that were at the scene of the Laquan McDonald shooting including the 841 Robert vehicle.

Exhibit 9 is an in-car camera Video Retrieval Worksheet dated October 20th, 2014, that has notes regarding the five vehicles that were at the scene of the Laquan McDonald shooting including the 841 Robert vehicle.

And then Exhibit 10 is an e-mail dated Friday, July 17, 2015, from Sergeant Lance Becvar to Jonathan Lewin regarding his findings as to the in-car video systems for Vehicle

9- -- well, it says 8949, it's actually referring to 8948, which is the 841 Robert vehicle.

So take a moment. Please look these over, these three exhibits, and let me know when you've had a chance to look these over. You don't -- just let me know when you've had a chance to look these over.

MS. RUSSELL: So how do we know that the -- this 8949, how do we know it's actually not 8949 and it's hers?

BY MR. NEUMER:

Q. Right, so if you look at Exhibits 8 and 9, they refer --

MS. RUSSELL: They flow?

BY MR. NEUMER:

Q. -- 841 Robert vehicle as 8948, both 8 and 9 do. So I think it is fair to say we've also confirmed with Sergeant Lance Becvar that that was a typo, that 8949 is actually 8948, but it is true that it refers to Vehicle 8949.

So I'm proceeding under the assumption that the Vehicle 8949 referenced in the Exhibit 10 e-mail from Lance Becvar to

Jonathan Lewin in actuality refers to the 841 Robert vehicle, 8948.

And with respect to -- I'll direct your attention to exhibit -- why don't we go to Exhibit 8. You'll see that near the bottom of Exhibit 8, which is the Supplementary Report -- you've got it.

With respect to Beat 841 Robert vehicle, 8948, he notes, "Not engaged. Officer reported application error." So my question is, do you recall having a conversation with Sergeant Becvar on the night of October 20th, 2014, regarding the 841 Robert or Vehicle 8948 in-car video system?

A. No.

Q. Do you know who Sergeant Lance Becvar is?

A. No.

Q. Ever heard that name?

A. No.

Q. Do you recall ever having conversations with anyone regarding the in-car video system of the 841 Robert vehicle on the night of October 20th, 2014?

A. No, I don't recall.

Q. So, again, Officer -- sorry, Sergeant Becvar notes in his Supplementary Report that the in-car video system for 841 Robert vehicle was not engaged and that the officer reported application error.

What is the proper protocol for an officer to follow if the in-car video system for their vehicle is not functioning properly?

A. Notify the sergeant.

Q. And did you notify your sergeant on October 20th, 2014, regarding Vehicle 8948 or the 841 Robert vehicle's in-car video system?

A. No, because it was so early in the night.

Q. Okay. Say more. What does that mean that it was early in the night?

A. It was so early in the night because, like I said, until the sergeant comes out, we can't send them a message on the PDT.

Q. And when does he come out?

A. Depending on what he has to do.

Q. So when would it be appropriate to send him a message regarding an inoperable

in-car video system?

A. Usually between -- we usually try between 10:30 and...

Q. 10:30 and after?

A. 10:30, yes, and after.

Q. Did you intend on the night of October 20th, 2014, to contact your sergeant about a malfunctioning in-car video system?

A. Yes.

Q. You did intend to do that?

A. Yes, we were going to let him know that it wasn't working.

Q. At any point in the evening of October 20th, 2014, or the morning of October 21st, 2014, did you notify -- is it Sergeant Franko?

A. Sergeant Franko.

Q. At any time on the night of October 20th, 2014, or the morning of October 21st 2014, did you notify Sergeant Franko about a nonfunctioning in-car video system in the 841 Robert vehicle, Number 8948 and its in-car video system?

A. Not that I recall.

Q. Do you recall whether at any time after October 20th or October 21st you notified Sergeant Franko about a nonfunctioning in-car video system in the 841 Robert vehicle?

A. At -- after the 20th?

Q. Yep, after the 20th, after the 21st, did you ever notify Sergeant Franko about a nonfunctioning --

A. Yes.

Q. -- in-car video system in the 841 Robert vehicle?

A. Yes.

Q. When did you do that?

A. I -- I'm not sure, but they -- I can't remember if I was audio or not, but it -- it happened again where we had a ticket number on our vehicle.

Q. Do you recall whether that was the same vehicle you were driving -- sorry, you were the passenger in on October 20th, 2014?

A. I don't remember.

Q. Do you recall ever notifying Sergeant Franko about an issue with a nonfunctioning in-car video system for the 841 Robert vehicle

after October 20th, 2014?

A. Again --

MS. RUSSELL: Do you remember or not?

BY THE WITNESS:

A. No.

BY MR. NEUMER:

Q. Do you recall filing a help desk ticket with respect to the Vehicle Number 8948 with respect to its nonoperational in-car video system?

A. No.

Q. Any reason --

(WHEREUPON, discussion was had off the record between Counsel and Witness.)

BY THE WITNESS:

A. I don't -- I didn't because we don't do that. Only a sergeant can do that.

BY MR. NEUMER:

Q. Only the sergeant can do the --

A. Only a sergeant --

Q. Help desk ticket?

A. Yes. Not a regular officer. We can't do that.

Q. Can you -- do you have any sense as to why there was no audio recovered from any of the five vehicles, the CPD vehicles that were at the scene of the Laquan McDonald shooting?

A. No.

Q. Were you -- did you know before today that there was no audio recovered from any of those five vehicles at the scene of the Laquan McDonald shooting?

A. Oh, yes.

Q. You did? Were you surprised to hear that none of those five vehicles captured any audio?

A. Yes.

Q. Why were you surprised?

A. I always assumed if the camera's working, the video -- the audio's working. That was my assumption.

Q. Have you ever heard of a practice amongst Chicago police officers to disable the audio component of their vehicles in-car video systems?

A. Have I ever heard of people doing that?

MS. RUSSELL: I think the question was, have you heard of a practice.
BY THE WITNESS:
A. No.
BY MR. NEUMER:
Q. Have you ever heard of occasions where Chicago police officers have disabled intentionally their in-car video systems?
A. No.
Q. Never?
A. No. Not that somebody actually did it, no.
Q. Going to the Notice of Allegations, it is alleged that on or about October 20th, 2014, you failed to ensure the in-car video system for CPD Vehicle 8948 was working properly at the beginning of your tour of duty.
What is your response to that allegation?
A. My response is I -- it happened so early in the night I didn't have a chance to follow our protocol that we're used to because if it was 3:00 in the morning, you would have noticed it would have been done.

Q. But at any time after 10:30 on the night of October 20th, 2014, did you notify your sergeant of an issue with the 8948 vehicle's in-car video system?

A. No because everybody was running around doing other stuff, and I -- I didn't.

(WHEREUPON, discussion was had off the record between Counsel and Witness.)

MS. RUSSELL: Can we go off the record?

MR. NEUMER: Sure. The time is 4:20 p.m. and we'll go off the record.

(WHEREUPON, discussion was had off the record.)

MR. NEUMER: 4:21 p.m. We're back on the record.

BY MR. NEUMER:

Q. Clarifying statement, Officer Fontaine?

A. I didn't notify him because we were already in the area -- we were at the Area.

Q. You were at Area Central at 10:30?

A. No, when -- first of all, everything was going on and then, like I said, I didn't

notify him because when we went to the Area, again, everybody was kind of doing so much different things I didn't have a chance to do it.

Q. Is it fair to say you forgot to notify your sergeant about the inoperable in-car video system for vehicle 841 Robert?

A. Yes.

Q. It is alleged that on or about October 20th, 2014, you failed to immediately notify a supervisor that the in-car video system for CPD Vehicle 8948 was inoperable or damaged. What is your response to that allegation?

A. I didn't notify him right away and also because I assumed there was a -- I thought there was a ticket, so I thought it was already reported.

Q. It is alleged that on or about October 20th, 2014, you failed to record audio and video events with CPD Vehicle 8948's in-car video system during your tour of duty. What is your response to that allegation?

A. I thought it was broken, so that's why it -- there was no video or audio.

Q. Is there any -- are there any documents or -- that you're aware of that would sort of corroborate your statement that there may have been a sticker or a ticket on the camera for the 813 Robert vehicle on October 20th, 2014?

A. No.

Q. Would there be any record that you're aware of that would show that someone had placed a sticker or ticket, taped it up to the camera of the 841 Robert vehicle's -- to that vehicle's camera?

A. The only record would be with whoever the sergeant requests the number through, but that's -- that's the only thing besides having -- or me taking a picture of it, which from now on I will.

Q. If there are no help desk tickets open for that 841 Robert vehicle, I mean, would that -- strike that.

I don't believe there are any help desk tickets open for the 841 Robert vehicle, so how do you explain the lack of a help desk ticket with respect to the 841 Robert vehicle

with your statement that you thought there was a sticker placed on the camera for the vehicle on the night of October 20th, 2014?

A. I don't know.

Q. Is it possible that there was no sticker placed on the camera for the 841 Robert vehicle on the night of October 20th, 2014, and you just forgot to notify your sergeant regarding the nonoperational in-car video system?

A. No.

Q. Not possible?

A. No, because I -- that's one thing that if it -- if there's not a ticket number or something, I do it. This is something that I do.

Q. Yeah, I just -- it's -- you know, I think you've been very forthcoming, and I just -- I think there's perhaps a little bit of a disconnect here.

And I want to give you the opportunity -- this is your, kind of, opportunity to explain to us what might have happened that night. So I -- do you have

anything else to add regarding the...

(WHEREUPON, discussion was had off the record between Counsel and Witness.)

BY THE WITNESS:

A. I mean, looking back, you know, I thought there was a ticket number. Apparently there wasn't. I -- that's -- I don't remember.

MR. NEUMER: Kris, follow-up?

MR. BROWN: Just a couple follow-ups on the dash camera stuff.

BY MR. BROWN:

Q. Those duties you mentioned earlier as far as checking the camera system and the mic system, do those duties hold for the passenger and the driver of a vehicle?

A. Yes.

Q. And if -- and correct me if I'm wrong -- I think you said that if the camera system is operational, you would send a PDT notification to your sergeant and you would also send a notification if the system was not operational, right?

A. Either case, yes.

Q. So in the case where just like for -- I'm not going to say specifically for October 20th, 2014, but if the system isn't working, yourself and your partner would both send a message in the PDT system saying it's not working?

A. No, because we're together, so we'll send the sergeant a message saying we're using this vehicle, camera not working, under ticket number; mic's not working, under ticket number, blah, blah, blah. So we would both send one.

Q. Who would normally send the PDT message?

A. It varies. Whoever -- whoever -- it just varies.

Q. It's not -- there's no rhyme or reason --

A. No.

Q. -- it's not necessarily the driver or the passenger, it's just whoever?

A. Yeah. It's just who signs on first. Like if, say, I'm doing still my check and he's already done with his and he's in there and he just does it, then he'll do it. If it's the

other way around, I'll do it.

So there's -- I mean, for us, there's no rhyme or reason. We just -- either one of us does it.

Q. Okay. Even if there's a note on the car about it not working, you would still put a PDT message in, correct, either yourself or your partner?

A. Yes.

Q. And, in theory, the days preceding whoever used that vehicle -- I'm talking about the 841R vehicle -- they, whoever used the vehicle, would also have put in a PDT message relating to the video system working or not working, correct?

A. I can't answer for everybody. I don't know what they do.

Q. Sure. I'm not trying to -- because I don't know for certain if you drove the car the day before or, you know, if Viramontes was in the car the day before. I'm asking just more so is it just general policy in your district that pretty much whoever is in the car, they're going to send a PDT message to the sergeant if the

video system is either working or not working?

A. Yes.

Q. Do you know if the sergeant ever followed up if he doesn't receive a message about the system not working?

A. He'll send messages. If somebody doesn't send him a message, he'll send a message about your vehicle and stuff.

Q. Do you recall receiving such a message on October 20th or I guess maybe even the next day, October 21st, 2014?

A. No.

Q. Do you recall getting any message maybe in the later days about that one particular day, October 20th, 2014?

A. No.

Q. Other than the PDT message, is there any other notification that you would make to the sergeant or anyone else if there was an issue with the video or, I guess, the audio in the vehicle?

A. No, just the sergeant.

Q. But I mean other than the PDT message, would there be anything else? Would

you do an e-mail or a phone call or anything else?

A. No.

Q. Just PDT message?

A. Yeah, or if we see him on a call face to face. I mean, otherwise, it's just a PDT.

Q. So even if you see him face to face, do you not have to do the PDT for that day?

A. Well, we do. We send a message.

Q. And you send it -- is that because it's policy, or why do you send it even though you've seen him that -- the sergeant that day?

A. To make sure it's notated that we -- so we have proof that we -- that we're covering ourselves.

Q. That makes sense. As far as you know, is that policy or --

A. I don't know.

Q. -- the policy?

A. I don't know.

Q. Earlier you mentioned that you -- that particular day of October 20th, 2014, you didn't send a PDT out because the McDonald incident happened fairly early and you would

normally send a message out around 10:30.

I wanted to ask why is it that you have to wait until 10:30 to send a message? Can't you just send it whenever you notice that the video system is not working?

A. No, the sergeant has to be logged on to his PDT for it to accept messages. So even if we send a message, it says it won't accept it because it's not logged on.

Q. I see. I didn't know. I thought it was like an e-mail.

A. Oh, no.

Q. So the sergeant also has to have his system on to receive a message?

A. Yes.

Q. I guess in order to get it from you.

A. Yes. So even if we say -- that's how we know he's still in the station because if we try and it doesn't go through, it means he's still not out.

Q. Does the system work where, let's say, you send a message and the sergeant doesn't have the system on, that he will receive your message when he turns his system on?

A. I'm not sure.

Q. I guess is it safe to say that you always want to make sure the sergeant has his PDT system on before you send him a message?

A. Well, yes, because I -- to my knowledge, he wouldn't receive my message.

Q. But your system would tell you if you tried to send the message and he didn't get it --

A. Yes.

Q. -- correct?

A. Yes, so you just keep trying.

Q. Okay. And, for whatever reason, the sergeant usually doesn't have his PDT message system on until 10:30?

A. No, whenever he comes out. Again, sometimes -- depending on what he has to do after roll call, he might be out right with us, he might not. So depending on when he comes out, I -- you know.

Q. Okay.

MR. BROWN: Those are all the questions I have.

MR. NEUMER: I'm going to go off the record

for one moment. The time is 4:33 p.m.

(WHEREUPON, discussion was had off the record.)

MR. NEUMER: The time is 4:35 p.m. We're back on the record.

BY MR. NEUMER:

Q. You know, we have no substantive follow-up on any of the previous topics, but we will give you the opportunity -- understanding what we're looking for here today, we try to be thorough, we try to ask you all relevant questions, but we want to give you the opportunity, is there anything else you would like to add today?

Or, put differently, are there any questions that we should have asked you that we didn't?

MS. RUSSELL: Sorry guys.

MR. NEUMER: The time is 4:35 p.m. We'll go off the record.

(WHEREUPON, a recess was had.)

MR. NEUMER: The time is 4:37 p.m. We're back on the record.

BY THE WITNESS:

A. I just wanted to say one thing. I've answered everything as best as I could, as honestly as I could, but it's stressful because you're on TV, grand jury -- I'm sorry -- your name's all over the place...

MS. RUSSELL: Let's take another quick break.

MR. NEUMER: Time is 4:37. We'll go off the record.

(WHEREUPON, a recess was had.)

MR. NEUMER: The time is 4:39 p.m. and we'll go back on the record.

BY THE WITNESS:

A. I just wanted to say I've been in front of the grand jury, the FBI, in the newspapers. Everywhere I turn, my name is there.

From the beginning I've been trying to be honest and remember as best as I can, but with everything being thrown in your face, you start seeing things different. And you don't want to answer wrong or you don't want to say what you think you saw now because you saw

something else.

So, for this, the best of my knowledge, I've answered as best and truthful as I know. That's all I wanted to say.

MR. NEUMER: The time is 4:40 p.m. and we'll go off the record.

(WHEREUPON, the interview was concluded at 4:40 p.m.)

C E R T I F I C A T E O F R E P O R T E R

I, MICHELLE M. YOHLER, a Certified Shorthand Reporter within and for the County of Cook, State of Illinois, do hereby certify:

That previous to the commencement of the examination of the witness, the witness was duly sworn to testify the whole truth concerning the matters herein;

That the foregoing interview transcript was reported stenographically by me, was thereafter reduced to typewriting under my personal direction and constitutes a true record of the testimony given and the proceedings had;

That the said interview was taken before me at the time and place specified;

That I am not a relative or employee or attorney or counsel, nor a relative or employee of such attorney or counsel for any of the parties hereto, nor interested directly or indirectly in the outcome of this action.

IN WITNESS WHEREOF, I do hereunto set my hand and affix my seal of office at Chicago, Illinois, this 18th day of March, 2016.



C.S.R. Certificate No. 84-4531.

Exhibits

Fontaine Exhibit No. 1 3:4 15:22 16:2

Fontaine Exhibit No. 2 3:5 16:11,15

Fontaine Exhibit No. 3 3:6 17:1,5 18:8

Fontaine Exhibit No. 4 3:7 17:15,19 18:12

Fontaine Exhibit No. 5 3:8 18:17,23 19:3,13 108:21,23 110:17 112:19 113:7,14 114:5 115:1 122:11 123:3 124:4,22 128:5 131:3,13 157:19 158:8 159:20

Fontaine Exhibit No. 6 3:10 19:23 20:4,8,14 108:19, 23,24 111:17

Fontaine Exhibit No. 7 3:11 165:4,7, 15,18,19 167:18

Fontaine Exhibit No. 8 3:12 184:5, 10 186:5,6

Fontaine Exhibit No. 9 3:13 184:16

Fontaine Exhibit No. 10 3:14 184:21 185:24

0

03/16/2016 16:3, 16 17:6,20 18:24 20:5 165:8

1

1 15:22 16:2

10 174:13 184:4,6, 21 185:24

10:30 188:3,4,5 193:1,22 202:1,3 203:15

12:18 4:18

12:25 11:19

12:27 11:22

12:30 13:18

12:31 13:22

12:38 19:6

12:40 19:9

12:52 30:18

12:55 30:20

13 101:13

14 7:11

15 58:20 103:9,13 106:18

15-minute 63:11

16 4:18 18:19

17 184:22

1:30 65:21

1:32 65:24

1:53 86:4

2

2 16:11,15 18:5,7 20:19

2-56 5:9 9:1

20 174:14

2012 165:5

2013 101:14,15

2014 19:24 26:5,9, 13,16 27:10 41:1,2 101:4 102:3 103:19 104:14 105:6 106:3,6,21 107:4 109:7 111:18 113:17 114:8 115:18 116:20 117:2 123:2,21 125:1,8, 19,24 128:4,8 129:8 131:7,19 132:9 133:11,23 135:21 136:10,23 143:21 147:8,20 148:17 149:4 150:4,24 152:18 153:7 154:5 161:24 162:21 164:16 167:14 169:19 172:12,19 173:6,18,20 174:3 175:11,16 176:3, 15 177:10,23 178:5,17,22 179:13 180:6,22 181:2,9 182:17 183:3,9,15,16,21, 22 184:17 186:13, 24 187:12 188:7, 14,15,19,20 189:20 190:1 192:15 193:2 194:10,19 195:6 196:3,7 198:3 200:11,15 201:22

2015 18:19 28:2 31:9,10 94:12 184:22

2016 4:18 16:9,13, 23 17:3,13,17 18:2,9 19:19 20:15 28:5 142:9 147:2

20th 19:24 26:5,9, 13,16 27:10 41:1,2 101:4 102:3 103:19 104:14 105:6 106:3,6,20 107:4 109:7 111:18 113:17 114:8 115:18 116:20 117:2 123:2,21 125:1,8, 19,24 128:4,8 129:8 131:7,19 132:9 133:11,23 135:21 136:10,23 143:21 147:8,20 148:17 149:4 150:4,24 152:18 153:7 154:5 161:24 162:21 164:16 167:14 169:19 172:12,19 173:6,18,20 174:3 175:11,16 176:3, 15 177:9,23 178:5, 17,22 179:13 180:6,22 181:2,9 182:17 183:3,9,15, 21,22 184:17 186:12,24 187:12 188:7,14,19 189:2, 5,6,20 190:1 192:14 193:2 194:10,19 195:6 196:3,7 198:3 200:10,15 201:22

21st 188:15,20 189:2,6 200:11

22 16:9,12,22 17:3, 13,17 18:2,9 19:19 20:15 142:8,18,23 147:2

23 165:5

28 150:19 153:2

2:00 86:7

2:02 88:23

2:04 91:12

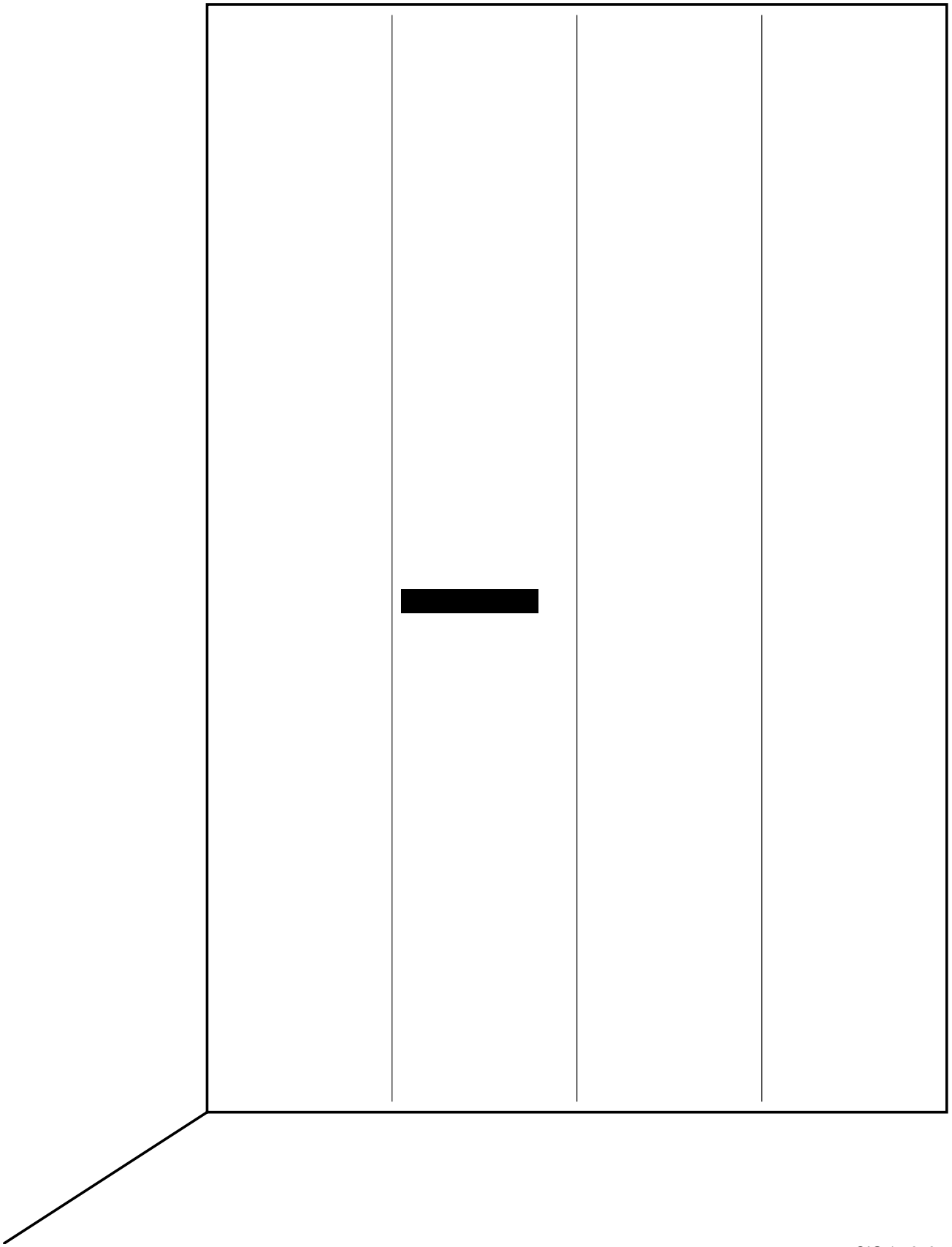
2:05 91:15

2:30 113:22

2:36 114:1

2:43 119:19

2:44 119:22



agency 10:2 24:11
agents 39:13 90:2
agree 83:18 135:17
agreed 13:14,23
agreement 12:9 88:2 95:7,8
ahead 37:13 144:16 168:15
aid 4:6 97:18
air 42:10 43:10 44:16 54:16
allegation 130:11, 16 131:4,15 134:6 136:5,16,19 137:6 192:19 194:13,22
allegations 17:2, 9,12 18:9 21:16 23:7,8 129:4,5 130:10 192:13
alleged 129:7 131:6,18 132:8 133:10,22 135:20 136:9,22 192:14 194:9,18
allowed 9:8
aloud 6:15 7:6,18 8:2,9,19 9:4,8,11
ambulance 47:13
Amendment 28:8
Amicus 4:19
amount 32:12 103:9
and/or 23:20
angle 117:18,20 118:15 119:3,5,6 120:2,7,9 145:13, 14,15,23 146:1
ankle 101:6,12
answering 6:12
answers 24:6
apologize 172:16
apparently 170:24 197:7
appearance 18:8 27:13
appeared 121:10
applicable 12:8
application 186:10 187:6
applied 164:20
approximately 56:15
arbitrator 23:10
area 25:9 63:19,23 64:2,9,14,18,20 65:9,12 67:5,10 68:7 69:13 71:6,21 72:11,16,19,20,21 73:15 74:7,23 75:17 76:2 78:18 79:10 85:2,5 98:8 145:21 149:3 150:4 155:22 156:3,16 157:5 160:7 162:5 193:21,22 194:1
areas 25:8
arguments 12:19 24:20
arm 34:23 115:13, 24 116:6,16,21 117:1 125:3,11 134:2
arrests 96:22
arrive 43:16 97:11 163:11
arrived 32:22 45:4 67:10 107:19 120:5 163:11
asks 66:24 97:13
assert 24:4 28:7
assign 168:21
assigned 168:22 174:16,18 175:7
assignment 26:2, 4,9,10
assist 148:1
Assistant 14:17
associate 104:8
associating 105:14
assume 29:21
assumed 135:3 191:16 194:15
assuming 59:14 69:14 111:8 112:9 157:9 171:14
assumption 185:23 191:18
assurance 12:5
attached 99:17
attacking 34:23 92:23 93:2 115:7, 14 116:1,7,17 117:3,5 122:13 123:6 125:3,12 134:3
attempt 38:12,18 178:23
attempted 178:23
attempting 14:22 178:15
attention 80:8 82:13 112:18 165:12 178:4 186:4
attorney 5:4 22:15 25:1 35:18 39:14 89:9 91:8,22 95:23 96:1
Attorney's 88:10, 15,16 89:5,7,12 90:7,14,21,24 91:24 92:3
attributed 112:20 115:2 124:15,21, 23 130:6 131:2 156:23 157:11,18 159:5
audible 107:7
audio 4:8,12 18:12,14 163:18 183:7 189:15 191:2,7,13,21 194:19,24 200:20
audio's 191:17
author 97:20
authored 94:5 97:4
authoring 97:18
aware 11:5 87:15 88:5 195:2,9
awry 163:14

B

B-r-o-w-n 5:1
Bacerra 70:16,18, 19,21 78:2 104:14, 21 105:2 107:23
back 11:21 13:23 15:20 18:6 19:10 28:22 30:21,23 43:17,20 47:13,15 48:9,11,17 59:14 66:1,11,19,21 67:3 70:3 73:24 80:12 83:1,6 84:8 85:7 86:8 88:8,24 91:16 114:2 119:23 124:20 127:21 135:6 136:19 142:2 144:21 146:3 147:11 149:17 151:4,11 152:21 154:15 155:22 156:3 170:6 172:22 177:17 181:24 193:15 197:6

background 25:5
bad 92:17
bar 142:22 145:6
barely 43:16
Bargaining 12:9
based 10:19 24:5
basically 41:23 58:4 174:20
basis 7:4,23 9:1
bathroom 67:16
beat 18:14 21:22 22:6 26:6 49:21 52:21 53:14,15 57:12 86:24 142:7 174:16,18,19 186:8
beats 51:24
Becvar 184:11,23 185:19,24 186:12, 16 187:3
beginning 164:7 166:24 178:7,11 179:21 192:17
behalf 11:6 12:24 22:13 29:16
Beverly 108:9
big 69:12 70:8 75:24 80:13 98:10, 21 99:17 138:1
birthday 100:16
bit 27:12 66:4 73:9 89:3 93:10 105:8, 9,21 124:2 137:20 143:2 172:22 196:19
Blackberry 14:1
blah 198:11
block 42:16 43:2,9 44:20 45:14
blocked 133:6,8
blocking 43:6 44:2 47:2 132:24
blocks 48:7,8
blurry 152:5
Bob 14:4,5
body 47:11 48:16 66:14,18 122:16 123:12 126:6,14, 20 129:11 131:10 158:9
bottom 87:20 186:5
bought 106:12
break 30:16 91:11, 13 113:21 119:17 177:12
briefly 88:9
bring 166:9
brings 99:12
broadly 165:19
broke 101:5,11
broken 194:23
brought 28:22 52:23 95:1
Brown 5:1 6:7 14:16 25:17 86:9 87:13 88:23 89:1 91:9,12,15,19 94:1 95:18 99:24 108:16 137:12,14 138:14 140:2 141:13,22 142:10 143:1 146:6,17 147:12,22 148:3 149:5,15 151:16, 20 152:3,21 154:16 155:6,8 157:16 158:2,5 159:2 160:3 197:10,12 203:22
Brown's 5:20
Bureau 15:7
Burger 140:18,21
butt 120:18
button 54:23
bye 106:23

C

call 13:12,24 41:19,21 42:7 44:14 47:20 49:15, 24 50:1,13 69:3 78:15 84:14 102:18,19,20 103:1,21 105:8 110:8 155:19 163:12 171:2,19 201:1,5 203:18
called 47:13,15 48:9 69:20 95:7 110:24 171:18
calls 35:24 48:11 82:5,12 102:22 103:23,24 107:15 164:13 170:23 174:12
cam 147:11,19 150:18 151:14 152:11,16 153:3 160:8 162:16
camera 22:2,8 164:1,3,7 169:2 170:17,18,20 171:24 172:6 174:1 175:24 176:13 177:4,21 182:5,12 184:16 195:5,10,12 196:2, 6 197:11,14,19 198:9
camera's 169:15, 23 191:16
cameras 169:6
capture 143:2
captured 191:12
captures 163:18
car 26:7 46:19
51:3 57:16,21 59:14 72:17 118:5 120:10 143:6 146:16 157:2,13, 20 161:21 168:21 169:12 173:13 174:7 178:1,2 179:22 199:6,19, 21,23
cars 49:21 52:21 57:12 168:20 174:19,23,24 175:1,3
case 18:18 19:3,13 21:17 48:21,22,23 49:3,6 51:6,14 52:11 53:9,17,22 54:5,8,14,19,21 55:9,15,18 56:1,23 57:4 59:22 64:10, 13,17 66:12,13 86:11,13,16,21,23 87:19 94:4 109:11, 15,18,21,24 110:4, 11,13,18,21 111:4, 7,13 112:19 113:14,19 114:5, 12 197:24 198:1
cases 156:6
causing 183:17, 24
CBA 12:16 24:15
cell 27:6,9 36:7
Central 63:23 64:2,9,14,18,20 65:9,13 67:10 68:7 71:6,22 72:12,20 74:7,23 76:2 78:18 79:11 85:3,5 98:8 145:21 149:4 150:4 160:7 162:5 193:22
certified 4:3
chain 26:15
chance 89:10 113:2,10 115:1 185:6,8 192:21

194:3

change 85:7 119:11 134:16 162:22

changed 110:6 132:1 133:14,17 175:23

changing 133:21

chaos 42:9

Chapter 5:9

charge 43:13

charges 9:18 10:5,11,17 11:13 12:6

check 179:24 198:22

check-off 103:3, 21,24 105:8

checking 197:14

Chicago 5:2,6,10 6:8 7:3,11,16 8:24 14:7 15:6,12 23:6 112:16 113:5 165:10 191:20 192:7

choosing 8:13

Chris 74:14

circumstances 98:2

city 5:2,6,10 6:8 15:11 23:5 108:1

civilian 43:7 44:3

clarified 92:22 93:6

clarify 88:13 89:4 91:17,20 92:13,14 114:15 137:22

clarifying 66:5 92:12 93:12 177:20 193:18

cleanup 25:11,18

clear 44:11 176:11

close 108:4,5 147:10

closer 51:2 63:2

Code 5:10

colleague 25:10 142:10 153:17 154:2

Collective 12:8

collectively 49:13 59:9

command 15:1 26:15

commander 13:12,14,24 14:4, 9,11,13 15:2,5,14 22:24 26:22,23 27:2

comment 83:9,13 134:23 135:14,17, 18

communicate 135:13

communications 35:20 36:11,15

compare 97:24

compelled 11:1

complaint 101:23

complete 46:3,5 52:10 54:7,9 64:17

completed 54:10, 14 55:9 61:17 64:9

completely 6:13

completing 51:6 54:5 56:23 57:4 59:22 64:13

completion 53:22 55:17 56:1

component 191:21

computer 46:16 70:8 71:6 75:23 77:3 79:15,20,23 80:23 81:22 82:2, 14 99:16 166:9 169:6

computer's 81:11

computers 70:4 79:12

conducted 5:9

conducting 9:22, 24 10:8,21 11:15 23:7 24:8,9

confidential 4:9

confirmed 185:19

confused 50:8 93:8 130:19 138:13

confusion 48:18

conscious 85:24

constitute 7:10 8:24

constitutes 7:1

constitutional 11:12 12:3

consult 8:14

contact 165:24 188:7

contained 22:1

continue 75:21 84:10

continued 141:19

contract 11:8 23:23

control 42:24 44:15 45:8,13 47:1

controlling 41:7

conversation 56:19 57:14 58:12 60:1,4 61:2,10,20, 23 62:3,6 63:12,18 71:7 74:1 79:18 85:16 156:19 186:11

conversations 60:10,14 61:4,9, 13,18,22 62:2,7 74:10 79:9 95:2 97:2,21 98:11,15 186:22

Cook 26:21 27:3 88:14 89:5,8,11 90:7,13,20 92:2

cooperate 6:11

copy 6:2 23:20 49:15 53:1,3 95:19

correct 10:16 13:10,17 14:2 21:23 22:3 27:16 30:2 31:1,16 32:13 33:15 41:3,13 44:12 45:5 56:6 63:13,22 68:4 77:12 78:5 82:7 83:16 86:14 96:7 100:13 114:4,9 115:18 125:14,15 128:19 130:15 143:12,23 144:5 151:15,16 156:20 160:8,10 163:18 197:18 199:7,15 203:11

correctly 30:5

corroborate 195:3

counsel 8:13,16 12:23 13:13,23 14:15 23:3 25:6,10 46:10 91:3 93:17 122:2 127:6 129:17 138:9 139:17 158:21 160:15 167:23 190:14 193:8 197:3

County 88:14 89:5,8,11 90:7,13, 21 92:3

couple 103:22 137:12 144:10,13 155:6 197:10

court 4:3,8,10,15, 19,22 5:13

court-reported 14:14

covering 201:14

coworker 102:8

coworkers 105:7

CPD 5:6 16:12 18:18 19:13 21:17 110:19 131:20 132:10 133:12,24 135:22 136:11 173:22 175:7 184:13 191:3 192:16 194:12,20

crazy 44:17 60:11

create 110:8,13

created 110:17,18 184:11

creates 109:24 112:7

criminal 8:7 9:18, 23 10:5,9,11,14, 17,23 11:4,13 12:6 24:9 29:23

CSR 108:21 109:7, 8

CSRS 110:9

cubicles 67:24 68:16,21 69:16

current 26:1

custom 4:7

cut 141:17 153:1

D

daily 163:22

damage 167:3 179:18,23

damaged 168:6, 12,18 194:12

dash 147:11,19 150:18 151:14 152:11,15 153:3 160:8 162:16 197:11

date 4:18 31:10 37:3 86:23 142:14

dated 16:12 17:3, 16 18:19 19:24 109:6 111:17 184:17,22

daughter 105:19 106:2

daughter's 105:20

David 136:11

day 28:21,24 40:1 84:15 96:14 162:23 169:23 170:3 172:24 176:24 177:4 199:20,21 200:11, 15 201:8,12,22

days 173:7,10 199:10 200:14

decide 97:14

decided 23:10

decision 37:19 60:19 85:24

deemed 11:15

deems 11:10

deliberate 60:19

deliberately 8:23

department 7:3, 16 15:7 112:16 165:11 167:1

Department's 7:12

depending 159:12,17 179:6 187:22 203:17,19

depends 33:11 120:19

depicted 139:21

describe 33:13,18 40:3 68:15 100:23

designees 15:10

desk 80:21 81:10, 13,14,16,17,19,20 171:10 190:7,22 195:18,22,23

detail 36:19 99:10

detailed 8:17 159:12

details 58:8 82:3 128:11,20,22 161:15 162:1

detective 18:21 20:1 34:9,11 38:3 40:12,17,22 46:2 55:20,21,23 56:2, 12,16 57:4,19,23 58:11,17,24 59:19 60:5 61:3,11,20,24 62:4,8 63:9,15 64:24 65:2,16 66:23 71:19,22,24 73:21 80:1 81:10 83:18 87:1 92:9 94:5,8 99:20 109:9 110:16,18 112:9 113:16 114:7 115:5,17,22 122:13,21 123:1,8, 20 124:1,12 128:2, 8,11,12,14,17,23 129:9 130:7,17 131:2,8,20,24 132:10,14,17 133:12,16,24 134:9,10,12,15 135:17,22 136:3, 11,24 137:4,16 139:1,11 141:10 145:20 147:7,19 148:16,21 149:3, 24 150:1,6,12,23 151:21 152:4,17 153:6,12,21 154:4, 9,23 155:11,12 156:3,11,24 157:19 160:6 162:1

detectives 68:18 69:13 110:14 111:7 155:20 156:5

differ 34:20 40:7, 11,16 171:12

differently 128:10

differs 34:19,21

direct 15:9 22:23 43:6 44:3 112:18 134:19 144:14 145:11 162:9 165:12 169:18 178:4 186:3

directed 144:1

directing 59:9

direction 115:12 118:2,22 119:11 132:1 133:14,17, 21 159:8,11,19

direction-wise 117:24

directly 124:3

directs 82:13

disable 191:20

disabled 192:7

discharge 7:4,24 9:2

disciplinary 7:23

disconnect 196:20

discontinued 4:13

discuss 36:20 37:1,8,20 60:22

discussing 161:16,19

discussion 13:20

19:7 46:9 65:22 88:21 91:2 93:16 122:1 127:5 129:16 138:8 139:16 141:23 151:9 158:20 160:14 167:22 190:13 193:7,13 197:2

disk 18:15

district 26:3,7,8 49:18 50:5 52:17 85:7,10,13 104:6 180:13 199:22

document 6:3 9:9 16:1,11,14 17:2,4, 9,16,18 18:22 19:3,16,19,22 20:3 87:19 165:6

documents 95:10,11,20,23 195:2

Donut 146:5

Donuts 22:2,7 146:15 147:1,5

Dora 5:5,11 6:6 14:15 15:8 25:24

doubt 163:2

drinks 67:15,17

drive 64:8,17 99:17

driven 176:23

driver 97:8,9 197:16 198:19

driving 64:13 162:20 173:18,22 174:4 175:6,16 176:2 189:19

drove 64:3,4,6 85:12 199:19

due 84:21

duly 5:15

Dunkin' 22:2,7 146:5,14,24 147:5

duplicative 129:6

duress 22:21

duties 111:12 112:15 163:22 173:1 197:13,15

duty 6:11 164:5 167:1 192:17 194:21

DVD 22:1 142:9 147:2

Dyke 32:11 34:23 35:21 51:9,12 71:1 75:3,6 101:2,3,17, 20,24 107:22 115:7,13,14 116:1, 7,16,17,22 117:3 118:10 120:9,15 121:19,20 122:14, 17 123:6,13 125:3, 12 126:15,21 129:12 131:11,22 132:3,12,15,22 133:7,15,19 134:3 135:24 141:16 144:4 146:21

Dyke's 36:6

E

e-mail 184:21 185:24 201:1 202:11

e-mails 36:4

earlier 88:8 92:20 131:16 137:7,8,15 144:16 197:13 201:21

early 178:10 187:14,17,18 192:21 201:24

easier 149:6

east 122:16 123:12 126:6,15, 21 129:11 131:10 158:9,17

eastbound 127:11

edited 87:5,8,12, 14

effort 153:5

elaborate 158:11

elearning 166:8, 16

else's 87:22

embedded 142:24 143:20 145:8 150:19 153:2

employee 112:16

employment 12:15

end 15:18 25:9,16 106:16

enforcement 10:2 24:11

engaged 186:9 187:5

ensure 38:12 167:4,7 192:15

entire 54:4 124:10

entitled 12:3,22 16:11 17:16 24:19

equipment 167:3 179:17

equipment's 168:23

equipped 168:7

ERA 46:13

error 186:10 187:6

establish 153:19

estimate 52:13 53:21 54:1

estimated 63:11

evening 63:16 188:13

event 31:6 42:1 98:22

events 34:7,8,10 161:11 194:20

eventually 79:22 80:1

everything's 163:10

evidence 7:22

eviscerate 12:20

exact 140:5 154:23

excerpt 18:18 19:4,13 21:17 109:7

exhibit 15:22 16:2, 11,15 17:1,5,15,19 18:8,12,17,23 19:3,13,23 20:4,8, 14 108:19,21,23 110:17 111:17 112:19,21 113:7, 14 114:5 115:1 122:11 123:3 124:4,12,22 128:5 131:3,13 157:19 158:8 159:20 165:4,7,15,18,19, 20 167:18 184:5, 10,16,21 185:24 186:4,5,6

exhibits 16:6,7 18:5,7 20:19 21:6 38:2,6 108:19 109:2 184:4 185:5, 13

expeditious 25:19

experience 102:7

explain 86:20 97:5,6 119:13 120:1 121:9 195:23 196:23

explained 34:16 95:12,13

extent 24:2
exterior 180:20
extra 109:23 110:5
extremely 30:2

F

F-a-h-e-y 35:11
F-a-h-y 35:14
face 201:5,6,7
faces 101:9
facing 122:16 123:12 126:6,15, 21 129:11 131:10 158:9,17 159:8
fact 23:5 33:22 158:13
facts 109:23
Fahy 35:5,10
failed 25:12 131:22 132:11 133:13 192:15 194:10,19
fair 13:2,13 49:12 54:20 77:1 81:14 103:5 111:6 144:10 147:4 154:21 160:24 183:6 185:18 194:5
fairly 201:24
fall 31:10
false 7:13,14 8:22 129:8 130:16 131:7 133:23 135:21 136:10,13, 23 137:1
familiar 61:6 110:10,21 111:18 167:11,13 171:9
fast 60:8
fastened 167:5
fault 61:16
FBI 38:22 39:2,5, 13 40:4,6,10,15,20 88:10 89:3,14 90:2,18 91:6 92:4, 7,15,16 93:12,20, 23 94:3,18,20 95:2,6,9
February 16:9,12, 22 17:3,13,17 18:2,9 19:19 20:15 142:8 147:2 165:5
federal 23:21 27:15,19,22 28:17 29:13,15 31:1
feel 21:7 98:3 126:23 134:24 135:16 143:9
feeling 98:21
felt 32:9
file 142:11,12 147:16
filed 11:6 23:13
files 18:13,15
filing 190:7
fill 48:12 84:21 111:7,13
filled 5:19 6:2 46:7 49:13 86:11 111:3 112:14
filling 84:22 86:23
final 94:4
find 170:8
findings 184:12, 23
fine 21:2 25:20 95:17 115:10 159:3
fire 136:1
fired 135:24
float 174:17 175:13
floor 76:3,4,5
floors 76:7
flow 185:15
flush 73:8 93:9
FO- 69:17
focus 150:11
focussing 124:10
folks 77:14
follow 47:13 66:14 167:6,16 187:8 192:22
follow-up 25:11, 18 99:24 108:13, 16 137:10 155:5 197:9
follow-ups 137:13 197:10
Fontaine 4:14 5:4, 5,11,12,14,16 6:6, 14 7:5,17 8:1,8,18 9:3,10,15 10:6,22 11:1,7,23 12:17,24 13:2,15 14:10,15, 21,22 15:3,8 16:6, 18 17:23 18:13 19:2,15 20:2,7 21:13 25:7,22,24 27:5 30:24 66:3 80:7 86:10 89:2 91:20 100:4 127:20 142:4 143:5,19,23 145:10 146:24 147:2,4,15 148:7, 10 150:17 151:14 152:10,14 153:4,5 165:16 177:19 193:19
Fontaine's 18:20 24:24 108:13 109:8
footage 140:9 142:13 145:9 147:6,11,19 148:7, 14,15,21 152:10, 16 153:3 160:9,18, 21 161:7
FOP 67:13,18 69:17 74:1,3,6,22 75:11,19 77:2
forgot 149:14 194:5 196:8
form 5:17 15:17, 19,22 17:16,22 18:1 21:16 110:15 112:17
format 111:2
forthcoming 196:18
forward 12:20 21:9 24:21 25:19
found 18:15
frame 29:4 148:5
Franko 26:19 27:3 42:20,21 43:10 44:14,22 45:4 48:15 54:11,13 55:14 65:3,15 84:17,18 188:16, 17,21 189:3,7,23
Fraternal 23:12
Friday 184:22
friend 100:24
friends 105:7,16
front 18:6 70:8 75:23 81:16,17,18 110:15 112:10
fruits 8:6
full 115:11 148:9 149:7 152:23,24 153:5
full-time 147:24
functioning 187:9

G

Gaffney 61:23 62:17 70:24 79:1,

10,19 102:3,4,7,10 103:12,16 107:22

game 79:17

Garrity 12:20 23:1 24:20

gave 27:7 40:6,10, 19,20,21 42:18 48:15 93:22,23

general 6:9,12 9:22 10:21 11:9,14 12:5,13,16 13:4 14:17,19 15:11 19:23 20:8,13 21:18 23:14,19,24 109:12,14 111:12, 17 112:1,4,8,14 199:22

General's 5:2 9:17 10:5,12 14:7 15:4 23:6

generally 100:20 109:10 111:6 121:1 163:7 172:23 173:9

gentleman 90:10, 11,12

gestures 45:7

girl 105:9

give 25:9 27:14, 18,21 30:24 31:18 34:6 43:11 52:13 78:4 92:11 131:4 160:12 166:9 172:1 174:21,24 196:21

giving 15:8 105:20 161:10

good 15:14 153:19

governed 164:17

GP- 111:24

GPR 38:3 108:22 109:6 111:19

grabbed 51:2 52:6

grand 23:18,20 24:2,3,13 27:13, 15,19,22 28:10,14, 17 29:7,10,13,15, 22 31:1 33:1 34:6, 12,13 35:2,4,17,21 36:13,18,23 37:1, 2,24 38:12,17 40:8 91:7,23

granted 23:1

Greenwood 108:10

grievance 23:13

group 74:11,24 75:9 137:24

guess 32:13 68:18 94:9 97:18 105:9 120:19 130:19 139:12 141:15 200:10,20 202:16 203:2

gunshots 135:24

guys 59:8 97:21 99:5 100:20 103:4 107:17 121:4

H

hand 5:13,17 45:8 46:8 117:14 184:3

handle 61:1 99:3,4

happen 47:3 75:17

happened 40:1 60:8 77:4 78:21 86:17 98:22 124:7, 17 189:16 192:20 196:24 201:24

hard 99:17

Harvey 74:14,16

he'll 198:24 200:6, 7

head 31:11

hear 14:8,10 55:8 191:11

heard 55:15 111:20,21 136:8 186:19 191:19,23 192:2,6

helps 121:6

Hey 50:15

hit 54:23 55:13

hitting 94:15

hold 160:13 197:15

home 85:8,18,22

hone 129:24

honestly 33:21 63:4

hoping 159:4

hospital 47:12 66:15

hour 28:19 52:14, 15 53:23 166:14

hours 32:8

house 106:12,13

How's 169:2,3

hungry 69:5

hurts 121:7

HX475653 18:20 19:15 20:1

I

IAD 16:8,21 17:11 19:18 20:13,18 21:14,20 22:12 139:12

idea 93:21 112:12 134:11,14

identification 16:2,15 17:5,19 18:23 20:4 165:7

identified 148:24 154:3,7

identify 4:23 124:22 149:2,23 150:5 152:16 153:6,20

imagine 31:3 76:16

immediately 82:13 127:2 168:4 194:10

immunity 28:13

important 29:20 30:2 31:6

in-car 21:21 136:17 142:6 162:17 163:8,17, 21 164:12,17,21 165:11 166:19 167:2,6 168:5,12, 18 169:23 171:3, 20 173:16,23 174:5 175:4,7,17 176:5 178:8,16 179:12,16 180:21, 24 181:4,7 182:5, 11,15 183:1,8,11, 16,23 184:9,12,16, 24 186:14,22 187:4,8,13 188:1, 8,21,23 189:3,10, 24 190:9 191:21 192:8,15 193:4 194:6,11,20 196:9

in-progress 174:12

inaccurate 8:22 113:20 114:13 124:6

inappropriate 76:22

incident 40:4 98:1,5,13 99:9 155:23,24 201:24

incidents 96:22

included 21:21

128:12 129:4 131:13 134:12

includes 6:12

including 4:11 7:24 21:15 75:3 98:4 184:14,20

incomplete 8:23

independent 4:3 178:14

indicating 44:20 46:17 121:4,6 122:8 142:14 145:24

individuals 4:23 5:7 53:5,10 95:6

individuals' 26:24

inform 89:20

information 4:2 67:1 92:12 110:5 161:9,14

information-gathering 53:19

informed 12:3

injunction 11:6 23:13

inoperable 168:6, 7 187:24 194:6,12

insert 167:1

inside 179:24 180:19

inspect 167:2

inspected 179:16

inspection 180:17,21

Inspector 5:2 6:8, 12 9:17,22 10:4, 12,20 11:9,14 12:5,12 13:4 14:7, 17,19 15:4,11 23:6,14,19,24

instance 159:20

instances 156:2, 10

instruct 154:2

instructed 45:22 99:5

instructing 134:24

intend 188:6,10

intentionally 183:16,22 192:8

interact 163:21

interaction 80:5

interactions 102:9 104:20 164:14

interior 180:20

interject 139:19

Internal 15:7

interpreted 45:10

interrogation 23:15

interrupt 136:15

interview 4:5,8 5:11 6:9 7:21 8:5, 13,16 11:3 14:14, 21 16:12,19,22 20:2,18,24 21:13, 15 22:8,11,16 23:9 25:2 39:18,22 93:10 129:9 131:8, 20 132:10 133:12, 24 137:8,9

interviewed 6:7 10:23 38:22 39:2,4 68:3,6 78:16,23 101:22

interviewing 39:9,12 134:17

introduced 38:2

investigation 5:9 6:10 9:23,24 10:1, 3,9,15,20,21,23 11:10,16 12:14 23:8,12,14 24:8,9, 10,12

investigator 5:19 14:16 25:14,17

investigators 23:22

invoking 22:24

involved 76:8 99:1

IPRA 69:22 71:11, 15 77:8,10,13,15 78:4

IPRA'S 67:14

issue 189:23 193:3 200:20

issued 165:5

issues 23:11 175:17,20

J

James 27:2

Jason 122:16 123:12 126:21

Jennifer 5:3 14:15

Jerry 27:3

Jersey 23:2

job 12:10 22:23 49:16,19,22,23 50:16 52:21 53:4 61:1 102:11,12,16

jobs 102:15

Joe 120:9

joint 9:24 24:10

Jonathan 184:23 186:1

Joseph 123:13 126:15,22

July 184:22

jump 178:1

jury 23:18,20 24:2, 3,14 27:13,15,19, 22 28:10,14,17 29:7,10,13,15,22 31:1 33:1 34:6,12, 13 35:2,4,17,21 36:13,18,23 37:1,2 38:1,12,17 40:8 91:7,23

K

K-l-i-m-a-s 15:6

Kato 74:14,16

keeping 163:10

kids 85:21

kind 31:24 34:19 44:19 49:12 51:1,2 52:5 59:8 67:23,24 71:18 72:15 73:17, 20 75:15,20 78:10 92:21 97:13,14,16 98:19,24 99:3 105:21 106:22 119:9 127:12,16, 19 157:10 163:15 164:13 174:17 179:9 194:2 196:22

King 140:19,21

Klimas 13:12,14, 24 14:4,9,11,13 15:2,5,6,14 22:24

knew 51:23

knife 73:13 117:8, 12,13,17 118:9,10 119:15 121:14 128:13,16 158:15 159:1

knowledge 112:2 203:6

Kris 6:7 14:16 108:12 137:10 142:10 153:18 197:9

Kristohper 5:1

L

lack 195:23

Lance 184:11,22 185:19,24 186:16

language 159:4,6

laptop 99:15 142:12

Laquan 13:5,9 14:23 30:10,14 31:15,20 33:15 36:20 37:10,20 38:23 40:16 41:2 72:1 73:5 82:21 83:9,13 118:1 128:15 133:13 148:8 157:21 160:9,19,21 161:7, 9 162:2 184:14,19 191:4,8

law 10:2 24:10

lawyer 35:7 39:15

lawyer's 35:9

lay 68:2

lead 89:14 97:13

leave 21:4 43:7 44:5 47:6 66:18

left 77:23 174:19, 20 180:1

legal 8:12,15 24:20

legally 12:21 24:19

level 120:21

Lewin 184:23 186:1

liability 29:23

lie 140:5

lied 29:21

lieutenant 26:20, 21 27:3

lieutenants 69:15

light 92:13

listen 43:21 135:5

live 107:24 108:9

lives 108:4,5

load 147:15

located 4:19 46:18 180:10,12

log 45:24 163:24 180:24 181:5,6,7 182:8

log-in 181:13

logged 51:24 163:10 202:6,9

long 8:16 28:16 32:9 52:10 58:16, 19 96:9 103:4 104:1 106:16 107:17 166:12 169:11 173:21 175:6

longer 32:8 119:7

looked 44:18,19 117:17 118:4,15, 17 119:5,9 121:15

lose 12:10 22:23

lot 48:18 118:5 174:6,23 175:23 180:11,12,16

loud 55:3 107:10

M

made 7:21 8:5 15:17 22:20,22 23:21 40:12,15,17 87:15 88:4,5 93:12,13 101:23 115:23 122:7,18 123:1,7,15 124:1, 11 129:8 131:7,19 132:9 133:11,23 134:7,8,23 135:18, 21 157:19 158:12

main 69:6,9 70:3

make 11:3,24 20:22 21:1 38:12, 13,18 44:10 47:23 73:21 77:14 89:23 96:22 97:21 107:9 115:4,5,16 117:2 123:9,10,20 128:3 150:8 157:4,12,24 159:9 162:9 163:9 172:3 178:24 179:23,24 182:3 200:18 201:13 203:3

makes 83:9,13 201:16

making 7:13,14 23:4,6 85:24 89:21 115:22 117:13 128:1 135:14 145:17

male 74:22

malfunctioning 188:8

manner 25:19 155:13

March 4:18 18:19, 21 34:9,11,18 38:3 40:12,17,22 55:22, 23 56:2,12,16 57:4,19,23 58:11, 17,24 59:19 60:5 61:3,11,20,24 62:4,8 63:9,15 65:2,16 66:23 71:22,24 73:21 80:1 81:10 83:18 92:9 93:13,21 94:5,8 99:12,20 109:9 113:16 114:7 115:5,17,22 122:13,21 123:1,8, 20 124:1,12 128:2, 8,11,14,23 129:9 130:17 131:8,20, 24 132:10,14,17 133:12,16,24 134:9,10,12,15 135:17,22 136:3, 11,24 137:4,16 139:1,11 141:10 145:20 147:7,19 148:16,21 149:3, 24 150:1,6,12,23 151:21 152:4,17 153:6,12,21 154:4, 9,23 155:13 156:16 157:1,19 160:6 162:1

March's 20:1 128:12,17 130:7 131:2

mark 15:21 16:5, 10 17:1,15 18:17 165:4

marked 5:17 16:1, 14 17:4,18 18:22 19:22 20:3,8,14 108:19,21 165:6 184:3

Marlon 74:14

material 131:19 132:9 133:11 136:13 137:2

materials 20:18 21:4,14,20 22:11, 12

matter 4:1 9:19 173:10 175:10

Mcdonald 13:5,9 14:23 27:15 30:11, 14 31:15,20 33:15 36:12,17,20 37:10, 20 38:20,23 40:16 41:2 60:7 72:1 73:5 82:21 83:10, 14 86:18 96:7 98:1,12 115:12,24 116:6,15,19,21 117:1 118:1,18 120:14 122:15 123:11 125:11 126:5,14,20 127:2

128:15 129:10 131:9,21,23 132:1, 12,16,22 133:13, 17 134:1,2,20 135:23,24 136:12 137:1 140:18 141:15 146:2 148:8 155:10 157:21 159:21 160:9,19,22 161:7, 10 162:2 184:14, 19 191:4,9 201:23

Mcdonald's 47:11

Mcelligott 62:3 70:23 79:1,9,19 103:19 104:2,11 107:23 108:5

Mcnaughton 56:10

meaning 45:18

means 43:13 49:18 174:12 202:19

meant 120:2 121:10

media 142:11,19, 21 145:6

meet 91:6

meeting 88:9 89:3,6,14 90:2,18, 23 91:10,21,24 92:4,7 156:19

meetings 90:20

Member 16:12

member's 167:5

members 167:2 168:4

memorialized 89:18

mentioned 22:6 45:17 74:1 86:10 90:1,17 92:6 93:5 98:9,11 99:11,14 100:8 107:21 119:2 137:15 150:23 152:17 158:7 197:13 201:21

message 169:6 178:13 187:20,24 198:5,8,13 199:7, 13,24 200:4,7,10, 13,17,24 201:4,9 202:1,3,8,14,22,24 203:4,6,8,14

messages 200:6 202:7

mic 197:14

mic's 198:10

Michelle 4:22

Michigan 106:13

microphone 182:15

microphones 182:24

mics 163:24 164:2,4,8 169:3

middle 59:12 120:22 121:3

mind 30:15 146:12

minds 98:23

minute 11:17 65:18 151:5,6 181:20

minutes 29:3 45:1 58:20,22 142:12, 20 145:5 166:14

misconduct 7:22

missing 168:8

misspoke 108:20

misstate 44:12

mixed 33:21

mm-hm 33:6 39:8 45:6 49:11 54:24 55:2 57:6 78:8 81:24 82:6 83:15 85:4 100:7 102:13 103:24 172:10

moderately 129:5

moment 141:21 145:8 146:19,23 154:24 185:4

Mondragon 61:4, 10 62:16 70:14 105:6,12 107:23 108:4

monitor 80:23 81:23 82:2,14 99:15,16

month 27:24

months 173:14

morning 85:20 188:14,19 192:23

motion 127:22 149:9

motions 117:14

Mount 108:10

mouth 153:23

move 25:19 132:22 162:15

moved 66:9 108:2, 5 131:23 132:12, 15

movements 117:3,6

moving 24:21 118:2 127:20

multiple 39:4 107:14

Municipal 5:10 8:24

N

n-e 47:18

N-e-u-m-e-r 4:21

names 27:1 49:7,8 86:14

narrative 46:1 66:5 130:16 136:11,24

nature 39:21 74:10 91:10 107:15

necessarily 198:19

negotiation 94:21 95:22

neighborhood 107:24 108:7

Neumer 4:1,17,21 5:7,16 6:5,7,17 7:8,20 8:4,11,21 9:6,13,20 10:7,14, 19 11:18,21 12:12 13:2,8,11,18,22 14:5,6,10,13,17 15:10,15,21 16:4, 17 17:7,21 18:16 19:1,5,9,11 20:6 21:1,7,11 24:7,22 25:6,15,21 30:17, 20,22 35:8,15 37:16 44:9 46:14 52:2 55:7 56:6,9 60:18 65:20,24 66:2 72:18 74:21 79:7 82:11 86:4,7 95:4 100:2 107:13 108:12,17 109:1,5, 16 113:6,8,22 114:1,3,16,19,22, 23 116:14 117:19 119:19,22 120:3, 12 121:8,17 122:9 127:14,17,20,23 129:23 130:4,5,18, 21,22 132:6,7 133:4 135:11 136:18,21 137:10 141:20 142:1,3 143:3,7,19,22 144:20 145:4 146:14,23 147:3, 13 148:6,11 149:17,22 150:16, 21 151:7,11 152:9, 13 153:1,15

154:14,18 155:4 157:17 158:1 160:4,17 161:22 165:9 168:2 177:13,16,18 178:3 181:21,24 182:2 184:2,7 185:12,16 190:6, 19 192:5 193:11, 15,17 197:9 203:24

Neumer's 14:1

news 141:7

newspaper 94:10, 11

night 37:4,9,22 87:3 96:6 98:16 113:16 114:7 115:17 117:2 123:1,20 125:1,8, 19,23 128:3 140:8 144:3 147:7 148:16 150:23 152:18 153:7 154:4,10 155:10 161:23 162:21 176:14 177:22 178:5,24 183:9 186:12,24 187:15, 17,18 188:6,18 192:21 193:2 196:3,7,24

Nodding 120:17 164:24

nonfunctional 183:18,24

nonfunctioning 188:21 189:3,8,23

nonoperational 190:9 196:9

normal 37:8 96:19,21,23

north 42:17 62:21, 23,24 63:2,5,7

notate 49:20

notated 201:13

note 12:13 24:18 147:23 167:20 168:3 199:5

noted 88:10 92:20

notes 20:1 24:7 34:22 58:12 90:4,8 99:21 109:4,6 139:7 184:18 186:9 187:3

notice 14:20 16:19,22 18:7 22:10 129:3,4 192:13 202:4

noticed 192:24

notification 16:11 17:2,9,12 18:8 21:15,16 197:21, 22 200:18

notified 37:5,6 189:2

notify 168:5,11,17 169:13,17,22 170:21 187:10,11 188:15,20 189:7 193:2,20 194:1,6, 11,14 196:8

notifying 189:22

number 5:6 18:12, 14,19 19:14,24 25:23 27:6,9 36:7 49:19 50:24 53:13, 14,15 57:9,11 87:17,20,23 162:20 163:1 169:8,12,15 170:4, 11,14,15,17,19 171:1 172:2 175:22 176:1,9,12, 19,21 177:6 178:1 179:5 182:8,11 188:22 189:16 190:8 195:14 196:14 197:7 198:10

number's 169:9

numbers 86:14,24

O

O'connor 27:2

O'donnell 26:23

objecting 23:5,9, 16

objections 23:4

obligation 6:19 24:15

observation 155:23

observations 73:22 156:7

observe 96:22

obtain 8:15 167:3

occasion 31:4 54:18 100:18 168:11

occasions 192:6

occur 97:2

occurred 32:21 36:24 39:24 60:23 66:12 96:24 98:16 118:5 125:1 141:17 156:8,19

occurring 33:12 34:4 41:24 42:1

occurs 44:11,13

October 19:24 26:5,9,13,16 27:10 41:1,2 101:4 102:3 103:19 104:14 105:6 106:3,6,20 107:4 109:7 111:18 113:17 114:8 115:18 116:20 117:2 123:2,21 125:1,8, 19,24 128:4,8 129:8 131:7,19 132:9 133:11,23 135:21 136:10,23 143:21 147:8,20 148:17 149:4 150:4,24 152:18 153:7 154:5 161:24 162:21 164:16 167:14 169:19 172:12,19 173:6,18,20 174:3 175:11,16 176:3, 15 177:9,23 178:5, 17,22 179:13 180:6,22 181:2,9 182:17 183:3,9,15, 21,22 184:17 186:12,24 187:12 188:7,14,15,19,20 189:2,20 190:1 192:14 193:2 194:10,19 195:6 196:3,7 198:3 200:10,11,15 201:22

office 5:2 6:8,11 9:21 10:20 11:14 12:5,12 13:4 14:7, 19 15:11 23:6 68:12,13,15,20 80:15,16,18,19,20 81:9 82:5,12 88:11,15,16 89:5, 7,12 90:7,14,21,24 91:24 92:3 137:17, 24 138:24 156:17

officer 4:14 5:4,5, 12,16 6:14,22 7:5, 17 8:1,8,18 9:3,10, 15 10:6,22 11:1,7, 11,23 12:17,24 13:1,2,7,15 14:10, 15,21,22 15:2,3,8 16:6,18 17:23 18:13,20 19:2,15 20:2,7 21:13 24:24 25:7,22 27:5 30:24 32:11 35:21 36:6 42:22 45:12 48:9 49:2,9,10 51:9,12 57:16,20 59:1,10 60:6,20 61:4,10, 14,19,23 62:3,7, 16,17 66:3 67:8,9 70:18 71:1,3 79:9,

10,19 80:7 85:10 86:2,10,14 89:2 91:20 96:4,24 97:4,20 98:4 100:4,9,24 101:2, 3,17,20,24 102:3, 7,10 103:12,16,19 104:2,11,14,21 105:2,6,12 106:6, 11,17,19 107:1,4, 14,18,22 108:13 109:8 110:2,3,23 113:5 115:13 116:1,16,22 117:3 118:17 121:18,19 122:17 125:3,12 126:15 127:20 132:3,11,15 133:7, 15,19 134:3 135:24 141:16 142:4 143:3,5,19, 23 145:10 146:24 147:2,4,15 148:7, 10,12 150:17 151:14 152:10,14 153:4,5 165:16 173:1 177:19 180:3,17 183:20 186:9 187:2,5,8 190:23 193:19

officer's 11:2 164:21

officer-involved 76:9

officers 11:7 36:12,16,21 37:11, 21 38:19 41:6 56:4 62:12 67:20,22 68:8,23,24 69:22, 23 70:6,11,15 71:7,8 75:1,2,12 76:13,22 98:9,12, 15 100:5 107:21 108:14 110:8,13 118:18 120:15 123:12 126:21 129:12 131:11,22 132:21 138:13 144:4 191:20 192:7

officers' 38:14

offices 69:14

official 6:10 7:10

OIG 4:11 9:24 10:8 12:17 21:14 24:7, 13,15,19,21 142:8

OIG'S 10:7

omission 131:19 132:9 133:11

omissions 136:14 137:2

on-call 97:11

open 142:11 195:19,22

operate 138:16

operating 171:20

operational 165:13 183:1 197:20,23

opinion 116:6

opportunity 25:10 131:4 196:22,23

opposed 120:23

oral 7:13,15

order 7:1 12:16 13:1,6,14 15:3,9 20:17 21:12 22:23 23:12 44:14 45:18 47:3,11 48:15 66:8 69:22,23 165:4,11, 16,20,24 202:16

ordered 6:21 48:17 65:9 66:11, 14,19

ordering 60:24

orders 45:7

Ordinance 9:1

organically 99:8

original 109:15,18 110:4

outcome 12:13

outer 180:18

outlined 167:17

overpass 48:2,3

overtime 84:22

P

p.m. 4:18 11:19,22 13:22 19:9 30:18, 20 65:21,24 86:4,7 88:23 91:12,15 113:22 114:1 119:19,22 141:22 142:17,23 143:21 177:13,16 181:21, 24 193:11,15

pad 58:13

paper 43:11 45:18, 21 97:12,15 172:3, 9 176:20

papers 48:15

paperwork 43:14 45:22 47:4,7

paragraph 5:23 6:1,15 7:6,18 8:2, 9,19 9:4,11

paragraphs 112:23

parking 180:11, 12,16

part 6:10 45:14 51:12 55:24 60:20 94:21 96:16 102:10,12 111:12 112:15 163:22 172:24 174:7 181:3

parties 163:16

partner 57:15 96:6,10,15,19 97:7,8 198:4 199:8

partnered 101:16

partners 100:10

parts 33:23

party 4:11 100:17

passenger 97:9 143:12 144:3 162:21 172:11,18 173:22 174:4 176:4 189:20 197:15 198:20

patrol 110:23

pause 136:1

PC 87:17,20,22

PDT 46:13,15,18 48:23 50:3,4 54:16 169:2 187:20 197:20 198:5,12 199:7,13,24 200:17,23 201:4,6, 8,23 202:7 203:4, 14

pencil 58:14

pending 24:24 119:24

people 39:11 49:14 50:19 52:4 65:8 77:5 78:3 99:1 135:2 164:14 191:23

perfectly 159:3

perimeter 41:7

persist 6:24

person 50:22 97:12 138:15,16, 20 139:2,4,7 156:17 159:18 167:5

person's 159:7,11

personal 27:6 36:7

personally 32:9

perspective 146:7

pertaining 165:11

Peter 4:21 6:7 14:6,17 15:10 65:19

phone 13:12 14:3 27:6,9 35:24 36:7, 9 201:1

phones 68:19 78:10

physical 53:1,3

picture 195:16

piece 172:2 176:20

pizza 69:5

place 13:12,24 23:10 39:19 56:19 57:14 67:24 169:21

play 79:16 143:4

played 143:16 144:17,23 148:2,8 149:12,18 150:15 151:17 152:12 153:8

player 142:19,22 145:6

playing 83:3 148:1

plays 82:16,23 83:5,8,12

point 12:23 34:1, 14,16 53:6 73:1,6 80:3 83:23 87:6 94:2 98:9 99:11 117:17 119:4 122:7 126:11 129:2 136:7 144:9 161:23 168:19 182:23 188:13

pointed 145:20 149:3,24 150:1 153:6,21 154:4

points 81:3

police 7:3,10,11, 16 15:6 23:12 112:16 113:5 165:10 191:20 192:7

policy 199:22 201:11,17,19

pool 174:23,24 175:3

portion 43:3 82:16,20,24 122:14 141:11 142:5,17 147:16 150:17 153:4 166:23

posed 15:9

position 9:17 10:5,7,13

possession 24:1, 14,17

postpone 23:15

potentially 29:22

power 170:8

practice 4:7 191:19 192:2

preceding 199:10

preface 12:1

preliminary 4:1 20:21 21:2

preparation 22:16 25:2 35:3,17 178:8

prepare 20:17 21:12 53:16

prepared 48:20, 22 49:3,6

presence 99:10

present 4:3,23 5:8 8:13 36:12,16,22 37:11,21 38:15,19 41:1 57:13 71:1,3 75:2,7

presented 38:1

presently 147:6

pressure 143:9

pressured 135:16

pretty 64:16 76:16,17 90:16 199:23

prevent 24:21

prevented 62:15

previous 129:13 130:8,20,23 131:12 136:2 137:3 175:18 176:24 177:4,5,7

previously 16:19 17:9,23 19:22 108:19,21 148:9 150:1 157:24 184:3

primarily 73:4 124:10

primary 25:14,15

printout 52:19,20 53:4

prior 9:15 20:10 22:8 23:17 24:24 35:2 36:13,18,22 38:11,17 41:13,19, 22 47:7 60:4 61:2, 10,20,23 62:3,7 72:3,5,13 81:8 96:10 100:10 101:4 102:3 103:19 104:14 105:6 106:3,6,8,20 107:4 127:2 131:23 132:2,12, 16,22 133:14,18 155:9 156:12 164:4 165:21 173:7 174:3 175:11 177:9 183:15,21

probable 9:18 10:6,11,12,18 11:13 12:6

problem 31:21 149:11

procedure 165:1 168:19

procedures 165:14 166:3 167:6,17 169:21 178:6,22

proceed 12:21 24:19 42:3 66:8

proceeded 43:2

proceeding 8:7 11:4 12:7 185:22

proceeds 13:1

process 75:20 168:16

product 4:9

proffer 94:21,24 95:7

programmed 166:8

Progress 19:23 20:8,14 21:18 111:17 112:1,4,8, 15

prohibits 7:12

proof 201:14

proper 20:24 32:15 187:7

properly 167:8 187:9 192:16

property 4:10

propose 25:7

protect 163:15

protocol 187:7 192:22

protocols 179:10

provide 4:4 9:16 12:10 16:21 17:11 19:18,21 20:13 23:19 24:16 29:6

66:4 160:6 161:8, 13,15 162:1

provided 4:11 12:17 14:20 16:7,8 18:13,15 20:19 21:14,20 22:12 23:18 38:5 130:16 136:10,23 139:21 142:8 147:1

providing 4:2

Pulaski 42:4,15, 16 43:3,6 44:2 45:15 47:2 48:4 62:23 63:1

pull 49:19 143:6, 14 144:3 146:14

purpose 109:21 112:3 138:20 163:7

pursuant 5:8 10:22

put 6:19,21 12:19 18:6 46:1 49:19 55:10 69:11 86:23 93:1,24 108:18 118:11 119:16 128:10 148:4 153:22 159:18 171:23 199:6,13

puts 34:22

Q

question 8:22 10:10 17:8 18:5 19:12 24:23 31:24 32:24 33:8 43:20, 21 44:1 61:17 69:22,24 92:18 97:15 114:21 119:24 120:19 123:23 124:14,19 125:16 132:18 135:5 153:9 154:9 155:16 174:1 182:4 186:10 192:1

questioned 24:3 70:1 155:11,18,22

questioner 25:16

questioning 31:24 52:9 155:14

questions 6:13, 19,21,22 13:3,8,15 14:22,24 15:4,9 25:5,8,11 30:4 31:15,19 32:10 57:20,24 58:24 59:5,10 63:12 66:24 72:12,15 81:7 83:2,6,22 84:6 89:15 97:13 113:11 203:22

quick 30:16 52:6 91:11,13 113:21 130:13 155:7 177:12

quickly 160:5

R

R-u-s-s-e-l-l 5:4

radio 44:15 47:21

raise 5:13 116:15, 21,24

raised 23:11 34:23 115:13,24 116:6 125:2 134:2

raising 125:11

rapid 136:1 174:7, 9,10,24

read 5:21,24 6:1, 15,16 7:6,18 8:2,9, 19 9:4,8,11 10:24 22:17 43:19 96:1 112:22,24 113:2 130:11 131:3 132:3 135:6,8

reads 115:11

real 52:6 104:20

realize 118:4 120:6

reason 79:14 163:2 182:14 190:12 198:17 199:3 203:13

reasonable 8:14

recall 27:23,24 28:1,3,4,18,20 29:2,11 34:24 38:4,7,9 39:1,16, 18,20 42:9 51:4,5, 8,15 56:8,17 58:13,14 64:15 73:22 75:4 77:22 79:8 87:5,9 88:14 89:10,13 90:4,6, 15,22 91:21,24 94:13,16 95:8,11 98:14 99:15,19,20 101:11 105:14 108:6 115:19,21 128:1,7,10,23 140:13 156:1,11 166:17 175:9,13, 16 176:22 177:1,2, 3 178:2,6 180:5,15 186:11,21 187:1 188:24 189:1,18, 22 190:7 200:9,13

recap 138:23

receipt 17:16,22 18:1 21:16

receive 11:12 166:2,15 200:4 202:14,23 203:6

received 12:4

receiving 22:10 200:9

recently 105:19 124:11

recess 11:20 30:19 86:6 91:14 113:24 119:21 177:15 181:23

recollection 24:5 30:7 31:8 38:5 84:19 95:14 162:19 173:4 176:17 178:15,21 179:15

record 4:8,17,24 11:19,21 13:19,21, 23 18:11 19:5,8,10 30:18,21 43:23 46:10 65:20,23 66:1 86:5,8 88:20, 22,24 91:3,16 93:17 113:23 114:2 117:11 119:20,23 122:2 127:6,17 129:17 135:7 138:9 139:17 141:20,24 142:2 146:23 148:6 150:16 151:8,10,12 152:9 153:19 158:21 160:15 167:23 177:14,17 181:22 182:1 190:14 193:8,10,12,14,16 194:19 195:8,13 197:3 203:24

recorded 142:15

recorder 167:4 168:8

recording 4:9,12

recovered 142:6 183:8 191:2,7

refer 185:14

reference 32:6

referenced 185:23

referred 144:10 154:24

referring 130:24 131:1 150:7,12 185:2

refers 185:21 186:1

reflect 4:17 113:15 114:17 117:11 124:16

reflected 114:6 128:2,5,17
refusal 6:24 7:1 8:21
refuse 6:20 12:10 22:23 28:8
refused 14:24
refuses 23:15,19
regular 110:23 111:1 190:23
regulations 7:2, 12 164:16,20
related 34:8 86:17,21
relates 12:14
relating 199:14
relation 92:24 156:7 159:20
relationship 101:3 102:2 103:18 104:13,16 105:5 106:5,20 107:3 108:14
relationships 100:4
release 84:15
released 84:19 85:2,5
releases 84:16,18
relevant 153:4
remain 6:18 11:12 12:4
remember 34:15, 17 39:10,11 51:19, 20,22 54:17,19 64:23,24 70:24 71:4 75:5 77:20,21 79:3,4,6,24 84:22 92:20 104:5,19 128:6,21 129:1 131:16 150:13 153:10 154:13 162:22 166:20 181:15,18 182:4 189:15,21 190:3 197:8
remote 167:4 168:8
removal 7:24
report 7:10,13,14 18:19 19:4,14,23 20:8,14 21:17,18 45:23 46:3,5 48:12,19,21,22,23 49:3,6,13 51:6,14 52:11 53:9,17,22 54:5,8,14,21 55:9, 11,15,18 56:1,24 57:4 59:13,22 64:10,13,17 66:12, 14,21,22 67:1,5 86:11,13,16,21,23 87:2,15,19 88:2,5 89:21,24 92:22,23 94:4 97:3 109:11, 22 110:1,4,12,19, 24 111:1,4,14,17 112:1,4,8,15,19 113:15,20 114:6, 13 128:5,12 130:2, 7 131:3 134:13 156:24 157:7,12 159:5,10 162:24 163:3 171:19 184:11 186:7 187:3
reported 186:10 187:5 194:17
reporter 4:3,10, 15,22 5:13 43:24 135:8
reporters 4:8,19
reports 38:1 97:19 110:14,22 111:7
representative 8:12,15 67:14 74:23 75:11,19 77:2
representatives 74:2,3,7
representing 89:11 90:13
request 4:12 169:9
requested 23:17
requests 48:12 195:14
reside 108:7
respect 10:2 15:16 18:5 19:13 24:11 63:9 100:8 101:2 122:10 123:5,11 131:21 134:1,22 135:23 160:5 164:20 166:21 173:5 175:15 178:7 179:10 186:3,8 190:8,9 195:24
respond 33:7,11 41:21,23 131:5 135:1
responded 41:20
responding 102:22
response 9:20 107:7 192:18,20 194:13,22
responses 7:9
responsibilities 111:13
responsible 41:6
rest 124:8 164:10
restroom 67:17 69:1
result 7:15
Retrieval 184:17
return 110:4
returned 101:8
review 9:9 20:18 21:13 22:5,11 115:1
reviewed 126:22
reviewing 34:19
Rewind 154:16
rhyme 198:16 199:3
Rick 71:15 77:24
ride 102:14
rights 5:18 6:5 9:7,14,16 10:24 11:2,8 12:4,16 15:22 23:22 28:8 75:16
RINGING 14:3
road 120:22 121:3
Robert 13:12 15:5 18:14 43:11 46:23 48:24 49:20 64:7 85:9 142:7 144:3 147:14,18 151:15 152:15 153:3 162:17,18 163:1 172:12,19,21 173:15,16 174:7 176:14,23 177:3, 22 178:9,16 179:13,17 181:1,8 182:16 183:2,8,17, 23 184:9,15,20 185:2,17 186:2,8, 13,23 187:4,13 188:22 189:4,11, 24 194:7 195:5,11, 19,22,24 196:6
role 86:22
roll 103:1,21 105:7 143:9 203:18
room 68:3,11,20 69:3,6,8,10,12,16 70:3,8 75:24 78:4 80:6,9,11,13,14,15 83:12 84:8 98:10 138:1,16 161:20
rooms 68:14,19, 20 77:6
Rule 7:11

rules 7:2,12 163:13 164:16,19

run 154:1

running 79:23 138:4 193:5

Russell 5:3 9:15 10:4,10,16 11:5 12:23 13:17 14:2, 16 15:20 18:11 20:21 21:5,10 22:17 25:13,20 30:15 35:12,14 37:13 43:19 51:19 55:3 56:4 60:15 65:18 72:16 74:17 79:3 82:8 87:8 88:20 91:11,17 107:9 109:4,12 113:4,21 114:15, 17,20 116:10 117:11 119:18 120:1,18 121:9 127:4 129:22 130:3,13,19 132:5 133:1 135:5 136:15,20 139:19 141:10 146:11,16 150:13 151:24 153:9,12,14 154:7, 12 157:23 160:13 161:18 168:1 177:12 181:20 185:9,15 190:3 192:1 193:10

S

S-p-r-e-y-e 47:18

S-p-r-e-y-n-e 47:19

S03-05 165:4

safe 156:22 203:2

sat 70:4

scenarios 31:23

scene 32:22 36:16,22 37:11,22 38:15,20 41:7,12, 22 42:12 43:8,18 44:5,23 45:5,24 47:6,10,14,24 49:9,15,21 50:22, 23 51:6 53:5,11 54:4 55:19 56:3,13 57:12 61:19 62:11, 12 64:1,18 66:6, 18,22 67:3,22 68:2,10 70:7 72:4 74:3 75:2,13 76:23 100:5 108:15 116:20 120:5 143:6,14 149:1 155:20 157:20 160:18 161:7 163:11 184:14,19 191:4,8

school 85:21

scrap 172:8

Sebastian 61:14, 19 70:14 106:6,11, 17 107:23 108:2

seconds 142:13, 18,20,23 143:21 144:21 145:6 149:17 150:19,20 153:2 154:15

section 25:17 137:11 165:13,18 166:21,23 167:9, 11,14,17,21 168:4

sector 174:13,14

securely 167:5

security 22:2,7

seeking 12:24

sees 143:6

send 55:13,14 169:5 178:12 187:20,24 197:20, 22 198:5,8,11,12 199:24 200:6,7 201:9,10,11,23 202:1,3,4,8,22 203:4,8

senior 13:1,6

sense 31:18 97:17 150:8 179:1 191:1 201:16

sentence 115:3, 11 123:19 125:22 126:1 127:9

sentences 115:4, 6 122:12 124:5 125:17

separate 62:11 96:17

separation 7:16

sequence 120:20

sequential 66:7

sergeant 26:18,19 27:4 41:11,12 42:7,9,18,20,21 43:10 44:14,22 45:4 47:10,16 48:10,11 54:10,11, 13 65:1,3,15 66:16,17,20 84:17, 18 168:24 169:5, 13,22 170:1,21 171:2,6,15 178:12 184:11,22 185:19 186:12,16 187:2, 10,11,19 188:7,16, 17,20 189:3,7,22 190:18,20,21 193:3 194:6 195:14 196:8 197:21 198:8 199:24 200:3,19, 22 201:12 202:6, 13,22 203:3,14

sergeants 67:23 69:15

series 136:13 137:1

serve 7:3 9:1

shift 164:11

shock 76:20

shooting 13:5,9 14:23 15:1 27:16 30:11,14 31:16,20 33:14,18 36:13,17, 18,21,22 37:10,12, 21 38:15,20,23 40:3,7,11,16,18,22 41:6,7,13,22 43:7, 14 44:4,11,13 45:2 48:13 55:19 56:3, 13 57:24 58:9 59:1 60:2,7 61:19 62:11,13 63:13,16 64:2,18 65:10 66:6,9,12 67:3 68:11 70:7 71:8 72:1,4,6,13 74:4 75:3,13 76:9 78:13,19 81:8 82:3,21 85:15 86:1,18 96:7 100:6,11 108:15 126:23 128:4 131:21,23 132:13, 16,23 134:1,20 135:14,23 136:12 137:1 140:9 141:2, 11,17 148:8 155:10 157:21 160:9,19 161:1,4, 8,9,16,17 162:2 184:14,20 191:4,9

short 96:17 168:20

shot 41:3 122:6 132:2 133:14,18

shots 32:12

shoulders 127:21

shoved 172:4

show 67:16 80:3 99:12 137:23,24 141:10 142:5 147:17 151:13 153:4 160:18 163:5 165:3 166:10 195:9

showed 20:20 33:22 71:20,24 72:7,8 73:11,15 134:23 137:16,21 140:7,14 141:14, 15 145:21,23

147:7,19 148:7,9, 15,16,21 150:7,14, 17,24 151:22 152:1,4 154:5 155:1 160:7,8,21 161:1,3,14 162:24

showing 72:13,21 135:13 146:24 147:6 150:3 156:11 161:6 162:4,24

shown 139:10 140:17

shows 80:11

side 62:19,20,21, 22,23,24 63:3,5 69:8 81:12,19,20 138:24 146:3,4

sideways 122:16 123:11 126:6,14, 20 127:10 158:9

sign 9:13 15:18 18:1,7 95:7,10

signed 96:2

signify 88:1

signing 9:16 95:8

signs 198:21

silent 6:18 11:13 12:4

similarly-situated 11:7

sir 15:13

sit 60:22 68:18 83:1,6 84:1

sitting 69:2 78:6

situation 33:10 34:15 76:17 155:15,21 159:13, 17

situations 155:17

sleep 85:23

slight 127:1

slightly 50:8

slip 84:21

slow 121:21 149:9

slowed-down 148:10

slower 148:4 152:23

small 67:24 80:13, 15 146:20

socialize 100:14, 21 103:15 104:10 105:12 106:10,24

socialized 101:19 105:2 106:9 107:6

someone's 80:19, 20

something's 175:1

son's 100:16

sort 21:3 30:23 34:7 37:8 42:24 45:8 66:7 92:12 94:21 150:2 171:23 176:18 178:6 182:10 195:3

sound 156:18

south 42:14 62:22

southbound 66:10 73:13 117:7, 16 118:8,9,24 119:1,7,8,13,14 120:8 121:14 129:10 131:9 140:15,18 158:14 159:1,14,21

speak 22:16 25:1 35:3,16 55:18,24 56:2,10,12,16 58:16 92:2 95:6 96:23 157:5,8

speakerphone 14:6

speaks 67:18

Special 165:4,11, 16,20,24

specific 110:4 127:10 159:10 164:14 178:21

specifically 37:9 98:18 114:12 150:11 198:2

speed 148:9,10 149:7 152:23,24 153:5

spell 4:24 47:17

spoke 55:23 72:5 77:3,13 94:3,18,20 95:9 156:4 157:1

Spreyne 47:16 48:9,10,11,16,17 66:16,17,20

squad 157:2,13,20

stamp 142:13,24 143:20 145:7 150:19 153:2

stand 24:5 129:13, 20 130:8,20 131:12 134:4 136:2 137:3

star 5:5 25:23 50:24 53:13 86:14

stars 49:7,8

start 50:22 66:17, 18,22 143:15 144:8,12,16,22 163:23 164:5,6 178:15 180:6

started 53:6 77:5 104:4

starts 66:23 67:2

startup 167:6 178:22

state 131:22 132:11 133:13

State's 39:14

88:10,14,18 89:5, 8,11 90:7,13,21 92:3

stated 33:23 34:24 92:7 93:4 98:1 113:4,10 129:10 131:9,16 134:2 135:23 137:7 158:14

statement 7:21 8:5,23 9:7,21 11:24 12:2,7,11 18:20 20:22 21:2 22:20 23:21 24:14, 16,24 29:6 38:3,13 40:6,10,15,19,20, 21 78:4 89:17,22 92:8,14 93:13,23 94:8,9,18 109:9 112:20 113:1,2,11 115:1,17,22,23 122:10,19 123:2,7, 16,18,19 124:4,21 125:5,17,21,22 126:9,13,19,23 128:18 129:8,14 130:1,2,3,6,8,20, 23 131:1,7,13 133:23 134:4,7,8, 12 135:22 136:3 139:24 156:12 158:8,12 159:9,18, 24 177:21 182:3 193:18 195:3 196:1

statements 7:9 11:3 38:14 40:12, 17 77:7,9,15 93:12 113:19 114:12,14, 17 115:4 122:23 124:1,11,15,23 125:17 128:1,3 136:13 137:2,4 156:23 157:11,12, 18 161:10 162:10

states 6:6 90:24 168:4

stating 34:24 46:1 113:4 169:6

station 50:5,6,9, 13 77:4 155:22 169:1 202:18

stations 70:9 71:6 75:23 166:1

steady 96:14

step 59:24 60:3

Stephen 27:3

Steve 27:3

stick 31:11 110:11 136:6

sticker 171:17,23 172:1 176:18 177:3 195:4,10 196:2,6

stickered 176:13

stop 21:8 143:5,10 144:1,14 145:2,11 148:12 153:17,18 154:2 163:12

stopped 57:5 143:20 145:5 163:14

stops 164:14

story 38:18 134:16

straight 120:8 145:13

street 45:15 46:6,7 127:11 169:14 180:14,16

stressful 31:4 76:17

strike 117:12 132:4,6 195:20

stuck 168:24 172:4

stuff 44:19 52:17, 18 67:15,24 70:4 77:9 78:11 85:21 105:21 156:6,23 157:6 193:6 197:11 200:8

subject 24:16 25:8,9 29:22 94:24

subject's 12:15 24:13

subjects 29:9 163:14

submit 54:21 55:1,13

submitted 87:2

substance 21:8 86:17

Suite 4:20

summer 31:9

summoned 27:14

superior 6:22 15:1

supervisor 168:5, 11,17 171:18,19 194:11

supplementary 18:18 19:3,14 21:17 46:2 92:23 94:4 109:11,19,22, 24 110:7,12,13,19, 22,24 111:1,4,7,14 112:19 113:14,20 114:6,13 156:24 184:10 186:6 187:3

supposed 171:22

surprised 191:11, 15

surveillance 147:1,5

swaying 73:13 117:8,12,13,14,16 118:8,10 119:9,15 121:14 127:12,16 128:13 158:14 159:1

swear 5:14

swinging 127:21 128:16

sworn 5:15 23:17

sync 38:18 164:4, 8 182:15 183:4

synced 164:3 182:24

system 50:4 142:6 162:17 163:8,17, 21 164:12,17,21 167:3,7 168:6,12, 18 169:24 170:8 173:17 174:5 175:8,18 176:5 178:8,16 179:12, 16 180:21 181:1,4, 8 182:11,16 183:1, 9,11,17,23 184:9 186:14,23 187:4,8, 13 188:1,8,22,23 189:4,10,24 190:10 192:16 193:4 194:7,11,21 196:10 197:14,15, 20,22 198:3,5 199:14 200:1,5 202:5,14,21,23,24 203:4,7,15

system's 171:3, 20

systems 21:22 165:12 166:19 173:23 175:4 184:13,24 191:22 192:8

T

tables 68:17

takes 97:13

taking 23:10 58:11 90:4,7 99:20 195:16

talk 27:12 37:10, 15,17 40:24 49:5 50:22 51:8,11,15 59:19 60:20 61:3 63:15 69:18 74:3,6 76:12,22 77:8 80:2 85:15 86:1 97:16 98:3,19 99:6 100:3 103:3 105:9 106:14 126:12 156:5 157:6 162:16 164:15 170:1

talked 51:5,18 53:10 59:13 60:5 63:10 72:4 74:11, 22,24 75:1 77:10 85:19 93:20 99:9 106:7

talking 45:1 53:4 62:16 65:2 71:10 75:11 89:2 98:23 103:20 104:4 123:24 124:9 144:15 161:24 169:18 171:13 199:11

tamper 183:16

tampered 183:22

tape 172:9

taped 195:10

taped-up 182:11

technical 138:16

telephone 13:16

telling 34:18 115:19 128:7,23 131:17

tells 75:16

tendered 6:4 108:24 139:12 184:6

Tendering 15:20

tenth 115:9

term 110:9 111:19, 20,21 171:9

terms 33:14 60:7 142:23

testified 29:12,14 56:5 150:1 157:24

testify 28:9,13

71:10

testifying 28:16

testimony 23:17, 18,20 24:2,3,4 27:14,18,21 29:19 30:1,24 35:2,4,17, 22 36:13,18,23 38:11,17 40:8,14 129:20 161:19

texting 78:12

texts 36:2

theory 199:10

thereof 8:6

thing 39:24 78:10 103:20,22 105:7 106:7 140:11 180:9 195:15 196:13

things 31:22 72:8 98:23 105:10 107:15 124:24 194:3

thinking 138:3

thought 71:15,16 137:20 194:15,16, 23 196:1 197:7 202:10

ticket 169:8,9,11, 15 170:4,11,14,17, 19 171:1,10,13,15 172:2 175:21 176:1,8,12,18,21 177:6,21 178:1 179:5,6,7 181:15, 19 182:8 189:16 190:8,22 194:16 195:4,10,24 196:14 197:7 198:9,10

tickets 195:18,22

time 4:18 8:15 11:19,22 13:11,18, 22 19:6,9 20:23 22:22 24:5 25:4 28:20 29:4,14 30:20 31:23 32:7,9 33:12,19 34:14,16, 17 39:7 43:5 44:1 54:3,4 56:15 57:3 60:22 62:10 65:24 84:21 86:4,7,24 87:12 88:23 91:7, 12,15 97:12 99:22, 23 103:9 108:18 110:19 112:5,24 113:22 114:1 119:19,22 126:11 134:15 136:7 141:22 142:1,13, 14,19,22,24 143:20 145:6,7 146:18 150:10,19 151:7,11 153:2 154:1,16 168:5 169:22 173:14 177:16 183:14,21 184:2 188:18 189:1 193:1,11

time-bar 142:19

time-stamped 142:17

times 39:4 102:14, 21 103:22 107:15 143:8 144:10,13 152:16 154:22 174:23

titled 17:2 142:11 165:13

today 4:4 5:8 15:10 20:11 129:21 131:1 165:21 191:6

today's 4:17 20:17 21:12 22:8

told 33:1 34:6,11, 13 42:10,11 58:7 69:21 70:5 71:12 73:12 92:7,8,15 93:14 114:18 128:11,14,20 130:14,17,24

top 76:6 113:7

topics 61:9

totally 140:3 159:24

touch 88:9

touched 124:2 170:7

tour 163:24 164:5, 6,8 167:1 178:7,11 179:22 180:7 192:17 194:21

tours 175:18

traffic 42:10,11, 16,24 43:10 44:15, 21 45:8,13 47:1 66:10,11 163:12

trained 167:7

training 166:2,5,7, 12,16,19

trainings 166:6,15

transcript 4:4,7

transmitter/audio 167:4 168:8

traumatic 76:17

trip 85:17 86:2

true 130:4 185:21

truth 33:24

truthful 24:4

truthfully 6:13,20

TS.IFO 142:11

turn 43:17 121:18, 19 126:24 127:1 140:16,24 141:18 144:9,15 145:17, 19 149:2 150:2,3, 6,12,22 152:17 153:6,21 154:3,8 164:7 166:10,11 169:13

turned 81:4 121:16 149:21

turning 72:23 73:5 81:5,6 83:10,14,20 121:22 182:5

turns 73:17,20 202:24

twist 145:16

two-fifths 112:24

type 11:16 31:19 50:2 80:13 97:3

typically 159:6

typo 185:20

U

U.S. 88:15 89:6 91:7,21,24

Uh-huh 34:12

understand 6:6,9, 17,18,20,23 7:8, 11,14,20 8:4,11,21 11:23 26:17 89:19 94:14,22 95:3 124:19 158:15 159:16

understandable 140:3

understanding 109:23 111:24 156:15

Understood 158:1

unduly 8:16

union 8:12,15 11:6

unit 26:1,3,4,7,8, 10 52:5 103:5,6 106:17 107:18

United 90:24

V

Van 32:11 34:23 35:21 36:6 51:9,12 71:1 75:3,6 101:2, 3,17,20,24 107:22 115:7,13,14 116:1, 7,16,17,22 117:3 118:10 120:9,15

121:19,20 122:14, 17 123:6,13 125:3, 12 126:15,21 129:12 131:11,22 132:3,12,15,22 133:7,15,19 134:3 135:24 141:16 144:4 146:2,21

varies 198:14,15

vehicle 21:22,23 22:7 46:20,22 48:23 49:2 50:11 56:20,21 57:5,8 58:1,18 59:18,22, 24 63:10 85:9 118:6,12 120:7 132:24 133:8 142:7 143:11 144:2 147:14 149:1 150:18 152:11 162:18,20 163:1 164:12 168:7 170:14 172:12,19,24 173:3,5,7,10,16,17 174:5 175:7,15,24 176:2,14,23 177:3, 22 178:9,16 179:13,17 180:8, 10 181:1,8 182:16 183:2,17,24 184:9, 15,20,24 185:3,17, 21,23 186:2,9,13, 23 187:4,9,12 188:22 189:4,11, 17,19,24 190:8 192:16 194:7,12, 20 195:5,19,22,24 196:2,7 197:16 198:9 199:11,12, 13 200:8,21

vehicle's 175:17 183:8 187:13 193:3 195:11

vehicles 146:19 162:22 169:10 173:22 174:4 184:13,18 191:3,8, 12,21

Velez 70:20,21 106:19 107:1,24

verbal 115:12

verbatim 4:4

verifying 182:24

version 34:7,8 161:11

versus 23:2

video 21:21 22:1, 6,7,8 33:19,22 34:3 71:20,24 72:7,8,13,22 73:2, 6,11,15,19,22 80:3,11 82:17,20, 24 83:3,5,8,13 92:13,21 93:6 99:12 118:4 120:6, 13,16 121:11,13, 15 126:17,22,24 134:23 135:3,4,13, 18 136:17 137:16, 22,23 138:5,17,24 139:10,11,15,20, 21,22 140:5,13 141:2,3,14,16 142:5,6,11,13,14, 16 143:5,10,15,16, 20 144:1,8,12,14, 16,17,23 145:9,21, 22 146:15 147:1,5, 21 148:2,12 149:12,18 150:4,7, 15 151:1,14,17 152:4,7,12,22 153:8,17,18 154:2, 6,8,22 155:1 156:11 160:7 161:14,20 162:4, 17 163:8,17,18,21 164:12,13,17,21 165:12 166:19 167:3,7 168:6,12, 18 169:23 171:3, 20 173:17,23 174:5 175:4,7,17 176:5 178:8,16 179:12,16 180:21, 24 181:3,4,7 182:11,16 183:1,7, 9,11,16,23 184:9, 12,16,24 186:14, 23 187:4,8,13 188:1,8,21,23 189:4,10,24 190:9 191:17,21 192:8, 15 193:4 194:7,11, 20,21,24 196:9 199:14 200:1,20 202:5

videos 22:5 142:8

view 34:1 117:17 119:4 133:1,3,5,8 146:21

viewing 92:21 152:10

violation 7:2 8:24 12:8 23:22

Viramontes 42:22 45:12 49:2,10 51:1 57:16,20 59:1,4, 10,15 60:6,20 64:5 67:8,9 70:13,14 71:16 78:1 85:10 86:2 87:24 96:4,24 97:4,20 98:4 100:9,15,24 107:22 180:3,17 183:20 199:20

visible 145:8 172:5,6

visual 180:17,21

visually 167:2 179:16

VLC 142:11,19 145:6

voluntarily 22:21

W

wait 21:5 47:18 48:14 69:17 75:21 77:17 78:24 83:1 84:10,13 93:9 202:3

waited 70:5

waiting 52:16 67:18,19 68:3,7 69:9 70:7,12 71:5, 21 76:12 77:2,3,22 78:16,22 79:1,10 178:11

walk 41:15 67:11 68:17 82:2 114:14 115:2 163:20 179:22

walked 51:1

walking 72:22 73:12,13,16 115:6 117:7,16 118:8,9, 15,18,23 119:7,8 120:2,7,10,15,21, 23 121:2,3,5,10,14 122:15 123:11 126:5,14,20 127:10,11 129:10 131:9 132:2 133:18 140:15,18, 23 141:15 143:2 145:3 146:3 158:9, 14,16,24 159:8,11, 19,21 160:22

walks 75:20

Walsh 62:7 71:3 75:3,4 107:4,14, 18,24 118:10 120:15 121:18,19 122:17 123:13 126:16,22 129:12 131:11,22 132:11, 15,21 133:7 141:16 144:4 146:21

wanted 30:4 57:12 62:18 69:18 77:17 79:16 88:13 92:11 93:11 96:3,9 98:3, 13 99:14 135:3 137:22 140:8 155:9 157:4 158:10 202:2

watch 26:12,14 104:22 106:22

147:21 148:23 149:7 150:10 152:15,22 154:14

watched 120:13 154:21

watches 104:24 105:1

watching 33:19 78:3 120:16 148:14 154:19

water 67:17

ways 163:20 164:11

week 102:10,14,22 103:23 107:15 177:5,7

weeks 173:10

Wentworth 63:20 67:6

West 4:20 180:13, 16

whatever's 174:19,20

William 35:5,10

witnessed 32:3, 23 60:6 76:23 125:7,19,23 159:14 161:20 162:10

witnesses 43:7 44:4

witnessing 33:14 161:17

woman-to-woman 105:10

word 49:23

words 153:22

work 4:9 36:14 69:13 96:21 100:15,18,21 101:20 102:7 103:16,21 104:11, 20 105:3,13,15,16, 23 106:7,9,10 107:1,6 110:3 163:24 164:1,2 168:16 169:9 202:21

work-related 107:5

worked 102:4 104:2,18 106:16 169:10

working 10:1 24:10 25:7 40:1,2 103:20 164:9 167:8 168:23 169:7,8,16,23,24 170:1,3,4,6,9,10, 22 171:3 173:21 175:24 176:6 181:12 182:19 183:2,12 188:12 191:17 192:16 198:4,6,9,10 199:6,14,15 200:1, 5 202:5

works 166:11 173:11

Worksheet 184:17

wow 60:11

write 172:2,8

write-up 45:19 94:9 128:17,24

writing 58:14

written 7:13,15 29:6 92:22 93:21, 22

wrong 32:8 114:4 163:15 175:2 197:19

Y

year 101:6 105:24

years 96:12,13,15 100:10 103:9,13 104:4 106:1,18 175:10,12

Yohler 4:22

CITY OF CHICAGO
OFFICE OF INSPECTOR GENERAL

ADVISEMENT OF RIGHTS

I, Det. Fontaine, understand that I am being interviewed by Peter Neimer and Kris Brown from the City of Chicago Office of Inspector General.

DATE 3/16/16 TIME _____ LOCATION 320 W. Adams Ste 320 Chicago IL 6

I understand that this interview is part of an official investigation and that I have a duty to cooperate with the Office of Inspector General, which includes answering all questions completely and truthfully.

I understand that I have no right to remain silent. I understand that I have an obligation to answer questions put to me truthfully. I understand that if I refuse to answer questions put to me, I will be ordered by a superior officer to answer the questions. I further understand and I have been advised that if I persist in my refusal to answer after an order to do so, such further refusal constitutes a violation of the Rules and Regulations of the Chicago Police Department and may serve as the basis for my discharge.

I understand and have been advised that my statements or responses may constitute an official police report. I understand that Rule 14 of the Chicago Police Department's Rules and Regulations prohibits making a false report, written or oral, and I further understand that making such a false report, whether written or oral, may result in my separation from the Chicago Police Department.

I understand that any statement made by me during this interview may be used as evidence of misconduct or as the basis for disciplinary action up to and including removal or discharge.

I understand that any statement made by me during this interview and the fruits thereof cannot be used against me in a criminal proceeding.

I understand that I have the right to have a union representative, or legal counsel of my choosing, present at the interview to consult with, and that I will be given a reasonable time to obtain a union representative or legal counsel as long as the interview is not unduly delayed.

I understand that a refusal to answer any question, or any false, inaccurate, or deliberately incomplete statement by me would constitute a violation of Chicago Municipal Ordinance 2-56, and may serve as the basis for my discharge.

I acknowledge that this statement of my administrative rights has been read aloud to me, and I have been allowed to review this document.

Employee Signature

Witness: _____ Witness: _____

****

WAIVER

Understanding these rights, I wish to answer questions from investigators from the Office of Inspector General without having a union representative or legal counsel present. No promises or threats have been made to me and no pressure or coercion of any kind has been used against me.

Employee Signature: _____



NOTIFICATION OF INTERVIEW TO CPD MEMBER CITY OF CHICAGO OFFICE OF INSPECTOR GENERAL			DATE February 19, 2016
NAME	RANK	STAR NO.	UNIT OF ASSIGNMENT
Dora Fontaine	Police Officer	4484	008

YOUR APPEARANCE IS REQUIRED

AT ☒	Amicus Court Reporters 300 West Adams, Ste. 800 Chicago, IL 60606	ON	DATE February 29, 2016	TIME 9:00 PM

AS ☒ ACCUSED ☐ WITNESS ☐ COMPLAINANT

FOR ☒ A STATEMENT

CONCERNING

False statements made in connection with the October 20, 2014 shooting of Laquan McDonald; the operation of the Chicago Police Department's in-car video system.

YOU ARE TO REPORT TO:

LEAD INVESTIGATOR	TITLE	PHONE NO.	EMAIL
Kristopher Brown	Investigator III	773-478-0221	kbrown@chicagoinspectorgeneral.org

NOTE: You MUST notify the Lead Investigator of your inability to keep this scheduled appointment.

ALSO PRESENT AT THE INTERVIEW WILL BE:

NAME	TITLE	NAME	TITLE
Peter Neumer	Assistant Inspector General	N/A	N/A

THE INTERVIEW WILL BE ☐ AUDIO RECORDED ☒ TRANSCRIBED BY A LIVE REPORTER

TO BE COMPLETED BY INTERVIEWEE IN accordance

ACKNOWLEDGEMENT

Please contact Investigator Brown at (773) 478-0221 to confirm receipt of Notification of Interview and to confirm your attendance at the interview.

I hereby acknowledge receipt of this Notification of Interview

SIGNATURE Dora Fontaine DATE 22 Feb 16

PRINTED NAME Dora Fontaine TIME 2325

EXHIBIT 2 OIG 3 Feb 16

TO BE COMPLETED BY OFFICE OF INSPECTOR GENERAL OR CPD COMPONENT PROVIDING NOTIFICATION TO INTERVIEWEE

NOTIFICATION MADE TO	TITLE, RANK, & UNIT	DATE	TIME
P.O. Fontaine	P.O. Dora Fontaine 4484	22 FEB 2016	2325 HRS.
NOTIFICATION MADE BY	TITLE, RANK, & UNIT	DATE	TIME
Sgt Terrance Coulter # 894	Sgt # 894	22 FEB 2016	2325 HRS



NOTIFICATION OF ALLEGATIONS

CITY OF CHICAGO OFFICE OF INSPECTOR GENERAL

NAME OF ACCUSED	RANK	STAR NO.	UNIT OF ASSIGNMENT
Dora Fontaine	Police Officer	4484	008

City ordinance, and if applicable, collective bargaining agreements, provide that you are entitled to notice of the nature of the allegations against you and the identity of all complainants prior to any interview. Accordingly, you are advised as follows:

COMPLAINANT(S)

1. John J. Escalante, Interim Superintendent of Chicago Police Department (CPD), sent a letter to the City of Chicago Office of Inspector General (OIG) dated January 13, 2016, requesting that OIG conduct an administrative investigation of the following allegations arising out of the October 20, 2014 shooting death of Laquan McDonald (the McDonald Shooting): "whether any officer(s) made false statement on official reports submitted in connection with the shooting of Laquan McDonald on October 20, 2014; whether any officer(s) obstructed or interfered with the investigation of this incident, either individually or in collusion with others; and whether any officer(s) committed any violation of Chicago Police Department rules, policies, or orders in connection with their response and/or handling of this matter." Escalante attached to the letter a copy of Sergeant S. Soria's (Star # 2275) Initiation Report, which raises similar allegations of misconduct with respect to Department members in connection with the McDonald Shooting, and identified that Report as a basis for OIG's administrative investigation.

ALLEGATION(S)

1. On or about October 20, 2014, you provided a false narrative to Detective David March of the Chicago Police Department (CPD) concerning the McDonald Shooting, through a series of false statements and material omissions.

2. On or about October 20, 2014, you made a false statement during an interview with CPD Detective David March of the Chicago Police Department when, with respect to the McDonald Shooting, you stated that McDonald was walking southbound, with his body facing east, toward Officers Van Dyke and Walsh.

3. On or about October 20, 2014, you made a material omission during an interview with CPD Detective March when, with respect to the McDonald Shooting, you failed to state that Officers Van Dyke and Walsh moved towards McDonald prior to the shooting.

4. On or about October 20, 2014, you made a material omission during an interview with CPD Detective March when, with respect to the McDonald Shooting, you failed to state that McDonald changed the direction in which he was walking prior to being shot by Officer Van Dyke.

5. On or about October 20, 2014, you made a false statement during an interview with CPD Detective March when, with respect to the McDonald Shooting, you stated that McDonald raised his right arm toward Officer Van Dyke, as if attacking Van Dyke.

6. On or about October 20, 2014, you made a false statement during an interview with CPD Detective March when, with respect to the McDonald Shooting, you

stated that the gunshots Officer Van Dyke fired at McDonald were rapid fire and without pause.

7. On or about October 20, 2014, you failed to ensure the in-car video system for CPD vehicle 8948 was working properly at the beginning of your tour of duty.

8. On or about October 20, 2014, you failed to immediately notify a supervisor that the in-car video system for CPD vehicle 8948 was inoperable or damaged.

9. On or about October 20, 2014, you failed to audibly record events with CPD vehicle 8948's in-car video system during your tour of duty.

ACKNOWLEDGEMENT

I hereby acknowledge receipt in writing of the identity of the complainant(s) and notice of the nature of the allegation(s) against me.

Signature [signature] Date 22 Feb 16

Printed Name Dora Fontaine Time 2335

WITNESSES

[signature] #834 22 FEB 2016 2335 HRS

City of Chicago Office of Inspector General
740 North Sedgwick Street
Suite 200
Chicago, Illinois 60654

RECEIPT FORM

OIG FILE NO. 15-0564

ON 22 FEB 2016 (DATE) AT 2340 HRS. (TIME)

Sgt. Tamanna Carthen #894 (NAME) Sgt of Police (TITLE)

☐ SEIZED FROM ☐ RECEIVED FROM ☐ RETURNED TO ☒ RELEASED TO

NAME	TITLE	DEPT.
Dora Fontaine	Police Officer	Chicago Police Department

THE FOLLOWING ITEM(S):

1. A City of Chicago Office of Inspector General DVD containing the following materials:

- A copy of the portion of the March 16, 2015 Case Supplementary Report for R.D. No. HX475653 that memorializes Detective David March's October 20, 2014 interview of Dora Fontaine;
- Detective March's October 20, 2014 General Progress Report for R.D. No. HX475653 concerning March's October 20, 2014 interview of Dora Fontaine;
- The October 20, 2014 audio and video files for the in-car video system of beat number 813R;
- The October 20, 2014 audio and video files for the in-car video system of beat number 845R; and
- A October 20, 2014 Dunkin Donuts security video of the Laquan McDonald shooting.

ACKNOWLEDGEMENT

I hereby acknowledge receipt in writing of the above-listed item(s).

Signature Dora Fontaine Date 22 Feb 16

Printed Name Dora Fontaine Time 2340

EXHIBIT 4 OIG 2.16.16

WITNESSES



22 FEB 2016 2340 HRS

CHICAGO POLICE DEPARTMENT

CASE SUPPLEMENTARY REPORT

HX475653

3510 S. Michigan Avenue, Chicago, Illinois 60653

EXC. CLEARED CLOSED (OTHER EXCEPTIONAL)		DETECTIVE SUP. APPROVAL COMPLETE			
Last Offense Cleared/Assault/Battery Classification	IUCR Code	Original Offense Classification			IUCR Code
ASSAULT / Aggravated Po:Knife/Cut Instr	0552	ASSAULT / Aggravated Po:Knife/Cut Instr			0552
Address of Occurrence	Beat of Occur.	No. of Victims	No. of Offenders	No. of Arrestees	SCR No.
4112 S PULASKI RD	815	4	1	1	
Location Type	Location Code	Secondary Location			Hate Crime?
Street	304				NO
Date of Occurrence	UNI Assigned	Date DO Arrived	Fire Related?	Gang Related?	Domestic Related?
20-OCT-2014 21:57	0841R	20-OCT-2014 21:57	NO	NO	NO

Reporting Officer	Star No.	Approving Supervisor	Star No.	Primary Detective Assigned	Star No.
MARCH, David	20563	WOJCIK, Anthony	481	MARCH, David	20563
Date Submitted		Date Approved		Assignment Type	
15-MAR-2015 18:26		16-MAR-2015 00:03		FIELD	

THIS IS A FIELD INVESTIGATION EXC. CLEARED CLOSED (OTHER EXCEPTIONAL) REPORT

[redacted]

HX475653

EXHIBIT 5 016 3/16/16

[redacted]

FONTAINE, Dora -----

stated she was a Chicago Police Officer assigned to the 008th District. She was on duty, in uniform, working on Beat 841R. FONTAINE was working with Police Officer Ricardo VIRAMONTES. The two officers were assigned to a marked vehicle. VIRAMONTES was driving the vehicle and FONTAINE was the passenger.

The two officers responded to the request for assistance made by Beat 815R, regarding a man with a knife at 41st Street and Pulaski Road. Officer VIRAMONTES drove northbound on Pulaski. When they arrived at the scene of this incident, in front of the Dunkin' Donuts restaurant, Officer FONTAINE saw a black male subject, now known as Laquan MCDONALD, walking southbound in the street, with a knife in his right hand. MCDONALD was walking sideways, with his body facing east, toward Officers Jason VAN DYKE and Joseph WALSH. These two officers were standing in the middle of the street, on the right side of their police vehicle, which was facing southbound. FONTAINE heard the officers repeatedly order MCDONALD to "Drop the knife!" MCDONALD ignored the verbal direction and instead, raised his right arm toward Officer VAN DYKE, as if attacking VAN DYKE. At this time VAN DYKE fired multiple shots from his handgun, until MCDONALD fell to the ground and stopped moving his right arm and hand, which still grasped the knife. The gunshots were rapid fire, without pause. Officer WALSH then kicked the knife out of MCDONALD's hand.

[redacted]

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF OPRD CASE REPORT	DATE OF THIS REPORT
20 OCT 2014	2015 FEB 13

OFFENSE CLASSIFICATION—LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	VAN DYKE	5721

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

D FONTAINE

RESPONDED TO REQUEST FOR ASSIST, 2 ISR
MAN W/ KNIFE, 41 + PULASKI
R/V DRIVE W/D PULASKI
WITN THIS? ARRIVED AT SCENE, IN FRONT OF JJD,
SAW O WALKING S/B, IN ST, KNIFE, IN R HAND
O WALKING ~~[illegible]~~ SIDEWAYS, BODY FACING E,
TOWARD JVD + JW
POs STANDING IN ST, ~~FOR~~ SIDE OF THEIR ~~VEHICLE~~ -
VEHICLE FACING S/B
HEARD POs REPEATEDLY: "DROP THE KNIFE!"
O IGNORED, RAISED R ARM TOWARD VD AS IF
ATTACKING VD
VD FIRED MULTIPLE SHOTS UNTIL O FELL TO
GROUND + STOPPED MOVING R ARM + HAND, STILL
GRASPING KNIFE
SHOTS = RAPID FIRE, WITHOUT PAUSE
WALSH THEN KICKED KNIFE FROM O'S HAND

R.D. NO. HX475253

REPORTING OFFICER'S SIGNATURE—STAR NO. 20563 | RECEIVED BY—SUPERVISOR'S SIGNATURE—STAR NO. | DAY—MO.—YR. | TIME

CPD-23.122 (Rev. 7/93)

EXHIBIT 6 OIG 3.16.16

Chicago Police Department

IN-CAR VIDEO SYSTEMS

Special Order S03-05

ISSUE DATE:	23 February 2012	**EFFECTIVE DATE:**	23 February 2012
RESCINDS:	Version dated 20 April 2011, S10-10		
INDEX CATEGORY:	Field Operations		

I. PURPOSE

This directive:

A. implements the use of Department in-car video systems.

B. establishes the policies and procedures for the use, maintenance, and repair of in-car video systems.

C. establishes the roles and responsibilities of Department members affected by the introduction of in-car video systems for the video and audio recording of incidents.

D. establishes the requirements for viewing, retaining, and duplicating digitally recorded incidents.

E. continues the use of the Digitally Recorded Data Viewing/Hold/ Duplication Request (CPD-65.224)

F. identifies the Records Division as the Department repository and viewing location of digitally recorded data created by the in-car video systems.

II. POLICY

The Department is committed to protecting the safety and welfare of its members and the public. The in-car video systems can provide members with an invaluable instrument to enhance criminal prosecution by providing powerful evidence of criminal activity, limit civil liabilities, and objectively document officer conduct during individual interactions. Members assigned to a vehicle equipped with an in-car video system will use it pursuant to this directive.

III. GENERAL INFORMATION

A. There is no expectation of privacy for Department members related to incidents recorded by in-car video systems. Supervisors, members of Bureau of Internal Affairs, and the Independent Police Review Authority (IPRA) investigators may request to review the digitally recorded data from a vehicle equipped with an in-car video system. Any digitally recorded data created by the in-car video system may be used without a Department member's permission for any official Departmental purpose.

B. The in-car video system will **automatically engage audio and video recording** when the vehicle's emergency-roof lights are activated. However, Department members may manually activate the in-car video system without the activation of the emergency equipment. At the conclusion of the incident, Department members must manually disengage all recording processes, regardless of what method activated the in-car video system.

C. The Records Division will be the custodians of the digitally recorded data and will be responsible for the retention, duplication, and viewing of the in-car video systems. The Director, Records Division, will establish retention, viewing, and duplication procedures that provide for inventory control, the security of the digitally recorded data, and authorized duplications.

D. All digitally recorded data created by the in-car video systems will be retained by the Records Division for a minimum of 90 days. Digitally recorded data that is marked and held as having evidentiary or training value will be retained as prescribed by law and established Department policy.

E. In general, minor infractions and minor deviations from Department policy observed through the review of digitally recorded data will not be subject to the disciplinary process and will be treated as a training opportunity.

EXHIBIT 7 OIG 3/24/16

OIG 15-0564 006842

IV. RECORDING GUIDELINES

A. Department members will use only Department-issued video and audio recording equipment.

B. Department members will conform to all laws and Department policies concerning the use of the in-car video system for the video and audio recording of incidents.

1. Department members are lawfully permitted to video record individuals without their consent if they are on the public way or in public view.

2. Department members who are in uniform and have identified their office are lawfully permitted to simultaneously audibly and visually record individuals without their consent whenever:

a. the member is conducting an enforcement stop, **or**

b. the patrol vehicle emergency lights are activated or would otherwise be activated if not for the need to conceal the presence of law enforcement.

NOTE: Any reports completed for an audibly recorded incident, including Traffic Stop Statistical Study - Driver Information Cards (CPD-21.103), Traffic Stop Statistical Study Stickers (CPD-15.516), and Personal Service Citations, must include the initial violation or investigatory need that led to the stop.

NOTE: Department members may audibly record an enforcement stop regardless of the subsequent enforcement action taken.

3. Department members may audibly and visually record an individual with the consent of the individual.

C. Uniformed Department members assigned to vehicles equipped with in-car video systems will activate the system to simultaneously audibly and visually record the entire incident for all enforcement stops.

D. Uniformed Department members assigned to vehicles equipped with in-car video systems will activate the system to visually record the entire incident for all:

1. arrests and transports.

2. nonpursuit emergency vehicle operations.

3. any situation that the member, through training and experience, believes to serve a proper police purpose.

E. During the recording of an incident, Department members will not disengage the in-car video system until the entire incident has been recorded.

NOTE: Department members will be required to justify any disengagement of the in-car video system prior to the entire incident being recorded.

F. If recorded, felony and misdemeanor arrests, motor vehicle pursuits, traffic crashes resulting in property damage, personal injury, or a fatality, DUI incidents, and failure to yield to an emergency vehicle will be automatically stored by the in-car video system indefinitely when the correct event is selected from the postevent pop-up menu. All other incidents will be automatically stored for ninety days.

G. If digitally recorded data will be needed in judicial proceedings beyond ninety days, members will place an extended hold on that digitally recorded data as described in Item VIII of this directive, including but not limited to the following circumstances:

1. Traffic stops other than DUI,

© Chicago Police Department, February 2012

OIG 15-0564 006843

2. Enforcement stops,

3. Other traffic crash investigations, and

4. Stops for citizen assistance.

H. When a complaint against a Department member is received that involves a digitally recorded incident, the investigating member will request an extended hold on the data.

I. Assigned supervisors will request an extended hold on all digitally recorded motor vehicle pursuits and traffic crashes involving Department vehicles.

V. DEPLOYMENT OF THE IN-CAR VIDEO SYSTEMS

A. Commanding officers of units with vehicles equipped with in-car video systems will:

1. ensure that vehicles equipped with in-car video systems are evenly distributed for use by all watches.

NOTE: Commanding officers will ensure the units assigned to traffic duties in district law enforcement use vehicles equipped with in-car video systems.

2. whenever feasible, ensure vehicles equipped with the in-car video systems are deployed every tour of duty and service is requested for inoperable vehicles equipped with in-car video systems.

B. The *station supervisors* will:

1. deploy every vehicle equipped with a functional in-car video system during the tour of duty.

2. ensure digitally recorded data is downloaded from the in-car video systems.

3. whenever operationally feasible, review video of any arrest recorded by the in-car video system as part of the approval of probable cause.

VI. OPERATIONAL PROCEDURES

A. Department members assigned to a Department vehicle equipped with an in-car video system will:

1. at the beginning of a tour of duty:

a. visually inspect the in-car video system equipment for damage.

b. obtain the remote transmitter/audio recorder and ensure it is securely attached to the member's person.

c. follow the start-up procedures for the in-car video system as trained and ensure the system is working properly.

NOTE: Members will immediately notify a supervisor if, at any time, the in-car video system is inoperable, damaged, the equipped vehicle becomes inoperable, or the remote transmitter/audio recorder is missing.

2. during the tour of duty:

a. audibly and visually record events in accordance with this directive.

b. annotate all reports, including Contact Information Cards (CPD-21.101), prepared for an event which has been recorded by listing **"Video Recorded Incident"** at the end of the narrative portion.

OIG 15-0564 006844

c. after an incident has been recorded, use the post-event pop-up menu to select the most serious recorded occurrence as the event type and enter other event information.

NOTE: If the member did not use the postevent pop-up menu to mark the incident as being held for evidence, the member will request an extended hold on digitally recorded data in accordance with Item VIII of this directive.

d. if the in-car video system indicates that the memory required to record incidents is becoming low or if the member observes that less than 30 minutes of recording time is available, download the digitally recorded data.

3. at the conclusion of a tour of duty:

a. verify the in-car video system is working properly.

b. initiate the downloading of the digitally recorded data.

NOTE: Members will immediately notify a supervisor if unable to complete the downloading of digitally recorded data due to technical problems.

c. shut down the in-car video system and logoff the system.

d. return the remote transmitter/audio recorder to the designated area for charging.

B. The sergeant assigned to supervise Department members using Department vehicles equipped with an in-car video system will:

1. monitor subordinates to ensure the in-car video system is used and that digitally recorded data is properly downloaded.

2. ensure that the Help Desk is contacted and a ticket number is obtained whenever any member is unable to use the in-car video system or download digitally recorded data due to technical problems.

3. initiate an investigation when notified of a missing or lost remote transmitter/audio recorder.

4. document on the Supervisor's Management Log (CPD-11.455):

a. whether each vehicle has an in-car video system and if it is functioning.

b. all responses related to malfunctions of vehicles equipped with in-car video systems.

c. digitally recorded data downloaded to land-based terminals, noting any units unable to complete the download and the Help Desk ticket number obtained.

d. any request submitted for an extended hold of digitally recorded data.

e. any instances of additional training, corrective measures, or disciplinary actions.

5. document on the Traffic Pursuit Report (CPD-22.958) or traffic crash report that the incident has been digitally recorded.

6. obtain a complaint register number and order an evidence technician to process the equipment if any damage or malfunction is suspected to have been caused by deliberate (tampering) means.

C. *Station supervisors* will:

1. designate a sergeant responsible for monitoring the downloading of digitally recorded data for the watch.

OIG 15-0564 006845

2. record the total number of vehicles equipped with in-car video systems deployed during the watch and the total number of these vehicle that do not have a functioning in-car video system, if any, on the Watch *Incident* Log (CPD-21.916).

3. ensure the status of vehicles equipped with in-car video systems is recorded on the Personal Equipment Log (CPD-21.919) by recording the word "VIDEO" in the "Camera/Tripod No." column.

4. if an in-car video system malfunctions or the system or vehicle becomes inoperable **during** the tour, record the vehicle and beat numbers and the words "VIDEO DOWN" on the Watch *Incident* Log.

D. When digitally recorded data is determined to have evidentiary or training value, or a complaint against a Department member is received that involves a digitally recorded incident, the supervisor reviewing the recorded data will request an extended hold on the data.

VII. DOWNLOADING DIGITALLY RECORDED DATA FROM THE IN-CAR VIDEO SYSTEM

A. When downloading digitally recorded data from the mobile unit of an in-car video system to a land-based terminal, Department members will:

1. download the data in accordance with the manufacturer's guidelines and training.

2. ensure the download of data was complete and return the vehicle back into service.

B. With the approval of the *station supervisor* in the district of occurrence, special requests for the immediate viewing of digitally recorded data from the *Bureau of Detectives*, *Bureau of Internal Affairs*, or IPRA will be processed for major incidents where an in-car camera system may be reasonably expected to have captured a component of the incident.

1. Major incidents include, but are not limited to:

a. police-involved shootings,

b. serious injury or death to a Department member,

c. serious injury or death to a member of the public.

2. Special requests for viewing digitally recorded data will be made to the *station supervisor* in the district of occurrence, who will:

a. evaluate the request;

b. determine if the need for retrieval outweighs the operational impact of the vehicle being taken out of service; and

c. notify *Crime Prevention and Information Center (CPIC)* of the decision.

3. Special requests will be in the form of one of the following types:

a. Special wireless upload, or

b. Emergency on-site retrieval.

C. Special Wireless Uploads

1. The *station supervisor* in the district of occurrence will take the vehicle out of service and secure it at the unit of assignment or other appropriate location.

2. The supervisor will:

a. verify that the vehicle operator or partner is signed on to the in-car camera system;

b. instruct the member to manually flag the entire tour of duty's available video for upload;

© Chicago Police Department, February 2012

OIG 15-0564 006846

c. instruct the member to initiate a manual upload of this video with the vehicle in range of the facility's wireless hotspot; and

NOTE: If video cannot be uploaded via wireless hotspot, a cradle upload will be used.

d. ensure that the vehicle remains out of service until the upload is complete.

3. Once complete, the *station supervisor* will allow personnel from the *Bureau of Detectives*, *Bureau of Internal Affairs*, or IPRA, as appropriate, to review the uploaded files.

NOTE: For officer-involved shootings when an On-Call Incident Commander (OCIC) will respond, an emergency on-site retrieval will be immediately requested through *CPIC*.

4. The *station supervisor* may identify an alternate vehicle for the member to use while the identified vehicle completes its video upload, as appropriate.

5. If an attempt to wirelessly upload is unsuccessful, members may contact the City of Chicago Help Desk at 4-DATA for assistance.

6. If a wireless upload fails, an emergency on-site retrieval will be conducted.

D. Emergency On-Site Retrieval

1. The *station supervisor* in the district of occurrence will notify *CPIC* of an approved emergency on-site retrieval.

NOTE: An emergency on-site retrieval will only be conducted when an OCIC is responding or a wireless upload fails and contacting the City of Chicago Help Desk at 4-DATA has not resolved the problem.

2. *CPIC* will notify the Public Sector Information Technology (PSIT) Group personnel of a manual video retrieval from the "fail-safe" internal drive request.

3. The *station supervisor* in the district of occurrence will take the identified vehicle out of service during the retrieval process.

4. If the identified vehicle is still in use when the designated supervisor arrives at the unit facility or other appropriate location, the supervisor will report to the vehicle and instruct any member logged onto the system to log off the system.

5. The vehicle will remain out of service until PSIT responds and conducts the video retrieval.

NOTE: On-site review of video will be limited to the series of events and time frame giving rise to the alleged incident.

E. Viewing and Obtaining Copies of In-Car Video Recordings

1. Once retrieval has been completed for the requested time frame, the video may be viewed by personnel from the requesting party at the location of retrieval.

2. Requests for copies of in-car video recordings will be made by completing the form entitled "Digitally Recorded Data Viewing/Hold/Duplication Request" (CPD-65.224) and forwarding it to the Records Division.

F. The Managing Deputy Director, PSIT, will:

1. establish procedures to ensure the security of the digitally recorded data from downloading to storage by the Records Division.

OIG 15-0564 006847

2. develop a system to monitor the memory capacity of the land-based terminals and provide for the security of the downloaded data.

G. If members are unable to download digitally recorded data from the mobile unit of the in-car video system to the land-based terminals due to system inoperability:

1. the *station supervisor* will notify the Help Desk and follow any further instructions given by the responding member of PSIT.

2. A designated member of PSIT will respond to the requesting unit and:

a. ensure the security of the digitally recorded data.

b. perform a manual download of the digitally recorded data.

c. record the manual download on the Help Desk ticket.

VIII. REQUESTING A HOLD FOR DIGITALLY RECORDED DATA

A. Department members will place an extended hold on digitally recorded data they recorded using the postevent pop-up menu on the in-car video system.

B. **Within the first 48 hours** from downloading digitally recorded data from the vehicle, Department members **who do not use the postevent pop-up menu** and request an extended hold on digitally recorded data will request that a supervisor place the extended hold by using the land-based terminal at the district/unit station.

C. **After the first 48 hours** from downloading digitally recorded data from the vehicle, Department members **who do not use the postevent pop-up menu** and request an extended hold on digitally recorded data will:

1. complete the Digitally Recorded Data Viewing/Hold /Duplication Request form.

2. indicate on the form the necessary actions by the Records Division.

3. explain in the narrative portion of the form the reason for the request.

4. submit the form to the *station supervisor/designated unit supervisor* for approval.

5. submit the completed and approved form to the Records Division for processing and retention in accordance with existing records-retention requirements.

D. Department members who wish to remove an extended hold on digitally recorded data will follow the procedures outlined in Item VIII-C of this directive indicating the circumstances requiring the removal of the extended hold.

E. The Director, Records Division, will:

1. develop a cataloging system for storage and retrieval of recordings and procedures for ensuring archives are maintained consistent with Department directives (including the Forms Retention Schedule), applicable state and federal laws, and compliance with all court orders.

2. be responsible for retaining digitally recorded data for which an extended hold was requested as prescribed by law and established Department policy.

IX. VIEWING, RETAINING, AND DUPLICATING DIGITALLY RECORDED DATA

A. All digitally recorded data created by the in-car video systems are the property of the Chicago Police Department. **Dissemination of any digitally recorded data outside the Department is strictly prohibited without specific authorization by the Superintendent or an appointed designee.**

1. Any non-Departmental requests for duplication of digitally recorded data must be approved by the Superintendent or an appointed designee.

© Chicago Police Department, February 2012

OIG 15-0564 006848

2. All approved requests will be forwarded in an expeditious manner to the Director, Records Division, along with:

   a. a completed and approved Digitally Recorded Data Viewing/Hold/Duplication Request form, and

   b. written instructions, including dissemination information, for compliance with the request.

B. Department members assigned to vehicles equipped with in-car video systems and their supervisors are encouraged to use the review/ playback functions of the system for the purposes of:

1. developing familiarity with the functions, capabilities, and limitations of the in-car video systems to create consistent recording techniques which capture relevant actions.
2. searching for and identifying recorded events having evidentiary or training value.
3. reviewing approach and officer safety issues.
4. ensuring consistency with written reports.

C. Reviewing Digitally Recorded Data

Investigating members may view digitally recorded data in the performance of official police business. When it is necessary to view digitally recorded data stored by the Records Division, the following procedures will apply:

1. The requesting Department member will:

   a. prepare a Digitally Recorded Data Viewing / Hold / Duplication Request form, including approval of the requestor's *station supervisor/designated unit supervisor*.

   b. schedule an appointment to view the recorded incident with a Records Division supervisor (or an appointed designee) to ensure the availability of a technician and playback equipment.

   c. present the properly completed and approved form to a Records Division supervisor at the scheduled time.

2. A Records Division supervisor will:

   a. process all approved recorded incident review requests.

   b. assign a technician to assist the requestor in viewing the recorded incident, as required.

D. Obtaining a Video Recording

1. A duplicate copy of selected information may be made to retain that information:

   a. when it is not required that the master video be retained for an indefinite period (e.g., investigation of a routine administrative incident when the punishment is of a summary or minor nature).

   b. when the requesting member determines that a duplicate video of a master video will be sufficient.

2. A duplicate video recording may be obtained by:

   a. completing a Digitally Recorded Data Viewing / Hold / Duplication Request form and submitting the completed form to the *station supervisor/designated unit supervisor* for approval.

   b. notifying the Records Division that a duplicate video recording is required and submit the approved Digitally Recorded Data Viewing/Hold/ Duplication Request form to the Director, Records Division.

OIG 15-0564 006849

c. indicating to the Records Division which information from the digitally recorded data is to be included on the duplicate video recording.

3. When the duplicate video recording has served the purpose for which it was made, the requesting member will ensure that it is immediately returned to the Records Division.

NOTE: A member requesting a duplicate video recording will not make additional copies of it or permit unauthorized persons to duplicate or view it under any circumstances.

E. Special Situations

When the Records Division receives a request for an extended hold of digitally recorded data that indicates it pertains to:

1. **a motor vehicle pursuit or traffic crash involving a Department vehicle**, the Director, Records Division, will ensure a duplicate video is forwarded to the Traffic Review Board.
2. **an incident having training value,** the Director, Records Division, will ensure a duplicate video is forwarded to the *Deputy Chief*, Education and Training Division.

(Items indicated by *italics/double underline* were revised or added.)

Authenticated by: RMJ

Garry F. McCarthy
Superintendent of Police

11-055 / 12-003 EGV/RJN

© Chicago Police Department, February 2012

OIG 15-0564 006850

SUPPLEMENTARY REPORT

20 Oct 14 2157

ASSAULT - AGG PO: KNIFE/CUT INSTR 0552 4000 S KARLOV X 815
P.O. GAFFNEY # 19958 / P.O. VAN DYKE # 12865 X X 9210
3420 W 63RD ST STREET 304

SEE ORIGINAL CASE INCIDENT REPORT

EVENT# IN SUMMARY: R/S CONTACTED BY CPIC AT 1230; 20 OCT 14 FOR IN CAR CAMERA (ICC) VIDEO REVIEW ON SUBJ 4000 S. PULASKI RELATED TO THIS ABOVE LISTED INCIDENT. REQUEST WAS FROM AREA CENTRAL DETECTIVE DIVISION SGT D. GALLAGHER UPON ARRIVAL BT 813R VEH 8779; BT 815R VEH 8489; BT 822 VEH 8765; BT 845R VEH 6412; & BT 841R VEH 8948 WERE SUBJECTS OF ICC VIDEO CHECK/RETRIEVAL. CHECKS OF THESE VEHICLES REVEALED THE LISTED FINDINGS:

BT 813R	VEH 8779	VIDEO RECOVERED [redacted] @ 20141020 215250
BT 815R	VEH 8489	OPERATIONAL BUT DUE TO DISC ERROR NO VIDEO RECORDED
BT 822	VEH 8765	NOT EQUIPPED - OFFICER REPORTED PRIOR ISSUE
BT 845R	VEH 6412	VIDEO RECOVERED [redacted] @ 2014/10/20 215250
BT 841R	VEH 8948	NOT EQUIPPED - OFFICER REPORTED APPLICATION ERROR

RECOVERED VIDEO MANUALLY UPLOADED AND RETAINED 002/RCOD ICC SYSTEM

21 OCT 14

SGT L. BUCHER 1748

HR 475253

EXHIBIT 8 CIG

In Car Camera Video Retrieval Work Sheet

Date & Time of Notification: 20 Oct 14 2230 HRS Related HDT#: OPS CMD

Requestor: Dep Chief McWilliamson Tech: Bocnar

Location of response: 4100 S Pulaski

Type of incident requiring retrieval: Police Involved Shooting - Foreign Officer

Location of incident: 4100 S Pulaski Date & Time of Incident: 20 Oct 14 2147

Related RD#, Event#, and/or CR Log#: HX475653

Vehicles to be checked: [redacted] ★

813R Veh# 8778 POs PC# [redacted] Results: [redacted] @ 20141020 2162 50 2144218 MHDD 30000216

815R Veh# 8489 POs PC# [redacted] Results:

422 Veh# 8765 POs PC# [redacted] Results:

845R Veh# 6442 POs PC# [redacted] Results: [redacted] @ 20141020 215250 2144543 out of range MHDD 00000229

841R Veh# 8948 POs PC# Results: HDT NO OPEN HDT

List additional vehicle to be checked and results on back of this form

Note: Any vehicles identified to be checked, will be evaluated for operational readiness as well. Any deficiencies of the ICC System will be noted i.e. MIC(s) are not sync'd; rear camera not working; cannot upload; etc. Actions to rectify the issue should be taken to render the system FULLY FUNCTIONAL!

Notes of work or activities performed:

8778: MICs in Glove Box Batteries Inserted UPSIDE Down
↳ Fully OP

8489: Processing Videos: Extremely Large Video files

8765: MICs In Charging Cradle; Not Synced to System

6442: No MICs; MIC Charger Disconnected

8948

This Information Disclosed to Supervisors; Dep McWilliamson & OPS Tech: Disc Submitted on Secure Digital Video

EXHIBIT 9 OIG

20 OCt 2014 , HY475653

Becvar, Lance J.

Sent: Friday, July 17, 2015 12:33 PM

To: Lewin, Jonathan H.

Cc: Dolak, Steven E.

Hello Dep Lewin,
Per your request the findings related to the Aggravavted Assault / Police involved Shooting on 20 Oct 2014 Listed under RD# HY 475653:

Findings from thart night-

Veh 8779 Video Recovered Titled [redacted]@20141020215250. No MICs because they were in the Glove Compartment with the batteries inserted umside down - Disabling them

Veh 8489 System not engaged because a very long video (like hours long) was made previous to this event/incident and the system was processing that video and unable to start another video.

Veh 8765 System not engaged, officer related no power. There was no open HDT called in on vehicle. MICs not sync'd to system even though they were in the charging cradles.

Veh 6412 Video Recovered Titled [redacted]@20141020215250 view out of focus. Focusing problem found to be related to a loose cable connection for the camera. No MICs in vehicle and the charging cradles disconnected from power.

Veh 8949 System not engaged, officer reported that there was an application error - Mobile Recorder Start-Up corrupted. No Help Desk Ticket Open for this vehicle.

Sgt Lance Becvar

Mobile Tech Supervisor

Information Services Division

Chicago Police Department
Cell# 312-448-1305
E-mail: lance.becvar@chicagopolice.org



LEGAL DISCLAIMER: This message, including any attachments, contains confidential information and may be legally privileged. Access to this email by anyone other than the intended recipient is unauthorized. If you are not the intended recipient, any review, disclosure, copying, distribution, retention, or any action or inaction taken in reliance on this information is prohibited and may be unlawful. If you are not the intended recipient, please notify the sender and delete the message, any attachments, and any copies thereof from your system.

In the Matter Of:

IN RE DORA FONTAINE

DORA FONTAINE

March 16, 2016

Amicus
court reporters, inc
300 West Adams St. Ste 800
Chicago, IL 60606
Phone: 312.641.3500
Fax: 312.641.3795
Email: info@amicusreporters.com

CITY OF CHICAGO

OFFICE OF INSPECTOR GENERAL

-INTERVIEW OF DORA FONTAINE-

March 16, 2016

TRANSCRIPT OF INTERVIEW of DORA FONTAINE, taken before MICHELLE M. YOHLER, a Notary Public within and for the County of Cook, State of Illinois, and a Certified Shorthand Reporter of said state, CSR No. 84-4531, at Suite 800, 300 West Adams Street, Chicago, Illinois, on March 16, 2016 at 12:18 p.m.

APPEARANCES:

OFFICE OF INSPECTOR GENERAL
CITY OF Chicago
BY: MR. PETER NEUMER
MR. KRISTOPHER BROWN
(740 North Sedgwick Street, Suite 200
Chicago, Illinois 60654
773.478.8218
pneumer@chicagoinspectorgeneral.org
kbrown@chicagoinspectorgeneral.org)

J. RUSSELL LAW, LLC
BY: JENNIFER W. RUSSELL
(206 South Jefferson
Chicago, Illinois 60661
312.207.1220
jennifer.russell@jrusselllaw.com)
Appeared on behalf of Dora Fontaine.

REPORTED BY:
MICHELLE M. PAOLETTI YOHLER, CSR, RPR, CRR
Illinois CSR No. 84-4531.

E X H I B I T S

EXHIBITS	PAGE
No. 1 - Advisement of Rights.....	16
No. 2 - Notification of Interview.....	16
No. 3 - Notification of Allegations.....	17
No. 4 - Receipt Form.....	17
No. 5 - Case Supplementary Report Excerpt.....	18
No. 6 - General Progress Report.....	20
No. 7 - Special Order S03-05.....	165
No. 8 - Becvar Supplementary Report.....	184
No. 9 - Video Retrieval Worksheet.....	184
No. 10 - July 17, 2015 e-mail.....	184

MR. NEUMER: As a preliminary matter, I am providing the following information. An independent certified court reporter is present today to provide a verbatim transcript of this interview.

To aid in the accuracy of the transcript, it is the custom and practice of court reporters to audio record the interview. The recording is the confidential work product property of the court reporter and will not be provided to any party including the OIG. If you request, the audio recording will be discontinued.

So, Officer Fontaine, are you okay with the court reporter?

THE WITNESS: Yes.

MR. NEUMER: Let the record reflect today's date is March 16, 2016. The time is 12:18 p.m. We are located at Amicus Court Reporters, 300 West Adams, Suite 800.

My name Peter Neumer, N-e-u-m-e-r, the court reporter is Michelle Yohler, and I'd ask that the other individuals present identify themselves and spell their name for the record.

MR. BROWN: Kristohper Brown, B-r-o-w-n, City of Chicago Inspector General's Office.

MS. RUSSELL: Jennifer Russell, R-u-s-s-e-l-l, attorney for Officer Fontaine.

THE WITNESS: Officer Dora Fontaine, Star Number 4484, City of Chicago, CPD.

MR. NEUMER: There are no other individuals present. We are here today pursuant to an investigation being conducted under Chapter 2-56 of the Municipal Code of the City of Chicago. We're here for an interview of Dora Fontaine.

Officer Fontaine, would you please raise your right hand, and if the court reporter could swear Ms. Fontaine in.

(WHEREUPON, the witness was duly sworn.)

MR. NEUMER: Officer Fontaine, I am now going to hand you a form that is marked Advisement of Rights. This has already been filled in with your name, my name, Investigator Brown's name.

And I'm going to ask that you read along with me as I go through, and then I would just ask you -- after each paragraph, I'll ask you to acknowledge that you have read the

paragraph that I have just read. So here's a copy that's already been filled in.

(WHEREUPON, the document was tendered to the witness.)

MR. NEUMER: So the Advisement of Rights states, "I, Dora Fontaine, understand that I am being interviewed by Peter Neumer and Kris Brown from the City of Chicago Office of Inspector General. I understand that this interview is part of an official investigation and that I have a duty to cooperate with the Office of Inspector General which includes answering all questions completely and truthfully."

Officer Fontaine, do you see the paragraph I just read aloud to you?

THE WITNESS: I have read it.

MR. NEUMER: "I understand that I have no right to remain silent. I understand that I have an obligation to answer questions put to me truthfully. I understand if I refuse to answer questions put to me, I will be ordered by a superior officer to answer the questions. I further understand and I have been advised that if I persist in my refusal to answer after an

order to do so, such further refusal constitutes a violation of the rules and regulations of the Chicago Police Department and may serve as the basis for my discharge."

Officer Fontaine, do you see the paragraph I just read aloud to you?

THE WITNESS: I have.

MR. NEUMER: "I understand and have been advised that my statements and responses may constitute an official police report. I understand that Rule 14 of the Chicago Police Department's rules and regulations prohibits making a false report, written or oral, and I further understand making such false report, whether written or oral, may result in my separation from the Chicago Police Department."

Officer Fontaine, do you see the paragraph I just read aloud to you?

THE WITNESS: Yes, I have.

MR. NEUMER: "I understand that any statement made by me during this interview may be used as evidence of misconduct or as the basis for disciplinary action up to and including removal or discharge."

Officer Fontaine, do you see the paragraph I just read aloud to you?

THE WITNESS: Yes, I have.

MR. NEUMER: "I understand that any statement made by me during this interview and the fruits thereof cannot be used against me in a criminal proceeding."

Officer Fontaine, do you see the paragraph I just read aloud to you?

THE WITNESS: Yes, I have.

MR. NEUMER: "I understand that I have the right to have a union representative or legal counsel of my choosing present at the interview to consult with and I will be given a reasonable time to obtain a union representative or legal counsel as long as the interview is not unduly detailed."

Officer Fontaine, do you see the paragraph I just read aloud to you?

THE WITNESS: Yes, I have.

MR. NEUMER: "I understand that a refusal to answer any question or any false, inaccurate, or deliberately incomplete statement by me would constitute a violation of Chicago Municipal

Ordinance 2-56 and may serve as the basis for my discharge."

Officer Fontaine, do you see the paragraph I just read aloud to you?

THE WITNESS: Yes, I have.

MR. NEUMER: "I acknowledge that this statement of my administrative rights has been read aloud to me and I have been allowed to review this document."

Officer Fontaine, do you see the paragraph I just read aloud to you?

THE WITNESS: Yes, I have.

MR. NEUMER: I would now ask you to sign the Advisement of Rights.

MS. RUSSELL: Prior to Officer Fontaine signing these rights, can you please provide me the Inspector General's position on whether they believe that criminal charges are probable in this matter.

MR. NEUMER: So in response to your statement, I would tell you that the Office of Inspector General is conducting an administrative investigation, not a criminal investigation. OIG is not conducting a joint

investigation and is not working with any other law enforcement agency with respect to this investigation.

MS. RUSSELL: So is it the Inspector General's position that criminal charges are not probable against Officer Fontaine?

MR. NEUMER: It is the OIG's position that this is -- that the OIG is not conducting a criminal investigation.

MS. RUSSELL: So my question was, do you believe criminal charges are probable or not probable? What is the Inspector General's position on that?

MR. NEUMER: We don't have a criminal investigation here.

MS. RUSSELL: So is it correct to say that you believe that criminal charges are not probable?

MR. NEUMER: What we can say is, based on the investigation that the Office of Inspector General is conducting, this investigation pursuant to which Officer Fontaine is being interviewed, it is not a criminal investigation.

We are the -- the rights we just read

Officer Fontaine are compelled administrative rights, and, as Officer's been advised, the statements you make during this interview cannot be used against you in a criminal proceeding.

MS. RUSSELL: So as you are aware, the union has filed an injunction on behalf of Officer Fontaine and similarly-situated officers regarding their rights per the contract, regardless of whether the Inspector General deems their investigation administrative or otherwise, that the officer has the right to receive her constitutional advisements to remain silent if criminal charges are probable, not whether the Office of Inspector General is conducting an administrative or has deemed it any other type of investigation.

Can we take a minute?

MR. NEUMER: Sure. We'll go off the record. The time is 12:25 p.m.

(WHEREUPON, a recess was had.)

MR. NEUMER: We're back on the record. The time is 12:27 p.m.

Officer Fontaine, I understand you have a statement you would like to make?

THE WITNESS: I would like to preface the statement with the following: I believe I am entitled to be informed of my Constitutional rights to remain silent. I have received no assurance from the Office of Inspector General that criminal charges are not probable.

Proceeding with this statement is in violation of the applicable Collective Bargaining Agreement, but I have been advised that I will lose my job if I refuse to provide a statement.

MR. NEUMER: The Office of Inspector General would note that the outcome of this administrative investigation relates to the subject's employment, and, therefore, under the CBA and General Order the administrative rights OIG has provided Officer Fontaine are appropriate.

In addition, the arguments being put forward would eviscerate Garrity, and we are going to proceed as we believe we are legally entitled to.

MS. RUSSELL: At this point, as counsel on behalf of Officer Fontaine, we are seeking an

order from a senior officer before she proceeds.
MR. NEUMER: Officer Fontaine, is it fair to say that you will not answer questions from the Office of Inspector General regarding the Laquan McDonald shooting?
THE WITNESS: Absent an order of a senior officer.
MR. NEUMER: You will not answer questions regarding the Laquan McDonald shooting?
THE WITNESS: Correct.
MR. NEUMER: At this time I am going to place a phone call to Commander Robert Klimas.
Counsel, is it fair to say that you agreed that we could have Commander Klimas order Officer Fontaine to answer questions via telephone?
MS. RUSSELL: Correct.
MR. NEUMER: The time is 12:30 and we're going to go off the record.
(WHEREUPON, discussion was had off the record.)
MR. NEUMER: The time is 12:31 p.m. We'll go back on the record. Counsel has agreed to have us place the call to Commander Klimas via

Mr. Neumer's Blackberry.

MS. RUSSELL: That's correct.

(PHONE RINGING.)

COMMANDER KLIMAS: Bob Klimas.

MR. NEUMER: Bob, I have you on speakerphone. This is Peter Neumer from the Chicago Inspector General's Office. Can you hear me?

COMMANDER KLIMAS: Yes, I can.

MR. NEUMER: Officer Fontaine, can you hear Commander Klimas?

THE WITNESS: Yes, I can.

MR. NEUMER: Commander Klimas, we are currently in a court-reported interview of Officer Dora Fontaine. Her counsel, Jennifer Russell, is here, Investigator Kris Brown, and Assistant Inspector General Peter Neumer are all here.

The Office of Inspector General, having provided appropriate notice to Officer Fontaine of this interview, is attempting to ask Officer Fontaine questions regarding the Laquan McDonald shooting. She has refused to answer questions regarding the

shooting absent a command from her superior officer, so I am asking you, Commander Klimas, to order Officer Fontaine to answer the Inspector General's questions.

COMMANDER KLIMAS: This is Commander Robert Klimas, K-l-i-m-a-s, with the Chicago Police Department, Bureau of Internal Affairs.

Officer Dora Fontaine, I'm giving you a direct order to answer all the questions posed to you today by Peter Neumer or his designees from the Office of Inspector General, City of Chicago.

THE WITNESS: Thank you. Yes, sir.

COMMANDER KLIMAS: Very good. Thank you.

MR. NEUMER: Thank you.

So with respect to -- I think where we were was the advisement form. We had made it through the end and we had asked that you sign the advisement form.

MS. RUSSELL: Tendering it back to you.

MR. NEUMER: And we are going to mark this Advisement of Rights form as Exhibit 1.

(WHEREUPON, a certain document was marked Exhibit No. 1, for identification, as of 03/16/2016.)

BY MR. NEUMER:

Q. And now I am going to mark several exhibits now. Officer Fontaine, these are exhibits that should have been provided to you, and I think were provided to you by IAD on February 22, 2016.

So first is what we're going to mark as Exhibit 2, a document entitled Notification of Interview for CPD Member dated February 22, 2016.

(WHEREUPON, a certain document was marked Exhibit No. 2, for identification, as of 03/16/2016.)

BY MR. NEUMER:

Q. Officer Fontaine, have you seen this Notice of Interview previously?

A. Yes.

Q. And did IAD provide you with this Notice of Interview on or about February 22, 2016?

A. Yes.

Q. I am now going to mark as Exhibit 3 a document titled Notification of Allegations also dated February 22, 2016.

(WHEREUPON, a certain document was marked Exhibit No. 3, for identification, as of 03/16/2016.)

BY MR. NEUMER:

Q. Same question, have you seen the Notification of Allegations document previously?

A. Yes.

Q. And did IAD provide you with this Notification of Allegations on or about February 22, 2016?

A. Yes.

Q. I am now going to mark as Exhibit 4 a document entitled Receipt Form dated February 22, 2016.

(WHEREUPON, a certain document was marked Exhibit No. 4, for identification, as of 03/16/2016.)

BY MR. NEUMER:

Q. Have you seen this receipt form previously, Officer Fontaine?

A. Yes.

Q. And did you sign this Receipt Form on February 22, 2016?

A. Yes.

Q. And actually I should ask you the same question with respect to Exhibits 2 and 3, which I'll just put back in front of you.

Did you sign Exhibits 2, the Notice of Appearance, and Exhibit 3, the Notification of Allegations on February 22, 2016?

A. Yes.

MS. RUSSELL: For the record, regarding Exhibit Number 4, while it indicates that audio files were provided to Officer Fontaine from Beat Number 813 Robert and 845 Robert, no audio files were found on the disk she was provided.

BY MR. NEUMER:

Q. I'm now going to mark as Exhibit 5 what is an excerpt of a CPD Case Supplementary Report dated March 16, 2015, with the RD Number HX475653 containing Officer Fontaine's statement to Detective March?

(WHEREUPON, a certain document was marked Exhibit No. 5, for identification, as of 03/16/2016.)

BY MR. NEUMER:

Q. Officer Fontaine, have you seen the Exhibit 5 document, the Case Supplementary Report excerpt?

MR. NEUMER: We'll go off the record. The time is 12:38.

(WHEREUPON, discussion was had off the record.)

MR. NEUMER: The time is 12:40 p.m. We're back on the record.

BY MR. NEUMER:

Q. So I will ask you the question again. With respect to Exhibit 5, excerpt of a CPD Case Supplementary Report with the RD Number HX475653, Officer Fontaine, have you seen this document before?

A. Yes.

Q. And did IAD provide you with this document on or about February 22, 2016?

A. Yes.

Q. I am now going to provide you with a document that has been previously marked Exhibit 6. This is a General Progress Report dated October 20th, 2014, with the RD Number

HX475653 containing Detective March's notes of his interview with Officer Fontaine.

(WHEREUPON, a certain document was marked Exhibit No. 6, for identification, as of 03/16/2016.)

BY MR. NEUMER:

Q. Officer Fontaine, have you seen the General Progress Report marked as Exhibit 6?

A. Yes.

Q. I should say, have you seen it prior to today?

A. Yes.

Q. Did IAD provide you with the General Progress Report marked as Exhibit 6 on or about February 22, 2016?

A. Yes.

Q. In order to prepare for today's interview, did you review the materials that IAD provided you, the Exhibits 2, 3, 4, 5, and 6 we showed you?

MS. RUSSELL: She has a preliminary statement she wants to make. Is now the appropriate time or when we get into the interview proper?

MR. NEUMER: I think if you want to make that preliminary statement now, that's fine. I'm just going to ask about sort of these materials. So I'll leave it up to you.

MS. RUSSELL: Let's just wait until after the exhibits.

MR. NEUMER: And then if you feel we're getting too far into the substance, stop me and we'll go forward.

MS. RUSSELL: Okay.

BY MR. NEUMER:

Q. In order to prepare for today's interview, Officer Fontaine, did you review the materials that IAD provided you from OIG including the Notification of Interview, the Notification of Allegations, the Receipt Form, the excerpt of a CPD Case Supplementary Report, and a General Progress Report?

A. Yes.

Q. And the materials that IAD provided you also included video from an in-car video systems of Beat 813R vehicle and the Beat 845R vehicle; is that correct?

A. Yes.

Q. And that DVD also contained video from a Dunkin' Donuts security camera as well; is that correct?

A. Yes.

Q. Did you review those videos I mentioned, the Beat 813R video, the Beat 845R vehicle video, and the Dunkin' Donuts security camera video prior to today's interview?

A. Yes.

Q. Since receiving our Notice of Interview, did you review any materials other than the materials provided to you by IAD on our behalf?

A. No.

Q. Aside from your attorney, who did you speak to in preparation for this interview?

MS. RUSSELL: I'm going to have her read them now.

BY THE WITNESS:

A. This statement is not being made voluntarily but under duress and is only being made at this time because I know that I will lose my job if I refuse direct order being given to me by Commander Klimas. I am invoking each

and every right granted to me under Garrity versus New Jersey.

Also on the advice of counsel I am making the following additional objections: I am objecting to the fact that the City of Chicago Inspector General's Office is making allegations against me and conducting an investigation into its own allegations.

I am objecting that this interview is taking place before an arbitrator has decided the issues that were raised in regards to the investigation. The Fraternal Order of Police has filed a grievance and injunction regarding this investigation, and the Inspector General refuses to postpone this interrogation.

I am also objecting that I have requested my prior sworn testimony, namely the testimony I provided to the grand jury. The Inspector General refuses to provide me with a copy of my grand jury testimony and/or any other statement I have made to the federal investigators in violation of my rights under the contract.

The Inspector General indicated that

it is not -- that it does not have possession of my grand jury testimony. To the extent I am questioned about any grand jury testimony, I assert that the testimony is truthful and was based upon my recollection at the time. I stand by all of my answers.

MR. NEUMER: OIG again notes that we are conducting an administrative investigation, not a criminal investigation. We're not conducting a joint investigation or working with any law enforcement agency with respect to this investigation.

OIG does not have the subject's grand jury statement in its possession, and under the CBA, the OIG does not have an obligation to provide the subject a statement that's not in its possession.

In addition, we would note that the OIG is legally entitled to proceed and there are no legal arguments under Garrity that would prevent OIG from moving forward here.

BY MR. NEUMER:

Q. I believe the question that was pending prior to Officer Fontaine's statement

was, aside from your attorney, who did you speak to in preparation for this interview?

A. No one.

Q. At this time, I want to ask you some background questions.

MR. NEUMER: Counsel, the way we would propose working is, I'm asking Officer Fontaine questions regarding different subject areas. At the end of a subject area, I would give my counsel -- my colleague here an opportunity to ask cleanup questions, any follow-up questions that I failed to ask. Is that --

MS. RUSSELL: That's acceptable. You'll be the primary investigator?

MR. NEUMER: I'm going to be the primary questioner, and then, again, at the end of each section, I'll see if Investigator Brown has any follow-up cleanup. I think in that way we can move forward in the most expeditious manner.

MS. RUSSELL: That's fine.

BY MR. NEUMER:

Q. Officer Fontaine, what is your name and star number?

A. Dora Fontaine, 4484.

Q. And what's your current unit of assignment?

A. Unit 8, District 8.

Q. What was your unit of assignment on October 20th, 2014?

A. I'm sorry, is it a beat -- the beat car? Or the unit is 8, District 8.

Q. So District 8 was your unit of assignment on October 20th, 2014?

A. The unit of assignment, that's where I was at.

Q. And what watch were you on as of October 20th, 2014?

A. First watch.

Q. What was your chain of command as of October 20th, 2014?

A. I don't understand.

Q. Who was your sergeant --

A. Oh, my sergeant was Sergeant Franko.

Q. Lieutenant?

A. Lieutenant was Lieutenant Cook.

Q. Commander?

A. Commander O'Donnell.

Q. And do you know those individuals'

first names?

A. James O'Connor was the commander; Jerry Cook, lieutenant; Stephen -- Steve Franko, sergeant.

Q. Officer Fontaine, what's your personal cell phone number?

A. [redacted]. I'm sorry, I gave you too many. It's [redacted].

Q. Was that the same cell phone number you had as of October 20th, 2014?

A. Yes.

Q. I want to talk to you a little bit about your appearance before the grand jury. You were summoned to give testimony before a federal grand jury regarding the McDonald shooting; is that correct?

A. Yes.

Q. And did you give testimony before a federal grand jury?

A. Yes.

Q. When did you give testimony before the federal grand jury?

A. I don't recall.

Q. Do you recall a month?

A. No, I don't recall.
Q. Was it in 2015?
A. I don't recall.
Q. Was it -- you don't recall whether it was 2016?
A. No.
Q. Was it -- well, did you assert your rights under the Fifth Amendment and refuse to testify?
A. At the grand jury?
Q. Yes.
A. No.
Q. Were you given immunity to testify before the grand jury?
A. No.
Q. How long were you testifying before the federal grand jury?
A. I don't recall.
Q. More than an hour?
A. I don't recall the time.
Q. It wasn't more than a day, was it? You weren't brought back for another?
A. No, it wasn't.
Q. So it was less than a day?

A. Yes.
Q. But you don't recall whether it was as brief as five minutes or --
A. No, I don't know the time frame on that.
Q. Did you provide a written statement to the grand jury?
A. No.
Q. What subjects were you asked about before the grand jury?
A. I don't recall.
Q. So have you testified before a federal grand jury as the -- ever before? Is this the only time you've ever testified before a federal grand jury?
A. On behalf of myself?
Q. Yes.
A. Yes.
Q. And that testimony, would you consider it to be relatively important in that I assume that if you had -- if you lied to the grand jury, that would potentially subject you to criminal liability?
A. Yes.

Q. So the accuracy of your testimony was extremely important; isn't that correct?

A. Yes.

Q. You wanted to answer the questions you were asked correctly, right?

A. Yes.

Q. So you have no recollection as to what you were asked?

A. No.

Q. Were you asked about the Laquan McDonald shooting?

A. Yes.

Q. And what were you asked about the Laquan McDonald shooting?

MS. RUSSELL: Do you mind if we take a quick break?

MR. NEUMER: Sure. We'll go off the record. 12:52 p.m.

(WHEREUPON, a recess was had.)

MR. NEUMER: The time is 12:55 p.m. We'll go back on the record.

BY MR. NEUMER:

Q. I just want to sort of go back. Officer Fontaine, you did give testimony before

a federal grand jury, correct?

A. Yes.

Q. And, again, I would imagine that was a stressful occasion?

A. Yes.

Q. And an important event for you?

A. Yes.

Q. Any recollection of, as you were going through, was it like summer of 2015, was it fall of 2015? I would think that date would stick out in your head perhaps.

A. It doesn't. I don't know why, but it doesn't.

Q. Okay. I believe you said you were asked questions about the Laquan McDonald shooting; is that correct?

A. Yes.

Q. And can you give us a sense of what type of questions you were asked about the Laquan McDonald shooting?

A. I -- I -- the problem is that there was so many different things going on at the time, different scenarios going on, the questioning, the kind of question. So I was

asked about what I saw.

Q. Okay.

A. What I witnessed. If I would do anything different. Why he did what he did.

Q. Okay.

A. And in that reference, that's why, with the time, it seemed to me like more than three hours or longer, but I could be wrong. But for me personally, it felt like a long time.

Q. So you were asked questions about why Officer Van Dyke did what he did?

A. Or the amount of shots was it correct, I guess.

Q. Were his --

A. Was it proper.

Q. -- actions appropriate?

A. Yes.

Q. And what did you say when they asked you whether his actions were appropriate?

A. I can't answer for anyone else but myself. I don't know what occurred before I arrived on scene. I don't know what he saw. I don't know what he witnessed, so I can't answer that question.

Q. Is that what you told the grand jury?
A. Yes.
Q. And when they asked you if -- I think you said you were asked whether you would do anything different; is that what --
A. Mm-hm.
Q. And how did you respond when asked that question?
A. Unless you're in that -- unless you're in a situation, you don't know how you're going to respond, so it all depends on what's occurring at the time.
Q. You were asked to describe what you saw in terms of witnessing the shooting of Laquan McDonald; is that correct?
A. Yes.
Q. And what did you say when you were asked to describe the shooting?
A. At this time, watching the video and everything else that's coming about it, it's -- honestly, I -- it's all mixed up because of the fact that once they showed me the video, certain parts were different than what I stated.
So, again, I tried to tell the truth

as much as I could, but, again, my point of view and my -- what I saw, you know, might look different in a video and that's what's occurring, so I -- that's -- I...

Q. Okay. So you were saying that -- you told the grand jury that -- did you give them sort of a different version of events than the version of events you related to Detective March?

A. Did I tell them different events from what I told Detective March?

Q. Uh-huh, the grand jury.

A. The grand jury, I told them what I saw at that point in time, what was -- what I remember of the situation. That's what I explained to them at that point in time.

At that time, I had -- I remember telling March what I saw. And, again, after reviewing everything, it -- it kind of differs.

Q. And in what way does it differ?

A. It differs because, by looking at his notes, there's -- where he puts that I said he raised his arm as if attacking Van Dyke, I never stated that or I don't recall stating that to

him.

Q. Prior to your grand jury testimony, who did you speak to about -- in preparation for your grand jury testimony?

THE WITNESS: William Fahy?

BY THE WITNESS:

A. My lawyer.

BY MR. NEUMER:

Q. And what was your lawyer's name?

A. William Fahy.

Q. Is that F-a-h-e-y?

MS. RUSSELL: No, I think there is no "E."

THE WITNESS: Just the "Y."

MS. RUSSELL: F-a-h-y.

BY MR. NEUMER:

Q. Did you speak to anyone else in preparation for your grand jury testimony other than your attorney?

A. No.

Q. Did you have any communications with Officer Van Dyke before your grand jury testimony?

A. No.

Q. No phone calls?

A. Nope.
Q. No texts?
A. Nope.
Q. No e-mails?
A. Nope.
Q. Do you know Officer Van Dyke's personal cell phone number?
A. Nope.
Q. Do you have it in your phone?
A. Nope.
Q. Did you have communications with any of the other officers present at the McDonald shooting prior to your grand jury testimony?
A. I work with them.
Q. Did you have communications with the other officers present at the scene of the McDonald shooting regarding the McDonald shooting prior to your grand jury testimony?
A. Like in detail what's going on or --
Q. Did you discuss the Laquan McDonald shooting with any of the other officers who were present at the scene of the shooting prior to your grand jury testimony?
A. About what occurred or just -- we did

discuss like, Oh, I'm going to the grand jury. They asked me, Are you going to the grand jury this date? Yes.

But about that night, no. Just about, you know, Oh, I got notified for this. Did you get notified for this?

Q. I would think that, you know, it would be normal to sort of discuss what you saw that night. Were you specifically trying not to talk about the Laquan McDonald shooting with the other officers who were present at the scene of the shooting?

MS. RUSSELL: It's okay. Go ahead.

BY THE WITNESS:

A. No, I didn't want to talk about it.

BY MR. NEUMER:

Q. You didn't want to talk about it?

A. No.

Q. So it was your own decision that I'm not going to discuss the Laquan McDonald shooting with any of the other officers present who were at the scene that night?

A. Yeah.

Q. At the -- when you were at the grand

jury, were you presented with any of the reports we've just introduced as exhibits, your statement to Detective March, the GPR?

A. I don't recall.

Q. No recollection of being provided with any exhibits?

A. No, I don't recall.

Q. Is it possible -- you just don't recall one way or the other?

A. No, I don't.

Q. Prior to your testimony before the grand jury, did you make any attempt to ensure that the statement you were going to make accorded with the other officers' statements who were present at the scene of the shooting?

A. I'm sorry?

Q. Prior to your grand jury testimony, did you make any attempt to sync up your story with the other officers who were present at the scene of the McDonald shooting?

A. No.

Q. Were you interviewed by the FBI regarding the Laquan McDonald shooting?

A. Yes.

Q. Do you recall when you were interviewed by the FBI?

A. No.

Q. Were you interviewed multiple times by the FBI?

A. No, just --

Q. Just one time?

A. -- once, mm-hm.

Q. Who was interviewing you?

A. I don't remember.

Q. Do you remember how many people were interviewing you?

A. I want to say it was two FBI agents and I think it was a State's Attorney and my lawyer and myself --

Q. Do you recall --

A. -- I think.

Q. Do you recall where that interview took place?

A. I don't recall.

Q. And what was the nature of that interview? What did they ask you; what did you say?

A. The same thing, about what occurred

that day, what happened, what was I working, who was I working with, what I saw.

Q. And did you describe the shooting incident to the FBI?

A. Yes.

Q. Did the statement you gave to the FBI regarding the shooting differ at all from your grand jury testimony?

A. No.

Q. Did the statement you gave to the FBI regarding the shooting differ at all from the statements you made to Detective March?

A. I'm sorry, what was it?

Q. Did the testimony -- well, did the statement you made to the FBI regarding the Laquan McDonald shooting, did that differ at all from the statements you made to Detective March regarding the shooting?

A. Not the statement I gave, no.

Q. So the statement you gave to the FBI was the same as the statement you gave to Detective March regarding the shooting?

A. Yes.

Q. I want to talk to you now about

October 20th, 2014. You were present on October 20th, 2014, when Laquan McDonald was shot, correct?

A. Yes.

Q. And do you know following the shooting which officers were responsible for controlling the perimeter of the shooting scene?

A. They sent us and anybody -- I don't know anybody else.

Q. Who's the "they"?

A. I'm sorry, the sergeant.

Q. The sergeant sent you to the scene of -- prior to the shooting, correct?

A. No. No. No.

Q. Okay. Walk me through it. Walk me through it.

A. Sorry.

Q. It's okay.

A. Prior -- there was a call coming out. That's how we responded.

Q. So you get a call; you respond to the scene prior to the shooting?

A. We respond and it's a -- basically it's occurring.

Q. There's an event that's occurring?

A. Yes.

Q. Yes. So you proceed to 41st and Pulaski?

A. Yes.

Q. And tell us then where does the sergeant call come in?

A. When we get there, everything is chaos. The sergeant -- I don't recall if he went over the air and told us to go do traffic or he went like -- or told us to do traffic on scene.

Q. Okay.

A. But we went towards going south.

Q. On Pulaski?

A. On Pulaski. To block off the traffic coming north.

Q. Okay. So which sergeant gave you that?

A. Sergeant Franko.

Q. So Sergeant Franko gives you and -- Officer Viramontes, is it?

A. Yes.

Q. To sort of do traffic control?

A. Yes.

Q. And then you proceeded to block off a portion of Pulaski?

A. Yes.

Q. So at any time while you were blocking off Pulaski, did you ever direct any civilian witnesses to the shooting to leave the scene?

A. No -- well, we were sent to block traffic. Then Sergeant Franko goes over the air and says give 41 Robert the paper.

Q. What does that mean?

A. Which means that we're in charge of having to do the paperwork for the shooting.

Q. Okay.

A. So we arrive, we're barely getting off, we turn around, and we go back to the scene.

MS. RUSSELL: Let me just -- can you read back the question.

So listen to the question he asked you.

(WHEREUPON, THE RECORD WAS

BY THE REPORTER AS FOLLOWS:)

"QUESTION: So at any time while you were blocking off Pulaski, did you ever direct any civilian witnesses to the shooting to leave the scene?"

BY THE WITNESS:

A. No.

BY MR. NEUMER:

Q. I just want to make sure we're all clear here. So the shooting occurs -- and correct me if I misstate anything.

The shooting occurs, you get, I'll call it an order, from Sergeant Franko over the radio to do traffic control?

A. I'm not sure if it was over the air or not. It was -- everything was going crazy. I -- we looked at him and then, you know, we -- I looked at him and stuff, and then he kind of went like that (indicating), so it's block off traffic.

Q. So it was -- Sergeant Franko was on the scene?

A. Yes.

Q. And are we talking like minutes after the shooting?

A. I don't know.

Q. So Sergeant Franko has arrived on the scene, correct?

A. Mm-hm.

Q. He orders you -- or he gestures you sort of with his hand to do traffic control?

A. Yeah.

Q. You interpreted it to say --

A. Yes.

Q. -- Officer Viramontes and I are on traffic control?

Okay. So then you block off part of the street on Pulaski?

A. Yes.

Q. And then you mentioned you got an order to do some paper. Is that -- meaning like do the write-up for --

A. Yes.

Q. -- or what is that paper? What is the paperwork that you were instructed to do?

A. It's a report, and you just have to log in everybody who's on scene as best as you

can and put a narrative stating to "See Detective Supplementary," that's it.

Q. And did you complete that report?

A. Yes.

Q. Where did you complete that report?

A. On the street.

Q. On the street. So you filled it out by hand?

(WHEREUPON, discussion was had off the record between Counsel and Witness.)

BY THE WITNESS:

A. Oh, on the PDT. On ERA.

BY MR. NEUMER:

Q. Tell me what a PDT is.

A. It's like a computer, like this (indicating).

Q. So where was that PDT located?

A. It was in the car.

Q. In your vehicle?

A. Yes.

Q. And your vehicle was -- so you were 841 Robert, right?

A. Yes.

Q. So you were doing traffic control and blocking off Pulaski, right? And then did anything else happen before you got this order to do the paperwork?

A. No.

Q. And did you ever leave the scene prior to doing the paperwork?

A. Yes.

Q. Tell us about that.

A. Another sergeant was on scene. They order us to go with the body, McDonald's body, to the hospital. So we were on our way to follow the ambulance. We got called back to the scene.

Q. And who called you back?

A. Sergeant Spreyne.

Q. How do you spell that name?

A. S-p-r-e-y-e -- wait, n-e. S-p-r-e-y-n-e.

Q. And did that call come over the radio?

A. Yes.

Q. How far did you make it away from the scene?

A. Where were we? We were on the overpass.

Q. On the overpass...

A. Pulaski. So I want to say -- yeah.

Q. About how far away is that?

A. Oh, how far away? Like four or five blocks.

Q. So four or five blocks and then you get called back by Officer Spreyne?

A. Yes. Sergeant Spreyne.

Q. Sergeant Spreyne calls you back and says -- requests that you fill out a report regarding the shooting?

A. Yes, it -- wait, I'm trying to think. Franko gave us the order to do the papers. Spreyne sent us with the body and then he ordered us -- Spreyne ordered us back, yeah. A lot of confusion.

Q. Sure. What's the name of this report that you prepared?

A. It's a case report.

Q. Case report. Okay. So you prepared this case report on the PDT in your vehicle 841 Robert?

A. Yes.
Q. Was Officer Viramontes in the vehicle with you while you prepared this case report?
A. Yes.
Q. Did you talk to anyone as you prepared this case report?
A. We asked for names and stars.
Q. Who did you ask for names and stars?
A. Any officer we saw on scene.
Q. So was it you and Officer Viramontes?
A. Mm-hm.
Q. Is it fair to say you kind of collectively filled out this report?
A. Yes, but there was so many people on scene, we had to call and get a copy of the job --
Q. What's --
A. -- which means, in the district, you can pull up our job, put in our number, 841 Robert, and it will notate everybody who's on scene, all the beat cars.
Q. So what's a job again? When you use the word, "job"?
A. That's the call. I'm sorry. The

call.

Q. So you can type it in and it will -- on your PDT?

A. Not our PDT. In the system. In the district. At the station.

Q. Oh, at the station?

A. Yeah.

Q. Okay. So I'm slightly confused. But you didn't go to the station?

A. No.

Q. You were at the vehicle?

A. Yes.

Q. Did you call someone at the station?

A. Yes.

Q. And you said, Hey, I'm on this job --

A. Can you please do that. Because we were trying to get everybody, but there was so many people, we were -- I didn't want to miss anybody.

Q. Sure. So did you first, though, start to go around the scene in person to talk to everyone who was at the scene to get their star number?

A. Viramontes kind of walked around, and I kind of grabbed whoever I saw closer to me here by the car so...

Q. So do you recall who you -- well -- yeah, do you recall who you talked to at the scene as far as completing this case report?

A. No, there was --

Q. Do you recall any -- did you talk to Officer Van Dyke?

A. No. No.

Q. You know you didn't talk to Officer Van Dyke as part of --

A. No.

Q. -- this case report? Okay.

Do you recall anyone who you did talk to?

A. Who did -- I'm trying to think of who I talked to. I mean, from the other --

MS. RUSSELL: If you don't remember, you don't remember.

BY THE WITNESS:

A. Yeah, I don't remember because since I knew some of them, I knew them and I knew their beats, so I just, you know, logged them

down.

BY MR. NEUMER:

Q. Sure.

A. But there was other people who weren't there from our unit that I kind of grabbed real quick, but I don't -- I didn't -- I didn't know who it was.

Q. I'm going to -- well, I'll keep going on this line of questioning.

How long did it take you to complete this case report?

A. I'm not sure. I'm not sure.

Q. Give me your best estimate.

A. Maybe an hour.

Q. Hour?

A. Maybe. Because we were waiting for stuff to come to us from the district.

Q. What stuff?

A. The printout.

Q. What's the printout?

A. Of the job of all the beat cars.

Q. Oh, they sent that to you?

A. Yes, somebody actually brought it over to me.

Q. Physical copy of it?

A. Yes.

Q. Okay. So you get a physical copy of the printout of the job and you're talking to various individuals on the scene?

A. No, at that point I started doing the --

Q. But you had --

A. -- the case report.

Q. You had talked to various individuals on the scene just to get their --

A. Yes.

Q. -- star number?

A. And beat number.

Q. And beat number. Okay.

Anything else that you did to prepare that case report?

A. That's it.

Q. Any other information-gathering?

A. No, that was it.

Q. And so your best estimate is the completion of that case report took about an hour?

A. Yeah. Maybe less, but yeah.

Q. Again, I'm -- just best estimate. Could be more, could be less?

A. Yeah, I'm not quite sure the time.

Q. Were you on scene the entire time you were completing that case report?

A. Yes.

Q. And what do you do once you complete a case report?

A. Once we complete it, we let the sergeant know it's completed.

Q. And would that be Sergeant Franko?

A. Yes.

Q. And how do you let Sergeant Franko know your case report is completed?

A. We usually -- we either do it over the air or on the PDT.

Q. Do you remember what you did on this occasion?

A. I don't remember on this case.

Q. Did you ever -- once -- is it fair to say you submit a case report?

A. Yes.

Q. Do you hit a button --

A. Mm-hm.

Q. "Submit" or something like that?

A. Mm-hm.

MS. RUSSELL: Answer out loud like "yes" or "no."

BY THE WITNESS:

A. Yes. I'm sorry.

BY MR. NEUMER:

Q. Did you ever hear anything further after you completed that case report? Did anyone ask you about what you had put in that report?

A. No.

Q. So once you hit "send" or "submit," send it on to Franko, that was the last you heard of that case report?

A. Yes.

Q. So other than the completion of the case report, who else did you speak to at the scene of the shooting?

A. The detective.

Q. Which detective?

A. March.

Q. So you spoke to Detective March. Did you speak to anyone -- again, not as part of the

completion of the case report, but other than Detective March, did you speak to anyone else at the scene of the shooting?

MS. RUSSELL: Other than the officers she already testified to?

MR. NEUMER: Correct.

BY THE WITNESS:

A. Not that I recall.

BY MR. NEUMER:

Q. Did you speak to a Mr. McNaughton?

A. No.

Q. So you did speak to Detective March at the scene of the shooting?

A. Yes.

Q. At approximately what time did you speak to Detective March?

A. I don't recall.

Q. Where were you and where was he when this conversation took place?

A. In my vehicle.

Q. You were in your vehicle, okay.

A. Yes.

Q. Were you completing your case report --

A. Yes.
Q. -- when he came by?
Okay. So during the time you were completing your case report, Detective March stopped by your vehicle?
A. Mm-hm. Yes.
Q. And what did he say to you when he came up to your vehicle?
A. He asked for the RD number and -- I'm really not sure exactly what he asked, but I know it was the RD number, and I think some of the beat cars he wanted to know was on scene.
Q. Was anyone else present when this conversation took place?
A. My partner.
Q. Officer Viramontes was in the car as well?
A. Yes.
Q. Did Detective March ask Officer Viramontes any questions when he came up to the car?
A. I don't know.
Q. Did Detective March ask you any questions about the shooting itself when he came

up to your vehicle?

A. Yes.

Q. What did he ask you?

A. Basically like where were we and if we saw anything.

Q. And what did you tell him?

A. I told him that I had seen something.

Q. Did you get into the details of the shooting?

A. Yes.

Q. Okay. Was Detective March taking notes during this conversation?

A. I don't recall. He had a pad and pencil, but I don't recall him writing anything down.

Q. How long did you speak to Detective March when he was outside your vehicle?

A. It wasn't long.

Q. Less than 15 minutes?

A. Yes.

Q. Was it like less than five minutes?

A. I don't know.

Q. And did Detective March ask questions

about the shooting of Officer Viramontes?

A. No.

Q. It was just --

A. I'm sorry, did he ask Viramontes questions?

Q. Sure. Yes.

A. Yes.

Q. Did he -- was he asking you guys kind of like collectively, or was he directing the questions to you or Officer Viramontes?

A. He came to me and then I think he went to him because I was in the middle of doing the report. So after he talked to me, I got back in the car, I'm assuming he went and asked Viramontes.

Q. But you don't know?

A. No.

Q. So did you get outside the vehicle to talk to Detective March?

A. Yes.

Q. So he comes over, you're in the vehicle completing the case report?

A. Yes.

Q. And then you step outside the vehicle

to have a conversation with him regarding the shooting?

A. Yes, he asked me to step out.

Q. So prior to your conversation with Detective March, had you talked to Officer Viramontes about what you witnessed in terms of the McDonald shooting?

A. No. It happened so fast and we were going here, here, and there, so no.

Q. There were no conversations between the two of you as to, wow, that was crazy or anything?

A. No.

Q. No conversations --

MS. RUSSELL: She answered.

BY THE WITNESS:

A. No.

BY MR. NEUMER:

Q. Was that a deliberate decision on your part not to talk to Officer Viramontes?

A. No, there was so much going on, you don't have time to try to sit there and discuss what occurred because you're trying to do what they're ordering you to do and you're trying to

handle your job.

Q. Prior to conversation with Detective March, did you talk to -- did you have any conversations with Officer Mondragon?

A. No.

Q. Is that name familiar to you?

A. Yes.

Q. Okay. But you didn't have any conversations at all about any topics with Officer Mondragon prior to your conversation with Detective March?

A. No.

Q. Did you have any conversations with Officer Sebastian?

A. No.

Q. I'm sorry, my fault, I should have completed my question.

Did you have any conversations with Officer Sebastian at the scene of the shooting prior to your conversation with Detective March?

A. No.

Q. Did you have any conversations with Officer Gaffney prior to your conversation with Detective March?

A. No.
Q. Did you have any conversations with Officer McElligott prior to your conversation with Detective March?
A. No.
Q. How about any conversation with Officer Walsh prior to your conversations with Detective March?
A. No.
Q. At any time while you were at the scene of the shooting, did anyone separate you from the other officers who were at the scene of the shooting?
A. No.
Q. So nothing would have prevented you from talking to, say, Officer Mondragon or Officer Gaffney?
A. No. If I wanted -- no, because -- they were on that side; we were on this side.
Q. Which side were they?
A. They were on the north side; I was on the south side.
Q. North side of Pulaski?
A. They were on the north side of

Pulaski.

Q. Closer to -- they were on the north side by like 41st?

A. Honestly, they -- all I know is that they were on the north side. I don't know where.

Q. They were further north than you?

A. Yes.

Q. With respect to Detective March, you talked to him outside the vehicle. I think you estimated it was less than a 15-minute conversation. He asked you questions about the shooting. Is that correct?

A. Yes.

Q. And did you talk to Detective March again that evening regarding the shooting?

A. Yes.

Q. Tell us about that conversation.

A. It was when we went to the area.

Q. And that's at 51st and Wentworth --

A. Yes.

Q. -- is that correct.

Area Central?

A. Yes.

Q. How did you get from the scene of the shooting to Area Central?

A. We drove over there.

Q. Who drove?

A. Viramontes.

Q. And you drove the 841 --

A. Robert.

Q. Okay. So is that -- did you drive over to Area Central after you completed the case report?

A. Yes.

Q. Did you do anything between completing the case report and driving over to Area Central?

A. Not that I recall, no.

Q. So pretty much as soon as you complete the case report, you drive from the scene of the shooting to Area Central?

A. Yes.

Q. Were you asked to go to Area Central?

A. Yes.

Q. Who asked you?

A. I don't remember. I don't remember. I don't remember if it was a detective or the

sergeant.

Q. Are you talking about Detective March or Sergeant Franko?

A. Yes.

Q. Okay. Is it likely that one of those two --

A. Yes.

Q. -- were the people that, would you say, ordered you to go to Area Central?

A. Well, we have to go after a shooting, so yes.

Q. So they said you have to go to Area Central?

A. Well, yes.

Q. Either Sergeant Franko or Detective March?

A. Yes.

MS. RUSSELL: Can we take one minute, Peter?

MR. NEUMER: We'll go off the record. It is 1:30 p.m.

(WHEREUPON, discussion was had off the record.)

MR. NEUMER: The time is 1:32 p.m. We're

back on the record.

BY MR. NEUMER:

Q. And, Officer Fontaine, I think you were going to provide a little bit of a clarifying narrative as to where you were following the scene of the shooting and what activities you were doing sort of in sequential order. So please proceed.

A. Okay. After the shooting, we moved southbound to do traffic. We went to go do traffic. We were ordered to come back to where the shooting occurred to do the case report.

Once we were there doing the case report, we were ordered to follow the body to the hospital.

Q. And that's Sergeant Spreyne?

A. Sergeant Spreyne. So we start -- we leave the scene again, start following the body. We were ordered to come back --

Q. By Sergeant Spreyne.

A. -- to do the report, and we come back on scene. We start doing the report, and then Detective March comes up to us and starts asking us questions about -- he asks us about the

information -- some information about the report that we have, and then he starts asking us about the shooting. So now we're back on scene.

Then after that, we're done with the report and everything, we go to the area, 51st and Wentworth --

Q. And that's you and Officer Viramontes?

A. Me and Officer Viramontes.

Q. So once you arrived at Area Central, just walk us through where do you go? What happens?

A. Once we get there, there's an FOP representative and IPRA's there. And they tell us they have drinks and stuff, and they say you can use the bathroom. They show us where the restroom is, water, drinks, whatever. And then they have us waiting until the FOP speaks to us.

Q. Who's waiting?

A. All the officers.

Q. Okay.

A. There's all the officers on scene, the sergeants, and they're in -- it's kind of a small place, so it's kind of cubicles and stuff.

So it's --

Q. So lay the scene. You get there. You're waiting in a room to be interviewed; is that correct?

A. That's -- yes, we're there to be interviewed by --

Q. So you're waiting at Area Central and there are other officers --

A. Yes.

Q. -- who were at the scene of the shooting in this room with you?

A. It's like an office.

Q. In an office. Okay.

A. And there's rooms.

Q. Describe this office to -- it's got cubicles?

A. When you walk in, there's tables where I guess the detectives sit and answer phones. And then over here you have rooms, and in the rooms -- it's like an office room, and it has cubicles.

Q. Okay.

A. So there's officers in there, there's officers out there, there's officers in the

restroom.

Q. And where are you sitting in this, I'll call it, room?

A. I'm outside. We're outside and then they had pizza so if anybody was hungry.

Q. So you're outside the main room?

A. Yes, at first we're outside --

Q. And is it like a side room, or where are you waiting when you're outside this main room?

A. There -- how should I put it? It's like you have a big room and then it's where all the detectives work. That's their area of work. In the offices, I'm assuming it's for like sergeants and lieutenants. So then there's one room where they have cubicles and they said we're going to wait for FO- -- I think FOP was there and wanted to talk to us.

Q. Okay.

A. And then they called us in. We went in there, and then they said, okay, they told officers in order -- IPRA was going to question officers and in what order they were going to question them and who was going to be

questioned.

And then once we said okay, we went back out into this main room, and they have computers and stuff, and we sat there and just waited until they told us what to do next.

Q. So you and the other officers who were at the scene of the shooting were waiting in the big room in front of some of the computer stations?

A. Yes.

Q. And what other officers were there when -- waiting with you?

A. It was Viramontes -- it was Viramontes, Mondragon, Sebastian. There was two other officers from afternoon.

Q. Bacerra?

A. I don't -- what's the name?

Q. Officer Bacerra?

A. Bacerra.

Q. And Velez?

A. Bacerra and Velez.

Q. Okay.

A. Them two. Who else? McElligott and Gaffney. I think that's all I remember.

Q. Was Officer Van Dyke present?

A. No.

Q. Was Officer Walsh present?

A. I don't remember.

Q. When you were waiting at those computer stations at Area Central with the other officers, did you have any conversation with those other officers about the shooting?

A. No. They just -- they -- it was more like they were talking about having to testify to IPRA. They asked me if I had to, and I'm like, No, they haven't told us that we have to. And that was it.

Like just, So you goes ain't going to IPRA? I'm like, So far no. Me and Rick thought we were going to be -- me and Viramontes thought we were going to be the last one.

So everybody was kind of like, you know -- oh, then the detective came and he showed us the video -- he showed me the video.

Q. So while you were waiting at Area Central -- was it Detective March?

A. Yes.

Q. Detective March showed you the video

of the Laquan McDonald shooting?

A. Yes.

Q. Okay. Was this prior -- now, I know you talked to him at the scene of the shooting. Was this prior to when you spoke to him again about the shooting?

A. He showed me the video and he -- you know, he showed me a few things from the video. And I was like, Oh, yeah, this and that. But that was it.

Q. Okay. Was he asking -- at Area Central, was he asking you questions about the shooting prior to showing you the video?

A. Yes.

Q. What kind of questions was he asking?

MS. RUSSELL: Is this in the Area or at the car?

BY MR. NEUMER:

Q. Sorry, in the area. So everything right now is at Area Central?

A. At the Area. Yeah, he was showing me the video and he says, When he was walking -- he says, "It looks as if he's turning here." And I was like, "Oh, it does."

Q. Did he point out anything else about the video?

A. No.

Q. It was primarily that he was -- okay. That he was -- that Laquan McDonald was turning at some point in the video?

A. Yes.

Q. And what did he -- like, flush that out a little bit more for us. What was he saying? Like how did that come up?

A. He just showed me the video and he was walking -- because I had told him he was walking southbound swaying the knife.

And then that's when -- when we were at the Area, then he showed me the video and he's like, "Oh, is this where he's walking?" "Yes." He goes, "You see he kind of turns around?" And I'm like, "Oh, yeah, he" -- looking at the video, I said it does look like he kind of turns.

Q. Did Detective March make any other observations about the video that you recall?

A. No.

Q. I want to -- we'll get back to that

conversation. I want to -- you mentioned FOP representatives. I want to first ask you, did you talk to any FOP representatives at the scene of the shooting?

A. No.

Q. Did you talk to any FOP representatives at Area Central?

A. Yes.

Q. And what did you -- what were the nature of those conversations?

A. He talked to us as a group.

Q. Who is the "he"?

A. I can't think of his name.

Q. Is it Marlon Harvey? Chris Kato?

A. I can't think of his name.

Q. Not Mr. Harvey or not Mr. Kato?

MS. RUSSELL: If you don't know, say you don't know.

BY THE WITNESS:

A. I don't know.

BY MR. NEUMER:

Q. So you talked to a male FOP representative at Area Central?

A. He talked to all of us as a group.

Q. He talked to the officers -- the officers who were present at the scene of the shooting, not including Van Dyke or Walsh?

A. Yeah, I don't recall Walsh. I'm not sure if he was there or not. I can't remember.

Q. And you don't believe that Van Dyke was present and among the --

A. No, he wasn't.

Q. -- the group?

A. No, I don't think he was either.

Q. So an FOP representative is talking to the officers who -- most of the officers who were at the scene of the shooting. What does he say?

A. He kind of -- he just -- what did he say? He tells us about our rights and like what's going to happen at the area with us and what we have to do, and that's it.

Q. And so after the FOP representative kind of walks you through what the process will be, then you continue to wait --

A. Yes.

Q. Again in front of computer stations in the big room --

A. Yes.
Q. -- at Area Central?
Is that on the first floor, second floor?
A. I want to say it's the second floor because it's on top, so I want to say it's two floors there.
Q. Had you been involved in an officer-involved shooting before?
A. Never.
Q. Never. So this was the first.
Did you, while you were waiting, talk with any of the other officers about what you had just seen?
A. No.
Q. I mean, I can imagine it's pretty traumatic, pretty stressful situation. There was no --
A. No. I just -- I don't know. I think I was like in shock, I -- I don't know.
Q. Do you think it would have been inappropriate to talk to the other officers at the scene about what you had just witnessed?
A. I -- yes.

Q. So is it fair to say that after you were waiting -- after the FOP representative spoke to you, you were waiting at the computer station -- just tell us what happened next.

A. People started going in, doing --

Q. Different rooms?

A. -- doing their statements.

No, to go talk to IPRA, to do their statements and stuff.

Q. Okay. You never talked to IPRA?

A. No.

Q. Correct?

A. No, we never spoke to IPRA.

Q. So folks are going to make their statements to IPRA. Then what happens next?

A. They weren't sure if we were going to go or not, so they wanted us to wait.

Q. Who wasn't sure?

A. Who was it? I'm not sure. I can't remember who was the one advising us to go. No, I don't remember who.

Q. Do you recall who you were waiting next to? Like who was to your right and left?

A. I know Rick was one of

them -- Viramontes was one of them. I want to say Bacerra, I'm not sure.

Q. So you're watching people go into the room to get -- give a statement to IPRA, correct?

A. We were sitting down -- I was sitting down.

Q. Mm-hm. Sure.

A. And, you know, everybody was just like kind of doing their own thing on the phones and stuff like that.

Q. Yep. Was anyone texting you about the shooting at all?

A. No.

Q. Anyone call you while you were waiting to be interviewed --

A. No.

Q. -- at Area Central about the shooting?

A. No.

Q. So what happened next while you're waiting? You're seeing them go in to get interviewed; what happens next?

A. They just tell us to wait. We're

waiting. I think McElligott and Gaffney come up to us -- I'm trying to think.

MS. RUSSELL: If you don't remember, say you don't remember.

BY THE WITNESS:

A. I don't remember.

BY MR. NEUMER:

Q. Do you recall having any conversations with Officer McElligott or Officer Gaffney while you were waiting at Area Central?

A. One of the computers were down, and we were trying to get on it.

Q. For what reason were you trying to get on the computer?

A. I think somebody wanted to play a game or something.

Q. So did you have a conversation with Officer McElligott or Officer Gaffney about the computer that was down?

A. I -- yes, I think I did.

Q. And did you eventually get that computer up and running?

A. I don't remember.

Q. Eventually does Detective March come and get you to talk to you?

A. To show the video at one point. That's it.

Q. So tell us about the interaction. Is he in a room and comes out and says, Officer Fontaine? Or how does he get your attention?

A. Yes, he's in a room. He comes out and says, Can you come here with me? And we go into the room and he shows me the video, and that's it. I come back out.

Q. Is the room small, big? What type of room is it?

A. It's a small room. It's an office.

Q. It's somebody -- is it his office or --

A. I don't know if it's his office or someone's office, but it's an office.

Q. It's someone's office. There's a desk?

A. Yes.

Q. A computer monitor?

A. Yes.

Q. And what does he say -- what does he say to you?

A. He just points out that, "Is that where he turned?" And he goes, "See? It's like he's turning." And I was like, "Yeah, he does look like he's turning."

Q. Did he ask you questions about the shooting prior to -- while you're in this office, so you're in an office. Is he behind a desk, Detective March?

A. No, because he's -- the computer's like right here, and we're both on this side of the desk.

Q. Both behind the desk; is that fair to say?

A. In front of the desk.

Q. In front of the desk?

A. Yeah, I think it's in front or on the side of the desk.

Q. You're on the same side of the desk?

A. Yes.

Q. And you're both looking at a computer monitor?

A. Mm-hm.

Q. Before you're looking at that computer monitor, did he ask you to walk him through the details of the shooting?

A. No.

Q. So he calls you into the office?

A. Mm-hm.

Q. Correct?

MS. RUSSELL: Yes?

BY THE WITNESS:

A. Yes. I'm so sorry.

BY MR. NEUMER:

Q. He calls you into the office and immediately directs your attention to the computer monitor?

A. Yes.

Q. And then he plays a portion of a video --

A. Yes.

Q. -- for you?

And that portion of the video contains the shooting of Laquan McDonald?

A. Yes.

Q. And what happens after he plays that portion of the video?

A. I go back and sit down and wait.
Q. Okay. But does he ask you questions while the video is playing about the video?
A. No.
Q. He plays the video. Does he ask you any questions before you go back to sit down?
A. No.
Q. Is that -- after he plays the video, is that when he makes a comment about Laquan McDonald turning?
A. Yes.
Q. So you're in the room, he plays the video for you, and makes a comment about Laquan McDonald turning?
A. Mm-hm.
Q. Is that correct?
A. Yes. Yes.
Q. And you agree with Detective March? Or what do you say when he says, Oh, it looks like he's turning here?
A. I said, Yes, it does.
Q. Did he ask you any questions at that point?
A. No.

Q. And he said, Okay, you can go sit down?

A. Yes, that's it.

Q. That's it?

A. That was it.

Q. No other questions?

A. No.

Q. You go back into the other room then?

A. Yes.

Q. Do you continue to wait there?

A. Yes.

Q. What happens next?

A. We just wait. And then they don't call us. They say they're going to call us another day, and then they release us.

Q. Who releases you?

A. Sergeant Franko.

Q. Sergeant Franko releases you. Do you have a recollection as to when he released you?

A. No. It -- it was after 6:00 because we did fill out a -- it's a time due slip whenever you do overtime. So I remember filling one of those out, so it had to be after 6:00.

Q. So it was after 6:00 a.m. --

A. Yes.
Q. -- you were released from Area Central?
A. Mm-hm. Yes.
Q. You were released from Area Central, and then where do you go?
A. I go back to the district, change, and go home.
Q. Did you take the 841 Robert vehicle with Officer Viramontes to go to the district?
A. Yes.
Q. So the two of you drove together to the district?
A. Yes.
Q. Did you talk about the shooting at all during that conversation -- or, sorry, during that trip?
A. No. No. We just went home. We talked about that -- what we were -- I talked about what I had to do in the morning because I had to take the kids to school and stuff, and that was it. I just said I got to get home and get some sleep.
Q. Were you making a conscious decision

not to talk about the shooting with Officer Viramontes during that trip?

A. Yes.

MR. NEUMER: The time is 1:53 p.m. Why don't we go off the record.

(WHEREUPON, a recess was had.)

MR. NEUMER: The time is 2:00 p.m. We're back on the record.

BY MR. BROWN:

Q. Officer Fontaine, you mentioned to us about a case report you filled out?

A. Yes.

Q. In that case report, it contains officer names and star numbers; is that correct?

A. Yes.

Q. Did that case report contain any substance as to what happened related to the McDonald shooting?

A. No.

Q. Do you want to explain anything further related to the case report?

A. It just has the -- my role when filling out the case report is you put the date, the time, the beat numbers, and just "see

detective sup."

Q. And you said you submitted the report that night?

A. Yes.

Q. Do you recall if it was edited after that point?

A. No.

MS. RUSSELL: No it wasn't edited or no you don't recall?

BY THE WITNESS:

A. No, I don't -- it -- it was not edited at that time.

BY MR. BROWN:

Q. Had it been edited, would you have been made aware of any changes to the report?

A. I should have been because it was under my PC number.

Q. So if we were to see that this document, this case report, it would have your PC number at the bottom?

A. Yes.

Q. Would it have anybody else's PC number?

A. Viramontes.

Q. And would that signify that he's in agreement with everything in the report?

A. Yes.

Q. So if changes were made to the report, he should have been made aware of those changes as well?

A. Yes.

Q. Going back to a little earlier. I briefly want to touch on the meeting with the FBI. You noted that the State's Attorney's Office was also there?

A. Yes.

Q. I just wanted to clarify, do you recall if it was the Cook County State's Attorney's Office was there, or was it the U.S. Attorney's Office?

A. I'm not sure.

THE WITNESS: Was it the State's -- I'm not sure.

MS. RUSSELL: Off the record.

(WHEREUPON, discussion was had off the record.)

MR. BROWN: The time is now 2:02 p.m. and we'll go back on the record.

BY MR. BROWN:

Q. Officer Fontaine, we were talking a little bit about the meeting with the FBI, and I'm just trying to clarify as to if it was the Cook County State's Attorney's Office that was also at the meeting, or was it the U.S. Attorney's Office?

A. It was the Cook County State's Attorney.

Q. Okay. Do you recall by chance who was there representing the Cook County State's Attorney's Office?

A. I don't recall.

Q. At that meeting, was the FBI the lead on the questions?

A. Yes.

Q. Did they tell you that your statement would be memorialized in any way?

A. I don't understand.

Q. I'm sorry, did they inform you that they were going to be making report of your statement?

A. No, not that they were going to make a report.

Q. Did you see -- you mentioned there were two FBI agents there at the meeting?

A. Yes.

Q. Do you recall them taking any notes?

A. Yes, they did.

Q. Do you recall whoever was there from the Cook County State's Attorney's Office taking any notes?

A. Yes, he was.

Q. So that was a gentleman?

A. That was a gentleman, yes.

Q. Anybody else besides the gentleman there representing the Cook County State's Attorney's Office?

A. No, not that I recall.

Q. And I think -- I'm pretty sure you already mentioned this, but it was just the one meeting with the FBI?

A. Yes.

Q. Any other meetings with the Cook County State's Attorney's Office?

A. Not that I recall, no.

Q. Did you ever have a meeting with the United States Attorney's Office?

A. No.
(WHEREUPON, discussion was had off the record between Counsel and Witness.)
BY THE WITNESS:
A. Yes, I did meet with the FBI before the grand jury one time -- I'm sorry, the U.S. Attorney.
BY MR. BROWN:
Q. What was the nature of that meeting?
MS. RUSSELL: We'll take a quick break.
MR. BROWN: The time is 2:04 p.m. and we'll take a quick break.
(WHEREUPON, a recess was had.)
MR. BROWN: The time is now 2:05 p.m. We'll go back on the record.
MS. RUSSELL: Can she clarify that last answer?
BY MR. BROWN:
Q. Officer Fontaine, please clarify.
A. I don't recall meeting with the U.S. Attorney.
Q. So before the grand jury you don't recall meeting with the U.S. Attorney's Office?

A. No.
Q. And you didn't speak to the Cook County State's Attorney's Office after that meeting with the FBI?
A. No.
Q. I believe you mentioned in that meeting with the FBI you stated that you told them the same statement as what you told March -- I'm sorry, Detective March?
A. Yes.
Q. I wanted to ask, did you give them any sort of clarifying information such as, In light of the video, this is going to clarify my statement? Or did you say anything to clarify what you told the FBI?
A. To the FBI?
Q. Yes. I'm sorry. That was a bad question.
A. That's okay.
Q. I remember you noted earlier that you said after viewing the video, that kind of clarified what was written in the report, the Supplementary Report about, "as if attacking" in relation to?

A. I didn't know he had put "as if attacking."

Q. And we're going to get into that --

A. Oh, I'm sorry, you just stated --

Q. You had mentioned something about it was clarified after you saw the video; is that accurate?

A. I'm still confused.

Q. Okay. Maybe I'll wait until we flush this out a little bit later in the interview, but I just wanted to see if there was any clarifying statements you made to the FBI in regards to you made the same statement to March as what you told them?

A. Okay.

(WHEREUPON, discussion was had off the record between Counsel and Witness.)

BY THE WITNESS:

A. When I talked to the FBI, I didn't know what March had written. I had no idea what he had written. That's why when I gave my statement to the FBI, I gave them my statement. I didn't know what he had put down.

BY MR. BROWN:

Q. I'm sorry. Okay. So at the point when you spoke to the FBI, you had not seen the final Case Supplementary Report that would have been authored by Detective March?

A. No.

Q. All right. When did you see the -- first see that statement by Detective March -- or I guess the write-up of your statement?

A. In the newspaper.

Q. In the newspaper. Okay. All right. And was that sometime in 2015?

A. Yes -- I don't recall.

Q. I definitely understand. I'm not going to keep hitting you about --

A. Yeah, I don't recall.

Q. You're just certain that you saw the statement after you spoke with the FBI?

A. Yes.

Q. When you spoke with the FBI, was that part of any sort of proffer negotiation?

A. I don't understand what you're saying.

Q. Was the subject of a proffer ever

brought up to you in regards to your conversations with the FBI?

A. I still don't understand.

BY MR. NEUMER:

Q. I think maybe I can -- so sometimes when individuals speak with the FBI, they'll sign what's called a proffer agreement. Do you recall signing any agreement right before you spoke to the FBI?

A. I did sign documents.

Q. Do you recall what those documents said at all? Were they explained to you?

A. They were explained to me, but --

Q. Do you have any recollection as to what...

A. No.

Q. That's fine.

BY MR. BROWN:

Q. Were you given a copy of the documents?

A. No.

Q. Was the negotiation about the documents, was that between your attorney and someone else?

A. Yes. My attorney was there. He read them with me and everything and I signed them.

Q. I just wanted to ask about Officer Viramontes?

A. Yes.

Q. He was your partner that night of the McDonald shooting, correct?

A. Yes.

Q. I wanted to ask, how long had he been your partner prior to that?

A. I think we've been going on five years.

Q. Five years. Okay.

Like a steady every day he's been your partner for five years?

A. For the most part because when we're short, they separate us.

Q. Absent some other changes, he's your normal partner?

A. Yes.

Q. In the normal course of your work as you observe incidents or have to make arrests, would it be normal for you to speak with Officer Viramontes as to whatever has occurred?

A. Yes.

Q. And would those conversations occur before any type of report that would need to be authored by you or Officer Viramontes?

A. Can I explain --

Q. Sure, definitely explain.

A. -- when we partner up -- when you partner up, you're the driver and then there's the driver and the passenger.

Q. Okay.

A. When you arrive on-call, most of the time the person doing the paper is the one that kind of takes the lead and asks the questions and everything to decide more or less what kind of paper it is. Unless they have a question, then we kind of talk about it. So in that sense, yes.

Q. So to aid in, I guess, authoring whatever reports either you or Officer Viramontes would need to author, you guys would have conversations to make sure you're on the same page?

A. Yes.

Q. I just want to compare that with the

McDonald incident. You already stated that, because of the circumstances with that one, you didn't feel like you wanted to talk with anyone, including Officer Viramontes, about the incident?

A. Yes.

Q. Got you. Okay.

When you were at Area Central, you mentioned that at one point, the officers were all together in the big room. I know you mentioned that you didn't have conversations with any of the officers about the McDonald incident, but I wanted to ask you, do you know if -- or did you recall if any of the other officers were having conversations as to what occurred that night?

A. No. Like I said -- no, not that anybody was specifically having them, but everybody was just kind of trying to talk about something else.

Q. So was it like a feeling of a big event has happened and let's try to get our minds off of it by talking about other things?

A. Kind of. I think that -- especially

people who have never been involved, you don't know how to -- what you should say, what you shouldn't say, how you handle it, so you kind of handle it your own way.

Q. Sure. No one instructed you guys not to talk about it?

A. No.

Q. It's something that came organically; it's just no one talked about the incident?

A. Not like detail in my presence, no.

Q. You mentioned that at some point March brings you in to show you the video?

A. Yes.

Q. I wanted to ask, you mentioned it was on a monitor. Do you recall if it was a laptop such as this, or was it like a computer monitor attached to like a hard -- like a big hard drive or something?

A. I don't recall.

Q. Do you recall Detective March taking any notes?

A. At that time, no.

Q. At that time.

MR. BROWN: That's all the follow-up I

have.

BY MR. NEUMER:

Q. I want to talk to you, Officer Fontaine, about your relationships with the various officers who were at the scene of the shooting.

A. Mm-hm.

Q. I think you mentioned, with respect to Officer Viramontes, you and he had been partners for about five years prior to the shooting --

A. Yes.

Q. -- is that correct?

And did you ever socialize with Viramontes outside of work?

A. Once he came to my son's birthday party.

Q. So one occasion outside of work?

A. That I can think of, yeah.

Q. So generally you guys did not socialize outside of work?

A. No.

Q. Would you describe yourself as a friend of Officer Viramontes?

A. Yes.
Q. With respect to Officer Van Dyke, what was your relationship with Officer Van Dyke prior to October 20th, 2014?
A. I really don't know him. I broke my ankle, and I was off for almost a whole year --
Q. Okay.
A. -- and when I returned, I saw new faces, and he was one of them. But I never really -- I didn't know him.
Q. Do you recall when you broke your ankle?
A. '13 I want to say.
Q. 2013?
A. 2013 I want to say.
Q. Have you ever partnered up with Officer Van Dyke?
A. No.
Q. Have you ever socialized with Officer Van Dyke outside of work?
A. No.
Q. Were you ever interviewed regarding a complaint someone made regarding Officer Van Dyke?

A. No.

Q. What was your relationship with Officer Gaffney prior to October 20th, 2014?

A. Gaffney, I've worked with him. I've known him.

Q. So how would you -- what was your work experience with Officer Gaffney?

A. Just coworker.

Q. How often would you have interactions like during a week with Officer Gaffney as part of your job?

A. As part of my job?

Q. Mm-hm.

A. Few times a week because if we ride on their jobs.

Q. And so that is their -- a job again is --

A. I'm sorry, a call.

Q. A call. Okay.

A. A call.

Q. So you would see him a few times a week responding to calls?

A. Yes.

Q. Okay.

A. At roll call.
Q. Okay.
A. Check-off. You just talk, you know.
Q. And how long had you guys been in the same, fair to say, unit?
A. Unit?
Q. Yeah.
A. I think we've been there the same amount of time, which is almost 15 years.
Q. Oh, okay.
A. I want to say we were -- yeah.
Q. So you've known Officer Gaffney for about 15 years?
A. Yes.
Q. And did you ever socialize with Officer Gaffney outside of work?
A. No.
Q. What was your relationship with Officer McElligott prior to October 20th, 2014?
A. Same thing, working, talking while at work and roll call, check-off.
Q. Same thing, see him a couple times a week on calls?
A. On calls or check-off, mm-hm.

Q. And how long had the two -- had you and Officer McElligott worked together?

A. With him I want to say the last three years I think we started talking more because I don't -- I don't remember when he came to the district.

Q. Okay.

A. And I didn't really associate with him.

Q. Ever socialize with Officer McElligott outside of work?

A. No.

Q. What was your relationship with Officer Bacerra prior to October 20th, 2014?

A. None.

Q. No relationship?

A. No.

Q. Never worked with him?

A. No -- that I can remember, no.

Q. No real interactions at work with Officer Bacerra?

A. Not really. He's on third watch.

Q. Okay. So you're on different watches?

A. Different watches.
Q. Never socialized with Officer Bacerra outside of the work?
A. No.
Q. What's your relationship with Officer Mondragon prior to October 20th, 2014?
A. Friends, coworkers. Same thing, roll call, check-off. We do a little bit more -- we talk a little bit more, I guess, girl to girl, more woman-to-woman things.
Q. Sure. Sure. So would you ever socialize with Officer Mondragon outside of work?
A. I don't recall ever associating with her outside of work.
Q. So work friends?
A. Yes.
Q. Okay.
A. Just recently now she had a daughter, so I've been giving her some of my daughter's stuff, so we kind of -- a little bit more --
Q. Okay.
A. -- outside of work.
Q. Is that in the last year or so?

A. Yes, two years.
Q. Was that -- did she have her daughter prior to October 20th, 2014?
A. Yes. Yes, I think so. Yes.
Q. What was your relationship with Officer Sebastian prior to October 20th, 2014?
A. Same thing, we talked at work and everything. And, prior to that, I don't think we socialized out of work.
Q. Do you socialize outside of work with Officer Sebastian now?
A. We have because she bought a house in Michigan and we have a house in Michigan, so we're -- we talk about that and --
Q. I got you. Do any -- well, I'll get through the end. How long have you worked with Officer Sebastian in the same unit?
A. About 15 years.
Q. Officer Velez, what was your relationship with her prior to October 20th, 2014?
A. Just -- she's third watch, so kind of seeing her, hi, bye, how you doing, that's it.
Q. And you never socialize with

Officer Velez outside of work?

A. No.

Q. What was your relationship with Officer Walsh prior to October 20th, 2014?

A. Just work-related.

Q. Never socialized outside of work?

A. (No audible response.)

Q. Would you say --

MS. RUSSELL: Make sure you answer out loud.

BY THE WITNESS:

A. No.

BY MR. NEUMER:

Q. Would you see Officer Walsh multiple times a week on calls and things of that nature?

A. Not as many, but I saw him in a few.

Q. And how long had you guys been in the same unit, you and Officer Walsh?

A. I'm not sure when he arrived to eight.

Q. Do any of the officers I mentioned, Officer Viramontes, Officer Van Dyke, Gaffney, McElligott, Bacerra, Mondragon, Sebastian, Velez, Walsh, live in your neighborhood in the

city?

A. Sebastian used to and she moved out.

Q. Okay.

A. Mondragon lives close now. She just moved in. And I think McElligott lives close, too. And I think that's it that I can recall.

Q. And what neighborhood do you reside in?

A. I live in Beverly. They live in Mount Greenwood.

Q. Got you.

MR. NEUMER: Kris, do you have any follow-up regarding Officer Fontaine's relationship with the other officers at the scene of the shooting?

MR. BROWN: I have no follow-up.

BY MR. NEUMER:

Q. At this time we're going to put Exhibits 6 -- previously marked as Exhibit 6 and 7 -- I think I misspoke. What's been previously marked as Exhibit 5 and 6, the CSR and the GPR.

(WHEREUPON, Exhibit No. 5 and Exhibit No. 6 were tendered to the witness.)

BY MR. NEUMER:

Q. So, again, that's Exhibits 5 and 6. The --

MS. RUSSELL: The notes are 6, okay.

BY MR. NEUMER:

Q. Notes are 6, the GPR dated October 20th, 2014. And the CSR -- the excerpt of the CSR containing Officer Fontaine's statement to Detective March.

So first, generally, I want to ask you what is a Case Supplementary Report?

MS. RUSSELL: In general.

BY THE WITNESS:

A. In general, it's something that's added on to an original case.

BY MR. NEUMER:

Q. Okay.

A. Because there's an original case first and then any supplementary is something added on to that.

Q. What's the purpose of a Case Supplementary Report?

A. My understanding is just extra facts.

Q. And who creates a Case Supplementary

Report?

A. Any officer that's -- any officer that's like -- any officer that has to work on a specific -- return to the original case report that they have extra information about it or anything has changed, they would be able to do a supplementary.

Q. Do officers create -- can I call them CSRs? Is that a term that --

A. I'm not familiar with that.

Q. Okay. We'll stick with Case Supplementary Report.

Do officers create Case Supplementary Reports, or is it detectives?

A. This here -- the form in front of me is a detective.

Q. So Exhibit 5 was created by a detective. Have you ever created a Case Supplementary Report in your time with CPD?

A. Yes.

Q. So you are familiar with Case Supplementary Reports?

A. When a regular patrol officer does it, it's called Supplementary Report, just a

regular Supplementary Report. It's a different format than this.

Q. Okay. Okay. So have you ever filled out a Case Supplementary Report?

A. No.

Q. So is it fair to say that generally detectives fill out Case Supplementary Reports?

A. I'm assuming, yes.

Q. But you -- do you not know one way or another?

A. I don't.

Q. It's not part of your general duties and responsibilities to fill out a Case Supplementary Report?

A. No.

Q. I'm now going to ask you about Exhibit 6, the General Progress Report dated October 20th, 2014. Are you familiar with the term GPR? Can I use that term?

A. I've never heard of that term.

Q. Never heard of that term?

A. No.

Q. Well, I'll ask you, what's your understanding as to what a GP- -- or what a

General Progress Report is?

A. I have no knowledge.

Q. Do you know what the purpose of a General Progress Report is?

A. I don't. This is the first time I've seen one.

Q. Okay. Do you know who creates a General Progress Report?

A. I'm assuming the detective with this in front of me.

Q. Okay. But you have no --

A. I have no idea who would -- who would do this.

Q. And you've never filled out a General Progress Report as part of your duties as a Chicago Police Department employee?

A. No, not this form.

Q. I want to direct your attention to Exhibit 5, the Case Supplementary Report, and the statement that is attributed to you in that exhibit. I think it's on the third page.

I would ask now that you read what is I think two paragraphs about a third or two-fifths of the page. Take your time. Read

that statement and let me know when you've had a chance to thoroughly read the statement.

A. You said the second one?

MS. RUSSELL: Stating with, "stated she was a Chicago Police Officer"?

MR. NEUMER: Right. Exactly. So at the top of the third page of Exhibit 5.

BY MR. NEUMER:

Q. Just to yourself. Just so you have a chance to see what is stated and then we'll ask you a few questions about that statement.

BY THE WITNESS:

A. Okay.

Q. Does Exhibit 5, Case Supplementary Report, accurately you -- accurately reflect what you said to Detective March on the night of October 20th, 2014?

A. No.

Q. What statements in the Case Supplementary Report are inaccurate?

MS. RUSSELL: Can we take a quick break?

MR. NEUMER: The time is 2:30 p.m. We'll go off the record.

(WHEREUPON, a recess was had.)

MR. NEUMER: The time is 2:36 p.m. We're back on the record.

BY MR. NEUMER:

Q. And, correct me if I'm wrong, I believe I asked you if the Exhibit 5, Case Supplementary Report, accurately reflected what you said to Detective March on the night of October 20th, 2014. I believe you said no; is that correct?

A. Yes.

Q. And then I believe I asked you which statements specifically in the Case Supplementary Report are inaccurate. So if you could walk us through what statements --

MS. RUSSELL: Can I clarify?

MR. NEUMER: Sure.

MS. RUSSELL: What statements don't reflect what she told him?

MR. NEUMER: Yes.

MS. RUSSELL: I think that's a different question.

MR. NEUMER: Sure. Sure.

BY MR. NEUMER:

Q. So let's go with that. You've had a

chance to review the Exhibit 5 statement attributed to you. So can you walk us through which -- sentence by sentence or whatever sentences you did not make -- or statements you did not make to Detective March.

A. The sentences walking towards Van Dyke as if attacking Van Dyke.

Q. Okay.

A. I'm sorry, that's the tenth.

Q. Yep, I got you. That's fine.

So the sentence in full reads, "McDonald ignored the verbal direction, instead raised his right arm toward Officer Van Dyke as if attacking Van Dyke"?

A. Yes.

Q. And you're saying you did not make that statement to Detective March on the night of October 20th, 2014; is that correct?

A. Yes. I don't recall telling him that.

Q. So when you say you don't recall making that statement to Detective March, is it possible that you made the statement that McDonald raised his right arm toward

Officer Van Dyke as if attacking Van Dyke?

A. No.

Q. No, it's not possible?

A. No.

Q. Is it accurate to say that, in your opinion, McDonald raised his right arm toward Van Dyke as if attacking Van Dyke?

A. I'm sorry?

Q. I'm saying that -- I think you've --

MS. RUSSELL: Did you see that? Did you see --

BY THE WITNESS:

A. No.

BY MR. NEUMER:

Q. You did not see McDonald raise his right arm toward Officer Van Dyke as if attacking Van Dyke?

A. No.

Q. Did you see McDonald -- when you were at the scene on October 20th, 2014, did you see McDonald raise his right arm toward Officer Van Dyke?

A. No.

Q. You did not see him raise his right

arm. Did you see him -- did you see McDonald on the night of October 20th, 2014, make any attacking movements toward Officer Van Dyke?

A. Yes.

Q. Tell us about those attacking movements.

A. Well, he was walking southbound, swaying the knife.

Q. Okay.

A. And from --

MS. RUSSELL: Let the record reflect that the witness is swaying a knife -- no, strike that. She's not swaying a knife. She's making swaying motions with her right hand.

BY THE WITNESS:

A. So he's walking southbound swaying the knife, and from my point of view, it looked like he was coming in an angle.

BY MR. NEUMER:

Q. So tell us about -- an angle in what way?

A. Like he was coming towards them but not --

Q. So let's try this direction-wise.

When you first see Laquan McDonald, what direction is he moving in?

A. He -- okay, after you -- after I looked at the video, I didn't even realize I was still in the car when a lot of this occurred, what I saw. I was still in the vehicle.

Q. Okay.

A. He was walking southbound swaying the knife walking -- he was walking southbound swaying the knife and Van Dyke and Walsh were -- how should I put it? They were outside their vehicle.

Q. Okay.

A. And from where I was looking at it on an angle, it looked like he was walking almost towards them.

Q. It looked to you like officer -- or that McDonald was walking towards the officers?

A. Yeah.

Q. Okay.

A. Like in their line.

Q. Again, what -- so what direction was he walking?

A. Southbound.

Q. Southbound. Okay.

And then you mentioned he was at an angle. What did you mean by that?

A. From the point of view I had, it looked as if he was on an angle.

Q. An angle to what? Are you saying he was no longer walking southbound?

A. He was still walking southbound, but it looked like he was kind of swaying over. Okay, there's --

Q. Did he change direction or...

A. No, he was -- he was going -- he was coming southbound -- how should I explain?

He was still coming southbound swaying the knife, and when I -- when I saw him -- how should I put it?

THE WITNESS: Can we take a break?

MS. RUSSELL: Sure.

MR. NEUMER: The time is 2:43 p.m. We'll go off the record.

(WHEREUPON, a recess was had.)

MR. NEUMER: The time is 2:44 p.m. We're back on record.

What question was pending?

MS. RUSSELL: She was trying to explain what she meant by him walking at an angle.

MR. NEUMER: Okay.

BY THE WITNESS:

A. When I arrived on scene, I didn't realize until I saw the video I was still in the vehicle. So by the angle I'm in, he's walking southbound but because he's straight and I'm in the angle and Van Dyke and Joe are out of their car, it almost seemed to me as if he was walking towards them.

BY MR. NEUMER:

Q. Having watched the video, do you think it is accurate to say that McDonald was walking towards Officers Walsh and Van Dyke?

A. After watching the video?

Q. (Nodding).

MS. RUSSELL: Can I butt in? So I know what the question is, but I guess it depends like where you are in the sequence.

So at one level he is walking towards them, he's in the middle of the road, he's walking towards them as opposed to away from them.

Is that what you're asking generally? like, is he walking towards them; is he away from the middle of the road? I could be walking towards you guys coming this way (indicating) or I could be walking towards you going this way (indicating). I'm not sure if that helps or hurts.

MR. NEUMER: Sure.

MS. RUSSELL: But maybe you can explain what you meant by it appeared he's walking towards you or what you saw in the video.

BY THE WITNESS:

A. I mean, what I saw in the video, he was still walking southbound swaying the knife. And when I looked at the video, it did seem as if he turned, but --

BY MR. NEUMER:

Q. Did he turn toward Officer Walsh and Van Dyke, or did he turn away from Officer Walsh and Van Dyke?

A. If you slow it down slow enough, it looks as if he's turning towards them.

(WHEREUPON, discussion was had off the record between Counsel and Witness.)

BY THE WITNESS:

A. But I'm not sure. But that's -- but I'm not sure if that's because he was shot at that point, that that's what made him (indicating), yes.

BY MR. NEUMER:

Q. So with respect to the statement in Exhibit 5, is there -- are there any of these other sentences that you never said to Detective March, other than the "as if attacking Van Dyke" portion?

A. The one about, "McDonald was walking sideways with his body facing east towards Jason Van Dyke and Officer Walsh," that I'm not sure.

Q. You don't know whether you made that statement --

A. No.

Q. -- to Detective March?

A. No, that one I'm not sure.

Q. Are there any other statements that you either know for certain or you are not sure

whether you made to Detective March on the night of October 20th, 2014, in the statement in Exhibit 5?

A. That's it.

Q. So you -- tell me, with respect to, "as if attacking Van Dyke," do you know whether or not you made that statement to Detective March?

A. I did not make it.

Q. You did not make it. And then with respect to "McDonald was walking sideways with his body facing east towards Officers Jason Van Dyke and Joseph Walsh" --

A. No.

Q. -- you don't know whether you made that statement?

A. No.

Q. Every other statement in -- every other sentence in this statement you think you did make to Detective March on the night of October 20th, 2014?

A. Yes.

Q. And, now, different question. Is -- so we've been talking about whether or not you

made these statements to Detective March. We touched on it a little bit, but I want to ask it directly.

Look at the statement in Exhibit 5. Are there any of these sentences that you consider to be inaccurate; it's not actually what happened?

A. For the rest of them?

Q. For -- I'm talking about the entire -- so we were focussing primarily just recently on whether you made the statements in this exhibit to Detective March.

Now I'm going to ask you a different question. I'm going to ask whether the statements in -- that are attributed to you are accurate. Do they reflect what actually happened?

A. No.

Q. Do you understand the question that I'm -- and so, as you look back at this -- as you look over the statement attributed to you in Exhibit 5, I want to identify for me which, if any, of the statements that are attributed to you are not accurate, that's not how things

occurred on the night of October 20th, 2014.

A. The one where he -- where he raised his arm towards Officer Van Dyke as if attacking him.

Q. So that statement is not accurate?

A. Not that I know of.

Q. Not -- that's not what you witnessed on the night of October 20th, 2014?

A. Yes.

Q. Right. So you did not witness McDonald raising his right arm toward Officer Van Dyke as if attacking Van Dyke?

A. Yes.

Q. That's correct?

A. That's correct.

Q. So same question now. Are there any other statements or sentences in the statement that are not accurate according to what you witnessed on the night of October 20th, 2014?

A. No.

Q. So every other statement -- every other sentence in your statement is accurate according to what you witnessed on the night of October 20th, 2014?

A. Yes. Except that one sentence that I wasn't sure.

Q. Right.

A. Okay.

Q. Except for the "McDonald was walking sideways with his body facing east" --

A. Yes.

Q. -- you're not sure whether that statement is accurate?

A. I'm not sure if I said it at that point in time.

Q. Let's talk about the accuracy of that statement. Do you think it's accurate that McDonald was walking sideways with his body facing east towards Officer Van Dyke and Joseph Walsh?

A. Well, now that I look at the video, again, it does look accurate.

Q. Your statement -- or the statement, "McDonald was walking sideways with his body facing east towards Officers Jason Van Dyke and Joseph Walsh," having reviewed the video of the shooting, you feel that statement is accurate?

A. Because of that turn? In the video

there's like a slight turn --

Q. Immediately prior to McDonald -- well, at what --

MS. RUSSELL: Let me.

(WHEREUPON, discussion was had off the record between Counsel and Witness.)

BY THE WITNESS:

A. For that sentence, to be more specific, it's not that he was walking sideways eastbound through the street; he was walking swaying, so he's kind of -- you know, what I mean?

BY MR. NEUMER:

Q. Sure.

A. Swaying. So kind of --

MR. NEUMER: For the record --

BY THE WITNESS:

A. -- kind of in and out.

MR. NEUMER: -- Officer Fontaine is moving her shoulders back and forth in a swinging motion.

BY MR. NEUMER:

Q. Let's see, I want to ask you whether

you recall making any statements to Detective March that are not reflected on the night of -- make any statements on the night of October 20th, 2014, regarding the shooting that are not reflected in the Exhibit 5 report --

A. No, I don't remember.

Q. So you don't recall telling Detective March anything on October 20th, 2014, that is not in here?

Or, put differently, do you recall any details you told Detective March that you don't see included in Detective March's report?

A. The swaying of the knife.

Q. So Detective March didn't -- you told him that the -- that Laquan McDonald was swinging the knife, and you don't see that reflected in Detective March's write-up of your statement?

A. Correct. Yes.

Q. Any other details that you told --

A. Not that I remember.

Q. I'll just -- any other details you recall telling Detective March that you don't see in his write-up?

A. Not that I remember.

Q. Okay. So at this point, I'm going to go through some of the notice -- some of the allegations that are included in the Notice of Allegations. Some of this will be moderately duplicative but...

It is alleged that on or about October 20th, 2014, you made a false statement during an interview with Detective March when you stated that McDonald was walking southbound with his body facing east toward Officers Van Dyke and Walsh.

Do you stand by your previous statement?

A. The -- I'm sorry.

(WHEREUPON, discussion was had off the record between Counsel and Witness.)

BY THE WITNESS:

A. I stand by my testimony that I've given you today.

MS. RUSSELL: Is that what you're asking?

BY MR. NEUMER:

Q. It is, but I'd like to really hone in

on, in particular, your statement -- the statement in the report --

MS. RUSSELL: That's not her statement.

MR. NEUMER: Well, that's true.

BY MR. NEUMER:

Q. The statement that is attributed to you in Detective March's report and whether you stand by that previous statement or if there's anything you'd like to add regarding the allegations.

So let me read the allegation again --

MS. RUSSELL: Really quick, before you do, other than what she's already told you was not correct? Do you see what I'm saying? The allegation is you provided a false narrative to Detective March. I mean, she's told you --

MR. NEUMER: And I --

MS. RUSSELL: So I guess I'm confused by "Do you stand by your previous statement."

MR. NEUMER: Sure -- oh, sorry. I got you.

BY MR. NEUMER:

Q. So when I say, "previous statement," I'm not referring to anything you've told us

today. What I'm referring to is the statement that is attributed to you in Detective March's report, the Exhibit 5 report. And so I'll read the allegation again and give you an opportunity to respond.

So it is alleged that on or about October 20th, 2014, you made a false statement during an interview with Detective March when you stated that McDonald was walking southbound with his body facing east toward Officers Van Dyke and Walsh.

Do you stand by your previous statement as included in Exhibit 5, or is there anything you'd like to add regarding this allegation?

A. As I stated earlier, I don't remember telling him that.

Q. Okay. It is alleged that on or about October 20th, 2014, you made a material omission during an interview with CPD Detective March when, with respect to the McDonald shooting, you failed to state that Officers Van Dyke and Walsh moved towards McDonald prior to the shooting.

Why didn't you tell Detective March

that McDonald changed the direction in which he was walking prior to being shot by Officer Van Dyke -- let me read that again. Strike that.

MS. RUSSELL: I think you're on four.

MR. NEUMER: Strike that.

BY MR. NEUMER:

Q. It is alleged that on or about October 20th, 2014, you made a material omission during an interview with CPD Detective March when you failed to state that Officer Walsh and Van Dyke moved towards McDonald prior to the shooting.

Why didn't you tell Detective March that Officer Walsh and Officer Van Dyke moved towards McDonald prior to the shooting?

A. Detective March never asked me that question and --

Q. Okay.

A. And I never saw that.

Q. You never saw Officers Walsh and Van Dyke move towards McDonald prior to the shooting?

A. No, their vehicle was blocking them.

MS. RUSSELL: From her view.
BY THE WITNESS:
A. From my view --
BY MR. NEUMER:
Q. From your view --
A. -- they were blocked.
Q. Officer Walsh and Officer Van Dyke were blocked from your view by their vehicle?
A. Yes.
Q. It is alleged that on or about October 20th, 2014, you made a material omission during an interview with CPD Detective March when you failed to state that Laquan McDonald changed direction prior to being shot by Officer Van Dyke.
Why didn't you tell Detective March that McDonald changed the direction in which he was walking prior to being shot by Officer Van Dyke?
A. I didn't see that. I didn't see him changing direction.
Q. Okay. It is alleged that on or about October 20th, 2014, you made a false statement during an interview with CPD Detective March

when, with respect to the McDonald shooting, you stated that McDonald raised his right arm toward Officer Van Dyke as if attacking Van Dyke.

Do you stand by that statement, or is there anything you would like to add regarding this allegation?

A. I never made that statement.

Q. You never made that statement to Detective March.

A. To Detective March.

Q. Right. Do you have any idea why Detective March included that statement in his report?

A. I have no idea.

Q. Did Detective March at any time ever ask you to change your story about -- when he was interviewing you?

A. No.

Q. Did he ever direct you what to say regarding the McDonald shooting?

A. No.

Q. How about with respect to when he showed the video and he made a comment; did you feel as if he was instructing you how to

respond?

A. I -- different people were looking at the video, so I just assumed he wanted us to see the video.

MS. RUSSELL: Listen to his question.

Can you read it back.

(WHEREUPON, the record was read by the reporter.)

BY THE WITNESS:

A. No.

BY MR. NEUMER:

Q. Do you know what he was trying to communicate to you by showing the video and making a comment on the shooting?

A. No.

Q. Did you feel pressured by Detective March to agree with his comment -- the comment that he made regarding the video?

A. No.

Q. It is alleged on or about October 20th, 2014, that you made a false statement to CPD Detective March when, with respect to McDonald shooting, you stated that the gunshots Officer Van Dyke fired at McDonald

were rapid fire and without pause.

Do you stand by your previous statement to Detective March, or is there anything you would like to add regarding this allegation?

A. No, that's -- I stick to that. I -- that's -- at that point in time, that's what I heard.

Q. It is alleged that on or about October 20th, 2014, you provided a false narrative to Detective David March of the CPD concerning the McDonald shooting through a series of false statements or material omissions --

MS. RUSSELL: I'm sorry to interrupt you, but what allegation are you on? My next one is in-car video.

MR. NEUMER: Right. So this is one. We're back to allegation one.

MS. RUSSELL: I see. Okay. Got it.

BY MR. NEUMER:

Q. So it is alleged that on or about October 20th, 2014, you provided a false narrative to Detective March concerning the

McDonald shooting through a series of false statements and material omissions.

Do you stand by your previous statements to Detective March, or is there anything you would like to add regarding this allegation?

A. Just what I stated earlier.

Q. Earlier in this interview?

A. In this interview.

MR. NEUMER: Kris, do you have follow-up on this section?

MR. BROWN: Yeah, I've got a couple of follow-ups.

BY MR. BROWN:

Q. You mentioned earlier that Detective March showed you a video in an office --

A. Yes.

Q. -- is that accurate?

Just a little bit ago I thought you might have said something about he showed us the video. I just wanted to get you to clarify, did he just show you the video by yourself in the office, or did he show the whole group in the

big room?

A. It was me, him, and I want to -- I -- as I'm thinking about it, I think there was somebody else in there that was running the video.

Q. Okay.

A. So I -- I'm sorry.

(WHEREUPON, discussion was had off the record between Counsel and Witness.)

BY THE WITNESS:

A. No, I'm sorry, I'm getting you confused. There was no other officers, just me.

BY MR. BROWN:

Q. And the other person that was in the room, that was a technical person to operate the video?

A. I don't know. I don't know.

Q. Sure. You didn't know what the purpose of -- for that other person, you don't know why they were there?

A. No, I don't.

Q. Just to recap, when you were in the side office looking at the video, it was just

yourself, Detective March, and this other person?

A. Yes.

Q. Did the other person say anything to you?

A. No.

Q. Did the other person take any notes as far as you know?

A. No.

Q. In the video that was shown to you by Detective March, was that the same video as what was tendered to you by IAD, I guess via us?

A. I can't answer that because -- it's not that I can't; I don't know. I don't know.

Q. Was it the same video that --

(WHEREUPON, discussion was had off the record between Counsel and Witness.)

MS. RUSSELL: Let me interject. I think the video that she saw was the actions as depicted on the video that was provided to her. Whether it was the same video, she can't be certain.

Is that an accurate statement?

THE WITNESS: Yes.
BY MR. BROWN:
Q. And that's totally understandable. I'm not definitely trying to get you to say it's lie the exact same video --
A. Oh, okay.
Q. -- who knows what he showed that night. I just wanted to get you to say if it was the same footage, like the shooting --
A. Yes.
Q. -- was the same thing that you saw. Okay.
Do you recall how much of the video he showed you?
A. Just the walking southbound and him -- like I said, that little turn.
Q. So just -- you were just shown McDonald walking southbound from the Burger King --
A. I don't even think it was all the way from the Burger King.
Q. Okay.
A. I think it was just him walking and that turn -- that little turn.

Q. You did get to see the actual shooting, though, on the video, right?

A. From the video?

Q. Yes.

A. Yes.

Q. Okay.

A. And all over the news.

Q. Right.

A. Yes.

MS. RUSSELL: Did Detective March show you the shooting portion?

THE WITNESS: No.

BY MR. BROWN:

Q. So the video he showed you, he just showed you McDonald walking, I guess, towards Officer Walsh and Van Dyke, but the video was cut off before the shooting occurred?

A. Yes. It was just the turn and that was it. It wasn't continued all the way.

MR. NEUMER: Can we go off the record for one moment?

MR. BROWN: The time is now 3:10 p.m.

(WHEREUPON, discussion was had off the record.)

MR. NEUMER: The time is 3:12. We'll go back on the record.

BY MR. NEUMER:

Q. Officer Fontaine, I'm now going to show you a portion of the video that was recovered from the in-car video system of Beat 813 Robert vehicle. This is one of the videos that OIG provided to you on February 22, 2016, on DVD.

My colleague, Kris Brown, is going to open the VLC media file titled VIDEO_ TS.IFO on his laptop. File contains six minutes and five seconds of footage. The video has a time stamp on it indicating the date and time the video was recorded.

And we're going to advance the video to the portion time-stamped 9:57 p.m. and 22 seconds. And there's also a corresponding VLC media player time-bar time, which goes from zero to six minutes, five seconds.

And we are at 4:37 on the media player time bar. And, again, we should be at 9:57 and, I think, 22 seconds p.m. in terms of the embedded time stamp.

MR. BROWN: Then we want to go to a little bit before that to capture more of the walking?

MR. NEUMER: Well, I don't think Officer -- what I'm going to first do is play it from here and ask Officer Fontaine to stop the video when she sees her car pull up on the scene.

BY MR. NEUMER:

Q. We can do this a few times, so don't feel any pressure, but why don't we roll the video, and I want you to stop us when you see your vehicle, the vehicle that -- you're a passenger in, correct?

A. Yes.

Q. Pull up on the scene. So we're going to start the video.

(VIDEO BEING PLAYED)

BY THE WITNESS:

A. That's us.

MR. NEUMER: So Officer Fontaine has -- we stopped the video at embedded time stamp October 20th, 2014, 9:57 p.m. and 33 seconds.

BY MR. NEUMER:

Q. Is that correct, Officer Fontaine?

A. Yes.

Q. And you directed us to stop the video because you now see your -- the vehicle you were a passenger in that night, 841 Robert, pull up behind Officers Van Dyke and Walsh; is that correct?

A. Yes.

Q. So what I'm going to do now is, we're going to start the video again, and I want you to point out the turn that you've been -- you referred to a couple times. Is that fair?

A. Yes.

Q. So we're going to start the video. And, again, you can see this a couple times. I want you to direct us to stop the video when you see the turn that you were talking about earlier. So go ahead and start the video.

(VIDEO BEING PLAYED)

BY THE WITNESS:

A. Before that --

BY MR. NEUMER:

Q. We'll go back a few seconds and we'll start again.

(VIDEO BEING PLAYED)

BY THE WITNESS:

A. Stop. You see right here where it looks like he's walking and then...

BY MR. NEUMER:

Q. We have stopped it at 4 minutes and 54 seconds on the VLC media player time bar. There's no time stamp on the -- the time stamp embedded is not visible at the moment on the video footage.

And so, Officer Fontaine, why did you direct us to stop it right here?

A. Because this is where it looks like he went from straight to an angle, a little angle or --

Q. A little angle --

A. -- a twist.

Q. He's making a turn you're saying?

A. Yes.

Q. And is this the turn that Detective March pointed out to you when you were at Area Central and he showed you the video?

A. This wasn't the video. The video he showed me you saw his angle this way (indicating).

Q. You saw whose angle which way?

A. Van -- McDonald, you actually saw him walking, not from the back, but from the side.

Q. From the side?

A. It might be the Dunkin' Donut one?

BY MR. BROWN:

Q. Was it a perspective from further away?

BY THE WITNESS:

A. Yes. It was --

MS. RUSSELL: Let's see the other one, if you don't mind, and then you say if that was the right one.

MR. NEUMER: Let's pull up the Dunkin' Donuts video.

MS. RUSSELL: Or the other car?

BY MR. BROWN:

Q. Is that it? It will take some time for me to get the moment. The vehicles come from this way, and you only get to see a small view from Van Dyke and Walsh like right there.

A. Then it must have been the other one.

MR. NEUMER: For the record, at the moment we are showing Officer Fontaine the Dunkin'

Donuts video surveillance that was provided to Officer Fontaine on DVD on February 22, 2016.

BY MR. NEUMER:

Q. Officer Fontaine, is it fair to say that the Dunkin' Donuts surveillance video footage that we are presently showing you is not what Detective March showed you on the night of October 20th, 2014?

A. Yes.

Q. We're now going to close this out and let's go back to the dash cam footage from --

MR. BROWN: 813.

BY MR. NEUMER:

Q. -- Vehicle 813 Robert. So I'm going to ask you, Officer Fontaine, once we load the file and get it to the appropriate portion, we'll show it to you again, and I'm going to ask you whether it's possible that the 813 Robert dash cam footage is what Detective March showed you on October 20th, 2014. But don't answer just yet. Let's watch the video again and see.

BY MR. BROWN:

Q. And for note, this one is in full-time, so maybe that -- maybe that might

assist you in seeing how it's playing out.

(VIDEO BEING PLAYED)

BY MR. BROWN:

Q. If you want, I can put it slower, frame by frame.

MR. NEUMER: So, for the record, the footage we just showed to Officer Fontaine of the shooting of Laquan McDonald was played at full speed. Previously we showed it to Officer Fontaine at a slowed-down speed.

BY MR. NEUMER:

Q. So, Officer, we'll stop the video. And I want to ask you if you think it's possible that the footage you are watching right now or the footage we showed you is the same footage that Detective March showed you on the night of October 20th, 2014? Do you think that's possible?

A. Yes.

Q. Do you think it's likely that this is the footage Detective March showed you?

A. Yes.

Q. So let's watch again. And I want to -- again, I want -- we've already identified

when your vehicle comes onto the scene. I want you to now to identify for us the turn that Detective March pointed out to you at Area Central on October 20th, 2014.

BY MR. BROWN:

Q. I'm going to ask, would it be easier for you to watch it full speed or would you like it --

A. It has to be slow motion because I can't tell you exactly when --

Q. Sure. No problem.

(VIDEO BEING PLAYED)

BY THE WITNESS:

A. Oh, I'm sorry. I forgot to --

BY MR. BROWN:

Q. That's okay.

MR. NEUMER: We'll go back a few seconds.

(VIDEO BEING PLAYED)

BY THE WITNESS:

A. That -- is that what you want me to say where he turned?

BY MR. NEUMER:

Q. What I want you to identify is what Detective March pointed out to you. I believe

previously you testified Detective March pointed out to you some sort of turn and asked whether you saw the turn when he was showing you the video at Area Central on October 20th, 2014.

So what we want you to identify right now is the turn that Detective March was referring to when he showed you the video. Does that make sense?

A. Yes.

Q. So let's watch it one more time and, again, I want you to focus specifically on the turn that Detective March was referring to.

MS. RUSSELL: If you remember exactly which one he showed you.

(VIDEO BEING PLAYED)

MR. NEUMER: So, for the record, we just showed Officer Fontaine a portion of the 813R vehicle dash cam from about 9:57 -- with the embedded time stamp 9:57 and 28 seconds to 9:57 41 seconds.

BY MR. NEUMER:

Q. Did you see the turn that Detective March was -- mentioned on the night of October 20th, 2014, when he showed you the

video?

A. You know, I'm not sure.

Q. Okay. Can you tell us -- and I'm going to go back.

A. Can I have a minute?

Q. Sure. Take a minute.

MR. NEUMER: The time is 3:24. We'll go off the record.

(WHEREUPON, discussion was had off the record.)

MR. NEUMER: The time is 3:25. We're back on the record.

We're now going to show Officer Fontaine the dash cam video from, I think, 845 Robert. Is that correct?

MR. BROWN: That's correct.

(VIDEO BEING PLAYED)

BY THE WITNESS:

A. No, that's not it.

BY MR. BROWN:

Q. That's not the one Detective March showed you?

A. No.

MS. RUSSELL: Are either of these the one

he showed you?

THE WITNESS: Like I said, I don't...

BY MR. BROWN:

Q. Did the video Detective March showed you appear to be as blurry as --

A. No.

Q. -- this video right here?

A. No.

MR. NEUMER: And, again, for the record, Officer Fontaine is viewing the footage from the 845R vehicle dash cam.

(VIDEO BEING PLAYED)

BY MR. NEUMER:

Q. Officer Fontaine, do you think -- would it help you to watch the 813 Robert dash cam footage additional times to try and identify the turn that Detective March mentioned on the night of October 20th, 2014?

A. Yes.

Q. It would?

MR. BROWN: Okay. So now we'll go back to the 813R video. Would you like to watch it in full speed or the slower speed?

THE WITNESS: No, full speed.

MR. NEUMER: We'll cut to the 9:57 and 28 seconds in the embedded time stamp for the 813 Robert dash cam footage now, and we will show the relevant portion to Officer Fontaine at full speed in an effort to help Officer Fontaine identify the turn that Detective March pointed out to her on the night of October 20th, 2014.

(VIDEO BEING PLAYED)

MS. RUSSELL: The question is do you remember --

THE WITNESS: If that's the one --

MS. RUSSELL: -- Detective March?

THE WITNESS: Yes.

MS. RUSSELL: Are you sure?

BY MR. NEUMER:

Q. So now what I'm going to ask you to do again is have my colleague stop the video -- I want you to have Kris stop the video -- so what we want to do is establish a good record.

If you think you can identify the turn that Detective March pointed out to you -- and if you can't -- I'm not trying to put words in your mouth. You either can or if you don't think you can, that's okay, too, but we're going

to run it one more time and I want you to instruct my colleague to stop the video if you think you identified the turn that Detective March pointed out to you on the night of October 20th, 2014, when he showed you this video.

MS. RUSSELL: So you've identified, you seeing the video, where you have seen the turn, but the question is Detective March that night --

THE WITNESS: Yes.

MS. RUSSELL: Okay? So if you can remember, you can; if you can't, you can't.

MR. NEUMER: So we'll watch it -- maybe go back like three seconds or something.

MR. BROWN: Rewind it one more time?

THE WITNESS: No, I'm not sure.

BY MR. NEUMER:

Q. Do you think that watching it again would help you become more sure -- or would help -- is it fair to say that you've watched the video maybe five to seven times and you're not sure when Detective March -- the exact moment he was -- he referred you to when he

showed you the video?

A. Yes.

Q. Okay.

MR. NEUMER: I think -- did you have any follow-up?

MR. BROWN: I think I have another couple quick ones.

BY MR. BROWN:

Q. I just wanted to ask, prior to the night of the McDonald shooting had you ever been questioned by a detective before?

A. By a detective?

Q. Yes, in this manner that March was questioning you.

A. Not at -- no, not in this situation.

Q. My next question was going to be, are there other situations where you were questioned?

A. On a call. Like if I was on a call and detectives came on scene, yes.

Q. But not in a situation where you were taken back to an area station and questioned about an incident like your observation of an incident?

A. I'm trying to think. I don't recall.
Q. Even in those instances where you weren't taken back to an area, maybe a detective just spoke to you about something else?
A. I have had detectives talk to me about stuff in certain cases.
Q. In relation to your observations as to whatever occurred?
A. Yes.
Q. Okay. In any of those instances, do you recall the detective showing you a video prior to getting your statement?
A. No.
Q. I think from what we were understanding from the -- when you're at the area and when March asked you to come into that office with yourself and then that other person was in there, it didn't sound like there was much conversation that occurred at that meeting, correct?
A. Yes.
Q. Was it -- it safe to say that the stuff -- the statements that are attributed to you in the detective Supplementary Report, those

all came from when March spoke to you near your squad car?

A. Yes.

Q. I just wanted to make sure that -- since he didn't speak to you much at the area, that when he did talk to you about the stuff that's in the report.

A. I can't speak for him, so I don't know, but I'm assuming, yes.

Q. No, I'm kind of asking did you -- the statements that are attributed to you in this report, did you make those statements near your squad car?

A. That one, yes.

Q. Okay.

MR. BROWN: That's all.

BY MR. NEUMER:

Q. The statements that are attributed to you in Exhibit 5 you made to Detective March outside of your squad car at the scene of the Laquan McDonald shooting?

A. Yes.

MS. RUSSELL: Other than the ones she's previously testified to that she did not make.

MR. NEUMER: Understood. Understood.
MR. BROWN: Yes.
BY THE WITNESS:
A. Yes.
BY MR. BROWN:
Q. Yes. Okay. All right.
You mentioned that you weren't certain about the statement in Exhibit 5 about the walking sideways with his body facing east. Can you -- I wanted to get -- if possible, can you elaborate on why you think you might not have made that statement?
A. Because of the fact that I -- I've stated that he was walking southbound swaying the knife. Otherwise, I would understand that I'd be like he was walking actually all the way facing east.
THE WITNESS: Do you know -- how can I say this?
(WHEREUPON, discussion was had off the record between Counsel and Witness.)
BY THE WITNESS:
A. I mean, I just saw him walking

southbound swaying the knife.

BY MR. BROWN:

Q. And that's perfectly fine. I was hoping to get to that language that's in the report that's attributed to you. Is that -- was that language something you typically wouldn't say, like you -- would you say like a person's walking in a direction facing another direction? Is that a statement that you would normally make in a report? Do you get usually that specific with a person's direction as they're walking?

A. Not that detailed. I mean, depending on the situation. But for something like this, it's -- what I witnessed was southbound. Do you know --

Q. I think I understand. So you're saying it's -- depending on the situation, you might have put in your statement that a person was walking in a certain direction, but, in this particular instance, in relation to Exhibit 5, you think McDonald was walking southbound and --

A. Because --

Q. -- that's why you're not sure about that statement being totally accurate?

A. Yes.

Q. Okay.

MR. BROWN: That's all.

BY MR. NEUMER:

Q. Really quickly, with respect to Detective March, did he provide you -- so he showed you the video, right, at Area Central? That's correct, the dash cam -- or he showed you footage of the Laquan McDonald shooting, correct?

A. Yes.

Q. Okay. Did he give you --

MS. RUSSELL: Hold on a second.

(WHEREUPON, discussion was had off the record between Counsel and Witness.)

BY MR. NEUMER:

Q. Did he show you footage of the scene of the Laquan McDonald shooting?

A. Yes.

Q. And he showed you footage of Laquan McDonald walking?

A. Yes.

Q. Is it fair to say you don't know

whether he showed you the actual shooting?

A. Yes.

Q. Is it possible he showed you the shooting?

A. It's possible.

Q. Other than his showing to you of the footage of the scene of the Laquan McDonald shooting, did he provide you with any other information regarding the shooting of Laquan McDonald as you were giving him statements regarding your version of events?

A. I'm sorry, was he...

Q. Did he provide you any other information? He showed you the video. Did he provide you any other details regarding the shooting as you were discussing the -- your witnessing of the shooting?

MS. RUSSELL: I think -- I don't think her testimony was that they were discussing the -- what she witnessed in the room, the video. She did in the car.

BY MR. NEUMER:

Q. At any point in the night of October 20th, 2014, when you were talking to

Detective March, did he provide you details regarding the shooting of Laquan McDonald?

A. No.

Q. Other than showing you the video at Area Central?

A. No.

Q. Nothing else?

A. No.

Q. Did he ever direct you to make certain statements regarding what you witnessed?

A. No.

Q. Did he ever tell you what you said you saw was not accurate?

A. No.

Q. I think now we are going to move on to dash cam. And we want to talk to you about the 841 Robert in-car video system. That 841 Robert is also Vehicle 8948.

Do you have a recollection of the vehicle number you were driving -- you were a passenger in on the night of October 20th, 2014?

A. I don't remember. We change vehicles every day.

Q. If we showed you a report showing

that vehicle 841 Robert was Vehicle Number 8948, would you have any reason to doubt the accuracy of that report?

A. No.

Q. And we'll show you that -- we'll get to that.

So generally what's the purpose of an in-car video system?

A. To make -- I'm sorry. Just to make sure everything's logged in that it's keeping -- that if we arrived on scene -- arrive on a scene of a call or a traffic stop, that we're following, you know, our rules. And if anything goes awry with the subjects being stopped or even can go wrong, it's kind of to protect both parties.

Q. And so that in-car video system, it captures video and audio; is that correct?

A. Yes.

Q. And can you walk us through the ways you interact with the in-car video system as part of your daily duties.

A. You -- well, when you start your tour, you have to log in. The mics do not work

if the camera doesn't work. So if the camera doesn't work, your mics do not work. The mics have to be synced to the camera.

Q. And you sync those mics prior to the start of your tour of duty?

A. To the start of the tour, yeah. Yes. When you turn on your camera at the beginning of your tour, you sync the mics, and then they should all -- everything should be working.

Q. And then throughout the rest of your shift, another -- what other ways do you use the in-car video system for your vehicle?

A. Again, to video any kind of calls, stops, interactions with specific people.

Q. And now I want to talk -- as of October 20th, 2014, what rules and regulations governed your use of the in-car video system?

A. I'm sorry?

Q. Do you know what rules and regulations applied with respect to your or any officer's use of the in-car video system?

A. The use of it? That we have to use it?

Q. (Nodding.)

A. Yes, it's a procedure that we have to use it.

Q. I'm going to show you what we will mark as Exhibit 7. This is Special Order S03-05 issued February 23, 2012.

(WHEREUPON, a certain document was marked Exhibit No. 7, for identification, as of 03/16/2016.)

BY MR. NEUMER:

Q. And this is a Chicago Police Department Special Order pertaining to in-car video systems. I would direct your attention to Section 6 on Page 3 titled Operational Procedures.

So have you seen Exhibit 7, this Special Order before, Officer Fontaine?

A. 6 or 7?

Q. Sorry, it's Exhibit 7. Section 6 of Exhibit 7. But I'm asking you more broadly, have you seen this exhibit, this Special Order prior to today?

A. Yes.

Q. Okay. And where did you come into contact with this Special Order?

A. They have them in the stations.

Q. Did you ever receive training on these procedures?

A. Yes.

Q. Tell us about this training or those trainings.

A. The training was done through eLearning, which is programmed into the computer, where you bring it up and they give you -- they show you how to turn it on, how to turn it off, how it works.

Q. And how long did that training take?

A. I'm not quite sure, but maybe an hour, 45 minutes, hour.

Q. Did you receive any other trainings other than that eLearning training?

A. Not that I recall.

Q. Did you ever go to the academy for a training on in-car video systems?

A. I don't remember.

Q. With respect to that Section 6 on Page -- actually, I think it's Page -- no, it is Page 3, do you see the portion of Section 6(A)(1) where it says, "At the beginning of a

tour of duty" -- I'll insert department members are to -- "visually inspect the in-car video system equipment for damage; obtain the remote transmitter/audio recorder and ensure that it is securely fastened to member's person; follow the startup procedures for the in-car video system as trained and ensure the system is working properly."

Do you see that section?

A. Yes.

Q. Were you familiar with that section?

A. Yes.

Q. Okay. Were you familiar with that section as of October 20th, 2014?

A. Yes.

Q. Did you know that you were to follow those procedures outlined in Section 6(A)(1) of Exhibit 7?

A. Yes.

Q. Okay. Let's see, do you see the note in that same section --

(WHEREUPON, discussion was had off the record between Counsel and Witness.)

MS. RUSSELL: Sorry.

BY MR. NEUMER:

Q. Do you see the note in that same section that states, "Members will immediately notify supervisor if at any time the in-car video system is inoperable, damaged, the equipped vehicle becomes inoperable, or the remote transmitter/audio recorder is missing"?

A. Yes.

Q. Did you ever -- was there ever an occasion where you had to notify your supervisor regarding a damaged in-car video system?

A. Yes.

Q. Okay --

A. Can -- go ahead.

Q. Tell us, how does that process work when you have to notify a supervisor about a damaged in-car video system?

A. The procedure we had at that point was, because we're so short on cars, we -- they assign us a car, and we have to take the car that's assigned to us.

If the equipment's not working, the sergeant by -- sometimes they get stuck in the

station, but by -- when they come out, they'll PDT us and they'll ask us, How's the camera? How's the mics?

Q. Who will come out?

A. The sergeant. We have to send them a message over the computer stating the cameras are working or they're not working or -- when they're not working, there's a ticket number. The ticket number's like a work request that it has to be worked on for the vehicles.

So as long as there's a ticket number, they want us to take the car out. And then we, in turn, will notify the sergeant when he comes out on the street saying, you know what, we have a ticket number, our camera's not working.

Q. So would you notify your -- and I'm talking -- let's direct this all to October 20th, 2014, --

A. Yes.

Q. -- the procedures that are in place as of that time. Would you notify your sergeant every day like, Camera's working or in-car video system is working, or only when it wasn't

working would you talk to your sergeant about it?

A. Every day. It's working every day or it's not working or a ticket number.

Q. So -- okay. So let's say it's not working -- again, going back to that. And I think you touched on this, but like if you try and power on the system or find out it's not working in whatever way, what do you do?

A. Well, if it's not working, like I said, and has a ticket number, we still have to go out.

Q. Okay. And how do you know if it has a ticket number, the vehicle has a ticket number?

A. Because there's an actual -- it says ticket number, and they have it on the camera or they have it somewhere around in the camera.

Q. What if there's no ticket number on the camera?

A. Then we have to notify the sergeant that it's not working and then -- you know, I don't know if he calls -- I don't know what he does, but apparently they're the only ones who

can get a ticket number.

Q. So you call your sergeant, you tell them the in-car video system's not working, and is that it?

A. That's it.

Q. And sergeant does whatever he does. You don't know what he does.

A. Exactly.

Q. Are you familiar with the term "help desk ticket"?

A. Yes.

Q. Is that the -- does that differ from the ticket you were talking about?

A. I'm assuming -- I don't know if that's the same ticket the sergeant gets, I don't know.

Q. But there's like a sticker on -- like say someone had called your supervisor -- say you call your supervisor and report something, in-car video system's not operating, right?

A. Yes.

Q. Are you then supposed to get some sort of sticker or something and put that on the camera?

A. Not a sticker. They just give us a ticket number and we write it down on any piece of paper we have, and then we have to make sure it's somewhere stuck or shoved --

Q. Visible.

A. Visible. On the camera. So whatever --

Q. You can write it on whatever scrap of paper and tape it up there?

A. Mm-hm. Yes.

Q. So, let's see, you were the passenger in the 813 Robert vehicle on October 20th, 2014?

A. No.

Q. 841?

A. Yes.

Q. Right. I apologize. Let's try this again.

You were the passenger in the 841 Robert vehicle on October 20th, 2014, right?

A. Yes.

Q. And 841 Robert, that -- well, let me just back up a little bit.

Were you in the same -- generally, are you in the same vehicle every day as part of

your officer duties?

A. They try to keep you in the same vehicle.

Q. Do you have any recollection, with respect to the vehicle you were in on October 20th, 2014, whether you had been in that vehicle for the days prior?

A. I'm not sure.

Q. But generally you'd be in the same vehicle for a matter of days or weeks? Or tell me how that works.

A. Yes, if everything goes well, yes, then we can have the car almost, you know, months at a time.

Q. Okay. And so the 813 Robert vehicle -- 841 Robert vehicle had an in-car video system, right? For the vehicle you were driving on October 20th, 2014.

A. Yes.

Q. And as of October 20th, 2014, how long had you been either the -- working and driving and being the passenger in CPD vehicles that had in-car video systems?

A. It had been a while since we were in

one with a camera. Is that the question?

Q. Well, say more about what you mean. Prior to October 20th, 2014, you had not been driving vehicles or being a passenger in a vehicle with an in-car video system?

A. There was a lot of -- for the most part, 841 Robert, it's a rapid car, so they get the last --

Q. Rapid?

A. Rapid.

Q. What does that mean?

A. This means that in-progress calls for the whole -- like we have 10 sector, 30 sector, 20 sector.

Q. Okay.

A. So we're not assigned to a beat, so we just kind of float around. And because we're not assigned a beat, we're the last ones to get whatever's left. They want the beat cars out there first, so, basically, whatever's left, they give it to us.

Q. Okay.

A. So a lot of times it's the pool cars that they give the rapid cars, which the pool

cars are cars that -- you know, something's wrong with them.

Q. And so those pool cars don't have in-car video systems?

A. Exactly.

Q. So how long had you been driving or assigned a CPD vehicle that had an in-car video system?

A. I don't recall.

Q. Was it a matter of years, do you think, prior to October 20th, 2014?

A. I don't think it was years, but -- I -- I don't recall because we float around sometimes.

Q. With respect to the vehicle you were driving on October 20th, 2014, do you recall having issues with that vehicle's in-car video system on previous tours?

A. Yes.

Q. Tell us about those issues.

A. The -- well, there had been a ticket number on it for a very -- for a while, and -- see, because they changed it. But a lot of -- that vehicle, the camera wasn't working and it

had a ticket number.

Q. The vehicle you were driving on October 20th, 2014?

A. Passenger, yes.

Q. The in-car video system wasn't working?

A. No.

Q. And you're saying it had a ticket number on it?

A. Yes. I --

Q. I want you to be very clear here. Are you saying that there was a ticket number stickered to the -- somewhere around the camera on the 841 Robert vehicle on the night of October 20th, 2014?

A. Yes.

Q. That's your recollection, that there was a -- some sort of sticker with a ticket number?

A. There was a piece of paper with the ticket number, yes.

Q. So on -- do you recall whether you had driven the 813 -- 841 Robert vehicle on the previous day?

A. I don't recall.

Q. Do you recall what -- so do you recall that 841 Robert vehicle having a sticker on its camera like that previous day, the previous week?

A. Having a ticket number on it, yes.

Q. In the previous week?

A. Yes.

Q. I'm sorry, prior to October 20th, 2014.

A. Yeah, I -- I'm not sure.

MS. RUSSELL: Can we take a quick break?

MR. NEUMER: It's 3:56 p.m. We'll go off the record.

(WHEREUPON, a recess was had.)

MR. NEUMER: The time is 4:03 p.m. We're back on the record.

BY MR. NEUMER:

Q. Officer Fontaine, do you have something you'd like to say clarifying your statement regarding a ticket on the camera of the 841 Robert vehicle on the night of October 20th, 2014?

A. Yes, I'm not sure if there was a

ticket number because we do jump from car to car, so I -- I don't recall.

BY MR. NEUMER:

Q. I want to direct your attention again to the night of October 20th, 2014. Do you recall what sort of procedures you followed at the beginning of your tour with respect to the preparation of the in-car video system for the 841 Robert vehicle?

A. At -- because it was so early in the beginning of the tour, we were still waiting for our sergeant to come out so we can send him a message.

Q. So do you have an independent recollection of attempting to start up the in-car video system for the 841 Robert vehicle on October 20th, 2014?

A. No, we didn't try it because of the --

Q. Sorry, let me -- I'm asking whether you have a specific recollection of October 20th, 2014, and the startup procedures you either attempted or were going to attempt on the night -- on that night. Does that make

sense?

A. Yes.

Q. Okay.

A. Again, because I'm not sure if it had a ticket number or not, I don't -- I don't -- again, depending on if there's no ticket, we try it. But if there's a ticket, we don't. So because I don't know, I can't -- I'm not sure.

Q. You're not sure what kind of protocols you followed with respect --

A. Exactly.

Q. -- in-car video system for the 841 Robert vehicle on October 20th, 2014?

A. Yes.

Q. Do you have any recollection whether you visually inspected the in-car video system for the 841 Robert vehicle for any equipment damage?

A. Yes.

Q. You did?

A. Yes because we -- at the beginning of the tour, we have to walk around the car and make sure if there's any damage outside of it, and then we check inside to make sure there's

nothing left from anyone. And so we did do that.

Q. You and Officer Viramontes?

A. Yes.

Q. And you recall doing that on October 20th, 2014, before the start of your tour?

A. When we get on -- get to the vehicle, that's the first thing we do.

Q. And where is the vehicle located?

A. In the parking lot.

Q. And where is the parking lot located?

A. The district is 3420 West 63rd Street.

Q. Okay. So you recall getting to the parking lot at 3420 West 63rd Street and you and Officer Viramontes doing a visual inspection of the outer --

A. The outside and inside.

Q. So you do an interior and exterior visual inspection of the in-car video system on October 20th, 2014?

A. Yes.

Q. Did you log in to the in-car video

system for the 841 Robert vehicle on October 20th, 2014?

A. To the video part of it?

Q. Well, just the in-car video system you have to log into it, right?

A. We have to log into it. No.

Q. Did you log into the in-car video system for the 841 Robert vehicle on October 20th, 2014?

A. No.

Q. Why not?

A. Again, it wasn't working.

Q. So log-in was not possible?

A. We didn't try it because -- if it had a ticket, we didn't try it. And I remember not trying it.

Q. But you don't --

A. -- I don't remember if there was a ticket or not.

MS. RUSSELL: Can we have a minute, please?

MR. NEUMER: Sure. 4:07 p.m. We'll go off the record.

(WHEREUPON, a recess was had.)

MR. NEUMER: 4:07 p.m. We're back on the

record.

BY MR. NEUMER:

Q. Do you want to make a statement or -- I can't remember what the last question was.

A. About turning on the in-car camera?

Q. Yes.

A. Because I do believe there was a ticket number, that's why I didn't try to log in.

Q. You believe there was like some sort of taped-up number on the in-car video system somewhere on the camera?

A. Yes.

Q. So would there have been any reason for you to sync the microphone to the in-car video system for the 841 Robert vehicle on October 20th, 2014?

A. No.

Q. Because it wasn't working?

A. Exactly.

Q. Okay.

A. Yes.

Q. And there would be no point in verifying that the microphones were synced and

operational because the in-car video system for the 841 Robert vehicle was not working on October 20th, 2014?

A. Yes, you can't sync them if it's not on.

Q. Right. And it's fair to say that there would have been no audio or video recovered from the 841 Robert vehicle's in-car video system the night of October 20th, 2014?

A. Yes.

Q. Because the in-car video system wasn't working?

A. Yes.

Q. And did you at any time on October 20th, 2014, or prior to October 20th, 2014, intentionally tamper with the in-car video system for the 841 Robert vehicle causing it to be nonfunctional?

A. No.

Q. Do you know if Officer Viramontes at any time on October 20th, 2014, or prior to October 20th, 2014, intentionally tampered with the in-car video system for the 841 Robert vehicle on -- causing it to be nonfunctional?

A. No.

MR. NEUMER: At this time we are going to hand you what has been previously marked as Exhibits 8, 9, and 10.

(WHEREUPON, Exhibit No. 8, No. 9 and No. 10 were tendered to the witness.)

BY MR. NEUMER:

Q. This all has to do with the 841 Robert vehicle, and its in-car video system.

So Exhibit 8 is a Supplementary Report created by Sergeant Lance Becvar regarding his findings as to the in-car video systems for five CPD vehicles that were at the scene of the Laquan McDonald shooting including the 841 Robert vehicle.

Exhibit 9 is an in-car camera Video Retrieval Worksheet dated October 20th, 2014, that has notes regarding the five vehicles that were at the scene of the Laquan McDonald shooting including the 841 Robert vehicle.

And then Exhibit 10 is an e-mail dated Friday, July 17, 2015, from Sergeant Lance Becvar to Jonathan Lewin regarding his findings as to the in-car video systems for Vehicle

9- -- well, it says 8949, it's actually referring to 8948, which is the 841 Robert vehicle.

So take a moment. Please look these over, these three exhibits, and let me know when you've had a chance to look these over. You don't -- just let me know when you've had a chance to look these over.

MS. RUSSELL: So how do we know that the -- this 8949, how do we know it's actually not 8949 and it's hers?

BY MR. NEUMER:

Q. Right, so if you look at Exhibits 8 and 9, they refer --

MS. RUSSELL: They flow?

BY MR. NEUMER:

Q. -- 841 Robert vehicle as 8948, both 8 and 9 do. So I think it is fair to say we've also confirmed with Sergeant Lance Becvar that that was a typo, that 8949 is actually 8948, but it is true that it refers to Vehicle 8949.

So I'm proceeding under the assumption that the Vehicle 8949 referenced in the Exhibit 10 e-mail from Lance Becvar to

Jonathan Lewin in actuality refers to the 841 Robert vehicle, 8948.

And with respect to -- I'll direct your attention to exhibit -- why don't we go to Exhibit 8. You'll see that near the bottom of Exhibit 8, which is the Supplementary Report -- you've got it.

With respect to Beat 841 Robert vehicle, 8948, he notes, "Not engaged. Officer reported application error." So my question is, do you recall having a conversation with Sergeant Becvar on the night of October 20th, 2014, regarding the 841 Robert or Vehicle 8948 in-car video system?

A. No.

Q. Do you know who Sergeant Lance Becvar is?

A. No.

Q. Ever heard that name?

A. No.

Q. Do you recall ever having conversations with anyone regarding the in-car video system of the 841 Robert vehicle on the night of October 20th, 2014?

A. No, I don't recall.

Q. So, again, Officer -- sorry, Sergeant Becvar notes in his Supplementary Report that the in-car video system for 841 Robert vehicle was not engaged and that the officer reported application error.

What is the proper protocol for an officer to follow if the in-car video system for their vehicle is not functioning properly?

A. Notify the sergeant.

Q. And did you notify your sergeant on October 20th, 2014, regarding Vehicle 8948 or the 841 Robert vehicle's in-car video system?

A. No, because it was so early in the night.

Q. Okay. Say more. What does that mean that it was early in the night?

A. It was so early in the night because, like I said, until the sergeant comes out, we can't send them a message on the PDT.

Q. And when does he come out?

A. Depending on what he has to do.

Q. So when would it be appropriate to send him a message regarding an inoperable

in-car video system?

A. Usually between -- we usually try between 10:30 and...

Q. 10:30 and after?

A. 10:30, yes, and after.

Q. Did you intend on the night of October 20th, 2014, to contact your sergeant about a malfunctioning in-car video system?

A. Yes.

Q. You did intend to do that?

A. Yes, we were going to let him know that it wasn't working.

Q. At any point in the evening of October 20th, 2014, or the morning of October 21st, 2014, did you notify -- is it Sergeant Franko?

A. Sergeant Franko.

Q. At any time on the night of October 20th, 2014, or the morning of October 21st 2014, did you notify Sergeant Franko about a nonfunctioning in-car video system in the 841 Robert vehicle, Number 8948 and its in-car video system?

A. Not that I recall.

Q. Do you recall whether at any time after October 20th or October 21st you notified Sergeant Franko about a nonfunctioning in-car video system in the 841 Robert vehicle?

A. At -- after the 20th?

Q. Yep, after the 20th, after the 21st, did you ever notify Sergeant Franko about a nonfunctioning --

A. Yes.

Q. -- in-car video system in the 841 Robert vehicle?

A. Yes.

Q. When did you do that?

A. I -- I'm not sure, but they -- I can't remember if I was audio or not, but it -- it happened again where we had a ticket number on our vehicle.

Q. Do you recall whether that was the same vehicle you were driving -- sorry, you were the passenger in on October 20th, 2014?

A. I don't remember.

Q. Do you recall ever notifying Sergeant Franko about an issue with a nonfunctioning in-car video system for the 841 Robert vehicle

after October 20th, 2014?

A. Again --

MS. RUSSELL: Do you remember or not?

BY THE WITNESS:

A. No.

BY MR. NEUMER:

Q. Do you recall filing a help desk ticket with respect to the Vehicle Number 8948 with respect to its nonoperational in-car video system?

A. No.

Q. Any reason --

(WHEREUPON, discussion was had off the record between Counsel and Witness.)

BY THE WITNESS:

A. I don't -- I didn't because we don't do that. Only a sergeant can do that.

BY MR. NEUMER:

Q. Only the sergeant can do the --

A. Only a sergeant --

Q. Help desk ticket?

A. Yes. Not a regular officer. We can't do that.

Q. Can you -- do you have any sense as to why there was no audio recovered from any of the five vehicles, the CPD vehicles that were at the scene of the Laquan McDonald shooting?

A. No.

Q. Were you -- did you know before today that there was no audio recovered from any of those five vehicles at the scene of the Laquan McDonald shooting?

A. Oh, yes.

Q. You did? Were you surprised to hear that none of those five vehicles captured any audio?

A. Yes.

Q. Why were you surprised?

A. I always assumed if the camera's working, the video -- the audio's working. That was my assumption.

Q. Have you ever heard of a practice amongst Chicago police officers to disable the audio component of their vehicles in-car video systems?

A. Have I ever heard of people doing that?

MS. RUSSELL: I think the question was, have you heard of a practice.
BY THE WITNESS:
A. No.
BY MR. NEUMER:
Q. Have you ever heard of occasions where Chicago police officers have disabled intentionally their in-car video systems?
A. No.
Q. Never?
A. No. Not that somebody actually did it, no.
Q. Going to the Notice of Allegations, it is alleged that on or about October 20th, 2014, you failed to ensure the in-car video system for CPD Vehicle 8948 was working properly at the beginning of your tour of duty.
What is your response to that allegation?
A. My response is I -- it happened so early in the night I didn't have a chance to follow our protocol that we're used to because if it was 3:00 in the morning, you would have noticed it would have been done.

Q. But at any time after 10:30 on the night of October 20th, 2014, did you notify your sergeant of an issue with the 8948 vehicle's in-car video system?

A. No because everybody was running around doing other stuff, and I -- I didn't.

(WHEREUPON, discussion was had off the record between Counsel and Witness.)

MS. RUSSELL: Can we go off the record?

MR. NEUMER: Sure. The time is 4:20 p.m. and we'll go off the record.

(WHEREUPON, discussion was had off the record.)

MR. NEUMER: 4:21 p.m. We're back on the record.

BY MR. NEUMER:

Q. Clarifying statement, Officer Fontaine?

A. I didn't notify him because we were already in the area -- we were at the Area.

Q. You were at Area Central at 10:30?

A. No, when -- first of all, everything was going on and then, like I said, I didn't

notify him because when we went to the Area, again, everybody was kind of doing so much different things I didn't have a chance to do it.

Q. Is it fair to say you forgot to notify your sergeant about the inoperable in-car video system for vehicle 841 Robert?

A. Yes.

Q. It is alleged that on or about October 20th, 2014, you failed to immediately notify a supervisor that the in-car video system for CPD Vehicle 8948 was inoperable or damaged. What is your response to that allegation?

A. I didn't notify him right away and also because I assumed there was a -- I thought there was a ticket, so I thought it was already reported.

Q. It is alleged that on or about October 20th, 2014, you failed to record audio and video events with CPD Vehicle 8948's in-car video system during your tour of duty. What is your response to that allegation?

A. I thought it was broken, so that's why it -- there was no video or audio.

Q. Is there any -- are there any documents or -- that you're aware of that would sort of corroborate your statement that there may have been a sticker or a ticket on the camera for the 813 Robert vehicle on October 20th, 2014?

A. No.

Q. Would there be any record that you're aware of that would show that someone had placed a sticker or ticket, taped it up to the camera of the 841 Robert vehicle's -- to that vehicle's camera?

A. The only record would be with whoever the sergeant requests the number through, but that's -- that's the only thing besides having -- or me taking a picture of it, which from now on I will.

Q. If there are no help desk tickets open for that 841 Robert vehicle, I mean, would that -- strike that.

I don't believe there are any help desk tickets open for the 841 Robert vehicle, so how do you explain the lack of a help desk ticket with respect to the 841 Robert vehicle

with your statement that you thought there was a sticker placed on the camera for the vehicle on the night of October 20th, 2014?

A. I don't know.

Q. Is it possible that there was no sticker placed on the camera for the 841 Robert vehicle on the night of October 20th, 2014, and you just forgot to notify your sergeant regarding the nonoperational in-car video system?

A. No.

Q. Not possible?

A. No, because I -- that's one thing that if it -- if there's not a ticket number or something, I do it. This is something that I do.

Q. Yeah, I just -- it's -- you know, I think you've been very forthcoming, and I just -- I think there's perhaps a little bit of a disconnect here.

And I want to give you the opportunity -- this is your, kind of, opportunity to explain to us what might have happened that night. So I -- do you have

anything else to add regarding the...

(WHEREUPON, discussion was had off the record between Counsel and Witness.)

BY THE WITNESS:

A. I mean, looking back, you know, I thought there was a ticket number. Apparently there wasn't. I -- that's -- I don't remember.

MR. NEUMER: Kris, follow-up?

MR. BROWN: Just a couple follow-ups on the dash camera stuff.

BY MR. BROWN:

Q. Those duties you mentioned earlier as far as checking the camera system and the mic system, do those duties hold for the passenger and the driver of a vehicle?

A. Yes.

Q. And if -- and correct me if I'm wrong -- I think you said that if the camera system is operational, you would send a PDT notification to your sergeant and you would also send a notification if the system was not operational, right?

A. Either case, yes.

Q. So in the case where just like for -- I'm not going to say specifically for October 20th, 2014, but if the system isn't working, yourself and your partner would both send a message in the PDT system saying it's not working?

A. No, because we're together, so we'll send the sergeant a message saying we're using this vehicle, camera not working, under ticket number; mic's not working, under ticket number, blah, blah, blah. So we would both send one.

Q. Who would normally send the PDT message?

A. It varies. Whoever -- whoever -- it just varies.

Q. It's not -- there's no rhyme or reason --

A. No.

Q. -- it's not necessarily the driver or the passenger, it's just whoever?

A. Yeah. It's just who signs on first. Like if, say, I'm doing still my check and he's already done with his and he's in there and he just does it, then he'll do it. If it's the

other way around, I'll do it.

So there's -- I mean, for us, there's no rhyme or reason. We just -- either one of us does it.

Q. Okay. Even if there's a note on the car about it not working, you would still put a PDT message in, correct, either yourself or your partner?

A. Yes.

Q. And, in theory, the days preceding whoever used that vehicle -- I'm talking about the 841R vehicle -- they, whoever used the vehicle, would also have put in a PDT message relating to the video system working or not working, correct?

A. I can't answer for everybody. I don't know what they do.

Q. Sure. I'm not trying to -- because I don't know for certain if you drove the car the day before or, you know, if Viramontes was in the car the day before. I'm asking just more so is it just general policy in your district that pretty much whoever is in the car, they're going to send a PDT message to the sergeant if the

video system is either working or not working?

A. Yes.

Q. Do you know if the sergeant ever followed up if he doesn't receive a message about the system not working?

A. He'll send messages. If somebody doesn't send him a message, he'll send a message about your vehicle and stuff.

Q. Do you recall receiving such a message on October 20th or I guess maybe even the next day, October 21st, 2014?

A. No.

Q. Do you recall getting any message maybe in the later days about that one particular day, October 20th, 2014?

A. No.

Q. Other than the PDT message, is there any other notification that you would make to the sergeant or anyone else if there was an issue with the video or, I guess, the audio in the vehicle?

A. No, just the sergeant.

Q. But I mean other than the PDT message, would there be anything else? Would

you do an e-mail or a phone call or anything else?

A. No.

Q. Just PDT message?

A. Yeah, or if we see him on a call face to face. I mean, otherwise, it's just a PDT.

Q. So even if you see him face to face, do you not have to do the PDT for that day?

A. Well, we do. We send a message.

Q. And you send it -- is that because it's policy, or why do you send it even though you've seen him that -- the sergeant that day?

A. To make sure it's notated that we -- so we have proof that we -- that we're covering ourselves.

Q. That makes sense. As far as you know, is that policy or --

A. I don't know.

Q. -- the policy?

A. I don't know.

Q. Earlier you mentioned that you -- that particular day of October 20th, 2014, you didn't send a PDT out because the McDonald incident happened fairly early and you would

normally send a message out around 10:30.

I wanted to ask why is it that you have to wait until 10:30 to send a message? Can't you just send it whenever you notice that the video system is not working?

A. No, the sergeant has to be logged on to his PDT for it to accept messages. So even if we send a message, it says it won't accept it because it's not logged on.

Q. I see. I didn't know. I thought it was like an e-mail.

A. Oh, no.

Q. So the sergeant also has to have his system on to receive a message?

A. Yes.

Q. I guess in order to get it from you.

A. Yes. So even if we say -- that's how we know he's still in the station because if we try and it doesn't go through, it means he's still not out.

Q. Does the system work where, let's say, you send a message and the sergeant doesn't have the system on, that he will receive your message when he turns his system on?

A. I'm not sure.

Q. I guess is it safe to say that you always want to make sure the sergeant has his PDT system on before you send him a message?

A. Well, yes, because I -- to my knowledge, he wouldn't receive my message.

Q. But your system would tell you if you tried to send the message and he didn't get it --

A. Yes.

Q. -- correct?

A. Yes, so you just keep trying.

Q. Okay. And, for whatever reason, the sergeant usually doesn't have his PDT message system on until 10:30?

A. No, whenever he comes out. Again, sometimes -- depending on what he has to do after roll call, he might be out right with us, he might not. So depending on when he comes out, I -- you know.

Q. Okay.

MR. BROWN: Those are all the questions I have.

MR. NEUMER: I'm going to go off the record

for one moment. The time is 4:33 p.m.

(WHEREUPON, discussion was had off the record.)

MR. NEUMER: The time is 4:35 p.m. We're back on the record.

BY MR. NEUMER:

Q. You know, we have no substantive follow-up on any of the previous topics, but we will give you the opportunity -- understanding what we're looking for here today, we try to be thorough, we try to ask you all relevant questions, but we want to give you the opportunity, is there anything else you would like to add today?

Or, put differently, are there any questions that we should have asked you that we didn't?

MS. RUSSELL: Sorry guys.

MR. NEUMER: The time is 4:35 p.m. We'll go off the record.

(WHEREUPON, a recess was had.)

MR. NEUMER: The time is 4:37 p.m. We're back on the record.

BY THE WITNESS:

A. I just wanted to say one thing. I've answered everything as best as I could, as honestly as I could, but it's stressful because you're on TV, grand jury -- I'm sorry -- your name's all over the place...

MS. RUSSELL: Let's take another quick break.

MR. NEUMER: Time is 4:37. We'll go off the record.

(WHEREUPON, a recess was had.)

MR. NEUMER: The time is 4:39 p.m. and we'll go back on the record.

BY THE WITNESS:

A. I just wanted to say I've been in front of the grand jury, the FBI, in the newspapers. Everywhere I turn, my name is there.

From the beginning I've been trying to be honest and remember as best as I can, but with everything being thrown in your face, you start seeing things different. And you don't want to answer wrong or you don't want to say what you think you saw now because you saw

something else.

So, for this, the best of my knowledge, I've answered as best and truthful as I know. That's all I wanted to say.

MR. NEUMER: The time is 4:40 p.m. and we'll go off the record.

(WHEREUPON, the interview was concluded at 4:40 p.m.)

C E R T I F I C A T E O F R E P O R T E R

I, MICHELLE M. YOHLER, a Certified Shorthand Reporter within and for the County of Cook, State of Illinois, do hereby certify:

That previous to the commencement of the examination of the witness, the witness was duly sworn to testify the whole truth concerning the matters herein;

That the foregoing interview transcript was reported stenographically by me, was thereafter reduced to typewriting under my personal direction and constitutes a true record of the testimony given and the proceedings had;

That the said interview was taken before me at the time and place specified;

That I am not a relative or employee or attorney or counsel, nor a relative or employee of such attorney or counsel for any of the parties hereto, nor interested directly or indirectly in the outcome of this action.

IN WITNESS WHEREOF, I do hereunto set my hand and affix my seal of office at Chicago, Illinois, this 18th day of March, 2016.



C.S.R. Certificate No. 84-4531.

Exhibits

Fontaine Exhibit No. 1 3:4 15:22 16:2

Fontaine Exhibit No. 2 3:5 16:11,15

Fontaine Exhibit No. 3 3:6 17:1,5 18:8

Fontaine Exhibit No. 4 3:7 17:15,19 18:12

Fontaine Exhibit No. 5 3:8 18:17,23 19:3,13 108:21,23 110:17 112:19 113:7,14 114:5 115:1 122:11 123:3 124:4,22 128:5 131:3,13 157:19 158:8 159:20

Fontaine Exhibit No. 6 3:10 19:23 20:4,8,14 108:19, 23,24 111:17

Fontaine Exhibit No. 7 3:11 165:4,7, 15,18,19 167:18

Fontaine Exhibit No. 8 3:12 184:5, 10 186:5,6

Fontaine Exhibit No. 9 3:13 184:16

Fontaine Exhibit No. 10 3:14 184:21 185:24

0

03/16/2016 16:3, 16 17:6,20 18:24 20:5 165:8

1

1 15:22 16:2

10 174:13 184:4,6, 21 185:24

10:30 188:3,4,5 193:1,22 202:1,3 203:15

12:18 4:18

12:25 11:19

12:27 11:22

12:30 13:18

12:31 13:22

12:38 19:6

12:40 19:9

12:52 30:18

12:55 30:20

13 101:13

14 7:11

15 58:20 103:9,13 106:18

15-minute 63:11

16 4:18 18:19

17 184:22

1:30 65:21

1:32 65:24

1:53 86:4

2

2 16:11,15 18:5,7 20:19

2-56 5:9 9:1

20 174:14

2012 165:5

2013 101:14,15

2014 19:24 26:5,9, 13,16 27:10 41:1,2 101:4 102:3 103:19 104:14 105:6 106:3,6,21 107:4 109:7 111:18 113:17 114:8 115:18 116:20 117:2 123:2,21 125:1,8, 19,24 128:4,8 129:8 131:7,19 132:9 133:11,23 135:21 136:10,23 143:21 147:8,20 148:17 149:4 150:4,24 152:18 153:7 154:5 161:24 162:21 164:16 167:14 169:19 172:12,19 173:6,18,20 174:3 175:11,16 176:3, 15 177:10,23 178:5,17,22 179:13 180:6,22 181:2,9 182:17 183:3,9,15,16,21, 22 184:17 186:13, 24 187:12 188:7, 14,15,19,20 189:20 190:1 192:15 193:2 194:10,19 195:6 196:3,7 198:3 200:11,15 201:22

2015 18:19 28:2 31:9,10 94:12 184:22

2016 4:18 16:9,13, 23 17:3,13,17 18:2,9 19:19 20:15 28:5 142:9 147:2

20th 19:24 26:5,9, 13,16 27:10 41:1,2 101:4 102:3 103:19 104:14 105:6 106:3,6,20 107:4 109:7 111:18 113:17 114:8 115:18 116:20 117:2 123:2,21 125:1,8, 19,24 128:4,8 129:8 131:7,19 132:9 133:11,23 135:21 136:10,23 143:21 147:8,20 148:17 149:4 150:4,24 152:18 153:7 154:5 161:24 162:21 164:16 167:14 169:19 172:12,19 173:6,18,20 174:3 175:11,16 176:3, 15 177:9,23 178:5, 17,22 179:13 180:6,22 181:2,9 182:17 183:3,9,15, 21,22 184:17 186:12,24 187:12 188:7,14,19 189:2, 5,6,20 190:1 192:14 193:2 194:10,19 195:6 196:3,7 198:3 200:10,15 201:22

21st 188:15,20 189:2,6 200:11

22 16:9,12,22 17:3, 13,17 18:2,9 19:19 20:15 142:8,18,23 147:2

23 165:5

28 150:19 153:2

2:00 86:7

2:02 88:23

2:04 91:12

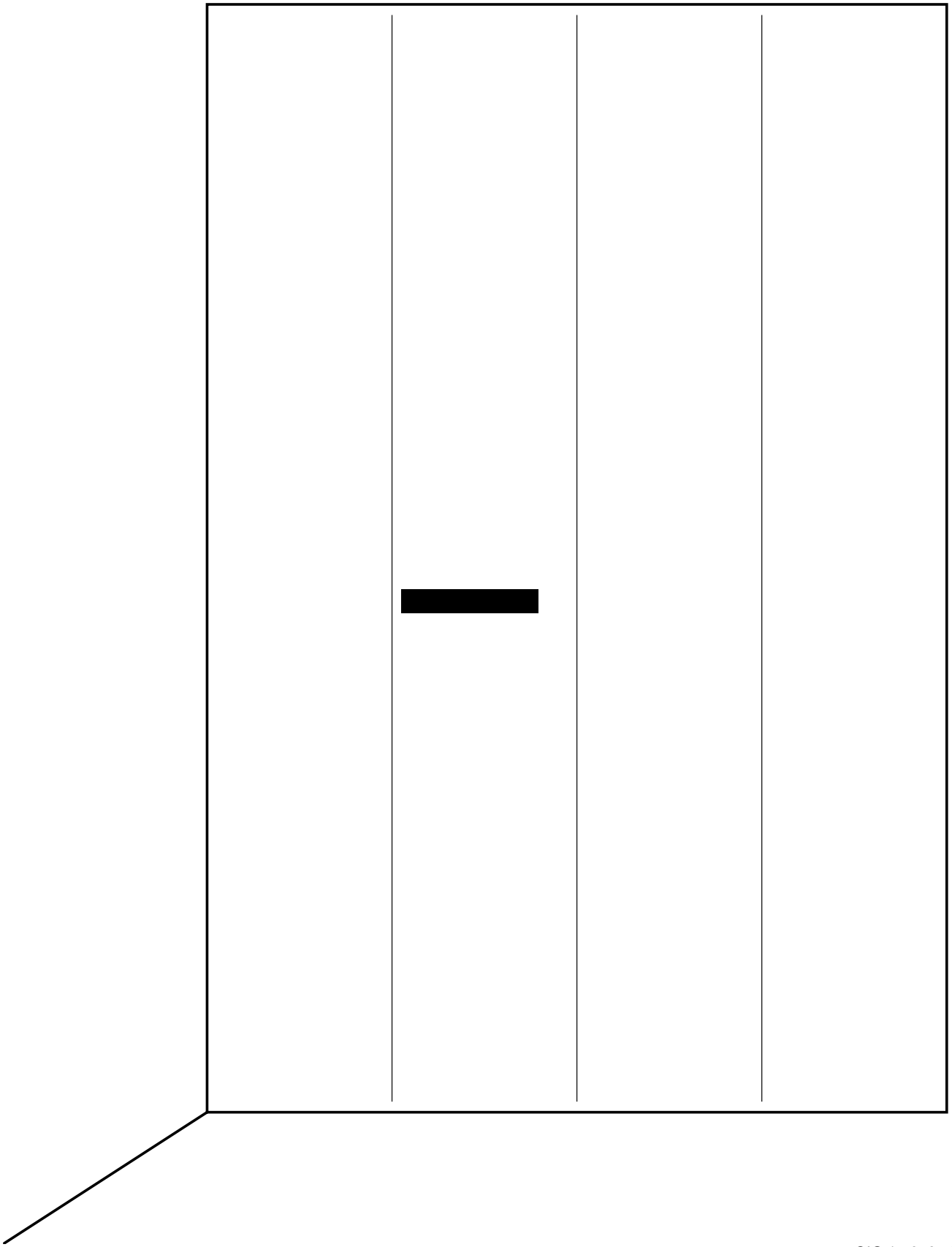
2:05 91:15

2:30 113:22

2:36 114:1

2:43 119:19

2:44 119:22



agency 10:2 24:11
agents 39:13 90:2
agree 83:18 135:17
agreed 13:14,23
agreement 12:9 88:2 95:7,8
ahead 37:13 144:16 168:15
aid 4:6 97:18
air 42:10 43:10 44:16 54:16
allegation 130:11, 16 131:4,15 134:6 136:5,16,19 137:6 192:19 194:13,22
allegations 17:2, 9,12 18:9 21:16 23:7,8 129:4,5 130:10 192:13
alleged 129:7 131:6,18 132:8 133:10,22 135:20 136:9,22 192:14 194:9,18
allowed 9:8
aloud 6:15 7:6,18 8:2,9,19 9:4,8,11
ambulance 47:13
Amendment 28:8
Amicus 4:19
amount 32:12 103:9
and/or 23:20
angle 117:18,20 118:15 119:3,5,6 120:2,7,9 145:13, 14,15,23 146:1
ankle 101:6,12
answering 6:12
answers 24:6
apologize 172:16
apparently 170:24 197:7
appearance 18:8 27:13
appeared 121:10
applicable 12:8
application 186:10 187:6
applied 164:20
approximately 56:15
arbitrator 23:10
area 25:9 63:19,23 64:2,9,14,18,20 65:9,12 67:5,10 68:7 69:13 71:6,21 72:11,16,19,20,21 73:15 74:7,23 75:17 76:2 78:18 79:10 85:2,5 98:8 145:21 149:3 150:4 155:22 156:3,16 157:5 160:7 162:5 193:21,22 194:1
areas 25:8
arguments 12:19 24:20
arm 34:23 115:13, 24 116:6,16,21 117:1 125:3,11 134:2
arrests 96:22
arrive 43:16 97:11 163:11
arrived 32:22 45:4 67:10 107:19 120:5 163:11
asks 66:24 97:13
assert 24:4 28:7
assign 168:21
assigned 168:22 174:16,18 175:7
assignment 26:2, 4,9,10
assist 148:1
Assistant 14:17
associate 104:8
associating 105:14
assume 29:21
assumed 135:3 191:16 194:15
assuming 59:14 69:14 111:8 112:9 157:9 171:14
assumption 185:23 191:18
assurance 12:5
attached 99:17
attacking 34:23 92:23 93:2 115:7, 14 116:1,7,17 117:3,5 122:13 123:6 125:3,12 134:3
attempt 38:12,18 178:23
attempted 178:23
attempting 14:22 178:15
attention 80:8 82:13 112:18 165:12 178:4 186:4
attorney 5:4 22:15 25:1 35:18 39:14 89:9 91:8,22 95:23 96:1
Attorney's 88:10, 15,16 89:5,7,12 90:7,14,21,24 91:24 92:3
attributed 112:20 115:2 124:15,21, 23 130:6 131:2 156:23 157:11,18 159:5
audible 107:7
audio 4:8,12 18:12,14 163:18 183:7 189:15 191:2,7,13,21 194:19,24 200:20
audio's 191:17
author 97:20
authored 94:5 97:4
authoring 97:18
aware 11:5 87:15 88:5 195:2,9
awry 163:14

B

B-r-o-w-n 5:1
Bacerra 70:16,18, 19,21 78:2 104:14, 21 105:2 107:23
back 11:21 13:23 15:20 18:6 19:10 28:22 30:21,23 43:17,20 47:13,15 48:9,11,17 59:14 66:1,11,19,21 67:3 70:3 73:24 80:12 83:1,6 84:8 85:7 86:8 88:8,24 91:16 114:2 119:23 124:20 127:21 135:6 136:19 142:2 144:21 146:3 147:11 149:17 151:4,11 152:21 154:15 155:22 156:3 170:6 172:22 177:17 181:24 193:15 197:6

background 25:5
bad 92:17
bar 142:22 145:6
barely 43:16
Bargaining 12:9
based 10:19 24:5
basically 41:23 58:4 174:20
basis 7:4,23 9:1
bathroom 67:16
beat 18:14 21:22 22:6 26:6 49:21 52:21 53:14,15 57:12 86:24 142:7 174:16,18,19 186:8
beats 51:24
Becvar 184:11,23 185:19,24 186:12, 16 187:3
beginning 164:7 166:24 178:7,11 179:21 192:17
behalf 11:6 12:24 22:13 29:16
Beverly 108:9
big 69:12 70:8 75:24 80:13 98:10, 21 99:17 138:1
birthday 100:16
bit 27:12 66:4 73:9 89:3 93:10 105:8, 9,21 124:2 137:20 143:2 172:22 196:19
Blackberry 14:1
blah 198:11
block 42:16 43:2,9 44:20 45:14
blocked 133:6,8
blocking 43:6 44:2 47:2 132:24
blocks 48:7,8
blurry 152:5
Bob 14:4,5
body 47:11 48:16 66:14,18 122:16 123:12 126:6,14, 20 129:11 131:10 158:9
bottom 87:20 186:5
bought 106:12
break 30:16 91:11, 13 113:21 119:17 177:12
briefly 88:9
bring 166:9
brings 99:12
broadly 165:19
broke 101:5,11
broken 194:23
brought 28:22 52:23 95:1
Brown 5:1 6:7 14:16 25:17 86:9 87:13 88:23 89:1 91:9,12,15,19 94:1 95:18 99:24 108:16 137:12,14 138:14 140:2 141:13,22 142:10 143:1 146:6,17 147:12,22 148:3 149:5,15 151:16, 20 152:3,21 154:16 155:6,8 157:16 158:2,5 159:2 160:3 197:10,12 203:22
Brown's 5:20
Bureau 15:7
Burger 140:18,21
butt 120:18
button 54:23
bye 106:23

C

call 13:12,24 41:19,21 42:7 44:14 47:20 49:15, 24 50:1,13 69:3 78:15 84:14 102:18,19,20 103:1,21 105:8 110:8 155:19 163:12 171:2,19 201:1,5 203:18
called 47:13,15 48:9 69:20 95:7 110:24 171:18
calls 35:24 48:11 82:5,12 102:22 103:23,24 107:15 164:13 170:23 174:12
cam 147:11,19 150:18 151:14 152:11,16 153:3 160:8 162:16
camera 22:2,8 164:1,3,7 169:2 170:17,18,20 171:24 172:6 174:1 175:24 176:13 177:4,21 182:5,12 184:16 195:5,10,12 196:2, 6 197:11,14,19 198:9
camera's 169:15, 23 191:16
cameras 169:6
capture 143:2
captured 191:12
captures 163:18
car 26:7 46:19
51:3 57:16,21 59:14 72:17 118:5 120:10 143:6 146:16 157:2,13, 20 161:21 168:21 169:12 173:13 174:7 178:1,2 179:22 199:6,19, 21,23
cars 49:21 52:21 57:12 168:20 174:19,23,24 175:1,3
case 18:18 19:3,13 21:17 48:21,22,23 49:3,6 51:6,14 52:11 53:9,17,22 54:5,8,14,19,21 55:9,15,18 56:1,23 57:4 59:22 64:10, 13,17 66:12,13 86:11,13,16,21,23 87:19 94:4 109:11, 15,18,21,24 110:4, 11,13,18,21 111:4, 7,13 112:19 113:14,19 114:5, 12 197:24 198:1
cases 156:6
causing 183:17, 24
CBA 12:16 24:15
cell 27:6,9 36:7
Central 63:23 64:2,9,14,18,20 65:9,13 67:10 68:7 71:6,22 72:12,20 74:7,23 76:2 78:18 79:11 85:3,5 98:8 145:21 149:4 150:4 160:7 162:5 193:22
certified 4:3
chain 26:15
chance 89:10 113:2,10 115:1 185:6,8 192:21

194:3

change 85:7 119:11 134:16 162:22

changed 110:6 132:1 133:14,17 175:23

changing 133:21

chaos 42:9

Chapter 5:9

charge 43:13

charges 9:18 10:5,11,17 11:13 12:6

check 179:24 198:22

check-off 103:3, 21,24 105:8

checking 197:14

Chicago 5:2,6,10 6:8 7:3,11,16 8:24 14:7 15:6,12 23:6 112:16 113:5 165:10 191:20 192:7

choosing 8:13

Chris 74:14

circumstances 98:2

city 5:2,6,10 6:8 15:11 23:5 108:1

civilian 43:7 44:3

clarified 92:22 93:6

clarify 88:13 89:4 91:17,20 92:13,14 114:15 137:22

clarifying 66:5 92:12 93:12 177:20 193:18

cleanup 25:11,18

clear 44:11 176:11

close 108:4,5 147:10

closer 51:2 63:2

Code 5:10

colleague 25:10 142:10 153:17 154:2

Collective 12:8

collectively 49:13 59:9

command 15:1 26:15

commander 13:12,14,24 14:4, 9,11,13 15:2,5,14 22:24 26:22,23 27:2

comment 83:9,13 134:23 135:14,17, 18

communicate 135:13

communications 35:20 36:11,15

compare 97:24

compelled 11:1

complaint 101:23

complete 46:3,5 52:10 54:7,9 64:17

completed 54:10, 14 55:9 61:17 64:9

completely 6:13

completing 51:6 54:5 56:23 57:4 59:22 64:13

completion 53:22 55:17 56:1

component 191:21

computer 46:16 70:8 71:6 75:23 77:3 79:15,20,23 80:23 81:22 82:2, 14 99:16 166:9 169:6

computer's 81:11

computers 70:4 79:12

conducted 5:9

conducting 9:22, 24 10:8,21 11:15 23:7 24:8,9

confidential 4:9

confirmed 185:19

confused 50:8 93:8 130:19 138:13

confusion 48:18

conscious 85:24

constitute 7:10 8:24

constitutes 7:1

constitutional 11:12 12:3

consult 8:14

contact 165:24 188:7

contained 22:1

continue 75:21 84:10

continued 141:19

contract 11:8 23:23

control 42:24 44:15 45:8,13 47:1

controlling 41:7

conversation 56:19 57:14 58:12 60:1,4 61:2,10,20, 23 62:3,6 63:12,18 71:7 74:1 79:18 85:16 156:19 186:11

conversations 60:10,14 61:4,9, 13,18,22 62:2,7 74:10 79:9 95:2 97:2,21 98:11,15 186:22

Cook 26:21 27:3 88:14 89:5,8,11 90:7,13,20 92:2

cooperate 6:11

copy 6:2 23:20 49:15 53:1,3 95:19

correct 10:16 13:10,17 14:2 21:23 22:3 27:16 30:2 31:1,16 32:13 33:15 41:3,13 44:12 45:5 56:6 63:13,22 68:4 77:12 78:5 82:7 83:16 86:14 96:7 100:13 114:4,9 115:18 125:14,15 128:19 130:15 143:12,23 144:5 151:15,16 156:20 160:8,10 163:18 197:18 199:7,15 203:11

correctly 30:5

corroborate 195:3

counsel 8:13,16 12:23 13:13,23 14:15 23:3 25:6,10 46:10 91:3 93:17 122:2 127:6 129:17 138:9 139:17 158:21 160:15 167:23 190:14 193:8 197:3

County 88:14 89:5,8,11 90:7,13, 21 92:3

couple 103:22 137:12 144:10,13 155:6 197:10

court 4:3,8,10,15, 19,22 5:13

court-reported 14:14

covering 201:14

coworker 102:8

coworkers 105:7

CPD 5:6 16:12 18:18 19:13 21:17 110:19 131:20 132:10 133:12,24 135:22 136:11 173:22 175:7 184:13 191:3 192:16 194:12,20

crazy 44:17 60:11

create 110:8,13

created 110:17,18 184:11

creates 109:24 112:7

criminal 8:7 9:18, 23 10:5,9,11,14, 17,23 11:4,13 12:6 24:9 29:23

CSR 108:21 109:7, 8

CSRS 110:9

cubicles 67:24 68:16,21 69:16

current 26:1

custom 4:7

cut 141:17 153:1

D

daily 163:22

damage 167:3 179:18,23

damaged 168:6, 12,18 194:12

dash 147:11,19 150:18 151:14 152:11,15 153:3 160:8 162:16 197:11

date 4:18 31:10 37:3 86:23 142:14

dated 16:12 17:3, 16 18:19 19:24 109:6 111:17 184:17,22

daughter 105:19 106:2

daughter's 105:20

David 136:11

day 28:21,24 40:1 84:15 96:14 162:23 169:23 170:3 172:24 176:24 177:4 199:20,21 200:11, 15 201:8,12,22

days 173:7,10 199:10 200:14

decide 97:14

decided 23:10

decision 37:19 60:19 85:24

deemed 11:15

deems 11:10

deliberate 60:19

deliberately 8:23

department 7:3, 16 15:7 112:16 165:11 167:1

Department's 7:12

depending 159:12,17 179:6 187:22 203:17,19

depends 33:11 120:19

depicted 139:21

describe 33:13,18 40:3 68:15 100:23

designees 15:10

desk 80:21 81:10, 13,14,16,17,19,20 171:10 190:7,22 195:18,22,23

detail 36:19 99:10

detailed 8:17 159:12

details 58:8 82:3 128:11,20,22 161:15 162:1

detective 18:21 20:1 34:9,11 38:3 40:12,17,22 46:2 55:20,21,23 56:2, 12,16 57:4,19,23 58:11,17,24 59:19 60:5 61:3,11,20,24 62:4,8 63:9,15 64:24 65:2,16 66:23 71:19,22,24 73:21 80:1 81:10 83:18 87:1 92:9 94:5,8 99:20 109:9 110:16,18 112:9 113:16 114:7 115:5,17,22 122:13,21 123:1,8, 20 124:1,12 128:2, 8,11,12,14,17,23 129:9 130:7,17 131:2,8,20,24 132:10,14,17 133:12,16,24 134:9,10,12,15 135:17,22 136:3, 11,24 137:4,16 139:1,11 141:10 145:20 147:7,19 148:16,21 149:3, 24 150:1,6,12,23 151:21 152:4,17 153:6,12,21 154:4, 9,23 155:11,12 156:3,11,24 157:19 160:6 162:1

detectives 68:18 69:13 110:14 111:7 155:20 156:5

differ 34:20 40:7, 11,16 171:12

differently 128:10

differs 34:19,21

direct 15:9 22:23 43:6 44:3 112:18 134:19 144:14 145:11 162:9 165:12 169:18 178:4 186:3

directed 144:1

directing 59:9

direction 115:12 118:2,22 119:11 132:1 133:14,17, 21 159:8,11,19

direction-wise 117:24

directly 124:3

directs 82:13

disable 191:20

disabled 192:7

discharge 7:4,24 9:2

disciplinary 7:23

disconnect 196:20

discontinued 4:13

discuss 36:20 37:1,8,20 60:22

discussing 161:16,19

discussion 13:20

19:7 46:9 65:22 88:21 91:2 93:16 122:1 127:5 129:16 138:8 139:16 141:23 151:9 158:20 160:14 167:22 190:13 193:7,13 197:2

disk 18:15

district 26:3,7,8 49:18 50:5 52:17 85:7,10,13 104:6 180:13 199:22

document 6:3 9:9 16:1,11,14 17:2,4, 9,16,18 18:22 19:3,16,19,22 20:3 87:19 165:6

documents 95:10,11,20,23 195:2

Donut 146:5

Donuts 22:2,7 146:15 147:1,5

Dora 5:5,11 6:6 14:15 15:8 25:24

doubt 163:2

drinks 67:15,17

drive 64:8,17 99:17

driven 176:23

driver 97:8,9 197:16 198:19

driving 64:13 162:20 173:18,22 174:4 175:6,16 176:2 189:19

drove 64:3,4,6 85:12 199:19

due 84:21

duly 5:15

Dunkin' 22:2,7 146:5,14,24 147:5

duplicative 129:6

duress 22:21

duties 111:12 112:15 163:22 173:1 197:13,15

duty 6:11 164:5 167:1 192:17 194:21

DVD 22:1 142:9 147:2

Dyke 32:11 34:23 35:21 51:9,12 71:1 75:3,6 101:2,3,17, 20,24 107:22 115:7,13,14 116:1, 7,16,17,22 117:3 118:10 120:9,15 121:19,20 122:14, 17 123:6,13 125:3, 12 126:15,21 129:12 131:11,22 132:3,12,15,22 133:7,15,19 134:3 135:24 141:16 144:4 146:21

Dyke's 36:6

E

e-mail 184:21 185:24 201:1 202:11

e-mails 36:4

earlier 88:8 92:20 131:16 137:7,8,15 144:16 197:13 201:21

early 178:10 187:14,17,18 192:21 201:24

easier 149:6

east 122:16 123:12 126:6,15, 21 129:11 131:10 158:9,17

eastbound 127:11

edited 87:5,8,12, 14

effort 153:5

elaborate 158:11

elearning 166:8, 16

else's 87:22

embedded 142:24 143:20 145:8 150:19 153:2

employee 112:16

employment 12:15

end 15:18 25:9,16 106:16

enforcement 10:2 24:11

engaged 186:9 187:5

ensure 38:12 167:4,7 192:15

entire 54:4 124:10

entitled 12:3,22 16:11 17:16 24:19

equipment 167:3 179:17

equipment's 168:23

equipped 168:7

ERA 46:13

error 186:10 187:6

establish 153:19

estimate 52:13 53:21 54:1

estimated 63:11

evening 63:16 188:13

event 31:6 42:1 98:22

events 34:7,8,10 161:11 194:20

eventually 79:22 80:1

everything's 163:10

evidence 7:22

eviscerate 12:20

exact 140:5 154:23

excerpt 18:18 19:4,13 21:17 109:7

exhibit 15:22 16:2, 11,15 17:1,5,15,19 18:8,12,17,23 19:3,13,23 20:4,8, 14 108:19,21,23 110:17 111:17 112:19,21 113:7, 14 114:5 115:1 122:11 123:3 124:4,12,22 128:5 131:3,13 157:19 158:8 159:20 165:4,7,15,18,19, 20 167:18 184:5, 10,16,21 185:24 186:4,5,6

exhibits 16:6,7 18:5,7 20:19 21:6 38:2,6 108:19 109:2 184:4 185:5, 13

expeditious 25:19

experience 102:7

explain 86:20 97:5,6 119:13 120:1 121:9 195:23 196:23

explained 34:16 95:12,13

extent 24:2
exterior 180:20
extra 109:23 110:5
extremely 30:2

F

F-a-h-e-y 35:11
F-a-h-y 35:14
face 201:5,6,7
faces 101:9
facing 122:16 123:12 126:6,15, 21 129:11 131:10 158:9,17 159:8
fact 23:5 33:22 158:13
facts 109:23
Fahy 35:5,10
failed 25:12 131:22 132:11 133:13 192:15 194:10,19
fair 13:2,13 49:12 54:20 77:1 81:14 103:5 111:6 144:10 147:4 154:21 160:24 183:6 185:18 194:5
fairly 201:24
fall 31:10
false 7:13,14 8:22 129:8 130:16 131:7 133:23 135:21 136:10,13, 23 137:1
familiar 61:6 110:10,21 111:18 167:11,13 171:9
fast 60:8
fastened 167:5
fault 61:16
FBI 38:22 39:2,5, 13 40:4,6,10,15,20 88:10 89:3,14 90:2,18 91:6 92:4, 7,15,16 93:12,20, 23 94:3,18,20 95:2,6,9
February 16:9,12, 22 17:3,13,17 18:2,9 19:19 20:15 142:8 147:2 165:5
federal 23:21 27:15,19,22 28:17 29:13,15 31:1
feel 21:7 98:3 126:23 134:24 135:16 143:9
feeling 98:21
felt 32:9
file 142:11,12 147:16
filed 11:6 23:13
files 18:13,15
filing 190:7
fill 48:12 84:21 111:7,13
filled 5:19 6:2 46:7 49:13 86:11 111:3 112:14
filling 84:22 86:23
final 94:4
find 170:8
findings 184:12, 23
fine 21:2 25:20 95:17 115:10 159:3
fire 136:1
fired 135:24
float 174:17 175:13
floor 76:3,4,5
floors 76:7
flow 185:15
flush 73:8 93:9
FO- 69:17
focus 150:11
focussing 124:10
folks 77:14
follow 47:13 66:14 167:6,16 187:8 192:22
follow-up 25:11, 18 99:24 108:13, 16 137:10 155:5 197:9
follow-ups 137:13 197:10
Fontaine 4:14 5:4, 5,11,12,14,16 6:6, 14 7:5,17 8:1,8,18 9:3,10,15 10:6,22 11:1,7,23 12:17,24 13:2,15 14:10,15, 21,22 15:3,8 16:6, 18 17:23 18:13 19:2,15 20:2,7 21:13 25:7,22,24 27:5 30:24 66:3 80:7 86:10 89:2 91:20 100:4 127:20 142:4 143:5,19,23 145:10 146:24 147:2,4,15 148:7, 10 150:17 151:14 152:10,14 153:4,5 165:16 177:19 193:19
Fontaine's 18:20 24:24 108:13 109:8
footage 140:9 142:13 145:9 147:6,11,19 148:7, 14,15,21 152:10, 16 153:3 160:9,18, 21 161:7
FOP 67:13,18 69:17 74:1,3,6,22 75:11,19 77:2
forgot 149:14 194:5 196:8
form 5:17 15:17, 19,22 17:16,22 18:1 21:16 110:15 112:17
format 111:2
forthcoming 196:18
forward 12:20 21:9 24:21 25:19
found 18:15
frame 29:4 148:5
Franko 26:19 27:3 42:20,21 43:10 44:14,22 45:4 48:15 54:11,13 55:14 65:3,15 84:17,18 188:16, 17,21 189:3,7,23
Fraternal 23:12
Friday 184:22
friend 100:24
friends 105:7,16
front 18:6 70:8 75:23 81:16,17,18 110:15 112:10
fruits 8:6
full 115:11 148:9 149:7 152:23,24 153:5
full-time 147:24
functioning 187:9

G

Gaffney 61:23 62:17 70:24 79:1,

10,19 102:3,4,7,10 103:12,16 107:22

game 79:17

Garrity 12:20 23:1 24:20

gave 27:7 40:6,10, 19,20,21 42:18 48:15 93:22,23

general 6:9,12 9:22 10:21 11:9,14 12:5,13,16 13:4 14:17,19 15:11 19:23 20:8,13 21:18 23:14,19,24 109:12,14 111:12, 17 112:1,4,8,14 199:22

General's 5:2 9:17 10:5,12 14:7 15:4 23:6

generally 100:20 109:10 111:6 121:1 163:7 172:23 173:9

gentleman 90:10, 11,12

gestures 45:7

girl 105:9

give 25:9 27:14, 18,21 30:24 31:18 34:6 43:11 52:13 78:4 92:11 131:4 160:12 166:9 172:1 174:21,24 196:21

giving 15:8 105:20 161:10

good 15:14 153:19

governed 164:17

GP- 111:24

GPR 38:3 108:22 109:6 111:19

grabbed 51:2 52:6

grand 23:18,20 24:2,3,13 27:13, 15,19,22 28:10,14, 17 29:7,10,13,15, 22 31:1 33:1 34:6, 12,13 35:2,4,17,21 36:13,18,23 37:1, 2,24 38:12,17 40:8 91:7,23

granted 23:1

Greenwood 108:10

grievance 23:13

group 74:11,24 75:9 137:24

guess 32:13 68:18 94:9 97:18 105:9 120:19 130:19 139:12 141:15 200:10,20 202:16 203:2

gunshots 135:24

guys 59:8 97:21 99:5 100:20 103:4 107:17 121:4

H

hand 5:13,17 45:8 46:8 117:14 184:3

handle 61:1 99:3,4

happen 47:3 75:17

happened 40:1 60:8 77:4 78:21 86:17 98:22 124:7, 17 189:16 192:20 196:24 201:24

hard 99:17

Harvey 74:14,16

he'll 198:24 200:6, 7

head 31:11

hear 14:8,10 55:8 191:11

heard 55:15 111:20,21 136:8 186:19 191:19,23 192:2,6

helps 121:6

Hey 50:15

hit 54:23 55:13

hitting 94:15

hold 160:13 197:15

home 85:8,18,22

hone 129:24

honestly 33:21 63:4

hoping 159:4

hospital 47:12 66:15

hour 28:19 52:14, 15 53:23 166:14

hours 32:8

house 106:12,13

How's 169:2,3

hungry 69:5

hurts 121:7

HX475653 18:20 19:15 20:1

I

IAD 16:8,21 17:11 19:18 20:13,18 21:14,20 22:12 139:12

idea 93:21 112:12 134:11,14

identification 16:2,15 17:5,19 18:23 20:4 165:7

identified 148:24 154:3,7

identify 4:23 124:22 149:2,23 150:5 152:16 153:6,20

imagine 31:3 76:16

immediately 82:13 127:2 168:4 194:10

immunity 28:13

important 29:20 30:2 31:6

in-car 21:21 136:17 142:6 162:17 163:8,17, 21 164:12,17,21 165:11 166:19 167:2,6 168:5,12, 18 169:23 171:3, 20 173:16,23 174:5 175:4,7,17 176:5 178:8,16 179:12,16 180:21, 24 181:4,7 182:5, 11,15 183:1,8,11, 16,23 184:9,12,16, 24 186:14,22 187:4,8,13 188:1, 8,21,23 189:3,10, 24 190:9 191:21 192:8,15 193:4 194:6,11,20 196:9

in-progress 174:12

inaccurate 8:22 113:20 114:13 124:6

inappropriate 76:22

incident 40:4 98:1,5,13 99:9 155:23,24 201:24

incidents 96:22

included 21:21

128:12 129:4 131:13 134:12

includes 6:12

including 4:11 7:24 21:15 75:3 98:4 184:14,20

incomplete 8:23

independent 4:3 178:14

indicating 44:20 46:17 121:4,6 122:8 142:14 145:24

individuals 4:23 5:7 53:5,10 95:6

individuals' 26:24

inform 89:20

information 4:2 67:1 92:12 110:5 161:9,14

information-gathering 53:19

informed 12:3

injunction 11:6 23:13

inoperable 168:6, 7 187:24 194:6,12

insert 167:1

inside 179:24 180:19

inspect 167:2

inspected 179:16

inspection 180:17,21

Inspector 5:2 6:8, 12 9:17,22 10:4, 12,20 11:9,14 12:5,12 13:4 14:7, 17,19 15:4,11 23:6,14,19,24

instance 159:20

instances 156:2, 10

instruct 154:2

instructed 45:22 99:5

instructing 134:24

intend 188:6,10

intentionally 183:16,22 192:8

interact 163:21

interaction 80:5

interactions 102:9 104:20 164:14

interior 180:20

interject 139:19

Internal 15:7

interpreted 45:10

interrogation 23:15

interrupt 136:15

interview 4:5,8 5:11 6:9 7:21 8:5, 13,16 11:3 14:14, 21 16:12,19,22 20:2,18,24 21:13, 15 22:8,11,16 23:9 25:2 39:18,22 93:10 129:9 131:8, 20 132:10 133:12, 24 137:8,9

interviewed 6:7 10:23 38:22 39:2,4 68:3,6 78:16,23 101:22

interviewing 39:9,12 134:17

introduced 38:2

investigation 5:9 6:10 9:23,24 10:1, 3,9,15,20,21,23 11:10,16 12:14 23:8,12,14 24:8,9, 10,12

investigator 5:19 14:16 25:14,17

investigators 23:22

invoking 22:24

involved 76:8 99:1

IPRA 69:22 71:11, 15 77:8,10,13,15 78:4

IPRA'S 67:14

issue 189:23 193:3 200:20

issued 165:5

issues 23:11 175:17,20

J

James 27:2

Jason 122:16 123:12 126:21

Jennifer 5:3 14:15

Jerry 27:3

Jersey 23:2

job 12:10 22:23 49:16,19,22,23 50:16 52:21 53:4 61:1 102:11,12,16

jobs 102:15

Joe 120:9

joint 9:24 24:10

Jonathan 184:23 186:1

Joseph 123:13 126:15,22

July 184:22

jump 178:1

jury 23:18,20 24:2, 3,14 27:13,15,19, 22 28:10,14,17 29:7,10,13,15,22 31:1 33:1 34:6,12, 13 35:2,4,17,21 36:13,18,23 37:1,2 38:1,12,17 40:8 91:7,23

K

K-l-i-m-a-s 15:6

Kato 74:14,16

keeping 163:10

kids 85:21

kind 31:24 34:19 44:19 49:12 51:1,2 52:5 59:8 67:23,24 71:18 72:15 73:17, 20 75:15,20 78:10 92:21 97:13,14,16 98:19,24 99:3 105:21 106:22 119:9 127:12,16, 19 157:10 163:15 164:13 174:17 179:9 194:2 196:22

King 140:19,21

Klimas 13:12,14, 24 14:4,9,11,13 15:2,5,6,14 22:24

knew 51:23

knife 73:13 117:8, 12,13,17 118:9,10 119:15 121:14 128:13,16 158:15 159:1

knowledge 112:2 203:6

Kris 6:7 14:16 108:12 137:10 142:10 153:18 197:9

Kristohper 5:1

L

lack 195:23

Lance 184:11,22 185:19,24 186:16

language 159:4,6

laptop 99:15 142:12

Laquan 13:5,9 14:23 30:10,14 31:15,20 33:15 36:20 37:10,20 38:23 40:16 41:2 72:1 73:5 82:21 83:9,13 118:1 128:15 133:13 148:8 157:21 160:9,19,21 161:7, 9 162:2 184:14,19 191:4,8

law 10:2 24:10

lawyer 35:7 39:15

lawyer's 35:9

lay 68:2

lead 89:14 97:13

leave 21:4 43:7 44:5 47:6 66:18

left 77:23 174:19, 20 180:1

legal 8:12,15 24:20

legally 12:21 24:19

level 120:21

Lewin 184:23 186:1

liability 29:23

lie 140:5

lied 29:21

lieutenant 26:20, 21 27:3

lieutenants 69:15

light 92:13

listen 43:21 135:5

live 107:24 108:9

lives 108:4,5

load 147:15

located 4:19 46:18 180:10,12

log 45:24 163:24 180:24 181:5,6,7 182:8

log-in 181:13

logged 51:24 163:10 202:6,9

long 8:16 28:16 32:9 52:10 58:16, 19 96:9 103:4 104:1 106:16 107:17 166:12 169:11 173:21 175:6

longer 32:8 119:7

looked 44:18,19 117:17 118:4,15, 17 119:5,9 121:15

lose 12:10 22:23

lot 48:18 118:5 174:6,23 175:23 180:11,12,16

loud 55:3 107:10

M

made 7:21 8:5 15:17 22:20,22 23:21 40:12,15,17 87:15 88:4,5 93:12,13 101:23 115:23 122:7,18 123:1,7,15 124:1, 11 129:8 131:7,19 132:9 133:11,23 134:7,8,23 135:18, 21 157:19 158:12

main 69:6,9 70:3

make 11:3,24 20:22 21:1 38:12, 13,18 44:10 47:23 73:21 77:14 89:23 96:22 97:21 107:9 115:4,5,16 117:2 123:9,10,20 128:3 150:8 157:4,12,24 159:9 162:9 163:9 172:3 178:24 179:23,24 182:3 200:18 201:13 203:3

makes 83:9,13 201:16

making 7:13,14 23:4,6 85:24 89:21 115:22 117:13 128:1 135:14 145:17

male 74:22

malfunctioning 188:8

manner 25:19 155:13

March 4:18 18:19, 21 34:9,11,18 38:3 40:12,17,22 55:22, 23 56:2,12,16 57:4,19,23 58:11, 17,24 59:19 60:5 61:3,11,20,24 62:4,8 63:9,15 65:2,16 66:23 71:22,24 73:21 80:1 81:10 83:18 92:9 93:13,21 94:5,8 99:12,20 109:9 113:16 114:7 115:5,17,22 122:13,21 123:1,8, 20 124:1,12 128:2, 8,11,14,23 129:9 130:17 131:8,20, 24 132:10,14,17 133:12,16,24 134:9,10,12,15 135:17,22 136:3, 11,24 137:4,16 139:1,11 141:10 145:20 147:7,19 148:16,21 149:3, 24 150:1,6,12,23 151:21 152:4,17 153:6,12,21 154:4, 9,23 155:13 156:16 157:1,19 160:6 162:1

March's 20:1 128:12,17 130:7 131:2

mark 15:21 16:5, 10 17:1,15 18:17 165:4

marked 5:17 16:1, 14 17:4,18 18:22 19:22 20:3,8,14 108:19,21 165:6 184:3

Marlon 74:14

material 131:19 132:9 133:11 136:13 137:2

materials 20:18 21:4,14,20 22:11, 12

matter 4:1 9:19 173:10 175:10

Mcdonald 13:5,9 14:23 27:15 30:11, 14 31:15,20 33:15 36:12,17,20 37:10, 20 38:20,23 40:16 41:2 60:7 72:1 73:5 82:21 83:10, 14 86:18 96:7 98:1,12 115:12,24 116:6,15,19,21 117:1 118:1,18 120:14 122:15 123:11 125:11 126:5,14,20 127:2

128:15 129:10 131:9,21,23 132:1, 12,16,22 133:13, 17 134:1,2,20 135:23,24 136:12 137:1 140:18 141:15 146:2 148:8 155:10 157:21 159:21 160:9,19,22 161:7, 10 162:2 184:14, 19 191:4,9 201:23

Mcdonald's 47:11

Mcelligott 62:3 70:23 79:1,9,19 103:19 104:2,11 107:23 108:5

Mcnaughton 56:10

meaning 45:18

means 43:13 49:18 174:12 202:19

meant 120:2 121:10

media 142:11,19, 21 145:6

meet 91:6

meeting 88:9 89:3,6,14 90:2,18, 23 91:10,21,24 92:4,7 156:19

meetings 90:20

Member 16:12

member's 167:5

members 167:2 168:4

memorialized 89:18

mentioned 22:6 45:17 74:1 86:10 90:1,17 92:6 93:5 98:9,11 99:11,14 100:8 107:21 119:2 137:15 150:23 152:17 158:7 197:13 201:21

message 169:6 178:13 187:20,24 198:5,8,13 199:7, 13,24 200:4,7,10, 13,17,24 201:4,9 202:1,3,8,14,22,24 203:4,6,8,14

messages 200:6 202:7

mic 197:14

mic's 198:10

Michelle 4:22

Michigan 106:13

microphone 182:15

microphones 182:24

mics 163:24 164:2,4,8 169:3

middle 59:12 120:22 121:3

mind 30:15 146:12

minds 98:23

minute 11:17 65:18 151:5,6 181:20

minutes 29:3 45:1 58:20,22 142:12, 20 145:5 166:14

misconduct 7:22

missing 168:8

misspoke 108:20

misstate 44:12

mixed 33:21

mm-hm 33:6 39:8 45:6 49:11 54:24 55:2 57:6 78:8 81:24 82:6 83:15 85:4 100:7 102:13 103:24 172:10

moderately 129:5

moment 141:21 145:8 146:19,23 154:24 185:4

Mondragon 61:4, 10 62:16 70:14 105:6,12 107:23 108:4

monitor 80:23 81:23 82:2,14 99:15,16

month 27:24

months 173:14

morning 85:20 188:14,19 192:23

motion 127:22 149:9

motions 117:14

Mount 108:10

mouth 153:23

move 25:19 132:22 162:15

moved 66:9 108:2, 5 131:23 132:12, 15

movements 117:3,6

moving 24:21 118:2 127:20

multiple 39:4 107:14

Municipal 5:10 8:24

N

n-e 47:18

N-e-u-m-e-r 4:21

names 27:1 49:7,8 86:14

narrative 46:1 66:5 130:16 136:11,24

nature 39:21 74:10 91:10 107:15

necessarily 198:19

negotiation 94:21 95:22

neighborhood 107:24 108:7

Neumer 4:1,17,21 5:7,16 6:5,7,17 7:8,20 8:4,11,21 9:6,13,20 10:7,14, 19 11:18,21 12:12 13:2,8,11,18,22 14:5,6,10,13,17 15:10,15,21 16:4, 17 17:7,21 18:16 19:1,5,9,11 20:6 21:1,7,11 24:7,22 25:6,15,21 30:17, 20,22 35:8,15 37:16 44:9 46:14 52:2 55:7 56:6,9 60:18 65:20,24 66:2 72:18 74:21 79:7 82:11 86:4,7 95:4 100:2 107:13 108:12,17 109:1,5, 16 113:6,8,22 114:1,3,16,19,22, 23 116:14 117:19 119:19,22 120:3, 12 121:8,17 122:9 127:14,17,20,23 129:23 130:4,5,18, 21,22 132:6,7 133:4 135:11 136:18,21 137:10 141:20 142:1,3 143:3,7,19,22 144:20 145:4 146:14,23 147:3, 13 148:6,11 149:17,22 150:16, 21 151:7,11 152:9, 13 153:1,15

154:14,18 155:4 157:17 158:1 160:4,17 161:22 165:9 168:2 177:13,16,18 178:3 181:21,24 182:2 184:2,7 185:12,16 190:6, 19 192:5 193:11, 15,17 197:9 203:24

Neumer's 14:1

news 141:7

newspaper 94:10, 11

night 37:4,9,22 87:3 96:6 98:16 113:16 114:7 115:17 117:2 123:1,20 125:1,8, 19,23 128:3 140:8 144:3 147:7 148:16 150:23 152:18 153:7 154:4,10 155:10 161:23 162:21 176:14 177:22 178:5,24 183:9 186:12,24 187:15, 17,18 188:6,18 192:21 193:2 196:3,7,24

Nodding 120:17 164:24

nonfunctional 183:18,24

nonfunctioning 188:21 189:3,8,23

nonoperational 190:9 196:9

normal 37:8 96:19,21,23

north 42:17 62:21, 23,24 63:2,5,7

notate 49:20

notated 201:13

note 12:13 24:18 147:23 167:20 168:3 199:5

noted 88:10 92:20

notes 20:1 24:7 34:22 58:12 90:4,8 99:21 109:4,6 139:7 184:18 186:9 187:3

notice 14:20 16:19,22 18:7 22:10 129:3,4 192:13 202:4

noticed 192:24

notification 16:11 17:2,9,12 18:8 21:15,16 197:21, 22 200:18

notified 37:5,6 189:2

notify 168:5,11,17 169:13,17,22 170:21 187:10,11 188:15,20 189:7 193:2,20 194:1,6, 11,14 196:8

notifying 189:22

number 5:6 18:12, 14,19 19:14,24 25:23 27:6,9 36:7 49:19 50:24 53:13, 14,15 57:9,11 87:17,20,23 162:20 163:1 169:8,12,15 170:4, 11,14,15,17,19 171:1 172:2 175:22 176:1,9,12, 19,21 177:6 178:1 179:5 182:8,11 188:22 189:16 190:8 195:14 196:14 197:7 198:10

number's 169:9

numbers 86:14,24

O

O'connor 27:2

O'donnell 26:23

objecting 23:5,9, 16

objections 23:4

obligation 6:19 24:15

observation 155:23

observations 73:22 156:7

observe 96:22

obtain 8:15 167:3

occasion 31:4 54:18 100:18 168:11

occasions 192:6

occur 97:2

occurred 32:21 36:24 39:24 60:23 66:12 96:24 98:16 118:5 125:1 141:17 156:8,19

occurring 33:12 34:4 41:24 42:1

occurs 44:11,13

October 19:24 26:5,9,13,16 27:10 41:1,2 101:4 102:3 103:19 104:14 105:6 106:3,6,20 107:4 109:7 111:18 113:17 114:8 115:18 116:20 117:2 123:2,21 125:1,8, 19,24 128:4,8 129:8 131:7,19 132:9 133:11,23 135:21 136:10,23 143:21 147:8,20 148:17 149:4 150:4,24 152:18 153:7 154:5 161:24 162:21 164:16 167:14 169:19 172:12,19 173:6,18,20 174:3 175:11,16 176:3, 15 177:9,23 178:5, 17,22 179:13 180:6,22 181:2,9 182:17 183:3,9,15, 21,22 184:17 186:12,24 187:12 188:7,14,15,19,20 189:2,20 190:1 192:14 193:2 194:10,19 195:6 196:3,7 198:3 200:10,11,15 201:22

office 5:2 6:8,11 9:21 10:20 11:14 12:5,12 13:4 14:7, 19 15:11 23:6 68:12,13,15,20 80:15,16,18,19,20 81:9 82:5,12 88:11,15,16 89:5, 7,12 90:7,14,21,24 91:24 92:3 137:17, 24 138:24 156:17

officer 4:14 5:4,5, 12,16 6:14,22 7:5, 17 8:1,8,18 9:3,10, 15 10:6,22 11:1,7, 11,23 12:17,24 13:1,2,7,15 14:10, 15,21,22 15:2,3,8 16:6,18 17:23 18:13,20 19:2,15 20:2,7 21:13 24:24 25:7,22 27:5 30:24 32:11 35:21 36:6 42:22 45:12 48:9 49:2,9,10 51:9,12 57:16,20 59:1,10 60:6,20 61:4,10, 14,19,23 62:3,7, 16,17 66:3 67:8,9 70:18 71:1,3 79:9,

10,19 80:7 85:10 86:2,10,14 89:2 91:20 96:4,24 97:4,20 98:4 100:4,9,24 101:2, 3,17,20,24 102:3, 7,10 103:12,16,19 104:2,11,14,21 105:2,6,12 106:6, 11,17,19 107:1,4, 14,18,22 108:13 109:8 110:2,3,23 113:5 115:13 116:1,16,22 117:3 118:17 121:18,19 122:17 125:3,12 126:15 127:20 132:3,11,15 133:7, 15,19 134:3 135:24 141:16 142:4 143:3,5,19, 23 145:10 146:24 147:2,4,15 148:7, 10,12 150:17 151:14 152:10,14 153:4,5 165:16 173:1 177:19 180:3,17 183:20 186:9 187:2,5,8 190:23 193:19

officer's 11:2 164:21

officer-involved 76:9

officers 11:7 36:12,16,21 37:11, 21 38:19 41:6 56:4 62:12 67:20,22 68:8,23,24 69:22, 23 70:6,11,15 71:7,8 75:1,2,12 76:13,22 98:9,12, 15 100:5 107:21 108:14 110:8,13 118:18 120:15 123:12 126:21 129:12 131:11,22 132:21 138:13 144:4 191:20 192:7

officers' 38:14

offices 69:14

official 6:10 7:10

OIG 4:11 9:24 10:8 12:17 21:14 24:7, 13,15,19,21 142:8

OIG'S 10:7

omission 131:19 132:9 133:11

omissions 136:14 137:2

on-call 97:11

open 142:11 195:19,22

operate 138:16

operating 171:20

operational 165:13 183:1 197:20,23

opinion 116:6

opportunity 25:10 131:4 196:22,23

opposed 120:23

oral 7:13,15

order 7:1 12:16 13:1,6,14 15:3,9 20:17 21:12 22:23 23:12 44:14 45:18 47:3,11 48:15 66:8 69:22,23 165:4,11, 16,20,24 202:16

ordered 6:21 48:17 65:9 66:11, 14,19

ordering 60:24

orders 45:7

Ordinance 9:1

organically 99:8

original 109:15,18 110:4

outcome 12:13

outer 180:18

outlined 167:17

overpass 48:2,3

overtime 84:22

P

p.m. 4:18 11:19,22 13:22 19:9 30:18, 20 65:21,24 86:4,7 88:23 91:12,15 113:22 114:1 119:19,22 141:22 142:17,23 143:21 177:13,16 181:21, 24 193:11,15

pad 58:13

paper 43:11 45:18, 21 97:12,15 172:3, 9 176:20

papers 48:15

paperwork 43:14 45:22 47:4,7

paragraph 5:23 6:1,15 7:6,18 8:2, 9,19 9:4,11

paragraphs 112:23

parking 180:11, 12,16

part 6:10 45:14 51:12 55:24 60:20 94:21 96:16 102:10,12 111:12 112:15 163:22 172:24 174:7 181:3

parties 163:16

partner 57:15 96:6,10,15,19 97:7,8 198:4 199:8

partnered 101:16

partners 100:10

parts 33:23

party 4:11 100:17

passenger 97:9 143:12 144:3 162:21 172:11,18 173:22 174:4 176:4 189:20 197:15 198:20

patrol 110:23

pause 136:1

PC 87:17,20,22

PDT 46:13,15,18 48:23 50:3,4 54:16 169:2 187:20 197:20 198:5,12 199:7,13,24 200:17,23 201:4,6, 8,23 202:7 203:4, 14

pencil 58:14

pending 24:24 119:24

people 39:11 49:14 50:19 52:4 65:8 77:5 78:3 99:1 135:2 164:14 191:23

perfectly 159:3

perimeter 41:7

persist 6:24

person 50:22 97:12 138:15,16, 20 139:2,4,7 156:17 159:18 167:5

person's 159:7,11

personal 27:6 36:7

personally 32:9

perspective 146:7

pertaining 165:11

Peter 4:21 6:7 14:6,17 15:10 65:19

phone 13:12 14:3 27:6,9 35:24 36:7, 9 201:1

phones 68:19 78:10

physical 53:1,3

picture 195:16

piece 172:2 176:20

pizza 69:5

place 13:12,24 23:10 39:19 56:19 57:14 67:24 169:21

play 79:16 143:4

played 143:16 144:17,23 148:2,8 149:12,18 150:15 151:17 152:12 153:8

player 142:19,22 145:6

playing 83:3 148:1

plays 82:16,23 83:5,8,12

point 12:23 34:1, 14,16 53:6 73:1,6 80:3 83:23 87:6 94:2 98:9 99:11 117:17 119:4 122:7 126:11 129:2 136:7 144:9 161:23 168:19 182:23 188:13

pointed 145:20 149:3,24 150:1 153:6,21 154:4

points 81:3

police 7:3,10,11, 16 15:6 23:12 112:16 113:5 165:10 191:20 192:7

policy 199:22 201:11,17,19

pool 174:23,24 175:3

portion 43:3 82:16,20,24 122:14 141:11 142:5,17 147:16 150:17 153:4 166:23

posed 15:9

position 9:17 10:5,7,13

possession 24:1, 14,17

postpone 23:15

potentially 29:22

power 170:8

practice 4:7 191:19 192:2

preceding 199:10

preface 12:1

preliminary 4:1 20:21 21:2

preparation 22:16 25:2 35:3,17 178:8

prepare 20:17 21:12 53:16

prepared 48:20, 22 49:3,6

presence 99:10

present 4:3,23 5:8 8:13 36:12,16,22 37:11,21 38:15,19 41:1 57:13 71:1,3 75:2,7

presented 38:1

presently 147:6

pressure 143:9

pressured 135:16

pretty 64:16 76:16,17 90:16 199:23

prevent 24:21

prevented 62:15

previous 129:13 130:8,20,23 131:12 136:2 137:3 175:18 176:24 177:4,5,7

previously 16:19 17:9,23 19:22 108:19,21 148:9 150:1 157:24 184:3

primarily 73:4 124:10

primary 25:14,15

printout 52:19,20 53:4

prior 9:15 20:10 22:8 23:17 24:24 35:2 36:13,18,22 38:11,17 41:13,19, 22 47:7 60:4 61:2, 10,20,23 62:3,7 72:3,5,13 81:8 96:10 100:10 101:4 102:3 103:19 104:14 105:6 106:3,6,8,20 107:4 127:2 131:23 132:2,12, 16,22 133:14,18 155:9 156:12 164:4 165:21 173:7 174:3 175:11 177:9 183:15,21

probable 9:18 10:6,11,12,18 11:13 12:6

problem 31:21 149:11

procedure 165:1 168:19

procedures 165:14 166:3 167:6,17 169:21 178:6,22

proceed 12:21 24:19 42:3 66:8

proceeded 43:2

proceeding 8:7 11:4 12:7 185:22

proceeds 13:1

process 75:20 168:16

product 4:9

proffer 94:21,24 95:7

programmed 166:8

Progress 19:23 20:8,14 21:18 111:17 112:1,4,8, 15

prohibits 7:12

proof 201:14

proper 20:24 32:15 187:7

properly 167:8 187:9 192:16

property 4:10

propose 25:7

protect 163:15

protocol 187:7 192:22

protocols 179:10

provide 4:4 9:16 12:10 16:21 17:11 19:18,21 20:13 23:19 24:16 29:6

66:4 160:6 161:8, 13,15 162:1

provided 4:11 12:17 14:20 16:7,8 18:13,15 20:19 21:14,20 22:12 23:18 38:5 130:16 136:10,23 139:21 142:8 147:1

providing 4:2

Pulaski 42:4,15, 16 43:3,6 44:2 45:15 47:2 48:4 62:23 63:1

pull 49:19 143:6, 14 144:3 146:14

purpose 109:21 112:3 138:20 163:7

pursuant 5:8 10:22

put 6:19,21 12:19 18:6 46:1 49:19 55:10 69:11 86:23 93:1,24 108:18 118:11 119:16 128:10 148:4 153:22 159:18 171:23 199:6,13

puts 34:22

Q

question 8:22 10:10 17:8 18:5 19:12 24:23 31:24 32:24 33:8 43:20, 21 44:1 61:17 69:22,24 92:18 97:15 114:21 119:24 120:19 123:23 124:14,19 125:16 132:18 135:5 153:9 154:9 155:16 174:1 182:4 186:10 192:1

questioned 24:3 70:1 155:11,18,22

questioner 25:16

questioning 31:24 52:9 155:14

questions 6:13, 19,21,22 13:3,8,15 14:22,24 15:4,9 25:5,8,11 30:4 31:15,19 32:10 57:20,24 58:24 59:5,10 63:12 66:24 72:12,15 81:7 83:2,6,22 84:6 89:15 97:13 113:11 203:22

quick 30:16 52:6 91:11,13 113:21 130:13 155:7 177:12

quickly 160:5

R

R-u-s-s-e-l-l 5:4

radio 44:15 47:21

raise 5:13 116:15, 21,24

raised 23:11 34:23 115:13,24 116:6 125:2 134:2

raising 125:11

rapid 136:1 174:7, 9,10,24

read 5:21,24 6:1, 15,16 7:6,18 8:2,9, 19 9:4,8,11 10:24 22:17 43:19 96:1 112:22,24 113:2 130:11 131:3 132:3 135:6,8

reads 115:11

real 52:6 104:20

realize 118:4 120:6

reason 79:14 163:2 182:14 190:12 198:17 199:3 203:13

reasonable 8:14

recall 27:23,24 28:1,3,4,18,20 29:2,11 34:24 38:4,7,9 39:1,16, 18,20 42:9 51:4,5, 8,15 56:8,17 58:13,14 64:15 73:22 75:4 77:22 79:8 87:5,9 88:14 89:10,13 90:4,6, 15,22 91:21,24 94:13,16 95:8,11 98:14 99:15,19,20 101:11 105:14 108:6 115:19,21 128:1,7,10,23 140:13 156:1,11 166:17 175:9,13, 16 176:22 177:1,2, 3 178:2,6 180:5,15 186:11,21 187:1 188:24 189:1,18, 22 190:7 200:9,13

recap 138:23

receipt 17:16,22 18:1 21:16

receive 11:12 166:2,15 200:4 202:14,23 203:6

received 12:4

receiving 22:10 200:9

recently 105:19 124:11

recess 11:20 30:19 86:6 91:14 113:24 119:21 177:15 181:23

recollection 24:5 30:7 31:8 38:5 84:19 95:14 162:19 173:4 176:17 178:15,21 179:15

record 4:8,17,24 11:19,21 13:19,21, 23 18:11 19:5,8,10 30:18,21 43:23 46:10 65:20,23 66:1 86:5,8 88:20, 22,24 91:3,16 93:17 113:23 114:2 117:11 119:20,23 122:2 127:6,17 129:17 135:7 138:9 139:17 141:20,24 142:2 146:23 148:6 150:16 151:8,10,12 152:9 153:19 158:21 160:15 167:23 177:14,17 181:22 182:1 190:14 193:8,10,12,14,16 194:19 195:8,13 197:3 203:24

recorded 142:15

recorder 167:4 168:8

recording 4:9,12

recovered 142:6 183:8 191:2,7

refer 185:14

reference 32:6

referenced 185:23

referred 144:10 154:24

referring 130:24 131:1 150:7,12 185:2

refers 185:21 186:1

reflect 4:17 113:15 114:17 117:11 124:16

reflected 114:6 128:2,5,17
refusal 6:24 7:1 8:21
refuse 6:20 12:10 22:23 28:8
refused 14:24
refuses 23:15,19
regular 110:23 111:1 190:23
regulations 7:2, 12 164:16,20
related 34:8 86:17,21
relates 12:14
relating 199:14
relation 92:24 156:7 159:20
relationship 101:3 102:2 103:18 104:13,16 105:5 106:5,20 107:3 108:14
relationships 100:4
release 84:15
released 84:19 85:2,5
releases 84:16,18
relevant 153:4
remain 6:18 11:12 12:4
remember 34:15, 17 39:10,11 51:19, 20,22 54:17,19 64:23,24 70:24 71:4 75:5 77:20,21 79:3,4,6,24 84:22 92:20 104:5,19 128:6,21 129:1 131:16 150:13 153:10 154:13 162:22 166:20 181:15,18 182:4 189:15,21 190:3 197:8
remote 167:4 168:8
removal 7:24
report 7:10,13,14 18:19 19:4,14,23 20:8,14 21:17,18 45:23 46:3,5 48:12,19,21,22,23 49:3,6,13 51:6,14 52:11 53:9,17,22 54:5,8,14,21 55:9, 11,15,18 56:1,24 57:4 59:13,22 64:10,13,17 66:12, 14,21,22 67:1,5 86:11,13,16,21,23 87:2,15,19 88:2,5 89:21,24 92:22,23 94:4 97:3 109:11, 22 110:1,4,12,19, 24 111:1,4,14,17 112:1,4,8,15,19 113:15,20 114:6, 13 128:5,12 130:2, 7 131:3 134:13 156:24 157:7,12 159:5,10 162:24 163:3 171:19 184:11 186:7 187:3
reported 186:10 187:5 194:17
reporter 4:3,10, 15,22 5:13 43:24 135:8
reporters 4:8,19
reports 38:1 97:19 110:14,22 111:7
representative 8:12,15 67:14 74:23 75:11,19 77:2
representatives 74:2,3,7
representing 89:11 90:13
request 4:12 169:9
requested 23:17
requests 48:12 195:14
reside 108:7
respect 10:2 15:16 18:5 19:13 24:11 63:9 100:8 101:2 122:10 123:5,11 131:21 134:1,22 135:23 160:5 164:20 166:21 173:5 175:15 178:7 179:10 186:3,8 190:8,9 195:24
respond 33:7,11 41:21,23 131:5 135:1
responded 41:20
responding 102:22
response 9:20 107:7 192:18,20 194:13,22
responses 7:9
responsibilities 111:13
responsible 41:6
rest 124:8 164:10
restroom 67:17 69:1
result 7:15
Retrieval 184:17
return 110:4
returned 101:8
review 9:9 20:18 21:13 22:5,11 115:1
reviewed 126:22
reviewing 34:19
Rewind 154:16
rhyme 198:16 199:3
Rick 71:15 77:24
ride 102:14
rights 5:18 6:5 9:7,14,16 10:24 11:2,8 12:4,16 15:22 23:22 28:8 75:16
RINGING 14:3
road 120:22 121:3
Robert 13:12 15:5 18:14 43:11 46:23 48:24 49:20 64:7 85:9 142:7 144:3 147:14,18 151:15 152:15 153:3 162:17,18 163:1 172:12,19,21 173:15,16 174:7 176:14,23 177:3, 22 178:9,16 179:13,17 181:1,8 182:16 183:2,8,17, 23 184:9,15,20 185:2,17 186:2,8, 13,23 187:4,13 188:22 189:4,11, 24 194:7 195:5,11, 19,22,24 196:6
role 86:22
roll 103:1,21 105:7 143:9 203:18
room 68:3,11,20 69:3,6,8,10,12,16 70:3,8 75:24 78:4 80:6,9,11,13,14,15 83:12 84:8 98:10 138:1,16 161:20
rooms 68:14,19, 20 77:6
Rule 7:11

rules 7:2,12 163:13 164:16,19

run 154:1

running 79:23 138:4 193:5

Russell 5:3 9:15 10:4,10,16 11:5 12:23 13:17 14:2, 16 15:20 18:11 20:21 21:5,10 22:17 25:13,20 30:15 35:12,14 37:13 43:19 51:19 55:3 56:4 60:15 65:18 72:16 74:17 79:3 82:8 87:8 88:20 91:11,17 107:9 109:4,12 113:4,21 114:15, 17,20 116:10 117:11 119:18 120:1,18 121:9 127:4 129:22 130:3,13,19 132:5 133:1 135:5 136:15,20 139:19 141:10 146:11,16 150:13 151:24 153:9,12,14 154:7, 12 157:23 160:13 161:18 168:1 177:12 181:20 185:9,15 190:3 192:1 193:10

S

S-p-r-e-y-e 47:18

S-p-r-e-y-n-e 47:19

S03-05 165:4

safe 156:22 203:2

sat 70:4

scenarios 31:23

scene 32:22 36:16,22 37:11,22 38:15,20 41:7,12, 22 42:12 43:8,18 44:5,23 45:5,24 47:6,10,14,24 49:9,15,21 50:22, 23 51:6 53:5,11 54:4 55:19 56:3,13 57:12 61:19 62:11, 12 64:1,18 66:6, 18,22 67:3,22 68:2,10 70:7 72:4 74:3 75:2,13 76:23 100:5 108:15 116:20 120:5 143:6,14 149:1 155:20 157:20 160:18 161:7 163:11 184:14,19 191:4,8

school 85:21

scrap 172:8

Sebastian 61:14, 19 70:14 106:6,11, 17 107:23 108:2

seconds 142:13, 18,20,23 143:21 144:21 145:6 149:17 150:19,20 153:2 154:15

section 25:17 137:11 165:13,18 166:21,23 167:9, 11,14,17,21 168:4

sector 174:13,14

securely 167:5

security 22:2,7

seeking 12:24

sees 143:6

send 55:13,14 169:5 178:12 187:20,24 197:20, 22 198:5,8,11,12 199:24 200:6,7 201:9,10,11,23 202:1,3,4,8,22 203:4,8

senior 13:1,6

sense 31:18 97:17 150:8 179:1 191:1 201:16

sentence 115:3, 11 123:19 125:22 126:1 127:9

sentences 115:4, 6 122:12 124:5 125:17

separate 62:11 96:17

separation 7:16

sequence 120:20

sequential 66:7

sergeant 26:18,19 27:4 41:11,12 42:7,9,18,20,21 43:10 44:14,22 45:4 47:10,16 48:10,11 54:10,11, 13 65:1,3,15 66:16,17,20 84:17, 18 168:24 169:5, 13,22 170:1,21 171:2,6,15 178:12 184:11,22 185:19 186:12,16 187:2, 10,11,19 188:7,16, 17,20 189:3,7,22 190:18,20,21 193:3 194:6 195:14 196:8 197:21 198:8 199:24 200:3,19, 22 201:12 202:6, 13,22 203:3,14

sergeants 67:23 69:15

series 136:13 137:1

serve 7:3 9:1

shift 164:11

shock 76:20

shooting 13:5,9 14:23 15:1 27:16 30:11,14 31:16,20 33:14,18 36:13,17, 18,21,22 37:10,12, 21 38:15,20,23 40:3,7,11,16,18,22 41:6,7,13,22 43:7, 14 44:4,11,13 45:2 48:13 55:19 56:3, 13 57:24 58:9 59:1 60:2,7 61:19 62:11,13 63:13,16 64:2,18 65:10 66:6,9,12 67:3 68:11 70:7 71:8 72:1,4,6,13 74:4 75:3,13 76:9 78:13,19 81:8 82:3,21 85:15 86:1,18 96:7 100:6,11 108:15 126:23 128:4 131:21,23 132:13, 16,23 134:1,20 135:14,23 136:12 137:1 140:9 141:2, 11,17 148:8 155:10 157:21 160:9,19 161:1,4, 8,9,16,17 162:2 184:14,20 191:4,9

short 96:17 168:20

shot 41:3 122:6 132:2 133:14,18

shots 32:12

shoulders 127:21

shoved 172:4

show 67:16 80:3 99:12 137:23,24 141:10 142:5 147:17 151:13 153:4 160:18 163:5 165:3 166:10 195:9

showed 20:20 33:22 71:20,24 72:7,8 73:11,15 134:23 137:16,21 140:7,14 141:14, 15 145:21,23

147:7,19 148:7,9, 15,16,21 150:7,14, 17,24 151:22 152:1,4 154:5 155:1 160:7,8,21 161:1,3,14 162:24

showing 72:13,21 135:13 146:24 147:6 150:3 156:11 161:6 162:4,24

shown 139:10 140:17

shows 80:11

side 62:19,20,21, 22,23,24 63:3,5 69:8 81:12,19,20 138:24 146:3,4

sideways 122:16 123:11 126:6,14, 20 127:10 158:9

sign 9:13 15:18 18:1,7 95:7,10

signed 96:2

signify 88:1

signing 9:16 95:8

signs 198:21

silent 6:18 11:13 12:4

similarly-situated 11:7

sir 15:13

sit 60:22 68:18 83:1,6 84:1

sitting 69:2 78:6

situation 33:10 34:15 76:17 155:15,21 159:13, 17

situations 155:17

sleep 85:23

slight 127:1

slightly 50:8

slip 84:21

slow 121:21 149:9

slowed-down 148:10

slower 148:4 152:23

small 67:24 80:13, 15 146:20

socialize 100:14, 21 103:15 104:10 105:12 106:10,24

socialized 101:19 105:2 106:9 107:6

someone's 80:19, 20

something's 175:1

son's 100:16

sort 21:3 30:23 34:7 37:8 42:24 45:8 66:7 92:12 94:21 150:2 171:23 176:18 178:6 182:10 195:3

sound 156:18

south 42:14 62:22

southbound 66:10 73:13 117:7, 16 118:8,9,24 119:1,7,8,13,14 120:8 121:14 129:10 131:9 140:15,18 158:14 159:1,14,21

speak 22:16 25:1 35:3,16 55:18,24 56:2,10,12,16 58:16 92:2 95:6 96:23 157:5,8

speakerphone 14:6

speaks 67:18

Special 165:4,11, 16,20,24

specific 110:4 127:10 159:10 164:14 178:21

specifically 37:9 98:18 114:12 150:11 198:2

speed 148:9,10 149:7 152:23,24 153:5

spell 4:24 47:17

spoke 55:23 72:5 77:3,13 94:3,18,20 95:9 156:4 157:1

Spreyne 47:16 48:9,10,11,16,17 66:16,17,20

squad 157:2,13,20

stamp 142:13,24 143:20 145:7 150:19 153:2

stand 24:5 129:13, 20 130:8,20 131:12 134:4 136:2 137:3

star 5:5 25:23 50:24 53:13 86:14

stars 49:7,8

start 50:22 66:17, 18,22 143:15 144:8,12,16,22 163:23 164:5,6 178:15 180:6

started 53:6 77:5 104:4

starts 66:23 67:2

startup 167:6 178:22

state 131:22 132:11 133:13

State's 39:14

88:10,14,18 89:5, 8,11 90:7,13,21 92:3

stated 33:23 34:24 92:7 93:4 98:1 113:4,10 129:10 131:9,16 134:2 135:23 137:7 158:14

statement 7:21 8:5,23 9:7,21 11:24 12:2,7,11 18:20 20:22 21:2 22:20 23:21 24:14, 16,24 29:6 38:3,13 40:6,10,15,19,20, 21 78:4 89:17,22 92:8,14 93:13,23 94:8,9,18 109:9 112:20 113:1,2,11 115:1,17,22,23 122:10,19 123:2,7, 16,18,19 124:4,21 125:5,17,21,22 126:9,13,19,23 128:18 129:8,14 130:1,2,3,6,8,20, 23 131:1,7,13 133:23 134:4,7,8, 12 135:22 136:3 139:24 156:12 158:8,12 159:9,18, 24 177:21 182:3 193:18 195:3 196:1

statements 7:9 11:3 38:14 40:12, 17 77:7,9,15 93:12 113:19 114:12,14, 17 115:4 122:23 124:1,11,15,23 125:17 128:1,3 136:13 137:2,4 156:23 157:11,12, 18 161:10 162:10

states 6:6 90:24 168:4

stating 34:24 46:1 113:4 169:6

station 50:5,6,9, 13 77:4 155:22 169:1 202:18

stations 70:9 71:6 75:23 166:1

steady 96:14

step 59:24 60:3

Stephen 27:3

Steve 27:3

stick 31:11 110:11 136:6

sticker 171:17,23 172:1 176:18 177:3 195:4,10 196:2,6

stickered 176:13

stop 21:8 143:5,10 144:1,14 145:2,11 148:12 153:17,18 154:2 163:12

stopped 57:5 143:20 145:5 163:14

stops 164:14

story 38:18 134:16

straight 120:8 145:13

street 45:15 46:6,7 127:11 169:14 180:14,16

stressful 31:4 76:17

strike 117:12 132:4,6 195:20

stuck 168:24 172:4

stuff 44:19 52:17, 18 67:15,24 70:4 77:9 78:11 85:21 105:21 156:6,23 157:6 193:6 197:11 200:8

subject 24:16 25:8,9 29:22 94:24

subject's 12:15 24:13

subjects 29:9 163:14

submit 54:21 55:1,13

submitted 87:2

substance 21:8 86:17

Suite 4:20

summer 31:9

summoned 27:14

superior 6:22 15:1

supervisor 168:5, 11,17 171:18,19 194:11

supplementary 18:18 19:3,14 21:17 46:2 92:23 94:4 109:11,19,22, 24 110:7,12,13,19, 22,24 111:1,4,7,14 112:19 113:14,20 114:6,13 156:24 184:10 186:6 187:3

supposed 171:22

surprised 191:11, 15

surveillance 147:1,5

swaying 73:13 117:8,12,13,14,16 118:8,10 119:9,15 121:14 127:12,16 128:13 158:14 159:1

swear 5:14

swinging 127:21 128:16

sworn 5:15 23:17

sync 38:18 164:4, 8 182:15 183:4

synced 164:3 182:24

system 50:4 142:6 162:17 163:8,17, 21 164:12,17,21 167:3,7 168:6,12, 18 169:24 170:8 173:17 174:5 175:8,18 176:5 178:8,16 179:12, 16 180:21 181:1,4, 8 182:11,16 183:1, 9,11,17,23 184:9 186:14,23 187:4,8, 13 188:1,8,22,23 189:4,10,24 190:10 192:16 193:4 194:7,11,21 196:10 197:14,15, 20,22 198:3,5 199:14 200:1,5 202:5,14,21,23,24 203:4,7,15

system's 171:3, 20

systems 21:22 165:12 166:19 173:23 175:4 184:13,24 191:22 192:8

T

tables 68:17

takes 97:13

taking 23:10 58:11 90:4,7 99:20 195:16

talk 27:12 37:10, 15,17 40:24 49:5 50:22 51:8,11,15 59:19 60:20 61:3 63:15 69:18 74:3,6 76:12,22 77:8 80:2 85:15 86:1 97:16 98:3,19 99:6 100:3 103:3 105:9 106:14 126:12 156:5 157:6 162:16 164:15 170:1

talked 51:5,18 53:10 59:13 60:5 63:10 72:4 74:11, 22,24 75:1 77:10 85:19 93:20 99:9 106:7

talking 45:1 53:4 62:16 65:2 71:10 75:11 89:2 98:23 103:20 104:4 123:24 124:9 144:15 161:24 169:18 171:13 199:11

tamper 183:16

tampered 183:22

tape 172:9

taped 195:10

taped-up 182:11

technical 138:16

telephone 13:16

telling 34:18 115:19 128:7,23 131:17

tells 75:16

tendered 6:4 108:24 139:12 184:6

Tendering 15:20

tenth 115:9

term 110:9 111:19, 20,21 171:9

terms 33:14 60:7 142:23

testified 29:12,14 56:5 150:1 157:24

testify 28:9,13

71:10

testifying 28:16

testimony 23:17, 18,20 24:2,3,4 27:14,18,21 29:19 30:1,24 35:2,4,17, 22 36:13,18,23 38:11,17 40:8,14 129:20 161:19

texting 78:12

texts 36:2

theory 199:10

thereof 8:6

thing 39:24 78:10 103:20,22 105:7 106:7 140:11 180:9 195:15 196:13

things 31:22 72:8 98:23 105:10 107:15 124:24 194:3

thinking 138:3

thought 71:15,16 137:20 194:15,16, 23 196:1 197:7 202:10

ticket 169:8,9,11, 15 170:4,11,14,17, 19 171:1,10,13,15 172:2 175:21 176:1,8,12,18,21 177:6,21 178:1 179:5,6,7 181:15, 19 182:8 189:16 190:8,22 194:16 195:4,10,24 196:14 197:7 198:9,10

tickets 195:18,22

time 4:18 8:15 11:19,22 13:11,18, 22 19:6,9 20:23 22:22 24:5 25:4 28:20 29:4,14 30:20 31:23 32:7,9 33:12,19 34:14,16, 17 39:7 43:5 44:1 54:3,4 56:15 57:3 60:22 62:10 65:24 84:21 86:4,7,24 87:12 88:23 91:7, 12,15 97:12 99:22, 23 103:9 108:18 110:19 112:5,24 113:22 114:1 119:19,22 126:11 134:15 136:7 141:22 142:1,13, 14,19,22,24 143:20 145:6,7 146:18 150:10,19 151:7,11 153:2 154:1,16 168:5 169:22 173:14 177:16 183:14,21 184:2 188:18 189:1 193:1,11

time-bar 142:19

time-stamped 142:17

times 39:4 102:14, 21 103:22 107:15 143:8 144:10,13 152:16 154:22 174:23

titled 17:2 142:11 165:13

today 4:4 5:8 15:10 20:11 129:21 131:1 165:21 191:6

today's 4:17 20:17 21:12 22:8

told 33:1 34:6,11, 13 42:10,11 58:7 69:21 70:5 71:12 73:12 92:7,8,15 93:14 114:18 128:11,14,20 130:14,17,24

top 76:6 113:7

topics 61:9

totally 140:3 159:24

touch 88:9

touched 124:2 170:7

tour 163:24 164:5, 6,8 167:1 178:7,11 179:22 180:7 192:17 194:21

tours 175:18

traffic 42:10,11, 16,24 43:10 44:15, 21 45:8,13 47:1 66:10,11 163:12

trained 167:7

training 166:2,5,7, 12,16,19

trainings 166:6,15

transcript 4:4,7

transmitter/audio 167:4 168:8

traumatic 76:17

trip 85:17 86:2

true 130:4 185:21

truth 33:24

truthful 24:4

truthfully 6:13,20

TS.IFO 142:11

turn 43:17 121:18, 19 126:24 127:1 140:16,24 141:18 144:9,15 145:17, 19 149:2 150:2,3, 6,12,22 152:17 153:6,21 154:3,8 164:7 166:10,11 169:13

turned 81:4 121:16 149:21

turning 72:23 73:5 81:5,6 83:10,14,20 121:22 182:5

turns 73:17,20 202:24

twist 145:16

two-fifths 112:24

type 11:16 31:19 50:2 80:13 97:3

typically 159:6

typo 185:20

U

U.S. 88:15 89:6 91:7,21,24

Uh-huh 34:12

understand 6:6,9, 17,18,20,23 7:8, 11,14,20 8:4,11,21 11:23 26:17 89:19 94:14,22 95:3 124:19 158:15 159:16

understandable 140:3

understanding 109:23 111:24 156:15

Understood 158:1

unduly 8:16

union 8:12,15 11:6

unit 26:1,3,4,7,8, 10 52:5 103:5,6 106:17 107:18

United 90:24

V

Van 32:11 34:23 35:21 36:6 51:9,12 71:1 75:3,6 101:2, 3,17,20,24 107:22 115:7,13,14 116:1, 7,16,17,22 117:3 118:10 120:9,15

121:19,20 122:14, 17 123:6,13 125:3, 12 126:15,21 129:12 131:11,22 132:3,12,15,22 133:7,15,19 134:3 135:24 141:16 144:4 146:2,21

varies 198:14,15

vehicle 21:22,23 22:7 46:20,22 48:23 49:2 50:11 56:20,21 57:5,8 58:1,18 59:18,22, 24 63:10 85:9 118:6,12 120:7 132:24 133:8 142:7 143:11 144:2 147:14 149:1 150:18 152:11 162:18,20 163:1 164:12 168:7 170:14 172:12,19,24 173:3,5,7,10,16,17 174:5 175:7,15,24 176:2,14,23 177:3, 22 178:9,16 179:13,17 180:8, 10 181:1,8 182:16 183:2,17,24 184:9, 15,20,24 185:3,17, 21,23 186:2,9,13, 23 187:4,9,12 188:22 189:4,11, 17,19,24 190:8 192:16 194:7,12, 20 195:5,19,22,24 196:2,7 197:16 198:9 199:11,12, 13 200:8,21

vehicle's 175:17 183:8 187:13 193:3 195:11

vehicles 146:19 162:22 169:10 173:22 174:4 184:13,18 191:3,8, 12,21

Velez 70:20,21 106:19 107:1,24

verbal 115:12

verbatim 4:4

verifying 182:24

version 34:7,8 161:11

versus 23:2

video 21:21 22:1, 6,7,8 33:19,22 34:3 71:20,24 72:7,8,13,22 73:2, 6,11,15,19,22 80:3,11 82:17,20, 24 83:3,5,8,13 92:13,21 93:6 99:12 118:4 120:6, 13,16 121:11,13, 15 126:17,22,24 134:23 135:3,4,13, 18 136:17 137:16, 22,23 138:5,17,24 139:10,11,15,20, 21,22 140:5,13 141:2,3,14,16 142:5,6,11,13,14, 16 143:5,10,15,16, 20 144:1,8,12,14, 16,17,23 145:9,21, 22 146:15 147:1,5, 21 148:2,12 149:12,18 150:4,7, 15 151:1,14,17 152:4,7,12,22 153:8,17,18 154:2, 6,8,22 155:1 156:11 160:7 161:14,20 162:4, 17 163:8,17,18,21 164:12,13,17,21 165:12 166:19 167:3,7 168:6,12, 18 169:23 171:3, 20 173:17,23 174:5 175:4,7,17 176:5 178:8,16 179:12,16 180:21, 24 181:3,4,7 182:11,16 183:1,7, 9,11,16,23 184:9, 12,16,24 186:14, 23 187:4,8,13 188:1,8,21,23 189:4,10,24 190:9 191:17,21 192:8, 15 193:4 194:7,11, 20,21,24 196:9 199:14 200:1,20 202:5

videos 22:5 142:8

view 34:1 117:17 119:4 133:1,3,5,8 146:21

viewing 92:21 152:10

violation 7:2 8:24 12:8 23:22

Viramontes 42:22 45:12 49:2,10 51:1 57:16,20 59:1,4, 10,15 60:6,20 64:5 67:8,9 70:13,14 71:16 78:1 85:10 86:2 87:24 96:4,24 97:4,20 98:4 100:9,15,24 107:22 180:3,17 183:20 199:20

visible 145:8 172:5,6

visual 180:17,21

visually 167:2 179:16

VLC 142:11,19 145:6

voluntarily 22:21

W

wait 21:5 47:18 48:14 69:17 75:21 77:17 78:24 83:1 84:10,13 93:9 202:3

waited 70:5

waiting 52:16 67:18,19 68:3,7 69:9 70:7,12 71:5, 21 76:12 77:2,3,22 78:16,22 79:1,10 178:11

walk 41:15 67:11 68:17 82:2 114:14 115:2 163:20 179:22

walked 51:1

walking 72:22 73:12,13,16 115:6 117:7,16 118:8,9, 15,18,23 119:7,8 120:2,7,10,15,21, 23 121:2,3,5,10,14 122:15 123:11 126:5,14,20 127:10,11 129:10 131:9 132:2 133:18 140:15,18, 23 141:15 143:2 145:3 146:3 158:9, 14,16,24 159:8,11, 19,21 160:22

walks 75:20

Walsh 62:7 71:3 75:3,4 107:4,14, 18,24 118:10 120:15 121:18,19 122:17 123:13 126:16,22 129:12 131:11,22 132:11, 15,21 133:7 141:16 144:4 146:21

wanted 30:4 57:12 62:18 69:18 77:17 79:16 88:13 92:11 93:11 96:3,9 98:3, 13 99:14 135:3 137:22 140:8 155:9 157:4 158:10 202:2

watch 26:12,14 104:22 106:22

147:21 148:23 149:7 150:10 152:15,22 154:14

watched 120:13 154:21

watches 104:24 105:1

watching 33:19 78:3 120:16 148:14 154:19

water 67:17

ways 163:20 164:11

week 102:10,14,22 103:23 107:15 177:5,7

weeks 173:10

Wentworth 63:20 67:6

West 4:20 180:13, 16

whatever's 174:19,20

William 35:5,10

witnessed 32:3, 23 60:6 76:23 125:7,19,23 159:14 161:20 162:10

witnesses 43:7 44:4

witnessing 33:14 161:17

woman-to-woman 105:10

word 49:23

words 153:22

work 4:9 36:14 69:13 96:21 100:15,18,21 101:20 102:7 103:16,21 104:11, 20 105:3,13,15,16, 23 106:7,9,10 107:1,6 110:3 163:24 164:1,2 168:16 169:9 202:21

work-related 107:5

worked 102:4 104:2,18 106:16 169:10

working 10:1 24:10 25:7 40:1,2 103:20 164:9 167:8 168:23 169:7,8,16,23,24 170:1,3,4,6,9,10, 22 171:3 173:21 175:24 176:6 181:12 182:19 183:2,12 188:12 191:17 192:16 198:4,6,9,10 199:6,14,15 200:1, 5 202:5

works 166:11 173:11

Worksheet 184:17

wow 60:11

write 172:2,8

write-up 45:19 94:9 128:17,24

writing 58:14

written 7:13,15 29:6 92:22 93:21, 22

wrong 32:8 114:4 163:15 175:2 197:19

Y

year 101:6 105:24

years 96:12,13,15 100:10 103:9,13 104:4 106:1,18 175:10,12

Yohler 4:22

CITY OF CHICAGO
OFFICE OF INSPECTOR GENERAL

ADVISEMENT OF RIGHTS

I, Det. Fontaine, understand that I am being interviewed by Peter Neimer and Kris Brown from the City of Chicago Office of Inspector General.

DATE 3/16/16 TIME _____ LOCATION 320 W. Adams Ste 320 Chicago IL 6

I understand that this interview is part of an official investigation and that I have a duty to cooperate with the Office of Inspector General, which includes answering all questions completely and truthfully.

I understand that I have no right to remain silent. I understand that I have an obligation to answer questions put to me truthfully. I understand that if I refuse to answer questions put to me, I will be ordered by a superior officer to answer the questions. I further understand and I have been advised that if I persist in my refusal to answer after an order to do so, such further refusal constitutes a violation of the Rules and Regulations of the Chicago Police Department and may serve as the basis for my discharge.

I understand and have been advised that my statements or responses may constitute an official police report. I understand that Rule 14 of the Chicago Police Department's Rules and Regulations prohibits making a false report, written or oral, and I further understand that making such a false report, whether written or oral, may result in my separation from the Chicago Police Department.

I understand that any statement made by me during this interview may be used as evidence of misconduct or as the basis for disciplinary action up to and including removal or discharge.

I understand that any statement made by me during this interview and the fruits thereof cannot be used against me in a criminal proceeding.

I understand that I have the right to have a union representative, or legal counsel of my choosing, present at the interview to consult with, and that I will be given a reasonable time to obtain a union representative or legal counsel as long as the interview is not unduly delayed.

I understand that a refusal to answer any question, or any false, inaccurate, or deliberately incomplete statement by me would constitute a violation of Chicago Municipal Ordinance 2-56, and may serve as the basis for my discharge.

I acknowledge that this statement of my administrative rights has been read aloud to me, and I have been allowed to review this document.

Employee Signature

Witness: _____ Witness: _____

****

WAIVER

Understanding these rights, I wish to answer questions from investigators from the Office of Inspector General without having a union representative or legal counsel present. No promises or threats have been made to me and no pressure or coercion of any kind has been used against me.

Employee Signature: _____



NOTIFICATION OF INTERVIEW TO CPD MEMBER CITY OF CHICAGO OFFICE OF INSPECTOR GENERAL			DATE February 19, 2016
NAME	RANK	STAR NO.	UNIT OF ASSIGNMENT
Dora Fontaine	Police Officer	4484	008

YOUR APPEARANCE IS REQUIRED

AT ☒	Amicus Court Reporters 300 West Adams, Ste. 800 Chicago, IL 60606	ON	DATE February 29, 2016	TIME 9:00 PM

AS ☒ ACCUSED ☐ WITNESS ☐ COMPLAINANT

FOR ☒ A STATEMENT

CONCERNING

False statements made in connection with the October 20, 2014 shooting of Laquan McDonald; the operation of the Chicago Police Department's in-car video system.

YOU ARE TO REPORT TO:

LEAD INVESTIGATOR	TITLE	PHONE NO.	EMAIL
Kristopher Brown	Investigator III	773-478-0221	kbrown@chicagoinspectorgeneral.org

NOTE: You MUST notify the Lead Investigator of your inability to keep this scheduled appointment.

ALSO PRESENT AT THE INTERVIEW WILL BE:

NAME	TITLE	NAME	TITLE
Peter Neumer	Assistant Inspector General	N/A	N/A

THE INTERVIEW WILL BE ☐ AUDIO RECORDED ☒ TRANSCRIBED BY A LIVE REPORTER

TO BE COMPLETED BY INTERVIEWEE IN accordance

ACKNOWLEDGEMENT

Please contact Investigator Brown at (773) 478-0221 to confirm receipt of Notification of Interview and to confirm your attendance at the interview.

I hereby acknowledge receipt of this Notification of Interview

SIGNATURE Dora Fontaine DATE 22 Feb 16

PRINTED NAME Dora Fontaine TIME 2325

EXHIBIT 2 OIG 3 Feb 16

TO BE COMPLETED BY OFFICE OF INSPECTOR GENERAL OR CPD COMPONENT PROVIDING NOTIFICATION TO INTERVIEWEE

NOTIFICATION MADE TO	TITLE, RANK, & UNIT	DATE	TIME
P.O. Fontaine	P.O. Dora Fontaine 4484	22 FEB 2016	2325 HRS.
NOTIFICATION MADE BY	TITLE, RANK, & UNIT	DATE	TIME
Sgt Terrance Coulter # 894	Sgt # 894	22 FEB 2016	2325 HRS



NOTIFICATION OF ALLEGATIONS

CITY OF CHICAGO OFFICE OF INSPECTOR GENERAL

NAME OF ACCUSED	RANK	STAR NO.	UNIT OF ASSIGNMENT
Dora Fontaine	Police Officer	4484	008

City ordinance, and if applicable, collective bargaining agreements, provide that you are entitled to notice of the nature of the allegations against you and the identity of all complainants prior to any interview. Accordingly, you are advised as follows:

COMPLAINANT(S)

1. John J. Escalante, Interim Superintendent of Chicago Police Department (CPD), sent a letter to the City of Chicago Office of Inspector General (OIG) dated January 13, 2016, requesting that OIG conduct an administrative investigation of the following allegations arising out of the October 20, 2014 shooting death of Laquan McDonald (the McDonald Shooting): "whether any officer(s) made false statement on official reports submitted in connection with the shooting of Laquan McDonald on October 20, 2014; whether any officer(s) obstructed or interfered with the investigation of this incident, either individually or in collusion with others; and whether any officer(s) committed any violation of Chicago Police Department rules, policies, or orders in connection with their response and/or handling of this matter." Escalante attached to the letter a copy of Sergeant S. Soria's (Star # 2275) Initiation Report, which raises similar allegations of misconduct with respect to Department members in connection with the McDonald Shooting, and identified that Report as a basis for OIG's administrative investigation.

ALLEGATION(S)

1. On or about October 20, 2014, you provided a false narrative to Detective David March of the Chicago Police Department (CPD) concerning the McDonald Shooting, through a series of false statements and material omissions.

2. On or about October 20, 2014, you made a false statement during an interview with CPD Detective David March of the Chicago Police Department when, with respect to the McDonald Shooting, you stated that McDonald was walking southbound, with his body facing east, toward Officers Van Dyke and Walsh.

3. On or about October 20, 2014, you made a material omission during an interview with CPD Detective March when, with respect to the McDonald Shooting, you failed to state that Officers Van Dyke and Walsh moved towards McDonald prior to the shooting.

4. On or about October 20, 2014, you made a material omission during an interview with CPD Detective March when, with respect to the McDonald Shooting, you failed to state that McDonald changed the direction in which he was walking prior to being shot by Officer Van Dyke.

5. On or about October 20, 2014, you made a false statement during an interview with CPD Detective March when, with respect to the McDonald Shooting, you stated that McDonald raised his right arm toward Officer Van Dyke, as if attacking Van Dyke.

6. On or about October 20, 2014, you made a false statement during an interview with CPD Detective March when, with respect to the McDonald Shooting, you

stated that the gunshots Officer Van Dyke fired at McDonald were rapid fire and without pause.

7. On or about October 20, 2014, you failed to ensure the in-car video system for CPD vehicle 8948 was working properly at the beginning of your tour of duty.

8. On or about October 20, 2014, you failed to immediately notify a supervisor that the in-car video system for CPD vehicle 8948 was inoperable or damaged.

9. On or about October 20, 2014, you failed to audibly record events with CPD vehicle 8948's in-car video system during your tour of duty.

ACKNOWLEDGEMENT

I hereby acknowledge receipt in writing of the identity of the complainant(s) and notice of the nature of the allegation(s) against me.

Signature [signature] Date 22 Feb 16

Printed Name Dora Fontaine Time 2335

WITNESSES

[signature] #834 22 FEB 2016 2335 HRS

City of Chicago Office of Inspector General
740 North Sedgwick Street
Suite 200
Chicago, Illinois 60654

RECEIPT FORM

OIG FILE NO. 15-0564

ON 22 FEB 2016 (DATE) AT 2340 HRS. (TIME)

Sgt. Tamanna Carthen #894 (NAME) Sgt of Police (TITLE)

☐ SEIZED FROM ☐ RECEIVED FROM ☐ RETURNED TO ☒ RELEASED TO

NAME	TITLE	DEPT.
Dora Fontaine	Police Officer	Chicago Police Department

THE FOLLOWING ITEM(S):

1. A City of Chicago Office of Inspector General DVD containing the following materials:

- A copy of the portion of the March 16, 2015 Case Supplementary Report for R.D. No. HX475653 that memorializes Detective David March's October 20, 2014 interview of Dora Fontaine;
- Detective March's October 20, 2014 General Progress Report for R.D. No. HX475653 concerning March's October 20, 2014 interview of Dora Fontaine;
- The October 20, 2014 audio and video files for the in-car video system of beat number 813R;
- The October 20, 2014 audio and video files for the in-car video system of beat number 845R; and
- A October 20, 2014 Dunkin Donuts security video of the Laquan McDonald shooting.

ACKNOWLEDGEMENT

I hereby acknowledge receipt in writing of the above-listed item(s).

Signature Dora Fontaine Date 22 Feb 16

Printed Name Dora Fontaine Time 2340

EXHIBIT 4 OIG 2.16.16

WITNESSES



22 FEB 2016 2340 HRS

CHICAGO POLICE DEPARTMENT

CASE SUPPLEMENTARY REPORT

HX475653

3510 S. Michigan Avenue, Chicago, Illinois 60653

EXC. CLEARED CLOSED (OTHER EXCEPTIONAL)		DETECTIVE SUP. APPROVAL COMPLETE			
Last Offense Cleared/Assault/Battery Classification	IUCR Code	Original Offense Classification			IUCR Code
ASSAULT / Aggravated Po:Knife/Cut Instr	0552	ASSAULT / Aggravated Po:Knife/Cut Instr			0552
Address of Occurrence	Beat of Occur.	No. of Victims	No. of Offenders	No. of Arrestees	SCR No.
4112 S PULASKI RD	815	4	1	1	
Location Type	Location Code	Secondary Location			Hate Crime?
Street	304				NO
Date of Occurrence	UNI Assigned	Date DO Arrived	Fire Related?	Gang Related?	Domestic Related?
20-OCT-2014 21:57	0841R	20-OCT-2014 21:57	NO	NO	NO

Reporting Officer	Star No.	Approving Supervisor	Star No.	Primary Detective Assigned	Star No.
MARCH, David	20563	WOJCIK, Anthony	481	MARCH, David	20563
Date Submitted		Date Approved		Assignment Type	
15-MAR-2015 18:26		16-MAR-2015 00:03		FIELD	

THIS IS A FIELD INVESTIGATION EXC. CLEARED CLOSED (OTHER EXCEPTIONAL) REPORT

[redacted]

HX475653

EXHIBIT 5 016 3/16/16

[redacted]

FONTAINE, Dora -----

stated she was a Chicago Police Officer assigned to the 008th District. She was on duty, in uniform, working on Beat 841R. FONTAINE was working with Police Officer Ricardo VIRAMONTES. The two officers were assigned to a marked vehicle. VIRAMONTES was driving the vehicle and FONTAINE was the passenger.

The two officers responded to the request for assistance made by Beat 815R, regarding a man with a knife at 41st Street and Pulaski Road. Officer VIRAMONTES drove northbound on Pulaski. When they arrived at the scene of this incident, in front of the Dunkin' Donuts restaurant, Officer FONTAINE saw a black male subject, now known as Laquan MCDONALD, walking southbound in the street, with a knife in his right hand. MCDONALD was walking sideways, with his body facing east, toward Officers Jason VAN DYKE and Joseph WALSH. These two officers were standing in the middle of the street, on the right side of their police vehicle, which was facing southbound. FONTAINE heard the officers repeatedly order MCDONALD to "Drop the knife!" MCDONALD ignored the verbal direction and instead, raised his right arm toward Officer VAN DYKE, as if attacking VAN DYKE. At this time VAN DYKE fired multiple shots from his handgun, until MCDONALD fell to the ground and stopped moving his right arm and hand, which still grasped the knife. The gunshots were rapid fire, without pause. Officer WALSH then kicked the knife out of MCDONALD's hand.

[redacted]

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF OPRD CASE REPORT	DATE OF THIS REPORT
20 OCT 2014	2015 FEB 13

OFFENSE CLASSIFICATION—LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	VAN DYKE	5721

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

D FONTAINE

RESPONDED TO REQUEST FOR ASSIST, 2 ISR
MAN W/ KNIFE, 41 + PULASKI
R/V DRIVE W/D PULASKI
WITN THIS? ARRIVED AT SCENE, IN FRONT OF JJD,
SAW O WALKING S/B, IN ST, KNIFE, IN R HAND
O WALKING ~~[illegible]~~ SIDEWAYS, BODY FACING E,
TOWARD JVD + JW
POs STANDING IN ST, ~~FOR~~ SIDE OF THEIR ~~VEHICLE~~ -
VEHICLE FACING S/B
HEARD POs REPEATEDLY: "DROP THE KNIFE!"
O IGNORED, RAISED R ARM TOWARD VD AS IF
ATTACKING VD
VD FIRED MULTIPLE SHOTS UNTIL O FELL TO
GROUND + STOPPED MOVING R ARM + HAND, STILL
GRASPING KNIFE
SHOTS = RAPID FIRE, WITHOUT PAUSE
WALSH THEN KICKED KNIFE FROM O'S HAND

R.D. NO. HX475253

REPORTING OFFICER'S SIGNATURE—STAR NO. 20563 | RECEIVED BY—SUPERVISOR'S SIGNATURE—STAR NO. | DAY—MO.—YR. | TIME

CPD-23.122 (Rev. 7/93)

EXHIBIT 6 OIG 3.16.16

Chicago Police Department

IN-CAR VIDEO SYSTEMS

Special Order S03-05

ISSUE DATE:	23 February 2012	**EFFECTIVE DATE:**	23 February 2012
RESCINDS:	Version dated 20 April 2011, S10-10		
INDEX CATEGORY:	Field Operations		

I. PURPOSE

This directive:

A. implements the use of Department in-car video systems.

B. establishes the policies and procedures for the use, maintenance, and repair of in-car video systems.

C. establishes the roles and responsibilities of Department members affected by the introduction of in-car video systems for the video and audio recording of incidents.

D. establishes the requirements for viewing, retaining, and duplicating digitally recorded incidents.

E. continues the use of the Digitally Recorded Data Viewing/Hold/ Duplication Request (CPD-65.224)

F. identifies the Records Division as the Department repository and viewing location of digitally recorded data created by the in-car video systems.

II. POLICY

The Department is committed to protecting the safety and welfare of its members and the public. The in-car video systems can provide members with an invaluable instrument to enhance criminal prosecution by providing powerful evidence of criminal activity, limit civil liabilities, and objectively document officer conduct during individual interactions. Members assigned to a vehicle equipped with an in-car video system will use it pursuant to this directive.

III. GENERAL INFORMATION

A. There is no expectation of privacy for Department members related to incidents recorded by in-car video systems. Supervisors, members of Bureau of Internal Affairs, and the Independent Police Review Authority (IPRA) investigators may request to review the digitally recorded data from a vehicle equipped with an in-car video system. Any digitally recorded data created by the in-car video system may be used without a Department member's permission for any official Departmental purpose.

B. The in-car video system will **automatically engage audio and video recording** when the vehicle's emergency-roof lights are activated. However, Department members may manually activate the in-car video system without the activation of the emergency equipment. At the conclusion of the incident, Department members must manually disengage all recording processes, regardless of what method activated the in-car video system.

C. The Records Division will be the custodians of the digitally recorded data and will be responsible for the retention, duplication, and viewing of the in-car video systems. The Director, Records Division, will establish retention, viewing, and duplication procedures that provide for inventory control, the security of the digitally recorded data, and authorized duplications.

D. All digitally recorded data created by the in-car video systems will be retained by the Records Division for a minimum of 90 days. Digitally recorded data that is marked and held as having evidentiary or training value will be retained as prescribed by law and established Department policy.

E. In general, minor infractions and minor deviations from Department policy observed through the review of digitally recorded data will not be subject to the disciplinary process and will be treated as a training opportunity.

EXHIBIT 7 OIG 3/24/16

OIG 15-0564 006842

IV. RECORDING GUIDELINES

A. Department members will use only Department-issued video and audio recording equipment.

B. Department members will conform to all laws and Department policies concerning the use of the in-car video system for the video and audio recording of incidents.

1. Department members are lawfully permitted to video record individuals without their consent if they are on the public way or in public view.

2. Department members who are in uniform and have identified their office are lawfully permitted to simultaneously audibly and visually record individuals without their consent whenever:

a. the member is conducting an enforcement stop, **or**

b. the patrol vehicle emergency lights are activated or would otherwise be activated if not for the need to conceal the presence of law enforcement.

NOTE: Any reports completed for an audibly recorded incident, including Traffic Stop Statistical Study - Driver Information Cards (CPD-21.103), Traffic Stop Statistical Study Stickers (CPD-15.516), and Personal Service Citations, must include the initial violation or investigatory need that led to the stop.

NOTE: Department members may audibly record an enforcement stop regardless of the subsequent enforcement action taken.

3. Department members may audibly and visually record an individual with the consent of the individual.

C. Uniformed Department members assigned to vehicles equipped with in-car video systems will activate the system to simultaneously audibly and visually record the entire incident for all enforcement stops.

D. Uniformed Department members assigned to vehicles equipped with in-car video systems will activate the system to visually record the entire incident for all:

1. arrests and transports.

2. nonpursuit emergency vehicle operations.

3. any situation that the member, through training and experience, believes to serve a proper police purpose.

E. During the recording of an incident, Department members will not disengage the in-car video system until the entire incident has been recorded.

NOTE: Department members will be required to justify any disengagement of the in-car video system prior to the entire incident being recorded.

F. If recorded, felony and misdemeanor arrests, motor vehicle pursuits, traffic crashes resulting in property damage, personal injury, or a fatality, DUI incidents, and failure to yield to an emergency vehicle will be automatically stored by the in-car video system indefinitely when the correct event is selected from the postevent pop-up menu. All other incidents will be automatically stored for ninety days.

G. If digitally recorded data will be needed in judicial proceedings beyond ninety days, members will place an extended hold on that digitally recorded data as described in Item VIII of this directive, including but not limited to the following circumstances:

1. Traffic stops other than DUI,

© Chicago Police Department, February 2012

OIG 15-0564 006843

2. Enforcement stops,

3. Other traffic crash investigations, and

4. Stops for citizen assistance.

H. When a complaint against a Department member is received that involves a digitally recorded incident, the investigating member will request an extended hold on the data.

I. Assigned supervisors will request an extended hold on all digitally recorded motor vehicle pursuits and traffic crashes involving Department vehicles.

V. DEPLOYMENT OF THE IN-CAR VIDEO SYSTEMS

A. Commanding officers of units with vehicles equipped with in-car video systems will:

1. ensure that vehicles equipped with in-car video systems are evenly distributed for use by all watches.

NOTE: Commanding officers will ensure the units assigned to traffic duties in district law enforcement use vehicles equipped with in-car video systems.

2. whenever feasible, ensure vehicles equipped with the in-car video systems are deployed every tour of duty and service is requested for inoperable vehicles equipped with in-car video systems.

B. The *station supervisors* will:

1. deploy every vehicle equipped with a functional in-car video system during the tour of duty.

2. ensure digitally recorded data is downloaded from the in-car video systems.

3. whenever operationally feasible, review video of any arrest recorded by the in-car video system as part of the approval of probable cause.

VI. OPERATIONAL PROCEDURES

A. Department members assigned to a Department vehicle equipped with an in-car video system will:

1. at the beginning of a tour of duty:

a. visually inspect the in-car video system equipment for damage.

b. obtain the remote transmitter/audio recorder and ensure it is securely attached to the member's person.

c. follow the start-up procedures for the in-car video system as trained and ensure the system is working properly.

NOTE: Members will immediately notify a supervisor if, at any time, the in-car video system is inoperable, damaged, the equipped vehicle becomes inoperable, or the remote transmitter/audio recorder is missing.

2. during the tour of duty:

a. audibly and visually record events in accordance with this directive.

b. annotate all reports, including Contact Information Cards (CPD-21.101), prepared for an event which has been recorded by listing **"Video Recorded Incident"** at the end of the narrative portion.

OIG 15-0564 006844

c. after an incident has been recorded, use the post-event pop-up menu to select the most serious recorded occurrence as the event type and enter other event information.

NOTE: If the member did not use the postevent pop-up menu to mark the incident as being held for evidence, the member will request an extended hold on digitally recorded data in accordance with Item VIII of this directive.

d. if the in-car video system indicates that the memory required to record incidents is becoming low or if the member observes that less than 30 minutes of recording time is available, download the digitally recorded data.

3. at the conclusion of a tour of duty:

a. verify the in-car video system is working properly.

b. initiate the downloading of the digitally recorded data.

NOTE: Members will immediately notify a supervisor if unable to complete the downloading of digitally recorded data due to technical problems.

c. shut down the in-car video system and logoff the system.

d. return the remote transmitter/audio recorder to the designated area for charging.

B. The sergeant assigned to supervise Department members using Department vehicles equipped with an in-car video system will:

1. monitor subordinates to ensure the in-car video system is used and that digitally recorded data is properly downloaded.

2. ensure that the Help Desk is contacted and a ticket number is obtained whenever any member is unable to use the in-car video system or download digitally recorded data due to technical problems.

3. initiate an investigation when notified of a missing or lost remote transmitter/audio recorder.

4. document on the Supervisor's Management Log (CPD-11.455):

a. whether each vehicle has an in-car video system and if it is functioning.

b. all responses related to malfunctions of vehicles equipped with in-car video systems.

c. digitally recorded data downloaded to land-based terminals, noting any units unable to complete the download and the Help Desk ticket number obtained.

d. any request submitted for an extended hold of digitally recorded data.

e. any instances of additional training, corrective measures, or disciplinary actions.

5. document on the Traffic Pursuit Report (CPD-22.958) or traffic crash report that the incident has been digitally recorded.

6. obtain a complaint register number and order an evidence technician to process the equipment if any damage or malfunction is suspected to have been caused by deliberate (tampering) means.

C. *Station supervisors* will:

1. designate a sergeant responsible for monitoring the downloading of digitally recorded data for the watch.

OIG 15-0564 006845

2. record the total number of vehicles equipped with in-car video systems deployed during the watch and the total number of these vehicle that do not have a functioning in-car video system, if any, on the Watch *Incident* Log (CPD-21.916).

3. ensure the status of vehicles equipped with in-car video systems is recorded on the Personal Equipment Log (CPD-21.919) by recording the word "VIDEO" in the "Camera/Tripod No." column.

4. if an in-car video system malfunctions or the system or vehicle becomes inoperable **during** the tour, record the vehicle and beat numbers and the words "VIDEO DOWN" on the Watch *Incident* Log.

D. When digitally recorded data is determined to have evidentiary or training value, or a complaint against a Department member is received that involves a digitally recorded incident, the supervisor reviewing the recorded data will request an extended hold on the data.

VII. DOWNLOADING DIGITALLY RECORDED DATA FROM THE IN-CAR VIDEO SYSTEM

A. When downloading digitally recorded data from the mobile unit of an in-car video system to a land-based terminal, Department members will:

1. download the data in accordance with the manufacturer's guidelines and training.

2. ensure the download of data was complete and return the vehicle back into service.

B. With the approval of the *station supervisor* in the district of occurrence, special requests for the immediate viewing of digitally recorded data from the *Bureau of Detectives*, *Bureau of Internal Affairs*, or IPRA will be processed for major incidents where an in-car camera system may be reasonably expected to have captured a component of the incident.

1. Major incidents include, but are not limited to:

a. police-involved shootings,

b. serious injury or death to a Department member,

c. serious injury or death to a member of the public.

2. Special requests for viewing digitally recorded data will be made to the *station supervisor* in the district of occurrence, who will:

a. evaluate the request;

b. determine if the need for retrieval outweighs the operational impact of the vehicle being taken out of service; and

c. notify *Crime Prevention and Information Center (CPIC)* of the decision.

3. Special requests will be in the form of one of the following types:

a. Special wireless upload, or

b. Emergency on-site retrieval.

C. Special Wireless Uploads

1. The *station supervisor* in the district of occurrence will take the vehicle out of service and secure it at the unit of assignment or other appropriate location.

2. The supervisor will:

a. verify that the vehicle operator or partner is signed on to the in-car camera system;

b. instruct the member to manually flag the entire tour of duty's available video for upload;

© Chicago Police Department, February 2012

OIG 15-0564 006846

c. instruct the member to initiate a manual upload of this video with the vehicle in range of the facility's wireless hotspot; and

NOTE: If video cannot be uploaded via wireless hotspot, a cradle upload will be used.

d. ensure that the vehicle remains out of service until the upload is complete.

3. Once complete, the *station supervisor* will allow personnel from the *Bureau of Detectives*, *Bureau of Internal Affairs*, or IPRA, as appropriate, to review the uploaded files.

NOTE: For officer-involved shootings when an On-Call Incident Commander (OCIC) will respond, an emergency on-site retrieval will be immediately requested through *CPIC*.

4. The *station supervisor* may identify an alternate vehicle for the member to use while the identified vehicle completes its video upload, as appropriate.

5. If an attempt to wirelessly upload is unsuccessful, members may contact the City of Chicago Help Desk at 4-DATA for assistance.

6. If a wireless upload fails, an emergency on-site retrieval will be conducted.

D. Emergency On-Site Retrieval

1. The *station supervisor* in the district of occurrence will notify *CPIC* of an approved emergency on-site retrieval.

NOTE: An emergency on-site retrieval will only be conducted when an OCIC is responding or a wireless upload fails and contacting the City of Chicago Help Desk at 4-DATA has not resolved the problem.

2. *CPIC* will notify the Public Sector Information Technology (PSIT) Group personnel of a manual video retrieval from the "fail-safe" internal drive request.

3. The *station supervisor* in the district of occurrence will take the identified vehicle out of service during the retrieval process.

4. If the identified vehicle is still in use when the designated supervisor arrives at the unit facility or other appropriate location, the supervisor will report to the vehicle and instruct any member logged onto the system to log off the system.

5. The vehicle will remain out of service until PSIT responds and conducts the video retrieval.

NOTE: On-site review of video will be limited to the series of events and time frame giving rise to the alleged incident.

E. Viewing and Obtaining Copies of In-Car Video Recordings

1. Once retrieval has been completed for the requested time frame, the video may be viewed by personnel from the requesting party at the location of retrieval.

2. Requests for copies of in-car video recordings will be made by completing the form entitled "Digitally Recorded Data Viewing/Hold/Duplication Request" (CPD-65.224) and forwarding it to the Records Division.

F. The Managing Deputy Director, PSIT, will:

1. establish procedures to ensure the security of the digitally recorded data from downloading to storage by the Records Division.

OIG 15-0564 006847

2. develop a system to monitor the memory capacity of the land-based terminals and provide for the security of the downloaded data.

G. If members are unable to download digitally recorded data from the mobile unit of the in-car video system to the land-based terminals due to system inoperability:

1. the *station supervisor* will notify the Help Desk and follow any further instructions given by the responding member of PSIT.

2. A designated member of PSIT will respond to the requesting unit and:

a. ensure the security of the digitally recorded data.

b. perform a manual download of the digitally recorded data.

c. record the manual download on the Help Desk ticket.

VIII. REQUESTING A HOLD FOR DIGITALLY RECORDED DATA

A. Department members will place an extended hold on digitally recorded data they recorded using the postevent pop-up menu on the in-car video system.

B. **Within the first 48 hours** from downloading digitally recorded data from the vehicle, Department members **who do not use the postevent pop-up menu** and request an extended hold on digitally recorded data will request that a supervisor place the extended hold by using the land-based terminal at the district/unit station.

C. **After the first 48 hours** from downloading digitally recorded data from the vehicle, Department members **who do not use the postevent pop-up menu** and request an extended hold on digitally recorded data will:

1. complete the Digitally Recorded Data Viewing/Hold /Duplication Request form.

2. indicate on the form the necessary actions by the Records Division.

3. explain in the narrative portion of the form the reason for the request.

4. submit the form to the *station supervisor/designated unit supervisor* for approval.

5. submit the completed and approved form to the Records Division for processing and retention in accordance with existing records-retention requirements.

D. Department members who wish to remove an extended hold on digitally recorded data will follow the procedures outlined in Item VIII-C of this directive indicating the circumstances requiring the removal of the extended hold.

E. The Director, Records Division, will:

1. develop a cataloging system for storage and retrieval of recordings and procedures for ensuring archives are maintained consistent with Department directives (including the Forms Retention Schedule), applicable state and federal laws, and compliance with all court orders.

2. be responsible for retaining digitally recorded data for which an extended hold was requested as prescribed by law and established Department policy.

IX. VIEWING, RETAINING, AND DUPLICATING DIGITALLY RECORDED DATA

A. All digitally recorded data created by the in-car video systems are the property of the Chicago Police Department. **Dissemination of any digitally recorded data outside the Department is strictly prohibited without specific authorization by the Superintendent or an appointed designee.**

1. Any non-Departmental requests for duplication of digitally recorded data must be approved by the Superintendent or an appointed designee.

© Chicago Police Department, February 2012

OIG 15-0564 006848

2. All approved requests will be forwarded in an expeditious manner to the Director, Records Division, along with:

   a. a completed and approved Digitally Recorded Data Viewing/Hold/Duplication Request form, and

   b. written instructions, including dissemination information, for compliance with the request.

B. Department members assigned to vehicles equipped with in-car video systems and their supervisors are encouraged to use the review/ playback functions of the system for the purposes of:

1. developing familiarity with the functions, capabilities, and limitations of the in-car video systems to create consistent recording techniques which capture relevant actions.
2. searching for and identifying recorded events having evidentiary or training value.
3. reviewing approach and officer safety issues.
4. ensuring consistency with written reports.

C. Reviewing Digitally Recorded Data

Investigating members may view digitally recorded data in the performance of official police business. When it is necessary to view digitally recorded data stored by the Records Division, the following procedures will apply:

1. The requesting Department member will:

   a. prepare a Digitally Recorded Data Viewing / Hold / Duplication Request form, including approval of the requestor's *station supervisor/designated unit supervisor*.

   b. schedule an appointment to view the recorded incident with a Records Division supervisor (or an appointed designee) to ensure the availability of a technician and playback equipment.

   c. present the properly completed and approved form to a Records Division supervisor at the scheduled time.

2. A Records Division supervisor will:

   a. process all approved recorded incident review requests.

   b. assign a technician to assist the requestor in viewing the recorded incident, as required.

D. Obtaining a Video Recording

1. A duplicate copy of selected information may be made to retain that information:

   a. when it is not required that the master video be retained for an indefinite period (e.g., investigation of a routine administrative incident when the punishment is of a summary or minor nature).

   b. when the requesting member determines that a duplicate video of a master video will be sufficient.

2. A duplicate video recording may be obtained by:

   a. completing a Digitally Recorded Data Viewing / Hold / Duplication Request form and submitting the completed form to the *station supervisor/designated unit supervisor* for approval.

   b. notifying the Records Division that a duplicate video recording is required and submit the approved Digitally Recorded Data Viewing/Hold/ Duplication Request form to the Director, Records Division.

OIG 15-0564 006849

c. indicating to the Records Division which information from the digitally recorded data is to be included on the duplicate video recording.

3. When the duplicate video recording has served the purpose for which it was made, the requesting member will ensure that it is immediately returned to the Records Division.

NOTE: A member requesting a duplicate video recording will not make additional copies of it or permit unauthorized persons to duplicate or view it under any circumstances.

E. Special Situations

When the Records Division receives a request for an extended hold of digitally recorded data that indicates it pertains to:

1. **a motor vehicle pursuit or traffic crash involving a Department vehicle**, the Director, Records Division, will ensure a duplicate video is forwarded to the Traffic Review Board.
2. **an incident having training value,** the Director, Records Division, will ensure a duplicate video is forwarded to the *Deputy Chief*, Education and Training Division.

(Items indicated by *italics/double underline* were revised or added.)

Authenticated by: RMJ

Garry F. McCarthy
Superintendent of Police

11-055 / 12-003 EGV/RJN

© Chicago Police Department, February 2012

OIG 15-0564 006850

SUPPLEMENTARY REPORT

20 Oct 14 2157

ASSAULT - AGG PO: KNIFE/CUT INSTR 0552 4000 S KARLOV X 815
P.O. GAFFNEY # 19958 / P.O. VAN DYKE # 12865 X X 9210
3420 W 63RD ST STREET 304

SEE ORIGINAL CASE INCIDENT REPORT

EVENT# IN SUMMARY: R/S CONTACTED BY CPIC AT 1230; 20 OCT 14 FOR IN CAR CAMERA (ICC) VIDEO REVIEW ON SUBJ 4000 S. PULASKI RELATED TO THIS ABOVE LISTED INCIDENT. REQUEST WAS FROM AREA CENTRAL DETECTIVE DIVISION SGT D. GALLAGHER UPON ARRIVAL BT 813R VEH 8779; BT 815R VEH 8489; BT 822 VEH 8765; BT 845R VEH 6412; & BT 841R VEH 8948 WERE SUBJECTS OF ICC VIDEO CHECK/RETRIEVAL. CHECKS OF THESE VEHICLES REVEALED THE LISTED FINDINGS:

BT 813R	VEH 8779	VIDEO RECOVERED [redacted] @ 20141020 215250
BT 815R	VEH 8489	OPERATIONAL BUT DUE TO DISC ERROR NO VIDEO RECORDED
BT 822	VEH 8765	NOT EQUIPPED - OFFICER REPORTED PRIOR ISSUE
BT 845R	VEH 6412	VIDEO RECOVERED [redacted] @ 2014/10/20 215250
BT 841R	VEH 8948	NOT EQUIPPED - OFFICER REPORTED APPLICATION ERROR

RECOVERED VIDEO MANUALLY UPLOADED AND RETAINED 002/RCOD ICC SYSTEM

21 OCT 14

SGT L. BUCHER 1748

HR 475253

EXHIBIT 8 CIG

In Car Camera Video Retrieval Work Sheet

Date & Time of Notification: 20 Oct 14 2230 HRS Related HDT#: OPS CMD

Requestor: Dep Chief McWilliamson Tech: Bocnar

Location of response: 4100 S Pulaski

Type of incident requiring retrieval: Police Involved Shooting - Foreign Officer

Location of incident: 4100 S Pulaski Date & Time of Incident: 20 Oct 14 2147

Related RD#, Event#, and/or CR Log#: HX475653

Vehicles to be checked: [redacted] ★

813R Veh# 8778 POs PC# [redacted] Results: [redacted] @ 20141020 2162 50 2144218 MHDD 30000216

815R Veh# 8489 POs PC# [redacted] Results:

422 Veh# 8765 POs PC# [redacted] Results:

845R Veh# 6442 POs PC# [redacted] Results: [redacted] @ 20141020 215250 2144543 out of range MHDD 00000229

841R Veh# 8948 POs PC# Results: HDT NO OPEN HDT

List additional vehicle to be checked and results on back of this form

Note: Any vehicles identified to be checked, will be evaluated for operational readiness as well. Any deficiencies of the ICC System will be noted i.e. MIC(s) are not sync'd; rear camera not working; cannot upload; etc. Actions to rectify the issue should be taken to render the system FULLY FUNCTIONAL!

Notes of work or activities performed:

8778: MICs in Glove Box Batteries Inserted UPSIDE Down
↳ Fully OP

8489: Processing Videos: Extremely Large Video files

8765: MICs In Charging Cradle; Not Synced to System

6442: No MICs; MIC Charger Disconnected

8948

This Information Disclosed to Supervisors; Dep McWilliamson & OPS Tech: Disc Submitted on Secure Digital Video

EXHIBIT 9 OIG

20 OCt 2014 , HY475653

Becvar, Lance J.

Sent: Friday, July 17, 2015 12:33 PM

To: Lewin, Jonathan H.

Cc: Dolak, Steven E.

Hello Dep Lewin,
Per your request the findings related to the Aggravavted Assault / Police involved Shooting on 20 Oct 2014 Listed under RD# HY 475653:

Findings from thart night-

Veh 8779 Video Recovered Titled [redacted]@20141020215250. No MICs because they were in the Glove Compartment with the batteries inserted umside down - Disabling them

Veh 8489 System not engaged because a very long video (like hours long) was made previous to this event/incident and the system was processing that video and unable to start another video.

Veh 8765 System not engaged, officer related no power. There was no open HDT called in on vehicle. MICs not sync'd to system even though they were in the charging cradles.

Veh 6412 Video Recovered Titled [redacted]@20141020215250 view out of focus. Focusing problem found to be related to a loose cable connection for the camera. No MICs in vehicle and the charging cradles disconnected from power.

Veh 8949 System not engaged, officer reported that there was an application error - Mobile Recorder Start-Up corrupted. No Help Desk Ticket Open for this vehicle.

Sgt Lance Becvar

Mobile Tech Supervisor

Information Services Division

Chicago Police Department
Cell# 312-448-1305
E-mail: lance.becvar@chicagopolice.org



LEGAL DISCLAIMER: This message, including any attachments, contains confidential information and may be legally privileged. Access to this email by anyone other than the intended recipient is unauthorized. If you are not the intended recipient, any review, disclosure, copying, distribution, retention, or any action or inaction taken in reliance on this information is prohibited and may be unlawful. If you are not the intended recipient, please notify the sender and delete the message, any attachments, and any copies thereof from your system.

In the Matter Of:

IN RE: DORA FONTAINE

DORA FONTAINE

June 17, 2016

Amicus
court reporters, inc
300 West Adams St. Ste 800
Chicago, IL 60606
Phone: 312.641.3500
Fax: 312.641.3795
Email: info@amicusreporters.com

CITY OF CHICAGO

INSPECTOR GENERAL'S OFFICE

OFFICE OF INSPECTOR GENERAL

INTERVIEW OF:

DORA FONTAINE

TRANSCRIPT OF PROCEEDINGS had in the above-entitled cause on the 17th day of June A.D. 2016

APPEARANCES:

INSPECTOR GENERAL'S OFFICE
740 North Sedgwick, Suite 200,
Chicago, Illinois 60654,
773-478-3878, by:
MR. PETER NEUMER
Assistant Inspector General
pneumer@chicagoinspectorgeneral.org
MR. KRISTOPHER BROWN
Investigator III
kbrown@chicagoinspectorgeneral.org,
Appeared on behalf of the Inspector General's Office;

J. RUSSELL LAW, LLC
206 South Jefferson
Chicago, Illinois 60661
312-207-1220, by:
MS. JENNIFER W. RUSSELL
jennifer.russell@jrusselllaw.com,
Appeared on behalf of the Interviewee.

ALSO PRESENT:
COMMANDER ROBERT KLIMAS, via telephone.

I N D E X

DORA FONTAINE EXAMINATION

BY MR. NEUMER 5, 38

BY MR. BROWN 37

E X H I B I T S

NUMBER		TENDERED PAGE
Exhibit 1	Advisement of Rights form	6
Exhibit 2	June 10 Notification of Interview	11
Exhibit 3	Notification of Allegations	12
Exhibit 4	Excerpt of a CPD Case Supplementary Report dated 3/16/15, RD number HX475653	13
Exhibit 5	General Progress Report dated 10/20/14, RD number HX475653	14

(Original exhibits sent to Mr. Neumer.)

MR. NEUMER: As a preliminary matter, I am providing the following information: An independent certified court reporter is present today to provide a verbatim transcript of this interview.

To aid in the accuracy of the transcript, it is the custom and practice of court reporters to audio-record the interview. The recording is a confidential work product property of the court reporter and will not be provided to any party, including the OIG. If you request, the audio recording will be discontinued.

Officer Fontaine, are you okay with the court reporter audio-recording the interview?

THE INTERVIEWEE: No.

MR. NEUMER: So I might ask that we will have to be extra careful in terms of talking over each other.

And, Andrew, if at any time we are going too fast, please just note for us and give us a little wave or something, and we will be sure to slow down.

(Whereupon, the audio recording was stopped.)

MR. NEUMER: So let the record reflect that

today's date is June 17, 2016. The time is 2:22 p.m. We are located at Amicus Court Reporters, 300 West Adams Street, Suite 800.

My name is Peter Neumer, the court reporter is Andrew Pitts, and I would ask that the other individuals present identify themselves and spell their name for the record.

MR. BROWN: Kristopher Brown, B-R-O-W-N, City of Chicago Office of Inspector General.

MS. RUSSELL: Jennifer Russell, R-U-S-S-E-L-L, Officer Fontaine's attorney.

THE INTERVIEWEE: Officer Dora Fontaine; D-O-R-A, Fontaine, F-O-N-T-A-I-N-E, Star number 4484.

MR. NEUMER: There are no other individuals present. We are here today pursuant to an investigation being conduct under Chapter 2-56 of the municipal code of the City of Chicago. We are here for an interview of Officer Dora Fontaine.

Officer Fontaine, would you please raise your right hand, and the court reporter will swear in.

MS. RUSSELL: Officer Fontaine, based upon advice of counsel, is not going to be sworn in for

this administrative statement.

DORA FONTAINE,

called as an Interviewee herein, having refused to be administered an oath, was examined and testified as follows:

EXAMINATION

BY MR. NEUMER:

Q. Okay. I am now going to hand you what has previously been marked as Exhibit 1, which is an administrative rights form.

(Whereupon, a document was tendered to the Interviewee.)

BY MR. NEUMER:

Q. I am going to read the form to you, and after each paragraph, I am going to just ask whether you have seen the paragraph that I just read aloud to you or read it as I am reading it?

So the advisement statement reads, "I, Dora Fontaine, understand that I am being interviewed by Peter Neumer and Kris Brown from the City of Chicago Office of Inspector General. I understand that this interview is part of an official investigation and that I have a duty to cooperate with the Inspector General's Office,

which includes answering all questions completely and truthfully."

Officer Fontaine, do you see this paragraph that I just read aloud to you?

A. Yes.

Q. "I understand that I have no right to remain silent. I understand that I have an obligation to answer questions put to me truthfully.

"I understand that if I refuse to answer questions put to me, I will be ordered by a superior officer to answer the questions. I further understand and I have been advised that if I persist in my refusal to answer after an order to do so, such further refusal constitutes a violation of the rules and regulations of the Chicago Police Department and may serve as the basis for any discharge."

Officer Fontaine, do you see the paragraph I just read aloud to you?

A. Yes.

Q. "I understand and have been advised that my statements or responses may constitute an official police report. I understand that Rule 14

of the Chicago Police Department's rules and regulations prohibits making a false report, written or oral.

"I further understand that making such a false report, whether written or oral, may result in my separation from the Chicago Police Department."

Officer Fontaine, do you see the paragraph that I just read aloud to you?

A. Yes.

Q. "I understand that any statement made by me during this interview may be used as evidence of misconduct or as the basis for disciplinary action up to and including removal or discharge."

Officer Fontaine, do you see the paragraph I just read aloud to you?

A. Yes.

Q. "I understand that any statement made by me during this interview and the fruits thereof cannot be used against me in a criminal proceeding."

Officer Fontaine, do you see the paragraph I just stated there aloud to you?

A. Yes.

Q. "I understand that I have a right to have a union representative or legal or counsel of my choosing presented at the interview to consult with and that I will be given a reasonable time to obtain a union representative or legal representative as long as the interview is not unduly delayed."

Officer Fontaine, do you see the paragraph I just read aloud to you?

A. Yes.

Q. "I understand that a refusal to answer any question or any false, inaccurate, or deliberately incomplete statement by me would constitute a violation of Chicago Municipal Order 2-56 and may serve as the basis for my discharge."

Officer Fontaine, do you see the paragraph I just read aloud do you?

A. Yes.

Q. "I acknowledge that this statement of my administrative rights has been read aloud to me, and I have been allowed to review this document."

Officer Fontaine, do you see the paragraph I just read aloud to you?

A. Yes.

Q. I would just ask at this time that you sign the advisement of rights, and Kris and I will witness.

Officer Fontaine, is it fair to say that you will not answer questions from the OIG today regarding the Laquan McDonald shooting absent an order from a superior officer?

A. Upon advice of counsel, yes.

MR. NEUMER: Okay. At this time, we are going to call Commander Robert Klimas and ask him to order you to answer our questions today.

(Whereupon, a telephone call was made.)

COMMANDER KLIMAS: Bob Klimas.

MR. NEUMER: Bob, this is Peter Neumer from the OIG. I am here with my colleague Kris Brown and Jennifer Russell and Officer Dora Fontaine, and we are in the middle of a court-reported interview, and Officer Fontaine being duly provided notice of this interview is refusing to answer questions regarding the Laquan McDonald shooting absent an order from her superior officer, and I am asking you at this time to order Officer Fontaine to answer our

questions.

COMMANDER KLIMAS: Okay. This is Commander Robert Klimas, K-L-I-M-A-S, of the Chicago Police Department, Bureau of Internal Affairs. Officer Fontaine, I am giving you a direct order to answer all questions posed to you today by Peter Neumer or his designees from the Office of the Inspector General of the City of Chicago. Do you understand?

THE INTERVIEWEE: Yes, sir.

COMMANDER KLIMAS: Thank you.

MR. NEUMER: Thanks, Bob.

COMMANDER KLIMAS: All right.

MR. NEUMER: Okay. I am now going to mark a couple exhibits for the record. And these include a couple of documents that you should have received prior to today's interview. So I am first going to mark and hand to you what has been previously marked as Exhibit 2, which is a Notification of Interview dated June 10th.

(Whereupon, a document was tendered to the Interviewee.)

BY MR. NEUMER:

Q. Officer Fontaine, have you seen this

notification of interview prior to today?
A. Yes.
Q. And did your attorney provide you with this document sometime before today?
A. No.
Q. Okay. Did BIA provide you with this document on or about, I think, June 16th?
MR. BROWN: 14th.
BY MR. NEUMER:
Q. 16th?
A. IAD.
MS. RUSSELL: Yes, Bureau of Internal Affairs.
BY MR. NEUMER:
Q. They provided you with this document on or about June 14?
A. Yes.
Q. Okay. And do you recall whether you signed the Exhibit 2 document when they provided it to you?
A. Yes.
Q. Okay. I am now going to hand you what has been previously marked as Exhibit 3, which is a Notification of Allegations.
(Whereupon, a document was tendered

to the Interviewee.)

BY MR. NEUMER:

Q. And have you seen this Exhibit 3 document prior to today?

A. Yes.

Q. And did BIA or IAD provide you with this document on or about June 14th?

A. Yes.

Q. Okay. And do you recall signing the Exhibit 3 document -- well, not this copy, but a different copy of the Exhibit 3 document?

A. Yes.

Q. I am now going to hand you what has previously been marked as Exhibit 4.

(Whereupon, a document was tendered to the Interviewee.)

BY MR. NEUMER:

Q. Exhibit 4 is an excerpt of a CPD Case Supplementary Report dated March 16, 2015 with the RD number HX475653. Have you seen this Exhibit 4 document prior to today?

A. Yes.

Q. And did BIA provide you with this document on or about February 22nd, 2016?

A. I'm not quite sure about the date, but --

Q. Did BIA provide you with this document prior to our previous March 18th interview?

MS. RUSSELL: 16th.

BY MR. NEUMER:

Q. March 16th interview?

A. Yes.

Q. Okay. And now I am going to hand you what has previously been marked as Exhibit 5, which is a General Progress Report dated October 20th, 2014 with the RD number HX475653 containing detective March's notes of his interview of Officer Fontaine.

(Whereupon, a document was tendered to the Interviewee.)

BY MR. NEUMER:

Q. Officer Fontaine, have you seen this Exhibit 5 document prior to today?

A. Yes.

Q. And did BIA provide you with this document prior to your previous OIG interview?

A. Yes.

Q. Let's see. Aside from your attorney,

Officer Fontaine, did you speak to anybody else in preparation for today's interview?

A. No.

Q. Do you have any prepared remarks that you would like to make at this time?

A. Yes. This statement is not being made voluntarily but under duress and is only being made at this time because I know that I will lose my job if I refuse direct order being given to me by Commander Klimas.

MS. RUSSELL: In addition, I would like to note for the record that the objections stated prior to Officer Fontaine's statement on October 16, 2016, we continue to object for those -- strike that, March 16, 2016. We would ask that those objections remain, and we believe they are still objectionable.

In addition, we would like to assert an objection based on 6.2G of the contract that the length of this interview is unreasonable in that this is Officer Fontaine's second interview. The first one, March 16, 2016, began at 12:18 a.m. and ended at 4:40 p.m., wherein the Office of Inspector General had more than ample opportunity to explore Officer Fontaine's full knowledge regarding the

facts and circumstances regarding the Laquan McDonald shooting.

MR. NEUMER: Okay. Before we --

MR. BROWN: And I think you might have said 12:18 a.m.

MS. RUSSELL: 12:18 p.m. to 4:40 p.m. on March 16, 2016.

MR. BROWN: Okay.

MR. NEUMER: That would have been one epic interview.

MS. RUSSELL: Exactly.

MR. NEUMER: Okay. Before we get started, Counsel, I just wanted to confirm on the record that you are okay with us providing you with the transcript of today's interview within 120 hours of the interview taking place as opposed to 72 hours.

MS. RUSSELL: Correct.

BY MR. NEUMER:

Q. Okay. Officer Fontaine, could you just state your name and Star number for the record, please.

A. Officer Dora Fontaine, F-O-N-T-A-I-N-E, Star No. 4484.

Q. And, Officer Fontaine, what is your

current unit of assignment?

A. Unit 8.

Q. Officer Fontaine, we interviewed you, Kris and I interviewed you, on March 16, 2016; is that correct?

A. Yes.

Q. And during that interview, you stated that you were interviewed by Detective March on the night of October 20, 2014 regarding the shooting of Laquan McDonald?

A. Yes.

Q. And we asked you a series of questions regarding the summary of that statement that Detective March put in the case supplementary report; is that correct?

A. Yes.

Q. Okay. I am now handing -- well, you might already have it in front of you, Exhibit 4, what we are calling Exhibit 4, which is an excerpt of a CPD case supplementary report dated March 16, 2015 with the RD number HX47453 which contains Detective March's summary of the statement Officer Fontaine provided to him that day.

And I want to go over with you certain

statements in this CSR that Detective March attributes to you, and I am going to ask you -- well, probably more than two, but two questions in particular.

The first question will be whether you made the statement to Detective March that evening, and then the second statement or the second question is whether that statement is accurate. Okay?

A. Yes.

Q. So, again, the first statement or the -- the first question will be whether you made that statement to Detective March. Forget whether it's true or accurate or not, whatever. It's just did you make that statement. And then secondly, we are going to ask whether that statement is accurate. Okay?

A. Yes.

Q. So --

MS. RUSSELL: And, Peter, to the extent that this was fully explored sentence by sentence during her previous statement, we are going to be referring to specific page numbers, I believe starting with page number 112, where you went through this

exercise during her last statement. So to the extent that this is repetitive, certainly Officer Fontaine stands by her previous statement to the OIG, but we will address certainly any additional questions.

MR. NEUMER: Sure.

MS. RUSSELL: So we would ask for the leeway, at least on your specific questions, to review the transcript to determine whether these are, in fact, duplicative to the exact questions you asked last time.

MR. NEUMER: Okay.

MS. RUSSELL: Okay?

MR. NEUMER: And maybe what I can do is identify the particular statements that I am going to be asking about, and I think you will see that the -- well, I will leave it up to you --

MS. RUSSELL: Okay.

MR. NEUMER: -- what your sense is.

BY MR. NEUMER:

Q. So the first statement I am going to ask about -- and I'll just run through the statements that I am going ask about, and then if you want to look through the transcript, that's fine.

The first statement is -- let's see.

MR. NEUMER: So it's on page -- is there a page number on your copy of the exhibit?

MS. RUSSELL: I have 15 of 22.

MR. NEUMER: 15. Good.

BY MR. NEUMER:

Q. And so this should be in the middle of the larger paragraph there. Actually, I think it's third sentence, "When they arrived at the scene of this incident in front of the Dunkin' Donuts restaurant, Officer Fontaine saw a black male subject, now known as Laquan McDonald, walking down the middle of the street with a knife in his hand."

That is the first statement I am going to be asking about. Second statement: "These two officers were standing in the middle of the street on the right side of their police vehicle which was facing southbound."

You will notice I skipped a sentence in between there.

Next statement: "Fontaine heard the officers repeatedly order McDonald to drop the knife."

Next statement: "McDonald ignored the

verbal direction and instead raised his right arm toward Officer Van Dyke as if to attack Van Dyke." I will note we did discuss the second part of that sentence, raising the right arm toward Officer Van Dyke, and I have no questions about that today.

The next statement I will be asking about, "At this time, Van Dyke fired multiple shots from his hand gun until McDonald fell to the ground and stopped moving his arm and hand which still grasped the knife."

Those are the statements that we will be discussing today.

MS. RUSSELL: Peter, can we take a break?

MR. NEUMER: Sure. The time is 2:39, and we will go off the record.

(Whereupon, a break was taken.)

MR. NEUMER: The time is 2:39, and we will go back on the record.

BY MR. NEUMER:

Q. Okay. So, again, at least two questions, but two primary questions as we go through each of these statements, one, whether you made the statement to Detective March on the night of October 20, 2014; two, is that statement accurate.

So with respect to the first statement, "When they arrived at the scene of this incident in front of the Dunkin' Donuts restaurant, Officer Fontaine saw a black male subject, now known as Laquan McDonald, walking southbound down the street with a knife in his right hand," Officer Fontaine, did you make this statement to Detective March to the night of October 20, 2014?

A. Yes.

Q. Is your statement accurate?

A. To the best of my ability, yes.

Q. Okay. And do you recall where you were when you made this statement to Detective March?

A. Outside of our squad car.

Q. And was anyone else present?

MS. RUSSELL: Peter, I will just object that we have fully explored the different times that she spoke with Detective March.

You can answer. Go ahead and answer.

Can you read the question again?

(Whereupon, the record was read by the reporter as requested.)

THE INTERVIEWEE: Can I --

MS. RUSSELL: Sure.

MR. NEUMER: Sure.

THE INTERVIEWEE: Sorry.

MR. NEUMER: The time is 2:41, and we will go off the record.

(Whereupon, a break was taken.)

MR. NEUMER: Time is 2:43. We are back on the record.

MR. NEUMER: I think -- well, what was the question that was pending?

(Whereupon, the record was read by the reporter as requested.)

BY THE INTERVIEWEE:

A. I stand by my previous statement. Yes, I stand by my previous statement.

BY MR. NEUMER:

Q. The statement you provided in your previous interview with OIG?

A. Yes.

Q. Okay. And is it fair to say -- well, let me see.

MS. RUSSELL: It's page 56.

MR. NEUMER: Page 56.

MS. RUSSELL: At least that's where it starts.

BY MR. NEUMER:

Q. So your previous statement was that Officer Viramontes was present in your car -- and that's the 841 Robert vehicle --

A. Yes.

Q. -- when you gave your statement to Detective March; is that correct?

A. Yes.

Q. Okay. Next statement: "Two officers were standing in the middle of the street on the right side of their police vehicle which was facing southbound."

Did you make this statement to Detective March on the night of October 20, 2014?

A. Yes, I stand by my previous statement.

MR. NEUMER: On this one, I don't think we specifically asked.

THE INTERVIEWEE: So --

MR. NEUMER: So.

MS. RUSSELL: Can we take a quick break?

MR. NEUMER: Sure. The time is 2:45 p.m. We will go off the record.

(Whereupon, a break was taken.)

MR. NEUMER: Time is 2:47. We are back on the

record.

BY MR. NEUMER:

Q. So I believe we were discussing the statement included in the Exhibit 4 CSR, in particular the statement, "These two officers were standing in the middle of the street on the right side of their police vehicle which was facing southbound."

My question, Officer Fontaine, did you make this statement to Detective March on the night of October 20, 2014?

A. To the best of my recollection, yes.

Q. Okay. Is that statement accurate? That is, is that what happened on the night of October 20, 2014?

A. To the best of my knowledge, yes.

Q. And when you made this statement, were you in your 841 Robert vehicle with Officer Viramontes?

A. I was standing outside.

Q. Standing outside the vehicle, and Officer Viramontes was inside vehicle?

A. Yes.

Q. Okay. Next statement: "Fontaine heard

the officers repeatedly order McDonald to drop the knife."

Did you make this statement to Detective March on the night of October 20, 2014?

A. Yes, to the best of my knowledge. Yes.

Q. Is that statement accurate?

A. Yes.

Q. Okay. And were you outside the 841 Robert vehicle when you made that statement to Detective March?

A. Yes.

Q. And Officer Viramontes was inside the 841 Robert vehicle at that time?

A. Yes.

Q. Next statement: "McDonald ignored the verbal direction."

The full statement is "McDonald ignored the verbal direction and instead raised his right arm toward Officer Van Dyke as if to attack Van Dyke," but I want to focus on the first part of that statement, "McDonald ignored the verbal direction."

Did you make that statement to Detective March on the night of October 20, 2014?

A. To the best of my knowledge, I -- I'm sorry.

MS. RUSSELL: Can you repeat the question?

THE INTERVIEWEE: Yes.

(Whereupon, the record was read by the reporter as requested.)

BY THE INTERVIEWEE:

A. Yes, to the best of my recollection. Yes.

BY MR. NEUMER:

Q. Okay. Is that statement accurate?

A. Yes.

Q. Next statement: "At this time, Van Dyke fired multiple shots from his hand gun until McDonald fell to the ground and stopped moving his arm and hand which still grasped the knife."

Did you make this statement to Detective March on the night of October 20, 2014?

A. Yes. To the best of my knowledge, yes.

Q. Is your statement -- is that statement accurate?

A. Yes.

Q. And were you just outside the 841 Robert vehicle when you made that statement to Detective

March?

A. Yes.

Q. And was Officer Viramontes inside the 841 Robert vehicle when you made that statement to Detective March?

A. Yes.

Q. Let's see. So I want to -- well, let's see. Are we good?

MR. BROWN: Yeah.

BY MR. NEUMER:

Q. We are going to show you a video. This is -- we are going to show you a portion of the video that was recovered from the in-car video system of the 813 Robert vehicle. This is one of the videos that OIG provided to you on or about February 22, 2016 on a DVD.

Kris is going to open the VLC media file titled Video_ts.ifo on his laptop, and this file canes 6 minutes and 5 seconds of footage. The video also has a timestamp on it indicating the date and time the video was recorded.

We are going to advance the video to the portion time stamped 9:57:28 in the VLC media player time bar time, which goes from zero to 6

minutes and 5 seconds is going to be at 4:43, and we are going to ask you to watch about 20 seconds or so of the footage. And then I want you to pay close attention to the arrival of your vehicle.

I think we established in the previous interview that the 841 Robert vehicle -- you were the passenger in that vehicle -- comes onto the scene, the shooting scene; is that correct?

A. Yes. Yes.

MS. RUSSELL: And, Peter, to the extent that her viewing of the video and giving you narrative on the video has nothing to do with the three allegations regarding false statements to Detective March, we object.

MR. NEUMER: Okay.

BY MR. NEUMER:

Q. So let's see. So are we at -- we can even go maybe to 4:43 on the --

MR. BROWN: Sure.

MR. NEUMER: We'll just back it up slightly.

MR. BROWN: And, Officer Fontaine, would you prefer to watch it in real speed, or would you prefer to watch it in like a slower speed, like a half speed?

MS. RUSSELL: Whatever you prefer, and then she can decide, as we fully reviewed the video multiple times last time we were here and she addressed what she saw on the video, she addressed different questions you had for her in the video.

She is here to address three allegations regarding a narrative, nothing regarding the video. We would say the video speaks for itself; however, if you want to show it to her, we will view it.

BY MR. NEUMER:

Q. Okay. So we are going to watch it at full speed. We will go to 4:43 on the VLC time bar, and I think -- so we are at 4:43. And, again, I want you to pay attention to when your vehicle arrives in connection with the start of the shooting. Okay?

A. Yes.

MR. NEUMER: So can we go ahead and play.

(Whereupon, a video was shown.)

MR. NEUMER: And we can stop it here. We are stopping at 4:58 on the VLC media time player, and on the screen Laquan McDonald is now in -- prone in the street.

BY MR. NEUMER:

Q. So, Officer Fontaine, when we were talking about your interview with Detective March earlier, you stated that you -- that the statement that you heard the officer say, "Drop the knife," was accurate.

And I want to know if your vehicle arrived on the scene early enough to hear the officers, Officer Walsh and Officer Van Dyke, repeatedly say, "Drop the knife?

MS. RUSSELL: She already indicated that that statement was accurate, period.

MR. NEUMER: And I guess --

MS. RUSSELL: She already previously identified when her vehicle showed up on the scene.

MR. NEUMER: I guess I just want to --

MS. RUSSELL: She is not going to be able to pinpoint.

MR. NEUMER: -- give her another opportunity, if watching the video changes your assessment of whether that statement was accurate or not.

MS. RUSSELL: If you want to look at the video again, we can look at it if we need to.

BY THE INTERVIEWEE:

A. No.

BY MR. NEUMER:

Q. Did you hear the officers, Officers Van Dyke and Walsh, say, "Drop the knife," before Van Dyke began firing at McDonald?

A. I'm not quite sure when I heard it, but I heard it.

Q. Do you recall if it was before he, Van Dyke, began shooting McDonald?

A. I --

MS. RUSSELL: I think she just answered that.

BY MR. NEUMER:

Q. Do you remember whether your sirens were on when you approached the shooting scene?

A. I don't remember.

Q. I think that, based on my viewing, your lights, the Mars lights of your vehicle are on. Do you want to watch it again to see if you agree or disagree with that assessment?

Do you recall whether your lights were on?

A. According to the video, they were on.

Q. When your Mars lights are on, are your

sirens usually going as well?

A. No. They don't have -- there's a toggle switch.

Q. Okay.

A. And you could either turn the lights on by themselves or different sections or different modes.

Q. I got you.

Do you recall whether you had your sirens going?

A. I don't recall. I don't remember.

Q. When you are responding to a scene where your lights on, generally speaking, are your sirens on as well?

A. We use the siren to clear traffic.

Q. Okay.

A. Once we get to the scene, we cut the sirens off.

Q. Okay. Okay. So usually, you would use your sirens to allow you to get to the scene quicker?

A. Yes.

Q. Okay. And then once you get to the scene, you turn those sirens off?

A. Uh-huh.
Q. Was that a yes?
A. I'm sorry. Yes.
Q. But you don't recall whether your sirens were on as you approached the scene of the McDonald shooting?
A. No.
MR. NEUMER: We are going to go off the record just one moment. The time is 2:58.
(Whereupon, a break was taken.)
MR. NEUMER: 3:05 p.m. We are back on the record.
BY MR. NEUMER:
Q. So, Officer Fontaine, we were talking about the statement "drop the knife" that you heard on the night of October 20, 2014.
And I wanted to ask you do you recall how many times you heard Officers Walsh and Van Dyke say, "Drop the knife"?
A. No, I don't recall how many times.
Q. Do you recall, did Officer Van Dyke say, "Drop the knife," as he was shooting McDonald?
A. I don't recall.
Q. Okay.

A. I --

Q. And I guess, so watching the video, it seems like it might have been, given your arrival to the scene in the 841 Robert vehicle, which seems to occur just about as the shooting began, I wanted to get your take on how you could have heard the officers saying "drop the knife" as you were still in your vehicle.

A. Like I said, I -- excuse me. I heard it. I can't tell you how or when, but I heard it.

Q. Okay. Is it possible that you heard him say or heard the officer say, "Drop the knife," after the shooting began?

MS. RUSSELL: She already said she doesn't know multiple times, but it happened before the shooting.

BY MR. NEUMER:

Q. I am going to direct your attention to the Notice of Allegations, and it will be -- so looking at Allegation number 2, "It is alleged that on or about October 20, 2014, you made a false statement during an interview with CPD Detective David March of the Chicago Police Department when, with respect to the McDonald shooting, you stated that you heard Officers Van Dyke and Walsh

repeatedly order McDonald to drop the knife."

What is your response to this allegation?

A. I stand by my statement.

Q. Okay.

A. Yeah.

Q. Is there anything you would like to add regarding this allegation?

MS. RUSSELL: Can we take a break?

MR. NEUMER: Time is 3:08, and we will go off the record.

(Whereupon, a break was taken.)

MS. RUSSELL: We will go back on.

MR. NEUMER: Okay. Time is 3:08, and we will go back on the record.

BY THE INTERVIEWEE:

A. It's not a false statement. I --

MR. NEUMER: Okay.

BY MR. NEUMER:

Q. Allegation number 3, "It is alleged that on or about October 20, 2014, you made a false statement during an interview with CPD Detective David March when, with respect to the McDonald shooting, you stated that McDonald ignored Officers Van Dyke and Walsh's directive to drop the

knife and that Van Dyke then fired multiple shots from his hand gun until McDonald fell to the ground and stopped moving his arm and hand which still grasped the knife."

Officer Fontaine, what is your response to this allegation?

A. It is not a false statement.

Q. Okay. Do you stand by this statement?

A. Yes.

Q. Is there anything you would like to add regarding this allegation?

A. No.

MR. NEUMER: Kris, do you have any?

MR. BROWN: Just one follow-up question.

FURTHER EXAMINATION

BY MR. BROWN:

Q. Is it possible that you only heard the officers give the order to drop the knife once?

A. I don't recall how many times I heard it, but I heard it.

MR. BROWN: Okay.

MR. NEUMER: I am going -- 3:09 p.m. We are just going to go off the record.

(Whereupon, a break was taken.)

MR. NEUMER: Time is 3:15 p.m.

FURTHER EXAMINATION

BY MR. NEUMER:

Q. So I think we have asked all our substantive questions today. I wanted to ask you one more time with respect to this line of questioning, "Drop the knife," arrival of your vehicle, would it be at all helpful for you to review the 813 Robert dash cam video another time?

A. No.

Q. Okay. Then I will just ask, you know, understanding what we are looking at today and at our previous interview, we try and ask all relevant questions, but sometimes we don't ask all the necessary questions.

So at this time, if you think there are any questions we should have asked you that we didn't or any information that you think we should know, this is your opportunity to put that information on the record.

MS. RUSSELL: And I would just like to state that, you know, the officer is here at your request to answer questions that you ask of her, and she is only required to answer questions you ask of her,

not to propose questions you should have and didn't ask.

But with that, Officer Fontaine, do you have any additional statement you want to make?

THE INTERVIEWEE: No.

MR. NEUMER: Okay. The time is 3:17, and this interview is concluded.

(Which were all proceedings in the above-entitled interview this date.)

STATE OF ILLINOIS)
) SS:
COUNTY OF C O O K)

I, ANDREW ROBERT PITTS, C.S.R. No. 84-4575, a Certified Shorthand Reporter within and for the County of Cook and State of Illinois, do hereby certify:

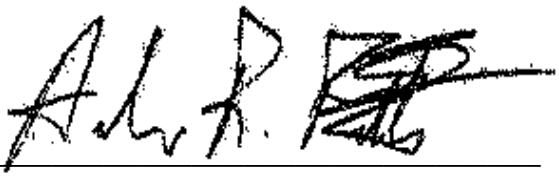
That previous to the commencement of the examination of the Interviewee, the Interviewee was duly sworn to testify the whole truth concerning the matters herein;

That the foregoing interview transcript was reported stenographically by me, was thereafter reduced to typewriting under my personal direction and constitutes a true record of the testimony given and the proceeding had;

That the said interview was taken before me at the time and place specified;

That I am not a relative or employee or attorney or counsel, nor a relative or employee of such attorney or counsel for any of the parties hereto, nor interested directly or indirectly in the outcome of this action.

IN WITNESS WHEREOF, I do hereunto set my hand and affix my seal of office at Chicago, Illinois this 20th day of June, 2016.



Certified Shorthand Reporter
Cook County, Illinois
My commission expires May 31, 2017

C.S.R. Certificate No. 84-4575.

Exhibits

Fontaine Exhibit No. 1 3:8 6:9

Fontaine Exhibit No. 2 3:9 11:19 12:18

Fontaine Exhibit No. 3 3:11 12:22 13:3,10,11

Fontaine Exhibit No. 4 3:12 13:14, 18,20 17:18,19 25:4

Fontaine Exhibit No. 5 3:14 14:10, 19

1

1 6:9

10th 11:20

112 18:24

120 16:15

12:18 15:21 16:5,6

14 7:24 12:15

14th 12:8 13:7

15 20:4,5

16 13:19 15:13,15, 21 16:7 17:4,20

16th 12:7,10 14:5, 7

17 5:1

18th 14:4

2

2 11:19 12:18

2-56 5:17 9:15

20 17:9 21:24 22:8 24:14 25:11,15 26:4,24 27:18 29:2 34:16

2014 14:12 17:9 21:24 22:8 24:14 25:11,15 26:4,24 27:18 34:16

2015 13:19 17:21

2016 5:1 13:24 15:13,15,21 16:7 17:4 28:16

20th 14:11

22 20:4 28:16

22nd 13:24

2:22 5:2

2:39 21:14,17

2:41 23:3

2:43 23:6

2:45 24:21

2:47 24:24

2:58 34:9

3

3 12:22 13:3,10,11

300 5:3

3:05 34:11

4

4 13:14,18,20 17:18,19 25:4

4484 5:14 16:23

4:40 15:22 16:6

4:43 29:1,18 30:12,13

4:58 30:21

5

5 14:10,19 28:19 29:1

56 23:21,22

6

6 28:19,24

6.2G 15:18

7

72 16:16

8

8 17:2

800 5:3

813 28:14

841 24:4 25:18 26:9,13 27:23 28:4 29:6

9

9:57:28 28:23

A

a.m. 15:21 16:5

ability 22:11

absent 10:7,22

accuracy 4:5

accurate 18:8,14, 17 21:24 22:10 25:13 26:6 27:11, 21 31:6,12,21

acknowledge 9:20

action 8:13

Adams 5:3

addition 15:11,17

additional 19:5

address 19:4 30:6

addressed 30:3,4

administered 6:4

administrative 6:1,10 9:21

advance 28:22

advice 5:24 10:9

advised 7:13,22

advisement 6:18 10:3

Affairs 11:4 12:12

agree 32:19

ahead 22:19 30:18

aid 4:5

allegations 12:23 29:13 30:6

allowed 9:22

aloud 6:17 7:4,20 8:9,16,23 9:9,18, 21,24

Amicus 5:2

ample 15:23

Andrew 4:18 5:5

answering 7:1

approached 32:15 34:5

arm 21:1,4,9 26:19 27:16

arrival 29:4

arrived 20:9 22:2 31:8

arrives 30:15

assert 15:17

assessment 31:20 32:20

06/17/2016 FONTAINE DORA
IN RE: DORA FONTAINE
Amicus Reporters info@amicusreporters.com
300 West Adams Suite 800 Chicago, Illinois 60606 888.641.3550

assignment 17:1
attack 21:2 26:19
attention 29:4 30:14
attorney 5:11 12:3 14:24
attributes 18:2
audio 4:10,22
audio-record 4:7
audio-recording 4:13

B

B-r-o-w-n 5:8
back 21:18 23:6 24:24 29:20 34:11
bar 28:24 30:13
based 5:23 15:18 32:17
basis 7:18 8:13 9:15
began 15:21 32:6, 10
BIA 12:6 13:6,23 14:3,21
black 20:11 22:4
Bob 10:15,16 11:12
break 21:13,16 23:5 24:20,23 34:10
Brown 5:8 6:20 10:17 12:8 16:4,8 28:9 29:19,21
Bureau 11:4 12:12

C

call 10:11,13
called 6:3
calling 17:19
canes 28:19
car 22:14 24:3
careful 4:16
case 13:18 17:14, 20
certified 4:3
Chapter 5:17
Chicago 5:9,18 6:21 7:17 8:1,6 9:14 11:3,8
choosing 9:3
circumstances 16:1
City 5:8,18 6:21 11:8
clear 33:15
close 29:4
code 5:18
colleague 10:17
Commander 10:11,15 11:2,11, 13 15:10
completely 7:1
conduct 5:17
confidential 4:8
confirm 16:13
connection 30:15
constitute 7:23 9:14
constitutes 7:15
consult 9:3
continue 15:14
contract 15:18
cooperate 6:24
copy 13:10,11 20:3
correct 16:17 17:5,15 24:7 29:8
counsel 5:24 9:2 10:9 16:13
couple 11:15,16
court 4:3,6,8,13 5:2,4,21
court-reported 10:19
CPD 13:18 17:20
criminal 8:20
CSR 18:1 25:4
current 17:1
custom 4:6
cut 33:17

D

D-o-r-a 5:13
date 5:1 14:1 28:21
dated 11:20 13:19 14:11 17:20
day 17:23
decide 30:2
delayed 9:7
deliberately 9:13
Department 7:17 8:7 11:4
Department's 8:1
designees 11:7
detective 14:13 17:8,14,22 18:1,6, 13 21:23 22:8,13, 18 24:7,14 25:10 26:4,10,24 27:17, 24 28:5 29:14 31:3
determine 19:9
direct 11:5 15:9
direction 21:1 26:16,18,22
disagree 32:20
discharge 7:18 8:14 9:16
disciplinary 8:13
discontinued 4:11
discuss 21:3
discussing 21:12 25:3
document 6:11 9:22 11:21 12:4,7, 14,18,24 13:3,7, 10,11,15,21,24 14:3,15,19,22
documents 11:16
Donuts 20:10 22:3
Dora 5:12,19 6:2, 19 10:18 16:22
drop 20:22 26:1 31:5,10 32:5 34:15,19,22
duly 10:20
Dunkin' 20:10 22:3
duplicative 19:10
duress 15:7
duty 6:23
DVD 28:16
Dyke 21:2,5,7 26:19,20 27:13 31:9 32:5,6,10 34:18,21

E

earlier 31:4
early 31:8
ended 15:22

06/17/2016 FONTAINE DORA
IN RE: DORA FONTAINE
Amicus Reporters info@amicusreporters.com
300 West Adams Suite 800 Chicago, Illinois 60606 888.641.3550

epic 16:9
established 29:5
evening 18:6
evidence 8:12
exact 19:10
EXAMINATION 6:6
examined 6:4
excerpt 13:18 17:19
exercise 19:1
exhibit 6:9 11:19 12:18,22 13:3,10, 11,14,18,20 14:10, 19 17:18,19 20:3 25:4
exhibits 11:15
explore 15:23
explored 18:21 22:17
extent 18:20 19:2 29:10
extra 4:16

F

F-o-n-t-a-i-n-e 5:13 16:22
facing 20:18 24:11 25:7
fact 19:9
facts 16:1
fair 10:5 23:19
false 8:2,5 9:12 29:13
fast 4:19
February 13:24 28:16
fell 21:8 27:15
file 28:17,18
fine 19:24
fired 21:7 27:14
firing 32:6
focus 26:20
Fontaine 4:12 5:12,13,19,20,23 6:2,19 7:3,19 8:8, 15,22 9:8,17,23 10:5,18,20,24 11:5,24 14:14,18 15:1 16:19,22,24 17:3,23 19:3 20:11,21 22:4,7 25:9,24 29:21 31:2 34:14
Fontaine's 5:11 15:13,20,24
footage 28:19 29:3
Forget 18:13
form 6:10,14
front 17:18 20:10 22:3
fruits 8:19
full 15:24 26:17 30:12
fully 18:21 22:17 30:2

G

gave 24:6
General 5:9 6:21 11:8 14:11 15:23
General's 6:24
generally 33:13
give 4:19 31:19
giving 11:5 29:11
good 20:5 28:8
grasped 21:10 27:16
ground 21:8 27:15
guess 31:13,16
gun 21:8 27:14

H

Half 29:24
hand 5:21 6:8 11:18 12:21 13:13 14:9 20:13 21:8,9 22:6 27:14,16
handing 17:17
happened 25:14
hear 31:8 32:4
heard 20:21 25:24 31:5 32:7,8 34:15, 18
hours 16:15,16
HX47453 17:21
HX475653 13:20 14:12

I

IAD 12:11 13:6
identified 31:14
identify 5:6 19:15
in-car 28:13
inaccurate 9:12
incident 20:10 22:2
include 11:15
included 25:4
includes 7:1
including 4:10 8:14
incomplete 9:13
independent 4:2
indicating 28:20
individuals 5:6,15
information 4:2
inside 25:22 26:12 28:3
Inspector 5:9 6:21,24 11:8 15:22
Internal 11:4 12:12
interview 4:4,7,13 5:19 6:22 8:12,19 9:3,6 10:19,21 11:17,19 12:1 14:4,7,13,22 15:2, 19,20 16:10,15,16 17:7 23:17 29:6 31:3
interviewed 6:20 17:3,4,8
Interviewee 4:14 5:12 6:3,12 11:10, 22 13:1,16 14:16 22:23 23:2,12 24:18 27:4,7 32:1
investigation 5:17 6:23

J

Jennifer 5:10 10:18
job 15:8
June 5:1 11:20 12:7,15 13:7

K

K-l-i-m-a-s 11:3
Klimas 10:11,15 11:2,3,11,13 15:10
knife 20:13,23 21:10 22:6 26:2 27:16 31:5,10 32:5 34:15,19,22

06/17/2016 FONTAINE DORA
IN RE: DORA FONTAINE
Amicus Reporters info@amicusreporters.com
300 West Adams Suite 800 Chicago, Illinois 60606 888.641.3550

knowledge 15:24 25:16 26:5 27:1,19

Kris 6:20 10:3,17 17:4 28:17

Kristopher 5:8

L

laptop 28:18

Laquan 10:7,22 16:1 17:10 20:12 22:5 30:22

larger 20:8

leave 19:17

leeway 19:7

legal 9:2,5

length 15:19

lights 32:18,21,24 33:5,13

located 5:2

long 9:6

lose 15:8

M

made 8:11,18 10:14 15:6,7 18:6, 12 21:22 22:13 25:17 26:9 27:24 28:4

make 15:5 18:15 22:7 24:13 25:10 26:3,23 27:17

making 8:2,4

male 20:11 22:4

March 13:19 14:4, 7 15:15,21 16:7 17:4,8,14,20 18:1, 6,13 21:23 22:8, 13,18 24:7,14 25:10 26:4,10,24 27:18 28:1,5 29:14 31:3

March's 14:13 17:22

mark 11:14,18

marked 6:9 11:18 12:22 13:14 14:10

Mars 32:18,24

matter 4:1

Mcdonald 10:7,22 16:2 17:10 20:12, 22,24 21:8 22:5 26:1,15,17,21 27:15 30:22 32:6, 10 34:5,22

media 28:17,23 30:21

middle 10:19 20:7, 13,16 24:10 25:6

minutes 28:19 29:1

misconduct 8:13

modes 33:7

moment 34:9

moving 21:9 27:15

multiple 21:7 27:14 30:2

municipal 5:18 9:14

N

narrative 29:11 30:7

Neumer 4:1,15,24 5:4,15 6:7,13,20 10:10,16 11:7,12, 14,23 12:9,13 13:2,17 14:6,17 16:3,9,12,18 19:6, 12,14,19,20 20:2, 5,6 21:14,17,19 23:1,3,6,8,15,22 24:1,16,19,21,24 25:2 27:10 28:10 29:15,16,20 30:10, 18,20 31:1,13,16, 19 32:3,13 34:8, 11,13

night 17:9 21:23 22:8 24:14 25:10, 14 26:4,24 27:18 34:16

note 4:19 15:11 21:3

notes 14:13

notice 10:20 20:19

notification 11:19 12:1,23

number 5:13 13:20 14:12 16:20 17:21 18:24 20:3

numbers 18:23

O

oath 6:4

object 15:14 22:16 29:14

objection 15:18

objectionable 15:16

objections 15:12, 15

obligation 7:8

obtain 9:5

October 14:11 15:13 17:9 21:24 22:8 24:14 25:11, 15 26:4,24 27:18 34:16

Office 5:9 6:21,24 11:7 15:22

officer 4:12 5:11, 12,19,20,23 7:3, 12,19 8:8,15,22 9:8,17,23 10:5,8, 18,20,23,24 11:5, 24 14:14,18 15:1, 13,20,24 16:19,22, 24 17:3,22 19:3 20:11 21:2,4 22:4, 7 24:3 25:9,19,22 26:12,19 28:3 29:21 31:2,5,9 34:14,21

officers 20:16,22 24:9 25:5 26:1 31:9 32:4,5 34:18

official 6:23 7:24

OIG 4:10 10:6,17 14:22 19:4 23:17 28:15

open 28:17

opportunity 15:23 31:19

opposed 16:16

oral 8:3,5

order 7:14 9:15 10:8,11,22,24 11:5 15:9 20:22 26:1

ordered 7:11

P

p.m. 5:2 15:22 16:6 24:21 34:11

paragraph 6:15, 16 7:4,20 8:9,16, 23 9:9,18,24 20:8

part 6:22 21:3 26:20

party 4:9

passenger 29:7

pay 29:3 30:14

pending 23:9

period 31:12

persist 7:14

Peter 5:4 6:20 10:16 11:6 18:20

06/17/2016 FONTAINE DORA
IN RE: DORA FONTAINE
Amicus Reporters info@amicusreporters.com
300 West Adams Suite 800 Chicago, Illinois 60606 888.641.3550

21:13 22:16 29:10
pinpoint 31:18
Pitts 5:5
place 16:16
play 30:18
player 28:24 30:21
police 7:17,24 8:1, 6 11:3 20:17 24:11 25:7
portion 28:12,23
posed 11:6
practice 4:6
prefer 29:22,23 30:1
preliminary 4:1
preparation 15:2
prepared 15:4
present 4:3 5:6,16 22:15 24:3
presented 9:3
previous 14:4,22 18:22 19:3 23:13, 14,17 24:2,15 29:5
previously 6:9 11:18 12:22 13:14 14:10 31:14
primary 21:21
prior 11:17 12:1 13:4,21 14:4,19,22 15:12
proceeding 8:21
product 4:8
Progress 14:11
prohibits 8:2
prone 30:22
property 4:8
provide 4:3 12:3,6 13:6,23 14:3,21
provided 4:9 10:20 12:14,18 17:23 23:16 28:15
providing 4:2 16:14
pursuant 5:16
put 7:8,11 17:14

06/17/2016 FONTAINE DORA
IN RE: DORA FONTAINE

Q

question 9:12 18:5,8,12 22:20 23:9 25:9 27:3
questions 7:1,8, 11,12 10:6,12,21 11:1,6 17:12 18:4 19:5,8,10 21:5,20, 21 30:5
quick 24:20
quicker 33:21

R

R-u-s-s-e-l-l 5:10
raise 5:20
raised 21:1 26:18
raising 21:4
read 6:14,17 7:4, 20 8:9,16 9:9,18, 21,24 22:20,21 23:10 27:5
reading 6:17
reads 6:18
real 29:22
reasonable 9:4
recall 12:17 13:9 22:12 32:9,21 33:9,11 34:4,17, 20,21,23
received 11:16
recollection 25:12 27:8
record 4:24 5:7 11:15 15:12 16:13, 20 21:15,18 22:21 23:4,7,10 24:22 25:1 27:5 34:8,12
recorded 28:21
recording 4:7,11, 22
recovered 28:13
referring 18:22
reflect 4:24
refusal 7:14,15 9:11
refuse 7:10 15:9
refused 6:3
refusing 10:21
regulations 7:16 8:2
remain 7:7 15:16
remarks 15:4
remember 32:14, 16 33:11
removal 8:14
repeat 27:3
repeatedly 20:22 26:1 31:10
repetitive 19:2
report 7:24 8:2,5 13:19 14:11 17:15, 20
reporter 4:3,9,13 5:5,21 22:22 23:11 27:6
reporters 4:6 5:2
representative 9:2,5,6
request 4:10
requested 22:22 23:11 27:6
respect 22:1
responding 33:12
responses 7:23
restaurant 20:11 22:3
result 8:5
review 9:22 19:8
reviewed 30:2
rights 6:10 9:21 10:3
Robert 10:11 11:3 24:4 25:18 26:9,13 27:23 28:4,14 29:6
Rule 7:24
rules 7:16 8:1
run 19:22
Russell 5:10,23 10:18 12:12 14:5 15:11 16:6,11,17 18:20 19:7,13,18 20:4 21:13 22:16, 24 23:21,23 24:20 27:3 29:10 30:1 31:11,14,17,22 32:12

S

scene 20:9 22:2 29:8 31:8,15 32:15 33:12,17,20,24 34:5
screen 30:22
seconds 28:19 29:1,2
sections 33:6
sense 19:19
sentence 18:21 20:9,19 21:4
separation 8:6
series 17:12

Amicus Reporters info@amicusreporters.com
300 West Adams Suite 800 Chicago, Illinois 60606 888.641.3550

serve 7:17 9:15

shooting 10:7,22 16:2 17:9 29:8 30:16 32:10,15 34:6,22

shots 21:7 27:14

show 28:11,12 30:9

showed 31:15

shown 30:19

side 20:17 24:11 25:7

sign 10:3

signed 12:18

signing 13:9

silent 7:7

sir 11:10

siren 33:15

sirens 32:14 33:1, 9,13,18,20,24 34:4

skipped 20:19

slightly 29:20

slow 4:21

slower 29:23

southbound 20:18 22:5 24:12 25:8

speak 15:1

speaking 33:13

speaks 30:8

specific 18:23 19:8

specifically 24:17

speed 29:22,23,24 30:12

spell 5:7

spoke 22:18

squad 22:14

stamped 28:23

stand 23:13,14 24:15

standing 20:16 24:10 25:6,20,21

stands 19:3

Star 5:13 16:20,23

start 30:15

started 16:12

starting 18:23

starts 23:23

state 16:20

stated 8:23 15:12 17:7 31:4

statement 6:1,18 8:11,18 9:13,20 15:6,13 17:13,22 18:6,7,8,11,13,15, 16,22 19:1,3,21 20:1,14,15,21,24 21:6,23,24 22:1,7, 10,13 23:13,14,16 24:2,6,9,13,15 25:4,5,10,13,17,24 26:3,6,9,15,17,21, 23 27:11,13,17,20, 24 28:4 31:4,12,21 34:15

statements 7:23 18:1 19:15,22 21:11,22 29:13

stop 30:20

stopped 4:23 21:9 27:15

stopping 30:21

street 5:3 20:13,16 22:6 24:10 25:6 30:23

strike 15:14

subject 20:12 22:4

Suite 5:3

summary 17:13, 22

superior 7:12 10:8,23

supplementary 13:19 17:14,20

swear 5:21

switch 33:3

sworn 5:24

system 28:14

T

taking 16:16

talking 4:16 31:3 34:14

telephone 10:13

tendered 6:11 11:21 12:24 13:15 14:15

terms 4:16

testified 6:4

thereof 8:19

time 4:18 5:1 9:4 10:2,10,24 15:5,8 19:11 21:7,14,17 23:3,6 24:21,24 26:13 27:13 28:21, 23,24 30:3,12,21 34:9

times 22:17 30:3 34:18,20

timestamp 28:20

titled 28:18

today 4:3 5:16 10:6,12 11:6 12:1, 4 13:4,21 14:19 21:5,12

today's 5:1 11:17 15:2 16:15

toggle 33:2

traffic 33:15

transcript 4:4,5 16:15 19:9,24

true 18:14

truthfully 7:2,9

turn 33:5,24

U

Uh-huh 34:1

understand 6:19, 22 7:6,7,10,13,22, 24 8:4,11,18 9:1, 11 11:9

unduly 9:7

union 9:2,5

unit 17:1,2

unreasonable 15:19

V

Van 21:2,4,7 26:19,20 27:13 31:9 32:5,6,10 34:18,21

vehicle 20:17 24:4,11 25:7,18, 21,22 26:9,13 27:24 28:4,14 29:4,6,7 30:14 31:7,15 32:18

verbal 21:1 26:16, 18,21

verbatim 4:4

video 28:11,13,20, 21,22 29:11,12 30:2,4,5,7,8,19 31:20,22 32:23

Video_ts.ifo 28:18

videos 28:15

06/17/2016 FONTAINE DORA
IN RE: DORA FONTAINE
Amicus Reporters info@amicusreporters.com
300 West Adams Suite 800 Chicago, Illinois 60606 888.641.3550

view 30:9

viewing 29:11 32:17

violation 7:16 9:14

Viramontes 24:3 25:19,22 26:12 28:3

VLC 28:17,23 30:12,21

voluntarily 15:7

W

walking 20:12 22:5

Walsh 31:9 32:5 34:18

wanted 16:13 34:17

watch 29:2,22,23 30:11 32:19

watching 31:20

wave 4:20

West 5:3

work 4:8

written 8:3,5

06/17/2016 FONTAINE DORA
IN RE: DORA FONTAINE

Amicus Reporters info@amicusreporters.com
300 West Adams Suite 800 Chicago, Illinois 60606 888.641.3550

In the Matter Of:

IN RE THOMAS GAFFNEY

THOMAS GAFFNEY

May 13, 2016

Amicus
court reporters, inc
300 West Adams St. Ste 800
Chicago, IL 60606
Phone: 312.641.3500
Fax: 312.641.3795
Email: info@amicusreporters.com

STATE OF ILLINOIS)
)
COUNTY OF COOK)

IN RE:)
)
INTERVIEW OF THOMAS GAFFNEY)

The interview of THOMAS GAFFNEY taken before Renee E. Brass, CSR, RPR, and notary public of Cook County, Illinois on May 13, 2016, at 11:14 a.m., at 300 West Adams Street, Suite 800, Chicago, Illinois.

PRESENT:

INSPECTOR GENERAL, CITY OF CHICAGO
BY: MR. PETER NEUMER and
MR. KRISTOPHER BROWN
740 North Sedgwick Street, Suite 200
Chicago, IL 60654
312.478.0356
pneumer@chicagoinspectorgeneral.org
kbrown@chicagoinspectorgeneral.org

on behalf of the City of Chicago.

BY: MR. WILL FAHY

on behalf of the Witness.

I N D E X

WITNESS
THOMAS GAFFNEY

EXAMINATIONS	PAGE
MR. NEUMER	5

E X H I B I T S

NUMBER	DESCRIPTION	PAGE
Exhibit No. 1	Advisement of Rights	6
Exhibit No. 2	Notification of Interview	10
Exhibit No. 3	Notification of Allegations	11
Exhibit No. 4	Receipt Form	11
Exhibit No. 5	Transcript of Interview	12
Exhibit No. 6	Case Supplementary Report	12
Exhibit No. 7	General Progress Report	13
Exhibit No. 8	Officer's Battery Report	60
Exhibit No. 9	Tactical Response Report	60
Exhibit No. 10	Special Order	79
Exhibit No. 11	Email	85
Exhibit No. 12	Supplementary Report	86
Exhibit No. 13	In-Car Video System Retrieval Worksheet	86

MR. NEUMER: As a preliminary matter, I'm providing the following information: An independent and certified court reporter is present today to provide a verbatim transcript of this interview.

To aid in the accuracy of the transcript it is the custom and practice of court reporters to audio record the interview. The recording is the confidential work product property of the court reporter and will not be provided to any party including the OIG.

If you request, the audio recording will be discontinued.

Officer Gaffney, are you okay with the court reporter audio recording this interview?

THE WITNESS: Yes.

MR. NEUMER: Okay. Let the record reflect today's date is May 13, 2016. The time is 11:14.

We are located at 300 West Adams, Suite 800. My name is Peter Neumer, N-E-U-M-E-R. The court reporter is Renee Brass.

And I'll ask the other individuals present to identify themselves and spell their name for the record.

MR. BROWN: Kristopher Brown, B-R-O-W-N,

City of Chicago, office of the Inspector General.

THE WITNESS: Officer Thomas Gaffney, G-A-F-F-N-E-Y, star number 19958, Chicago Police Department.

MR. FAHY: My name is Will Fahy. My last name is spelled F-A-H-Y.

MR. NEUMER: There are no other individuals present.

We are here today pursuant to an investigation being conducted under Chapter 2-56 of the municipal code of the City of Chicago. We are here for an interview of Officer Thomas Gaffney.

Mr. Gaffney, would you please raise your right hand.

MR. FAHY: No, he's not going to be sworn. It's an administrative statement.

THOMAS GAFFNEY,

was examined and testified as follows:

EXAMINATION

BY MR. NEUMER:

Q. Okay. I'm now going to show you an advisement of rights. This has been previously marked as Exhibit 1.

(Gaffney Exhibit No. 1 was marked

for identification.)

BY MR. NEUMER:

Q. And I ask that you read along as I read this out loud to you. I'll ask you at the end of each paragraph if you have read the paragraph that I just read aloud to you.

So the advisement states, I, Thomas Gaffney, understand that I am being interviewed by Peter Neumer and Kristopher Brown from the City of Chicago Office of Inspector General.

I understand that this interview is part of an official investigation; that I have a duty to cooperate with the Office of the Inspector General which includes answering all questions completely and truthfully?

Officer Gaffney, do you see the paragraph that I just read aloud to you?

A. Yes.

Q. I understand that I have no right to remain silent. I understand that I have an obligation to answer questions put to me truthfully.

I understand that if I refuse to answer questions put to me, I will be ordered by a superior officer to answer the questions?

I further understand that I have been advised that if I persist in my refusal to answer after an order to do so, such further refusal constitutes a violation of the rules and regulations of the Chicago Police Department and may serve as the basis for my discharge.

Officer Gaffney, do you see the paragraph that I just read aloud to you?

A. Yes.

Q. I understand that I have been advised that my statements or responses may constitute an official police report. I understand that Rule 14 of the Chicago Police Department's rules and regulations prohibits making a false report, written or oral, and I further understand that making such a false report, whether written or oral, may result in my separation from the Chicago Police Department.

Do you see the paragraph I just read aloud?

A. Yes.

Q. I understand that any statement made by me during this interview may be used as evidence of misconduct or as the basis for disciplinary action up to and including removal or discharge.

Do you see that paragraph?

A. Yes.

Q. I understand that any statement made by me during this interview and the fruits thereof cannot be used against me in a criminal proceeding.

Do you see that paragraph?

A. Yes.

Q. I understand that I have the right to have a union representative or legal counsel of my choosing present at the interview to consult with and that I will be given a reasonable time to obtain a union representative or legal counsel as long as the interview is not unduly delayed.

Do you see that paragraph?

A. Yes.

Q. I understand that a refusal to answer any questions or any false, inaccurate or deliberately incomplete statement by me would constitute a violation of Chicago Municipal Ordinance 2-56 and may serve as the basis for my discharge.

Do you see that paragraph?

A. Yes.

Q. I acknowledge that this statement of my administrative rights has been read aloud to me and I have been allowed to review this document.

Do you see that paragraph?

A. Yes.

Q. At this time we would ask that you sign the advisement rights form marked as Exhibit 1.

A. Sure.

MR. BROWN: Peter and I will witness it after you.

BY MR. NEUMER:

Q. At this time I'm going to be putting before you some exhibits that were previously provided to you by BIA, so we will just kind of run through these.

MR. FAHY: Before we go any further, there's something my client wants to state for the record.

THE WITNESS: This statement is not being given voluntary but under duress. I am only giving this statement because I know I will be fired if I refuse.

MR. FAHY: In addition to that, I just want to put an objection on the record to my client being compelled to give answers today.

It is my understanding that there has been an order entered in the case of the People versus

Jason van Dyke by Judge Gaughan and that order specifically prevents any witnesses or anyone involved in that case from providing statements in any way related to the evidence in that case, so I'm objecting to these proceedings, that it puts my client in potential violation of a Court order.

MR. NEUMER: All right. Your objection is noted for the record.

(Gaffney Exhibit No. 2 marked for identification.)

BY MR. NEUMER:

Q. Officer Gaffney, I'm going to hand to you what has been previously marked as Exhibit 2, document entitled notification of interview.

Have you seen this Exhibit 2 prior to today?

A. Yes.

Q. And did BIA provide you with this document on or about April 26, 2016?

A. Yes.

Q. Is that your signature at the bottom of Exhibit 2?

A. Yes, it is.

(Gaffney Exhibit No. 3 marked for

identification.)

BY MR. NEUMER:

Q. I'm now going to hand you what has been previously marked as Exhibit 3. It's a notification document entitled notification of allegations.

Have you seen this Exhibit 3 document before?

A. Yes.

Q. And did the BIA provide you with this document on or about April 26?

A. Yes.

Q. And is that your signature on page 2 of Exhibit 3?

A. Yes.

(Gaffney Exhibit No. 4 marked for identification.)

BY MR. NEUMER:

Q. I'm going to hand you what has been previously marked Exhibit 4, a document titled receipt form.

Have you seen this receipt form prior to today?

A. Yes.

Q. And did BIA provide you this receipt form

on or April 26, 2016?

A. Yes.

Q. And is that your signature on page 2 of the receipt form?

A. Yes, it is.

(Gaffney Exhibit No. 5 marked for identification.)

BY MR. NEUMER:

Q. Okay. I'm now going to provide you with what is marked as Exhibit 5. This is a transcript of an interview conducted by IPRA. It occurred on October 21, 2014.

Have you seen this Exhibit 5 transcript prior to today?

A. Yes.

Q. Did BIA provide you with this Exhibit 5 transcript on or about April 26, 2016?

A. Yes.

(Gaffney Exhibit No. 6 marked for identification.)

BY MR. NEUMER:

Q. I'm now going to hand you what has been previously marked as Exhibit 6, which is an excerpt of a CPD case supplementary report dated March 16,

2015 with the RD number HX475653, which contains Officer Gaffney's statement to Detective March.

Officer Gaffney, have you seen this Exhibit 6 report prior to today?

A. Yes, I have.

Q. And did BIA provide you with this Exhibit 6 report on or about April 26, 2016?

A. Yes.

(Gaffney Exhibit No. 7 marked for identification.)

BY MR. NEUMER:

Q. Okay. I'm now going to hand you what has been previously marked as Exhibit 7, a general progress report dated October 20, 2014, with the RD number HX475653 containing Detective March's notes of his interview of Officer Gaffney.

Officer Gaffney, have you seen this Exhibit 7 report prior to today?

A. Yes, I have.

Q. Did BIA provide you with this document on or about April 26, 2016?

A. Yes.

Q. In order to prepare for your interview today, did you review the materials we provided you

through BIA, the Exhibit 2 through 7 that we just put in front of you?

A. Yes.

Q. And the materials that were provided to you by BIA also included video from the in-car video system of vehicles 813 and 845 Robert; is that correct?

A. Yes.

Q. There was video from a Dunkin' Donuts security camera as well; is that correct?

A. Yes.

Q. You reviewed those videos as well in preparation for today's interview?

A. Actually no, I did not look at those videos.

Q. Since receiving our notice of interview, did you review any materials other than the materials we provided you through BIA?

A. No, just what I have.

Q. Aside from your attorney, did you speak to anyone in preparation for this interview?

A. No.

MR. NEUMER: At this time, Counsel, we spoke briefly. It's my understanding that you are

okay with us providing you, with Officer Gaffney the transcript of Officer Gaffney's statement today within 72 hours of our, the OIG's receipt of that statement; is that fair to say?

MR. FAHY: That's fair to say.

MR. NEUMER: Okay. At this time we'll just get into some background questions.

MR. BROWN: Before that, I have to collect these back.

MR. NEUMER: We will give them to you at the appropriate time so you have whatever materials you need to answer any questions.

MR. BROWN: And the transcript you receive, all the exhibits will be attached.

MR. NEUMER: I should have noted beforehand, there's water, there's beverages. There's some snacks available. If at any time you need to take a break or consult with your attorney, just let us know.

BY MR. NEUMER:

Q. Okay. Could you tell us your full name, your star number and your current unit of assignment.

A. Thomas Gaffney, G-A-F-F-N-E-Y. My star is 19958. I work in the 8th district.

Q. What was your unit of assignment as of October 20, 2014?

A. Same unit, 8th district.

Q. What watch were you on as --

A. First watch, midnights.

Q. What was your chain of command as of October 20, 2014?

A. What do you mean by chain of manned?

Q. Who is your sergeant, lieutenant?

A. Sergeant was Steven Franco. My lieutenant is Lieutenant Cook.

Q. Do you remember who your commander was?

A. I believe it was McNaughton.

Q. Did you report to any other lieutenants at that time?

A. No. Just Lieutenant cook was our top person on our watch.

Q. Can you provide your cell phone number for the record, your personal cell phone number.

A. It's [redacted].

Q. Was that your cell phone number as of October 20, 2014?

A. Yes.

Q. Officer Gaffney, you were present when

Laquan McDonald was shot on October 20, 2014; is that correct?

A. Not in the area when he was shot. I was -- that day, yes, I was there in that general area.

Q. You were in the general area?

A. General area, yes.

Q. What I want you to do for us is to walk us through your actions immediately following the shooting of Laquan McDonald.

I'm assuming you were still in the 815 Robert vehicle, correct?

A. Yes, I was.

Q. So I want you to walk us through what happened following the shooting for you personally.

A. Well, after I got onto Pulaski, I exited my vehicle. This was after all the shots were done that I heard.

I got out of my vehicle, walked pretty much to the middle of the street because there were other vehicles in front of mine, walked pretty much to the middle of the street and then went towards where all the officers were.

Q. So you parked your vehicle?

A. Yes.

Q. That's the 815 Robert vehicle?

A. Yes.

Q. Where did you park your vehicle?

A. Right where the stoplight is, it's roughly 41st.

Q. 41st and Pulaski?

A. Right. There's a stoplight right at the Burger King.

Q. So you park your vehicle there and then you go to the middle of the intersection?

A. Yes. I went pretty much to the middle of the intersection because I went around some cars and I went towards where the officers were, south towards where the officers were, where the main vehicles were, 845 Roberts vehicle was.

Q. So you were in the intersection of 41st and Pulaski, correct?

A. Not the intersection. I just pulled onto Pulaski right by the curb lane. That's where my vehicle stopped.

Q. You stopped your vehicle there and then you walk to the middle of the intersection?

A. Yes. I went to the middle and then I went south in the middle, pretty much in the middle of the

intersection towards where all the other officers were.

Q. That's the intersection of 41st and Pulaski that you were in the middle of?

A. Just -- yes, where I first got out of my car, yes, and then I went a little bit south, so just a little bit south of there.

Q. When you went south, were you near Officer Van Dyke and Officer Walsh's vehicle?

A. Yeah, that's pretty much where I went towards.

Q. When you go there, what happens? You walk over to those officers?

A. I just seen that there was a male black laying on the ground. Obviously everybody was just trying to make sure nobody came near the area, tried to stop cars to make sure the intersection was clear, and people were on their radio asking for an ambulance and telling them what happened, and then I just walked around. That's just pretty much it.

Q. So when you were walking around, what were you doing?

A. Just looking, just to see what happened.

Q. Were you talking to anybody when you were

walking around?

A. No, not at that immediate time, no.

Q. Had you been given any assignments as to what to do?

A. No.

Q. Were you doing traffic control?

A. No. As I said, there were other cars that were coming that had pretty much like blocked off the intersection, blocked off the street.

I, just like I said, I just walked back, looked to what happened, and I just walked back trying to find my partner.

Q. At any time while you were at the scene of the shooting, did you ever see any officers directing civilian witnesses away from the scene?

A. No.

Q. Did you ever direct any civilian witnesses away from the scene?

A. No.

Q. Did you find your partner eventually?

A. Yeah.

Q. What happened once you found your partner?

A. I believe we kind of went back to where our vehicle was. By that time there was more ambulances

coming, fire trucks coming, other officers around the area.

Q. Did you go back to sit inside your vehicle?

A. No. We just went to the general area where our vehicle was.

Q. Once you got back to your vehicle, what did you and Officer McElligott do?

A. Nothing. We were just like looking at our vehicle, trying to figure out what happened, because like I said, I didn't see exactly what happened in the intersection or where the shots were fired at, so we were just trying to talk about what had happened, who did what.

Q. Do you recall what Officer McElligott said about what he thought had happened at the scene?

A. No, I don't remember that.

Q. Did you tell him what you thought had happened at the scene?

A. No, no. Like I said, it was just everything going on at that time. We were just trying to get everything together. Checked out our vehicle. Tire was flattened.

I just told him I just heard the shots from when I was behind the Burger King.

Q. So after you and Officer McElligott got -- let me ask you this briefly: Officer McElligott was your partner then, correct?

A. Yes.

Q. Was he your regular partner?

A. Yes, at the time, yes.

Q. How long had you two been partners?

A. Maybe six months to a year, in that area type of thing.

Q. Do you and Officer McElligott socialize outside of work?

A. Not that much, no, not really.

Q. How about with respect to some of the other officers who were at the scene that night, just want to rundown a couple of these folks. How about Officer Van Dyke, what was your relationship with Officer Van Dyke prior to the night of October 20, 2014?

A. Just work related.

Q. Work related?

A. Yeah.

Q. No socialization?

A. No, never.

Q. How long had you worked with Officer Van

Dyke?

A. I want to say he was in the district maybe about six months or so, maybe a year at the most.

Q. Had you worked ever with him as a partner?

A. I believe I did once.

Q. One shift with Officer Van Dyke?

A. I believe once.

Q. How about Officer Walsh, what was your relationship with Officer Walsh prior to --

A. Same thing, just work related.

Q. How long had you worked in the same district with Officer Walsh?

A. Obviously a little bit longer, maybe a couple years, if that, but yes.

Q. Had you worked as partner with Officer Walsh?

A. Maybe a couple times, maybe three or four, if that.

Q. Couple shifts?

A. If that.

Q. Officer Viramontes, what was your relationship with him prior to October 20, 2014?

A. Pretty much the same thing. I mean, I know him a little bit more outside of work.

Q. How do you know officer --

A. I actually went to high school with him.

Q. So you guys had known each other for a while?

A. Not real good friends. I knew him from high school. And then we kind of -- as we worked, we realized we went to high school and stuff like that together.

Q. Got you. Okay. Not close friends?

A. Not close, close friends, no.

Q. Got you. How about Officer Sebastian, Daphne Sebastian?

A. No, just work related.

Q. And how long had you worked in the 8th district with her?

A. I don't know just how long she has been there. Like I say, I have been in the 8th since 2001, the summer area, so however long she has been there.

I think she started or she -- I think her whole career was pretty much I think in 8th district, so however long she has been there, I don't remember.

Q. Have you worked as a partner with her on some shifts?

A. I think one or twice.

Q. Officer Mondragon?

A. Same, same thing. Just work related. Same thing. As long as she has been in the district because I have more time than pretty much everybody.

Q. Done a couple shifts with her as a partner?

A. I don't know. Maybe once or twice maybe, but not too much with her either.

Q. Officer Fontaine?

A. Same thing, work related.

Q. No socialization?

A. No.

Q. Officer Velez, Leticia Velez?

A. No. They're -- I believe she is afternoon watch, so I've never worked with her.

Q. No socialization with Office Velez?

A. No.

Q. Officer Bacerra?

A. Same thing.

Q. No socialization with Officer Bacerra?

A. No.

Q. So you and your partner are at your vehicle sort of trying to figure out what happened; is that correct?

A. Yeah.

Q. So then what happens after that and where is the next place you go after your vehicle?

A. Pretty much we just stayed in that area. Like I said, that's when the bosses came and everybody else was coming.

They're just trying, like I said, just making sure everything goes smoothly if you will. Nobody goes into the crime scene or does anything that they shouldn't be doing.

Q. Sure. Who is the first person other than Officer McElligott that you speak to at the scene about the shooting?

A. I don't remember that.

Q. Do you recall speaking to sort of any of the lieutenants or sergeants at the --

A. Later, yeah, the sergeant we did.

Q. Which sergeant was that?

A. That's Sergeant -- the one I just --

Q. Franco?

A. Franco, yes.

Q. You had a conversation. Was this at the scene?

A. Yes.

Q. Tell us about the conversation you had with Sergeant Franco.

A. Just pretty much the basic telling what happened or what our timeline was from what happened to -- from the time we got the job to where we ended up.

Q. About how long after the shooting do you think that conversation occurred?

A. I don't remember. Maybe 15, 20 minutes or so, maybe that.

Q. Was Sergeant Franco taking any notes during that conversation?

A. Not that I remember, no.

Q. Do you think he was the first person you sort of gave a narrative of the event to?

A. I don't remember, but it could be possible.

Q. Do you remember speaking to detectives at the scene of the shooting that night?

A. Yes.

Q. Do you remember which detectives you spoke to?

A. No, I don't.

Q. If I told you you spoke to a Detective March, does that name ring a bell?

A. Not really. Just from reviewing the notes. I'll be honest, I never, to my knowledge, never met him before that night.

Q. Couldn't pick him out of a lineup?

A. No, I couldn't.

Q. You do recall having a conversation with a detective though?

A. Yes.

Q. Tell us about that conversation.

A. I know in the beginning there were a couple -- two detectives I believe it was that we actually went in their car with because they went back to the original scene where we first encountered the two, male and female Hispanic.

We went there and we just showed them this is where we came in contact with him, and then we drove the whole route from that point to all the way back to where our car finally ended up.

Q. So you did sort of a drive-through of the events of that evening?

A. Yes.

Q. And was it you and Officer McElligott?

A. Yes, I believe so, yes.

Q. Then there was two detectives with you?

A. I believe so. Pretty sure it was two.
Q. Were you in the detectives' vehicle?
A. Yes.
Q. So at some point detectives approached you and asked you to do a drive-through of the scene?
A. Yeah.
Q. But you don't recall who those detectives were?
A. No, I don't remember who they were, not at that time, no.
Q. So tell us about that drive-through that you did with them.
A. Like I say, we just went back to where we originally encountered the male and female Hispanic. We told them we pulled up and talked to them real quick and then they showed -- they told us the male black went around the corner.

So we drove down, around the corner and we told them pretty much where we kind of encountered him and then what we did.

My partner got out, and then we continued to drive with them. And then we went to Karlov where we actually came in contact -- well, where I used my vehicle to try and slow him down to stop him and then

where he did what he did, and then we just -- then we went -- continued through the Burger King lot.

I showed them that this is where my car went and the other car went this way and then I -- how I had to go around the Burger King and then where my vehicle finally ended up.

Q. Do you recall whether those detectives were taking notes during that drive-through?

A. I don't remember that, no.

Q. So after that drive-through ended, where did you go?

A. I believe we just pretty much stayed with our car. We were in that area.

Q. Did you speak to any other detectives that night at the scene of the shooting?

A. I'm sure I did, but I don't know. I don't remember how many or who it was.

Q. Okay. Did you talk to any other supervisors at the scene?

A. Yes. Actually our captain, Captain Rexall was there, call it Captain Walsh. He was also there.

Q. Captain Rexall, do you know how you spell --

A. Walsh.

Q. Captain Walsh comes to the scene?

A. Yeah, he was there also.

Q. And did you have a conversation with Captain Walsh?

A. Yes.

Q. Can you tell us about that conversation?

A. I believe it was just pretty much the same thing, what happened, because I know -- and then we showed him our car and stuff like that, because I know a little bit later he had helped us change our tire on our car.

Q. Captain Walsh?

A. Yes.

Q. Do you recall having any conversations with a Deputy Chief McNaughton?

A. I'm sure we did, but I don't recall exactly what we did or what we actually told him.

Q. So while you were at the scene, is it fair to say you had several conversations with different supervisors regarding what had occurred to you that night?

A. Yes.

Q. Okay. Did you at any time while you were at the scene of the shooting speak to any of the

officers who were present during the shooting?

A. Yeah, I believe I spoke to Officer Walsh and I believe Officer Sebastian also. I mean, nothing in depth, but just what happened type of thing.

Q. Do you recall what Officer Walsh said when you had --

A. No, I don't remember that.

Q. You also had a conversation with Officer Sebastian?

A. I believe so.

Q. Do you recall what that conversation was regarding?

A. No, I don't.

Q. Do you remember having a conversation at any time with Officer Van Dyke at the scene of the shooting?

A. No, I don't believe I did.

Q. How about any of the other officers that were -- besides Sebastian, besides Walsh, besides Van Dyke, do you recall having any conversation with any of the other officers who were present?

A. Not specifically, but I'm sure I might have like interacted with every -- a few people, but not

exactly like in-depth conversations.

Q. Right. So at any time while you were at the scene, did you hear Officer Van Dyke describe the shooting to anyone else?

A. No, I didn't.

Q. Did you hear Officer Van Dyke talking to anyone at the scene, overhear -- regardless of whether it was about the shooting or otherwise?

A. No, I didn't hear no conversation with him.

Q. Did you hear at any time detectives having conversations with other witnesses to the shooting?

A. No, not that I know of.

Q. Okay. Did you ever hear any detectives describing the events that took place that night to officer witnesses?

A. What do you mean describe?

Q. Sort of relating the events that occurred to officer witnesses.

A. No, not that I know of.

Q. Did you at any time while you were at the scene shooting see any video of the shooting?

A. I actually -- I believe it was 13 Roberts car, I just like maybe like -- it was on their inside camera. I think it was maybe a five-second little

clip that somebody played it back and that was it.

Q. So were you being shown the video, or did you just happen to walk by?

A. No. I think somebody -- like I say, I just looked. Somebody was -- played it, if you will, and I think I just kind of looked in the car and just seen like a real quick little part of it.

Q. Do you recall who was playing the video?

A. No, I don't.

Q. Did anyone make any comments about the video while you were there?

A. No, not that I remember.

Q. Did you talk to anyone about what you had seen on the video at the scene of the shooting?

A. I don't believe so. Like I said, just the same thing. We just like seen a little five-second clip of it or a little blip of it.

Q. Did you talk to any FOP representatives at the scene of the shooting?

A. At the scene? I don't remember if they were at the scene or not, but I believe they might have been, but I don't know if I talked to them at the scene.

Q. Do you recall seeing any FOP reps at the

scene of the shooting?

A. I don't remember that, no. I'm not sure.

Q. So after you got back from the ride through with the two detectives, did you leave your vehicle after that point?

A. No. Pretty much we stayed with our vehicle at that time.

Q. So when you were having conversations with various supervisors, were they coming to your vehicle?

A. Yeah, for the most part, because, like I said, that's where our car was, our tire was flattened and then the mark in the windshield, so pretty much that's where we were showing everybody.

Q. When you were changing the tire with Capital Walsh, had you moved the vehicle at that point or were you --

A. No, it stayed there until we -- well, actually if I'm not mistaken, somebody else actually brought it back to the area.

Q. At any point while you were at the scene of the shooting, did you hear officers trying to make sure their stories were in alignment?

A. No.

Q. At any time while you were at the scene, did you hear officers, besides yourselves, discussing what they thought had occurred or what they thought they saw?

A. No.

Q. At any time while you were at the scene of the shooting did you and Officer McElligott compare stories as to what you had seen?

A. Not compare, but we just talked about it, yes.

Q. Were there any disagreements between you and Officer McElligott as to what you had seen?

A. No, because like I say, we were pretty much together the whole time.

MR. NEUMER: So at this time I'm going to give my colleague an opportunity to ask clean-up questions with respect to -- if that's okay, Counsel, with respect to the scene of the shooting.

I know the CBA says one questioner. We can save all the questions to the end. We like to do it section by section. It just goes a little quicker.

MR. FAHY: That's fine.

MR. NEUMER: Okay.

BY MR. BROWN:

Q. After you got out of the vehicle near 41st and Pulaski, approximately how long was it before you met back up with Officer McElligott?

A. I don't remember. Maybe a couple of minutes maybe.

Q. So not that long of a time?

A. No, not that long.

Q. Could you see what Officer McElligott was doing in the interim, that time between when you got out of the car and before you met back up with him a couple of minutes later?

A. No. I didn't know where he went, because like I said, I went around the Burger King to get back onto Pulaski and I didn't know where he went after that.

Q. When you guys did meet up and talk, did he tell you what he was doing?

A. I believe, like I said, I believe he said he ran out to -- out onto Pulaski. I believe there was another squad car there and like just kind of waved it through, and then he pretty much was -- like pretty much stayed at that area.

Like I don't know if he said he blocked traffic or tried to stop other traffic and let the

squad cars go in front of him.

Q. Did McElligott make any statements to the effect of I didn't want to see what was going on, I turned my head, so I didn't see the incident?

A. No, he never said that.

Q. Do you recall sending any text messages that evening of October 20, 2014, to any of your colleagues?

A. No.

Q. Do you recall any of your colleagues sending text messages to you that night about the incident?

A. No. The only funny thing is my lieutenant actually called me right in the middle of this saying that I had court or something like that, which I mean had nothing to do with this incident, but, yeah.

He just happened to call me right during the middle of this incident. That was the only thing that I can think I had on my phone.

Q. That was going to be my next question.

A. Okay.

Q. Did anybody call you about anything?

A. Yeah.

Q. Sounds like nothing related to the

incident?

A. No, nothing. I think he called me saying I had court or something like that type of thing.

Q. Do you recall any calls or text messages the next day or the days following the incident, anybody wanted to kind of --

A. Not that I remember, no.

Q. Okay. You told us you kind of had a ride along with detectives and you took them around where you spoke with the male Hispanic and the female Hispanic, the ones that made the initial complaint?

A. Yes.

Q. After you got done with them, do you recall speaking with any detectives who kind of asked you for your impression as to what happened?

A. No.

Q. Wanted a rundown of, hey, what was your observations that night?

A. What do you mean by observations?

Q. Like pretty much trying to figure out -- we assume at some point some detective spoke to you and got the rundown of all your observations that night starting from at the truck yard all the way to the point where your car stopped at Pulaski.

A. Uh-huh.

Q. Just trying to figure out if maybe that conversation occurred while you were in the car with those detectives or if maybe there was another conversation you might have had.

A. We spoke to detectives different parts of the scene. We were talking to them while we were in the car and after we ride in the car, we spoke to more people.

Q. So those other detectives you spoke to outside of the car, you might have also told them the whole cycle of events from that night?

A. Yes.

Q. Okay. Do you recall any detective coming up to you and introducing themselves as I'm the lead detective on this investigation?

A. Now that I don't remember, no.

Q. Okay. Those other detectives you spoke to, do you recall any of them having like a notepad and taking notes based on what you were telling them?

A. Like I said, I don't remember, but they could have been. I don't remember though.

Q. Those other detectives you spoke to, do you have any idea or recollection of where these

conversations occurred?

A. What do you mean other ones?

Q. Outside of the two that you spoke to in the vehicle.

A. No. Just pretty much right where our vehicle was, stuff like that, in that area.

Q. After you got done with the detectives doing the ride along, I know you said you were kind of standing near the car. Were you then given any particular assignment to do anything?

A. No, not really, no.

Q. Just kind of just maintain and just wait until --

A. Yeah, pretty much. Just stayed there because at the time every -- well, the offender was already in the ambulance and gone by that time, so there was just pretty much the traffic was already blocked off, so it was pretty much a -- the scene was pretty much quarantined or held down.

Q. Got you. Were you ordered to complete any paperwork?

A. Not at that time, no.

Q. Were you ordered to complete some paperwork, I guess, at a later time?

A. We did paperwork after that later.
Q. Not at the scene?
A. Not at the scene, I didn't.
Q. Was that paperwork completed at the area?
A. Depends who is doing it, but there was another car assigned to do the actual case report and then the detectives do their stuff, but not at the scene, no, we didn't do any paperwork.
Q. We are going to get to it a little bit later in the interview, we will talk about what happened at the area.
A. Right.
Q. Just wanted to make sure at the scene you didn't have to complete any paperwork?
A. No.
Q. I know you mentioned walking behind and seeing a video in 813 Roberts car?
A. Uh-huh.
Q. Do you recall if that was a sergeant that was operating the video?
A. No, I don't remember who, yeah.
Q. Just a wild stab, do you recall if the person showing the video was an exceptionally large person, very tall, maybe 6'6", 6'7"?

A. Wow. I don't even think there's somebody in that district like that that I know of.

Q. Okay. Just a person we have an idea of. All right.

Do you recall what portion of the video you saw? I know it was a very small snippet, but do you recall what you saw?

A. No, I don't, no.

Q. Other than that five-second snippet that you saw at the scene, did you see any other videos?

A. No.

MR. BROWN: That covers all my --

MR. FAHY: Are you referring at the scene just to clarify?

BY MR. BROWN:

Q. Yeah. I'm referring at the scene of the shooting near 41st and Pulaski outside of the video of 813 Roberts car, did you see any other videos?

A. No, I didn't.

MR. BROWN: Thank you. That's all my questions.

BY MR. NEUMER:

Q. Just following up on that, at any time at the scene of the shooting did you see any of the

other officers watching video of the shooting?

A. No, not that I know of.

Q. Do you know whether Officer McElligott saw a video of the shooting at the scene?

A. I don't know. Not that I remember.

Q. At this time I'm going to show you, put in front of you I think it's Exhibit 6. This is the case supplementary report. I'm going to ask you a few questions about Exhibit 6. We'll give you Exhibit 7, GPR as well, but I'm going to direct your attention to Exhibit 6.

So if you can just take a moment and look over the Exhibit 6, your statement in Exhibit 6. I'm going to ask you a few questions about that.

So the statement that's attributed to you by Detective March, does that statement that you just reviewed, does that generally accurately reflect what you stated to the detectives on October 20, 2014?

A. Yes.

Q. I want to just go line by line over a few statements just with respect to each of these statements. I'm going to direct you to page 12 of the report. I'm going to ask you two questions. First question will be whether the statement that is

in the Exhibit 6 report, whether you made that statement to a detective on the night of October 20, 2014, and then the second question is whether that statement is true.

Okay. First question is just did you make the statement and the second is is that an accurate statement.

So let's see. Directing your attention to the third paragraph -- second full paragraph on page 12, McDonald began to run eastbound through the restaurant parking lot on the north side of the Burger King building.

Did you make that statement to a detective on October 20, 2014?

A. I believe so.

Q. Is that statement accurate?

A. Yes, fairly accurate, yes.

Q. Is there anything in there that you think is inaccurate or --

A. No.

Q. Okay. Next sentence, he ran out onto Pulaski and then turned and ran southbound on Pulaski.

Again, did you make that statement to a

detective on October 20, 2014?

A. I don't recall if I made it to a detective, but, yeah, I believe I probably said that, yes.

Q. And is that statement accurate?

A. Yes.

Q. Next sentence, Beat 845 Robert pursued McDonald in their police vehicle eastbound through the parking lot over the curb at Pulaski, then southbound on Pulaski.

Did you make that statement to a detective on October 20, 2014?

A. I believe so, yes.

Q. Is that statement accurate?

A. Yes.

Q. Officer Gaffney lost sight of McDonald when he turned southbound on Pulaski.

Did you make that statement to a detective?

A. Yes.

Q. And is that statement accurate?

A. Yes.

Q. Because of the flat tire on his vehicle, Officer Gaffney did not drive over the curb.

Did you make that statement to a detective on October 20?

A. Yes.
Q. And is that statement accurate?
A. Yes.
Q. As he drove around onto Pulaski, Gaffney heard multiple gunshots in rapid succession.
Did you make that statement to a detective on October 20?
A. Yes.
Q. Is that statement accurate?
A. Yes.
Q. He did not see who was shooting.
Did you make that statement to a detective?
A. Yes.
Q. On October 20, yes?
A. Yes.
Q. If I can finish the question, it will just be better a record.
A. Sorry.
Q. No problem. You are a step ahead of me.
And is that an accurate statement?
A. Yes.
Q. When he reached Pulaski, McDonald was laying on the ground.
Did you make that statement to a detective

on October 20, 2014?

A. When I finally -- yes.

Q. And is that statement accurate?

A. Yes.

Q. So did you see McDonald get shot?

A. No.

Q. By the time you saw McDonald on the ground, had the shooting stopped?

A. Yes.

Q. So where were you in your vehicle, walk us through once you decided not to drive over the curb, how you proceeded out on to Pulaski.

A. I had stopped -- it was the north side of the building in the parking lot.

Q. Burger King?

A. Yes. I stopped where the curb was because I knew like my tire was flat. I didn't know if I would be able to get over it, so I reversed, went west on the west and north side of the building, then behind the building, I went south and then turned and came back east around the building again, pretty much doing like a horseshoe almost and went towards Pulaski.

Q. Okay. So how did you eventually get out on

to Pulaski?

A. There's pretty much where the red light is, the light at 41st, there's a driveway because the trucks -- I don't know if the trucks use that also, the Burger King with their drive-through and that drive-through also comes out on to that little area, that street.

Q. And the driveway exits onto Pulaski?

A. Yes.

Q. It exits onto the west side of Pulaski; is that correct?

MR. FAHY: No. That's actually --

THE WITNESS: Well, yeah. Pulaski, it will be the west side of Pulaski where the Burger King is also. That's where the --

MR. BROWN: Both sides. The drive-through is on the south side of the Burger King.

MR. NEUMER: Right. The Burger King is on the west side, so it's --

MR. BROWN: It's on the west side of Pulaski, yeah.

BY MR. NEUMER:

Q. So then you get out, you exit the Burger King onto Pulaski in the 815 Roberts vehicle, right?

A. Yes.

Q. And then which direction do you turn out of the Burger King?

A. I turn south.

Q. When you turn south, what do you see?

A. Pretty much right where I turned south, I pretty much stopped my vehicle because there were I believe one or two other squad cars in front of it.

Q. Would it have been possible for you to continue south on Pulaski?

A. No. I believe that's why I stopped because I -- well, besides the tire being flat, I believe that there were other cars in front of that area to where I wouldn't have been able to get around them.

Q. Could you see anything in terms of -- could you see Officer Van Dyke and Officer Walsh?

A. No, not when I was in the car.

Q. What was blocking your view of Officer Van Dyke?

A. Like I said, there were other vehicles in the intersection.

Q. Police vehicles?

A. Yes.

Q. Do you know whose vehicles those were?

A. I don't. I believe one might have been 813 Roberts.

Q. So that's Sebastian and Mondragon?

A. Mondragon, yes.

Q. I'm going to -- well, I don't know if you have the notice of allegation in front of you, but I'll read it, and it is alleged that on or about October 20, 2014, you made a false statement during an interview with Detective March when you stated that you heard multiple gunshots in rapid succession.

What is your response to that allegation?

A. It's true to the best of my knowledge.

Q. Did you hear any pause or break between the gunshots you heard?

A. No, I didn't.

Q. As you are looking through your statement, the Exhibit 6 statement, is there any significant details that you feel are not included in that statement?

A. I don't believe so.

Q. Is there anything that you recall telling a detective substantively about your encounter with McDonald on the night of October 20, 2014, that you do not see in the Exhibit 6 report?

A. I don't believe so.

MR. NEUMER: Okay. Kris, do you have any follow-up questions with respect to the CSR?

MR. BROWN: Just two quick ones.

BY MR. BROWN:

Q. When you are coming around the Burger King and you're coming east on 41st, is that where you heard the gunshots?

A. I was pretty much at the back of the Burger King in that area, in the back of the area of the Burger King. Then I proceeded to come around it and come out to Pulaski.

Q. So as you are kind of going around the Burger King, by the time you got to Pulaski, all the shots had ceased?

A. Yes, best of my knowledge, yes, they were all done.

Q. While you were driving behind the Burger King and then eventually coming up east on 41st, could you see anything that was going on?

A. No. There was fencing up along the lot that was south of the Burger King and then they had like canvas or like a covering over the fence.

Like I said, I guess, I don't know if they

were doing construction or about to do construction, so it was all so you couldn't see through it.

Q. So that fencing, that was blocking your view of anything pretty much south?

A. Yes, pretty much anything towards Pulaski I couldn't see.

Q. At that point could you see McElligott?

A. No, I don't know where he was at that time.

MR. BROWN: That's all my questions.

MR. NEUMER: Okay. We'll grab the exhibits back so we can keep everything straight.

MR. FAHY: Can we just take a brief pause.

MR. NEUMER: Sure.

MR. BROWN: The time is 12:03 and we are going to go off the record.

(Recess taken.)

MR. NEUMER: Okay. The time is -- are we good to go back on the record?

MR. FAHY: Yes.

MR. NEUMER: The time is 12:04. We're back on the record.

BY MR. NEUMER:

Q. Just now I want to talk to you about making your way over to area central.

Do you recall about what time you left the scene of the shooting?

A. I would say in the 3:00, 3:30 area.

Q. Somewhere in that area?

A. Yeah.

Q. After you left the scene of the shooting, where did you go?

A. We went northbound to the expressway and then we took the expressway, the Stevenson to the Dan Ryan to 51st Street and then we got off there.

Q. To the area central headquarters?

A. Yes.

Q. And what vehicle did you take to get to area central?

A. Yeah. I don't remember because, like I said, they were waiting for ET to process our vehicle. They wanted to take pictures and do prints.

Q. Evidence technician?

A. Yeah. Take prints of the car and then the pictures of the windshield and all that, so they needed us at the area for everything going on.

We just took another vehicle. That other party had waited with our vehicle.

Q. Do you recall who drove?

A. Drove with me and between -- I did. I was the driver.

Q. You are driving and Officer McElligott was in the vehicle?

A. Yes.

Q. Anyone else?

A. No.

Q. So the two of you drove over to area central?

A. Yes.

Q. Were you ordered to go over to area central or your presence was requested?

A. Yes, that's where we were supposed to go.

Q. Did someone tell you that?

A. Well, yeah. That's where the investigation was being conducted at the area after the scene.

Q. Did Sergeant Franco say, hey, get on over to area central, or do you recall?

A. I don't know about getting over, but I know they did I think on the radio just tell us that or somebody told us that we had to just leave the vehicle and take this vehicle and go over there.

Q. But you don't recall who that was?

A. No, I don't remember.

Q. So you leave the scene of the shooting somewhere around 3, 3:30, somewhere like that?

A. Yes.

Q. How long does it take you to get to area central?

A. It was maybe 15 minutes or so. It wasn't that long.

Q. And then what happens when you arrive at area central?

A. We went up to the detectives area and then just continued. Whatever detective needed to talk to us, we talked to them. We talked to a couple other people, I believe, and then we did some reports or I did some reports I know.

Q. Do you recall what detectives you talked to?

A. No, I don't.

Q. Do you know what kind of questions they were asking?

A. No, just pretty much the same thing that they would ask us at the scene, if I remember.

Q. Do you have any recollection if it was the same individuals who had asked you questions at the scene that were asking you questions?

A. I don't remember, but I believe it probably was the same.

Q. So you talked to a couple other folks as well at area central?

A. I just mean like other officers, sergeants, stuff like that. Everybody was there.

Q. So tell us who was there when you get to the detectives division of area central.

A. Pretty much everybody that you mentioned already, all the officers that you had mentioned already.

Q. The people who were at the scene?

A. Yeah, the sergeant. I'm sure there were -- well, all the detectives or whoever the detectives were, they were there. Like I said, I don't know their names.

Q. Sergeant Franco was there?

A. Yes, he was there, yes.

Q. Where were people hanging out when you got there?

A. Just everywhere. It's just like a bunch of cubicles type of thing.

Q. Wherever there was room?

A. Yeah.

Q. And so in terms of officers who were at the scene, did you have any conversations with those officers while you were at area central?

A. They had everybody together. We just -- in the room. We just talked or just pretty much kind of little bit briefly said what they -- we had told everybody that what we had from the beginning, what happened from the beginning and how it progressed.

Like I said, they were all there before we were for probably an hour or two at least before we got there.

Q. You and Officer McElligott sort of related to the other officers who were present your experience that night?

A. Yes.

Q. Was Officer Van Dyke in that group, do you recall?

A. Yes, he was.

Q. Was Officer Walsh in that group?

A. Yes.

Q. Did anyone else relate their experiences that night to you?

A. I don't remember. I don't recall if they did.

Like I said, they were all there before -- for awhile before we got there, so they might have been discussing it at that time, but I don't remember if they said anything to us about it.

Q. Did you have any conversations with Officer Van Dyke about what had occurred that night?

A. No.

Q. While at area central?

A. Not that I recall.

Q. How about individual conversation with Officer Walsh about what occurred?

A. Again, I don't remember. Not that I -- maybe a few words, but nothing, a whole conversation.

Q. How about with any of the other officers who were present at the scene, did you have any individual conversations where you're sort of comparing stories?

A. I don't know about comparing stories, but we just might have discussed things, yeah.

Q. What happened to you, what happened?

A. Again, in detail I don't remember. I don't remember what exactly we talked about.

Q. I got you. Other than detectives, did you talk -- and did you have a conversation with Sergeant

Franco while you were at area central?

A. Yes.

Q. What was the nature of that conversation?

A. Because I needed to fill out an officer's battery report, so I know he was involved with that.

Q. I'll tell you what, why don't we put the -- so you completed an officer's battery report and a tactical response report while you were at area central?

A. Yes.

Q. Let's put those -- we'll mark this as Exhibit 8. It will be the officer's battery report and Exhibit 9 will be the -- fair to call it TRR, tactical response report?

A. Yeah.

(Gaffney Exhibit No. 8 marked for identification.)

(Gaffney Exhibit No. 9 marked for identification.)

BY MR. NEUMER:

Q. I'll call it OBR and TRR just so we don't -- we'll save some time that way.

Okay. You mentioned that you had a conversation -- correct me if I'm wrong, I don't want

to put words in your mouth, but a conversation with Sergeant Franco regarding the OBR and the TRR; is that fair to say?

A. Yes.

Q. Tell us about that conversation.

A. I don't remember it in detail, but just like that we had -- I had to fill it out, just like minor things that I might have asked what to put type of thing. Got temperature and stuff like that, I wouldn't have no clue what the temperature was.

Q. I got you. So would you have filled this out unless he had -- the TRR and OBR unless Sergeant Franco had directed you to fill out the TRR and OBR?

A. Yes. Like I said, during the investigation they determined that I should fill these out.

Q. Who determined that you should fill these out?

A. I'll be honest, I don't know.

Q. But Sergeant Franco ultimately said, Officer Gaffney, we will need you to fill out an TRR and OBR, something like that?

A. Yeah.

Q. Did you ask him any questions when he told you to fill these documents out?

A. No. Well, just like I said, some of the things involved in here, some of the little questions, but I knew why I had to fill it out.

Q. Why did you have to fill it out?

A. Because when the offender came at the car and hit the windshield with the knife and stuff like that, he pretty much was looking right at me. He was trying to stop me from doing what I was trying to do, stop him and slow him down, so at that time it was an assault on me at the time.

Q. Had you filled out a TRR or OBR prior to October 20, 2014?

A. I'm sure I have. I don't remember how many times. Not too many.

Q. Less than 10?

A. Yes, I would say so.

Q. And just generally walk us through what your understanding of a TRR is and when it's appropriate.

A. Just when you as a police officer become a victim, I would fill this out or if you have to use your tasers, something like that.

Q. What in your mind is the difference between a TRR and OBR?

A. That's a good question. This is for the actual battery or the assault, whatever, and this is just like if you have to use -- I believe if you have to use physical force or other kind of forces, for a tactical response is dealt with.

Q. So Sergeant Franco tells you to fill out the OBR and TRR while you were at area central, correct?

A. Uh-huh.

Q. So where do you complete the TRR and OBR?

A. On a computer at area central.

Q. Was it a desktop computer?

A. Yes, I believe so, yes.

Q. And was anyone else present while you were drafting or completing the TRR and OBR?

A. Present as in like right next to me, no, but like I said, there were people around everyone pretty much.

Q. You mentioned that Sergeant Franco might have given you some information as to what the temperature was?

A. Just like, yes, some of the things that I wasn't sure of.

Q. In terms of did you ever have any questions

as to which boxes to check on the TRR and OBR?

A. Yeah. Like I said, if I did, I would have asked him.

Q. Do you recall asking him questions as to what box should I check here?

A. Honestly I don't remember. I'm sure I did, but like I said, I don't remember exactly what or how many times.

Q. Did you talk to a Marlan Harvey while you were at area central on that evening?

A. Not to my knowledge. I don't know that name though.

Q. You are not familiar with the name of --

A. No.

Q. He's, I think, an FOP rep.

A. Okay.

Q. Okay. But no, you are not familiar with him?

A. The name doesn't click, yeah.

Q. Do you recall speaking to any FOP reps while you were at area central on October 21?

A. Yes.

Q. Who did you speak to?

A. Could I ask my lawyer their name.

Q. Sure.

A. Would that be okay? Herbert, I believe Dan Herbert was there.

Q. FOP attorney?

A. Yes, I believe so, yeah.

Q. Let's see. I'm going to direct your attention to the officer's battery report, and on the right side of the report, about a third of the way down, there's a line that says number of officers battered.

A. Yes.

Q. It says three. Do you recall why you selected three as the number of officers that were battered?

A. Well, I believe that's what I was informed that -- like I said, I was one of them and that Officer Van Dyke and Officer Walsh were also assaulted, so they informed me just put three because that's how many reports were being done about -- officer battery reports were being done.

Q. Do you recall who informed of that?

A. I don't remember. If I -- if I should guess, probably Sergeant Franco, but I'm not 100 percent sure.

Q. What you mean is that since Franco was providing you with some other information, it might be possible that he told you the three?

A. It could have been, yes.

Q. Could it have been anyone else that told you the number?

A. I don't remember.

Q. Would you have been able to write that number down on your own without someone telling you what the number should be?

MR. FAHY: You know, I'm going to object to that question, would you be able to. I'm not sure what you are asking him, to speculate or if he's able to physically like write the number three.

Just to clarify, if you could clarify the question a little bit.

MR. NEUMER: Sure. We'll move on.

BY MR. NEUMER:

Q. You mentioned that you were aware that other officers were completing a TRR and OBR?

A. Yes.

Q. And who were the other officers that were completing OBRs and TRRs?

A. I believe it was Officer Van Dyke and

Officer Walsh.

Q. And did you see Officer Walsh completing a TRR or OBR at area central that night?

A. I don't remember seeing him, but like I said, I know they were all there.

Q. Do you know whether he received any assistance in his completion of the OBR?

A. I don't remember.

Q. Did you ever see Officer Van Dyke completing a TRR or OBR at area central?

A. No, I didn't.

Q. Do you know whether Officer McElligott completed a TRR or OBR?

A. No, he didn't. I don't believe so.

Q. Do you have any understanding as to why you completed a TRR and OBR but Officer McElligott didn't?

A. Like I said, during the whole incident the offender never came at us or did anything to us until that incident with the vehicle where I was in the vehicle.

He never like came at my partner, never took a step towards my partner or anything like that. He just came -- pretty much when he hit the

windshield and tried to come at me, that's the only reason.

Q. I'm going to go to the notice of allegations for a second here.

It is alleged that in the officer's battery report you completed concerning the McDonald shooting, you made a false statement when you stated that three officers were battered.

What is your response to that allegation?

A. Well, in officer's battery report it's also for batteries, aggravated batteries, assaults and aggravated assaults. That's just what it's called, officer's battery report, so three people were battered, but it's for assaults also, so technically we are assaulted, but just what it's called.

Q. Did you make the determination that three people were assaulted or battered?

A. No.

Q. Do you know whose determination it was that three officers were assaulted or battered?

A. No, I don't know. Obviously it was during the investigation. But like I said, I didn't see Officer Walsh and Officer Van Dyke. I didn't know when they were -- when it happened to them. I never

seen that, so --

Q. At any time while you were at area central on October 20 or 21, 2014, were you shown video of the shooting?

A. No, I don't believe so.

Q. Did you ever see video of the shooting while you were at area central?

A. No.

Q. Did you see any other officers watching the video?

A. No, I didn't.

Q. You didn't see any detectives showing officers the video of the shooting?

A. No, not to my knowledge I didn't see any of that.

Q. Did you have any conversations with the other officers who were present at area central regarding the video?

A. No.

Q. When you were talking to detectives at area central, you had some conversations?

A. I believe so. I'm pretty sure, yeah.

Q. At any time did you feel those detectives were trying to get you to change your story regarding

what occurred on October 20, 2014?

A. No.

Q. So you did not -- is it fair to say other than the five-second clip that you saw at the scene of the shooting, you did not see video of the shooting before you completed your OBR and TRR?

A. No.

Q. Okay. When did you first see video of the shooting, do you recall?

A. I want to say when it came out on the Internet.

MR. NEUMER: Any area of questions?

MR. BROWN: I do have a couple.

BY MR. BROWN:

Q. I know you stated that you stayed at the scene until approximately 3 a.m.?

A. Yes, roughly.

Q. Roughly. I imagine that you and Officer McElligott were two of the last officers to kind of leave the scene and then go to area central?

A. Yes.

Q. While you were waiting, do you recall what you were doing after you got -- I know you spoke with the detectives and you kind of milled about your car,

but do you remember anything specific that you did?

A. Like I say, we changed the tire and then we just pretty much -- we were just waiting because, like I said, we were waiting for the evidence technicians to do what they needed to do.

Q. Did you pretty much just talk to McElligott or did you go talk to other people?

A. No. It was pretty much just us two. Like I said, we were just standing around watching because the ETs were doing other things at the time, or ET, crime lab. They were doing other things at the time.

Q. There was never a point where all the officers on the scene kind of just huddled together and just kind of talked to each other?

A. Not that I seen on the scene, not that I noticed.

Q. Okay. When you got to the area, about how long was it before you started doing the OBR and TRR?

A. That I don't remember, because I know we did -- I did do an interview with IPRA, but then that was, I believe, was around 4:00, so I don't remember if I did this before or after that. I want to say before, but I'm not sure.

Q. When you did the OBR and TRR, do you recall

if anybody was, I don't know, at a computer next to you or on either side of you?

A. I don't remember. I'm not sure.

I know there were computers next to me, but I don't know if there was people at them or doing anything with them.

Q. You don't recall if anybody else was doing their OBR or TRR?

A. No. I don't remember if they were doing them there or if they had them done already. I'm not sure.

Q. My partner asked you some questions about the number of officers battered on the OBR being three.

Did you have any concern with the number being three, concern that you didn't see the batteries that occurred to Van Dyke and Walsh?

A. No. Just like I said, it doesn't really specify, but I would just assume that that's asking how many in this incident, how many were assaulted or battered, so that's why I just put three, not that I had to see them, but that the whole incident, that's what the investigation revealed, that there were three of us altogether that were assaulted.

Q. I just didn't know if the report only had to reflect your observation or could it just --

A. I'll be honest, I don't know how that would work either. Like I said, I don't know if that's like for me or just for the whole incident, but that's what I put.

Q. Did you have any concern that Officer McElligott should have been included in that number?

A. No, because like I said, if he wouldn't have done -- if the offender wouldn't have done what he did to my vehicle, I wouldn't have even had to do this, but just because that one specific incident, that one second when he came at the car and came at me, that's why we did this.

Q. Sure. Officer McElligott was somewhat close to the car when --

A. He was still towards the back of the car, but he had a good enough distance.

Q. When the offender slashed your tire, McElligott was far enough away that --

A. Yeah. He never made any movement towards McElligott. He just like hit the tire, then I pulled the car a little bit further, and that's when he turned and looking right at me and hit that

windshield.

Q. Okay. Do you know -- I know you haven't filled out a ton of OBRs or TRRs. Do you know if it's common practice where you will get information from sergeants or from other people to use to complete the documents?

A. I don't know if it's common practice, but there are little things that you might not think of when you are doing this type of thing that you might recall with your partner or something like that.

MR. BROWN: Okay.

BY MR. NEUMER:

Q. Just a couple things. Who did you submit the OBR and TRR to?

A. I don't know. I just know it was submitted, and whoever -- I don't know if Sergeant Franco would have signed off it on or somebody else.

I know McNaughton's name is at the bottom of this one, so I don't know if he actually finally or at the very end approved it or how that would work.

Q. Is it just you hit a button on a computer, like hit send, submit, something like that?

A. I believe so, something like that, yeah.

Q. Did you give anyone notice at area central that, hey, finished the OBR and TRR?

A. Yes. I believe I talked -- my sergeant was still right around me when it was done.

Q. So you would have told Sergeant Franco finished these off?

A. Yeah.

Q. Did you ever hear anything further from anyone, any officers, sergeants, otherwise, after you submitted the OBR and TRR?

MR. FAHY: Regarding?

BY MR. NEUMER:

Q. Did anybody ask any follow-up questions regarding the OBR and TRR?

A. Not to my knowledge.

Q. Okay. Moving on to IPRA, the IPRA interview. You were interviewed by IPRA at area central; is that correct?

A. Yes.

Q. And where in area central did that interview take place?

A. It was in a separate room, not in the whole general area. It was in a separate room where it was just the IPRA investigator, me and then two -- I

believe it was two FOP people.

Q. And was one of those FOP people Dan Herbert?

A. Yes.

Q. Do you recall who the other FOP person was?

A. No. It might have been that person that you mentioned, but I'm not sure.

Q. Does the name Kato, last name Kato ring a bell?

A. It could have been him.

Q. Did you speak to anyone -- besides your attorney or Dan Herbert, did you speak to anyone in preparation for your IPRA interview?

A. Not specifically, no. Like I said, we just talked, everybody involved.

Q. Did you have any communications with McElligott before your IPRA interview in preparation for your IPRA interview?

A. I don't believe so, because we don't know what IPRA is going to ask or anything like that, so we can't --

Q. You mentioned that you had sort of related the events that occurred to you to some of the other officers who were present at area central?

A. Yes.

Q. Other than those communications, did you speak to any of the other officers in preparation for your IPRA interview?

A. I don't believe so, no.

Q. Did you make any attempt to ensure that the statements you were going to provide to IPRA was consistent with the statements provided by the other officers who were present at the --

A. No.

Q. Before your IPRA statement, were you pressured in any way to make sure that your statement was consistent with the other officers who were present at the scene?

A. No.

Q. Where did you go after you left area central?

A. Back to our district station, 8th district.

Q. Then home from there?

A. Yeah, pretty much, yeah.

Q. Do you recall what time about you left area central?

A. No, I don't. It was already light, so probably maybe 9, 10 area, somewhere in that area.

Q. 9, 10 in the morning?

A. Yeah, something like that maybe.

MR. NEUMER: Okay. Anything on IPRA?

MR. BROWN: No.

BY MR. NEUMER:

Q. I want to talk to you about in-car video systems.

A. Okay.

Q. Particularly the in-car video system of the vehicle you were driving on October 20, 2014.

A. Yes.

Q. We've talked about the 815 Robert vehicle. Do you know what the vehicle number was of that vehicle?

A. 8489.

Q. Sort of generally, what is an in-car video system?

A. Just a car camera that's mounted in the windshield pretty much and just it videotapes whatever is in front of the car.

Q. What's the purpose of an in-car video system?

A. To record any incidents that might be in front of the car, like just, say, a car going through

a red light or something like that type of thing.

Q. That system captures audio as well?

A. Yes.

Q. So during your day-to-day shift, how do you use the in-car video system?

A. Just we log onto the screen that's in there and it comes up and it's working.

Q. Has anything changed since October 20 in the way you sort of interact with the in-car video system?

A. Not really. Just our sergeants are more involved in making sure that everything works properly. They know if something is not working, we have to notify them immediately.

(Gaffney Exhibit No. 10 marked for identification.)

BY MR. NEUMER:

Q. At this time we're going to hand you what is marked as Exhibit 10, and this is the special order regarding in-car video systems that was in place as of October 20, 2014.

Okay. Have you seen this Exhibit 10, special order SO3-05-CPD, special SO3-05?

A. I'm sure I have, yes.

Q. Were you familiar with -- this outlines certain directives with respect to in-car video systems. Were you aware of the sort of rules and protocols set forth in this special order as of October 20, 2014?

A. I believe so, yes.

Q. I want to direct your attention to section 6 of the special order, which is on page 3, specifically where it says that at the beginning of a tour of duty, a department member is to visually inspect the in-car video system equipment for damage and obtain the remote transmitter audio recorder, assure it is securely to the member's person and follow the start-up procedures for the in-car video system as trained and ensure the system is working properly.

Were you aware of those procedures as of October 20, 2014?

A. Yes.

Q. How were you aware of those procedures?

A. We had taken a class on how to operate, even though it was several years before this.

Q. So was that a full-day class?

A. I believe so.

Q. Do you recall where it was?

A. At the academy.

Q. After that class, did you ever receive any other training regarding the procedures outlined in Exhibit 10?

A. Not that I remember.

Q. Do you see the notes section close to the bottom of page 3 of Exhibit 10 that says, members will immediately notify a supervisor if at any point the in-car video system is inoperable, damaged, the equipped vehicle becomes inoperable or the remote transmitter audio recorder is missing?

A. Yes.

Q. Did you ever have to notify a supervisor regarding a damaged in-car video system?

A. Yes.

Q. How does that process work?

A. We just notify them like if something is wrong or just, say, a screen doesn't come up, we notify them, and then he has to call whoever, I don't know, and get a ticket number for a repair, to get it repaired.

Q. That's the sergeant that you would call?

A. Yes.

Q. So if the system is not working, in-car video system is not working, you call your sergeant and let them know?

A. We let them know, yeah.

Q. What happens to a vehicle's in-car video system while a help desk ticket is being processed?

A. Nothing. We still use the vehicle.

Q. Still use the vehicle?

A. Yes.

Q. So you were the driver of vehicle 8489 on October 20, 2014?

A. Yes.

Q. That's the 815 Robert vehicle?

A. Yes.

Q. And that vehicle had an in-car video system; is that correct?

A. Yes.

Q. And did you generally drive the 8489 vehicle?

A. Yes, that was our vehicle, assigned to our beat.

Q. And as of October 20, 2014, how long had you been working in a vehicle that had an in-car video system?

A. I don't recall. Some vehicles have them. Some don't. A lot of times they were not working. It's off and on.

Q. It's fair to say like for a matter of years you had been working on and off on with cars that had --

A. It could be, yes.

Q. That had an in-car video system?

A. It could be, yeah.

Q. And had you had any issues with the 8489's vehicle in-car video system on previous tours of duty?

A. I don't recall, but I'm sure there was, because, like I said, it's not just us that use that vehicle. There's other people, other watches that use the vehicle also, so if something happens with another watch, they can get the ticket number, so a lot of times it takes months for it to get fixed.

Q. I got you. So walk us through what you did at the beginning of your tour on October 20, 2014, with respect to the 8489 vehicle's in-car video system.

A. Pretty much we logged into the -- put our PC numbers, our beat number on the little screen, and

you just press send, I believe, and it starts up, and once you do that, the screen comes up where you can see through the camera what's in front of you.

Q. And that's what you did on October 20, 2014?

A. Yes.

Q. What's your PC number, by the way?

A. [redacted].

Q. And did you visually inspect the in-car video system for damage?

A. Yes. It's pretty much just a screen. The camera is stuck up there. As long as we log on and you can see out there, that would -- pretty much it's working.

Q. Where do you generally keep the microphones for the in-car video system?

A. There's little charging areas, I guess. Certain vehicles have them in certain different spots.

Q. Do you recall where the microphones were on October 20, 2014?

A. I believe they were where the charging spots were, in the charging spots.

Q. Where should they be? Is that where they

should be?

A. Yes, before we log on and all that stuff, yes.

Q. Do you know if you synced your microphone to the system when you entered the 8489 vehicle on October --

A. I don't believe I did.

Q. Do you know if the audio in the 8489 or 815 Robert vehicle, the audio for the in-car video system was functioning correctly on October 20, 2014?

A. I'm not sure if it was or not.

Q. Do you recall notifying your sergeant at any time on October 20, 2014, that the in-car video system audio was not working correctly?

A. No, because as what we knew, everything was working fine.

Q. I'm going to show you a couple exhibits here. Show you 11, 12 and 13. So this is going to be Exhibit 11.

(Gaffney Exhibit No. 11 marked for identification.)

BY MR. NEUMER:

Q. It is an email from Sergeant Lance Becvar to Jonathan Lewin regarding his findings with respect

to the five vehicles that were at the scene of the shooting, including the 8489 vehicle.

And his finding with respect to 8489 is system not engaged because of very long video, like hours long, was made previous to this event incident and system was processing that video and unable to start another video.

(Gaffney Exhibit No. 12 marked for identification.)

BY MR. NEUMER:

Q. And then Exhibit 12 is a supplementary report completed by Sergeant Lance Becvar regarding his findings regarding the in-car video system of the five vehicles that were at the scene of the shooting.

(Gaffney Exhibit No. 13 marked for identification.)

BY MR. NEUMER:

Q. And then Exhibit 13 is an in-car video system retrieval worksheet dated October 20, 2014, that contains Sergeant Lance Becvar's notes with respect to the five vehicles that were at the scene of the shooting, including the 8489 or 815 Robert vehicle.

So my question, Officer Gaffney, is do you have any explanation as to why the video function of the in-car video system didn't capture any of the -- prior to the shooting any of the scene?

A. No, I don't. Like I said, we logged on and the screen was on, showing the video, camera. Whatever was on the camera, we could see on the little screen. As of we knew, it was working.

Q. So when you started your shift on October 20, the video seemed to be working?

A. Yes.

Q. Do you have any explanation for why there was no audio captured by the in-car video system of vehicle 8489?

A. No, I don't.

Q. Do you have any explanation or any thoughts as to why there was no audio captured from the in-car video systems of any of the vehicles, CPD vehicles that were at the scene on October 20, 2014?

A. No, I don't.

Q. Did you ever learn that no audio was captured from those five vehicles?

A. Yes.

Q. Were you surprised to hear that?

A. Not really. Well, yes and no. I mean, some of the equipment does not function like it should, so sometimes it does. Sometimes it could work. It could not work.

Nowadays with the newer cars we have, everything works a lot better.

Q. As of October 20, 2014, was there a practice of Chicago police officers disabling the audio component of the in-car video system?

A. Not that I know of.

Q. Did you ever hear of --

A. Yeah, you hear stories about stuff like that, but --

Q. Had you ever disabled the audio component of your in-car video system?

A. No.

Q. I could refer you to the notice of allegations here. It is alleged that on or about October 20, 2014, you failed to ensure the in-car video system for CPD vehicle 8489 was working properly at the beginning of your tour of duty.

What is your response to that allegation?

A. Like I said, we logged into the camera properly, and as of we knew, the screen was on and it

was showing what the camera was showing, so to our knowledge it was working.

Q. What about with respect to audio?

A. That I can't say.

Q. It is alleged that on or about October 20, 2014, you failed to immediately notify a supervisor that the in-car video system for CPD vehicle 8489 was inoperable or damaged.

What is your response to that allegation?

A. Like I said, we turned the camera, and as of our knowledge, we thought it was working. We believed it was working.

Q. Did you ensure the audio was working at the beginning of your shift?

A. I don't believe we did, no.

Q. It is alleged that on or about October 20, 2014, you failed to audibly record events with CPD vehicle 8489's in-car video system during your tour of duty.

What is your response to that allegation?

A. Again, if the camera was working or if everything was working properly, we would have been able to get whatever, however they get this stuff out of the system. It would have -- then you would have

known if it was working or not.

MR. NEUMER: Kris, follow-up questions regarding dash cam?

MR. BROWN: Just a few.

BY MR. BROWN:

Q. Does the in-dash camera system engage when you turn on your lights and sirens, or do you have to physically do something to turn the system on?

A. I believe you can do both. I believe when you turn the lights on, it automatically comes on, but I believe you can hit a button on the screen, it will turn it on.

Q. What's your general practice?

A. Just pretty much when you turn the lights on.

Q. When you do experience an issue, you mentioned you would tell the sergeant?

A. Yes.

Q. How do you communicate that to the sergeant?

A. Usually over computer or if you see him in person, we tell them in person.

Q. If you, I guess, send them over the computer, do you get some kind of response back from

the sergeant?

A. Yes, you normally would.

Q. What usually is that response?

A. Just that I would assume that they would have to either visibly look at it to see what's going on or they would just tell us they are going to order -- they'll get a ticket number for it to get fixed.

Q. Okay. And you would be letting the sergeant know early on in your tour?

A. Normally, yes. That's usually what -- at the beginning of tour is when you put on your equipment and turn everything on. You will know if something is working or not.

Q. You have a duty to tell the sergeant either way, working or not working, how the system is going?

A. We do now, yes. We usually tell them our car number and camera is working, stuff like that.

Q. Back in October 20, 2014, did you have to tell your sergeant if it was working or if it wasn't?

A. Normally obviously if it's not working, yes, we always tell them, because if there's already a ticket number on there, we have to give them the ticket number saying it's not working and there's a

ticket number already on for it to be repaired.

Q. But if the system is working, to the best of your knowledge, do you have to tell the sergeant anything?

MR. FAHY: Back in October?

BY MR. BROWN:

Q. Sorry. Back in October.

A. I don't remember if we did or not. Usually it's just -- not sure if it was just assumed, but like I said, usually when it's not working, we inform them right away.

Q. Okay. You mentioned you didn't sync the audio on October 20, 2014?

A. Yeah, I don't believe we did.

Q. Is there any particular reason why you didn't sync the audio that day?

A. No, not that I can give, no.

Q. Was it your common practice to not sync the audio on any day?

A. Yeah. We just -- a lot of times we just leave the mics in the car type of thing.

Q. Okay. It wasn't because you were trying to avoid making an audio record of any kind of police work?

A. Oh, no. If they would have gotten and audio would have worked, they would -- anything I would have said because I would have been right in the car, so the mics would have been right next to me pretty much.

Q. In theory if the mics weren't synced --

A. Yeah, yeah, I guess in theory, but I don't know if there's -- like I said, they always say that cameras don't work until you turn it on, but they actually can get the recordings without having -- they can still get a recording.

Q. You didn't have any kind of like preconceived notion to not sync the audio because you didn't want anyone to hear what you were doing --

A. Oh, no.

Q. -- on October 20, 2014?

A. No, nothing like that.

Q. How would you just -- I guess generally explain why you wouldn't sync the audio on a daily basis.

A. Can you --

Q. I'm sorry, yeah. Is there a reason why you wouldn't sync the audio on a daily basis?

A. No, just one of those things. They are

just there in cars and we just never really grabbed them, just never put them on type of thing.

Q. Okay. Do you know it to be a violation of CPD policy?

A. I'm sure it is.

Q. Are you supposed to wear the microphones on your person?

A. Yes.

Q. Did you do that on October 20, 2014?

A. No, I didn't.

Q. Is there a reason why you didn't do that on October 20, 2014?

A. No, no reason.

Q. Okay. Was that a common practice to not wear the microphones on your person?

A. We normally didn't. We just make sure the camera was on and then go.

Q. Is there any particular reason why you wouldn't wear the microphones on your person on a regular basis?

A. No.

Q. It wasn't because you were trying to defeat making an audio record of your police work?

A. No, no. Just it was something we just

didn't do.

Q. Okay. You imagine that's a violation of some CPD protocol --

A. Yeah.

Q. -- to not wear the microphones?

A. I'm sure it is. I'm sure it was.

MR. BROWN: I think that's all the questions I have.

BY MR. NEUMER:

Q. Want to ask you some questions about Grand Jury testimony.

You were summoned to give testimony before a Grand Jury regarding the McDonald shooting; is that correct?

A. Yes.

Q. Did you give testimony before a Grand Jury?

A. Yes.

Q. Do you know whether that was a federal Grand Jury or a state Grand Jury?

A. Federal Grand Jury.

Q. You did give testimony before that Grand Jury?

A. Yes.

Q. Were you asked questions about the Laquan

McDonald shooting?

A. Yes.

Q. Did you provide your account of events as they occurred to you to that Grand Jury?

A. Yes.

Q. Were you presented with any exhibits as you testified before that Grand Jury?

MR. FAHY: I'm going to object unless you have the transcript that you can provide for my client.

I mean, he's not going to be able to recall what was presented and what questions were asked.

BY MR. NEUMER:

Q. Certainly I don't remember or I don't recall is a fair answer.

A. I don't remember.

MR. FAHY: What's fairer is providing him a copy of the Grand Jury testimony. That's a fairer way to do it.

MR. NEUMER: If we had it, we would provide it.

BY MR. NEUMER:

Q. Do you recall about when it was that you gave that Grand Jury testimony?

A. No. It was some time last year.
Q. Did you -- Grand Jury aside, have you ever spoken to law enforcement authorities about the Laquan McDonald shooting?
A. As in like state's attorneys or stuff like that?
Q. FBI, state's attorney.
A. Yeah. We had spoke to them at 26th and California prior to the Grand Jury.
Q. And do you recall who you met with prior to the Grand Jury?
A. I don't remember their names actually, no.
Q. Was there someone from the FBI there?
A. I believe two people from FBI, one from the state's attorneys office, I believe.
Q. Were they asking you questions about your account of events on October 20, 2014?
A. Yes.
Q. Were they generally asking you questions similar to the ones we have asked you today?
A. Yes.
Q. Did your answers substantively differ from the answers you provided today?
A. No, not that I recall.

Q. Did you have any communications with Officer McElligott before your Grand Jury testimony in preparation of that Grand Jury testimony?

A. No, not that I recall.

Q. Any communications with Officer Van Dyke in preparation of your Grand Jury testimony?

A. No.

Q. Phone calls?

A. No. Like I say, I never -- outside of the one time we had a Christmas party, he came to the Christmas party after the incident. That was the only time I have ever spoken with him.

Q. Okay. Other than the events of the night of October 20, were you asked any questions outside of those regarding events of other nights?

A. Wait. Could you repeat that?

Q. Were you asked questions, any questions that were not about the events of October 20, 2014?

MR. FAHY: By whom?

THE WITNESS: Where?

BY MR. NEUMER:

Q. Sorry. By the FBI.

A. I don't recall. I would have to, yeah, have that in front of me. I don't recall what

they -- specifically outside the incident.

MR. NEUMER: Kris, any questions on this front?

MR. BROWN: I have no follow-up questions.

MR. NEUMER: We're just going to take a brief break here. The time is 12:52 to go off the record.

(Discussion off the record.)

MR. NEUMER: The time is 12:53 p.m. We're back on the --

MR. FAHY: Actually, could we just have --

MR. NEUMER: Sorry.

(Discussion off the record.)

MR. NEUMER: The time is 12:56 p.m. and we're back on the record.

BY MR. NEUMER:

Q. Officer Gaffney, we've asked all the questions we have today. Understanding what we are looking at and understanding that sometimes we miss topics, is there anything that you feel we should know regarding the matters we have been discussing today?

A. I don't believe so. I think we got it all.

Q. Do you have some sort of statement you

would like to make on the record or --

MR. FAHY: Can we just have one minute again?

MR. NEUMER: The time is 12:56 p.m. We'll go off the record.

(Recess taken.)

MR. NEUMER: The time is 12:59 p.m. We will go back on the record.

BY MR. NEUMER:

Q. Officer Gaffney, do you have a statement?

A. No, we're good.

MR. NEUMER: Okay. Then the time is 12:59 and we're concluded.

(Which were all the proceedings had or offered at said hearing of the above-entitled cause at 12:59 p.m.)

STATE OF ILLINOIS)
) SS:
COUNTY OF COOK)

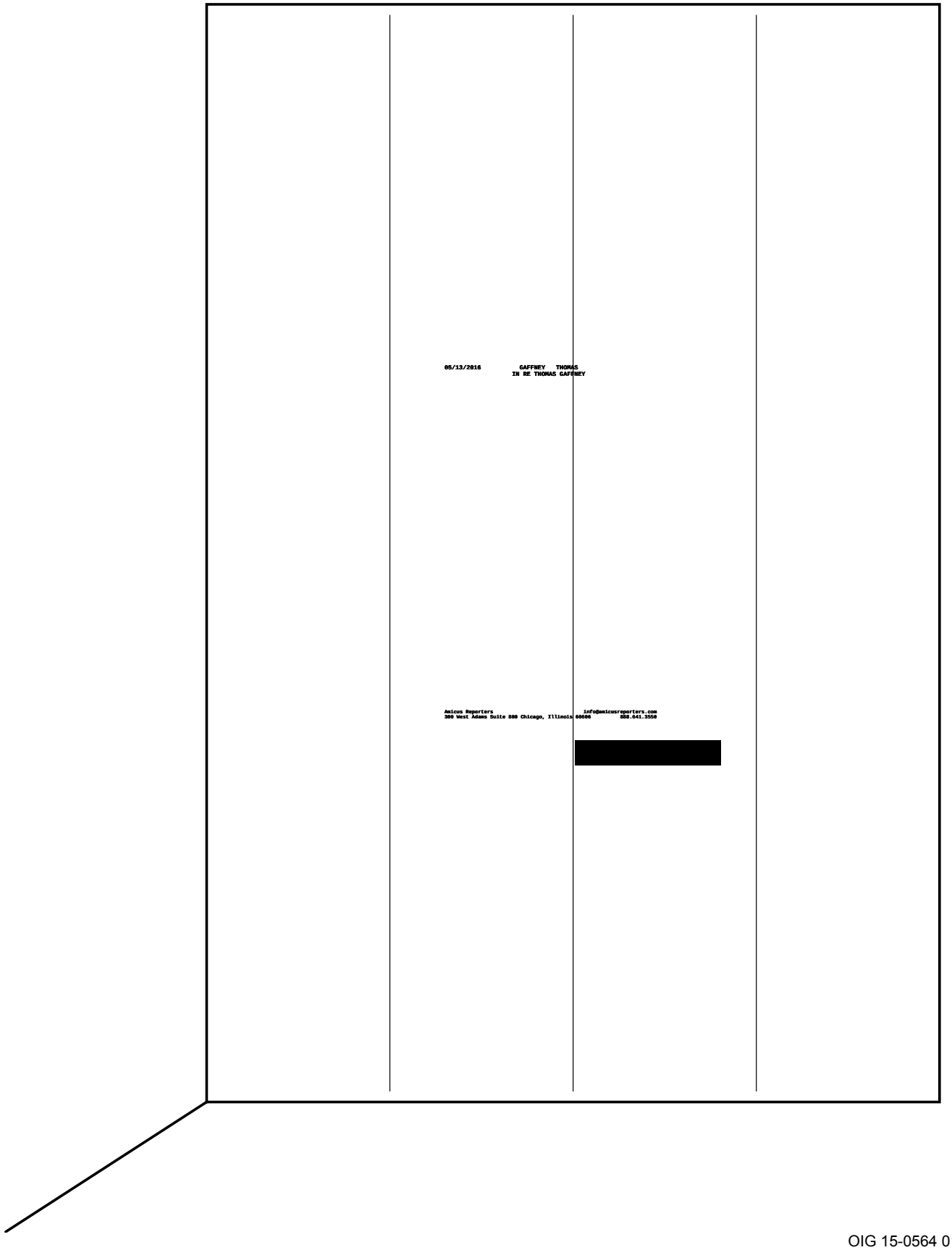
I, Renee E. Brass, Certified Shorthand Reporter of the State of Illinois, CSR No. 084-004119, do hereby certify that I caused to be reported in shorthand and thereafter transcribed the foregoing transcript of proceedings.

I further certify that the foregoing is a true and complete transcript of my shorthand notes so taken as aforesaid, and further, that I am not counsel for nor in any way related to any of the parties to this action, nor am I in any way interested in the outcome thereof.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my seal this day, May 24, 2016.

Renee E. Brass, CSR, RPR

Notary Public, Cook County, Illinois



Amicus Reporters info@amicusreporters.com
300 West Adams Suite 800 Chicago, Illinois 60606 888.641.3550

[redacted]

78:1

A

a.m. 70:16
above-entitled 100:16
academy 81:2
account 96:3 97:17
accuracy 4:5
accurate 45:6,16, 17 46:4,13,19 47:2,9,20 48:3
accurately 44:17
acknowledge 8:22
action 7:22
actions 17:8
actual 42:6 63:2
Adams 4:18
addition 9:20
administrative 5:16 8:23
advised 7:2,10
advisement 5:22 6:7 9:4
afternoon 25:14
aggravated 68:11,12
ahead 47:19
aid 4:5
alignment 35:23
allegation 51:6,11 68:9 88:22 89:9,20
allegations 11:5 68:4 88:18
alleged 51:7 68:5 88:18 89:5,16
allowed 8:24
aloud 6:6,17 7:8, 18 8:23
altogether 72:24
ambulance 19:19 41:16
ambulances 20:24
answering 6:14
answers 9:22 97:22,23
approached 29:4
approved 74:20
approximately 37:2 70:16
April 10:19 11:10 12:1,17 13:7,21
area 17:3,4,5,6 19:16 21:2,4 22:8 24:18 26:4 30:13 35:20 37:22 41:6 42:4,11 49:6 50:13 52:10 53:24 54:3, 4,11,14,21 55:8, 11,16,18 56:4,9,10 57:4,8 58:3 59:8 60:1,8 63:7,11 64:10,21 67:3,10 69:2,7,17,20 70:12,20 71:17 75:1,17,20,23 76:24 77:16,21,24
areas 84:17
arrive 56:8
assault 62:10 63:2
assaulted 65:18 68:15,17,20 72:20, 24
assaults 68:11, 12,14
assigned 42:6 82:20
assignment 15:22 16:1 41:10
assignments 20:3
assistance 67:7
assume 39:21 72:19 91:4
assumed 92:9
assuming 17:10
assure 80:13
attached 15:14
attempt 77:6
attention 44:11 45:8 65:7 80:7
attorney 14:20 15:18 65:4 76:12 97:7
attorneys 97:5,15
attributed 44:15
audibly 89:17
audio 4:7,11,14 79:2 80:12 81:12 85:8,9,14 87:13, 17,21 88:9,14 89:3,13 92:13,16, 19,23 93:2,13,19, 23 94:23
authorities 97:3
automatically 90:10
avoid 92:23
aware 66:19 80:3, 17,20
awhile 59:2

B

B-r-o-w-n 4:24
Bacerra 25:18,20
back 15:9 20:10, 11,23 21:3,6 28:13,18 29:13 34:1 35:3,20 37:3, 10,14 48:21 52:9, 10 53:11,18,20 73:17 77:18 90:24 91:19 92:5,7 99:10,15 100:8
background 15:7
based 40:20
basic 27:3
basis 7:6,22 8:19 93:20,23 94:20
battered 65:10,14 68:8,14,17,20 72:13,21
batteries 68:11 72:17
battery 60:5,7,12 63:2 65:7,20 68:5, 10,13
beat 46:6 82:21 83:24
Becvar 85:23 86:13
Becvar's 86:21
began 45:10
beginning 28:10 58:7,8 80:9 83:20 88:21 89:14 91:12
believed 89:12
bell 27:24 76:9
beverages 15:16
BIA 9:11 10:18 11:9,24 12:16 13:6,20 14:1,5,18
bit 19:6,7 23:13,24 31:10 42:9 58:6 66:16 73:23
black 19:14 29:17
blip 34:17
blocked 20:8,9 37:23 41:18

blocking 50:18 53:3
bosses 26:5
bottom 10:21 74:18 81:8
box 64:5
boxes 64:1
Brass 4:20
break 15:18 51:13 99:6
briefly 14:24 22:2 58:6
brought 35:20
Brown 4:24 6:9 9:6 15:8,13 36:24 43:12,15,20 49:16, 20 52:4,5 53:9,14 70:13,14 74:11 78:4 90:4,5 92:6 95:7 99:4
building 45:12 48:14,19,20,21
bunch 57:21
Burger 18:8 21:24 30:2,5 37:13 45:12 48:15 49:5,14,17, 18,23 50:3 52:6,9, 11,14,18,22
button 74:22 90:11

C

California 97:9
call 30:21 38:17,22 60:13,21 81:20,23 82:2
called 38:14 39:2 68:12,15
calls 39:4 98:8
cam 90:3
camera 14:10 33:24 78:18 84:3, 12 87:6,7 88:23 89:1,10,21 90:6 91:18 94:17
cameras 93:9
canvas 52:23
Capital 35:16
captain 30:20,21, 22 31:1,4,12
capture 87:3
captured 87:13, 17,22
captures 79:2
car 19:6 28:12 29:8 30:3,4,13 31:9,11 33:23 34:6 35:12 37:10,20 39:24 40:3,8,11 41:9 42:6,17 43:18 50:17 54:19 62:5 70:24 73:13,16,17, 23 78:18,20,24 91:18 92:21 93:4
career 24:21
cars 18:12 19:17 20:7 38:1 50:8,13 83:5 88:5 94:1
case 9:24 10:3,4 12:24 42:6 44:8
CBA 36:19
ceased 52:15
cell 16:18,19,21
central 53:24 54:11,14 55:9,11, 18 56:5,9 57:4,8 58:3 59:8 60:1,9 63:7,11 64:10,21 67:3,10 69:2,7,17, 21 70:20 75:1,18, 20 76:24 77:17,22
certified 4:3
chain 16:6,8
change 31:10 69:24
changed 71:2 79:8
changing 35:15
Chapter 5:10
charging 84:17, 22,23
check 64:1,5
Checked 21:21
Chicago 5:1,3,11 6:10 7:5,13,17 8:18 88:8
Chief 31:15
choosing 8:9
Christmas 98:10, 11
City 5:1,11 6:9
civilian 20:15,17
clarify 43:14 66:15
class 80:21,23 81:3
clean-up 36:16
clear 19:17
click 64:19
client 9:14,21 10:6 96:10
clip 34:1,17 70:4
close 24:9,10 73:16 81:7
clue 61:10
code 5:11
colleague 36:16
colleagues 38:8, 10
collect 15:8
command 16:6
commander 16:12
comments 34:10
common 74:4,7 92:18 94:14
communicate 90:19
communications 76:16 77:2 98:1,5
compare 36:7,9
comparing 59:17, 18
compelled 9:22
complaint 39:11
complete 41:20, 23 42:14 63:10 74:6
completed 42:4 60:7 67:13,16 68:6 70:6 86:13
completely 6:14
completing 63:15 66:20,23 67:2,10
completion 67:7
component 88:9, 14
computer 63:11, 12 72:1 74:22 90:21,24
computers 72:4
concern 72:15,16 73:7
concluded 100:13
conducted 5:10 12:11 55:16
confidential 4:8
consistent 77:8, 13
constitute 7:11 8:17
constitutes 7:4

OIG 15-0564 013566

construction 53:1
consult 8:9 15:18
contact 28:16 29:23
continue 50:10
continued 29:21 30:2 56:11
control 20:6
conversation 26:22 27:1,8,12 28:6,9 31:3,6 32:9, 12,15,21 33:9 40:3,5 59:10,13,24 60:3,24 61:1,5
conversations 31:14,19 33:1,11 35:8 41:1 58:2 59:5,16 69:16,21
cook 16:11,16
cooperate 6:13
copy 96:18
corner 29:17,18
correct 14:7,10 17:2,11 18:17 22:3 25:24 49:11 60:24 63:8 75:18 82:16 95:14
correctly 85:10,14
counsel 8:8,11 14:23 36:17
couple 22:15 23:14,17,19 25:6 28:11 37:4,11 56:12 57:3 70:13 74:13 85:17
court 4:3,6,8,14, 20 10:6 38:15 39:3
covering 52:23
covers 43:12
CPD 12:24 87:18 88:20 89:7,17 94:4 95:3
crime 26:9 71:11
criminal 8:4
CSR 52:3
cubicles 57:22
curb 18:19 46:8,22 48:11,16
current 15:22
custom 4:6
cycle 40:12

D

daily 93:19,23
damage 80:11 84:10
damaged 81:10, 15 89:8
Dan 54:9 65:2 76:2,12
Daphne 24:12
dash 90:3
date 4:17
dated 12:24 13:14 86:20
day 17:4 39:5 92:16,19
day-to-day 79:4
days 39:5
dealt 63:5
decided 48:11
defeat 94:22
delayed 8:12
deliberately 8:16
department 5:4 7:5,17 80:10
Department's 7:13
Depends 42:5
depth 32:4
Deputy 31:15
describe 33:3,16
describing 33:14
desk 82:6
desktop 63:12
detail 59:21 61:6
details 51:18
detective 13:2,15 27:23 28:7 39:21 40:14,16 44:16 45:2,13 46:1,2,10, 17,23 47:6,12,24 51:9,22 56:11
detectives 27:17, 20 28:11,24 29:4,7 30:7,14 33:10,13 35:4 39:9,14 40:4, 6,10,18,23 41:7 42:7 44:18 56:10, 15 57:8,14 59:23 69:12,20,23 70:24
detectives' 29:2
determination 68:16,19
determined 61:15,16
differ 97:22
difference 62:23
direct 20:17 44:10, 22 65:6 80:7
directed 61:13
directing 20:14 45:8
direction 50:2
directives 80:2
disabled 88:14
disabling 88:8
disagreements 36:11
discharge 7:6,23 8:19
disciplinary 7:22
discontinued 4:12
discussed 59:19
discussing 36:2 59:3 99:21
discussion 99:8, 13
distance 73:18
district 15:24 16:3 23:2,12 24:15,21 25:4 43:2 77:18
division 57:8
document 8:24 10:14,18 11:5,6, 10,19 13:20
documents 61:24 74:6
Donuts 14:9
drafting 63:15
drive 29:22 46:22 48:11 82:18
drive-through 28:19 29:5,11 30:8,10 49:5,6,16
driver 55:2 82:10
driveway 49:3,8
driving 52:18 55:3 78:10
drove 28:17 29:18 47:4 54:24 55:1,8
Dunkin' 14:9
duress 9:17
duty 6:12 80:10 83:12 88:21 89:19 91:15
Dyke 10:1 19:9 22:16,17 23:1,6 32:16,21 33:3,6

50:16,19 58:16 59:6 65:17 66:24 67:9 68:23 72:17 98:5

E

early 91:10
east 48:21 52:7,19
eastbound 45:10 46:7
effect 38:3
email 85:23
encounter 51:22
encountered 28:13 29:14,19
end 6:4 36:20 74:20
ended 27:5 28:18 30:6,10
enforcement 97:3
engage 90:6
engaged 86:4
ensure 77:6 80:15 88:19 89:13
entered 9:24 85:5
entitled 10:14 11:5
equipment 80:11 88:2 91:13
equipped 81:11
ETS 71:10
evening 28:20 38:7 64:10
event 27:15 86:5
events 28:20 33:14,17 40:12 76:23 89:17 96:3 97:17 98:13,15,18
eventually 20:20 48:24 52:19
evidence 7:21 10:4 54:18 71:4
EXAMINATION 5:19
examined 5:18
exceptionally 42:23
excerpt 12:23
Exhibit 5:23,24 9:4 10:9,13,15,22, 24 11:4,6,13,15,19 12:6,10,13,16,19, 23 13:3,6,9,13,18 14:1 44:7,9,10,11, 13 45:1 51:17,24 60:12,13,16,18 79:15,19,22 81:5,8 85:19,20 86:8,12, 16,19
exhibits 9:10 15:14 53:10 85:17 96:6
exit 49:23
exited 17:15
exits 49:8,10
experience 58:14 90:16
experiences 58:21
explain 93:19
explanation 87:2, 12,16
expressway 54:8, 9

F

F-a-h-y 5:6
Fahy 5:5,15 9:13, 20 15:5 36:22 43:13 49:12 53:12, 19 66:11 75:11 92:5 96:8,17 98:19 99:11 100:2
failed 88:19 89:6, 17
fair 15:4,5 31:18 60:13 61:3 70:3 83:4 96:15
fairer 96:17,18
fairly 45:17
false 7:14,15 8:16 51:8 68:7
familiar 64:13,17 80:1
FBI 97:7,13,14 98:22
federal 95:18,20
feel 51:18 69:23 99:20
female 28:14 29:14 39:10
fence 52:23
fencing 52:21 53:3
figure 21:9 25:23 39:20 40:2
fill 60:4 61:7,13,15, 16,20,24 62:3,4,21 63:6
filled 61:11 62:11 74:3
finally 28:18 30:6 48:2 74:19
find 20:12,20
finding 86:3
findings 85:24 86:14
fine 36:22 85:16
finish 47:16
finished 75:2,6
fire 21:1
fired 9:18 21:11
five-second 33:24 34:16 43:9 70:4
fixed 83:18 91:8
flat 46:21 48:17 50:12
flattened 21:22 35:13
folks 22:15 57:3
follow 80:14
follow-up 52:3 75:13 90:2 99:4
Fontaine 25:9
FOP 34:18,24 64:15,20 65:4 76:1,2,5
force 63:4
forces 63:4
form 9:4 11:20,21, 24 12:4
found 20:22
Franco 16:10 26:20,21 27:2,11 55:17 57:17 60:1 61:2,13,19 63:6,19 65:23 66:1 74:17 75:5
friends 24:5,9,10
front 14:2 17:20 38:1 44:7 50:8,13 51:6 78:20,24 84:3 98:24 99:3
fruits 8:3
full 15:21 45:9
full-day 80:23
function 87:2 88:2
functioning 85:10
funny 38:13

G

G-a-f-f-n-e-y 5:3 15:23

gaffney 4:13 5:2, 12,13,17,24 6:8,16 7:7 10:9,12,24 11:15 12:6,19 13:3,9,16,17 15:1, 23 16:24 46:15,22 47:4 60:16,18 61:20 79:15 85:20 86:8,16 87:1 99:17 100:10

Gaffney's 13:2 15:2

Gaughan 10:1

gave 27:15 96:24

general 5:1 6:10, 13 13:13 17:4,5,6 21:4 75:23 90:13

generally 44:17 62:17 78:16 82:18 84:15 93:18 97:19

give 9:22 15:10 36:16 44:9 75:1 91:23 92:17 95:12, 16,21

giving 9:17

good 24:5 53:18 63:1 73:18 100:11

GPR 44:10

grab 53:10

grabbed 94:1

Grand 95:10,13, 16,19,20,21 96:4, 7,18,24 97:2,9,11 98:2,3,6

ground 19:15 47:23 48:7

group 58:16,19

guess 41:24 52:24 65:23 84:17 90:23 93:7,18

gunshots 47:5 51:10,14 52:8

guys 24:3 37:16

H

hand 5:14 10:12 11:3,18 12:22 13:12 79:18

hanging 57:19

happen 34:3

happened 17:14 19:19,23 20:11,22 21:9,10,12,15 25:23 27:4 31:8 32:4 38:17 39:15 42:11 58:8 59:20 68:24

Harvey 64:9

head 38:4

headquarters 54:11

hear 33:3,6,9,10, 13 35:22 36:2 51:13 75:8 87:24 88:11,12 93:14

heard 17:17 21:23 47:5 51:10,14 52:8

hearing 100:15

held 41:19

helped 31:10

Herbert 65:2,3 76:3,12

hey 39:17 55:17 75:2

high 24:2,6,7

Hispanic 28:14 29:14 39:10,11

hit 62:6 67:24 73:22,24 74:22,23 90:11

home 77:19

honest 28:2 61:18 73:3

Honestly 64:6

horseshoe 48:22

hour 58:10

hours 15:3 86:5

huddled 71:13

HX475653 13:1,15

I

idea 40:24 43:3

identification 6:1 10:10 11:1,16 12:7,20 13:10 60:17,19 79:16 85:21 86:9,17

identify 4:22

imagine 70:18 95:2

immediately 17:8 79:14 81:9 89:6

impression 39:15

in-car 14:5 78:6,9, 16,21 79:5,9,20 80:2,11,14 81:10, 15 82:1,5,15,23 83:8,11,21 84:9,16 85:9,13 86:14,19 87:3,13,17 88:9, 15,19 89:7,18

in-dash 90:6

in-depth 33:1

inaccurate 8:16 45:19

incident 38:4,12, 16,18 39:1,5 67:18,20 72:20,22 73:5,12 86:5 98:11 99:1

incidents 78:23

included 14:5 51:18 73:8

includes 6:14

including 4:10 7:23 86:2,23

incomplete 8:17

independent 4:2

individual 59:10, 16

individuals 4:21 5:7 56:23

inform 92:10

information 4:2 63:20 66:2 74:4

informed 65:15, 18,21

initial 39:11

inoperable 81:10, 11 89:8

inside 21:3 33:23

inspect 80:11 84:9

Inspector 5:1 6:10,13

interact 79:9

interacted 32:24

interim 37:9

Internet 70:11

intersection 18:10,12,16,18,22 19:1,3,17 20:9 21:11 50:21

interview 4:4,7,14 5:12 6:11 7:21 8:3, 9,12 10:14 12:11 13:16,23 14:13,16, 21 42:10 51:9 71:20 75:17,21 76:13,17,18 77:4

interviewed 6:8 75:17

GAFFNEY THOMAS GAFFNEY
Amicus Reporters info@amicusreporters.com
300 West Adams Suite 800 Chicago, Illinois 60606

introducing 40:15
investigation 5:10 6:12 40:16 55:15 61:14 68:22 72:23
investigator 75:24
involved 10:3 60:5 62:2 76:15 79:12
IPRA 12:11 71:20 75:16,17,24 76:13, 17,18,20 77:4,7,11 78:3
issue 90:16
issues 83:10

J

Jason 10:1
job 27:5
Jonathan 85:24
Judge 10:1
Jury 95:11,13,16, 19,20,22 96:4,7, 18,24 97:2,9,11 98:2,3,6

K

Karlov 29:22
Kato 76:8
kind 9:11 20:23 24:6 29:19 34:6 37:20 39:6,8,14 41:8,12 52:13 56:18 58:5 63:4 70:19,24 71:13,14 90:24 92:23 93:12
King 18:8 21:24 30:2,5 37:13 45:12 48:15 49:5,14,17, 18,24 50:3 52:6, 10,11,14,19,22
knew 24:5 48:17 62:3 85:15 87:8 88:24
knife 62:6
knowledge 28:2 51:12 52:16 64:11 69:14 75:15 89:2, 11 92:3
Kris 52:2 90:2 99:2
Kristopher 4:24 6:9

L

lab 71:11
Lance 85:23 86:13,21
lane 18:19
Laquan 17:1,9 95:24 97:4
large 42:23
law 97:3
lawyer 64:24
laying 19:15 47:23
lead 40:15
learn 87:21
leave 35:4 55:21 56:1 70:20 92:21
left 54:1,6 77:16, 21
legal 8:8,11
Leticia 25:13
letting 91:9
Lewin 85:24
lieutenant 16:9, 10,11,16 38:13
lieutenants 16:14 26:16
light 49:2,3 77:23 79:1
lights 90:7,10,14
lineup 28:4
located 4:18
log 79:6 84:12 85:2
logged 83:23 87:5 88:23
long 8:11 22:7,24 23:11 24:14,16,18, 22 25:4 27:7 37:2, 6,7 56:4,7 71:18 82:22 84:12 86:4,5
longer 23:13
looked 20:11 34:5, 6
lost 46:15
lot 30:2 45:11 46:8 48:14 52:21 83:2, 18 88:6 92:20
loud 6:4

M

made 7:20 8:2 39:11 45:1 46:2 51:8 68:7 73:21 86:5
main 18:14
maintain 41:12
make 19:16,17 34:10 35:22 38:2 42:13 45:5,13,24 46:10,17,23 47:6, 12,24 68:16 77:6, 12 94:16 100:1
making 7:14,15 26:8 53:23 79:12 92:23 94:23
male 19:14 28:14 29:14,16 39:10
manned 16:8
March 12:24 13:2 27:24 44:16 51:9
March's 13:15
mark 35:13 60:11
marked 5:23,24 9:4 10:9,13,24 11:4,15,19 12:6, 10,19,23 13:9,13 60:16,18 79:15,19 85:20 86:8,16
Marlan 64:9
materials 13:24 14:4,17 15:11
matter 4:1 83:4
matters 99:21
Mcdonald 17:1,9 45:10 46:7,15 47:22 48:5,7 51:23 68:6 95:13 96:1 97:4
Mcelligott 21:7,14 22:1,2,10 26:12 28:22 36:7,12 37:3,8 38:2 44:3 53:7 55:3 58:12 67:12,16 70:19 71:6 73:8,15,20,22 76:17 98:2
Mcnaughton 16:13 31:15
Mcnaughton's 74:18
meet 37:16
member 80:10
member's 80:13
members 81:8
mentioned 42:16 57:9,10 60:23 63:19 66:19 76:7, 22 90:17 92:12
messages 38:6, 11 39:4
met 28:2 37:3,10 97:10
microphone 85:4

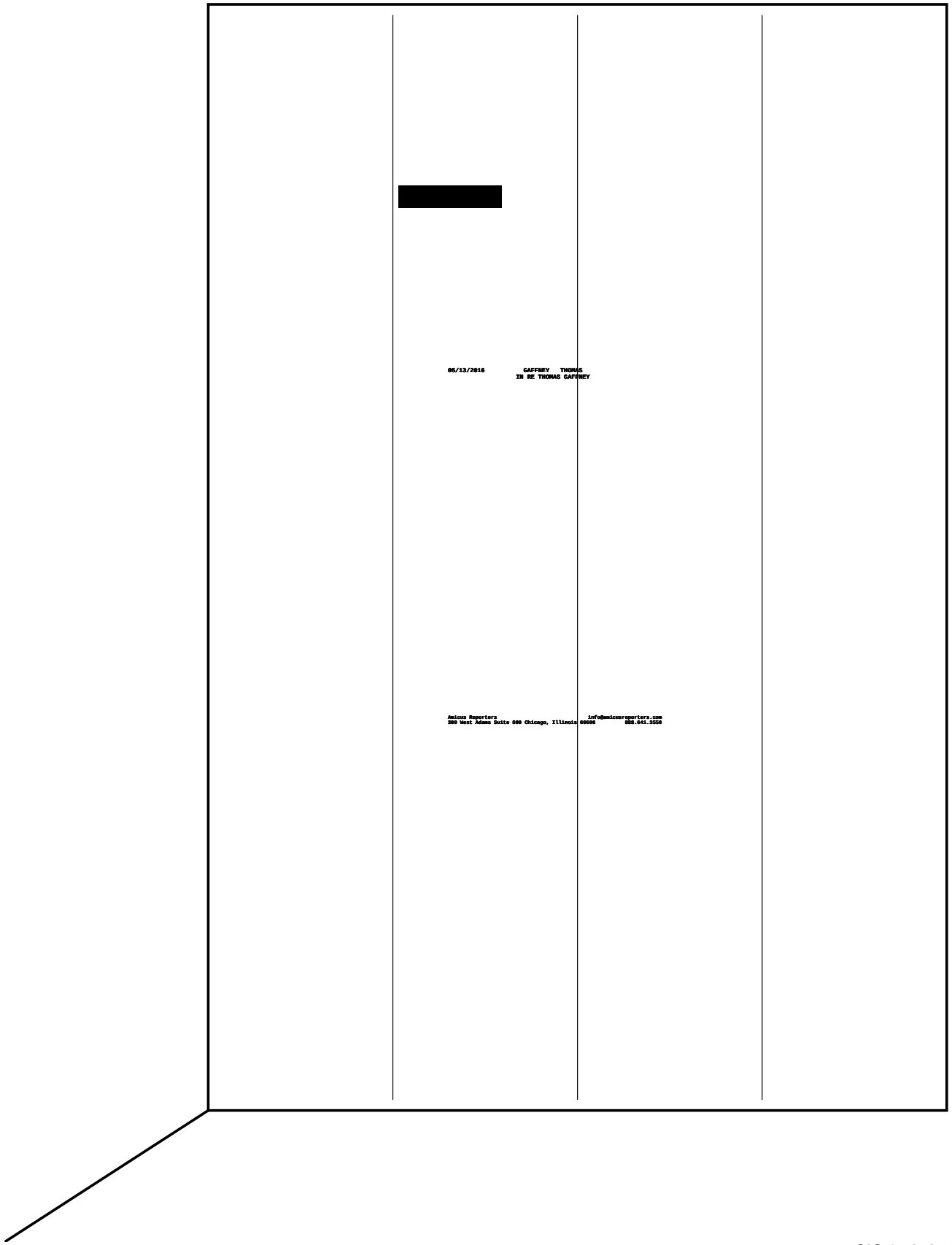
microphones 84:15,20 94:6,15, 19 95:5
mics 92:21 93:4,6
middle 17:19,21 18:10,11,22,23,24 19:4 38:14,18
midnights 16:5
milled 70:24
mind 62:23
mine 17:20
minor 61:8
minute 100:2
minutes 27:9 37:5,11 56:6
misconduct 7:22
missing 81:12
mistaken 35:19
moment 44:12
Mondragon 25:2 51:3,4
months 22:8 23:3 83:18
morning 78:1
mounted 78:18
mouth 61:1
move 66:17
moved 35:16
movement 73:21
Moving 75:16
multiple 47:5 51:10
municipal 5:11 8:18

N

N-e-u-m-e-r 4:19
names 57:16 97:12
narrative 27:15
nature 60:3
needed 54:21 56:11 60:4 71:5
Neumer 4:1,16,19 5:7,20 6:2,9 9:8 10:7,11 11:2,17 12:8,21 13:11 14:23 15:6,10,15, 20 36:15,23 43:22 49:18,22 52:2 53:10,13,17,20,22 60:20 66:17,18 70:12 74:12 75:12 78:3,5 79:17 85:22 86:11,18 90:2 95:9 96:13,20,22 98:21 99:2,5,9,12,14,16 100:4,7,9,12
newer 88:5
night 22:14,17 27:18 28:3 30:15 31:21 33:14 38:11 39:18,22 40:12 45:2 51:23 58:14, 22 59:6 67:3 98:13
nights 98:15
north 45:11 48:13, 19
northbound 54:8
noted 10:8 15:15
notepad 40:19
notes 13:15 27:11 28:1 30:8 40:20 81:7 86:21
notice 14:16 51:6 68:3 75:1 88:17
noticed 71:16
notification 10:14 11:4,5
notify 79:14 81:9, 14,18,20 89:6
notifying 85:12
notion 93:13
Nowadays 88:5
number 5:3 13:1, 15 15:22 16:18,19, 21 65:9,13 66:6,9, 10,14 72:13,15 73:8 78:13 81:21 83:17,24 84:7 91:7,18,23,24 92:1
numbers 83:24

O

object 66:11 96:8
objecting 10:5
objection 9:21 10:7
obligation 6:20
OBR 60:21 61:2, 12,13,21 62:11,24 63:7,10,15 64:1 66:20 67:3,7,10, 13,16 70:6 71:18, 24 72:8,13 74:14 75:2,10,14
OBRS 66:23 74:3
observation 73:2
observations 39:18,19,22
obtain 8:10 80:12
occurred 12:11 27:8 31:20 33:17 36:3 40:3 41:1 59:6,11 70:1 72:17 76:23 96:4
October 12:12 13:14 16:2,7,22 17:1 22:17 23:22 38:7 44:18 45:2,14 46:1,11,24 47:7,14 48:1 51:8,23 62:12 64:21 69:3 70:1 78:10 79:8,21 80:5,18 82:11,22 83:20 84:4,21 85:6,10,13 86:20 87:10,19 88:7,19 89:5,16 91:19 92:5,7,13 93:16 94:9,12 97:17 98:14,18
offender 41:15 62:5 67:19 73:10, 19
offered 100:15
office 5:1 6:10,13 25:16 97:15
officer 4:13 5:2,12 6:16,24 7:7 10:12 13:2,3,16,17 15:1, 2 16:24 19:8,9 21:7,14 22:1,2,10, 16,17,24 23:6,8,9, 12,15,21 24:1,11 25:2,9,13,18,20 26:12 28:22 32:2, 3,6,9,16 33:3,6,15, 18 36:7,12 37:3,8 44:3 46:15,22 50:16,18 55:3 58:12,16,19 59:5, 11 61:20 62:20 65:17,20 66:24 67:1,2,9,12,16 68:23 70:18 73:7, 15 87:1 98:2,5 99:17 100:10
officer's 60:4,7,12 65:7 68:5,10,13
officers 17:22 18:13,14 19:1,13 20:14 21:1 22:14 32:1,19,22 35:22 36:2 44:1 57:5,10 58:1,3,13 59:14 65:9,13 66:20,22 68:8,20 69:9,13,17 70:19 71:13 72:13 75:9 76:24 77:3,9, 13 88:8
official 6:12 7:11


[redacted]
05/13/2016 GAFFNEY THOMAS
IN RE THOMAS GAFFNEY
Amicus Reporters info@amicusreporters.com
300 West Adams Suite 800 Chicago, Illinois 60606 888.641.3550

46:8,9,16 47:4,22 48:12,23 49:1,8, 10,13,14,21,24 50:10 52:12,14 53:5

pulled 18:18 29:15 73:22

purpose 78:21

pursuant 5:9

pursued 46:6

put 6:21,23 9:21 14:1 44:6 60:6,11 61:1,8 65:18 72:21 73:6 83:23 91:12 94:2

puts 10:5

putting 9:9

Q

quarantined 41:19

question 38:20 44:24 45:3,5 47:16 63:1 66:12,16 87:1

questioner 36:19

questions 6:14, 21,23,24 8:16 15:7,12 36:17,20 43:21 44:9,14,23 52:3 53:9 56:18, 23,24 61:23 62:3 63:24 64:4 70:12 72:12 75:13 90:2 95:8,10,24 96:12 97:16,19 98:14,17 99:2,4,18

quick 29:16 34:7 52:4

quicker 36:21

R

radio 19:18 55:20

raise 5:13

ran 37:19 45:21,22

rapid 47:5 51:10

reached 47:22

read 6:3,5,6,17 7:8,18 8:23 51:7

real 24:5 29:15 34:7

realized 24:7

reason 68:2 92:15 93:22 94:11,13,18

reasonable 8:10

recall 21:14 26:15 28:6 29:7 30:7 31:14,16 32:6,12, 21 34:8,24 38:6,10 39:4,13 40:14,19 42:19,22 43:5,7 46:2 51:21 54:1,24 55:18,23 56:15 58:17,23 59:9 64:4,20 65:12,21 70:9,22 71:24 72:7 74:10 76:5 77:21 81:1 83:1,13 84:20 85:12 96:11,15,23 97:10,24 98:4,23, 24

receipt 11:20,21, 24 12:4 15:3

receive 15:13 81:3

received 67:6

receiving 14:16

recess 53:16 100:6

recollection 40:24 56:22

record 4:7,16,23 9:15,21 10:8 16:19 47:17 53:15,18,21 78:23 89:17 92:23 94:23 99:7,8,13,15 100:1,5,8

recorder 80:12 81:12

recording 4:7,11, 14 93:11

recordings 93:10

red 49:2 79:1

refer 88:17

referring 43:13,16

reflect 4:16 44:17 73:2

refusal 7:2,3 8:15

refuse 6:22 9:19

regular 22:5 94:20

regulations 7:4, 13

relate 58:21

related 10:4 22:19,20 23:10 24:13 25:3,10 38:24 58:12 76:22

relating 33:17

relationship 22:16 23:9,22

remain 6:19

remember 16:12 21:16 24:22 26:14 27:9,13,16,17,20 29:9 30:9,17 32:8, 15 34:12,20 35:2 37:4 39:7 40:17, 21,22 42:21 44:5 54:15 55:24 56:21 57:1 58:23 59:3, 12,21,22 61:6 62:13 64:6,7 65:22 66:7 67:4,8 71:1, 19,21 72:3,9 81:6 92:8 96:14,16 97:12

remote 80:12 81:11

removal 7:23

Renee 4:20

rep 64:15

repair 81:21

repaired 81:22 92:1

repeat 98:16

report 7:12,14,15 12:24 13:4,7,14,18 16:14 42:6 44:8,23 45:1 51:24 60:5,7, 8,12,14 65:7,8 68:6,10,13 73:1 86:13

reporter 4:3,9,14, 20

reporters 4:6

reports 56:13,14 65:19,20

representative 8:8,11

representatives 34:18

reps 34:24 64:20

request 4:11

requested 55:12

respect 22:13 36:17,18 44:21 52:3 80:2 83:21 85:24 86:3,22 89:3

response 51:11 60:8,14 63:5 68:9 88:22 89:9,20 90:24 91:3

responses 7:11

restaurant 45:11

result 7:16

retrieval 86:20

revealed 72:23

reversed 48:18

review 8:24 13:24 14:17

reviewed 14:12 44:17

reviewing 28:1

Rexall 30:20,22

ride 35:3 39:8 40:8 41:8

rights 5:22 8:23 9:4

ring 27:24 76:8

Robert 14:6 17:11 18:1 46:6 78:12 82:13 85:9 86:23

Roberts 18:15 33:22 42:17 43:18 49:24 51:2

room 57:23 58:5 75:22,23

roughly 18:4 70:17,18

route 28:17

Rule 7:12

rules 7:4,13 80:3

run 9:11 45:10

rundown 22:15 39:17,22

Ryan 54:10

S

save 36:20 60:22

scene 20:13,15,18 21:15,18 22:14 26:9,12,23 27:18 28:13 29:5 30:15, 19 31:1,18,24 32:16 33:3,7,21 34:14,19,20,21,23 35:1,21 36:1,6,18 40:7 41:18 42:2,3, 8,13 43:10,13,16, 24 44:4 54:2,6 55:16 56:1,21,24 57:12 58:2 59:15 70:4,16,20 71:13, 15 77:14 86:1,15, 22 87:4,19

school 24:2,6,7

screen 79:6 81:19 83:24 84:2,11 87:6,8 88:24 90:11

Sebastian 24:11, 12 32:3,10,20 51:3

section 36:21 80:8 81:7

securely 80:13

security 14:10

selected 65:13

send 74:23 84:1 90:23

sending 38:6,11

sentence 45:21 46:6

separate 75:22,23

separation 7:16

sergeant 16:9,10 26:17,18,19 27:2, 11 42:19 55:17 57:13,17 59:24 61:2,12,19 63:6,19 65:23 74:16 75:3,5 81:23 82:2 85:12, 23 86:13,21 90:17, 20 91:1,10,15,20 92:3

sergeants 26:16 57:5 74:5 75:9 79:11

serve 7:5 8:19

set 80:4

shift 23:6 79:4 87:9 89:14

shifts 23:19 24:24 25:6

shooting 17:9,14 20:14 26:13 27:7, 18 30:15 31:24 32:1,17 33:4,8,11, 21 34:14,19 35:1, 22 36:7,18 43:17, 24 44:1,4 47:11 48:8 54:2,6 56:1 68:7 69:4,6,13 70:5,6,9 86:2,15, 23 87:4 95:13 96:1 97:4

shot 17:1,3 48:5

shots 17:16 21:11, 23 52:15

show 5:21 44:6 85:17,18

showed 28:15 29:16 30:3 31:9

showing 35:14 42:23 69:12 87:6 89:1

shown 34:2 69:3

side 45:11 48:13, 19 49:10,14,17,19, 20 65:8 72:2

sides 49:16

sight 46:15

sign 9:3

signature 10:21 11:12 12:3

signed 74:17

significant 51:17

silent 6:20

similar 97:20

sirens 90:7

sit 21:3

slashed 73:19

slow 29:24 62:9

small 43:6

smoothly 26:8

snacks 15:17

snippet 43:6,9

SO3-05 79:23

SO3-05-CPD 79:23

socialization 22:22 25:11,16,20

socialize 22:10

sort 25:23 26:15 27:15 28:19 33:17 58:12 59:16 76:22 78:16 79:9 80:3 99:24

Sounds 38:24

south 18:13,24 19:6,7,8 48:20 49:17 50:4,5,6,10 52:22 53:4

southbound 45:22 46:9,16

speak 14:20 26:12 30:14 31:24 64:23 76:11,12 77:3

speaking 26:15 27:17 39:14 64:20

special 79:19,23 80:4,8

specific 71:1 73:12

specifically 10:2 32:23 76:14 80:9 99:1

speculate 66:13

spell 4:22 30:23

spelled 5:6

spoke 14:24 27:20,23 32:2 39:10,21 40:6,8, 10,18,23 41:3 70:23 97:8

spoken 97:3 98:12

spots 84:19,23

squad 37:20 38:1 50:8

stab 42:22
standing 41:9 71:9
star 5:3 15:22,23
start 86:7
start-up 80:14
started 24:20 71:18 87:9
starting 39:23
starts 84:1
state 9:14 95:19
state's 97:5,7,15
stated 44:18 51:9 68:7 70:15
statement 5:16 7:20 8:2,17,22 9:16,18 13:2 15:2, 4 44:13,15,16,24 45:2,4,6,7,13,16, 24 46:4,10,13,17, 19,23 47:2,6,9,12, 20,24 48:3 51:8, 16,17,19 68:7 77:11,12 99:24 100:10
statements 7:11 10:3 38:2 44:21,22 77:7,8
states 6:7
station 77:18
stayed 26:4 30:12 35:6,18 37:22 41:14 70:15
step 47:19 67:23
Steven 16:10
Stevenson 54:9
stop 19:17 29:24 37:24 62:8,9
stoplight 18:4,7
stopped 18:20,21 39:24 48:8,13,16 50:7,11
stories 35:23 36:8 59:17,18 88:12
story 69:24
straight 53:11
street 17:19,21 20:9 49:7 54:10
stuck 84:12
stuff 24:7 31:9 41:6 42:7 57:6 61:9 62:6 85:2 88:12 89:23 91:18 97:5
submit 74:13,23
submitted 74:16 75:10
substantively 51:22 97:22
succession 47:5 51:10
Suite 4:18
summer 24:18
summoned 95:12
superior 6:23
supervisor 81:9, 14 89:6
supervisors 30:19 31:20 35:9
supplementary 12:24 44:8 86:12
supposed 55:13 94:6
surprised 87:24
sworn 5:15
sync 92:12,16,18 93:13,19,23
synced 85:4 93:6
system 14:6 78:9, 17,22 79:2,5,10 80:11,15 81:10,15 82:1,2,6,16,24 83:8,11,22 84:10, 16 85:5,9,14 86:4, 6,14,20 87:3,13 88:9,15,20 89:7, 18,24 90:6,8 91:16 92:2
systems 78:7 79:20 80:3 87:18

T

tactical 60:8,14 63:5
takes 83:18
taking 27:11 30:8 40:20
talk 21:12 30:18 34:13,18 37:16 42:10 53:23 56:11 59:24 64:9 71:6,7 78:6
talked 29:15 34:22 36:9 56:12,15 57:3 58:5 59:22 71:14 75:3 76:15 78:12
talking 19:24 33:6 40:7 69:20
tall 42:24
tasers 62:22
technically 68:14
technician 54:18
technicians 71:5
telling 19:19 27:3 40:20 51:21 66:9
tells 63:6
temperature 61:9,10 63:21
terms 50:15 58:1 63:24
testified 5:18 96:7
testimony 95:11, 12,16,21 96:18,24 98:2,3,6
text 38:6,11 39:4
theory 93:6,7
thereof 8:3
thing 22:9 23:10, 23 25:3,4,10,19 31:8 32:5 34:16 38:13,18 39:3 56:20 57:22 61:9 74:9 79:1 92:21 94:2
things 59:19 61:8 62:2 63:22 71:10, 11 74:8,13 93:24
Thomas 5:2,12,17 6:7 15:23
thought 21:15,17 36:3 89:11
thoughts 87:16
ticket 81:21 82:6 83:17 91:7,23,24 92:1
time 4:17 8:10 9:3, 9 14:23 15:6,11,17 16:15 20:2,13,24 21:20 22:6 25:5 27:5 29:10 31:23 32:16 33:2,10,20 35:7 36:1,6,14,15 37:6,9 41:15,16, 22,24 43:23 44:6 48:7 52:14 53:8, 14,17,20 54:1 59:3 60:22 62:9,10 69:2,23 71:10,11 77:21 79:18 85:13 97:1 98:10,12 99:6,9,14 100:4,7, 12
timeline 27:4
times 23:17 62:14 64:8 83:2,18 92:20
tire 21:22 31:11 35:12,15 46:21 48:17 50:12 71:2 73:19,22

titled 11:19

today 4:3 5:9 9:22 10:16 11:22 12:14 13:4,18,24 15:2 97:20,23 99:18,22

today's 4:17 14:13

told 21:23 27:23 29:15,16,19 31:17 39:8 40:11 55:21 58:6 61:23 66:3,5 75:5

ton 74:3

top 16:16

topics 99:20

tour 80:10 83:20 88:21 89:18 91:10, 12

tours 83:11

traffic 20:6 37:24 41:17

trained 80:15

training 81:4

transcript 4:4,5 12:10,13,17 15:2, 13 96:9

transmitter 80:12 81:12

TRR 60:13,21 61:2,12,13,20 62:11,18,24 63:7, 10,15 64:1 66:20 67:3,10,13,16 70:6 71:18,24 72:8 74:14 75:2,10,14

TRRS 66:23 74:3

truck 39:23

trucks 21:1 49:4

true 45:4 51:12

truthfully 6:15,21

turn 50:2,4,5 90:7, 8,10,12,14 91:13 93:9

turned 38:4 45:22 46:16 48:20 50:6 73:24 89:10

type 22:9 32:4 39:3 57:22 61:8 74:9 79:1 92:21 94:2

U

Uh-huh 40:1 42:18 63:9

ultimately 61:19

unable 86:6

understand 6:8, 11,19,20,22 7:1, 10,12,15,20 8:2,7, 15

understanding 9:23 14:24 62:18 67:15 99:18,19

unduly 8:12

union 8:8,11

unit 15:22 16:1,3

V

van 10:1,19:9 22:16,17,24 23:6 32:16,20 33:3,6 50:16,18 58:16 59:6 65:17 66:24 67:9 68:23 72:17 98:5

vehicle 17:11,16, 18,23 18:1,3,9,15, 20,21 19:9 20:24 21:3,5,6,9,22 25:22 26:3 29:2,24 30:6 35:4,6,10,16 37:1 41:4,6 46:7, 21 48:10 49:24 50:7 54:13,17,22, 23 55:4,22 67:20, 21 73:11 78:10,12, 13,14 81:11 82:7, 8,10,13,15,19,20, 23 83:11,15,16 85:5,9 86:2,24 87:14 88:20 89:7, 18

vehicle's 82:5 83:21

vehicles 14:6 17:20 18:14 50:20, 22,24 83:1 84:18 86:1,15,22 87:18, 22

Velez 25:13,16

verbatim 4:4

versus 9:24

victim 62:21

video 14:5,9 33:21 34:2,8,11,14 42:17,20,23 43:5, 17 44:1,4 69:3,6, 10,13,18 70:5,8 78:6,9,16,21 79:5, 9,20 80:2,11,14 81:10,15 82:2,5, 15,24 83:8,11,21 84:10,16 85:9,13 86:4,6,7,14,19 87:2,3,6,10,13,18 88:9,15,20 89:7,18

videos 14:12,15 43:10,18

videotapes 78:19

view 50:18 53:4

violation 7:4 8:18 10:6 94:3 95:2

Viramontes 23:21

visibly 91:5

visually 80:10 84:9

voluntary 9:17

W

wait 41:12 98:16

waited 54:23

waiting 54:16 70:22 71:3,4

walk 17:7,13 18:22 19:12 34:3 48:10 62:17 83:19

walked 17:18,20 19:20 20:10,11

walking 19:21 20:1 42:16

Walsh 23:8,9,12, 16 30:21,24 31:1, 4,12 32:2,6,20 35:16 50:16 58:19 59:11 65:17 67:1,2 68:23 72:17

Walsh's 19:9

wanted 39:6,17 42:13 54:17

watch 16:4,5,17 25:15 83:17

watches 83:15

watching 44:1 69:9 71:9

water 15:16

waved 37:21

wear 94:6,15,19 95:5

west 4:18 48:19 49:10,14,19,20

wild 42:22

windshield 35:13 54:20 62:6 68:1 74:1 78:19

witnesses 10:2 20:15,17 33:11,15, 18

words 59:13 61:1

work 4:8 15:24 22:11,19,20 23:10, 24 24:13 25:3,10 73:4 74:21 81:17 88:4 92:24 93:9 94:23

worked 22:24 23:4,11,15 24:6, 14,23 25:15 93:2

working 79:7,13 80:15 82:1,2,23 83:2,5 84:14 85:14,16 87:8,10 88:20 89:2,11,12, 13,21,22 90:1 91:14,16,18,20,21, 24 92:2,10

works 79:12 88:6

worksheet 86:20

Wow 43:1

write 66:8,14

written 7:14,16

wrong 60:24 81:19

Y

yard 39:23

year 22:8 23:3 97:1

years 23:14 80:22 83:4

05/13/2016 GAFFNEY THOMAS
IN RE THOMAS GAFFNEY

Amicus Reporters info@amicusreporters.com
300 West Adams Suite 800 Chicago, Illinois 60606 888.641.3550

CITY OF CHICAGO
OFFICE OF INSPECTOR GENERAL

ADVISEMENT OF RIGHTS

I, Thomas Gaffney, understand that I am being interviewed by Peter Neumer and Kristopher Brown from the City of Chicago Office of Inspector General.

DATE 5-13-16 TIME _____ LOCATION 300 W. Adams St., Ste. 800

I understand that this interview is part of an official investigation and that I have a duty to cooperate with the Office of Inspector General, which includes answering all questions completely and truthfully.

I understand that I have no right to remain silent. I understand that I have an obligation to answer questions put to me truthfully. I understand that if I refuse to answer questions put to me, I will be ordered by a superior officer to answer the questions. I further understand and I have been advised that if I persist in my refusal to answer after an order to do so, such further refusal constitutes a violation of the Rules and Regulations of the Chicago Police Department and may serve as the basis for my discharge.

I understand and have been advised that my statements or responses may constitute an official police report. I understand that Rule 14 of the Chicago Police Department's Rules and Regulations prohibits making a false report, written or oral, and I further understand that making such a false report, whether written or oral, may result in my separation from the Chicago Police Department.

I understand that any statement made by me during this interview may be used as evidence of misconduct or as the basis for disciplinary action up to and including removal or discharge.

I understand that any statement made by me during this interview and the fruits thereof cannot be used against me in a criminal proceeding.

I understand that I have the right to have a union representative, or legal counsel of my choosing, present at the interview to consult with, and that I will be given a reasonable time to obtain a union representative or legal counsel as long as the interview is not unduly delayed.

I understand that a refusal to answer any question, or any false, inaccurate, or deliberately incomplete statement by me would constitute a violation of Chicago Municipal Ordinance 2-56, and may serve as the basis for my discharge.

I acknowledge that this statement of my administrative rights has been read aloud to me, and I have been allowed to review this document.

Employee Signature

Witness: _____ Witness: _____

****

WAIVER

Understanding these rights, I wish to answer questions from investigators from the Office of Inspector General without having a union representative or legal counsel present. No promises or threats have been made to me and no pressure or coercion of any kind has been used against me.

Employee Signature: _____

EXHIBIT 1
DATE _____
AmicusReporters.com

NOTIFICATION OF INTERVIEW TO CPD MEMBER

CITY OF CHICAGO OFFICE OF INSPECTOR GENERAL

DATE: April 21, 2016

NAME	RANK	STAR NO.	UNIT OF ASSIGNMENT
Thomas Gaffney	Police officer	19958	008

YOUR APPEARANCE IS REQUIRED

AT: Amicus Court Reporters, 300 West Adams, Ste. 800, Chicago, IL 60606 — ON: DATE: May 11, 2016 — TIME: 5:00 PM

AS: ☒ ACCUSED ☐ WITNESS ☐ COMPLAINANT

FOR: ☒ A STATEMENT

CONCERNING: The October 20, 2014 shooting of Laquan McDonald.

YOU ARE TO REPORT TO:

LEAD INVESTIGATOR	TITLE	PHONE NO.	EMAIL
Kristopher Brown	Investigator III	773-478-0221	kbrown@chicagoinspectorgeneral.org

NOTE: You MUST notify the Lead Investigator of your inability to keep this scheduled appointment.

ALSO PRESENT AT THE INTERVIEW WILL BE:

NAME	TITLE	NAME	TITLE
Raul Valdez	Investigator II	N/A	N/A

THE INTERVIEW WILL BE ☐ AUDIO RECORDED ☒ TRANSCRIBED BY A LIVE REPORTER

TO BE COMPLETED BY INTERVIEWEE IF NECESSARY

ACKNOWLEDGEMENT

Please contact Investigator Brown at (773) 478-0221 to confirm receipt of Notification of Interview and to confirm your attendance at the interview.

I hereby acknowledge receipt of this Notification of Interview.

SIGNATURE: Thom Gaff — DATE: 26 APR 16

PRINTED NAME: THOMAS GAFFney — TIME: 2210

TO BE COMPLETED BY OFFICE OF INSPECTOR GENERAL OR CPD COMPONENT PROVIDING NOTIFICATION TO INTERVIEWEE

NOTIFICATION MADE TO	TITLE, RANK, & UNIT	DATE	TIME
NOTIFICATION MADE BY	**TITLE, RANK, & UNIT**	**DATE**	**TIME**

EXHIBIT 3

DATE

AmicusReporters.com

NOTIFICATION OF ALLEGATIONS

CITY OF CHICAGO OFFICE OF INSPECTOR GENERAL

NAME OF ACCUSED	RANK	STAR NO	UNIT OF ASSIGNMENT
Thomas Gaffney	Police Officer	19958	008 - 815R

City ordinance, and if applicable, collective bargaining agreements, provide that you are entitled to notice of the nature of the allegations against you and the identity of all complainants prior to any interview. Accordingly, you are advised as follows:

COMPLAINANT(S)

1. John J. Escalante, Interim Superintendent of Chicago Police Department (CPD), sent a letter to the City of Chicago Office of Inspector General (OIG) dated January 13, 2016, requesting that OIG conduct an administrative investigation of the following allegations arising out of the October 20, 2014 shooting death of Laquan McDonald (the McDonald Shooting): "whether any officer(s) made false statement on official reports submitted in connection with the shooting of Laquan McDonald on October 20, 2014; whether any officer(s) obstructed or interfered with the investigation of this incident, either individually or in collusion with others; and whether any officer(s) committed any violation of Chicago Police Department rules, policies, or orders in connection with their response and/or handling of this matter." Escalante attached to the letter a copy of Sergeant S. Soria's (Star # 2275) Initiation Report, which raises similar allegations of misconduct with respect to Department members in connection with the McDonald Shooting, and identified that Report as a basis for OIG's administrative investigation.

ALLEGATION(S)

1. On or about October 20, 2014, you made a false statement during an interview with Detective David March of the Chicago Police Department (CPD) when, with respect to the McDonald Shooting, you stated that you heard multiple gunshots in rapid succession.

2. On or about October 20, 2014, in the Officer's Battery Report you completed concerning the McDonald Shooting, which included and R.D. Number of HX475053, you made a false statemnnt when you stated that three officers were battered.

3. On or about October 20, 2014, you failed to ensure the in-car video system for CPD vehicle 8489 was working properly at the beginning of your tour of duty.

4. On or about October 20, 2014, you failed to immediately notify a supervisor that the in-car video system for CPD vehicle 8489 was inoperable or damaged.

5. On or about October 20, 2014, you failed to audibly record events with CPD vehicle 8489's in-car video system during your tour of duty.

ACKNOWLEDGEMENT

I hereby acknowledge receipt in writing of the identity of the complainant(s) and notice of the nature of the allegation(s) against me.

EXHIBIT 3
DATE
AmicusReporters.com

Signature Thomas H Gaffney Date 26 APR 16

Printed Name THOMAS GAFFNEY Time 2210

WITNESSES

SA Barney 879

City of Chicago Office of Inspector General
[illegible]
Suite 200
Chicago, Illinois 60604

RECEIPT FORM

OIG FILE NO. 15-0564

ON 26 Apr 16 AT 2210
DATE TIME

JAMES BAZER Sergeant
NAME TITLE

☐ SEIZED FROM ☐ RECEIVED FROM ☐ RETURNED TO ☒ RELEASED TO

NAME	TITLE	DEPT
Thomas Gaffney	Police Officer	Chicago Police Department

THE FOLLOWING ITEM(S):

1. A City of Chicago Office of Inspector General DVD containing the following materials:

- A copy of the portion of the March 16, 2015 Case Supplementary Report for R.D. No. HX475653 that memorializes Detective David March's October 20, 2014 interview of Thomas Gaffney;
- Detective March's October 20, 2014 General Progress Report for R.D. No. HX475653 concerning March's October 20, 2014 interview of Thomas Gaffney;
- A copy of the transcript of the October 21, 2014 interview of Thomas Gaffney, conducted by Independent Police Review Authority Investigation Brian Killen;
- The October 20, 2014 Tactical Response Report for R.D. No. HX475653;
- The October 20, 2014 Officer's Battery Report for R.D. No. HX475653;
- The October 20, 2014 audio and video files for the in-car video system of beat number 813R;
- The October 20, 2014 audio and video files for the in-car video system of beat number 845R.

EXHIBIT H
DATE
AmicusReporters.com

- The October 20, 2014 Dunkin Donuts security video of the Laquan McDonald shooting;

ACKNOWLEDGEMENT

I hereby acknowledge receipt in writing of the above-listed item(s).

Signature Thom Gaffney Date 26 APR 16

Printed Name THOMAS GAFFNEY Time 2212

WITNESSES

879

STATEMENT OF P.O. THOMAS GAFFNEY

CONDUCTED BY INVESTIGATOR KILLEN

ON OCTOBER 21, 2014 AT 0406 HOURS

AT AREA CENTRAL POLICE HEADQUARTERS



1072125
~~75-05~~
160

KILLEN: This is the audio recorded interview of Officer Thomas Gaffney regarding Log number 1072125 U number 14 dash 36. Today is the 21st of October 2014. And the time is approximately 0406 hours. This statement is bein' taken at Area Central Police Headquarters at 51st and Wentworth. My name is Investigator Killen, that's spelled K I L L E N. My star number is 1 2 9. Also present is FOP attorney Dan Herbert. (noise) Dan if you would say and spell your first and last names.

HERBERT: Sure Dan, D A N, Herbert, H E R B E R T.

KILLEN: And uh also is uh FOP Representative Kato.

KATO: K R I S T O N. Last name is K A T O. (clears throat) FOP.

KILLEN: And Officer Gaffney if you would say and spell your first and last names for me.

P.O.GAFFNEY: My first name Thomas Gaffney, T H O M A S. G A F F N E Y.

KILLEN: Okay and what's your star number?

P.O.GAFFNEY: 1 9 9 5 8.

KILLEN: And your employee number?

P.O.GAFFNEY: [redacted]

KILLEN: And your uh current unit of assignment? (noise)

P.O.GAFFNEY: 8TH District.

KILLEN: Okay and (noise) what's your date of appointment with the (noise) Department?

P.O.GAFFNEY: Uh 8 July '96.

KILLEN: And your date of birth?

P.O.GAFFNEY: [redacted]

KILLEN: How long you been in 8?

P.O.GAFFNEY: Uh since 2000, 2001 I'm sorry. Summer 2001. (clears throat)

KILLEN: All right and then you're aware that this statement has the standing of an official Department report. And that any intentional falsification of any answer to any question would be in direct violations of rules and regulations?

P.O.GAFFNEY: Yes.

KILLEN: Given that, I (sighs) I'd like to remind you that failure to provide a complete and accurate account of this incident could result in a finding of Rule 14 with discipline leading up to and including separation from the Chicago Police Department. Do you understand that?

P.O.GAFFNEY: Yes.

KILLEN: All right and then you're aware that there are no allegations against you uh regarding this incident correct?

P.O.GAFFNEY: Yes.

KILLEN: Okay. So on 20 October 2014 at approximately 2150 hours what was your duty status and assignment?

P.O.GAFFNEY: Uh this statement is not being given voluntary but under duress. I am only givin' this statement because I know I will be fired if I refuse.

KILLEN: Okay. So yesterday 20 October 2014 approximately 2150 hours what was your duty status?

P.O.GAFFNEY: Um I was on duty workin' Beat 815 Robert.

KILLEN: Okay. And were you uh were you assigned a partner?

P.O.GAFFNEY: Yes I was, Joseph McElligott.

KILLEN: Okay were you uniformed?

P.O.GAFFNEY: Yes.

KILLEN: And so was McElligott right?

P.O.GAFFNEY: Yes.

KILLEN: Okay. And you and Officer McElligott you guys were assigned a car?

P.O.GAFFNEY: Yes.

KILLEN: What kinda car?

P.O.GAFFNEY: Uh squad, marked squad car uh Tahoe.

KILLEN: Okay. Were you the driver or the passenger?

P.O.GAFFNEY: I was the driver.

KILLEN: Okay. And then last night about 2150 hours you and uh Officer McElligott were witnesses to a police-involved shooting correct?

P.O.GAFFNEY: Yes.

KILLEN: All right and um (someone clears throat) if you would, if you'd start from the beginning and just run me through what happened.

P.O.GAFFNEY: Uh we received a call holding offender at forty, 4100 South Kildare. Um there supposedly somebody had broken into a, a truck uh vehicles um tryin' to get radios somethin' like that. So we, we were on Archer approximately Kostner Kenneth. I came uh, came to the (noise) we got the job came uh down Kostner to 47th, 47th to Kildare and Kildare right to 4100 South Kildare.

KILLEN: So you were comin' from the south goin' north correct?

P.O.GAFFNEY: Yes.

KILLEN: Okay. (someone clears throat) So you got the call are you, you were dispatched?

P.O.GAFFNEY: Yes.

KILLEN: OEMC?

P.O.GAFFNEY: Yes.

KILLEN: Radio?

P.O.GAFFNEY: Yes.

KILLEN: Okay. So then when you get to 41st and Kildare what, what happens?

P.O.GAFFNEY: Uh there was a male Hispanic and a female Hispanic uh standing by a gate um to the truck

OIG 15-0564 013588

yard. Um the gate was partially opened and uh the female had a chain in 'er hand and then we stopped and spoke to them.

KILLEN: Whaddid they tell ya?

P.O.GAFFNEY: They said that the guy just went around the corner. Um he was uh in the, in the you know lot tryin' to get um tryin' to get into trucks. Uh he had uh somethin' in his hand, he had uh a wire from a phone in his hand. And he said somethin' about a iPhone, I don't know if he was sayin' that he took an iPhone or he left an iPhone but he said that he went around the corner so then we, we asked 'em you know what he looked like, what he was wearin'? He said he's a male black with the dark shirt. So at that time we, we went up the street and turned the corner. (someone clears throat)

KILLEN: So they, they, did those two, that, did that man and woman tell you which way the, the offender went?

P.O.GAFFNEY: Yes. Yeah he just pointed, he pointed north um and he said he went around the corner.

KILLEN: Okay so then that'd, that's 41st Street?

P.O.GAFFNEY: Yeah towards 40th Street.

KILLEN: Okay. And what happens then?

P.O.GAFFNEY: So we went, we went up the, up the block to 40th Street and we turned um east on 40th Street and we, (inaudible) when we turned we seen um you

know somebody walkin'. So we approached 'em, drove up to 'em and at that time we seen it was a male black with dread locks. You know and he had a dark shirt on. So at that time my, my partner had gotten outta the vehicle (clears throat) and he had his flashlight you know he's shining on 'em. You know tell 'em to come 'ere. So at that time he just kinda had a look, you know a weird look in his face you know like glazed eyes and stuff lookin' at us. So I stayed in my car in case he was gonna run. So at that time you know my partner kind of approached 'em a lil bit more and that's when he, he had seen you know tell 'em to get his hands outta his pocket cause he had one hand in his pocket. And then he had seen something in his you know a shiny object in his hand. And I, I heard 'em say you know he's got a knife. So that's when you know cuz then I, at first I was still in the car so I didn't really see, see the knife at that time. But once my partner said that that's when I kinda looked and I, at that time like I said we're all still walking or still moving. So then the street lights were a lil bit more as we were walkin' I, I seen a knife also in his hand.

KILLEN: Okay so this, so this point when you first see this guy he's on what street?

P.O.GAFFNEY: He's on 40th Street.

KILLEN: And he's, he's headed which way?

P.O.GAFFNEY: Uh east.

OIG 15-0564 013590

KILLEN: So he's headed toward Pulaski?
P.O.GAFFNEY: Yes.

KILLEN: All right is he by himself?
P.O.GAFFNEY: Yes.

KILLEN: Is he, like is he on the sidewalk --
P.O.GAFFNEY: On the, at that time he was on the sidewalk.

KILLEN: Which side of the street would he be on?
P.O.GAFFNEY: Uh south side.

KILLEN: So on the passenger side of your vehicle?
P.O.GAFFNEY: Yes. Yes.

KILLEN: All right so then you guys pull up, you pulled alongside of 'em?
P.O.GAFFNEY: Yes.

KILLEN: And then the officer --
P.O.GAFFNEY: Not quite, well not quite right next to 'em but yeah he was still like I said he was still walking but he was in front of the car. You know like in front of the area as we were walkin' and movin' at the same time.

KILLEN: You're kinda behind 'em?
P.O.GAFFNEY: Yeah, yeah but yeah.

KILLEN: And McElligott gets outta the car?
P.O.GAFFNEY: Yes.

OIG 15-0564 013591

KILLEN: Flashlight in hand.
P.O.GAFFNEY: Yes.

KILLEN: And he says come here?
P.O.GAFFNEY: Well yeah, yeah he starts you know come here. You know get your hand outta your pocket. And you know but he, he like I said he turned around, spun around a couple times and (inaudible) get to walking never said anything to us.

KILLEN: Which hand was in his pocket do you remember?
P.O.GAFFNEY: I think it was his left hand cause he had the other hand had whatever was in his, you know what he had in his hand at the time.

KILLEN: And do you know what was in his hand?
P.O.GAFFNEY: Not at that time I didn't.

KILLEN: Okay.
P.O.GAFFNEY: Like I said my partner, he, when my, my partner said he's got a knife that's when I kinda you know like I said as we were walkin' the street lights got a lil brighter and I was able to kinda look you know look over at the, and then see that he did have, you could tell you know it was in his hand and the blade was stickin' out.

KILLEN: Okay. And when you say he turned around a couple times does he keep 'em goin' east toward Pulaski?
P.O.GAFFNEY: Yeah he, he always kept goin'.

OIG 15-0564 013592

KILLEN: So he never stops?
P.O.GAFFNEY: No he never stopped he just kept walkin'. A couple times he went into the street but not, just like a step or two in the street but he just kept walkin' eastbound.

KILLEN: And he was by himself?
P.O.GAFFNEY: Yes.

KILLEN: All right so then so McElligott approaches 'em and then you hear McElligott say he's got a knife?
P.O.GAFFNEY: Yeah when he said he has a knife that's when I you know that's when I kinda like sat up a lil bit to look, to look, get a better look and that's when I, I seen it too.

KILLEN: Okay that was in his right hand then? Is that --
P.O.GAFFNEY: Yeah, yeah it was in his right hand.

KILLEN: So what happens then?
P.O.GAFFNEY: Uh at that time like I said (noise) my partner still kept you know tellin', that's what he said drop the knife, drop the knife. You know put the knife down whatever. And I got on the radio and you know got on the radio and said you know the guy's got a knn, we're at 40th and Kee, uh Keeler approachin' Keeler. Uh he's got a knife. Could we get another car over here with a taser.

OIG 15-0564 013593

KILLEN: So you don't carry a taser?
P.O.GAFFNEY: No I didn't, no.

KILLEN: McElligott he doesn't carry --
P.O.GAFFNEY: No he didn't have one either.

KILLEN: Okay. So what happens then?
P.O.GAFFNEY: Well like I said we I, I, I called it in then the dispatcher you know asked for other cars and other cars said they were comin'. So we just, we just kept stayin' you know keepin' our distance at the time you know I kept drivin' along. And um we just (noise) kept walkin' with 'em (noise) You know he never you know like came at us or anything at that time. He just kept like walkin', my partner still kept givin' 'em verbal commands and droppin' the knife and you know stop and that type a thing. But you know he just kept walkin' turning around lookin' back at us you know just that weird glaze look.

KILLEN: Did he ever say anything?
P.O.GAFFNEY: No never said a word to us at all.

KILLEN: Okay.
P.O.GAFFNEY: (Clears throat)

KILLEN: So then what happens?
P.O.GAFFNEY: We kept (noise) goin' east. When we're, we're approaching uh Karlov, 40th and Karlov I knew the next block there was the Burger King, there was a truck lot so we were gonna get more

OIG 15-0564 013594

people. So as we approached the, pretty much the corner of Karlov I like kinda turned my car towards him a lil bit on you know and you know to try and maybe get 'em to go down Karlov cause there's more, you know there's just factories so there's no people down that way. So and then uh - -

KILLEN: So the purpose of doin' that is keep 'em away from --

P.O.GAFFNEY: Yeah like try to slow 'em down until other cars got 'ere and make 'em see if he would maybe even go down the side street.

KILLEN: Okay.

P.O.GAFFNEY: You know keep 'em from getting to that more populated area where there were cars and people. (someone clears throat) So when I did that, he kinda like took a step towards and swung his uh, his arm down. When he did that that's when I heard like pssss a sound and I knew that he popped a tire. (noise)

KILLEN: Okay.

P.O.GAFFNEY: And then one, once he did that I got on the radio and said you know squad he just popped our tire. So (clears throat) --

KILLEN: Where's McElligott at this time?

P.O.GAFFNEY: He was still walk but he was, he was still walkin' with us but he was at like towards the back of the car.

OIG 15-0564 013595

KILLEN: Okay.

P.O.GAFFNEY: You know the back you know he still kept his distance. So (noise) (clears throat) once he did that, once he popped the tire again he just with that glazed stare, that glazed eye stare once he did that he like stepped back like took a step back, back away from the car. So I pulled up a lil bit further in front of 'em to you know try and maybe stop 'em or get 'em to go down that street. That's when he just took a step toward me and swung his arm really hard and hit the windshield with the knife.

HERBERT: And if I could just indicate for the record, with his right hand holdin' behind his, behind his head (someone clears throat) bringin' it down in a striking motion.

P.O.GAFFNEY: Yeah he, he as hard as he could he was attempting to break that windshield.

KILLEN: And how many times did he hit the windshield?

P.O.GAFFNEY: Just once. It was just once. Went real hard swing right, right on the windshield.

KILLEN: What happens?

P.O.GAFFNEY: Obviously nothin', I didn't see nothin' break but then he walked around the front of the car and kept walkin' eastbound on 40th Street. And then at that time, maybe 10 to 15 more feet that's when you could hear um some you know some sirens. And then a squad car came off a Pulaski onto 40th Street with their lights on. At that

OIG 15-0564 013596

time he seen that and that's when he started to run. Oh yeah I, I, I (noise) got on the radio and some, one, one of us, I don't remember but somebody did say that he was you know he started to run towards you know towards the, the truck lot, the trucks.

KILLEN: Okay so, so you're still basically sittin' over at 40th and Karlov right? You see 'nother car come up Pulaski?

P.O.GAFFNEY: Yeah that's, yeah he, 'nother car came off Pulaski onto 40th Street.

KILLEN: So --

P.O.GAFFNEY: That, that's when he seen that and that's when he started runnin'.

KILLEN: So when they turn west on 40th he runs --

P.O.GAFFNEY: Yeah he runs --

KILLEN: -- east towards Pulaski?

P.O.GAFFNEY: -- he, he, he's still goin' towards Pulaski but he went off a, off a the sidewalk and um into, it was like a, an empty space where the trucks, the truckers park so they can sleep or whatever. And he (noise) ran that way between two trucks.

KILLEN: Okay. (noise)

P.O.GAFFNEY: So at that time (noise) my partner started runnin' and I drove the car, I drove the car up to the entrance of the Burger King lot and went

OIG 15-0564 013597

into the Burger King lot. And before I did that the other car that came off went into the Burger King lot also. So I just, I seen 'em come outta, between the trucks. I ran, I kept drivin' towards, towards the, the end of the lot, towards Pulaski and that's, he ran and then I stopped cause I (noise) my tire was pretty much flat. So I couldn't get, I wasn't gonna go over the curb and then the other car was behind 'em. He ran into like towards the street and the other car followed 'em went over the curb and followed 'em.

KILLEN: Do you know who, who's that other car you're talkin' about? Do you know who that is?

P.O.GAFFNEY: At the time I didn't but now I know it was 845 Robert.

KILLEN: Okay. And that's the car he's talkin' 'bout Pulaski and --

P.O.GAFFNEY: Yeah.

KILLEN: -- where they U turn and go back at 'em?

P.O.GAFFNEY: That's the one, that's the one yeah that's the one that I, I (noise) know, I found out that was the one that went over the curb, yeah.

KILLEN: Okay so you stop your (someone clears throat) car where then?

P.O.GAFFNEY: Pretty much right behind the parkin' lot. Before, before going over the curb and into the street. (noise)

OIG 15-0564 013598

KILLEN: Okay. And then, and you stopped because of the (noise) flat?

P.O.GAFFNEY: Yeah cause I, I, I didn't wanna, I didn't know if I was gonna make it over the, cuz it was like you know that lil part there's like lil the, the, cement tongue if you will, that, that's the parkin' lot. (noise) You know if I was gonna get over it.

KILLEN: And you see 845 Robert continue.

P.O.GAFFNEY: Yeah they went they continued followin' 'em and went into the street. So I --

KILLEN: And that's Pulaski you're talkin' about?

P.O.GAFFNEY: Yeah. Into Pulaski. So I spun around went behind the park, behind the Burger King you know there's a street, (inaudible) back towards Pulaski where it goes out to the street on Pulaski. (noise)

KILLEN: Okay so, so you don't take the curb at all. You just --

P.O.GAFFNEY: No, no I, I, I turn around, I turned around and went around the parkin' lot to, to get out where there's a, there's the light on 41st Street. (noise)

KILLEN: And that's where your car's stopped?

P.O.GAFFNEY: And then yeah I turned on Pulaski and that's where my, that's where I finally stopped.

OIG 15-0564 013599

KILLEN: That's when, when I saw your car was south, facin' south --
P.O.GAFFNEY: Yes. Yes that's right, that's where I stopped.

KILLEN: Okay so then do you see what happens then after, with, with the offender and 845 Robert then?
P.O.GAFFNEY: No that was all, yeah that was I believe done before I got onto Pulaski. Cause I, I spun around and that's when I, I heard, I started to hear shots before I got onto Pul, I think when I got onto Pulaski there was other cars and stuff in front of me too. So I didn't see what exactly was goin' on.

KILLEN: So you're basically goin' around Burger King.
P.O.GAFFNEY: Yeah that's when the shots I believe that's when the shots started firin'.

KILLEN: You heard gunshots?
P.O.GAFFNEY: Yeah.

KILLEN: At the time did you know who was shootin'?
P.O.GAFFNEY: No I didn't know.

KILLEN: Could you see who was shootin'?
P.O.GAFFNEY: No.

KILLEN: That's because --
P.O.GAFFNEY: Well there's a, yeah well there's a fence also right, opposite side of Burger King where, where we blocked, pretty much blocked. The fence

OIG 15-0564 013600

with uh, like a covering you know covering fence so nobody could see through the fence. Cause they were building some stuff there. So yeah there was that was all blockin' me.

KILLEN: There's (noise) no line a sight.
P.O.GAFFNEY: No, no.

KILLEN: Okay.
P.O.GAFFNEY: No.

KILLEN: So then by the time you, you get south on Pulaski there's no more shooting correct?
P.O.GAFFNEY: I believe yeah I believe so. I don't (noise) remember any shooting at, at, when I got onto Pulaski.

KILLEN: Where (noise) when you got on Pulaski and you're goin' south could you see the offender still?
P.O.GAFFNEY: No not, not until I got outta the car and started to go you know 'round to, to where everything was goin' on.

KILLEN: Where was he?
P.O.GAFFNEY: The offender he was on the ground at the time when I, when I got over there.

KILLEN: Okay. And it's after that then you find out who's shooting what happened?
P.O.GAFFNEY: Yeah, yeah.

OIG 15-0564 013601

KILLEN: Okay. (noise) You didn't see the shooting, you, you (noise) you didn't see Officer Van Dyke discharge the weapon?

P.O.GAFFNEY: No I didn't, no.

KILLEN: Okay. (sighs) And then that, that, (noise) the two people that called 9 1 1 said they were holdin' the offender.

P.O.GAFFNEY: Hmm huh.

KILLEN: Do you have any idea who they are?

P.O.GAFFNEY: No not at the time, no. Cause right when they just said he went around the corner, they gave a quick description. We just wanted to go and you know see if we can catch 'em. We didn't know how long ago it was. Or where he would've went. So we just you know went and see if we could grab 'em and figured they woulda still been there when we got back.

KILLEN: Okay. And then the knife that the offender had, as best you can describe it to me?

P.O.GAFFNEY: Uh all silver, real bright. And prob'ly 'bout four to six inch blade.

KILLEN: Okay. All right. Uh was there anything you'd like to add?

P.O.GAFFNEY: No.

KILLEN: All right everything you told me is a true and accurate account of what occurred?

P.O.GAFFNEY: Yes.

OIG 15-0564 013602

KILLEN: All right this will conclude the audio recorded interview of Officer Thomas Gaffney regarding Log number 1072125 U number 14 dash 36. Today is the 21st of October 2014. The time is approximately 0424 hours.

I, CAROL A. O'LEARY, do hereby certify or affirm that I have impartially transcribed the foregoing from an audio recording of the above-mentioned proceeding to the best of my ability.

Carol A. O'Leary

Carol A. O'Leary

OIG 15-0564 013604

CHICAGO POLICE DEPARTMENT

CASE SUPPLEMENTARY REPORT

3510 S. Michigan Avenue, Chicago, Illinois 60653

(For use by Chicago Police Bureau of Investigative Services Personnel Only)

HX475653

Case ID: [redacted]
Sub ID: [redacted]

EXC. CLEARED CLOSED (OTHER EXCEPTIONAL) | **DETECTIVE SUP. APPROVAL COMPLETE**

Last Offense Classification/Re-Classification	IUCR Code	Original Offense Classification			IUCR Code
ASSAULT / Aggravated Po:Knife/Cut Instr	0552	ASSAULT / Aggravated Po:Knife/Cut Instr			0552
Address of Occurrence	Beat of Occur	No of Victims	No of Offenders	No of Arrestee	SCR No
4112 S PULASKI RD	815	4	1	1	
Location Type	Location Code	Secondary Location			Hate Crime?
Street	304				NO
Date of Occurrence	Unit Assigned	Date RO Arrived	Tow Related?	Gang Related?	Domestic Related?
20-OCT-2014 21:57	0841R	20-OCT-2014 21:57	NO	NO	NO

Reporting Officer	Star No	Approving Supervisor	Star No	Primary Detective Assigned	Star No
MARCH, David	20563	WOJCIK, Anthony	481	MARCH, David	20563
Date Submitted		Date Approved		Assignment Type	
15-MAR-2015 18:26		16-MAR-2015 00:03		FIELD	

THIS IS A FIELD INVESTIGATION EXC. CLEARED CLOSED (OTHER EXCEPTIONAL) REPORT

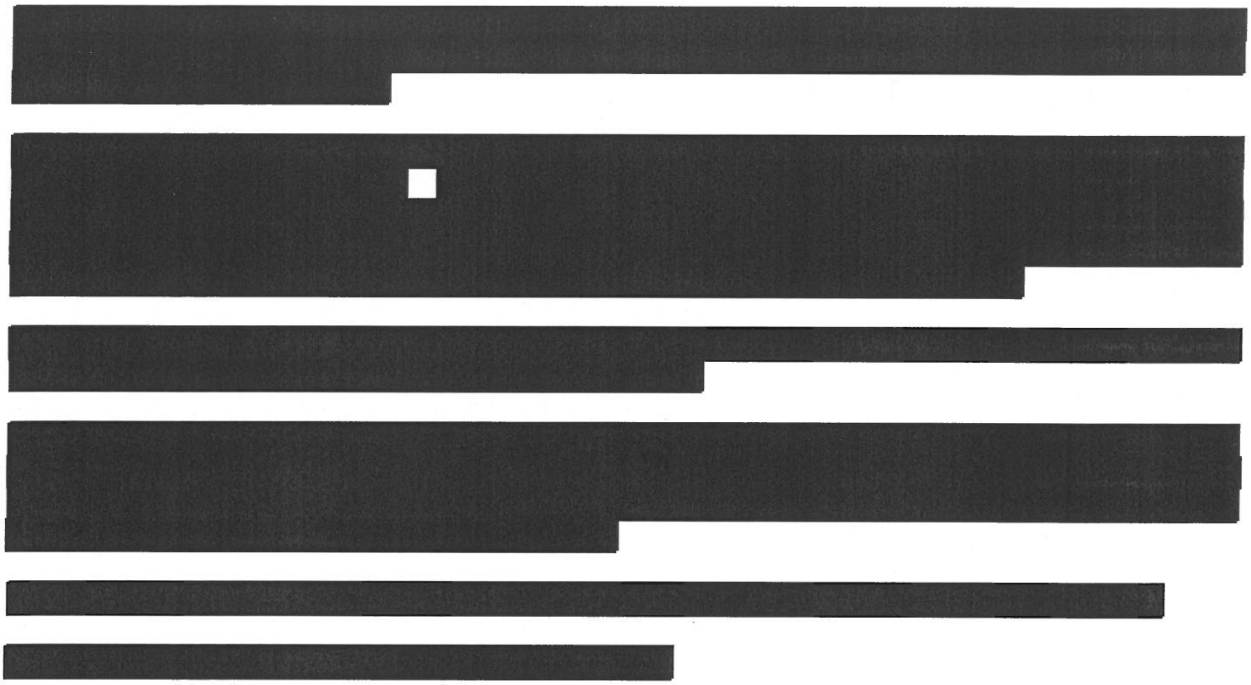
[redacted]

HX475653

EXHIBIT

DATE

AmicusReporters.com



GAFFNEY, Thomas J -----

stated he was a Chicago Police Officer assigned to the 008th District. He was on duty, in uniform, working on Beat 815R. GAFFNEY was working with Police Officer Joseph MCELLIGOTT. The two officers were assigned to Chicago Police Department vehicle number 8489, a marked Chevrolet Tahoe, four door sport utility vehicle. GAFFNEY was driving the vehicle and MCELLIGOTT was the passenger.

The officers responded to an assignment of holding an offender for breaking into trucks at 41st Street and Kildare Avenue. Upon arrival at that location they met an Hispanic couple who told the officers a black male subject, wearing a dark shirt, had attempted to break into trucks parked in the parking lot at that location. The couple told the officers the subject had walked off and was last seen walking eastbound on 40th Street from Kildare.

Officer GAFFNEY drove northbound on Kildare to 40th Street. When he turned eastbound onto 40th Street he saw a black male subject wearing dark clothing, walking eastbound on the sidewalk, on the south side of the street. Officer MCELLIGOTT exited the police vehicle to approach the subject, now known as Laquan MCDONALD. GAFFNEY stayed in the vehicle in case MCDONALD fled. MCELLIGOTT called to MCDONALD and told him to stop but MCDONALD continued walking eastbound, ignoring MCELLIGOTT. MCDONALD's hands were in his pockets as he walked. MCELLIGOTT told MCDONALD to take his hands out of his pockets. MCDONALD took his hands out of his pockets and MCELLIGOTT told GAFFNEY that MCDONALD had a knife. GAFFNEY then saw a silver colored knife in MCDONALD's right hand. GAFFNEY also saw that MCELLIGOTT had his handgun drawn at this point. MCELLIGOTT repeatedly ordered MCDONALD to "Drop the knife," but MCDONALD ignored these directions. As MCDONALD

reached Keeler Avenue, GAFFNEY notified the dispatcher on the police radio that they were following a subject with a knife and requested assistance from a unit equipped with a taser.

MCDONALD continued walking eastbound, Officer MCELLIGOTT following on foot and Officer GAFFNEY following in the police vehicle. As MCDONALD approached Karlov Avenue, GAFFNEY turned the Tahoe southbound onto Karlov and stopped, blocking the crosswalk. GAFFNEY said he wanted to stop MCDONALD before he reached Pulaski Road, a business street where more civilians were present. The area where MCDONALD was first observed was industrial in nature with no other civilians present. When GAFFNEY stopped his vehicle in front of MCDONALD, blocking his path, MCDONALD stabbed the right front tire of the Tahoe with his knife, causing the tire to go flat. GAFFNEY immediately informed the radio dispatcher that MCDONALD had "popped" the tire. MCDONALD attempted to walk around the front of the police vehicle and GAFFNEY drove the Tahoe forward a short distance to continue to block MCDONALD's path. MCDONALD then stabbed at the windshield of the Tahoe with the knife, striking the right side of the windshield. MCDONALD then continued walking eastbound from Karlov.

As MCDONALD approached the Burger King restaurant parking lot at 40th Street and Pulaski, assisting police units arrived, approaching westbound on 40th Street from Pulaski. MCDONALD began to run eastbound through the restaurant parking lot, on the north side of the Burger King building. He ran out onto Pulaski and then turned and ran southbound on Pulaski. Beat 845R pursued MCDONALD in their police vehicle, eastbound through the parking lot, over the curb at Pulaski, then southbound on Pulaski. Officer GAFFNEY lost sight of MCDONALD when he turned southbound on Pulaski.

Because of the flat tire on his vehicle, Officer GAFFNEY did not drive over the curb. As he drove around out onto Pulaski, GAFFNEY heard multiple gunshots in rapid succession. He did not see who was shooting. When he reached Pulaski MCDONALD was lying on the ground.

It was noted that Officer GAFFNEY wore the same uniform configuration as Officer VAN DYKE with the addition of the uniform baseball style cap with embroidered patch.

[redacted]

EXHIBIT 7
DATE
AmicusReporters.com

GENERAL PROGRESS REPORT
ICTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT	DATE OF THIS REPORT
20 OCT 2014	20 OCT 2014 3

OFFENSE CLASSIFICATION—LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0452	VAN DYKE	512L

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

T GAFFNEY T 1 OF 2

RESPONDED TO ASSIGNMENT
HOLDING O FOR BREAKING INTO TRUCKS, 41 + KILDARE
MET HISPANIC COUPLE
O = M/B, DARK SHIRT, ATTEMPTED TO BREAK INTO TRUCKS
LAST SEEN E/B 40, FROM KILDARE
DROVE N/B KILDARE, E/B 40
SAW M/B, DARK CLOTHING, E/B ON S SIDEWALK
McE EXTENDED VEH TO APPROACH O ON FOOT
GAFFNEY STAYED IN VEH IN CASE O FLED
McE TOLD O TO STOP BUT O IGNORED/CONTINUED
WALKING HANDS IN POCKETS
McE TOLD O - HANDS OUT OF POCKETS
HANDS OUT OF POCKETS
McE TELLING - HE HAS KNIFE
SAW SILVER KNIFE IN R HAND
S McE HAD DRAWN HANDGUN
McE = "DROP THE KNIFE!" REPEATEDLY
O IGNORED
AT KEELER TG NOTIFIED DISPATCHER
O = KNIFE — TASER REQUESTED

R.D. NO. HX475653

INITIATING OFFICER'S SIGNATURE STAR NO. 20563 | RECEIVED BY: SUPERVISOR'S SIGNATURE-STAR NO. | DAY-MO.-YR. | TIME

PD-33.122 (Rev. 2/83)

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 2014	20 OCT 2014 3

OFFENSE CLASSIFICATION–LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	VAN DYKE	512

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

T GAFFNEY P2 OF 2

O CONTINUED E/B POS FOLLOWING
AT KARLOV TO TURNED TAHOE S/B + STOPPED,
BLOCKING CROSSWALK
WAITED TO STOP O BEFORE PULASKI
BUSINESS ST — MORE CIVILIANS
WITH TO STOPPED IN FRONT OF O,
O STABBED R FRONT TIRE — FLAT
TO TOLD DISPATCHER O "POPPED" TIRE
O ATTEMPTED TO WALK AROUND FRONT OF TAHOE
DROVE FORWARD A LITTLE - CONTINUED TO BLOCK O
O STABBED WINDSHIELD — R SIDE
O CONTINUED E/B FROM KARLOV
AT O APPROACHED BK LOT ASSISTING UNITS ARRIVED
W/B ON 4D
O RAN E/B THROUGH LOT N SIDE OF BK
ONTO PULASKI — THEN S/B
B45 R PURSUED OVER CURB IN THEIR TAHOE
TO LOST SIGHT OF O
BECAUSE OF FLAT, TO DID NOT PURSUE. DROVE
AROUND, OUT TO PULASKI, HEARD MULTIPLE GUNSHOTS
IN RAPID SUCCESSION DID NOT SEE WHO/WHERE. AT PULASKI
STAND ON GROUND

R.D. NO. HX425653

REPORTING OFFICER'S SIGNATURE/STAR NO.	RECEIVED BY: SUPERVISOR'S SIGNATURE–STAR NO.	DAY–MO.–YR. TIME
Daniel M Mau 20563	1301	

CPD-23.122 (Rev. 2/83)

OFFICER'S BATTERY REPORT
CHICAGO POLICE DEPARTMENT

HX475653

INSTRUCTIONS: This form is to be completed for all incidents when: (1) a sworn member is the victim of a murder, aggravated battery, battery, aggravated assault, or assault while performing a police function either on duty or off-duty; (2) a bystander who is the victim of a murder, aggravated battery, battery, aggravated assault, or assault while in the performance of his or her duties.

"X APPLICABLE BOXES"

OFFICER INFORMATION

NAME (LAST - FIRST - M.I.): GAFFNEY, THOMAS J

STAR NO.	POSITION
19958	POLICE OFFICER
DATE OF APPOINTMENT: 08-JUL-1996	EMPLOYEE NO: [redacted]
UNIT OF ASSIGNMENT: 008	BEAT/CALL NO.: 0015R

SEX	RACE	DOB
[X] 1. M [ ] 2. F	WHITE	[redacted]

HEIGHT	WEIGHT
600	195

TYPE OF ASSIGNMENT WHEN BATTERY OCCURRED

[X] 1. ON DUTY
- [X] A. UNIFORM PATROL DUTY
- [ ] B. UNIFORM, OTHER DUTY
- [ ] C. CITIZENS ORDER
- [ ] D. TACTICAL
- [ ] E. B.I.S. UNIT
- [ ] F. SPECIAL EMPLOYMENT
- [ ] G. OTHER

[ ] 2. OFF DUTY
[ ] 3. SPECIAL EMPLOYMENT
[ ] 4. SECONDARY EMPLOY

WORKING:
- [ ] A. ALONE
- [X] B. WITH ONE PARTNER
- [ ] C. WITH MULTIPLE PARTNERS

PATROL TYPE:
- [X] A. SQUAD CAR
- [ ] B. FOOT
- [ ] C. BICYCLE
- [ ] D. MOTORCYCLE
- [ ] E. SCOOTER
- [ ] F. OTHER

TYPE OF ACTIVITY

- [ ] A. AMBUSH - NO WARNING
- [ ] B. TRAFFIC STOP/PURSUIT
- [ ] C. INVESTIGATING SUSPICIOUS PERSON
- [ ] D. DISTURBANCE - DOMESTIC
- [ ] E. DISTURBANCE - MENTAL PATIENT
- [ ] F. DISTURBANCE - PERSON ACTION/VEH DISORDER
- [ ] G. DISTURBANCE - OTHER
- [ ] H. MAN WITH A GUN
- [ ] I. PURSUING/ARRESTING OFFENDER (Specify) Charge(s): _____ Arrest No.: _____
- [ ] J. PROCESSING/TRANSPORTING/GUARDING A PRISONER (Specify) Original Charge: _____ Original IUCR Code: _____
- [X] K. OTHER

TYPE OF INJURY TO OFFICER

- [ ] A. KNIFE
- [ ] B. NON-FATAL - MAJOR INJURY (Broken Bone/Serious Laceration/Internal Injuries)
- [ ] C. NON-FATAL - MINOR INJURY (Cuts/Scratches/Minor Abrasions)
- [X] D. NONE APPARENT/NONE

LIGHTING CONDITIONS AT INCIDENT

- [ ] A. DAYLIGHT
- [ ] B. DAWN
- [ ] C. DUSK
- [X] D. ARTIFICIAL LIGHT
  - [ ] 1. POOR
  - [X] 2. GOOD

INCIDENT INFORMATION

- [ ] 1. INDOOR
- [X] 2. OUTDOOR

ADDRESS OF OCCURRENCE: 4000 1/2 S KARLOV AVE

CITY	STATE (If outside Chicago)
[X] CHICAGO [ ]	
LOCATION CODE: 304-STREET	BEAT OF OCCURRENCE: 0815

DATE OF OCCURRENCE	TIME	DAY OF WEEK
20-OCT-2014	21:56:00	MONDAY

NO. OF OFFICERS BATTERED: 3

WERE THERE ASSISTING UNITS ON SCENE? 1. [X] YES 2. [ ] NO

IF YES HOW MANY ASSISTING OFFICERS WERE PRESENT AT TIME BATTERY (EXCLUDING YOU OR YOUR PARTNER(S))? 8

MANNER OF ATTACK

- [ ] 1. SHOT
- [ ] 2. SHOT AT
- [X] 3. STRUGGLE/PUT FORCE (INCLUDING ACTUAL ATTEMPT)
- [ ] 4. STRUCK/BY FORCE (INCLUDING ACTUAL ATTEMPT)
- [ ] 5. OTHER (INCLUDING VERBAL THREATS)

TYPE OF WEAPON/THREAT

(Check all that apply)
- [ ] A. FIREARM CALIBER: _____
  - [ ] 1. REVOLVER
  - [ ] 2. SEMI-AUTOMATIC
  - [ ] 3. RIFLE
  - [ ] 4. SHOTGUN
- [ ] B. VEHICLE
  - [ ] 1. OFFICER STRUCK WITH VEHICLE
  - [ ] 2. ATTEMPTED TO STRIKE OFFICER WITH VEHICLE
- [X] C. HANDS/FISTS/FEET/BODY WEIGHT
- [ ] D. KNIFE/CUTTING INSTRUMENT
- [ ] E. CLUB (BLUNT INSTRUMENT)
- [ ] F. FIREARM USE INFORMATION (Check all that apply)
  - [ ] A. OFFICER'S OWN WEAPON OBTAINED
  - [ ] B. OFFICER'S OWN WEAPON OBTAINED
  - [ ] C. ATTEMPTED TO OBTAIN OFFICER'S OWN WEAPON

OFFENDER INFORMATION

SEX	RACE	DOB
[X] 1. M [ ] 2. F	BLACK	[redacted]

CB NO.	I.R. NO.

WAS THE OFFENDER'S ACTIVITY:

DRUG RELATED	GANG RELATED
[ ] 1. YES	[ ] 1. YES
[ ] 2. NO	[ ] 2. NO
[X] 3. UNKNOWN	[X] 3. UNKNOWN

NO. OF OFFENDERS PRESENT: 1

WEATHER CONDITIONS

- [X] 1. CLEAR
- [ ] 2. RAIN
- [ ] 3. FOG/SMOKE/HAZE
- [ ] 4. SNOW
- [ ] 5. SLEET/HAIL
- [ ] 6. SEVERE CROSS WIND
- [ ] 7. OTHER

APPROXIMATE OUTDOOR TEMPERATURE: 58 °F

CPD-11.451 (REV. 10/14)

EXHIBIT 3
DATE _____
AmicusReporters.com

Unusual Circumstances Regarding Officer Control Tactics and Safety: (If you need more space use additional sheets).

REPORTING MEMBER - SIGNATURE	STAR NO.	WATCH COMMANDER /UNIT COMMANDING OFFICER- SIGNATURE	STAR NO.
GAFFNEY, THOMAS J	19958	MC NAUGHTON, DAVID R	120

CPD-11.451 (REV. 1/04)

TACTICAL RESPONSE REPORT/Chicago Police Department

20-OCT-2014	21:55:00	4000 1/2 S KARLOV AVE CHICAGO, IL 60632		004	0615

MEMBER INVOLVED

9191	GAFFNEY	THOMAS J	19958		WHI	[redacted]		600	195
08-JUL-1998	[redacted]		009	0815R					

SUBJECT INFORMATION

MCDONALD	LEQUAN	J		BLK	[redacted]		031	185
[redacted]								
	DR PITZEL							

REASON FOR USE OF FORCE (Check all that apply)

	SUBJECT'S ACTIONS	MEMBER'S RESPONSE
	[X] VERBAL DIRECTION	[X]
	[ ] ASSAULTIVE (BEAR WEAPON)	[ ]
	[ ] OTHER	[ ]
	[ ] FLEE	[ ]
	[ ] FLEE TO WEAPON	[ ]
	[ ] OTHER	[ ]
	[X] IMMINENT THREAT OF BATTERY	[X]
	[ ] OTHER	[ ]
	[X] ATTACK WITH WEAPON	[X]
	[ ] ATTACK WITHOUT WEAPON	[ ]
	[ ] OTHER	[ ]
	[X] USE FORCE LIKELY TO CAUSE DEATH OR GREAT BODILY HARM	[X]
	[X] WEAPON	[X]
	[ ] OTHER	[ ]

WEAPON DISCHARGE INCIDENT

SUBJECT ARMED WITH KNIFE

CLEAR

1429315878

CASE INFO

HX475653

Members will ensure that all required notifications and all witnesses to the use of force are documented in the appropriate case report.

SIGNATURES

GAFFNEY, THOMAS J 21-OCT-2014 05:16:34	19958 52327	[redacted]

Reviewing supervisor will ensure the legibility and completeness of this report and attest by entering the required information below.

FRANKO, STEPHEN D	1391	[redacted]	21-OCT-2014 05:17:15

EXHIBIT 9

DATE

#rescueReporters.com

LIEUTENANT OR ABOVE/OCIC REVIEW

THE ON-CALL INCIDENT COMMANDER (OCIC) WILL COMPLETE THE REVIEW SECTION FOR 1.) ALL INCIDENTS INVOLVING THE DISCHARGE OF A FIREARM BY A DEPARTMENT MEMBER, 2.) ALL INCIDENTS INVOLVING THE SERIOUS INJURY OR DEATH OF A MEMBER OF THE PUBLIC SUBSEQUENT TO INTERACTIONS WITH A DEPARTMENT MEMBER, 3.) ANY LESSER USE OF FORCE BY A DEPARTMENT MEMBER WHEN THAT USE OF FORCE STEMS FROM THE SAME INCIDENT DESCRIBED HERE IN 1 OR 2.

THE ASSIGNED INVESTIGATING SUPERVISOR THE RANK OF LIEUTENANT OR ABOVE FROM THE DISTRICT OF OCCURRENCE WILL COMPLETE THE REVIEW SECTION FOR ALL OTHER INCIDENTS.

75. SUBJECT'S STATEMENT REGARDING THE USE OF FORCE ☐ DNA ☐ REFUSED ☒ UNABLE TO INTERVIEW (Specify Reason)

Subject is deceased.

76. LIEUTENANT OR ABOVE/OCIC RATIONALE FOR BOX 77 FINDING

Officer Gaffney's actions were in compliance with the Department's Use of Force policy.

77. LIEUTENANT OR ABOVE/OCIC FINDING BASED UPON CURRENTLY AVAILABLE INFORMATION:

☒ I HAVE CONCLUDED THAT THE MEMBER'S ACTIONS WERE IN COMPLIANCE WITH DEPARTMENT PROCEDURES AND DIRECTIVES.

☐ I HAVE CONCLUDED THAT FURTHER INVESTIGATION IS REQUIRED.

LOG NO./CRNO. 1072125 OBTAINED

78. LIEUTENANT OR ABOVE/OCIC (Print Name)	SIGNATURE	DATE COMPLETED TIME
MC NAUGHTON, DAVID R	[redacted]	21-OCT-2014 05:20:49

79. DISTRIBUTION OF ORIGINAL TRR

A TRR PACKET, INCLUDING THE TRR AND COPIES OF THE BELOW LISTED ATTACHMENTS WILL BE FORWARDED TO THE INDEPENDENT POLICE REVIEW AUTHORITY.

ATTACHMENTS - PHOTOCOPIES OF:

☐ SUPPLEMENTARY REPORT ☐ T.O.D. REPORT
☐ CASE REPORT ☒ OFFICER BATTERY REPORT ☐ CR INITIATION REPORT
☐ ARREST REPORT ☐ TO-FROM-SUBJECT REPORTS FROM DEPARTMENT WITNESS(ES)

80. TOTAL TRR's THIS EVENT No. 3

Chicago Police Department

Special Order S03-05

IN-CAR VIDEO SYSTEMS

ISSUE DATE:	23 February 2012	**EFFECTIVE DATE:**	23 February 2012
RESCINDS:	Version dated 20 April 2011; S10-10		
INDEX CATEGORY:	Field Operations		

I. PURPOSE

This directive:

A. implements the use of Department in-car video systems.

B. establishes the policies and procedures for the use, maintenance, and repair of in-car video systems.

C. establishes the roles and responsibilities of Department members affected by the introduction of in-car video systems for the video and audio recording of incidents.

D. establishes the requirements for viewing, retaining, and duplicating digitally recorded incidents.

E. continues the use of the Digitally Recorded Data Viewing/Hold/ Duplication Request (CPD-65.224).

F. identifies the Records Division as the Department repository and viewing location of digitally recorded data created by the in-car video systems.

II. POLICY

The Department is committed to protecting the safety and welfare of its members and the public. The in-car video systems can provide members with an invaluable instrument to enhance criminal prosecution by providing powerful evidence of criminal activity, limit civil liabilities, and objectively document officer conduct during individual interactions. Members assigned to a vehicle equipped with an in-car video system will use it pursuant to this directive.

III. GENERAL INFORMATION

A. There is no expectation of privacy for Department members related to incidents recorded by in-car video systems. Supervisors, members of Bureau of Internal Affairs, and the Independent Police Review Authority (IPRA) investigators may request to review the digitally recorded data from a vehicle equipped with an in-car video system. Any digitally recorded data created by the in-car video system may be used without a Department member's permission for any official Departmental purpose.

B. The in-car video system will **automatically engage audio and video recording** when the vehicle's emergency-roof lights are activated. However, Department members may manually activate the in-car video system without the activation of the emergency equipment. At the conclusion of the incident, Department members must manually disengage all recording processes, regardless of what method activated the in-car video system.

C. The Records Division will be the custodians of the digitally recorded data and will be responsible for the retention, duplication, and viewing of the in-car video systems. The Director, Records Division, will establish retention, viewing, and duplication procedures that provide for inventory control, the security of the digitally recorded data, and authorized duplications.

D. All digitally recorded data created by the in-car video systems will be retained by the Records Division for a minimum of 90 days. Digitally recorded data that is marked and held as having evidentiary or training value will be retained as prescribed by law and established Department policy.

E. In general, minor infractions and minor deviations from Department policy observed through the review of digitally recorded data will not be subject to the disciplinary process and will be treated as a training opportunity.

EXHIBIT 10
DATE
AmicusReporters.com

OIG 15-0564 013614

IV. RECORDING GUIDELINES

A. Department members will use only Department-issued video and audio recording equipment.

B. Department members will conform to all laws and Department policies concerning the use of the in-car video system for the video and audio recording of incidents.

1. Department members are lawfully permitted to video record individuals without their consent if they are on the public way or in public view.

2. Department members who are in uniform and have identified their office are lawfully permitted to simultaneously audibly and visually record individuals without their consent whenever:

a. the member is conducting an enforcement stop, **or**

b. the patrol vehicle emergency lights are activated or would otherwise be activated if not for the need to conceal the presence of law enforcement.

NOTE: Any reports completed for an audibly recorded incident, including Traffic Stop Statistical Study - Driver Information Cards (CPD-21.103), Traffic Stop Statistical Study Stickers (CPD-15.516), and Personal Service Citations, must include the initial violation or investigatory need that led to the stop.

NOTE: Department members may audibly record an enforcement stop regardless of the subsequent enforcement action taken.

3. Department members may audibly and visually record an individual with the consent of the individual.

C. Uniformed Department members assigned to vehicles equipped with in-car video systems will activate the system to simultaneously audibly and visually record the entire incident for all enforcement stops.

D. Uniformed Department members assigned to vehicles equipped with in-car video systems will activate the system to visually record the entire incident for all:

1. arrests and transports.

2. nonpursuit emergency vehicle operations.

3. any situation that the member, through training and experience, believes to serve a proper police purpose.

E. During the recording of an incident, Department members will not disengage the in-car video system until the entire incident has been recorded.

NOTE: Department members will be required to justify any disengagement of the in-car video system prior to the entire incident being recorded.

F. If recorded, felony and misdemeanor arrests, motor vehicle pursuits, traffic crashes resulting in property damage, personal injury, or a fatality, DUI incidents, and failure to yield to an emergency vehicle will be automatically stored by the in-car video system indefinitely when the correct event is selected from the postevent pop-up menu. All other incidents will be automatically stored for ninety days.

G. If digitally recorded data will be needed in judicial proceedings beyond ninety days, members will place an extended hold on that digitally recorded data as described in Item VIII of this directive, including but not limited to the following circumstances:

1. Traffic stops other than DUI,

© Chicago Police Department, February 2012

OIG 15-0564 013615

2. Enforcement stops,

3. Other traffic crash investigations, and

4. Stops for citizen assistance.

H. When a complaint against a Department member is received that involves a digitally recorded incident, the investigating member will request an extended hold on the data.

I. Assigned supervisors will request an extended hold on all digitally recorded motor vehicle pursuits and traffic crashes involving Department vehicles.

V. DEPLOYMENT OF THE IN-CAR VIDEO SYSTEMS

A. Commanding officers of units with vehicles equipped with in-car video systems will:

1. ensure that vehicles equipped with in-car video systems are evenly distributed for use by all watches.

NOTE: Commanding officers will ensure the units assigned to traffic duties in district law enforcement use vehicles equipped with in-car video systems.

2. whenever feasible, ensure vehicles equipped with the in-car video systems are deployed every tour of duty and service is requested for inoperable vehicles equipped with in-car video systems.

B. The *station supervisors* will:

1. deploy every vehicle equipped with a functional in-car video system during the tour of duty.

2. ensure digitally recorded data is downloaded from the in-car video systems.

3. whenever operationally feasible, review video of any arrest recorded by the in-car video system as part of the approval of probable cause.

VI. OPERATIONAL PROCEDURES

A. Department members assigned to a Department vehicle equipped with an in-car video system will:

1. at the beginning of a tour of duty:

a. visually inspect the in-car video system equipment for damage.

b. obtain the remote transmitter/audio recorder and ensure it is securely attached to the member's person.

c. follow the start-up procedures for the in-car video system as trained and ensure the system is working properly.

NOTE: Members will immediately notify a supervisor if, at any time, the in-car video system is inoperable, damaged, the equipped vehicle becomes inoperable, or the remote transmitter/audio recorder is missing.

2. during the tour of duty:

a. audibly and visually record events in accordance with this directive.

b. annotate all reports, including Contact Information Cards (CPD-21.101), prepared for an event which has been recorded by listing **"Video Recorded Incident"** at the end of the narrative portion.

© Chicago Police Department, February 2012

OIG 15-0564 013616

c. after an incident has been recorded, use the post-event pop-up menu to select the most serious recorded occurrence as the event type and enter other event information.

NOTE: If the member did not use the postevent pop-up menu to mark the incident as being held for evidence, the member will request an extended hold on digitally recorded data in accordance with Item VIII of this directive.

d. if the in-car video system indicates that the memory required to record incidents is becoming low or if the member observes that less than 30 minutes of recording time is available, download the digitally recorded data.

3. at the conclusion of a tour of duty:

a. verify the in-car video system is working properly.

b. initiate the downloading of the digitally recorded data.

NOTE: Members will immediately notify a supervisor if unable to complete the downloading of digitally recorded data due to technical problems.

c. shut down the in-car video system and logoff the system.

d. return the remote transmitter/audio recorder to the designated area for charging.

B. The sergeant assigned to supervise Department members using Department vehicles equipped with an in-car video system will:

1. monitor subordinates to ensure the in-car video system is used and that digitally recorded data is properly downloaded.

2. ensure that the Help Desk is contacted and a ticket number is obtained whenever any member is unable to use the in-car video system or download digitally recorded data due to technical problems.

3. initiate an investigation when notified of a missing or lost remote transmitter/audio recorder.

4. document on the Supervisor's Management Log (CPD-11.455):

a. whether each vehicle has an in-car video system and if it is functioning.

b. all responses related to malfunctions of vehicles equipped with in-car video systems.

c. digitally recorded data downloaded to land-based terminals, noting any units unable to complete the download and the Help Desk ticket number obtained.

d. any request submitted for an extended hold of digitally recorded data.

e. any instances of additional training, corrective measures, or disciplinary actions.

5. document on the Traffic Pursuit Report (CPD-22.958) or traffic crash report that the incident has been digitally recorded.

6. obtain a complaint register number and order an evidence technician to process the equipment if any damage or malfunction is suspected to have been caused by deliberate (tampering) means.

C. *Station supervisors* will:

1. designate a sergeant responsible for monitoring the downloading of digitally recorded data for the watch.

© Chicago Police Department, February 2012

OIG 15-0564 013617

2. record the total number of vehicles equipped with in-car video systems deployed during the watch and the total number of these vehicle that do not have a functioning in-car video system, if any, on the Watch *Incident* Log (CPD-21.916).

3. ensure the status of vehicles equipped with in-car video systems is recorded on the Personal Equipment Log (CPD-21.919) by recording the word "VIDEO" in the "Camera/Tripod No." column.

4. if an in-car video system malfunctions or the system or vehicle becomes inoperable **during** the tour, record the vehicle and beat numbers and the words "VIDEO DOWN" on the Watch *Incident* Log.

D. When digitally recorded data is determined to have evidentiary or training value, or a complaint against a Department member is received that involves a digitally recorded incident, the supervisor reviewing the recorded data will request an extended hold on the data.

VII. DOWNLOADING DIGITALLY RECORDED DATA FROM THE IN-CAR VIDEO SYSTEM

A. When downloading digitally recorded data from the mobile unit of an in-car video system to a land-based terminal, Department members will:

1. download the data in accordance with the manufacturer's guidelines and training.

2. ensure the download of data was complete and return the vehicle back into service.

B. With the approval of the *station supervisor* in the district of occurrence, special requests for the immediate viewing of digitally recorded data from the *Bureau of Detectives*, *Bureau of Internal Affairs*, or IPRA will be processed for major incidents where an in-car camera system may be reasonably expected to have captured a component of the incident.

1. Major incidents include, but are not limited to:

a. police-involved shootings,

b. serious injury or death to a Department member,

c. serious injury or death to a member of the public.

2. Special requests for viewing digitally recorded data will be made to the *station supervisor* in the district of occurrence, who will:

a. evaluate the request;

b. determine if the need for retrieval outweighs the operational impact of the vehicle being taken out of service; and

c. notify *Crime Prevention and Information Center (CPIC)* of the decision.

3. Special requests will be in the form of one of the following types:

a. Special wireless upload, or

b. Emergency on-site retrieval.

C. Special Wireless Uploads

1. The *station supervisor* in the district of occurrence will take the vehicle out of service and secure it at the unit of assignment or other appropriate location.

2. The supervisor will:

a. verify that the vehicle operator or partner is signed on to the in-car camera system;

b. instruct the member to manually flag the entire tour of duty's available video for upload;

© Chicago Police Department, February 2012

OIG 15-0564 013618

c. instruct the member to initiate a manual upload of this video with the vehicle in range of the facility's wireless hotspot; and

NOTE: If video cannot be uploaded via wireless hotspot, a cradle upload will be used.

d. ensure that the vehicle remains out of service until the upload is complete.

3. Once complete, the *station supervisor* will allow personnel from the *Bureau of Detectives*, *Bureau of Internal Affairs*, or IPRA, as appropriate, to review the uploaded files.

NOTE: For officer-involved shootings when an On-Call Incident Commander (OCIC) will respond, an emergency on-site retrieval will be immediately requested through *CPIC*.

4. The *station supervisor* may identify an alternate vehicle for the member to use while the identified vehicle completes its video upload, as appropriate.

5. If an attempt to wirelessly upload is unsuccessful, members may contact the City of Chicago Help Desk at 4-DATA for assistance.

6. If a wireless upload fails, an emergency on-site retrieval will be conducted.

D. Emergency On-Site Retrieval

1. The *station supervisor* in the district of occurrence will notify *CPIC* of an approved emergency on-site retrieval.

NOTE: An emergency on-site retrieval will only be conducted when an OCIC is responding or a wireless upload fails and contacting the City of Chicago Help Desk at 4-DATA has not resolved the problem.

2. *CPIC* will notify the Public Sector Information Technology (PSIT) Group personnel of a manual video retrieval from the "fail-safe" internal drive request.

3. The *station supervisor* in the district of occurrence will take the identified vehicle out of service during the retrieval process.

4. If the identified vehicle is still in use when the designated supervisor arrives at the unit facility or other appropriate location, the supervisor will report to the vehicle and instruct any member logged onto the system to log off the system.

5. The vehicle will remain out of service until PSIT responds and conducts the video retrieval.

NOTE: On-site review of video will be limited to the series of events and time frame giving rise to the alleged incident.

E. Viewing and Obtaining Copies of In-Car Video Recordings

1. Once retrieval has been completed for the requested time frame, the video may be viewed by personnel from the requesting party at the location of retrieval.

2. Requests for copies of in-car video recordings will be made by completing the form entitled "Digitally Recorded Data Viewing/Hold/Duplication Request" (CPD-65.224) and forwarding it to the Records Division.

F. The Managing Deputy Director, PSIT, will:

1. establish procedures to ensure the security of the digitally recorded data from downloading to storage by the Records Division.

© Chicago Police Department, February 2012

OIG 15-0564 013619

2. develop a system to monitor the memory capacity of the land-based terminals and provide for the security of the downloaded data.

G. If members are unable to download digitally recorded data from the mobile unit of the in-car video system to the land-based terminals due to system inoperability:

1. the *station supervisor* will notify the Help Desk and follow any further instructions given by the responding member of PSIT.

2. A designated member of PSIT will respond to the requesting unit and:

a. ensure the security of the digitally recorded data.

b. perform a manual download of the digitally recorded data.

c. record the manual download on the Help Desk ticket.

VIII. REQUESTING A HOLD FOR DIGITALLY RECORDED DATA

A. Department members will place an extended hold on digitally recorded data they recorded using the postevent pop-up menu on the in-car video system.

B. **Within the first 48 hours** from downloading digitally recorded data from the vehicle, Department members **who do not use the postevent pop-up menu** and request an extended hold on digitally recorded data will request that a supervisor place the extended hold by using the land-based terminal at the district/unit station.

C. **After the first 48 hours** from downloading digitally recorded data from the vehicle, Department members **who do not use the postevent pop-up menu** and request an extended hold on digitally recorded data will:

1. complete the Digitally Recorded Data Viewing/Hold /Duplication Request form.

2. indicate on the form the necessary actions by the Records Division.

3. explain in the narrative portion of the form the reason for the request.

4. submit the form to the *station supervisor/designated unit supervisor* for approval.

5. submit the completed and approved form to the Records Division for processing and retention in accordance with existing records-retention requirements.

D. Department members who wish to remove an extended hold on digitally recorded data will follow the procedures outlined in Item VIII-C of this directive indicating the circumstances requiring the removal of the extended hold.

E. The Director, Records Division, will:

1. develop a cataloging system for storage and retrieval of recordings and procedures for ensuring archives are maintained consistent with Department directives (including the Forms Retention Schedule), applicable state and federal laws, and compliance with all court orders.

2. be responsible for retaining digitally recorded data for which an extended hold was requested as prescribed by law and established Department policy.

IX. VIEWING, RETAINING, AND DUPLICATING DIGITALLY RECORDED DATA

A. All digitally recorded data created by the in-car video systems are the property of the Chicago Police Department. **Dissemination of any digitally recorded data outside the Department is strictly prohibited without specific authorization by the Superintendent or an appointed designee.**

1. Any non-Departmental requests for duplication of digitally recorded data must be approved by the Superintendent or an appointed designee.

© Chicago Police Department, February 2012

OIG 15-0564 013620

2. All approved requests will be forwarded in an expeditious manner to the Director, Records Division, along with:

   a. a completed and approved Digitally Recorded Data Viewing/Hold/Duplication Request form, and

   b. written instructions, including dissemination information, for compliance with the request.

B. Department members assigned to vehicles equipped with in-car video systems and their supervisors are encouraged to use the review/ playback functions of the system for the purposes of:

1. developing familiarity with the functions, capabilities, and limitations of the in-car video systems to create consistent recording techniques which capture relevant actions.
2. searching for and identifying recorded events having evidentiary or training value.
3. reviewing approach and officer safety issues.
4. ensuring consistency with written reports.

C. Reviewing Digitally Recorded Data

Investigating members may view digitally recorded data in the performance of official police business. When it is necessary to view digitally recorded data stored by the Records Division, the following procedures will apply:

1. The requesting Department member will:

   a. prepare a Digitally Recorded Data Viewing / Hold / Duplication Request form, including approval of the requestor's *station supervisor/designated unit supervisor*.

   b. schedule an appointment to view the recorded incident with a Records Division supervisor (or an appointed designee) to ensure the availability of a technician and playback equipment.

   c. present the properly completed and approved form to a Records Division supervisor at the scheduled time.

2. A Records Division supervisor will:

   a. process all approved recorded incident review requests.

   b. assign a technician to assist the requestor in viewing the recorded incident, as required.

D. Obtaining a Video Recording

1. A duplicate copy of selected information may be made to retain that information:

   a. when it is not required that the master video be retained for an indefinite period (e.g., investigation of a routine administrative incident when the punishment is of a summary or minor nature).

   b. when the requesting member determines that a duplicate video of a master video will be sufficient.

2. A duplicate video recording may be obtained by:

   a. completing a Digitally Recorded Data Viewing / Hold / Duplication Request form and submitting the completed form to the *station supervisor/designated unit supervisor* for approval.

   b. notifying the Records Division that a duplicate video recording is required and submit the approved Digitally Recorded Data Viewing/Hold/ Duplication Request form to the Director, Records Division.

© Chicago Police Department, February 2012

OIG 15-0564 013621

c. indicating to the Records Division which information from the digitally recorded data is to be included on the duplicate video recording.

3. When the duplicate video recording has served the purpose for which it was made, the requesting member will ensure that it is immediately returned to the Records Division.

NOTE: A member requesting a duplicate video recording will not make additional copies of it or permit unauthorized persons to duplicate or view it under any circumstances.

E. Special Situations

When the Records Division receives a request for an extended hold of digitally recorded data that indicates it pertains to:

1. **a motor vehicle pursuit or traffic crash involving a Department vehicle**, the Director, Records Division, will ensure a duplicate video is forwarded to the Traffic Review Board.

2. **an incident having training value,** the Director, Records Division, will ensure a duplicate video is forwarded to the *Deputy Chief*, Education and Training Division.

(Items indicated by *italics/double underline* were revised or added.)

Authenticated by: RMJ

Garry F. McCarthy
Superintendent of Police

11-055 / 12-003 EGV/RJN

© Chicago Police Department, February 2012

OIG 15-0564 013622

20 OCt 2014 , HY475653

Becvar, Lance J.

Sent: Friday, July 17, 2015 12:33 PM

To: Lewin, Jonathan H

Cc: Dziak, Steven E

Hello Dep Lewin,
Per your request the findings related to the Aggravavted Assault / Police involved Shooting on 20 Oct 2014 Listed under RD# HY 475653.

Findings from that night-

Veh 8779 Video Recovered Titled [redacted]@20141020215250, No MICs because they were in the Glove Compartment with the batteries inserted unside down - Disabling them.

Veh 8489 System not engaged because a very long video (like hours long) was made previous to this event/incident and the system was processing that video and unable to start another video.

Veh 8765 System not engaged, officer related no power. There was no open HDT called in on vehicle. MICs not sync'd to system even though they were in the charging cradles.

Veh 6412 Video Recovered Titled [redacted]@20141020215250 view out of focus. Foucsing problem found to be related to a loose cable connection for the camera. No MICs in vehicle and the charging cradles disconnected from power.

Veh 8949 System not engaged, officer reported that there was an application error - Mobile Recorder Start-Up corrupted. No Help Desk Ticket Open for this vehicle.

Sgt Lance Becvar

MobileTech Supervisor

Information Services Division

Chicago Police Department
Cell# 312-446-5505
E-mail: lance.becvar@chicagopolice.org



LEGAL DISCLAIMER: This message, including any attachments, contains confidential information and may be legally privileged. Access to this email by anyone other than the intended recipient is unauthorized. If you are not the intended recipient, any review, disclosure, copying, distribution, retention, or any action or inaction taken in reliance on this information is prohibited and may be unlawful. If you are not the intended recipient, please notify the sender and delete the message, any attachments, and any copies thereof from your system.

SUPPLEMENTARY REPORT

20 OCT 14 2157

ASSAULT - AGG PO: KARKS/KAT JUSTA 0552 4000 S KARLOV * 815
P.O. GAFFNEY # 19958 / P.O. VAN DYKE # 12805 X X 9210
3420 W 63RD ST STREET 304

SEE ORIGINAL CASE INCIDENT REPORT

EVENT# IN SUMMARY: R/S CONTACTED BY CPIC AT 2230; 20 OCT 14 FOR IN CAR CAMERA (ICC) VIDEO RETRIEVAL ON SUBJ 4100 S. PULASKI RELATED TO THIS ABOVE LISTED INCIDENT. REQUEST WAS FROM AREA CENTRAL DETECTIVE DIVISION SGT D. GALLAGHER UPON ARRIVAL BT 813R VEH 8779; BT 815R VEH 8489; BT 822 VEH 8765; BT 845R VEH 6412; & BT 841R VEH 8948 WERE SUBJECTS OF ICC VIDEO CHECK/RETRIEVAL. CHECKS OF THESE VEHICLES REVEALED THE LISTED FINDINGS:

BT 813R	VEH 8779	VIDEO RECOVERED [redacted] @ 20141020 215250
BT 815R	VEH 8489	OPERATIONAL BUT DUE TO DOC ERROR NO VIDEO RECORDED
BT 822	VEH 8765	NOT ENGAGED - OFFICER REPORTED POWER ISSUES
BT 845R	VEH 6412	VIDEO RECOVERED [redacted] @ 2014 1020 215250
BT 841R	VEH 8948	NOT ENGAGED - OFFICER REPORTED APPLICATION ERROR

RECOVERED VIDEO MANUALLY UPLOADED AND REVIEWED 002/ACOD ICC SYSTEM

21 OCT 14

SGT L BECERRA 1748

HX 415653

EXHIBIT 12
DATE
AmicusReporters.com

In Car Camera Video Retrieval Work Sheet

Date & Time of Notification: 20 Oct 14 2230 HRS Related HDT#: OPS CMD

Requestor: Dep Chief McDonnell Tech: Boehr

Location of response: 4100 S Pulaski

Type of incident requiring retrieval: Police Involved Shooting - Fatal Officer

Location of incident: 4100 S Pulaski Date & Time of incident: 20 Oct M 2147

Related RD#, Event#, and/or CR Log#: HX475653

Vehicles to be checked:

8138 Veh# 8778 POs PC#: [redacted] Results: [redacted] @ 20141020 2152 50 2442 18 MHDD 30000216

8158 Veh# 8489 POs PC#: [redacted] Results:

8272 Veh# 8765 POs PC#: [redacted] Results:

8458 Veh# 6442 POs PC#: [redacted] Results: [redacted] @ 20141020 215250 2444643 MHDD 00003227

8418 Veh# 8948 POs PC#: Results: HOT NO OPEN HDs

List additional Vehicle to be checked and results on back of this form

Note: Any vehicles identified to be checked, will be evaluated for operational readiness as well. Any deficiencies of the ICC System will be noted i.e. MIC(s) are not sync'd; rear camera not working; cannot upload; etc. Actions to rectify the issue should be taken to render the system FULLY FUNCTIONAL!

Notes of work or activities performed:

8778: MICs In Caddy Bay Portables Inserted UPSIDE Down
↳ Fully OP

8489: Processing Videos: Extremely Large Video Files

8765: MICs In Charging Caddy, Not Synced to System

6442: No MICs; MIC Charger Disconnected

8948

This Information Disclosed To: Detectives; DC McDonnell; & OIG Tech: Dist Supervisors on Scene During Viewing

EXHIBIT 13
DATE
AmicusReporters.com

In the Matter Of:

IN RE JANET MONDRAGON

JANET MONDRAGON

March 22, 2016

Amicus
court reporters, inc
300 West Adams St. Ste 800
Chicago, IL 60606
Phone: 312.641.3500
Fax: 312.641.3795
Email: info@amicusreporters.com

CITY OF CHICAGO

INSPECTOR GENERAL'S OFFICE

OFFICE OF INSPECTOR GENERAL

INTERVIEW OF:

JANET MONDRAGON

TRANSCRIPT OF PROCEEDINGS had in the above-entitled cause on the 22nd day of March A.D. 2016

APPEARANCES:

INSPECTOR GENERAL'S OFFICE
740 North Sedgwick, Suite 200,
Chicago, Illinois 60654,
773-478-5227, by:
MS. SARAH S. ANSARI
Assistant Inspector General
sansari@chicagoinspectorgeneral.org
MR. KRISTOPHER BROWN
Investigator III
kbrown@chicagoinspectorgeneral.org,
Appeared on behalf of the Inspector General's Office;

J. RUSSELL LAW, LLC
206 South Jefferson
Chicago, Illinois 60661
312-207-1220, by:
MS. JENNIFER W. RUSSELL
jennifer.russell@jrusselllaw.com,
Appeared on behalf of the Interviewee.

ALSO PRESENT:

COMMANDER ROBERT KLIMAS, via telephone.

I N D E X

JANET MONDRAGON	EXAMINATION
BY MS. ANSARI	7, 39, etc.
BY MR. BROWN	31, 61, etc.

E X H I B I T S

NUMBER		MARKED PAGE
Exhibit 1	Advisement of Rights Form	13
Exhibit 2	Notification of Interview for CPD Member Mondragon, dated 2/24/16	14
Exhibit 3	Notification of Allegations, dated 2/24/16	14
Exhibit 4	Receipt Form, dated 2/24/16	15
Exhibit 5	10/21/14 IPRA interview	15
Exhibit 6	CPD Case Supplementary Report, dated 3/26/15 RD HX475653	16
Exhibit 7	General Progress Report dated 10/20/14, RD HX475653	16
Exhibit 8	2/23/12 Special Order S03-05	148
Exhibit 9	In Car Camera Video Retrieval Worksheet	156
Exhibit 10	E-mail from Lance J. Becvar	156

(Original exhibits sent to Ms. Ansari.)

MS. ANSARI: As a preliminary matter, I am providing the following information: An independent certified court reporter is present today to provide a verbatim transcript of this interview. To aid in the accuracy of the transcript, it is the custom and practice of court reporters to audio-record the interview.

The recording is the confidential work product property of the court reporter and will not be provided to any party, including the OIG, the Office of Inspector General. If you request, the audio recording will be discontinued.

So, Officer Mondragon, are you okay with the audio recording?

MS. RUSSELL: And we are going to ask for a certification from the court reporter that the audio will not be provided to the Office of Inspector General.

THE REPORTER: Yeah.

MS. RUSSELL: Thank you.

MS. ANSARI: Officer Mondragon, are you okay with the audio recording?

THE INTERVIEWEE: Yes.

MS. ANSARI: Let the record reflect that

today's date is March 22, 2016. The time 10:23 a.m. We are located at Amicus Court Reporters, 300 West Adams, Suite 800.

My name is Sarah Ansari, the court reporter is Andrew Pitts, and I would ask that the other individuals present identify themselves and spell their name for the record.

MR. BROWN: Kristopher Brown, B-R-O-W-N, City of Chicago Office of Inspector General.

MS. RUSSELL: Jennifer Russell, R-U-S-S-E-L-L, attorney for the officer.

THE INTERVIEWEE: Officer Janet Mondragon, M-O-N-D-R-A-G-O-N.

MS. ANSARI: There are no other individuals present.

We are here today pursuant to an investigation being conducted under Chapter 2-56 of the Municipal Code of the City of Chicago. We are here for an interview of Officer Janet Mondragon.

Officer Mondragon, would you please raise your right hand, and the court reporter will swear you in.

THE INTERVIEWEE: I didn't know that I was supposed to swear.

MS. RUSSELL: Yes, you are.

(Whereupon, the Interviewee was administered an oath.)

MS. RUSSELL: Prior to continuing, we would like to state for the record and obtain Inspector General's position on whether they believe criminal charges are probable in this case. We assert that Officer Mondragon should be receiving her Miranda warnings and her right to remain silent. What is the Office of Inspector General's position on that?

MS. ANSARI: OIG is conducting an administrative investigation, not a criminal investigation. OIG is not conducting a joint investigation and not working with any other law enforcement agency with respect to this investigation. As a result, the Office of Inspector General does not have information on whether or not criminal charges are probable.

The outcome of this administrative investigation relates to the subject's employment, and therefore under the CBA and General Order, the administrative rights of the Office of Inspector General will provide Officer Mondragon are appropriate.

In addition, the arguments being put forward would eviscerate Garrity, and we are going to proceed as we believe we are entitled to legally.

JANET MONDRAGON,

called as an Interviewee herein, having been first administered an oath, was examined and testified as follows:

EXAMINATION

BY MS. ANSARI:

Q. Officer Mondragon, I am now going to hand you a form that is marked Advisement Of Rights. This has already been filled in with your name, my name, and Investigator Brown's name. I am going to ask you to read along with me as I go through it, and then I will ask you after each paragraph to acknowledge you have read that paragraph.

MS. RUSSELL: Can I have a copy, please?

MS. ANSARI: Oh, yes. I apologize.

MS. RUSSELL: Thank you.

(Whereupon, a document was tendered to counsel.)

BY MS. ANSARI:

Q. "I understand that this interview is part of an official investigation and that I have a duty

to cooperate with the Office of Inspector General, which includes answering all questions completely and truthfully."

Have you read that paragraph?

A. Yes.

Q. "I understand that I have no right to remain silent. I understand that I have an obligation to answer questions put to me truthfully. I understand that if I refuse to answer questions put to me, I will be ordered by a superior officer to answer the questions.

"I further understand that I have been advised that if I persist in my refusal to answer after an order to do so, such further refusal constitutes a violation of the rules and the regulations of the Chicago Police Department and may serve as the basis for my discharge."

Have you read that paragraph?

A. Yes.

Q. "I understand and have been advised that my the statements and responses may constitute an official police report. I understand that Rule 14 of the Chicago Police Department's rules and regulations prohibits making a false report,

written or oral, and I further understand that making such a false report, whether written or oral, may result in my separation from the Chicago Police Department."

A. Yes. I read that.

Q. "I understand that any statement made by me during this interview may be used as evidence of misconduct or as the basis for disciplinary action up to and including removal or discharge."

Have you read that paragraph?

A. Yes.

Q. "I understand that any statement made by me during this interview and the fruits thereof cannot be used against me in a criminal proceeding."

Have you read that paragraph or sentence?

A. Yes.

Q. "I understand that I have the right to have a union representative or legal counsel of my choosing present at the interview to consult with and that I will be given a reasonable time to obtain a union representative or legal counsel as long as the interview is not unduly delayed."

Do you understand that paragraph?

A. Yes.

Q. "I understand that a refusal to answer any question or any false, inaccurate, or deliberately incomplete statement by me would constitute a violation of Chicago Municipal Ordinance 2-56 and may serve as the basis for my discharge."

Have you read that paragraph?

A. Yes.

Q. "I acknowledge that this statement of my administrative rights has been read aloud to me, and I have been allowed to review this document."

Have you read that paragraph?

A. Yes.

MS. ANSARI: I ask that you sign the Advisement of Rights.

MS. RUSSELL: Read that out loud (indicating).

THE INTERVIEWEE: Upon advice of my counsel, I am refusing to answer any further request questions without the direct order of a superior officer.

BY MS. ANSARI:

Q. Officer Mondragon, is it fair to say that you will not answer questions from the Office of Inspector General regarding the Laquan McDonald

shooting?

A. Based on the advice of my counsel, yes.

MS. ANSARI: At this time, I am going to place a phone call to Commander Robert Klimas. Counsel, is it fair to say you have agreed that we could have Commander Klimas order Officer Mondragon to answer questions via telephone?

MS. RUSSELL: Yes, of course I agreed. Could we go off the record?

MR. BROWN: The time is 10:29, and we'll go off the record.

(Whereupon, a break was taken at 10:29 a.m.)

MR. BROWN: It's still 10:29. Back on the record.

COMMANDER KLIMAS: (Via telephone) Klimas.

MS. ANSARI: Commander Klimas, this is Sarah Ansari from the Office of Inspector General.

COMMANDER KLIMAS: Good morning.

MS. ANSARI: Good morning. We are currently in a court-reported interview of Officer Janet Mondragon. Her counsel, Jennifer Russell, is here, Investigator Kris Brown is here, and the OIG office -- Assistant Inspector General Sarah Ansari

are all here.

The Office of Inspector General, having provided appropriate notice to Officer Mondragon of this interview, is attempting to ask Officer Mondragon questions regarding the Laquan McDonald shooting. She has refused to answer questions regarding the shooting absent a command from a superior officer.

So I am asking you, Commander Klimas, to order Officer Mondragon to answer the Office of Inspector General's questions.

COMMANDER KLIMAS: Okay. This is Commander Robert Klimas, K-L-I-M-A-S, with the Chicago Police Department Bureau of Internal Affairs.

Officer Janet Mondragon, I am giving you a direct order to answer all the questions posed to you today by the investigators from the Office of Inspector General, City of Chicago. Do you understand?

THE INTERVIEWEE: Good morning. 10-4.

COMMANDER KLIMAS: Okay.

THE INTERVIEWEE: Yes.

COMMANDER KLIMAS: Thank you.

MS. ANSARI: Thank you. Have a good day.

COMMANDER KLIMAS: Bye-bye.

MS. RUSSELL: Upon receiving the direct order, the officer is signing the Exhibit 1 Advisement of Rights.

MS. ANSARI: Okay.

MS. RUSSELL: I am tendering it back to the Inspector General's Office.

MS. ANSARI: And Sarah Ansari and Kristopher Brown are witnessing the Advisement of Rights, and we would mark that into evidence as Exhibit 1.

(Whereupon, Exhibit 1 was marked for identification.)

MR. BROWN: And I am going to note the time is 10:32.

BY MS. ANSARI:

Q. Okay. Officer Mondragon, before we get into questioning, I am going to mark several exhibits and ask you if you have seen them and if you received them, and we will go through those just in the beginning and get that taken care of for the record.

MS. RUSSELL: And also for the record, the officer has the right to receive her statement within 72 hours of resolution of the statement, and

that can be delivered to my office.

MS. ANSARI: Okay. Marking as Exhibit 2 a document entitled Notification of Interview for CPD Member Mondragon, dated February 24, 2016.

(Whereupon, Exhibit 2 was marked for identification.)

BY MS. ANSARI:

Q. Officer Mondragon, have you seen this document?

A. Yes.

Q. Did IAD provide you with this document on or about February 24, 2016?

A. Yes.

Q. Is that your signature --

A. Yes.

Q. -- on this document?

(Whereupon, Exhibit 3 was marked for identification.)

BY MS. ANSARI:

Q. Marking as Exhibit 3 a document entitled Notification of Allegations, dated February 24, 2016. Officer Mondragon, have you seen this document?

A. Yes.

Q. Did IAD provide you with this document on or about February 24, 20167?

A. Yes.

Q. Is that your signature on page 3 of the document?

A. Yes.

(Whereupon, Exhibit 4 was marked for identification.)

BY MS. ANSARI:

Q. Marking as Exhibit 4 a document entitled Receipt Form, dated February 24, 2016.

Officer Mondragon, have you seen this document?

A. Yes.

Q. And did IAD provide you with this document on or about February 24, 2016?

A. Yes.

Q. Is that your signature on page 2?

A. Yes.

(Whereupon, Exhibit 5 was marked for identification.)

BY MS. ANSARI:

Q. Marking as Exhibit 5 a transcript of the October 21, 2014 IPRA interview of Officer

Mondragon.

Officer Mondragon, have you seen this document?

A. Yes.

Q. Did IAD provide with you this document on or about February 24, 2016?

A. Yes.

(Whereupon, Exhibit 6 was marked for identification.)

BY MS. ANSARI:

Q. Marking as Exhibit 6 an excerpt of a CPD Case Supplementary Report, dated March 26, 2015 with RD number HX475653 containing Officer Mondragon's statement to Detective March.

Officer Mondragon, have you seen this document?

A. Yes.

Q. Did IAD provide you with this document on or about February 24, 2016?

A. Yes.

(Whereupon, Exhibit 7 was marked for identification.)

BY MS. ANSARI:

Q. Marking as Exhibit 7 a General Progress

Report dated October 20, 2014 with RD number HX475653 containing Detective March's notes of his interview of Officer Mondragon.

Officer Mondragon, have you seen this document?

A. Yes.

Q. And did IAD provide with you this document on or about February 24, 2016?

A. Yes.

Q. In order to prepare for today's interview, did you review the materials we provided?

A. Yes.

Q. Those --

MS. RUSSELL: Note for the record that while the document indicates that audio files were provided to the officer, no files were contained on the disk.

BY MS. ANSARI:

Q. Those materials included video files from the in-car systems of vehicles 813R and 845R, correct?

A. Yes.

Q. Did you view the video files?

A. No.

Q. The materials we provided included a video from a Dunkin' Donuts security camera as well, correct?

A. Yes.

Q. Did you view that Dunkin' Donuts security video?

A. No.

Q. Since receiving our notice of interview, did you review any materials other than the materials we have provided you today?

A. No.

Q. Aside from your attorney, who did you speak to in preparation for this interview?

A. Nobody.

Q. So just your attorney?

A. Just my attorney, yes.

Q. Officer Mondragon, do you have any prepared remarks you would like to make before we start the substance of the interview?

A. I would like to preface this statement with the following: I believe I am entitled to be informed of my constitutional rights to remain silent. I have received no assurance from the

Office of the Inspector General that criminal charges are not probable.

Proceeding with this statement is in violation of the applicable collective bargaining agreement, but I have been advised that I will lose my job if I refuse to provide this statement.

This statement is not being made voluntarily but under duress, and it is only being made at this time because I know that I will lose my job if I refuse the direct order being given to me by my commander, Klimas. I am invoking each and every right granted to me under Garrity v. New Jersey.

Also, on the advice of my counsel, I am making the following additional objections: I am objecting to the fact that the City of Chicago Inspector General's Office is making allegations against me and conducting an investigation into its own allegations.

I am objecting that this interview is taking place before an arbitrator has decided the issues that were raised in regards to this investigation. The Fraternal Order of Police has filed a grievance and injunction regarding this

investigation, and the Inspector General refused to postpone this interrogation.

I am also objecting that I have requested my prior sworn testimony, namely the testimony I provided to the Grand Jury. The Inspector General refused to provide me with a copy of my Grand Jury testimony and/or any other statements that I have made to the federal investigators in violation of my rights under the contract. The Inspector General indicated that it does not have possession of my Grand Jury testimony.

To the extent I am questioned about my Grand Jury testimony, I assert that the testimony is truthful and was based upon my recollection at the time. I stand by all of my answers.

MS. ANSARI: The Office of Inspector General would like to reiterate that it is conducting an administrative investigation, not a criminal investigation. The Office of Inspector General is not conducting a joint investigation and not working with any other law enforcement agency with respect to this investigation.

Therefore, the administrative rights

provided, Officer Mondragon, are appropriate. In addition, the arguments being put forward would eviscerate Garrity, and we are going to proceed as we believe we are legally entitled to.

Furthermore, the Office of Inspector General does not have the subject's Grand Jury statement in its possession, and under the collective bargaining agreement does not have an obligation to provide the subject with a statement that is not in its possession.

Are you guys ready to proceed?

THE INTERVIEWEE: Yes.

EXAMINATION (resumed)

BY MS. ANSARI:

Q. Okay. So we will start with some background questions.

Officer Mondragon, what is your Star number?

A. 4364.

Q. And your current unit of assignment?

A. 8th District.

Q. Was that your unit of assignment on October 20, 2014?

A. Yes.

Q. What watch were you on as of October 20, 2014?

A. Midnights.

Q. Midnights?

What was your chain of command as of that day? So did you report to -- what sergeant -- who was the sergeant you reported to who was the lieutenant, perhaps a commander? Who were the people you reported to?

A. I don't remember. That night?

Q. That night or in --

A. I don't recall, yeah.

Q. Okay. What is your personal cell phone number?

A. [redacted].

Q. Was that your cell phone number as of October 20, 2014?

A. Yes.

Q. I am going to ask you a couple questions, several questions, about your Grand Jury statement.

You were summoned to give testimony before a Federal Grand Jury regarding the Laquan McDonald shooting, correct?

A. Yes.

Q. Did you give testimony only once before the Federal Grand Jury?

A. Uh --

Q. Did you testify more than once regarding the Laquan McDonald shooting?

A. No.

Q. Do you remember when -- when was your testimony in front of the Federal Grand Jury?

A. I don't remember.

Q. Was it in 2015?

A. I don't remember if it was 2015.

Q. Would it have been before -- was it before Officer Jason Van Dyke was charged with murder?

A. I know it was last year, which was 2015, but I don't remember when.

Q. Okay. Do you remember season?

A. No.

Q. Was it summer, fall, before November?

A. No.

Q. In the Federal Grand Jury, did you assert your rights under the Fifth Amendment and refuse to testify?

A. I don't remember that.

Q. Did you answer questions in the Federal Grand Jury?

A. Yes.

Q. And you did not refuse to answer questions?

A. No.

Q. So you did not assert a right to remain silent?

A. Like I said, I don't remember if I did. Oh, okay. No.

Q. Okay. Did you request any immunity to testify?

A. No.

Q. Were you given any immunity to testify?

A. Not that I remember, no.

Q. Approximately how long were you testifying in the Federal Grand Jury, how many hours or minutes?

A. I have no idea.

Q. Was it longer than one day?

A. No.

Q. Okay. So it was only one day, correct?

A. Well, it was in a day, yeah.

Q. Was it several hours?

A. Yeah, I would say several hours.
Q. Several hours? Okay. More than five? Less than five?
A. That I wouldn't be able to tell you.
Q. Okay. Did you take a break for lunch?
A. No.
Q. Did you provide a written statement to the Grand Jury?
A. I don't remember.
Q. Were you shown any documents in the Grand Jury?
A. I don't remember that.
Q. So the person questioning you, the assistant U.S. attorney, didn't give you any documents to look at before when you testified?
A. I can't remember if she did or if he did. I don't remember who.
Q. Was it a man or a woman? You don't remember?
A. I can't remember.
Q. Did you watch any video in your -- in the Grand Jury?
A. Uh --
Q. Were you shown any video?

A. Here's the thing. When I went for the Grand Jury, they said I shouldn't talk to anybody about my Grand Jury testimony. So I don't even know if I'm supposed to answer any questions about it.

Q. Well, on the Grand Jury, usually there's a list of people who are -- you are allowed to -- under the law, you can discuss your Grand Jury statement with us. There's a certain list that's put out there of people that cannot discuss it, and you are not on that list. So it is permissible to testify about what you stated in the Grand Jury or the questions we're asking you, is our position.

MS. RUSSELL: Can you produce some list or -- I don't know what you're talking about.

THE INTERVIEWEE: What do you mean? What list?

MS. ANSARI: Well, we assume she is not on a 6(e) list because witnesses usually aren't put on those. So we don't have any list in our possession. It is just the witnesses on a Grand Jury are not usually put -- under the law, witnesses are not subject to confidentiality about what they stated in the Grand Jury. That's our position.

THE INTERVIEWEE: But like I said, they told me, don't, you know, for -- your best advice is don't talk to anybody about your Grand Jury testimony.

MS. RUSSELL: Then don't. Then don't.

MS. ANSARI: So we can ask maybe some background questions, but not the substance. That's fine.

THE INTERVIEWEE: Okay.

BY MS. ANSARI:

Q. So I'll ask you questions kind of about what procedurally happened. If you aren't going to talk about the substance, then we will move forward from that.

MS. RUSSELL: I think she feels like she can't. I don't think she is refusing.

MS. ANSARI: I understand that.

MS. RUSSELL: Okay.

BY MS. ANSARI:

Q. So I am going to just ask procedural questions, and if you don't feel comfortable answering, just say that for the record.

A. Okay.

Q. And I am still going to ask the subject

questions, but if you don't feel comfortable answering, just let me know.

As a general matter, in the Grand Jury, were you asked questions about the Laquan McDonald shooting?

A. Yes.

Q. Did you describe the shooting incident?

A. I don't remember.

Q. Prior to your Grand Jury testimony, did you speak with the FBI?

A. Prior to my Grand Jury testimony?

Q. Correct.

A. Yes.

Q. Was it one or two agents, or who?

A. I can't remember. I know there was a few there.

Q. There were a few agents?

A. Uh-huh.

Q. Were they men or women?

MS. RUSSELL: You have to answer out loud.

THE INTERVIEWEE: Okay. All right.

BY MS. ANSARI:

Q. Do you remember when it was?

A. No. That, no, I don't know.

Q. Was it several weeks before your Grand Jury statement or months?

A. I have -- I have no idea.

Q. Your conversation with the feds -- with the FBI, did they ask you about the substance, about what you saw the night of the Laquan McDonald shooting?

A. They asked about the Laquan McDonald shooting, yes.

Q. Okay. And what did you tell them?

A. I don't remember.

Q. Did you have any conversations by phone, e-mail, or text with Officer Sebastian regarding the subject of the Laquan McDonald shooting before your Grand Jury testimony?

A. No.

Q. Did you have any conversations with Jason Van Dyke by phone, e-mail, text, any communications at all before your Grand Jury testimony about the Laquan McDonald shooting?

A. I don't believe so. I can't remember, but --

Q. Did you make any attempt to ensure that the statement you were going to provide to the

Grand Jury was consistent with the statements provided by the other officers who were present at the McDonald shooting?

A. No.

Q. Do you remember if the FBI -- you said that the FBI also interviewed you. Do you remember if they showed you any documents when they interviewed you?

A. No, I don't remember.

Q. Did they show you any video when they interviewed you?

A. Video, yes.

Q. They did show you video.

What did they say about the video when they showed it to you?

A. I mean, it was the Laquan McDonald shooting, but I don't remember exactly what they said.

Q. Can you give a general --

A. No, I don't remember.

MS. ANSARI: Do you have any questions about the Grand Jury?

MR. BROWN: Just a couple brief ones.

EXAMINATION

BY MR. BROWN:

Q. Were you represented by an attorney before you spoke or gave testimony at the Grand Jury?

A. Yes.

Q. Do you recall the name of the attorney?

A. I don't -- I can't remember who it was.

Q. Was it the attorney that is representing you today?

A. No.

Q. Do you recall if the attorney was a man or a woman?

A. It was a male.

Q. And prior to giving your testimony before the Grand Jury, do you recall signing any documents?

A. No, I don't remember.

Q. Did your attorney speak with you about any agreements?

A. Not that I remember, no.

Q. You noted earlier that you were advised not to speak about your testimony before the Grand Jury. I wanted to ask, who gave you that advice?

A. Whoever -- when I went for the Grand Jury, whoever was the -- I don't know if it was the FBI agent or whoever conducted the interviews. I don't know who.

Q. You mean the interviews with the FBI?

A. The -- no, at the Grand Jury. When I was at the Grand Jury, when I walked out, they said, you know, it's best if you don't discuss your testimony with anyone.

Q. Was that the same person that was asking you questions throughout the Grand Jury testimony?

A. Yes.

Q. And I think you said you don't recall that person's identity?

A. I don't -- no. I don't remember.

Q. Do you recall if it was a man or a woman?

A. No. There was a few there, so --

Q. Oh. You were questioned by more than one person at the Grand Jury?

A. I don't know if questioned, but there was more people in the room.

Q. Okay. I'm not talking about the people who might have been kind of in the audience --

A. No. No. I'm talking about the people

that were there. There was more.

Q. The people that were questioning?

A. Uh-huh.

Q. There was more than one person?

A. Yes.

Q. So two people?

A. It could have been two, but like I said, it might have been three. I can't remember.

Q. Did you take any notes?

A. No.

Q. About your experience in there?

A. No.

Q. Did you speak to either of those persons, if it be one or two or three persons that actually questioned you in the Grand Jury, did you speak to them afterwards?

A. No.

Q. How did you learn that the FBI wanted to speak with you?

A. How did I learn?

Q. Uh-huh.

A. About -- well, I got served. They went to my house.

Q. The FBI did?

A. Yeah.

Q. Okay. Tell us -- well, what happened there?

A. Well, they were banging on my door, and my son said, "Mom, there's someone at the door." I go to the door, and there's the two FBI agents, and they said, "Here. We're serving you with this. It's regarding the shooting." That's it.

Q. Was this a subpoena?

A. I believe so. Yes.

Q. Was the subpoena related to the Grand Jury testimony you had to give?

A. Yes.

Q. After the agents served you the subpoena, did they interview you at your home?

A. No.

Q. But they did interview you at some point down the road?

A. Yes.

Q. Do you recall where the interview took place?

A. Are you talking about the Grand Jury interview?

Q. No, I'm sorry. I'm talking about when

the FBI agents spoke with you and asked you questions about the McDonald incident.

A. Oh, okay. Okay.

Q. Do you recall where that interview took place?

A. That was at 26th and Cal.

Q. And did that interview with the FBI occur before your Grand Jury testimony?

A. Yes.

Q. The interview at 26th and Cal, was it just the two FBI agents that served you the subpoena? Were they the same ones that did the questioning?

A. I don't remember that, but I don't think so.

Q. Okay. You don't think so.

Were you represented by an attorney for this interview with the FBI?

A. Yes.

Q. Okay. Did you sign any documents prior to speaking with the FBI?

A. I don't remember. I don't think so, but I don't remember.

Q. Do you recall discussing any type of

agreements or offers or anything with your attorney?

A. I don't remember that, no.

Q. Was the attorney who represented you for your interview with the FBI the same one that represented you at the Grand Jury?

A. Yes.

Q. Did you -- I'm sorry. Before we get to that, in addition to the FBI agents that interviewed you, was there anyone else in the room?

A. I know there was other people, but I can't remember who they were.

Q. Were these other people that were in the room, did they ask you any questions?

A. I don't remember that. I don't remember if they did or not.

Q. Did you do anything to prepare for this interview you had with the FBI?

A. What do you mean "prepare"?

Q. Like did you review any documents, do any, quote/unquote, "studying" before the interview?

A. I don't remember if they gave us anything.

Q. Okay. Different from if the FBI gave you documents during the interview, I was wondering did you independently review any documents in preparation for the interview.

A. Like I said, I don't remember if I had anything to even -- no.

Q. Okay. So you don't recall if you reviewed any documents prior to the interview, and you don't recall if the FBI or whoever else was there tendered you any documents during the interview?

A. Yes, I don't. I don't recall.

Q. Do you recall if the, I guess, testimony or the answers you gave to the FBI, was that the same information that you provided to the Grand Jury?

A. I don't remember exactly what was, you know, the content of everything. So I wouldn't be able to tell you if it was the same thing. I know it was in regards to the Laquan McDonald shooting.

Q. Sure. And I'm not asking you to recall, you know, word-for-word responses, but just would there be any reason for your testimony before the Grand Jury to be different from what you told the

FBI in substance?

A. It shouldn't be, no.

Q. Was the testimony you gave before the Grand Jury and the answers you provided to the FBI the same as what was reflected in your statement attributed to you in the Exhibit 6, the Case Supplementary Report?

A. Well, can you ask that question again?

Q. Sure. Yeah. The information that you -- well, we'll break it up then in two parts.

In the interview with the FBI, they asked you a number of questions, correct?

A. Yes.

Q. Your answers to those questions, were they the same in substance as to what is attributed to you in Exhibit 6, the Case Supplementary Report? It's a --

A. I don't know if they were the exact same questions, so I wouldn't -- I wouldn't know if the answers are the same.

Q. Okay. But just in substance, subject matter, would there be any reason for your responses to the FBI interviewers and what was attributed to you in the Case Supplementary Report,

would there be any reason for them to be different?

A. No.

Q. Same question as regards to your Grand Jury testimony and what is attributed to you in the Case Supplementary Report. Is there any reason why those two would be any different?

A. No.

MR. BROWN: Okay. That's all my questions.

FURTHER EXAMINATION

BY MS. ANSARI:

Q. Officer Mondragon, had you ever testified in a Grand Jury before?

A. Yes.

Q. Not just related to Laquan McDonald.

A. Oh.

Q. Any, any Grand Jury ever before?

A. I can't remember if I have.

Q. Do you remember if you have ever testified in a Federal Grand Jury? So, you know, there is the Grand Jury at 26th and Cal, the state cases, and Federal Grand Jury.

Have you ever testified in a Federal Grand Jury before?

A. I'm not sure. I probably have, but I

don't want to say, but I probably have.

MS. ANSARI: Okay. I am ready to move on to the night of the shooting. Do you guys need a break or anything?

THE INTERVIEWEE: Huh-uh.

MS. RUSSELL: No.

MS. ANSARI: Okay.

BY MS. ANSARI:

Q. So, Officer Mondragon, you were present when Laquan McDonald was shot on October 20, 2014, correct?

A. Yes.

Q. Walk us through your actions immediately following the shooting. So McDonald is shot, then what happens? What do you do personally?

A. Well, I was driving that night and as, you know, he was shot, I step out of my car, I noticed there's traffic coming from behind us, and we started directing traffic.

Q. What -- can you describe where you were directing traffic more specifically for the record?

A. Right at where we were, where -- you know, where we were stopped.

Q. Okay.

A. Right --
Q. What side of the street was that, the -- whatever --
A. I don't even know if we were on the side or if we were in the middle.
Q. Okay. So you were directing traffic for cars coming which way?
A. They were coming southbound on Pulaski.
Q. Okay. Did you receive any direction to direct the traffic, or you on your own initiative got out of your vehicle to start directing traffic?
A. Like I said, as soon as I stepped out, I turned and I saw the cars coming that way, so that's when I started to direct traffic.
Q. Did your partner, Officer Sebastian, also start directing traffic?
A. I believe so.
Q. Were there any other officers in the area immediately following the shooting also directing traffic?
A. That I don't know.
Q. You didn't see any other officers also, you know, telling others to move over?
A. No.

Q. Do you not know if other officers were directing traffic, or there were no other officers directing traffic?

A. I don't know. I wouldn't remember.

Q. Did you ask any cars that witnessed the shooting to move along and to drive away?

A. What do you mean "that witnessed the shooting"?

Q. For any traffic that was there when the shooting occurred, did you direct them away from the scene?

A. No. Like I said, we directed the traffic that was coming down the bridge.

Q. So any traffic that was actually present when the shooting occurred, you did not direct them away from the scene?

A. Not that I remember.

Q. Did you see any other officers directing any civilian witnesses to the shooting to leave the scene?

A. That I wouldn't know.

Q. So how long after the shooting were you directing traffic for, approximately?

A. I don't know.

Q. Was it less than an hour?

A. It could happen -- like said, I'm not sure.

Q. Was it three hours?

A. No.

Q. Was it two hours?

A. That, I -- like I said, it wasn't three hours.

Q. Okay. Did it seem like a long time?

A. Like I said, I don't remember how long we were directing traffic.

Q. So when you stopped directing traffic, were you given an order to do that, or what happened after you were done directing traffic?

A. After that, I don't remember. I probably walked back to my car.

Q. Why did you stop directing traffic?

A. I don't remember.

Q. Was it because there was other officers coming to the scene to do it?

A. Yeah, I don't remember if that was it or they had taped it all off or --

Q. Okay. So you said after you were done directing traffic, you walked back to your car,

correct?

A. Yes.

Q. Did you get inside your car, or were you standing outside your car?

A. I don't remember.

Q. So following the shooting, aside from your partner, Officer Sebastian -- so for these next group of questions, I am only going talk about the scene of the shooting. So we won't talk about when you went back to the area. We'll kind of keep it -- all of the questions are really like what happened while you were out there at -- out there.

So following the shooting to when you left the scene, who did you talk to during that period, outside of your partner, Officer Sebastian?

A. I don't remember exactly who. I remember the technician for the camera came by; but other than that, I don't remember who else.

Q. Did you talk to any sergeants at the scene?

A. I don't remember.

Q. Did you talk to Sergeant Franco?

A. I don't remember.

Q. Did you talk to Commander David

McNaughton?

A. I don't remember.

Q. Do you remember if Sergeant Franco was at the scene?

A. I don't remember if he was there.

Q. Do you remember if Officer David McNaughton was at the scene?

A. Officer?

Q. Or Commander. I apologize.

A. No, I don't remember.

Q. Are you familiar with the term OCIC, so officer command -- when a shooting happens, there is a commanding officer who comes out to the scene and kind of directs everything that is happening there?

MR. BROWN: Officer in charge or something like that.

BY THE INTERVIEWEE:

A. Oh, I -- no.

BY MS. ANSARI:

Q. Are you not familiar with that term or whoever that person is?

A. No.

Q. Do you know Officer David McNaughton --

or Commander. I apologize.

A. I mean, I don't know him. I mean, he's the commander, but personally, no, I don't --

Q. But you know who he is?

A. I know who he is, yes.

Q. And what about Sergeant Franco?

A. Yes, I know who he is.

Q. Has he on occasion been your direct kind of supervising sergeant?

A. On other occasions?

Q. Is he your supervisor?

A. Yes, he's a sergeant. Yes.

Q. But you don't know if he was the sergeant on scene that night?

A. No.

Q. And you don't recall talking to Sergeant Franco or Commander McNaughton?

A. No, I don't.

Q. So you said you recall talking to the technician. Who else do you recall talking to?

A. That's about it.

Q. What about any detectives?

A. I don't recall. I don't -- I don't remember talking to the detectives.

Q. You don't recall talking to Detective David March?

A. No.

Q. Do you have any reason to believe you did not talk to Detective David March?

A. Honestly, I don't even know who he is, so no.

Q. You don't have any reason to -- I am going to ask that again, but, you know, as we have talked about earlier today, we gave you documents that show -- that are a Case Supplementary Report created by Detective David March and also handwritten notes of Detective David March's interview or conversation that he had with you.

So do you have any reason to believe you did not speak to him?

A. Like I said, I don't remember if I spoke to him.

Q. Okay. So you don't remember if you spoke with him, but do you have any reason to believe that you did not speak with him?

A. I'm sure I spoke to him at some point, but I don't remember where or when.

Q. Okay. So you're not sure -- I apologize.

You're not sure if you spoke to him at the scene of the shooting?

A. I'm not sure. Yeah.

Q. But you know at some point you spoke to him that night?

A. At some point, yes.

Q. It might have been at the scene or it might have been at some other area?

A. Yes.

MS. RUSSELL: She spoke to some detective that night.

BY MS. ANSARI:

Q. Did you speak with your partner, Officer Sebastian?

A. Speak to her about --

Q. About anything. What did you talk to -- after the shooting, with your partner Officer Sebastian?

A. On the scene?

Q. Uh-huh.

A. I did -- we didn't really talk. She was -- I don't know where she was, but I was on the -- on the other side. So --

Q. On the other side directing traffic?

A. Of the vehicle -- no. No. No. Just standing out there.

Q. So she was standing on one side of the vehicle, and you were standing on the other side?

A. Like I said, we were just walking back and forth. I mean, I don't know exactly where she was, but --

Q. Did you have any conversations regarding what you saw in the shooting -- with the shooting?

A. Not that -- no, I don't remember.

Q. Did you make any kind of statements like, "Oh, wow, that was crazy. I can't believe we just saw that"? Any statements kind of just even in passing to Officer Sebastian?

A. I don't remember.

Q. So the technician you spoke to at the scene, what was his name?

A. I don't -- I don't know.

Q. Do you remember, was it a man or a woman?

A. I don't remember. You know, I know it was a male.

Q. It was a male?

A. Uh-huh.

Q. Do you remember if it was a very, very

tall male?

A. Oh, that I wouldn't remember. I know it was a male.

Q. Okay. Because the person we think it might be is a big, imposing, tall person. So you don't recall?

A. I don't recall.

Q. Okay. So what was the -- can you describe the interaction with the technician from start to finish?

A. I remember he approached me and said who he was. He said if he could look at the in-car camera and if I could play it for him. I said yes. I put it where it was to play. I stepped out of the car. He sat down, and he -- whatever -- I don't know what he did after that.

Q. So during the shooting, you can see the video as it's recording -- can you see the video as it's recording?

A. Yes.

Q. On your car? Okay.

So then the shooting happens. The technician comes over. And do you show him the video, or you said you rewound the video --

A. Like I said, he asked me if I could play it for him. I put it to where he could press play, and then I stepped out of the car and he sat down and, I mean, he started watching it, I'm sure.

Q. Did you watch it with him?

A. No.

Q. About how long was he in the car getting the video?

A. I don't know.

Q. Less than 30 minutes? Just a couple, a couple minutes? An hour?

A. I don't remember.

Q. At the scene, you said you played the -- or rewound the video to the point where the shooting was -- or where did you rewind the video to?

A. No. I said I put it to where he played it. I showed him how to go in and do it, and then I left it so he could press play on it.

Q. Okay. Understood. What do you mean you showed him where he could go in and do it?

A. Because there's a menu where you go in and it says Menu and Playback, and then you hit Playback and then the -- whatever videos are stored

are up there. So I just clicked on that one and --

Q. So you pinpointed the correct video and played that?

A. Yes.

Q. Okay. Did you at the scene watch the video at all, after the shooting, that came from your car? At the scene of the shooting, after the shooting, in between the shooting, when it happened and when you left to go to the area, did you ever watch the video?

A. I don't remember watching it.

Q. You don't remember, or you did not?

A. I don't remember.

Q. Okay. Do you think it's unlikely you watched it or likely you probably watched it?

A. I think the first time I watched it is when I went for the FBI, when they showed it to me.

Q. Okay. Got it. So that's what we're trying to get at.

Okay. I am going to go through the officers at the scene of the shooting and ask you questions about them.

At the scene of the shooting, you said

you probably talked to -- well, so your partner Officer Sebastian was at the scene of the shooting, correct?

A. Yes.

Q. What is your relationship with Officer Sebastian? How long have you worked together? Do you socialize outside of work?

A. I mean, we've been partners for a couple years. I don't know exactly how long. And what was the other question?

Q. Do you socialize with Officer Sebastian outside of work?

A. No. We -- you know, no.

Q. You don't get together with your families or --

A. No.

Q. -- anything like that after work?

A. No.

Q. Outside of work?

And she is your regular partner, correct?

A. Yes.

Q. Okay.

A. We also have another partner. There's three of us in the car.

Q. And who is that person?

A. Anthony Wilson.

Q. Okay. How does it switch on and off between the two --

A. Well, we work four days. Two I work with her; two I work with him.

Q. And you said you have been partners with Officer Sebastian for a couple years?

A. Yes.

Q. More than five? Less than five? More than ten?

A. I don't know exactly. I mean, you would have to ask them and see exactly when we started working.

Q. When did you start with the police force?

A. April 2nd, I want to say, 2007.

Q. 2007? Did you start directly in 8th District?

A. Yes.

Q. And you have been there the whole time?

A. Yes.

Q. Has Officer Sebastian been your partner since you started, since 2008?

A. Like I said, I know we've been partners

almost since I started, but I don't know exactly how long.

Q. Okay. But --

A. Yes.

Q. -- the majority of the time. Okay.

A. And we had other partners.

Q. Right.

A. So it's not just like we've been partners -- we have had other partners in the car. So --

Q. Understood. Did you at the scene of the shooting speak at all with Officer Jason Van Dyke?

A. No.

Q. What was your relationship with Officer Van Dyke prior to October 20, 2014?

A. He was a coworker.

Q. Were you ever interviewed in the context of other complaints made against him?

A. Interviewed by whom?

Q. Anyone? I mean, if someone -- if another -- if a citizen made a complaint against Officer Van Dyke, have you ever been interviewed in relation to that?

A. I don't remember, but -- I don't know

why I would be interviewed about --

Q. Okay. Have you ever worked with Officer Van Dyke? Has he ever been your partner assigned to you at all?

A. That I can't remember. I don't -- I don't know if we ever even worked once or not. I don't know.

Q. How often do you see him at work? Every day? Once a week, approximately?

A. Well, we have different day-off groups, so I can't tell you exactly when I see him, you know.

Q. Do you ever socialize outside of work or --

A. Yeah, well, if we have a different day off -- like I said, I don't know, but it would be maybe a day or two. Depends what nights he's off, I'm off. Since we rotate, it's different.

Q. You're on the same watch, though, correct?

A. Same watch, yes.

Q. Do you ever socialize with him outside of work?

A. If I ever socialized with him?

Q. Yeah. Yeah.

A. Once we had a picnic, like the FOP picnic. He was there.

Q. But never -- nothing outside of that?

A. No.

Q. Did you speak with Officer Joseph Walsh at the scene of the shooting?

A. I don't recall if I did.

Q. Have you ever worked with Officer -- has Officer Walsh ever been your partner?

A. That I -- like I said, you know, I wouldn't -- I wouldn't know unless you asked whoever puts us -- I've been there so for so many years, I don't want to say no and if I did work with him. I don't remember.

Q. Did you ever socialize with Officer Walsh after work?

A. No.

Q. Or outside of work.

Did you speak with -- actually, for Officer Walsh, do you recall him coming over to you and Officer Sebastian the night of the shooting asking you guys to call another officer, an Officer Geisbush, and tell him to stop bothering Van Dyke?

A. Not to me, no.

Q. Okay. Did you speak with Officer Ricardo Viramontes at the scene of the shooting?

A. I didn't even know they were there.

Q. So you didn't even know he was at the scene of the shooting. Okay.

Do you ever socialize with Officer Ricardo Viramontes outside of work?

A. No.

Q. Did you speak with Officer Dora Fontaine at the scene of the shooting?

A. I didn't even know she was there.

Q. Do you ever socialize with her outside of work?

A. No.

Q. Does she live in your neighborhood?

A. I don't know exactly where she lives.

Q. Okay.

MS. RUSSELL: I want to just interject quickly. You know, do you ever socialize outside of work is different -- her answer, I think, is different than have you ever one time socialized outside of work. I just want to make sure that is crystal clear. You know, if the question is, "Have you ever socialized

out of work," or, "Have you ever one time gotten together outside of work," they are two different questions.

BY MS. ANSARI:

Q. Yeah. What we are trying to get at is do you have a relationship with these people --

A. Oh, no.

Q. -- outside of just a work relationship. So if some coworkers you are more friends with than others, you know, sometimes your families do things together, so you are actually friends. That's what we are trying to get at. It's not supposed to be a trick question, but you're right, it wasn't worded as clearly as it should have been. So that's what we were trying to get at.

You didn't know that Officer Dora Fontaine was at the scene of the shooting, correct?

A. No.

Q. Okay. Did you speak with Officer Thomas Gaffney at the scene of the shooting?

A. I don't recall if I did.

Q. Do you know if he was at the scene of the shooting?

A. Yes, they were there.

Q. Do you have a -- do you socialize with him outside of work?

A. No.

Q. Is he, you know, more than just a work colleague?

A. No.

Q. Did you speak with Officer Joseph McElligott at the scene of the shooting?

A. I don't recall if I talked to him.

Q. Do you know if he was at the scene of the shooting?

A. He was there.

Q. Do you socialize with him outside of work?

A. No.

Q. Did you talk to Officer Arturo Becerra at the scene of the shooting?

A. I don't know who that is.

Q. So you don't know who Officer Arturo Becerra is?

A. No.

Q. How about Officer Leticia Velez?

A. No.

Q. So you stated that you don't recall

speaking to Detective David March at the scene of the shooting.

Do you recall speaking to any detectives at the scene?

A. Like I said, I know I probably spoke to a detective, but I don't know who, and I don't know when.

Q. Okay. Did you talk to an FOP representative at the scene of the shooting?

A. I don't remember.

Q. Did you see Officer Sebastian talk to any detectives at the scene?

A. I really don't know. No.

Q. Okay. Those are my questions for the scene.

MR. BROWN: Okay.

MR. BROWN: I have a couple of follow-up questions.

FURTHER EXAMINATION

BY MR. BROWN:

Q. I know you stated that you and your partner kind of took it upon yourselves to kind of direct traffic after the incident occurred; is that correct?

A. Yes.
Q. I was wondering, were you and your partner ever ordered by anyone to do anything else on the scene?
A. I don't remember.
Q. Were you ever ordered to do any paperwork while you were on the scene?
A. I don't remember. No, I don't think so.
Q. Would it have been, I guess, odd for you to have to do some sort of reports after observing a shooting?
A. For us to do reports?
Q. Yes.
A. No.
Q. No. Do you have any recollection of having to do any sort of reports either that night or subsequent days after the shooting?
A. No, I don't.
Q. You spoke a little bit about the video technician that came by to look at your --
A. Yes.
Q. -- your vehicle. I know you said you didn't know who that person was, but I was wondering, had you ever seen that person before?

A. No, because, like I said, I don't know who it was.

Q. Oh, no. I totally get it. You might not know his name, but I thought you might have seen him at other scenes or seeing him at the district or something like that.

A. No.

Q. Was that technician in uniform?

A. I don't remember. I don't -- no, I don't remember.

Q. Do you have any recollection if he was a detective or a sergeant?

A. No, I don't.

Q. I wanted to ask, what process do you have to do to initiate playback on the video in your vehicle?

A. What do you mean "what process"?

Q. Well, like let's say you wanted to -- you --

MS. RUSSELL: The steps.

BY THE INTERVIEWEE:

A. Oh, you just hit -- there's a Menu box. You hit the menu, and then like four different things come up. One of them says Playback. You

hit on the playback, and then it shows you the videos that are stored, and then you click on the one you want to watch.

BY MR. BROWN:

Q. Okay. And the videos that are available for playback, are they only from that day, like your tour of duty?

A. That I wouldn't know, because, you know, sometimes if they don't upload, they might sit there. So --

Q. So there's a chance that there could be videos from other days, other officers who have used the vehicle prior to you?

A. Yes.

Q. When you want to -- you described those steps that you would take to look at the video. When you would do that, would you have to log in to the system?

A. Initially, we log in to the camera, yes.

Q. So somebody has to be logged in before this playback of the video is going to occur?

A. Yes. You have to turn it on.

MS. RUSSELL: Well, let me make sure.

BY THE INTERVIEWEE:

A. Oh yeah, well, we log in once, you know, you start your tour, you log in, and that's how the camera comes up.

BY MR. BROWN:

Q. Do you have to do any additional log-in steps to do the playback of videos?

A. No. It's our -- once you're logged in, it's there.

Q. Do you know if the software to the video, does it have a counter on it on how many times a video is shown?

A. I don't know. I don't know that.

Q. When you review a video in your vehicle, will it have your PC number at the bottom while it is playing?

A. I don't know. I don't remember if it's at the bottom or not.

Q. You noted that you had multiple police officer partners during your tenure at the 8th District, correct?

A. Yes.

Q. Can you state that Officer Sebastian has been your partner for the majority of your time,

your tenure at the 8th District?

A. Yes.

Q. Do you and Officer Sebastian text each other or e-mail each other outside of work?

A. Yes.

Q. How often do you text or e-mail each other outside of work?

A. Oh, I don't know.

Q. Is it every day?

A. I don't know. It could be.

Q. Well, let's just look at the last -- this last week. Did you text Officer Sebastian every day outside of work?

MS. RUSSELL: I am going to object because this isn't relevant to any of the allegations before this officer.

Go ahead and answer.

BY THE INTERVIEWEE:

A. Like I said, I don't know how many times.

BY MR. BROWN:

Q. You don't know for -- okay.

How many times would that be different from just that you guys text or e-mail each other

every day outside of work?

A. Yeah, we text.

Q. Every day?

A. Like said, I --

MS. RUSSELL: Outside of work?

BY THE INTERVIEWEE:

A. Outside of work? I don't know if every day, but we text.

BY MR. BROWN:

Q. Okay. So it's more than once?

A. Yes.

MR. BROWN: Okay. That's all the follow-up I had.

MS. RUSSELL: Could we take a break?

MR. BROWN: Yes. The time is 11:28, and we are going to go off the record.

(Whereupon, a break was taken from 11:29 to 12:03 p.m.)

MR. BROWN: Time is 12:03, and we are back on the record.

MS. ANSARI: Officer Mondragon, I am going to start with questions regarding --

MS. RUSSELL: Could we go off the record one more minute.

MR. BROWN: The time is 12:03, and we are going to go off the record.

(Whereupon, a break was taken from 12:03 to 12:04 p.m.)

MR. BROWN: The time is 12:04, and we are back on the record.

FURTHER EXAMINATION

BY MS. ANSARI:

Q. So, Officer Mondragon, before the break we were talking about your experiences at the scene of the Laquan McDonald shooting. I am going to move to now what happened when you got to the area.

About how long were you at the scene after Laquan McDonald got shot before you left?

A. I can't give you an exact time. I don't know.

Q. Was it a couple hours?

A. Couple hours.

Q. Couple hours. Okay.

Do you remember if it was maybe after midnight or 1:00 in the morning, 2:00 in the morning?

A. When we went to the area?

Q. Yeah.

A. I don't remember what time it was.
Q. When you went to the area, who did you go with?
A. My partner.
Q. And you both -- did you drive?
A. I drove, yes.
Q. And you drove your squad car?
A. Yes.
Q. On the way to the area, did you and your partner, Officer Sebastian, talk about what you had seen, the shooting?
A. I don't remember what we talked about. I remember we talked about that we were hungry.
Q. Okay. And can you just walk me through what happened when you got to the area? And where is the area, by the way?
A. Oh, that's a good question. I want to say -- I can't remember when, which area we went to.
Q. Was it 51st and --
A. Yes.
Q. -- Wentworth?
A. 51st and Wentworth, yeah.
Q. So if you could just walk me through what

happened when you first got to the area, where did you go, who did you talk to, what did you do until when you left, just as a general narrative.

A. We got to the area. We went upstairs. We sat, you know, or I sat by the computers, and I don't remember who I talked to.

Q. How long were you waiting at the area before you were interviewed by IPRA?

A. I don't know how long.

Q. So you said you went upstairs?

A. Uh-huh.

Q. Were you with your partner Officer Sebastian?

A. Yes.

Q. Were there other officers there also?

A. There were other officers, yes.

Q. Do you remember who?

A. I remember that is the first time I saw Dora and Rick.

Q. So you saw Dora Fontaine and Ricardo Viramontes at the area?

A. Yes.

Q. Did you see Officer Joseph Walsh?

A. I don't remember if he was there.

Q. Did you see Officer Jason Van Dyke?

A. I don't remember.

Q. Did you see Officer McElligott?

A. I don't remember if he was there.

Q. Did you see Officer Gaffney?

A. I don't remember if he was there too.

Q. So the three people that you know were at the area were your partner, Officer Sebastian, Dora Fontaine and Ricardo Viramontes?

A. Yes.

Q. And then the other officers I named could have been there, might not have been there; you don't know?

A. Yeah, I don't know.

Q. Okay. So right when you got there, you said you went upstairs. Were you in a waiting room or the main area, or what kind of -- what does the area look like?

A. No. Upstairs is their -- the detectives. It's -- I mean, it's just the office upstairs -- not an office, but it's -- they got all this desks and computers. Just a detective area.

Q. And you said you sat by a computer?

A. Yes.

Q. Were you sitting with any of the other officers, or were you by yourself?

A. Well, like I said, we were sitting in the area. There was other officers in the area, yeah, but I was sitting at -- not at the computer, but at the chair where there was a computer.

Q. Did you do anything on the computer, or you were just sitting there?

A. I don't remember if I did.

Q. Like, check your e-mail or anything like that?

A. Yeah, I don't remember if I did that or not.

Q. Outside of just kind of -- well, do you remember talking to any of the officers, anyone there, about the substance of what you saw with the shooting?

A. I don't remember talking to anybody.

Q. Did you talk to any detectives at the area?

A. That I don't remember if I did.

Q. Did you talk to Detective March at the area?

A. I don't know who Detective March is, so

I don't -- I wouldn't know if I talked to him or not.

Q. Do you have any guess about when you gave your -- so, you know, we have the documents you were provided by IAD, the case supplementary statement and the handwritten notes, and those were created by Detective David March.

Do you have any sense about when he would have talked to you or any -- you know, at the scene, at the area?

A. Talked to whom?

Q. Talked to you.

A. Talked to a detective?

Q. Yeah, or any detective. When did you at some point talk to a detective and tell them --

A. Like I said, I don't know if I talked to a detective on the scene or at the area. I can't remember.

Q. Do you remember giving a statement at all?

A. I don't -- I don't remember that.

Q. Did you talk to any FOP representatives at the area?

A. I don't remember if I did.

Q. Were there any FOP representatives at the area?

A. I believe there was.

Q. Did they get you guys dinner?

A. Yeah. They had pizza -- I don't know if it was them, but there was pizza there.

Q. Okay.

MS. RUSSELL: Could we take a quick break?

MS. ANSARI: Yeah.

MR. BROWN: It's 12:10, and we'll go off the record.

(Whereupon, a break was taken from 12:10 to 12:12 p.m.)

MR. BROWN: The time is now 12:12 p.m., and we are back on the record.

MS. RUSSELL: Okay. The officer wanted to just add --

THE INTERVIEWEE: Now, you asked about the detective? Like I said, I don't know if I talked to one on the scene or at the area. And another thing I don't know is if it was Detective March or another detective.

BY MS. ANSARI:

Q. But you do remember talking to a

detective at some point?

A. Yes, at some point. I'm just not sure where or, like I said, I'm not sure if it was even him or any other detective.

Q. And you remember giving a statement about what you saw in terms of the shooting?

A. Yes.

Q. Okay. So back to who you talked to at the area, you may have talked to a detective at the area, but that may have been on the scene?

A. Yes.

Q. And you didn't talk to any of the other -- you don't remember talking to any of the other police officers?

A. No, I don't remember.

Q. Okay. But you do remember an FOP representative being there getting pizza, correct?

A. No. I remember there was pizza there.

Q. Okay.

A. There was an FOP representative. Now, if they got it, I don't know.

Q. Can you explain -- I guess it seems like you don't remember a lot of stuff, but you remember that you got pizza. Why does that stick out, out

of every other thing that happened?

A. Because, like I said, we were hungry.

Q. Right. So every other thing that happened didn't stick out to remember, but dinner did?

A. Yes.

Q. So you were at the area. And were you interviewed by IPRA at the area?

A. Yes.

Q. The Independent Police Review Authority.

Do you remember how long you were waiting before you were interviewed by IPRA?

A. I don't remember how long.

Q. Was it -- do you remember about what time they interviewed you?

A. I don't.

Q. Was it early in the morning?

A. I --

Q. Had you been waiting three or four hours?

A. I don't know how long we were waiting there.

Q. While you were waiting or at any time while you were in the area, did you view the video of the shooting?

A. Not that I remember, no.
Q. Did you view any video?
A. No.
Q. You stated earlier that the first time that you probably viewed video after the shooting was in preparation for your Grand Jury statement, correct?
MS. RUSSELL: I think her testimony was when she met with the FBI was the first time she viewed the video.
THE INTERVIEWEE: Yes, that's when I saw it for the first time.
BY MS. ANSARI:
Q. So you believe that the first time you saw the video of the shooting was when you met the FBI?
A. Was when -- yes.
Q. So before that you had not seen any video of the shooting, before you met with the FBI until -- before you met with the FBI, you had not seen the video of the shooting, correct?
A. I had probably glanced at it. Remember when I told you I put it for the tech guy, but not seen it, no.

Q. Okay. Understood.

When you were interviewed by the detective, either at the area or at the scene -- do you remember being interviewed, talking to a detective more than once, or do you believe it was only once that you gave a statement to a detective at any point that evening?

A. Like I said, I don't remember what -- you know, like, if I talked to -- but I'm sure it was once.

Q. Have you ever witnessed a police-involved shooting before October 20, 2014?

A. Not that I recall.

Q. Have you ever witnessed any shootings before October 20, 2014?

A. Not that I recall.

MS. ANSARI: Kris, do you have any questions about the area?

MR. BROWN: I have a couple questions.

FURTHER EXAMINATION

BY MR. BROWN:

Q. When you were at the area, you noted that Viramontes and Fontaine were there. Did you overhear anything they spoke about?

A. No.

Q. Did you overhear anything that any of the other officers that might have been there spoke about?

A. Not that I remember.

Q. Did you ever leave the room at the area that had the pizza?

A. What do you mean?

Q. You described to us you guys got there, when you got there you saw Viramontes and Fontaine, there was a pizza at some point brought by someone to the area. I want to know, did you ever leave that room on the second floor where you guys were?

A. Other than when I went to give my IPRA statement, no.

Q. Yeah. I'm sorry. Other than the IPRA statement, do you recall going to any other rooms?

A. No, I don't recall. No.

Q. And the IPRA statement, was that like a side interview room; do you recall?

A. I know it was in a room, but I don't know exactly where it was.

Q. It was a room on the second floor somewhere?

A. I don't remember if it was on the second floor, but it was in the area.

Q. A room in the area?

A. Yes.

Q. So if you had went into a different room in the area for a reason other than the IPRA statement, would you have recalled that?

A. Yes.

Q. Okay.

A. Oh, maybe I used the bathroom.

Q. Oh, yeah.

A. Well, I'm just saying because I think I remember I used the bathroom.

Q. Yeah, I'm sorry. I should have clarified.

When you did talk to a detective, wherever that might have occurred, area or on the scene, do you recall how long that conversation was with the detective?

A. No.

Q. Do you recall it being a Q and A with the detective?

A. Being a what?

Q. I'm sorry, a question and answer session

where the detective would ask you something and then you would respond?

A. No, I don't recall.

Q. Do you recall if the detective asked you to give a narrative as to what occurred that evening?

A. No, I don't.

Q. Do you recall having to clarify any of your answers or any of the conversation you had with the detective?

A. No.

Q. Did the detective that spoke with you, did they go over what you told them? Did they kind of recite what, you know, the conversation was?

A. I don't remember.

Q. The detective that spoke with you, did that person have any notes, like a notepad?

A. I'm sure he did, but I don't remember if it was a notepad or a piece of paper.

Q. Do you recall the detective writing anything down while you were speaking to him?

A. I don't remember.

MR. BROWN: That's all the follow-up I have.

FURTHER EXAMINATION

BY MS. ANSARI:

Q. Okay. Now, we are going to go into your statements to Detective March. That was the detective you spoke with, at least according to the documents. And we will provide you with Exhibits 6 and 7.

(Whereupon, said documents were tendered to the Interviewee.)

BY MS. ANSARI:

Q. Now, Exhibit 6 has your statement and the statement of your partner, Officer Sebastian.

A. Okay.

Q. If you could read both documents off the -- the handwritten document and the typed one, and let me know when you have reviewed or when you're ready, if you have already reviewed them.

A. Okay.

Q. So the first page of Exhibit 6 says it's a Case Supplementary Report. Do you know what a Case Supplementary Report is? What is a Case Supplementary Report?

A. Well, I'm guessing it's this (indicating).

Q. Have you seen one of these before?

A. This exact -- this one before?
Q. Yeah, the type of document -- not this exact one, I apologize.
A. Oh.
Q. Have you seen these types of documents before?
A. Not that I remember.
Q. Okay. Is this a document that is used by police officers, or is it a document that is used really only by detectives?
A. I would say detectives.
Q. Do you know what the purpose of this type of report is?
A. No.
Q. Now, for the notes, those are called general progress reports. Have you ever seen documents like this before? Have you ever seen a general progress report before?
A. Like this page?
Q. Not the exact one, just things like this, handwritten notes on a -- with the heading General Progress Report?
A. No.
Q. Okay. Is this a document that police

officers normally use?

A. I don't know if police officers, but it says Detective Division.

Q. Okay.

A. So I'm guessing the detectives use it.

Q. So let's go back to Exhibit 6 and your statement on -- well, it says Page 14 at the bottom.

Does Exhibit 6 accurately reflect what you said to Detective March on the night of October 20, 2014?

A. Which one are we looking at, this one (indicating)?

Q. Yeah.

A. So --

MS. RUSSELL: Wait. Do you want to go sentence by sentence?

MS. ANSARI: I am going to.

MS. RUSSELL: Okay.

BY MS. ANSARI:

Q. So if it's easier, I can just start going sentence by sentence, but as a general matter, is this accurate, this statement?

A. I mean, it looks like --

Q. If there are inaccuracies, I can go line by line?

A. Okay.

Q. Are there inaccuracies in this statement?

A. Probably, yes.

Q. Okay. We'll go through statement by statement, and for each statement I am going ask you if you made that statement and then I will ask you if the statement is accurate.

A. Okay.

Q. So it's kind of a two-parter, and we'll do that for each statement, and then I will ask you more follow-up.

So the first sentence, the first little paragraph is just kind of background, so we will start with the first sentence in the second paragraph.

"Officer Mondragon added that as she drove westbound on 40th Street she saw Officer McElligott running eastbound through the Burger King parking lot."

Did you say this statement to Detective March on the night of October 202014?

A. From what I recall, yes.

Q. Okay. Is that statement --

MS. RUSSELL: Hold on. Sorry.

BY MS. ANSARI:

Q. So did you make this statement to Detective March on the night of October 20, 2014?

A. I'm not sure if the exact statement, but that's accurate, yes.

Q. Okay. And it is accurate.

So when I ask you if you made that statement, I guess the exact -- I'm not asking for the exact words, but as a general --

A. It's accurate.

Q. That's what you said?

A. Yes.

Q. And that statement is accurate, correct?

A. Yes.

Q. Okay. Next sentence: "She made a U-turn," she meaning you, "made a U-turn and drove back out onto Pulaski Road."

Did you make that statement to Detective March?

A. Yes.

Q. Is that statement accurate?

A. Yes.

Q. "Mondragon turned southbound onto Pulaski."

Did you make that statement?

A. To the best of my knowledge, yes.

Q. And is that statement accurate?

A. Yes.

Q. "She saw Laquan McDonald running southbound on Pulaski in the middle of the street."

Did you make that statement to Detective March?

A. It's accurate. Yes.

Q. And -- but did you make that statement?

A. Maybe not the exact same, but yes, I made the statement. Yes.

Q. And is that statement accurate?

A. Yes.

Q. "As she got closer, she could see McDonald was holding a knife in his right hand."

Did you make that statement to Detective March?

A. Yes.

Q. Is that statement accurate?

A. Yes.

Q. "He was waving the knife."

Did you make that statement to Detective March?

A. Yes.

Q. Is that statement accurate?

A. Yes.

Q. "Officer Mondragon saw Officers Joseph Walsh and Jason Van Dyke outside of their police vehicle."

Did you make that statement to Detective March?

A. Yes.

Q. Is that statement accurate?

A. Yes.

Q. "She heard the officers repeatedly ordering McDonald to drop the knife as McDonald got closer and closer to the officers continuing to wave the knife."

Did you make that statement to Detective David March?

A. So I made part of the statement to the detective, but, you know, where it says "drop the knife," yes. Now, where it says "got closer and closer to the officers continuing to wave the knife," those were not my exact words.

Q. So what did you say?

A. I don't remember exactly what I said.

Q. What do you remember happening? Like, why is this statement inaccurate?

A. Because I probably said, you know, he was walking on -- you know, going forward southbound.

Q. Did you not say that McDonald was getting closer and closer to the officers?

A. I don't remember saying it, you know, like that.

Q. And --

MS. RUSSELL: I think what she may be trying to articulate is that, you know, by "closer and closer," it doesn't mean that he was walking towards, but as he was proceeding --

THE INTERVIEWEE: He was walking, you know, just going ahead, moving forward.

BY MS. ANSARI:

Q. Okay. So I want to kind of tease this out because, obviously, this is important and we want to get it right for the record.

So the statement says that you heard the officers repeatedly ordering McDonald to drop the

knife as McDonald got closer and closer to the officers continuing to wave the knife. So we'll take this in parts.

You heard the officers repeatedly ordering McDonald to drop the knife. Did you say that to Detective March, just that first part?

A. Yes, I --

Q. And did that happen? Is that accurate?

A. Yes.

Q. So we will kind of move on from there.

Now, the part that says "as McDonald got closer and closer to the officers," you're not sure if you said that to Detective March or not, correct?

A. Correct.

Q. Okay. But now you know that is not -- or but that is not accurate, correct? "As McDonald got closer and closer to the officers"?

A. Like I said, when -- he was moving forward. He was --

Q. So "as McDonald got closer and closer to the officers" is not accurate because McDonald was moving forward, not getting closer to the officers. Is that what you're trying to say?

A. Well, here's the thing. I don't know what "closer" -- I don't know by whatever -- but whenever it says "closer and closer to the officers," I don't know if they were trying to say that he was, like, approaching them, like he kept walking towards, you know, not -- he was going southbound towards where the officers were.

Q. Okay. So this statement, "as McDonald got closer and closer to the officers" is not specific enough -- scratch that.

So your statement is that McDonald was walking southbound?

A. He continued southbound, yes.

Q. But he wasn't getting closer and closer to the officer -- but he wasn't moving towards the officers, like coming at them, correct?

A. Like I said, he's continuing to walk southbound where the officers are.

Q. Okay. We'll get into this probably a little bit later, but we might come back to this.

But is the part "continuing to wave the knife," did you say that to Detective March, that --

A. He was waving the knife?

Q. That Laquan McDonald was continuing to wave the knife as he was --

A. It doesn't say "continuing." It says he was waving the knife.

MS. RUSSELL: Well, down here (indicating).

BY THE INTERVIEWEE:

A. Oh, down here. Oh, you're down here? Yes.

BY MS. ANSARI:

Q. Okay. So you stated that to Detective March?

A. To the detective, yes.

Q. To the detective. And is that accurate?

A. Yes.

Q. As you were placing your vehicle transmission into park -- "As she was placing her vehicle transmission into park, Mondragon looked down and heard multiple continuous gunshots without pause."

Is that what you told Detective March that night?

A. So where it says that I put the car into transmission, looked down, and heard multiple -- now, that "continuous gunshots without pause" I

don't remember. I remember I said several shots.

Q. Okay. So what part of this sentence is wrong, what part is right? Because there are a couple parts in the sentence. Can you just explain?

A. I mean, when I put the vehicle into park, "looked down and heard multiple." Now, the "continuous without a pause," I don't recall saying that.

Q. Okay. So as you were placing your vehicle transmission into park, "Mondragon looked down and heard" -- well, it says -- but you looked down and then you heard gunshots?

A. Several shots, yes.

Q. Okay. You heard several shots. But you're not sure whether it was continuous gunshots without pause?

A. I don't remember.

Q. So are you saying there could have been a pause between the gunshots?

A. I don't remember.

Q. Do you remember saying this to Detective March?

A. I don't remember saying it.

Q. But what would be an accurate statement?

A. Like I said, that I looked down and heard several shots.

Q. Okay. And it's because you don't know if you heard continuous gunshots without pause, correct?

A. Yes.

Q. The next sentence, "Mondragon then saw McDonald fall to the ground."

Did you say that to Detective March?

A. Exact here like this?

Q. Did you say that to Detective March?

A. Oh, yes. Sorry.

Q. Did you say that to Detective March, to the detective?

A. To the best of my knowledge, yes.

Q. And is that statement accurate?

A. Yes.

Q. Mondragon did not know who fired the shots.

Did you say that to Detective March?

A. Yes.

Q. Is that statement accurate?

A. Yes.

Q. I want you to look at the statement attributed to Officer Sebastian. It's the page before. And then kind of compare it to, well, the first line in your statement. If you see, the first line in your statement, it says, "Janet Mondragon stated that she was a Chicago police officer assigned to the 8th District. Mondragon related the same facts as her partner, Officer Daphne Sebastian."

Do you see in the report where it says that?

A. Yes.

Q. Did you relate those same facts to the detective on the night of October 20, 2014?

A. Relate what facts?

MS. RUSSELL: These (indicating).

THE INTERVIEWEE: Oh.

BY THE INTERVIEWEE:

A. So for the most part, it is, you know, what I said. There's two things that, you know, my partner probably said I didn't.

BY MS. ANSARI:

Q. Okay. And what are they?

A. The one that says McDonald to drop

the -- "McDonald ignored the verbal directions and continued to advance on the officers waving the knife."

Q. Okay. And you did not say that, you said, correct?

A. Correct.

Q. Is that accurate?

A. Like I said, he proceeded southbound, so --

Q. But he wasn't coming at the officers?

A. The officers were there where he was -- you know, he was proceeding going towards the -- where the officers were.

Q. Okay. What is the other line?

A. The one where it says, "Sebastian did not know who fired the shot" -- not that one.

"Which were fired in one continuous group."

Q. You did not say that?

A. No.

Q. Like we said before.

And the reason is because you're not sure how the shots were fired, correct?

A. Yes. I remember there were several

shots, but --

Q. You don't know if they all happened in a row or --

A. I don't know.

Q. Is it possible there was a pause between shots?

A. I don't know.

Q. You don't remember that?

A. No.

Q. Okay. So I am going to go into your allegations. This is going to be very repetitive of what we just talked about, but we will proceed how we will go through it.

MS. RUSSELL: So I just want to make sure the record is clear on this issue of advancing to the officers, coming close to the other officers, whatever the other statement was. I think that, you know, the officer is trying to say that the offender continued walking southbound in the direction where the officers were.

If the question is did he charge at the officers, was he perpendicular with the officers, I don't think that that's what her testimony is, but continuing walking southbound when the officers are

further southbound is consistent with what she saw.

Officer, is that --

THE INTERVIEWEE: Yes.

MS. RUSSELL: -- accurate? Okay.

MS. ANSARI: Okay. And we understand that, but you're right, for the record it is getting -- we do need to kind of get that. I understand what you are trying to say. We are trying to figure out the right words to put it on the record.

Before we get into the allegations, do you have any questions?

MR. BROWN: I did have a quick one that was going to try to clean up that portion.

FURTHER EXAMINATION

BY MR. BROWN:

Q. So I just want to make sure I got this part right. You did not tell the detective the words "closer and closer"?

A. No.

Q. Is that accurate?

A. Yes.

Q. You believe you stated to the detective, "McDonald was continuing to walk southbound"?

A. Yes.

Q. On the same note, you believe you did not use the words "continuous gunshots without pause" when speaking to the detective?

A. Yes.

Q. Right?

Your statement -- or, well, what you believe you told the detective was that Mondragon looked down and heard multiple gunshots?

A. I believe I said several.

Q. I'm sorry. Several gunshots. Okay.

Did we cover all the inaccuracies in this statement that is attributed to you?

A. To the best of my knowledge, yes.

MR. BROWN: I think that's good for now.

MS. ANSARI: I have a couple questions.

FURTHER EXAMINATION.

BY MS. ANSARI:

Q. Did you say anything to the detectives that is not reflected in this statement; not in Sebastian's, but your statement? Is there anything in here that you said, besides what you have already told us, that is not in this statement?

A. What do you mean?

Q. So did you say anything to the detective

that is not written here, besides what you already told us?

A. Not that I recall.

Q. You said Detective March, or the detective, you didn't say that McDonald got closer and closer to the officers; you said he was continuing to walk southbound.

So do you think the detective just made up that statement?

A. Here's the thing. I can't speak for him. You would have to ask him that question.

Q. Did the detective that was interviewing you ever try and get you to change anything that you were saying?

A. No.

Q. Okay. So what you told him, you know, you never felt any pressure from the detective interviewing you to have your report line up with other officers?

A. No, not that I remember. No.

Q. Okay. We can get into the allegations. So that is Exhibit 3. We are going to start with Allegation No. 2.

A. Okay.

Q. "It is alleged that on or about October 20, 2014, you made a false statement during an interview with Detective March when you stated that you saw McDonald running southbound on Pulaski in the middle of the street waving a knife."

Do you stand by this statement that is attributed to you? Do you stand by this statement?

A. Yes.

Q. "It is alleged that on or about October 20, 2014, you made a false statement during an interview with Detective March when you stated that you heard officers Walsh and Van Dyke repeatedly ordering McDonald to drop the knife as McDonald got closer and closer to the officers continuing to wave the knife."

We discussed this already, but do you stand by this statement? And you can clarify like you did. All right?

A. Like I said, I'll stand until where it says "drop the knife." Now, where it says getting "closer and closer," like I said, he was walking southbound towards where the officers were.

Q. "It is alleged that October 20, 2014, you made a material omission during an interview with

Detective March when you failed to state that McDonald changed the direction in which he was walking prior to the shooting."

Why didn't you tell the detective that McDonald changed the direction he was walking prior to the shooting?

A. What do you mean "changed the direction"?

Q. So on the video -- which you viewed, correct?

A. Yes.

Q. And, you know, the whole -- a lot of people have seen. The video looks like it shows McDonald -- it shows McDonald walking southbound on the street and then turning, moving away from the officers, so southeast, walking southeast?

A. Well, he was always walking southbound. He never turned back and walked back or anything, that's what this is saying that he changed the direction.

Q. Okay. So --

A. Changing direction would be like he would turn and go back the other way, or -- I mean, maybe if he went a little bit, you know, to the

side, but he was always just going straight, you know -- not straight, but southbound.

Q. Okay. So your response to that allegation is that McDonald continued to walk southbound; he did not change direction?

A. I did not observe him change direction.

Q. "It is alleged that on or about October 20, 2014, you made a material omission during an interview with Detective March when you failed to state that Officers Walsh and Van Dyke moved towards McDonald prior to the shooting."

Why didn't you tell Detective March that they moved towards McDonald prior to the shooting?

A. What do you mean "moved towards"? I didn't see them.

Q. So you didn't see Officers Walsh and Van Dyke move towards Laquan McDonald prior to Laquan being shot?

A. No.

Q. So you didn't see Officers Walsh and Van Dyke make -- did you see Officers Walsh and Van Dyke make any motion towards Laquan McDonald, move at all towards McDonald?

A. Not that I remember, no.

Q. "It is alleged that" -- oh.

MS. RUSSELL: Well, I'm sorry.

MS. ANSARI: Sorry.

THE INTERVIEWEE: They got out of their vehicle. Is that what you mean?

MS. ANSARI: No, but --

THE INTERVIEWEE: Okay.

MS. ANSARI: That's fine.

BY MS. ANSARI:

Q. "It is alleged that on or about October 20, 2014, you made a false statement during an interview with Detective March when you stated that as you were placing your vehicle transmission into park, you looked down and heard multiple continuous gunshots without pause."

Do you stand by this statement?

A. Again, for the most part, yes. When it comes down to the continuous without a pause, I don't recall saying that.

Q. So --

A. I heard several shots.

Q. Okay. "It is alleged that on or about October 20, 2014, you made a false statement during an interview with Detective March when you stated

that you did not know who fired the shots."

Do you stand by this statement?

A. Yes. I didn't know.

Q. So I want to ask you, how did you not see who was shooting? Why did you not see who was shooting?

A. I was -- you know, I was driving, and I was focused on Laquan.

Q. Okay.

A. So everything, you know, happened so fast. I saw them get out of the car. Next thing you know, I put it on park, and that was it.

Q. So did you see Laquan actually being shot, or you didn't even see that?

A. I don't recall if I actually saw -- like I said, I put it on park, heard the shots. He fell to the ground.

Q. But did you -- so you saw him standing and then fall to the ground?

A. I don't -- I don't know. I don't remember.

Q. You don't know?

A. No.

Q. Do you remember -- you said you heard

multiple shots, correct?

A. Yes.

Q. How many shots did you hear?

MS. RUSSELL: Well, she knows now it's 16.

THE INTERVIEWEE: Right.

BY MS. ANSARI:

Q. But you didn't know at the time how many shots you heard?

A. No, I didn't know at the time. Like I said, it was several.

Q. All right. And you said -- you didn't hear any pauses between the shots?

MS. RUSSELL: And she knows now there was a pause. Okay?

MS. ANSARI: Right. Right.

BY MS. ANSARI:

Q. So at the time, did you not --

A. No. No.

Q. You did not recall hearing a pause between the shots.

Did you -- you said you had never witnessed a shooting before, correct?

A. Not that I remember, no.

Q. Would you think that witnessing a

shooting would be something that would stick in your memory?

A. I mean, I'm sure it would, but --

Q. But it isn't really right now?

A. No.

Q. Okay. And you have worked with Officers Walsh and Van Dyke before, correct, so they're in -- you know them?

A. They're coworkers. They work in the area.

Q. And they're coworkers. Okay. So two of your officers are, you know, in front of you, your car is facing them, and their guns are drawn with an offender, facing an offender, and you look down at your transmission and then look up and the shooting is over? Is that what you were saying? Is that what happened?

A. I don't know if that's exactly what happened, but yeah, I looked down, shots were fired, he fell to the ground, and, I mean, that's it.

Q. I guess I'm trying to understand, you know, this is -- at least from an outsider's perspective, from a perspective of the public and

us and after reviewing the video, it seems surprising that you looked down during the entire -- you looked down to place your car into park during the entire shooting. You didn't see anything really of McDonald being shot, correct? Is that what you're saying?

MS. RUSSELL: I think from your review of the video and all the analysis that has been done, you know 16 shots takes seconds. So if you are asserting that the officer took more than that time to put her car in park, I don't know. The video speaks for itself.

I'm sure you can tell from it when exactly the transmission was put in park.

I think -- I don't know what the question was. How can you not remember this, or how could you look down in putting your car into park? What was the question?

BY MS. ANSARI:

Q. I'm wondering how you can't remember this, what --

MS. RUSSELL: Well, I don't think that is an appropriate question, but answer it if you can.

BY THE INTERVIEWEE:

A. I mean, I don't remember it. So if I don't remember it, I don't remember it.

MS. RUSSELL: I would also say that this officer has been interviewed by the federal agents about this, the State's Attorney's Office, the Independent Police Review Authority; given Grand Jury testimony; her name has been in the paper as giving false reports; the video has been all over the place.

The fact that she can't remember a specific detail about, you know, whether he was in the middle of the southbound lane -- the video is the video. We have all seen it.

As you have brought up, the public demands answers. Like, whether this officer can directly pinpoint the exact time she put her car into park, it's not surprising to me that after giving 16 statements on this and having, you know, every press outlet in the country providing their input of what happened that she can't specifically recall with that statement.

THE INTERVIEWEE: And -- I mean, and also it happened how long ago?

BY MS. ANSARI:

Q. But you said you did not see who was shooting because you were focused on Laquan McDonald. Is that what you said before?

A. Yeah. I was looking at him.

Q. You were looking at the offender?

A. Yes.

Q. So you didn't notice who was shooting because you were looking at the offender.

And to get this on the record, just to try and clarify, you did see him standing and then on the ground, correct, like actually fall to the ground? Did you see him fall to the ground?

A. I don't remember.

Q. So you didn't see who was shooting because you were focused on the offender, but you did not see the offender actually fall to the ground?

A. Like I said, I don't remember that, but there was two officers with their guns drawn.

Q. Right.

A. So --

Q. Okay. I am going to go back to Allegation 1 and just repeat that one.

On or about October 20, 2014, you provided a false narrative to Detective David March concerning the McDonald shooting through a series of false statements and material omissions.

Besides the corrections that you have already made, do you stand by your statement to Detective --

A. To the detective, yes.

FURTHER EXAMINATION

BY MR. BROWN:

Q. I've got a couple follow-up questions.

In the supplemental report -- supplementary report, I'm sorry, the detective attributes to you that, "Officer Mondragon saw Officers Joseph Walsh and Jason Van Dyke outside of their vehicle." You told us that was an accurate statement.

I'm wondering how is it you saw the officers get out of the vehicle, but you didn't see their next -- the next immediate movements they made to walk towards McDonald?

A. To walk towards McDonald?

Q. Yeah, the --

A. Like I said, I saw them. They got out

of their vehicle. As soon as they got out, like I said, I was focused, I saw them -- I mean out of the corner of my eye I saw them. They get out, and I was focused on him. That's when I put it on park and everything else happened.

Q. But there is a lot of time that elapsed there.

A. A lot of time? How much?

MS. RUSSELL: How much? How much time?

MR. BROWN: Okay. Well, that's --

MS. RUSSELL: I mean, what does the video show?

MR. BROWN: We will show the video to help.

BY MR. BROWN:

Q. But just plainly speaking, just I'm trying to understand. You saw them get out of the car. The very next movements they made were walking towards McDonald. I'm just wondering, how did you not see it? Did you want to not see them, did you --

A. Like I said, I -- I don't know. No.

Q. After --

A. I saw them get out, out of the corner of my eye, then, you know, I looked at Laquan, put my car in park, and everything happened. When you're

saying there's time, obviously, when you're out there, seconds are nothing. You know, when you're sitting here, yeah, we sit here for 30 seconds and it feel like an eternity.

Q. But after reviewing the video, would you say that the officers --

A. I can't speak for them.

Q. No. I mean, now that you have had the opportunity to review the video, you know, after the fact and in preparation for this interview, would you say that Officers Walsh and Van Dyke did make steps towards McDonald after getting out of their vehicle?

MS. RUSSELL: Are you asking what her memory is or whether she observed that on the video?

MR. BROWN: Whether she observed that on the video.

MS. RUSSELL: Do you want to watch the video and see if we can see that?

BY THE INTERVIEWEE:

A. I mean, I don't remember. Like I said, I remember them getting out of the car. That's it.

MS. RUSSELL: I mean, I guess we would say the video speaks for itself. She has testified to what

she remembers. The video speaks for itself.

MR. BROWN: And we will show the video in a little bit, but I just thought it would be easy just to say, yes, I saw them walking towards McDonald or no, I didn't see them walking --

THE INTERVIEWEE: Like I said, I saw them get out of their car; I looked at Laquan; the next thing you know, everything happened. So, I mean, the video shows -- like she said, the video shows whatever is there. So --

BY MR. BROWN:

Q. When you say "the video shows whatever is there," do you have --

A. Well, you're saying that they got out and they -- you know, they went -- I didn't see that. You're saying that you saw that in the video.

FURTHER EXAMINATION

BY MS. ANSARI:

Q. So you didn't see that?

MS. RUSSELL: How could she testify to it if she didn't see it?

BY THE INTERVIEWEE:

A. Here's the thing. I don't -- yeah, I

didn't -- I saw them get out of the car, and that's it.

FURTHER EXAMINATION

BY MR. BROWN:

Q. And I'm not saying about that day on October 20th. I'm just asking in preparation for this interview, you reviewed the video, correct?

A. I didn't -- no, I didn't see the video.

Q. In preparation for today's interview?

A. For today?

Q. Yes.

A. No.

Q. You didn't review the video?

A. No.

Q. I mean, you had seen it at some point prior to today, correct?

A. Yes, I said I saw it when I went for the FBI.

Q. Right. Past seeing it for the FBI, have you seen it after that?

A. No.

Q. You only saw it the one time after --

A. Well, and on TV, of course.

Q. Okay. So what I was just trying to get

at is from you seeing the video after the fact, would you say that Officer Walsh and Van Dyke made steps toward McDonald?

A. Here's the thing. Like I said, in the video, I mean, I don't know. You might see it. If you show it to me, I'll tell you, oh, yeah, it looks like they're -- but that -- to me? No, I saw them get out of the car, and that's it.

Q. I think we keep going around the same issue. I wasn't trying to get to your recollection that night. I was actually asking about --

A. Well, like I said, I haven't seen the video. So if you show it to me, I will tell you, yeah. But other than that, no.

Q. Okay. We will show you the video in a little bit.

You noted that you put your transmission in park, correct?

A. Yes.

Q. You noted that you were looking down, correct?

A. Yes. I looked down to put the car in park.

Q. Were you looking at anything in

particular?

A. I just looked down to where -- no.

Q. Were you looking at the video as it was happening on your screen?

A. I don't remember. No.

Q. How long does it take to put your car in park?

A. I don't -- I don't know.

Q. The vehicle you were driving on October 20, 2014, you had driven that vehicle prior to that day, correct?

A. Yes.

Q. What type of vehicle was it?

A. I believe it was a Ford Explorer.

Q. Give us an estimate of how many times you have given that Ford Explorer prior to October 20, 2014.

A. I have no clue.

Q. More than two times?

A. I don't know. Several.

Q. Several? Is that 50 times?

A. I don't know. Several times.

Q. So definitely more than one?

A. Yes.

Q. Safe to say you won't agree to any number more than one; you're just going to say several?

A. Uh-huh.

Q. So you have had practice putting the car into park multiple times, correct?

A. Yes.

Q. How long does that normally take?

A. I don't know.

Q. Is it something you have to think about, how to put the car in park?

A. Well, what do you mean "to think about"?

Q. Well, I'm just trying to figure out how -- is it a difficult process to put the car in park?

MS. RUSSELL: I am going to object at this point. I think this is harassment of this witness, badgering, and not related to the allegations that she has already answered.

BY MR. BROWN:

Q. I am just trying to get an understanding of the effort it takes to put the car in park.

A. Well, I don't know how long it would take to put in park.

Q. I'm not asking for the exact to the

millisecond how long it takes, but would you say it takes one second?

A. I don't know. Okay. It might take a second. It might take two.

Q. Okay. It might take one or two seconds. So seeing how it might take one or two seconds to put the car in park, after the car was put in park on the night of October 20, 2014, why didn't you look back up after the car was put in park?

MS. RUSSELL: I think she stated that she looked down, put the car in park, she looks up, McDonald's down. I mean, why didn't she -- yeah, I mean --

BY THE INTERVIEWEE:

A. That I don't know. I mean -- I wouldn't know. I don't know.

BY MS. ANSARI:

Q. And I know that's what you have stated, but just thinking of the timeline, if it's several seconds for the 16 shots to occur --

A. I don't know.

Q. No, I'm just -- just let me finish it out, and then you can answer.

You see Walsh and Van Dyke get out of the car. You put your vehicle in park or you are starting to do that. You look down. You hear the shots. There's a number of seconds that go by and -- well, we'll look at the video and count, but we're going to estimate ten seconds --

MS. RUSSELL: We're not counting. We're not counting.

MR. BROWN: Okay.

MS. RUSSELL: The video's got its own timer, as we know.

MR. BROWN: Oh, sure. I'm sorry.

MS. RUSSELL: Yeah. We're not counting.

MR. BROWN: I misstated it.

BY MR. BROWN:

Q. We are not going to count. We will just go by whatever is on the video. But my estimation was just trying to figure out when the shots started and when they ended. My estimation was ten seconds.

So that's what I was trying to get from -- it took you one to two seconds to put the car in park, and you looked down. What was going for those other eight seconds?

A. I don't know.

Q. I mean, you've got two coworkers outside dealing with a situation that is serious. Their guns are drawn.

MS. RUSSELL: Is that a question for her?

MR. BROWN: Yeah. I was going follow it with a question.

BY MR. BROWN:

Q. Is that a situation that you would like to observe?

A. Like I said, I don't know, I don't remember why I didn't look up.

Q. Did you consciously not want to look up?

A. I don't -- I don't remember, so no, I -- if I don't know why I didn't look up, no.

Q. I'm just trying to give you an opportunity to explain it. Just to --

A. Well, and I'm just trying to tell you. I mean, if I didn't look up, I don't remember why. I don't know why. So I can't give you an answer. You are asking me, you know. I can't give you an answer. I don't know why.

Q. Okay. Then your statement is your statement. It is just from my reading of it, that

was one of the questions that popped into my mind, what happened, how come she didn't look up. That doesn't seem reasonable, but I just wanted to ask you to get your response to that.

A. Okay.

MR. BROWN: Okay. I guess --

FURTHER EXAMINATION

BY MS. ANSARI:

Q. When you were making the motion about placing the vehicle into park, you went like -- is the park on the steering wheel, or is it a -- what's it called?

A. No, it's on the steering wheel.

Q. It's on the steering wheel. So it's like when you're placing it into park, you're facing forward?

A. Yes.

Q. Okay. Not looking down because it's not down?

A. No. It's on the steering wheel.

MS. ANSARI: Okay. Let's watch the video.

MR. BROWN: Okay.

BY MS. ANSARI:

Q. So we are going to --

MR. BROWN: Let's go off the record for a minute. It's 1:08.

(Whereupon, a break was taken from 1:08 to 1:15 p.m.)

MR. BROWN: So the time is now 1:15, and we are back on the record.

BY MS. ANSARI:

Q. Officer Mondragon, I am now going to show you a portion of the video that were recovered from the in-car video system of the beat 813R vehicle. This is one of the videos that the Office of Inspector General provided to you on February 24, 2016, on a DVD.

Kris is going open the VLC media file, which he has already done, titled Video TS.IFO on his laptop. The file contains six minutes and five seconds of footage. The video also has a timestamp on it indicating the date and time the video was recorded.

We are going to advance the video to the portion timestamped 9:57:20. The VLC media player time bar time, which again goes from zero to 6:05, is at 4:38.

I am going to ask you to watch the video

once all the way through -- well, not all the way through, but a certain portion of the video showing the shooting. And then we will go back, and I am going to ask you to identify certain portions of the video that correspond to your statement.

We can watch the video in half speed, and you can watch the video as many times as you need to before identifying -- before answering my questions. Okay?

THE INTERVIEWEE: Yes.

MR. BROWN: And she also means we can watch it at full speed too, if that's better.

MS. ANSARI: Sorry. Full speed, half speed.

THE INTERVIEWEE: Okay.

MS. RUSSELL: I guess, do you want to tell her what the question is? Because then she may watch it different. I don't know.

MS. ANSARI: Yeah. So -- well, there's a couple -- there will be a couple questions.

BY MS. ANSARI:

Q. But what I'm -- the first question that I want to know is I would like you to point out, in your statement, you said that -- or you did not say McDonald got closer and closer to the officers; you

said that he was continuing to walk southbound. So I just want you to identify the portion where McDonald is walking southbound.

A. Okay.

Q. And then second, what I want to do, what I would like you to do is identify when in the video, as best as you can recall, you stopped seeing what was happening on the video, because your statement --

MS. RUSSELL: But the video shows McDonald the entire time. So she saw McDonald the entire time. So when you are saying identify when she stopped looking at the video?

MS. ANSARI: I apologize.

BY MS. ANSARI:

Q. When you -- your statement says as you were placing your vehicle transmission into park, you looked down and heard what we now know is multiple -- you said multiple gunshots. So what I am trying to figure out is at what point in the video did you look down and when did you look back up, as best as you can recall.

So you see what's happening here on the video. Laquan McDonald -- you will see what

happens. And, essentially, I want to know what you saw and what you didn't see of what is on the video.

A. I mean, seeing the video is not going to change what my statement says. You want me to pinpoint exact time? I can't.

Q. Well, let's watch it, and we'll stop it at a certain portion and ask a question, and if you don't remember, then that's fine.

A. Okay.

MR. BROWN: So you are going tell me to stop when it's fine?

MS. ANSARI: Yeah.

MR. BROWN: Okay.

(Whereupon, a video was shown.)

BY MS. ANSARI:

Q. So is this part what you mean when you say McDonald was continuing to go southbound? And "this part" is at timestamp 4:44 going to 4:59.

MS. ANSARI: You can pause it here -- oh, I'm sorry.

BY MS. ANSARI:

Q. So here --

A. You see he's waving the knife.

Q. Yeah, and here, you see him walking southbound, correct?

A. Yes.

Q. Does it look like now, viewing the video now --

MS. ANSARI: I'm sorry. Kris, can you align that a little bit? This is a little --

MR. BROWN: Yeah, there was --

MS. ANSARI: This is a little -- I understand this is a little awkward for me to do this.

(Whereupon, playback was stopped.)

MR. BROWN: Can you see it, Officer, if I have it right here? Maybe this is easier. Then you can just ask as we go.

BY MS. ANSARI:

Q. Okay. So, now, this is as we are watching the video together. It is not --

MS. ANSARI: Well, just play it along.

(Whereupon, a video was shown.)

BY MS. ANSARI:

Q. So here McDonald is walking southbound. And it appears from the video that he is now walking away from the officers. Is that what it looks like to you on the video?

A. Again, the video speaks for itself. You see him walking southbound.

Q. Okay. Do you see him walking away from the officers at 4:51?

MS. RUSSELL: This video speaks for itself. She doesn't have to narrate the video for you guys. The video speaks for itself.

MS. ANSARI: Okay.

BY THE INTERVIEWEE:

A. It looks like he's walking southbound.

BY MS. ANSARI:

Q. Okay. Now, if we could back up a little here. Did you see -- okay. You said you saw Officer Van Dyke and Officer Walsh get out of their vehicle, which is happening at 4:48. And McDonald is standing. He's on the ground.

(Whereupon, playback was stopped.)

BY MS. ANSARI:

Q. You said your attention was on McDonald when you were at the scene. Did you see him standing and then fall to the ground?

A. Like I said, I don't remember that.

Q. So your statement after viewing the video is that you saw Officers Walsh and Van Dyke get out

of their vehicle, and then you did not see them shoot or McDonald fall to the ground?

MS. RUSSELL: Not shoot.

BY MS. ANSARI:

Q. Sorry. You did not see Officers Walsh or Officer Van Dyke -- you did not see who shot?

A. No, I didn't.

Q. And you did not see Laquan McDonald standing and then fall to the ground?

A. I don't recall seeing him, like you said, but I don't, no. I didn't see who shot.

MS. ANSARI: Okay. Do you have any questions?

(Whereupon, a video was shown.)

FURTHER EXAMINATION

BY MR. BROWN:

Q. I should have done a better job trying to point out when it appeared the shooting started, but I just wanted to make a note of when it appeared that the shooting started on the player. Maybe --

(Whereupon, playback was stopped.)

(Whereupon, a video was shown.)

(Whereupon, playback was stopped.)

BY MR. BROWN:

Q. So it appeared to me that maybe 4:51 or 52 to approximately 5:05 or 5:06 on the recording, it appeared that McDonald was being shot.

So I wanted to ask you, is your statement that you did not see any of that, the shooting, because you were looking down?

A. I don't remember if I said because I was looking down the entire time, but I didn't see the shots.

MS. ANSARI: Are you done?

MR. BROWN: I'm done.

(Whereupon, a video was shown.)

(Whereupon, playback was stopped.)

(Whereupon, a video was shown.)

BY MS. ANSARI:

Q. Did you see Walsh kick the -- so on the video, did you see Walsh kick the knife out of Laquan McDonald's hand?

A. Right now? Right now?

Q. No. Just at the scene?

A. I don't remember.

Q. You don't remember seeing that. Okay.

MR. BROWN: Are we good with the video?

MS. ANSARI: Yeah.

MR. BROWN: We'll stop the video now.

(Whereupon, playback was stopped.)

BY MS. ANSARI:

Q. So we are going to move on to your statement to IPRA. IPRA interviewed you about the McDonald shooting, correct?

A. Yes.

Q. That interview took place on October 21, 2014, correct?

A. Yes.

Q. Where did that interview take place

A. I remember in the area.

Q. In the area, so area central?

A. 50 -- yeah, 51st and Wentworth.

Q. Okay. Do you remember about what time that interview had occurred?

A. No, I don't.

MS. RUSSELL: We have the documents. It was at 0529 hours.

BY MS. ANSARI:

Q. Do you have any reason to believe that the interview did not occur at 5:29 in the morning?

A. No, I don't.

Q. Okay. Who was present during that interview?

A. Do you want --

Q. That you can recall? You don't have to refer to the document, just that you can recall.

A. Oh. I know the FOP attorney, the -- whoever the -- who interviewed me. I don't remember if there was anybody else.

Q. Did you talk to the FOP attorney or the FOP rep -- so the statement indicates that the FOP attorney Dan Herbert was there, and FOP representative Kristin Kato was there.

Do you remember talking to Dan Herbert or Kristin Kato before you spoke with IPRA?

A. No, I don't remember that.

Q. Have you ever met them before, either of them?

A. Not that I could recall.

Q. So is the first time you spoke with them the first time you met them when you walked in for your IPRA interview?

A. Yes.

Q. Okay. And you stated earlier that you did not talk to any of the police officers that

were at the scene of the shooting before your IPRA interview? Is that correct?

A. Not that I remember, no.

Q. Okay.

A. Outside, of course, my partner when we talked on the way there and whatever, but --

Q. And you said you didn't talk with your partner about any substance -- about what you saw that night?

A. No.

Q. Did you make any attempt to ensure that the statement you were going to provide to IPRA was consistent with the statements provided by the other officers who were present at the McDonald shooting?

A. No.

Q. Prior to your IPRA statement, were you pressured in any way to make that statement consistent with the statements of the other officers present at the scene?

A. No.

Q. I am going to direct your attention to your IPRA statement and the allegations in conjunction.

A. Okay.

Q. And we will start with the allegations on -- Allegation No. 9 is where we will start. And in the transcript, can I direct you to page 8 of the transcript, and can you review pages 8 and 9, please, would you?

A. And you said Question No. 9?

Q. No. Will you review pages 8 and 9 of your statement, of the transcript, please. Then I will ask you the question.

"It is alleged that on or about October 21, 2014, you made a false statement when during an interview with IPRA Investigator Killen you stated that McDonald was running southbound on Pulaski in the middle of the street waving a knife."

Do you stand by your statement to IPRA?

A. Yes.

Q. So I would like to direct you to page 10, lines 1 through 7 in your transcript, please.

A. Okay.

Q. "It is alleged that on or about October 21, 2014, you made a false statement during an interview with IPRA Investigator Killen when you

stated that McDonald was waving the knife when Officers Walsh and Van Dyke were telling him to drop it."

Do you stand by your statement to IPRA?

A. Yes.

Q. "It is alleged that on or about October 21, 2014, you made a material omission during an interview with IPRA Investigator Killen when you failed to stated that McDonald changed the direction in which he was walking prior to the shooting."

Why didn't you tell Investigator Killen that McDonald changed the direction in which he was walking prior to being shot by Officer Van Dyke?

A. Like I said, he was walking southbound. To me, changing direction would be if he, you know, turned around, started walking northbound or east or west. That's changing direction.

Q. "It is alleged that on or about October 21, 2014, you made a material omission during an interview with IPRA Investigator Killen when you failed to state that officers Walsh and Van Dyke moved towards McDonald prior to the shooting."

Why didn't you tell Investigator Killen that Officers Walsh and Van Dyke moved towards McDonald prior to the shooting?

A. Like I said, I saw them get out of the vehicle, and that's it.

MS. RUSSELL: I would also add for the record that in an IPRA statement, an officer is to respond to questions asked of him or her, not volunteer any additional or other information.

BY MS. ANSARI:

Q. "It is" -- oh, I would like to direct your attention to page 10, lines 29 to 30. So you should be on page -- yeah. Right. Lines 29 to 30.

"It is alleged that on or about October 21st, you made a false statement during an interview with IPRA Investigator Killan when Killen asked you if you knew who was shooting, and you stated no."

Do you stand by your statement to IPRA?

A. Yes.

Q. On pages 10 and 11, would you please read pages 10 and 11 in full.

A. Okay.

Q. So in your IPRA interview, you said that

your car was still moving slowly behind -- well, your car was still moving slowly towards the scene.

So when McDonald was shot, was your car still moving? That's what I understood to be here, but I'm asking you if that's what --

MS. RUSSELL: Are you asking her if she stands by her statement?

MS. ANSARI: Yes.

BY THE INTERVIEWEE:

A. Yes.

BY MS. ANSARI:

Q. So in your detective statement, you stood by the statement that you were putting the car into park when you heard shots being fired.

So was your car moving, or were you putting your car into park? Which was it?

MS. RUSSELL: This does not say that simultaneous with the shooting, are you in park, are you looking, are you moving, what are you doing. She stands by her statement. It is only after the statement that she has been sliced and diced with every subsecond, millisecond of what happened that night.

She stands by her statement as true. She

has been through the detective's stuff and corrected anything that was in error. There is nothing inconsistent about this statement.

BY MS. ANSARI:

Q. So if you look at Page 11, lines 12 to 13: "After I hear the -- you know, I'm -- like I said, I'm still moving, and I hear the offender drop down."

You said, "I'm still moving." Does that mean that the car was still moving? I'm just asking for clarification.

A. I stand by my statement.

Q. Right. So you stand by your statement that, "I'm still moving and I see the offender drop down," correct?

A. Yes.

Q. So that is different from putting your car into park when the offender drops down?

MS. RUSSELL: What second are you talking about? What second are you talking about?

MS. ANSARI: "I see the offender drop down." So that's the second --

MS. RUSSELL: The second that -- is it when he first --

MS. ANSARI: "I'm still moving as I see the offender drop down."

MS. RUSSELL: When he first drops down or in the video or --

MS. ANSARI: He only drops down once. That's what I mean.

MS. RUSSELL: Well, so when he first drops down, what second is that? Let's see it on the video.

MS. ANSARI: Okay.

MS. RUSSELL: I mean, can you slice this into what second? If you are going to ask this officer to slice and dice it into every second, I want to see exactly the second you are going to ask her whether she remembers moving, because she is standing by this statement and it is not inconsistent with her other statements.

MS. ANSARI: And for the record, we are starting the video again. It is the same video that we showed earlier.

(Whereupon, a video was shown.)

MS. RUSSELL: And what allegation are you asking her to address?

MS. ANSARI: This is background. I'm trying to

just get information.

MS. RUSSELL: To what allegation? So she needs to address your allegation.

MS. ANSARI: About not seeing who was shooting. About not seeing who was shooting.

MS. RUSSELL: If you're asking her, "How is it possible that you couldn't see," that's the allegation she already answered, that she didn't see.

(Whereupon, a video is shown repeatedly throughout questioning.)

MS. ANSARI: So he drops down.

MS. RUSSELL: What exact second is that? No, because this is now two, three, four seconds.

MR. BROWN: Let me rewind.

MS. RUSSELL: I mean, that is what you guys are asking her to do.

MS. ANSARI: Right. I understand.

MS. RUSSELL: So I want to see the exact second you are referring to.

MS. ANSARI: 4:55, he drops down.

MS. RUSSELL: Okay. So not a second before that, not a second after it, you are asking this second, 4:55 on this, was your car in park? What is

your question?
BY MS. ANSARI:
Q. I wanted to know if your car was still moving when the offender dropped down. And in the video, it appears --
MS. RUSSELL: At 4:55 seconds?
MS. ANSARI: Let's rewind it.
(Whereupon, a video was stopped and then repeated.)
MS. ANSARI: Okay. 4:55.
MS. RUSSELL: Well, now we are at 4:57.
MR. BROWN: Well, we can --
(Whereupon, playback was stopped.)
MS. RUSSELL: What is the second? What second do you want her to ask her questions about? Because that is where we are at, at this point in the investigation. We're second by second.
BY MS. ANSARI:
Q. Between 4:55 and 4:58, was your car still moving? And we can watch it again.
A. I don't know.
Q. Okay.
(Whereupon, a video was shown.)

BY MS. ANSARI:

Q. "It is alleged that on or about" --

(Whereupon, playback was stopped.)

BY MS. ANSARI:

Q. So we will move on from that one.

"It is alleged" -- I am going to direct your attention to Page 11, lines 1 through 3.

A. Okay.

Q. "It is alleged that on or about October 21, 2014, you made a false statement during an interview with IPRA Investigator Killen when Killen asked you if you saw muzzle flashes or anything like that you and you stated no."

Do you stand by your statement to IPRA?

A. Yes.

Q. How bright are muzzle flashes? Just a background question: What does a muzzle flash really look like? Is it a spark, or is it a --

A. I don't know. You would have to see it.

Q. It's just you know what it looks like; it's just hard to describe here. Is that what you're saying?

A. What do you mean if I know what it looks like?

Q. What is a muzzle flash? When a gun is being fired, are there normally muzzle flashes?

A. That I don't know. Sometimes.

Q. Okay. "It is alleged that on or about October 21, 2014, you made a false statement when during an interview with IPRA Investigator Killen, Killen asked if everything you stated was a true and accurate account of what occurred, and you said yes."

Do you stand by your answer that you gave a true and accurate account of the McDonald shooting?

A. Yes.

Q. "It is alleged that on or about October 21, 2014, you provided a false narrative to IPRA Investigator Killen concerning the McDonald shooting through a series of false statements and material omissions."

Do you stand by your answer that you gave a true and accurate account of the McDonald shooting?

A. Yes.

Q. After your IPRA statement, did you get a copy of your statement?

A. I don't remember.
Q. Have you made statements to IPRA before?
A. I don't remember. Maybe once.
Q. Before reviewing your IPRA statement, in preparation for this OIG interview, had you reviewed, seen your statement before?
A. What's a senior statement?
MS. RUSSELL: No, have you reviewed or seen it.
BY MS. ANSARI:
Q. Well, I guess, when did you first see this statement?
A. Oh, when I got it from you guys.
Q. From us?
A. Uh-huh.
Q. That was the first time you had seen it?
A. Yes.
Q. Okay. Did you leave area central right after you gave the IPRA statement?
A. I don't remember if it was right after.
Q. Okay. Was it shortly after?
A. Yes.
Q. And then did you go back to your district with Officer Sebastian?
A. Yes.

Q. And then you went home?

A. Yes.

MS. ANSARI: Do you have any follow-up?

MR. BROWN: Just very brief.

FURTHER EXAMINATION

BY MR. BROWN:

Q. I understand as it relates to the IPRA interview you have to answer questions that are put to you. It's not your job to volunteer details. And that's just me making a statement. It's not a question.

But I did want to ask you, do you feel that there are additional details that you would have liked to have said but that Investigator Killen failed to ask you the right question to elicit those details?

A. No.

Q. You feel like he got an accurate picture as to what your observations were from that night?

A. Yes. Yes.

Q. Okay. And just a different follow-up, just on the muzzle flashes, just so I know, are there some times when a gun is shot that a muzzle flash doesn't happen?

A. Like I said, I don't know. It could, yeah. It could not happen.

Q. Just from your experience, have you seen times where a gun is being shot and there is a flash and times where there isn't a flash?

A. Yes.

MR. BROWN: Okay. That was just for my own edification. Thank you.

MS. ANSARI: Okay. I have no more questions regarding your IPRA interview. I think we are ready to move on to the dash cam issue. Do you guys need a break?

THE INTERVIEWEE: No.

BY MS. ANSARI:

Q. Okay. So this is the last subject. So, Officer Mondragon, what is an in-car video system exactly? Can you just describe how it works, what it is?

A. I guess the camera in the vehicle.

Q. Okay. Do in-car video systems also capture audio?

A. Yes.

Q. Can you walk us through just, like, the steps that you take as an officer using your

vehicle's in-car video system throughout your shift? So starting -- you know, you start your shift, what do you do with the system, and then throughout the shift kind of what happens with the system?

A. I mean, when you get in the video, you log in, it logs in, the camera comes on, and that's it.

Q. And then do you --

A. And then you --

Q. I'm sorry. Go ahead.

A. And then it just records if you turn your lights on.

Q. So the video system, if you turn the lights on, the video system automatically starts recording?

A. Yes.

Q. Does it start -- can you manually start recording, even if your lights aren't on?

A. That I don't know.

Q. And then at the end of the shift, do you have to do anything with the video system?

A. Now we do.

Q. Before --

A. Oh.

Q. And so this is all -- sorry. To clarify, all these questions will be what the procedure was as of October 20, 2014, as best as you can recall.

A. Okay. Just log off, and you upload. It has a little thing where it says Upload and, you know, turn off the camera. That's it.

Q. Okay.

MS. RUSSELL: I'm sorry, Sarah. I missed that question. What is the question?

MS. ANSARI: Can you repeat it back?

(Whereupon, the record was read by the reporter as requested.)

MS. RUSSELL: Okay. Yeah. Yeah.

MS. ANSARI: As of October 2014.

BY MS. ANSARI:

Q. So as of October 2014, what rules or regulations governed your use of the in-car audio-video system?

A. What do you mean?

Q. So are there any CPD General Orders or Special Orders talking about -- and this is as of October 2014. Were there any CPD General Orders or Special Orders governing the use of the system?

A. I'm sure there is, yes.

MS. ANSARI: Okay. We would like to introduce into evidence Exhibit 8.

(Whereupon, Exhibit 8 was marked for identification.)

BY MS. ANSARI:

Q. For the record, this exhibit is Special Order S03-05, CPD Special Order regarding in-car video systems, dated February 23, 2012.

Does this special order refresh your recollection as to the in-car video system protocols that were in place as of October 2014?

A. Yes.

Q. I want to direct your attention to Section 6 of the Special Order titled Operational Procedures.

A. Okay.

Q. Section VI A states, "Department members assigned to a department vehicle equipped with an in-car video system will, 1, at the beginning of a tour of duty: Visually inspect the in-car video system equipment for damage; obtain the remote transmitter/audio recorder and ensure that it is securely attached to the member's person; 3, or

(c), follow the start-up procedures for the in-car video system as trained and ensure the system is working properly.

"Note: Members will immediately notify a supervisor if at any time the in-car video system is inoperable, damaged, the equipped vehicle becomes inoperable, or the remote transmitter audio recorder is missing."

Were you aware of these procedures as of October 20, 2014?

A. Yes.

Q. Yes?

Did you receive any training on these procedures?

A. Yes, a long time ago.

Q. Do you remember when?

A. No. Years ago.

Q. Years ago?

A. When they first, you know --

Q. You started in 2008, correct?

A. 7.

Q. 2007. Okay. Was it close to when you started with the --

A. I don't remember.

Q. Do you remember receiving more than one training on the use of the in-car video audio systems?

A. I don't remember.

Q. But you do remember a training, correct?

A. Yes.

Q. And do you remember actually seeing these procedures?

A. I mean, I'm sure I've seen them. I --

Q. But you don't recall?

A. I don't remember, yeah.

Q. So have you ever had to notify a supervisor regarding a damaged in-car video system?

A. Are you talking about now or before?

Q. In 2014.

A. 2014. So this is all before.

Q. Yeah, so all before.

A. No, I don't remember if I did.

Q. Okay. Do you remember your video or audio system not working before or ever having to do anything about it?

A. No, I don't remember.

Q. Are you familiar with the term help desk ticket?

A. Yes.
Q. Okay. What is that?
A. It's just a -- you call for data and get a ticket number if something's not working.
Q. So if something's not working, you request a help desk ticket, correct?
A. Yes. You call for data.
Q. And have you ever requested a help desk ticket before?
A. I don't remember.
Q. You were driving vehicle 8779 on October 20, 2014, correct?
A. Yes.
Q. Is this a vehicle you drive regularly?
A. It's assigned to us, but we don't always get it.
Q. Can you estimate about -- scratch that.
So vehicle 8779 is assigned to you and Officer Sebastian, correct?
A. It's assigned to the beat.
Q. To beat 813R, correct?
A. Yes. It was.
Q. It was, yes, as of October 20, 2014.
How often have you driven that vehicle?

A. I don't know. Several times. Like, not only do we have it, but if -- you know, afternoons takes it, days takes it. So --

Q. Okay. But it's safe to say that you have driven that vehicle several times?

A. Yes.

Q. So more than ten?

A. Oh, I don't know.

Q. Okay.

A. Yeah.

Q. And vehicle 8779 has an in-car video system, correct?

A. That day, yes.

Q. That day, yes, which we know because there is a video.

A. Yes.

Q. How long had you -- when you started on the force in 2007, how long from then up until October 20, 2014, how long had you worked in a car with an in-car video system?

A. Oh, that I wouldn't know.

Q. Okay. But the majority of the time, the cars had --

A. Like I said, it depends. Sometimes you

get cars that have no cameras. So I don't --

Q. But would you say it's like half time you have a car that has a camera and half the time not?

A. Yeah, I wouldn't be able to tell you if it's half the time or not.

Q. Did you ever have any issues with vehicle 8779's in-car audio or video system on previous tours, previous before October 20, 2014?

A. Not that I remember.

Q. So on the night of October 20, 2014, can you walk me through what you did at the beginning of your tour of duty related to the in-car video and audio system?

A. I don't remember if I logged in or my partner logged in. I don't remember.

Q. But one of you logged in?

A. Yes.

Q. And then what did you do?

A. Nothing. You log in, and you go out and patrol.

Q. Okay. So you log in, and then you go?

A. Uh-huh.

Q. Got it. Did you visually inspect the in-car system equipment for any damage?

A. What do you mean, like break -- if it was broken?

Q. Broken?

A. Broken?

Q. Or if it was working?

A. Honestly, I don't remember.

Q. And we know that it was working, so -- that's the video system.

Actually, what is your PC number? Do you know that by heart?

A. Yes.

Q. Okay. What is your number?

A. [redacted]

Q. Where do you keep the microphones for the system?

A. What do you mean?

Q. Where do you keep the microphones for the in-car audio-video system?

A. It depends. I don't remember that car where they kept it.

Q. Are they on a cradle, or are they --

A. No, they're just -- I mean, like I said, I don't remember that car where they were, but there's a -- how can I say it? Somewhere where you

just put them to charge.

Q. Okay. And then do you put the microphones on your person before going out on the tour of duty?

A. Yes. Now we do.

Q. Yeah. As of October 20, 2014?

A. I don't remember if I did.

Q. So before, before October 20, 2014, did you at the beginning of a tour of duty, would you put the microphone on your person?

A. I don't remember.

MS. ANSARI: I would like to mark into evidence Exhibit 9 and Exhibit 10.

(Whereupon, Exhibit 9 and Exhibit 10 were marked for identification.)

BY MS. ANSARI:

Q. Okay. Exhibit 9 is the in-car camera video retrieval worksheet dated October 20, 2014, 22:30 hours, and it states the technician is Becvar who we know his name now is Sergeant Lance Becvar. And Exhibit 10 is an e-mail from Lance Becvar dated Friday, July 17, 2015.

So let's take a look at Exhibit 9. And if you see at the top, it says a handwritten 813R,

Vehicle 8779. The 9 is a little hard to read, but that's a 9. And it says PC number PC0Z400. Is that your PC number?

A. Yes.

Q. And if you look lower down on the page, it says, "8779: Mics In Glove Box Batteries Inserted Upside Down," with an arrow below that, it says, "fully op." We're assuming "op" means operational.

And then if you take a look at the e-mail, Exhibit 10. It says, "Vehicle 8779 video recovered titled PC0Z400" at -- a long number. "No MICs because they were in the Glove Compartment with the batteries inserted upside down - Disabling them."

Do you recall having a conversation with Sergeant Lance Becvar on the night of October 20, 2014?

A. No.

Q. Do you recall Officer Sebastian having a conversation with Sergeant Becvar?

A. No.

Q. Can you explain why the mics were in the glove compartment?

A. I have no idea, no.
Q. Can you explain why the batteries were inserted upside down?
A. No.
Q. Did you purposely disable the microphones?
A. No.
Q. But did you check the microphones at the start of your tour of duty on October 20, 2014?
A. I did not, no.
Q. You did not check the microphones?
A. No.
Q. And you did not put the microphones on your person at the start of your tour of duty on October 20, 2014?
A. No.
Q. What are you supposed to do if audio is not functioning properly at the beginning of a shift?
A. I don't know because we don't check for audio.
Q. Okay. So it wasn't a practice to check for audio --
A. No.

Q. -- at the beginning of your shift before, as of October 20, 2014?

A. Before, no. Now it's different.

Q. Okay. So you said it wasn't your practice to check for audio at the beginning of a tour of duty as of October 2014, correct?

A. What do you mean by "practice"? You mean what did I do?

Q. Yeah, did you usually do it?

A. No.

Q. And did your partner, Officer Sebastian?

A. I don't know, you would have to ask her.

Q. And do you know if it was a general practice among other police officers to not check the audio before?

A. I don't know.

Q. Have you ever been disciplined for not wearing your microphone or checking the audio before -- for audio not working in your vehicle?

A. Not that I remember, no.

Q. Were you surprised to hear that none of the five vehicles at the Laquan McDonald scene captured any audio?

A. If I was surprised?

Q. Yeah.

A. No.

Q. Why weren't you surprised?

A. I mean, looking -- if you see the reports here, mostly, the cars, sometimes they don't work, you know, you -- it's -- no, I have no --

Q. Okay. As of October 20, 2014, was there a practice of CPD officers disabling the audio components of the in-car video system?

A. No.

Q. Did you ever hear of such a practice?

A. No.

Q. Okay. We can go to the allegations.

MS. ANSARI: Or, actually, before the allegations, do you have any follow-up?

MR. BROWN: I do have a little follow-up.

FURTHER EXAMINATION

BY MR. BROWN:

Q. I wanted to ask, what was your practice as it relates to the audio-video system when you would receive your vehicle for the evening?

A. Like I said, you log in, and if the camera came on, that's it, and you go on to your

duties.

Q. Did you do any additional checks, like -- I guess we will separate that -- of the video system?

A. If I did any additional checks?

Q. What was your normal daily practice on the video system? Did you have to do any additional checks other than putting your PC number in?

A. No. Like I said, you log in and the camera comes on, and that's it.

Q. And I think you already mentioned that you didn't check the audio?

A. Yeah.

Q. Okay. How long was it your practice to not check the audio on your vehicles?

A. I don't -- I don't know.

Q. Was it just a general practice? Do you remember -- I'm sorry. Do you ever recall checking the audio in a vehicle that was issued to you?

A. I don't remember.

Q. Ever?

A. I don't remember this. I probably have checked it. I mean, like I said, I don't remember.

Q. Do you know why you would have checked the audio in vehicles sometimes but not other times?

A. Like I said, I don't even know if I checked it. So I don't -- I don't know.

Q. Well, just based on what you just told me, I thought you stated that you would check sometimes. I was just trying --

A. No. I don't remember if I ever checked.

Q. So it's possible that you have never checked the audio in the vehicles that have been issued to you?

A. That's possible, yes.

Q. Do you know when the audio-video systems were first installed in the vehicles --

A. No.

Q. -- that were issued to you?

A. No.

Q. Were they already in place when you started working in the 8th District?

A. I don't remember. Like I said, I don't know when they installed the cameras, so I couldn't tell you if when I got there they were there already.

Q. So is it safe to say that whenever the audio systems were installed in the vehicles, you might not have checked them because you just don't recall doing that?

A. Yes.

Q. Okay. And do you have a reason why you wouldn't have checked the audio system?

A. Like I said, if you logged in, your PC came on, the camera came on, that --

Q. Oh, no. Video sounds fine. It sounds like you checked the video. That's part of your daily practice. Correct?

A. Now it is, yes.

Q. I'm talking like from October 2014 and before, it sounds like your daily routine was to put your PC number in and make sure the video system was working, correct?

A. Yes.

Q. So I am just asking, why not the same for the audio system?

A. I don't know. I couldn't answer that.

Q. Was it a conscious effort to prevent there being an audio record of your police work?

A. No.

Q. You could throw it out to me. I'm just trying to figure out why --

A. Are you trying to say that --

Q. No, I'm just asking. I'm not trying insinuate anything, I'm just --

A. No. No.

Q. I'm sorry, we spoke over each other. I'm just trying to ask, is there a reason why --

A. No.

Q. -- you wouldn't have turned on or checked the audio?

A. No.

Q. But you can state that any failures to not check the audio system, it's not because you were trying to prevent there being a record of your police work?

A. Exactly.

Q. So if there was a problem related to the video system, what would be your steps after that?

A. What do you mean? That day?

Q. No. Just from October 20th and before -- I'm sorry, October 20, 2014, if there was a problem with your video system, how would you address it? What would you do?

A. You would usually just notify the sergeant. That's it. Let him know the camera is not working.

Q. Would you also have to notify the sergeant that the camera was working?

A. I don't remember if we had to before. Now we do.

Q. So it's possible you might have told, as part of your daily routine, tell the sergeant, "My video system is working"?

A. Like I said, I don't remember before. Now we do, but I don't remember before if we had to tell them that it was working or not.

Q. As part of the notification to the sergeant, would you say anything in regards to the audio system?

A. No, not that I could remember. No.

Q. Would you tell the sergeant that "My audio system is working," even though you might not have checked it that day?

A. Like I said, I don't even know if we were supposed to notify him. I don't remember.

Q. And as far as logging in to the video system, at least while you were partnered with

Officer Sebastian, did you have to always log in?

A. Sometimes, yes, because her PC wasn't working for a long time. So it was mostly my PC number.

Q. So if her PC number wasn't working, is it safe to say that you logged in all the time?

A. Not all the time; most of the time. Well, like said, we had other cars. So --

Q. And, I'm sorry, I just meant in regards to your partnership with Officer Sebastian on those nights that you guys were out together.

A. Oh. Yes.

MR. BROWN: That's all I have.

FURTHER EXAMINATION

BY MS. ANSARI:

Q. So let's go on to the allegations. So this is back to Exhibit 3. And we started at 16. We started Allegation 16.

"It is alleged that on or about October 20, 2014, you disabled the microphones for CPD vehicle 8779 by placing them into the vehicle's glove compartment with the batteries inserted upside down."

What is your response to that allegation?

A. No, I did not disable the microphones.
Q. And you did not place them into the glove compartment?
A. No.
Q. And you did not insert the batteries upside down?
A. No.
Q. Who might have done that? Do you know who did that?
A. I have no idea.
Q. "It is alleged that on or about October 20, 2014, you failed to ensure the in-car video system for CPD vehicle 8779 was working properly at the beginning of your tour of duty."
What is your response to that allegation?
A. This is the video?
Q. The in-car video system. So it includes video and audio, the whole system. The system as a whole includes video and audio?
A. Oh. I mean, I didn't know the audio wasn't working, but the camera was working.
Q. Okay. And you didn't know the audio was not working because you did not check the audio, correct?

A. Correct.

Q. "It is alleged that on or about October 20, 2014, you failed to immediately notify a supervisor that the in-car video system for CPD vehicle 8779 was inoperable or damaged."

What is your response to that allegation?

A. Like I said, I did. I didn't know that the audio wasn't working, so --

Q. "It is alleged that on or about October 20, 2014, you failed to audibly record events with CPD vehicle 8779's in-car video system during your tour of duty."

What is your response to that allegation?

A. Not that I failed; I didn't know it wasn't working.

Q. So you did not audibly record events on your video that night?

A. Correct. Correct.

MS. ANSARI: Okay. So we're done, almost. Understanding the -- do you want to take a break?

MS. RUSSELL: I think the officer may make a statement.

BY MS. ANSARI:

Q. Understanding the nature of our

investigation or what -- is there anything that you would like to add?

MS. RUSSELL: We're going to take a break.

MR. BROWN: The time is now 2:11, and we will go off the record.

(Whereupon, a break was taken from 2:11 to 2:16 p.m.)

MR. BROWN: The time is now 2:16, and we are back on the record.

MS. RUSSELL: Do you mind reading back the last comment.

(Whereupon, the record was read by the reporter as requested.)

MS. RUSSELL: From there, I would just note that certainly this officer has no idea the nature of the OIG's investigation or the extent of it. With that, she would like to make a brief statement.

MS. ANSARI: Okay.

THE INTERVIEWEE: I have answered to the best of my ability. I have been interviewed by federal agents, the State's Attorney's Office, given a Grand Jury testimony, the Independent Police Review Authority on the events of that night. My name has been on the paper as giving false testimony and

making false reports.

If I don't remember second by second the events of that night, I apologize to the extent I don't remember the exact sequence of events or exactly who I talked with on October 2014. I have answered truthfully that I don't recall.

MR. BROWN: All right. The time is 2:17, and that will conclude this interview. Thank you.

(Whereupon, the interview concluded at 2:17 p.m.)

(Which were all proceedings in the above-entitled interview this date.)

STATE OF ILLINOIS)
) SS:
COUNTY OF C O O K)

I, ANDREW ROBERT PITTS, C.S.R. No. 84-4575, a Certified Shorthand Reporter within and for the County of Cook and State of Illinois, do hereby certify:

That previous to the commencement of the examination of the Interviewee, the Interviewee was duly sworn to testify the whole truth concerning the matters herein;

That the foregoing interview transcript was reported stenographically by me, was thereafter reduced to typewriting under my personal direction and constitutes a true record of the testimony given and the proceeding had;

That the said interview was taken before me at the time and place specified;

That I am not a relative or employee or attorney or counsel, nor a relative or employee of such attorney or counsel for any of the parties hereto, nor interested directly or indirectly in the outcome of this action.

IN WITNESS WHEREOF, I do hereunto set my hand and affix my seal of office at Chicago, Illinois this 24th day of March, 2016.



_____

Certified Shorthand Reporter

Cook County, Illinois

My commission expires May 31, 2017

C.S.R. Certificate No. 84-4575.

Exhibits

Mondragon Exhibit No. 1 3:8 13:3,10,11

Mondragon Exhibit No. 2 3:9 14:2,5

Mondragon Exhibit No. 3 3:11 14:17,20 100:22 166:17

Mondragon Exhibit No. 4 3:13 15:7,10

Mondragon Exhibit No. 5 3:14 15:20,23

Mondragon Exhibit No. 6 3:15 16:8,11 38:6,16 82:11,19 84:6,9

Mondragon Exhibit No. 7 3:17 16:21,24

Mondragon Exhibit No. 8 3:19 149:3,4

Mondragon Exhibit No. 9 3:20 156:13,14,17,23

Mondragon Exhibit No. 10 3:22 156:13,14,21 157:11

(

(c) 150:1

0

0529 131:20

1

1 13:3,10,11 110:24 134:20 142:7 149:20

10 134:19 136:12,21,22 156:13,14,21 157:11

10-4 12:20

10:23 5:1

10:29 11:10,13,14

10:32 13:14

11 136:21,22 138:5 142:7

11:28 67:15

11:29 67:18

12 138:5

12:03 67:18,19 68:1,4

12:04 68:4,5

12:10 74:10,13

12:12 74:13,14

13 138:6

14 8:22 84:7

16 106:4 108:9 109:19 119:21 166:17,18

17 156:22

1:00 68:21

1:08 123:2,4

1:15 123:4,5

2

2 14:2,5 15:18 100:23

2-56 5:17 10:6

20 17:1 21:23 22:1,17 40:10 55:15 78:12,15 84:11 86:5 95:14 101:2,10,23 103:8 104:11,23 111:1 117:10,16 119:8 148:4 150:10 152:12,23 153:19 154:8,10 156:6,8,18 157:17 158:9,15 159:2 160:8 164:22 166:20 167:12 168:3,10

2007 54:16,17 150:22 153:18

2008 54:23 150:20

2012 149:9

2014 15:24 17:1 21:23 22:2,17 40:10 55:15 78:12,15 84:11 86:5 95:14 101:2,10,23 103:8 104:11,23 111:1 117:10,17 119:8 131:10 134:12,23 135:7,20 142:10 143:5,15 148:4,15,17,23 149:12 150:10 151:15,16 152:12,23 153:19 154:8,10 156:6,8,18 157:18 158:9,15 159:2,6 160:8 163:14 164:22 166:20 167:12 168:3,10

2015 16:12 23:10,11,15 156:22

2016 5:1 14:4,12,22 15:11,16 16:6,19 17:8 123:13

20167 15:2

202014 85:23

20th 115:6 164:21

21 15:24 131:9 134:12,23 135:7,20 142:10 143:5,15

21st 136:15

22 5:1

22:30 156:19

23 149:9

24 14:4,12,21 15:2,11,16 16:6,19 17:8 123:12

26 16:12

26th 35:6,10 39:20

29 136:12,13

2:00 68:21

2:11 169:4,7

2:16 169:7,8

2nd 54:16

3

3 14:17,20 15:4 100:22 142:7 149:24 166:17

30 51:10 113:3 136:12,13

300 5:2

4

4 15:7,10

40th 85:19

4364 21:19

4:38 123:23

4:44 126:19

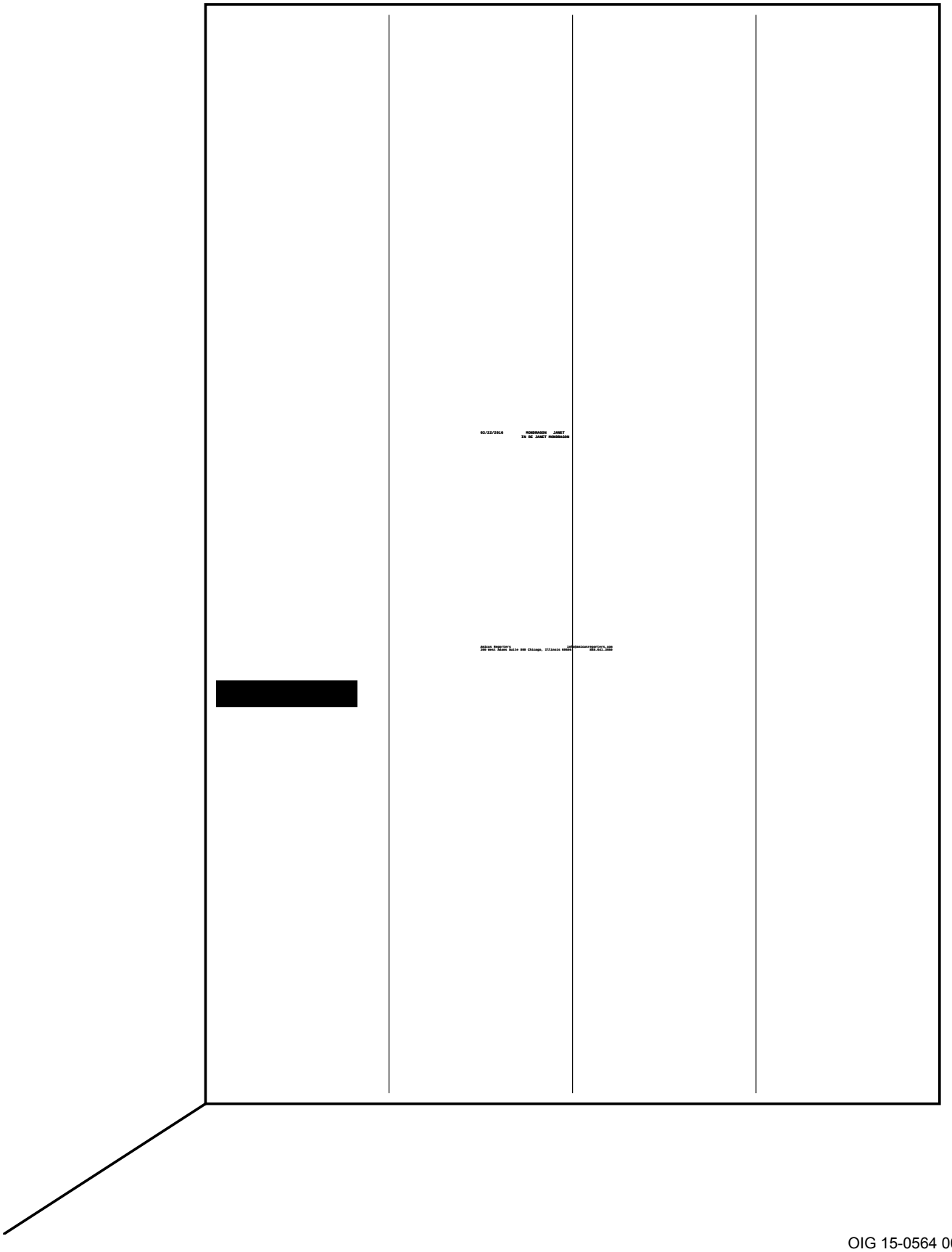
4:48 128:15

4:51 128:4 130:2

4:55 140:21,24 141:6,10,19

4:57 141:11

4:58 141:19


03/22/2016 MONDRAGON JANET
IN RE JANET MONDRAGON
Amicus Reporters
300 West Adams Suite 888 Chicago, Illinois 60606
[redacted]

142:1,4 144:9 145:3 146:9,14 148:11,15,16 149:2,6 156:12,16 160:15 166:15 168:19,23 169:18

answering 8:2 27:22 28:2 124:8

answers 20:16 37:14 38:4,14,20 81:9 109:16

Anthony 54:2

apologize 7:18 45:9 46:1 47:24 83:3 125:14

appeared 129:17, 19 130:2,4

appears 127:22 141:5

applicable 19:4

approached 50:11

approaching 91:5

approximately 24:16 42:23 56:9 130:3

April 54:16

arbitrator 19:21

area 41:18 44:10 48:8 52:10 68:12, 23 69:2,9,15,16,18 70:1,4,7,21 71:8, 17,18,22 72:4,20, 23 73:10,17,23 74:2,20 75:9,10 76:7,8,23 78:3,18, 22 79:6,12 80:2,3, 6,17 107:10 131:13,14 144:17

arguments 7:1 21:2

arrow 157:7

articulate 89:14

Arturo 60:16,19

assert 6:7 20:14 23:21 24:7

asserting 108:10

assigned 56:3 95:7 149:19 152:15,18,20

assignment 21:20,22

assistant 11:24 25:14

assume 26:18

assuming 157:8

assurance 18:24

attached 149:24

attempt 29:23 133:11

attempting 12:4

attention 128:19 133:22 136:12 142:7 149:14

attorney 5:11 18:13,16,17 25:14 31:3,7,9,12,19 35:17 36:2,4 132:6,9,11

Attorney's 109:6 169:21

attributed 38:6, 15,24 39:4 95:2 99:12 101:7

attributes 111:14

audibly 168:10,16

audience 32:23

audio 4:12,14,16, 22 17:16 146:21 150:7 151:2,20 154:7,13 158:17, 21,23 159:5,15,18, 19,23 160:9 161:13,16,20 162:2,11 163:2,7, 20,23 164:11,14 165:16,19 167:18, 19,20,22,23 168:8

audio-record 4:6

audio-video 148:19 155:18 160:21 162:14

Authority 76:10 109:7 169:23

automatically 147:15

aware 150:9

awkward 127:10

B

B-r-o-w-n 5:8

back 11:14 13:6 43:16,24 44:10 49:5 67:19 68:5 74:15 75:8 84:6 86:19 91:20 102:18,23 110:23 119:9 123:6 124:3 125:21 128:12 144:22 148:11 166:17 169:9,10

background 21:16 27:7 85:15 139:24 142:17

badgering 118:17

banging 34:4

bar 123:22

bargaining 19:4 21:8

based 11:2 20:15 162:6

basis 8:17 9:8 10:6

bathroom 80:10, 13

batteries 157:6,14 158:2 166:22 167:5

beat 123:10 152:20,21

Becerra 60:16,20

Becvar 156:19,20, 21 157:17,21

beginning 13:20 149:20 154:11 156:9 158:18 159:1,5 167:14

big 50:5

bit 62:19 91:20 102:24 114:3 116:16 127:7

bothering 57:24

bottom 65:15,18 84:8

box 63:22 157:6

break 11:12 25:5 38:10 40:3 67:14, 17 68:3,9 74:8,12 123:3 146:12 155:1 168:20 169:3,6

bridge 42:13

bright 142:16

broken 155:2,3,4

brought 79:11 109:15

Brown 5:8 11:10, 14,23 13:9,13 30:23 31:2 39:8 45:16 61:16,17,20 64:4 65:5 66:21 67:9,12,15,19 68:1,5 74:10,14 78:19,21 81:23 98:12,15 99:14 111:10 112:10,12, 13 113:16 114:2, 11 115:4 118:19 120:9,12,14,15 121:6,8 122:6,22 123:1,5 124:11 126:11,14 127:8, 12 129:15 130:1,

12,24 131:2 140:15 141:12 145:4,6 146:7 160:17,19 166:13 169:4,8

Brown's 7:13

Bureau 12:14

Burger 85:20

Bye-bye 13:1

C

Cal 35:6,10 39:20

call 11:4 57:23 152:3,7

called 7:5 83:15 122:12

cam 146:11

camera 18:3 44:17 50:13 64:19 65:4 146:19 147:7 148:7 154:3 156:17 160:24 161:11 163:9 165:2,5 167:21

cameras 154:1 162:22

capture 146:21

captured 159:23

car 40:17 43:16,24 44:3,4 50:15,21 51:3,7 52:8 53:24 55:9 69:7 92:22 105:11 107:13 108:3,11,17 109:17 112:16,24 113:22 114:7 115:1 116:8,22 117:6 118:4,10,13, 21 119:7,9,12 120:2,23 137:1,2, 3,13,15,16 138:10, 18 140:24 141:3, 19 153:19 154:3 155:19,23

care 13:20

cars 41:7,13 42:5 153:23 154:1 160:5 166:8

case 6:7 16:12 38:6,16,24 39:5 47:11 73:5 82:20, 21

cases 39:21

CBA 6:21

cell 22:13,16

central 131:14 144:17

certification 4:16

certified 4:3

chain 22:5

chair 72:6

chance 64:11

change 100:13 103:5,6 126:5

changed 102:2,5, 7,19 135:9,13

changing 102:22 135:16,18

Chapter 5:17

charge 45:16 97:21 156:1

charged 23:13

charges 6:7,18 19:2

check 72:10 158:8,11,20,22 159:5,14 161:13, 16 162:7 164:14 167:23

checked 161:24 162:1,5,9,11 163:3,7,11 164:10 165:20

checking 159:18 161:19

checks 161:2,5,8

Chicago 5:9,18 8:16,23 9:3 10:5 12:13,18 19:16 95:6

choosing 9:20

citizen 55:21

City 5:8,18 12:18 19:16

civilian 42:19

clarification 138:11

clarified 80:15

clarify 81:8 101:17 110:11 148:2

clean 98:13

clear 58:23 97:15

click 64:2

clicked 52:1

close 97:16 150:22

closer 87:17 88:16,22,23 89:9, 14,15 90:1,12,18, 21,23 91:2,3,9,14 98:18 100:5,6 101:14,21 124:24

clue 117:18

Code 5:18

colleague 60:5

collective 19:4 21:8

comfortable 27:21 28:1

command 12:7 22:5 45:12

commander 11:4, 6,16,17,19 12:9, 12,21,23 13:1 19:11 22:8 44:24 45:9 46:1,3,17

commanding 45:13

comment 169:11

communications 29:18

compare 95:3

compartment 157:13,24 166:22 167:3

complaint 55:21

complaints 55:18

completely 8:2

components 160:10

computer 71:23 72:5,6,7

computers 70:5 71:22

conducted 5:17 32:3

conducting 6:11, 13 19:18 20:18,21

confidential 4:8

confidentiality 26:23

conjunction 133:24

conscious 163:22

consciously 121:13

consistent 30:1 98:1 133:13,19

constitute 8:21 10:5

constitutes 8:15

constitutional 18:23

consult 9:20

contained 17:17

content 37:18

context 55:17

continued 91:13 96:2 97:19 103:4

continuing 6:4 88:16,23 90:2 91:17,21 92:1,3 97:24 98:23 100:7 101:15 125:1 126:18

continuous 92:18,24 93:8,16 94:5 96:17 99:2 104:15,18

contract 20:10

conversation 29:4 47:14 80:18 81:9,14 157:16,21

conversations 29:12,17 49:8

cooperate 8:1

copy 7:17 20:6 143:24

corner 112:3,22

correct 17:22 18:4 22:23 24:22 28:12 38:12 40:11 44:1 52:3 53:3,20 56:20 59:17 61:24 65:21 75:17 77:7,21 86:15 90:14,15,17 91:16 94:6 96:5,6, 23 102:10 106:1, 22 107:7 108:5 110:12 115:7,16 116:18,21 117:11 118:5 127:2 131:7, 10 133:2 138:15 150:20 151:5 152:6,12,19,21 153:12 159:6 163:12,17 167:24 168:1,18

corrected 138:1

corrections 111:5

correspond 124:5

counsel 7:21 9:19,22 10:18 11:2,4,22 19:14

count 120:5,16

counter 65:11

counting 120:7,8, 13

country 109:20

couple 22:19 30:23 51:10,11 53:8 54:8 61:17 68:17,18,19 78:19 93:4 99:15 111:11 124:19

court 4:3,6,9,16 5:2,4,21

court-reported 11:21

cover 99:11

coworker 55:16

coworkers 59:9 107:9,11 121:2

CPD 14:3 16:11 148:21,23 149:8 160:9 166:21 167:13 168:4,11

cradle 155:21

crazy 49:12

created 47:12 73:7

criminal 6:6,12,18 9:14 19:1 20:19

crystal 58:23

current 21:20

custom 4:5

D

daily 161:6 163:12,15 165:9

damage 149:22 154:24

damaged 150:6 151:13 168:5

Dan 132:11,13

Daphne 95:9

dash 146:11

data 152:3,7

date 5:1 123:18

dated 14:4,21 15:11 16:12 17:1 149:9 156:18,21

David 44:24 45:6, 24 47:2,5,12,13 61:1 73:7 88:19 111:2

day 12:24 22:6 24:20,22,23 56:9, 15,17 64:6 66:9,13 67:1,3,8 115:5 117:11 153:13,14 164:20 165:20

day-off 56:10

days 54:5 62:17 64:12 153:3

dealing 121:3

decided 19:21

delayed 9:23

deliberately 10:4

delivered 14:1

demands 109:16

department 8:16 9:4 12:14 149:18, 19

Department's 8:23

depends 56:17 153:24 155:19

describe 28:7 40:20 50:9 142:21 146:17

desk 151:23 152:6,8

desks 71:22

detail 109:12

details 145:9,13, 16

detective 16:14 17:2 47:1,5,12,13 48:10 61:1,6 63:12 71:22 72:22,24 73:7,13,14,15,17 74:19,21,22 75:1, 4,9 78:3,5,6 80:16, 19,22 81:1,4,10, 12,16,20 82:4,5 84:3,10 85:22 86:5,20 87:9,19 88:1,9,18,21 90:6, 13 91:22 92:10,12, 13,20 93:22 94:10, 12,14,15,21 95:14 98:17,22 99:3,7,24 100:4,5,8,12,17 101:3,11 102:1,4 103:9,12 104:12, 24 111:2,7,8,13 137:12

detective's 138:1

detectives 46:22, 24 61:3,12 71:20 72:19 83:10,11 84:5 99:18

dice 139:13

diced 137:21

difficult 118:13

dinner 74:4 76:4

direct 10:20 12:16 13:2 19:10 41:10, 14 42:10,15 46:8 61:23 133:22 134:4,19 136:11 142:6 149:14

directed 42:12

directing 40:19,21 41:6,11,16,19 42:2,3,18,23

43:11,12,14,17,24 48:24

direction 41:9 97:19 102:2,5,8, 20,22 103:5,6 135:10,13,16,18

directions 96:1

directly 54:17 109:17

directs 45:14

disable 158:5 167:1

disabled 166:20

disabling 157:14 160:9

discharge 8:17 9:9 10:7

disciplinary 9:8

disciplined 159:17

discontinued 4:12

discuss 26:8,10 32:8

discussed 101:16

discussing 35:24

disk 17:18

district 21:21 54:18 63:5 65:21 66:1 95:7 144:22 162:20

Division 84:3

document 7:20 10:12 14:3,9,11, 16,20,23 15:1,5, 10,13,16 16:3,5, 16,18 17:5,8,16 82:15 83:2,8,9,24 132:5

documents 25:10,15 30:7 31:17 35:20 36:20 37:2,3,8,10 47:10 73:4 82:6,8,14 83:5,17 131:19

Donuts 18:3,6

door 34:4,5,6

Dora 58:10 59:16 70:19,20 71:8

drawn 107:13 110:20 121:4

drive 42:6 69:5 152:14

driven 117:10 152:24 153:5

driving 40:16 105:7 117:9 152:11

drop 88:15,21 89:24 90:5 95:24 101:13,20 135:3 138:8,14,21 139:2

dropped 141:4

drops 138:18 139:3,5,7 140:12, 21

drove 69:6,7 85:19 86:18

Dunkin' 18:3,6

duress 19:8

duties 161:1

duty 7:24 64:7 149:21 154:12 156:4,9 158:9,14 159:6 167:14 168:12

DVD 123:13

Dyke 23:13 29:18 55:12,15,22 56:3 57:24 71:1 88:7 101:12 103:10,17, 21,22 107:7 111:15 113:11 116:2 120:1 128:14,24 129:6 135:2,14,23 136:2

E

e-mail 29:13,18 66:4,6,24 72:10 156:21 157:11

earlier 31:22 47:10 77:4 132:23 139:20

early 76:17

easier 84:21 127:13

east 135:17

eastbound 85:20

easy 114:3

edification 146:8

effort 118:21 163:22

elapsed 112:6

elicit 145:16

employment 6:20

end 147:21

ended 120:19

enforcement 6:15 20:22

ensure 29:23 133:11 149:23 150:2 167:12

entire 108:3,4 125:11 130:9

entitled 7:3 14:3, 20 15:10 18:22 21:4

equipment 149:22 154:24

equipped 149:19 150:6

error 138:2

essentially 126:1

estimate 117:15 120:6 152:17

estimation 120:17,19

eternity 113:4

evening 78:7 81:6 160:22

events 168:11,16 169:23

evidence 9:7 13:10 149:3 156:12

eviscerate 7:2 21:3

exact 38:18 68:15 83:1,3,20 86:6,10, 11 87:13 88:24 94:11 109:17 118:24 126:6 140:13,19

EXAMINATION 7:8 21:13 31:1 39:9 61:19 68:7 78:20 82:1 98:14 99:16 111:9 114:18 115:3 122:7 129:14 145:5 160:18 166:14

examined 7:6

excerpt 16:11

exhibit 13:3,10,11 14:2,5,17,20 15:7, 10,20,23 16:8,11, 21,24 38:6,16 82:11,19 84:6,9 100:22 149:3,4,7 156:13,14,17,21, 23 157:11 166:17

exhibits 13:18 82:6

experience 33:11 146:3

experiences 68:10

explain 75:22 93:5 121:17 157:23

158:2

Explorer 117:14, 16

extent 20:13 169:16

eye 112:3,23

F

facing 107:13,14 122:15

fact 19:16 109:11 113:10 116:1

facts 95:8,13,15

failed 102:1 103:10 135:9,22 145:15 167:12 168:3,10,14

failures 164:13

fair 10:22 11:5

fall 23:19 94:9 105:19 110:12,13, 17 128:21 129:2,9

false 8:24 9:2 10:3 101:2,10 104:11, 23 109:9 111:2,4 134:12,23 136:15 142:10 143:5,15, 17 169:24

familiar 45:11,21 151:23

families 53:14 59:10

fast 105:11

FBI 28:10 29:5 30:5,6 32:3,5 33:18,24 34:6 35:1,7,11,18,21 36:5,9,18 37:1,9, 14 38:1,4,11,23 52:18 77:9,16,19, 20 115:18,19

February 14:4,12, 21 15:2,11,16 16:6,19 17:8 123:12 149:9

federal 20:8 22:22 23:2,8,21 24:1,17 39:19,21,22 109:5 169:20

feds 29:4

feel 27:21 28:1 113:4 145:12,18

feels 27:15

fell 105:16 107:20

felt 100:17

figure 98:8 118:12 120:18 125:20 164:2

file 123:14,16

filed 19:24

files 17:16,17,20, 24

filled 7:12

fine 27:8 104:8 126:9,12 163:10

finish 50:10 119:23

fired 94:19 96:16, 17,23 105:1 107:20 137:14 143:2

flash 142:17 143:1 145:24 146:5

flashes 142:12,16 143:2 145:22

floor 79:13,23 80:2

focused 105:8 110:3,16 112:2,4

follow 121:6 150:1

follow-up 61:17 67:12 81:23 85:13 111:11 145:3,21 160:16,17

Fontaine 58:10 59:17 70:20 71:9 78:23 79:10

footage 123:17

FOP 57:2 61:8 73:22 74:1 75:16, 20 132:6,9,10,11

force 54:15 153:18

Ford 117:14,16

form 7:11 15:11

forward 7:2 21:2 27:13 89:6,18 90:20,23 122:16

Franco 44:22 45:3 46:6,17

Fraternal 19:23

Friday 156:22

friends 59:9,11

front 23:8 107:12

fruits 9:13

full 124:12,13 136:22

fully 157:8

functioning 158:18

G

Gaffney 59:20 71:5

Garrity 7:2 19:12 21:3

gave 31:4,24 36:23 37:1,14 38:3 47:10 73:3 78:6 143:10,19 144:18

Geisbush 57:24

general 4:11,18 5:9 6:17,21,23 8:1 10:24 11:18,24 12:2,18 16:24 19:1 20:1,6,10,17,20 21:6 28:3 30:19 70:3 83:16,18,21 84:22 86:11 123:12 148:21,23 159:13 161:18

General's 6:6,10 12:11 13:7 19:17

give 22:21 23:1 25:14 30:19 34:12 68:15 79:14 81:5 117:15 121:16,20, 21

giving 12:15 31:15 73:19 75:5 109:9, 19 169:24

glanced 77:22

glove 157:6,13,24 166:22 167:2

good 11:19,20 12:20,24 69:17 99:14 130:24

governed 148:18

governing 148:24

Grand 20:5,7,11, 14 21:6 22:20,22 23:2,8,21 24:2,17 25:8,10,22 26:2,3, 6,8,13,21,24 27:3 28:3,9,11 29:1,15, 19 30:1,22 31:4, 16,23 32:1,6,7,11, 19 33:15 34:11,22 35:8 36:6 37:15,24 38:4 39:3,12,16, 19,20,21,23 77:6 109:7 169:21

granted 19:12

grievance 19:24

ground 94:9 105:17,19 107:20 110:12,13,18 128:16,21 129:2,9

group 44:8 96:18

groups 56:10

guess 37:13 62:9 73:3 75:22 86:10

107:22 113:23 122:6 124:15 144:10 146:19 161:3

guessing 82:23 84:5

gun 143:1 145:23 146:4

guns 107:13 110:20 121:4

gunshots 92:18, 24 93:13,16,20 94:5 99:2,8,10 104:15 125:19

guy 77:23

guys 21:11 40:3 57:23 66:24 74:4 79:9,13 128:6 140:16 144:12 146:11 166:11

H

half 124:6,13 154:2,3,5

hand 5:21 7:10 87:18 130:19

handwritten 47:13 73:6 82:15 83:21 156:24

happen 43:2 90:8 145:24 146:2

happened 27:12 34:2 43:14 44:12 52:9 68:12 69:15 70:1 76:1,4 97:2 105:10 107:17,19 109:21,24 112:5, 24 114:8 122:2 137:22

happening 45:14 89:3 117:4 125:8, 23 128:15

harassment 118:16

hard 142:21 157:1

heading 83:21

hear 106:3,12 120:3 138:6,7 159:21 160:12

heard 88:14 89:23 90:4 92:18,23 93:7,12,13,15 94:3,5 99:8 101:12 104:14,21 105:16, 24 106:8 125:18 137:14

hearing 106:19

heart 155:10

Herbert 132:11,13

hit 51:23 63:22,23 64:1

Hold 86:2

holding 87:18

home 34:15 145:1

Honestly 47:6 155:6

hour 43:1 51:11

hours 13:24 24:18,24 25:1,2 43:4,6,8 68:17,18, 19 76:19 131:20 156:19

house 33:23

Huh-uh 40:5

hungry 69:13 76:2

HX475653 16:13 17:2

I

IAD 14:11 15:1,15 16:5,18 17:7 73:5

idea 24:19 29:3 158:1 167:10 169:15

identification 13:12 14:6,18 15:8,21 16:9,22 149:5 156:15

identify 5:6 124:4 125:2,6,12

identifying 124:8

identity 32:14

immediately 40:13 41:19 150:4 168:3

immunity 24:11, 14

important 89:21

imposing 50:5

in-car 17:21 50:12 123:10 146:16,20 147:1 148:18 149:8,11,20,21 150:1,5 151:2,13 153:11,20 154:7, 12,24 155:18 156:17 160:10 167:12,17 168:4, 11

inaccuracies 85:1,4 99:11

inaccurate 10:3 89:4

incident 28:7 35:2 61:23

included 17:20 18:2

includes 8:2 167:17,19

including 4:10 9:9

incomplete 10:4

inconsistent 138:3 139:17

independent 4:2 76:10 109:7 169:22

independently 37:3

indicating 10:17 82:23 84:13 92:5 95:16 123:18

individuals 5:6,14

information 4:2 6:17 37:15 38:9 136:9 140:1

informed 18:23

Initially 64:19

initiate 63:15

initiative 41:10

injunction 19:24

inoperable 150:6, 7 168:5

input 109:21

insert 167:5

inserted 157:7,14 158:3 166:22

inside 44:3

insinuate 164:5

inspect 149:21 154:23

Inspector 4:11,17 5:9 6:5,10,16,22 8:1 10:24 11:18,24 12:2,11,18 13:7 19:1,17 20:1,6,10, 17,20 21:5 123:12

installed 162:15, 22 163:2

interaction 50:9

interject 58:19

Internal 12:14

interrogation 20:2

interview 4:4,7 5:19 7:23 9:7,13, 20,23 11:21 12:4 14:3 15:24 17:3,11 18:9,14,20 19:20

34:15,17,20,23 35:4,7,10,18 36:5, 18,22 37:2,4,8,11 38:11 47:14 79:20 101:3,11,24 103:9 104:12,24 113:10 115:7,9 131:9,12, 17,23 132:2,21 133:2 134:13,24 135:8,21 136:16, 24 142:11 143:6 144:5 145:8 146:10

interviewed 30:6, 8,11 36:10 55:17, 19,22 56:1 70:8 76:8,12,15 78:2,4 109:5 131:6 132:7 169:20

Interviewee 4:23 5:12,23 6:2 7:5 10:18 12:20,22 21:12 26:17 27:1,9 28:21 40:5 45:18 63:21 65:1 66:18 67:6 74:18 77:11 82:9 89:17 92:6 95:17,18 98:3 104:4,7 106:5 109:1,23 113:20 114:6,23 119:15 124:10,14 128:9 137:9 146:13 169:19

interviewers 38:23

interviewing 100:12,18

interviews 32:3,5

introduce 149:2

investigation 5:17 6:12,13,14, 16,20 7:24 19:18, 23 20:1,19,20,21, 23 141:17 169:1, 16

Investigator 7:13 11:23 134:13,24 135:8,12,21 136:1, 16 142:11 143:6, 16 145:14

investigators 12:17 20:9

invoking 19:11

IPRA 15:24 70:8 76:8,12 79:14,16, 19 80:6 131:6 132:14,21 133:1, 12,17,23 134:13, 17,24 135:4,8,21 136:7,16,19,24 142:11,14 143:6, 16,23 144:2,4,18 145:7 146:10

issue 97:15 116:10 146:11

issued 161:20 162:12,17

issues 19:22 154:6

J

Janet 5:12,19 7:4 11:21 12:15 95:5

Jason 23:13 29:17 55:12 71:1 88:7 111:15

Jennifer 5:10 11:22

Jersey 19:13

job 19:6,10 129:16 145:9

joint 6:13 20:21

Joseph 57:6 60:7 70:23 88:6 111:15

July 156:22

Jury 20:5,7,11,14 21:6 22:20,22 23:2,8,21 24:2,17 25:8,11,22 26:2,3, 6,9,13,21,24 27:3 28:3,9,11 29:2,15, 19 30:1,22 31:5, 16,24 32:2,6,7,11, 19 33:15 34:12,22 35:8 36:6 37:16,24 38:4 39:4,12,16, 19,20,21,23 77:6 109:8 169:22

K

K-l-i-m-a-s 12:13

Kato 132:12,14

kick 130:17,18

Killan 136:16

Killen 134:13,24 135:8,12,21 136:1, 16 142:11,12 143:6,7,16 145:15

kind 27:11 32:23 44:10 45:14 46:8 49:11,13 61:22 71:17 72:14 81:13 85:11,15 89:20 90:10 95:3 98:7 147:4

King 85:21

Klimas 11:4,6,16, 17,19 12:9,12,13, 21,23 13:1 19:11

knew 136:17

knife 87:18,24 88:15,17,22,24 90:1,2,5 91:22,24 92:2,4 96:3 101:5, 13,15,20 126:24 130:18 134:16 135:1

knowledge 87:4 94:16 99:13

Kris 11:23 78:17 123:14 127:6

Kristin 132:12,14

Kristopher 5:8 13:8

L

Lance 156:20,21 157:17

lane 109:13

laptop 123:16

Laquan 10:24 12:5 22:22 23:5 28:4 29:6,8,14,20 30:16 37:20 39:14 40:10 68:11,14 87:7 92:1 103:17, 18,22 105:8,13 110:3 112:23 114:7 125:24 129:8 130:19 159:22

law 6:14 20:22 26:8,22

learn 33:18,20

leave 42:19 79:6, 12 144:17

left 44:14 51:19 52:10 68:14 70:3

legal 9:19,22

legally 7:3 21:4

Leticia 60:22

lieutenant 22:8

lights 147:13,15, 19

lines 134:20 136:12,13 138:5 142:7

list 26:7,9,11,15, 17,19,20

live 58:16

lives 58:17

located 5:2

log 64:17,19 65:2, 3 147:7 148:5 154:19,21 160:23 161:10 166:1

log-in 65:6

logged 64:20 65:8 154:14,15,16 163:8 166:6

logging 165:23

logs 147:7

long 9:23 24:16 42:22 43:9,10 51:7 53:6,9 55:2 68:13 70:7,9 76:11,13,20 80:18 109:24 117:6 118:7,22 119:1 150:15 153:17,18,19 157:12 161:15 166:3

longer 24:20

looked 92:17,23 93:7,11,12 94:2 99:8 104:14 107:19 108:2,3 112:23 114:7 116:22 117:2 119:12 120:23 125:18

lose 19:5,9

lot 75:23 85:21 102:12 112:6,8

loud 10:17 28:20

lower 157:5

lunch 25:5

M

M-o-n-d-r-a-g-o-n 5:13

made 9:6,12 19:7, 9 20:8 55:18,21 85:8 86:9,17,18 87:14 88:20 100:8 101:2,10,24 103:8 104:11,23 111:6, 21 112:16 116:2 134:12,23 135:7, 20 136:15 142:10 143:5 144:2

main 71:17

majority 55:5 65:24 153:22

make 18:19 29:23 49:11 58:23 64:23 86:4,20 87:3,9,12, 19 88:1,9,18 97:14 98:16 103:21,22 113:12 129:18 133:11,18 163:16 168:21 169:17

making 8:24 9:2 19:15,17 122:9 145:10

male 31:14 49:21, 22 50:1,3

man 25:18 31:12 32:16 49:19

manually 147:18

March 5:1 16:12, 14 47:2,5,12 61:1 72:22,24 73:7 74:21 82:4 84:10 85:23 86:5,21 87:10,20 88:2,10, 19 90:6,13 91:22 92:11,20 93:23 94:10,12,14,21 100:4 101:3,11 102:1 103:9,12 104:12,24 111:2

March's 17:2 47:13

mark 13:10,17 156:12

marked 7:11 13:11 14:5,17 15:7,20 16:8,21 149:4 156:15

Marking 14:2,20 15:10,23 16:11,24

material 101:24 103:8 111:4 135:7, 20 143:18

materials 17:11, 20 18:2,10,11

matter 4:1 28:3 38:22 84:22

Mcdonald 10:24 12:5 22:23 23:5 28:4 29:6,8,14,20 30:3,16 35:2 37:20 39:14 40:10,14 68:11,14 87:7,18 88:15 89:8,24 90:1,5,11,17,21,22 91:8,11 92:1 94:9 95:24 96:1 98:23 100:5 101:4,13,14 102:2,5,14 103:4, 11,13,17,22,23 108:5 110:4 111:3, 21,22 112:17 113:12 114:4 116:3 124:24 125:3,10,11,24 126:18 127:21 128:15,19 129:2,8 130:4 131:7 133:14 134:14 135:1,9,13,23 136:3 137:3 143:11,16,20 159:22

Mcdonald's 119:13 130:19

Mcelligott 60:8 71:3 85:20

Mcnaughton 45:1,7,24 46:17

meaning 86:18

means 124:11 157:8

meant 166:9

media 123:14,21

Member 14:4

member's 149:24

members 149:18 150:4

memory 107:2 113:14

men 28:19

mentioned 161:12

menu 51:22,23 63:22,23

met 77:9,15,19,20 132:16,20

microphone 156:10 159:18

microphones 155:14,17 156:3 158:6,8,11,13 166:20 167:1

mics 157:6,13,23

middle 41:5 87:8 101:5 109:13 134:15

midnight 68:21

Midnights 22:3,4

millisecond 119:1 137:22

mind 122:1 169:10

minute 67:24 123:2

minutes 24:18 51:10,11 123:16

Miranda 6:8

misconduct 9:8

missed 148:9

missing 150:8

misstated 120:14

Mom 34:5

Mondragon 4:13, 21 5:12,19,20 6:8, 23 7:4,10 10:22 11:6,22 12:3,5,10, 15 13:16 14:4,8,22 15:12 16:1,2,15 17:3,4 18:18 21:1,

17 39:11 40:9 67:21 68:9 85:18 87:1 88:6 92:17 93:11 94:8,19 95:6,7 99:7 111:14 123:8 146:16

Mondragon's 16:14

months 29:2

morning 11:19,20 12:20 68:21,22 76:17 131:23

motion 103:22 122:9

move 27:13 40:2 41:23 42:6 68:12 90:10 103:17,23 131:5 142:5 146:11

moved 103:11,13, 14 135:23 136:2

movements 111:20 112:16

moving 89:18 90:19,23 91:15 102:15 137:1,2,4, 15,19 138:7,9,10, 14 139:1,15 141:4, 20

multiple 65:19 92:18,23 93:7 99:8 104:14 106:1 118:5 125:19

Municipal 5:18 10:5

murder 23:14

muzzle 142:12,16, 17 143:1,2 145:22, 23

N

named 71:11

narrate 128:6

narrative 70:3 81:5 111:2 143:15

nature 168:24 169:15

neighborhood 58:16

night 22:10,11 29:6 40:3,16 46:14 48:5,11 57:22 62:16 84:10 85:23 86:5 92:21 95:14 116:11 119:8 133:9 137:23 145:19 154:10 157:17 168:17 169:23

nights 56:17 166:11

normal 161:6

northbound 135:17

note 13:13 17:15 99:1 129:18 150:4 169:14

noted 31:22 65:19 78:22 116:17,20

notepad 81:17,19

notes 17:2 33:9 47:13 73:6 81:17 83:15,21

notice 12:3 18:9 110:8

noticed 40:18

notification 14:3, 21 165:14

notify 150:4 151:12 165:1,4,22 168:3

November 23:19

number 16:13 17:1 21:18 22:14, 16 38:12 65:15 118:1 120:4 152:4 155:9,12 157:2,3, 12 161:8 163:16 166:4,5

O

oath 6:3 7:6

object 66:14 118:15

objecting 19:16, 20 20:3

objections 19:15

obligation 8:8 21:9

observations 145:19

observe 103:6 121:10

observed 113:15, 16

observing 62:10

obtain 6:5 9:22 149:22

occasion 46:8

occasions 46:10

occur 35:7 64:21 119:21 131:23

occurred 42:10, 15 61:23 80:17 81:5 131:17 143:8

OCIC 45:11

October 15:24 17:1 21:23 22:1,17 40:10 55:15 78:12, 15 84:11 85:23 86:5 95:14 101:2, 10,23 103:8 104:11,23 111:1 115:6 117:10,16 119:8 131:9 134:12,23 135:7, 20 136:15 142:10 143:5,15 148:4,15, 17,23 149:12 150:10 152:12,23 153:19 154:8,10 156:6,8,18 157:17 158:9,15 159:2,6 160:8 163:14 164:21,22 166:20 167:12 168:3,10

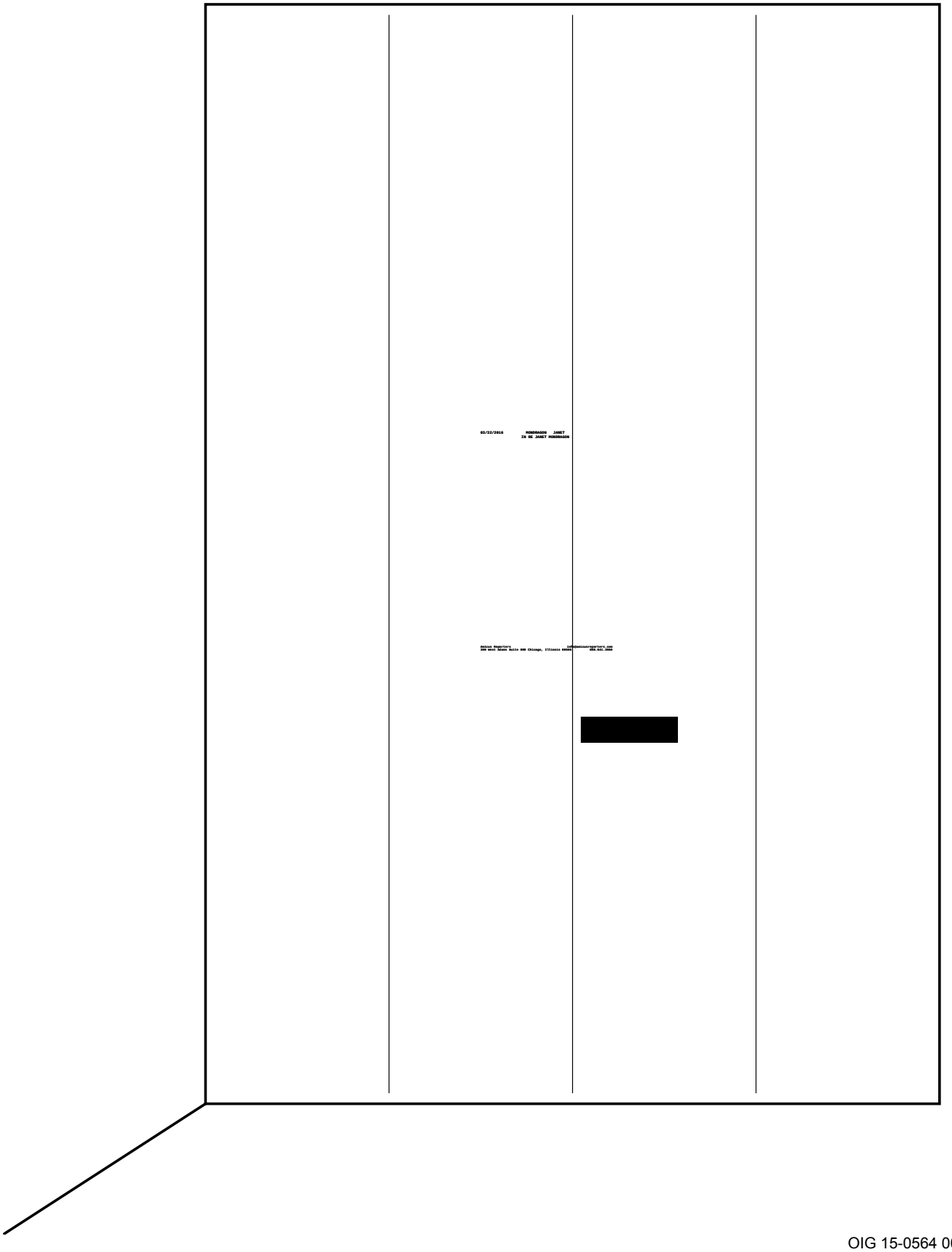
odd 62:9

offender 97:18 107:14 110:6,9,16, 17 138:7,14,18,21 139:2 141:4

offers 36:1

office 4:11,17 5:9 6:10,16,22 8:1 10:23 11:18,24 12:2,10,17 13:7 14:1 19:1,17 20:17,20 21:5 71:20,21 109:6 123:11 169:21

officer 4:13,21 5:11,12,19,20 6:8, 23 7:10 8:11 10:20,22 11:6,21 12:3,4,8,10,15 13:3,16,23 14:8,22 15:12,24 16:2,13, 15 17:3,4,17 18:18 21:1,17 23:13 29:13 39:11 40:9 41:15 44:7,15 45:6,8,12,13,16,24 48:13,17 49:14 53:2,5,11 54:8,22 55:12,14,22 56:2 57:6,9,10,16,21, 22,23 58:2,7,10 59:16,19 60:7,16, 19,22 61:11 65:20, 23 66:3,12,16 67:21 68:9 69:10 70:12,23 71:1,3,5, 8 74:16 82:12 85:18,19 88:6 91:15 95:2,7,8 97:18 98:2 108:10 109:5,16 111:14 116:2 123:8 127:12 128:14 129:6 135:14


03/22/2016 MONDRAGON JANET
IN RE JANET MONDRAGON
Axiom Reporters
300 West Adams Suite 888 Chicago, Illinois 60606
[redacted]

player 123:21 129:19

playing 65:16

point 34:17 47:22 48:4,6 51:14 73:15 75:1,2 78:7 79:11 115:15 118:16 124:22 125:20 129:17 141:16

police 8:16,22,23 9:4 12:13 19:23 54:15 65:19 75:14 76:10 83:9,24 84:2 88:7 95:6 109:7 132:24 159:14 163:23 164:16 169:22

police-involved 78:11

popped 122:1

portion 98:13 123:9,21 124:2 125:2 126:8

portions 124:4

posed 12:16

position 6:6,10 26:14,24

possession 20:11 21:7,10 26:20

postpone 20:2

practice 4:6 118:4 158:22 159:5,7,14 160:9,12,20 161:6, 15,18 163:12

preface 18:21

preliminary 4:1

preparation 18:14 37:4 77:6 113:10 115:6,9 144:5

prepare 17:10 36:17,19

prepared 18:19

present 4:3 5:6,15 9:20 30:2 40:9 42:14 132:1 133:14,20

press 51:2,19 109:20

pressure 100:17

pressured 133:18

prevent 163:22 164:15

previous 154:7,8

prior 6:4 20:4 28:9,11 31:15 35:20 37:8 55:15 64:13 102:3,5 103:11,13,17 115:16 117:10,16 133:17 135:10,14, 23 136:3

probable 6:7,18 19:2

problem 164:18, 23

procedural 27:20

procedurally 27:12

procedure 148:3

procedures 149:16 150:1,9,14 151:8

proceed 7:3 21:3, 11 97:12

proceeded 96:8

proceeding 9:15 19:3 89:16 96:12

process 63:14,17 118:13

produce 26:15

product 4:9

progress 16:24 83:16,18,22

prohibits 8:24

properly 150:3 158:18 167:14

property 4:9

protocols 149:12

provide 4:3 6:23 14:11 15:1,15 16:5,18 17:7 19:6 20:6 21:9 25:7 29:24 82:6 133:12

provided 4:10,17 12:3 17:12,17 18:2,11 20:5 21:1 30:2 37:15 38:4 73:5 111:2 123:12 133:13 143:15

providing 4:2 109:20

public 107:24 109:15

Pulaski 41:8 86:19 87:2,8 101:4 134:15

purpose 83:12

purposely 158:5

pursuant 5:16

put 7:1 8:8,10 21:2 26:10,19,22 50:14 51:2,17 77:23 92:22 93:6 98:9 105:12,16 108:11, 14 109:17 112:4, 23 116:17,22 117:6 118:10,13, 21,23 119:7,8,9,12 120:2,22 145:8 156:1,2,10 158:13 163:16

puts 57:13

putting 108:17 118:4 137:13,16 138:17 161:8

Q

question 10:3 38:8 39:3 53:10 58:24 59:13 69:17 80:24 97:21 100:11 108:15,18, 23 121:5,7 124:16, 21 126:8 134:7,10 141:1 142:17 145:11,15 148:10

questioned 20:13 32:18,20 33:15

questioning 13:17 25:13 33:2 35:13 140:11

questions 8:2,8, 10,11 10:19,23 11:7 12:5,6,11,16 21:16 22:19,20 24:1,5 26:4,13 27:7,11,21 28:1,4 30:21 32:11 35:2 36:14 38:12,14,19 39:8 44:8,11 52:23 59:3 61:14,18 67:22 78:17,19 98:11 99:15 111:11 122:1 124:9,19 129:12 136:8 141:15 145:8 146:9 148:3

quick 74:8 98:12

quickly 58:19

quote/unquote 36:21

R

R-u-s-s-e-l-l 5:10

raise 5:20

raised 19:22

read 7:14,16 8:4, 18 9:5,10,16 10:8, 11,13,17 82:14 136:21 148:12

157:1 169:12

reading 121:24 169:10

ready 21:11 40:2 82:17 146:10

reason 37:23 38:22 39:1,5 47:4, 8,15,20 80:6 96:22 131:22 163:6 164:8

reasonable 9:21 122:3

recall 22:12 31:7, 12,16 32:13,16 34:20 35:4,24 37:7,9,12,13,21 46:16,19,20,23 47:1 50:6,7 57:8, 21 59:21 60:9,24 61:3 78:13,16 79:17,18,20 80:18, 21 81:3,4,8,20 85:24 93:8 100:3 104:19 105:15 106:19 109:22 125:7,22 129:10 132:4,5,18 148:4 151:10 157:16,20 161:19 163:4

recalled 80:7

Receipt 15:11

receive 13:23 41:9 150:13 160:22

received 13:19 18:24

receiving 6:8 13:2 18:9 151:1

recite 81:14

recollection 20:15 62:15 63:11 116:10 149:11

record 4:24 5:7 6:5 11:9,11,15 13:21,22 17:15 27:22 40:21 67:16, 20,23 68:2,6 74:11,15 89:22 97:15 98:6,9 110:10 123:1,6 136:6 139:18 148:12 149:7 163:23 164:15 168:10,16 169:5,9, 12

recorded 123:19

recorder 149:23 150:8

recording 4:8,12, 14,22 50:18,19 130:3 147:16,19

records 147:12

recovered 123:9 157:12

refer 132:5

referring 140:20

reflect 4:24 84:9

reflected 38:5 99:19

refresh 149:10

refusal 8:13,14 10:2

refuse 8:9 19:6,10 23:22 24:4

refused 12:6 20:1, 6

refusing 10:19 27:16

regular 53:20

regularly 152:14

regulations 8:16, 24 148:18

reiterate 20:18

relate 95:13,15

related 34:11 39:14 95:8 118:17 154:12 164:18

relates 6:20 145:7 160:21

relation 55:23

relationship 53:5 55:14 59:6,8

relevant 66:15

remain 6:9 8:7 18:23 24:7

remarks 18:19

remember 22:10 23:7,9,11,16,17,24 24:9,15 25:9,12, 16,17,19,20 28:8, 15,23 29:11,21 30:5,6,9,17,20 31:8,18,21 32:15 33:8 35:14,22,23 36:3,12,15,23 37:5,17 39:17,18 42:4,17 43:10,15, 18,21 44:5,16,17, 18,21,23 45:2,3,5, 6,10 46:24 47:17, 19,23 49:10,15,19, 20,24 50:2,11 51:12 52:12,13,14 55:24 56:5 57:15 61:10 62:5,8 63:9, 10 65:17 68:20 69:1,12,13,18 70:6,17,18,24 71:2,4,6 72:9,12, 15,18,21 73:18,19, 21,24 74:24 75:5, 13,15,16,18,23 76:4,11,13,14 77:1,22 78:4,8 79:5 80:1,13 81:15,18,22 83:7 89:2,3,10 93:1,18, 21,22,24 96:24 97:8 100:20 103:24 105:21,24 106:23 108:16,20 109:2,3,11 110:14, 19 113:21,22 117:5 121:12,14, 19 126:9 128:22 130:8,22,23 131:13,16 132:8, 13,15 133:3 144:1, 3,19 150:16,24 151:1,4,5,7,11,18, 19,22 152:10 154:9,14,15 155:6, 19,23 156:7,11 159:20 161:19,21, 23,24 162:9,21 165:6,11,12,17,22

remembers 114:1 139:15

remote 149:22 150:7

removal 9:9

rep 132:10

repeat 110:24 148:11

repeated 141:9

repeatedly 88:14 89:24 90:4 101:13 140:11

repetitive 97:11

report 8:22,24 9:2 16:12 17:1 22:6 38:7,16,24 39:5 47:11 82:20,21,22 83:13,18,22 95:10 100:18 111:12,13

reported 22:7,9

reporter 4:3,9,16, 19 5:5,21 148:13 169:13

reporters 4:6 5:2

reports 62:10,12, 16 83:16 109:9 160:5

representative 9:19,22 61:9 75:17,20 132:12

representatives 73:22 74:1

represented 31:3 35:17 36:4,6

representing 31:9
request 4:11 10:19 24:11 152:6
requested 20:4 148:13 152:8 169:13
resolution 13:24
respect 6:15 20:22
respond 81:2 136:7
response 103:3 122:4 166:24 167:15 168:6,13
responses 8:21 37:22 38:23
result 6:16 9:3
resumed 21:13
retrieval 156:18
review 10:12 17:11 18:10 36:20 37:3 65:14 76:10 108:7 109:7 113:9 115:13 134:5,8 169:22
reviewed 37:8 82:16,17 115:7 144:6,8
reviewing 108:1 113:5 144:4
rewind 51:15 140:15 141:7
rewound 50:24 51:14
Ricardo 58:2,8 70:20 71:9
Rick 70:19
rights 6:22 7:11 10:11,16 13:4,9 18:23 20:9,24 23:22
road 34:18 86:19
Robert 11:4 12:13
room 32:21 36:10, 14 71:16 79:6,13, 20,21,23 80:3,5
rooms 79:17
rotate 56:18
routine 163:15 165:9
row 97:3
Rule 8:22
rules 8:15,23 148:17
running 85:20 87:7 101:4 134:14
Russell 4:15,20 5:10 6:1,4 7:17,19 10:17 11:8,22 13:2,6,22 17:15 26:15 27:5,15,18 28:20 40:6 48:10 58:19 63:20 64:23 66:14 67:5,14,23 74:8,16 77:8 84:16,19 86:2 89:13 92:5 95:16 97:14 98:4 104:2 106:4,13 108:7,22 109:4 112:9,11 113:14,18,23 114:21 118:15 119:11 120:7,10, 13 121:5 124:15 125:10 128:5 129:3 131:19 136:6 137:6,17 138:19,23 139:3,7, 11,22 140:2,6,13, 16,19,22 141:6,11, 14 144:8 148:9,14 168:21 169:3,10, 14

S

S03-05 149:8
safe 118:1 153:4 163:1 166:6
Sarah 5:4 11:17, 24 13:8 148:9
sat 50:15 51:3 70:5 71:23
scene 42:11,16,20 43:20 44:9,14,20 45:4,7,13 46:14 48:2,7,19 49:17 51:13 52:6,8,22,24 53:2 55:11 57:7 58:3,6,11 59:17, 20,22 60:8,10,17 61:1,4,9,12,15 62:4,7 68:10,13 73:10,17 74:20 75:10 78:3 80:18 128:20 130:21 133:1,20 137:2 159:22
scenes 63:5
scratch 91:10 152:17
screen 117:4
season 23:17
Sebastian 29:13 41:15 44:7,15 48:14,18 49:14 53:2,6,11 54:8,22 57:22 61:11 65:23 66:3,12 69:10 70:13 71:8 82:12 95:2,9 96:15 144:23 152:19 157:20 159:11 166:1,10
Sebastian's 99:20
seconds 108:9 113:2,3 119:5,7,21 120:4,6,20,22,24 123:17 140:14 141:6
Section 149:15,18
securely 149:24
security 18:3,6
senior 144:7
sense 73:8
sentence 9:16 84:16,17,22 85:14, 16 86:17 93:2,4 94:8
separate 161:3
separation 9:3
sergeant 22:6,7 44:22 45:3 46:6,9, 12,13,16 63:12 156:20 157:17,21 165:2,5,9,15,18
sergeants 44:19
series 111:3 143:17
serve 8:17 10:6
served 33:22 34:14 35:11
serving 34:7
session 80:24
shift 147:2,3,4,21 158:19 159:1
shoot 129:2,3
shooting 11:1 12:6,7 22:23 23:5 28:5,7 29:7,9,14, 20 30:3,17 34:8 37:20 40:3,14 41:19 42:6,8,10, 15,19,22 44:6,9,13 45:12 48:2,17 49:9 50:17,22 51:15 52:7,8,9,22,24 53:2 55:12 57:7,22 58:3,6,11 59:17, 20,23 60:8,11,17 61:2,9 62:11,17 68:11 69:11 72:17 75:6 76:24 77:5, 15,19,21 78:12 102:3,6 103:11,13 105:5,6 106:22 107:1,16 108:4

110:3,8,15 111:3 124:3 129:17,19 130:6 131:7 133:1, 15 135:11,24 136:3,17 137:18 140:4,5 143:12,17, 21

shootings 78:14

shortly 144:20

shot 40:10,14,17 68:14 96:16 103:18 105:14 108:5 129:6,11 130:4 135:14 137:3 145:23 146:4

shots 93:1,14,15 94:3,20 96:23 97:1,6 104:21 105:1,16 106:1,3, 8,12,20 107:19 108:9 119:21 120:4,18 130:10 137:14

show 30:10,13 47:11 50:23 112:11,12 114:2 116:6,13,15 123:8

showed 30:7,15 51:18,21 52:18 139:20

showing 124:2

shown 25:10,24 65:12 126:15 127:19 129:13,22 130:13,15 139:21 140:10 141:23

shows 64:1 102:13,14 114:9, 12 125:10

side 41:2,4 48:23, 24 49:3,4 79:20 103:1

sign 10:15 35:20

signature 14:14 15:4,18

signing 13:3 31:16

silent 6:9 8:7 18:24 24:8

simultaneous 137:18

sit 64:9 113:3

sitting 72:1,3,5,8 113:3

situation 121:3,9

slice 139:11,13

sliced 137:21

slowly 137:1,2

socialize 53:7,11 56:13,22 57:16 58:7,13,20 60:1,13

socialized 56:24 58:22,24

software 65:10

something's 152:4,5

son 34:5

sort 62:10,16

sounds 163:10,15

southbound 41:8 87:1,8 89:7 91:7, 12,13,18 96:8 97:19,24 98:1,23 100:7 101:4,22 102:14,17 103:2,5 109:13 125:1,3 126:18 127:2,21 128:2,10 134:14 135:15

southeast 102:16

spark 142:18

speak 18:14 28:10 31:19,23 33:13,15, 19 47:16,21 48:13, 15 55:12 57:6,20 58:2,10 59:19 60:7 100:10 113:7

speaking 35:21 61:1,3 81:21 99:3 112:14

speaks 108:12 113:24 114:1 128:1,5,7

special 148:22,24 149:7,8,10,15

specific 91:10 109:12

specifically 40:21 109:21

speed 124:6,12,13

spell 5:7

spoke 31:4 35:1 47:17,19,22 48:1, 4,10 49:16 61:5 62:19 78:24 79:3 81:12,16 82:5 132:14,19 164:7

squad 69:7

stand 20:16 101:6, 7,17,19 104:16 105:2 111:6 134:17 135:4 136:19 138:12,13 142:14 143:10,19

standing 44:4 49:2,3,4 105:18 110:11 128:16,21 129:9 139:16

stands 137:6,20, 24

Star 21:17

start 18:20 21:15 41:11,16 50:10 54:15,17 65:3 67:22 84:21 85:16 100:22 134:2,3 147:2,18 158:9,14

start-up 150:1

started 40:19 41:14 51:4 54:13, 23 55:1 120:19 129:17,19 135:17 150:20,23 153:17 162:20 166:17,18

starting 120:3 139:19 147:2

starts 147:15

state 6:5 39:20 65:23 102:1 103:10 135:22 164:13

State's 109:6 169:21

stated 26:12,23 60:24 61:21 77:4 92:10 95:6 98:22 101:3,11 104:12, 24 119:11,19 132:23 134:14 135:1,9 136:18 142:13 143:7 162:7

statement 9:6,12 10:4,10 13:23,24 16:14 18:21 19:3, 6,7 21:7,9 22:20 25:7 26:9 29:2,24 38:5 73:6,19 75:5 77:6 78:6 79:15, 17,19 80:7 82:11, 12 84:7,23 85:4,6, 7,8,9,12,22 86:1,4, 6,10,15,20,23 87:3,5,9,12,14,15, 19,22 88:1,4,9,12, 18,20 89:4,23 91:8,11 94:1,17,23 95:1,4,5 97:17 99:6,12,19,20,22 100:9 101:2,6,7, 10,17 104:11,16, 23 105:2 109:22 111:6,17 121:23, 24 124:5,23 125:9, 16 126:5 128:23 130:5 131:6 132:10 133:12,17, 18,23 134:9,12,17, 23 135:4 136:7,15, 19 137:7,12,13,20, 21,24 138:3,12,13

139:16 142:10,14 143:5,23,24 144:4, 6,7,11,18 145:10 168:22 169:17

statements 8:21 20:8 30:1 49:11,13 82:4 109:19 111:4 133:13,19 139:17 143:17 144:2

states 149:18 156:19

steering 122:11, 13,14,20

step 40:17

stepped 41:12 50:14 51:3

steps 63:20 64:16 65:7 113:12 116:3 146:24 164:19

stick 75:24 76:4 107:1

stood 137:12

stop 43:17 57:24 126:7,11 131:2

stopped 40:23 43:12 125:7,12 127:11 128:17 129:21,23 130:14 131:3 141:8,13 142:3

stored 51:24 64:2

straight 103:1,2

street 41:2 85:19 87:8 101:5 102:15 134:15

studying 36:21

stuff 75:23 138:1

subject 21:9 26:23 27:24 29:14 38:21 146:15

subject's 6:20 21:6

subpoena 34:9, 11,14 35:12

subsecond 137:22

subsequent 62:17

substance 18:20 27:7,13 29:5 38:1, 15,21 72:16 133:8

Suite 5:3

summer 23:19

summoned 22:21

superior 8:11 10:20 12:8

supervising 46:9

supervisor 46:11 150:5 151:13 168:4

supplemental 111:12

supplementary 16:12 38:7,16,24 39:5 47:11 73:5 82:20,21,22 111:13

supposed 5:24 26:4 59:12 158:17 165:22

surprised 159:21, 24 160:3

surprising 108:2 109:18

swear 5:21,24

switch 54:3

sworn 20:4

system 64:18 123:10 146:16 147:1,3,5,14,15,22 148:19,24 149:11, 20,22 150:2,5 151:13,20 153:12, 20 154:7,13,24 155:8,15,18 160:10,21 161:4,7 163:7,17,20 164:14,19,23 165:10,16,19,24 167:13,17,18 168:4,11

systems 17:21 146:20 149:9 151:3 162:14 163:2

T

takes 108:9 118:21 119:1,2 153:3

taking 19:21

talk 26:2 27:3,13 44:8,9,14,19,22,24 47:5 48:16,21 60:16 61:8,11 69:10 70:2 72:19, 22 73:15,22 75:12 80:16 132:9,24 133:7

talked 47:10 53:1 60:9 69:12,13 70:6 73:1,9,11,12,13,16 74:19 75:8,9 78:9 97:12 133:6

talking 26:16 32:22,24 34:22,24 46:16,19,20,24 47:1 68:10 72:15, 18 74:24 75:13 78:4 132:13 138:19,20 148:22 151:14 163:14

tall 50:1,5

taped 43:22

tease 89:20

tech 77:23

technician 44:17 46:20 49:16 50:9, 23 62:20 63:8 156:19

telephone 11:7,16

telling 41:23 135:2

ten 54:11 120:6,19 153:7

tendered 7:20 37:10 82:9

tendering 13:6

tenure 65:20 66:1

term 45:11,21 151:23

terms 75:6

testified 7:6 25:15 39:11,19,22 113:24

testify 23:4,23 24:12,14 26:12 114:21

testifying 24:17

testimony 20:4,5, 7,12,14 22:21 23:1,8 26:3 27:4 28:9,11 29:15,19 31:4,15,23 32:9,11 34:12 35:8 37:13, 23 38:3 39:4 77:8 97:23 109:8 169:22,24

text 29:13,18 66:3, 6,12,24 67:2,8

thereof 9:13

thing 26:1 37:19 74:20 76:1,3 91:1 100:10 105:11 114:7,24 116:4 148:6

things 59:10 63:24 83:20 95:20

thinking 119:20

Thomas 59:19

thought 63:4 114:3 162:7

throw 164:1

ticket 151:24 152:4,6,9

time 5:1 9:21 11:3, 10 13:13 19:9 20:16 43:9 52:17 54:20 55:5 58:22 59:1 65:24 67:15, 19 68:1,5,15 69:1 70:18 74:14 76:14, 22 77:4,9,12,14 106:7,9,17 108:10 109:17 112:6,8,9 113:1 115:22 123:5,18,22 125:11 126:6 130:9 131:16 132:19,20 144:15 150:5,15 153:22 154:2,3,5 166:3,6, 7 169:4,8

timeline 119:20

timer 120:10

times 65:11 66:20, 23 117:15,19,21, 22 118:5 124:7 145:23 146:4,5 153:1,5 162:3

timestamp 123:17 126:19

timestamped 123:21

titled 123:15 149:15 157:12

today 4:3 5:16 12:17 18:11 31:10 47:10 115:10,16

today's 5:1 17:10 115:9

told 27:1 37:24 77:23 81:13 92:20 99:7,22 100:2,16 111:16 162:6 165:8

top 156:24

totally 63:3

tour 64:7 65:3 149:21 154:12 156:4,9 158:9,14 159:6 167:14 168:12

tours 154:8

traffic 40:18,19,21 41:6,10,11,14,16, 20 42:2,3,9,13,14, 23 43:11,12,14,17, 24 48:24 61:23

trained 150:2

training 150:13 151:2,5

transcript 4:4,5 15:23 134:4,5,9,20

transmission 92:16,17,23 93:11 104:13 107:15 108:14 116:17 125:17

transmitter 150:7

transmitter/audio 149:23

trick 59:13

true 137:24 143:7, 11,20

truthful 20:15

truthfully 8:3,9

TS.IFO 123:15

turn 64:22 102:23 147:12,14 148:7

turned 41:13 87:1 102:18 135:17 164:10

turning 102:15

TV 115:23

two-parter 85:11

type 35:24 83:2,12 117:13

typed 82:15

types 83:5

U

U-turn 86:18

U.S. 25:14

Uh-huh 28:18 33:3,21 48:20 49:23 70:11 118:3 144:14 154:22

understand 7:23 8:6,7,9,12,20,22 9:1,6,12,18,24 10:2 12:19 27:17 98:5,7 107:22 112:15 127:9 140:18 145:7

understanding 118:20 168:20,24

understood 51:20 55:11 78:1 137:4

unduly 9:23

uniform 63:8

union 9:19,22

unit 21:20,22

upload 64:9 148:5,6

upside 157:7,14 158:3 166:23 167:6

upstairs 70:4,10 71:16,19,21

V

Van 23:13 29:18 55:12,15,22 56:3 57:24 71:1 88:7 101:12 103:10,17, 21,22 107:7 111:15 113:11 116:2 120:1 128:14,24 129:6 135:2,14,23 136:2

vehicle 41:11 49:1,4 62:22 63:16 64:13 65:14 88:8 92:15,17 93:6,11 104:5,13 111:16, 19 112:1 113:13 117:9,10,13 120:2 122:10 123:10 125:17 128:15 129:1 136:5 146:19 149:19 150:6 152:11,14, 18,24 153:5,11 154:6 157:1,11 159:19 160:22 161:20 166:21 167:13 168:5,11

vehicle's 147:1 166:21

vehicles 17:21 159:22 161:16 162:2,11,15 163:2

Velez 60:22

verbal 96:1

verbatim 4:4

VI 149:18

video 17:20,24 18:3,7 25:21,24 30:10,12,13,14 50:18,24 51:8,14, 15 52:3,7,11 62:19 63:15 64:16,21 65:10,12,14 76:23 77:2,5,10,15,18,21 102:9,13 108:1,8, 11 109:9,13,14 112:11,12 113:5,9, 15,17,18,24 114:1, 2,9,12,17 115:7,8, 13 116:1,5,13,15 117:3 120:5,17 122:21 123:9,10, 15,17,18,20,24 124:2,5,6,7 125:7, 8,10,13,21,24 126:3,4,15 127:4, 17,19,22,24 128:1, 5,6,7,23 129:13,22 130:13,15,18,24

131:2 139:4,9,19, 21 140:10 141:5,8, 23 146:16,20 147:1,6,14,15,22 149:9,11,20,21 150:2,5 151:2,13, 19 153:11,15,20 154:7,12 155:8 156:18 157:11 160:10 161:4,7 163:10,11,16 164:19,23 165:10, 23 167:13,16,17, 18,19 168:4,11,17

video's 120:10

videos 51:24 64:2, 5,12 65:7 123:11

view 17:24 18:6 76:23 77:2

viewed 77:5,9 102:9

viewing 127:4 128:23

violation 8:15 10:5 19:4 20:9

Viramontes 58:3, 8 70:21 71:9 78:23 79:10

visually 149:21 154:23

VLC 123:14,21

voluntarily 19:8

volunteer 136:8 145:9

W

Wait 84:16

waiting 70:7 71:16 76:11,19,20,22

walk 40:13 69:14, 24 91:17 98:23 100:7 103:4 111:21,22 125:1 146:23 154:11

walked 32:7 43:16,24 102:18 132:20

walking 49:5 89:6, 15,17 91:6,12 97:19,24 101:21 102:3,5,14,16,17 112:17 114:4,5 125:3 127:1,21,23 128:2,3,10 135:10, 14,15,17

Walsh 57:6,10,16, 21 70:23 88:7 101:12 103:10,16, 20,21 107:7 111:15 113:11 116:2 120:1 128:14,24 129:5 130:17,18 135:2, 22 136:2

wanted 31:24 33:18 63:14,18 74:16 122:3 129:18 130:5 141:3 160:20

warnings 6:9

watch 22:1 25:21 51:5 52:6,11 56:19,21 64:3 113:18 122:21 123:24 124:6,7,11, 16 126:7 141:20

watched 52:16,17

watching 51:4 52:12 127:17

wave 88:17,23 90:2 91:21 92:2 101:15

waving 87:24 91:24 92:4 96:2 101:5 126:24 134:15 135:1

wearing 159:18

week 56:9 66:12

weeks 29:1

Wentworth 69:22, 23 131:15

west 5:2 135:18

westbound 85:19

wheel 122:11,13, 14,20

Wilson 54:2

witnessed 42:5,7 78:11,14 106:22

witnesses 26:19, 21,22 42:19

witnessing 13:9 106:24

woman 25:18 31:13 32:16 49:19

women 28:19

wondering 37:2 62:2,24 108:20 111:18 112:17

word-for-word 37:22

worded 59:13

words 86:11 88:24 98:9,18 99:2

work 4:8 53:7,12, 17,19 54:5,6 56:8, 13,23 57:14,17,19 58:8,14,20,22 59:1,2,8 60:2,4,14 66:4,7,13 67:1,5,7 107:9 160:6 163:23 164:16

worked 53:6 56:2, 6 57:9 107:6 153:19

working 6:14 20:21 54:14 150:3 151:20 152:4,5 155:5,7 159:19 162:20 163:17 165:3,5,10,13,19 166:3,5 167:13,21, 23 168:8,15

works 146:17

worksheet 156:18

wow 49:12

writing 81:20

written 9:1,2 25:7 100:1

wrong 93:3

Y

year 23:15

years 53:9 54:8 57:14 150:17,18

CITY OF CHICAGO
OFFICE OF INSPECTOR GENERAL

ADVISEMENT OF RIGHTS

I, Janet Mondragon, understand that I am being interviewed by Sarah Assan and Kristopher Brown from the City of Chicago Office of Inspector General.

DATE 3/22/16 TIME 10:32am LOCATION 300 W. Adams St, Suite 300

I understand that this interview is part of an official investigation and that I have a duty to cooperate with the Office of Inspector General, which includes answering all questions completely and truthfully.

I understand that I have no right to remain silent. I understand that I have an obligation to answer questions put to me truthfully. I understand that if I refuse to answer questions put to me, I will be ordered by a superior officer to answer the questions. I further understand and I have been advised that if I persist in my refusal to answer after an order to do so, such further refusal constitutes a violation of the Rules and Regulations of the Chicago Police Department and may serve as the basis for my discharge.

I understand and have been advised that my statements or responses may constitute an official police report. I understand that Rule 14 of the Chicago Police Department's Rules and Regulations prohibits making a false report, written or oral, and I further understand that making such a false report, whether written or oral, may result in my separation from the Chicago Police Department.

I understand that any statement made by me during this interview may be used as evidence of misconduct or as the basis for disciplinary action up to and including removal or discharge.

I understand that any statement made by me during this interview and the fruits thereof cannot be used against me in a criminal proceeding.

I understand that I have the right to have a union representative, or legal counsel of my choosing, present at the interview to consult with, and that I will be given a reasonable time to obtain a union representative or legal counsel as long as the interview is not unduly delayed.

I understand that a refusal to answer any question, or any false, inaccurate, or deliberately incomplete statement by me would constitute a violation of Chicago Municipal Ordinance 2-56, and may serve as the basis for my discharge.

I acknowledge that this statement of my administrative rights has been read aloud to me, and I have been allowed to review this document.

Janet Mondragon
Employee Signature

Witness: Sarah Assan Witness: _____

****

WAIVER

Understanding these rights, I wish to answer questions from investigators from the Office of Inspector General without having a union representative or legal counsel present. No promises or threats have been made to me and no pressure or coercion of any kind has been used against me.

Employee Signature: _____

EXHIBIT 1
DATE 3-22-16

NOTIFICATION OF INTERVIEW TO CPD MEMBER

CITY OF CHICAGO OFFICE OF INSPECTOR GENERAL

DATE: February 24, 2016

NAME	RANK	STAR NO.	UNIT OF ASSIGNMENT
Janet Mondragon	Police Officer	4364	008

YOUR APPEARANCE IS REQUIRED

AT ☒ Amicus Court Reporters, 300 West Adams, Ste. 800, Chicago, IL 60606

ON DATE: March 3, 2016 TIME: 9:00 PM

AS ☒ ACCUSED ☐ WITNESS ☐ COMPLAINANT

FOR ☒ A STATEMENT

CONCERNING

False statements made in connection with the October 20, 2014 shooting of Laquan McDonald; the operation of the Chicago Police Department's in-car video system.

YOU ARE TO REPORT TO:

LEAD INVESTIGATOR	TITLE	PHONE NO.	EMAIL
Kristopher Brown	Investigator III	773-478-0221	kbrown@chicagoinspectorgeneral.org

NOTE: You MUST notify the Lead Investigator of your inability to keep this scheduled appointment.

ALSO PRESENT AT THE INTERVIEW WILL BE:

NAME	TITLE	NAME	TITLE
Sarah Ansari	Assistant Inspector General	N/A	N/A

THE INTERVIEW WILL BE ☐ AUDIO RECORDED ☒ TRANSCRIBED BY A LIVE REPORTER

TO BE COMPLETED BY INTERVIEWEE (if applicable)

ACKNOWLEDGEMENT

Please contact Investigator Brown at (773) 478-0221 to confirm receipt of Notification of Interview and to confirm your attendance at the interview.

I hereby acknowledge receipt of this Notification of Interview

SIGNATURE Janet Mondragon DATE 24 FEB 16

PRINTED NAME Janet Mondragon TIME 2248

EXHIBIT 2 Date 3-22-16

TO BE COMPLETED BY OFFICE OF INSPECTOR GENERAL OR CPD COMPONENT PROVIDING NOTIFICATION TO INTERVIEWEE

NOTIFICATION MADE TO	TITLE, RANK, & UNIT	DATE	TIME
PO Mondragon	P.O. Janet Mondragon	24 FEB 2016	2248 hrs.
NOTIFICATION MADE BY	**TITLE, RANK, & UNIT**	**DATE**	**TIME**
Sgt. Terrance Coonan #874	#874	24 FEB 2016	2248 hrs.

NOTIFICATION OF ALLEGATIONS

CITY OF CHICAGO OFFICE OF INSPECTOR GENERAL

NAME OF ACCUSED	RANK	STAR NO.	UNIT OF ASSIGNMENT
Janet Mondragon	Police Officer	4364	008

City ordinance, and if applicable, collective bargaining agreements, provide that you are entitled to notice of the nature of the allegations against you and the identity of all complainants prior to any interview. Accordingly, you are advised as follows:

COMPLAINANT

1. John J. Escalante, Interim Superintendent of Chicago Police Department, sent a letter to the City of Chicago Office of Inspector General (OIG) dated January 13, 2016, requesting that OIG conduct an administrative investigation of the following allegations arising out of the October 20, 2014 shooting death of Laquan McDonald (the McDonald Shooting): "whether any officer(s) made false statements on official reports submitted in connection with the shooting of Laquan McDonald on October 20, 2014; whether any officer(s) obstructed or interfered with the investigation of this incident, either individually or in collusion with others; and whether any officer(s) committed any violation of Chicago Police Department rules, policies, or orders in connection with their response and/or handling of this matter." Escalante attached to the letter a copy of Sergeant S. Soria's (Star # 2275) Initiation Report, which raises similar allegations of misconduct with respect to Department members in connection with the McDonald Shooting, and identified that Report as a basis for OIG's administrative investigation.

ALLEGATIONS

1. On or about October 20, 2014, you provided a false narrative to Detective David March of the Chicago Police Department (CPD) concerning the McDonald Shooting through a series of false statements and material omissions.

2. On or about October 20, 2014, you made a false statement during an interview with CPD Detective March when, with respect to the McDonald Shooting, you stated that you saw McDonald running southbound on Pulaski in the middle of the street, waving a knife.

3. On or about October 20, 2014, you made a false statement during an interview with CPD Detective March when, with respect to the McDonald Shooting, you stated that you heard Officers Walsh and Van Dyke repeatedly ordering McDonald to "Drop the knife!" as McDonald got closer and closer to the officers, continuing to wave the knife.

4. On or about October 20, 2014, you made a material omission during an interview with CPD Detective March when, with respect to the McDonald Shooting, you failed to state that McDonald changed the direction in which he was walking prior to the shooting.

5. On or about October 20, 2014, you made a material omission during an interview with CPD Detective March when, with respect to the McDonald Shooting, you failed to state that Officers Walsh and Van Dyke moved towards McDonald prior to the shooting.

EXHIBIT 3
Date 5-22-16

6. On or about October 20, 2014, you made a false statement during an interview with CPD Detective March when, with respect to the McDonald Shooting, you stated that, as you were placing your vehicle transmission into park, you looked down and heard multiple, continuous gunshots, without pause.

7. On or about October 20, 2014, you made a false statement during an interview with CPD Detective March when, with respect to the McDonald Shooting, you stated that you did not know who fired the shots.

8. On or about October 21, 2014, you provided a false narrative to Independent Police Review Authority (IPRA) Investigator Brian Killen concerning the McDonald Shooting through a series of false statements and material omissions.

9. On or about October 21, 2014, you made a false statement during an interview with IPRA Investigator Killen when, with respect to the McDonald Shooting, you stated that McDonald was running southbound on Pulaski in the middle of the street, waving a knife.

10. On or about October 21, 2014, you made a false statement during an interview with IPRA Investigator Killen when, with respect to the McDonald Shooting, you stated McDonald was waving the knife when Officers Walsh and Van Dyke were telling him to drop it.

11. On or about October 21, 2014, you made a material omission during an interview with IPRA Investigator Killen when, with respect to the McDonald Shooting, you failed to state that McDonald changed the direction in which he was walking prior to the shooting.

12. On or about October 21, 2014, you made a material omission during an interview with IPRA Investigator Killen when, with respect to the McDonald Shooting, you failed to state that Officers Walsh and Van Dyke moved towards McDonald prior to the shooting.

13. On or about October 21, 2014, you made a false statement during an interview with IPRA Investigator Killen when, with respect to the McDonald Shooting, Killen asked if you knew who was shooting, and you stated, "No."

14. On or about October 21, 2014, you made a false statement during an interview with IPRA Investigator Killen when, with respect to the McDonald Shooting, Killen asked if you saw muzzle flashes or "anything like that," and you stated, "No."

15. On or about October 21, 2014, you made a false statement during an interview with IPRA Investigator Killen when, with respect to the McDonald Shooting, Killen asked if everything you stated was a true and accurate account of what occurred, and you stated, "Yes."

16. On or about October 20, 2014, you disabled the microphones for CPD vehicle 8779 by placing them into the vehicle's glove compartment with the batteries inserted upside down.

17. On or about October 20, 2014, you failed to ensure the in-car video system for CPD vehicle 8779 was working properly at the beginning of your tour of duty.

OIG 15-0564 007223

18. On or about October 20, 2014, you failed to immediately notify a supervisor that the in-car video system for CPD vehicle 8779 was inoperable or damaged.

19. On or about October 20, 2014, you failed to audibly record events with CPD vehicle 8779's in-car video system during your tour of duty.

ACKNOWLEDGEMENT

I hereby acknowledge receipt in writing of the identity of the complainant(s) and notice of the nature of the allegation(s) against me.

Signature Janet Mondragon Date 24FEB16

Printed Name Janet Mondragon Time 2254

WITNESSES

[signature] 894 24 FEB 2016 2254 HRS

OIG 15-0564 007224

City of Chicago Office of Inspector General
740 North Sedgwick Street
Suite 200
Chicago, Illinois 60654

RECEIPT FORM

OIG FILE NO. 15-0564

ON 24 Feb 2016 (DATE) AT 2258 HRS (TIME)

Sgt. Terrance Coonan #894 (NAME) Sgt. of Police (TITLE)

☐ SEIZED FROM ☐ RECEIVED FROM ☐ RETURNED TO ☒ RELEASED TO

NAME	TITLE	DEPT.
Janet Mondragon	Police Officer	Chicago Police Department

THE FOLLOWING ITEM(S):

1. A City of Chicago Office of Inspector General DVD containing the following materials:

- a copy of the portion of the March 16, 2015 Case Supplementary Report for R.D. No. HX475653 that memorializes Detective David March's October 20, 2014 interview of Janet Mondragon and Daphne Sebastian;
- Detective March's October 20, 2014 General Progress Report for R.D. No. HX475653 concerning March's October 20, 2014 interview of Janet Mondragon;
- A copy of the transcript of the October 21, 2014 interview of Janet Mondragon, conducted by Independent Police Review Authority Investigation Brian Killen;
- The October 20, 2014 audio and video files for the in-car video system of beat number 813R;
- The October 20, 2014 audio and video files for the in-car video system of beat number 845R;
- The October 20, 2014 Dunkin Donuts security video of the Laquan McDonald shooting.

ACKNOWLEDGEMENT

EXHIBIT 4
DATE 3-22-16

I hereby acknowledge receipt in writing of the above-listed item(s).

Signature Janet Mondragon Date 24FEB16

Printed Name Janet Mondragon Time 2258

WITNESSES

#824 24 FEB 2016 2258 HRS

INDEPENDENT POLICE REVIEW AUTHORITY LOG #1072125 U#14-36

STATEMENT OF P.O. JANET MONDRAGON

CONDUCTED BY INVESTIGATOR KILLEN

ON OCTOBER 21, 2014 AT 0529 HOURS

AT AREA CENTRAL POLICE HEADQUARTERS



1072125

Attachment # 159

OIG 15-0564 007227

KILLEN: This is the audio recorded interview of Officer Janet Mondragon regarding Log number 1072125 U number 14 dash 36. Today is the 21st of October 2014. And the time is approximately 0529 hours. This statement is bein' taken at Area Central Police Headquarters. My name is Investigator Killen, that's spelled K I L L E N. My star number is 1 2 9. Also present in the room is uh attorney Dan Herbert. If you would Dan.

HERBERT: Sure Dan, D A N, Herbert, H E R B E R T.

KILLEN: And uh also is uh FOP Field Representative Kriston Kato.

KATO: First name is Kriston, K R I S T O N. Last name K A T O. FOP Field Representative.

KILLEN: All right Officer Mondragon if you would say and spell your first and last names for me.

P.O.MONDRAGON: Um Officer Janet, J A N E T, Mondragon, M O N D R A G O N.

KILLEN: All right and what's your star number?

P.O.MONDRAGON: 4 3 6 4.

KILLEN: And your employee number?

P.O.MONDRAGON: [redacted]

KILLEN: All right and your date of appointment with the Department?

P.O.MONDRAGON: April 1st, 2007.

KILLEN: All right and your date of birth?

P.O.MONDRAGON: Uh [redacted]

KILLEN: All right and your current unit of assignment is?
P.O.MONDRAGON: Eight.

KILLEN: Okay and how long you been to 8th District?
P.O.MONDRAGON: Um since I started so seven and half years ago.

KILLEN: Since the beginning?
P.O.MONDRAGON: Yes.

KILLEN: Okay. And are you prepared to give the statement?
P.O.MONDRAGON: Yes. This statement is not being given voluntarily but under duress. I'm only givin' this statement because I know I will be fired if I refuse.

KILLEN: And you are aware that this statement has the standing of an official Department report. And that any intentional falsification of any answer to any question would be in direct violations of rules and regulations? Do you understand that?
P.O.MONDRAGON: Yes.

KILLEN: Given that, I'd like to remind you that failure to provide a complete and accurate account of this incident could result in a finding of a violation of Rule 14 with discipline leading up to and including separation from the Chicago Police Department. Do you understand that?

P.O.MONDRAGON: Yes.

KILLEN: All right then on 20 October 2014 at approximately 2150 hours what was your duty status and assignment?

P.O.MONDRAGON: We were on routine patrol.

KILLEN: Okay so we'll start with uh on 20 October 2014 what time did you start work?

P.O.MONDRAGON: 2100.

KILLEN: And you were assigned a partner?

P.O.MONDRAGON: Yes.

KILLEN: And who's your partner?

P.O.MONDRAGON: Uh Officer Sebastian.

KILLEN: Okay. And you and Officer Sebastian the two of you were in full uniform?

P.O.MONDRAGON: Yes.

KILLEN: And you and Officer Sebastian you were assigned a vehicle?

P.O.MONDRAGON: Yes.

KILLEN: And what kinda vehicle?

P.O.MONDRAGON: Um marked squad car.

KILLEN: Okay was that a car or a Tahoe?

P.O.MONDRAGON: It's a Ford Explorer.

OIG 15-0564 007230

KILLEN: Ford Explorer. Okay. Uh do you remember the outside number on it?
P.O.MONDRAGON: Yes. 8 7 7 9.

KILLEN: Were you the driver or the passenger?
P.O.MONDRAGON: Driver.

KILLEN: Okay. And then on 20 October 2014 at approximately 2150 hours you and Officer Sebastian were witnesses to a police-involved shooting correct?
P.O.MONDRAGON: Yes.

KILLEN: Okay. And start from the beginning just tell me how you became involved in that?
P.O.MONDRAGON: Uh we were responding to a call the officers were askin' for more cars.

KILLEN: Okay do you remember why they were askin' for more cars?
P.O.MONDRAGON: Uh yes they stated that um they had a call about someone breakin' into cars. And uh the offender that was on scene um had a knife. So they were lookin' for a car with a taser.

KILLEN: Okay. Do you carry a taser?
P.O.MONDRAGON: No.

KILLEN: Does Officer Sebastian?
P.O.MONDRAGON: No.

OIG 15-0564 007231

KILLEN: So you, you and you hear the call over the radio correct?
P.O.MONDRAGON: Yes.

KILLEN: So you're going as one of the assists?
P.O.MONDRAGON: Yes.

KILLEN: Okay. Do you remember where you were at when you heard the call?
P.O.MONDRAGON: We were around 55th and uh what's that Kostner.

KILLEN: So then so you drive --
P.O.MONDRAGON: We were driving westbound on 55th Street.

KILLEN: Okay so the, the call for the assist would be where?
P.O.MONDRAGON: It was uh I believe 40th and uh Kildare.

KILLEN: So you, you, you had that (inaudible)
P.O.MONDRAGON: Yes.

KILLEN: Okay so do you come up Pulaski?
P.O.MONDRAGON: Actually I went down Kostner, northbound on Kostner.

KILLEN: Okay.
P.O.MONDRAGON: From 55th.

KILLEN: Okay so start from the beginning so you go north on Kostner and what happens?

OIG 15-0564 007232

P.O.MONDRAGON: Uh I go northbound on Kostner then I take Archer Avenue and then I go down Pulaski.

KILLEN: Okay.

P.O.MONDRAGON: Going northbound towards 40th.

KILLEN: And what happens when you get to 40th?

P.O.MONDRAGON: Uh when we get, well when we get to 40th uh there's a car in front of us already. Which I believe it's 845 Robert. So I'm right behind them and uh when we get to 40th Street they turn, I turn right behind 'em. Um as I'm turning I see the officer running.

KILLEN: You know who that is?

P.O.MONDRAGON: Um Officer McElligott.

KILLEN: Okay.

P.O.MONDRAGON: I see 'em running across the Burger King parking lot. There's a Burger King there.

KILLEN: Hmm huh.

P.O.MONDRAGON: He's running. So as he's running I come and I see 845 Robert keeps going and I do a turn to go back onto Pulaski.

KILLEN: Okay so when you saw Officer McElligott did you see the offender also?

P.O.MONDRAGON: I didn't see him.

KILLEN: Okay so the only person you see if Officer McElligott?

OIG 15-0564 007233

P.O.MONDRAGON: I, yeah outta the corner of my eye I saw --

KILLEN: Okay so you go north on Pulaski when you get to 40th you turn left?
P.O.MONDRAGON: I turn left, yeah.

KILLEN: Okay and then you turn around --
P.O.MONDRAGON: I do a kind of like a U turn and come back onto --

KILLEN: -- on Pulaski.
P.O.MONDRAGON: -- Pulaski yes.

KILLEN: And then what happens, which way do you go?
P.O.MONDRAGON: Uh when I come back onto Pulaski I'm going south and as I'm approaching 41st Street I see the offender he's uh running. And uh there's another squad car coming towards us. So we're kinda goin' like this. And then 45 Robert's going around them.

KILLEN: Okay. So the offender is he on the sidewalk or is he in the street?
P.O.MONDRAGON: He's on the, on the middle of the street.

KILLEN: And he's going --
P.O.MONDRAGON: On the intersection.

KILLEN: So he's on Pulaski?
P.O.MONDRAGON: Yeah he's running.

KILLEN: Which direction is he goin'?

OIG 15-0564 007234

P.O.MONDRAGON: Uh southbound.

KILLEN: Okay so you're behind him goin' south?
P.O.MONDRAGON: We're yeah. I'm right behind.

KILLEN: And who's comin' atcha?
P.O.MONDRAGON: Believe, well now I know it's 22.

KILLEN: Oh okay.
P.O.MONDRAGON: Afternoons they were facin' this way.

KILLEN: Okay so what happens as your, so you're goin' south. You're, you're basically followin' the offender.
P.O.MONDRAGON: Yes.

KILLEN: Okay and when you see the offender that's the first time you see the offender then right when he's on Pulaski?
P.O.MONDRAGON: Oh I saw 'em as soon as I come out on Pulaski. I saw 'em he was running. So once I got closer yes.

KILLEN: Did you see 'em with a knife in his hand?
P.O.MONDRAGON: I, at first I just saw 'em goin' like this. Wavin' his hand up and down, up and down. Until I got closer that's when I saw the knife.

KILLEN: Okay. So as you get closer you see a knife, what happens then?
P.O.MONDRAGON: Um as I get closer you know um he's waving the knife. He's movin' around. He's like not

OIG 15-0564 007235

completely running but he's like I don't know jogging, I could say. And as we come you know I'm right behind 'em next thing you know I hear um, I see officers um Walsh get outta their vehicle and I hear them say drop the knife, drop the knife, drop the knife. And he's just you know wavin' it. And then that's when I hear shots fired. (noise)

KILLEN: Was the offender facin' Officer Walsh and his partner when, when he was wavin' that (inaudible) and all that?

P.O.MONDRAGON: Honestly I, I (noise) how would I recall.

KILLEN: Okay. And then you, you hear drop the knife, drop the knife.

P.O.MONDRAGON: Yeah several times. They said drop the knife, drop the knife.

KILLEN: And in, are you still moving, you still driving?

P.O.MONDRAGON: I'm still move, slowly cause we, like I said we were right behind 'em. So I'm drivin' slowly right behind 'em as he's runnin'. (noise)

KILLEN: So then (noise) and then you hear the gunshots correct?

P.O.MONDRAGON: Yes.

KILLEN: At that time did you know who was shooting?

P.O.MONDRAGON: No.

OIG 15-0564 007236

KILLEN: You didn't see like muzzle flashes or see nothin' like that?
P.O.MONDRAGON: No.

KILLEN: Okay. Uh and you heard more than one gunshot?
P.O.MONDRAGON: Yes.

KILLEN: If you had to guess at how many you heard?
P.O.MONDRAGON: Several.

KILLEN: And what happens after you hear those gunshots?
P.O.MONDRAGON: After I hear the you know I'm like I said I'm still moving and I see the offender drop down. And um honestly after that it's just I remember I got out of the car and actually I turned this way cause I saw traffic comin' our way. So I went over there and put my flashlight so they could start going the other, you know like turning around. I didn't want 'em to come towards where the officers were.

KILLEN: That's the traffic from behind you?
P.O.MONDRAGON: Yeah.

KILLEN: So it woulda been comin' from the expressway?
P.O.MONDRAGON: Yeah the --

KILLEN: Okay so you go north on Pulaski and direct traffic?
P.O.MONDRAGON: Yes I get outta the, my vehicle and I turn around and I see the traffic coming that's when I start.

OIG 15-0564 007237

KILLEN: All right. And at the time you didn't know who was shooting correct?

P.O.MONDRAGON: No.

KILLEN: Okay. All right is there anything you'd like to add?

P.O.MONDRAGON: No.

KILLEN: And everything you told me is a true and accurate account of what occurred?

P.O.MONDRAGON: Yes.

KILLEN: All right this will conclude the audio recorded interview of Officer uh Janet Mondragon regarding Log number 1072125 U number 14 dash 36. Today is the 21st of October 2014 and the time is approximately 0540 hours.

OIG 15-0564 007238

I, CAROL A. O'LEARY, do hereby certify or affirm that I have impartially transcribed the foregoing from an audio recording of the above-mentioned proceeding to the best of my ability.

Carol A. O'Leary

Carol A. O'Leary

OIG 15-0564 007239

CHICAGO POLICE DEPARTMENT

CASE SUPPLEMENTARY REPORT

HX475653

3510 S. Michigan Avenue, Chicago, Illinois 60653

(For use by Chicago Police - Bureau of Investigative Services Personnel Only)

Case ID: [redacted] Sup ID: [redacted]

EXC. CLEARED CLOSED (OTHER EXCEPTIONAL)	DETECTIVE SUP. APPROVAL COMPLETE

Last Offense Classification/Re-Classification	IUCR Code	Original Offense Classification			IUCR Code
ASSAULT / Aggravated Po:Knife/Cut Instr	0552	ASSAULT / Aggravated Po:Knife/Cut Instr			0552
Address of Occurrence	**Beat of Occur**	**No of Victims**	**No of Offenders**	**No of Arrested**	**SCR No**
4112 S PULASKI RD	815	4	1	1	
Location Type	**Location Code**	**Secondary Location**			**Hate Crime?**
Street	304				NO
Date of Occurrence	**Unit Assigned**	**Date RD Arrived**	**Fire Related?**	**Gang Related?**	**Domestic Related?**
20-OCT-2014 21:57	0641R	20-OCT-2014 21:57	NO	NO	NO

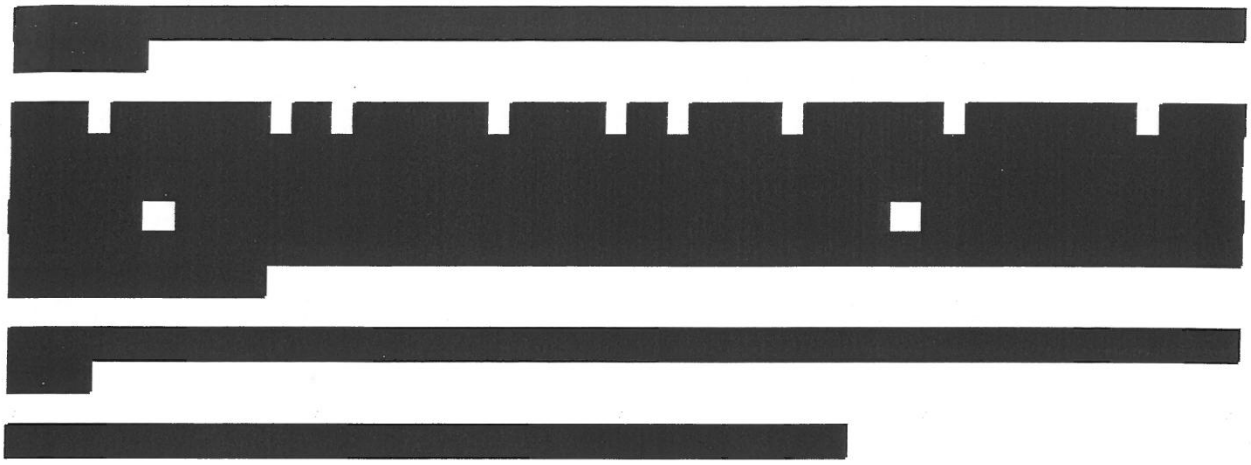
Reporting Officer	Star No	Approving Supervisor	Star No	Primary Detective Assigned	Star No
MARCH, David	20563	WOJCIK, Anthony	481	MARCH, David	20563
Date Submitted		**Date Approved**		**Assignment Type**	
15-MAR-2015 18:26		16-MAR-2015 00:03		FIELD	

THIS IS A FIELD INVESTIGATION EXC. CLEARED CLOSED (OTHER EXCEPTIONAL) REPORT

[redacted]

HX475653

EXHIBIT 6
Date 3-22-16



SEBASTIAN, Daphne L -----

stated she was a Chicago Police Officer assigned to the 008th District. She was on duty, in uniform, working on Beat 813R. SEBASTIAN was working with Police Officer Janet MONDRAGON. The two officers were assigned to a marked vehicle. MONDRAGON was driving the vehicle and SEBASTIAN was the passenger.

The two officers responded to the request for assistance made by Beat 815R, regarding a subject with a knife. Officer SEBASTIAN thought the original call for assistance was at 40th Street and Keeler Avenue. The subject had punctured a tire on the police vehicle of Beat 815R. Officer MONDRAGON drove northbound on Pulaski Road, following Beat 845R, as they also responded to the request for assistance. MONDRAGON turned westbound onto 40th Street, behind Beat 845R.

Officer SEBASTIAN observed a black male subject, now known as Laquan MCDONALD, running southeast bound through the parking lot of the Burger King restaurant. Beat 845R pursued MCDONALD in their police vehicle, through the parking lot, toward Pulaski. SEBASTIAN told Officer MONDRAGON to drive back out onto Pulaski to assist in the pursuit. MCDONALD ran out onto Pulaski and continued to run southbound down the middle of the street. Beat 845R pursued MCDONALD in their vehicle, southbound on Pulaski, followed by Beat 813R. As MCDONALD ran southbound on Pulaski, SEBASTIAN saw the knife in his right hand. MCDONALD was waving the knife.

Beat 845R stopped their vehicle ahead of MCDONALD, between MCDONALD and the Dunkin' Donuts restaurant on the east side of Pulaski. Officers Joseph WALSH and Jason VAN DYKE exited their vehicle and drew their handguns. MCDONALD turned toward the two officers and continued to wave the knife. Sebastian heard the officers repeatedly order MCDONALD to "Drop the knife!" MCDONALD ignored the verbal directions and continued to advance on the officers, waving the knife. Officer SEBASTIAN heard multiple gunshots and MCDONALD fell to the ground, where he continued to move. SEBASTIAN did not know who fired the shots, which were fired in one continuous group. She then saw Officer WALSH kick the knife out of MCDONALD's hand.

MONDRAGON, Janet -----

stated she was a Chicago Police Officer assigned to the 008th District. MONDRAGON related the same facts as her partner, Officer Daphne SEBASTIAN.

Officer MONDRAGON added that as she drove westbound on 40th Street, she saw Officer MCELLIGOTT running eastbound through the Burger King parking lot. She made a U-turn and drove back out onto Pulaski Road. MONDRAGON turned southbound onto Pulaski. She saw Laquan MCDONALD running southbound on Pulaski, in the middle of the street. As she got closer she could see MCDONALD was holding a knife in his right hand. He was waving the knife.

Officer MONDRAGON saw Officers Joseph WALSH and Jason VAN DYKE outside of their police vehicle. She heard the officers repeatedly ordering MCDONALD to "Drop the knife!" as MCDONALD got closer and closer to the officers, continuing to wave the knife. As she was placing her vehicle transmission into Park, MONDRAGON looked down and heard multiple, continuous gunshots, without pause. MONDRAGON then saw MCDONALD fall to the ground. MONDRAGON did not know who fired the shots.

[redacted]

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR MILITARY)
20 OCT 2014	20 OCT 2014

OFFENSE CLASSIFICATION–LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0452	VAN DYKE	512

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

J MONTREAGON

DRIVING W/B 40, SAW MCD RUNNING E/B THROUGH BK LOT
MADE U-TURN, BACK OUT TO PULASKI
S/B ON PULASKI
SAW O RUNNING S/B PULASKI, MIDDLE OF ST
AS SHE GOT CLOSER, SAW KNIFE IN R HAND
O WAVING KNIFE
SAW JM + JVD OUTSIDE THEIR TAHOE
HEARD POS REPEATEDLY, "DROP THE KNIFE!" AS
O GOT CLOSER + CLOSER TO POS CONTINUING
TO WAVE KNIFE
AS JM PLACED TRANS, INTO P. LOOKED DOWN,
HEARD MULTIPLE CONTINUOUS SHOTS, NO PAUSE
THEN SAW O FALL TO GROUND
DID NOT KNOW WHO FIRED

EXHIBIT 7
DATE 3-22-16

HX475633

REPORTING OFFICER'S SIGNATURE–STAR NO. 20563 | RECEIVED BY: SUPERVISOR'S SIGNATURE–STAR NO. | DAY–MO–YR | TIME

CPD-23.122 (Rev. 7-83)

Chicago Police Department

Special Order S03-05

IN-CAR VIDEO SYSTEMS

ISSUE DATE:	23 February 2012	**EFFECTIVE DATE:**	23 February 2012
RESCINDS:	Version dated 20 April 2011; S10-10		
INDEX CATEGORY:	Field Operations		

I. PURPOSE

This directive:

A. implements the use of Department in-car video systems.

B. establishes the policies and procedures for the use, maintenance, and repair of in-car video systems.

C. establishes the roles and responsibilities of Department members affected by the introduction of in-car video systems for the video and audio recording of incidents.

D. establishes the requirements for viewing, retaining, and duplicating digitally recorded incidents.

E. continues the use of the Digitally Recorded Data Viewing/Hold/ Duplication Request (CPD-65.224).

F. identifies the Records Division as the Department repository and viewing location of digitally recorded data created by the in-car video systems.

II. POLICY

The Department is committed to protecting the safety and welfare of its members and the public. The in-car video systems can provide members with an invaluable instrument to enhance criminal prosecution by providing powerful evidence of criminal activity, limit civil liabilities, and objectively document officer conduct during individual interactions. Members assigned to a vehicle equipped with an in-car video system will use it pursuant to this directive.

III. GENERAL INFORMATION

A. There is no expectation of privacy for Department members related to incidents recorded by in-car video systems. Supervisors, members of Bureau of Internal Affairs, and the Independent Police Review Authority (IPRA) investigators may request to review the digitally recorded data from a vehicle equipped with an in-car video system. Any digitally recorded data created by the in-car video system may be used without a Department member's permission for any official Departmental purpose.

B. The in-car video system will **automatically engage audio and video recording** when the vehicle's emergency-roof lights are activated. However, Department members may manually activate the in-car video system without the activation of the emergency equipment. At the conclusion of the incident, Department members must manually disengage all recording processes, regardless of what method activated the in-car video system.

C. The Records Division will be the custodians of the digitally recorded data and will be responsible for the retention, duplication, and viewing of the in-car video systems. The Director, Records Division, will establish retention, viewing, and duplication procedures that provide for inventory control, the security of the digitally recorded data, and authorized duplications.

D. All digitally recorded data created by the in-car video systems will be retained by the Records Division for a minimum of 90 days. Digitally recorded data that is marked and held as having evidentiary or training value will be retained as prescribed by law and established Department policy.

E. In general, minor infractions and minor deviations from Department policy observed through the review of digitally recorded data will not be subject to the disciplinary process and will be treated as a training opportunity.

EXHIBIT 8
Date 3-21-16

OIG 15-0564 007244

IV. RECORDING GUIDELINES

A. Department members will use only Department-issued video and audio recording equipment.

B. Department members will conform to all laws and Department policies concerning the use of the in-car video system for the video and audio recording of incidents.

1. Department members are lawfully permitted to video record individuals without their consent if they are on the public way or in public view.

2. Department members who are in uniform and have identified their office are lawfully permitted to simultaneously audibly and visually record individuals without their consent whenever:

a. the member is conducting an enforcement stop, **or**

b. the patrol vehicle emergency lights are activated or would otherwise be activated if not for the need to conceal the presence of law enforcement.

NOTE: Any reports completed for an audibly recorded incident, including Traffic Stop Statistical Study - Driver Information Cards (CPD-21.103), Traffic Stop Statistical Study Stickers (CPD-15.516), and Personal Service Citations, must include the initial violation or investigatory need that led to the stop.

NOTE: Department members may audibly record an enforcement stop regardless of the subsequent enforcement action taken.

3. Department members may audibly and visually record an individual with the consent of the individual.

C. Uniformed Department members assigned to vehicles equipped with in-car video systems will activate the system to simultaneously audibly and visually record the entire incident for all enforcement stops.

D. Uniformed Department members assigned to vehicles equipped with in-car video systems will activate the system to visually record the entire incident for all:

1. arrests and transports.

2. nonpursuit emergency vehicle operations.

3. any situation that the member, through training and experience, believes to serve a proper police purpose.

E. During the recording of an incident, Department members will not disengage the in-car video system until the entire incident has been recorded.

NOTE: Department members will be required to justify any disengagement of the in-car video system prior to the entire incident being recorded.

F. If recorded, felony and misdemeanor arrests, motor vehicle pursuits, traffic crashes resulting in property damage, personal injury, or a fatality, DUI incidents, and failure to yield to an emergency vehicle will be automatically stored by the in-car video system indefinitely when the correct event is selected from the postevent pop-up menu. All other incidents will be automatically stored for ninety days.

G. If digitally recorded data will be needed in judicial proceedings beyond ninety days, members will place an extended hold on that digitally recorded data as described in Item VIII of this directive, including but not limited to the following circumstances:

1. Traffic stops other than DUI,

© Chicago Police Department, February 2012

OIG 15-0564 007245

2. Enforcement stops,

3. Other traffic crash investigations, and

4. Stops for citizen assistance.

H. When a complaint against a Department member is received that involves a digitally recorded incident, the investigating member will request an extended hold on the data.

I. Assigned supervisors will request an extended hold on all digitally recorded motor vehicle pursuits and traffic crashes involving Department vehicles.

V. DEPLOYMENT OF THE IN-CAR VIDEO SYSTEMS

A. Commanding officers of units with vehicles equipped with in-car video systems will:

1. ensure that vehicles equipped with in-car video systems are evenly distributed for use by all watches.

NOTE: Commanding officers will ensure the units assigned to traffic duties in district law enforcement use vehicles equipped with in-car video systems.

2. whenever feasible, ensure vehicles equipped with the in-car video systems are deployed every tour of duty and service is requested for inoperable vehicles equipped with in-car video systems.

B. The *station supervisors* will:

1. deploy every vehicle equipped with a functional in-car video system during the tour of duty.

2. ensure digitally recorded data is downloaded from the in-car video systems.

3. whenever operationally feasible, review video of any arrest recorded by the in-car video system as part of the approval of probable cause.

VI. OPERATIONAL PROCEDURES

A. Department members assigned to a Department vehicle equipped with an in-car video system will:

1. at the beginning of a tour of duty:

a. visually inspect the in-car video system equipment for damage.

b. obtain the remote transmitter/audio recorder and ensure it is securely attached to the member's person.

c. follow the start-up procedures for the in-car video system as trained and ensure the system is working properly.

NOTE: Members will immediately notify a supervisor if, at any time, the in-car video system is inoperable, damaged, the equipped vehicle becomes inoperable, or the remote transmitter/audio recorder is missing.

2. during the tour of duty:

a. audibly and visually record events in accordance with this directive.

b. annotate all reports, including Contact Information Cards (CPD-21.101), prepared for an event which has been recorded by listing **"Video Recorded Incident"** at the end of the narrative portion.

© Chicago Police Department, February 2012

OIG 15-0564 007246

c. after an incident has been recorded, use the post-event pop-up menu to select the most serious recorded occurrence as the event type and enter other event information.

NOTE: If the member did not use the postevent pop-up menu to mark the incident as being held for evidence, the member will request an extended hold on digitally recorded data in accordance with Item VIII of this directive.

d. if the in-car video system indicates that the memory required to record incidents is becoming low or if the member observes that less than 30 minutes of recording time is available, download the digitally recorded data.

3. at the conclusion of a tour of duty:

a. verify the in-car video system is working properly.

b. initiate the downloading of the digitally recorded data.

NOTE: Members will immediately notify a supervisor if unable to complete the downloading of digitally recorded data due to technical problems.

c. shut down the in-car video system and logoff the system.

d. return the remote transmitter/audio recorder to the designated area for charging.

B. The sergeant assigned to supervise Department members using Department vehicles equipped with an in-car video system will:

1. monitor subordinates to ensure the in-car video system is used and that digitally recorded data is properly downloaded.

2. ensure that the Help Desk is contacted and a ticket number is obtained whenever any member is unable to use the in-car video system or download digitally recorded data due to technical problems.

3. initiate an investigation when notified of a missing or lost remote transmitter/audio recorder.

4. document on the Supervisor's Management Log (CPD-11.455):

a. whether each vehicle has an in-car video system and if it is functioning.

b. all responses related to malfunctions of vehicles equipped with in-car video systems.

c. digitally recorded data downloaded to land-based terminals, noting any units unable to complete the download and the Help Desk ticket number obtained.

d. any request submitted for an extended hold of digitally recorded data.

e. any instances of additional training, corrective measures, or disciplinary actions.

5. document on the Traffic Pursuit Report (CPD-22.958) or traffic crash report that the incident has been digitally recorded.

6. obtain a complaint register number and order an evidence technician to process the equipment if any damage or malfunction is suspected to have been caused by deliberate (tampering) means.

C. *Station supervisors* will:

1. designate a sergeant responsible for monitoring the downloading of digitally recorded data for the watch.

© Chicago Police Department, February 2012

OIG 15-0564 007247

2. record the total number of vehicles equipped with in-car video systems deployed during the watch and the total number of these vehicle that do not have a functioning in-car video system, if any, on the Watch *Incident* Log (CPD-21.916).

3. ensure the status of vehicles equipped with in-car video systems is recorded on the Personal Equipment Log (CPD-21.919) by recording the word "VIDEO" in the "Camera/Tripod No." column.

4. if an in-car video system malfunctions or the system or vehicle becomes inoperable **during** the tour, record the vehicle and beat numbers and the words "VIDEO DOWN" on the Watch *Incident* Log.

D. When digitally recorded data is determined to have evidentiary or training value, or a complaint against a Department member is received that involves a digitally recorded incident, the supervisor reviewing the recorded data will request an extended hold on the data.

VII. DOWNLOADING DIGITALLY RECORDED DATA FROM THE IN-CAR VIDEO SYSTEM

A. When downloading digitally recorded data from the mobile unit of an in-car video system to a land-based terminal, Department members will:

1. download the data in accordance with the manufacturer's guidelines and training.

2. ensure the download of data was complete and return the vehicle back into service.

B. With the approval of the *station supervisor* in the district of occurrence, special requests for the immediate viewing of digitally recorded data from the *Bureau of Detectives*, *Bureau of Internal Affairs*, or IPRA will be processed for major incidents where an in-car camera system may be reasonably expected to have captured a component of the incident.

1. Major incidents include, but are not limited to:

a. police-involved shootings,

b. serious injury or death to a Department member,

c. serious injury or death to a member of the public.

2. Special requests for viewing digitally recorded data will be made to the *station supervisor* in the district of occurrence, who will:

a. evaluate the request;

b. determine if the need for retrieval outweighs the operational impact of the vehicle being taken out of service; and

c. notify *Crime Prevention and Information Center (CPIC)* of the decision.

3. Special requests will be in the form of one of the following types:

a. Special wireless upload, or

b. Emergency on-site retrieval.

C. Special Wireless Uploads

1. The *station supervisor* in the district of occurrence will take the vehicle out of service and secure it at the unit of assignment or other appropriate location.

2. The supervisor will:

a. verify that the vehicle operator or partner is signed on to the in-car camera system;

b. instruct the member to manually flag the entire tour of duty's available video for upload;

© Chicago Police Department, February 2012

OIG 15-0564 007248

c. instruct the member to initiate a manual upload of this video with the vehicle in range of the facility's wireless hotspot; and

NOTE: If video cannot be uploaded via wireless hotspot, a cradle upload will be used.

d. ensure that the vehicle remains out of service until the upload is complete.

3. Once complete, the *station supervisor* will allow personnel from the *Bureau of Detectives*, *Bureau of Internal Affairs*, or IPRA, as appropriate, to review the uploaded files.

NOTE: For officer-involved shootings when an On-Call Incident Commander (OCIC) will respond, an emergency on-site retrieval will be immediately requested through *CPIC*.

4. The *station supervisor* may identify an alternate vehicle for the member to use while the identified vehicle completes its video upload, as appropriate.

5. If an attempt to wirelessly upload is unsuccessful, members may contact the City of Chicago Help Desk at 4-DATA for assistance.

6. If a wireless upload fails, an emergency on-site retrieval will be conducted.

D. Emergency On-Site Retrieval

1. The *station supervisor* in the district of occurrence will notify *CPIC* of an approved emergency on-site retrieval.

NOTE: An emergency on-site retrieval will only be conducted when an OCIC is responding or a wireless upload fails and contacting the City of Chicago Help Desk at 4-DATA has not resolved the problem.

2. *CPIC* will notify the Public Sector Information Technology (PSIT) Group personnel of a manual video retrieval from the "fail-safe" internal drive request.

3. The *station supervisor* in the district of occurrence will take the identified vehicle out of service during the retrieval process.

4. If the identified vehicle is still in use when the designated supervisor arrives at the unit facility or other appropriate location, the supervisor will report to the vehicle and instruct any member logged onto the system to log off the system.

5. The vehicle will remain out of service until PSIT responds and conducts the video retrieval.

NOTE: On-site review of video will be limited to the series of events and time frame giving rise to the alleged incident.

E. Viewing and Obtaining Copies of In-Car Video Recordings

1. Once retrieval has been completed for the requested time frame, the video may be viewed by personnel from the requesting party at the location of retrieval.

2. Requests for copies of in-car video recordings will be made by completing the form entitled "Digitally Recorded Data Viewing/Hold/Duplication Request" (CPD-65.224) and forwarding it to the Records Division.

F. The Managing Deputy Director, PSIT, will:

1. establish procedures to ensure the security of the digitally recorded data from downloading to storage by the Records Division.

© Chicago Police Department, February 2012

OIG 15-0564 007249

2. develop a system to monitor the memory capacity of the land-based terminals and provide for the security of the downloaded data.

G. If members are unable to download digitally recorded data from the mobile unit of the in-car video system to the land-based terminals due to system inoperability:

1. the *station supervisor* will notify the Help Desk and follow any further instructions given by the responding member of PSIT.

2. A designated member of PSIT will respond to the requesting unit and:

a. ensure the security of the digitally recorded data.

b. perform a manual download of the digitally recorded data.

c. record the manual download on the Help Desk ticket.

VIII. REQUESTING A HOLD FOR DIGITALLY RECORDED DATA

A. Department members will place an extended hold on digitally recorded data they recorded using the postevent pop-up menu on the in-car video system.

B. **Within the first 48 hours** from downloading digitally recorded data from the vehicle, Department members **who do not use the postevent pop-up menu** and request an extended hold on digitally recorded data will request that a supervisor place the extended hold by using the land-based terminal at the district/unit station.

C. **After the first 48 hours** from downloading digitally recorded data from the vehicle, Department members **who do not use the postevent pop-up menu** and request an extended hold on digitally recorded data will:

1. complete the Digitally Recorded Data Viewing/Hold /Duplication Request form.

2. indicate on the form the necessary actions by the Records Division.

3. explain in the narrative portion of the form the reason for the request.

4. submit the form to the *station supervisor/designated unit supervisor* for approval.

5. submit the completed and approved form to the Records Division for processing and retention in accordance with existing records-retention requirements.

D. Department members who wish to remove an extended hold on digitally recorded data will follow the procedures outlined in Item VIII-C of this directive indicating the circumstances requiring the removal of the extended hold.

E. The Director, Records Division, will:

1. develop a cataloging system for storage and retrieval of recordings and procedures for ensuring archives are maintained consistent with Department directives (including the Forms Retention Schedule), applicable state and federal laws, and compliance with all court orders.

2. be responsible for retaining digitally recorded data for which an extended hold was requested as prescribed by law and established Department policy.

IX. VIEWING, RETAINING, AND DUPLICATING DIGITALLY RECORDED DATA

A. All digitally recorded data created by the in-car video systems are the property of the Chicago Police Department. **Dissemination of any digitally recorded data outside the Department is strictly prohibited without specific authorization by the Superintendent or an appointed designee.**

1. Any non-Departmental requests for duplication of digitally recorded data must be approved by the Superintendent or an appointed designee.

© Chicago Police Department, February 2012

OIG 15-0564 007250

2. All approved requests will be forwarded in an expeditious manner to the Director, Records Division, along with:

   a. a completed and approved Digitally Recorded Data Viewing/Hold/Duplication Request form, and

   b. written instructions, including dissemination information, for compliance with the request.

B. Department members assigned to vehicles equipped with in-car video systems and their supervisors are encouraged to use the review/ playback functions of the system for the purposes of:

1. developing familiarity with the functions, capabilities, and limitations of the in-car video systems to create consistent recording techniques which capture relevant actions.
2. searching for and identifying recorded events having evidentiary or training value.
3. reviewing approach and officer safety issues.
4. ensuring consistency with written reports.

C. Reviewing Digitally Recorded Data

Investigating members may view digitally recorded data in the performance of official police business. When it is necessary to view digitally recorded data stored by the Records Division, the following procedures will apply:

1. The requesting Department member will:

   a. prepare a Digitally Recorded Data Viewing / Hold / Duplication Request form, including approval of the requestor's *station supervisor/designated unit supervisor*.

   b. schedule an appointment to view the recorded incident with a Records Division supervisor (or an appointed designee) to ensure the availability of a technician and playback equipment.

   c. present the properly completed and approved form to a Records Division supervisor at the scheduled time.

2. A Records Division supervisor will:

   a. process all approved recorded incident review requests.

   b. assign a technician to assist the requestor in viewing the recorded incident, as required.

D. Obtaining a Video Recording

1. A duplicate copy of selected information may be made to retain that information:

   a. when it is not required that the master video be retained for an indefinite period (e.g., investigation of a routine administrative incident when the punishment is of a summary or minor nature).

   b. when the requesting member determines that a duplicate video of a master video will be sufficient.

2. A duplicate video recording may be obtained by:

   a. completing a Digitally Recorded Data Viewing / Hold / Duplication Request form and submitting the completed form to the *station supervisor/designated unit supervisor* for approval.

   b. notifying the Records Division that a duplicate video recording is required and submit the approved Digitally Recorded Data Viewing/Hold/ Duplication Request form to the Director, Records Division.

© Chicago Police Department, February 2012

OIG 15-0564 007251

c. indicating to the Records Division which information from the digitally recorded data is to be included on the duplicate video recording.

3. When the duplicate video recording has served the purpose for which it was made, the requesting member will ensure that it is immediately returned to the Records Division.

NOTE: A member requesting a duplicate video recording will not make additional copies of it or permit unauthorized persons to duplicate or view it under any circumstances.

E. Special Situations

When the Records Division receives a request for an extended hold of digitally recorded data that indicates it pertains to:

1. **a motor vehicle pursuit or traffic crash involving a Department vehicle**, the Director, Records Division, will ensure a duplicate video is forwarded to the Traffic Review Board.

2. **an incident having training value,** the Director, Records Division, will ensure a duplicate video is forwarded to the *Deputy Chief*, Education and Training Division.

(Items indicated by *italics/double underline* were revised or added.)

Authenticated by: RMJ

Garry F. McCarthy
Superintendent of Police

11-055 / 12-003 EGV/RJN

© Chicago Police Department, February 2012

OIG 15-0564 007252

In Car Camera Video Retrieval Work Sheet

Date & Time of Notification: 20 Oct 14 2230 HRS Related HDT#: OPS CMD

Requestor: Dep Chief McNaughton Tech: Bogner

Location of response: 4100 S Pulaski

Type of Incident requiring retrieval: Police Involved Shooting - Fatal: Officer

Location of Incident: 4100 S Pulaski Date & Time of Incident: 20 Oct 14 21:47

Related RD#, Event#, and/or CR Log#: HX475653

Vehicles to be checked:

813R Veh# 8778 POs PC# [redacted] Results [redacted] @ 20141020 215250 2442184 MHDD 30000214

815R Veh# 8489 POs PC# [redacted] Results:

5272 Veh# 8765 POs PC# [redacted] Results:

8458 Veh# 6442 POs PC# [redacted] Results: [redacted] @ 20141020 215250 2244543 MHDD 00003227

8418 Veh# 8948 POs PC#: Results: HOT NO OPEN HDT

List additional Vehicle to be checked and results on back of this form

Note: Any vehicles identified to be checked, will be evaluated for operational readiness as well. Any deficiencies of the ICC System will be noted i.e. MIC(s) are not sync'd; rear camera not working; cannot upload etc. Actions to rectify the issue should be taken to render the system FULLY FUNCTIONAL!

Notes of work or activities performed:

8778: MICs In Glove Box Portables Inserted UPSIDE Down
↳ Fully OP

8489: Processing Videos: Extremely Large Video Files

8765: MICs In Charging Cradle, Not Synced to System

6442: No MICs; MIC Connector Disconnected

8948

This Information Disclosed to Supervisors; Dep McNaughton; & OPS Tech. Desk Supervisors on Scene During Viewing

EXHIBIT 9
Date 3-22-16

20 OCt 2014 , HY475653

Becvar, Lance J.

Sent: Friday, July 17, 2015 12:33 PM
To: Lewin, Jonathan H.
Cc: Dinix, Steven E.

Hello Dep Lewin,
Per your request the findings related to the Aggravavted Assault / Police involved Shooting on 20 Oct 2014 Listed under RD# HY 475653.

Findings from thart night-

Veh 8779 Video Recovered Titled [redacted]@20141020215250, No MICs because they were in the Glove Compartment with the batteries inserted inside down - Disabling them.

Veh 8489 System not engaged because a very long video (like hours long) was made previous to this event/incident and the system was processing that video and unable to start another video.

Veh 8765 System not engaged, officer related no power. There was no open HDT called in on vehicle. MICs not sync'd to system even though they were in the charging cradles.

Veh 6412 Video Recovered Titled [redacted]@20141020215250 view out of focus. Foucsing problem found to be related to a loose cable connection for the camera. No MICs in vehicle and the charging cradles disconnected from power.

Veh 8949 System not engaged, officer reported that there was an application error - Mobile Recorder Start-Up corrupted. No Help Desk Ticket Open for this vehicle.

Sgt Lance Becvar
Mobile Tech Supervisor
Information Services Division
Chicago Police Department
Desk: 312-446-3305
E-mail: lance.becvar@chicagopolice.org

EXHIBIT 10
Date 3-22-16

LEGAL DISCLAIMER: This message, including any attachments, contains confidential information and may be legally privileged. Access to this email by anyone other than the intended recipient is unauthorized. If you are not the intended recipient, any review, disclosure, copying, distribution, retention, or any action or inaction taken in reliance on this information is prohibited and may be unlawful. If you are not the intended recipient please notify the sender and delete the message, any attachments, and any copies thereof from your system.

In the Matter Of:

IN RE JOSEPH MCELLIGOTT

JOSEPH MCELLIGOTT

May 09, 2016

Amicus
court reporters, inc
300 West Adams St. Ste 800
Chicago, IL 60606
Phone: 312.641.3500
Fax: 312.641.3795
Email: info@amicusreporters.com

CITY OF CHICAGO

INSPECTOR GENERAL'S OFFICE

OFFICE OF INSPECTOR GENERAL

INTERVIEW OF:

JOSEPH McELLIGOTT

TRANSCRIPT OF PROCEEDINGS had in the above-entitled cause on the 9th and 10th day of May A.D. 2016

APPEARANCES:

INSPECTOR GENERAL'S OFFICE
740 North Sedgwick, Suite 200,
Chicago, Illinois 60654,
773-478-5227, by:
MS. SARAH S. ANSARI
Assistant Inspector General
sansari@chicagoinspectorgeneral.org
MR. RAUL VALDEZ
Investigator III
rvaldez@chicagoinspectorgeneral.org,
Appeared on behalf of the Inspector General's Office;

J. RUSSELL LAW, LLC
206 South Jefferson
Chicago, Illinois 60661
312-207-1220, by:
MS. JENNIFER W. RUSSELL
jennifer.russell@jrusselllaw.com,
Appeared on behalf of the Interviewee.

ALSO PRESENT:

COMMANDER ROBERT KLIMAS, via telephone.

I N D E X

JOSEPH McELLIGOTT	EXAMINATION
BY MS. ANSARI	6, 33, etc.
BY MR. VALDEZ	32, 61, etc.

E X H I B I T S

NUMBER		MARKED PAGE
Exhibit 1	Advisement of Rights Form	10
Exhibit 2	Notification of Interview for CPD Member McElligott dated 4/21/16	10
Exhibit 3	Notification of Allegations dated 4/21/16	11
Exhibit 4	Receipt Form dated 4/21/16	11
Exhibit 5	10/21/14 IPRA interview	12
Exhibit 6	CPD Case Supplementary Report, dated 3/16/15, RD HX 475653	12
Exhibit 7	General Progress Report dated 10/20/14, RD HX475653	13
Exhibit 8	2/23/12 Special Order S03-05	117
Exhibit 9	In Car Camera Video Retrieval Worksheet	127
Exhibit 10	E-mail from Lance J. Becvar	130

(Original exhibits sent to Ms. Ansari.)

MS. ANSARI: As a preliminary matter, I am providing the following information: An independent certified court reporter is present today to provide a verbatim transcript of this interview. To aid in the accuracy of the transcript, it is the custom and practice of court reporters to audio-record the interview.

The recording is the confidential work product property of the court reporter and will not be provided to any party, including the Office of Inspector General. If you request, Officer McElligott, the audio recording will be discontinued.

So, Officer McElligott, are you okay with the audio recording?

MS. RUSSELL: No.

MS. ANSARI: No audio recording?

MS. RUSSELL: No audio.

(Whereupon, the audio recording was discontinued.)

MS. ANSARI: Let the record reflect that Officer McElligott has requested that the audio recording be discontinued.

Let the record reflect that today's date

is May 9, 2016. The time is 10:15 p.m. We are located at Amicus Court Reporters, 300 West Adams, Suite 800.

My name is Sarah Ansari, the court reporter is Andrew Pitts, and I would ask that the other individuals present identify themselves and spell their names for the record.

MR. VALDEZ: Investigator Valdez, V-A-L-D-E-Z, investigator, Office of Inspector General.

MS. RUSSELL: Jennifer Russell, J-E-N-N-I-F-E-R, R-U-S-S-E-L, attorney for the officer.

THE INTERVIEWEE: Officer Joseph McElligott; J-O-S-E-P-H, M-C-E-L-L-I-G-O-T-T.

MS. ANSARI: There are no other individuals present.

We are here today pursuant to an investigation being conducted under Chapter 2-56 of the Municipal Code of the City of Chicago. We are here for an interview of Officer Joseph McElligott.

Officer McElligott, will you please raise your right hand, and the court reporter will swear you in.

THE INTERVIEWEE: Upon advice of the counsel, I

am not affirming in this fashion.

MS. ANSARI: Officer McElligott, are you refusing to be sworn in by the court reporter?

THE INTERVIEWEE: Yes.

JOSEPH McELLIGOTT,

called as an Interviewee herein, refusing to be administered an oath, was examined and testified as follows:

EXAMINATION

BY MS. ANSARI:

Q. Officer McElligott, I am now going to hand you a form that is marked Advisement of Rights. This has already been filled in with your name, my name, and Investigator Valdez's name.

MR. VALDEZ: Yeah.

BY MS. ANSARI:

Q. I am going to ask that you read along with me as I go through it, and then I will ask you after each paragraph to acknowledge that you have read and understood the paragraph.

"I understand this interview is part of an official investigation and that I have a duty to cooperate with the Office of Inspector General, which includes answering all questions completely

and truthfully."

Do you understand?

A. Yes.

Q. "I understand that I have no right to remain silent. I understand that I have an obligation to answer questions put to me truthfully. I understand that if I refuse to answer questions put to me, I will be ordered by a superior officer to answer the questions.

"I further understand that I have been advised that if I persist in my refusal to answer after an order to do so, such further refusal constitutes a violation of the Rules and Regulations of the Chicago Police Department and may serve as the basis for my discharge."

Do you understand?

A. Yes.

Q. "I understand and have been advised that my statements or response may constitute an official police report. I understand that Rule 14 of the Chicago Police Department's Rules and Regulations prohibits making a false report, written or oral, and I further understand that making such a false report, whether written or

oral, may result in my separation from the Chicago Police Department."

Do you understand?

A. Yes.

Q. "I understand that any statement made by me during this interview may be used as evidence of misconduct or as the basis for disciplinary action up to and including removal or discharge."

Do you understand?

A. Yes.

Q. "I understand that any statement made by me during this interview and the fruits thereof cannot be used against me in a criminal proceeding."

Do you understand?

A. Yes.

Q. "I understand that I have a right to have a union representative or legal counsel at my choosing present at the interview to consult with and that I would be given a reasonable time to obtain a union representative or legal counsel as long as the interview is not unduly delayed."

Do you understand?

A. Yes.

Q. "I understand that a refusal to answer any questions or any false, inaccurate, or deliberately incomplete statement by me would constitute a violation of Chicago Municipal Ordinance 2-56 and may serve as the basis for any discharge."

Do you understand?

A. Yes.

Q. "I acknowledge that this statement of my administrative rights has been read aloud to me and I have been allowed to review this document."

Do you understand?

A. Yes.

Q. Do you --

MS. RUSSELL: Based on the advisement of rights and the representation that this is an administrative proceeding, that is the basis for the officer refusing to be sworn in.

MS. ANSARI: Understood.

Officer McElligott, we ask that you sign this advisement of rights. The bottom of the advisement of rights is a waiver stating, "Understanding these rights, I wish to answer questions from the investigators from the Office of

Inspector General without having union representative or legal counsel present. No promises or threats have been made to me and no pressure or coercion of any kind has been made or used against me." I am going to cross that out since you have legal counsel here of your choosing.

For the record, I'm going to sign the Advisement of Rights, and Investigator Valdez is also going to sign. And we will mark that as Exhibit 1.

(Whereupon, McElligott Exhibit 1 was marked for identification.)

BY MS. ANSARI:

Q. Officer McElligott, I am going to mark a number of service exhibits to put them on the record and present them to you to confirm your receipt of these exhibits. Marking as Exhibit 2 a document entitled Notification of Interview for CPD Member McElligott dated April 21, 2016.

(Whereupon, McElligott Exhibit 2 was marked for identification.)

BY MS. ANSARI:

Q. Officer McElligott, have you seen this document?

A. Yes.

Q. Did IAD provide you with this document on or about April 21, 2016?

A. Yes.

Q. Marking as Exhibit 3 a document entitled Notification of Allegations dated April 21, 2016.

(Whereupon, McElligott Exhibit 3 was marked for identification.)

BY MS. ANSARI:

Q. Officer McElligott, have you seen this document?

A. Yes.

Q. Did IAD provide you with this document on April 21st?

A. Yes.

Q. Marking as Exhibit 4 a document entitled Receipt Form dated April 21, 2016.

(Whereupon, McElligott Exhibit 4 was marked for identification.)

BY MS. ANSARI:

Q. Officer McElligott, have you seen this document?

A. Yes.

Q. Did IAD provide you with this on

April 21st?

A. Yes.

Q. Marking as Exhibit 5 a transcript of your October 21, 2014 interview with the Independent Police Review Authority.

(Whereupon, McElligott Exhibit 5 was marked for identification.)

BY MS. ANSARI:

Q. Have you seen this document?

A. Yes.

Q. Did IAD provide you with this document on April 21st?

A. No. I was given a CD. It wasn't in paper form.

Q. Okay. Was this document on the CD you were provided?

A. Yes.

Q. Okay. Marking as Exhibit 6 an excerpt of a CPD case supplemental report dated March 16, 2015 with RD number HX475653 containing Officer McElligott's statements to Detective March.

(Whereupon, McElligott Exhibit 6 was marked for identification.)

BY MS. ANSARI:

Q. Have you seen this document?

A. Yes.

Q. Did IAD provide you with this document on a CD on April 21st?

A. Yes.

Q. Marking as Exhibit 7 a general progress report dated October 20, 2014 with RD number HX475653 containing Detective March's notes of his interview with Officer McElligott.

(Whereupon, McElligott Exhibit 7 was marked for identification.)

BY MS. ANSARI:

Q. Have you seen this document?

A. Yes.

Q. Did IAD provide you with this document on a CD on April 21st?

A. Yes.

Q. Okay.

MR. VALDEZ: Could I get those exhibits back and the receipt forms as well? Thank you.

(Whereupon, documents were tendered to Investigator Valdez.)

BY MS. ANSARI:

Q. Officer McElligott, in order to prepare for today's interview, did you review the materials that we've provided in these exhibits?

A. Yes.

Q. These materials also included video from the in-car video systems of vehicles 813 and 845, correct?

A. Yes.

Q. And it included a video from a Dunkin' Donuts security camera, correct?

A. Yes.

Q. Did you review those three videos?

A. I was not able to review them on my computer at home.

Q. Okay. Since receiving our Notice of Interview on April 21st, did you review any materials other than the materials we provided you?

A. No.

Q. Aside from your attorney, who did you speak to in preparation for this interview?

MS. RUSSELL: Don't answer this.

Are we getting a direct order? How are we --

MS. ANSARI: Oh, we're waiting for you to request it, essentially.

MS. RUSSELL: Oh. Yes. Obviously, we want a direct order before he continues giving a substantive interview, and I note for the record also that it was indicated that he received audio files for beat number 813R and 845R, which was not contained in the documents he received.

BY MS. ANSARI:

Q. Officer McElligott, are you refusing to answer questions without an order from a superior officer?

A. Yes.

MS. ANSARI: Okay. At this time, we are going to place a call to Commander Bob Klimas of IAD.

(Whereupon, a conference call was made.)

COMMANDER KLIMAS: (Telephonically) this is Bob Klimas.

MS. ANSARI: Commander Klimas, this is Sarah Ansari from the Office of Inspector General. Can you hear me?

COMMANDER KLIMAS: Yes, I can.

MS. ANSARI: Okay. We are currently in a

court-reported interview of Officer Joseph McElligott. His counsel, Jennifer Russell is here. Investigator Raul Valdez is also here.

The Office of Inspector General, having provided appropriate notice to Officer McElligott of this interview, is attempting to ask him questions regarding the Laquan McDonald shooting. He is refusing to answer questions regarding the shooting absent a command from his superior officer.

So I am asking you, Commander Klimas, to please order Officer McElligott to answer the Office of Inspector General's questions.

COMMANDER KLIMAS: This is Commander Robert Klimas, K-L-I-M-A-S, of the Chicago Police Department, Bureau of Internal Affairs. Officer Joseph McElligott, I'm giving you a direct order to answer all the questions posed to you this evening by the Office of Inspector General, City of Chicago. Do you understand?

THE INTERVIEWEE: Yes, sir.

COMMANDER KLIMAS: Very good.

MS. ANSARI: Okay. Thank you, Commander Klimas.

COMMANDER KLIMAS: Okay.

MS. RUSSELL: Upon receiving the direct order, the officer will move forward and has a statement to read.

THE INTERVIEWEE: I would like to preface this statement with the following: I believe I am entitled to be informed of my constitutional rights to remain silent. I have received no assurances from the Office of the Inspector General that criminal charges are not probable. Proceeding with this statement is in violation of the applicable collective bargaining agreement, but I have been advised that I will lose my job if I refuse to provide this statement.

This statement is not being made voluntarily, but under duress, and is only being made at this time because I know I will lose my job if I refuse the direct order being given to me by Commander Klimas. I am invoking each and every right granted to me under Garrity vs. New Jersey.

Also, on the advice of counsel, I am making the following additional objections: I am objecting to the fact that the City of Chicago Inspector General's Office is making allegations against me and conducting an investigation into its

own allegations. I am objecting that this interview is taking place before an arbitrator has decided the issues that were raised in regards to this investigation. The Fraternal Order of Police has filed a grievance regarding this investigation, and the Inspector General has refused to postpone this interrogation.

I am also objecting that I have requested my prior sworn testimony, namely the testimony I provided to the Grand Jury. The Inspector General refused to provide me with a copy of my Grand Jury testimony and/or other statement I have made to the federal investigators, in violation of my rights under the contract. The Inspector General indicated that it does not have possession of my Grand Jury testimony.

To the extent I am questioned about my Grand Jury testimony, I assert that testimony is truthful and based upon my recollection at the time. I stand by all of my answers.

MS. RUSSELL: In addition, I am going to be objecting based on some of the questioning regarding the fact that it's not narrowly tailored to address the allegations. I can either, you know, do the

objection after every single question, or we can agree that, you know, any objection I make, I'm making it because it is not narrowly tailored, just for purposes of --

MS. ANSARI: Speed?

MS. RUSSELL: Speed.

MS. ANSARI: Yes. If you have those objections, are you saying that you will --

MS. RUSSELL: Raise them during the questioning.

MS. ANSARI: Just kind of an umbrella objection or --

MS. RUSSELL: I think the umbrella objection is that I don't believe the questioning is narrowly tailored to the allegations that have been levied against this officer. I'm anticipating that I would have those objections, and when those questions came up, I would just simply say "objection," and we'll carry on so it's noted for the record. You know, if you have any inquiries on exactly what the objection is, that's fine, but, you know, at the outset, I would say, you know, primarily it will be to the relevance of whatever.

MS. ANSARI: Of the questioning. That's

understood. Okay. Thank you.

MS. RUSSELL: In addition, we want our transcript 72 hours after it's done.

MS. ANSARI: Understood. 72 hours after this interview?

MS. RUSSELL: After we are done today -- tonight.

MS. ANSARI: Okay. Understood.

And for the record, the outcome of this administrative investigation relates to Officer McElligott's employment, and therefore under the collective bargaining agreement and the general order, the administrative rights you were provided are appropriate. In addition, arguments being put forward in your objection today would eviscerate Garrity, and we are going to proceed as we believe we are legally entitled to.

MS. RUSSELL: I would also like to note that the contract does require, you know, affidavit, substantiating these allegations. None have been provided or represented to or have been obtained, so I would ask that if they are obtained that the Inspector General provide them to us or make a representation that no affidavits have been

obtained.

MS. ANSARI: Okay. Are you requesting an affidavit in lieu of the complaint letter we received from John Escalante?

MS. RUSSELL: Oh, this officer has never received a complaint letter, or I will certainly review the complaint letter if the Inspector General would provide it to us.

MS. ANSARI: Okay. If you request that, we can provide you the letter that Escalante received, and that's noted in the Notification of Allegations. We can provide that to you.

MS. RUSSELL: Okay. So do you want me just to hold tight until I take a look at it, or --

MS. ANSARI: We can move forward, and I can provide that to you after. It's the -- the Notification of Allegations contains what is in that letter.

MS. RUSSELL: So if we proceed and you provide me the letter after, it would have these 11 allegations from John Escalante specifically?

MS. ANSARI: No.

MS. RUSSELL: Okay. Can we go off the record?

(Whereupon, a discussion was had off the record.)

MS. ANSARI: We are going back on the record. It is 10:35 p.m.

MS. RUSSELL: I was raising the issue regarding the correspondence from John Escalante and whether these allegations were something that he raised in that letter that I or the officer have a copy of, and it was represented that -- I don't want to put words in your mouth, that these specific allegations were drafted by the Office of Inspector General and not necessarily contained in the letter. Is that a fair and accurate representation of what you --

MS. ANSARI: The exact wording in the Notification of Allegations, the listed numbered allegations, is not listed in the letter from Escalante. That's correct.

MS. RUSSELL: So there is no complainant that is raising these specific allegations against this officer? Is that a fair characterization? We would just note for the record that we are raising the objection that there is no complainant that has raised these allegations against this officer.

MS. ANSARI: We'll note that objection for the

record.

MS. RUSSELL: Thank you.

BY MS. ANSARI:

Q. Officer McElligott, what is your star number?

A. 18715.

Q. And your current unit of assignment?

A. The 8th district.

Q. What was your unit on assignment on October the 20th, 2014?

A. The 8th district.

Q. What watch were you on as of that date?

A. First watch.

Q. What hours are first watch?

A. My duty shift is 2100 hours to 0600 hours.

Q. What was your chain of command on October 20, 2014? So who did you report to kind of on up to sergeant, commander, lieutenant?

A. Our sergeant that night was Sergeant Steve Franko, and the lieutenant was Lieutenant Gerald Koch, K-O-C-H.

Q. Mr. McElligott, what is your personal cell phone number?

MS. RUSSELL: Objection.

MS. ANSARI: You could answer the question.

BY THE INTERVIEWEE:

A. [redacted]

BY MS. ANSARI:

Q. And was that your cell phone number as of October 20, 2014?

A. Yes.

Q. Officer McElligott, were you summoned to given testimony before a Federal Grand Jury regarding the Laquan McDonald shooting?

A. Yes.

Q. Okay. When was that testimony?

A. I don't recall the specific date. It was May or June of 2015.

Q. Did you assert your rights under the Fifth Amendment and refuse to testify in the Grand Jury, the Federal Grand Jury?

MS. RUSSELL: Objection.

BY THE INTERVIEWEE:

A. No.

BY MS. ANSARI:

Q. Approximately -- were you given any immunity to testify before the Grand Jury?

MS. RUSSELL: Objection.
BY THE INTERVIEWEE:
A. No.
BY MS. ANSARI:
Q. Did you request any immunity to testify?
A. No.
Q. Approximately how long were you in the Grand Jury testifying?
MS. RUSSELL: Objection.
BY THE INTERVIEWEE:
A. The actual testimony?
MS. ANSARI: Yes, that's correct.
BY THE INTERVIEWEE:
A. Oh, maybe an hour at the most.
BY MS. ANSARI:
Q. Did you provide a written statement to the Grand Jury?
A. No.
Q. Were you asked questions about the Laquan McDonald shooting?
A. Yes.
Q. Did you describe the shooting incident?
A. Yes.
Q. How did you describe the shooting

incident to the Grand Jury, as best that you can recall?

A. I described basically the beginning when we received the call until the end. Do you need specific --

Q. Yeah. If you can provide more detail from what you remember.

MS. RUSSELL: Objection.

BY THE INTERVIEWEE:

A. From what I remember, we received a call of holding an offender at approximately 40th and Kildare. We --

MS. RUSSELL: Is your question what happened that night, or is your question what did you testify to?

BY MS. ANSARI:

Q. What did you testify to, because we will get into kind of your recollection of that night. If it's the same, then you can say that and we can go into it.

A. Oh. Pretty much I told the story of the night, of my end basically.

Q. We will get into more details of that evening later.

A. Okay.
Q. In the Grand Jury, did the Assistant U.S. Attorney present you with any of the reports that we introduced today as exhibits in the Grand Jury?
A. No.
Q. No?
A. No.
Q. Did the AUSA ask you about your statements to the Independent Police Review Authority and your statements to Detective March?
A. No.
Q. So you said that the Assistant U.S. Attorney asked you what happened that night, but then -- correct?
A. Correct.
Q. But then didn't question you about any statements you made after the fact?
A. No.
Q. Did your testimony before the Grand Jury about the shooting differ in any way from your statements to Detective March?
A. No.
Q. Did it differ in any way from your statements to IPRA?

A. I'm sure they differed as far as what was asked. I mean, it was slightly different.

Q. In the basic substance?

A. Slightly different in the basic substance, yes.

Q. Do you recall any of the differences between your statement to IPRA and to the Grand Jury?

MS. RUSSELL: Objection.

BY THE INTERVIEWEE:

A. Not specifically. I just --

MS. RUSSELL: We can review the documents if you would like, other than the fact that you haven't provided us with the Federal Grand Jury testimony. Are you asking him based on his recollection as he sits here today if he knows if there are any differences between his IPRA statement, his Grand Jury statement, the federal interviews, news reports, anything else?

BY MS. ANSARI:

Q. I mean, if there's anything that stands out.

A. No.

Q. Okay. Prior to your testimony in the

Federal Grand Jury, did you review any of the reports we presented you today?

A. Prior to my testimony?

Q. Uh-huh.

A. Of the Grand Jury?

Q. Yes.

A. No.

Q. Did you review any other documents to refresh your recollection of what happened that evening on October 20th?

A. I listened to my IPRA statement.

Q. Okay.

A. That was --

Q. So you listened to your audio-recorded IPRA statement?

MS. RUSSELL: Do you mean before you testified before the Grand Jury?

THE INTERVIEWEE: Yes.

BY MS. ANSARI:

Q. Yes. Before, in preparation for your Grand Jury testimony, did you -- you said you listened to your IPRA statement?

A. Yes.

Q. Okay. Did you speak to federal

investigators, FBI, before you testified in the Federal Grand Jury?

A. Yes.

Q. About how many days, weeks, months before your testimony did you speak with the FBI?

MS. RUSSELL: Objection.

BY THE INTERVIEWEE:

A. Five or six months.

BY MS. ANSARI:

Q. Five or six months before your Grand Jury testimony, you talked to the FBI?

A. Yeah.

Q. Do you remember the approximate date? So it would have been maybe January?

A. End of December, early January.

Q. What was the nature of your conversation with the FBI?

MS. RUSSELL: Objection.

BY THE INTERVIEWEE:

A. Pretty much the same thing. They wanted to know my basic -- tell the story of what happened.

BY MS. ANSARI:

Q. Okay. Did you testify regarding the

Laquan McDonald shooting in any other Grand Jury, the State -- for the State Grand Jury?

A. State Grand Jury?

Q. Did you only testify once in the Federal Grand Jury?

A. Yes.

Q. Did you testify regarding the Laquan McDonald shooting at any other time?

A. No.

Q. Did you have any communications by phone, e-mail, or text with Officer Gaffney before your Grand Jury testimony?

A. No.

Q. Did you have any communications by phone, e-mail, or text regarding the Laquan McDonald shooting with any of the other police officers who were on scene the night of October 20, 2014?

MS. RUSSELL: At what time?

BY MS. ANSARI:

Q. Before your Grand Jury testimony?

MS. RUSSELL: At any time before, between October 20th and the Grand Jury?

BY MS. ANSARI:

Q. Regarding the Laquan McDonald shooting.

A. Regarding the shooting or regarding the Grand Jury?

Q. Either. Both.

A. I don't recall specifically.

Q. Did you speak to Officer Van Dyke regarding the Laquan McDonald shooting before your Grand Jury testimony?

A. No.

MS. RUSSELL: Objection.

BY MS. ANSARI:

Q. Did the FBI present you with any of the reports that we entered into evidence today when they were talking to you?

A. No.

MS. ANSARI: Do you have any questions regarding the Grand Jury?

MR. VALDEZ: Just a couple.

EXAMINATION

BY MR. VALDEZ:

Q. Officer McElligott, on October 20, 2014, you said your unit of assignment was 8th district?

A. Yes.

Q. Were you assigned to a beat car that day?

A. Yes.

Q. What beat were you assigned to?
A. 815 Robert.
Q. And were you with a partner that day?
A. Yes.
Q. What is that partner's name?
A. Thomas Gaffney.
Q. And can you spell that last name, G-A-F-F --
A. G-A-F-F-N-E-Y.
Q. And were you a driver or a passenger that day?
A. I was the passenger.
MR. VALDEZ: Okay.

FURTHER EXAMINATION

BY MS. ANSARI:

Q. So I'm going to move on to the night of the shooting, October 20, 2014.
You were present when Laquan McDonald was shot that night, correct?
A. I was present.
Q. Walk us through your actions immediately following the shooting.
A. Immediately following the shooting?
Q. Yeah. So just to lay it out, I want to

focus on kind of two time periods that night: First, what happened at the scene, and then we'll go into kind of what happened at area central.

So if you could walk me through your actions immediately following the shooting towards when -- up until when you left the scene. What happened?

MS. RUSSELL: Can we go off the record.

(Whereupon, a discussion was had off the record.)

MS. ANSARI: We're back on the record. It's 10:47 p.m.

BY THE INTERVIEWEE:

A. Immediately after? I was walking up to where the shooting occurred, and I witnessed Joe Walsh kick the knife out of Laquan McDonald's hand.

BY MS. ANSARI:

Q. Okay. And then what happened?

A. We waited, basically. Somebody called for an ambulance, and we waited for the ambulance to arrive.

Q. Do you know who called the ambulance?

A. I don't know.

Q. So following the shooting, who did you

talk to at the scene of the shooting, as best as you can recall?

A. I don't recall talking to anybody. We just kind of waited, and then things started taking place as far as the crime scene, protection, who was doing what.

Q. Do you recall what officers were on the scene when Laquan McDonald was shot?

A. Joe Walsh, Jason Van Dyke, Janet Mondragon, Daphne Sebastian, my partner Tom Gaffney. I'm not sure of their names, but an afternoon car, 822. I forget both their names.

Q. Would -- Leticia Velez?

A. That sounds right.

Q. Does that sound right?

And Arturo Becerra?

A. That sounds right.

Q. I'm going to ask you a couple questions about each of those -- oh, do you know if Dora Fontaine was present?

A. Yes, and her partner as well.

Q. Viramontes?

A. Rick Viramontes.

Q. I'll ask you a couple questions about

each of those officers.

So you said your partner was Officer Gaffney, correct?

A. Yes.

Q. What is your relation -- how long have you two been partners?

A. Since 2013 maybe. It's been a few years. It's been a few years. I don't know the specific date.

Q. And I didn't ask you this, but how long have you been a police officer?

A. 14 years.

Q. 14 years? Okay.

So you've been partners with Officer Gaffney since 2013. Did you ever socialize with Officer Gaffney outside of work?

MS. RUSSELL: Objection.

BY THE INTERVIEWEE:

A. No.

BY MS. ANSARI:

Q. So your relationship --

A. Actually, yes. He came to my wedding.

Q. Okay.

A. Other than that, no.

Q. Understood.

And he was your regular partner, correct?

A. Yes.

Q. Did you rotate between him and any other partners, or was he --

A. Yes.

Q. -- your only partner?

A. My other partner is Mike Walano.

Q. Okay.

A. And he was off that day.

Q. What was your relationship with Officer Van Dyke prior to October 20, 2014?

MS. RUSSELL: Objection.

BY THE INTERVIEWEE:

A. He was a coworker on watch.

BY MS. ANSARI:

Q. How long had you worked with him on that same watch?

MS. RUSSELL: Assumes that he worked with him.

BY MS. ANSARI:

Q. Had you worked with him on that watch for how long? How long had you --

A. We had been on the same watch probably five or six months, from what I can recall.

Q. Did you ever socialize with him outside of work?

MS. RUSSELL: Objection.

BY THE INTERVIEWEE:

A. No.

BY MS. ANSARI:

Q. What is your relationship with Officer Walsh prior to October 20, 2014?

MS. RUSSELL: Objection.

BY THE INTERVIEWEE:

A. Coworkers as well.

BY MS. ANSARI:

Q. Did you ever socialize with him outside of work?

MS. RUSSELL: Objection.

BY THE INTERVIEWEE:

A. No.

BY MS. ANSARI:

Q. How long have you known Officer Walsh?

A. Since I came to the watch in 2012.

Q. What is your relationship with Officer Mondragon?

MS. RUSSELL: Objection.

BY THE INTERVIEWEE:

A. Coworkers.

BY MS. ANSARI:

Q. Did you ever socialize with her outside of work?

MS. RUSSELL: Objection.

BY THE INTERVIEWEE:

A. No.

BY MS. ANSARI:

Q. What is your relationship with Officer Sebastian?

MS. RUSSELL: Objection.

BY THE INTERVIEWEE:

A. Coworkers.

BY MS. ANSARI:

Q. Did you ever socialize with her outside of work?

MS. RUSSELL: Objection.

BY THE INTERVIEWEE:

A. No.

BY MS. ANSARI:

Q. Same question regarding Officer Becerra. What was your relationship with him?

MS. RUSSELL: Same objections.

BY THE INTERVIEWEE:

A. I worked with him a short period of time when I was on third watch, and then after that, no, nothing -- no socializing either.

BY MS. ANSARI:

Q. Okay. And same with -- same question regarding Officer Leticia Velez. What was your relationship with her?

A. I don't believe I've ever worked on the same watch with her.

Q. Okay. And Officer Dora Fontaine?

A. Since I came to midnights in 2012.

Q. Okay.

A. So it's been coworker.

Q. Did you ever socialize with her outside of work?

A. No.

Q. And Officer Ricardo Viramontes, did you ever socialize with him outside of work?

A. No.

Q. And how long have you worked with him?

A. Since I came to the watch in 2012.

Q. 2012.

Where were you before you came to this

watch? Oh, you were in the 8th district, but you were on --

A. I was on third watch.

Q. On third watch. Okay.

How long have you been in the 8th district?

A. Since 2007.

Q. So after Laquan McDonald was shot and before any other supporting police officers arrived, did you speak with any of the officers we just discussed on the scene?

A. No. I don't recall speaking to anybody.

Q. So who arrived -- after the shooting, who arrived next?

A. We were --

MS. RUSSELL: Can you clarify that question, who arrived next --

THE INTERVIEWEE: After what?

MS. RUSSELL: -- after the shooting as opposed to all those people who were there? That's --

MS. ANSARI: Yeah.

BY MS. ANSARI:

Q. It would have been in terms of CPD members. What I'm looking for here is, you know,

was it the sergeant and then the chiefs, the detectives, kind of what happened after once all of the supporting units started to come and do an investigation?

A. Okay. Our sergeant, Steve Franko, was what I remember -- other than those that were already there? And then you said before other exempts came, or are you talking about what I can remember?

Q. So Franko is the first person you recall being there kind of in --

A. I recall some cars being there. I don't know specifically who was on them that day.

Q. Okay. When Officer Franko arrived on the scene, did you speak with him?

A. No. Sergeant Franko.

Q. Sergeant Franko. I'm sorry. I apologize. Did you see him speaking with any other officers?

A. I saw him speaking to Officer Van Dyke.

Q. Did he speak with your partner, Officer Gaffney?

A. At a certain point, yes. We spoke with him and the detectives around the same time.

Q. Okay. I'll get to that.

Did you hear what -- you said you saw Sergeant Franko speak to Officer Van Dyke. About how long after the shooting was that?

A. Within minutes.

Q. Within minutes?

About how long did he -- he got to the scene just several minutes after the shooting happened?

A. Yeah. I don't recall how long, but it was within minutes.

Q. Did you hear what they spoke about?

A. No.

Q. Other than Officer Van Dyke, did you see Sergeant Franko speak with anyone else?

A. I don't recall.

Q. Did you see him speak with Officer Walsh?

A. No. I don't recall that.

Q. So after Sergeant Franko arrived at the scene, who else arrived in terms of supervisors or detectives?

A. I don't recall who came first or anything like that, but I do remember the detectives shortly after seeing our captain at the

time.

Q. And who is that?

A. Captain Walsh, Dennis Walsh.

Q. Do you remember seeing a commander David McNaughton on the scene?

A. Yes.

Q. Do you know about when he arrived?

A. No.

Q. Did you speak with your captain, Dennis Walsh?

A. I spoke with him while he assisted us changing our flat tire.

Q. What did you --

A. Not in regards to the shooting. It was just kind of he was showing us where to operate the spare to come down, and he's kind of the hands-on guy, so I guess he just assisted in that manner.

Q. Okay. So where was that? Where was the car or, I mean, in relation to where the shooting happened, where was he helping you with your car?

A. My partner parked it along the curb of Pulaski and 40th Street or 41st Street.

Q. So I think it might be a little bit easier if we go back a little.

So what I'm trying to -- as best as you can recall, kind of who did you talk to that night in a super- -- out of supervisors and detectives kind of from the shooting to when you left to go to area central, and then we can kind of go which one by one.

A. We spoke to the detectives on the scene.

Q. Okay.

A. I don't know names. It was like two on a car, and then there were probably 30 others that I don't recall specifically, but there were several: Officers, commanders, detectives.

Q. So you said you talked to your captain, Dennis Walsh, but you didn't talk about the shooting; he just helped you change your tire, correct?

A. Yes.

Q. And then did you speak with commander McNaughton while he was on the scene?

A. No.

Q. No.

Did you see him speaking with Officer Van Dyke?

A. No.

Q. Did you see him speaking with any other officers on the scene?

A. No.

Q. When you spoke with Sergeant Franko, you said that was with the detectives?

A. He was kind of around. He wasn't really in the conversation. He was just there.

Q. Did you speak with him separate from the detectives or the first -- or was he was there a separate conversation with him?

A. No, there is no conversation; it was just kind of -- I mean, it wasn't a real -- maybe he said, "Are you guys okay," or, you know, he kind of got the gist of the story as he probably overheard us telling the detectives what had happened.

Q. So was the first time on the scene that you described what happened to the detectives? Was the first time you described what happened to a detective?

A. Yes.

Q. So it wasn't to Commander McNaughton or Sergeant Franko?

A. No.

Q. Did you do any -- I know that there were a lot of witnesses or a lot of civilians around when the shooting occurred. Were you responsible for any crowd control or controlling the perimeter of the scene after the shooting occurred?

A. We were, I guess, along the crime scene tape. Not really -- not really, but sort of in the same way by our presence.

Q. Did you direct any civilian witnesses to leave the scene?

A. No.

Q. Did you see -- do you know what officers -- did you see any officers directing any witnesses to leave the scene?

A. No.

Q. Do you remember the names of the detectives you spoke to at the scene of the shooting?

A. No.

Q. You said it was more than one detective?

A. Yes.

Q. Okay.

A. It was at least two on a car that we spoke to.

Q. So you said two in a car. Was it different detectives interviewing each -- you know, the officers that we've named that were on the, Walsh, Van Dyke, Becerra, Velez, all those officers, were the detectives kind of split up and interviewing each and every one different officers?

A. I don't know who was assigned the job and who was just there for support or to see what was going on or to assist in any way. I know I gave basically an on-scene interview, which was written down in notes on the hood of our squad car, and that was the only detective that I spoke to.

Q. And you don't have an independent -- outside from what the documents say, were you aware of the detective speaking to you being Detective David March?

A. I was not aware. They didn't give you their names. They just come up to you and start talking to you.

Q. Got it. Do you remember what the detective looked like who spoke with you?

A. I couldn't tell you what they looked like. I have no idea.

Q. And you said it was only -- I apologize.

You said it was only one detective talking to you?

A. There was, like, him and his partner.

Q. Him and his partner. Two detectives. And you can't recall what either looked like?

A. No.

Q. About how long after the shooting did the detectives approach you and talk to you?

A. It's hard to even ballpark. 20 minutes, half hour maybe, somewhere around there.

Q. That's helpful.

You said that one detective was writing notes of what you were saying on a piece of paper on the hood of his car?

A. Scratch pad, yes.

Q. Okay. And were both the detectives taking notes or was just one?

A. I recall one.

Q. You recall one. Okay.

So when you said that they were taking notes on the hood of your car, your squad car?

A. Yes.

MS. RUSSELL: He said one, not "they."

MS. ANSARI: Sorry.

BY MS. ANSARI:

Q. That person was taking notes on the hood of your squad car which was parked where?

A. It was parked along the curb on Pulaski, the southbound lanes at 41st and Pulaski.

Q. Was your partner with you when you gave your statement to the detectives?

A. Yes. We were standing next to each other.

Q. Did you give your statements at the same time kind of going back and forth, or did he give a statement and then you gave a statement, or vice-versa? How did that work?

A. I don't really recall if they asked us separately or not.

Q. But you were there when he gave his statement to the detectives?

A. Yes.

Q. And you were both standing outside of your car?

A. Yes.

Q. On the same side of the car?

A. Yes.

Q. And he was there when you gave your

statement to the detective?

A. Yes.

Q. Besides the two detectives and you and Officer Gaffney, was anyone else present for your statements?

A. I don't recall if there was -- well, I think --

Q. You said maybe Sergeant Franko was kind of in and out?

A. Maybe Sergeant Franko kind of was lingering in and out, maybe another detective maybe, whoever was writing the notes, maybe his partner.

Q. Did you recall Sergeant Franko saying anything during your statement to the detectives?

A. No.

Q. So I just want to get this clear for the record.

At the time that you spoke to the detectives, before that, you hadn't spoken to anyone about what happened that evening?

A. Before I spoke to the detectives?

Q. Before you spoke to the detectives telling them your story about what happened on

October 20th, had you spoken to anyone else about --

A. No.

Q. About what happened that night?

A. No.

Q. At any time, did anyone separate you from the other officers or your partner at the scene?

A. We, my partner and I, were placed in the back of the detectives' vehicle, squad car, and kind of gave a run-down. We went back to where the call started, and they checked where cameras would be.

Q. Okay. Can you -- so when was that?

A. Shortly after we gave statements.

Q. So you gave your statements to the detectives, and then did the same detectives take you in the back of their car?

A. I don't know if it was the same ones or somebody else, because I don't recall their faces who interviewed me.

Q. But it was two detectives?

A. Yes.

Q. So two detectives after your -- about how long after your statements did they take you?

A. Within a couple minutes, probably.

Q. Okay. So two detectives take you and Officer Gaffney in the back of their squad car to -- where did you go?

A. They said, "Where did the call start?" And we told them where. We drove there and then kind of ran through what we were saying happened.

Q. Okay.

A. And as we did that, I believe they were looking on buildings to see what video footage was available.

Q. As part of that conversation, did they identify what videos were available?

A. They looked. They saw a camera at the food depository. I don't recall anywhere else.

Q. So what happened after that, after the detectives -- you drove with them and you identified cameras that might have caught the incident, including the Chicago Food Depository camera. Well, then what happened?

A. We waited. And I recall an evidence technician needed to be ordered to recover our tire that had been punctured by Laquan McDonald and to take a photo of the windshield which had been

stabbed by Laquan McDonald.

Q. So did the detectives drop you back off to --

A. Yeah.

Q. -- do a certain -- where did they drop you --

A. To our car.

Q. To your car. Okay. And that was still parked where, at --

A. Yes.

Q. Southbound at 41st?

A. Southbound lanes at the curb.

Q. Okay. Got it.

So about how long did you wait until the evidence technician came, approximately?

A. Maybe an hour.

Q. Okay.

A. Within an hour. They had to wait, and I don't know, it was just kind of a waiting game. We had a few things we had to do.

Q. So the evidence technician came, took a photo of your windshield and took the tire?

A. They took fingerprints as well of the vehicle.

Q. Took fingerprints of the vehicle?

A. Yeah.

Q. Okay. And then what happened?

A. I recall somebody coming and downloading our video.

Q. And about how long after the shooting did that happen?

A. Within a couple of hours.

Q. And then what happened after that?

A. We had to change our tire, so that took time.

Q. And that was when you were with Captain Walsh?

A. Yes.

Q. Had he been on the scene before that?

A. Yes.

Q. Do you know about when he arrived on the scene?

A. Probably within a half hour.

Q. And so the video was downloaded, then Captain Walsh helped you to change your tire. That was a couple of hours?

A. Yeah. He had been on the scene already and just kind of approached.

Q. And then what happened after that?

A. I remember waiting at the scene. We were considered crime scene protection until we were cleared to go to the area.

Q. What do you mean you were "considered crime scene protection"?

A. They wanted us to wait there. I don't know how many cars were there, like, making sure that nobody crossed the lines.

Q. Oh, okay.

A. For the --

Q. You were there to protect the crime scene.

A. Yeah.

Q. That's what I mean. Okay. So kind of to make sure that everyone stays behind the yellow tape, essentially?

A. Yeah.

Q. So you gave a statement to the two detectives. They wrote it down on the hood of their car, then they took you on kind of a drive to describe what was going on at the scene, and then they dropped you off.

At any other time did you talk to the two

detectives about what happened that night?

A. No.

Q. At the scene?

A. No.

Q. So within an hour, the evidence technician -- then after the detectives dropped you off, within an hour the evidence technician came to tie a photo of your windshield and to get your tire, correct?

A. Yes.

Q. And then a couple hours after that was when the technician came to download the video?

A. Somewhere in between. I don't know exactly when.

Q. Do you remember who the person was who downloaded the video?

A. I don't believe it was a detective. There was somebody in plainclothes. I think it's -- I think it was a sergeant.

Q. Was it someone who was unusually tall; do you recall?

A. Yes.

Q. It was?

A. Yes.

Q. Okay.

A. I can kind of recall his call sign, but I don't know his name.

Q. Okay. Did you have any conversations with that person?

A. Not me specifically. He was kind of mumbling and cussing under his breath.

Q. Got it. Why was he mumbling and cussing under his breath?

A. I don't know if he was not able to download anything or if he was having trouble with the camera, but he was kind of cursing, and I remember him -- I remember my partner engaging, you know, why -- he said something along the lines of "People are going to get jammed up."

And then my partner said, "We downloaded" -- or "We did everything that we're supposed to."

And then he apologized, and he never realized -- my partner didn't realize that he was a sergeant, and he was kind of just screaming. It's like because he couldn't -- like, he was fumbling with the video or something with -- I don't know if he was having a hard time with it or if he didn't

know what was going on with it, but I remember him being mad.

Q. So the sergeant was mad, and then you said your partner was the one who mostly engaged him in conversation?

A. Yeah. He said something along the lines of "Well, we did what we're supposed to."

Q. Okay. So we'll get into that a little later, but we'll move on.

A. Okay.

Q. Did you see the detectives at the scene speaking to any of the other officers who witnessed the shooting?

A. Not specifically, no. I don't recall.

Q. Did you see any of the officers at the scene specifically talking to Sergeant Franko? I know you mentioned Van Dyke, but did you see him talking to any of the other officers?

A. I don't recall that. I don't believe he was.

Q. So there was a lot of waiting going on at the scene, right?

A. Right. Yes.

Q. Did you talk to your partner about what

happened, kind of recapping about what happened that night? Were you just --

A. On the scene, not really. We just kind of waited it out and wondered what was going to happen next.

Q. Did you guys fill out any forms on the scene?

A. I don't recall that.

Q. At any time while you were on the scene, did you hear Officer Van Dyke describe the shooting?

A. No.

Q. Did you hear Officer Walsh describe the shooting?

A. No.

Q. And you said at the scene the detectives only took one statement from you, correct?

A. Yes.

Q. Did you see any FOP representatives at the scene?

A. I don't recall.

Q. Did you talk to any FOP representatives at the scene?

A. Not at the scene.

Q. Did you see any video of the shooting at the scene?

A. No.

Q. Did you see anyone else watching video at the scene?

A. No.

Q. So you didn't see Sergeant Franko watching any video or Commander McNaughton watching any video?

A. No.

Q. So you said that after you had been at the scene for several hours, Captain Walsh helped you change your tire, and then you were guarding the perimeter and then after that was when you went to the area, correct?

A. Yes.

Q. About how long after the shooting did you go to the area?

A. Four hours. Five hours.

Q. Four hours? Okay.

MS. ANSARI: Do you have any questions at the scene?

MR. VALDEZ: Yes.

FURTHER EXAMINATION

BY MR. VALDEZ:

Q. Immediately after the shooting, do you recall seeing -- and I know you said you were on kind of the perimeter, crowd control?

A. Yes.

Q. Do you recall seeing any officers directing civilian witnesses away from the scene?

A. No.

MR. VALDEZ: Okay. That's it.

MS. ANSARI: Okay. So now we'll move to the area.

MS. RUSSELL: Is this a good time for a little break?

MR. VALDEZ: Yeah. That's fine.

MS. ANSARI: Time is 11:20, and we'll go off the record.

(Whereupon, a break was taken.)

MS. ANSARI: We're back on the record. It's 11:26 p.m.

BY MS. ANSARI:

Q. So, Officer McElligott, we were about to talk to what happened at area central that night of the Laquan McDonald shooting. You said that you

went to area central about four or five hours after the shooting occurred?

A. Yes.

Q. Do you remember approximately what time that actually was?

A. Probably around 3:00-ish, maybe a little later. I'm not sure.

Q. How did you get to area central?

A. We drove our car.

Q. So after the tire was changed, you drove it?

A. After the tire was changed, we kept it and we drove.

Q. Okay. And you drove with Officer Gaffney?

A. Yes.

Q. Did anyone else drive with you?

A. No.

Q. Where's area central located?

A. 51st and Wentworth.

Q. When you got there, where did you go?

A. We went to the second floor detectives unit.

Q. That's the -- you said that's the

detectives unit?

A. Their unit, yes.

Q. So when you got to the second floor, then what happened?

A. We ate what was left of the pizza.

Q. So were other people already there?

A. They were there for a while before us.

Q. Okay. Who was -- so, sorry, I want to go back really quickly to the scene. Were you guys kind of the last officers there?

A. I believe so, yeah. We were probably the last initial officers.

Q. Of the people who had --

A. Right.

Q. -- been at the shooting?

A. Most involved, yes.

Q. Do you remember how much earlier the other officers who had been at the scene who had witnessed the shooting had gone to area central?

A. An hour or two.

Q. An hour or two before you.

So why? Was that because a lot more evidence needed to be taken?

A. Because we had a lot to wait for.

Q. Okay.

A. After the evidence technician, then they told us to stick around until the scene pretty much cleared.

Q. Why did -- so I understand -- this is just for background, but I understand why they made you wait for the evidence technician, because they needed to get stuff from your car, but why else would they make you wait and to kind of guard the scene? Was it just --

A. I don't know.

Q. Okay. Just kind of bad luck of the draw?

A. Yeah, we were just --

Q. Okay.

A. -- following our orders.

Q. Got it. So when you got to area central, you ate what was left of the food?

A. Yes.

Q. Who else was there at that time?

A. Jason Van Dyke, Joe Walsh, Daphne Sebastian, Janet Mondragon, Rick Viramontes, and Dora Fontaine, as well as, I think, 822, Becerra and Velez.

Q. Velez?

A. Yeah.
Q. And they were there. Okay. So you recall, you independently recall this --
A. And Steve Franko.
Q. And Steve Franko?
A. Yes.
Q. Sergeant Franko?
A. Sergeant Franko.
Q. So you independently recall seeing all of these officers there at the --
A. Yes.
Q. -- area central?
And they were all there before you and your partner got there?
A. Yes.
Q. Did you talk with any of these officers about what you saw that night in terms of the shooting?
A. No.
Q. What did you talk about with the officers?
A. Didn't really talk to them. We all kind of had kind of our own thing going on. We were taken away from everybody. An evidence technician

came there as well and took our fingerprints with, like, real ink, not like a computer but with real ink, and they took a photo of us as well in a side room --

Q. Okay. So you said --

A. On the unit.

Q. I apologize. I interrupted you. What did you say?

A. In like a side room on the unit. I don't know if it was an interview room or just a holding cell.

Q. That was in the second floor?

A. A holding area. Yeah.

Q. So you got there, you ate, and then what happened?

A. They did that with the fingerprints, and then we kind of waited for IPRA to arrive.

Q. How long did you wait before your IPRA interview?

A. I think it was around 4:00-something, so we were kind of just waiting for each person to give a statement, and then we gave ours. So --

MS. ANSARI: I think we have a time on the statement.

THE INTERVIEWEE: As far as when I gave it versus how long did it take for IPRA?
BY MS. ANSARI:
Q. Oh, no. I just wanted to actually know how long you waited before you gave your IPRA statement. It looks like it's about 4:51.
A. I'm not sure when we arrived, but it was kind of a line of people giving interviews.
Q. Okay. So Van Dyke, Walsh, Sebastian, Mondragon, Viramontes, Fontaine, and Becerra, were they all and you and Officer Gaffney kind of all in a main room on the second floor? Where were you guys all actually located?
A. There is a -- basically, a giant office with rows of computers, and we were all kind of just scattered in those rows with those seats.
Q. Okay. So it wasn't like --
A. They're like cubby-holes. So we were just kind of wandering the area.
Q. Okay. Got it. So it wasn't like you -- was there kind of a central conference room that you guys were all using, or you were just kind of scattered?
A. No. It was just one big room.

Q. And where was Sergeant Franko during this whole time?

A. Same area.

Q. Was Commander McNaughton there?

A. He may have stepped in and out. I've seen him a couple times, but I don't recall him hanging around like we were.

Q. Okay.

A. I don't know where --

Q. And did you have any -- I apologize. Sorry.

A. I don't know where he was mainly during that time, but --

Q. Did you have any conversations with Commander McNaughton that night?

A. No.

MS. RUSSELL: At the area.

MS. ANSARI: At the area, yes.

THE INTERVIEWEE: No.

BY MS. ANSARI:

Q. Did you have any conversations with Sergeant Franko that night?

A. At the area or all night?

Q. At the area. So we already talked about

your conversations --

A. The scene.

Q. -- with him on the scene. So now we'll just -- well, at the area.

A. Okay. I don't recall any conversations other than hanging around, nothing about the shooting or anything, no. We were kind of just done with talking at that point. We were just waiting for the next --

Q. Procedural move?

A. -- part of -- yeah.

Q. Did you talk to any detectives at the scene?

A. At the scene?

Q. At the area.

A. No.

Q. Okay. Did you see the detectives, any detectives, talk to any of the other police officers who had witnessed the shooting at the area?

A. I recall them looking at a video and -- the video of Dunkin' Donuts, I believe, and everybody was kind of over the shoulder.
I remember them specifically talking to either Joe

Walsh or Jason Van Dyke.

Q. Okay. So you saw detectives speaking to Jason Van Dyke and Joseph Walsh, or --

A. I'm not sure if they were both there or if they took them separately, but they were kind of watching a Dunkin' Donuts video, and it was on one computer, and several people were kind of like trying to peek at what it showed.

Q. What it was showing. Okay.

Do you know which detectives?

A. No.

Q. No? Okay.

Were any of the other police officers watching that video besides Walsh and Van Dyke?

A. I can't recall specifically, but there probably would have been a couple.

Q. Did you or your partner Officer Gaffney watch that video over the shoulder?

A. I over the shoulder, from what I could see, I didn't see very much, but --

Q. Do you know when they retrieved that video?

A. No.

Q. Do you know, what was everyone saying

about the video as they were watching it?

A. They were trying to see where they were in relation to Laquan McDonald, I guess.

Q. Where who was?

A. Where -- I think they were talking to either Joe or Jason, and they were trying to see, like, when it began, kind of like an instant replay.

Q. Okay.

A. What they could see from the beginning to end and where everybody was standing.

Q. So was this conversation more Walsh and Van Dyke explaining what happened to the detectives, or was it the detectives saying, you know --

A. They were kind of running through, yes.

Q. Okay. They were running through kind of almost what had happened while looking at the video?

A. Yes.

Q. Was any other video watched at the area that you're aware of?

A. No.

Q. So not any --

A. I don't recall --
Q. Sorry. Go ahead.
A. I don't recall another video besides the Dunkin' Donuts.
Q. So you don't recall a video from any of the police officers' dash camera videos, such as 813R --
A. No.
Q. -- being shown that night?
A. Not on -- no.
Q. Okay. And you said you watched the Dunkin' Donuts video over one of detectives' shoulder, correct?
A. Sort of, yeah, what I could see.
Q. What you could see?
A. I wasn't the main person involved, so --
Q. So when the detectives were watching the video with Van Dyke and Walsh, did they make any conclusions about what they saw? Did they say, you know, "Okay, it looks like he was going towards you guys," anything like that?
A. I think they were focused on the officers' actions. They were saying -- I remember

them saying that Joe was back-pedaling at one point. You could see, you could sort of see, but it wasn't a great video, so --

Q. Okay. So you said that the detectives mentioned that the video kind of showed that Joe was back-pedaling?

A. Joe back-pedaling or Jason or both, I'm not sure specifically, but I remember that being sort of a topic.

Q. And that was something you heard the detectives bring up, correct?

A. Yes.

Q. And when you heard the conversation that Walsh and Van Dyke were having with the detectives, did you hear them redescribing kind of what happened that night?

A. So --

Q. Or was it more the detectives?

A. I don't recall anything further than that they were kind of just back and forth rewinding and showing again.

Q. And the detectives were saying --

A. Their placement on the scene.

Q. -- "Okay, look. It looks like you're

back-pedaling here"?

A. Yes.

Q. And they're agreeing with him?

A. Yes.

Q. So did you ever complete a Tactical Response Report or an Officer's Battery Report regarding the incident, the October 20th incident?

A. No.

Q. You know we're aware from your statements about what happened before the shooting and you following McDonald for quite some time and him --

A. Right.

Q. -- hitting the windshield and puncturing the tire.

Why did you not file a Tactical Response Report or an Officer's Battery Report?

A. They said because I was outside of the car, I wasn't considered to be a victim.

Q. Okay.

A. During the attack of the car, basically.

Q. Got it. Understood.

A. My partner was inside, so they said, "Since you were outside and he attacked the vehicle while he was in it, not you, you're not a victim.

You don't have to fill this out."

Q. So who said that?

A. Detectives and Sergeant Franko, as far as I know.

Q. So you are aware that your partner, Officer Gaffney, did fill out a Tactical Response Report and an Officer's Battery Report, correct?

A. I don't recall both of those. I remember him filling out a TRR.

Q. A TRR. Okay.

Can you explain for the record what a TRR is?

A. Basically, if you take any action using weapons, you have to fill it out.

Q. If the officer --

A. Either as -- well, I'm not -- I don't fill them out often, so --

Q. Okay. From what you know, it's just --

A. Basically, if there was some sort of resisting involved, it's kind of just describing what actions they used and you took to counter them.

Q. Okay.

A. It's a bunch of boxes that need to be

checked. It's --

Q. Okay. And you said that either detectives or Sergeant Franko told you you did not need to fill out either of these forms because you weren't considered a victim, correct?

A. Correct.

Q. Did you talk to anyone else besides the detectives or Sergeant Franko about filling out these forms?

A. No.

Q. So we kind of got to this. I just want to make it a little bit clear.

So how come Officer Gaffney was required to fill out the Tactical Response Report -- and he did also fill out an Officer's Battery Report -- but you weren't? You said you weren't --

MS. RUSSELL: Objection. Relevance. Calls for speculation.

BY MS. ANSARI:

Q. You were considered -- you weren't considered a victim, but he was. And why is that?

MS. RUSSELL: That wasn't his testimony. He didn't testify regarding what Gaffney was told or -- at least not to my recollection.

MS. ANSARI: You can answer the question.
BY THE INTERVIEWEE:
A. I thought I just explained it.
BY MS. ANSARI:
Q. Why do you think Officer Gaffney was required to fill out those forms?
A. Because he was inside the car, and he was perceived as being threatened by Laquan McDonald with the knife, an aggravated battery victim.
Q. Are you aware of any other officers filling out Tactical Response Reports or Officer Battery Reports that night?
A. Jason Van Dyke did for sure. I don't recall anyone else.
Q. Do you know if Officer Van Dyke was --
A. Did you say battery reports or the TRR?
Q. Both. Either.
A. I do know that Jason Van Dyke, Joe Walsh, and Tom Gaffney were listed as victims in the aggravated battery with a knife.
Q. Were those three officers -- are you aware of those three officers being told to fill out those reports by anyone?

A. I was aware that I didn't have to.
Q. Okay.
A. And I knew they were filling them out, so --
Q. Do you know who told them to fill out those reports?
A. I believe they were -- Sergeant Franko was having them fill them out.
Q. Okay. When the detectives were talking to Walsh and Van Dyke about the Dunkin' Donuts video, did it seem like they were trying to tell Officers Walsh and Van Dyke what to say?
A. No.
Q. Okay.
A. I don't recall specific conversations though.
Q. So IPRA interviewed you about the McDonald shooting, correct, that night?
A. Yes.
Q. And that interview took place at area central?
A. Yes.
Q. Who is present during that interview?
A. Dan Herbert, attorney for FOP, and a

representative from FOP.

Q. How long was FOP -- you said you didn't see FOP at the scene of the shooting, correct?

A. I don't recall them at the scene.

Q. But when did you first see FOP reps, Dan Herbert or any attorneys or representatives, at the area?

A. Sometime in between when we were giving fingerprints and pictures and when we actually gave the interview.

Q. Okay.

A. I don't recall a specific time. I don't --

Q. Did you see any FOP reps talking to the other officers?

A. I recall one being there. I don't recall the specific time or who they spoke to. Maybe Jason was spoken to by FOP and by the lawyer, Dan Herbert.

Q. Okay. Did you see any FOP reps helping Officers Walsh, Van Dyke, or your partner Officer Gaffney fill out the Tactical Response Reports or Officer Battery Reports?

A. No.

Q. Did you have any conversation with an FOP rep before your interfere, your IPRA interview?

A. No.

Q. Or Dan Herbert?

A. Not really. It was kind of just relax, give a statement, kind of give a run-down of how it's going to go. I mean, it was basically what everybody did all night. It was like, "This is what is going to happen next."

I've never been in this situation, so those of us that don't normally do this, they kind of said, "Well this is what happens, go to this and that," kind of gave a --

Q. Okay. So what --

A. -- description of what happens now during these incidents.

Q. Okay. So did you speak with FOP rep before any -- before you spoke with IPRA, did you speak with FOP rep about what you actually saw that night, kind of the substance of what occurred?

A. I don't recall anything specific, any specific conversations.

Q. But they procedurally went over what would happen in the interview?

A. Right.

Q. You said -- is this the first police -- is this the first shooting you've witnessed, police-involved or not, just any shooting?

A. That I can recall. I don't remember being as close to one outside of this.

Q. And is this the first officer-involved shooting you've --

A. Yes.

Q. -- been involved -- okay.

Did you have any conversations with your partner Officer Gaffney regarding what happened that night and your interactions with Laquan McDonald before your IPRA interview?

A. No, I don't recall any conversations.

Q. Did you make any attempts to ensure that the statement you were going to provide to IPRA was consistent with the statements provided by the other officers who were present at the McDonald shooting?

A. No, there was no pre-discussion. We just went in when it was our turn.

Q. Okay. Prior to your IPRA statement, were

you pressured in any way to make your IPRA statement consistent with the statements of the officers present at the scene?

A. No.

Q. After your IPRA statement -- sorry. I just want to go back a little bit.

When you were at the area, you said that you guys were waiting around to watch the video, you got fingerprints taken and pictures taken in a separate room?

MS. RUSSELL: He did say he looked over the shoulder while the video was playing and he did not see it all. He didn't watch the video.

MS. ANSARI: Right.

MS. RUSSELL: Let's just make sure.

MS. ANSARI: Thank you for correcting me.

BY MS. ANSARI:

Q. Before you gave your IPRA statement, did you guys do anything else, or was it you were mostly just waiting?

A. We were just waiting.

Q. After your IPRA statement, what did you do?

A. We waited until we were told we were

able to leave. We all filled out overtime slips, and then we left.

Q. So was the time after your IPRA statement before you were -- how long was the time period between after your IPRA statement before you were told you could leave?

A. A couple of hours.

Q. Why weren't you told you could leave right away? What else needed to be done?

A. They were giving other people interviews, or they were doing other interviews, IPRA, after myself.

Q. Okay. Why did they make you wait until the other interviews were done?

A. I don't know. In case they needed us, I guess.

Q. What time did you leave area central?

A. I don't recall a specific time.

Q. Did you leave with your partner Officer Gaffney?

A. Yes.

Q. Where did you go after you left?

A. We went across the parking lot to try to get a new spare tire.

Q. And then where did you go?

A. We went -- after not getting a spare tire, we went in another district.

Q. And then you went home?

A. Yes.

Q. Do you know what time you got home that morning?

A. I don't recall the specific --

MS. RUSSELL: Objection. Relevance.

BY THE INTERVIEWEE:

A. I don't recall.

MS. ANSARI: Do you have any questions about the area?

MR. VALDEZ: Sure.

FURTHER EXAMINATION

BY MR. VALDEZ:

Q. And I'm sorry to back you up on this just a little bit, but what jobs were you given that night, if you recall any of those jobs?

A. What jobs.

Q. From dispatch. Yeah, what calls were you placed on that night? So was the call --

A. This was the first one.

Q. Were you placed on another call for,

like, the crowd control? Did they ever assign you to a job?

A. No. They just update that original call.

Q. Okay. And then when you received the order or the call to go to the area, how did you receive that order or call?

A. I don't remember.

Q. Did you --

A. Somebody on the scene, the supervisor on the scene, said go ahead and go.

Q. Okay. Just -- got it.

And you said when you were at the area that you were separated from everyone, you said "we were," and by "we," do you mean yourself and your partner?

A. Yes.

Q. Okay. And do you recall what room they took you to? Were you guys together?

A. I can recall the room. It was a very empty room. It was a small room with white walls.

Q. So they take your picture and your partner's picture as well as fingerprints, correct?

A. Fingerprints.

Q. And after that, are you returned then to the -- we'll call it the --

A. Main room.

Q. -- main area?

A. Yes.

MR. VALDEZ: Okay.

FURTHER EXAMINATION

BY MS. ANSARI:

Q. So now I would like to provide you with Exhibits 6 and 7.

(Whereupon, documents were tendered to the Interviewee and counsel.)

MS. ANSARI: Exhibit 6 and Exhibit 7.

BY MS. ANSARI:

Q. Now, Exhibit 6 is titled Case Supplementary Report. Do you know what a Case Supplementary Report is?

A. Specifically with this title?

Q. Yeah. What is it generally, like, how is it used in CPD?

A. It's kind of like an additional page, I guess. A regular supplemental one, I don't know if there's a difference between case supplemental or a -- we have supplementary reports in our

station, but they don't look like this. They're paper, and that's basically it.

Q. Okay. What is the purpose of a Case Supplemental Report?

A. It's, I guess, to keep things together but also separate.

Q. Okay. Exhibit 7 is a General Progress Report. Do you know what -- I am going to call it a GPR, but do you know what these are?

A. These are detective reports. I always thought they were just a note pad, but they're an actual report.

Q. Okay. So this is what the detectives used at -- is this what the detectives take their notes on?

A. Yes, I believe so.

Q. Okay. Now let's go through Exhibit 6. That's the Case Supplemental Report. If you turn to page 12, towards the bottom you'll see your statement, and it goes to page 13. Can you please review your statement and let me know when you're ready.

A. Okay.

Q. I just want to go over a couple of these

sentences line by line, and then I'll ask you some general questions.

A. Uh-huh.

Q. So if we go to page 13, the first full paragraph, "When McDonald ran eastbound through the parking lot of the Burger King, Officer McElligott ran after McDonald and pursued."

Did you make this statement to the detectives on the night of October 20, 2014?

A. I don't recall specifically these words, but I gave kind of an overall run-down of what happened.

Q. Okay. So for a couple of these sentences, I'm going to ask you just to go -- to give you a heads up --

A. Okay.

Q. -- two questions: Essentially, did you make that statement, and is that statement accurate.

So you say you don't recall necessarily making that statement, but is that statement accurate?

A. It's mostly accurate.

Q. What is -- when you say "mostly," what's

not accurate about it?

A. There's less detail as to where I was, the proximity of where I was during this.

Q. What do you mean? So what's the more detail that should be included?

A. Well, I ran after him, and there was traffic coming on Pulaski. There's a ramp for the Stevenson, and it was coming down, and when I turned the corner, when I actually got to Pulaski, which I didn't go into the street until I got to the light, so specifics as far as when it says "ran out into the middle of Pulaski" --

MS. RUSSELL: Are you still -- are you on the first sentence?

MS. ANSARI: Well, I'm still on the first sentence, but we can go into --

MS. RUSSELL: The first sentence first.

BY MS. ANSARI:

Q. Yeah. So we'll kind of take this in pieces.

The first sentence, "When McDonald ran eastbound through the parking lot of the Burger King, Officer McElligott ran after McDonald and pursued," is that --

A. That is accurate.

Q. That is accurate. Okay. And do you recall saying that to the detectives?

A. Yes.

Q. Okay. Now, the second sentence, "McElligott ran out into the middle of Pulaski Road in pursuit of McDonald," do you recall saying that to the detectives?

A. No.

Q. And is that statement accurate?

A. It's somewhat accurate.

Q. Okay. And what is the more -- and I know you were describing this. What is the more detail that should be included?

A. I was on the sidewalk once I got to Pulaski, and I followed up until I reached -- there's a light at 41st Street.

Q. Okay. So where it says, "McElligott ran out to the middle of Pulaski road in pursuit of McDonald," that is only somewhat correct because you actually --

A. I didn't reach the middle of Pulaski until seconds later. When I reached the light, the light was turning green and traffic was -- I was

expecting traffic to come to the scene. There were also squad cars congested in the area as well as coming toward me. And just details, some details are missing.

Q. Okay.

A. It's a very strong summary, shortened summary.

Q. Yeah. So what do you mean that's a strong or shortened summary?

A. Because they go right into the shooting when, in my mind, a couple of things happened prior to that.

Q. So yeah. So essentially is this what you're saying -- and I'm paraphrasing. Please tell me if I'm wrong. It says, "McElligott ran into Pulaski in pursuit of McDonald, then McElligott heard multiple gunshots." Essentially, in between those two sentences, you said --

A. There's seconds missing. I was at the light. I waved a car ahead of me, and it did a U-turn in front of me. I heard the shots, and then after I started hearing the shots and saw that traffic was being blocked -- because I believe 821 Robert completely cut off traffic at 40th Place, I

think it is.

Q. Okay. Okay.

A. So I -- there was a pause that was missed in this. I paused and then turned to walk toward the scene.

Q. Do you have any guess on why those statements are missing from this CSR?

A. I don't know. They're different -- they're very brief and they're written statements, so it's kind of -- I don't know specifically. I mean, they're not the same. It's not transpired from written to typed. So however the statements were made. Slightly different. I don't know.

They hit on, like, bullet points in the written and then kind of -- kind of did their thing, and it's perhaps misinterpretation or -- I don't know.

Q. Okay.

A. My details may not be as important details in the overall scheme of the whole situation.

Q. So let's go back to -- let's go to the next statement.

So there are a couple seconds missing,

but then when it goes to "McElligott heard multiple gunshots but did not see who fired the shots," did you say that to the detectives?

A. Yes.

Q. And is that what happened?

A. Yes.

Q. Or is that accurate?

A. Mostly accurate.

Q. Why is that just -- that sentence mostly accurate?

A. Because I didn't see who was shooting, but there were reasons why. In the summary, that's accurate, yes.

Q. But you said you didn't -- you said you didn't see the shooting, so that's accurate, but there was a reason why, which is not included in here?

A. I don't recall -- I had reasons why, but like I said, they bullet-point things, whether they were said and written down or it was just the note-taking that I took as notes.

MS. RUSSELL: I think at the end of the day, he has no idea why detectives write what they're writing. He can't guess why they're doing. He's

trying to explain to you why notes are done, why it gets into the reports. At some point --

MS. ANSARI: Right. I understand that.

BY MS. ANSARI:

Q. So what I want to know is what happened. So why didn't --

MS. RUSSELL: So just ask him what happened. He'll tell you.

BY MS. ANSARI:

Q. When you said you didn't see the shooting, but there were reasons why, what were those reasons?

A. I was facing northbound when I first heard the shots. I was stopped at the light. There were squad cars coming at me and turning around. And the Mars lights that we have now are so bright that you can't see very far ahead or next to them. One drove by me. I couldn't see their VIN tag if I wanted to because they're just so bright. And I was approaching the scene while shots were being made.

Q. Okay. Mars lights are the --

A. The blue lights on the top.

Q. Okay.

A. They're like LED now, so they're extremely bright.

Q. Okay. Got it. So the next sentence in the statement says, "The gunfire was continuous, one shot after another."

Did you say that to the detectives?

A. I don't know specifically if that was my statement, but it was mostly accurate that what he wrote down, or it was accurate.

Q. That was accurate?

A. Yeah.

Q. That statement. Okay.

A. Verbatim, I don't know.

Q. Okay. Understood.

And then the next statement is "McElligott then saw McDonald lying on the ground"?

A. Yeah.

Q. Did you make that statement?

A. Yes.

Q. And is that statement accurate?

A. Yes.

MS. ANSARI: So I think we're going to show the video right now, Jennifer. Do you want to take a break, or do you want to just go straight into it?

MS. RUSSELL: Let's do it.
MS. ANSARI: Okay.
MS. RUSSELL: Which video?
BY MS. ANSARI:
Q. So I am now going to show you a portion of the video that was recovered from the in-car video system of the beat 813R vehicle. This is one of the videos that the Office of the Inspector General provided to Officer McElligott on April 21, 2016 on a DVD. Raul is going to --
MS. ANSARI: Well, you did.
MR. VALDEZ: Well, I'm sorry.
MS. ANSARI: Raul is going to open the VOC media file titled video_ts.ifo on his laptop, and we will project it onto the screen here. The file contains 6 minutes and 5 seconds of footage. The video also has a timestamp on it indicating the date and time the video was recorded. We are going to advance the video to timestamp --
MR. VALDEZ: 4:10?
MS. ANSARI: 4:10? The VOC media bar actually, we're going to advance the VOC media bar time to 4:10.
Now, Officer McElligott, I'm going ask

that you watch the next 20 or 30 seconds of footage, and then we'll ask you a couple questions.

(Whereupon, a video was shown.)

MS. ANSARI: Could we pause there? I apologize.

MR. VALDEZ: Sure. How far back do you want us to go?

BY MS. ANSARI:

Q. Officer McElligott -- you can pause here -- do you know which car this is shown in the video, which beat?

A. I do now.

Q. Okay.

A. It's 845 Robert.

(Whereupon, a video was shown.)

MS. ANSARI: Now pause here.

BY MS. ANSARI:

Q. Officer McElligott, if you see, now we're at timestamp 4:18. Is that you running behind the --

A. Yes.

Q. -- police SUV? That's you?

A. Yes.

Q. Okay. And what car is in front of you

right there?

A. 845 Robert.

Q. That is 845 Robert. Okay. And that is, for the record, you running through the Burger King parking lot, correct?

A. Yes.

MS. ANSARI: Okay.

(Whereupon, a video was shown.)

MS. ANSARI: Can we pause right here.

BY MS. ANSARI:

Q. So we don't se you on the video. We see you running and then --

A. Then I stop.

Q. Then 813R goes around. And what I'm wondering is where did you -- as best as you can describe, where did you stop? You were running through the parking lot, you said, and then you stopped?

A. I stopped at the sidewalk.

Q. Where was it? At the sidewalk. Okay. And you said that was at the 41st Street light?

A. That light, I believe, is 41st Street. That is not 40th Place.

Q. Okay.

A. That's kind of a short block.

Q. Oh, that light is -- you said that's 40th?

A. It's like an extra light. So it's, like, 40th Place or 41st Street. I don't know. I'm not sure.

Q. And you said you stopped because there was traffic coming, correct?

A. There was traffic building at the bottom of the ramp that's behind this officer.

MS. ANSARI: Okay. Understood. Let's keep going.

(Whereupon, a video was shown.)

MS. ANSARI: Let's pause right here.

BY MS. ANSARI:

Q. At this point, are you still stopped where you said you were at the --

MS. RUSSELL: At 4:35?

BY MS. ANSARI:

Q. Yes. At 4:35, where were you?

A. I was walking toward the light.

Q. Okay. And could you --

A. On the sidewalk.

Q. Okay. And could you see McDonald in the

video? At 4:35, McDonald is in the middle of Pulaski kind of on the left of the median?

A. I don't recall seeing where he was.

Q. You don't recall seeing him --

A. I don't recall, because this car is here (indicating), and then I was -- like I said, the Mars lights on top, I don't recall seeing this position.

Q. Okay. So what I want to do --

MS. ANSARI: If we can go back a couple seconds, Raul.

BY MS. ANSARI:

Q. I'm wondering if you could describe to me kind of when is -- when --

MS. ANSARI: That's actually fine.

BY MS. ANSARI:

Q. When you stopped being able see McDonald, if you could point it out on the video. Just tell us to pause, and we can do that.

MR. VALDEZ: So just let me know, "Pause," and I'll click it.

MS. RUSSELL: So what exactly is the question you're asking him?

BY MS. ANSARI:

Q. What I want to know is when you lost McDonald from your sight.

A. Yes.

Q. That's a bad way of wording that.

A. Okay.

(Whereupon, a video was shown.)

THE INTERVIEWEE: I would say right here.

MS. RUSSELL: At 4:29.

MS. ANSARI: At 4:29.

THE INTERVIEWEE: Or a second later or something, somewhere around there.

BY MS. ANSARI:

Q. Okay. Got it. And then we're going to keep playing, and then if you could tell me when you were able to see what happened, when was the next you were able to see what happened if it's in the video.

(Whereupon, a video was shown.)

BY THE INTERVIEWEE:

A. Probably somewhere around here is when I turned around.

BY MS. ANSARI:

Q. Okay. So did you see McDonald being --

MS. RUSSELL: At 4:48?

MS. ANSARI: At 4:48, for the record.

BY THE INTERVIEWEE:

A. I don't recall seeing him actually fall or not. I remember him being on the ground, and I was walking then down the middle of Pulaski.

BY MS. ANSARI:

Q. Okay. Did you see Officers Walsh and Van Dyke exit their vehicle?

A. No.

Q. Did you see them -- and you did not see who shot Laquan McDonald?

A. I could not see that far.

MS. ANSARI: Okay. This is the last video. Go back a couple seconds.

(Whereupon, a video was shown.)

BY MS. ANSARI:

Q. So this squad car, if we can keep going, do you know what the squad car is that's facing McDonald, that one right there?

A. That one is 22 afternoons.

Q. Okay.

(Whereupon, a video was shown.)

BY MS. ANSARI:

Q. And you'll notice at 441, 822 goes out of the screen?

A. Yes.

Q. Where is that? Why does 822 go?

A. They come around and do a U-turn in front of me after 813 Robert stops. He's turning in front of me. I wave him. I hear the shots and I look up at the light, and my concern was traffic coming toward gunshots.

Q. Okay. Understood. And so and you said the lights of the vehicle were so bright. It was that was one contributing factor of not being able to see?

A. It's a contributing factor, yes.

Q. Which lights were the ones that were directly in your vision?

A. Probably mostly 813 Robert and 22 afternoons as they were both between Laquan McDonald and myself.

Q. Got it.

MS. RUSSELL: Two times? Right between?

THE INTERVIEWEE: They didn't have a top over their head. It was two regular.

MR. VALDEZ: Would you like me to back up so you can see the vehicle?

MS. RUSSELL: No. I'm just trying to see between them.

THE INTERVIEWEE: The one that came this way. There were two.

MS. RUSSELL: Yeah. Right.

MS. ANSARI: Do you have any questions about the video?

MR. VALDEZ: Yes.

FURTHER EXAMINATION

BY MR. VALDEZ:

Q. I just want to make sure I have a good understanding of what happened after you turned the corner onto Pulaski.

So you're running in a northeast direction through the parking lot, correct -- excuse me, southeast direction through the parking lot?

A. Yes.

Q. You get to Pulaski and the Burger King, we'll call it. At this point, you said you're walking on the sidewalk?

A. Once they went over the curb after him,

after Laquan, I stopped and looked at oncoming traffic.

Q. So you look at southbound traffic?

A. Yes.

Q. On Pulaski.

You said the traffic was starting to build up at the end --

A. There was a light almost ready to change, from what I can recall.

Q. Okay. And I know you said that you were facing northbound at the light when the shots were fired initially; is that correct?

A. My -- I was facing -- I was facing northbound.

Q. So you're looking at the traffic coming towards you?

A. I'm essentially blocking the light.

Q. Okay. So your concern is traffic heading towards the scene?

A. The scene.

Q. And as opposed to looking at McDonald and the confrontation between --

A. I turned my attention away. There were several blue lights coming, and then I heard shots.

Once I saw that traffic was blocked is when I turned around to go toward the shots.

Q. Toward the confrontation, we'll call it?

A. Yes.

MR. VALDEZ: Okay.

FURTHER EXAMINATION

BY MS. ANSARI:

Q. So I want you to go back to the Case Supplemental Report and look at the statements attributed to Officer Gaffney. Actually, you know what? I'm sorry. Can we go back through to your statement? And you read your whole statement. We didn't ask you about all of the statements that are attributed to you.

Are there any other statements in here that you think are incorrect or didn't happen, characterized incorrectly?

MS. RUSSELL: You're talking about only his statement?

MS. ANSARI: Only his statement.

BY THE INTERVIEWEE:

A. It was probably on this, and this I'm not so --

MS. RUSSELL: Yeah.

BY THE INTERVIEWEE:

A. I thought that's accurate.

BY MS. ANSARI:

Q. Okay. If you could take a look at the statement attributed to your partner, Officer Gaffney, so that starts at page 11 and goes to page 12. And I want to know if there's anything incorrect in that statement.

A. The address is approximate. I think it was just shy of 41st Street.

Q. Okay. Where it says 40th Street from Kildare?

A. Yeah, it was -- I think we were on 40th, and there's a yard that's connected to 40th. It starts at 40th and goes probably until 41st Street.

Q. Okay.

A. So somewhere in between there.

Q. Right.

A. It seems to be accurate.

Q. All right. So I'm going to go through -- so you said that your partner's statement appears to be accurate, correct?

A. Yes.

Q. I'm going to go through the allegations.

And so this is going to be repetitive of what we just talked about. I'm going to go through the allegations listed in your Notice of Allegations and just ask you for a response to each allegation.

MR. VALDEZ: Officer, could I get those exhibits back, please.

(Whereupon, documents were tendered to Mr. Valdez.)

MR. VALDEZ: Here's the Notice.

(Whereupon, a document was tendered to the Interviewee.)

BY MS. ANSARI:

Q. "It is alleged that on or about October 20, 2014, you made a false statement during an interview with Detective March when you stated that you heard multiple gunshots but did not see who fired the gunshots."

What is your response to that allegation?

A. I heard multiple shots and did not see who fired the shots based on different reasons.

Q. Okay.

A. That we've discussed.

Q. All right.

MS. RUSSELL: Can we take a quick break?

MS. ANSARI: Yeah. Sure. We are going off the record. It is 12:23 a.m.

(Whereupon, a break was taken.)

MS. ANSARI: We'll go back on the record. It's 12:25 a.m.

BY MS. ANSARI:

Q. "It is alleged that on or about October 20, 2014, you made a false statement during an interview with Detective March when you stated you heard multiple gunshots but did not see who fired the gunshots."

What is your response to that statement?

A. It is not false, and I did not see who fired the shots.

Q. Okay. "It is alleged that on or about October 20, 2014, you made a material omission when you failed to tell Detective March that McDonald changed the direction in which he was walking prior to the shooting."

What is your response to that allegation?

A. I was not able to see what had happened immediately prior to shooting.

Q. "It is alleged that on or about October 20, 2014, you made a material omission when

you failed to tell Detective March that Officers Walsh and Van Dyke moved toward McDonald prior to the shooting."

What is your responses to that allegation?

A. I did not make a material omission. I did not see the officers' actions just prior to the shooting.

Q. "It is alleged that on or about October 20, 2014, you made a false statement during an interview with Detective March when you stated that the gunfire was continuous, one shot after another"?

A. I did not make a false statement. I did hear the gunshots continuous, one after another.

Q. "It is alleged that on or about October 20, 2014, you made a false statement during an interview with Detective March when you stated that Officer Van Dyke continued to shoot McDonald after McDonald fell to the ground" -- I apologize.

"It is alleged that on or about October 20, 2014, you made a material omission during an interview with Detective David March when you failed to state that Officer Van Dyke continued

to shoot McDonald after McDonald fell to the ground."

A. I don't --

Q. What is your response?

A. I don't recall specifically continuing to shoot. I don't recall that. So I did not make a material omission because I don't recall that happening.

Q. "It is alleged that on or about October 21, 2014, you made a material omission during an interview with IPRA Investigator Killen when you failed to state that Officers Walsh and Van Dyke moved towards McDonald prior to the shooting."

What is your response to that allegation?

A. I did not make a material omission because I did not see the officers' actions just prior to the shooting.

Q. "It is alleged that on or about October 21, 2014, you made a material omission during an interview with IPRA Investigator Killen when you failed to state that McDonald changed the direction in which he was walking prior to the shooting"?

A. I did not make any material omission because I did not see specifically what had happened just prior to Laquan McDonald being shot.

Q. "It is alleged that on or about October 21, 2014, you made a material omission during an interview with IPRA Investigator Killen when you failed to state that Van Dyke continued to shoot McDonald after McDonald fell to the ground."

What is your response to that allegation?

A. I did not make a material omission because I do not recall Officer Van Dyke continuing to shoot after he fell to the ground.

MS. ANSARI: Okay. So we're going to move on to questions regarding the dash camera system and eventually the allegations alluding to that. Investigator Valdez is going to lead the questioning in this section.

FURTHER EXAMINATION

BY MR. VALDEZ:

Q. Officer McElligott, are you aware that vehicle 815 Robert to which you were assigned on October 20th, are you aware of the vehicle number that was assigned to that?

A. Yes.

Q. What was the vehicle number?

A. 8489.

Q. And that car has a video system, correct, in-car video system?

A. Yes, it did.

Q. And just for the record, can you explain what an in-car video system is?

A. It's a camera that's attached to -- slightly to the passenger side windshield which has software that shows the camera view and a screen.

Q. And can you walk us through the ways you as an officer use that video system in the course of your duties?

A. We enter the car --

MS. RUSSELL: Are you talking about the Laquan McDonald shooting?

MR. VALDEZ: Yes, please.

BY MR. VALDEZ:

Q. On that night of October 20th.

A. On that night?

Q. Yes.

A. We entered the vehicle and we log -- after we do an inspection, a short inspection of the damage, possible damage outside prior to us

driving it, we check the back seat, and then we log into the computer -- or we log into the in-car camera system and as well as our computer.

Q. Okay. Did that differ from the way that you used the system any other night?

A. No.

Q. And that video system also captures audio; is that correct?

A. Yes.

Q. Upon entering the vehicle -- excuse me. Let me back up.

As of October 20, 2014, were you aware of any rules or regulation that govern the use of that system?

A. I was aware they existed, but my first training was years before, and we've changed the types of cars from my original training from a Ford Crown Victoria to a Chevy Tahoe. So there are slight differences.

Q. And that vehicle that you were assigned to, R8489, were you assigned to that vehicle at other times prior to October 20th?

A. Yes.

Q. Is that your regular vehicle that you

would use?

A. Yes, it was our regular vehicle.

Q. At that time, October 20, 2014, how long had you worked in vehicles with the in-car video system?

A. Probably since, from what I can recall, when I started in the 8th district, somewhere around there.

Q. And what year was that, just for my recollection?

A. I started in 2007.

Q. So approximately --

A. Some vehicles had them; some did not. It kind of varied.

Q. Okay. Are you familiar with Special Order Sam 03-05?

A. I'm not that familiar with it.

Q. Okay.

A. I don't know what it says.

Q. What I'll do is I will enter this as Exhibit 8. And this is a Special Order S03-05, In-Car Video Systems. This one specifically is date 23rd February 2012.

(Whereupon, McElligott Exhibit 8 was marked for identification.)

BY MR. VALDEZ:

Q. So I would just like to put this in front of you. If you would like to take a look at that for a minute.

A. Okay.

Q. Specifically, I want to go over to page 3, and I'm looking specifically at section 6 titled Operational Procedures.

A. Yes.

Q. Specifically where it says that, "At the beginning of a tour of duty, a department member is to visually inspect the in-car video system for damage," and I know you said when you enter the vehicle, that's one of the steps that you take?

A. Yes.

Q. It also says, "To obtain the remote transmitter/audio recorder and ensure it is securely attached to the member's person."

Is that something that you recall doing on October 20th?

A. Not that day. We did not.

Q. Okay.

A. We did not attach the audio recorder to our person.

Q. Where are the audio recorders and/or microphones, we'll call them? Where are those usually kept in that vehicle?

A. In that vehicle, they were underneath the PDT in, like, a charger port.

Q. Okay. So on the charging cradles?

A. Yes.

Q. When you entered that vehicle, you said that they weren't attached to your person. Do you recall doing anything with the microphones upon entering the vehicle?

A. No.

Q. And I know you said you had received training when you first got into the in-car video system vehicle, correct?

A. Yes.

Q. Was it just one training?

A. Yes, that I can recall. Yes.

Q. Do you recall where that training was held?

A. At the police academy.

Q. Okay. And that's the main one on --

I think it's Racine and --

A. 1300 West Jackson.

Q. Got it. And this was just the one training, you said. Was it at a live training? Was it a video training? Do you recall any specifics about that?

A. It was a classroom training, and they showed us the cameras, and I think we watched video.

Q. When you entered that vehicle October the 20th and you did the inspection, did you note or at least notice, yourself or Officer Gaffney, anything that was broken or damaged with the camera?

A. No.

Q. As part of the startup procedures, do you have to inspect the actual screen that you can see as officers to make sure that it's recording properly?

A. At the time, we would log in and see that it showed the screen with the appropriate footage in front of us.

Q. So as long as that's showing, for the most part it's an operational camera?

A. Pretty much we knew that it was

operational.

Q. And is that the way they trained you at the academy?

A. It was probably in more detail, and things change over the years, so -- but I --

Q. And I know you -- I'm sorry. Go ahead.

A. No. Basically, that's it.

Q. I know you noted that when you were first trained that they were in Crown Victorias. The vehicle that you were in that night, do you recall what type of vehicle it was?

A. It was a Chevy Tahoe.

Q. Does anything specifically stand out to you in terms of differences between the software that you were trained on and the software in the Tahoe?

A. Just the microphone placement.

Q. And what's different about that?

A. In the Crown Victorias, the microphones were next to each of the doors, like where the seat belts attach to the top.

Q. Okay. And generally speaking, I know you said on this night the camera seems operational. If you get into a vehicle and the camera does not

appear to be operational, what's the process to report that?

A. We notify our sergeant that it's not operating.

Q. And by what means do you notify the sergeant?

A. We send a PDT message, a computer message.

Q. And I guess substantively, what does that say? What does your PDT message say?

A. "The video works" or "camera works but microphones" -- or however it would go.

Q. So just describing that issue?

A. "Video doesn't work properly" -- well, when it doesn't work, you say, "Camera's not working." And if it's not working, there would be a ticket number generated. Usually, they would leave it on a little piece of paper what ticket number was that was pulled by a sergeant. Only a sergeant can pull it, or at least sergeant or above, and we would let them know the ticket number if there was one; if there wasn't one, then he would have to call in and get us one.

Q. Okay. And on that night, assuming since

the camera was working correctly, was there a help desk ticket attached to any --

A. No, there was not. It was operational.

Q. And when you send the message for a non-operational camera to the sergeant, how long roughly does that process take for them to pull the ticket?

A. I don't know. Hopefully by the end of the tour.

Q. Okay. So pretty -- I'd say that's pretty quickly, within a day?

A. It takes a while.

Q. Is that fair to say?

A. Hopefully within that night.

Q. Have you ever experienced issues where the sergeants have taken longer than that period of time to get a help desk ticket pulled?

A. Yes.

Q. Do you --

MS. RUSSELL: When you say "help desk ticket," you mean a ticket --

MR. VALDEZ: For the non-operational camera.

MS. RUSSELL: Just calling the help desk?

MR. VALDEZ: Correct.

MS. RUSSELL: Okay.

BY MR. VALDEZ:

Q. So it's just the sergeant contact, I believe DoIT is what the process is. Do you recall any specific instance where that happened?

A. No.

Q. No? Just in the past, it has occurred?

A. I remember the camera in that specific car was working and not working. There were ticket numbers generated. There was a month that went by that nothing happened, and there was a ticket number that was notified every time we would have this, they're given the same number from -- it's the same number from the night before.

When he logged in -- and we knew when he logged in because it would get a bounce-back message if he was not logged in -- we would send him the ticket number and say, "Camera's not working. Here's the ticket number." And we'd type out each number.

Q. Got it.

Now, you were the passenger in that vehicle, correct?

A. Yes.

Q. Are you generally the passenger in that vehicle?

A. We rotate.

Q. So this is between yourself, Officer Gaffney, and the third officer, Michael --

A. Walano.

Q. And can you spell that name for the record, please?

A. W-A-L-A-N-O.

Q. And, Officer McElligott, what's your PC number?

A. [redacted].

Q. Is it safe to say that as the driver of the vehicle, you would be the one sending the PDT message to the sergeant?

A. As the passenger, we usually do the operating of a PDT, but it could go either way.

Q. And I know you said that that vehicle's in-car video system had some issues in the past. Do you recall any of those specific issues that you had?

A. There were several different: They were not logged in right; there would just be a bunch of numbers on a black screen; there would be an

all-blue screen. Those are basically the ones that usually would happen.

Q. When those issues happen, I'm assuming you're not able to log into the system, correct?

A. Correct.

Q. And you said on that evening, October 20, 2014, that the microphones were underneath the PDT?

A. Yes.

Q. On the charging cradles?

A. Yes.

Q. Are they kept there pretty regularly? Is that just where they're kept?

A. That's where we would usually keep them, but there were times that they were beeping, and maybe the previous watch or whoever used the car before us got tired of the beeping and they threw them in the glove box. So we would take them out of the glove box, put them in the cradle, charge them up. So mostly that's where they stayed with us.

There used to be holders to attach to our uniform, which they no longer provided to us. We just -- and I remember in the beginning, we would get a holder or a microphone, and then they

stopped handing them out.

Q. Do you recall approximately when that practice was supplying the officers with the microphone holder, when that stopped?

A. It was stopped for years before.

Q. Okay.

A. It probably was around for a year or two before they no longer were available.

Q. It made it a little more convenient --

A. So there was a --

Q. I'm sorry. To hold the microphone, would that occur?

A. Oh, yeah. In the beginning, it was attach it to your uniform, and then when they stopped handing out the carrier, then we kept them on the charger, basically.

Q. And is there anything required of you when the audio does not function correctly? Is that considered part of the video system as a whole where if the audio is not functioning you should report that?

A. I would think so, yes. I don't recall specific times that I've notified anybody about the audio.

Q. Okay.

A. Or specific times that the audio did not work. I don't recall those.

Q. But for the most part, it's a regular practice to leave those microphones in the charging cradle?

A. It became a regular practice.

Q. Okay. Can you recall when, approximately, it became a regular practice just to leave those there?

A. It was years prior to that date.

Q. Okay. Years.

So what I want to do now is show you a what's called an In Car Video Retrieval Worksheet. And what this is, in summary, is just the technician that goes out to download video on the scene. This one is dated 20 October at 2230 hours.

MR. VALDEZ: We'll enter this as Exhibit 9.

(Whereupon, McElligott Exhibit 9 was marked for identification.)

BY MR. VALDEZ:

Q. And yours, obviously, will be 815R 8489?

A. Yes.

Q. And if you scroll to the bottom where it

says "Notes of Work or Activities Performed," you'll see that there's a note there that says, "Processing videos, extremely large video files."

I know it's a little hard to read with the handwriting.

A. Okay.

Q. But according to this report, this retrieval worksheet -- do you need any more time?

A. No.

Q. Essentially, the system's not engaged because there's a very long video taking place.

Do you recall having a conversation -- and I know we've covered this a little bit about on the scene, but with the gentleman that came to download this video from your vehicle?

A. I remember him complaining that he -- he had some trouble with it and made the statement of "Officers are going to get jammed up over this," and we got defensive, or my partner did, and said something, "Hey, we did it the way we're supposed to." And then he shortly after apologized for --

Q. And by "he," do you mean your partner, or this was the sergeant?

A. The sergeant.

Q. And when he said, "Officers are going to get jammed up for this," do you know what he was referencing in terms of the audio or the video?

A. Well, looking at it now, I was under the impression that everything worked, because after he retrieved our video, I heard him say, "Video and audio is working." I missed the part where he said that everything was jammed up, he couldn't get anything. Somehow I don't recall hearing that until long after, very long after I thought everything was recorded.

Actually, I found out pretty much through the media. It may have been this paper that I'm looking at that was shown on the TV. And I was not made aware of this clearly at least that night.

Q. Okay. Do you know when you were aware of this from media?

A. Probably when it was -- the video was released, and then it was like every couple weeks, couple months, something new came out through the media.

Q. And, now, based on this note, the video wasn't engaged due to processing?

MS. RUSSELL: That's not what the note says.
BY THE INTERVIEWEE:
A. It's processing video.
BY MR. VALDEZ:
Q. Processing video, but obviously --
MS. RUSSELL: Extremely -- what does it say? "Extremely large video" --
BY THE INTERVIEWEE:
A. "Extremely large video file."
BY MS. ANSARI:
Q. So what we will do now is also show you an e-mail, and we'll enter this as Exhibit 10.
(Whereupon, McElligott Exhibit 10 was marked for identification.)
BY MS. ANSARI:
Q. This is an e-mail subject line 20 October 2014 with RB number HY475653. This is an e-mail sent from Lance Becvar on July the 17th, 2015, to Jonathan Lewin.
So if you could just take a minute to review that, or as much as you need.
A. Okay.
Q. Reading that --
A. Oh, there's two. Hold on. I'm sorry.

Q. Actually, that bottom one is to a different vehicle. The one that relates to yours is just the second vehicle. So it's 8489 at the top.

A. Oh, 84 -- okay. Okay.

Q. Do you recall creating any long videos at the beginning of your tour, at least prior to this October 20th incident with Laquan McDonald?

A. No. We started -- we were on the street approximately between 9:30 and 10:00, and this incident occurred prior to 10:00. So it was about 20 minutes maybe.

Q. Is this the first call that you're dispatched to?

A. Yes.

Q. After roll?

A. Yes.

Q. Okay. Can you explain at all why the system was not engaged? Would you be able to?

A. I can guess, but I don't -- just based on when it uploads, I guess the longer the video, the longer it takes to upload. And perhaps it didn't upload all the way, so it wouldn't, like -- it kind of delayed it.

Q. Is it possible that an officer from the previous tour had a long video that was uploading, or would it have been yourself or one of your partners?

A. They would had to have been previous to us, unless there's days and days worth of video on there.

Q. So it's at least your impression that this vehicle is used by other tours in addition to your own, correct?

A. Yes.

Q. Okay. But you have no knowledge of whether a video had started or anything of that nature prior to you being on it?

A. No. Generally, if you can log in, it works.

Q. And you logged in successfully that night?

A. Yes.

Q. So you have no reason to believe there is any issues?

A. Yes.

Q. And I know we went over this, but would you be able to explain why no audio was captured on

the video that was recovered from R815 Robert?

A. No. I would like to know myself. It would help a lot.

Q. But the microphones were not attached to your person; were they?

A. They were not, but the window was open, and it would have captured some pretty vital information.

Q. Is there a microphone sync process that you need to go through when entering the vehicle?

A. Yes, and now I learned that after this.

Q. Okay. On that evening, did you and Officer Gaffney sync those microphones?

A. No, we did not.

Q. Is that possible that that's the reason that no audio was captured?

MS. RUSSELL: Anything's possible.

BY MR. VALDEZ:

Q. Do you believe that is the reason that no audio was captured?

A. I don't know.

Q. Were you surprised to hear that none of the cars or none of the officers responding to the scene, their dash videos, that they had no audio?

A. Yes.

Q. What was surprising to you about that?

A. We log in and assume -- not "assume," but expect for the equipment to work, and to know that it doesn't and it could help you is very aggravating.

Q. As of October the 20th, 2014, was there a practice of Chicago police officers disabling the audio component of those videos?

A. Not that I know of.

Q. For example, I know you said in some instances you've gotten into the vehicle and you've seen the microphones put in the glove box.

A. Okay.

Q. What reason would an officer have to put a microphone in the glove box?

MS. RUSSELL: Objection. This has nothing to do with the allegations against this officer or any actions taken by this officer.

MS. ANSARI: He can answer the question.

MS. RUSSELL: If he can.

BY THE INTERVIEWEE:

A. My assumption is that if the microphones were beeping, they wanted them to be quiet, so they

put them in the glove box.
BY MR. VALDEZ:
Q. So it's more of an annoyance issue than --
A. That's my guess.
MR. VALDEZ: Okay.
FURTHER EXAMINATION
BY MS. ANSARI:
Q. Yeah, you said that you were surprised to hear that none of the vehicles at the scene captured audio, but earlier, you said it's kind of a regular CPD practice years before to not connect the audio to the person, correct?
A. As far as --
MS. RUSSELL: Go to the --
BY MS. ANSARI:
Q. If I'm mischaracterizing your statement --
A. Where do they operate?
MS. RUSSELL: "Person" doesn't mean it has to be on your person.
BY MS. ANSARI:
Q. So I guess I'm just trying to clarify, so if I'm mischaracterizing what you said, please

correct me.

You just said you were surprised to hear that none of the cars had audio, and then earlier you said that it was a regular practice or it became a regular practice, CPD practice, not to attach the audio from -- to the person.

A. Right.

Q. So why would you be surprised there would be no audio in the --

A. Because most of us were in our cars.

Q. Okay. So you were surprised --

A. So it should have captured something in the car, if not just outside the car where I was shouting orders to an offender to drop a knife.

Q. Okay. And you said your window, you and Officer Gaffney's windows were open, both windows?

A. I don't know if his was. Mine was.

Q. Yours was. Okay.

When you're driving the vehicle, can you see, like, what -- there's a screen for the in-car video camera, correct?

A. Yes.

Q. And so as it's recording, can you see what it's recording? So if you're looking at the

screen, you can see what's in front of you on the screen?

A. The screen doesn't change when it starts or stops recording. The only thing that's different is there's a red light that blinks and there's C1 or C2, which the camera's differently positioned. Ours was attached to the ceiling; the new cars we have, it's attached to the dashboard; and I think on the old cars, it was attached to the ceiling as well. So it's different.

Each car, if you could see it or you can turn him up or down, I guess if it's up, you can put it up so you don't necessarily see the camera view all the time, but at --

Q. To --

A. It swivels. It swivels.

Q. Okay. So on the night of October 20th, when you were driving, could you see what the camera was recording in front of you?

A. You would have --

MS. RUSSELL: I think the question of can you see what a camera is recording is what's -- can you see what you believe the camera is reporting? Is that the question? Because he can't tell what's

being recorded, obviously.

MS. ANSARI: No, that is --

MS. RUSSELL: Yeah.

BY MS. ANSARI:

Q. What I'm trying to get at is when you're driving that night, when you were driving and you were in the car and there's a screen, does the screen show what's in front of you?

A. Yes.

Q. Okay. So did you at any point look at the screen and see Laquan McDonald in the screen?

A. No.

Q. Okay. So you just saw him in person when you were actually looking at him?

A. I saw him when I was outside of the car for a brief second, and then I exited the vehicle.

Q. Okay. I just want to clarify.

You said the sergeant who got the video from you was aggravated. And I'm -- please correct me if I'm misquoting you, was aggravated because the video was -- he was having issues getting the video, correct?

A. Correct.

Q. He said, "Officers are going to get

jammed up for this." What did you take that to mean?

A. That it was officer's fault that he could not retrieve the video.

Q. So was he saying, "Officer, we're going to get jammed up because" --

A. Not necessarily specifically us, but whoever caused him to fumble with retrieving it, okay, he made a blanket statement, and we took offense to it.

Q. Okay.

A. Or my partner did more than myself, but he responded; I didn't.

Q. Did Officer Gaffney take offense because he thought that the sergeant was accusing him or, like, not using the video properly?

A. Was referring to us as not using it properly.

Q. Okay. Got it.

FURTHER EXAMINATION

By MR. VALDEZ:

Q. So similar to as we did with the other allegations, I'll get into the remaining ones for the in-car video. Did I take the allegations from

you already?

A. Yes.

Q. "It is alleged on or about October 20, 2014, you failed to ensure the in-car video system for CPD vehicle 8489 was working properly at the beginning of your tour of duty."

What is your response to that allegation?

A. I believed that the video was working properly at the beginning of my tour. We logged in properly.

Q. "It is alleged that on or about October 20, 2014, you failed to immediately notify a supervisor that the in-car video system for CPD vehicle 8489 was inoperable or damaged."

What is your response to that allegation?

A. We did not fail to notify because we believed that it was operating properly.

Q. "It is alleged that on or about October 20, 2014, you failed to audibly record events with CPD vehicle 8489's in-car video system during your tour of duty."

What is your response to that allegation?

A. We did not fail to audibly record because we believed the recordings were properly

functioning.

FURTHER EXAMINATION

BY MS. ANSARI:

Q. Officer McElligott, when was the first time you saw the 813R dash cam video?

A. On the news.

Q. On the news? Okay.

So is there anything -- we're almost done. Is there anything that you would like to add, given the Notice of Allegations that we've made against you? Is there anything that you would like to add?

MS. RUSSELL: Are we done with the questioning?

MS. ANSARI: Yeah.

MS. RUSSELL: Can we take a quick break?

MS. ANSARI: Yeah. Let's go off the record. It's 1:00 a.m.

(Whereupon, a break was taken.)

MS. ANSARI: We can go back on the record. It is still 1:00 a.m.

BY MS. ANSARI:

Q. Is there anything you would like to add today?

A. No. There is not.

MS. ANSARI: Great. We can go off the record at 1:01 a.m.

(Whereupon, the interview concluded at 1:01 a.m.)

(Which were all proceedings in the above-entitled interview this date.)

STATE OF ILLINOIS)
) SS:
COUNTY OF C O O K)

I, ANDREW ROBERT PITTS, C.S.R. No. 84-4575, a Certified Shorthand Reporter within and for the County of Cook and State of Illinois, do hereby certify:

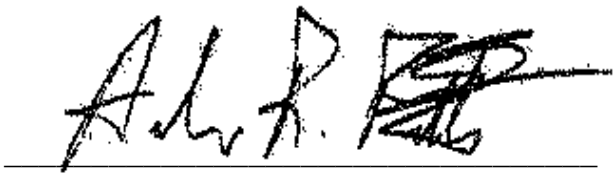
That previous to the commencement of the examination of the Interviewee, the Interviewee was duly sworn to testify the whole truth concerning the matters herein;

That the foregoing interview transcript was reported stenographically by me, was thereafter reduced to typewriting under my personal direction and constitutes a true record of the testimony given and the proceeding had;

That the said interview was taken before me at the time and place specified;

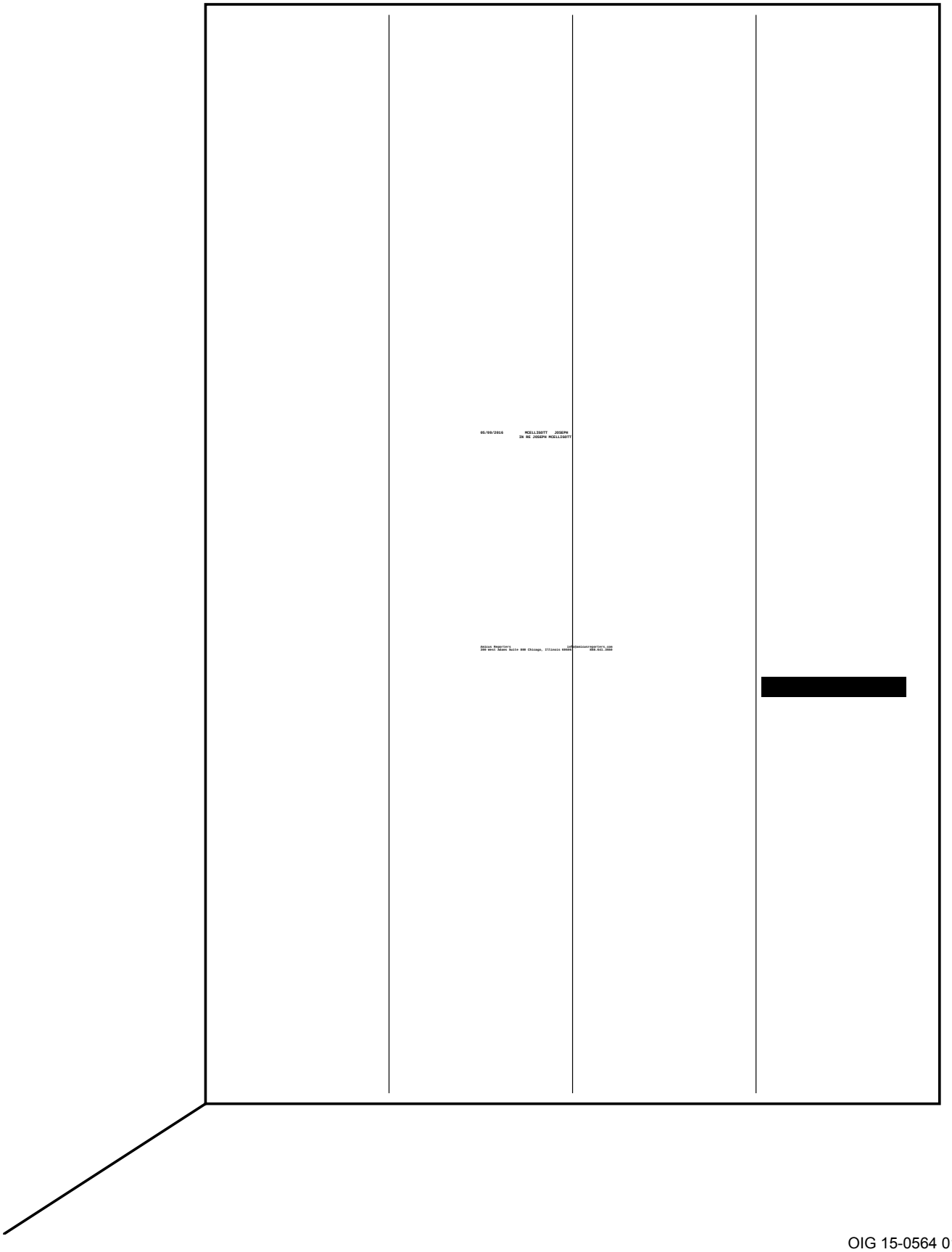
That I am not a relative or employee or attorney or counsel, nor a relative or employee of such attorney or counsel for any of the parties hereto, nor interested directly or indirectly in the outcome of this action.

IN WITNESS WHEREOF, I do hereunto set my hand and affix my seal of office at Chicago, Illinois this 11th day of May, 2016.



Certified Shorthand Reporter
Cook County, Illinois
My commission expires May 31, 2017

C.S.R. Certificate No. 84-4575.


05/09/2016 MCELLIGOTT JOSEPH
IN RE JOSEPH MCELLIGOTT
Amicus Reporters
300 West Adams Suite 888 Chicago, Illinois 60606
888.531.3928

84 131:5

845 14:7 98:14 99:2,3

845R 15:7

8489 114:2 127:22 131:3 140:5,14

8489's 140:20

8th 23:8,11 32:21 41:1,5 116:7

9

9 5:1 127:18,19

9:30 131:10

A

a.m. 110:2,5 141:17,20 142:2,4

above-entitled 142:6

absent 16:9

academy 118:23 120:3

accuracy 4:5

accurate 22:13 89:19,22,23 90:1 91:1,2,10,11 94:7, 8,10,13,15 96:8,9, 10,20 108:2,19,22

accusing 139:15

acknowledge 6:19 9:9

action 8:7 76:13

actions 33:21 34:5 73:24 76:21 111:7 112:17 134:19

Activities 128:1

actual 25:11 88:12 119:16

Adams 5:2

add 141:10,12,22

addition 18:21 20:2,14 132:9

additional 17:21 87:21

address 18:23 108:9

administered 6:7

administrative 9:10,17 20:10,13

advance 97:19,22

advice 5:24 17:20

advised 7:11,18 17:12

advisement 6:12 9:15,21,22 10:8

Affairs 16:15

affidavit 20:19 21:3

affidavits 20:24

affirming 6:1

afternoon 35:12

afternoons 103:21 104:19

aggravated 78:9, 21 138:19,20

aggravating 134:6

agree 19:2

agreeing 75:3

agreement 17:11 20:12

ahead 73:2 86:11 92:20 95:17 120:6

aid 4:4

all-blue 125:1

allegation 109:4, 18 110:20 111:5

112:15 113:9 140:7,15,22

allegations 11:6 17:23 18:1,24 19:15 20:20 21:11, 17,21 22:7,10,15, 16,19,23 108:24 109:3 113:15 134:18 139:23,24 141:10

alleged 109:13 110:7,15,23 111:9, 16,21 112:9,19 113:4 140:3,11,18

allowed 9:11

alluding 113:15

aloud 9:10

ambulance 34:20, 22

Amendment 24:17

Amicus 5:2

and/or 18:12 118:3

Andrew 5:5

annoyance 135:3

Ansari 4:1,17,21 5:4,15 6:2,10,16 9:19 10:13,22 11:9,20 12:8 13:1, 13 14:1 15:1,9,14, 20,21,24 16:22 19:5,7,11,24 20:4, 8 21:2,9,15,22 22:3,14,24 23:3 24:2,5,22 25:4,12, 15 26:16 28:20 29:19 30:9,23 31:19,23 32:10,15 33:15 34:11,17 36:20 37:16,20 38:6,12,18 39:3,9, 15,21 40:5 41:21, 22 49:23 50:1 61:21 62:11,16,19, 21 67:23 68:3 69:18,20 77:19 78:1,4 83:14,16,17 85:12 87:8,13,14 90:15,18 95:3,4,9 96:22 97:2,4,11, 13,21 98:4,8,16,17 99:7,9,10 100:11, 14,15,19 101:10, 12,15,16 102:1,10, 13,23 103:2,7,14, 17 104:1 105:8 107:7,20 108:3 109:12 110:1,4,6 113:13 130:10,15 134:20 135:8,16, 22 138:2,4 141:3, 14,16,19,21 142:1

answering 6:24

answers 18:20

anticipating 19:16

Anything's 133:17

apologize 42:18 48:24 67:7 69:10 98:5 111:20

apologized 58:19 128:21

appears 108:21

applicable 17:10

approach 49:7

approached 55:24

approaching 95:20

approximate 30:13 108:9

approximately 24:23 25:7 26:11 54:15 63:4 116:12 126:2 127:9 131:10

April 10:19 11:3,6, 14,17 12:1,12 13:5,17 14:17 97:9

arbitrator 18:2

area 34:3 45:5 56:4 61:15,18 62:12,23 63:1,8,19 64:19 65:16 66:12 67:13 68:19 69:3, 17,18,23,24 70:4, 15,20 72:21 79:20 80:7 83:7 84:17 85:13 86:6,13 87:4 92:2

arguments 20:14

arrive 34:21 67:17

arrived 41:10,13, 14,17 42:14 43:19, 20 44:7 55:17 68:7

Arturo 35:16

assert 18:18 24:16

assign 86:1

assigned 32:23 33:1 48:7 113:21, 23 115:20,21

assignment 23:7, 9 32:21

assist 48:9

Assistant 27:2,12

assisted 44:11,17

assume 134:3

Assumes 37:19

assuming 121:24 125:3

assumption 134:23

assurances 17:7

ate 64:5 65:17 67:14

attach 118:1 120:21 125:21 126:14 136:6

attached 114:8 117:20 118:11 122:2 133:4 137:7, 8,9

attack 75:20

attacked 75:23

attempting 16:6

attempts 82:17

attention 106:23

attorney 5:11 14:20 27:3,13 79:24

attorneys 80:6

attributed 107:10, 14 108:5

audibly 140:19,23

audio 4:12,15,17, 18,19,22 15:6 115:8 118:1,3 126:18,20,24 127:2 129:3,7 132:24 133:16,20, 24 134:9 135:11, 13 136:3,6,9

audio-record 4:6

audio-recorded 29:14

AUSA 27:8

Authority 12:5 27:10

aware 48:14,17 72:22 75:9 76:5 78:11,23 79:1 113:20,22 115:12, 15 129:15,17

B

back 13:20 22:3 34:11 44:24 50:11 52:9,10,17 53:3 54:2 62:19 64:9 74:20 83:6 85:17 93:22 98:6 101:10 103:15 105:1 107:8,11 109:6 110:4 115:1,11 141:19

back-pedaling 74:1,6,7 75:1

background 65:6

bad 65:12 102:5

ballpark 49:8

bar 97:21,22

bargaining 17:11 20:12

based 9:15 18:19, 22 28:15 109:20 129:23 131:20

basic 28:3,4 30:21

basically 26:3,22 34:19 48:10 68:14 75:20 76:13,19 81:7 88:2 120:7 125:1 126:16

basis 7:15 8:7 9:5, 17

battery 75:6,16 76:7 77:15 78:9, 13,17,21 80:23

beat 15:7 32:23 33:1 97:7 98:11

Becerra 35:16 39:22 48:4 65:22 68:10

Becvar 130:18

beeping 125:14, 16 134:24

began 72:7

beginning 26:3 72:10 117:13 125:23 126:13 131:7 140:6,9

believed 140:8, 17,24

belts 120:21

big 68:24

bit 44:23 77:12 83:6 85:18 128:13

black 124:24

blanket 139:9

blinks 137:5

block 100:1

blocked 92:23 107:1

blocking 106:17

blue 95:23 106:24

Bob 15:15,18

bottom 9:21 88:19 100:9 127:24 131:1

bounce-back 123:16

box 125:17,18 134:13,16 135:1

boxes 76:24

break 62:14,18 96:24 109:24 110:3 141:15,18

breath 58:7,9

bright 95:17,20 96:2 104:12

bring 74:11

broken 119:13

build 106:7

building 100:9

buildings 53:10

bullet 93:14

bullet-point 94:19

bunch 76:24 124:23

Bureau 16:15

Burger 89:6 90:22 99:4 105:21

C

C1 137:6

C2 137:6

call 15:15,16 26:4, 10 52:11 53:5 58:2 85:22,24 86:4,6,7 87:2 88:8 105:22 107:3 118:4 121:23 131:13

called 6:6 34:19, 22 127:14

calling 122:23

calls 77:17 85:21

cam 141:5

camera 14:11 53:14,20 58:12 73:6 113:14 114:8, 10 115:3 119:13, 23 120:23,24 121:11 122:1,5,22 123:8 136:21 137:13,19,22,23

camera's 121:15 123:18 137:6

cameras 52:11 53:18 119:8

captain 43:24 44:3,9 45:13 55:12,21 61:12

captured 132:24 133:7,16,20 135:11 136:12

captures 115:7

car 32:23 35:12 44:19,20 45:10 47:23 48:1,11 49:13,20 50:3,20, 22 52:9,17 53:3 54:7,8 56:21 63:9 65:8 75:18,20 78:7 92:20 98:10,24 101:5 103:18,19 114:3,14 123:9 125:15 127:14 136:13 137:11 138:7,15

carrier 126:15

carry 19:19

cars 42:12 56:8 92:2 95:15 115:17 133:23 136:3,10 137:8,9

case 12:19 84:15 87:15,16,23 88:3, 18 107:8

caught 53:18

caused 139:8

CD 12:13,15 13:5, 17

ceiling 137:7,10

cell 23:24 24:6 67:11

central 34:3 45:5 62:23 63:1,8,19 64:19 65:16 66:12 68:21 79:21 84:17

certified 4:3

chain 23:17

change 45:15 55:10,21 61:13 106:9 120:5 137:3

changed 63:10,12 110:18 112:22 115:16

changing 44:12

Chapter 5:18

characterization 22:20

characterized 107:17

charge 125:18

charger 118:7 126:16

charges 17:9

charging 118:8 125:9 127:5

check 115:1

checked 52:11 77:1

Chevy 115:18 120:12

Chicago 5:19 7:14,21 8:1 9:4 16:14,19 17:22 53:19 134:8

chiefs 42:1

choosing 8:19 10:6

City 5:19 16:18 17:22

civilian 47:9 62:8

civilians 47:2

clarify 41:16 135:23 138:17

classroom 119:7

clear 51:17 77:12

cleared 56:4 65:4

click 101:21

close 82:7

Code 5:19

coercion 10:4

collective 17:11 20:12

command 16:9 23:17

commander 15:15,18,20,23 16:10,13,21,22,24 17:18 23:19 44:4 45:18 46:22 61:8 69:4,15

commanders 45:12

communications 31:10,14

complainant 22:18,22

complaining 128:16

complaint 21:3,6, 7

complete 75:5

completely 6:24 92:24

component 134:9

computer 14:15 67:2 71:7 115:2,3 121:7

computers 68:15

concern 104:9 106:18

concluded 142:3

conclusions 73:20

conducted 5:18

conducting 17:24

conference 15:16 68:21

confidential 4:8

confirm 10:16

confrontation 106:22 107:3

congested 92:2

connect 135:12

connected 108:14

considered 56:3, 5 75:18 77:5,20,21 126:19

consistent 82:19 83:2

constitute 7:19 9:4

constitutes 7:13

constitutional 17:6
consult 8:19
contact 123:3
contained 15:8 22:12
continued 111:19,24 113:7
continues 15:4
continuing 112:5 113:11
continuous 96:4 111:12,15
contract 18:14 20:19
contributing 104:13,15
control 47:4 62:5 86:1
controlling 47:4
convenient 126:9
conversation 30:16 46:7,10,11 53:12 59:5 72:12 74:13 81:1 128:12
conversations 58:4 69:14,21 70:1,5 79:15 81:22 82:12,16
cooperate 6:23
copy 18:11 22:8
corner 90:9 105:15
correct 14:8,11 22:17 25:12 27:14, 15 33:19 36:3 37:2 45:16 57:9 60:17 61:15 73:13 74:11 76:7 77:5,6 79:18 80:3 86:23 91:20 99:5 100:8 105:17 106:12 108:22 114:3 115:8 118:17 122:24 123:23 125:4,5 132:10 135:13 136:1,21 138:19, 22,23
correcting 83:16
correctly 122:1 126:18
correspondence 22:6
counsel 5:24 8:18,21 10:2,6 16:2 17:20 87:12
counter 76:21
couple 32:17 35:18,24 53:1 55:8,22 57:11 69:6 71:16 84:7 88:24 89:13 92:11 93:24 98:2 101:10 103:15 129:20,21
court 4:3,6,9 5:2, 4,22 6:3
court-reported 16:1
covered 128:13
coworker 37:15 40:14
Coworkers 38:11 39:2,14
CPD 10:18 12:19 41:23 87:20 135:12 136:5 140:5,13,20
cradle 125:18 127:6
cradles 118:8 125:9
creating 131:6
crime 35:5 47:6 56:3,6,12
criminal 8:13 17:9
cross 10:5
crossed 56:9
crowd 47:4 62:5 86:1
Crown 115:18 120:9,19
CSR 93:7
cubby-holes 68:18
curb 44:21 50:4 54:12 105:24
current 23:7
cursing 58:12
cussing 58:7,8
custom 4:5
cut 92:24

D

damage 114:24 117:15
damaged 119:13 140:14
Dan 79:24 80:5,19 81:4
Daphne 35:10 65:20
dash 73:6 113:14 133:24 141:5
dashboard 137:8
date 4:24 23:12 24:14 30:13 36:9 97:17 116:23 127:11 142:6
dated 10:19 11:6, 17 12:19 13:8 127:17
David 44:4 48:16 111:23
day 32:23 33:3,11 37:10 42:13 94:22 117:23 122:11
days 30:4 132:6
December 30:15
decided 18:2
defensive 128:19
delayed 8:22 131:24
deliberately 9:3
Dennis 44:3,9 45:14
department 7:14 8:2 16:15 117:13
Department's 7:21
depository 53:15, 19
describe 25:22,24 56:22 60:10,13 99:16 101:13
describing 76:20 91:13 121:13
description 81:15
desk 122:2,17,20, 23
detail 26:6 90:2,5 91:13 120:4
details 26:23 92:3 93:19,20
detective 12:21 13:9 27:10,21 46:20 47:20 48:12, 15,21 49:1,11 51:1,11 57:17 88:10 109:15 110:9,17 111:1,11, 18,23
detectives 42:2, 24 43:21,24 45:3, 7,12 46:5,9,15,18 47:17 48:2,5 49:3, 7,15 50:7,17 51:3, 15,20,22,23 52:16, 21,23 53:2,17 54:2 56:20 57:1,6 59:11 60:16 63:22 64:1

70:12,17,18 71:2, 10 72:14 73:18 74:4,11,14,18,22 76:3 77:3,8 79:9 88:13,14 89:9 91:3,8 94:3,23 96:6

detectives' 52:9 73:12

differ 27:20,23 115:4

differed 28:1

difference 87:23

differences 28:6, 17 115:19 120:14

differently 137:6

direct 14:23 15:4 16:16 17:1,17 47:9

directing 47:13 62:8

direction 105:17, 18 110:18 112:23

directly 104:17

disabling 134:8

discharge 7:15 8:8 9:6

disciplinary 8:7

discontinued 4:13,20,23

discussed 41:11 109:22

discussion 22:1 34:9

dispatch 85:21

dispatched 131:14

district 23:8,11 32:21 41:1,6 85:3 116:7

document 9:11 10:18,24 11:2,5, 11,13,16,22 12:9, 11,15 13:2,4,14,16 109:10

documents 13:22 15:8 28:12 29:8 48:14 87:11 109:7

Doit 123:4

Donuts 14:11 70:22 71:6 73:4,12 79:10

doors 120:20

Dora 35:19 40:11 65:22

download 57:12 58:11 127:16 128:15

downloaded 55:20 57:16 58:17

downloading 55:4

drafted 22:11

draw 65:12

drive 56:21 63:17

driver 33:10 124:13

driving 115:1 136:19 137:18 138:6

drop 54:2,5 136:14

dropped 56:23 57:6

drove 53:6,17 63:9,10,13,14 95:18

due 129:24

Dunkin' 14:10 70:22 71:6 73:4,12 79:10

duress 17:15

duties 114:13

duty 6:22 23:15 117:13 140:6,21

DVD 97:10

Dyke 32:5 35:9 37:12 42:20 43:3, 14 45:23 48:4 59:17 60:10 65:20 68:9 71:1,3,14 72:13 73:19 74:14 78:14,16,19 79:10, 12 80:21 103:9 111:2,19,24 112:13 113:7,11

E

e-mail 31:11,15 130:12,16,18

earlier 64:17 135:11 136:3

early 30:15

easier 44:24

eastbound 89:5 90:22

employment 20:11

empty 86:21

end 26:4,22 30:15 72:11 94:22 106:7 122:8

engaged 59:4 128:10 129:24 131:19

engaging 58:13

ensure 82:17 117:19 140:4

enter 114:14 116:20 117:15 127:18 130:12

entered 32:12 114:22 118:10 119:10

entering 115:10 118:13 133:10

entitled 10:18 11:5,16 17:6 20:17

equipment 134:4

Escalante 21:4, 10,21 22:6,17

essentially 15:2 56:17 89:17 92:13, 17 106:17 128:10

evening 16:18 26:24 29:10 51:21 125:6 133:12

events 140:20

eventually 113:15

evidence 8:6 32:12 53:21 54:15, 21 57:5,7 64:23 65:2,7 66:24

eviscerate 20:15

exact 22:14

EXAMINATION 6:9 32:18 33:14 62:1 85:15 87:7 105:11 107:6 113:18 135:7 139:20 141:2

examined 6:7

excerpt 12:18

excuse 105:18 115:10

exempts 42:8

Exhibit 10:10,11, 17,20 11:5,7,16,18 12:3,6,18,22 13:7, 11 87:13,15 88:7, 17 116:21 117:1 127:18,19 130:12, 13

exhibits 10:15,17 13:20 14:4 27:4 87:10 109:6

existed 115:15

exit 103:9

exited 138:16

expect 134:4

expecting 92:1

experienced 122:15

explain 76:11 95:1 114:6 131:18 132:24

explained 78:3

explaining 72:13

extent 18:17

extra 100:4

extremely 96:2 128:3 130:6,7,9

F

faces 52:19

facing 95:13 103:19 106:11,13

fact 17:22 18:23 27:17 28:13

factor 104:13,15

fail 140:16,23

failed 110:17 111:1,24 112:12, 22 113:7 140:4,12, 19

fair 22:13,20 122:13

fall 103:4

false 7:22,24 9:2 109:14 110:8,13 111:10,14,17

familiar 116:15,17

fashion 6:1

fault 139:3

FBI 30:1,5,11,17 32:11

February 116:23

federal 18:13 24:10,18 28:14,18 29:1,24 30:2 31:4

fell 111:20 112:1 113:8,12

file 75:15 97:14,15 130:9

filed 18:5

files 15:7 128:3

fill 60:6 76:1,6,14, 17 77:4,14,15 78:6,23 79:5,8 80:22

filled 6:13 84:1

filling 76:9 77:8 78:12 79:3

fine 19:21 62:15 101:15

fingerprints 54:23 55:1,67:1,16 80:9 83:9 86:23,24

fired 94:2 106:12 109:17,20 110:11, 14

flat 44:12

floor 63:22 64:3 67:12 68:12

focus 34:1

focused 73:23

Fontaine 35:20 40:11 65:22 68:10

food 53:15,19 65:17

footage 53:10 97:16 98:1 119:21

FOP 60:19,22 79:24 80:1,2,3,5, 14,18,20 81:1,17, 19

Ford 115:17

forget 35:12

form 6:12 11:17 12:14

forms 13:21 60:6 77:4,9 78:6

forward 17:2 20:15 21:15

found 129:12

Franko 23:21 42:5,10,14,16,17 43:3,15,19 46:4,23 51:8,10,14 59:16 61:7 66:4,5,7,8 69:1,22 76:3 77:3, 8 79:7

Fraternal 18:4

front 92:21 98:24 104:7,8 117:4 119:21 137:1,19 138:8

fruits 8:12

full 89:4

fumble 139:8

fumbling 58:22

function 126:18

functioning 126:20 141:1

G

G-a-f-f 33:8

G-a-f-f-n-e-y 33:9

Gaffney 31:11 33:6 35:11 36:3, 15,16 42:22 51:4 53:3 63:15 68:11 71:17 76:6 77:13, 23 78:5,20 80:22 82:13 84:20 107:10 108:6 119:12 124:5 133:13 139:14

Gaffney's 136:16

game 54:19

Garrity 17:19 20:16

gave 48:10 50:6, 12,16,24 52:10,14, 15 56:19 67:22 68:1,5 80:9 81:13 83:18 89:11

general 4:11 5:9 6:23 10:1 13:7 15:21 16:4,18 17:8 18:6,10,14 20:12, 23 21:7 22:11 88:7 89:2 97:9

General's 16:12 17:23

generally 87:19 120:22 124:1 132:15

generated 121:17 123:10

gentleman 128:14

Gerald 23:22

giant 68:14

gist 46:14

give 48:17 50:10, 11 67:22 81:6 89:15

giving 15:4 16:16 68:8 80:8 84:10

glove 125:17,18 134:13,16 135:1

good 16:21 62:13 105:13

govern 115:13

GPR 88:9

Grand 18:10,11, 15,18 24:10,17,18, 24 25:8,17 26:1 27:2,4,19 28:7,14, 17 29:1,5,17,21 30:2,10 31:1,2,3,5, 12,20,22 32:2,7,16

granted 17:19

great 74:3 142:1

green 91:24
grievance 18:5
ground 96:16 103:5 111:20 112:2 113:8,12
guard 65:9
guarding 61:13
guess 44:17 47:6 72:3 84:16 87:22 88:5 93:6 94:24 121:9 131:20,21 135:5,23 137:12
gunfire 96:4 111:12
gunshots 92:17 94:2 104:10 109:16,17 110:10, 11 111:15
guy 44:17
guys 46:13 60:6 64:9 68:13,22 73:22 83:8,19 86:19

H

half 49:9 55:19
hand 5:22 6:12 34:16
handing 126:1,15
hands-on 44:16
handwriting 128:5
hanging 69:7 70:6
happen 55:7 60:5 81:9,24 107:16 125:2,3
happened 26:13 27:13 29:9 30:22 34:2,3,7,18 42:2 43:9 44:20 46:16, 18,19 51:21,24 52:4 53:7,16,20 55:3,9 56:1 57:1 60:1 62:23 64:4 67:15 72:13,18 74:16 75:10 82:13 89:12 92:11 94:5 95:5,7 102:16,17 105:14 110:21 113:3 123:5,11
happening 112:8
hard 49:8 58:24 128:4
He'll 95:8
head 104:24
heading 106:18
heads 89:15
hear 15:22 43:2,12 60:10,13 74:15 104:8 111:15 133:22 135:10 136:2
heard 74:10,13 92:17,21 94:1 95:14 106:24 109:16,19 110:10 129:6
hearing 92:22 129:9
held 118:22
helped 45:15 55:21 61:12
helpful 49:10
helping 44:20 80:20
Herbert 79:24 80:6,19 81:4
Hey 128:20
hit 93:14
hitting 75:13
hold 21:14 126:11 130:24
holder 125:24 126:4
holders 125:21
holding 26:11 67:11,13
home 14:15 85:4,6
hood 48:11 49:13, 20 50:2 56:20
hour 25:14 49:9 54:16,18 55:19 57:5,7 64:20,21
hours 20:3,4 23:14,15,16 55:8, 22 57:11 61:12,19, 20 63:1 84:7 127:17
HX475653 12:20 13:9
HY475653 130:17

I

IAD 11:2,13,24 12:11 13:4,16 15:15
idea 48:23 94:23
identification 10:12,21 11:8,19 12:7,23 13:12 117:2 127:20 130:14
identified 53:18
identify 5:6 53:13
immediately 33:21,23 34:5,14 62:3 110:22 140:12
immunity 24:24 25:5
important 93:19
impression 129:5 132:8
in-car 14:7 97:6 114:4,7 115:2 116:4,22 117:14 118:16 124:19 136:20 139:24 140:4,13,20
inaccurate 9:2
incident 25:22 26:1 53:19 75:7 131:8,11
incidents 81:16
included 14:6,10 90:5 91:14 94:16
includes 6:24
including 4:10 8:8 53:19
incomplete 9:3
incorrect 107:16 108:8
incorrectly 107:17
independent 4:2 12:4 27:9 48:13
independently 66:3,9
indicating 97:17 101:6
individuals 5:6,15
information 4:2 133:8
informed 17:6
initial 64:12
initially 106:12
ink 67:2,3
inoperable 140:14
inquiries 19:20
inside 75:22 78:7
inspect 117:14 119:16
inspection 114:23 119:11

Inspector 4:11 5:9 6:23 10:1 15:21 16:4,12,18 17:8,23 18:6,10,14 20:23 21:7 22:11 97:8

instance 123:5

instances 134:12

instant 72:7

interactions 82:14

interfere 81:2

Internal 16:15

interrogation 18:7

interrupted 67:7

interview 4:4,7 5:20 6:21 8:6,12, 19,22 10:18 12:4 13:10 14:3,17,21 15:5 16:1,6 18:1 20:5 48:10 67:10, 19 79:20,23 80:10 81:2,24 82:15 109:15 110:9 111:11,18,23 112:11,21 113:6 142:3,6

interviewed 52:20 79:17

Interviewee 5:13, 24 6:4,6 16:20 17:4 24:3,20 25:2, 10,13 26:9 28:10 29:18 30:7,19 34:13 36:18 37:14 38:4,10,16 39:1,7, 13,19 40:1 41:18 68:1 69:19 78:2 85:10 87:12 102:8, 11,20 103:3 104:23 105:5 107:21 108:1 109:11 130:2,8 134:22

interviewing 48:2,6

interviews 28:18 68:8 84:11,14

introduced 27:4

investigation 5:18 6:22 17:24 18:4,5 20:10 42:4

investigator 5:8,9 6:14 10:8 13:23 16:3 112:11,21 113:6,16

investigators 9:24 18:13 30:1

invoking 17:18

involved 64:16 73:16 76:20 82:11

IPRA 27:24 28:7 17 29:11,15,22 67:17,18 68:2,5 79:17 81:2,18 82:15,18,24 83:1, 5,18,22 84:3,5,12 112:11,21 113:6

issue 22:5 121:13 135:3

issues 18:3 122:15 124:19,20 125:3 132:21 138:21

J

J-e-n-n-i-f-e-r 5:11

J-o-s-e-p-h 5:14

Jackson 119:2

jammed 58:15 128:18 129:2,8 139:1,6

Janet 35:9 65:21

January 30:14,15

Jason 35:9 65:20 71:1,3 72:6 74:7 78:14,19 80:18

Jennifer 5:10 16:2 96:23

Jersey 17:19

job 17:12,16 48:7 86:2

jobs 85:18,19,20

Joe 34:15 35:9 65:20 70:24 72:6 74:1,5,7 78:19

John 21:4,21 22:6

Jonathan 130:19

Joseph 5:13,20 6:5 16:1,16 71:3

July 130:18

June 24:15

Jury 18:10,11,15, 18 24:10,18,24 25:8,17 26:1 27:2, 4,19 28:8,14,18 29:1,5,17,21 30:2, 10 31:1,2,3,5,12, 20,22 32:2,7,16

K

K-l-i-m-a-s 16:14

K-o-c-h 23:22

kick 34:16

Kildare 26:12 108:12

Killen 112:11,21 113:6

kind 10:4 19:11 23:18 26:18 34:1,3 35:4 42:2,11 44:15,16 45:2,4,5 46:6,12,13 48:5 50:11 51:8,10 52:10 53:7 54:19 55:24 56:15,21 58:2,6,12,21 60:1, 3 62:5 64:10 65:9, 12 66:22,23 67:17, 21 68:8,11,15,19, 21,22 70:7,23 71:5,7 72:7,16,17 74:5,15,20 76:20 77:11 81:5,6,11, 13,20 87:21 89:11 90:19 93:10,15 100:1 101:2,14 116:14 131:24 135:11

King 89:6 90:23 99:4 105:21

Klimas 15:15,18, 19,20,23 16:10,13, 14,21,23,24 17:18

knew 79:3 119:24 123:15

knife 34:16 78:9, 21 136:14

knowledge 132:12

Koch 23:22

L

Lance 130:18

lanes 50:5 54:12

laptop 97:14

Laquan 16:7 24:11 25:19 31:1, 7,15,24 32:6 33:18 34:16 35:8 41:8 53:23 54:1 62:24 72:3 78:8 82:14 103:12 104:19 106:1 113:3 114:15 131:8 138:11

large 128:3 130:7, 9

lawyer 80:18

lay 33:24

lead 113:16

learned 133:11

leave 47:10,14 84:1,6,8,17,19 121:18 127:5,10

LED 96:1

left 34:6 45:4 64:5 65:17 84:2,22 101:2

legal 8:18,21 10:2, 6

legally 20:17

Leticia 35:13 40:7

letter 21:3,6,7,10, 18,20 22:8,12,16

levied 19:15

Lewin 130:19

lieu 21:3

lieutenant 23:19, 21

light 90:11 91:17, 23,24 92:20 95:14 99:21,22 100:2,4, 21 104:9 106:8,11, 17 137:5

lights 95:16,22,23 101:7 104:12,16 106:24

lines 56:9 58:14 59:6

lingering 51:11

listed 22:15,16 78:20 109:3

listened 29:11,14, 22

live 119:4

located 5:2 63:19 68:13

log 114:22 115:1,2 119:19 125:4 132:15 134:3

logged 123:15,16, 17 124:23 132:17 140:9

long 8:22 25:7 36:5,10 37:17,22 38:19 40:21 41:5 43:4,7,10 49:6 52:24 54:14 55:6 61:17 67:18 68:2,5 80:2 84:4 116:3 119:22 122:5 128:11 129:10 131:6 132:2

longer 122:16 125:22 126:8 131:21,22

looked 48:21,22 49:4 53:14 83:11 106:1

lose 17:12,16

lost 102:2

lot 47:2 59:21 64:22,24 84:23 89:6 90:22 99:5,17 105:17,19 133:3

luck 65:12

lying 96:16

M

M-c-e-l-l-i-g-o-t-t 5:14

mad 59:2,3

made 8:5,11 10:3, 4 15:17 17:14,16 18:12 27:17 65:6 93:13 95:21 109:14 110:8,16, 24 111:10,17,22 112:10,20 113:5 126:9 128:17 129:15 139:9 141:11

main 68:12 73:16 87:3,4 118:24

make 19:2 20:23 56:16 65:9 73:19 77:12 82:17 83:1, 15 84:13 89:8,18 96:18 105:13 111:6,14 112:6,16 113:1,10 119:17

making 7:22,24 17:21,23 19:3 56:8 89:21

manner 44:17

March 12:19,21 27:10,21 48:16 109:15 110:9,17 111:1,11,18,23

March's 13:9

mark 10:9,14

marked 6:12 10:12,21 11:8,19 12:7,23 13:12 117:2 127:20 130:14

Marking 10:17 11:5,16 12:3,18 13:7

Mars 95:16,22 101:7

material 110:16, 24 111:6,22 112:7, 10,16,20 113:1,5, 10

materials 14:3,6, 18

matter 4:1

Mcdonald 16:7 24:11 25:20 31:1, 8,15,24 32:6 33:18 35:8 41:8 53:23 54:1 62:24 72:3 75:11 78:9 79:18 82:15,20 89:5,7 90:21,23 91:7,20 92:16 96:16 100:24 101:1,17 102:3,24 103:12, 20 104:20 106:21 110:17 111:2,19, 20 112:1,13,22 113:3,8 114:16 131:8 138:11

Mcdonald's 34:16

Mcelligott 4:12, 14,22 5:13,20,21 6:2,5,11 9:20 10:11,14,19,20,23 11:7,10,18,21 12:6,22 13:10,11 14:2 15:10 16:2,5, 11,16 23:4,23 24:9 32:20 62:22 89:6 90:23 91:6,18 92:15,16 94:1 96:16 97:9,24 98:9,18 113:20 117:1 124:10 127:19 130:13 141:4

Mcelligott's 12:21 20:11

Mcnaughton 44:5 45:19 46:22 61:8 69:4,15

means 121:5

media 97:14,21,22 129:13,18,22

median 101:2

member 10:19 117:13

member's 117:20

members 41:24

mentioned 59:17 74:5

message 121:7,8, 10 122:4 123:17 124:15

Michael 124:5

microphone 120:17 125:24 126:4,11 133:9 134:16

microphones 118:4,12 120:19 121:12 125:7 127:5 133:4,13 134:13,23

middle 90:12 91:6, 19,22 101:1 103:6

midnights 40:12

Mike 37:8

mind 92:11

Mine 136:17

minute 117:6 130:20

minutes 43:5,6,8, 11 49:8 53:1 97:16 131:12

mischaracterizing 135:17,24

misconduct 8:7

misinterpretation 93:16

misquoting 138:20

missed 93:4 129:7

missing 92:4,19 93:7,24

Mondragon 35:10 38:22 65:21 68:10

month 123:10

months 30:4,8,10 37:24 129:21

morning 85:7

mouth 22:10

move 17:2 21:15 33:16 59:9 62:11 70:10 113:13

moved 111:2 112:13

multiple 92:17 94:1 109:16,19 110:10

mumbling 58:7,8

Municipal 5:19 9:4

N

named 48:3

names 5:7 35:11, 12 45:9 47:16 48:18

narrowly 18:23 19:3,14

nature 30:16 132:14

necessarily 22:12 89:20 137:13 139:7

needed 53:22 64:23 65:8 84:9,15

news 28:18 141:6, 7

night 23:20 26:14, 18,22 27:13 31:17 33:16,19 34:1 45:2 52:4 57:1 60:2 62:23 66:17 69:15, 22,23 73:9 74:16 78:13 79:18 81:8, 20 82:14 85:19,22 89:9 114:19,20 115:5 120:10,23 121:24 122:14 123:14 129:16 132:18 137:17 138:6

non-operational 122:5,22

northbound 95:13 106:11,14

northeast 105:16

note 15:5 20:18 22:21,24 88:11 119:11 128:2 129:23 130:1

note-taking 94:21

noted 19:19 21:11 120:8

notes 13:9 48:11 49:12,16,20 50:2 51:12 88:15 94:21 95:1 128:1

notice 14:16 16:5 104:2 109:3,9 119:12 141:10

Notification 10:18 11:6 21:11,17 22:15

notified 123:12 126:23

notify 121:3,5 140:12,16

number 10:15 12:20 13:8 15:7 23:5,24 24:6 113:22 114:1 121:17,19,21 123:12,13,14,18, 19,20 124:11 130:17

numbered 22:15

numbers 123:10 124:24

O

oath 6:7

objecting 17:22 18:1,8,22

objection 19:1,2, 11,13,18,20 20:15 22:22,24 24:1,19 25:1,9 26:8 28:9 30:6,18 32:9 36:17 37:13 38:3,9,15,23 39:6,12,18 77:17 85:9 134:17

objections 17:21 19:8,17 39:24

obligation 7:6

obtain 8:21 117:18

obtained 20:21,22 21:1

occur 126:12

occurred 34:15 47:3,5 63:2 81:20 123:7 131:11

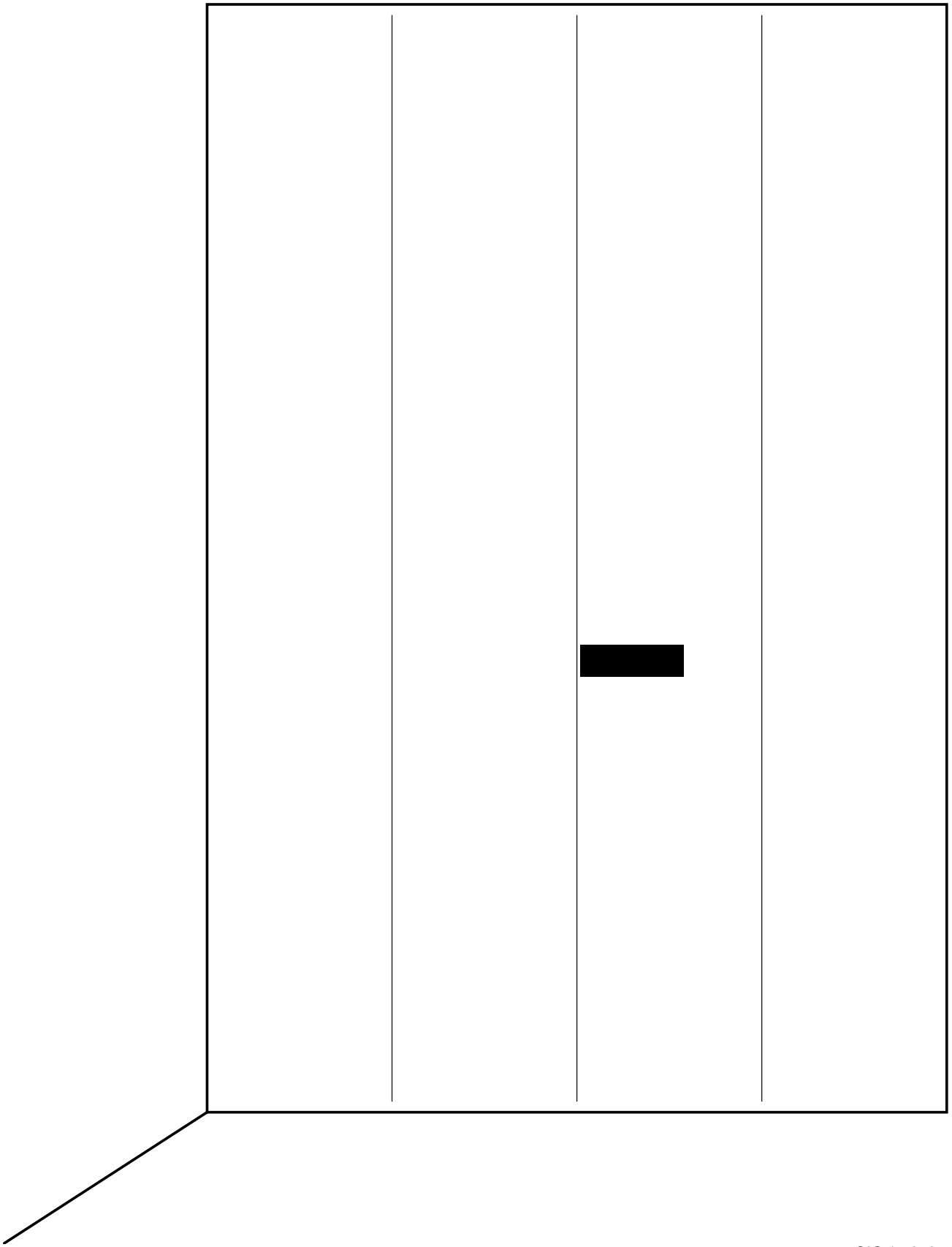
October 12:4 13:8 23:10,18 24:7 29:10 31:17,22 32:20 33:17 37:12 38:8 52:1 75:7 89:9 109:14 110:8, 16,24 111:10,17, 22 112:10,20 113:5,22 114:19 115:12,22 116:3 117:22 119:10 125:6 127:17 130:17 131:8 134:7 137:17 140:3,12,19

offender 26:11 136:14

offense 139:10,14

office 4:10 5:9 6:23 9:24 15:21 16:4,11,18 17:8,23 22:11 68:14 97:8

officer 4:12,14,22 5:12,13,20,21 6:2, 11 7:9 9:18,20 10:14,23 11:10,21 12:20 13:10 14:2 15:10,12 16:1,5,9, 11,16 17:2 19:16 20:10 21:5 22:8, 20,23 23:4 24:9 31:11 32:5,20 36:3,11,14,16 37:11 38:7,19,21 39:10,22 40:7,11, 18 42:14,20,21 43:3,14,17 45:22 51:4 53:3 60:10,13 62:22 63:14 68:11



portion 97:5
posed 16:17
position 101:8
positioned 137:7
possession 18:15
postpone 18:6
practice 4:6 126:3 127:5,7,9 134:8 135:12 136:4,5
pre-discussion 82:22
preface 17:4
preliminary 4:1
preparation 14:21 29:20
prepare 14:2
presence 47:8
present 4:3 5:6,16 8:19 10:2,16 27:3 32:11 33:18,20 35:20 51:4 79:23 82:20 83:3
presented 29:2
pressure 10:4
pressured 83:1
pretty 26:21 30:20 65:3 119:24 122:10 125:11 129:12 133:7
previous 125:15 132:2,5
primarily 19:22
prior 18:9 28:24 29:3 37:12 38:8 82:24 92:11 110:18,22 111:3,7 112:13,18,23 113:3 114:24 115:22 127:11 131:7,11 132:14
probable 17:9
Procedural 70:10
procedurally 81:23
procedures 117:10 119:15
proceed 20:16 21:19
proceeding 8:14 9:17 17:9
proceedings 142:5
process 121:1 122:6 123:4 133:9
processing 128:3 129:24 130:3,5
product 4:9
progress 13:7 88:7
prohibits 7:22
project 97:15
promises 10:3
properly 119:18 121:14 139:16,18 140:5,9,10,17,24
property 4:9
protect 56:12
protection 35:5 56:3,6
provide 4:3 11:2, 13,24 12:11 13:4, 16 17:13 18:11 20:23 21:8,10,12, 16,19 25:16 26:6 82:18 87:9
provided 4:10 12:16 14:4,18 16:5 18:10 20:13,21 28:14 82:19 97:9 125:22
providing 4:2
proximity 90:3
Pulaski 44:22 50:4,5 90:7,9,12 91:6,16,19,22 92:16 101:2 103:6 105:15,21 106:5
pull 121:20 122:6
pulled 121:19 122:17
punctured 53:23
puncturing 75:13
purpose 88:3
purposes 19:4
pursuant 5:17
pursued 89:7 90:24
pursuit 91:7,19 92:16
put 7:6,8 10:15 20:14 22:9 117:4 125:18 134:13,15 135:1 137:13

Q

question 19:1 24:2 26:13,14 27:16 39:22 40:6 41:16 78:1 101:22 134:20 137:21,24
questioned 18:17
questioning 18:22 19:10,14,24 113:16 141:13
questions 6:24 7:6,8,9 9:2,24 15:11 16:6,8,12,17 19:17 25:19 32:15 35:18,24 61:21 85:12 89:2,17 98:2 105:8 113:14
quick 109:24 141:15
quickly 64:9 122:11
quiet 134:24

R

R-u-s-s-e-l 5:11
R815 133:1
R8489 115:21
Racine 119:1
raise 5:21 19:9
raised 18:3 22:7, 23
raising 22:5,19,21
ramp 90:7 100:10
ran 53:7 89:5,7 90:6,11,21,23 91:6,18 92:15
Raul 16:3 97:10,13 101:11
RB 130:17
reach 91:22
reached 91:17,23
read 6:17,20 9:10 17:3 107:12 128:4
Reading 130:23
ready 88:22 106:8
real 46:12 67:2
realize 58:20
realized 58:20
reason 94:16 132:20 133:15,19 134:15
reasonable 8:20
reasons 94:12,18 95:11,12 109:20
recall 24:14 26:2 28:6 32:4 35:2,3,7 37:24 41:12 42:10, 12 43:10,16,18,22

45:2,11 49:4,17,18 50:14 51:6,14 52:19 53:15,21 55:4 57:21 58:2 59:14,19 60:8,21 62:4,7 66:3,9 69:6 70:5,21 71:15 73:1,3,5 74:19 76:8 78:15 79:15 80:4,12,16,17 81:21 82:6,16 84:18 85:8,11,19 86:18,20 89:10,20 91:3,7 94:18 101:3,4,5,7 103:4 106:9 112:5,6,7 113:11 116:6 117:21 118:12,20, 21 119:5 120:10 123:4 124:20 126:2,22 127:3,8 128:12 129:9 131:6

recapping 60:1

receipt 10:17 11:17 13:21

receive 86:7

received 15:6,8 17:7 21:4,6,10 26:4,10 86:5 118:15

receiving 14:16 17:1

recollection 18:19 26:18 28:15 29:9 77:24 116:10

record 4:21,24 5:7 10:7,16 15:5 19:19 20:9 21:23 22:2,3, 21 23:1 34:8,10,11 51:18 62:17,19 76:11 99:4 103:2 110:2,4 114:6 124:8 140:19,23 141:16,19 142:1

recorded 97:18 129:11 138:1

recorder 117:19 118:1

recorders 118:3

recording 4:8,12, 15,17,19,23 119:17 136:23,24 137:4,19,22

recordings 140:24

recover 53:22

recovered 97:6 133:1

red 137:5

redescribing 74:15

referencing 129:3

referring 139:17

reflect 4:21,24

refresh 29:9

refusal 7:11,12 9:1

refuse 7:7 17:12, 17 24:17

refused 18:6,11

refusing 6:3,6 9:18 15:10 16:8

regular 37:2 87:22 104:24 115:24 116:2 127:4,7,9 135:12 136:4,5

regularly 125:11

regulation 115:13

Regulations 7:14, 22

relates 20:10 131:2

relation 36:5 44:19 72:3

relationship 36:21 37:11 38:7, 21 39:10,23 40:8

relax 81:5

released 129:20

relevance 19:23 77:17 85:9

remain 7:5 17:7

remaining 139:23

remember 26:7, 10 30:13 42:6,9 43:23 44:4 47:16 48:20 56:2 57:15 58:13 59:1 63:4 64:17 70:24 73:24 74:8 76:9 82:6 86:8 103:5 123:8 125:23 128:16

remote 117:18

removal 8:8

rep 81:2,17,19

repetitive 109:1

replay 72:8

report 7:20,22,24 12:19 13:8 23:18 75:6,16 76:7 77:14,15 87:16,17 88:4,8,12,18 107:9 121:2 126:21 128:7

reporter 4:3,9 5:5, 22 6:3

reporters 4:6 5:2

reporting 137:23

reports 27:3 28:19 29:2 32:12 78:12, 13,17,24 79:6 80:22,23 87:24 88:10 95:2

representation 9:16 20:24 22:13

representative 8:18,21 10:2 80:1

representatives 60:19,22 80:6

represented 20:21 22:9

reps 80:5,14,20

request 4:11 15:2 21:9 25:5

requested 4:22 18:8

requesting 21:2

require 20:19

required 77:13 78:6 126:17

resisting 76:20

responded 139:13

responding 133:23

response 7:19 75:6,15 76:6 77:14 78:12 80:22 109:4, 18 110:12,20 112:4,15 113:9 140:7,15,22

responses 111:4

responsible 47:3

result 8:1

retrieval 127:14 128:8

retrieve 139:4

retrieved 71:21 129:6

retrieving 139:8

returned 87:1

review 9:11 12:5 14:3,13,14,17 21:7 27:9 28:12 29:1,8 88:21 130:21

rewinding 74:21

Ricardo 40:18

Rick 35:23 65:21

rights 6:13 9:10,

15,21,22,23 10:8 17:6 18:13 20:13 24:16

road 91:6,19

Robert 16:13 33:2 92:24 98:14 99:2,3 104:7,18 113:21 133:1

roll 131:16

room 67:4,9,10 68:12,21,24 83:10 86:18,20,21 87:3

rotate 37:4 124:3

roughly 122:6

rows 68:15,16

Rule 7:20

rules 7:13,21 115:13

run-down 52:10 81:6 89:11

running 72:16,17 98:19 99:4,12,16 105:16

Russell 4:16,18 5:10 9:15 14:22 15:3 16:2 17:1 18:21 19:6,9,13 20:2,6,18 21:5,13, 19,23 22:5,18 23:2 24:1,19 25:1,9 26:8,13 28:9,12 29:16 30:6,18 31:18,21 32:9 34:8 36:17 37:13,19 38:3,9,15,23 39:6, 12,18,24 41:16,19 49:22 62:13 69:17 77:17,22 83:11,15 85:9 90:13,17 94:22 95:7 97:1,3 100:18 101:22 102:9 103:1 104:22 105:3,7 107:18,24 109:24 114:15 122:20,23 123:1 130:1,6 133:17 134:17,21 135:15,20 137:21 138:3 141:13,15

S

S03-05 116:21

safe 124:13

Sam 116:16

Sarah 5:4 15:20

scattered 68:16, 23

scene 31:17 34:2, 6 35:1,5,8 41:11 42:15 43:8,20 44:5 45:7,19 46:2,17 47:5,6,10,14,17 52:7 55:15,18,23 56:2,3,6,13,22 57:3 59:11,16,22 60:3,7,9,16,20,23, 24 61:2,5,12,22 62:8 64:9,18 65:3, 10 70:2,3,13,14 74:23 80:3,4 83:3 86:10,11 92:1 93:5 95:20 106:19,20 127:17 128:14 133:24 135:10

scheme 93:20

Scratch 49:14

screaming 58:21

screen 97:15 104:3 114:10 119:16,20 124:24 125:1 136:20 137:1,2,3 138:7,8, 11

scroll 127:24

seat 115:1 120:20

seats 68:16

Sebastian 35:10 39:11 65:21 68:9

seconds 91:23 92:19 93:24 97:16 98:1 101:11 103:15

section 113:17 117:9

securely 117:20

security 14:11

send 121:7 122:4 123:17

sending 124:14

sentence 90:14, 16,17,21 91:5 94:9 96:3

sentences 89:1, 14 92:18

separate 46:8,10 52:6 83:10 88:6

separated 86:14

separately 50:15 71:5

separation 8:1

sergeant 23:19,20 42:1,5,16,17 43:3, 15,19 46:4,23 51:8,10,14 57:19 58:21 59:3,16 61:7 66:7,8 69:1,22 76:3 77:3,8 79:7 121:3,6,19,20 122:5 123:3 124:15 128:23,24 138:18 139:15

sergeants 122:16

serve 7:15 9:5

service 10:15

shift 23:15

shoot 111:19 112:1,6 113:8,12

shooting 16:7,8 24:11 25:20,22,24 27:20 31:1,8,16,24 32:1,6 33:17,22,23 34:5,15,24 35:1 41:13,19 43:4,8 44:14,19 45:4,15 47:3,5,18 49:6 55:6 59:13 60:11, 14 61:1,17 62:3,24 63:2 64:15,19 66:18 70:7,19 75:10 79:18 80:3 82:3,5,9,21 92:10 94:11,15 95:11 110:19,22 111:3,8 112:14,18,24 114:16

short 40:2 100:1 114:23

shortened 92:6,9

shortly 43:24 52:14 128:21

shot 33:19 35:8 41:8 96:5 103:12 111:12 113:3

shots 92:21,22 94:2 95:14,21 104:8 106:11,24 107:2 109:19,20 110:14

shoulder 70:23 71:18,19 73:13 83:12

shouting 136:14

show 96:22 97:5 127:13 130:11 138:8

showed 71:8 74:5 119:8,20

showing 44:15 71:9 74:21 119:22

shown 73:9 98:3, 10,15 99:8 100:13 102:7,19 103:16, 23 129:14

shows 114:10

shy 108:10

side 50:22 67:3,9 114:9

sidewalk 91:15 99:19,20 100:23 105:23

sight 102:3

sign 9:20 10:7,9 58:2

silent 7:5 17:7

similar 139:22

simply 19:18

single 19:1

sir 16:20

sits 28:16

situation 81:10 93:21

slight 115:19

slightly 28:2,4 93:13 114:9

slips 84:1

small 86:21

socialize 36:15 38:1,13 39:4,16 40:15,19

socializing 40:4

software 114:10 120:14,15

sort 47:7 73:14 74:2,9 76:19

sound 35:15

sounds 35:14,17

southbound 50:5 54:11,12 106:3

southeast 105:18

spare 44:16 84:24 85:2

speak 14:21 29:24 30:5 32:5 41:10 42:15,21 43:3,15, 17 44:9 45:18 46:8 81:17,19

speaking 41:12 42:18,20 45:22 46:1 48:15 59:12 71:2 120:22

Special 116:15,21

specific 22:10,19 24:14 26:5 36:9 79:15 80:12,17 81:21,22 84:18 85:8 123:5,8 124:20 126:23 127:2

specifically 21:21 28:11 32:4 42:13 45:11 58:6 59:14, 16 70:24 71:15 74:8 87:18 89:10 93:10 96:7 112:5 113:2 116:22 117:8,9,12 120:15 139:7

specifics 90:11 119:6

speculation 77:18

Speed 19:5,6

spell 5:7 33:7 124:7

split 48:5

spoke 42:23 43:12 44:11 45:7 46:4 47:17,24 48:12,21 51:19,22,23 80:17 81:18

spoken 51:20 52:1 80:18

squad 48:11 49:20 50:3 52:9 53:3 92:2 95:15 103:18, 19

stabbed 54:1

stand 18:20 120:13

standing 50:8,19 72:11

stands 28:21

star 23:4

start 48:18 53:5

started 35:4 42:3 52:11 92:22 116:7, 11 131:9 132:13

starting 106:6

starts 108:6,15 137:3

startup 119:15

state 31:2,3 111:24 112:12,22 113:7

stated 109:15 110:9 111:11,18

statement 8:5,11 9:3,9 17:2,5,10,13, 14 18:12 25:16 28:7,17,18 29:11, 15,22 50:7,12,17 51:1,15 56:19 60:17 67:22,24 68:6 81:6 82:18,24 83:2,5,18,22 84:3, 5 88:20,21 89:8, 18,21 91:10 93:23 96:4,8,12,15,18,20 107:12,19,20 108:5,8,21 109:14 110:8,12 111:10, 14,17 128:17 135:18 139:9

statements 7:19 12:21 27:9,10,17, 21,24 50:10 51:5 52:14,15,24 75:9 82:19 83:2 93:7,9, 12 107:9,13,15

stating 9:22

station 88:1

stayed 125:19

stays 56:16

stepped 69:5

steps 117:16

Steve 23:21 42:5 66:4,5

Stevenson 90:8

stick 65:3

stop 99:13,16

stopped 95:14 99:18,19 100:7,16 101:17 106:1 126:1,4,5,15

stops 104:7 137:4

story 26:21 30:21 46:14 51:24

straight 96:24

street 44:22 90:10 91:17 99:21,22 100:5 108:10,11, 15 131:9

strong 92:6,9

stuff 65:8

subject 130:16

substance 28:3,5 81:20

substantiating 20:20

substantive 15:5

substantively 121:9

successfully 132:17

Suite 5:3

summary 92:6,7,9 94:12 127:15

summoned 24:9

super- 45:3

superior 7:9 15:11 16:9

supervisor 86:10 140:13

supervisors 43:20 45:3

supplemental 12:19 87:22,23 88:4,18 107:9

supplementary 87:16,17,24

supplying 126:3

support 48:8

supporting 41:9 42:3

supposed 58:18 59:7 128:20

surprised 133:22 135:9 136:2,8,11

surprising 134:2

SUV 98:22

swear 5:22

swivels 137:16

sworn 6:3 9:18 18:9

sync 133:9,13

system 97:7 113:14 114:3,4,7, 12 115:3,5,7,14 116:5 117:14 118:17 124:19 125:4 126:19 131:19 140:4,13, 20

system's 128:10

systems 14:7 116:22

T

Tactical 75:5,15 76:6 77:14 78:12 80:22

tag 95:19

Tahoe 115:18 120:12,16

tailored 18:23 19:3,15

takes 122:12 131:22

taking 18:2 35:4 49:16,19 50:2 128:11

talk 35:1 45:2,14 49:7 56:24 59:24 60:22 62:23 66:16, 20,22 70:12,18 77:7

talked 30:11 45:13 69:24 109:2

talking 32:13 35:3 42:8 48:19 49:1 59:16,18 70:8,24 72:5 79:9 80:14 107:18 114:15

tall 57:20

tape 47:7 56:17

technician 53:22 54:15,21 57:6,7,12 65:2,7 66:24 127:16

Telephonically 15:18

telling 46:15 51:24

tendered 13:22 87:11 109:7,10

terms 41:23 43:20 66:17 120:14 129:3

testified 6:7 29:16 30:1

testify 24:17,24 25:5 26:14,17 30:24 31:4,7 77:23

testifying 25:8

testimony 18:9, 12,16,18 24:10,13 25:11 27:19 28:14, 24 29:3,21 30:5,11 31:12,20 32:7 77:22

text 31:11,15

thereof 8:12

thing 30:20 66:23 93:16 137:4

things 35:4 54:20 88:5 92:11 94:19 120:5

Thomas 33:6

thought 78:3 88:11 108:2 129:10 139:15

threatened 78:8

threats 10:3

threw 125:16

ticket 121:17,18, 21 122:2,7,17,20, 21 123:9,11,18,19

tie 57:8

tight 21:14

time 5:1 8:20 15:14 17:16 18:19 31:8,18,21 34:1 40:2 42:24 44:1 46:17,19 50:11 51:19 52:6 55:11 56:24 58:24 60:9 62:13,16 63:4 65:19 67:23 69:2, 13 75:11 80:12,17 84:3,4,17,18 85:6 97:18,22 116:3 119:19 122:17 123:12 128:8 137:14 141:5

times 69:6 104:22 115:22 125:14 126:23 127:2

timestamp 97:17, 19 98:19

tire 44:12 45:15 53:22 54:22 55:10, 21 57:9 61:13 63:10,12 75:14 84:24 85:3

tired 125:16

title 87:18

titled 87:15 97:14 117:10

today 4:3 5:17 20:6,15 27:4 28:16 29:2 32:12 141:23

today's 4:24 14:3

told 26:21 53:6 65:3 77:3,23 78:23 79:5 83:24 84:6,8

Tom 35:10 78:20

tonight 20:7

top 95:23 101:7 104:23 120:21 131:4

topic 74:9

tour 117:13 122:9 131:7 132:2 140:6, 9,21

tours 132:9

traffic 90:7 91:24 92:1,23,24 100:8,9 104:9 106:2,3,6, 15,18 107:1

trained 120:2,9,15

training 115:16,17 118:16,19,21 119:4,5,7

transcript 4:4,5 12:3 20:3

transmitter/audio 117:19

transpired 93:11

trouble 58:11 128:17

TRR 76:9,10,11 78:17

truthful 18:19

truthfully 7:1,7

turn 82:23 88:18 137:12

turned 90:9 93:4 102:22 105:14 106:23 107:2

turning 91:24 95:15 104:7

TV 129:14

type 120:11 123:19

typed 93:12

types 115:17

U

U-turn 92:21 104:6

U.S. 27:2,12

Uh-huh 29:4 89:3

umbrella 19:11,13

underneath 118:6 125:7

understand 6:21 7:2,4,5,7,10,16,18, 20,23 8:3,5,9,11, 15,17,23 9:1,7,12 16:19 65:5,6 95:3

understanding 9:23 105:14

understood 6:20 9:19 20:1,4,8 37:1 75:21 96:14 100:11 104:11

unduly 8:22

uniform 125:22 126:14

union 8:18,21 10:1

unit 23:7,9 32:21 63:23 64:1,2 67:6, 9

units 42:3

unusually 57:20

update 86:3

upload 131:22,23

uploading 132:2

uploads 131:21

V

V-a-l-d-e-z 5:8

Valdez 5:8 6:15 10:8 13:20,23 16:3 32:17,19 33:13 61:23 62:2,10,15 85:14,16 87:6 97:12,20 98:6 101:20 105:1,10, 12 107:5 109:5,8,9 113:16,19 114:17, 18 117:3 122:22, 24 123:2 127:18, 21 130:4 133:18 135:2,6 139:21

Valdez's 6:14

Van 32:5 35:9 37:12 42:20 43:3, 14 45:23 48:4 59:17 60:10 65:20 68:9 71:1,3,14 72:13 73:19 74:14 78:14,16,19 79:10, 12 80:21 103:9 111:2,19,24 112:13 113:7,11

varied 116:14

vehicle 52:9 54:24 55:1 75:23 97:7 103:9 104:12 105:2 113:21,22 114:1,22 115:10, 20,21,24 116:2 117:16 118:5,6,10, 13,17 119:10 120:10,11,24 123:23 124:2,14 128:15 131:2,3 132:9 133:10 134:12 136:19 138:16 140:5,14, 20

vehicle's 124:18

vehicles 14:7 116:4,13 135:10

Velez 35:13 40:7 48:4 65:23,24

verbatim 4:4 96:13

versus 68:2

vice-versa 50:13

victim 75:18,24 77:5,21 78:10

victims 78:20

Victoria 115:18

Victorias 120:9,19

video 14:6,7,10 53:10 55:5,20 57:12,16 58:23 61:1,4,8,9 70:21, 22 71:6,14,18,22 72:1,19,21 73:3,5, 12,19 74:3,5 79:11 83:8,12,13 96:23 97:3,6,7,17,18,19 98:3,11,15 99:8,11 100:13 101:1,18 102:7,18,19 103:14,16,23 105:9 114:3,4,7,12 115:7 116:4,22 117:14 118:16 119:5,9 121:11,14 124:19 126:19 127:14,16 128:3, 11,15 129:3,6,19, 23 130:3,5,7,9 131:21 132:2,6,13 133:1 136:21 138:18,21,22 139:4,16,24 140:4, 8,13,20 141:5

video_ts.ifo 97:14

videos 14:13 53:13 73:6 97:8 128:3 131:6 133:24 134:9

view 114:10 137:14

VIN 95:19

violation 7:13 9:4 17:10 18:13

Viramontes 35:22,23 40:18 65:21 68:10

vision 104:17

visually 117:14

vital 133:7

VOC 97:13,21,22

voluntarily 17:15

W

W-a-l-a-n-o 124:9

wait 54:14,18 56:7 64:24 65:7,9 67:18 84:13

waited 34:19,20 35:4 53:21 60:4 67:17 68:5 83:24

waiting 15:1 54:19 56:2 59:21 67:21 70:9 83:8,20,21

waiver 9:22

Walano 37:8 124:6

walk 33:21 34:4 93:4 114:11

walking 34:14 100:21 103:6 105:23 110:18 112:23

walls 86:21

Walsh 34:16 35:9 38:8,19 43:17 44:3,10 45:14 48:4 55:13,21 60:13 61:12 65:20 68:9 71:1,3,14 72:12 73:19 74:14 78:20

79:10,12 80:21 103:8 111:2 112:12

wandering 68:19

wanted 30:20 56:7 68:4 95:19 134:24

watch 23:12,13,14 37:15,18,21,23 38:20 40:3,10,22 41:1,3,4 71:18 83:8,13 98:1 125:15

watched 72:21 73:11 119:8

watching 61:4,8 71:6,14 72:1 73:18

wave 104:8

waved 92:20

ways 114:11

weapons 76:14

wedding 36:22

weeks 30:4 129:20

Wentworth 63:20

West 5:2 119:2

white 86:21

window 133:6 136:15

windows 136:16

windshield 53:24 54:22 57:8 75:13 114:9

witnessed 34:15 59:12 64:19 70:19 82:4

witnesses 47:2,9, 14 62:8

wondered 60:4

wondering 99:15 101:13

wording 22:14 102:5

words 22:10 89:10

work 4:8 36:16 38:2,14 39:5,17 40:16,19 50:13 121:14,15 127:3 128:1 134:4

worked 37:17,19, 21 40:2,9,21 116:4 129:5

working 121:16 122:1 123:9,19 129:7 140:5,8

works 121:11 132:16

worksheet 127:14 128:8

worth 132:6

write 94:23

writing 49:11 51:12 94:24

written 7:23,24 25:16 48:11 93:9, 12,15 94:20

wrong 92:15

wrote 56:20 96:9

Y

yard 108:14

year 116:9 126:7

years 36:8,12,13 115:16 120:5 126:5 127:11,12 135:12

yellow 56:16

CITY OF CHICAGO
OFFICE OF INSPECTOR GENERAL

ADVISEMENT OF RIGHTS

I, Joseph McElligott, understand that I am being interviewed by Sarah Kaiser and Ryan A. Miller from the City of Chicago Office of Inspector General.

DATE 5/9/16 TIME 10:15am LOCATION 300 W Adams

I understand that this interview is part of an official investigation and that I have a duty to cooperate with the Office of Inspector General, which includes answering all questions completely and truthfully.

I understand that I have no right to remain silent. I understand that I have an obligation to answer questions put to me truthfully. I understand that if I refuse to answer questions put to me, I will be ordered by a superior officer to answer the questions. I further understand and I have been advised that if I persist in my refusal to answer after an order to do so, such further refusal constitutes a violation of the Rules and Regulations of the Chicago Police Department and may serve as the basis for my discharge.

I understand and have been advised that my statements or responses may constitute an official police report. I understand that Rule 14 of the Chicago Police Department's Rules and Regulations prohibits making a false report, written or oral, and I further understand that making such a false report, whether written or oral, may result in my separation from the Chicago Police Department.

I understand that any statement made by me during this interview may be used as evidence of misconduct or as the basis for disciplinary action up to and including removal or discharge.

I understand that any statement made by me during this interview and the fruits thereof cannot be used against me in a criminal proceeding.

I understand that I have the right to have a union representative, or legal counsel of my choosing, present at the interview to consult with, and that I will be given a reasonable time to obtain a union representative or legal counsel as long as the interview is not unduly delayed.

I understand that a refusal to answer any question, or any false, inaccurate, or deliberately incomplete statement by me would constitute a violation of Chicago Municipal Ordinance 2-56, and may serve as the basis for my discharge.

I acknowledge that this statement of my administrative rights has been read aloud to me, and I have been allowed to review this document.

Joseph McElligott
Employee Signature

Witness: Sarah Kaiser Witness: Ryan A. Miller

****

WAIVER

Understanding these rights, I wish to answer questions from investigators from the Office of Inspector General without having a union representative or legal counsel present. No promises or threats have been made to me and no pressure or coercion of any kind has been used against me.

Employee Signature: _____

M. Elligott
EXHIBIT
Date 5-9-16

NOTIFICATION OF INTERVIEW TO CPD MEMBER

CITY OF CHICAGO OFFICE OF INSPECTOR GENERAL

DATE: April 21, 2016

NAME	RANK	STAR NO.	UNIT OF ASSIGNMENT
Joseph McElligott	Police Officer	18715	008

YOUR APPEARANCE IS REQUIRED

AT	ON	DATE	TIME
☒ Amicus Court Reporters 300 West Adams, Ste. 600 Chicago, IL 60606		May 9, 2016	9:00 AM

AS: ☒ ACCUSED ☐ WITNESS ☐ COMPLAINANT

FOR: ☒ A STATEMENT

CONCERNING:
The October 20, 2014 shooting of Laquan McDonald.

YOU ARE TO REPORT TO:

LEAD INVESTIGATOR	TITLE	PHONE NO.	EMAIL
Kristopher Brown	Investigator III	773-478-0221	kbrown@chicagoinspectorgeneral.org

NOTE: You MUST notify the Lead Investigator of your inability to keep this scheduled appointment.

ALSO PRESENT AT THE INTERVIEW WILL BE:

NAME	TITLE	NAME	TITLE
Raul Valdez	Investigator II	N/A	N/A

THE INTERVIEW WILL BE ☐ AUDIO RECORDED ☒ TRANSCRIBED BY A LIVE REPORTER

TO BE COMPLETED BY INTERVIEWEE (if applicable)

ACKNOWLEDGEMENT

Please contact Investigator Brown at (773) 478-0221 to confirm receipt of Notification of Interview and to confirm your attendance at the interview.

I hereby acknowledge receipt of this Notification of Interview.

SIGNATURE: Joseph P McElligott DATE: 21 APR 16

PRINTED NAME: Joseph P. McElligott TIME: 2211

TO BE COMPLETED BY OFFICE OF INSPECTOR GENERAL OR CPD COMPONENT PROVIDING NOTIFICATION TO INTERVIEWEE

NOTIFICATION MADE TO:	TITLE, RANK, & UNIT	DATE	TIME
NOTIFICATION MADE BY:	**TITLE, RANK, & UNIT**	**DATE**	**TIME**

McElligott EXHIBIT 2 Date 5-9-16

NOTIFICATION OF ALLEGATIONS

CITY OF CHICAGO OFFICE OF INSPECTOR GENERAL

NAME OF ACCUSED	RANK	STAR NO.	UNIT OF ASSIGNMENT
Joseph McElligott	Police Officer	18715	008 - 815R

City ordinance, and if applicable, collective bargaining agreements, provide that you are entitled to notice of the nature of the allegations against you and the identity of all complainants prior to any interview. Accordingly, you are advised as follows:

COMPLAINANT(S)

1. John J. Escalante, Interim Superintendent of Chicago Police Department (CPD), sent a letter to the City of Chicago Office of Inspector General (OIG) dated January 13, 2016, requesting that OIG conduct an administrative investigation of the following allegations arising out of the October 20, 2014 shooting death of Laquan McDonald (the McDonald Shooting): "whether any officer(s) made false statement on official reports submitted in connection with the shooting of Laquan McDonald on October 20, 2014; whether any officer(s) obstructed or interfered with the investigation of this incident, either individually or in collusion with others; and whether any officer(s) committed any violation of Chicago Police Department rules, policies, or orders in connection with their response and/or handling of this matter." Escalante attached to the letter a copy of Sergeant S. Soria's (Star # 2275) Initiation Report, which raises similar allegations of misconduct with respect to Department members in connection with the McDonald Shooting, and identified that Report as a basis for OIG's administrative investigation.

ALLEGATION(S)

1. On or about October 20, 2014, you made a false statement during an interview with Detective David March of the Chicago Police Department (CPD) when, with respect to the McDonald Shooting, you stated that you heard multiple gunshots but did not see who fired the shots.

2. On or about October 20, 2014, you made a material omission during an interview with CPD Detective March when, with respect to the McDonald Shooting, you failed to state that McDonald changed the direction in which he was walking prior to the shooting.

3. On or about October 20, 2014, you made a material omission during an interview with Detective David March when, with respect to the McDonald Shooting, you failed to state that Officer Walsh and Officer Van Dyke moved toward McDonald prior to the shooting.

4. On or about October 20, 2014, you made a false statement during an interview with Detective David March when, with respect to the McDonald Shooting, you stated that the gunfire was continuous, one shot after another.

5. On or about October 20, 2014, you made a material omission during an interview with Detective David March when, with respect to the McDonald Shooting, you failed to state that Officer Van Dyke continued to shoot McDonald after McDonald fell to the ground.



6. On or about October 21, 2014, you made a material omission during an interview with Independent Police Review Authority (IPRA) Investigator Killen when, with respect to the McDonald Shooting, you failed to state that Officer Walsh and Officer Van Dyke moved towards McDonald prior to the shooting.

7. On or about October 21, 2014, you made a material omission during an interview with IPRA Investigator Killen when, with respect to the McDonald Shooting, you failed to state that McDonald changed the direction in which he was walking prior to being shot by Officer Van Dyke.

8. On or about October 20, 2014, you made a material omission during an interview with IPRA Investigator Killen when, with respect to the McDonald Shooting, you failed to state that Officer Van Dyke continued to shoot McDonald after McDonald fell to the ground.

9. On or about October 20, 2014, you failed to ensure the in-car video system for CPD vehicle 8489 was working properly at the beginning of your tour of duty.

10. On or about October 20, 2014, you failed to immediately notify a supervisor that the in-car video system for CPD vehicle 8489 was inoperable or damaged.

11. On or about October 20, 2014, you failed to audibly record events with CPD vehicle 8489's in-car video system during your tour of duty.

ACKNOWLEDGEMENT

I hereby acknowledge receipt in writing of the identity of the complainant(s) and notice of the nature of the allegation(s) against me.

Signature Joseph P McElligott Date 21 APR 16

Printed Name Joseph P. McElligott Time 2212

WITNESSES

#879

City of Chicago Office of Inspector General
740 North Sedgwick Street
Suite 200
Chicago, Illinois 60654

RECEIPT FORM

OIG FILE NO. 15-0564

ON 21 Apr 16 (DATE) AT 2213 HRS (TIME)

Sgt. James Baker 879 (NAME) Sergeant (TITLE)

☐ SEIZED FROM ☐ RECEIVED FROM ☐ RETURNED TO ☒ RELEASED TO

NAME	TITLE	DEPT.
Joseph McElligott	Police Officer	Chicago Police Department

THE FOLLOWING ITEM(S):

1. A City of Chicago Office of Inspector General DVD containing the following materials:

- A copy of the portion of the March 16, 2015 Case Supplementary Report for R.D. No. HX475653 that memorializes Detective David March's October 20, 2014 interview of Joseph McElligott;
- Detective March's October 20, 2014 General Progress Report for R.D. No. HX475653 concerning March's October 20, 2014 interview of Joseph McElligott;
- A copy of the transcript of the October 21, 2014 interview of Joseph McElligott, conducted by Independent Police Review Authority Investigation Brian Killen;
- The October 20, 2014 audio and video files for the in-car video system of beat number 813R;
- The October 20, 2014 audio and video files for the in-car video system of beat number 845R;
- The October 20, 2014 Dunkin Donuts security video of the Laquan McDonald shooting.

McElligott 4
Date 5.9.16

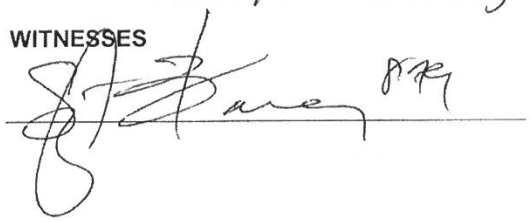
ACKNOWLEDGEMENT

I hereby acknowledge receipt in writing of the above-listed item(s).

Signature Joseph P McElligott Date 21 APR 16

Printed Name Joseph P. McElligott Time 2214

WITNESSES



STATEMENT OF P.O. JOSEPH McELLIGOTT

CONDUCTED BY INVESTIGATOR KILLEN

ON OCTOBER 21, 2014 AT 0436 HOURS

AT AREA CENTRAL POLICE HEADQUARTERS

LOG: 1072125

Attachment #144

McElligott
EXHIBIT 5
Date 5-9-16

KILLEN: This is the, this is the audio recorded interview of Officer Joseph McElligott regarding Log number 1072125 U number 14 dash 36. Today is the 21st of October 2014. And the time is approximately 0436 hours. This statement is bein' taken at Area Central Police Headquarters. My name is Investigator Killen, that's spelled K I L L E N. My star number is 1 2 9. Uh also present in the room is uh FOP attorney Dan Herbert. Dan if you would say and spell your first and last names.

HERBERT: Dan, D A N, Herbert, H E R B E R T.

KILLEN: And then FOP Representative Kato, uh Kriston Kato.

KATO: First name is Kriston, K R I S T O N. Last name K A T O. FOP Field Representative.

KILLEN: And Officer McElligott if you would say and spell your first and last names for me.

P.O.MCELLIGOTT: Joseph McElligott, J O S E P H, McElligott, M C E L L I G O T T.

KILLEN: Okay and what's your star number?

P.O.MCELLIGOTT: 1 8 7 1 5. (noise)

KILLEN: And your employee number?

P.O.MCELLIGOTT: [redacted]

KILLEN: And your date of appointment with the Department?

P.O.MCELLIGOTT: 27 August '01.

KILLEN: And your date of birth?

P.O.MCELLIGOTT: 29 April '78.

KILLEN: And your current unit of assignment?
P.O.MCELLIGOTT: The 8th District.

KILLEN: And how long you been in 8th District?
P.O.MCELLIGOTT: Seven years.

KILLEN: All right. Now you're aware that this statement has the standing of an official Department report. And that any intentional falsification of any answer to any question would be in direct violations of rules and regulations?
P.O.MCELLIGOTT: Yes.

KILLEN: Given that, I'd like to remind you that failure to provide a complete and accurate account of this incident could result in a finding of a violation of Rule 14 with discipline leading up to and including separation from the Chicago Police Department. Do you understand that?
P.O.MCELLIGOTT: Yes.

KILLEN: All right what was your duty status and assignment on 21 October or 20 October 2014 at approximately 2150 hours?
P.O.MCELLIGOTT: This statement is not being given voluntarily but under duress. I am only givin' this statement because I know I will be fired if I refuse.

OIG 15-0564 011436

KILLEN: All right so what was your duty status and assignment last night at (someone coughs) 2150 hours?

P.O.MCELLIGOTT: Full duty.

KILLEN: Okay. What time you start work last night?

P.O.MCELLIGOTT: Uh 2100.

KILLEN: Is that your normal start time?

P.O.MCELLIGOTT: Yes.

KILLEN: Okay and you remember what beat you were assigned?

P.O.MCELLIGOTT: 815 Robert.

KILLEN: Okay and were you assigned a partner?

P.O.MCELLIGOTT: Yes.

KILLEN: And who's your partner?

P.O.MCELLIGOTT: Uh Thomas Gaffney.

KILLEN: All right and you and Officer Gaffney you guys were assigned a vehicle?

P.O.MCELLIGOTT: Yes.

KILLEN: And what kinda vehicle?

P.O.MCELLIGOTT: It's a Chevy Tahoe.

KILLEN: Marked?

P.O.MCELLIGOTT: Yes.

OIG 15-0564 011437

KILLEN: Okay and you and Officer Gaffney are in full uniform?
P.O.MCELLIGOTT: Yes.

KILLEN: Okay and then at about 2150 hours at about 41st and Pulaski you and uh Officer Gaffney were witnesses to a police-involved shooting correct?
P.O.MCELLIGOTT: Correct.

KILLEN: All right and if you would just um from the beginning explain to me what happened?
P.O.MCELLIGOTT: Uh we responded to a call of holding the offender at uh 4100 on Karlov. And um I don't know I forget the exact address.

KILLEN: So you received this, you say responded to the call. You got a call uh via OEMC?
P.O.MCELLIGOTT: Yes.

KILLEN: All right so over the radio you get a call.
P.O.MCELLIGOTT: Holding the offender um somebody's stealing radios out of semi trucks.

KILLEN: Okay. Do you re, do you remember where you and uh, where were you and Officer Gaffney when you got that call?
P.O.MCELLIGOTT: Um we're somewhere along Archer around Kostner.

KILLEN: Okay. So you're south of 41st and Kildare?
P.O.MCELLIGOTT: Correct.

KILLEN: And Officer Gaffney's the driver?
P.O.MCELLIGOTT: He is the driver, yes.

KILLEN: So you guys head over to that --
P.O.MCELLIGOTT: So we head over, we take Kostner up and then uh take 47th to Kildare.

KILLEN: Okay. And what happens when you get there?
P.O.MCELLIGOTT: Um a male Hispanic and a female Hispanic um we pull up to the address and they said um that a male black wearin' a black shirt was in the, tryin' to steal the radios outta the semi. Um he was holding a, a white cord to like a phone, like a charger. And he said he's got my phone. So then he said he's right around the corner. (clears throat) So then we, we drive north to 40th Street and we turn right and then we see a male black with a black shirt.

KILLEN: Okay and what's he doin'?
P.O.MCELLIGOTT: He's standing there and then he kinda turns around when he sees us pull up.

KILLEN: And what happens?
P.O.MCELLIGOTT: At that point I got outta the car and I'm giving 'em commands to stop, turn around. And I noticed he has his left hand in his pocket like in a ball. And in his right hand he's holding something else. And then I tell 'em take his hands out of his pockets; let me see your hands. He doesn't take his hands --

KILLEN: So at this point is he, his back is to you?
P.O.MCELLIGOTT: He's facing me at this point.

KILLEN: Okay.
P.O.MCELLIGOTT: And then he starts turning and walking away. And he's holding one arm out and one hand in his pocket. He continues to walk and uh then he turns again he takes both his hands out and, and at that point he has a knife in his right hand as if he just opened it up, like flipped it open and he's holdin' his hand. At that point I drew my weapon I tell 'em to drop the knife. Um he kinda has this look in his eye like, like maybe he's on some sorta drugs cause it was like his eyes like rolled back. And then he walked, he started walking east again with his hands out and then he's kinda like kinda makin' motions from side to side. He's kinda all over. Goes from the street to the, to the sidewalk. And the whole time my partner is kinda paralleling me. And he's driving and I'm had my flashlight on 'em and I'm tellin' 'em to stop. Tellin' 'em to drop, drop the weapon. Drop the knife.

KILLEN: So you're on foot correct?
P.O.MCELLIGOTT: I'm on foot, walking.

KILLEN: And Officer Gaffney --
P.O.MCELLIGOTT: Walking with some distance between me.

KILLEN: You're behind him correct?
P.O.MCELLIGOTT: I'm yeah I'm behind him.

OIG 15-0564 011440

KILLEN: Behind the offender?
P.O.MCELLIGOTT: Yes.

KILLEN: And Officer Gaffney's paralleling him in the car?
P.O.MCELLIGOTT: He's, he's kinda like as far as I am. Like he's like to my right just a lil bit.

KILLEN: Okay.
P.O.MCELLIGOTT: Or to my left just a lil bit. Um --

KILLEN: Do you close the distance on this guy?
P.O.MCELLIGOTT: We just continue to follow 'em. And um then he, at one point (inaudible) my partner decides to pull towards him. And uh at that point he, the offender turned and like in a downward stabbing motion popped the front tire. My partner um at that point said that he popped the tire. Prior to that though um he had asked for an assist.
HERBERT: (inaudible)
P.O.MCELLIGOTT: He'd asked for somebody to come with a taser. So as we're like tryin' to buy time this happens with the, the tire at uh Keeler. And then um we go a lil bit further and he decide, my partner decides to pull closer to 'em to kinda cause he knew Pulaski was comin' up and there was Burger King and there's a bunch a other stuff where people are. Decides to pull over a lil bit (noise) kinda to veer 'em off so that he'll go up one of the streets cause it's, it's a factory area. And we know it's always like pretty bare.

There's nobody around. Um it's after hours. At that point he um he, he grabs the knife and he, he stabs at the, the windshield. So um then he starts walkin' away. Stabbed at the windshield then he walks away from the squad car. And he's walkin' on the sidewalk again. And then um we can hear the cars comin'. And then once we can kinda see (noise) in the windows we could see the, the blue lights in the reflection and you could hear the, you could hear the sirens now. (noise) That's when he decides to take off runnin'. He just full on sprint. Uh I started runnin' after 'em. My partner's driving the car that has a flat. He's goin' after 'em too. He goes through two semis were parked in the back of the Burger King lot at 40th and Pulaski. He goes through, I go through and then I see another squad car pull. They're right behind 'em. They pull behind 'em, he goes through a sidewalk and then they go, they go around through and they (clears throat) they cut through on the sidewalk as well. Around the north side of Burger King. And then I'm followin' up running and as I get to Pulaski I turn right cause they all turned right. (clears throat) And I got to about the light (noise) I could see a bunch of squad cars comin'. And um (clears throat) I keep runnin' (noise) and then one of 'em is, he's lookin' to do a U turn, one of the other squad cars. Um so instead of getting hit I just stopped and I waved them to go. (noise) (clears throat) And at that point he turned around he, he's goin' um southbound slowly

so I know they're, they're stopping right there. I hear the shots at that point. And uh when I approach I think I was running down maybe the middle that's when I saw the offender layin' on the ground. And at that point Joe Walsh, Officer Walsh uh he kicked, he the gun outta, or not the gun the uh the knife out of his, his right hand. (noise) Which he was still clenching at the time. And then um (noise) asked for an ambulance and that was pretty much it.

KILLEN: (clears throat) So when you guys, you're on 40th and you see, you're kinda walkin' with this guy right? You see 'em with the knife?

P.O.MCELLIGOTT: Hmm huh.

KILLEN: Right?

P.O.MCELLIGOTT: Yes.

HERBERT: Say yes.

KILLEN: So and you see 'em uh uh you described it as a down motion, he stabbed the tire of the car right?

P.O.MCELLIGOTT: Hmm huh.

KILLEN: That's the --

P.O.MCELLIGOTT: Yes.

KILLEN: -- front passenger tire correct?

P.O.MCELLIGOTT: Front passenger tire.

OIG 15-0564 011443

KILLEN: Okay and then you also saw 'em stab the windshield?
P.O.MCELLIGOTT: Yeah.

KILLEN: Right.
P.O.MCELLIGOTT: Yes.

KILLEN: Okay. Uh and you may have said it and I may have missed it, but did you or uh Officer Gaffney get on the radio and say hey this guy's armed. He's got a knife?
P.O.MCELLIGOTT: Yes. Um it was before he said he popped the tire um my partner got on the radio and said (clears throat) said this guy has a knife. Can you send somebody with a taser over here. And then (inaudible) lil time passed by and then (clears throat) that's when the tire incident.

KILLEN: Okay.
P.O.MCELLIGOTT: And then another five, ten seconds (noise) went by and (noise) attacked the car, stabbed the windshield.

KILLEN: So you're, you were warning everybody ahead a time?
P.O.MCELLIGOTT: Yes.

KILLEN: Before you got anything, he had the knife in his hand.
P.O.MCELLIGOTT: Yes. It started with uh we asked for a taser. We said he had a knife. And then we were

OIG 15-0564 011444

giving uh kinda like a play by play (noise) stab, he stabbed our tire, he just popped our tire. And, you know and they're askin' if anybody's heading over there. And we're just waitin' for the assist cars to come.

KILLEN: And I take it you don't carry a taser?
P.O.MCELLIGOTT: I do not.

KILLEN: And then neither does Officer Gaffney correct?
P.O.MCELLIGOTT: No.

KILLEN: Okay. So then you basically follow 'em all the way to Pulaski I take it. Karlov then Keeler somethin' like that.
P.O.MCELLIGOTT: Basically yeah. It was --

KILLEN: And then when the other car comes --
P.O.MCELLIGOTT: At that point he was (noise) he darted towards Pulaski.

KILLEN: Okay.
P.O.MCELLIGOTT: From Karlov to Pulaski he was full on sprinting and I was running after 'em.

KILLEN: And you're after 'em. When he went between the trucks you went between the trucks with 'em?
P.O.MCELLIGOTT: Yeah.

KILLEN: Okay so then when he got to Pulaski he goes south?

OIG 15-0564 011445

P.O.MCELLIGOTT: When he got to Pulaski yeah he head, he went south around, he wrapped around the buildin' and (noise) then Burger King.

KILLEN: And whaddid you mean cause you lost me when you said somebody wanted to make a U turn so you let them go ahead of you.

P.O.MCELLIGOTT: There were cars coming northbound on Pulaski to assist. And they passed up, they passed him up and then came back around.

KILLEN: Oh I gotcha. Okay so he's goin' south --

P.O.MCELLIGOTT: They made a U turn --

KILLEN: I gotcha.

P.O.MCELLIGOTT: Yeah they passed him up and turned around. I don't know if they didn't see 'em or if, what their reasoning was, but they, they made a U turn and they turned kinda like right at me and I just said go and I waved 'em.

KILLEN: Now is he in the street at this time? He is runnin' in the street or is he on the sidewalk?

P.O.MCELLIGOTT: I didn't see him at that point I didn't see him because there were other squad cars in front a me. And I don't want, I finally saw him I was in the median and I ran up towards him and that's when at that point he was already down and the officer, other officer was kickin' the gun, uh knife away.

OIG 15-0564 011446

KILLEN: So were you on the median when you heard the gunshots?

P.O.MCELLIGOTT: I was, I heard the gunshots. There's a traffic light. I heard the gunshots while I was at the traffic light. And then I waved, waved the other car to go and then um by the time I got there there were no more shots.

KILLEN: At the time did you know who was shooting?

P.O.MCELLIGOTT: No I did not.

KILLEN: You didn't see anybody shooting anything like that?

P.O.MCELLIGOTT: No.

KILLEN: Okay. So by the time you got you said then he's already, the offender's already on the ground?

P.O.MCELLIGOTT: Yes.

KILLEN: Is he on his, is he on his back, (noise) his stomach? How's he --

P.O.MCELLIGOTT: He was kinda on his side. On his right side.

KILLEN: And you said he still had the knife?

P.O.MCELLIGOTT: Yeah he was holdin' it. (noise)

KILLEN: In his right hand?

P.O.MCELLIGOTT: In his right hand.

KILLEN: And that was Officer Walsh kicked it from his hand?

OIG 15-0564 011447

P.O.MCELLIGOTT: Yeah.

KILLEN: Okay. And what happens he's placed in custody?
P.O.MCELLIGOTT: Then he was, well he was obviously down, he wasn't movin' anywhere. We're surrounding him and that's (noise) (inaudible) come.

KILLEN: Okay. I mean after the knife gets kicked outta his hand, does anybody touch it to your knowledge?
P.O.MCELLIGOTT: No.

KILLEN: Do you ever touch it?
P.O.MCELLIGOTT: I didn't touch it.

KILLEN: Okay. So you didn't see, you didn't see Officer Van Dyke discharge his weapon at the offender correct?
P.O.MCELLIGOTT: No I saw 'em holding his weapon.

KILLEN: Right.
P.O.MCELLIGOTT: Just kinda (inaudible) (noise)

KILLEN: You heard gunshots but you didn't see --
P.O.MCELLIGOTT: Correct.

KILLEN: Okay. Anything you'd like to add?
P.O.MCELLIGOTT: No.

KILLEN: Everything you told me is a true and accurate account of what occurred?

OIG 15-0564 011448

P.O.MCELLIGOTT: Yes.

KILLEN: All right this will conclude the audio recorded interview of Officer uh Joseph McElligott regarding Log number 1072125 U number 14 dash 36. Today is the 21st of October 2014 and the time is approximately 0451 hours.

I, CAROL A. O'LEARY, do hereby certify or affirm that I have impartially transcribed the foregoing from an audio recording of the above-mentioned proceeding to the best of my ability.

Carol A. O'Leary

Carol A. O'Leary

OIG 15-0564 011450

CHICAGO POLICE DEPARTMENT

CASE SUPPLEMENTARY REPORT

HX475653

3510 S. Michigan Avenue, Chicago, Illinois 60653
(For use by Chicago Police - Bureau of Investigative Services Personnel Only)

Case id : 9825613
Sup ID : 10992767 CASR301

EXC. CLEARED CLOSED (OTHER EXCEPTIONAL)		DETECTIVE SUP. APPROVAL COMPLETE			
Last Offense Classification/Re-Classification	IUCR Code	Original Offense Classification			IUCR Code
ASSAULT / Aggravated Po:Knife/Cut Instr	**0552**	ASSAULT / Aggravated Po:Knife/Cut Instr			0552
Address of Occurrence	Beat of Occur	No of Victims	No of Offenders	No of Arrested	SCR No
4112 S PULASKI RD	**815**	4	1	1	
Location Type	Location Code	Secondary Location			Hate Crime?
Street	**304**				NO
Date of Occurrence	Unit Assigned	Date RO Arrived	Fire Related?	Gang Related?	Domestic Related?
20-OCT-2014 21:57	**0841R**	20-OCT-2014 21:57	NO	NO	NO

Reporting Officer	Star No	Approving Supervisor	Star No	Primary Detective Assigned	Star No
MARCH, David	20563	WOJCIK, Anthony	481	MARCH, David	20563
Date Submitted		Date Approved		Assignment Type	
15-MAR-2015 18:26		16-MAR-2015 00:03		FIELD	

THIS IS A FIELD INVESTIGATION EXC. CLEARED CLOSED (OTHER EXCEPTIONAL) REPORT

[redacted]

McElligott
EXHIBIT 6
Date: 5-9-16

HX475653

[redacted]

GAFFNEY, Thomas J -----

stated he was a Chicago Police Officer assigned to the 008th District. He was on duty, in uniform, working on Beat 815R. GAFFNEY was working with Police Officer Joseph MCELLIGOTT. The two officers were assigned to Chicago Police Department vehicle number 8489, a marked Chevrolet Tahoe, four door sport utility vehicle. GAFFNEY was driving the vehicle and MCELLIGOTT was the passenger.

The officers responded to an assignment of holding an offender for breaking into trucks at 41st Street and Kildare Avenue. Upon arrival at that location they met an Hispanic couple who told the officers a black male subject, wearing a dark shirt, had attempted to break into trucks parked in the parking lot at that location. The couple told the officers the subject had walked off and was last seen walking eastbound on 40th Street from Kildare.

Officer GAFFNEY drove northbound on Kildare to 40th Street. When he turned eastbound onto 40th Street he saw a black male subject wearing dark clothing, walking eastbound on the sidewalk, on the south side of the street. Officer MCELLIGOTT exited the police vehicle to approach the subject, now known as Laquan MCDONALD. GAFFNEY stayed in the vehicle in case MCDONALD fled. MCELLIGOTT called to MCDONALD and told him to stop but MCDONALD continued walking eastbound, ignoring MCELLIGOTT. MCDONALD's hands were in his pockets as he walked. MCELLIGOTT told MCDONALD to take his hands out of his pockets. MCDONALD took his hands out of his pockets and MCELLIGOTT told GAFFNEY that MCDONALD had a knife. GAFFNEY then saw a silver colored knife in MCDONALD's right hand. GAFFNEY also saw that MCELLIGOTT had his handgun drawn at this point. MCELLIGOTT repeatedly ordered MCDONALD to "Drop the knife," but MCDONALD ignored these directions. As MCDONALD

reached Keeler Avenue, GAFFNEY notified the dispatcher on the police radio that they were following a subject with a knife and requested assistance from a unit equipped with a taser.

MCDONALD continued walking eastbound, Officer MCELLIGOTT following on foot and Officer GAFFNEY following in the police vehicle. As MCDONALD approached Karlov Avenue, GAFFNEY turned the Tahoe southbound onto Karlov and stopped, blocking the crosswalk. GAFFNEY said he wanted to stop MCDONALD before he reached Pulaski Road, a business street where more civilians were present. The area where MCDONALD was first observed was industrial in nature with no other civilians present. When GAFFNEY stopped his vehicle in front of MCDONALD, blocking his path, MCDONALD stabbed the right front tire of the Tahoe with his knife, causing the tire to go flat. GAFFNEY immediately informed the radio dispatcher that MCDONALD had "popped" the tire. MCDONALD attempted to walk around the front of the police vehicle and GAFFNEY drove the Tahoe forward a short distance to continue to block MCDONALD's path. MCDONALD then stabbed at the windshield of the Tahoe with the knife, striking the right side of the windshield. MCDONALD then continued walking eastbound from Karlov.

As MCDONALD approached the Burger King restaurant parking lot at 40th Street and Pulaski, assisting police units arrived, approaching westbound on 40th Street from Pulaski. MCDONALD began to run eastbound through the restaurant parking lot, on the north side of the Burger King building. He ran out onto Pulaski and then turned and ran southbound on Pulaski. Beat 845R pursued MCDONALD in their police vehicle, eastbound through the parking lot, over the curb at Pulaski, then southbound on Pulaski. Officer GAFFNEY lost sight of MCDONALD when he turned southbound on Pulaski.

Because of the flat tire on his vehicle, Officer GAFFNEY did not drive over the curb. As he drove around out onto Pulaski, GAFFNEY heard multiple gunshots in rapid succession. He did not see who was shooting. When he reached Pulaski MCDONALD was lying on the ground.

It was noted that Officer GAFFNEY wore the same uniform configuration as Officer VAN DYKE with the addition of the uniform baseball style cap with embroidered patch.

MCELLIGOTT, Joseph P -----

stated he was a Chicago Police Officer assigned to the 008th District. MCELLIGOTT related the same facts as his partner, Officer Thomas GAFFNEY.

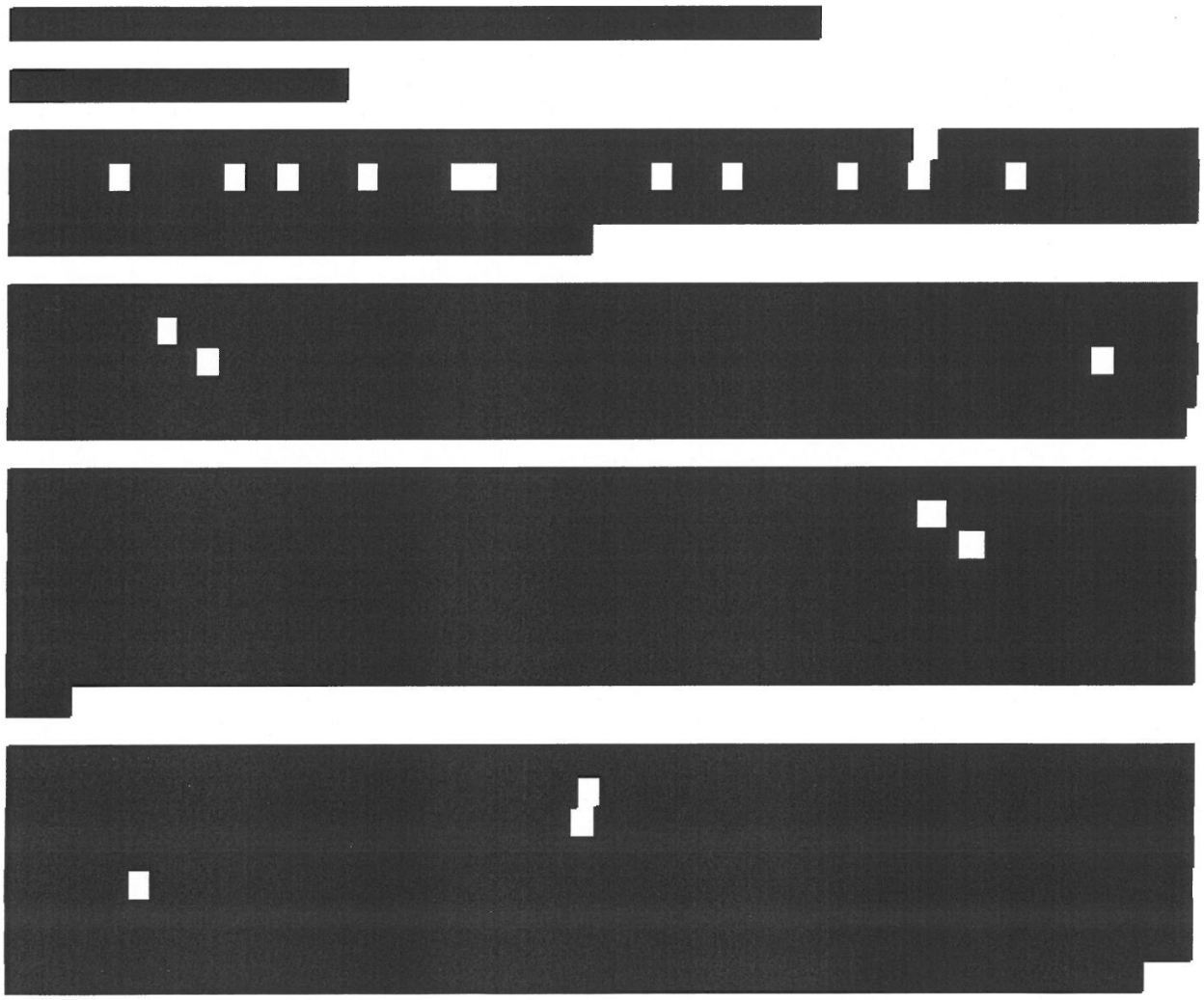
Officer MCELLIGOTT added that after he exited the police vehicle, when Laquan MCDONALD took his hands out of his pockets and MCELLIGOTT saw MCDONALD holding a knife in his right hand, MCELLIGOTT drew his handgun. He repeatedly ordered MCDONALD to "Drop the knife." MCDONALD ignored MCELLIGOTT's directions and continued to walk eastbound on 40th Street. MCELLIGOTT followed MCDONALD on foot, maintaining a safe distance between himself and the armed MCDONALD.

Officer MCELLIGOTT heard Officer GAFFNEY request assistance and a unit with a taser over the police radio. GAFFNEY attempted to use the police vehicle to block MCDONALD from continuing on toward the Burger King restaurant at Pulaski Road. At this point MCDONALD stabbed the right front tire and the windshield of the police vehicle. MCELLIGOTT began to hear the sirens of

approaching assisting police units and MCDONALD began to run toward the Burger King restaurant.

When MCDONALD ran eastbound through the parking lot of the Burger King, Officer MCELLIGOTT ran after MCDONALD in pursuit. MCELLIGOTT ran out into the middle of Pulaski Road in pursuit of MCDONALD. MCELLIGOTT heard multiple gunshots but did not see who fired the shots. The gunfire was continuous, one shot after another. MCELLIGOTT then saw MCDONALD lying on the ground. MCELLIGOTT saw Officer Joseph WALSH kick the knife out of MCDONALD's hand.

It was noted that Officer MCELLIGOTT wore the same uniform configuration as Officer VAN DYKE.



MONDRAGON, Janet -----

McElligott
EXHIBIT
5-9-16

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 2014	20 OCT 2014 3

OFFENSE CLASSIFICATION—LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	VAN DYKE	512

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

J McELLIGOTT

AFTER EXITING TAHOE, WHEN O TOOK HANDS OUT OF POCKETS SAW KNIFE IN R HAND.
DREW HANDGUN
"DROP THE KNIFE!" REPEATEDLY
O IGNORED, CONTINUED E/B 40
FOLLOWED ON FOOT AT SAFE DISTANCE
HEARD TG REQUEST ASST / TASER ON RADIO
TG ATTEMPTED TO BLOCK O W/TAHOE TO KEEP O FROM RK
O STABBED R FRONT TIRE + WINDSHIELD
McE BEGAN TO HEAR SIRENS - ASST UNITS
O BEGAN TO RUN TOWARD RK
O RAN E/B THROUGH RK LOT. McE IN PURSUIT
McE RAN OUT & TO ~~PULA~~ PULASKI
HEARD MULTIPLE GUNSHOTS. I DID NOT SEE WHO FIRED
SHOTS WERE CONTINUOUS, ONE AFTER ANOTHER
McE THEN SAW O ON GROUND
SAW WAUSH KICK KNIFE FROM HAND

R.D. NO. HX475653

REPORTING OFFICER'S SIGNATURE—STAR NO. 20563 | RECEIVED BY: SUPERVISOR'S SIGNATURE—STAR NO. | DAY—MO.—YR. | TIME

CPD-23.122 (Rev. 2/83)

Chicago Police Department

Special Order S03-05

IN-CAR VIDEO SYSTEMS

ISSUE DATE:	23 February 2012	**EFFECTIVE DATE:**	23 February 2012
RESCINDS:	Version dated 20 April 2011; S10-10		
INDEX CATEGORY:	Field Operations		

I. PURPOSE

This directive

A. implements the use of Department in-car video systems.

B. establishes the policies and procedures for the use, maintenance, and repair of in-car video systems.

C. establishes the roles and responsibilities of Department members affected by the introduction of in-car video systems for the video and audio recording of incidents.

D. establishes the requirements for viewing, retaining, and duplicating digitally recorded incidents.

E. continues the use of the Digitally Recorded Data Viewing/Hold/ Duplication Request (CPD-65.224).

F. identifies the Records Division as the Department repository and viewing location of digitally recorded data created by the in-car video systems.

II. POLICY

The Department is committed to protecting the safety and welfare of its members and the public. The in-car video systems can provide members with an invaluable instrument to enhance criminal prosecution by providing powerful evidence of criminal activity, limit civil liabilities, and objectively document officer conduct during individual interactions. Members assigned to a vehicle equipped with an in-car video system will use it pursuant to this directive.

III. GENERAL INFORMATION

A. There is no expectation of privacy for Department members related to incidents recorded by in-car video systems. Supervisors, members of Bureau of Internal Affairs, and the Independent Police Review Authority (IPRA) investigators may request to review the digitally recorded data from a vehicle equipped with an in-car video system. Any digitally recorded data created by the in-car video system may be used without a Department member's permission for any official Departmental purpose.

B. The in-car video system will **automatically engage audio and video recording** when the vehicle's emergency-roof lights are activated. However, Department members may manually activate the in-car video system without the activation of the emergency equipment. At the conclusion of the incident, Department members must manually disengage all recording processes, regardless of what method activated the in-car video system.

C. The Records Division will be the custodians of the digitally recorded data and will be responsible for the retention, duplication, and viewing of the in-car video systems. The Director, Records Division, will establish retention, viewing, and duplication procedures that provide for inventory control, the security of the digitally recorded data, and authorized duplications.

D. All digitally recorded data created by the in-car video systems will be retained by the Records Division for a minimum of 90 days. Digitally recorded data that is marked and held as having evidentiary or training value will be retained as prescribed by law and established Department policy.

E. In general, minor infractions and minor deviations from Department policy observed through the review of digitally recorded data will not be subject to the disciplinary process and will be treated as a training opportunity.

McElligott
EXHIBIT 8
Date 5-9-16 by ARJ

© Chicago Police Department, February 2012

IV. RECORDING GUIDELINES

A. Department members will use only Department-issued video and audio recording equipment.

B. Department members will conform to all laws and Department policies concerning the use of the in-car video system for the video and audio recording of incidents.

1. Department members are lawfully permitted to video record individuals without their consent if they are on the public way or in public view.

2. Department members who are in uniform and have identified their office are lawfully permitted to simultaneously audibly and visually record individuals without their consent whenever:

a. the member is conducting an enforcement stop, **or**

b. the patrol vehicle emergency lights are activated or would otherwise be activated if not for the need to conceal the presence of law enforcement.

NOTE: Any reports completed for an audibly recorded incident, including Traffic Stop Statistical Study - Driver Information Cards (CPD-21.103), Traffic Stop Statistical Study Stickers (CPD-15.516), and Personal Service Citations, must include the initial violation or investigatory need that led to the stop.

NOTE: Department members may audibly record an enforcement stop regardless of the subsequent enforcement action taken.

3. Department members may audibly and visually record an individual with the consent of the individual.

C. Uniformed Department members assigned to vehicles equipped with in-car video systems will activate the system to simultaneously audibly and visually record the entire incident for all enforcement stops.

D. Uniformed Department members assigned to vehicles equipped with in-car video systems will activate the system to visually record the entire incident for all:

1. arrests and transports.

2. nonpursuit emergency vehicle operations.

3. any situation that the member, through training and experience, believes to serve a proper police purpose.

E. During the recording of an incident, Department members will not disengage the in-car video system until the entire incident has been recorded.

NOTE: Department members will be required to justify any disengagement of the in-car video system prior to the entire incident being recorded.

F. If recorded, felony and misdemeanor arrests, motor vehicle pursuits, traffic crashes resulting in property damage, personal injury, or a fatality, DUI incidents, and failure to yield to an emergency vehicle will be automatically stored by the in-car video system indefinitely when the correct event is selected from the postevent pop-up menu. All other incidents will be automatically stored for ninety days.

G. If digitally recorded data will be needed in judicial proceedings beyond ninety days, members will place an extended hold on that digitally recorded data as described in Item VIII of this directive, including but not limited to the following circumstances:

1. Traffic stops other than DUI,

© Chicago Police Department, February 2012

OIG 15-0564 011457

2. Enforcement stops,

3. Other traffic crash investigations, and

4. Stops for citizen assistance.

H. When a complaint against a Department member is received that involves a digitally recorded incident, the investigating member will request an extended hold on the data.

I. Assigned supervisors will request an extended hold on all digitally recorded motor vehicle pursuits and traffic crashes involving Department vehicles.

V. DEPLOYMENT OF THE IN-CAR VIDEO SYSTEMS

A. Commanding officers of units with vehicles equipped with in-car video systems will:

1. ensure that vehicles equipped with in-car video systems are evenly distributed for use by all watches.

NOTE: Commanding officers will ensure the units assigned to traffic duties in district law enforcement use vehicles equipped with in-car video systems.

2. whenever feasible, ensure vehicles equipped with the in-car video systems are deployed every tour of duty and service is requested for inoperable vehicles equipped with in-car video systems.

B. The *station supervisors* will:

1. deploy every vehicle equipped with a functional in-car video system during the tour of duty.

2. ensure digitally recorded data is downloaded from the in-car video systems.

3. whenever operationally feasible, review video of any arrest recorded by the in-car video system as part of the approval of probable cause.

VI. OPERATIONAL PROCEDURES

A. Department members assigned to a Department vehicle equipped with an in-car video system will:

1. at the beginning of a tour of duty:

a. visually inspect the in-car video system equipment for damage.

b. obtain the remote transmitter/audio recorder and ensure it is securely attached to the member's person.

c. follow the start-up procedures for the in-car video system as trained and ensure the system is working properly.

NOTE: Members will immediately notify a supervisor if, at any time, the in-car video system is inoperable, damaged, the equipped vehicle becomes inoperable, or the remote transmitter/audio recorder is missing.

2. during the tour of duty:

a. audibly and visually record events in accordance with this directive.

b. annotate all reports, including Contact Information Cards (CPD-21.101), prepared for an event which has been recorded by listing **"Video Recorded Incident"** at the end of the narrative portion.

© Chicago Police Department, February 2012

OIG 15-0564 011458

c. after an incident has been recorded, use the post-event pop-up menu to select the most serious recorded occurrence as the event type and enter other event information.

NOTE: If the member did not use the postevent pop-up menu to mark the incident as being held for evidence, the member will request an extended hold on digitally recorded data in accordance with Item VIII of this directive.

d. if the in-car video system indicates that the memory required to record incidents is becoming low or if the member observes that less than 30 minutes of recording time is available, download the digitally recorded data.

3. at the conclusion of a tour of duty:

a. verify the in-car video system is working properly.

b. initiate the downloading of the digitally recorded data.

NOTE: Members will immediately notify a supervisor if unable to complete the downloading of digitally recorded data due to technical problems.

c. shut down the in-car video system and logoff the system.

d. return the remote transmitter/audio recorder to the designated area for charging.

B. The sergeant assigned to supervise Department members using Department vehicles equipped with an in-car video system will:

1. monitor subordinates to ensure the in-car video system is used and that digitally recorded data is properly downloaded.

2. ensure that the Help Desk is contacted and a ticket number is obtained whenever any member is unable to use the in-car video system or download digitally recorded data due to technical problems.

3. initiate an investigation when notified of a missing or lost remote transmitter/audio recorder.

4. document on the Supervisor's Management Log (CPD-11.455):

a. whether each vehicle has an in-car video system and if it is functioning.

b. all responses related to malfunctions of vehicles equipped with in-car video systems.

c. digitally recorded data downloaded to land-based terminals, noting any units unable to complete the download and the Help Desk ticket number obtained.

d. any request submitted for an extended hold of digitally recorded data.

e. any instances of additional training, corrective measures, or disciplinary actions.

5. document on the Traffic Pursuit Report (CPD-22.958) or traffic crash report that the incident has been digitally recorded.

6. obtain a complaint register number and order an evidence technician to process the equipment if any damage or malfunction is suspected to have been caused by deliberate (tampering) means.

C. *Station supervisors* will:

1. designate a sergeant responsible for monitoring the downloading of digitally recorded data for the watch.

© Chicago Police Department, February 2012

OIG 15-0564 011459

2. record the total number of vehicles equipped with in-car video systems deployed during the watch and the total number of these vehicle that do not have a functioning in-car video system, if any, on the Watch *Incident* Log (CPD-21.916).

3. ensure the status of vehicles equipped with in-car video systems is recorded on the Personal Equipment Log (CPD-21.919) by recording the word "VIDEO" in the "Camera/Tripod No." column.

4. if an in-car video system malfunctions or the system or vehicle becomes inoperable **during** the tour, record the vehicle and beat numbers and the words "VIDEO DOWN" on the Watch *Incident* Log.

D. When digitally recorded data is determined to have evidentiary or training value, or a complaint against a Department member is received that involves a digitally recorded incident, the supervisor reviewing the recorded data will request an extended hold on the data.

VII. DOWNLOADING DIGITALLY RECORDED DATA FROM THE IN-CAR VIDEO SYSTEM

A. When downloading digitally recorded data from the mobile unit of an in-car video system to a land-based terminal, Department members will:

1. download the data in accordance with the manufacturer's guidelines and training.

2. ensure the download of data was complete and return the vehicle back into service.

B. With the approval of the *station supervisor* in the district of occurrence, special requests for the immediate viewing of digitally recorded data from the *Bureau of Detectives*, *Bureau of Internal Affairs*, or IPRA will be processed for major incidents where an in-car camera system may be reasonably expected to have captured a component of the incident.

1. Major incidents include, but are not limited to:

a. police-involved shootings,

b. serious injury or death to a Department member,

c. serious injury or death to a member of the public.

2. Special requests for viewing digitally recorded data will be made to the *station supervisor* in the district of occurrence, who will:

a. evaluate the request;

b. determine if the need for retrieval outweighs the operational impact of the vehicle being taken out of service; and

c. notify *Crime Prevention and Information Center (CPIC)* of the decision.

3. Special requests will be in the form of one of the following types:

a. Special wireless upload, or

b. Emergency on-site retrieval.

C. Special Wireless Uploads

1. The *station supervisor* in the district of occurrence will take the vehicle out of service and secure it at the unit of assignment or other appropriate location.

2. The supervisor will:

a. verify that the vehicle operator or partner is signed on to the in-car camera system;

b. instruct the member to manually flag the entire tour of duty's available video for upload;

© Chicago Police Department, February 2012

OIG 15-0564 011460

c. instruct the member to initiate a manual upload of this video with the vehicle in range of the facility's wireless hotspot; and

NOTE: If video cannot be uploaded via wireless hotspot, a cradle upload will be used.

d. ensure that the vehicle remains out of service until the upload is complete.

3. Once complete, the *station supervisor* will allow personnel from the *Bureau of Detectives*, *Bureau of Internal Affairs*, or IPRA, as appropriate, to review the uploaded files.

NOTE: For officer-involved shootings when an On-Call Incident Commander (OCIC) will respond, an emergency on-site retrieval will be immediately requested through *CPIC*.

4. The *station supervisor* may identify an alternate vehicle for the member to use while the identified vehicle completes its video upload, as appropriate.

5. If an attempt to wirelessly upload is unsuccessful, members may contact the City of Chicago Help Desk at 4-DATA for assistance.

6. If a wireless upload fails, an emergency on-site retrieval will be conducted.

D. Emergency On-Site Retrieval

1. The *station supervisor* in the district of occurrence will notify *CPIC* of an approved emergency on-site retrieval.

NOTE: An emergency on-site retrieval will only be conducted when an OCIC is responding or a wireless upload fails and contacting the City of Chicago Help Desk at 4-DATA has not resolved the problem.

2. *CPIC* will notify the Public Sector Information Technology (PSIT) Group personnel of a manual video retrieval from the "fail-safe" internal drive request.

3. The *station supervisor* in the district of occurrence will take the identified vehicle out of service during the retrieval process.

4. If the identified vehicle is still in use when the designated supervisor arrives at the unit facility or other appropriate location, the supervisor will report to the vehicle and instruct any member logged onto the system to log off the system.

5. The vehicle will remain out of service until PSIT responds and conducts the video retrieval.

NOTE: On-site review of video will be limited to the series of events and time frame giving rise to the alleged incident.

E. Viewing and Obtaining Copies of In-Car Video Recordings

1. Once retrieval has been completed for the requested time frame, the video may be viewed by personnel from the requesting party at the location of retrieval.

2. Requests for copies of in-car video recordings will be made by completing the form entitled "Digitally Recorded Data Viewing/Hold/Duplication Request" (CPD-65.224) and forwarding it to the Records Division.

F. The Managing Deputy Director, PSIT, will:

1. establish procedures to ensure the security of the digitally recorded data from downloading to storage by the Records Division.

© Chicago Police Department, February 2012

OIG 15-0564 011461

2. develop a system to monitor the memory capacity of the land-based terminals and provide for the security of the downloaded data.

G. If members are unable to download digitally recorded data from the mobile unit of the in-car video system to the land-based terminals due to system inoperability:

1. the *station supervisor* will notify the Help Desk and follow any further instructions given by the responding member of PSIT.

2. A designated member of PSIT will respond to the requesting unit and:

a. ensure the security of the digitally recorded data.

b. perform a manual download of the digitally recorded data.

c. record the manual download on the Help Desk ticket.

VIII. REQUESTING A HOLD FOR DIGITALLY RECORDED DATA

A. Department members will place an extended hold on digitally recorded data they recorded using the postevent pop-up menu on the in-car video system.

B. **Within the first 48 hours** from downloading digitally recorded data from the vehicle, Department members **who do not use the postevent pop-up menu** and request an extended hold on digitally recorded data will request that a supervisor place the extended hold by using the land-based terminal at the district/unit station.

C. **After the first 48 hours** from downloading digitally recorded data from the vehicle, Department members **who do not use the postevent pop-up menu** and request an extended hold on digitally recorded data will:

1. complete the Digitally Recorded Data Viewing/Hold /Duplication Request form.

2. indicate on the form the necessary actions by the Records Division.

3. explain in the narrative portion of the form the reason for the request.

4. submit the form to the *station supervisor/designated unit supervisor* for approval.

5. submit the completed and approved form to the Records Division for processing and retention in accordance with existing records-retention requirements.

D. Department members who wish to remove an extended hold on digitally recorded data will follow the procedures outlined in Item VIII-C of this directive indicating the circumstances requiring the removal of the extended hold.

E. The Director, Records Division, will:

1. develop a cataloging system for storage and retrieval of recordings and procedures for ensuring archives are maintained consistent with Department directives (including the Forms Retention Schedule), applicable state and federal laws, and compliance with all court orders.

2. be responsible for retaining digitally recorded data for which an extended hold was requested as prescribed by law and established Department policy.

IX. VIEWING, RETAINING, AND DUPLICATING DIGITALLY RECORDED DATA

A. All digitally recorded data created by the in-car video systems are the property of the Chicago Police Department. **Dissemination of any digitally recorded data outside the Department is strictly prohibited without specific authorization by the Superintendent or an appointed designee.**

1. Any non-Departmental requests for duplication of digitally recorded data must be approved by the Superintendent or an appointed designee.

© Chicago Police Department, February 2012

OIG 15-0564 011462

2. All approved requests will be forwarded in an expeditious manner to the Director, Records Division, along with:

   a. a completed and approved Digitally Recorded Data Viewing/Hold/Duplication Request form, and

   b. written instructions, including dissemination information, for compliance with the request.

B. Department members assigned to vehicles equipped with in-car video systems and their supervisors are encouraged to use the review/ playback functions of the system for the purposes of:

1. developing familiarity with the functions, capabilities, and limitations of the in-car video systems to create consistent recording techniques which capture relevant actions.
2. searching for and identifying recorded events having evidentiary or training value.
3. reviewing approach and officer safety issues.
4. ensuring consistency with written reports.

C. Reviewing Digitally Recorded Data

Investigating members may view digitally recorded data in the performance of official police business. When it is necessary to view digitally recorded data stored by the Records Division, the following procedures will apply:

1. The requesting Department member will:

   a. prepare a Digitally Recorded Data Viewing / Hold / Duplication Request form, including approval of the requestor's *station supervisor/designated unit supervisor*.

   b. schedule an appointment to view the recorded incident with a Records Division supervisor (or an appointed designee) to ensure the availability of a technician and playback equipment.

   c. present the properly completed and approved form to a Records Division supervisor at the scheduled time.

2. A Records Division supervisor will:

   a. process all approved recorded incident review requests.

   b. assign a technician to assist the requestor in viewing the recorded incident, as required.

D. Obtaining a Video Recording

1. A duplicate copy of selected information may be made to retain that information:

   a. when it is not required that the master video be retained for an indefinite period (e.g., investigation of a routine administrative incident when the punishment is of a summary or minor nature).

   b. when the requesting member determines that a duplicate video of a master video will be sufficient.

2. A duplicate video recording may be obtained by:

   a. completing a Digitally Recorded Data Viewing / Hold / Duplication Request form and submitting the completed form to the *station supervisor/designated unit supervisor* for approval.

   b. notifying the Records Division that a duplicate video recording is required and submit the approved Digitally Recorded Data Viewing/Hold/ Duplication Request form to the Director, Records Division.

© Chicago Police Department, February 2012

OIG 15-0564 011463

c. indicating to the Records Division which information from the digitally recorded data is to be included on the duplicate video recording.

3. When the duplicate video recording has served the purpose for which it was made, the requesting member will ensure that it is immediately returned to the Records Division.

NOTE: A member requesting a duplicate video recording will not make additional copies of it or permit unauthorized persons to duplicate or view it under any circumstances.

E. Special Situations

When the Records Division receives a request for an extended hold of digitally recorded data that indicates it pertains to:

1. **a motor vehicle pursuit or traffic crash involving a Department vehicle**, the Director, Records Division, will ensure a duplicate video is forwarded to the Traffic Review Board.
2. **an incident having training value,** the Director, Records Division, will ensure a duplicate video is forwarded to the *Deputy Chief*, Education and Training Division.

(Items indicated by *italics/double underline* were revised or added.)

Authenticated by: RMJ

Garry F. McCarthy
Superintendent of Police

11-055 / 12-003 EGV/RJN

© Chicago Police Department, February 2012

OIG 15-0564 011464

In Car Camera Video Retrieval Work Sheet

Date & Time of Notification: 20 Oct 14 2230 HRS Related HDT#: OPS CMD

Requestor: Dist Chief McLaughlin Tech: Bolivar

Location of response: 4100 S Pulaski

Type of Incident requiring retrieval: Police Involved Shooting - Fatal: Officer

Location of Incident: 4100 S Pulaski Date & Time of Incident: 30 Oct M 2147

Related RD#, Event#, and/or CR Log#: 14X475653

Vehicles to be checked: [redacted] ★

813R Veh# 8778 POs PC#: [redacted] Results: [redacted] @20141020 215250 2142 18 MHDD 30000214

815R Veh# 8489 POs PC#: Results:

822 Veh# 8765 POs PC#: Results:

845R Veh# 642 POs PC#: Results: [redacted] @20141020 215250 MHDD 00003227

841R Veh# 8948 POs PC#: Results: HDT NO OPEN HDT

List additional Vehicle to be checked and results on back of this form

Note: Any vehicles identified to be checked, will be evaluated for operational readiness as well. Any deficiencies of the ICC System will be noted i.e. MIC(s) are not sync'd; rear camera not working; cannot upload; etc. Actions to rectify the issue should be taken to render the system FULLY FUNCTIONAL!

Notes of work or activities performed:

8778: MICs In Gloves Box Powering Inserted UPSIDE Down/ ↳ Fully OP

8489: Processing Videos: extremely large Video files

8765: MICs In Charging Cradle; Not Sync'd to System

642: No Mics; Mic Charging Disconnected

8948

This Information Disclosed to Detectives; DC McLaughlin; & OOSTM.

Tech: Dist Supervisors ed Sergt Desiree Villanueva

McElligott EXHIBIT 5-9-16 AM

20 OCt 2014 , HY475653

Becvar, Lance J.

Sent: Friday, July 17, 2015 12:33 PM
To: Lewin, Jonathon H
Cc: Dziak, Steven E

Hello Dep Lewin,
Per your request the findings related to the Aggravavted Assault / Police involved Shooting on 20 Oct 2014 Listed under RD# HY 475653:

Findings from that night-

Veh 8779 Video Recovered Titled PC0Z400@20141020215250, No MICs because they were in the Glove Compartment with the batteries inserted unside down - Disabling them.

Veh 8489 System not engaged because a very long video (like hours long) was made previous to this event/incident and the system was processing that video and unable to start another video.

Veh 8765 System not engaged, officer related no power. There was no open HDT called in on vehicle. MICs not sync'd to system even though they were in the charging cradles.

Veh 6412 Video Recovered Titled PC055Z1@20141020215250 view out of focus. Foucsing problem found to be related to a loose cable connection for the camera. No MICs in vehicle and the charging cradles disconnected from power.

Veh 8949 System not engaged, officer reported that there was an application error - Mobile Recorder Start-Up corrupted. No Help Desk Ticket Open for this vehicle.

Sgt Lance Becvar

Mobile Data Supervisor

Information Services Division

Chicago Police Department
Cell# 312-446-3305
E-mail: lance.becvar@chicagopolice.org

McElligott
EXHIBIT 10
Date 5-9-16 Reporter

LEGAL DISCLAIMER: This message, including any attachments, contains confidential information and may be legally privileged. Access to this email by anyone other than the intended recipient is unauthorized. If you are not the intended recipient, any review, disclosure, copying, distribution, retention, or any action or inaction taken in reliance on this information is prohibited and may be unlawful. If you are not the intended recipient, please notify the sender and delete the message, any attachments, and any copies thereof from your system.

Opt-Out: +

In the Matter Of:

IN RE DEPUTY CHIEF DAVID MCNAUGHTON

DAVID MCNAUGHTON

May 25, 2016

Amicus court reporters, inc
300 West Adams St. Ste 800
Chicago, IL 60606
Phone: 312.641.3500
Fax: 312.641.3795
Email: info@amicusreporters.com

IN RE:)
)
)
INTERVIEW OF:)
)
)
DEPUTY CHIEF)
DAVID R. McNAUGHTON)

The interview of DEPUTY CHIEF DAVID R. McNAUGHTON taken in the above-entitled cause, before Teresa Volpentesta, a notary public within and for the County of Cook and State of Illinois, and a Certified Shorthand Reporter of said state, at 300 West Adams Street, Chicago, Illinois, Suite 800, on the 25th day of May, 2016 at the hour of 9:00 a.m.

APPEARANCES:

POLICEMEN'S BENEVOLENT & PROTECTIVE ASSOCIATION LABOR COMMITTEE
(206 South Jefferson, Suite 100
Chicago, Illinois 60661
773.410.0840), by:
tompleines@gmail.com
MR. THOMAS PLEINES,

On behalf of Deputy Chief David R. McNaughton;

OFFICE OF THE INSPECTOR GENERAL
(740 North Sedgwick Street, Suite 200
Chicago, Illinois 60654
773.478.5228), by:
sansari@chicagoinspectorgeneral.org
rvaldez@chicagoinspectorgeneral.org
MS. SARAH S. ANSARI and
MR. RAUL A. VALDEZ,

On behalf of the City of Chicago.

I N D E X

WITNESS	PAGE
DEPUTY CHIEF DAVID R. McNAUGHTON	
BY MR. VALDEZ	6

E X H I B I T S

NUMBER		PAGE
No. 1	Advisement of Rights	10
No. 2	Notification of Interview	13
No. 3	Notification of Allegations	13
No. 4	Receipt Form	14
No. 5	Tactical Response Report	15
No. 6	Officer's Battery Report	15
No. 7	Tactical Response Report	16
No. 8	Officer's Battery Report	17
No. 9	Officer's Battery Report	17
No. 10	E-Mail Correspondence	18
No. 11	Case Supplementary Report	34
No. 12	E-Mail Correspondence	172
No. 13	E-Mail Correspondence	182

MR. VALDEZ: So as a preliminary matter, I am providing the following information: An independent certified court reporter is present today to provide a verbatim transcript of this interview.

To aid in the accuracy of this transcript, it is the custom and practice of court reporters to audio record the interview.

The recording is the confidential work product of the court reporter and will not be provided to any party, including the Inspector General's Office.

If you request, the audio recording will be discontinued.

MR. PLEINES: No, that's fine, yeah.

MR. VALDEZ: So let the record reflect today is May 25, 2016. The time is 9:00 a.m. We are located at 300 West Adams, the office of Amicus Court Reporters.

My name is Raul Valdez, V-a-l-d-e-z. The court reporter is Teresa Volpentesta, and I would ask the other individuals present today to identify themselves and spell their names for the record.

MS. ANSARI: Sarah Ansari, A-n-s-a-r-i, of the Office of Inspector General.

MR. PLEINES: Thomas Pleines, P-l-e-i-n-e-s, counsel for the Deputy Chief.

DEPUTY CHIEF McNAUGHTON: David McNaughton. McNaughton is spelled, M-c-N-a-u-g-h-t-o-n. I am a Deputy Chief with the Chicago Police Department.

MR. VALDEZ: There are no other individuals present.

We are here today pursuant to an investigation being conducted under Chapter 2-56 of the Municipal Code of the City of Chicago.

We are here for an interview of David McNaughton.

Deputy Chief McNaughton, I am going to give you a copy of your advisements.

Oh, I am sorry. Go right ahead.

(Witness duly sworn.)

DEPUTY CHIEF DAVID McNAUGHTON,
called as a witness herein, having been first duly sworn, was examined and testified as follows:

EXAMINATION

BY MR. VALDEZ:

Q. Deputy Chief McNaughton, here is a copy of the Advisements.

We will just go through these line-by-line, and we will just get an affirmation that you understand each one.

So I, David McNaughton, understand that I am being interviewed by Raul Valdez and Sarah Ansari of the City of Chicago, Office of Inspector General.

Today is 5/25, 9:00 a.m. We are at 300 West Adams, and David McNaughton, do you understand that this interview is part of an official investigation and that you have the duty to cooperate with the Office of Inspector General, which includes answering all questions completely and truthfully?

A. I do.

Q. Do you understand that you have no

right to remain silent? You understand that you have the obligation to answer questions put to you truthfully? You understand that if you refuse to answer questions, you will be ordered by a superior office to answer the questions?

Do you further understand that you have been advised that if you persist in a refusal to answer after an order to do so, such further refusal constitutes a violation of the rules and regulations of the Chicago Police Department and may serve as a basis for your discharge?

A. I do.

Q. Do you understand that you have been advised that your statements or responses may constitute an official police report?

You understand that Rule 14 of the Chicago Police Department's Rules and Regulations prohibits making a false report, written or oral, and further understand that making such a false report, whether written or oral, may result in your separation from the Chicago Police Department?

A. I do.

Q. You understand that any statement made by you during the interview may be used as evidence of misconduct or as a basis for disciplinary action up to and including removal or discharge?

A. I do.

Q. You understand that any statement made by you during this interview and the fruits thereof cannot be used against you in a criminal proceeding?

A. I do.

Q. You understand that you have the right to have a union representative or legal counsel of your choosing present at the interview to consult with, and you have been given a reasonable time to obtain a union representative or legal counsel as long as the interview is not unduly delayed?

A. I do.

Q. You understand that refusal to answer any question, or any false, inaccurate, or deliberately incomplete statement by you would constitute a violation of Chicago Municipal Ordinance 2-56, and may serve as a basis for

your discharge?

A. I do.

Q. You acknowledge this statement of your administrative rights has been read aloud to you and you have been allowed to review this document?

A. Yes.

Q. Okay. If you could please sign where it says Employee's Signature?

A. (Witness complied.)

Q. And right here where it says Waiver, since obviously you have counsel, we are just going to X that out, okay?

A. Okay. Will I obtain a copy of that document?

Q. What will happen is with the transcript, you will get a copy of all the exhibits that we served to you today, okay?

A. Okay.

MS. ANSARI: And for the record, Raul Valdez and Sarah Ansari are signing the witness lines.

And we are entering the Advisements into evidence as Exhibit 1.

(Whereupon, document so offered was received in evidence as McNaughton Exhibit No. 1.)

MR. VALDEZ: And as I understand it, Counsel, you wanted us to have a call with Bureau of Internal Affairs to get an order?

MR. PLEINES: Yes.

MR. VALDEZ: Okay. So at this point, we will call Chief Welch to order Deputy McNaughton to answer questions via telephone.

BY MS. ANSARI:

Q. Deputy Chief McNaughton, it is our understanding that you will not answer questions without an order from a superior officer; is that correct?

A. That is correct. I respectfully refuse to answer any of your questions regarding this matter unless ordered to do so.

MS. ANSARI: Understood.

MR. VALDEZ: So here I am calling Chief Welch.

(Whereupon, Chief Welch was contacted and was present via teleconference.)

CHIEF WELCH: Eddie Welch, may I help you?

MR. VALDEZ: Hi, Chief Welch. This is Raul Valdez with the Inspector General's Office. I have you on speaker phone.

CHIEF WELCH: Hi, how are you this morning?

MR. VALDEZ: I am well. Thank you.

We are currently in a court-reported interview of Deputy Chief McNaughton. His counsel Thomas Pleines, and Assistant Inspector General Sarah Ansari are also here.

The OIG having provided appropriate notice to Deputy Chief McNaughton is attempting to ask questions of him regarding the Laquan McDonald shooting, and he has refused to answer questions about the shooting absent a command from a superior officer.

So I am asking you, Chief Welch, can you order Deputy Chief McNaughton to answer the questions?

CHIEF WELCH: Okay. This is Chief Eddie Welch, W-e-l-c-h, of the Chicago Police Department, Bureau of Internal Affairs.

Deputy Chief David McNaughton, I am giving you the direct order to answer all the

questions posed to you today by the Office of the Inspector General of the City of Chicago.

DEPUTY CHIEF McNAUGHTON: Understood. Thank you, Chief Welch.

CHIEF WELCH: Okay.

MR. VALDEZ: Thank you very much.

DEPUTY CHIEF McNAUGHTON: Thank you, sir.

CHIEF WELCH: Bye.

BY MR. VALDEZ:

Q. So what I am going to do now is mark some service exhibits.

Now, these were the items that were given to you -- served to you earlier, and we will just go through each one of them one-by-one, okay?

A. Okay.

Q. Deputy Chief McNaughton, this is what we will label as Exhibit 2. It is called a Notification of Interview.

Have you seen this document before?

A. I have.

Q. Did Bureau of Internal Affairs provide you with this document on or about May 16th?

A. They did.

MS. ANSARI: We will enter that into evidence as Exhibit 2.

(Whereupon, document so offered was received in evidence as McNaughton Exhibit No. 2.)

BY MR. VALDEZ:

Q. The next document we are going to show to you is called the Notification of Allegations.

Have you seen this document before?

A. I have.

Q. Did Bureau of Internal Affairs provide you this document on or about May 16?

A. They did.

MR. VALDEZ: We will enter this as Exhibit 3.

(Whereupon, document so offered was received in evidence as McNaughton Exhibit No. 3.)

BY MR. VALDEZ:

Q. The next document is the Receipt Form.

Deputy Chief McNaughton, have you

seen this document before?

A. I have.

Q. Did Bureau of Internal Affairs provide you this document on or about May 16th?

A. They did.

MR. VALDEZ: We will enter this as Exhibit 4.

(Whereupon, document so offered was received in evidence as McNaughton Exhibit No. 4.)

BY MR. VALDEZ:

Q. The next document is officer Jason Van Dyke's October 20th, Tactical Response Report for RD HX475653.

Deputy Chief McNaughton, have you seen this document before?

A. I have.

Q. Did the Bureau of Internal Affairs provide you with this document on or about May 16?

A. They did.

MR. VALDEZ: We will enter this document as Exhibit 5.

(Whereupon, document so offered was received in evidence as McNaughton Exhibit No. 5.)

BY MR. VALDEZ:

Q. The next document is Van Dyke's October 20th, Officer Battery Report for RD HX475653.

Deputy Chief McNaughton, have you seen this document before?

A. I have.

Q. Did the Bureau of Internal Affairs provide you with this document on or about May 16th?

A. They did.

MR. VALDEZ: This document we will enter as Exhibit 6.

(Whereupon, document so offered was received in evidence as McNaughton Exhibit No. 6.)

BY MR. VALDEZ:

Q. The next document, Officer Joseph Walsh, October 20, 2014, Tactical Response Report for RD HX475653.

Deputy Chief McNaughton, have you

seen this document before?

A. I have.

Q. Did Bureau of Internal Affairs provide you with this document on or about May 16th?

A. They did.

MR. VALDEZ: We will enter this as Exhibit 7.

(Whereupon, document so offered was received in evidence as McNaughton Exhibit No. 7.)

BY MR. VALDEZ:

Q. The next document is Officer Walsh's October 20, 2014, Officer Battery Report for RD HX475653.

Deputy Chief McNaughton, have you seen this document before?

A. I have.

Q. Did Bureau of Internal Affairs provide you with this document on or about May 16?

A. They did.

MR. VALDEZ: We will enter this as Exhibit 8.

(Whereupon, document so offered was received in evidence as McNaughton Exhibit No. 8.)

BY MR. VALDEZ:

Q. The next document is Officer Thomas Gaffney's October 20, 2014 Officer Battery Report for RD HX475653.

Deputy Chief McNaughton, have you seen this document before?

A. I have.

Q. Did Bureau of Internal Affairs provide you with this document on or about May 16?

A. They did.

MR. VALDEZ: We will enter this as Exhibit 9.

(Whereupon, document so offered was received in evidence as McNaughton Exhibit No. 9.)

BY MR. VALDEZ:

Q. The next document is Exhibit 10, an October 21, 2014 e-mail exchange between Chicago Police Department Office of News Affairs and yourself.

Deputy Chief McNaughton, have you seen this document before?

A. I have.

Q. Did Bureau of Internal Affairs provide you with this document on or about May 16?

A. They did.

Q. Thank you.

MR. VALDEZ: We will enter this as Exhibit 10.

(Whereupon, document so offered was received in evidence as McNaughton Exhibit No. 10.)

BY MR. VALDEZ:

Q. Deputy Chief McNaughton, in order to prepare for today's interview, did you review the materials that we provided?

A. I did.

Q. And those materials also included video from in-car video systems of vehicles 813 Robert, 845 Robert, and a Dunkin' Donuts security camera; is that correct?

A. That is correct.

MR. PLEINES: I am going to state for the

record that the disk that was tendered, we were unable to open what purported to be and what your office represented to be the dash cam video that has commonly been seen.

I don't know if it is on there or not, but we couldn't open it.

MR. VALDEZ: Okay. So the one that we are referring to, do you know which vehicle number you were unable to open?

MR. PLEINES: No.

MR. VALDEZ: Did you see any videos that were on that CD?

MR. PLEINES: We saw what is being referred to as the Dunkin' Donuts video.

MR. VALDEZ: So of the three, we saw the one Dunkin' Donuts video?

MR. PLEINES: Correct.

THE WITNESS: Right. Can I have a moment with him?

MR. VALDEZ: Sure. The time is 9:11, and we will go off the record.

(Short break in proceedings.)

MR. VALDEZ: The time is now 9:13, and we are back on the record.

MR. PLEINES: I want to clarify the statement that I made about the videos that were on the disk that was tendered.

My client was able to open the videos. As I reported to your office, I could not open all of them.

Additionally, your office represented that the files on the disks that are marked audio, that there is no actual audio.

MR. VALDEZ: Noted, Counsel. Thank you.

BY MR. VALDEZ:

Q. So Deputy Chief McNaughton, just to make it clear for the record, you were able to view in-car video from vehicles 813 Robert, 845 Robert, and the Dunkin' Donuts video?

A. Yes, I opened up the one, I believe 813 Robert, and the Dunkin' Donuts video I did view.

Q. Since receiving your Notice of Interview, did you review any other materials in connection with this case?

MR. PLEINES: When you say, "any other materials," do you mean other than the exhibits marked here?

MR. VALDEZ: Other than the exhibits marked, correct.

THE WITNESS: No, I did not, that I can recall.

BY MR. VALDEZ:

Q. Aside from your attorney, did you speak with anybody else in preparation for this interview?

A. My wife, yeah.

Q. Okay.

A. I informed others I was going here, but I didn't prepare with them --

MR. PLEINES: You didn't discuss the facts of what occurred?

THE WITNESS: No.

BY MR. VALDEZ:

Q. Understood.

And Deputy Chief McNaughton, before we get started with the substance of the interview, are there any statements that you would like to put on the record?

A. Yes.

MR. PLEINES: Read it slowly and clearly.

THE WITNESS: I want to preface this

statement by saying that I am not giving this statement voluntarily but under duress.

I am giving this statement because I have been advised both orally and in writing that I must give a statement or I will be separated from the Department if I refuse the direct order I have received.

In addition, on the advice of counsel, I want to object to the delay in this investigation.

This incident occurred almost 18 months ago. The delay in this investigation is prejudicial to my ability to recall the details of this incident so that I can defend myself.

BY MR. VALDEZ:

Q. Thank you, sir.

MR. VALDEZ: And Counsel, just to confirm, would it be okay to get this transcript to you next week given the holiday weekend coming up?

MR. PLEINES: That would be fine.

BY MR. VALDEZ:

Q. Deputy Chief McNaughton, what's your star number, sir?

A. 120.

Q. And your unit of assignment?

A. 115.

Q. And that unit of assignment, was it the same on October 20, 2014?

A. It was not.

Q. What was the unit of assignment then?

A. I was in Unit 211 on that date.

Q. And what watch were you on then, sir?

A. I am assigned as a deputy chief, so we work all the time, so we will say second watch for the record, but I am available 24 hours, 7 days a week.

Q. Understood. And on October 20th, what was your chain of command? October 20, 2014, what was your chain of command?

A. My chain of command was the Deputy Chief -- strike that.

The Chief of Patrol, Wayne Gulliford, and if he was off, his executive officer Eddie Johnson, who was then -- the chain after that is the First Deputy Alfonso Wysinger, and then the superintendent, Gary McCarthy.

BY MS. ANSARI:

Q. On October 20, 2014, what was your title?

A. Deputy Chief of Patrol.

Q. Okay. So it was Deputy Chief. Okay.

A. Yes.

BY MR. VALDEZ:

Q. And at that time, you were the commander of Area Central?

A. I was the Deputy Chief of Area Central, that is correct.

Q. And in the course of your duties, are you issued like a CPD cell phone, or do you guys use your personal cell phone?

A. I use the phone given to me by the Department, yes.

Q. Okay. And what's the phone number of that one, sir?

A. (312) 285-4051.

Q. And your personal cell phone, do you also use that for business on occasion?

A. I don't use a personal cell phone.

Q. Okay. And that cell phone number, the (312) 285-4051, that was the same on

October 20th?

A. It was.

Q. I want to get into what happened the night of October 20, 2014, and we will start with how you received the call?

A. Okay.

Q. So if you could just walk me through how that happened.

A. Okay.

BY MS. ANSARI:

Q. As best as you can recall.

A. I was in bed. I had worked a full day, more than a full day. I was on the detail escorting -- the motorcade detail escorting President Barack Obama that entire day.

I was not scheduled to be the OCIC on the night of the 20th. I came home late after the conclusion of the detail with the President. I had something to eat, and I went to bed a little early because I worked the day prior as well and had little sleep.

I got a call from Operations Command or CPIC that the shooting had occurred, which is not unusual.

They would call the deputy chief of the area that this occurred. I was notified. And they also told me I am the OCIC to handle the shooting, and I told them I am not; that another exempt member was reassigned to take that duty, and that I would not be coming out.

MR. PLEINES: For purposes of clarity, could you tell the court reporter what OCIC stands for.

THE WITNESS: The On-Call Incident Commander.

I told them I would not be coming out. I tried to go back to bed. A second call came out again from the same CPIC saying, hey, you got to go. You are, you know, the other commander that was so -- that you thought was assigned is not assigned or he doesn't think he is assigned, you will have to go. I said -- I told them no again.

Third call came, and this was from Deputy Chief Eddie Johnson at the time who was serving as the Chief of Patrol when the Chief of Patrol was out, he is the executive officer. He assumes command.

He told me that there was some type of mix-up and that I would have to go attend to this. So I did.

So there was a considerable amount of time that occurred between the first call and the last call that I got from Eddie Johnson. I can't tell you how much time that was.

BY MR. VALDEZ:

Q. Right. Do you recall at least the time of the first CPIC call, approximately?

A. I really don't. I mean, yeah, it would probably -- I don't know.

Q. Okay. And do you recall what time you arrived on the scene?

A. I don't.

Q. Do you live near the scene?

A. I don't. I live on the northwest side of the city and, of course, the scene was on the southwest side of the city.

There was minimal traffic, so I don't think that there was any great delay other than me going downstairs, getting dressed in my uniform and proceeding to the scene.

Q. If you needed to estimate how much

time between the first CPIC call and to when you arrived on the scene, would you be able to do so?

A. It would be a wild guess.

MR. PLEINES: I am advising you not to guess.

THE WITNESS: I just don't know.

BY MR. VALDEZ:

Q. Fair enough. Now, when you arrived to the scene, you are coming from the north side, so do you park on the north side of the scene?

A. I do.

Q. Do you recall which side of the curb you park on or approximately where you are at?

A. I do. I was on the west curb line.

Q. West curb line?

A. Yeah, yeah.

Q. Are you around --

A. Strike that. I was on the east curb line.

Q. Okay. East curb line, north side of the crime scene?

A. North of the crime scene, yes.

Q. At that point, you get out of your vehicle?

A. Uh-huh.

Q. And what's the first thing that happens when that -- when you get out of your vehicle?

A. I observed the scene, how big it is; that there is a lot of crime scene tape and a lot of police officers present.

Q. And was Laquan McDonald still on the scene?

A. He was not.

Q. And when you get there as an OCIC, what is kind of the assessment that takes place? Are there certain people that come up to you, do you go up to certain people, how does that work?

MS. ANSARI: Let's start with maybe what happened that night and then --

MR. VALDEZ: Sure, sure.

BY MR. VALDEZ:

Q. This will be specific to that night. So did you go up to anybody, does anybody come up to you in terms of the assessment of the

scene?

A. Right. It has been such a long time that I can't remember exactly who I talked to right at the beginning, okay? I would have to guess.

I would -- there is going to be Commander O'Donnell, I believe, and Captain Walsh on the scene, and I believe I went up to either one of them, I can't recall which one, and just basically got the facts of what was going on.

I may have received a phone call or called O'Donnell prior to getting to the scene to get some of that information, but again, I can't be specific if I did or I didn't.

So that would be my first course of action to get a grasp for what was going on.

Who gave that to me and gave me a run down on what was happening, I simply can't recall.

Q. And Commander O'Donnell, what is he the commander over?

A. Commander of the 8th District.

Q. And is he Patrol section or is that

both Patrol and --

A. Patrol.

Q. And Captain Walsh?

A. Captain Walsh, he would be called as executive officer, so he was definitely on scene.

I can't even remember if -- I can't remember the status of O'Donnell, if he was there or not, but I imagine that's who I would have talked to. That would have been the right protocol.

Q. Would it help your recollection in recalling who these people were if I gave you a copy of a case supp, a case supplementary?

A. It would.

Q. Okay. So what we will do now is I am show you a copy of Case Supplementary Report HX 475653, and this is dated October 20, 2014, at 21:57 hours, and I will give you a few minutes to go through that.

I believe Page 17 is where it will start listing personnel?

A. I do want to state prior to reviewing this document that this is the first time I have

ever seen this document.

Q. Yes, sir.

A. The only documents that I am aware of were the ones that I worked on that night.

Q. Okay.

A. I have never seen a subsequent document, although I know that they have been published, I understand, in the press.

I knew that I had a role in this, and I didn't want to taint any future type of role I may have by looking at this document, so this will be the first time I am looking at this.

Q. Sure. Time as much time as you need.

MR. PLEINES: And I would like to state for the record that contrary to counsel's characterization of the witness' testimony, he is not reviewing this document because he doesn't remember who O'Donnell or Walsh are.

His testimony is he didn't remember who he spoke to first or if he spoke to both of them.

MR. VALDEZ: Correct.

MS. ANSARI: And there is a lot of substantive information in this document, but

what we are really using it for is to refresh your recollection of who was on the scene, which was on Page 17.

THE WITNESS: Okay. Well, let me go to Page 17.

He was on the scene, okay.

MR. PLEINES: Make sure you review it carefully.

THE WITNESS: Okay.

MR. PLEINES: Can I ask for a clarification? What is your pending question?

MR. VALDEZ: My line of questioning is going to go into what happened that night, and I believe this will help Deputy Chief McNaughton refresh his recollection as to who was there, because we will get into some questions regarding detectives on the scene, et cetera, et cetera.

MR. PLEINES: Right. That's what I am getting at.

Are you asking him who was there upon his arrival, or who was there at some point during the evening?

MR. VALDEZ: Right now we are at the point

of the arrival.

BY MR. VALDEZ:

Q. So as you arrived on the scene, you mentioned that Commander O'Donnell and Captain Walsh were there and may have apprised you of the situation. You can't recall specifics, I understand.

BY MS. ANSARI:

Q. Is that correct?

A. That is correct.

BY MR. VALDEZ:

Q. And before we get any further, I just want to make sure we enter this as Exhibit 11, and if you need to reference any of these documents, just let me know and we can grab those.

(Whereupon, document so offered was received in evidence as McNaughton Exhibit No. 11.)

THE WITNESS: I just do want to mention that I only viewed Page 17 for the names that were there.

I didn't -- I did not review that entire document.

BY MR. VALDEZ:

Q. Noted.

A. All right.

Q. Now, other than Commander O'Donnell and Captain Walsh, was there anybody else that you spoke with upon arriving on the scene?

A. I just can't remember. I am sure there was. My recollection is cloudy because of all the things that have transpired since that time that I have had to handle, and so I think they were out by the what would be by the scene of where the shooting actually occurred, and I think one of the first things I did was find out who the shooting officer was and just introduced myself to that officer, not asking him any questions, but introduced him, jus gave him what my role was going to be; that I was going to ask him some questions, et cetera, and then I think I proceeded to what would be the north portion of the crime scene, and Sergeant Becvar was already on scene, and I believe IPRA was already on scene as well.

Q. Okay. So Sergeant Becvar, correct me if I am mistaken, but he is the in-car camera

technician; correct?

A. He is the technician that helps us with in-car camera on the scene so we can review it and retrieve it.

Q. Now, in terms of personnel that are assigned on the scene, did you tell people what to do? Did you assign tasks, so to speak?

A. No, because I was so late in arriving, and it is not the normal role of the OCIC to do those tasks. Patrol handles the crime scene to make sure it is protected.

The detectives start investigating and interviewing people, and IPRA is on scene to start their investigation, and then forensic services will come in to collect the evidence.

Everyone has specific roles in what they should do, and unless there is an issue with them not doing it, I let the natural course of events occur.

Q. Okay. And what are the duties of the OCIC?

A. The OCIC on a shooting is to make sure -- again, let's go through that the crime scene is protected, so when I got there it

looked like we had crime scene tape and things marked off well, so the patrol is doing their job; that the officer involved that his weapon is secure, either on his person or a trunk of a car. That's one of the main things that we want to make sure of right away.

We want to make sure that the detectives are on scene and actively doing their job. We can check the box on that, they were doing that.

We want to make sure proper notifications were made right from the beginning, which they were, obviously, because I got notified, IPRA was on scene, and that any type of services beyond what would be normally needed for a scene, I would be able to call out. So if we needed a light truck, let's say, because we needed additional lighting, or any type of specialty-type vehicle, I could request that.

If everyone is doing their job - detectives, IPRA, patrol, things are progressing, I get a basic account of what goes on.

I do what is a walk through with the detectives to get a full account of what's happening, the facts that I know at that time.

I do a walk through with the officer involved, which is a one-on-one interview, and then I make sure that IPRA gets a walk through of the scene and access to the entire scene.

The OCIC usually at that point would direct the investigation back into the area center, which is Area Central at this time, and then make sure that the weapon is retrieved by Forensic Service Division in my presence, and that the chemical testings for the officer, the breathalyzer and the urine sample is given, and then the final thing is to make sure at that time, it is no longer I don't think, but a News Affairs statement is put out, and the I will say the -- that the TRR's and the Officer's Battery Report are completed, and I review and get them done.

Beyond that, there is another role. I return all my documents. I make sure that they are properly completed and sent in, and then I do a briefing for the superintendent a

day later that encapsulates the entire -- gives a summation and presentation of the entire incident, and to my knowledge, all those things were done.

Q. On that night, October 20th?

A. October 20th, 21st, and then the superintendent's briefing was on the 22nd.

Q. Got it. To your recollection, did you need to request any specialty vehicles or anything that evening?

A. I don't believe we did.

Q. Okay. And it sounds like for the most part, the command staff of the various areas - patrol, the detectives division, that they know their role upon arriving to the scene?

So it is not a situation where you are necessarily telling them step-by-step what they need to do?

A. That is correct.

Q. Are you given any instructions as to the nature or scope of controlling the scene that night?

MR. PLEINES: Do you understand the question?

THE WITNESS: I don't understand the question. Give it to me again, please.
BY MR. VALDEZ:
Q. So that night, October 20th, did anybody give you any specific instruction or direction as to specific duties in terms of controlling the scene, an OCIC role?
A. Did I receive an instruction about the crime scene?
Q. Correct. Any direction from anybody in terms of getting the crime scene controlled or any specific direction?
A. I don't recall, no.
Q. Okay. And did you give any instruction or direction to any staff?
A. About the crime scene itself?
Q. Correct.
A. I don't recall, no.
Q. And now you said you walked to the shooting officer who we know now is Jason Van Dyke?
A. That is correct.
Q. The first time you approached him, there was no substantive conversation, it was

just an introduction?

A. Yes.

Q. And then also you mentioned the role of an OCIC is to ensure that the firearm is secured; correct?

A. That is correct.

Q. So is that also kind of the purpose of going to the shooting officer right away, just to make sure those boxes are checked?

A. It is one of the first things you want to find out to make sure, yes.

Q. Okay. In terms of that initial conversation with Officer Van Dyke, did anything else -- did you guys talk about anything else?

A. No. I can't remember the -- I can't remember the conversation, so I won't get into any detail, because I just don't remember.

It is more of a reassuring, hey, I am here, this is what's going to happen type of conversation; ask him if he has any personal needs that he has to attend to to make sure he is -- you know, it is a traumatic situation. You try to make sure that they are okay physically, you know.

Q. Definitely. Okay.

Do you recall speaking with any Cook County officers on the scene?

A. No.

Q. Do you recall seeing any Cook County officers?

A. I do not.

Q. Do you speak with any other -- excuse me.

Did you speak with any other CPD officers upon arriving to the scene?

A. I am sure I did. It may be as something as hello, how are you, but I am sure I talked to many officers, but I can't remember which one and where specifically.

Q. Do you recall any substantive conversations with any of the CPD officers -- officers involved in the incident?

MR. PLEINES: What do you mean by "substantive conversations"?

BY MR. VALDEZ:

Q. Anything relating to the shooting. Do you have to interview them --

A. When I did the separate interviews, I

don't know if you want to go in chronological order. I can get to that point if you want.

Q. Yeah, I think this is a good time to.

A. Or do you want me to go where I went next and what I did?

Q. I tell you what. Let's go to where you go next, and then we will take it chronologically.

This way, if we get out of order, you can let me know.

A. It just may help with my memory, if I am correct with my chronological order.

Q. We will get it to the best of your ability.

A. I believe one of the first things that I did was I saw -- I observed Lance Becvar in one of the vehicles retrieving video, and I was informed either by him or someone else that they did have video of the incident, and I did go to that vehicle, I believe that's 813 Robert, the -- and I did view the video that was presented by Lance Becvar.

Now, I don't know if it was on the in-car camera screen in the, you know, the

police car or on his laptop. I am not sure.

I think for some reason it was on a laptop device that was on the dashboard if I can remember correctly, so I did see the video at that point.

Q. Upon seeing the video, what were your initial reactions?

A. Well, my initial reaction was, oh, my God, you know, this is, you know, something to see, but I looked at it several times from the perspective of a police officer, and there were some very troubling things on that video that need to be notated and are not being notated in the popular culture right now. Can I elaborate?

Q. Please.

A. Okay. I didn't know if you wanted me to go a long time here with this.

That video shows an offender running through the Burger King parking lot, okay? And he is running at a good clip because police officers are running after him.

When he gets to what I believe is the intersection of 41st and Pulaski, he slows down and he almost -- and he is walking now, and he

almost comes up to a complete stop, and in front of him, he is facing southbound, and in front of him, his view, are two police cars. One that just passed him and is parking at him, that's Van Dyke and Walsh, and another vehicle that's facing him, and I don't even know who the officers are in that vehicle, I don't know their beat number, but he is right in the middle of the intersection observing those two things.

The point that really gets to me as far as a police officer, and it would for any police officer, is he stops, he hitches up his pants, and with his right hand presents the knife in a swinging motion, not trying to conceal it, throw it away, which where I come from in my personal knowledge of just being a human being, not alone a police officer, that's an aggressive act.

It is one that I would consider to be an assailant at that point.

If I am going to confront this guy, this guy is telling me, he is going to fight.

Also, I noticed that Walsh and Van Dyke's vehicle have pulled several feet

ahead, and now the offender, or excuse me, Mr. McDonald, is moving forward in such a fashion. He is kind of veering to the right, but he continues to move the knife.

He doesn't conceal it or surrender it or discard it, and the officers are getting out of their vehicle. They are hand motioning, which would give me an indication that they are telling him, hey stop, get back, get down on the ground, normal police commands, drop the knife, and he continues his motions to where he gets close enough to Van Dyke where he makes a motion with what looks like his right hand that is obscured by the video itself when it appears that Van Dyke does fire upon him.

I did see it several times, and my impression was that, you know, this guy was an aggressor, and if I was the police officers on the scene at that time, would it be reasonable for me to believe that I was in fear of my life, and to me, that tape, before I even talked to them, was something that confirmed that initial thought.

So those were my initial thoughts,

but I didn't want to get ahead of myself. This was only one piece of evidence. There was a lot of things that we had to do.

I then asked the investigators on the scene, I think Lieutenant Wojcik was there, Lieutenant Ozzie Valdez was there, and I don't know which one I asked, but I would have asked one of them to get me the detective that's in charge of this, and I want to get a walk-through from him, from that detective, to make sure that what do I know, what am I missing here, what's going on?

I already had a basic narrative, but I want to make sure I got, you know, a cleaner picture, and that's what I normally do.

I don't think -- there is really no set class on OCIC, which I think is a problem that should be talked about, but what I do is I have the detective involved, clean up any gaps that I don't have right now, and they usually by this time have enough information to walk me through the scene.

So I had Detective March get into my vehicle, my Ford Fusion, and I said let's begin

from the beginning, from the radio call and where this all came out, what you know at this time.

So we went back to the truck yard at 40th and Keeler, I think it is 40th and Keeler, where the call came out that there was a man breaking into vehicles.

Detective March told me that he had learned from the officers involved that when they got there, when the officers I think it was 815 Robert, when they were on scene, they were directed by an individual that there was a man armed with a knife; that he was walking eastbound on 40th; that I don't know if he was breaking into vehicles or what actions he was -- what he was doing, but 815 Robert immediately went to go and investigate, and they subsequently found Laquan McDonald walking eastbound on 40th Street.

I believe it was Officer McElligott got out of the vehicle, noticed that he did have the knife, and he followed him, McElligott with his gun drawn following him at a good distance behind on foot, and Officer Gaffney paralleling

the two as they are walking down 40th Street.

When they get to 40th and Karlov, Gaffney pulls in front of McDonald in the intersection to try to, as they say, cut him off at the pass, to stop his progress.

It is at that point that Laquan McDonald punctures the tire on the vehicle and attacks the windshield for lack of a better term in the vehicle that's occupied by Officer Gaffney.

MR. PLEINES: With what?

THE WITNESS: With his knife, the knife, with the knife. He punctures it with a knife, and I believe at that time, I don't know if it was Officer McElligott or Officer Gaffney had been on the radio asking for assist, and they even state that he punctured the tire.

Now it is a run. Now we have got a chase going on, a foot chase, and they are running eastbound on 40th that brings us through the Burger King parking lot, and I rode through and saw that, to the crime scene.

So we get out, park the car pretty much back at my old former position, and I get

out and I walk the crime scene. I walk the distance to where I think McDonald has stopped to where he is hit, and the one thing you will notice, if you have done it yourself is that -- people say he is walking away, that he is not approaching them. That's just not the case.

If you are standing about 60 feet away from where the parked vehicle is from Walsh and Van Dyke, and they are pretty much a fixed object, and McDonald is about ten feet away when he is shot, he approached them. There is no other way to describe it.

If you define approach as come near to somebody, he came near to them. It wasn't Van Dyke and Walsh that engaged him. It was McDonald that came up to them.

I noticed the crime scene, I noticed the casings that were on the ground and then I saw the knife for the first time.

I don't know why I didn't see it when I was doing it, but this is the time I saw the knife.

It was on the ground exactly where Walsh kicked it, and I believe I asked somebody,

and I don't know who it was, why is this so far from -- I didn't notice in the video.

Because there is so many things you don't notice when you see a video even a couple times.

BY MR. VALDEZ:

Q. Right.

A. You can look at it 100 times probably to see it correctly, was how far the knife was kicked, which kind of indicates how much adrenaline was pumping through these officers' bodies at the time, because it was kicked a considerable distance away from Laquan McDonald, out of his hand, but that knife could kill somebody.

I know it is characterized in subsequent media reports as being, you know, so many inches. I can tell you. I don't know if you have seen the knife yet, but that can definitely, definitely do somebody some harm.

At that point --

MR. PLEINES: Finish your thought.

THE WITNESS: Let me just let finish my thought.

So that was my walk through with March, okay?

Do you want me to continue as far as my chronological.

BY MR. VALDEZ:

Q. What we could do is, because I wanted to get back to the video.

How many times did you see the video with Becvar?

A. I don't know. It was several.

Q. Several times?

A. It was several times, and I believe other people were, I want you to see it, too, maybe detectives, detective sergeants at that point.

I think Lieutenant Wojcik saw it as well, Tony Wojcik saw it as well. Yeah, several times.

BY MS. ANSARI:

Q. The impressions you gave us, I just want to get this clear for the record, but the impressions you gave us of the video, those were the impressions you had at the time of viewing the video, not after the fact right now;

correct?

A. Right.

BY MR. VALDEZ:

Q. Do you recall -- I know the times are going to be hazy, but I am going to ask this kind of continually.

A. If I can go back to one thing about that video that stood out in my mind.

Q. And this is at the time of --

A. This is at the time that really I think, you know, set my mindset, was the action of McDonald hitching up his pants and throwing that out there.

An offender that is running from the police is fine, okay, we get that. That's normal.

An offender that sees the police ahead of him and stops and does that. That's not normal. That would send the hairs up anybody's neck that has to respond to that.

Most offenders that are armed try to discard or conceal the weapon. He didn't do either. He presented the weapon.

Again, that stood out in my mind.

Those were the things that were standing out in my mind.

Most either surrender or comply. He did neither. He continued his approach to the officers when he had a clear path.

If you look at the video, he had a clear path to run on the right-hand side, and knowing Laquan McDonald's size and stature and age and Officer Van Dyke's and Walsh's size and stature and age, I would venture to guess that he would make good his escape if he just put the knife down and took off.

He didn't do those things. It is -- it has been categorized later, and one that I strongly object to, is the fact that people say that this is a normal thing that police encounter. It is not.

When police encounter offenders, they usually do certain actions. Mr. McDonald didn't do those actions, and for that reason, it would give a reasonable person to believe that they would be in fear of their life if they were on the ground there at that time.

Twenty-five years of police

experience, I would have felt that way. I would have felt that way if I was on the ground.

Q. We get to the video, you view it several times. At that point, upon viewing the video, did you get any type of narrative from anybody to kind of say, you know, these are the officers involved, this is what happened, or was it more you viewed the video, and then as things kind of developed, you built that --

A. Yeah, you know, good question. I don't know who did what. Someone had to tell me, because I wanted to talk to them. I don't know who told me.

I know Van Dyke and Walsh were in the one car. I think we had McElligott and Gaffney come up. Their car was also on the scene as well with the punctured tire and the markings on the windshield. That was nearby the scene as well.

So at this point, I believe, I start doing my interviews with these officers. Who I interviewed and in what order, I can't remember, but I specifically know that I talked to them individually and separately.

They were not within earshot of anyone. We walked off to the side, and I told them -- each one of them when I talked to them, I told them to give me a chronological account of what happened, and they did, and none of them told me something that would contradict the facts that I knew at the time.

Q. Okay. And now this one-on-one interview with the various members, does that happen prior to your walk through or before -- or after your walk through?

A. It was prior to my walk through with IPRA, but after my walk through with Detective March.

BY MS. ANSARI:

Q. The walk through with Detective March happened, as far as you can recall, right after you viewed the video several times?

A. Yes.

BY MR. VALDEZ:

Q. Do you recall what time it was at that point that you had viewed video?

A. I was not looking at my watch. I couldn't tell you.

Q. And I know that you said your recollection is hazy, but that's going to be a question that I will ask just to try and get a timeline, so don't get annoyed by those questions.

A. Sure. And again, I want to preface everything here to let you know that these -- this could have been done in different order.

It is just the best of my recollection right now.

Q. Understood.

A. Okay.

Q. So you get in your vehicle with Detective March?

A. I already did that. We came back.

Q. Was anybody else in the vehicle besides you and Detective March?

A. No.

Q. So you get back to the scene, you park your vehicle, get out of the vehicle, and at this point you believe you start interviewing the various members?

A. I believe so, yes.

Q. Do you know what member you would

have started with? Is it logical to start with the shooting member or --

A. I just -- I just don't remember, you know, I just cannot recall which one I talked to first.

Q. Okay.

A. I am not going to even speculate.

BY MS. ANSARI:

Q. When you say you did interviews with the involved officers, do you mean you interviewed the officers who witnessed the shooting; correct?

A. No. I think the only four officers I talked to, to the best of my recollection, would have been Van Dyke, Walsh, Gaffney, and McElligott. That's the best of my recollection.

If I interviewed others, I just simply can't recall, but I think those are the ones that I talked to.

BY MR. VALDEZ:

Q. And you mentioned that you had talked to each of these officers separately, you pulled them to the side?

A. Right.

Q. No one else was present during these conversations?

A. No.

Q. And you said that to the best of your recollection, what they told you didn't differ from the facts that you had known at that point?

A. No.

Q. Had you met any of those officers prior to speaking with them that day?

A. I was the Commander of the 8th District prior to this, and when I was on scene, I was wondering Van Dyke didn't seem, you know -- I think Van Dyke was transferred in after I was promoted and left the district.

McElligott and Gaffney, you know, maybe to say hi, and Walsh, I do remember Walsh, and I don't know why, just, you know, going out on jobs and seeing him, but none of them I would say I knew well or anything like that.

Q. So no type of social relationship? Strictly at work?

A. No, no, nothing like that, no.

Q. Okay. Now, you mentioned you had spoke with Detective Valdez, Wojcik and also

March who was investigating the scene, the incident, I should say?

A. Yeah, Wojcik and March, yes. I am sure I talked to Lieutenant Valdez during -- on the scene.

I just can't remember in what form or fashion or how -- what the conversation was about.

Q. Now, in terms of the OCIC and the detective side of things, are they coming up to you with developments that they are learning as the night progresses?

A. If there is anything substantive, yes, they would have definitely.

Q. Does anything stand out in your mind the things they came and told you?

A. No, nothing does that I recall. Are you talking about the whole night?

Q. Let's just say at the scene. We will focus at the scene.

A. No, I can't recall.

Q. Do you recall if any of the detectives consulted with you about where to go with their investigation at all, and this is

again at the scene?

MR. PLEINES: When you say "consulted," do you mean in a sense asking the Deputy Chief how they are supposed to do their job?

MR. VALDEZ: In essence, yes.

THE WITNESS: No. It looked like everybody was doing their job. I didn't get the sense that I had to give anybody direction, nor was anyone asking me for direction that I recall.

You know, I am sure we had conversations about the scene, about, you know, particulars, but I just -- I honestly can't remember who I talked to and what the substance of the conversation would be.

BY MR. VALDEZ:

Q. And in terms of updates about developments on the scene again, you said -- I know you said you can't recall much in terms of specifics, but does anything stand out in your mind in terms of being at the scene where you would have learned a certain fact or any additional information such as civilian witnesses or CPD witnesses that people would have made you aware of?

MR. PLEINES: Other than what you have already said.

THE WITNESS: No, nothing that stood out that was out of the ordinary, no.

BY MR. VALDEZ:

Q. And now, you said you had a walk through with IPRA as well; correct?

A. I did. After I talked to the officers, I walked through the scene with IPRA.

Q. And who from IPRA?

A. I don't know their names. I believe there was four of them, or maybe more, but what I did is I offered and we did do the same thing that I did with March.

I offered get in my car -- I got a Ford Fusion, so I think we could only fit four people. If there was five, they would have had to sit on someone's lap in the back, and I brought them right through the scene in chronological order of what I knew at that time.

Q. But you don't know who was in the vehicle that you did the walk through with?

A. I know it was IPRA. I am sure we exchanged who we were, but I could imagine if I

see you 18 months from now I am not going to remember and stuff like that.

Q. Understood.

A. All those type of things.

Q. When IPRA arrives on the scene, I know -- they need to get access to the crime scene; correct?

A. Right.

Q. So how does that process work? How did it work that night?

A. You know, it has changed since that time, but basically, IPRA stays out on the periphery of the crime scene until the detectives are done with it or until I bring them in to do the walk through, and so when I got done with the one-on-one interviews with the officers involved, I then took IPRA through the scene in my car.

We first went to the -- and the same chronological account that I have just given you, I basically drove them through, had them look at the physical evidence on the scene.

There was one hitch in which one of the IPRA investigators informed me that members

from the Forensic Services Division started, I think, picking up -- I think they were casings they were picking up, and they told me. I said, all right, stop, you got to wait until the walk through.

That was about the only thing that stood out in my mind that didn't go according to Hoyle (phonetic) on the scene as far as, you know, and when I told them, okay, we will stop until you tell me to start again, and that was it.

I believe, and I can't -- I can't remember, but I think, and you can verify with Becvar or the IPRA investigators, I believe I showed them the video from the in-car camera right on the scene prior to leaving, and they may have seen it several times.

You have got to remember, when that video was being shown, you can only look inside the vehicle, so it can only be really one or two people can see it at the same time, because you only can stick, you know, two heads in a vehicle at the same time, so I believe they did.

If not, they definitely were made aware, to the best of my knowledge, that the

video existed.

Q. Okay. So you do the walk through with IPRA. When you come back, you meet up with Becvar, at least you believe you meet up with Becvar. Do you know what vehicle he is at?

A. It is the vehicle, I believe -- I believe it is the vehicle that captured the video.

Q. So 813 Robert?

A. Right.

Q. So he is still at 813 Robert with either his laptop or looking at the in-car video display?

A. I really can't remember to tell you the truth. He was going from car to car to car, trying to retrieve anything. That's what he does, and we got to make sure he does that, or if there is anything different or out there that we need to see, we want it look at that, too.

Q. But for some reason it stands out in your mind that either you went with IPRA and showed them video multiple times, or you at least made them aware of the existence of a video?

A. Yes, that's what I think happened, to the best of my knowledge, yeah.

Q. Anybody other than IPRA, did they see the video as well? I know you mentioned some names previously. Anybody that you can recall?

A. That I can't recall. There could be several of the -- I don't know. It wouldn't be surprising if other supervisors saw it, if some other detectives saw it. I don't know who.

I know I saw it. I know Lieutenant Wojcik saw it because I think he was with me when I first saw it, and then, you know, I am sure there were others, but I am not sure.

Q. Right. But it is pretty common to say, I mean, for police-involved shootings, if there is video involved, the command staff will look at that video and see --

A. I would think so, yes, yes.

Q. And with IPRA, did you have to give IPRA a public safety statement? Do they get those at that time?

BY MS. ANSARI: Is that a term of art that is not --

A. That might be a new procedure since

this has all unfolded with IPRA, so I am not aware of that statement.

I know that things at that time were evolving with IPRA and the FOP that every time an OCIC would go out, there seemed to be a different rule on how we would do things, but that night, there was I don't think a public safety statement. I don't think that there is.

BY MR. VALDEZ:

Q. And in terms of just background for my own benefit, in terms of I guess we will call it flux between FOP, IPRA and the OCIC, you said there were some changes that happened around that time.

What's kind of the background for those changes? I mean, what types of changes are we talking about?

A. More of access to the officer as far as timing, and I don't know -- I think in this time, there was a rule that they would wait 24 hours at least to talk to the shooting officer.

Q. That's IPRA would wait?

A. IPRA would wait 24 hours, and the

witness officers would be within two hours of the incident.

Q. Okay. And that was new developments as of that time?

A. I don't know how new. No, I don't know. I don't want to get involved with -- I can't remember.

Q. No, not a problem. I was just trying to get some background.

A. Yeah, I wish I could give it to you.

MR. PLEINES: How are you doing? Do you want to take a break?

THE WITNESS: I am okay.

BY MR. VALDEZ:

Q. And now FOP reps, do you talk to any of the FOP reps on the scene? Did you talk to any FOP reps on the scene?

A. I might have. I don't recall. I know I am very cognizant that I don't want them coming with me when I do my walk through.

They will try to walk right in with you on that, but I don't recall them -- I don't even know which FOP reps were there.

I know there were several reps

because -- I think there were several reps there, but I don't recall -- I said hello to them maybe. I don't know which ones they were even.

Q. What's the reasoning behind for trying to be separate from the FOP on the scene?

A. For me?

Q. Yeah.

A. Well, I don't want to be near anybody as far as when I am talking to the involved officers.

I want to give them the ability to have that one-on-one conversation. That's kind of a sacristy-type thing.

Q. You want a very unbiased statement from them; right?

A. Right.

Q. Do you know if you are the first person to talk to these officers, or at that point have the detectives went and spoken with these officers?

A. I am sure the detectives have talked to them, their chain of command has talked to them, but I am the one when I am going to do the

walk through, that I am going to talk to them, yes.

Q. And anybody else that you can recall that was on the scene other than IPRA, FOP, the detectives, your patrol guys?

A. Not that I am aware of.

Q. Nothing stands out?

A. Nothing stands out unusual.

Q. Okay. On the scene, did any media attempt to interview you at all or any other CPD members?

A. Not to my knowledge.

Q. And generally speaking, how is that handled? I know there is some shootings where there is more media presence their others?

A. Right.

Q. Does the media on occasion try to interview you or --

A. That has evolved over time, and based on superintendent's decisions. Years ago, we had a police spokesman that would be on the scene saying something, and then there was a decision made later on that we don't make any statements, that we refer them to the

Independent Police Review Authority, and then we started doing statements by the OCIC, and now we are doing a News Affairs, either the press spokesman for News Affairs or the I have seen now the Chief of Detectives giving statements, so it has evolved over time on how that is going on.

Now News Affairs shows up to police shootings. They didn't show up to this police shooting.

I know that one of the problems that we had had over a period of time was with IPRA being the people we were referring to, FOP was making statements.

They were not official statements at the Police Department. They were the statements made by FOP, so that's that.

Q. And at that time, do you know what procedures were in place in terms of the media contact?

A. As far as that, I would refer them to News Affairs, and then I would be in contact with News Affairs from the scene.

Q. Okay. And now anything else at the

scene that kind of stands out in your mind prior to leaving?

A. I can't recall.

Q. Okay. And do you know what time --

A. Oh, one thing that I did do, and I don't know when I did it. I did go get a cup of coffee at the Dunkin' Donuts, and I may have seen the video of the Dunkin' Donuts on their little screen in the office.

I am not sure if I saw there or if I saw it back at the Area, but I believe I saw it at the Dunkin' Donuts itself.

Q. So were there other CPD members of in the Dunkin' Donuts at the time --

A. There was a defective in there. I don't know who it was working that scene or working that aspect of it. I don't know his name.

Q. Do you know of any civilian witnesses or anything like that at that Dunkin' Donuts?

A. Oh, at the Dunkin' Donuts? Not that I know of. I am sure the detectives asked, but I didn't inquire if they saw anything.

Q. Now, the detectives, did they ask you

at all about transporting witnesses or anything like that from the scene?

A. That wouldn't be something that I would do or get involved in. If they needed somebody moved, they could either do it themselves or ask patrol officers to take people back to the area if they needed that.

Q. So in essence, are there any things that need to be cleared through the OCIC in terms of investigating at the scene?

A. As far as them doing their jobs and proceeding?

Q. Correct.

A. No. The only thing that we ask is Forensic Services to leave it intact until we are done, as far as the walk through that they would start collecting evidence.

Q. Do you recall what time you left the scene?

A. I don't.

Q. Was it mid-scene or were things kind of wrapping up at that point?

A. When we were really finished with the business of what we had to attend to, that's

when I left. It was several hours I would say that I was there.

Q. Okay. Do you know if the evidence tech guys were done at that point?

A. Oh, no, I don't think so. And they wouldn't be typical to be done because they had to process the scene, the vehicle, the knife, the casings. They had a lot of work to do.

Q. So you were at least there for several hours, but not until the end, there were still some things going on?

A. Yes.

Q. After you left the scene, where did you go?

A. To Area Central, 51st and Wentworth.

Q. And did you transport yourself in your own vehicle?

A. I did.

MS. ANSARI: We are going to move on from the scene?

MR. VALDEZ: Yes.

THE WITNESS: Could we take a break right now then?

MS. ANSARI: That would be great. Thank

you.

MR. VALDEZ: We are going off the record at 10:05.

(Short break in proceedings.)

MS. ANSARI: Going back on the record. It is 10:11 a.m.

BY MS. ANSARI:

Q. Deputy Chief McNaughton, I have a couple follow-up questions related to your experience at the scene.

Well, first, who is the OCIC who was supposed to be on call that night.

A. Chris Fletcher.

Q. What happened -- why was he not able to go out on this call?

A. He actually, to my knowledge, I was told, he actually didn't think he was working that night, and for whatever reason, he was indisposed, couldn't go.

Q. So you said when you got to the scene, one of the first things you did was make an introduction to Officer Van Dyke; correct?

A. Yes.

Q. You said you don't recall any

specifics of that conversation, but do you have any general recollection of him saying anything to you about what happened in that initial conversation?

A. No, no, I don't recall.

Q. Okay. And then you viewed the video with Sergeant Becvar; correct?

A. I believe so, yes.

Q. And that was in Vehicle 813R?

A. Correct.

Q. You believe Lieutenant Wojcik viewed the video with you?

A. I think he did at that time. That's the best of my recollection. I could be wrong on the timing; best of recollection.

Q. Okay. And you said that you weren't sure if anyone else viewed the video, but you believe other command staff would have viewed the video and other detectives would have viewed the video that night at the scene?

A. Yeah, I did say that. I really don't know who did or didn't see it, so I don't want to give you the mischaracterization.

Q. Okay.

A. You know, that others didn't see it.

I wouldn't be surprised, okay, if that was the fact.

Q. Okay. And then after you viewed the video, Detective March walked you -- you did a walk through with Detective March?

A. Right.

Q. At the time, did you see that he had any notes?

Was he writing things down at the time, or did you see any of his reports that he was creating as he was conducting his investigation? Not just during the walk through, but the whole kind of night?

A. Right. No, I didn't notice him writing anything down or taking notes when we were talking.

If he had his clipboard, which is a common thing, it wouldn't stand out, so if he did, he did. If he didn't, he didn't, but that's typical if you see a detective on a scene to have a clipboard where they take notes.

Q. Okay. And on the walk through with Detective March, he was the only person walking

you through the scene? There weren't other detectives?

A. No, I just had one individual. I don't need 20 people telling me things, you know, what's going on.

Q. Did you have any conversation that you recall about the shooting with any other detectives?

A. I may have, yes. I mean, there were so many other personnel on the scene that, you know, I just don't know who.

Q. But there is no other detective that stands out in terms of kind of leading the investigation essentially?

A. No.

Q. Okay. What were Lieutenant Wojcik's and Lieutenant Valdez' roles on the scene?

A. They are the homicide, you know, detectives for Area Central, so they are leading the investigation from the detective side.

Yeah, they are the leadership for the detectives that are on the scene.

Q. Are they both like equally --

A. I don't know if one supersedes the

other. You would have to ask their chain of command.

They are co-rank, but I think they work in tandem with each other. It is a big enough scene with a lot of people to interview and go through. There was plenty of work to do for everybody.

Q. Got it. And just to clarify for the record, you didn't have any involvement in the detective reports that were created that night?

A. No, and that's not the role of the OCIC. In fact, that's why I wanted to caution you when you showed me that report. It is the first detective supplementary that I have seen. I purposely stay away from that.

Q. And after the March walk through -- after Detective March walked you through the scene, you said that you had the separate conversations with at least Officers Gaffney, McElligott, Van Dyke, and Walsh?

A. I believe those are the officers I talked to. Definitely Van Dyke and Walsh, and I believe it was McElligott and Gaffney as well.

Q. And you don't believe you talked to

any other officers who witnessed the shooting, or you are just not sure?

A. I am just not sure if I did.

Q. Did you -- how did you record the statements that they gave you?

A. I didn't. Just simply to get them by memory that night so we could proceed with our paperwork.

There were a few things that stood out especially from Van Dyke's side that I do remember, because he was the one I was focused on.

The other ones, I am not saying they are peripheral, but let's face it, Van Dyke is the shooter, so there are some things that stood out in my mind with him.

Q. So as best as you can recall, recap the conversation you had with Officer Van Dyke and you said stuff -- there were things that stood out. What stood out?

A. Right. So I had him do a chronological order. He among the others I think was not as strong as remembering what he was actually doing through the whole, you know,

tour prior to coming there, because I think he was upset.

He looked like he was traumatized from this incident, which is natural, compared to the others.

It was at this time he told me a couple things that do stand out.

One is that he wanted to door him, and that's when you are driving by, you can open the door and hit somebody, and I think I quipped, "I wish to God you did," you know, but he didn't, because he told me that Walsh told him that to the effect don't do that, he has a knife, something -- words to that effect, something like that, and which only reinforced in my mind that he knew that the offender was armed with a knife prior to even parking the vehicle.

So at this point when I am talking to Van Dyke, it is the first time I actually learn -- I asked him how many times did you shoot, and he told me it was, you know, 16, you know, he fired, and I kind of did I think a, you know, a gafar (phonetic), 16 times, why, you

know.

I could tell that he was traumatized, and he said words to the effect "eliminate the threat," and that's what he is trained to do in the academy when they learn to shoot, and we saw subsequent shooting classes that they take.

I wasn't aware that there was the curriculum in the academy; that they actually use that verbiage, "eliminate the threat." I subsequently learned that they do use that verbiage. I was surprised.

He seemed to me an officer that was extremely scared and afraid of what had happened and that he felt his life was in danger, his partner's life was in danger, and that's why he fired his weapon, and that's the impression I got when I talked to him on the scene.

Q. Okay. So you said that when he told you he shot Laquan McDonald 16 times that you -- and if I am putting words in your mouth, please correct me, that you were surprised. Is that a fair characterization?

A. Right. Because I didn't know at that point that that's how many rounds had been

fired.

Q. So the first time you found out 16 shots had been fired was when you talked to Officer Van Dyke?

A. I believe so. If I can remember correctly. I am doing the best I can.

Q. So that wasn't apparent to you when you viewed the video?

A. No, you can't tell, you know.

Q. Could you tell when you viewed the video that multiple shots were fired?

A. Yes. I believe multiple shots were fired, but you can't tell how many shots and you don't know -- you don't know if they are even striking, you know, Mr. McDonald.

Q. Right. So he told you that he -- when you asked him -- so he told you he fired 16 times, you were surprised, you asked him why.

He said it was to eliminate the threat?

A. Right.

Q. And you said that later on you subsequently learned that that is part of CPD's curriculum?

A. Right.

Q. Can you explain, did you go and investigate that as a result of this shooting, or how did you subsequently learn that?

A. I did. I did try to find out, you know, after this event happened, you know, is that true, and I don't know who told me but I found out, yes, it is true.

Q. Is the reason --

A. Why is that?

Q. Yeah.

A. Why do they teach them that?

Q. I guess what I am wondering is you were surprised to learn that that was part of the curriculum.

Is it because you didn't think it should be, or what was your opinion of that kind of eliminate the -- what is the -- I apologize. I am going to start all over.

A. That's okay.

Q. What is actually taught? I mean, you said, "eliminate the threat." What is the teaching that you recall?

MR. PLEINES: We need to take a break.

MS. ANSARI: Okay.

MR. VALDEZ: The time is 10:21, and we will go off the record.

(Discussion had off the record.)

MS. ANSARI: So we are going to go back on the record. It is 10:23 a.m.

BY MS. ANSARI:

Q. My last question to you, Deputy Chief McNaughton, is what is the teaching -- you said that Officer Van Dyke fired 16 shots and explained that he did that because he wanted to eliminate the threat, and that that is part of a CPD -- what is the teaching that --

A. I am not sure of the curriculum at the academy, so you would have get someone else in here to talk about that.

Q. And you said that you subsequently looked up what the teaching was after the shooting. Was it in response to the shooting?

A. No. It was more of my personal knowledge to find out -- I had already done my job, put everything away, and I made an inquiry, I don't know even know who I talked to to find out if that verbiage is used.

Q. Okay. Was it because you -- and you said you were surprised -- were you surprised to -- scratch that.

So you spoke with Officer Van Dyke, and then at some point was there anything that stood out with your conversations with Officers Gaffney, McElligott, or Walsh?

A. Not that I can recall.

Q. And you said that you spoke to them separately. Do you know if the detectives had that same kind of -- and that was kind of your policy, to speak to the officers separately; correct?

A. That is the policy, not my policy, yeah.

Q. Okay. CPD policy. Is that something that the detectives also are supposed to follow?

A. No. Detectives are investigating the scene for the criminal portion of this.

IPRA is doing the scene for the -- our procedures and policies, whether they are right and correct.

I am just doing an investigation, it is called I think a public safety investigation

to report the overall that making sure that the detectives are doing the criminal side and IPRA is doing the justification side and whether this is within the policies and procedures of the department, and I just got to make sure that that is being done.

I am getting an overall view of this and then reporting it back up to my chain of command.

Q. Okay. And you said you did not write anything down summarizing your interviews, take any notes or write any reports, summarizing your interviews that night?

A. That is correct.

Q. Is that a policy and procedure also?

A. No, I think it is just a good practice.

Q. Why is that a good practice?

A. I don't know. I am not sure, to tell you the truth. It is a common practice.

We are not the investigators. We are not going to file reports. We are not going to give court testimony on this -- well, we are going to give testimony on it, but we are not

filing official reports about what exactly occurred during the investigation or what -- you know, what the justification of force is. That's not my job. I am not taking down copious notes, and it is certainly not for the officer --

MR. PLEINES: In the usual course of events.

THE WITNESS: Right, in the usual course of events, this one being somewhat a different time, so that's why.

BY MS. ANSARI:

Q. Okay. So you spoke with these officers, and then as best as you can recall, you walked IPRA through the scene; correct?

A. I did.

Q. And you said that you believe they saw video at the scene?

A. I think.

Q. You think they saw video at the scene?

A. Yes.

Q. But they were almost definitely aware that a video existed of the shooting; correct?

A. I believe so, yes.

Q. You said that you also ensure that proper notifications are made. What did you mean -- who are the people that are notified?

A. Basically CPIC is notified. If I get there and the detectives aren't there, crime lab is not there, the medical examiner wasn't notified, all these type of things that are normally, then I would say, hey, have the notifications been made, but since they were made, and it was apparent that they were made, because everyone was there before I got there, it was a box I could check easily as far as making sure things were done.

Q. Who was in charge of the scene before you got there?

A. Well, our scenes get protected by patrol.

Q. Okay.

A. So the first ranking member is the one that owns the scene, probably a sergeant. The second, probably a lieutenant or a captain showing up on the scene, and the third was commander.

So I guess if we are going in rank, if we are looking at the rank structure, Commander O'Donnell would have been in charge of that scene prior to my arrival.

Q. Was Chief Roy on the scene?

A. I don't believe he was. My recollection, and I could be wrong, I believe he was ill. I don't think he was there.

Q. Would that have been since he is, you know, obviously the head of Area Central at the time, would that have been something that would stick out in your memory if he was there?

A. Yes. Yeah, he would have normally been there. I don't think he was. That's not my recollection that he was there.

I could be wrong, but I don't remember, you know, talking to him, and I believe if he was there I would have remembered a lot of conversations with him. I would have directly dealing with him.

Q. Yeah, because he would have -- so he would have been -- if he was there, one of the people that you were mostly communicating with?

A. Absolutely.

Q. Okay. Did you see detectives interviewing civilian witnesses at the scene?

A. I can't recall.

Q. Okay. And did you see any detectives interview anyone who was working at the Dunkin' Donuts?

A. I know they retrieved the video, so I imagine they asked them. I didn't see if they interviewed them or not specifically.

Q. I apologize if this isn't what you said, but did you see the Dunkin' Donuts video at Dunkin' Donuts?

A. I think I did, and if not, I think I saw it -- I think I did, yes.

Q. Did you have any -- do you recall what your impressions were at that time of that video?

A. Grainy, very grainy, hard to see, hard to discern what was going on other than you could see subjects moving and the position of where the vehicle was at, you know, which I think is important.

Q. Right. Did you go into the Burger King that was there?

A. No, I never went into the Burger King, no.

Q. Were you aware of any video being recovered from the Burger King?

A. I didn't know anything about a video at Burger King at all.

Q. Okay. You said you didn't recall speaking with any Cook County officers at the scene; correct?

A. That's correct.

Q. Can you say one way or another if any Cook County officers were at the scene?

A. Not that I recall.

Q. Would that be something that would have stood out to you if there were non-CPD officers there?

A. Yes.

BY MR. VALDEZ:

Q. I just want to circle back with you about the verbiage, "eliminate the threat."

When you were in the academy, what was taught to you at the time in terms of your use of force as it relates to discharging your firearm?

A. I am sorry. I really can't remember the course and what they told us and what they didn't so...

Q. Was there any reason specifically that that "eliminate the threat" verbiage stood out to you, why it caught you by surprise, let's say?

A. It was just something that I wasn't aware that they were, you know, that verbiage was being used.

Q. So no particular reason?

A. No. It was -- I just wasn't aware it was being used.

Q. Okay. Now --

MR. PLEINES: They didn't use it when you had revolver training?

THE WITNESS: They didn't. I was the first semiautomatic.

BY MR. VALDEZ:

Q. Well, good. You didn't have to retrain, because I know you have to re-qualify when they switch over; right?

A. I didn't have to re-qualify.

Q. You said you don't recall when you

left the scene, and we are getting back to now, just to give you a little bit of insight, leaving the scene and arriving to Area Central.

A. Okay.

Q. So I know you said you don't recall what time it was, but it wasn't -- the evidence techs are still working on the scene, and at that point, you left for Area Central?

A. That's correct.

Q. Between leaving the scene and Area Central, did you stop anywhere?

A. Not that I recall.

Q. Now, when you get to Area Central, do you recall what time it was when you got there?

A. I do not.

Q. Okay. And when you get to Area Central, do you have an office that you attend to or --

A. You know, I -- first, I think I am on the floor at Area Central. Have you been up there to Area Central?

Q. Yes.

A. There is a big wide floor.

Q. Are we talking about the first floor

at this point?

A. Second floor. Second floor is the Defective Division.

As you are coming up the stairs, to the right are some offices on the far wall, I think it would be the south wall, and then there is offices along the windows, which would be the east side of the building, and then there is offices to the north side where you can go.

When I get there, one of the things I had requested from the detectives, and I don't know which one, and they did get it for me, was the 911 tape so I could listen to the call and how it came out and what developed, and they were able to get that for me. I don't know who delivered it to me, it was one of the detectives, one of the sergeants, and I put it into a computer, and I listened to the tape, so I just sat there and took 10, 15, 20 minutes, half -- whatever it was, and listened to the tape.

So it just reaffirmed in my mind the time frame, what had occurred.

It gave me, too, better feeling of

the -- what the anxiety and what the officers are going to feel because of what was happening, and also the fact that the puncture, that the tire was punctured and it was announced that he had punctured the tire so people were aware that that had occurred as well, so I heard that.

Then I had to attend, and I don't know which order we did it, we had to attend to make sure that Officer Van Dyke's weapon was recovered, which we did, and that he got the chemical, you know, the breathalyzer and the urinalysis.

I can't recall any other actions other than that.

Oh, yes. During the tape, obviously, there was several requests by the -- the 911 tape, by the officers on the scene that were walking with me for a Taser, and I don't think a Taser -- well, obviously, a Taser never got there on time.

I don't know if it was the appropriate force option, anyway, but it didn't get there on time.

So we tended to -- I listened to the

911 tape. I tended to Officer Van Dyke's getting retrieval of the weapon, and then the IAD, taking the breathalyzer and the urinalysis.

Q. When you arrived to Area Central, who else is there in that second floor when you arrive?

A. As far as personnel?

Q. Yes.

A. I think all the parties are coming there as far as the officers that are involved, the detectives and their supervisors.

I believe Commander O'Donnell and Walsh, members of the FOP also arrive, IPRA was also on the floor, and it is, you know, not just -- there is a police unit, but there is other things going on in the area that the detectives are attending to, so there is several detectives in the building.

Q. Do you have any recollection in terms of any of the time that you were there from arrival to leaving Area Central?

A. No. Again, it would be several hours. I think I left -- the latest probably somewhat after 7:00 a.m. probably, somewhere

around that time. That's a guess.

I had to actually attend to a meeting later that morning because Vice President Biden was coming into town, and I had to head up that detail for Vice President Biden, and we were going to have a meeting at the Secret Service here downtown where we bring everybody in and talk about what that's going to be, and I knew I had to get home, get changed into a fresh shirt and get back to that as well.

Q. Now, did you have an office there on the second floor that you --

A. They gave me something on the north wall where I could, you know, do my paperwork and what have you, and that's where I went back to would be -- not the north. I think the south wall. So if you come up the stairs, I believe it is to the right.

Q. And is that where you went immediately upon arriving to Area Central?

A. No, I think I listened to the tape on the floor, you know, on one of the computers on the floor and then I retreated back to that location there, if I remember correctly.

I can't remember how long I spent in which one. I just needed a computer to finish up the paperwork.

Q. And now, listening to the tape, were you alone when you listened to it? I know you were out on the floor where it is accessible to it --

A. I think they gave me some headphones so I could listen to it if I remember correctly.

Q. Okay. So you listened to the tape. It helps give you a better mindset of where the officers probably aware, in terms of what they are hearing and things like that?

A. Yes.

Q. Any other activities at Area Central upon arriving to Area Central that you can recall? Did you view the video again?

A. You know, I don't think we could. I think the video at that time, and I think still at this time that that video has to be uploaded at the district station.

Unless Sergeant Becvar can do something else with it, I don't think we could view that video in Area Central, and I don't

recall viewing it there.

I could be mistaken, but to the best of my recollection, I don't think so.

Q. Okay. So after you hear this 911 tape, and they are the OEMC tapes, right?

A. Right.

Q. You don't know what detective gave it to you, at least gave you the capability to listen to it?

A. Right.

Q. After that you go to an office to start working on reports, or what were you doing in the office?

A. Well, no, I made sure Van Dyke was attended to as far as those things we previously mentioned.

Q. Right.

A. At that point, you know, I want to start getting the, you know, the TRR's and the Officer Battery Report done so I can, you know, conclude my portion and allow IPRA and the detectives to do their interviews with the officers.

I believe I had to tell the officers

they have two hours to submit to a statement to IPRA, and IPRA had no problem. Everybody was cooperating, as far as I was concerned.

Q. So it is a little bit of a dance, I guess we will call it, right? Because you have different people with different priorities going on?

A. IPRA is trying to locate witnesses and talk to them separate from the detectives.

Detectives want to get their interviews done with the officers.

It is kind of like the detectives first, and then IPRA, so I think that was what was going on with the -- that was kind of the dynamic up there, but you would have to talk to the detectives and IPRA to get better information.

Q. Were you involved with any of the tasks that the CPD detectives handled that night?

A. No.

Q. Were you aware of any of the tasks? For example, do you know of any of the witnesses that they interviewed, CPD or otherwise?

A. Do I know which ones they interviewed?

Q. And this is at the time, right. I know post --

A. At the time, no. I am just assuming, you know, that things are working smoothly and that they are talking to all the possible witnesses that were there and getting statements from them.

Q. Okay. Are you involved in any of the interviews that they are conducting?

A. No.

Q. Of the CPD members or of the witnesses?

A. No, and that wouldn't be according to form.

Q. Okay. So they are really doing their own thing? You are not involved in that process at all?

A. That's right, as it should be.

BY MS. ANSARI:

Q. Did you see them interviewing any civilian witnesses?

A. I did not. That doesn't mean it

didn't occur. I don't recall.
BY MR. VALDEZ:
Q. Now, understanding that, I still want to go through a couple questions regarding some of the interviews and some of the things that took place that we, you know, learned during the course of our investigation.
If you don't know it, you don't know it, but if it is something that you have some recollection of, let's talk about it a bit.
A. Sure.
Q. So you are aware obviously they were conducting civilian witness interviews at Area Central; correct?
A. IPRA?
Q. CPD detectives. I am sorry.
A. Actually, I can't recall if they interviewed people on the scene or interviewed them in the office. I really don't know.
Q. Do you know if they brought any civilians to Area Central at all?
A. I am not aware if they did. They may have. It wouldn't surprise me if they did.
Q. They are not telling you, you know,

we interviewed X and Y witness and this is what we have learned?

A. Not to my knowledge, yeah, not to my knowledge.

Q. I want to just ask you one more question, and this is going to be more of a, I guess, a field-type thing.

For civilian witnesses, would it be proper for anybody to show the civilian witnesses video of the incident?

A. To show -- would it be proper procedure?

Q. Right, would it be procedure wise?

A. I am not aware of the detectives' procedure and what they do, so I don't want to comment on that.

I just won't comment on that. That would be best for the detectives and how they conduct an investigation.

Q. And did you learn of any civilians being threatened with arrest or anything like that if they didn't submit to statements?

A. Not to my knowledge.

Q. Nothing that night that kind of

stands out to you in terms of stuff?

A. No.

Q. And you said you weren't present for any of the CPD interviews of the CPD members; correct?

A. That's correct.

Q. Any other witnesses for Van Dyke's interview, for example?

A. No, of course not.

Q. Were you aware of the 21-foot rule prior to this incident?

A. No, I was not.

Q. Never been taught to you, never presented to you, anything like that?

A. No.

Q. Are you aware of what it is now?

A. I have heard subsequent, yes.

Q. Is it related to this case that you have heard subsequent, or just in general?

A. In general.

Q. Okay. What's your understanding of it?

A. You want me to characterize the 21-foot rule?

Q. As you understand it.

A. I believe, as I understand it is that if you are 21 feet from somebody, you don't have time to draw your weapon, and you could be, you know, filleted or something like that, and I think there was a video that was done.

I think you will find it on YouTube, I think I saw it months later where something like that could happen, but I was not -- to my knowledge was I aware of that that night.

Q. So nothing like that would have come into play for your findings that night?

A. Not to me, not that I can recall.

Q. Okay. Were you aware at all of knives capable of firing bullets?

A. Was I aware of knives firing bullets?

Q. Yeah, do you recall any Officer Safety Bulletins that have gone out related to that subject?

A. I don't recall them.

Q. And now, you mentioned that when you are in Area Central -- actually, before I get into that, did you want to speak at all --

BY MS. ANSARI:

Q. Well, the bullet knives, you said you weren't aware of any Officer Safety Alert but had you ever heard of knives that were capable of firing bullets before this incident?

A. I might have. I just can't recall. We get continuous Officer Safety Bulletins that alert us to the fact that you can conceal a weapon or a weapon can look like something like a soda can or something.

You will get things like this where they found a, you know, something that looked like a, I don't know, it is concealed in a purpose.

It looks like a women's handbag and you can fire it or something, you know, those type of things, but I was not specifically aware that night of that Officer Safety Alert.

Q. And Officer Van Dyke, when you spoke with him earlier, he had never made any mention of the -- or referred to the 21-foot rule or an Officer Safety Alert regarding knives firing bullets?

A. To the best of my recollection, when

I talked to him on the scene, I don't remember him referring to that.

Q. Okay. At the scene -- I am sorry. At Area Central, did you view any Dunkin' Donuts video?

A. I don't know if I saw it there or -- I believe I saw it at Dunkin' Donuts, but I may have seen it again there.

It wouldn't surprise me if I did. I just can't recall if I did or I didn't.

Q. And I forgot to ask you. At the scene, was Sergeant Franko at the scene?

A. Sergeant Franko. I am not sure if he was on the scene or not.

I know he was in the area because he signed off on these reports as the supervisor.

I believe he was on the scene, but I am not certain, to tell you the truth. There is so many police officers there.

Could he have been, yes? Do I remember talking to him or speaking to him on the scene? I could have and I just can't remember.

Q. Okay.

BY MR. VALDEZ:

Q. Now, in terms of the Tactical Response Reports, the TRR's and the Officer Battery Report, the OBR, as the Deputy Chief, you direct that those are completed, or is that something that the officers know have to be done?

A. It is just common knowledge that if you are involved in one of these situations that we are going to have to document the use of force, or that the use of force was directed against me.

As far as me directly, you know, having to direct someone to do it, it is like a task that I know that the case report has to be done or an arrest report or something else has to be done, so as far as directing somebody, no, I just expect it to get done and so we could move on and complete this phase of the investigation and get on with other things.

Q. Got it. So it is one of those boxes that you have to check, so to speak?

A. It is one of the things that we have to do, yes.

Q. Now, in terms of a decision point about who has to fill those out, is that something that you decide or is it collectively decided? How does that process happen?

A. To the best of my knowledge, that's a collective decision with the investigators, the detectives, the commander of the patrol, myself on the scene, what are we going to do here, and that would have been done that night, and it has been done subsequent to that.

It is just what makes sense here, how are we going to do this.

Q. Okay. And let's talk a little bit about how it happened that night.

Do you have any recollection in terms of exchanges that you had with people?

A. I wish I did, and I could tell you then, but I don't recall anything being a point of contention on who should do what or when they should do it, so I don't recall.

Q. Okay. And who would make the ultimate decision, I guess? Is there one person that can say this is the way it is going to happen?

A. If there was a bone of contention, if there was a debate on what we were going to do, yes, it would be brought to myself as the OCIC to make a decision.

I don't recall that being the case that night.

If it was, it wasn't a hard decision for me to make. It is one that I don't remember making if I did.

Q. And what is the purpose of a TRR?

A. Just to document that the force that was used by a police officer or the force that's used against a police officers.

Q. So any use of force requires a documentation on a TRR?

A. No. It is depending on the level of force.

Q. Okay.

A. Minimal, you know, taking someone and putting them in handcuffs, some people could think that's force. It is not.

There is some things, a control hold, that wouldn't be bringing up to the level of a Tactical Response Report.

Q. What would be the threshold then for that filing? Is there a certain use of force that you would say, okay, this requires it?

Is it like a hard and fast rule, or is it more of a subjective thing?

A. No, it is hard and fast rule. There is a definite policy. I don't have the policy in front of me, but there is different things that have to transpire.

Q. Understood.

MR. PLEINES: There is an order?

THE WITNESS: Yeah, Tactical Response Report Order, when to do it.

BY MR. VALDEZ:

Q. Got it. And so there is no -- you don't have to make a determination that a certain hold or a certain use of force requires that a TRR to be completed?

It is just if it falls within the rule within the special order, it gets filled out?

A. It is within the policy, yes, that's correct.

Q. And now in terms of the specific

members, in this case, you know, I believe we had three of them; correct?

A. That's correct.

Q. Van Dyke, Walsh, and Gaffney; correct?

A. Right.

Q. What's your involvement in the drafting of TRR's?

A. None. I don't draft the TRR's. I review and approve them.

Q. So what's your involvement in the approval of TRR's?

A. Once the TRR is submitted, the sergeant reviews it, and it is sent to me, and then I look at it and I review it for completeness, and then I approve the TRR to make sure it is -- moves along and it is filed.

Q. And is that how it happened on October 20, 2014 -- or 21st?

A. To the best of my knowledge, yes.

Q. Were you present at all when Van Dyke, Walsh, or Gaffney filled out their TRR's?

A. I was in the same room, yes. I mean,

I believe I was in the opposite -- the south room when they did that, and I believe they were more the opposite end of the room working with their union reps and their sergeant, and I think it was, yeah, it must have been Sergeant Franko in completing it.

You know, one thing we want to make sure we are consistent on the times, the locations and some of those things.

Q. Okay. Now, those are completed and cleared; correct?

A. Right. It is on the computer. It is a computer operated -- we don't use any handwritten documents. It is a computer generated report.

Q. Okay. And did you have to assist them at all in completing the TRR's?

A. I don't recall doing so. I may have. You know, I am not saying I am not, you know.

Q. Right.

A. I don't remember direct involvement saying you check that box, you check this and this is this. I don't think that happened.

Q. You don't specifically recall any

questions, either by the members or their command -- excuse me -- Sergeant Franko, anybody in their --

A. Not that I recall. Not to say that there wasn't a give-and-take. There could have been. I just don't remember.

Q. Do you recall the first time you saw a draft TRR from any of those officers?

A. I don't know if I did. If I did, maybe they did send me a draft first and I looked at it and said, okay, that's okay, let's go with that.

I don't know if it happened or not. It could have, yeah.

Q. So other than the finalized copy, do you have any independent recollection of the draft of that -- those TRR's?

A. The draft of the TRR's?

Q. Yes.

A. I don't.

BY MS. ANSARI:

Q. You said that Sergeant Franko and FOP reps were over at one side helping the officers fill out the TRR's and OBR's; is that correct?

A. That's correct.

Q. Do you recall the names of the FOP reps?

A. I don't.

Q. But you do recall that there were some FOP reps helping?

A. I do believe there was representation on the scene. I don't know if they were sitting next to the officer.

I really don't recall. I just know -- let me have a talk. Take a break.

MR. VALDEZ: We will do 10:53 and we will jump off the record.

(Discussion had off the record.)

MR. VALDEZ: Back on the record. It is still 10:53.

THE WITNESS: Let me go back to the statement. I really don't know who was sitting next to who and what was happening, you know.

If I made a characterization that they -- those reps were standing next to them and their sergeant was conversing with them, I am just thinking that that's possibly how this could have played out. I don't recall how and

when.

I know that they had access. They had access to me as well. Anybody could have come up and asked me a question, and they had access to their representatives when they were making out the reports, so just to be clear, okay?

BY MR. VALDEZ:

Q. And just for the record, to get a better understanding of how I guess the distance between where you were at and where these officers are filling out their TRR's, you are in an office, you said, in kind of the north side of the -- we will call it the detective bullpen?

A. Right.

Q. And they are on the other end in the open floor kind of thing?

A. The best I can recall, yes, that was -- that's where I was situated.

Q. Did you have to leave that office for -- at any point as these officers are filling out their TRR's?

A. I am sure I came and go as I pleased. I can't recall my individual movements.

Q. So you weren't really glued to a desk approving reports or anything like that?

A. No, no.

Q. And now, in terms of the TRR's, you are responsible for Page 2, and also responsible for approving the report in its entirety; correct?

A. That's correct.

Q. Okay. When you are making your findings in Page 2 of these TRR's, what type of information are you relying on to come to that conclusion?

A. Pretty much everything that I have collected up to that point on the scene. So pretty much what we prior discussed as far as gathering the facts that I had at that time. That's what I am using and basing my decision on.

Q. Okay. And in terms of the video, you had seen the video at this point multiple times?

A. Uh-huh.

Q. You are not sure you saw it at Central, but you did see it at the scene?

A. I don't think I saw it at Central. I

did see it on the scene.

Q. And did your review of that video, I guess how did it influence your finding?

A. It did in influence it. You want a percentage?

Q. I guess --

A. That and many other factors, you know, talking with the officers, listening to the 911 tape, getting the full run through, the totality of the circumstances that I knew at that time.

Q. Okay. So what I want to do now is we will get into some of the specific allegations, and we will give you an opportunity to respond to those, and I know, you know, we have gone over a lot of material, and we are just going to get specifically in terms of the TRR.

I will read them to you and then you will have your opportunity to respond just to get that on the record, okay?

MS. ANSARI: And your response will probably be pretty repetitive of what you essentially said before.

BY MR. VALDEZ:

Q. Just to give you an opportunity to put it on the record.

MR. PLEINES: His response is going to be repetitive within the context of these questions.

MR. VALDEZ: Understood.

MR. PLEINES: Some of your questions are the same but for different officers.

BY MR. VALDEZ:

Q. I am going to read directly from Allegation No. 1. "On or about October 21, 2014, you made a false statement in the Tactical Response Report Officer Jason Van Dyke completed concerning his encounter with McDonald, which includes an Event Number of 1429315878 and an RD Number of HX475653, also known as the Van Dyke TRR. Specifically, you stated that, 'Officer Van Dyke fired his weapon in fear of his life when the offender while armed with a knife continued to approach and refused all verbal direction."

What's your response to that allegation, sir?

A. To that allegation, a couple of things. First of all, you quote in that allegation that Officer Van Dyke fired his weapon in fear of his life, which is true, but you don't put the other statement in there that it was based on information available at this time, and it was my preliminary determination, okay, so I want to make sure that in this allegation, that we stressed that it was a preliminary investigation -- preliminary.

I am within hours of this happening, okay, so I just want to make sure that that is specifically clear.

I don't say -- this is not a false statement. False statement is to say something that I knowingly believe to be untrue, and this was not one.

So let's go -- I want to go through a couple things on it.

"Officer Van Dyke fired his weapon." He did. "In fear of his life." That's what he told me, and a reasonable person would believe that they would be in fear of their life if they were confronted with the circumstances that

Officer Van Dyke was confronted with.

He was confronted with an armed offender. He was confronted with an offender that refused his verbal direction, okay?

He was confronted with an offender who when Van Dyke parked his car, Van Dyke and Walsh were about 60 feet ahead of him.

I looked at Google Maps and I mapped this out, to the point where he was about 10 or 11 feet away, and the only subject that closed that distance was Mr. McDonald, okay?

So there is -- I don't think there is anything in that statement that is not true. Let me just refer to my notes.

When you are approaching someone, you have to come near to them, right?

Where Van Dyke and Walsh are at, where they park their car, to where Mr. McDonald stops and hitches up his pants and waves that knife out, that again would put me in fear of my life. It is about 60 feet, okay, and the point where this ends is at about ten feet.

There is nothing false about this statement, and I don't even know why it is

frankly an allegation, because I think everything on it is true.

Q. And now, in your response, you kind of stress the finding is preliminary; right?

A. Right.

Q. That additional statement there.

Even now that it is not preliminary, you have had some time to reflect on this, does your finding remain the same to today?

A. You know, I don't even want to go with what my finding is today. I am specifically talking about what happened that night. That's what I am being questioned for.

If I want to make a determination today, there is a whole other series of facts that I didn't know then and I don't know now that I would want to know. There is many things that are out there that are uncertain in my mind.

Unfortunately, it is not my job, it is not what I am supposed to do, and I have got so many other things that I am tasked to do, so I wouldn't even speculate on what my finding would be today, you know.

What I am keying on is what I recalled for that evening.

Q. Fair enough. Now, in the review of the video, you mentioned this -- the 60-foot between --

A. Approximately.

Q. Approximately, of course, right. We are not out with a measuring tape, this is not meant to be an I gotcha or anything like that.

We are talking about approximately 60 feet between Walsh and Van Dyke's vehicle and Laquan McDonald when he hikes up his pants and you said, you know, kind of show your right arm flailing out is kind of the motion that he did.

As he is walking southbound, there is a turn from the middle lane to kind of the we will call it westerly lane, middle of the west lane.

In reviewing the video at the time, did any of those movements stand out in your mind? Do you see any motion away from the officers?

A. Oh, so you are saying because he is veering to the right, I don't -- to get back to

your question. I am sorry.

Q. Does that come into play in your finding at all, where McDonald is veering to the right, to use your language, when he is walking south and veering to the right in review of the video?

MR. PLEINES: Are you asking is that a factor that he considered?

MR. VALDEZ: Correct.

THE WITNESS: All what I saw in that video I considered all of it, not just that, but that as well. In what form or fashion are you --

BY MR. VALDEZ:

Q. Is the motion -- are you considering it a de minimis motion where it is not something that you would consider walking away from?

A. Do I consider him when he is going to the right walking away?

Q. Correct.

A. No, I don't, and I will tell you why. He has already taken aggressive stance. He has presented and -- presented that knife in such a fashion in front of not only Van Dyke and Walsh, but those two officers that subsequently walk in

an assailant move, hey, let's go, we are going to go.

At this point, as far as what I am looking at, is a person that is actually, because he is right-handed, could actually easily do a flanking maneuver.

If that was Mr. McDonald's only option to straddle that white line, okay, if that was his only option, that might have played in my thinking, but he had a whole wide berth, 40 feet west of there that he could have clearly gone to.

I don't know what was behind him. We don't know. We don't have a 360-foot view. He chose to do that, and also, if you are looking at his actions, all the circumstances, what is just as concerning is the fact that he is not turning his head away from presenting the fact that he has got that weapon to the officers.

He is looking straight on at them, and he is understanding that a weapon is pointed at him at this time.

I can't characterize what Mr. McDonald knows or what he doesn't know, but

I can tell you he is facing full frontal Van Dyke and Walsh, and they are facing each other.

There is no miscommunication of what's going on here, and the distance, by the way, is not that far.

We are talking probably the distance from about between me and you right now.

MS. ANSARI: Which for the record is about --

MR. PLEINES: Seven feet?

THE WITNESS: Okay. I don't know how long the middle lane is to the right lane. We could measure it.

BY MS. ANSARI:

Q. Did you notice in the video that Officer Van Dyke and Officer Walsh stepped toward McDonald?

A. It is very hard to tell. I think at one point Van Dyke takes a step forward, and I think Walsh is moving around the car as far as their movements, but their movements don't appear to deviate too much from the vehicle.

If we are using the vehicle as our

anchor, I don't think that they are more or five or six feet from their vehicle at any given time, you know, and that's an approximation, you know.

BY MR. VALDEZ:

Q. At any time during your conversations with Walsh or Van Dyke, did they mention any motions either towards or away from McDonald?

A. I can't specifically recall. I don't know if it was Van Dyke or Walsh -- I can't remember who said what. I believe -- I don't want to characterize, you know.

I am trying to remember now even. I don't want to characterize their statements.

Q. Okay. Fair enough. So it is fair enough to say you don't recall any specific conversation about that?

A. Not specifically.

Q. In the video, I know right now we are mentioning the vehicle as an anchor, and you don't move you say five or six feet away from the vehicle.

In the steps forward that, you know, it shows Van Dyke take away from the vehicle,

what's your take on those steps?

Is that more to approach the offender? Is that to get your footing to line up a site for a shot?

A. The steps that Van Dyke takes?

Q. Yes.

A. I am not sure, to tell you the truth. You would have to ask Van Dyke exactly.

MR. PLEINES: Calls for speculation.

THE WITNESS: I know that he is by his vehicle. He is within a couple of feet, and he is, you know, motioning, so is Walsh, and they are, you know --

BY MR. VALDEZ:

Q. And you are not expecting somebody to stand stiff and still; right? Is that --

A. I wouldn't think so. You know, if you think you are fear of your life and an attack is imminent upon you, you are taking a posture that you can defend yourself, and that looks like the posture that Officer Van Dyke was taking.

Q. So the motion that you saw in the video from either officer, you are deeming that

acceptable, right, those movements?

A. Right, and I believe -- I think it was Walsh and Van Dyke both have their hands motioning like in such a fashion that would -- led credence that they were giving verbal directions - stop, drop the knife, et cetera.

Q. In making your findings, was there any thought as to why Van Dyke was the only officer that fired upon -- fired upon McDonald?

MR. PLEINES: Are you asking whether or not that fact is one that he considered or affected his determination?

MR. VALDEZ: Correct.

THE WITNESS: No, I just focused on his use of force. I didn't focus on the fact whether other people did or didn't. It was -- to me, it was specific just to Officer Van Dyke on his actions and what he perceived at that time and for the various reasons that I have already enumerated of why I did believe he was in fear of his life, not only that he told me that, but I believe actually from the totality of circumstances that he was.

I didn't use the fact -- I don't -- I

didn't really put a factor other than those circumstances that I previously stated.

Q. Understood. And now, I want to move to Allegation No. 2, unless there is anything on Allegation No. 1 that you would like to address.

MR. PLEINES: Let's take a short break.

MR. VALDEZ: The time is 11:08:00 a.m., and we will go off the record.

(Short break in proceedings.)

MR. VALDEZ: The time is now 11:15 a.m., and we are back on the record.

BY MR. VALDEZ:

Q. Deputy Chief McNaughton, we are going to move into Allegation No. 2.

Again, I will just read the allegation and give you an opportunity to respond?

A. Hold on.

Q. Sure.

THE WITNESS: Do you need to say something son Allegation 1?

MR. PLEINES: No, we are good.

BY MR. VALDEZ:

Q. Allegation 2. "On or about

October 21, 2014, you reviewed and approved the Van Dyke TRR, which TRR contained the following false statements," and we will go through these one-by-one, and I will allow you to respond to them one-by-one.

A. Okay.

Q. So No. 1 is, "under category titled 'Assailant: Assault,' the box labeled 'imminent threat of battery' was marked."

A. Okay. First of all, I review and approve the TRR for Van Dyke and the other officers.

It is their information that they are inputting. It is their statements, and I don't think they are even qualified as statements. They are boxes that are being checked.

They are not my statements, okay? I review it and approve it for completeness. I just want to make sure.

Having said that, assailant and assault, imminent threat of battery.

As I previously stated, Mr. McDonald was armed with a knife. We have gone over this before as far as how he -- the totality of the

circumstances known to the officers at that time.

As far as him being armed, their observations that he was armed, his disregard for verbal direction, his clearly brandishing the weapon in a menacing manner in which he is moving his right hand back and forth, and his non-compliance or his what would be the normal actions of an offender who would try to run away. He didn't.

He stopped, hitched up his pants, and threw out the knife. He didn't surrender or comply with the verbal commands, and he did not conceal or discard the weapon.

So -- and he continued to approach the Officers Van Dyke and Officers Walsh. So for that reason, that is correct. That is a true statement.

Q. And in Statement No. 2, "under the category titled 'Assailant: Battery,' the box labeled 'attack with weapon'"?

A. Again, he was armed with the knife and the previous factors I just stated.

Q. And No. 3, "under the category titled

'Assailant: Deadly Force,' the box labeled, 'uses force likely to cause death or great bodily harm' was marked"?

A. Right, and so his weapon, he had a weapon. The force that he could have used could likely cause death or great bodily harm.

So if we go through the progression of what was going on, if he, in fact, made it across what was the distance between you and I, he could have obviously seriously injured the officer or the officers, and I did observe the knife, and it is not a butter knife. This is a knife that would cut through you. It cut through a tire.

BY MS. ANSARI:

Q. So for "the category titled 'Assailant: Battery,' the box labeled 'attack with weapon' was marked."

Even though Van Dyke wasn't actually battered, why was this box appropriate?

A. The attack was with a weapon. You are saying because it didn't come to the -- your characterizations is it didn't come to the threshold of a battery yet, he didn't actually

hit him?

Q. Correct.

A. You know, it is a fair question. I don't know. This is a computer-generated report and it limits your options, and this report is going to get cleaned up by the statements made by -- the actual statements made by the officers to IPRA and to the detectives.

To my knowledge, he did attack with a weapon. Does it fit battery as we know battery in the State of Illinois is actually, you know, hurting someone? It does not.

Again, the intention was not to deceive or to say something was false or to make it appear anything different.

I was of full knowledge as were the officers that this was on videotape, so I think it is a hairsplitting-type thing, and again, a lot of these boxes, and they say check all that apply, don't necessarily neatly fit in to our descriptions of battery and simple battery or aggravated battery on state statutes.

Q. Do you have to fill out something in the category Assailant: Battery?

A. You don't, you don't.

MR. PLEINES: Does the computer require you to put in some information?

THE WITNESS: No, it does not.

BY MS. ANSARI:

Q. So it is possible to leave that blank?

A. It was possible to leave it blank. I don't think it's -- you know, is there an attack with weapon?

I do believe that. If it is under the Battery category, you know, that could be argued about, you know, and two different people can come to two different conclusions.

It definitely wasn't a false statement or intended to be a lie in my view of it when I reviewed it.

BY MR. VALDEZ:

Q. Can you elaborate a little bit on what your take on what the attack with the weapon, what motions McDonald made that was an attacking motion?

A. I will go right back to the first one, okay, and I don't want to key on that, but

it is really, really important, that in my view, that when I looked at that, that would make me believe that Mr. McDonald could be an assailant, he could be doing these actions.

The other circumstances were, again, the puncturing of a tire, and for lack of a better term, attacking a squad car that's occupied by another human being.

Come back to the question. I am sorry. I am getting a little tired.

Q. I just wanted to ask you to elaborate a little bit on the quote we will call it "attack with weapon."

Were there any motions McDonald made to attack --

A. The last weapon came in front of his -- with his right hand came in front of his body, and it forced him a little bit nearer the officers involved, and that actually was one of the gestures, too, that you could construe as the start of an attack.

I think you could actually say the attack may begin right when he hitched up his pants and put out his right hand with the knife.

I know I am being repetitive. I am sorry.

Q. No, not a problem and that's one of the reasons that we want your response for these is because, you know, obviously, these are allegations.

If you have a specific response, we will get it on the record, okay?

A. Okay.

MR. VALDEZ: Actually, we are going to take a quick one minute.

11:22 a.m. and we are going to go off the record.

(Short break in proceedings.)

MR. VALDEZ: The time is now 11:27 a.m. and we are back on the record.

BY MR. VALDEZ:

Q. Deputy Chief McDonald, we are going through the allegations, and we are currently at Allegation No. 3.

I know you said you read these. Do you have any response to Allegation No. 3?

A. Marking the box. Allegation No. 3 is I have marked the box, "I have concluded the member's actions were in compliance with

department procedures and directives," instead of the box marked, "I have concluded that further investigation is required."

Yes, I do want to make comment on that.

If you looked at the Tactical Response Report for Officer Van Dyke, you are correct, I did put that "I have concluded that the member's actions were in compliance with department procedures and directives." That's Box 77.

It allows you only to choose that box or, "I have concluded that further investigation is required."

Everyone -- first of all, I want to back it up and say everything that I found that night was preliminary, okay?

It was my preliminary finding. There is no standing, the OCIC has no standing on whether to make these conclusions. It has no weight. It has no standing for the officers involved, for the Department. It is not the official stance of the department.

It is definitely not the stance of

the chain of command. All the officers involved and the investigators involved realized that when you check that statement it means absolutely nothing.

Also, in that same box, I included the log number, which acknowledges that an investigation is going on right now. I inserted Log Number 1072125.

Also, everyone knows, and it is clear that the sole authority on these type of investigations rest with the Independent Police Review Authority, so we knew at that time, we know to this day, until the law changes, that they will make the conclusion on whether the department's -- whether this member's actions were in compliance with department policy.

I also want to elaborate on one of your exhibits was the statement to the News Affairs, and I put on the bottom of that that all referrals to this matter will be made to the Independent Police Review Authority, acknowledging the fact that the use of force investigation and the conclusion of this is going to rest in that body.

Last point I want to make is, again, I checked the box at that time. In retrospect, it is causing me grief, was because my initial findings were such that I did believe that a reasonable person could believe that Mr. -- that Mr. McDonald was, in fact, an aggressor, he was an assailant, he was an active assailant, and that Officer Van Dyke truly believed that at that point he was under attack and he was going to be -- he could face serious injury if he didn't use his weapon, and that's -- he was in fear of his life. He was in fear of his life.

He knew that at any moment, Mr. McDonald could stab him with that knife, and that's why he used his weapon.

It is not whether he should have done it, okay? Remember that. It is not my statement.

It is whether he could have done it under the circumstances, and that's how limited this was.

And again, I just want to repeat that my statement and this checking of the box is in context of an ongoing investigation by IPRA.

This was just starting.

This was the baby stages of this. This was by no means the end and that checking that box would not suggest that this was over.

MR. PLEINES: Checking that box is going to have no effect on what happens in their investigation?

THE WITNESS: Absolutely not. It doesn't stop anything. It doesn't move anything. In fact, all the things that happened subsequently were done according to procedure with IPRA doing what they should do after my investigation was concluded. Nothing stopped that from happening.

BY MS. ANSARI:

Q. When you said that checking the box is now causing you grief, you meant because of --

A. Because of this. I am sitting here today with you.

Q. That's what I was -- I wanted to make sure you weren't saying it is causing you grief because you would have done something different at the time?

A. No.

MR. PLEINES: Just the fact that he has to spend this warm day explaining himself.

THE WITNESS: I completely understand your role, and I respect it. I could talk forever about it, but I won't.

BY MR. VALDEZ:

Q. For the sake of time, we will keep going.

A. Thank you.

Q. And now I want to talk to you a bit about the Officer's Battery Report.

A. Okay. This is Allegation No. 4?

Q. We are going to go to a line of questioning through the OBR prior to getting into the allegations.

A. So we are not going to go --

Q. Oh, I am mistaken. Allegation No. 4 is regarding the TRR with Walsh?

A. Right.

Q. Given your stance on the Van Dyke TRR, are your answers going to be the same for this, or is there anything you would like to add?

A. I don't think there is anything I

would like to add, because Walsh was standing next to Van Dyke at the time, and I felt that the prior statement would stand.

Q. Thank you. And for the record, can you please explain the purpose of an Officer's Battery Report?

A. I believe, and I would have to look this up. I should have in preparation for this and it was one of the things I forgot.

The Officer's Battery Report, I believe, is only collected for statistical purposes.

I think it is a report that we share with some -- I think it is the FBI. I don't know who we share it with, but I believe that's the purpose of the report, and it is like any generated form.

When you fill out a TRR, it forces you to do the Officer's Battery Report if you put certain things down on the TRR.

Q. And are those things documented in a special order for the OBR's as well?

A. They would be, yes.

Q. Okay. So there was no determination

as to whether or not an OBR was necessary because the computer tells you, you have to --

A. It is necessary, right.

THE COURT REPORTER: I am sorry. I can't hear anything you are saying.

THE WITNESS: He thinks they could go to the medical section as well, the Officer's Battery Report.

BY MR. VALDEZ:

Q. In terms of a threshold to determine in specific members that are responsible for filling out an OBR, again, it is a situation where if the TRR is completed, an OBR must be completed, so really the decision point I guess is at the TRR as opposed to the OBR?

A. I believe if you fill out the TRR and hit certain boxes, it is going to force you to make out the Officer's Battery Report.

I am not sure what triggers it. I would have to look that up.

Q. And now three officers filled out OBR's and obviously TRR's, and the police report only indicated that McDonald attacked the vehicle, and I know we have gone through some of

your responses in terms of the allegations regarding that, but why would there be three if McDonald was shown to only attack the vehicle in the police report?

A. Right. Well, here is the thing: The Officer's Battery Report, if you look at it, has an RD number attached to it and an event number, and since we were using one RD and one event number, I don't think we could separate the two.

I am not sure, to tell you the truth. It is a computer-generated form, and we are doing the best we can to document it properly.

What we did do, and I don't remember, it wasn't me that probably decided this. It is just whoever made out the report, is we separate it by address.

If you look at the Officer's Battery Report, we do say there is three officers that are involved that are completed in OBR, but we are separating it by time and location on the report.

So if you look at Officer Gaffney's report and then look you look at Officers Walsh and Van Dyke's report, they are separated, I

believe, by time and by the location.

So it was never an attempt to again deceive or certainly not to make a false statement.

It was truly our belief, it is my belief, too, to this day, that we had an incident with Officer Gaffney at 40th and Karlov, and then we had the Walsh and McDonald incident at 41st and Pulaski, and this was just a way of documenting these things.

What's the allegation we are on right now?

Q. We are not reading it from an allegation. It is more of a line of questioning?

A. So just to kind of cut to the chase with the Officer's Battery Report and whether it is two or three, it is certainly not again a false statement. It is not meant to deceive. It is not meant to steer someone away for the truth.

It is a document I think that is gathered for statistical purposes, and again, any type of clarification that needed to be made

would be made in the detective reports and with the Independent Police Review Authority.

Yeah, including the, you know, the No. 3 in a box is not making a false statement. It just simply isn't, and, you know, the allegation as such to me it is kind of puzzling actually.

We are doing the best we can with the forms that we have, and I don't see it being any attempt to deceive or to say anything different.

Q. And I think in the crux of that, with the three officers battered in that box, what we would like some clarification on is going through the whole event, you have McDonald punching a tire and hitting the windshield on Gaffney's vehicle?

A. Puncturing the tire.

Q. Puncturing the tire and hitting the windshield with a knife?

A. Right. With Gaffney --

Q. With Gaffney in the vehicle?

A. Right.

Q. So that's one officer battered based

on -- we will start with a count, from that report; right?

A. Right.

Q. So that motion, that action by McDonald is what you consider the battery at that point; correct?

A. Yes.

Q. We have gone through this in previous parts of your statement --

A. I don't want to cut you off, but it says right here on the manner of attack, including actual attempt.

Okay. So they weren't --

MR. PLEINES: What are you referring to?

THE WITNESS: I am referring to the Officer's Battery Report where it says Manner of Attack for Officer Van Dyke, but I think the same box is checked on all three.

So it is an actual attempt, and if you are getting back to Gaffney's situation, he is occupying a vehicle where a subject is stabbing the tire and going after the windshield of an occupied vehicle.

I would think it would be reasonable

to believe -- a reasonable person could believe that they were under attack at that point, and that was my belief at the time, and that's why I approved the report.

BY MR. VALDEZ:

Q. So now we are at a count of one.

A. Okay.

Q. Now McDonald continues, he goes through the Burger King parking lot, and I just want to recap, because I know we have gone over this, you know, but I just want to recap just to get kind of this line of questioning. We will clear it up.

A. Uh-huh.

Q. So at the point where he -- at least at the time where you believe McDonald is attacking Walsh and Van Dyke to get to our three officers battered, at what point do you believe that attack starts?

A. I will go back, and I believe the attack starts when Walsh and Van Dyke, in my view, I don't know if in their view, in my view, when he hitches up that pants, and swings out that knife and starts almost a "hep to" as far

as his stride.

His stride wasn't one of I am going to run away. It was here, I am going -- and during his a approach, during his walking up, he is moving that knife, and he is brandishing it in front of them within clear view.

That to me indicates the attack. That to me indicates --

BY MS. ANSARI:

Q. Was there any -- did you not -- was there a decision not to include McElligott in the OBR and why?

A. I don't know why we did or we didn't. I think because there was a separation between the two the whole time, although McDonald clearly presented the knife and McElligott put himself at risk by walking alongside of him.

We could have easily done a TRR just on the assault of McElligott, but I don't think there was actually an act of furtherance on McDonald's part as far as a battery upon McElligott's person that, you know, and that's what I believe at the time, and I believe that to be true now, but we could have had that

discussion. I don't know.
BY MR. VALDEZ:
Q. And now, the OBR's, I am assuming, are filled out pretty much at the same time as the TRR's; correct?
A. Yes. The system forces you to do it at the same time.
Q. Right, right. Yeah. Were you present at all for any of the officers filling out their OBR's?
A. I was in the same -- that was the area. You know, where I was sitting or standing or where I was at, I don't recall.
Q. Do you know if any of those officers received any assistance in filling out their OBR's?
A. I don't want to say that they did. I know that they had access to their FOP rep, their chain of command during the whole time.
Q. But you have no direct knowledge of that?
A. I have no direct knowledge.
Q. And again, I know we went over this on the TRR's, but what kinds of information did

you rely on to determine the need for these OBR's?

A. For the Officer's Battery Report?

Q. Correct.

A. Again, when we are documenting the TRR's, it forces you to do it, so we just have to get through the form.

It was not, in my opinion, and looking back on it now, because they are accusing me of false reports, I was wrong, but it was not a -- it was not the focus of our investigation.

It was not something that I thought, oh, my God. It was let's get this done so the other entities that have to do their job can do their job.

Q. And in terms of the OBR's, what specifically are you -- do you fill out any boxes in the OBR's?

A. No. It just comes with a package to me. I don't think that there is a signature line. Oh, I think there is, I guess. I don't recall.

Q. So there is just an approval line?

A. Yes.

Q. But in terms of the actual boxes on the form itself or any of the narrative information, do you fill out any of that information?

A. No, I don't. It is just that I reviewed it and I click on, so it is usually, and in this case, I am sure it was.

It was just a matter of let's just get this one done, you know, let's go down the line and get it done when it comes to me, when it comes to my point. I want to make sure that it is -- I review it for completeness and things like that.

Q. Now, there are approximately, I believe, five to six allegations directly related to the OBR's?

A. Right.

Q. Would you like me to go through these and get a response for each of them, or do you want to -- do you have kind of a one blanket response for all the OBR's as a whole?

MR. PLEINES: I think the response that he has already given would be the same response he

would give in regards to the other ones.

THE WITNESS: Are you satisfied with that?

MS. ANSARI: Yes.

THE WITNESS: Are we satisfied with it?

BY MS. ANSARI:

Q. So Allegations 5 through 10 --

A. I think it is 5 through 7, isn't it? Five, 6, and 7 are with the OBR's?

Q. Yes. And then 8, 9, and 10 are essentially --

A. Can I make one comment on 8, 9, and 10?

BY MR. VALDEZ:

Q. Please.

A. Because I think this is --

MR. PLEINES: Just hold your comment until we wrap up what we are doing with 5, 6, and 7.

THE WITNESS: Okay. We will finish 5, 6, and 7.

MR. PLEINES: We have no further comment on the Officer's Battery Reports.

Of course, if you have additional questions, we will answer them.

BY MR. VALDEZ:

Q. Okay. And knowing you have some comments about 8, 9, and 10, what I will do is I will read the three of them just to get them on the record.

A. For 5, 6, and 7?

Q. Do you have any response for 5, 6 or 7?

A. No.

Q. So I believe we are done with 5, 6, and 7. I am going to read 8, 9, and 10 together and give you an opportunity to respond.

A. Okay.

Q. Allegation No. 8. "On or about October 20, 2014 or October 21, 2014, you directed that Officer Van Dyke complete a false TRR and a false OBR concerning his encounter with McDonald."

Allegation No. 9. "On or about October 20 or 21, 2014, you directed that Officer Walsh complete a false TRR and a false OBR concerning his encounter with McDonald."

Allegation No. 10, "On or about October 20, 2014 or October 21, 2014, you

directed that Officer Gaffney complete a false OBR concerning his encounter with McDonald."

What are your response to these allegations?

A. I just want to say that I have never directed any police officer under my direction to fill out a false report.

I have never directed anyone to lie on a piece of paper or in court or directed anyone to deceive anyone at all, and I categorically deny those allegations, and I think that -- I don't even know how they have any basis, in fact, that I directed anyone to do anything in false, and if anyone is suggesting that I did so, I would like to meet my accuser, because that is just wrong, it is baseless, and I categorically deny.

I have been a supervisor for -- how many years -- I am getting tired. Nineteen years, I believe, that I have been doing this a long time.

I have never, ever told anyone to lie on a report or gave them indication to do anything like that.

Sorry. I just want to go for the record.

Q. And just to close up your time at Area Central, you said you left sometime around 7:00 a.m. that morning?

A. I believe that was the time.

Q. Around that time?

A. Yeah.

Q. Other than the tasks that we have gone through, including the TRR and the OBR, were there any other specific tasks that you can recall that you completed at Area Central?

A. Yes. The major incident notification that's included. I had to review that as well.

Q. Anything about that notification that stands out to you?

A. I don't have it in front of me. I would have to review it, but that is standard practice as well.

Q. And are you in charge at all of ensuring any officers receive assistance from an employee?

A. Thank you for prompting me. Yes, I am, and I can't recall doing that, but I am sure

I gave them the Employee Assistance Program forms.

There may be other tasks that I am forgetting. I am not doing it to provide any type of subterfuge.

I think that's Allegation 11. We are not to 11 yet?

Q. No.

A. All right. So I believe I completed all the tasks that is commiserate with my role as an OCIC, and if I forgot something to mention today, it is not because I am trying to deceive you in any form or fashion.

MR. PLEINES: Has anyone advised you that you overlooked or failed to perform any of your required tasks?

THE WITNESS: No one.

BY MS. ANSARI:

Q. You mentioned the Major Incident Notification Form. Who does that go to?

A. It is posted in our CLEAR System and it is done by the detectives. The detectives do it. I review it, and it is just posted, so other command staff members will know that there

was a shooting, a police shooting that night.

Q. I have a couple quick questions before we move on to our last topic.

A. There is two topics, right, 11 and 12?

MR. VALDEZ: We will give you an opportunity to respond to each of those if you would like, yes.

THE WITNESS: Okay.

BY MS. ANSARI:

Q. You said earlier that you don't know if a Taser was the appropriate force option. Can you explain that statement?

A. I really can't. You know, we would have to go into every aspect of it, and I would have to interview the officers again. It was a side remark that better left unsaid.

Q. Okay. And this is background, but how many -- how long have you been an OCIC?

A. Well, when you get promoted to Deputy Chief, then you become one of the OCIC's, part of a pool of people that they can use.

It is rank specific. It is either deputy chiefs or the executive officer in an

area deputy chief's office.

So there are three commanders that do serve that role and the deputy chiefs of an area.

Q. Okay. And do OCIC's respond to all shootings or only officer-involved shootings?

A. Police officer shootings with hits, okay? So at that time, the subject had to be hit.

If Mr. McDonald wasn't hit, that would have been handled, I believe, by the commander or the captain at that time.

Q. You said police officer shootings with hits?

A. With hits, of people, where you hit somebody.

So if you have a police shooting where you don't hit anybody, the deputy chief does not have to come out, or if you shoot an animal destruction, you don't have to come out.

MR. PLEINES: Then the lieutenant fills out that part?

THE WITNESS: Yes.

BY MS. ANSARI:

Q. And how many shootings have you been the OCIC for?

A. Not many. I was a, I believe, one shooting prior to this -- yeah, I believe this was the second shooting that I had to handle.

Q. Okay.

A. That I was the OCIC. I have been at other shootings, but the one that I handled. I could be mistaken, but that's the best of my recollection.

Q. Okay. You said earlier that the TRR and OBR forms, or the TRR's when you are checking the box is just a preliminary determination, and when we asked you if knowing what you know now that would change you would say there were lots of -- you wouldn't be able to speculate on that, because there is lots of things that would you want to know.

A. Sure.

Q. And what are the types of things that you would want to know that could change your --

A. To make a thorough examination to come to a final conclusion?

Q. Yeah, that's correct.

A. It would be to run a full investigation similar to what you are doing right now to uncover just about every nook and cranny and ask every question.

So again, that takes a long time. You have to talk to a lot of witnesses. You have to gather and weigh a lot of evidence.

None of those things are part of the role of the OCIC, nor were I privy to that night.

So this is a very, very preliminary part of the investigation that is gone -- that is directed to the right people to investigate, and I report up my chain of command the next day what we know at this time, and they can further investigate or make inquiries to the proper parties after I give my summation to the superintendent and the chiefs.

Q. When you viewed the video, did you notice that -- did you notice if Officer Van Dyke or Officer Walsh stepped back before shooting McDonald?

A. I just can't recall at this time. I

would have to look at the video again.

They may have taken a step back. I can't remember which one did which at the time.

MR. PLEINES: To answer the question, you would have to see the video?

THE WITNESS: I would have to see the video.

MS. ANSARI: And I don't think it is necessary to show the video, so I just wanted to ask that follow-up question.

BY MR. VALDEZ:

Q. Now, I want to talk to you a little bit about the types of communications that happen after the shooting.

I know you had briefly mentioned briefing reports. What other types of communications have to go out from you being the OCIC?

Do you have to hold meetings regarding the shooting, things like that?

A. Okay. As far as communications?

Q. Right. So, for example, you had mentioned a briefing meeting the next day; right?

A. Right.

Q. Can you explain what that entails?

A. Sure. Are we going to get to 11 and 12 later?

Q. We will.

A. Because I was going to cover it in there.

Yeah, the briefing meeting is held usually in conjunction with what's called the Executive Management Meeting, which are held on Mondays, Wednesdays and Fridays in the superintendent's office, and if there was a shooting that occurred during the previous time from our last Executive Management Meeting, the OCIC that was present is going to give a presentation or a summation of all the events that occurred that night.

Now, I certainly was present for that. I believe now Chief Roy, then Commander Roy was able to attend, and we were able to walk through the command staff, including Superintendent McCarthy and the chiefs and the first deputy at that time the entire investigation that we knew at that time,

including the videos starting with the one on 40th Street, the Greater Food Depository, I believe, that shows the actions of McElligott and Gaffney, and then continuing on with the video that we have often referred to and just a timeline of everything that happened.

Now, to my knowledge, everything that I have told you was presented at that meeting that morning.

Q. Would there be any type of -- would that presentation or meeting be memorialized anywhere?

A. No. It is just simply to get them aware and up to speed of where the investigation stands and allows the parties that being, whether it be the Internal Affairs Division, the Superintendent's Office to make decisions based on what we presented.

Q. So there is really no independent report or anything like that?

A. There is no report, no.

Q. And the Executive Management Meeting for the superintendent, I am assuming, is really who it serves?

A. Right.

Q. But when did that happen after the shooting?

A. October 22nd, so that Wednesday, to the best of my knowledge is the day we did it.

Q. And do you recall who was present at that meeting?

A. I know the superintendent was, Superintendent McCarthy.

The other chiefs, there were plenty in the room, but I don't know which chiefs were there at the time.

We would have to look at a calendar to find out who was there and who wasn't.

Q. Is there like a specific mailing list or some type of outlook that would track that?

A. You would have to check with the superintendent's office. I am not sure.

Q. And obviously you presented on the Laquan McDonald shooting?

A. I did.

Q. Were there any other presentations at that meeting that you recall?

A. No. We go through the normal course

of the meeting that we normally have, and then I presented what had occurred with the Laquan McDonald shooting.

Q. Okay. And just for the record, you said everything that you told us today, everything that was presented to you was also presented at that meeting?

A. Pretty much the chronological order of what happened and where we stand.

BY MS. ANSARI:

Q. You said you do recall Chief Roy being in that meeting though; correct?

A. I do. And the reason is simple. Because he brought the tape of the 40th and -- the 40th Street tape.

Q. From the Greater Food Depository?

A. Right. So he helped me with that.

Q. So what other videos were shown at this meeting?

A. The 40th Street, they watched that, and the Laquan McDonald tape that we all know as the --

Q. The 813 Robert video?

A. 813 Robert video.

Q. Everyone watched that video?

A. Yes.

Q. Do you recall if Lieutenant Valdez or Lieutenant Wojcik were in that meeting?

A. I can't recall. They could have been. I don't know.

Q. Is it normal for someone at that level to be at that meeting?

A. Usually not, but they could have been. There may be a lieutenant in the area does show up. If he was there or not, I don't recall. They could have been.

Q. So what was everyone's reaction to your presentation?

Did they agree with -- I mean, you explained what your kind of preliminary conclusion was of that night.

A. I didn't explain. I told them exactly what had transpired and my paperwork was for the record.

They could look that up. They didn't ask me to justify what I thought or what I didn't think.

They knew, I am not going to put

words in their mouth, but it is understood, and it is why I just want to stress that point that the Independent Police Review Authority has the sole authority on any kind of conclusions to be made about this.

Q. So did anyone express any -- what were the reactions expressed in this meeting to the video and the presentation?

MR. PLEINES: We are going to need to take a break.

MS. ANSARI: We are going to take a break. It is 11:59.

(Short break in proceedings.)

MR. VALDEZ: The time is 12:02, and we are back on the record.

BY MS. ANSARI:

Q. So this October 22, 2014 meeting, that happened at headquarters?

A. Police headquarters, yeah.

Q. What time was that meeting?

A. They are usually at 9:30. I don't know if that one was at 9:30.

Q. So the last question that I had asked before we took a break was -- well, I am

wondering what the -- what was the group's reaction to the evidence presented, including the videos and what you --

A. Definitely a concern, you know, with the amount of shots that were being fired.

They looked -- the superintendent, I think, asked some questions about the officer's background and then some general questions about the investigation with Chief Roy or and then Commander Roy, but I can't remember exactly the content of who said what, where, when, all those type of things.

There is some general things that are normally done, like again, like the last IAD, the background of the officer, and what his status is, and that's about it.

Q. You said that there was concern for --

A. Oh, okay. Yeah, I just do want to add, too, no one criticized my performance or my abilities or my competency as later on described in an allegation that day, so none of that was put into question at all; why didn't I do this or do that or do the other.

Q. And you said that there was concern expressed about the number of shots. What did people say regarding that?

A. I can't recall. Just a natural reaction, I think, from, you know, anyone. I can't recall who said what and when.

Q. Okay. So the natural reaction that 16 shots would be --

A. You can categorize it any way you want. I am not going to categorize it.

Q. Okay. So I want to show you an e-mail exchange, just to get some background on --

A. Is this part of the exhibits that we have already had?

Q. No, it is an extra one. We will enter Exhibit 12.

(Whereupon, document so offered was received in evidence as McNaughton Exhibit No. 12.)

THE WITNESS: Yeah, I was going to get to this.

BY MS. ANSARI:

Q. So I am entering into evidence

Exhibit 12.

This is an e-mail exchange dated October 30, 2014, between you, Deputy Chief McNaughton, and earlier in the chain it has Eugene Roy and later in the chain Wayne Gulliford.

I am really just wondering -- you can take a minute to review it.

A. I was going to refer to this, too, so --

Q. Okay. I really just want some background on what's going on here.

A. It is pretty simple.

Q. Go ahead.

A. Here is the thing. We had the EMM meeting on the 22nd, I believe that's the day we had it.

Chief Gulliford, who was my immediate supervisor, was out of town. He wasn't privy to the briefing.

He basically wanted the briefing that we gave at the EMM on that night presented to him, and that's what this was about.

Again, I was going to bring up later

in the questions of my competency, Chief Gulliford had no questions at all about my competency or my role or my lack of fulfilling same during that presentation that we gave to him, and that's what that e-mail is about.

MR. PLEINES: Is there a number on that?

MS. ANSARI: Yes, that is No. 12.

BY MR. VALDEZ:

Q. So in terms of any other communications that happened post shooting, did you have any contact with anybody from the Mayor's office? Are they involved in the process at all?

A. Not to my knowledge.

Q. How about during the shooting? Do they need any type of information, anything like that?

A. I don't think so. I can't -- I think I would remember if the Mayor's office called. No, I don't think so.

BY MS. ANSARI:

Q. I am sorry. For the record, you didn't create any other documents regarding the shooting, so a summary, like a report, a

briefing summary that was actually written down? This was all done orally --

A. Yes.

Q. -- at the meeting?

A. Yes.

BY MR. VALDEZ:

Q. Now, do you recall revising a statement for CPD News Affairs the night of the shooting?

A. I don't remember exactly, but I did do it. There is no doubt about it.

Q. And one of the exhibits that we served to you, Exhibit No. 10, I believe, which is the News Affair statement that we are referring to.

A. Sure. I got it here somewhere. Okay. Go ahead.

Q. Who was that e-mail directed towards? Is there a specific person that that e-mail goes to?

A. I think I sent it to the News Affairs address; is that right?

Q. Correct.

A. Yeah, I don't know who is on the

other line there. I might have talked to him on the phone as well. I don't know.

Q. You don't know who it was specifically?

A. I don't know. You would have to look up and see who was working that night.

Q. And now you said there was a phone call. Was there any other communication other than the phone call and the e-mail that we are looking at?

A. I don't know. There could have been a phone call. I mean, you know, a lot of this is, you know, it is just, you know -- was there an e-mail that I sent? I sent an e-mail, right?

Q. Correct.

A. Was there a prior e-mail that would give us who sent it, or would they use the News Affair address?

Q. What we have on this e-mail is -- there is really just the original statement from News Affairs.

A. And I modified it.

Q. And you modified it; correct?

A. Could I see what I modified?

Q. Yes. Well, actually, there is not like a track changes. We just have the previous statement and the revised statement on the e-mail?

A. Well, the previous had to be different than the revised, right? How is it different?

Q. If your copy is different, we will show you --

A. You gave me a previous and a revised? You just gave me as part of my allegations just the --

MS. ANSARI: We will enter --

MR. VALDEZ: We already have it here, so let's go over this statement.

THE WITNESS: So you did give us the right one, okay. No, you did. Thank you.

MS. ANSARI: So for the record, we are looking at Exhibit 10.

THE WITNESS: So I just made a minor change to it. I got it. Okay. Go ahead.

BY MR. VALDEZ:

Q. Did you revise that statement on your own? Is there anybody that assists you?

I am sorry. That was a compound question, but did you revise the statement on your own?

A. Yeah, I reviewed the statement. I thought it was correct, and I revised -- whatever revision was made would have been -- it was from me to them, right?

Q. Yeah.

A. Yeah, I did it on my own. I don't think I would have asked anybody else to do my work for me.

Q. Do you have to get any input from anybody else on the scene?

A. If I want to.

Q. Do you recall in this instance if you did?

A. I don't recall that I did, no.

Q. Now, is this statement typical of police-involved shootings where News Affairs contacts the OCIC for revisions to the statement?

A. It wasn't that time. Now they are on the scene so we don't have this communication back and forth.

It is more direct and it is better crafted.

Q. And now the e-mail, if you look at the timestamp on the e-mail that you sent. So this would be on Page 1.

A. Okay.

Q. And there is a timestamp of 3:23 a.m.

A. Okay.

Q. And at that time, the TRR's and the OBR's were not yet drafted or approved.

Is it fair to say at that time based on the statement you believed that Van Dyke fired his weapon in compliance with the department policy?

A. By 3:00 a.m. in the morning?

Q. Correct.

A. Probably so. I don't think I was -- I wasn't like flipping a coin back and forth in my mind where I was going, you know, with this thing.

I don't know exactly what time that I had enough information to do that. But, you know, I think the official time when I made that

is when I put it on the TRR.

Q. Okay. And even though the TRR was a little bit after this, so your decision would have been sometime prior; correct?

MR. PLEINES: You had reached your conclusion and --

THE WITNESS: Right.

BY MR. VALDEZ:

Q. And what we can do now is jump to the allegation regarding the e-mail with News Affairs, and I will read it for you for the record.

A. All right.

Q. "On October 21, 2014, you provided a false statement to the Chicago Police Department's Office of News Affairs when you stated McDonald, 'continued to approach' Officers Van Dyke and Walsh."

A. So, again, I don't believe that on that night in question, nor do I believe now that that statement is false for previous reasons stated, but let me be clear for the record.

I believe that Officer Walsh and

Van Dyke parked their vehicle ahead, about probably 60 to 70 feet ahead of Mr. McDonald.

Mr. McDonald in clear view at that point when the vehicle came to a stop hitched up his pants, opened up his knife. He was about 60 feet away, I believe, and that's an approximate. He was 60 feet away at that point.

At the point when Officer Van Dyke fired his weapon striking Mr. McDonald, I believe they were about 10 to 11 feet away, best guess estimate, and I believed it that night and I believe it now, and if the definition of the word "approach" is to come nearer to, then I don't think I was imprecise in that language.

I wish someone else could write statements. They could probably have crafted that better than I could, but it is there.

I do not believe it is a false statement in my heart of hearts.

Q. And now you had mentioned that you were the OCIC on one other police-involved shooting?

A. I think prior to, yes.

Q. Was there anything significantly

different between the Laquan McDonald shooting and the other shooting that you were involved in?

A. It was completely different.

BY MS. ANSARI:

Q. In terms of procedure?

A. Oh, procedure. No, the procedures are basically, they come together in the same form and fashion.

MS. ANSARI: I have a couple quick background questions. I am going to enter into evidence Exhibit 13.

(Whereupon, document so offered was received in evidence as McNaughton Exhibit No. 13.)

BY MS. ANSARI:

Q. This is an e-mail from you to -- on October 21st, 2014, to Al Wysinger at Admin 141 and Wayne Gulliford.

This is also just for background, but do you know, what is this Admin 141 e-mail address?

A. I am sorry. This is one other duty that I forgot that I had to do that night. You

have to fill out an activity log, an OCIC log of all the things that you did during the night.

Every street deputy -- they call them street deputies, fills out this log, and they submit it to the first deputy prior to the conclusion of their duties.

I probably did that while I was waiting in the office to get all the other reports done. Can I review it?

MR. VALDEZ: Please do.

THE WITNESS: Do I keep this or do I give this to you?

BY MS. ANSARI:

Q. We will take it back.

Do you know who receives -- can you explain what the Admin 141 e-mail address is that you --

A. Admin 141 is the administrative office for the first deputy.

So when the first deputy comes to work the next day, he wants all the different reports that have come in over the night, and so if you want to get reports to the first deputy, which is -- this is the mandatory report that

needs to be sent to him, you have to send it to his Admin inbox, and then his secretary or whatever will pull in whatever reports came in for the night for the first deputy's review.

Q. And that was Al Wysinger at the time?

A. It was at the time. Now, I don't know when he actually looked at it or reviewed it, if he was at work the next day, I don't know.

Q. And it is a general CPD procedure to fill out this log and get it to him?

A. Yes, it is.

Q. Okay. Besides the briefing at the Executive Management Meeting and the briefing separately for Wayne Gulliford because he was not there, were there any other briefings that you made regarding the Laquan McDonald shooting?

A. Not that I am aware of, no.

BY MR. VALDEZ:

Q. Were you summoned at all before a Federal Grand Jury regarding this case?

A. I was not.

Q. Were you interviewed by any other investigative agencies, including the FBI,

regarding this case?

A. I was. Do you want me to elaborate?

Q. Please.

A. I don't have the date in front of me, but I believe it was in January of 2015, the State's Attorney -- Cook County State's Attorney and the FBI sat down, and I basically went through this whole thing with them as well, not into the detail or the time that it took, but basically the role of the OCIC and just general questions that they had.

Q. Do you recall any specific people that were in that meeting?

A. You know, I don't. I mean, I would have to -- I would have to find out. I don't know.

Q. Okay. Not a problem. Were there any types of conditions based on that meeting? Like did they offer any type of proffer protections or anything like that? Was there any indication of that?

A. They did give me a letter called a proffer. I didn't bring a lawyer. Tom is very mad at me that I didn't -- no, I am kidding.

I did not bring an attorney. I just went there and answered their questions.

I asked them about that because I had, you know, heard that you could get such a letter.

I got it just in case, but I don't know what it means or what it doesn't mean. I am not an attorney.

Q. Okay. During that meeting, we will call it an interview, did the FBI or Cook County State's Attorney present you with any other materials that we presented to you?

A. I don't recall if they did or they did not. They may have, but I don't recall us going into detail about, you know, dotting an I and crossing a T.

I think it was more of a general chronological order, what my role was. I was probably better answer that I could provide today because it was just so close to the proximity, but I don't recall if we looked at any documents that night.

Q. Okay. So there is no documents in general, not specifically to the ones we showed

you, but any documents?

A. I don't recall. I don't recall.

BY MS. ANSARI:

Q. Did you view any video?

A. I don't think we viewed the video. I don't recall doing that with them.

Q. And you said as a general matter, what you told them is what you told us today; correct?

A. To the best of my knowledge, yes.

Q. Is there anything that stood out about that conversation?

A. Not to my -- you know, other than the fact that I had to do it. That was the biggie, but as far as what their questions were and what they were asking me, it seemed pretty much what the investigation entails, who does what, when they do it, all that type of thing; more I think background information as far as in general and then specific information that happened that night, but I can't specifically recall, you know.

BY MR. VALDEZ:

Q. Now, understanding kind of what we

have been talking about and what we are doing today, is there anything that you would like to add that maybe we didn't ask you that you think would be helpful to us?

A. Are we going into Question 12?

Q. Yeah, I will give you an opportunity to respond.

A. Would be helpful to you?

Q. Yeah, anything you think maybe that I didn't ask you that I should have asked you.

MR. PLEINES: Let's take a break.

MS. ANSARI: So we are in like the wrap-up questions now.

The time is 12:20 p.m., and we are going off the record.

(Discussion had off the record.)

MR. VALDEZ: The time is now 12:22, and we are back on the record.

Can you please read back that last question?

(Record read.)

THE WITNESS: Not at this time.

BY MR. VALDEZ:

Q. Okay. So what we could do now is

move to the last allegation and give you kind of the floor is yours type of thing.

I will read it for the record, and if there is anything in addition to that that you would like to add, feel free to do so.

So the last allegation is Allegation 12, and it states, "You were incompetent in the performance of your duties in the ways enumerated in Allegations 1 through 11."

A. Well, when you look at 1 through 11 and then you look at Allegation No. 12, you are basically saying that I -- if I am reading this right, that either I am a fool or a liar.

I can tell you that when I walked onto that scene and I left the area that day and when I come into this room, my integrity is intact.

Now, everything I knew, I have told you. I never had any of these officers do anything that what I would think would be deceitful or false.

The conclusions that other people, reasonable people may have about my

investigation, or the investigation that was being done by myself there as the OCIC, they can come to different conclusions and they can question my judgment, but they cannot question my integrity, and I am very -- I want that stated for the record.

Now, my competency. I have been doing this job for 25 years. My second shot at the sergeant's exam, I think I had six years on the job, I was 19 on the list.

I took the lieutenant's exam subsequent to that after being promoted sergeant. I was 84 on the list, and then subsequent to that, because of the actions and the work that I did as the role of lieutenant and subsequent as a sergeant, the department in its wisdom appointed me to the rank of captain, district commander, and deputy chief.

I have been the district commander of two of the largest districts with the most population of the city, the 16th District with over 200,000 people, and the 8th District with a quarter of a million people.

It would be the second largest city

in the State of Illinois if it stood on its own.

In both locations, we saw unprecedented reductions in crime and developed good community relations with the people that lived there and with the officers that worked in those districts.

Because of those actions and my competency, the superintendent appointed me to rank of deputy chief and gave me what arguably is the most important area in the city, Area Central.

That includes the downtown area and then much of the south and west sides.

I was the -- served as a central command for those eight district commanders, again, covering probably the largest areas of the city as far as geographic and population.

I have handled every major protest that has been downtown for the last couple of years, and we are known nationally, the Chicago Police Department is known nationally on how we handle those protests as far as allowing people their First Amendment rights and at the same time trying to allow the orderly flow of traffic

and allow people to go about their day as well.

We did that with minimal disruption and with respecting the rights of all involved.

I have been the incident commander of major events downtown, including the parade route for the Blackhawks celebration, Air and Water Show, 4th of July celebration at Navy Pier, the Bud Billiken Parade, the second largest parade in the city -- or in the country, I should say, as far as populated; the St. Patrick's Day Parade.

I am missing so many other things that I have been in charge of.

Not to mention the district, the crime reduction that was going on in the area as well.

At none of those times was my competency ever questioned, okay?

As far as the OCIC role is, it was my second time doing one of these shooting scenes.

I obviously have stated for the record that I was fatigued. I had worked a full day, not only on Monday, but I worked the night before on the President Obama detail as well

where he gave a speech at Chicago State University.

So fatigue does play a factor as far as making proper decisions and doing things correctly, so if that has anything to say, it may have -- it may have something to say about my competency.

I subsequently, reported as stated in the record prior, all the actions that I did that night with the chain of command at the Executive Management Meeting and then subsequent with the Chief of Patrol, neither of which questioned at that meeting or subsequent after that meeting or with the Chief of Patrol, questioned my competency and my role involving this investigation.

Since that time, I have been now appointed as the Deputy Chief of Comp Stat. I had the accountability portion to the department where I actually work for the Office of the Superintendent and we have weekly meetings where we hold district commanders account.

They have entrusted me with that position. I am also the liaison with the

Department of Justice and the Violence Reduction Network, and the department has sent me to other cities representing the department in that fashion.

I have also been selected to various boards through the department.

I am on the Merit Board as far as selection for promotion where I conduct the interviews with the eligible participants.

I am on the Traffic Review Board that decides whether the actions of the officers involved in traffic pursuits and crashes were right and proper.

I was a senior subject matter expert for the last two promotional exams, all things that are entrusted to someone that is competent.

In conclusion, I just want to state that I have dedicated my life to this job.

These allegations are as stated would allow me to be fired if found to be true, and I can tell you categorically that I am not a liar, and I am competent, and I am a dedicated member of this department, not only have I served it well, but I served the community well as well.

I am a father of three children and married for over 20 years. I own a home on the northwest side.

I would do nothing, I would do -- I would never do anything to jeopardize my integrity and my standing with my family.

I am one of 14 children that all live -- 13 children, one passed away, that all live in the City of Chicago, and again, this is my home.

I take my integrity and my reputation very seriously, and you can question my competency all day long.

You can look at my background and check with others, but my integrity is what I am here to talk to you about today, and I think I have in my last statement.

Is there anything else I should add?

MR. PLEINES: No, I think you have covered it.

THE WITNESS: Do you have any other questions?

MR. VALDEZ: No, we have no questions. We appreciate your time.

Thank you for coming down and speaking with us today, and that will conclude our interview of David McNaughton at 12:29 p.m.

THE WITNESS: Thank you.

MS. ANSARI: Thank you, Deputy Chief McNaughton.

(Which were all the proceedings had in the above-entitled cause on this date.)

STATE OF ILLINOIS)
) Ss:
COUNTY OF C O O K)

I, Teresa Volpentesta, a Notary Public within and for the County of Cook and State of Illinois, and a Certified Shorthand Reporter of said state, do hereby certify that I reported in shorthand the proceedings had at the taking of said interview and that the foregoing transcript is a true record of my shorthand notes so taken as aforesaid, and contains all the requested proceedings at said interview.

In witness whereof, I have hereunto set my hand and affixed my notarial seal this 27th day of May, 2016.

Teresa Volpentesta, C.S.R.

Notary Public, Cook County, Illinois
C.S.R. License No. 84-2781

Exhibits

McNaughton Exhibit No. 1 3:9 9:24 10:3

McNaughton Exhibit No. 2 3:10 12:18 13:3,6

McNaughton Exhibit No. 3 3:11 13:17,20

McNaughton Exhibit No. 4 3:12 14:7,10

McNaughton Exhibit No. 5 3:13 14:23 15:3

McNaughton Exhibit No. 6 3:14 15:16,19

McNaughton Exhibit No. 7 3:15 16:8,11

McNaughton Exhibit No. 8 3:16 16:24 17:3

McNaughton Exhibit No. 9 3:17 17:16,19

McNaughton Exhibit No. 10 3:18 17:21 18:10,13 175:13 177:19

McNaughton Exhibit No. 11 3:19 34:13,19

McNaughton Exhibit No. 12 3:20 172:17,20 173:1

McNaughton Exhibit No. 13 3:21 182:12,15

1

1 9:24 10:3 120:12 131:5,21 132:7 179:5 189:9,11

10 17:21 18:10,13 95:19 122:9 155:6,9,12 156:3,11,23 175:13 177:19 181:10

100 51:8

1072125 140:8

10:05 75:3

10:11 75:6

10:21 85:2

10:23 85:6

10:53 116:12,16

11 34:13,19 122:10 159:6,7 160:4 165:3 181:10 189:10,11

115 23:3

11:08:00 131:7

11:15 131:10

11:22 138:11

11:27 138:14

11:59 170:12

12 160:5 165:4 172:17,20 173:1 174:7 188:5 189:7,12

120 23:1

12:02 170:14

12:20 188:14

12:22 188:17

13 182:12,15

14 7:17

141 182:18,21 183:16,18

1429315878 120:16

15 95:19

16 13:14 14:20 16:21 17:13 18:6 81:22,24 82:19 83:3,17 85:10 172:8

16th 12:24 14:4 15:13 16:5 190:21

17 31:21 33:3,5 34:21

18 22:12 63:1

19 190:10

2

2 12:18 13:3,6 118:5,10 131:4,14,24 133:19

2-56 5:12 8:24

20 15:22 16:14 17:6 23:5,15 24:2 25:4 31:18 78:4 95:19 113:19 156:15,20,24

200,000 190:22

2014 15:22 16:14 17:6,22 23:5,16 24:2 25:4 31:18 113:19 120:13 132:1 156:15,20,24 170:17 173:3 180:14 182:18

2015 185:5

2016 4:17

20th 14:13 15:6 23:14 25:1,17 39:5,6 40:4

21 17:22 106:3 120:12 132:1 156:15,20,24 180:14

21-foot 105:10,24 107:21

211 23:8

21:57 31:19

21st 39:6 113:19 182:18

22 170:17

22nd 39:7 167:4 173:16

24 23:13 67:21,24

25 4:17 190:8

3

3 13:17,20 133:24 138:19,21,22 148:4

30 173:3

300 4:18 6:17

312 285-4051 24:19,24

360-foot 126:14

3:00 179:16

3:23 179:7

4

4 14:7,10 143:12,17

40 126:11

40th 48:5,14,19 49:1,2,20 147:7 166:2 168:14,15,20

41st 44:23 147:9

475653 31:18

4th 192:7

5

5 14:23 15:3 155:6,

7,17,18 156:6,7,10

5/25 6:16

51st 74:15

6

6 15:16,19 155:8, 17,18 156:6,7,10

60 50:7 122:7,21 124:11 181:2,6,7

60-foot 124:4

7

7 16:8,11 23:13 155:7,8,17,19 156:6,8,11

70 181:2

77 139:11

7:00 97:24 158:5

8

8 16:24 17:3 155:9, 11 156:3,11,14

813 18:20 20:14,17 43:20 65:9,11 168:23,24

813R 76:9

815 48:11,16

84 190:13

845 18:21 20:15

8th 30:23 59:10 190:22

9

9 17:16,19 155:9, 11 156:3,11,19

911 95:13 96:16 97:1 100:4 119:9

9:00 4:17 6:16

9:11 19:20

9:13 19:23

9:30 170:21,22

A

A-n-s-a-r-i 5:1

a.m. 4:17 6:16 75:6 85:6 97:24 131:7,10 138:11, 14 158:5 179:8,16

abilities 171:21

ability 22:13 43:14 69:12

absent 11:15

absolutely 90:24 140:4 142:8

academy 82:5,8 85:15 92:21

acceptable 130:1

access 38:7 63:6 67:18 117:2,3,5 152:18

accessible 99:6

account 37:23 38:2 56:4 63:20 193:22

accountability 193:19

accuracy 4:6

accuser 157:15

accusing 153:10

acknowledge 9:3

acknowledges 140:6

acknowledging 140:22

act 45:18 151:20

action 8:4 30:17 53:11 149:4

actions 48:15 54:19,20 96:13 126:16 130:18 133:9 137:4 138:24 139:9 140:15 166:3 190:14 191:7 193:9 194:11

active 141:7

actively 37:8

activities 99:15

activity 183:1

actual 20:9 135:7 149:12,19 154:2

Adams 4:18 6:17

add 143:23 144:1 171:20 188:3 189:5

addition 22:8 189:4

additional 37:18 61:22 123:6 155:22

Additionally 20:7

address 131:5 146:16 175:22 176:18 182:22 183:16

Admin 182:18,21 183:16,18 184:2

administrative 9:4 183:18

adrenaline 51:11

advice 22:8

advised 7:7,15 22:4 159:14

advisements 5:17 6:8 9:23

advising 28:5

Affair 175:14 176:18

Affairs 10:6 11:22 12:22 13:13 14:3, 18 15:11 16:3,19 17:11,23 18:4 38:17 71:3,4,8,22, 23 140:19 166:16 175:8,21 176:21 178:19 180:11,16

affected 130:11

affirmation 6:11

afraid 82:13

age 54:9,10

agencies 184:24

aggravated 135:22

aggressive 45:18 125:21

aggressor 46:18 141:6

agree 169:15

ahead 5:18 46:1 47:1 53:18 122:7 173:14 175:17 177:21 181:1,2

aid 4:6

Air 192:6

alert 107:3,8,18,22

Alfonso 23:22

allegation 120:12, 24 121:1,3,9 123:1 131:4,5,14,16,21, 24 138:19,21,22 143:12,17 147:11, 14 148:6 156:14, 19,23 159:6 171:22 180:10 189:1,6,7,12

allegations 13:10 119:13 138:5,18 143:15 146:1 154:16 155:6 157:4,11 177:11 189:9 194:19

allowed 9:5
allowing 191:22
alongside 151:17
aloud 9:4
Amendment 191:23
Amicus 4:19
amount 27:4 171:5
anchor 128:1,20
animal 161:20
announced 96:4
annoyed 57:4
Ansari 5:1 6:14 9:20,21 10:11,19 11:10 13:2 24:1 25:10 29:18 32:23 34:8 52:19 56:15 58:8 66:22 74:19, 24 75:5,7 85:1,5,7 88:12 102:21 107:1 115:21 119:21 127:9,15 134:15 136:5 142:14 151:9 155:3,5 159:18 160:10 162:1 164:8 168:10 170:11,16 172:23 174:7,21 177:13, 18 182:5,10,16 183:13 187:3 188:12
answering 6:21
answers 143:21
anxiety 96:1
anybody's 53:20
apologize 84:18 91:10
apparent 83:7 89:11
appears 46:14
apply 135:20
appointed 190:17 191:8 193:18
apprised 34:5
approach 50:13 54:4 120:21 129:2 133:15 151:4 180:17 181:13
approached 40:23 50:11
approaching 50:6 122:15
approval 113:12 153:24
approve 113:10, 16 132:11,18
approved 132:1 150:4 179:11
approving 118:2, 6
approximate 181:7
approximately 27:10 28:15 124:6, 7,10 154:15
approximation 128:3
area 24:9,10 26:2 38:9,10 72:11 73:7 74:15 78:19 90:10 94:3,8,10,13,16, 20,21 97:4,16,21 98:20 99:15,16,24 103:13,21 106:22 108:4,15 152:12 158:4,12 161:1,4 169:10 189:16 191:10,12 192:15
areas 39:14 191:16
arguably 191:9
argued 136:13
arm 124:13
armed 48:13 53:21 81:17 120:20 122:2 132:23 133:3,4,22
arrest 104:21 109:16
arrival 33:22 34:1 90:4 97:21
arrive 97:6,13
arrived 27:14 28:2,9 34:3 97:4
arrives 63:5
arriving 35:6 36:9 39:15 42:11 94:3 98:20 99:16
art 66:22
aspect 72:17 160:15
assailant 45:20 126:1 132:8,20 133:20 134:1,17 135:24 137:3 141:7
assault 132:8,21 151:19
assessment 29:14,24
assign 36:7
assigned 23:10 26:17,18 36:6
assignment 23:2, 4,7
assist 49:16 114:16
assistance 152:15 158:21 159:1
Assistant 11:9
assists 177:24
assumes 26:24
assuming 102:5 152:3 166:23
attached 146:7
attack 129:19 133:21 134:17,21 135:9 136:9,20 137:13,15,21,23 141:9 146:3 149:11,17 150:2, 19,21 151:7
attacked 145:23
attacking 136:22 137:7 150:17
attacks 49:8
attempt 70:10 147:2 148:10 149:12,19
attempting 11:12
attend 27:2 41:21 73:24 94:17 96:7,8 98:2 165:20
attended 100:15
attending 97:17
attorney 21:6 185:6 186:1,8,11
audio 4:8,13 20:9
authority 71:1 140:10,12,21 148:2 170:3,4
aware 32:3 61:24 64:24 65:23 67:2 70:6 82:7 88:23 92:3 93:9,12 96:5 99:12 101:22 103:12,22 104:14 105:10,16 106:10, 14,16 107:3,17 166:14 184:18

B

baby 142:2
back 19:24 26:13 38:9 46:9 48:4 49:24 52:7 53:7 57:15,19 62:18

65:3 72:11 73:7 75:5 85:5 87:8 92:19 94:1 98:10, 15,23 116:15,17 124:24 131:11 133:7 136:23 137:9 138:15 139:16 149:20 150:20 153:9 163:22 164:2 170:15 178:24 179:19 183:14 188:18,19

background 67:10,15 68:9 160:18 171:8,15 172:12 173:12 182:11,20 187:19

Barack 25:15

based 70:19 121:6 148:24 166:17 179:12 185:18

baseless 157:16

basic 37:23 47:13

basically 30:10 63:12,21 89:5 173:21 182:8 185:7,10 189:13

basing 118:17

basis 7:11 8:3,24 157:13

battered 134:20 148:13,24 150:18

battery 15:6 16:14 17:6 38:18 100:20 109:4 132:21 133:20 134:17,24 135:10,21,22,24 136:12 143:11 144:6,10,19 145:8, 18 146:6,17 147:17 149:5,16 151:21 153:3 155:21

battery' 132:9

beat 45:8

Becvar 35:20,23 43:16,22 52:9 64:13 65:4,5 76:7 99:22

bed 25:12,19 26:13

begin 47:24 137:23

beginning 30:4 37:13 48:1

belief 147:5,6 150:3

believed 141:8 179:13 181:11

benefit 67:11

berth 126:10

Biden 98:3,5

big 29:7 79:4 94:23

biggie 187:14

Billiken 192:8

bit 94:2 101:4 103:10 110:13 136:19 137:12,18 143:10 164:13 180:3

Blackhawks 192:6

blank 136:7,8

blanket 154:21

Board 194:7,10

boards 194:6

bodies 51:12

bodily 134:3,6

body 137:18 140:24

bone 111:1

bottom 140:19

box 37:9 89:13 114:22 132:8

133:20 134:1,17, 20 138:22,23 139:2,11,12 140:5 141:2,23 142:4,5, 15 148:4,13 149:18 162:14

boxes 41:9 109:21 132:16 135:19 145:17 153:19 154:2

brandishing 133:5 151:5

break 19:22 68:12 74:22 75:4 84:24 116:11 131:6,9 138:13 170:10,11, 13,24 188:11

breaking 48:7,15

breathalyzer 38:14 96:11 97:3

briefing 38:24 39:7 164:16,23 165:8 173:20,21 175:1 184:13,14

briefings 184:16

briefly 164:15

bring 63:14 98:7 173:24 185:23 186:1

bringing 111:23

brings 49:20

brought 62:19 103:20 111:3 168:14

Bud 192:8

building 95:8 97:18

built 55:9

bullet 107:2

Bulletins 106:18 107:7

bullets 106:15,16 107:5,23

bullpen 117:14

Bureau 10:6 11:22 12:22 13:13 14:3, 18 15:11 16:3,19 17:11 18:4

Burger 44:19 49:21 91:23 92:1, 4,6 150:9

business 24:21 73:24

butter 134:12

Bye 12:8

C

calendar 167:13

call 10:5,9 25:5,22 26:1,13,20 27:5,6, 10 28:1 30:12 37:16 48:1,6 67:11 75:12,15 95:13 101:5 117:14 124:17 137:12 176:8,9,12 183:3 186:10

called 6:2 12:18 13:9 30:13 31:4 86:24 165:9 174:19 185:22

calling 10:20

Calls 129:9

cam 19:3

camera 18:22 35:24 36:3 43:24 64:14

capability 100:8

capable 106:15 107:4

captain 30:7 31:3, 4 34:4 35:5 89:22 161:12 190:17

captured 65:7

car 37:5 44:1

49:23 55:15,16 62:15 63:18 65:15 122:6,18 127:21 137:7

carefully 33:8

cars 45:3

case 20:21 31:14, 17 50:6 105:18 109:15 111:5 113:1 154:8 184:21 185:1 186:6

casings 50:18 64:2 74:8

categorically 157:11,17 194:21

categorize 172:9, 10

categorized 54:14

category 132:7 133:20,24 134:16 135:24 136:12

caught 93:6

causing 141:3 142:16,21

caution 79:12

CD 19:12

celebration 192:6,7

cell 24:13,14,20, 22,23

center 38:10

central 24:9,11 38:10 74:15 78:19 90:10 94:3,8,11, 13,17,20,21 97:4, 21 98:20 99:15,16, 24 103:14,21 106:22 108:4 118:23,24 158:4, 12 191:11,14

certified 4:3

cetera 33:17,18 35:18 130:6

chain 23:15,16,17, 21 69:23 79:1 87:8 140:1 152:19 163:15 173:4,5 193:10

change 162:16,22 177:20

changed 63:11 98:9

Chapter 5:12

characterization 32:16 82:22 116:20

characterizations 134:23

characterize 105:23 126:23 128:12,14

characterized 51:16

charge 47:9 89:15 90:3 158:20 192:13

chase 49:19 147:16

check 37:9 89:13 109:22 114:22 135:19 140:3 167:17

checked 41:9 132:16 141:2 149:18

checking 141:23 142:3,5,15 162:14

chemical 38:13 96:11

Chicago 5:7,13 6:14 7:10,18,23 8:23 11:21 12:2 17:22 180:15 191:20 193:1

chief 5:4,5,7,16 6:1,7 10:9,12,20, 22 11:1,2,5,8,12, 17,18,20,23 12:3, 4,5,7,8,17 13:24 14:15 15:8,24 16:16 17:8 18:1,15 20:12 21:18 22:23 23:10,18,19 24:4, 5,10 26:1,21,22 33:14 61:3 71:5 75:8 85:8 90:5 109:4 131:13 138:17 160:21 161:18 165:19 168:11 171:9 173:3,18 174:1 190:18 191:9 193:12,14,18

chief's 161:1

chiefs 160:24 161:3 163:19 165:22 167:10,11

choose 139:12

choosing 8:14

chose 126:15

Chris 75:13

chronological 43:1,12 52:4 56:4 62:20 63:20 80:22 168:8 186:18

chronologically 43:8

circle 92:19

circumstances 119:10 121:24 126:16 130:23 131:2 133:1 137:5 141:20

cities 194:3

city 5:13 6:14 12:2 27:18,19 190:21, 24 191:10,17 192:9

civilian 61:22 72:19 91:2 102:23 103:13 104:8,9

civilians 103:21 104:20

clarification 33:11 147:24 148:14

clarify 20:1 79:8

clarity 26:7

class 47:17

classes 82:6

clean 47:19

cleaned 135:6

cleaner 47:14

clear 20:13 52:21 54:5,7 117:6 121:13 140:9 150:13 151:6 159:21 180:22 181:3

cleared 73:9 114:11

click 154:7

client 20:4

clip 44:20

clipboard 77:18, 22

close 46:12 158:3 186:20

closed 122:10

cloudy 35:8

co-rank 79:3

Code 5:13

coffee 72:7

cognizant 68:19

coin 179:19

collect 36:15

collected 118:14 144:11

collecting 73:17

collective 110:6

collectively 110:3

command 11:15 23:15,16,17 25:22 26:24 39:13 66:16 69:23 76:18 79:2 87:9 115:2 140:1 152:19 159:24 163:15 165:21 191:15 193:10

commander 24:9 26:11,16 30:7,21, 22,23 34:4 35:4 59:10 89:24 90:3 97:12 110:7 161:12 165:19 171:10 190:18,19 192:4

commanders 161:2 191:15 193:22

commands 46:10 133:13

comment 104:16, 17 139:4 155:11, 16,20

comments 156:3

commiserate 159:10

common 66:14 77:19 87:20 109:8

commonly 19:4

communicating 90:23

communication 176:8 178:23

communications 164:13,17,21 174:10

community 191:4 194:24

Comp 193:18

compared 81:4

competency 171:21 174:1,3 190:7 191:8 192:18 193:7,15

competent 194:16,22

complete 45:1 109:19 156:16,21 157:1

completed 38:19, 23 109:5 112:18 114:10 120:14 145:13,14 146:19 158:12 159:9

completely 6:22 143:3 182:4

completeness 113:16 132:18 154:13

completing 114:6,17

compliance 138:24 139:9 140:16 179:14

complied 9:10

comply 54:3 133:13

compound 178:1

computer 95:18 99:2 114:12,13,14 136:2 145:2

computer-generated 135:4 146:11

computers 98:22

conceal 45:15 46:5 53:22 107:8 133:14

concealed 107:13

concern 171:4,17 172:1

concerned 101:3

conclude 100:21

concluded 138:23 139:2,8,13 142:13

conclusion 25:18 118:12 140:14,23 162:24 169:17 180:6 183:6 194:17

conclusions 136:14 139:20 170:4 189:23 190:3

conditions 185:18

conduct 104:19 194:8

conducted 5:12

conducting 77:12 102:11 103:13

confidential 4:9

confirm 22:18

confirmed 46:22

confront 45:21

confronted 121:24 122:1,2,3,5

conjunction 165:9

connection 20:21

considerable 27:4 51:13

considered 125:8,11 130:11

consistent 114:8

constitute 7:16 8:23

constitutes 7:9

construe 137:20

consult 8:15

consulted 60:23 61:2

contact 71:20,22 174:11

contacted 10:23

contacts 178:20

contained 132:2

content 171:11

contention 110:19 111:1

context 120:5 141:24

continually 53:6

continue 52:3

continued 54:4 120:21 133:15 180:17

continues 46:4,11 150:8

continuing 166:4

continuous 107:7

contradict 56:6

contrary 32:15

control 111:22

controlled 40:11

controlling 39:21 40:7

conversation 40:24 41:13,16,20 60:7 61:14 69:13 76:1,4 78:6 80:18 128:17 187:12

conversations 42:17,20 59:2 61:11 79:19 86:6 90:19 128:6

conversing 116:22

Cook 42:2,5 92:8, 12 185:6 186:10

cooperate 6:20

cooperating

101:3

copious 88:4

copy 5:17 6:8 9:14,17 31:14,17 115:15 177:8

correct 10:15,16 18:22,23 19:17 21:2 24:11 32:22 34:9,10 35:23 36:1 39:19 40:10,17,22 41:5,6 43:12 53:1 58:12 62:7 63:7 73:13 75:22 76:7, 10 82:21 86:13,22 87:14 88:15,24 92:9,10 94:9 103:14 105:5,6 112:23 113:2,3,5 114:11 115:24 116:1 118:7,8 125:9,19 130:13 133:17 135:2 139:8 149:6 152:5 153:4 163:1 168:12 175:23 176:15,23 178:5 179:17 180:4 187:9

correctly 44:4 51:9 83:6 98:24 99:9 193:5

counsel 5:4 8:14, 17 9:12 10:5 11:9 20:10 22:9,18

counsel's 32:15

count 149:1 150:6

country 192:9

County 42:3,5 92:8,12 185:6 186:10

couple 51:4 75:9 81:7 103:4 121:1, 19 129:11 160:2 182:10 191:19

court 4:3,8,10,19, 21 26:8 87:23 145:4 157:9

court-reported 11:7

cover 165:6

covering 191:16

CPD 24:13 42:10, 17 61:23 70:10 72:13 85:13 86:16 101:19,24 102:13 103:16 105:4 175:8 184:10

CPD'S 83:23

CPIC 25:23 26:14 27:10 28:1 89:5

crafted 179:2 181:16

cranny 163:5

crashes 194:12

create 174:23

created 79:10

creating 77:12

credence 130:5

crime 28:23,24 29:8 35:20 36:11, 23 37:1 40:9,11,16 49:22 50:1,17 63:6,13 89:6 191:3 192:15

criminal 8:9 86:19 87:2

criticized 171:20

crossing 186:16

crux 148:12

culture 44:14

cup 72:6

curb 28:14,16,17, 20,22

curriculum 82:8 83:24 84:15 85:14

custom 4:7

cut 49:4 134:13 147:16 149:10

D

dance 101:4

danger 82:14,15

dash 19:3

dashboard 44:3

date 23:8 185:4

dated 31:18 173:2

David 5:5,14 6:1, 12,17 11:23

day 25:13,15,20 39:1 59:9 140:13 143:2 147:6 163:15 164:23 167:5 171:22 173:16 183:21 184:8 189:16 192:1,11,23

days 23:13

de 125:15

Deadly 134:1

dealing 90:20

death 134:2,6

debate 111:2

deceitful 189:22

deceive 135:14 147:3,19 148:10 157:10 159:12

decide 110:3

decided 110:4 146:14

decides 194:11

decision 70:23 110:1,6,22 111:4,7 118:17 145:14 151:11 180:3

decisions 70:20 166:17 193:4

dedicated 194:18, 22

deeming 129:24

defective 72:15 95:3

defend 22:14 129:20

define 50:13

definite 112:7

definition 181:12

delay 22:9,12 27:21

delayed 8:18

deliberately 8:22

delivered 95:16

deny 157:11,17

department 5:8 7:11,23 11:22 17:23 22:6 24:16 71:16 87:5 139:1, 10,22,23 140:16 179:15 190:16 191:21 193:19 194:1,2,3,6,23

department's 7:18 140:15 180:16

depending 111:16

Depository 166:2 168:16

deputies 183:4

deputy 5:4,5,7,16 6:1,7 10:9,12 11:8, 12,18,23 12:3,7,17 13:24 14:15 15:8, 24 16:16 17:8 18:1,15 20:12 21:18 22:23 23:10, 17,22 24:4,5,10 26:1,21 33:14 61:3 75:8 85:8 109:4 131:13 138:17 160:20,24 161:1,3,

18 165:23 173:3 183:3,5,19,20,23 190:18 191:9 193:18

deputy's 184:4

describe 50:12

descriptions 135:21

desk 118:1

destruction 161:20

detail 25:13,14,18 41:17 98:5 185:9 186:15 192:24

details 22:14

detective 47:8,10, 19,23 48:8 52:14 56:13,16 57:14,17 59:24 60:10 77:5, 6,21,24 78:12,20 79:10,14,17 100:7 117:14 148:1

detectives 33:17 36:12 37:8,22 38:2 39:14 52:14 60:23 63:14 66:9 69:20, 22 70:5 71:5 72:22,24 76:19 78:2,8,19,22 86:10,17,18 87:2 89:6 91:1,4 95:11, 17 97:11,17,18 100:22 101:9,10, 12,16,19 103:16 104:18 110:7 135:8 159:22

detectives' 104:14

determination 112:16 121:7 123:14 130:12 144:24 162:15

determine 145:10 153:1

developed 55:9 95:14 191:3

developments 60:11 61:17 68:3

deviate 127:23

device 44:3

differ 59:5

direct 11:24 22:7 38:9 109:5,14 114:21 152:20,22 179:1

directed 48:12 109:11 156:16,20 157:1,6,8,9,13 163:14 175:18

directing 109:17

direction 40:6,10, 12,15 61:8,9 120:22 122:4 133:5 157:6

directions 130:6

directives 139:1, 10

directly 90:20 109:13 120:11 154:16

discard 46:6 53:22 133:14

discern 91:19

discharge 7:12 8:5 9:1

discharging 92:23

disciplinary 8:4

discontinued 4:14

discuss 21:13

discussed 118:15

discussion 85:4 116:14 152:1 188:16

disk 19:1 20:3

disks 20:8

display 65:13

disregard 133:4

disruption 192:2

distance 48:23 50:2 51:13 117:10 122:11 127:5,7 134:9

district 30:23 59:11,14 99:21 190:18,19,21,22 191:15 192:14 193:22

districts 190:20 191:6

division 38:12 39:14 64:1 95:3 166:16

document 9:6,15 10:1 12:20,23 13:4,8,11,14,18,22 14:1,4,8,12,16,19, 22 15:1,5,9,12,15, 17,21 16:1,4,9,13, 17,20 17:1,5,9,12, 17,21 18:2,5,11 31:24 32:1,7,11, 17,24 34:17,24 109:10 111:11 146:12 147:22 172:18 182:13

documentation 111:15

documented 144:21

documenting 147:10 153:5

documents 32:3 34:15 38:22 114:14 174:23 186:22,23 187:1

Donuts 18:21 19:14,16 20:15,17 72:7,8,12,14,20,21 91:6,11,12 108:4,7

door 81:8,10

dotting 186:15

doubt 175:11

downstairs 27:22

downtown 98:7 191:12,19 192:5

draft 113:9 115:8, 10,17,18

drafted 179:11

drafting 113:8

draw 106:4

drawn 48:23

dressed 27:22

driving 81:9

drop 46:10 130:6

drove 63:21

duly 5:19 6:3

Dunkin' 18:21 19:14,16 20:15,17 72:7,8,12,14,20,21 91:5,11,12 108:4,7

duress 22:2

duties 24:12 36:20 40:6 183:6 189:8

duty 6:20 26:6 182:23

Dyke 40:21 41:13 45:5 46:12,15 50:9,15 55:14 58:15 59:12,13 75:22 79:20,22 80:14,18 81:20 83:4 85:10 86:4 100:14 107:19 113:4,22 120:14, 17,19 121:3,20 122:1,6,17 125:23 127:2,17,20 128:7, 10,24 129:5,8,21 130:3,8,17 132:2, 11 133:16 134:19 139:7 141:8 143:20 144:2 149:17 150:17,21

156:16 163:22 179:13 180:18 181:1,8

Dyke's 14:13 15:5 45:24 54:9 80:10 96:9 97:1 105:7 124:11 146:24

dynamic 101:15

E

e-mail 17:22 172:12 173:2 174:5 175:18,19 176:9,14,16,19 177:4 179:3,4 180:10 182:17,21 183:16

earlier 12:13 107:20 160:11 162:12 173:4

early 25:20

earshot 56:1

easily 89:13 126:6 151:18

east 28:20,22 95:8

eastbound 48:14, 19 49:20

eat 25:19

Eddie 11:1,20 23:20 26:21 27:6

effect 81:13,14 82:3 142:6

elaborate 44:14 136:19 137:11 140:17 185:2

eligible 194:9

eliminate 82:3,9 83:19 84:18,22 85:12 92:20 93:5

EMM 173:15,22

employee 158:22 159:1

Employee's 9:9

encapsulates 39:1

encounter 54:17, 18 120:15 156:17, 22 157:2

end 74:10 114:3 117:16 142:3

ends 122:22

engaged 50:15

ensure 41:4 89:2

ensuring 158:21

entails 165:2 187:17

enter 13:2,16 14:6, 22 15:15 16:7,23 17:15 18:9 34:13 172:17 177:13 182:11

entering 9:23 172:24

entire 25:15 34:24 38:7 39:1,2 165:23

entirety 118:6

entities 153:15

entrusted 193:23 194:16

enumerated 130:20 189:9

equally 78:23

escape 54:11

escorting 25:14

essence 61:5 73:8

essentially 78:14 119:23 155:10

estimate 27:24 181:11

Eugene 173:5

evening 33:23 39:10 124:2

event 84:6 120:16 146:7,8 148:15

events 36:19 88:8, 10 165:16 192:5

everyone's 169:13

evidence 8:3 9:24 10:2 13:3,5,19 14:9 15:2,18 16:10 17:2,18 18:12 34:18 36:15 47:2 63:22 73:17 74:3 94:6 163:8 171:2 172:19,24 182:12, 14

evolved 70:19 71:6

evolving 67:4

exam 190:9,11

examination 6:5 162:23

examined 6:3

examiner 89:7

exams 194:15

exchange 17:22 172:12 173:2

exchanged 62:24

exchanges 110:16

excuse 42:8 46:1 115:2

executive 23:20 26:23 31:5 160:24 165:10,14 166:22 184:14 193:11

exempt 26:5

Exhibit 9:24 10:3 12:18 13:3,6,17,20 14:7,10,23 15:3, 16,19 16:8,11,24 17:3,16,19,21 18:10,13 34:13,19 172:17,20 173:1 175:13 177:19 182:12,15

exhibits 9:18 12:11 20:23 21:1 140:18 172:14 175:12

existed 65:1 88:24

existence 65:23

expect 109:18

expecting 129:15

experience 55:1 75:10

expert 194:14

explain 84:2 144:5 160:13 165:2 169:18 183:16

explained 85:11 169:16

explaining 143:2

express 170:6

expressed 170:7 172:2

extra 172:16

extremely 82:13

F

face 80:14 141:10

facing 45:2,6 127:1,2

fact 52:24 54:15 61:21 77:3 79:12 96:3 107:8 126:17, 18 130:11,15,24 134:8 140:22 141:6 142:10 143:1 157:13 187:14

factor 125:8 131:1 193:3

factors 119:7 133:23

facts 21:13 30:10 38:3 56:7 59:6 118:16 123:15
failed 159:15
fair 28:9 82:22 124:3 128:15 135:3 179:12
falls 112:19
false 7:19,21 8:21 120:13 121:14,15 122:23 132:3 135:14 136:15 147:3,19 148:4 153:10 156:16,17, 21 157:1,7,14 180:15,21 181:18 189:22
fashion 46:3 60:7 125:12,23 130:4 159:13 182:9 194:4
fast 112:4,6
fatigue 193:3
fatigued 192:22
FBI 144:14 184:24 185:7 186:10
fear 46:20 54:22 120:19 121:4,21, 23 122:20 129:18 130:20 141:12
Federal 184:21
feel 96:2 189:5
feeling 95:24
feet 45:24 50:7,10 106:3 122:7,10,21, 22 124:11 126:11 127:11 128:2,21 129:11 181:2,6,7, 10
felt 55:1,2 82:14 144:2
field-type 104:7
fight 45:22
file 87:22
filed 113:17
files 20:8
filing 88:1 112:2
fill 110:2 115:24 135:23 144:18 145:16 153:18 154:4 157:7 183:1 184:11
filled 112:20 113:22 145:21 152:4
filleted 106:5
filling 117:12,22 145:12 152:9,15
fills 161:21 183:4
final 38:15 162:24
finalized 115:15
find 35:13 41:11 84:5 85:21,23 106:7 167:14 185:15
finding 119:3 123:4,9,11,23 125:3 139:18
findings 106:12 118:10 130:7 141:4
fine 4:15 22:21 53:15
finish 51:22,23 99:2 155:18
finished 73:23
fire 46:15 107:16
firearm 41:4 92:24
fired 81:23 82:16 83:1,3,11,13,17 85:10 120:19 121:3,20 130:9 171:5 179:14 181:9 194:20
firing 106:15,16 107:5,22
fit 62:16 135:10,20
fixed 50:9
flailing 124:14
flanking 126:6
Fletcher 75:13
flipping 179:19
floor 94:20,23,24 95:2 97:5,14 98:12,22,23 99:6 117:17 189:2
flow 191:24
flux 67:12
focus 60:20 130:15 153:11
focused 80:11 130:14
follow 86:17
follow-up 75:9 164:10
Food 166:2 168:16
fool 189:14
foot 48:24 49:19
footing 129:3
FOP 67:4,12 68:15,16,17,23 69:6 70:4 71:13,17 97:13 115:22 116:2,6 152:18
force 88:3 92:23 96:22 109:11 111:11,12,14,17, 21 112:2,17 130:15 134:1,2,5 140:22 145:17 160:12
forced 137:18
forces 144:18 152:6 153:6
Ford 47:24 62:16
forensic 36:14 38:12 64:1 73:15
forever 143:4
forgetting 159:4
forgot 108:11 144:9 159:11 182:24
form 13:23 60:6 102:16 125:12 144:17 146:11 153:7 154:3 159:13,20 182:9
forms 148:9 159:2 162:13
forward 46:2 127:20 128:23
found 48:18 83:2 84:8 107:12 139:16 194:20
frame 95:23
frankly 123:1
Franko 108:12,13 114:5 115:2,22
free 189:5
fresh 98:9
Fridays 165:11
front 45:1,2 49:3 112:8 125:23 137:16,17 151:6 158:17 185:4
frontal 127:1
fruits 8:8
fulfilling 174:3
full 25:12,13 38:2 119:9 127:1 135:16 163:2 192:22
furtherance 151:20
Fusion 47:24 62:16

future 32:10

G

gafar 81:24

Gaffney 48:24 49:3,10,15 55:15 58:15 59:15 79:19, 23 86:7 113:4,22 147:7 148:21,22 157:1 166:4

Gaffney's 17:6 146:22 148:17 149:20

gaps 47:19

Gary 23:23

gather 163:8

gathered 147:23

gathering 118:16

gave 30:18 31:13 35:16 52:20,22 80:5 95:24 98:13 99:8 100:7,8 157:23 159:1 173:22 174:4 177:10,11 191:9 193:1

general 5:2 6:15, 21 11:10 12:2 76:2 105:19,20 171:8, 13 184:10 185:10 186:17,24 187:7, 19

General's 4:12 11:3

generally 70:13

generated 114:15 144:17

geographic 191:17

gestures 137:20

get all 183:8

give 5:17 22:5 31:19 40:2,5,14 46:8 54:21 56:4 61:8 66:19 68:10 69:12 76:23 87:23, 24 94:2 99:11 119:14 120:2 131:16 155:1 156:12 160:6 163:18 165:15 176:17 177:16 183:11 185:22 188:6 189:1

give-and-take 115:5

giving 11:24 22:1, 3 71:5 130:5

glued 118:1

God 44:9 81:11 153:14

good 43:3 44:20 48:23 54:11 55:10 87:16,18 93:20 131:22 191:4

Google 122:8

gotcha 124:9

grab 34:15

grainy 91:18

Grand 184:21

grasp 30:17

great 27:21 74:24 134:2,6

Greater 166:2 168:16

grief 141:3 142:16, 21

ground 46:10 50:18,23 54:23 55:2

group's 171:1

guess 28:4,6 30:5 54:10 67:11 84:13 90:1 98:1 101:5 104:7 110:22 117:10 119:3,6 145:14 153:22 181:11

Gulliford 23:19 173:6,18 174:2 182:19 184:15

gun 48:23

guy 45:21,22 46:17

guys 24:13 41:14 70:5 74:4

H

hairs 53:19

hairsplitting-type 135:18

half 95:20

hand 45:13 46:7, 13 51:14 133:7 137:17,24

handbag 107:15

handcuffs 111:20

handle 26:3 35:10 162:6 191:22

handled 70:14 101:19 161:11 162:9 191:18

handles 36:10

hands 130:3

handwritten 114:14

happen 9:16 41:19 56:10 106:9 110:4,24 164:14 167:2

happened 25:3,8 29:19 33:13 55:7 56:5,17 66:1 67:13 75:14 76:3 82:13 84:6 110:14 113:18 114:23 115:13 123:12 142:10 166:6 168:9 170:18 174:10 187:20

happening 30:19 38:3 96:2 116:19 121:11 142:13

hard 91:18,19 111:7 112:4,6 127:19

harm 51:20 134:6

harm' 134:3

hazy 53:5 57:2

head 90:10 98:4 126:18

headphones 99:8

headquarters 170:18,19

heads 64:21

hear 100:4 145:5

heard 96:6 105:17, 19 107:4 186:4

hearing 99:13

heart 181:19

hearts 181:19

held 165:8,10

helped 168:17

helpful 188:4,8

helping 115:23 116:6

helps 36:2 99:11

hep 150:24

hey 26:14 41:18 46:9 89:9 126:1

hikes 124:12

hit 50:3 81:10 135:1 145:17 161:9,10,15,18

hitch 63:23

hitched 133:11 137:23 181:4

hitches 45:12 122:19 150:23
hitching 53:12
hits 161:7,14,15
hitting 148:16,19
hold 111:22 112:17 131:18 155:16 164:19 193:22
holiday 22:20
home 25:17 98:9
homicide 78:18
honestly 61:12
hours 23:13 31:19 67:21,24 68:1 74:1,10 97:23 101:1 121:11
Hoyle 64:8
human 45:17 137:8
hurting 135:12
HX 31:18
HX475653 14:14 15:7,23 16:15 17:7 120:17

I

IAD 97:3 171:14
identify 4:23
ill 90:8
Illinois 135:11 191:1
imagine 31:9 62:24 91:8
immediately 48:16 98:20
imminent 129:19 132:8,21
important 91:22 137:1 191:10
imprecise 181:14
impression 46:17 82:16
impressions 52:20,22,23 91:16
in-car 18:20 20:14 35:24 36:3 43:24 64:14 65:12
inaccurate 8:21
inbox 184:2
inches 51:18
incident 22:11,14 26:10 39:3 42:18 43:19 60:2 68:2 81:4 104:10 105:11 107:5 147:7,9 158:13 159:19 192:4
include 151:11
included 18:19 140:5 158:14
includes 6:21 120:16 191:12
including 4:11 8:4 148:3 149:12 158:10 165:21 166:1 171:2 184:24 192:5
incompetent 189:8
incomplete 8:22
independent 4:3 71:1 115:16 140:11,21 148:2 166:19 170:3
indication 46:8 157:23 185:20
indisposed 75:19
individual 48:12 78:3 117:24
individually 55:24
individuals 4:22 5:9
influence 119:3,4
information 4:2 30:14 32:24 47:21 61:22 101:17 118:11 121:6 132:13 136:3 152:24 154:4,5 174:16 179:23 187:19,20
informed 21:11 43:18 63:24
initial 41:12 44:7,8 46:22,24 76:3 141:3
injured 134:10
injury 141:10
input 178:12
inputting 132:14
inquire 72:23
inquiries 163:17
inquiry 85:22
inserted 140:7
inside 64:18
insight 94:2
Inspector 4:12 5:2 6:15,20 11:3,9 12:2
instance 178:15
instruction 40:5, 8,15
instructions 39:20
intact 73:15 189:18
integrity 189:17 190:5
intended 136:16
intention 135:13
Internal 10:6 11:22 12:22 13:13 14:3,18 15:11 16:3,19 17:11 18:4 166:16
intersection 44:23 45:9 49:4
interview 4:5,8 5:14 6:18 8:2,8,15, 18 11:8 12:19 18:16 20:20 21:8, 20 38:5 42:23 56:9 70:10,18 79:5 91:5 105:8 160:16 186:10
interviewed 6:13 55:22 58:11,17 91:9 101:24 102:2 103:18 104:1 184:23
interviewing 36:13 57:21 91:2 102:22
interviews 42:24 55:21 58:9 63:16 87:11,13 100:22 101:11 102:11 103:5,13 105:4 194:9
introduced 35:14, 16
introduction 41:1 75:22
investigate 48:17 84:3 163:14,17
investigating 36:12 60:1 73:10 86:18
investigation 5:12 6:19 22:10,12 36:14 38:9 60:24 77:13 78:14,20 86:23,24 88:2 103:7 104:19 109:20 121:10 139:3,13 140:7,23 141:24 142:7,12

153:12 163:3,13 165:24 166:14 171:9 187:17 190:1 193:16

investigations 140:11

investigative 184:24

investigators 47:4 63:24 64:13 87:21 110:6 140:2

involved 37:3 38:5 42:18 47:19 48:9 55:7 58:10 63:17 66:16 68:6 69:10 73:4 97:10 101:18 102:10,18 109:9 137:19 139:22 140:1,2 146:19 174:12 182:2 192:3 194:12

involvement 79:9 113:7,11 114:21

involving 193:15

IPRA 35:21 36:13 37:14,22 38:6 56:13 62:7,9,10,23 63:5,12,17,24 64:13 65:3,21 66:3,19,20 67:1,4, 12,23,24 70:4 71:12 86:20 87:2 88:15 97:13 100:21 101:2,8,13, 16 103:15 135:8 141:24 142:11

issue 36:17

issued 24:13

items 12:12

J

January 185:5

Jason 14:12 40:20 120:14

job 37:3,9,21 61:4, 7 85:22 88:4 123:20 153:15,16 190:8,10 194:18

jobs 59:18 73:11

Johnson 23:21 26:21 27:6

Joseph 15:21

judgment 190:4

July 192:7

jump 116:13 180:9

Jury 184:21

jus 35:16

Justice 194:1

justification 87:3 88:3

justify 169:22

K

Karlov 49:2 147:8

Keeler 48:5

key 136:24

keying 124:1

kicked 50:24 51:10,12

kidding 185:24

kill 51:14

kind 29:14 41:7 46:3 51:10 53:6 55:6,9 67:15 69:13 72:1 73:21 77:14 78:13 81:23 84:17 86:11 101:12,14 104:24 117:13,17 123:3 124:13,14, 16 147:16 148:6 150:12 154:21 169:16 170:4 187:24 189:1

kinds 152:24

King 44:19 49:21 91:24 92:2,4,6 150:9

knew 32:9 56:7 59:19 62:20 81:16 98:8 119:10 140:12 141:13 165:24 169:24 189:19

knife 45:14 46:4, 10 48:13,22 49:12, 13 50:19,22 51:9, 14,19 54:12 74:7 81:14,17 120:20 122:20 125:22 130:6 132:23 133:12,22 134:12, 13 137:24 141:14 148:20 150:24 151:5,16 181:5

knives 106:15,16 107:2,4,22

knowing 54:8 156:2 162:15

knowingly 121:16

knowledge 39:3 45:16 64:24 66:2 70:12 75:16 85:21 104:3,4,23 106:10 109:8 110:5 113:20 135:9,16 152:20,22 166:7 167:5 174:14 187:10

L

lab 89:6

label 12:18

labeled 132:8 133:21 134:1,17

lack 49:8 137:6 174:3

Lance 43:16,22

lane 124:16,17,18 127:13

language 125:4 181:14

lap 62:18

laptop 44:1,3 65:12

Laquan 11:13 29:10 48:18 49:6 51:13 54:8 82:19 124:12 167:20 168:2,21 182:1 184:17

largest 190:20,24 191:16 192:9

late 25:17 36:8

latest 97:23

law 140:13

lawyer 185:23

leadership 78:21

leading 78:13,19

learn 81:21 82:5 84:4,14 104:20

learned 48:9 61:21 82:10 83:23 103:6 104:2

learning 60:11

leave 73:15 117:20 136:6,8

leaving 64:15 72:2 94:3,10 97:21

led 130:5

left 59:14 73:18 74:1,13 94:1,8 97:23 158:4 160:17 189:16

legal 8:13,17

letter 185:22 186:5

level 111:16,23 169:8

liaison 193:24

liar 189:14 194:21

lie 136:16 157:8,22

lieutenant 47:5,6 52:16 60:4 66:10 76:11 78:16,17 89:22 161:21 169:3,4,10 190:15

lieutenant's 190:11

life 46:20 54:22 82:14,15 120:19 121:4,21,23 122:21 129:18 130:21 141:12 194:18

light 37:17

lighting 37:18

limited 141:20

limits 135:5

line-by-line 6:10

lines 9:22

list 167:15 190:10, 13

listen 95:13 99:9 100:9

listened 95:18,20 96:24 98:21 99:5, 10

listening 99:4 119:8

listing 31:22

live 27:16,17

lived 191:5

locate 101:8

located 4:18

location 98:24 146:20 147:1

locations 114:9 191:2

log 140:6,8 183:1, 4 184:11

logical 58:1

long 8:17 30:2 44:17 99:1 127:12 157:21 160:19 163:6

longer 38:16

looked 37:1 44:10 61:6 81:3 85:18 107:12 115:11 122:8 137:2 139:6 171:6 184:7 186:21

lot 29:8,9 32:23 44:19 47:2 49:21 74:8 79:5 90:19 119:16 135:19 150:9 163:7,8 176:12

lots 162:17,18

M

M-c-n-a-u-g-h-t-o-n 5:6

mad 185:24

made 8:2,8 20:2 37:12 61:24 64:23 65:23 70:23 71:17 85:22 89:3,10,11 100:14 107:20 116:20 120:13 134:8 135:6,7 136:21 137:14 140:20 146:15 147:24 148:1 170:5 177:20 178:6 179:24 184:17

mailing 167:15

main 37:5

major 158:13 159:19 191:18 192:5

make 20:13 33:7 34:13 36:11,22 37:6,7,11 38:6,11, 15,22 41:9,11,21, 23 47:10,14 54:11 65:17 70:23 75:21 87:5 96:9 110:21 111:4,8 112:16 113:16 114:7 121:8,12 123:14 132:19 135:14 137:2 139:4,20 140:14 141:1 142:20 145:18 147:3 154:12 155:11 162:23 163:17 166:17

makes 46:12 110:11

making 7:19,21 71:14 87:1 89:14 111:9 117:6 118:9 130:7 148:4 193:4

man 48:6,12

Management 165:10,14 166:22 184:14 193:11

mandatory 183:24

maneuver 126:6

manner 133:6 149:11,16

mapped 122:8

Maps 122:8

March 47:23 48:8 52:2 56:14,16 57:14,17 60:1,3 62:14 77:5,6,24 79:16,17

mark 12:10

marked 20:8,24 21:2 37:2 132:9 134:3,18 138:23 139:2

Marking 138:22

markings 55:17

material 119:16

materials 18:17, 19 20:20,23 186:12

matter 4:1 10:18 140:20 154:9 187:7 194:14

Mayor's 174:12, 19

Mccarthy 23:23 165:22 167:9

Mcdonald 11:14 29:10 46:2 48:18 49:3,7 50:2,10,16 51:13 53:12 54:19 82:19 83:15 120:15 122:11,18 124:12 125:3 126:24 127:18 128:8 130:9 132:22 136:21 137:3,14 138:17 141:6,14 145:23 146:3 147:8 148:15 149:5 150:8,16 151:15 156:18,22 157:2 161:10 163:23 167:20 168:3,21 180:17 181:2,3,9 182:1 184:17

Mcdonald's 54:8 126:7 151:21

Mcelligott 48:20, 22 49:15 55:15 58:16 59:15 79:20, 23 86:7 151:11,16, 19 166:3

Mcelligott's 151:22

Mcnaughton 5:5, 6,15,16 6:1,7,12, 17 10:3,9,12 11:8, 12,18,23 12:3,7,17 13:6,20,24 14:10, 15 15:3,8,19,24 16:11,16 17:3,8,19 18:1,13,15 20:12 21:18 22:23 33:14

34:19 75:8 85:9 131:13 172:20 173:4 182:15

means 140:3 142:3 186:7

meant 124:9 142:16 147:19,20

measure 127:14

measuring 124:8

media 51:17 70:9, 15,17 71:19

medical 89:7 145:7

meet 65:3,4 157:15

meeting 98:2,6 164:23 165:8,10, 14 166:8,11,22 167:7,23 168:1,7, 12,19 169:4,8 170:7,17,20 173:16 175:4 184:14 185:13,18 186:9 193:11,13, 14

meetings 164:19 193:21

member 26:5 57:24 58:2 89:20 194:22

member's 138:24 139:9 140:15

members 56:9 57:22 63:24 70:11 72:13 97:13 102:13 105:4 113:1 115:1 145:11 159:24

memorialized 166:11

memory 43:11 80:7 90:12

menacing 133:6

mention 34:20 107:20 128:7 159:11 192:14

mentioned 34:4 41:3 58:21 59:23 66:4 100:16 106:21 124:4 159:19 164:15,23 181:20

mentioning 128:20

Merit 194:7

met 59:8

mid-scene 73:21

middle 45:8 124:16,17 127:13

million 190:23

mind 53:8,24 54:2 60:15 61:20 64:7 65:21 72:1 80:16 81:16 95:22 123:19 124:21 179:20

mindset 53:11 99:11

minimal 27:20 111:19 192:2

minimis 125:15

minor 177:20

minute 138:10 173:8

minutes 31:20 95:19

mischaracterization 76:23

miscommunication 127:4

misconduct 8:3

missing 47:11 192:12

mistaken 35:24 100:2 143:17 162:10

mix-up 27:2

modified 176:22, 23,24

moment 19:18 141:13

Monday 192:23

Mondays 165:11

months 22:12 63:1 106:8

morning 11:5 98:3 158:5 166:9 179:16

motion 45:14 46:12 124:14,21 125:14,15 129:23 136:22 149:4

motioning 46:7 129:12 130:4

motions 46:11 128:8 136:21 137:14

motorcade 25:14

mouth 82:20 170:1

move 46:4 74:19 109:19 126:1 128:21 131:3,14 142:9 160:3 189:1

moved 73:5

movements 117:24 124:20 127:22 130:1

moves 113:17

moving 46:2 91:20 127:21 133:7 151:5

multiple 65:22 83:11,12 118:20

Municipal 5:13 8:23

N

names 4:23 34:21 62:11 66:5 116:2

narrative 47:13 55:5 154:3

nationally 191:20, 21

natural 36:18 81:4 172:4,7

nature 39:21

Navy 192:7

nearby 55:18

nearer 137:18 181:13

neatly 135:20

necessarily 39:17 135:20

neck 53:20

needed 27:24 37:16,17,18 73:4,7 99:2 147:24

Network 194:2

News 17:23 38:16 71:3,4,8,22,23 140:18 175:8,14, 21 176:17,21 178:19 180:10,16

night 25:4,17 29:19,22 32:4 33:13 39:5,22 40:4 60:12,18 63:10 67:7 75:12,18 76:20 77:14 79:10 80:7 87:13 101:20 104:24 106:10,12 107:18 110:9,14 111:6 123:13 139:17 160:1 163:11 165:17 169:17 173:22 175:8 176:6 180:20 181:11 182:24 183:2,22

184:4 186:22 187:21 192:23 193:10

Nineteen 157:20

non-compliance 133:8

non-cpd 92:15

nook 163:4

normal 36:9 46:10 53:16,19 54:16 133:8 167:24 169:7

north 28:10,11,22, 24 35:19 95:9 98:13,16 117:13

northwest 27:17

notated 44:13

Noted 20:10 35:2

notes 77:9,16,22 87:12 88:5 122:14

notice 11:12 20:19 50:4 51:2,4 77:15 127:16 163:21

noticed 45:23 48:21 50:17

notification 12:19 13:9 158:13,15 159:20

notifications 37:12 89:3,10

notified 26:2 37:14 89:4,5,8

number 19:8 22:24 24:17,23 45:8 120:16,17 140:6,8 146:7,9 172:2 174:6

O

O'donnell 30:7, 13,21 31:8 32:18 34:4 35:4 90:3 97:12

Obama 25:15 192:24

object 22:9 50:10 54:15

obligation 7:2

OBR 109:4 143:14 145:1,12,13,15 146:19 151:12 156:17,22 157:2 158:10 162:13

OBR'S 115:24 144:22 145:22 152:3,10,16 153:2, 17,19 154:17,22 155:8 179:11

obscured 46:14

observations 133:4

observe 134:11

observed 29:7 43:16

observing 45:9

obtain 8:16 9:14

occasion 24:21 70:17

occupied 49:9 137:8 149:23

occupying 149:21

occur 36:19 103:1

occurred 21:14 22:11 25:23 26:2 27:5 35:12 88:2 95:23 96:6 165:13, 17 168:2

OCIC 25:16 26:3,8 29:13 36:10,21,22 38:8 40:7 41:4 47:17 60:9 67:5,12 71:2 73:9 75:11 79:12 111:3 139:19 159:11 160:19 162:3,8 163:10 164:18 165:15 178:20 181:21 183:1 185:10 190:2 192:19

OCIC'S 160:21 161:5

October 14:13 15:6,22 16:14 17:6,22 23:5,14,15 24:2 25:1,4 31:18 39:5,6 40:4 113:19 120:12 132:1 156:15,20,24 167:4 170:17 173:3 180:14 182:18

OEMC 100:5

offender 44:18 46:1 53:14,17 81:16 120:20 122:3,5 129:3 133:9

offenders 53:21 54:18

offer 185:19

offered 10:1 13:4, 18 14:8 15:1,17 16:9 17:1,17 18:11 34:17 62:13,15 172:18 182:13

office 4:12,18 5:2 6:14,20 7:5 11:3 12:1 17:23 19:3 20:5,7 72:9 94:17 98:11 100:11,13 103:19 117:13,20 161:1 165:12 166:17 167:18 174:12,19 180:16 183:8,19 193:20

officer 10:14 11:16 14:12 15:6, 21 16:13,14 17:5,6 23:20 26:23 31:5 35:14,15 37:3 38:4,13 40:20 41:8,13 44:11 45:11,12,17 48:20, 24 49:9,15 54:9 67:18,22 75:22 80:18 82:12 83:4 85:10 86:4 88:6 96:9 97:1 100:20 106:17 107:3,7,18, 19,22 109:3 111:12 116:9 120:14,18 121:3, 20 122:1 127:17 129:21,24 130:9, 17 134:11 139:7 141:8 146:22 147:7 148:24 149:17 156:16,21 157:1,6 160:24 161:7,13 163:21, 22 171:15 180:24 181:8

officer's 38:18 143:11 144:5,10, 19 145:7,18 146:6, 17 147:17 149:16 153:3 155:21 171:7

officer-involved 161:6

officers 29:9 42:3, 6,11,14,17,18 44:21 45:7 46:6,18 48:9,10 54:5 55:7, 21 58:10,11,13,22 59:8 62:9 63:17 68:1 69:11,19,21 73:6 79:19,21 80:1 86:6,12 88:14 92:8,12,16 96:1,17 97:10 99:12 100:23,24 101:11 108:19 109:6 111:13 115:8,23 117:12,21 119:8 120:9 124:22 125:24 126:19 132:12 133:1,16 134:11 135:7,17 137:19 139:21 140:1 145:21 146:18,23 148:13 150:18 152:9,14

158:21 160:16 180:18 189:20 191:5 194:11

officers' 51:11

offices 95:5,7,9

official 6:19 7:16 71:15 88:1 139:23 179:24

OIG 11:11

On-call 26:10

one-by-one 12:15 132:4,5

one-on-one 38:5 56:8 63:16 69:13

ongoing 141:24

open 19:2,6,9 20:4,6 81:9 117:17

opened 20:16 181:5

operated 114:13

Operations 25:22

opinion 84:17 153:8

opportunity 119:14,19 120:2 131:16 156:12 160:7 188:6

opposed 145:15

opposite 114:1,3

option 96:22 126:8,9 160:12

options 135:5

oral 7:20,22

orally 22:4 175:2

order 7:8 10:6,9, 14 11:18,24 18:15 22:7 43:2,9,12 55:22 57:8 62:20 80:22 96:8 112:11, 13,20 144:22 168:8 186:18

ordered 7:4 10:18

orderly 191:24

Ordinance 8:24

ordinary 62:4

original 176:20

outlook 167:16

overlooked 159:15

owns 89:21

Ozzie 47:6

P

P-l-e-i-n-e-s 5:4

p.m. 188:14

package 153:20

pants 45:13 53:12 122:19 124:12 133:11 137:24 150:23 181:5

paper 157:9

paperwork 80:8 98:14 99:3 169:19

parade 192:5,8,9, 11

paralleling 48:24

park 28:11,15 49:23 57:20 122:18

parked 50:8 122:6 181:1

parking 44:19 45:4 49:21 81:17 150:9

part 6:18 39:13 83:23 84:14 85:12 151:21 160:21 161:22 163:9,13 172:14 177:11

participants 194:9

particulars 61:12

parties 97:9 163:18 166:15

partner's 82:15

parts 149:9

party 4:11

pass 49:5

passed 45:4

path 54:5,7

Patrick's 192:11

patrol 23:19 24:4 26:22,23 30:24 31:1,2 36:10 37:2, 22 39:14 70:5 73:6 89:18 110:7 193:12,14

pending 33:11

people 29:15,16 31:13 36:6,13 50:5 52:13 54:15 61:23 62:17 64:20 71:13 73:6 78:4 79:5 89:4 90:23 96:5 101:6 103:18 110:16 111:20 130:16 136:13 160:22 161:15 163:14 172:3 185:12 189:23,24 190:22,23 191:4, 22 192:1

perceived 130:18

percentage 119:5

perform 159:15

performance 171:20 189:8

period 71:12

peripheral 80:14

periphery 63:13

persist 7:7

person 37:4 54:21 69:19 77:24 110:22 121:22 126:4 141:5 150:1 151:22 175:19

personal 24:14, 20,22 41:20 45:16 85:20

personnel 31:22 36:5 78:10 97:7

perspective 44:11

phase 109:19

phone 11:4 24:13, 14,15,17,20,22,23 30:12 176:2,7,9,12

phonetic 64:8 81:24

physical 63:22

physically 41:24

picking 64:2,3

picture 47:15

piece 47:2 157:9

Pier 192:8

place 29:14 71:19 103:6

play 106:12 125:2 193:3

played 116:24 126:9

pleased 117:23

Pleines 4:15 5:3 10:7 11:9 18:24 19:10,13,17 20:1, 22 21:13,23 22:21 26:7 28:5 32:14 33:7,10,19 39:23 42:19 49:11 51:22 61:2 62:1 68:11 84:24 88:7 93:15 112:11 120:4,8 125:7 127:11 129:9 130:10 131:6,22 136:2 142:5 143:1 149:14 154:23

155:16,20 159:14 161:21 164:4 170:9 174:6 180:5 188:11

plenty 79:6 167:10

point 10:8 29:1 33:22,24 38:8 43:2 44:5 45:10,20 49:6 51:21 52:15 55:4, 20 56:22 57:21 59:6 69:20 73:22 74:4 81:19 82:24 86:5 94:8 95:1 100:18 110:1,18 117:21 118:14,20 122:9,21 126:3 127:20 141:1,9 145:14 149:6 150:2,15,18 154:12 170:2 181:4,7,8

pointed 126:21

police 5:7 7:10,16, 18,23 11:21 17:23 29:9 44:1,11,20 45:3,11,12,17 46:10,18 53:15,17 54:16,18,24 70:21 71:1,8,9,16 97:15 108:19 111:12,13 140:11,21 145:22 146:4 148:2 157:6 160:1 161:7,13,17 170:3,19 180:15 191:21

police-involved 66:15 178:19 181:21

policies 86:21 87:4

policy 86:12,14,16 87:15 112:7,22 140:16 179:15

pool 160:22

popular 44:14

populated 192:10

population 190:21 191:17

portion 35:19 86:19 100:21 193:19

posed 12:1

position 49:24 91:20 193:24

possibly 116:23

post 102:4 174:10

posted 159:21,23

posture 129:20,21

practice 4:7 87:17,18,20 158:19

preface 21:24 57:6

prejudicial 22:13

preliminary 4:1 121:7,10 123:4,7 139:17,18 162:14 163:12 169:16

preparation 21:7 144:8

prepare 18:16 21:12

presence 38:12 70:15

present 4:3,22 5:10 8:14 10:23 29:9 59:1 105:3 113:21 152:9 165:15,18 167:6 186:11

presentation 39:2 165:16 166:11 169:14 170:8 174:4

presentations 167:22

presented 43:22 53:23 105:14 125:22 151:16 166:8,18 167:19 168:2,6,7 171:2 173:22 186:12

presenting 126:18

presents 45:13

President 25:15, 18 98:3,5 192:24

press 32:8 71:3

pretty 49:23 50:9 66:14 118:13,15 119:22 152:4 168:8 173:13 187:16

previous 133:23 149:8 165:13 177:2,5,10 180:21

previously 66:5 100:15 131:2 132:22

prior 25:20 30:13 31:23 56:10,12 59:9,11 64:15 72:1 81:1,17 90:4 105:11 118:15 143:14 144:3 162:5 176:16 180:4 181:23 183:5 193:9

priorities 101:6

privy 163:10 173:19

problem 47:17 68:8 101:2 138:2 185:17

problems 71:11

procedure 66:24 87:15 104:12,13, 15 142:11 182:6,7 184:10

procedures 71:19 86:21 87:4 139:1, 10 182:7

proceed 80:7

proceeded 35:19

proceeding 8:10 27:23 73:12

proceedings 19:22 75:4 131:9 138:13 170:13

process 63:9 74:7 102:18 110:4 174:13

product 4:10

proffer 185:19,23

Program 159:1

progress 49:5

progresses 60:12

progressing 37:23

progression 134:7

prohibits 7:19

promoted 59:14 160:20 190:12

promotion 194:8

promotional 194:15

prompting 158:23

proper 37:11 89:3 104:9,11 163:17 193:4 194:13

properly 38:23 146:12

protected 36:11, 24 89:17

protections 185:19

protest 191:18

protests 191:22

protocol 31:11

provide 4:4 12:23 13:14 14:4,19 15:12 16:4,20

17:12 18:5 159:4 186:19

provided 4:11 11:11 18:17 180:14

providing 4:2

proximity 186:21

public 66:20 67:7 86:24

published 32:8

Pulaski 44:23 147:9

pull 184:3

pulled 45:24 58:22

pulls 49:3

pumping 51:11

punching 148:16

puncture 96:3

punctured 49:17 55:17 96:4,5

punctures 49:7, 13

puncturing 137:6 148:18,19

purported 19:2

purpose 41:7 107:14 111:10 144:5,16

purposely 79:15

purposes 26:7 144:12 147:23

pursuant 5:11

pursuits 194:12

put 7:2 21:21 38:17 54:11 85:22 95:17 120:3 121:5 122:20 131:1 136:3 137:24 139:8 140:19 144:20 151:16 169:24 171:23 180:1

putting 82:20 111:20

puzzling 148:6

Q

qualified 132:15

quarter 190:23

question 8:21 33:11 39:24 40:2 55:10 57:3 85:8 104:6 117:4 125:1 135:3 137:9 163:5 164:4,10 170:23 171:23 178:2 180:20 188:5,20 190:4

questioned 123:13 192:18 193:13,15

questioning 33:12 143:14 147:15 150:12

questions 6:21 7:2,4,5 10:10,13, 17 11:13,15,19 12:1 33:16 35:16, 18 57:5 75:9 103:4 115:1 120:6,8 155:23 160:2 171:7,8 174:1,2 182:11 185:11 186:2 187:15 188:13

quick 138:10 160:2 182:10

quipped 81:11

quote 121:2 137:12

R

radio 48:1 49:16

rank 90:1,2 160:23 190:17 191:9

ranking 89:20

Raul 4:20 6:13 9:20 11:2

re-qualify 93:21, 23

reached 180:5

reaction 44:8 169:13 171:2 172:5,7

reactions 44:7 170:7

read 9:4 21:23 119:18 120:11 131:15 138:20 156:4,11 180:11 188:19,21 189:3

reading 147:13 189:13

reaffirmed 95:22

realized 140:2

reason 44:2 54:20 65:20 75:18 84:9 93:4,11 133:17 168:13

reasonable 8:16 46:19 54:21 121:22 141:5 149:24 150:1 189:24

reasoning 69:5

reasons 130:19 138:3 180:22

reassigned 26:5

reassuring 41:18

recall 21:4 22:13 25:11 27:9,13 28:14 30:9,20 34:6 40:13,18 42:2,5,16 53:4 56:17,21 58:4,18 60:17,21, 22 61:9,18 66:5,6 68:18,22 69:2 70:3 72:3 73:18 75:24 76:5 78:7 80:17 84:23 86:8 88:14 91:3,15 92:7,13 93:24 94:5,12,14 96:13 99:17 100:1 103:1,17 106:13, 17,20 107:6 108:10 110:18,20 111:5 114:18,24 115:4,7 116:2,5, 10,24 117:18,24 128:9,16 152:13 153:23 158:12,24 163:24 167:6,23 168:11 169:3,5,12 172:4,6 175:7 178:15,17 185:12 186:13,14,21 187:2,6,21

recalled 124:2

recalling 31:13

recap 80:17 150:10,11

Receipt 13:22

receive 40:8 158:21

received 10:2 13:5,19 14:9 15:2, 18 16:10 17:2,18 18:12 22:7 25:5 30:12 34:18 152:15 172:19 182:14

receives 183:15

receiving 20:19

recollection 31:12 33:2,15 35:8 39:8 57:2,10 58:14,16 59:5 76:2,14,15 90:7,15 97:19 100:3 103:10 107:24 110:15 115:16 162:11

record 4:8,16,24 9:20 19:1,21,24 20:13 21:21 23:12

32:15 52:21 75:2,5 79:9 80:4 85:3,4,6 116:13,14,15 117:9 119:20 120:3 127:9 131:8, 11 138:7,12,15 144:4 156:5 158:2 168:4 169:20 170:15 174:22 177:18 180:12,23 188:15,16,18,21 189:3 190:6 192:22 193:9

recording 4:9,13

recovered 92:4 96:10

reduction 192:15 194:1

reductions 191:3

refer 70:24 71:21 122:14 173:9

reference 34:14

referrals 140:20

referred 19:13 107:21 166:5

referring 19:8 71:13 108:2 149:14,15 175:15

reflect 4:16 123:8

refresh 33:1,15

refusal 7:8,9 8:20

refuse 7:4 10:17 22:6

refused 11:14 120:21 122:4

regulations 7:10, 19

reinforced 81:15

related 75:9 105:18 106:18 154:17

relates 92:23

relating 42:22

relations 191:4

relationship 59:20

rely 153:1

relying 118:11

remain 7:1 123:9

remark 160:17

remember 30:3 31:7,8 32:18,19 35:7 41:15,16,17 42:14 44:4 55:22 58:3 59:16 60:6 61:13 63:2 64:12, 17 65:14 68:7 80:11 83:5 90:17 93:1 98:24 99:1,9 108:1,21,23 111:8 114:21 115:6 128:11,13 141:17 146:13 164:3 171:10 174:19 175:10

remembered 90:18

remembering 80:23

removal 8:4

rep 152:18

repeat 141:22

repetitive 119:22 120:5 138:1

report 7:16,19,21 14:14 15:6,23 16:14 17:7 31:17 38:19 79:13 87:1 100:20 109:4,15, 16 111:24 112:13 114:15 118:6 120:14 135:4,5 139:7 143:11 144:6,10,13,16,19 145:8,18,22 146:4, 6,15,18,21,23,24 147:17 149:2,16 150:4 153:3 157:7, 23 163:15 166:20, 21 174:24 183:24

reported 20:5 193:8

reporter 4:3,10,21 26:8 145:4

reporters 4:8,19

reporting 87:8

reports 51:17 77:11 79:10 87:12, 22 88:1 100:12 108:16 109:3 117:6 118:2 148:1 153:10 155:21 164:16 183:9,22, 23 184:3

representation 116:7

representative 8:13,17

representatives 117:5

represented 19:3 20:7

representing 194:3

reps 68:15,16,17, 23,24 69:1 114:4 115:23 116:3,6,21

request 4:13 37:19 39:9

requested 95:11

requests 96:16

require 136:2

required 139:3,14 159:16

requires 111:14 112:3,17

respect 143:4

respectfully 10:16

respecting 192:3

respond 53:20 119:14,19 131:17 132:4 156:12 160:7 161:5 188:7

response 14:13 15:22 85:19 109:3 111:24 112:12 119:21 120:4,14, 23 123:3 138:3,6, 21 139:7 154:20, 22,23,24 156:7 157:3

responses 7:15 146:1

responsible 118:5 145:11

rest 140:11,24

result 7:22 84:3

retrain 93:21

retreated 98:23

retrieval 97:2

retrieve 36:4 65:16

retrieved 38:11 91:7

retrieving 43:17

retrospect 141:2

return 38:22

review 9:5 18:16 20:20 33:7 34:23 36:3 38:19 71:1 113:10,15 119:2 124:3 125:5 132:10,18 140:12, 21 148:2 154:13 158:14,18 159:23 170:3 173:8 183:9 184:4 194:10

reviewed 132:1 136:17 154:7 178:4 184:7

reviewing 31:23 32:17 124:19

reviews 113:14
revise 177:23 178:2
revised 177:3,6, 10 178:5
revising 175:7
revision 178:6
revisions 178:20
revolver 93:16
right-hand 54:7
right-handed 126:5
rights 9:4 191:23 192:3
risk 151:17
Robert 18:21 20:14,15,17 43:20 48:11,16 65:9,11 168:23,24
rode 49:21
role 32:9,10 35:17 36:9 38:21 39:15 40:7 41:3 79:11 143:4 159:10 161:3 163:10 174:3 185:10 186:18 190:15 192:19 193:15
roles 36:16 78:17
room 113:24 114:2,3 167:11 189:17
rounds 82:24
route 192:6
Roy 90:5 165:19, 20 168:11 171:9, 10 173:5
rule 7:17 67:6,20 105:10,24 107:21 112:4,6,20
rules 7:10,18
run 30:18 49:18 54:7 119:9 133:9 151:3 163:2
running 44:18,20, 21 49:20 53:14

S

sacristy-type 69:14
safety 66:20 67:8 86:24 106:18 107:3,7,18,22
sake 143:7
sample 38:14
Sarah 5:1 6:14 9:21 11:10
sat 95:19 185:7
satisfied 155:2,4
scared 82:13
scene 27:14,16, 18,23 28:2,10,12, 23,24 29:7,8,11 30:1,8,13 31:6 33:2,6,17 34:3 35:6,11,20,21,22 36:3,6,11,13,24 37:1,8,14,16 38:7 39:15,21 40:7,9, 11,16 42:3,11 46:19 47:5,22 48:11 49:22 50:1, 17 55:16,18 57:19 59:11 60:1,5,19,20 61:1,11,17,20 62:9,19 63:5,7,13, 18,22 64:8,15 68:16,17 69:6 70:4,9,22 71:23 72:1,16 73:2,10,19 74:7,13,20 75:10, 21 76:20 77:21 78:1,10,17,22 79:5,18 82:17 86:19,20 88:15,18, 21 89:15,21,23 90:4,5 91:2 92:9, 12 94:1,3,7,10 96:17 103:18 108:1,3,12,14,17, 22 110:8 116:8 118:14,23 119:1 178:13,23 189:16
scenes 89:17 192:20
scheduled 25:16
scope 39:21
scratch 86:3
screen 43:24 72:9
Secret 98:6
secretary 184:2
section 30:24 145:7
secure 37:4
secured 41:5
security 18:22
sees 53:17
selected 194:5
selection 194:8
semiautomatic 93:18
send 53:19 115:10 184:1
senior 194:14
sense 61:3,7 110:11
separate 42:24 69:6 79:18 101:9 146:9,15
separated 22:6 146:24
separately 55:24 58:22 86:10,12 184:15
separating 146:20
separation 7:22
151:14
sergeant 35:20,23 76:7 89:21 99:22 108:12,13 113:14 114:4,5 115:2,22 116:22 190:13,16
sergeant's 190:9
sergeants 52:14 95:17
series 123:15
serve 7:11 8:24 161:3
served 9:18 12:13 175:13 191:14 194:23,24
serves 166:24
service 12:11 38:12 98:6
services 36:15 37:15 64:1 73:15
serving 26:22
set 47:17 53:11
share 144:13,15
shirt 98:9
shoot 81:22 82:5 161:19
shooter 80:15
shooting 11:14,15 25:23 26:4 35:12, 14 36:22 40:20 41:8 42:22 58:2,12 67:21 71:10 78:7 80:1 82:6 84:3 85:19 88:24 160:1 161:17 162:5,6 163:23 164:14,20 165:13 167:3,20 168:3 174:10,15, 24 175:9 181:22 182:1,2 184:17 192:20
shootings 66:15 70:14 71:9 161:6, 7,13 162:2,9

178:19

short 19:22 75:4 131:6,9 138:13 170:13

shot 50:11 82:19 129:4 190:8

shots 83:3,11,12, 13 85:10 171:5 172:2,8

show 13:9 31:17 71:9 104:9,11 124:13 164:9 169:11 172:11 177:9 192:7

showed 64:14 65:22 79:13 186:24

showing 89:23

shown 64:18 146:3 168:18

shows 44:18 71:8 128:24 166:3

side 27:18,19 28:11,14,22 54:7 56:2 58:23 60:10 78:20 80:10 87:2,3 95:8,9 115:23 117:13 160:17

sides 191:13

sign 9:8

signature 9:9 153:21

signed 108:16

significantly 181:24

signing 9:21

silent 7:1

similar 163:3

simple 135:21 168:13 173:13

simply 30:19 58:18 80:6 148:5 166:13

sir 12:7 22:17,24 23:9 24:18 32:2 120:24

sit 62:18

site 129:4

sitting 116:8,18 142:18 152:12

situated 117:19

situation 34:6 39:16 41:22 145:12 149:20

situations 109:9

size 54:8,9

sleep 25:21

slowly 21:23

slows 44:23

smoothly 102:6

social 59:20

soda 107:10

sole 140:10 170:4

someone's 62:18

son 131:21

sounds 39:12

south 95:6 98:16 114:1 125:5 191:13

southbound 45:2 124:15

southwest 27:19

speak 21:7 36:7 42:8,10 86:12 106:23 109:22

speaker 11:4

speaking 42:2 59:9 70:13 92:8 108:21

special 112:20 144:22

specialty 39:9

specialty-type 37:19

specific 29:22 30:15 36:16 40:5, 6,12 112:24 119:13 128:16 130:17 138:6 145:11 158:11 160:23 167:15 175:19 185:12 187:20

specifically 42:15 55:23 91:9 93:4 107:17 114:24 119:17 120:18 121:13 123:12 128:9,18 153:18 176:4 186:24 187:21

specifics 34:6 61:19 76:1

speculate 58:7 123:23 162:18

speculation 129:9

speech 193:1

speed 166:14

spell 4:23

spelled 5:6

spend 143:2

spent 99:1

spoke 32:20 35:6 59:24 86:4,9 88:13 107:19

spoken 69:20

spokesman 70:21 71:4

squad 137:7

St 192:10

stab 141:14

stabbing 149:22

staff 39:13 40:15 66:16 76:18 159:24 165:21

stages 142:2

stairs 95:4 98:17

stance 125:21 139:23,24 143:20

stand 60:15 61:19 77:19 81:7 124:20 129:16 144:3 168:9

standard 158:18

standing 50:7 54:1 116:21 139:19,21 144:1 152:12

stands 26:9 65:20 70:7,8 72:1 78:13 105:1 158:16 166:15

star 22:24

start 25:4 29:18 31:22 36:12,14 55:20 57:21 58:1 64:10 73:17 84:19 100:12,19 137:21 149:1

started 21:19 58:1 64:1 71:2

starting 142:1 166:1

starts 150:19,21, 24

Stat 193:18

state 18:24 31:23 32:14 49:17 135:11,22 191:1 193:1 194:17

State's 185:6 186:11

stated 120:18 131:2 132:22 133:23 180:17,22 190:6 192:21 193:8 194:19

statement 8:1,7, 22 9:3 20:2 22:1,2, 3,5 38:17 66:20 67:2,8 69:15 101:1 116:18 120:13 121:5,15 122:13, 24 123:6 133:18, 19 136:16 140:3, 18 141:18,23 144:3 147:4,19 148:4 149:9 160:13 175:8,14 176:20 177:3,15, 23 178:2,4,18,21 179:13 180:15,21 181:19

statements 7:15 21:20 70:24 71:2, 5,14,15,16 80:5 102:8 104:22 128:14 132:3,14, 15,17 135:6,7 181:16

states 189:7

station 99:21

statistical 144:11 147:23

stature 54:8,10

status 31:8 171:16

statutes 135:22

stay 79:15

stays 63:12

steer 147:20

step 127:20 164:2

step-by-step 39:17

stepped 127:17 163:22

steps 128:23 129:1,5

stick 64:21 90:12

stiff 129:16

stood 53:8,24 62:3 64:7 80:9,15,20 86:6 92:15 93:5 187:11 191:1

stop 45:1 46:9 49:5 64:4,9 94:11 130:6 142:9 181:4

stopped 50:2 133:11 142:13

stops 45:12 53:18 122:19

straddle 126:8

straight 126:20

street 48:19 49:1 166:2 168:15,20 183:3,4

stress 123:4 170:2

stressed 121:9

Strictly 59:21

stride 151:1,2

strike 23:18 28:20

striking 83:15 181:9

strong 80:23

strongly 54:15

structure 90:2

stuff 63:2 80:19 105:1

subject 106:19 122:10 149:21 161:8 194:14

subjective 112:5

subjects 91:20

submit 101:1 104:22 183:5

submitted 113:13

subsequent 32:6 51:17 82:6 105:17, 19 110:10 190:12, 14,16 193:11,13

subsequently 48:18 82:10 83:23 84:4 85:17 125:24 142:10 193:8

substance 21:19 61:13

substantive 32:24 40:24 42:16, 20 60:13

subterfuge 159:5

suggest 142:4

suggesting 157:14

summarizing 87:11,12

summary 174:24 175:1

summation 39:2 163:18 165:16

summoned 184:20

superintendent 23:23 38:24 163:19 165:22 166:23 167:8,9 171:6 191:8 193:21

superintendent's 39:7 70:20 165:12 166:17 167:18

superior 7:5 10:14 11:16

supersedes 78:24

supervisor 108:16 157:18 173:19

supervisors 66:8 97:11

supp 31:14

supplementary 31:14,17 79:14

supposed 61:4 75:12 86:17 123:21

surprise 93:6 103:23 108:9

surprised 77:2 82:11,21 83:18 84:14 86:2

surprising 66:8

surrender 46:5 54:3 133:12

swinging 45:14

swings 150:23

switch 93:22

sworn 5:19 6:3

system 152:6 159:21

systems 18:20

T

Tactical 14:13 15:22 109:2 111:24 112:12 120:13 139:6

taint 32:10

takes 29:14 127:20 129:5 163:6

taking 77:16 88:4 97:3 111:19 129:19,22

talk 41:14 55:12 67:21 68:15,16 69:19 70:1 85:16 98:8 101:9,15 103:10 110:13 116:11 143:4,10 163:7 164:12

talked 30:3 31:10 42:14 46:21 47:18 55:23 56:3 58:4, 14,19,21 60:4 61:13 62:8 69:22, 23 79:22,24 82:17 83:3 85:23 108:1 176:1

talking 60:18 67:17 69:10 77:17 81:19 90:17 94:24 102:7 108:21 119:8 123:12 124:10 127:7 188:1

tandem 79:4

tape 29:8 37:1 46:21 95:13,18,21 96:15,17 97:1 98:21 99:4,10 100:5 119:9 124:8 168:14,15,21

tapes 100:5

Taser 96:18,19 160:12

task 109:15

tasked 123:22

tasks 36:7,10 101:19,22 158:9, 11 159:3,10,16

taught 84:21 92:22 105:13

teach 84:12

teaching 84:23 85:9,13,18

tech 74:4

technician 36:1,2

techs 94:7

teleconference 10:24

telephone 10:10

telling 39:17 45:22 46:9 78:4 103:24

tells 145:2

ten 50:10 122:22

tended 96:24 97:1

tendered 19:1 20:3

Teresa 4:21

term 49:8 66:22 137:7

terms 29:24 36:5 40:6,11 41:12 60:9 61:16,18,20 67:10, 11 71:19 73:10 78:13 92:22 97:19 99:12 105:1 109:2 110:1,15 112:24 118:4,19 119:17 145:10 146:1 153:17 154:2 174:9 182:6

testified 6:3

testimony 32:16, 19 87:23,24

testings 38:13

thereof 8:9

thing 29:4 38:15 50:3 53:7 54:16 62:13 64:6 69:14 72:5 73:14 77:19 102:18 104:7 112:5 114:7 117:17 135:18 146:5 173:15 179:21 185:8 187:18 189:2

things 35:9,13 37:1,5,22 39:3 41:10 43:15 44:12 45:9 47:3 51:3 54:1,13 55:8 60:10,16 63:4 67:3,6 73:8,21 74:11 75:21 77:10 78:4 80:9,15,19 81:7 89:8,14 95:10 97:16 99:13 100:15 102:6 103:5 107:11,17 109:20,23 111:22 112:8 114:9 121:2, 19 123:17,22 142:10 144:9,20, 21 147:10 154:13 162:19,21 163:9 164:20 171:12,13 183:2 192:12 193:4 194:15

thinking 116:23 126:10

thinks 145:6

Thomas 5:3 11:9 17:5

thought 26:16 46:23 51:22,24 130:8 153:13 169:22 178:5

thoughts 46:24

threat 82:4,9 83:20 84:22 85:12 92:20 93:5 132:9, 21

threatened 104:21

threshold 112:1 134:24 145:10

threw 133:12

throw 45:15

throwing 53:12

time 4:17 8:16 19:20,23 23:11 24:8 26:21 27:5,7, 10,13 28:1 30:2 31:24 32:12,13 35:10 38:3,10,16 40:23 43:3 44:17 46:19 47:21 48:3 49:14 50:19,21 51:12 52:23 53:9, 10 54:23 56:7,21 62:20 63:12 64:20, 22 66:21 67:3,4, 14,20 68:4 70:19 71:6,12,18 72:4,14 73:18 76:13 77:8, 11 81:6,20 83:2 85:2 88:11 90:11 91:16 92:22 94:6, 14 95:23 96:20,23 97:20 98:1 99:19, 20 102:3,5 106:4 115:7 118:16 119:11 121:7 123:8 124:19 126:22 128:3,6 130:18 131:7,10 133:2 138:14 140:12 141:2 142:23 143:7 144:2 146:20 147:1 150:3,16 151:15,23 152:4,7, 19 157:21 158:3,6, 7 161:8,12 163:6, 16,24 164:3 165:13,23,24 167:12 170:14,20 178:22 179:10,12, 22,24 184:5,6 185:9 188:14,17, 22 191:24 192:20 193:17

timeline 57:4 166:6

times 44:10 46:16 51:5,8 52:8,11,12, 18 53:4 55:4 56:18 64:16 65:22 81:21, 24 82:19 83:18 114:8 118:20 192:17

timestamp 179:4, 7

timing 67:19 76:15

tire 49:7,17 55:17 96:4,5 134:14 137:6 148:16,18, 19 149:22

tired 137:10 157:19

title 24:3

titled 132:7 133:20,24 134:16

today 4:4,17,22 5:11 6:16 9:18 12:1 123:9,11,15, 24 142:19 159:12 168:5 186:20 187:8 188:2

today's 18:16

told 26:3,4,12,19 27:1 48:8 55:13 56:2,4,6 59:5 60:16 64:3,9 75:17 81:6,12,22 82:18 83:16,17 84:7 93:2 121:22 130:21 157:22 166:8 168:5 169:18 187:8 189:19

Tom 185:23

Tony 52:17

topic 160:3

topics 160:4

totality 119:10 130:22 132:24

tour 81:1

town 98:4 173:19

track 167:16 177:2

traffic 27:20 191:24 194:10,12

trained 82:4

training 93:16

transcript 4:4,7 9:17 22:19

transferred 59:13

transpire 112:9

transpired 35:9 169:19

transport 74:16

transporting 73:1

traumatic 41:22

traumatized 81:3 82:2

triggers 145:19

troubling 44:12

TRR 111:10,15 112:18 113:13,16 115:8 119:17 120:18 132:2,11 143:18,21 144:18, 20 145:13,15,16 151:18 156:17,21 158:10 162:12 180:1,2

TRR'S 38:18 100:19 109:3 113:8,9,12,23 114:17 115:17,18, 24 117:12,22 118:4,10 145:22 152:5,24 153:6 162:13 179:10

truck 37:17 48:4

true 84:7,8 121:4 122:13 123:2 133:18 151:24 194:20

trunk 37:4

truth 65:15 87:20 108:18 129:7 146:10 147:21

truthfully 6:22 7:3

turn 124:16

turning 126:18

Twenty-five 54:24

type 27:1 32:10 37:15,19 41:19 55:5 59:20 63:4 89:8 107:17 118:10 140:10 147:24 159:5 166:10 167:16 171:12 174:16 185:19 187:18 189:2

types 67:16 162:21 164:13,16 185:18

typical 74:6 77:21 178:18

U

Uh-huh 29:3 118:21 150:14

ultimate 110:22

unable 19:2,9

unbiased 69:15

uncertain 123:18

uncover 163:4

understand 6:11, 12,18,24 7:1,3,6, 14,17,20 8:1,7,12, 20 10:4 32:8 34:7 39:23 40:1 106:1,2 143:3

understanding 10:13 103:3 105:21 117:10 126:21 187:24

understood 10:19 12:3 21:17 23:14 57:11 63:3 112:10 120:7 131:3 170:1

unduly 8:18

unfolded 67:1

uniform 27:23

union 8:13,16 114:4

unit 23:2,4,7,8 97:15

University 193:2

unprecedented 191:3

unsaid 160:17

untrue 121:16

unusual 25:24 70:8

updates 61:16

uploaded 99:20

upset 81:2

urinalysis 96:12 97:3

urine 38:14

usual 88:7,9

V

V-a-l-d-e-z 4:20

Valdez 4:1,16,20 5:9 6:6,13 9:21 10:4,8,20 11:2,3,6 12:6,9 13:7,16,21 14:6,11,22 15:4, 15,20 16:7,12,23 17:4,15,20 18:9,14 19:7,11,15,20,23 20:10,11 21:1,5,16 22:16,18,22 24:7 27:8 28:8 29:20,21 32:22 33:12,24 34:2,11 35:1 40:3 42:21 47:6 51:6 52:5 53:3 56:20 58:20 59:24 60:4 61:5,15 62:5 67:9 68:14 74:21 75:2 85:2 92:18 93:19 103:2 109:1 112:14 116:12,15 117:8 120:1,7,10 125:9,13 128:5 129:14 130:13 131:7,10,12,23 136:18 138:9,14, 16 143:6 145:9 150:5 152:2 155:13 156:1 160:6 164:11 169:3 170:14 174:8 175:6 177:14,22 180:8 183:10 184:19 187:23 188:17,23

Valdez' 78:17

Van 14:13 15:5 40:21 41:13 45:5, 24 46:12,15 50:9, 15 54:9 55:14 58:15 59:12,13

75:22 79:20,22 80:10,14,18 81:20 83:4 85:10 86:4 96:9 97:1 100:14 105:7 107:19 113:4,22 120:14, 17,19 121:3,20 122:1,6,17 124:11 125:23 127:2,17, 20 128:7,10,24 129:5,8,21 130:3, 8,17 132:2,11 133:16 134:19 139:7 141:8 143:20 144:2 146:24 149:17 150:17,21 156:16 163:22 179:13 180:18 181:1,8

veering 46:3 124:24 125:3,5

vehicle 19:8 29:2, 6 37:19 43:20 45:5,7,24 46:7 47:24 48:21 49:7,9 50:8 57:13,16,20 62:22 64:19,21 65:5,6,7 74:7,17 76:9 81:18 91:21 124:11 127:23,24 128:2,20,22,24 129:11 145:24 146:3 148:17,22 149:21,23 181:1,4

vehicles 18:20 20:14 39:9 43:17 48:7,15

venture 54:10

verbal 120:21 122:4 130:5 133:5, 13

verbatim 4:4

verbiage 82:9,11 85:24 92:20 93:5,9

verify 64:12

Vice 98:3,5

video 18:20 19:3, 14,16 20:14,15,17 43:17,19,21 44:4, 6,12,18 46:14 51:2,4 52:7,8,22, 24 53:8 54:6 55:3, 5,8 56:18,22 64:14,18 65:1,8, 12,22,24 66:4,16, 17 72:8 76:6,12, 17,19,20 77:5 83:8,11 88:18,20, 24 91:7,11,17 92:3,5 99:17,19, 20,24 104:10 106:6 108:5 118:19,20 119:2 124:4,19 125:6,10 127:16 128:19 129:24 163:20 164:1,5,7,9 166:5 168:23,24 169:1 170:8 187:4,5

videos 19:11 20:2, 5 166:1 168:18 171:3

videotape 135:17

view 20:14,18 43:21 45:3 55:3 87:7 99:17,24 108:4 126:14 136:16 137:1 150:22 151:6 181:3 187:4

viewed 34:21 55:8 56:18,22 76:6,11, 17,18,19 77:4 83:8,10 163:20 187:5

viewing 52:23 55:4 100:1

violation 7:9 8:23

Violence 194:1

Volpentesta 4:21

voluntarily 22:2

W

W-e-l-c-h 11:21

wait 64:4 67:20,23, 24

waiting 183:8

Waiver 9:11

walk 25:7 38:1,4,6 47:21 50:1 52:1 56:10,11,12,13,16 62:6,22 63:15 64:4 65:2 68:20,21 70:1 73:16 77:6,13,23 79:16 125:24 165:20

walk-through 47:9

walked 40:19 56:2 62:9 77:5 79:17 88:15 189:15

walking 44:24 48:13,18 49:1 50:5 77:24 96:18 124:15 125:4,16, 18 151:4,17

wall 95:5,6 98:14, 17

Walsh 15:22 30:8 31:3,4 32:18 34:5 35:5 45:5,23 50:8, 15,24 55:14 58:15 59:16 79:20,22 81:12 86:7 97:13 113:4,22 122:7,17 124:11 125:23 127:2,17,21 128:7, 10 129:12 130:3 133:16 143:18 144:1 146:23 147:8 150:17,21 156:21 163:22 180:18,24

Walsh's 16:13 54:9

wanted 10:5 44:16 52:6 55:12 79:12 81:8 85:11 137:11 142:20 164:9 173:21

warm 143:2

watch 23:9,12 56:23

watched 168:20 169:1

Water 192:7

waves 122:19

Wayne 23:19 173:5 182:19 184:15

ways 189:9

weapon 37:3 38:11 53:22,23 82:16 96:9 97:2 106:4 107:9 120:19 121:4,20 126:19,21 133:6, 14 134:4,5,21 135:10 136:10,21 137:13,16 141:11, 15 179:14 181:9

weapon' 133:21 134:18

Wednesday 167:4

Wednesdays 165:11

week 22:20 23:13

weekend 22:20

weekly 193:21

weigh 163:8

weight 139:21

Welch 10:9,21,22 11:1,2,5,17,20,21 12:4,5,8

Wentworth 74:15

west 4:18 6:17 28:16,17 124:17 126:11 191:13

westerly 124:17
white 126:8
wide 94:23 126:10
wife 21:9
wild 28:4
windows 95:7
windshield 49:8 55:18 148:16,20 149:22
wisdom 190:17
wise 104:13
witness' 32:16
witnessed 58:11 80:1
witnesses 61:23 72:19 73:1 91:2 101:8,23 102:8,14, 23 104:8,10 105:7 163:7
Wojcik 47:5 52:16, 17 59:24 60:3 66:11 76:11 169:4
Wojcik's 78:16
women's 107:15
wondering 59:12 84:13 171:1 173:7
word 181:13
words 81:14 82:3, 20 170:1
work 4:10 23:11 29:17 59:21 63:9, 10 74:8 79:4,6 178:11 183:21 184:8 190:15 193:20
worked 25:12,20 32:4 191:5 192:22, 23
working 72:16,17 75:17 91:5 94:7 100:12 102:6 114:3 176:6
wrap 155:17
wrap-up 188:12
wrapping 73:22
write 87:10,12 181:15
writing 22:4 77:10,16
written 7:20,21 175:1
wrong 76:14 90:7, 16 153:10 157:16
Wysinger 23:22 182:18 184:5

Y

yard 48:4
years 54:24 70:20 157:19,20 190:8,9 191:20
Youtube 106:7

CITY OF CHICAGO
OFFICE OF INSPECTOR GENERAL

ADVISEMENT OF RIGHTS

I, David McNaughton, understand that I am being interviewed by Raul Valdez and Sarah Arocha from the City of Chicago Office of Inspector General.

DATE 5/26/16 TIME 9:00 hrs LOCATION Arnold Law Offices, 300 West Adams Chicago, IL.

I understand that this interview is part of an official investigation and that I have a duty to cooperate with the Office of Inspector General, which includes answering all questions completely and truthfully.

I understand that I have no right to remain silent. I understand that I have an obligation to answer questions put to me truthfully. I understand that if I refuse to answer questions put to me, I will be ordered by a superior officer to answer the questions. I further understand and I have been advised that if I persist in my refusal to answer after an order to do so, such further refusal constitutes a violation of the Rules and Regulations of the Chicago Police Department and may serve as the basis for my discharge.

I understand and have been advised that my statements or responses may constitute an official police report. I understand that Rule 14 of the Chicago Police Department's Rules and Regulations prohibits making a false report, written or oral, and I further understand that making such a false report, whether written or oral, may result in my separation from the Chicago Police Department.

I understand that any statement made by me during this interview may be used as evidence of misconduct or as the basis for disciplinary action up to and including removal or discharge.

I understand that any statement made by me during this interview and the fruits thereof cannot be used against me in a criminal proceeding.

I understand that I have the right to have a union representative, or legal counsel of my choosing, present at the interview to consult with, and that I will be given a reasonable time to obtain a union representative or legal counsel as long as the interview is not unduly delayed.

I understand that a refusal to answer any question, or any false, inaccurate, or deliberately incomplete statement by me would constitute a violation of Chicago Municipal Ordinance 2-56, and may serve as the basis for my discharge.

I acknowledge that this statement of my administrative rights has been read aloud to me, and I have been allowed to review this document.

Employee Signature

EXHIBIT 1
DATE 5-26-16
amicusReporters.com

Witness: Raul Valdez Witness: Sarah Arocha

****

WAIVER

Understanding these rights, I wish to answer questions from investigators from the Office of Inspector General without having a union representative or legal counsel present. No promises or threats have been made to me and no pressure or coercion of any kind has been used against me.

Employee Signature:

NOTIFICATION OF INTERVIEW TO CPD MEMBER

CITY OF CHICAGO OFFICE OF INSPECTOR GENERAL

DATE: May 13, 2016

NAME	RANK	STAR NO.	UNIT OF ASSIGNMENT
David McNaughton	Chief	120	115

YOUR APPEARANCE IS REQUIRED

AT ☒ Amicus Court Reporters, 500 West Adams, Ste. 800, Chicago, IL 60606 — ON DATE: May 20, 2016 — TIME: 10:00 AM

AS ☒ ACCUSED ☐ WITNESS ☐ COMPLAINANT

FOR ☒ A STATEMENT

CONCERNING

Misconduct and incompetence related to the October 20, 2014 shooting of Laquan McDonald.

YOU ARE TO REPORT TO:

LEAD INVESTIGATOR	TITLE	PHONE NO.	EMAIL
Raul Valdez	Investigator	773-478-5228	rvaldez@chicagoinspectorgeneral.org

NOTE: You MUST notify the Lead Investigator of your inability to keep this scheduled appointment.

ALSO PRESENT AT THE INTERVIEW WILL BE:

NAME	TITLE	NAME	TITLE
Sarah Ansari	Assistant Inspector General	N/A	N/A

THE INTERVIEW WILL BE ☐ AUDIO RECORDED ☒ TRANSCRIBED BY A LIVE REPORTER

TO BE COMPLETED BY INTERVIEWEE (if applicable)

ACKNOWLEDGEMENT

Please contact Investigator Valdez at (773) 478-5228 to confirm receipt of Notification of Interview and to confirm your attendance at the interview.

I hereby acknowledge receipt of this Notification of Interview.

SIGNATURE: [signature] DATE:

PRINTED NAME: David R. McNaughton TIME: 16 May 2016 1018 hrs.

EXHIBIT 2 DATE 5-20-16 AmicusReporters.com

TO BE COMPLETED BY OFFICE OF INSPECTOR GENERAL OR CPD COMPONENT PROVIDING NOTIFICATION TO INTERVIEWEE

NOTIFICATION MADE TO:	TITLE, RANK, & UNIT	DATE	TIME
DAVID McNAUGHTON	CPD Dep Chief Unit 115	16MAY16	1018
NOTIFICATION MADE BY:	**TITLE, RANK, & UNIT**	**DATE**	**TIME**
Daniel O'Connor #251	CPD Sgt BIA 121	16MAY16	1018

NOTIFICATION OF ALLEGATIONS

CITY OF CHICAGO OFFICE OF INSPECTOR GENERAL

NAME OF ACCUSED	RANK	STAR NO	UNIT OF ASSIGNMENT
David McNaughton	Chief	120	115

City ordinance, and if applicable, collective bargaining agreements, provide that you are entitled to notice of the nature of the allegations against you and the identity of all complainants prior to any interview. Accordingly, you are advised as follows:

COMPLAINANT(S)

1. John J. Escalante, Interim Superintendent of Chicago Police Department, sent a letter to the City of Chicago Office of Inspector General (OIG) dated January 13, 2016, requesting that OIG conduct an administrative investigation of the following allegations arising out of the October 20, 2014 shooting death of Laquan McDonald (the McDonald Shooting): "whether any officer(s) made false statements on official reports submitted in connection with the shooting of Laquan McDonald on October 20, 2014; whether any officer(s) obstructed or interfered with the investigation of this incident, either individually or in collusion with others; and whether any officer(s) committed any violation of Chicago Police Department rules, policies, or orders in connection with their response and/or handling of this matter." Escalante attached to the letter a copy of Sergeant S. Soria's (Star # 2275) Initiation Report, which raises similar allegations of misconduct with respect to Department members in connection with the McDonald Shooting, and identified that Report as a basis for OIG's administrative investigation.

ALLEGATION(S)

1. On or about October 21, 2014, you made a false statement in the Tactical Response Report Officer Jason Van Dyke completed concerning his encounter with McDonald, which includes an Event Number of 1429315878 and an R.D. Number of HX475653 (the Van Dyke TRR). Specifically, you stated that "officer Van Dyke fired his weapon in fear of his life when the offender while armed with a knife continued to approach and refused all verbal direction."

2. On or about October 21, 2014, you reviewed and approved the Van Dyke TRR, which TRR contained the following false statements: (1) under the category titled "Assailant: Assault," the box labeled "imminent threat of battery" was marked; (2) under the category titled "Assailant: Battery," the box labeled "attack with weapon" was marked; and (3) under the category titled "Assailant: Deadly force," the box labeled "uses force likely to cause death or great bodily harm" was marked.

3. On or about October 21, 2014, you inputted in the Van Dyke TRR that "Officer Van Dyke fired his weapon in compliance with Department policy," and checked the box marked "I have concluded that the member's actions were in compliance with department procedures and directives" instead of the box marked "I have concluded that further investigation is required."

4. On or about October 21, 2014, you reviewed and approved the Tactical Response Report Officer Joseph Walsh completed concerning his encounter with McDonald, which includes an Event Number of 1429315830 and an R.D. Number of HX475653 (the Walsh TRR), which TRR contained the following false statements: (1) under the category titled "Assailant: Assault," the box labeled "imminent

EXHIBIT 3
DATE 5-2-16
AmicusReporters.com

threat of battery" was marked; (2) under the category titled "Assailant: Battery," the box labeled "attack with weapon" was marked; and (3) under the category titled "Assailant: Deadly Force," the box labeled "uses force likely to cause death or great bodily harm" was marked.

5. On or about October 20, 2014 or October 21, 2014, you reviewed and approved the Officer's Battery Report Officer Van Dyke completed concerning his encounter with McDonald, which includes an R.D. Number of HX475653 (the Van Dyke OBR), which OBR contained the following false statements: (1) under the category titled "Manner of Attack," the box labeled "stabbed/cut (including actual attempt)" was marked; and (2) three officers were battered.

6. On or about October 20, 2014 or October 21, 2014, you reviewed and approved the Officer's Battery Report Officer Walsh completed concerning his encounter with McDonald, which includes an R.D. Number of HX475653 (the Walsh OBR), which OBR contained the following false statements: (1) under the category titled "Manner of Attack," the box labeled "stabbed/cut (including actual attempt)" was marked; and (2) three officers were battered.

7. On or about October 20 or October 21, 2014, you reviewed and approved the Officer's Battery Report Officer Thomas Gaffney completed concerning his encounter with McDonald, which includes an R.D. Number of HX475653 (the Gaffney OBR), which OBR falsely stated that three officers were battered.

8. On or about October 20, 2014 or October 21, 2014, you directed that Officer Van Dyke complete a false TRR and a false OBR concerning his encounter with McDonald.

9. On or about October 20, 2014 or October 21, 2014, you directed that Officer Walsh complete a false TRR and a false OBR concerning his encounter with McDonald.

10. On or about October 20, 2014 or October 21, 2014, you directed that Officer Gaffney complete a false OBR concerning his encounter with McDonald.

11. On October 21, 2014, you provided a false statement to the Chicago Police Department's Office of News Affairs when you stated McDonald "continued to approach" Officers Van Dyke and Walsh.

12. You were incompetent in the performance of your duties in the ways enumerated in allegations 1 through 11.

ACKNOWLEDGEMENT

I hereby acknowledge receipt in writing of the identity of the complainant(s) and notice of the nature of the allegation(s) against me.

Signature [signature] Date 16 MAY 2016 1024

Printed Name David R McNaught Time 1024 hrs.

WITNESSES

Sgt David J O'Leary #1251

CITY OF CHICAGO OFFICE OF INSPECTOR GENERAL
740 North Sedgwick Street
Suite 200
Chicago, Illinois 60654

RECEIPT FORM

OIG FILE NO. 15-0564

ON 16 May 2016 (DATE) AT 1019 hours (TIME)

NAME _____ TITLE Deputy Chief

☐ SEIZED FROM ☐ RECEIVED FROM ☐ RETURNED TO ☒ RELEASED TO

NAME	TITLE	DEPT.
David McNaughton	Chief	Chicago Police Department

THE FOLLOWING ITEM(S):

1. A City of Chicago Office of Inspector General DVD containing the following materials:
   - Officer Van Dyke's October 20, 2014 Tactical Response Report for R.D. No. HX475653;
   - Officer Van Dyke's October 20, 2014 Officer's Battery Report for R.D. No. HX475653;
   - Officer Walsh's October 20, 2014 Tactical Response Report for R.D. No. HX475653;
   - Officer Walsh's October 20, 2014 Officer's Battery Report for R.D. No. HX475653;
   - Officer Gaffney's October 20, 2014 Officer's Battery Report for R.D. No. HX475653;
   - October 21, 2014 email exchange between Chicago Police Department Office of News Affairs and Chief McNaughton;
   - The October 20, 2014 audio and video files for the in-car video system of beat number 813R;
   - The October 20, 2014 audio and video files for the in-car video system of beat number 845R;
   - The October 20, 2014 Dunkin Donuts security video of the Laquan McDonald shooting.

ACKNOWLEDGEMENT

EXHIBIT 4
DATE 5-2-17
AmicoReporters.com

I hereby acknowledge receipt in writing of the above-listed item(s).

Signature DDRM Date 16 May 2016

Printed Name David R. McNaught Time 1020 hours

WITNESSES

Sgt. Donald Olver #1251

TACTICAL RESPONSE REPORT/Chicago Police Department

MEMBER INVOLVED

20-OCT-2014	21:57:00	4112 S PULASKI RD CHICAGO, IL 60632			004		0015		
STAR# 9161	LAST NAME VAN DYKE	FIRST NAME JASON D	EMP# 9465	SEX M	RACE WHI	[redacted]	AGE 602	HGT 180	
DATE OF APPT 25-JUN-2001	[redacted]	UNIT & BEAT OF ASSIGNMENT 008 0845R	DUTY STATUS X						

SUBJECT INFORMATION

LAST NAME MCDONALD	FIRST NAME LEQUAN		SEX X	RACE BLK	[redacted]	AGE 601	HGT 185	
ADDRESS [redacted]	TELEPHONE NO.							
WHERE WAS MEDICAL TREATMENT OBTAINED? MOUNT SINAI HOSPITAL	DR. PITZEL	CONDITION X						

REASON FOR USE OF FORCE (Check all that apply)

	FORCE RESISTED	ACTIVE RESISTER	ASSAILANT ARMED?	ASSAILANT BATTERY	ASSAILANT UNDER THE INFLUENCE
SUBJECT'S ACTIONS	VERBAL RESISTANCE X	CROWD	WEAPON OBSERVED X	ATTACK WITH WEAPON X	USED FORCE AGAINST POLICE OFFICER X
	PASSIVE RESISTANCE	VEHICLE	OTHER	OTHER	OTHER X
	OTHER	OTHER			

	MEMBER'S RESPONSE			
	VERBAL COMMANDS X	TAKE DOWN / KNOCKED IT OPERATIONS	CANINE	OTHER X
	ESCORT HOLDS	WEAPON DRAWN		
	WEAPON			
	PHYSICAL CONTROL HOLDS			
	CHEMICAL WEAPON			
	MECHANICAL WEAPON			
	OTHER			

WEAPON DISCHARGE INCIDENT

DESCRIBE WEAPON(S) THOROUGHLY BELOW:

ADDITIONAL INFORMATION: OFFENDER'S WEAPON WAS A KNIFE IN HIS HAND

WEAPON TYPE X FIREARM	RECOVERED? X	HOW? X	CLEAR		
MAKE/MANUFACTURER	MODEL 5942	CAPACITY 5	CALIBER 9 MM		
[redacted]	[redacted]	[redacted]	[redacted]		
SPECIAL WEAPON CERTIFICATE #	PHOTOS?	TYPE OF AMMUNITION Department Issued	# OF WEAPONS DISCHARGED 1	# OF ROUNDS DISCHARGED 16	
X					
X	15				
X		BY MAGAZINE			
NONE					
X		X			

1429315878

CASE INFO

NOTIFICATIONS (OC OR TASER INCIDENT): OEMC | DIST. OF OCCUR

NOTIFICATIONS (FIREARM INCIDENT): X OEMC | X DIST/SAT OF OCCUR & DOC | X OPC | X DET SV

Members will ensure that all required notifications and all witnesses to this use of force are documented in the appropriate case report.

HX475653

SIGNATURES

VAN DYKE, JASON D	9465	[redacted]	
21-OCT-2014 04:41:45	4844		

Reviewing supervisor will ensure the legibility and completeness of this report and attest by entering the required information below.

FRANKO, STEPHEN D	1381	[redacted]	21-OCT-2014 04:44:58

CPD-11.377 (REV. 2013)

[redacted]

EXHIBIT
DATE
ArticosReporters.com

LIEUTENANT OR ABOVE/OCIC REVIEW

THE ON-CALL INCIDENT COMMANDER (OCIC) WILL COMPLETE THE REVIEW SECTION FOR 1.) ALL INCIDENTS INVOLVING THE DISCHARGE OF A FIREARM BY A DEPARTMENT MEMBER; 2.) ALL INCIDENTS INVOLVING THE SERIOUS INJURY OR DEATH OF A MEMBER OF THE PUBLIC SUBSEQUENT TO INTERACTIONS WITH A DEPARTMENT MEMBER; 3.) ANY LESSER USE OF FORCE BY A DEPARTMENT MEMBER WHEN THAT USE OF FORCE STEMS FROM THE SAME INCIDENT DESCRIBED HERE IN 1 OR 2.

THE ASSIGNED INVESTIGATING SUPERVISOR THE RANK OF LIEUTENANT OR ABOVE FROM THE DISTRICT OF OCCURRENCE WILL COMPLETE THE REVIEW SECTION FOR ALL OTHER INCIDENTS.

75. SUBJECT'S STATEMENT REGARDING THE USE OF FORCE ☐ DNA ☐ REFUSED ☒ UNABLE TO INTERVIEW (Specify Reason)

Subject is deceased.

76. LIEUTENANT OR ABOVE/OCIC RATIONALE FOR BOX 77 FINDING

Based upon information available at the time of this report it is the preliminary determination of the undersigned that Officer Van Dyke fired his weapon in compliance with Department policy. Officer Van Dyke fired his weapon in fear of his life when the offender while armed with a knife continued to approach and refused all verbal direction.

77. LIEUTENANT OR ABOVE/OCIC FINDING BASED UPON CURRENTLY AVAILABLE INFORMATION:

☒ I HAVE CONCLUDED THAT THE MEMBER'S ACTIONS WERE IN COMPLIANCE WITH DEPARTMENT PROCEDURES AND DIRECTIVES.

☐ I HAVE CONCLUDED THAT FURTHER INVESTIGATION IS REQUIRED.

LOG NO./CRNO. 1072125 OBTAINED

78. LIEUTENANT OR ABOVE/OCIC (Print Name)	SIGNATURE	DATE COMPLETED TIME
MC NAUGHTON, DAVID R	[redacted]	21-OCT-2014 04:58:37

79. DISTRIBUTION OF ORIGINAL TRR:

A TRR PACKET, INCLUDING THE TRR AND COPIES OF THE BELOW LISTED ATTACHMENTS WILL BE FORWARDED TO THE INDEPENDENT POLICE REVIEW AUTHORITY.

ATTACHMENTS - PHOTOCOPIES OF:
☐ SUPPLEMENTARY REPORT ☐ I.O.D. REPORT
☐ CASE REPORT ☒ OFFICER BATTERY REPORT ☐ CR INITIATION REPORT
☐ ARREST REPORT ☐ TO-FROM-SUBJECT REPORTS FROM DEPARTMENT WITNESS(ES)

80. TOTAL TRR's THIS EVENT No. 3

OFFICER'S BATTERY REPORT
CHICAGO POLICE DEPARTMENT

HX475653

INSTRUCTIONS: This form is to be completed for all incidents when: (1) a sworn member is the victim of a murder, aggravated battery, battery, aggravated assault, or assault while performing a police function either on-duty or off-duty, (2) a detention aide is the victim of a murder, aggravated battery, battery, aggravated assault, or assault while in the performance of his or her duties.

"X APPLICABLE BOXES"

OFFICER INFORMATION

NAME (LAST - FIRST - M.I.): VAN DYKE, JASON D

STAR NO.	POSITION
5465	POLICE OFFICER
DATE OF APPOINTMENT: 25-JUN-2001	EMPLOYEE NO.: [redacted]
UNIT OF ASSIGNMENT: 008	BEAT/CALL NO.: 0845R
SEX: X M / F	RACE: WHITE
DOB: [redacted]	
HEIGHT: 602	WEIGHT: 190

TYPE OF ASSIGNMENT WHEN BATTERY OCCURRED

X 1. ON DUTY
- X A. UNIFORM: PATROL DUTY
- B. UNIFORM: OTHER DUTY
  - Describe: _____
- C. CITIZEN DRESS
- D. TACTICAL
- E. D.I.S. UNIT
- F. SPECIAL EMPLOYMENT
- G. OTHER: _____

2. OFF DUTY
3. SPECIAL EMPLOYMENT
4. SECONDARY EMPLOYMENT

WORKING
- A. ALONE
- X B. WITH ONE PARTNER
- C. WITH MULTIPLE PARTNERS
  - How many? _____

PATROL TYPE
- X A. SQUAD CAR
- B. FOOT
- C. BICYCLE
- D. AUTOMOBILE
- E. SQUADROL
- F. OTHER: _____

TYPE OF ACTIVITY

- A. AMBUSH (NO WARNING)
- B. TRAFFIC STOP/PURSUIT
- C. INVESTIGATING SUSPICIOUS PERSON
- D. DISTURBANCE - DOMESTIC
- E. DISTURBANCE - MENTAL PATIENT
- F. DISTURBANCE - HOSTILE ACTION/CROWD DISORDER
- G. DISTURBANCE - OTHER
- H. WORKING WITH A GUN
- I. PURSUING/ARRESTING OFFENDER (Specify)
  - CHARGE: _____ AGE CODE: _____
- J. PROCESSING/TRANSPORTING/GUARDING A PRISONER (Specify)
  - ORIGINAL CHARGE: _____ ORIGINAL AGE CODE: _____
- X K. OTHER

TYPE OF INJURY TO OFFICER

- A. FATAL
- B. NON-FATAL - MAJOR INJURY (Broken Bone/Serious Laceration/Internal Injuries)
- C. NON-FATAL - MINOR INJURY (Bruise/Swelling/Minor Abrasions)
- X D. NONE APPARENT/KNOWN

LIGHTING CONDITIONS AT INCIDENT

- A. DAYLIGHT
- B. NIGHT
- C. DAWN
- D. DUSK
- X E. ARTIFICIAL LIGHT
- F. FOG
- X G. GOOD

INCIDENT INFORMATION

- 1. INDOOR
- X 2. OUTDOOR

ADDRESS OF OCCURRENCE: 4112 S PULASKI RD

CITY: X CHICAGO / ☐ _____ | STATE (if outside Chicago): _____

LOCATION CODE: 304-STREET | BEAT OF OCCURRENCE: 0815

DATE OF OCCURRENCE: 20-OCT-2014 | TIME: 21:57:00 | DAY OF WEEK: MONDAY

NO. OF OFFICERS BATTERED: 1

WERE THERE ASSISTING UNITS ON SCENE? 1. X YES 2. ☐ NO

IF YES HOW MANY ASSISTING OFFICERS WERE PRESENT AT TIME BATTERY (EXCLUDING YOU OR YOUR PARTNER(S)): 8

MANNER OF ATTACK

- 01. SHOT
- 02. SHOT AT
- X 03. STABBED/CUT (INCLUDING ACTUAL ATTEMPT)
- 04. STRUCK/BLUNT FORCE (INCLUDING ACTUAL ATTEMPT)
- 05. OTHER (INCLUDING VERBAL THREATS)

TYPE OF WEAPON/THREAT

(Check all that apply)

- A. FIREARM CALIBER: _____
  - 1. REVOLVER
  - 2. SEMI-AUTOMATIC
  - 3. RIFLE
  - 4. SHOTGUN
- B. VEHICLE
- C. HANDGUN
- D. FIST
- E. SOUTH/WEST BELT (ETC.)
- F. VERBAL THREAT (ASSAULT)
- X G. OTHER (DESCRIBE): SWINGING KEYS
- H. BOTH(1) STRUCK WITH VEHICLE
- I. ATTEMPTED TO STRIKE OFFICER WITH VEHICLE
- X J. PHYSICAL FORCE USING WEAPON/INSTRUMENT
- K. WEAPON/INSTRUMENT

FIREARM USE INFORMATION (Check all that apply)

- A. DISCHARGED AT OFFENDER
- B. OFFENDER USED WEAPON/FIREARM
- C. ATTEMPTED TO OBTAIN OFFICER'S OWN WEAPON

OFFENDER INFORMATION

SEX	RACE	DOB
X M / F	BLACK	[redacted]

NAME: _____ | ARREST #: _____

WAS THE OFFENDER'S ACTIVITY DRUG RELATED?
- 1. YES
- 2. NO
- X 3. UNKNOWN

DRUG TESTED?
- 1. YES
- 2. NO
- X 9. UNKNOWN

NO. OF OFFENDERS INVOLVED: 1

WEATHER CONDITIONS

- X A. CLEAR
- B. RAIN
- C. SNOW
- D. FOG / SMOKE / HAZE
- E. SLEET / HAIL
- F. BLOWING SNOW
- G. OTHER

APPROXIMATE OUTDOOR TEMPERATURE: 50 °F

[redacted]

EXHIBIT
DATE
AmicoReporters.com

CPD-11.453 (REV. 1/04)

Unusual Circumstances Regarding Officer Control Tactics and Safety: (If you need more space use additional sheets).

OFFENDER'S ACTIONS WERE UNPROVOKED.

REPORTING MEMBER - SIGNATURE	STAR NO.	WATCH COMMANDER /UNIT COMMANDING OFFICER- SIGNATURE	STAR NO.
VAN DYKE, JASON D	9465	MC NAUGHTON, DAVID R	120

CPD-11.451 (REV. 1/04)

TACTICAL RESPONSE REPORT/Chicago Police Department

	20-OCT-2014	21:57:00	4112 S PULASKI RD CHICAGO, IL 60632					004		0515	
MEMBER(S) INVOLVED	9161	WALSH	JOSEPH J	12665			WHI	[redacted]	600	190	
	20-JUN-1958	[redacted]	008	08450							
SUBJECT INFORMATION	MCDONALD	LEQUAN	J			BLK	[redacted]		601	185	
	[redacted]										
		DR. PITZEL									

REASON FOR USE OF FORCE (Check all that apply)

SUBJECT'S ACTIONS				
MEMBER'S RESPONSE				

WEAPON DISCHARGE INCIDENT: [X]

OFFENDER ARMED WITH KNIFE

CLEAR

1429315878

CASE INFO

NOTIFICATIONS (OC OR TASER INCIDENT): [ ] OEMC [ ] CCB & LT (DIST. OF OCCUR) [ ] CPIC

NOTIFICATIONS (FIREARM INCIDENTS): [ ] OEMC [ ] DET/SGT. OF OCCUR & OCC [ ] CPIC [ ] DET. DIV

Member will ensure that all required notifications and all witnesses to this use of force are documented in the appropriate case report.

HX475653

SIGNATURES

WALSH, JOSEPH J 21-OCT-2014 05:04:40	12665 10010	[redacted]	

Reviewing supervisor will ensure the legibility and completeness of this report and attest by entering the required information below.

FRANKO, STEPHEN D	1381	[redacted]	21-OCT-2014 05:07:22

CPD-11.377 (REV. 10/01)

LOG# 1072125

Attachment# 8

EXHIBIT 7
DATE 5-28-15
AntiqueReporters.com

LIEUTENANT OR ABOVE/OCIC REVIEW

THE ON-CALL INCIDENT COMMANDER (OCIC) WILL COMPLETE THE REVIEW SECTION FOR 1.) ALL INCIDENTS INVOLVING THE DISCHARGE OF A FIREARM BY A DEPARTMENT MEMBER; 2.) ALL INCIDENTS INVOLVING THE SERIOUS INJURY OR DEATH OF A MEMBER OF THE PUBLIC SUBSEQUENT TO INTERACTIONS WITH A DEPARTMENT MEMBER; 3.) ANY LESSER USE OF FORCE BY A DEPARTMENT MEMBER WHEN THAT USE OF FORCE STEMS FROM THE SAME INCIDENT DESCRIBED HERE IN 1 OR 2.

THE ASSIGNED INVESTIGATING SUPERVISOR THE RANK OF LIEUTENANT OR ABOVE FROM THE DISTRICT OF OCCURRENCE WILL COMPLETE THE REVIEW SECTION FOR ALL OTHER INCIDENTS.

75. SUBJECT'S STATEMENT REGARDING THE USE OF FORCE ☐ DNA ☐ REFUSED ☒ UNABLE TO INTERVIEW (Specify Reason)

Subject is deceased.

76. LIEUTENANT OR ABOVE/OCIC RATIONALE FOR BOX 77 FINDING

Officer Walsh's actions were in compliance with the Department's use of force policy.

77. LIEUTENANT OR ABOVE/OCIC FINDING BASED UPON CURRENTLY AVAILABLE INFORMATION:

☒ I HAVE CONCLUDED THAT THE MEMBER'S ACTIONS WERE IN COMPLIANCE WITH DEPARTMENT PROCEDURES AND DIRECTIVES

☐ I HAVE CONCLUDED THAT FURTHER INVESTIGATION IS REQUIRED

LOG NO./CRNO. 1072125 OBTAINED

78. LIEUTENANT OR ABOVE/OCIC (Print Name)	SIGNATURE	DATE COMPLETED TIME
MC NAUGHTON, DAVID R	[redacted]	21-OCT-2014 05:12:27

79. DISTRIBUTION OF ORIGINAL TRR:

A TRR PACKET, INCLUDING THE TRR AND COPIES OF THE BELOW LISTED ATTACHMENTS WILL BE FORWARDED TO THE INDEPENDENT POLICE REVIEW AUTHORITY

ATTACHMENTS - PHOTOCOPIES OF:

☐ CASE REPORT ☒ OFFICER BATTERY REPORT ☐ C.R. INITIATION REPORT

☐ ARREST REPORT ☐ TO-FROM-SUBJECT REPORTS FROM DEPARTMENT WITNESS(ES)

☐ SUPPLEMENTARY REPORT ☐ I.C.D. REPORT

80. TOTAL TRR's THIS EVENT No. 3

OFFICER'S BATTERY REPORT
CHICAGO POLICE DEPARTMENT

RD NO: HX475653

INSTRUCTIONS: This form is to be completed for all incidents when: (1) a sworn member is the victim of a murder, aggravated battery, battery, aggravated assault, or assault while performing a police function either on-duty or off-duty, (2) a detention aide is the victim of a murder, aggravated battery, battery, aggravated assault, or assault while in the performance of his or her duties.

"X APPLICABLE BOXES"

OFFICER INFORMATION

NAME: (LAST - FIRST - M.I.)
WALSH, JOSEPH J

STAR NO	POSITION
12665	POLICE OFFICER
DATE OF APPOINTMENT: 29-JUN-1999	EMPLOYEE NO: [redacted]
UNIT OF ASSIGNMENT: 008	BEAT/CALL NO: 0845R

SEX	RACE	DOB
[X] 1. M [ ] 2. F	WHITE	[redacted]

HEIGHT	WEIGHT
600	190

TYPE OF ASSIGNMENT WHEN BATTERY OCCURRED

[X] 1. ON DUTY
- [X] A. UNIFORM PATROL DUTY
- [ ] B. UNIFORM, OTHER DUTY
  - Describe: _____
- [ ] C. CRUISING CHASE
- [ ] D. TACTICAL
- [ ] E. B.I.S. UNIT
- [ ] F. SPECIAL EMPLOYMENT
- [ ] G. OTHER: _____

[ ] 2. OFF DUTY
[ ] 3. SPECIAL EMPLOYMENT
[ ] 4. SECONDARY EMPLOYMENT

WORKING
- [ ] A. ALONE
- [X] B. WITH ONE PARTNER
- [ ] C. WITH MULTIPLE PARTNERS
  - How many? _____

PATROL TYPE
- [X] A. SQUAD CAR
- [ ] B. FOOT
- [ ] C. BICYCLE
- [ ] D. MOTORCYCLE
- [ ] E. SCOOTER
- [ ] F. OTHER: _____

TYPE OF ACTIVITY

- [ ] A. AMBUSH, NO WARNING
- [ ] B. TRAFFIC STOP/PURSUIT
- [ ] C. INVESTIGATING SUSPICIOUS PERSON
- [ ] D. DISTURBANCE - DOMESTIC
- [ ] E. DISTURBANCE - MENTAL PATIENT
- [ ] F. DISTURBANCE - POSSIBLE ATTENTION/EMOTIONAL DISORDER
- [ ] G. DISTURBANCE - OTHER
- [ ] H. MAN WITH A GUN
- [ ] I. PURSUING/ARRESTING OFFICER (Specify)
  - CHARGE: _____ UCR/IUCR CODE: _____
- [ ] J. PROCESSING/TRANSPORT/GUARDING A PRISONER (Specify)
  - ORIGINAL CHARGE: _____ ORIGINAL UCR CODE: _____
- [X] K. OTHER

TYPE OF INJURY TO OFFICER

- [ ] A. FATAL
- [ ] B. NON-FATAL - MAJOR INJURY (Broken Bones/Dislocations/Internal Injuries)
- [ ] C. NON-FATAL - MINOR INJURY (Bruises/Lacerations/Minor Sprains)
- [X] D. NONE APPARENT/NONE

LIGHTING CONDITIONS AT INCIDENT

- [ ] A. DAYLIGHT
- [ ] B. DUSK
- [ ] C. DAWN
- [ ] D. DARK
- [X] E. ARTIFICIAL LIGHT
- [ ] F. POOR
- [X] G. GOOD

WEATHER CONDITIONS

- [X] A. CLEAR
- [ ] B. RAIN
- [ ] C. SNOW
- [ ] D. FOG / SMOG / HAZE
- [ ] E. SLEET / HAIL
- [ ] F. SEVERE CROSS WIND
- [ ] G. OTHER

APPROXIMATE OUTDOOR TEMPERATURE: 59 °F

INCIDENT INFORMATION

- [ ] 1. INDOOR
- [X] 2. OUTDOOR

ADDRESS OF OCCURRENCE: 4112 S PULASKI RD

CITY	STATE (If outside Chicago)
[X] CHICAGO [ ]	

LOCATION CODE	BEAT OF OCCURRENCE
304-STREET	0815

DATE OF OCCURRENCE	TIME	DAY OF WEEK
28-OCT-2014	21:57:00	MONDAY

NO. OF OFFICERS BATTERED: 3

WERE THERE ASSISTING UNITS ON SCENE? 1. [X] YES 2. [ ] NO

IF YES HOW MANY ASSISTING OFFICERS WERE PRESENT AT TIME BATTERY (EXCLUDING YOU OR YOUR PARTNER(S))? 8

MANNER OF ATTACK

- [ ] 01. SHOT
- [ ] 02. SHOT AT
- [X] 03. STABBED/CUT (INCLUDING ACCGAL ATTEMPT)
- [ ] 04. STRUCK/BLUNT FORCE (INCLUDING ACTUAL ATTEMPT)
- [ ] 05. OTHER (INCLUDING VERBAL THREATS)

TYPE OF WEAPON/THREAT

(Check all that apply)
- [ ] A. FIREARM CALIBER: _____
  - [ ] 1. REVOLVER
  - [ ] 2. SEMI-AUTOMATIC
  - [ ] 3. RIFLE
  - [ ] 4. SHOTGUN
- [ ] B. VEHICLE
  - [ ] 1. OFFICER STRUCK WITH VEHICLE
  - [ ] 2. ATTEMPTED TO STRIKE OFFICER WITH VEHICLE
- [ ] C. KNIFE/CUTTING INSTRUMENT
- [ ] D. HANDGUN
- [ ] E. FIST
- [ ] F. MOUTH (SPIT, BITE, ETC.)
- [ ] G. VERBAL THREAT (PERSON)
- [X] H. OTHER (SPECIFY): BANGING KNIFE
- [ ] I. BLUNT INSTRUMENT

FIREARM USE INFORMATION (Check all that apply)
- [ ] A. OFFICER AT SCENE
- [ ] B. OFFICER'S OWN WEAPON OBTAINED
- [ ] C. ATTEMPTED TO OBTAIN OFFICER'S OWN WEAPON

OFFENDER INFORMATION

SEX	RACE	DOB
[X] 1. M [ ] 2. F	BLACK	[redacted]

CB NO.	IR NO.

WAS THE OFFENDER'S ACTIVITY DRUG RELATED?
- [ ] 1. YES
- [ ] 2. NO
- [X] 3. UNKNOWN

GANG RELATED?
- [ ] 1. YES
- [ ] 2. NO
- [X] 3. UNKNOWN

NO. OF OFFENDERS PRESENT: 3

CFD.11.451 (REV. 7/94)

EXHIBIT 8
DATE 5-23-17
AmicusReporters.com

Unusual Circumstances Regarding Officer Control Tactics and Safety: (If you need more space use additional sheets).

REPORTING MEMBER - SIGNATURE	STAR NO.	WATCH COMMANDER/UNIT COMMANDING OFFICER- SIGNATURE	STAR NO.
WALSH, JOSEPH J	12865	MC NAUGHTON, DAVID R	120

CPD-11.451 (REV. 1/04)

OFFICER'S BATTERY REPORT
CHICAGO POLICE DEPARTMENT

HX475653

INSTRUCTIONS: This form is to be completed for all incidents when: (1) a sworn member is the victim of a murder, aggravated battery, battery, aggravated assault, or assault while performing a police function either on-duty or off-duty; (2) a bystander who is the victim of a murder, aggravated battery, battery, aggravated assault, or assault while in the performance of his or her duties.

"X APPLICABLE BOXES"

OFFICER INFORMATION

NAME (LAST - FIRST - M.I.): GAFFNEY, THOMAS J

STAR NO: 19558

POSITION: POLICE OFFICER

DATE OF APPOINTMENT: 08-JUL-1996

EMPLOYEE NO: [redacted]

UNIT OF ASSIGNMENT: 008

BEAT/CALL NO: 0815R

SEX: [X] 1. M [ ] 2. F

RACE: WHITE

DOB: [redacted]

HEIGHT: 600

WEIGHT: 195

TYPE OF ASSIGNMENT WHEN BATTERY OCCURRED

[X] 1. ON DUTY
- [X] A. UNIFORM PATROL DUTY
- [ ] B. UNIFORM OTHER DUTY
  Describe: _____
- [ ] C. CITIZEN'S ARREST
- [ ] D. TACTICAL
- [ ] E. BIKE UNIT
- [ ] F. SPECIAL EMPLOYMENT
- [ ] G. OTHER: _____

[ ] 2. OFF DUTY
[ ] 3. SPECIAL EMPLOYMENT
[ ] 4. SECONDARY EMPLOYER

WORKING:
- [ ] A. ALONE
- [X] B. WITH ONE PARTNER
- [ ] C. WITH MULTIPLE PARTNERS
  How many? _____

PATROL PLUS:
- [X] A. SQUAD CAR
- [ ] B. FOOT
- [ ] C. BICYCLE
- [ ] D. MOTORCYCLE
- [ ] E. SQUAD/CAR
- [ ] F. OTHER: _____

TYPE OF ACTIVITY

- [ ] A. AMBUSH (NO WARNING)
- [ ] B. TRAFFIC STOP/PURSUIT
- [ ] C. INVESTIGATING SUSPICIOUS PERSON
- [ ] D. DISTURBANCE - DOMESTIC
- [ ] E. DISTURBANCE - MENTAL PATIENT
- [ ] F. DISTURBANCE - PCP/DRUG INDUCED DISORDER
- [ ] G. DISTURBANCE - OTHER
- [ ] H. MAN WITH A GUN
- [ ] I. EVADING/ARRESTING OFFENDER (Specify)
  CHARGE _____ UCR CODE _____
- [ ] J. PROCESSING/TRANSPORTING/GUARDING A PRISONER (Type)
  ORIGINAL CHARGE _____ ORIGINAL UCR CODE _____
- [X] K. OTHER

TYPE OF INJURY TO OFFICER

- [ ] A. FATAL
- [ ] B. NON-FATAL - MAJOR INJURY (Broken Bones/Serious Lacerations/Internal Injuries)
- [ ] C. NON-FATAL - MINOR INJURY (Bruises/Sprains/Minor Abrasions)
- [X] D. NONE APPARENT/NONE

LIGHTING CONDITIONS AT INCIDENT

- [ ] A. DAYLIGHT
- [ ] B. DAWN
- [ ] C. DUSK
- [ ] D. DARK
- [X] E. ARTIFICIAL LIGHT
- [ ] F. POOR
- [X] G. GOOD

WEATHER CONDITIONS

- [X] A. CLEAR
- [ ] B. RAIN
- [ ] C. SNOW
- [ ] D. FOG/SMOKE/HAZE
- [ ] E. SLEET/HAIL
- [ ] F. SEVERE CROSS WIND
- [ ] G. OTHER

APPARENT OUTSIDE TEMPERATURE: 58°F

INCIDENT INFORMATION

- [ ] 1. INDOOR
- [X] 2. OUTDOOR

ADDRESS OF OCCURRENCE: 4000 1/2 S KARLOV AVE

CITY: [X] CHICAGO [ ]

STATE (If outside Chicago):

LOCATION CODE: 304-STREET

BEAT OF OCCURRENCE: 0815

DATE OF OCCURRENCE: 20-OCT-2014

TIME: 21:56:00

DAY OF WEEK: MONDAY

NO. OF OFFICERS BATTERED: 1

WERE THERE ASSISTING UNITS ON SCENE? 1. [X] YES 2. [ ] NO

IF YES HOW MANY ASSISTING OFFICERS WERE PRESENT AT TIME BATTERY (EXCLUDING YOU OR YOUR PARTNERS)? 4

MANNER OF ATTACK

- [ ] 01. SHOT
- [ ] 02. SHOT AT
- [X] 03. STABBED/CUT (INCLUDES ACTUAL ATTEMPT)
- [ ] 04. STRUCK/BLUNT FORCE (INCLUDING ACTUAL ATTEMPT)
- [ ] 05. OTHER (INCLUDING VERBAL THREATS)

TYPE OF WEAPON/THREAT

(Check all that apply)

- [ ] A. FIREARM (CALIBER) _____
  - [ ] 1. REVOLVER
  - [ ] 2. SEMI-AUTOMATIC
  - [ ] 3. RIFLE
  - [ ] 4. SHOTGUN
- [ ] B. VEHICLE
  - [ ] 1. OFFICER STRUCK WITH VEHICLE
  - [ ] 2. ATTEMPTED TO STRIKE OFFICER WITH VEHICLE
- [X] C. KNIFE/OTHER CUTTING INSTRUMENT [ ] 1. KNIFE (INSTRUMENT)
- [ ] D. HANDGUN
- [ ] E. FEET
- [ ] F. MOUTH (SPIT, BITE, ETC.)
- [ ] G. VERBAL THREAT (ASSAULT)
- [X] H. OTHER (SPECIFY): KNIFE

FIREARM USE INFORMATION (Check all that apply)
- [ ] A. OFFICER AT GUNPOINT
- [ ] B. OFFENDER'S OWN WEAPON OBTAINED
- [ ] C. ATTEMPTED TO OBTAIN OFFENDER'S OWN WEAPON

OFFENDER INFORMATION

SEX: [X] 1. M [ ] 2. F

RACE: BLACK

DOB: [redacted]

DR NO:

FBI NO:

WAS THE OFFENDER'S ACTIVITY DRUG RELATED?
- [ ] 1. YES
- [ ] 2. NO
- [X] 3. UNKNOWN

GANG RELATED?
- [ ] 1. YES
- [ ] 2. NO
- [X] 3. UNKNOWN

NO. OF OFFENDERS INVOLVED: 1

CPD-11.451 (REV. 10/04)

EXHIBIT 3
DATE 5-21-15
AmicusReporters.com

Unusual Circumstances Regarding Officer Control Tactics and Safety: (If you need more space use additional sheets).

REPORTING MEMBER - SIGNATURE	STAR NO.	WATCH COMMANDER /UNIT COMMANDING OFFICER- SIGNATURE	STAR NO.
GAFFNEY, THOMAS J	19958	MC NAUGHTON, DAVID R	120

CPD-11.451 (REV. 1/04)

[redacted]

From: News Affairs <nwsaffr@chicagopolice.org> on behalf of News Affairs
Sent: Tuesday, October 21, 2014 3:26 AM
To: Mc Naughton, David R.
Subject: RE: Preliminary Statement on Police Involved Shooting - 4100 Block of S. Pulaski

Thank you Boss. We will send to media.

Chicago Police Department
Office of News Affairs
(312) 745-6110
Fax (312) 745-6999

From: Mc Naughton, David R.
Sent: Tuesday, October 21, 2014 3:23 AM
To: News Affairs
Subject: FW: Preliminary Statement on Police Involved Shooting - 4100 Block of S. Pulaski

Below is the revised statement.

> On Monday, October 20, 2014, at approximately 9:45 pm, officers assigned to the 008th District (Chicago Lawn) were investigating a 911 call of a subject who was breaking into vehicles in the vicinity of 41st and Karlov. Responding uniformed officers approached a subject who produced a knife and proceeded to puncture the front passenger tire and damage the front windshield of their marked Chicago Police vehicle. The offender fled with officers in pursuit. Near the intersection of 41st and Pulaski uniformed officers confronted the armed offender who refused to comply with orders to drop the knife and continued to approach the officers. As a result of this action the officer discharged his weapon, striking the offender. The offender was transported to an area hospital where he succumbed to his injuries. No officers were injured during the incident.
>
> This matter remains under investigation and all further media inquiries can be directed to the Independent Police Review Authority at 312-446-3298.

David R. McNaughton
Deputy Chief
Area Central
Bureau of Patrol

From: News Affairs
Sent: Tuesday, October 21, 2014 12:25 AM

EXHIBIT 10
DATE 5-2-17

To: Mc Naughton, David R.
Subject: Preliminary Statement on Police Involved Shooting - 4100 Block of S. Pulaski

Preliminary Statement on Police Involved Shooting – 4100 Block of S. Pulaski

On Monday, October 20, 2014, at approximately 9:45 pm, officers assigned to the 008th District (Chicago Lawn) were on patrol in the vicinity of the 4100 block of S. Pulaski when they were responding to a call of holding an offender, when the officers arrived on scene they were met with the complaint who stated that an unknown subject was breaking into vehicles at that location. The officers approached the subject and announced their office. At which time the subject began to flee, a brief foot chase ensued. The offender produced a knife and proceeded to puncture the Chicago Police SUV tire, he then attempted to break out the driver side window of a responding unit. The officers ordered the offender to drop the knife. Refusing to comply with the officers' commands, the offender then turned towards the officers and began to approach. As a result of this action the officer discharged his weapon, striking the offender. The offender was transported to an area hospital where he succumbed to his injuries. No officers were injured during the incident.

This matter remains under investigation and all further media inquiries can be directed to the Independent Police Review Authority at 312-446-3298.

Chicago Police Department
Office of News Affairs
(312) 745-6110
Fax (312) 745-6999

OIG 15-0564 014051

CHICAGO POLICE DEPARTMENT

CASE SUPPLEMENTARY REPORT

3510 S. Michigan Avenue, Chicago, Illinois 60653
(For use by Chicago Police / Bureau of Investigative Services Personnel Only)

HX475653

Case Id: [illegible] CASR330
Rep Id: [illegible]

PROGRESS-VIOLENT(SCENE)					DETECTIVE SUP. APPROVAL COMPLETE
Last Offense Classification/Re-Classification	IUCR Code	Original Offense Classification			IUCR Code
ASSAULT / Aggravated Po:Knife/Cut Instr	0552	ASSAULT / Aggravated Po:Knife/Cut Instr			0552
Address of Occurrence	Beat of Occur	No of Victims	No of Offenders	No of Arrestee	SCR No
4112 S PULASKI RD	815	4	1	1	
Location Type	Location Code	Secondary Location			Hate Crime
Street	304				No
Date of Occurrence	Unit Assigned	Date RD Arrived	Fire Related?	Gang Related?	Domestic Related?
20-OCT-2014 21:57	0841R	20-OCT-2014 21:57	NO	NO	NO

Reporting Officer	Star No	Approving Supervisor	Star No	Primary Detective Assigned	Star No
MARCH, David	20563	WOJCIK, Anthony	481	MARCH, David	20563
Date Submitted		Date Approved		Assignment Type	
15-MAR-2015 16:23		16-MAR-2015 00:03		FIELD	

THIS IS A FIELD INVESTIGATION PROGRESS-VIOLENT(SCENE) REPORT

VICTIM(S):

GAFFNEY, Thomas J
Male / White / 41 Years
EMPLOYMENT: Chicago Police Officer #19958

EMPLOYER BUSINESS NME: Chicago Police Department
BUS: 3420 W 63rd St
Chicago IL
312-747-8730

VAN DYKE, Jason D
Male / White / 36 Years
EMPLOYMENT: Chicago Police Officer #9465

EMPLOYER BUSINESS NME: Chicago Police Department
BUS: 3420 W 63rd St
Chicago IL
312-747-8730

EXHIBIT 11
DATE [illegible]
Amicusreporters.com

WALSH, Joseph J
Male / White / 45 Years
EMPLOYMENT: Chicago Police Officer #12685

EMPLOYER BUSINESS NME: Chicago Police Department
BUS: 3420 W 63rd St
Chicago IL
312-747-8730

HX475653

LOG# 1072125

MCELLIGOTT, Joseph P
Male / White / 36 Years
EMPLOYMENT: Chicago Police Officer #18715

Attachment 152

EMPLOYER BUSINESS NME: Chicago Police Department

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

OFFENDER(S) **MCDONALD, Laquan J** -- In Custody--

ALIAS: "Bon-Bon"
Male / Black / 17 Years
DOB: [redacted]
DESCRIPTION: 6'02, 180, Black Hair, Dreadlocks Hair Style, Brown Eyes, Medium Complexion
RES: [redacted]
BIRTH PLACE: Illinois
DLN/ID: [redacted]
OTHER IDENTIFICATIONS: **Type -** Other Id
State - Unknown
IR#: 2106340
SID#: [redacted]

RELATIONSHIP OF VICTIM TO OFFENDER:

GAFFNEY, Thomas J	- No Relationship
MCELLIGOTT, Joseph P	- No Relationship
VAN DYKE, Jason D	- No Relationship
WALSH, Joseph J	- No Relationship

GANG INFORMATION:

-

LISTED CRIMINAL ORGANIZATION: New Breed
GANG IDENTIFIERS: Other

ITEM USED:
Weapon

OFFENDER INJURIES: **MCDONALD, Laquan J**

Type	Weapon Used	Weapon Description
Gun Shot Wound	Handgun	Other - Handgun

Injured by Police
Chicago Fire Department Provided First Aid
EXTENT OF INJURY: Multiple Gsw
HOSPITAL REMOVED BY: Cfd Ambulance 21

INJURY TREATMENT: Multiple Gsw
PHYSICIAN NAME: Dr Pitzele

WEAPON(S): **INV#:** **13296449**

Evidence

Smith & Wesson -Us- (Bodyguard,Chief Special), 5942, 9, Semi-Automatic Pistol, Semi-Automatic, 4", Stainless

SERIAL#: [redacted]
PROPERTY TYPE: OTHER
OWNER: Van Dyke, Jason
POSSESSOR/USER: VAN DYKE, JASON

PHONE #: 312 - 747 - 8730
LOCATION FOUND: 5101 S WENTWORTH AVE
Number Of Live Rounds present in the Firearm - 15
Number Of Live Rounds used in the Firearm - 16
The Status Of This Firearm is 628361

VEHICLE INFO:

Truck, 2010 / Chevrolet / Tahoe / Truck
Victim's Vehicle
VIN: [redacted]
YEAR (RANGE): 2010
COLOR(TOP/BOTTOM): White / White
OWNER: Chicago Police Department
POSSESSOR/USER: GAFFNEY, THOMAS
PHONE#: 312 - 747 - 8730
The Vehicle was Seized
LOCATION FOUND: 4102 S PULASKI RD

LICENSE: Mp6581, Law Enforcement (City, County, State, Sos), IL

LOCATION OF INCIDENT:
4112 S Pulaski Rd
Chicago IL
304 - Street

DATE & TIME OF INCIDENT: 20-OCT-2014 21:57

JUST HOMICIDE DESCRIPTION: Criminal Killed By Police Officer

ADDITIONAL JUST HOMICIDE DESCR.: Criminal Attacked Officer That Officer Killed Criminal

WEATHER AND LIGHTING:
WEATHER: Cloudy & Cool
TEMPERATURE: 50s
LIGHTING: Dark / Artificial Light
LIGHTING SOURCE: Streetlights
DISTANCE: Overhead

MOTIVE CODE(S): Interceding In A Felony
CAUSE CODE(S): Dna
METHOD CODE(S): Offender Shot
CAU CODE(S): Police Related Not Con

FIREARM(S) RECOVERED:
INV #: 13296449
Evidence
Smith & Wesson -Us- (Bodyguard,Chief Special), 5942, 9, Semi-Automatic Pistol, Semi-Automatic, 4", Stainless

SERIAL#: [redacted]
PROPERTY TYPE: OTHER

OWNER: Van Dyke, Jason
POSSESSOR/USER: VAN DYKE, JASON

PHONE #: 312 - 747 - 8730
LOCATION FOUND: 5101 S WENTWORTH AVE
Number Of Live Rounds present in the Firearm - 15
Number Of Live Rounds used in the Firearm - 16
The Status Of This Firearm is 628361

VEHICLE(S) DAMAGED: **Truck, 2010 / Chevrolet / Tahoe / Truck**

Evidence
VIN: [redacted]
YEAR - YEAR RANGE END: 2010

COLOR (TOP/BOTTOM): White / White
OWNER: Chicago Police Department
POSSESSOR/USER: GAFFNEY, THOMAS
PHONE#: 312 - 747 - 8730
LOCATION FOUND: 4102 S PULASKI RD
LICENSE: Mp6581, Law Enforcement (City, County, State, Sos), IL

PERSONNEL ASSIGNED:

Detective/Investigator
MARCH, David M # 20563

Reporting Officer
FONTAINE, Dora # 4484 **BEAT:** 0841R

WITNESS(ES): [redacted]

Male / White Hispanic / 18 Years
DOB: [redacted]
RES: [redacted]

OTHER COMMUNICATIONS:
Cellular Phone: [redacted]
DLN/ID: [redacted]

Female / White Hispanic / 19 Years
DOB: [redacted]
RES: [redacted]

BUS: [redacted]

[redacted]

DLN/ID: [redacted]

MONDRAGON, Janet

Female / White Hispanic / 37 Years

EMPLOYMENT: Chicago Police Officer #4364

BUS: 3420 W 63rd St
Chicago IL
312-747-
8730

[redacted]

Female / White Hispanic / 29 Years

DOB: [redacted]

RES: [redacted]

OTHER COMMUNICATIONS:

Cellular [redacted]
Phone:

[redacted]

Female / White Hispanic / 24 Years

DOB: [redacted]

RES: [redacted]

EMPLOYMENT: [redacted]

BUS: [redacted]

OTHER COMMUNICATIONS:

Cellular [redacted]
Phone:

VELEZ, Leticia

Female / White Hispanic / 43 Years

EMPLOYMENT: Chicago Police Officer #10385

BUS: 3420 W 63rd St
Chicago IL
312-747-
8730

BACERRA, Arturo

Male / White Hispanic / 32 Years

EMPLOYMENT: Chicago Police Officer #15790

BUS: 3420 W 63rd St
Chicago IL
312-747-
8730

FONTAINE, Dora

Female / White Hispanic / 47 Years
EMPLOYMENT: Chicago Police Officer #4484

BUS: 3420 W 63rd St
Chicago IL
312-747-
8730

[redacted]

Female / White Hispanic / 30 Years
DOB: [redacted]
RES: [redacted]

OTHER COMMUNICATIONS:
Cellular Phone: [redacted]

[redacted]

Male / White Hispanic / 24 Years
DOB: [redacted]
RES: [redacted]

SSN: [redacted]
DLN/ID: [redacted]

SEBASTIAN, Daphne L

Female / White / 45 Years
EMPLOYMENT: Chicago Police Officer #2763

BUS: 3420 W 63rd St
Chicago IL
312-747-
8730

[redacted]

Male / White Hispanic / 25 Years
DOB: [redacted]
RES: [redacted]

BUS: [redacted]

OTHER COMMUNICATIONS:
Cellular Phone: [redacted]

SSN: [redacted]

VIRAMONTES, Ricardo

Male / White Hispanic / 41 Years

EMPLOYMENT: Chicago Police Officer #10590

BUS: 3420 W 63rd St
Chicago IL
312-747-8730

OTHER INDIVIDUALS INVOLVED: [redacted] (Additional Victim)

Male / White Hispanic / 43 Years

DOB: [redacted]

RES: [redacted]

EMPLOYMENT: [redacted]

OTHER COMMUNICATIONS:
Cellular Phone: [redacted]

DLN/ID: [redacted]

[redacted] (Family Member Notified)

Male / Black / 25 Years

DOB: [redacted]

RES: [redacted]

OTHER COMMUNICATIONS:
Other: [redacted]

[redacted] (Person Interviewed Non-Witness)

Female / White Hispanic / 39 Years

DOB: [redacted]

RES: [redacted]

BUS: [redacted]

[redacted]

(Person Interviewed
Non-Witness)

Female / White Hispanic / 62 Years
DOB: [redacted]
RES: [redacted]

BUS: [redacted]

CRIME CODE SUMMARY: 0552 - Assault - Aggravated Po:Knife/Cut Instr

IUCR ASSOCIATIONS:

0552 - Assault - Aggravated Po:Knife/Cut Instr

GAFFNEY, Thomas, J	(Victim)	
MCDONALD, Laquan, J		(Offender)
MCELLIGOTT, Joseph, P	(Victim)	
MCDONALD, Laquan, J		(Offender)
VAN DYKE, Jason, D	(Victim)	
MCDONALD, Laquan, J		(Offender)
WALSH, Joseph, J	(Victim)	
MCDONALD, Laquan, J		(Offender)

INCIDENT NOTIFICATION:
NOTIFICATION DATE & TIME: 10/20/2014:230700
REQUEST TYPE: Notification
PERSON NAME: ,Sarlo
STAR #: 13131

INCIDENT NOTIFICATION:
NOTIFICATION DATE & TIME: 10/20/2014:231400
REQUEST TYPE: Notification
PERSON NAME: ,Jines
STAR #: 4898

INCIDENT NOTIFICATION:
NOTIFICATION DATE & TIME: 10/20/2014:215000
REQUEST TYPE: On Scene
PERSON NAME: ,March
STAR #: 20563

INCIDENT NOTIFICATION:
NOTIFICATION DATE & TIME: 10/21/2014:225800
REQUEST TYPE: Notification
PERSON NAME: ,Chibe
STAR #: 7303

INCIDENT NOTIFICATION:
NOTIFICATION DATE & TIME: 10/20/2014:235000
REQUEST TYPE: Notification

PERSON NAME: ,Briggs

EMP #: 76

REPORT DISTRIBUTIONS: No Distribution

INVESTIGATION:

AREA CENTRAL FIELD INVESTIGATION:

Progress - Scene Report.

TYPE OF INCIDENT:

ASSAULT / Aggravated of a Police Officer - Knife
IUCR - 0552.

RECORDS DIVISION NUMBER:

HX475653.

EVENT NUMBER:

1429315878.

DATE AND TIME:

Mon, 20 Oct 2014, 21:57 hours.

LOCATION:

4112 S Pulaski Rd,
on the street - Beat 815.

WEATHER AND LIGHTING:

Cloudy and cool, temperature in the 50s.
Dark with good artificial light provided by overhead streetlights, all on and functioning normally. Additional artificial light provided by lighting of nearby businesses.

DATE AND TIME ASSIGNED:

Mon, 20 Oct 2014, 22:00 hours,
by Sgt D GALLAGHER #1303.

VICTIMS:

VAN DYKE, Jason D,
CPD - PO, #9465,
M / W / 36,

Assigned to 008th District,
3420 W 63rd St,
312-747-8730,
On duty,
Beat 845R,
In uniform -
Light blue long sleeve shirt with shoulder patches,
Black body armor vest with patches,
Navy blue cargo pants,
Equipment belt with handgun and radio,
Marked vehicle -
CPD vehicle # 6412,
Chevrolet Tahoe, four door SUV,
Illinois license plate # M172910.

WALSH, Joseph J,
CPD - PO, #12865
M / W / 45,
Assigned to 008th District,
3420 W 63rd St,
312-747-8730,
On duty,
Beat 845R,
In uniform -
Light blue long sleeve shirt with shoulder patches,
Black body armor vest with patches,
Navy blue cargo pants,
Equipment belt with handgun and radio,
Marked vehicle -
CPD vehicle # 6412,
Chevrolet Tahoe, four door SUV,
Illinois license plate # M172910.

GAFFNEY, Thomas J,
CPD - PO, #19958,
M / W / 41,
Assigned to 008th District,
3420 W 63rd St,
312-747-8730,
On duty,
Beat 815R,
In uniform -
Uniform baseball style cap with embroidered patch,
Light blue long sleeve shirt with shoulder patches,
Black body armor vest with patches,
Navy blue cargo pants,
Equipment belt with handgun and radio,
Marked vehicle -
CPD vehicle # 8489,

Chevrolet Tahoe, four door SUV,
Illinois license plate # MP6581.

MCELLIGOTT, Joseph P,
CPD - PO, #18715,
M / W / 36,
Assigned to 008th District,
3420 W 63rd St,
312-747-8730,
On duty,
Beat 815R,
In uniform -
Light blue long sleeve shirt with shoulder patches,
Black body armor vest with patches,
Navy blue cargo pants,
Equipment belt with handgun and radio,
Marked vehicle -
CPD vehicle # 8489,
Chevrolet Tahoe, four door SUV,
Illinois license plate # MP6581.

ADDITIONAL VICTIMS:

ASSAULT / Aggravated - Knife
IUCR - 0520.

[redacted]
M / WH / 43, [redacted]

INJURIES:

No injuries to any victims.

OFFENDERS:

Deceased -----
MCDONALD, Laquan J,
Nickname - "Bon-Bon,"
M / B / 17, [redacted]

[redacted],
[redacted]

CLOTHING:

Inventory # 13296470 (Unit 277)
1 - Black hooded sweatshirt,
1 - Black sweatshirt,
1 - Pair blue jean pants,
1 - Pair black boxer shorts underwear,
1 - Pair black socks,
1 - Pair black gym shoes.
Recovered at the Office of the Medical Examiner
by Crime Lab Beat 5809.
To ERPS - No analysis needed at this time.

IDENTIFIED BY:

State of Illinois ID Card on Laquan MCDONALD's person.

FAMILY NOTIFICATION:

[redacted]
M / B / 25, [redacted],
[redacted]
Uncle of Laquan MCDONALD.

INJURIES:

Fatal
1 - GSW to left neck, lodged,
1 - GSW, T & T, entrance left chest, exit rear left shoulder,
1 - GSW to right chest, lodged,
1 - GSW, T & T, entrance outer rear left elbow,
exit inner front left elbow,
1 - GSW, T & T, entrance rear upper right arm,
exit front upper right arm,
1 - GSW, T & T, entrance back of left wrist,

exit front of left forearm,
1 - GSW, T & T, entrance front of right hip, exit inner right thigh,
1 - GSW, T & T, entrance rear upper left shoulder,
exit left shoulder blade,
1 - GSW, T & T, entrance outer rear left elbow,
exit inner rear left elbow,
1 - GSW, T & T, entrance rear right shoulder,
exit upper right back,
1 - GSW to back of right arm, just below elbow, lodged,
1 - GSW to back of right wrist, lodged,
1 - GSW to back of right hand, lodged,
1 - GSW to right buttocks, lodged,
1 - GSW to back of right thigh, lodged,
1 - GSW, graze wound to left side top of head.

TAKEN TO:

Mount Sinai Hospital by CFD Ambulance 21.

PRONOUNCED BY:

Dr PITZELE, at Mount Sinai Hospital,
Mon, 20 Oct 2014, at 22:42 hours.

MEDICAL EXAMINER CASE NUMBER:

2014 - 01071.

WEAPONS:

Offender, MCDONALD, Laquan J -----
Inventory # 13296495 (Unit 277)
1 - Folding knife,
7" overall, 3" blade (Marker C).
Recovered from the street at 4112 S Pulaski Rd,
by Crime Lab Beat 5802. Blade locked open when recovered.
Request for analysis by Latent Prints Section.

Victim, VAN DYKE, Jason D (PO) -----
Inventory # 13296449 (Unit 277)
1 - Smith and Wesson, Model 5942, 9 mm caliber,
semi-automatic pistol, stainless steel, 4" barrel,
serial # [redacted]
1 - 9 mm caliber cartridge from firing chamber,
14 - 9 mm caliber cartridges from magazine,
2 - Fifteen round magazines.
Recovered in the Bureau of Detectives - Area Central office
by ET Beat 5824.
IL FOID card # [redacted],

expiration 01 May 2019,
Chicago registration # [redacted]
Request for analysis by Firearms Section.

VEHICLES:

CPD vehicle damaged by Laquan MCDONALD -
CPD vehicle # 8489,
Beat 815R,
Marked vehicle,
2010 Chevrolet Tahoe, four door SUV, white / white,
[redacted]
IL license plate # MP6581.
Right front tire flat after MCDONALD stabbed the tire with a knife, damage to right side of windshield from knife.

MANNER / MOTIVE:

Laquan MCDONALD was shot and killed by Chicago Police Officer Jason VAN DYKE while MCDONALD was committing an aggravated assault with a knife against Officer VAN DYKE and his partner, Chicago Police Officer Joseph WALSH. MCDONALD also committed an aggravated assault with a knife against Chicago Police Officers Thomas GAFFNEY and Joseph MCELLIGOTT, when MCDONALD stabbed the right front tire and windshield of their police vehicle, and an aggravated assault with a knife against civilian, [redacted] immediately prior to being confronted by Officers VAN DYKE and WALSH. / Peace officer interceding in a felony, in the line of duty-Defense of life (Offender apparently attempting to defeat arrest).

REFERENCE NUMBERS:

U # 2014 - 36.

Log # 1072125.

RD# HX486155
HOMICIDE / Justifiable Homicide
IUCR - 0150.

PROPERTY TAKEN:

None.

EVIDENCE:

Video of scene taken by Crime Lab Beat 5802.

Photographs of scene taken by Crime Lab Beat 5802.

Photographs of victim police officers taken by ET Beat 5824.

See Weapons and Clothing categories above.

Inventory # 13296485 (Unit 277)
14 - 9 mm caliber cartridge cases (Markers 1 & 4 - 16).
Recovered from the street at 4112 S Pulaski Rd
by Crime Lab Beat 5802.
Request for analysis by Firearms Section.

Inventory # 13296489 (Unit 277)
2 - 9 mm caliber cartridge cases (Markers 2 & 3).
Recovered from the street at 4112 S Pulaski Rd
by Crime Lab Beat 5802.
Request for analysis by Firearms Section.

Inventory # 13296500 (Unit 277)
1 - Swab box containing two swabs of suspect red blood stains
(Marker B).
Recovered from the street at 4112 S Pulaski Rd
by Crime Lab Beat 5802.
To ERPS - No analysis needed at this time.

Inventory # 13296511 (Unit 277)
5 - Metal fragments (Markers A, D, E, F & G).
Recovered from the street at 4112 S Pulaski Rd
by Crime Lab Beat 5802.
Request for analysis by Firearms Section.

Inventory # 13296523 (Unit 277)
1 - Firestone Firehawk tire with damage, attached to rim.
Recovered from CPD vehicle # 8489 (Beat 815R),
at 4102 S Pulaski Rd, by Crime Lab Beat 5802.
To ERPS - No analysis needed at this time.

Inventory # 13296528 (Unit 277)
4 - Ridge impression lifts.
Recovered from the right front quarter panel of CPD vehicle
8489 (Beat 815R), by Crime Lab Beat 5802.
To ERPS - No analysis needed at this time.

Inventory # 13296534 (Unit 277)
1 - Envelope containing metal fragments,
recovered from the sweater of Laquan MCDONALD,
by Crime Lab Beat 5802,
3 - Metal fragments in a container,
recovered from Laquan MCDONALD at Mount Sinai Hospital,

given to Det W JOHNSON #20169, by RN Allan GAYAN,
turned over to Crime Lab Beat 5802,
at Mount Sinai Hospital.
Request for analysis by Firearms Section.

Inventory # 13296451 (Unit 277)
1 - Set of elimination prints, including palms,
from PO J MCELLIGOTT #18715.
Taken by ET Beat 5824.
To ERPS - No analysis needed at this time.

Inventory # 13296452 (Unit 277)
1 - Set of elimination prints, including palms,
from PO T GAFFNEY #19958.
Taken by ET Beat 5824.
To ERPS - No analysis needed at this time.

Inventory # 13296464 (Unit 277)
1 - Sealed ME blood card.
Recovered at the Office of the Medical Examiner
by Crime Lab Beat 5809.
To ERPS - No analysis needed at this time.

Inventory # 13296668 (Unit 277)
1 - Sealed ME bullet envelope.
Recovered at the Office of the Medical Examiner
by Crime Lab Beat 5809.
Request for analysis by Firearms Section.

Inventory # 13337048 (Unit 610)
1 - CD containing compilation of video.
Created by Det R HAGEN #20606.

Inventory # 13337053 (Unit 610)
1 - CD containing video from the Greater Chicago Food
Depository, 4100 W Ann Lurie Pl.
Recovered by Det J MALIK #20729.

Inventory # 13337056 (Unit 610)
1 - CD containing video from in-car camera, Beat 845R,
1 - CD containing video from in-car camera, Beat 813R.

Inventory # 13337060 (Unit 610)
1 - CD containing video from Dunkin' Donuts, 4113 S Pulaski Rd.
Recovered by Det R HAGEN #20606.

Inventory # 13337065 (Unit 610)
1 - DVD containing video from Focal Point, 4141 S Pulaski Rd.
Recovered by Det J MALIK #20729.

Inventory # 13337077 (Unit 610)
1 - CD containing OEMC audio recording of call to 9-1-1,
1 - CD containing OEMC audio recording
of CPD radio zone 6 transmissions.

Inventory # 13337080 (Unit 610)
1 - CD containing photos from ME autopsy.

Inventory # 13337087 (Unit 610)
1 - State of Illinois ID card, Lequan J MCDONALD,
1 - RTA ADA Paratransit & Reduced Fare Card,
Earnest THOMAS,
1 - Ventra, CTA ticket,
1 - Receipt for above Ventra, CTA ticket.
Recovered from Laquan MCDONALD at Mount Sinai Hospital.

Inventory # 13394378 (Unit 610)
1 - Disk containing video from in-car camera, Beat 815R
(No relevant footage).

Inventory # 13394389 (Unit 610)
3 - DVDs containing video from Burger King restaurant
at 4060 S Pulaski Rd (No relevant footage).

Inventory # 13394394 (Unit 610)
1 - DVD containing video from in-car camera,
CPD vehicle # 9049 (No relevant footage).

Inventory # 13394398 (Unit 610)
1 - CPD Officer Safety Alert, # 2012-OSA-297.

PERSONNEL ASSIGNED:

Car 41 (Bureau of Patrol - Area Central / OCIC)
D/C D MCNAUGHTON #120

Beat 800
Cmdr J O'DONNELL #13
Beat 800X
Capt D WALSH #107
Beat 810R
Sgt S FRANKO #1381
Beat 830R
Sgt P MCGLYNN #1734
Beat 841R (Original report)
PO D FONTAINE #12698
PO R VIRAMONTES #10590
Beat 821R (Scene)
PO P KENNING #8302

PO R ROSALES #9654
Beat 823R (Scene)
PO D IVANKOVICH #12392
PO J TORRES #19898
Beat 833R (Scene)
PO A VANCE #11830
PO J GEISBUSH #16422
Beat 851R (Scene)
PO L GARCIA #6490
PO E FLAGG #12037
Beat 825R (Scene)
PO M POWER #8661
PO D WAHRER #13454
Beat 842 (Mt Sinai Hospital)
PO T DZIADKOWIEC #15529
PO C GACEK #17853
Beat 846R (Mt Sinai Hospital)
PO L TORRES #10573
PO M VEGA #8526

Beat 9210 (In-car camera system)
Sgt L BECVAR #1748

Beat 5880
Sgt D FRIEL #819
Beat 5802 (Scene)
FI C BRASIC #10201
ET K JUDEH #8825
Beat 5824 (Area Central)
ET P RIDER #9977
Beat 5809 (ME)
FI V RIVERA #11520
Beat 5885 (MIRV)
Det M RICKER #20201

Beat 5100
Cmdr E ROY #62
Beat 5105
Lt A WOJCIK #481
Beat 5107
Lt O VALDEZ #529
Beat 5120
Sgt D GALLAGHER #1303
Beat 5121
Det D MARCH #20563
Beat 5122
Det G JONES #21285
Beat 5131
Det J HALLORAN #20453

Det J MURRAY #21128
Beat 5132
Det F CASALE #21041
Det D HICKEY #20723
Beat 5165B
Det R HAGEN #20606
Det A MANAOIS #20320
Beat 5166A
Det R RANZZONI #20162
Beat 5127
Det V WATHEN #20493
Beat 5193
Det M NESTAD #20505
Det W JOHNSON #20169
Beat 5194
Det A GLAVIANO #21443
Beat 5192
Det T TEAHAN #20462
Beat 5125
Det T CURRAN #20948
Beat 5102D
Det B SVEC #20941
Beat 5142
Det S ESPARZA #20140
Beat 5106B
Det J MALIK #20729

IPRA
Chief of Staff S HIRSCH #3
Supervisor A AMEZAGA #022
Investigator B KILLEN #129
Public Affairs L MERRITT #23

FOP
PO Marlon HARVEY #16468
Kriston KATO
Daniel HERBERT (Attorney)

WITNESSES:

SEBASTIAN, Daphne L,
CPD - PO, #2763,
F / W / 45,
Assigned to 008th District,
3420 W 63rd St,
312-747-8730,
Beat 813R
(Circumstantial witness).

MONDRAGON, Janet,
CPD - PO, #4364,
F / WH / 37,
Assigned to 008th District,
3420 W 63rd St,
312-747-8730,
Beat 813R
(Circumstantial witness).

BACERRA, Arturo,
CPD - PO, #15790,
M / WH / 32,
Assigned to 008th District,
3420 W 63rd St,
312-747-8730,
Beat 822
(Circumstantial witness).

VELEZ, Leticia,
CPD - PO, #10385,
F / WH / 43,
Assigned to 008th District,
3420 W 63rd St,
312-747-8730,
Beat 822
(Circumstantial witness).

FONTAINE, Dora,
CPD - PO, #4484
F / WH / 47,
Assigned to 008th District,
3420 W 63rd St,
312-747-8730,
Beat 841R
(Eyewitness).

VIRAMONTES, Ricardo,
CPD - PO, #10590,
M / WH / 41,
Assigned to 008th District,
3420 W 63rd St,
312-747-8730,
Beat 841R
(Eyewitness).

[redacted]
F / WH / 24, [redacted]

[redacted]
(Circumstantial witness).

[redacted]
M / WH / 18, [redacted]
(Circumstantial witness).

[redacted]
F / WH / 19, [redacted]
(Circumstantial witness).

[redacted]
F / WH / 29, [redacted]
(Circumstantial witness).

[redacted]
M / WH / 25, [redacted]
(Circumstantial witness).

[redacted]
M / WH / 24, [redacted]
(Circumstantial witness).

[redacted]
F / WH / 30, [redacted]
(Circumstantial witness).

INTERVIEWED:

[redacted]
F / WH / 62, [redacted]

[redacted]
F / WH / 39, [redacted]

INVESTIGATION:

The details of this investigation are documented in the following Exceptionally Cleared Closed Report.

REPORT OF:

Detective David M MARCH #20563
Sergeant Daniel GALLAGHER #1303
Lieutenant Anthony WOJCIK #481
Bureau of Detectives - Area Central

From: Mc Naughton, David R. <david.mcnaughton@chicagopolice.org>
Sent: Thursday, October 30, 2014 3:42 PM
To: Gulliford, Wayne M.
Subject: 31 October after the EMM

Chief

I talked to Gene Roy and he will be available after the EMM/9th District Police Shooting briefing tomorrow to go over the 8th District shooting that occurred on 20 October.

David R. McNaughton

Deputy Chief

Area Central

312-745-1583

PAX 0336

From: Roy, Eugene J.
Sent: Thursday, October 30, 2014 3:27 PM
To: Mc Naughton, David R.
Subject: Re: two requests

I have the disk and will bring it. I will call you in about 15 mins and we can discuss those items.

Eugene Roy
Commander
Area Central Investigations
Chicago Police Department

Sent from my BlackBerry Wireless Handheld

From: Mc Naughton, David R.
Sent: Thursday, October 30, 2014 03:24 PM
To: Roy, Eugene J.
Subject: two requests



Gene,

When you have a minute can you give me a call. I am in the office all day today.

I'd like to see if we can give Chief Gulliford a run through of the Van Dyke shooting in 008 with the disc you have with the video. I am thinking since we will be down at 35th Street tomorrow for the briefing on the 9th District shooting we could go to Gulliford's office either before or after the 1400 Hour EMM and briefing.

I also have a off the beat request for the Wallenda event on Sunday night that I'd like to talk to you about.

Thanks

Dave

David R. McNaughton

Deputy Chief

Area Central

312-745-1583

PAX 0336

OIG 15-0564 014075

From: Mc Naughton, David R. <david.mcnaughton@chicagopolice.org>
Sent: Tuesday, October 21, 2014 5:42 AM
To: Wysinger, Alfonza; Admin141; Gulliford, Wayne M.
Subject: OCIC Log for 20 October 2014
Attachments: OCIC Log Form 20 Oct 14.doc

Attached is the log for last night.
David R. McNaughton
Deputy Chief
Area Central
Bureau of Patrol

EXHIBIT 13
DATE
Amicus Reporters.com

OCIC Activity Log
Office of the First Deputy Superintendent

OCIC Name	Deputy Chief David R. McNaughton	**Date**	20 October 2014
Driver		**Duty Hours**	2000-0600

Time	Incident/Activity/Violence Zone	Location/Violence Zone	Observation/Action Taken
2000- 2200	Reports	16th District	
2230-0700	Police shooting with hits. See HX475653. CL# 1072125, U#14-036. Beat 845R assisted 815R on a call of an offender being held. Responding officers confronted an offender armed with a knife. One officer discharged his weapon, and the offender succumbed to his wounds. Offender is Laquan Mc Donald, IR#2106340, M/1/17. Lance Becvar from PSIT arrived and checked all responding units for in car camera footage. Beat 813R's vehicle captured incident on camera.	4112 S. Pulaski	Conducted OCIC investigation. All notifications made, TRRs, MINs, and statement to News Affairs completed. Involved officer ordered to report to EAP. IAD beat 8018 completed tests, and IPRA on scene and at Area Central. Officers weapon recovered by Beat 5824.

OIG 15-0564 014077

In the Matter Of:

IN RE DAPHNE SEBASTIAN

DAPHNE SEBASTIAN

March 21, 2014

Amicus
court reporters, inc
300 West Adams St. Ste 800
Chicago, IL 60606
Phone: 312.641.3500
Fax: 312.641.3795
Email: info@amicusreporters.com

CITY OF CHICAGO

INSPECTOR GENERAL'S OFFICE

OFFICE OF INSPECTOR GENERAL

INTERVIEW OF:

DAPHNE SEBASTIAN

TRANSCRIPT OF PROCEEDINGS had in the above-entitled cause on the 21st day of March A.D. 2016

APPEARANCES:

INSPECTOR GENERAL'S OFFICE
740 North Sedgwick, Suite 200,
Chicago, Illinois 60654,
773-478-5227, by:
MS. SARAH S. ANSARI
Assistant Inspector General
sansari@chicagoinspectorgeneral.org
MR. KRISTOPHER BROWN
Investigator III
kbrown@chicagoinspectorgeneral.org,
Appeared on behalf of the Inspector General's Office;

J. RUSSELL LAW, LLC
206 South Jefferson
Chicago, Illinois 60661
312-207-1220, by:
MS. JENNIFER W. RUSSELL
jennifer.russell@jrusselllaw.com,
Appeared on behalf of the Interviewee.

ALSO PRESENT:

COMMANDER ROBERT KLIMAS, via telephone.

I N D E X

DAPHNE SEBASTIAN	EXAMINATION
BY MS. ANSARI	6, 40, etc.
BY MR. BROWN	31, 68, etc.

E X H I B I T S

NUMBER		MARKED PAGE
Exhibit 1	Advisement of Rights form	12
Exhibit 2	Officer Sebastian's interview, 2/24/14	15
Exhibit 3	Notification of Allegations, 2/24/16	16
Exhibit 4	Receipt Form, 2/24/16	16
Exhibit 5	Officer Sebastian's 10/21/14 IPRA interview	17
Exhibit 6	Case supplementary report	18
Exhibit 7	General progress date report date October 20, 2014	18
Exhibit 8	CPD special order S03-05	147
Exhibit 9	In Car Camera Video Retrieval Worksheet	159
Exhibit 10	E-mail from Sergeant Lance Becvar, 7/17/15	159

(Original exhibits sent to Ms. Ansari.)

MS. ANSARI: As a preliminary matter, I am providing the following information: An independent certified court reporter is present today to provide a verbatim transcript of this interview. To aid in the accuracy of the transcript, it is the custom and practice of court reporters to audio-record the interview.

The recording is the confidential work product property of the court reporter and it will not be provided to any party, including the Office of Inspector General. If you request, the audio recording will be discontinued.

So, Officer Sebastian, are you okay with the court reporter?

THE INTERVIEWEE: Yes.

MS. ANSARI: Let the record reflect that today's date is March 21, 2016. The time is --

MS. RUSSELL: I'm sorry, did you mean the audio recording of the --

MS. ANSARI: The audio recording, correct.

Let the record reflect that today's date is March 21, 2016. The time is 10:17. We are located at Amicus Court Reporters, 300 West Adams, Suite 800. My name is Sarah Ansari, the court

reporter is Andrew Pitts, and I'd ask that the other individuals present identify themselves and spell their name for the record.

MR. BROWN: Kristopher Brown, B-R-O-W-N, City of Chicago, Office of Inspector General.

MS. RUSSELL: Jennifer Russell, R-U-S-S-E-L-L, counsel for Officer Sebastian.

THE INTERVIEWEE: Daphne Sebastian, S-E-B-A-S-T-I-A-N.

MS. ANSARI: There are no other individuals present.

We are here today pursuant to an investigation being conducted under Chapter 2-56 of the Municipal Code of the City of Chicago. We are here for an interview of Officer Daphne Sebastian.

Officer Sebastian, would you please raise your right hand, and the court reporter will swear you in.

(Whereupon, the Interviewee was administered an oath.)

MS. RUSSELL: And prior to Officer Sebastian continuing her statement, we are asking for the Office of Inspector General's position on whether it believes criminal charges are probable in this case.

We believe that if, in fact, criminal charges are probable that the officer should be entitled to remain silent.

MS. ANSARI: OIG is conducting an administrative investigation, not a criminal investigation. We are not conducting a joint investigation and not working with any other law enforcement agency, including the State's Attorney.

As a result, we do not have an opinion on whether or not criminal charges are probable.

MS. RUSSELL: Our position then is regardless of whether or not the Office of Inspector General terms this an administrative investigation or otherwise, we believe that Officer Sebastian is entitled to remain silent.

MS. ANSARI: So we'll start with administrative rights.

DAPHNE SEBASTIAN,

called as an Interviewee herein, having been first administered an oath, was examined and testified as follows:

EXAMINATION

BY MS. ANSARI:

Q. Officer Sebastian, I am now going to hand

you a form that is marked Advisement of Rights. This has already been filled out with your name, my name, and Investigator Brown's name. I am going to ask you to read along with me as I go through it, and then I will ask you after each paragraph to acknowledge that you have read the paragraph.

A. Okay.

Q. "I understand that this interview is part of an official investigation and that I have a duty to cooperate with the Office of Inspector General, which includes answering all questions completely and truthfully."

Have you read that paragraph?

A. Yes, ma'am.

Q. "I understand that I have no right to remain silent. I understand that I have an obligation to answer questions put to me truthfully. I understand that if I refuse to answer questions put to me, I will be ordered by a superior officer to answer the questions.

"I further understand and have been advised that if I persist in my refusal to answer after an order to do so, such further refusal constitutes a violation of the rules and

regulations of the Chicago Police Department and may serve as the basis for my discharge."

A. I've read it and understand it.

Q. "I understand and have been advised that my statements or responses may constitute an official police report. I understand that Rule 14 of the Chicago Police Department's rules and regulations prohibits making a false report written or oral. And I further understand that making such a false report, whether written or oral, may result in my separation from the Chicago Police Department."

A. I've read and understand it.

Q. "I understand that any statement made by me during this interview may be used as evidence of misconduct or as the basis for disciplinary action up to and including removal or discharge."

A. I've read and understand it.

Q. "I understand that any statement made by me during this interview and the fruits thereof cannot be used against me in a criminal proceeding."

A. I have read and understand it.

Q. "I understand that I have a right to have

a union representative or legal counsel of my choosing present at the interview to consult with and that I will be given a reasonable time to obtain a union representative or legal counsel as long as the interview is not unduly delayed."

A. I've read and understand it.

Q. "I understand the refusal to answer any question or any false, inaccurate, or deliberately incomplete statement by me would constitute a violation of Chicago Municipal Ordinance 2-56 and may serve as the basis for my discharge."

A. I've read and understand it.

Q. "I acknowledge that the statement of my administrative rights has been read aloud to me and that I have been allowed to review this document."

A. I agree.

Q. If you will please sign at the bottom of this document.

MS. RUSSELL: Prior to executing this document.

THE INTERVIEWEE: Upon the advice of my counsel, I am refusing to answer further questions without the direct order of an immediate supervisor or a superior officer.

BY MS. ANSARI:

Q. Officer Sebastian, is it fair to say that you will not answer questions from the Office of Inspector General regarding the Laquan McDonald shooting?

A. Upon the advice of my counsel, yes, I am refusing to answer questions without a direct order.

MS. ANSARI: At this time I am going to place a phone call to Commander Robert Klimas.

Counsel, is it fair to say that you have agreed that we could have Commander Klimas order Officer Sebastian to answer questions via telephone?

MS. RUSSELL: Correct.

(Whereupon, a phone call was placed to Commander Klimas.)

COMMANDER KLIMAS: Bob Klimas.

MS. ANSARI: Commander Klimas, this is Sarah Ansari from the Office of the Inspector General.

COMMANDER KLIMAS: Good morning.

MS. ANSARI: Good morning. We are currently in a court-reported interview. Officer Daphne Sebastian, her counsel Jennifer Russell is here, Investigator Kris Brown, and I are all here.

The OIG having provided appropriate notice to Officer Sebastian of this interview is attempting to ask her questions regarding the Laquan McDonald shooting. She has refused to answer questions regarding the shooting absent a command from her superior officer. So I am asking you, Commander Klimas, to order Officer Sebastian to answer the Office of Inspector General's questions command her to.

COMMANDER KLIMAS: Okay. This is consider Commander Robert Klimas, K-L-I-M-A-S, for the Chicago Police Department, Bureau of Internal Affairs.

Officer Daphne Sebastian, I am giving you a direct order to answer all the questions posed to you today by Sarah Ansari or her designees from the Office of Inspector General, City of Chicago. Understand?

THE INTERVIEWEE: Yes, sir.

COMMANDER KLIMAS: Okay. Thank you.

MS. ANSARI: Thank you.

THE INTERVIEWEE: Thank you.

MS. RUSSELL: At this time, Officer Sebastian will acknowledge receipt of the advisement of rights

and sign.

MS. ANSARI: Okay. Thank you.

MS. RUSSELL: Is blue okay?

MR. BROWN: Blue is fine.

MS. ANSARI: Any color is okay.

MR. BROWN: And then we will witness after that.

MS. ANSARI: Yes. For the record, Sarah Ansari and Kristopher Brown will witness the advisement of rights.

(Whereupon, Exhibit 1 was marked for identification.)

MS. ANSARI: And we have marked the Advisement of Rights as Exhibit 1.

MS. RUSSELL: Prior to moving forward with the marking of exhibits, Officer Sebastian does have a statement that she would --

THE INTERVIEWEE: I have a statement that I would like to read. I believe that I am entitled to be informed of my constitutional rights to remain silent. I have received no assurances from the Office of the Inspector General that criminal charges are no probable.

Proceeding with this statement is in

violation of the applicable collective bargaining agreement, but I have been advised that I will lose my job if I refuse to provide a statement. This statement is not being made voluntarily, but under duress, and it is only being made at this time because I know that I will lose my job if I refuse the direct order being given to me by Commander Klimas. I am invoking each and every right granted to me under Garrity vs. New Jersey.

Also, on the advice of counsel, I am making the following additional objections. I am objecting to the fact that the City of Chicago Inspector General's Office is making allegations against me and conducting an investigation into its own allegations.

I am be objecting that this interview is taking place before an arbitrator has decided the issues that were raised in regards to this investigation. The Fraternal Order of Police has filed a grievance and injunction regarding this investigation, and the Inspector General refused to postpone this interrogation.

I am also objecting that I have requested my prior sworn testimony, namely the testimony I

provided to the Grand Jury. The Inspector General refused to provide me with a copy of my Grand Jury testimony and/or any other statement I have made to federal investigators in violation of my rights under the contract.

The Inspector General indicates that it does not have possession of my Grand Jury testimony. To the extent that I am questioned about my Grand Jury testimony, I assert that the testimony is truthful and was based upon my recollection at the time. I stand by all of my answers.

My notification -- okay.

MS. ANSARI: It is the OIG's position that we are conducting -- as we have stated, we are conducting an administrative investigation, not a criminal investigation. We are not working with any other law enforcement agency, and we are not conducting a joint investigation.

As this is an administrative investigation that relates to your employment and therefore under the CBA and the general order, the administrative rights that you were provided are appropriate, and you are not entitled to Miranda rights.

With regards to the Grand Jury statement, OIG does not have your Grand Jury statement in its possession, and under the CBA, the OIG does not have an obligation to provide Officer Sebastian with a statement that is not in its possession.

BY MS. ANSARI:

Q. Okay. Officer Sebastian, I am going to mark several documents into the record and ask you if you have seen them and you received them. So we will just kind of go through in a list.

A. Okay.

MR. BROWN: We'll go one by one?

MS. ANSARI: Yes. We are marking as Exhibit 2 Officer Sebastian's notification of interview dated February 24, 2016.

(Whereupon, Exhibit 2 was marked for identification.)

BY MS. ANSARI:

Q. Officer Sebastian, have you seen this exhibit?

A. Yes, I have.

Q. Did IAD provide you with this document on or about February 24, 2016?

A. Yes.

Q. I am going to mark as Exhibit 3 --

MR. BROWN: You didn't have one?

THE INTERVIEWEE: Oh, here you go.

(Whereupon, Exhibit 3 was marked for identification.)

BY MS. ANSARI:

Q. This document is entitled Notification of Allegations, dated February 24, 2016.

Officer Sebastian, have you seen this Exhibit?

A. Yes, ma'am.

Q. Did IAD provide you this document on or about February 24, 2016?

A. Yes.

MS. ANSARI: Can you read back? Did I accidentally call that one 4, the one that we just entered into the record?

(Whereupon, the record was read by the reporter as requested.)

MS. ANSARI: Marking as Exhibit 4 a document entitled Receipt Form dated February 24, 2016.

(Whereupon, Exhibit 4 was marked for identification.)

BY MS. ANSARI:

Q. Officer Sebastian, have you seen this document?

A. Yes, ma'am.

Q. Did IAD provide you with this document on or about February 24, 2016?

A. Yes.

Q. If you will turn to the second page. Is that your signature on this document?

A. Yes.

MS. RUSSELL: And, for the record, Officer Sebastian states that she received audio files from 813 Robert and 845 Robert. No audio files were contained in the materials she was provided, as we will fully explore later.

MS. ANSARI: Marking as Exhibit 5 the transcript of Officer Sebastian's October 21, 2014 interview with the Independent Police Review Authority.

(Whereupon, Exhibit 5 was marked for identification.)

BY MS. ANSARI:

Q. Officer Sebastian, have you seen this document?

A. Yes.

Q. Did IAD provide you with this document on or about February 24, 2016?

A. Yes.

(Whereupon, Exhibit 6 was marked for identification.)

MS. ANSARI: Marking as Exhibit 6 an excerpt of a CPD case supplementary report dated March 16, 2015 with RD number HX 475653 containing Officer Sebastian's statement to Detective March.

BY MS. ANSARI:

Q. With respect to Exhibit 6, Officer Sebastian, have you seen it?

A. Yes.

Q. Did IAD provide you with this document on or about February 24, 2016?

A. Yes.

(Whereupon, Exhibit 7 was marked for identification.)

MS. ANSARI: Marking as Exhibit 7 a general progress report dated October 20, 2014 with RD number HX 475653 containing Detective March's notes of his interview with Officer Sebastian.

BY MS. ANSARI:

Q. Officer Sebastian, have you seen this document?

A. Yes.

Q. Did IAD provide you with this document on or about February 24, 2016?

A. Yes, ma'am.

Q. Okay. In order to prepare for today's interview, did you review the materials we have provided so far?

A. Yes.

Q. Those materials included video from the in-car video systems of vehicle 813 and 845, correct?

A. They did; however, I was unable to -- I reviewed the documents. I was unable to review the video from 845 and 813's vehicle. I was able to pull up the Dunkin' Donuts one.

Q. Okay.

A. For some reason, I don't know whether it's my computer, I couldn't view it. So --

Q. So you viewed the Dunkin' Donuts security video, but you were unable to review the video from 813 Robert and 845 Robert?

A. Correct.

Q. Since receiving our notice of interview, did you review any other materials for this interview other than the materials we provided you?

A. No.

Q. Aside from your attorney, who did you speak to in preparation for this interview?

A. Just my attorney.

MS. ANSARI: And, Jennifer, I just wanted to confirm for the record that we will provide the transcript within 72 hours of receipt, not within 72 hours of the interview. Is that --

MS. RUSSELL: Agreed. Understood.

BY MS. ANSARI:

Q. So I am going to start with some background questions.

What is your star number?

A. 2763.

Q. Okay. And your current unit of assignment?

A. 8th district.

Q. Was your unit of assignment the 8th District on October 20, 2014?

A. Yes.

Q. What watch were you on as of that date?

A. First watch.

MS. RUSSELL: Can we go off the record for one second?

MR. BROWN: Sure. The time is now 10:36, and we are off the record.

(Whereupon, a break was taken from 10:36 to 10:37 a.m.)

MR. BROWN: The time is now 10:37, and we will go back on the record.

BY MS. ANSARI:

Q. What was your chain of command as of October 20, 2014?

A. As far as, like, sergeant, lieutenant?

Q. Sergeant, lieutenant, perhaps commander. Who was your sergeant?

A. I don't know who my sergeant was that night.

Q. Okay.

A. The lieutenant -- I'm not even sure who the lieutenant was that night.

Q. And who was your commander?

A. At that time? I'm not sure who the commander was, because we had -- we have had a

couple changes. So I'm not sure who the commander was that night.

Q. What is your personal cell phone number as of -- what is your personal cell phone number?

A. [redacted].

Q. Was that your cell phone number as of October 20, 2014?

A. Yes.

MS. ANSARI: Do you have any background questions?

MR. BROWN: I do not.

BY MS. ANSARI:

Q. So we are going to ask you a couple questions about your statement to the Grand Jury. You were summoned to give testimony before a Federal Grand Jury regarding the Laquan McDonald shooting, correct?

A. Yes.

Q. Did you give testimony -- when was that testimony?

A. I don't know what the date was. Sometime in 2015.

Q. Was it -- do you remember if it was the summer?

A. I don't remember.

Q. Do you remember if it was before or after November 2015?

A. I don't remember.

Q. In your statement to the Grand Jury, did you assert your rights under the Fifth Amendment and refuse to testify?

A. No.

Q. Did you request immunity to testify?

A. No.

Q. Were you given any immunity to testify before the Grand Jury?

A. No.

Q. Do you recall approximately how long you were in the Grand Jury testifying?

A. I do not.

Q. Was it more than -- was it more than a day?

A. No. It was not more than a day.

Q. Do you recall if it was more than five hours or less than five?

A. I don't recall.

Q. Did you provide a witness statement to the Grand Jury?

A. No.
Q. In the Grand Jury, were you asked questions about the Laquan McDonald shooting?
A. Yes.
Q. Did you describe the shooting incident?
A. I don't remember.
Q. You don't remember describing the incident?
A. I don't remember what they asked me. I don't remember.
Q. Have you ever testified before a Grand Jury before?
A. Before the Laquan --
Q. Before the Grand Jury related to the Laquan McDonald shooting?
A. No.
Q. And you are aware if you lie in a Grand Jury, you are potentially subject to criminal liability, correct?
A. Correct.
Q. So the accuracy of your testimony that day regarding the Laquan McDonald shooting was extremely important, correct?
A. Yes.

THE INTERVIEWEE: Can I ask? Let me just ask her a question real quick.

MS. ANSARI: Let's go off the record.

MR. BROWN: It's 10:41. We are going to go off the record.

(Whereupon, a break was taken from 10:41 to 10:42 a.m.)

MR. BROWN: Time is now 10:42, and we're back on the record.

THE INTERVIEWEE: For clarification, I have only testified in front of the Federal Grand Jury the one time. I have been to 26th Street for the Cook County Grand Jury a handful of times in my career.

BY MS. ANSARI:

Q. In your career -- well, have you been to 26th Street in front of the Cook County Grand Jury related to the Laquan McDonald shooting?

A. No.

Q. So the only testimony you gave related to the criminal prosecution or in a Grand Jury was the Federal Grand Jury related to the Laquan McDonald shooting, correct?

A. That's the only Federal Grand Jury I've

been to, yes.

Q. And that is the only Grand Jury -- just, that is the only Grand Jury you went to related to Laquan McDonald?

A. Yes.

Q. Okay. And only once?

A. Yes.

Q. And you said it was no more than a day? You did not go for more than a day?

A. No.

Q. Do you recall what you were asked in the Federal Grand Jury?

A. I do not recall.

Q. And as part of your job as a police officer, it is important to remember details, correct?

A. Yes, ma'am.

Q. And you would agree that testifying in a Grand Jury was a very important experience, correct?

A. Yes.

Q. And you have never testified in a Federal Grand Jury before?

A. Correct.

Q. Have you ever testified related to an officer-involved shooting before?

A. No.

Q. Okay. So this was an important experience that would stand out in your memory, correct?

MS. RUSSELL: The Laquan McDonald shooting or the Grand Jury?

MS. ANSARI: The Grand Jury?

BY THE INTERVIEWEE:

A. I'm sorry. Repeat the question.

BY MS. ANSARI:

Q. So testifying in front of a Grand Jury would be something that would stand out in your memory?

A. Not really.

Q. And you stated you don't recall describing the Laquan McDonald shooting in the Grand Jury?

A. I don't recall whether I did or not.

Q. And you don't recall what the federal prosecutors asked you?

A. I didn't --

Q. Or what you were asked in the Grand Jury?

A. No, I don't.
Q. Okay. Did the federal prosecutors present you with any reports in the Grand Jury, any documents?
A. I don't recall.
Q. Were you asked about your statement to IPRA in the Grand Jury?
A. I don't recall.
Q. Were you asked about your sometimes Detective March in the Grand Jury?
A. I don't recall.
Q. Prior to your Grand Jury testimony, who did you speak with about what you were going to say about the shooting before your Grand Jury?
A. My attorney.
Q. Did you speak with anyone else besides your attorney?
A. No.
Q. Did you speak with the FBI?
A. I did speak with the FBI. I did get interviewed by the FBI.
Q. Do you remember how much -- how many days before the Grand Jury you were interviewed by the FBI?

A. No, I don't.
Q. Was it days? weeks? months?
A. I have no idea.
Q. Do you recall who interviewed you from the FBI?
A. Two females, but I don't recall their names.
Q. What did you say to those FBI agents?
A. I don't recall.
Q. Do you remember what you were asked?
A. I don't, other than the events of the evening of the Laquan McDonald shooting.
Q. So they asked you to relate your perception of the events of that evening?
A. No. The subject matter was of the Laquan McDonald shooting. I don't recall if they asked me the events of that night. The questions that they asked resolved around that evening.
Q. Did you have any communications with Officer Mondragon before your Grand Jury testimony?
A. Regarding the Grand Jury testimony?
Q. Yes. Correct.
A. Other than what day I was going, what time, you know, no.

Q. You didn't have any conversations with Officer Mondragon about what you were going to say in the Grand Jury?

A. No.

Q. So nothing substantive?

A. Correct.

Q. No phone calls?

A. To?

Q. To Officer Mondragon?

A. Officer Mondragon? No, not that I can recall.

Q. No --

A. Right. Not -- I mean, not that I can recall, and, again, not regarding any substance.

Q. Did you have any communications with Officer Van Dyke before your Grand Jury testimony?

A. No.

MS. RUSSELL: Can we just clarify? You know, in preparation for the Grand Jury, between the shooting -- between the shooting and the Grand Jury or --

MS. ANSARI: In preparation for the Grand Jury.

MS. RUSSELL: Okay.

BY THE INTERVIEWEE:

A. No, I did not.

MS. RUSSELL: The answer may be the same, frankly, but I just want to make sure it's --

MS. ANSARI: But you're right. It is temporal.

BY MS. ANSARI:

Q. It is before the Grand Jury in preparation for the Grand Jury.

Did you make any attempt to ensure that the statement you were going to provide to the Grand Jury was consistent with the statements provided by other officers who were present at the McDonald shooting?

A. No.

MS. ANSARI: Kris, do you have any questions regarding Grand Jury?

MR. BROWN: I do have a couple quick follow-up questions.

THE INTERVIEWEE: Sure.

EXAMINATION

BY MR. BROWN:

Q. Did the interview with the FBI occur prior to your testimony at the Federal Grand Jury?

A. Yes.

Q. Do you recall when that interview with the FBI occurred?

A. No.

Q. Same season?

A. I don't recall. Again, it was in 2015. I have no recollection of the date.

Q. Was it shortly before the Grand Jury?

A. I don't remember.

Q. Do you recall where the interview with the FBI occurred?

A. I don't know for sure. I think it was at 26th and Cal, but I can't be 100 percent on that.

Q. Who was in attendance besides yourself and the two FBI agents you mentioned for that interview?

A. The two FBI agents, and then someone came in at the end. I don't know who it was. Another female.

Q. Was that female another FBI agent?

A. I have no idea. No idea.

Q. Was there a Cook County State's Attorney's representative there?

A. I don't know. I don't know.

Q. Do you know if a U.S. Attorney's Office representative was there?

A. I don't know.

Q. Did you prepare in any way for that interview with the FBI?

A. No.

Q. Were you represented at the time?

A. Yes.

Q. Who were you represented by?

A. Colleen Daley.

Q. Okay. Had you seen the documents that I guess were tendered to you by our office via IAD in February? Had you seen those documents prior to your interview that you had?

A. Prior to my interview with the FBI? The only document that I had prior to the interviews or anything was my IPRA statement that I was given the CD of that evening. I had nothing else.

Q. Okay. Did you review the IPRA statement in preparation for the interview with the FBI?

A. I don't remember.

Q. Were you asked questions about the IPRA statement during your interview with the FBI?

A. I don't remember.

Q. Okay. Moving on to the Grand Jury testimony, were you also represented by Colleen Daley before giving that testimony?

A. Yes.

Q. Okay. Similar questions: Did you prepare prior to giving your testimony at the Grand Jury?

THE INTERVIEWEE: And can I ask you -- can I take one more break.

MR. BROWN: Sure.

The time is now 10:51, and we are off the record.

(Whereupon, a break was taken from 10:51 to 10:53 a.m.)

MR. BROWN: The time is now 10:53. We are going to go back on the record.

THE INTERVIEWEE: I would like to clarify something. I was asked by Sarah -- I don't know how to pronounce your last name, sorry.

MS. ANSARI: That's fine.

THE INTERVIEWEE: If I remembered if my Grand Jury testimony was prior to November of 2015, to which I stated no; however, I can relate that I know that my Grand Jury testimony was prior to Officer

Jason Van Dyke being charged with first-degree murder. I do believe after thought that that might have been in November.

So I do want to clarify that my Grand Jury testimony was before he was charged with murder. So it was before, I believe, whatever the date -- I think it was in November for Officer Van Dyke.

MS. ANSARI: Okay.

THE INTERVIEWEE: Okay.

BY MR. BROWN:

Q. And how were you notified to, I guess, attend the Grand Jury?

A. I don't recall.

Q. Do you know if the notification was made to you, or could it possibly have been made to your attorney?

A. I don't remember.

Q. Is it possible that you might have been notified during roll call on one particular evening?

A. It's possible.

Q. Do you recall any of your co-workers receiving notifications to attend the Grand Jury

during roll call?

A. When they give a notification in roll call, they don't specify what it's for. They just say you have a notification to go -- you know, to report to 26th. They don't always specify what it's for. So even if they did get a notification, I may not have known what it was for.

Q. On that same line, did you speak with any of your co-workers about receiving notifications to give testimony before the Grand Jury?

A. Yes.

Q. Do you recall who you might have spoken with?

A. I know that Janet told me that the FBI showed up at her house to present her with her notification. So that's the only one I know of other than -- I mean, I remember people saying they were getting notified, but the specifics I have no idea.

Q. Is it safe to say that you were not notified via a visit from the FBI to your house?

A. I was not notified in that manner.

Q. I would think that would stick out.

MS. ANSARI: You would have remembered that?

THE INTERVIEWEE: Yeah. My kids would have.
BY MR. BROWN:
Q. Prior to giving your testimony before the Grand Jury, do you recall signing any documents before giving that testimony?
A. I do not recall signing any documents.
Q. I know you mentioned that prior to your FBI interview, you had a chance to review the IPRA statement?
A. Well, I had my IPRA statement on CD, but I don't recall, like, reviewing it, whether I did or not.
Q. Okay. That was going to be my next question.
Did you have an opportunity to review your IPRA statement prior to the Grand Jury testimony?
A. I don't remember.
Q. Do you recall reviewing any other documents prior to the Grand Jury testimony?
A. No, I don't.
Q. Do you recall being asked questions about your IPRA statement during the Grand Jury testimony?

A. I don't recall.

Q. Would it be easier for you to just give us a narrative as to what was talked about during the Grand Jury testimony?

A. No, because I don't remember. If I had the transcripts, I would be able to go through it, but I don't. I don't remember.

MS. RUSSELL: Can we take a minute?

MR. BROWN: Sure. The time is now 10:57, and we are going to go off the record.

(Whereupon, a break was taken from 10:57 to 10:58.)

MR. BROWN: Time is now 10:58, and we are back on the record.

MS. RUSSELL: Do you mind reading back that last question. Thank you.

(Whereupon, the record was read by the reporter as requested.)

THE INTERVIEWEE: Okay. So I cannot provide a narrative of what was asked of me during the Grand Jury testimony, only that it related to the shooting of Laquan McDonald and the evening, the events of that evening.

BY MR. BROWN:

Q. Okay. Were you asked did you observe the shooting?

A. I don't remember specifically what the questions were. So I don't want to say that because I don't remember specifically what the questions were.

Q. Okay. Were you shown any videos during your testimony?

A. I was shown the dashboard cam of 813 Robert. I do remember that.

Q. Was that your first time seeing the video, that day?

A. Other than the night of the -- other than that night, yes. The night of the shooting.

Q. What questions were you asked about the video?

A. I don't remember.

Q. Were you asked if the shooting of McDonald was justified?

A. I don't remember. I don't remember any of the questions revolving it -- I remember, or that were involved. I do remember viewing the video.

Q. Is it safe to say that whatever question I ask, you are going to respond you are not going to be able to remember?

A. Correct.

Q. That's fine. Okay.

A. Like said, if I had the Grand Jury testimony, I would be happy to go through it, but I don't recall without -- I have no independent recollection of it.

MR. BROWN: Okay. That was the last of my questions, Sarah.

FURTHER EXAMINATION

BY MS. ANSARI:

Q. I think the only thing that I am curious about is after you reviewed the video in the Grand Jury, did you modify any of the statements you had made before, such as, like, your IPRA statement or your statements to Detective March?

A. I don't recall.

Q. Okay. We are going to move on to the night of the shooting, October 20, 2014.

A. Okay.

Q. You were present when Laquan McDonald was shot that night?

A. Yes, ma'am.

Q. Would you walk us through what happened immediately following the shooting, just provide a narrative.

A. Of what I did immediately following the shooting?

Q. Yes. That's correct.

A. Immediately following shooting, when I exited my vehicle, my partner -- my partner alerted me to look. There was traffic coming from over the hill. I don't know if you're familiar with the area, but it goes over I-55, and there were citizens' vehicles coming southbound. So we immediately started directing traffic as those vehicles were coming towards.

Q. Okay.

A. Yeah.

Q. On your own initiative, you started directing traffic, correct?

A. Yes.

Q. So there was no sergeant on the scene?

A. If there was, I have no idea if there was a sergeant on the scene at that time.

Q. Were there any other officers in addition

to you and your partner, Officer Mondragon, also directing traffic?

A. Not specifically where we were standing. Not that I noticed. If they were anywhere else, I have no idea.

Q. And so where were you directing -- if you could repeat again where you were directing traffic.

A. There is -- so we were at approximately the vehicle -- we were in the southbound lanes, so the traffic would be coming from over the bridge southbound, and where our car was just behind it. I can't give you an exact address of where our car ended up.

Q. Okay. Did you direct any civilians away from the scene who were there when the shooting occurred?

A. No, not that I recall.

Q. Are you aware of any other officers directing civilians away from the scene who -- civilians who were present when the shooting occurred, away from the scene?

A. No.

Q. And anyone that you directed to leave the

scene, the cars that had come up after the shooting, were the people that --

A. The traffic, yes.

Q. -- you directed? Okay.

MS. RUSSELL: I want to make sure I clarify that. You know, immediately after the shooting is when Officer Sebastian and Mondragon went to traffic.

MS. ANSARI: Yes. Immediately after.

THE INTERVIEWEE: Correct.

BY MS. ANSARI:

Q. So that was what we were getting at was --

A. Yes.

Q. -- what you stated.

When did you stop directing the traffic?

A. I don't remember. When more resources showed up, but I couldn't give you a timeline.

Q. Would it be an hour, less than an hour, less than 30 minutes? Could you give an approximation?

A. I would say less than an hour, but other than that, I can't specify.

Q. So within an hour after the shooting

occurred, you were directing traffic. After you stopped directing traffic, when other resources came in, then what did you do?

A. Just stood by our car.

Q. You were with your partner, Officer Mondragon?

A. Yes.

Q. You stood outside of your car or waited inside your car?

A. In and out. In and out of the car. Let me clarify that she wasn't right next to me the whole time.

Q. Right.

A. However, we were in and out of the car.

Q. Officer Mondragon and you were in the same area but not necessarily with each other?

A. Correct.

Q. Following the shooting, in the immediate after -- while you were directing traffic after the shooting, did you talk to any other officers at the scene?

A. While we were directing traffic, no.

Q. Besides your partner, Officer Mondragon, who was the first person you talked to after the

shooting?

A. I don't recall.

Q. Did you talk to any of the other officers that were present at the shooting after the -- directly after the shooting at the scene?

MS. RUSSELL: After they were done directing traffic?

MS. ANSARI: Yeah.

THE INTERVIEWEE: Okay.

BY MS. ANSARI:

Q. And we're going to say, just to clarify, until I say otherwise, we are talking about at the scene, you know, at 41st and Pulaski, not after that.

A. Okay.

Q. So we will stay kind of in that time period.

A. Okay. I did have a brief conversation with Officer Walsh.

Q. And what did you guys talk about?

A. He told me to notify another officer that was either calling or trying to contact Officer Van Dyke. Joe asked if I could get ahold of him and tell him to leave it alone, knock it

off.

Q. Who was the officer that Walsh want you to notify?

A. Geisbush. I don't know how to spell it.

Q. And what do you mean he told -- can you explain that?

A. He just said -- Joe just told me very basically, from what I can recall, "Call Geisbush and tell him to quit bothering Jason, quit calling him."

Again, not exact, not verbatim, but it was basically like, hey, tell him to leave him alone, you know.

Q. Was Geisbush trying to call Van Dyke?

A. I don't know if he was calling to -- I don't know in what form, but he said just call him and tell him to leave him, you know, to stop. So I'm assuming -- I don't know. I don't want to assume. Somehow he was trying to contact Van Dyke, and he said tell him to leave him alone.

Q. Okay. And Walsh didn't give you any information about what Geisbush was trying to --

A. No.

Q. -- tell Van Dyke?

A. No.
Q. Okay. About how long after the shooting was this interaction with Walsh?
A. I have no idea.
Q. Was it after you started -- after you were done directing traffic?
A. Yes.
Q. Did you speak with Officer Van Dyke after the shooting at the scene?
A. No.
Q. Was that the only interaction you had with Officer Walsh at the scene?
A. Yes.
Q. Did you speak with Officer Dora Fontaine at the scene?
A. No.
Q. So back to Walsh, you stated that you only had one interaction with him at the scene, and that's when he asked you to get ahold of Officer Geisbush and tell him to stop bothering Jason Van Dyke?
A. Yes.
Q. Correct?
Okay. What is your relationship with

Officer Walsh?

A. Co-worker.

Q. Co-workers?

A. Yes.

Q. How long have you worked together, approximately?

A. I have no idea. I don't know what -- he came to midnights a few years ago, but I don't know how many years it's been.

Q. Do you ever socialize outside of work with Officer Walsh?

A. No.

Q. What is your relationship with Officer Van Dyke prior to October 20, 2014?

A. Co-worker.

Q. Co-worker?

Were you ever interviewed in the context of other complaints made against him?

A. No.

Q. Okay. Have you ever worked him -- or how long have you worked with Officer Van Dyke?

A. Again, I don't know how long he's been a -- as long as he has been on the watch.

Q. How often do you see him at work?

A. Just in passing. I've never worked in the same vehicle with him before.

Q. Okay.

A. I've never been partners with him.

Q. Have you ever been partners with Officer Walsh?

A. Occasionally.

Q. Occasionally?

A. Uh-huh.

Q. Can you estimate about how often?

A. No. When my other two partners are on furlough, they will just put whoever's available, you know.

Q. And you never socialize with Officer Van Dyke outside of work?

A. He was at one Christmas party a couple years ago.

Q. Okay.

A. That's the only time I've ever been in a social setting with him.

Q. And that's the same with Walsh?

A. Walsh doesn't --

Q. Have you ever socialized with Walsh outside of work?

A. No. He doesn't go to any of that stuff, or not that I've seen. I don't go that often, so --

Q. Okay. Your partner, Officer Mondragon, how long have you two been partners?

A. Several years, but I can't remember exactly when we became partners.

Q. Do you ever socialize with her outside of work?

A. Occasionally.

Q. Can you estimate how often?

A. Once a month.

Q. Once a month?

A. And it's usually just to see her daughter.

Q. She has a new daughter or --

A. She has a two-year-old. She'll be three in a couple days.

Q. And she was your regular partner?

A. She's one of my regular partners. We have a third partner.

Q. Who is the third partner?

A. Right now, it's Tony Wilson.

Q. Okay.

A. We're on a three-man rotation.

Q. So how does that work? How often do you end up working with Officer Mondragon?

A. I do two three days and Officer Mondragon and two days with Wilson. I'm sorry.

Q. No, that's right. That's exactly what I was getting at. Okay.

What is your relationship with Officer Dora Fontaine as of October 20, 2014?

A. Co-worker.

Q. Co-worker? Do you ever socialize with Officer Fontaine?

A. Before that date, no.

Q. After that date?

A. After that date, one -- her family has a lake house. It is in close proximity to my daughter's college. So we stopped there for the day with my younger daughter's step-daughters, the day before I went to see my daughter.

Q. But prior to October 20, 2014, you did not socialize with Officer Fontaine outside of work?

A. No.

Q. How long have you known her?

A. Since the day I came to the 8th district on midnights. When I started midnights, she was there.

Q. Okay. And when was that?

A. Oh, that would be 2/8 after my academy and all of the PPO stuff. Sometime in 2004.

Q. Did you ever work with Officer Fontaine prior to October 20, 2014 or work with her on the same -- was she ever your partner?

A. Yes.

Q. What is your relationship with Officer Ricardo Viramontes as after October 20, 2014?

A. Co-worker.

Q. Co-worker. Did you ever socialize with him outside of work?

A. No.

Q. Did you ever work together prior to October 20, 2014?

A. Couple times, yeah.

Q. Same question regarding Officer Thomas Gaffney: What was your relationship with him as of October 20, 2014?

A. Co-worker.

Q. Did you ever socialize with him outside

of work?

A. No.

Q. Did you two ever work together?

A. I don't remember.

Q. What was your relationship with Officer Joseph McElligott as of October 20, 2014?

A. Co-worker.

Q. Did you ever socialize with him outside of work?

A. No.

Q. Did you two ever work together?

A. We have worked together also.

Q. About how often?

A. Again, when my partners are on furlough or his partners are on furlough. So I can't even give you a number.

Q. What was your relationship with Officer Arturo Becerras (phonetic) as of the October 20, 2014?

A. I don't even know him.

Q. So it's fair to say you do not socialize with him outside of work?

A. I do not socialize with him outside of work.

Q. What was your relationship with Officer Leticia Velez as of October of 20, 2014?

A. I do not -- I don't know her either.

Q. You don't know her either.

A. No.

Q. Okay.

A. If she was standing in front of me, I -- because they work afternoons.

Q. Right. They are a different watch, correct?

A. Correct. Yes.

Q. Okay. But Walsh, Van Dyke, Viramontes, Fontaine, Gaffney, and McElligott, all on your watch?

A. Correct.

Q. So you have a familiarity with all of those officers, correct?

A. Correct.

Q. Okay. That was a little bit of a tangent. We're going to go back.

So back to the night of the shooting, you spoke with Officer Walsh once. Were there any other officers that you spoke to at the scene of the shooting besides your partner, Officer

Mondragon, which we will get to?

A. I don't remember talking to anybody specifically. I know that the tech person that comes in gets the information off the camera was there.

Q. Okay.

A. I know -- I did speak with Sergeant Franco.

Q. Okay.

A. And a detective.

Q. So we will take each of those kind of separately.

But in terms of police officers, did you speak with any other POs?

A. I don't remember if I did or not.

Q. Now, for your partner, for Officer Mondragon, did you speak with her after the shooting?

A. Yes.

Q. What did you guys talk about -- what did you two talk about?

A. Directing traffic, you know, that we should stay close to the car knowing that our camera was on, and that's about it.

Q. Did you discuss what you had seen?

A. We didn't discuss what we saw, no.

Q. Okay.

A. Just that, you know, like, "Oh, my gosh, you know, just" --

Q. So when you say just, "Oh, my gosh," what do you mean?

A. Well, just that, I mean, it's a big incident.

Q. Have you ever witnessed an officer-involved shooting before this?

A. No.

Q. Have you ever witnessed a shooting before this?

A. No.

Q. Okay. So this is the first time anyone has been shot --

A. In front of me.

Q. In front of you?

A. Yes.

Q. Okay. So it was a stressful, a stressful or traumatic situation?

A. I wouldn't say stressful or traumatic, but it's, you know, it's --

Q. Something that sticks in your memory?

A. Right.

Q. And so you were just talking about that with Officer Mondragon, correct?

MS. RUSSELL: I think she said they were like, "Oh, my gosh." Like, that's what they discussed.

BY THE INTERVIEWEE:

A. Just that's it, just, "Oh, my gosh." You know?

BY MS. ANSARI:

Q. You said you spoke with Sergeant Franco at the scene, correct?

A. Correct.

Q. About how long after the shooting did you speak with Officer Franco?

A. I don't recall.

Q. Was it more than an hour after the shooting, less than an hour, while you were directing traffic?

A. I have no idea.

Q. Was it after you were done directing traffic? Do you remember that?

A. I don't even remember that.

Q. What did you talk about with Officer

Franco?

MS. RUSSELL: Sergeant.

BY MS. ANSARI:

Q. Sergeant Franco?

A. Yeah, I don't remember specifically what we talked about.

Q. But he didn't ask you to direct traffic, correct?

A. Correct.

Q. Did he direct you to do any other activities at the scene?

A. No activities at the scene, no.

Q. Did he tell you to stay put so you could be interviewed by a detective?

A. I don't remember specifically.

Q. Okay.

A. I mean, it was along those lines, but I don't want to get -- you know, it was just, you know, stay put, you know, but I don't remember specifically what he said.

Q. Right. Right. And it's okay, too, if you remember the general gifts of it. You can say that.

A. Okay.

Q. That's fine. We are never going to expect anyone to remember the exact words used in a conversation that long ago.

A. Okay. Generally, "Are you guys okay? Do you need anything?" You know, just those type of supervisor -- I mean, just, you know, "Do you need anything, are you okay," meaning in regards to -- well, I don't know in regards to, just the "are you okay?"

Q. Did you discuss what you saw of the shooting with Officer -- with Sergeant Franco?

A. No.

Q. Now, you said a technician came to your car, correct?

A. Correct.

Q. Do you remember that person's name?

A. I don't.

Q. Does Officer Lance Becvar or Detective Lance -- Lance Becvar sound familiar?

A. No. No. I mean I have no idea what his name was. I mean, he did tell us that night, but I don't recall what it was.

Q. What it was. Okay.

Do you remember if it was a sergeant?

A. I don't.
Q. About how long after the shooting did the technician come to your car?
A. I don't remember.
Q. Was it after you were done directing traffic?
A. It was after I was done directing traffic, yes.
Q. So maybe less than two hours?
A. I have no idea at that point.
Q. Just as a general, how long were you at the scene after the shooting?
A. I don't remember that.
Q. So the technician comes to your car. Was Officer Mondragon there at the time also?
A. I don't remember.
Q. And what did he say?
A. He just identified himself and that he was the technician that would handle the camera, the --
Q. Okay. And did he play the camera -- I guess, how does that work, him coming to get the video off of your car?
A. I have no idea.

Q. Okay.

A. I don't --

Q. So you weren't there watching him and --

A. I was there and I was present, but I don't know what he was doing.

Q. Did he play the video for you?

A. I can't remember.

Q. Did he confirm that -- did you already know before he had gotten there that you had captured video of the event, that your car had captured video of the event?

A. Well, I didn't really know for sure. I mean, I knew the camera was on. I knew the camera was supposed to be taping, but these cameras are very -- you know, sometimes you think that it's on and you think that it's working, and you go back and it doesn't capture anything.

So we did what we were supposed to, to log onto it, but the signal was on that it was recording, but at that point, we didn't know if it was stored, if it was really recording or not.

Q. Okay. And just to reiterate, did the technician confirm with you that you had captured video at that moment?

A. I don't know that he confirmed it with us.

Q. And you don't recall whether he showed you video?

A. I don't.

Q. And did you have any conversations with him regarding what you had seen of the shooting?

A. No.

Q. Did you have any other -- any conversations with him, besides --

A. No.

Q. -- "Hey, I want to come get the video off the car"?

A. Right. "Hey, this is so-and-so, so-and-so with" -- whatever they call that unit, no.

Q. Okay. Did you speak with the technician after you had spoken with Sergeant Franco?

A. I don't remember.

Q. Did you speak with him before or after you had spoken with the detective?

A. I don't remember.

Q. So you said you spoke to a detective. That was Detective March, correct?

A. I spoke to a detective. He identified himself that night. I don't remember whether it was Detective March or not.

Q. After the fact, that night you weren't sure if it was Detective March, correct?

A. Correct.

Q. Okay. After the fact --

A. I mean, he did identify himself, but I don't remember.

Q. Okay. And after the fact, reviewing the documents that we have provided you, are you confident that Detective March was the detective who you had spoken to?

A. Well, I'm not confident because I don't know. It's documented that way.

Q. Okay.

A. I have no independent recollection that it was Detective March, but I have no reason to doubt it because of the documents that you have provided to me.

Q. Okay. Great. So have you ever worked with Detective March before this night?

A. Not that I recall.

Q. Did you know him before?

A. No.
Q. Okay.
A. Personally, no. Do you pass people in the hallway or -- hey, I pass a lot of people in the hallway that I say hello to. I have no idea what they are, especially the detectives, because they have no identifiers on.
Q. Okay. Got it.
How long after the shooting did you speak to Detective March?
A. I don't recall.
Q. But it was after you were done directing traffic?
A. Correct.
Q. Had you and Officer Mondragon been waiting in or around your car for a while before you spoke to Detective March?
A. I have no idea.
Q. Where did that conversation occur with him?
A. On scene right around our car.
Q. Were you outside of your car or inside of the car?
A. Outside of the car.

Q. Outside of the car?

Was anyone else present while you were talking to Detective March?

A. I don't remember.

Q. Was Officer Mondragon present when you talked to Detective March?

A. I don't remember.

Q. And you don't remember if you talked -- did he talk to you two at the same time?

A. I don't remember.

Q. Did you talk to anyone else besides Sergeant Franco and Detective March? Did you talk to anyone else with some kind of supervisory authority at the scene?

A. I don't remember.

Q. And Officer David McNaughton -- not Officer; Lieutenant. Commander?

A. Commander? Now he's a chief. I don't even remember what his status on that day was. I saw him there, but I don't think I spoke to him.

Q. You didn't speak with him.

So just to reiterate from what we talked about, you spoke with Officer Walsh at the scene?

A. Yes.

Q. Your partner, Officer Janet Mondragon, Sergeant Franco, the technician, and Detective March?

A. Correct.

MS. RUSSELL: And I think she said she spoke with Dora Fontaine.

THE INTERVIEWEE: No, I did not speak with Dora. I didn't even know Dora Fontaine was on scene until we were at the area. I was like, "Hey, what are you doing here?"

MS. RUSSELL: I stand corrected.

MS. ANSARI: Got it. Okay.

BY MR. ANSARI:

Q. Was there anyone else that you spoke with at the scene that you recall?

A. Let me put it this way. If I said anything to anyone, it was, "Hey. Hey. Hey." That was it.

Q. No substance conversations or anything else?

A. No substance regarding the Laquan McDonald shooting.

Q. Okay. But nothing would have prevented you to talk about -- no one would have prevented

you to talk about the shooting with the other police officers at the scene, correct?

A. Nothing would have prevented me from talking?

Q. Scratch that question. It's a bad question.

A. Okay. Okay.

Q. Just to reiterate, did you see Detective March talk to Officer Mondragon at the scene?

A. I don't remember.

Q. So you know you spoke with him, but you're not sure if your partner spoke with him?

A. Correct.

Q. At the scene of the shooting, did you speak to any FOP representatives?

A. No.

Q. And you already stated this, but you didn't see any video at the scene of the shooting?

A. No.

Q. And you can't see the video as it's recording, right?

A. Well, it's in --

Q. In your car, it has --

A. Yeah, it's a live picture of what's

happening.

Q. Okay.

A. Right.

Q. So there's a live picture. I guess, do you know if there's a live picture kind of screen in your car as it's recording, correct? You said --

A. Correct.

Q. Okay. But after that, you didn't see it played back at the scene?

A. No.

MS. RUSSELL: Is it all right if we take just a quick break?

MS. ANSARI: Yeah. That's okay. Sure. Sure.

MR. BROWN: The time is now 11:29, and we are going to go off the record.

(Whereupon, a break was taken from 11:29 to 11:46 a.m.)

MR. BROWN: The time is now 11:46, and we are going to go back on the record.

MS. ANSARI: So when we last left off, we were talking about your interactions and what happened at the scene of the shooting after the shooting. And Investigator Kris Brown has a couple follow-up

questions about the scene.

THE INTERVIEWEE: Okay.

MR. BROWN: I do.

FURTHER EXAMINATION

BY MR. BROWN:

Q. First question is in regards to the directing traffic. You noted that you kind of took it upon yourself to direct the traffic. Is that a normal course of action for you and your partner?

A. If we deem it necessary, yes, i.e., car accident, sometimes you've got to jump out and just do it until you get other assist units that are there to help you. Yes. Right. Well, and, obviously, the reason we deemed that it was important do is because we saw cars coming off the crest of the hill that, you know, because it's a hill, they can't see until they brake, and by that time they're already on a downward -- that there is activity at all. So does that make sense?

Q. No. I do understand that. I'm familiar with the scene, so yeah, I know coming off --

A. Yes. You know how they're coming off that bridge.

Q. Off 55 and right --

A. And let me tell you, if they're --
Q. Yeah. Give them some momentum?
A. Yeah. If they're coming from the southbound side, it's even faster.
Q. Do you recall ever being requested over the radio to officially provide traffic support?
A. No.
Q. Do you recall hearing over the radio if anyone else was asked to provide traffic support?
A. I don't recall.
Q. Would a request to provide traffic support, would that typically come on the radio, or would it typically be like a verbal request from a sergeant or someone else?
A. It could be either way. It could be either way.
Q. It's no proportion goes one way or the other?
A. No. Not that I know of anyway. And I couldn't come up with any statistics to say one way or the other.
Q. Sure. You mentioned Geisbush. I wanted to ask you, who is Geisbush?
A. James Geisbush. He used to work

midnights. He's on days now, I believe. The last I heard he was working days in 8. I don't really know him other than at work.

Q. Is he a supervisor?

A. No. He's an officer.

Q. He's a police officer?

A. Correct.

Q. You mentioned he used to work your shift in 8?

A. Correct.

Q. How long did he work -- I guess is it correct to call it midnights?

A. Midnights, first watch.

Q. First watch.

A. Either way. I have no idea how long he worked. I'm not sure how long he was on midnights.

Q. Okay. Were you ever his partner during his tenure on first watch?

A. Not that I can recall.

Q. Had he worked with -- I'm sorry. I'll clean it up.

Do you know if he was a partner of anyone else we have talked about, the main proponents of that night, be it Van Dyke, Walsh, Mondragon,

Fontaine, Viramontes?

A. I don't know.

Q. How well did you know him prior to the events that occurred on October 20th?

A. Officer Geisbush?

Q. Yes.

A. I don't really know him that well at all other than just a co-worker.

Q. Just a co-worker. Okay. You wouldn't call him a friend?

A. No.

Q. Did you ever interact with him outside of work?

A. No.

Q. Do you know how Geisbush learned about the events of that evening?

A. No. I assume the radio, but I don't know.

Q. So as far as you know, he wasn't working midnights that night, correct?

A. I don't remember.

Q. Oh. So it's --

A. I don't mean if he was working that night or not.

Q. So it's possible he might have been someplace else within the 8th district, heard over the radio what happened, and called in?

A. Yeah. Honestly, I have no idea how he learned of the events. When I say the radio, I guess I just assumed he was working, but now that I think about it, I really have no idea whether he was working or not that night. I don't remember seeing him. I don't know.

Q. If a police officer isn't working at the time, is it, I guess, within regulation to listen to the radio and, I guess --

A. Some people do; some people don't. It's not a regulation.

Q. It's not against the rules to do so?

A. No.

Q. Okay. You noted you took it upon yourselves to help with traffic after the shooting occurred. I wanted to ask, were you ordered to complete any reports that evening?

A. Not that I recall, no.

Q. Were you ordered to do anything that night?

MS. ANSARI: At the scene?

MR. BROWN: I'm sorry.
BY MR. BROWN:
Q. At the scene.
A. At the scene? No, not that I recall.
Q. Okay. You explained to us that, I believe you said, Tony Wilson was the other rotational partner?
A. Correct.
Q. Do you have any recollection of him being involved at the scene or even working that evening?
A. No. Well, if he was working that night, it wasn't on midnights at 8. I mean, obviously, we have overtime initiatives: CTA, CHA, VRI. Whether he was working one of those, I don't know, but he was not working midnight, first watch, in the 8th district that evening.
Q. Well --
A. To clarify, I don't remember being ordered -- I thought you said paperwork, but I don't recall being ordered to do anything. At some point, we were directed by someone, I don't remember who, supervisor, to go to the area, area central.
Q. And that's --

A. And we'll --

Q. Once I finish with my kind of follow-up, we're going to transition to that.

A. That's fine. Okay. I just wanted to clarify that.

Q. No, I appreciate that.

A. Okay.

Q. Thank you. I know you mentioned you didn't know who the tech person was that came and spoke to you on the scene. I want to just ask you, could you describe that person?

A. No.

Q. Was that person very tall?

A. I don't remember.

Q. Okay.

A. Everybody's taller than me. I'm 5'2".

Q. I only ask you that because the person we might suspect was there, he's a very large man, maybe 6'6", 6'7". So I thought like, oh, maybe that would stick out as the guy.

A. I don't remember. I mean, I remember that it was a male, but I don't -- and he did, like I previously stated, identify himself that night, who he was and what he was there to do; I just

don't recall who he said he was.

Q. Was he a Caucasian male?

A. I can't say for sure.

Q. Okay. I'll stop it there.

You spoke a little bit about Sergeant Franco. I wanted to ask you a couple questions about him. Is he your, I guess, supervisor sergeant?

A. He is a sergeant in the 8th district -- well, he was. He doesn't work there anymore. He was a sergeant that night. Whether he was my direct supervisor that night, I'm not sure.

Occasionally, he primarily worked 810 Robert, which would be the 10th sector immediate supervisor; however, when staffing is short, he would be put on the late supervisor.

So he is a sergeant and a supervisor on midnights in 8. Whether he was my direct sergeant that night, I'm unaware. He could have been 20, which would have been 22nd, you know, so he is a sergeant, he is a supervisor on midnights. Does that make sense?

Q. It does.

A. I don't know how much you know about how

it works, but --

Q. Not a lot. We might have questions.

A. Okay.

MS. RUSSELL: More than he ever thought he would know.

THE INTERVIEWEE: Yeah. Right. He's learning.

BY MR. BROWN:

Q. Is it safe to say that Sergeant Franco will be your direct supervisor depending on what the circumstances for whatever particular night?

A. Yes.

Q. Okay.

A. I mean, depending on what he's assigned that night.

Q. Sure. And you don't recall if Sergeant Franco was your direct supervisor on the night of October 20, 2014?

A. I do not.

Q. I think Sarah asked you a question about speaking with Officer Mondragon about the incident. And I know you replied that you didn't speak with her. I was wondering, was that a conscious decision to not speak about the incident? And when I say "the incident," I mean the shooting of Laquan

McDonald. Did you think to yourself like, "Oh, this is a big incident, I don't want to talk about it," or can you describe to me a little bit what your mindset was?

A. No. I don't remember specifically thinking I'm not going to talk about this. We just didn't talk about it.

Q. It was just like a natural organic thing, you guys just didn't talk about the shooting?

A. I don't know if it's organic. We just didn't.

Q. I'm sorry. And what I meant by organic, like --

A. Or I didn't, you know, speak to her about it.

Q. What I meant by organic, I just meant that you guys -- it wasn't, like, some part of an arrangement ahead of time like, hey, if anything big ever happens, we're not going to talk about it?

A. No.

Q. Okay. It just happened just naturally?

A. Yeah. Right.

Q. Got you. Just for my edification, I keep saying "Mon-dragon." Is it "Mon-dragon" or

"Mantra-gon"?

A. Well, it depends. If you want to pronounce it Janet or "Yanet" because she's Hispanic, so if you want to say "Yanet Mantra-gon," then you say it that way, or you say "Janet Mondragon." She'll respond to either.

Q. What does she prefer?

A. She has no preference, really. I hear her say both.

Q. What do you call her?

A. Janet.

Q. Okay.

A. Janet. Yeah.

Q. Thank you. You mentioned that you spoke with March outside of your vehicle while on the scene.

A. Yes.

Q. Do you recall how long that conversation took?

A. No.

Q. Was it, you know, like an hour, like a long conversation?

A. No. It was quick, but I couldn't -- I don't remember how long exactly.

Q. Do you recall if Detective March or who we believe to be Detective March had any notes when he was speaking with you?

A. I don't remember.

Q. And I guess I should say do you recall him having like a note pad and taking notes based on what you were saying to him?

A. He had a note pad, and he was writing, but I don't know what the context of his writing was, if that makes sense.

Q. It does.

A. I didn't look at what he was writing.

Q. Sure. I understand that.

A. Okay.

Q. But it sounds like he was writing notes in response to whatever you were telling him?

A. I could guess that that's what he was doing, but I did not see them, so I don't know for sure.

Q. Can you detail us that conversation, like what he asked, what did you respond to? Like, what happened during that conversation with Detective March?

A. He asked me regarding the events of the

shooting. However, I don't remember the questions that he asked me specifically.

Q. Did he ask you if you saw the shooting?

A. Yeah.

Q. And how did you respond?

A. He asked me if I saw the shooting, and I responded yes.

Q. Okay. And what did he ask next?

A. I don't remember. I don't remember what questions he asked after that. I know it was regarding the shooting. I don't remember the specific questions.

Q. Did he show you any video while having that conversation outside your car?

A. No.

Q. No. And I know it would be hard to recall specific questions at this point. Would it be easier for you to just give us a narrative about what you and March talked about outside of the car?

A. No, because I don't remember what the narrative was.

Q. You just know he was asking you about --

MS. RUSSELL: Let's take a quick break.

MR. BROWN: Sure. The time is now 11:59, and

we are going to go off the record.

(Whereupon, a break was taken from 11:59 to 12:01 p.m.)

MR. BROWN: All right. The time is 12:01, and we are back on the record.

MS. RUSSELL: Would you mind just reading the question back?

(Whereupon, the record was read by the reporter as requested.)

BY THE INTERVIEWEE:

A. Okay. I cannot provide a narrative of what our conversation included because I don't remember specific questions or events. It was a general conversation regarding my witnessing the shooting of Laquan McDonald. Okay?

BY MR. BROWN:

Q. Okay. That's fair. And last thing on that conversation, were you already outside the car, or did March ask you to, I guess, exit your vehicle?

A. I don't remember.

MR. BROWN: That's all my follow-up questions.

FURTHER EXAMINATION

BY MS. ANSARI:

Q. I have a couple follow-ups to his follow-ups --

A. Follow-ups to follow-ups?

Q. -- about the scene, and then we will move on from there.

A. Okay.

Q. Do you have any indication of why Geisbush would be even trying to kind of "bother" Van Dyke, as you said?

A. No.

Q. Because he is not in any kind of supervisory role.

A. No, he's just an --

Q. Okay.

A. He just -- he -- no. I have no idea why.

Q. Understood. So he's not a supervisor who was trying find out what was happening --

A. Absolutely not.

Q. -- in a kind of official capacity?

A. No.

Q. It appeared he just want to know what was

going on?

A. Yeah, I assume. I have no idea what the context -- I have no idea how or anything involved, so --

Q. Okay. Understood.

Regarding Sergeant Franco, do you know what he was doing at the scene at the time?

A. No.

Q. Was he talking to other officers at the scene?

A. I wasn't paying attention, so I don't know.

Q. Was he collecting evidence?

A. I didn't see him collecting any evidence. There were several supervisors on scene. There were a lot of police officers. I mean, everybody was walking around, so I didn't specifically see him talking to anyone in particular.

Q. Okay. Got it.

Do you recall what other supervisors were on the scene?

A. No, I don't specifically.

Q. But you did say earlier that you saw

Officer David -- or Commander David McNaughton on the scene?

A. Yes.

Q. Your conversation at the scene with Janet, with Officer Mondragon, you said it wasn't -- you guys didn't discuss what you saw, but you did offer reactions to the event, like, "Oh, my gosh, this is what happened"? Did you --

A. Just --

Q. Correct?

A. Yeah, just more like that. "Wow. Okay." You know, just --

Q. But you didn't discuss anything substantive about what you had seen?

A. No.

Q. Okay.

A. No.

Q. When you talked to Detective March at the scene, did you only talk to him once?

A. I recall only speaking to him once, I think. Yeah.

Q. At the scene?

A. Yeah.

Q. Did you see him talk to any other police

officers?

A. I did not. I mean, he may have and I just didn't see it.

Q. So you didn't talk to any other detectives at the scene?

A. Not that I can recall.

Q. So now I am going to move on to the area.

A. Okay.

Q. So what happened after you -- when you left the scene, about how long after the shooting did you -- about how long after the shooting did you leave the scene?

A. I don't remember.

Q. Was --

A. At some point, we were information to go to the area so we could give our IPRA statements.

Q. Okay. Do you remember if it was after midnight?

A. I don't.

Q. Who told you to go to the area?

A. I don't remember specifically who said, "Okay. Go to the area."

Q. Okay. And do you know if it was a supervisor?

A. I don't know for sure. I assume that it was, but I can't be for certain.

Q. And when they told you to go to the area, whoever it was said it was because you needed to give an IPRA statement?

A. Correct.

Q. And whoever this person was said it to you and your partner, Officer Mondragon, correct?

A. Yes.

Q. Do you know if any other officers were told -- at the time, did you know -- did you see any other officers being told to go to the scene?

A. I didn't see anybody else being told. I only saw when I got to the area.

Q. So you get to the area. What happens then?

A. We sit around and wait.

Q. Okay. About how long -- well, so about how long did you wait before your interview?

A. I don't remember. Enough time to have a couple pieces of pizza and something to drink.

MS. RUSSELL: Can we go off the record for a second?

MR. BROWN: Sure. The time is 12:07, and we

are off the record.

(Whereupon, a break was taken from 12:07 to 12:09 p.m.)

MR. BROWN: The sometime now 12:09, and we'll go back on the record.

BY MS. ANSARI:

Q. Okay. So you get to the area. Who else was at the area when you got there?

A. It was me, Janet, Dora, Rick, McElligott, Gaffney are the ones I specifically remember seeing. I think Joe -- oh, yeah, Joe Walsh was there.

Q. Okay.

A. Jason was there, but -- I heard Jason was there, but I never saw him. So --

Q. Okay. Did you see Officer Becerra (phonetic)?

A. I don't remember.

Q. Or Officer Velez?

A. I don't remember. They may have been there, too, but I don't know them, so I don't know.

Q. Okay. So Officer Fontaine, Viramontes, Mondragon, McElligott, Gaffney, and Walsh?

A. Yeah.

Q. Were you with them all in the same room while you were waiting?

A. Well, we were -- they have a couple of side rooms, so we were in and out, because the pizza is in one area and then there's just chairs in the other area, so everybody was just kind of milling around.

Q. Okay. But you were generally in the same vicinity?

A. In the same area, yeah.

Q. But you did not see Officer Van Dyke at all while you were there?

A. I don't remember seeing him at all when I was there.

Q. But you heard he was there?

A. That's what I heard, yeah.

Q. Who did you hear that from?

A. I don't even remember.

Q. What did you guys all talk about while you were waiting for your interviews?

A. Nothing. I mean, a lot of people were sitting around talking about the pizza. Just --

Q. Did you have any conversations about the shooting?

A. No.
Q. We have asked you this before, but was that kind of a conscious decision not to talk about it?
A. No. I mean, I don't consider it a conscious decision. We just don't talk about it.
Q. Why do you think that is?
A. I have no idea.
Q. Did you talk to any detectives at the area?
A. No.
Q. You didn't talk to Detective March at the area?
A. No.
Q. Did you view any video at the area?
A. I saw the Dunkin' Donuts video at the area.
Q. The Dunkin' Donuts video?
A. Yes.
Q. Did you view any other video at the area?
A. I don't think so.
Q. Did you view the video from your car, 813 Robert?
A. I don't think so.

Q. Okay.

MS. RUSSELL: An unknown detective is who showed her the Dunkin' Donuts video. She doesn't know if it was March or who.

THE INTERVIEWEE: I don't know.

BY MS. ANSARI:

Q. So I was actually going to ask you that. Who showed you the Dunkin' Donuts video?

A. I don't recall.

Q. But it was a detective?

A. I --

MS. RUSSELL: Oh. I'm sorry then.

MS. ANSARI: That's okay.

MS. RUSSELL: Let me have her answer.

THE INTERVIEWEE: I don't know for sure. It may have been a detective. It may have been a sergeant. I don't know. I don't remember who showed us it to us.

BY MS. ANSARI:

Q. Was it the same tech person who took the video?

A. It may have been. I'm not sure. That's why I don't want to --

Q. Why did you watch the Dunkin' Donuts

video?

A. Just because they're like, "Oh, there's the Dunkin' Donuts video."

Q. Did anyone else watch it?

A. I don't remember.

Q. Okay. You don't remember if your partner Janet Mondragon watched it?

A. No, I don't remember.

Q. So before you gave your IPRA statement, who else did you speak with at the area?

A. Regarding the shooting or just, I mean --

Q. Well, regarding anything?

A. Okay.

Q. That you can recall.

A. Okay. I mean, other than general conversation, like, "Is this pizza good? Can you hand me that pop?"

Q. Right.

A. "What time do you think we're going to get out of here?" Stuff like that, I -- that just general conversation is all I had prior to talking to the IPRA investigator.

Q. So you had no conversations at the area

before talking to IPRA regarding the shooting?

A. Correct.

Q. I'm going to reiterate this question, but for the Dunkin' Donuts video, how did that even come about watching it, or how did you come about watching it?

A. Well, I wasn't summoned to come watch it. It was just on a computer screen, and I was like, "Huh," you know, type of thing.

Q. So it was on someone else's computer?

A. I'm not even sure that I saw the whole Dunkin' Donuts video.

Q. Was it on a laptop or a desktop?

A. I'm not sure.

Q. Was it in the -- my understanding -- where were you when you went to area central? What was the --

A. On the second floor where all the detectives are at.

Q. Okay.

A. Yeah.

Q. So there's a bunch of detectives' desks in the middle, correct?

A. Correct.

Q. Was it at one of those desks that the video -- someone was playing the video?

A. Yes.

Q. And you just happened to be in the area when the video was playing?

A. Yes.

Q. And you watched it?

A. Yes.

Q. Did you talk to any FOP representatives at the area?

A. Yeah. There was an FOP rep there.

Q. Do you remember that person's name?

A. Kris Kato.

Q. Kris Kato? About how long had you been waiting at the area -- did you talk to Kris Kato before you did the IPRA interview?

A. Yes, while we were standing around having pizza.

Q. Do you remember about how long you had been at the area before Kris Kato arrived?

A. No.

Q. Do you remember if Kris Kato was at the scene before the shooting?

A. No, I don't remember.

Q. And you didn't talk to -- is this a man or a woman, Kris Kato?

A. It's a man.

Q. It's a man. Okay. Did you talk to him -- I'm sorry. Did you see him talk to any officers at the scene of the shooting?

A. No.

Q. And you don't even know if he was there?

A. I don't even know if he was there.

Q. Okay. So Kris, when he first arrived at the area, when you first saw him at the area, what was he doing?

A. Standing by the pizzas.

Q. Okay. Did he talk to you individually or to all of the -- to Fontaine, Viramontes, Mondragon, McElligott, Gaffney, and Walsh all together?

A. Well, like I said, we were in and out of the rooms, and I think it was just -- I don't remember who was there when he -- you know, just when he spoke when I heard it, when we were talking, I don't remember who was in the room, but it was as a group. It was not me as an individual.

Q. So he didn't talk to you by yourself?

A. No.

Q. What did he say?

A. It was just, you know, "Everybody hang in there. You'll get through your IPRA statements. You'll be going home soon. Have some pizza. Is there anything else I can get you? Is there anything else you need?"

Q. Okay. Oh, did he actually bring the pizza in the room?

A. Well, I don't know if he brought it or if he had somebody bring it, but he is the FOP rep, so he was, I'm assuming, the one who initiated it. I could be wrong, but it might have been someone else.

Q. Okay.

A. He was the one that was, like, you know, presenting it and --

Q. "Here's our" --

A. Yes.

Q. "Here's your food. Here's dinner." Did he talk to you guys, to you specifically, about any of the substance of what you saw of the shooting?

A. No.

Q. Did you hear him talk to any of the officers about the substance of the shooting?

A. No.

Q. Or what they saw?

A. No.

Q. Okay. When you went to the area, did you and Mondragon take your vehicle? Did you drive yourselves?

A. Yes.

Q. It was just the two of you in the car, correct?

A. Yes.

Q. Do you remember, how long were you waiting at the area before you spoke with IPRA?

A. Seemed like forever, but it wasn't. I don't know. I don't know specifically how long it was.

Q. What time did you get home that morning?

A. I don't remember.

Q. Was it in the morning?

A. Oh, it was in the morning, yeah.

Q. Was the sun up? Do you remember that?

A. I don't remember. It was in the morning.

Q. Did you have to take the kids to school --

A. I mean, I can look at my -- I can refer to the conclusion time somewhere in my IPRA statement.

Q. That's fine if you don't remember.

A. I don't remember specific -- I have no independent recollection of it.

Q. After your IPRA statement, did you go home?

A. Yes. After we went -- yeah, of course we had to go back to the district, get our personal cars, and then go home, but yes. Yes.

Q. Okay. So we are going to get into the IPRA statement later, so we won't talk about the substance there.

A. Okay.

Q. Okay. So you wait around. You speak with IPRA. After your IPRA statement, then what happened?

A. Well, we didn't -- they gave me a copy of the CD, and we left. But I can't remember whether Janet went before me or after me. I can't remember.

Q. And you got your statement that night on a CD?

A. I'm pretty sure he gave it to me that night. I'm not 100 percent sure.

Q. Yeah.

A. But I'm pretty sure I got it that night.

MS. RUSSELL: They usually burn it right away.

MS. ANSARI: Right away? Okay.

BY MS. ANSARI:

Q. So after you were either done with your IPRA interview or Mondragon was done with hers, you both left?

A. Yes.

Q. Correct? And you went back to district 8 or the station?

A. Uh-huh.

Q. Where's the station?

A. 63rd and Homan.

Q. And for the record --

A. It's 63rd and St. Louis.

Q. Sorry. For the record, where is area central?

A. 51st and Wentworth.

Q. Okay. So you drove back to district 8,

and then what did you do?

A. We just turn in our stuff and go home.

MS. ANSARI: So before we get into the statements, do you have any follow-up?

FURTHER EXAMINATION

BY MR. BROWN:

Q. I have a brief follow-up.

A. Sure.

Q. Do you recall noting any documentation of when you arrived at the area?

A. Did I make any documentation?

Q. Yeah. I don't know if there was any kind of like sign-in sheets that you have to fill out?

A. No.

Q. Like, the time you got there?

A. No.

Q. Same thought: Was there any document you had to sign when you left there?

A. No.

Q. While you were sitting, or if you were sitting, but while you were with the other officers in the big room, I know you didn't have any substantive conversation about the McDonald shooting, but I was wondering, did you overhear the

other officers speak about the McDonald shooting?

A. No.

Q. I know you mentioned that a detective did not come to, I guess, interview you at the area?

A. Correct.

Q. Did you see detectives take other people for interviews?

A. I didn't really pay attention. I don't recall it. I don't recall them taking anybody specific to be interviewed.

Q. Did you think it was odd that they didn't come and speak to you?

A. No.

Q. Okay.

A. Because I spoke to them on the scene, so --

Q. So you felt like you conveyed your observations to whatever detective you spoke to on the scene of the shooting?

A. Yes.

Q. Did you feel that there was any additional information that you would have liked to have conveyed to a detective?

A. I answered all the questions that he

asked of me.

Q. But having some time, I guess, to think about it during the car ride over to the area and then while you were waiting around for the pizza and stuff, did anything come into your mind that you would have liked to have added to the record -- or not to the record --

A. No.

Q. -- but to have added to what the detectives were noting down?

A. No.

MR. BROWN: That's the end of my questions.

THE INTERVIEWEE: Okay.

FURTHER EXAMINATION

BY MS. ANSARI:

Q. One last question.

A. Okay.

Q. Did you see any witnesses being interviewed at area central, any civilian witnesses?

A. I don't recall seeing any.

Q. Did you see detectives interviewing any civilian witnesses on the scene?

A. I didn't see any.

Q. Okay.

A. Not that I can recall.

Q. Okay.

A. There were so many officers on scene, and like I said, it just --

Q. Okay.

A. I didn't really pay attention to what was going around me. I just --

Q. Okay. All right. So, Officer Sebastian, we are going to provide you with Exhibits 6 and 7. We have extra copies, so we can give you each one.

MS. ANSARI: Do you want to take a break now? This is a good stop if --

THE INTERVIEWEE: I'm fine.

MS. ANSARI: Okay.

(Whereupon, Exhibit 6 and Exhibit 7 were marked for identification.)

BY MS. ANSARI:

Q. So Exhibit 6 is the typed case supplementary report drafted by Detective March of your statements to him, and the handwritten document Exhibit 7 is the general progress report, and those are the handwritten notes of Detective March of his conversation interview with you. If

you will take a moment and review both documents and let me know when you are done reviewing them.

A. Okay.

Q. For the record, we are going to focus on Exhibit 6, the typed case supplementary report.

A. Okay.

Q. Do you refer to these as CSRs, by any chance?

A. I have no idea what this is. This is detective paperwork. So --

Q. Okay. Got it. I am going to refer to it as a CSR going forward.

A. Okay.

Q. Just it's easier than repeating "case summary report."

A. Okay.

Q. Does Exhibit 6 accurately reflect what you said to Detective March on the night of October 20, 2014?

A. I don't recall exactly what I -- I don't recall my exact conversation and my exact answers of that evening.

Q. Okay.

A. Okay?

Q. So what we will do is go over the statement line by line, and I will ask you a question about each statement individually.

A. Okay.

Q. Okay? The first statement -- well, we are going to start actually at the second paragraph. The first paragraph is background information.

A. Okay.

Q. "The two officers," meaning you and Officer Mondragon, "responded to the request for assistance made by beat 815R regarding a subject with a knife."

Did you make this statement to March on the night of October 20, 2014?

A. That information is correct.

Q. Well, did you make the statement? Do you recall?

A. Well, I --

Q. Or the information --

A. See, that's why I don't -- I'm not sure what you want me to answer.

Q. So I will ask you, just to -- procedurally what we are going to do --

A. Sure. Okay.
Q. -- is for each statement I am going to ask you if you made the statement and whether or not it's true.
A. Okay.
Q. So it's two different questions.
A. So a statement, meaning verbatim, or --
Q. Well, the gist of that statement, I think, is -- I think that's fine to say.
A. The content of the statement. Okay.
Q. Yeah. Did you make a statement that is that, that has that content --
A. Okay.
Q. -- I think is fine. So I'll repeat the question again.
A. Okay.
Q. Or repeat the statement again.
A. Okay.
Q. The first sentence of the second paragraph of your statement states, "The two officers responded to the request for assistance made by beat 815 Robert, R, regarding a subject with a knife."
Did you make this statement to Detective

March on the night of October 20, 2014?

A. Yes, I gave him that information.

Q. Okay. Where were you when you made this statement?

A. When he was interviewing us on scene.

Q. Okay.

A. Or interviewing me, I mean, on scene.

Q. For actually the whole statement, this was all done while you were on scene outside of your car, correct?

A. Correct.

Q. And no one else was present when you made that statement?

A. Not that I can recall.

Q. And just to confirm, Officer Mondragon -- you don't recall whether Officer Mondragon was there when you made the statement?

A. Correct.

Q. Now that line, is that statement accurate, the first statement in the second paragraph?

A. Yes.

Q. Okay. "Officer Sebastian thought the original call for assistance was at 40th Street and

Keeler Avenue."

Did you make that statement to Detective March?

A. Yes.

Q. Is that statement accurate?

A. I'm not sure of the accuracy. That's why I said I thought that that's where it was. I'm not sure that it was 40th and Keeler, but to the best of my knowledge at the time I was interviewed, that's where I thought the original call was at.

Q. "The subject had punctured a tire on the police vehicle 815R."

Did you make that statement to Detective March?

A. Yes.

Q. Is that statement accurate?

A. Yes.

Q. "Officer Mondragon drove northbound on Pulaski Road following beat 845R as they also responded to the request for assistance."

Did you make that statement to Detective March?

A. Yes.

Q. Is that statement accurate?

A. Yes.
Q. "Mondragon turned westbound onto 40th Street behind 845R."
Did you make that statement to Detective March?
A. Yes.
Q. Is that statement accurate?
A. Yes.
Q. "Officer Sebastian observed a black male subject now known as Laquan McDonald running southeast bound through the parking lot of the Burger King restaurant."
Did you make that statement to Detective March?
A. Yes.
Q. Was that statement accurate?
A. Yes.
Q. "Beat 845R pursued McDonald in the police vehicle through the parking lot toward Pulaski."
Did you make that statement to Detective March?
A. Yes.
Q. Is that statement accurate?
A. Yes.

Q. "Sebastian told Officer Mondragon to drive back out onto Pulaski to assist in the pursuit."

Did you make that statement to Detective March?

A. Yes.

Q. Is that statement accurate?

A. Yes.

Q. "McDonald ran out onto Pulaski and continued to run southbound down the middle of the street."

Did you make that statement to Detective March?

A. Yes.

Q. Is that statement accurate?

A. Yes.

Q. "Beat 845R pursued McDonald in their vehicle southbound on Pulaski followed by beat 845R."

Did you make that statement to Detective March?

A. I -- I didn't make that. I mean, I don't remember saying that we were followed by 845 Robert. I don't remember saying that.

Q. Okay. Why does that stand out to you more than the other statements that I have said so far as something you might not have said?

A. Well, because 845 Robert, actually, we -- it's -- to me, the way it's written makes it sound like we were behind 845 Robert once we got onto Pulaski, and that's inaccurate.

Q. Okay.

A. Okay.

Q. Understood. What would be accurate?

A. What would be accurate was that we were southbound on Pulaski in the southbound lanes and that 845 Robert was southbound on Pulaski somewhat in the northbound lanes.

Q. Got it. "As McDonald ran southbound on Pulaski, Sebastian saw the knife in his right hand."

Is that what you told Detective March?

A. Yes.

Q. Is that accurate?

A. Yes.

Q. "McDonald was waving the knife."

Is that what you told Detective March?

A. Yes.

Q. Is that accurate?

A. Yes.

Q. "Beat 845R stopped their vehicle ahead of McDonald. Between McDonald and the Dunkin' Donuts restaurant on the east side of Pulaski."

Is that what you told Detective March?

A. Yes.

Q. Is that accurate?

A. Yes.

Q. "Officers Joseph Walsh and Jason Van Dyke exited their vehicle and drew their handguns."

Is that what you told Detective March?

A. Yes.

Q. Is that accurate?

A. Yes.

Q. "McDonald turned toward the two officers and continued to wave the knife."

Is that what you told Detective March?

A. It's not inaccurate; however, the next couple of lines are out of what I would say chronological order.

Q. Okay. So how would you correct it? Well, what did the statements say that you think are out of chronological order, and then just tell

me how you would correct those?

A. Okay. "McDonald turned towards the two officers and continued to wave the knife. Sebastian heard the officers repeatedly order McDonald to drop the knife."

The next sentence where Sebastian heard the officers order McDonald to drop the knife, immediately exiting the vehicle they were yelling that repeatedly throughout the entire encounter. Okay?

Q. Okay.

A. Until after the shooting. When it says he continued to advance on the officers, he continued to walk in a southbound direction. He did not turn towards the officers until he was -- he had already walked south further down.

Q. Understood.

A. Further south. Does that clarify it?

Q. Yes.

A. So, like, those should be flip-flopped.

Q. So I'm going to try and repeat that back to you. Please correct me if I'm repeating it incorrectly.

So your statement states, "McDonald

turned toward the two officers and continued to wave the knife. Then Sebastian heard the officers repeatedly order McDonald to drop the knife. McDonald ignored the verbal directions and continued to advance on the officers waving the knife."

Your testimony is that as Officers Walsh and Van Dyke were exiting their vehicle and drew their handguns, they were continuously telling McDonald to drop the knife, correct?

A. Correct.

Q. And then McDonald continued to advance and then turned toward the officers, continuing to wave the knife?

A. He continued to walk southbound.

Q. Okay.

A. Yes. He continued to walk.

Q. And is that what you told Detective March?

A. I don't remember the exact -- exactly what I used. I'm not sure of the exact verbiage I used.

Q. Okay. But your correction is what is accurate, how you corrected it just now?

A. Yes.
Q. Okay. So we can skip to -- "Officer Sebastian heard multiple gunshots, and McDonald fell to the ground where he continued to move."
Did you make that statement to Detective March?
A. Yes.
Q. Is that accurate?
A. Yes.
Q. "Sebastian did not know who fired the shots which were fired in one continuous group."
Did you make that statement to Detective March?
A. Yes.
Q. Is that statement accurate?
A. Yes.
Q. "She then saw Officer Walsh kick the knife out of McDonald's hand."
Did you make that statement?
A. Yes.
Q. Is that statement accurate?
A. Yes.
Q. So we're going to go through the allegations -- some of the allegations, not all of

them -- in the Notice of Allegations, and I'm going to ask you some follow-up questions around each of those. So it's going to be kind of repetitive of what we have already just done here.

A. Okay.

Q. But I am going to essentially probe a little bit more while we go through the allegations.

A. Okay. Sure.

Q. And then I will let Kris -- once we're done with these statement, I will talk to Kris and we will go over it.

We are going to start at Allegation 2.

A. Okay.

Q. We'll make sure we are starting at 2. Yes. Okay.

"It is alleged that on or about October 20, 2014, you made a false statement during an interview with Detective March when you stated that you saw McDonald run out onto Pulaski and continue to run down southbound down the middle of the street waiving a knife."

Do you stand by your statement to Detective March that is attributed to you?

A. Yes.

Q. And you believe McDonald was running out onto Pulaski, running, not walking, correct?

A. Yes.

Q. And you believe that McDonald was waving a knife -- was waving the knife, correct?

A. Well, once I got into Pulaski and I could see that. When I initially saw him running, like, through the Burger King parking lot where he went on to Pulaski at some point, I did not see the knife at that time.

Q. Okay. Understood.

"It is alleged that on or" -- and so number 3. These will generally be in order. "It is alleged that on or about October 20, 2014, you made a false statement during the interview with Detective March when you stated that McDonald turned toward officers Walsh and Van Dyke and continued to wave the knife?"

Do you stand by your statement that is attributed to you?

A. Well, again, I corrected that in this statement saying that it's out of chronological order.

Q. Right.

A. He turned -- when it says he turned towards officers and continued to wave the knife, he turned towards -- yeah. I mean, I stand by it, but it's out of chronological order.

Q. Okay. And we talked about this earlier. I know that the order might not be exactly correct.

A. Right.

Q. But that did happen?

A. He did turn towards them and in a motion with the knife.

Q. Okay. Understood.

"It is alleged that on or about October 20, 2014, you made a false statement during an interview with Detective March when you stated that McDonald ignored Officers Walsh and Van Dyke's verbal directions to drop the knife and continued to advance on the officers waving the knife."

Do you stand by your statement to Detective March?

A. Right, I stand by this, but I will also stand by my clarification as I stated before. He continued to walk southbound. He continued to.

Q. Okay.

A. Waving the knife.

Q. "It is alleged that on or about October 20, 2014, you made a material omission during an interview with Detective March when you failed to state that McDonald changed the direction in which he was walking prior to the shooting."

Why didn't you tell Detective March that Laquan McDonald changed direction, changed the direction in which he was walking prior to the shooting?

A. With this allegation, I'm not really sure what you mean by McDonald changing direction. He was walking in a southerly direction the entire time was what I saw. He didn't turn and go back north. He didn't turn and go directly east or directly west; his motion was in a southerly direction from what I saw that night.

Q. Okay.

A. Yeah, I never saw him change direction.

Q. Okay.

A. Okay.

Q. "It is alleged that on or about October 20, 2014, you made a material omission during an interview with Detective March when you

failed to state that Officers Walsh and Van Dyke moved towards McDonald prior to the shooting."

Why didn't you tell Detective March that they moved towards McDonald prior to the shooting?

A. I did not see Officers Walsh and Van Dyke move towards McDonald prior to the shooting.

Q. "It is alleged that on or about October 20, 2014, you made a false statement during an interview with Detective March when you stated that McDonald continued to move after he fell to the ground."

Do you stand by your statement to Detective March?

A. Yes.

Q. "It is alleged that on or about October 20, 2014, you made a false statement during an interfere with Detective March when you stated that you did not know who fired the shots which were fired in one continuous group."

Do you stand by the statement that is consider attributed to you?

A. Yes.

Q. So you told Detective March you didn't

see who was shooting?

A. Correct.

Q. How did you not see who was shooting?

A. Well, both Officer Van Dyke and Officer Walsh had their -- when I saw them over, they both had their guns drawn. Then I was watching Laquan McDonald because he was the one waving the knife around. The shots were fired. He fell to the ground. I was watching him. I had no idea who shot.

Lights? I didn't -- you know, I wasn't looking at the officers when the shots were being fired. I was looking at Laquan McDonald.

Q. So, I mean, I guess, when you fire a gun, isn't there some kind of recoil, like some kind of back -- you know, if somebody's firing a gun, usually isn't there a kind of recoil so you can kind of tell who is actually firing? I was just -- I'm curious.

A. Well, that's a two-part question. Okay?

Q. Yes.

A. Because I can fire a gun and have no recoil. You're not used to firing a gun; you may have a lot of recoil because you don't expect it.

It just depends on what type of a shooter you are. That's the first part of your question.

Q. Okay.

A. And the second part of your question was -- I'm sorry.

MS. ANSARI: Andrew, can you repeat it back?

THE REPORTER: Sure.

THE INTERVIEWEE: Because it's not the same thing.

BY MS. ANSARI:

Q. That answers my question.

A. Okay. Yeah.

Q. Are there sparks that go off when a gun is fired?

A. There is a -- what do you call it? Muzzle flash.

Q. Is it really bright? Is it --

A. I don't know. Yeah.

Q. Did you see a muzzle flash?

A. I didn't. No.

Q. So, you know, we now know that McDonald was shot 16 times. During all 16 of those shots, you were always looking at McDonald and not at who was shooting?

A. Correct.

Q. So I can see the first couple not knowing right away, but then the continuous shots always on McDonald, you never saw who was firing the gun?

A. I stand by my statement. I did not know who shot Laquan McDonald until after everything was all -- after the incident was done.

Q. At what point did you realize who was shooting, if you did?

A. I don't remember. At some point on scene, and I don't even remember --

Q. But it was after all of the shots were fired?

A. Yes. Yes.

Q. And McDonald was on the ground?

A. Yes. Yes.

Q. I'm going to go back to the allegation I said that we just repeated. Part of that allegation said that the shots were fired in one continuous group. Do you stand by that statement that is --

A. That's what I recall.

Q. "It is alleged that on or about October 20th," so we're going to go -- actually, this

allegation is number 1 on the list.

A. Oh, okay.

Q. "It is alleged that on" -- I'll get it.

A. Okay.

Q. "On or about October 20, 2014 you provided a false narrative to Detective David March of the Chicago Police Department concerning the McDonald shooting through a series of false statements and material omissions."

Do you stand by your statement to Detective David March besides what you have already clarified?

A. Yes.

Q. I want to go back to some of the allegations.

A. Okay.

Q. Well, I want to go back to the video.

When did you first view the video of your dash cam, 813R? When did you first view that?

A. I don't even remember. I'm not sure.

Q. Did you view it when it came out in the press in November 2016?

A. Yes.

Q. You did?

A. Uh-huh.
Q. Did you view it through any official channels, or was it just from the --
A. Just the media.
Q. The press. Okay.
A. And the internet.
Q. And have you seen it -- how many times have you seen that video?
A. I don't know. Several.
Q. Several times?
A. Uh-huh.
Q. Did you view it in preparation for this interview with the Office of Inspector General?
A. Yes.
Q. After viewing the video, would you agree that McDonald -- after reviewing the video after the fact, do you agree that it appears McDonald changed direction on the video prior to being shot?
MS. RUSSELL: What do you mean by "changed direction"? He was going southbound and he moved eastbound, or what do you mean?
BY MS. ANSARI:
Q. Yeah. So he was -- it's a bad question.
MS. ANSARI: Let me take one break off the

record.

MR. BROWN: The time is 12:47, and we will go off the record.

(Whereupon, a break was taken from 12:47 to 12:48 p.m.)

MR. BROWN: And the time is 12:48.

MS. ANSARI: I'm going to strike that last question, and Kris is going to ask some follow-up questions about your statements to Detective March.

THE INTERVIEWEE: Okay.

FURTHER EXAMINATION

BY MR. BROWN:

Q. In regards to your conversation with Detective March outside of your vehicle on the scene of the incident, do you recall him asking you questions and you responding, or did you just give him a narrative as to what you saw?

A. He asked questions, and I responded.

Q. At any point --

A. I think. You know what? I'm not 100 percent sure on that. I honestly -- I can't remember for sure.

Q. Okay.

A. Okay?

Q. Do you recall at any point during his questioning of you did he say anything to the effect of "That's not what happened" or "That doesn't match what's on the video"?

A. No.

Q. No?

A. No.

Q. Okay. And now you spoke earlier that you thought the conversation with March took less than an hour, but I was wondering -- I think I forgot to ask you, like, a shorter parameter. Was it less than ten minutes?

A. I don't remember. It was -- it was quick, but I don't remember how long.

Q. Okay.

A. It wasn't an hour.

Q. It wasn't an hour. Is five minutes safe?

A. I can't -- you know, it seemed quick, but I don't want to guess. I don't want to put a number on it, because I'm not sure. It was less than an hour.

Q. Less than 15 minutes?

A. I don't remember.

Q. Okay.

A. I'm sorry.

Q. That's okay. In the statement done by March that is attributed to you, there is a bit in there about you hearing the orders to drop the knife. I wanted you to expand a little bit how you heard those orders. Kind of tell me what happened there.

A. Well, and I guess I'm just looking for a little clarification.

Q. Okay. Sure.

A. Joe Walsh you could hear yelling from a block away. That's the commanding voice that he has. He's a very loud commanding voice. I always have my window down a little bit pretty much all the time unless it's below zero.

Q. And that was what I was going to try to follow up on.

A. Yeah. It's just my standard. I mean, unless it's really, really, really cold, I have the window cracked because I like to be able to hear things, just --

Q. And on that night of October 20th, you have a recollection of your window being opened a little bit?

A. Yeah. Yes.

Q. And you have a recollection of hearing Walsh's, I guess, booming voice?

A. Yeah. Well, and it was multiple voices, but Walsh has a very loud -- he's loud. He can be very loud.

Q. Okay. So I guess where did you start hearing the directives to drop the knife? Where were you in the vehicle?

A. We were still slow rolling down Pulaski. I mean, we were still slowly moving down Pulaski in the squad car. Does that answer your question? Okay.

Q. So you hadn't stopped at that point when you started to hear the directives to drop the knife?

A. No. No.

Q. You mentioned that it was both Walsh and Van Dyke giving directives to drop the knife?

A. It was multiple voices, yes.

Q. Multiple voices. Okay.

So as you're rolling up slowly, does your car stop at some point?

A. I don't remember at what point it

stopped. I mean, Janet was driving, so, I mean, yeah, we did stop at some point. I don't remember exactly when.

Q. Do you think it was after the shooting or --

A. It was after -- oh, man. I'm not sure. I mean, I could review the video and tell you when, but I don't -- independent recollection of at what point the vehicle actually came to a complete stop I don't remember.

Q. And the only reason I was going down that path is it seemed like -- I was wondering, at some point did you open the door to hear more as to what was being said out there?

A. No. No.

Q. So all of your, I guess, audible observations were just through the closed door but with the window cracked?

A. Correct.

Q. Okay. And I think you have already kind of touched on this. I just wanted to make sure it is absolutely clear.

Other than what you have already discussed, was there any mischaracterizations by

March in the statement that is attributed to you?

A. I guess I'm not sure what you mean by mischaracterizations. Yeah, other than chronological order, it seems mostly accurate, yeah.

Q. On that same line, was there anything that you told Detective March that was omitted in the statement that is attributed to you?

A. Yeah, I don't think so. No.

Q. No.

I think you noted that March had some notes and he was writing something down --

A. Correct.

Q. -- as conversation occurred with you outside of your vehicle?

A. Yes.

Q. Did March read you anything at the end of the conversation, like, "This is what I have for you," and to kind of check with you and see what he had?

A. No.

Q. No?

Did he say anything in, like, conclusion, like, "Is there anything else, or did I miss

anything"?

A. I don't remember if he said that. No.

MR. BROWN: That's all my follow-up.

FURTHER EXAMINATION

BY MS. ANSARI:

Q. When did you first get out of the car after the shooting?

A. I know I saw Walsh kick the knife out of his hand. I can't remember whether I was out of the vehicle yet, like getting out, or if I was still in the vehicle. It was right around that time.

Q. Okay.

A. But I can't be specific.

MS. ANSARI: So I think we are ready to move to the IPRA statement. Do you guys want to take a break or are you --

THE INTERVIEWEE: Yeah, a quick break.

MS. ANSARI: Okay. That's fine.

MR. BROWN: The time is now 12:54. We are going to go off the record.

(Whereupon, a break was taken from 12:54 to 1:03 p.m.)

MR. BROWN: The time is now 1:03, and we are

back on the record.

MS. ANSARI: All right.

MR. BROWN: I think we're done with the questions on these.

MS. ANSARI: Yes. So we can take all those back.

BY MS. ANSARI:

Q. So, Officer Sebastian, we talked about this already, but IPRA, just to confirm, IPRA interviewed you about the McDonald shooting, correct?

A. Correct.

Q. The interview took place on October 20, 2014 or --

A. No. It was the 21st.

Q. October 21st?

A. Yeah, because it was after midnight.

Q. Got it. Where did that interview take place?

A. In the area central detective's division area, the second floor.

Q. Was it in a conference room?

A. It was in some type of side room, yeah. I don't know exactly what they refer to it as, but

it was in a side room.

Q. And who was present during that interview?

A. It was myself, Investigator Killen, FOP rep Kris Kato, and FOP attorney Dan Herbert.

MS. RUSSELL: Can I look?

MS. ANSARI: Yeah, you can -- I mean, it's in there, so it's fine. Whatever you remember, but we have it down.

MS. RUSSELL: Oh, yeah.

BY MS. ANSARI:

Q. Who did you speak to in -- oh.

MS. RUSSELL: Go ahead. I'm sorry.

BY MS. ANSARI:

Q. Who did you speak to in preparation for your IPRA interview?

A. No one.

Q. Nobody?

A. Nobody.

Q. So you said that Officers Fontaine Viramontes, McElligott, Gaffney, Walsh, and Mondragon and you were all at area central kind of milling about in the same area waiting for your IPRA interview, correct?

A. Correct.
Q. And just to confirm, you didn't speak to any of those officers about the shooting, correct?
A. Correct.
Q. And there was no attempt to ensure that the statement you were going to provide IPRA corresponded with the other officers' statements?
A. Correct.
Q. And you never felt any pressure in any way to make your statement consistent with the other officers, correct?
A. No.
Q. Okay. Oh, you said you got a CD of your statement that night, correct?
A. Yes. I think it was that night. They usually do.
Q. Did you ever review that statement after the fact, review the -- before we provided you your IPRA statement to IAD or through IAD, had you reviewed your IPRA statement?
A. I think I previously stated I think I did for the Grand Jury, but I'm not sure.
Q. Okay. But shortly before the Grand Jury and in preparation for the Grand Jury, had you ever

reviewed your IPRA statement?

A. Okay. Say that one more time. I'm sorry.

Q. Okay. You stated that you may have reviewed your IPRA statement before you went into the Grand Jury, correct?

A. Correct.

Q. Before that, had you reviewed your IPRA statement?

A. I don't recall whether I did or not.

Q. Did you keep the CD -- where did you keep the CD? Where did you put it?

A. I just keep it at home just in a drawer.

Q. Okay. Got it. And you never at home pulled -- you know, stuck the CD in your computer and reviewed your statement?

A. No.

Q. Okay. So outside of -- scratch that.

MS. ANSARI: Okay. So we are going to go through the statement along with the allegations. So that's Exhibit 3. So I will direct you to certain portions of your transcript.

THE INTERVIEWEE: All I did was respond. I mean, I can, but you are going tell me the pages. I

just on mine just jotted down what pages they --

MS. ANSARI: Yes.

THE INTERVIEWEE: But if you're not going to do that, then --

MS. ANSARI: But if you want to use your copy, we have no issue with that.

BY MS. ANSARI:

Q. So what my plan is, is to go through the -- I will first direct you to where in your transcript, what lines in the transcript correspond to what allegations.

A. Okay.

Q. And then we will ask questions about each allegation.

A. Okay.

Q. So we are going to start with Allegation No. 10. I would like to direct your attention to transcript page 6, lines 20 to 22. There's a couple different parts. So if you want to start at page 6 and read through page 8 and let me know when you are done.

A. Okay.

Q. Okay. "It is alleged that on or about October 21, 2014, you made a false statement when

during an interview with IPRA Investigator Killen, you stated that McDonald was running southbound in the middle of Pulaski waving a knife back and forth, front to back."

Do you stand by your statement to IPRA?

A. Yes.

Q. I would like to direct your attention page 8, lines 28 to 31.

A. Uh-huh.

Q. Let me know when you get there and have reviewed those lines.

A. I'm sorry. What was it?

Q. Page 8, lines 28 to 31.

A. Oh. Okay.

Q. "It is alleged that on or about October 21, 2014, you made a false statement during an interview with IPRA Investigator Killen when you stated that McDonald was still waving the knife as you approached 41st Street."

Do you stand by your statement to IPRA?

A. As he approached 41st Street?

Q. Uh-huh.

A. "Still waving the knife as you approached 41st Street." I stand by my statement

as -- I guess I should have said approximately 41st Street at -- I'm not sure exactly where we were at, at 41st Street. I was just using that as a reference of where we were at, at the time.

Q. Okay. I would like to direct your attention to page 9, lines 28 to 32 and page 10, 1 through 4. So it's the statement that starts at 28 and goes into the next page.

A. Okay.

Q. And please let me know when you are done reading.

A. Okay.

Q. "It is alleged that on or about October 21, 2014, you made a false statement during an interview with IPRA Investigator Killen when you stated that McDonald was still waving the knife as you" -- oh, my gosh. I apologize.

A. That's okay.

Q. "It is alleged that on or about October" -- scratch that one.

"It is alleged that on or about October 21, 2014, you made a false statement during an interview with IPRA Investigator Killen when you stated that McDonald turned toward officers Walsh

and Van Dyke with a knife in a motion towards them."

Do you stand by your statement to IPRA?

A. Yes.

Q. Can you clarify? That section to us is a little confusing.

A. Okay.

Q. Can you clarify what you meant there?

A. Okay. So I'll clarify.

Q. Okay.

A. As he is walking southbound, walking, running, I mean, it was just this -- you know, a lot of movement, he's -- he's doing a back and forth motion with the knife, you know (indicating), or with his arm where he was holding the knife.

As he walked closer to Officers Van Dyke and Walsh, at one point he did a twisting, he turned towards them with the arm, his right arm, which was what he was holding the knife with in a twisting motion turning towards them. Does that clarify it?

Q. Yes, it does.

A. Okay.

Q. Thank you. Okay. "It is alleged that on

or about October 21, 2014, you made a material omission during an interview with IPRA Investigator Killen when you failed to state that McDonald changed the direction in which he was walking prior to the shooting."

Why didn't you tell Investigator Killen McDonald changed the direction in which he was walking prior to being shot by Officer Van Dyke?

A. As previously stated, he was in a southerly direction. I didn't see him change direction northbound, directly westbound, or directly eastbound. He was still in a southerly direction. So I didn't -- I didn't see -- I didn't omit it because I didn't see it.

Q. "It is alleged that on or about October 21, 2014, you made a material omission during an interview with IPRA Investigator Killen when you failed to state that Officers Walsh and Van Dyke moved towards McDonald prior to the shooting."

Why didn't you tell Detective March that Officers Walsh and Van Dyke moved towards McDonald prior to the shooting?

MS. RUSSELL: Just one correction. Not

Detective March. What was the question again?

MS. ANSARI: Oh, I apologize. Killen.

MS. RUSSELL: Investigator Killen.

BY MS. ANSARI:

Q. Why didn't you tell Investigator Killen?

MS. RUSSELL: And the answer is the same whether it's March or Killen.

MS. ANSARI: Right.

THE INTERVIEWEE: Yes.

BY MS. ANSARI:

Q. To correct the question, why didn't you tell Investigator Killen that Officers Walsh and Van Dyke moved towards McDonald prior to the shooting?

A. I did not see Officers Walsh and Van Dyke move towards McDonald during the shooting.

Q. What type of motion did they make prior to the shooting?

A. I saw them get out of their vehicle. I mean, I guess if you want to say making a motion towards McDonald meaning getting out of the vehicle onto the street, but as far as that, I saw them out of the vehicle with their guns drawn. That's all I saw.

Q. And they didn't -- you didn't see them step forward to shoot?

A. I didn't, no.

Q. Did they step backward?

A. I didn't see -- I didn't -- I didn't notice any movement. I glanced over, I saw them out of the car with their weapons drawn, and then I was watching Laquan McDonald.

Q. So if you will look at page 11, lines 17 to 18.

A. I went the wrong way.

Q. Oh, did you? Okay.

A. Okay. I'm here.

Q. "It is alleged that on or about October 21, you made a false statement during an interview with IPRA Investigator Killen when Killen asked if you knew who was shooting and you stated, 'I did not.'"

Do you stand by your statement to IPRA?

A. Yes, I do.

Q. And we have already talked about how you did not see who is shooting, but can you repeat that for the record?

A. Sure. For the record, I can say that I

did not -- I saw Officer Walsh and Van Dyke out of the vehicle with their weapons drawn, loud and clear, "Drop the knife," ordering Mr. McDonald to drop the knife. At that point, my attention was turned to Laquan McDonald.

Q. So please turn to page 13, lines 14 to 16: "It is alleged that on or about October 21, 2014, you made a false statement when during an interview with IPRA Investigator Killen, Killen asked everything you stated was a true and accurate account of what occurred, and you stated, 'Yes, sir.'"

Do you stand by your answer that you gave a true and accurate account of the McDonald shooting to Investigator Killen?

A. Yes.

Q. The last allegation is, I believe, Allegation 9: "It is alleged that on or about October 21, 2014, you provided a false narrative to IPRA Investigator Brian Killen concerning the McDonald shooting through a series of false statements and material omissions."

Do you stand by your answer that you gave a true and accurate account of the McDonald

shooting to Investigator Killen?

A. Yes.

MS. ANSARI: Okay. So I am done with the IPRA statement.

Do you have any follow-up questions, Kris?

MR. BROWN: I have just one follow-up question.

FURTHER EXAMINATION

BY MR. BROWN:

Q. You noted a little while ago that you observed a twisting motion by McDonald?

A. Correct.

Q. I wanted to ask you, was that twisting motion because McDonald was shot?

A. To the best of my recollection that the twisting motion was before the shooting began.

MR. BROWN: Okay. That's all I had.

THE INTERVIEWEE: Okay.

FURTHER EXAMINATION

BY MS. ANSARI:

Q. So we are going to move on to background and the allegations related to the dash camera.

A. Okay.

Q. So we have quite a few background

questions before we get into those allegations.

A. Okay. Sure.

Q. The night of the incident, you were the passenger in the car, correct?

A. Correct.

Q. Okay. So what exactly is an in-car video system? What is it meant to do, how does it work, kind of the background of what you know about the systems?

A. The in-car video, when the lights are active -- you can either activate it manually to turn the camera on, or when you turn light bars on, it activates.

Q. Automatically?

A. It turns on automatic -- well, it's supposed to. Again, we have several issues with this system.

Q. Right.

A. But when you turn the light bar on, it is supposed to activate, yes.

Q. Okay.

A. There's a front camera and a back seat camera. The back seat camera does not automatically engage with the light bar; it has to

be manually engaged.

Q. So the in-car video system captures audio as well, correct?

A. Yes.

Q. It's intended to?

A. Supposed to. Yes.

Q. Can you walk us through the ways generally that you use the in-car video system in a shift, during a shift?

A. I guess I'm kind of -- you would have to be a little more specific.

Q. Scratch that.

A. Okay.

Q. It's not a good question.

A. Okay.

Q. So as of October 20, 2014, what are the rules and regulations governing your use of the in-car video and audio system?

A. I don't know.

Q. So we have an exhibit, a special order --

A. Okay.

Q. -- regarding the car video system.

MS. ANSARI: So we will mark this exhibit, Exhibit 8.

(Whereupon, Exhibit 8 was marked for identification.)

BY MS. ANSARI:

Q. It is CPD special order S03-05 regarding in-car video systems. It's date February 3rd, 2012.

A. Okay.

Q. And it is our understanding that this was the special order that was in place on October 20, 2014.

A. Okay.

Q. Does this special order refresh -- I will give you a chance to review it. Let me know when you are done. It's long. I guess you don't have to read the whole thing.

A. Yeah.

Q. You don't have read the whole thing.

A. Okay.

Q. We can direct you to relevant sections.

A. Okay.

Q. But as a general matter, does this special order refresh your recollection as to the in-car video system protocols that were in place as of October 2014?

A. Uh-huh. Yeah.

Q. Have you seen this document before?

A. Probably at some point.

Q. I want to direct your attention to section 6 titled Operational Procedures.

Okay. Right at the beginning, section A, it states, "Department members assigned to department vehicle equipped with an in-car video system will at the beginning of a tour of duty visually inspect the in-car video system for damage, obtain the remote transmitter/audio recorder and assure it is securely attached to the member's person, follow the startup procedures for the in-car video system as trained, and ensure the system is working properly.

"Note: Members will immediately notify supervisor if at any time an in-car video system is inoperable, damaged, the equipped vehicle becomes inoperable, or the remote transmitter audio recorder is missing?"

Were you aware --

THE INTERVIEWEE: Can I -- I need a break for a quick minute.

MS. ANSARI: Sure.

MR. BROWN: The time is 1:24 p.m. We are going off the record.

(Whereupon, a break was taken from 1:24 to 1:26 p.m.)

MR. BROWN: The time is 1:26, and we are back on the record.

BY MS. ANSARI:

Q. So we left off at reading operational procedure section 6, or section 6, subheading A.

A. Okay.

Q. Were you ever trained on these procedures, Officer Sebastian?

A. Yes.

Q. Do you remember when?

A. In 2006.

Q. 2006?

Were there subsequent trainings after 2006?

A. I don't recall.

Q. But you remember at least -- did you have multiple trainings on these in-car video systems?

A. I don't recall.

Q. But at least once? You have had --

A. At least once.

Q. -- the training at least once?

A. Yeah. Yeah. It's hard to -- because they've kind of picked up the pace on it now, so I can't discern, like --

Q. Well, as of October 20, 2014?

A. Well, I can recall it was -- yes, I had the training in 2006.

Q. Do you remember what the nature of the training, like what substance went into the training in 2006?

A. I don't remember. That's when they were introducing them, so I don't remember specifically what the content was of the class; however, it was the general procedures on how to operate the cameras. Specifically, I don't recall.

Q. So the note in here which says, "Members will immediately notify a supervisor if at any time the in-car video system is inoperable, damaged, the equipped vehicle becomes inoperable, or the remote transmitter audio recorder is missing," is that a regular practice to actually notify the supervisor if the in-car video system is inoperable, damaged in the equipped --

A. Yes.

Q. Okay. Have you ever in the past, so not related to anything on October 20, 2014, but have you ever in the past had to notify your supervisor about problems with your in-car video system?

A. Yes, up to and including the fact that my PC number didn't work until after the incident.

Q. Okay.

A. I had over the course of 2006 to 2014 intermittently -- when I didn't have a partner that could sign in, like a PPO or whatever, let them know that my PC number doesn't work.

Q. What does that mean that your PC number doesn't work?

A. When you log into the system, you have to have your PC number, which is your computer number that's used for almost all computer applications, the PDT, the CLEAR system, so that's basically our computer number. My PC number for the in-car camera system was never operable.

I can't give you any specific dates, any specific supervisors; however, I did do two to-froms and I did make notifications that my PC number didn't work. However, if I had a partner whose PC number worked, that's just what we did.

We would sign in with theirs.

Q. Okay.

A. It wasn't until after the Laquan McDonald incident when I contacted -- someone advised me to contact for data which no one had ever done before, and that's when they enabled my PC number. I don't know what they did to do it. I got an e-mail saying, "Hey, it's done. You're good to go." And now I can log in.

Q. Okay.

A. Okay?

Q. And your partner, Officer Mondragon, does she have a valid PC number that works?

A. Yeah. Yeah.

Q. I mean, there was video that night.

A. Yeah.

Q. So it's not --

A. Obviously, that part was working. Yeah.

Q. It worked.

A. Yeah.

Q. So you were driving vehicle 8779 on October 20, 2014, correct?

A. Correct.

Q. Okay.

A. I wasn't driving; I was riding in it.
Q. You were riding. I apologize.
A. That's okay.
Q. You were a passenger in that vehicle. Is that a vehicle that you regularly use?
A. It's supposed to be our assigned vehicle, but working midnights some days it was, some days it wasn't. It's supposed to be assigned to 813 Robert; however, it just depended on the night.
Q. As a general matter, so not just that night, how often do other people, police officers, use that car?
A. Often.
Q. Oh, very often?
A. Yes.
Q. Like, weekly?
A. Different watches use it. You know, I don't know what other beat it's assigned to, but it usually is one opposite ours, so it might be days, you know, or -- so it's not assigned specifically to 813 Robert.
Q. Okay. So --
A. It's assigned to another watch, and

other officers can use it too. There's no specifics.

Q. How many watches are there, two or three?

A. Well, there's three watches. There's first, second, third, but then you have two starts at every watch, an early start and a late start; and then on afternoons you have what they call rapid cars. So they're like a whole other time block or two maybe even.

Q. And 8779 isn't a rapid car, or is it?

A. I don't remember what its --

Q. What it is?

A. Pretty much, whatever's there you take.

Q. You take. Okay.

A. Yes.

Q. And so it's regular. So --

A. They try to give it to us, but that doesn't --

Q. So 8779 is generally your car, but is it also a regular car of another beat, the --

A. Yes.

Q. -- daytime, well, or first watch? Is that who comes?

A. No. We're first. Days is second.

Q. Okay. So --

A. I think -- I can't tell you exactly who it's assigned to. I think it's a day shift, like that, but I'm not positive.

Q. Do you know about how long you have had that car or as a general matter how long you have been using it?

A. How long we had that car?

Q. Yeah.

A. Because we don't have it anymore. No. I don't remember how long we had had it at that point.

Q. Had you had any issues with 8779's video system before?

A. I don't remember.

Q. What about the audio? Did you have any issues with the audio before this?

A. I don't remember.

Q. You don't recall ever reporting issues with 8779's camera?

A. I don't --

Q. Besides the PC number, your PC number working, do you recall ever reporting issues with that, regarding the in-car video system of that

specific car?

A. I don't recall whether I did or not. And the reason that is, is because I've called and reported video in-car camera systems not working, but I can't remember if we were using 8779 that night.

Q. Okay.

A. So I may have, but I don't recall.

Q. So on previous occasions, you have been in cars where the video system isn't working?

A. Correct.

Q. And have you on previous occasions been in cars where the audio system isn't working?

A. Correct.

Q. Is it more likely that the audio doesn't work than video? Maybe that was a bad question.

Yeah, I guess, is it more likely that the video isn't working versus the audio, or is it kind of a regular thing that the audio never works and videos maybe half the time?

A. I don't know.

Q. What about with your personal experience?

A. I don't know.

Q. So on the morning or at the beginning of

your tour on October 20, 2014, can you walk us through what you did with regards to the in-car video and audio system?

A. Well, Janet logged in because I can't -- I don't have a log-in. So we just logged into the camera.

Q. Do you recall visually inspecting the in-car video system equipment for damage?

A. Yes.

Q. Do you recall obtaining the remote transmitter audio recorder and ensuring it was securely attached to your person?

A. No.

Q. You don't recall doing that?

A. I didn't do it.

Q. Okay. Why didn't you do it?

A. I don't have an answer for that.

Q. Okay.

A. I didn't do it.

Q. Is it your regular practice to do that?

A. It is now.

Q. It is now. Before October 20, 2014?

A. No, it was not.

Q. It was not. Okay.

The department in general, was it regular practice for other -- is it your understanding that it wasn't a regular practice for other police officers?

A. I don't know whether it was or it wasn't.

Q. Okay.

A. Can I just clarify that you asked if we visually inspected the in-car video system? It was -- I'm referring specifically to the camera portion of it. Okay?

Q. Yes.

A. All right. I just wanted to make sure.

Q. Yeah. Understood.

So you said that Janet Mondragon logged in with her PC number, correct?

A. Correct.

Q. Where do you generally -- as a general matter, and this is not necessarily on October 20, 2014, where do you normally keep the microphones for the --

A. They have a cradle. I don't know what you call them, a charger or cradle. There is just a little thing that they stay in, and that's what

charges them. We call it a cradle. I don't know what the technical term is for it.

MS. ANSARI: Okay. So I'm going to enter into exhibit -- well, what are we on, 9?

MR. BROWN: Yes.

MS. ANSARI: Exhibits 9 and 10.

(Whereupon, Exhibit 9 and Exhibit 10 were marked for identification.)

BY MS. ANSARI:

Q. Okay. Exhibit 9 is an In Car Camera Video Retrieval Worksheet. It was filled out -- the technician listed on this worksheet is Becvar, that is Sergeant Lance Becvar. And then Exhibit 10 is an e-mail from Sergeant Lance Becvar dated Friday, July 17, 2015.

A. Okay.

Q. And that is regarding the in-car videos. Both documents are regarding the in-car video system.

So, Officer Sebastian, you stated you were in vehicle 8779 on October 20, 2014 on the night of the Laquan McDonald shooting, correct?

A. Yes.

Q. Now, the in-car camera video retrieval worksheet states on the top line, it looks like a little bit of it is scribbled out, but the top is 8779, colon, "Mics In Glove Box Batteries Inserted Upside Down."

And then if you look at Exhibit 10 next to vehicle 8779, it says, "Video recovered titled PC number" -- which we assume is Officer Mondragon's, "No MICs because they were in the Glove Compartment with the batteries inserted upside down - Disabling them"?

MS. RUSSELL: I would also note on the document entitled In Car Camera Video Retrieval Worksheet, under the officer's numbered car, it also has an arrow that says "fully op."

MS. ANSARI: Yes. That's correct.

BY MS. ANSARI:

Q. So your video was working the night of October 20, 2014?

A. Uh-huh.

Q. But there was no audio in the --

A. Yes.

Q. There was no audio working?

A. Uh-huh.

Q. So according to Becvar, the mics were in the glove compartment with the batteries inserted upside down, disabling them.

Do you recall having a conversation with Officer Becvar on the night of October 20, 2014?

A. No.

Q. Do you remember Officer Mondragon having a conversation with him?

A. No.

Q. Can you explain why the mics were in the glove compartment? Okay. And you don't know who Sergeant Becvar is?

A. No.

Q. Correct? I mean, we have asked that already.

A. I may have seen him, but I don't know him.

Q. Okay. And we really have kind of covered that already.

A. We've covered that already.

Q. So why were the mics in the glove compartment?

A. I don't know.

Q. Do you know why the batteries were

inserted upside down?

A. No, I do not.

Q. Did you purposefully disable the microphones?

A. No, I did not.

Q. Can you explain why there is no audio captured by any of the in-car video systems on the night -- of any of the five vehicles on the night of the McDonald shooting?

A. No.

Q. Were you surprised to hear that none of the five vehicles captured any audio?

A. No.

Q. Why were you not surprised to hear that?

A. Well, this is a perfect example right here. If you look at the sheet that you gave me, Exhibit, I believe, No. 10, if you look at the description of all the systems, it will show you right there that half of them aren't working, there are videos so long that they can't be processed, unable to start another video. This is a regular occurrence. I can't give you any statistics on it; however, it's -- it happens.

Q. After the Laquan McDonald -- the video

came out in public in the media November 2015, are you aware of news articles that came out after that discussing dash cam video and audio and about how it was in a lot of officers' -- I will rephrase that question.

Have you ever been disciplined for having not working video or audio in your dash cam vehicle?

A. No.

Q. For your vehicle?

A. No.

Q. No. Okay.

Do you know if there was a practice of CPD officers disabling the audio component of the in-car video system?

A. I do not know that there is a practice where officers do that.

Q. Okay. And you have never heard of such a practice?

A. No.

Q. Did you hear of an incident where officers threw their microphones on the roof of their district?

A. Maybe on the news. I don't know.

Maybe. I don't know. I don't know. It sounds familiar, but I have no -- I have no idea where I heard it from. So --

MS. ANSARI: Okay. Okay. I think we can just go ahead and -- oh, well, I will go into the allegations, and then you can do follow-up, or vice-versa.

MR. BROWN: Okay.

BY MS. ANSARI:

Q. Go back to the allegations.

A. Okay.

Q. So this starts at 17.

A. Yes.

Q. So we will go from there.

"It is alleged that on or about October 20, 2014, you disabled the microphones for CPD vehicle 8779 by placing them into the vehicle's glove compartment with the batteries inserted upside down."

What is your response to that allegation?

A. My response is that I did not insert the batteries upside down or put the microphones in the glove box.

Q. So you weren't --

A. Oh, but I don't deny that it was disabled.

Q. Okay. But you weren't the one who placed the microphones in the glove compartment?

A. Correct.

Q. And you did not insert the batteries upside down?

A. Correct.

Q. And you recall that? It's not something that you don't recall; you know that you didn't do that?

A. I know that I didn't do that, yes.

Q. You're just not sure how it happened?

A. Exactly.

Q. "It is alleged that on or about October 20, 2014, you failed to ensure the in-car video system for CPD vehicle 8779 was working properly at the beginning of your tour of duty."

What is your response to that allegation?

A. My response to that allegation is that it appeared that the in-car camera was working properly at the beginning of the tour; however, I did not ensure that the audio system was working correctly.

Q. "It is alleged that on or about October 20, 2014, you failed to immediately notify a supervisor that the in-car video system for CPD vehicle 8779 was inoperable or damaged."

What is your response to that allegation?

A. My response to that is that's correct. I did not immediately notify a supervisor.

Q. "It is alleged that on or about October 20, 2014, you failed to audibly record events with CPD vehicle 8779's in-car video system during your tour of duty."

Do you have --

A. Can I go back? I apologize for interrupting. Can I go back to number 19?

Q. Sure.

A. Because although -- I did fail to immediately notify the supervisor; however, I did not check the microphones. So I didn't know that they were inoperable, damaged. I didn't check them.

Q. Okay.

A. Okay? So I just wanted to add that to it. Okay. Go ahead. I'm sorry.

Q. No problem.

"It is alleged that on or about October 20, 2014, you failed to audibly record events with CPD vehicles 8779's in-car video system during your tour of duty."

What is your response to that allegation?

A. Again, I'll repeat the fact that I didn't inspect the microphones. I didn't ensure that they were working. So I had no knowledge whether it would record it or not record it at the time of the incident.

Q. Understood.

MS. ANSARI: Do you have any questions for Officer Sebastian?

MR. BROWN: Just a couple.

FURTHER EXAMINATION

BY MR. BROWN:

Q. You noted receiving a training in 2006 in regards to the -- I guess, the video system?

A. Yes.

Q. The video system that was in the vehicles in 2006, is that the same one that was in the vehicles in 2014?

A. I think they have an updated version. I can't answer that question for sure. I think the

cameras have slightly changed, and I only know that because I've been in some old vehicles and I'm looking at them like, huh, I'm not quite sure how to do this because this might be an old one.

So I know the cameras have changed. I'm not sure that the -- I know logging in is the same; the appearance is different. So maybe, maybe not. The general information is the same; the cameras have changed. Okay?

Q. Okay. So as far as, I guess, the operation and the logging in, it has remained the same?

A. Correct.

Q. It is the actual hardware that might have changed over time?

A. Right, or the appearance of it or -- yes.

Q. Okay. You noted that vehicle 8779 you guys don't have anymore?

A. No, we don't.

Q. Do you know the reason why you no longer have that vehicle?

A. They just assigned it to a different -- it actually has a traffic -- it has plate readers

on it now. So when they have plate readers on it, they like to give it to a traffic officer who maybe does car accidents and stuff like that, so now we have a new vehicle, which is not unusual. They trade out and swap vehicles a lot -- I mean, not a lot, but they do it.

Q. As far as you know, it wasn't any response to any, I guess, deficiencies with the systems in vehicle 8779?

A. Not to my knowledge.

Q. I know you stated that you couldn't estimate the frequency as to which or how often the audio or the video system was not working. But whenever the audio or the video system wasn't working, would you typically report that to your sergeant?

A. Yes, if there was anything wrong with the -- yeah. Yes.

Q. It sounds like from what you have told us that it was typical that you would check the video system when you start your tour?

A. Correct.

Q. Was it typical for you to also check the audio system?

A. As of October 20, 2014? No.
Q. So every day you would go in, the PC number wouldn't work; whoever your partners were, they would log in; you guys would check the video?
A. Yes.
Q. But for whatever reason, you wouldn't check the audio system?
A. Myself, no.
Q. Why would you not check it over this span of time?
A. I don't have an answer for that question. I don't know.
Q. So is it safe to say you likely didn't report to your sergeant any issues with the audio for I don't know how long, but years, because you would never check the audio?
A. Yeah, I guess.
Q. All right.
A. It's safe to say that.
Q. Now, when you and your partner get into a car, it's not incumbent on just the passenger to check the video and audio system, right, it's incumbent on both you guys?
A. Correct.

Q. And I know you have had, you know, not just Mondragon as a partner; you have had other people. Each time, as far as you know, you and your partner wouldn't check the audio?

A. I can't speak for anyone I have ever worked with, and I don't supervise what they do. So they may have checked and I just didn't. I don't know. I can't answer that question.

Q. So it's possible that a partner of yours might have checked the audio system and then made the, I guess, required notification to the sergeant?

A. If need be, it's possible. Yes.

Q. In practice, do you think that's what has been happening?

A. I'm not going answer that. I don't know.

Q. I'm sorry, not as of right now, but I mean, like, back in October of 2014?

A. I have no idea. Yeah.

Q. And I think we asked this, but I just want to make sure.

A. Sure.

Q. Is there any particular reason why you

wouldn't check the audio system?

A. I can't give you any reason for that.

Q. Is it cumbersome to check?

A. No. I don't think it's cumbersome to check. I mean, now that it's part of my routine, it's not cumbersome. I mean, I can't give you a reason for why before that day, just --

Q. It wasn't because of a conscious decision to not have any audio recording what's going on?

A. Absolutely not. No. No.

MR. BROWN: All right. That was my follow-up.

FURTHER EXAMINATION

BY MS. ANSARI:

Q. In retrospect, do you think you should have checked the video --

A. Oh, absolutely.

Q. Checked the audio?

A. Absolutely. Yes. And the practice now is very forward and very specific on what we need to do to check it.

Q. Okay.

A. And, really, I'm sure the department in retrospect would say the same thing. I mean, now we have a different way of checking it. We

actually conduct a video, and then we review the video and the audio, and it's -- now, it's done, you know, right.

MR. BROWN: That sounds comprehensive.

THE INTERVIEWEE: Correct.

MS. ANSARI: So I think we have wrapped up with our questions.

BY MS. ANSARI:

Q. You know, understanding the nature of our investigation --

MS. ANSARI: Do you guys want to take a break we ask kind of the wrap-up question, or --

THE INTERVIEWEE: No.

BY MS. ANSARI:

Q. So understanding the nature of our investigation, is there anything that you would like to add that we -- so is there anything that we didn't ask you today that you want to add? Is there anything that you would like to clarify that you have told us?

This is kind of your -- you know, this, obviously, has been a very big event that's been in the news, and, you know, this is kind of your opportunity to add anything to your statement to

us.

A. No.

MS. RUSSELL: I would also just add that to the extent Officer Sebastian actually understands the extent of your investigation --

MS. ANSARI: Yes.

MS. RUSSELL: -- I don't think she has anything to add.

MS. ANSARI: Understood. Okay. Then I think we can go off the record, and this concludes our interview. We'll go off the record. The time is 1:53 p.m.

(Which were all proceedings in the above-entitled interview this date.)

STATE OF ILLINOIS)
) SS:
COUNTY OF C O O K)

I, ANDREW ROBERT PITTS, C.S.R. No. 84-4575, a Certified Shorthand Reporter within and for the County of Cook and State of Illinois, do hereby certify:

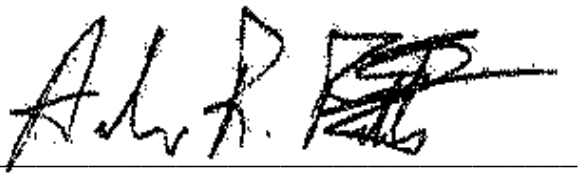
That previous to the commencement of the examination of the Interviewee, the Interviewee was duly sworn to testify the whole truth concerning the matters herein;

That the foregoing interview transcript was reported stenographically by me, was thereafter reduced to typewriting under my personal direction and constitutes a true record of the testimony given and the proceeding had;

That the said interview was taken before me at the time and place specified;

That I am not a relative or employee or attorney or counsel, nor a relative or employee of such attorney or counsel for any of the parties hereto, nor interested directly or indirectly in the outcome of this action.

IN WITNESS WHEREOF, I do hereunto set my hand and affix my seal of office at Chicago, Illinois this 5th day of April, 2016.



Certified Shorthand Reporter
Cook County, Illinois
My commission expires May 31, 2017

C.S.R. Certificate No. 84-4575.

Exhibits

Sebastian Exhibit No. 1 3:8 12:11, 14

Sebastian Exhibit No. 2 3:9 15:13, 16

Sebastian Exhibit No. 3 3:11 16:1,4 136:21

Sebastian Exhibit No. 4 3:13 16:20, 22

Sebastian Exhibit No. 5 3:14 17:16, 20

Sebastian Exhibit No. 6 3:16 18:5, 7,12 103:16,19 104:5,17

Sebastian Exhibit No. 7 3:17 18:18, 20 103:16,22

Sebastian Exhibit No. 8 3:19 147:24 148:1

Sebastian Exhibit No. 9 3:20 160:7, 11

Sebastian Exhibit No. 10 3:22 160:8,15 161:6

1

1 12:11,14 124:1 139:7

10 137:17 139:6 160:6,8,15 161:6 163:17

100 32:12 99:4 126:21

10:17 4:22

10:36 21:5,8

10:37 21:8,9

10:41 25:4,7

10:42 25:7,8

10:51 34:11,14

10:53 34:14,15

10:57 38:9,12

10:58 38:12,13

10th 76:14

11 143:9

11:29 68:15,18

11:46 68:18,19

11:59 81:24 82:3

12:01 82:3,4

12:07 87:24 88:3

12:09 88:3,4

12:47 126:2,5

12:48 126:5,6

12:54 132:20,23

13 144:6

14 8:6 144:6

15 127:22

16 18:8 122:22 144:7

17 143:9 160:16 165:12

18 143:10

19 167:14

1:03 132:23,24

1:24 150:1,4

1:26 150:4,5

1:53 175:12

2

2 15:13,16 116:13, 15

2-56 5:13 9:10

2/8 52:5

20 18:21 20:23 21:13 22:7 40:21 48:14 51:9,20 52:8,12,18,22 53:6,18 54:2 76:19 77:17 104:19 105:15 107:1 116:18 117:15 118:14 119:3,23 120:9,17 124:5 133:13 137:18 147:16 148:9 151:5 152:2 153:22 158:1,22 159:19 160:22 161:19 162:5 165:16 166:16 167:2,9 168:2 171:1

2004 52:6

2006 150:15,16,18 151:7,10 152:8 168:17,21

2012 148:6

2014 17:17 18:21 20:23 21:13 22:7 40:21 48:14 51:9, 20 52:8,12,18,22 53:6,19 54:2 77:17 104:19 105:15 107:1 116:18 117:15 118:14 119:3,23 120:9,17 124:5 133:14 137:24 138:16 139:14,22 141:1, 16 144:8,19 147:16 148:10,24 151:5 152:2,8 153:22 158:1,22 159:20 160:22 161:19 162:5 165:16 166:16 167:2,9 168:2,22 171:1 172:19

2015 18:8 22:22 23:3 32:5 34:22 160:16 164:1

2016 4:17,22 15:15,23 16:8,13, 21 17:6 18:3,16 19:6 124:22

20th 72:4 123:24 128:22

21 4:17,22 17:17 137:24 138:16 139:14,22 141:1, 16 143:15 144:7, 19

21st 133:15,16

22 137:18

22nd 76:20

24 15:15,23 16:8, 13,21 17:6 18:3,16 19:6

26th 25:12,17 32:12 36:5

2763 20:18

28 138:8,13 139:6, 8

3

3 16:1,4 117:14 136:21

30 43:20

300 4:23

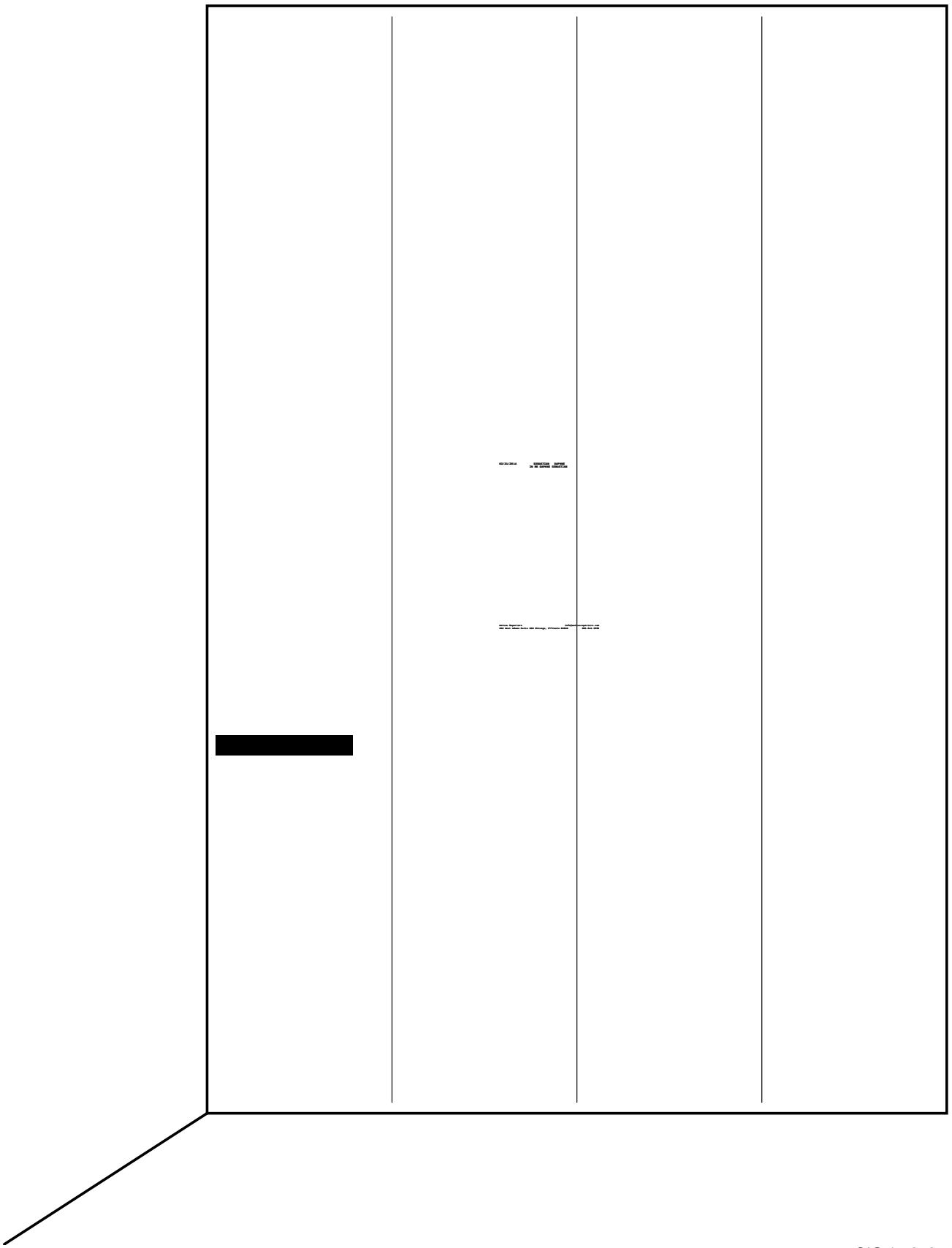
31 138:8,13

32 139:6

3rd 148:5

4

4 16:16,20,22 139:7



OIG 15-0564 008156

allowed 9:15
aloud 9:14
Amendment 23:6
Amicus 4:23
and/or 14:3
Andrew 5:1 122:6
Ansari 4:1,16,20, 24 5:10 6:4,16,23 10:1,9,18,19,21 11:16,21 12:2,5,8, 13 14:13 15:6,13, 18 16:6,15,20 17:1,16,22 18:7, 11,20 19:1 20:9,14 21:11 22:9,12 25:3,15 27:9,12 30:22 31:5,6,15 34:20 35:9 36:24 40:13 43:9,11 45:8,10 57:10 58:3 66:12,13 68:14,21 73:24 83:2 88:6 91:6,13,19 99:8,9 100:3 102:15 103:12,15,18 122:6,10 125:22, 24 126:7 132:5,15, 19 133:2,5,7 134:7,11,14 136:19 137:2,5,7 142:2,4,8,10 145:3,20 147:23 148:3 149:24 150:7 160:3,6,10 161:16,17 165:4,9 168:12 173:13 174:6,8,11,14 175:6,9
answering 7:11
answers 14:11 104:21 122:11
anymore 76:10 156:10 169:19
apologize 139:17 142:2 154:2 167:13
appearance 169:7,16
appeared 83:24 166:21
appears 125:17
applicable 13:1
applications 152:17
approached 138:19,21,24
approximately 23:14 42:9 48:6 139:1
approximation 43:21
arbitrator 13:17
area 41:12 44:16 66:9 74:22 86:7, 16,20,22 87:3,14, 15 88:7,8 89:5,6, 10 90:10,13,15,17, 20 92:10,24 93:16 94:4,10,15,20 95:11 97:6,14 99:21 100:10 101:4 102:3,19 133:20,21 134:22, 23
arm 140:15,18
arrangement 78:18
arrived 94:20 95:10 100:10
arrow 161:15
articles 164:2
Arturo 53:18
assert 14:9 23:6
assigned 77:13 149:7 154:6,8,19, 21,24 156:3 169:23
assignment 20:20,22
assist 69:12 110:2
assistance 105:12 106:21 107:24 108:20
assume 46:19 72:17 84:2 87:1 161:8
assumed 73:6
assuming 46:18 96:12
assurances 12:21
assure 149:12
attached 149:12 158:12
attempt 31:9 135:5
attempting 11:3
attend 35:13,24
attendance 32:14
attention 84:11 101:8 103:7 137:17 138:7 139:6 144:4 149:4
attorney 6:8 20:6, 8 28:15,17 35:17 134:5
Attorney's 32:23 33:1
attributed 116:24 117:21 120:22 128:3 131:1,8
audible 130:16
audibly 167:9 168:2
audio 4:11,18,20 17:12,13 147:2,18 149:19 151:20 156:16,17 157:13, 15,18,19 158:3,11 161:21,23 163:6, 12 164:3,7,14 166:23 170:13,14, 24 171:7,14,16,22 172:4,10 173:1,9, 17 174:2
audio-record 4:6
authority 17:19 65:14
automatic 146:15
automatically 146:14,24
Avenue 108:1
aware 24:17 42:19 149:21 164:2

B

B-r-o-w-n 5:4
back 16:15 21:10 25:8 34:16 38:13, 15 47:17 54:20,21 61:16 68:10,20 82:5,7 88:5 98:12 99:14,24 110:2 113:21 119:14 121:16 122:6 123:17 124:14,17 133:1,6 138:3,4 140:13 146:22,23 150:5 165:10 167:13,14 172:19
background 20:16 22:9 105:7 145:21,24 146:8
backward 143:4
bad 67:5 125:23 157:16
bar 146:19,24
bargaining 13:1
bars 146:12
based 14:10 80:6
basically 46:8,12 152:18
basis 8:2,16 9:11

batteries 161:4,10 162:2,24 165:18, 22 166:6

beat 105:12 106:22 108:19 109:18 110:17,18 112:3 154:19 155:20

Becerra 88:16

Becerras 53:18

Becvar 59:18,19 160:14,15 162:1,5, 12

began 145:16

beginning 149:6, 9 157:24 166:18, 22

believes 5:24

big 56:8 78:2,19 100:22 174:22

bit 54:19 76:5 78:3 116:7 128:3,5,14, 24 161:3

black 109:9

block 128:12 155:9

blue 12:3,4

Bob 10:17

booming 129:3

bother 83:10

bothering 46:9 47:20

bottom 9:17

bound 109:11

box 161:4 165:23

brake 69:17

break 21:7 25:6 34:9,13 38:11 68:13,17 81:23 82:2 88:2 103:12 125:24 126:4 132:17,18,22 149:22 150:3 174:11

Brian 144:20

bridge 42:11 69:23

bright 122:17

bring 96:8,11

brought 96:10

Brown 5:4 10:24 12:4,6,9 15:12 16:2 21:5,9 22:11 25:4,8 31:17,21 34:10,15 35:11 37:2 38:9,13 39:1 40:10 68:15,19,24 69:3,5 74:1,2 77:7 81:24 82:4,16,22 87:24 88:4 100:6 102:12 126:2,6,12 132:3,20,24 133:3 145:7,9,17 150:1,5 160:5 165:8 168:14,16 173:11 174:4

Brown's 7:3

bunch 93:22

Bureau 11:12

Burger 109:12 117:9

burn 99:7

C

Cal 32:12

call 10:10,15 16:16 35:20 36:1,3 46:8, 14,16 62:15 71:12 72:10 79:10 107:24 108:10 122:15 155:7 159:23 160:1

called 6:19 73:3 157:3

calling 45:22 46:9, 15

calls 30:7

cam 39:10 124:19 164:3,7

camera 55:4,24 60:19,21 61:13 145:22 146:12,22, 23 152:19 156:20 157:4 158:6 159:10 160:11 161:1,13 166:21

cameras 61:14 151:15 169:1,5,8

capacity 83:22

capture 61:17

captured 61:10, 11,23 163:7,12

captures 147:2

car 42:12,13 44:4, 8,9,10,14 55:23 59:14 60:3,14,23 61:10 62:13 64:16, 21,22,23,24 65:1 67:23 68:6 69:10 81:14,19 82:19 90:22 97:10 102:3 107:10 129:12,23 132:6 143:7 146:4 147:22 154:13 155:10,19,20 156:6,8 157:1 160:11 161:13,14 170:3 171:21

career 25:14,16

cars 43:1 69:15 98:13 155:8 157:10,13

case 5:24 18:8 103:19 104:5,14

Caucasian 76:2

CBA 14:21 15:3

CD 33:18 37:10 98:22 99:2 135:13 136:11,12,15

cell 22:3,4,6

central 74:23 93:16 99:22 102:19 133:20 134:22

certified 4:3

CHA 74:13

chain 21:12

chairs 89:5

chance 37:8 104:8 148:13

change 119:19 141:10

changed 119:5,8 125:18,19 141:4,7 169:1,5,9,15

changing 119:12

channels 125:3

Chapter 5:13

charged 35:1,5

charger 159:23

charges 5:24 6:1, 10 12:23 160:1

check 131:19 167:18,19 170:20, 23 171:4,7,9,16,22 172:4 173:1,3,5,20

checked 172:7,10 173:15,17

checking 173:24

Chicago 5:5,14 8:1,7,11 9:10 11:12,17 13:12 124:7

chief 65:18

choosing 9:2

Christmas 49:16

chronological 112:21,24 117:23 118:5 131:4

circumstances 77:10
citizens' 41:13
City 5:4,14 11:17 13:12
civilian 102:19,23
civilians 42:15,20, 21
clarification 25:10 118:22 128:9
clarified 124:12
clarify 30:18 34:17 35:4 43:5 44:11 45:11 74:18 75:5 113:18 140:5,8,9, 21 159:8 174:19
class 151:13
clean 71:21
clear 130:22 144:3 152:17
close 51:16 55:23
closed 130:17
closer 140:16
co-worker 48:2, 15,16 51:10,11 52:13,14,23 53:7 72:8,9
co-workers 35:23 36:9 48:3
Code 5:14
cold 128:19
collecting 84:13, 14
collective 13:1
Colleen 33:10 34:2
college 51:17
colon 161:4
color 12:5
command 11:5,9 21:12
commander 10:10,12,16,17,18, 20 11:7,10,11,20 13:7 21:15,22,24 22:1 65:17,18 85:1
commanding 128:12,13
communications 29:19 30:15
compartment 161:10 162:2,11, 22 165:18 166:4
complaints 48:18
complete 73:20 130:9
completely 7:11
component 164:14
comprehensive 174:4
computer 19:21 93:8,10 136:15 152:15,16,18
concludes 175:10
conclusion 98:4 131:23
conduct 174:1
conducted 5:13
conducting 6:4,6 13:14 14:14,15,18
conference 133:22
confident 63:12, 14
confidential 4:8
confirm 20:10 61:8,23 107:15 133:9 135:2
confirmed 62:1
confusing 140:6
conscious 77:22 90:3,6 173:8
consistent 31:11 135:10
constitute 8:5 9:9
constitutes 7:24
constitutional 12:20
consult 9:2
contact 45:22 46:19 153:5
contacted 153:4
contained 17:14
content 106:10,12 151:13
context 48:17 80:9 84:3
continue 116:21
continued 110:10 112:17 113:3,13, 14 114:1,5,12,15, 17 115:4 117:19 118:3,17,23 120:11
continuing 5:22 114:13
continuous 115:11 120:20 123:3,20
continuously 114:9
contract 14:5
conversation 45:18 59:3 64:19 79:18,22 80:20,22 81:14 82:12,14,18 85:4 92:17,22 100:23 103:24 104:21 126:13 127:9 131:14,18 162:4,8
conversations 30:1 62:6,10 66:19 89:23 92:24
conveyed 101:17, 23
Cook 25:13,17 32:22
cooperate 7:10
copies 103:11
copy 14:2 98:21 137:5
correct 4:20 10:14 19:14 20:1 22:17 24:19,20,23 25:23 26:16,20,24 27:6 29:22 30:6 40:4 41:7,19 43:10 44:17 47:23 54:10, 11,15,17,18 57:4, 12,13 58:8,9 59:14,15 62:24 63:5,6 64:14 66:4 67:2,13 68:6,8 71:7,10,12 72:20 74:8 85:10 87:6,8 93:2,23,24 97:11 99:14 101:5 105:16 107:10,11, 18 112:22 113:1, 22 114:10,11 117:3,6 118:7 121:2 123:1 130:19 131:13 133:11,12 134:24 135:1,3,4,8,11,14 136:6,7 142:11 145:12 146:4,5 147:3 153:22,23 157:11,14 159:16, 17 160:23 161:16 162:14 166:5,8 167:6 169:13 170:22 171:24 174:5
corrected 66:11 114:24 117:22
correction 114:23 141:24

correctly 166:24
correspond 137:10
corresponded 135:7
counsel 5:7 9:1,4, 21 10:6,11,23 13:10
County 25:13,17 32:22
couple 22:1,13 31:17 49:16 50:18 52:19 68:24 76:6 83:3 87:21 89:3 112:20 123:2 137:19 168:14
court 4:3,6,9,14, 23,24 5:17
court-reported 10:22
covered 162:18, 20
CPD 18:8 148:4 164:14 165:17 166:17 167:3,10 168:3
cracked 128:20 130:18
cradle 159:22,23 160:1
crest 69:16
criminal 5:24 6:1, 5,10 8:21 12:22 14:16 24:18 25:21
CSR 104:12
CSRS 104:7
CTA 74:13
cumbersome 173:3,4,6
curious 40:14 121:19
current 20:19
custom 4:5

D

Daley 33:10 34:3
damage 149:11 158:8
damaged 149:18 151:18,22 167:4, 19
Dan 134:5
Daphne 5:8,15 6:18 10:22 11:14
dash 124:19 145:22 164:3,7
dashboard 39:10
data 153:5
date 4:17,21 21:1 22:21 32:6 35:7 51:13,14,15 148:5 175:14
dated 15:14 16:8, 21 18:8,21 160:16
dates 152:20
daughter 50:15, 16 51:19
daughter's 51:17, 18
David 65:16 85:1 124:6,11
day 23:18,19 24:22 26:8,9 29:23 39:13 51:18,19 52:1 65:19 156:3 171:2 173:7
days 28:22 29:2 50:18 51:4,5 71:1, 2 154:7,8,20 155:24
daytime 155:22
decided 13:17
decision 77:23 90:3,6 173:8
deem 69:10
deemed 69:14
deficiencies 170:8
delayed 9:5
deliberately 9:8
deny 166:1
department 8:1, 12 11:12 124:7 149:7,8 159:1 173:22
Department's 8:7
depended 154:9
depending 77:9, 13
depends 79:2 122:1
describe 24:5 75:11 78:3
describing 24:7 27:18
description 163:18
designees 11:16
desks 93:22 94:1
desktop 93:13
detail 80:20
details 26:15
detective 18:10, 22 28:10 40:18 55:10 58:14 59:18 62:21,23,24 63:1, 3,5,12,18,22 64:10,17 65:3,6,12 66:2 67:8 80:1,2, 22 85:18 90:12 91:2,10,16 101:3, 18,23 103:20,23 104:10,18 106:24 108:2,13,21 109:4, 13,20 110:4,12,20 111:18,23 112:6, 12,18 114:18 115:5,12 116:19, 24 117:17 118:15, 20 119:4,7,24 120:3,10,14,18,24 124:6,11 126:9,14 131:7 141:21 142:1
detective's 133:20
detectives 64:6 86:5 90:9 93:19 101:6 102:10,22
detectives' 93:22
dinner 96:20
direct 9:22 10:7 11:15 13:7 42:15 58:7,10 69:8 76:12,18 77:9,16 136:21 137:9,17 138:7 139:5 148:19 149:4
directed 42:24 43:4 74:21
directing 41:14,19 42:2,6,7,20 43:16 44:1,2,19,22 45:6 47:6 55:22 57:19, 21 60:5,7 64:12 69:7
direction 113:14 119:5,8,9,12,13, 17,19 125:18,20 141:4,7,10,11,13
directions 114:4 118:17
directives 129:8, 15,19
directly 45:5 119:15,16 141:11, 12
disable 163:3
disabled 165:16 166:2

disabling 161:11 162:3 164:14

discern 151:4

discharge 8:2,17 9:11

disciplinary 8:16

disciplined 164:6

discontinued 4:12

discuss 56:1,2 59:10 85:6,13

discussed 57:6 130:24

discussing 164:3

district 20:21,23 52:1 73:2 74:16 76:9 98:12 99:14, 24 164:23

division 133:20

document 9:15, 18,19 15:22 16:7, 12,20 17:3,5,9,24 18:2,15 19:3,5 33:16 100:17 103:22 149:2 161:12

documentation 100:9,11

documented 63:15

documents 15:8 19:16 28:4 33:11, 13 37:4,6,20 63:11,19 104:1 160:19

Donuts 19:18,22 90:16,18 91:3,8,24 92:3 93:4,12 112:4

door 130:13,17

Dora 47:14 51:9 66:6,8 88:9

doubt 63:19

downward 69:18

drafted 103:20

drawer 136:13

drawn 121:6 142:23 143:7 144:2

drew 112:11 114:8

drink 87:21

drive 97:7 110:2

driving 130:1 153:21 154:1

drop 113:5,7 114:3,10 118:17 128:4 129:8,15,19 144:3,4

drove 99:24 108:18

Dunkin' 19:18,22 90:16,18 91:3,8,24 92:3 93:4,12 112:4

duress 13:5

duty 7:9 149:9 166:18 167:11 168:4

Dyke 30:16 35:1,8 45:23 46:14,19,24 47:8,21 48:14,21 49:15 54:12 71:24 83:11 89:11 112:10 114:8 117:18 120:1,6 121:4 129:19 140:1,16 141:8,19, 22 142:13,16 144:1

Dyke's 118:16

E

e-mail 153:8 160:15

earlier 84:24 118:6 127:8

early 155:6

easier 38:2 81:18 104:14

east 112:5 119:15

eastbound 125:21 141:12

edification 78:23

effect 127:3

else's 93:10

employment 14:20

enabled 153:6

encounter 113:9

end 32:18 51:3 102:12 131:17

ended 42:14

enforcement 6:8 14:17

engage 146:24

engaged 147:1

ensure 31:9 135:5 149:14 166:16,23 168:7

ensuring 158:11

enter 160:3

entered 16:17

entire 113:9 119:13

entitled 6:2,15 12:19 14:23 16:7, 21 161:13

equipment 158:8

equipped 149:8, 18 151:19,23

essentially 116:6

estimate 49:10 50:11 170:12

evening 29:12,14, 18 33:18 35:21 38:22,23 72:16 73:20 74:10,16 104:22

event 61:10,11 85:7 174:22

events 29:11,14, 17 38:22 72:4,16 73:5 80:24 82:13 167:10 168:3

Everybody's 75:16

evidence 8:15 84:13,15

exact 42:13 46:11 59:2 104:21 114:20,21

EXAMINATION 6:22 31:20 40:12 69:4 83:1 100:5 102:14 126:11 132:4 145:8,19 168:15 173:12

examined 6:20

excerpt 18:7

executing 9:19

exhibit 12:11,14 15:13,16,20 16:1, 4,10,20,22 17:16, 20 18:5,7,12,18,20 103:16,19,22 104:5,17 136:21 147:20,23,24 148:1 160:4,7,8, 11,15 161:6 163:17

exhibits 12:16 103:10 160:6

exit 82:19

exited 41:9 112:11

exiting 113:8 114:8

expand 128:5

expect 59:2 121:24

experience 26:19 27:5 157:22
explain 46:6 162:10 163:6
explained 74:5
explore 17:15
extent 14:8 175:4, 5
extra 103:11
extremely 24:23

F

fact 6:1 13:12 63:4,7,10 125:17 135:18 152:5 168:6
fail 167:16
failed 119:5 120:1 141:3,18 166:16 167:2,9 168:2
fair 10:2,11 53:21 82:17
false 8:8,10 9:8 116:18 117:16 118:14 120:9,17 124:6,8 137:24 138:16 139:14,22 143:15 144:8,19, 21
familiar 41:11 59:19 69:20 165:2
familiarity 54:16
family 51:15
faster 70:4
FBI 28:19,20,21,24 29:5,8 31:22 32:2, 10,15,17,20 33:5, 15,20,23 36:14,21 37:8
February 15:15, 23 16:8,13,21 17:6 18:3,16 19:6 33:13 148:5
federal 14:4 22:16 25:11,22,24 26:12, 22 27:21 28:2 31:23
feel 101:21
fell 115:4 120:11 121:8
felt 101:17 135:9
female 32:19,20
females 29:6
filed 13:20
files 17:12,13
fill 100:13
filled 7:2 160:12
find 83:20
fine 12:4 34:20 40:5 59:1 75:4 98:6 103:14 106:9, 14 132:19 134:8
finish 75:2
fire 121:14,22
fired 115:10,11 120:19,20 121:8, 13 122:14 123:13, 19
firing 121:16,18, 23 123:4
first-degree 35:1
flash 122:16,19
flip-flopped 113:20
floor 93:18 133:21
focus 104:4
follow 128:17 149:13
follow-up 31:17 68:24 75:2 82:22 100:4,7 116:2 126:8 132:3 145:5, 7 165:6 173:11
follow-ups 83:3, 4,5
Fontaine 47:14 51:9,12,21 52:7 54:13 66:6,8 72:1 88:22 95:15 134:20
food 96:20
FOP 67:15 94:9,11 96:11 134:4,5
forever 97:15
forgot 127:10
form 7:1 16:21 46:16
forward 12:15 104:12 143:2 173:19
Franco 55:8 57:11,15 58:1,4 59:11 62:18 65:12 66:2 76:6 77:8,16 84:6
frankly 31:4
Fraternal 13:19
frequency 170:12
Friday 160:16
friend 72:10
front 25:11,17 27:13 54:7 56:18, 19 138:4 146:22
fruits 8:20
fully 17:15 161:15
furlough 49:12 53:14,15

G

Gaffney 52:21 54:13 88:10,23 95:16 134:21
Garrity 13:9
gave 25:20 92:9 98:21 99:3 107:2 144:13,23 163:16
Geisbush 46:4,8, 14,22 47:20 70:22, 23,24 72:5,15 83:10
general 4:11 5:5 6:12 7:10 10:4,19 11:17 12:22 13:21 14:1,6,21 18:20 58:22 60:11 82:14 92:16,22 103:22 125:13 148:21 151:14 154:11 156:6 159:1,18 169:8
General's 5:23 11:8 13:13
generally 59:4 89:8 117:14 147:8 155:19 159:18
gifts 58:22
gist 106:8
give 22:15,19 36:2,10 38:2 42:13 43:18,20 46:21 53:16 70:2 81:18 86:16 87:5 103:11 126:16 148:13 152:20 155:17 163:22 170:2 173:2,6
giving 11:14 34:3, 6 37:3,5 129:19
glanced 143:6
glove 161:4,10 162:2,11,21 165:18,23 166:4
good 10:20,21 92:17 103:13 147:14 153:9
gosh 56:4,6 57:6,8 85:8 139:17

governing 147:17

Grand 14:1,2,7,8 15:1,2 22:14,16 23:5,12,15,24 24:2,11,14,17 25:11,13,17,21,22, 24 26:2,3,12,19,23 27:8,9,13,19,24 28:3,7,10,12,14,23 29:20,21 30:3,16, 19,20,22 31:7,8, 11,16,23 32:7 34:1,6,21,24 35:4, 13,24 36:10 37:4, 16,20,23 38:4,20 40:6,15 135:22,23, 24 136:6

granted 13:8

Great 63:21

grievance 13:20

ground 115:4 120:12 121:9 123:15

group 95:23 115:11 120:20 123:20

guess 33:12 35:12 60:22 68:4 71:11 73:6,11,12 76:7 80:5,17 82:19 101:4 102:2 121:14 127:19 128:8 129:3,7 130:16 131:2 139:1 142:20 147:10 148:14 157:17 168:18 169:10 170:8 171:17 172:11

gun 121:14,16,22, 23 122:13 123:4

guns 121:6 142:23

gunshots 115:3

guy 75:20

guys 45:20 55:20 59:4 78:9,17 85:6 89:19 96:21 132:16 169:19 171:4,23 174:11

H

half 157:20 163:19

hallway 64:4,5

hand 5:17 6:24 92:18 111:17 115:18 132:9

handful 25:13

handguns 112:11 114:9

handle 60:19

handwritten 103:21,23

hang 96:3

happen 118:9

happened 41:2 68:22 73:3 78:21 80:22 85:8 86:9 94:4 98:20 127:3 128:6 166:13

happening 68:1 83:20 172:15

happy 40:7

hard 81:16 151:2

hardware 169:14

hear 79:8 89:17 97:1 128:11,20 129:15 130:13 163:11,14 164:21

heard 71:2 73:2 88:14 89:15,16 95:21 113:4,6 114:2 115:3 128:6 164:18 165:3

hearing 70:8 128:4 129:2,8

Herbert 134:5

hey 46:12 62:12,14 64:4 66:9,17 78:18 153:8

hill 41:11 69:16,17

Hispanic 79:4

holding 140:15,19

Homan 99:18

home 96:5 97:18 98:10,13 100:2 136:13,14

honestly 73:4 126:21

hour 43:19,22,24 57:17,18 79:21 127:10,16,17,21

hours 20:11,12 23:21 60:9

house 36:15,21 51:16

HX 18:9,22

I

I-55 41:12

i.e. 69:10

IAD 15:22 16:12 17:5 18:2,15 19:5 33:12 135:19

idea 29:3 32:21 36:19 41:22 42:5 47:4 48:7 57:20 59:20 60:10,24 64:5,18 71:15 73:4,7 83:17 84:2, 3 90:8 104:9 121:9 165:2 172:20

identification 12:12 15:17 16:5, 23 17:21 18:6,19 103:17 148:2 160:9

identified 60:18 63:1

identifiers 64:7

identify 5:2 63:8 75:23

immediately 41:3,5,8,14 43:6,9 113:8 149:16 151:17 167:2,7,17

immunity 23:9,11

important 24:23 26:15,19 27:4 69:15

in-car 19:13 146:6, 10 147:2,8,18 148:5,23 149:8,10, 14,17 150:21 151:18,22 152:4, 19 156:24 157:4 158:2,8 159:9 160:18,19 161:1 163:7 164:15 166:16,21 167:3, 10 168:3

inaccurate 9:8 111:7 112:19

incident 24:5,8 56:9 77:20,23,24 78:2 123:7 126:15 146:3 152:6 153:4 164:21 168:10

included 19:12 82:12

includes 7:11

including 4:10 6:8 8:17 152:5

incomplete 9:9

incorrectly 113:23

incumbent 171:21,23

independent 4:2 17:18 40:8 63:17 98:8 130:8

indicating 140:14

indication 83:9

individual 95:23

individually 95:14 105:3

individuals 5:2,10

information 4:2 46:22 55:4 86:15 101:22 105:8,16, 20 107:2 169:8

informed 12:20

initially 117:8

initiated 96:12

initiative 41:18

initiatives 74:13

injunction 13:20

inoperable 149:18,19 151:18, 19,22 167:4,19

insert 165:21 166:6

inserted 161:4,10 162:2 163:1 165:18

inside 44:9 64:22

inspect 149:10 168:7

inspected 159:9

inspecting 158:7

Inspector 4:11 5:5,23 6:12 7:10 10:4,19 11:8,17 12:22 13:13,21 14:1,6 125:13

intended 147:5

interact 72:12

interaction 47:3, 11,18

interactions 68:22

interfere 120:18

intermittently 152:9

Internal 11:12

internet 125:6

interrogation 13:22

interrupting 167:14

interview 4:4,7 5:15 7:8 8:15,20 9:2,5 10:22 11:2 13:16 15:14 17:18 18:23 19:9 20:2,4, 7,12 31:22 32:1,9, 16 33:5,14,15,20, 23 37:8 87:19 94:16 99:11 101:4 103:24 116:19 117:16 118:15 119:4,24 120:10 125:13 133:13,18 134:3,16,24 138:1, 17 139:15,23 141:2,17 143:16 144:9 175:11,14

interviewed 28:21,23 29:4 48:17 58:14 101:10 102:19 108:9 133:10

Interviewee 4:15 5:8,19 6:19 9:20 11:19,22 12:18 16:3 25:1,10 27:10 31:1,19 34:8,17,21 35:10 37:1 38:19 43:10 45:9 57:7 66:7 69:2 77:6 82:10 91:5,15 102:13 103:14 122:8 126:10 132:18 136:23 137:3 142:9 145:18 149:22 174:5,13

interviewing 102:22 107:5,7

interviews 33:16 89:20 101:7

introducing 151:12

investigation 5:13 6:5,6,7,13 7:9 13:14,19,21 14:15, 16,18,20 174:10, 16 175:5

investigator 7:3 10:24 68:24 92:23 134:4 138:1,17 139:15,23 141:2,6, 17 142:3,5,12 143:16 144:9,15, 20 145:1

investigators 14:4

invoking 13:8

involved 39:23 74:10 84:3

IPRA 28:7 33:17, 19,22 37:8,10,16, 23 40:17 86:16 87:5 92:9,23 93:1 94:16 96:4 97:14 98:4,9,15,19 99:11 132:16 133:9 134:16,24 135:6, 19,20 136:1,5,8 138:1,5,17,20 139:15,23 140:3 141:2,17 143:16, 19 144:9,20 145:3

issue 137:6

issues 13:18 146:16 156:13,17, 19,23 171:14

J

James 70:24

Janet 36:14 66:1 79:3,5,11,13 85:5 88:9 92:7 98:23 130:1 158:4 159:15

Jason 35:1 46:9 47:20 88:14 112:10

Jennifer 5:6 10:23 20:9

Jersey 13:9

job 13:3,6 26:14

Joe 45:23 46:7 88:11 128:11

joint 6:6 14:18

Joseph 53:6 112:10

jotted 137:1

July 160:16

jump 69:11

Jury 14:1,2,7,9 15:1,2 22:14,16 23:5,12,15,24 24:2,12,14,18 25:11,13,17,21,22, 24 26:2,3,12,19,23 27:8,9,13,19,24 28:3,7,10,12,14,23 29:20,21 30:3,16, 19,20,22 31:7,8, 11,16,23 32:7 34:1,7,22,24 35:5, 13,24 36:10 37:4, 16,20,23 38:4,21 40:6,16 135:22,23, 24 136:6

justified 39:20

K

K-l-i-m-a-s 11:11

Kato 94:13,14,15, 20,22 95:2 134:5

Keeler 108:1,8

kick 115:17 132:8

kids 37:1 98:1

Killen 134:4 138:1, 17 139:15,23 141:3,6,17 142:2,

3,5,7,12 143:16 144:9,15,20 145:1

kind 15:10 45:16 55:11 65:13 68:5 69:7 75:2 83:10, 13,22 89:6 90:3 100:12 116:3 121:15,17,18 128:6 130:20 131:19 134:22 146:8 147:10 151:3 157:18 162:18 174:12,21, 23

King 109:12 117:9

Klimas 10:10,12, 16,17,18,20 11:7, 10,11,20 13:8

knew 61:13 143:17

knife 105:13 106:23 111:16,22 112:17 113:3,5,7 114:2,3,6,10,14 115:18 116:22 117:6,11,19 118:3, 11,17,18 119:1 121:7 128:5 129:8, 16,19 132:8 138:3, 18,23 139:16 140:1,14,15,19 144:3,4

knock 45:24

knowing 55:23 123:2

knowledge 108:9 168:8 170:10

Kris 10:24 31:15 68:24 94:13,14,15, 20,22 95:2,10 116:10,11 126:8 134:5 145:6

Kristopher 5:4 12:9

L

lake 51:16

Lance 59:18,19 160:14,15

lanes 42:10 111:12,14

laptop 93:13

Laquan 10:4 11:3 22:16 24:3,13,15, 22 25:18,22 26:4 27:7,18 29:12,16 38:22 40:23 66:21 77:24 82:15 109:10 119:8 121:6,13 123:6 143:8 144:5 153:3 160:23 163:24

large 75:18

late 76:16 155:6

law 6:7 14:17

learned 72:15 73:5

learning 77:6

leave 42:24 45:24 46:12,17,20 86:12

left 68:21 86:10 98:22 99:12 100:18 150:8

legal 9:1,4

Leticia 54:2

liability 24:19

lie 24:17

lieutenant 21:14, 15,20,21 65:17

light 146:12,19,24

lights 121:11 146:10

lines 58:17 112:20 137:10,18 138:8, 11,13 139:6 143:9 144:6

list 15:10 124:1

listed 160:13

listen 73:11

live 67:24 68:4,5

located 4:23

log 61:19 152:14 153:9 171:4

log-in 158:5

logged 158:4,5 159:15

logging 169:6,11

long 9:5 23:14 47:2 48:5,21,22,23 50:5 51:24 57:14 59:3 60:2,11 64:9 71:11,15,16 79:18, 22,24 86:10,11 87:18,19 94:14,19 97:13,16 127:14 148:14 156:5,6,8, 11 163:20 171:15

longer 169:21

lose 13:2,6

lot 64:4 77:2 84:16 89:21 109:11,19 117:9 121:24 140:13 164:4 170:5,6

loud 128:13 129:5, 6 144:2

Louis 99:20

M

made 8:14,19 13:4,5 14:3 35:15, 16 40:17 48:18 105:12 106:3,22 107:3,12,17 116:18 117:16 118:14 119:3,23 120:9,17 137:24 138:16 139:14,22 141:1,16 143:15 144:8 172:10

main 71:23

make 31:4,9 43:5 69:19 76:22 100:11 105:14,17 106:11,24 108:2, 13,21 109:4,13,20 110:4,12,20,22 115:5,12,19 116:15 130:21 135:10 142:17 152:22 159:13 172:22

makes 80:10 111:5

making 8:8,9 13:11,13 142:20

male 75:22 76:2 109:9

man 75:18 95:1,3, 4 130:6

manner 36:22

Mantra-gon 79:1, 4

manually 146:11 147:1

March 4:17,22 18:8,10 28:10 40:18 62:24 63:3, 5,12,18,22 64:10, 17 65:3,6,12 66:3 67:9 79:15 80:1,2, 23 81:19 82:19 85:18 90:12 91:4 103:20,24 104:18 105:14 107:1 108:3,14,22 109:5, 14,21 110:5,13,21 111:18,23 112:6, 12,18 114:19 115:6,13 116:19, 24 117:17 118:15, 20 119:4,7,24 120:3,10,14,18,24 124:6,11 126:9,14 127:9 128:3 131:1,

7,11,17 141:21 142:1,7

March's 18:22

mark 15:8 16:1 147:23

marked 7:1 12:11, 13 15:16 16:4,22 17:20 18:5,18 103:17 148:1 160:8

marking 12:16 15:13 16:20 17:16 18:7,20

match 127:4

material 119:3,23 124:9 141:1,16 144:22

materials 17:14 19:9,12 20:3,4

matter 4:1 29:15 148:21 154:11 156:6 159:19

Mcdonald 10:4 11:4 22:16 24:3, 15,22 25:18,22 26:4 27:7,18 29:12,16 31:13 38:22 39:20 40:23 66:22 78:1 82:15 100:23 101:1 109:10,18 110:9, 17 111:15,22 112:4,16 113:2,5, 7,24 114:3,4,10,12 115:3 116:20 117:2,5,17 118:16 119:5,8,12 120:2, 4,6,11 121:7,13 122:21,23 123:4,6, 15 124:8 125:16, 17 133:10 138:2, 18 139:16,24 141:3,7,19,22 142:13,16,21 143:8 144:3,5,14, 21,24 145:11,14 153:4 160:23 163:9,24

Mcdonald's 115:18

Mcelligott 53:6 54:13 88:10,23 95:16 134:21

Mcnaughton 65:16 85:1

meaning 59:7 105:10 106:7 142:21

meant 78:12,16 140:8 146:7

media 125:4 164:1

member's 149:13

members 149:7, 16 151:16

memory 27:5,15 57:1

mentioned 32:15 37:7 70:22 71:8 75:8 79:14 101:3 129:18

microphones 159:20 163:4 164:22 165:16,22 166:4 167:18 168:7

mics 161:4,9 162:1,10,21

middle 93:23 110:10 116:21 138:3

midnight 74:15 86:18 133:17

midnights 48:8 52:2 71:1,12,13,16 72:20 74:12 76:18, 21 154:7

milling 89:7 134:23

mind 38:15 82:6 102:5

mindset 78:4

mine 137:1

minute 38:8 149:23

minutes 43:20 127:12,17,22

Miranda 14:23

mischaracterizations 130:24 131:3

misconduct 8:16

missing 149:20 151:20

modify 40:16

moment 61:24 104:1

momentum 70:2

Mon-dragon 78:24

Mondragon 29:20 30:2,9,10 42:1 43:7 44:6,15,23 50:4 51:3,5 55:1, 17 57:4 60:15 64:15 65:5 66:1 67:9 71:24 77:20 79:6 85:5 87:8 88:23 92:7 95:16 97:7 99:11 105:11 107:15,16 108:18 109:2 110:1 134:22 153:12 159:15 162:7 172:2

Mondragon's 161:9

month 50:12,13

months 29:2

morning 10:20,21 97:18,20,21,24 157:24

motion 118:10 119:16 140:1,14, 20 142:17,20 145:11,14,16

move 40:20 83:6 86:7 115:4 120:6, 11 132:15 142:16 145:21

moved 120:2,4 125:20 141:19,22 142:13

movement 140:13 143:6

moving 12:15 34:1 129:11

multiple 115:3 129:4,20,21 150:21

Municipal 5:14 9:10

murder 35:2,6

muzzle 122:16,19

N

names 29:7

narrative 38:3,20 41:4 81:18,21 82:11 124:6 126:17 144:19

natural 78:8

naturally 78:21

nature 151:8 174:9,15

necessarily 44:16 159:19

needed 87:4

news 164:2,24 174:23

night 21:18,21 22:2 29:17 39:14, 15 40:21,24 54:21 59:21 63:2,4,22 71:24 72:20,24 73:8,23 74:11 75:23 76:11,12,19 77:10,14,16 99:1, 4,6 104:18 105:15

107:1 119:17 128:22 135:14,15 146:3 153:15 154:10,12 157:6 160:23 161:18 162:5 163:8

normal 69:9

north 119:15

northbound 108:18 111:14 141:11

not.' 143:18

note 80:6,8 149:16 151:16 161:12

noted 69:7 73:17 131:11 145:10 168:17 169:18

notes 18:22 80:2, 6,15 103:23 131:12

notice 11:2 20:2 116:1 143:6

noticed 42:4

notification 14:12 15:14 16:7 35:15 36:2,4,6,16 172:11

notifications 35:24 36:9 152:22

notified 35:12,20 36:18,21,22

notify 45:21 46:3 149:16 151:17,21 152:3 167:2,7,17

noting 100:9 102:10

November 23:3 34:22 35:3,7 124:22 164:1

number 18:9,22 20:17 22:3,4,6 53:16 117:14 124:1 127:20 152:6,11,12,15,16, 18,23,24 153:7,13 156:22 159:16 161:8 167:14 171:3

numbered 161:14

O

oath 5:20 6:20

objecting 13:12, 16,23

objections 13:11

obligation 7:17 15:4

observations 101:18 130:17

observe 39:2

observed 109:9 145:11

obtain 9:4 149:11

obtaining 158:10

Occasionally 49:7,8 50:10 76:13

occasions 157:9, 12

occur 31:22 64:19

occurred 32:2,10 42:17,22 44:1 72:4 73:19 131:14 144:11

occurrence 163:22

October 17:17 18:21 20:23 21:13 22:7 40:21 48:14 51:9,20 52:8,12, 18,22 53:6,18 54:2 72:4 77:17 104:19 105:15 107:1 116:18 117:15 118:14 119:3,23 120:9,17 123:23 124:5 128:22 133:13,16 137:24 138:16 139:14,20, 22 141:1,16 143:15 144:7,19 147:16 148:9,24 151:5 152:2 153:22 158:1,22 159:19 160:22 161:19 162:5 165:16 166:16 167:2,9 168:2 171:1 172:19

odd 101:11

offer 85:7

office 4:10 5:5,23 6:12 7:10 10:3,19 11:8,17 12:22 13:13 33:1,12 125:13

officer 4:13 5:7, 15,16,21 6:2,14,24 7:20 9:23 10:2,13, 22 11:2,6,7,14,23 12:16 15:4,7,14,19 16:9 17:2,11,17,23 18:9,12,23 19:2 26:15 29:20 30:2, 9,10,16 34:24 35:7 42:1 43:7 44:5,15, 23 45:19,21,23 46:2 47:8,12,14,19 48:1,11,13,21 49:5,14 50:4 51:3, 4,8,12,21 52:7,11, 20 53:5,17 54:1, 22,24 55:16 57:4, 15,24 59:11,18 60:15 64:15 65:5, 16,17,23 66:1 67:9 71:5,6 72:5 73:10 77:20 85:1,5 87:8 88:16,19,22 89:11 103:9 105:11 107:15,16,23 108:18 109:9 110:1 115:2,17 121:4 133:8 141:8 144:1 150:12 153:12 160:21 161:8 162:5,7 168:13 170:2 175:4

officer's 161:14

officer-involved 27:2 56:11

officers 31:12 41:24 42:19 44:20 45:3 54:17,23 55:13 67:2 84:9,16 86:1 87:10,12 95:6 97:2 100:21 101:1 103:4 105:10 106:21 112:10,16 113:3,4,7,13,15 114:1,2,5,7,13 117:18 118:3,16, 18 120:1,5 121:12 134:20 135:3,11 139:24 140:16 141:18,22 142:12, 15 154:12 155:1 159:4 164:14,17, 22

officers' 135:7 164:4

official 7:9 8:6 83:22 125:2

officially 70:6

OIG 6:4 11:1 15:2, 3

OIG'S 14:13

omission 119:3, 23 141:2,16

omissions 124:9 144:22

omit 141:14

omitted 131:7

op 161:15

open 130:13

opened 128:23

operable 152:19

operate 151:14

operation 169:11

operational 149:5 150:8

opinion 6:9
opportunity 37:15 174:24
opposite 154:20
oral 8:9,10
order 7:23 9:22 10:8,12 11:7,15 13:7,19 14:21 19:8 112:21,24 113:4,7 114:3 117:14,24 118:5,7 131:4 147:20 148:4,9,12, 22
ordered 7:19 73:19,22 74:19,20
ordering 144:3
orders 128:4,6
Ordinance 9:10
organic 78:8,10, 12,16
original 107:24 108:10
overhear 100:24
overtime 74:13

P

p.m. 82:3 88:3 126:5 132:23 150:1,4 175:12
pace 151:3
pad 80:6,8
pages 136:24 137:1
paperwork 74:19 104:10
paragraph 7:5,6, 13 105:7 106:20 107:21
parameter 127:11
parking 109:11,19 117:9
part 7:8 26:14 78:17 122:2,4 123:18 153:18 173:5
partner 41:9 42:1 44:5,23 50:4,19, 21,22 52:9 54:24 55:16 66:1 67:12 69:9 71:17,22 74:7 87:8 92:6 152:9,23 153:12 171:20 172:2,4,9
partners 49:4,5, 11 50:5,7,20 53:14,15 171:3
parts 137:19
party 4:10 49:16
pass 64:3,4
passenger 146:4 154:4 171:21
passing 49:1
past 152:1,3
path 130:12
pay 101:8 103:7
paying 84:11
PC 152:6,11,12,15, 18,22,24 153:7,13 156:22 159:16 161:8 171:2
PDT 152:17
people 36:17 43:2 64:3,4 73:13 89:21 101:6 154:12 172:3
percent 32:12 99:4 126:21
perception 29:14
perfect 163:15
period 45:17
persist 7:22
person 44:24 55:3 75:9,11,13,17 87:7 91:20 149:13 158:12
person's 59:16 94:12
personal 22:3,4 98:12 157:22
Personally 64:3
phone 10:10,15 22:3,4,6 30:7
phonetic 53:18 88:17
picked 151:3
picture 67:24 68:4,5
pieces 87:21
Pitts 5:1
pizza 87:21 89:5, 22 92:17 94:18 96:5,9 102:4
pizzas 95:13
place 10:9 13:17 133:13,19 148:9, 23
placing 165:17
plan 137:8
plate 169:24 170:1
play 60:21 61:6
played 68:10
playing 94:2,5
point 60:10 61:20 74:21 81:17 86:15 117:10 123:8,10 126:19 127:1 129:14,23,24 130:2,9,13 140:17 144:4 149:3 156:12
police 8:1,6,7,11 11:12 13:19 17:18 26:14 55:13 67:2 71:6 73:10 84:16 85:24 108:12 109:18 124:7 154:12 159:3
pop 92:18
portion 159:11
portions 136:22
POS 55:14
posed 11:15
position 5:23 6:11 14:13
positive 156:4
possession 14:7 15:3,5
possibly 35:16
postpone 13:22
potentially 24:18
PPO 52:6 152:10
practice 4:6 151:21 158:20 159:2,3 164:13,16, 19 172:14 173:18
prefer 79:7
preference 79:8
preliminary 4:1
preparation 20:7 30:19,22 31:8 33:20 125:12 134:15 135:24
prepare 19:8 33:4 34:6
present 4:3 5:2,11 9:2 28:3 31:12 36:15 40:23 42:21 45:4 61:4 65:2,5 107:12 134:2
presenting 96:17
press 124:22 125:5
pressure 135:9
pretty 99:3,6 128:14 155:13

prevented 66:23, 24 67:3
previous 157:9,12
previously 75:23 135:21 141:9
primarily 76:13
prior 5:21 9:19 12:15 13:24 28:12 31:23 33:13,15,16 34:6,22,24 37:3,7, 16,20 48:14 51:20 52:8,17 72:3 92:22 119:6,9 120:2,4,6 125:18 141:4,8,19, 23 142:13,17
probable 5:24 6:2, 10 12:23
probe 116:6
problem 167:24
problems 152:4
procedurally 105:24
procedure 150:9
procedures 149:5,13 150:12 151:14
proceeding 8:22 12:24
proceedings 175:13
processed 163:20
product 4:9
progress 18:21 103:22
prohibits 8:8
pronounce 34:19 79:3
properly 149:15 166:18,22
property 4:9
proponents 71:23
proportion 70:17
prosecution 25:21
prosecutors 27:22 28:2
protocols 148:23
provide 4:3 13:3 14:2 15:4,22 16:12 17:5 18:2,15 19:5 20:10 23:23 31:10 38:19 41:3 70:6,9, 11 82:11 103:10 135:6
provided 4:10 11:1 14:1,22 17:14 19:10 20:4 31:12 63:11,20 124:6 135:18 144:19
providing 4:2
proximity 51:16
public 164:1
Pulaski 45:13 108:19 109:19 110:2,9,18 111:7, 12,13,16 112:5 116:20 117:3,7,10 129:10,11 138:3
pull 19:18
pulled 136:15
punctured 108:11
purposefully 163:3
pursuant 5:12
pursued 109:18 110:17
pursuit 110:3
put 7:17,19 49:12 58:13,19 66:16 76:16 127:19 136:12 165:22

Q

question 9:8 25:2 27:11 37:14 38:16 40:1 52:20 67:5,6 69:6 77:19 82:7 93:3 102:16 105:3 106:15 121:20 122:2,4,11 125:23 126:8 129:12 142:1,11 145:7 147:14 157:16 164:5 168:24 171:12 172:8 174:12
questioned 14:8
questioning 127:2
questions 7:11, 17,19,20 9:21 10:3,7,13 11:3,5,8, 15 20:16 22:10,14 24:3 29:17 31:15, 18 33:22 34:5 37:22 39:5,7,16,22 40:11 69:1 76:6 77:2 81:1,10,12,17 82:13,22 101:24 102:12 106:6 116:2 126:9,16,18 133:4 137:13 145:5 146:1 168:12 174:7
quick 25:2 31:17 68:13 79:23 81:23 127:14,18 132:18 149:23
quit 46:9

R

R-u-s-s-e-l-l 5:6
radio 70:6,8,12 72:17 73:3,5,12
raise 5:16
raised 13:18
ran 110:9 111:15
rapid 155:8,10
reactions 85:7
read 7:4,6,13 8:3, 13,18,23 9:6,12,14 12:19 16:15,18 38:17 82:8 131:17 137:20 148:15,17
readers 169:24 170:1
reading 38:15 82:6 139:11 150:8
ready 132:15
real 25:2
realize 123:8
reason 19:20 63:18 69:14 130:11 157:3 169:21 171:6 172:24 173:2,7
reasonable 9:3
recall 23:14,20,22 26:11,13 27:17,20, 21 28:5,8,11 29:4, 6,9,16 30:11,14 32:1,5,9 35:14,23 36:12 37:4,6,11, 19,22 38:1 40:8,19 42:18 45:2 46:8 57:16 59:22 62:3 63:23 64:11 66:15 70:5,8,10 71:19 73:21 74:4,20 76:1 77:15 79:18 80:1,5 81:17 84:21 85:20 86:6 91:9 92:15 100:9 101:9 102:21 103:2 104:20,21 105:18 107:14,16 123:22 126:15 127:1 136:10 150:19,22 151:6,15 156:19, 23 157:2,8 158:7, 10,14 162:4 166:9, 10

OIG 15-0564 008169

receipt 11:24 16:21 20:11

received 12:21 15:9 17:12

receiving 20:2 35:24 36:9 168:17

recoil 121:15,17, 23,24

recollection 14:10 32:6 40:9 63:17 74:9 98:8 128:23 129:2 130:8 145:15 148:22

record 4:16,21 5:3 12:8 15:8 16:17,18 17:11 20:10 21:3, 6,10 25:3,5,9 34:12,16 38:10,14, 17 68:16,20 82:1, 5,8 87:22 88:1,5 99:19,21 102:6,7 104:4 126:1,3 132:21 133:1 143:23,24 150:2,6 167:9 168:2,9 175:10,11

recorder 149:12, 20 151:20 158:11

recording 4:8,12, 19,20 61:20,21 67:21 68:6 173:9

recovered 161:7

refer 98:3 104:7,11 133:24

reference 139:4

referring 159:10

reflect 4:16,21 104:17

refresh 148:12,22

refusal 7:22,23 9:7

refuse 7:18 13:3,6 23:7

refused 11:4 13:21 14:2

refusing 9:21 10:7

regular 50:19,20 151:21 155:16,20 157:19 158:20 159:1,3 163:21

regularly 154:5

regulation 73:11, 14

regulations 8:1,8 147:17

reiterate 61:22 65:22 67:8 93:3

relate 29:13 34:23

related 24:14 25:18,20,22 26:3 27:1 38:21 145:22 152:2

relates 14:20

relationship 47:24 48:13 51:8 52:11,21 53:5,17 54:1

relevant ~~148:19~~ [redacted] 168:6

remain 6:3,15 7:16 12:20

remained 169:11

remember 22:23 23:1,2,4 24:6,7,9, 10 26:15 28:22 29:10 32:8 33:21, 24 35:18 36:17 37:18 38:5,7 39:4, 6,11,18,21,22,23 40:3 43:17 50:6 53:4 55:2,15 57:22,23 58:5,15, 19,22 59:2,16,24 60:4,13,16 61:7 62:19,22 63:2,9 65:4,7,8,10,15,19 67:10 72:21 73:8 74:18,22 75:14,21 78:5 79:24 80:4 81:1,9,11,20 82:13,21 86:13,17, 21 87:20 88:11,18, 20 89:13,18 91:17 92:5,6,8 94:12,19, 22,24 95:20,22 97:13,19,22,23 98:6,7,22,24 110:23,24 114:20 123:10,11 124:20 126:22 127:13,14, 23 129:24 130:2, 10 132:2,9 134:8 150:14,20 151:8, 11,12 155:11 156:11,15,18 157:5 162:7

remembered 34:21 36:24

remote 149:11,19 151:19 158:10

removal 8:17

rep 94:11 96:11 134:5

repeat 27:11 42:7 106:14,17 113:21 122:6 143:22 168:6

repeated 123:18

repeatedly 113:4, 9 114:3

repeating 104:14 113:22

repetitive 116:3

rephrase 164:4

replied 77:21

report 8:6,8,10 18:8,21 36:5 103:20,22 104:5, 15 170:15 171:14

reported 157:4

reporter 4:3,9,14 5:1,17 16:19 38:18 82:9 122:7

reporters 4:6,23

reporting 156:19, 23

reports 28:3 73:20

representative 9:1,4 32:23 33:2

representatives 67:15 94:9

represented 33:7, 9 34:2

request 4:11 23:9 70:11,13 105:11 106:21 108:20

requested 13:23 16:19 38:18 70:5 82:9

required 172:11

resolved 29:18

resources 43:17 44:2

respect 18:12

respond 40:2 79:6 80:21 81:5 136:23

responded 81:7 105:11 106:21 108:20 126:18

responding 126:16

response 80:16 165:20,21 166:19, 20 167:5,6 168:5 170:8

responses 8:5

restaurant 109:12 112:5

result 6:9 8:10

retrieval 160:12 161:1,13

retrospect 173:14,23

review 9:15 17:18

19:9,16,23 20:3 33:19 37:8,15 104:1 130:7 135:17,18 148:13 174:1

reviewed 19:16 40:15 135:20 136:1,5,8,16 138:11

reviewing 37:11, 19 63:10 104:2 125:16

revolving 39:22

Ricardo 52:12

Rick 88:9

ride 102:3

riding 154:1,2

rights 6:17 7:1 9:14 11:24 12:10, 14,20 14:4,22,24 23:6

Road 108:19

Robert 10:10 11:11 17:13 19:24 39:11 76:14 90:23 106:22 110:24 111:4,6,13 154:9, 22

role 83:14

roll 35:20 36:1,2

rolling 129:10,22

roof 164:22

room 89:1 95:22 96:9 100:22 133:22,23 134:1

rooms 89:4 95:19

rotation 51:1

rotational 74:7

routine 173:5

Rule 8:6

rules 7:24 8:7

73:15 147:17

run 110:10 116:20, 21

running 109:10 117:2,3,8 138:2 140:12

Russell 4:18 5:6, 21 6:11 9:19 10:14,23 11:23 12:3,15 17:11 20:13 21:3 27:7 30:18,23 31:3 38:8,15 43:5 45:6 57:5 58:2 66:5,11 68:12 77:4 81:23 82:6 87:22 91:2, 12,14 99:7 125:19 134:6,10,13 141:24 142:3,6 161:12 175:3,7

S

S-e-b-a-s-t-i-a-n 5:9

S03-05 148:4

safe 36:20 40:1 77:8 127:17 171:13,19

Sarah 4:24 10:18 11:16 12:8 34:18 40:11 77:19

scene 41:21,23 42:16,20,22 43:1 44:21 45:5,13 47:9,12,15,18 54:23 57:12 58:11, 12 60:12 64:21 65:14,23 66:8,15 67:2,9,14,18 68:10,23 69:1,21 73:24 74:3,4,10 75:10 79:16 83:6 84:7,10,15,22 85:2,4,19,22 86:5, 10,12 87:12 94:23 95:6 101:15,19 102:23 103:4 107:5,7,9 123:11 126:15

school 98:2

scratch 67:5 136:18 139:20 147:12

screen 68:5 93:8

scribbled 161:3

season 32:4

seat 146:22,23

Sebastian 4:13 5:7,8,15,16,21 6:14,18,24 10:2, 13,23 11:2,7,14,23 12:16 15:4,7,19 16:9 17:2,12,23 18:13,23 19:2 43:7 103:9 107:23 109:9 110:1 111:16 113:4,6 114:2 115:3,10 133:8 150:12 160:21 168:13 175:4

Sebastian's 15:14 17:17 18:10

section 140:5 149:5,6 150:9

sections 148:19

sector 76:14

securely 149:12 158:12

security 19:22

sense 69:19 76:22 80:10

sentence 106:19 113:6

separately 55:12

separation 8:11

sergeant 21:14, 15,16,17 41:21,23 55:7 57:11 58:2,4 59:11,24 62:18 65:12 66:2 70:14 76:5,8,9,11,17,18, 21 77:8,15 84:6 91:17 160:14,15 162:12 170:16 171:14 172:12

series 124:8 144:21

serve 8:2 9:11

setting 49:20

She'll 50:17 79:6

sheet 163:16

sheets 100:13

shift 71:8 147:9 156:3

shoot 143:2

shooter 122:1

shooting 10:5 11:4,5 22:17 24:3, 5,15,22 25:18,23 27:2,7,18 28:14 29:12,16 30:20 31:13 38:21 39:3, 15,19 40:21 41:3, 6,8 42:16,21 43:2, 6,24 44:18,20 45:1,4,5 47:2,9 54:21,24 55:18 56:11,13 57:14,18 59:11 60:2,12 62:7 64:9 66:22 67:1, 14,18 68:23 73:18 77:24 78:9 81:1,3, 6,11 82:15 86:10, 11 89:24 92:11 93:1 94:23 95:6 96:23 97:2 100:24 101:1,19 113:12 119:6,10 120:2,4,7 121:1,3 122:24 123:9 124:8 130:4 132:7 133:10 135:3 141:5,20,23 142:14,16,18 143:17,22 144:15, 21 145:1,16 160:23 163:9

short 76:16
shorter 127:11
shortly 32:7 135:23
shot 40:24 56:17 121:10 122:22 123:6 125:18 141:8 145:14
shots 115:11 120:19 121:8,12 122:22 123:3,12, 19
show 81:13 163:18
showed 36:15 43:18 62:3 91:3,8, 18
shown 39:8,10
side 70:4 89:4 112:5 133:23 134:1
sign 9:17 12:1 100:18 152:10 153:1
sign-in 100:13
signal 61:19
signature 17:9
signing 37:4,6
silent 6:3,15 7:16 12:21
Similar 34:5
sir 11:19
sir.' 144:12
sit 87:17
sitting 89:22 100:20,21
situation 56:22
skip 115:2
slightly 169:1
slow 129:10
slowly 129:11,22
so-and-so 62:14, 15
social 49:20
socialize 48:10 49:14 50:8 51:11, 21 52:14,24 53:8, 21,23
socialized 49:23
somebody's 121:16
someplace 73:2
sound 59:19 111:6
sounds 80:15 165:1 170:19 174:4
south 113:16,18
southbound 41:13 42:10,12 70:4 110:10,18 111:12,13,15 113:14 114:15 116:21 118:23 125:20 138:2 140:11
southeast 109:11
southerly 119:13, 16 141:10,12
span 171:9
sparks 122:13
speak 20:7 28:13, 16,19,20 36:8 47:8,14 55:7,14,17 57:15 62:17,20 64:9 65:21 66:7 67:15 77:21,23 78:14 92:10 98:18 101:1,12 134:12, 15 135:2 172:5
speaking 77:20 80:3 85:20
special 147:20 148:4,9,12,22
specific 81:12,17 82:13 98:7 101:10 132:14 147:11 152:20,21 157:1 173:19
specifically 39:4, 6 42:3 55:3 58:5, 15,20 78:5 81:2 84:18,23 86:21 88:10 96:22 97:16 151:12,15 154:21 159:10
specifics 36:18 155:2
spell 5:2 46:4
spoke 54:22,23 57:11 62:23 63:1 64:17 65:20,23 66:5,14 67:11,12 75:10 76:5 79:14 95:21 97:14 101:15,18 127:8
spoken 36:12 62:18,21 63:13
squad 129:12
St 99:20
staffing 76:15
stand 14:11 27:5, 14 66:11 111:1 116:23 117:20 118:4,19,21,22 120:13,21 123:5, 20 124:10 138:5, 20,24 140:3 143:19 144:13,23
standard 128:18
standing 42:3 54:7 94:17 95:13
star 20:17
start 6:16 20:15 105:6 116:13 129:7 137:16,19 155:6 163:21 170:21
started 41:14,18 47:5 52:2 129:15
starting 116:15
starts 139:7 155:5 165:12
startup 149:13
state 119:5 120:1 141:3,18
State's 6:8 32:22
stated 14:14 27:17 34:23 43:15 47:17 67:17 75:23 116:19 117:17 118:15,22 120:10, 18 135:21 136:4 138:2,18 139:16, 24 141:9 143:17 144:10,11 160:21 170:11
statement 5:22 8:14,19 9:9,13 12:17,18,24 13:3,4 14:3 15:1,2,5 18:10 22:14 23:5, 23 28:6 31:10 33:17,19,23 37:9, 10,16,23 40:17 87:5 92:9 98:5,9, 15,19 99:1 105:2, 3,5,14,17 106:2,3, 7,8,10,11,17,20,24 107:4,8,13,17,19, 20 108:2,5,13,16, 21,24 109:4,7,13, 16,20,23 110:4,7, 12,15,20 113:24 115:5,12,15,19,21 116:11,18,23 117:16,20,23 118:14,19 120:9, 13,17,21 123:5,20 124:10 128:2 131:1,8 132:16 135:6,10,14,17,19, 20 136:1,5,9,16,20 137:24 138:5,16, 20,24 139:7,14,22 140:3 143:15,19 144:8 145:4 174:24

statements 8:5 31:11 40:16,18 86:16 96:4 100:4 103:21 111:2 112:23 124:9 126:9 135:7 144:22

states 17:12 106:20 113:24 149:7 161:2

station 99:15,17

statistics 70:20 163:22

status 65:19

stay 45:16 55:23 58:13,19 159:24

step 143:2,4

step-daughters 51:18

stick 36:23 75:20

sticks 57:1

stood 44:4,8

stop 43:16 46:17 47:20 76:4 103:13 129:23 130:2,9

stopped 44:2 51:17 112:3 129:14 130:1

stored 61:21

street 25:12,17 107:24 109:3 110:11 116:22 138:19,21,24 139:2,3 142:22

stressful 56:21,23

strike 126:7

stuck 136:15

stuff 50:1 52:6 92:21 100:2 102:5 170:3

subheading 150:9

subject 24:18 29:15 105:12 106:22 108:11 109:10

subsequent 150:17

substance 30:14 66:19,21 96:22 97:2 98:16 151:9

substantive 30:5 85:14 100:23

Suite 4:24

summary 104:15

summer 22:24

summoned 22:15 93:7

sun 97:22

superior 7:20 9:23 11:6

supervise 172:6

supervisor 9:22 59:6 71:4 74:22 76:7,12,15,16,17, 21 77:9,16 83:19 86:24 149:17 151:17,21 152:3 167:3,7,17

supervisors 84:15,21 152:21

supervisory 65:13 83:14

supplementary 18:8 103:20 104:5

support 70:6,9,12

supposed 61:14, 18 146:16,20 147:6 154:6,8

surprised 163:11, 14

suspect 75:18

swap 170:5

swear 5:17

sworn 13:24

system 146:7,17 147:2,8,18,22 148:23 149:9,10, 14,15,17 151:18, 22 152:4,14,17,19 156:14,24 157:10, 13 158:3,8 159:9 160:20 164:15 166:17,23 167:3, 10 168:3,18,20 170:13,14,21,24 171:7,22 172:10 173:1

systems 19:13 146:9 148:5 150:21 157:4 163:7,18 170:9

T

taking 13:17 80:6 101:9

talk 44:20 45:3,20 55:20,21 57:24 65:9,11,12 66:24 67:1,9 78:2,6,7,9, 19 85:19,24 86:4 89:19 90:3,6,9,12 94:9,15 95:1,4,5, 14,24 96:21 97:1 98:15 116:11

talked 38:3 44:24 58:6 65:6,9,22 71:23 81:19 85:18 118:6 133:8 143:21

talking 45:12 55:2 57:3 65:3 67:4 68:22 84:9,18 89:22 92:22 93:1 95:22

tall 75:13

taller 75:16

tangent 54:20

taping 61:14

tech 55:3 75:9 91:20

technical 160:2

technician 59:13 60:3,14,19 61:23 62:17 66:2 160:13

telephone 10:13

telling 80:16 114:9

temporal 31:5

ten 127:12

tendered 33:12

tenure 71:18

term 160:2

terms 6:13 55:13

testified 6:20 24:11 25:11 26:22 27:1

testify 23:7,9,11

testifying 23:15 26:18 27:13

testimony 13:24 14:3,7,9 22:15,19, 20 24:21 25:20 28:12 29:20,21 30:16 31:23 34:2, 3,6,22,24 35:5 36:10 37:3,5,17, 20,24 38:4,21 39:9 40:7 114:7

thereof 8:20

thing 40:14 78:8 82:17 93:9 122:9 148:15,17 157:19 159:24 173:23

things 128:21

thinking 78:6

Thomas 52:20

thought 35:2 74:19 75:19 77:4 100:17 107:23 108:7,10 127:9

three-man 51:1

threw 164:22

time 4:17,22 9:3 10:9 11:23 13:5 14:11 21:5,9,23 25:8,12 29:24 33:7 34:11,15 38:9,13 39:12 41:23 44:12 45:16 49:19 56:16 60:15 65:9 68:15, 19 69:18 73:11 78:18 81:24 82:4 84:7 87:11,20,24 92:20 97:18 98:4 100:15 102:2 108:9 117:11 119:14 126:2,6 128:15 132:12,20, 24 136:2 139:4 149:17 150:1,5 151:17 155:8 157:20 168:10 169:15 171:10 172:3 175:11

timeline 43:18

times 25:13 52:19 122:22 125:7,10

tire 108:11

titled 149:5 161:7

to-froms 152:22

today 4:3 5:12 11:16 174:18

today's 4:17,21 19:8

told 36:14 45:21 46:5,7 86:20 87:3, 11,12,13 110:1 111:18,23 112:6, 12,18 114:18 120:24 131:7 170:19 174:20

Tony 50:23 74:6

top 161:2,3

touched 130:21

tour 149:9 158:1 166:18,22 167:11 168:4 170:21

trade 170:5

traffic 41:10,14,19 42:2,8,11 43:3,8, 16 44:1,2,19,22 45:7 47:6 55:22 57:19,22 58:7 60:6,8 64:13 69:7, 8 70:6,9,11 73:18 169:24 170:2

trained 149:14 150:11

training 151:1,7,9, 10 168:17

trainings 150:17, 21

transcript 4:4,5 17:17 20:11 136:22 137:10,18

transcripts 38:6

transition 75:3

transmitter 149:19 151:20 158:11

transmitter/audio 149:11

traumatic 56:22, 23

true 106:4 144:10, 14,24

truthful 14:10

truthfully 7:12,18

turn 17:8 100:2 113:15 118:10 119:14,15 144:6 146:12,19

turned 109:2 112:16 113:2 114:1,13 117:18 118:2,4 139:24 140:18 144:5

turning 140:20

turns 146:15

twisting 140:17, 20 145:11,13,16

two-part 121:20

two-year-old 50:17

type 59:5 93:9 122:1 133:23 142:17

typed 103:19 104:5

typical 170:20,23

typically 70:12,13 170:15

U

U.S. 33:1

Uh-huh 49:9 99:16 125:1,11 138:9,22 149:1 161:20,24

unable 19:15,16, 23 163:21

unaware 76:19

understand 7:8, 15,16,18,21 8:3,4, 6,9,13,14,18,19, 23,24 9:6,7,12 11:18 69:20 80:13

understanding 93:15 148:8 159:2 174:9,15

understands 175:4

Understood 20:13 83:19 84:5 111:10 113:17 117:12 118:12 159:14 168:11 175:9

unduly 9:5

union 9:1,4

unit 20:19,22 62:15

units 69:12

unknown 91:2

unusual 170:4

updated 168:23

upside 161:5,11 162:3 163:1 165:19,22 166:7

V

valid 153:13

Van 30:16 35:1,7 45:23 46:14,19,24 47:8,21 48:14,21 49:15 54:12 71:24 83:11 89:11 112:10 114:8 117:18 118:16 120:1,6 121:4 129:19 140:1,16 141:8,19,22 142:13,16 144:1

vehicle 19:13,17 41:9 42:10 49:2 79:15 82:20 97:7 108:12 109:19 110:18 112:3,11 113:8 114:8 126:14 129:9 130:9 131:15 132:10,11 142:19, 21,23 144:2 149:8, 18 151:19 153:21 154:4,5,7 160:22 161:7 164:8,10 165:17 166:17 167:4,10 169:18, 22 170:4,9

vehicle's 165:17

vehicles 41:13,15 163:8,12 168:3,20, 22 169:2 170:5

Velez 54:2 88:19

verbal 70:13 114:4 118:17
verbatim 4:4 46:11 106:7
verbiage 114:21
version 168:23
versus 157:18
vice-versa 165:7
vicinity 89:9
video 19:12,13,17, 23 39:13,17,24 40:15 60:23 61:6, 10,11,24 62:4,12 67:18,20 81:13 90:15,16,18,20,22 91:3,8,21 92:1,3 93:4,12 94:2,5 124:17,18 125:8, 15,16,18 127:4 130:7 146:6,10 147:2,8,18,22 148:5,23 149:8,10, 14,17 150:21 151:18,22 152:4 153:15 156:13,24 157:4,10,16,18 158:3,8 159:9 160:12,19 161:1,7, 13,18 163:7,21,24 164:3,7,15 166:17 167:3,10 168:3,18, 20 170:13,14,20 171:4,22 173:15 174:1,2
videos 39:8 157:20 160:18 163:20
view 19:21 90:15, 20,22 124:18,19, 21 125:2,12
viewed 19:22
viewing 39:23 125:15
violation 7:24 9:10 13:1 14:4
Viramontes 52:12 54:12 72:1 88:22 95:15 134:21
visit 36:21
visually 149:10 158:7 159:9
voice 128:12,13 129:3
voices 129:4,20, 21
voluntarily 13:4
VRI 74:13

W

wait 87:17,19 98:18
waited 44:8
waiting 64:16 89:2,20 94:15 97:14 102:4 134:23
waiving 116:22
walk 41:2 113:14 114:15,17 118:23 147:7 158:1
walked 113:16 140:16
walking 84:17 117:3 119:6,9,13 140:11 141:4,8
Walsh 45:19 46:2, 21 47:3,12,17 48:1,11 49:6,21, 22,23 54:12,22 65:23 71:24 88:12, 23 95:16 112:10 114:7 115:17 117:18 118:16 120:1,5 121:5 128:11 129:5,18 132:8 134:21 139:24 140:17 141:18,22 142:12, 15 144:1
Walsh's 129:3
wanted 20:9 70:22 73:19 75:4 76:6 128:5 130:21 145:13 159:13 167:22
watch 21:1,2 48:23 54:9,14 71:13,14,18 74:15 91:24 92:4 93:7 154:24 155:6,22
watched 92:7 94:7
watches 154:18 155:3,4
watching 61:3 93:5,6 121:6,9 143:8
wave 112:17 113:3 114:2,14 117:19 118:3
waving 111:22 114:5 117:5,6 118:18 119:1 121:7 138:3,18,23 139:16
ways 147:7
weapons 143:7 144:2
weekly 154:17
weeks 29:2
Wentworth 99:23
west 4:23 119:16
westbound 109:2 141:11
whatever's 155:13
whoever's 49:12
Wilson 50:23 51:5 74:6
window 128:14, 20,23 130:18
witnessed 56:10, 13
witnesses 102:18,20,23
witnessing 82:14
woman 95:2
wondering 77:22 100:24 127:10 130:12
words 59:2
work 4:8 48:10,24 49:15,24 50:9 51:2,22 52:7,8,15, 17 53:1,3,9,11,22, 24 54:8 60:22 70:24 71:3,8,11 72:13 76:10 146:7 152:6,11,13,23 157:16 171:3
worked 48:5,20, 21 49:1 53:12 63:21 71:16,20 76:13 152:24 153:19 172:6
working 6:7 14:16 51:3 61:16 71:2 72:19,23 73:6,8,10 74:10,11,14,15 149:15 153:18 154:7 156:23 157:4,10,13,18 161:18,23 163:19 164:7 166:17,21, 23 168:8 170:13, 15
works 77:1 153:13 157:19
worksheet 160:12,13 161:2, 13
Wow 85:11
wrap-up 174:12
wrapped 174:6
writing 80:8,9,12, 15 131:12

written 8:8,10 111:5

wrong 96:13 143:11 170:17

Y

Yanet 79:3,4

years 48:8,9 49:17 50:6 171:15

yelling 113:8 128:11

younger 51:18

CITY OF CHICAGO
OFFICE OF INSPECTOR GENERAL

ADVISEMENT OF RIGHTS

I, Dionne Sebastian, understand that I am being interviewed by Sarah Ansari and Christopher Bloom from the City of Chicago Office of Inspector General.

DATE: 3/21/16 TIME: 10:17am LOCATION: 300 W. Adams Ste 800

I understand that this interview is part of an official investigation and that I have a duty to cooperate with the Office of Inspector General, which includes answering all questions completely and truthfully.

I understand that I have no right to remain silent. I understand that I have an obligation to answer questions put to me truthfully. I understand that if I refuse to answer questions put to me, I will be ordered by a superior officer to answer the questions. I further understand and I have been advised that if I persist in my refusal to answer after an order to do so, such further refusal constitutes a violation of the Rules and Regulations of the Chicago Police Department and may serve as the basis for my discharge.

I understand and have been advised that my statements or responses may constitute an official police report. I understand that Rule 14 of the Chicago Police Department's Rules and Regulations prohibits making a false report, written or oral, and I further understand that making such a false report, whether written or oral, may result in my separation from the Chicago Police Department.

I understand that any statement made by me during this interview may be used as evidence of misconduct or as the basis for disciplinary action up to and including removal or discharge.

I understand that any statement made by me during this interview and the fruits thereof cannot be used against me in a criminal proceeding.

I understand that I have the right to have a union representative, or legal counsel of my choosing, present at the interview to consult with, and that I will be given a reasonable time to obtain a union representative or legal counsel as long as the interview is not unduly delayed.

I understand that a refusal to answer any question, or any false, inaccurate, or deliberately incomplete statement by me would constitute a violation of Chicago Municipal Ordinance 2-56, and may serve as the basis for my discharge.

I acknowledge that this statement of my administrative rights has been read aloud to me, and I have been allowed to review this document.

Employee Signature

Witness: Witness:

****

WAIVER

Understanding these rights, I wish to answer questions from investigators from the Office of Inspector General without having a union representative or legal counsel present. No promises or threats have been made to me and no pressure or coercion of any kind has been used against me.

Employee Signature: _____



NOTIFICATION OF INTERVIEW to CPD MEMBER

CITY OF CHICAGO OFFICE OF INSPECTOR GENERAL

DATE: February 24, 2016

NAME	RANK	STAR NO	UNIT OF ASSIGNMENT
Daphne Sebastian	Police Officer	2763	008

YOUR APPEARANCE IS REQUIRED

AT ☒ Amicus Court Reporters, 300 West Adams, Ste. 800, Chicago, IL 60606 ON DATE: March 2, 2016 TIME: 9:00 PM

AS ☒ ACCUSED ☐ WITNESS ☐ COMPLAINANT

FOR ☒ A STATEMENT

CONCERNING:
False statements made in connection with the October 20, 2014 shooting of Laquan McDonald; the operation of the Chicago Police Department's in-car video system.

YOU ARE TO REPORT TO:

LEAD INVESTIGATOR	TITLE	PHONE NO.	EMAIL
Kristopher Brown	Investigator III	773-478-0221	kbrown@chicagoinspectorgeneral.org

NOTE: You MUST notify the Lead Investigator of your inability to keep this scheduled appointment.

ALSO PRESENT AT THE INTERVIEW WILL BE:

NAME	TITLE	NAME	TITLE
Sarah Ansari	Assistant Inspector General	N/A	N/A

THE INTERVIEW WILL BE ☐ AUDIO RECORDED ☒ TRANSCRIBED BY A LIVE REPORTER

TO BE COMPLETED BY INTERVIEWEE (if applicable)

ACKNOWLEDGEMENT

Please contact Investigator Brown at (773) 478-0221 to confirm receipt of Notification of Interview and to confirm your attendance at the interview.

I hereby acknowledge receipt of this Notification of Interview

SIGNATURE: Daphne Sebastian DATE: 24FEB16

PRINTED NAME: DAPHNE SEBASTIAN TIME: 2250

EXHIBIT 2 3/2/16 AKP

TO BE COMPLETED BY OFFICE OF INSPECTOR GENERAL OR CPD COMPONENT PROVIDING NOTIFICATION TO INTERVIEWEE

NOTIFICATION MADE TO	TITLE, RANK, & UNIT	DATE	TIME
P.O. SEBASTIAN	P.O. Daphne Sebastian #2763	24 FEB 2016	2248
NOTIFICATION MADE BY	TITLE, RANK, & UNIT	DATE	TIME
Sgt. Lorenzo Cordero	#871	24 FEB 2016	2248

NOTIFICATION OF ALLEGATIONS

CITY OF CHICAGO OFFICE OF INSPECTOR GENERAL

NAME OF ACCUSED	RANK	STAR NO.	UNIT OF ASSIGNMENT
Daphne Sebastian	Police Officer	2763	008

City ordinance, and if applicable, collective bargaining agreements, provide that you are entitled to notice of the nature of the allegations against you and the identity of all complainants prior to any interview. Accordingly, you are advised as follows:

COMPLAINANT

1. John J. Escalante, Interim Superintendent of Chicago Police Department, sent a letter to the City of Chicago Office of Inspector General (OIG) dated January 13, 2016, requesting that OIG conduct an administrative investigation of the following allegations arising out of the October 20, 2014 shooting death of Laquan McDonald (the McDonald Shooting): "whether any officer(s) made false statements on official reports submitted in connection with the shooting of Laquan McDonald on October 20, 2014; whether any officer(s) obstructed or interfered with the investigation of this incident, either individually or in collusion with others; and whether any officer(s) committed any violation of Chicago Police Department rules, policies, or orders in connection with their response and/or handling of this matter." Escalante attached to the letter a copy of Sergeant S. Soria's (Star # 2275) Initiation Report, which raises similar allegations of misconduct with respect to Department members in connection with the McDonald Shooting, and identified that Report as a basis for OIG's administrative investigation.

ALLEGATIONS

1. On or about October 20, 2014, you provided a false narrative to Detective David March of the Chicago Police Department (CPD) concerning the McDonald Shooting through a series of false statements and material omissions.

2. On or about October 20, 2014, you made a false statement during an interview with CPD Detective March when, with respect to the McDonald Shooting, you stated that you saw McDonald run out onto Pulaski and continue to run southbound down the middle of the street, waving a knife.

3. On or about October 20, 2014, you made a false statement during an interview with CPD Detective March when, with respect to the McDonald Shooting, you stated that McDonald turned toward Officers Walsh and Van Dyke and continued to wave the knife.

4. On or about October 20, 2014, you made a false statement during an interview with CPD Detective March when, with respect to the McDonald Shooting, you stated that McDonald ignored Officers Walsh and Van Dyke's verbal directions to "Drop the knife!" and continued to advance on the officers, waving the knife.

5. On or about October 20, 2014, you made a material omission during an interview with CPD Detective March when, with respect to the McDonald Shooting, you failed to state that McDonald changed the direction in which he was walking prior to the shooting.



6. On or about October 20, 2014, you made a material omission during an interview with CPD Detective March when, with respect to the McDonald Shooting, you failed to state that Officers Walsh and Van Dyke moved towards McDonald prior to the shooting.

7. On or about October 20, 2014, you made a false statement during an interview with CPD Detective March when, with respect to the McDonald Shooting, you stated that McDonald continued to move after he fell to the ground.

8. On or about October 20, 2014, you made a false statement during an interview with CPD Detective March when, with respect to the McDonald Shooting, you stated that you did not know who fired the shots, which were fired in one, continuous group.

9. On or about October 21, 2014, you provided a false narrative to Independent Police Review Authority (IPRA) Investigator Brian Killen concerning the McDonald Shooting through a series of false statements and material omissions.

10. On or about October 21, 2014, you made a false statement during an interview with IPRA Investigator Killen when, with respect to the McDonald Shooting, you stated that McDonald was running southbound in the middle of Pulaski, waving a knife back and forth, front to back.

11. On or about October 21, 2014, you made a false statement during an interview with IPRA Investigator Killen when, with respect to the McDonald Shooting, you stated that McDonald was still waving the knife as you approached 41st Street.

12. On or about October 21, 2014, you made a false statement during an interview with IPRA Investigator Killen when, with respect to the McDonald Shooting, you stated that McDonald turned toward Officers Walsh and Van Dyke with the knife "in a motion towards them."

13. On or about October 21, 2014, you made a material omission during an interview with IPRA Investigator Killen when, with respect to the McDonald Shooting, you failed to state that McDonald changed the direction in which he was walking prior to the shooting.

14. On or about October 21, 2014, you made a material omission during an interview with IPRA Investigator Killen when, with respect to the McDonald Shooting, you failed to state that Officers Walsh and Van Dyke moved towards McDonald prior to the shooting.

15. On or about October 21, 2014, you made a false statement during an interview with IPRA Investigator Killen when, with respect to the McDonald Shooting, Killen asked if you knew who was shooting, and you stated, "I did not."

16. On or about October 21, 2014, you made a false statement during an interview with IPRA Investigator Killen when, with respect to the McDonald Shooting, Killen asked if everything you stated was a true and accurate account of what occurred, and you stated, "Yes."

17. On or about October 20, 2014, you disabled the microphones for CPD vehicle 8779 by placing them into the vehicle's glove compartment with the batteries inserted upside down.

18. On or about October 20, 2014, you failed to ensure the in-car video system for CPD vehicle 8779 was working properly at the beginning of your tour of duty.

19. On or about October 20, 2014, you failed to immediately notify a supervisor that the in-car video system for CPD vehicle 8779 was inoperable or damaged.

20. On or about October 20, 2014, you failed to audibly record events with CPD vehicle 8779's in-car video system during your tour of duty.

ACKNOWLEDGEMENT

I hereby acknowledge receipt in writing of the identity of the complainant(s) and notice of the nature of the allegation(s) against me.

Signature Daphne Sebastian Date 24FEB16

Printed Name DAPHNE SEBASTIAN Time 2254

WITNESSES

#814 24 FEB 2016 2254 HRS.

CITY OF CHICAGO OFFICE OF INSPECTOR GENERAL
740 North Sedgwick Street
Suite 200
Chicago, Illinois 60654

RECEIPT FORM

OIG FILE NO. 15-0564

ON 24 FEB 2016 DATE AT 2258 HRS. TIME

Sgt. Terrance Coulton #71 NAME Sgt. of Police TITLE

☐ SEIZED FROM ☐ RECEIVED FROM ☐ RETURNED TO ☒ RELEASED TO

NAME	TITLE	DEPT.
Daphne Sebastian	Police Officer	Chicago Police Department

THE FOLLOWING ITEM(S):

1. A City of Chicago Office of Inspector General DVD containing the following materials:

- a copy of the portion of the March 16, 2015 Case Supplementary Report for R.D. No. HX475653 that memorializes Detective David March's October 20, 2014 interview of Daphne Sebastian;
- Detective March's October 20, 2014 General Progress Report for R.D. No. HX475653 concerning March's October 20, 2014 interview of Daphne Sebastian;
- A copy of the transcript of the October 21, 2014 interview of Daphne Sebastian, conducted by Independent Police Review Authority Investigation Brian Killen;
- The October 20, 2014 audio and video files for the in-car video system of beat number 813R;
- The October 20, 2014 audio and video files for the in-car video system of beat number 845R;
- The October 20, 2014 Dunkin Donuts security video of the Laquan McDonald shooting.

ACKNOWLEDGEMENT

EXHIBIT 4 5/21/16 AD

I hereby acknowledge receipt in writing of the above-listed item(s).

Signature Daphne Sebastian Date 24FEB16

Printed Name DAPHNE SEBASTIAN Time 2258

WITNESSES

24 Feb 2016 2258HRS

STATEMENT OF P.O. DAPHNE SEBASTIAN

CONDUCTED BY INVESTIGATOR KILLEN

ON OCTOBER 21, 2014 AT 0507 HOURS

AT AREA CENTRAL POLICE HEADQUARTERS

LOG# 1072125
Attachment EE 158

EXHIBIT 5 3/21/16

KILLEN: This is the audio recorded interview of Officer Daphne regarding Log number 1072125 U number 14 dash 36. Today (NOISE) is the 21st of October 2014. And the time is approximately 0507 hours. This statement is bein' taken at Area Central Police Headquarters. Uh my name is Investigator Killen, that's spelled K I L L E N. My star number is 1 2 9. (noise) Present is uh Attorney Dan Herbert. Dan if you would.

HERBERT: D A N, Herbert, H E R B E R T.

KILLEN: And also FOP Rep Kriston Kato.

KATO: K R I S T O N. Last name is K A T O. FOP field representative.

KILLEN: And then Officer Sebastian if you would say and spell your first and last names for me.

P.O.SEBASTIAN: My first name is Daphne, D A P H N E. My last name is Sebastian, S E B A S T I A N.

KILLEN: And what's your star number?

P.O.SEBASTIAN: 2 7 6 3.

KILLEN: And your employee number?

P.O.SEBASTIAN: [redacted]

KILLEN: And your date of appointment with the Department?

P.O.SEBASTIAN: 30 September '02.

KILLEN: And your date of birth?

P.O.SEBASTIAN: [redacted]

OIG 15-0564 008185

KILLEN: And your current unit of assignment?
P.O.SEBASTIAN: 8th District.

KILLEN: How long you been assigned to 8?
P.O.SEBASTIAN: The entire time, 12 years. Well after the Academy, so 11.

KILLEN: All right and are you prepared to give a statement now?
P.O.SEBASTIAN: Yes.

KILLEN: Okay.
P.O.SEBASTIAN: Uh this statement is not being given voluntary but under duress. I am only giving this statement because I know I will be fired if I refuse.

KILLEN: And you're aware that this statement has the standing of an official Department report. And that any intentional falsification of any question, any answer to any question would be in direct violation of Department rules and regulations?
P.O.SEBASTIAN: Yes.

KILLEN: Given that, I'd like to remind you that failure to provide a complete and accurate account of this incident could result in a finding of Rule 14 with uh discipline leading up to and including separation from the Chicago Police Department. Do you understand that?
P.O.SEBASTIAN: Yes.

OIG 15-0564 008186

KILLEN: All right so what was your duty status and assignment on 20 October 2000, 2014 at approximately 2150 hours?

P.O.SEBASTIAN: On duty. Full uniform um working Beat 813 Robert with a partner.

KILLEN: Okay who's your partner?

P.O.SEBASTIAN: Janet Mondragon.

KILLEN: Okay and where was uh what's your regular start time?

P.O.SEBASTIAN: 2100.

KILLEN: Okay. And then uh I know you said you were in full uniform. So was Officer Mondragon?

P.O.SEBASTIAN: Yes sir.

KILLEN: And you and Officer Mondragon were assigned a vehicle?

P.O.SEBASTIAN: Yes.

KILLEN: What kinda vehicle?

P.O.SEBASTIAN: Uh marked vehicle number 8 7 7 9.

KILLEN: That a car, Tahoe?

P.O.SEBASTIAN: That's a, uh Explorer.

KILLEN: Okay. All right and then on 20 October 2014 approximately 2150 hours you and Officer Mondragon were witness to a police-involved shooting correct?

OIG 15-0564 008187

P.O.SEBASTIAN: Correct.

KILLEN: And if you would just from the beginning just explain to me what happened?

P.O.SEBASTIAN: Uh we were responding to a call for uh to assist Beat 815 Robert. Um they had called to get a taser because they said that their offender had a knife.

KILLEN: And do you recall where you were at when you received that?

P.O.SEBASTIAN: Uh right around 55th and Kostner.

KILLEN: Okay. And you received, you're getting all that information over the radio correct?

P.O.SEBASTIAN: Correct.

KILLEN: Dispatch?

P.O.SEBASTIAN: Hmm huh.

KILLEN: Okay. Um and then were you the driver or passenger?

P.O.SEBASTIAN: I was the passenger.

KILLEN: So then Officer Mondragon and you drive over to where, 815 --

P.O.SEBASTIAN: Is calling for help, yes.

KILLEN: Okay and what happens when you get there?

P.O.SEBASTIAN: Um as we're in route I would get further information that the offender is going eastbound towards uh the Burger King, towards Pulaski on

OIG 15-0564 008188

foot. That he has a knife in hand. And then um additionally that he punctured the tire of 815 Robert's car. We were northbound on Pulaski um behind 845 Robert. Uh we turned westbound on 40th Street which is just, the street just north of the Burger King parking lot. Um as we got to the Burger King parking lot 845 Robert went into the parking lot um and we uh had information that the offender was running through that parking lot. Um --

KILLEN: You got that information over the radio?

P.O.SEBASTIAN: Over the radio, hmm huh. Yes. Um I see the offender at quite a distance. My partner does not. Um I tell her, we decide to go out onto Pulaski to try and cut the offender off on Pulaski. (noise) So she turns goes back on 40th Street and then goes to Pulaski southbound. (noise) Once we get southbound on Pulaski we get to 41st Street where the offender is uh running in front of like southbound um in the middle of the street of Pulaski. Like in front of our car, away from us. (noise)

KILLEN: So the first time you see (noise) the offender where are you?

P.O.SEBASTIAN: First (noise) time I see the offender is when (noise) we're um turning around in the Burger King parking lot. The driveway of the Burger King.

KILLEN: So that's after you come up Pulaski onto 40th and into the parking lot?
P.O.SEBASTIAN: Correct. Yes.

KILLEN: So you're basically just going back around?
P.O.SEBASTIAN: Yes.

KILLEN: And when you see him he's runnin'?
P.O.SEBASTIAN: He's runnin' yes.

KILLEN: Which way does he go?
P.O.SEBASTIAN: He's running uh southeast basically through the parking (noise) lot.

KILLEN: So toward Pulaski from --
P.O.SEBASTIAN: Correct.

KILLEN: -- 40th Street.
P.O.SEBASTIAN: Yes.

KILLEN: And when you see 'em you see 'em with a knife?
P.O.SEBASTIAN: I did not see a knife at that time. No.

KILLEN: If you had to guess at how far away he was, when you first saw 'em?
P.O.SEBASTIAN: Uh well we were at one end of the parking lot so all the way to the other, I mean several yards. Prob'ly (noise) 50 yards.

KILLEN: (noise) Okay. So then by the time Officer Mondragon's able to turn it around get back onto Pulaski and go south --

OIG 15-0564 008190

P.O.SEBASTIAN: Hmm huh.

KILLEN: -- the offender is, is that when he's running south in the street?

P.O.SEBASTIAN: Correct. (noise) He's already in the street running south.

KILLEN: And then --

P.O.SEBASTIAN: At that time I can see the knife in his hand as we're getting closer to him (noise) I can see the knife. Um he has it in his right hand and he's actually waving it back and forth. Like front to back. Moving his arm back and forth as he's um maybe like a fast walk, slow run southbound on Pulaski.

KILLEN: Okay so what happens? So he's goin' south, you guys are goin' south.

P.O.SEBASTIAN: Hmm huh.

KILLEN: What happens?

P.O.SEBASTIAN: Um --

HERBERT: Got to say yes.

P.O.SEBASTIAN: Yes.

HERBERT: No hmm huh's.

P.O.SEBASTIAN: Oh sorry. Yes.

HERBERT: That's okay.

P.O.SEBASTIAN: Uh we get to 41st Street um 845 Robert is already Officers Walsh and Van Dyke are already out of the car. Um we see the offender um in the street still waving his, his arm with the knife.

Uh I heard several shots fired and the offender fell to the ground.

KILLEN: At the time did you know who was shooting?
P.O.SEBASTIAN: I did not.

KILLEN: Did you see like Officer Van Dyke out there gun pointed at 'em?
P.O.SEBASTIAN: I saw Officer Van Dyke and, and Officer Walsh both had their guns drawn. But my attention at the time of the shots fired were towards the offender. Cause we were still in motion. We were still moving --

KILLEN: Goin' south on --
P.O.SEBASTIAN: Yeah we were still moving. Cause we were slow you know goin' slow at the time. (noise)

KILLEN: So when you, when you're goin' slow south on Pulaski where's the offender?
P.O.SEBASTIAN: He's in front of us.

KILLEN: He's still in, in the street?
P.O.SEBASTIAN: Hmm huh. Yes, yes.

KILLEN: You see he's wavin' a knife back and forth is he wavin' it at somebody or whaddoes he do?
P.O.SEBASTIAN: He was (noise) waving it (noise) before he got towards 845 Robert he was just swinging his arm back and forth. I mean he's doing all kinds of like twisting body motions as he's walking. (noise) Um when he got closer to them and they

OIG 15-0564 008192

got outta the vehicle, it (noise) he turned his body towards them like the knife like (noise) in a motion towards them. His, (noise) his right arm did. (noise)

KILLEN: And did you see where Officers Van, Van Dyke and Walsh came from? Or did they come north on Pulaski toward 'em or --

P.O.SEBASTIAN: No. They were, they had also come from, they went southbound and they were like in the, um they were in the northbound lanes. And they went down past him um in front of him at a great distance. So they were several feet --

KILLEN: So they went south on the other side of the street in the northbound lanes?

P.O.SEBASTIAN: Yeah. Yeah.

KILLEN: They went south.

P.O.SEBASTIAN: They went south like, like cause this, the offender was walking kinda down the middle of the street. So they went in the northbound lanes and then kind of cut across in, in, in front of him.

KILLEN: Okay.

P.O.SEBASTIAN: Okay as to stop 'em. There was a Dunkin' Donuts on the (noise) uh east side of the street. So kind of in between him and the Dunkin' Donuts basically (noise) what it was.

KILLEN: Does he stop walking when they cut in front of 'em?

OIG 15-0564 008193

P.O.SEBASTIAN: No he doesn't. He's still moving.

KILLEN: Is that when he turns, so he faces --
P.O.SEBASTIAN: Hmm huh yeah he's still, he's still moving yes.

KILLEN: And you see, you saw Officers Van Dyke and Walsh get outta the car?
P.O.SEBASTIAN: I saw them outta the car, yes.

KILLEN: Okay saw them with guns drawn?
P.O.SEBASTIAN: I did.

KILLEN: Pointed at the offender?
P.O.SEBASTIAN: Yes.

KILLEN: But you didn't see who was shootin'?
P.O.SEBASTIAN: I did not.

KILLEN: At the time you couldn't tell?
P.O.SEBASTIAN: At the, at that time honestly at that time my attention was towards the offender. (someone clears throat)

KILLEN: And then, but you heard gunshots?
P.O.SEBASTIAN: Hmm huh. Heard gunshots.

KILLEN: Okay. Could you guess at how many you heard?
P.O.SEBASTIAN: I, I really don't know.

KILLEN: And what happens after you hear the gunshots?

OIG 15-0564 008194

P.O.SEBASTIAN: We get out of the vehicle. My partner stops the vehicle, we get out. Um actually (noise) we get out, we see that the offender is no longer a threat. As, as my partner comes out of the car, she notices that the southbound traffic is coming like uh citizens vehicles coming towards the, the crime scene. Cuz they're coming off of a hill, off of the expressway. (noise) So um you know (noise) there were plenty of officers over there attending to that. Our attention turned to the traffic and stopping the citizens from driving into the crime scene. (noise)

KILLEN: And when you say the offender's no longer a threat, whadda you mean by that?

P.O.SEBASTIAN: I didn't see that there was any more movement. Um Officer Walsh, I saw Officer Walsh (noise) um kick the knife, the, he still had the knife in his hand. (noise) You could see that. And he kicked it away from 'em and it was no more, I didn't see any movement from the offender.

KILLEN: So is the offender still standing at this time or is he --

P.O.SEBASTIAN: Oh no he's on the ground.

KILLEN: Okay.

P.O.SEBASTIAN: Yeah he's on the ground.

KILLEN: So after the gunshots he's on the ground?

P.O.SEBASTIAN: Yes.

OIG 15-0564 008195

KILLEN: And then Officer Walsh kicks the knife from his hand.

P.O.SEBASTIAN: Hmm huh. Yes.

KILLEN: And that's what you mean by he's no longer a threat now?

P.O.SEBASTIAN: Yes.

KILLEN: Okay. All right. All right is there anything you'd like to add?

P.O.SEBASTIAN: No.

KILLEN: And everything you told me is a true and accurate account of what occurred?

P.O.SEBASTIAN: Yes sir.

KILLEN: All right this will uh conclude the audio recorded interview of Officer Daphne Sebastian regarding Log number 1072125 U number 14 dash 36. Today is the 21st of October 2014. The time is approximately 0519 hours.

I, CAROL A. O'LEARY, do hereby certify or affirm that I have impartially transcribed the foregoing from an audio recording of the above-mentioned proceeding to the best of my ability.

Carol A. O'Leary

Carol A. O'Leary

OIG 15-0564 008197

CHICAGO POLICE DEPARTMENT

CASE SUPPLEMENTARY REPORT

3510 S. Michigan Avenue, Chicago, Illinois 60653

(For use by Chicago Police - Bureau of Investigative Services Personnel Only)

HX475653

Case #: [redacted]
Rpt ID: [redacted]

EXC. CLEARED CLOSED (OTHER EXCEPTIONAL)		DETECTIVE SUP. APPROVAL COMPLETE			
Last Offense Classification/Re-Classification	IUCR Code	Original Offense Classification			IUCR Code
ASSAULT / Aggravated Po:Knife/Cut Instr	0552	ASSAULT / Aggravated Po:Knife/Cut Instr			0552
Address of Occurrence	Beat of Occur	No of Victims	No of Offenders	No of Arrested	SDR No
4112 S PULASKI RD	815	4	1	1	
Location Type	Location Code	Secondary Location			Hate Crime?
Street	304				NO
Date of Occurrence	Unit Assigned	Date RD Arrived	Tow Related?	Gang Related?	Domestic Related?
20-OCT-2014 21:57	0841R	20-OCT-2014 21:57	NO	NO	NO

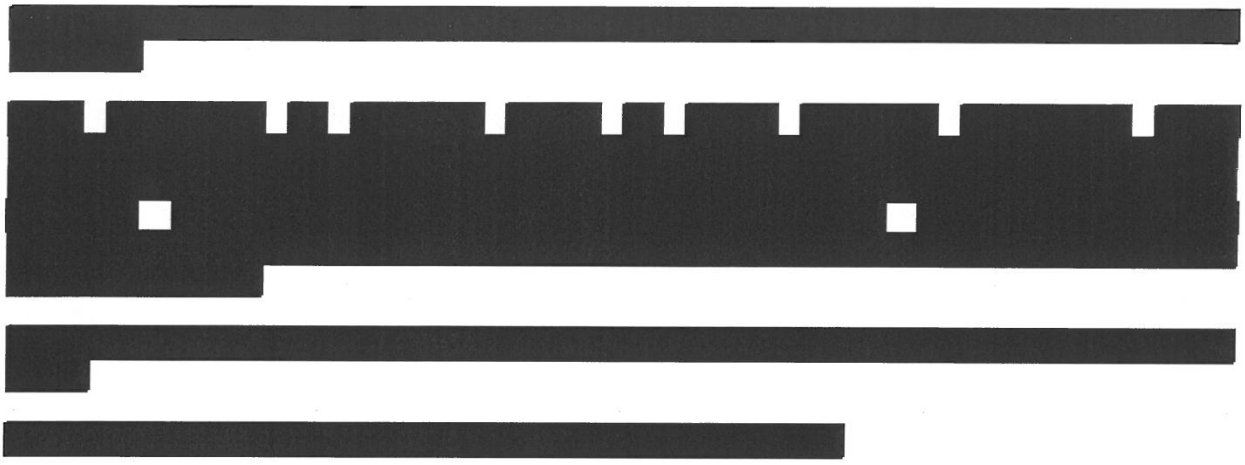
Reporting Officer	Star No	Approving Supervisor	Star No	Primary Detective Assigned	Star No
MARCH, David	20563	WOJCIK, Anthony	481	MARCH, David	20563
Date Submitted		Date Approved		Assignment Type	
15-MAR-2015 18:26		16-MAR-2015 00:03		FIELD	

THIS IS A FIELD INVESTIGATION EXC. CLEARED CLOSED (OTHER EXCEPTIONAL) REPORT

[redacted]

HX475653

EXHIBIT 6



SEBASTIAN, Daphne L -----

stated she was a Chicago Police Officer assigned to the 008th District. She was on duty, in uniform, working on Beat 813R. SEBASTIAN was working with Police Officer Janet MONDRAGON. The two officers were assigned to a marked vehicle. MONDRAGON was driving the vehicle and SEBASTIAN was the passenger.

The two officers responded to the request for assistance made by Beat 815R, regarding a subject with a knife. Officer SEBASTIAN thought the original call for assistance was at 40th Street and Keeler Avenue. The subject had punctured a tire on the police vehicle of Beat 815R. Officer MONDRAGON drove northbound on Pulaski Road, following Beat 845R, as they also responded to the request for assistance. MONDRAGON turned westbound onto 40th Street, behind Beat 845R.

Officer SEBASTIAN observed a black male subject, now known as Laquan MCDONALD, running southeast bound through the parking lot of the Burger King restaurant. Beat 845R pursued MCDONALD in their police vehicle, through the parking lot, toward Pulaski. SEBASTIAN told Officer MONDRAGON to drive back out onto Pulaski to assist in the pursuit. MCDONALD ran out onto Pulaski and continued to run southbound down the middle of the street. Beat 845R pursued MCDONALD in their vehicle, southbound on Pulaski, followed by Beat 813R. As MCDONALD ran southbound on Pulaski, SEBASTIAN saw the knife in his right hand. MCDONALD was waving the knife.

Beat 845R stopped their vehicle ahead of MCDONALD, between MCDONALD and the Dunkin' Donuts restaurant on the east side of Pulaski. Officers Joseph WALSH and Jason VAN DYKE exited their vehicle and drew their handguns. MCDONALD turned toward the two officers and continued to wave the knife. Sebastian heard the officers repeatedly order MCDONALD to "Drop the knife!" MCDONALD ignored the verbal directions and continued to advance on the officers, waving the knife. Officer SEBASTIAN heard multiple gunshots and MCDONALD fell to the ground, where he continued to move. SEBASTIAN did not know who fired the shots, which were fired in one continuous group. She then saw Officer WALSH kick the knife out of MCDONALD's hand.



EXHIBIT 7 3/21/16 AD

GENERAL PROGRESS REPORT
INVESTIGATIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT	DATE OF THIS REPORT
24 OCT 2015	24 OCT 2015

OFFENSE CLASSIFICATION—LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	VAN DYKE	5121

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

D SEBASTIAN

RESPONDED TO E/S/R REQUEST FOR ASST,
SUBJECT W/KNIFE
THOUGHT ORIGINAL CALL WAS 40+ KEELER
O HAD PUNCTURED TIRE OF E/S/R
MONDRAGON PROBE N/B ON PULASKI FOLLOWING E/S/R,
ALSO RESPONDING
W/B O/O 40 BEHIND E/S/R
SAW O RUNNING SE THROUGH BK LOT TOWARD PULASKI
TOLD MONDRAGON TO DRIVE BACK OUT TO PULASKI TO
ASST IN PURSUIT O RAN OUT TO PULASKI, THEN S/B
E/S/R PURSUED IN VEHICLE
E/B/R REVIEWING S/B SAW KNIFE IN O'S R HAND
O WAVING KNIFE
E/S/R STOPPED AHEAD OF O, BETWEEN O + DD
VW + VVD EXITED, DREW HANDGUNS
O TURNED TOWARD POS, WAVING KNIFE
HEARD POS = "DROP THE KNIFE!" REPEATEDLY
O IGNORED, CONTINUED TO ADVANCE ON POS, WAVING KNIFE
DS HEARD MULTIPLE GUNSHOTS - O FELL TO GROUND —
DISTANCED MOVING. DS DO NOT KNOW WHO FIRED. STATE
IN ONE CONTINUOUS BURST. WALSH KICKED KNIFE FROM HAND

END

REPORTING OFFICER'S DESIGNATION—STAR NO.	RECEIVED BY SUPERVISOR'S SIGNATURE—STAR NO.	DAY—MO.—YR.	TIME
[illegible] 20562			

CPD-23.122 (Rev. 2/03)

Chicago Police Department

Special Order S03-05

IN-CAR VIDEO SYSTEMS

ISSUE DATE:	23 February 2012	**EFFECTIVE DATE:**	23 February 2012
RESCINDS:	Version dated 20 April 2011; S10-10		
INDEX CATEGORY:	Field Operations		

I. PURPOSE

This directive:

A. implements the use of Department in-car video systems.

B. establishes the policies and procedures for the use, maintenance, and repair of in-car video systems.

C. establishes the roles and responsibilities of Department members affected by the introduction of in-car video systems for the video and audio recording of incidents.

D. establishes the requirements for viewing, retaining, and duplicating digitally recorded incidents.

E. continues the use of the Digitally Recorded Data Viewing/Hold/ Duplication Request (CPD-65.224).

F. identifies the Records Division as the Department repository and viewing location of digitally recorded data created by the in-car video systems.

II. POLICY

The Department is committed to protecting the safety and welfare of its members and the public. The in-car video systems can provide members with an invaluable instrument to enhance criminal prosecution by providing powerful evidence of criminal activity, limit civil liabilities, and objectively document officer conduct during individual interactions. Members assigned to a vehicle equipped with an in-car video system will use it pursuant to this directive.

III. GENERAL INFORMATION

A. There is no expectation of privacy for Department members related to incidents recorded by in-car video systems. Supervisors, members of Bureau of Internal Affairs, and the Independent Police Review Authority (IPRA) investigators may request to review the digitally recorded data from a vehicle equipped with an in-car video system. Any digitally recorded data created by the in-car video system may be used without a Department member's permission for any official Departmental purpose.

B. The in-car video system will **automatically engage audio and video recording** when the vehicle's emergency-roof lights are activated. However, Department members may manually activate the in-car video system without the activation of the emergency equipment. At the conclusion of the incident, Department members must manually disengage all recording processes, regardless of what method activated the in-car video system.

C. The Records Division will be the custodians of the digitally recorded data and will be responsible for the retention, duplication, and viewing of the in-car video systems. The Director, Records Division, will establish retention, viewing, and duplication procedures that provide for inventory control, the security of the digitally recorded data, and authorized duplications.

D. All digitally recorded data created by the in-car video systems will be retained by the Records Division for a minimum of 90 days. Digitally recorded data that is marked and held as having evidentiary or training value will be retained as prescribed by law and established Department policy.

E. In general, minor infractions and minor deviations from Department policy observed through the review of digitally recorded data will not be subject to the disciplinary process and will be treated as a training opportunity.



OIG 15-0564 008201

IV. RECORDING GUIDELINES

A. Department members will use only Department-issued video and audio recording equipment.

B. Department members will conform to all laws and Department policies concerning the use of the in-car video system for the video and audio recording of incidents.

1. Department members are lawfully permitted to video record individuals without their consent if they are on the public way or in public view.

2. Department members who are in uniform and have identified their office are lawfully permitted to simultaneously audibly and visually record individuals without their consent whenever:

a. the member is conducting an enforcement stop, **or**

b. the patrol vehicle emergency lights are activated or would otherwise be activated if not for the need to conceal the presence of law enforcement.

NOTE: Any reports completed for an audibly recorded incident, including Traffic Stop Statistical Study - Driver Information Cards (CPD-21.103), Traffic Stop Statistical Study Stickers (CPD-15.516), and Personal Service Citations, must include the initial violation or investigatory need that led to the stop.

NOTE: Department members may audibly record an enforcement stop regardless of the subsequent enforcement action taken.

3. Department members may audibly and visually record an individual with the consent of the individual.

C. Uniformed Department members assigned to vehicles equipped with in-car video systems will activate the system to simultaneously audibly and visually record the entire incident for all enforcement stops.

D. Uniformed Department members assigned to vehicles equipped with in-car video systems will activate the system to visually record the entire incident for all:

1. arrests and transports.

2. nonpursuit emergency vehicle operations.

3. any situation that the member, through training and experience, believes to serve a proper police purpose.

E. During the recording of an incident, Department members will not disengage the in-car video system until the entire incident has been recorded.

NOTE: Department members will be required to justify any disengagement of the in-car video system prior to the entire incident being recorded.

F. If recorded, felony and misdemeanor arrests, motor vehicle pursuits, traffic crashes resulting in property damage, personal injury, or a fatality, DUI incidents, and failure to yield to an emergency vehicle will be automatically stored by the in-car video system indefinitely when the correct event is selected from the postevent pop-up menu. All other incidents will be automatically stored for ninety days.

G. If digitally recorded data will be needed in judicial proceedings beyond ninety days, members will place an extended hold on that digitally recorded data as described in Item VIII of this directive, including but not limited to the following circumstances:

1. Traffic stops other than DUI,

© Chicago Police Department, February 2012

OIG 15-0564 008202

2. Enforcement stops,

3. Other traffic crash investigations, and

4. Stops for citizen assistance.

H. When a complaint against a Department member is received that involves a digitally recorded incident, the investigating member will request an extended hold on the data.

I. Assigned supervisors will request an extended hold on all digitally recorded motor vehicle pursuits and traffic crashes involving Department vehicles.

V. DEPLOYMENT OF THE IN-CAR VIDEO SYSTEMS

A. Commanding officers of units with vehicles equipped with in-car video systems will:

1. ensure that vehicles equipped with in-car video systems are evenly distributed for use by all watches.

NOTE: Commanding officers will ensure the units assigned to traffic duties in district law enforcement use vehicles equipped with in-car video systems.

2. whenever feasible, ensure vehicles equipped with the in-car video systems are deployed every tour of duty and service is requested for inoperable vehicles equipped with in-car video systems.

B. The *station supervisors* will:

1. deploy every vehicle equipped with a functional in-car video system during the tour of duty.

2. ensure digitally recorded data is downloaded from the in-car video systems.

3. whenever operationally feasible, review video of any arrest recorded by the in-car video system as part of the approval of probable cause.

VI. OPERATIONAL PROCEDURES

A. Department members assigned to a Department vehicle equipped with an in-car video system will:

1. at the beginning of a tour of duty:

a. visually inspect the in-car video system equipment for damage.

b. obtain the remote transmitter/audio recorder and ensure it is securely attached to the member's person.

c. follow the start-up procedures for the in-car video system as trained and ensure the system is working properly.

NOTE: Members will immediately notify a supervisor if, at any time, the in-car video system is inoperable, damaged, the equipped vehicle becomes inoperable, or the remote transmitter/audio recorder is missing.

2. during the tour of duty:

a. audibly and visually record events in accordance with this directive.

b. annotate all reports, including Contact Information Cards (CPD-21.101), prepared for an event which has been recorded by listing **"Video Recorded Incident"** at the end of the narrative portion.

© Chicago Police Department, February 2012

OIG 15-0564 008203

c. after an incident has been recorded, use the post-event pop-up menu to select the most serious recorded occurrence as the event type and enter other event information.

NOTE: If the member did not use the postevent pop-up menu to mark the incident as being held for evidence, the member will request an extended hold on digitally recorded data in accordance with Item VIII of this directive.

d. if the in-car video system indicates that the memory required to record incidents is becoming low or if the member observes that less than 30 minutes of recording time is available, download the digitally recorded data.

3. at the conclusion of a tour of duty:

a. verify the in-car video system is working properly.

b. initiate the downloading of the digitally recorded data.

NOTE: Members will immediately notify a supervisor if unable to complete the downloading of digitally recorded data due to technical problems.

c. shut down the in-car video system and logoff the system.

d. return the remote transmitter/audio recorder to the designated area for charging.

B. The sergeant assigned to supervise Department members using Department vehicles equipped with an in-car video system will:

1. monitor subordinates to ensure the in-car video system is used and that digitally recorded data is properly downloaded.

2. ensure that the Help Desk is contacted and a ticket number is obtained whenever any member is unable to use the in-car video system or download digitally recorded data due to technical problems.

3. initiate an investigation when notified of a missing or lost remote transmitter/audio recorder.

4. document on the Supervisor's Management Log (CPD-11.455):

a. whether each vehicle has an in-car video system and if it is functioning.

b. all responses related to malfunctions of vehicles equipped with in-car video systems.

c. digitally recorded data downloaded to land-based terminals, noting any units unable to complete the download and the Help Desk ticket number obtained.

d. any request submitted for an extended hold of digitally recorded data.

e. any instances of additional training, corrective measures, or disciplinary actions.

5. document on the Traffic Pursuit Report (CPD-22.958) or traffic crash report that the incident has been digitally recorded.

6. obtain a complaint register number and order an evidence technician to process the equipment if any damage or malfunction is suspected to have been caused by deliberate (tampering) means.

C. *Station supervisors* will:

1. designate a sergeant responsible for monitoring the downloading of digitally recorded data for the watch.

© Chicago Police Department, February 2012

OIG 15-0564 008204

2. record the total number of vehicles equipped with in-car video systems deployed during the watch and the total number of these vehicle that do not have a functioning in-car video system, if any, on the Watch *Incident* Log (CPD-21.916).

3. ensure the status of vehicles equipped with in-car video systems is recorded on the Personal Equipment Log (CPD-21.919) by recording the word "VIDEO" in the "Camera/Tripod No." column.

4. if an in-car video system malfunctions or the system or vehicle becomes inoperable **during** the tour, record the vehicle and beat numbers and the words "VIDEO DOWN" on the Watch *Incident* Log.

D. When digitally recorded data is determined to have evidentiary or training value, or a complaint against a Department member is received that involves a digitally recorded incident, the supervisor reviewing the recorded data will request an extended hold on the data.

VII. DOWNLOADING DIGITALLY RECORDED DATA FROM THE IN-CAR VIDEO SYSTEM

A. When downloading digitally recorded data from the mobile unit of an in-car video system to a land-based terminal, Department members will:

1. download the data in accordance with the manufacturer's guidelines and training.

2. ensure the download of data was complete and return the vehicle back into service.

B. With the approval of the *station supervisor* in the district of occurrence, special requests for the immediate viewing of digitally recorded data from the *Bureau of Detectives*, *Bureau of Internal Affairs*, or IPRA will be processed for major incidents where an in-car camera system may be reasonably expected to have captured a component of the incident.

1. Major incidents include, but are not limited to:

a. police-involved shootings,

b. serious injury or death to a Department member,

c. serious injury or death to a member of the public.

2. Special requests for viewing digitally recorded data will be made to the *station supervisor* in the district of occurrence, who will:

a. evaluate the request;

b. determine if the need for retrieval outweighs the operational impact of the vehicle being taken out of service; and

c. notify *Crime Prevention and Information Center (CPIC)* of the decision.

3. Special requests will be in the form of one of the following types:

a. Special wireless upload, or

b. Emergency on-site retrieval.

C. Special Wireless Uploads

1. The *station supervisor* in the district of occurrence will take the vehicle out of service and secure it at the unit of assignment or other appropriate location.

2. The supervisor will:

a. verify that the vehicle operator or partner is signed on to the in-car camera system;

b. instruct the member to manually flag the entire tour of duty's available video for upload;

© Chicago Police Department, February 2012

OIG 15-0564 008205

c. instruct the member to initiate a manual upload of this video with the vehicle in range of the facility's wireless hotspot; and

NOTE: If video cannot be uploaded via wireless hotspot, a cradle upload will be used.

d. ensure that the vehicle remains out of service until the upload is complete.

3. Once complete, the *station supervisor* will allow personnel from the *Bureau of Detectives*, *Bureau of Internal Affairs*, or IPRA, as appropriate, to review the uploaded files.

NOTE: For officer-involved shootings when an On-Call Incident Commander (OCIC) will respond, an emergency on-site retrieval will be immediately requested through *CPIC*.

4. The *station supervisor* may identify an alternate vehicle for the member to use while the identified vehicle completes its video upload, as appropriate.

5. If an attempt to wirelessly upload is unsuccessful, members may contact the City of Chicago Help Desk at 4-DATA for assistance.

6. If a wireless upload fails, an emergency on-site retrieval will be conducted.

D. Emergency On-Site Retrieval

1. The *station supervisor* in the district of occurrence will notify *CPIC* of an approved emergency on-site retrieval.

NOTE: An emergency on-site retrieval will only be conducted when an OCIC is responding or a wireless upload fails and contacting the City of Chicago Help Desk at 4-DATA has not resolved the problem.

2. *CPIC* will notify the Public Sector Information Technology (PSIT) Group personnel of a manual video retrieval from the "fail-safe" internal drive request.

3. The *station supervisor* in the district of occurrence will take the identified vehicle out of service during the retrieval process.

4. If the identified vehicle is still in use when the designated supervisor arrives at the unit facility or other appropriate location, the supervisor will report to the vehicle and instruct any member logged onto the system to log off the system.

5. The vehicle will remain out of service until PSIT responds and conducts the video retrieval.

NOTE: On-site review of video will be limited to the series of events and time frame giving rise to the alleged incident.

E. Viewing and Obtaining Copies of In-Car Video Recordings

1. Once retrieval has been completed for the requested time frame, the video may be viewed by personnel from the requesting party at the location of retrieval.

2. Requests for copies of in-car video recordings will be made by completing the form entitled "Digitally Recorded Data Viewing/Hold/Duplication Request" (CPD-65.224) and forwarding it to the Records Division.

F. The Managing Deputy Director, PSIT, will:

1. establish procedures to ensure the security of the digitally recorded data from downloading to storage by the Records Division.

OIG 15-0564 008206

2. develop a system to monitor the memory capacity of the land-based terminals and provide for the security of the downloaded data.

G. If members are unable to download digitally recorded data from the mobile unit of the in-car video system to the land-based terminals due to system inoperability:

1. the *station supervisor* will notify the Help Desk and follow any further instructions given by the responding member of PSIT.

2. A designated member of PSIT will respond to the requesting unit and:

a. ensure the security of the digitally recorded data.

b. perform a manual download of the digitally recorded data.

c. record the manual download on the Help Desk ticket.

VIII. REQUESTING A HOLD FOR DIGITALLY RECORDED DATA

A. Department members will place an extended hold on digitally recorded data they recorded using the postevent pop-up menu on the in-car video system.

B. **Within the first 48 hours** from downloading digitally recorded data from the vehicle, Department members **who do not use the postevent pop-up menu** and request an extended hold on digitally recorded data will request that a supervisor place the extended hold by using the land-based terminal at the district/unit station.

C. **After the first 48 hours** from downloading digitally recorded data from the vehicle, Department members **who do not use the postevent pop-up menu** and request an extended hold on digitally recorded data will:

1. complete the Digitally Recorded Data Viewing/Hold /Duplication Request form.

2. indicate on the form the necessary actions by the Records Division.

3. explain in the narrative portion of the form the reason for the request.

4. submit the form to the *station supervisor/designated unit supervisor* for approval.

5. submit the completed and approved form to the Records Division for processing and retention in accordance with existing records-retention requirements.

D. Department members who wish to remove an extended hold on digitally recorded data will follow the procedures outlined in Item VIII-C of this directive indicating the circumstances requiring the removal of the extended hold.

E. The Director, Records Division, will:

1. develop a cataloging system for storage and retrieval of recordings and procedures for ensuring archives are maintained consistent with Department directives (including the Forms Retention Schedule), applicable state and federal laws, and compliance with all court orders.

2. be responsible for retaining digitally recorded data for which an extended hold was requested as prescribed by law and established Department policy.

IX. VIEWING, RETAINING, AND DUPLICATING DIGITALLY RECORDED DATA

A. All digitally recorded data created by the in-car video systems are the property of the Chicago Police Department. **Dissemination of any digitally recorded data outside the Department is strictly prohibited without specific authorization by the Superintendent or an appointed designee.**

1. Any non-Departmental requests for duplication of digitally recorded data must be approved by the Superintendent or an appointed designee.

© Chicago Police Department, February 2012

OIG 15-0564 008207

2. All approved requests will be forwarded in an expeditious manner to the Director, Records Division, along with:

   a. a completed and approved Digitally Recorded Data Viewing/Hold/Duplication Request form, and

   b. written instructions, including dissemination information, for compliance with the request.

B. Department members assigned to vehicles equipped with in-car video systems and their supervisors are encouraged to use the review/ playback functions of the system for the purposes of:

1. developing familiarity with the functions, capabilities, and limitations of the in-car video systems to create consistent recording techniques which capture relevant actions.
2. searching for and identifying recorded events having evidentiary or training value.
3. reviewing approach and officer safety issues.
4. ensuring consistency with written reports.

C. Reviewing Digitally Recorded Data

Investigating members may view digitally recorded data in the performance of official police business. When it is necessary to view digitally recorded data stored by the Records Division, the following procedures will apply:

1. The requesting Department member will:

   a. prepare a Digitally Recorded Data Viewing / Hold / Duplication Request form, including approval of the requestor's *station supervisor/designated unit supervisor*.

   b. schedule an appointment to view the recorded incident with a Records Division supervisor (or an appointed designee) to ensure the availability of a technician and playback equipment.

   c. present the properly completed and approved form to a Records Division supervisor at the scheduled time.

2. A Records Division supervisor will:

   a. process all approved recorded incident review requests.

   b. assign a technician to assist the requestor in viewing the recorded incident, as required.

D. Obtaining a Video Recording

1. A duplicate copy of selected information may be made to retain that information:

   a. when it is not required that the master video be retained for an indefinite period (e.g., investigation of a routine administrative incident when the punishment is of a summary or minor nature).

   b. when the requesting member determines that a duplicate video of a master video will be sufficient.

2. A duplicate video recording may be obtained by:

   a. completing a Digitally Recorded Data Viewing / Hold / Duplication Request form and submitting the completed form to the *station supervisor/designated unit supervisor* for approval.

   b. notifying the Records Division that a duplicate video recording is required and submit the approved Digitally Recorded Data Viewing/Hold/ Duplication Request form to the Director, Records Division.

© Chicago Police Department, February 2012

OIG 15-0564 008208

c. indicating to the Records Division which information from the digitally recorded data is to be included on the duplicate video recording.

3. When the duplicate video recording has served the purpose for which it was made, the requesting member will ensure that it is immediately returned to the Records Division.

NOTE: A member requesting a duplicate video recording will not make additional copies of it or permit unauthorized persons to duplicate or view it under any circumstances.

E. Special Situations

When the Records Division receives a request for an extended hold of digitally recorded data that indicates it pertains to:

1. **a motor vehicle pursuit or traffic crash involving a Department vehicle**, the Director, Records Division, will ensure a duplicate video is forwarded to the Traffic Review Board.

2. **an incident having training value,** the Director, Records Division, will ensure a duplicate video is forwarded to the *Deputy Chief*, Education and Training Division.

(Items indicated by *italics/double underline* were revised or added.)

Authenticated by: RMJ

Garry F. McCarthy
Superintendent of Police

11-055 / 12-003 EGV/RJN

© Chicago Police Department, February 2012

OIG 15-0564 008209

In Car Camera Video Retrieval Work Sheet

Date & Time of Notification: 20 Oct 14 2230 HRS Related HDT#: OPS CMD

Requestor: Det Chief MCWashington Tech: Bowar

Location of response: 4100 S Pulaski

Type of Incident requiring retrieval: Police Involved Shooting - Fatal Offenders

Location of incident: 4100 S Pulaski Date & Time of incident: 20 Oct 14 2147

Related RD#, Event#, and/or CR Log#: HX475653

Vehicles to be checked:

8131R Veh# 8778 POs PC#: [redacted] Results: [redacted] @20141020 215250 244218 M100 30000214

8151R Veh# 8489 POs PC#: [redacted] Results:

822 Veh# 8765 POs PC#: [redacted] Results:

8451R Veh# 642 POs PC#: [redacted] Results: [redacted] @20141020 215250 20244543 M100 00003227

8411R Veh# 8948 POs PC#: Results: HOT NO OPEN HOT

List additional Vehicle to be checked and results on back of this form

Note: Any vehicles identified to be checked, will be evaluated for operational readiness as well. Any deficiencies of the ICC System will be noted i.e. MIC(s) are not sync'd; rear camera not working; cannot upload; etc. Actions to rectify the issue should be taken to render the system FULLY FUNCTIONAL!

Notes of work or activities performed:

8778: MICs IN GLOVE BOX BATTERIES REVERSED UPSIDE DOWN
→ FULLY OP

8489: PROCESSING VIDEOS: ON TEMPORARY LOANER VIDEO UNIT

8765: MICs IN CHARGING CRADLE; NOT SYNC'D TO SYSTEM

642: NO MICs; MIC CHARGER DISCONNECTED

8948

THIS INFORMATION DISCUSSED TO DETECTIVES; DET MCWASHINGTON & COPY

Tech: DISC SUBMISSIONS ON SCENE DURING VIEWING

EXHIBIT 9 3/21/16 AFT

20 OCt 2014 , HY475653

Becvar, Lance J.

Sent: Friday, July 17, 2015 12:33 PM

To: Lewin, Jonathan H.

Cc: Dziak, Steven F.

Hello Dep Lewin,
Per your request the findings related to the Aggravavted Assault / Police involved Shooting on 20 Oct 2014 Listed under RD# HY 475653

Findings from that night-

Veh 8779 Video Recovered Titled [redacted]@20141020215250, No MICs because they were in the Glove Compartment with the batteries inserted unside down - Disabling them.

Veh 8489 System not engaged because a very long video (like hours long) was made previous to this event/incident and the system was processing that video and unable to start another video.

Veh 8765 System not engaged, officer related no power. There was no open HDT called in on vehicle. MICs not sync'd to system even though they were in the charging cradles.

Veh 6412 Video Recovered Titled [redacted]@20141020215250 view out of focus. Focusing problem found to be related to a loose cable connection for the camera. No MICs in vehicle and the charging cradles disconnected from power.

Veh 8949 System not engaged, officer reported that there was an application error - Mobile Recorder Start-Up corrupted. No Help Desk Ticket Open for this vehicle.

Sgt Lance Becvar

Mobile Tech Supervisor

Information Services Division

Chicago Police Department
Cell# 312-460-1305
E-mail: lance.becvar@chicagopolice.org



LEGAL DISCLAIMER: This message, including any attachments, contains confidential information and may be legally privileged. Access to this email by anyone other than the intended recipient is unauthorized. If you are not the intended recipient, any review, disclosure, copying, distribution, retention, or any action or inaction taken in reliance on this information is prohibited and may be unlawful. If you are not the intended recipient, please notify the sender and delete the message, any attachments, and any copies thereof from your system.

In the Matter Of:

IN RE JASON VAN DYKE

JASON VAN DYKE

March 22, 2016

Amicus
court reporters, inc
300 West Adams St. Ste 800
Chicago, IL 60606
Phone: 312.641.3500
Fax: 312.641.3795
Email: info@amicusreporters.com

CITY OF CHICAGO

OFFICE OF INSPECTOR GENERAL

-NOTICED INTERVIEW OF JASON VAN DYKE-

March 17, 2016

TRANSCRIPT OF THE NOTICED INTERVIEW of JASON VAN DYKE, taken before MICHELLE M. YOHLER, a Notary Public within and for the County of Cook, State of Illinois, and a Certified Shorthand Reporter of said state, CSR No. 84-4531, at Suite 800, 300 West Adams Street, Chicago, Illinois, on March 22, 2016 at 12:15 p.m.

IN RE JASON VAN DYKE
VAN DYKE, JASON on 03/22/2016

APPEARANCES:

OFFICE OF INSPECTOR GENERAL
CITY OF CHICAGO
BY: MR. PETER NEUMER
MR. RAUL VALDEZ
(740 North Sedgwick Street, Suite 200
Chicago, Illinois 60654
773.478.8218
pneumer@chicagoinspectorgeneral.org
rvaldez@chicagoinspectorgeneral.org)

Amicus Court Reporters, Inc |312.641.3500
300 West Adams Street, Suite 800 Chicago, IL 60606

REPORTED BY:
MICHELLE M. PAOLETTI YOHLER, CSR, RPR, CRR
Illinois CSR No. 84-4531.

E X H I B I T S

EXHIBITS	PAGE
No. 1 - Notification of Interview.....	6
No. 2 - Notification of Allegations.....	7
No. 3 - Receipt Form.....	7
No. 4 - IPRA Interview Transcript.....	7
No. 5 - Case Supplementary Report.....	8
No. 6 - General Progress Report.....	8
No. 7 - Tactical Response Report.....	8
No. 8 - Officer's Battery Report.....	8

IN RE JASON VAN DYKE
VAN DYKE, JASON on 03/22/2016

Amicus Court Reporters, Inc |312.641.3500
300 West Adams Street, Suite 800 Chicago, IL 60606

Page 3

MR. NEUMER: My name is Peter Neumer, am I'm an assistant Inspector General for the City of Chicago Inspector General's Office. My colleague, Raul Valdez, V-a-l-d-e-z, Investigator II for the Inspector General's Office is with me as well. The time is 12:15 p.m. There are no other individuals present.

IN RE JASON VAN DYKE
VAN DYKE, JASON on 03/22/2016

Mr. Valdez and I are present today for the scheduled interview of Officer Jason Van Dyke. The interview of Jason Van Dyke was scheduled for today at 11:30 a.m.

An employee of Mr. Van Dyke's attorney's office, Terri Ryan, confirmed that date and time for the interview on March 11, 2016, by sending an e-mail to my colleague Sarah Ansari, A-n-s-a-r-i. She also e-mailed Dan Herbert and CCed Kristopher Brown, an investigator at the Office of the Inspector General, and myself.

Amicus Court Reporters, Inc |312.641.3500
300 West Adams Street, Suite 800 Chicago, IL 60606

The e-mail reads as follows: "Sarah, Mr. Herbert confirms March 22nd at 11:30 for the Van Dyke interview."

Today Raul and I arrived at

Page 4

approximately 11:15 a.m. at 300 West Adams, Suite 800, Amicus Court Reporters for the interview. At the time we arrived, Commander Klimas of IAD, Internal Affairs Division, of CPD was present in the Amicus Court Reporters' lobby ready to order Officer Van Dyke to answer the Office of Inspector General's questions should

IN RE JASON VAN DYKE
VAN DYKE, JASON on 03/22/2016

Officer Van Dyke refuse.

After neither Officer Van Dyke nor his attorney Dan Herbert, H-e-r-b-e-r-t, appeared for the interview, I contacted Herbert via telephone at 11:45 a.m. During that phone call, Mr. Herbert acknowledged that neither he nor his client had entered the building at 300 West Adams at any point today.

Mr. Herbert represented that his colleague, Tom Rebholz, had possibly entered the

Amicus Court Reporters, Inc |312.641.3500
300 West Adams Street, Suite 800 Chicago, IL 60606

building, and he claimed that Mr. Rebholz learned that my colleague, Ms. Ansari, was conducting an interview at the same time and assumed that the interview would not be going forward.

During that phone call, in addition to Mr. Valdez being present, my colleagues

Page 5

Ms. Ansari and Kris Brown were also present.

During that phone call Mr. Herbert acknowledged it was his mistake that Officer Van Dyke did not appear for the interview.

The court reporter's office has represented that no individual contacted them today asking for Ms. Ansari or the Inspector General's Office with respect to the interview of Officer Van Dyke.

I subsequently contacted Mr. Herbert again via telephone at 12:01 p.m. I informed him that our office would interpret Officer Van Dyke's failure to appear for a previously scheduled interview that was confirmed by Mr. Herbert's office as a failure to cooperate.

We informed Mr. Herbert that we were ready and willing to proceed with the interview, as we did during the 11:45 a.m. call. Mr. Herbert represented that it would not be possible for him to go forward with the interview today and requested a continuance.

Given that the Office of Inspector

IN RE JASON VAN DYKE
VAN DYKE, JASON on 03/22/2016

Amicus Court Reporters, Inc |312.641.3500
300 West Adams Street, Suite 800 Chicago, IL 60606

Page 6

General was present for the scheduled interview of Officer Van Dyke well before the scheduled interview time and given that, upon calling Mr. Herbert, Mr. Herbert represented that the interview would not be going forward as scheduled, the Office of Inspector General is now going to interpret Officer Van Dyke's

IN RE JASON VAN DYKE
VAN DYKE, JASON on 03/22/2016

failure to appear for the scheduled interview as a failure to cooperate, and we are now going to conclude the proceedings for today. The time is 12:21 and we will go off the record.

(WHEREUPON, discussion was had off the record.)

MR. NEUMER: The time is 12:23. We'll go back on the record and we are going to mark as Exhibits 1 through 8.

I'm going to mark as Exhibit 1 an

Amicus Court Reporters, Inc |312.641.3500
300 West Adams Street, Suite 800 Chicago, IL 60606

Notification of Interview. This is a document entitled Notification of Interview for CPD member dated February 24, 2016. This document has what purports to be Officer Jason Van Dyke's signature which was made on February 24, 2016, at 12:55. It does not state whether that was a.m. or p.m.

Page 7

The next exhibit I will mark is Exhibit 2, a Notification of Allegations. This is dated -- also dated February 24, 2016. This document was provided to Officer Van Dyke on February 24, 2016 and contains his signature and printed name. Also signed at 12:55. Exhibit 1 was also provided to Officer Van Dyke on February 24, 2016, by IAD.

IN RE JASON VAN DYKE
VAN DYKE, JASON on 03/22/2016

I will next mark as Exhibit 3 a Receipt Form which indicates IAD's provision to Officer Van Dyke on February 24, 2016, of a DVD containing materials relevant to his interview.

I will next mark as Exhibit 4 a transcript of an October 21st, 2014 Independent Police Review Authority interview of Officer Van Dyke. This interview transcript was provided to Officer Van Dyke on February 24, 2016, by IAD as part of a DVD of materials relevant to his interview.

Amicus Court Reporters, Inc |312.641.3500
300 West Adams Street, Suite 800 Chicago, IL 60606

I will next mark as Exhibit 5 an excerpt of a Chicago Police Department Case Supplementary Report dated March 15, 2015 with the RD Number HX475653 containing Officer Van Dyke's statement to Detective March.

Page 8

This Exhibit 5 Case Supplementary Report was provided to Officer Van Dyke on February 24th, 2016 as part of a DVD of materials put together by the Office of Inspector General and provided to Officer Van Dyke by Internal Affairs division of CPD.

IN RE JASON VAN DYKE
VAN DYKE, JASON on 03/22/2016

I will next mark as Exhibit 6 a General Progress Report dated October 20th, 2014, with the RD Number HX475653 containing Detective March's notes of his interview of Officer Van Dyke. This Exhibit 6 was provided to Officer Van Dyke on February 24, 2016, on a DVD of materials put together by the Office of Inspector that are relevant to his interview.

I will next mark as Exhibit 7 a Tactical Response Report with the RD Number HX475653. This contains the star and employee number of Officer Jason Van Dyke. This Exhibit 7 Tactical Response Report was provided to Officer Van Dyke on February 24, 2016, on a DVD put together by the Office of Inspector General and provided to Officer Van Dyke by IAD.

Amicus Court Reporters, Inc |312.641.3500
300 West Adams Street, Suite 800 Chicago, IL 60606

And I will finally mark as Exhibit 8

Page 9

an Officer's Battery Report with the RD Number HX475653. The reporting member's name for the report is Jason Van Dyke and the report contains his star number of 9465.

This Officer's Battery Report, Exhibit 8, was provided to Officer Van Dyke on February 24, 2016, by IAD on a DVD prepared by the Chicago Office of Inspector General and contains -- that DVD, again, contained materials relevant to Officer Van Dyke's interview.

Having marked these eight exhibits and, again, given Attorney Herbert's representation that Officer Van Dyke will not be appearing at the scheduled interview today, March 22, 2016, we will go off the record at 12:29 p.m.

(WHEREUPON, the statement for the record was concluded at 12:29.)

IN RE JASON VAN DYKE
VAN DYKE, JASON on 03/22/2016

Amicus Court Reporters, Inc |312.641.3500
300 West Adams Street, Suite 800 Chicago, IL 60606

Page 10

C E R T I F I C A T E O F R E P O R T E R

I, MICHELLE M. YOHLER, a Certified Shorthand Reporter within and for the County of Cook, State of Illinois, do hereby certify:

That previous to the commencement of the examination of the witness, the witness was duly sworn to testify the whole truth concerning the matters herein;

That the foregoing interview transcript was reported stenographically by me, was thereafter reduced to typewriting under my personal direction and constitutes a true record of the testimony given and the proceedings had;

That the said interview was taken before me at the time and place specified;

That I am not a relative or employee or attorney or counsel, nor a relative or employee of such attorney or counsel for any of the parties hereto, nor interested directly or indirectly in the outcome of this action.

IN RE JASON VAN DYKE
VAN DYKE, JASON on 03/22/2016

Amicus Court Reporters, Inc |312.641.3500
300 West Adams Street, Suite 800 Chicago, IL 60606

Page 11

IN WITNESS WHEREOF, I do hereunto set my hand and affix my seal of office at Chicago, Illinois, this day of 22nd day of March, 2016.



IN RE JASON VAN DYKE
VAN DYKE, JASON on 03/22/2016

C.S.R. Certificate No. 84-4531.

Amicus Court Reporters, Inc |312.641.3500
300 West Adams Street, Suite 800 Chicago, IL 60606

Exhibits
IN RE JASON VAN DYKE
VAN DYKE, JASON on 03/22/2016

Van Dyke Exhibit No. 1 2:4 6:17 7:6
Van Dyke Exhibit No. 2 2:5 7:2
Van Dyke Exhibit No. 3 2:6 7:9
Van Dyke Exhibit No. 4 2:7 7:13
Van Dyke Exhibit No. 5 2:8 7:20 8:1
Van Dyke Exhibit No. 6 2:9 8:8,12
Van Dyke Exhibit No. 7 2:10 8:16,20
Van Dyke Exhibit No. 8 2:11 8:24 9:6

1

1 6:16,17 7:6
11 3:15
11:15 4:1
11:30 3:12,22
11:45 4:12 5:20
12:01 5:12
12:15 3:7
12:21 6:11
12:23 6:14
12:29 9:16,18
12:55 6:23 7:6
15 7:22

2

2 7:2
2014 7:14 8:10
2015 7:22
2016 3:16 6:20,22 7:3,5,8,11 18 8:3,13,21 9:7,15
20th 8:9
21st 7:14
22 9:15
22nd 3:22
24 6:20,22 7:3,5,8,11,17 8:13, 21 9:7
24th 8:3

3

3 7:9
300 4:1,14

4

4 7:13

5

5 7:20 8:1

6

6 8:8,12

7

7 8:16,20

8

8 6:16 8:24 9:6
800 4:2

9

9465 9:4

A

A-n-s-a-r-i 3:17
a.m. 3:12 4:1,12 5:20 6:24
acknowledged 4:13 5:3
Adams 4:1,15
addition 4:23
Affairs 4:4 8:6
Allegations 7:2
Amicus 4:2,5
Ansari 3:17 4:19 5:1,8
appeared 4:11
appearing 9:14
approximately 4:1
arrived 3:24 4:3
assistant 3:2
assumed 4:21
attorney 4:10 9:12
attorney's 3:14
Authority 7:15

B

back 6:15
Battery 9:1,5
Brown 3:18 5:1
building 4:14,18

C

call 4:13,23 5:2,20
calling 6:3
Case 7:21 8:1
CCED 3:18
Chicago 3:3 7:21 9:8
City 3:2
claimed 4:18
client 4:14
colleague 3:4,16 4:17,19
colleagues 4:24
Commander 4:3
conclude 6:10
concluded 9:18

Amicus Court Reporters, Inc |312.641.3500
300 West Adams Street, Suite 800 Chicago, IL 60606

conducting 4:20
confirmed 3:14 5:16
confirms 3:22
contacted 4:11 5:7,11
contained 9:9
continuance 5:23
cooperate 5:17 6:9
court 4:2,5 5:6
CPD 4:4 6:19 8:7

D

Dan 3:17 4:10
date 3:15
dated 6:20 7:3,22 8:9
Department 7:21
Detective 7:24 8:11
discussion 6:12
division 4:4 8:6
document 6:18,20 7:4
DVD 7:11,18 8:3,14,22 9:7,9
Dyke 3:11,23 4:6,8,9 5:4,10 6:2 7:4,7,11,16,17 8:2,6,12, 13,19,21,23 9:3,6,13
Dyke's 3:13 5:14 6:7,21 7:24 9:10

E

e-mail 3:16,21
e-mailed 3:17
employee 3:13 8:18
entered 4:14,17
entitled 6:19
excerpt 7:21
exhibit 6:17 7:1,2,6,9,13,20 8:1,8,12,16,20,24 9:6
exhibits 6:16 9:11

F

failure 5:14,16 6:8,9
February 6:20,22 7:3,5,8,11, 17 8:3,13,21 9:7
finally 8:24
Form 7:10
forward 4:22 5:22 6:5

G

General 3:2,20 6:1,6 8:5,9, 23 9:8
General's 3:3,5 4:7 5:9

H

H-e-r-b-e-r-t 4:10
Herbert 3:18,22 4:10,11,13, 16 5:2,11,18,21 6:4
Herbert's 5:16 9:12
HX475653 7:23 8:10,18 9:2

I

IAD 4:4 7:8,18 8:23 9:7
IAD'S 7:10
Il 3:5
Independent 7:14
individual 5:7
individuals 3:7
informed 5:12,18
Inspector 3:2,3,5,19 4:7 5:8, 24 6:6 8:5,15,22 9:8
Internal 4:4 8:6
interpret 5:13 6:7
interview 3:10,11,15,23 4:3, 11,20,21 5:5,9,15,19,23 6:1, 3,5,8,18,19 7:12,15,16,19 8:11,15 9:10,14
Investigator 3:5,19

J

Jason 3:10,11 6:21 8:19 9:3

K

Klimas 4:4
Kris 5:1
Kristopher 3:18

L

learned 4:19
lobby 4:5

M

made 6:22
March 3:15,22 7:22,24 9:15
March's 8:11
mark 6:15,17 7:1,9,13,20 8:8, 16,24
marked 9:11
materials 7:12,18 8:4,14 9:9
member 6:20
member's 9:2
mistake 5:3

N

Neumer 3:1 6:14
notes 8:11
Notification 6:18,19 7:2
number 7:23 8:10,17,19 9:1, 4

O

October 7:14 8:9
office 3:3,6,14,19 4:7 5:6,9, 16,24 6:6 8:4,14,22 9:8

IN RE JASON VAN DYKE
VAN DYKE, JASON on 03/22/2016

Amicus Court Reporters, Inc |312.641.3500
300 West Adams Street, Suite 800 Chicago, IL 60606

Officer 3:10 4:6,8,9 5:4,10, 14 6:2,7,21 7:4,7,11,16,17,24 8:2,6,12,13,19,21,23 9:6,10, 13

Officer's 9:1,5

order 4:6

P

p.m. 3:7 5:12 6:24 9:16

part 7:18 8:3

Peter 3:1

phone 4:12,23 5:2

point 4:15

Police 7:15,21

possibly 4:17

prepared 9:7

present 3:8,9 4:5,24 5:1 6:1

previously 5:15

printed 7:6

proceed 5:19

proceedings 6:10

Progress 8:9

provided 7:4,7,17 8:2,5,12, 20,23 9:6

provision 7:10

purports 6:21

put 8:4,14,22

Q

questions 4:7

R

Raul 3:4,24

reads 3:21

ready 4:6 5:19

Rebholz 4:17,18

Receipt 7:10

record 6:11,13,15 9:15,17

refuse 4:8

relevant 7:12,19 8:15 9:10

report 7:22 8:2,9,17,20 9:1,3, 5

reporter's 5:6

Reporters 4:2

Reporters' 4:5

reporting 9:2

representation 9:13

represented 4:16 5:7,21 6:4

requested 5:23

respect 5:9

Response 8:17,20

Review 7:15

Ryan 3:14

S

Sarah 3:16,21

scheduled 3:10,12 5:15 6:1, 2,6,8 9:14

sending 3:16

signature 6:22 7:5

signed 7:6

star 8:18 9:4

state 6:23

statement 7:24 9:17

subsequently 5:11

Suite 4:2

Supplementary 7:22 8:1

T

Tactical 8:17,20

telephone 4:12 5:12

Terri 3:14

time 3:8,15 4:3,20 6:3,10,14

today 3:9,12,24 4:15 5:8,23 6:10 9:14

Tom 4:17

transcript 7:14,16

V

V-a-l-d-e-z 3:4

Valdez 3:4,9 4:24

Van 3:11,13,23 4:6,8,9 5:4, 10,14 6:2,7,21 7:4,7,11,16, 17,24 8:2,6,12,13,19,21,23 9:3,6,10,13

W

West 4:1,15

IN RE JASON VAN DYKE
VAN DYKE, JASON on 03/22/2016

Amicus Court Reporters, Inc |312.641.3500
300 West Adams Street, Suite 800 Chicago, IL 60606

NOTIFICATION OF INTERVIEW TO CPD MEMBER

CITY OF CHICAGO OFFICE OF INSPECTOR GENERAL

DATE: February 24, 2016

NAME	RANK	STAR NO	UNIT OF ASSIGNMENT
Jason Van Dyke	Police Officer	9465	008

YOUR APPEARANCE IS REQUIRED

AT ☒ Amicus Court Reporters, 300 West Adams, Ste. 800, Chicago, IL 60606 — ON DATE: March 8, 2016 — TIME: 9:00 AM

AS ☒ ACCUSED ☐ WITNESS ☐ COMPLAINANT

FOR ☒ A STATEMENT

CONCERNING

False statements made in connection with the October 20, 2014 shooting of Laquan McDonald; the operation of the Chicago Police Department's in-car video system.

YOU ARE TO REPORT TO:

LEAD INVESTIGATOR	TITLE	PHONE NO.	EMAIL
Kristopher Brown	Investigator III	773-478-0221	kbrown@chicagoinspectorgeneral.org

NOTE: You MUST notify the Lead Investigator of your inability to keep this scheduled appointment.

ALSO PRESENT AT THE INTERVIEW WILL BE:

NAME	TITLE	NAME	TITLE
Sarah Ansari	Assistant Inspector General	N/A	N/A

THE INTERVIEW WILL BE ☐ AUDIO RECORDED ☒ TRANSCRIBED BY A LIVE REPORTER

TO BE COMPLETED BY INTERVIEWEE (if applicable)

ACKNOWLEDGEMENT

Please contact Investigator Brown at (773) 478-0221 to confirm receipt of Notification of Interview and to confirm your attendance at the interview.

I hereby acknowledge receipt of this Notification of Interview.

SIGNATURE: Jason V Van Dyke — DATE: 2-24-16

PRINTED NAME: JASON VAN DYKE — TIME: 12:55

TO BE COMPLETED BY OFFICE OF INSPECTOR GENERAL OR CPD COMPONENT PROVIDING NOTIFICATION TO INTERVIEWEE

NOTIFICATION MADE TO	TITLE, RANK, & UNIT	DATE	TIME
Jason Van Dyke	Officer	24FEB16	1255
NOTIFICATION MADE BY	**TITLE, RANK, & UNIT**	**DATE**	**TIME**
Joseph Schuler	Sergeant/#21	24FEB16	1253

EXHIBIT 1 OIG 3/22/16

NOTIFICATION OF ALLEGATIONS

CITY OF CHICAGO OFFICE OF INSPECTOR GENERAL

NAME OF ACCUSED	RANK	STAR NO.	UNIT OF ASSIGNMENT
Jason Van Dyke	Police Officer	9465	008

City ordinance, and if applicable, collective bargaining agreements, provide that you are entitled to notice of the nature of the allegations against you and the identity of all complainants prior to any interview. Accordingly, you are advised as follows:

COMPLAINANT

1. John J. Escalante, Interim Superintendent of Chicago Police Department, sent a letter to the City of Chicago Office of Inspector General (OIG) dated January 13, 2016, requesting that OIG conduct an administrative investigation of the following allegations arising out of the October 20, 2014 shooting death of Laquan McDonald (the McDonald Shooting): "whether any officer(s) made false statements on official reports submitted in connection with the shooting of Laquan McDonald on October 20, 2014; whether any officer(s) obstructed or interfered with the investigation of this incident, either individually or in collusion with others; and whether any officer(s) committed any violation of Chicago Police Department rules, policies, or orders in connection with their response and/or handling of this matter." Escalante attached to the letter a copy of Sergeant S. Soria's (Star # 2275) Initiation Report, which raises similar allegations of misconduct with respect to Department members in connection with the McDonald Shooting, and identified that Report as a basis for OIG's administrative investigation.

ALLEGATIONS

1. On or about October 20, 2014, you provided a false narrative to Detective David March of the Chicago Police Department (CPD) concerning the McDonald Shooting through a series of false statements and material omissions.

2. On or about October 20, 2014, you made a false statement during an interview with CPD Detective March when, with respect to the McDonald Shooting, you stated that McDonald ran out onto Pulaski and then turned southbound, running towards a Dunkin' Donuts restaurant.

3. On or about October 20, 2014, you made a false statement during an interview with CPD Detective March when, with respect to the McDonald Shooting, you stated that McDonald was swinging a knife in an aggressive, exaggerated manner.

4. On or about October 20, 2014, you made a false statement during an interview with CPD Detective March when, with respect to the McDonald Shooting, you stated that McDonald ignored your verbal directions to drop the knife and continued to advance toward you.

5. On or about October 20, 2014, you made a material omission during an interview with CPD Detective March when, with respect to the McDonald Shooting, you failed to state that McDonald changed the direction in which he was walking prior to the shooting.

6. On or about October 20, 2014, you made a material omission during an interview with CPD Detective March when, with respect to the McDonald



Shooting, you failed to state that you and Officer Walsh moved towards McDonald prior to the shooting.

7. On or about October 20, 2014, you made a false statement during an interview with CPD Detective March when, with respect to the McDonald Shooting, you stated that when McDonald got within 10 to 15 feet of you, he raised the knife across his chest and over his shoulder, pointing the knife at you.

8. On or about October 20, 2014, you made a false statement during an interview with CPD Detective March when, with respect to the McDonald Shooting, you stated that you believed McDonald was attacking you with the knife and attempting to kill you.

9. On or about October 20, 2014, you made a false statement during an interview with CPD Detective March when, with respect to the McDonald Shooting, you stated that you backpedaled and fired your handgun at McDonald.

10. On or about October 20, 2014, you made a false statement during an interview with CPD Detective March when, with respect to the McDonald Shooting, you stated that McDonald fell to the ground but continued to move and continued to grasp the knife, refusing to let go of it.

11. On or about October 20, 2014, you made a false statement during an interview with CPD Detective March when, with respect to the McDonald Shooting, you stated that McDonald appeared to be attempting to get up, while continuing to point the knife at you.

12. On or about October 22, 2014, you provided a false narrative to Independent Police Review Authority (IPRA) Investigator Brian Killen concerning the McDonald Shooting through a series of false statements and material omissions.

13. On or about October 22, 2014, you made a false statement during an interview with IPRA Investigator Killen when, with respect to the McDonald Shooting, you stated that McDonald was running southbound in the middle of Pulaski towards you and waving a knife at you.

14. On or about October 22, 2014, you made a material omission during an interview with IPRA Investigator Killen when, with respect to the McDonald Shooting, you failed to state that McDonald changed the direction in which he was walking prior to the shooting.

15. On or about October 22, 2014, you made a false statement during an interview with IPRA Investigator Killen when, with respect to the McDonald Shooting, you stated that you backpedaled as McDonald was coming towards you.

16. On or about October 22, 2014, you made a false statement during an interview with IPRA Investigator Killen when, with respect to the McDonald Shooting, Killen asked if you were still moving backwards when you fired, and you stated, "Yes."

17. On or about October 22, 2014, you made a material omission during an interview with IPRA Investigator Killen when, with respect to the McDonald Shooting, you failed to state that you and Officer Walsh moved towards McDonald prior to the shooting.

OIG 15-0564 006871

18. On or about October 22, 2014, you made a false statement during an interview with IPRA Investigator Killen when, with respect to the McDonald Shooting, you stated you believed McDonald was going to take your life.

19. On or about October 22, 2014, you made a false statement during an interview with IPRA Investigator Killen when, with respect to the McDonald Shooting, Killen asked if everything you stated was a true and accurate account of what occurred, and you stated, "Yes."

20. On or about October 20, 2014, in the Tactical Response Report you completed concerning the McDonald Shooting, which includes an Event Number of 1429315878 and an R.D. Number of HX475653 (the TRR), you made a false statement when you marked the box labeled "imminent threat of battery" under the category titled "Assailant: Assault."

21. On or about October 20, 2014, you made a false statement in the TRR when you marked the box labeled "attack with weapon" under the category titled "Assailant: Battery."

22. On or about October 20, 2014, you made a false statement in the TRR when you marked the box labeled "uses force likely to cause death or great bodily harm" under the category titled "Assailant: Deadly Force."

23. On or about October 20, 2014, in the Officer's Battery Report you completed concerning the McDonald Shooting, which included an R.D. Number of HX475653 (the Battery Report), you made a false statement when, under the heading titled "Manner of Attack," you marked the box labeled "stabbed/cut (including actual attempt)."

24. On or about October 20, 2014, you made a false statement in the Battery Report when you stated that three officers were battered.

25. On or about October 20, 2014, you failed to ensure the in-car video system for CPD vehicle 6412 was working properly at the beginning of your tour of duty.

26. On or about October 20, 2014, you failed to immediately notify a supervisor that the in-car video system for CPD vehicle 6412 was inoperable or damaged.

27. On or about October 20, 2014, you failed to audibly record events with CPD vehicle 6412's in-car video system during your tour of duty.

ACKNOWLEDGEMENT

I hereby acknowledge receipt in writing of the identity of the complainant(s) and notice of the nature of the allegation(s) against me.

Signature _____ Date 2-24-16

Printed Name JASON VANDYKE Time 12:55

WITNESSES

_____ 1891 _____

OIG 15-0564 006872

OIG 15-0564 006873

City of Chicago Office of Inspector General
740 North Sedgwick Street
Suite 200
Chicago, Illinois 60654

RECEIPT FORM

OIG FILE NO. 15-0564

ON 24FEB 16 (DATE) AT 1258 (TIME)

Sgt J. Schaller 1881 (NAME) Sergeant (TITLE)

☐ SEIZED FROM ☐ RECEIVED FROM ☐ RETURNED TO ☒ RELEASED TO

NAME	TITLE	DEPT.
Jason Van Dyke	Police Officer	Chicago Police Department

THE FOLLOWING ITEM(S):

1. A City of Chicago Office of Inspector General DVD containing the following materials:

- a copy of the portion of the March 16, 2015 Case Supplementary Report for R.D. No. HX475653 that memorializes Detective David March's October 20, 2014 interview of Jason Van Dyke;
- Detective March's October 20, 2014 General Progress Report for R.D. No. HX475653 concerning March's October 20, 2014 interview of Jason Van Dyke;
- A copy of the transcript of the October 22, 2014 interview of Jason Van Dyke, conducted by Independent Police Review Authority Investigation Brian Killen;
- The October 20, 2014 Tactical Response Report for R.D. No. HX475653;
- The October 20, 2014 Officer's Battery Report for R.D. No. HX475653;
- The October 20, 2014 audio and video files for the in-car video system of beat number 813R;
- The October 20, 2014 audio and video files for the in-car video system of beat number 845R;



- The October 20, 2014 Dunkin Donuts security video of the Laquan McDonald shooting.

ACKNOWLEDGEMENT

I hereby acknowledge receipt in writing of the above-listed item(s).

Signature _____ Date 2-24-16

Printed Name JASON VAN DYKE Time 12:55

WITNESSES

_____ 1881

_____ FBI # 20967

STATEMENT OF P.O. JASON VAN DYKE

CONDUCTED BY INVESTIGATOR KILLEN

ON OCTOBER 22, 2014 AT 1147 HOURS

AT THE INDEPENDENT POLICE REVIEW AUTHORITY



1072125

162

OIG 15-0564 006876

KILLEN: This is the audio recorded interview of Officer Jason Van Dyke regarding Log number 1072125 U number 14 dash 36. Today is the 22nd of October 2014. And the time is approximately 1147 hours. This statement is bein' taken at the offices of the Independent Police Review Authority at 1615 West Chicago Avenue. My name is Investigator Killen, that's spelled K I L L E N. My star number is 1 2 9. Present in the room is also uh FOP Field Rep uh Kriston Kato.

KATO: Kristen Kato, K R I S T O N. Last name is K A T O. FOP Field Representative.

KILLEN: Uh and also uh Attorney Thomas Rebholz.

REBHOLZ: Uh Attorney Thomas Rebholz, T H O M A S, R E B H O L Z.

KILLEN: Okay. And then Officer Van Dyke if you would say and spell your first name and last names for me.

P.O.VAN DYKE: Jason Van Dyke. J A S O N. V A N, D Y K E.

KILLEN: And uh what's your star number?

P.O.VAN DYKE: 9 4 6 5.

KILLEN: And your employee number?

P.O.VAN DYKE: [redacted]

KILLEN: All right. And your date of appointment with the Department?

P.O.VAN DYKE: 25 June 2001.

KILLEN: And your date of birth?

OIG 15-0564 006877

P.O.VAN DYKE: [redacted]

KILLEN: And your current unit of assignment?
P.O.VAN DYKE: 8th District.

KILLEN: How long you been assigned to 8?
P.O.VAN DYKE: Uh since January of this year.

KILLEN: Where were you before that?
P.O.VAN DYKE: 7th District.

KILLEN: Okay. (clears throat) And you're now prepared to give a statement regarding this incident?
P.O.VAN DYKE: Yes.

KILLEN: All right and you're aware that this statement has the standing of an official Department report. And that any intentional falsification to any answer to any question would be in direct violation of Department rules and regulations?
P.O.VAN DYKE: Yes.

KILLEN: Given that, I'd like to remind you that failure to provide a complete and accurate account of this incident could result in a finding of a violation of Rule 14 with discipline leading up to and including separation from the Chicago Police Department. Do you understand?
P.O.VAN DYKE: Yes.

KILLEN: All right and before we do start, any um, this device that we're usin' to record this is really

OIG 15-0564 006878

sensitive. So any whispered conversation you might have it'll pick it up. So you need to, if you wanna talk to the attorney raise your hand we'll pause it. We'll let you have your conversation then we'll continue on okay?

P.O.VAN DYKE: Yes.

KILLEN: All right so on 20 October 2014 at approximately 2156 hours what was your duty status and assignment?

P.O.VAN DYKE: Uh this statement is not being given voluntarily but under duress. I'm only giving this statement at this time because I know that I will loose my job if I refuse the direct order given to me.

KILLEN: Okay so same question October 20th approximately 2156 hours what was your duty status?

P.O.VAN DYKE: I was assigned to the Chicago Police Department.

KILLEN: Were you on duty?

P.O.VAN DYKE: Yes I was.

KILLEN: Okay. What time did you start work that night?

P.O.VAN DYKE: 2100 hours.

KILLEN: Okay and uh were you assigned a partner?

P.O.VAN DYKE: Yes I was.

KILLEN: Who's your partner?

P.O.VAN DYKE: Uh Joe Walsh.

OIG 15-0564 006879

KILLEN: All right and were you and Officer Walsh full uniform?

P.O.VAN DYKE: Uh we were in full uniform in a marked squad car.

KILLEN: Okay were you in a car, Tahoe, what were you in?

P.O.VAN DYKE: We were in a Tahoe.

KILLEN: Okay marked?

P.O.VAN DYKE: Yes.

KILLEN: Do you remember the outside number on it?

P.O.VAN DYKE: No I do not.

KILLEN: Do you remember what beat you were assigned?

P.O.VAN DYKE: Um 845 Robert.

KILLEN: Okay. And then so on 20 October 2014 your, your shift started 2100 hours correct?

P.O.VAN DYKE: Yes sir.

KILLEN: What would you be 2100 to 0600?

P.O.VAN DYKE: Yes.

KILLEN: Okay is that, that's your regular shift?

P.O.VAN DYKE: Um no I'm a relief officer.

KILLEN: Okay so you kinda bounce a lil bit?

P.O.VAN DYKE: Yes.

KILLEN: Okay. (clears throat) A midnight guy --

OIG 15-0564 006880

P.O.VAN DYKE: Yes.

KILLEN: -- essentially. All right. Did you work the night before?

P.O.VAN DYKE: No I did not.

KILLEN: So the 20th of October is like your Monday?

P.O.VAN DYKE: Yes.

KILLEN: Okay. Prior to, prior to showin' up to work on the 20th of October where were ya?

P.O.VAN DYKE: Um I was at home. And I had a part-time job that day.

KILLEN: Oh whadda you do?

P.O.VAN DYKE: Um I worked at uh the Wal-Mart in Cicero.

KILLEN: Security?

P.O.VAN DYKE: Yes.

KILLEN: Okay.

P.O.VAN DYKE: For Moneray.

KILLEN: Did you go, go from Moneray Security work, you work for Moneray Security?

P.O.VAN DYKE: Yes.

KILLEN: I gotcha. Did you go from your part-time job to, to the 8th District and work? Or did you go from home to 8?

P.O.VAN DYKE: I went from home to 8.

OIG 15-0564 006881

KILLEN: Okay. All right and then on 20 October 2014 approximately 2156 hours you were involved in a police shooting correct?

P.O.VAN DYKE: Yes.

KILLEN: All right. And if you would just start from the beginning explain what happened that night that brought you, brought you there?

P.O.VAN DYKE: Um I heard um 815 Robert requesting assistance and we responded.

KILLEN: Okay. So (inaudible) so 20, so on 20 October 2014 you start work at 2100 hours correct?

P.O.VAN DYKE: Yes.

KILLEN: So you get there you have roll call?

P.O.VAN DYKE: Yes.

KILLEN: What time do you have roll call at? About?

P.O.VAN DYKE: Around 2100, 2110.

KILLEN: Okay. And if you remember approximately what time did you get out of roll call?

P.O.VAN DYKE: Maybe 20 minutes later.

KILLEN: Okay so say somewhere between 2130, 2140?

P.O.VAN DYKE: Yes.

KILLEN: All right so you and Officer Walsh you go get your car?

P.O.VAN DYKE: Yes.

OIG 15-0564 006882

KILLEN: You guys get in the car. You leave the 8th District.

P.O.VAN DYKE: Yes.

KILLEN: And whadda you do immediately from leaving the 8th District?

P.O.VAN DYKE: Um we drove and we got some coffee at the 7 Eleven on 59th and Pulaski.

KILLEN: Okay. Is that where you're at when you hear the call that the 815 Robert needs assistance?

P.O.VAN DYKE: We were leaving there.

KILLEN: Okay. So you get your coffee and the call you're talkin' about you hear over the radio correct?

P.O.VAN DYKE: Yes.

KILLEN: Were you assigned the job? Or did you just hear it?

P.O.VAN DYKE: Um we didn't hear their initial job. We heard them requesting assistance.

KILLEN: Okay do you remember exactly what kinda assistance they were lookin' for or why?

P.O.VAN DYKE: Um they were requesting a taser for an individual.

KILLEN: Okay do you remember where they were at when they requested it?

P.O.VAN DYKE: They were around 40th and, 41st and one of the K streets. I don't remember.

OIG 15-0564 006883

KILLEN: Okay. (clears throat) So uh so you and Officer Walsh you leave the 7 Eleven parking lot basically?

P.O.VAN DYKE: We were already on Pulaski.

KILLEN: Okay but you just left the park, you just left 7 Eleven?

P.O.VAN DYKE: Right.

KILLEN: Who's drivin'?

P.O.VAN DYKE: Joe Walsh.

KILLEN: Okay. So you immediately then go to say 40th and whatever K street there, the 815 Robert were at?

P.O.VAN DYKE: Um yeah we were proceedin' southbound, yes.

KILLEN: Okay so you head toward --

P.O.VAN DYKE: I'm sorry northbound.

KILLEN: You see 'em north on Pulaski towards 40th Street?

P.O.VAN DYKE: Yes.

KILLEN: Okay. So you guys go lights and sirens?

P.O.VAN DYKE: Yes.

KILLEN: All right so you guys go straight from let's just say from 7 Eleven to 40th and Pulaski that's where you're headed?

P.O.VAN DYKE: Yes.

KILLEN: And what happens there?

OIG 15-0564 006884

P.O.VAN DYKE: Um once we get closer heard also over the air that um subject, they're still askin' for a taser and that the uh, the subject is armed uh with a knife. And that he had just slashed one of their tires.

KILLEN: So that's over the radio you hear all this correct?

P.O.VAN DYKE: Yes.

KILLEN: All right. Do you carry a taser?

P.O.VAN DYKE: No I do not.

KILLEN: Does Officer Walsh?

P.O.VAN DYKE: I don't know that.

KILLEN: Okay.

P.O.VAN DYKE: That night I don't think he had one.

KILLEN: Okay. And Officer Walsh he would be your regular partner correct?

P.O.VAN DYKE: No.

KILLEN: Okay oh you said he was.

P.O.VAN DYKE: Yes.

KILLEN: You really bounce around then.

P.O.VAN DYKE: Yes I do.

KILLEN: Okay. So you and Officer Walsh you get to 40th and this is about Karlov is where this happens

OIG 15-0564 006885

at. Or starts off at Karlov and these guys and, and toward Pulaski.

P.O.VAN DYKE: I yeah I don't know what K street it was. I just --

KILLEN: No I'm, I'm tellin' ya.

P.O.VAN DYKE: Okay.

KILLEN: All right so, so you guys get to, so you get to 40th and Pulaski and what happens?

P.O.VAN DYKE: Um we, we head um westbound on 40th Street. We're right there at the Burger King um he's givin' out that the guy's runnin' eastbound towards Pulaski um I'm sorry. One of the officers of 815 Robert is givin' out a description over the air that the offender's runnin' eastbound towards Pulaski and he's at the Burger King lot. Um I see Officer McElligott on foot um approaching into the Burger King lot. I see the offender running eastbound through the Burger King parking lot.

KILLEN: Okay. Do you remember the description given out over the radio of the offender?

P.O.VAN DYKE: No.

KILLEN: But when you see the guy runnin' through the parkin' lot --

P.O.VAN DYKE: I see the guy runnin' through the parkin' lot with the knife.

OIG 15-0564 006886

KILLEN: Okay. And as best you can describe to me what that man looks like?

P.O.VAN DYKE: Uh he's a male black, braids. He had a black jacket on and blue jeans.

KILLEN: And you saw 'em with a knife?

P.O.VAN DYKE: Yes I did in his right hand.

KILLEN: He's runnin', he, he's runnin' east through the parking lot?

P.O.VAN DYKE: He's runnin' east and on a diagonal towards the uh Burger King.

KILLEN: And when you see this where you at?

P.O.VAN DYKE: We're about getting, we're basically at the mouth of the parking lot.

KILLEN: Burger King?

P.O.VAN DYKE: Yes.

KILLEN: What happens then? So you see this guy runnin' and you see Officer McElligott on foot after 'em correct?

P.O.VAN DYKE: Yes.

KILLEN: Okay and what happens?

P.O.VAN DYKE: We enter the parking lot. We kinda cut 'em off from goin' into the Burger King. See another squad car approaching on our left. And it looks like we're going to be able to pin 'em in. He continues running eastbound towards Pulaski. We continue to follow him on to Pulaski and at that

OIG 15-0564 006887

point he starts running southbound on, in the middle of Pulaski.

KILLEN: So at this point you have, you have neither of you, you or Officer Walsh have exited the squad car?

P.O.VAN DYKE: No.

KILLEN: Okay. So then when the offender runs south on Pulaski you continue south after 'em?

P.O.VAN DYKE: Yes.

KILLEN: And what happens from there?

P.O.VAN DYKE: Um we get a lil bit closer to 'em because it looks like he's tryin' to run towards the Dunkin' Donuts cause he's continually makin' a beeline towards the nearest um, nearest building. We cut 'em off again. There's another squad car approaching and he diverts um back into the um southbound lanes on Pulaski. And at that point we go around the other squad cars and we get ahead of 'em by about five or six car lengths.

KILLEN: Okay. And what you mean is you went, you went further south on Pulaski right?

P.O.VAN DYKE: Yes we did.

KILLEN: The chase continued south on Pulaski?

P.O.VAN DYKE: Yes it did.

KILLEN: And so you get ahead of 'em?

P.O.VAN DYKE: Yes.

OIG 15-0564 006888

KILLEN: And what happens?
P.O.VAN DYKE: Um we parked the squad car kind of on an angle in the middle of Pulaski so he can't keep on running down the road.

KILLEN: Okay.
P.O.VAN DYKE: Um I exit the vehicle. Uh I see 'em runnin' wavin' this knife with his right hand you know under, it in an under position. I give 'em verbal commands to drop the knife. I'm yellin' at 'em drop the knife.

KILLEN: Okay. When you guys, you park your car on Pulaski correct?
P.O.VAN DYKE: I'm sorry?

KILLEN: The car, your car gets stopped on Pulaski?
P.O.VAN DYKE: Yes it does.

KILLEN: Is there traffic, is there regular traffic on Pulaski at that point do you remember?
P.O.VAN DYKE: I don't remember really any being there.

KILLEN: Okay. And he's --
P.O.VAN DYKE: I'm focused on him.

KILLEN: Right I know. And he's still on Pulaski and he's in the southbound lanes still runnin' south though right?
P.O.VAN DYKE: Yes.

OIG 15-0564 006889

KILLEN: You said he was kinda makin' that beeline between say Burger King and the Dunkin' Donuts on the east side of Pulaski?
P.O.VAN DYKE: Correct.

KILLEN: So you, you stop. You get out, pistol drawn.
P.O.VAN DYKE: Yes.

KILLEN: And order 'em to put the knife down.
P.O.VAN DYKE: Yes I do.

KILLEN: And you say he's wavin' it at, as best you can describe what you were doin' with your hand there?
P.O.VAN DYKE: He's wavin' it in an, he's clenchin' it. Um with the blade forward underneath and he's wavin' it um from you know his right side towards his left in an upward fashion.

KILLEN: Okay. Him doin' that make you think he was gonna put the knife down?
P.O.VAN DYKE: No.

KILLEN: You took that to be a threatening --
P.O.VAN DYKE: Yeah he was wavin' it upwards --
REBHOLZ: Chest level.
P.O.VAN DYKE: -- yeah at my chest. Chest level.

KILLEN: As if he wanted to he could stab you?
P.O.VAN DYKE: Yes.

OIG 15-0564 006890

KILLEN: Okay. And how far, so you get out and he's doin' this with the knife. How far are you from him at this point if you guess?

P.O.VAN DYKE: I would say I was approximately ten to fifteen feet away from him.

KILLEN: And he's facin' you?

P.O.VAN DYKE: He's, he's comin' towards me.

KILLEN: Okay. So he's closin' the distance between you and him?

P.O.VAN DYKE: He is and I'm back pedalin'.

KILLEN: Okay and at that point what's between you and him?

P.O.VAN DYKE: Nothing.

KILLEN: And what's behind you? Do you know?

P.O.VAN DYKE: I have no idea.

KILLEN: Do you know where Officer Walsh was at at this time?

P.O.VAN DYKE: I have no idea.

KILLEN: All right what about any other officers. Did you see them too?

P.O.VAN DYKE: I saw some squad cars approaching from the um the north. Um that's about it.

KILLEN: Okay. And I know you said it before, I'm gonna assume your attention is focused on the man with the knife.

OIG 15-0564 006891

P.O.VAN DYKE: Yes.

KILLEN: Okay. And he's closin' the distance between you and him and you're back pedalin' did you say?
P.O.VAN DYKE: Yes I am.

KILLEN: Is he runnin' toward you?
P.O.VAN DYKE: He's walkin' really fast almost like ah almost like a jog I think.

KILLEN: Okay. And that's when he's doin' the wavin' with the knife?
P.O.VAN DYKE: Yes.

KILLEN: And what, what happens? So he's closin' the distance. You're back pedalin' and what happens?
P.O.VAN DYKE: He's gettin', he's gettin' closer to me. I could see that there's nobody to my right. There's nothin' in front a me. There's nothin' to my left. I keep on orderin' 'em drop the knife, drop the knife, drop the knife. He doesn't drop the knife. He's still wavin' the knife at me. I'm thinkin' he's, he's goin' do somethin' to me.

KILLEN: And whaddid you think was he was gonna do?
P.O.VAN DYKE: I think he's going to try and take my life away from me.

KILLEN: And what happens?
P.O.VAN DYKE: I shoot 'em.

OIG 15-0564 006892

KILLEN: Okay. Do you know how many times you fired?
P.O.VAN DYKE: I shot 16 rounds.

KILLEN: You know that now?
P.O.VAN DYKE: I know that because my weapon went into slide lock.

KILLEN: Oh so at the moment, at the time you knew that, you were aware of that?
P.O.VAN DYKE: Yes.

KILLEN: Okay. And so when your pistol goes into slide lock do you think, do you know that you emptied the clip or do you think like it's a malfunction?
P.O.VAN DYKE: I know I emptied the magazine.

KILLEN: Okay. So you weren't afraid of a malfunction?
P.O.VAN DYKE: No.

KILLEN: And whadda you do? So the slide locks and whadda you do with your pistol?
P.O.VAN DYKE: I did a tactical reload.

KILLEN: Okay. And do you fire again?
P.O.VAN DYKE: No I do not.

KILLEN: Why not?
P.O.VAN DYKE: Um I felt that the threat was eliminated. Um my partner, Officer Walsh said Jason back up I have this. Um I covered him while he approached and kicked the knife outta the offender's hand.

OIG 15-0564 006893

KILLEN: Okay and when you say the threat's been eliminated, why is the threat eliminated?
P.O.VAN DYKE: Um the subject was now layin' on the ground. Um he wasn't makin' any efforts to get up.

KILLEN: And Officer Walsh had to kick the knife from his hand?
P.O.VAN DYKE: Yes he had to forcefully kick the knife out of his hand.

KILLEN: So the offender falls to the ground and he's still got the knife?
P.O.VAN DYKE: He still has the knife. He's you know we're still yellin' at 'em drop the knife.

KILLEN: Okay. So then Officer Walsh tells you to back up, he's got this.
P.O.VAN DYKE: Right.

KILLEN: He approaches the offender.
P.O.VAN DYKE: He approaches the offender and he, he kicks it out of his hand.

KILLEN: And that whole time you're what the cover officer at that point?
P.O.VAN DYKE: Yes.

KILLEN: Okay so and do you know what happens right after that then?
P.O.VAN DYKE: After that um Officer Walsh gets over the air and um says shots fired by the police. I remember shouting we need an ambulance. Um I, I

OIG 15-0564 006894

think I keyed it up over the radio. I don't remember if I did or did not, but I shouted we need an ambulance.

KILLEN: All right and then that's when all the other officers start runnin' up, gettin' there correct?

P.O.VAN DYKE: Yes.

KILLEN: Okay. All right. At any time did you, did you handle that knife?

P.O.VAN DYKE: No I did not.

KILLEN: So Officer Walsh kicks it as it remains on the ground?

P.O.VAN DYKE: Yes.

KILLEN: Are you aware of any officer pickin' it up or touching or handlin' it in any way?

P.O.VAN DYKE: No I think it was just the um the crime lab recovered it.

KILLEN: Okay. So where they recovered it as far as you know is where it laid the entire time?

P.O.VAN DYKE: Yes.

KILLEN: Okay. And then just goin' back to when you discharged your firearm, do you remember, were you, were you standing still when you fired or were you movin'?

P.O.VAN DYKE: I think I was moving.

OIG 15-0564 006895

KILLEN: Do you think, do you think you were still movin' backwards?
P.O.VAN DYKE: Yes.

KILLEN: Okay. Do you remember how you held the pistol?
P.O.VAN DYKE: Yes.

KILLEN: How?
P.O.VAN DYKE: Held it in front of me. Um two hands.

KILLEN: Are you right handed or left handed?
P.O.VAN DYKE: I'm right handed.

KILLEN: All right so your right hand dominant.
P.O.VAN DYKE: Yes.

KILLEN: So your left hand was for support?
P.O.VAN DYKE: Yes.

KILLEN: Is that what you're doin'. And do you use sights?
P.O.VAN DYKE: No I do not.

KILLEN: Okay. Before I forget what kinda pistol did you have?
P.O.VAN DYKE: Um it's was a Smith & Wesson um 5943 9 millimeter.

KILLEN: It was fully loaded?
P.O.VAN DYKE: Yes it was.

KILLEN: So what's that 15?

OIG 15-0564 006896

P.O.VAN DYKE: 15 plus one.

KILLEN: Okay. All right at the time did you have any other firearm on you?
P.O.VAN DYKE: No I did not.

KILLEN: Do you own any other firearms?
P.O.VAN DYKE: Yes I do.

KILLEN: What do you own?
P.O.VAN DYKE: I own a um a Chief Special 38 Revolver.

KILLEN: That's it?
P.O.VAN DYKE: That's it.

KILLEN: Okay. All right. So you, you, you're fully loaded. 16 rounds fired. Slide lock, you do tactical reload but you don't fire again?
P.O.VAN DYKE: I do not.

KILLEN: All right so then when, when your weapon is recovered by the crime lab, that's what they got, they got the reloaded firearm?
P.O.VAN DYKE: Yes sir.

KILLEN: So the clip is 15?
P.O.VAN DYKE: I'm sorry?

KILLEN: Did you put one in the chamber and then 15 or is the 15 from the clip?
P.O.VAN DYKE: 15 from the magazine.

OIG 15-0564 006897

KILLEN: Okay. All right. And you weren't injured at all correct?

P.O.VAN DYKE: No sir.

KILLEN: To the best of your recollection can you estimate how close you were when, or how close you and the offender were to each other when you fired your weapon at 'em?

P.O.VAN DYKE: I would say it was approximately 10 to 15 feet.

KILLEN: Okay. All right. And as far as you were, you're the only police officer that fired correct?

P.O.VAN DYKE: Yes sir.

KILLEN: Okay. All right. Is there anything you'd like to add?

P.O.VAN DYKE: No sir.

KILLEN: Everything you told me is a true and accurate account of what occurred?

P.O.VAN DYKE: Yes sir.

KILLEN: All right this will conclude the audio recorded interview of Officer Jason Van Dyke regarding Log number 1072125 U number 14 dash 36. Today's the 22nd of October 2014. The time's approximately 1206 hours.

OIG 15-0564 006898

I, CAROL A. O'LEARY, do hereby certify or affirm that I have impartially transcribed the foregoing from an audio recording of the above-mentioned proceeding to the best of my ability.

Carol A. O'Leary

OIG 15-0564 006899

CHICAGO POLICE DEPARTMENT

CASE SUPPLEMENTARY REPORT

HX475653

3510 S. Michigan Avenue, Chicago, Illinois 60653

Print date by CPD Logo Printer / Report # Investigative Services Personnel Only]

Case #: [redacted] Sup ID: [redacted]

EXC. CLEARED CLOSED (OTHER EXCEPTIONAL) | **DETECTIVE SUP. APPROVAL COMPLETE**

Last Offense Classification/Re-Classification	IUCR Code	Original Offense Classification			IUCR Code
ASSAULT / Aggravated Po:Knife/Cut Instr	0552	ASSAULT / Aggravated Po:Knife/Cut Instr			0552
Address of Occurrence	**Beat of Occur**	**No of Victims**	**No of Offenders**	**No of Arrested**	**SCR No**
4112 S PULASKI RD	815	4	1	1	
Location Type	**Location Code**	**Secondary Location**			**Hate Crime?**
Street	304				NO
Date of Occurrence	**UAA Assigned**	**Date RD Arrived**	**Fire Related?**	**Gang Related?**	**Domestic Related?**
20-OCT-2014 21:57	0841R	20-OCT-2014 21:57	NO	NO	NO

Reporting Officer	Star No	Approving Supervisor	Star No	Primary Detective Assigned	Star No
MARCH, David	20563	WOJCIK, Anthony	481	MARCH, David	20563
Date Submitted		**Date Approved**		**Assignment Type**	
15-MAR-2015 18:26		16-MAR-2015 00:03		FIELD	

THIS IS A FIELD INVESTIGATION EXC. CLEARED CLOSED (OTHER EXCEPTIONAL) REPORT

[redacted]

HX475653

EXHIBIT 5 96

VAN DYKE, Jason D -----

stated he was a Chicago Police Officer assigned to the 008th District. He was on duty, in uniform, working on Beat 845R. VAN DYKE was working with Police Officer Joseph WALSH. The two officers were assigned to Chicago Police Department vehicle number 6412, a marked Chevrolet Tahoe, four door sport utility vehicle. WALSH was driving the vehicle and VAN DYKE was the passenger.

The two officers responded to a request for assistance from Beat 815R, regarding a man with a knife, on 40th Street, west of Pulaski Road. A unit equipped with a taser had also been requested. Officer VAN DYKE heard the radio transmission when Officer Thomas GAFFNEY said the man with a knife had "popped" the tire of GAFFNEY's police vehicle. VAN DYKE understood this to mean the subject had slashed the tire with his knife. As Officer WALSH drove westbound on 40th Street from Pulaski, VAN DYKE observed a black male subject, now known as Laquan MCDONALD, running eastbound in the parking lot of the Burger King restaurant on the southwest corner of 40 Street and Pulaski. MCDONALD was holding a knife in his right hand. VAN DYKE saw Police Officer Joseph MCELLIGOTT pursuing MCDONALD on foot. VAN DYKE also saw a civilian who was standing on 40th Street pointing to MCDONALD.

Officer WALSH drove eastbound in the parking lot, in pursuit of MCDONALD, on the north side of the Burger King restaurant building. WALSH used the police vehicle to block MCDONALD from entering the restaurant. MCDONALD ran out onto Pulaski Road and then turned southbound, running toward a Dunkin' Donuts restaurant, on the east side of Pulaski, south of the Burger King. WALSH positioned the police vehicle between MCDONALD and the Dunkin' Donuts to block his path towards that restaurant. When WALSH slowed the police vehicle alongside MCDONALD, Officer VAN DYKE opened the right front door of the vehicle to exit and confront MCDONALD. WALSH told VAN DYKE to stay in the vehicle as they were too close to MCDONALD to safely exit their vehicle. WALSH drove on southbound and stopped the police vehicle ahead of MCDONALD.

Officer VAN DYKE exited the vehicle on the right side and drew his handgun. As VAN DYKE stood in the street on Pulaski, facing northbound, toward MCDONALD, MCDONALD approached southbound. MCDONALD was holding the knife in his right hand, in an underhand grip, with the blade pointed forward. He was swinging the knife in an aggressive, exaggerated manner. VAN DYKE ordered MCDONALD to "Drop the knife!" multiple times. MCDONALD ignored VAN DYKE's verbal direction to drop the knife and continued to advance toward VAN DYKE.

When MCDONALD got to within 10 to 15 feet of Officer VAN DYKE, MCDONALD looked toward VAN DYKE. MCDONALD raised the knife across his chest and over his shoulder, pointing the knife at VAN DYKE. VAN DYKE believed MCDONALD was attacking VAN DYKE with the knife, and attempting to kill VAN DYKE. In defense of his life, VAN DYKE backpedaled and fired his handgun at MCDONALD, to stop the attack. MCDONALD fell to the ground but continued to move and continued to grasp the knife, refusing to let go of it. VAN DYKE continued to fire his weapon at MCDONALD as MCDONALD was on the ground, as MCDONALD appeared to be attempting to get up, all the while continuing to point the knife at VAN DYKE. The slide on VAN DYKE's pistol locked in the rearward position, indicating the weapon was empty. VAN DYKE performed a tactical reload of his pistol with a new magazine and then assessed the situation.

MCDONALD was no longer moving and the threat had been mitigated, so Officer VAN DYKE and Officer WALSH approached MCDONALD. MCDONALD was still holding the knife in his right hand. VAN DYKE continued to order MCDONALD to "Drop the knife!" Officer WALSH told VAN DYKE, "I have this." VAN DYKE then used his handgun to cover WALSH as WALSH walked up and forcibly kicked the knife out of MCDONALD's right hand, thereby eliminating the threat to the officers.

Officer WALSH then notified the dispatcher on the police radio that shots had been fired by the police. Officer VAN DYKE requested an ambulance for MCDONALD on the radio.

Officer VAN DYKE's weapon was a Smith and Wesson, nine millimeter, semi-automatic pistol, with a 15 round magazine. VAN DYKE said the pistol was fully loaded at the beginning of his tour of duty, with 15 cartridges in the magazine and one cartridge in the firing chamber.

It was noted that the uniform Officer VAN DYKE was wearing consisted of a light blue long sleeve uniform shirt, with shoulder patches; black body armor vest, with patches; navy blue cargo pants; and equipment belt with handgun and radio.

The reporting detective then interviewed Officer VAN DYKE's partner.

[redacted]

ERAL PROGRESS REPORT
TECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT	DATE OF THIS REPORT
20 OCT 2014	24 OCT 2014

OFFENSE CLASSIFICATION—LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	VAN DYKE	512I

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

J VAN DYKE P1 OF 2

RESPONDED TO 818 R REQUEST FOR ASSIST.
MAN W/KNIFE 40TH W OF PULASKI.
TASER REQUESTED.
HEARD GAFFNEY — O "POPPED" TIRE ON RADIO.
VS = O SLASHED TIRE W/KNIFE.
W/B ON 40TH SAW O = M/B.
RUNNING E/B IN BK LOT.
KNIFE IN R HAND.
McELLIGOTT PURSUING ON FOOT.
CIVILIAN ON 40TH POINTING TO O.
WALSH DRIVE E/B INTO LOT IN PURSUIT
N SIDE OF BK
USED VEHICLE TO BLOCK O FROM BK.
O RAN OUT ONTO PULASKI, THEN S/B.
TOWARD DD
WALSH KEPT VEH BETWEEN O + DD
VS OPENED DOOR TO EXIT + CONFRONT O.
WALSH — NO, TOO CLOSE.
STOPPED FURTHER S.
STOPPED AHEAD OF O

EXHIBIT 6 OIG

REPORTING OFFICER'S SIGNATURE—STAR NO.	RECEIVED BY: SUPERVISOR'S SIGNATURE—STAR NO.	DAY—MO.—YR.	TIME
20563	1150		

HX425653

CPD-22.122 (Rev. 2/03)

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 2014	20 OCT 2014 3

OFFENSE CLASSIFICATION–LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0562	VAN DYKE	521

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

J VAN DYKE P2 OF3

VS EXITED VEH. DREW HANDGUN
STOOD IN ST, FACING NB, TOWARD O
O COMING S/B
KNIFE IN R HAND, UNDERHAND GRIP, BLADE FORWARD
SWINGING KNIFE IN AGGRESSIVE, EXAGGERATED MANNER
VS = "DROP THE KNIFE!" MULTIPLE TIMES
O IGNORED DIRECTIONS. CONTINUED TO ADVANCE
WHEN O WITHIN 10-15 FT, LOOKED AT VS
RAISED KNIFE ACROSS CHEST, OVER SHOULDER
POINTED KNIFE AT VS
VS BELIEVED O WAS ATTACKING W/KNIFE
TRYING TO KILL VS
IN DEFENSE OF HIS LIFE VS BACKPEDALED + FIRED
O FELL TO GROUND, CONTINUED TO MOVE/GRASP KNIFE
VS CONTINUED FIRING. O APPEARED TO BE
ATTEMPTING TO GET UP, STILL HOLDING KNIFE
POINTING AT VS
SLIDE ON PISTOL LOCKED – WEAPON EMPTY
TACTICAL RELOAD
ASSESSED

R.D. NO. HX475653

REPORTING OFFICER'S SIGNATURE–STAR NO.	RECEIVED BY: SUPERVISOR'S SIGNATURE–STAR NO.	DAY–MO.–YR.	TIME
20563	20 OCT 14		

CPD-23.122 (Rev. 2/83)

ERAL PROGRESS REPORT
ECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT DAY MONTH YEAR	DATE OF THIS REPORT DAY MONTH YEAR WATCH
20 OCT 2014	30 OCT 2014 3

OFFENSE CLASSIFICATION—LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	VAN DYKE	512Y

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

J VAN DYKE P 3 OF 3

O NO LONGER MOVING. THREAT MITIGATED
VD + WALSH APPROACHED O
STILL HOLDING KNIFE IN R HAND
VD CONTINUED, "DROP THE KNIFE!"
WALSH = "I HAVE THIS."
VD COVERED WALSH AS WALSH WALKED UP TO O
FORCIBLY KICKED KNIFE FROM O'S HAND
THREAT ELIMINATED
WALSH = SHOTS FIRED BY POLICE" ON RADIO
VD = REQUESTED AMBULANCE

R.D. NO. HX475253

REPORTING OFFICER'S SIGNATURE—STAR NO. 20563 | RECEIVED BY: SUPERVISOR'S SIGNATURE—STAR NO. 203 | DAY—MO.—YR. TIME

PD-23.122 (Rev. 2/83)

TACTICAL RESPONSE REPORT/Chicago Police Department

	20-OCT-2014	21:57:00	4112 S PULASKI RD CHICAGO, IL 60632				304		0815		
MEMBER INVOLVED	0161	VAN DYKE	JASON D	9465		M	WHI	[redacted]	002	160	
	25-JUN-2001	[redacted]	008	09450							
SUBJECT INFORMATION	MCDONALD	LEQUAN				M	BLK	25-SEP-1997	601	185	
	[redacted]										
	MOUNT SINAI HOSPITAL		DR. PITZEL								

REASON FOR USE OF FORCE (Check all that apply)

	PRIOR TO MEMBER'S RESPONSE	ACTIVE RESISTER	ASSAILANT ASSAULT	ASSAILANT BATTERY	ASSAILANT DEADLY FORCE
SUBJECT'S ACTIONS	VERBAL RESISTANCE: X	TASER:	ASSAILANT DEADLY FORCE: X	ATTACK WITH WEAPON: X	USES FORCE LIKELY TO CAUSE DEATH OR GREAT BODILY HARM: X
	PASSIVE (NO ACTIVE RESISTANCE):	PHYSICAL:	OTHER:	ATTACK WITHOUT WEAPON:	WEAPON: X
	OTHER:	OTHER:		OTHER:	OTHER:

MEMBER'S RESPONSE					
VERBAL DIRECTION: X	OTHER:				
VERBAL DISSUASION:					
HANDCUFFING:					
WRISTLOCK:					
OTHER:					
PHYSICAL RESTRAINT:					
CONTROL INSTRUMENT:					
OTHER:					
OTHER:					

WEAPON DISCHARGE INCIDENT

OFFENDER'S WEAPON WAS A KNIFE IN HIS HAND.

				CLEAR	
			5943	0	9 MM
	T0U5969		028361	95390037	
			Department Issued	1	16
		15			
				BY MAGAZINE	
NONE					

1429315878

CASE INFO

NOTIFICATIONS (OC OR TASER INCIDENT): OEMC: [ ] DNA & LT./DEPT. OF OCCUR: [ ] OPIC

NOTIFICATIONS (FIREARM INCIDENT): OEMC: X DESIGNAT. OF OCCUR & OCIC: X OPIC: X DET. DIV

Members will ensure that all required notifications and all witnesses to this use of force are documented in the appropriate case report.

HX475653

SIGNATURES

VAN DYKE, JASON D 21-OCT-2014 04:41:45	9465 4844	[redacted]

Reviewing supervisor will ensure the legibility and completeness of this report and attest by entering the required information below.

FRANKO, STEPHEN D	1351	[redacted]	21-OCT-2014 04:44:58

EXHIBIT 7 OIG 3 22 15

[redacted]

LIEUTENANT OR ABOVE/OCIC REVIEW

THE ON-CALL INCIDENT COMMANDER (OCIC) WILL COMPLETE THE REVIEW SECTION FOR 1.) ALL INCIDENTS INVOLVING THE DISCHARGE OF A FIREARM BY A DEPARTMENT MEMBER; 2.) ALL INCIDENTS INVOLVING THE SERIOUS INJURY OR DEATH OF A MEMBER OF THE PUBLIC SUBSEQUENT TO INTERACTIONS WITH A DEPARTMENT MEMBER; 3.) ANY LESSER USE OF FORCE BY A DEPARTMENT MEMBER WHEN THAT USE OF FORCE STEMS FROM THE SAME INCIDENT DESCRIBED HERE IN 1 OR 2.

THE ASSIGNED INVESTIGATING SUPERVISOR THE RANK OF LIEUTENANT OR ABOVE FROM THE DISTRICT OF OCCURRENCE WILL COMPLETE THE REVIEW SECTION FOR ALL OTHER INCIDENTS.

75. SUBJECT'S STATEMENT REGARDING THE USE OF FORCE ☐ DNA ☐ REFUSED ☒ UNABLE TO INTERVIEW (Specify Reason)

Subject is deceased.

76. LIEUTENANT OR ABOVE/OCIC RATIONALE FOR BOX 77 FINDING

Based upon information available at the time of this report it is the preliminary determination of the undersigned that Officer Van Dyke fired his weapon in compliance with Department policy. Officer Van Dyke fired his weapon in fear of his life when the offender while armed with a knife continued to approach and refused all verbal direction.

77. LIEUTENANT OR ABOVE/OCIC FINDING BASED UPON CURRENTLY AVAILABLE INFORMATION:

☒ I HAVE CONCLUDED THAT THE MEMBER'S ACTIONS WERE IN COMPLIANCE WITH DEPARTMENT PROCEDURES AND DIRECTIVES.

☐ I HAVE CONCLUDED THAT FURTHER INVESTIGATION IS REQUIRED.

LOG NO./CRNO. 1072125 OBTAINED

78. LIEUTENANT OR ABOVE/OCIC (Print Name)	SIGNATURE	DATE COMPLETED TIME
MC NAUGHTON, DAVID R	[redacted]	21-OCT-2014 04:58:37

79. DISTRIBUTION OF ORIGINAL TRR:

A TRR PACKET, INCLUDING THE TRR AND COPIES OF THE BELOW LISTED ATTACHMENTS WILL BE FORWARDED TO THE INDEPENDENT POLICE REVIEW AUTHORITY.

ATTACHMENTS - PHOTOCOPIES OF:

☐ CASE REPORT ☒ OFFICER BATTERY REPORT ☐ C.R. INITIATION REPORT

☐ ARREST REPORT ☐ TO-FROM-SUBJECT REPORTS FROM DEPARTMENT WITNESS(ES)

☐ SUPPLEMENTARY REPORT ☐ I.O.D. REPORT

80. TOTAL TRR's THIS EVENT No. 3

OFFICER'S BATTERY REPORT
CHICAGO POLICE DEPARTMENT

RD# HX475653

INSTRUCTIONS: This form is to be completed for all incidents when: (1) a sworn member is the victim of a murder, aggravated battery, battery, aggravated assault, or assault while performing a police function either on-duty or off-duty; (2) a detention aide is the victim of a murder, aggravated battery, battery, aggravated assault, or assault while in the performance of his or her duties.

"X APPLICABLE BOXES"

OFFICER INFORMATION

NAME (LAST - FIRST - M.I.): VAN DYKE, JASON D.

STAR NO.	POSITION
9465	POLICE OFFICER
DATE OF APPOINTMENT: 25-JUN-2001	EMPLOYEE NO.: [redacted]
UNIT OF ASSIGNMENT: 008	BEAT/CALL NO.: 0845R

SEX	RACE	DOB
X 1. M 2. F	WHITE	[redacted]
HEIGHT: 602	WEIGHT: 185	

TYPE OF ASSIGNMENT WHEN BATTERY OCCURRED

X 1. ON DUTY
- X A. UNIFORM: PATROL DUTY
- B. UNIFORM: OTHER DUTY
  - Describe: _____
- C. DETAILED ONLY
- D. TACTICAL
- E. M.E.R. UNIT
- F. SPECIAL EMPLOYMENT
- G. OTHER: _____

2. OFF DUTY
3. SPECIAL EMPLOYMENT
4. SECONDARY EMPLOYMENT

WORKING:
- A. ALONE
- X B. WITH ONE PARTNER
- C. WITH MULTIPLE PARTNERS
  - How many? _____

PATROL TYPE:
- X A. SQUAD CAR
- B. FOOT
- C. BICYCLE
- D. APA MOTORCYCLE
- E. SQUAD CAR
- F. OTHER: _____

TYPE OF ACTIVITY

- A. AMBUSH (NO WARNING)
- B. TRAFFIC STOP/PURSUIT
- C. INVESTIGATING SUSPICIOUS PERSON
- D. DISTURBANCE - DOMESTIC
- E. DISTURBANCE - MENTAL PATIENT
- F. DISTURBANCE - NOT KNOWN ACTIVITY/SUSPICIOUS
- G. DISTURBANCE - OTHER
- H. MAKING AN ARREST
- I. PURSUING ARMED FELON OFFENDER (Specify): CHARGE: _____ UCR CODE: _____
- J. PROCESSING/TRANSPORTING/LOCKING A PRISONER (Specify): ORIGINAL CHARGE: _____ ORIGINAL UCR CODE: _____
- X K. OTHER

TYPE OF INJURY TO OFFICER

- A. FATAL
- B. NON-FATAL - MAJOR INJURY (Broken Bones/Serious Lacerations/Internal Injuries)
- C. NON-FATAL - MINOR INJURY (Bruises/Swelling/Minor Abrasions)
- X D. NONE APPARENT/NONE

LIGHTING CONDITIONS AT INCIDENT

- A. DAYLIGHT
- B. DUSK
- C. DAWN
- D. NIGHT
- X E. ARTIFICIAL LIGHT
  - 1. POOR
  - X 2. GOOD

INCIDENT INFORMATION

- 1. INDOOR
- X 2. OUTDOOR

ADDRESS OF OCCURRENCE: 4112 S PULASKI RD

CITY	STATE (If outside Chicago)
X CHICAGO	
LOCATION CODE: 304-STREET	BEAT OF OCCURRENCE: 0815

DATE OF OCCURRENCE	TIME	DAY OF WEEK
20-OCT-2014	21:57:00	MONDAY

NO. OF OFFICERS BATTERED: 1

WERE THERE ASSISTING UNITS ON SCENE? 1. X YES 2. NO

IF YES, HOW MANY ASSISTING OFFICERS WERE PRESENT AT TIME BATTERY (EXCLUDING YOU OR YOUR PARTNER(S))? 2

MANNER OF ATTACK

- 01. SHOT
- 02. SHOT AT
- X 03. STRUCK/CUT (INCLUDING ACTUAL ATTEMPT)
- 04. STRUCK BY JUMP/PUSH (INCLUDING ACTUAL ATTEMPT)
- 05. OTHER (INCLUDING VERBAL THREATS)

TYPE OF WEAPON/THREAT

(Check all that apply)
- A. FIREARM (Caliber): _____
  - 1. REVOLVER
  - 2. SEMI-AUTOMATIC
  - 3. RIFLE
  - 4. SHOTGUN
- B. HANDGUN
- C. FIST
- D. HEAD/FEET (BITE, SPIT, ETC.)
- E. VERBAL THREAT (ASSAULT)
- X F. OTHER (SPECIFY): SWINGING KNIFE
- G. VEHICLE
  - 1. OFFENDER STRUCK WITH VEHICLE
  - 2. ATTEMPTED TO STRIKE OFFICER WITH VEHICLE
- X H. KNIFE/CUTTING INSTRUMENT
- I. BLUNT INSTRUMENT

FIREARM USE INFORMATION (Check all that apply)
- A. OFFICER NOT DISCHARGED
- B. OFFICER'S OWN WEAPON OBTAINED
- C. ATTEMPTED TO OBTAIN OFFENDER'S OWN WEAPON

OFFENDER INFORMATION

SEX	RACE	DOB
X 1. M 2. F	BLACK	[redacted]
ARMS:	W. NO.	

WAS THE OFFENDER'S ACTIVITY DRUG RELATED?
- 1. YES
- 2. NO
- X 3. UNKNOWN

GANG RELATED?
- 1. YES
- 2. NO
- X 3. UNKNOWN

NO. OF OFFENDERS RESENT? 1

WEATHER CONDITIONS

- X A. CLEAR
- B. RAIN
- C. SNOW
- D. FOG / SMOKE / HAZE
- E. SLEET / HAIL
- F. SEVERE CROSS WINDS
- G. OTHER

APPROXIMATE OUTDOOR TEMPERATURE: 50 °F

[redacted]

CPD-11.451 (REV. 1/94)

EXHIBIT 8 OIG 3.22.16

Unusual Circumstances Regarding Officer Control Tactics and Safety: (If you need more space use additional sheets).

OFFENDER'S ACTIONS WERE UNPROVOKED.

REPORTING MEMBER - SIGNATURE	STAR NO.	WATCH COMMANDER /UNIT COMMANDING OFFICER- SIGNATURE	STAR NO.
VAN DYKE, JASON D	9465	MC NAUGHTON, DAVID R	120

CPD-11.451 (REV. 1/04)

In the Matter Of:

IN RE JASON VAN DYKE

JASON VAN DYKE

April 07, 2016

Amicus
court reporters, inc
300 West Adams St. Ste 800
Chicago, IL 60606
Phone: 312.641.3500
Fax: 312.641.3795
Email: info@amicusreporters.com

CITY OF CHICAGO

OFFICE OF INSPECTOR GENERAL

-INTERVIEW OF JASON VAN DYKE-

April 7, 2016

TRANSCRIPT OF INTERVIEW of JASON VAN DYKE, taken before MICHELLE M. YOHLER, a Notary Public within and for the County of Cook, State of Illinois, and a Certified Shorthand Reporter of said state, CSR No. 84-4531, at Suite 800, 300 West Adams Street, Chicago, Illinois, on the 7th day of April, 2016 at 10:14 a.m.

APPEARANCES:

OFFICE OF INSPECTOR GENERAL
CITY OF CHICAGO
BY: MS. SARAH S. ANSARI
MR. KRISTOPHER BROWN
(740 North Sedgwick Street, Suite 200
Chicago, Illinois 60654
773.478.8218
sansari@chicagoinspectorgeneral.org
kbrown@chicagoinspectorgeneral.org)

HERBERT LAW FIRM
BY: MR. DANIEL Q. HERBERT
(206 South Jefferson, Suite 100
Chicago, Illinois 60661
312.655.7660
dan.herbert@danherbertlaw.com)
Appeared on behalf of
Officer Jason Van Dyke.

REPORTED BY:
MICHELLE M. PAOLETTI YOHLER, CSR, RPR, CRR
Illinois CSR No. 84-4531.

E X H I B I T S

OIG EXHIBITS	PAGE
No. 1 - Administrative Rights.....	14
No. 2 - Notification of Interview.....	14
No. 3 - Notification of Allegations.....	15
No. 4 - Receipt Form.....	16
No. 5 - Receipt Form.....	17
No. 6 - 4/04/16 Memo.....	17
No. 7 - 10/22/14 IPRA Interview Transcript.....	19
No. 8 - Case Supplementary Report.....	20
No. 9 - 3/16/15 Case Supplementary Report.....	21
No. 10 - General Progress Report.....	22
No. 11 - General Progress Report.....	22
No. 12 - Tactical Response Report.....	23
No. 13 - Officer's Battery Report.....	23

RESPONDENT'S EXHIBIT	PAGE
Exhibit A - Decorum Order.....	9

MS. ANSARI: As a preliminary matter, I am providing the following information. An independent certified court reporter is present today to provide a verbatim transcript of this interview.

To aid in the accuracy of the transcript, it is the custom and practice of court reporters to audio record the interview. The recording is the confidential work product property of the court reporter and will not be provided to any party including the Office of Inspector General. If you request, the audio recording will be discontinued.

So, Officer Van Dyke, are you okay with the recording?

MR. HERBERT: You know what, actually I'd ask -- and I've never done this before, but I would ask that it not be recorded in this case.

MS. ANSARI: Okay. For the record, we'll be returning off the recording.

Let the record reflect that today's date is April 7, 2016. The time is 10:15 a.m. We are located at Amicus Court Reporters, 300 West Adams, Suite 800.

My name is Sarah Ansari, the court reporter is Michelle Yohler, and I'd ask that the other individuals present identify themselves and spell their name for the record.

MR. BROWN: Kristopher Brown, B-r-o-w-n, City of Chicago, Office of Inspector General.

MR. HERBERT: Good morning, my name is Dan Herbert, H-e-r-b-e-r-t, on behalf of Jason Van Dyke.

Address yourself.

OFFICER VAN DYKE: Jason Van Dyke, V-a-n D-y-k-e.

MS. ANSARI: There are no other individuals present.

We are here today pursuant to an investigation being conducted under Chapter 2-56 of the Municipal Code of the City of Chicago. We are here for an interview of Officer Jason Van Dyke.

Officer Van Dyke, would you please raise your right hand, and the court reporter will swear you in.

(WHEREUPON, the witness was duly sworn.)

MS. ANSARI: Officer Van Dyke, I am now

going to hand you a form that is marked Advisement of Rights. This has already been filled in with your name, my name, and Investigator Brown's name.

I'm going to ask you to read along with me as I go through it and then I will ask you after each paragraph to acknowledge you have read and understand that paragraph.

MR. HERBERT: At this point, if I can, just before you go forward, it's our understanding that Jason will not be provided criminal rights in this case, which -- which I guess we will find out for sure when the commander calls here. But at this point, we will invoke our right to a Fifth Amendment.

So he's going to answer in the Fifth Amendment on every question, which is required by law, otherwise he may waive some of his Fifth Amendment rights so...

MS. ANSARI: The OIG's position is the outcome of this administrative investigation relates to the subject's employment and, therefore, under the CBA and the General Order, the Administrative Rights the Office of

Inspector General is going to provide -- will provide Officer Van Dyke are appropriate.

Officer Van Dyke, before we go ahead with the Advisement of Rights, it is your position that you will answer the Fifth Amendment to any questions that we ask you?

MR. HERBERT: Well, we have to be asked the questions. And I think we can probably just do this now: I mean, it's our understanding that my client is not going to be given his criminal rights today; is that correct?

MS. ANSARI: That is correct, yes.

MR. HERBERT: So then for those reasons, I'll just put the objections on the record to this investigation. And, first -- and this has already been addressed in a grievance which has been filed, we believe that this investigation and the requirement that my client provide a statement violates the collective bargaining agreement between the parties, specifically Section 6.1, Paragraph I, wherein the parties have agreed that in a situation in which criminal prosecution is probable against an officer, the officer will be given his

Constitutional rights concerning self-incrimination prior to the commencement of the interrogation.

In this case, there is no clearer example that criminal prosecution is probable in light of the fact that it is -- he has already been charged with first degree murder in this case. So clearly this applies to that section of the contract, and it is clear that he is not being given his self-incrimination rights -- warnings, I should say.

And, second of all, in this case, the criminal case, which I will mark as an exhibit probably -- we can do Respondent's Exhibit A -- the criminal case is 15-CR-20622. An order was entered in that case on January 20, 2016, by Judge Vincent Gaughan, G-a-u-g-h-a-n, wherein it's entitled a decorum order and it prevents any witnesses or anyone involved in the case from testifying and providing statements in any way related to the evidence concerning this case. That order is subject to -- or I should say anyone that violates that order is subject to criminal contempt before Judge Gaughan.

So, for those reasons, my client cannot talk about anything pertaining to the subject of the allegations in which he's been served with today because there can be no question that the allegations concerning the investigation today and any answers to those questions and allegations would certainly be part of the subject matter in which Judge Gaughan has specifically precluded from being discussed.

If you want to give me a sticker, I'll mark this as Exhibit A.

(WHEREUPON, a certain document was marked Respondent's Exhibit A, for identification, as of 04/07/2016.)

MR. HERBERT: So for all those reasons, including the language or the information discussed in the grievance that has previously been filed, it is our position that my client, Jason Van Dyke, will invoke his right to remain silent pursuant to the Fifth Amendment.

MS. ANSARI: Officer Van Dyke, given the information, the objections provided by your counsel, and on the advice of your counsel, are

you refusing to answer questions regarding the Laquan McDonald shooting.

OFFICER VAN DYKE: For all the reasons addressed previously, I invoke my Fifth Amendment right.

MS. ANSARI: At this time I'm going to call Commander Deenihan of the Bureau of Internal Affairs.

(PHONE RINGING)

COMMANDER DEENIHAN: Hello?

MS. ANSARI: Commander Deenihan, my name is Sarah Ansari with the Office of Inspector General. We are currently in a court-reported interview of Officer Jason Van Dyke. His counsel Dan Herbert, and Investigator Kris Brown are also present.

The Office of Inspector General, having provided appropriate notice to Officer Van Dyke of this interview, is attempting to ask him questions regarding the Laquan McDonald shooting. He has refused to answer questions based on his Fifth Amendment right regarding the shooting, and we request that you order Officer Van Dyke to answer the

Office of Inspector General's questions.

COMMANDER DEENIHAN: Am I on speaker?

MS. ANSARI: You are on speaker.

COMMANDER DEENIHAN: Jason, are you there?

MR. HERBERT: He's here.

COMMANDER DEENIHAN: Officer Van Dyke, this is Commander Deenihan. I know I spoke with you -- I think it was sometime earlier this week -- and I provided you the General Order that states that you are required to cooperate in any administrative investigation and your failure to cooperate could result in a penalty up to and including separation. Do you understand that order?

OFFICER VAN DYKE: Yes, sir.

COMMANDER DEENIHAN: So at this time, I'm giving you a direct order to cooperate in the administrative investigation. Do you understand that?

OFFICER VAN DYKE: Yes, sir.

COMMANDER DEENIHAN: Okay. Do you need anything else from me?

MR. HERBERT: Commander, real quick, how are you, Commander? Dan Herbert.

COMMANDER DEENIHAN: I'm good, Dan. How are you?

MR. HERBERT: Good. Thanks. We're on the record. So it's my understanding that you are not going to advise Jason of his criminal rights; is that correct?

COMMANDER DEENIHAN: That's correct.

MR. HERBERT: And we are aware of an ongoing grand jury investigation by the federal government as well as the fact that my client is currently a defendant in this case. So we believe it's appropriate that he, in fact, be given his criminal warnings pursuant to the contract and pursuant to his administrative rights as well.

COMMANDER DEENIHAN: Are you asking me to give him his criminal rights?

MR. HERBERT: Someone's got to give him his criminal rights.

MS. ANSARI: Commander Deenihan, Counsel is putting this on the record, so I think we don't -- the last thing we'd like is, Mr. Herbert, will you stipulate that this is Commander Deenihan on the phone?

MR. HERBERT: I will.
MS. ANSARI: I don't believe we need you for anything else. Thank you, Commander Deenihan.
COMMANDER DEENIHAN: Does anybody need me?
MS. ANSARI: I think we're good. Thank you.
COMMANDER DEENIHAN: Okay. Let me know what else you guys need. Thank you.
MS. ANSARI: We will. Thank you.
Can we go off the record? It is 10:27 a.m.
(WHEREUPON, discussion was had off the record.)
MS. ANSARI: We can go back on the record. It is 10:29 a.m.
Officer Van Dyke, given the order from Commander Deenihan to answer the Office of Inspector General, we ask -- we'd like to read you your administrative rights.
MR. HERBERT: We can acknowledge that we have received a copy of the administrative rights; we've read them; we understand them; and my client is going to maintain to invoke his

Fifth Amendment right.

MR. BROWN: And he will not sign the advisement, correct?

MR. HERBERT: Correct, on the advice of counsel.

MS. ANSARI: So we're marking the Administrative Rights form as Exhibit 1 and noting that Officer Van Dyke has refused to sign the Administrative Rights form.

(WHEREUPON, a certain document was marked Exhibit No. 1, for identification, as of 04/07/2016.)

MR. BROWN: And then Sarah and myself will sign the witness lines.

MS. ANSARI: I'm marking as Exhibit 2 a notification -- a document entitled Notification of Interview for CPD member Officer Van Dyke dated March 31st, 2016.

(WHEREUPON, a certain document was marked Exhibit No. 2, for identification, as of 04/07/2016.)

MR. HERBERT: We'll acknowledge receipt of this as well as it notes my client's signature from April 4th. He was served personally.

MS. ANSARI: Marking as Exhibit 3 a document entitled Notification of Allegations dated April 4, 2016.

(WHEREUPON, a certain document was marked Exhibit No. 3, for identification, as of 04/07/2016.)

MR. HERBERT: We will acknowledge that we were served personally with this on April 4, 2016, as indicated by my client's signature. My client has read and understands the allegations.

MS. ANSARI: Does your client have any questions regarding the 34 allegations in the Notification of Allegations?

MR. HERBERT: My client's position is that, at this point, due to the criminal investigation, one that is ongoing with the federal government as well as the state case that has already been charged, that he cannot speak to any of the information contained within the allegations.

MS. ANSARI: I'm marking as Exhibit 4 a document entitled Receipt Form dated February 24, 2016.

(WHEREUPON, a certain document was marked Exhibit No. 4, for identification, as of 04/07/2016.)

MS. ANSARI: Officer Van Dyke, have you received the information listed in the Receipt Form?

MR. HERBERT: Can we go off the record?

MR. BROWN: Sure. The time is now 10:33 and we're off the record.

(WHEREUPON, discussion was had off the record.)

MS. ANSARI: Can we go back on the record. It's 10:33 a.m.

When we went off the record, I was marking as Exhibit 4 a document entitled Receipt Form dated February 24, 2016.

Officer Van Dyke, have you received the DVD containing the materials listed in the receipt?

OFFICER VAN DYKE: For all the reasons addressed previously, I invoke my Fifth Amendment right.

MS. ANSARI: I'd like to note for the record that Officer Jason Van Dyke's signature

is on Page 2 of the Receipt Form, and it is dated February 24, 2016.

Marking as Exhibit 5 a document entitled Receipt Form dated April 4, 2016.

(WHEREUPON, a certain document was marked Exhibit No. 5, for identification, as of 04/07/2016.)

MS. ANSARI: Officer Van Dyke, have you received the information listed in this Receipt Form?

OFFICER VAN DYKE: For all the reasons addressed previously, I invoke my Fifth Amendment right.

MS. ANSARI: I'll note for the record that Officer Jason Van Dyke's name is -- or signature is at the bottom of the Receipt Form and is dated April 4, 2016.

Marking as Exhibit 6 an April 4, 2016, memo to William Marback, the Deputy Inspector General, from Brendan Deenihan Commander of Bureau of Internal Affairs.

(WHEREUPON, a certain document was marked Exhibit No. 6, for identification, as of 04/07/2016.)

MS. ANSARI: The memo states that the Reporting Commander met with Officer Jason Van Dyke on April 4th, 2016 at 1530 hours at the Fraternal Order of Police Hall on 1412 West Washington. Also present was Sergeant Daniel O'Connor from BIA and FOP representative Tom McDonough.

Reporting Commander gave Officer Van Dyke a direct order to cooperate with the ongoing investigation into the allegations of misconduct against him.

Reporting Commander served Van Dyke with the Notification of Interview for CPD member. The interview was scheduled for April 7th, 2016, 10:00 a.m., at 300 West Adams, Chicago, Illinois.

Reporting Commander also served Van Dyke with Notification of Allegations as well as a Receipt Form regarding additional items given to Van Dyke.

Officer Van Dyke signed all the appropriate forms and stated he understood the order to cooperate with the investigation.

Furthermore, Reporting Commander

tendered General Order 0801 and Rule 51 of CPD's rules and regulations. Both explained a member's duty to cooperate with any ongoing administrative investigation.

The memorandum is signed by Brendan Deenihan.

Officer Van Dyke, did Reporting Commander Brendan -- did Commander Brendan Deenihan give you an order -- a direct order to cooperate with the ongoing investigation into allegations of misconduct against you on April 4, 2016?

MR. HERBERT: We will acknowledge that that order was given, which is why we're here.

MS. ANSARI: Marking as Exhibit 7 a transcript of Officer Van Dyke's October 22nd, 2014, IPRA interview.

(WHEREUPON, a certain document was marked Exhibit No. 7, for identification, as of 04/07/2016.)

MS. ANSARI: Officer Van Dyke, have you seen this document?

OFFICER VAN DYKE: For all the reasons addressed previously, I invoke my Fifth

Amendment rights.

MS. ANSARI: As noted on the Receipt Form that Officer Van Dyke signed on February 24, 2016, Officer Van Dyke received the transcript of his October 22, 2014, interview with IPRA.

I'm marking into evidence Exhibit 8 an excerpt of a CPD Case Supplementary Report dated March 16, 2015, with RD Number HX4756534 containing Officer Van Dyke's statement to Detective March.

(WHEREUPON, a certain document was marked Exhibit No. 8, for identification, as of 04/07/2016.)

MS. ANSARI: Officer Van Dyke, did you receive this statement on February 24, 2016?

OFFICER VAN DYKE: For all the reasons addressed previously, I invoke my Fifth Amendment rights.

MS. ANSARI: For the record, the Receipt Form lists the CPD Case Supplementary Report dated March 16, 2015.

I'm marking into evidence as Exhibit 9 a second excerpt of a CPD Case Supplementary Report dated March 16, 2015, with

RD Number HX475653 containing Officer Van Dyke's second statement to Detective March.

(WHEREUPON, a certain document was marked Exhibit No. 9, for identification, as of 04/07/2016.)

MS. ANSARI: Officer Van Dyke, have you read this statement?

MR. HERBERT: What was the question? Has he read it?

MS. ANSARI: Or do you understand -- did you receive this statement on --

MR. HERBERT: This case report?

MS. ANSARI: Did you receive this case report from IAD on April 4, 2016?

OFFICER VAN DYKE: For all the reasons addressed previously, I invoke my Fifth Amendment right.

MR. HERBERT: At this time we're going to -- my client is going to invoke his Fifth Amendment rights, so whatever documents you have, if you want to just enter them into the record, that's fine. They're going to be part of the record. Our answer's not going to change so...

MS. ANSARI: Okay. I'm entering into evidence Exhibit 10, a General Progress Report dated October 20, 2014, with RD Number HX475653 containing Detective March's notes of his interview of Officer Van Dyke.

(WHEREUPON, a certain document was marked Exhibit No. 10, for identification, as of 04/07/2016.)

MR. BROWN: Did you still want to see it at all?

MR. HERBERT: No.

MS. ANSARI: I'm entering into evidence Exhibit 11, a General Progress Report dated October 20th, 2014, with RD number HX475653 containing Detective March's notes of his second interview of Officer Van Dyke.

(WHEREUPON, a certain document was marked Exhibit No. 11, for identification, as of 04/07/2016.)

MS. ANSARI: I'm entering into evidence Exhibit 12 a Tactical Response Report with RD Number HX475653.

(WHEREUPON, a certain document was marked Exhibit No. 12, for identification, as of 04/07/2016.)

MS. ANSARI: I'm entering into evidence as Exhibit 13 an Officer's Battery Report with RD Number HX475653.

(WHEREUPON, a certain document was marked Exhibit No. 13, for identification, as of 04/07/2016.)

MS. ANSARI: Officer Van Dyke, I'd like to turn your attention to Exhibit 3. Exhibit 3 is the April 4, 2016, Notification of Allegations served on Jason Van Dyke with his signature on the last page.

Officer Van Dyke, on or about October 20th, 2014, you provided a false narrative to Detective David March of the Chicago Police Department concerning the McDonald shooting through a series of false statements and material omissions.

What is your response to the allegation against you?

OFFICER VAN DYKE: For all the reasons addressed previously, I invoke my Fifth

Amendment rights.

MR. HERBERT: And I will state for the record that there's not an answer that we could give to any of these allegations that would not be violative of the decorum order and would not subject my client to further criminal prosecution.

So, based on that, my client will invoke his Fifth Amendment right to any questions. So, with that being said, we can -- I'm hoping we can adjourn.

MS. ANSARI: Well, it's OIG's position, as this is a compelled administrative interview and, as you have been advised, the statements you make during this interview cannot be used against you in a criminal proceeding, therefore, your invocation of the Fifth Amendment is not valid.

Accordingly, should you fail to answer the question, your failure to respond will subject you to discipline.

MR. HERBERT: And I will just state that the IG's position on that is patently false. Statements made during an administrative

investigation can, in fact, be used as -- in furtherance of the prosecution and they can certainly be used as substantive evidence when it comes to the areas of impeachment. So I wanted to point that fact out.

And if you want -- off the record, if you don't mind?

MR. BROWN: Sure. The time is 10:44 and we're off the record.

(WHEREUPON, discussion was had off the record.)

MS. ANSARI: Let's go back on the record. It's 10:45 a.m.

MR. HERBERT: It's my understanding that any questions that would be asked of my client would require him to give answers that would be in violation of his Fifth Amendment rights as well as the decorum order that we addressed earlier.

So at this point, we do not see the necessity to answer any further questions unless the IG has questions that do not relate to this case in some way, shape, or form.

MS. ANSARI: Mr. Herbert, has your client

read allegations 1 through 34 in the notification of allegations?

MR. HERBERT: Yes.

MS. ANSARI: Does he understand the allegations made against him by the OIG in allegations 1 through 34 in the notification of allegations?

MR. HERBERT: No, he doesn't and nor do I.

MS. ANSARI: And is your position that Officer Van Dyke will take the Fifth Amendment in response to any questions relating -- any question -- in response to the allegations 1 through 34 in the Notification of Allegations.

MR. HERBERT: He has to otherwise he would subject himself to further criminal prosecution and a violation of a court order.

MS. ANSARI: In addition to the questions relating to the allegations in the Notification of Allegations, OIG has additional questions concerning the Laquan McDonald shooting. Is it correct that you will invoke the Fifth Amendment in response to each of those questions?

MR. HERBERT: If it relates to the Laquan McDonald shooting in any way, shape, or form,

it's evidence in a future criminal proceeding and it is evidence that is subject to an ongoing criminal investigation by the federal government, so yes.

MS. ANSARI: Can we take a quick break. It's 10:47 a.m.

(WHEREUPON, a recess was had.)

MS. ANSARI: We're back on the record. It's 10:48 a.m.

We'd like to go through each of the allegations 1 through 34 one by one and have Officer Van Dyke respond to each in turn.

MR. HERBERT: We are not going to do that. My client is facing a first degree murder charge in which the sentence is a minimum of 45 years in jail.

We have come down here because we're compelled to come down here. We have indicated the legal bases as to why we cannot answer any of these questions. The purpose of going through questions in which we know what the answer is going to be would serve no purpose, and, respectfully, because we are compelled by the court and my client has criminal rights, we

cannot and will not speak on this issue.

So, therefore, unless there is anything that is unrelated to this case, we are going to leave at this point.

MR. BROWN: The time is 10:49 and that will terminate the interview.

(WHEREUPON, the interview was concluded at 10:49 a.m.)

C E R T I F I C A T E O F R E P O R T E R

I, MICHELLE M. YOHLER, a Certified Shorthand Reporter within and for the County of Cook, State of Illinois, do hereby certify:

That previous to the commencement of the examination of the witness, the witness was duly sworn to testify the whole truth concerning the matters herein;

That the foregoing interview transcript was reported stenographically by me, was thereafter reduced to typewriting under my personal direction and constitutes a true record of the testimony given and the proceedings had;

That the said interview was taken before me at the time and place specified;

That I am not a relative or employee or attorney or counsel, nor a relative or employee of such attorney or counsel for any of the parties hereto, nor interested directly or indirectly in the outcome of this action.

IN WITNESS WHEREOF, I do hereunto set my hand and affix my seal of office at Chicago, Illinois, this 7th day of April, 2016.



C.S.R. Certificate No. 84-4531.

Exhibits

Van Dyke Exhibit No. 1 3:4 14:7,11

Van Dyke Exhibit No. 2 3:5 14:15,20

Van Dyke Exhibit No. 3 3:6 15:1,5 23:11

Van Dyke Exhibit No. 4 3:7 15:21 16:2,15

Van Dyke Exhibit No. 5 3:8 17:3,6

Van Dyke Exhibit No. 6 3:9 17:18,23

Van Dyke Exhibit No. 7 3:10 19:15, 19

Van Dyke Exhibit No. 8 3:12 20:6,12

Van Dyke Exhibit No. 9 3:13 20:23 21:4

Van Dyke Exhibit No. 10 3:15 22:2, 7

Van Dyke Exhibit No. 11 3:16 22:13,18

Van Dyke Exhibit No. 12 3:17 22:21 23:2

Van Dyke Exhibit No. 13 3:18 23:5, 8

Van Dyke Exhibit A 3:22 8:13,14

0

04/07/2016 9:15 14:12,21 15:6 16:3 17:7,24 19:20 20:13 21:5 22:8,10 23:3,9

0801 19:1

1

1 14:7,11

10 22:2,7

10:00 18:15

10:15 4:22

10:27 13:12

10:29 13:16

10:33 16:8,13

11 22:13,18

12 22:21 23:2

13 23:5,8

1412 18:4

15-CR-20622 8:15

1530 18:3

16 20:8,21,24

2

2 14:15,20 17:1

2-56 5:16

20 8:16 22:3

2014 19:17 20:5 22:3,14 23:16

2015 20:8,21,24

2016 4:22 8:17 14:18 15:3,9,23 16:16 17:2,4,17,19 18:3,15 19:12 20:4,15 21:14 23:12

20th 22:14 23:16

22 20:5

22nd 19:16

24 15:23 16:16 17:2 20:3,15

3

3 15:1,5 23:11

300 4:24 18:15

31st 14:18

34 15:12

4

4 15:3,8,21 16:2,15 17:4,17,18 19:12 21:14 23:12

4th 14:24 18:3

5

5 17:3,6

51 19:1

6

6 17:18,23

6.1 7:21

7

7 4:22 19:15,19

7th 18:15

8

8 20:6,12

800 4:24

9

9 20:23 21:4

A

a.m. 4:22 13:12,16 16:13 18:15

accuracy 4:6

acknowledge 6:7 13:21 14:22 15:7 19:13

Adams 4:24 18:15

additional 18:19

Address 5:10

addressed 7:16 10:4 16:21 17:12 19:24 20:17 21:16 23:24

administrative 6:21,24 11:11,18 12:14 13:20,22 14:7,9 19:4

advice 9:24 14:4

advise 12:5

advisement 6:2 7:4 14:3

Affairs 10:8 17:21

agreed 7:22

agreement 7:20

ahead 7:3

aid 4:6

allegation 23:22

allegations 9:3,5, 7 15:2,10,12,13,20 18:11,18 19:11 23:12

Amendment 6:15,17,19 7:6 9:21 10:5,22 14:1 16:22 17:13 20:1,

04/07/2016 VAN DYKE JASON
IN RE JASON VAN DYKE
Amicus Reporters info@amicusreporters.com
300 West Adams Suite 800 Chicago, Illinois 60606 888.641.3550

18 21:17,20

Amicus 4:23

Ansari 4:1,19 5:1, 13,24 6:20 7:12 9:22 10:6,11,12 11:3 12:20 13:2,6, 10,15 14:6,15 15:1,11,21 16:4, 12,23 17:8,14 18:1 19:15,21 20:2,14, 19 21:6,10,13 22:1,12,20 23:4,10

answer's 21:23

answers 9:6

applies 8:8

April 4:22 14:24 15:3,8 17:4,17,18 18:3,15 19:12 21:14 23:12

attempting 10:20

attention 23:11

audio 4:8,12

aware 12:8

B

B-r-o-w-n 5:5

back 13:15 16:12

bargaining 7:19

based 10:22

Battery 23:5

behalf 5:8

BIA 18:6

bottom 17:16

Brendan 17:20 19:5,8

Brown 5:5 10:15 14:2,13 16:8 22:9

Brown's 6:4

Bureau 10:7 17:21

C

call 10:6

calls 6:13

case 4:18 6:12,24 8,12,13,15,16,20, 22 12:11 15:17 20:7,20,23 21:12, 13

CBA 6:23

certified 4:3

change 21:23

Chapter 5:16

charged 8:7 15:18

Chicago 5:6,17 18:16 23:18

City 5:6,17

clear 8:9

clearer 8:4

client 7:10,18 9:1, 19 12:10 13:24 15:10,11 21:19

client's 14:23 15:9,14

Code 5:17

collective 7:19

commander 6:13 10:7,10,11 11:2,4, 6,7,16,21,23,24 12:1,7,16,20,24 13:3,5,8,18 17:21 18:2,8,12,17,24 19:8

commencement 8:2

conducted 5:16

confidential 4:9

Constitutional 8:1

contained 15:19

contempt 8:24

contract 8:9 12:14

cooperate 11:10, 12,17 18:9,23 19:3,10

copy 13:22

correct 7:11,12 12:6,7 14:3,4

counsel 9:24 10:15 12:20 14:5

court 4:3,8,10,23 5:1,21

court-reported 10:13

CPD 14:17 18:13 20:7,20,23

CPD'S 19:1

criminal 6:11 7:10,23 8:5,13,15, 24 12:5,13,17,19 15:15

custom 4:7

D

D-y-k-e 5:12

Dan 5:7 10:15 11:24 12:1

Daniel 18:5

date 4:22

dated 14:18 15:3, 22 16:16 17:2,4,17 20:8,21,24 22:3,13

David 23:17

decorum 8:18

Deenihan 10:7, 10,11 11:2,4,6,7, 16,21 12:1,7,16, 20,24 13:4,5,8,18 17:20 19:6,9

defendant 12:11

degree 8:7

Department 23:18

Deputy 17:19

Detective 20:10 21:2 22:4,15 23:17

direct 11:17 18:9 19:9

discontinued 4:13

discussed 9:10, 18

discussion 13:13 16:10

document 9:13 14:10,16,19 15:2, 4,22 16:1,15 17:3, 5,22 19:18,22 20:11 21:3 22:6,17 23:1,7

documents 21:20

due 15:15

duly 5:23

duty 19:3

DVD 16:18

Dyke 4:14 5:9,11, 19,20,24 7:2,3 9:20,22 10:3,14, 19,24 11:6,15,20 13:17 14:8,17 16:4,17,20 17:8,11 18:3,9,12,18,20,21 19:7,21,23 20:3,4, 14,16 21:6,15 22:5,16 23:10,13, 15,23

Dyke's 16:24 17:15 19:16 20:9 21:1

E

earlier 11:8

04/07/2016 VAN DYKE JASON
IN RE JASON VAN DYKE
Amicus Reporters info@amicusreporters.com
300 West Adams Suite 800 Chicago, Illinois 60606 888.641.3550

employment 6:22
enter 21:21
entered 8:16
entering 22:1,12, 20 23:4
entitled 8:18 14:16 15:2,22 16:15 17:4
evidence 8:21 20:6,22 22:2,12,20 23:4
excerpt 20:7,23
exhibit 8:13,15 9:12,14 14:7,11, 15,20 15:1,5,21 16:2,15 17:3,6,18, 23 19:15,19 20:6, 12,23 21:4 22:2,7, 13,18,21 23:2,5,8, 11
explained 19:2

F

fact 8:6 12:10,12
failure 11:12
false 23:16,19
February 15:23 16:16 17:2 20:3,15
federal 12:9 15:17
filed 7:17 9:19
filled 6:3
find 6:13
fine 21:22
FOP 18:6
form 6:1 14:7,9 15:22 16:6,16 17:1,4,10,16 18:19 20:2,20
forms 18:22
forward 6:10
Fraternal 18:4

G

G-a-u-g-h-a-n 8:17
Gaughan 8:17,24 9:9
gave 18:8
General 4:12 5:6 6:23 7:1 10:13,17 11:9 13:19 17:20 19:1 22:2,13
General's 11:1
give 9:11 12:17,18 19:9
giving 11:17
good 5:7 12:1,3 13:6
government 12:10 15:17
grand 12:9
grievance 7:16 9:18
guess 6:12
guys 13:9

H

H-e-r-b-e-r-t 5:8
Hall 18:4
hand 5:21 6:1
Herbert 4:16 5:7,8 6:9 7:7,13 9:16 10:15 11:5,23,24 12:3,8,18,23 13:1, 21 14:4,22 15:7,14 16:7 19:13 21:8 12,18 22:11
hours 18:3
HX475653 21:1 22:3,14,22 23:6
HX4756534 20:8

I

IAD 21:14
identification 9:15 14:11,20 15:5 16:2 17:6,23 19:19 20:12 21:4 22:7,18 23:2,8
identify 5:3
Illinois 18:16
including 4:11 9:17 11:13
independent 4:3
individuals 5:3,13
information 4:2 9:17,23 15:19 16:5 17:9
Inspector 4:12 5:6 7:1 10:12,17 11:1 13:19 17:20
Internal 10:7 17:21
interrogation 8:3
interview 4:5,8 5:18 10:14,19 14:17 18:13,14 19:17 20:5 22:5,16
investigation 5:16 6:21 7:15,17 9:6 11:11,18 12:9 15:16 18:10,23 19:4,10
Investigator 6:4 10:15
invoke 6:14 9:20 10:4 13:24 16:21 17:12 19:24 20:17 21:16,19 23:24
involved 8:19
IPRA 19:17 20:5
items 18:20

J

January 8:16
Jason 5:8,11,18 6:11 9:20 10:14 11:4 12:5 16:24 17:15 18:2 23:13
Judge 8:17,24 9:8
jury 12:9

K

Kris 10:15
Kristopher 5:5

L

language 9:17
Laquan 10:2,21
law 6:18
light 8:6
lines 14:14
listed 16:5,18 17:9
lists 20:20
located 4:23

M

maintain 13:24
Marback 17:19
March 14:18 20:8, 10,21,24 21:2 23:17
March's 22:4,15
mark 8:13 9:12
marked 6:1 9:13 14:10,19 15:4 16:1 17:5,22 19:18 20:11 21:3 22:6,17

04/07/2016 VAN DYKE JASON
IN RE JASON VAN DYKE
Amicus Reporters info@amicusreporters.com
300 West Adams Suite 800 Chicago, Illinois 60606 888.641.3550

23:1,7
marking 14:6,15 15:1,21 16:15 17:3,18 19:15 20:6,22
material 23:20
materials 16:18
matter 4:1 9:8
Mcdonald 10:2,21 23:19
Mcdonough 18:7
member 14:17 18:14
member's 19:3
memo 17:19 18:1
memorandum 19:5
met 18:2
Michelle 5:2
misconduct 18:11 19:11
morning 5:7
Municipal 5:17
murder 8:7

N

narrative 23:17
note 16:23 17:14
noted 20:2
notes 14:23 22:4, 15
notice 10:18
notification 14:16 15:2,13 18:13,18 23:12
noting 14:8
number 20:8 21:1 22:3,14,22 23:6

O

O'connor 18:6
objections 7:14 9:23
October 19:16 20:5 22:3,14 23:16
Office 4:11 5:6 6:24 10:12,17 11:1 13:18
officer 4:14 5:11, 18,20,24 7:2,3,24 9:22 10:3,14,19,24 11:6,15,20 13:17 14:8,17 16:4,17, 20,24 17:8,11,15 18:2,9,21 19:7,16, 21,23 20:3,4,9,14, 16 21:1,6,15 22:5, 16 23:10,15,23
Officer's 23:5
OIG'S 6:20
omissions 23:20
ongoing 12:9 15:16 18:10 19:3, 10
order 6:23 8:16, 18,22,23 10:24 11:9,14,17 13:17 18:4,9,23 19:1,9, 14
outcome 6:21

P

paragraph 6:7,8 7:21
part 9:8 21:22
parties 7:20 21
party 4:11
penalty 11:12
personally 14:24 15:8
pertaining 9:2
phone 10:9 12:24
point 6:9,14 15:15
Police 18:4 23:18
position 6:20 7:5 9:19 15:14
practice 4:7
precluded 9:9
preliminary 4:1
present 4:3 5:3,14 10:16 18:5
prevents 8:19
previously 9:18 10:4 16:21 17:12 19:24 20:17 21:16 23:24
prior 8:2
probable 7:23 8:5
product 4:9
Progress 22:2,13
property 4:10
prosecution 7:23 8:5
provide 4:4 7:1,2, 18
provided 4:11 6:11 9:23 10:18 11:9 23:16
providing 4:2 8:20
pursuant 5:15 9:21 12:13,14
put 7:14
putting 12:21

Q

question 6:17 9:5 21:8
questions 7:6,8 9:7 10:1,20,22 11:1 15:12
quick 11:23

R

raise 5:21
read 6:5,8 13:19, 23 15:10 21:7,9
real 11:23
reasons 7:13 9:1, 16 10:3 16:20 17:11 19:23 20:16 21:15 23:23
receipt 14:22 15:22 16:5,15,19 17:1,4,9,16 18:19 20:2,19
receive 20:15 21:11,13
received 13:22 16:5,17 17:9 20:4
record 4:8,19,21 5:4 7:14 12:4,21 13:11,14,15 16:7, 9,11,12,14,24 17:14 20:19 21:22, 23
recorded 4:18
recording 4:9,13, 15,20
reflect 4:21
refused 10:21 14:8
refusing 10:1
regulations 19:2
related 8:21
relates 6:22
remain 9:20
report 20:7,20,24 21:12,14 22:2,13,

04/07/2016 VAN DYKE JASON
IN RE JASON VAN DYKE
Amicus Reporters info@amicusreporters.com
300 West Adams Suite 800 Chicago, Illinois 60606 888.641.3550

21 23:5
reporter 4:3,10 5:2,21
reporters 4:8,23
Reporting 4:8,23 12,17,24 19:7
representative 18:6
request 4:12 10:23
required 6:17 11:10
requirement 7:18
Respondent's 8:14 9:14
response 22:21 23:21
result 11:12
returning 4:20
rights 6:2,11,19, 24 7:4,11 8:1,10 12:6,15,17,19 13:20,23 14:7,9 20:1,18 21:20
RINGING 10:9
Rule 19:1
rules 19:2

S

Sarah 5:1 10:12 14:13
scheduled 18:14
section 7:21 8:8
self-incrimination 8:2,10
separation 11:13
Sergeant 18:5
series 23:19
served 9:4 14:24 15:8 18:12,17 23:13
shooting 10:2,21, 23 23:19
sign 14:2,5,14
signature 14:23 15:9 16:24 17:15 23:13
signed 18:21 19:5 20:3
silent 9:21
sir 11:15,20
situation 7:22
Someone's 12:18
speak 15:19
speaker 11:2,3
specifically 7:20 9:9
spell 5:4
spoke 11:7
state 15:17
stated 18:22
statement 7:19 20:9,15 21:2,7,11
statements 8:20 23:20
states 11:10 18:1
sticker 9:11
stipulate 12:23
subject 8:22,23 9:3,8
subject's 6:22
Suite 4:24
Supplementary 20:7,20,24
swear 5:22
sworn 5:23

T

Tactical 22:21
talk 9:2
tendered 19:1
testifying 8:20
thing 12:22
time 4:22 10:6 11:16 16:8 21:18
today 4:4 5:15 7:11 9:4,6
today's 4:21
Tom 18:6
transcript 4:4,7 19:16 20:4
turn 23:11

U

understand 6:8 11:14,18 13:23 21:10
understanding 6:10 7:9 12:4
understands 15:10
understood 18:22

V

V-a-n 5:12
Van 4:14 5:9,11, 19,20,24 7:2,3 9:20,22 10:3,14, 19,24 11:6,15,20 13:17 14:8,17 16:4,17,20,24 17:8,11,15 18:2,9, 12,18,20,21 19:7, 16,21,23 20:3,4,9, 14,16 21:1,6,15 22:5,16 23:10,13, 15,23
verbatim 4:4
Vincent 8:17
violates 7:19 8:23

W

waive 6:18
warnings 8:11 12:13
Washington 18:5
week 11:9
West 4:24 18:4,15
William 17:19
witnesses 8:19
work 4:9

Y

Yohler 5:2

04/07/2016 VAN DYKE JASON
IN RE JASON VAN DYKE
Amicus Reporters info@amicusreporters.com
300 West Adams Suite 800 Chicago, Illinois 60606 888.641.3550

CITY OF CHICAGO
OFFICE OF INSPECTOR GENERAL

ADVISEMENT OF RIGHTS

I, Jason Van Dyke, understand that I am being interviewed by Sarah Anson and Kristopher Brown from the City of Chicago Office of Inspector General.

DATE 4/7/16 TIME 10:15am LOCATION 300 W Adams St Suite 800

I understand that this interview is part of an official investigation and that I have a duty to cooperate with the Office of Inspector General, which includes answering all questions completely and truthfully.

I understand that I have no right to remain silent. I understand that I have an obligation to answer questions put to me truthfully. I understand that if I refuse to answer questions put to me, I will be ordered by a superior officer to answer the questions. I further understand and I have been advised that if I persist in my refusal to answer after an order to do so, such further refusal constitutes a violation of the Rules and Regulations of the Chicago Police Department and may serve as the basis for my discharge.

I understand and have been advised that my statements or responses may constitute an official police report. I understand that Rule 14 of the Chicago Police Department's Rules and Regulations prohibits making a false report, written or oral, and I further understand that making such a false report, whether written or oral, may result in my separation from the Chicago Police Department.

I understand that any statement made by me during this interview may be used as evidence of misconduct or as the basis for disciplinary action up to and including removal or discharge.

I understand that any statement made by me during this interview and the fruits thereof cannot be used against me in a criminal proceeding.

I understand that I have the right to have a union representative, or legal counsel of my choosing, present at the interview to consult with, and that I will be given a reasonable time to obtain a union representative or legal counsel as long as the interview is not unduly delayed.

I understand that a refusal to answer any question, or any false, inaccurate, or deliberately incomplete statement by me would constitute a violation of Chicago Municipal Ordinance 2-56, and may serve as the basis for my discharge.

I acknowledge that this statement of my administrative rights has been read aloud to me, and I have been allowed to review this document.

Employee Signature

Witness: Sarah Anson Witness: Kristopher Brown

WAIVER

Understanding these rights, I wish to answer questions from investigators from the Office of Inspector General without having a union representative or legal counsel present. No promises or threats have been made to me and no pressure or coercion of any kind has been used against me.

Employee Signature: _____



NOTIFICATION OF INTERVIEW TO CPD MEMBER CITY OF CHICAGO OFFICE OF INSPECTOR GENERAL			DATE March 31, 2016
NAME	RANK	STAR NO.	UNIT OF ASSIGNMENT
Jason Van Dyke	Police Officer	9465	008

YOUR APPEARANCE IS REQUIRED

AT ☒ Amicus Court Reporters 300 West Adams, Ste. 800 Chicago, IL. 60606	ON	DATE April 7, 2016	TIME 10:00 AM

AS ☒ ACCUSED ☐ WITNESS ☐ COMPLAINANT

FOR ☒ A STATEMENT

CONCERNING
False statements made in connection with the October 20, 2014 shooting of Laquan McDonald; the operation of the Chicago Police Department's in-car video system.

YOU ARE TO REPORT TO:

LEAD INVESTIGATOR	TITLE	PHONE NO.	EMAIL
Kristopher Brown	Investigator III	773-478-0221	kbrown@chicagoinspectorgeneral.org

NOTE: You MUST notify the Lead Investigator of your inability to keep this scheduled appointment.

ALSO PRESENT AT THE INTERVIEW WILL BE:

NAME	TITLE	NAME	TITLE
Sarah Ansari	Assistant Inspector General	N/A	N/A

THE INTERVIEW WILL BE ☐ AUDIO RECORDED ☒ TRANSCRIBED BY A LIVE REPORTER

TO BE COMPLETED BY INTERVIEWEE (if applicable)

ACKNOWLEDGEMENT

Please contact Investigator Brown at (773) 478-0221 to confirm receipt of Notification of Interview and to confirm your attendance at the interview.

I hereby acknowledge receipt of this Notification of Interview.

SIGNATURE [signature] 9465 DATE 4-4-16

PRINTED NAME JASON D. VAN DYKE TIME 330

EXHIBIT 2

TO BE COMPLETED BY OFFICE OF INSPECTOR GENERAL OR CPD COMPONENT PROVIDING NOTIFICATION TO INTERVIEWEE

NOTIFICATION MADE TO:	TITLE, RANK, & UNIT	DATE	TIME
William MARBACK	Dep. Inspector General	4-4-16	1545HRS
NOTIFICATION MADE BY:	**TITLE, RANK, & UNIT**	**DATE**	**TIME**
David Orr #1251	Sgt BIA Advocate	4-4-16	1545HRS

NOTIFICATION OF ALLEGATIONS

CITY OF CHICAGO OFFICE OF INSPECTOR GENERAL

NAME OF ACCUSED	RANK	STAR NO	UNIT OF ASSIGNMENT
Jason Van Dyke	Police Officer	9465	008

City ordinance, and if applicable, collective bargaining agreements, provide that you are entitled to notice of the nature of the allegations against you and the identity of all complainants prior to any interview. Accordingly, you are advised as follows:

COMPLAINANT

1. John J. Escalante, Interim Superintendent of Chicago Police Department, sent a letter to the City of Chicago Office of Inspector General (OIG) dated January 13, 2016, requesting that OIG conduct an administrative investigation of the following allegations arising out of the October 20, 2014 shooting death of Laquan McDonald (the McDonald Shooting): "whether any officer(s) made false statements on official reports submitted in connection with the shooting of Laquan McDonald on October 20, 2014; whether any officer(s) obstructed or interfered with the investigation of this incident, either individually or in collusion with others; and whether any officer(s) committed any violation of Chicago Police Department rules, policies, or orders in connection with their response and/or handling of this matter." Escalante attached to the letter a copy of Sergeant S. Soria's (Star # 2275) Initiation Report, which raises similar allegations of misconduct with respect to Department members in connection with the McDonald Shooting, and identified that Report as a basis for OIG's administrative investigation.

ALLEGATIONS

1. On or about October 20, 2014, you provided a false narrative to Detective David March of the Chicago Police Department (CPD) concerning the McDonald Shooting through a series of false statements and material omissions.

2. On or about October 20, 2014, you made a false statement during an interview with CPD Detective March when, with respect to the McDonald Shooting, you stated that McDonald ran out onto Pulaski and then turned southbound, running towards a Dunkin' Donuts restaurant.

3. On or about October 20, 2014, you made a false statement during an interview with CPD Detective March when, with respect to the McDonald shooting, you stated that Officer Walsh positioned your police vehicle between McDonald and the Dunkin' Donuts to block McDonald's path towards that restaurant.

4. On or about October 20, 2014, you made a false statement during an interview with CPD Detective March when, with respect to the McDonald Shooting, you stated that McDonald was swinging a knife in an aggressive, exaggerated manner.

5. On or about October 20, 2014, you made a false statement during an interview with CPD Detective March when, with respect to the McDonald Shooting, you stated that McDonald ignored your verbal directions to drop the knife and continued to advance toward you.

6. On or about October 20, 2014, you made a material omission during an interview with CPD Detective March when, with respect to the McDonald



Shooting, you failed to state that McDonald changed the direction in which he was walking prior to the shooting.

7. On or about October 20, 2014, you made a material omission during an interview with CPD Detective March when, with respect to the McDonald Shooting, you failed to state that you and Officer Walsh moved towards McDonald prior to the shooting.

8. On or about October 20, 2014, you made a false statement during an interview with CPD Detective March when, with respect to the McDonald Shooting, you stated that when McDonald got within 10 to 15 feet of you, he raised the knife across his chest and over his shoulder, pointing the knife at you.

9. On or about October 20, 2014, you made a false statement during an interview with CPD Detective March when, with respect to the McDonald Shooting, you stated that you believed McDonald was attacking you with the knife and attempting to kill you.

10. On or about October 20, 2014, you made a false statement during an interview with CPD Detective March when, with respect to the McDonald Shooting, you stated that you backpedaled and fired your handgun at McDonald.

11. On or about October 20, 2014, you made a false statement during an interview with CPD Detective March when, with respect to the McDonald Shooting, you stated that McDonald fell to the ground but continued to move and continued to grasp the knife, refusing to let go of it.

12. On or about October 20, 2014, you made a false statement during an interview with CPD Detective March when, with respect to the McDonald Shooting, you stated that McDonald appeared to be attempting to get up, while continuing to point the knife at you.

13. On or about October 21, 2014, you provided CPD Detective David March with a false explanation of the rationale for your decision to use deadly force against Laquan McDonald, through a series of false statements.

14. On or about October 21, 2014, you and CPD Detective March conspired to create a false justification for your use of deadly force against McDonald.

15. On or about October 21, 2014, you made a false statement during an interview with CPD Detective March when, with respect to the McDonald Shooting, you stated that you used deadly force against Laquan McDonald because you were aware of the widely accepted teaching in law enforcement that an assailant armed with a knife was considered a deadly threat, if he or she was within 21 feet of an officer.

16. On or about October 21, 2014, you made a false statement during an interview with CPD Detective March when, with respect to the McDonald Shooting, you stated that you used deadly force against Laquan McDonald because you were aware of the existence of throwing knives, which can be thrown from a distance, as well as spring loaded knives, which propel a blade through the air from the knife handle.

17. On or about October 21, 2014, you made a false statement during an interview with CPD Detective March when, with respect to the McDonald shooting, you stated that you used deadly force against Laquan McDonald because you recalled a previously issued CPD bulletin warning of a weapon which appeared

to be a knife, but was actually capable of firing a bullet, making it a firearm.

18. On or about October 22, 2014, you provided a false narrative to Independent Police Review Authority (IPRA) Investigator Brian Killen concerning the McDonald Shooting through a series of false statements and material omissions.

19. On or about October 22, 2014, you made a false statement during an interview with IPRA Investigator Killen when, with respect to the McDonald shooting, you stated that you and Officer Walsh cut McDonald off as he was trying to run to Dunkin' Donuts.

20. On or about October 22, 2014, you made a false statement during an interview with IPRA Investigator Killen when, with respect to the McDonald Shooting, you stated that McDonald was running southbound in the middle of Pulaski towards you and waving a knife at you.

21. On or about October 22, 2014, you made a material omission during an interview with IPRA Investigator Killen when, with respect to the McDonald Shooting, you failed to state that McDonald changed the direction in which he was walking prior to the shooting.

22. On or about October 22, 2014, you made a false statement during an interview with IPRA Investigator Killen when, with respect to the McDonald Shooting, you stated that you backpedaled as McDonald was coming towards you.

23. On or about October 22, 2014, you made a false statement during an interview with IPRA Investigator Killen when, with respect to the McDonald Shooting, Killen asked if you were still moving backwards when you fired, and you stated, "Yes."

24. On or about October 22, 2014, you made a material omission during an interview with IPRA Investigator Killen when, with respect to the McDonald Shooting, you failed to state that you and Officer Walsh moved towards McDonald prior to the shooting.

25. On or about October 22, 2014, you made a false statement during an interview with IPRA Investigator Killen when, with respect to the McDonald Shooting, you stated you believed McDonald was going to take your life.

26. On or about October 22, 2014, you made a false statement during an interview with IPRA Investigator Killen when, with respect to the McDonald Shooting, Killen asked if everything you stated was a true and accurate account of what occurred, and you stated, "Yes."

27. On or about October 20, 2014, in the Tactical Response Report you completed concerning the McDonald Shooting, which includes an Event Number of 1429315878 and an R.D. Number of HX475653 (the TRR), you made a false statement when you marked the box labeled "imminent threat of battery" under the category titled "Assailant: Assault."

28. On or about October 20, 2014, you made a false statement in the TRR when you marked the box labeled "attack with weapon" under the category titled "Assailant: Battery."

29. On or about October 20, 2014, you made a false statement in the TRR when you marked the box labeled "uses force likely to cause death or great bodily harm" under the category titled "Assailant: Deadly Force."

30. On or about October 20, 2014, in the Officer's Battery Report you completed concerning the McDonald Shooting, which included an R.D. Number of HX475653 (the Battery Report), you made a false statement when, under the heading titled "Manner of Attack," you marked the box labeled "stabbed/cut (including actual attempt)."

31. On or about October 20, 2014, you made a false statement in the Battery Report when you stated that three officers were battered.

32. On or about October 20, 2014, you failed to ensure the in-car video system for CPD vehicle 6412 was working properly at the beginning of your tour of duty.

33. On or about October 20, 2014, you failed to immediately notify a supervisor that the in-car video system for CPD vehicle 6412 was inoperable or damaged.

34. On or about October 20, 2014, you failed to audibly record events with CPD vehicle 6412's in-car video system during your tour of duty.

ACKNOWLEDGEMENT

I hereby acknowledge receipt in writing of the identity of the complainant(s) and notice of the nature of the allegation(s) against me.

Signature 9465 Date 4-4-16

Printed Name JASON VAN DYKE Time 330

WITNESSES

Sgt. [illegible] #1251

City of Chicago Office of Inspector General
740 North Sedgwick Street
Suite 200
Chicago, Illinois 60654

RECEIPT FORM

OIG FILE NO: 15-0564

ON: 24FEB16 (DATE) AT: 1258 (TIME)

Sgt J. Schaller 1881 (NAME) Sergeant (TITLE)

☐ SEIZED FROM ☐ RECEIVED FROM ☐ RETURNED TO ☒ RELEASED TO

NAME	TITLE	DEPT.
Jason Van Dyke	Police Officer	Chicago Police Department

THE FOLLOWING ITEM(S):

1. A City of Chicago Office of Inspector General DVD containing the following materials:

- a copy of the portion of the March 16, 2015 Case Supplementary Report for R.D. No. HX475653 that memorializes Detective David March's October 20, 2014 interview of Jason Van Dyke;
- Detective March's October 20, 2014 General Progress Report for R.D. No. HX475653 concerning March's October 20, 2014 interview of Jason Van Dyke;
- A copy of the transcript of the October 22, 2014 interview of Jason Van Dyke, conducted by Independent Police Review Authority Investigation Brian Killen;
- The October 20, 2014 Tactical Response Report for R.D. No. HX475653;
- The October 20, 2014 Officer's Battery Report for R.D. No. HX475653;
- The October 20, 2014 audio and video files for the in-car video system of beat number 813R;
- The October 20, 2014 audio and video files for the in-car video system of beat number 845R;



- The October 20, 2014 Dunkin Donuts security video of the Laquan McDonald shooting.

ACKNOWLEDGEMENT

I hereby acknowledge receipt in writing of the above-listed item(s).

Signature _____ Date 2-24-16

Printed Name JASON VAN DYKE Time 12:55

WITNESSES

_____ 1881

_____ FOP #2967

City of Chicago Office of Inspector General
740 North Sedgwick Street
Suite 200
Chicago, Illinois 60654

RECEIPT FORM

OIG FILE NO: 15-0564

ON 4-4-16 (DATE) AT 330 pm (TIME)

Sgt. David [illegible] #1251 (NAME) Sgt/CPD (TITLE)

☐ SEIZED FROM ☐ RECEIVED FROM ☐ RETURNED TO ☒ RELEASED TO

NAME	TITLE	DEPT
Jason Van Dyke	Police Officer	Chicago Police Department

THE FOLLOWING ITEM(S):

- A copy of the portion of the March 16, 2015 Case Supplementary Report for R.D. No. HX475653 that memorializes Detective David March's October 21, 2014 interview of Jason Van Dyke;
- Detective March's October 21, 2014 General Progress Report for R.D. No. HX475653 concerning March's October 21, 2014 interview of Jason Van Dyke.

ACKNOWLEDGEMENT

I hereby acknowledge receipt in writing of the above-listed item(s).

Signature [signature] 9465 Date 4-4-16

Printed Name JASON VAN DYKE Time 330

WITNESSES

Sgt. [signature] #1251

EXHIBIT 5 15-0564

Bureau of Internal Affairs 04 April 2016

TO: William Marback
Deputy
Inspector General

FROM: Brendan Deenihan
Commander
Bureau of Internal Affairs

SUBJECT: OIG #15-0564

Reporting Commander met with Officer Jason VAN DYKE on 04 April 2016 at 1530 hours at the Fraternal Order of Police Hall on 1412 W. Washington. Also present was Sgt. Daniel OCONNOR from BIA, and FOP representative Tom MCDONOUGH.

Reporting Commander gave Officer VAN DYKE a direct order to cooperate with the ongoing investigation into the allegations of misconduct against him. Reporting Commander served VAN DYKE with the Notification of Interview to CPD Member. The interview was scheduled for April 7th, 2016, 10:00 A.M. at 300 W. Adams, Chicago, IL. Reporting Commander also served VAN DYKE with Notification of Allegations, as well as a receipt form regarding additional items given to VAN DYKE.

Officer VAN DYKE signed all the appropriate forms, and stated he understood the order to cooperate with the investigation. Furthermore, Reporting Commander tendered General Order 08-01, and Rule 51 of the CPD's rules and regulations. Both explain a member's duty to cooperate with any ongoing administrative investigation.

Brendan Deenihan
Commander
Bureau of Internal Affairs

EXHIBIT
6
21,107

INDEPENDENT POLICE REVIEW AUTHORITY LOG #1072125 U#14-36

STATEMENT OF P.O. JASON VAN DYKE

CONDUCTED BY INVESTIGATOR KILLEN

ON OCTOBER 22, 2014 AT 1147 HOURS

AT THE INDEPENDENT POLICE REVIEW AUTHORITY



1072125

162

OIG 15-0564 008614

KILLEN: This is the audio recorded interview of Officer Jason Van Dyke regarding Log number 1072125 U number 14 dash 36. Today is the 22nd of October 2014. And the time is approximately 1147 hours. This statement is bein' taken at the offices of the Independent Police Review Authority at 1615 West Chicago Avenue. My name is Investigator Killen, that's spelled K I L L E N. My star number is 1 2 9. Present in the room is also uh FOP Field Rep uh Kriston Kato.

KATO: Kristen Kato, K R I S T O N. Last name is K A T O. FOP Field Representative.

KILLEN: Uh and also uh Attorney Thomas Rebholz.

REBHOLZ: Uh Attorney Thomas Rebholz, T H O M A S, R E B H O L Z.

KILLEN: Okay. And then Officer Van Dyke if you would say and spell your first name and last names for me.

P.O.VAN DYKE: Jason Van Dyke. J A S O N. V A N, D Y K E.

KILLEN: And uh what's your star number?

P.O.VAN DYKE: 9 4 6 5.

KILLEN: And your employee number?

P.O.VAN DYKE: [redacted]

KILLEN: All right. And your date of appointment with the Department?

P.O.VAN DYKE: 25 June 2001.

KILLEN: And your date of birth?

OIG 15-0564 008615

P.O.VAN DYKE: [redacted]

KILLEN: And your current unit of assignment?
P.O.VAN DYKE: 8th District.

KILLEN: How long you been assigned to 8?
P.O.VAN DYKE: Uh since January of this year.

KILLEN: Where were you before that?
P.O.VAN DYKE: 7th District.

KILLEN: Okay. (clears throat) And you're now prepared to give a statement regarding this incident?
P.O.VAN DYKE: Yes.

KILLEN: All right and you're aware that this statement has the standing of an official Department report. And that any intentional falsification to any answer to any question would be in direct violation of Department rules and regulations?
P.O.VAN DYKE: Yes.

KILLEN: Given that, I'd like to remind you that failure to provide a complete and accurate account of this incident could result in a finding of a violation of Rule 14 with discipline leading up to and including separation from the Chicago Police Department. Do you understand?
P.O.VAN DYKE: Yes.

KILLEN: All right and before we do start, any um, this device that we're usin' to record this is really

sensitive. So any whispered conversation you might have it'll pick it up. So you need to, if you wanna talk to the attorney raise your hand we'll pause it. We'll let you have your conversation then we'll continue on okay?

P.O.VAN DYKE: Yes.

KILLEN: All right so on 20 October 2014 at approximately 2156 hours what was your duty status and assignment?

P.O.VAN DYKE: Uh this statement is not being given voluntarily but under duress. I'm only giving this statement at this time because I know that I will loose my job if I refuse the direct order given to me.

KILLEN: Okay so same question October 20th approximately 2156 hours what was your duty status?

P.O.VAN DYKE: I was assigned to the Chicago Police Department.

KILLEN: Were you on duty?

P.O.VAN DYKE: Yes I was.

KILLEN: Okay. What time did you start work that night?

P.O.VAN DYKE: 2100 hours.

KILLEN: Okay and uh were you assigned a partner?

P.O.VAN DYKE: Yes I was.

KILLEN: Who's your partner?

P.O.VAN DYKE: Uh Joe Walsh.

OIG 15-0564 008617

KILLEN: All right and were you and Officer Walsh full uniform?

P.O.VAN DYKE: Uh we were in full uniform in a marked squad car.

KILLEN: Okay were you in a car, Tahoe, what were you in?

P.O.VAN DYKE: We were in a Tahoe.

KILLEN: Okay marked?

P.O.VAN DYKE: Yes.

KILLEN: Do you remember the outside number on it?

P.O.VAN DYKE: No I do not.

KILLEN: Do you remember what beat you were assigned?

P.O.VAN DYKE: Um 845 Robert.

KILLEN: Okay. And then so on 20 October 2014 your, your shift started 2100 hours correct?

P.O.VAN DYKE: Yes sir.

KILLEN: What would you be 2100 to 0600?

P.O.VAN DYKE: Yes.

KILLEN: Okay is that, that's your regular shift?

P.O.VAN DYKE: Um no I'm a relief officer.

KILLEN: Okay so you kinda bounce a lil bit?

P.O.VAN DYKE: Yes.

KILLEN: Okay. (clears throat) A midnight guy --

OIG 15-0564 008618

P.O.VAN DYKE: Yes.

KILLEN: -- essentially. All right. Did you work the night before?

P.O.VAN DYKE: No I did not.

KILLEN: So the 20th of October is like your Monday?

P.O.VAN DYKE: Yes.

KILLEN: Okay. Prior to, prior to showin' up to work on the 20th of October where were ya?

P.O.VAN DYKE: Um I was at home. And I had a part-time job that day.

KILLEN: Oh whadda you do?

P.O.VAN DYKE: Um I worked at uh the Wal-Mart in Cicero.

KILLEN: Security?

P.O.VAN DYKE: Yes.

KILLEN: Okay.

P.O.VAN DYKE: For Moneray.

KILLEN: Did you go, go from Moneray Security work, you work for Moneray Security?

P.O.VAN DYKE: Yes.

KILLEN: I gotcha. Did you go from your part-time job to, to the 8th District and work? Or did you go from home to 8?

P.O.VAN DYKE: I went from home to 8.

OIG 15-0564 008619

KILLEN: Okay. All right and then on 20 October 2014 approximately 2156 hours you were involved in a police shooting correct?

P.O.VAN DYKE: Yes.

KILLEN: All right. And if you would just start from the beginning explain what happened that night that brought you, brought you there?

P.O.VAN DYKE: Um I heard um 815 Robert requesting assistance and we responded.

KILLEN: Okay. So (inaudible) so 20, so on 20 October 2014 you start work at 2100 hours correct?

P.O.VAN DYKE: Yes.

KILLEN: So you get there you have roll call?

P.O.VAN DYKE: Yes.

KILLEN: What time do you have roll call at? About?

P.O.VAN DYKE: Around 2100, 2110.

KILLEN: Okay. And if you remember approximately what time did you get out of roll call?

P.O.VAN DYKE: Maybe 20 minutes later.

KILLEN: Okay so say somewhere between 2130, 2140?

P.O.VAN DYKE: Yes.

KILLEN: All right so you and Officer Walsh you go get your car?

P.O.VAN DYKE: Yes.

OIG 15-0564 008620

KILLEN: You guys get in the car. You leave the 8th District.

P.O.VAN DYKE: Yes.

KILLEN: And whadda you do immediately from leaving the 8th District?

P.O.VAN DYKE: Um we drove and we got some coffee at the 7 Eleven on 59th and Pulaski.

KILLEN: Okay. Is that where you're at when you hear the call that the 815 Robert needs assistance?

P.O.VAN DYKE: We were leaving there.

KILLEN: Okay. So you get your coffee and the call you're talkin' about you hear over the radio correct?

P.O.VAN DYKE: Yes.

KILLEN: Were you assigned the job? Or did you just hear it?

P.O.VAN DYKE: Um we didn't hear their initial job. We heard them requesting assistance.

KILLEN: Okay do you remember exactly what kinda assistance they were lookin' for or why?

P.O.VAN DYKE: Um they were requesting a taser for an individual.

KILLEN: Okay do you remember where they were at when they requested it?

P.O.VAN DYKE: They were around 40th and, 41st and one of the K streets. I don't remember.

OIG 15-0564 008621

KILLEN: Okay. (clears throat) So uh so you and Officer Walsh you leave the 7 Eleven parking lot basically?

P.O.VAN DYKE: We were already on Pulaski.

KILLEN: Okay but you just left the park, you just left 7 Eleven?

P.O.VAN DYKE: Right.

KILLEN: Who's drivin'?

P.O.VAN DYKE: Joe Walsh.

KILLEN: Okay. So you immediately then go to say 40th and whatever K street there, the 815 Robert were at?

P.O.VAN DYKE: Um yeah we were proceedin' southbound, yes.

KILLEN: Okay so you head toward --

P.O.VAN DYKE: I'm sorry northbound.

KILLEN: You see 'em north on Pulaski towards 40th Street?

P.O.VAN DYKE: Yes.

KILLEN: Okay. So you guys go lights and sirens?

P.O.VAN DYKE: Yes.

KILLEN: All right so you guys go straight from let's just say from 7 Eleven to 40th and Pulaski that's where you're headed?

P.O.VAN DYKE: Yes.

KILLEN: And what happens there?

OIG 15-0564 008622

P.O.VAN DYKE: Um once we get closer heard also over the air that um subject, they're still askin' for a taser and that the uh, the subject is armed uh with a knife. And that he had just slashed one of their tires.

KILLEN: So that's over the radio you hear all this correct?

P.O.VAN DYKE: Yes.

KILLEN: All right. Do you carry a taser?

P.O.VAN DYKE: No I do not.

KILLEN: Does Officer Walsh?

P.O.VAN DYKE: I don't know that.

KILLEN: Okay.

P.O.VAN DYKE: That night I don't think he had one.

KILLEN: Okay. And Officer Walsh he would be your regular partner correct?

P.O.VAN DYKE: No.

KILLEN: Okay oh you said he was.

P.O.VAN DYKE: Yes.

KILLEN: You really bounce around then.

P.O.VAN DYKE: Yes I do.

KILLEN: Okay. So you and Officer Walsh you get to 40th and this is about Karlov is where this happens

OIG 15-0564 008623

at. Or starts off at Karlov and these guys and, and toward Pulaski.

P.O.VAN DYKE: I yeah I don't know what K street it was. I just --

KILLEN: No I'm, I'm tellin' ya.

P.O.VAN DYKE: Okay.

KILLEN: All right so, so you guys get to, so you get to 40th and Pulaski and what happens?

P.O.VAN DYKE: Um we, we head um westbound on 40th Street. We're right there at the Burger King um he's givin' out that the guy's runnin' eastbound towards Pulaski um I'm sorry. One of the officers of 815 Robert is givin' out a description over the air that the offender's runnin' eastbound towards Pulaski and he's at the Burger King lot. Um I see Officer McElligott on foot um approaching into the Burger King lot. I see the offender running eastbound through the Burger King parking lot.

KILLEN: Okay. Do you remember the description given out over the radio of the offender?

P.O.VAN DYKE: No.

KILLEN: But when you see the guy runnin' through the parkin' lot --

P.O.VAN DYKE: I see the guy runnin' through the parkin' lot with the knife.

OIG 15-0564 008624

KILLEN: Okay. And as best you can describe to me what that man looks like?

P.O.VAN DYKE: Uh he's a male black, braids. He had a black jacket on and blue jeans.

KILLEN: And you saw 'em with a knife?

P.O.VAN DYKE: Yes I did in his right hand.

KILLEN: He's runnin', he, he's runnin' east through the parking lot?

P.O.VAN DYKE: He's runnin' east and on a diagonal towards the uh Burger King.

KILLEN: And when you see this where you at?

P.O.VAN DYKE: We're about getting, we're basically at the mouth of the parking lot.

KILLEN: Burger King?

P.O.VAN DYKE: Yes.

KILLEN: What happens then? So you see this guy runnin' and you see Officer McElligott on foot after 'em correct?

P.O.VAN DYKE: Yes.

KILLEN: Okay and what happens?

P.O.VAN DYKE: We enter the parking lot. We kinda cut 'em off from goin' into the Burger King. See another squad car approaching on our left. And it looks like we're going to be able to pin 'em in. He continues running eastbound towards Pulaski. We continue to follow him on to Pulaski and at that

OIG 15-0564 008625

point he starts running southbound on, in the middle of Pulaski.

KILLEN: So at this point you have, you have neither of you, you or Officer Walsh have exited the squad car?

P.O.VAN DYKE: No.

KILLEN: Okay. So then when the offender runs south on Pulaski you continue south after 'em?

P.O.VAN DYKE: Yes.

KILLEN: And what happens from there?

P.O.VAN DYKE: Um we get a lil bit closer to 'em because it looks like he's tryin' to run towards the Dunkin' Donuts cause he's continually makin' a beeline towards the nearest um, nearest building. We cut 'em off again. There's another squad car approaching and he diverts um back into the um southbound lanes on Pulaski. And at that point we go around the other squad cars and we get ahead of 'em by about five or six car lengths.

KILLEN: Okay. And what you mean is you went, you went further south on Pulaski right?

P.O.VAN DYKE: Yes we did.

KILLEN: The chase continued south on Pulaski?

P.O.VAN DYKE: Yes it did.

KILLEN: And so you get ahead of 'em?

P.O.VAN DYKE: Yes.

OIG 15-0564 008626

KILLEN: And what happens?
P.O.VAN DYKE: Um we parked the squad car kind of on an angle in the middle of Pulaski so he can't keep on running down the road.

KILLEN: Okay.
P.O.VAN DYKE: Um I exit the vehicle. Uh I see 'em runnin' wavin' this knife with his right hand you know under, it in an under position. I give 'em verbal commands to drop the knife. I'm yellin' at 'em drop the knife.

KILLEN: Okay. When you guys, you park your car on Pulaski correct?
P.O.VAN DYKE: I'm sorry?

KILLEN: The car, your car gets stopped on Pulaski?
P.O.VAN DYKE: Yes it does.

KILLEN: Is there traffic, is there regular traffic on Pulaski at that point do you remember?
P.O.VAN DYKE: I don't remember really any being there.

KILLEN: Okay. And he's --
P.O.VAN DYKE: I'm focused on him.

KILLEN: Right I know. And he's still on Pulaski and he's in the southbound lanes still runnin' south though right?
P.O.VAN DYKE: Yes.

OIG 15-0564 008627

KILLEN: You said he was kinda makin' that beeline between say Burger King and the Dunkin' Donuts on the east side of Pulaski?

P.O.VAN DYKE: Correct.

KILLEN: So you, you stop. You get out, pistol drawn.

P.O.VAN DYKE: Yes.

KILLEN: And order 'em to put the knife down.

P.O.VAN DYKE: Yes I do.

KILLEN: And you say he's wavin' it at, as best you can describe what you were doin' with your hand there?

P.O.VAN DYKE: He's wavin' it in an, he's clenchin' it. Um with the blade forward underneath and he's wavin' it um from you know his right side towards his left in an upward fashion.

KILLEN: Okay. Him doin' that make you think he was gonna put the knife down?

P.O.VAN DYKE: No.

KILLEN: You took that to be a threatening --

P.O.VAN DYKE: Yeah he was wavin' it upwards --

REBHOLZ: Chest level.

P.O.VAN DYKE: -- yeah at my chest. Chest level.

KILLEN: As if he wanted to he could stab you?

P.O.VAN DYKE: Yes.

OIG 15-0564 008628

KILLEN: Okay. And how far, so you get out and he's doin' this with the knife. How far are you from him at this point if you guess?

P.O.VAN DYKE: I would say I was approximately ten to fifteen feet away from him.

KILLEN: And he's facin' you?

P.O.VAN DYKE: He's, he's comin' towards me.

KILLEN: Okay. So he's closin' the distance between you and him?

P.O.VAN DYKE: He is and I'm back pedalin'.

KILLEN: Okay and at that point what's between you and him?

P.O.VAN DYKE: Nothing.

KILLEN: And what's behind you? Do you know?

P.O.VAN DYKE: I have no idea.

KILLEN: Do you know where Officer Walsh was at at this time?

P.O.VAN DYKE: I have no idea.

KILLEN: All right what about any other officers. Did you see them too?

P.O.VAN DYKE: I saw some squad cars approaching from the um the north. Um that's about it.

KILLEN: Okay. And I know you said it before, I'm gonna assume your attention is focused on the man with the knife.

OIG 15-0564 008629

P.O.VAN DYKE: Yes.

KILLEN: Okay. And he's closin' the distance between you and him and you're back pedalin' did you say?
P.O.VAN DYKE: Yes I am.

KILLEN: Is he runnin' toward you?
P.O.VAN DYKE: He's walkin' really fast almost like ah almost like a jog I think.

KILLEN: Okay. And that's when he's doin' the wavin' with the knife?
P.O.VAN DYKE: Yes.

KILLEN: And what, what happens? So he's closin' the distance. You're back pedalin' and what happens?
P.O.VAN DYKE: He's gettin', he's gettin' closer to me. I could see that there's nobody to my right. There's nothin' in front a me. There's nothin' to my left. I keep on orderin' 'em drop the knife, drop the knife, drop the knife. He doesn't drop the knife. He's still wavin' the knife at me. I'm thinkin' he's, he's goin' do somethin' to me.

KILLEN: And whaddid you think was he was gonna do?
P.O.VAN DYKE: I think he's going to try and take my life away from me.

KILLEN: And what happens?
P.O.VAN DYKE: I shoot 'em.

OIG 15-0564 008630

KILLEN: Okay. Do you know how many times you fired?
P.O.VAN DYKE: I shot 16 rounds.

KILLEN: You know that now?
P.O.VAN DYKE: I know that because my weapon went into slide lock.

KILLEN: Oh so at the moment, at the time you knew that, you were aware of that?
P.O.VAN DYKE: Yes.

KILLEN: Okay. And so when your pistol goes into slide lock do you think, do you know that you emptied the clip or do you think like it's a malfunction?
P.O.VAN DYKE: I know I emptied the magazine.

KILLEN: Okay. So you weren't afraid of a malfunction?
P.O.VAN DYKE: No.

KILLEN: And whadda you do? So the slide locks and whadda you do with your pistol?
P.O.VAN DYKE: I did a tactical reload.

KILLEN: Okay. And do you fire again?
P.O.VAN DYKE: No I do not.

KILLEN: Why not?
P.O.VAN DYKE: Um I felt that the threat was eliminated. Um my partner, Officer Walsh said Jason back up I have this. Um I covered him while he approached and kicked the knife outta the offender's hand.

OIG 15-0564 008631

KILLEN: Okay and when you say the threat's been eliminated, why is the threat eliminated?
P.O.VAN DYKE: Um the subject was now layin' on the ground. Um he wasn't makin' any efforts to get up.

KILLEN: And Officer Walsh had to kick the knife from his hand?
P.O.VAN DYKE: Yes he had to forcefully kick the knife out of his hand.

KILLEN: So the offender falls to the ground and he's still got the knife?
P.O.VAN DYKE: He still has the knife. He's you know we're still yellin' at 'em drop the knife.

KILLEN: Okay. So then Officer Walsh tells you to back up, he's got this.
P.O.VAN DYKE: Right.

KILLEN: He approaches the offender.
P.O.VAN DYKE: He approaches the offender and he, he kicks it out of his hand.

KILLEN: And that whole time you're what the cover officer at that point?
P.O.VAN DYKE: Yes.

KILLEN: Okay so and do you know what happens right after that then?
P.O.VAN DYKE: After that um Officer Walsh gets over the air and um says shots fired by the police. I remember shouting we need an ambulance. Um I, I

OIG 15-0564 008632

think I keyed it up over the radio. I don't remember if I did or did not, but I shouted we need an ambulance.

KILLEN: All right and then that's when all the other officers start runnin' up, gettin' there correct?

P.O.VAN DYKE: Yes.

KILLEN: Okay. All right. At any time did you, did you handle that knife?

P.O.VAN DYKE: No I did not.

KILLEN: So Officer Walsh kicks it as it remains on the ground?

P.O.VAN DYKE: Yes.

KILLEN: Are you aware of any officer pickin' it up or touching or handlin' it in any way?

P.O.VAN DYKE: No I think it was just the um the crime lab recovered it.

KILLEN: Okay. So where they recovered it as far as you know is where it laid the entire time?

P.O.VAN DYKE: Yes.

KILLEN: Okay. And then just goin' back to when you discharged your firearm, do you remember, were you, were you standing still when you fired or were you movin'?

P.O.VAN DYKE: I think I was moving.

OIG 15-0564 008633

KILLEN: Do you think, do you think you were still movin' backwards?

P.O.VAN DYKE: Yes.

KILLEN: Okay. Do you remember how you held the pistol?

P.O.VAN DYKE: Yes.

KILLEN: How?

P.O.VAN DYKE: Held it in front of me. Um two hands.

KILLEN: Are you right handed or left handed?

P.O.VAN DYKE: I'm right handed.

KILLEN: All right so your right hand dominant.

P.O.VAN DYKE: Yes.

KILLEN: So your left hand was for support?

P.O.VAN DYKE: Yes.

KILLEN: Is that what you're doin'. And do you use sights?

P.O.VAN DYKE: No I do not.

KILLEN: Okay. Before I forget what kinda pistol did you have?

P.O.VAN DYKE: Um it's was a Smith & Wesson um 5943 9 millimeter.

KILLEN: It was fully loaded?

P.O.VAN DYKE: Yes it was.

KILLEN: So what's that 15?

OIG 15-0564 008634

P.O.VAN DYKE: 15 plus one.

KILLEN: Okay. All right at the time did you have any other firearm on you?

P.O.VAN DYKE: No I did not.

KILLEN: Do you own any other firearms?

P.O.VAN DYKE: Yes I do.

KILLEN: What do you own?

P.O.VAN DYKE: I own a um a Chief Special 38 Revolver.

KILLEN: That's it?

P.O.VAN DYKE: That's it.

KILLEN: Okay. All right. So you, you, you're fully loaded. 16 rounds fired. Slide lock, you do tactical reload but you don't fire again?

P.O.VAN DYKE: I do not.

KILLEN: All right so then when, when your weapon is recovered by the crime lab, that's what they got, they got the reloaded firearm?

P.O.VAN DYKE: Yes sir.

KILLEN: So the clip is 15?

P.O.VAN DYKE: I'm sorry?

KILLEN: Did you put one in the chamber and then 15 or is the 15 from the clip?

P.O.VAN DYKE: 15 from the magazine.

OIG 15-0564 008635

KILLEN: Okay. All right. And you weren't injured at all correct?

P.O.VAN DYKE: No sir.

KILLEN: To the best of your recollection can you estimate how close you were when, or how close you and the offender were to each other when you fired your weapon at 'em?

P.O.VAN DYKE: I would say it was approximately 10 to 15 feet.

KILLEN: Okay. All right. And as far as you were, you're the only police officer that fired correct?

P.O.VAN DYKE: Yes sir.

KILLEN: Okay. All right. Is there anything you'd like to add?

P.O.VAN DYKE: No sir.

KILLEN: Everything you told me is a true and accurate account of what occurred?

P.O.VAN DYKE: Yes sir.

KILLEN: All right this will conclude the audio recorded interview of Officer Jason Van Dyke regarding Log number 1072125 U number 14 dash 36. Today's the 22nd of October 2014. The time's approximately 1206 hours.

OIG 15-0564 008636

I, CAROL A. O'LEARY, do hereby certify or affirm that I have impartially transcribed the foregoing from an audio recording of the above-mentioned proceeding to the best of my ability.

Carol A. O'Leary

OIG 15-0564 008637

CHICAGO POLICE DEPARTMENT

CASE SUPPLEMENTARY REPORT

HX475653

3510 S. Michigan Avenue, Chicago, Illinois 60653

(For use by Chicago Police Bureau of Investigative Services Personnel Only)

Case ID: 8605433 Sub ID: 10002761 CAS1201

EXC. CLEARED CLOSED (OTHER EXCEPTIONAL) | **DETECTIVE SUP. APPROVAL COMPLETE**

Last Offense Classification/Re-Classification	IUCR Code	Original Offense Classification			IUCR Code
ASSAULT / Aggravated Po:Knife/Cut Instr	0552	ASSAULT / Aggravated Po:Knife/Cut Instr			0552
Address of Occurrence	Beat of Occur	No. of Victims	No. of Offenders	No. of Arrested	SCR No
4112 S PULASKI RD	815	4	1	1	
Location Type	Location Code	Secondary Location			Hate Crime?
Street	304				NO
Date of Occurrence	Unit Assigned	Date RD Arrived	Tire Related?	Gang Related?	Domestic Related?
20-OCT-2014 21:57	0841R	20-OCT-2014 21:57	NO	NO	NO

Reporting Officer	Star No	Approving Supervisor	Star No	Primary Detective Assigned	Star No
MARCH, David	20563	WOJCIK, Anthony	481	MARCH, David	20563
Date Submitted		Date Approved		Assignment Type	
15-MAR-2015 18:26		16-MAR-2015 00:03		FIELD	

THIS IS A FIELD INVESTIGATION EXC. CLEARED CLOSED (OTHER EXCEPTIONAL) REPORT

[redacted]

EXHIBIT 8

HX475653

VAN DYKE, Jason D -----

stated he was a Chicago Police Officer assigned to the 008th District. He was on duty, in uniform, working on Beat 845R. VAN DYKE was working with Police Officer Joseph WALSH. The two officers were assigned to Chicago Police Department vehicle number 6412, a marked Chevrolet Tahoe, four door sport utility vehicle. WALSH was driving the vehicle and VAN DYKE was the passenger.

The two officers responded to a request for assistance from Beat 815R, regarding a man with a knife, on 40th Street, west of Pulaski Road. A unit equipped with a taser had also been requested. Officer VAN DYKE heard the radio transmission when Officer Thomas GAFFNEY said the man with a knife had "popped" the tire of GAFFNEY's police vehicle. VAN DYKE understood this to mean the subject had slashed the tire with his knife. As Officer WALSH drove westbound on 40th Street from Pulaski, VAN DYKE observed a black male subject, now known as Laquan MCDONALD, running eastbound in the parking lot of the Burger King restaurant on the southwest corner of 40 Street and Pulaski. MCDONALD was holding a knife in his right hand. VAN DYKE saw Police Officer Joseph MCELLIGOTT pursuing MCDONALD on foot. VAN DYKE also saw a civilian who was standing on 40th Street pointing to MCDONALD.

Officer WALSH drove eastbound in the parking lot, in pursuit of MCDONALD, on the north side of the Burger King restaurant building. WALSH used the police vehicle to block MCDONALD from entering the restaurant. MCDONALD ran out onto Pulaski Road and then turned southbound, running toward a Dunkin' Donuts restaurant, on the east side of Pulaski, south of the Burger King. WALSH positioned the police vehicle between MCDONALD and the Dunkin' Donuts to block his path towards that restaurant. When WALSH slowed the police vehicle alongside MCDONALD, Officer VAN DYKE opened the right front door of the vehicle to exit and confront MCDONALD. WALSH told VAN DYKE to stay in the vehicle as they were too close to MCDONALD to safely exit their vehicle. WALSH drove on southbound and stopped the police vehicle ahead of MCDONALD.

Officer VAN DYKE exited the vehicle on the right side and drew his handgun. As VAN DYKE stood in the street on Pulaski, facing northbound, toward MCDONALD, MCDONALD approached southbound. MCDONALD was holding the knife in his right hand, in an underhand grip, with the blade pointed forward. He was swinging the knife in an aggressive, exaggerated manner. VAN DYKE ordered MCDONALD to "Drop the knife!" multiple times. MCDONALD ignored VAN DYKE's verbal direction to drop the knife and continued to advance toward VAN DYKE.

When MCDONALD got to within 10 to 15 feet of Officer VAN DYKE, MCDONALD looked toward VAN DYKE. MCDONALD raised the knife across his chest and over his shoulder, pointing the knife at VAN DYKE. VAN DYKE believed MCDONALD was attacking VAN DYKE with the knife, and attempting to kill VAN DYKE. In defense of his life, VAN DYKE backpedaled and fired his handgun at MCDONALD, to stop the attack. MCDONALD fell to the ground but continued to move and continued to grasp the knife, refusing to let go of it. VAN DYKE continued to fire his weapon at MCDONALD as MCDONALD was on the ground, as MCDONALD appeared to be attempting to get up, all the while continuing to point the knife at VAN DYKE. The slide on VAN DYKE's pistol locked in the rearward position, indicating the weapon was empty. VAN DYKE performed a tactical reload of his pistol with a new magazine and then assessed the situation.

MCDONALD was no longer moving and the threat had been mitigated, so Officer VAN DYKE and Officer WALSH approached MCDONALD. MCDONALD was still holding the knife in his right hand. VAN DYKE continued to order MCDONALD to "Drop the knife!" Officer WALSH told VAN DYKE, "I have this." VAN DYKE then used his handgun to cover WALSH as WALSH walked up and forcibly kicked the knife out of MCDONALD's right hand, thereby eliminating the threat to the officers.

Officer WALSH then notified the dispatcher on the police radio that shots had been fired by the police. Officer VAN DYKE requested an ambulance for MCDONALD on the radio.

Officer VAN DYKE's weapon was a Smith and Wesson, nine millimeter, semi-automatic pistol, with a 15 round magazine. VAN DYKE said the pistol was fully loaded at the beginning of his tour of duty, with 15 cartridges in the magazine and one cartridge in the firing chamber.

It was noted that the uniform Officer VAN DYKE was wearing consisted of a light blue long sleeve uniform shirt, with shoulder patches; black body armor vest, with patches; navy blue cargo pants; and equipment belt with handgun and radio.

The reporting detective then interviewed Officer VAN DYKE's partner.

[redacted]

CHICAGO POLICE DEPARTMENT

CASE SUPPLEMENTARY REPORT

3510 S. Michigan Avenue, Chicago, Illinois 60653

(For use by Chicago Police - Bureau of Investigative Services Personnel Only)

HX475653

Case ID: [redacted]
Rpt RT: [redacted]

EXC. CLEARED CLOSED (OTHER EXCEPTIONAL)	DETECTIVE SUP. APPROVAL COMPLETE

Last Offense Classification/Re-Classification	IUCR Code	Original Offense Classification			IUCR Code
ASSAULT / Aggravated Po:Knife/Cut Instr	0552	ASSAULT / Aggravated Po:Knife/Cut Instr			0552
Address of Occurrence	Beat of Occur	No of Victims	No of Offenders	No of Arrested	SCR No
4112 S PULASKI RD	815	4	1	1	
Location Type	Location Code	Secondary Location			Hate Crime?
Street	304				NO
Date of Occurrence	Unit Assigned	Date RO Arrived	Fire Related?	Gang Related?	Domestic Related?
20-OCT-2014 21:57	0841R	20-OCT-2014 21:57	NO	NO	NO

Reporting Officer	Star No	Approving Supervisor	Star No	Primary Detective Assigned	Star No
MARCH, David	20563	WOJCIK, Anthony	481	MARCH, David	20563
Date Submitted		Date Approved		Assignment Type	
15-MAR-2015 18:26		16-MAR-2015 00:03		FIELD	

THIS IS A FIELD INVESTIGATION EXC. CLEARED CLOSED (OTHER EXCEPTIONAL) REPORT

[redacted]

EXHIBIT 9 4-07-16

HX475653

Officer Jason VAN DYKE was re-interviewed for additional detail, in the Area Central office.

VAN DYKE, Jason D -----

related the same sequence of events as documented in his original interview at the scene of this incident.

VAN DYKE additionally articulated the reasoning behind his decision to use deadly force against the offender in this incident, Laquan MCDONALD. VAN DYKE was aware of the radio transmissions from Officer Thomas GAFFNEY, on Beat 815R, that MCDONALD was armed with a knife. VAN DYKE was aware that MCDONALD had attacked the officers on Beat 815R by slashing the tire of their police vehicle.

As he confronted MCDONALD at 4112 South Pulaski Road, VAN DYKE saw that MCDONALD was in fact, armed with a knife, a deadly weapon. VAN DYKE was aware of the widely accepted teaching in law enforcement that an assailant armed with a knife was considered a deadly threat, if within 21 feet, because it was possible for such an assailant to close that distance and attack with the knife before a defensive shot could be fired from a handgun. VAN DYKE was also aware of the existence of throwing knives, which can be thrown from a distance, as well as spring loaded knives, which propel a blade through the air from the knife handle. VAN DYKE also said he recalled a previously issued Chicago Police Department bulletin warning of a weapon which appeared to be a knife but which actually was capable of firing a bullet, making it a firearm.

Subsequently, a search was conducted of the Chicago Police Department, Automated Message Center, to find the bulletin Officer Jason VAN DYKE remembered, regarding the weapon that appeared to be a knife, but was actually a firearm. This bulletin was issued on 04 December 2012. It was Officer Safety Alert number 2012-OSA-297. It was a warning regarding a "revolver knife" which was capable of firing .22 caliber cartridges.

[redacted]

EXHIBIT 10 4-07-16

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT	DATE OF THIS REPORT
20 OCT 2014	20 OCT 2014

OFFENSE CLASSIFICATION—LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	VAN DYKE	5121

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

J VAN DYKE P1 OF 2

RESPONDED TO 815 R REQUEST FOR ASSIST
MAN W/KNIFE 40TH W OF PULASKI.
TASER REQUESTED.
HEARD GAFFNEY — O "POPPED" TIRE ON RADIO.
VO = O SLASHED TIRE W/KNIFE.
W/B ON 40TH SAW O = M/B.
RUNNING E/B IN BK LOT.
KNIFE IN R HAND
McELLIGOTT PURSUING ON FOOT.
CIVILIAN ON 40TH POINTING TO O.
WALSH DROVE E/B IN LOT IN PURSUIT
N SIDE OF BK.
USED VEHICLES TO BLOCK O FROM BK.
O RAN OUT ONTO PULASKI, THEN S/B.
TOWARD DD
WALSH KEPT VEH BETWEEN O + DD
VO OPENED DOOR TO EXIT + CONFRONT O.
WALSH — NO, TOO CLOSE.
DROVE FURTHER S.
STOPPED AHEAD OF O

RD NO HX425653

REPORTING OFFICER'S SIGNATURE—STAR NO.	RECEIVED BY: SUPERVISOR'S SIGNATURE—STAR NO.	DAY—MO.—YR.	TIME
20563	1150		

CD-22.122 (Rev. 2/03)

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 2014	20 OCT 2014 3

OFFENSE CLASSIFICATION–LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	VAN DYKE	512

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

J VAN DYKE P2 OF 3

VD EXITED VEH. DREW HANDGUN
STOOD IN ST, FACING NB, TOWARD O
O COMING S/B
KNIFE IN R HAND, UNDERHAND GRIP, BLADE FORWARD
SWINGING KNIFE IN AGGRESSIVE, EXAGGERATED MANNER
VD = "DROP THE KNIFE!" MULTIPLE TIMES
O IGNORED DIRECTIONS. CONTINUED TO ADVANCE
WHEN O WITHIN 10-15 FT, LOOKED AT VD
RAISED KNIFE ACROSS CHEST, OVER SHOULDER
POINTED KNIFE AT VD
VD BELIEVED O WAS ATTACKING W/KNIFE
TRYING TO KILL VD
IN DEFENSE OF HIS LIFE VD BACKPEDALED + FIRED
O FELL TO GROUND, CONTINUED TO MOVE/GRASP KNIFE
VD CONTINUED FIRING. O APPEARED TO BE
ATTEMPTING TO GET UP, STILL HOLDING KNIFE.
POINTING AT VD
SLIDE ON PISTOL LOCKED – WEAPON EMPTY
TACTICAL RELOAD
ASSESSED

R.D. NO. HX475653

REPORTING OFFICER'S SIGNATURE–STAR NO.	RECEIVED BY: SUPERVISOR'S SIGNATURE–STAR NO.	DAY–MO.–YR. TIME
[signature] 20563	[signature] 1130	

CPD-23.122 (Rev. 2/83)

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY MONTH YEAR)	DATE OF THIS REPORT (DAY MONTH YEAR WATCH)
20 OCT 2014	20 OCT 2014 3

OFFENSE CLASSIFICATION–LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	VAN DYKE	512

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

J VAN DYKE P3 OF 3

O NO LONGER MOVING. THREAT MITIGATED
VD + WALSH APPROACHED O
STILL HOLDING KNIFE IN R HAND
VD CONTINUED, "KICK THE KNIFE!"
WALSH = "I HAVE THIS."
VD COVERED WALSH AS WALSH WALKED UP TO O
FORCIBLY KICKED KNIFE FROM O'S HAND
THREAT ELIMINATED
WALSH = "SHOTS FIRED BY POLICE" ON RADIO
VD = REQUESTED AMBULANCE

R.D. NO. HX425953

REPORTING OFFICER'S SIGNATURE–STAR NO.	RECEIVED BY: SUPERVISOR'S SIGNATURE–STAR NO.	DAY–MO.–YR. TIME
20563	1203	

PD-23.122 (Rev. 2/83)

OIG 15-0564 008645

EXHIBIT 11 4/01/16

GENERAL PROGRESS REPORT
DETECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT (DAY / MONTH / YEAR / WATCH)	DATE OF THIS REPORT (DAY / MONTH / YEAR / WATCH)
20 OCT 2014 /	21 OCT 2014 1

OFFENSE CLASSIFICATION–LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	GAFFNEY	5121

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

J VAN DYKE (610)

SAME DETAILS

ADDED:

AWARE OF RADIO TRANSMISSIONS (GAFFNEY)
- ARMED W/ KNIFE
- ATTACKED BISR - SLASHED TIRE

AWARE OF - 21' RULE
THROWING KNIVES
SPRING LOADED KNIFE
PREVIOUS BULLETIN
KNIFE ACTUALLY FIRES BULLET

OFFICER SAFETY ALERT # 2012-05A-297
OF DEC 2012

HX426553

REPORTING OFFICER'S SIGNATURE–STAR NO.	RECEIVED BY: SUPERVISOR'S SIGNATURE–STAR NO.	DAY–MO.–YR. TIME
20[illegible]	(13)	

CPD-23.122 (Rev. 2/83)

TACTICAL RESPONSE REPORT/Chicago Police Department

MEMBER INVOLVED

29-OCT-2014	21:57:00	4112 S PULASKI RD CHICAGO, IL 60632			304		0815		
9161	VAN DYKE	JASON D	9465	M	WHI	[redacted]	002	180	
25-JUN-2001	[redacted]	008	0845R						

SUBJECT INFORMATION

MCDONALD	LEQUAN		M	BLK	25-SEP-1997	001	165	
[redacted]								
MOUNT SINAI HOSPITAL	DR. PITZEL							

REASON FOR USE OF FORCE (Check all that apply)

SUBJECT'S ACTIONS				
DID NOT FOLLOW VERBAL DIRECTION	FLED	IMMINENT THREAT OF BATTERY	ATTACK WITH WEAPON	AGGRESSIVE LIVES & CAUSE DEATH OR GREAT BODILY HARM
PASSIVE (Non-Movement)	PHYSICAL RESISTANCE	OTHER	ATTACK WITHOUT WEAPON	WEAPON
OTHER	OTHER		OTHER	OTHER

MEMBER'S RESPONSE				
VERBAL DIRECTION	OFFICER PRESENCE			
VERBAL COMMANDS				
COVERT HANDS				
HANDCUFF				
HANDS				
PERSONAL WEAPONS				
CONTROL INSTRUMENT				
CHEMICAL AGENTS/ PROJECTILES				
OTHER				

WEAPON DISCHARGE INCIDENT

OFFENDER'S WEAPON WAS A KNIFE IN HIS HAND

					CLEAR	
			1043	5	9 MM	
	TDU5909	028361	95300037			
		Department Issued	1	16		
X		X	15	X		1429315878
X			BY MAGAZINE			
NONE						
X						

CASE INFO:

NOTIFICATIONS (DC OR TASER INCIDENT): ☐ OEMC ☐ DSS & LT./DIST. OF OCCUR. ☐ CPIC

NOTIFICATIONS (FIREARM INCIDENT): ☒ OEMC ☒ DSS/DIST. OF OCCUR & OCIC ☒ CPIC ☒ DET. DIV

Members will ensure that all required notifications and all witnesses to this use of force are documented in the appropriate case report.

HX475653

SIGNATURES

VAN DYKE, JASON D	9465	[redacted]	
21-OCT-2014 04:41:45	4844		

Reviewing supervisor will ensure the legibility and completeness of this report and attest by entering the required information below.

FRANKO, STEPHEN D	1381	[redacted]	21-OCT-2014 04:44:58

EXHIBIT 12

[redacted]

LIEUTENANT OR ABOVE/OCIC REVIEW

THE ON-CALL INCIDENT COMMANDER (OCIC) WILL COMPLETE THE REVIEW SECTION FOR 1.) ALL INCIDENTS INVOLVING THE DISCHARGE OF A FIREARM BY A DEPARTMENT MEMBER, 2.) ALL INCIDENTS INVOLVING THE SERIOUS INJURY OR DEATH OF A MEMBER OF THE PUBLIC SUBSEQUENT TO INTERACTIONS WITH A DEPARTMENT MEMBER; 3.) ANY LESSER USE OF FORCE BY A DEPARTMENT MEMBER WHEN THAT USE OF FORCE STEMS FROM THE SAME INCIDENT DESCRIBED HERE IN 1 OR 2.

THE ASSIGNED INVESTIGATING SUPERVISOR THE RANK OF LIEUTENANT OR ABOVE FROM THE DISTRICT OF OCCURRENCE WILL COMPLETE THE REVIEW SECTION FOR ALL OTHER INCIDENTS.

75. SUBJECT'S STATEMENT REGARDING THE USE OF FORCE ☐ DNA ☐ REFUSED ☒ UNABLE TO INTERVIEW (Specify Reason)

Subject is deceased.

76. LIEUTENANT OR ABOVE/OCIC RATIONALE FOR BOX 77 FINDING

Based upon information available at the time of this report it is the preliminary determination of the undersigned that Officer Van Dyke fired his weapon in compliance with Department policy. Officer Van Dyke fired his weapon in fear of his life when the offender while armed with a knife continued to approach and refused all verbal direction.

77. LIEUTENANT OR ABOVE/OCIC FINDING BASED UPON CURRENTLY AVAILABLE INFORMATION:

☒ I HAVE CONCLUDED THAT THE MEMBER'S ACTIONS WERE IN COMPLIANCE WITH DEPARTMENT PROCEDURES AND DIRECTIVES.

☐ I HAVE CONCLUDED THAT FURTHER INVESTIGATION IS REQUIRED.

LOG NO./CRNO. 1072125 OBTAINED

78. LIEUTENANT OR ABOVE/OCIC (Print Name)	SIGNATURE	DATE COMPLETED TIME
MC NAUGHTON, DAVID R	[redacted]	21-OCT-2014 04:58:37

79. DISTRIBUTION OF ORIGINAL TRR:

A TRR PACKET, INCLUDING THE TRR AND COPIES OF THE BELOW LISTED ATTACHMENTS WILL BE FORWARDED TO THE INDEPENDENT POLICE REVIEW AUTHORITY.

ATTACHMENTS - PHOTOCOPIES OF:
☐ SUPPLEMENTARY REPORT ☐ I.O.D. REPORT
☐ CASE REPORT ☒ OFFICER BATTERY REPORT ☐ CR INITIATION REPORT
☐ ARREST REPORT ☐ TO-FROM-SUBJECT REPORTS FROM DEPARTMENT WITNESS(ES)

80. TOTAL TRR's THIS EVENT No. 3

EXHIBIT 13 4-07-16

OFFICER'S BATTERY REPORT
CHICAGO POLICE DEPARTMENT

RD# HX476653

INSTRUCTIONS: This form is to be completed for all incidents when: (1) a sworn member is the victim of a murder, aggravated battery, battery, aggravated assault, or assault while performing a police function either on-duty or off-duty; (2) a detention aide is the victim of a murder, aggravated battery, battery, aggravated assault, or assault while in the performance of his or her duties.

"X APPLICABLE BOXES"

OFFICER INFORMATION

NAME (LAST - FIRST - M.I.): VAN DYKE, JASON D

STAR NO.	POSITION
9485	POLICE OFFICER
DATE OF APPOINTMENT: 25-JUN-2001	EMPLOYEE NO.: [redacted]
UNIT OF ASSIGNMENT: 008	BEAT/CALL NO.: 0845R
SEX: [X] 1. M [ ] 2. F	RACE: WHITE
DOB: [redacted]	
HEIGHT: 602	WEIGHT: 180

TYPE OF ASSIGNMENT WHEN BATTERY OCCURRED

[X] 1. ON DUTY
- [X] A. UNIFORM PATROL DUTY
- [ ] B. UNIFORM, OTHER DUTY
  - Describe: _____
- [ ] C. DETECTIVE DIVISION
- [ ] D. TACTICAL
- [ ] E. B.I.S. UNIT
- [ ] F. SPECIAL EMPLOYMENT
- [ ] G. OTHER: _____

[ ] 2. OFF DUTY

[ ] 3. SPECIAL EMPLOYMENT

[ ] 4. SECONDARY / OTHER

WORKING:
- [ ] A. ALONE
- [X] B. WITH ONE PARTNER
- [ ] C. WITH MULTIPLE PARTNERS
  - How many? _____

PATROL TYPE:
- [X] A. SQUAD CAR
- [ ] B. FOOT
- [ ] C. BICYCLE
- [ ] D. MOTORCYCLE
- [ ] E. SQUADROL
- [ ] F. OTHER: _____

TYPE OF ACTIVITY

- [ ] A. RADIO - NO WARNING
- [ ] B. TRAFFIC STOP/PURSUIT
- [ ] C. INVESTIGATING SUSPICIOUS PERSON
- [ ] D. DISTURBANCE - DOMESTIC
- [ ] E. DISTURBANCE - MENTAL PATIENT
- [ ] F. DISTURBANCE - RED MOB ACTION/CIVIL DISORDER
- [ ] G. DISTURBANCE - OTHER
- [ ] H. MAN WITH A GUN
- [ ] I. PURSUING/ARRESTING OFFENDER (Specify)
  - CHARGE: _____ UCR CODE: _____
- [ ] J. PROCESSING/TRANSPORTING/GUARDING A PRISONER (Specify)
  - ORIGINAL CHARGE: _____ ORIGINAL UCR CODE: _____
- [X] K. OTHER

TYPE OF INJURY TO OFFICER

- [ ] A. FATAL
- [ ] B. NON-FATAL - MAJOR INJURY (Broken Bones/Serious Concussion/Internal Injuries)
- [ ] C. NON-FATAL - MINOR INJURY (Bruises/Swelling/Minor Abrasions)
- [X] D. NONE APPARENT/KNOWN

LIGHTING CONDITIONS AT INCIDENT

- [ ] A. DAYLIGHT
- [ ] B. DUSK
- [ ] C. DAWN
- [X] D. ARTIFICIAL LIGHT
  - [ ] 1. POOR
  - [X] 2. GOOD

INCIDENT INFORMATION

- [ ] 1. INDOOR
- [X] 2. OUTDOOR

ADDRESS OF OCCURRENCE: 4112 S PULASKI RD

CITY: [X] CHICAGO [ ] _____ STATE (If outside Chicago): _____

LOCATION CODE: 304-STREET BEAT OF OCCURRENCE: 0815

DATE OF OCCURRENCE: 20-OCT-2014 TIME: 21:57:00 DAY OF WEEK: MONDAY

NO. OF OFFICERS BATTERED: 1

WERE THERE ASSISTING UNITS ON SCENE? 1. [X] YES 2. [ ] NO

IF YES HOW MANY ASSISTING OFFICERS WERE PRESENT AT TIME BATTERY (EXCLUDING YOU OR YOUR PARTNER)? 8

MANNER OF ATTACK

- [ ] 01. SHOT
- [ ] 02. SHOT AT
- [X] 03. STABBED/CUT (INCLUDING ACTUAL ATTEMPT)
- [ ] 04. STRUCK WITH UNKNOWN OBJECT (INCLUDING ACTUAL ATTEMPT)
- [ ] 05. OTHER (INCLUDING VERBAL THREATS)

TYPE OF WEAPON/THREAT

(Check all that apply)

- [ ] A. FIREARM CALIBER: _____
  - [ ] 1. REVOLVER
  - [ ] 2. SEMI-AUTOMATIC
  - [ ] 3. RIFLE
  - [ ] 4. SHOTGUN
- [ ] B. VEHICLE
  - [ ] 1. OFFICER STRUCK WITH VEHICLE
  - [ ] 2. ATTEMPTED TO STRIKE OFFICER WITH VEHICLE
- [X] C. KNIFE/OTHER CUTTING INSTRUMENT
- [ ] D. HANDS/FISTS
- [ ] E. FEET
- [ ] F. MOUTH (SPIT, BITE, ETC.)
- [ ] G. VERBAL THREAT (ASSAULT)
- [X] H. OTHER (SPECIFY): BOWIE KNIFE

FIREARM USE INFORMATION (Check all that apply)

- [ ] A. OFFICER AT GUNPOINT
- [ ] B. OFFICER'S OWN WEAPON OBTAINED
- [ ] C. ATTEMPTED TO OBTAIN OFFICER'S OWN WEAPON

OFFENDER INFORMATION

SEX	RACE	DOB
[X] 1. M [ ] 2. F	BLACK	[redacted]

CB NO.: _____ I.R. NO.: _____

WAS THE OFFENDER'S ACTIVITY DRUG RELATED?
- [ ] 1. YES
- [ ] 2. NO
- [X] 3. UNKNOWN

GANG RELATED?
- [ ] 1. YES
- [ ] 2. NO
- [X] 3. UNKNOWN

NO. OF OFFENDERS PRESENT: 1

WEATHER CONDITIONS

- [X] A. CLEAR
- [ ] B. RAIN
- [ ] C. SNOW
- [ ] D. FOG / SMOKE / HAZE
- [ ] E. SLEET / HAIL
- [ ] F. SEVERE CROSS WINDS
- [ ] G. OTHER

APPROXIMATE OUTDOOR TEMPERATURE: 39 °F

[redacted]

CPD-11.451 (REV. 1/04)

Unusual Circumstances Regarding Officer Control Tactics and Safety: (If you need more space use additional sheets).

OFFENDER'S ACTIONS WERE UNPROVOKED.

REPORTING MEMBER - SIGNATURE	STAR NO.	WATCH COMMANDER /UNIT COMMANDING OFFICER- SIGNATURE	STAR NO.
VAN DYKE, JASON D	9465	MC NAUGHTON, DAVID R	120

CPD-11.451 (REV. 1/04)

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, CRIMINAL DIVISION

PEOPLE OF THE STATE OF ILLINOIS,	)	
Plaintiffs,	)	
vs.	)	No. 15 CR 20622
JASON VAN DYKE,	)	Interim Decorum Order
Defendant.	)	

ORDER

It is the Order of this court that no attorney connected with this case as Prosecutor or Defense Counsel, nor any other attorney working in or with the offices of either of them, nor their agents, staff, or experts, nor any judicial officer or court employee, nor any law enforcement employee of any agency involved in this case, nor any persons subpoenaed or expected to testify in this matter, shall do any of the following:

1. Release or authorize the release for public dissemination any purported extrajudicial statement of either the defendant or witnesses relating to this case;
2. Release or authorize the release of any documents, exhibits, photographs or any evidence, the admissibility of which may have to be determined by the Court;
3. Make any statement for public dissemination as to the existence or possible existence of any documents, exhibits, photographs or any evidence, the admissibility of which may have to be determined by the Court;



4. Express outside of court an opinion or make any comment of public dissemination as to the weight, value, or effect of any evidence as tending to establish guilt or innocence;
5. Make any statement outside of court as to the content, nature, substance, or effect of any statements or testimony that is expected to be given in any proceeding in or relating to this matter;
6. Make any out-of-court statement as to the nature, source or effect of any purported evidence alleged to have been accumulated as a result of the investigation of this matter.
7. This Decorum Order also incorporates Article VIII. Illinois Rules of Professional Conduct, effective January 1, 2010.

This Order does not include any of the following:

1. Quotations from, or any reference without comment to, public records of the Court in the case.
2. The scheduling and result of any stage of the judicial proceedings held in open court in an open or public session.
3. Any witness may discuss any matter with any Prosecution or Defense Attorney in this action, or any agent thereof, and if represented may discuss any matter with his or her own attorney.

OIG 15-0564 008652

Anyone in violation of this court order may be subject to contempt of court.

ENTERED: Vincent M Gaughan 1553

Judge Vincent M. Gaughan
Circuit Court of Cook County
Criminal Division

DATE: _____

ENTERED
JUDGE VINCENT GAUGHAN-[redacted]
JAN 29 2016
DOROTHY BROWN
CLERK OF THE CIRCUIT COURT
OF COOK COUNTY, IL
DEPUTY CLERK

OIG 15-0564 008653

In the Matter Of:

IN RE OFFICER RICARDO VIRAMONTES

OFFICER RICARDO VIRAMONTES

March 18, 2016

Amicus
court reporters, inc
300 West Adams St. Ste 800
Chicago, IL 60606
Phone: 312.641.3500
Fax: 312.641.3795
Email: info@amicusreporters.com

STATE OF ILLINOIS)
) SS:
COUNTY OF COOK)

IN RE:)
)
)
INTERVIEW OF:)
)
)
OFFICER RICARDO VIRAMONTES)

The interview of OFFICER RICARDO VIRAMONTES, taken in the above-entitled cause, before Teresa Volpentesta, a notary public within and for the County of Cook and State of Illinois, and a Certified Shorthand Reporter of said state, at 300 West Adams Street, Chicago, Illinois, Suite 800, on the 18th of March, 2016 at the hour of 10:10 a.m.

APPEARANCES:

J. RUSSELL LAW, LLC
(206 South Jefferson
Chicago, Illinois 60661
312.207.1220), by:
jennifer.russell@jrusselllaw.com
MS. JENNIFER W. RUSSELL,

on behalf of Officer Ricardo Viramontes;

OFFICE OF THE INSPECTOR GENERAL
(740 North Sedgwick Street, Suite 200
Chicago, Illinois 60654
773.478.3878), by:
kbrown@chicagoinspectorgeneral.org
pneumer@chicagoinspectorgeneral.org
MR. KRISTOPHER BROWN and
MR. PETER NEUMER,

On behalf of the City of Chicago.

I N D E X

WITNESS	PAGE
OFFICER RICARDO VIRAMONTES	
BY MR. NEUMER	6
BY MR. BROWN	52
BY MR. NEUMER	62
BY MR. BROWN	103
BY MR. NEUMER	114
BY MR. BROWN	154
BY MR. NEUMER	159
BY MR. BROWN	184

E X H I B I T S

NUMBER		PAGE
No. 1	Advisement of Rights	6
No. 2	Notice of Interview	6
No. 3	Notification of Allegations	6
No. 4	Receipt Form	6
No. 5	Case Supplementary Report	6
No. 6	General Progress Report	6
No. 7	Special Order	162
No. 8	Supplementary Report	174
No. 9	In-Car Camera Video Work Sheet	174
No. 10	E-Mail Correspondence	174

MR. NEUMER: As a preliminary matter, I am providing the following information: An independent certified court reporter is present today to provide a verbatim transcript of this interview.

To aid in the accuracy of the transcript, it is the custom and practice of court reporters to audio record the interview.

The recording is the confidential work product property of the court reporter and will not be provided to any party, including the OIG. If you request, the audio recording will be discontinued.

So Officer Viramontes, I would ask do you object to the court reporter having an audio recording to assist her in the transcribing of this interview?

OFFICER VIRAMONTES: No, I have no problem.

MR. NEUMER: Let the record reflect today's date is March 18, 2016. The time is 10:10 a.m.

We are located at Amicus Court Reporters, 300 West Adams, Suite 800.

My name is Peter Neumer. The court reporter is Teresa Volpentesta, and I would ask

that the other individuals present to identify themselves and spell their name for the record.

MR. BROWN: Kristopher Brown, B-r-o-w-n, City of Chicago, Office of Inspector General.

MS. RUSSELL: Jennifer Russell, R-u-s-s-e-l-l, attorney for the officer.

OFFICER VIRAMONTES: Officer Ricardo Viramontes, R-i-c-a-r-d-o, last name V-i-r-a-m-o-n-t-e-s, Star 10590 assigned to the 8th District, Chicago Police Department.

MR. NEUMER: We are here today pursuant to an investigation being conducted under Chapter 2-56 of the municipal code of the City of Chicago.

We are here for an interview of Ricardo Viramontes.

Officer Viramontes, would you please raise your right hand.

(Witness duly sworn.)

** ** ** ** **

(Whereupon Exhibit Nos. 1-6 were marked for identification.)

OFFICER RICARDO VIRAMONTES,
called as a witness herein, having been first duly sworn, was examined and testified as follows:

EXAMINATION

BY MR. NEUMER:

Q. Officer Viramontes, at this time, I am going to put before you what has been marked as Exhibit 1.

This is an Advisement of Rights Form. The top has been filled in by me, and I would ask that you read along with me.

I will read each paragraph of this advisement, and then ask that -- ask you whether you have read that paragraph as I have read it aloud to you.

So the Advisement of Rights states, I, Ricardo Viramontes, understand that I am being interviewed by Peter Neumer and Kris Brown from the City of Chicago, Office of Inspector General.

I understand that this interview is part of an official investigation; that I have a duty to cooperate with the Office of Inspector

General, which includes answering all questions completely and truthfully.

Officer Viramontes, do you see the paragraph I just read aloud to you?

A. Yes, I do.

Q. I understand that I have no right to remain silent. I understand that I have an obligation to answer questions put to me truthfully.

I understand that if I refuse to answer questions put to me, I will be ordered by a superior officer to answer the questions.

I further understand that I have been advised that if I persist in my refusal to answer after an order to do so, such further refusal constitutes a violation of the rules and regulations of the Chicago Police Department and may serve as the basis for my discharge.

Officer Viramontes, do you see the paragraph I just read aloud to you?

A. Yes, I do.

Q. I understand and have been advised that my statements and responses may constitute an official police report.

I understand that Rule 14 of the Chicago police Department's Rules and Regulations prohibits making a false report, written or oral, and I further understand that making such a false report, whether written or oral, may result in my separation from the Chicago Police Department.

Officer Viramontes, do you see the paragraph I just read aloud to you?

A. Yes.

Q. I understand that any statement made by me during this interview may be used as evidence of misconduct or as the basis for disciplinary action up to and including removal or discharge.

Officer Viramontes, do you see the paragraph I just read aloud to you?

A. Yes.

Q. I understand that any statement made by me during this interview and the fruits thereof cannot be used against me in a criminal proceeding.

Do you see the paragraph I just read aloud to you?

A. Yes.

Q. I understand that I have the right to have a union representative or legal counsel of my choosing present at the interview to consult with, and that I will be given a reasonable time to obtain a union representative or legal counsel as long as the interview is not unduly delayed.

Do you see the paragraph I just read aloud to you?

A. Yes.

Q. I understand that a refusal to answer any question or any false, inaccurate, or deliberately incomplete statement by me would constitute a violation of Chicago Municipal Ordinance 2-56 and may serve as the basis for my discharge.

Do you see the paragraph I just read aloud to you?

A. Yes.

Q. I acknowledge that this statement of my administrative rights has been read aloud to me, and I have been allowed to review this document.

Do you see the paragraph I just read aloud to you?

A. Yes.

Q. At this time, I would ask that you sign the Advisement of Rights form marked as Exhibit 1.

MS. RUSSELL: Peter, prior to Officer Viramontes executing this document, can you please indicate the Office of the Inspector General's position on whether criminal charges are probable against Officer Viramontes?

MR. NEUMER: The Office of the Inspector General has no position as to whether criminal charges are probable against Officer Viramontes.

OIG is conducting an administrative investigation, not a criminal investigation.

OIG is not conducting a joint investigation and is not working with any other law enforcement agency with respect to this investigation.

MS. RUSSELL: The fact that the Office of the Inspector General has deemed this an administrative investigation is not relevant to the determination of whether Officer Viramontes

receives his administrative rights or his right to remain silent.

We have indicated that the advisement that you have provided him indicates he has no right to remain silent.

MR. NEUMER: Okay. And again, OIG's belief is that we are proceeding today as we are legally entitled to do.

MS. RUSSELL: Officer Viramontes, will you execute the document marked Exhibit 1?

(Document executed by Officer Viramontes.)

MR. BROWN: And then we will witness down here.

MS. RUSSELL: Prior to moving forward with the statement, we are going to require him to receive an order from a senior officer, and we consent to receive that order via telephone.

BY MR. NEUMER:

Q. Officer Viramontes, is it fair to say that you will refuse to answer questions regarding the Laquan McDonald shooting absent an order from your superior officer?

A. I am sorry. Am I going to refuse?

No, I am not going to refuse.

MS. RUSSELL: Can we take a break for a minute?

MR. NEUMER: We will go off the record. The time is 10:16.

(Discussion had off the record.)

MR. NEUMER: The time is 10:17. We will go back on the record.

BY MR. NEUMER:

Q. So Officer Viramontes, is it fair to say that you will refuse to answer questions put to you by the Office of the Inspector General regarding the shooting of Laquan McDonald absent an order from your superior officer?

A. On the advice of my counsel -- I am sorry -- I ask for an order from a superior officer before proceeding.

MR. NEUMER: The Office of the Inspector General is going to interpret Officer Viramontes' statement as a refusal to answer questions regarding Laquan McDonald's shooting, and we will now contact Commander Klimas via telephone to have him order Officer Viramontes answer questions regarding the shooting of

Laquan McDonald.

(Whereupon, Commander Klimas contacted and present via telephone.)

COMMANDER KLIMAS: Bob Klimas.

MR. NEUMER: Commander Klimas, this is Peter Neumer with the City of Chicago, Office of the Inspector General.

I have you on speaker phone. We are in the middle of a court-reported interview with Officer Ricardo Viramontes.

His Attorney Jen Russell is present as is my colleague Kris Brown. We are asking -- attempting to ask Officer Viramontes questions about the shooting of Laquan McDonald, having provided proper notice of the interview and proper notice of the allegations against him.

However, Officer Viramontes is refusing to answer all questions related to the Laquan McDonald shooting, and therefore I would ask that you please order Officer Viramontes to answer the Office of Inspector General's questions.

COMMANDER KLIMAS: Okay. This is Commander

Robert Klimas, K-l-i-m-a-s, of the Chicago Police Department, Bureau of Internal Affairs.

Officer Ricardo Viramontes, I am giving you a direct order to answer all questions posed to you today by Peter Neumer or his designees from the Office of Inspector General, City of Chicago.

OFFICER VIRAMONTES: I understand.

COMMANDER VIRAMONTES: Okay.

MR. NEUMER: Thank you, Bob.

COMMANDER VIRAMONTES: Sure, good-bye.

MS. RUSSELL: And prior to moving forward, Officer Viramontes would like to make a statement.

THE WITNESS: This statement is not being made voluntarily, but under duress. It is only being made at this time because I know that I will lose my job if I refuse a direct order given to me by Commander Klimas.

I am invoking each and every right granted to me under Garrity vs. New Jersey.

Also, on the advice of Counsel, I am making the additional objections: I am objecting to the fact that the City of Chicago

Inspector General's Office is making allegations and conducting an investigation into its own allegations.

I am objecting that the interview is being placed before an arbitrator, has decided the issues that were raised in regards to this investigation.

The Fraternal Order of Police has filed a grievance regarding this investigation, and the Inspector General refused to postpone this interrogation injunction.

I am also objecting that I have requested my prior sworn testimony; namely, the testimony I provided to the Grand Jury.

The Inspector General refused to provide me with a copy of my Grand Jury testimony and/or any other statement I have made to the Federal investigators in violation of my rights under the contract.

The Investigator General indicated that it does not have possession of my Grand Jury testimony.

To the extent I am questioned about my Grand Jury testimony, I assert that the

testimony is truthful and was based upon my recollection at the time. I stand by all of my answers.

MR. NEUMER: The Office of Inspector General would note again that the OIG is conducting an administrative investigation and not a criminal investigation.

It is not working with any other law enforcement agency with respect to this investigation.

We are not in possession of any grand jury statements Officer Viramontes made, and do not have a obligation to provide statements from the grand jury that are not in our possession.

In addition, we believe that the arguments offered in support of the FOP's injunction have no merit, and we are proceeding today as we believe we are legally entitled to do.

MS. RUSSELL: Officer Viramontes is prepared to give his statement now.

BY MR. NEUMER:

Q. Okay. As a preliminary matter, we are going to mark several exhibits and put them

on the record.

Officer Viramontes, you were provided these exhibits by IAD, and we will start with what has been previously marked as Exhibit 2, a document entitled Notification of Interview to CPD Member dated February 19, 2016.

Have you seen the Notice of Interview previously, Officer Viramontes?

A. Yes.

Q. And did IAD provide you with this document on or about February 19, 2016?

A. Yes.

Q. I am now going to hand you what is marked as Exhibit 3, a document entitled Notification of Allegations dated February 19, 2016.

Have you seen this Notification of Allegations before, Officer Viramontes?

A. Yes, I have.

Q. And did IAD provide you with this document on or about February 22nd, 2016?

A. Yes, they did.

Q. And before you hand that back, is your signature on the second page of the

Exhibit 3 Notification of Allegations?

A. Yes, it is.

Q. And I will hand you back Exhibit 2 and just ask you the same question.

Is your signature on the bottom of the Exhibit 2 Notification of Interview?

A. Yes.

Q. Now, I will hand you what has been previously marked as Exhibit 4, which is a Receipt Form.

Have you seen this receipt form prior to today, Officer Viramontes?

A. Yes, I have.

Q. And did IAD provide you with this Receipt Form on February 19, 2016?

A. Yes.

Q. And did you sign this Receipt Form on February 19, 2016?

A. Yes, I did.

Q. Okay. I am now going to hand you what has been previously marked Exhibit 5. This is an excerpt of a CPD Case Supplementary Report dated March 16, 2015, with the RD number HX475653 containing Officer Viramontes'

statement to Detective March.

Officer Viramontes, have you seen this exhibit, this excerpt of a Case Supplementary Report prior to today?

A. Yes.

Q. And did IAD provide you with this document on or about February 19, 2016?

A. Yes, they did.

Q. I will now hand you what has previously been marked Exhibit 6, a General Progress Report dated October 20, 2014 with the RD number HX475653 containing Detective March's notes of an interview of Officer Viramontes.

Officer Viramontes, have you seen the Exhibit 6, General Progress Report, prior to today?

A. Yes.

Q. And did IAD provide you with this General Progress Report on or about February 19, 2016?

A. Yes.

Q. Okay. In order to prepare for today's interview, did you review the materials that we provided you through IAD?

A. Yes, I did.

Q. And those materials included video from in-car video systems of the Beat 813 Robert vehicle and the Beat 845 Robert vehicle; is that correct?

A. That's correct.

Q. And there was also video, the OIG's DVD that IAD provided you also included video from a Dunkin' Donuts security camera; is that correct?

A. That's correct.

Q. And did you review those videos, the 813 Robert video the 845 Robert video and the Dunkin' Donuts security cam video prior to today's interview?

A. Yes, I did.

Q. Since receiving the Notice of Interview, did you review any materials other than the materials OIG provided you through IAD?

A. No other materials.

Q. Aside from your attorney, who did you speak to in preparation for today's interview?

A. Really no one. I mean, I spoke to my partner, but that's my partner.

As far as reviewing, no, it is usually more scheduling.

Q. Your partner, Officer Fontaine?

A. Yes.

Q. And what did you speak to Officer Fontaine about in preparation for this interview?

A. Well, not really preparation. Just -- I mean, actually, I spoke to her yesterday just in regards to an overtime slip. That's basically it, and see how long she was here. That's about it though.

Q. Anything other than the overtime issue and how long the interview lasted with Officer Fontaine?

A. No, no specifics.

MR. NEUMER: Okay. Before we get into some general background questions, Counsel, is it fair to say that you are willing to accept receipt of the transcript of today's interview within 72 hours of the OIG's receipt of that interview, and not 72 hours of the interview taking place?

MS. RUSSELL: Yes, that's fine. And also,

I would note that regarding the Receipt Form, it indicates that there were audio files provided to Officer Viramontes, and there were none, as we will address later today.

MR. NEUMER: Exactly.

BY MR. NEUMER:

Q. Okay. With respect to your work background, Officer Viramontes, could you just state your full name, your star number, and your current unit of assignment?

A. It is Officer Ricardo Viramontes, R-i-c-a-r-d-o, V-i-r-a-m-o-n-t-e-s, Star 10590. I am assigned to the 8th District, Chicago Police Department.

Q. Officer Viramontes, what was your unit of assignment on October 20, 2014?

A. I was 841 Robert.

Q. And what watch were you on as of October 20, 2014?

A. That was first watch.

Q. Can you tell us what your chain of command was as of October 20, 2014?

A. I don't know specifically who my sergeant was. I know there was -- I don't know

who was the watch commander, but I believe it was -- Sergeant Franko was one of them that I do remember.

Q. Okay. Do you remember the lieutenant?

A. No, I don't. I don't know who was working that day.

Q. And you don't -- do you remember the commander?

A. No, I don't. We have had so many.

(Discussion had off the record.)

THE WITNESS: The reason I say 841 Robert, because that's usually my assigned car. It usually gets downed when necessary, so I get switched around, so I believe I was 841 Robert. So I have to -- yeah, I have to --

MS. RUSSELL: That's fine.

BY MR. NEUMER:

Q. Officer Viramontes, what is your personal cell phone number?

A. It is [redacted].

Q. And was that the same cell phone number you had as of October 20, 2014?

A. The number, yes.

Q. Okay. I want to talk to you a little bit about the Grand Jury.

Were you summoned to give testimony before a Federal Grand Jury regarding the McDonald shooting?

A. Yes.

Q. Did you give testimony before a Federal Grand Jury regarding the McDonald shooting?

A. I am sorry. Can you repeat the question?

Q. Sure. Did you give testimony before a Federal Grand Jury regarding the McDonald shooting?

A. Yes, I did.

Q. And did you go before a Grand Jury on more than one occasion?

A. No, I didn't.

Q. On one occasion?

A. Just one occasion.

Q. Okay. When was that?

A. I don't remember the date.

Q. Do you remember the month?

A. No, I don't remember the month.

Q. Was it in 2015?

A. It has been that long. It possibly can be.

Q. So several months ago?

A. Yeah, I would say that.

Q. Okay. Did you assert your rights under the 5th Amendment and refuse to testify before the Federal Grand Jury?

A. No, I answered the questions.

Q. Okay. You weren't given any immunity to testify before the Grand Jury?

A. Not that I remember, but no, I answered all the questions.

Q. Okay. About how long were you answering questions before the Grand Jury?

A. I don't know the amount of time I was there.

Q. Do you think it was more than an hour?

A. I don't -- I would just be guessing right now.

Q. It didn't take more than a day, did it?

A. No, not more than a day.

Q. Okay. Did you provide a written statement to the Grand Jury?

A. No, I didn't.

Q. Prior to your Grand Jury testimony, who did you speak to in preparation for that testimony?

A. It would be counsel, but I forgot his name already. I forgot the counsel's name.

Q. Okay. So you had counsel, and you spoke to that counsel prior to your Grand Jury testimony?

A. That's correct.

Q. Okay. But you don't remember his name?

A. No. It is on the tip of my tongue. I am sorry. I can't remember.

Q. Other than your attorney, did you speak to anyone else in preparation for your Grand Jury testimony?

A. No.

Q. Did you speak with Officer --

(Discussion had off the record.)

THE WITNESS: Oh, yeah, going back to your question. I did meet with the Feds before the

Grand Jury. I forgot about that part.

BY MR. NEUMER:

Q. Who with respect to the Feds did you meet with?

A. I don't remember their names.

Q. Tell us about that meeting.

A. I mean, I don't remember.

Q. So how many people did you meet with?

A. I don't know. I think there were two people there, but I don't remember.

Q. And do you remember where the meeting took place?

A. You know what, right now, I can't remember.

Q. Okay. Was your attorney present during this meeting?

A. Yes.

Q. Okay. So it was you, your attorney, and two people from the Federal Government?

A. Yes.

Q. Do you know whether they were FBI agents or Assistant U.S. Attorneys or --

A. I thought they were FBI, yeah.

Q. Okay. Did that meeting occur like

shortly before your Grand Jury testimony?

A. I don't know how long it was before when I gave my testimony to the Grand Jury, I don't remember how long it was.

Q. Okay. Do you recall if prior to speaking with the representatives from the federal government you received proffer protection?

A. I am sorry?

Q. Are you familiar with that term?

A. No.

Q. Did you get any sort of -- did you sign an agreement with -- prior to speaking with the federal authorities?

A. I don't remember signing anything, but I don't remember.

Q. Let's talk first about your meeting with the federal authorities.

Again, your recollection is that was the FBI you spoke with?

A. Yes.

Q. Okay. Did you speak with the FBI on more than one occasion?

A. Not that I remember, no.

Q. Okay. So it was one time you spoke with the FBI, correct?

A. Yeah, I believe so, yes.

Q. And then one time you gave a statement before a Federal Grand Jury?

A. That's correct.

Q. Okay. Did you speak to any other governmental officials regarding the -- or investigatory agencies regarding the Laquan McDonald shooting, not including CPD, but following the shooting?

A. No.

Q. Going back to your interview with the FBI, were you asked questions about the Laquan McDonald shooting?

A. At the Grand Jury?

Q. Sorry. With the FBI, when the --

A. Yes, they were asking me questions about the shooting.

Q. And did you describe the shooting to the FBI?

A. I can't remember what specific questions were asked, but they were in regards to the shooting though.

Q. Did they ask you to go through your recollection of the shooting, your witnessing of the shooting?

A. They did show me some video of the shooting.

Q. Okay.

A. In regards to -- they were asking me questions about it.

Q. Were they asking whether you thought the shooting was justified?

A. No, they never asked me that.

Q. Okay. Did they ask you about the statements you made to Detective March?

A. No, I don't remember them asking me that.

Q. So one of the exhibits we handed you previously, Exhibit 5, was a Case Supplementary Report that has a statement attributed to you.

Did the FBI ask you about that statement or show you that statement?

A. No.

Q. Do you recall whether the FBI showed you any exhibits or documents during your interview?

A. No. The only thing they showed me was that video.

Q. Okay. And that was the video of the Laquan McDonald shooting?

A. That's correct.

Q. Did they ask you questions regarding that video?

A. Yes, they did.

Q. And what were they asking you?

A. I don't remember the specific questions they were asking me.

Q. Did the meeting with the FBI occur before you made your statement to the Grand Jury?

A. I am sorry. Can you repeat?

Q. Did your meeting with the FBI occur before you testified before the Grand Jury?

A. Yes.

Q. Okay. And you never spoke to the FBI after your Grand Jury testimony?

A. That's correct.

Q. Okay. Did your testimony -- so having reviewed the Exhibit 5, CSR, did your testimony to the FBI about the shooting event

differ at all from your statement to Detective March in the Exhibit 5 CSR?

MS. RUSSELL: Can we see the Exhibit 5 so he can take a look at it really quick? I don't know if he read it or not.

MR. NEUMER: Sure.

THE WITNESS: Yeah, I don't remember any of the specific questions that they did ask in regards to this.

BY MR. NEUMER:

Q. Okay. So you don't recall any ways in which your statement to the FBI differed from your statements to Detective March?

A. The questions that they asked me from this, I don't remember if they were specific to this.

Can you ask me your question again?

Q. Sure. I am wondering whether your statement to the FBI differed at all from the statement attributed to you in the Exhibit 5 CSR?

A. I don't know what -- I can't remember what statements I gave to them.

Q. To the FBI?

A. To the FBI.

Q. Prior to your Grand Jury testimony, did you speak with any of the officers who were present at the McDonald shooting scene?

A. I mean, I see them sometimes on a daily basis.

Q. I will ask a different question. In preparation for your Grand Jury testimony, did you speak to any of the officers who were present at the scene of the McDonald shooting?

A. Just my partner, just scheduling issues.

Q. So you spoke to Officer Fontaine about how you would cover your shift or something like that?

A. No. It is actually it is more the stress that I am getting from all this. That's -- I mean, she is my partner, so...

Q. Did you have any substantive conversations with Officer Fontaine in preparation for your Grand Jury testimony about the night of the McDonald shooting?

A. No.

Q. Did you have any conversations

regarding the night of the McDonald shooting with any of the other officers who were present at the scene in preparation for your Grand Jury testimony?

A. No.

Q. Would you have exchanged any phone calls, texts, e-mails with Officer VanDyke prior to your Grand Jury testimony?

A. Specific to Officer VanDyke, is that what you are asking me?

Q. Yes, yes.

A. No.

Q. How about with any e-mail, text or phone exchange with any of the other officers who were present at the McDonald shooting? And I can go through the names if you would like me to.

A. It is not necessary. You don't need to. I don't remember if texts were sent or -- that night.

Q. No, no, no. Sorry. I am talking about in preparation for your Grand Jury testimony, did you have any phone communications, e-mails, or texts with any of

the officers who were present at the scene of the shooting?

We have talked about VanDyke, and now I am talking about the other officers.

A. No, no.

Q. Okay. Well, let me -- well, let me actually ask you about your relationship with the other officers at the scene of the shooting.

So I am just going to go one at a time here.

What was your relationship with Officer Fontaine as of October 20, 2014?

A. She is my partner. I have probably been to her house once. That's about it though.

Q. Okay. And how long have you two been partners as of October 20, 2014?

A. I can't be specific. It has been years now.

Q. Okay. Couple of years?

A. Couple years.

Q. Okay. And how often did you socialize with Officer Fontaine outside of work?

A. Rare; very, very, very rare.

Q. Rare occasions?

A. Yeah. I mean, like I said, I think I have been to her house once.

Q. And where does Officer Fontaine live?

A. She lives further south from -- I don't even know her address.

Q. Okay. What neighborhood do you reside in?

A. I live in Garfield Ridge.

Q. What's the nearest intersection?

A. That would be Archer, Archer and -- if you want a bigger -- Central.

Q. Archer and Central?

A. Uh-huh.

Q. Okay. What was your relationship with Officer VanDyke as of October 20, 2014?

A. I don't even speak to him. I mean, if I did, it was once in a big great while if he was sitting next to me, but I don't have a relationship with him.

Q. Okay. Have you ever worked with him?

A. I don't think so, no.

Q. Okay. Did you ever socialize with Officer VanDyke outside of work?

A. No.

Q. Were you ever interviewed as part of a complaint someone had made against Officer VanDyke?

A. No.

Q. How about Officer Gaffney? What was your relationship with Officer Gaffney as of October 20, 2014?

A. I guess more of a -- I mean, I talk to him probably more than some of the officers because of my beat. That's why.

Q. And do you -- how often do you see him at work?

A. I think we have the same day off group, so I kind of almost see him almost everyday.

Q. Do you have any relationship with Officer Gaffney outside of work?

A. No.

Q. No socializing?

A. No.

Q. Okay. What was your relationship with Officer McElligott as of October 20, 2014?

A. I would say the same.

Q. Same as with Gaffney?

A. Yes.
Q. So you would see him on an almost daily basis at work?
A. Yeah.
Q. Any socializing with Officer McElligott?
A. No.
Q. What was your relationship with Officer Arturo Bacerra as of October 20, 2014?
A. I don't know him.
Q. Don't know who that is?
A. I think I know -- the person, but I don't -- I think he is on a different watch if I am not mistaken.
Q. So you never work with Officer Bacerra?
A. No.
Q. Do you ever socialize with Officer Bacerra?
A. No.
Q. What was your relationship with Officer Janet Mondragon as of October 20, 2014?
A. I talk to her when I see her.
Q. At work?

A. At work, yes.
Q. And are you guys ever partnered up at work?
A. I -- once in a great while. I mean, like I said, my car gets downed, I get thrown everywhere.
Q. Sure, sure. So once in awhile, you might partner with Officer Mondragon?
A. Once in awhile.
Q. Is that true with Officer Gaffney and Officer McElligott?
A. I have worked with them at one time or another.
Q. But Officer Fontaine is your regular partner?
A. That's correct.
Q. Any socializing with Officer Mondragon outside of work?
A. No.
Q. What was your relationship with Officer Daphne Sebastian as of October 20, 2014?
A. There is no real -- same thing with like Janet Mondragon, Officer Mondragon.
Q. May have partnered with her once

every so often?

A. Yes.

Q. And see her on a daily or weekly basis at work?

A. Well, the off groups, depending on. If she is there, I mean, it is not -- we are a very small watch so, you know, I talk to them once in awhile.

Q. Sure, sure. Do you ever socialize with Officer Sebastian outside of work?

A. No.

Q. What was your relationship with Officer Leticia Velez as of October 20, 2014?

A. Actually, I didn't know her until all this so...

Q. Okay. How about since then? Do you ever work -- since October 20, 2014, do you work with her ever?

A. No. She is on a different watch.

Q. Okay. Either prior to or post October 20, 2014, do you ever socialize with Officer Velez?

A. No.

Q. What was your relationship with

Officer Walsh as of October 20, 2014?

A. I have worked with him before, but no socializing after work.

Q. Okay. I want to go back to the Grand Jury. You said no texts, phone calls, communications with any of those officers we just discussed in preparation for your Grand Jury testimony?

A. No, not that I can -- no, I don't think so, no.

Q. Okay. When you testified before the Grand Jury, were you asked questions about the Laquan McDonald shooting?

A. I am sorry. Can you repeat again?

Q. When you testified before the Federal Grand Jury, were you asked questions about the Laquan McDonald shooting?

A. Yes, I was.

Q. Did you describe the shooting incident to the Grand Jury?

A. I don't remember how they -- they brought it about, but I don't know the specifics.

Q. So I guess did you give a description

of the shooting to the Grand Jury?

A. If I can remember, it was just a video that they did show, also. They showed me a video.

Q. Okay. They showed you a video of the Laquan McDonald shooting?

A. Yes, they did.

Q. And was that one of the videos that OIG provided you on a DVD prior to today's interview?

A. I don't remember -- yeah, it could have been. You know, I am not sure.

Q. Do you think it was -- you were shown one of the dash cam videos?

A. It was a dash cam video.

Q. So you were shown the dash cam video when you were testifying before the Grand Jury, and were you asked questions about that video?

A. Yes.

Q. Okay. What sort of questions did they ask you about the dash cam video?

A. I don't remember the questions.

Q. That was --

MS. RUSSELL: Do you want him to say

generally?

MR. NEUMER: I mean, I just want his best -- I don't want anything that's speculation.

I would just think that, again, you know, this is an important day in your life. You had an obligation to tell the truth. It was subject to possible criminal liability if you told any untruths, so I just -- I think that, you know, what you can remember and tell us about what went on in front of the Grand Jury as best you can.

MS. RUSSELL: I think we are getting caught up on, you know, specifics versus general.

I believe he is trying to explain that he can't remember specifically what was said, but maybe if you explain generally what the substance of your testimony was, that will help.

THE WITNESS: I mean, as far as the video goes, I mean, it is -- I am trying to -- I am sorry.

I am getting the interview and the -- the interview with the Federal, with the Feds

and the Grand Jury all mixed up, because they were both different. That's why.

BY MR. NEUMER:

Q. Okay. Well, let me walk it back a little bit and just say like, okay, so you are testifying before the Grand Jury. What general topics are they asking you about?

A. They were asking me where I was -- in what position my car was. I believe that's one of the topics that they did touch on.

Q. Okay.

A. What was I doing at the time. I mean, that's -- I can't remember any more.

Q. Did they ask you whether you thought the shooting was justified or not?

A. I believe they never -- they never asked me that question.

Q. Were you shown -- this is when you were before the Grand Jury, did they -- were you provided any exhibits or documents?

A. Just the video. There was no other documents.

Q. Were you provided your statement to Detective March?

A. No, I wasn't.
Q. Did you review your statement to Detective March prior to your Grand Jury testimony?
A. No.
Q. Did you review any materials in preparation for your Grand Jury testimony?
A. No.
Q. Okay. Besides your attorney, did you talk to anyone else in preparation for your Grand Jury testimony?
A. No.
Q. Prior to your Grand Jury testimony, did you make any attempt to ensure your story did not conflict with any of the other officers who were at the scene of the shooting?
A. No, because my testimony to me was so insignificant, I forgot all about it until just the recent events that I got notified for this.
Q. You forgot about your Grand Jury testimony before this --
A. Well, the thing is, to me, my account of what happened was -- I mean, it is -- to me, I gave an account, and I forgot all about it. I

found out later that my name was in the paper and that's how I found out.

Q. So you were asked where you were at the time of the shooting?

A. Yes.

Q. Okay. And sort of what you were doing at the time of the shooting?

A. Yes.

Q. Were you asked to describe what you saw with respect to the shooting?

A. Yes.

Q. Okay. And what did you say when you were asked to describe what you saw with respect to the shooting?

MS. RUSSELL: He is going to stand by his Grand Jury testimony as truthful and documented, but go ahead and answer if you can.

THE WITNESS: I mean, just basically what I heard, what I saw -- more specific what I did, in relation to when the shooting happened.

BY MR. NEUMER:

Q. And what did you do?

A. Well, the problem is my timing was all wrong because just different videos were

shown to me at one time, zoomed up more.

When I gave my testimony to the Grand Jury, I believed I was out of the car when the actual shooting happened. That was probably one thing that I did remember saying.

Q. Okay.

A. Because after everybody keeps showing me different videos, I found that later on that I was actually not even out of the car when it happened.

Q. Okay. So prior to your Grand Jury testimony, did you review the videos -- any videos of the --

A. No.

Q. You didn't review any videos -- sorry. I will complete my question.

A. Sorry.

Q. Prior to your Grand Jury testimony, did you review any videos of the McDonald shooting?

MS. RUSSELL: Other than what he testified to already with the FBI?

MR. NEUMER: Correct.

THE WITNESS: I mean, no.

BY MR. NEUMER:

Q. Okay. And so you believe you testified before the Grand Jury that you were out of the car when you witnessed the McDonald shooting?

A. Yeah, that's what I thought.

Q. And so as of today, is your understanding different as to where you were located at the time of the shooting?

A. Well, just to make this straight. One of the -- somebody -- I don't know if it was one of the Feds at the Grand Jury did bring up that question, because the video did show, and after they showed it to me, I realized that the timing wasn't what I thought.

So I did correct myself during the Grand Jury so just to get that straight.

Q. Okay. So you were asked about where you were; correct?

A. That's correct.

Q. And you said before the Grand Jury that you were outside of the vehicle when you saw the shooting initially; correct?

A. That's correct.

Q. And then you were shown the video at the Grand Jury; correct?

A. That's correct.

Q. And then after you saw the video at the Grand Jury, you said, I was actually inside the vehicle when I watched the shooting?

A. Well, it -- just the timing. I -- when -- see -- what I have to make -- I have to -- I am sorry. Hold on. Let me just get my thoughts straight.

I did correct myself during the Grand Jury as far as the timing goes, because everything that I thought I did at the time of the shooting was incorrect.

Now, after the video of the McDonald shooting was released to the public, I finally realized that even the timing, even when I did change it at one time, was totally different still.

I mean, so the perspective that I had at that time was just my timing was just distorted.

Q. When you testified before the Grand Jury?

A. That's correct.

Q. How much of the video did they play for you?

A. I can't remember the specifics, but I know I remember my car approaching, my vehicle approaching, just after the shooting sometime, I don't know specifics as far as the, you know, timeline.

Q. So at least from when your vehicle approached the scene of the shooting to when the shooting finished?

A. That's correct.

Q. Okay. And it might have been more, but --

A. Yeah, I mean, that's give or --

Q. Okay. Was the video that you were shown before the Grand Jury the same video that the FBI showed you?

A. I believe they are the same.

Q. Okay. And do you know whether or not that was the 813 Robert dash cam video that we provided you in advance of today's interview?

A. Yes.

Q. So you believe that all the video we

provided you, the 813 Robert dash cam video was the same as the video you were shown before the Grand Jury, and that was the same as the video that was shown to you by the FBI?

A. That's correct.

Q. Okay. Do you recall whether you were asked in the Grand Jury about any of your statements to Detective March?

A. I don't remember them asking me any questions about my statements.

Q. Okay. Anything else you can remember from your Grand Jury testimony?

A. No.

Q. General topics that were covered?

A. No. It is just the one thing that stood out in my mind was the timing. That's when I realized.

MR. NEUMER: Okay. At this time, I am going to turn the questioning over to my colleague for follow-up as to Grand Jury and your testimony before the Grand Jury.

EXAMINATION

BY MR. BROWN:

Q. How are you doing?

A. All right.

Q. Do you want to take a drink of water or anything?

A. Yeah, my throat is starting to irritate me again.

Q. If you want to slow down or take a break.

A. No, I just want to get this through.

Q. Okay. I wanted to ask you, how were you notified of your appearance before the Grand Jury?

A. I believe it was in roll call, I got a summons, I believe. I think that's what it was.

Q. Okay. So --

A. I am sorry. No, I think I got it during roll call. They gave me a summons, usually the sergeant hands it over.

Q. Just a regular day at work, you weren't expecting it, just the sergeant gives it to you one day?

A. Yeah, I think that's how it happened. It has been so long.

Q. Do you recall if other people received their notifications in the same manner?

A. I don't remember. I don't remember who got it or when they got it.

Q. Okay. When you went before the Grand Jury -- I know you don't remember exactly when it occurred, I just wanted to ask you, do you remember if it was hot outside?

A. I am trying to remember what I was wearing. I believe it was warm, but it is just my guess.

Q. Sure. That's fair. And you also mentioned your meeting with the -- who you believe to be the FBI?

A. Yes.

Q. Do you recall if that meeting occurred while you were at work for CPD?

A. It wasn't while I was at work.

Q. So the meeting occurred --

A. Some off-site.

Q. So the meeting occurred at a different location?

A. That's correct.

Q. Do you recall if you went to the meeting while you were kind of on the clock for your job at CPD, during your normal working hours?

A. No, it wasn't during my normal working hours, no.

Q. So the meeting was kind of arranged with you?

A. Yes.

Q. Okay.

A. I am just trying to think of the location where it was at, and I can't recall right now.

Q. Sure. Is it possible that you met with the FBI agents on Roosevelt Road?

A. I really can't remember.

Q. And I only ask that because the FBI has their headquarters located --

A. Oh, it wasn't at their headquarters. That I know.

Q. So you know it wasn't at their headquarters?

A. Yes.

Q. Do you think it was possibly another CPD location other than your district?

A. I think it was at 26th and California. The only reason I remember was the lunch area because that's where I met my attorney.

Q. That was kind of getting to my next question.

At that meeting with the FBI, do you recall if there were attorneys there at that meeting?

A. Just my attorney. I think it was Fahy. It was Attorney Fahy. I couldn't remember his name.

MR. NEUMER: Is that F-a-h-y?

MS. RUSSELL: Yes.

BY MR. BROWN:

Q. At that meeting with the FBI where your attorney Mr. Fahy attended, do you recall if attorneys from the U.S. Attorneys Office appeared or maybe attorneys from the Cook County State's Attorneys office appeared?

A. I don't remember who was exactly there. I know the Federal, they were there, but

there might have been somebody else asking questions as well.

Q. In addition to the two Federal Agents?

A. I am sorry. This is the Grand Jury that I am thinking of. I am sorry.

Q. That's quite all right. Just in relation to that meeting with the FBI that happened before the Grand Jury appearance you made, do you recall if there were other persons there besides the two FBI agents?

A. I don't remember anybody else, no. There shouldn't have been. I think there were just the Federal agents there.

Q. Okay. Prior to speaking to the Federal agents, had you seen Exhibit 5, the Case Supplementary Report, or Exhibit 6, the General Progress Report?

A. No, I didn't see those.

Q. And I believe you already stated that you had not seen those before your Grand Jury testimony either; correct?

A. That's correct.

Q. Okay. There were a couple of

questions about your relationships with the officers. I just had one follow-up there.

A. Sure.

Q. You mentioned VanDyke. I wanted to ask, how often was it that you worked with Officer VanDyke?

A. I never -- I don't believe I ever worked with Officer VanDyke.

Q. And is it accurate to say that he was not a member of your watch?

A. No, he was in our watch.

Q. Okay.

A. But I never worked with him as far as in the same car. I don't think I did, no.

Q. Okay. But if some event occurred that it called for other officers to support one another, would VanDyke be one of those officers that could support?

A. I worked the whole district. Depending on where I am working, I could have easily had been at the same scene for assistance at one occasion or another but --

MS. RUSSELL: I think when he says he hasn't worked with VanDyke, as partners, right?

THE WITNESS: Yeah, partners.
MS. RUSSELL: But, they are on the same --
THE WITNESS: As far as say an officer needs assistance, I could have easily been there.
BY MR. BROWN:
Q. Okay. Just as the same situation with those other officers we mentioned earlier to you, that you might have worked with them depending on the circumstance?
A. Yes, that's correct.
Q. All right. Now, you mentioned you were in a small watch group. I wanted you to explain that a little bit more to me. Is that different than the district group?
A. Well, I used to work third watch, which is a bigger, because it is afternoons.
Because it is midnights, I don't know for some reason they skimped out on the manpower, but it is just a smaller group that we work with.
Q. And those officers we mentioned to you, they are part of the midnights watch; correct?

A. Except for Bacerra and --

MR. NEUMER: Velez?

THE WITNESS: Yeah, they were on another watch.

BY MR. BROWN:

Q. Okay. And would it be normal for you to when you receive jobs over the radio to provide assistance to any officers as needed, as in the example with the McDonald incident?

A. That's correct.

Q. Okay. This might be a hard question, but how frequently would you receive that type of call where you were asked to provide assistance to other officers and you had to travel to a location?

A. I mean, there will be times when an officer doesn't really ask for assistance.

If we are close by, we will assist, but it depends on the calls. I mean, there is a large volume of calls that come through so...

Q. So it could be once a day?

A. It could be multiple times a day that, you know, an officer needs assistance or there is a call that's close by, we will go and

assist.

Q. So it just depends on the flow of how things are going?

A. Just the way things go, yes.

Q. Okay. And whenever you would come to provide assistance to another officer, would you and the officer you assisted have any conversations as to what occurred afterwards?

A. Like I said, it all depends. There will be times where we just take off. If everything is handled, we will just leave.

Q. Okay. So if -- I was wondering if there was any paperwork that was required to completed per the assistance to an officer, would there be any conversations before the paperwork would be completed?

A. It all depends on the job, type of job. If it needs paper, they might put us on the paper.

I mean, it is -- but like I said, it just depends on the job.

Q. So if the job calls for paper, would it be typical that there would be some kind of conversations between yourself and whatever

officers you might have assisted before completing the paper?

A. If I am assisting somebody, it depends on my role in the assistance.

I mean, there would be times just my presence being there might -- they don't require anything from me.

Like I said, it all depends on the job, so it differs.

Q. Does that mean there would be some situations where I guess depending on your role they might need to speak with you to kind of get an understanding of what occurred before making the reports on paper?

A. It is fair to say, yes.

MR. BROWN: That's all I have.

MR. NEUMER: Just really quickly.

FURTHER EXAMINATION

BY MR. NEUMER:

Q. How often did you see Officer VanDyke on a weekly basis at work?

A. I couldn't even answer that. I don't even know his day off group or anything. Like I said, I don't know.

Q. I mean, like was he one of the people you would see everyday or a couple times a week?

A. I don't know. There were people I only see once, once or twice a week, but I -- like it is not somebody I talked to. It is not somebody I know.

Q. Okay. You don't regularly have conversations with Officer -- or didn't regularly have conversations with Officer VanDyke when you were at work?

A. That's correct.

Q. Okay. And how many officers are on your watch?

A. I couldn't count. I don't know what the watch is.

Q. Like is it over 100 or --

A. I would be guessing right now. To be

honest with you, I don't know, because there is some -- like I said, there is some officers I don't -- I maybe see once or twice. It is a -- it keeps moving, because people are on vacation or -- so I don't know who is there or who is not.

Q. Okay. I want to talk to you about the events of October 20, 2014.

A. Okay.

Q. You were present when Laquan McDonald was shot that night; correct?

A. That's correct.

Q. I want you to walk us through your actions following the shooting in as much detail as you can remember.

I am looking for you to just kind of go step-by-step immediately what you did or what you did immediately after the shooting, and then take us through, and I will ask questions throughout, but I want you to just walk us through your best recollection as to what actions or what you did following the shooting.

A. Well, after the shooting, I stayed mostly by my vehicle. I really didn't know what

to do, so I started walking around, and then I decided to go look for my partner.

Q. Okay. That's Officer Fontaine?

A. Officer Fontaine, yes. After I found her, we headed to the vehicle and --

Q. Where was she?

A. You know what, there was so many people there, so I don't know where exactly I found her or she found me, but eventually we got into the car.

Q. The 841 Robert vehicle you were assigned to?

A. That's correct.

Q. Okay.

A. And we decided -- I don't know if they were assigning it to us, but we were going to go assist with traffic.

Q. Okay.

A. Immediately after we got in our car, we turned around. I believe it was one of the sergeants that told us we were the paper car, which is basically doing the report.

Q. Okay. Tell us a little bit about what a paper car is?

A. The paper car is basically the car that does the case report.

Q. Okay. And tell us what a case report is?

A. It is just a document where depending on what the type of event is, just a documentation of events or -- it is just a document we have to create.

Q. Okay. Does it document the officers who were present at the scene?

A. Yes.

Q. Let me ask you a different question. What information is contained in a case report?

A. Well, like I said, it depends on the event.

Q. Okay.

A. With this event, basically what was on that report was just to refer to the supplement of -- the detective's supplement and trying to get as much as far as the individuals that were -- the officers that were on scene on that report.

Q. So you want to get the individuals who are on scene. Anything else?

A. As far as that report, that's all I can remember now.

Q. Okay. Before we go into that, talk to me about your efforts at crowd control or perimeter control or traffic. I can't remember what your phrase was.

A. To traffic control?

Q. Yeah.

A. What we were trying to do?

Q. Yeah, you mentioned that --

A. Oh, we were about to go and block off one of the streets.

Q. Okay.

A. But I believe one of the sergeants went over the air, and I can't remember which one, but assigned us the job.

Q. So before you really were able to block off a street, you got asked to do the case report?

A. That's correct.

Q. Okay. At any time while you were at the scene, did you see -- well, let me ask you first. Did you direct any witnesses to the shooting to leave the scene?

A. No.
Q. Did you see at any time while you were on the scene of the shooting any other officers direct witnesses to the shooting away from the scene?
A. No.
Q. Okay. So before you can do, I will call it a traffic control, there is an order over the radio asking you and Officer Fontaine to do a case report or to be the paper car?
A. That's correct.
Q. Okay. And so by "paper car," you interpret that as you and Officer Fontaine have to complete the case report?
A. That's correct.
Q. So tell us what happens next.
A. I believe we were parked in front of a Dunkin' Donuts, still on the street.
Q. On Pulaski?
A. On Pulaski.
Q. So you and Officer Fontaine are in the 841 Robert vehicle parked in front of the Dunkin' Donuts on Pulaski?
A. That's correct. I don't know how

long it was that we were still -- we were parked, when another sergeant came over and told us to follow the ambulance with the body.

Q. You said you and Officer Fontaine were apart or were -- were you apart or were you in the vehicle together?

A. It was on and off, because Officer Fontaine was doing the case report. She was doing it on the computer.

Q. Okay. In the vehicle?

A. In the vehicle.

Q. Okay.

A. I was -- my job, which I didn't have that -- I was going around -- getting everybody's -- as much as I can, my ability to get everybody's name and star and what beat of assignment they were.

Q. Okay. Do you remember who you talked to at the scene while you were assisting in the completion of the case report?

A. No. It was chaotic. It was just so many people coming and going.

Q. Okay. While you were sort of walking around the scene of the shooting; is that fair

to say?

A. Yeah.

Q. Or the perimeter? Where are you walking?

A. I don't believe I ever went close to where the -- McDonald was at. It was more of the perimeter, trying to get the beat cars that were around.

Q. Okay. And help me out with the timing.

Is McDonald still -- is he still present at the scene while you are walking around?

A. I don't know the timing, but like I said, another sergeant, while we were there, assigned us to go with the ambulance, so I don't know what the time was, so I don't know how long we were still there.

Q. I gotcha. But when you first went out to talk to individuals who were at the scene to collect the star numbers and that sort of thing, Laquan McDonald must still have been at the scene, right, because the accident hadn't left?

A. Yeah, he was still there.
Q. Does that sound fair?
A. Yeah.
Q. So this must be pretty shortly after the shooting then, correct?
A. That's correct.
Q. Okay. So while you are, I will call it canvassing the scene a little bit, trying to collect star numbers and names of the individuals who are at the scene, did you have any substantive conversations with those individuals regarding the shooting?
A. No. At that point, I didn't even know still what was going on as far as what happened with 815 Robert, because that's what their initial call was from, and it was just bits of information that people were providing us with.
Q. Okay. So you are out there collecting information, and then there is a call, and you get assigned to accompany the body?
A. Yeah, that's --
Q. Walk me through that.

A. Well, I don't know how long it was when we were sitting there when one of the sergeants goes over the air and tells us to go follow the ambulance to the hospital.

Q. So you were in the 841 Robert vehicle when that call came in?

A. I don't know exactly if I was outside or inside the vehicle giving Officer Fontaine some of the information as far as names so she can --

Q. But you two were together?

A. On and off, yes. I was -- she was mostly in the car, because she had to do -- she was typing and making phone calls.

Q. I am just wondering if she had to come out and grab you on the scene or if you were right there and said let's go?

A. I think it was -- I don't know when it was, but we did get assigned to go to the hospital.

Q. Okay. And did you follow the body to the hospital?

A. Well, we started to, yes, and my partner was very frustrated. She goes over the

air and tells, you know, just frustrated to tell what do you want us to do; do you want us to follow the ambulance or do this report.

Q. Okay. And what was the response?

A. They told us, well, just stay -- do the report, so we turned back. So we were already traveling, and we returned.

Q. Okay. About how long were you away from the scene of the shooting?

A. I mean, it wasn't -- we got up the ramp. I mean, I don't know, I don't know, from the time that we started the car moving, I don't know, it could have been seconds. I mean, maybe a minute maybe.

Q. Okay. And then you came -- so you get back to the scene. Where do you park?

A. It is almost the same location. We weren't far. I mean --

Q. Near the Dunkin' Donuts on Pulaski?

A. Yes.

Q. So once you get back to the scene, what happens?

A. We just completed our report. You know, there is bosses everywhere. It was

chaotic. I mean, there was people everywhere.

Q. And when -- did you go back out to do -- again, I will call it a canvass, another canvass of the scene to collect more information?

A. Well, I tried -- like I said, my job was to try and get everybody's -- who was on scene basically.

So if I didn't -- I mean, I tried to the best of my ability. I am pretty sure I missed somebody.

Q. No, no. My question is --

MS. RUSSELL: They are like thanking their lucky stars right now they were missed.

BY MR. NEUMER:

Q. My question is before you got called to follow the ambulance, you were out on the scene outside the vehicle talking to people getting information?

A. Well, just getting their name.

Q. Getting their information?

A. Yes.

Q. And my question is after you came back to the scene, were you again out in the

area of the shooting, the general area collecting more information?

A. Trying to see who I had missed.

Q. Okay. And so once you collect that information outside, how do you give it to Officer Fontaine so she can complete the report?

A. I mean, everything was written on a scratch paper.

Q. And you just hand it to her?

A. Just hand it to her, yeah.

Q. Okay. And did you -- other than collecting basic info from individuals at the scene of the shooting, did you have any conversations with -- more substantive conversations about the shooting with anyone at the scene?

A. No. I mean, I believe I just stayed mostly by the car, just waiting until we were done.

Q. At any time, did you speak to Detective March at the scene of the shooting?

A. I believe that was his name, when he approached us, yes.

Q. Okay. So tell us about your -- did

you have a conversation with Detective March at the scene?

A. It was very brief. He asked me my name, star, unit of assignment, and a quick brief of what happened.

Q. Okay. Where were you when you talked to Detective March?

A. This was in the car.

Q. Was Officer Fontaine in the car?

A. Yes, she was.

Q. Was he speaking to you at the same time?

A. Yeah, it was just, like I said, real general, real quick. He was doing whatever he needed to do.

Q. Okay. Did he ask you for your name and star number and then Officer Fontaine's name and star number?

A. Yeah, that's correct.

Q. Okay. Was he asking questions to you individually or to you both?

A. He really didn't ask questions as far as just our name and stars, just, you know, what happened, just give a quick brief.

Q. So when he asked you what happened, is he saying, Officer Viramontes, what happened, or is he saying, hey, guys, what happened here?

A. Yeah, I don't know exactly what words, but that's how it was, more informal.

Q. I guess my question is --

MS. RUSSELL: Was he addressing both of you guys?

THE WITNESS: I can't remember if it was just -- because he was by my window. I might have gone out just so he could -- if Officer Fontaine had anything else to say, but I was always present there.

BY MR. NEUMER:

Q. Okay. So your recollection is that you were inside the vehicle when Detective March came up to talk to you?

A. I believe so I was.

Q. So windows open?

A. Yes.

Q. He comes up. Officer Fontaine is in the driver's seat or the passenger's seat?

A. She is the passenger.

Q. So she is in the passenger's seat,

you are in the driver's seat, and then March talks to you through the open window; is that correct?

MS. RUSSELL: I just want to make sure one thing is clear. I don't know that he exactly knows that it was Detective March.

MR. NEUMER: Okay. Sure, sure. Good point.

BY MR. NEUMER:

Q. So a detective comes up to you when you are in the 841 Robert vehicle on the scene -- at the scene of the shooting; is that correct?

A. That's correct.

Q. So you are in the 841 Robert vehicle in the driver's seat?

A. Yeah.

Q. And Officer Fontaine is in the passenger's seat, and Detective March approaches the driver's side window which at some point is open and asked you questions -- or asked you for your name and star number; is that correct?

A. That's correct.

Q. And at that same time, he asked

Officer Fontaine for her name and star number?

A. That's correct.

Q. And then he asks generally what happened?

A. Yeah.

Q. Okay.

A. No specific questions or anything.

Q. And what did you tell the detective?

A. Just exactly what I thought I saw. I saw Mr. McDonald walking down the street swinging his arm very angrily, he looked very agitated.

I saw him turn towards the officers, and Officer VanDyke started shooting.

Q. Do you recall what Officer Fontaine, how she described the shooting to the detective who came up to the window?

A. No, I don't recall what she said to him.

Q. Do you recall it differing from what your version of the shooting was at all?

A. I don't remember. I don't know if it differed or anything.

Q. Okay. While you were at the scene of

the shooting, did you ever talk to Officer Fontaine about the shooting, about what you had just witnessed?

A. I mean, there was really no time to even have a conversation. I mean, people were asking us questions, you know, in regards to the report, she had to do phone calls. I mean, we were constantly keeping busy until we got to the area.

Q. Okay. Did you like after the night of the shooting, did you ever learn that the detective who came up to your window, did you ever learn his name?

A. He probably did tell me his name, I just don't know if March, that was his name, but --

Q. Okay. Based on the information you reviewed in preparation for today's interview, do you believe that the detective who came up to your window was Detective March?

A. Yes, I mean, just from the notes.

Q. Okay. Do you recall when Detective March was speaking to you and Officer Fontaine at the scene of the shooting, whether he was

taking notes?

A. I believe he was, yes.

Q. Okay. Did you at any time at the scene of the shooting see a video of the shooting?

A. I believe I saw a glimpse of it at the Dunkin' Donuts.

Q. Tell me about that.

A. Well, the detectives went in there. I went in there to get their names, and that's when I got a glimpse of that one.

Q. Okay. So tell me, this is as part of your canvassing to complete the case report?

A. Uh-huh.

Q. Is that correct?

A. You could say that, yes.

Q. Okay. Are you objecting to my use of the word "canvassing"?

A. No, no, no.

Q. I am trying to use the best term.

A. You make it sound like I am investigating. I am not. I am just getting everybody's name. That's what I was doing.

Q. As you are going around the scene as

part of that process of completing the case report, you went into Dunkin' Donuts; is that correct?

A. I did, yes, to get some names.

Q. And there were officers or CPD folks inside that Dunkin' Donuts?

A. That's correct.

Q. Okay. And did you get their names and star numbers?

A. I believe I did get some.

Q. And what were those -- do you think they were officers or detectives?

A. I want to say they were detectives.

Q. About how many?

A. I couldn't count how many were in there.

Q. Less than ten?

A. I would say less than ten, yes.

Q. Less than ten but more than two?

A. Yes, I would say.

Q. What were those detectives doing inside the Dunkin' Donuts?

A. I would assume they were trying to recover the video.

Q. Okay. And where were these detectives in the Dunkin' Donuts?

A. Sitting on one of the, I guess, chairs, the tables that they had there.

Q. Did they have a laptop or did they have --

A. I believe it was a laptop, yes.

Q. Okay. So they had a laptop, and one laptop, multiple? Do you recall?

A. I think it was just the one.

Q. And so as you were getting information from them, I mean, how did it come that you saw a little bit of the video?

A. There were -- they were reviewing it, and I was present there waiting for them to finish so I could get their names and stars.

Q. Did they specifically show you the video?

A. No.

Q. So you were sort of -- you just happened to see it?

A. Yes, that's correct.

Q. Okay. Do you recall what portion of the events the video you watched in the Dunkin'

Donuts captured?

A. I believe it is the same one that was provided to me that you all provided.

Q. So you think it was the --

MS. RUSSELL: He said what portion.

THE WITNESS: Oh, what portion? I am sorry. I don't know what portion it was.

BY MR. NEUMER:

Q. Okay. But you believe it was the 813 Robert dash cam video that we provided you?

A. No, I believe it was the Dunkin' Donuts.

Q. Oh, okay. So you think it was the Dunkin' Donuts security camera footage?

A. That's correct.

Q. Okay. How far away were you when you saw that footage?

A. I don't know. I was behind everybody's shoulders, I guess.

Q. So maybe like five or 10 feet, something like that?

A. Probably.

Q. How good was your angle?

A. I couldn't answer that.

Q. Outside of the Dunkin' Donuts security footage, on the scene on the night of October 20, 2014, did you see any other footage of the McDonald shooting?

A. No, no. I don't think I did, no.

Q. Okay. So do you recall whether Detective March approached you and Officer Fontaine before you followed the ambulance or after you followed the ambulance?

A. I believe it was before the ambulance left.

Q. Okay.

A. I am just guessing right now, but I believe it was before.

MS. RUSSELL: Don't guess.

THE WITNESS: I don't recall.

BY MR. NEUMER:

Q. Is there a basis for your belief that it was before?

MS. RUSSELL: He said he was guessing.

MR. NEUMER: And that's why I want to make sure.

BY MR. NEUMER:

Q. If it is a really I don't know, then

it is an I don't know.

A. I don't know.

Q. Okay. So besides Detective March -- sorry.

Besides the detective who you later found out was Detective March; is that fair to say?

A. Yes.

Q. Did you speak to any other detectives at the scene substantively regarding the shooting?

A. I don't remember. Like I said, I had a lot of people coming up to us, since we are the paper car.

Q. Did you talk to any FOP representatives at the scene of the shooting?

A. There might have been one there, but I don't know if I spoke to them.

They might have came up to us just to ask, you know -- I think I might have asked just to get his name. He might have been on the report.

Q. Do you recall who that individual's name was?

A. No, I don't.

Q. Okay. And do you even know whether you actually talked to an FOP representative there or is it just something that's possible?

A. It could have been possible.

Q. Okay. Prior to your conversation with Detective March at the scene of the shooting, did you have any substantive conversations about the shooting with anyone else?

A. Like I said, there was really no time after -- after the shooting, I mean, everything just was going fast pace.

They gave us the job. We just did what we had to do and get that report.

Q. At any time while you were at the scene of the shooting, did you speak to VanDyke substantively about the shooting?

A. No.

Q. Okay. Do you recall whether you got his name and star number as part of your completion of the case report?

A. I don't think I even spoke to him that day.

Q. Okay. So any substantive conversation with any of the officers who were at the scene of the shooting regarding the shooting?

A. No, not really, no.

Q. Okay. At any point, were you separated from the other officers who were at the scene of the shooting or segregated from them?

A. The only time we were -- when we were doing that report, I mean, we were in the car, mostly in the car, or I was walking around. I probably had more exposure than Officer Fontaine.

Q. I see. But nothing prevented you from having a conversation with the other officers who were at the scene of the shooting?

A. No.

Q. Okay. So after you complete the case report, what happens?

A. After the case report was completed, I -- I don't know who told us, but we were to go to the Area Central.

Q. Okay.

A. To the area.

Q. Okay. So about -- and so you complete your case report and then someone tells you to go to Area Central?

A. That's correct.

Q. Was it Sergeant Franko?

A. I don't know who told us to go. It could have been one of the detectives. I don't know.

Q. And about what time do you leave the scene? Just for your reference, the shooting occurs just prior to 10:00 p.m.

A. I do not know what time we got to the area. I couldn't even tell you how long we were there.

Q. Okay. So you are ordered to go to the Area Central at 51st and Wentworth?

A. That's correct.

Q. How do you get there?

A. We drove on 841's car.

Q. You are still the driver, Officer Fontaine is the passenger?

A. That's correct.

Q. At any time during that car ride, did

you discuss the shooting?

A. No, not really, no.

Q. Had you been involved in an officer-involved shooting prior to October 20, 2014?

A. No.

Q. I understand that, you know, on the scene things are chaotic, but I would have thought that on the way there, you might have just discussed, you know, what this pretty traumatic event you just witnessed.

MS. RUSSELL: He already answered the question of whether they talked about it.

I don't know. Is that a question or just your observation of what you think?

MR. NEUMER: It is my observation and just asking if, you know, you have any --

MS. RUSSELL: He already answered.

THE WITNESS: The thing is, I mean, there is really nothing to talk about. I mean, as far as it happened, we are trying to get -- we are frustrated, we are hungry. I mean --

BY MR. NEUMER:

Q. Okay. What happens when you arrive

at Area Central?

A. I think they ordered pizza. That's about all I remember. I was hungry.

Q. So you get some pizza?

A. Yeah, just waiting around.

Q. Where are you waiting? Once you enter Area Central, where do you go?

A. We go upstairs to the detectives, their unit, whatever you want to call it.

Q. And where are you waiting in that detective unit room?

A. Just by their cubicles, wherever there is a seat available.

Q. And who else is present?

A. Oh, I know my partner was there. The only ones I really do remember was Janet Mondragon, Officer Mondragon and Sebastian, and there could have been some detectives.

Like I said, I don't know who else was present there.

I think Officer Gaffney came later on.

Q. Okay. So several of the officers who were at the scene of the shooting then went to

Area Central?

A. Yeah, we didn't all go all at once. I think we just went in there.

Q. And so folks were sitting at available seats in that detective room?

A. It is a big open area where there is cubicles, and we just got to sit wherever we can so...

Q. After you arrived at Area Central, did you have any conversations about the shooting with any of the other officers who had been at the scene of the shooting?

A. No. We were more focused on getting something to eat.

Q. Did you talk to an FOP representative while you were at Area Central?

A. He might have spoke to us. I don't know who -- we were waiting there -- we were told that we were going to give statements to IPRA.

Q. Was that told by the FOP rep?

A. That I don't remember -- I am not going to guess so I don't recall so...

Q. Okay. So you were -- you are sitting

in that area, that detective room, second floor?

A. That's correct.

Q. Okay. Second floor of Area Central. And you were told by someone, you can't recall who, that you would be interviewed by IPRA?

A. That's correct.

Q. And then what happens next?

A. I believe -- I don't know what detective got us into one of the side rooms, and they showed us the video again.

Q. Okay. Was it the same detective who spoke to you at the scene of the shooting?

A. I want to say yes, yeah.

Q. Okay. How certain are you that it was the same detective at the scene of the shooting and that same detective is the one who showed you the video?

A. I don't recall. If it was Detective March?

Q. Right.

A. I am not sure it was him.

Q. Okay. So tell us about a detective showing you the video of the shooting.

A. I believe it was the 813 Robert's

video camera that they showed us in that side room.

Q. Okay. Who was present when you saw that video?

A. I know my partner was there.

Q. Okay.

A. And I don't know who else was there, and the detective.

Q. Okay. So the detective showed you and Officer Fontaine, perhaps another individual or other individuals as well the 813 Robert dash cam video?

A. That's correct.

Q. Did that detective say anything to you prior to showing you the video in that room?

A. No. We kind of just went over what we just said on the scene.

Q. So did the detective ask you questions regarding the shooting prior to his showing you the video?

A. No. What happens, while we are watching the video, we were just -- how can I say this?

We were kind of agreeing what we had

stated on scene as we were watching it, you know, this, this, and this happened. He wasn't asking us -- he wasn't asking us questions if that's what you are asking.

Q. You were making statements while the video was playing?

A. We were just saying, oh, you know, we were watching it, because we haven't -- we haven't watched that video, but it was -- I don't remember the quality of the video.

It looked like I had been seeing more sharper video than the one that they had on there.

Q. I would just like to get a little more detail on that.

What sort of statements were you making while the video was playing?

A. It was just basically what we said on scene, what -- as far as -- I don't know.

Q. So my confusion is like, you know, you made some statements while you were on the scene of the shooting, at the scene of the shooting to a detective who we have identified as March; right?

A. Uh-huh, uh-huh.
Q. Is that correct?
A. That's correct.
Q. So then you are shown the video?
A. Uh-huh.
Q. And what I hear you saying is that we said the same things we said at the scene, and I am trying to -- did you literally make the same kind of statements while the video was playing that you said at the scene, or, you know, were you saying like oh, that seems about right with what I saw?
A. That's it.
Q. So walk me through that. I don't want to put words in your mouth. I am just trying to get a sense of what --
A. I understand. We weren't adding anything to what was said already. We were just, oh, this is what happened, and we were going by whatever was being shown at the time.
There was nothing added or -- it was just almost this is what we thought happened and this is what we are seeing, and I am like okay.
Q. Okay. So you thought it confirmed

the statements you made -- the video confirmed the statements you made at the scene of the shooting to Detective March?

A. Yeah.

Q. Okay. Did the detective who showed you the video ask you any questions regarding the video?

A. No.

Q. Did the detective who showed you the video make any comments regarding the video?

A. I mean, I don't know what -- if he said anything, I don't remember what he said.

Q. Did the detective who showed you the video say anything like the video contradicts what you are telling me about what occurred at the scene of the shooting?

A. No.

Q. Did the detective ever try and get you to change your statement in any way?

A. No.

Q. Do you think the detective who showed you the video ever tried to guide your statement in a particular direction?

A. No.

Q. Do you think the detective in any way tried to coerce or modify the recollection you had as to what you witnessed?

A. No.

Q. Do you recall the detective who showed you that video saying anything about or pointing out where McDonald supposedly turned?

A. No.

Q. Following your viewing of the video, did the detective ask you any questions?

A. No.

Q. So what was the purpose of the detective showing you the video?

A. I have no idea. You know, I started to give him exactly what -- I started to talk -- tell him about what had happened, and he really didn't really want to listen to what I had to say, so he moved to Officer Fontaine.

Q. Was that before or after he showed you the video?

A. I don't know the timing. It could have been during.

Q. Okay. So at some point, you started to say, hey, here is what I saw?

A. Yeah.
Q. And what did he say?
A. He didn't really care.
Q. How did you get the impression that he didn't care? Did he say, ah, I don't need to hear that?
A. No, he just moved on to the Officer Fontaine.
Q. Were you able to kind of complete your story about what happened before he moved on to Officer Fontaine?
A. Yes. I mean, it is, you know, I told him this is what I saw, and he moved on.
It was very brief. I mean, it wasn't -- we weren't in that room that long.
Q. Okay. I guess it just strikes me when you say he wasn't interested in your statement, like what gave you that impression?
A. I don't know. That's -- because he moved on to Officer Fontaine.
Q. And he didn't ask any follow-up questions?
A. No.
Q. Did he ask you to clarify any of the

statements you were making?

A. No.

Q. Okay. So when he moved on to Officer Fontaine, did he ask her to describe the scene to him?

A. I don't remember what he asked her.

Q. Okay. Do you recall what Officer Fontaine told him?

A. I don't remember what she answered.

Q. Do you recall Officer Fontaine's recollection of the shooting differing from yours at all?

A. I don't remember what she stated or anything.

Q. Did the detective ask you about any differences in your stories?

A. No. That is the thing. The detective asked and it was just, like I said, it was a brief -- you know, he asked me what happened, boom, and it was done.

Q. Did the detective ever tell you guys better get your story straight here?

A. No.

Q. Never said anything --

A. Nothing in regards to anything like that, no.

Q. What happened after you left the room?

A. I don't know when the pizza came, but we just ate, and we were just waiting when our turn was to give statements, but we never gave one.

Q. Okay. Did you have any substantive conversations about the shooting after you watched the video at Area Central that night --

A. No.

Q. -- with any of the officers who were at the scene of the shooting?

A. No. We were tired. We just wanted to go home. It was late.

Q. Did you -- so what happened -- so IPRA never asks you to give a statement; correct?

A. They told us that they would notify us whenever -- they were to notify us whenever we were going to give statements, but they never did so...

Q. And then how did you know you could

leave?

A. I don't know who told us, but we were told that we could go.

Q. Okay.

A. That they would notify us at another time for the statements.

Q. Okay. Do you recall when you left Area Central?

A. I don't know. It was early in the morning. I don't remember the time.

Q. Okay. And where did you go after you left Area Central?

A. We went straight to the District and went home.

Q. Okay. And you and Officer Fontaine drove from Area Central to the District?

A. That's correct.

Q. And the District is at -- on 63rd, is it --

A. Excuse me. Yes. I need some water.

MS. RUSSELL: Let's take a quick break.

MR. NEUMER: Sure. The time is 11:49. We will go off the record.

(Short break in proceedings.)

MR. NEUMER: The time is 11:59. We are back on the record.

BY MR. NEUMER:

Q. Officer Viramontes, I believe when we went off the record, I was asking you about where you went after leaving Area Central.

A. To the 8th District.

Q. Okay. And how did you get from Area Central to the 8th District?

A. 841 Robert's vehicle.

Q. And did you drive with Officer Fontaine?

A. That's correct.

Q. And during that trip to the 8th District, did you and Officer Fontaine have any conversations regarding the McDonald shooting?

A. I don't remember our conversations but -- all I do remember we were tired and we wanted to go home. That's all.

Q. Do you recall any conversations regarding -- with Officer Fontaine regarding your viewing of the video of the McDonald shooting?

A. Like I said, I don't remember our

conversation, if we even had one.

Like I said, at that point, we just wanted to go home. I mean, we got family stuff to do. That's what we do.

Q. And after you got to the 8th District, did you then go home?

A. That's correct.

Q. Drive your personal vehicle home?

A. That's correct.

MR. NEUMER: Okay. Kris, do you have any follow-up?

MR. BROWN: I have a couple follow-up questions.

FURTHER EXAMINATION

BY MR. BROWN:

Q. Back when you were on the scene, you mentioned crowd control?

A. If you want to call it crowd control, yeah.

Q. Should I not say crowd control?

A. To me crowd control is like we are trying to block everybody from, you know -- I don't know what you are specifically trying to --

Q. Sure. When you were -- and correct me if I am wrong.

Were you asked to I guess at one point move your car to kind of block traffic?

A. We were going to, yes. We never got to that point.

Q. Right. And I just wanted to ask some follow-up about that.

When you were asked to do that, how was that request made to you?

A. I don't remember if it was somebody that asked us. I believe we put it upon ourselves to go help out as far as doing something instead of just leaving the scene.

I don't know if somebody specifically asked. I don't think so but --

Q. Is that a normal thing, where you have the discretion to I guess go and try to help the scene by blocking off traffic?

A. If you put it -- some officers will decide to just leave.

I mean, we decided that we wanted to stay around the perimeter and we will go block the street off, just to do something.

Q. When you decided to do that, to go block the street off, did you have to inform the sergeant or anyone else?

A. I believe -- well, usually we will go over the air and tell the zone, the dispatcher.

Q. You would tell the dispatcher --

A. If we were going to do it, yes. I don't know if we got to that point. I don't remember.

Q. For this particular instance?

A. That's correct.

Q. Okay. Other than telling the dispatcher, would you do anything else such as a PDT message or go over the air with your radio?

A. It is usually just over the radio where we tell the dispatcher, yeah, but no PDT messages to anybody.

Q. As far as I guess other officers doing similar actions, trying to control the traffic, do you recall hearing any messages over the radio to instruct other officers to control traffic?

A. There might have been sergeants giving some direction, but I don't know what was

given over the air at that time.

Q. Okay. Given over the air, you mean just over your radio?

A. Over the radio, that's correct.

Q. And that would be the same way you would speak to the dispatchers is over the radio?

A. Yeah, that's correct.

Q. Okay. Do you recall hearing any orders over the radio to instruct officers to tell civilians to leave the scene?

A. I don't remember. I couldn't tell you what was going over the air at that time.

Q. Okay. How long after you arrived on the scene, if you had to estimate, did March come to speak with you?

A. I don't remember. As far as specific times, no, I don't remember.

Q. Sure. Could it be an hour?

A. Like I said, I would be guessing right now.

MS. RUSSELL: Don't do that.

BY MR. BROWN:

Q. We definitely don't want you to

guess. I am just trying to --

A. I am not guessing. I don't know the time. Like I said, my time, it could have been quicker, it could have been -- I don't know.

Q. So maybe a better way would be to I guess recount the stuff you did before March came to speak with you and how long you thought those activities took.

A. I don't -- to be honest with you, I don't even know how long we were there on the scene from start to finish, from when the shooting started until -- I couldn't even tell you what time.

That's how warped my -- I couldn't tell you. Even after I -- even after reviewing all this, I still can't -- I am trying not to because it stresses me out.

Q. I can definitely understand that.

A. I am trying to get away from it as much as possible.

Q. Do you have any idea when you arrived at the Area?

A. I don't -- maybe midnight. I don't know, to be honest with you. It could have been

somewhere around there.

Q. Okay. That's fair. I mean, if you -- your shift starts, what is it, 10:00 o'clock?

A. 21:00, so 9:00.

Q. I apologize. So you told us a little bit about March coming to your vehicle and speaking to you through your driver's side window?

A. Yes.

Q. And you inform March of your observations in regards to the shooting?

A. That's correct.

Q. Do you recall March having any response to what you told him?

A. That's the thing. There was no response. There was no direction as far as questioning.

You know, he just asked what happened, and we gave the response.

Q. Right. I remember you said what happened.

I was just curious if after you told him your observations, did he say anything in

response to your observations?

A. No.

Q. Okay. Do you think that that conversation, and it might not even be right to call it a conversation, but that exchange, can you estimate how long that took?

A. It was very, very quick. It was minutes. I mean, it was very, very brief.

Q. Okay. And after he spoke to you through the driver's side, do you recall -- I am sorry -- through the driver's side window, do you recall if March went to the passenger's side window to speak to Fontaine?

A. I don't remember. I don't remember if the exchange was right through me or if he went around. I don't remember what he did actually after that.

Q. Okay. Do you recall about how long the conversation with Fontaine took?

A. No, I don't. Like I said, our exchanges with him was brief. He had to go do whatever he needed to go do.

Q. So is it safe to say it was maybe five minutes or less?

A. Yeah, I would say less.

Q. Now, you mentioned to us that your window was open when March spoke with you. Were your windows open when you arrived on the scene?

A. I don't remember if the windows were open.

Q. Okay.

A. Yeah, I don't -- that's my answer.

Q. When you arrived on the scene, were your lights and sirens flashing?

A. My emergency lights were on. I don't remember the siren. It could have been on. I don't remember.

Q. If you have your lights flashing, would it be typical for you to have your windows up at that time?

A. I could have them either down or up.

Q. It could be either way?

A. Yeah.

Q. So when you got to the Area, you noted all the officers did not arrive at the same time.

You mentioned like Mondragon was there, McElligott and Gaffney, the other

officers arrived at different times.

Do you recall hearing any conversation that those officers had amongst themselves?

A. No.

Q. Okay. Now, we are going to move on to the point where you spoke to the detective in the side room.

A. Okay.

Q. The detective, do you recall him showing you the video, or was it the other person -- if there was another person there, do you recall the other person showing you the video?

A. I don't know who was the one that told us did you see the video, you know, come in, you know.

I mean, what I am trying to say is that I don't know which -- what detective, because I know there was one -- it could have been March, and there might have been another detective there, but I don't know which one had told us to come in.

Q. Okay. So whichever detective was I

guess giving you the questions, was he the same one that was operating the video player?

A. That's the thing. There was no questions. They just showed us the video, because we hadn't seen it. That's why they put us in the side room.

Q. Okay. Was there anything that stuck out about the other person that was there, if it was Detective March, besides him?

A. No. They all look the same to me so...

Q. Was the other person a male or a female?

A. I think it was a male, another male.

Q. Was he very tall?

A. I don't -- I don't know.

Q. Just trying to maybe figure out who the other person was.

A. Okay.

Q. When you were shown the video, do you recall if it was just one time or were you shown the video multiple times?

A. I don't remember how many times, if they did show it to us. Like I said, my time in

that room was really quick, so I couldn't -- I don't know if they did show it to us multiple times.

Q. Okay. And you said your time was quick in there.

Would you estimate it was less than ten minutes?

A. It would be less than ten minutes, yes.

Q. Do you recall if any of the detectives that were in the room had any notes while they were, I guess, listening to what you might have told them?

A. I am -- I wasn't paying attention as far as them holding anything. I don't know.

Q. Okay. Which is when March spoke to you at your vehicle, you do recall him having some notes?

A. That's correct.

Q. The last thing you mentioned that when you got to the Area, you know, people were hungry.

I want to ask, is that your normal lunchtime? Is it a couple hours into the shift

or --

A. There is no normalcy.

MS. RUSSELL: I think he has testified so many times that he doesn't know the time frame.

I mean, I don't know if you are trying to set the time frame by his hunger pains. He doesn't know what time.

BY MR. BROWN:

Q. No, I was just curious like if there is a normal time that you guys take lunch during your shift.

A. No, there is no normal time. It is whenever you get a chance. That's basically when it is.

MR. BROWN: Okay. That's all.

FURTHER EXAMINATION

BY MR. NEUMER:

Q. Really quickly. Other than at Area Central, other than when the detective or detectives showed you the video of the McDonald shooting and there was an exchange regarding the shooting, did you have any other substantive conversations regarding the shooting at Area Central?

A. No, just saw the video. I mean, that's --

Q. And that was the only time at Area Central you had an interaction or a communication regarding the McDonald shooting? That was the only time?

A. That's what I recall, yes. That was the only time.

Q. Okay. We are now going to show you or put in front of you Exhibits 5 and 6, the CSR and the GPR, the General Progress Report, the excerpt from the CSR containing the statement attributed to you and the GPR, which contains Detective March's notes of his conversation with you.

So take as much time as you need to review. Just let me know when you have had enough time to review.

MS. RUSSELL: Can we go off the record for a second?

MR. NEUMER: Sure. The time is 12:14. We are off the record.

(Discussion had off the record.)

** ** ** ** **

(Short break in proceedings.)

MR. NEUMER: The time is 12:18 p.m. We are back on the record.

BY MR. NEUMER:

Q. Officer Viramontes, we just -- we put Exhibits 5 and 6 in front of you.

Have you had sufficient time to review those exhibits -- well, Exhibit 5?

A. Yes.

Q. Okay. Let me ask you generally, what is a Case Supplementary Report?

A. It is an added report that -- I don't want to use the same word, but that adds onto the initial case report.

Q. Okay.

A. Which is usually, I don't know how the detectives work, but this is what the detective do as far as -- they add onto whatever the main report is.

Q. Do you ever complete Case Supplementary Reports as part of your duties as an officer?

A. Yes.

Q. You do? Okay. So you are familiar

with -- can I call them CSRs?

A. Well, the detectives name them differently.

Q. Okay.

A. We do have another report that's a supplement. I don't know how different their job is, because I am not too familiar with what they do and what their reports are named.

Q. Okay.

A. We do have one called a supplement. Say we miss something or we get some added information, we could always do a supplemental report. So they might be different.

Q. Are you general family with again what I will call a CSR?

A. See, I don't know that term. That's a detective term so that's probably what they named them.

Q. Okay.

A. That's their job.

Q. What is your understanding of what the purpose of a Case Supplementary Report is?

A. Just to add on information on the initial report, and I know detectives do it on

a -- because they don't do the initial report, so that's my understanding of it.

Q. And who completes Case Supplementary Reports?

A. I believe this one was completed by a detective.

Q. And do detectives generally complete Case Supplementary Reports?

A. In this type of incident, yes.

Q. Okay. In other types of incidents, other folks might --

A. I don't know. It depends on what the type of work -- or the job is.

On a shooting or a homicide or -- actually, I will take that back. I am sorry.

I have never dealt with a police shooting, so this is the first time I had to deal with it, and I understand that the detective were the ones that do the supplemental report.

Q. Okay. And at least in a police-involved shooting, a detective will do a Case Supplementary Report?

A. Yes, that's correct.

Q. Can you take -- I am going to ask you some general questions regarding the Exhibit 6, General Progress Report.

Are you familiar with General Progress Reports?

A. No, I am not.

Q. Okay. Have you ever completed a General Progress Report?

A. No.

Q. Okay. Do you know what the purpose of a General Progress Report is?

A. No, I don't.

Q. All right. With respect to Exhibit 5, in the middle of the page is your name and then some statements that are attributed to you?

A. Yes.

Q. It starts off, "Ricardo Viramontes stated he was a Chicago Police Officer assigned to the 8th District. Viramontes related the same facts as his partner Officer Dora Fontaine."

I want to go line-by-line through your statement here, and I am going to ask you

two questions with respect to each statement.

One, whether you made the statement attributed to you on the night of October 20, 2014; that is, whether you made that statement to a detective, and then two, whether that statement is accurate. Okay?

So I will go through this a little bit. I want to give you a little preview of what I am going to do with each one of these, okay?

A. Okay.

Q. Again, the first question is whether you made the statement, not concerned at that time whether it is right or wrong or anything, just did you make the statement to Detective March, and then the second question will be, is that statement accurate?

A. Okay.

Q. Okay. So I am going to read the statement, and then I am going to ask the first question and we will go from there.

So the statement attributed to you is as follows: "Officer Viramontes added that when he exited his police vehicle at the scene, he

observed a black male subject, now known as Laquan McDonald, walking southbound on Pulaski Road in the middle of the street holding a knife in his right hand."

So first question, did you, Officer Viramontes, make that statement to Detective March on the night of October 20, 2014?

MS. RUSSELL: Or any other detective?

BY MR. NEUMER:

Q. Or any other detective?

A. Yes, I did.

Q. You made that statement?

A. That's correct.

Q. Do you recall to whom you made that statement?

A. It is now believed it was Detective March.

Q. And were you at the scene of the shooting when you made that statement to Detective March?

A. Yes, I was.

Q. Second question, is the statement that I just read to you, is it accurate?

A. Yes.

Q. Okay. You mentioned previously when we were talking about your Grand Jury testimony, we talked about you exiting the vehicle and where you were when you witnessed the shooting?

A. Uh-huh.

Q. So do you feel that the statement, and again, I will read it for the record, "Officer Viramontes added that when he exited his police vehicle at the scene, he observed a black male subject, now known as Laquan McDonald, walking southbound on Pulaski Road in the middle of the street holding a knife in his right hand."

So I want to ask you again. Is that accurate? Is that what happened?

Did you exit the police vehicle and then observe Laquan McDonald walking southbound on Pulaski Road?

A. Yes, I did, but the timing, like I said, the timing is -- but I did see that.

Q. Okay. So I am going to direct your attention to the portion of -- well, let me clarify first.

So you are saying I did observe -- it

is accurate to say that I observed a black male subject, now known as Laquan McDonald, walking southbound on Pulaski Road in the middle of the street holding a knife in his right hand?

A. That's correct.

Q. That is an accurate statement?

A. Yes.

Q. Okay. Now I am going to direct your attention to the portion of that sentence that says, "When he exited his police vehicle."

So my question is given your previous testimony today regarding the Grand Jury, is that an accurate statement that you made that observation after you exited your police vehicle?

A. It wasn't after. It was as I approached the scene in the car.

Q. Okay. So tell us about that -- and so we have a statement here, and you said this is what you told Detective March?

A. Uh-huh.

Q. Explain that to me why you told Detective March that you exited the police vehicle and made that observation, and then why

you are now saying that you were -- is it correct to say you were inside the police vehicle when you made this -- or approaching the scene when you made this observation?

A. Well, based on the review of the video that I did see, what occurred was when I arrived on scene, as I was arriving on scene, I could see Mr. McDonald holding the knife as -- because everything happened instantaneous. My door opened as the shooting started.

Q. Okay. And did you exit the vehicle as the shooting occurred?

A. The video speaks for itself.

Q. Well --

MS. RUSSELL: He said he doesn't remember the exact sequence of events. You guys have the video. Take a look at the video. You can see him opening the door, and you can see what's happening at that time.

He said he doesn't remember. You guys --

MR. NEUMER: But I didn't think we --

MS. RUSSELL: The timing, the sequence of events, I mean, we have been down this --

BY MR. NEUMER:

Q. I just want to know do you recall whether you actually exited the 841 Robert vehicle when the shooting was occurring?

A. My door opened as the shooting was occurring.

Q. Okay. And then did you exit the vehicle after your door opened?

A. That's correct, yes.

Q. You did exit the vehicle?

A. I did exit the vehicle. It is on the video. I mean, it is --

Q. Okay. I just -- I am not trying to play gotcha or anything --

MS. RUSSELL: Are you sure you are not? He is saying look at the video. He doesn't remember the sequence. We have talked about this.

MR. NEUMER: This is --

MS. RUSSELL: Go ahead.

BY MR. NEUMER:

Q. Okay. We will come back to that.

So now looking at the statement regarding when -- that you exited the police

vehicle and made the observation, is it -- would it be a more accurate statement to say that when you approached the scene, you made that observation?

MS. RUSSELL: Can we go off the record for a second?

MR. NEUMER: Sure. The time is 12:28, and we are off the record.

(Discussion had off the record.)

MR. NEUMER: The time is 12:30 p.m. We are back on the record.

Could we read back whatever question was pending?

(Record read.)

THE WITNESS: I mean, my timing was incorrect, and after reviewing the video, I mean, like my timing, I kind of understand where my position was at the time of the shooting and when I observed those.

BY MR. NEUMER:

Q. And so you first observed Laquan McDonald when you were inside the vehicle?

A. As approaching the scene, yes.

Q. Okay. Next statement. "Viramontes

heard officer Jason VanDyke repeatedly order McDonald to drop the knife."

First question, did you make that statement to Detective March or another detective on the night of October 20, 2014?

A. Yes, I did.

Q. Okay. Do you recall where you were when you made that statement?

A. I was opening my vehicle and I heard someone yell, which I believe --

MS. RUSSELL: Can you restate the question?

BY MR. NEUMER:

Q. Do you recall -- let me first say, do you recall who you made that statement to, meaning, who did you tell that you heard Officer Jason VanDyke repeatedly order McDonald to drop the night?

A. I told Detective March.

Q. And did you make that statement at the scene of the shooting?

A. Yes, I did.

Q. Okay. My next question is, is your statement that you heard Officer Jason VanDyke repeatedly order McDonald to drop the knife

accurate?

A. Yes.

Q. Okay. Next statement, "McDonald ignored the verbal direction and turned toward VanDyke and his partner officer Joseph Walsh."

Did you make that statement to Detective March on the night of October 20, 2014?

A. Yes, I did.

Q. And where were you when you made that statement?

A. On scene. You are asking me when I gave --

Q. Right.

A. On scene.

Q. You were in the 841 Robert vehicle?

A. That's correct.

Q. Fontaine was in the passenger's seat?

A. That's correct.

Q. And Detective March was at the window?

A. That's correct.

Q. Okay. Next statement, "At this time, VanDyke fired multiple shots from his handgun."

Did you make that statement to Detective March on the night of October 20, 2014?

A. Yes, I did.

Q. And where were you when you made that statement?

A. In 841 Robert's car on the scene.

Q. Is that statement accurate?

A. Yes.

Q. Next statement, "McDonald fell to the ground but continued to move, attempting to get back up with the knife still in his hand."

Did you make that statement to Detective March on the night of October -- make that statement to Detective March on the night of October 20, 2014?

A. Yes, I did.

Q. And where were you when you made that statement?

A. On scene on 841 Robert's car.

Q. And is that statement accurate?

A. Yes, to my ability, yes.

Q. What do you mean, to your ability?

A. That's what I saw. That's the

statement I gave to the detectives.

Q. Next statement, "VanDyke fired his weapon at McDonald continuously until McDonald was no longer moving."

Did you make that statement to Detective March on the night of October 20, 2014?

A. Yes, I did.

Q. And where were you when you made that statement?

A. 841 Robert's car on scene.

Q. Okay. Is that statement accurate?

A. Yes.

Q. Okay. It is alleged that on or about October 20, 2014, you made a false statement during interview with CPD Detective March when you stated that after McDonald fell to the ground, he attempted to get back up with the knife still in his hand.

Do you stand by your previous statement to Detective March?

A. Yes, I do.

MS. RUSSELL: I am sorry. Where exactly is that statement codified? Attempting to get back

up with the knife still in his hand?

MR. NEUMER: Right.

MS. RUSSELL: Let me look through the allegations. Which one are we on?

MR. NEUMER: I don't have them numbered. I guess it is -- it would be six.

MS. RUSSELL: Could you read the question back?

BY MR. NEUMER:

Q. It is alleged that on or about October 20, 2014, you made a false statement during an interview with CPD Detective March when you stated that, after McDonald fell to the ground, he attempted to get back up with the knife still in his hand.

Do you stand by your previous statement to Detective March?

A. Yes, I do.

Q. It is alleged that on or about October 20, 2014, you made a false statement during an interview with Detective March when you stated that McDonald was walking southbound on Pulaski Road in the middle of the street.

Do you stand by your previous

statement to Detective March?

A. Yes.

Q. It is alleged that on or about October 20, 2014, you made a material omission during an interview with CPD Detective March when you failed to state that Laquan McDonald changed the direction in which he was walking prior to being shot by Officer VanDyke.

Why didn't you tell Detective March that McDonald changed the direction which he was walking prior to being shot by Officer VanDyke?

A. I didn't give a statement because I didn't see that.

Q. You didn't see McDonald change direction?

A. That's correct.

Q. It is alleged that on or about October 20, 2014, you made a material omission during an interview with CPD Detective March when you failed to state that Officer Walsh and Officer VanDyke moved towards McDonald prior to the shooting.

Why didn't you tell Detective March that Officer Walsh and Officer VanDyke moved

towards McDonald prior to the shooting?

A. That's another one. I did not see that.

Q. You didn't see Officer Walsh and Officer VanDyke move towards McDonald prior to the shooting?

A. That's correct. I didn't see.

Q. It is alleged that on or about October 20, 2014, you made a false statement during an interview with CPD Detective March when you stated that McDonald ignored Officer VanDyke's verbal direction to drop the knife and turned toward VanDyke and Officer Walsh.

Do you stand by your previous statement to Detective March?

A. Yes.

Q. I want to go back to the CSR, and it says under your name that you related the same facts as your partner Officer Dora Fontaine.

So I want to go through the statements that are attributed to Officer Fontaine and ask you whether you related those facts to Detective March.

So same thing. We are going to go

one-by-one and ask you whether you related those facts.

First statement, "The two officers responded to the request for assistance made by Beat 815R regarding a man with a knife at 41st Street and Pulaski Road."

Did you make that statement to Detective March on the night of October 20, 2014?

A. Yes.

Q. Okay. And where were you when you made that statement?

A. You are asking me when I gave that statement?

Q. I am saying. Did you make that statement to Detective March on the night of October 20, 2014?

MS. RUSSELL: And you said yes and then he asked where were you.

THE WITNESS: Where I gave that statement?

BY MR. NEUMER:

Q. Exactly, yes.

A. On-scene at 841 Robert's car.

Q. Next statement. "Officer Viramontes

drove northbound on Pulaski."

Did you make that statement to Detective March on the night of October 20, 2014?

A. Yes, I did.

Q. And where were you when you made that statement?

A. On-scene, on 841 Robert.

Q. Next statement. "When they arrived at the scene of this incident in front of the Dunkin' Donuts restaurant, Officer Fontaine saw a black male subject, now known as Laquan McDonald, walking southbound in the street with a knife in his right hand."

Did you make that statement to Detective March on the night of October 20, 2014?

A. I can't say what Officer Fontaine said.

Q. And so my question is whether you made that statement to Detective March on the night of October 20, 2014?

A. But that statement I didn't make. I made the statement that -- which one is it? I

am not going to comment on anything Officer Fontaine said.

Q. Well, okay. I guess these statements of Officer Fontaine are -- Detective March has noted that you related the same facts as your partner Dora Fontaine, and so what I am trying to determine is which of the statements attributed to Officer Fontaine you made to Detective March and which, if any, you didn't make to Detective March.

So my question is with respect to the statement, "When they arrived at the scene of the incident in front of the Dunkin' Donuts restaurant, Officer Fontaine saw a black male subject, now known as Laquan McDonald, walking southbound in the street with a knife in his right hand."

Did you make that statement to Detective March?

A. No.

Q. Were you present when Officer Fontaine made that statement to Detective March?

A. I don't remember what Officer Fontaine told him. I could have been there. I

don't know.

Q. Okay. So you don't know when Officer Fontaine made that statement to Detective March?

A. I don't recall anything she did mention to officer -- to the detective. She could have said that. I don't know.

Q. Okay. My question is do you recall where she was when she made that statement?

MS. RUSSELL: He doesn't recall that she made that statement, let alone where she was when she made that statement he is not aware of.

BY MR. NEUMER:

Q. Next statement, "McDonald was walking sideways with his body facing east toward Officers Jason VanDyke and Joseph Walsh." Did you make that statement to Detective March on the night of October 20, 2014?

A. Yeah, I don't remember saying that, no.

Q. Okay. Do you recall Officer Fontaine making that statement to Detective March?

A. I don't remember what she told the detectives.

Q. Next statement, "These two officers

were standing in the middle of the street on the right side of their police vehicle which was facing southbound."

Did you make that statement to Detective March on the night of October 20, 2014?

A. No, I didn't.

Q. Do you recall Officer Fontaine making that statement to Detective March?

A. I don't remember what she told them.

Q. Next statement, "Fontaine heard the officers repeatedly order McDonald to drop the knife."

Did you make that statement to Detective March on the night of October 20, 2014?

MS. RUSSELL: He can't say if Fontaine did. It is contained in his portion, which he already agreed that he said.

BY MR. NEUMER:

Q. Okay. Okay. Do you recall Officer Fontaine was when she made that statement?

A. That statement, I don't know where -- she could have made it in the car. I don't

know.

Q. Next statement. "McDonald ignored the verbal direction and instead raised his right arm towards Officer VanDyke as if attacking VanDyke."

A. No, I didn't say that statement.

Q. Do you recall officer Fontaine making that statement to Detective March?

A. I don't recall her stating anything to the detectives in regards to that.

Q. Is that statement accurate, that McDonald raised his right arm toward Officer VanDyke as if attacking VanDyke?

A. I am not going to comment on what my partner or Officer Fontaine did say, but I did not see that.

Q. Okay. You did not see McDonald raise his right arm toward Officer VanDyke as if attacking VanDyke?

A. That's correct.

Q. Okay. Next statement, "At this time, VanDyke fired multiple shots from his handgun until McDonald fell to the ground and stopped moving his right arm and hand which still

grasped the knife."

Did you make that statement to Detective March on the night of October 20, 2014?

A. I didn't make that statement, but my statement on the bottom portion of what I just said.

Q. Okay. Do you recall where you were -- where Officer Fontaine was when she made that statement?

A. I don't remember where -- when she made that statement.

Q. Next statement, "The gunshots were rapid fire without pause."

Did you make that statement to Detective March?

A. I did not say that statement, but my statement is the one below.

Q. And do you recall where Officer Fontaine was when she made that statement?

A. I don't remember.

Q. Next statement, "Officer Walsh then kicked the knife out of McDonald's hand."

Did you make that statement to

Detective March on the night of October 20, 2014?

A. I did not say that statement.

Q. Okay. And do you recall where Officer Fontaine was when she made that statement?

A. I don't remember.

MR. NEUMER: At this time, I want to show you the 813 Robert dash cam video, so let's go off the record to set up the video. The time is 12:48 p.m.

(Short break in proceedings.)

MR. NEUMER: The time is 12:53. We are back on the record.

BY MR. NEUMER:

Q. Officer Viramontes, it is alleged that on or about October 20, 2014, you provided a false narrative to detective David March concerning the McDonald shooting through a series of false statements and material omissions.

Do you stand by your previous statements to Detective March, or is there anything you would like to add regarding this

allegation?

A. No. That's pretty accurate.

Q. Okay. And you stand by your previous statements to Detective March?

A. That's correct.

MS. RUSSELL: The statements as he told you today are attributed to him, or are you asking does he stand by the statements that are listed in this report?

MR. NEUMER: The statements that are listed in the Exhibit 5 Case Supplementary Report under your name.

MS. RUSSELL: I think he has fully testified about what he said and what he didn't say. So I don't know. I mean --

BY MR. NEUMER:

Q. We have gone through -- I am just talking about the portion of the CSR, the middle portion under your name?

A. That's fine.

MS. RUSSELL: Except for relayed the same facts as his partner Officer Dora Fontaine?

MR. NEUMER: Yes.

MS. RUSSELL: So beginning, "Officer

Viramontes added when he existed his police vehicle"?

BY MR. NEUMER:

Q. Yes, beginning at that and ended was no longer moving"?

A. Yes.

Q. And also with the exception of the "exited his police vehicle"; correct?

A. That's correct.

Q. Other than those two exceptions, you stand by your previous statements to Detective March?

A. That's correct.

Q. At this time, we are going to show you a video that we provided to you. This is the 813 Robert dash cam video that IAD provided to you on February 19, 2016 on a DVD.

My colleague Kris Brown has opened the VLC media file titled Video ts.ifo on his laptop. This file contains six minutes and five seconds of footage. The video also has an embedded timestamp on it indicating the date and time the video was recorded.

The video also has a VLC Media Player

time bar which goes from zero to six minutes and five seconds, and we are going to advance the video to the portion time stamped with the embedded time stamp of 9:57 and approximately 22 seconds, and we are going to ask you to watch the footage, and then we will have some questions regarding that footage.

Initially, we will watch the video in a slowed-down format, because we think that will make it a little bit easier for you to assess what's going on, but if at any portion or at any time you need to see the video again with respect to the questions we are asking, please ask, we will show you the relevant portion again as many times as you need to see it.

I would then ask -- I am going to approach Officer Viramontes so we can all watch the video together if that's okay.

Officer Viramontes, we are going to play you a portion of this video, and my first -- I am going to first ask you to tell us to stop when you see your vehicle, the 841 Robert vehicle pull up to the scene of the shooting; okay?

A. All right.

Q. Okay. So we will start the video at 9:57:22.

(Whereupon, a video was played for the witness.)

THE WITNESS: That's my car right there.

BY MR. NEUMER:

Q. Okay. All right. So Officer Viramontes has directed us to stop. There is no embedded timestamp present on the video, but the Window Media Player time bar reads four minutes and 51 seconds. Is that accurate, Mr. Viramontes?

A. I probably saw myself a little bit sooner, but yeah.

Q. Maybe at 4:50? Should we watch again to get a --

A. That's fine.

Q. We will go back a little bit.

A. Yeah, I just saw the lights. I want to make sure that was a car.

Q. Sure. We will watch again.

(Whereupon, a video was played for the witness.)

THE WITNESS: There.
MR. NEUMER: Okay. Stop.
THE WITNESS: That's my car.
MS. RUSSELL: Indicating a car coming down the street with flashers on.
BY MR. NEUMER:
Q. And the embedded timestamp reads 9:57:30 p.m., okay?
Now we will run the video from this portion, and I am going to ask you specifically look to see whether you can see yourself exiting the 841 Robert vehicle on this footage, so we can run the video.
(Whereupon, a video was played for the witness.)
THE WITNESS: Yeah, I don't see myself. I see the door open, but that's it.
BY MR. NEUMER:
Q. Do you need to see the video again?
(Whereupon, a video was played for the witness.)
THE WITNESS: The door opens. I don't see myself. It goes off camera.

BY MR. NEUMER:

Q. Okay. So do you recall whether you exited the vehicle, the 841 Robert vehicle during the shooting?

A. I believe there is another video, and I could probably clarify it.

Right now, I know I exited the vehicle. I don't know if it was simultaneously, I believe it was, but I don't -- from this view, I can't tell.

Q. Okay. Do you believe you exited the vehicle immediately after you opened the vehicle door?

A. Yeah, I don't know.

Q. Okay. Do you think it is the Dunkin' Donuts security video that you -- that shows you exiting the vehicle?

A. Yeah, I don't know.

Q. Okay. But you believe that some video you saw showed you exiting the vehicle?

A. Yes.

Q. Okay. We are now opening the Dunkin' Donuts security cam file.

(Whereupon, a video was played for the witness.)

BY MR. NEUMER:

Q. Is this the video you believe you were referring to, Officer Viramontes?

A. No, this isn't the video.

MR. BROWN: All right. We will stop that one.

MR. NEUMER: We will go back to the other video.

MR. BROWN: Do you think there is a chance it could be the 845?

THE WITNESS: I see myself getting out the 845, but that's the one I had a problem with the timing issue.

I know I get out of the car, but I don't know as far as -- the timing as far as when the shooting happened, and that's what you see.

You see me getting out, but you don't see McDonald or anybody, just my car. If you could play that.

MR. BROWN: Sure, okay.

(Whereupon, a video was played for the witness.)

MR. NEUMER: We are now viewing the 845 Robert video, dash cam video. The time stamp says 9:57:22 p.m.

THE WITNESS: That's -- I think this is my shadow.

BY MR. NEUMER:

Q. That's you?

A. Yes.

Q. Okay. We will go back.

(Whereupon, a video was played for the witness.)

BY MR. NEUMER:

Q. So now the Window Media Player time bar reads four minutes and 44 seconds.

Is the vehicle shown in the 845R dash cam here, is that your vehicle, Officer Viramontes?

A. Yes, it is.

Q. And is that -- let's see. That's the passenger door being opened, is that what the video shows?

A. This is the driver.

Q. That's the driver. Okay. All right. So the driver's side door is being opened. Embedded time stamp was 9:57:36.

A. Yes.

Q. And Officer Viramontes, does the video show you exiting your vehicle?

A. Yes, it does.

Q. And it shows Officer Fontaine exiting the vehicle?

A. That's correct.

MR. NEUMER: Okay. Can we go back to the other video?

MR. BROWN: Now we will go back to the 813R video.

BY MR. NEUMER:

Q. And as we watch the video this time, Officer Viramontes, I want you to focus on the arrival of your vehicle in connection to the ultimate shooting.

(Whereupon, a video was played for the witness.)

BY MR. NEUMER:

Q. My question is, you stated that it was accurate that you repeatedly heard Officer

VanDyke say "drop the knife"; is that correct?

A. That's correct.

Q. So I want you to watch the video one more time and tell me whether that changes your assessment as to the accuracy of your statement that you repeatedly heard Officer VanDyke say "drop the knife."

MR. BROWN: And I will ask Officer Viramontes, do you want that on full speed or do you want that to be slowed down?

THE WITNESS: No, you could put it full speed.

(Whereupon, a video was played for the witness.)

BY MR. NEUMER:

Q. Would you like to see the video again?

A. No.

Q. Do you believe there was sufficient time for you to have heard Officer VanDyke repeatedly say drop the knife?

A. When my door opened, that's when I started hearing.

Q. So after you opened the door, you

heard Officer VanDyke say "drop the knife"?

A. He was saying it. As he was -- as he was using his duty weapon, he was stating those. That's what I believe, yes.

Q. As he was firing his weapon, he was saying "drop the knife"?

A. That's correct.

Q. Okay. Did you hear Officer VanDyke say "drop the knife" before he started firing?

A. I couldn't have, because I was still traveling.

Q. Okay. So it was during the shooting incident?

A. That's correct.

Q. Okay. I think we are done with the video.

With respect to the shooting, I am unfamiliar. How loud is it when you shoot a service weapon?

MS. RUSSELL: Do you want to give him decibels? Do you want him to compare it to what, a drum? What do you want to do?

I mean, it is not quiet. Would you agree?

THE WITNESS: Well, the only experience -- the only experience I have is in the gun range, and I have -- and it is pretty loud in there.

BY MR. NEUMER:

Q. So you put like earmuffs on?

A. Yeah, so like as far as being outside, I don't know what millimeter, what was used, I don't recall.

So I don't know, it depends on the type of service weapon that he had.

Q. Is it like a firecracker?

A. There is loud firecrackers, there is, you know.

Q. Okay. So I guess your statement is that it is loud enough that when you go to a gun range, you put on earmuffs; right?

A. You are enclosed being in a gun range. Being outdoors, it could be different.

MR. NEUMER: Kris, follow-up?

FURTHER EXAMINATION

BY MR. BROWN:

Q. I do have one follow-up question. Near the earlier part of the statement that's attributed to you, the part about when Officer Viramontes added that when he exited the police vehicle, you noted after having the opportunity to view the video that you wanted to kind of amend that and say it was more accurate to say that was when you were driving to the scene, that's when you were arriving, as opposed to stating when you exited the police vehicle you observed the black male subject now known as Laquan McDonald?

A. Are we talking about when I observed him walking? Is that what you are asking?

Q. Yeah, I am sorry. Let me do a better job.

I am just making a note of the very first statement that's attributed to you.

A. Okay.

Q. Early on you noted that after having an opportunity to view the video, you stated that it wasn't when you exited the vehicle you

made the observation about the black male subject, now known as Laquan McDonald. That occurred as you were driving down the street as you were approaching the scene; correct?

A. Yeah, that's what you were asking me, yes. I saw while I was driving towards the scene, I saw a male, which we now know as McDonald, walking down the street.

Q. So now in that similar type of I guess review and reflection, I wanted to ask you about the statement about McDonald fell to the ground but continued to move, attempting to get back up with the knife still in his hand.

I was wondering after you had the opportunity to view the video, did you want to make any clarifications to that statement that was attributed to you?

A. No.

MR. NEUMER: Would it be helpful to view the video again in response to my colleague's question?

THE WITNESS: Ask me the question one more time.

BY MR. BROWN:

Q. Sure, sure. In the statement, it is attributed to you, it is listed that McDonald fell to the ground but continued to move, attempting to get back up with the knife still in his hand.

I wanted to ask you, after having the opportunity to view the video, did you want to clarify that statement at all?

A. You know, this is the problem that I have about that video. You can keep showing me that video.

I mean, you can show me and show me, but what I thought I saw when I got there is what I gave my statement to the detective.

Now, the video, of course everybody is telling me different, but the video might show me differently, but I believe what I stated is what I thought I saw.

Q. And I wasn't -- yeah, I wasn't asking if what you -- your observation when you made the statement.

I wasn't asking, per se, about that. I was asking more so like now that you have had

time to review the video, do you feel that anything about that statement was inaccurate that you would like to clarify?

A. No.

MS. RUSSELL: I mean, so I think here is where the problem lies is, is that what he believes he saw at the time? Yes.

So are you asking him like now that you have had a chance to review the video, does it change what you thought you saw at that time?

BY MR. BROWN:

Q. No, I am more so asking that now that you had a chance to view the video, do you think that's an accurate statement?

A. Well, the video speaks for itself.

Q. Well, just keeping in mind that you clarified that first statement that was attributed to, I was just wondering did you want to clarify this statement?

A. No. That's what I thought I saw.

Q. And I think we are in agreement on that part, that's what you thought you saw, but I am just asking about after you saw the video, did you want to clarify anything about it?

A. No.

Q. Kind of going back to the first statement now where it is attributed to you that you observed a black male subject now known as Laquan McDonald walking southbound on Pulaski Road in the middle of the street holding a knife in his right hand.

I wanted to ask you if you saw that, how was it that you did not see McDonald turn towards Officer VanDyke and Officer Walsh?

MS. RUSSELL: What was that question again?

BY MR. BROWN:

Q. Okay. If you saw -- as you are approaching the scene and you see McDonald walking southbound, you noted earlier that you did not see McDonald make the turn.

I was just wondering if you was able to see McDonald walking southbound and you were able to see the shooting, how is it that you did not see him make the turn toward the officers?

MS. RUSSELL: Can we have a minute?

MR. BROWN: Sure.

(Discussion had off the record.)

MR. NEUMER: The time is 1:15 p.m. We are

back on the record.

BY MR. BROWN:

Q. Just to clean that question up, the turn that you didn't see was just in regards to McDonald, I guess, walking southbound making the slight turn?

A. No. Are you talking about the direction that he turned?

I mean, he turned towards them. He looked at them if that's -- that's what I stated, not the actual change direction part of it.

Q. That's what I am trying to get to. That's the part you didn't see?

A. Yeah, I didn't see that.

MR. BROWN: Okay. That's fine.

FURTHER EXAMINATION

BY MR. NEUMER:

Q. One question with respect to the statement that, "After McDonald fell to the ground, he attempted to get back up with the knife still in his hand."

Officer Viramontes, did anyone tell you to make that statement?

A. No.

Q. Did anyone encourage you to make that statement?

A. No.

Q. Okay. We are going to go on to the in-car video system for the Vehicle 8948.

Just briefly, what is a in-car video system and what is its purpose?

A. In-car camera records anything that's -- well, the camera is pointed in front of the vehicle, and it usually starts recording -- well, it is always recording, my understanding, it is always recording, but it will turn on, I think it stamps when the mars lights are, emergency vehicle -- I am sorry.

When you turn on the mars lights, it starts regarding, which is what we thought, and you can't automatically turn it off. You have to manually turn it off.

Q. Okay. And so tell us about how you interact with the system. How do you get it going, like during your daily shift, during your tour of duty?

A. You are asking me from the beginning?

Q. Yeah, start from the beginning of the day and any other time you are kind of interacting with it, whether turning it on, off, things like that?

A. Well, we are assigned a vehicle. We get -- we inspect the vehicle before leaving, make sure the camera is working, but other than that, sometimes there is ticket numbers on there, but if it is working, we log on through our -- what we call our PC number and our password.

Q. And what's your PC number?

A. It is [redacted].

Q. And this is the sort of process and protocols that were in place as of October 20, 2014?

A. Yeah, I don't know when it started, but it seems like it has been awhile now.

Q. Okay. So your best recollection is that those were the protocols you described were the ones that were in place on October 20, 2014?

A. That's correct.

MS. RUSSELL: I think he said he didn't know.

BY MR. NEUMER:

Q. I want to hand you an exhibit. It is a Special Order and we will mark this as Exhibit 7.

(Whereupon Exhibit No. 7 was marked for identification.)

BY MR. NEUMER:

Q. This is Chicago Police Department Special Order S03-05, issue date of February 23rd, 2012, and I am going to direct your attention to Section IV of the Special Order. This should be on Page 3. Section VI is titled Operational Procedures, and I am going to read you a portion of this.

It says, "Department members assigned to a Department vehicle equipped with an in-car video system will at the beginning of a tour of duty: visually inspect the in-car video system equipment for damage; obtain the remote transmitter/audio recorder and ensure it is securely attached to the member's person; follow the start-up procedures for the in-car video system as trained, and ensure the system is working properly."

Officer Viramontes, as of October 20, 2014, were you aware of the procedures, the operational procedures I just read to you?

A. I don't know General Order about it. I probably was told at one time, but I don't remember.

Q. Were you ever trained as to the operational procedures I just read to you?

A. Yes.

Q. Tell us about that training.

A. It was at the Academy. I don't remember when I was trained, but it has been awhile.

Q. For a training like that, would you sign in, or would there be some record of your attendance?

A. There should be, yes.

Q. So again, with the protocol that you were to visually inspect the in-car video system equipment for damage, as of October 20, 2014, was it your practice to inspect the in-car video system for the car you were assigned for any damage?

A. That's correct.

Q. Okay. So did you know that that was the proper protocol to follow?

A. Can I ask --

MS. RUSSELL: You know what, guys, we are going to take a walk around the block.

MR. BROWN: The time is now 1:21, and we will go off the record.

(Short break in proceedings.)

MR. NEUMER: The time is 1:33 p.m. We are back on the record.

BY MR. NEUMER:

Q. We were talking about some of the operational procedures that relate to the in-car video system.

I think, I believe, correct me if I am wrong, you stated that it was your practice to visually inspect the in-car video system equipment for damage prior to the start of your tour of duty?

A. That's correct.

Q. And do you recall whether that was your practice prior to October 20, 2014?

A. Yes.

Q. I want to direct your attention in

the Exhibit 7, Page 3, Section VI6, there is a Note that says members -- sorry.

Section VI, Note at the bottom of the page, second to the last paragraph. Do you see what I am talking about?

A. No.

MS. RUSSELL: Right there.

THE WITNESS: Okay. Oh, Note. Okay.

BY MR. NEUMER:

Q. It says, "Members will immediately notify a supervisor if, at any time, the in-car video system is inoperable, damaged, the equipped vehicle becomes inoperable or the remote transmitter/audio recorder is missing."

Were you aware of that requirement as of October 20, 2014?

A. Yes.

Q. Okay.

A. But in practice, I don't think we are doing that. I mean, as far as -- there is a procedure that the sergeants handle however they handle it in the District.

Q. Can you say a little more?

A. Just when the vehicle -- when the

in-car camera is not working, sometimes there is a ticket number, and usually the supervisor will ask us early on in the shift, usually through the PDT if our camera is working or not.

Q. And just for the record, what's the PDT?

A. That's the computer in our vehicle. And that's how we usually will notify our supervisor when the camera is not working, or if it has a ticket number, we relay the ticket number to the sergeant.

Q. And just so we are clear. For the moment we are talking about like October 20, 2014, so was that the practice that was in place as of October 20, 2014?

A. If that's what the sergeants were doing, that's what they are doing. That's what we are following.

Q. So have there been occasions where you have at the beginning of your tour found the in-car video system for the vehicle you are assigned to to be inoperable?

A. That's correct.

Q. And so tell us about what you would

do -- what you have done in those situations. What process would you follow?

A. I would just log onto my computer, go on my tour of duty, wait until either the sergeant asks me for that information, or sometimes I will send it myself.

Q. Okay. And does that happen every -- does the sergeant check in everyday to say how is the in-car video system for your vehicle?

A. That's correct, yes.

Q. And so you give him a thumbs up or a thumbs down?

A. That's correct.

Q. Is that still the procedure now?

A. I know they have changed general orders recently.

Q. Yes.

A. Do I tell my sergeant when it is broken at the time? Yes, I do, right away, but, you know, it all depends on the sergeant.

The sergeants don't go out when we do sometimes. I know they have some in-house procedures.

I don't know what they are doing

there, whatever they need to do.

Q. Okay. I want to now direct your attention to October 20, 2014, and the in-car video system for the 841 Robert vehicle you were driving?

A. Okay.

Q. Do you recall what that 841 Robert vehicle vehicle's number was?

A. I should know by heart. No, I don't.

Q. Does the number 8948 ring a bell?

A. I use so many cars.

MS. RUSSELL: If you represented that that was the vehicle you were driving that night --

THE WITNESS: Yeah.

MS. RUSSELL: We have no reason to doubt it.

BY MR. NEUMER:

Q. If records indicate that it was Vehicle 8948, you --

A. That's fine, yeah. It is whatever was stated on the --

Q. Okay. And so I will -- at times I will be interchangeably referring to it as 841 Robert vehicle and Vehicle 8948, is that okay?

A. Yeah.
Q. So you were the driver of the 841 Robert vehicle on October 20, 2014; correct?
A. That's correct.
Q. And that vehicle had an in-car video system?
A. That's correct.
Q. Were you generally assigned Vehicle 8948 as of that time, October 20, 2014?
A. Are you asking me if other people use that car?
Q. I guess I am saying I know that there are certain relief officers who bounce around vehicles a lot.
Did you generally stay in the same vehicle, or were you bouncing around to vehicles all the time?
A. I -- whatever is available, they usually will give it to me.
Q. So in a given week, you could have -- be in three or four different vehicles?
A. That's correct.
Q. As of October 20, 2014, how long had you worked in a squad car that had an in-car

video system?

A. I mean, there will be occasions. Even now, the problem is I am on 841 Robert, which is a rapid response car, and that vehicle usually will get downed if there is not enough manpower to fill in the other beats. So I bounce around. I am never usually on 841.

Q. Sure.

A. As far as the vehicle, it is whatever is available at the time.

Q. I guess let's talk about the two years prior to October 20, 2014.

Were the vehicles you were assigned to, did they generally have in-car video systems?

A. If that was -- I don't remember. I mean, until this day, I occasionally will get a car that doesn't have a camera.

Q. Okay.

A. Which is basically a pool car, which is the left over.

Q. Do you have any recollection with respect to the vehicle you were driving on October 20, 2014, whether you had previously,

prior to that night, had issues with that vehicle's in-car video system?

A. I don't -- I wouldn't remember.

Q. Okay. So take us through, if you have any recollection, what you did with respect to the in-car video system of the 841 Robert vehicle on the night of October 20, 2014.

MS. RUSSELL: What would his normal protocol be, or what he remembers he specifically --

BY MR. NEUMER:

Q. I am asking your independent recollection on October 20, 2014, as to what steps you took with respect to the in-car video system.

A. As far as what I did with the in-car camera, I mean, if -- usually there is a ticket number, I don't go beyond turning it on because it -- apparently, it is broken, but that night, I don't know exactly what I did, but I -- after I got my belongings from my vehicle, my personal vehicle after leaving the lot, I went to Dunkin' Donuts, so that's -- not the Dunkin' Donuts from -- this is another one on 55th, and that's

when -- that's how quick it happened from the start of the shift so...

I didn't do anything with respect -- if you are asking me, did I notify a sergeant. No, I didn't.

Q. What were you referring to with respect to Dunkin' Donuts?

A. I thought my procedure of what I did. I was telling you my day already.

I didn't tell the sergeant, if that's what you are referring to. I didn't do anything because I believed at the time it wasn't working, or I think that's what it was. I don't remember.

Q. Okay. So I guess your -- do you have a recollection, and you may have just answered this, as to whether the in-car video system for vehicle 8948 was functioning on that night?

A. I don't remember if I checked it or if I didn't.

Q. Okay. So there was no audio or video recovered from Vehicle 8948 the night of October 20, 2014.

Do you have any explanation as for

why that was?

A. I have no idea.

Q. In general, the in-car video system, it is supposed to automatically engage the audio and video recording when the emergency lights are activated; right?

A. That's correct.

Q. And your emergency lights, the vehicle, the 841 Robert's vehicle emergency roof lights, they were activated when you arrived to the McDonald shooting; is that correct?

A. That's correct.

Q. At any time on October 20, 2014, or in days or weeks prior, did you intentionally tamper with the 841 Robert vehicle's in-car video system causing it to be non-operational on that night?

A. No, I didn't.

Q. Do you know whether at any time prior to October 20, 2014, or on October 20, 2014, Officer Fontaine intentionally tampered with the Vehicle 8948's in-car video system causing it to be non-operational?

A. No, I wouldn't know that, no.

Q. Okay. We are going to hand you what is marked as -- we are going to do three exhibits. It is 8, 9 and 10.

(Whereupon Exhibit Nos. 8-10 were marked for identification.)

BY MR. NEUMER:

Q. The first is a Supplementary Report completed by Sergeant Lance Becvar that concerns the vehicles that were -- the CPD vehicles that were at the scene of the shooting and his findings regarding in-car video systems of those vehicles.

The second exhibit I am going to hand you, Exhibit 9, is an In-Car Camera Video Retrieval Worksheet, and this -- which is dated October 20, 2014.

The requester is Deputy Chief McNaughton, and again has -- makes reference to five of the vehicles, CPD vehicles that were at the scene of the shooting and their in-car video system, and then Exhibit 10, is an e-mail from Sergeant Lance Becvar to Jonathan Lewin, and this contains his findings with respect to the vehicles that were at the scene of the shooting,

including -- well, the Exhibit 10 refers to Vehicle 8949.

We subsequently confirmed with Sergeant Becvar that was a typo in his e-mail; that he was referring to 8948, and Vehicle 8948 corresponds to the In-Car Camera Video Retrieval Worksheet, Exhibit 9, as well as the Supplementary Report, Exhibit 8, so we believe he is indeed referring to Vehicle 8948 there.

So take a moment, look these over. I will direct you to the Exhibit 8, Supplementary Report.

At the almost the bottom of it, the next to Beat 841 Robert Vehicle 8948, Sergeant Lance Becvar has written, "Not engaged - Officer reported application error."

With respect to the "officer reported" portion of his notes, do you recall having any conversation with Sergeant Becvar on the night of October 20, 2014?

A. No.

Q. Do you recall Officer Fontaine having any conversation with Sergeant Becvar on October 20, 2014?

A. No.

Q. Do you have any recollection of reporting that there was an application error in the in-car video system for 841 Robert vehicle the night of October 20, 2014?

A. No. Can I add something?

Q. Sure.

A. This is with regards to the camera.

MS. RUSSELL: Tell me first. Let's step out.

MR. BROWN: The time is now 1:47, and we will go off the record.

MR. NEUMER: The time is 1:47. We are back on the record.

THE WITNESS: This is in regards to the camera. I do remember on scene, there was a tech from the City trying to retrieve, because -- anything, video from our vehicle.

My understanding is that sometimes they could retrieve certain footage or even audio, whatever it was, but my understanding is they couldn't get anything. It was a dead system.

So I don't know who that tech guy

was, but I know he was from the city.
BY MR. NEUMER:
Q. Okay. So you saw him out at the scene?
A. Yes.
Q. Okay. Did you have any conversations with him when he was trying to retrieve the footage from your vehicle?
A. No, I don't. I mean, I know, because we had to get out of the vehicle, just so he could -- whatever he needed to do.
Q. Okay. So you and Officer Fontaine stepped out of the vehicle, and then sergeant -- well, a tech?
A. Yeah. I don't know if he is the one that was retrieving the video from all of the --
Q. Some tech was taking out --
A. That's correct.
Q. Do you know what he was taking out?
A. I know he was dealing with the in-car camera video.
Q. So you and Officer Fontaine stepped out, and he came in to do something with the in-car video system?

A. That's correct.
Q. Did you watch him? Did you see what he was doing?
A. I -- I --
Q. No?
A. I, you know -- no, I don't know.
Q. Okay. All right. So what are you supposed to do if the in-car video system for your assigned vehicle is not functioning properly?
A. I would --
Q. And this is as of October 20, 2014?
A. I am supposed to tell a supervisor.
Q. Okay.
A. Our sector sergeant, whatever our sergeant is assigned to.
Q. Did you call your supervisor on October 20, 2014 to report that Vehicle 8948's in-car video system wasn't working?
A. No, I didn't.
Q. How come?
A. Like I mentioned earlier before, I usually will wait for him to give me -- ask for that information.

Whether he was out on the street or not -- I can't remember the sergeant that was -- it might have been 810 Robert. I think it was Sergeant Franko that was out, but he is usually not on the street right away. That I do know.

Q. Do you recall whether at any time on the night of October 20, 2014, or the next day you reported the in-car video system for 841 Robert vehicle was non-operational?

A. Are we talking that same night?

Q. Same night, the next morning.

A. No, I didn't, because we all knew -- well, when they were trying to retrieve, I knew it wasn't working.

Q. Did you think at that point that they knew, that the appropriate people knew?

A. A sergeant might have came over. All that I know, a sergeant came over and did his log, whatever they needed to do.

Q. Okay. Do you recall if you filed -- are you familiar with the term "Help Desk Ticket"?

A. Yes.

Q. Okay. What is a Help Desk Ticket?

A. It is a -- it is where we called -- when we have problems, like logging onto the computer.

Actually, we have been calling because our 841 Robert doesn't register on the in-car camera. It is only 841.

Q. As of recently?

A. It has been going on since we have been on -- the camera has been going on, so I know my partner has been trying to -- she has been getting ticket numbers to get it registered on there, so we just register as 841.

Q. I gotcha. Do you recall filing or creating a Help Desk Ticket with respect to the 841 Robert vehicle's in-car video system any time prior to October 20, 2014?

A. We give the information when it is not working to the sergeant, and the sergeant is the one that calls.

Q. Okay. All right. Do you recall telling the sergeant any time prior to October 20, 2014, that the Vehicle 8948's in-car video system wasn't functioning?

A. I don't know what car I had the day

before or any other time.

I might have had that car at one time, and if it wasn't working, I would tell them.

Q. And would there be a record if you told your sergeant about a non-functioning in-car video system?

A. Hopefully, there is. I mean, I believe they keep a log of when the cars -- I mean, every watch, if they use that car on every watch, their sergeant should -- I don't know how they collected data as far as the sergeants, what they do with the information, if it is not working.

Q. Is it fair to say you are not sure one way or another what sort of records they keep?

A. That's correct.

Q. Okay. Do you have any explanation why there was no audio captured by any of the vehicles that were at the scene of the McDonald shooting?

A. I can't speak for the other vehicles, but for my vehicle, if the video camera is not

working, there isn't going to be no audio.

Q. Was it surprising -- when did you learn that there was no audio recovered from the vehicles that were at the scene of the shooting?

A. I wouldn't know that. No.

Q. Did you know that prior to today; that there was no audio recovered from any of the vehicles that was at the McDonald shooting?

A. Well, it is all over the news.

Q. Did it surprise you when you found out that there was no audio recovered?

A. You know, in all fairness, most of those -- most of the cameras didn't work at that time I know on most of the vehicles.

I mean, I want to say a big majority of the vehicles had ticket numbers that I have used.

I can't speak for anybody else of why they -- if they didn't have video or audio.

Q. As of October 20, 2014, had you ever heard of police officers intentionally disabling the audio system for their vehicles?

A. I have heard something, but I --

Q. What have you heard?

A. I heard about people turning the battery -- I don't know how many instances.

Q. Turning the batteries upside down?

A. That's what I heard but...

Q. Had you ever witnessed anyone doing that?

A. No.

Q. This is now the Notice of Allegation portion. We can look at 7, 8 and 9.

Officer Viramontes, it is alleged that on or about October 20, 2014, you failed to ensure the in-car video system for CPD vehicle 8948 was working properly at the beginning of your tour of duty.

What is your response to that allegation?

A. Yeah, I failed to do it.

Q. It is alleged that on or about October 20, 2014, you failed to immediately notify a supervisor that the in-car video system for CPD Vehicle 8948 was inoperable or damaged.

What is your response to that allegation?

A. Yeah, I failed to do that, too.

Q. It is alleged that on or about October 20, 2014, you failed to record audio and video events with CPD Vehicle 8948's in-car video system during your tour of duty.

What is your response to that allegation?

A. That one -- I had no control over that one. The video wasn't working.

MR. NEUMER: Kris, follow-up?

MR. BROWN: I do have a couple follow-up questions.

FURTHER EXAMINATION

BY MR. BROWN:

Q. You mentioned typically the sergeant would reach out to you to ask if the in-car video system was working; is that correct?

A. That's correct.

Q. Is there a particular time that the sergeant would reach out to you?

A. No, not really. Just usually they try to -- whatever they log -- I don't know how they work, but even me, even now, I try to give it as quick as I can, so I voluntarily will send them a message if he is able to get the message.

Q. Okay. So if a sergeant does send you a message, and you don't have your system open, will you receive it?

A. Well, I am supposed to log on right away. I usually log on as soon as my start of the shift on the computer.

Q. Okay. And you mean that that's the PDT?

A. That's the PDT, that's correct.

Q. And is that a rule or procedure, you are supposed to log on the PDT as soon as you start your shift?

A. Yes. Now, is it practiced a lot? Probably not, because you get your coffee and, you know.

MS. RUSSELL: Back to the Dunkin' Donuts again, guys.

THE WITNESS: You got to get that donut.

BY MR. BROWN:

Q. And I think you kind of already said this, but it sounds like if the sergeant doesn't notify or ask you if the video camera in your car is working, you would then in turn notify him at some point during your shift; correct?

A. I personally, yes.

Q. Is there any other method that you use to notify the sergeant other than the PDT?

A. No, not really. I mean, usually the PDT is the way we communicate.

Unless you are friends with -- I am not, you know, just they are co-workers for me, supervisor if you want to say, but everything is done on the PDT.

Q. Okay. So if certain officers are friends with the sergeant, do you mean that they might call the sergeant --

A. Or text them, sometimes a message here if they are busy, but I, you know, I don't do that as a practice.

Q. Do you know if you have your PDT system open but the sergeant hasn't opened his, will he receive your message about a camera system or anything else you want to send him a message about?

A. Both systems have to be logged in, not just turned on. So you have to log in to be able to receive and get messages.

If you send a message and they are

not logged on, usually it will give you a message telling you they are not on.

I don't know what words they -- the PDT uses, but it will notify you that they are not signed on.

Q. But if you were to send a message and you can understand to see that, oh, the recipient isn't logged on, when they do log on, will they then receive your message?

A. No. There is a way of doing it, but no, they won't get it like that.

Whoever is sending it, they will automatically know they are not logged on.

Q. A little bit ago we talked about a Sergeant Becvar. I wanted to ask. Do you know who Sergeant Becvar is?

A. No.

Q. All right. Would you have any idea if you ever -- strike that. You don't know who he is.

You mentioned that you heard about audio being tampered with, maybe the batteries being turned upsidedown?

A. It is -- you hear about it --

MS. RUSSELL: It is like a rumor?
THE WITNESS: It is a rumor, yeah, if that's what you want to call it.
BY MR. BROWN:
Q. I wanted to ask had you heard any other rumors about the audio being tampered with, any other methods how that could occur?
A. No, not that I --
Q. Okay. Had you heard anything about the video systems being tampered with?
A. They are all rumors, people moving the camera around, but that's -- I mean, everybody -- you just hear stuff, I mean, from other districts, but if they are true or not, I don't know.
Q. Sure. But just trying to understand what some of the methods might be. Is one moving the camera around?
A. It is probably one of them, but I mean, I can't start thinking about any other methods that people use, if there was any.
Q. Sure. Just in relation to moving the camera around, do you know, how would that work?
A. Well, the camera is, it is easily --

you could move it. It tilts, and part of our inspection is that you have to make sure that the camera is in full view of what you need to do.

Q. So you have to make sure the view is oriented out the windshield?

A. That's correct.

Q. And it is easy to turn it a different direction if you -- if an officer wanted to do that?

A. If you wanted to, yeah.

Q. Okay.

A. It is not stable. It is enough that we are able to control how much to be able to get a full view of what we need to.

Q. Okay. Had you heard any other rumors about how video is tampered with?

A. No.

MR. BROWN: No. Okay. That's all my follow-up.

MR. NEUMER: I think that's all our questions today. We thank you for your time.

MS. RUSSELL: He may have a final comment. Let's take a minute. Break again.

MR. NEUMER: The time is 2:01. We will go off the record.

(Short break in proceedings.)

MR. NEUMER: The time is 2:01 p.m., and we are back on the record.

THE WITNESS: No, I don't have another comment.

MR. NEUMER: That's it. At 2:01, this interview is concluded.

MR. BROWN: Thank you very much, Officer Viramontes.

(Which were all the proceedings had in the above-entitled cause on this date.)

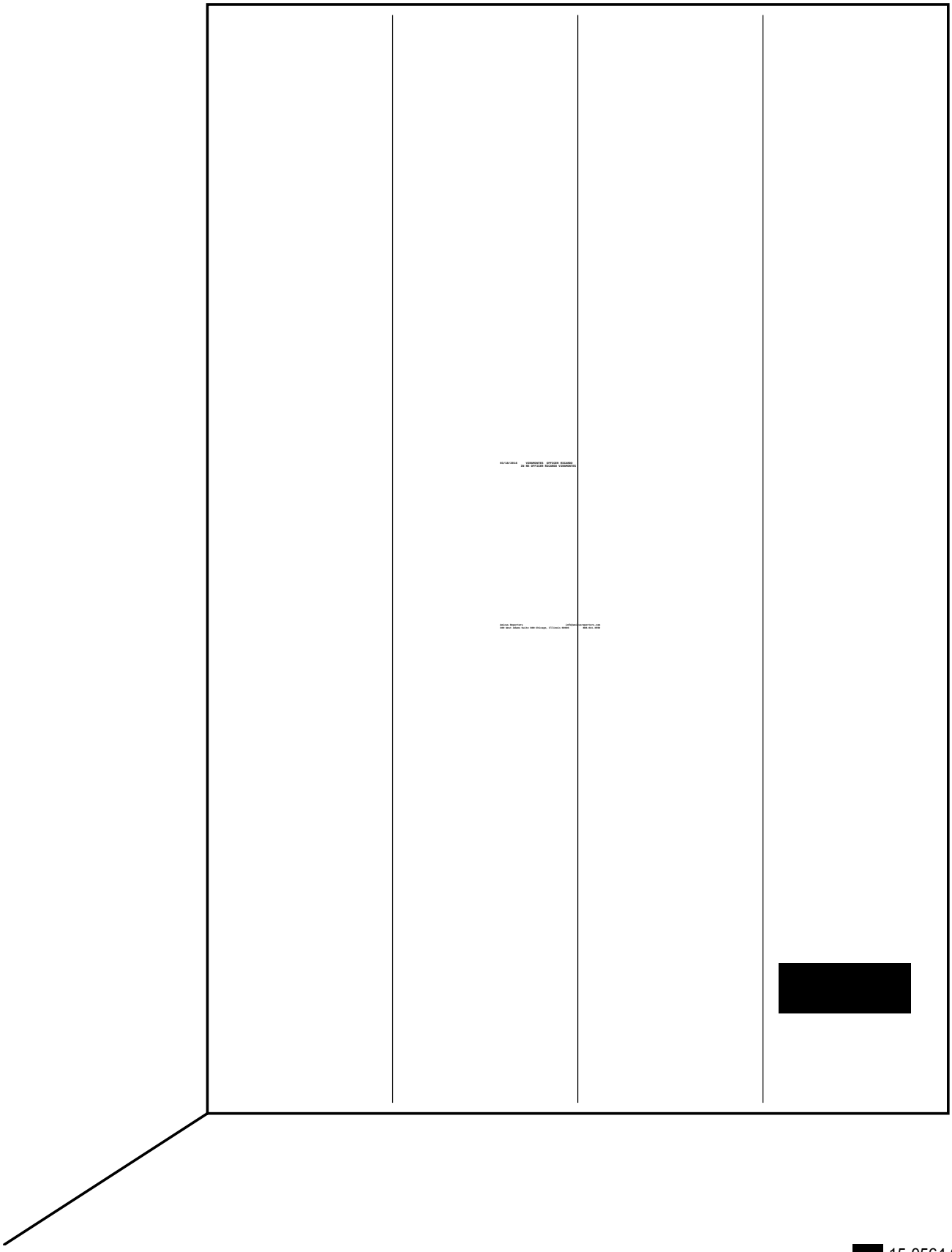
STATE OF ILLINOIS)
) Ss:
COUNTY OF C O O K)

I, Teresa Volpentesta, a Notary Public within and for the County of Cook and State of Illinois, and a Certified Shorthand Reporter of said state, do hereby certify that I reported in shorthand the proceedings had at the taking of said interview and that the foregoing transcript is a true record of my shorthand notes so taken as aforesaid, and contains all the requested proceedings at said interview.

In witness whereof, I have hereunto set my hand and affixed my notarial seal this 31st day of March, 2016.

Teresa Volpentesta, C.S.R.

Notary Public, Cook County, Illinois
C.S.R. License No. 84-2781



[redacted]

15-0564 007678

8

8 174:3 175:8,11 183:9

8-10 174:4

800 4:22

810 179:3

813 20:3,13 50:21 51:1 83:9 92:24 93:11 141:9 143:16

813R 150:13

815 70:15

815R 134:5

841 22:17 23:12,15 64:11 67:22 71:5 77:11,15 102:10 125:3 128:16 129:7,20 130:11 134:23 135:8 144:22 146:12 147:3 168:4,7,23 169:2 170:3,7 171:6 173:9,15 175:14 176:4 179:8 180:5,6,12, 15

841's 88:20

845 20:4,13 148:12,14 149:3

845R 149:17

8948 160:6 168:10, 19,24 169:9 172:18,22 175:5,9, 14 183:13,21

8948's 173:22 178:18 180:22 184:3

8949 175:2

8th 5:10 22:13 102:7,9,14 103:5 119:20

9

9 174:3,14 175:7 183:9

9:00 108:5

9:57 144:4

9:57:22 145:3 149:5

9:57:30 146:8

9:57:36 150:3

A

a.m. 4:20

ability 68:15 73:10 129:22,23

absent 11:22 12:13

Academy 163:11

accept 21:19

accident 69:23

accompany 70:21

account 45:22,24

accuracy 4:6 151:5

accurate 57:9 120:6,17 121:23 122:15 123:1,6,13 126:2 128:1 129:8, 21 130:12 139:11 142:2 145:12 150:24 154:9 157:14

acknowledge 9:21

action 8:14

actions 63:14,22 105:19

activated 173:6, 10

activities 107:8

actual 47:4 159:11

Adams 4:22

add 116:18 117:23 141:24 176:6

added 95:21 116:12 117:11 120:23 122:8 143:1 154:6

adding 95:17

addition 16:15 56:3

additional 14:23

address 22:4 36:5

addressing 76:7

adds 116:13

administrative 9:22 10:15,23 11:1 16:6

advance 50:22 144:2

advice 12:15 14:22

advised 7:14,22

advisement 6:10, 14,17 10:5 11:3

Affairs 14:2

afternoons 58:17

agencies 29:9

agency 10:19 16:9

agents 27:22 54:16 56:4,11,14, 16

agitated 78:12

agree 152:24

agreed 138:19

agreeing 93:24

agreement 28:13 157:21

ahead 46:17 125:20

aid 4:6

air 66:15 71:3 72:1 105:5,14 106:1,2, 13

allegation 142:1 183:8,16,23 184:6

allegations 13:17 15:1,3 17:15,18 18:1 131:4

alleged 130:14 131:10,19 132:3, 17 133:8 141:16 183:10,18 184:1

allowed 9:23

aloud 6:16 7:4,20 8:9,17,24 9:10,19, 22 10:2

ambulance 68:3 69:16 71:4 72:3 73:17 84:8,9,10

amend 154:9

Amendment 25:7

Amicus 4:21

amount 25:16

and/or 15:17

angle 83:23

angrily 78:11

answering 7:1 25:15

answers 16:3

apologize 108:6

apparently 171:19

appearance 52:13 56:9

appeared 55:21, 22

application 175:16 176:3

approach 144:17

approached 50:10 74:23 84:7 123:17 126:3

approaches 77:19

approaching 50:5,6 124:3 126:23 155:4 158:14

approximately 144:4

arbitrator 15:5

Archer 36:10,12

area 55:5 74:1 79:9 87:23 88:1,4, 14,17 90:1,7 91:1, 6,9,16 92:1,3 100:11 101:8,12, 16 102:6,8 107:22 110:20 113:21 114:18,23 115:3

arguments 16:16

arm 78:11 139:4, 12,18,24

arranged 54:8

arrival 150:18

arrive 89:24 110:21

arrived 91:9 106:14 107:21 110:4,9 111:1 124:7 135:9 136:12 173:10

arriving 124:7 154:11

Arturo 38:9

asks 78:3 100:18 167:5

assert 15:24 25:6

assess 144:10

assessment 151:5

assigned 5:9 22:13 23:13 64:12 66:16 69:16 70:21 71:19 119:19 161:5 162:15 163:22 166:22 169:8 170:13 178:9,16

assigning 64:16

assignment 22:10,16 68:17 75:4

assist 4:16 59:18 60:1 64:17

assistance 57:21 58:4 59:8,14,17,23 60:6,14 61:4 134:4

Assistant 27:22

assisted 60:7 61:1

assisting 61:3 68:19

assume 81:23

ate 100:6

attached 162:21

attacking 139:5, 13,19

attempt 45:14

attempted 130:18 131:14 159:21

attempting 13:14 129:11 130:24 155:12 156:5

attendance 163:16

attended 55:19

attention 113:14 122:22 123:9 162:11 164:24 168:3

attorney 5:6 13:12 20:21 26:17 27:15, 18 45:9 55:6,12, 13,19

attorneys 27:22 55:10,20,21,22

attributed 30:18 32:20 115:13 119:16 120:3,22 133:21 136:8 142:7 154:5,20 155:17 156:3 157:18 158:3

audio 4:8,12,15 22:2 172:21 173:4 176:21 181:20 182:1,3,7,11,19,22 184:2 187:22

authorities 28:14, 18

automatically 160:18 173:4 187:13

aware 137:11 163:2 165:15

awhile 39:7,9 40:8 161:18 163:13

B

B-r-o-w-n 5:3

Bacerra 38:9,16, 19 59:1

back 12:8 17:23 18:3 26:23 29:13 41:4 44:4 72:6,16, 21 73:2,24 102:2 103:16 116:3 118:15 125:22 126:11,12 129:12 130:18,24 131:8, 14 133:17 141:14 145:19 148:9 149:11 150:11,13 155:13 156:5 158:2 159:1,21 164:10 176:13 185:16

background 21:18 22:8

bar 144:1 145:11 149:16

based 16:1 79:17 124:5

basic 74:12

basically 21:11 46:18 64:22 65:1, 17 73:8 94:18 114:13 170:20

basis 7:18 8:13 9:16 33:6 38:3 40:4 62:4 84:18

batteries 183:3 187:22

battery 183:2

beat 20:3,4 37:10 68:16 69:7 134:5 175:14

beats 170:6

Becvar 174:8,22 175:4,15,19,23 187:15,16

beginning 142:24 143:4 160:24 161:1 162:17 166:20 183:13

belief 11:6 84:18

believed 47:3 121:16 172:12

believes 157:7

bell 168:10

belongings 171:21

big 36:17 91:6 182:15

bigger 36:11 58:17

bit 24:2 44:5 58:14 64:23 70:8 82:13 108:7 120:8 144:10 145:14,19 187:14

bits 70:17

black 121:1 122:10 123:1 135:12 136:14 154:13 155:1 158:4

block 66:11,18 103:22 104:4,23 105:2 164:5

blocking 104:19

Bob 13:5 14:10

body 68:3 70:22 71:21 137:14

boom 99:20

bosses 72:24

bottom 18:5 140:6 165:3 175:13

bounce 169:13 170:7

bouncing 169:16

break 12:2 52:10 101:21,24 116:1 141:12 164:8

briefly 160:7

bring 48:12

broken 167:19 171:19

brought 41:22

Brown 5:3 6:19 11:13 13:13 52:2 55:17 58:6 59:5 61:16 103:12,15 106:23 114:8,15 143:18 148:7,11, 23 150:13 151:8 154:2 156:1 157:11 158:12,22 159:2,16 164:6 176:11 184:10,13 185:19

Bureau 14:2

busy 79:8 186:14

C

California 55:4

call 52:15,20 59:13,24 67:8 70:7,16,21 71:6 73:3 90:9 103:18 109:5 117:1,15 161:10 178:17 186:12

called 6:2 57:16 73:16 117:10 180:1

calling 180:4

calls 34:7 41:5 59:19,20 60:22 71:14 79:7 180:19

cam 20:14 42:14, 15,16,21 50:21 51:1 83:10 93:12 141:9 143:16 147:23 149:4,18

camera 20:9 83:14 93:1 146:23 160:9,10 161:7 166:1,4,9 170:18 171:17 174:14 175:6 176:8,16 177:21 180:6,9 181:24 185:22 186:18

cameras 182:13

canvass 73:3,4

canvassing 70:8 80:13,18

captured 83:1 181:20

car 23:13 39:5 44:9 47:3,9 48:4 50:5 57:14 64:10, 19,21,24 65:1 67:10,12 71:13 72:12 74:18 75:8,9 85:14 87:11,12 88:20,24 104:4 123:17 129:7,20 130:11 134:23 138:24 145:6,21 146:3,4 148:16,21 163:22 169:11,24 170:4,18,20 180:24 181:2,10 185:23

care 98:3,5

cars 69:7 168:11 181:9

case 18:22 19:3 30:17 56:16 65:2, 3,13 66:18 67:10, 14 68:8,20 80:13 81:1 86:22 87:19, 21 88:3 116:11,14, 20 117:22 118:3,8, 23 142:11

caught 43:13

causing 173:16, 22

cell 23:20,22

Central 36:11,12 87:23 88:4,17 90:1,7 91:1,9,16 92:3 100:11 101:8, 12,16 102:6,9 114:19,24 115:4

certified 4:3

chain 22:21

chairs 82:4

chance 114:13 148:11 157:9,13

change 49:18 96:19 132:14 157:10 159:11

changed 132:7,10 167:15

chaotic 68:21 73:1 89:8

Chapter 5:12

charges 10:10,14

check 167:8

checked 172:19

Chicago 5:4,10,14 6:20 7:17 8:2,7 9:15 13:7 14:1,7, 24 22:13 119:19 162:8

Chief 174:17

choosing 9:4

circumstance 58:10

city 5:4,13 6:20 13:7 14:7,24 176:17 177:1

civilians 106:11

clarifications 155:16

clarified 157:17

clarify 98:24 122:23 147:6 156:9 157:3,19,24

clean 159:3

clear 77:5 166:12

clock 54:3

close 59:18,24 69:5

co-workers 186:7

code 5:13

codified 130:24

coerce 97:2

coffee 185:14

colleague 13:13 51:20 143:18

colleague's 155:20

collect 69:21 70:9 73:4 74:4

collected 181:12

collecting 70:20 74:2,12

command 22:22

commander 12:22 13:2,5,6,24 14:9,11,19 23:1,9

comment 136:1 139:14

comments 96:10

communicate 186:5

communication 115:5

communications 34:24 41:6

compare 152:21

complaint 37:2

complete 47:16 67:14 74:6 80:13 87:19 88:3 98:9 116:20 118:7

completed 60:14, 16 72:23 87:21 118:5 119:7 174:8

completely 7:2

completes 118:3

completing 61:2 81:1

completion 68:20 86:22

computer 68:9 166:7 167:3 180:3 185:6

concerned 120:13

concerns 174:8

conducted 5:12

conducting 10:15,17 15:2 16:6

confidential 4:9

confirmed 95:24 96:1 175:3

conflict 45:15

confusion 94:20

connection 150:18

consent 11:18

constantly 79:8

constitute 7:23 9:15

constitutes 7:16

consult 9:4

contact 12:22

contacted 13:3

contained 65:13 138:18

continued 129:11 155:12 156:4

continuously 130:3

contract 15:19

contradicts 96:14

control 66:4,5,7 67:8 103:17,18,20, 21 105:19,21 184:7

conversation 75:1 79:5 86:6 87:2,16 103:1 109:4,5,19 111:3 115:14 175:19,23

conversations 33:20,24 60:8,15, 24 62:15,16 70:11 74:14,15 86:9 91:10 100:10 102:16,17,20 114:23 177:6

Cook 55:21

cooperate 6:24

copy 15:16

correct 20:5,6,10, 11 26:12 29:2,6 31:5,21 39:16 47:23 48:16,19,20, 23,24 49:2,3,11 50:1,12 51:5 54:1 56:22,23 58:11,24 59:10 62:18 63:11, 12 64:13 66:20 67:11,15,24 70:5,6 75:19 77:3,13,14, 22,23 78:2 80:15 81:3,7 82:22 83:15 88:5,18,23 92:2,6 93:13 95:2,3 100:19 101:17 102:13 103:7,9 104:1 105:11 106:4,8 108:13 113:19 118:24 121:13 123:5 124:2 125:9 128:17,19,22 132:16 133:7 139:20 142:5 143:8,9,13 150:10 151:1,2 152:7,14 155:4 161:22 163:24 164:15,20 166:23 167:10,13 169:3,4,7,22 173:7,11,12 177:18 178:1 181:18 184:16,17 185:9,24

corresponds 175:6

counsel 9:3,7 12:15 14:22 21:18 26:7,9,10

counsel's 26:8

count 62:21 81:15

County 55:21

couple 35:19,20 56:24 62:9 103:12 113:24 184:10

court 4:3,8,10,15, 21,23

court-reported 13:10

cover 33:14

covered 51:14

CPD 17:6 18:22 29:10 53:19 54:4 55:2 81:5 130:16 131:12 132:5,19 133:10 174:9,19 183:12,21 184:3

create 65:8

creating 180:14

criminal 8:21 10:10,13,16 16:7 43:8

crowd 66:4 103:17,18,20,21

CSR 31:23 32:2,21 115:10,12 117:15 133:17 142:18

CSRS 117:1

cubicles 90:12 91:7

curious 108:23 114:9

current 22:10

custom 4:7

D

daily 33:6 38:3 40:3 160:22

damage 162:19 163:20,23 164:18

damaged 165:12 183:21

Daphne 39:21

dash 42:14,15,16, 21 50:21 51:1 83:10 93:11 141:9 143:16 149:4,17

data 181:12

date 4:20 24:22 143:22 162:9

dated 17:6,15 18:23 19:11 174:15

David 141:18

day 23:7 25:22,24 37:13 43:6 52:22, 24 59:21,22 62:6 86:24 161:2 170:17 172:9 179:7 180:24

days 173:14

dead 176:22

deal 118:18

dealing 177:20

dealt 118:16

decibels 152:21

decide 104:21

decided 15:5 64:2,15 104:22 105:1

deemed 10:22

delayed 9:8

deliberately 9:14

Department 5:10 7:17 8:7 14:2 22:14 162:8,15,16

Department's 8:2

depending 40:5 57:20 58:10 61:11 65:5

depends 59:19 60:2,9,17,21 61:4, 8 65:14 118:12 153:9 167:20

Deputy 174:17

describe 29:20 41:19 46:9,13 99:4

description 41:24

designees 14:6

Desk 179:21,24 180:14

detail 63:14 94:15

detective 19:1,12 30:13 32:1,13 44:24 45:3 51:8 74:21 75:1,7 76:16 77:6,10,19 78:8,16 79:12,19,20,22 84:7 85:3,5,6 86:7 90:11 91:5 92:1,9, 11,15,16,18,22 93:8,9,14,18 94:23 96:3,5,9,13,18,21 97:1,5,10,13 99:15,18,21 111:7, 10,19,22,24 112:9 114:19 115:14 116:18 117:17 118:6,19,22 120:5, 15 121:6,8,10,16, 20 123:20,23 127:4,5,18 128:7, 20 129:2,14,15 130:6,16,21 131:12,17,21 132:1,5,9,19,23 133:10,15,23 134:8,16 135:3,16, 21 136:4,9,10,19, 22 137:3,5,16,21 138:5,9,15 139:8 140:3,16 141:1,18, 23 142:4 143:11 156:15

detective's 65:19

detectives 80:9 81:12,13,21 82:2 85:9 88:8 90:8,18 113:11 114:20 116:17 117:2,24 118:7 130:1 137:23 139:10

determination 10:24

determine 136:7

differ 32:1

differed 32:12,19 78:23

differences 99:16

differently 117:3 156:18

differing 78:20 99:11

differs 61:9

direct 14:4,18 66:23 67:4 122:21 123:8 162:10 164:24 168:2 175:11

directed 145:9

direction 96:23 105:24 108:17 128:4 132:7,10,15 133:12 139:3 159:8,11

disabling 182:21

discharge 7:18 8:15 9:17

disciplinary 8:14

discontinued 4:13

discretion 104:18

discuss 89:1

discussed 41:7 89:10

discussion 12:6 23:11 26:22 115:23 126:9 158:23

dispatcher 105:5, 6,13,16

dispatchers 106:6

distorted 49:22

district 5:10 22:13 55:2 57:19 58:15 101:13,16,18 102:7,9,15 103:6 119:20 165:22

document 9:24 10:8 11:10,11 17:5,11,14,21 19:7 65:5,8,9

documentation 65:7

documented 46:16

documents 30:23 44:20,22

donut 185:18

Donuts 20:9,14 67:18,23 72:19 80:7 81:2,6,22 82:2 83:1,12,14 84:1 135:11 136:13 147:16,23 171:23 172:7 185:16

door 124:10,18 125:5,8 146:17,22 147:13 149:22 150:2 151:22,24

Dora 119:21 133:19 136:6 142:22

doubt 168:15

downed 23:14 39:5 170:5

drink 52:5

drive 102:11 103:8

driver 88:21 149:24 150:1 169:2

driver's 76:22 77:1,16,20 108:8 109:10,11 150:2

driving 154:10 155:3,6 168:5,13 170:23

drop 127:2,16,24 133:12 138:12 151:1,7,21 152:1, 6,9

drove 88:20 101:16 135:1

drum 152:22

duly 5:19 6:3

Dunkin' 20:9,14 67:18,23 72:19 80:7 81:2,6,22 82:2,24 83:11,14 84:1 135:11 136:13 147:15,22 171:22,23 172:7 185:16

duress 14:16

duties 116:21

duty 6:24 152:3 160:23 162:18 164:19 167:4 183:14 184:4

DVD 20:8 42:9 143:17

E

e-mail 34:13 174:21 175:4

e-mails 34:7,24

earlier 58:8 154:4 158:15 178:22

early 101:9 154:22 166:3

earmuffs 153:5,16

easier 144:10

easily 57:21 58:4

east 137:14

eat 91:14

efforts 66:4

embedded 143:22 144:4 145:10 146:7 150:3

emergency 110:11 160:15 173:5,8,9

enclosed 153:17

encourage 160:2

ended 143:4

enforcement 10:19 16:9

engage 173:4

engaged 175:15

ensure 45:14 162:20,23 183:12

enter 90:7

entitled 11:8 16:18 17:5,14

equipment 162:19 163:20 164:18

equipped 162:16 165:13

error 175:16 176:3

estimate 106:15 109:6 113:6

event 31:24 57:15 65:6,15,17 89:11

events 45:19 63:8 65:7 82:24 124:16, 24 184:3

eventually 64:9

everybody's 68:15,16 73:7 80:23 83:19

everyday 37:15 62:9 167:8

evidence 8:13

exact 124:16

EXAMINATION 6:5 52:1 62:1 103:14 114:16 154:1 159:17 184:12

examined 6:3

exception 143:7

exceptions 143:10

excerpt 18:22 19:3 115:12

exchange 34:14 109:5,15 114:21

exchanged 34:6

exchanges 109:21

Excuse 101:20

execute 11:10

executed 11:11

executing 10:8

exhibit 5:21 6:9 10:6 11:10 17:4,14 18:1,3,6,9,21 19:3, 10,15 30:17 31:23 32:2,3,20 56:16,17 116:8 119:2,14 142:11 162:2,4,5 165:1 174:4,13,14, 21 175:1,7,8,11

exhibits 16:24 17:3 30:16,23 44:20 115:10 116:6,8 174:3

existed 143:1

exit 122:16 124:11 125:7,10,11

exited 120:24 122:8 123:10,14, 23 125:3,24 143:8 147:3,7,11 154:6, 12,24

exiting 122:3 146:11 147:17,20 150:6,8

expecting 52:23

experience 153:1, 2

explain 43:15,17 58:14 123:22

explanation 172:24 181:19

exposure 87:13

extent 15:23

F

F-a-h-y 55:15

facing 137:14 138:3

fact 10:21 14:24

facts 119:21 133:19,23 134:2 136:5 142:22

Fahy 55:13,19

failed 132:6,20 183:11,17,19,24 184:2

fair 11:20 12:10 21:19 53:14 61:15 68:24 70:2 85:6 108:2 181:15

fairness 182:12

false 8:3,5 9:13 130:15 131:11,20 133:9 141:18,20

familiar 28:10 116:24 117:7 119:4 179:21

family 103:3 117:14

fast 86:13

FBI 27:21,23 28:20,22 29:2,14, 17,21 30:19,22 31:12,16,19,24 32:12,19,24 33:1 47:22 50:18 51:4 53:16 54:16,18 55:9,18 56:8,11

February 17:6,11, 15,21 18:15,18 19:7,19 143:17 162:9

federal 15:18 24:4,8,13 25:8 27:19 28:7,14,18

29:5 41:15 43:24 55:24 56:3,14,16

Feds 26:24 27:3 43:24 48:12

feel 122:6 157:1

feet 83:20

fell 129:10 130:17 131:13 139:23 155:11 156:4 159:20

female 112:13

figure 112:17

file 143:19,20 147:23

filed 15:9 179:20

files 22:2

filing 180:13

fill 170:6

filled 6:11

finally 49:16

findings 174:11, 23

fine 21:24 23:17 142:20 145:18 159:16 168:20

finish 82:16 107:11

finished 50:11

fire 140:14

firecracker 153:11

firecrackers 153:12

fired 128:24 130:2 139:22

firing 152:5,9

flashers 146:5

flashing 110:10, 14

floor 92:1,3

flow 60:2

focus 150:17

focused 91:13

folks 81:5 91:4 118:11

follow 68:3 71:4, 21 72:3 73:17 162:21 164:2 167:2

follow-up 51:20 57:2 98:21 103:11, 12 104:8 153:19 154:3 184:9,10

Fontaine 21:3,6, 15 33:13,20 35:12, 22 36:3 39:14 64:3,4 67:9,13,21 68:4,8 71:8 74:6 75:9 76:12,21 77:18 78:1,15 79:2,23 84:8 87:14 88:22 93:10 97:18 98:8,11,20 99:4,8 101:15 102:12,15, 21 109:13,19 119:22 128:18 133:19,22 135:11, 18 136:2,4,6,8,14, 22,24 137:3,20 138:8,11,17,22 139:7,15 140:9,20 141:5 142:22 150:8 173:21 175:22 177:12,22

Fontaine's 75:17 99:10

footage 83:14,17 84:2,3 143:21 144:6,7 146:12 176:20 177:8

FOP 85:15 86:3 91:15,21

FOP'S 16:16

forgot 26:7,8 27:1 45:18,20,24

form 6:10 10:5 18:10,11,15,17 22:1

format 144:9

forward 11:15 14:12

found 46:1,2 47:8 64:4,9 85:6 166:20 182:10

frame 114:4,6

Franko 23:2 88:6 179:4

Fraternal 15:8

frequently 59:12

friends 186:6,11

front 43:11 67:17, 22 115:10 116:6 135:10 136:13 160:10

fruits 8:20

frustrated 71:24 72:1 89:22

full 22:9 151:9,11

fully 142:13

functioning 172:18 178:9 180:23

G

Gaffney 37:5,6,17, 24 39:10 90:21 110:24

Garfield 36:8

Garrity 14:21

gave 28:3 29:4 32:23 45:24 47:2 52:20 86:14 98:18 100:7 108:20 128:13 130:1 134:13,20 156:15

general 5:4 6:21 7:1 10:13,22 12:12,19 13:8 14:7 15:10,15,20 16:5 19:10,15,19 21:18 43:14 44:6 51:14 56:17 74:1 75:14 115:11 117:14 119:2,3,4,8,11 163:4 167:15 173:3

General's 10:10 13:22 15:1

generally 43:1,17 78:3 116:10 118:7 169:8,15 170:14

give 16:21 24:3,7, 12 41:24 50:15 74:5 75:24 91:19 97:15 100:7,18,22 120:8 132:12 152:20 167:11 169:19 178:23 180:17 184:22 187:1

giving 14:4 71:8 105:24 112:1

glimpse 80:6,11

good 77:7 83:23

good-bye 14:11

gotcha 69:19 125:14 180:13

government 27:19 28:7

governmental 29:8

GPR 115:11,13

grab 71:16

grand 15:14,16, 21,24 16:11,14 24:2,4,8,13,16 25:8,11,15 26:2,4, 10,19 27:1 28:1,3 29:5,16 31:13,17, 20 33:2,8,21 34:3, 8,22 41:4,7,12,16, 20 42:1,17 43:11

44:1,6,19 45:3,7, 11,13,20 46:16 47:2,11,18 48:3, 12,17,21 49:2,5, 11,23 50:17 51:3, 7,12,20,21 52:13 53:7 56:5,9,21 122:2 123:12

granted 14:21

grasped 140:1

great 36:17 39:4

grievance 15:9

ground 129:11 130:18 131:14 139:23 155:12 156:4 159:21

group 37:14 58:13,15,20 62:6

groups 40:5

guess 37:8 41:24 53:13 61:11 76:6 82:3 83:19 84:15 91:23 98:16 104:3, 18 105:18 107:1,6 112:1 113:12 131:6 136:3 153:14 155:10 159:5 169:12 170:11 172:15

guessing 25:20 62:24 84:13,20 106:20 107:2

guide 96:22

gun 153:2,15,17

gunshots 140:13

guy 176:24

guys 39:2 76:3,8 99:21 114:10 124:16,21 164:4 185:17

H

hand 5:18 17:13, 23 18:3,8,20 19:9 74:9,10 121:4 122:13 123:4 129:12 130:19 131:1,15 135:14 136:17 139:24 140:23 155:13 156:6 158:7 159:22 162:2 174:1,13

handed 30:16

handgun 128:24 139:22

handle 165:21,22

handled 60:11

hands 52:21

happen 167:7

happened 45:23 46:20 47:4,10 53:1 56:9 70:15 75:5,24 76:1,2,3 78:4 82:21 89:21 94:2 95:19,22 97:16 98:10 99:20 100:3, 17 108:20,22 122:15 124:9 148:18 172:1

happening 124:19

hard 59:11

headed 64:5

headquarters 54:19,20,23

hear 95:6 98:6 152:8 187:24

heard 46:19 127:1, 9,15,23 138:11 150:24 151:6,20 152:1 182:21,23, 24 183:1,4 187:21

hearing 105:20 106:9 111:2 151:23

heart 168:9

helpful 155:19

hey 76:3 97:24

Hold 49:9

holding 113:15 121:3 122:12 123:4 124:8 158:6

home 100:16 101:14 102:19 103:3,6,8

homicide 118:14

honest 63:1 107:9,24

hospital 71:4,20, 22

hot 53:10

hour 25:19 106:19

hours 21:21,22 54:5,7 113:24

house 35:14 36:2

hunger 114:6

hungry 89:22 90:3 113:22

HX475653 18:24 19:12

I

IAD 17:3,10,20 18:14 19:6,18,24 20:8,19 143:16

idea 97:14 107:21 173:2 187:18

identification 5:22 162:6 174:5

identified 94:23

identify 5:1

immediately 63:17,18 64:19 147:12 165:10 183:19

immunity 25:10

important 43:6

impression 98:4, 18

in-car 20:3 160:6, 7,9 162:16,18,22 163:19,21 164:13, 17 165:11 166:1, 21 167:9 168:3 169:5,24 170:14 171:2,6,14,16 172:17 173:3,15, 22 174:11,14,20 175:6 176:4 177:20,24 178:8, 19 179:8 180:6,15, 22 181:7 183:12, 20 184:3,15

in-house 167:22

inaccurate 9:13 157:2

incident 41:20 59:9 118:9 135:10 136:13 152:13

incidents 118:10

included 20:2,8

includes 7:1

including 4:11 8:14 29:10 175:1

incomplete 9:14

incorrect 49:14 126:16

independent 4:3 171:12

indicating 143:22 146:4

individual 93:10

individual's 85:23

individually 75:21

individuals 5:1 65:20,23 69:20 70:10,12 74:12 93:11

info 74:12
inform 105:2 108:11
informal 76:5
information 4:2 65:13 70:17,20 71:9 73:5,19,21 74:2,5 79:17 82:12 117:12,23 167:5 178:24 180:17 181:13
initial 70:16 116:14 117:24 118:1
initially 48:23 144:8
injunction 15:11 16:17
inoperable 165:12,13 166:22 183:21
inside 49:5 71:8 76:16 81:6,22 124:2 126:22
insignificant 45:18
inspect 161:6 162:18 163:19,21 164:17
Inspector 5:4 6:20,24 10:9,12,22 12:12,18 13:8,22 14:6 15:1,10,15 16:4
instance 105:10
instances 183:2
instantaneous 124:9
instruct 105:21 106:10
intentionally 173:14,21 182:21
interact 160:21
interacting 161:3
interaction 115:4
interchangeably 168:23
interested 98:17
Internal 14:2
interpret 12:19 67:13
interrogation 15:11
intersection 36:9
interview 4:5,8,17 5:15 6:22 8:12,20 9:4,7 13:10,16 15:4 17:5,7 18:6 19:13,23 20:15,18, 22 21:7,14,20,22 29:13 30:24 42:10 43:23,24 50:22 79:18 130:16 131:12,21 132:5, 19 133:10
interviewed 6:19 37:1 92:5
investigating 80:22
investigation 5:12 6:23 10:16, 18,20,23 15:2,7,9 16:6,7,10
Investigator 15:20
investigators 15:18
investigatory 29:9
invoking 14:20
involved 89:3
IPRA 91:20 92:5 100:18
irritate 52:8
issue 21:14 148:15 162:9
issues 15:6 33:12 171:1
IV 162:11

J

Janet 38:22 39:23 90:16
Jason 127:1,16,23 137:15
Jen 13:12
Jennifer 5:5
Jersey 14:21
job 14:18 54:4 60:17,18,21,22 61:9 66:16 68:13 73:6 86:14 117:7, 20 118:13 154:18
jobs 59:7
joint 10:17
Jonathan 174:22
Joseph 128:5 137:15
jury 15:14,16,22, 24 16:12,14 24:2, 4,8,13,16 25:8,11, 15 26:2,4,10,19 27:1 28:1,3 29:5, 16 31:14,17,20 33:2,8,21 34:3,8, 22 41:5,8,12,16,20 42:1,17 43:11 44:1,6,19 45:3,7, 11,13,20 46:16 47:3,11,18 48:3, 12,17,21 49:2,5, 12,24 50:17 51:3, 7,12,20,21 52:14 53:8 56:5,9,21 122:2 123:12
justified 30:10 44:15

K

K-l-i-m-a-s 14:1
keeping 79:8 157:16
kicked 140:23
kind 37:14 54:3,8 55:7 60:23 61:12 63:16 93:16,24 95:9 98:9 104:4 126:17 154:8 158:2 161:2 185:20
Klimas 12:22 13:2,5,6,24 14:1, 19
knew 179:12,13, 16
knife 121:3 122:12 123:4 124:8 127:2, 24 129:12 130:19 131:1,15 133:12 134:5 135:14 136:16 138:13 140:1,23 151:1,7, 21 152:1,6,9 155:13 156:5 158:6 159:22
Kris 6:19 13:13 103:10 143:18 153:19 184:9
Kristopher 5:3

L

Lance 174:8,22 175:15
laptop 82:5,7,8,9 143:20
Laquan 11:22 12:13,21 13:1,15, 20 29:9,14 31:4 41:13,17 42:6 63:10 69:22 121:2 122:10,17 123:2

126:21 132:6 135:12 136:15 154:14 155:2 158:5

large 59:20

lasted 21:14

late 100:16

law 10:19 16:8

learn 79:11,13 182:3

leave 60:11 66:24 88:10 101:1 104:21 106:11

leaving 102:6 104:14 161:6 171:22

left 69:24 84:11 100:3 101:7,12 170:21

legal 9:3,6

legally 11:8 16:18

let alone 137:10

Leticia 40:13

Lewin 174:22

liability 43:8

lies 157:6

lieutenant 23:5

life 43:6

lights 110:10,11, 14 145:20 160:15, 16 173:5,8,10

line-by-line 119:23

listed 142:8,10 156:3

listen 97:17

listening 113:12

literally 95:8

live 36:3,8

lives 36:4

located 4:21 48:9 54:19

location 53:24 54:13 55:2 59:15 72:17

log 161:9 167:3 179:19 181:9 184:21 185:4,5,11 186:22 187:8

logged 186:21 187:1,8,13

logging 180:2

long 9:7 21:11,14 25:2,14 28:2,4 35:15 53:2 68:1 69:17 71:1 72:8 88:14 98:15 106:14 107:7,10 109:6,18 169:23

longer 130:4 143:5

looked 78:11 94:11 159:10

lose 14:18

lot 85:13 169:14 171:22 185:13

loud 152:18 153:3, 12,15

lucky 73:14

lunch 55:5 114:10

lunchtime 113:24

M

made 8:11,19 14:16,17 15:17 16:12 30:13 31:13 37:2 56:10 94:21 96:1,2 104:10 120:2,4,13 121:12, 14,19 123:13,24 124:3,4 126:1,3 127:8,14 128:10 129:5,18 130:9,15 131:11,20 132:4, 18 133:9 134:4,12 135:6,21,24 136:8, 22 137:3,8,10,11 138:22,24 140:9, 12,20 141:5 155:1 156:21

main 116:19

majority 182:15

make 14:13 45:14 48:10 49:8 77:4 80:21 84:21 95:8 96:10 120:15 121:6 127:3,19 128:6 129:1,13,14 130:5 134:7,15 135:2,15,23 136:10,18 137:16 138:4,14 140:2,5, 15,24 144:10 145:21 155:16 158:16,20 159:24 160:2 161:7

makes 174:18

making 8:3,5 14:23 15:1 61:13 71:14 94:5,17 99:1 137:21 138:8 139:7 154:19 159:5

male 112:12,14 121:1 122:10 123:1 135:12 136:14 154:13 155:1,7 158:4

man 134:5

manner 53:4

manpower 58:20 170:6

manually 160:19

March 4:20 18:23 19:1 30:13 32:2,13 44:24 45:3 51:8 74:21 75:1,7 76:16 77:1,6,19 79:15, 20,23 84:7 85:3,6 86:7 92:19 94:24 96:3 106:15 107:6 108:7,11,14 109:12 110:3 111:21 112:9 113:16 120:16 121:7,17,20 123:20,23 127:4, 18 128:7,20 129:2, 14,15 130:6,16,21 131:12,17,21 132:1,5,9,19,23 133:10,15,23 134:8,16 135:3,16, 21 136:4,9,10,19, 22 137:3,16,21 138:5,9,15 139:8 140:3,16 141:1,18, 23 142:4 143:12

March's 19:12 115:14

mark 16:24 162:3

marked 5:22 6:8 10:5 11:10 17:4,14 18:9,21 19:10 162:6 174:2,5

mars 160:14,16

material 132:4,18 141:20

materials 19:23 20:2,18,19,20 45:6

matter 4:1 16:23

Mcdonald 11:22 12:13 13:1,15,20 24:5,8,13 29:10,15 31:4 33:4,10,22 34:1,15 41:13,17 42:6 47:19 48:4 49:15 59:9 63:10 69:6,11,22 78:10 84:4 97:7 102:16, 22 114:20 115:5 121:2 122:11,17 123:2 124:8 126:22 127:2,16, 24 128:3 129:10 130:3,17 131:13, 22 132:6,10,14,21

133:1,5,11 135:13 136:15 137:13 138:12 139:2,12, 17,23 141:19 148:21 154:14 155:2,8,11 156:3 158:5,9,14,16,18 159:5,20 173:11 181:21 182:8

Mcdonald's 12:21 140:23

Mcelligott 37:22 38:6 39:11 110:24

Mcnaughton 174:18

meaning 127:15

media 143:19,24 145:11 149:15

meet 26:24 27:4,8

meeting 27:6,11, 16,24 28:17 31:12, 16 53:15,18,21,23 54:3,8 55:9,11,18 56:8

member 17:6 57:10

member's 162:21

members 162:15 165:2,10

mention 137:5

mentioned 53:15 57:4 58:8,12,22 66:10 103:17 110:2,23 113:20 122:1 178:22 184:14 187:21

merit 16:17

message 105:14 184:24 185:2 186:13,18,20,24 187:2,6,9

messages 105:17,20 186:23

met 54:15 55:5

method 186:2

middle 13:10 119:14 121:3 122:12 123:3 131:23 138:1 142:18 158:6

midnight 107:23

midnights 58:18, 23

millimeter 153:7

mind 51:16 157:16

minute 12:3 72:14 158:21

minutes 109:8,24 113:7,8 143:20 144:1 145:11 149:16

misconduct 8:13

missed 73:11,14 74:3

missing 165:14

mistaken 38:14

mixed 44:1

modify 97:2

moment 166:13 175:10

Mondragon 38:22 39:8,18,23 90:17 110:23

month 24:23,24

months 25:4

morning 101:10 179:11

mouth 95:15

move 104:4 111:6 129:11 133:5 155:12 156:4

moved 97:18 98:7, 10,13,20 99:3 132:21,24

moving 11:15 14:12 63:4 72:12 130:4 139:24 143:5

multiple 59:22 82:9 112:22 113:2 128:24 139:22

municipal 5:13 9:15

N

named 117:8,18

names 27:5 34:16 70:9 71:9 80:10 81:4,8 82:16

narrative 141:18

nearest 36:9

needed 59:8 75:15 109:22 177:11 179:19

neighborhood 36:6

Neumer 4:1,19,23 5:11 6:6,19 10:12 11:6,19 12:4,7,9, 18 13:6,7 14:5,10 16:4,22 21:17 22:5,6 23:18 27:2 32:6,10 43:2 44:3 46:21 47:23 48:1 51:18 55:15 59:2 61:17 62:2 73:15 76:14 77:7,9 83:8 84:17,21,23 89:16, 23 101:22 102:1,3 103:10 114:17 115:21 116:2,4 121:9 124:22 125:1,19,21 126:7, 10,20 127:12 131:2,5,9 134:21 137:12 138:20 141:8,13,15 142:10,16,23 143:3 145:7 146:2, 6,18 147:1 148:3,9 149:3,8,14 150:11, 15,22 151:15 153:4,19 155:19 158:24 159:18 162:1,7 164:9,11 165:9 168:17 171:11 174:6 176:13 177:2 184:9

news 182:9

night 33:22 34:1, 20 63:11 79:10 84:2 100:11 120:3 121:7 127:5,17 128:7 129:2,14,15 130:6 134:8,16 135:3,16,22 137:17 138:5,15 140:3 141:1 168:13 171:1,7,19 172:18,22 173:17 175:20 176:5 179:7,10,11

non-functioning 181:6

non-operational 173:16,23 179:9

normal 54:4,6 59:6 104:17 113:23 114:10,12 171:8

normalcy 114:2

northbound 135:1

Nos 5:21 174:4

note 16:5 22:1 154:19 165:2,3,8

noted 110:21 136:5 154:7,22 158:15

notes 19:13 79:21 80:1 113:11,18 115:14 175:18

notice 13:16,17 17:7 20:17 183:8

Notification 17:5, 15,17 18:1,6

notifications 53:4

notified 45:19 52:13

notify 100:20,21 101:5 165:11 166:8 172:4 183:20 185:22,23 186:3 187:4

number 18:23 19:12 22:9 23:20, 23,24 75:17,18 77:22 78:1 86:21 161:10,12 166:2, 10,11 168:8,10 171:18

numbered 131:5

numbers 69:21 70:9 81:9 161:8 180:11 182:16

O

object 4:15

objecting 14:24 15:4,12 80:17

objections 14:23

obligation 7:8 16:13 43:7

observation 89:15,16 123:14, 24 124:4 126:1,4 155:1 156:21

observations 108:12,24 109:1

observe 122:17, 24

observed 121:1 122:9 123:1 126:19,21 154:13, 15 158:4

obtain 9:6 162:19

occasion 24:17, 19,20 28:23 57:22

occasionally 170:17

occasions 35:24 166:19 170:2

occur 27:24 31:12, 16

occurred 53:9,19, 21,23 57:15 60:8 61:13 96:15 124:6, 12 155:3

occurring 125:4,6

occurs 88:12

October 19:11 22:16,19,22 23:23 35:12,16 36:15 37:7,22 38:9,22 39:21 40:13,17,21 41:1 63:8 84:3 89:4 120:3 121:7 127:5 128:7 129:2, 14,16 130:6,15 131:11,20 132:4, 18 133:9 134:8,17 135:3,16,22 137:17 138:5,15 140:3 141:1,17 161:15,21 163:1, 20 164:22 165:16 166:13,15 168:3 169:3,9,23 170:12, 24 171:7,13 172:22 173:13,20 174:16 175:20,24 176:5 178:12,18 179:7 180:16,22 182:20 183:11,19 184:2

off-site 53:22

offered 16:16

office 5:4 6:20,24 10:9,12,21 12:12, 18 13:7,22 14:6 15:1 16:4 55:20,22

officer 4:14,18 5:6,7,17 6:1,7 7:3, 12,19 8:8,16 10:7, 11,14,24 11:9,12, 17,20,23 12:10,14, 17,19,23 13:11,14, 18,21 14:3,8,13 16:12,20 17:2,8,18 18:12,24 19:2,13, 14 21:3,5,15 22:3, 8,11,15 23:19 26:21 33:13,20 34:7,9 35:12,22 36:3,15,23 37:2,5, 6,17,22 38:5,9,15, 18,22 39:8,10,11, 14,17,21,23 40:10, 13,22 41:1 57:6,8 58:3 59:17,23 60:6,7,14 62:3,15, 16 64:3,4 67:9,13, 21 68:4,7 71:8 74:6 75:9,17 76:2, 11,21 77:18 78:1, 14,15 79:1,23 84:7 87:13 88:21 90:17, 21 93:10 97:18 98:7,11,20 99:3,7, 10 101:15 102:4, 11,15,21 116:5,22 119:19,21 120:23 121:5 122:8 127:1, 15,23 128:5 132:8, 11,20,21,24 133:4, 5,11,13,19,21 134:24 135:11,18 136:1,4,8,14,21,23 137:2,5,20 138:8, 21 139:4,7,12,15, 18 140:9,19,22 141:5,16 142:22, 24 144:17,19 145:8 148:5 149:18 150:5,8,17, 24 151:6,8,20 152:1,8 154:5 158:10 159:23 163:1 173:21 175:15,17,22 177:12,22 183:10

officer-involved 89:4

officers 33:3,9 34:2,14 35:1,4,8 37:9 41:6 45:15 57:2,16,17 58:8,22 59:8,14 61:1 62:19 63:2 65:9,21 67:4 78:13 81:5,12 87:2,7,17 90:23 91:11 100:13 104:20 105:18,21 106:10 110:21 111:1,3 134:3 137:15,24 138:12 158:20 169:13 182:21 186:10

official 6:23 7:24

officials 29:8

OIG 4:12 10:15,17 16:5 20:19 42:9

OIG'S 11:6 20:7 21:21

omission 132:4, 18

omissions 141:21

On-scene 134:23 135:8

one-by-one 134:1

open 76:19 77:2, 21 91:6 110:3,4,6 146:17 185:2 186:17

opened 124:10 125:5,8 143:18 147:12 149:22 150:2 151:22,24 186:17

opening 124:18 127:9 147:22

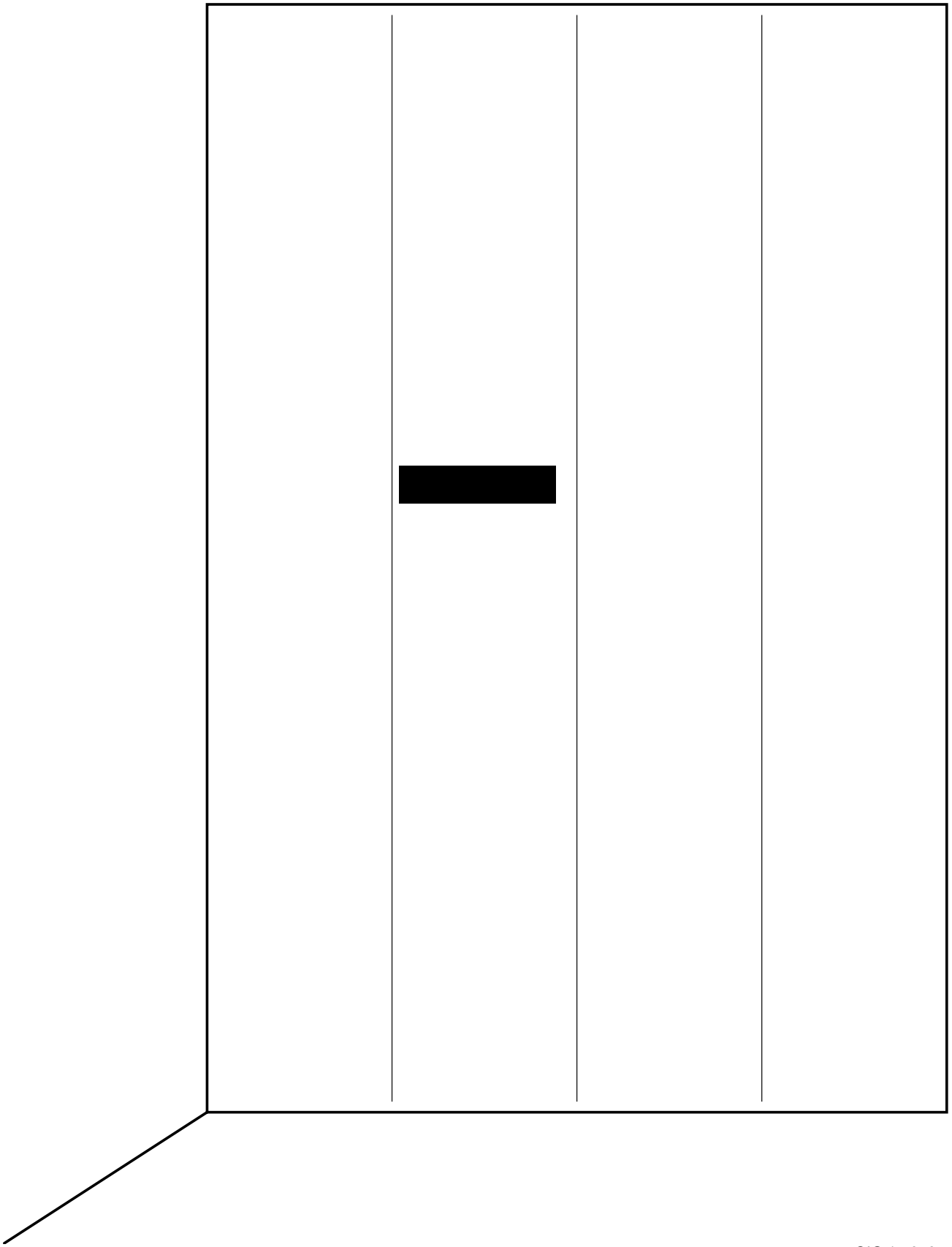
opens 146:22

operating 112:2

operational 162:13 163:3,8 164:13

opportunity 154:7,23 155:15 156:8

opposed 154:11



prior 10:7 11:15 14:12 15:13 18:11 19:4,15 20:14 26:4,10 28:5,13 33:2 34:7 40:20 42:9 45:3,13 47:11,18 56:15 86:6 88:12 89:4 93:15,19 132:8,11, 21 133:1,5 164:18, 22 170:12 171:1 173:14,19 180:16, 21 182:6

probable 10:11,14

problem 4:18 46:23 148:14 156:10 157:6 170:3

problems 180:2

procedure 165:21 167:14 172:8 185:10

procedures 162:13,22 163:2,3, 8 164:13 167:23

proceeding 8:22 11:7 12:17 16:17

proceedings 101:24 116:1 141:12 164:8

process 81:1 161:14 167:2

product 4:10

proffer 28:7

Progress 19:11, 15,19 56:18 115:11 119:3,5,8, 11

prohibits 8:3

proper 13:16,17 164:2

properly 162:24 178:10 183:13

property 4:10

protection 28:8

protocol 163:18 164:2 171:9

protocols 161:15, 20

provide 4:4 15:16 16:13 17:10,20 18:14 19:6,18 26:1 59:8,13 60:6

provided 4:11 11:4 13:16 15:14 17:2 19:24 20:8,19 22:2 42:9 44:20,23 50:22 51:1 83:3,10 141:17 143:15,16

providing 4:2 70:17

public 49:16

Pulaski 67:19,20, 23 72:19 121:2 122:11,18 123:3 131:23 134:6 135:1 158:5

pull 144:23

purpose 97:12 117:22 119:10 160:8

pursuant 5:11

put 6:8 7:8,11 12:11 16:24 60:18 95:15 104:12,20 112:5 115:10 116:5 151:11 153:5,16

Q

quality 94:10

question 9:13 18:4 24:11 26:24 32:17 33:7 44:17 47:16 48:13 55:8 59:11 65:12 73:12, 16,23 76:6 89:13, 14 120:12,16,21 121:5,22 123:11 126:12 127:3,11, 22 131:7 135:20 136:11 137:7 150:23 154:3 155:21,22 158:11 159:3,19

questioned 15:23

questioning 51:19 108:18

questions 7:1,8, 11,12 11:21 12:11, 21,24 13:14,19,23 14:5 21:18 25:9, 13,15 29:14,18,23 30:8 31:6,11 32:8, 14 41:12,16 42:18, 20,22 51:10 56:2 57:1 63:19 75:20, 22 77:21 78:7 79:6 93:19 94:3 96:6 97:10 98:22 103:13 112:1,4 119:2 120:1 144:7, 13 184:11

quick 32:4 75:4, 14,24 101:21 109:7 113:1,5 172:1 184:23

quicker 107:4

quickly 61:17 114:18

quiet 152:23

R

R-i-c-a-r-d-o 5:8 22:12

R-u-s-s-e-l-l 5:6

radio 59:7 67:9 105:14,15,21 106:3,4,7,10

raise 5:18 139:17

raised 15:6 139:3, 12

ramp 72:11

range 153:2,16,18

rapid 140:14 170:4

rare 35:23,24

reach 184:15,19

read 6:12,13,15 7:4,20 8:9,17,23 9:9,18,22 10:1 32:5 120:19 121:23 122:7 126:12,14 131:7 162:13 163:3,8

reads 145:11 146:7 149:16

real 39:22 75:13, 14

realized 48:14 49:17 51:17

reason 23:12 55:4 58:19 168:15

reasonable 9:5

recall 28:5 30:22 32:11 51:6 53:3,18 54:2,13 55:10,19 56:10 78:15,18,20 79:22 82:9,23 84:6,16 85:23 86:20 91:23 92:4, 18 97:5 99:7,10 101:7 102:20 105:20 106:9 108:14 109:10,12, 18 111:2,10,13 112:21 113:10,17 115:7 121:14 125:2 127:7,13,14 137:4,7,9,20 138:8,21 139:7,9 140:8,19 141:4 147:2 153:8 164:21 168:7 175:18,22 179:6, 20 180:13,20

receipt 18:10,11, 15,17 21:20,21 22:1

receive 11:17,18 59:7,12 185:3 186:18,23 187:9

received 28:7 53:4

receives 11:1

receiving 20:17

recent 45:19

recently 167:16 180:7

recipient 187:8

recollection 16:2 28:19 30:2 63:21 76:15 97:2 99:11 161:19 170:22 171:5,13 172:16 176:2

record 4:8,19 5:2 12:4,6,8 17:1 23:11 26:22 101:23 102:2,5 115:19,22,23 116:3 122:7 126:5, 8,9,11,14 141:10, 14 158:23 159:1 163:15 164:7,10 166:5 176:12,14 181:5 184:2

recorded 143:23

recorder 162:20 165:14

recording 4:9,12, 16 160:12,13 173:5

records 160:9 168:18 181:16

recount 107:6

recover 81:24

recovered 172:22 182:3,7,11

refer 65:18

reference 88:11 174:18

referring 148:5 168:23 172:6,11 175:5,9

refers 175:1

reflect 4:19

reflection 155:10

refusal 7:14,16 9:12 12:20

refuse 7:10 11:21, 24 12:1,11 14:18 25:7

refused 15:10,15

refusing 13:19

register 180:5,12

registered 180:11

regular 39:14 52:22

regularly 62:14,16

regulations 7:17 8:3

relate 164:13

related 13:19 119:20 133:18,22 134:1 136:5

relation 46:20 56:8

relationship 35:7, 11 36:14,19 37:6, 16,21 38:8,21 39:20 40:12,24

relationships 57:1

relay 166:10

relayed 142:21

released 49:16

relevant 10:23 144:14

relief 169:13

remain 7:7 11:2,5

remember 23:3,4, 8 24:22,23,24 25:12 26:13,16 27:5,7,10,11,14 28:4,15,16,24 29:22 30:14 31:10 32:7,15,22 34:19 41:21 42:2,11,22 43:10,16 44:13 47:5 50:4,5 51:9, 11 53:5,8,10,11 54:17 55:4,14,23 56:12 63:15 66:2, 5,15 68:18 76:9 78:22 85:12 90:3, 16 91:22 94:10 96:12 99:6,9,13 101:10 102:17,18, 24 104:11 105:9 106:12,17,18 108:21 109:14,16 110:5,12,13 112:23 124:15,20 125:17 136:23 137:18,22 138:10 140:11,21 141:7 163:6,12 170:16 171:3 172:14,19 176:16 179:2

remembers 171:9

remote 162:19 165:14

removal 8:14

rep 91:21

repeat 24:10 31:15 41:14

repeatedly 127:1, 16,24 138:12 150:24 151:6,21

report 7:24 8:3,5 18:22 19:4,11,15, 19 30:18 56:17,18 64:22 65:2,3,13, 18,22 66:1,19 67:10,14 68:8,20 72:3,6,23 74:6 79:7 80:13 81:2 85:22 86:15,22 87:11,20,21 88:3 115:11 116:11,12, 14,19 117:5,13,22, 24 118:1,20,23 119:3,8,11 142:9, 11 174:7 175:8,12 178:18

reported 175:16, 18 179:8

reporter 4:3,10, 15,24

reporters 4:8,22

reporting 176:3

reports 61:14 116:21 117:8 118:4,8 119:5

representative 9:3,6 86:3 91:15

representatives 28:6 85:16

represented 168:12

request 4:12 104:10 134:4

requested 15:13

requester 174:17

require 11:16 61:6

required 60:13

requirement 165:15

reside 36:7

respect 10:19 16:9 22:7 27:3 46:10,13 119:13 120:1 136:11 144:13 152:17 159:19 170:23 171:5,14 172:3,7 174:23 175:17 180:14

responded 134:4

response 72:4 108:15,17,20 109:1 155:20

170:4 183:15,22 184:5

responses 7:23

restate 127:11

restaurant 135:11 136:14

result 8:6

Retrieval 174:15 175:6

retrieve 176:17,20 177:7 179:13

retrieving 177:16

returned 72:7

review 9:23 19:23 20:12,18 45:2,6 47:12,15,19 115:17,18 116:8 124:5 155:10 157:1,9

reviewed 31:23 79:18

reviewing 21:1 82:14 107:15 126:16

Ricardo 5:7,16 6:1,18 13:11 14:3 22:11 119:18

ride 88:24

Ridge 36:8

rights 6:10,17 9:22 10:5 11:1 15:19 25:6

ring 168:10

Road 54:16 121:3 122:11,18 123:3 131:23 134:6 158:6

Robert 14:1 20:3, 4,13 22:17 23:12, 15 50:21 51:1 64:11 67:22 70:15 71:5 77:11,15 83:10 93:11 125:3 128:16 135:8 141:9 143:16 144:23 146:12 147:3 149:4 168:4, 7,24 169:3 170:3 171:6 173:15 175:14 176:4 179:3,9 180:5,15

Robert's 92:24 102:10 129:7,20 130:11 134:23 173:9

role 61:4,11

roll 52:15,20

roof 173:9

room 90:11 91:5 92:1 93:2,15 98:15 100:4 111:8 112:6 113:1,11

rooms 92:9

Roosevelt 54:16

rule 8:1 185:10

rules 7:16 8:2

run 146:9,13

Russell 5:5 10:7, 21 11:9,15 12:2 13:12 14:12 16:20 21:24 23:17 32:3 42:24 43:13 46:15 47:21 55:16 57:23 58:2 73:13 76:7 77:4 83:5 84:15,20 89:12,18 101:21 106:22 114:3 115:19 121:8 124:15,23 125:15, 20 126:5 127:11 130:23 131:3,7 134:18 137:9 138:17 142:6,13, 21,24 146:4 152:20 157:5 158:11,21 161:23 164:4 165:7 168:12,15 171:8 176:9 185:16

S

S03-05 162:9

safe 109:23

scene 33:4,10 34:3 35:1,8 45:16 50:10 57:21 65:10, 21,24 66:22,24 67:3,5 68:19,24 69:12,20,23 70:8, 10 71:16 72:9,16, 21 73:4,8,18,24 74:13,16,21 75:2 77:12 78:24 79:24 80:4,24 84:2 85:10,16 86:7,17 87:3,8,17 88:11 89:8 90:24 91:12 92:12,15 93:17 94:1,19,22 95:7,10 96:2,16 99:4 100:14 103:16 104:14,19 106:11, 15 107:11 110:4,9 120:24 121:18 122:9 123:17 124:4,7 126:3,23 127:20 128:12,15 129:7,20 130:11 135:10 136:12 144:23 154:10 155:4,7 158:14 174:10,20,24 176:16 177:4 181:21 182:4

scheduling 21:2 33:11

scratch 74:8

seat 76:22,24 77:1,16,19 90:13 128:18

seats 91:5

Sebastian 39:21 40:10 90:17

seconds 72:13 143:21 144:2,5 145:12 149:16

Section 162:11,12 165:1,3

sector 178:15

securely 162:21

security 20:9,14 83:14 84:2 147:16, 23

segregated 87:8

send 167:6 184:23 185:1 186:19,24 187:6

sending 187:12

senior 11:17

sense 95:16

sentence 123:9

separated 87:7

separation 8:6

sequence 124:16, 23 125:17

sergeant 22:24 23:2 52:21,23 68:2 69:15 88:6 105:3 166:11 167:5,8,18, 20 172:4,10 174:8, 22 175:4,14,19,23 177:13 178:15,16 179:2,4,17,18 180:18,21 181:6, 11 184:14,19 185:1,21 186:3,11, 12,17 187:15,16

sergeants 64:21 66:14 71:3 105:23 165:21 166:16 167:21 181:12

series 141:20

serve 7:18 9:16

service 152:19 153:10

set 114:6 141:10

shadow 149:7

sharper 94:12

shift 33:14 108:3 113:24 114:11 160:22 166:3 172:2 185:6,12,24

shoot 152:18

shooting 11:22 12:13,21,24 13:15, 20 24:5,9,14 29:10,11,15,19,20, 24 30:2,3,5,10 31:4,24 33:4,10,22 34:1,15 35:2,8 41:13,17,19 42:1,6 44:15 45:16 46:4, 7,10,14,20 47:4,20 48:5,9,23 49:6,14, 16 50:6,10,11 63:14,18,22,23 66:24 67:3,4 68:24 70:5,12 72:9 74:1, 13,15,21 77:12 78:14,16,21 79:1, 2,11,24 80:4,5 84:4 85:11,16 86:8,9,12,17,18 87:3,4,8,17 88:11 89:1,4 90:24 91:11,12 92:12,16, 23 93:19 94:22,23 96:3,16 99:11 100:10,14 102:16, 23 107:12 108:12 114:21,22,23 115:5 118:14,17, 22 121:19 122:4 124:10,12 125:4,5 126:18 127:20 132:22 133:1,6 141:19 144:24 147:4 148:18 150:19 152:12,17 158:19 173:11 174:10,20,24 181:22 182:4,8

short 101:24 116:1 141:12 164:8

shortly 28:1 70:4

shot 63:11 132:8, 11

shots 128:24 139:22

shoulders 83:19

show 30:4,20 42:3 48:13 82:17 112:24 113:2 115:9 141:8 143:14 144:14 150:6 156:13,18

showed 30:22 31:1 42:3,5 48:14 50:18 92:10,17 93:1,9 96:5,9,13, 21 97:6,19 112:4 114:20 147:20

showing 47:7 92:23 93:15,20 97:13 111:11,13 156:11

shown 42:13,16 44:18 47:1 49:1 50:17 51:2,4 95:4, 20 112:20,21 149:17

shows 147:16 149:23 150:8

side 77:20 92:9 93:1 108:8 109:10, 11,12 111:8 112:6 138:2 150:2

sideways 137:14

sign 10:5 18:17 28:13 163:15

signature 17:24 18:5

signed 187:5

signing 28:15

silent 7:7 11:2,5

similar 105:19 155:9

simultaneously 147:8

siren 110:12

sirens 110:10

sit 91:7

sitting 36:18 71:2 82:3 91:4,24

situation 58:7

situations 61:11 167:1

skimped 58:19

slight 159:6

slip 21:10

slow 52:9

slowed 151:10

slowed-down 144:9

small 40:7 58:13

smaller 58:20

socialize 35:22 36:22 38:18 40:9, 21

socializing 37:19 38:5 39:17 41:3

sooner 145:15

sort 28:12 42:20 46:6 68:23 69:21 82:20 94:16 161:14 181:16

sound 70:2 80:21

sounds 185:21

south 36:4

southbound 121:2 122:11,17 123:3 131:22 135:13 136:16 138:3 158:5,15,18 159:5

speak 20:22 21:5 26:5,18,21 28:22 29:7 33:3,9 36:16 61:12 74:20 85:9 86:17 106:6,16 107:7 109:13 181:23 182:18

speaker 13:9

speaking 28:6,13 56:15 75:11 79:23 108:8

speaks 124:13 157:15

Special 162:3,9, 11

specific 29:22 31:10 32:8,15 34:9 35:17 46:19 78:7 106:17

specifically 22:23 43:16 82:17 103:23 104:15 146:10 171:10

specifics 21:16 41:23 43:14 50:4,7

speculation 43:4

speed 151:9,12

spell 5:2

spoke 20:23 21:9 26:10 28:20 29:1 31:19 33:13 85:18 86:23 91:17 92:12 109:9 110:3 111:7 113:16

squad 169:24

stamp 144:4 149:4 150:3

stamped 144:3

stamps 160:14

stand 16:2 46:15 130:20 131:16,24 133:14 141:22 142:3,8 143:11

standing 138:1

star 5:9 22:9,12 68:16 69:21 70:9 75:4,17,18 77:22 78:1 81:9 86:21

stars 73:14 75:23 82:16

start 17:3 107:11 145:2 161:1 164:18 172:2 185:5,12

start-up 162:22

started 64:1 71:23 72:12 78:14 97:14, 15,23 107:12 124:10 151:23 152:9 161:17

starting 52:7

starts 108:3 119:18 160:11,17

state 22:9 132:6, 20

State's 55:22

stated 56:20 94:1 99:13 119:19 130:17 131:13,22 133:11 150:23 154:23 156:18 159:11 164:16 168:21

statement 8:11,19 9:14,21 11:16 12:20 14:14,15 15:17 16:21 19:1 26:2 29:5 30:18,20 31:13 32:1,12,19, 20 44:23 45:2 96:19,22 98:18 100:18 115:12 119:24 120:1,2,4, 6,13,15,17,20,22 121:6,12,15,19,22 122:6 123:6,13,19 125:23 126:2,24 127:4,8,14,19,23 128:3,6,11,23 129:1,6,8,10,13, 15,19,21 130:1,2, 5,10,12,15,21,24 131:11,17,20 132:1,12 133:9,15 134:3,7,12,14,16, 20,24 135:2,7,9, 15,21,23,24 136:12,18,22 137:3,8,10,11,13, 16,21,24 138:4,9, 11,14,22,23 139:2, 6,8,11,21 140:2,5, 6,10,12,13,15,17, 18,20,22,24 141:3, 6 151:5 153:14 154:4,20 155:11, 16 156:2,9,15,22 157:2,14,17,19 158:3 159:20,24 160:3

statements 7:23 16:12,13 30:13 32:13,23 51:8,10 91:19 94:5,16,21 95:9 96:1,2 99:1 100:7,22 101:6 119:15 133:21 136:3,7 141:20,23 142:4,6,8,10 143:11

states 6:17

stating 139:9 152:3 154:12

stay 72:5 104:23 169:15

stayed 63:23 74:17

step 176:9

step-by-step 63:17

stepped 177:13, 22

steps 171:14

stood 51:16

stop 144:22 145:9 146:2 148:7

stopped 139:23

stories 99:16

story 45:14 98:10 99:22

straight 48:10,17 49:10 99:22 101:13

street 66:18 67:18 78:10 104:24 105:2 121:3 122:12 123:4 131:23 134:6 135:13 136:16 138:1 146:5 155:3, 8 158:6 179:1,5

streets 66:12

stress 33:17

stresses 107:17

strike 187:19

strikes 98:16

stuck 112:7

stuff 103:3 107:6

subject 43:8 121:1 122:10 123:2 135:12 136:15 154:13 155:2 158:4

subsequently 175:3

substance 43:18

substantive 33:19 70:11 74:14 86:8 87:1 100:9 114:22

substantively 85:10 86:18

sufficient 116:7 151:19

Suite 4:22

summoned 24:3

summons 52:16, 20

superior 7:12 11:23 12:14,16

supervisor 165:11 166:2,9 178:13,17 183:20 186:8

supplement 65:19 117:6,10

supplemental 117:12 118:19

Supplementary 18:22 19:4 30:17 56:17 116:11,21 117:22 118:3,8,23 142:11 174:7 175:8,11

support 16:16 57:16,18

supposed 173:4 178:8,13 185:4,11

supposedly 97:7

surprise 182:10

surprising 182:2

swinging 78:11

switched 23:15

sworn 5:19 6:3 15:13

system 160:6,8,21 162:17,18,23 163:19,22 164:14, 17 165:12 166:21 167:9 168:4 169:6 170:1 171:2,6,15 172:17 173:3,16, 22 174:21 176:4, 23 177:24 178:8, 19 179:8 180:15, 23 181:7 182:22 183:12,20 184:4, 16 185:2 186:17, 19

systems 20:3 170:15 174:11 186:21

T

tables 82:4

taking 21:23 80:1

177:17,19

talk 24:1 28:17 37:8 38:23 40:7 45:10 63:7 66:3 69:20 76:17 79:1 85:15 89:20 91:15 97:15 170:11

talked 35:3 62:12 68:18 75:6 86:3 89:13 122:3 125:17 187:14

talking 34:21 35:4 73:18 122:2 142:18 154:15 159:7 164:12 165:5 166:13 179:10

talks 77:2

tall 112:15

tamper 173:15

tampered 173:21 187:22

tech 176:17,24 177:14,17

telephone 11:18 12:23 13:4

telling 96:15 105:12 156:17 172:9 180:21 187:2

tells 71:3 72:1 88:3

ten 81:17,18,19 113:7,8

Teresa 4:24

term 28:10 80:20 117:16,17 179:21

testified 6:3 31:17 41:11,15 47:21 48:3 49:23 114:3 142:14

testify 25:7,11

testifying 42:17 44:6

testimony 15:13, 14,17,22,24 16:1 24:3,7,12 26:4,6, 11,19 28:1,3 31:20,22,24 33:2, 8,21 34:4,8,23 41:8 43:18 45:4,7, 11,13,17,21 46:16 47:2,12,18 51:12, 21 56:22 122:2 123:12

text 34:13 186:13

texts 34:7,19,24 41:5

thanking 73:13

thereof 8:21

thing 31:1 39:22 45:22 47:5 51:15 69:22 77:5 89:19 99:17 104:17 108:16 112:3 113:20 133:24

things 60:3,4 89:8 95:7 161:4

thinking 56:6

thought 27:23 30:9 44:14 48:6,15 49:13 78:9 89:9 95:22,24 107:7 156:14,19 157:10, 20,22 160:17 172:8

thoughts 49:10

throat 52:7

thrown 39:5

thumbs 167:11,12

ticket 161:8 166:2, 10 171:17 179:22, 24 180:11,14 182:16

time 4:20 6:7 9:5 10:4 12:5,7 14:17 16:2 25:16 29:1,4 35:10 39:12 44:12 46:4,7 47:1 48:9 49:13,18,21 51:18 66:21 67:2 69:17 72:12 74:20 75:12 77:24 79:4 80:3 86:11,16 87:10 88:10,13,24 95:20 101:6,10,22 102:1 106:1,13 107:3,13 110:16,22 112:21, 24 113:4 114:4,6, 7,10,12 115:3,6,8, 16,18,21 116:2,7 118:17 120:14 124:19 126:7,10, 18 128:23 139:21 141:8,10,13 143:14,23 144:1,3, 4,12 145:11 149:4, 15 150:3,16 151:4, 20 155:23 157:1,7, 10 158:24 161:2 163:5 164:6,9 165:11 167:19 169:9,17 170:10 172:12 173:13,19 176:11,13 179:6 180:16,21 181:1,3 182:14 184:18

timeline 50:8

times 59:16,22 60:10 61:5 62:9 106:18 111:1 112:22,23 113:3 114:4 144:15 168:22

timestamp 143:22 145:10 146:7

timing 46:23 48:15 49:7,12,17, 21 51:16 69:10,14 97:21 122:19,20 124:23 126:15,17 148:15,17

tip 26:15

tired 100:15 102:18

titled 143:19 162:12

today 4:4 5:11 11:7 14:5 16:18 18:12 19:4,16 22:4 48:7 123:12 142:7 182:6

today's 4:19 19:23 20:15,22 21:20 42:9 50:22 79:18

told 43:9 64:21 68:2 72:5 87:22 88:7 91:19,21 92:4 98:12 99:8 100:20 101:2,3 108:6,15, 23 111:16,23 113:13 123:20,22 127:18 136:24 137:22 138:10 142:6 163:5 181:6

tongue 26:15

top 6:11

topics 44:7,10 51:14

totally 49:18

touch 44:10

tour 160:23 162:17 164:19 166:20 167:4 183:14 184:4

traffic 64:17 66:5, 7 67:8 104:4,19 105:20,22

trained 162:23 163:7,12

training 163:10,14

transcribing 4:16

transcript 4:4,7 21:20

transmitter/audio 162:20 165:14

traumatic 89:11

travel 59:15

traveling 72:7 152:11

trip 102:14

true 39:10

truth 43:7

truthful 16:1 46:16

truthfully 7:2,9

ts.ifo 143:19

turn 51:19 78:13 100:7 158:9,16,20 159:4,6 160:14,16, 18,19 185:23

turned 64:20 72:6 97:7 128:4 133:13 159:8,9 186:22 187:23

turning 161:3 171:18 183:1,3

type 59:12 60:17 65:6 118:9,13 153:10 155:9

types 118:10

typical 60:23 110:15

typically 184:14

typing 71:14

typo 175:4

U

U.S. 27:22 55:20

uh-huh 36:13 80:14 95:1,5 122:5 123:21

ultimate 150:19

understand 6:18, 22 7:6,7,10,13,22 8:1,4,11,19 9:2,12 14:8 89:7 95:17 107:18 118:18 126:17 187:7

understanding 48:8 61:13 117:21 118:2 160:13 176:19,21

unduly 9:7

unfamiliar 152:18

union 9:3,6

unit 22:10,16 75:4 90:9,11

untruths 43:9

upside 183:3

upsidedown 187:23

upstairs 90:8

V

V-i-r-a-m-o-n-t-e-s 5:9 22:12

vacation 63:4

Vandyke 34:7,9 35:3 36:15,23 37:3 57:4,6,8,17,24 62:3,17 78:14 86:17 127:1,16,23 128:5,24 130:2 132:8,11,21,24 133:5,13 137:15 139:4,5,13,18,19, 22 151:1,6,20 152:1,8 158:10

Vandyke's 133:12

vehicle 20:4 48:22 49:6 50:5,9 63:24 64:5,11 67:22 68:6,10,11 71:5,8 73:18 76:16 77:11, 15 102:10 103:8 108:7 113:17 120:24 122:3,9,16 123:10,15,24 124:3,11 125:4,8, 10,11 126:1,22 127:9 128:16 138:2 143:2,8 144:22,23 146:12 147:3,8,12,17,20 149:17,18 150:6,9, 18 154:7,12,24 160:6,11,15 161:5, 6 162:16 165:13, 24 166:7,21 167:9 168:4,8,13,19,24 169:3,5,8,16 170:4,9,23 171:7, 21,22 172:18,22 173:9,22 175:2,5, 9,14 176:4,18 177:8,10,13 178:9, 18 179:9 180:22 181:24 183:12,21 184:3

vehicle's 168:8 171:2 173:15 180:15

vehicles 169:14, 16,21 170:13 174:9,12,19,24 181:21,23 182:4,8, 14,16,22

Velez 40:13,22 59:2

verbal 128:4 133:12 139:3

verbatim 4:4

version 78:21

versus 43:14

VI 162:12 165:3

VI6 165:1

video 20:2,3,7,8, 13,14 30:4 31:2,3, 7 42:3,4,5,15,16, 18,21 43:20 44:21 48:13 49:1,4,15 50:2,16,17,21,24 51:1,2,3 80:4 81:24 82:13,18,24 83:10 92:10,17,23 93:1,4,12,15,20,22 94:6,9,10,12,17 95:4,9 96:1,6,7,10, 14,22 97:6,9,13,20 100:11 102:22 111:11,14,16 112:2,4,20,22 114:20 115:1 124:6,13,17 125:12,16 126:16 141:9,10 143:15, 16,19,21,23,24 144:3,8,12,18,20 145:2,4,10,23 146:9,13,14,19,20 147:5,16,20 148:1, 4,6,10 149:1,4,12, 23 150:6,12,14,16, 20 151:3,13,16 152:16 154:8,23 155:15,20 156:8, 11,12,16,17 157:1, 9,13,15,23 160:6,7 162:17,18,22 163:19,21 164:14, 17 165:12 166:21 167:9 168:4 169:5 170:1,14 171:2,6, 14 172:17,21 173:3,5,16,22 174:11,14,20 175:6 176:4,18 177:16,21,24 178:8,19 179:8 180:15,23 181:7, 24 182:19 183:12, 20 184:3,4,8,16 185:22

videos 20:12 42:8, 14 46:24 47:8,12, 13,15,19

view 147:9 154:8, 23 155:15,19 156:8 157:13

viewing 97:9 102:22 149:3

violation 7:16 9:15 15:18

Viramontes 4:14, 18 5:7,8,16,17 6:1, 7,18 7:3,19 8:8,16 10:8,11,14,24 11:9,12,20 12:10, 23 13:11,14,18,21 14:3,8,9,11,13 16:12,20 17:2,8,18

18:12 19:2,13,14 22:3,8,11,15 23:19 76:2 102:4 116:5 119:18,20 120:23 121:6 122:8 126:24 134:24 141:16 143:1 144:17,19 145:9, 13 148:5 149:19 150:5,17 151:9 154:6 159:23 163:1 183:10

Viramontes' 12:20 18:24

visually 162:18 163:19 164:17

VLC 143:19,24

Volpentesta 4:24

volume 59:20

voluntarily 14:16 184:23

W

wait 167:4 178:23

waiting 74:18 82:15 90:5,6,10 91:18 100:6

walk 44:4 63:13,20 70:24 95:14 164:5

walking 64:1 68:23 69:4,12 78:10 87:12 121:2 122:11,17 123:2 131:22 132:7,11 135:13 136:15 137:13 154:16 155:8 158:5,15,18 159:5

Walsh 41:1 128:5 132:20,24 133:4, 13 137:15 140:22 158:10

wanted 52:12 53:9 57:4 58:13 100:15 102:19 103:3 104:7,22 154:8 155:10 156:7 158:8 187:15

warm 53:12

warped 107:14

watch 22:18,20 23:1 38:13 40:7,19 57:10,11 58:13,16, 23 59:4 62:20,22 144:5,8,17 145:16, 22 150:16 151:3 178:2 181:10,11

watched 49:6 82:24 94:9 100:11

watching 93:22 94:1,8

water 52:5 101:20

ways 32:11

weapon 130:3 152:3,5,19 153:10

wearing 53:12

week 62:9,11 169:20

weekly 40:3 62:4

weeks 173:14

Wentworth 88:17

West 4:22

whichever 111:24

window 76:10 77:2,20 78:17 79:12,20 108:9 109:11,13 110:3 128:21 145:11 149:15

windows 76:19 110:4,5,15

witnessed 48:4 79:3 89:11 97:3 122:4 183:5

witnesses 66:23 67:4

witnessing 30:2

wondering 32:18 60:12 71:15 155:14 157:18 158:17

word 80:18 116:13

words 76:5 95:15 187:3

work 4:10 22:7 35:22 36:23 37:12, 17 38:3,15,24 39:1,3,18 40:4,10, 17 41:3 52:22 53:19,20 58:16,21 62:4,17 116:17 118:13 182:13 184:22

worked 36:20 39:12 41:2 57:5,8, 13,19,24 58:9 169:24

working 10:18 16:8 23:7 54:4,7 57:20 161:7,9 162:24 166:1,4,9 172:13 178:19 179:14 180:18 181:3,14 182:1 183:13 184:8,16 185:23

Worksheet 174:15 175:7

written 8:4,5 26:1 74:7 175:15

wrong 46:24 104:2 120:14 164:16

Y

years 35:18,19,20 170:12

yell 127:10

yesterday 21:10

Z

zone 105:5

zoomed 47:1

CITY OF CHICAGO
OFFICE OF INSPECTOR GENERAL

ADVISEMENT OF RIGHTS

I, Ricardo Viramontes, understand that I am being interviewed by Peter Neuvec and Kris Brown from the City of Chicago Office of Inspector General.

DATE 3/18/16 TIME 10:10am LOCATION 300 W. Adams, Ste 500 Chicago, IL

I understand that this interview is part of an official investigation and that I have a duty to cooperate with the Office of Inspector General, which includes answering all questions completely and truthfully.

I understand that I have no right to remain silent. I understand that I have an obligation to answer questions put to me truthfully. I understand that if I refuse to answer questions put to me, I will be ordered by a superior officer to answer the questions. I further understand and I have been advised that if I persist in my refusal to answer after an order to do so, such further refusal constitutes a violation of the Rules and Regulations of the Chicago Police Department and may serve as the basis for my discharge.

I understand and have been advised that my statements or responses may constitute an official police report. I understand that Rule 14 of the Chicago Police Department's Rules and Regulations prohibits making a false report, written or oral, and I further understand that making such a false report, whether written or oral, may result in my separation from the Chicago Police Department.

I understand that any statement made by me during this interview may be used as evidence of misconduct or as the basis for disciplinary action up to and including removal or discharge.

I understand that any statement made by me during this interview and the fruits thereof cannot be used against me in a criminal proceeding.

I understand that I have the right to have a union representative, or legal counsel of my choosing, present at the interview to consult with, and that I will be given a reasonable time to obtain a union representative or legal counsel as long as the interview is not unduly delayed.

I understand that a refusal to answer any question, or any false, inaccurate, or deliberately incomplete statement by me would constitute a violation of Chicago Municipal Ordinance 2-56, and may serve as the basis for my discharge.

I acknowledge that this statement of my administrative rights has been read aloud to me, and I have been allowed to review this document.

Employee Signature

Witness: Witness:

WAIVER

Understanding these rights, I wish to answer questions from investigators from the Office of Inspector General without having a union representative or legal counsel present. No promises or threats have been made to me and no pressure or coercion of any kind has been used against me.

Employee Signature:

EXHIBIT 1

NOTIFICATION OF INTERVIEW TO CPD MEMBER CITY OF CHICAGO OFFICE OF INSPECTOR GENERAL			DATE February 19, 2016
NAME	RANK	STAR NO.	UNIT OF ASSIGNMENT
Ricardo Viramontes	Police Officer	10590	008

YOUR APPEARANCE IS REQUIRED

AT ☒	Amicus Court Reporters 300 West Adams, Ste 600 Chicago, IL 60606	ON	DATE February 25, 2016	TIME 9:00 PM

AS ☒ ACCUSED ☐ WITNESS ☐ COMPLAINANT

FOR ☒ A STATEMENT

CONCERNING

False statements made in connection with the October 20, 2014 shooting of Laquan McDonald; the operation of the Chicago Police Department's in-car video system.

YOU ARE TO REPORT TO:

LEAD INVESTIGATOR	TITLE	PHONE NO	EMAIL
Kristopher Brown	Investigator III	773-478-0221	kbrown@chicagoinspectorgeneral.org

NOTE: You MUST notify the Lead Investigator of your inability to keep this scheduled appointment.

ALSO PRESENT AT THE INTERVIEW WILL BE:

NAME	TITLE	NAME	TITLE
Peter Neumer	Assistant Inspector General	N/A	N/A

THE INTERVIEW WILL BE ☐ AUDIO RECORDED ☒ TRANSCRIBED BY A LIVE REPORTER

TO BE COMPLETED BY INTERVIEWEE (if applicable)

ACKNOWLEDGEMENT

Please contact Investigator Brown at (773) 478-0221 to confirm receipt of Notification of Interview and to confirm your attendance at the interview.

I hereby acknowledge receipt of this Notification of Interview.

SIGNATURE [signature] DATE 19 FEB 16

PRINTED NAME RICARDO VIRAMONTES TIME 2253

EXHIBIT 2

TO BE COMPLETED BY OFFICE OF INSPECTOR GENERAL OR CPD COMPONENT PROVIDING NOTIFICATION TO INTERVIEWEE			
NOTIFICATION MADE TO	TITLE, RANK, & UNIT	DATE	TIME
P.O. Viramontes	P.O. Ricardo Viramontes	19 FEB 2016	2253 HRS.
NOTIFICATION MADE BY	TITLE, RANK, & UNIT	DATE	TIME
Sgt Terrence Curran	[signature] BN	19 FEB 2016	2253 HRS.

NOTIFICATION OF ALLEGATIONS

CITY OF CHICAGO OFFICE OF INSPECTOR GENERAL

NAME OF ACCUSED	RANK	STAR NO.	UNIT OF ASSIGNMENT
Ricardo Viramontes	Police Officer	10590	008

City ordinance, and if applicable, collective bargaining agreements, provide that you are entitled to notice of the nature of the allegations against you and the identity of all complainants prior to any interview. Accordingly, you are advised as follows:

COMPLAINANT(S)

1. John J. Escalante, Interim Superintendent of Chicago Police Department (CPD), sent a letter to the City of Chicago Office of Inspector General (OIG) dated January 13, 2016, requesting that OIG conduct an administrative investigation of the following allegations arising out of the October 20, 2014 shooting death of Laquan McDonald (the McDonald Shooting): "whether any officer(s) made false statement on official reports submitted in connection with the shooting of Laquan McDonald on October 20, 2014; whether any officer(s) obstructed or interfered with the investigation of this incident, either individually or in collusion with others; and whether any officer(s) committed any violation of Chicago Police Department rules, policies, or orders in connection with their response and/or handling of this matter." Escalante attached to the letter a copy of Sergeant S. Soria's (Star # 2275) Initiation Report, which raises similar allegations of misconduct with respect to Department members in connection with the McDonald Shooting, and identified that Report as a basis for OIG's administrative investigation.

ALLEGATION(S)

1. On or about October 20, 2014, you provided a false narrative to Detective David March of the Chicago Police Department (CPD) concerning the McDonald Shooting, through a series of false statements and material omissions.

2. On or about October 20, 2014, you made a false statement during an interview with Detective David March of the Chicago Police Department (CPD) when, with respect to the McDonald Shooting, you stated that McDonald was walking southbound on Pulaski Road, in the middle of the street.

3. On or about October 20, 2014, you made a material omission during an interview with CPD Detective March when, with respect to the McDonald Shooting, you failed to state that McDonald changed the direction in which he was walking prior to being shot by Officer Van Dyke.

4. On or about October 20, 2014, you made a material omission during an interview with CPD Detective March when, with respect to the McDonald Shooting, you failed to state that Officers Van Dyke and Walsh moved towards McDonald prior to the shooting.

5. On or about October 20, 2014, you made a false statement during an interview with CPD Detective March when, with respect to the McDonald Shooting, you stated that McDonald ignored Officer Van Dyke's verbal direction to "Drop the knife!" and turned toward Van Dyke and Officer Walsh.



6. On or about October 20, 2014, you made a false statement during an interview with CPD Detective March when, with respect to the McDonald Shooting, you stated that after McDonald fell to the ground, he attempted to get back up with the knife still in his hand.

7. On or about October 20, 2014, you failed to ensure the in-car video system for CPD vehicle 8948 was working properly at the beginning of your tour of duty.

8. On or about October 20, 2014, you failed to immediately notify a supervisor that the in-car video system for CPD vehicle 8948 was inoperable or damaged.

9. On or about October 20, 2014, you failed to audibly record events with CPD vehicle 8948's in-car video system during your tour of duty.

ACKNOWLEDGEMENT

I hereby acknowledge receipt in writing of the identity of the complainant(s) and notice of the nature of the allegation(s) against me.

Signature [signature] Date 19 FEB 16

Printed Name RICARDO VIRAMONTES Time 2257

WITNESSES

[signature] 894 19 FEB 2016 2257 HRS

City of Chicago Office of Inspector General
740 North Sedgwick Street
Suite 200
Chicago, Illinois 60654

RECEIPT FORM

OIG FILE NO. 15-0564

ON 19 FEB 2016 DATE AT 2258 HRS TIME

Sgt. Terrence Carmody #84 NAME Sgt. of Police TITLE

☐ SEIZED FROM ☐ RECEIVED FROM ☐ RETURNED TO ☒ RELEASED TO

NAME	TITLE	DEPT.
Ricardo Viramontes	Police Officer	Chicago Police Department

THE FOLLOWING ITEM(S):

1. A City of Chicago Office of Inspector General DVD containing the following materials:

   - A copy of the portion of the March 16, 2015 Case Supplementary Report for R.D. No. HX475653 that memorializes Detective David March's October 20, 2014 interview of Ricardo Viramontes;
   - Detective March's October 20, 2014 General Progress Report for R.D. No. HX475653 concerning March's October 20, 2014 interview of Ricardo Viramontes;
   - The October 20, 2014 audio and video files for the in-car video system of beat number 813R;
   - The October 20, 2014 audio and video files for the in-car video system of beat number 845R; and
   - A October 20, 2014 Dunkin Donuts security video of the Laquan McDonald shooting.

ACKNOWLEDGEMENT

I hereby acknowledge receipt in writing of the above-listed item(s).

EXHIBIT 4

Signature [signature] Date 19 Feb 16

Printed Name Ricardo Viramontes Time 2258

WITNESSES



19 Feb 2016 2258 HRS

CHICAGO POLICE DEPARTMENT

CASE SUPPLEMENTARY REPORT

HX475653

3510 S. Michigan Avenue, Chicago, Illinois 60653

(For use by Chicago Police - Bureau of Investigative Services Personnel Only)

Case #: [redacted]
Sub-ID: [redacted]

EXC. CLEARED CLOSED (OTHER EXCEPTIONAL) | **DETECTIVE SUP. APPROVAL COMPLETE**

List Offense Classification/Re-Classification	IUCR Code	Original Offense Classification			IUCR Code
ASSAULT / Aggravated Po:Knife/Cut Instr	0552	ASSAULT / Aggravated Po:Knife/Cut Instr			0552
Address of Occurrence	Beat of Occur.	No. of Victims	No. of Offenders	No. of Arrested	SDR No.
4112 S PULASKI RD	615	4	1	1	
Location Type	Location Code	Secondary Location			Hate Crime?
Street	304				NO
Date of Occurrence	Unit Assigned	Date RD Arrived	Tow Related?	Gang Related?	Domestic Related?
20-OCT-2014 21:57	0841R	20-OCT-2014 21:57	NO	NO	NO

Reporting Officer	Star No.	Approving Supervisor	Star No.	Primary Detective Assigned	Star No.
MARCH, David	20563	WOJCIK, Anthony	481	MARCH, David	20563
Date Submitted		Date Approved		Assignment Type	
15-MAR-2015 18:26		16-MAR-2015 00:03		FIELD	

THIS IS A FIELD INVESTIGATION EXC. CLEARED CLOSED (OTHER EXCEPTIONAL) REPORT

[redacted]

HX475653

EXHIBIT 5

[redacted]

FONTAINE, Dora -----

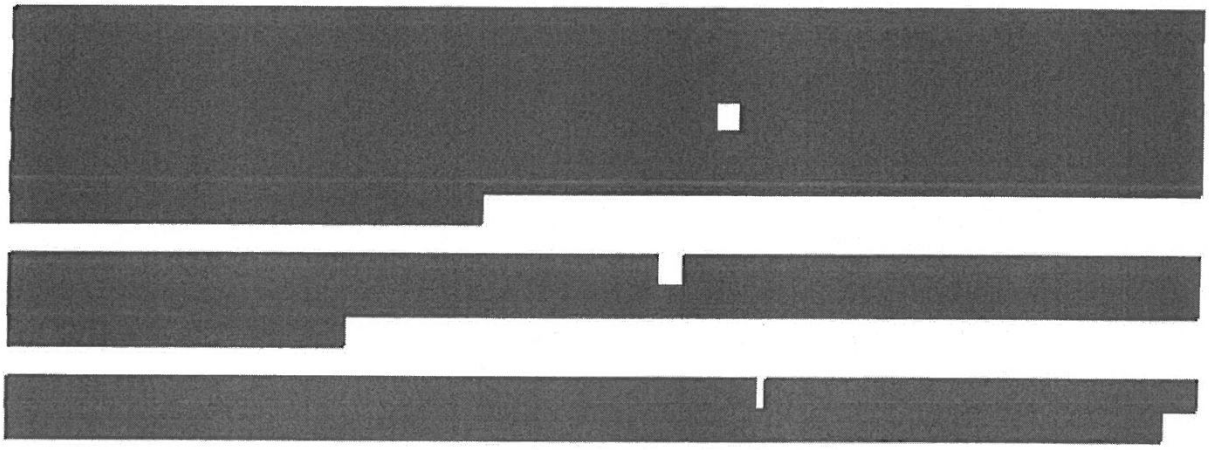
stated she was a Chicago Police Officer assigned to the 008th District. She was on duty, in uniform, working on Beat 841R. FONTAINE was working with Police Officer Ricardo VIRAMONTES. The two officers were assigned to a marked vehicle. VIRAMONTES was driving the vehicle and FONTAINE was the passenger.

The two officers responded to the request for assistance made by Beat 815R, regarding a man with a knife at 41st Street and Pulaski Road. Officer VIRAMONTES drove northbound on Pulaski. When they arrived at the scene of this incident, in front of the Dunkin' Donuts restaurant, Officer FONTAINE saw a black male subject, now known as Laquan MCDONALD, walking southbound in the street, with a knife in his right hand. MCDONALD was walking sideways, with his body facing east, toward Officers Jason VAN DYKE and Joseph WALSH. These two officers were standing in the middle of the street, on the right side of their police vehicle, which was facing southbound. FONTAINE heard the officers repeatedly order MCDONALD to "Drop the knife!" MCDONALD ignored the verbal direction and instead, raised his right arm toward Officer VAN DYKE, as if attacking VAN DYKE. At this time VAN DYKE fired multiple shots from his handgun, until MCDONALD fell to the ground and stopped moving his right arm and hand, which still grasped the knife. The gunshots were rapid fire, without pause. Officer WALSH then kicked the knife out of MCDONALD's hand.

VIRAMONTES, Ricardo -----

stated he was a Chicago Police Officer assigned to the 008th District. VIRAMONTES related the same facts as his partner, Officer Dora FONTAINE.

Officer VIRAMONTES added that when he exited his police vehicle, at the scene, he observed a black male subject, now known as Laquan MCDONALD, walking southbound on Pulaski Road, in the middle of the street, holding a knife in his right hand. VIRAMONTES heard Officer Jason VAN DYKE repeatedly order MCDONALD to "Drop the knife!" MCDONALD ignored the verbal direction and turned toward VAN DYKE and his partner, Officer Joseph WALSH. At this time VAN DYKE fired multiple shots from his handgun. MCDONALD fell to the ground but continued to move, attempting to get back up, with the knife still in his hand. VAN DYKE fired his weapon at MCDONALD continuously, until MCDONALD was no longer moving.



GENERAL PROGRESS REPORT
ECTIVE DIVISION/CHICAGO POLICE

DATE OF ORIG. CASE REPORT	DATE OF THIS REPORT
20 OCT 2014	20 OCT 2014 3

OFFENSE CLASSIFICATION–LAST PREVIOUS REPORT	VICTIM'S NAME AS SHOWN ON CASE REPORT	BEAT/UNIT ASSIGNED
0552	VAN DYKE	512.1

This form is designed for recording handwritten notes and memoranda which are made during the conduct of investigations, including: inter-watch memoranda (handwritten or typewritten), witness and suspect interview notes, on-scene canvas notes, and any handwritten personal notes made by detectives during the field investigation of violent crimes which are used to prepare official Department case reports.

R VIRAMONTES

WHEN HE EXITED VEHICLE AT SCENE,
SAW O WALKING SLOW ON PULASKI, IN MIDDLE OF ST
KNIFE IN R HAND
HEARD JVD REPEATEDLY "DROP THE KNIFE!"
O IGNORED TURNED TOWARD JVD + JVD
VD FIRED MULTIPLE SHOTS
O FELL TO GROUND BUT CONTINUED TO MOVE,
ATTEMPTED TO GET BACK UP, KNIFE STILL IN HAND
VD FIRED AT O CONTINUED UNTIL O
NO LONGER MOVING

HX425253

REPORTING OFFICER'S SIGNATURE–STAR NO. 20563

RECEIVED BY: SUPERVISOR'S SIGNATURE–STAR NO. | DAY, MO., YR. | TIME

CPD-23.522 (Rev. 2/93)

EXHIBIT 6

Chicago Police Department

Special Order S03-05

IN-CAR VIDEO SYSTEMS

ISSUE DATE:	23 February 2012	**EFFECTIVE DATE:**	23 February 2012
RESCINDS:	Version dated 20 April 2011; S10-10		
INDEX CATEGORY:	Field Operations		

I. PURPOSE

This directive:

A. implements the use of Department in-car video systems.

B. establishes the policies and procedures for the use, maintenance, and repair of in-car video systems.

C. establishes the roles and responsibilities of Department members affected by the introduction of in-car video systems for the video and audio recording of incidents.

D. establishes the requirements for viewing, retaining, and duplicating digitally recorded incidents.

E. continues the use of the Digitally Recorded Data Viewing/Hold/ Duplication Request (CPD-65.224).

F. identifies the Records Division as the Department repository and viewing location of digitally recorded data created by the in-car video systems.

II. POLICY

The Department is committed to protecting the safety and welfare of its members and the public. The in-car video systems can provide members with an invaluable instrument to enhance criminal prosecution by providing powerful evidence of criminal activity, limit civil liabilities, and objectively document officer conduct during individual interactions. Members assigned to a vehicle equipped with an in-car video system will use it pursuant to this directive.

III. GENERAL INFORMATION

A. There is no expectation of privacy for Department members related to incidents recorded by in-car video systems. Supervisors, members of Bureau of Internal Affairs, and the Independent Police Review Authority (IPRA) investigators may request to review the digitally recorded data from a vehicle equipped with an in-car video system. Any digitally recorded data created by the in-car video system may be used without a Department member's permission for any official Departmental purpose.

B. The in-car video system will **automatically engage audio and video recording** when the vehicle's emergency-roof lights are activated. However, Department members may manually activate the in-car video system without the activation of the emergency equipment. At the conclusion of the incident, Department members must manually disengage all recording processes, regardless of what method activated the in-car video system.

C. The Records Division will be the custodians of the digitally recorded data and will be responsible for the retention, duplication, and viewing of the in-car video systems. The Director, Records Division, will establish retention, viewing, and duplication procedures that provide for inventory control, the security of the digitally recorded data, and authorized duplications.

D. All digitally recorded data created by the in-car video systems will be retained by the Records Division for a minimum of 90 days. Digitally recorded data that is marked and held as having evidentiary or training value will be retained as prescribed by law and established Department policy.

E. In general, minor infractions and minor deviations from Department policy observed through the review of digitally recorded data will not be subject to the disciplinary process and will be treated as a training opportunity.

EXHIBIT 7

OIG 15-0564 007710

IV. RECORDING GUIDELINES

A. Department members will use only Department-issued video and audio recording equipment.

B. Department members will conform to all laws and Department policies concerning the use of the in-car video system for the video and audio recording of incidents.

1. Department members are lawfully permitted to video record individuals without their consent if they are on the public way or in public view.

2. Department members who are in uniform and have identified their office are lawfully permitted to simultaneously audibly and visually record individuals without their consent whenever:

a. the member is conducting an enforcement stop, **or**

b. the patrol vehicle emergency lights are activated or would otherwise be activated if not for the need to conceal the presence of law enforcement.

NOTE: Any reports completed for an audibly recorded incident, including Traffic Stop Statistical Study - Driver Information Cards (CPD-21.103), Traffic Stop Statistical Study Stickers (CPD-15.516), and Personal Service Citations, must include the initial violation or investigatory need that led to the stop.

NOTE: Department members may audibly record an enforcement stop regardless of the subsequent enforcement action taken.

3. Department members may audibly and visually record an individual with the consent of the individual.

C. Uniformed Department members assigned to vehicles equipped with in-car video systems will activate the system to simultaneously audibly and visually record the entire incident for all enforcement stops.

D. Uniformed Department members assigned to vehicles equipped with in-car video systems will activate the system to visually record the entire incident for all:

1. arrests and transports.

2. nonpursuit emergency vehicle operations.

3. any situation that the member, through training and experience, believes to serve a proper police purpose.

E. During the recording of an incident, Department members will not disengage the in-car video system until the entire incident has been recorded.

NOTE: Department members will be required to justify any disengagement of the in-car video system prior to the entire incident being recorded.

F. If recorded, felony and misdemeanor arrests, motor vehicle pursuits, traffic crashes resulting in property damage, personal injury, or a fatality, DUI incidents, and failure to yield to an emergency vehicle will be automatically stored by the in-car video system indefinitely when the correct event is selected from the postevent pop-up menu. All other incidents will be automatically stored for ninety days.

G. If digitally recorded data will be needed in judicial proceedings beyond ninety days, members will place an extended hold on that digitally recorded data as described in Item VIII of this directive, including but not limited to the following circumstances:

1. Traffic stops other than DUI,

© Chicago Police Department, February 2012

OIG 15-0564 007711

2. Enforcement stops,

3. Other traffic crash investigations, and

4. Stops for citizen assistance.

H. When a complaint against a Department member is received that involves a digitally recorded incident, the investigating member will request an extended hold on the data.

I. Assigned supervisors will request an extended hold on all digitally recorded motor vehicle pursuits and traffic crashes involving Department vehicles.

V. DEPLOYMENT OF THE IN-CAR VIDEO SYSTEMS

A. Commanding officers of units with vehicles equipped with in-car video systems will:

1. ensure that vehicles equipped with in-car video systems are evenly distributed for use by all watches.

NOTE: Commanding officers will ensure the units assigned to traffic duties in district law enforcement use vehicles equipped with in-car video systems.

2. whenever feasible, ensure vehicles equipped with the in-car video systems are deployed every tour of duty and service is requested for inoperable vehicles equipped with in-car video systems.

B. The *station supervisors* will:

1. deploy every vehicle equipped with a functional in-car video system during the tour of duty.

2. ensure digitally recorded data is downloaded from the in-car video systems.

3. whenever operationally feasible, review video of any arrest recorded by the in-car video system as part of the approval of probable cause.

VI. OPERATIONAL PROCEDURES

A. Department members assigned to a Department vehicle equipped with an in-car video system will:

1. at the beginning of a tour of duty:

a. visually inspect the in-car video system equipment for damage.

b. obtain the remote transmitter/audio recorder and ensure it is securely attached to the member's person.

c. follow the start-up procedures for the in-car video system as trained and ensure the system is working properly.

NOTE: Members will immediately notify a supervisor if, at any time, the in-car video system is inoperable, damaged, the equipped vehicle becomes inoperable, or the remote transmitter/audio recorder is missing.

2. during the tour of duty:

a. audibly and visually record events in accordance with this directive.

b. annotate all reports, including Contact Information Cards (CPD-21.101), prepared for an event which has been recorded by listing **"Video Recorded Incident"** at the end of the narrative portion.

© Chicago Police Department, February 2012

OIG 15-0564 007712

c. after an incident has been recorded, use the post-event pop-up menu to select the most serious recorded occurrence as the event type and enter other event information.

NOTE: If the member did not use the postevent pop-up menu to mark the incident as being held for evidence, the member will request an extended hold on digitally recorded data in accordance with Item VIII of this directive.

d. if the in-car video system indicates that the memory required to record incidents is becoming low or if the member observes that less than 30 minutes of recording time is available, download the digitally recorded data.

3. at the conclusion of a tour of duty:

a. verify the in-car video system is working properly.

b. initiate the downloading of the digitally recorded data.

NOTE: Members will immediately notify a supervisor if unable to complete the downloading of digitally recorded data due to technical problems.

c. shut down the in-car video system and logoff the system.

d. return the remote transmitter/audio recorder to the designated area for charging.

B. The sergeant assigned to supervise Department members using Department vehicles equipped with an in-car video system will:

1. monitor subordinates to ensure the in-car video system is used and that digitally recorded data is properly downloaded.

2. ensure that the Help Desk is contacted and a ticket number is obtained whenever any member is unable to use the in-car video system or download digitally recorded data due to technical problems.

3. initiate an investigation when notified of a missing or lost remote transmitter/audio recorder.

4. document on the Supervisor's Management Log (CPD-11.455):

a. whether each vehicle has an in-car video system and if it is functioning.

b. all responses related to malfunctions of vehicles equipped with in-car video systems.

c. digitally recorded data downloaded to land-based terminals, noting any units unable to complete the download and the Help Desk ticket number obtained.

d. any request submitted for an extended hold of digitally recorded data.

e. any instances of additional training, corrective measures, or disciplinary actions.

5. document on the Traffic Pursuit Report (CPD-22.958) or traffic crash report that the incident has been digitally recorded.

6. obtain a complaint register number and order an evidence technician to process the equipment if any damage or malfunction is suspected to have been caused by deliberate (tampering) means.

C. *Station supervisors* will:

1. designate a sergeant responsible for monitoring the downloading of digitally recorded data for the watch.

© Chicago Police Department, February 2012

OIG 15-0564 007713

2. record the total number of vehicles equipped with in-car video systems deployed during the watch and the total number of these vehicle that do not have a functioning in-car video system, if any, on the Watch *Incident* Log (CPD-21.916).

3. ensure the status of vehicles equipped with in-car video systems is recorded on the Personal Equipment Log (CPD-21.919) by recording the word "VIDEO" in the "Camera/Tripod No." column.

4. if an in-car video system malfunctions or the system or vehicle becomes inoperable **during** the tour, record the vehicle and beat numbers and the words "VIDEO DOWN" on the Watch *Incident* Log.

D. When digitally recorded data is determined to have evidentiary or training value, or a complaint against a Department member is received that involves a digitally recorded incident, the supervisor reviewing the recorded data will request an extended hold on the data.

VII. DOWNLOADING DIGITALLY RECORDED DATA FROM THE IN-CAR VIDEO SYSTEM

A. When downloading digitally recorded data from the mobile unit of an in-car video system to a land-based terminal, Department members will:

1. download the data in accordance with the manufacturer's guidelines and training.

2. ensure the download of data was complete and return the vehicle back into service.

B. With the approval of the *station supervisor* in the district of occurrence, special requests for the immediate viewing of digitally recorded data from the *Bureau of Detectives*, *Bureau of Internal Affairs*, or IPRA will be processed for major incidents where an in-car camera system may be reasonably expected to have captured a component of the incident.

1. Major incidents include, but are not limited to:

a. police-involved shootings,

b. serious injury or death to a Department member,

c. serious injury or death to a member of the public.

2. Special requests for viewing digitally recorded data will be made to the *station supervisor* in the district of occurrence, who will:

a. evaluate the request;

b. determine if the need for retrieval outweighs the operational impact of the vehicle being taken out of service; and

c. notify *Crime Prevention and Information Center (CPIC)* of the decision.

3. Special requests will be in the form of one of the following types:

a. Special wireless upload, or

b. Emergency on-site retrieval.

C. Special Wireless Uploads

1. The *station supervisor* in the district of occurrence will take the vehicle out of service and secure it at the unit of assignment or other appropriate location.

2. The supervisor will:

a. verify that the vehicle operator or partner is signed on to the in-car camera system;

b. instruct the member to manually flag the entire tour of duty's available video for upload;

© Chicago Police Department, February 2012

OIG 15-0564 007714

c. instruct the member to initiate a manual upload of this video with the vehicle in range of the facility's wireless hotspot; and

NOTE: If video cannot be uploaded via wireless hotspot, a cradle upload will be used.

d. ensure that the vehicle remains out of service until the upload is complete.

3. Once complete, the *station supervisor* will allow personnel from the *Bureau of Detectives*, *Bureau of Internal Affairs*, or IPRA, as appropriate, to review the uploaded files.

NOTE: For officer-involved shootings when an On-Call Incident Commander (OCIC) will respond, an emergency on-site retrieval will be immediately requested through *CPIC*.

4. The *station supervisor* may identify an alternate vehicle for the member to use while the identified vehicle completes its video upload, as appropriate.

5. If an attempt to wirelessly upload is unsuccessful, members may contact the City of Chicago Help Desk at 4-DATA for assistance.

6. If a wireless upload fails, an emergency on-site retrieval will be conducted.

D. Emergency On-Site Retrieval

1. The *station supervisor* in the district of occurrence will notify *CPIC* of an approved emergency on-site retrieval.

NOTE: An emergency on-site retrieval will only be conducted when an OCIC is responding or a wireless upload fails and contacting the City of Chicago Help Desk at 4-DATA has not resolved the problem.

2. *CPIC* will notify the Public Sector Information Technology (PSIT) Group personnel of a manual video retrieval from the "fail-safe" internal drive request.

3. The *station supervisor* in the district of occurrence will take the identified vehicle out of service during the retrieval process.

4. If the identified vehicle is still in use when the designated supervisor arrives at the unit facility or other appropriate location, the supervisor will report to the vehicle and instruct any member logged onto the system to log off the system.

5. The vehicle will remain out of service until PSIT responds and conducts the video retrieval.

NOTE: On-site review of video will be limited to the series of events and time frame giving rise to the alleged incident.

E. Viewing and Obtaining Copies of In-Car Video Recordings

1. Once retrieval has been completed for the requested time frame, the video may be viewed by personnel from the requesting party at the location of retrieval.

2. Requests for copies of in-car video recordings will be made by completing the form entitled "Digitally Recorded Data Viewing/Hold/Duplication Request" (CPD-65.224) and forwarding it to the Records Division.

F. The Managing Deputy Director, PSIT, will:

1. establish procedures to ensure the security of the digitally recorded data from downloading to storage by the Records Division.

© Chicago Police Department, February 2012

OIG 15-0564 007715

2. develop a system to monitor the memory capacity of the land-based terminals and provide for the security of the downloaded data.

G. If members are unable to download digitally recorded data from the mobile unit of the in-car video system to the land-based terminals due to system inoperability:

1. the *station supervisor* will notify the Help Desk and follow any further instructions given by the responding member of PSIT.

2. A designated member of PSIT will respond to the requesting unit and:

a. ensure the security of the digitally recorded data.

b. perform a manual download of the digitally recorded data.

c. record the manual download on the Help Desk ticket.

VIII. REQUESTING A HOLD FOR DIGITALLY RECORDED DATA

A. Department members will place an extended hold on digitally recorded data they recorded using the postevent pop-up menu on the in-car video system.

B. **Within the first 48 hours** from downloading digitally recorded data from the vehicle, Department members **who do not use the postevent pop-up menu** and request an extended hold on digitally recorded data will request that a supervisor place the extended hold by using the land-based terminal at the district/unit station.

C. **After the first 48 hours** from downloading digitally recorded data from the vehicle, Department members **who do not use the postevent pop-up menu** and request an extended hold on digitally recorded data will:

1. complete the Digitally Recorded Data Viewing/Hold /Duplication Request form.

2. indicate on the form the necessary actions by the Records Division.

3. explain in the narrative portion of the form the reason for the request.

4. submit the form to the *station supervisor/designated unit supervisor* for approval.

5. submit the completed and approved form to the Records Division for processing and retention in accordance with existing records-retention requirements.

D. Department members who wish to remove an extended hold on digitally recorded data will follow the procedures outlined in Item VIII-C of this directive indicating the circumstances requiring the removal of the extended hold.

E. The Director, Records Division, will:

1. develop a cataloging system for storage and retrieval of recordings and procedures for ensuring archives are maintained consistent with Department directives (including the Forms Retention Schedule), applicable state and federal laws, and compliance with all court orders.

2. be responsible for retaining digitally recorded data for which an extended hold was requested as prescribed by law and established Department policy.

IX. VIEWING, RETAINING, AND DUPLICATING DIGITALLY RECORDED DATA

A. All digitally recorded data created by the in-car video systems are the property of the Chicago Police Department. **Dissemination of any digitally recorded data outside the Department is strictly prohibited without specific authorization by the Superintendent or an appointed designee.**

1. Any non-Departmental requests for duplication of digitally recorded data must be approved by the Superintendent or an appointed designee.

© Chicago Police Department, February 2012

OIG 15-0564 007716

2. All approved requests will be forwarded in an expeditious manner to the Director, Records Division, along with:

   a. a completed and approved Digitally Recorded Data Viewing/Hold/Duplication Request form, and

   b. written instructions, including dissemination information, for compliance with the request.

B. Department members assigned to vehicles equipped with in-car video systems and their supervisors are encouraged to use the review/ playback functions of the system for the purposes of:

1. developing familiarity with the functions, capabilities, and limitations of the in-car video systems to create consistent recording techniques which capture relevant actions.
2. searching for and identifying recorded events having evidentiary or training value.
3. reviewing approach and officer safety issues.
4. ensuring consistency with written reports.

C. Reviewing Digitally Recorded Data

Investigating members may view digitally recorded data in the performance of official police business. When it is necessary to view digitally recorded data stored by the Records Division, the following procedures will apply:

1. The requesting Department member will:

   a. prepare a Digitally Recorded Data Viewing / Hold / Duplication Request form, including approval of the requestor's *station supervisor/designated unit supervisor*.

   b. schedule an appointment to view the recorded incident with a Records Division supervisor (or an appointed designee) to ensure the availability of a technician and playback equipment.

   c. present the properly completed and approved form to a Records Division supervisor at the scheduled time.

2. A Records Division supervisor will:

   a. process all approved recorded incident review requests.

   b. assign a technician to assist the requestor in viewing the recorded incident, as required.

D. Obtaining a Video Recording

1. A duplicate copy of selected information may be made to retain that information:

   a. when it is not required that the master video be retained for an indefinite period (e.g., investigation of a routine administrative incident when the punishment is of a summary or minor nature).

   b. when the requesting member determines that a duplicate video of a master video will be sufficient.

2. A duplicate video recording may be obtained by:

   a. completing a Digitally Recorded Data Viewing / Hold / Duplication Request form and submitting the completed form to the *station supervisor/designated unit supervisor* for approval.

   b. notifying the Records Division that a duplicate video recording is required and submit the approved Digitally Recorded Data Viewing/Hold/ Duplication Request form to the Director, Records Division.

© Chicago Police Department, February 2012

OIG 15-0564 007717

c. indicating to the Records Division which information from the digitally recorded data is to be included on the duplicate video recording.

3. When the duplicate video recording has served the purpose for which it was made, the requesting member will ensure that it is immediately returned to the Records Division.

NOTE: A member requesting a duplicate video recording will not make additional copies of it or permit unauthorized persons to duplicate or view it under any circumstances.

E. Special Situations

When the Records Division receives a request for an extended hold of digitally recorded data that indicates it pertains to:

1. **a motor vehicle pursuit or traffic crash involving a Department vehicle**, the Director, Records Division, will ensure a duplicate video is forwarded to the Traffic Review Board.

2. **an incident having training value,** the Director, Records Division, will ensure a duplicate video is forwarded to the *Deputy Chief*, Education and Training Division.

(Items indicated by *italics/double underline* were revised or added.)

Authenticated by: RMJ

Garry F. McCarthy
Superintendent of Police

11-055 / 12-003 EGV/RJN

© Chicago Police Department, February 2012

OIG 15-0564 007718

SUPPLEMENTARY REPORT

20 Oct 14 2157

ASSAULT - AGG PO: KNIFE/CUT INJURY 0552 4000 S KARLOV * 815
P.O. GAFFNEY # 19958 / P.O. VAN DYKE # 12805 * X X 9210
3420 W 63RD ST STREET 304

SEE ORIGINAL CASE INCIDENT REPORT

EVENT# IN SUMMARY: R/S CONTACTED BY CPIC AT 2230; 20 OCT 14 FOR IN CAR CAMERA (ICC) VIDEO RETRIEVAL ON SCENE 4100 S. PULASKI RELATED TO THIS ABOVE LISTED INCIDENT. REQUEST WAS FROM AREA CENTRAL DETECTIVE DIVISION SGT D. GALLAGHER UPON ARRIVAL BT 813R VEH 8779; BT 815R VEH 8489; BT 822 VEH 8765; BT 845R VEH 6412; & BT 841R VEH 8948 WERE SUBJECTS OF ICC VIDEO CHECK/RETRIEVAL. CHECKS OF THESE VEHICLES REVEALED THE LISTED FINDINGS:

BT 813R	VEH 8779	VIDEO RECOVERED [redacted] @ 20141020 21 5250
BT 815R	VEH 8489	OPERATIONAL BUT DUE TO DISC ERROR NO VIDEO RECORDED
BT 822	VEH 8765	NOT EQUIPPED - OFFICER REPORTED POWER ISSUE
BT 845R	VEH 6412	VIDEO RECOVERED. [redacted] @ 2014 10 20 21 5250
BT 841R	VEH 8948	NOT EQUIPPED - OFFICER REPORTED APPLICATION ERROR

RECOVERED VIDEO MANUALLY UPLOADED AND REVIEWED 002/ACOD ICC SYSTEM

21 Oct 14

SGT. L. BUENO 1748

4195153

EXHIBIT 8

In Car Camera Video Retrieval Work Sheet

Date & Time of Notification: 20 Oct 14 2230 HRS Related HDT#: OPS CMD

Requestor: Det Cpl K McNaughton Tech: Brown

Location of response: 4100 S Pulaski

Type of Incident requiring retrieval: Police Involved Shooting - Fatal Officer

Location of incident: 4100 S Pulaski Date & Time of Incident: 30 Oct M 2147

Related RD#, Event#, and/or CR Log#: 14K475653

Vehicles to be checked:

813R Veh# 8778 POs PC# [redacted] Results: [redacted] @20141020 216250 2144218 MVDD 30000214

815R Veh# 8489 POs PC# [redacted] Results

512 Veh# 8765 POs PC# [redacted] Results

845R Veh# 640 POs PC# [redacted] Results: [redacted] @20141020 215250 2144643 out of RCMS MVDD 00003227

841R Veh# 8948 POs PC# Results: HDT NO OPEN HDT

List additional Vehicle to be checked and results on back of this form

Note: Any vehicles identified to be checked, will be evaluated for operational readiness as well. Any deficiencies of the ICC System will be noted i.e. MIC(s) are not sync'd; rear camera not working; cannot upload; etc. Actions to rectify the issue should be taken to render the system FULLY FUNCTIONAL!

Notes of work or activities performed:

8778: MICs in Glove Box Portables Inserted upside down → Fully OP

8489: Processing Videos: extremely large Video files

8765: MICs in Charging Cradle; Not Sync'd to System

640R: No MICs; MIC Connection Disconnected

8948

This Information Disclosed to Detectives; Dc McNaughton; & Sgt Tech: Disc Submissions by Sergeant Duncan Vehicles

EXHIBIT 9

20 OCt 2014 , HY475653

Becvar, Lance J.

Sent: Friday, July 17, 2015 12:33 PM
To: Lewin, Jonathan H
Cc: Dolak, Steven E

Hello Dep Lewin,
Per your request the findings related to the Aggravavted Assault / Police involved Shooting on 20 Oct 2014. Listed under RD# HY 475653:

Findings from thart night-

Veh 8779 Video Recovered Titled [redacted]@20141020215250, No MICs because they were in the Glove Compartment with the batteries inserted unside down - Disabling them.

Veh 8489 System not engaged because a very long video (like hours long) was made previous to this event/incident and the system was processing that video and unable to start another video.

Veh 8765 System not engaged, officer related no power. There was no open HDT called in on vehicle. MICs not sync'd to system even though they were in the charging cradles.

Veh 6412 Video Recovered Titled [redacted]@20141020215250 view out of focus. Foucsing problem found to be related to a loose cable connection for the camera. No MICs in vehicle and the charging cradles disconnected from power.

Veh 8949 System not engaged, officer reported that there was an application error - Mobile Recorder Start-Up corrupted. No Help Desk Ticket Open for this vehicle.

Sgt Lance Becvar

Mobile Tech Supervisor

Information Services Division

Chicago Police Department
Cell# 312-446-3305
E-mail: [redacted]

EXHIBIT 10

LEGAL DISCLAIMER: This message, including any attachments, contains confidential information and may be legally privileged. Access to this email by anyone other than the intended recipient is unauthorized. If you are not the intended recipient, any review, disclosure, copying, distribution, retention, or any action or inaction taken in reliance on this information is prohibited and may be unlawful. If you are not the intended recipient, please notify the sender and delete the message, any attachments, and any copies thereof from your system.